



PLANNING & ZONING DEPARTMENT

Before the MAYOR AND CITY COUNCIL
Meeting of 15 MAY 2023

PUBLIC HEARING ITEM STAFF REPORT

By Kristi Watkins, Principal Planner

Rezone from BC (Community Business) to RS 8.5 (Single-Family Residential) on a .6 acre parcel at 0 Southside Blvd (R3230301000, in the NE 1/4 of Section 35, T3N, R2W, BM), for Joseph Profitt (ZMA-00174-2023). (Action: [Approval or Denial](#))

Original concept: To create two residential lots from the one existing.

STAFF RECOMMENDATION

Staff supports the recommendation of approval given by the Planning and Zoning Commission at their regularly scheduled meeting on April 11, 2023.

REZONE

1. 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.
 - **Staff finds this to be met.**
2. 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. **(This conclusion of law provides the City Council/Commission significant liberty to determine whether this project establishes a set of use that are compatible with immediately adjoining properties.)**
 - **Staff finds this to be met.**
3. The proposed map amendment(s) is, are or would make a change on the land use map of the city which would establish an area of zoning the same as or compatible with immediately adjoining districts. **(This conclusion of law provides the City**

Council/Commission significant liberty to determine whether the zone in the area is compatible with immediately adjoining districts)

- **Staff finds this to be met.**

4. The proposed map amendment(s) is not, are not or would not create a “spot” zone (having a section of one kind of zoning surrounded by another) having no supportive basis per the adopted comprehensive land use map so as to only serve(s) to benefit the applicant(s).

- **Staff finds this to be met.**

5. The proposed amendment(s) is, are or would be in the interest of the public and reasonably necessary. **(This conclusion of law provides the City Council/Commission significant liberty to determine whether the timing and location is appropriate for a rezone. Council must determine whether this conclusion of law is applicable to the proposed project.)**

- **Staff finds this to be met.**

Based upon the analysis that was completed utilizing the conclusions of law, Nampa Comprehensive Plan and Nampa City Code, coupled with the findings and conditions listed in the staff report, the project appears to meet all requirements. Staff can reasonably recommend to the Council that the project be approved.

PROPERTY DETAILS

Current Jurisdiction/Status: This Property is currently under the jurisdiction of the City of Nampa and zoned BC (Community Business).

Surrounding Land Use Designation and Zoning:

North- Rural residential; R-1 (Single family residential, County (enclaved)

South- Rural residential; R-1 (Single family residential, County (enclaved)

East- RML – Autumn Leaf Senior Living Development

West- Rural residential; R-1 (Single family residential, County (enclaved)

Services: The City’s water and sewer systems have adequate capacity to serve this property. The City maintains the following utilities in the vicinity of the project:

Water - 12” mainline in Southside Blvd

Sewer – 8” mainline in Southside Blvd

Pressure Irrigation – 10” mainline in Southside Blvd

History: **May 2007:** Annexation and Zoning to BC, approved with Ordinance #3696 and lot split to create “rear” flag lot.

April 2023: Planning and Zoning Commission recommends approval of rezone from BC to RS 8.5.

APPLICABLE REGULATIONS

Conclusions of Laws Pertinent to Proposed Zoning Map Amendments: The Commission shall conclude the following conclusions of law before recommending to City Council approval of an amendment to the City's official zoning map; City Council shall conclude the following conclusions of law before approving an amendment to the City's official zoning map (NCC 10-2-3.C):

1. 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; and
2. 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; and
3. The proposed map amendment(s) is, are or would make a change on the land use map of the city which would establish an area of zoning the same as or compatible with immediately adjoining districts; and
4. The proposed map amendment(s) is not, are not or would not create a "spot" zone (having a section of one kind of zoning surrounded by another) having no supportive basis per the adopted comprehensive land use map so as to only serve(s) to benefit the applicant(s); and
5. The proposed amendment(s) is, are or would be in the interest of the public and reasonably necessary.

CORRESPONDENCE

Agency/City department comments have been received regarding both the entitlement request and platting approval request associated with this matter [and report]. Such correspondence, by way of information, as received from agencies or the citizenry regarding the application package (received by noon April 5, 2023) is hereafter attached to this report. Agency comments that indicate no comment/issues/concerns will not be listed here but are attached to this staff report.

1. **Nampa Building Department:** This action has been approved with conditions by the Building Department. The project will be subject to all required building codes and related permits based on the requirements of City Ordinance -Title 4 – Building Regulations. Obtain all applicable building, mechanical, electrical and plumbing permits for the proposed project. Satisfy all required inspections and permit conditions prior to obtaining a Certificate of Occupancy.
2. **Nampa Code Compliance:** Properties that are within the city limits must be maintained in accordance with Nampa City Code. Please be advised of the following violation of Nampa City Code:
 - a. 6-8-5: Inoperative/Unlicensed Vehicle. The vehicle at this location will need to be currently licensed.
3. **Nampa Engineering:** Does not oppose this application with the comments and conditions outlined in their attached memo.

STAFF ANALYSIS

Applicant's Request: "Rezone back to residential...to build two residential homes after a split of the property."

Land Uses in the area consist of existing rural residential properties currently under the jurisdiction of Canyon County, but enclaved by the city limits of Nampa with some RML zoned property to the east that is currently being constructed as senior living apartments.

