PLANNING & ZONING DEPARTMENT
Before the Planning & Zoning Commission
Meeting of 10 SEPTEMBER 2019

PUBLIC HEARING ITEM NO. 2
STAFF REPORT

Applicant(s)/Engineer(s): Nick Babak, Owner/Developer
File(s): SPS-00022-2019
Analyst: Kristi Watkins, Senior Planner

Requested/Needful Action Approval(s)/Recommendation(s) [1 total]:

1. Annexation and Zoning Assignment of Land to RA (Decision Required: Recommendation)
2. Short Plat Subdivision Approval: (Decision Required: Decision & Recommendation)

For “Promised Land Subdivision” [hereinafter the “Project” or “Development”; alternatively, “Promised Land Subdivision”] -- a proposed single-family subdivision containing 6 residential lots upon the land referenced below...

Pertaining to:
A 7.44-acre portion of land at 700 E Mariah Ave (6 single family detached lots for 1.24 dwelling units per gross acre) on a portion of lots 7, 8, & 9 of Home Acres Subdivision No. 14, in the NE ¼, SW ¼ of Section 33, T3N, R2W, BM, Canyon County, Nampa, Idaho (hereinafter the “Property”)...
2. **Current and Surrounding Zoning:**

That the Property is presently under Canyon County jurisdiction. See the attached Vicinity Map; and,

**North:** RS 6 – Iowa Meadows Subdivision  
**South:** Canyon County, Enclaved, one single family parcel  
**East:** RS 6 – The Woodlands Subdivision  
**West:** RS 6 – Taylor Glenn Subdivision

3. **Immediately Surrounding Land Uses:**

Single-family residential land uses surround or lie near the Property; and,

4. **Proposed Zoning:**

That the proposed RA district, "...is intended for low density, single-family residential and compatible uses. A stable and healthful environment, together with the full range of urban services, makes this an important land use district within the community"; and,

5. **Reasonable:**

That it may be variously argued that consideration for annexing the Property is reasonable given that: a) the City has received an application to annex the Property by amending its official zoning map by the Property owner or an Applicant having a valid, legal interest in the same; and, b) annexation and zoning assignment is a legally recognized legislative act long sanctioned under American administrative law; and, c) that the Applicant intends to develop all or a portion of the Property; and, d) City utility services are, or may be made, available to the Property; and, e) emergency services are available to the Property; and, f) that the Property abuts and/or is enclaved by City land zoned for residential (RA) subdivision development; and, g) land uses in the nearby area, and, more particularly site development both suggest that RA zoning would be an acceptable fit for the area (other properties) given that residential zoning was already approved for the properties to the north, east and west and the property to the south is of larger acreage; and,

6. **Public Interest:**

That Nampa has determined that it is in the public interest to provide varying residential-housing opportunities for its citizens; and,

7. **Promotion of Zoning Purpose(s):**

That among the general (and Nampa endorsed) purposes of zoning is to promote orderly, systematic development and patterns thereof which preserve and/or enhance public health, safety and welfare. Included in our zoning regulations, therefore, are standards governing residential development which pertain to allowable land uses, building setbacks, building aesthetics, provision of parking and service drives, etc. Staff notes that any site development will be regulated by, and through, the building permit review process and in accordance with the RA Zone's already adopted regulations (e.g., standards that govern land use, building setbacks, subdivision design, etc.); and,

8. **Comprehensive Plan:**

The Property is positioned in an “Medium Density “setting” per the Future Land Use Map associated with the City’s adopted Comprehensive Plan. The Medium Density Designation calls for a density of 4-9 units per acre.

*The requested RA zone does not meet the intent of the Medium Density Designation. Ultimately, the assigned zone should match the Future Land Use Map Designation. RS 8.5 or RS 6 zoning would match the density defined in Medium Density and the surrounding zoning.*
Nampa City Code, 10-2-3C Conclusions Of Laws Pertinent To Proposed Zoning Map Amendments. #1 states: "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 #4 says: "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)."

10. Services:
That utility and emergency services are, available to the Property...

Note(s):
The preceding general statements are offered as possible [preliminary] findings and are not intended to be all inclusive or inarguable. They are/were simply provided to the Commission in case the requested entitlement is considered for recommendation of approval. In the event of an opposite course, then negative findings may be adopted by the City Council.

