MEETING CALL TO ORDER

ANNOUNCEMENTS

APPROVAL OF MINUTES - ACTION ITEM

REPORT ON COUNCIL ACTIONS

BUSINESS ITEMS:

1) Subdivision Plat Final Approval for Fall Creek Subdivision No. 4 in a RS7 (Single Family Residential - 7,000 sq. ft.) zoning district at the southeast corner of Ustick Rd. and Madison Ave. (64 Single Family Residential dwellings on 18.75 acres for 3.41 average dwelling units per gross acre - Located in a portion of Government Lot 2 and a portion of the SW ¼ of the NE ¼ of Section 3, T3N, R2W, BM) for Kent Brown representing Challenger Development (SPF 108-19). – ACTION ITEM

PUBLIC HEARINGS:

1) Subdivision Plat Short Approval for Arbor Court Subdivision in a RS6 (Single Family Residential – 6,000 sq. ft.) zoning district at 424 W. Greenhurst Road (4 Single Family detached lots on .658 acres for 6.08 average dwelling units per gross acre - A part of the SW ¼ SE ¼ Section 33, T3N, R2W, BM) for Lindquist Properties LLC (SPS 025-19). – ACTION ITEM

2) Zoning Map Amendment from RD (Two-Family Residential) to BC (Community Business) at 1511 7th St. So. (A .11 acre or 4.792 sq. ft. part of the NE ¼ of Section 27, Township 3 North, Range 2 West, BM being the SE 50’ of Lots 1 and 2, Block 5, Interstate Additions) for Dr. Brian Thomas, Nampa First Church of the Nazarene for a medical and counseling clinic (ZMA 113-19). – ACTION ITEM

3) Annexation and Zoning to RMH (Multiple-Family Residential) for Townhomes at 622 N. 44th Street (A 2.02-acre parcel located in the NE ¼ NE ¼ of Section 24, T3N, R2W, BM, Canyon County, Idaho) for Mason and Associates representing Sun Peak Development LLC (ANN 133-19). – ACTION ITEM

ADJOURNMENT

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. Requests should be made at least five (5) days prior to the meeting to allow time to arrange accommodations.
Chairman McGrath called the meeting to order at 6:40 p.m.

Approval of Minutes: Sellman motioned and Kehoe seconded to approve the Minutes of the October 8, 2019 Planning and Zoning Commission Minutes. Motion carried.

Report on Council Actions. No City Council member present to report on City Council actions.

Chairman McGrath proceeded to the Business Items on the agenda.

Business Item No. 1:
Subdivision Plat Final Approval for Ridgevue Estates Subdivision No. 2 in a RS7 (Single Family Residential - 7,000 sq. ft.) zoning district at 18314 and 18360 Madison Ave. (42 Single Family Residential dwellings on 9.6 acres for 3.74 dwelling units per gross acre - Located in a part of the NW ¼ SE ¼ and a part of the SW ¼ SE ¼, Section 34, T4N, R2W, BM) for Mason and Associates representing MRH Homes (SPF 106-19). – ACTION ITEM

Senior Planner Watkins:
- Ridgevue Subdivision No. 2, explained Watkins, comprised 9.6 acres, located north of Ustick Rd and east of Madison Rd. The property is located inside Nampa City limits and is zoned RS-7, bordered on the north and east sides by City RS-7 zoned properties, on the south by City RS-8.5 zoned properties, and on the west by County residentially zoned properties.
- The Preliminary Plat for Ridgevue Subdivision, advised Watkins, was approved by the Planning and Zoning Commission in June of 2018.
- The applicants propose 36 buildable lots and 6 common lots.
- The subdivision, noted Watkins, conforms to the approved Preliminary Plat layout, and the applicable Subdivision and Zoning standards for Nampa.
- Staff, stated Watkins, felt it was appropriate for the Planning Commission to recommend approval of the Final Plat for Ridgevue Estates Subdivision No. 2 to City Council, with the conditions as listed in the Staff Report.
- Kehoe inquired about the stub streets in the south section of the proposed subdivision and Watkins replied those would be stub streets to future phases of the development.

Kropp motioned and Miller seconded to recommend to City Council approval of the Final Plat for Ridgevue Estates Subdivision No. 2, for 36 buildable lots and 6 common lots, located north of Ustick Rd and west of Madison Rd, for Mason and Associates representing MRH Homes, subject to:
1. Compliance 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 Ridgevue Estates Subdivision.
2. Provide a foundation or a finish floor elevation for each lot on the construction drawings.
3. Add a footnote to the final plat that references the 16 foot from top of bank Pioneer Irrigation District easement along the lateral. This footnote shall be added to the final plat prior to signature.
4. Propose a new, unique street name for E Madilyn Dr prior to final plat signature
5. The regional pressure irrigation pump station shall be operational prior to the City Engineer signature on the plat.
6. Provide documentation of Pioneer Irrigation District review of plans prior to construction drawing approval. Provide copies of any required, executed license agreements prior to City Engineer signature on the plat.
7. Address all Engineering redline comments on the final plat and construction drawings.

Motion carried.

Business Item No. 2:
Request for exception to Section 10-28-5B restricting the density of a mobile home park from exceeding 6 mobile homes per gross acre for Karcher Mobile Home Park located at 1410 W. Flamingo Ave. The applicant is requesting an additional 8 mobile home spaces to be constructed in underutilized open/vacant space (A 24.99-acre portion of the NE ¼ of Section 17, T3N, R2W, BM also being Marks Subdivision Tax 27 less Tax 27A, 27B & 27C, Tax 28, Marks Subdivision Lot 9 less S 115° less Tax 4, Lot 10 less Tax 4 Karcher MHP) for SLN Planning representing Cali-Land Inc. (0028-19 Note). – ACTION ITEM

Principal Planner Ashby:
- Ashby noted the provision in the Nampa City Code to allow exceptions to approved Mobile Home Parks, for lot sizes, placement of lots, the number of lots, required landscaping, etc.
- Section 10-28-2 A states the applicant must submit a Petition and state the reasons for their request.
- Section 10-28-2 B states what the Commission should base their decision on, primarily: topographical or other condition peculiar to the site; and, the granting of the exception will not be detrimental to the public welfare, nor injurious to other property in the vicinity.
- Ashby indicated the approved Karcher Mobile Home Park and the locations of the proposed lots that would be converted from open space.
- The applicants, continued Ashby, have stated multiple reasons for the proposed additional lots, due principally to safety concerns because when those open spaces are not inhabited or not easily seen from view of other property owners or mobile home residents in the area, they are prone to property damage and illegal activity.
- Ashby noted the requirements for density in the Mobile Home Park Code: shall not exceed 6 mobile homes per gross acre for the entire mobile home park.
- The proposed additional mobile home lots, reported Ashby, would take the density from just over 6 mobile homes per gross acre to 6.36 mobile homes per gross acre.
- The other condition, stated Ashby, was the requirement for 200 sq ft of recreation area provided for each mobile home space. Even with the 8 additional mobile home spaces, the mobile home park would still be almost double the required amount of open space/recreation area.
- Ashby stated no correspondence had been received regarding the Request for Exception.
- Kehoe inquired about the applicant’s assertion there had been vandalism and illegal activities in the areas proposed for additional mobile home spaces and questioned how frequently that had occurred.

Shawn Nickel of P O Box 1595, Eagle – representing the applicant:
- According to Mr Nickel there had been constant problems in the areas referenced for additional mobile home spaces, with not only vandalism but illegal drug use, due to the fact those areas were hidden from view and that was where the kids tend to congregate.
- The mobile home park managers, added Mr Nickel, were cleaning up glass, and added the nets and goals in the little soccer field were also destroyed.
- By placing the additional mobile home spaces, stated Mr Nickel, it would help clean up the entire development.
- According to Mr Nickel, the mobile home park had double the required amount of open space and the new property owners had recently emplaced some new play equipment for the children in an area that was surrounded by mobile home units and was very visible.
• Mr Nickel noted the proposed additional mobile home spaces would allow for an increase in affordable housing. The additional mobile home spaces would only be .36 increase in density.
• All the other requirements of the Ordinance have been met, stated Mr Nickel, including open space, parking, storage, etc.
• In response to a question from Kirkman, Mr Nickel stated the increase in spaces had not previously been requested because it was an older mobile home park and had been right at 6 mobile home units per acre.
• Kehoe inquired what had been vandalized and Mr Nickel replied the open spaces had been vandalized, including benches and playground apparatus. The illegal activities included drugs as an ongoing problem.
• Mr Nickel responded to a question from Kehoe and stated the existing storage area was not being utilized at the present time.
• Mr Nickel advised the triangle area next to the four additional mobile home units was an existing storage area that would be maintained, providing approximately 60 sq ft per mobile home unit.
• Kirkman inquired about the vacancy rate in the mobile home park and Mr Nickel stated it was his understanding the mobile home park was completely full.
• Garner inquired about access to the proposed new mobile home spaces and questioned if the Fire Department had approved those locations.
• Ashby replied both the Nampa Fire Department and Nampa Engineering Division would need to work through the access issue and the number of approved lots would be dependent on Fire Department and Engineering Division approvals.
• Ashby advised City Code Section 10-28-2 B stated the Commission may approve an exception to any portion of the standards of design or required improvements.
• Kehoe suggested the City could use additional affordable housing and noted the Karcher Mobile Home Park was already there and in place.

Kehoe motioned and Van Auker Jr seconded to approve the Exception to Title 10, Chapter 28 Mobile Homes and Mobile Home Parks density zoning code standards requiring a maximum density of six (6) mobile homes per gross acre, and allowing a gross density of 6.36 units per gross acre, for Karcher Mobile Home Park, 1410 W Flamingo Ave, for SLN Planning, representing Cali-Land, Inc, subject to:

Generally:
1. Developer(s) shall comply with all applicable requirements [including obtaining proper permits – like a Building Permit, etc.] as may be imposed by City agencies appropriately involved in the review of this request (e.g., Nampa Fire, Building, Planning and Zoning and Engineering Departments/Divisions) as the entitlement(s) granted by virtue of the City’s approvals of the requested annexation and zoning assignment do not, and shall not, have the effect of abrogating requirements from those departments/agencies in connection with entitlement of the Property.
2. Before construction permits are issued for a mobile home park, the revised preliminary site plan, required documents pertaining to the development, and the revised final site plan shall have been approved (Section 10-28-10 of City of Nampa Code). A Mobile Home Park application is attached for your convenience. If the Commission approves the Preliminary Site Plan changes proposed, the applicant will need to submit a Final Site Plan as outlined in 10-28-10 C of the Nampa City Code for approval. Following approval of the Final Site Plan, the applicant may request a construction permit.

Motion carried.

Business Item No. 3:
Request for a first 1-year Extension of Final Plat Approval for Brookdale Estates Subdivision No. 6 between E. Cherry Lane and E. Birch Lane and between 11th Ave. No. and Kensington Ave. in a RS7 (Single Family Residential - 7,000 sq. ft.) zoning district (28 single family residential lots on 7.95 acres, 3.52 dwelling units per acre - A parcel of land situated in Tract 3 of Silver Valley Tracts, in the north ½ of the northwest ¼ of Section 12, T3N, R2W, BM) for JUB Engineers, Inc. representing Trilogy Development (SPF 066-18). Request to extend 10/15/18 approval which expires 10/15/19 to 10/15/20. – ACTION ITEM

Business Item No. 4:
Request for a first 1-year Extension of Final Plat Approval for Brookdale Estates Subdivision No. 7 between E. Cherry Lane and E. Birch Lane and between 11th Ave. No. and Kensington Ave. in a RS7 (Single Family Residential - 7,000 sq. ft.) zoning district (14 single family residential lots on 4.72 acres,
2.97 dwelling units per acre - A parcel of land situated in Tract 1 of Silver Valley Tracts, in the north ½ of the northwest ¼ of Section 12, T3N, R2W, BM) for JUB Engineers, Inc. representing Trilogy Development (SPF 067-18). Request to extend 10/15/18 approval which expires 10/15/19 to 10/15/20. – ACTION ITEM

Senior Planner Watkins:
• J-U-B, advised Watkins, had requested a one year time extension for Brookdale Subdivision No 6 and Brookdale Subdivision No. 7.
• According to Watkins, it would be the first extension request for both final plats.

Kirkman motioned and Sellman seconded to approve the one year extension requests for Final Plat Approval for Brookdale Subdivision No. 6 and Brookdale Subdivision No. 7, located between E Cherry Lane and E Birch Lane and between 11th Ave N and Kensington Ave, with extension approved to October 15, 2020, subject to all previous conditions of approval.
Motion carried.

Chairman McGrath proceeded to the Public Hearing items on the Agenda.

Public Hearing Item No. 1:
Subdivision Plat Preliminary Approval for Aberdeen Springs Subdivision in a RS 6 (Single Family Residential – 6,000 sq. ft.) zoning district on the north side of E. Amity Avenue adjacent and east of Mihan Lane (64 single family detached lots on 17.46 acres for 3.67 dwelling units per gross acre – A portion of the E ½ of the SW ¼ of Section 25, T3N, R2W, BM) for Kent Brown representing Trilogy Idaho (SPP 045-19). – ACTION ITEM

Chairman McGrath proceeded to public hearing:

Kent Brown of 3161 E Springwood, Meridian – representing the applicant:
• Aberdeen Springs, stated Mr Brown, would be located on land already annexed and Zoned RS-6 within the Nampa City limits.
• The property, continued Mr Brown was a unique shape and noted the existing subdivision developments along the westerly boundary and on the north side of the North Nampa Lateral. Undeveloped ground was located on the east side of the subject property.
• According to Mr Brown, the subject property already had a Development Agreement attached and had previously been annexed and zoned RS-6.
• The applicants, added Mr Brown, had tried to comply with the requirements of the Development Agreement.
• Staff had made recommendation to change some of the lots, and along with the storm drain comments due to the groundwater study, the number of lots had been reduced to 63 buildable lots and 7 common lots.
• Mr Brown stated the proposed development was located within the RS-6 zoning district, the subdivision was in compliance with the conditions of staff, and the applicants were in agreement with the Staff Report.

Senior Planner Watkins:
• Watkins indicated the Preliminary Plat for Aberdeen Springs Subdivision, located north of E Amity Ave and west of S Grays Ln, inside Nampa City limits and zoned RS-6.
• The subject property, added Watkins, was bordered on the north and northeast by City zoned residential property known as Western Country Estates Subdivision, on the south and east by Canyon County properties, and on the west by a City zoned residential subdivision, Kings Road Estates Subdivision.
• The proposed Aberdeen Springs Subdivision, continued Watkins, comprised 17.46 acres, proposed for 63 single family residential lots and 7 common lots. The revised plat, added Watkins, was submitted on October 18th.
• According to Watkins, previously there had been various applications from 2006 to 2017 for annexation and platting that had been withdrawn, and in October 2017 it was annexed and zoned RS-6.
• The Annexation and Development Agreement for the subject property was approved on May of 2018, under Ordinance 4375.
• The main access to the proposed subdivision, continued Watkins, would be from Mihan Ln on to E Amity Ave, and E Sherman Ave.
• Water, sewer and pressurized irrigation were all immediately adjacent to the property, stated Watkins, although it has been requested that a Master Irrigation Line be installed in Mihan Ln and E Amity Ave.
• The Traffic Impact Study was approved in June of 2018.
• Watkins reported the sidewalks and landscaping are approved as shown in the Staff Report, and a pathway along the North Nampa Lateral will be required to be constructed and deeded to the City, per the Nampa Bicycle and Pedestrian Master Plan, and the request from the Nampa Parks Department.
• According to the designer at Bailey Engineers, changes have been made to the storm drain based on the Geo-Tech analysis, per comments from the City Engineering Department.
• Watkins noted a letter of opposition had been received from Brian Warrick, P.E. of 403 Buckskin Dr, Nampa, dated received October 21, 2019, regarding lot sizes adjacent Western Country Estates.
• Watkins reviewed the Code regarding lot compatibility for the RS-6 zone between subdivisions that are 85 ft apart or less. When the applicants submitted the revised Preliminary Plat on Friday, October 18th, the 10,000 sq ft minimum lot size requirement for the adjacent lots was met.
• Therefore, added Watkins, the lots within the Aberdeen Springs Subdivision do comply with the requirements for lot area and average lot size.
• Staff feels, stated Watkins, that it would be appropriate for the Planning Commission to approve the Preliminary Plat for Aberdeen Springs Subdivision, subject to the remaining conditions in the Staff Report.
• Kirkman inquired if there would still be a commercial development on the front part of the plat adjacent Amity Ave. Watkins replied there would be no commercial lots adjacent Amity Ave.
• Kirkman noted the recent installation of the turn lanes on Amity Ave and questioned if those had been installed in anticipation of the proposed development.
• Badger advised the turn lanes had been put in based on the Traffic Impact Study provided during the annexation process.
• Watkins explained the application before the Commission was the Preliminary Plat. The Preliminary Plat, added Watkins, matched the Development Agreement that was the entitlement on the property.

Chairman McGrath proceeded to public testimony.

Clete Miller – no address given – in favor of application but did not wish to speak.

Laurel Pickering of 3318 E Sherman Ave – opposed but did not wish to speak.

Linvel Moffis of 3318 E Sherman Ave – opposed:
• According to Mr Moffis, the legal notice and location map he received in the mail indicated the road from Aberdeen Springs into E Sherman Ave would be offset.
• Watkins stated although the map attached to the legal notice may have shown the connecting road to be offset, the Preliminary Plat indicated the connecting road would line up and would not be offset.

Curt Hensley of 305 Buckskin Dr – opposed:
• Mr Hensley noted the number of previous applications for the subject property.
• According to Mr Hensley, there was a plan put forward at City Council to work with everyone, but since that time things had changed.
• Mr Hensley stated the Lateral was an open ditch and there had been discussion about a pathway, also the traffic concerns, the ingress and egress, and the size of the homes were the primary concerns.
• Mr Hensley stated the surrounding property owners had previously been told there would be single level homes in the subdivision.
• The previously mentioned Traffic Impact Study, continued Mr Hensley, was brought up and questioned during the previous City Council meeting and suggested the TIS was not done to TIS standards.
• The subject property has been sold, stated Mr Hensley, but the neighboring property owners’ concerns would always be the safety of the surrounding residents and students at the nearby schools.
• Mr Hensley noted how the traffic came from two lanes on the overpass and down to two painted islands for turn bays and would enter the subdivision from the bottom of a swale.
• According to Mr Hensley, the Sherman Ln connection to the proposed subdivision was very narrow and if cars were parked there it would be down to a single lane of traffic, and the new subdivision would add about 130 to 140 cars to Sherman Ave.
• Mr Hensley noted there were no sidewalks on E Amity Ave and suggested there could also be a road connection added to Little John Ct, a cul-de-sac to the north.
• The lots to the north, in Western Country Estates, continued Mr Hensley, were half acre lots, with a majority of single level homes, and the lots in Aberdeen Springs would be much smaller, with two story homes.
• Kehoe inquired what the adjacent property owners wanted to see on the subject property and Mr Hensley replied the neighboring property owners had been assured there would-be single-family homes.
• Mr Hensley reiterated the concerns had always been the access, the safety and the density of the homes.

Jerry Hensley of 305 Buckskin Dr – opposed but did not wish to speak.

