

BEFORE THE NAMPA CITY COUNCIL
CITY OF NAMPA, CANYON COUNTY, IDAHO

In the Matter of Approval of a request for)
Rezone from RA (Suburban Residential))
zoning district to RS 4 (Single-Family)
Residential) zoning district and Subdivision)
Preliminary Plat for Sunshine Meadows, at)
1426 Chicago St., (R3231600000), by:)
Pratik Parekh)
)

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND DECISION**

Case No. ZMA-00196-2024

This matter came before the Nampa City Council (“Council”) for hearing and consideration on the 5th day of May, 2025, upon a request filed by owner Pratik Parekh, pursuant to Idaho State Code Title 50-222(3), Nampa City Code Title 10 Chapter 2(4.C.1), Nampa City Code Title 10, Chapter 2(3.c). Council hereby makes the following findings, conclusions of law and decision on this matter.

I.
RECORD

Council’s decision is made from evidence and testimony presented at the hearing on Monday, May 5, 2025.

II.
FINDINGS OF FACT, CONCLUSIONS OF LAW

Regarding the request for the Rezone from RA to RS4 and Preliminary Plat for Sunshine Meadows Subdivision, a 6.36 acre parcel #R3231600000 (NW1/4 of S35, T3N, R2 West, BM) and potential development agreement for 1426 Chicago Street, for Ardurra Engineers, representing Parekh Pratik, Owner, (ZMA-00196-2024, SPP-00152-2024), the Nampa City Council approves the rezone request. In approving the request the council finds the following:

- A. The proposed map amendment(s) is, are or would be in harmony with the city's currently adopted comprehensive plan and comprehensive plan land use map.**

- The proposed development is located on property that is designated as Medium Density Residential on the Future Land Use Map in the Comprehensive Plan.
- The RS 4 zoning district is an allowed zone within the Medium Density Residential designation assigned to this property on the Future Land Use Map in the Comprehensive Plan.
- The development complies with goals, strategies and principles outlined in the Nampa Comprehensive Plan.
- Homes built in this development will match the area in standard building construction, pitch roofs, garages and yard areas with trees and landscaping and all structures will meet required setbacks as outlined in NCC §10-8.

B. The proposed map amendment(s) is, are or would provide for a proposed use or set of uses that would be at least reasonably compatible with existing, adjoining property uses.

- The Comprehensive Plan defines compatibility and this development complies with those definitions.
- Uses that currently exist within a 1 mile of the proposed development include an elementary school, many single-family residential (medium density) subdivisions, and multiple fourplex developments that are within the city limits, as well as a variety of commercial uses on E Greenhurst Rd and Southside Blvd.
- The proposed RS (Single-Family Residential) zoning district allows for single-family detached dwelling units per NCC §10-3-2.
- This project matches the definition in the City of Nampa 2040 Comprehensive Plan for “Residential Area”, because the predominant character is residential. And is in proximity to uses, which support residential activity such as parks, churches, schools, fire stations, and utility substations.”
- This property is enclaved and therefore is considered to be infill due to the fact that it is in an area of other county properties that are surrounded by city limits and available to city utilities and other services. The goals of the Nampa Comprehensive plan are to

encourage development in areas where they can make efficient use of existing services. This helps to decrease sprawl to the outer edges of the city limits where services do not yet exist.

- Home built in this development will match the area in standard building construction, pitch roofs, garages and yard areas with trees and landscaping and all structures will meet required setbacks as outlined in NCC §10-8.

C. The proposed zoning map amendment(s) is in the interest of the public and reasonably necessary.

- The proposed RS (Single-Family Residential) zoning district allows for single-family detached dwelling units per NCC §10-3-2.
- City codes are written to protect the public interest by providing guidance for development, therefore, this project is presumed to be in the public interest because any further development or redevelopment of the property will be required to meet City standards for development and shall install appropriate site improvements upon development.
- City services and utilities are available to this property.
- There are properties within a half mile that are already annexed, zoned and developed in a similar way.
- It is considered to be within the public interest to develop infill properties rather than properties on the outer edges of city limits.
- Uses that currently exist within a 1 mile of the proposed development include an elementary school, many single-family residential (medium density) subdivisions, and multiple fourplex developments that are within the city limits, as well as a variety of commercial uses on E Greenhurst Rd and Southside Blvd.