Comprehensive Plan: The future land use designation is High Density Residential with a proposed stretch of the Medium Density Residential that is immediately adjacent to the west and south. **Density proposed by this request = 3.33 d.u. per acre.**

Medium Density Residential (2.51 – 8 Dwelling Units Per Acre (Gross))

With a gross density of 2.51 to 8 dwelling units per acre (gross), this is the most common residential land use designation in the Nampa Area of City Impact. Its character is more urban than rural but can contain rural elements such as open space. This land use designation is intended to contain single-family-detached homes, duplexes, and townhomes. Compatibility with existing development is an important consideration when designing subdivisions in this land use designation. Developments that exceed 5 dwelling units per acre should be a planned unit development or part of a master planned community. High-density development (multi-family with more than two dwelling units and apartments) should not be allowed in this land use designation. The character of Medium- Density Residential development in Nampa typically consists of traditional streetscapes with sidewalks, street trees, covered entries, and a diversity of architectural styles. Access to garages is provided from the street or loaded by an alley at the rear of the property.

Public Interest: That Nampa has determined that it is in the public interest to provide a variety of residential opportunities within its confines. Expressions of that policy are published in Nampa's adopted Comprehensive Plan, as well as embodied in its decisions to date regarding similar applications.

Traffic: Does not meet the threshold to require a traffic impact study.

CONDITIONS OF APPROVAL

Should the Council vote to recommend approval of the annexation and zoning and Conditional Use Permit request, then Staff would suggest the following as (a) Condition(s) of Approval for adoption with any such vote/action (note: the Commission may obviously add, subtract and/or modify conditions as it deems appropriate):

1. Any onsite wells 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. Property shall be annexed in the Nampa Municipal Irrigation District at the time of connection to pressure irrigation and prior to being served by the City's pressure irrigation system. Applicant/ Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.

3. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
4. Developer shall provide a turnaround onsite for emergency vehicles in accordance with City of Nampa adopted specifications.

<And any other conditions determined by the Commission or Council>

FINDINGS

Proposed Findings for REZONE Approval:

1. 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.
 - **Staff finds that the proposed RS 8.5 (Single-Family Residential) zoning district is in harmony with the Comprehensive Plan Future Land Use Map designation of Medium Density Residential, as there is allowance to stretch adjacent designations to one parcel.**
2. 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.
 - **Staff finds that the existing uses in the area are rural residential and that a proposed density of 3.33 d.u. per acre, is considered to be reasonably compatible with the other residential uses in the area.**
3. The proposed map amendment(s) is, are or would make a change on the land use map of the city which would establish an area of zoning the same as or compatible with immediately adjoining districts.
 - **Staff finds that the proposed map amendment would establish an area of zoning that is compatible with adjoining land uses as they stand currently and would be compatible should they choose to develop as residential subdivisions in the future.**
4. The proposed map amendment(s) is not, are not or would not create a "spot" zone (having a section of one kind of zoning surrounded by another) having no supportive basis per the adopted comprehensive land use map so as to only serve(s) to benefit the applicant(s).
 - **Staff finds that the proposed RS 8.5 (Single-Family Residential) zoning district will be consistent with the Comprehensive Plan Future Land Use Map with a stretch of the adjacent Medium Density Residential designation and would not create a "spot" zone.**
 - **Staff finds that city policy allows adjacent land use designations to be stretched one parcel deep in any direction. This request would utilize that stretch which, therefore, will not create a "spot" zone.**

5. The proposed amendment(s) is, are or would be in the interest of the public and reasonably necessary.

- **Staff finds that the proposed amendment is in the interest of the public and reasonably necessary because these changes will align the current uses in the area.**
- **Staff finds that the proposed amendment is in the interest of the public and reasonably necessary because it will align with the zoning map and future land use map.**
- **Staff finds that the proposed amendment is in the interest of the public and reasonably necessary because it will cause the property to potentially be more “useable” for the property owner.**
- **Staff finds that the proposed amendment is in the interest of the public and reasonably necessary because according to the reported comments at the neighborhood meeting; the neighbors are thankful for the rezone request.**

<And any other findings determined by the Commission or Council>

Based upon the analysis that was completed utilizing the conclusions of law, Nampa Comprehensive Plan and Nampa City Code, coupled with the findings and conditions listed in the staff report, the project appears to meet all requirements. Staff can reasonably recommend to the Commission that the project be approved.

POTENTIAL MOTIONS

APPROVE:

I move to approve the **Rezone from BC to RS 8.5** at 0 Southside Blvd, for Joseph Profitt (ZMA-00174-2023), with all conditions listed in the staff report and to adopt the proposed findings of approval as stated in the staff report.

DENY:

I move to deny the **Rezone from BC to RS 8.5** at 0 Southside Blvd, for Joseph Profitt (ZMA-00174-2023) based on the following findings _____, because the project does not meet _____ Conclusions of Law.

Zoning Assignment Conclusions of Law:

1. 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; and,
2. 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; and,

3. The proposed map amendment(s) is, are or would make a change on the land use map of the city which would establish an area of zoning the same as or compatible with immediately adjoining districts; and,
4. The proposed map amendment(s) is not, are not or would not create a "spot" zone (having a section of one kind of zoning surrounded by another) having no supportive basis per the adopted comprehensive land use map so as to only serve(s) to benefit the applicant(s); and,
5. The proposed amendment(s) is, are or would be in the interest of the public and reasonably necessary.