Rebekah Bent of 3614 E Amity Ave, Nampa opposed:
• Ms Bent handed in a Petition with 75 signatures of surrounding residents opposed to the Aberdeen Springs Subdivision Preliminary Plat.
• Ms Bent stated she owned the County land adjacent on the east side of the proposed subdivision.
• According to Ms Bent she was not in favor of the stub street from Aberdeen Springs Subdivision stubbed into her property. Ms Bent stated she had not decided to sell and had no plans to sell her property any time in the near future.
• Additionally, Ms Bent stated she did not like the turn lane on E Amity Ave because drivers think the road gets wider at her property entrance and her vehicle and trailers had been almost sideswiped many times when turning into her property.
• Sometimes, added Ms Bent, it takes almost 10 minutes to turn on to E Amity Ave.
• Ms Bent questioned if Mihan Ln was actually a City road and suggested it was a private lane.
• According to Ms Bent, the proposed density of Aberdeen Springs was much greater than the surrounding residents had originally been told.
• Ms Bent voiced concern about the water table on the lower 8 acres as the water table was only 3 ft down and questioned how cement work could be put in.
• E Amity Ave, Kings Rd, and Grays Ln could not handle the additional traffic, stated Ms Bent, because the infrastructure was just not there.
• The neighboring property owners were not against development, just against development that was unsafe for the families and the community, and they had not anticipated vehicles from another subdivision driving through Kings Road Estates.
• Ms Bent suggested until E Amity Ave was widened and improved it was not a good idea to add more homes adjacent on the east.

Jason Bent of 3614 E Amity Ave, Nampa – opposed:
• Mr Bent stated he owned the 10 acres on the east side of the proposed Aberdeen Springs Subdivision.
• According to Mr Bent it had taken him 14 minutes this morning to get out of the driveway to take his children to Columbia High School.
• Mr Bent suggested the Traffic Impact Study had not been done during normal operating hours.
• Regarding the water table, Mr Bent stated they own an artesian well right next to the property line and questioned if their water would still be safe, and reiterated the workers on the subject property had hit water at 3 ft.

Zane Smith of 3415 E Sherman Ave opposed but did not wish to speak.

Greg West of 313 Buckskin Dr, Nampa – opposed:
• Mr West stated his property was located in Western Country Estates Subdivision.
• Mr West voiced concern regarding the proposed lot sizes and noted his property was 22,000 sq ft and stated they would prefer larger lots adjacent their subdivision.
• According to Mr West, traffic had been a problem and added that traffic laws were not enforced on E Amity Ave and the traffic was fast.
• Mr West indicated photos of pedestrians on E Amity Ave at 4:30 p.m. and the stream of traffic coming down E Amity Ave. Mr West noted the fact the pedestrian was walking in the dirt because there were no sidewalks.
• Another photo indicated the pedestrian trying to cross Amity Ave, because there were no sidewalks on the other side of the road and they had to walk on the wider dirt side of the road, also with a stream of traffic on the roadway.
• Mr West noted that it was at least a 15-minute wait to be able to turn east on to Amity Ave.
• At the Happy Valley Rd and Victory Rd intersection there would also be another 15-minute wait because the roundabout was not in place yet.

Lori West – opposed but did not wish to speak.

Brenda Valverde of 657 S Queens Dr, Nampa – opposed:
• Ms Valverde advised the east side property line for her property was right on Mihan Ln where the construction would take place to access the new subdivision.
• Ms Valverde stated she had heard the applicant state they would be doing storm water drain improvements on Amity and Mihan Ave, which would mean only one ingress/egress point would be available while construction was going on.
• According to Ms Valverde, Kings Rd, E Amity Ave, Grays Ln, and Happy Valley Rd are all overstressed. The arrows at the bottom of the overpass are within 20 ft of each other.
• Mihan Ln, added Ms Valverde, was not an improved road and would cause other traffic problems.
• Putting the stripes on Amity Ave did improve the road, stated Ms Valverde, but the accidents that occur now go off into the dirt at the side of the road.
• Ms Valverde considered someone would get hurt by increasing the number of cars going through there.
• During the previous public hearing on the subject property, stated Ms Valverde, they were under the understanding there would be less than 40 houses and now it was 63. They were also assured the proposed homes would be of the same quality and size as the properties in Kings Road Estates.
• Ms Valverde reiterated neither Mihan Ln nor Sherman Ave would be able to handle the increased traffic from the new subdivision. The lots would be smaller than those in Kings Road Estates.
• Ms Valverde discussed the narrow width of Mihan Ln and E Sherman Ave.

Randy Coburn of 609 S Grays Ln, Nampa – opposed:
• Mr Coburn inquired about the pathway required along the North Nampa Lateral, and questioned who was requiring that pathway. The additional requirement was for the pathway property to be deeded and dedicated to the City and inquired who would be dedicating that property to the City.
• Mr Coburn stated he was opposed to the pathway because it would encourage trespassing, vandalism and theft along the lateral easement.
• According to Mr Coburn, they had already experienced vandalism, theft and trespassing on their property.
• Mr Coburn voiced concern regarding the density of the proposed subdivision and stated the previous developer had confirmed he would not put multi-family homes on the property. Mr Coburn added the density was now shown as 63 homes, more than previously indicated to the neighboring property owners.

Vicki McMinn Coburn of 609 S Grays Ln, Nampa – opposed:
• Ms Coburn stated she was also very concerned about the Nampa Lateral which was supposed to be maintained by the irrigation company and considered it should not become a pathway. If it was to be made into part of the greenbelt and that would be a completely different issue, noted Ms Coburn.
• Ms Coburn voiced concern regarding the infrastructure not going in before the houses and added the City Council had already stated nothing could be done with Kings Rd or E Amity Ave until the roads were burgeoning. Ms Coburn requested the City be proactive and construct the infrastructure before the subdivisions.

Michelle Schaffer of 505 Knight's Circle, Nampa – opposed:
• According to Ms Schaffer, she had lived there for 20 years and had seen all the development occur.
• Ms Schaffer stated she was not opposed to the development of the subdivision, but she was opposed to the access. Ms Schaffer stated the school buses would not come into the subdivision, so with another subdivision, those children would have to walk all the way to Kings Rd and Amity Ave where the bus stops are located. One bus stop was located on Mihan Ln and Amity Ave, where there was no sidewalk for the children to wait for the bus. The other school bus stop was on Kings Rd and there had been some vandalism to properties near the bus stop.
• Ms Schaffer reiterated there was no easy way for the buses to get through the subdivision, as well as ambulances and fire trucks because Sherman Ave was definitely not wide enough.

City Engineer Badger:
• Badger responded to some of the issues raised during the public hearing.
• According to Badger, E Sherman Ave was stubbed out and designed to connect to the subject property to the east. Little John Ct, although it had a cul-de-sac at the end, was wider than E Sherman Ave.
• Mihan Ln, stated Badger, was a public street and not a private road.
• The Traffic Impact Study was done by a licensed traffic engineer reported Badger. The City has reviewed the TIS and the findings found were within the standard of care of an engineer and meet the requirements of the City’s Traffic Impact Study policy.
• Last year, continued Badger, E Amity Ave was re-striped to add the turn bays into Mihan Ln.
• Badger reported developers were not required to fix existing deficiencies, however, they would be required to mitigate the traffic they create. Each of the new homes, continued Badger, will pay impact fees and the Impact Fees would go to traffic improvements the City identified as priorities. One of the areas currently under review for work with Impact Fees was the design for the intersection of Kings Rd and E Victory Rd.
• Regarding the North Nampa Lateral pathway dedication, continued Badger, the pathway would be dedicated on the south side of the Lateral, on the proposed development property, and would be dedicated to the City. The City is the party requiring the pathway to be constructed, which would be coordinated with the Meridian Irrigation District under a License Agreement for the Master Pathway.
• Badger stated there were a number of artesian wells in the area, however, there are construction techniques that allow for construction within those water tables, as in similar locations throughout the City. That would be addressed at the time of Building Permit submittal and construction, noted Badger.
• Chairman McGrath noted the question regarding access to Kings Road Estates during construction – if Mihan Ln was not accessible.
• Badger replied there would be infrastructure improvements occurring that would necessitate construction within Mihan Ln, including a condition of development for the repaving of Mihan Ln. That construction and repaving would necessitate a section of time where access for Kings Road Estates would be off Kings Rd only.
• Kehoe inquired about date stamped photos as part of the Traffic Impact Study. Badger replied that most Traffic Impact Studies do not have photographs but would have times listed for when the study was done.
• In response to a question from Chairman McGrath, regarding the statement during public hearing about the requirement for three access points into the proposed subdivision, Badger advised it was not a condition required by City Council as part of the Development Agreement.
• Badger continued, that the Engineering Division and City Council had required the stub street to the east as part of the Development Agreement to facilitate possible future development.
• Kirkman inquired if pedestrian traffic was ever included in a Traffic Impact Study.
• Badger stated pedestrian traffic would be included when directly adjacent to a school. The subject property would not have met the criteria requiring the inclusion of pedestrian traffic.
• Based on City Code, continued Badger, sidewalks are put in by the developers as they develop property.
• The City would also emplace sidewalks if a Grant was received, or for Safe Routes to School.
• Kirkman noted the proposed development did butt up against Parkridge Elementary School, and Badger stated the required pathway would connect to the school.
• Kirkman inquired if construction of the lots would impact the water table/artesian well on the neighboring property to the east.
• Badger stated there was an existing artesian well in Kings Road Estates that the City runs a pump station from and that artesian well, even with the surrounding development, had not observed a reduction in flow.
• Generally, added Badger, the water table in that area would be running from the east down gradient to Indian Creek so there would not be a concern with water quality issues or changes, other than possible dewatering while doing pipe installations, but that would only be localized during construction.
• In response to a question from Garner, Badger stated the North Nampa Lateral pathway would be part of the City’s pathway system.
• Badger replied to a question from Garner and stated the developers would be required to place sidewalk on E Amity Ave from Mihan Ln running east to the eastern boundary of the subject property.
Kent Brown:
- Mr Brown noted there was a high-water table and there would be construction methods to minimize impact.
- The Development Agreement required connection of the subdivision roads to Mihan Ln and E Sherman Ave, noted Mr Brown, and also required the stub street to the Bent property on the east side of the subdivision. Mr Brown noted the intent was to follow the conditions of the Development Agreement and stub the street at the eastern boundary line of the subject property.
- The density proposed, advised Mr Brown, was as allowed by the RS-6 zoning district, and added there was nothing in the Development Agreement regarding the maximum number of lots. The Preliminary Plat also complied with the Concept Plan attached to the Development Agreement.
- Regarding building elevations, continued Mr Brown, there was nothing in the Development Agreement that would restrict a two-story home. Mr Brown added there would also be the pathway and the North Nampa Lateral between the larger lots in Aberdeen Springs and the homes to the north.
- Kehoe advised in other jurisdictions school bus kiosks would be placed for the children to wait for the school bus.
- Mr Brown agreed they could work with the school district to allow a space in the landscaping for a pad for the school children to wait and noted there would also be a streetlight at that location per City Code.

Miller motioned and Sellman seconded to close public hearing. Motion carried.

- **Chairman McGrath** inquired when the total number of homes increased from 45 to 63.
- **Holm** stated the original subdivision proposed had a commercial area fronting on to E Amity Ave and the current proposed subdivision was comprised entirely of residential lots, including the lots backing up to E Amity Ave.
- **Kehoe** noted the improvements never come before the subdivision, but after.
- **Kirkman** stated he was opposed to the development because it was sandwiched in between a lot of homes already in place. According to Kirkman, he drives Kings Rd and E Amity Ave all the time and the traffic really was a problem, with children waiting for school buses and darting across the road.
- E Sherman Ave, continued Kirkman, was not built for the increased traffic from Aberdeen Springs Sub and voiced concern with road safety for Kings Rd and E Amity Ave.
- Discussion followed regarding traffic and roadways in the area.
- **Van Auker Jr** noted the City had made an effort with the recent changes to the Impact Fees on new developments to increase the revenue that can be used for capital improvements and because the change was recent it would take time to create the funds to execute plans for improvements.
- Van Auker Jr suggested it was a difficult piece of property and the developer had done a good job of putting a plat together to fit the City guidelines.
- **Garner** considered with the proposed development there would be construction of a sidewalk on E Amity Ave from Mihan Ln to the eastern edge of the property. Garner concurred with earlier comments regarding the Impact Fees from the proposed development would be applied to road improvements.

Kehoe motioned and Van Auker, Jr seconded to approve the Preliminary Plat for Aberdeen Springs Subdivision in an RS-6 zoning district on the north side of E Amity Ave adjacent and east of Mihan Ln, for 63 single family detached lots on 17.46 acres for Kent Brown, representing Trilogy Idaho, subject to:
1. Indicate a top of foundation wall or a finish floor elevation on each lot on the final plat construction drawings.
2. Deed and dedicate 20 ft from the top of bank along the south side of the North Nampa Lateral and construct pathway.
3. Apply for Land Use Change and License Agreement with Nampa Meridian Irrigation District.
4. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to City services.
5. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of property development/redevelopment, and prior to connection to City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel and associated head-gate report from the irrigation district.
6. Utilities shall be constructed to and through the site at the time of property
development/redevelopment, and at the sole expense of the Developer. Utility construction to
include the following main lines based on the City’s Master Plans:
   a. 12-inch pressure irrigation main along the frontage of Mihan Lane and E Amity Ave.
7. Applicant shall provide an updated Geotechnical Report at the time of Final Plat submittal to
   include extended groundwater monitoring data and infiltration testing to support drainage
   facility design.
8. Applicant shall address how discharge from the artesian well and all points of offsite run-on
   will be mitigated by the development at the time of final design.
9. Developer shall obtain plan approval from Nampa & Meridian Irrigation District for any
   work to take place along the North Nampa Lateral.
10. The water system for the Development shall be completely installed and able to deliver water
   prior to any Building Permits being issued within the development. The water shall be
   sufficient in volume and pressure to provide sufficient adequate fire suppression for the
   Development in accordance with Fire Department policy or International Fire Code
   requirements as applicable;
11. 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.
12. Applicant to coordinate with the Nampa School District to work out locations for school bus
   stop areas for children to wait for the school bus.

Motion carried with Garner, Hutchings, Kehoe, Miller, Sellman and Van Auker in favor and
Kirkman and Kropp opposed.

Chairman McGrath stated action on a Preliminary Plat by the Planning and Zoning Commission can be
Appealed to City Council, within 15 days of the Planning and Zoning Commission decision.

Public Hearing Item No. 2
Subdivision Plat Short Approval for, Was A Wheat Field Subdivision, in an IL (Light Industrial) zoning
district at 3303 and 3305 Caldwell Blvd. (2 industrial lots on 1.35 acres – A portion of Lots 1 and 2 of
Portners Subdivision located in a portion of the N ½ of Section 7, T3N, R2W, BM) for Aspen Engineers
representing Was a Wheat Field, LLC (SPP 047-19). – ACTION ITEM

Chairman McGrath proceeded to public hearing.

Lance Warnick of Aspen Engineers, 7312 Wildhorse Way, Nampa – representing the applicant:
- Mr Warnick indicated the location of the subject property, on the south side of Caldwell Blvd, behind the
  Sears outlet on Caldwell Blvd.
- About 4 years ago, reported Mr Warnick, the developer constructed a flex space building with an office and
  shop space and empty yard space.
- The yard space was too big, advised Mr Warnick, and they were now changing from two parcels and
  creating an additional parcel, addressed as 3305 Caldwell Blvd.
- Construction and record drawings have been submitted, continued Mr Warnick.

Principal Planner Ashby:
- Ashby indicated the location of the subject property within the Light Industrial Comprehensive Plan
  designation, with Medium Density Residential to the west and General Commercial to the east.
- Ashby noted the existing industrial shell building at 3301 Caldwell Blvd, to the south the single family
  homes in the County and the BC zoning to the east, to the north and northwest.
- A Cross Access Agreement would be necessary, added Ashby.
- Sewer and water utilities, stated Ashby, are available to the site.
- Irrigation was not available; therefore, they would be sharing a connection with 3301 Caldwell Blvd to an
  existing water service with backflow prevention device.
- Sidewalk and landscaping would not be required as the property was not adjacent Caldwell Blvd.
- The short plat, noted Ashby, comprised 1.34 acres, for two buildable lots.
- Ashby reviewed the Staff Report.
• Lance Warnick reported the developers were brothers-in-law and have a history of taking creative names and noted a portion of the original vacant lot had been part of a wheat field.

Chairman McGrath proceeded to public testimony.
No public comment forthcoming.

Sellman motioned and Kehoe seconded to close public hearing. Motion carried.

Van Auker, Jr motioned, and Garner seconded to recommend to City Council approval of the short plat for Was A Wheat Field Subdivision, in an IL zoning district at 3303 and 3305 Caldwell Blvd for Was A Wheat Field, LLC, subject to:

Generally:
1. Developer(s) shall comply with all applicable requirements [including obtaining proper permits – like a Building Permit, etc.] as may be imposed by City agencies appropriately involved in the review of this request (e.g., Nampa Fire, Building, Planning and Zoning and Engineering Departments/Divisions) as the entitlement(s) granted by virtue of the City’s approvals of the requested annexation and zoning assignment do not, and shall not, have the effect of abrogating requirements from those departments/agencies in connection with entitlement of the Property.

Specifically:
1. The plat shall identify irrigation service to be shared with adjacent properties.
2. Applicant shall correct spelling and punctuation errors on the plat.
3. Applicant shall correct angle details in the legal description.
4. Applicant shall remove reference to public street dedication from the plat.
5. Developer’s Surveyor shall address all Nampa Engineering Plat comments prior to signing of the final plat.
6. All public infrastructure shall be installed, and Record Drawings associated with Building Permit COM-01643 shall be submitted to Nampa Engineering for review prior to signing of the final plat.
7. Drainage shall be retained on site and confirmed by the Engineer of Record prior to signing of the final plat.
8. Pioneer Irrigation District’s “15.0 North Branch Lateral” should be correctly labelled on the plans. Any work within the easement must be permitted in writing by Pioneer Irrigation.
9. Access to the properties shall be clarified on the plat.
10. The note on the plat referring to Access and Parking and Utility Easements across the existing common lot accessed from Caldwell Blvd, shall clarify the reference to “(4&5)” and provide an instrument number for the second amendment to Master Declaration for West Valley Center.

Motion carried.

Public Hearing Item No. 3:
Subdivision Plat Preliminary Approval for Spring Shores Subdivision in a RS 8.5 (Single Family Residential – 8,500 sq. ft.) zoning district between Ustick Road and Cherry Lane on the west side of 11th Ave, No. (245 single family detached lots on 76.64 acres for 3.2 dwelling units per gross acre – A portion of the NW ¾ of the SW ¼ of Section 35, T3N, R2W, BM) for Kent Brown representing Trilogy Idaho (SPP 047-19). – ACTION ITEM

Chairman McGrath proceeded to public hearing.


• Mr Brown stated he had been involved with the subdivision a number of years ago when the subject property was annexed with an RS-8.5 zoning designation.
• At that time, added Mr Brown, it included some other properties, which the applicant no longer controlled.
• Basically, added Mr Brown, it is the same as originally submitted regarding the layout of the development.
• The Remington Subdivision was located to the southwest of the subject property added Mr Brown.
• The Spring Shores Subdivision would tie into other Trilogy Idaho developments with sewer coming from Feather Cove Subdivision and Meriwether Subdivision further to the west.

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• The delay for development of the proposed subdivision, continued Mr Brown, was due to the fact the sewer lift station was not in place.
• Mr Brown indicated the RS-8.5 zoning layout, with pocket parks throughout the development, very similar to the original concept plan.

