



CITY OF Caldwell, Idaho

Planning & Zoning

HEARING REVIEW APPLICATION

Type of Review Requested (check all that apply)

- Annexation
Appeal/Amendment
Comprehensive Plan Map Change
De-Annexation
Ordinance Amendment
[X] Rezone
Special Use Permit
Subdivision- Preliminary Plat
Subdivision- Final Plat
Subdivision- Short Plat
Time Extension
Variance
Other

STAFF USE ONLY:
File number(s): 2017-06
Project name: N. 21st Rezone
Date filed: 8/14/17 Date complete:
Related files:

Subject Property Information

Address: 120 N. 21st Avenue Parcel Number(s): R35369-011
Subdivision: Block: Lot: Acreage: 0.8 Zoning: M-1
Prior Use of the Property: Sign Shop
Proposed Use of the Property: Sign Shop

Applicant Information:

Applicant Name: Dana Vance Phone:
Address: 120 N. 21st Avenue City: Caldwell State: ID Zip: 83605
Email: Cell:
Owner Name: Same Phone:
Address: City: State: Zip:
Email: Cell:

Agent Name: (e.g., architect, engineer, developer, representative)
Address: City: State: Zip:
Email: Cell:

Authorization

Print applicant name: Dana Vance
Applicant Signature: Date:

Handwritten initials 'AL'



CITY OF Caldwell, Idaho

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- Subdivision- Final Plat
- Subdivision- Short Plat
- Time Extension
- Variance
- Other _____

STAFF USE ONLY:
 File number(s): 201-17-06
 Project name: N 21st Rezone
 Date filed: _____ Date complete: _____
 Related files: _____

Subject Property Information

Address: 124 N. 21st Avenue Parcel Number(s): R35369

Subdivision: _____ Block: _____ Lot: _____ Acreage: 8.3 Zoning: M-1

Prior Use of the Property: Vacant

Proposed Use of the Property: Potential Commercial Uses

Applicant Information:

Applicant Name: Keri Sigman, City of Caldwell Phone: (208) 960-4811

Address: 411 Blaine Street City: Caldwell State: ID Zip: 83605

Email: ksigman@cityofcaldwell.org Cell: _____

Owner Name: City of Caldwell Phone: (208) 455-3000

Address: 411 Blaine Street City: Caldwell State: ID Zip: 83605

Email: _____ Cell: _____

Agent Name: (e.g., architect, engineer, developer, representative) _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Cell: _____

Authorization

Print applicant name: Keri Sigman

Applicant Signature: _____ Date: _____

A



CITY OF
Caldwell, Idaho

Planning & Zoning

REZONE

Project Name: <u>N. 21st Rezone</u>	File #: <u>Zon 1706</u>
Applicant/Agent:	

Applicant (v)	Description	Staff (v)
	Completed & signed Hearing Review Master Application	
	Narrative fully describing the proposed use/request	
	Recorded warranty deed for the subject property	
	Signed Property Owner Acknowledgement (if applicable)	
	Vicinity map, showing the location of the subject property	
	Site Plan The following are suggested items that may be shown on the site plan:	
	• Property boundaries of the site	
	• Existing buildings on the site	
	• Parking stalls and drive aisles	
	• Sidewalks or pathways (proposed and existing)	
	• Fencing (proposed and existing)	
	Metes and bounds legal description for the site to be rezoned	
	Landscape Plan (if applicable)	
	Neighborhood Meeting sign-in sheet	
	All of the above items shall be submitted in 8 ½ x 11 paper format AND in electronic format (preferably PDF or Word) on either a jump drive or CD. Please be aware the jump drive or CD will become part of the file and will not be returned	
	Fee	

STAFF USE ONLY:

Date Application Received: 8-11-2017

Received by: JW

Proposed Hearing Date: 9-12-17

Hearing Body: HE

AI

RECORD OF SURVEY

A PORTION OF THE NW 1/4 OF SECTION 26,
TOWNSHIP 4 NORTH, RANGE 3 WEST, BOISE MERIDIAN,
CANYON COUNTY, IDAHO



LEGEND

- ⊕ BRASS CAP MONUMENT - FOUND
- ⊕ ALUMINUM CAP MONUMENT - FOUND
- ⊙ 5/8" REBAR - FOUND
- 1/2" REBAR - FOUND
- 1/2" x 24" REBAR - SET
- CALCULATED POINT
- PROPERTY BOUNDARY LINE
- - - SECTION/ALLOTMENT PART LINE
- W.C. WITNESS CORNER

CERTIFICATION

I, Thomas J. Weiland, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, that this map is an accurate representation of said survey, and that it is in conformity with the Surveyor Perpetuation Act, Idaho Code 55-1601 through 55-1612.