ATTACHMENTS

- Rezone Application
- Project narrative
- Zoning "Vicinity Map"
- Future Land Use Map
- Legal Descriptions – Rezone Boundary
- Neighborhood meeting sign-in/info sheet
- Planning and Zoning Commission Minutes from April 11, 2023
- Inter-departmental/agency/citizen departments



Planning & Zoning Department

Master Application

Staff Use Only

Project Name: Profitt BC to RS-8.5

File Number: ZMA-00174-2023

Related Applications: _____

Type of Application

☐ Accessory Structure

☐ Annexation/Pre-Annexation

☐ Appeal

☐ Design Review

☐ Comprehensive Plan Amendment

☐ Conditional Use Permit

☐ Multi-Family Housing

☐ Development Agreement

☐ Modification

☐ Home Occupation

☐ Daycare

☐ Kennel License

☐ Commercial

☐ Mobile Home Park

☐ Legal Non-Conforming Use

☐ Planned Unit Development/MPC

☐ Subdivision

☐ Short

☐ Preliminary

☐ Final

☐ Condo

☐ Temporary Use Permit

☐ Fireworks Stand

☐ Vacation

☐ Variance

☐ Staff Level

☒ Zoning Map/Ordinance Amendment (Rezone)

☐ Other: _____

You must attach any corresponding checklists with your application or it will not be accepted

X Applicant Name: Joseph Profitt Phone: 541-519-4400

Applicant Address: 25250 Kingsbury Rd Email: _____

City: Middleton State: ID Zip: 83644

Interest in property: ☒ Own ☐ Rent ☐ Other: _____

X Owner Name: Same as above Phone: _____

Owner Address: _____ Email: _____

City: _____ State: _____ Zip: _____

Contractor Name (e.g., Engineer, Planner, Architect): _____

Firm Name: _____ Phone: _____

Contractor Address: _____ Email: _____

City: _____ State: _____ Zip: _____

Subject Property Information

X Address: 0 Southside Blvd.
Parcel Number(s): R3230301000 Total acreage: 0.60 Zoning: BC
Type of proposed use: ☒ Residential ☐ Commercial ☐ Industrial ☐ Other: _____
X Project/Subdivision Name: Profitt Resident
Description of proposed project/request: split Property into Two lots
Proposed Zoning: RS-8.5 Acres of each proposed zone: 0.60

Development Project Information (if applicable)

Lot Type	Number of Lots	Acres
Residential	1	0.60
Commercial		
Industrial		
Common (Landscape, Utility, etc.)		
Right of Way (internal roadways, ROW to be dedicated, etc.)	Staff Use Only	
Qualified Open Space	Staff Use Only	
Total	1	0.60

Please answer all questions that are relevant to your project

Minimum square footage of structure: _____ Maximum building height: _____
Minimum property size (s.f.): _____ Average property size (s.f.): _____
Gross density: _____ Net density: _____
Type of dwelling proposed: ☐ Single-family Detached ☐ Single-family Attached
☐ Duplex ☐ Multi-family ☐ Condo ☐ Other: _____
Proposed number of units: _____
Total number of parking spaces provided: _____
% of qualified open space: _____

Additional information may be requested after submittal.

Authorization

X Print applicant name: Joseph Profitt
X Applicant signature: [Signature] Date: 2-27-23

City Staff

Received by: JKW Received date: 2-27-2023



Planning & Zoning Department

Amendment of Zoning Ordinance/Map Checklist

Staff Use Only

Project Name: Profitt BC to RS-8.5

File Number: ZMA-00174-2023

Received date: 2/27/23

Nonrefundable Fee: \$500.00 (1 acre or less) \$950.00 (more than 1 acre) \$213.00 (text amendment)

Please ensure that you have had a pre-application meeting or discussion with a member of Planning and Zoning staff prior to submitting your application.

Did you discuss this application with a planner? ☒ Yes ☐ No

Date of Pre-App Meeting/Discussion: 02/01/23 Type (in person, phone, email, etc.): Kiana Apau

Please provide the following required documentation to complete the application. Applications should be submitted through the Citizen Self Service (CSS) portal online. Instructions can be found on our website cityofnampa.us/255/Planning-Zoning under the *Apply for a Planning Permit* link.

Applicant	Staff	Description
A copy of <u>ONE</u> of the following		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	A recorded warranty deed for the property
		Proof of option
		Earnest money agreement
One copy of <u>EACH</u> of the following		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Signed & Notarized Affidavit of Legal Interest. Form <u>must</u> be completed by the legal owner (if the 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)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	A Professional Land Surveyor or Engineer verified <u>original legal description</u> of property. • If the legal description provided is not clean and legible, a retyped <u>Microsoft Word</u> formatted document must be submitted.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Narrative describing the reason for the proposed rezone and any proposed plans for the use of the subject property.
<u>\$150,000</u>	<input checked="" type="checkbox"/>	The <u>estimated</u> value of the completed project, to include the value of the land and the completed structures (dwellings, etc.).
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	A copy of the sign in sheet and the mailed letter/notice from the neighborhood meeting held per the guidelines listed in NCC Section 10-2-2.B
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Associated fees
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Master Application form

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 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.

Property - TBD Southside
Tampa, FL 83686

Parcel # R3230301000

Purpose: Rezone Back to Residential

I am requesting that my .6 acres of bare land is rezoned back to residential. This makes sense for this land is in between two (2) residential homes.

During our neighborhood meeting, the neighbors were thankful for this rezoning.

