MEETING CALL TO ORDER

ANNOUNCEMENTS

APPROVAL OF MINUTES - ACTION ITEM

REPORT ON COUNCIL ACTIONS

BUSINESS ITEMS:

1) Lance McGrath, Norman Holm and Rodney Ashby Interview Committee Recommendation for the Planning and Zoning Commission Recommendation to the City Council for the appointment of Tom Turner and Michaella Franklin to fill the to be vacated positions of Lance McGrath and Harold Kropp on the Planning and Zoning Commission, and the Reappointment of Peggy Sellman to the Planning and Zoning Commission. – ACTION ITEM.

2) Subdivision Plat Final Approval for Carriage Hill West Subdivision No. 4 east of Midway Rd. between W. Iowa Ave. and Lake Lowell Ave. (A portion of the NW 1/4 of Section 31, T3N, R2W, BM – 54 Single Family Residential lots on 19.78 acres or 2.73 dwelling units/gross acre) for Engineering Solutions, LLP representing Toll Southwest LLC (SPF 109-19) – ACTION ITEM.

3) Request for a 4th Extension of Preliminary Plat Approval for Sunnyvale Subdivision at the NW corner of N. Middleton Rd. and W. Karcher Rd. (A 110.69-acre portion of the NE ¼ of Section 18, T3N, R2W, BM – 8 Commercial lots on 14.72 acres, 49 fourplex lots for 196 units on 42.84 acres, and 185 single family residential lots on 57.35 acres) for Kent Brown on behalf of Sunnyvale Properties LLC. (SPP 004-17). Request to extend prior approval which expires 2/25/20 to 2/25/21 – ACTION ITEM.

PUBLIC HEARINGS:

1) Conditional Use Permit for Vape Sales in a GB1 (Gateway Business 1) zoning district at 5840 E. Franklin Rd. (A portion of Lot 8 in Block 1 of The Idaho Center, as shown on the official plat thereof on file in the office of the Canyon County Recorder in Book 23 of Plats at Page 4 and a portion of the SW ¼ Section 7, T3N, R1W, BM) for Craig Bedford, Bedford Enterprises LLC d.b.a. Nugget CBD (CUP 157 -19) Continued from 11/26/19 – ACTION ITEM.

2) Modification of Development Agreement between Caribou Mountain Ventures, LLC and the City of Nampa recorded 12/30/2013 as Inst. No. 2013-057711 amending Recital B paragraph and Exhibit “B” Conceptual Plan to allow for a Single Family Residential Subdivision instead of the original Public Mini/Self-Storage Facility, and amending Exhibit “C”
Conditions of Approval as necessary for Lava Falls Subdivision; Subdivision Plat Preliminary Approval for Lava Falls Subdivision and Subdivision Plat Final Approval for Lava Falls Subdivision No 1. and No. 2 at 0 and 2718 E. Locust Lane (39 single family dwellings on 11.595 acres for 2.36 average dwelling units per gross acre – A portion of the SEW ¼ of the SE ¼ of Section 2, T2N, R2W, BM) all for Caribou Mountain Ventures LLC – Ed Priddy (DAMO 035-19, SPP 051-19, SPF 113-19, SPF 114-19) – ACTION ITEM.

3) Repeal of the Nampa 2035 Comprehensive Plan (Text and Proposed Future Land Use Map), and all amendments thereto, and approval of an updated Comprehensive Plan Text and Proposed Future Land Use Map, to be referred to as the Nampa 2040 Comprehensive Plan for the City of Nampa (CTA 008-19) – ACTION ITEM.

4) Subdivision Plat Short Approval for Ramirez Lone Star Subdivision in a RS6 (Single Family Residential – 6,000 sq. ft.) zoning district adjacent and west of 629 Lone Star Road at 0 Lone Star Road (2 Single Family detached lots on 1.67 acres for 1.2 average dwelling units per gross acre - A part of the NW ¼ of the NW 1/4 of Section 28, T3N, R2W, BM) for Francisco Ramirez (SPS 026-19) – ACTION ITEM.

5) Annexation and Zoning to BC (Community Business) for the southerly 5.03 acres and to IL (Light Industrial) for the northerly 28.10 acres at 0 Midland Blvd. and 9778 E Cherry Lane (A 33.13 acre portion of the East ½ of the SW ¼ SW ¼ and a portion of the South ½ of the NW ¼ SW ¼, Section 4, T3N, R2W, BM) for Hatch Design Architecture representing Kiwi Enterprises, LLC (ANN 135-19) – ACTION ITEM.

6) Annexation and Zoning to IL (Light Industrial) at 8626 Birch Lane for Warehouses (A 3.02 acre or 131,602 sq. ft. portion of the NW ¼ of Section 10, T3N, R2W, BM for Phil Horton (ANN 136-19) – ACTION ITEM.

ADJOURNMENT
NAMPA PLANNING & ZONING COMMISSION

MINUTES OF REGULAR MEETING HELD
TUESDAY, NOVEMBER 26, 2019, 6:30 P.M.

Members:  Lance McGrath - Chairman  Harold Kropp
Peggy Sellman – Vice Chair  Bret Miller
Matthew Garner  Rodney Ashby – Principal Planner
Adam Hutchings  Kristi Watkins – Senior Planner
Steve Kehoe  Daniel Badger – City Engineer

Absent:  Jeff Kirkman  Norm Holm
Ron Van Auker, Jr

Chairman McGrath called the meeting to order at 6:45 p.m.

Approval of Minutes:  Sellman motioned and Kehoe seconded to approve the Minutes of the November 12, 2019 Planning and Zoning Commission meeting.  Motion carried.

Report on Council Actions.  City Councilor Haverfield reported on City Council actions during the November 18, 2019 meeting: 1) The City of Nampa tree lighting was scheduled for 6:00 p.m., Saturday, November 30th, downtown.  Councilor Haverfield emphasized supporting the local downtown businesses.  2) Discussion on the 2020 Census occurring in the coming year.  3) The City of Nampa purchased the Home Federal Building on 12th Ave S and the building has now become the City of Nampa Development Services Building with several City departments moving into that building in the near future;  4) City Council discussed a proposed Ordinance prohibiting the use of handheld electronic devices while operating a motor vehicle, and the decision was made to wait and see what would be happening at the State level;  5) Statements of qualification were received from five different contractors for the new Wastewater Treatment Project – that would probably be in the $100,000,000 to $125,000,000 range;  6) Modification of the Development Agreement for Lost River Townhomes located on E Cherry Ln, east of Can-Ada Rd - approved; 7) Development Agreement and Rezone from RS-6 to RP 1324 11th Ave S - approved; and 8) During the November 4, 2019 City Council meeting, the Amendment to Title 10, Chapter 1 Section 19 pertaining to Self-Storage facilities - all of the Planning Commission recommendations were adopted, as well as an additional modification requiring the Conditional Use Permit Applications for storage facilities go before City Council and then proceed through the design review process.

Chairman McGrath proceeded to the Business Items on the agenda.

Business Item No. 1:
Preliminary Site Plan Approval for Broadmore Recreational Vehicle Park in an IL (Light Industrial) zoning district at the southwest corner of N. Broadmore Way and 4th St No, just south of Indian Creek (155 RV spaces on 11.74 acres for 13.20 average spaces per gross acre – A parcel of land being a portion of Parcel “4” of the Amended Record of Survey Instrument No. 2018-054013, Records of Canyon County, Idaho and lying in a portion of the SE ¼ of Section 16, T3N, R2W, BM) for All Terra Consulting, LLC representing Broadmore RV Park LLC (RVP 001-19). – ACTION ITEM

Senior Planner Watkins:
• Watkins reviewed the application for the Preliminary Site Plan for Broadmore Recreational Vehicle Park in an IL zoning district at the southwest corner of N Broadmore Way and 4th St N in relation to compatibility with the surrounding area, traffic, off street parking, traffic circulation, buffering and landscaping.
• According to Watkins, after the preliminary site plan has been approved the applicant will revise the plan according to the conditions and then a final plan will again come before the Planning Commission to ensure compliance with those conditions.
• The proposed Broadmore RV Park, continued Watkins, would comprise 11.74 acres, with 155 RV spaces, 27 visitor parking spaces and 3 common spaces, located on the southwest side of Broadmore Way and west of Northside Blvd.
• The Broadmore RV Park property, continued Watkins, was bordered on the North, South and West by Light Industrial zoned properties, and BC zoning to the east.
• On June 25, 2019, stated Watkins, the Conditional Use Permit for the RV Park use was approved by the Nampa Planning Commission.
• Watkins reported the revised plans for the RV Park were received yesterday and indicate the proposed RV Park will be in compliance with the requirements for: 1,200 sq ft per RV space; required lot width and lot depth; one parking space per RV lot; the number of visitor parking spaces exceed Code requirements; and the open space calculation of 116,094 sq ft is in excess of the required 11,625 sq ft.
• Additionally, noted Watkins: the trash enclosure will be screened; the net density calculation indicate 13.2 spaces per acre - less than the cap of 22 sites per net acre; drive aisles will be paved and at least 20 ft wide; all spaces shall be equipped with water, sewer and electrical utility connections; meeting flood prevention codes with tie downs for specific lots affected by the floodplain/floodway; and, the Preliminary Site Plan appears to be in substantial conformance with the conditions placed on the Conditional Use Permit for the RV Park.

Kehoe motioned and Hutchings seconded to approve the Preliminary Site Plan for Broadmore Recreational Vehicle Park and the southwest corner of N Broadmore Way and 4th St N, for All Terra Consulting, LLC, representing Broadmore RV Park, LLC, subject to:
The Developer/Development shall comply with all requirements imposed by City agencies involved in the review of this matter including, specifically the following:
1. All utilities, streets, paved areas and landscaping must be completed within one year of the start of construction or as otherwise approved by the Planning and Zoning commission;
2. Shall obtain Building Permits for any and all work on site;
3. Provide drive aisle dimensions on the final plan;
4. Shall obtain Right-of-way and Erosion Control Permits prior to work commencing;
5. Provide drainage calcs with final plan;
6. Comply with all Engineering Preliminary Site Plan comments

Motion carried.

Chairman McGrath proceeded to the public hearing items on the Agenda at 7:00 p.m.

Public Hearing No. 1:
Subdivision Plat Preliminary Approval for Mossy Creek Subdivision in a RS7 (Single Family Residential – 7,000 sq. ft.) zoning district at 2726 and 2878 Southside Boulevard (54 single family detached lots on 16.53 acres for 3.27 average dwelling units per gross acre – A portion of Section 1, T2N, R2W, BM) for Leavitt and Associates Engineers, Inc. representing IAG Mossy Creek LLC (SPP 049-19). – ACTION ITEM

Chairman McGrath proceeded to public hearing.

Brady Lasher of Lasher Enterprises, 459 E Claymont Ct, Meridian – representing the applicant.
• Mr Lasher presented the application for the Mossy Creek Subdivision.
• Mr Lasher noted the subject property was currently annexed into the City and zoned RS-7.
• The current plat, advised Mr Lasher, had been modified from the previous expired Preliminary Plat to meet current requirements.
• According to Mr Lasher they would be stubbing into the existing sewer line in the subdivision to the northeast.
• In response to a question from Kehoe, Mr Lasher noted the emergency access on the southwest corner of the subject property.

Senior Planner Watkins:
• Watkins reviewed the Preliminary Plat for Mossy Creek Subdivision.
• The property, continued Watkins, had been annexed in 2009 with a Development Agreement and a zoning designation of RS-7.
• The project complies with the Concept Plan recorded in the Development Agreement, within Ordinance 3866 in 2009, and meets or exceeds the development standards for single family subdivisions in the RS-7 zone.
• Watkins noted the surrounding zoning of RS-6 on the east and west and Canyon County enclaved properties on the north and south.
• Watkins reported there would be one main access into the subdivision and a second emergency only access, both on to Southside Blvd.
• The Engineering Division, stated Watkins, has requested an updated Turn Lane Warrant Study to be performed.
• City utilities are available to the site and the Engineering Division has outlined those requirements in the Memorandum from Caleb LaClair, Assistant City Engineer, dated November 13, 2019.
• The Mossy Creek project proposes 54 buildable lots and 4 common lots on 16.53 acres, 3.27 dwelling units per acre.
• According to Watkins, all lots meet or exceed the 7,000 sq ft minimum lot size, the average lot size for the proposed development would be 8,086 sq ft.
• Although the proposed subdivision does abut residential subdivisions in the County, advised Watkins, they are not platted properties, therefore the compatibility requirement was not mandatory.
• The proposed subdivision layout, added Watkins, matches the concept that was approved as Exhibit B in the Development Agreement, and therefore, deemed compliant.
• All lots demonstrate the width and depth required by Code, stated Watkins.
• A revised Landscaping Plan, continued Watkins, has been requested to replace a few of the trees that were shown.
• Watkins discussed the Safe Routes to School in relation to: Ronald Reagan Elementary – walkable; East Valley Middle School – ¾ mile along Southside Blvd and E Greenhurst Rd, with lots of sidewalk gaps to navigate adjacent properties within Canyon County; and, Skyview High School – approximately 1.5 miles and not considered walkable.
• Watkins indicated the COMPASS analysis.
• The Nampa Parks Department requested 20 ft from top of bank along the south side of the Elijah Drain to be deeded and dedicated to the City of Nampa, and also requested the developer construct the pathway as indicated on the Preliminary Plat.
• Watkins reviewed the recommended conditions of approval.

Chairman McGrath proceeded to public testimony.
• Chairman McGrath noted the application before the Commission was a platting discussion and did not involve whether the subdivision should be allowed as the property had already been annexed, zoned RS-7 with an approved concept plan.

Jennifer Eld of 2810 Southside Blvd, Nampa – opposed:
• Ms Eld spoke in opposition to the Mossy Creek Subdivision Preliminary Plat and noted her property was surrounded by the subject property.
• Ms Eld questioned why a Traffic Study had not been required for the proposed development. Ms Eld noted there had been an explosion in growth in the entire valley since the 2006 approval of the original subdivision. With 2 cars per home, continued Ms Eld, there would be well over 100 cars coming in and out of the subdivision on to Southside Blvd.
• Ms Eld added there were no sidewalks and suggested there were no safe routes to walk to Ronald Reagan Elementary school on the extremely busy Southside Blvd.
• Ms Eld reiterated her suggestion that a Traffic Study should be accomplished for Southside Blvd between Locust Ln and Greenhurst Rd.
• Ms Eld inquired where the sewer line would be coming from.

Jesse Eld of 2810 Southside Blvd, Nampa – opposed.
• Miss Eld discussed the issues with groundwater on the subject property.
• The test holes dug on her family’s property continued Miss Eld, quickly filled up with water.
• Miss Eld indicated some pictures of the groundwater indicating how saturated the pasture was with groundwater sometime after the test holes were dug.
• Miss Eld inquired how the subject property could be developed with homes if the groundwater came seeping up.

Barbara Clancy of 2810 Southside Blvd – opposed but did not wish to speak.

Kristin DeBoer of 2858 Southside Blvd, Nampa – opposed:
• Ms DeBoer stated their property was right next door to the proposed emergency entrance to the subdivision.
• Ms DeBoer questioned how they would access the eastern portion of their land behind the fence, and reported they had been told by the original owners they would still have access to their land if the adjacent parcel became an entrance to the subdivision.
• Ms DeBoer questioned if that access to their land would still be available.
• According to Ms DeBoer, the previous owners had been told the subject land was not appropriate for a subdivision due to the fact a lift station would have to go in, as well as other issues with the land.
• The other points of concern, continued Ms DeBoer, were location of fences that would block the view for the existing property owners, would the houses be two stories, and, the preservation of the creek.
• Ms DeBoer discussed: the written agreement by the Baxters regarding access when they sold the subject property; as well as tying into the pressurized irrigation for the proposed subdivision.
• Ms DeBoer concurred with the earlier statement regarding the extremely busy traffic on Southside Blvd.

Andrew DeBoer of 2858 Southside Blvd – Nampa – opposed but did not wish to speak.

Janette Scarbrough of 2607 S Bluegrass Dr, Nampa – opposed:
• Ms Scarbrough questioned if there had been any type of environmental impact study completed on the subject property and noted the amount of wildlife in the area, including quail, cranes, and marmots in the rock formation along the Elijah Drain.
• Chairman McGrath responded to a question from Ms Scarbrough and stated there would be a pathway and at least 20 ft between the Elijah Drain and any homes and a fence along the pathway/canal.
• Ms Scarbrough noted the grove of old trees on the subject property and questioned if they would be preserved.

Shane Scarbrough of 2607 S Bluegrass Dr, Nampa – opposed:
• Mr Scarbrough stated they lived on the north side of the Elijah Drain.
• According to Mr Scarbrough, his primary concern was the traffic on Southside Blvd in relation to the number of nearby schools, and no sidewalks, possibly creating a dangerous situation for the children.
• Mr Scarbrough inquired if a Traffic Study had been undertaken for the proposed subdivision.

Dana Ellis of 3111 Southside Blvd, Nampa – opposed but did not wish to speak.

Chuck Kunerth of 3303 E Oklahoma Ave, Nampa – undecided.
• Mr Kunerth had questions regarding the proposed Mossy Creek Subdivision Preliminary Plat regarding: swampy land, fencing, ground water, and wildlife.
• According to Mr Kunerth, he owned the property to the south of the proposed subdivision and ran cattle on most of his property at the present time.
• Mr Kunerth concurred with previous comments regarding how swampy the subject property was, with standing water on a large portion of the land and questioned how homes could be constructed on that land.
• Mr Kunerth inquired how the property would be served by sewer.

Mr Lasher:
• Mr Lasher responded to some of the questions raised.
• Typically, reported Mr Lasher, a 6 ft vinyl fence would be constructed around the perimeter of the property.
• Regarding the groundwater, Mr Lasher advised there were currently 5 test pits on the property, with one test pit showing a depth of 14 ft, and four others ranging from 5 to 4 ½ ft deep.
• The recommendation, continued Mr Lasher, had been slab on grade for the proposed homes.
• Mr Lasher discussed the proposed grading of the subject property.
• According to Mr Lasher he had not looked into the wildlife on the property.
• Mr Lasher stated they would be dedicating 20 ft from the edge of the Elijah Drain bank with a meandering pathway.
• Any trees along the Elijah Drain, continued Mr Lasher, would be retained as much as possible.
• Mr Lasher indicated on the plat the common areas along the drain, and the additional common lots within the development, comprising approximately 11 to 12 percent of the subdivision area.
• If there was an Access Easement Agreement, continued Mr Lasher, then it would be maintained.

City Engineer Badger:
• Badger responded to questions regarding the proposed Mossy Creek Subdivision Preliminary Plat.
Regarding the traffic concerns, stated Badger, the proposed subdivision did not reach the threshold requiring a full Traffic Impact Study. It did require an evaluation of the entrance roadway and whether turn lanes are necessary there.

The Traffic Study from 2016 indicated the necessity of turn lanes and the Engineering Division has asked for an update of that Study to verify those turn lanes are still warranted.

Badger noted Traffic Impact fees of approximately $2800 would be collected from each of the lots upon Building Permit application, which would then be used to accomplish traffic improvements throughout the City.

The proposed subdivision would be required to put in the turn lane as necessitated by the updated Traffic Study.

In response to a question from Chairman McGrath, Badger stated the Traffic Studies are designed to identify what the impacts from a project would be to the roadway network.

The sewer, reported Badger, would connect to the sewer line on Bluegrass Dr, via the existing easement through the storm drain pond.

Regarding an Environmental Impact Study, continued Badger, there were no endangered species within the area that would necessitate an Environmental Impact Study.

The existing Elijah Drain, stated Badger, has a 50 ft easement for the Nampa Meridian Irrigation District to either side, and they would typically not allow any encroachment of residential lots within that area, but would, however, allow the pathway within that easement.

With the current charges for impact fees, continued Badger, they would no longer have to do widening on Southside Blvd unless called for by a turn lane but would still be required to place sidewalks along their frontage.

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

Kehoe motioned and Miller seconded to approve the Preliminary Plat for Mossy Creek Subdivision in an RS-7 zoning district at 2726 and 2878 Southside Blvd for 54 single family detached lots on 16.53 acres for Leavitt and Associates Engineers, Inc, representing IAG Mossy Creek, LLC, subject to:

The Developer/Development shall comply with all requirements imposed by City agencies involved in the review of this matter including, specifically the following:

1. Work with adjacent property owner to establish needs for access and show easement or reference to recorded agreements on the final plat, or explain in writing why this was not needed or achieved;
2. Work with neighbors on preferred fencing solutions, provide fencing plan with final plat submittal;
3. Indicate a top of foundation wall or a finish floor elevation on each lot on the final plat construction drawings;
4. Submit revised landscape plans;
5. Deed and dedicate 20 ft from the top of bank along the south side of the Elijah Drain and construct pathway;
6. Apply for Land Use Change and License Agreement with Nampa Meridian Irrigation District;
7. Developer shall provide 40- feet of public right-of-way along Southside Blvd to be dedicated with final plat;
8. Frontage road improvements along Southside Blvd shall be provided in accordance with Nampa City Code Section 9-3-1.
9. Developer shall provide an updated Turn Lane Warrant Analysis for the Southside Blvd and Mossy Cove Street intersection or provide turn lanes as required by the original Traffic Impact Study.
10. Developer shall construct traffic calming measures (speed hump, cross gutters, bulb-outs, etc.) on E Mossy Cove Street.
11. Developer shall provide an internal stub street with utilities to the southerly and northerly properties for future development connectivity. We recommend stubbing S Mossy Forest Ave to the north and E Mossy Oak Loop to the north.
12. 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/reevelopment and prior to connection to City services.
13. Any and all domestic and irrigation surface and/or groundwater rights shall be transferred to the City at the time of property development/reevelopment, and prior to connection to City services.
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.

14. 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 12-inch pressure irrigation main in Southside Blvd per the City’s Master Plan from S Stonehedge Drive to E Mossy Cove Street, and eliminate connections to the existing 6 inch main along the west side of Southside Blvd.

15. Applicant shall address all street name comments identified in the letter from Nampa Engineering Division prior to Final Plat submittal.

16. Applicant shall provide an addendum to the Geotechnical Report at the time of Final Plat submittal verifying the 2006 report and providing additional groundwater monitoring data as available.

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;

18. Any exceptions to City adopted subdivision design standards shall/will require separate design [exception] approval from the City Council.

Motion carried.

Public Hearing No. 2:

Conditional Use Permit for an Impound Lot/Vehicle Hold Area in a IL (Light Industrial) zoning district at 3913 Summit Lane (A portion of a .70 acre or 30,492 sq. ft. parcel situated in the SE ¼ of Section 13, T3N, R2W, BM and a portion of Lot 1, Block 2, Hillcrest Business Park for Nazar Leskovets (CUP 155 -19). – ACTION ITEM.

Chairman McGrath proceeded to public hearing.

Nazar Leskovets of 1300 N Gage Ln, Nampa – the applicant:

- Mr Leskovets stated he had requested a Conditional Use Permit for a 5,000 sq ft lot for an Impound Lot/Vehicle Hold area.
- Kehoe inquired how many vehicles would be kept on the lot and Mr Leskovets replied there would be about 20 vehicles going on and off the lot.
- Mr Leskovets responded to a question from Kehoe and advised the vehicles would be coming from the Idaho State Police, Nampa Police Department and Canyon County Sheriff.
- Kropp inquired about the fence and Mr Leskovets replied the vinyl slats were already in the existing fence, in order to screen the property from view.

Principal Planner Ashby:

- Ashby reported the applicant’s request was for a Conditional Use Permit for a new Impound Lot/Vehicle Hold business on the subject property.
- According to Ashby, the subject property had been designated within a Light Industrial district on the Comprehensive Plan Future Land Use map, with a Heavy Industrial designation to the north where the salvage yard was located.
- The zoning, added Ashby, was also Light Industrial, with Heavy Industrial zoning further north, Light Industrial zoning to the north and west, Community Business zoning to the west, and Suburban Residential zoning to the south.
- City utilities were available to the property, noted Ashby. Access was from E Summit Ln.
- Ashby reviewed the criteria for approval of a Conditional Use Permit.
- Section 10-22-5. D, noted Ashby, requires all surfaces where a vehicle traverses or would be parked shall be paved.
- Ashby reviewed the Staff Report and recommended conditions of approval, noting the location, size and design and operating characteristics of the proposed Towing/Impound business should be compatible with and not adversely effect the abutting properties and the surrounding neighborhood; the location, design, and site planning of the proposed Towing/Impound Yard would be as attractive as the nature of the use and its location.
and setting warrants; and, the proposed Towing/Impound business would enhance the successful operation of the surrounding developing area in its basic community function and provide an essential service to the community or region.

- Ashby noted that in the past, Planning and Zoning has permitted a graveled area behind a building if the area is screened from view. However, added Ashby, the staff recommendation was to pave the area.
- The applicant, added Ashby, has stated the property has been screened with slats in the fencing.
- Kehoe noted the concern of vehicles leaking oil and fluids and contaminating the ground if the area was not paved.

City Engineer Badger:
- Badger responded to a question from Kehoe regarding the widening of N 39th St.
- According to Badger, the City was looking into widening N 39th St in relation to changes at the Airport that would change the intersection at N Kings Rd and Garrity Blvd. N 39th St would then become more of the entrance to the Airport, but it would be a future project and would not impact the subject property.

Chairman McGrath proceeded to public testimony.

Gordey Dashkel of 709 N 39th St, Nampa – in favor but did not wish to speak

Mr. Leskovets:
- Mr Leskovets responded to a question from Chairman McGrath and stated he was not made aware when he submitted the application of the requirement to pave the proposed Impound Lot/Vehicle Hold yard.
- The previous owner, continued Mr Leskovets, repaired vehicle frames inside the shop and had salvage vehicles parked outside. If the ground was contaminated, added Mr Leskovets, that contamination had already occurred.
- Mr Leskovets noted there was a drain for water in the front parking area.
- Chairman McGrath inquired if it would be a significant impact on operating the business if Mr Leskovets was required to pave the area and Mr Leskovets replied he would not be able to operate the business if that was a requirement.
- Kehoe inquired the area that would be paved if that was a requirement and Mr Leskovets replied it was a 5,000 sq ft lot.
- Mr Leskovets explained if the vehicle was damaged or there were oil or fluid leaks then the vehicle would be drained before putting it into the lot.

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

- Discussion followed regarding requiring paving of the Impound Lot/Vehicle Yard.
- Ashby noted that although businesses had been permitted to park vehicles behind a screened fence or wall, that had usually occurred with the parking of large trucks or employee vehicles. The proposed use added Ashby did have the possibility and concerns regarding contamination of the ground.
- Kropp considered if the subject business was allowed without paving, then another business could do the same.
- Miller noted the applicant was leasing the property and did not own it, and the required paving would be a significant amount of money for a new business.
- Discussion followed regarding possible alternatives to paving.

Sellman motioned to reopen the public hearing and Kehoe seconded. Motion carried.

- Mr Leskovets stated he had compared the subject property to every tow yard in the City and stated they were all graveled lots. Mr Leskovets indicated a photo he had taken of the subject property and the fence was completely slatted and the property hidden from public view.
- Chairman McGrath noted that salvage lots within the City are graveled.

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

Garner motioned and Miller seconded to approve the Conditional Use Permit for an Impound Lot/Vehicle Hold Ave in an IL zoning district at 3913 Summit Lane, a portion of Lot 1, Block 2 Hillcrest Business Park for Nazar Leskovets, 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; and,

Specifically:
1. The Conditional Use Permit shall be issued only for a Towing/Impound Business. No outside vehicle salvage shall be allowed.
2. The outdoor parking and yard area adjacent the business shall be maintained free of oil and debris and otherwise maintained in a neat and orderly manner. Any vehicle fluids shall be disposed of at an approved dump site and not on the property.
3. The property shall be continuously maintained in conformance with weed and nuisance ordinance provisions.
4. The Conditional Use Permit is granted only to the property for the duration of the use and shall not be transferable to any other location.
5. Though the back parking area does not need to be paved, the applicant shall make a good-faith effort to protect the ground from contamination.

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

Public Hearing No. 3:
Conditional Use Permit for the existing Bar in the Craft Lounge in a DH (Downtown Historic) zoning district at 320 11th Ave So, Unit 2 Ground Floor, Historic 29th Masonic Lodge (A portion of a .48 acre or 20,909 sq. ft. parcel situated in the SW ¼ of Section 22, T3N, R2W, BM for Nick Boban (CUP 156 -19). – ACTION ITEM

Chairman McGrath proceeded to public hearing.

Nick Boban of 849 Mollywood Ave, Nampa – applicant:
• Mr Boban explained he operated the existing Craft Lounge in the old Masonic Building.
• In 2018, stated Mr Boban they applied for their first liquor permit and that was granted. At that time, added Mr Boban, they had not submitted the Conditional Use Permit application and they were now requesting that approval.
• According to Mr Boban, they have always maintained a safe and upscale environment, only for those 21 and over. The Craft Lounge was very well received, and they are now expanding and taking over the full unit within the building.
• Kehoe noted the letters of support received.

