

CAR14-00015 / JUDITH BALKINS

Location: 6012 N. Pierce Park Lane and 6050 N. Pierce Park Lane
ANNEXATION OF 16.3 ACRES LOCATED AT 6012 AND 6050 N. PIERCE PARK LANE
WITH R-1B (SINGLE FAMILY RESIDENTIAL-4.8 UNITS/ACRE) ZONE.

David Moser (Current Planning) – The application is a request to annex a 16.3 acre site located at 6012 and 6050 Pierce Park Lane with R-1B zoning. The site contains 2, single-family homes with associated out buildings, as you can see from the aerial photograph. The site is also located along Pierce Park, just south of Hill Road.

The property is located within the area of impact and adjacent to city limits. It is currently zoned R-6, R-1 and RUT in the county. The applicant is requesting R-1B zoning in the City which will allow for a density of 4.8 units per acre. This request in density is similar and compatible with the adjacent neighborhood along Pierce Park Lane. The property to the north is in the City and is zoned R-1B. The neighborhoods to the south and across Pierce Park Lane are zoned R-1C. Therefore, the annexation will maintain and preserve compatibility with the surrounding neighborhoods since it is similar. The properties which are currently in Ada County to the east and south will most likely be annexed in with either an R-1B, or an R-1A zoning since it's designated as large lot residential in the Comprehensive Plan, thus promoting and encouraging further compatibility of the requested zone.

As already stated, the applicant is requesting R-1B zoning and has no specific development plans at this time. The annexation is basically to facilitate future residential development. The Planning Team did receive a letter of opposition to the annexation. This letter was received late and unfortunately we didn't have time to include it into the project report. It was sent to the Commission for your consideration so you should have received it. The neighbor's concerns are focused on two points. These points are the annexation of the subject property would eventually result in their property being annexed. The neighbor who wrote this letter owns the property directly to the south which is the Pierce Park Greens Golf Course. In addition, their further concern was that the future subdivision and development could adversely impact the adjacent golf course, in particular, as it pertains to future street connections in the area. To address these two points I'd first like to note the large adjacent parcel to the south is in the area of impact and adjacent to city limits. Since it's in the area of impact, the adjacent property will eventually be annexed but I do not know when that will be. It's assumed any property in the area of impact will be annexed at some point in the future. Secondly, since there is no development application associated with this annexation request, the concerns regarding impacts from future developments will be better addressed when a development application is submitted. That will either be through a planned unit development (PUD), which would be heard before this Commission, a subdivision or possibly both. Therefore, the Commission may recommend to City Council to approve, deny, or recommend approval with a different zoning designation of this request. The Planning Team recommends approval of the annexation with the R-1B zoning.

Pat Tealey (Tealey's Land Surveying) – I am representing the applicants, Mr. Jim Balkins and his wife Judith. The applicant is here to answer any questions you may have that I can't answer. We had our neighborhood meeting on July 10, 2014 and the project complies with City Code.

At that time the neighbors to the south along Baron Lane expressed concerns with the rezone, mainly in relation to future developments. Again, we are not proposing any development at this time. We are just getting the zone for the property in place.

Directly to the north of us, you had a recent action of a rezone to R-1B this summer and we're asking for that same zone. Across the street from us is an R-1C development developed in the early 1990s. South and east of us is an R-1C development developed initially in the 1980s and 1990s. The property will be serviced by Pierce Park Lane. Pierce Park Lane has recently been improved this summer. There are adequate utilities in the road; sewer, water, gas and power. As you can see, this property has a single point of access at this time. However, roads are stubbed into the Pierce Park Greens property to the south for some type of future development. I'm sure that access from our property can be addressed at the time of development of that property.

Commissioner Gillespie – I have a question for David. David, if the R-1B is the assigned zoning and it were developed in the maximum extent of an R-1B designation, how many houses are we talking about on 16 acres?

David Moser – The R-1B allows for 4.8 dwelling units an acre.

Commissioner Gillespie – So about 5.

David Moser – Yes, if I had a calculator I could do the math.

Commissioner Gillespie – Times that by 16 is 80 houses.

David Moser – Yes, potentially you could develop the site with the max density but this can only be achieved through a Plan Unit Development.

Commissioner Demarest – David, in light of the letter we received you made the comment that because this is inside an area of impact, it could be annexed at some time in the future. There's nothing connected to the annexation of this property that would in any way automatically connected to a future annexation. Is that correct?

David Moser – That is correct.

Pat Tealey – In response to Commissioner Gillespie's question, the zone is R-1B which allows 4.8 units per acre. In a straight forward residential development, single-family with no conditional use, you can basically get 3 units per acre by the time you take out the roads and other amenities that will be part of this subdivision. Using the ultimate number could only be gained through a PUD, across the road to the south and east of densities that are at 8.5 units per acre.

PUBLIC TESTIMONY

John Treharne – I live adjacent to this property. I'm the president of our small subdivision home owner's association.

Commissioner Bradbury – We may not be on the same page. I'm asking if there's a representative of a registered neighborhood association, which is a little different than your homeowners association.

