



PLANNING & ZONING DEPARTMENT

Before the Planning & Zoning Commission
Meeting of 12 JANUARY 2016

PUBLIC HEARING ITEM NO. 3 STAFF REPORT

Applicant(s)/Engineer(s), Representative(s):

Franklin Village Development LLC, Don Brandt as Applicant & Developer/Taunton Group, Bob Taunton as representative with KM Engineering as civil engineer(s)

File(s): ANN 2067-15, PUD 2066-15 & SUB 661-15

Analyst: Robert Hobbs

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

- 1. Modification of Annexation/Zoning Development Agreement**
– **Decision Required:** *Recommendation*

Between Don Brandt, Brandt Properties, LLC and the City of Nampa, recorded 12/17/03 as Instrument No 200377065 Amending the provisions and stipulations of Section 4 to incorporate a new preliminary plat, a park memorandum of understanding (MOU), and, agreed upon site specific conditions of approval by the City of Nampa; and,

- 2. Planned Unit Development (PUD) Permit (with plan approval) – Decision Required:**
Decision; and,
- 3. Preliminary Plat approval for Franklin Village Subdivision** (420 single-family residential lots – hereinafter variously the "Project", "Subdivision", "Application", "Development", "Franklin Village", or "Franklin Village Subdivision") – **Decision Required:** *Decision*

Property Area and Location(s):

Some 129.80 total acres of land located within the NW ¼ of Section 11, Township 3 North, Range 1 W, BM at the southeast corner of E. Cherry Lane and N. Franklin Blvd. in a RS 6 (Single-Family Residential, 6,000 sq. ft. min. lot size) Zone in Nampa (see attached Vicinity Map)

History/Commentary:

Per the Applicants' submittal package and request(s), it is proposed that a previously entitled single-family residential subdivision be re-approved, with certain modifications to the layout and complexion of the Project being proposed. (Please refer to the attached exhibits of the proposed general site plan that bear on the application.)

Franklin Village, a single-family planned unit development subdivision, was first approved, in part, over ten years ago. At the time, there were two distinct sections, lying north and south of Cherry Lane. The southern portion came first. The southern portion of the overall project was to contain a multi-acre park. The projects were approved, with the park then proposed and approved for conversion into a public facility from a project specific open space amenity. In consequence of varying factors, including attempts at negotiating the terms of the park's development and turn over to the City, the project was delayed in its build out. Subsequently, the country's economic downturn further delayed project development. The Developer of Franklin Village is now ready to move the project forward. However, given the time lapse since original entitlement and modifications to the original layout and approved plan now sought by the Applicant, it is necessary to revisit the original project entitlements – hence this application package.

DEVELOPMENT AGREEMENT MODIFICATION

Criteria to guide the Commission in its recommendation(s), and Council in making a determination whether to allow a Development Agreement Modification as sought by the Applicant are absent from state statute or City ordinance. Thus, approving or not this application becomes a purely subjective matter/decision on the part of the City in reaction to this application coming now before you/them. Hereafter attached are copies of Ordinance 3280 (Instrument No. 200377065).

The parts of the Agreement that are proposed for modification are, expectedly in this instance, language in the RECITALS Section and reformation of the terms and commitments portion of the [original] Agreement, including the legal description of the Property as needful. The contemplated changes will reflect the proposed revisions of Franklin Village and likely reference, either generally or in specific form, varying allowances that may be approved as part of the PUD entitlement portion of this application package as well as, at least by reference, the MOU regarding the Project park.

As the process of rezoning and Development Agreement modification is a two step endeavor, Staff will prepare a draft Development Agreement Modification document for Council's review prior to their hearing on this matter.

Public/Agency/City Department Comments:

Any correspondence from agencies or the citizenry regarding this application package [received by noon January 06, 2016] is hereafter attached to this report. Staff has not received commentary from any surrounding property owners or neighbors either supporting or opposing this request. (A neighborhood meeting was conducted by the Applicant's representative.) Synopsis of principal comments from agencies or departments that responded to this application and the public hearing notice(s) associated therewith are as follows:

- a. City Engineering has no objection(s) to the requested Project and has provided recommended requirements in the event the same is entitled (see attached comments – 1 page memorandum dated December 29, 2014 [sic]); and,
- b. The Nampa Parks Department has no objection(s) to the requested Project and has provided recommended requirements in the event the same is entitled (see attached comments – 1 page email printout dated November 24, 2015); and,
- c. The Forestry Department has no objection(s) to the requested Project and has provided recommended requirements in the event the same is entitled (see attached comments – 1 page email printout dated December 02, 2015); and,
- d. The City Planning Department, long range planner, has no objection(s) to the requested Project and has provided comments regarding the same (see attached comments – 1 page memorandum dated December 08, 2015); and,
- e. The Nampa Highway District has no objection(s) to the requested Project (see attached comments – 2 pages of email printouts dated December 01, 2015 & January 04, 2015); and,
- f. Code Enforcement has no objection(s) to the requested Project and has provided comments regarding the same (see attached comments – 1 page email printout dated December 18, 2015); and,
- g. The Nampa & Meridian Irrigation District has no objection(s) to the requested Project (see attached comments – 1 page letter dated December 09, 2015); and,
- h. The Community Planning Association of Southwest Idaho has provided comments regarding the requested Project (see attached comments – 6 page checklist and associated materials)...

Note: The recommended requirements alluded to above will be manifest in the recommended Conditions of Approval presented by Staff in this report hereafter...

PLANNED UNIT DEVELOPMENT ENTITLEMENT

Planned Unit Development Standards: (from the City's adopted zoning ordinance)

10-26-1: PURPOSE:

The intent of PUD overlay district regulations is to permit greater flexibility, and consequently, more creative design for development than generally is possible under conventional zoning regulations or subdivision regulations as affected by zoning regulations. It is further intended to promote more economical and efficient use of land while facilitating a harmonious variety of neighborhood development, a higher level of urban amenities, and preservation of natural scenic qualities of open spaces. (Ord. 3805, 7-21-2008)

10-26-2: USE REQUIREMENTS:

All uses allowed within the underlying land use district are permitted within a PUD. Also, up to twenty percent (20%) of the gross land area may be directed to other uses that are or would not otherwise be allowed within the base/starting/underlying land use district; provided, there is a favorable finding by the planning and zoning commission that the criteria for approval of such uses, as outlined in this chapter, are satisfied. Unless multiple land use zones are used/applied within a project, the use of a PUD shall be the only means whereby the city of Nampa will/shall allow uses in a zone not normally allowed therein, development agreement conditions not excepting. (Ord. 4070, 10-7-2013)

10-26-3: OWNERSHIP/AREA REQUIREMENTS:

An application for a PUD permit may be filed by a single person or party (i.e., an LLC, Inc., etc.) having an existing interest in or option to purchase on the property to be included in the PUD. The application shall be filed in the name(s) of the recorded owner or contract purchaser. However, the application may be filed by the holder(s) of an equitable interest in such property. Before approval is granted for a/the PUD, the entire project shall be under single ownership or control and legal title or proof of a legally binding sales agreement must be presented with the final development plan. Unless otherwise approved by the commission, no PUD shall be for an area less than two (2) acres in size. (Ord. 3805, 7-21-2008)

10-26-4: EXCEPTIONS TO DISTRICT REGULATIONS:

Individual uses and structures in PUDs need not comply with the specific zoning based regulations of the underlying districts provided the following basic principles are adhered to:

A. Detached Building Spacing:

1. Fire Regulations: Where two (2) walls oppose each other minimum separation shall be as required by city fire regulations.
2. Privacy: Where windows are placed in only one of two (2) facing walls or there are no windows, or where the builder provides adequate screening for windows, or where the windows are at such a height or location to provide adequate privacy, the building spacing may be reduced.
3. Light And Air: Building spacing may be reduced where there are no windows or very small window areas and where rooms have adequate provisions for light and air from another direction.
4. Use: When areas between buildings are to be used for utility purposes a reduction of building spacing shall be permitted. Where this use is similar for both houses, a reduction of building space permitting effective design of a utility space shall be permitted. Kitchens and garages are suitable uses for rooms abutting such utility yards.
5. Building Configuration: Where building configuration is irregular so the needs expressed in subsections A2, A3 and A4 of this section are met by the building configuration, reduced building spacing is permissible, as determined by the average spacing or by measuring spacing where rooms open toward adjacent buildings.

B. Bulk Requirements (i.e., Setbacks, Property Depth, Property Width, Building Height, Density, And Street Frontage): Bulk requirements that would otherwise be applicable to a project developed in a given zone wherein a PUD is proposed/allowed may be altered by the commission as part of a PUD's review and approval process. The commission may allow deviations from those setback, property depth, property width, building height, density (required property area) and street frontage requirements without one or more variance application permits being required provided that they conclude that any code required bulk requirement exceptions allowed comply with the following standards by assuring that:

1. **Building Separation:** Any detached structures shall be set at least six feet (6') apart;
2. **Parking Space Clearance:** Any garages, carports or parking pads shall be no closer to the drive, street or alley which they access than twenty feet (20');
3. **Access:** Access to a public street is assured to each and every building lot/parcel by recorded easement;
4. **Setback:** At least five feet (5') is maintained between any detached structure and a side or rear building lot property line;
5. **Residential Unit Density:** Density of residential units is kept to that normally allowed by the base zone in which the PUD is located/proposed plus ten percent (10%), unless the PUD is deemed to be an "infill development" in which case the density may be increased by twenty percent (20%) above the base zoning allowance. If a PUD is residential in base nature and proposed in conjunction with or later applied against a subdivision, the allowances made in section 10-27-4 of this title shall not stack with or be in addition to the allowances made in this chapter. In other words, a project may use the allowances in section 10-27-4 of this title in a residential subdivision or the allowances of this chapter but not one in addition to the other;
6. **Height Of Buildings:** Building heights, if increased beyond that normally allowed in the zone in which the PUD is located/proposed, are not increased by more than two (2) stories over and above the height normally allowed and this only when the PUD does not abut an existing single-family residential subdivision on the side(s) of the PUD where the height increase is desired;
7. **Reduced Property Area:** For a structure it is sufficient to fully contain that structure on a single lot/parcel.

C. Zero Lot Line Structure Placement(s): By placing buildings close to or on the lot line or straddling the lot line by common wall construction, and reducing lot frontage, higher densities can be achieved while at the same time maintaining privacy and an increased amount of open space. Zero lot line units shall be allowed in PUDs provided the following requirements are met:

1. In the case of common wall construction all applicable city, state and federal building regulations shall be complied with.
2. Sites shall be selected to avoid drainage problems since it becomes more difficult for each lot to drain on its own with one side yard eliminated.
3. In the case of buildings which are to be placed close to or on the lot line the following shall apply:
 - a. The adjoining lot shall provide a five foot (5') maintenance easement on the zero lot line side.

b. The use of maintenance easements shall be restricted to daylight hours and the total number of days per year the easement may be used shall be agreed upon.

c. The owner(s) of the adjacent lot shall not make any attachments to lot line walls, alter it in any way, or use it as a playing surface for any sport. (Ord. 3805, 7-21-2008)

10-26-5: OPEN SPACE REQUIREMENTS:

A. Common Open Space: Unless otherwise approved, not less than fifteen percent (15%) of the total gross area of any residentially based PUD shall be retained as permanent, common open space privately held and maintained by the PUD's property owners.