Staff has provided the Commission with all of the relevant report/packet documentation or visual information available to us at the time this report was generated. Notification of the Commission hearing was done in accordance with legal requirements. An environmental impact study (EIS) was not called for in conjunction with the Application package submittal as such is not normal required saved when called for by City Engineering under special circumstances. No taking of other parties' property(ies) will be effectuated should the Project develop. In Nampa's case, street improvements and school construction accompany and follow, respectively, land development.

**FINDINGS OF FACT & CONCLUSIONS OF LAW REGARDING PLAT**

Plat review was done to analyze the Project's compliance to code in the context of this Project having already been, theoretically, annexed and zoned.

<table>
<thead>
<tr>
<th>Overall Site Area-</th>
<th>7.44 acres</th>
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</thead>
<tbody>
<tr>
<td>Total, Proposed RA Lot Count-</td>
<td>6</td>
</tr>
<tr>
<td>Total Common Lot Count-</td>
<td>0</td>
</tr>
<tr>
<td>Total Building Lot Count-</td>
<td>6</td>
</tr>
</tbody>
</table>

Regarding "RA Building Lots":

**COMPREHENSIVE PLAN:**
Density – FLUM Designation (Medium Density Residential)
Recommends 4-9 units per acre
RA Definition: (Low Density Residential)
Density Proposed: 1.24 units per acre

**CHAPTER 7: RA SUBURBAN RESIDENTIAL DISTRICT**
Min. Allowed RA Bldg. (or "Master") Lot Size- 30,000 sq. ft.
Min. Req. St. Frontage RA Zone- 22' (feet);
Min. Allowed RA Bldg. Lot Widths- 150' (feet)

**Plat Development Data/Notes:**
Per plat sheets
The matter or act of plat review before the Commission by virtue of the application package made the subject of this report is to determine whether or not the preliminary plat, as proposed, is acceptable.

Platting of this Project will serve to divide the land. It must be done in accordance with state law, Nampa City Code § 10-27, Nampa City Code § 10-10, Nampa City Code § 10-33, and, in cooperation with the City’s currently adopted Engineering Design and Specification manuals.

Accordingly, the short plat review was done to analyze the Project’s compliance to code in the context of this Project having already been annexed and zoned.

Regarding the plat, Zoning Staff finds:

Minimum Lot Areas & Lot width:
That because the proposed Development is slated for development in conjunction with RA zoning, this requirement applies... all master or standard building lots meet or exceed 30,000 sq. ft. in area and demonstrate the required lot width, therefore, the Plat is deemed compliant in this regard; and,

Recommendation:
Approval with conditions...

AGENCY/CITY DEPT COMMENTS FOR ANNEXATION & ZONING and PRELIMINARY PLAT

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 September 4, 2019] is hereafter attached to this report, to include:

1. An August 8, 2019 email printout from the Nampa Highway District #1 authored by Eddy Thiel, indicating that they have no comment; and,

2. An August 12, 2019 email printout from Neil Jones with the Nampa Building Department indicating that the Building Department will require a top of foundation wall or a finish floor elevation on each lot, shown on the final plat construction drawings; and,

3. An August 13, 2019 email printout from the Nampa Parks Department authored by Cody Swander indicating that they request that 20’ from the top of the north bank along the Edwards/Deerflat Canal be deeded and dedicated to the City of Nampa for the future location of the Edwards Pathway as indicated on the City of Nampa Bicycle and Pedestrian Master Plan; and,

4. A telephone conversation with the Applicant on August 29, 2019, indicates that they are not opposed to being assigned an RS6 or RS 8.5 zoning designation if the Planning and Zoning Commission feels that is more appropriate for the area, provided that any animal uses already on-site may continue. Staff assured them that existing animal uses, at the time of annexation, would be allowed to continue; and,

5. A memo, dated September 2, 2019, authored by Caleb LaClair, stating the following:

Engineering Project Comments

A. The project site is located at 700 and 701 W Miranda Ave and will take access from W Miranda Ave and W Mariah Ave, both classified as a “Local Road”. 