John Treharne – I'm sorry, I misunderstood that.

Commissioner Gillespie – I think we're looking for the Collister Neighborhood Association. The contact list provided by staff indicates Julie Klocke.

John Treharne – I'm sorry, I misunderstood.

Commissioner Bradbury – You're not the representative of the neighborhood association, are you?

John Treharne – No, the homeowner's association.

Commissioner Bradbury – It doesn't look like there is anyone from the Collister Neighborhood Association so Mr. Treharne, go ahead. You'll have three minutes to testify.

John Treharne – I'd like to say none of us are anti-development or anti-growth. We understood years ago that this property would be developed and we have no problem with that. Our only concern is the type of zoning if the property is annexed. We have acre lots in our subdivision, with 30' setbacks and we've been very careful to set our neighborhood up properly. I understand under the zoning proposed people can build within 10' of our property line and can build 3-story homes looking down into our property. That's our concern. The annexation is not a concern. It's the type of zoning which would be approved if it is annexed. We have no problem with a proper development going in there. The setbacks and heights of the property are our concerns.

Rob Anno – I'm representing my parents who are elderly, Tim and Maizie Mills. Basically, my concerns are what John talked about, the density. The density of even 3 homes, which is 50 homes on 16.3 acres, is something which seems awfully aggressive when you're up to the south with homes that are all on roughly an acre with the 30' setbacks. Again, in talking with my parents who are both 90, they're not against development, they just want to make sure it's appropriate for the area.

REBUTTAL

Pat Tealey – To address some of the concerns, the R-1B zone does carry the 30' rear yard setback so we will be dealing with the same setbacks which are in their subdivision. The subdivision they are part of was developed around the late 1980s, 1990. They are comprised at 6, $\frac{3}{4}$ acre lots. After that was built all the R-1C surrounded it so I guess the pattern was set at that time. We are adjacent to the City. The adjacent City zone is R-1B, which is why we're requesting it.

PUBLIC HEARING CLOSED

Commissioner Demarest – We’ve already had some clarification about the issue of setbacks in this rezone. Let’s imagine somebody did put forth a development on this property which had three-stories. My understanding is this would have to come back to us for consideration, is that correct?

Commissioner Bradbury – To do anything more than the typical R-1B subdivision requires a conditional use permit which would come back before us.

Commissioner Gillespie – I’d like to make a very short statement and then make a motion. I think this is a good chance for us to take our time. We have a broad leeway to bring this into the City within a wide range of zones. I’m concerned about bringing it in as R-1B because if you look at the property, it’s going to be a problem. It’s got a canal around the whole north and east side of it. It’s got a golf course to the south and the access is going to be a big issue. I think there’s going to be a lot of traffic if it’s too dense. I really want to make sure we get a look at whatever goes in there and we’re not in the old, we have to approve it because the subdivision complies, problem. I’m going to move we annex this as R-1A. If the development wants to have an R-1A subdivision, I think that would be acceptable, but if they want to do more density they can come back and ask us to rezone.

COMMISSIONER GILLESPIE MOVED TO RECOMMEND TO CITY COUNCIL APPROVAL OF CAR14-00015, ANNEXATION OF 16.3 ACRES LOCATED AT 6012 AND 6050 N. PIERCE PARK LANE WITH R-1A, SINGLE-FAMILY RESIDENTIAL ZONE.

COMMISSIONER DEMAREST SECONDED THE MOTION.

Commissioner Miller - I’d like to clarify a few of things. Upon annexation we do need to specify some zoning when the land is annexed, is that correct?

Commissioner Gillespie – Yes.

Commissioner Miller – The R-1B was requested by the annexation proponent, or was that staff’s recommendation?

Commissioner Bradbury – That was the applicant’s request.

Commissioner Miller – Looking at this map there are a tremendous number of zones. Obviously, they are all residential with a tremendous variety of densities in that area. Frankly, I support higher densities and would be supportive of high densities in this area, but I think there are some considerations here. I guess all this is to say I’m not opposed to higher densities but I will be supporting the motion.

Commissioner Bradbury – Commissioner Gillespie, remind me what you do with an R-1A. What is the density?

Commissioner Gillespie – The max is 2.1 units per acre. It doesn't change the setbacks or anything. It basically makes half acre lots. It extends the same density you see in those six properties on Baron Lane. You can always come back and say, this is what I want to do, here's a really cool development, or whatever. The trick is going to be dealing with getting people in and out of there. It's basically a flag lot. You can't go out north, east or south. They are going to have to go out through that little narrow isthmus. That's the trick of the development. If they can solve that at a higher density and we approve it, I'd be happy to change the zone and approve either the subdivision or a PUD.

ROLL CALL VOTE

COMMISSIONER GILLESPIE	AYE
COMMISSIONER DEMAREST	AYE
COMMISSIONER MILLER	AYE
COMMISSIONER BRANDBURY	NO

ALL IN FAVOR NONE OPPOSED, MOTION CARRIES.