PLANNING & ZONING DEPARTMENT

Before the Planning & Zoning Commission Meeting of 10 SEPT 2019

BUSINESS ITEM NO. 1
STAFF REPORT

Applicant(s)/Engineer(s):
HDP Brownstone Estates, LLC, Mitch Armuth, Applicant; Kent Brown; Representing
File(s): SPF-0098-2019
Analyst: Kristi Watkins, Senior Planner

Requested Action Approval(s): Recommendation of approval to City Council

Final plat approval for:

Brownstone Estates Subdivision No. 1 (hereinafter the “Development”; alternatively, “Brownstone Estates Subdivision No. 1" or the “Project”)

Comprising 11.71 acres proposed to be platted into Forty-One (41) buildable and eight (8) common lots all located in an RS-7 Zoned area located in NE ¼ of the NE ¼ of Section 13, T3N, R3W, BM, Canyon County, Nampa on the south side of Karcher Rd, west of Midway rd.

Correspondence:

Any correspondence from City departments/divisions and outside agencies or the citizenry is hereafter attached to this document for perusal. Comments may express opinions regarding the plat application or be geared towards recommending Conditions of Approval for a development should it be approved, or, directing corrections to the final plat or related construction drawings.

1. An email, dated August 5, 2019, authored by Neil Jones, Nampa Building Department, stating that the building department has no conditions at this time; and,

2. An email dated August 6, 2019, authored by Eddy Thiel, Nampa Highway District #1, which states; NHD #1 has no comment; and,

3. A memo dated August 2, 2019, authored by Dan Wagner, Nampa GIS Division, stating that the city GIS Department has not comments for this plat; and,

4. A memo dated, August 28, 2019, authored by Caleb LaClair, Nampa Engineering Department, which identifies the following Conditions and Comments (in regards to Phase 1 & Phase 2).
General Comments

a. The project site is adjacent to the Isaiah Drain and Stone Lateral. Plan approval and License Agreement from the Bureau of Reclamation (BOR) and/or Pioneer Irrigation District (PID) may be required.

b. Any work within the Karcher Road right-of-way will require permit from Idaho Transportation Department (ITD).

c. A Right-of-Way Permit with City of Nampa is required for any work to be performed within the Midway Road public right-of-way.

d. An Erosion Control Permit with City of Nampa is required prior to the start of any earth disturbing activities.

e. The Engineer of Record shall be responsible for inspecting the drainage facilities within the Phase 2 plat area, since this facility only captures runoff from private lot area. The EOR shall submit a letter to the Nampa Engineering Division certifying that the facility was constructed within substantial conformance with the approved plans and specifications prior to Final Plat signature.

f. Include a separate “Street Light and Signage/Striping Plan” in the plan set. Include any striping and signage necessary for the Karcher Road access.

g. A detailed site grading plan is needed for the Phase 2 area. This can either be inserted into and provided with this plan set, or included with the building permit submittal. If to be included with separate building permit submittal, then clearly state this on the plans. In this case, it may make more sense for associated drainage facility #9 to also be included with the separate submittal.

h. A shared access and parking agreement is needed for the Phase 2 area to define shared ADA parking stalls and access maintenance responsibilities. A draft of the agreement shall be submitted to the City for review prior to Final Plat signature.

Phase 1 Final Plat Comments

a. Revise Note 9 on Sheet 1 to indicate “Lot 15, Block 1”.

Phase 2 Final Plat Comments

1. Block 7, Lot 1 should be revised to Lot 16.

2. Revise Note 6 to indicate “a Shared Access and Parking Agreement and Easement”.

3. Add a note regarding CC&R’s to be recorded that will define maintenance responsibility of the onsite landscaping and drainage facility.

4. Show a 10’ wide Public Utility and Drainage Easement along the public right-of-way, rear lot lines, and centered on the interior lot lines.