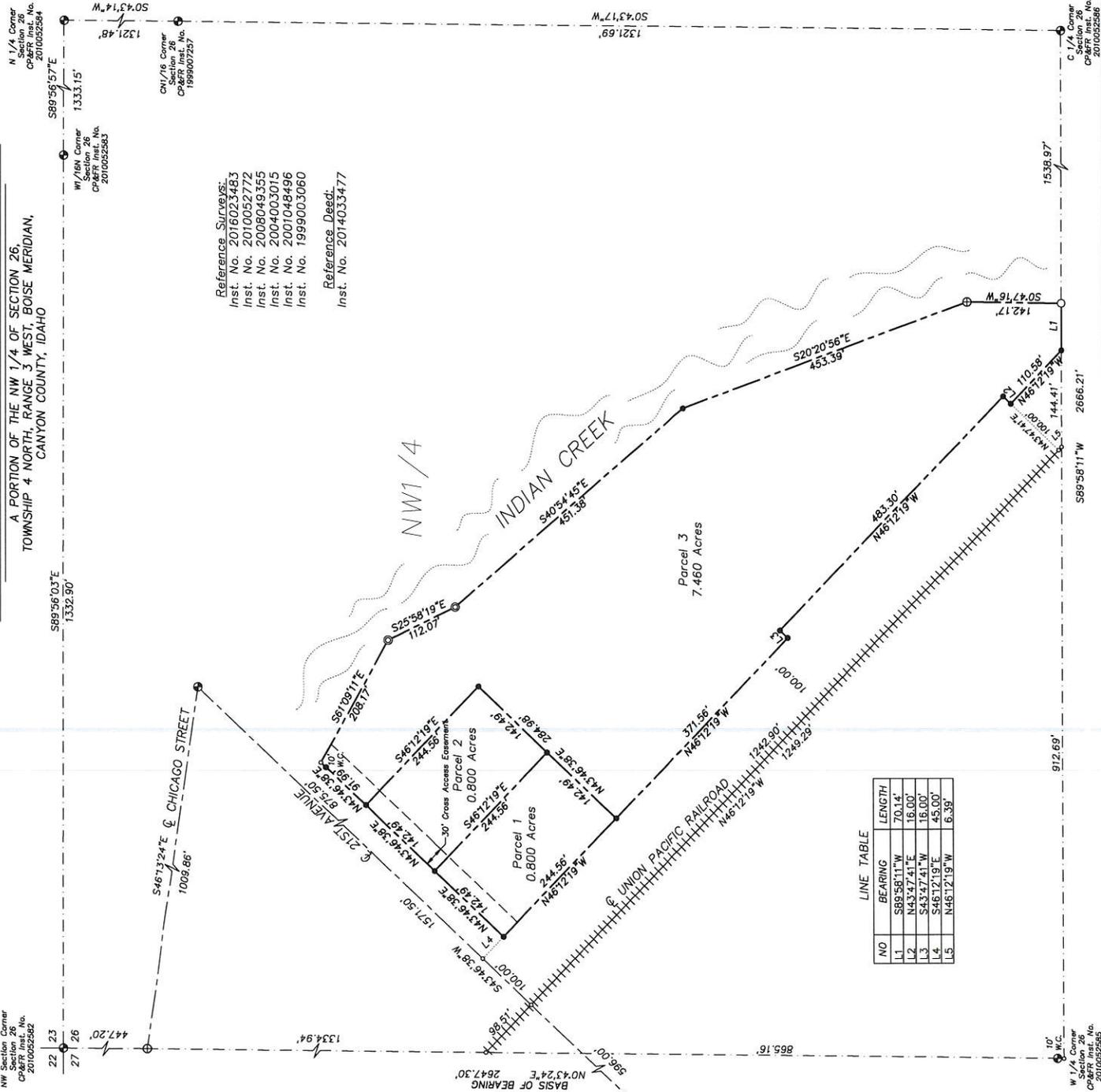


INDEX No. 434-28-4-0-0-00-00

SURVEY FOR

CITY OF CALDWELL

<p style="text-align: center;">Skinner Land Survey</p> <p style="text-align: center;">Precision Land Surveyors, P.C. 21651 Upper Pleasant Ridge Rd. Caldwell, Idaho 83807 (208)-454-0933 WWW.SKINNERLANDSURVEY.COM</p>	<p>Drawn By: TJW</p> <p>Date: July 21, 2016</p> <p>Surveyed By: TJW</p> <p>Job No.: JY1716</p>
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NO	BEARING	LENGTH
L1	S89°58'11"W	70.14'
L2	N43°47'41"E	16.00'
L3	S43°47'41"W	16.00'
L4	S46°12'19"E	45.00'
L5	N46°12'19"W	6.39'

A3

W 1/4 Corner Section 26 CP&FR Inst. No. 2010052585

Legal Description for
City of Caldwell 21st Avenue Rezone

This parcel is a portion of the NW ¼ of Section 26, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northwest corner of the NW ¼, (NW Section Corner, Section 26), a found brass cap monument;

thence South 00° 43' 24" West along the West boundary of the NW ¼ a distance of 447.20 feet to a point on the centerline of Chicago Street, a found aluminum cap monument;

thence South 46° 13' 24" East along said centerline a distance of 1009.86 feet to the intersection with the centerline of 21st Avenue, a found brass cap monument;

thence South 43° 46' 38" West along the centerline of 21st Avenue a distance of 875.50 feet to the Northeasterly right of way of the Union Pacific Railroad;

thence South 46° 12' 19" East along said right of way a distance of 45.00 feet to the Southeasterly right of way of 21st Avenue, to the **TRUE POINT OF BEGINNING**, a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence North 43° 46' 38" East along said Southeasterly right of way a distance of 376.97 feet to a point on the South bank of Indian Creek witnessed by a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352 bearing South 43° 46' 38" West a distance of 10.00 feet;

thence traversing said South bank as follows:

South 61° 09' 11" East a distance of 208.17 feet to a found 5/8 inch diameter rebar;

South 25° 58' 19" East a distance of 112.07 feet to a found ½ inch diameter rebar;

South 40° 54' 45" East a distance of 451.38 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

South 20° 20' 56" East a distance of 453.39 feet to a found aluminum cap monument on a 5/8 inch diameter rebar;