Principal Planner Ashby:
• Ashby reviewed the application for the Conditional Use Permit for the existing Bar in the Craft Lounge in a DH zoning district at 320 11th Ave S, Unit 2, Ground Floor, Old Masonic Lodge Building.
• Ashby indicated the Old Masonic Lodge building, and the location of the lounge.
• According to Ashby, the Brick 29 Restaurant had operated a bar in that facility before it was turned into a full lounge.
• In July of 2017 the Brick 29 Restaurant moved to the newly constructed top floor of the Old Masonic Lodge Building. In December of 2017 the Craft Lounge began operating, and in October of 2019 the Craft Lounge submitted a Building Permit to expand the lounge and because that expansion was more than 25 percent the Conditional Use Permit Application was also required.
• The subject property, continued Ashby, had a Comprehensive Plan designation of Downtown, with a Downtown Historic zoning designation, and located in the same building as the Brick 29 Restaurant.
• Ashby indicated the surrounding businesses to the property, with O’Reilly Auto Parts to the northeast, Alsip Funeral Home to the west, southwest has residential duplexes, and to the northwest was Mike Mussell’s Nampa Town Square facility.
• City utilities are available to the subject property, noted Ashby.
• Ashby indicated the proposed expansion for the Craft Lounge where they would be removing a wall and expanding the lounge.
• Ashby reviewed the Staff Report and recommended conditions of approval.
• According to Ashby there had been a significant amount of correspondence in favor of the Conditional Use Permit approval.
• The applicant, continued Ashby, has a current approved liquor license.
• The previous occupant of the ground floor, Unit 2 space, stated Ashby, operated a bar that was associated with a restaurant, and confusion occurred when the restaurant moved to the top floor of the building and the Craft Lounge should officially have required Conditional Use Permit approval.
• The Craft Lounge portion of the building was well maintained, stated Ashby.
• According to Ashby the City Council had noted they would like Conditional Use Permits for a lounge to not be transferable to the next property owner. Chairman McGrath inquired if that was a statutory requirement or an ask. Ashby replied it was an ask.
• In response to a question from Kehoe, Ashby confirmed the Craft Lounge was located on the ground floor (basement) of the Old Masonic Building.

Chairman McGrath proceeded to public testimony.

Jerry Dickerson of 3615 S Raintree Dr Nampa – in favor but did not wish to speak.
Dustan Bristol of 11070 W Highmont, Boise – in favor but did not wish to speak.
Samantha Glover of 1516 W Cactus St, Nampa – in favor but did not wish to speak.
Dan Edgerton of 4575 Stamm Ln, No. 307, Nampa – in favor but did not wish to speak.
John Watts of 937 W Mollywood Dr, Nampa – in favor but did not wish to speak.
Helen Watts of 937 W Mollywood Dr, Nampa – in favor but did not wish to speak.
Ashlee Boban of 849 W Mollywood Ave, Nampa – in favor but did not wish to speak.
Patrick Vanderbeek of 419 16th Ave S, Nampa – in favor but did not wish to speak.

Scott Glover of 1516 W Cactus St, Nampa – in favor.
• Mr Glover stated he operated Alsip Funeral Chapel, located across the street from the Old Masonic Building.
• Many times stated Mr. Glover, there were families from out of town that requested recommendations for places to go to eat, drink, or just hang out in a safe environment. Mr Glover advised that many times they send them across the street to Brick 29, as well as the Craft Lounge.
• Craft Lounge, reported Mr Glover, operated a very comfortable environment, and at no time did you feel threatened. Also, he had no problem with having his wife go to the Craft Lounge alone and being respected by the staff and the patrons.
• Mr Glover advised he was in full support of the expansion of the Craft Lounge.

Kenny Wroten of 4537 E Tuscany Ave, Nampa – in favor:
• Mr Wroten stated he was also in favor of the Conditional Use Permit and noted the Craft Lounge was much in keeping with the Downtown Historic zoning and styling. The staff and environment were professional and explained it was a venue for communication and discussing business.

Arthur Mortenson of 3404 E Park Ridge Dr, Nampa – in favor.
• Mr Mortenson concurred with the comments from Mr Glover and Mr Wroten.

Chris Voth of 4466 S Seabiscuit Ave, Boise – in favor.
• Mr Voth stated he was an employee of Mr Boban and has worked for him for just over a year.
• Mr Voth stated he was a 2013 graduate of NNU.
• According to Mr Voth, Mr Boban has provided an establishment for staff members to cultivate a culture for citizens to come and relax and enjoy themselves.
• It would be a shame, continued Mr Voth, for the Craft Lounge not to be able to expand. Mr Voth stated he was in full support of approving the Conditional Use Permit.

John Bishop of 1311 Cattail St, Nampa – in favor.
• Mr Bishop stated the Craft Lounge was a very quiet and adult place to visit, and a place where he could go with his adult children. The affable staff, added Mr Bishop, were always accommodating.
• Mr Bishop voiced his support for the creative, eclectic type of environment for the community.

Luis Caloca of 16 S Mason Creek Rd Nampa – in favor.
• Mr Caloca stated he made the decision to live in Nampa as a new graduate in 2004.
• According to Mr Caloca, the Craft Lounge was one of those places that make Nampa what it is today where you can go to celebrate. The Craft Lounge is special, added Mr Caloca, and comfortable, with no threats and you can drink socially.

Rosaura Mustic of 7792 E Tea Party Ln, Nampa – in favor:
• Ms Mustic stated she was a real estate agent and many times she would meet with people coming to the area in the Craft Lounge.
• If people are coming to Nampa, one of the great places to show them is the Craft Lounge, and emphasized it was a locally owned business.
• The Craft Lounge, added Ms Mustic, was a good place for meetings and business, and to meet clients.
• Ms Mustic considered the local small businesses should be supported.
• According to Ms Mustic, she feels safe at the Craft Lounge.

Kim Sorenson of 219 Sunrise Rim Rd, Nampa – in favor.
• Ms Sorenson asked everyone in support of the Craft Lounge to raise their hands. Approximately 20 or more people raised their hands in support.
• Mr Boban responded to a question from Kehoe and stated the only food provided in the Craft Lounge was small appetizer plates, due to the fact the Brick 29 Restaurant was upstairs.
• Chairman McGrath inquired of the applicant his opinion of the City Council request to impose a condition on the Conditional Use Permit that the CUP could not be transferred to another owner/operator.
• Mr Boban replied he was opposed to that condition due to the fact the equity in a business, with the license and ability to operate in that space would be part of the equity. If at some point in the future he would consider selling the business, the business would be worthless if he could not transfer the C-U-P to the new owner.
• Mr Boban considered the suggestion to deny transfer of the Conditional Use Permit would not encourage business in Nampa.

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

Kehoe motioned and Kropp seconded to approve the Conditional Use Permit for the existing Bar in the Craft Lounge in a DH zoning district at 320 11th Ave S, Unit 2, Ground Floor, Historic 29th Masonic Lodge, for Nick Boban, subject to all conditions of staff - including:

The Conditional Use Permit is granted to the applicant until such time as it no longer operates as a lounge, and shall not be transferable to a new tenant, business owner, or any other party.

Motion failed with Kehoe in favor and Garner, Hutchings, Kropp, Miller, and Sellman opposed.

Sellman motioned and Miller seconded to approve the Conditional Use Permit for the existing Bar in the Craft Lounge in a DH zoning district at 320 11th Ave S, Unit 2, Ground Floor, Historic 29th Masonic Lodge, for Nick Boban, 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 Conditional Use Permit is granted for the Craft Lounge for 320 11th Ave S, Unit 2, Ground Floor, Historic 29th Masonic Lodge only, until such time as it no longer operates as a lounge.

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

Public Hearing No. 4:
Annexation and Zoning to RS6 (Single Family Residential – 6,000 sq. ft.) at 842 W. Greenhurst Rd. for a lot split (A portion of Lots 14 & 15 of Home Acres Subdivision No. 6 lying in a portion of the SW ¼ SW ¼ of Section 33, T3N, R2W, BM Canyon County) for David DeMayola (ANN 134-19). – ACTION ITEM

Chairman McGrath proceeded to public hearing.

Nampa Planning and Zoning Commission Meeting – November 26, 2019
Page 10
David DeMayola of 842 W Greenhurst Rd, Nampa – the applicant:

- Mr DeMayola stated he and his wife were originally looking for a property between one half acre and an acre in size, and the subject property was approximately 3 acres in size.
- The intent was to split off the back 2 acres, added Mr DeMayola, they were not currently using.
- In response to a question from Kehoe, Mr DeMayola stated they would access the back 2 acres via the dedicated right-of-way on the west side of the property.

Principal Planner Ashby:

- Ashby stated the applicant had requested Annexation and RS-6 zoning for the subject property in order to split the existing lot into two parcels and sell the northern parcel.
- The Comprehensive Plan designation, advised Ashby, was Medium Density Residential.
- The applicant had requested the RS-6 zoning designation.
- The property was surrounded by Rural Residential zoning to the north, Single Family Residential to the south – RS-6. To the east was County enclaved rural residential, and to the west was an RS-6 zoned property.
- City utilities, advised Ashby, were available in Greenhurst Rd, and access would be from Greenhurst Rd for the front property.
- Ashby indicated the dedicated right of way on the west side of the property and noted the Memorandum of Understanding for the property on the west side of the dedicated right-of-way requiring the roadway be constructed on the dedicated right of way area, once the property at the back developed. There was a Deferral Agreement in place for the road construction.
- It would be a joint responsibility for both the property owner on the west of the dedicated right-of-way, and the subject property on the east side, added Ashby.
- The dedicated right-of-way was currently forty-two (42) ft wide, reported Ashby, and the Engineering Division requested another two (2) ft be added on the east side of the dedicated right-of-way to make it 44 ft wide.
- Ashby reviewed the Engineering Division memorandum dated November 8, 2019, authored by Caleb LaClair listing conditions of approval for annexation of the subject property.
- In response to a question from Garner, Ashby agreed the legal descriptions would have to be revised to include the required dedication of right-of-way of 25 ft for Greenhurst Rd and 2 ft additional for the required dedication of right-of-way on the west side of the property, and the Memorandum of Understanding and Deferral Agreement.

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

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

Sellman motioned and Miller seconded to recommend to City Council approval of the Annexation and RS-6 zoning for 842 W Greenhurst Rd, (a portion of Lots 14 and 15 of Home Acres Subdivision No. 6, for David DeMayola, subject to:

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 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.
5. The property will be subject to the terms and conditions of the Memorandum of Understanding and Deferral Agreement established with Wolf Building Company dated October 7, 2019 regarding the undeveloped public right-of-way and allowance of a private driveway. The City reserves the right to require a similar Memorandum of Understanding and Deferral Agreement for the subject property at the time of development.
6. Greenhurst Road currently only has 25’ of public right-of-way dedicated. An additional 25’ will need to be dedicated for a total of 50’ from Section Line.
7. The unnamed/undeveloped public right-of-way has 42’ width. As was required by application ANN-00114-2019 and an additional 2’ of public right-of-way shall be dedicated along the easterly boundary of the right-of-way (westerly edge of the property) for a total right-of-way width of 44’ to accommodate the “Reduced Width Local (2)” road section in the Nampa Engineering Process and Policy Manual.

8. The City entered into a Memorandum of Understanding (MOU) and Deferral Agreement with Wolf Building Company for the property located to the west (900 and 904 W Greenhurst Road) regarding the undeveloped public right-of-way. The agreements made allowance for the adjacent properties to construct and maintain a private driveway within the undeveloped public right-of-way until such time as the subject property develops or the number of residential units that take access from the driveway exceeds four. Development of this property may trigger the need to fully improve the undeveloped public right-of-way as stipulated by the agreements or enter into a new MOU and Deferral Agreement with the City at the time of development, dependent on the total number of homes taking access from right-of-way. The applicant should meet with the Engineering Division to discuss access needs and implications of existing agreements prior to development.

Motion carried.

Public Hearing No. 5:
Amendment of Title 10, Chapter 3, Section 10-3-2 containing the Schedule of District Land Use Controls by removing the requirement stated in Note 1 for Residential Land Use/Building Occupancy Type that there be no 220-volt power source for Accessory Dwelling Units (attached or detached) for the City of Nampa (ZTA-00013-2019). – ACTION ITEM

Chairman McGrath proceeded to public hearing.

Principal Planner Ashby:
- Ashby explained there was an existing condition in Chapter 10-3-2 – Land Use Table regarding Mother-In-Law quarters. In the past, continued Ashby, the City did not want the Mother-In-Law quarters to be rented out, so a condition was placed in the Zoning Code stating 220 power would not be permitted for a laundry or kitchen.
- Recently the Nampa Building Department advised him that per International Building Code, and Electrical Code, a 240 Volt electricity service must be supplied to any residence, in order to prevent electrical fires for heating systems, kitchenette appliances, etc.
- According to Ashby, any reference to not permitting a 220 Volt or higher electrical system would then be deleted from the Code.
- The proposed Amendment to the Code, continued Ashby, was solely on whether the higher voltage power was permitted in mother-in-law/guest house quarters.
- Staff, continued Ashby, would continue to try and respond to violations in the Code, if mother-in-law quarters were being converted into rental units, if it became apparent there was a separate address, mailbox, or additional parking structure.

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

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

Hutchings motioned and Miller seconded to recommend to City Council Amendment of Title 10, Chapter 3, Section 10-3-2 containing the Schedule of District Land Use Controls: by Removing the requirement stated in Note 1 for Residential Land Use/Building Occupancy Type that there be no 220-volt power source for Accessory Dwelling Units (attached or detached) for the City of Nampa. Motion carried.

Public Hearing No. 6:
Conditional Use Permit for Vape Sales in a GB1 (Gateway Business 1) zoning district at 5840 E. Franklin Rd. (A portion of Lot 8 in Block 1 of The Idaho Center, as shown on the official plat thereof on file in the office of the Canyon County Recorder in Book 23 of Plats at Page 4 and a portion of the SW ¼ Section 7, T3N, R1W, BM) for Craig Bedford, Bedford Enterprises LLC d.b.a. Nugget CBD (CUP 157 -19). – ACTION ITEM
Chairman McGrath proceeded to public hearing.

The applicant was not present

Senior Planner Watkins:
- Watkins advised the CBD portion of the business was an allowed use in the GB-1 zoning district and the Conditional Use Permit Application was for the Vape sales.

S Sellman motioned and Kehoe seconded to continue the public hearing for CUP-00157-2019 for Vape Sales at 5840 E Franklin Rd, in a GB-1 zoning district for Craig Bedford, Bedford Enterprises, LLC dba Nugget CBD, to December 10, 2019, due to the absence of the applicant.
Motion carried.

Public Hearing No. 7:
Conditional Use Permit for Firearms Manufacturing in an IL (Light Industrial) zoning district at 1604 E. Plaza Loop (Tax 10016 in Lot 14 and part of Lot 1 and 2, Block 1, Mason Creek Plaza and a portion of the SW ¼ Sylvan Heights in Section 14, T3N, 2W, BM) for Brian Kennedy, Precise Innovation LLC (CUP-00158-2019). – ACTION ITEM

Chairman McGrath proceeded to public hearing.

Brian Kennedy of 548 E Woodbury, Meridian – the applicant:
- Mr Kennedy stated he had been at the 1604 E Plaza Loop location for a short period of time.
- According to Mr. Kennedy, they operate a machine shop at that location and were now applying for their FFL in order to manufacture AR-15 rifles.
- In response to a question from Kropp, Mr Kennedy stated he owned the business but leased the property where the business was located.

Senior Planner Watkins:
- Watkins stated the applicant had submitted a Conditional Use Permit application to allow for firearms manufacturing in the space located at 1604 E Plaza Lp.
- The subject property, added Watkins, was within the City limits and zoned IL and the properties to the north, south and east are also zoned IL The property to the west is zoned BC.
- The Light Industrial district, continued Watkins, was intended to create, preserve and enhance areas containing a wide range of manufacturing and related establishments.
- The area has a Comprehensive Plan designation of General Commercial and the location of the building was on the border of the General Commercial and the Light Industrial area, therefore the Light Industrial zoning had been pulled to that property.
- The tenant space comprises approximately 2,700 sq ft and is part of a large building with multiple tenants and shared parking.
- City water, sewer and irrigation services are available to the property, noted Watkins, with access from two points along E Plaza Loop.
- The business will manufacture AR-15 rifles, reported Watkins, and the completed rifles would be stored in a safe within an alarmed secured room. Other completed components would also be stored within that room.
- No direct sales would occur at the subject location and the rifles would be shipped from the location to gun dealers.
- Watkins explained the applicable regulations for approval of a Conditional Use Permit under Nampa City Code, Title 10, Chapter 25.
- Watkins reviewed the recommended conditions of approval for the Firearms Manufacturing facility at 1604 E Plaza Lp, if approved by the Commission.

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

Garner motioned and Sellman seconded to close public hearing. Motion carried.
Kropp motioned and Sellman seconded to approve the Conditional Use Permit for Firearms Manufacturing in an IL zoning district at 1604 E Plaza Loop, Tax 10016 in Lot 14 and part of Lot 1 and 2, Block 1, Mason Creek Plaza for Brian Kennedy, Precise Innovation, LLC, subject to:

1. All requirements of the Nampa Planning, Building, Engineering, and Fire Departments as well as State, or Federal agencies regarding use of the property for a firearms manufacturing business shall be satisfied prior to occupancy.
2. The owner maintains all regulatory permitting, licensures and operational procedures as required by law.
3. Completed rifles will be stored in a safe within an alarmed secured room. Other completed components will be also stored within the secured room.
4. The Conditional Use Permit is granted only to the property for the duration of the use and shall not be transferable to any other location.

Motion carried

Meeting adjourned at 9:25 p.m.

Norman L Holm, Planning Director
November 20, 2019

Nampa City Planning & Zoning Department
Attn. Norman Holm
411 Third Street SO
Nampa ID 83651

RE: Time Extension Sunnyvale Subdivision

Dear Norman:

Please accept this request for a one year time extension of Sunnyvale Subdivision. This Subdivision is located, on the northside of W. Flamingo Ave near the Bassy Cove northwest corner of Middleton Road and W. Flamingo Ave. on the north side of.

Currently the developer, Sunnyvale Properties LLC., has just submitted the first, two phases of the subdivision and plans on begin construction as soon as weather will allow. These phase will be recorded in 2020. We are therefore requesting a one year time extension for Sunnyvale Subdivision.

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

Sincerely,

[Signature]

Kent Brown
Planner
BUSINESS ITEM NO. 1
STAFF REPORT

Applicant(s)/Engineer(s):
Toll Southwest, LLC as Applicant/Developer and Engineering Solutions, LLP as Engineer(s)/Surveyor(s)

File(s): SPF-00109-2019

Analyst: Kristi Watkins, Senior Planner

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

Final plat approval for:
Carriage Hill West Subdivision No. 4 (hereinafter the “Development”; alternatively, "Carriage Hill West Subdivision No. 4" or the “Project”)

Comprising 19.78 acres proposed to be platted into fifty-four (54) buildable and seven (7) common lots for 2.73 dwelling units per acre, all within a RS 7 Zoned area located in a portion of the NW ¼ of Section 31, T3N, R2W, Boise Meridian, Canyon County in Nampa on the southeast corner of Lake Lowell Ave. and Midway Ave.

Correspondence:
Any correspondence from City departments/divisions and outside agencies or the citizenry is hereafter attached to this document for perusal. Comments may express opinions regarding the plat application or be geared towards recommending Conditions of Approval for a development should it be approved, or, directing corrections to the final plat or related construction drawings. If correspondence indicates 'no comment', it will not be included in the following list or attached to this staff report. The correspondence from agencies who provided comment are listed as follows:

1. An email, dated November 13, 2019, authored by Cody Swander, Nampa Parks Department, stating Parks requests that the sidewalk along Midway Road be installed at 10’ minimum width to act as the side path or “urban connector” as indicated on the City of Nampa Bicycle and Pedestrian Master Plan; and,
2. A letter, dated November 14, 2019, authored by Thomas Ritthaler, Boise Project Board of Controls, stating that BPBC reserves the right to review plans and require changes when their easements and/or facilities are affected by unknown factors; and,

3. An email, dated November 19, 2019, authored by Adam Mancini, Nampa City Forester, and an email dated November 22, authored by Doug Critchfield, Planning and Zoning regarding the sycamore trees in the landscaping and giving guidance to placement of the Sycamore trees; and,

4. An email, dated November 20, 2019, authored by Mark Zarnowsky, ESE Consultants, addressing comments from Centurylink, giving Centurylink the opportunity to review and comment on the location of their plan facilities; and,

5. A memo dated, December 3, 2019, authored by Caleb LaClair, Nampa Engineering Department, which identifies the following Conditions and Comments:

**General Comments**

a. Canyon Highway District No. 4 has maintenance jurisdiction over Midway Road. Any work within the Midway Road public right-of-way will require permit from them.

b. A Right-of-Way Permit with City of Nampa is required for any work to be performed within the W Iowa Ave Avenue public right-of-way.

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

**Final Plat Comments**

1. Confirm if Lot 11, Block 11 is required. Can it be included in Lot 10 with easement for sewer service and drainage to southwesterly out-parcel?

**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 “Carriage Hill West Subdivision #4 – Construction Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division, dated 12/3/2019 prior to construction drawing approval.

3. The Developer and their Engineer and Contractor shall adhere to the “Construction Duty and Responsibility Policy”, Section 108 of the 2017 City of Nampa Engineering Development Process and Policy Manual, during the construction process. The Developer shall sign the City of Nampa Subdivision Improvement Agreement and submit to the Nampa Engineering Division prior to start of construction.

4. Developer is responsible to obtain required encroachment permit from Canyon Highway District No. 4 prior to start of work within the right-of-way.

**Comments/Recommendation(s):**
Staff finds that the proposed subdivision final plat of/for Carriage Hill West Subdivision No. 4 substantially conforms within acceptable limits, to the approved preliminary plat of/for Carriage Hill West Subdivision, and, complies with relevant RS-7 zoning codes and City of Nampa subdivision standards pertaining to the proposed Development. (Said determination is, or may be, partially predicated on the final plat being revised in limited form and fashion to meet requirements set forth by various responding agencies and City departments.), and
recommends that Carriage Hill West Subdivision No. 4 be approved, contingent on Applicant/Developer/Development compliance with various Conditions of Approval.

SUGGESTED CONDITIONS OF APPROVAL

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

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

2. Address all Engineering redline comments on the final plat & construction drawings; and,

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

ATTACHMENTS

- City of Nampa Final Plat Application (pages 4-5)
- Legal Description (pages 6-7)
- Map (page 8)
- Final Plat (reduced size) (pages 9-11)
- Landscape Plan (pages 12-15)
- Preliminary Plat (pages 16-18)
- Agency response letters (pages 19+)
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  Carriage Hill West Subdivision No. 4
Location of Subdivision NW 1/4 of Section 31, T.3N., R.2W., B.M., Nampa, Canyon County, Idaho - 25.63 acres - Parcel No. R32087013A0

Owner  Toll Southwest LLC
Address  3103 W. Sheryl Drive, Suite 100, Meridian, ID 83642
Phone  (208) 424-0020
FAX  (208) 424-0030
E-Mail  acapell@tollbrothers.com

Applicant  Toll Southwest LLC
Address  3103 W. Sheryl Drive, Suite 100, Meridian, ID 83642
Phone  (208) 424-0020
FAX  (208) 424-0030
E-Mail  acapell@tollbrothers.com

Engineer/Surveyor/Planner  Engineering Solutions, LLP - Becky McKay, Planner
Address  1029 N. Rosario Street, Suite 100, Meridian, ID 83642
Phone  208-938-0980
FAX  208-938-0941
E-Mail  beckym@engsol.org

FINAL PLAT INFORMATION

Total Acreage  19.78
Total Number of Lots: 61  Buildable: 54  Common: 7
Gross Density per Acre: 2.73  (Number of units per acre of total land to be developed
Net Density per Acre: 3.36  (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  N/A

2017 Engineering Division Development Policy Manual
Rev. Date: January 17, 2017
Division 200
Section 202 – 3 of 8
CARRIAGE HILL WEST SUBDIVISION NO. 4
FINAL PLAT NARRATIVE

On behalf of Toll Southwest LLC, we hereby apply for a final plat for 54 single-family residential lots and 7 common lots on 19.78 acres. The property is located at the northeast corner of Midway Road and W. Iowa Avenue in the NW 1/4 of Section 31, T.3N., R.2W., B.M., Nampa, Canyon County, Idaho. The subject site was annexed into the City of Nampa in 2018 with a zoning of RS-7.

Carriage Hill West Subdivision No. 4 has lots ranging in size from 7,710 square feet to 19,354 square feet, with an average residential lot size of 11,184 square feet. Based on the Nampa Zoning Ordinance requirement for calculating the average lot size (excluding 20% of the largest lots and 20% of the smallest lots), the average lot size is 10,796 square feet. The gross density of this project is 2.73 dwelling units per acre (du/acre), and the net density is 3.36 du/acre. Carriage Hill West No. 4 contains common area totaling 2.2 acres, which equates to 11.1 percent open space for this phase of the development. The final plat is in conformance with the approved preliminary plat and meets all requirements or conditions thereof. The final plat conforms to all requirements and provisions of City of Nampa ordinances and was prepared in conformance with acceptable engineering, architectural and surveying practices and local standards.

The primary open space and central pool facility are being constructed in Phase 1. The proposed amenities within this phase include open space and pedestrian pathways. Recreational opportunities will be provided for the residents with a continuation of pathways and pocket parks within future phases of the development.

The applicant is proposing four-foot-wide detached sidewalks with six-foot-wide landscape buffers and a 34-foot-wide street section. Storm drainage for this project will be provided via subsurface seepage beds designed in conformance with the design standards of the City of Nampa. This phase is in substantial compliance with the Carriage Hill West Subdivision preliminary plat. No variances or waivers are being requested as part of this development.
Legal Description

Carriage Hill West Subdivision No. 4

A parcel of land located in the NW ¼ of Section 31, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at a Brass Cap monument marking the southwest corner of said NW ¼ of Section 31, from which a 5/8" diameter iron pin marking the northwest corner of said NW ¼ bears N 0°43'49" E a distance of 2650.62 feet; thence N 0°43'49" E along the westerly boundary of said NW ¼ a distance of 1151.62 feet;

Thence leaving said boundary S 89°16'11" E a distance of 50.00 feet to a point on the easterly right-of-way of Midway Avenue and the southerly boundary of Carriage Hill West Subdivision No. 3, as filed for record in Book ____ of Plats at Page __, records of Canyon County, Idaho, the POINT OF BEGINNING;

Thence leaving said right-of-way, and along said southerly subdivision boundary the following courses and distances:

Thence continuing S 89°16'11" E a distance of 361.00 feet to a point;
Thence S 0°43'49" W a distance of 120.00 feet to a point;
Thence N 89°16'11" W a distance of 35.00 feet to a point;
Thence S 0°43'49" W a distance of 524.87 feet to a point;
Thence S 89°16'11" E a distance of 127.89 feet to a point;
Thence N 78°08'13" E a distance of 56.00 feet to a point on a curve;
Thence a distance of 3.21 feet along the arc of a 272.00 foot radius non-tangent curve right, said curve having a central angle of 0°40'33" and a long chord bearing N 11°31'31" W a distance of 3.21 feet to a point;
Thence N 84°49'15" E a distance of 135.12 feet to a point;
Thence S 10°49'40" E a distance of 50.24 feet to a point;
Thence S 80°50'10" E a distance of 61.94 feet to a point;
Thence N 88°13'19" E a distance of 150.00 feet to a point;
Thence N 72°28'06" E a distance of 150.17 feet to a point;
Thence N 74°16'37" E a distance of 105.23 feet to a point;
Thence N 88°45'30" E a distance of 75.00 feet to a point;
Thence N 1°14'30" W a distance of 34.60 feet to a point;
Thence N 86°17'03" E a distance of 121.67 feet to a point;
Thence N 89°07'38" E a distance of 56.00 feet to a point on a curve;
Thence a distance of 2.87 feet along the arc of a 1028.00 foot radius non-tangent curve left, said curve having a central angle of 0°09'36" and a long chord bearing N 0°57'10" W a distance of 2.87 feet to a point;

Thence N 87°53'30" E a distance of 145.86 feet to a point;

Thence leaving said subdivision boundary S 11°53'20" W a distance of 77.30 feet to a point;

Thence S 2°06'30" E a distance of 75.00 feet to a point;

Thence S 74°15'33" E a distance of 80.39 feet to a point;

Thence S 11°59'57" W a distance of 109.00 feet to a point;

Thence S 6°55'02" W a distance of 172.77 feet to a point;

Thence S 10°51'11" W a distance of 73.45 feet to a point;

Thence S 7°54'20" W a distance of 20.07 feet to a point on the northerly right-of-way of W. Iowa Avenue;

Thence along said right-of-way S 89°22'42" W a distance of 203.08 feet to a point;

Thence leaving said right-of-way N 0°43'49" E a distance of 199.99 feet to a point;

Thence S 89°22'42" W a distance of 215.00 feet to a point;

Thence S 0°43'49" W a distance of 199.99 feet to a point on the northerly right-of-way of W. Iowa Avenue;

Thence along said right-of-way S 89°22'42" W a distance of 610.00 feet to a point;

Thence leaving said right-of-way N 0°43'49" E a distance of 179.99 feet to a point;

Thence S 89°22'42" W a distance of 149.00 feet to a point;

Thence S 0°43'49" W a distance of 179.99 feet to a point on the northerly right-of-way of W. Iowa Avenue;

Thence along said right-of-way S 89°22'42" W a distance of 218.50 feet to a point;

Thence N 42°09'11" W a distance of 145.52 feet to a point;

Thence N 11°22'03" W a distance of 97.69 feet to a point on the easterly right-of-way of Midway Avenue;

Thence along said right-of-way N 0°43'49" E a distance of 905.45 feet to the POINT OF BEGINNING.

