PLANNING & ZONING DEPARTMENT

Before the Planning & Zoning Commission
Meeting of 10 December 2019

PUBLIC HEARING ITEM NO. 2
STAFF REPORT (REVISED)

Analyst: Kristi Watkins
Applicant(s): Caribou Mountain Ventures, LLC, Ed Priddy, Contact
File(s): DAMO 035-19, SPP 051-19, SPF-113-19 & SPF-114-19

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

1. 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; and, (Decision Required: Recommendation)

2. Lava Falls Subdivision Preliminary Plat comprising 39 Single-Family Residential lots and 4 common lots for 3.36 d.u./acre. (Decision Required: Approval)

3. Lava Falls Subdivision No. 1 Final Plat comprising 22 Single-Family Residential lots and 2 common lots for 3.55 d.u./acre. (Decision Required: Approval)

4. Lava Falls Subdivision No. 2 Final Plat comprising 17 Single-Family Residential lots and 2 common lots for 3.14 d.u./acre. (Decision Required: Approval)

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”)…
History:
- **Annexation:** April, 2004 – (Annex & Zone to RS 8.5) Ordinance #3334 & 3335
- **Subdivision:** – Expired
- **Rezone:** May 3, 2010 - (Comp Plan Amend & Rezone to BC) – Denied
- **Rezone:** April 5, 2012 – (Comp Plan Amend, Rezone to RP & CUP) – App’d Ord #4084
  - CUP for mini storage expired after 6 months due to inactivity

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**DEVELOPMENT AGREEMENT MODIFICATION**

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.

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**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.

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<th>Overall Site Area-</th>
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<tr>
<td>Total, Proposed Lot Count -</td>
<td>43</td>
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<td>Total Common Lot Count-</td>
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<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.

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**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) 468-4487 F: (208) 465-2261
Nonrefundable Fee: $452.00 (1 acre or less) Nonrefundable Fee: $910.00 (more than 1 acre)

APPLICATION FOR DEVELOPMENT AGREEMENT MODIFICATION
P.O. Box 1640
3rd Street S., Nampa, Idaho 83651
P: (208) 724-5606 F: (208) 724-5606

Name: Caribou Mountain Ventures LLC
Representative: Ed Priddy
Home Number: priddye@gmail.com

City: Eagle
State: ID
Zip code: 83616

Property Owner Name: Caribou Mountain Ventures LLC
Representative: Ed Priddy
Home Number: priddye@gmail.com

City: Eagle
State: ID
Zip code: 83616

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:

☑ Completed Application
☑ A copy of one of the following:
☑ Warranty Deed
☑ Proof of Option
☑ Earnest Money Agreement
☑ 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
A. GENERAL INFORMATION

Subdivision Name: Lava Falls Subdivision
Total Acres: 11.595
Intended Land Uses Circle (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-16

B. OWNER/APPLICANT INFORMATION

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<tr>
<td>Address</td>
<td>1324 FIRST STREET SOUTH</td>
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<td>NAMPA 83651</td>
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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: __/__/19

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For City Office Use Only

FEE $: ________________ CASH: _______ CHECK: _______ RECEIPT NO.: _______

DATE RECEIVED: __________ RECEIVED BY: __________ HEARING DATE: _______
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<th>Lava Falls Subdivision No. 1</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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**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: RS-6 RP DX
If Applicable: Zoning Within the Area of Impact: 

*****************************************************************************
**Final Plat Application**

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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<th>Owner</th>
<th>Caribou Mountain Ventures LLC</th>
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<td>Address</td>
<td>P.O. Box 1640, EALGE ID 83616</td>
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<tr>
<td>Phone</td>
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<th>Engineer/Surveyor/Planner</th>
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**Final Plat Information**

Total Acreage 5.40
Total Number of Lots: 19 Buildable: 17 Common: 2
Gross Density per Acre: 3.14 (Number of units per acre of total land to be developed)
Net Density per Acre: 4.22 (Number of units per acre of land excluding roads)
Zoning District(s): Zoning Within Nampa City Limits RS-8.5
If Applicable: Zoning Within the Area of Impact

*****************************************************
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 OF PUBLIC HEARINGS BEFORE THE CITY OF NAMPA, IDAHO

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 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).

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

[Signature]
Norman L. Holm, Planning Director

PUBLISH: November 22, 2019
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GREEN - INTER OFFICE
BLUE – MAIL

Shellie Lopez

November 6, 2019
LAVA FALLS SUBDIVISION
2718 E Locust Lane
Development Agreement Modification
Preliminary Plat

DAMO-00035-2019
SPP-00051-2019

11/26/2019
For illustrative purposes only.

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

Page 17
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.
PLAT SHOWING
LAVA FALLS SUBDIVISION NO. 1
LOCATED IN THE SE 1/4 OF THE SE 1/4 SECTION 2, T.2N., R.2W., B.M. NAMPA, CANYON COUNTY, IDAHO
2019

NOTES
1. A 25'-0" foot wide permanent public utility easement for gas, electric, and water service is hereby established along the entire length of the site as shown.
2. The development requirements have been met.
3. A 25'-0" foot wide permanent public utility easement for gas, electric, and water service is hereby established along the entire length of the site as shown.
4. The development requirements have been met.
5. A 25'-0" foot wide permanent public utility easement for gas, electric, and water service is hereby established along the entire length of the site as shown.
6. The development requirements have been met.
7. A 25'-0" foot wide permanent public utility easement for gas, electric, and water service is hereby established along the entire length of the site as shown.