South 00° 47' 16" West a distance of 142.17 feet to a point on the South boundary of the NW ¼, a found ½ inch diameter rebar;

thence South 89° 58' 11" West along the South boundary of the NW ¼ a distance of 70.14 feet to a point on the Northeasterly right of way of the Union Pacific Railroad, a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence North 46° 12' 19" West along said right of way a distance of 110.58 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence North 43° 47' 41" East perpendicular to said right of way a distance of 16.00 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence North 46° 12' 19" West parallel with the Northeasterly right of way of the Union Pacific Railroad a distance of 483.30 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence South 43° 47' 41" West perpendicular to said right of way a distance of 16.00 feet to a point on the Northeasterly right of way of the Union Pacific Railroad, a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence North 46° 12' 19" West along said right of way a distance of 616.12 feet to the **TRUE POINT OF BEGINNING**, containing 9.06 acres, more or less, and being subject to any and all easements and rights-of-way of record or implied.

CITY OF CALDWELL
CALDWELL HEARING EXAMINER MINUTES
Community Room, Caldwell Police Department
110 South 5th Avenue, Caldwell, Idaho
September 12, 2017, 7:00 P.M.

I. **Call to Order** – Hearing Examiner, Mr. Jerome Mapp, opened the meeting for the public hearing at 7:08 p.m.

II. **Review of Proceedings** – Mr. Jerome Mapp outlined the procedures for the public hearing.

Members Present: Jarom Wagoner (Senior Planner/Development Team Leader); Robb MacDonald (City Engineer); Lori Colligan (Administrative Secretary)

Members Absent: Brian Billingsley (Planning Director)

Old Business:

III. Mr. Mapp approved the Minutes of the July 11, 2017 meetings as previously signed by Hearing Examiner Mapp.

IV. **New Business:**

1. **Case Number SUP-17-05:** A request by Marty Camberlango for a special-use permit to construct a mini storage facility along with outdoor covered storage for RV's and other vehicles within the M-1 (Light Industrial) Zone. The subject property is located at 0 E. Ustick Road (Parcel # R30933010A1) in Caldwell, Idaho.