Page 4
B. Both Miranda and Mariah Ave are fully developed with pavement, rolled curb, and sidewalk up to the property. No additional right-of-way dedication or improvements are necessary for these roads with this development.

C. The project intends to provide access to the internal lots with a new private road parcel within a 56’ wide common lot. The roadway design shall provide at a minimum two 12’ paved travel lanes with 3’ compacted gravel shoulders on both sides.

D. The City’s water, sewer, and pressure irrigation systems have adequate capacity to serve this property. The City maintains the following utilities in the vicinity of the project:
   - 8” sewer main in Miranda and Mariah Ave;
   - 8” water main in Miranda and Mariah Ave; and,
   - 6” and 3” pressure irrigation main along the north, east, and west property boundaries.

E. Due to the shallow nature of the sewer in Miranda and Mariah Ave, the property requested approval from council to allow private on-lot septic systems on account the proposed lot sizes exceed 1.0 acres in size. City Council granted approval as a business item during the May 20 hearing.

F. The Developer is required to extend public water main into the property and provide domestic water and pressure irrigation service hook-ups for the proposed lots.

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

H. A Right-of-Way Permit with City of Nampa is required prior to any work within the Mariah Ave and Miranda Ave right-of-way.

**Engineering Final Plat Comments**

1. Revise “Jerusalem Street” to “S. Jerusalem Lane” and “Samaria Avenue” to “W. Samaria Lane”.

2. Add to Note 11 “to be maintained by The Promised Land Subdivision Home Owner’s Association”.

3. Add note that subdivision is subject to The Promised Land Subdivision Covenants, Conditions, and Restrictions (CC&R’s) recorded as Instrument #_________. CC&R’s should specify maintenance and cost share responsibilities for the shared driveway and drainage improvements.

4. Check for any spelling or punctuation errors in the notes and legend and correct.

**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 “The Promised Land Subdivision – Construction Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division, dated 9/2/2019 prior to construction drawing approval.
3. CC&R's or alternative agreement shall be submitted to the Nampa Engineering Division for review prior to City Engineer signature of the plat. CC&R's shall specify maintenance and cost share responsibilities for the shared driveway and drainage improvements and the recording instrument number shall be noted on the plat.

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.

5. Drainage shall be retained on site in accordance with approved plans. Inspection and certification of work 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 and specifications at the time of Record Drawing submittal and prior to City Engineer signature of the Final Plat.

6. Developer shall obtain a septic permit from Southwest District Health Department and submit a copy to the Nampa Building Department prior to Building Permit approval for any and all lots within the subdivision.

**RECOMMENDED CONDITIONS OF APPROVAL**

Should the Planning and Zoning Commission vote to recommend approval of the annexation and zoning request and the short plat for the Promised Land Subdivision to City Council, 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. The Developer/Development shall comply with all requirements imposed by City agencies involved in the review of this matter including, specifically the following:

2. Indicate a top of foundation wall or a finish floor elevation on each lot on the final plat construction drawings; and,

3. Deed & dedicate 20' from the top of the north bank of along the Edwards/Deer Flat Canal to the City of Nampa for future pathway construction; and,

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

5. Developer’s Engineer shall address all Construction Drawing and Drainage Report comments identified in the “The Promised Land Subdivision – Construction Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division, dated 9/2/2019 prior to construction drawing approval.

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9. Developer shall obtain a septic permit from Southwest District Health Department and submit a copy to the Nampa Building Department prior to Building Permit approval for any and all lots within the subdivision.

10. Prior to filing for a final plat approval for any portion of the Project, the Developer’s engineer shall correct any spelling, grammar, punctuation and/or numbering errors that may be evident on the plat face and/or in the proposed plat development notes and include said corrections in a revised preliminary plat plan set that shall be remitted to the City; and, Any exceptions to City adopted subdivision design standards shall/will require separate design [exception] approval from the City Council...

MOTION OPTIONS

ANNEXATION AND ZONING MOTION:
- Motion to recommend approval to City Council of the request for the Annexation and Zoning to RA (Suburban Residential) at 700 W. Mariah Ave. for Nick Babak (ANN 128-19, SPS 022-19), with all conditions of staff.