Conclusion: Based on the comments received and analysis of both State and City Laws/Codes, the proposed map amendment for parcel #R3231600000 is in harmony with the comprehensive plan because the RS 4 is a permitted use under the Comprehensive Plan Future Land Use Map designation of Medium Density Residential, and the Future Land Use

Map was established after thoroughly analyzing land uses for compatibility. This property is enclaved and therefore is considered to be infill due to the fact that it is in an area of other county properties that are surrounded by city limits and has city utilities and other services available to it. The goals of the Nampa Comprehensive plan are to encourage development in areas where they can make efficient use of existing services. This helps to decrease sprawl to the outer edges of the city limits where services do not yet exist. The proposed map amendment provides a set of uses that would be reasonably compatible with the existing, adjoining property uses, which contain single-family detached dwellings, because it also proposes single-family detached dwelling units to be constructed on the subject parcel. The proposed project is in the public interest and reasonably necessary because it has proposes a subdivision layout that complies with adopted city codes and traffic infrastructure improvements are required to be completed.

Platting of this Project will serve to divide the land. It must be done in accordance with state law, Nampa City Code §10-27, Nampa City Code §10-8, Nampa City Code §10-33, and, in cooperation with the City’s currently adopted Engineering Design and Specification manuals. An application with submittal materials was received by the Planning and Zoning Department and was reviewed to provide the following facts in accordance with City Code:

| AREA AND LOT SUMMARY | |
|------------------------------|---------------|
| TOTAL PROPERTY AREA | 6.36 AC |
| COMMON AREA/OPEN SPACE | 0.98 AC |
| COMMON LOTS | 11 |
| SINGLE FAMILY LOTS | 28 |
| PROPOSED GROSS DENSITY | 4.4 UNIT/ACRE |
| AVERAGE RESIDENTIAL LOT SIZE | 5,344 SF |
| MINIMUM RESIDENTIAL LOT SIZE | 4,001 SF |
| PERCENTAGE OPEN SPACE | 15.5% |

1. **Bulk Requirements:** That because the proposed Development is slated for development in conjunction with RS4 zoning, this requirement applies...all master or standard building lots are:
 - a. **Lot Sizes:** A minimum of 4,000 sq. ft. and a maximum of 8,000 sq. ft. is required for a single-family detached lot.
 - i. The lot sizes range from 4,001 s.f. to 5,220 s.f. with the exception of two larger outlying lots that measure 20,979 s.f. & 21,234 s.f. Due to the unique configuration and topographical challenges in the area where these two lots are located, the applicant will be asking City Council for an exception to the maximum lot size for the two lots that exceed 8,000 s.f.
 - b. **Lot Widths:** Master lot widths shall measure equal to or greater than 30'.
 - i. The smallest lot width proposed is 31'.
 - c. **Lot Depths:** Master lot depths shall measure equal or greater than 50'.
 - i. The smallest lot depth proposed is 79'
 - d. **Density:** The number of buildable residential lots equals 28, which creates a gross density of 4.4 dwelling units per acre, which falls within the 2.51 to 8.00 dwelling units per acre range that is required by the Medium Density Residential designation in the Comprehensive Plan and is compatible with the surrounding developed properties.
2. **Landscaping:** A landscape plan was reviewed and approved by the City Forester.
3. **Qualified Open Space:** 15% open space is required. Qualified open space is provided on .98 acres, which is 15.5% of the gross project area. A picnic area and a walking path along the Elijah Drain.

4. **Access to Iowa:** Lots 12, 13, 14 will access on to Iowa Ave. This allowed by city policy because Iowa Avenue is classified as a “Local Roadway” with a speed limit of 20-mph.

5. Engineering Comments on Platting:

Preliminary Plat:

1. Revise the preliminary plat to include the following:
 - Boundaries of the subdivision with bearings and distances, basis of bearing, and tied back to a section or quarter section monument.
 - Curve radii labels for all street centerlines.
 - Identify flow direction of the Elijah Drain.

Traffic:

2. A Traffic Impact Study is not required for this project.

Access/Layout:

3. The project is located northeast of the intersection of Chicago Street and Iowa Avenue.

The following roads provide access to the property:

- Iowa Avenue – classified as “Local Roadway”, speed limit 20-mph.
- Chicago Street – classified as “Local Roadway”, speed limit 30-mph.

The proposed accesses meet the spacing requirements of the City’s Access Management Policy.

4. Frontage road improvements will be required in accordance with Nampa City Code Section 9-3-1 to be reflected on final construction drawing including,
 - Chicago Street.
 - i. Curb, gutter, sidewalk and pavement widening.
 - Iowa Avenue
 - i. Curb, gutter, sidewalk and pavement widening.
 - ii. The right of way on the south side of Iowa adjacent to the is not currently dedicated along a portion of the development. The City will explore acquiring this right of way and coordinate the required improvements on Iowa during the final design of the subdivision.