Testimony:

Jarom Wagoner, Senior Planner, 621 Cleveland Blvd., Caldwell, ID 83605, presented the staff report and stated that the applicant is requesting special use permit approval to construct a mini storage facility and an outdoor area for RV parking. There are proposed to be 22 mini-storage units and 106 covered RV parking stalls. This is an addition to a previously approved SUP for mini storage in the same area. The applicant proposed a 6 ft fence along the north side property line, staff is recommending an 8 ft fence to add additional visual obstruction to the site.

Mr. Mapp asked what type of fence staff recommends.

Mr. Wagoner stated that city code requires for all storage areas to have a solid site obscuring fence. Our code stipulates that means there are no cavities, breaks, or openings. We recommend wood, vinyl or something of that nature.

Mr. Mapp asked if lighting from this location would be an issue.

Mr. Wagoner replied a 6 or 8 ft fence would take care of the lighting issue.

Mr. Lucas Hansen, 14763 Willis Road, Caldwell, Idaho 83605 testified that he does not agree with the 8 foot fence requirement. Vinyl would have to be special ordered and when it reaches 8 ft it gets pretty wobbly. There isn't enough anchoring in the ground to keep it stable at 8 ft. A wood fence is heavier so it does the same thing. 2 ft is not going to make that big of a difference. Other than that he is in agreement with everything else in the staff report.

MR. MAPP CLOSED THE PUBLIC TESTIMONY.

ORDER OF DECISION FOR SUP-17-05: The Hearing Examiner **RECOMMENDED** that Case Number ZON-17-03 BE APPROVED with the following conditions: 8.2 through 8.6; modify 8.7 to require a 6 foot fence instead of an 8 foot fence; 8-8 through 8.12

2. **Case Number ZON-17-06:** A request by the City of Caldwell and Dana Vance to rezone two parcels totaling 9.1 acres, more or less, from M-1 (Light Industrial) to C-3 (Service Commercial). The subject properties are located at 120 and 124 N. 21st Avenue in Caldwell, Idaho.

Testimony:

Jarom Wagoner, Senior Planner, 621 Cleveland Blvd., Caldwell, ID 83605, presented the staff report and stated that the applicants are requesting to rezone approximately 9 acres from M-1 (Light Industrial) to C-3 (Service Commercial). The City of Caldwell owns the majority of the property, there is a small piece, .8 acres, that is owned by Dana Vance, Superior Signs. They recently constructed a new sign shop at this location. This request is being brought forward to bring us into compliance with what the current Comprehensive Plan shows.

Mr. Mapp asked about fencing along the southeast portion of the property. His concern is people crossing across the tracks into the parking area.

Mr. Wagoner stated that they will put up a fence along the tracks. The railroad actually requires a fence for safety reasons.

Mr. MacDonald stated that in this case that area is already being used for parking and there have been a lot of people crossing the tracks. The railroad has concerns and so the type of fence that would be installed with that parking lot is a very specific type that the railroad requires. It is an expanded metal fence that is 6 ft tall. It would go all the way from the south corner to 21st Avenue. Inside of the fence we would have a sidewalk so that everyone that parks there would trickle down the side walk and that would funnel them up 21st Avenue to cross.

Ms. Keri K. Smith-Sigman, 411 Blaine St., Caldwell, Idaho stated she is in agreement with everything Mr. Wagoner stated and would like to add they have received a letter of intent from a restaurant to open at this location and that would not be possible with the current zoning classification.

Mr. Mapp asked if the lot would be improved.

Ms. Smith-Sigman stated that yes; the entire space is planned for improvement. The restaurant will take the land north of this piece. That will require landscaping and improvements. The remainder of the parcel would be fully developed. The RV parking will be hard surface and the RV dump will be relocated from the existing fairground site to this area. That will allow for future fair expansion.

Mr. Mapp asked if the restaurant would be along 21st Street.