B. Open Space (Functional) Includes: Open space may, and shall, only be constituted by/as:

1. Land area of the overall PUD project site which is neither covered by buildings, parking structures, or accessory structures (except commonly held recreational structures), nor is trapped inside individual, privately held building lots. Also, open space lots or parcels provided in a development shall be not less than six thousand (6,000) square feet in area nor less than thirty feet (30') in their smallest width or depth dimension unless due to the need to make them into odd shapes as approved by the commission;

2. Land which is held in common by all property owners in the PUD and shall therefore be both legally and physically available and accessible to all occupants of dwelling units in the PUD.

C. Not Included: Open space shall not be deemed to be, nor construed to include:

1. Any proposed or existing street, common driveway, service drive, alley or rights of way or easements.

2. Any open parking pads/areas and driveways for dwelling units.

3. Any school sites (including all lands inside a school's property boundaries or lacking such its playground(s)).

4. Any commercially developed areas or areas proposed to be devoted to commercial uses, and, the land devoted to/covered by buildings, accessory buildings, parking and loading facilities for these areas.

5. Unsuitable land (e.g., a hillside, water channel, waterway easement area, swamp or high water table ground, etc.) as may be determined by the commission. Specifically regarding slopes, open spaces with excessive slope are unusable for most active recreational uses. At least one-half ($\frac{1}{2}$) of the required open space shall have an overall finished grade not to exceed fifteen percent (15%).

6. Land necessarily established in street frontage landscape strips via common lots or in easements in order to satisfy requirements of chapter 27 and/or 33 of this title.

D. Location(s): Common open spaces shall be distributed equitably throughout projects in relation to the dwelling units of the people they are intended to serve. (Ord. 3960, 4-4-2011)

10-26-6: PRIVATE STREETS:

Private streets shall be allowed in PUDs in accordance with city of Nampa standards as noted in the city's adopted subdivision process policy manual and the standard construction specifications manual. (Ord. 3805, 7-21-2008)

10-26-7: CRITERIA FOR APPROVAL:

The Commission in making its determination shall give consideration to the following:

A. Proposed Development: The proposed development is consistent in all respects to the spirit and intent of this chapter, is in general conformance with the comprehensive plan, that the area surrounding the development can be planned and zoned in coordination and substantial compatibility with the PUD and that the benefits and improved design of the development will have a beneficial effect which would not be achieved under standard district regulations.

B. Project Design:**1. Project design including:**

- a. Landscaping: Streetscape, open spaces and plazas, use of existing landscape, pedestrianway and recreational areas.
- b. Siting: Visual focal points, use of existing physical features such as topography, view, solar access orientation according to the provisions of the specifications in chapter 27 of this title, sun and wind orientation, circulation patterns, physical environment, variation in building setbacks and building grouping.
- c. Design Features: Street sections, architectural styles, harmonious use of materials, varied use of building types and parking areas broken by landscaping.
- d. Easements: In the case of private reservation the open area to be reserved shall be protected against building development by conveying to the city as a part of the conditions for project approval an open space easement over such open area restricting the area against any future building or except as is consistent with that of providing landscaped open space for the aesthetic and recreational satisfaction of surrounding residences. Building or uses for noncommercial recreational or cultural purposes compatible with the open space objective may be permitted only where specifically authorized as part of the development plan or subsequently with the express approval of the council following approval of building, site, and operational plans by the commission.
- e. Maintenance: The maintenance of such open space reservations shall be assured by establishment of appropriate management organization for the project. The manner of assuring maintenance and assessing such cost to individual properties shall be determined prior to the approval of the final project plans and shall be included in the title to each property.
- f. Ownership: Ownership and tax liability of private open space reservation shall be established in a manner acceptable to the city and made a part of the conditions of the plan approval.
- g. Commercial Area Site Development: The architectural design, landscaping, control of lighting and general site development will result in an attractive and harmonious service area creating

an effect upon the property values of the surrounding neighborhood compatible with that anticipated under the comprehensive plan.

h. **Commercial Area Planned Groups:** Commercial uses, commercial buildings and establishments are planned as groups having common parking areas and common entrance and exit points.

i. **Commercial Area Landscaping:** Planting screens or fences shall be provided on the perimeter of any commercial areas/properties abutting residential areas.

All areas designed for future expansion or not intended for immediate development shall be landscaped or otherwise maintained in a neat and orderly manner.

All intervening spaces between rights of way and building lines, and between buildings, drives, parking areas and improved areas shall be landscaped with trees and shrubs and properly maintained.

j. **Industrial Area Site Development:** The operational character, physical plant arrangement and architectural design of buildings shall be compatible with contemporary performance standards and industrial development design and will not produce an effect upon the property values of the surrounding neighborhood incompatible with that anticipated under the comprehensive plan.

k. **Industrial Area Planned Groups:** There will be harmony of buildings and a compact grouping in order to economize the provision of such utilities as are required.

l. **Industrial Area Landscaping:** Industrial uses and parcels shall be developed in parklike surroundings utilizing landscaping and existing woodlands as buffers to screen lighting, parking areas, loading areas or docks and/or storage of raw materials and products.

All intervening spaces between rights of way and building lines, and between buildings, drives, parking areas and improved areas shall be landscaped with fences and shrubs and properly maintained at all times. (Ord. 3805, 7-21-2008)

PUD Commentary:

The Applicant, through their representative, has asked for the certain PUD related allowances (as iterated in their narrative). A repetition of those allowances, together with sundry short Staff comments regarding the same is as follows:

1. A 20' front setback for front loaded garages; a 15' front setback for living space (e.g., a living room); and,
2. A 10' rear yard setback; and,
3. A 5' interior yard setback (to either side of any house); and,
4. Street side yard setback of 15' to living area (vs. 10' normally allowed for corner lots) and 20' to any side street loaded garage); and,
5. A rear subdivision boundary setback of 10' (vs. 5' normally allowed); and,

6. A side setback on the subdivision boundary of 5' (commensurate with a normal side yard setback and in keeping with request number 3 above); and,
7. Block lengths exceeding 500' (550' and 560') in two (2) locations (not a PUD matter – rather a “design exception” request that will have to be handled by City Council and with which City Engineering is fine); and,
8. Ability to include the [proposed] City park area, the improved Idaho Power easement east of the roundabout, and, the improved Grimes Drain area within the 15% open space requirement calculation (this is not allowed by the PUD nor may the Commission grant this proposal per PUD standards. It may be handled, perhaps by Council, via the same “design exception” review mentioned above, or, may not be an issue provided that the rest of the open space (including the park area already accepted years ago by the City Council as satisfying all or a part of the open space requirement) tallies more than 15% of the gross area of the Project anyway); and,
9. Minimum residential lot size to be 4,869 sq. ft. (expectedly factored based on PUD lot size allowances [including 10% density bonus]); and,
10. Minimum [building] lot width to be 50' (already required/allowed by code provided the width is obtained at the front setback mark of each building lot)...

The Commission will review the PUD plan (in conjunction with the subdivision plat associated with this application. Staff finds that the proposed development is consistent in all respects to the spirit and intent of the zoning ordinance's PUD, is in general conformance with the comprehensive plan, that the area surrounding the development can be planned and zoned in coordination and substantial compatibility with the PUD and that the benefits and improved design of the development will have a beneficial effect which would not be achieved under standard district regulations given the nature of the proposed mixed residential products involved in the requested entitlements. Code exceptions to lot size and setbacks etc. are allowed by virtue of (i.e., are intrinsic to) PUDs. Those that are not will require Council review and approval in conjunction with analysis of the Development Agreement Modification request made a part of this application.

SUBDIVISION PLAT ENTITLEMENT

Commentary:

Platting of this Project will serve to divide the land. As afore-noted, it must be reviewed and effectuated in accordance with state law, Nampa City Code § 10-27, Nampa City Code § 10-8, Nampa City Code § 10-12, Nampa City Code § 10-33, adjusted by allowances in Nampa City Code § 10-26, and, in cooperation with the City's currently adopted Engineering Design and Specification Manuals.

Accordingly, Project review was done to analyze the Project's compliance to code in the context of this project having already been once annexed and [re]zoned thereafter in 2006.

Plat approval must necessarily be contingent on PUD (re)approval of Franklin Village, for without that request being approved, there is no possibility of developing this Project as proposed on the plat drawings that accompany the application and this report.

Subdivision Statistics:

General Data:

Total Number of Lots-	464
Total Site Acreage-	129.80 acres
Total Common Lot Count-	33
(32.5% of project where 15% is [now] required for a PUD)	
Total Shared Driveway Lot Count-	11
Total, Res. RS 6 Lot Count-	423
Total Commercial Lot Count-	0
Total Res. Density-	3.24 lots/acre gross calculation; 5.61 du/a net calculation
per applicant's engineer	

Regarding the "Single-Family Residential Building Lots":

Min. Allowed Bldg. Lot Size (RS 6 Zone)- 6,000 sq. ft.

Min. Allowed Weighted

Avg. Bldg. Lot Size (RS 6 Zone)- N/A (normally 8,000 sq. ft.; however PUD trumps requirement)

Min. Proposed Bldg. Lot Size- 4,869 sq. ft.

Avg. Proposed Bldg. Lot Size- (6,434 sq. ft.)

Min. Req. St. Frontage- 22'

(RD Zone)

Zone's Min. Lot Width- 50 ft. @ 20 ft. setback

Other Subdivision Plat Findings:

1. Minimum Lot Areas:

No issues; All RS 6 building lots appear to meet or exceed minimum sizing required based on both prior PUD approval and current zoning minimal requirements; and,

2. Average Lot Size:

N/A; That because the proposed Plat is slated for development variously under PUD standards N.C.C. § 10-23-6.F.2. is rendered non-applicable...therefore, the Plat is deemed compliant in this regard; and,

3. Lot Compatibility:

N/A; That because the proposed Plat is slated for development variously under PUD standards N.C.C. § 10-23-6.F.2. is rendered non-applicable per the effects of Section 10-

26-4.B. and the exception to 10-27-6.F(2) provided in 10-27-6.F(1)...therefore, the Plat is deemed compliant in this regard; and,

4. Right(s)-Of-Way:

A. Dedication(s): Given Engineering Division response to notification regarding this package request, presumed all necessary land dedication to widen the right-of-way scopes of Cherry Lane, N. Franklin Blvd. and Birch Lane was already obtained in or about 2003 or later; and,

B. Internal Street Design: Common driveways (4) are proposed within the Project. Notwithstanding the Project's PUD component, all streets within the same are presumed to be public and designed to meet City public street standards as applicable to residential thoroughfares. No comment from Engineering bears on this matter; and,

C. Lot Access: All proposed building lots have clear access to a street within the Project, which in turn have direct connection to major public rights-of-way (either Cherry Lane, N. Franklin Blvd. or Birch Lane); and,

5. Open Space/Street Frontage Landscaping:

A. Open Space: PUD required open space in 2003 (and in 2008) was set at 30% of gross land area. A subsequent code amendment authorized, among other changes to the PUD chapter that required open space in a planned community be at least 15%. Additionally, the City's Council previously accepted the proposed park within the Project as satisfactory to meet [even] the [30%] open space demand. Thus, under either scenario, Franklin Village, as designed, appears to comply with the general open space requirement number(s) as the Applicant's plan for the Project indicates that there will be 28.20 acres of park land (22% of Project's gross land area/38% of Project's net land area) plus other open/common space in 32 other common lots within the Project. (Corridor landscaping [along Cherry, Franklin and Birch] strips' width/depth are not countable towards satisfying (the) open space area requirement(s). Notwithstanding that provision, overall landscaping still appears to well satisfy code in terms of open area provided; and,

B. Street Frontage Landscaping: Landscape corridor planting strips along the primary access roads to/from the Project (where those roadways adjoin Franklin Village) are proposed to be [properly] contained in common area lots and across the backs of building lots. The landscaping strips' widths/depths are dimensioned in compliance with standard City subdivision or Chapter 33 code requirements. Their areas are, again, not countable towards satisfying (the) open space area requirement(s). Internal and external parkstrip landscaping (abutting rights-of-way) appears code compliant -- save as noted by the City Forestry Department. (Substitution of some tree species will be required.)