This parcel contains 19.78 acres more or less.

Clinton W. Hansen, PLS
Land Solutions, PC
September 25, 2019
PROJECT LOCATION
APPROVAL OF CITY PLANNING AND ZONING COMMISSION

I, the undersigned, hereby approve this plat of Carriage Hill West Subdivision No. 4, and find that it complies with the State of Idaho Code relating to plats and vacations.

COUNTY SURVEYOR

Certificate of County Surveyor

COUNTY TREASURER

Certificate of County Treasurer

COUNTY RECORDER

Certificate of County Recorder

APPROVAL OF CITY ENGINEER

I, the undersigned City Engineer in and for the City of Nampa, Canyon County, Idaho, hereby approve this plat of Carriage Hill West Subdivision No. 4.

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 20th day of June, 2018, this plat of Carriage Hill West Subdivision No. 4 was duly accepted and approved.

APPROVAL OF SOUTHWEST DISTRICT HEALTH DEPARTMENT

Sanitary Restrictions as required by Idaho Code, Title 35, Chapter 13 have been satisfied based on a review by a qualified licensed professional engineer (QPCP) representing the City of Nampa, Idaho, and the City Engineer. The design plans and specifications and the conditions imposed on the developer by the City Engineer for the Southwestern Health District have been completed and services certified as available. Sanitary restrictions may be removed in accordance with Section 35-1528, Idaho Code, by the issuance of a Certificate of Disapproval.

SOUTH WEST DISTRICT HEALTH DEPARTMENT

TOLL SOUTHWEST LLC
DEVELOPER

HORSESHOE, PA
Shellie Lopez

From: Mark Zarnowsky <MZARNOWSKY@eseconsultants.com>
Sent: Wednesday, November 20, 2019 9:43 AM
To: Les.Gutierrez@centurylink.com; Brandy.Walker@CenturyLink.com
Cc: Shellie Lopez; Becky McKay; Adam Capell; Travis Jeffers; Justin Bozovich
Subject: FW: Plat Review Request. Carriage Hill Subdivision #4 Nampa, ID CL Project P822551;
Construction Plans.pdf; Google Views.pdf

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

Mr. Gutierrez/Ms. Walker,

Per your 11/14 email to Shellie Lopez at the City of Nampa (see attached), you were concerned about a possible utility conflict with your lines. Please review the attached PDFs from Google Maps and our Construction Plans. We are proposing a 12-inch pressure irrigation main (highlighted in yellow) approximately 2 feet off of the north side edge of road along Iowa Avenue. This main then crosses to the south side of the road after the westernmost outparcel. Services will be extended to each outparcel and common lot. Our plans, which were taken for an ALTA Survey, do not show the location of your main but do show the location of your pedestals. Please review and let us know if our design location is adequate in relation to your utilities. We could schedule a phone call to discuss if that helps. Please advise. Thank you.

As an aside, our 12-inch pressure irrigation main (highlighted in yellow) also runs north along the west side of Midway Road, 2 feet off of the edge of road.

Mark R. Zarnowsky, P.E.
Project Engineer
ESE Consultants, Inc.
250 Gibraltar Road, Suite 2E, Horsham, PA 19044
mzarnowsky@eseconsultants.com  www.eseconsultants.com
Shellie Lopez

From: Walker, Brandy <Brandy.Walker@CenturyLink.com>
Sent: Monday, December 2, 2019 10:38 AM
To: Mark Zarnowsky; Gutierrez, Les
Cc: Shellie Lopez; Becky McKay; Adam Capell; Travis Jeffers; Justin Bozovich
Subject: [External] RE: Carriage Hill West, City of Nampa - Potential Century Link utility conflict

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.

Mark,

We looked at the plans, It looks like the sidewalk be behind the existing pole line and our pedestals. The irrigation line doesn’t look to be in conflict at this time, but final plans with the location of the irrigation pipe might help to confirm this.

Let us know if you have any other concerns or questions or need any further assistance.

From: Mark Zarnowsky <MZARNOWSKY@eseconsultants.com>
Sent: Wednesday, November 20, 2019 3:43 PM
To: Walker, Brandy <Brandy.Walker@CenturyLink.com>; Gutierrez, Les <Les.Gutierrez@centurylink.com>
Cc: lopesz@cityofnampa.us; Becky McKay <Beckym@engsol.org>; Adam Capell <acapell@tollbrothers.com>; Travis Jeffers <tjeffers@tollbrothers.com>; Justin Bozovich <jbozovich@eseconsultants.com>
Subject: RE: Carriage Hill West, City of Nampa - Potential Century Link utility conflict

42” of cover minimum. May be deeper at main crossings.

From: Walker, Brandy <Brandy.Walker@CenturyLink.com>
Sent: Wednesday, November 20, 2019 5:09 PM
To: Mark Zarnowsky <MZARNOWSKY@eseconsultants.com>; Gutierrez, Les <Les.Gutierrez@centurylink.com>
Cc: lopesz@cityofnampa.us; Becky McKay <Beckym@engsol.org>; Adam Capell <acapell@tollbrothers.com>; Travis Jeffers <tjeffers@tollbrothers.com>; Justin Bozovich <jbozovich@eseconsultants.com>
Subject: RE: Carriage Hill West, City of Nampa - Potential Century Link utility conflict

EXTERNAL EMAIL

Mark,

How deep is the pressure irrigation going?

From: Mark Zarnowsky <MZARNOWSKY@eseconsultants.com>
Sent: Wednesday, November 20, 2019 9:43 AM
To: Gutierrez, Les <Les.Gutierrez@centurylink.com>; Walker, Brandy <Brandy.Walker@CenturyLink.com>
Cc: lopesz@cityofnampa.us; Becky McKay <Beckym@engsol.org>; Adam Capell <acapell@tollbrothers.com>; Travis Jeffers <tjeffers@tollbrothers.com>; Justin Bozovich <jbozovich@eseconsultants.com>
Subject: Carriage Hill West, City of Nampa - Potential Century Link utility conflict
Mr. Gutierrez/Ms. Walker,

Per your 11/14 email to Shellie Lopez at the City of Nampa (see attached), you were concerned about a possible utility conflict with your lines. Please review the attached PDFs from Google Maps and our Construction Plans. We are proposing a 12-inch pressure irrigation main (highlighted in yellow) approximately 2 feet off of the north side edge of road along Iowa Avenue. This main then crosses to the south side of the road after the westernmost outparcel. Services will be extended to each outparcel and common lot. Our plans, which were taken for an ALTA Survey, do not show the location of your main but do show the location of your pedestals. Please review and let us know if our design location is adequate in relation to your utilities. We could schedule a phone call to discuss if that helps. Please advise. Thank you.

As an aside, our 12-inch pressure irrigation main (highlighted in yellow) also runs north along the west side of Midway Road, 2 feet off of the edge of road.

Mark R. Zarnowsky, P.E.
Project Engineer

ESE Consultants, Inc.
250 Gibraltar Road, Suite 2E, Horsham, PA 19044
mzarnowsky@eseconsultants.com  www.eseconsultants.com

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Hi Shellie,

Nampa Parks has reviewed the final plat for Carriage Hill West Subdivision No. 4 Project: SPF-00109-2019. We request that the sidewalk along Midway Road be installed at 10 feet minimum width to act as the side path or "urban corridor" as indicated on the City of Nampa Bicycle and Pedestrian master plan.

Thank you,

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

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14 November 2019

Nampa Planning and Zoning Department
411 3rd Street South
Nampa, Idaho 83651

RE: Carriage Hill West Sub No. 4
East of Midway between W Iowa and Lake Lowell
Boise-Kuna Irrigation District
Thacker Lateral 266+90, 274+60
Sec. 31, T3N, R2W, BM.

Shellie Lopez:

Boise Project approves of this final plat design for Carriage Hill West Subdivision #5. It is our understanding that all irrigation issues have been addressed by the City of Nampa and Toll Brothers.

The United States’ Thacker lateral lies within the boundary of the above-mentioned location. The easement for these laterals is held in the name of the United States through the Bureau of Reclamation under the authority of the Act of August 30, 1890. (26 Stat. 391; 43 U.S.C. 945)

The Boise Project Board of Control is contracted to operate and maintain these laterals. We assert the federal easement 25 feet west and 25 feet east of the Thacker Lateral’s centerline. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

The Boise Project does not approve landscaping (other than grass or gravel) within its easements, as this will certainly increase our cost of maintenance. All easements must remain a flat drivable surface.

Fencing and/or pathways (as may be required) must be constructed just off the canal easement, to ensure public safety and prevent encroachments.
Parking lots, curbing, light poles, signs, etc. and the placing of asphalt and/or cement over Project facility easements must be approved by Boise Project Board of Control prior to construction.

Project facilities and/or easements that parallel, and are within and/or intended to be within road right-of-ways due to any development of this property must be relocated outside of road right-of-ways. The easements of Boise Project facilities will remain the same unless agreed upon and/or approved with written permission from Boise Project Board of Control.

The construction of any roadway crossings must be conducted only during the non-irrigation season when the canal is dewatered. In any case no work shall take place within the easement before the proper crossing agreements have been secured through the Bureau of Reclamation and the Boise Project Board of Control.

Utilities planning to cross any project facility must get the proper crossing agreements from the Bureau of Reclamation. In any case, no work shall take place within the easement before proper crossing agreements have been secured through both the Bureau of Reclamation and the Boise Project Board of Control.

A time schedule for the construction to be done during the non-irrigation season must be approved by Boise Project prior to any activity within Project easements. No construction will be allowed within the easement boundaries of the Boise Project Board of Control facilities after March 15th of each year. However, on a case by case basis, overhead utilities and utilities boring underneath a Project facility may be allowed after March 15th if reviewed and approved by the Boise Project.

The piping and relocation of any Lateral, Canal and/or Drain must be reviewed and approved by the Project and is (to include all appurtenant boxes and/or structures) and must be warranted by the landowner for a period of (5) five-years. The Warrantee Agreement must be secured prior to ANY disturbance of that facility.

Boise Project Board of Control must approve any requests and/or relocation of delivery points prior to construction.

Storm Drainage and/or Street Runoff must be retained on site.

NO DISCHARGE into any live irrigation system is permitted.

Local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement.

Should there be any small (neighborhood) irrigation ditches on this site, the developers and/or landowners will be obligated to protect them and allow water to pass to downstream neighbors.
This development is subject to Idaho Code 31-3805, in accordance, this office is requesting a copy of the irrigation and drainage plans.

Boise Project Board of Control must receive a written response from the Boise-Kuna Irrigation District as to who will own and operate the pressure irrigation system prior to review and approval of an irrigation plan by Boise Project Board of Control.

Wording on the preliminary and final recorded plat needs to state that any proposed and/or future usage of the Boise Project Board of Control facilities are subject to Idaho Statues, Title 42-1209.

Future preliminary and final plats must call out the Project easements and the plats must also note, which lots have surface irrigation water rights and which lots do not.

Whereas this development is in its preliminary stages, Boise Project Board of Control reserves the right to review plans and require changes when our easements and/or facilities are affected by unknown factors.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,

Thomas Ritthaler
Assistant Project Manager, BPBC

tbr/tr
cc: Ray Moore Watermaster, Div; 3 BPBC
Lauren Boehlke Secretary – Treasurer, BKID
File
Adam – The landscape buffer trees in Carriage Hill West No 4 are Sycamore Trees (Platanus acreifolia). They are very large Class III trees spaced at 60’ on center. I spoke to the Planning Director and the City Forestry Dept and they said that the Sycamore trees would be OK if planted 25’ from the sidewalk. Our landscape code (NCC 10-33) requires Class I or II trees in the landscape buffer spaced at 25’ apart, planted no closer than 5’ from the sidewalk. The tree species that we use can be found in the Treasure Valley Tree Selection Guide (URL below) – with exception to Acer freemanii, Acer rubrum and Liquidambar styraciflua. Please let me know what you would like to do.

Thanks – Doug

Hi Shellie,

After reviewing the above project, we request to make sure that the Sycamore trees along the streets are NOT in the ROW, rather planted far enough away from any sidewalk and/or street.

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.
DATE: December 3, 2019

TO: Nampa Planning & Zoning Department

FROM: Caleb LaClair, P.E. – Assistant City Engineer

CC: Daniel Badger, P.E. – City Engineer

SUBJECT: SFP-00109-2019 – Carriage Hill West Subdivision #4 – Engineering Review Memo

The Engineering Division has completed a review of the Construction Drawings and Final Plat for Carriage Hill West Subdivision #4 and recommend the following conditions and comments.

General Comments

1. Canyon Highway District No. 4 has maintenance jurisdiction over Midway Road. Any work within the Midway Road public right-of-way will require permit from them.

2. A Right-of-Way Permit with City of Nampa is required for any work to be performed within the W Iowa Ave Avenue public right-of-way.

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

Final Plat Comments

1. Confirm if Lot 11, Block 11 is required. Can it be included in Lot 10 with easement for sewer service and drainage to southwesterly out-parcel?

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 “Carriage Hill West Subdivision #4 – Construction Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division, dated 12/3/2019 prior to construction drawing approval.

3. The Developer and their Engineer and Contractor shall adhere to the “Construction Duty and Responsibility Policy”, Section 108 of the 2017 City of Nampa Engineering Development Process and Policy Manual, during the construction process. The Developer shall sign the City of Nampa Subdivision Improvement Agreement and submit to the Nampa Engineering Division prior to start of construction.
4. Developer is responsible to obtain required encroachment permit from Canyon Highway District No. 4 prior to start of work within the right-of-way.
Planning & Zoning Department
Before the Planning & Zoning Commission
Meeting of 26 November 2019

Staff Report – Public Hearing #6

Conditional Use Permit for Vape Sales in a GB1 (Gateway Business 1) Zoning District at 5840 E. Franklin Rd. for Nugget CBD, Craig Bedford (CUP 157-19).

Applicant/Owner: Bedford Enterprises dba Nugget CBD/Cameron S-Sixteen Retail LLC

File No: CUP 157-19

Prepared by: Kristi Watkins
Date: November 19, 2019

Requested Action: Conditional Use Permit
Purpose: Vape Sales, accessory to retail sales of CBD products

GENERAL INFORMATION

Status of Applicant: Renting

Existing Zoning: GB1 (Gateway Business 1)

Location: 5840 E. Franklin Rd. and part of tax 05814 in Lot 1, Block 8 Idaho Center situated in the SW ¼ of Section 7, T3N, R2W, BM.

Size of Property: A portion of a 1.1-acre parcel.

Surrounding Land Use and Zoning:
North- Hampton Inn and Suites, GB1
South- Walmart, GB1
East- Office and Retail, GB1
West- Office and Retail, GB1
Comprehensive Plan Designation: Highway Commercial

Comprehensive Plan 2035, Section 5.9.3 Highway Commercial: This land use would be located off highway interchanges, major arterials and some collectors, based upon design and function, which provide access to major commercial development that accommodates large volumes of traffic (traffic ordnate business). These land uses will be more intense than other commercial land uses. Portions of these areas could be redeveloped over time into Transit-Oriented Developments that would also include residential uses, design and development standards are recommended that would help to make developments within existing commercial districts more attractive, engaging and accessible places. This would include development of multiple access points to disperse traffic, and a complete system of internal streets, sidewalks and pedestrian and bicycle paths to provide circulation within the district and connections to the surrounding roadway and bicycle route system. Examples include: big box projects, major shopping center, hospitals, retail, services, drive-in restaurants, office complexes, institutes of higher learning and other destination land uses.

Zoning & Planning History: Location always zoned GB1 and previously occupied for retail purposes. Retail uses continue in this tenant space.

Applicable Regulations: Section 10-3-2 Schedule of District Land Use Controls allows Tobacco Shops by conditional use permit in GB1 districts. Though not specifically listed, staff has determined that vape sales be considered the same as Tobacco Shops. Section 10-3-2 B. Unlisted Land Uses: The director or his/her designee shall interpret the appropriate district for land uses not specifically listed by determining the district in which similar uses are permitted. … Where a use is proposed and ambiguity exists concerning the appropriate district or procedure for the establishment of that particularly proposed use, said use may be established by obtaining a conditional use permit…

Chapter 25 sets forth the criteria of approval. These criteria require that the use be compatible with and not adversely affect the livability or appropriate development of the surrounding neighborhood.

Description of Existing Land Use: Vacant commercial unit within an existing retail building.

Description of Proposed Land Use: The proposed ALLOWED use is for the retail sales of CBD products. This request is to allow the accessory sales of vape products.

Definition of Vaping: Vaping is the act of inhaling and exhaling the aerosol, often referred to as vapor, which is produced by an e-cigarette or similar device. When the device is used, the battery heats up the heating component, which turns the contents of the e-liquid into an aerosol that is inhaled into the lungs and then exhaled.

Parking: Existing off-street parking exists at the location for store customers.

SPECIAL INFORMATION

Public Utilities:
12" water main in E. Franklin Rd.
8" sewer main along the northerly property boundary
10" irrigation main along the northerly subdivision boundary
Public Services: All available.

Transportation: The business access is from E. Franklin Rd. into the parking lot.

Physical Site Characteristics: Developed vacant, available commercial unit.

Environmental: No areas of concern.

Aesthetics/Landscaping: Existing landscaped commercial area.

Correspondence: No correspondence from any area property owners, businesses or residents have been received for or against the establishment vape sales at the subject location.

Agency correspondence from the Nampa Building Department indicates that a tenant improvement permit is required. The tenant improvement permit has been submitted and approved for the CBD store. The vape sales will commence later should this application be approved by the Commission.

STAFF FINDINGS AND DISCUSSION

The retail sales of CBD products is an allowed commercial use in the GB1 zoning district, provided it meets the appropriate state regulations for the sales of such products. However, since the adjacent tenant was recently required to obtain a conditional use permit for vape sales, staff felt it was appropriate to require the same of this tenant.

As stated previously, where ambiguity exists concerning the appropriate district or procedure for a use, the use may be established by obtaining a conditional use permit. Tobacco Shops or Smoke Shops are retailers of tobacco produces in various forms. Tobacco Shops are specifically listed as a Conditional Use in the GB1 zone. Vape Shops specialize in the selling of electronic cigarette products. I understand that nicotine is the primary agent in both regular cigarettes and electronic cigarettes. For these reasons I determined that vape sales should be treated the same as a Tobacco Shop and that a CUP should be required for their establishment in the GB1 zone.

The location is reasonable for vape sales because of its' proximity to other commercial retailers in the area and the fact that it is accessory to primary use of the tenant space for CBD sales. From a land use standpoint, the location is shown on the comprehensive plan for highway commercial land use and the requested use is an eligible conditional use in the GB1 zone.

With regards the conditional use permit, use of the commercial unit for vape sales is compatible with the surrounding commercial and professional neighborhood.

If the Commission votes to approve of the CUP, the following findings are recommended:

1) The location, size and design of the proposed Vape Store will be reasonably compatible with and not adversely affect the livability or appropriate development of the surrounding neighborhood if the below conditions are required.
2) The location, design, and site planning of the proposed Vape Store will be as attractive as the nature of the use and its location and setting warrants.

3) The proposed Vape Store will enhance the successful operation of the surrounding area in its basic community function and provide an essential service to the community.

**SUGGESTED CONDITIONS OF APPROVAL**

If the Commission votes to issue a conditional use permit the following Planning and Engineering conditions are recommended to be attached:

1) All requirements of the Nampa fire and building departments regarding vape sales use shall be satisfied.

2) The conditional use permit is issued for the life of the commercial unit for sales of vape products.

**ATTACHMENTS**

1) Application (Pages 5)
2) Vicinity zoning and location map (Page 6)
3) Aerial/street view of parcel and neighborhood (Page 7)
4) Legal description (Page 8)
5) Agency and other correspondence (Page 9+)
### Application for Conditional Use Permit

**PLANNING AND ZONING DEPARTMENT**  
411 3rd STREET S., NAMPA, IDAHO 83651  
P: (208) 468-4487 F: (208) 465-2261

Nonrefundable Fee: **$234.00** (1 acre or less)  
Nonrefundable Fee: **$463.00** (more than 1 acre)

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<tbody>
<tr>
<td><a href="mailto:MICHAEL@CAMERONLLC.COM">MICHAEL@CAMERONLLC.COM</a></td>
</tr>
</tbody>
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**APPLICANT'S INTEREST IN PROPERTY:**  
( ) Own (X) Rent ( ) Other

**ADDRESS OF SUBJECT PROPERTY:**  
5840 E. FRAWNLIN RD. NAMPA, ID 83687

**Please provide the following REQUIRED DOCUMENTATION to complete the CUP**

☑ A copy of one of the following: ☐ Warranty Deed ☐ Proof Of Option ☐ Earnest Money Agreement

☐ A sketch drawing of the site & any adjacent property affected, showing all existing & proposed locations of streets, easements, property lines, uses, structures, driveways, off-street parking & off-street loading facilities and landscaped areas, preliminary or final building plans & building elevations, together with any other information considered pertinent to the determination of this matter.

☑ 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. (Must have for final recording) Old or illegible title documents will need to be retyped in a WORD formatted document.

**PROJECT DESCRIPTION**

> Will sell CBD products **to include vapes**

Dated this **29** day of **OCTOBER** 2019

**APPLICANT SIGNATURE**

**NOTICE TO APPLICANT**

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 it shall be granted or denied. Notice of public hearing must be published in the Idaho Press-Tribune 15 days prior to said hearing. Notice shall also be posted on the premises not less than 7 week prior to the hearing. Hearing 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 hearing and should be present to answer any questions.

If a Conditional Use Permit is granted by the Planning Commission, it shall not become effective until after an elapsed period of 15 days from the date of Planning Commission action. During this time any interested person may appeal the action to the City Council. You will be notified of any pending appeals.

If the conditional use permit is denied by the Planning Commission, you may appeal the decision to the City Council within 15 days from the date such action is taken by the Planning Commission. At the time the Conditional use permit becomes effective you will be sent a document which constitutes an official "Conditional Use Permit". This document will enumerate the conditions attached to the issuance of the permit and state the consequences of failure to comply.

**OFFICE USE ONLY**

**FILE NUMBER:** CUP-  
**DATE:** 157 - 2019

**PROJECT NAME:** Nugget CBD Vape Sales

**12/11/13 Revised**

**BY:** [Signature]

**10-31-19**

**SCANNED**
VAPE SALES
NUGGET CBD
5840 E Franklin Rd
Conditional Use Permit

CUP-00157-2019

11/13/2019

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

Visit Planning & Zoning
at cityofnampa.us
for more info.
A portion of Lot 8 in Block 1 of The Idaho Center, as shown on the official plat thereof on file in the office of the Canyon County Recorder in Book 23 of Plats at Page 40, more particularly described as follows:

Commencing at the Southeast corner of said Lot 8 in Block 1 and running North 89°22'45" West 300.77 feet along the Southerly boundary of said Lot 8 to the Point of Beginning; thence continuing North 89°22'45" West 163.06 feet along said Southerly boundary of Lot 8 to a point; thence North 86°34'30" West 79.26 feet along said Southerly boundary of Lot 8 to a point; thence North 0°37'15" East 196.90 feet to a point; thence South 89°22'45" East 242.22 feet to a point; thence South 0°37'15" West 200.78 feet to the Point of Beginning.
Hi Shellie,

Nampa Highway District #1 has no comment.

Thank you,

Eddy

Good Morning Everyone! 😊

Re: CUP-00157-2019

Craig Bedford, Bedford Enterprises LLC d.b.a. Nugget CBD has requested a Conditional Use Permit for Vape Sales in a GB1 (Gateway Business 1) zoning district at 5840 E. Franklin Rd. (A portion of Lot 8 in Block 1 of The Idaho Center, as shown on the official plat thereof on file in the office of the Canyon County Recorder in Book 23 of Plats at Page 4 and a portion of the SW ¼ Section 7, T3N, R1W, BM).

This application will go before the Planning and Zoning Commission as a public hearing item on the November 26, 2019 agenda.

Please find attached the CUP-00157-2019 file for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than November 08, 2019.

Thank you & Have a great day!
Building Department will require a Certificate of Occupancy or a Tenant Improvement application for this space, before the tenant can move in.

Good Morning Everyone! 😊

Re: CUP-00157-2019

Craig Bedford, Bedford Enterprises LLC d.b.a. Nugget CBD has requested a Conditional Use Permit for Vape Sales in a GB1 (Gateway Business 1) zoning district at 5840 E. Franklin Rd. (A portion of Lot 8 in Block 1 of The Idaho Center, as shown on the official plat thereof on file in the office of the Canyon County Recorder in Book 23 of Plats at Page 4 and a portion of the SW ¼ Section 7, T3N, R1W, BM).

This application will go before the Planning and Zoning Commission as a public hearing item on the November 26, 2019 agenda.

Please find attached the CUP-00157-2019 file for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than November 08, 2019.

Thank you & Have a great day!
DATE: November 6, 2019  
TO: Planning and Zoning Department  
FROM: Peter Nielsen, Sr. Eng. Plans Examiner  
CC: Daniel Badger, P.E., Nampa City Engineer  
CC: Tom Points, P.E., Nampa City Public Works Director  
APPLICANT: Craig Bedford  
OWNER: Cameron S-Sixteen Retail, LLC  
ADDRESS: 5840 E Franklin Rd  
RE: CUP-00157-2019 – Vape/ CBD Sales in a GB1 Zone

The Engineering Division does not oppose this application as the site is already constructed with existing access and utility services. Required utility use fees, if any, will be determined at time of Tenant Improvement Permit.
Pertaining to:
An 11.595 acre portion of the SE ¼ of Section 2, T2N, R2W, BM, also referred to as Parcel #R2913100000 located at 2718 E Locust Lane, north of E. Locust Ln and west of Southside Blvd, (hereinafter the “Property”)…
Criteria to guide the Commission in making a recommendation to Council regarding a proposed Development Agreement Modification, and to subsequently guide the Council in deciding/decision whether to allow a Development Agreement Modification, are absent from state statute or City ordinance. Thus, approving -- or not -- this application becomes a purely discretionary matter/decision on the part of the City in reaction to this DA contract modification application. In other words, whether to recommend favorably to the City Council that the change(s), as contemplated by the application that instigated this report, be approved or approved with some alterations is thus a subjective decision for the Commission to make.

Attached, is a copy of Ordinance #4084 recorded on December 30, 2013 as Instrument # 2013-057711 which contains the Development Agreement referenced by this report.

Applicant’s stated request: “Request a modification to the development agreement removing the “mini” storage facility and reverting back to the originally approved residential subdivision in 2 phases.”

Staff Recommendation: Rescind the Development Agreement, Ordinance #4084 in its entirety and rely on the forthcoming preliminary plat and final plats to establish the necessary entitlements for the property. The Conditions listed in the Development Agreement either don’t apply to this subdivision project, have been satisfied, or will be addressed during review of the Construction Drawings by the Engineering Department.

Lava Falls Subdivision PRELIMINARY PLAT

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

<table>
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<tr>
<td>Total, Proposed Lot Count-</td>
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<td>4</td>
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<tr>
<td>Total Dwelling Units-</td>
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</table>

Regarding “RP Building Lots”:
- Min. Allowed RP Bldg. (or “Master”) Lot Size: 6,000 s.f.
- Min. Req. St. Frontage RP Zone: N/A
- Min. Allowed RP (or “Master”) Bldg. Lot Width: 50’
- Min. Allowed RP (or “Master”) Bldg. Lot Depth: N/A

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

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

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

**Regarding the plat, Zoning Staff finds:**

1. **Minimum Lot Areas:**
   That because the proposed Development is slated for development in conjunction with RP zoning, this requirement applies...all master or standard building lots meet or exceed 6,000 sq. ft. in area. The smallest lot proposed is 8,340 s.f.; therefore, the Plat is deemed compliant in this regard, and;

2. **Lot Width:**
   All master lots demonstrate required lot width; therefore, the Project is deemed compliant in this regard, and;

3. **Lot Depth:**
   N/A in a RP Zoning District

4. **Landscaping:**
   A landscape plan was submitted with the application paperwork. A different species of tree for street trees on the corner of S Onyx St and E Gypsum Ct will need to be provided (see Parks memo), revised plans will be required to list appropriate tree species; and,

5. **Safe Routes to School:**
   Ronald Reagan Elementary - .42 miles north on Southside Blvd – It is walkable. There are sidewalks on the east side of Southside Blvd, but no sidewalks along the north side of E Locust Lane.
   East Valley Middle School – 1.73 miles – Not walkable.
   Skyview High School – 1.5 miles – Not walkable.

---

**Lava Falls Subdivision FINAL PLAT NO. 1**

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

**Final plat approval for:**
   **Lava Falls Subdivision No. 1** (hereinafter the “Development”; alternatively, “Lava Falls Subdivision No. 1” or the “Project”)

Comprising 6.19 acres proposed to be platted into twenty-two (22) buildable and two (2) common lots for 3.55 dwelling units per gross acre, all within a RP Zoned area located in a portion of the SE ¼ of Section 2, T2N, R2W, BM, also referred to as Parcel #R2913100000 located at 2718 E Locust Lane, north of E. Locust Ln and west of Southside Blvd.
Comments/Recommendation(s):
The Engineering Department has required significant changes to the ingress/egress points for Locust Lane. Due to these changes the Final Plat of/for Lava Falls Subdivision No. 1 does not currently comply with those standards.

