



Planning & Zoning Commission - Addendum
Epic Holdings LLC - OR2020-0005 & CR2020-0005

Hearing Date: September 17, 2020

Development Services Department

Owner

Holton Living Trust; Ivan L. Holding Living Trust; Tilson Family Living Trust; Faye Holton Trust

Applicant:

Todd Lakey, Borton-Lakey Law representing Epic Holding LLC

Staff:

Dan Lister, Planner II

Tax ID:

R34252, R34263012, R34263010, R34263 & R34263011

Current Zone:

"A" (Agricultural)

2020 Comprehensive Plan:

Future Land Use Designation:

Agricultural

Impact Area: Caldwell

Future Land Use Designation:

Highway Corridor, 6 units per acre/Medium Density Residential, 4 units per acre.

Lot Size

Approximately 108 acres

Applicable Zoning Land Use

Regulations: §07-06-03; §07-06-07(6)A

Notification

- 6/26/2020: Agencies/Caldwell
- 7/31/2020: Full Political
- 7/31/2020: Radius Notice
- 8/5/2020: Newspaper
- 8/13/2020: Posting

Exhibits:

9. E-mail from Todd Lakey with revised Conceptual Plan
- See previous staff report and exhibit for more information.

Request

Epic Holding LLC is requesting a comprehensive plan amendment (OR2020-0005) to change the future land use designation of Parcels R34252, R34263012, R34263010, R34263 and R34263011 from "agricultural" to "residential".

The request includes a conditional rezone (CR2020-0005) to rezone approximately 98 acres from an "A" zone (Agricultural) to an R-1 zone (Single Family Residential, one acre average minimum lot size) and approximately 10 acres from an "A" zone to an R-R zone (Rural Residential, two acre average minimum lot size).

A development agreement is included with the conditional rezone to restrict residential development within the "R-1" zone to no more than 48 lots in accordance with the conceptual site plan shown below (See Exhibit 2 for more details).

The properties, consisting of approximately 108 acres, are located at 19618, 19611, 19503 and 19595 Northside Boulevard, Caldwell; also known as a portion of the NE¼ of Section 28, T4N, R2W and a portion of the NW¼ Section 27, T4N, R2W, BM; Canyon County, Idaho.

Addendum

The hearing of Epic Holdings LLC before the Planning and Zoning Commission has been tabled twice (August 20, 2020 and September 3, 2020) by the applicant to provide the following information:

- 1) A revised conceptual plan (Exhibit 9) was submitted to better meet Canyon Highway District #4 (CHD4) access requirements (Exhibit 5b, CHD4's comment letter). CHD4 prohibits future development to take access onto Northside Boulevard. Access shall be taken from the extension of Skyway Drive, a major collector roadway. The revised conceptual plan did not come with any review comments from CHD4 or City of Caldwell – Engineering Division.
- 2) Provide conditions that will allow the development to move forward without impacting the City of Caldwell's planned future growth. City of Caldwell submitted a letter of opposition stating the development is inconsistent with the City's comprehensive plan and promotes development prematurely (Exhibit 5d).

The applicant met with DSD staff regarding the City of Caldwell's opposition letter to discuss potential conditions that could be applied to the rezone to address City of Caldwell's concerns. Subject to discussion with the City of Caldwell, the applicant agreed to a condition to provide an easement through the development that will allow the extension of city services when available.

Other potential conditions may include:

- a) Annexation deferral agreement that runs with each lot of the future proposal that will require annexation at the time city services are extended to the development within the proposed easement.

- b) Require the development to create larger lots (minimum lot size of five acres) with an “R-R” zone to maintain the existing agricultural character and setting until the City expands into the area. The five acre lot sizes would promote redevelopment in the City of Caldwell once city services and infrastructure are available.