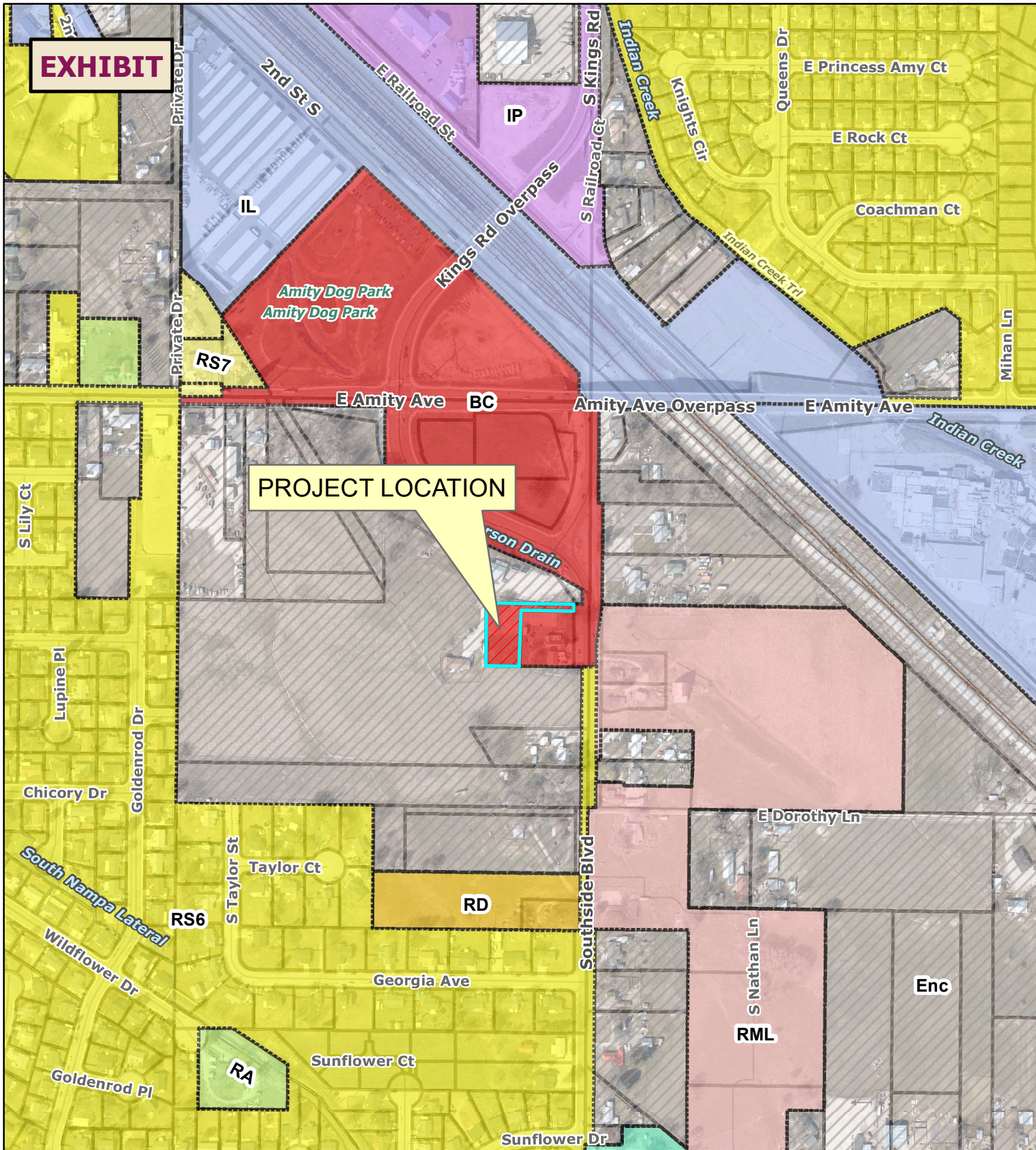
The plan is to build two (2) residential homes to meet the requirement of splitting the property.

Thank you!

Joseph Profitt

Joe Profitt 2-27-2023

EXHIBIT



NAMPA Proud

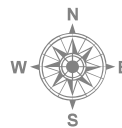
**0 SOUTHSIDE BLVD
REZONE FROM BC (COMMUNITY
BUSINESS) TO RS 8.5 (SINGLE-
FAMILY RESIDENTIAL) CREATE
TWO RESIDENTIAL LOTS FROM
ONE EXISTING LOT**