- Motion to recommend approval to City Council of the request for the Annexation and proposed Zoning of RS 6 or RS 8.5 (to more closely match the intent of the Comprehensive Plan Land Use designation) at 700 W. Mariah Ave. for Nick Babak (ANN 128-19, SPS 022-19), with all conditions of staff.

- Motion to recommend denial to City Council of the request for the Annexation and Zoning to RA (Suburban Residential) at 700 W. Mariah Ave., for Nick Babak (ANN 128-19, SPS 022-19), with all conditions of staff.

SHORT PLAT MOTION:
- Motion to approve the preliminary plat of The Promised Land Subdivision and recommend approval to City Council for the final plat of The Promised Land Subdivision at 700 W. Mariah Ave. for Nick Babak (ANN 128-19, SPS 022-19), with all conditions of staff.

- Motion to deny the preliminary plat of The Promised Land Subdivision at 700 W. Mariah Ave. for Nick Babak (ANN 128-19, SPS 022-19), with all conditions of staff.

ATTACHMENTS
- Public hearing notice (page 8)
- Zoning "Vicinity Map", Aerial Map & FLU Map (page 9-11)
- Annexation/Zoning Application (page/Exhibit 12)
- Subdivision Preliminary Plat Application/information pages (pages 13-15)
- Preliminary plat plan pages & legal description (page 16-19)
- Plat copy distribution list (page 20)
- Inter-departmental/agency/citizen correspondence (pages/Exhibits 21+)
NOTICE OF PUBLIC HEARINGS BEFORE THE CITY OF NAMPA, IDAHO

Notice is hereby given that on September 10, 2019 at 7:00 p.m. (or as soon after 7:00 p.m. as each matter may be heard), in the City Hall Council Chambers, 411 3rd Street South, Nampa, Canyon County, Idaho, public hearing on the following will be held before the Nampa Planning and Zoning Commission:

1) Subdivision Plat Short Approval for Midtown Homes Subdivision in a RS6 (Single Family Residential – 6,000 sq. ft.) zoning district at 0 Powell Ave. (4 Single Family detached lots on .58 acres for 6.9 dwelling units per gross acre - A part of the NE ¼ of the NW ¼ SE ¼ of Section 23, T3N, R2W, BM) for Pavel Struk (SPS 023-19).

2) Annexation and Zoning to RA (Suburban Residential) at 700 W. Mariah Ave. (A 7.44 acre portion of Lots 7, 8, and 9 of Home Acres Subdivision No. 14 lying within the NE ¼ SW ¼ of Section 33, T3N, R2W, BM); and Subdivision Plat Short Approval for The Promised Land Subdivision (6 Single Family detached lots on 7.44 acres for 1.24 dwelling units per gross acre - A replat of a portion of Lots 7, 8, & 9 of Home Acres Subdivision No. 14 located in the NE ¼ SW ¼ of Section 33, T3N, R2W, BM) for Nick Babak (ANN 128-19, SPS 022-19).

3) Annexation and Zoning to RS6 (Single Family Residential – 6,000 sq. ft.) at 1700 E. Iowa Avenue (A .37 acre or 16,117 sq. ft. parcel situated in the SW ¼ NW ¼ of Section 35, T3N, R2W, BM) for Ronald and Janette Hanson for connection to city water and sewer services and construction of a new home (ANN 131-19).

Details of the above hearing items are available for review in the Planning & Zoning Department of City Hall during normal business hours. Copies of staff reports on each application will be available upon request for public review or available online for download through the staff reports link at http://www.cityofnampa.us/Agendacenter on the Thursday prior to the hearing date. Individuals, who require language interpretation or special assistance to accommodate physical, vision or hearing impairments, please contact the Planning Department in City Hall or call (208) 468-5484.