6. Path/Trailway(s):

The Project provides a pathway along the Grimes Drain that adjoins the Property at its southwest corner/side. No other waterways affect the Project in terms of invoking a requirement to provide a path or trailway alongside the same. The developer is proposing internal sidewalks with connection to Cherry, Franklin and Birch as well as a few cross

connecting walkways between lots thereby linking foot traffic from one internal, local street to another through blocks. Noted is that the Subdivision is not within reasonable walking distance of servicing schools; and,

7. Zoning Based Building Controls:

A. Building Setbacks: Will be reviewed at time of Building Permit application if this Project is (re)approved; and,

B. Building Heights: No expression of intent to propose alternative building heights to exceed normal zone standards has been provided to Staff; and,

C. Other Building Considerations: During application for a Building Permit for any residential structure in the Project, both requirements from the PUD code as well as those stemming from the City's adopted Building Code will be applied by the City against any approvals of such structures. Non-zero lot line structures will be reviewed in conjunction with Building Code standards. Any requirements from the Modified Development Agreement that is associated with the application (including any building architectural requirements) also will necessarily affect the build out of residential units in Franklin Village ; and,

8. Agency/Citizen Response(s):

Any correspondence from agencies or the citizenry regarding this part of the application is hereafter attached to this document and is that which was provided to our office prior to printing of this report. Agency comments are primarily geared towards recommending conditions for the Project should it be approved.

Summary Commentary: Plat and PUD plan appear to be eligible for consideration for approval (with conditions [including corrections] as iterated hereafter)... Provision for maintenance of common space is afforded by virtue of the Developer's CC&Rs, copy in file, not in packet.

RECOMMENDED CONDITION(S) OF APPROVAL

Should the Commission vote to recommend to the City Council that they approve the requested, Project related, Development Agreement Modification(s) as desired by the Applicant, then Staff would recommend that the Commission suggest to the Council that they consider imposing the following Conditions of Approval on/to the Development/Applicant as the developer:

**I. As pertaining to the request for Development Agreement Modification Approval:
Generally:**

1. Applicant(s) shall comply with all applicable requirements [including obtaining proper permits – like a Building Permit, etc.] as may be imposed by City agencies appropriately involved in the review of this request (e.g., Nampa Fire, Building, Planning and Zoning and Engineering Departments/Divisions, etc.) as the entitlements granted by virtue of the City's approvals of the requested Development Agreement Modification(s) do not, and shall not have, the affect of abrogating requirements from those agencies in connection with [re]entitlement of the Property; and,

Specifically:

2. That the Applicant, as Owner/Developer, [shall] enter into a Modified Development Agreement set with the City of Nampa. The Agreement(s) shall contain such conditions, terms, restrictions, representations, exhibits, acknowledgments and timelines as necessary to facilitate development of the Property as contemplated by the Applicant and agreed to and conditioned by the City through its Council or executive departments or outside agencies properly involved in the review of the Applicant's request for the Property to be reconfigured for residential use in a RS 6 Zone versus its original entitlement(s). Inclusively, the Agreement shall contain any/the concept development plans proposed by virtue of this application submittal as accepted, or accepted with required changes, by the City's Council...

Should the Commission vote to recommend approve the requested, Project related, PUD plan and Preliminary Plat as desired by the Applicant, then Staff would recommend that the Commission consider imposing the following Conditions of Approval against the Development/Developer:

II. As pertaining to the request for PUD & Preliminary Plat Approval(s):

Specifically:

1. The Developer/Development shall comply with all requirements imposed by City agencies involved in the review of this matter including, specifically the following:
 - a. The Developer/Development shall comply with requirements listed in the December 29, 2014 memorandum from the Nampa Engineering Division authored by Daniel Badger (1 page – copy hereto attached). Any corrections to the preliminary Plat's layout or design based on Engineering Division comments shall be incorporated into/upon [the] relevant final plat(s). Further, Developer/Development shall be bound by the Memorandum of Understanding crafted by the City Engineering and Parks Division/Department (4 pages – copy hereto attached); and,

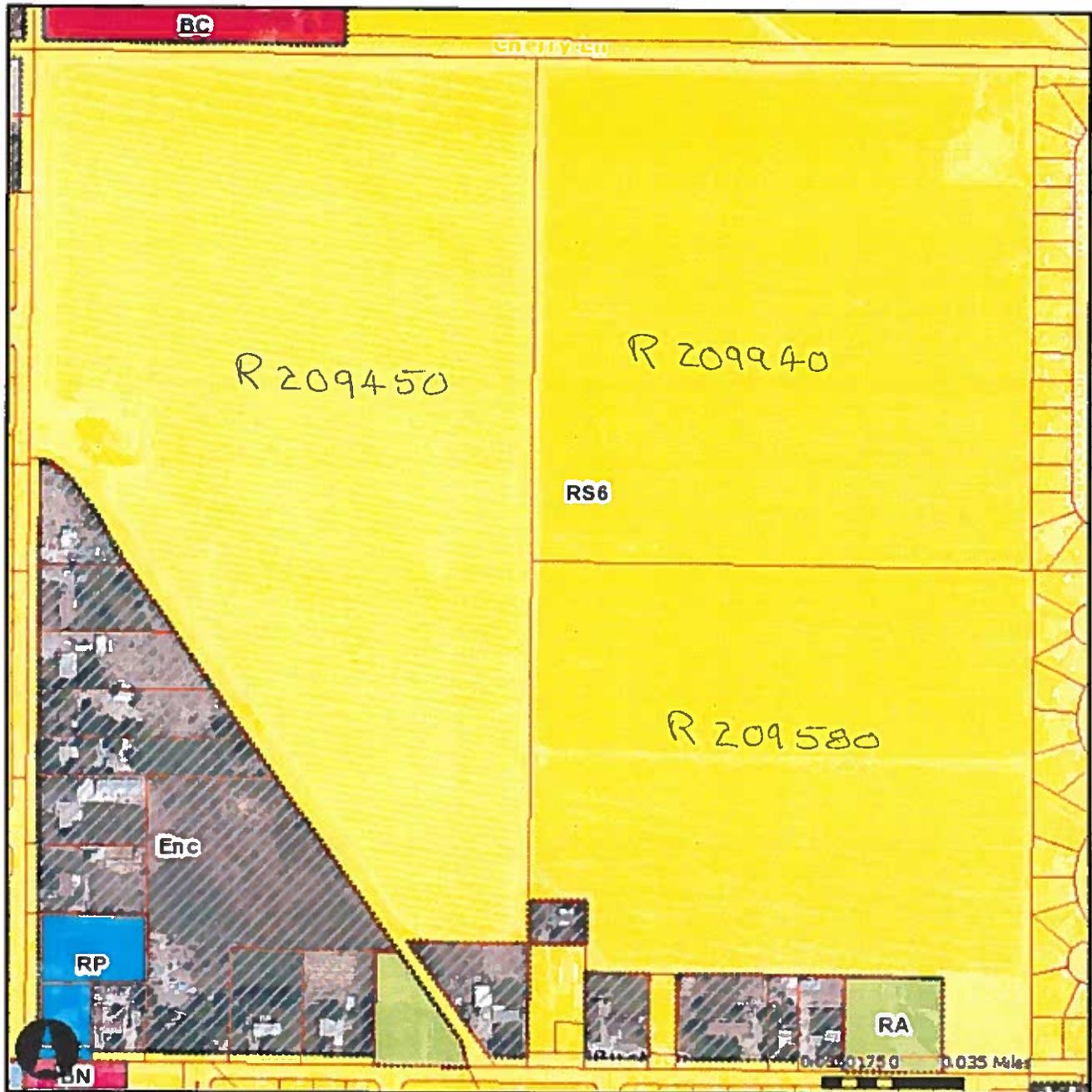
- b. The Developer/Development shall comply with requirements listed in the November 24, 2015 email printout from the Nampa Parks Department authored by Cody Swander (1 page, copy hereto attached); and,
 - c. The Developer/Development shall comply with requirements listed in the December 02, 2015 email printout from the Nampa Forestry Department authored by Tanya Gaona (1 page, copy hereto attached); and,
 - d. The Developer/Development shall comply with requirements listed in the December 08, 2015 memorandum from the Nampa Planning Department authored by Karla Nelson (1 page, copy hereto attached); and,
2. The water system for the development shall be completely installed and able to deliver water prior to any Building Permits being issued within the development. The water shall be sufficient in volume and pressure to provide sufficient adequate fire suppression for the development in accordance with Fire Department policy or International Fire Code requirements as applicable; and,
 3. Developer's engineer shall correct any spelling, grammar, punctuation and/or and numbering errors that may be evident on the plat face and/or in the proposed plat development notes and include said corrections in a revised preliminary plat; and,
 4. Any exceptions to City adopted subdivision design standards (not covered by PUD allowances) shall/will require separate design [exception] approval from the City Council (e.g., block length, counting of otherwise non-eligible open space lots towards satisfying the 15% PUD open space rule, etc.

ATTACHMENTS

- Copy of Vicinity Map (page/Exhibit 15)
- Copies of aerial photos of Property (with zoning and Parcel #s) (pages/Exhibits 16-17)
- Copy of Parcel # and parcel size identifiers (page/Exhibit 18)
- Copy of Applicant's representative's justification/explanation narrative (pages/Exhibits 19-23)
- Copy of Development Agreement Amendment/Modification Application (page/Exhibit 24)
- Copy of 2003 Development Agreement (Ord. 3280) bearing on Property (pages/Exhibits 25-33)
- Copy of PUD Application (page/Exhibit 34)
- Copy of Franklin Village plat Application form pages (pages/Exhibits 35-36)
- Copy of Project concept plan, plat pages and landscape plan pages (pages/Exhibits 37-50)
- Copy of neighborhood meeting materials (pages/Exhibits 51-54)
- Copy of [responding] agency/department correspondence (including draft MOU) (pages/Exhibits 55-72)

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Map



County Parcels



17

Map



County Parcels



Franklin Village Parcel Numbers

Parcel #1 56.1 Acres R2094500000

Parcel #2 33.3 Acres R2095800000

Parcel #3 39.9 Acres R2094400000

Taunton Group

Community Development

October 30, 2015

Mr. Norman Holm, Director
Planning & Zoning Department
Nampa City Hall
411 3rd St. So.
Nampa, ID 83651

Re: Franklin Village Subdivison: Preliminary Plat, Planned Unit Development, & Development Agreement Modification Applications

Dear Mr. Holm,

On behalf of the applicant Franklin Village Development, LLC, please accept the three applications for approval of the preliminary plat, the Planned Unit Development, and the Development Agreement modification. The property is located at the southeast corner of Franklin Blvd. and Cherry Lane and comprises 129.8 acres. The site is designated on the Nampa Comprehensive Plan as Medium Density Residential and Park, and is zoned RS6-DA. A development agreement was recorded on the property on December 17, 2003 following annexation and zoning.