ZONING MAP AMENDMENT

ZMA-00174-2023

3/27/2023

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

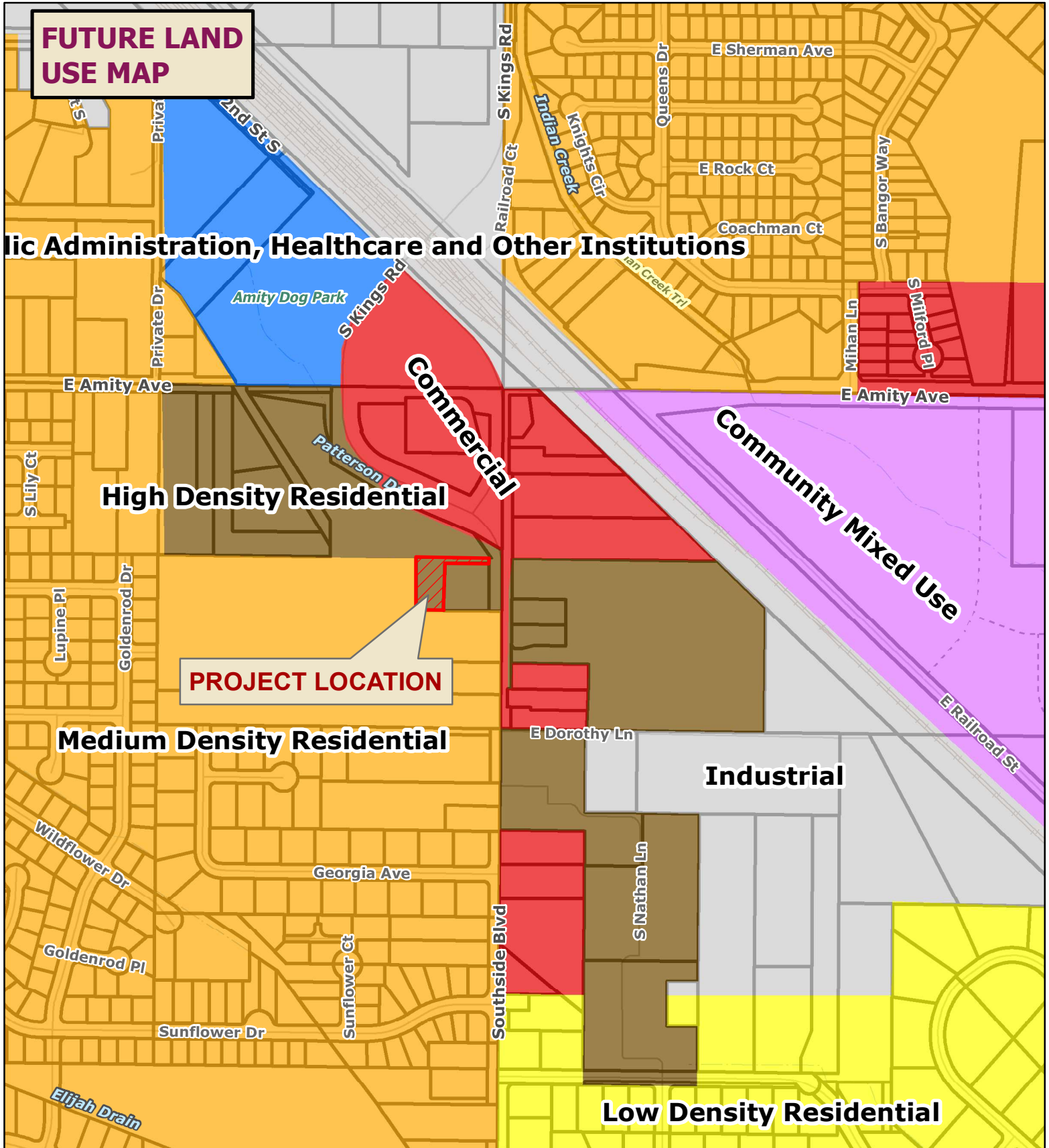


0 100 200 300 400 Feet
For illustrative purposes only.

AG	GB2	RD_PUD	RS8.5
BC	GBE	RMH	RS8.5_PUD
BC_PUD	HC	RML	RS12
BF	IH	RML_PUD	RS12_PUD
BN	IL	RP	RS15
BN_PUD	IL_PUD	RP_PUD	RS15_PUD
DB	IL_RS	RS4	RS18
DH	IP	RS6	RS18_PUD
DV	IP_RS	RS6_PUD	RS22
Enc	RA	RS7	RS22_PUD
GB1	RD	RS7_PUD	U
			UnZoned

FUTURE LAND USE MAP

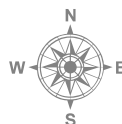
Public Administration, Healthcare and Other Institutions



PROFFIT REZONE 0 SOUTHSIDE BLVD

REZONE from BC to RS 8.5

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



0 120 240 360 480 Feet

- Agricultural
- Airport
- Commercial
- Downtown
- Education, Public Administration, Healthcare and Other Institutions
- Industrial
- Parks
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Residential Mixed Use
- Community Mixed Use

NAMPA *Proud*

ZMA-00174-2023

3/31/2023

For illustrative purposes only.

FOR: Joe Profitt
DATE: February 27, 2023

PARCEL 2

A parcel of land being a portion of the SE1/4 NE1/4 NE1/4 of Section 35, Township 3 North, Range 2 West, Boise Meridian, Canyon County Idaho, more particularly described as follows:

Commencing at the southeast corner of SE1/4 NE1/4 NE1/4;

Thence N 00° 26' 29" E a distance of 457.00 feet along the east boundary of the SE1/4 NE1/4 NE1/4;

Thence N 89° 16' 07" W a distance of 225.83 feet to the **POINT OF BEGINNING**,

Thence N 89° 16' 07" W a distance of 107.76 feet to a found 1/2" pin PLS 3555;

Thence N 00° 25' 56" E a distance of 204.20 feet to a found 1/2" pin on the north boundary of the SE1/4 NE1/4 NE1/4;

Thence S 89° 16' 08" E a distance of 283.62 feet along the north boundary of the SE1/4 NE1/4 NE1/4;

Thence S 00° 26' 29" W a distance of 22.00 feet parallel with the east boundary of the SE1/4 NE1/4 NE1/4;

Thence N 89° 16' 08" W a distance of 170.82 feet parallel with the north boundary of the SE1/4 NE1/4 NE1/4;

Thence S 02° 00' 54" W a distance of 182.24 feet to a point on the north boundary of the SE1/4 NE1/4 NE1/4 to the **POINT OF BEGINNING**.

This parcel contains 0.604 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.

Neighborhood Meeting Sign-In Sheet

Date of Meeting: 2/22/23 Time of Meeting: 5 p.m.

Location of Meeting: At Property

Name of Project: Southside Lot

Those in attendance please print your name and address. If no one attended, applicant, please write across this form "no one attended."