Ms. Smith-Sigman replied yes, it will have frontage along 21st Street.

MR. MAPP CLOSED THE PUBLIC TESTIMONY.

Comprehensive Plan Analysis for **ZON-17-06 (Rezone)**: The Hearing Examiner accepted the comprehensive plan analysis as listed in the staff report.

Findings of Fact for **ZON-17-06 (Rezone)**: The Hearing Examiner accepted the general facts as outlined in the staff report, public testimony, and the evidence list.

Conclusions of Law for **ZON-17-06 (Rezone)**: The Hearing Examiner accepted the Conclusions of Law as outlined in the staff report.

ORDER OF DECISION FOR ZON-17-06: The Hearing Examiner **RECOMMENDED** that Case Number ZON-17-06 BE APPROVED with the following conditions: 8.2 through 8.4

V. Planning Issues – None

- a. The next regularly scheduled Hearing Examiner meeting is scheduled for November 14, 2017.

VI. Adjournment

The Hearing Examiner adjourned the meeting at approximately 7:35 p.m.

Respectfully submitted by Lori Colligan,

MINUTES APPROVED AND SIGNED BY THE HEARING EXAMINER, M. JEROME MAPP, ON THE DATE NOTED BELOW:


Mr. Jerome Mapp _____ 10/14/17 _____ ATTEST:
Date


Jarom Wagoner, Senior Planner / Development Team Leader _____ 10-14-17 _____
Date

For detailed Minutes, please request a copy of the digital recording.

**ORDER OF DECISION BY THE MAYOR AND CITY COUNCIL
CITY OF CALDWELL, IDAHO
PUBLIC HEARING HELD OCTOBER 16, 2017
SIGNED NOVEMBER 6, 2017**

Subject: Case No. ZON-17-06 (North 21st Avenue Rezone)

THE FOLLOWING LAND USE ACTION IS THE PRIMARY FEATURE OF THIS APPLICATION:

- **Rezone two parcels totaling 9.1 acres, more or less, from M-1 (Light Industrial) to C-3 (Service Commercial).**

TABLE OF CONTENTS:

I	COURSE OF PROCEEDINGS
II	GENERAL FACTS
III	TESTIMONY
IV	APPLICABLE LEGAL STANDARDS
V	COMPREHENSIVE PLAN ANALYSIS
VI	FINDINGS OF FACT
VII	CONCLUSIONS OF LAW
VIII	RECOMMENDATION
IX	ORDER OF DECISION

I COURSE OF PROCEEDINGS

- 1.1 The Caldwell Planning and Zoning Department issued a notice of public hearing on application ZON-17-06 to be held before the Caldwell Hearing Examiner on September 12, 2017. Public notice requirements set forth in Idaho Code, Chapter 65, Local Planning Act, were met. On, or before, August 27, 2017, notice was published in the Idaho Press Tribune, and on, or before, August 25, 2017 notice was mailed to all political subdivisions providing services to the site and to all property owners within 300 feet of the project site; and, on, or before, August 31, 2017 notice was posted on the site.
- 1.2 On September 12, 2017 the Caldwell Hearing Examiner **recommended approval** of the rezone request.
- 1.3 The Caldwell Planning and Zoning Department issued a notice of public hearing on application ZON-17-06 to be held before the Caldwell City Council on October 16, 2017. Public notice requirements set forth in Idaho Code, Chapter 65, Local Planning Act, were met. On, or before, October 1, 2017, notice was published in the Idaho Press Tribune, and on, or before, September 29, 2017 notice was mailed to all political subdivisions providing services to the site and to all property owners within 300 feet of the project site; and, on, or before, October 5, 2017 notice was posted on the site.
- 1.4 On October 16, 2017 the Caldwell City Council **approved** the rezone request.
- 1.5 Files and exhibits relative to this application are available for review in the Planning and Zoning Department, 621 Cleveland Boulevard, Caldwell and at applicable public hearings.

II GENERAL FACTS

- 2.1 APPLICANT: Keri Smith, City of Caldwell, 411 Blaine Street, Caldwell, Idaho, 83605.