It is Staff’s Recommendation that the Final Plat approval be postponed until revised preliminary and final plats/construction drawings are submitted for review.

Staff finds that the proposed subdivision final plat of/for Lava Falls Subdivision No. 1 substantially conforms within acceptable limits, to the proposed preliminary plat of/for Lava Falls Subdivision, and, complies with relevant RP zoning codes and City of Nampa subdivision standards pertaining to the proposed Development. (Said determination is, or may be, partially predicated on the final plat being revised in limited form and fashion to meet requirements set forth by various responding agencies and City departments.), and recommends that Lava Falls Subdivision No. 1 be approved, contingent on Applicant/Developer/Development compliance with various Conditions of Approval.

Lava Falls Subdivision FINAL PLAT NO. 2

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

Final plat approval for:
Lava Falls Subdivision No. 2 (hereinafter the “Development”; alternatively, “Lava Falls Subdivision No. 2” or the “Project”)

Comprising 5.4 acres proposed to be platted into seventeen (17) buildable and two (2) common lots for 3.14 dwelling units per gross acre, all within a RP Zoned area located in a portion of the SE ¼ of Section 2, T2N, R2W, BM, also referred to as Parcel #R2913100000 located at 2718 E Locust Lane, north of E. Locust Ln and west of Southside Blvd.

Comments/Recommendation(s):
The Engineering Department has required significant changes to the ingress/egress points for connectivity to undeveloped parcels. Due to these changes the Final Plat of/for Lava Falls Subdivision No. 2 does not currently comply with those standards.

It is Staff’s Recommendation that the Final Plat approval be postponed until revised preliminary and final plats/construction drawings are submitted for review.

Staff finds that the proposed subdivision final plat of/for Lava Falls Subdivision No. 2 substantially conforms within acceptable limits, to the proposed preliminary plat of/for Lava Falls Subdivision, and, complies with relevant RP zoning codes and City of Nampa subdivision standards pertaining to the proposed Development. (Said determination is, or may be, partially predicated on the final plat being revised in limited form and fashion to meet requirements set forth by various responding agencies and City departments.), and recommends that Lava Falls Subdivision No. 2 be approved, contingent on Applicant/Developer/Development compliance with various Conditions of Approval.
AGENCY COMMENTS in regards to the DEVELOPMENT AGREEMENT MODIFICATION, PRELIMINARY PLAT and FINAL PLATS NO. 1 & NO. 2

Agency/City department comments have been received regarding this matter. Such correspondence as received from agencies or the citizenry regarding this application package [received by noon December 4, 2019] is hereafter attached (agencies with no comment are not listed, but memos are attached to this staff report).

1. On November 7, 2019, Neil Jones with the Nampa Building Department made a note in the EnerGov permitting program indicating they will require a top of foundation wall or finish floor elevation, on the construction drawings; and,

2. An Email, dated November 12, 2019, authored by Carol Shackelford, City of Nampa Code Compliance Dept, stating that weeds need to be cut and 2 tires need to be removed and at the end of the road by the trees there are 2 totes of oil that need to be removed, as well as a pile of beer bottles; and,

3. A November 19, 2019 letter from the Nampa & Meridian Irrigation District authored by David Duvall indicating that a Land Use Change application may be required if any surface drainage leaves the site and all private laterals and waste ways must be protected; and,

4. A November 25, 2019 memorandum from the Nampa City Engineering Division, GIS Section, authored by Alex Main indicating that changes are needed to include:
   - New Unique name for S Onyx St., and;
   - E Gypsum Ct should be E Gypsum St, and;
   - S Citrine St should be S Citrine Ave, and;

5. A November 18, 2019 memorandum from, Adam Mancini, Parks Dept in regards to the street trees on the landscape plan requesting that (2 of the 3) Austrian Pines nearest the street on the corner of S. Onyx St/E.Gypsum Ct be planted off of the ROW or a more appropriate (approved) tree be selected for these locations, and;

6. Also, see attached, revised Preliminary Plat memo from Caleb LaClair, Engineering Division, revised December 9, 2019; and,

7. An December 4, 2019, memorandum from the Nampa City Engineering Division, authored by Caleb LaClair indicates:

   General Comments


   Phase 1 – Final Plat Comments

   1. Address all street name comments identified in the letter from Nampa Engineering Division and as redlined on the plat.
2. Modify S Citrine Street as redlined to remove direct access to E Locust and convert to a cul-de-sac with emergency vehicle only access.
3. Modify E Azure Court to provide a stub street to the west.
4. Label Point of Beginning on the plat.
5. Label full public right-of-way width along the easterly property line for reference.
6. Verify Note 6 including purpose and location of the “Temporary Drainage Easement”.
7. Confirm/update common lots in Note 7 upon layout changes.

**Phase 2 – Final Plat Comments**

1. Address all street name comments identified in the letter from Nampa Engineering Division and as redlined on the plat.
2. Modify curve “C12” to 100’ radius per Nampa policy for minimum street radius’.
3. Modify either E Julianite Ct, E Melanite Ct, or S Citrine St to provide a stub street to the property located west and north addressed 2701 Commanche Street.
4. Confirm if knuckle is necessary at the intersection of E Melanite Ct and S Citrine St.
5. Add missing Block # labels.
7. Verify Note 6 including purpose and location of the “Temporary Drainage Easement”.
8. Confirm/update common lots in Note 7 upon layout changes.

**Conditions of Approval**

1. Developer shall address all comments and conditions of approval identified in the “SPP-00051-2019 – Lava Falls Subdivision Engineering Review Memo”, dated December 4, 2019.
2. The Developer’s Surveyor shall address all Final Plat comments prior to City Engineer signature of the plats.
3. Developer’s Engineer shall address all Construction Drawing and Drainage Report comments identified in the “Lava Falls Subdivision #1 & #2 – Construction Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division, dated 12/04/2019 prior to construction drawing approval.
4. The Developer and their Engineer and Contractor shall adhere to the “Construction Duty and Responsibility Policy”, Section 108 of the 2017 City of Nampa Engineering Development Process and Policy Manual, during the construction process. The Developer shall also sign the City of Nampa Subdivision Improvement Agreement and submit to the Nampa Engineering Division prior to start of construction.
5. If the intent is to phase construction of the project, the Engineer shall provide separate Record Drawings for each phase, clearly identifying scope of work for that phase and all phase line infrastructure, prior to City Engineer signature of the associated Final Plat.

8. Staff has not received commentary from any surrounding property owners or neighbors either supporting or opposing this request.
**RECOMMENDED CONDITIONS OF APPROVAL**

Should the Commission vote to approve the Preliminary Plat request and recommend to the City Council that they approve the requested Development Agreement Modification application, Staff would recommend that the Commission consider imposing the following Condition(s) of Approval against the requests/Applicant(s):

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

2. Address all Engineering redline comments on the final plat & construction drawings; and, Address all Engineering Comments on the Preliminary Plat and provide revised Preliminary and Final Plats/Construction Drawings for review; and,

3. Provide revised landscape plans - Parks requests that (2 of the 3) Austrian Pines nearest the street on the corner of S. Onyx St/E.Gypsum Ct be planted off of the ROW or a more appropriate (approved) tree be selected for these locations, and;

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

**RECOMMENDED MOTIONS**

Motions can be made separately or as a whole, as listed below:

1. Recommendation to City Council to approve the rescission of the Development Agreement attached to Ordinance #4084 for the property located at 2718 E Locust Ln, and;

   Approval of the Preliminary Plat for Lava Falls Subdivision and approval of the Final Plats for Lava Falls Subdivision Phases No. 1 and No. 2 with all conditions of staff and upon approval of the rescission of the Development Agreement by City Council, or;

2. Approval of the Development Agreement Modification (requiring a new, recorded development agreement with concept plan) for the property located at 2718 E Locust Ln, and;

   Approval of the Preliminary Plat for Lava Falls Subdivision and approval of the Final Plats for Lava Falls Subdivision Phases No. 1 and No. 2 with all conditions of staff and upon approval of the modification of the Development Agreement by City Council, or;

3. Denial of Development Agreement Modification for the property located at 2718 E Locust Ln, denial of the Preliminary Plat Lava Falls Subdivision and denial of the Final Plats for Lava Falls Subdivision Phases No. 1 and No. 2.
ATTACHMENTS

- Development Agreement Modification, Preliminary Plat, and 2 Final Plat Application forms (pages 8-12)
- Applicant Narrative (pages 13)
- Hearing Notice (page 14)
- Distribution Checklist (page 15)
- Vicinity Map (page 16)
- Comprehensive Plan Map (page 17)
- Aerial of Property and surrounds (pages 18)
- Aerial photo showing utility line locations and diameters – blue water, pink pressure irrigation, green sewer (page 19)
- Legal description of the Preliminary Plat boundary (pages 20)
- Reduced Preliminary Plat, Final Plats and Landscape plan pages (pages 21-27)
- Ord. No. 4084 (pages 28-45)
- Inter-departmental/agency/citizen correspondence (pages 46+)
**APPLICATION FOR A DEVELOPMENT AGREEMENT - MODIFICATION**

**PLANNING AND ZONING DEPARTMENT**

411 3rd STREET S., NAMPA, IDAHO 83651 P: (208) 648-4487 F: (208) 465-2261

Nonrefundable Fee: $452.00 (1 acre or less)  Nonrefundable Fee: $910.00 (more than 1 acre)

<table>
<thead>
<tr>
<th>Applicant/Representative Name</th>
<th>Home Number</th>
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<tbody>
<tr>
<td>Caribou Mountain Ventures LLC</td>
<td>Ed Priddy</td>
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</table>

<table>
<thead>
<tr>
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<th>Zip code</th>
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<tr>
<td>P.O. Box 1640</td>
<td>83616</td>
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**Property Owner Name**

| Caribou Mountain Ventures LLC | Ed Priddy |

<table>
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<th>Zip code</th>
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<td>ID</td>
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</tbody>
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**Applicant’s interest in property:** (x) Own  ( ) Rent ( ) Other

**ADDRESS OF SUBJECT PROPERTY:**

Please provide the following **REQUIRED DOCUMENTATION** to complete the Development Agreement Modification:

- [x] Completed Application
- [x] A copy of one of the following:
  - Warranty Deed
  - Proof of Option
  - Earnest Money Agreement
- [x] Original Legal description of property AND a legible WORD formatted document. (Must have for final recording) Old or illegible title documents will need to be retyped in a WORD formatted document.

**Project Description**

- State (or attach a letter stating) the details of the requested development agreement modification for the subject property:

  Request a modification to the development agreement removing the "mini" storage facility and reverting back to the originally approved residential subdivision in 2 phases.

**DATED THIS 5th day of NOVEMBER, 2019**

**Applicant Signature**

This application will be referred to the Nampa Planning Commission for a recommendation on the development agreement. 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**

**PROJECT NAME**  Lava Falls - DA Mod

**FILE NUMBER:** DAMO-035-2019

07/11/16 Revised  Page 8
A. GENERAL INFORMATION

Subdivision Name: Lava Falls Subdivision
Total Acres: 11.595
Intended Land Uses: Residential, single-family, multi-family, commercial, industrial
Property Address(es): 2718 + 0 E. Locust Lane, Nampa, ID 83686
Legal Description: SEE ATTACHED
Canyon County Parcel Account Number(s): R291310000, R2913101000
Existing Zoning: (Circle one) RA, RS, RSM, RD, RML, RMH, RO, BN, CB, BC, BF, IP, IL, IH, AG
(County Zoning): RS-6

B. OWNER/APPLICANT INFORMATION

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<tr>
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</tr>
<tr>
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</tr>
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<tr>
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<tbody>
<tr>
<td>Name</td>
<td>LEAVITT &amp; ASSOCIATES ENGINEERS, INC</td>
</tr>
<tr>
<td>Address</td>
<td>1324 FIRST STREET SOUTH</td>
</tr>
<tr>
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C. SUBDIVISION INFORMATION

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DEADLINES FOR SUBMITTALS

The completed application and plat documents must be submitted to the Planning Department not later than _______. The Planning Commission meets on ________________; applications are due approximately __ weeks prior to that date.

All supplemental information to be added to the application file must be received by the Planning Department no later than 15 days prior to the public hearing date.

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

I understand:

1. This application is subject to acceptance by the City of Nampa upon determination that the application is complete.
2. The hearing date is tentative and subject to change with notice.
3. This application is subject to a public hearing before the Nampa Planning and Zoning Commission.
4. The application fee is non-refundable.

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

Signature ______________________ Date 11/1/19

For City Office Use Only

FEE $: ______________ CASH: ______ CHECK: ______ RECEIPT NO.: ______

DATE RECEIVED: __________ RECEIVED BY: __________ HEARING DATE: ______
CITY OF NAMPA
FINA L PLAT APPLICATION
Planning and Community Development Department
411 3rd St. South
Nampa, ID 83651
208-465-2214 Phone
208-465-2261 FAX

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<tr>
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<th>Owner</th>
<th>Caribou Mountain Ventures LLC</th>
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<tbody>
<tr>
<td>Address</td>
<td>P.O. Box 1640, EALGE ID 83616</td>
</tr>
<tr>
<td>Phone</td>
<td>208-724-5606</td>
</tr>
<tr>
<td>FAX</td>
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<tr>
<td>E-Mail</td>
<td><a href="mailto:GMAILPE@GMAIL.COM">GMAILPE@GMAIL.COM</a></td>
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<tr>
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<tbody>
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<tr>
<th>Engineer/Surveyor/Planner</th>
<th>Leavitt &amp; Associates Engineers, INC.</th>
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<tbody>
<tr>
<td>Address</td>
<td>1324 1ST STREET SOUTH, NAMPA ID 83651</td>
</tr>
<tr>
<td>Phone</td>
<td>208-463-0333</td>
</tr>
<tr>
<td>FAX</td>
<td>208-463-9040</td>
</tr>
<tr>
<td>E-Mail</td>
<td><a href="mailto:dl@leavittengineers.com">dl@leavittengineers.com</a></td>
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FINAL PLAT INFORMATION

Total Acreage 6.195
Total Number of Lots: 24
Buildable: 22
Common: 2
Gross Density per Acre: 3.55
(Number of units per acre of total land to be developed)
Net Density per Acre: 5.17
(Number of units per acre of land excluding roads)
Zoning District (s) - Zoning Within Nampa City Limits
If Applicable: Zoning Within the Area of Impact

***************************************************************
CITY OF NAMPA
FINAL PLAT APPLICATION
Planning and Community Development Department
411 3rd St. South
Nampa, ID 83651
208-465-2214 Phone
208-465-2261 FAX

<table>
<thead>
<tr>
<th>Name of Subdivision</th>
<th>Lava Falls Subdivision No. 2</th>
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<tr>
<td>Location of Subdivision</td>
<td>T2N, R2W, SE 1/4 OF SE 1/4 SECTION 2</td>
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<tr>
<td><strong>Owner</strong></td>
<td>Caribou Mountain Ventures LLC</td>
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<tr>
<td><strong>Address</strong></td>
<td>P.O. Box 1640, EALGE ID 83616</td>
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<tr>
<td><strong>Phone</strong></td>
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<td><strong>FAX</strong></td>
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<td><strong>E-Mail</strong></td>
<td><a href="mailto:GMAILPE@GMAIL.COM">GMAILPE@GMAIL.COM</a></td>
</tr>
</tbody>
</table>

| **Applicant**             | Caribou Mountain Ventures LLC                              |
| **Address**               | P.O. Box 1640, EALGE ID 83616                              |
| **Phone**                 | 208-724-5606                                               |
| **FAX**                   |                                                            |
| **E-Mail**                | GMAILPE@GMAIL.COM                                          |

| **Engineer/Surveyor/Planner** | Leavitt & Associates Engineers, INC.                      |
| **Address**                  | 1324 1ST STREET SOUTH, NAMPA ID 83651                      |
| **Phone**                    | 208-463-0333                                               |
| **FAX**                      | 208-463-9040                                               |
| **E-Mail**                   | dl@leavitten@gi@neers.com                                  |

**FINAL PLAT INFORMATION**

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<tr>
<th>Total Acreage</th>
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<td>Net Density per Acre</td>
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<td>Zoning District(s)</td>
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If Applicable: Zoning Within the Area of Impact

***************r.***********************+********************************
November 4, 2019

City of Nampa
Planning and Zoning Commission
411 3rd St. South
Nampa, Idaho 83651

RE: Preliminary and Final Plat, Lava Falls Subdivision

Dear Planning and Zoning Commissioners,

The plat before you was originally approved in 2006 and the land was rezoned to RP (Residential Professional) in 2010.

We request preliminary and final plat approval of Lava Falls subdivision. The plated area consists of 43 lots (39 residential) on approximately 11.60 acres with a gross density of 3.36 DU/ac and a net density of 3.71 DU/ac. The site is currently zoned RP and the proposed preliminary and final plats comply with the zoning ordinance. This project will be served by city water, sewer, and pressurized irrigation through extension of existing infrastructure. All infrastructure will be installed in accordance with the city’s policy prior to signature of the final plat.

We look forward to approval of these preliminary and final plats.

Regards,

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

1) Subdivision Plat Short Approval for Ramirez Lone Star Subdivision in a RS6 (Single Family Residential – 6,000 sq. ft.) zoning district adjacent and west of 629 Lone Star Road at 0 Lone Star Road (2 Single Family detached lots on 1.67 acres for 1.2 average dwelling units per gross acre - A part of the NW ¼ of the NW 1/4 of Section 28, T3N, R2W, BM) for Francisco Ramirez (SPS 026-19).

2) Modification of Development Agreement between Caribou Mountain Ventures, LLC and the City of Nampa recorded 12/30/2013 as Inst. No. 2013-057711 amending Recital B paragraph and Exhibit “B” Conceptual Plan to allow for a Single Family Residential Subdivision instead of the original Public Mini/Self-Storage Facility, and amending Exhibit “C” Conditions of Approval as necessary for Lava Falls Subdivision; Subdivision Plat Preliminary Approval for Lava Falls Subdivision and Subdivision Plat Final Approval for Lava Falls Subdivision No. 1 and No. 2 at 0 and 2718 E. Locust Lane (39 single family dwellings on 11.595 acres for 2.36 average dwelling units per gross acre – A portion of the SEW ¼ of the SE ¼ of Section 2, T2N, R2W, BM) all for Caribou Mountain Ventures LLC – Ed Priddy (DAMO 035-19, SPP 051-19, SPF 113-19, SPF 114-19).

3) Annexation and Zoning to BC (Community Business) for the southerly 10 acres and to IL (Light Industrial) for the northerly 23.13 acres at 0 Midland Blvd. and 9778 E Cherry Lane (A 33.13 acre portion of the East ½ of the SW ½ SW ¼ and a portion of the South ½ of the NW ¼ SW ¼, Section 4, T3N, R2W, BM) for Hatch Design Architecture representing Kiwi Enterprises, LLC (ANN 135-19).

4) Annexation and Zoning to IL (Light Industrial) at 8626 Birch Lane for Warehouses (A 3.02 acre or 131,602 sq. ft. portion of the NW ¼ of Section 10, T3N, R2W, BM for Phil Horton (ANN 136-19).

5) Repeal of the Nampa 2035 Comprehensive Plan (Text and Proposed Future Land Use Map), and all amendments thereto, and approval of an updated Comprehensive Plan Text and Proposed Future Land Use Map, to be referred to as the Nampa 2040 Comprehensive Plan for the City of Nampa (CTA 008-19).

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

Date: November 13, 2019

Norman L. Holm, Planning Director

PUBLISH: November 22, 2019
# PRELIMINARY & FINAL PLAT – MEMO DISTRIBUTION LIST

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<tr>
<th><strong>Lava Falls Preliminary &amp; Final Plats 1 &amp; 2</strong></th>
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<td>Doug Critchfield-Planning</td>
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<td>Ken Couch – ITD</td>
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<td>Thomas Rittalner, Assistant Project Manager</td>
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</table>

_SheLlie Lopez_

November 6, 2019
Preliminary Plat Description For
Lava Falls Subdivision

A parcel of land located in the SE1/4 of the SE1/4 of Section 2, T.2N., R.2W., B.M., Nampa, Canyon County, Idaho, more particularly described as follows:

Commencing at the E1/16 corner of said Section 13 from which the SE corner of said Section 2 bears North 89°58'21" East, 1325.86 feet;

thence along the West boundary line of the SE1/4 of the SE1/4 of said Section 2 North 00°16'36" East, 50.00 feet to a point on the North right-of-way line of E. Locust Lane, said point also being the REAL POINT OF BEGINNING;

thence along the West boundary line of the SE1/4 of the SE1/4 of said Section 2 and the exterior boundary line of Indian Village Subdivision No. 4 as filed in Book 20 of Plats at Page 36, records of Canyon County, Idaho, North 00°16'36" East, 1271.79 feet to an angle point on the exterior boundary line of said Indian Village Subdivision No. 4;

thence continuing along exterior boundary line of said Indian Village Subdivision No. 4 and along the exterior boundary line of Indian Village Subdivision No. 1 as filed in Book 19 of Plats at Page 17, records of Canyon County North 89°52'56" East, 380.12 feet to a point on the centerline of the Arron Lateral as shown on Record of Survey Instrument No. 2010-010909, records of Canyon County, Idaho;

thence along the centerline of the Arron Lateral the following 7 courses and distances:
thence South 08°51'26" East, 303.70 feet;
thence South 19°22'27" East, 13.51 feet;
thence South 01°06'23" East, 106.11 feet;
thence South 00°56'18" West, 153.28 feet;
thence South 02°05'06" West, 113.32 feet;
thence South 04°07'54" West, 54.13 feet;
thence South 00°18'37" East, 56.31 feet;
thence South 03°42'20" West, 64.88 feet;
thence South 00°49'32" West, 222.51 feet;
thence South 00°56'21" West, 189.43 feet to a point on the North right-of-way line of E. Locust Lane;

thence along said North right-of-way line South 89°58'21" West, 418.82 feet to the REAL POINT OF BEGINNING. Containing 13.31 acres, more or less.
CERTIFICATE OF OWNERS

Know all men by these presents: That Caribou Mountain Ventures, LLC, a Nevada Limited Liability Company, is the owner of the property described as follows:

A parcel of land located in the SE1/4 of the SE1/4 of Section 2, T.2N., R.2W., Nampa, Canyon County, Idaho, more particularly described as follows:

Commencing at the E1/16 corner of said Section 13 from which the SE corner of said Section 2 bears
North 89°58'21" East, 1325.66 feet;

thence along the West boundary line of the SE1/4 of said Section 2 North 00°16'36" East, 50.00 feet to a point on the North right-of-way line of E. Locust Lane, said point also being the REAL POINT OF BEGINNING;

thence continuing along said West boundary line North 00°16'36" East, 710.52 feet;

thence leaving said West boundary line South 89°58'21" East, 433.76 feet to a point on the centerline of the Arron Lateral as shown on Record of Survey Instrument No. 2015-015009, records of Canyon County, Idaho;

thence along the centerline of the Arron Lateral the following 7 courses and distances:

thence South 00°58'18" West, 9.08 feet;

thence South 02°00'06" West, 113.32 feet;

thence South 04°07'54" West, 54.13 feet;

thence South 00°18'37" East, 56.31 feet;

thence South 03°42'20" West, 64.88 feet;

thence South 00°49'32" West, 222.51 feet;

thence South 00°56'21" West, 189.43 feet to a point on the North right-of-way line of E. Locust Lane;

thence along said North right-of-way line South 89°58'21" West, 418.82 feet to the REAL POINT OF BEGINNING. Containing 6.195 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 utilities and such other uses as may be deemed necessary for the proper use of the land now or hereafter owned by the undersigned.

The Recorder of the City of Nampa has agreed in writing to serve all the lots in this subdivision.

Caribou Mountain Ventures LLC

Kimbell Gourley, registered agent.

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 plotted 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
County of Ada

On this day of 2020, before me, the undersigned, a Notary Public is and for said State, personally appeared Kimbell Gourley, known or identified to me to be the registered agent for Ranch Management Co LLC, a member of Caribou Mountain Ventures LLC, the Limited Liability Company that executed the instrument or the person who executed the instrument on behalf of said Limited Liability Company, and acknowledged to me that such Limited Liability Company 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
LAVA FALLS SUBDIVISION NO. 1

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 50-1326, Idaho Code, by the issuance of a Certificate of Disapproval, and no construction of any building or shelter requiring drinking water or septic facilities shall be allowed.

District Health Department, REHS Date

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

City Clerk, Nampa, Idaho

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

City Engineer Date

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

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.50-1306 do hereby certify that any and all current and/or delinquent County property taxes for the property included in this subdivision have been paid in full. This certification is valid for the next thirty (30) days only.

Date County Treasurer

APPROVAL OF CITY PLANNING AND ZONING COMMISSION
Accepted and approved this day of , 20, by the Planning and Zoning Commission of the City of Nampa, Idaho.

Chairman, Nampa Planning & Zoning Commission Secretary, Nampa Planning & Zoning Commission
LAVA FALLS SUBDIVISION NO. 2

CERTIFICATE OF OWNERS

Know all men by these presents: That Caribou Mountain Ventures, LLC, a Nevada Limited Liability Company, is the owner of the property described as follows:

A parcel of land located in the SE1/4 of the SE1/4 of Section 2, T.2N., R.2W., Nampa, Canyon County, Idaho, more particularly described as follows:

Commencing at the SE1/4 corner of said Section 13 from which the SE corner of said Section 2 bears North 89°09'21" East, 1325.86 feet;

thence along the West boundary line of the SE1/4 of said Section 2 North 00°18'36" East, 760.52 feet to a point on the exterior boundary line of Indian Village Subdivision No. 4 as filed in Book 19 of Plats at Page 36, records of Canyon County, Idaho, said point also being the REAL POINT OF BEGINNING;

thence continuing North 00°18'36" East, 561.27 feet along exterior boundary line of said Indian Village Subdivision No. 4 to the SE1/16 corner of said Section 2;

thence continuing along the exterior boundary line of said Indian Village Subdivision No. 4 and the exterior boundary line of Indian Village Subdivision No. 1 as filed in Book 19 of Plats at Page 17, records of Canyon County North 89°32'59" East, 380.12 feet;

thence leaving said exterior boundary line and along the centerline of the Arron Lateral as shown on Record of Survey Instrument No. 2010-010009, records of Canyon County, Idaho South 89°15'26" East, 303.70 feet;

thence continuing along said centerline of the Arron Lateral the following 3 courses and distances:

thence South 19°32'27" East, 13.51 feet;

thence South 01°00'22" East, 106.11 feet;

thence South 00°51'18" West, 144.20 feet;

thence North 89°14'11" East, 433.76 feet to the REAL POINT OF BEGINNING. Containing 5.40 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 utilities 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.

Caribou Mountain Ventures LLC

Ranch Management Co., LLC, a Nevada Limited Liability Company

Kimbell Goutley, registered agent

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 plans and surveys.

Gregory G. Carter

P.L.S. No. 7729

ACKNOWLEDGMENT

State of Idaho )
County of Ada ) s.s.

On the day of , 20 , before me, the undersigned, a Notary Public in and for said State, personally appeared Kimbell Goutley, known or identified to me to be the registered agent for Ranch Management Co, LLC, a member of Caribou Mountain Ventures LLC, the Limited Liability Company that executed the instrument or the person who executed the instrument on behalf of said Limited Liability Company, and acknowledged to me that such Limited Liability Company 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

Reading in, Idaho

Page 26
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 removed, in accordance with Section 50-1326, Idaho Code, by the issuance of a Certificate of Disapproval, and no construction of any building or shelter requiring drinking water or sewer/septic facilities shall be allowed.

District Health Department, REHS Date

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

City Clerk, Nampa, Idaho

APPROVAL OF CITY ENGINEER
I, the undersigned, City Engineer in and for the City of Nampa, Canyon County, Idaho, hereby approve this plat

City Engineer Date

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

Canyon County Surveyor

CERTIFICATE OF COUNTY TREASURER
I, the undersigned, County Treasurer in and for the County of Canyon, State of Idaho, on the requirements of I.C.55-1308 do hereby certify that any and all current and/or delinquent County property taxes for the property included in this subdivision have been paid in full. This certification is valid for the next thirty (30) days only.

Date County Treasurer

APPROVAL OF CITY PLANNING AND ZONING COMMISSION
Accepted and approved the ___ 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
AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO CHANGING THE ZONE IDENTIFICATION SO AS TO REZONE REAL PROPERTY LOCATED AT 2718 EAST LOCUST LANE AND ADJACENT PARCEL IN THE CITY OF NAMPA, CANYON COUNTY, IDAHO FROM RS 8.5 TO RP SUBJECT TO THE TERMS OF THAT CERTAIN DEVELOPMENT AGREEMENT ENTERED INTO BETWEEN THE APPLICANT AND THE CITY OF NAMPA, AND DIRECTING THE CITY ENGINEER TO ALTER THE USE AND AREA MAP ACCORDINGLY.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NAMPA, IDAHO:

Section 1: That the following described real property located at 2718 East Locust Lane and adjacent parcel in the City of Nampa, Canyon County, Idaho, and all thereof, which has been until this date zoned RS 8.5 be, and the same is hereby, REZONED RP, and the use district or zone changed to RP, which said property so rezoned is described as follows, to wit:

See Exhibit A attached hereto and incorporated herein by this reference.