	<u>Printed Name</u>	<u>Address, City, State, Zip</u>
1.	Edy Cyn... Eda Cynthia Shriver	921 Southside Blvd
2.	Eda Cynthia Shriver	1223 Southside Blvd 25250 Kingsburg Rd
3.	Dolores Brinton	3144 2nd St. So. Ypsen
4.	B. (H. Brown)	722 Ruth Ln
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

Parcel Number	OwnerName	Address	City	Stat	ZipCode
R2216501300	Current Resident	1000 Southside Blvd Apt 1	Nampa	ID	83686
R2216501300	Current Resident	1000 Southside Blvd Apt 2	Nampa	ID	83686
R2216501300	Current Resident	1000 Southside Blvd Apt 3	Nampa	ID	83686
R2216501300	Current Resident	1000 Southside Blvd Apt 4	Nampa	ID	83686
R3230301000	PROFITT JOSEPH CARL	1003 SOUTHSIDE BLVD	NAMPA	ID	83686
R3230300000	PETERSEN WILLIAM ARLIN	1003 SOUTHSIDE BLVD	NAMPA	ID	83686
R2216500000	Current Resident	1004 Southside Blvd Apt 1	Nampa	ID	83686
R2216500000	Current Resident	1004 Southside Blvd Apt 2	Nampa	ID	83686
R2216500000	Current Resident	1004 Southside Blvd Apt 3	Nampa	ID	83686
R2216500000	Current Resident	1004 Southside Blvd Apt 4	Nampa	ID	83686
R2216501300	Current Resident	1008 Southside Blvd Apt 1	Nampa	ID	83686
R2216501300	Current Resident	1008 Southside Blvd Apt 2	Nampa	ID	83686
R2216501300	Current Resident	1008 Southside Blvd Apt 3	Nampa	ID	83686
R2216501300	Current Resident	1008 Southside Blvd Apt 4	Nampa	ID	83686
R2216500000	Current Resident	1010 Southside Blvd	Nampa	ID	83686
R2216501300	Current Resident	1012 Southside Blvd Apt 1	Nampa	ID	83686
R2216501300	Current Resident	1012 Southside Blvd Apt 3	Nampa	ID	83686
R3230400000	LITTLE AUSTIN K	1101 SOUTHSIDE BLVD	NAMPA	ID	83686
R2216200000	Current Resident	3136 2nd St S	Nampa	ID	83686
R2216200000	BRINKOETTER MARK A	3144 2ND ST S	NAMPA	ID	83686
R2216500000	1010 SOUTHSIDE LLC	339 W 13490 S	DRAPER	UT	84020
R3230100000	SCHMIERER EDWIN A	927 SOUTHSIDE BLVD	NAMPA	ID	83686
R3230200000	NAMPA FIRE PROTECTION DISTRICT	PO BOX 773	NAMPA	ID	83653

10. Applicant/Owner shall construct frontage improvements along Cherry Lane in accordance with Nampa City Code Section 9-3-1 and Nampa Standard Drawing N-822.

Chair Van Auker, Jr. proceeded to public testimony (sign-in sheet attached). Summary of concerns include access, lighting, adding a berm to block traffic from surrounding neighbors. Additionally:

Jake Parcel, 5771 Cherry Lane, Nampa, in support.

Linda Parcel, 5771 Cherry Lane, Nampa, questions about access.

Dale Murphy 16620 Rose Briar Lane, Nampa, questions about wells, concerns about noise.

Applicant responded to questions regarding traffic, design and access. City Engineer Badger answered questions regarding well usage and irrigation.

Moved by Garner and seconded by Kehoe close public hearing. Chair Van Auker, Jr. asked for a voice vote with all Commissioners present voting yes. Motion carried.

Moved by Morgan and seconded by Kehoe to recommend to City Council APPROVAL of the item with recommended conditions and adopt the potential findings in the staff report. Chair Van Auker, Jr. asked for a voice vote with all Commissioners present voting yes. Motion carried.

Public Hearing 3 (Action Item): Annexation and Zoning to the RS 22 (Single-Family Residential) zoning district, to make connection to city sewer and water services on a .85 acre parcel at 1724 Southside Blvd (R3242300000, in the SW 1/4 of Section 36, T3N, R2W, BM), for Salvador Rodriguez (ANN-00273-2023).

Chair Van Auker, Jr. proceeded to public hearing.

The applicant, Salvador Rodriguez, was not present.

Senior Planner Bodily presented the staff report and applicable regulations.

Conditions of approval:

1. Any onsite wells 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. Property shall be annexed in the Nampa Municipal Irrigation District at the time of connection to pressure irrigation and prior to being served by the City's pressure irrigation system. Applicant/ Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.
3. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
4. Applicant shall dedicate the following public right-of-way to the City as a condition of annexation:
 - Southside Blvd – 40' from existing right of way line
5. Applicant/Owner shall address solid waste accumulation and inoperative vehicles according to Nampa Code Compliance prior to annexation.

Chair Van Auker, Jr. proceeded to public testimony. No one appeared in favor of or in opposition to the request.

Moved by Garner and seconded by Sellman to close public hearing. Chair Van Auker, Jr. asked for a voice vote with all Commissioners present voting yes. Motion carried.

Moved by Kehoe and seconded by Garner to recommended to City Council APPROVAL of the item with recommended conditions and adopt the potential findings in the staff report. Chair Van Auker, Jr. asked for a voice vote with all Commissioners present voting yes. Motion carried.

Public Hearing 4 (Action Item): Rezone from BC (Community Business) to RS 8.5 (Single-Family Residential) on a .6 acre parcel at 0 Southside Blvd (R3230301000, in the NE 1/4 of Section 35, T3N, R2W, BM), for Joseph Proffitt (ZMA-00174-2023). Original Concept: Create two residential lots from one existing lot.

Chair Van Auker, Jr. proceeded to public hearing.