Preliminary Plat

The preliminary plat will create a residential community connected to a 28.2 acre (net) public city park. No commercial uses are proposed. A table on the cover sheet provides preliminary plat details, but in summary a total of 464 lots are planned including 420 detached single-family lots, 33 common lots (including the park lot) and 11 shared driveway lots that provide access to residential lots. The gross residential density is 3.24 units/acre and the net residential density excluding the park area is 5.61 units/acre.

Roadways and Access: Access to the site will be from main entries on Franklin Blvd. and Cherry Lane and a secondary point of access on Birch Lane. Each of these intersections will be landscaped entries to the community. Franklin Blvd. and Cherry Lane are classified as principal arterials and Birch Lane is a collector. A key feature of the transportation plan is a central roundabout that will be both a landscape feature and a safe intersection for motorists and pedestrians.

All roads are designed in accordance with City of Nampa design standards. The applicant has prepared a Traffic Impact Study for the project and has previously submitted the study to the City.

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Additional access to the city park from the arterial roadways will be determined during detailed planning of the park by the City.

Utilities: As depicted on the preliminary plat and described elsewhere, sewer, water and pressurized irrigation exists with adequate capacity adjacent to the site and the project infrastructure will connect to these facilities.

The preliminary plat includes adequate areas for storm drainage that meet the City's design requirements. A drainage study is included with this application.

Parks and Open Space: In addition to the city park, the residential community has been designed to include acres of open space that is well distributed throughout the community. Approximately 130 lots, or over 30% of the total lots, will have direct access to the city park and common areas, excluding roadway buffers. Paved pathways will be developed throughout the community to provide neighborhood connectivity and access to common areas, the Grimes Drain pathway and the city park. Two tot lots are planned to be located in neighborhoods that are furthest from the city park. The Idaho Power easement will be improved as an extension of the grassy easement area within the adjacent Sherwood Forest subdivision from the east property boundary to the central roundabout.

A 10' mutli-purpose pathway will be constructed on the north side of Orah Blvd. from the central roundabout to the approximately Franklin Blvd. The exact location will determined during the final design of the park.

The existing Development Agreement requires the donation of approximately 23 acres for a city park. As mentioned the proposed park area is 28.2 acres. The applicant has been advised that a Memorandum of Agreement (MOU) is under preparation between the City and property owner that will outline the details of the contribution of the park property and other provisions. It is anticipated that the MOU will be completed prior to the public hearing at the Planning & Zoning Commission.

Project Phasing: Overall phasing of the project will be subject to market condition. The initial phase of residential development of approximately 40 lots is planned to occur adjacent to Franklin Blvd and south of Orah Blvd. Future development is anticipated to continue east and then north of the Idaho Power easement in compact development phases that will minimize disturbance of the site.

Neighborhood Meeting: While not a requirement of the City of Nampa, the applicant took the proactive step to conduct a neighborhood meeting to explain the project to those that attended. Notices were sent to addresses within 300' of the project and the meeting was conducted at the Birch Elementary School on September 16, 2015. Copies of the notice and sign-in sheets are attached.

Historic Preservation Office Approval: Included with this letter is the clearance letter for Franklin Village from the Idaho State Historic Preservation Office indicating that the project will have no effect on historic properties.

Planned Unit Development (PUD)

The PUD option is being proposed for the project to facilitate an innovative project design that will provide significant public value. During preparation of plan, the applicant identified the key community planning principles that became the foundation of the plan. The principles are:

1. Create an active, walkable and connected community that promotes health and wellness
2. Provide a diversity of housing designs, sizes and price points that offer opportunities for a broad range of consumer incomes and life stages
3. Design community gathering places, both big and small that foster social interaction
4. Use open space as an organizing element in community design
5. Deliver a high level of architectural design

Residential Architecture: Included with the application are conceptual elevations of the proposed residential architecture that illustrates a high level of design, materials and color variation that will provide an architectural richness to the community. Housing that will be offered at Franklin Village is planned to range from 40' to 60' wide homes, both single story and two story.

A unique feature of the plan is the diversity of lot sizes within a block face. Most contemporary subdivisions include pods of similar sized lots separated from one another. Typically, the pods then have only a few plans and elevations and the result is very limited architectural variation. Franklin Village will capture the character of older neighborhood where smaller lots were mixed with larger lots resulting in greater architectural diversity.

Requested Deviations from RS6 and PUD Standards: As part of the PUD application, the applicant is requesting the following deviations from the RS6 standards to implement the community principles:

1. Front setback to be 20' to the garage and 15' to the living area
2. Rear setback to be 10'
3. Interior side yard setback to be 5'
4. Street side yard setback to be 15' to living area and 20' to side-loaded garage
5. Rear setback on subdivision boundary to be 10'
6. Side setback on subdivision boundary to be 5'
7. Allow block lengths exceeding 500' in 2 locations – 550' and 560'
8. Inclusion of the city park area, the improved Idaho Power easement east of the roundabout, and the improved Grimes Drain area within the 15% open space requirement
9. Minimum residential lot size to be 4,869 sf.
10. Minimum lot width to be 50'

The need for the PUD option allowing the listed deviations results primarily from the contribution of the park site, which reduces the residential portion of the site. To a lesser extent, the Grimes Drain and the Idaho Power easement also reduce the buildable area. Additionally, the deviations are necessary to implement the community planning principles particularly related to creating opportunities for activity

and community connectivity. There is a need is to craft a more compact neighborhood plan than would be possible with the RS6 standards.

The applicant is also requesting the elimination of a sidewalk along the south side of Orah Blvd. to be replaced by a larger 10' pathway on the north side of Orah Blvd. within the park. There is little practical reason to have a sidewalk on the south side when the pedestrian desire will be to use the pathway within a park setting that is separated from the roadway.

Density: The PUD option allows for an increase in residential density of 10% over the 7.26 units/acre permitted for the RS6 zone. As mentioned above the preliminary plat gross density is 3.24 units/acre and the net density is 5.61 units/acre. The applicant is requesting the right to utilize the 10% increase based on market response that will determine lot sizes in future phases of development. However, the maximum residential density will not exceed that permitted for the RS6 zone.

Flexibility: Larger projects that will develop over longer time frames require the flexibility to adjust to economic and market conditions. Accordingly the applicant is requesting that a reasonable level of deviation for final plats from the preliminary plat be approved. Appropriate language would be created and included in the Development Agreement modification.

Restrictive Covenants: Included with this application are draft Covenants, Conditions and Restrictions (CC&Rs) for Franklin Village. The CC&Rs allow for the creation of a homeowners association that will own and maintain the common areas identified within the preliminary plat. The document also will establish an Architectural Committee that will have the authority to approve design plans within the community.

Development Agreement Modification

The recorded Development Agreement for the site will be revised to incorporate the new preliminary plat, the park MOU and agreed upon site specific conditions of approval by the City of Nampa. It is anticipated that the Planning Staff will begin preparation of the document following review by the Planning & Zoning Commission and prior to action by the City Council.

Summary

The applications for preliminary plat, PUD and development agreement modification for the Franklin Village subdivision have carefully considered the Nampa Comprehensive Plan, zoning ordinances, the site location, surrounding neighborhoods and market trends to craft a community that will be an asset to the City of Nampa. On behalf of the applicant I would request your recommendation for approval and scheduling the applications for the next available public hearing at the Planning & Zoning Commission.

Respectfully,

B. Taunton

Bob Taunton, Applicant Representative

Taunton Group, LLC

2724 S. Palmatier Way

Boise ID 83716

208-401-5505

bobtaunton@tauntongroup.com

Attachments:

Neighborhood meeting notice and sign-in sheets

Parcel numbers

Completed application forms – preliminary plat, PUD, development agreement modification

Application checklist – preliminary plat

Legal description

Affidavit

Conceptual housing elevations

Draft CCR's

Deeds

Idaho State Historic Preservation Office clearance letter

Application Fees



DEVELOPMENT AGREEMENT MODIFICATION

APPLICATION FOR AMENDMENT OF ZONING ORDINANCE OR MAP

City of Nampa, Idaho

1/2/16 RZ
R0645T

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This application must be filled out in detail and submitted to the office of the Planning Director for the City of Nampa, Idaho, accompanied by a nonrefundable fee of \$406.00 (for 1 acre or less), and \$811.00 (for more than 1 acre) for a map amendment, or \$213.00 for a text amendment.

Applicant: Franklin Village Development, LLC

Name of Applicant/Representative: Bob Taunton, Taunton Group, LLC Phone: 208-401-5505

Address: 2724 S. Palmatier Way City: Boise State: ID Zip Code: 83716

Applicant's interest in property: (circle one) Own Rent Other Developer

Owner Name: Donald K. Brandt et al Phone: 208-466-7821

Address: 203 11th Ave. South City: Nampa State: ID Zip Code: 83651

Address of subject property: SEC Franklin Rd & Cherry Lane

Is a copy of one of the following attached? (circle one) Warranty Deed Proof Of Option Earnest Money Agreement.

Subject Property Information

(Please provide one form of the following REQUIRED DOCUMENTATION to complete the amendment):

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

Subdivision _____ Lot _____ Block _____ Book _____ Page _____

Project Description

State the zoning desired for the subject property: N/A

State (or attach a letter stating) the zoning amendment desired, text or map, and the reason for the change, together with any other information considered pertinent to the determination of the matter. In the case of a text amendment please attach the full text of the proposed amendment.

N/A

Dated this 30th day of October, 2015

R Taunton

Signature of applicant
Representative

NOTICE TO APPLICANT

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

For Office Use Only:

File Number: AM 2067 - 2015

Project Name: DAM Franklin PUD

ORDINANCE NO. 3280

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO, ANNEXING REAL PROPERTY FOR A SINGLE FAMILY RESIDENTIAL 6,000 SQUARE FOOT MINIMUM LOT SIZE LOCATED AT THE NORTHEAST CORNER OF FRANKLIN BOULEVARD & EAST BIRCH LANE IN THE CITY OF NAMPA, CANYON COUNTY, IDAHO, ZONING THE SAME RS-6 PUD, 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, and all thereof, be, and the same is hereby, annexed and made a part of the City of Nampa, Idaho. That the real property hereby annexed is described as follows, to wit:

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

Section 2: That the real property so annexed, as described in Exhibit "A" above shall be zoned RS-6 PUD.

Section 3: That this annexation and zone 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 4: That the City Engineer is hereby directed to alter the Use and Area Map in accordance with this Ordinance.