**Senior Planner Watkins:**
• Watkins indicated the location of the proposed subdivision, north of Cherry Ln and west of 11th Ave N, inside the City limits with an RS-8.5 zoning.
• According to Watkins, the property was bordered on the north and east by Canyon County agricultural properties, on the west by City residentially zoned property, proposed as Meriwether Park Subdivision, and on the south by County Residential Subdivision called Remington Acres.
• Spring Shores Subdivision, continued Watkins, comprised 74.64 acres, proposed for platting into 245 single family lots and 22 common lots.
• The property had been annexed and zoned RS-8.5 in June of 2006 with a Development Agreement. The concept for the residential portion of the development would remain the same as proposed with the Development Agreement, minus a couple of parcels the applicant does not own.
• Access will be from two points on 11th Ave N. One stub street to the north and two stub streets to the west were also provided.
• Water, sewer and pressurized irrigation would all need to be run to and through the development according to the Engineering Division’s requirements noted in their Memorandum dated September 30, 2019.
• A Traffic Impact Study was approved for the proposed development and required improvements at 11th Ave N at the southerly access to the development, and at Ustick Rd and 11th Ave N where the roundabout will be located.
• The applicants are required to submit an updated GeoTech Report and Storm Water with the Final Plat.
• Watkins advised a revised Preliminary Plat had been submitted on Friday, the 18th October to address previous comments, and the lots were now all over 8,500 sq ft minimum and in compliance with the lot area, width and depth requirements.
• Sidewalks would be installed, reported Watkins, and the Landscaping Plan has been approved.
• Construction of the pathway along the Purdam Drain would be required, and deeded to the City.
• Some letters of concern were received from the neighbors, advised Watkins, including traffic, open space and water rights.
• According to Watkins, properties zoned RS-8.5 are not required to have the same lot compatibility requirements as RS-6 and RS-7, so would not have to have the 10,000 sq ft minimum when adjacent to larger lots.
• Watkins referred to the Conditions of Approval in the Staff Report and noted that Condition No. 2 had been resolved with the correction of the undersized lot.
• Watkins noted it would be appropriate for the Planning Commission to approve the Preliminary Plat for Spring Shores Subdivision with the remaining conditions listed in the Staff Report and any other conditions the Commission wished to impose.

**Chairman McGrath** proceeded to public testimony:

**Stephen Parrott of 7248 Lattigo Dr, Nampa – opposed:**
• According to Mr Parrott, his property was located southwest of the proposed Subdivision.
• Mr Parrott stated he had moved to the area and his young family went to the local schools.
• According to Mr Parrott, he would like to see requirements for a higher square footage minimum for homes in the subdivision. The Lattigo area comprised 2 to 5 acre lots and therefore he would like to see as much open space as possible in the proposed development and concessions for some larger lots along the southern edge.
• Mr Parrott also suggested some privacy fencing would be appreciated, as well as the proposed pathway.
• Some buffering zones would also be welcome, added Mr Parrott,
• Mr Parrott noted the recent 4-way stop installed at 11th Ave N and Cherry Ln.
• Mr Parrott stated he would like to see more low-density development, such as 2 to 5 acre lots, which would mean less traffic, and the higher tax revenue would help with schools.

**Donald Batze of 7354 Alpine Dr, Nampa – opposed:**
• Mr Batze stated he had read through the Development Agreement attached to the subject property and found several inconsistencies.
• According to Mr Batze, with the reduction in the development down from 90 acres to 75 acres it would suggest a new Development Agreement should be initiated.
• Item 4a of Exhibit C of the Development Agreement states the density should be 3 homes per acre, and the request for the Spring Shores Subdivision is 3.2 homes per acre, which would be 15 more residential lots.
• The Development Agreement also stated, continued Mr Batze, stated that the land abutting Remington Acres and other residential lots should have a minimum lot size of 12,000 sq ft – also not shown on the proposed plat.
• Mr Batze inquired where was the follow up on the existing Development Agreement.
• Mr Batze reported there was a ditch running to a weir on his property at 7354 Alpine Dr, and stubbed off the weir was a drain line that transits into the subject property and then drains into the ditch that runs along the road on the south portion of the subject property. Mr Batze questioned what would happen to that drain line.
• Mr Batze reiterated that the requirements of the original Development Agreement for the subject property should be met and should not be changed.

**Mike and Angela Phillips of 17225 11th Ave N, Nampa – opposed:**
• Mr Phillips stated they owned the property immediately to the east of the proposed development.
• Although they had known development would happen, they were concerned because they run a farm on their property with farm animals, including cows, horses, chickens, roosters, and the calves bawl for about 2 weeks after separation from their mothers.
• Additionally, they burn on the property, they shoot firearms, and the dust, so they did not want the people in the proposed development to call and complain.
• Mr Phillips requested there be something in writing protecting his right to farm.
• The fence line for his property, continued Mr Phillips, had been located on the west side of the drain for 35 years and noted the discussion regarding deeding the property for a pathway that could create problems with trespassing, vandalism and theft.
• Mr Phillips referred to the two proposed entrances to the development, with one to the north and one to the south of his property and considered with 245 homes there would generate approximately 500 cars.
• According to Mr Phillips he was aware of the existing traffic problem in the area and suggested the increased traffic would create more of a problem.
• Mr Phillips further discussed the impact on the roads and traffic from the proposed development and stated the existing infrastructure was not working and should be improved before development of the subdivisions.
• In response to a question from Kehoe, Mr Phillips pointed out the location of his property, his brother in law’s property, father in law’s property and the 10 acres of alfalfa, in all comprising about 20 acres farmed by the family members.

**Jeff Sliman of 17355 11th Ave N, Nampa – opposed:**
• Mr Sliman voiced concern regarding the fact the developer would be responsible for constructing sidewalks along the main road and the fact 245 homes would create a lot of pedestrian traffic and yet the developer would only be responsible for placing approximately 200 ft of sidewalk along 11th Ave N.
• There were joggers going down 11th Ave N, added Mr Sliman, all hours of the day and there were no sidewalks or road shoulder, and the increase in pedestrians from the proposed development that would be jogging on his property because there were no sidewalks.
• Mr Sliman inquired what uses and buildings would be going into the commercial area to the south of the residential development.
• Mr Sliman questioned why there was not a road going out on to Cherry Ln from the proposed development.
• There would be school bus stops for all the children, continued Mr Sliman, but there would be no lighting or sidewalks on 11th Ave N.
• The Traffic Impact Study was questioned by Mr Sliman because there would be a lot more traffic on Cherry Ln, but Ustick and 11th Ave N would be getting the roundabout.
• Mr Sliman reiterated comments regarding traffic issues.
• The Purdam Gulch Drain, reported Mr. Sliman, runs year-round and was fed by an aquifer and he questioned how the pathway would impact the wildlife.

**Dale Goodwin of 7382 Alpine Dr, Nampa – opposed but did not wish to speak.**
• A letter of opposition dated October 21, 2019 was received from Mr Goodwin.

**Mike Tolman of Nampa – no address given – did not wish to speak.**
• Mr Tolman had sent an e-mail dated October 22, 2019 in opposition to the proposed Spring Shores Subdivision.

**City Engineer Badger:**
• Badger advised every Subdivision Plat in the State of Idaho was required to have a Notice on the Plat regarding the Right To Farm Act, stating the farming operation was there before the subdivision and would have the right to remain and operate in the manner it has always operated. That State Law, continued Badger had been enacted a number of years ago to protect farming operations in place prior to development.
• Badger discussed the Traffic Impact Study performed regarding items the developers would be required to mitigate:
  - The intersection of 11th Ave N and Ustick – and a condition placed on the development for an extraordinary Impact Fee for the developers' percentage of the necessary improvements.
  - Left turn lanes on 11th Ave N at the southern access to accommodate the traffic.
• Badger reported it was not known exactly why the uptick in accidents on the 11th Ave corridor between Cherry Ln and Ustick Rd occurred. Badger added there had been a significant increase in traffic accidents at those locations and that was the reason the 4-way stops were installed. Badger noted there did not appear to be any changes that would directly indicate the reason for the uptick in accidents. After the City had performed the warrant analysis, the 4-way stop sign at Cherry Ln and 11th Ave N was installed. In the long term the 11th Ave N/Cherry Ln intersection would be planned for a roundabout, but that intersection was not in the queue at the moment – but would be when funds become available.
• In response to a question from Kirkman regarding no shoulders on 11th Ave N between Cherry Ln and Ustick Rd, Badger replied that section of 11th Ave N was a standard two-lane rural section.
• Discussion followed regarding traffic issues in the area.
• Regarding water rights, Badger advised State Law required any historical drainage currently going through the development, would be required to still be delivered to its historical discharge.
• According to Badger, the pathway along the Purdam Gulch Drain was a requirement of the City as part of the Pathway Master Plan. The Purdam Drain is a drain, added Badger and not a supply canal or a ditch. Badger noted that as the City grows wildlife will likely be displaced and there was no protected wildlife in the area.

**Kent Brown:**
• Mr Brown noted the oversight on the plat regarding the lot sizes and concurred that the 12,000 sq ft lots would need to be located adjacent the Remington Subdivision, as called out in the Development Agreement, which would then reduce the density per acre down to the stipulated 3.00 units per acre.
• Although the original Development Agreement referred to 90 acres, advised Mr Brown, the current applicants only had control over a portion of that 90 acres, as indicated by the Preliminary Plat.
• The BC zoned area on the south end of the property, adjacent Cherry Ln, was a part of the annexation but not the Preliminary Plat before the Commission.
• Additionally, the 10.5-acre parcel owned by Michael Nutsch and farmed at the present time, had also been annexed and zoned RS-8.5 in 2006, and would also have to abide by the Development Agreement when developed.
• The Landscape Plan, continued Mr Brown, indicated wrought iron and vinyl fencing for the proposed subdivision.
• Mr Brown indicated Meriwether Subdivision to the northwest and reported the sewer would come down from Meriwether Subdivision to Spring Shores Subdivision to serve the development.
• According to Mr Brown, the same requirement for the pathway for Spring Shores Subdivision also applied to Meriwether Subdivision all the way out to N Franklin Blvd.
• In response to a question from Kirkman, Mr Brown reported the wrought iron fence would go along the pathways and open spaces, and the vinyl and privacy fence along property lines.

• Chairman McGrath referred to the letter to the Commission dated October 21, 2019 and the question regarding the Idaho Power easement along the southern boundary of the proposed subdivision.

• Mr Brown replied if there was an Idaho Power Easement of record, there would be a process to Vacate and remove the easement.

• Mr Brown indicated an older unused right-of-way to the northwest named Wilson Street that had been Vacated.

• Mr Brown suggested the wording regarding compliance with the 12,000 sq ft lot sizes and 3:00 dwelling units per acre density, should be retained, to be in compliance with the Development Agreement.

Kirkman motioned and Sellman seconded to close public hearing. Motion carried.

Watkins proposed revising Subdivision approval Condition No. 2 regarding the 12,000 sq ft lot requirement and 3:00 dwelling units per acre density requirement as required by the Development Agreement.

Sellman motioned and Garner seconded to approve the Preliminary Plat approval for Spring Shores Subdivision in an RS-8.5 zoning, for 74.64 acres located between Ustick Rd and Cherry Ln on the west side of 11th Ave N for Kent Brown representing Trilogy, Idaho, subject to:

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. Comply with items 4a and 4c in the Conditions of Approval, Exhibit ‘C’ from the Development Agreement recorded in Ordinance # 3568, which states:
   a. The average residential density for any subdivision development on the Property shall not exceed three (3) dwelling units per acre (calculated according the gross acreage of the development).
   b. The minimum allowable residential buildable lot size of proposed lots situated along a subdivision boundary adjoining any rural residential lots or parcels shall be 12,000 sq ft in size.

3. Indicate a top of foundation wall or a finish floor elevation on each lot on the final plat construction drawings.

4. Make necessary street name corrections as listed in memo.

5. Deed and dedicate 20’ from the top of bank along the south/southwest side of the Purdam Drain and construct pathway.

6. Developer shall dedicate an additional 25-feet of public right-of-way along 11th Ave N frontage for a total width of 50-feet from Section Line prior to approval of the first phase final plat.

7. Frontage road improvements along 11th Ave N shall be constructed in accordance with Nampa City Code Section 9-3-1.
   a. Developer shall be responsible to construct/fund the project triggered mitigation identified in the Traffic Impact Study, including:
   b. Ustick Road and 11th Avenue intersection – Add two lanes on the eastbound and westbound legs of Ustick Road roundabout. This shall be addressed as an extraordinary impact fee. The fee shall be based on the project's percentage of peak hour traffic contribution to the intersection at the Horizon Year as reflected in the TIS, which is approximately 5.5%. The Developer shall submit a conceptual roundabout layout and corresponding engineers cost estimate for determination of the fee to be reviewed and approved by the Nampa Engineering Division.
   c. South Access and 11th Avenue – Add northbound left-turn lane; to be constructed with the South Access.

8. Developer shall construct traffic calming measures (speed hump, cross gutters, bulb-outs, etc.) on the following streets:
   a. E Shields Drive
   b. Marble Springs Drive
   c. Silver Springs Drive
   d. Spring Shores Drive
9. Developer shall provide an internal stub street with utilities to the property at 17225 11th Ave N.
11. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to City services.
12. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of property development/redevelopment, and prior to connection to City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel and associated head-gate report from the irrigation district.
13. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer. Utility construction to include the following main lines based on the City’s Master Plans and utility system model analysis:
   a. 12” water main in 11th Ave N to be extended and looped back to the existing 12” main at the Cherry Lane intersection.
   b. 12” pressure irrigation main along in 11th Ave N to be extended and looped back to the existing 12” main in Cherry Lane located approximately 560-feet east of 11th Ave N.
14. Applicant shall provide an updated Geotechnical Report at the time of Final Plat submittal to include extended groundwater monitoring data and infiltration testing to support drainage facility design.
15. Developer shall obtain plan approval by Pioneer Irrigation District (PID) and the Bureau of Reclamation (BOR), including any associated license agreements for any work to take place along the Purdam Gulch Drain and Miller Lateral.
16. The water system for the Development shall be completely installed and able to deliver water prior to any Building Permits being issued within the development. The water shall be sufficient in volume and pressure to provide sufficient adequate fire suppression for the Development in accordance with Fire Department policy or International Fire Code requirements as applicable.
17. 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.

Motion carried with Garner Hutchings, Kirkman, Kropp, Sellman and Van Auker Jr in favor, and Kehoe opposed.

Chairman McGrath stated the decision on a Preliminary Plat can be Appealed to City Council within 15 days of the Planning Commission decision.

Public Hearing No. 4:
Modification of First Amendment to a Development Agreement between Nampa North, LLC and the City of Nampa recorded 12/29/2017 as Inst. No. 2017-056540 amending Exhibit “B” Conceptual Plan to: 1) allow a revised subdivision allowing for a mix of 4-plexes and single-family attached townhomes instead of the original mix of 4-plexes and commercial lots on the GB2 (Gateway Business 2) zoned parcel(s), and 2) amending Exhibit "C" Conditions of Approval as necessary; and Subdivision Plat Preliminary Approval for Lost River Townhomes on the north side of E. Cherry Lane east of Can-Ada Road (81 Single-Family Attached Townhome lots and 5 Four-plex lots - A 7.96 acre parcel of land being a portion of Government Lot 7 and a portion of the SE ¼ of the SW ¼ of Section 6, T3N, R1W, BM) for KM Engineering, LLP representing Nampa North LLC (DAMO 033-19, and SPP 048-19). – ACTION ITEM

Chairman McGrath proceeded to public hearing.

Kevin McCarthy with KM Engineering 9233 W State St, Boise – representing the applicant:
• Mr McCarthy reviewed the history of the project, annexed and zoned RS-8.5, with a Development Agreement and Concept Plan for a mix of commercial lots and 4-plexes in the GB-2 zoning district.
• The applicant was now requesting a Modification of that Development Agreement to allow a mix 4-plexes and single-family attached townhomes in the GB-2 zoned area.
• Market conditions reported Mr McCarthy had not supported commercial use at the subject location.
• The developers, therefore, would maintain the RS-8.5 zoning district to the north and the GB-2 zone on the south.
• In the new proposed Preliminary Plat, the GB-2 zone would have 81 single family attached townhomes and 5 4-plex lots, and no commercial lots.
• Mr McCarthy advised the applicants would also be requesting some waivers on the setbacks to accommodate the detached townhomes, and a Modification of the Development Agreement for the new plan.
• Mr McCarthy indicated the Preliminary Layout for the Lost River Townhomes, giving an increase of 29 residential units in the area.
• According to Mr McCarthy, the townhomes would be alley loaded, with the rear of the units facing the alley and the front facing the roadway and the utilities will be located in the alley.
• Each unit added Mr. McCarthy would have either a one or two car garage, plus a couple of parking spaces in the driveway.
• In the townhome area, continued Mr McCarthy would be some additional parking proposed in strategic locations. The 4-plex area would have a central shared parking area.
• Mr McCarthy noted each of the alleys and shared parking areas would be covered by a shared access and use agreement.
• Mr McCarthy discussed the reduced setbacks in order to accommodate the alley loaded townhome, the front setback from 15 to 10 ft and the interior side setbacks for the townhomes would be reduced from 5 ft to zero ft.
• Mr McCarthy stated the applicants were in agreement with the Staff Report.
• Kehoe inquired the price point for the proposed housing. Mr McCarthy stated he would check with his client.

Senior Planner Watkins:
- Watkins advised the recommendation from the Planning Commission would go on to City Council for the Modification of the Development Agreement.
- Watkins explained the decision on the Preliminary Plat would be made by the Planning Commission.
- The property, advised Watkins, was located on the north side of Cherry Ln and east of Idaho Center Blvd.
- The subject property had been zoned GB-2 (Gateway Business-2) and was surrounded by County and City residentially zoned properties.
- The Comprehensive Plan designation for the area, stated Watkins, was Community Mixed Use and the proposed development would be a perfect example of the Mixed Use intended for that area.
- Watkins reviewed the history of the subject property.
- City Council would be responsible for approving the requested waiver of setbacks, added Watkins.
- Watkins reported the subject property was located inside the City limits with a GB-2 zoning designation and the proposed uses would be allowed within that zone. The lot areas, width and depth all complied with the standards for the GB-2 zone.
- Watkins noted the Landscaping Plan had been revised and approved.
- Watkins reviewed the Staff Report and recommended conditions of approval.
- According to Watkins an e-mail had been received today regarding an update for the Traffic Impact Study to account for the change in land use and increase in residential units.
- In response to a question from Chairman McGrath, Watkins stated Staff was comfortable with the requested reduction in setbacks for the proposed type of townhouse development.

Chairman McGrath proceeded to public testimony.

Brian Thieme of 5820 Cherry Ln, Nampa – opposed:
- Mr Thieme stated his property was adjacent to the proposed development. The two lots immediately to the north of his property, added Mr Thieme, had originally been two large pie shaped flex-lots, and now the proposal was to jam in five 4-plexes.
• Those 4-plexes would be immediately north of his 1-acre parcel, and he was concerned those 4-plexes would be 15 ft off his back fence, really encroaching on his property and the neighbor’s property to the east.
• It appeared, continued Mr Thiemer, the drainage access road was now further south, and questioned why that had not been highlighted in the comparison of the two plats.
• Mr Thiemer suggested the 4-plex units could be moved north instead of so close to his fence so there would not be a wall of 4-plexes at his back fence. Mr Thiemer suggested the land was there to move the 4-plexes and it appeared there was an extra lot.

Mr McCarthy:
• Mr McCarthy responded to an earlier question and stated the townhomes would be in the low $200,000 price range.
• Mr McCarthy discussed the changes that had occurred on the property, including the pressurized irrigation station moved to another location, so the need for the larger lot was no longer there.
• The original Preliminary Plat for the residential area was approved for 121 lots and through the course of design they had to lose a few lots in order to accommodate storm water retention, etc, so there was a lot added at the end of the stub road, but the actual lot count was down to 118 residential lots.

Kehoe motioned and Sellman seconded to close public hearing. Motion carried.

Chairman McGrath noted the issue of the 4-plex lots adjacent the 1-acre property to the south.

• Badger advised the developers had indicated they would be willing to add a 5 ft additional buffer on the south property line adjacent Mr Thiemer’s property and the adjacent property to the east, which would move the proposed buildings 5 ft further away from the property line.
• The applicants had also indicated, added Badger, they were willing to emplace enhanced landscaping along that boundary.
• In response to a question from Garner, Mr McCarthy stated they would be 2-story 4-plexes.
• Kehoe inquired what type of fencing would be placed along that boundary.
• Badger referred to the Landscape Plan and indicated a 6 ft vinyl fence along the property line.
• Badger noted there would not be a requirement under Code for landscaping along the southern property line bordering the residential properties to the south, however, the developer stated they were willing to enhance the landscaping and a revised landscape plan could be provided prior to the City Council meeting.