PROPERTY ADDRESS: 2718 East Locust Lane
Nampa, ID

Section 2: That this ordinance is subject to and limited by that certain Development Agreement entered into between the parties, a copy of which is attached hereto as Exhibit B and incorporated herein by this reference.

Section 3: That the City Engineer is hereby directed to alter and change the Use and Area Map of the City of Nampa, Idaho, to comply with this Ordinance.

PASSED BY THE COUNCIL OF THE CITY OF NAMPA, IDAHO, THIS 16th DAY OF December, 2013

APPROVED BY THE MAYOR OF THE CITY OF NAMPA, IDAHO, THIS 16th DAY OF December, 2013

Approved:

Mayor

Attest:

City Clerk

2013-057711
RECORDED
12/30/2013 11:49 AM
State of Idaho    
Canyon County    

On this 16th day of December, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Tom Dale and Deborah 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-Rolan
Residing at: Nampa, Canyon County, Idaho
My Commission Expires: 08/15/2019
EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1
The West 160 feet of the South 180 feet of the Southeast Quarter of the Southeast Quarter of Section 2, Township 2 North, Range 2 West, of the Boise Meridian, Canyon County, Idaho.

PARCEL 2
All that part of the Southeast Quarter of the Southeast Quarter of Section 2, Township 2 North, Range 2 West, of the Boise Meridian, in Canyon County, Idaho, lying West of the drain ditch as at present located and constructed through and across said premises.

EXCEPTING THEREFROM:
The West 160 feet of the South 180 feet of the Southeast Quarter of the Southeast Quarter of Section 2, Township 2 North, Range 2 West, of the Boise Meridian, Canyon County, Idaho.
REZONE FROM RS-8.5 (SINGLE FAMILY RESIDENTIAL 8,500 SQ. FT.) TO RP (RESIDENTIAL PROFESSIONAL) AT 2718 E. LOCUST LANE AND ADJACENT PARCEL (A 12.8 ACRE PORTION OF THE S.E. QUADRANT OF SECTION 2, T2N, R2W, BM); AND CONDITIONAL USE PERMIT FOR CONSTRUCTION OF A MINI-STORAGE FACILITY ON THE PROPERTY FOR CARIBOU MOUNTAIN VENTURES LLC. PROJECT REZ 1098-11 & CUP 1099-11.
DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (this “Agreement”), is made and entered into this day of December 10, 2013 (the “Effective Date”), by and between the City of Nampa, a municipal corporation, hereinafter referred to as the “City,” and Caribou Mountain Ventures, LLC and Ed Priddy, hereinafter referred to as “Owner/Developer.”

RECITALS

A. Owner/Developer is the owner of approximately 12.8 acres of real property legally described in Exhibit “A” attached hereto and made a part hereof (the “Property”).

B. Owner/Developer applied to City on 01 of June 2011, (the “date of application”) for rezoning of the Property to RP (Residential Professional) in anticipation of the development and construction of public mini/self-storage facility and accessory improvements (the “Project”; alternatively the “Proposed Use”) for the Owner/Developer.

C. City, pursuant to Sections 102-3 & 10-2-5, Nampa City Code, and Idaho Code Section 67-6511A, has the authority to rezone the Property and enter into a 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 has approved the requested rezoning of the Property to RP subject to the terms and commitments contained in this Agreement.

AGREEMENT

NOW THEREFORE, in consideration of the above recitals, which are incorporated below, and of the mutual covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. This Agreement shall not prevent City, in subsequent actions applicable to the Property, from applying new ordinances and regulations of general application adopted by City in the exercise of its police powers that do not conflict with the parties’ commitments applicable to the Property as set forth herein, or the zoning designation approved hereby as the Property has been deemed suitable for the uses allowed within said zoning designation.

2. The Project shall be developed in substantial conformance with the conceptual plan set attached hereto as Exhibit “B” (the “Conceptual Plan”) and made a part hereof provided, with those conditions affixed to this Agreement known as Exhibit “C” and with those conditions established by the City’s zoning ordinance that govern development of public mini/self storage sites, buildings and associated improvements; however, Owner/Developer shall have limited flexibility to develop the Property to meet market conditions (varying thereby from Exhibit B but not from Exhibit C nor base zoning ordinance regulations pertaining to the development of the
Project). Upon recordation of this Agreement, Owner/Developer shall have all rezoning related approvals required from City for development of the Project provided such is in substantial conformance/accordance with the approved Conceptual Plan.

3. This Agreement is intended to be supplemental to all other local, city, state and federal Code requirements, rules and regulations, and is established to help assure the compatibility of the resulting land use with the surrounding area. Provided, however, that to the extent this Agreement conflicts with any provision of the Nampa City Code, this Agreement shall prevail to the extent permitted by law.

4. The provisions and stipulations of this Agreement shall be binding on City, Owner/Developer, each subsequent owner of the Property or portion thereof, and each other person acquiring an interest in the Property and are, in no particular order, as set forth in the body of this Agreement and in the additional Conditions of Approval section attached hereto as Exhibit “C”, and by this reference incorporated herein.

5. This Agreement may be modified only by the written agreement of Owner/Developer and the City after complying with the notice and hearing procedures required under Idaho Code Section 67-6511A or Nampa City Code Section 10-2-5(D) or successor provisions.

6. The execution of this Agreement and the written commitments contained herein shall be deemed written consent to change the zoning of the Property to its prior designation upon failure of Owner/Developer to comply with the terms and conditions of this Agreement. Provided, however, that no such consent shall be deemed to have been given unless City provides written notice of any such failure and Owner/Developer or its successors and/or assigns fails to cure such failure as set forth below.

7. This Agreement and the commitments contained herein shall be terminated, and the zoning designation reversed, upon the failure of Owner/Developer, or each subsequent owner or each person acquiring an interest in the Property, to comply with the commitments contained herein within two (2) years after the Effective Date, and after the notice and hearing requirements of Idaho Code Section 67-6509 have been complied with by City. Exception: the failure to begin site development of all or a portion of a project proposed under this Agreement does not necessarily serve as impetus to allege that the commitments contained herein are not being fulfilled. Rather, commencement of site work and/or construction then left in abandon or failure to abide by the terms of this Agreement, as herein iterated, shall serve as impetus to consider termination of this Agreement and reversal of zoning. Provided, however, no such termination or reversal shall occur unless City provides written notice of Owner/Developer’s failure to comply with the terms and conditions of this Agreement to Owner/Developer and Owner/Developer fails to cure such failure within six (6) months of Owner/Developer’s receipt of such notice. The two (2) year period of time for compliance with commitments may be extended by City for good cause upon application for such extension by Owner/Developer, and after complying with the notice and hearing provisions of Idaho Code Section 67-6509.

8. Except as specifically set forth in this Agreement, the rules, regulations and official policies governing permitted uses of land, density, design, improvements and construction standards and specifications applicable to the Project and the Property shall be those rules,
regulations and official policies in effect as of the date of rezoning. Provided, however, that the applicable building codes for structures shall be the codes in effect when a complete application for a Building Permit is file. Development impact fees, if imposed by ordinance, shall be payable as specified in said ordinance even if the effective date is after the date of this Agreement or the rezone pursuant thereto.

9. It is intended by the parties that this Agreement shall be recorded on the Effective Date or as soon as practicable thereafter. The parties further intend that the provisions of this Agreement shall run with the Property and shall be binding upon City, Owner/Developer, each subsequent owner of the Property, and each other person or entity acquiring an interest in the Property.

10. If any term or provision of this Agreement, to any extent, shall be held invalid or unenforceable, the remaining terms and provisions herein shall not be effected thereby, but each such remaining term and provision shall be valid and enforced to the fullest extent permitted by law.

11. This Agreement sets forth all promises, inducements, agreements, conditions and understandings between Owner/Developer and City relative to the subject matter hereof. There are no promises, agreements, conditions or understandings, whether verbal or written, express or implied, between Owner/Developer and City, other than as are stated herein. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Agreement shall be binding upon the parties hereto unless reduced to writing and signed by the parties or their successors-in-interests or their assigns, and pursuant, with respect to the City, to a duly adopted ordinance or resolution of the City.

12. Should any litigation be commenced between the parties hereto concerning this Agreement, the prevailing party shall be entitled, in addition to any other relief as may be granted, to court costs and reasonable attorneys’ fees as determined by a court of competent jurisdiction.

13. This Agreement may be executed in counterparts, each of which shall constitute an original, all of which together shall constitute one and the same Agreement.

14. In the event Owner/Developer, its successors, assigns or subsequent owners of the Property or any other person acquiring an interest in the Property, or in the event City, fail to faithfully and materially comply with all of the terms and conditions included in this Agreement, enforcement of this Agreement may be sought by either City or Owner/Developer or by any successor or successors in title or interest or by the assigns of the parties hereto, in an action at law or in equity in any court of competent jurisdiction.

a. A waiver by City of any default by Owner/Developer of any one or more of the covenants or conditions hereof shall apply solely to the breach waived and shall not bar any other rights or remedies of City or apply to any subsequent breach of any such or other covenants and conditions. A waiver by Owner/Developer of any default by City of any one or more of the covenants and conditions hereof shall apply solely to the breach waived and shall not bar any other rights of remedies of Owner/Developer or apply to any subsequent breach of any such or other covenants and conditions.
b. Notwithstanding anything to the contrary herein, in the event of a material default of this Agreement, the parties agree that City and Owner/Developer shall have thirty (30) days after delivery of notice of such default to correct the same prior to the non-defaulting party’s seeking of any remedy provided for herein; provided, however, that in the case of any such default which cannot with diligence be cured within such thirty (30) day period and thereafter shall prosecute the curing of same with diligence and continuity, then the time within which such may be cured shall be extended for such period as may be necessary to complete the curing of the same with diligence and continuity, but in any event not to exceed six (6) months; and provided further, however, no default by a subsequent owner of a portion of the Property shall constitute a default by Owner/Developer for the portion of the Property still owned by Owner/Developer.

c. In the event the performance of any obligation to be performed hereunder by either Owner/Developer or City is delayed for causes that are beyond the reasonable control of the party responsible for such performance, which shall include, without limitation, acts of civil disobedience, strikes or similar causes, the time for such performance shall be extended by the amount of time of such delay.

d. In addition to the remedies set forth above, in the event of a default by Owner/Developer, or any other party claiming an interest herein, City may withhold building permits for any remaining lots within the development until such time as the default is cured.
IN WITNESS WHEREOF, the parties hereto have hereunto set their hands on this day and year first above written.

CITY OF NAMPA:

Tom Dale, Mayor

Attest: Debbie Bishop, City Clerk

OWNER/DEVELOPER:

STATE OF IDAHO )
    ) ss.
County of Canyon )

On this 16th Day of December, in the year of 2013, before me personally appeared Tom Dale, known or identified to me, to be the Mayor of the City of Nampa, whose name is subscribed to 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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Notary Public for State of Idaho
Residing at Nampa, Canyon County, Idaho
My commission expires: 08/15/2019
STATE OF IDAHO

County of Canyon

On this 10 day of December, in the year of 2013 before me, Lisa Mae Bracht, personally appeared Ed Pray, known or identified to me, to be Manager, of Caribou Mountain Venture, LLC, owner/developer whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same for and on behalf of Caribou Mountain Venture, LLC.

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

Lisa Mae Bracht
Notary Public for State of Idaho
Residing at Ada County
Commission Expires: 10/30/2016
EXHIBIT "A"

LEGAL DESCRIPTION OF THE PROPERTY

PARCEL 1

The West 160 feet of the South 180 feet of the Southeast Quarter of the Southeast Quarter of Section 2, Township 2 North, Range 2 West, of the Boise Meridian, Canyon County, Idaho.

PARCEL 2

All that part of the Southeast Quarter of the Southeast Quarter of Section 2, Township 2 North, Range 2 West, of the Boise Meridian, in Canyon County, Idaho, lying West of the drain ditch as at present located and constructed through and across said premises.

EXCEPTING THEREFROM:
The West 160 feet of the South 180 feet of the Southeast Quarter of the Southeast Quarter of Section 2, Township 2 North, Range 2 West, of the Boise Meridian, Canyon County, Idaho.
EXHIBIT "B"

CONCEPTUAL PLANS OF PROPERTY DEVELOPMENT
EXHIBIT “C”

CONDITIONS OF APPROVAL

1. Prior to the third reading of the rezone ordinance, the Owner/Developer shall dedicate any additional right-of-way, as defined/required by the City Engineer as follows:
   - East Locust Lane: Width of right-of-way dedication shall be 50’ from centerline (as half of ultimate/future 100’ right-of-way span); and,

2. The Owner/Developer shall provide, at time of Property build out/development full frontage improvements along East Locust Lane including but not limited to installation of:
   - Curb, gutter and sidewalk
   - Landscaping (as required by code)
   - Stormdrainage
   - Pavement widening and striping; and moreover,

3. Owner/Applicant shall extend, at their expense, any utilities (including service lines) to and through the Property at time of Property build out/development ; and,

4. Owner/Applicant shall provide civil engineered site development plans to the City for review and approval at time of Property build out/development; and,

5. Owner/Applicant shall dedicate all necessary utility easements as required by the City in accordance with current City policy at time of Property build out/development. Granting of any access or facility easements for and to the City and any other utility company or jurisdictional entity as necessary for the operation and maintenance of any utility existing, proposed or relocated with the development of the Property shall be executed. Twenty four (24) hour, seven (7) day access to the existing City sewer main will be required to be provided to the City wastewater maintenance personnel; and, ; and,

6. Occupancy of any proposed structures shall be conditioned on completion of all necessary and required improvements to the Property. Final acceptance by the City of the public water, sewer, pressure irrigation, drainage or street improvements emplaced as part of this development, and, shall include submittal of record drawings of the Property development plans by the engineer of record at time of Property build out/development; and,

7. Owner/Applicant, if not already accomplished, shall cause an updated/amended traffic impact study (TIS) be prepared and submitted to the City engineering division to address concerns of the existing property owners with lands adjacent to the Property; and,

8. Access to any irrigation laterals or facilities will be required to be maintained in accordance with the irrigation district’s policies. The Owner/Applicant may be required
to enter into a License Agreement with the district regarding access and improvements to their facilities. Plans for any proposed improvements are required to be approved by both the irrigation district and the City of Nampa; and,

9. Abandonment of the existing well and septic system(s) in accordance with Idaho Department of Water Resources and Southwest District Health requirements is required. Owner/Applicant will be required to submit copies of all certifications that systems have been properly abandoned.

10. Site improvements shall be emplaced/established (and in the case of the landscaping, planted and provided with irrigation) by the Owner/Developer prior to issuance of an Occupancy Permit for the newly proposed storage or office type structure on the Property (also required by N.C.C. § 10-1-6.1-5); and,

11. The applicant and any successors thereto along with the Property and any proposed development thereon comply with all applicable codes, laws and ordinances appertaining to Property development as this Agreement shall not have the effect of abrogating, nullifying, altering, amending or otherwise providing exception to the same except as specifically delineated by the terms and conditions of this Agreement; and,

12. Any or all required off-street parking shall be wholly on the private property and shall not encroach onto adjacent public right-of-way; and,

13. All site drainage must be retained on site. Moreover, design of on-site drainage is required to be done by either an Idaho licensed professional civil engineer or a licensed landscape architect, and, an Erosion and Sediment Control Permit will be required in accordance with City adopted Stormwater Policy and codes.

14. One or more Building Permits shall be required for construction of structures/buildings on the Property as dependent on development proposals/plans submitted to the City and the timing of submission(s) of the same.
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Canyon

Linda Spencer
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 Principle 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:

12/23/2013

STATE OF IDAHO
County of Canyon

On this 23rd day of December in the year of 2013 before me a Notary Public, personally appeared Linda Spencer, 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 09/12/2018
LEGAL NOTICE

ORDINANCE NO. 4084

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO CHANGING THE ZONE IDENTIFICATION SO AS TO REZONE REAL PROPERTY LOCATED AT 2718 EAST LOCUST LAND AND ADJACENT PARCEL IN THE CITY OF NAMPA, CANYON COUNTY, IDAHO FROM RS-8.5 TO RP SUBJECT TO THE TERMS OF THAT CERTAIN DEVELOPMENT AGREEMENT ENTERED INTO BETWEEN THE APPLICANT AND THE CITY OF NAMPA; AND DIRECTING THE CITY ENGINEER TO ALTER THE USE AND AREA MAP ACCORDINGLY.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NAMPA, IDAHO:

Section 1: That the following described real property located at 2718 East Locust Lane and adjacent parcel in the City of Nampa, Canyon County, Idaho, and all thereof, which has been until this date zoned RS-8.5 be, and the same is hereby, REZONED RP, and the use district or zone changed to RP, which said property so rezoned is described as follows, to wit:

See Exhibit A attached hereto and, by this reference, incorporated herein as if set forth in full.

PARCEL 1

The West 150 feet of the South, 180 feet of the Southeast Quarter of the Southeast Quarter of Section 2, Township 2 North, Range 2 West, of the Boise Meridian, Canyon County, Idaho.

PARCEL 2

All that part of the Southeast Quarter of the Southeast Quarter of Section 2, Township 2 North, Range 2 West, of the Boise Meridian, in Canyon County, Idaho, lying West of the drain ditch as at present located and constructed through and across said premises.

EXCEPTING THEREFROM:

The West 160 feet of the South 180 feet of the Southeast Quarter of the Southeast Quarter of Section 2, Township 2 North, Range 2 West, of the Boise Meridian, Canyon County, Idaho.

PROPERTY ADDRESS:
2718 East Locust Lane
Nampa, ID

Section 2: That this ordinance is subject to an limited by that certain development agreement entered into between the parties, a copy of which is on file in the Clerk's Office as Exhibit B and incorporated herein by this reference.

Section 3: That the City Engineer is hereby directed to alter and change the Use and Area Map of the City of Nampa, Idaho, to comply with this Ordinance.

Passed by the Council and approved by the Mayor this 16th day of December, 2013.

Tom Dale, Mayor
Attest: Deborah L. Bishop, City Clerk

December 23, 2013
Good Afternoon Shellie,

Nampa Highway District #21 has no comment.

Thank you,

Eddy

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Caribou Mountain Ventures LLC – Ed Priddy has submitted the following applications:

- **Subdivision Plat Preliminary Approval for Lava Falls Subdivision at 0 and 2718 E. Locust Lane (39 single family dwellings on 11.595 acres for 2.36 average dwelling units per gross acre – A portion of the SEW ¼ of the SE ¼ of Section 2, T2N, R2W, BM).**

- **Subdivision Plat Final Approval for Lava Falls Subdivision No 1. and No. 2 at 0 and 2718 E. Locust Lane (39 single family dwellings on 11.595 acres for 2.36 average dwelling units per gross acre – A portion of the SEW ¼ of the SE ¼ of Section 2, T2N, R2W, BM).**

- **Modification of Development Agreement between Caribou Mountain Ventures, LLC and the City of Nampa recorded 12/30/2013 as Inst. No. 2013-057711 amending Recital B paragraph and Exhibit “B” Conceptual Plan to allow for a Single Family Residential Subdivision instead of the original**
From: Shellie Lopez
Sent: Wednesday, November 06, 2019 4:21 PM

Good Afternoon Everyone! 😊


Caribou Mountain Ventures LLC – Ed Priddy has submitted the following applications:

- Subdivision Plat Preliminary Approval for Lava Falls Subdivision at 0 and 2718 E. Locust Lane (39 single family dwellings on 11.595 acres for 2.36 average dwelling units per gross acre – A portion of the SEW ¼ of the SE ¼ of Section 2, T2N, R2W, BM).

- Subdivision Plat Final Approval for Lava Falls Subdivision No 1. and No. 2 at 0 and 2718 E. Locust Lane (39 single family dwellings on 11.595 acres for 2.36 average dwelling units per gross acre – A portion of the SEW ¼ of the SE ¼ of Section 2, T2N, R2W, BM).
**Sylvia Mackrill**

<table>
<thead>
<tr>
<th>From:</th>
<th>Madison, Julie <a href="mailto:Julie.Madison@centurylink.com">Julie.Madison@centurylink.com</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sent:</td>
<td>Tuesday, November 12, 2019 10:04 AM</td>
</tr>
<tr>
<td>To:</td>
<td>Shellie Lopez</td>
</tr>
<tr>
<td>Cc:</td>
<td>Sylvia Mackrill</td>
</tr>
</tbody>
</table>

Caution: This email originated from outside of the City of Nampa domain. Do not click on links or open attachments unless you recognize sender email or are sure content is safe. Highlight the suspect email and send using your Phish Button or call the helpdesk at 208-468-5454

Good morning Shellie,

This LN Project (P822519) has been created for the above request and assigned to Les Gutierrez.

Thanks,

**Julie Madison**  
Faulk & Foster  
1811 Auburn Ave, Monroe, LA 71201  
(318) 807-2649  
Email: Julie.Madison@centurylink.com

---

**From:** Shellie Lopez <lopezs@cityofnampa.us>  
**Sent:** Wednesday, November 6, 2019 5:21 PM  

**Good Afternoon Everyone! 😊**


Caribou Mountain Ventures LLC – Ed Priddy has submitted the following applications:

- Subdivision Plat Preliminary Approval for Lava Falls Subdivision at 0 and 2718 E. Locust Lane (39 single family dwellings on 11.595 acres for 2.36 average dwelling units per gross acre – A portion of the SE ¼ of the SE ¼ of Section 2, T2N, R2W, BM).
The weeds need to be cut and there are 2 tires that need to be removed. At the end of the road back by the trees there are 2 totes of oil that need to be removed and a pile of beer bottles in the trees.

From: Soyla Reyna <reynas@cityofnampa.us>
Sent: Tuesday, November 12, 2019 9:49 AM
To: Carol Shackelford <shackelfordc@cityofnampa.us>

CRM has been created.

From: Shellie Lopez <lopes@cityofnampa.us>
Sent: Wednesday, November 6, 2019 4:21 PM

Good Afternoon Everyone! 😊


Caribou Mountain Ventures LLC – Ed Priddy has submitted the following applications:

- Subdivision Plat Preliminary Approval for Lava Falls Subdivision at 0 and 2718 E. Locust Lane (39 single family dwellings on 11.595 acres for 2.36 average dwelling units per gross acre – A portion of the SEW ¼ of the SE ¼ of Section 2, T2N, R2W, BM).

- Subdivision Plat Final Approval for Lava Falls Subdivision No 1. and No. 2 at 0 and 2718 E. Locust Lane (39 single family dwellings on 11.595 acres for 2.36 average dwelling units per gross acre – A portion of the SEW ¼ of the SE ¼ of Section 2, T2N, R2W, BM).

- Modification of Development Agreement between Caribou Mountain Ventures, LLC and the City of Nampa recorded 12/30/2013 as Inst. No. 2013-057711 amending Recital B paragraph and Exhibit “B” Conceptual Plan to allow for a Single Family Residential Subdivision instead of the original Public Mini/Self-Storage Facility, and amending Exhibit “C” Conditions of Approval as necessary for Lava Falls Subdivision – A 11.595 acre parcel of land located in the SEW ¼ of the SE ¼ of Section 2, T2N, R2W, BM).
Hi Shellie,

Nampa Parks has reviewed the preliminary and final plats for Lava Falls Subdivisions Number 1 and 2. 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.
November 19, 2019

Norman Holm
Nampa City
411 Third Street South
Nampa, ID 83651

Lava Falls Subdivision at 0 and 2718 E. Locust Lane

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
November 25, 2019

RE: _Lava Falls Subdivision - Preliminary Plat

To: Dan Lardie, Leavitt & Associates Engineers

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

The Applicant shall submit an updated site plan or draft copy of the plat to City of Nampa Engineering/GIS staff reflecting these changes prior to final plat application submittal.

- Propose a new unique street name for S Onyx St to the Engineering Division. Per Canyon County Code 06-05-13 (1) There shall be no duplication of street names by sound or spelling within Canyon County including within the incorporated areas. Refer to Street Naming and Addressing Policy in the Engineering Process and Policy Manual (rev 9/2012).
- E Gypsum Ct should be E Gypsum St
- S Citrine St should be S Citrine Ave

Sincerely,

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

After reviewing the above Preliminary and final Plat reviews, we request that the (2 of the 3) Austrian Pines nearest the street on the corner of S. Onyx Street/ E. Gypsum Ct. be planted off of the ROW or a more appropriate (approved) tree to be selected in these locations.

Should you need more specific information, please feel free to contact me.

Thank you,

Adam
Date: November 26, 2019

RE: Planning Department Landscape Plan Review

Project: Project Name: Lava Falls Subdivision: SPP-00051, SPF-00113 & SPF-00114-2019

The above listed project(s) 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. **The Landscape Plans were revised. Planning has no comments.**

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
The above listed project(s) 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. **Landscape Buffer Requirements**: Please add turf or shrubs to the landscape strip on E. Locust Ln. per Nampa City Code:

   "Landscape Buffer Development: Within gateway/arterial/collector corridor landscape strips, one city approved low growing deciduous street tree at least two inches (2") in caliper (measured 1 foot above root ball) shall be placed every twenty-five feet (25') on center, ground cover shall be provided. The strip shall be at least fifty percent (50%) covered in grass and/or also, optionally, contain up to fifteen (15) shrubs per one hundred (100) linear feet of frontage, and/or contain decorative rock but not artificial plant materials. A belowground irrigation system shall be emplaced and utilized within landscape strips. Watershed from the system will be contained as much as possible on site. Trees in the fifteen-foot (15') or twenty five-foot (25') landscape strips shall be placed at least five feet (5') from the nearest sidewalk and not be planted in a drainage swale." [NCC 10.33.4.(A2)]

2. **Please resubmit landscape plans for approval.**

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
Memo

To: Nampa Planning & Zoning Commission
From: Kristi Watkins, Senior Planner (Safe Routes To School Analyst)
cc:
Date: December 2, 2019
Re: Lava Falls Subdivision

The Lava Falls Subdivision located on E Locust Ln, west of the Southside Blvd, is located near:

Ronald Reagan Elementary – .42 miles north on Southside Blvd – Walkable. There are sidewalks on the east side of Southside Blvd, but no sidewalks on the north side of E Locust Lane.

East Valley Middle School – 1.73 miles – Not Walkable.

Skyview High School – Approximately 1.5 miles – Not walkable
DATE: December 4, 2019 (revised 12/9/2019)

TO: Nampa Planning & Zoning Department

FROM: Caleb LaClair, P.E. – Assistant City Engineer

CC: Daniel Badger, P.E. – City Engineer

CC: Tom Points, P.E. – Public Works Director

SUBJECT: SPP-00051-2019 – Lava Falls Subdivision

Engineering Review Memo

The Engineering Division has completed a review of the Preliminary Plat application for Lava Falls Subdivision and recommend the following conditions and comments.

Preliminary Plat Comments

Access:

1. The project is located northwest of the E Locust Lane and S Lava Springs Drive intersection, and will take access from the following roads:
   - E Locust Lane – classified as “Principal Arterial”, speed limit 35-mph.

2. The property was annexed into the City in 2004. At that time right-of-way totaling 50-feet from Section Line was dedicated across the Locust Lane frontage. No additional right-of-way dedication is required.

3. A Traffic Impact Study was not submitted with this application, and is not deemed required per the City’s current Transportation Impact Study Policy.

4. The City’s Access Management Policy requires a 250-ft minimum spacing between opposing local street branches, and 500-ft minimum spacing for branches on the same side along Arterial roads. The proposed accesses violate the City’s policy as S Citrine Street is only approximately 150-ft from the S Lava Springs Dr intersection to the east. We request the S Citrine Street access be removed and converted to a cul-de-sac with an all-weather emergency vehicle access to E Locust Lane.

5. The project should accommodate future cross access to adjacent parcels to the west and north. We request the following modifications to the layout:
   - Modify E Azure Ct to provide a stub street to the westerly property addressed 2608 E Locust Ln; and,
• Modify either E Julianite Ct, E Melanite Ct, or S Citrine St to provide a stub street to the property located west and north addressed 2701 Commanche Street.

6. City Code no longer requires full road widening along Collector and Arterial roads (see Nampa City Code Section 9-3-1). Widening is only required where needed for turn lanes. The project layout should be modified to remove the proposed E Locust Lane pavement widening and curb.

7. The sidewalk along E Locust Lane should be 5’ wide and located in accordance with City standard drawings N-822.

Utilities:

8. 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:
   • 12” water main on the north side of E Locust Lane;
   • 10” sewer main along the easterly property boundary; and,
   • 12” pressure irrigation main along the south side of E Locust Lane.

9. The property is in the lower end of the City’s water pressure Zone 3, which has a service hydraulic grade of approximately 2,730-feet. The project ground elevations vary from approximately 2,550 to 2,530 feet. As a result the project may experience static water pressures greater than 80-psi due to ground elevations being lower than 2,545-feet. Pressure reducing valves should be installed on individual home water service lines where the finish floor elevation is below 2,545-feet.

10. Utilities should be extended and stubbed at the requested street stubs to the west and north to support future development. Sewer depth shall be planned to accommodate future extension.

Drainage:

11. Based on topography and site visit, the property appears to accept run-on from adjacent property to the west near the northwest corner of the site. Final plans shall reflect how this offsite run-on is being addressed and routed through the site.

12. Cattails were observed in a low-lying area near the northwest corner of the site corresponding to the path of offsite run-on. We recommend the Developer engage the Army Corp of Engineers regarding the nature of this drainage.