5. The shared access easement should also be a Public Utility and Drainage Easement. The easement bearings and distances should be defined on the plat.

Engineering Conditions of Approval

1. The Developer’s Surveyor shall address all Final Plat comments prior to City Engineer signature of the plat.

2. Developer’s Engineer shall address all Construction Drawing and Drainage Report comments identified in the “Brownstone Estates #1 & #2 – Construction Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division, dated 8/28/2019 prior to construction drawing approval.
3. The Developer and their Engineer and Contractor shall adhere to the “Construction Duty and Responsibility Policy”, Section 108 of the 2017 City of Nampa Engineering Development Process and Policy Manual, during the construction process. The Developer shall sign the City of Nampa Subdivision Improvement Agreement and submit to the Nampa Engineering Division prior to start of construction.

4. Developer shall provide documentation of plan approval from BOR/PID prior to construction drawing approval. Provide copies of any executed license agreement(s) prior to City Engineer signature of the plat.

5. Developer shall provide documentation of ITD review of plans prior to construction drawing approval. An electronic copy of the executed Access/Right-of-Way Encroachment Permit shall be provided prior to start of construction within the Karcher Road right-of-way.

6. Drainage shall be retained on site in accordance with approved plans. Inspection and certification of the private Phase 2 drainage facility shall be by the Engineer of Record (EOR). EOR shall provide a letter to the Nampa Engineering Division certifying on-site drainage facilities were installed in substantial conformance with the approved plans at the time of Record Drawing submittal and prior to final acceptance of improvements by the City.

Comments/Recommendation(s):
Staff finds that the proposed subdivision final plat for Brownstone Estates Subdivision No. 1 conforms, or substantially conforms within acceptable limits, to the approved preliminary plat of/for Brownstone Estates Subdivision, complies with relevant RS 7 zoning codes, and, City of Nampa subdivision standards pertaining to the proposed Development. (Said determination is, or may be, partially predicated on said final plat being revised in limited form and fashion to meet requirements set forth by various responding agencies and City departments.)

Accordingly, Staff recommends that Brownstone Estates Subdivision No. 1 be approved, contingent on Applicant/Developer/Development compliance with various Conditions of Approval.

SUGGESTED CONDITIONS OF APPROVAL

Should the Planning and Zoning Commission vote to recommend approval of the Project final plat to the City Council, then Staff would suggest the following as (a) Condition(s) of Approval(s) for adoption with any such recommending vote (note: the Commission may obviously add, subtract and/or modify conditions as it deems appropriate):

1. Comply with all City department/division or outside agency requirements pertinent to this matter. This is to include any extant but applicable conditions from prior approvals for this subdivision as iterated in correspondence on file with the City pertaining to the approved preliminary plat of/for Laguna Farms Subdivision; and,

2. The Developer’s Surveyor shall address all Final Plat comments prior to City Engineer signature of the plat.

3. Developer’s Engineer shall address all Construction Drawing and Drainage Report comments identified in the “Brownstone Estates #1 & #2 – Construction Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division, dated 8/28/2019 prior to construction drawing approval.

4. The Developer and their Engineer and Contractor shall adhere to the “Construction Duty and Responsibility Policy”, Section 108 of the 2017 City of Nampa Engineering Development Process and Policy Manual, during the construction process. The Developer shall sign the City of Nampa Subdivision Improvement Agreement and submit to the Nampa Engineering Division prior to start of construction.
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8. Correct any spelling, grammar and punctuation and numbering errors that may be evident on the plat face and/or in the proposed Project plat development notes; and,

9. <Any other conditions as may be levied by the Commission....