- 2.2 APPLICANT: Dana Vance, 120 N 21st Avenue, Caldwell, Idaho, 83605.
- 2.3 REQUEST: The applicants are requesting to rezone approximately 9 acres from M-1 (Light Industrial) to C-3 (Service Commercial).
- 2.4 BACKGROUND: The subject property is currently vacant land on the north and east, with Superior Signs on the west part of the property.
- 2.5 COMPREHENSIVE PLAN DESIGNATION: The Caldwell Comprehensive Plan Map designation for the site is Commercial.

Service Commercial: Suitable for a wide range of retail and service uses including more intense commercial uses such as those that require large amounts of land for sales, storage or parking, light production or repair of consumer goods, and which may be less compatible with residential uses due to traffic, noise and other impacts.

- 2.6 Land Use: The subject property is currently zoned M-1 (Light Industrial) and is surrounded by the following uses:

<u>Direction</u>	<u>Zone</u>	<u>Comprehensive Map</u>	<u>Use</u>
Site	M-1	Commercial	Vacant Land/Sign Shop
North	C-3	Commercial	Indian Creek/ATV Sales
South	C-2/C-3	Commercial	Railroad/County Fair Grounds
East	M-1	Commercial	Indian Creek/Mini-Storage
West	C-3	Commercial	Commercial/Industrial Uses

- 2.7 Public Services, Utilities and Facilities: The engineering department, fire marshal, building department, police department, and Pioneer Irrigation District, were all sent a request for comment on August 16, 2017.
- 2.8 Transportation/Connectivity: The subject property has frontage on 21st Avenue, a principal arterial roadway.
- 2.9 Landscaping: As per Section 10-07-02(2) of City Code, landscaping should be required for this project. The subject property at 120 N. 21st Avenue (Superior Signs) has recently been updated and meets all current city landscape requirements. The subject property at 124 N. 21st Avenue will require a 25-foot wide landscape buffer with a minimum of 10 Class II trees, 35 shrubs, along with vegetative ground cover (turf grass) within the buffer area.
- 2.10 Parking: As per Section 10-12-04(16) of City Code, parking will be required for this application. The number of required paved parking stalls will be determined at time of future development, and will depend on the ultimate use of the site.

III PUBLIC TESTIMONY

- 3.1 Before the Hearing Examiner, September 12, 2017
Jarom Wagoner, Senior Planner, 621 Cleveland Blvd., Caldwell, ID 83605, presented the staff report and stated that the applicants are requesting to rezone approximately 9 acres from M-1 (Light Industrial) to C-3 (Service Commercial). The City of Caldwell owns the majority of the property, there is a small piece, .8 acres, that is owned by Dana Vance, Superior Signs. They recently constructed a

new sign shop at this location. This request is being brought forward to bring us into compliance with what the current Comprehensive Plan shows.

Mr. Mapp asked about fencing along the southeast portion of the property. His concern is people crossing across the tracks into the parking area.

Mr. Wagoner stated that they will put up a fence along the tracks. The railroad actually requires a fence for safety reasons.

Mr. MacDonald stated that in this case that area is already being used for parking and there have been a lot of people crossing the tracks. The railroad has concerns and so the type of fence that would be installed with that parking lot is a very specific type that the railroad requires. It is an expanded metal fence that is 6 ft tall. It would go all the way from the south corner to 21st Avenue. Inside of the fence we would have a sidewalk so that everyone that parks there would trickle down the side walk and that would funnel them up 21st Avenue to cross.

Ms. Keri K. Smith-Sigman, 411 Blaine St., Caldwell, Idaho stated she is in agreement with everything Mr. Wagoner stated and would like to add they have received a letter of intent from a restaurant to open at this location and that would not be possible with the current zoning classification.

Mr. Mapp asked if the lot would be improved.

Ms. Smith-Sigman stated that yes; the entire space is planned for improvement. The restaurant will take the land north of this piece. That will require landscaping and improvements. The remainder of the parcel would be fully developed. The RV parking will be hard surface and the RV dump will be relocated from the existing fairground site to this area. That will allow for future fair expansion.

Mr. Mapp asked if the restaurant would be along 21st Street.

Ms. Smith-Sigman replied yes, it will have frontage along 21st Street.