Kehoe motioned and Miller seconded to recommend to City Council Modification of the Development Agreement between Nampa North, LLC and the city of Nampa recorded 12/29/2017 as Inst. No. 2017-056540, amending Exhibit “B” Conceptual Plan to: 1) permit a revised subdivision allowing for a mix of 4-plexes and single-family attached townhomes instead of the original mix of 4-plexes and commercial lots on the GB-2 zoned parcel(s), and 2) amending Exhibit “C” Conditions of Approval as necessary, subject to:
1. Provide a new Development Agreement document, to include RECITALS, CONDITIONS and EXHIBITS:
   a. Concept for development layout, density, etc,
   i. Show setback dimensions on the concept plan to indicate the setbacks for construction of the future four-plex buildings.
Motion carried.

Kehoe motioned and Hutchings seconded to approve the Preliminary Plat for Lost River Townhomes, located on the north side of Cherry Ln, east of Idaho Center Blvd, for KM Engineering representing Nampa North, LLC, subject to:
2. Place the four-plex structures 20 ft feet from the south property line, as identified on the concept plan recorded in the Development Agreement.
3. Provide enhanced landscaping along the southerly property line on the inside of the proposed six-foot fencing on the lot that includes the four-plex buildings.
4. Provide revised street names as per memo from Alex Main.
5. Provide top of foundation wall or finish floor elevation, on the construction plans prior to final plat approval;
6. Project is subject to all comments and conditions from the original Preliminary Plat application (SPP-00012-2017).
7. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of property development/redevelopment, and prior to connection to City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel and associated head-gate report from the irrigation district.
8. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and at the sole expense of the Developer.
9. The required regional surface water irrigation pump station shall be fully operational prior to the City Engineer signature of the Final Plat
10. The Development CC&R’s shall be reviewed by the Nampa Engineering Division for approval prior to the City Engineer signature of the Final Plat. The CC&R’s shall be referenced by note on the face of the Final Plat and recorded concurrent with the plat. The CC&R’s shall include language indicating:
   a. The City has the right to shut down all irrigation supply to the development if any property owner refuses to pay their irrigation assessment. The HOA shall be responsible to ensure compliance with property owner payment of irrigation assessments to the City.
   b. Maintenance responsibility all common access, parking, landscaping, irrigation, and drainage facilities.
11. Provide a shared access agreement for the entire site;
12. Notes Correction(s): Developer’s engineer shall correct any spelling, grammar, punctuation and/or numbering type errors that may be evident on the plat face and/or in the proposed plat development notes.
13. Any exceptions to City adopted subdivision design standards shall/will require separate design [exception] approval from the City Council

Motion carried.

Chairman McGrath stated action on a Preliminary Plat by the Planning and Zoning Commission can be Appealed to City Council, within 15 days of the Planning and Zoning Commission decision.

Public Hearing No. 5:
Zoning Map Amendment from RS6 (Single Family Residential – 6,000 sq. ft.) to RP (Residential Professional) at 1324 11th Ave. So. (A .24 acre or 10,500 sq. ft. part of the SE ¼ of the NE ¼ of Section 28, Township 3 North, Range 2 West, BM being all of Lot 12, and the and the SW ½ of Lot 11, Block 65, Waterhouse Addition) for Dena and Jason Baker for a Legal Office (ZMA 112-19). – ACTION ITEM

Chairman McGrath proceeded to public hearing.

Dena Baker of 1324 11th Ave S, Nampa – the applicant:
• Ms Baker stated she and her husband were currently residing on the subject property and wanted to operate her law practice out of the same property.
• Ms Baker advised they planned to continue living on the property as their primary residence.
• According to Ms Baker she had been a practicing attorney in the area for approximately 22 years and was currently forming a new partnership with a colleague, Matthew Williams, and together they had formed a new firm known as Williams and Moore to operate out of the subject property.
• The intent was to keep the operation small, and noted the law firm would consist of herself, Mr Williams and anticipate no more than two to three staff members at most, one of which would be her daughter as receptionist.
• Ms Baker advised there would be no more than 10 people on site at any time, and probably between 6 to 8.
• Ms Baker indicated the commercial properties on the east side of the alley, as well as to the northeast and southeast. The Hasbrouck House was directly to the southeast, across 14th St S, added Ms Baker.
• It would seem to be a natural transition, suggested Ms Baker, to go from the Commercial property between the alley and 12th Ave S, and a Residential Professional zoned law office in between.
• Kehoe inquired what percentage of the house would be used for the law office.
• Ms Baker replied approximately two thirds of the building would be used for the law office.
• The structure, added Ms Baker, was three stories and she and her husband were currently residing in the basement. On the main level was a separate room that would be a small conference room and then a large conference room, and a reception area. Upstairs there would be three offices, two of which would be attorney offices, a paralegal office, and one room that would be made into a staff lounge.
• Ms Baker estimated the office portion would be between half to two thirds of the structure.
• Sellman inquired about the parking for the subject property.
• Ms Baker replied there were a number of parking spaces on site already, but if more parking was required there could be five or six parking spaces placed off of 14th St S, on the side of the property with a sidewalk running from the parking spaces to the front of the building.
• Additionally, stated Ms Baker there could be an additional four to six parking spaces off the alley.

Planning Director Holm:
• Holm reported the .42 acre parcel was located within an RS-6 (Single Family Residential – 6000 sq ft minimum lot size) zoning district, with the RP (Residential Professional) zoning district to the east across the alley, therefore, the applicants were requesting for the extension of the RP zoning for the subject property.
• The property was within a Medium Density Residential Comprehensive Plan designation, with General Commercial on the east side of the alley.
• Holm noted the two locations to the north where the BC zoning had crossed over the alley to the 11th Ave S side – the old Rite Aid store (prior to that was Roosevelt School) between 12th Ave S and 11th Ave S and 12th St S and 13th St S, and further north the Albertsons Store and adjacent lots.
• According to Holm, no comments had been received from neighboring property owners.
• The issue had been raised, added Holm, regarding the impact on the residential area on 11th Ave S and if it was an encroachment on the Old Nampa Neighborhood District by allowing the Rezone to happen.
• Holm noted 11th Ave S was already a fairly busy street.
• According to Holm, a Development Agreement could be required for the subject property in order to restrict the more intensive uses for the parcel.
• Holm reviewed the Staff Report and recommended conditions of approval.
• Holm responded to a question from Kehoe and stated the use of the entire building for an office would be a permitted use in the RP zoning district.
• In response to a question from Kehoe, Holm reported every neighbor within 300 ft of the subject property would have received notice of the requested Rezone and the date of the public hearing.
• Discussion followed regarding the subject property being located on the boundary of the Old Nampa Neighborhood District.

Chairman McGrath proceeded to public testimony.
No public comment forthcoming.

Sellman motioned and Garner seconded to close public hearing. Motion carried.

• Chairman McGrath noted the BC zoned properties extending across the alley to 11th Ave S had their businesses facing 12th Ave S. Chairman McGrath voiced concern with the integrity of the neighborhood and spot zoning.
• The alley, added Chairman McGrath had served as a natural buffer between the business zoned properties on 12th Ave S and the residential zoned properties on 11th Ave S.
• Van Auker, Jr considered if the proposed use was for a more intensive use than a legal office he would be concerned but given the proposed use it would not be that much of an impact for the neighboring residential uses.

Van Auker, Jr motioned and Sellman seconded to recommend to City Council the Zoning Map Amendment from RS-6 to RP for the property located at 1324 11th Ave S, for a legal office, for Dena and Jason Baker, subject to:
1. Establishment of a Development Agreement to prohibit any of the otherwise allowed RP zone permitted uses determined by the Commission not to be compatible with the adjoining single-family residential land uses, as well as prohibiting all otherwise allowed Conditional Uses in the RP Zone
2. The Building Department requires permits and will require the house be converted from residential to commercial for the office with all ADA requirements (ramp, doorways, restrooms, parking, accessible route, etc.).

Motion carried.

Meeting adjourned at 10:20 p.m.

Norman L Holm, Planning Director

:sm
PLANNING & ZONING DEPARTMENT

Before the Planning & Zoning Commission
Meeting of 12 NOVEMBER 2019

BUSINESS ITEM NO. 1
STAFF REPORT

Applicant(s)/Engineer(s):
Challenger Development as Applicant/Developer, Bailey/Idaho Survey/Kent Brown Planning as Engineer(s)/Surveyor(s)/Planner
Owner: Viper Investments
File(s): SPF-000108-2019
Analyst: Rodney Ashby, AICP

Requested Action Approval(s) and Location(s):

1. Final plat approval for:
   Fall Creek Subdivision No. 4 (hereinafter the "Development"; alternatively, "Fall Creek No. 4" or the "Project")

Comprising 18.75 acres proposed to be platted into sixty-four (64) buildable and nine (9) common lots all located in a RS 7 Zoned area located in a portion of Government Lot 2 and a portion of the SW ¼ of the NE ¼ of Section 3, T3N, R2W, BM, Nampa, Canyon County, Idaho, east of and abutting Madison Rd., ¾ mile south of Ustick Rd.

Relevant Preliminary Plat Conditions:
- The Developer/Development shall dedicate such right-of-way as may be deemed yet required by the City Engineer for the purpose of facilitating widening of Madison Road where such right-of-way abuts the Project.
- Development shall propose new, unique street names to Engineering.
- Fall Creek St should not be classified as a Collector.
- Improvements required to the roadway network around/through the Project shall be executed in compliance with the suggestions/requirements listed in the Traffic Impact Study submitted to the City save as required otherwise by the City's Engineering Division and Paragon Consulting Inc. per their letter of Jan 20, 2015 to Dan Badger
- Use different trees than the Red Sunset Maples originally proposed, and consider substituting Deodora Cedar with another variety.
- Subdivision shall include an area at the entrances for students to safely wait for buses. Approximately 20 feet back off the road, a large enough area for 20-30 students, and well lighted.

**CORRESPONDENCE**

Any correspondence from City departments/divisions and outside agencies or the citizenry is hereafter attached to this document. The following is a summary of that correspondence.

**Nampa Engineering Division**
- Plat Comments
  - N Harpster Pl should be E Harpster Ct.
  - Check Block #’s against the recorded Phase 1 and 2 plats. Also confirm Phase 3 Block #’s are correct prior to recording. It seems that Block 13 should be Block 8, and Block 11 should be Block 7 based on the Phase 1 and 2 plats. Note that a change in Block # will subsequent Block # sequence.
  - Fix any text errors and conflicts.
  - The Developer’s Surveyor shall address all Final Plat comments prior to City Engineer signature of the plat.
- Developer’s Engineer shall address all Construction Drawing and Drainage Report comments identified in the “Fall Creek Subdivision #4 – Construction Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division prior to construction drawing approval.
- 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.
- Developer shall provide documentation of plan review/approval from Pioneer Irrigation District prior to construction drawing approval for proposed tiling of the unnamed drain. Provide copies of any executed license agreement(s) prior to City Engineer signature of the plat.
- Developer shall provide documentation of Nampa Highway District No. 1 review of plans prior to construction drawing approval for improvements within Madison Road right-of-way. Developer is responsible to obtain required encroachment permit from the Highway District prior to start of work within the right-of-way.

**Nampa Parks and City Forester**
No requests

**Pioneer Irrigation District**
If any encroachment or modification to the existing 9.8 South Branch Lateral, written permission must be obtained by Pioneer Irrigation District. The Purdam Drain is a Bureau of Reclamation facility, with a 110 foot right of way.

**Building Department**
This subdivision has high ground water and will require proper backfilling and water proofing of foundation walls, this is critical to prevent water from entering crawlspace. Building Department will take action in plan review to ensure this is addressed.
Nampa Highway District #1
No objection

Planning & Zoning Landscaping
The landscape plan substantially conforms to the subdivision ordinance as well as Title 10 Chapter 33 Corridor Beautification and Landscaping.

STAFF ANALYSIS

The proposed final plat appears to substantially comply with the conditions identified in the attached Modified Development Agreement.

As noted in the approval letter for the preliminary plat, a condition was placed on the development to include a well-lighted area for 20-30 students to gather for bus pick-up at the entrances to the subdivision and set back from the road by at least twenty feet (20'). The final plat does not appear to show this gathering area.

Comments/Recommendation(s):
Staff finds that with the changes requested under "Correspondence," and with an addition of a bus stop for students as described above, the proposed subdivision final plat of/for Fall Creek Subdivision No. 4 conforms, or substantially conforms within acceptable limits, to the approved preliminary plat of/for Fall Creek Subdivision, and, complies with relevant RS 7 zoning codes and City of Nampa subdivision standards related 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 Fall Creek Subdivision No. 4 be approved, contingent on Applicant/Developer/Development compliance with various Conditions of Approval as listed hereafter....

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. Generally, Applicant/Development shall:
   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 appertaining to the approved preliminary plat of/for Pheasant Meadows Subdivision.
More specifically, comply with requirements/conditions listed in the following item(s) of correspondence (unless waived and/or later amended by the agency providing the comments):

2. Specifically:
   a. All comments identified from “Nampa Engineering Division” under the “Correspondence” section of this report.
   b. If any encroachment or modification to the existing 9.8 South Branch Lateral, written permission must be obtained by Pioneer Irrigation District.
   c. Applicant/Development shall modify the final plat to show a gathering area for students waiting for the bus near the entrance to the subdivision and as described under “Staff Analysis”

2. 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,

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

**ATTACHMENTS**

- Application
- Zoning/Vicinity Map
- Copy of Final Plat (reduced from original size)
- Copy of Landscape Plan (reduced from original size)
- Copy of Preliminary Plat (reduced from original size) for contextual reference
- Copy of Ordinance No. 4177 – Modified Development Agreement
- Copies of agency response letters
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

Name of Subdivision
FALL CREEK SUBDIVISION NO 4

Location of Subdivision

Owner
VIPER INVESTMENTS
Address
1977 E OVERLAND ROAD
Phone
208-895-8858
FAX
E-Mail
SHAWN@TRILOGYIDAHO.COM

Applicant
CHALLENGER DEVELOPMENT
Address
1977 E OVERLAND ROAD MERIDIAN ID 83642
Phone
208-895-8858
FAX
E-Mail
SHAWN@TRILOGYIDAHO.COM

Engineer/Surveyor/Planner
BAILEY/IDAHO SURVEY/KENT BROWN PLANNING
Address
3161 E SPRINGWOOD DR MERIDIAN ID 83642
Phone
208-871-6842
FAX
E-Mail
KENTLKB@GMAIL.COM

FINAL PLAT INFORMATION

Total Acreage 18.75
Total Number of Lots: 73 Buildable: 64 Common: 9
Gross Density per Acre: 3.41 (Number of units per acre of total land to be developed
Net Density per Acre: 4.72 (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

**********************************************************

2015 Engineering Division Development Policy Manual
Rev. Date: February 17, 2015
September 17, 2019

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

RE: Final Plat for Fall Creek Subdivision No 4

Dear Commission and Council:

On behalf of Challenger Development, please accept our request for Final Plat Approval of the fourth phase of Fall Creek Subdivision. Fall Creek development is located, on the south east corner of Ustick Road and Madison Road. This phase is for 64 single-family lots and 9 common area lots on 18.75 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
CERTIFICATE OF OWNERS

Know all men by these presents: That Challenger Development, Inc. an Idaho Corporation is the owner of the property described as follows:

A portion of Government Lot 2 and a portion of the SW 1/4 of the NE 1/4 of Section 7, T.3N., R.2W., B.M., Nampa, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the SW corner of said Government Lot 2 from which the N1/4 corner of said Section 3 bears North 00°25'18" East, 1328.07 feet;

hence along the South boundary line of said Government Lot 2 South 89°28'41" East, 427.30 feet;

hence leaving said South boundary line North 28°31'14" West, 168.30 feet;

hence North 01°18'31" East, 163.17 feet to an angle point on the exterior boundary line of Fall Creek Subdivision No. 3 as filed in Book of Plats at Page records of Canyon County, Idaho;

hence along the exterior boundary line of said Fall Creek Subdivision No. 3 the following 11 courses and distances:

- thence South 08°47'02" East, 116.09 feet;
- thence South 01°17'07" West, 29.75 feet;
- thence South 08°21'37" East, 239.04 feet;
- thence South 02°37'08" East, 72.71 feet;
- thence South 02°26'18" West, 270.00 feet;
- thence South 05°48'22" West, 50.31 feet;
- thence South 35°36'14" East, 34.36 feet;
- thence South 09°28'19" West, 71.72 feet;
- thence South 00°33'45" East, 102.00 feet;
- thence South 00°28'15" West, 2.78 feet;

hence South 89°33'45" East, 173.00 feet to a point on the exterior boundary line of Fall Creek Subdivision No. 2 as filed in Book 47 of Plats at Page 45, records of Canyon County, Idaho;

hence along the exterior boundary line of said Fall Creek Subdivision No. 2 the following 3 courses and distances:

- thence South 00°25'15" West, 408.94 feet;
- thence South 09°27'09" East, 25.00 feet;
- thence South 00°28'15" West, 117.00 feet;

hence continuing along the exterior boundary line of said Fall Creek Subdivision No. 2 and the westly extension thereof North 89°33'45" West, 531.04 feet;

- thence North 00°25'18" East, 95.14 feet;
- thence North 08°34'42" West, 56.90 feet;
- thence 12.36 feet along the arc of a non-tangent curve to the right, said curve having a radius of 128.00 feet, a central angle of 08°31'16" and a long chord which bears North 03°11'16" East, 12.36 feet;
- thence North 08°34'42" West, 117.60 feet;
- thence South 00°25'18" West, 99.44 feet;
- thence North 08°34'42" West, 117.00 feet;
- thence South 00°25'18" West, 94.73 feet;
- thence North 08°34'42" West, 239.00 feet to a point on the North-South centerline of said Section 3;

hence along said North-South centerline North 00°25'18" East, 800.49 feet to the POINT OF BEGINNING. Containing 18.75 acres, more or less.

It is the intention of the undersigned to hereby include the above described property in this plat and to dedicate to the public, the public streets as shown on this plat. The easements as shown on this plat are not dedicated to the public.

However, the right to use said easements is hereby perpetually reserved for public utility and such other uses as designated within this plat, and no permanent structures are to be erected within the lines of said easements. All lots in this plat will be eligible to receive water service from an existing City of Nampa main line located adjacent to the subject subdivision, and City of Nampa has agreed in writing to serve all the lots in this subdivision.

Challenger Development, Inc. an Idaho Corporation

Corey D. Barton, President

CERTIFICATE OF SURVEYOR

I, Gregory G. Carter, do hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho, and that this plat as described in the "Certificate of Owners" was drawn from an actual survey made on the ground under my direct supervision and accurately represents the points platted thereon, and is in conformity with the State of Idaho Code relating to plats and surveys.

Gregory G. Carter
P.L.S. No. 7729

ACKNOWLEDGMENT

State of Idaho

On the day of 20_, before me, the undersigned, a Notary Public in and for said State, personally appeared Corey D. Barton, known or identified to me to be the President of Challenger Development, Inc., an Idaho Corporation, the corporation which executed the within instrument and acknowledged to me that he executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My commission expires

Notary Public for Idaho
Residing in _ Idaho

ROCK PAGE

Bailey Engineering, Inc.
CIVIL ENGINEERING PLANNING CADD
1103 S. 4TH STREET SUITE 200
Nampa, ID 83686
www.baileyeng.com

Page 11
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 since 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 50-1306, 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

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

CERTIFICATE OF COUNTY SURVEYOR

I, the undersigned, Professional Land Surveyor for Canyon County, Idaho, hereby certify that I have examined this plat and that it complies with the requirements of Idaho State Code, 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

Bailey Engineering, Inc.
LANDSCAPE PLAN

LEGEND:

LAWN AREA - Chert Turf Type Tall Fescue
SEEDED NATIVE GRASSES - (SEE NOTED)
6' HT. SOLID ALUMINUM VINYL FENCING (SEE DETAILS)
8' HT. SOLID WOODEN FENCING (SEE DETAILS)
4' HT. SOLID WOODEN FENCING (FREE DETAILS)

GENERAL LANDSCAPE NOTES

1. NO TREES SHALL BE PLANTED WITHIN 8 FT. 6 IN. (2.5 M) OF ALL EXISTING STRUCTURES OR ADJACENT PROPERTIES.
2. IMPERVIOUS SURFACES MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE SEwer SYSTEM.
3. ALL TREES TO BE PLANTED A MINIMUM OF 6 FT. (1.8 M) IN HEIGHT BEHIND THE PERIMETER FENCING.