**ATTACHMENTS**

- Application pages (page 5-6)
- Vicinity map (page 7)
- Final plat (page 8-12)
- Preliminary plat (page 13)
- Landscape Plans (page 14-25)
- Agency/department & citizen correspondence (page 26+)
CITY OF NAMPA
FINAL PLAT APPLICATION
Planning and Community Development Department
411 3rd St. South
Nampa, ID 83651
208-465-2214 Phone
208-465-2261 FAX

<table>
<thead>
<tr>
<th>Name of Subdivision</th>
<th>BROWNSTONE ESTATES SUBDIVISION NO 1</th>
</tr>
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<tr>
<td>Location of Subdivision</td>
<td>SOUTHWEST CORNE OF MIDWAY AND KACHER ROADS</td>
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<tr>
<th>Owner</th>
<th>BROWNSTONE ESTATES LLC</th>
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<tbody>
<tr>
<td>Address</td>
<td>701 S ALLEN ST STE 104 MERIDIAN IDAHO 83642</td>
</tr>
<tr>
<td>Phone</td>
<td>208-695-2000</td>
</tr>
<tr>
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<tr>
<td>E-Mail</td>
<td><a href="mailto:MARMUTH@HUBBLEHOMES.COM">MARMUTH@HUBBLEHOMES.COM</a></td>
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<thead>
<tr>
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<th>HDP BROWNSTONE ESTATES LLC</th>
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</thead>
<tbody>
<tr>
<td>Address</td>
<td>701 S ALLEN ST STE 104</td>
</tr>
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<td>FAX</td>
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<td>E-Mail</td>
<td><a href="mailto:MARMUTH@HUBBLEHOMES.COM">MARMUTH@HUBBLEHOMES.COM</a></td>
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<tr>
<th>Engineer/Surveyor/Planner</th>
<th><a href="mailto:KENTLKB@GMAIL.COM">KENTLKB@GMAIL.COM</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>3161 E SPRINGWOOD DR MERIDIAN ID 83642</td>
</tr>
<tr>
<td>Phone</td>
<td>208-871-6842</td>
</tr>
<tr>
<td>FAX</td>
<td></td>
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</tbody>
</table>

FINAL PLAT INFORMATION

Total Acreage 11.71
Total Number of Lots: 49 Buildable: 41 Common: 8
Gross Density per Acre: 3.5 (Number of units per acre of total land to be developed
Net Density per Acre 6.6 (Number of units per acre of land excluding roads)
Zoning District (s) - Zoning Within Nampa City Limits RS 7
If Applicable: Zoning Within the Area of Impact ______________________

***********************************************************************************************************************************************
July 2, 2019

Nampa City Planning & Zoning Department
411 Third Street SO
Nampa ID 83651

RE: Final Plat for Brownstone Estates Subdivision No 1

Dear Commission and Council:

On behalf of HDP Brownstone Estates LLC, please accept our request for Final Plat Approval of the Second phase of Brownstone Estates Subdivision. Brownstone Estates Neighborhood is located, on the southside of W. Karcher Road near the southwest corner of Midway and Karcher Road. The applicant is requesting final plat approval of 41 single-family lots and 8 common lots on 11.71 acres. This application with attachments is in accordance with the City of Nampa Final Plat application and checklist.

The Final plat and Final Construction Engineering Plans are in compliance with all conditions of approval, both site specific as well as general conditions of approval.

Please contact me if you have any questions regarding this application.

Sincerely,

Kent Brown
Planner
HDP Brownstone Estates LLC., a Delaware Limited Liability Company

It is, however, the right to use said easements is subject to the terms and conditions set forth in this plat. The easements as shown on this plat are not intended to interfere with the public, the public streets as shown on this plat.

The easements are designated within this plat, and no permanent structures are to be erected within the lines of said easements. All lots are subject to these easements.

REAL POINT OF BEGINNING:

The REAL POINT OF BEGINNING is a point on the South right-of-way line of Karcher Road; said point being the REAL POINT OF BEGINNING.

LESS AND EXCEPTING:

A parcel of land located in the NE 1/4 of Section 13, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho being more particularly described as follows:

Know all men by these presents That HDP Brownstone Estates LLC, a Delaware Limited Liability Company, the Limited Liability Company that executed the foregoing instrument, hereby conveys to the undersigned to hereby include the above described property in this plat and to dedicate to the public.