Joseph Profitt, 25250 Kingsbury Rd, Middleton, presented the request. Patti Brown, 722 Ruth Lane, Nampa, presented an access analysis (attached to minutes).

Principal Planner Watkins presented the staff report and applicable regulations.

Conditions of approval:

1. Any onsite wells 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. Property shall be annexed in the Nampa Municipal Irrigation District at the time of connection to pressure irrigation and prior to being served by the City's pressure irrigation system. Applicant/ Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.
3. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
4. Developer shall provide a turnaround onsite for emergency vehicles in accordance with City of Nampa adopted specifications.

Chair Van Auker, Jr. proceeded to public testimony (sign-in sheet attached).

Moved by Sellman and seconded by Morgan to close public hearing. Chair Van Auker, Jr. asked for a voice vote with all Commissioners present voting yes. Motion carried.

Moved by Kirkman and seconded by Garner to recommend to City Council APPROVAL of the item with recommended conditions and adopt the potential findings in the staff report. Chair Van Auker, Jr. asked for a voice vote with all Commissioners present voting yes. Motion carried.

Public Hearing 5 (Action Item): Conditional Use Permit for a duplex in a RS 6 (Single-Family Residential) zoning district on .16 acres addressed as 1003 5th St S (R1384000000, Lots 62 & 64, Block 71 of the Nampa Original Sub located in the SW 1/4 of Section 22, T3N, R2W, BM) for Bryce Delay (CUP-00310-2023).

Chair Van Auker, Jr. proceeded to public hearing.

Pat Delay, on behalf of Bryce Delay, 1003 5th St S, Nampa, presented the request.

Senior Planner Bodily presented the staff report and applicable regulations.

Conditions of approval:

1. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of building permit.

Chair Van Auker, Jr. proceeded to public testimony (sign-in sheet attached).

City Engineer Badger responded to questions regarding sewer service. Pat Delay answered questions from the Commission regarding use of the property.

Moved by Garner and seconded by Miller to close public hearing. Chair Van Auker, Jr. asked for a voice vote with all Commissioners present voting yes. Motion carried.

Moved by Miller and seconded by Morgan to APPROVE the item with all findings and conditions listed in the staff report. Chair Van Auker, Jr. asked for a voice vote with all Commissioners present voting yes. Motion carried.

Public Hearing 6 (Action Item): (Continued from March 28, 2023) Pre-Annexation and pre-zoning to RS-22 (Single-Family Residential) and development agreement for Northshore Estates Subdivision (AKA Lakeshore), at 0 S Powerline Rd (a 33.17 acre parcel #R2956900000), located in the NE 1/4 of Section 15, T2N, R2W, BM) for Cam Scott, KM Engineering, LLP representing Spencer Kofoed, Tradition Capital Partners LLC ((P)ANN-00262-2022). Original Concept: 30 single-family detached dwelling units and 5 common lots.

Keana Apau

From: Rob Willis
Sent: Friday, March 17, 2023 8:46 AM
To: Keana Apau
Cc: Jeff Miranda; Patrick Sullivan; Cache Olson
Subject: RE: Proffit BC to RS-8.5 - ZMA-00174-2023

Keana,

Building Safety Department Comments:

This Planning and Zoning action has been approved with conditions.

Obtain all applicable building, mechanical, electrical, and plumbing permits for the proposed project. Satisfy all required inspections and permit conditions, prior to obtaining a Certificate of Occupancy to allow the permitted use. Reference Title 4 of the City of Nampa Code for adopted building codes.



Rob Willis

Plans Examiner Supervisor

P: 208.468-5410 F: 208.468.4494

willisj@cityofnampa.us

[Department of Building Safety](#), [Like us on Facebook](#)

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From: Keana Apau <apauk@cityofnampa.us>
Sent: Thursday, March 16, 2023 9:31 AM
Subject: Proffit BC to RS-8.5 - ZMA-00174-2023

Good morning everyone,

RE: Rezone for Proffit to RS-8.5 – ZMA-00174-2023

I have attached for your review the application for "Rezone from BC (Community Business) to RS 8.5 (Single-Family Residential) on a .6 acre parcel at 0 Southside Blvd (R3230301000, in the NE 1/4 of Section 35, T3N, R2W, BM), for Joseph Proffit (ZMA-00174-2023). Original concept: To create two residential lots from the one existing.

This application will go before the Planning and Zoning Commission as a public hearing item on the April 11, 2023 agenda.

Please return all comments to Planning and Zoning staff (pzall@cityofnampa.us) prior to March 31, 2023.

Thank you,

Keana Apau

From: Carol Shackelford
Sent: Thursday, March 16, 2023 2:32 PM
To: Planning-Zoning Staff
Subject: FW: Proffit BC to RS-8.5 - ZMA-00174-2023
Attachments: ZMA-00174-2023_Profitt BC to RS-8.5_Application.pdf; ZMA-00174-2023_Profitt BC to RS-8.5_Narrative.pdf; ZMA-00174-2023_Profitt BC to RS-8.5_Legal Description.doc; ZMA-00174-2023_Profitt BC to RS-8.5_Quitclaim Deed.pdf

The attached property has the following violation

6-8-5 Inoperative/Unlicensed vehicle. This vehicle will need to be currently licensed.

Properties that are within the city must be maintained in accordance with City of Nampa code. Weeds should be kept cut, and noxious weeds destroyed. Miscellaneous debris should be removed. If the property is not kept in accordance with city code, it could lead to abatement and possible tax lien

From: Soyla Reyna <reynas@cityofnampa.us>
Sent: Thursday, March 16, 2023 10:02 AM
To: Carol Shackelford <shackelfordc@cityofnampa.us>
Subject: FW: Proffit BC to RS-8.5 - ZMA-00174-2023

Please return all comments to Planning and Zoning staff (pzall@cityofnampa.us) prior to March 31, 2023.