SEE SHEETS L1.0 FOR THE OVERALL SITE PLAN AND L2.0 FOR LANDSCAPE DETAILS

L1.5
ORDINANCE NO. 4177

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL, CHANGING THE ZONING DESIGNATION SO AS TO REZONE CERTAIN REAL PROPERTY LOCATED IN FALL CREEK SUBDIVISION, COMMONLY KNOWN AS 17660 AND 17862 MADISON ROAD, FROM RS 8.5 (SINGLE FAMILY RESIDENTIAL) TO RS 7 (SINGLE FAMILY RESIDENTIAL), AND TO MODIFY THE ANNEXATION & ZONING DEVELOPMENT AGREEMENT TO WHICH SAID PROPERTY IS SUBJECT, DESCRIBED IN ORDINANCE NO. 3611 AND RECORDED AS INSTRUMENT NO. 200674064, RECORDS OF CANYON COUNTY, IDAHO; DIRECTING THE CITY PLANNING DIRECTOR TO ALTER THE USE AND AREA MAP ACCORDINGLY; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH.

WHEREAS, all required public hearings have been held on rezoning certain real property located in Fall Creek Subdivision, in Nampa, Idaho, specifically those parcels commonly known as 17660 and 17682 Madison Road, Nampa, Idaho, from RS 8.5 (Single Family Residential – with a “required property area” of at least 8,500 square feet) to RS 7 (Single Family Residential – with a “required property area” of at least 7,000 square feet), and to modify the Annexation & Zoning Development Agreement to which said property is subject, which agreement is described in Ordinance No. 3611, recorded as Instrument No. 200674064, records of Canyon County, Idaho;

WHEREAS, it is deemed to be in the best interests of the City of Nampa to so modify the above-identified Annexation and Zoning Development Agreement.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Nampa, County of Canyon, State of Idaho:

Section 1. That a certain portion of Fall Creek Subdivision, in Nampa, Idaho, specifically those parcels commonly known as 17660 and 17682 Madison Road, Nampa, Idaho, be, and the same hereby are, REZONED from RS 8.5 (Single Family Residential – with a “required property area” of at least 8,500 square feet) to RS 7 (Single Family Residential – with a “required property area” of at least 7,000 square feet), which property is more particularly described as follows:

See Exhibit “A,” attached hereto and made a part hereof by this reference.

Section 2. That the Annexation and Zoning Development Agreement for said property, described in Ordinance No. 3611, recorded as Instrument No. 200674064, records of Canyon County, Idaho, is hereby modified as set forth in that certain “AMENDMENT TO DEVELOPMENT AGREEMENT,” marked as Exhibit “B,” attached hereto and made a part hereof by this reference.
Section 3. This ordinance shall be in full force and effect from and after its passage, approval, and publication, according to law.

Section 4. This ordinance is hereby declared to be severable. If any portion of this ordinance is declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purposes of the ordinance before the declaration of partial invalidity.

Section 5. All ordinances, resolutions, orders and parts thereof in conflict herewith are repealed.


APPROVED BY THE MAYOR OF THE CITY OF NAMPA, IDAHO, THIS 18TH DAY OF MAY, 2015.

Approved: Mayor Robert L. Henry

Attest: City Clerk or Deputy
State of Idaho  
Canyon County  

On this 18th day of May, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert L. Henry and Deborah L. Bishop known to be the Mayor and City Clerk of the City of Nampa, Idaho, a municipal corporation, who executed the foregoing instrument.

In Witness Thereof, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.

Doris J. Hayward-Roland  
Residing at: Nampa, Canyon County, Idaho  
My Commission Expires: 08/15/2019
EXHIBIT "A"
Legal Description

Project No. 14-160
November 12, 2014

Proposed Fall Creek Subdivision

That portion of Government Lot 2 lying southerly of the Purdam Drain, and a portion of the SW 1/4 of the NE 1/4 of Section 3, T.3N., R.2W., B.M., Canyon County, Idaho, more particularly described as follows: Commencing at the North 1/4 corner of said Section 3, from which the Northeast corner of said Section bears South 89°30’18” East, 2649.17 feet;

Thence South 89°30’18” East, 42.88 feet to a point in the center of said Purdam Drain;

Thence along the center of said drain South 48°40’27” East, 76.47 feet to the REAL POINT OF BEGINNING;

Thence continuing along the center of said drain South 48°40’27” East, 18.33 feet

Thence 135.79 feet along the arc of a curve to the left, having a radius of 188.31, a central angle of 41°19’00”, and a long chord bearing South 69°19’57” East, 132.87 feet;

Thence South 89°59’27” East, 244.58 feet;

Thence South 89°21’37” East, 192.89 feet;

Thence South 89°00’19” East, 192.09 feet;

Thence 92.31 feet along the arc of a curve to the right, having a radius of 199.25 feet, a central angle of 26°32’42”, and a long chord bearing South 75°43’59” East, 91.49 feet;

Thence South 62°27’38” East, 189.27 feet;

Thence South 62°07’23” East, 148.77 feet;

Thence South 66°17’51” East, 72.31 feet to a point on the East line of said Government Lot 2;

Thence South 00°26’04” West, 1015.66 feet to the NE 1/16 corner of said Section 3, lying on the West boundary of Astoria Park No. 2 Subdivision, as same is recorded in Book 33 of Plats at Page 20, records of Canyon County, Idaho;

Thence along said West boundary and the West boundary of Astoria Park Subdivision, as same is recorded in Book 32 of Plats at Page 42, records of Canyon County, Idaho, South 00°26’15” West, 1323.42 feet to the C-E 1/16 corner;

Thence along the East-West mid-section line and along the North boundary of Colter Bay Subdivision No. 3, as same is recorded in Book 36 of Plats at Page 30, records of Canyon County.
County, Idaho, North 89°27'59" West, 1283.88 feet to a point on the East right-of-way line of Madison Road;

Thence along said East right-of-way line North 00°25’18” East, 1322.78 feet to a point on the South line of said Government Lot 2;

Thence along the South line of said Government Lot 2 South 89°29’41” East, 387.30 feet;

Thence departing said South line North 38°31’48” West, 168.30 feet;

Thence North 1°18’31” East, 501.32 feet;

Thence North 74°00’20” West, 143.39 feet;

Thence 69.70 feet along the arc of a curve to the left, having a radius of 232.95 feet, a central angle of 17°08’32”, and a long chord bearing North 82°34’36” West, 69.44 feet;

Thence South 88°51’08” West, 82.24 feet to a point on East right-of-way line of Madison Road;

Thence along said East right-of-way line North 00°25’18” East, 601.79 feet to a point on the South right-of-way line of Ustick Road;

Thence along said South right-of-way line South 89°30’18” East, 60.68 feet the REAL POINT OF BEGINNING. Containing 69.65 acres, more or less.

Prepared By:
Idaho Survey Group, P.C.

Gregory G. Carter, PLS
REZONE FROM RS 8.5 (SINGLE FAMILY RESIDENTIAL - 8,000 SQ FT) TO RS 7 (SINGLE FAMILY RESIDENTIAL 7,000 SQ FT). MODIFICATION OF ANNEXATION AND ZONING DEVELOPMENT AGREEMENT BETWEEN CENTENNIAL DEVELOPMENT, LLC AND THE CITY OF NAMPA RECORDED 9/12/06 AS INSTRUMENT NO. 200647064, TO ALLOW FOR THE REZONE, AND PRELIMINARY PLAT APPROVAL FOR FALL CREEK SUBDIVISION AT 17660 AND 17862 MADISON RD (A PORTION OF THE W 1/4 NE 1/4 SECTION 3, T3N, R2W, BM - 254 SINGLE FAMILY DWELLINGS ON 71.50 ACRES FOR 3.55 LOTS/ACRE) ALL FOR NORTHSIDE MANAGEMENT/CENTENNIAL DEVELOPMENT LLC PROJECT # REZ 1865-14, ANN 1866-14 & SUB 635-14.
AMENDMENT TO DEVELOPMENT AGREEMENT

This Amendment to Development Agreement (the “Amendment”) is entered into this 12 day of March, 2015 (the “Effective Date”) by and between the City of Nampa, a municipal corporation (the “City”) and Centennial Development, LLC hereinafter referred to as “Owner(s)/Developer(s)

RECITALS

The City and a Developer, Centennial Development, LLC, entered into that certain Development Agreement (the [original] “Agreement”) dated 05 September 2006 and recorded in the records of Canyon County, Idaho as Instrument No. 200674064, Ordinance 3611.

The Agreement was made in reference to the potential development of certain real property legally described in Exhibit A to the Agreement (the “Property”).

The City and Centennial Development, LLC as parties to this Amendment, wish, and mutually consent, to amend the original Agreement by executing a Development Agreement Modification (hereinafter the “Amendment”) as set forth herein.

AMENDMENT

NOW, THEREFORE, for good and valuable consideration, including the covenants contained herein, the parties agree as follows:

1. Defined Terms. Except as set forth herein, the defined terms used in the original Agreement shall have the same meaning in this Amendment.

2. Development Agreement Recitals. The RECITALS section of the [original] Agreement is, and shall be, hereby amended to read, and require, as follows:

RECITALS

A. Owner(s)/Developer(s) is the owner of approximately 71.50 acres of land legally described in Exhibit “A” attached hereto and made a part hereof (the “Property”).

B. Owner(s)/Developer(s) applied to City on 08 December 2014 (the “date of application”) for rezoning of the Property zoned RS 8.5 (Single-Family Residential, 8,500 sq. ft. min. lot size) to RS 7 (Single-Family Residential, 7,000 sq. ft. min. lot size) in anticipation of the development and construction of a residential housing subdivision (the “Project”) containing 254 buildable and 17 common lots versus the density and lot type composition of the original 2006 Project plat.
C. City, pursuant to Sections 10-2-3, 10-2-5 of Nampa City Code, and, Idaho Code Section 67-6511A, has the authority to rezone the Property and enter into a [modified] Development Agreement for the purpose of allowing, by agreement, a specific development to proceed in a specific area and for specific purposes and/or uses that are appropriate in the area.

D. City’s Planning and Zoning Commission and City’s City Council have held public hearings as prescribed by law with respect to the rezoning and development of the Property and this Agreement. City originally approved the requested rezoning of the Property to RS 8.5 subject to the terms and commitments contained in the original Agreement.

E. City, pursuant to Sections 10-2-3 and 10-2-5 of Nampa City Code, and, Idaho Code Section 67-6511A, has subsequently authorized rezoning of the Property to RS7. (Correspondingly, and by association, the City has also [thereby] authorized this Amendment.)

3. Exhibit(s) “B”. Exhibits B (pages 1-5) of this Amendment is a Concept Plan (labeled as “NEW FALL CREEK CONCEPT PLAN/PLAT”) depicting a new subdivision plat layout featuring revised building lot sizes, dimensions and street layout. The parties agree that the original subdivision concept plan (labeled as Exhibit “B” CONCEPTUAL PLAN) in the [original] Agreement shall be replaced by Exhibit “B-1” NEW FALL CREEK CONCEPT PLAN/PLAT (hereto attached) in accordance with the provisions, terms and limitations of this Amendment.

4. Exhibit “C”. Exhibit “C” (CONDITIONS OF APPROVAL) of the original Agreement are, and shall be, hereby amended to read, and require, as iterated in the new Exhibit “C” NEW FALL CREEK CONDITIONS attached hereafter.

5. Continued Effectiveness of Terms of Agreement. Except as provided in this Amendment, the [original] terms and conditions of the Agreement shall remain in full force and effect.
EXHIBIT "A"
Legal Description

Project No. 14-160

November 12, 2014

Proposed Fall Creek Subdivision

That portion of Government Lot 2 lying southerly of the Purdam Drain, and a portion of the SW 1/4 of the NE 1/4 of Section 3, T.3N., R.2W., B.M., Canyon County, Idaho, more particularly described as follows: Commencing at the North 1/4 corner of said Section 3, from which the Northeast corner of said Section bears South 89°30'18" East, 2649.17 feet;

Thence South 89°30'18" East, 42.88 feet to a point in the center of said Purdam Drain;

Thence along the center of said drain South 48°40'27" East, 76.47 feet to the REAL POINT OF BEGINNING;

Thence continuing along the center of said drain South 48°40'27" East, 18.33 feet

Thence 135.79 feet along the arc of a curve to the left, having a radius of 188.31, a central angle of 41°19'00", and a long chord bearing South 69°19'57" East, 132.87 feet;

Thence South 89°59'27" East, 244.58 feet;

Thence South 89°21'37" East, 192.89 feet;

Thence South 89°00'19" East, 192.09 feet;

Thence 92.31 feet along the arc of a curve to the right, having a radius of 199.25 feet, a central angle of 26°32'42", and a long chord bearing South 75°43'59" East, 91.49 feet;

Thence South 62°27'38" East, 189.27 feet;

Thence South 62°07'23" East, 148.77 feet;

Thence South 66°17'51" East, 72.31 feet to a point on the East line of said Government Lot 2;

Thence South 00°26'04" West, 1015.66 feet to the NE 1/16 corner of said Section 3, lying on the West boundary of Astoria Park No. 2 Subdivision, as same is recorded in Book 33 of Plats at Page 20, records of Canyon County, Idaho;

Thence along said West boundary and the West boundary of Astoria Park Subdivision, as same is recorded in Book 32 of Plats at Page 42, records of Canyon County, Idaho, South 00°26'15" West, 1323.42 feet to the C-E 1/16 corner;

Thence along the East-West mid-section line and along the North boundary of Colter Bay Subdivision No. 3, as same is recorded in Book 36 of Plats at Page 30, records of Canyon
County, Idaho, North 89°27'59" West, 1283.88 feet to a point on the East right-of-way line of Madison Road;

Thence along said East right-of-way line North 00°25’18” East, 1322.78 feet to a point on the South line of said Government Lot 2;

Thence along the South line of said Government Lot 2 South 89°29’41” East, 387.30 feet;

Thence departing said South line North 38°31’48” West, 168.30 feet;

Thence North 1°18’31” East, 501.32 feet;

Thence North 74°00’20” West, 143.39 feet;

Thence 69.70 feet along the arc of a curve to the left, having a radius of 232.95 feet, a central angle of 17°08’32”, and a long chord bearing North 82°34’36” West, 69.44 feet;

Thence South 88°51’08” West, 82.24 feet to a point on East right-of-way line of Madison Road;

Thence along said East right-of-way line North 00°25’18” East, 601.79 feet to a point on the South right-of-way line of Ustick Road;

Thence along said South right-of-way line South 89°30’18” East, 60.68 feet the REAL POINT OF BEGINNING. Containing 69.65 acres, more or less.

Prepared By:
Idaho Survey Group, P.C.

Gregory G. Carter, PLS
EXHIBIT “C”

NEW FALL CREEK CONDITIONS OF APPROVAL

1. Prior to the third reading of the annexation and zoning ordinance the Owner(s)/Developer(s) shall dedicate any additional right-of-way, as defined by the City Engineer, adjacent the sides of the Property required for the ultimate build out of Madison Road – the adjacent public roadway.

2. The Owner(s)/Developer(s) agrees that receipt/provision of sewer service from the City to the Project is necessarily made contingent upon the construction of the Purdam Lift Station, force mains and associated gravity trunk lines.

3. The Project is subject to an extraordinary traffic impact fee in the amount of: $5,970.33 as has been determined by the Owner(s)/Developer(s) and approved by the City’s Engineering Division.

4. Owner(s)/Developer(s) and Project shall comply with all requirements imposed on the Project by City divisions/departments and outside agencies as listed in documents furnished to the City and made a part of the record for the Project -- to include those associated with the plat of the Project.

5. The following minimum design standards shall be made to apply to/for all single-family residential dwellings (homes) built on the Property and shall be incorporated into Covenants, Codes and Restrictions appertaining to the Project and enforced by the homeowners’ association pertinent to the Project:
   a. All dwellings shall be provided with eaves which project not less than twelve (12) inches beyond the side of the exterior wall; and,
   b. At least seventy-five (75) percent of the second story of any two-story dwellings shall be set back a minimum of three (3) feet (from the wall plane) or set forward a minimum of two (2) feet (from the wall plane) when positioned over the garage; or two-story dwellings shall include architectural features such as but not limited to roof lines, belly bands, pop-outs, cantilevers, material variations, color variations, etc., and an eave overhang across the full width of the garage to break the plane of the lower and upper levels; and,
   c. The roof pitches for dwellings shall be a minimum of 5/12 pitch; and,
   d. Roof coverings for dwellings shall be of materials generally accepted as the industry standard. If the roof covering is asphalt shingles, shingles shall be “architectural” in style with a minimum warranty of twenty-five (25) years; and,
e. Elevations of dwellings shall incorporate varied wall planes or roof forms, and main entries shall be defined by incorporating architectural elements such as roof gables, dormers, stairways, vestibules, wainscoting, lighting, etc.; and,

f. Elevations of dwellings, including the garage, shall include stucco, stone, brick, or similar material, covering at least twenty (20) percent of each façade oriented to a street; and,

g. Dwellings shall include design features such as recessed windows and entrance doors, pop-outs, or other architectural details around windows, entrance doors, sliding glass doors, and garage doors. Window treatments may also include additional trim, mullions, or shutters; and,

h. No front building elevation (that faces a street) of any dwelling shall have less than ten (10) percent glazing. The ten percent (10%) shall be calculated based on that façade’s gross square footage of wall area (excluding garage or unconditioned areas); and,

i. Any detached garages shall be architecturally compatible and consistent in material, design and colors with the dwelling and shall be situated to the side or rear of the site...
IN WITNESS WHEREOF, the parties have caused this Amendment to Development Agreement to be executed as of the Effective Date specified above.

CITY:

City of Nampa,
A municipal corporation

By Robert L. Henry, Mayor

DEVELOPER(S):

Owner(s)/Developer(s)

By John A. Laude Sr

Manager

By __________________________

By __________________________

Attest:

By __________________________

City Clerk

STATE OF IDAHO)

) ss.

County of Canyon

On this 18th day of May, in the year of 2015, before me, Doris Hayward-Roland, personally appeared Robert L. Henry, known or identified to me, to be the Mayor of the City of Nampa, whose name is subscribed to be the within and foregoing instrument and acknowledged to me that he executed the same, and was so authorized to do so for and on behalf of said City of Nampa.

Doris Hayward-Roland
Nampa, ID
8-15-2019

NOTARY PUBLIC
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the Day and year first above written.

[Signature]

Notary Public for State of Idaho
Residing at Boise ID
Commission Expires: 9/6/2019

STATE OF IDAHO

County of Ada ss.