13. The project proposes to pipe Aaron Drain along the easterly property boundary, which accepts irrigation waste from the Lava Springs Irrigation Pump Station. The pipe shall be designed to accommodate the entire allotment for this pump station, which is 350-inches (3,150-gpm/7.02-cfs). We recommend coordinating with IDWR and the Army Corp of Engineers to determine if a 404-permit or Stream Channel Alteration Permit is necessary for this work as this drain is shown as a blue-lined stream on USGS maps.

14. The project proposes to discharge development drainage to the Aaron Drain. Nampa-Meridian Irrigation District manages the drain downstream of the project. The discharge will need to be designed in accordance with NMID standards. The Developer shall provide confirmation of NMID review of the project and if a license agreement is required for the discharge.

15. Pre-development discharge to the Elijah Drain may need to be limited to the 25-year storm as this is the NMID design standard.
16. A geotechnical report was not submitted for this project. Test pit information and percolation data from Idaho Testing & Inspection from 2004 and 2007 is reflected on the final plans. The City will accept the test pit data as provided. However, we question the percolation rates of 15 and 33 in/hr based on the presence of Caliche layers and shallow Basalt bedrock. It does not seem likely that these rates if accurate would be sustained for the full profile of the proposed 6’ deep seepage beds. The Developer shall provide additional support data for the referenced percolation rates, or if not available, shall perform new percolation tests at the proposed drainage facilities.

17. Nampa Stormwater Policy requires detention routing analysis for detention ponds, including inflow and outflow hydrographs accounting for depth-storage relationship of the pond and depth-discharge of the outlet structure (Section 113). Final plan and report shall provide this information to support the design of the detention pond.

18. Nampa Stormwater Policy requires retention and infiltration of the “first flush” of storms totaling a minimum of 0.2” of rainfall for detention ponds (Section 113.5). Final plan and report shall show how this is being accommodated in the proposed detention pond.

Conditions of Approval

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

2. Frontage road improvements along E Locust Lane shall be provided in accordance with Nampa City Code Section 9-3-1.

3. The Developer shall modify the site plan to accommodate the following access changes to meet current City Policy:
   - Remove the S Citrine Street access and convert to a cul-de-sac with an all-weather emergency vehicle access to E Locust Lane;
   - Modify E Azure Ct to provide a stub street to the westerly property addressed 2608 E Locust Ln; and,
   - Modify either E Julianite Ct, E Melanite Ct, or S Citrine St to provide a stub street to the property located west and north addressed 2701 Commanche Street.

4. Developer shall construct traffic calming measures (speed hump, cross gutters, bulb-outs, etc.) on E Mossy Cove Street.

5. 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.

6. 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.
7. 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
shall accommodate future extension to adjacent properties at stub streets, including sewer
depth.

8. Applicant shall address all street name comments identified in the letter from Nampa
Engineering Division prior to Construction Drawing approval.

9. Applicant shall provide additional documentation or new data to verify percolation rates for
proposed drainage facilities prior to Construction Drawing approval.

10. Applicant shall provide confirmation from Nampa & Irrigation District (NMID) if a License
Agreement from them is required to allow discharge to the Aaron Drain prior to construction
drawing approval.

11. Applicant shall provide confirmation from the Army Corp of Engineers and Idaho Department of
Water Resources on the following items prior to Construction Drawing approval:
   - Existing low-lying drainage area located in the northwest corner of the property; and,
   - Any permits required for proposed piping of the Aaron Drain.
DATE: December 4, 2019
TO: Nampa Planning & Zoning Department
FROM: Caleb LaClair, P.E. – Assistant City Engineer
CC: Daniel Badger, P.E. – City Engineer
SUBJECT: SPF-00113/00114-2019 – Lava Falls Subdivision #1 & #2 – Engineering Review Memo

The Engineering Division has completed a review of the Construction Drawings and Final Plat for Lava Falls Subdivision #1 and #2 and recommend the following conditions and comments.

General Comments


Phase 1 – Final Plat Comments

1. Address all street name comments identified in the letter from Nampa Engineering Division and as redlined on the plat.
2. Modify S Citrine Street as redlined to remove direct access to E Locust and convert to a cul-de-sac with emergency vehicle only access.
3. Modify E Azure Court to provide a stub street to the west.
4. Label Point of Beginning on the plat.
5. Label full public right-of-way width along the easterly property line for reference.
6. Verify Note 6 including purpose and location of the “Temporary Drainage Easement”.
7. Confirm/update common lots in Note 7 upon layout changes.

Phase 2 – Final Plat Comments

1. Address all street name comments identified in the letter from Nampa Engineering Division and as redlined on the plat.
2. Modify curve “C12” to 100’ radius per Nampa policy for minimum street radius.
3. Modify either E Julianite Ct, E Melanite Ct, or S Citrine St to provide a stub street to the property located west and north addressed 2701 Commanche Street.
4. Confirm if knuckle is necessary at the intersection of E Melanite Ct and S Citrine St.
5. Add missing Block # labels.
7. Verify Note 6 including purpose and location of the "Temporary Drainage Easement".
8. Confirm/update common lots in Note 7 upon layout changes.

Conditions of Approval
1. Developer shall address all comments and conditions of approval identified in the “SPP-00051-2019 – Lava Falls Subdivision Engineering Review Memo”, dated December 4, 2019.
2. The Developer’s Surveyor shall address all Final Plat comments prior to City Engineer signature of the plats.
3. Developer’s Engineer shall address all Construction Drawing and Drainage Report comments identified in the “Lava Falls Subdivision #1 & #2 – Construction Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division, dated 12/04/2019 prior to construction drawing approval.
4. The Developer and their Engineer and Contractor shall adhere to the “Construction Duty and Responsibility Policy”, Section 108 of the 2017 City of Nampa Engineering Development Process and Policy Manual, during the construction process. The Developer shall also sign the City of Nampa Subdivision Improvement Agreement and submit to the Nampa Engineering Division prior to start of construction.
5. If the intent is to phase construction of the project, the Engineer shall provide separate Record Drawings for each phase, clearly identifying scope of work for that phase and all phase line infrastructure, prior to City Engineer signature of the associated Final Plat.
PUBLIC HEARING ITEM NO. 3
STAFF REPORT

Analyst: Doug Critchfield, Senior Planner
File(s): CTA-00008-2019 Nampa 2040 Comprehensive Plan

Requested/Needful Action Approval(s)/Recommendation(s):

1. Repeal of the Nampa 2035 Comprehensive Plan (Text and Proposed Future Land Use Map), and all amendments thereto, and approval of an updated Comprehensive Plan Text and Proposed Future Land Use Map, to be referred to as the Nampa 2040 Comprehensive Plan for the City of Nampa (CTA 008-19)

(Decision Required: Recommendation)

Background:
Idaho Statute states the following:
“...the duty of the planning or planning and zoning commission to conduct a comprehensive planning process designed to prepare, implement, and review and update a comprehensive plan, hereafter referred to as the plan. The plan shall include all land within the jurisdiction of the governing board. The plan shall consider previous and existing conditions, trends, compatibility of land uses, desirable goals and objectives, or desirable future situations for each planning component.” (Idaho Leg. Code Sec. 67-6508)

The 2035 Comprehensive Plan (Plan) was adopted in January 2012 by the Nampa City Council. The 2035 Plan states that it should be updated periodically as conditions in the community change. In the early fall of 2018, a 2040 Comprehensive Plan Review Advisory Committee (Committee) was formed with representation from a cross-section of community leaders, citizens, elected officials and City of Nampa staff. The Committee conducted 4 workshops to discuss impacts related to growth; outline the community’s values; highlight community priorities; and provide direction to City staff on needed updates and changes to the Comprehensive Plan and Future Land Use Map.
A summary of the Committee’s work was presented to the Nampa community in two Townhall meetings and was made available online to the public in a podcast over the summer of 2019. A summary of the workshops and townhall meetings was presented to a joint public meeting of the Nampa Planning and Zoning Commission, Nampa City Council and Nampa Design Review Committee on August 28, 2019. A fifth and final workshop was conducted by the 2040 Comprehensive Plan Review Advisory Committee on October 28, 2019 to review and provide feedback on the Final Draft version of the 2040 Comprehensive Plan and the Future Land Use Map.

2040 COMPREHENSIVE PLAN UPDATES

Several updates were made in the 2040 Comprehensive Plan, including: the consolidation of future land use settings; data updates; alignment of the text and strategies with current planning processes; and updates to match current conditions and trends.

Two new chapters were added to the 2040 Comprehensive Plan; Chapter 14 – Public Airport Facilities, which was added as mandated by Idaho state law; and Chapter 15 – Specific Area Plans and Standards.

The 2035 Comprehensive Plan’s 740 Goals, Objectives and Strategies were reviewed for duplicity, relevance and completion. Following that review, the total number was reduced to 72 Goals that are supported by 100 Objectives and 188 Strategies with 55 listed as ‘Key Strategies’. The Action Items in the 2040 Comprehensive Plan list the methodologies and responsible City of Nampa Departments by which Key Strategies could be implemented in a five-year period.

Seventy-nine changes were made to the Future Land Use Map. These changes largely reflect current conditions on the ground and the desire to create compatibility between land use settings. Other changes reflect the land use settings surrounding the future expansion of State Highway 16; future development along the Highway 20/26 corridor; and other minor adjustments due to predicted development trends. Areas designated as an Agriculture land use setting to the south and north reflect the desire to maintain open space and agriculture near recreational and wildlife areas and corridors.

Specific Chapter changes are listed as follows:

Chapter 1 - Property Rights, Chapter 2 - Population and Growth and Chapter 10 - Schools and School Transportation were updated with current data.

Chapter 3 – Housing
Additions to this chapter include:

- A discussion of the the Housing Opportunity Index (HOI) as a measure of affordability for a given area and is defined as the share of homes sold in that area that would have been affordable to a family earning the local median income, based on standard mortgage underwriting criteria.

- A Market and Community Factors section to address growth management in the housing market.

- Options to Improve Housing Affordability: This section offers suggestions about affordable housing including:
transition to density-based zoning
• the allowance of ‘tiny homes’
• an opportunity for a second detached home on one parcel in the RS zone that is fully functional as a residence
• reduced fees for infill projects that contain a certain percentage of affordable homes
• working with Canyon County to reduce property taxes for low-income residents
• reduced fees for non-profit organizations to build housing for low-income residents.

• A discussion about the inclusion of Master Planned Communities as an option in the Mixed-Use Land Use setting.

Chapter 4 – Economic Development
All the data sections were updated with current information. A new Industry Clusters section was added showing the strength and predicted longevity of these sectors. An Economic Development Strategies Section was updated with new Target Industries, Entrepreneurial Development and Cost of Living index sub-sections.

Chapter 5 – Land Use
Chapter 5 was significantly updated and changed:

• Commercial land use settings that were divided into Commercial, Freeway Commercial and Neighborhood Commercial have been designated Commercial.

• Industrial land use settings that were divided into Light Industrial and Heavy Industrial are designated Industrial.

• Business Park, Industrial Park and Employment Center land use settings are now designated Community Mixed-Use.

• A discussion of opportunities for local community gardens or very limited local agricultural use in new residential development.

• Provides clarity in density allowances by accounting for all factors that contribute to gross density (roads, open space, easements and common areas) in each of the residential land use settings.

• Recommends that the Nampa Zoning Code’s residential zoning districts that are based on lot size to conform with the Comprehensive Plan’s land use settings that are based on density.

• Additional definitions of ‘open space’ in new development to include parkland, vista preservation, buffering, agricultural land conservation, habitat and wetlands conservation.

• A discussion of Common Areas that would be owned and maintained by an HOA that is established within the development. The design and site selection of these areas would be negotiated with the City and codified through the subdivision plat and a development agreement. The approximate percentage of open space area to be
designated as Common Open Space Area would be approximately 15% of the development land area. It could be slightly more or less than 15% depending on the negotiations between the City and developer.

- A provision for very limited mixed-use neighborhood-scale commercial development within ‘Medium- and High-Density’ Residential Land Use Settings. These developments could include a local corner neighborhood grocery/convenience store, a very small medical or dental office facility, or other small-scale commercial development.

- Mixed-Use development was expanded to include:
  - Residential Mixed Use: Residential, Live/Work Units, Multi-Plex, Multi-Plex in a Village Setting, Street-level Commercial and loft residential, artist studios, alleyway nooks, etc.
  - Community Mixed Use: Limited Light Industrial, Industrial Parks, Business Parks, Commercial, High Density Residential, Planned-Unit Developments, Master Planned Communities, etc.

- The addition of Master Planned Communities and Cluster Developments that include Smart Growth principles that have been tried and found successful in other communities; with guidelines and standards that are developed in coordination with City Leaders, City Staff and the Development Community that would be produced to implement the City’s community design vision.

Chapter 6 – Transportation
This chapter added:
- a discussion on the Transportation Impact Fee Program
- State Highway 16 (SH-16) planning and design efforts
- the Nampa Bicycle Pedestrian Master Plan
- Nampa Transportation Master Plan
- Airport Master Plan

Chapter 7 – Public Services, Facilities, Utilities and National Interest Electrical Transmission Lines
This chapter was updated with current statistics, and:
- a Development Impact Fee Program section
- a new Public Safety section
- a new Library section
- a St. Luke’s Medical Center section, and Wastewater Treatment Plant Facility Plan section

Chapter 8 – Community Design
Chapter 8 added the following:
- a Residential and Multi-family Residential Design section
- a Storage Unit section with design outcomes in new storage unit development
- a new Landscaping section
- a revised Development Patterns section that delineates the design elements necessary for livable residential design, community layout, gathering places and Downtown Nampa
- a Dark Skies section to discuss the impact of nighttime light on airports, humans and wildlife.
Chapter 9 – Parks and Recreation
New sections include:
- a discussion of the physiological, psychological, social and economic benefits of parks and open space
- a Park Planning and Development section that describes the current process in planning and developing parkland and suggests that a position be created to manage and implement this process
- new performance measures for park maintenance
- an outline of the elements and policies that a new Parks Master Plan should contain
- the Bicycle and Pedestrian Master Plan

Chapter 11- Cultural and Historic Sites
Additions to Chapter 11 include:
- a discussion of the role of the Arts and Historical Preservation Commission
- mention of a new Historic Preservation Plan that will include a ‘Current Historical Context Statement’
- a Planning for Historic Preservation section

Chapter 12 – Natural Resources
This chapter was updated with:
- a new Surface Water section
- a new Groundwater section
- a new Bird and Wildlife Refuge Areas/Pacific Flyway Section
- an Issues of Environmental Importance to the City of Nampa that discusses the need for mutual cooperation in the conservation of natural resources and endangered species.

Chapter 13 – Hazardous Areas
This chapter was updated with:
- current statistics and a Floodplain schematic
- an Earthquakes/Seismic Activity section with extensive information about earthquakes and earthquake preparedness’
- a Railroad Crossings section that discusses the hazards around railroad crossings
- a Waste Remediation Facility Mapper that shows all the remediation sites in Nampa.

Chapter 14 – Public Airport Facilities
This is a new Chapter in the 2040 Comprehensive Plan per Idaho State Law requirements. Highlights are listed below:
- Sections 14.1 – 14.5 summarizes Nampa Airport history, governance and inclusion in the National Plan of Integrated Airport Systems. Nampa Airport is listed as a General Aviation Airport and eligible for federal funding under the Airport Improvement Program.
- Section 14.6 covers airspace. The airport is in Class E Airspace with a ceiling of 700’ above the tarmac surface. Airspace is controlled around the airport.
- Section 14.7 discusses the land uses around the airport that are restricted in height and use. Other hazards include:
  - radio interference
• solar panels
• wildlife attractors
• high congregations of people
• cell phone towers

- Section 14.8 discusses briefly the Airport Master Plan Update.
- Section 14.9 discusses development in the vicinity of the airport.

Strategies that are new and significant include:

**OBJECTIVE 2, STRATEGY 1**: Adhere to guidelines provided in the Airport Master Plans for land use compatibility

**OBJECTIVE 3, STRATEGY 2**: Coordinate with Canyon County and adjacent communities for future development and regional growth

Chapter 15 – Specific Area Plans and Standards
This is a new Chapter added to list the specific Plan Areas, Standards, Guidelines and Utility & Resource Assessments. These are future projects over the next 5 years and beyond.

- **Section 15.1 Specific Area Plans and Overlays**
  - 15.1.1 Karcher Mall/Treasure Valley Marketplace
  - 15.1.2 Lake Lowell / Deer Flat Area
  - 15.1.3 Caldwell Blvd.
  - 15.1.4 Airport District.
  - 15.1.5 Southwest Nampa
  - 15.1.6 Southeast Nampa
  - 15.1.7 Highway 20/26 Corridor/North Nampa
  - 15.1.8 Highway 16 Corridor
  - 15.1.9 S Midland Blvd.
  - 15.1.10 Hwy 45 realignment
  - 15.1.11 Mobile Home Park Study

- **Section 15.2 Guidelines and Standards**
  - 15.2.1 Nampa Gateways
  - 15.2.2 Mixed Use Development
  - 15.2.3 Limited Commercial Development in Medium- and High-Density Residential Zones
  - 15.2.4 Density-based Residential Development

- **Section 15.3 Utility and Resource Assessments**
  - 15.3.1 Transmission Line Corridor needs assessment
  - 15.3.2 Natural Resources Assessment
  - 15.3.3 Aquafer Recharge Assessment

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**2040 COMPREHENSIVE PLAN SUMMARY**
The Comprehensive Plan is divided into 15 Chapters. Each chapter is followed by Goals, Objectives and Strategies pertaining to the subject matter in that chapter. The outline of the chapters is as follows:
Chapter 1 – Property Rights
Discusses the rulings and case law surrounding property rights and takings issues

Chapter 2 – Population and Growth
Discusses Census population, housing and demographics. Provides projected population growth and trends.

Chapter 3 – Housing
Discusses housing characteristics, building permits issued, housing tenure and occupancy, housing costs, housing affordability, community development block program, housing types, alternative types of housing development, and subdivision development. The chapter considers market and community factors and makes recommendations for standards and guidelines for Master Planned Communities and density-based residential development.

Chapter 4 – Economic Development
This chapter discusses current industry trends, occupations and employment, wage information, economic demographic profile, income levels, commuting, strategies in fostering a business-friendly community, workforce development, tourism, community events, economic development strategies and cost of living index.

Chapter 5 – Land Use
The purpose of the Land Use chapter is to guide public and private decisions regarding the use of land in the City of Nampa and the Nampa Area of Impact, and to act as a guide for the implementation of future zoning, subdivision ordinances and other land use ordinances adopted by the City.

Chapter 6 – Transportation
This Chapter includes an outlook of future growth and its impact on commute times, the Transportation Impact Fee Program, State Highway 16 (SH-16), the Nampa Bicycle Pedestrian Master Plan, the Nampa Transportation Master Plan, the Nampa Airport Master Plan, other forms of transportation and significant transportation planning issues throughout the City.

Chapter 7 – Public Services, Facilities, Utilities and National Interest Electrical Transmission Lines
This chapter discusses all citywide services, the Development Impact Fee Program, infrastructure, services planning, energy sources, transmission lines, and communication systems.

Chapter 8 – Community Design
Community design includes a study of the community’s development patterns, streetscapes, neighborhood layouts, site design, and other spatial features, natural elements and built environment including landscaping, architecture, signs and public art.

Chapter 9 – Parks and Recreation
This chapter discusses parks and recreation programming, cemeteries, park planning, parks maintenance, park facilities, and the Nampa Recreation Center.

Chapter 10 – Schools and School Transportation
The purpose of this chapter is to allow cities and school districts to better communicate the school district’s future planning needs. This chapter specifically discusses current conditions of educational attainment, student enrollment, physical inventory, capacity and the movement of students to better inform decisions regarding future planning.

Chapter 11 – Cultural and Historical Sites
This Chapter discusses the aspects of the community that have historical and cultural significance with measures for their preservation and enhancement.

Chapter 12 – Natural Resources
This Natural Resources Chapter evaluates issues and opportunities related to natural and agricultural resources; and presents goals, objectives, strategies and implementation recommendations to guide the City in promoting effective resource management.

Chapter 13 – Hazardous Areas
The goals, objectives, strategies, and recommendations of this chapter will guide the City in identifying and developing solutions to meet community needs and protect its residents and visitors from the effects of hazards and hazardous areas.

Chapter 14 – Public Airport Facilities
This is a new chapter that provides information about the Nampa Municipal Airport, planning, governance, its role in the National Plan of Integrated Airport Systems, regulations, airspace, hazards, the Airport Master Plan, services and economic impacts.

Chapter 15 – Specific Area Plans and Standards
This is a new Chapter added to list the specific Plan Areas, Standards, Guidelines and Utility & Resource Assessments. These are future projects over the next 5 years and beyond.

RECOMMENDED CONDITIONS OF APPROVAL

The Commission may vote to repeal the Nampa 2035 Comprehensive Plan (Text and Proposed Future Land Use Map), and all amendments thereto, and recommend to the City Council that they approve an updated Comprehensive Plan Text and Proposed Future Land Use Map, to be referred to as the Nampa 2040 Comprehensive Plan for the City of Nampa, with any changes other condition(s) as the Commission concludes.

ATTACHMENTS

Exhibit ‘A’ - Proposed Future Land Use Map with Change Statements (p.9)

Exhibit ‘B’ - Future Land Use Map (Final) (p.10)
PUBLIC HEARING ITEM NO. 4
STAFF REPORT

Applicant/Owner: Francisco Ramirez

Engineer: HECO Engineers (Kent Gingrich)

File(s): SPS-00026-2019

Analyst: Rodney Ashby, Principal Planner

Date: December 3, 2019

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

Subdivision Plat Short Approval for Ramirez Lone Star Subdivision in a RS6 (Single Family Residential – 6,000 sq. ft.) zoning district adjacent and west of 620 Lone Star Road at 0 Lone Star Road (2 Single Family detached lots on 1.67 acres for 1.2 average dwelling units per gross acre – A part of the NW ¼ of the NW ¼ of Section 28, T3N, R2W, BM) for Francisco Ramirez (SPS 026-19).

Decision Required: Recommendation

(Hereinafter the “Development”; alternatively, “Ramirez Lone Star Subdivision” or the “Project”)

Status of Applicant: Owner

Existing Zoning: RS6

Location: Adjacent and west of 620 Lone Star Road at 0 Lone Star Road

Existing Land Use: Vacant land/Farmland

Proposed Land Use: Subdivision for two single family homes/lots
General Information

**Proposed Land Uses:** Two parcels created from an existing single parcel with two single family homes and a common driveway

**Surrounding Land Use and Zoning:**
- North- Lone Star Rd / Vacant Lot (RA zoning)
- South- Phyllis Canal / West Park (RA zoning)
- East- Single Family Home (RS6 zoning)
- West- Treasure Valley Auction Network (BC zoning)

**Comprehensive Plan Designation:** Medium Density Residential

**Public Utilities/Services:**
- Sewer: 15" sewer main available in the north side of the property
- Water: 8" water main available on the north side Lone Star Rd
- Irrigation: 8" pressurized irrigation line available on the south side of Lone Star Rd

**Transportation:**
Access from Lone Star Rd by use of a common drive.

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:

- **Idaho Transportation Department:** No objections
- **Planning & Zoning:** Due to the property being utilized for Lone Star storm drainage and as long as the drainage basin is maintained and landscaped, the 25' landscape buffer is waived because drainage basin will serve the same purpose
- **Nampa Forester:** No requests
• **Nampa GIS:** No addressing/street naming comments
• **Nampa Parks:** No requests
• **Nampa Building Department:** Applicant shall provide top of foundation wall or finish floor elevations for each lot on the construction drawing.
• **Nampa & Meridian Irrigation District:** No comment
• **Pioneer Irrigation:** The Phyllis Canal has a 16 foot easement from top of bank and must be noted on the plats. Though a 40’ wide Phyllis Canal easement is referenced, it is unclear where it begins and ends. A plat note shall be added to reference Pioneer’s 16 foot easement from top of bank. Written permission must be obtained by Pioneer, prior to any encroachment or modification to the Phyllis Canal or corresponding easements.
• **Nampa Engineering Division:**
  o Project subject to MOU dated October 7, 2019 between City of Nampa and Mr. Francisco Ramirez Escobar regarding storm drainage improvements for the Lone Star Road public right-of-way.
  o Right-of-way permit required for any work within Lone Star Rd ROW
  o Roadway expansion costs will be credited against Streets Impact Fee
  o Review legal description against the plat boundary bearings/distances. There appears to be a discrepancy with the Lone Star Rd ROW line length.
  o Developer’s Surveyor shall address all Final Plat comments prior to City Engineer signature of plat.
  o Developer’s Engineer shall address all Construction Drawing and Drainage Report comments.
  o Developer shall adhere to all conditions of the MOU dated October 7, 2019.
  o Widen the swale to 5’ to add more volume and reduce potential for ponding within the street.
  o Nampa Engineering will allow an exception to the 3’ separation requirement between groundwater and bottom of swale due to unique constraints.
  o Construction drawing:
    ▪ Check consistency of labels in plan and profile view as redlined
    ▪ Check drawing scale
    ▪ Add 5’ to swale width and expand sand windows
    ▪ Minimum sand window depth is 3’
    ▪ CMP is not permitted. Use an alternative like Corrugated Aluminum Pipe
• **Nampa Highway District #1:** no comment

No other agency or citizen correspondence was received by the date of this staff report

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**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 Ramirez-Lone Star Subdivision conforms, or substantially conforms within acceptable limits, with relevant RS6 zoning codes and City of Nampa subdivision standards pertaining to land division.
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 approval of the “Ramirez Lone Star Subdivision” Short Plat, then staff would suggest the following as (a) Condition(s) of Approval(s):

1. Generally, the Applicant/Development shall:
   a. Comply with all City department/division or outside agency requirements pertinent to this matter and contained under the “Correspondence” section of this report.

ATTACHMENTS

- Application
- Vicinity/Zoning Map
- Utility Map
- Plat pages
- Agency/department & citizen correspondence, etc.
***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>Lone Star Subdivision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Acres</td>
<td>1.68</td>
</tr>
</tbody>
</table>

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

Property Address(es): 7800 Lone Star

| Legal Description | See Attached |

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

(County Zoning) Canyon

B. OWNER/ APPLICANT INFORMATION

**Owner of Record**

<table>
<thead>
<tr>
<th>Name</th>
<th>Francisco Ramirez</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>6285 Montana Ave.</td>
</tr>
<tr>
<td>City</td>
<td>Caldwell, ID 83602</td>
</tr>
<tr>
<td>State</td>
<td>ID</td>
</tr>
<tr>
<td>Telephone</td>
<td>(208) 573-9212</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:elchocharamirez@gmail.com">elchocharamirez@gmail.com</a></td>
</tr>
<tr>
<td>Fax</td>
<td></td>
</tr>
</tbody>
</table>

**Applicant**

<table>
<thead>
<tr>
<th>Name</th>
<th>Francisco Ramirez</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
<tr>
<td>Fax</td>
<td></td>
</tr>
</tbody>
</table>

**Engineer /Surveyor/Planner**

<table>
<thead>
<tr>
<th>Name</th>
<th>Kent Ginnings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>PO Box 833, Payette, ID 83661</td>
</tr>
<tr>
<td>Telephone</td>
<td>(208) 642-3304</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:KentG@HecoEngineers.com">KentG@HecoEngineers.com</a></td>
</tr>
<tr>
<td>Fax</td>
<td></td>
</tr>
</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>2</td>
<td>1.8/each lot</td>
</tr>
<tr>
<td>Dwelling units per acre (gross/net)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Industrial</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Common (Landscape, Utility, Other)</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Open Space</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2</strong></td>
<td><strong>1.68 total acres</strong></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: __________________________ Date: 10/14/19.

For City Office Use

FEE $_________ CASH______ CHECK_______ RECEIPT NO.________

DATE RECEIVED________ RECEIVED BY_________ HEARING DATE________
SHORT PLAT Dividing
(1) 1.68-acre parcel into
(2) .84-acre parcels

SPS-00026-2019 11/26/2019

Visit Planning & Zoning at cityofnampa.us for more info.
**FINAL PLAT OF RAMIREZ - LONE STAR SUBDIVISION**

**CERTIFICATE OF OWNERS**

Know all men by these presents that the undersigned is the owner of the real parcel of land herein after described and that it is his intention to include said property in this subdivision plat.

The following describes a parcel of land lying in the northeast 1/4 of the northeast 1/4 of section 26, township 3 north, range 2 west, Boise meridian, Canyon County, Idaho and more particularly described as follows:

**Basis of Bearing:**

The north line of the northeast 1/4 of the northeast 1/4 of section 26, township 3 north, range 2 west, Boise meridian, taken as the shortest distance between monuments found to be 1938.39 feet.

Beginning at a point on south right of way line of lone star road located in the northeast 1/4 of the northeast 1/4 of said section 26, township 3 north, range 2 west, Boise meridian taken as the north 1/4 corner of said section 26, bears north 82°30' east a distance of 452.59 feet.

Then thence leaving said south right of way line, south 00°11'44" west, to a point on the centerline of the phylux canal, a distance of 433.06 feet.