From: Keana Apau <apauk@cityofnampa.us>
Sent: Thursday, March 16, 2023 9:31 AM
Subject: Proffit BC to RS-8.5 - ZMA-00174-2023

Good morning everyone,

RE: Rezone for Proffit to RS-8.5 – ZMA-00174-2023

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Thank you,



DATE: March 24, 2023
TO: Planning and Zoning Department
FROM: Peter Nielsen, Sr. Eng Plans Examiner
CC: 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: Joseph Profitt
OWNER: Joseph Profitt
ADDRESS: 0 Southside Blvd (R3230301000)
RE: **ZMA-00174-2023 – Zoning Map Amendment from BC to RS-8.5 Zone**

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

General Comments:

1. Zoning Map Amendment to create two residential lots from the one existing flag lot.
2. The following public road(s) provide access to the property.
 - Southside Blvd – classified as “Collector”, 35-mph.
3. Full right of way is existing along this parcel frontage.
4. Site access for future development shall adhere to the City’s Access Management Policy for spacing and alignment requirements along a collector classified road.
5. Due to anticipated driveway length being greater than 150’, Developer will be required to provide a turnaround onsite for emergency vehicles in accordance with City of Nampa adopted specifications and policies.
6. Frontage improvements in accordance with Nampa City Code Section 9-3-1 will be required at the time of development. Current standards for development along a collector classified roadway are as follows:
 - Full road widening
 - Provide for street drainage
 - Sidewalk, curb/ gutter
7. A Traffic Impact Study (TIS) is required for any project generating more than 100 new vehicle trips during any peak hour or 1,000 new daily trips (total in and out vehicular movements).
 - No TIS will be required for this development
8. The City currently maintains the following utility mainlines in the area:

NAMPA DEVELOPMENT SERVICES CENTER

- Domestic water – 12” main is existing in the west half of Southside Blvd.
 - Sewer – 8” main is existing in the center of Southside Blvd, approx. depth +/- 8’.
 - Pressure Irrigation – 10” main existing in the east half of Southside Blvd.
9. Nampa Bike & Ped Master Plan identified improvements.
- Pathway along Southside Blvd

Conditions:

1. Any onsite wells 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. Property shall be annexed in the Nampa Municipal Irrigation District at the time of connection to pressure irrigation and prior to being served by the City’s pressure irrigation system. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.
3. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
4. Developer shall provide a turnaround onsite for emergency vehicles in accordance with City of Nampa adopted specifications.

Utility Map



Keana Apau

From: Doug Critchfield
Sent: Monday, March 20, 2023 11:35 AM
To: Keana Apau
Subject: RE: Proffit BC to RS-8.5 - ZMA-00174-2023

Keana – The Rezone application (ZMA-00174-2023) has been reviewed by Nampa Planning and Zoning Future Planning with the following comments:

1. The Future Land Use Map Designation for this area is “High Density Residential”. The application indicates the desired rezone to RS 8.5.
2. The Future Land Use Map has a provision to allow stretching of a parcel over an adjacent parcel. The parcel to the south is designated “Medium Density Residential” and can be stretched to accommodate the rezoning to RS 8.5.

Thank you - Doug

From: Keana Apau <apauk@cityofnampa.us>
Sent: Thursday, March 16, 2023 9:31 AM
Subject: Proffit BC to RS-8.5 - ZMA-00174-2023

Good morning everyone,

RE: Rezone for Proffit to RS-8.5 – ZMA-00174-2023

I have attached for your review the application for "Rezone from BC (Community Business) to RS 8.5 (Single-Family Residential) on a .6 acre parcel at 0 Southside Blvd (R3230301000, in the NE 1/4 of Section 35, T3N, R2W, BM), for Joseph Proffit (ZMA-00174-2023). Original concept: To create two residential lots from the one existing.

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Please return all comments to Planning and Zoning staff (pzall@cityofnampa.us) prior to March 31, 2023.

Thank you,



Keana Apau
Assistant Planner
208.468.5630
500 12th Ave. S. Nampa, ID 83651
[City of Nampa, Like us on Facebook](#)
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Keana Apau

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Monday, March 20, 2023 12:21 PM
To: Planning-Zoning Staff
Cc: Keana Apau
Subject: [External]RE: Proffit BC to RS-8.5 - ZMA-00174-2023

Caution: This email originated from outside of the City of Nampa domain. Do not click on links or open attachments unless you recognize sender email or are sure content is safe. Highlight the suspect email and send using your Phish Button or call the helpdesk at 208-468-5454

Good Afternoon,

After careful review of the transmittal submitted to ITD on March 16, 2023 regarding Proffit BC to RS-8.5 – ZMA-00174-2023, the Department has no comments or concerns to make at this time. The rezone from BC to RS for two residential lots will not affect the state highway system.

Thank you,



Niki Benyakhlef
Development Services Coordinator

District 3 Development Services
O: 208.334.8337 | C: 208.296.9750
Email: niki.benyakhlef@itd.idaho.gov
Website: itd.idaho.gov

From: Keana Apau <apauk@cityofnampa.us>
Sent: Thursday, March 16, 2023 9:31 AM
Subject: Proffit BC to RS-8.5 - ZMA-00174-2023

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good morning everyone,

RE: Rezone for Proffit to RS-8.5 – ZMA-00174-2023

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This application will go before the Planning and Zoning Commission as a public hearing item on the April 11, 2023 agenda.