On this 13th day of May, in the year of 2015, before me, David Labrie, personally appeared John A. Lande Sr., known or identified to me, to be Manager, of Centennial Development LLC, the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that be executed the same for and on behalf of Centennial Development LLC.
AFFIDAVIT OF PUBLICATION
STATE OF IDAHO
County of Canyon

MICHELLE CLAXTON
of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper 1 times(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

That said notice was published the following: 05/25/2015

STATE OF IDAHO
County of Canyon
On this 26th day of May in the year of 2015 before me a Notary Public, personally appeared MICHELLE CLAXTON, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

Notary Public for Idaho
Residing at Canyon County
My Commission expires 07/25/2018
AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL, CHANGING THE ZONING DESIGNATION SO AS TO RE-ZONE CERTAIN REAL PROPERTY LOCATED IN FALL CREEK SUBDIVISION, COMMONLY KNOWN AS 17660 AND 17662 MADISON ROAD FROM RS 8.5 (SINGLE FAMILY RESIDENTIAL) TO RS 7 (SINGLE FAMILY RESIDENTIAL), AND TO MODIFY THE ANNEXATION & ZONING DEVELOPMENT AGREEMENT TO WHICH SAID PROPERTY IS SUBJECT, DESCRIBED IN ORDINANCE NO. 3611 AND RECORDED AS INSTRUMENT NO. 200674064, RECORDS OF CANYON COUNTY, IDAHO; DIRECTING THE CITY PLANNING DIRECTOR TO ALTER THE USE AND AREA MAP ACCORDINGLY; PROVIDING FOR SEVERABILITY, AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWIT.

WHEREAS, all required public hearings have been held on rezoning certain real property located in Fall Creek Subdivision in Nampa, Idaho, specifically those parcels commonly known as 17660 and 17662 Madison Road, Nampa, Idaho, from RS 8.5 (Single Family Residential with a "required property area" of at least 8,500 square feet) to RS 7 (Single Family Residential with a "required property area" of at least 7,000 square feet), and to modify the Annexation & Zoning Development Agreement to which said property is subject, which agreement is described in Ordinance No. 3611, recorded as Instrument No. 200674064, records of Canyon County, Idaho;

WHEREAS, it is deemed to be in the best interests of the City of Nampa to so modify the above-identified Annexation and Zoning Development Agreement.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Nampa, County of Canyon, State of Idaho:

Section 1. That a certain portion of Fall Creek Subdivision, in Nampa, Idaho, specifically those parcels commonly known as 17660 and 17662 Madison Road, Nampa, Idaho, be, and the same hereby are, REZONED from RS 8.5 (Single Family Residential with a "required property area" of at least 8,500 square feet) to RS 7 (Single Family Residential with a "required property area" of at least 7,000 square feet), which property is more particularly described as follows:

Set Exhibit "A" attached hereto and made a part hereof by this reference.

EXHIBIT 'A' PROPOSED FALL CREEK SUBDIVISION

That portion of government Lot 2 lying southerly of the Purdam Drain and portion of the SW 1/4 of the NE 1/4 of Section 3, T.3N., R.2W., B.M., Canyon County, Idaho, more particularly described as follows:

Beginning at the South 1/4 corner of said Section 3, from which the North-East corner of said Section bears South 89°30'18" East, 2649.17 feet;

Thence South 89°30'18" East, 42.88 feet to a point in the center of said Purdam Drain;

Thence along the center of said drain South 48°40'27" East, 76.47 feet to the REAL POINT OF BEGINNING;

Thence continuing along the center of said drain South 48°40'27" East, 18.35 feet;

Thence 178.79 feet along the arc of a curve to the left, having a radius of 188.31, a central angle of 41°19'30" and a long chord bearing South 69°19'57" East, 132.87 feet;

Thence South 59°27'21" East, 244.38 feet;

Thence South 9°57'22" East, 192.89 feet;

Thence South 0°19'50" East, 192.59 feet;

Thence 92.31 feet along the arc of a curve to the right, having a radius of 199.25 feet, a central angle of 3°32'42" and a long chord bearing South 75°43'S9" East, 91.49 feet;

Thence South 27°36'53" East, 189.77 feet;

Thence South 62° 07'23" East, 148.77 feet;

Thence South 66° 175°1' East, 72.31 feet to a point on the East line of said Government Lot 2;

Thence South 00°26'04" West, 15.66 feet to the NE 1/4 corner of said Section 3, lying on the West boundary of Astoria Park No. 2 Subdivision, as same is recorded in Book 330 of Plats at Page 20, records of Canyon County, Idaho;

Thence along said West boundary and the West boundary of Astoria Park Subdivision, as same is recorded in Book 32 of Plats at Page 42, records of Canyon County, Idaho, South 00°26'15" West, 132.42 feet to the C.E. 1/16 corner;

Thence along the East-West mid-section line and along the North boundary of Colter Bay Subdivision No. 3, as same is recorded in Book 36 of Plats at Page 30, records of Canyon County, Idaho, North 89° 27'59" West, 1283.88 feet to a point on the East right-of-way line of Madison Road;

Thence along said East right-of-way line North 00° 25'16" East, 1232.78 feet to a point on the South line of said Government Lot 2;

Thence along the South line of said Government Lot 2 South 89°29'41" East, 387.30 feet;

Thence departing said South line North 38°31'48" West, 168.30 feet;

Thence North 1°18'31" East, 501.32 feet;

Thence North 74°00'20" West, 143.39 feet;

Thence 65.70 feet along the arc to the left, having a radius of 232.95 feet, a central angle of 1°06'32" and a long chord bearing North 82° 34'26" West, 69.44 feet;

Thence South 88°51'08" West, 62.24 feet to a point on East right-of-way line of Madison Road;

Thence along said East right-of-way line South 89° 30'18" East, 60.68 feet the REAL POINT OF BEGINNING. Containing 69.65 acre, more or less.

Section 2. That the Annexation and Zoning Development Agreement for said property, described in Ordinance No. 3611, recorded as Instrument No. 200674064, records of Canyon County, Idaho, is hereby modified as set forth in this certain "AMENDMENT TO DEVELOPMENT AGREEMENT," marked as Exhibit "B," attached hereto and made a part hereof by this reference.

Section 3. This ordinance shall be in full force and effect from and after its passage, publication, and according to law.

Section 4. This ordinance is hereby declared to be severable. If any portion of this ordinance is declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purposes of the ordinance before the declaration of partial invalidity.

Section 5. All ordinances, resolutions, orders and parts thereof in conflict herewith are repealed.

Passed by the Council and approved by the Mayor this 18th day of May 2015.
Bob Henry, Mayor
Attest: Deborah L. Bishop,
City Clerk

1267186

Page 43
DATE: November 6, 2019
TO: Nampa Planning & Zoning Department
FROM: Caleb LaClair, P.E. – Assistant City Engineer
CC: Daniel Badger, P.E. – City Engineer
SUBJECT: SPF-00108-2019 – Fall Creek Subdivision #4 – Engineering Review Memo

The Engineering Division has completed a review of the Final Plat application for Fall Creek Subdivision #4 and recommend the following comments and conditions.

General Comments

1. A tributary unnamed drain of the Purdam Gulch Drain runs through the property and is proposed to be tiled. Plan approval and License Agreement from Pioneer Irrigation District may be required.

2. Nampa Highway District No. 1 (NHD1) has maintenance jurisdiction over Madison Road. Any work within the Madison Road public right-of-way will require plan approval and Right-of-Way Encroachment permit from NHD1.

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

Final Plat Comments

1. Revise “N Harpster PL” to “N Harpster Ct” per Nampa GIS review comment.

2. Check Block #’s against the recorded Phase 1 and 2 plats. Also confirm Phase 3 Block #’s are correct prior to recording. It seems that Block 13 should be Block 8, and Block 11 should be Block 7 based on the Phase 1 and 2 plats. Note that a change in Block # will subsequent Block # sequence.

3. Fix any text errors and conflicts.

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 “Fall Creek Subdivision #4 – Construction Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division 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 review/approval from Pioneer Irrigation District prior to construction drawing approval for proposed tiling of the unnamed drain. Provide copies of any executed license agreement(s) prior to City Engineer signature of the plat.

5. Developer shall provide documentation of Nampa Highway District No. 1 review of plans prior to construction drawing approval for improvements within Madison Road right-of-way. Developer is responsible to obtain required encroachment permit from the Highway District prior to start of work within the right-of-way.
Rodney Ashby

From: Rodney Ashby <ashbyr@cityofnampa.us>
Sent: Wednesday, November 6, 2019 3:07 PM
To: Doug Critchfield <critchfieldd@cityofnampa.us>
Subject: FW: [External] Fall Creek 4 landscape plan

Doug,

I'm not sure why these landscape plans weren't in the file, but can you take a quick look at this and provide a memo? This is for Fall Creek Subdivision Final Plat #4.

Rodney Ashby, AICP
(208)468-5457

From: Kent Brown <kentkb@gmail.com>
Sent: Wednesday, November 6, 2019 2:54 PM
To: Rodney Ashby <ashbyr@cityofnampa.us>
Subject: [External] Fall Creek 4 landscape plan

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

Rodney, I did submit the landscape plan with my application but here is the pdf of what I submitted

please let me know what else you need!

--

Kent Brown

Kent Brown Planning Services
3161 E. Springwood Drive
Meridian, ID 83642
P: 208-871-6842
November 1, 2019

RE: Fall Creek Subdivision No. 4 - Final Plat

To: Kent Brown

cc: Sylvia Mackrill, City of Nampa P&Z
    Caleb LaClair, P.E., City of Nampa Engineering

The following changes must be made prior to submitting for signatures:

- N Harpster Pl should be E Harpster Ct

Sincerely,

Dan Wagner
GIS Technician I
Engineering Division
City of Nampa
(208) 468-5475
Hi Shellie,

Nampa Parks has reviewed the final plat for Fall Creek Subdivision No. 4 Project: SPF-000108. We have no requests.

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.
Hi Shellie,

After reviewing the above plat. We have no requests at this time.

Thank you,

Adam
Greetings,

Pioneer Irrigation District’s 9.8 South Branch Lateral may be impacted by this proposed development. The easement along the 9.8 SB Lateral at the SW corner of this development, is 15 feet from center of the pipeline along Madison Ave, and a 10 foot radius around this irrigation structure. If this development proposes any encroachment or modification to the existing 9.8 SB Lateral, written permission must be obtained by Pioneer Irrigation District, per Idaho Code 42-1209.

The Purdam Drain is a Bureau of Reclamation facility, which has a 110 foot right of way, 55 feet from centerline of the drain.

All easements and right of ways must be noted, should they fall within the plats.

Please contact me with any questions or concerns related to Pioneer’s facilities.

Mark Zirschky - Superintendent
Pioneer Irrigation District
208-459-3617
208-250-8481
www.pioneerirrigation.com

Good Morning Everyone! 😊

Re: Final Plat Approval for Fall Creek Subdivision No. 4 / SPF-00108-2019

Please find attached for your review the Final Plat Approval for Fall Creek Subdivision No. 4 in a RS7 (Single Family Residential - 7,000 sq. ft.) zoning district at the southeast corner of Ustick Rd. and Madison Ave. (64 Single Family Residential dwellings on 18.75 acres for 3.41 average dwelling units per gross acre - Located in a portion of Government Lot 2 and a portion of the SW 1/4 of the NE 1/4 of Section 3, T3N, R2W, BM) for Kent Brown representing Challenger Development.
Neil,

Thank you for the heads up. We will take action in plan review to ensure this information gets to the field.

Rob Willis
Plans Examiner Supervisor
P: 208.468-5410 F: 208.468.4494
willisj@cityofnampa.us
Department of Building Safety, Like us on Facebook

From: Neil Jones <jonesn@cityofnampa.us>
Sent: Tuesday, October 22, 2019 7:03 AM
To: Shellie Lopez <lopezs@cityofnampa.us>
Cc: Patrick Sullivan <sullivanc@cityofnampa.us>; Rob Willis <willisj@cityofnampa.us>; Cache Olson <olsonc@cityofnampa.us>; Bruce Meyer <meyerb@cityofnampa.us>; Michael Lebeau <lebeaum@cityofnampa.us>
Subject: RE: Final Plat Approval for Fall Creek Subdivision No. 4 / SPF-00108-2019

This subdivision has high ground water and will require proper backfilling and water proofing of foundation walls, this is critical to prevent water from entering crawlspace.

Neil Jones
Assistant Building Official
P: 208.468-5492 F: 208.468.4494
jonesn@cityofnampa.us
Department of Building Safety, Like us on Facebook

From: Shellie Lopez <lopezs@cityofnampa.us>
Sent: Monday, October 21, 2019 3:11 PM
Subject: Final Plat Approval for Fall Creek Subdivision No. 4 / SPF-00108-2019

Good Afternoon Everyone! 😊
Good Morning Shellie,

Nampa Highway District #1 has no objection as City of Nampa Has the ROW along Madison Rd where this subdivision is located.

Thank you,

Eddy

---

Sorry about that. Here you go.....

---

Thank you & Have a great day!

Shellie A. Lopez
Planning Administrative Specialist Senior
O: 208.468.4487, F: 208.468.5439
411 3rd Street South, Nampa, ID 83651
Planning and Zoning - Like us on Facebook

---

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Tuesday, October 22, 2019 6:21 AM
PUBLIC HEARING ITEM NO. 1
STAFF REPORT

Applicant(s)/Engineer(s): Lindquist Properties, LLC

File(s): SPS-00025-2019

Analyst: Rodney Ashby, Principal Planner

Date: November 5, 2019

Requested Action Approval(s) and Location(s):

Subdivision Plat Short Approval for Arbor Court Subdivision in a RS6 (Single Family Residential – 6,000 sq. ft.) zoning district at 424 W. Greenhurst Road (4 Single Family detached lots on .658 acres for 6.08 average dwelling units per gross acre - A part of the SW ¼ SE ¼ Section 33, T3N, R2W, BM) for Lindquist Properties LLC (SPS 025-19).

(Decision Required: Recommendation or Denial)

(hereinafter the “Development”; alternatively, “Arbor Court Subdivision” or the “Project”)...
Proposed Land Use: Subdivision for four (4) single-family detached homes

Surrounding Land Use and Zoning:
North- Seasons Subdivision/Single Family homes (RS6 zoning)
South- W Greenhurst Rd
   Morning Sun Estates/Single Family homes (RS6 zoning)
East- Seasons Subdivision/Single Family homes (RS6 zoning)
West- Seasons Subdivision/Single Family homes (RS6 zoning)

Comprehensive Plan Designation: Medium Density Residential

Public Utilities/Services:
All city utilities have capacity and are available in the general area.
- 8" sewer main in Fall Drive to the east. A 4" sewer service was extended to this property as part of the Seasons Subdivision in 1994 and is located in an existing public utility easement along the north lot line of property addressed 405 Fall Drive.
- 12" water main on south side of Greenhurst Road.
- 3" and 10" pressure irrigation main around the perimeter of the property.

Transportation:
The project will take access directly from W Greenhurst Rd, classified as a “Minor Arterial”. Greenhurst Rd is already fully developed in this location and no additional right-of-way is necessary.

Applicable Regulations:
Subdivision Short Plat
Section 10-27-4F Short Plats, allows an abbreviated platting process for subdivisions of three to seven lots created from a single original property. “Drawings shall portray all features required to be shown on standard preliminary and final plat drawings; and Short plats will be processed as combination preliminary and final plats requiring a public hearing before the City’s Planning and Zoning Commission and approval by the City Council.”

As stated in the subdivision chapter of the Title 10, the Planning & Zoning Commission shall evaluate a proposed plat’s design based on city codes in making its determination. The plat must also meet the standards identified in the approved Subdivision Process and Policy Manual; and Standard Construction Specification Manual.

Correspondence:
The following is a summary of agency correspondence that can be found in full detail in the exhibits:

- Nampa & Meridian Irrigation District: No impact as long as all storm drainage is retained on-site.
- Nampa Engineering Division:
  Engineering Division comments are found in the attached exhibit. The following are conditions of approval from their memo:
  - Applicant shall reference CC&R’s by note on the face of the Final Plat.
  - Developer’s Engineer shall address all Construction Drawing and Drainage Report comments identified in the “Arbor Court Subdivision – Construction
Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division, dated 10/24/2019 prior to construction drawing approval.

- 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 driveway and drainage improvements and the recording instrument number shall be noted on the plat.

- Use of a shared sewer service will be subject to the following conditions:
  - Upsize the proposed 1% sloped sewer lateral to 6” and replace the existing 4” sewer lateral with a 6” service line, along with provision of cleanouts as required by adopted Plumbing Code. As an alternative to upsizing the service line, the 4” sewer service would need to be sloped at 2% minimum for the entire distance.
  - Applicant shall provide an analysis reflecting the shared service can support the proposed fixture count per Plumbing Code; and,
  - The Applicant shall establish and record a shared use agreement detailing joint ownership and maintenance responsibilities of the service.

Documentation of the above shall be provided to the Nampa Engineering Division and Building Department prior to Construction Drawing approval. The final recorded Shared Use Agreement shall be provided prior to issuance of Certificate of Occupancy of the first building.


- 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 Certificate of Occupancy issuance for the first building.

- Provide a 20’ setback along the Greenhurst Rd ROW to accommodate potential future roadway expansion.

- Shared private driveway easement shall be 22’ wide minimum and meet agency standards.

- Applicant shall obtain an Erosion Control Permit prior to start of any earth disturbing activities.

- A Right-of-Way Permit with City of Nampa is required prior to any work within the Greenhurst Road right-of-way or the existing onsite sewer easement.

**Nampa Planning and Zoning Department:**

- A 25’ landscape buffer is not shown on the plans
- The Landscape Plan should be revised to include a 25’ landscape buffer along Greenhurst Rd
- Trees may be selected from the Treasure Valley Tree Selection Guide
- Class II trees are required in the landscape buffer

**Nampa Parks Division:** No requests

**Nampa Highway District #1:** no comment

**Nampa Building Department:** no conditions

**Idaho Transportation Department:** no impact
STAFF FINDINGS & DISCUSSION

Subdivision Short Plat
Staff finds that with the changes requested in the Correspondence Section of this report, the proposed subdivision short plat for the Arbor Court Subdivision conforms, or substantially conforms within acceptable limits, with relevant RS6 zoning codes and City of Nampa subdivision standards pertaining to land division. This determination is conditioned on the applicant revising the landscape plan to comply with the conditions stated in the attached correspondence authored by Doug Critchfield and being revised in limited form and fashion to meet requirements set forth by various responding agencies and City departments.

Accordingly, Staff recommends that the Development be approved, contingent on Applicant/Developer/Development compliance with various Conditions of Approval as iterated hereafter....

SUGGESTED CONDITIONS OF APPROVAL

Should the Planning and Zoning Commission vote to recommend to City Council a and approval of the "Arbor Court Subdivision" Short Plat, then Staff suggests the following as Conditions of Approval:

1. Generally, the Applicant/Development shall:
   a. Comply with all City department/division or outside agency requirements pertinent to this matter.

2. Specifically, the Applicant/Development shall:
   a. Revise the landscape plan to comply with City Subdivision ordinances and include a 25' landscape buffer with trees selected from the Treasure Valley Tree Selection Guide (Class II trees)
   b. Applicant shall reference CC&R's by note on the face of the Final Plat.
   c. Developer's Engineer shall address all Construction Drawing and Drainage Report comments identified in the “Arbor Court Subdivision – Construction Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division, dated 10/24/2019 prior to construction drawing approval.
   d. 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 driveway and drainage improvements and the recording instrument number shall be noted on the plat.
   e. Use of a shared sewer service will be subject to the following conditions:
      i. Upsize the proposed 1% sloped sewer lateral to 6" and replace the existing 4" sewer lateral with a 6" service line, along with provision of cleanouts as required by adopted Plumbing Code. As an alternative to upsizing the service line, the 4" sewer service would need to be sloped at 2% minimum for the entire distance.
      ii. Applicant shall provide an analysis reflecting the shared service can support the proposed fixture count per Plumbing Code; and,
      iii. The Applicant shall establish and record a shared use agreement detailing joint ownership and maintenance responsibilities of the service.
Documentation of the above shall be provided to the Nampa Engineering Division and Building Department prior to Construction Drawing approval. The final recorded Shared Use Agreement shall be provided prior to issuance of Certificate of Occupancy of the first building.


g. 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 Certificate of Occupancy issuance for the first building.

h. Provide a 20’ setback along the Greenhurst Rd ROW to accommodate potential future roadway expansion.

i. Shared private driveway easement shall be 22’ wide minimum and meet agency standards.

j. Applicant shall obtain an Erosion Control Permit prior to start of any earth disturbing activities.

k. A Right-of-Way Permit with City of Nampa is required prior to any work within the Greenhurst Road right-of-way or the existing onsite sewer easement.