PASSED BY THE COUNCIL OF THE CITY OF NAMPA, IDAHO, THIS 1st DAY OF December, 2003.

APPROVED BY THE MAYOR OF THE CITY OF NAMPA, IDAHO, THIS 1st DAY OF December, 2003.

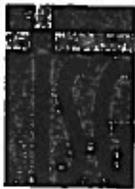
Approved:

By [Signature]
Mayor

Attest:

By [Signature]
City Clerk





IDAHO
SURVEY
GROUP

701 S.Allen St., Suite 105
Meridian, Idaho 83642

Phone (208) 846-8570
Fax (208) 378-0329

Project No. 03-152

September 4, 2003

EXHIBIT "A"

**DESCRIPTION FOR
ANNEXATION AND REZONE TO RS6
BRANDT PUD**

A parcel of land located in the NW1/4 of Section 11, the NE1/4 of Section 10, the SE1/4 of Section 3 and the SW1/4 of Section 2, T.3N., R.2W., B.M., Canyon County, Idaho more particularly described as follows:

Commencing at the NW corner of said Section 11;

thence along the West boundary line of said Section 2 North 00°27'18" East, 25.00 feet to the **REAL POINT OF BEGINNING**;

thence along a line 25.00 feet northerly of and parallel with the North boundary line of said Section 11 South 89°25'33" East, 2643.65 feet;

thence along the West boundary line of Sherwood Meadows No. 2 Subdivision as filed in Book 29 of Plats at Page 6, records of Canyon County, Idaho and the northerly extension thereof South 00°23'26" West, 1349.14 feet to the SW corner of said Sherwood Meadows No. 2 Subdivision;

thence along the South boundary line of Sherwood Meadows No. 2 Subdivision South 89°12'46" East, 5.68 feet to the NW corner of Sherwood Forest No. 1 Subdivision as filed in Book 24 of Plats at Page 43, records of Canyon County, Idaho;

thence along the West boundary line of said Sherwood Forest No. 1 Subdivision South 00°29'15" West, 1299.05 feet to a point 25.00 feet northerly of the C1/4 corner of said Section 11;

thence along a line 25.00 feet northerly of and parallel with the East-West centerline of said Section 11 North 89°24'43" West, 230.37 feet;

thence North 00°26'38" East, 225.20 feet;

thence North 89°24'43" West, 943.43 feet;

thence North 00°26'38" East, 185.40 feet;

thence North 89°24'43" West, 150.00 feet to a point on the North-South centerline of the NW1/4 of said Section 11;

thence along said North-South centerline South 00°26'38" West, 109.47 feet;

thence leaving said North-South centerline North 89°24'43" West, 320.06 feet;

thence South 35°22'15" East, 372.02 feet to a point 25.00 feet northerly of the East-West centerline of said Section 11;

thence along a line 25.00 feet northerly of and parallel with said East-West centerline North 89°24'43" West, 64.13 feet to a point on the centerline of the Grimes Drain;

thence along the centerline of the Grimes Drain the following courses;

thence along a non-tangent curve to the left 58.26 feet, said curve having a radius of 110.00 feet, a central angle of 30°20'51" and a long chord of 57.58 feet which bears North 19°52'18" West to the point of tangency;

thence North 35°02'44" West, 484.23 feet;

thence North 35°40'26" West, 393.94 feet;

thence North 34°46'35" West, 513.81 feet;

thence North 36°03'58" West, 430.75 feet;

thence North 53°27'34" West, 27.84 feet;

thence North 66°12'56" West, 18.58 feet to a point 33.00 feet easterly of the West boundary line of said Section 11;

thence leaving said Grimes Drain centerline and along a line 33.00 feet easterly of and parallel with the West boundary line of said Section 11 North 00°24'01" East, 694.46 feet;

thence North 88°52'21" West, 66.01 feet to a point 33.00 feet westerly of the West boundary line of said Section 11;

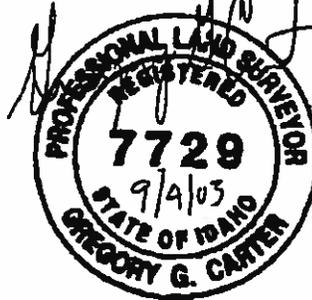
thence along a line 33.00 feet westerly of and parallel with the West boundary line of said Section 11 North 00°24'01" East, 373.99 feet;

thence along a line 33.00 feet westerly of and parallel with the West boundary line of said Section 2 North 00°27'18" East, 25.01 feet;

thence South 89°25'33" East, 33.00 feet to the REAL POINT OF BEGINNING,
containing 130.84 acres, more or less.

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Prepared by:
Idaho Survey Group, P.C.



Gregory G. Carter, P.L.S.

EXHIBIT "B"

**DESCRIPTION FOR ANNEXATION
A PORTION OF CHERRY LANE**

A parcel of land located in the NE1/4 of Section 11 and the SE1/4 of Section 2, T.3N., R.2W., B.M., Canyon County, Idaho more particularly described as follows:

Commencing at the NW corner of said Section 11;

thence along the West boundary line of said Section 2 North 00°27'18" East, 25.00 feet;

thence along a line 25.00 feet northerly of and parallel with the North boundary line of said Section 11 South 89°25'33" East, 2643.65 feet to the REAL POINT OF BEGINNING;

thence continuing along a line 25.00 feet northerly of and parallel with the North boundary line of said Section 11 South 89°25'33" East, 2633.03 feet to a point;

thence South 00°34'27" West, 25.00 feet to a point on the North section line of said Section 11;

thence continuing South 00°34'27" West, 25.00 along a line 25.00 feet westerly of and parallel with the East boundary line of Said Section 11 to a point 25.00 feet South of the northerly section line of said Section 11;

thence along a line 25.00 feet southerly of and parallel with the North boundary line of said Section 11 North 89°25'33" West, 1304.00 feet to a point;

thence North 00°34'27" East, 25.00 feet to a point on the northerly section line of said Section 11;

thence along said section line North 89°25'33" West, 1329.04 feet to a point;

thence North 00°34'27" East, 25.00 feet to the REAL POINT OF BEGINNING, containing 2.26 acres, more or less.

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DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT, is made and entered into this 1st day of Dec 2003, by and between the City of Nampa, a municipal corporation, hereinafter referred to as the "City", and, Donald K. Brandt hereinafter referred to as the "Developer".

WITNESSETH

WHEREAS, the Developer has applied to the City for a Development Agreement in conjunction with zoning to RS6PUD (Single Family Residential, 6,000 sq. ft. minimum lot size with a Planned Unit Development overlay) for 126.76 acres located at the northeast corner of the intersection of Franklin Rd. and East Birch Lane in the SW ¼ of Section 2 and the NW ¼ of Section 11, T3N, R2W, Boise Meridian in Canyon County and further hereinafter identified as the "Property" upon Exhibit "A" hereafter attached and made a part of this Agreement;

WHEREAS, the Nampa City Code allows a property owner or developer to request that an application for annexation, zoning or zoning map amendment and preliminary plat be processed in connection with the execution of a development agreement, wherein through such development agreement, a property owner or developer may agree to make written commitments concerning the use or development of a subject parcel in exchange for the change of zoning requested; and

WHEREAS, the City has approved the requested annexation and zoning for the Property, subject to the following terms or commitments and desires to formalize and clarify the respective obligations of the parties.

NOW THEREFORE, the parties hereto do hereby agree to the following commitments or terms as follows:

1. This development agreement shall not prevent the City in subsequent actions applicable to the Property, from applying new ordinances and regulations of general application adopted by the City in exercise of its police powers that do not conflict with the developer's property rights, the parties' commitments applicable to the Property as set forth herein or the RS6PUD Zone classification, approved hereby as the Property has been deemed land suitable for commercial and residential development.
2. Any commitment contained herein which involves ongoing performance required of the Developer for which the Developer fails to comply with the commitment after completion of construction, said failure may be dealt with by the City according to the violations and penalties provisions of Nampa City code.
3. This Development Agreement is intended to be supplemental to all other local, city, state and federal code requirements, rules and regulations, and is established to help ensure compatibility of the resulting land use with the surrounding area and shall not abrogate the need to obtain all requisite permits to execute the development proposed in conjunction with this agreement nor relieve the Developer or development of responsibility for learning what those permits or other requirements are for the project to be emplaced and maintained.
4. The provisions and stipulations of this development agreement shall be binding on the City, the Developer, each subsequent owner, and each other person acquiring an interest in the Property and are, in no particular order, as follows:
 - a. Developer agrees that actual development of the Brandt Planned Unit Development project shall be in accordance with the mix and layout of lots and lot sizes that are the same or very nearly so to those that were presented to the City Council by way of concept exhibits presented during their hearing of August 18, 2003. A reduced sized copy of that exhibit is attached hereto as Exhibit B. The developer also agrees to develop required project landscaping in accordance with Nampa City Code.

Park And Donation Thereof:

- A1. Developer will extend green belt pathing along Grimes Creek from Franklin Blvd. to Birch Lane. City will enter into maintenance agreement to maintain the asphalt pathway. The homeowners association will maintain the landscaped area.
- A2. The developer will donate to the city approximately 23 acres for a city park. The developer will construct the roadway through the park until it reaches the residential area and will landscape the entry off Franklin Blvd. and 15 ft. landscape strip on each side of the roadway through the park.

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5. The Developer and subsequent persons or parties having ownership of the Property shall also abide by those other Conditions of Approval approved and adopted by the Nampa City Council and Planning and Zoning Commission for the project.
6. This Development Agreement may be modified only by agreement of the Developer and the City Council of the City of Nampa, Idaho after complying with any notice and hearing procedures that may be required under Idaho Code 67-6511A or Nampa City Code 10-2-3(B).
7. The execution of this Development Agreement and the written commitments contained herein shall be deemed written consent to change the zoning of the subject Property to its prior designation upon failure of the conditions imposed upon the Developer by this development agreement. Provided, however, that no such consent shall be deemed to have been given unless the City provides written notice of any such failure and the Developer fails to cure such failure within six months of such notice.
8. This Development Agreement and the commitments contained herein shall be terminated, and the zoning designation upon which the use is based may be reversed or rendered nullified by the City, upon the failure of the Developer or each subsequent owner or each person acquiring an interest in the Property to comply with the commitments contained herein within two years and after complying with the notice and hearing procedures of Idaho Code 67-6509. Provided, however, no such termination and reversal shall occur unless the City first provides written notice of any such failure to comply and the Developer fails to cure such failure within six months from the date of such notice. The two-year period of time for compliance of/with commitments may be extended by the City for just cause and application for such by the developer, and after complying with the notice and hearing provisions of Idaho Code 67-6509. Alternatively, in order to gain compliance with this Agreement, the City may pursue other mitigation measures (e.g., holding of Building/Occupancy Permits, civil suit, etc.).
9. Any provisions or conditions of this Agreement found to be more restrictive than the City's conditions of Approval on the project or the Developer's covenants for the same shall take precedent over the other regulations. Conversely, any restrictions of this Agreement found to be less restrictive than the Conditions or covenants shall still govern. These conditions are provided in addition to and not in lieu of approval conditions already assigned to the development by the City not herein contained/listed.
10. It is intended by the parties that this development agreement shall be recorded on the effective date hereof as specified below, and "run" with the Property.