Upon discussions with Jerome Mapp, Director of Planning and Zoning for the City of Caldwell, the applicant did discuss with him the condition to provide an easement within the development for the extension city services. However, the condition does not guarantee annexation of the development into the City of Caldwell at the time services are provided through said easement. Therefore, the development is considered suburban sprawl within the area of city impact with no potential for redevelopment in the City of Caldwell. Therefore, the City of Caldwell still opposes the request.

Analysis

The applicant has provided information (Exhibit 2 and 9) that appears to promote the following:

- The request promotes residential development within an area that the City of Caldwell’s future land use plan shows to support residential uses in the future. Caldwell’s Future Land Use Plan designates the parcels as “Medium-Density Residential, four units per gross acre or 12 units per mixed use/planned unit development site” and “Highway Corridor, six units per gross acre” (Exhibit 5d). Although the request does not provide the housing density promoted by the City’s comprehensive plan, the request creates a 1.8 acre average lot size which is stated by the applicant to be in high demand in the current real estate market.
- The applicant agrees to provide an easement through the development for the extension of city water services (not shown on the conceptual plan). The easement would provide Caldwell the ability to install services to the development and surrounding area in the future.
- The revised conceptual plan depicts a development that may better meets CHD4’s access road requirements.

Potential Impacts

The City of Caldwell still views the revised proposal as inconsistent with their comprehensive plan which provides future plans and orderly growth for the City of Caldwell, and finds the development to be premature. *See previous staff report, dated September 3, 2020, for potential impacts to agriculture, to the City of Caldwell and development within a nitrate priority area.*

Decision Options

- The Planning and Zoning Commission may recommend approval of OR2020-0005 and CR2020-0005 and direct staff to provide new findings of fact, conclusions of law and orders with appropriate development agreement conditions; or
- The Planning and Zoning Commission may recommend denial of OR2020-0005 and CR2020-0005 as recommended by the City of Caldwell; or
- The Planning and Zoning Commission may continue the discussion and request additional information.

Dan Lister

From: Todd Lakey <Todd@borton-lakey.com>
Sent: Wednesday, September 9, 2020 11:42 AM
To: Dan Lister
Cc: Tricia Nilsson; millscorealty@msn.com; Jarron Langston; Truman Mathews
Subject: RE: Epic Holdings LLC
Attachments: Revised Concept Plan 9.9.20.pdf

Dan and Tricia – here is a revised concept plan which includes the southern collector and removes the other accesses onto Northside as requested by the highway district. Our design professionals are stacked up until next week so we did our own modification to the concept plan. We are looking at that house on the corner; in my discussion with Chris Hopper he seemed to think it would work. As I mentioned before we are willing to include a condition of approval noting that we will incorporate utility easements for the city during platting. Thanks Todd

From: Dan Lister <dlister@canyonco.org>
Sent: Tuesday, September 08, 2020 10:49 AM
To: Todd Lakey <Todd@borton-lakey.com>
Subject: Epic Holdings LLC

Todd,

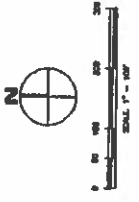
As you remember, the hearing of Epic Holdings (OR2020-0005/CR2020-0005) was tabled until September 17, 2020. My staff report must be completed by the end of the day on September 9, 2020. Do you have a revised conceptual plan? Have you consulted City of Caldwell regarding their opposition?

If the information is not provided on time, my staff report will remain unchanged. We can either move forward with the hearing, discuss conditions of approval during the hearing for the P&Z to consider, or we can table the item again to provide you more time to draft a conceptual plan and discuss the issues with City of Caldwell.

Please let me know.