The undersigned, Gregory G. Carter, do hereby certify that I am a Professional Land Surveyor licensed under the State of Idaho Code relating to plats and surveys.

My Certification is made on this the 17th day of June, 2002, at 9:30 a.m.

Gregory G. Carter

STATE OF IDAHO

COUNTY OF Ada

On the 17th day of June, 2002, before me, the undersigned Notary Public in and for the State of Idaho, personally appeared Mitchell Armuth, known to me to be the person described in and who is the undersigned to hereby include the above described property in this plat and to dedicate the same.

Mitchell S. Armuth, Authorized Agent

HDP Brownstone Estates LLC, a Delaware Limited Liability Company

[Signature]

STATE OF IDAHO

COUNTY OF Ada

On the 17th day of June, 2002, before me, the undersigned Notary Public in and for the State of Idaho, personally appeared Mitchell Armuth, known to me to be the person described in and who is the undersigned to hereby include the above described property in this plat and to dedicate the same.

Mitchell S. Armuth, Authorized Agent

HDP Brownstone Estates LLC, a Delaware Limited Liability Company

[Signature]
HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been satisfied based on a review by a Qualified Licensed Professional Engineer (QLPE) representing City of Nampa Public Works, and the QLPE approval of the design plans and specifications and the conditions imposed on the developer for continued satisfaction of the sanitary restrictions. Buyer is cautioned that at the time of this approval, no drinking water extensions or sewer extensions were constructed. Building construction can be allowed with appropriate building permits if drinking water extensions or sewer extensions have been constructed; or if the developer is simultaneously constructing those facilities. If the developer fails to construct facilities, then sanitary restrictions may be reimposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a Certificate of Disapproval, and no construction of any building or shelter requiring drinking water or sewer/Septic facilities shall be allowed.

District Health Department, REHS  Date

APPROVAL OF CITY COUNCIL

I, the undersigned, City Clerk in and for the City of Nampa, Canyon County, Idaho, do hereby certify that at a regular meeting of the City Council held on the ___ day of __________, 20___, this plat was duly accepted and approved.

City Clerk, Nampa, Idaho

APPROVAL OF CITY ENGINEER

I, the undersigned, City Engineer in and for the City of Nampa, Canyon County, Idaho, hereby approve this plat.

City Engineer  Date

CERTIFICATE OF COUNTY SURVEYOR

I, the undersigned, Professional Land Surveyor in and for Canyon County, Idaho, do hereby certify that I have checked this plat in accordance with Idaho Code, Title 50, Chapter 13 relating to plats and surveys.

Canyon County Surveyor

CERTIFICATE OF COUNTY TREASURER

I, the undersigned, County Treasurer in and for the County of Canyon, State of Idaho, per the requirements of I.C.50-1308 do hereby certify that any and all current and/or delinquent County property taxes for the property included in this subdivision have been paid in full. This certification is valid for the next thirty (30) days only.

Date  County Treasurer

APPROVAL OF CITY PLANNING AND ZONING COMMISSION

Accepted and approved this ___ day of __________, 20___, by the Planning and Zoning Commission of the City of Nampa, Idaho.

Chairman, Nampa Planning & Zoning Commission  Secretary, Nampa Planning & Zoning Commission
LANDSCAPE PLAN

WENDY KARCHER ROAD

SEE SHEETS L1.1 - L1.6 FOR DETAILED LANDSCAPE PLANS AND LEGEND.

NOT A PART

LANDSCAPE LEGEND

GENERAL LANDSCAPE NOTES

SEE SHEETS L1.1 - L1.6 FOR DETAILED LANDSCAPE PLANS AND LEGEND.