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Let any invalidation of any one or more of these covenants by judgment or court order in no wise affect any of the other provision that shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands on this day and year first above written.

CITY OF NAMPA

Tom Dale

Tom Dale, Mayor
City of Nampa, Idaho

Diana Lambing
Attest: Diana Lambing, City Clerk

CITY OF NAMPA, IDAHO

STATE OF IDAHO

County of Canyon

On this 2nd day of December, in the year of 2003, before me Deborah L. Bishop personally appeared Tom Dale, known or identified to me, to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same, and were 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 official seal the day and year first above written.



Deborah L. Bishop

Notary Public for Idaho
Residing at Nampa Canyon County, Idaho
My Commission expires: 10-13-2007

Don Brandt
Don Brandt, Brandt Properties, LLC
Developer(s)

STATE OF IDAHO

County of Canyon

On this 1st day of December, in the year of 2003, before me Lori West personally appeared Don Brandt in Nampa, known or identified to me, to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

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



Lori West

Notary Public for Idaho
Residing at Nampa, Idaho
My Commission expires: 9-10-07

REQUEST
NAMPA CITY OF
CANYON CNTY RECORDER
G NOEL MALES
2003 DEC 17 PM 2 00
RECORDED

200377065



1/2/16 PE
Robert

Application for Planned Unit Development

City of Nampa, Idaho

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This application must be filled out in detail and submitted to the office of the Planning Director for the City of Nampa, Idaho, accompanied by the appropriate fee of \$790.00.

(This application may take place under the same fee concurrent with an application for rezoning or zoning with annexation provided the procedural requirements for each application are met. A separate fee shall be required when filing for approval of a preliminary and/or final development plan.)

Applicant: Franklin Village Development, LLC

Name of Applicant/Representative: Bob Taunton, Taunton Group, LLC Phone: 208-401-5505

Address: 2724 S. Palmatier Way City: Boise State: ID Zip Code: 83716

Applicant's interest in property: (circle one) Own Rent Other Developer

Owner Name: Donald K. Brandt et al Phone: 208-466-7821

Address: 203 11th Aves. City: Nampa State: ID Zip Code: 83651

Survey (Engineer) or Planner Name: KM Engineering, LLP Phone: 208-639-6939

Proposed Schedule for Development: Beginning Date 2016 to Ending Date 2025

Address of subject property: SEC Franklin Rd & Cherry Lane

Is a copy of one of the following attached? (circle one) Warranty Deed Proof Of Option Earnest Money Agreement.

Subject Property Information

(Please provide one form of the following REQUIRED DOCUMENTATION to complete the PUD request):

- Original Legal description of property AND a legible WORD formatted document.
Old or illegible title documents will need to be retyped in a WORD formatted document
- OR Subdivision _____ Lot _____ Block _____ Book _____ Page _____
- A Concept Plan of the proposed development at a scale of at least 1"=100' showing all existing conditions and the proposed location and type of land uses.

Project Description

State the zoning desired for the subject property: RSG-DA (PUD)

Existing Use of subject property: Agriculture

State (or attach a letter stating) the reason the PUD would be in the Public Interest: See Attached

Dated this 30th day of October, 20 15

R Taunton

Applicant Signature
Representative

Notice to Applicant

This application will be referred to the Nampa Planning Commission for consideration at a public hearing. This first hearing shall be for the approval of the concept plan. If the concept plan is recommended to the City Council for approval, the City Council will hold a second public hearing for the purpose of endorsing the Commission's approval of the concept plan and amending the zoning map by overlay of the Planned Unit Development (PUD) district. The City Council may either approve, approve with conditions or deny the amendment. If conditions are attached, the City Council shall not amend the zoning map until the concept plan has been revised and approved by the Planning Commission. Notice of the public hearings must be published in the Idaho Press Tribune 15 days prior to said hearings. Notice shall be posted on the premises not less than 1 week prior to the hearings. Notice 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.

Following concept plan approval you may proceed with preparation of the Preliminary Development Plan (PDP). Upon approval of the PDP by the Planning Commission, you may proceed with the preparation of the Final Development Plan (FDP). All plans must be prepared in accordance the Nampa Comprehensive Zoning Ordinance. The Planning Commission shall either approve or disapprove the FDP and submit their recommendation to the City Council. If the plan is either approved or approved with conditions the City Council shall authorize the Planning Director to issue a PUD permit in accordance with the approved plan and supplementary conditions attached thereto. If the Planning commission denies approval at any stage in the above process you may appeal the decision to the City Council with in 15 days from the date of such action.

For Office Use Only:

File Number: PUD 2066-2015 Project Name: Franklin Village

A. GENERAL INFORMATION

Subdivision Name Franklin Village
 Total Acres 129.7
 Intended Land Uses Circle (residential, single-family, multi-family, commercial, industrial)
 Property Address(es) 5EC Franklin Rd & Cherry Lane
 Legal Description See Attached
 Canyon County Parcel Account Number(s) See Attached
 Existing Zoning. (Circle one) RA RS RSM RD RML RMH RP BN CB BC BF IP IL IH AG
 (County Zoning) _____

B. OWNER/ APPLICANT INFORMATION

Owner of Record

Name	Donald K. Brandt et al
Address	203 11th Ave. S.
City	Nampa
State	ID, 83651
Telephone	208-466-7821
Email	
Fax	

Applicant

Name	Franklin Village Development, LLC
Address	701 S. Allen
City	Meridian
State	ID, 83642
Telephone	208-695-2401
Email	marmuth@hubblehomes.com
Fax	

Engineer/Surveyor/Planner

Name	KM Engineering, LLP
Address	9233 W. State St.
City	Boise
State	ID, 83714
Telephone	208-639-6939
Email	kevin@kmengllp.com
Fax	208-639-6930

C. SUBDIVISION INFORMATION <i>See Preliminary Plat Cover Sheet for detail</i>		
Lot Types	Number of Lots	Acres
Residential	420	
Dwelling units per acre (gross /net)	3.24 / 5.61	
Commercial		
Industrial		
Common (Landscape, Utility, Other)	5#	
Open Space		
Total	464	129.8

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 R. TAUNTON Date 10-30-15
TAUNTON GROUP, LLC
208-401-5505
Representative

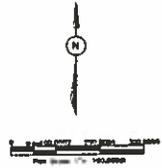
For City Office Use Only

FEE \$: _____ CASH: _____ CHECK: _____ RECEIPT NO.: _____

DATE RECEIVED: _____ RECEIVED BY: _____ HEARING DATE: _____

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FRANKLIN VILLAGE



SITE DATA
 EXISTING ZONE - RS-6
 TOTAL SITE AREA - 129.8± ACRES
 PROPOSED CITY PARK AREA - 28.1± ACRES
 FRANKLIN VILLAGE AREA - 101.7± ACRES
 OPEN SPACE - 10.4± ACRES

FRANKLIN VILLAGE
 Nampa, Idaho
 NEIGHBORHOOD MEETING EXHIBIT

km
 K&M CONSULTANTS
 1727 E. 21st N
 Nampa, ID 83850
 (208) 865-1100
 www.kmconsultants.com

DATE: 08.14.12
 1 OF 1

PRELIMINARY - NOT FOR CONSTRUCTION

44



47



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51

DATE: September 4, 2015
TO: Neighbors
FROM: Franklin Village Development, LLC
RE: Franklin Village

Dear Neighbor:

We are currently working on a new residential development located at the southeast corner of Franklin Boulevard and Cherry Lane in Nampa, Idaho. This letter is notice of an opportunity to review and discuss the 130-acre project, which is depicted on the enclosed vicinity map. This is not a public hearing and public officials will not be present.

The neighborhood meeting will be held on Wednesday, September 16, 2015, at 6:30 p.m., in the Birch Elementary School cafeteria. The school is located at 6900 Birch Lane, Nampa, ID 83687. Please use the back entrance to the school, which is located on the west side of the school along 11th Avenue.

We look forward to seeing you there.

Franklin Village
Neighborhood Meeting Sign-in Sheet
September 16, 2015 - 6:30 pm - Birch Elementary School

Name	Address
Kirsti Aldwin	9233 W. STATE ST. Boise 83714
Joyce Steckman	16853 N Wessex Ln. Nampa 83687
Cherie & Carl Mawby	7446 E Wesley Ct Nampa 83687
ROBERTA ROBERTA CLIFFORD	2447 E WESSEX CT NAMPA 83687
Michelle Maier	7479 E Nottingham Ln Nampa 83687
Howard & May Rehner	7557 Birch Lane 83687
Auis Torres	16569 N. Abby Ln Nampa 83687
Jason Bailey	7648 Birch Ln. Nampa 83687
Joann & Don Bow Johnson	16626 NO. Franklin Blvd 83687
Michael A. Howard	7475 E. Nottingham Ln



City of Nampa

ENGINEERING DIVISION

OFFICE (208) 468-5444

CITY HALL 411 THIRD STREET SO. NAMPA, IDAHO 83651 FAX (208) 465-2261

DATE: December 29, 2014

TO: Planning and Zoning Commission

Cc: Lenard Grady, P.E., Nampa City Engineer

FROM: Daniel Badger, P.E.

SUBJECT: Franklin Village Subdivision, Preliminary Plat

The Engineering Division has reviewed the preliminary plat for Franklin Village Subdiviioon and recommends approval with the following comments:

Utilities:

- Show the pressure irrigation lines within the development.
- The Sherwood Forest Subdivision to the east of the development has a storm water discharge that routes through the development. Show how you will accommodate this discharge.
- Show extending the sewer to Cherry in Paul Revere Avenue.

Reports and Studies:

- Revise the Traffic Impact Study per comments by Paragon Consulting letter dated, December 22, 2015.

Park:

- Enter into a memorandum of understanding or development agreement modification for the park development, a draft of which is attached.

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Memorandum of Understanding
City of Nampa and Franklin Village Regarding Improvements Adjacent to and Servicing necessary for
Development of the Proposed City Park

The Franklin Village Subdivision consists of a total of 129.8 acres.

The portion of the subdivision to be dedicated to the City for development as a park is 28.1 acres. Said park area is 21.6% of the total area of the subdivision.

1.0 City to Pay the Following:

1.1 Franklin and Cherry

1.1.1 The City shall pay 21.6% of the Cherry and Franklin roadway widening and utility extension costs adjacent to the park, where 21.6% is equal to the percentage of the park area of the total subdivision area.

OK, including Engineering, Surveying, review fees, utility relocation, and project management.

1.2 Internal Collector

1.2.1 The City shall pay the cost of the curb and gutter installation on the internal collector roadway.

Including 50% of Orah Blvd. storm drain system. Storm water detention pond will be located on the park property. Also, Orah Blvd. pathway / sidewalk is 100% city cost and located on park property.

1.3 Services

1.3.1 The City shall pay 21.6% of the water, sewer and pressure irrigation services up to the point of connection to the park, where 21.6% is equal to the parks percentage demand the on the on the line.

OK, including Engineering, Surveying, review fees, and project management.