3.2 Before the Mayor and City Council, October 16, 2017

Jarom Wagoner, 621 Cleveland Blvd., acknowledged being sworn in. He provided the staff report and outlined the facts as written. He noted that the properties in proximity to the subject parcel are designated as commercial on the Comprehensive Plan Map. The sole access to the site is along 21st Avenue, which is a principle arterial roadway. The subject property is currently zoned as M-1 (Light Industrial) with surrounding properties zoned C-3 (Service Commercial), C-2 (Community Commercial), and M-1 (Light Industrial). The parcel is vacant along with a newly constructed sign shop located at the site.

Mr. Wagoner addressed questions concerning the comparison of this request with a recent case brought forward by a local church for a zone change on 10th Avenue. He noted that the church property is zoned R-1 (Low Density Residential) and the Comprehensive Plan Map indicated the site as R-1. He emphasized that each property is reviewed on its own merits for compliance with the Comprehensive Plan Map. This public hearing was not planned in coordination with the declaration of surplus property.

He concluded by stating that 21st Avenue is a gateway entrance into the City of Caldwell. A multi-use development north of the site has been rezoned as commercial. A proposed future restaurant at the site and recreational vehicle facility would require the zone classification as commercial. Staff has

been looking at the property for several months wanting the parcel to be rezoned to commercial in conjunction with it being a major transportation corridor.

Mayor Nancolas explained that during budget workshop sessions this year, discussion was held about the City developing some RV spaces along the back of the property for use by the Caldwell Night Rodeo and Canyon County Fair.

Councilman Stadick complimented Gary Vance, owner of the Superior Signs, on the construction and appearance of his new business along 21st Avenue.

Mr. Wagoner noted that Mr. Vance and the City of Caldwell jointly filed the rezone request.

Keri Sigman, 411 Blaine, Caldwell Economic Development Specialist, acknowledged being sworn in and spoke in favor of the request. She reported that it was City staff's desire for the site to be rezoned to commercial for economic development purposes. In consultation with Buxton Company, the 21st Avenue corridor is essential as a future retail trade area. She also noted that she has been contacted by a restaurant owner who is interested in locating his business along 21st Avenue at the subject parcel.

MOVED by Pollard, SECONDED by Ozuna to close the public testimony portion of the hearing.

IV APPLICABLE LEGAL STANDARDS

- 4.1 City of Caldwell Zoning Ordinance No. 1451, as amended
- 4.2 City of Caldwell Comprehensive Plan, as amended
- 4.3 Idaho Code, Title 67, Chapter 65, Local Planning Act

V COMPREHENSIVE PLAN ANALYSIS

The Caldwell City Council accepts the Comprehensive Plan Components as listed below.

- 5.1 The proposed project is consistent with the following Comprehensive Plan Components:

GOALS AND POLICIES – Property Rights

Goal 1: Ensure that land use policies, restrictions, conditions and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of the property.

Policy 1-1: Establish a sound basis for land use and environmental regulations through comprehensive planning and adopted policies and ordinances.

Policy 1-2: Identify potential takings of private property prior to a regulatory or administrative action on specific property.

GOALS AND POLICIES – Population

Goal 1: Maintain a high quality of life and livability in the community.

Policy 1-1: Plan for anticipated population and households that the community can support with adequate services and amenities.

GOALS AND POLICIES – Economic Development

Goal 1: Promote economic development initiatives relating to housing, business, jobs, schools, recreational opportunities, infrastructure systems, public utilities and facilities, and public services.

Policy 1-2: Promote job market expansion that encourages opportunities for mid- and upper-range wage scales and benefits.

Policy 1-3: Encourage development that generates new job opportunity.

Goal 3: Create neighborhoods where citizens can live, work and play.

Policy 3-2: Generate employment opportunities that support local economies and reduce vehicle miles traveled between home and work.

Policy 3-3: Promote economic development growth that is sustainable, environmentally manageable, that will assist in maintaining the City's fiscal stability, and that will reduce the need for residents to commute out of the City.

Goal 6: Recognize and promote the importance of retaining and attracting basic industries to Caldwell.

Policy 6-2: Ensure that an adequate inventory of commercial and industrial property is available for new industries.

GOALS AND POLICIES – Land Use

Goal 1: Establish land-use management policies that protect property rights and the environment, maintain a high quality of life, provide adequate land for all types of development, and adequately buffer non-compatible uses.

Policy 1-2: Encourage commercial and industrial uses in areas that are readily accessible to regional and principal arterials and/or public transit.