Date: August 20, 2019

Norman L. Holm, Planning Director

PUBLISH: August 23, 2019
THE PROMISED LAND
SUBDIVISION
Short Plat

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

SPS-00022-2019
9/3/2019
APPLICATION FOR ANNEXATION/ZONING
PLANNING AND ZONING DEPARTMENT
411 3RD STREET S., NAMPA, IDAHO 83651 P: (208) 468-4487 F: (208) 465-2261
Nonrefundable Fee: $452.00 (1 acre or less) Nonrefundable Fee: $910.00 (more than 1 acre)

<table>
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<tr>
<th>Applicant Name</th>
<th>Nick Babak</th>
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<tr>
<td>Street Address</td>
<td>700 W. Mariah Ave</td>
</tr>
<tr>
<td>City</td>
<td>Nampa</td>
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<tr>
<td>State</td>
<td>ID</td>
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<td>Mobile Number</td>
<td>208-389-8716</td>
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<tr>
<td>Email</td>
<td><a href="mailto:allbrandscc@yahoo.com">allbrandscc@yahoo.com</a></td>
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| Applicant’s interest in property: | (✓) Own | ( ) Rent | ( ) Other |

ADDRESS OF SUBJECT PROPERTY: SAME

Please provide the following required documentation
- Completed Application
- A copy of one of the following: warranty deed, proof of option, earnest money agreement
- Signed & Notarized Affidavit of Legal Interest (attached). Form must be completed by the legal owner (If 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)
- Original Legal description of property AND a legible WORD formatted document with Closure Calcs (Must have for final recording) Old or illegible title documents will need to be retyped in a WORD formatted document.

Project Description
- State the zoning desired for the subject property: R-A
- State (or attach a letter stating) the reason for the proposed annexation and any proposed plans for the use of the subject property: Develop 4 lots of subdivision with 2 per acre lots, and connect to city utilities.

Dated this 7 day of 3, 2019

Applicant Signature

NOTICE TO APPLICANT
This application will be referred to the Nampa Planning Commission for a recommendation on the requested zoning. The Planning Commission shall hold a public hearing 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. Notice shall also be posted on the premises of the subject property not less than 1 week prior to the hearings. Notices will also 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.

OFFICE USE ONLY
FILE NUMBER: ANN - 128 - 2019 PROJECT NAME Annex to Zoning to RA

12/11/13 Revised
CITY OF NAMPA
SHORT PLAT APPLICATION

***Please do not submit a subdivision application until all items are completed. Incomplete applications will not be accepted or reviewed.***

**A. GENERAL INFORMATION**

<table>
<thead>
<tr>
<th>Subdivision Name</th>
<th>The Promised Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Acres</td>
<td>7.5</td>
</tr>
</tbody>
</table>

Intended Land Uses Circle (residential, single-family, multi-family, commercial, industrial)

Property Address(es) | 700 W. Mariah Ave, Nampa, ID 83686 |

Legal Description

Existing Zoning. (Circle one) RA RS RSM RD RML RMH RP BN CB BC BF IP IL IH AG

(County Zoning) **✓ RA**

**B. OWNER/ APPLICANT INFORMATION**

**Owner of Record**

Name | Nick Babak |
Address | 700 W. Mariah Ave |
City | Nampa |
State | ID |
Telephone | 208-389-8716 |
Email | allbrandscc@yahoo.com |
Fax |

**Applicant**

Name | **✓ SAME** |
Address |
City |
State |
Telephone |
Email |
Fax |

**Engineer /Surveyor/Planner**

Name |
Address |
Telephone |
Email |
Fax |
C. SUBDIVISION INFORMATION

<table>
<thead>
<tr>
<th>Lot Types</th>
<th>Number of Lots</th>
<th>Acres</th>
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<tr>
<td>Residential</td>
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<tr>
<td>Dwelling units per acre (gross /net)</td>
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<tr>
<td>Commercial</td>
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<td>Industrial</td>
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<tr>
<td>Common (Landscape, Utility, Other)</td>
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<tr>
<td>Open Space</td>
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<tr>
<td>Total</td>
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I understand:
1. This application is subject to acceptance by the City of Nampa upon determination that the application is complete.
2. The hearing date is tentative and subject to change with notice.
3. This application is subject to a public hearing before the Nampa Planning and Zoning Commission.
4. The application fee is non-refundable

All information, statements, attachments, and exhibits included with this application submittal are true to the best of my knowledge.