Utilities:

5. 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:
 - 18" sewer main in Iowa Avenue;
 - 10" water main in Chicago Street and 8" water main in Chicago Street; and,
 - 8" pressure irrigation main in Iowa Avenue.
6. The project will be required to construct utilities to and through the property at the time of development.
7. The property is in the City's water pressure Zone 2, which has a service hydraulic grade of approximately 2,640-feet. The project ground elevations vary from approximately 2,500 to 2,505 feet. As a result, the project may experience static water around 60 psi.
8. Utility layouts should be refined during final design to minimize utility crossings and ensure horizontal separation per IDAPA standards.

Drainage:

9. The property is not located within a defined floodplain.
10. The Preliminary Drainage Report needs to be revised to address the following comments/questions.
 - The drainage basin areas do not appear to account for portions of Iowa Avenue or Chicago Street, revise to include these areas.
 - Storage volumes shall be calculated based on section 106.E.1, revise accordingly
11. With the final plat submittal soils report shall be updated to show results of the piezometer.

Irrigation:

12. The City records indicate there are gravity irrigation improvements that run along the east boundary and then head west along the frontage of the project, these improvements will be required to be relocated out of the public right of way.

- 1) **The applicant requested an exception for the requirement that new lots be 80% or larger than the existing surrounding lots.** This request is justified due to the unique shape and size of the property, which makes adhering to the 80% rule impractical. The proposed lot sizes are compatible with the surrounding area, provide adequate space for

development, and still meet community needs. Additionally, waiving this requirement will allow for a more efficient and effective use of the land, promoting better overall planning and development. The following is code for reference:

10-27-6.F.1.a: *Between subdivisions that are eighty five feet (85') apart or less: If the area of a preexisting or already preliminarily platted lot is over eight thousand five hundred (8,500) square feet, then the area of any newly proposed lot in a newly proposed RS4, RS6 or RS7 subdivision shall be required to be sized equal to or greater than eighty percent (80%) of the preexisting lot's area to a maximum of ten thousand (10,000) square feet for an RS 6 and RS7 Zoning District, and eight thousand (8,000) square feet for an RS4 Zoning District. This requirement shall not be applied between phases of the same subdivision that were all platted via one preliminary plat.*

- There are two lots on the southeast side that meet the above listed criteria:
 - i. Lot 21, Block 2 is 4,417 s.f. and Lot 22, Block 2 is 4,163 s.f. are adjacent to an existing platted lot that measures at 20,037.6 s.f.

2) The applicant is also requesting an allowance for two of the lots to exceed the maximum lot size of 8,000 s.f..

Lot 1, Block 1 = 20,979 s.f.

Lot 2, Block 1 = 21,243 s.f.

“The unusual shape of the property, the Elijah Drain, the 14’ access easement and the surrounding development make this portion of the property difficult to develop. Smaller lots would result in the creation of a common space that would be difficult to access and maintain. Additionally, we cannot add more lots due to the limitations of the 14’ access easement and compliance with the International Fire code.”

Conclusion: Based on the comments received and analysis of both State and City Laws/Codes, the proposed subdivision of parcel #R3231600000 provides a layout that complies with codes, and is granted the two exceptions they requested because they are able to mitigate the location of

the smaller lots that are adjacent to the larger parcel to the east that has a large back yard that is mostly unbuildable due to the existing irrigation easement along the Elijah Drain, the structures will be positioned so as not to overlook the neighboring yard to the east and they are permitted to have the larger lots on the northeast side, due to the shape of the property and the topographical challenges created by the irrigation easement.

III. DECISION

The Council, based upon the testimony and evidence in record in this matter and upon findings of fact and conclusions of law set forth herein DOES HEREBY DETERMINE AND DECIDE AS FOLLOWS: the request for Rezone from RA to RS4 and Preliminary Plat for Sunshine Meadows Subdivision, a 6.36 acre parcel #R3231600000 (NW1/4 of S35, T3N, R2 West, BM) and potential development agreement for 1426 Chicago Street, for Ardurra Engineers, representing Parekh Pratik, Owner, (ZMA-00196-2024, SPP-00152-2024), is APPROVED.

These Findings of Fact, Conclusions of Law and Decision are approved and adopted by the Nampa City Council on this 19th day of May, 2025.

Deborah Kling, Mayor

Attest:

City Clerk

NOTICE TO THE APPLICANT

You are hereby notified of the following:

Pursuant to Idaho Code §67-6519(4) you are entitled to request that the City of Nampa conduct a regulatory takings analysis pursuant to the Idaho Regulatory Takings Act (Idaho Code §67-8001 et seq.)

Pursuant to Idaho Code §67-6535, your annexation request was reviewed as a legislative action under Idaho State Code Title 50-222(3)(a), your rezone request was evaluated under Nampa City Code Title 10 Chapter 2, Nampa City Code Title 10, Chapter 10, Nampa City Code, and the Local Land Use Planning Act (Idaho Code §67-6501 et seq.) and other applicable law.