1.4 Park Phasing

1.4.1 The initial phase of the park is anticipated to be _____ acres and include the following improvements _____. The City currently has \$500,000 budgeted for this project. The size and improvements may vary based on bid cost and funding availability.

1.4.2 Additional phases of the park will be added as funding is allocated by the City's budget process, no timing of these future phases are contemplated or guaranteed.

1.5 Supplement pressure Irrigation source for Park

1.5.1 City will pay for all additional improvements, if necessary, to the Well and delivery system from the well to the point of use in the Park.

2.0 Franklin Village to Pay the Following:

2.1 Preliminary Platting

2.1.1 The Cost of preliminary plat to include the City Park Parcel and necessary legal descriptions and record of survey (if necessary to convey title to City after approval of preliminary plat.

ok

2.2 Franklin and Cherry

2.2.1 Franklin Village shall pay 78.4% of the Cherry and Franklin roadway widening costs adjacent to the park, where 78.4% is equal to the percentage of the residential area of the total subdivision area.

OK, including Engineering, Surveying, review fees, utility relocation, and project management.

2.3 Internal collector

2.3.1 Franklin Village shall pay the cost of installing the internal collector roadway with the exception of the curb and gutter adjacent to the park.

Including 50% of Orah Blvd. storm drain system. Storm water detention pond will be located on the park property. Also, Orah Blvd. pathway / sidewalk is 100% city cost and located on park property.

2.4 Services

2.4.1 Franklin Village shall pay 78.4% of the water, sewer and pressure irrigation services up to the point connection to the park, where 78.4% is equal to the residential percentage demand the on the on the line.

OK, including Engineering, Surveying, review fees, and project management.

2.5 Supplemental Pressure Irrigation source for Park

2.5.1 Connection of existing groundwater well at northeast corner of Development through a gravity irrigation system to the northeast corner of Park for City's use developing a lake as a source of irrigation for the Park property. Appropriate water rights to be transferred as necessary.

2.5.2 Outlet overflow to Park irrigation system via gravity pipe along Franklin Road

Developer will pay for all required transfer fees associated with deeding Well and Water Right to the City.

Grimes Drain Pathway

2.5.3 Installation of asphalt pathway and associated landscape along north side of Grimes Drain between Birch Lane and Franklin Road, subject to approval of Pioneer Irrigation District and coordination with landowner at Birch Lane.

Ok, Improvements will be completed with each adjacent phase.

2.6 Franklin Road Collector Entrance Landscape

2.6.1 Installation of Landscape entry feature for Development along east side of Franklin and south side of collector. Don Brandt et al will install landscape and entry feature to park including monument signage indicating park name along north side of collector at park entrance. This feature once completed to be owned and maintained by the City of Nampa as part of the park.

Now that the Park's entrance is not off of Orah Blvd., it may be more appropriate to install Park Monument sign at the intersection of Franklin Rd. and Cherry Ln., or at the Park's entrance off of Cherry Ln.

2.7 Rose Garden Feature

2.7.1 Don Brandt to install a rose garden including plantings, paths and irrigation and associated signage at southeast corner of Park area within Power Line R/W. This feature once completed to be owned and maintained by the City of Nampa as part of the park.

ok

2.8 City Frontages

2.8.1 If timing of construction coincides, Franklin Village can design Park road frontage improvements at same time in same set of plans as the adjacent phase of Franklin Village development to provide cost savings to City. Construction of City's requirements can be completed using Franklin Village contractors, pricing etc. Authorization for work by the developer for the City shall be in writing and no payment shall be made without such authorization prior to the work commencing.

ok

2.9 Developers Contributions

2.9.1 If at the time the final phase of the subdivision is developed the park frontages have not been completed the Developer shall pay the City their portion of the outstanding work prior to the City signing the final plat for that phase of the subdivision.

ok

Sylvia Mackrill

From: Cody Swander
Sent: Tuesday, November 24, 2015 2:18 PM
To: Sylvia Mackrill
Cc: Darrin Johnson
Subject: Franklin Village Subdivision Project: SUB 661-15

Hi Sylvia,

Nampa Parks has reviewed the preliminary plat for Franklin Village Subdivision Project SUB 661-15 and requests that the property along the north bank of Grimes Drain, 20 feet from the top of bank, be deeded and dedicated to the City of Nampa for the extension of Grimes Pathway as identified on the City of Nampa's Pathway Masterplan. Nampa Parks also requests that the property identified as Block 7 Lot 32 Future City Park Lot be deeded and dedicated to the City of Nampa for a future park site.

Thank you,

Cody Swander
Nampa Parks Superintendent



Nampa Parks Department
312 1st Street South
Nampa, ID 83651
208.468.5890

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.

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Sylvia Mackrill

From: Tanya Gaona
Sent: Wednesday, December 02, 2015 10:31 AM
To: Sylvia Mackrill
Subject: Project SUB 661-15; Franklin Village Subdivision

Sylvia,

In regards to the preliminary plat review for Franklin Village Subdivision, the following conditions must be met before Earl Moran, City Forester, can approve:

1. Patmore Ash not permitted to be planted on the public right of way. Must select a different genus/species.
2. October Glory do not survive in our high PH soil. Select a different variety.

Tanya Gaona
Administrative Assistant II
City of Nampa, Forestry Department
468-5748

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.

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Memo

To: Planning and Zoning Commission
From: Karla Nelson, Community Planner
Date: December 8, 2015
Re: Franklin Village Subdivision Preliminary Plat

In accordance with Nampa's Bicycle and Pedestrian Master Plan and Nampa Code 10-27-6(H) a pathway should be included along Grimes Drain. The Franklin Village Preliminary Plat appears to show this future pathway that will connect with existing sections of the Grimes Trail west of Franklin Boulevard and south of Birch. Providing transportation alternatives and quality of life enhancements such as pathways are goals of Nampa's Comprehensive Plan and will certainly enhance this proposed development.

All of Franklin Village Subdivision's associated schools are in the Vallivue School District.

Associated Schools:

East Canyon Elementary School – The subdivision is 2.5 miles from the Elementary School which is not within walking distance.

Sage Valley Middle School – The subdivision is 3.4 miles from the Middle School which is not a reasonable walking.

New Ridgevue High School – The subdivision is 2.5 miles from the new High School which is not a reasonable walking distance for most students. It is a reasonable biking distance. However students would be forced to ride on roadways without complete bike lanes.

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Sylvia Mackrill

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Tuesday, December 01, 2015 7:34 AM
To: Sylvia Mackrill
Subject: SUB 661-15

Good Morning Sylvia,

The Nampa Highway District #1 has no objection to the preliminary Plat for the Franklin Village Sub, SUB 661-15, as it is not within our Jurisdiction.

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

Thank you,

Eddy

Eddy Thiel

ROW

eddy@nampahighway1.com

4507 HIGHWAY 45. • NAMPA, ID 83686

TEL 208.467.6576 • FAX 208.467.9916

This message may contain confidential and/or privileged information. If you are not the addressee or authorized to receive this for the addressee, you must not use, copy, disclose, or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by reply e-mail and delete this message. Thank you for your cooperation.

64

Norm Holm

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Monday, January 04, 2016 12:59 PM
To: Norm Holm
Subject: ANN2067-15, PUD 2066-15, SUB 661-15

Good Afternoon Norman,

The Nampa Highway District #1 has no objection to the Modification of Annexation/Zoning Development Agreement between Don Brandt, Brandt Properties, LLC and the City of Nampa Recorded 12/17/03 as instrument #200377065 for Taunton Group representing Franklin Village Development, LLC as it is not within Nampa Highway District #1's jurisdiction.

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

Thank you,

Eddy

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

This message may contain confidential and/or privileged information. If you are not the addressee or authorized to receive this for the addressee, you must not use, copy, disclose, or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by reply e-mail and delete this message. Thank you for your cooperation

Sylvia Mackrill

From: Marlen Salinas
Sent: Friday, December 18, 2015 1:23 PM
To: Sylvia Mackrill
Subject: RE: Franklin Village PUD PUD2066-15; and Franklin Village Preliminary Plat SUB661-15

Follow Up Flag: Follow up
Flag Status: Flagged

Comment from Kent Lovelace: no violations seen at this time

From: Jonathan O'Brien
Sent: Friday, December 18, 2015 1:16 PM
To: Marlen Salinas
Subject: FW: Franklin Village PUD PUD2066-15; and Franklin Village Preliminary Plat SUB661-15

From: Sylvia Mackrill
Sent: Thursday, December 10, 2015 3:04 PM
To: Amanda Morse; Beth Ineck; Brent Hoskins; Carl Miller; Cheryl Jenkins; Compass (tlaws@compassidaho.org); Craig Tarter; Daniel Badger; Don Barr; Jeff Barnes; Jennifer Yost; Jim Brooks; Jonathan O'Brien; Kent Lovelace; Michael Fuss; Neil Jones; Patrick Sullivan; Robin Collins; Tina Fuller; Vickie Holbrook
Subject: Franklin Village PUD PUD2066-15; and Franklin Village Preliminary Plat SUB661-15

Franklin Village Planned Unit Development - PUD2066-15
Franklin Village Preliminary Plat - SUB661-15

Attached is the Franklin Village Planned Unit Development application and the Preliminary Plat application for Franklin Village Preliminary Plat, located on 129.7 acres on the south side of E Cherry Lane, on the east side of N Franklin Rd, within an RS-6 (Single Family Residential - 6000 sq ft minimum lot size) zoning district, for Franklin Village Development, LLC, Bob Taunton representing.

The preliminary plat comprises a total of 464 lots (including 43 non-buildable lots and a park lot).

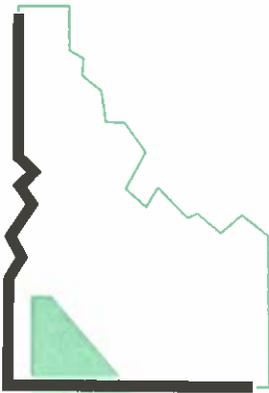
The PUD application and Preliminary Plat will go before the Planning and Zoning Commission as public hearing items on the January 12, 2016 agenda.

Please review and forward any comments to my attention prior to December 30, 2015.

Thank you,
Sylvia Mackrill
City of Nampa Planning Department
208-468-5484
mackrill@cityofnampa.us

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ORGANIZED 1904

Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH
FAX #208-463-0092

NAMPA, IDAHO 83651-4395
nmid.org

OFFICE: Nampa 208-466-7861
SHOP: Nampa 208-466-0663

December 9, 2015

Sylvia Mackrill
Nampa Planning Department
411 Third Street South
Nampa, ID 83651

RE: SUB661-15/ Franklin Village Subdivision

Dear Sylvia:

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

All laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site, Nampa & Meridian Irrigation District (NMID) must review drainage plans.