Signature: ___________________________ Date: 5/31/19
SUBDIVISION DESCRIPTION

A parcel of land being a portion of Lots 7, 8 and 9 of Home Acres Subdivision No. 14, as recorded in Book 2 of Plats, at Page 5.5, records of Canyon County, Idaho, lying within the NE 1/4 SW 1/4 of Section 33, Township 3 North, Range 2 West, Boise Meridian, Canyon County Idaho, more particularly described as follows:

Commencing at a found brass cap marking the West 1/4 corner of said Section 33;

Thence along the longitudinal center of section line, S. 89° 05' 00" E., a distance of 1324.86 feet to the found 5/8 inch diameter iron pin marking the NW corner of the said NE 1/4 SW 1/4 (CW 1/16 Corner);

Thence along the West boundary line of the said NE 1/4 SW 1/4 and the centerline of S. Horton Street, S. 00° 13' 50" E., a distance of 657.38 feet to the intersection of the said centerline of S. Horton Street and the West extension of the North boundary line of Lots 6 and 7 of said Home Acres Subdivision No. 14 and the North boundary line of Taylor Glenn Subdivision, as recorded in Book 29 at Page 23, records of Canyon County, Idaho;

Thence along said North boundary line of said Lots 6 and 7 and the North boundary line of said Taylor Glenn Subdivision and the West extension thereof, S. 89° 02' 36" E., a distance of 407.33 to the NE corner of said Taylor Glenn Subdivision, the POINT OF BEGINNING, marked by a 4 inch x 4 inch wood post;

Thence continuing along the North boundary line of said Lot 7 and the North boundary line of said Lots 8 and 9, S. 89° 02' 36" E., a distance of 637.31 feet to the NE corner of said Lot 9, which is coincident with the West boundary line of The Woodlands Subdivision as recorded in Book 26, at Page 20, records of Canyon County, Idaho;

Thence along the common boundary line of said Lot 9 and the Woodlands Subdivision, S. 0° 12' 25" E., a distance of 601.07 feet to the centerline of the Edwards Lateral, which bears S. 0° 12' 25" E. a distance of 43.97 feet from a found 5/8 inch diameter iron pin witness corner monument stamped "CLS PLS 7732";

Thence leaving said common boundary line and along the said centerline of the Edwards Lateral, N. 67° 50' 35" W., a distance of 355.98 feet to the beginning of a tangent curve to the left, which bears S. 22° 09' 25" W., a distance of 40.00 feet from a found 5/8 inch diameter iron pin reference monument stamped "CLS PLS 7732;" 

Thence continuing along said centerline, a distance of 59.67 feet along the arc of said tangent curve left, having a radius of 118.00 feet, a delta angle of 28° 58' 19" and a long chord which bears N. 82° 19' 45" W., a distance of 59.03 feet, which bears S. 07° 05' 30" E. a distance of 40.23 feet from a found 5/8 inch diameter iron pin reference monument stamped "CLS PLS 7732;"

Thence continuing along said centerline and tangent to said curve, S. 83° 11' 06" W., a distance of 251.02 feet to the SE corner of Taylor Glenn Subdivision, which bears S. 0° 13' 28" E. a distance of 40.27 feet from a found 5/8 inch diameter iron pin witness corner monument stamped "CLS PLS 7732;"

Thence leaving said centerline and along the East boundary line of said Taylor Glenn Subdivision, N. 0° 13' 28" W., a distance of 499.36 feet to the POINT OF BEGINNING.

The above described parcel comprises 7.44 acres, more or less.
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<th>NAME OF GRASS</th>
<th>NAME OF SUBDIVISION</th>
<th>NAME OF OWNER</th>
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Certificate of Boundaries:

The boundaries of the Promised Land Subdivision are hereby established as follows:

1. Begin at the SW corner of the NW 1/4 of Section 1, T30S, R2W, Township, and Range.
2. Proceed north along the west line of Section 1, T30S, R2W, Township, and Range, for a distance of 1,000 feet.
3. Turn east along the north line of Section 1, T30S, R2W, Township, and Range, for a distance of 1,000 feet.
4. Turn south along the east line of Section 1, T30S, R2W, Township, and Range, for a distance of 1,000 feet.
5. Turn west along the south line of Section 1, T30S, R2W, Township, and Range, for a distance of 1,000 feet.
6. Return to the beginning point, forming a square of 1,000 x 1,000 feet.