Then thence along said centerline the following three (3) courses:

1. From a tangent which begins North 82°30'54" west, along curve to the right with a radius of 360.88 feet, and having a central angle of 13°36'16" an arc length of 87.83 feet with a chord bearing of north 81°00'56" west, and a chord distance of 87.82 feet.
2. North 54°51'39" west, a distance of 143.44 feet.
3. North 52°21'58" west, a distance of 19.21 feet.
4. Then thence leaving said centerline, north 32°11'10" east, a distance of 104.68 feet.
5. Then thence north 81°42'56" west, a distance of 34.15 feet.
6. Then thence north 35°05'11" east, a distance of 50.07 feet.
7. Then thence north 64°24'22" west, a distance of 62.63 feet.
8. Then thence north 04°15'31" east, to a point on the south right of way line of lone star road, a distance of 124.19 feet.

Then thence along said south right of way line, south 86°33'48" east, a distance of 124.67 feet to the point of beginning.

Said parcel containing 72,684 square feet or 1.67 acres more or less and is subject to all existing easements and rights-of-way of record or implied.

The public streets shown on this plat are hereby dedicated to the public. The easements as shown on this plat are not dedicated to the public. However the right to use said easement is perpetually reserved for public utilities and for any other uses as designated herein, and no permanent structures are to be erected within the lines of said easements.

In witness whereof, we have hereunto set our hands this day of 2019.

Francisco Ramirez Escobar
Owner

**ACKNOWLEDGMENT**

State of Idaho
County of Canyon

On this day of 2019, before me, Francisco Ramirez Escobar, a notary public in and for the State of Idaho, personally appeared Francisco Ramirez Escobar, the undersigned owner to real property or identified to me by the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

My commission expires

**DISCLAIMER**

Timberline Surveying assumes no responsibility for errors or omissions contained in any representation made with or regarding this plat. Surveying and legal documents are intended to include survey permits or the services thereof.

**CERTIFICATE OF SURVEYOR**

I, Kenneth L. Cook, hereby state that I am a registered professional land surveyor, licensed by the State of Idaho, that this plat, as described in the certificate of owners, was drawn from a survey made on the ground under my supervision and that I have complied with the laws of the State of Idaho relating to plat surveys and the corner perpetuation and filing act.

Date

KE NETH L. COOK

**APPROVAL OF CITY OF NAMPA PLANNING AND ZONING COMMISSION**

The undersigned city engineer in and for the city of Nampa, Canyon County, Idaho hereby approve this plat.

Date

CHAIRMAN, CITY OF NAMPA PLANNING AND ZONING COMMISSION

**APPROVAL OF CITY ENGINEER**

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

Date

CITY ENGINEER

**HEALTH CERTIFICATE**

Sanitary restriction as required by Idaho code, title 39, chapter 13 have been satisfied. Based on a review by a qualified, licensed professional engineer (QLE), the conditions imposed on the developer for continued satisfaction of the sanitary restrictions. The developer is cautioned that if at the time of this approval, no drinking water extensions or sewer extensions were constructed, building construction can be allowed with appropriate building permits if drinking water extensions or sewer extensions have been constructed or if the developer is simultaneously constructing those facilities. If the developer fails to construct facilities, then the sanitary restrictions may be re-imposed. In accordance with section 39-128, Idaho code, by the issuance of a certificate of disapproval, and no construction of any building or shelter requiring drinking water or sewer facilities shall be allowed.

Date

DISTRICT HEALTH DEPARTMENT

**CERTIFICATE OF COUNTY TREASURER**

I, the undersigned county treasurer in and for the county of Canyon, State of Idaho, certify that any and all current annual delinquent county property taxes for the property included in this plat have been paid in full. This certification is valid for the next thirty (30) days only.

Date

COUNTY TREASURER

**CERTIFICATE OF COUNTY SURVEYOR**

I, the undersigned professional land surveyor for Canyon County, hereby certify that I have checked this plat and find that it complies with the state of Idaho code relating to plats and surveys.

Date

COUNTY SURVEYOR

**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 2019, this plat was accepted and approved.

Date

CHAIRMAN, CANYON COUNTY COMMISSIONERS
FINAL PLAT OF RAMIREZ - LONE STAR SUBDIVISION

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED IS THE OWNER OF THE REAL PARCEL OF LAND HERIN DESCRIBED AND THAT IT IS HIS INTENTION TO INCLUDE SAID PROPERTY IN THIS SUBDIVISION PLAT.

THE FOLLOWING DESCRIBES A PARCEL OF LAND LYING IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 3 NORTH, RANGE 3 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING:
The north line of the northeast 1/4 of the northeast 1/4 of section 28, township 3 north, range 3 west, Boise Meridian, taken as south 89°35'10" east and distance between monuments found to be 1325.39 feet.

BEGINNING at a point on the right of way line of lone star road, located in the northeast 1/4 of the northeast 1/4 of section 28, township 3 north, range 3 west, Boise Meridian from which the north line of said section 26, bears north 89°35'10" east and distance of 87.63 feet:

THENCE LEAVING SAID RIGHT OF WAY LINE, SOUTH 90°00'11''44" west, to a point on the centerline of the phylis canal, a distance of 435.56 feet;

THENCE ALONG SAID CENTERLINE THE FOLLOWING THREE (3) COURSES:

1. From a tangent which bears north 89°25'34" west, along curve to the right with a radius of 308.90 feet, and having a central angle of 13°38'25" and length of 87.63 feet with a chord bearing of north 67°42'25" east, and a chord distance of 87.62 feet:
   - North 54°15'26" west, a distance of 143.44 feet;
   - North 54°15'26" west, a distance of 19.21 feet;
   - Thence south 54°15'26" east, a distance of 154.86 feet;

2. Thence north 54°15'26" east, a distance of 34.15 feet;
   - Thence south 54°15'26" east, a distance of 53.07 feet;
   - Thence north 54°15'26" west, a distance of 61.63 feet;

3. Thence north 64°51'21" east, to a point on the south right of way line of lone star road, one distance of 12.15 feet;

THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH 89°35'10" east, a distance of 96.67 feet to the point of beginning;

SAID PARCEL containing 72,862 square feet or 1.67 acres, more or less and is subject to all existing easements and rights-of-ways of record or implied.

The public streets shown on this plat are hereby dedicated to the public. The easements as shown on this plat are not dedicated to the public. However, the right to use said easement is permanently reserved for public utilities and for any other uses as designated herein, and no permanent structures are to be erected within the lines of said easements.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS___ DAY OF ______, 2019.

FRANCISCO RAMIREZ ESCOBAR
OWNER

ACKNOWLEDGMENT

STATE OF IDAHO      
COUNTY OF CANYON

On this ___ day of ___, 2019, before me,

FRANCISCO RAMIREZ ESCOBAR, Notary Public, personally appeared and acknowledged the real property described herein to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

NOTARY PUBLIC FOR IDAHO

MY COMMISSION EXPIRES ________

APPROVAL OF CITY COUNCIL

I, THE UNDERSIGNED, CITY CLERK, 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___ ___ 2019 THIS PLAT WAS ACCEPTED AND APPROVED.

CHAIRMAN CANYON COUNTY COMMISSIONERS

APPROVAL OF CITY PLANNING AND ZONING COMMISSION

I, THE UNDERSIGNED, CITY ENGINEER FOR THE CITY OF NAMPA, CANYON COUNTY, IDAHO, HEREBY APPROVE THIS PLAT.

CERTIFICATE OF SURVEYOR


KENNETH H. COOK

APPROVAL OF CITY PLANNING AND ZONING COMMISSION

ACCEPTED AND APPROVED THIS ____ DAY OF ____ 2019 BY THE CITY OF NAMPA PLANNING AND ZONING COMMISSION OF IDAHO.

CHAIRMAN, CITY OF NAMPA PLANNING AND ZONING COMMISSION

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. 56-1090, DO HEREBY CERTIFY THAT MY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

COUNTY TREASURER

CERTIFICATE OF COUNTY SURVEYOR

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR FOR CANYON COUNTY, HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS

COUNTY SURVEYOR

APPROVAL OF CITY COUNCIL

I, THE UNDERSIGNED, CITY CLERK, 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 ___ 2019 THIS PLAT WAS ACCEPTED AND APPROVED.

CHAIRMAN CANYON COUNTY COMMISSIONERS

TIMBERLINE SURVEYING
4432 KATZ CENTRE WAY, SUITE 1, PRAIRIE CENTER, ID 83640
FAX: (208) 453-9851, PHONE: (208) 453-0292
PROJECT NO. 29-932
SHEET 12-1
REVISION NO. 50-SW
INDEX NO. 521-2B-0-76-0-00-50-00
CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

Southern Idaho District Council of the Assemblies of God

a corporation duly organized and existing under the laws of the State of, Grantor, does hereby Grant, Bargain, Sell and Convey unto

Francisco Ramirez Escobar, a married man.

Grantee, whose address is: 16285 Manatee Ave Caldwell, ID 83607, the following described real estate, to-wit:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision, restrictions, U.S. patent reservations, easements of record and easements visible upon the said premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that they are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its officers this November 14, 2018.

Southern Idaho District Council of the Assemblies of God

By: Edward Kreiner, Secretary

State of Idaho, County of Canyon

This record was acknowledged before me on November 15th by Edward Kreiner, as Secretary of Southern Idaho District Council of the Assemblies of God

Signature of notary public
Commission Expires:
RESIDING IN CALDWELL, IDAHO
COMMISSION EXPIRES 5-20-2020

JUANITA ROJAS
COMMISSION #25916
NOTARY PUBLIC
STATE OF IDAHO
EXHIBIT A

A parcel of land being a part of Lots 3 and 4 of Tuite's Subdivision as on file in Book 1 of Plats at Page 32 in the Office of the Recorder of Canyon County, Idaho, said parcel located in NE 1/4 NW 1/4 of Section 28, Township 3 North, Range 2 West, Boise Meridian, Nampa, Canyon County Idaho, more particularly described as follows:
Commencing at a found 5/8 inch diameter iron pin marking the NE corner of said NE 1/4 NW 1/4 (North 1/4 corner);
Thence N. 89° 34' 55" W., a distance of 296.01 feet along the northerly boundary of said NE 1/4 NW 1/4 to a point;
Thence S. 00° 12' 03" W., a distance of 25.00 feet to a point;
Thence N. 89° 34' 55" W., a distance of 165.00 feet along a line that lies 25.00 feet southerly of and parallel with the northerly boundary of said NE 1/4 NW 1/4 to a point;
Thence S. 00° 12' 03" W., a distance of 15.00 feet to the POINT OF BEGINNING said point monumented with a 1/2 inch diameter iron pin;
Thence continuing S. 00° 12' 03" W. a distance of 443.56 feet to a point on a non-tangent curve right, said point being the centerline of the Phyllis Canal and is witnessed N. 00° 12' 03" E., a distance of 43.34 feet with a 1/2 inch diameter iron pin;
Thence along the centerline of said Phyllis Canal the following courses and distances:
Thence a distance of 87.83 feet along the arc of said curve right, having a radius of 368.99 feet, a central angle of 13° 38' 15", the long chord of which bears N. 61° 40' 28" W., a distance of 87.62 feet to a point, said point referenced N. 35° 08' 40" E., a distance of 40.00 feet with a 1/2 inch diameter iron pin;
Thence tangent to said curve, N. 54° 51' 20" W., a distance of 143.44 feet to a point, said point referenced N. 34° 23' 30" E., a distance of 40.00 feet with a 1/2 inch diameter iron pin;
Thence N. 56° 21' 39" W., a distance of 19.21 feet to a point, said point witnessed N. 32° 17' 29" E., a distance of 40.01 feet with a 1/2 inch diameter iron pin;
Thence leaving the centerline of said Phyllis Canal, N. 32° 17' 29" E., a distance of 104.88 feet to a 1/2 inch diameter iron pin;
Thence N. 57° 42' 31" W., a distance of 34.15 feet to a 1/2 inch diameter iron pin;
Thence N. 35° 09' 30" E., a distance of 53.07 feet to a 1/2 inch diameter iron pin;
Thence N. 54° 44' 03" W., a distance of 62.63 feet to a 1/2 inch diameter iron pin;
Thence N. 04° 51' 45" E., a distance of 124.18 feet to a point that lies 40.00 feet southerly and parallel with the northerly boundary of said NE 1/4 NW 1/4, said point monumented with a 1/2 inch diameter iron pin;
Thence along a line that lies 40.00 feet southerly of and parallel with the northerly boundary of said NE 1/4 NW 1/4, S. 89° 34' 55" E., a distance of 194.87 feet to the POINT OF BEGINNING.
NOTES:
1. CONSTRUCTION SHALL BE PER ISPD AND ESTA STANDARDS UNLESS OTHERWISE NOTED.
2. CONSTRUCTION WITHIN THE R/W OF LONE STAR ROAD SHALL BE PER THE CITY OF MANFA REQUIREMENTS AND STANDARDS.
3. KEY TO P/S SHALL BE THE IDAHOT TRANSPORTATION DEPARTMENT STANDARD DRAWINGS, LATEST EDITION.
4. CONTRACTOR SHALL CONTACT DOWNE AT (800) 342-1585 AT LEAST TWO WORKING DAYS PRIOR TO BEGINNING WORK.
KEYNOTES:
1. 5" SIDEWALK PER IDPHC STD.
2. STA. 10+25 R 23.48' TO STA. 11+57 R 24.44' TO STA. 12+35 R 29.02'
3. 6" VERTICAL CURB AND GUTTER PER CITY OF NAMPA
   STD. Dwg. N-701.
4. STA. 10+56 R 22.96' TO STA. 12+35 R 22.14'
5. APPROACH PER IDPHC STD
   Dwg. SD-7100. N-267.' TO STA. 11+57 R 24.44.'
6. NEW 1" PRESSURIZED IRRIGATION SERVICE PER
   NAMPA STD. EN-901.
7. ASPHALT PATCH PER IDPHC
   STANDARD DRAWING SD-302.
8. NEW 4" SEWER SERVICE PER NAMPA
   STD. N-51A.
   STA. 10+56.77 R 59.65' TO STA. 11+63.52 R 56.45'

PLAN VIEW - LONE STAR ROAD PLAN AND PROFILE

PROFILE VIEW - STA. 10+00 TO 12+34.66
LONE STAR ROAD

PLAN VIEW - STORM WATER AND DRAINAGE DESIGN

PROFILE VIEW - STA. 10+00 TO 12+34.66
1. **Shallow Inlet to Storm Water Basin**
   - Scale: NTS
   - Note: Underground electrical (field verify location and depth).

2. **Section A-A**
   - Scale: NTS
   - Filter sand per ISPMC section 301.

3. **Drainage Ponds Connection**
   - Scale: NTS
   - Drive way paved.

4. **Typical Road Section**
   - Scale: NTS
   - 10-year storm.
   - 6" standard curb for SD-101.
   - 12" C600 Pipe.

- **Plan View**
  - Asbestos.
  - 30" C600 Pipe.
  - Back of curb.
  - Up of grade.

- **Perspective View**
  - 6" standard curb for SD-101.
  - 12" C600 Pipe.
Good morning,
ITD has received application SPS-00026-2019 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

Re: Short Plat Approval for Ramirez Lone Star Subdivision / SPS-00026-2019

Please find attached for your review Short Plat Approval for Ramirez Lone Star Subdivision in a RS6 (Single Family Residential – 6,000 sq. ft.) zoning district adjacent and west of 629 Lone Star Road at 0 Lone Star Road (2 Single Family detached lots on 1.67 acres for 1.2 average dwelling units per gross acre - A part of the NW 1/4 of Section 28, T3N, R2W, BM) for Francisco Ramirez.

This application will go before the Planning and Zoning Commission as a public hearing item on the December 10, 2019 agenda.

Please send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than November 22, 2019.

Thank you & Have a great day!
The above listed project has been reviewed by the City of Nampa’s Planning Department for compliance with the Landscape Corridor Beautification code (NCC 10-33) and the following items and/or revisions are required prior to Planning approval:

1. **Landscape Buffer Area**: Typically, a 25’ landscape buffer area is required for all residential subdivisions per NCC Chapter 33. This property is in an area that has been required by the City of Nampa to accept drainage from Lone Star Road. Associated drainage basins and utilities are located in what would be the required Landscape Buffer Area. The basins will be covered with turf and engineered gravel per City of Nampa Engineering Division requirements. Therefore, the requirement for a landscape buffer for this subdivision is waived.

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
Hi Shellie,

After review of the above Short Plat Review, We have determined there are no requests at this time.

Thank you,

Adam Mancini
City Forester
O: 208.468.5890, C: 208.284.3247
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.
Sylvia Mackrill

From: Daniel Wagner
Sent: Friday, November 15, 2019 8:33 AM
To: Sylvia Mackrill; Caleb Laclair
Subject: Addressing Review - Ramirez Lone Star Subdivision

Sylvia,

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

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

Notice: All communication transmitted within the City of Nampa Email system may be a public record and may be subject to disclosure under the Idaho Public Records Act (Idaho Code 74-101 et seq.) and as such may be copied and reproduced by members of the public. In addition, archives of all City emails are generally kept for a period of two years and are also subject to monitoring and review.
Hi Shellie,

Nampa Parks has reviewed the short plat for Lone Star Subdivision Project: SPS-00026-2019. 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.
Building Department will require top of foundation wall or finish floor elevations for each lot on the construction drawing.

Good Morning Everyone,

Re: Short Plat Approval for Ramirez Lone Star Subdivision / SPS-00026-2019

Please find attached for your review Short Plat Approval for Ramirez Lone Star Subdivision in a RS6 (Single Family Residential - 6,000 sq. ft.) zoning district adjacent and west of 629 Lone Star Road at 0 Lone Star Road (2 Single Family detached lots on 1.67 acres for 1.2 average dwelling units per gross acre - A part of the NW 1/4 of Section 28, T3N, R2W, BM) for Francisco Ramirez.

This application will go before the Planning and Zoning Commission as a public hearing item on the December 10, 2019 agenda.

Please send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than November 22, 2019.

Thank you & Have a great day!
This proposed project appears to impact Pioneer Irrigation District’s Phyllis Canal.

The Phyllis Canal in this area has a 16 foot easement from top of bank. This easement must be noted on the plats. I notice that a 40 foot wide Phyllis Canal easement is referenced, however, it is unknown where this proposed easement begins and ends by viewing the plat documents. A plat note shall be added to reference Pioneer’s 16 foot easement from top of bank.

Per Idaho Code, 42-1209, written permission must be obtained by Pioneer, prior to any encroachment or modification to the Phyllis Canal or corresponding easements.

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

Good Morning Everyone,

Re: Short Plat Approval for Ramirez Lone Star Subdivision / SPS-00026-2019

Please find attached for your review Short Plat Approval for Ramirez Lone Star Subdivision in a RS6 (Single Family Residential – 6,000 sq. ft.) zoning district adjacent and west of 629 Lone Star Road at 0 Lone Star Road (2 Single Family detached lots on 1.67 acres for 1.2 average dwelling units per gross acre – A part of the NW 1/4 of Section 28, T3N, R2W, BM) for Francisco Ramirez.

This application will go before the Planning and Zoning Commission as a public hearing item on the December 10, 2019 agenda.

Please send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than November 22, 2019.
Hi Shellie,

Nampa Highway District #1 has no comment.

Thank you,

Eddy

---

Good Morning Everyone, 😊

Re: Short Plat Approval for Ramirez Lone Star Subdivision / SPS-00026-2019

Please find attached for your review Short Plat Approval for Ramirez Lone Star Subdivision in a RS6 (Single Family Residential – 6,000 sq. ft.) zoning district adjacent and west of 629 Lone Star Road at 0 Lone Star Road (2 Single Family detached lots on 1.67 acres for 1.2 average dwelling units per gross acre - A part of the NW 1/4 of Section 28, T3N, R2W, BM) for Francisco Ramirez.

This application will go before the Planning and Zoning Commission as a public hearing item on the December 10, 2019 agenda.

Please send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than November 22, 2019.
November 18, 2019

Norman L. Holm, Planning Director
City of Nampa
411 3rd Street South
Nampa, ID 83651

RE: SPS-00026-2019/ Ramirez Lane Star Subdivision; 629 Lone Star Road

Dear Norm:

Nampa & Meridian Irrigation District (NMID) has no comment on the above-referenced application, as it lies outside of our District boundaries. Please contact Mark Zirschky of Pioneer Irrigation at (208) 459-3617, P.O. Box 426 Caldwell, ID 83606-0426.

All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site NMID must review drainage plans. The developer must comply with Idaho Code 31-3805.

Sincerely,

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

Cc:
Office/ file
M. Zirschky, Pioneer Irrigation District
DATE: 11/22/2019
TO: Nampa Planning & Zoning Department
FROM: Caleb LaClair, P.E. – Assistant City Engineer
CC: Daniel Badger, P.E. – City Engineer


The Engineering Division has completed a review of the Construction Drawings and Short Plat application documents for Ramirez Lone Star Subdivision and recommend the following conditions and comments.

**General Comments**

1. The project is subject to the Memorandum of Understanding (MOU) dated October 7, 2019 entered between the City of Nampa and Mr. Francisco Ramirez Escobar regarding storm drainage improvements for the Lone Star Road public right-of-way.

2. A Right-of-Way permit will be required for any work within the Lone Star Road public right-of-way.

3. The City has agreed to credit the cost of curb, gutter, and pavement widening being installed in Lone Star Road by this project against the Streets Impact Fee as this work is above and beyond what is required by Nampa City Code Section 9-3-1. Said credit shall be based on final construction cost of the listed improvements and applied at time of Building Permit.

**Preliminary/Final Plat Comments**

1. Review legal description against the plat boundary bearings/distances. There appears to be a discrepancy with the Lone Star Road right-of-way line length.

**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 “Ramirez Lone Star Subdivision – Construction Drawings & Final Plat – 1st Review” letter from the Nampa Engineering Division, dated 11/22/2019 prior to construction drawing approval.

3. The Developer shall adhere to all conditions of the MOU dated October 7, 2019 entered between the City of Nampa and Mr. Francisco Ramirez Escobar.
DATE: 11/22/2019

TO: Kent Gingrich, P.E. – HECO Engineers

FROM: Caleb LaClair, P.E. – Assistant City Engineer

CC: 

SUBJECT: Ramirez Lone Star Subdivision – Construction Drawings & Final Plat – 1st Review

The Engineering Division has completed a 1st review of the Construction Drawings and Final Plat for Ramirez Lone Star 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 re-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. Provide quantities for public paving, curb, sidewalk and storm drain for use in calculating required inspection fees.

2. When available supply contractors estimate/proposal for public paving, curb, and drainage work for use in determine Streets Impact Fee credit and storm drain reimbursement subject to the enacted MOU.

3. A Right-of-Way permit will be required for any work within the Lone Star Road public right-of-way.

Final Plat Comments

1. Review legal description against the plat boundary bearings/distances. There appears to be a discrepancy with the Lone Star Road right-of-way line length.

Drainage Report Comments

1. The drainage calculations do not specifically follow the City of Nampa Drainage Policy Manual, which requires analysis of multiple storm durations from 10-min to 24-hrs when using the Rational Method, while accounting for outflow via infiltration. The methodology used appears to follow ACHD standards. Please verify volume based on the City drainage policy methodology.
2. The drainage design assumes the 100-yr storm volume at essentially the top of curb/sidewalk elevation. We request widening the swale to 5' to add a bit more volume and reduce the potential for ponding within the street.

3. The separation between groundwater and bottom swale does not appear to meet the 3' separation requirement. We understand the constraints involved, and it appears you are maximizing the separation. As a result, Nampa Engineering will allow an exception to the 3' separation.

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

1. Check consistency of labels in plan and profile view as redlined.

2. Check drawing scale. The prints provided do not appear to scale to 1”=20’ as suggested. It may be it was printed to “fit” as opposed “to scale”.

3. See Drainage Report comments regarding swale width. Also recommend making the sand windows larger to improve infiltration and reduce clogging potential, particularly since there are no sand/grease traps for pre-treatment.

4. Please note the minimum sand window depth is 3’ per Nampa Drainage Policy.

5. Nampa specifications do not allow use of CMP material. An accepted alternative is Corrugated Aluminum Pipe (CAP).
STAFF REPORT – PUBLIC HEARING #5

Annexation and Zoning to BC for the southerly 5.03 acres and to IL (Light Industrial) for the northerly 28.10 acres at 0 Midland Blvd. and 9778 E Cherry Lane for Hatch Design Architecture representing Kiwi Enterprises, LLC (ANN 135-19).

To: Nampa Planning and Zoning Commission

Applicant: Hatch Design Architecture, Jeff Hatch
Owner: Kiwi Enterprises, LLC

File No: ANN 135-19

Prepared By: Norman L. Holm, Planning Director
Date: November 27, 2019

Requested Action: Annexation and Zoning to BC (Community Business) for the southerly 5.03 acres and to IL (Light Industrial) for the northerly 28.10 acres

Purpose: For Storage Units

GENERAL INFORMATION

Zoning & Planning History: The subject property has been used for minimum agricultural purposes in the past and the current owner is now seeking annexation and zoning to light BC and IL to connect to city services for a new Business/Industrial Park.

Status of Applicant: Property owner representative.

Annexation Location and Size: 0 Midland Blvd. and 9778 E Cherry Lane – A 33.13 acre portion of the East ½ of the SW ¼ SW ¼ and a portion of the South ½ of the NW ¼ SW ¼, Section 4, T3N, R2W, BM

Existing Zoning: AG (County Agricultural)
Proposed Zoning: BC (Community Business) and IL (Light Industrial)

Comprehensive Plan Designation:
Existing- Business Park/Light Industrial, Proposed- Community Mixed/Industrial

Surrounding Land Use and Zoning:
North- Agriculture and Rural Residential; County AG (Agricultural)
South- St. Lukes Medical Center; HC (Healthcare)
East- Agriculture; County AG (Agricultural)
West- Rural Residential; County AG (Agricultural)

Applicable Regulations: In order for a property to be annexed it must be contiguous with the city limits or be enclaved by other properties so annexed. The subject property is contiguous with city limits to the south across W. Cherry Lane.

Existing Uses: Undeveloped agricultural land

Applicant Reason for Annexation and Zoning: To connect to municipal services and development of a new Business/Industrial Park.

SPECIAL INFORMATION

Public Utilities: From Engineering – The City's water and pressure irrigation systems have adequate capacity to serve this property. The City maintains the following utilities in the vicinity of the project:
- 12” water main on south side of Cherry Lane; and,
- 12” pressure irrigation main at the intersection of Cherry Lane and the St. Lukes entry road.

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

Physical Site Characteristics: Existing agricultural land available for development.

Transportation: From Engineering – Direct access to the property is available from W. Cherry Lane -classified as “Principal Arterial”; speed limit 45-mph

Correspondence: No written correspondence has been received from any area property owners, residents or business owners regarding opposition to or support for the requested annexation and zoning to BC and IL.

STAFF FINDINGS AND DISCUSSION

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

1) The requested annexation area is a 33.13 acre portion of the East ½ of the SW ¼ SW ¼ and a portion of the South ½ of the NW ¼ SW ¼, Section 4, T3N, R2W, BM, Canyon County, ID.
2) The requested zoning is BC for the southerly 5.03 acres and to IL (Light Industrial) for the northerly 28.10 acres at 0 Midland Blvd. and 9778 E Cherry Lane.

3) 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 to the south having been annexed, zoned, and/or developed for industrial uses.

4) The proposed BC and IL zoning plan conforms with the city’s existing and proposed comprehensive plan future land use map for Business Park/Community Mixed Use and Light Industrial/Industrial land uses and is reasonably compatible with existing and proposed land uses in the area.

5) The owner/applicant requests annexation and zoning to BC and IL for connection to municipal services and development of a Business/Industrial Park.

RECOMMENDED CONDITIONS OF APPROVAL

If the Planning & Zoning Commission votes to recommend to the City Council approval of the annexation and zoning, staff suggests the following conditions of approval as recommended by City Engineering:

1) Dedicate 50' of public right-of-way from Section Line along the Cherry Lane frontage.

2) 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.

3) 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.

4) Utilities shall be constructed to and through the site at the time of property development/redevelopment at the sole expense of the Developer.

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

6) The designated public right-of-way width for Cherry Lane is 50' from Section Line {100' total}. This right-of-way shall be dedicated as part of this annexation.

7) Cherry Lane is only a two-lane roadway across the project, without curb or sidewalk improvements. Frontage improvements in accordance with Nampa City Code Section 9-3-1 will be required at the time of development. Site access and design of all roadways shall adhere to the Nampa Engineering Division Process & Policy Manual.

8) Annexation of this property will trigger the need to annex the full 1/2-mile section of Cherry Lane from Midland Blvd to Ten Lane due to current agreement with Nampa Highway District No. 1. A portion of Cherry Lane along the frontage of the St. Luke's property was de-annexed in 2018 as part of Ordinance No. 4396. This description has been provided to the applicant and shall be included within the property annexation legal description if approved by Council. In addition, the prescriptive Cherry Lane right-of-way east of the property to Ten Lane shall also be included in
the annexation. The Nampa Engineering Division has prepared a legal description for this portion of the roadway and is attached hereon.

9) Development of the property will require extension of the 12” pressure irrigation main across the project frontage.