Dan Lister, Planner II
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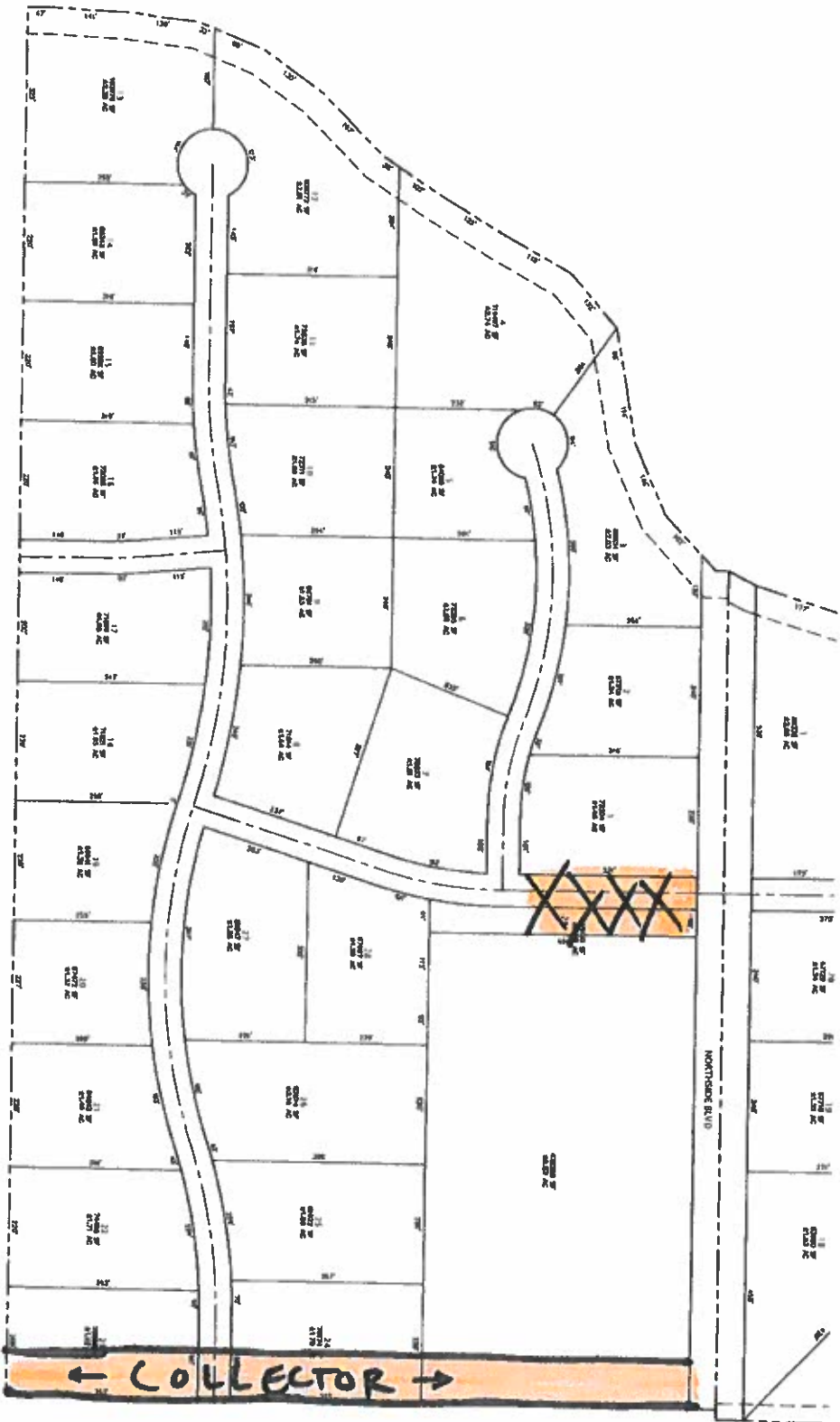
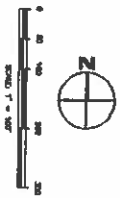
NORTHSIDE ESTATES LAYOUT

TOTAL AREA = ±40.53 AC

20 LOTS

R/W DEDICATION = ±5.60 ACRES





NORTHSIDE ESTATES LAYOUT (WEST)
 TOTAL AREA = ±67.73 AC
 28 LOTS + (1) 8.53 AC OUTPARCEL
 R/W DEDICATION = ±8.25 ACRES

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