Goal 2: To create a strong sense of community and place.

Policy 2-2: Encourage the restoration and redevelopment of underutilized and neglected properties through infill development.

Goal 4: Create communities that generate cost effective public services and infrastructure.

Policy 4-3: Require developers to meet design principles, development standards, and street and utility improvement requirements as set forth in the City's subdivision ordinance and infrastructure policy.

GOALS AND POLICIES – Public Services, Utilities, & Facilities

Goal 1: Ensure that there are adequate public services and infrastructure to meet the needs of the public.

Policy 1-2: Provide for the orderly expansion of public services to meet the needs of population growth, and ensure that adequate infrastructure is in place to serve new development.

Goal 3: Protect the public, health, and general welfare of the citizens of Caldwell.

Policy 3-1: Require all new non-agricultural development in the Caldwell Area of Impact be connected to potable water and city sewer service.

Policy 3-3: Require new development to meet the City's public infrastructure design standards, and any other applicable public entity's adopted policies.

GOALS AND POLICIES – Community Design

Goal 1: Foster growth and redevelopment in a manner that will enhance and improve the City's visual image.

Policy 1-2: Continue to work toward the elimination of blight and areas of deterioration.

5.2 The request was not found to be inconsistent with any of the Comprehensive Plan Components.

All adopted city ordinances, standards and codes were used in evaluating the application.

VI FINDINGS OF FACT

6.1 The Caldwell City Council accepts the facts outlined in the staff report, public testimony and the evidence list. All adopted city ordinances, standards and codes were used in evaluating the application.

VII CONCLUSIONS OF LAW

7.1 The Caldwell City Council has the authority to hear this case and order that it be approved or denied. The public notice requirements were met and the hearing was conducted within the guidelines of applicable Idaho Code and City ordinances.

VIII RECOMMENDATION

8.1 Based on the Findings of Fact and Conclusions of Law, the Caldwell Hearing Examiner hereby recommends to the Mayor and City Council that Case Number ZON-17-06 a request by the City of Caldwell and Dana Vance to rezone 9.1 acres, more or less, from M-1 (Light Industrial) to C-3 (Service Commercial) for the properties located at 120 and 124 N. 21st Avenue in Caldwell, Idaho is **approved** with the following conditions of approval:

8.2 All requirements of federal, state and local laws, rules and regulations in place at the date of submittal of any applications shall be adhered to in development of the subject property.

8.3 Development of the subject property shall be consistent with all requirements, codes, rules, and regulations of the City of Caldwell, unless specifically stated otherwise in the rezone development agreement or in an Order of Decision for a preliminary plat or planned unit development.

8.4 Install a 25-foot wide landscape buffer along 21st Avenue for the property located at 124 N. 21st Avenue. The buffer shall contain a minimum of 10 Class II trees and 35 shrubs, along with vegetative ground cover (turf grass).

IX ORDER OF DECISION

9.1 Based on the Findings of Fact and Conclusions of Law, the Caldwell City Council hereby orders that Case Number ZON-17-06 a request by the City of Caldwell and Dana Vance to rezone 9.1 acres, more or less,

from M-1 (Light Industrial) to C-3 (Service Commercial) for the properties located at 120 and 124 N. 21st Avenue in Caldwell, Idaho is **approved** with the following conditions of approval:

- 9.2 All requirements of federal, state and local laws, rules and regulations in place at the date of submittal of any applications shall be adhered to in development of the subject property.
- 9.3 Development of the subject property shall be consistent with all requirements, codes, rules, and regulations of the City of Caldwell, unless specifically stated otherwise in the rezone development agreement or in an Order of Decision for a preliminary plat or planned unit development.
- 9.4 Install a 25-foot wide landscape buffer along 21st Avenue for the property located at 124 N. 21st Avenue. The buffer shall contain a minimum of 10 Class II trees and 35 shrubs, along with vegetative ground cover (turf grass).

Case Number ZON-17-06 was heard by the Mayor and City Council at a public hearing held October 16, 2017.

Written Findings of Fact, Conclusions of Law, and Order of Decision were approved by City Council members and signed by Mayor Nancolas at a regularly scheduled meeting held November 6, 2017.



Mayor Garret L. Nancolas

ATTEST:


City Clerk