The Promised Land Subdivision is hereby dedicated to the public use and control as a privately-owned residential development.

Date: [Current Date]

[Signature]

[Stamp]
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 __________, in the year of __________, 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.

Nampa City Engineer

APPROVAL OF NAMPA PLANNING AND ZONING COMMISSION

[Signature]

APPROVAL OF COUNTY SURVEYOR

I, the undersigned, Professional Land Surveyor, in and for Canyon County, Idaho, do hereby certify that I have checked this Plat, and that it complies with the State of Idaho Code relative to Plats and Surveys.

Canyon County Surveyor

APPROVAL OF SOUTHWEST IDAHO HEALTH DEPARTMENT

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 17 have been satisfied based on Health District approval of the plat for sanitary sewers. Sanitary requirements of the Department of Environmental Quality for the Health District have been satisfied; the sanitary sewer system will be properly designed and constructed.

County Treasurer

APPROVAL OF SURVEYOR

I, Richard A. Gray, do hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho, and that the Plat as described on the Certificate of Survey and the attached Plat, was drawn from an actual Survey made on the ground, made by me or under my direct supervision and accurately represents the estate described herein and the limits of the plat as per the plat, in Conformance with State of Idaho rules relating to Plat Surveys and the Corner Preakness and the act, Idaho Codes 50-6501 through 50-6512.

[Signature]

District Health Department, DIV.

CITY OF NAMPA

RE: PROMISED LAND SUBDIVISION

PLAT OF

APPROVAL OF COUNTY TREASURER

I, the undersigned, County Treasurer, in and for the County of Canyon, State of Idaho, do hereby certify that the Plat as described on the Certificate of Survey and the attached Plat, was drawn from an actual Survey made on the ground, made by me or under my direct supervision and accurately represents the estate described herein and the limits of the plat as per the plat, in Conformance with State of Idaho rules relating to Plat Surveys, the Corner Preakness and the act, Idaho Codes 50-6501 through 50-6512.

[Signature]

Richard A. Gray

COMPASS LAND SURVEYING, PLLC
623 11th Avenue South
Nampa, ID 83651

Phone: 208-788-1176
Fax: 208-788-1176

012913
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020414
020514
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Shelley Lopez
August 6, 2019
Hi Shellie,

Nampa Highway District #1 has no objection.

Thank you,

Eddy

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

Good Afternoon Everyone, 😊

Re: SPS 00022-2019 and ANN-00128-2019

Nick Babak has requested the following:

- Annexation and Zoning to RA (Suburban Residential) at 700 W. Mariah Ave. (A 7.44 acre portion of Lots 7, 8, and 9 of Home Acres Subdivision No. 14 lying within the NE ¼ SW ¼ of Section 33, T3N, R2W, BM) for The Promised Land Subdivision.

- Subdivision Plat Short Approval for The Promised Land Subdivision (6 Single Family detached lots on 7.44 acres for 1.24 dwelling units per gross acre - A replat of a portion of Lots 7, 8, & 9 of Home Acres Subdivision No. 14 located in the NE ¼ SW ¼ pf Section 33, T3N, R2W, BM)

These applications will go before the Planning and Zoning Commission as a public hearing item on the September 10, 2019 agenda.

Please find attached SPS 00022-2019 and ANN-00128-2019 files for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than August 23, 2019.
Building Department requires a top of foundation wall or a finish floor elevation for each lot on the construction drawings, before we will approve the plat. We are ok with the annexation.

Good Afternoon Everyone,

Re: SPS 00022-2019 and ANN-00128-2019

Nick Babak has requested the following:

- Annexation and Zoning to RA (Suburban Residential) at 700 W. Mariah Ave. (A 7.44 acre portion of Lots 7, 8, and 9 of Home Acres Subdivision No. 14 lying within the NE ¼ SW ¾ of Section 33, T3N, R2W, BM) for The Promised Land Subdivision.

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These applications will go before the Planning and Zoning Commission as a public hearing item on the September 10, 2019 agenda.