10) The City’s wastewater treatment facility has adequate capacity to serve this property. However, sewer conveyance infrastructure is not directly available to the property. This property is included in the Purdam Sewer Basin and is intended to sewer back to the main line in Ustick Road near Northside Blvd. The City is currently working with the Nampa Development Corporation to extend sewer main west in Ustick Road to improve development potential of industrial ground in this area of the City. However, the sewer will still be more than 3,000-feet from the project site after this extension occurs. The City owns a 12” sewer line located near the intersection of Cherry Lane and the St. Lukes entry road. However, it is unlikely this main will be able to support gravity sewer service to the entire property due to site grades. The applicant may utilize this main to serve what area is feasible via gravity. The Engineering Division would not oppose temporary use of individual septic systems as allowed by Southwest District Health Department until such time that gravity sewer is available from the Purdam Trunk. However, site design shall accommodate eventual gravity connection to the City’s system.

**ATTACHMENTS**

Application (Page 5)
Vicinity map with zoning (Page 6)
Aerial and street view photos (Pages 7-8)
Legal descriptions (Pages 9-11)
Applicant annexation exhibit (Page 12)
Agency and other correspondence (Pages 13+)
APPLICATION FOR ANNEXATION/ZONING
PLANNING AND ZONING DEPARTMENT
411 3RD STREET S., NAMPA, IDAHO 83651 P: (208) 468-4487 F: (208) 465-2261
Nonrefundable Fee: $452.00 (1 acre or less) Nonrefundable Fee: $910.00 (more than 1 acre)

Applicant Name: Hatch Design Architecture, Jeff Hatch
Home Number: 208-475-3204
Street Address: 6126 W. State St.
Mobile Number:
City: Boise State ID: Zip code: 83703
Email: Jeff@HatchDA.com

Property Owner Name: Kiwi Enterprises, LLC
Home Number: 208-629-2952
Street Address: 348 W Parkcenter Blvd.
Mobile Number:
City: Boise State ID: Zip code: 83702
Email: hamish@forgebuildings.com

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

ADDRESS OF SUBJECT PROPERTY: 9778 W Cherry Ln

Please provide the following required documentation
X Completed Application
X A copy of one of the following: X Warranty Deed □ Proof Of Option □ Earnest Money Agreement
X 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)
X 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: Light Industrial w/ BC for first 10 acres fronting Cherry

➤ State (or attach a letter stating) the reason for the proposed annexation and any proposed plans for
the use of the subject property: Annexation to connect to municipal services. The proposed plans are for a new industrial park.

Dated this 6 day of November, 2019

Applicant Signature

NOTICE TO APPLICANT
This application will be referred to the Nampa Planning Commission for a recommendation on the requested zoning. The Planning Commission shall hold a public hearing and will then make its recommendation to the City Council. The City Council will then hold a second public hearing. Notice of the public hearings must be published in the Idaho Press-Tribune 15 days prior to said hearings. Notice shall also be posted on the premises of the subject property not less than 1 week prior to the hearings. Notices will also be mailed to property owners or purchasers of record within 300 feet of the subject property. You will be given notice of the public hearings and should be present to answer any questions.

OFFICE USE ONLY

FILE NUMBER: ANN-00195-2019 PROJECT NAME: Kiwi Cherry LN ANNEX

12/11/13 Revised
Project No.: 4535
Date: October 16, 2019

DESCRIPTION FOR
PARCEL 1A – KIWI ENTERPRISES, LLC

A parcel of land being a portion of the East 1/2 of the SW 1/4 of the SW 1/4 of Section 4, T.3N., R.2W., B.M., Nampa, Canyon County, Idaho and more particularly described as follows:

Commencing at an iron pin marking the Southwest corner of said Section 4; thence along the South boundary of said Section 4, which is also the centerline of West Cherry Lane

South 89°39'25" East 663.20 feet to a point marking the Southwest corner of the said East 1/2 of the SW 1/4 of the SW 1/4 of Section 4, said point marking the POINT OF BEGINNING; thence leaving said South boundary along the West boundary of said East 1/2 of the SW 1/4 of the SW 1/4 of Section 4

North 00°39'14" East 331.16 feet to a point; thence leaving said West boundary along a line North of and parallel with said South boundary of Section 4

South 89°39'25" East 662.94 feet to a point on the East boundary of said East 1/2 of the SW 1/4 of the SW 1/4 of Section 4; thence along said East boundary

South 00°36'26" West 331.16 feet to an iron pin marking the Southeast corner of said East 1/2 of the SW 1/4 of the SW 1/4 of Section 4; thence along said South boundary of Section 4

North 89°39'25" West 663.20 feet to the POINT OF BEGINNING,

Said parcel of land contains 5.04 acres, more or less.
Project No.: 4535
Date: November 5, 2019

DESCRIPTION FOR
ANNEXATION PARCEL – KIWI ENTERPRISES, LLC

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

Commencing at an iron pin marking the Southwest corner of said Section 4; thence along the South boundary of said Section 4, which is also the centerline of West Cherry Lane

South 89°39'25" East 663.20 feet to a point marking the Southwest corner of the East 1/2 of the SW 1/4 of said SW 1/4 of Section 4, said point marking the POINT OF BEGINNING; thence leaving said South boundary along the West boundary of said East 1/2 of the SW 1/4 of the SW 1/4 of Section 4

North 00°39'14" East 1325.81 feet to a point marking the Northwest corner of said East 1/2 of the SW 1/4 of the SW 1/4 of Section 4; thence along said South boundary

North 89°35'33" West 156.87 feet to a point on the centerline of the Canal 13-3; thence along said center line

North 07°59'06" East 14.84 feet to a point; thence continuing

North 15°06'36" East 67.92 feet to a point marking a point of beginning of curve; thence continuing along the arc of a curve to the left 201.91 feet, said curve having a radius of 300.58 feet, a central angle of 38°29'13" and a long chord bearing

North 01°20'06" West 198.13 feet to a point making a point of ending of curve; thence continuing

North 22°08'53" West 91.28 feet to a point; thence continuing

North 24°47'00" West 175.20 feet to a point; thence continuing

North 21°48'01" West 153.19 feet to a point on the North boundary of said South 1/2 of the NW 1/4 of the SW 1/4 of Section 4; thence along said North boundary

South 89°34'27" East 975.50 feet to a point marking the Northeast corner of said North 1/2 of the NW 1/4 of the SE 1/4 of Section 4; thence along the East boundary of said North 1/2 of the NW 1/4 of the SW 1/4 of Section 4
South 00°35'47" West 662.81 feet to a point marking the Northwest corner of said East 1/2 of the SW 1/4 of the SW 1/4 Section 4; thence along the East boundary of said East 1/2 of the SW 1/4 of the SW 1/4 of Section 4
South 00°36'26" West 1325.05 feet to a point marking the Southeast corner of said East 1/2 of the SW 1/4 of the SW 1/4 of Section 4; thence along said South boundary of Section 4
North 89°39'25" West 663.20 feet to the POINT OF BEGINNING,

Said parcel of land contains 33.13 acres, more or less.
DATE: November 26, 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: Hatch Design Architecture (Jeff Hatch)
OWNER: Kiwi Enterprises, LLC
ADDRESS: 9778 E Cherry Lane (Parcels R308560 & R308610)
RE: ANN-00135-2019 – Annexation and Zoning to IL and BC

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

General Comments:

1. The property is located at 9778 E Cherry Lane and includes two parcels (R308560 & R308610). Direct access is available from the following roads:
   - Cherry Lane – classified as “Principal Arterial”; speed limit 45-mph

2. The designated public right-of-way width for Cherry Lane is 50’ from Section Line (100’ total). This right-of-way shall be dedicated as part of this annexation.

3. Cherry Lane is only a two lane roadway across the project, without curb or sidewalk improvements. Frontage improvements in accordance with Nampa City Code Section 9-3-1 will be required at the time of development. Site access and design of all roadways shall adhere to the Nampa Engineering Division Process & Policy Manual.

4. Annexation of this property will trigger the need to annex the full 1/2-mile section of Cherry Lane from Midland Blvd to Ten Lane due to current agreement with Nampa Highway District No. 1. A portion of Cherry Lane along the frontage of the St. Luke’s property was de-annexed in 2018 as part of Ordinance No. 4396. This description has been provided to the applicant and shall be included within the property annexation legal description if approved by Council. In addition, the prescriptive Cherry Lane right-of-way east of the property to Ten Lane shall also be included in the annexation. The Nampa Engineering Division has prepared a legal description for this portion of the roadway, and is attached hereon.
5. The City’s water and pressure irrigation systems have adequate capacity to serve this property. The City maintains the following utilities in the vicinity of the project:
   - 12” water main on south side of Cherry Lane; and,
   - 12” pressure irrigation main at the intersection of Cherry Lane and the St. Lukes entry road.
   Development of the property will require extension of the 12” pressure irrigation main across the project frontage.

6. The City’s wastewater treatment facility has adequate capacity to serve this property. However, sewer conveyance infrastructure is not directly available to the property. This property is included in the Purdam Sewer Basin and is intended to sewer back to the main line in Ustick Road near Northside Blvd. The City is currently working with the Nampa Development Corporation to extend sewer main west in Ustick Road to improve development potential of industrial ground in this area of the City. However, the sewer will still be more than 3,000-feet from the project site after this extension occurs. The City owns a 12” sewer line located near the intersection of Cherry Lane and the St. Lukes entry road. However, it is unlikely this main will be able to support gravity sewer service to the entire property due to site grades. The applicant may utilize this main to serve what area is feasible via gravity. The Engineering Division would not oppose temporary use of individual septic systems as allowed by Southwest District Health Department until such time that gravity sewer is available from the Purdam Trunk. However, site design shall accommodate eventual gravity connection to the City’s system.

Conditions:

1. Dedicate 50’ of public right-of-way from Section Line along the Cherry Lane frontage.

2. 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.

3. 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.

4. Utilities shall be constructed to and through the site at the time of property development/redevelopment at the sole expense of the Developer.

5. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
A description for public right-of-way annexation purposes along Cherry Lane located in the SE 1/4 of the SW 1/4 of Section 4, and in the NE 1/4 of the NW 1/4 of Section 9, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at a 5/8 inch diameter iron pin marking the northwesterly corner of said NE 1/4 of the NW 1/4 of Section 9, from which a 3/4 inch diameter iron pipe marking the northeasterly corner of said NE 1/4 of the NW 1/4 of Section 9 bears S 89°37'21" E 1326.62 feet;

Thence along the westerly boundary of said SE 1/4 of the SW 1/4 of Section 4 of Section 4, N 00°36'26" E 25.00 feet to a point on the northerly Cherry Lane prescriptive right-of-way;

Thence along said northerly prescriptive right-of-way S 89°37'21" E 917.43 feet to a point;

Thence leaving said northerly prescriptive right-of-way N 00°30'23" E 25.00 feet to a point on the northerly Cherry Lane right-of-way;

Thence along said northerly right-of-way S 89°37'21" E 326.14 feet to a point;

Thence leaving said northerly right-of-way S 00°30'22" W 25.00 feet to a point on the northerly Cherry Lane prescriptive right-of-way;

Thence along said northerly prescriptive right-of-way S 89°37'21" E 83.00 feet to a point on the easterly boundary said SE 1/4 of the SW 1/4 of Section 4;

Thence along said easterly boundary S 00°30'22" E 25.00 feet to the northeasterly corner of said NE 1/4 of the NW 1/4 of Section 9;

Thence along the easterly boundary of said NE 1/4 of the NW 1/4 of Section 9, S 00°39'50" W 25.00 feet to a point on the southerly Cherry Lane prescriptive right-of-way;

Thence along said southerly prescriptive right-of-way N 89°37'21" W 1326.50 feet to a point on the westerly boundary of said NE 1/4 of the NW 1/4 of Section 9;

Thence along said westerly boundary N 00°22'39" E 25.00 feet to the northwesterly corner of said NE 1/4 of the NW 1/4 of Section 9 and the POINT OF BEGINNING. Containing 1.71 acres, more or less.
Hello Jeff and Pat,

It looks like the Cherry Lane right-of-way in front of the St. Lukes property was de-annexed back in 2018 due to not meeting the City/Highway District 55% rule for road responsibility (Ordinance #4396). I’ve attached the legal description that was used for the de-annexation, which you should be able to use now for re-annexation purposes.

As a reminder, we’ll also need a separate legal description for the 50’ of public right-of-way dedication across the project frontage. Let me know if you have more questions.

Best,
Caleb LaClair, P.E.
Assistant City Engineer, Engineering
O: 208.468.5422, C: 208.250.2679

---

Yes, I can make that work. Caleb, does that work for you?

Jeff Hatch, AIA LEED AP
Hatch Design Architecture
6126 W. State St., Ste. 107
Boise, ID 83703
O: 208-475-3204 F: 208-475-3205
C: 208-412-9250
E: Jeff@HatchDA.com

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From: Neil Jones
Sent: Tuesday, November 12, 2019 10:35 AM
To: Sylvia Mackrill
Cc: Patrick Sullivan
Subject: RE: ANN-00135-2019 Annexation and BC and IL zoning for 9778 W Cherry Ln and O W Cherry Ln

Building Department has no conditions at this time, for this annexation.

-----Original Message-----
From: Sylvia Mackrill <mackrill@cityofnampa.us>
Sent: Friday, November 08, 2019 1:02 PM
To: Addressing <Addressing@cityofnampa.us>; Beth Ineck <ineckb@cityofnampa.us>; bob.parsons@phd3.idaho.gov; bocc@canyonco.org; Brent Hoskins <hoskinsb@cityofnampa.us>; Caleb Laclair <laclairc@cityofnampa.us>; Canyon Highway District No. 4 (chopper@canyonhd4.org) <chopper@canyonhd4.org>; Carl Miller - Compass of Idaho (cmiller@compassidaho.org) <cmiller@compassidaho.org>; Chanee Grant <cgrant@nmid.org>; Clay Long <longc@cityofnampa.us>; Cody Swander <swandercc@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; deerflat@fws.gov; Don Barr <barrd@cityofnampa.us>; Doug Critchfield <critchfieldd@cityofnampa.us>; Eddy Thiel <eddy@nampahighway1.com>; Elijah Effinger <effingere@cityofnampa.us>; Eric R Shannon <eric@nampahighway1.com>; gwiles@nampachristianschools.com; Jared Bryan <bryanj@cityofnampa.us>; Jason Kimball <kimballj@cityofnampa.us>; Jay Young <youngj@cityofnampa.us>; Jeff Barnes <barnesj@cityofnampa.us>; jenny.titus@vallivue.org; jessica.mansell@intgas.com; Ken Couch - Idaho Transportation Dept, District 3 (D3Development.Services@itd.idaho.gov) <D3Development.Services@itd.idaho.gov>; Ken Keene <keenek@cityofnampa.us>; Kent Lovelace <lovelacek@cityofnampa.us>; kfunke@idahopower.com; mark@pioneerirrigation.com; Melissa Close <closem@cityofnampa.us>; monica.taylor@intgas.com; Morgan Treasure <treasurem@cityofnampa.us>; Neil Jones <jonesn@cityofnampa.us>; nick@nampahighway1.com; nmid@nmid.org; nre.easement@centurylink.com; Patrick Sullivan <sullivanw@cityofnampa.us>; pnilsson@canyonco.org; Ray Rice <ricer@cityofnampa.us>; rdewey@nsd131.org; Richard Davies <daviesr@cityofnampa.us>; Shellie Lopez <lopezs@cityofnampa.us>; Soyla Reyna <reynas@cityofnampa.us>; Tammy Wallen <twallen@nsd131.org>; Tom Points <pointst@cityofnampa.us>; UCC ben melody <ben.melody@intgas.com>; vcharles@idahopower.com

Subject: ANN-00135-2019 Annexation and BC and IL zoning for 9778 W Cherry Ln and O W Cherry Ln

ANN-00135-2019:
Communities in Motion 2040 2.0 Development Review

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this review as a tool for local governments to evaluate whether land developments are consistent with the goals of Communities in Motion 2040 2.0 (CIM 2040), the regional long-range transportation plan for Ada and Canyon Counties. This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2040 2.0 goals.

Development Name: Hatch Rezone

CIM Vision Category: Future Neighborhoods

New households: 0  New jobs: 400  Exceeds CIM forecast: No

- **CIM Corridor:** Cherry Ln
- **Pedestrian level of stress:** R—Cherry Lane
- **Bicycle level of stress:** R—Cherry Lane
- **Housing within 1 mile:** 240
- **Jobs within 1 mile:** 2,770
- **Jobs/Housing Ratio:** 11.6
- **Nearest police station:** 3.8 miles
- **Nearest fire station:** 2.4 miles
- **Farmland consumed:** Yes
  - **Farmland within 1 mile:** 1,236 acres
- **Nearest bus stop:** 0.1 miles
- **Nearest public school:** 1.8 miles
- **Nearest public park:** 1.9 miles
- **Nearest grocery store:** 0.3 miles

- **Level of Stress considers facility type, number of vehicle lanes, and speed. Roads with G or PG ratings better support bicyclists and pedestrians of all ages and comfort levels.**
- **A good jobs/housing balance – a ratio between 1 and 1.5 – reduces traffic congestion. Higher numbers indicate the need for more housing and lower numbers indicate an employment need.**
- **Developments within 1.5 miles of police and fire stations ensure that emergency services are more efficient and reduce the cost of these important public services.**
- **Farmland contributes to the local economy, creates additional jobs, and provides food security to the region. Development in farm areas decreases the productivity and sustainability of farmland.**
- **Residents who live or work less than ½ mile from critical services have more transportation choices.Walking and biking reduces congestion by taking cars off the road, while supporting a healthy and active lifestyle.**

**Recommendations**

The Cherry Lane/Fairview Avenue corridor is the #9 local system priority in the Communities in Motion 2040 2.0 plan. Cherry Lanes serves as a vital east-west route through north Nampa, downtown Meridian, and ending in downtown Boise. It also serves as an alternate route to I-84. Cherry Lane has been identified for ultimate widening to five lanes with curb, gutter, sidewalks, and bike lanes, but is unfunded.

This location is still in a largely farmland area on the fringe of a rapidly-growing area in north Nampa. Currently there is a bus stop at the intersection of Midland Boulevard and Cherry Lane providing service from the Happy Day transfer center to the Boise Towne Square mall. ValleyConnect 2.0 proposes bus service along Midland Boulevard from the Karcher Mall to downtown Meridian via the cities of Middleton, Star, and Eagle. Sidewalks along, and a safe pedestrian crossing of, Cherry Lane is essential to promote transit ridership.

More information about COMPASS and Communities in Motion 2040 2.0:

- **Web:** [www.compassidaho.org](http://www.compassidaho.org)
- **Email:** info@compassidaho.org
- **More information about the development review process:** [http://www.compassidaho.org/dashboard/devreview.htm](http://www.compassidaho.org/dashboard/devreview.htm)
November 27, 2019

Sylvia Mackrill
City of Nampa
411 3rd Street South
Nampa, Idaho 83651

VIA EMAIL

<table>
<thead>
<tr>
<th>Development Application</th>
<th>ANN-00135-2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Name</td>
<td>ANNEXATION CHERRY LANE</td>
</tr>
<tr>
<td>Project Location</td>
<td>9778 East Cherry Lane, north of I-84 milepost 34.0</td>
</tr>
<tr>
<td>Project Description</td>
<td>Annexation of the parcel with two zones. Community Business zoning for the southern 10 acre and Light Industrial for the northern ~23 acres.</td>
</tr>
<tr>
<td>Applicant</td>
<td>Hatch Design</td>
</tr>
<tr>
<td>Representing</td>
<td>Kiwi Enterprises LLC</td>
</tr>
</tbody>
</table>

The Idaho Transportation Department (ITD) reviewed the referenced annexation application and has the following comments:

1. This project does not abut the State Highway system.

2. Trip generation numbers were not provided with this application. Future development of this parcel will require submittal of trip generations to ITD, and may require a Traffic Impact Study (TIS). ITD reserves the right to make further comments upon review of any submitted traffic generation data or other documents.

3. This development will gain access to the State Highway system at the I-84 / Midland Boulevard interchange. The City is reminded that the I-84 corridor is already congested. This project will increase the number of vehicle trips in to this intersection. While this individual development is not large, the accumulation of developments accessing the State Highway system at the SH-44/Old Highway 30 intersection is creating additional congestion. As the City continues to add additional trips to this corridor through development, the congestion will worsen until the roadway system is ultimately overloaded and fails. ITD has programmed a project to widen I-84 east of this interchange that may alleviate some of the congestion however the latent demand may keep the level of mobility the same even with the improvements.
4. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State Highway.

5. The Idaho Administrative Procedure Act (IDAPA) 39.03.60 governs advertising along the State Highway system. The applicant may contact Justin Pond, Program Manager for ITD’s Headquarters Right-of-Way Section at (208) 334-8832 for more information.

6. Future development of the parcel shall require the submittal of trip generation information however ITD does not object to the proposed annexation as presented in the application.

If you have any questions, you may contact me at (208) 334-8338 or Erika Bowen (208) 265-4312 ext 7.

Sincerely,

Sarah Arjona
Development Services Coordinator
Sarah.Arjona@itd.idaho.gov
Good Morning Sylvia,

Nampa Highway District #1 has no objection to the annexation and requested zoning subject to the MOU, General Cooperation of Planning and Zoning, Annexation, Development and Maintenance Activities development agreement that was signed by the Nampa Highway District #1 on 11-29-16.

Thank you,

Eddy
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

Sylvia,

This proposed project appears to impact Pioneer Irrigation District's 13.3 Center Lateral, as well as the Bureau of Reclamation's Noble Drain.

Pioneer's 13.3 Center Lateral has a 16 foot easement from top of bank, along both sides of the lateral. This easement must be noted on all plats.

The Noble Drain has a 110 foot federal right of way, 55 feet from centerline of drain. This right of way must also be noted on all plats.

Per Idaho Code, 42-1209, written permission must be obtained by Pioneer Irrigation District, prior to any encroachment or modification to the 13.3 Center Lateral or corresponding easements.

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

-----Original Message-----
From: Sylvia Mackrill <mackrill@cityofnampa.us>
Sent: Friday, November 8, 2019 1:02 PM
To: Addressing <Addressing@cityofnampa.us>; Beth Ineck <ineckb@cityofnampa.us>; bob.parsons@phd3.idaho.gov; bocc@canyonco.org; Brent Hoskins <hoskinsb@cityofnampa.us>; Caleb Laclair <laclairc@cityofnampa.us>; Canyon Highway District No. 4 (chopper@canyonhd4.org) <chopper@canyonhd4.org>; Carl Miller - Compass of Idaho (cmiller@compassidaho.org) <cmiller@compassidaho.org>; Chanee Grant <cgrant@nmid.org>; Clay Long <longc@cityofnampa.us>; Cody Swander <swanderc@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; deerflat@fws.gov; Don Barr <barrd@cityofnampa.us>; Doug Critchfield <critchfieldd@cityofnampa.us>; Eddy Thiel <eddy@nampahighway1.com>; Elijah Effinger <effingere@cityofnampa.us>; Eric R Shannon <eric@nampahighway1.com>; gwiles@nampachristianschools.com; Jared Bryan <bryanj@cityofnampa.us>; Jason Kimball <kimballj@cityofnampa.us>; Jay Young <younjg@cityofnampa.us>; Jeff Barnes <barnesj@cityofnampa.us>; jenny.titus@vallivue.org; jessica.mansell@intgas.com; Ken Couch - Idaho Transportation Dept, District 3 (D3Development.Services@itd.idaho.gov)
Planning & Zoning Department
Before the Planning & Zoning Commission
December 10, 2019

STAFF REPORT – PUBLIC HEARING #6

Annexation and Zoning to IL (Light Industrial) for warehouses by Phil Horton. (ANN136-19)

Applicant: Phil Horton
Owner: Mark Clark
File No: ANN 136-19
Prepared by: Rodney Ashby
Date: December 3, 2019
Requested Actions: Annexation & Zoning to IL (Light Industrial)
Purpose: The applicant states: “To develop warehouses”

GENERAL INFORMATION

Planning and Zoning History: The property is enclaved and is functioning as rural residential. The applicant has requested annexation and zoning to IL (Light Industrial).

Status of Applicant: Intended purchaser of the property

Annexation Location: 8626 Birch Lane (A 3.02 acre or 131,602 sq. ft. portion of the NW ¼ of Section 10, T3N, R2W, BM)

Proposed Zoning: IL (Light Industrial)

Total Size: Approximately 3.02 acre or 131,602 sq. ft.
**Comprehensive Plan Designation:** Light Industrial

**Surrounding Land Use and Zoning:**
North- Madison Industrial Park, City- IL
South- Vacant land/Adler Industrial (farmland), City- IL
East- Rural Residential, County AG
West- Rural Residential, County AG

**Applicable Regulations:** In order for a property to be annexed it must be contiguous with the city limits or be enclaved by other properties so annexed. The enclaved area connects with the city limits on the north and south sides.

**Existing Uses:** Residential with single family dwelling, accessory buildings, and landscaped yard.

---

**SPECIAL INFORMATION**

**Public Utilities:**
12" water main in Birch.
A 12" sewer main is available approximately 850' to the north in Birch Ave.
A 10" irrigation main is available approximately 850' to the north in Birch Ave.

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

**Transportation:** Access to the property is from Birch Lane.

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

The Nampa Building Department indicated they had no conditions.

The Nampa Highway District #1 indicated that they had no comment.

Idaho Transportation had no objection.

The Nampa Engineering Division noted that the required 80' of public right-of-way is already dedicated. Curb and sidewalk improvements will be required. Water sewer, and irrigation systems have capacity to serve the property. Engineering had the following recommended conditions of approval:

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.
3. Utilities shall be constructed to and through the site at the time of property development/redevelopment, and 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.

STAFF FINDINGS AND DISCUSSION

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 properties make up an enclaved area that connects with the city
limits along the southern and northern boundaries.
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 zoning conforms with the city’s comprehensive plan future land use map for
light industrial land use and is reasonably compatible with existing and proposed land uses
in the area.
4) The property owner requested annexation and zoning to IL for future connection to city
services and development of the properties and surrounding properties to light industrial
uses.

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 of approval:

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.
3. Utilities shall be constructed to and through the site at the time of property
development/redevelopment, and 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
2) Zoning map
3) Aerial View
4) Comprehensive Plan map
5) Agency and other correspondence
# Application for Annexation/Zoning

**Nampa 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)

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<table>
<thead>
<tr>
<th>Applicant Name</th>
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<tbody>
<tr>
<td>Phil Horton</td>
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<tr>
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<tr>
<td>208-941-3333</td>
<td><a href="mailto:PhilHorton.941333@gmail.com">PhilHorton.941333@gmail.com</a></td>
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<tr>
<td>Mark Clark</td>
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<th>Rent</th>
<th>Other</th>
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<tbody>
<tr>
<td>( ) Own</td>
<td>( ) Rent</td>
<td>( X ) Other</td>
<td></td>
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</table>

**Address of Subject Property:** 8626 Birch Lane, Nampa, ID 83687

---

**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 - 00136 - 2019  
**PROJECT NAME:** ANNEX 44 - PHIL HORTON

---

12/11/13 Revised
ANNEX & ZONE TO IL
8626 Birch Lane
Annexation and Zoning

ANN-00136-2019
11/26/2019
Visit Planning & Zoning at cityofnampa.us for more info.

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

General Comments:

1. The property is located at 8626 Birch Lane and will take access from the following road(s):
   - Birch Lane – classified as “Collector”
2. Birch Lane at the property already has the required 80’ of public right-of-way dedicated. No further dedication is necessary. Birch Lane in this location does not have curb or sidewalk improvements.
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:
   - 12” sewer main on north side of Birch Lane;
   - 12” water main on south side of Birch Lane; and,
   - 10” pressure irrigation main on north side of Birch Lane.

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.
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 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 on this Annexation.

Good Afternoon Everyone! 😊

Re: Annexation at 8626 Birch lane - ANN-00136-2019

Phil Horton has requested Annexation and Zoning to IL (Light Industrial) at 8626 Birch Lane for Warehouses (A 3.02 acre or 131,602 sq. ft. portion of the NW ¾ of Section 10, T3N, R2W, BM.

The Annexation application will go before the Planning & Zoning Commission as a public hearing item on the December 10, 2019 agenda.

Please find attached the ANN-00136-2019 file for your review and send all comments prior to November 22, 2019.

Thank you & Have a great day!
Good afternoon,

ITD has received application ANN-00136-2019 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

--- 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: Annexation at 8626 Birch lane - ANN-00136-2019

Phil Horton has requested Annexation and Zoning to IL (Light Industrial) at 8626 Birch Lane for Warehouses (A 3.02 acre or 131,602 sq. ft. portion of the NW ¼ of Section 10, T3N, R2W, BM.

The Annexation application will go before the Planning & Zoning Commission as a public hearing item on the December 10, 2019 agenda.

Please find attached the ANN-00136-2019 file for your review and send all comments prior to November 22, 2019.

Thank you & Have a great day!
Good Afternoon Shellie,

Nampa Highway District #1 has no comment.

Thank you,

Eddy

---

Re: Annexation at 8626 Birch lane - ANN-00136-2019

Phil Horton has requested Annexation and Zoning to IL (Light Industrial) at 8626 Birch Lane for Warehouses (A 3.02 acre or 131,602 sq. ft. portion of the NW ¾ of Section 10, T3N, R2W, BM.

The Annexation application will go before the Planning & Zoning Commission as a public hearing item on the December 10, 2019 agenda.

Please find attached the ANN-00136-2019 file for your review and send all comments prior to November 22, 2019.

Thank you & Have a great day!