**ATTACHMENTS**

- Application
- Vicinity/Zoning Map
- Plat pages
- Agency/department & citizen correspondence, etc.
**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>Arbor Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Acres</td>
<td>0.658</td>
</tr>
<tr>
<td>Intended Land Uses</td>
<td>Circle (residential, single-family, multi-family, commercial, industrial)</td>
</tr>
<tr>
<td>Property Address (es)</td>
<td>424 W. Greenhurst, Nampa, ID</td>
</tr>
<tr>
<td>Legal Description</td>
<td>Part 7 SW1/4 SE1/4 Section 33, T3N, R2W</td>
</tr>
<tr>
<td>Existing Zoning (Circle one)</td>
<td>RA RSM RD RML RMH RP BN CB BC BF IP IL IH AG</td>
</tr>
<tr>
<td>(County Zoning)</td>
<td></td>
</tr>
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### B. Owner/ Applicant Information

#### Owner of Record

<table>
<thead>
<tr>
<th>Name</th>
<th>Lindquist Properties LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>1425 South McDermott Rd</td>
</tr>
<tr>
<td>City</td>
<td>Nampa</td>
</tr>
<tr>
<td>State</td>
<td>ID</td>
</tr>
<tr>
<td>Telephone</td>
<td>(208) 921-0092</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:calindquist@gmail.com">calindquist@gmail.com</a></td>
</tr>
<tr>
<td>Fax</td>
<td></td>
</tr>
</tbody>
</table>

#### Applicant

<table>
<thead>
<tr>
<th>Name</th>
<th>Lindquist Properties LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
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<td>(208) 921-0092</td>
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</tr>
<tr>
<td>Fax</td>
<td></td>
</tr>
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</table>

#### Engineer / Surveyor / Planner

<table>
<thead>
<tr>
<th>Name</th>
<th>Mason and Associates, Inc</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>924 3rd Street South, Ste B, Nampa, ID 83651</td>
</tr>
<tr>
<td>Telephone</td>
<td>(208) 454-0256</td>
</tr>
<tr>
<td>Email</td>
<td>win@<a href="mailto:masone@masonandassociates.us">masone@masonandassociates.us</a></td>
</tr>
<tr>
<td>Fax</td>
<td>(208) 467-4180</td>
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</tbody>
</table>
## C. SUBDIVISION INFORMATION

<table>
<thead>
<tr>
<th>Lot Types</th>
<th>Number of Lots</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>1</td>
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<tr>
<td>Dwelling units per acre (gross /net)</td>
<td>1</td>
<td>0.65B</td>
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<tr>
<td>Commercial</td>
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<tr>
<td>Industrial</td>
<td>0</td>
<td>N/A</td>
</tr>
<tr>
<td>Common (Landscape, Utility, Other)</td>
<td>0</td>
<td>N/A</td>
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<tr>
<td>Open Space</td>
<td>0</td>
<td>0.046</td>
</tr>
<tr>
<td>Total</td>
<td>4</td>
<td>0.65B</td>
</tr>
</tbody>
</table>

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: [Signature]  Date: [August 30, 2019]

---

For City Office Use

FEE $__________  CASH_____  CHECK_______  RECEIPT NO._______

DATE RECEIVED_________  RECEIVED BY______________  HEARING DATE_________
OWNERS CERTIFICATE

M.L. Lindquist Properties, LLC, a Limited Liability Company, being first duly sworn, deposes and says we are the owners of ARBOR COURT SUBDIVISION more particularly described in the legal description below, state that it is our intention to include said property in this subdivision plat. The assessments as shown on this plat are not dedicated to the public, however, the right to use said assessments is hereby perpetually reserved for public utilities and such other uses as may be designated within this plat and no restrictions are intended. The City of Eagle has agreed in writing to serve all of the lots in this subdivision.

A parcel of land being a portion of the S/W A SE1/4 of Section 33, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at the southeast corner of the SE1/4, (SE Corner of Section 33), that is 89 04' 12" E a distance of 2940.03 feet from the southwest corner of the SE1/4, (SW Corner of Section 33);

Thence N 89 04' 12" W a distance of 1568.97 feet along the south boundary of the SE1/4;

Thence N 00 55' 46" E a distance of 40.00 feet to the southwest corner of Lot 26 Block 3 of Seasons Subdivision No. 1 in Book 21 Page 31 recorded in the Canyon County Recorder's Office and the POINT OF BEGINNING;

Thence N 89 04' 12" W a distance of 155.00 feet parallel with the south boundary of the SE1/4 to the southwest corner of Lot 25 Block 5 of Seasons Subdivision No. 1;

Thence N 00 55' 46" E a distance of 185.00 feet along the easterly boundaries Lots 25, 21, & 25 Block 3 of Seasons Subdivision No. 1 to the easterly boundary of Lot 18 Block 5 of Seasons Subdivision No. 1;

Thence S 89 04' 12" E a distance of 155.00 feet parallel with the south boundary of the SE1/4 and along the southerly boundaries Lots 17 & 18 Block 5 of Seasons Subdivision No. 1 to the southwest corner of Lot 16 Block 5 of Seasons Subdivision No. 1;

Thence S 00 55' 46" W a distance of 185.00 feet along the westerly boundaries Lots 15 & 26 Block 5 of Seasons Subdivision No. 1 to the POINT OF BEGINNING;

ARBOR COURT SUBDIVISION contains 0.650 acres more or less.

Craig A. Lindquist - Member

ACKNOWLEDGMENT

STATE OF IDAHO \-
COUNTY OF

I, the undersigned, do hereby certify that on this day of 20__ before me, the undersigned, a Notary Public in and for said State, personally appeared CRAIG A. LINDQUIST, who is known or identified to me to be a Member of the Limited Liability Company (LLC) that executed the instrument or the person who executed the instrument on behalf of said LLC, and acknowledged to me that such LLC executed the same.

In witness whereof, I have hereunto set my hand and notarial seal the day last above written.

Notary Public for
Residing at
Commission expires

CERTIFICATE OF SURVEYOR

I, Darin Holtzay, hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho, and that this plat is described in the Owners Certificate and plat, and contains all of said land and all of the lots, sublots and tracts hereinafter described, with the legal description, and is dedicated to the public use in accordance with the legal description. The area of land shown on said plat is shown to the accuracy of the data upon which said plat is constructed, and is more or less than the area shown on said plat.

Darin Holtzay
P.L.S. License No. 9365

[Stamp and signature]

[Address and information]

Page 10
Canyon County Surveyor  

Date

Nampa City Engineer  

Date

Chairman  

Date

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.

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 accepted and approved.

APPROVAL OF CITY TREASURER

I, Troy Loyd, 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 proposed subdivision have been paid in full. This certificate is valid for the next thirty (30) days only.

District Health Department, ENS  

Date

Certificate of County Treasurer  

Date

HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code, Title 30, Chapter 13 have been satisfied based on a review by a Qualified Licensed Professional Engineer (QLPE) representing the City of Nampa, 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 since been constructed or if the developer is simultaneously constructing those facilities. If the developer fails to construct facilities then the 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 structure requiring drinking water or sewer/septic facilities shall be allowed.

District Health Department, ENS  

Date
DATE: October 28, 2019
TO: Nampa Planning & Zoning Department
FROM: Caleb LaClair, P.E. – Assistant City Engineer
CC: Daniel Badger, P.E. – City Engineer
SUBJECT: SPS-00025-2019 – Arbor Court Subdivision – Engineering Review Memo

The Engineering Division has completed a review of the Short Plat for Arbor Court Subdivision and recommend the following conditions and comments.

**Project Comments**

1. The project site is located between 424 W Greenhurst Rd and will take access directly from W Greenhurst Rd, classified as a “Minor Arterial”.

2. Greenhurst Rd is fully developed with pavement, rolled curb, and sidewalk across the project frontage. The road was recently reconstructed as a City Capitol Improvement Project this summer. No additional right-of-way dedication or improvements are necessary with this development.

3. A 20' building setback along the Greenhurst Road right-of-way is requested to better accommodate potential future roadway expansion.

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 Fall Drive to the east. A 4” sewer service was extended to this property as part of the Seasons Subdivision in 1994 and is located in an existing public utility easement along the north lot line of property addressed 405 Fall Drive.
   - 12” water main on south side of Greenhurst Road.
   - 3” and 10” pressure irrigation main around the perimeter of the property.

5. No additional public utility construction other than services are required to serve this development.

6. The project proposes a shared private driveway. The easement for the driveway shall be 22’ wide minimum and paved in accordance with Section 101.80.08 of the 2015 City of Nampa Engineering Development Process and Policy Manual.
7. A Home Owner’s Association (HOA) with associated Covenants, Conditions, and Restrictions (CC&R’s) should be established as part of this subdivision. CC&R’s should specify maintenance and cost share responsibilities for the shared driveway and drainage improvements.

8. The project proposes to utilize the existing 4” sewer lateral to serve the four individual lots. Since a public sewer main is not directly available to the property in Greenhurst Road (more than 300’ away), and in an effort to avoid trenching within the newly reconstructed pavement, the Nampa Engineering Division supports shared use of the existing 4” sewer lateral. However, per coordination with the Nampa Building Official, Plumbing Code requires upsizing the service lateral to 6” due to the proposed reduced slope of 1%. As a result, use of a shared sewer service will be allowed under the following conditions:

- Upsize the proposed 1% sloped sewer lateral to 6” and replace the existing 4” sewer lateral with a 6” service line, along with provision of cleanouts as required by adopted Plumbing Code. As an alternative to upsizing the service line, the 4” sewer service would need to be sloped at 2% minimum for the entire distance.
- The Applicant shall provide an analysis reflecting the shared service can support the proposed fixture count per Plumbing Code; and,
- The Applicant shall establish and record a shared use agreement detailing joint ownership and maintenance responsibilities of the service.

Any replacement/Modification of the existing 4” sewer lateral will require coordination with the existing property owner 405 Fall Drive.

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

10. A Right-of-Way Permit with City of Nampa is required prior to any work within the Greenhurst Road right-of-way or the existing onsite sewer easement.

**Final Plat Comments**

1. The shared private driveway shall be 22’ wide minimum per Section 101.80.08 of the 2015 City of Nampa Engineering Development Process and Policy Manual.

2. Reference CC&R’s by note on the face of the plat.

**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 “Arbor Court Subdivision – Construction Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division, dated 10/24/2019 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. Use of a shared sewer service will be subject to the following conditions:
• Upsize the proposed 1% sloped sewer lateral to 6” and replace the existing 4” sewer lateral with a 6” service line, along with provision of cleanouts as required by adopted Plumbing Code. As an alternative to upsizing the service line, the 4” sewer service would need to be sloped at 2% minimum for the entire distance.
• The Applicant shall provide an analysis reflecting the shared service can support the proposed fixture count per Plumbing Code.
• The Applicant shall establish and record a shared use agreement detailing joint ownership and maintenance responsibilities of the service.

Documentation of the above shall be provided to the Nampa Engineering Division and Building Department prior to Construction Drawing approval. The final recorded Shared Use Agreement shall be provided prior to issuance of Certificate of Occupancy of the first building.


6. 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 Certificate of Occupancy issuance for the first building.
DATE: October 24, 2019
TO: William Mason, P.E. – Mason & Associates
FROM: Caleb LaClair, P.E. – Assistant City Engineer
CC:

SUBJECT: Arbor Court Subdivision – Construction Drawings & Final Plat – 1st Review

The Engineering Division has completed a 1st review of the Construction Drawings and Final Plat for Arbor Court Subdivision and have the following comments. Please submit one (1) hard copy and one (1) electronic PDF of revised plans and other documents along with the original redlined documents for review and final approval. We also request a response letter addressing each of the following comments.

As a general note, additional requirements or comments may occur on subsequent submittals due to new information or incomplete plan corrections. Please contact us at 208-468-5458 to clarify any comments to ensure a timely review and approval process.

General Comments

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

2. A Right-of-Way Permit with City of Nampa is required prior to any work within the Greenhurst Road right-of-way or the existing onsite sewer easement.

3. The on-site drainage facilities are considered private. As a result, inspection and certification of the facility construction 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 Certificate of Occupancy issuance for the first building.

4. A Shared Use Agreement and/or CC&R’s need to be established detailing joint ownership and maintenance for the following items:
   - Shared sewer service line;
   - Private common driveway; and,
   - Common drainage improvements.

5. Applicant shall provide an analysis showing the shared sewer service line can support the total number of tributary fixtures per Plumbing Code. The analysis shall be provided to the Nampa Engineering Division and Building Department along with the draft Shared Use Agreement prior
to approval of Construction Drawings. The final recorded Shared Use Agreement shall be provided prior to issuance of Certificate of Occupancy of the first building.

6. The Nampa Building Official has determined the sewer service will need to be upsized to 6” with the proposed reduced slope of 1%, along with provision of cleanouts at a 50’ spacing, as required by adopted Plumbing Code. The upsizing would need to continue the full length to the public main, necessitating replacement of the existing 4” service line. As an alternative, the 4” sewer service would need to be sloped at 2% minimum for the entire distance.

**Final Plat Comments**

1. The shared private driveway shall be 22’ wide minimum per Section 101.80.08 of the 2015 City of Nampa Engineering Development Process and Policy Manual.

2. Reference CC&R’s by note on the face of the plat.

**Construction Drawing Comments** – Address all plan redlines and the following comments

**Sheet 1**

1. None.

**Sheet 2**

1. See Final Plat comments.

**Sheet 3**

1. Revise Storm Drain Note 3 to indicate inspections and approval to be by Engineer of Record, since all facilities are private.

**Sheet 4**

1. Revise Paved Driveway Detail to reflect 12” wide compacted gravel shoulders on each side with 22’ wide easement.

**Sheet 5**

1. See General Comments 5 and 6 regarding the sewer service.

2. Verify if the long water service lines need to be upsized to mitigate for headloss. Static pressures in this area are between 55 and 60 psi.

3. City records indicate the existing water main is located on the south side of Greenhurst Road. Since the road was just recently reconstructed, pavement patch shall be full width at a minimum 20’ length in accordance with Section 307, Part 3.1.G of the Nampa Supplemental Specifications. Road striping shall be replaced upon completion of patch.

4. A minimum 20’ building setback along the Greenhurst Road right-of-way is requested to better accommodate potential future roadway expansion.

**Sheets 6**

1. None.

**Sheet 7**

1. None.

**Drainage Report Comments**

1. None. Drainage report is approved as submitted.
Building Department has no conditions at this time.

Good Afternoon Everyone,

Re: Short Plat Approval for Arbor Court Subdivision /SPS 00025-2019

Please find attached for your review Short Plat Approval for Arbor Court Subdivision in a RS6 (Single Family Residential – 6,000 sq. ft.) zoning district at 424 W. Greenhurst Road (4 Single Family detached lots on .658 acres for 6.08 average dwelling units per gross acre - A part of the SW 1/4 SE 1/4 Section 33, T3N, R2W, BM) for Lindquist Properties LLC.

This application will go before the Planning and Zoning Commission as a public hearing item on the November 12, 2019 agenda.

Please send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than October 25, 2019.

Thank you & Have a great day!
Norman Holm  
Nampa City  
411 Third Street South  
Nampa, ID 83651

RE: SPS-00025-2019/ Arbor Court Subdivision; 424 W. Greenhurst Road

Dear Norm:

Providing all storm drainage is retained on-site there will be no impact to Nampa & Meridian Irrigation District (NMID). Therefore, no further review will be required at this time.

If any surface drainage leaves the site, NMID requires a filed Land Use Change Application for review prior to final platting. Please contact Elke Adams at (208) 466-7861, or 1503 First St. S. Nampa, ID 83651, for further information.

All private laterals and waste ways must be protected. It is recommended that irrigation water be available to all developments within the NMID. Developers must comply with Idaho Code 31-3803.

Please call with any further questions at (208) 466-0663.

Sincerely,

David T. Duvall  
Asst. Water Superintendent  
Nampa & Meridian Irrigation District  
DTD/ gnf

Cc:  
Office/ File
Good Morning Shellie,

Nampa Highway District #1 has no comment.

Thank you,

Eddy

---

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

After reviewing the above Plat Review, Parks and Rec. has no requests.

Thank you,

Adam

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.
Nampa Highway District #1 has no comment.

Thank you,

Eddy
Good morning,

ITD has received application SPS-00025-2019 for review. ITD does not anticipate any significant traffic impact to the State Highway system from this development and has no objections to the proposed development.

Thank you,

Sarah Arjona  
Development Services Coordinator  
ITD District 3  
(208) 334-8338

---

From: Shellie Lopez <lopezs@cityofnampa.us>  
Sent: Sunday, September 29, 2019 3:06 PM  
Subject: [EXTERNAL] Short Plat Approval for Arbor Court Subdivision /SPS 00025-2019

--- This email is from an external sender. Be cautious and DO NOT open links or attachments if the sender is unknown. ---

Good Afternoon Everyone, 😊

Re: Short Plat Approval for Arbor Court Subdivision /SPS 00025-2019

Please find attached for your review Short Plat Approval for Arbor Court Subdivision in a RS6 (Single Family Residential - 6,000 sq. ft.) zoning district at 424 W. Greenhurst Road (4 Single Family detached lots on .658 acres for 6.08 average dwelling units per gross acre - A part of the SW SE Section 33, T3N, R2W, BM) for Lindquist Properties LLC.

This application will go before the Planning and Zoning Commission as a public hearing item on the November 12, 2019 agenda.

Please send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than October 25, 2019.

Thank you & Have a great day!
The above listed project Landscape Plans have been reviewed by the City of Nampa’s Planning Department for compliance with all applicable planning codes, and the following items and/or revisions are required prior to Planning approval:

1. **Sheet 1:**
   - **Landscape Buffer:** Nampa City Code requires a 25’ landscape buffer for residential subdivisions (NCC 10-33-4A1d(3))

2. Please revise landscape plan and resubmit for approval.

**For tree selections:** Please refer to Treasure Valley Tree Selection Guide (with exception to Acer rubrum and Acer freemanii due to high mortality rates in Canyon County; and Liquidambar styraciflua as a street tree due to heaving problems)


If you have questions or would like to discuss this interpretation of the planning code, please call my direct line at (208) 468-5406.

Doug Critchfield
Senior Planner
Nampa Planning Dept.
E-mail address: critchfieldd@cityofnampa.us
Planning & Zoning Department
Before the Planning & Zoning Commission
November 12, 2019

STAFF REPORT – PUBLIC HEARING #2

Zoning Map Amendment from RD (Two-Family Residential) to BC (Community Business) at 1511 7th St. So. for Dr. Brian Thomas, Nampa First Church of the Nazarene for a medical and counseling clinic.

To: Planning & Zoning Commission

Applicant: Dr. Brian Thomas

File No: ZMA 113-19

Prepared By: Norman L. Holm

Date: November 4, 2019

Requested Action: Zoning Map Amendment (Rezone) from RD (Two-Family Residential) to BC (Community Business)

Status of Applicant: Owner

Existing Zoning: RD (Two-Family Residential)

Proposed Zoning: BC (Community Business)

Location: 1511 7th St. So.

Size of Property: A .11 acre or 4,792 sq. ft. part of the NE ¼ of Section 27, Township 3 North, Range 2 West, BM being the SE 50’ of Lots 1 and 2, Block 5, Interstate Addition.

Existing Land Use: Existing vacant residential building
GENERAL INFORMATION

Planning & Zoning History: The property at 1511 7th St. So. was originally constructed as a single-family dwelling.