Please find attached SPS 00022-2019 and ANN-00128-2019 files for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than August 23, 2019.

Thank you & Have a great day!
Shellie Lopez

From: Cody Swander
Sent: Tuesday, August 13, 2019 9:37 AM
To: Shellie Lopez
Cc: Darrin Johnson
Subject: The Promised Land Subdivision Project: SPS-00022-2019

Hi Shellie,

Nampa Parks has reviewed the short plat for The Promised Land Subdivision Project: SPS-00022-2019. We request that 20 feet from the top of the north bank along the Edwards/Deerflat Canal be deeded and dedicated to the City of Nampa for the future location of the Edwards Pathway as indicated on the City of Nampa Pedestrian and Bicycle master plan.

Thank you,

Cody Swander
Parks Superintendent
O: 208.468.5890, F: 208.465.2321
Nampa Parks – Facebook Page

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: September 2, 2019
TO: Nampa Planning & Zoning Department
FROM: Caleb LaClair, P.E. – Assistant City Engineer
CC: Daniel Badger, P.E. – City Engineer
        The Promised Land Subdivision – Engineering Review Memo

The Engineering Division has completed a review of the Short Plat and Annexation/Rezone applications for The Promised Land Subdivision and recommend the following conditions and comments.

**Project Comments**
1. The project site is located at 700 and 701 W Miranda Ave and will take access from W Miranda Ave and W Mariah Ave, both classified as a “Local Road”.
2. Both Miranda and Mariah Ave are fully developed with pavement, rolled curb, and sidewalk up to the property. No additional right-of-way dedication or improvements are necessary for these roads with this development.
3. The project intends to provide access to the internal lots with a new private road parcel within a 56’ wide common lot. The roadway design shall provide at a minimum two 12’ paved travel lanes with 3’ compacted gravel shoulders on both sides.
4. The City’s water, sewer, and pressure irrigation systems have adequate capacity to serve this property. The City maintains the following utilities in the vicinity of the project:
   - 8” sewer main in Miranda and Mariah Ave;
   - 8” water main in Miranda and Mariah Ave; and,
   - 6” and 3” pressure irrigation main along the north, east, and west property boundaries.
5. Due to the shallow nature of the sewer in Miranda and Mariah Ave, the property requested approval from council to allow private on-lot septic systems on account the proposed lot sizes exceed 1.0 acres in size. City Council granted approval as a business item during the May 20 hearing.
6. The Developer is required to extend public water main into the property and provide domestic water and pressure irrigation service hook-ups for the proposed lots.
7. An Erosion Control Permit with City of Nampa is required prior to the start of any earth disturbing activities.
8. A Right-of-Way Permit with City of Nampa is required prior to any work within the Mariah Ave and Miranda Ave right-of-way.

Final Plat Comments
1. Revise “Jerusalem Street” to “S. Jerusalem Lane” and “Samaria Avenue” to “W. Samaria Lane”.
2. Add to Note 11 “to be maintained by The Promised Land Subdivision Home Owner’s Association”.
3. Add note that subdivision is subject to The Promised Land Subdivision Covenants, Conditions, and Restrictions (CC&R’s) recorded as Instrument #________. CC&R’s should specify maintenance and cost share responsibilities for the shared driveway and drainage improvements.
4. Check for any spelling or punctuation errors in the notes and legend and correct.

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 “The Promised Land Subdivision – Construction Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division, dated 9/2/2019 prior to construction drawing approval.
3. CC&R’s or alternative agreement shall be submitted to the Nampa Engineering Division for review prior to City Engineer signature of the plat. CC&R’s shall specify maintenance and cost share responsibilities for the shared driveway and drainage improvements and the recording instrument number shall be noted on the plat.
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.
5. Drainage shall be retained on site in accordance with approved plans. Inspection and certification of work 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 and specifications at the time of Record Drawing submittal and prior to City Engineer signature of the Final Plat.
6. Developer shall obtain a septic permit from Southwest District Health Department and submit a copy to the Nampa Building Department prior to Building Permit approval for any and all lots within the subdivision.
Before You Dig!
Call 811
www.digline.com

8/8/2019
1 inch = 200 feet
(metric scale: 1:50 x 1:4)