SCALE: 1" = 50'

LEGEND
- Found 1/2" Iron Pin PLS 772
- Found 5/8" Iron Pin PLS 721
- Set 1/2" Iron Pin PLS 772
- Set 5/8" Iron Pin PLS 721

PROPERTY BOUNDARY LINE
LOT LINE
SECTION LINE
RIGHT-OF-WAY LINE
EASEMENT LINE
TEMPORARY STORM DRAIN EASEMENT LINE
LOT NO.

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 Scot TCB

IDAHO SURVEY GROUP, LLC
802 W. EMERALD ST.
BOISE, IDAHO 83704
(208) 448-4570

BOOK PAGE
J6 NO. 19-369
SHEET 1 OF 3

SCANNED 11/05/2019
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., 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, 1325.68 feet;
thence along the West boundary line of the SE1/4 of said Section 2 North 60°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, 433.75 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 00°58'18" West, 9.05 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, 55.31 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 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

Kimball Goutier, 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 plans and surveys.

Gregory G. Carter

P.L.S. No. 7729

ACKNOWLEDGMENT

State of Idaho )
County of Ada )

On this __ day of __________, 20__, before me, the undersigned, a Notary Public in and for said State, personally appeared Kimball Goutier, known or identified to me to be the registered agent for Ranch Management Co LLC, a member of Caribou Mountain Ventures LLC, a 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
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 

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 

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.50-1308 do hereby certify that any and all current and/or delinquent County property taxes for the property included in this subdivision have been paid in full. This certification is valid for the next thirty (30) days only.

Date 

County Treasurer

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

Chairman, Nampa Planning & Zoning Commission 

Secretary, Nampa Planning & Zoning Commission
PLAT SHOWING
LAVA FALLS SUBDIVISION NO. 2
LOCATED IN THE SE 1/4 OF THE SE 1/4 SECTION 2,
T.22N., R.2W., B.M. NAMPA, CANYON COUNTY, IDAHO
2019

NOTES:
1. This plat is for permanent public utilities, property drainage and pressure irrigation extension is hereby designated along all lot lines common to a public right-of-way and all rear lot lines common to the exterior three sides of the development.

2. Property lines shown are for reference only. Title to property is subject to plat, survey, and deed. Lot lines are as shown, the above boundaries are as shown on this plat.

3. This development recognizes county code, title 22, chapter 44 as it relates to farm income tax claim. When state tax is not an agricultural operation or an appurtenant to it shall be declared a nonagricultural private or public by any of the following:

A. When the operation is not for the purpose of producing food for human consumption or is not for profit.

B. When the operation is not for the purpose of producing food for human consumption and the owner thereof has engaged in a nonagricultural activity as defined in this section.

4. Irrigation water will be provided by the city of Nampa in compliance with county code section 2-20-2004 CIV. All costs with the city of Nampa will be determined by the city of Nampa. The city of Nampa will be responsible for all assessments from the city of Nampa.

5. Temporary drainage easements shall be in accordance with the applicable zoning and subdivision regulations of the state of Idaho. All drainage easements shall be approved by the Idaho Planning and Zoning Commission, or as shown on this plat.

6. This plat is for common area lot to be owned and maintained by the homeowners association and shall be subject to a blanket public utility easement.

The survey has been made and the work performed as shown herein for the benefit of the owner of the premises hereby noted.

SCALE: 1" = 50'

INDIAN VILLAGE SUBDIVISION NO. 4

LOT NO.

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IDAH0 SURVEY GROUP, LLC

11-05-2019

BOOK PAGE

505 W. ELMERID, 81
ROSE, IDAHO 83436
(208) 845-6510

Page 26
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., B.M., 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°59'21" East, 1335.66 feet;

thence along the West boundary line of the SE1/4 of said Section 2 North 00°16'36" East, 760.52 feet to a point on 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, said point also being the REAL POINT OF BEGINNING;

thence continuing North 00°16'36" 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 18 of Plats at Page 17, records of Canyon County North 89°52'20" East, 380.12 feet;

thence leaving said exterior boundary line and along the centerline of the Atron Lateral as shown on Record of Survey Instrument No. 2010-010539, records of Canyon County, Idaho South 00°16'36" East, 303.70 feet;

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

thence South 13°22'27" East, 13.51 feet;

thence South 01°05'23" East, 106.11 feet;

thence South 00°56'18" West, 144.20 feet;

thence North 89°51'41" West, 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 are 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 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 plans and surveys.

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

ACKNOWLEDGMENT

State of Idaho )
County of Ada )

On this day of 20 , before me, the undersigned, a Notary Public in 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
Receiving In:  Idaho

Gregory G. Carter
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 re-established, in accordance with Section 50-1226, Idaho Code, by the issuance of a Certificate of Disapproval, and no construction of any building or shelter requiring drinking water or sewer/septic facilities shall be allowed.

District Health Department, REHS Date

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

City Clerk, Nampa, Idaho

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

City Engineer Date

CERTIFICATE OF COUNTY SURVEYOR
I, the undersigned, Professional Land Surveyor in and for Canyon County, Idaho, do hereby certify that I have checked this plat in accordance with Idaho Code, Title 50, Chapter 13 relating to plats and 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 121 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
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 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:

By Mayor

Attest:

City Clerk
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-Roland  
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.

Page 31
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 SE ¼, SE ¼, SE ¼, 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 reversion 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:

[Signature]
Tom Dale, Mayor

Attest: Debbie Bishop, City Clerk

OWNER/DEVELOPER:

[Signature]

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.

[Signature]
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 Pryde, known or identified to me, to be Manager, of Caribou Mountain Ventures, 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 Ventures, LLC.

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

[Signature]
Notary Public for State of Idaho
Residing at 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:

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 <lopesz@cityofnampa.us>  
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).
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 SEW ¼ of the SE ½ 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.

CRM has been created.

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

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: 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


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.
Before You Dig!
Call 811
www.digline.com