Proposed Land Uses: The owner/applicant is requesting a zoning change for the property from RD to BC in order to accommodate the renovation of the house so it can be used as a medical and counseling clinic for those who do not have medical Insurance. The Care House Clinic will have two rooms for basic medical services and two rooms for counseling services.

Surrounding Land Use and Zoning:
North- Nampa First Church of the Nazarene, RD (Two-Family Residential).
South- Commercial and Professional, BC-PUD (Community Business).
East- Residential, RP (Residential Professional) and RD
West- Single Family Residential, RD

Comprehensive Plan Designation: Medium Density Residential designation bordering General Commercial designation to the east. The requested zoning map amendment from RD to BC is interpreted as compliant with the General Commercial designation by reason of being eligible to be stretched to the west to include this property.

Applicable Regulations: Rezones or zoning map amendments must be reasonably necessary, in the interest of the public, further promote the purposes of zoning, and agree with the adopted comprehensive plan for the neighborhood.

SPECIAL INFORMATION

Public Utilities:
8" sewer main available in alley
6" water main available in alley
6" irrigation main available in alley, 2" main available in 7th St. So.

Public Services: All present.

Transportation and Traffic: The property has frontage and driveway access from 7th St. So.

Parking: Off-street parking for a dwelling (to be) converted into a commercial business/office is to be provided in accordance with the requirements of Section 10-22-16 (e.g., for small item retail 1 per 250 sq. ft. of net floor area) or the maximum number of parking spaces that will/can be made to fit on the property without needing to obtain a variance, whichever standard is less restrictive.

The existing driveway/carport area will accommodate one handicapped parking spot. The primary off-street parking area for the clinic will be the parking lot the Nampa First Church owns nearby at the southwest corner of 7th St. So. and 16th Ave. So. (711 16th Ave. So.).

Environmental: The rezone would have little effect on the adjoining properties. All of the properties across the alley to the southeast are zone BC. The First Church of the Nazarene also owns the vacant grassed lot 1503 7th St. So. adjacent to the northwest.
STAFF FINDINGS AND DISCUSSION

The requested rezone is appropriate. The parcel has a Medium Density Residential designation on the Comprehensive Plan future land use map and adjoins the General Commercial designation to the southwest. The requested zoning map amendment from RD to BC is therefore compliant with the General Commercial designation.

If the Planning Commission votes to recommend to the City Council approval of the rezone the following findings are suggested:

1. Rezone of the subject property to BC is reasonably necessary in order to allow the applicant to use the property as proposed.

2. Rezone of the subject property to BC is in the interest of the property owner(s) and conforms to the adjacent adopted comprehensive plan designation of General Commercial as well as adjoins the existing BC zone to the southeast.

3. The proposed renovation of the house as a medical and counseling clinic will be compatible with the church, professional, and commercial uses previously established in the area and along 16th Ave. So.

4. The use of a development agreement to establish any conditions for the rezone of the property serves no purposes.

At the date of this memo no statements of opposition or support have been received from any property owners or residents in or around the area.

ATTACHMENTS

1) Application and letter (Pages 4-5)
2) Zoning and location map (Page 6)
3) Aerial photo (Page 7)
4) Applicant site plan (Page 8)
5) Future land use map (Page 9)
6) Street view photo (Page 10)
7) Agency and other correspondence (Pages 11+)
APPLICATION FOR AMENDMENT OF ZONING OR MAP
PLANNING AND ZONING DEPARTMENT
411 3RD STREET S., NAMPA, IDAHO 83651 P: (208) 468-4487 F: (208) 465-2261
Nonrefundable Fee: $406.00 (1 acre or less) Nonrefundable Fee: $811.00 (more than 1 acre)
Or $213.00 for a text amendment

Applicant/Representative Name
Dr. Brian Thomas, Nampa First Church of the Nazarene

Home Number
Church - 208-466-3549

Street Address
1511 - 7th St. South

Mobile Number

City
Nampa

State
ID
83651

Applicant’s interest in property: (x) Own ( ) Rent ( ) Other

Apply's number

Property Owner Name
Nampa First Church of the Nazarene

Home Number
TONY JOHNSON

Street Address
601 - 16th Ave South

Mobile Number

City
Nampa

State
ID
83651

Email
bthomas@nampafirst.org

Applicant’s interest in property: (x) Own ( ) Rent ( ) Other

ADDRESS OF SUBJECT PROPERTY: 1511 7th St. S. 8098 25000000 114

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:
  We are renovating the house so it can be used as a medical and counseling clinic for those who do not have medical insurance.
  The Care House Clinic will have two rooms for basic medical services and two rooms for counseling services.
☐ State (or attach a letter stating) the reason for the proposed change, together with any other
  information considered pertinent to the determination of the matter. In the case of a text amendment
  please attach the full text of the proposed amendment.

See attached document.

Dated this 26 day of September, 20 19

Applicant Signature

This application will be referred to the Nampa Planning Commission for its consideration. The Planning Commission
shall hold a public hearing on the application 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. In the case of map amendments notice shall also be posted on the premises not less than 1
week prior to the hearings and notices will 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: ZMA/83A-113/2019

PROJECT NAME Beone from BD to BC

12/11/13 Revised

Page 4
Explanation of Reason For Zoning Change

Original Legal Description of Property:
27-3N-2W NE INTERSTATE ADD SE 50' OF LTS 1&2 BLK 5
1511 – 7th St. South

This property is currently owned by Nampa First Church of the Nazarene (NFC). NFC sponsors a 501c3 non-profit compassionate ministry known as Care House Partnerships (CHP).

Nampa First Church has given Care House Partnerships permission to utilize this house as a free/charitable medical and counseling clinic to serve those in the Nampa community who are uninsured. The Clinic will have two medical exam rooms for basic medical services and two counseling rooms.

The house is currently in an area zoned RD – Residential & Duplex, yet this zoning does not allow for buildings that serve as medical clinics and other related services. Thus, we need this piece of property rezoned as BC – Community Business - or to be granted a Conditional Use Permit so that the house might be utilized to serve our neighbors in this manner.

The initial plan is for the clinic to be opened one day a week for 4-hours a week and to serve individuals on an appointment-only basis. With this schedule, both the medical clinic and the counseling clinic would service approximately twenty-five clients per week. As service needs increase, we will open the clinic two days per week for 4-hours each day.

There will be one handicapped parking spot in the driveway of the Clinic. The primary off-street parking area for the clinic will be the parking lot Nampa First Church owns on the southwest corner of 7th St. S. and 16th Ave. S. – which is on the same side of the street as the house under discussion. Secondary, on-street parking is available on 15th Ave South.
Original Legal Description of Property:
27-3N-2W NE INTERSTATE ADD SE 50' OF LTS 1&2 BLK 5
1511 – 7th St. South
DATE: November 6, 2019
TO: Planning and Zoning Department
FROM: Caleb LaClair, P.E., Nampa Assistant City Engineer
CC: Daniel Badger, P.E., Nampa City Engineer
CC: Tom Points, P.E., Nampa City Public Works Director
APPLICANT: Dr. Brian Thomas, Nampa First Church of Nazarene
OWNER: Nampa First Church of Nazarene
ADDRESS: 1511 7th Street S
RE: ZMA-00113-2019 – Rezone from RD to BC

The Engineering Division does not oppose this application and has no comments or conditions.
Hi Shellie,

Nampa Highway District #1 has no comment.

Thank you,

Eddy

Shellie Lopez

From:  Eddy Thiel <eddy@nampahighway1.com>
Sent:  Tuesday, November 5, 2019 11:26 AM
To:  Shellie Lopez
Subject:  [External] RE: ZMA 00113-2019

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

Hi Shellie,

Nampa Highway District #1 has no comment.

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: Tuesday, November 5, 2019 10:54 AM
Subject: ZMA 00113-2019

Good Morning Everyone! 😊

Re: ZMA 00113-2019

Dr. Brian Thomas, Nampa First Church of the Nazarene for a medical and counseling clinic has requested a Zoning Map Amendment from RD (Two-Family Residential) to BC (Community Business) at 1511 7th St. So. (A .11 acre or 4,792 sq. ft. part of the NE ¼ of Section 27, Township 3 North, Range 2 West, BM being the SE 50' of Lots 1 and 2, Block 5, Interstate Additions).

This application will go before the Planning and Zoning Commission as a public hearing item on the November 12, 2019 agenda.

Please find attached the ZMA 00113-2019 file for your review and send all comments to my attention no later than November 08, 2019.

Thank you & Have a great day!
Shellie Lopez

From: Shellie Lopez <lopezs@cityofnampa.us>
Sent: Tuesday, November 05, 2019 10:54 AM
Subject: ZMA 00113-2019

Good Morning Everyone! 😊

Re: ZMA 00113-2019

Dr. Brian Thomas, Nampa First Church of the Nazarene for a medical and counseling clinic has requested a Zoning Map Amendment from RD (Two-Family Residential) to BC (Community Business) at 1511 7th St. So. (A .11 acre or 4,792 sq. ft. part of the NE ¼ of Section 27, Township 3 North, Range 2 West, BM being the SE 50’ of Lots 1 and 2, Block 5, Interstate Additions).

This application will go before the Planning and Zoning Commission as a public hearing item on the November 12, 2019 agenda.

Please find attached the ZMA 00113-2019 file for your review and send all comments to my attention no later than November 08, 2019.

Thank you & Have a great day!
Planning & Zoning Department

Before the Planning & Zoning Commission
November 12, 2019

STAFF REPORT – PUBLIC HEARING #3

Annexation and Zoning to RMH (Multiple-Family Residential) for Townhomes at 622 N. 44th Street for Mason and Associates representing Sun Peak Development LLC (ANN 133-19).

Applicant: Mason and Associates Inc.

Property Owner: Sun Peak Development, LLC

File No: ANN 133-19

Prepared by: Norman L. Holm

Date: November 5, 2019

Requested Actions: Annexation & Zoning to RMH (Multiple-Family Residential)

Purpose: For development for Townhomes

GENERAL INFORMATION

Zoning & Planning History: A large single-family dwelling property. The dwelling was constructed under Canyon County jurisdiction. The applicant purchased the property this past August 2019. It is presently zoned RR (Rural Residential) in the County. The owner is requesting annexation to Nampa to RML for the purpose previously stated.

Status of Applicant: Representative of Sun Peak Development, LLC

Annexation Location: 622 N. 44th Street located in the NE ¼ NE ¼ of Section 24, T3N, R2W, BM, Canyon County, Idaho
Proposed Zoning: RMH (Multiple-Family Residential)

Total Size: A 2.02-acre or 87,974 sq. ft. parcel

Existing Zoning: County RR (Rural Residential)

Nampa Comprehensive Plan Designation: High Density Residential

Surrounding Land Use and Zoning:
North- Happy Valley Mobile Home Park; RA (Suburban Residential)
South- Rural Residential; County RR (Rural Residential)
East- Rural Residential; County RR (Rural Residential)
West- Happy Valley Mobile Home Park; RA (Suburban Residential)

Applicable Regulations: For a property to be annexed it must be contiguous with the city limits or be enclosed by other properties so annexed. The parcel connects with the city limits on its northerly property boundary parcel. It is not situated in an enclaved area.

Existing Uses: Rural residential parcel with single family dwelling.

---

SPECIAL INFORMATION

Public Utilities:
10" water main in N. 44th St.
10" sewer main in N. 44th St.
6" irrigation main along a portion of the northerly property boundary.

Public Services: Police and fire already service city incorporated areas surrounding the location.

Physical Site Characteristics: Rural residential parcel with single family dwelling.

Transportation: Access to the property is Airport Rd. via N. 44th St. and from Stamm Lane via the internal roadways of Happy Valley Mobile Home Park.

Correspondence: No correspondence has been received from any area property owners or residents either opposing or supporting the request for annexation and zoning to RMH.

---

STAFF FINDINGS AND DISCUSSION

From a land use standpoint, the location is shown on the comprehensive plan “future land use map” as being compatible with the zoning that has been requested. If the Planning & Zoning Commission recommends approval of the requested annexation and zoning the following findings are suggested:

1) The requested annexation parcel connects with the city limits on its west (N. 44th St.) and north property lines. The parcel is not enclaved.
2) The area can reasonably be assumed to be available for the orderly development of the city with the city limits having grown into the area and the adjacent lands have been annexed and developed.

3) The proposed RMH zoning conforms with the city’s comprehensive plan future land use map for High Density Residential land use and is reasonably compatible with existing and proposed land uses in the area.

4) The property owner requested annexation and zoning to RMH for the purpose of constructing a Townhome Development.

**RECOMMENDED CONDITIONS OF APPROVAL**

Staff suggests the Commission recommend approval of the Annexation and Zoning to the City Council subject to the following engineering required conditions:

1) Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to City services.

2) Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of property development/redevelopment, and prior to connection to City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.

3) Utilities shall be constructed to and through the site at the time of property development/redevelopment, including public pressure irrigation main from N Happy Valley Road, at the sole expense of the Developer.

4) Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.

**ATTACHMENTS**

1) Application (Page 4)
2) Applicant letter of Intent (Page 5)
3) Property legal description (Page 6)
4) Vicinity map with zoning (Page 7)
5) Aerial photo (Page 8)
6) Future land use map (Page 9)
7) Utilities map (Page 10)
8) Street view photo (Page 11)
9) Agency and other correspondence (Pages 12+)
APPLICATION FOR ANNEXATION

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)

Applicant Name
Mason and Associates Inc

Street Address
924 3rd Street S., st. B

City
Nampa

Home Number

Mobile Number

Email
y.mason@masonandassociates.us

Property Owner Name
Sun Peak Development, LLC

Street Address
P.O. Box 603

City
Ashton

State
ID

Zip Code
83420

Home Number
(208) 521-1228

Mobile Number

Email
nicole@luckydrec.com

Applicant’s interest in property: (X) Own ( ) Rent ( ) Other

ADDRESS OF SUBJECT PROPERTY: 1622 N. 44th Street, Nampa ID

Please provide the following required documentation

☐ Complete 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: RMH

➢ State (or attach a letter stating) the reason for the proposed annexation and any proposed plans for the use of the subject property: See attached letter

Dated this 16th day of October, 2019

William J. Mason

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-133-2019 PROJECT NAME: Annex + Zoning to RMH

12/11/13 Revised
LETTER OF INTENT
ANNEXATION AND ZONING

Sun Peak Development LLC would like to annex the property at 622 N. 44th street into the City of Nampa. They are requesting the zone of RMH. RMH is the zone of the property directly north east of this property. The City of Nampa has designated this property as high density residential in the City’s future use land map. The request for annexation and zoning for RMH is within the City’s future plan.

Sun Peak Development LLC has proposed to use the land for townhomes which is within allowed use for the RMH zone.
FOR: Sun Peak
JOB NO.: AU1219
DATE: October 15, 2019

PARCEL 1

A parcel of land being a portion of the NE1/4 NE1/4 of Section 24, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County Idaho, more particularly described as follows:

Commencing at the southeast corner of the NE1/4 NE1/4;

Thence N 00° 01' 18" W a distance of 1321.78 feet along the east boundary of the NE1/4 NE1/4 to the northeast corner of the NE1/4 NE1/4;

Thence N 89° 13' 08" W a distance of 418.00 feet along the north boundary of the NE1/4 NE1/4 to the POINT OF BEGINNING;

Thence S 00° 01' 18" E a distance of 256.00 feet parallel with the east boundary of the NE1/4 NE1/4;

Thence N 89° 13' 08" W a distance of 343.00 feet parallel with the north boundary of the NE1/4 NE1/4;

Thence N 00° 01' 18" W a distance of 256.00 feet parallel with the east boundary of the NE1/4 NE1/4 to a point on the north boundary of the NE1/4 NE1/4;

Thence S 89° 13' 08" E a distance of 343.00 feet along the north boundary of the NE1/4 NE1/4 to the POINT OF BEGINNING.

This parcel contains 2.02 acres more or less.

SUBJECT TO: All existing rights of way and easements of record or implied appearing on the above-described parcel of land.
622 N 44TH ST
NAMPA, ID

Annexation & Zoning to RMH

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

10/28/2019
DATE: November 6, 2019
TO: Planning and Zoning Department
FROM: Caleb LaClair, P.E., Nampa Assistant City Engineer
       [Signature]
CC: Daniel Badger, P.E., Nampa City Engineer
   Tom Poirier, P.E., Nampa City Public Works Director
APPLICANT: Mason & Associates, Inc.
OWNER: Sun Peak Development, LLC
ADDRESS: 622 N 44th Street
RE: ANN-00133-2019 – Annexation and Zoning to RMH

The Engineering Division does not oppose this application with the following comments and conditions.

General Comments:

1. The property is located at 622 N 44th Street and will take access from the following road(s):
   - N 44th Street – classified as “Local Road”

2. N 44th Street already has 56-ft of public right-of-way dedicated, therefore, no additional right-of-way is necessary. Frontage improvements in accordance with City Code will be required at the time of development. N 44th Street north of the property is private through the existing mobile home complex.

3. 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 along northerly property boundary;
   - 10” sewer main in N 44th Street;
   - 10” water main on west side of N 44th Street; and,
   - 12” pressure irrigation main in west side of N Happy Valley Road.

4. The pressure irrigation mains within the adjacent existing mobile home complex are private. The closest available public pressure irrigation main is located in Happy Valley Road and was constructed in 2017 with the Gateway South Apartments project. At time of development, the developer will need to extend a pressure irrigation main from Happy Valley Road through the property and along the frontage of N 44th Street.
Conditions:

1. Any onsite wells or septic systems shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to City services.

2. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of property development/redevelopment, and prior to connection to City services. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.

3. Utilities shall be constructed to and through the site at the time of property development/redevelopment, including public pressure irrigation main from N Happy Valley Road, at the sole expense of the Developer.

4. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
Building Department has no conditions at this time.

Good Afternoon Everyone! 😊

Re: Annexation at 622 N. 44th Street - ANN-00133-2019

Mason and Associates representing Sun Peak Development LLC have requested Annexation and Zoning to RMH (Multiple-Family Residential) at 622 N. 44th Street (A 2.02-acre parcel located in the NE ¼ NE ¼ of Section 24, T3N, R2W, BM, Canyon County, Idaho).

The Annexation application will go before the Planning & Zoning Commission as a public hearing item on the November 12, 2019 agenda.

Please find attached the ANN-00133-2019 file for your review and send all comments prior to November 01, 2019.

Thank you & Have a great day!
Shellie Lopez

From: Juan Vergara
Sent: Tuesday, October 29, 2019 10:51 AM
To: Shellie Lopez
Subject: P&Z Inspection

CC19-001682
622 N. 44th ST.
R: 3171400000

NO Code Violations Visible at this time.

JUAN VERGARA SR, Officer II
Code Compliance & Community Relations.
O: 208.468.5473, C: 208.284.8811
2112 W. Flamingo Rd., Nampa, ID 83651
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Hi Shellie,

Nampa Highway District #1 has no comment.

Thank you,

Eddy

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Good Afternoon Everyone! 😊

Re: Annexation at 622 N. 44th Street - ANN-00133-2019

Mason and Associates representing Sun Peak Development LLC have requested Annexation and Zoning to RMH (Multiple-Family Residential) at 622 N. 44th Street (A 2.02-acre parcel located in the NE ¼ NE ¼ of Section 24, T3N, R2W, BM, Canyon County, Idaho).

The Annexation application will go before the Planning & Zoning Commission as a public hearing item on the November 12, 2019 agenda.

Please find attached the ANN-00133-2019 file for your review and send all comments prior to November 01, 2019.

Thank you & Have a great day!
Good afternoon,
ITD has received application ANN-00133-2019 for review. ITD does not anticipate any significant traffic impact to the State Highway system from this development and has no objections to the proposed development.

Thank you,

Sarah Arjona
Development Services Coordinator
ITD District 3
(208) 334-8338

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