LANDSCAPE PLANS
Brownstone Estates Subdivision
Nampa, Idaho

SOUTH BECK & BAIRD
Southwest Landscape Architecture, P.C.
2001 Washington Ave., Suite 100
Boise, ID 83702
208-342-2235/3306
info@southbeckbaird.com

Page 16
Building Department has no conditions at this time.

From: Shellie Lopez <lopes@cityofnampa.us>
Sent: Saturday, August 03, 2019 9:27 AM
Subject: Final Plat Approval for Brownstone Estates Subdivision No. 1 & 2 (SPF-00098-2019 & SPF-00099-2019)

Good Morning! 😊

Please find attached for your review the Final Plat Approval for the following:

Brownstone Estates Subdivision No. 1 at the southwest corner of Midway and West Karcher Roads (41 single family residential detached lots on 11.71 acres for 3.5 dwelling units per gross acre - a 11.71-acre portion of the \( NE^1/2 \) of the \( NE^1/2 \) of Section 13, T3N, R3W, BM) for Kent Brown representing HDP Brownstone Estates LLC.

Brownstone Estates Subdivision No. 2 at the southwest corner of Midway and West Karcher Roads (15 multifamily residential lots on a 3.75-acre portion of the \( NE^1/2 \) of the \( NE^1/2 \) of Section 13, T3N, R3W, BM) for Kent Brown representing HDP Brownstone Estates LLC.

These final plats have been scheduled as a business item on the Planning and Zoning Commission Agenda of September 10, 2019.

Please review and return any comments to my attention prior to August 23, 2019.

Thank you & Have a great day!
Shellie Lopez

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Tuesday, August 6, 2019 6:42 AM
To: Shellie Lopez

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 Morning Shellie,

Nampa Highway District #1 has no comment as the subdivision is in Canyon Highway District #4’s jurisdiction and by maintenance agreement they are the permitting agency for Midway Rd.

If you have any questions or comments feel free to contact us.

Thank you,

Eddy

Eddy Thiel
ROW
eddy@nampahighway1.com
4507 Highway 45, • Nampa, id 83686
TEL 208.467.6576 • FAX 208.467.9916

From: Shellie Lopez <lopezs@cityofnampa.us>
Sent: Saturday, August 3, 2019 9:27 AM
Subject: Final Plat Approval for Brownstone Estates Subdivision No. 1 & 2 (SPF-00098-2019 & SPF-00099-2019)

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Please review and return any comments to my attention prior to August 23, 2019.
Sylvia Mackrill

From: Daniel Wagner
Sent: Monday, August 19, 2019 2:00 PM
To: Sylvia Mackrill; Caleb Laclair
Subject: Addressing Review - Brownstone Estates #1

Follow Up Flag: Follow up
Flag Status: Flagged

Sylvia,

There are no Addressing/Street naming comments for this plat. Thanks.

Dan Wagner
GIS Technician 1, Engineering
O: 208.468.5475
Nampa GIS, Like us on Facebook

Notice: All communication transmitted within the City of Nampa Email system may be a public record and may be subject to disclosure under the Idaho Public Records Act (Idaho Code 74-101 et seq.) and as such may be copied and reproduced by members of the public. In addition, archives of all City emails are generally kept for a period of two years and are also subject to monitoring and review.
DATE: August 28, 2019  
TO: Nampa Planning & Zoning Department  
FROM: Caleb LaClair, P.E. – Assistant City Engineer  
CC: Daniel Badger, P.E. – City Engineer  

The Engineering Division has completed a review of the Construction Drawings and Final Plats for Brownstone Estates Subdivision #1 and #2 and recommend the following conditions and comments.

**General Comments**

1. The project site is adjacent to the Isaiah Drain and Stone Lateral. Plan approval and License Agreement from the Bureau of Reclamation (BOR) and/or Pioneer Irrigation District (PID) may be required.

2. Any work within the Karcher Road right-of-way will require permit from Idaho Transportation Department (ITD).

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