Sincerely,

Greg G. Curtis
Water Superintendent
Nampa & Meridian Irrigation District
GGC/gnf

PC: Office/File
Pioneer

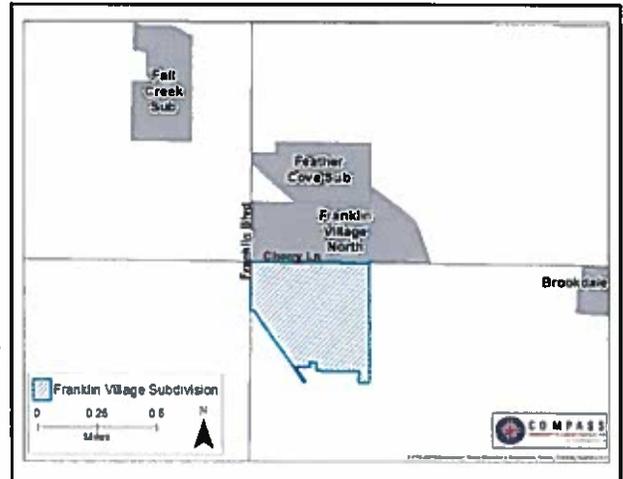


APPROXIMATE IRRIGABLE ACRES
RIVER FLOW RIGHTS - 23,000
BOISE PROJECT RIGHTS - 40,000

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Communities in Motion 2040 Development Checklist

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this checklist as a tool for local governments to evaluate whether land developments are consistent with the goals of *Communities in Motion 2040* (CIM 2040), the regional long-range transportation plan for Ada and Canyon Counties. CIM 2040 was developed through a collaborative approach with COMPASS member agencies and adopted by the COMPASS Board on **July 21, 2014**.



[Click here for detailed map.](#)

This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2040 goals, objectives, and performance measures. A checklist user guide is available [here](#); and more information about the CIM 2040 goals can be found [here](#); and information on the CIM 2040 Vision can be found [here](#).

Name of Development: Franklin Village Subdivision - 420 residential lots and 1 park on 129.8 acres

Summary: Located at on the southeast corner of Franklin Blvd and Cherry Ln, the proposed development is with a mile of 4 other developments in the preliminary plat phase of development. If all are completed as planned, they will create 1,100 total residential lots, the developments are; Franklin Village North Sub (271 residential lots), Brookdale Sub (327 residential lots), Fall Creek Sub (271 residential lots), and Feather Cove Sub (231 residential lots). The proposal supports 8 CIM 2040 checklist items, and does not support 14 checklist items.

Land Use

In which of the [CIM 2040 Vision Areas](#) is the proposed development? **(Goal 2.1)?**

- | | | | |
|--|--|---|---------------------------------|
| <input type="radio"/> Downtown | <input type="radio"/> Employment Center | <input type="radio"/> Existing Neighborhood | <input type="radio"/> Foothills |
| <input checked="" type="radio"/> Future Neighborhood | <input type="radio"/> Mixed Use | <input type="radio"/> Prime Farmland | <input type="radio"/> Rural |
| <input type="radio"/> Small Town | <input type="radio"/> Transit Oriented Development | | |

Yes No N/A The proposal is within a CIM 2040 Major Activity Center. **(Goal 2.3)**

Neighborhood (Transportation Analysis Zone) Demographics

TAZ: 2450

Existing		Existi			
Households	Jobs	Households	Jobs	Households	Jobs
73	20	493	20	292	20

Yes No N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this neighborhood. **(Goal 2.1)**

Area (Adjacent Transportation Analysis Zone) Demographics

TAZs: 2395, 2422, 2423, 2428, 2430, 2432

Existing		Existi			
Households	Jobs	Households	Jobs	Households	Jobs
1,653	1,260	2,073	1,260	2,958	1,268

Yes No N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this area. **(Goal 2.1)**



More information on COMPASS and *Communities in Motion 2040* can be found at:
www.compassidaho.org
 Email: info@compassidaho.org
 Telephone: (208) 475-2239



COMPASS
 COMMUNITY PLANNING ASSOCIATION
 of Southwest Idaho

Communities in Motion 2040 Development Checklist

Transportation

- Attached N/A An Area of Influence Travel Demand Model Run is attached.
- Yes No N/A There are relevant projects in the current Regional [Transportation Improvement Projects](#) (TIP) within one mile of the development.

Comments:

- Yes No N/A The proposal uses appropriate access management techniques as described in the [COMPASS Access Management Toolkit](#).

Comments:

- Yes No N/A This proposal supports Valley Regional Transit's [valleyconnect](#) plan. See [Valley Regional Transit Amenities Development Guidelines](#) for additional detail.

Comments: Future bus services are proposed on Franklin Blvd and Cherry Ln. See valleyconnect for details.

The **Complete Streets Level of Service (LOS) scoring** based on the proposed development will be provided on an separate worksheet (**Goals 1.1, 1.2, 1.3, 1.4, 2.4**):

- Attached N/A Complete Streets LOS scorecard is attached.
- Yes No N/A The proposal maintains or improves current automobile LOS.
- Yes No N/A The proposal maintains or improves current bicycle LOS.
- Yes No N/A The proposal maintains or improves current pedestrian LOS.
- Yes No N/A The proposal maintains or improves current transit LOS.
- Yes No N/A The proposal is in an area with a [Walkscore](#) over 50.

Housing

- Yes No N/A The proposal adds [compact housing](#) over seven residential units per acre. (**Goal 2.3**)
- Yes No N/A The proposal is a mixed-use development or in a mixed-use area. (**Goal 3.1**)
- Yes No N/A The proposal is in an area with lower transportation costs than the [regional average](#) of 26% of the median household income. (**Goal 3.1**)
- Yes No N/A The proposal improves the jobs-housing balance by providing housing in employment-rich areas. (**Goal 3.1**)

Community Infrastructure

- Yes No N/A The proposal is infill development. (**Goals 4.1, 4.2**)
- Yes No N/A The proposal is within or adjacent to city limits. (**Goals 4.1, 4.2**)
- Yes No N/A The proposal is within a city area of impact. (**Goals 4.1, 4.2**)

Health

- Yes No N/A The proposal is within 1/4 mile of a transit stop. (**Goal 5.1**)
- Yes No N/A The proposal is within 1/4 mile of a public school. (**Goal 5.1**)
- Yes No N/A The proposal is within 1/4 mile of a grocery store. (**Goal 5.1**)
- Yes No N/A The proposal is within 1 mile of a park and ride location. (**Goal 5.1**)

Economic Development

- Yes No N/A The proposal improves the jobs-housing balance by providing employment in housing-rich areas. (**Goal 3.1**)
- Yes No N/A The proposal provides grocery stores or other retail options for neighborhoods within 1/2 mile. (**Goal 6.1**)

Open Space

- Yes No N/A The proposal is within a 1/4 mile of a public park. (**Goal 7.1**)
- Yes No N/A The proposal provides at least 1 acre of parks for every 35 housing units. (**Goal 7.1**)

Farmland

- Yes No N/A The proposal is outside "Prime Farmland" in the CIM 2040 Vision. (**Goals 4.1, 8.2**)
- Yes No N/A The proposal is outside prime farmland. (**Goal 8.2**)

Communities in Motion 2040 Checklist User Guide

Community Planning Association of Southwest Idaho (COMPASS) is a forum for regional collaboration that helps maintain a healthy and economically vibrant region, offering people choices in how and where they live, work, play, and travel. COMPASS serves as the metropolitan planning organization (MPO) for Ada and Canyon Counties, Idaho. More information about COMPASS can be found [here](#).

CIM 2040 describes the current transportation system, outlines what is needed to accommodate future growth, explores how to fund future transportation needs, discusses how to maintain a safe and secure transportation system, and examines the environmental issues that have the potential to impact, or be impacted by, transportation investments. More information about the CIM 2040 can be found [here](#).

Highlighted text indicates that there is a hyperlink to a document on the internet that further explains the background, topic, or methodology used to develop the information.

Yes and no answers to each of the 8 CIM 2040 elements have been developed to indicate how well a development aligns with the goals and vision of CIM. More information about the eight CIM 2040 goals, objectives, and tasks can be found [here](#).

QR Codes (or Quick Response Codes) can be scanned with a personal electronic device, such as a cell phone or tablet, to open a web page. The QR code on the CIM 2040 land development checklist will take the user to the COMPASS home page (www.compassidaho.org).

Communities in Motion 2040 Development Checklist

The Community Planning Association of Southwest Idaho (COMPASS) is a metropolitan planning organization serving Ada and Canyon Counties. COMPASS has developed this checklist as a tool for local governments to evaluate whether land development is consistent with the goal of Communities in Motion 2040 (CIM 2040) regional long-range transportation plan and Canyon Counties. CIM 2040 was developed through a collaborative approach with COMPASS member agencies and adopted by the COMPASS Board on July 21, 2014.

MAP

This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2040 goals, objectives, and performance measures. A checklist user guide is available [here](#) and more information about the CIM 2040 Vision can be found [here](#) and information on the CIM 2040 Vision can be found [here](#).

Name of Development: _____

Summary: _____

Land Use

- In which of the following categories does the development fall? (Goal 2.1.1)
- Downtown
 - Existing Neighborhood
 - Future Neighborhood
 - Small Town
 - Planned Use
 - Prime Farmland
 - Rural
 - Transit Oriented Development

Is the development within a CIM 2040 Major Activity Center? (Goal 2.1.2)

- Yes No N/A

Neighborhood (Transportation Analysis Zone) Demographics

Existing	Existing + Proposed	2040 Forecast
Households	Households	Households
Jobs	Jobs	Jobs

Yes No N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this neighborhood. (Goal 2.1.3)

Area (Adjacent Transportation Analysis Zone) Demographics

Existing	Existing + Proposed	2040 Forecast
Households	Households	Households
Jobs	Jobs	Jobs

Yes No N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this area. (Goal 2.1.4)



More information on COMPASS and Communities in Motion 2040 can be found at:
www.compassidaho.org
 Email: info@compassidaho.org
 Telephone: (208) 473-2239



Location map highlights the location of the proposed development and the nearby 2040 functionally classified roadways. Functional street classification groups roads into classes according to the character of service they are intended to provide. More information on functional classification can be found [here](#).

CIM 2040 Vision Areas highlight the general vision for how the region will grow. Each typology describes different uses and densities as well as approaches to promoting housing, economic development, open space, farmland, health, and community infrastructure. More information about the CIM 2040 Vision is found [here](#).

Major Activity Centers (MACs) are important trip generators and are logical destinations for public transit service. MACs tend to increase productivity and support economic development, reduce land consumption and sprawl, and provide options for those that are carless. More information about Major Activity Centers can be found [here](#).

Traffic Analysis Zones (or TAZs) are designated areas used for travel demand modeling. CIM 2040 was developed using TAZs at the core unit of geography. "Neighborhood demographics" to the exact TAZs where the development will occur, while "area demographics" refer to the neighborhood TAZs plus TAZs adjacent to the development area to provide an overview of the impact on the broader area. More information about the regional travel demand model can be found [here](#).

COMPASS staff welcome the opportunity to discuss *Communities in Motion*, the checklist, or specific development proposals with stakeholders. Please feel free to contact us at to schedule an appointment using the phone number/email address to the left. More information on the COMPASS member service can be found [here](#).

Communities in Motion 2040 Checklist User Guide

Area of Influence travel demand model runs summarize the impact of the proposed development on the transportation network. More information on the travel demand model can be found [here](#).

Complete Streets Level of Service (CSLOS) refers to the multimodal (automobile, bicycle, pedestrian, and transit) experience and grades a roadway (A-F) according to those modes. COMPASS conducts CSLOS analysis for developments on arterial roads when a traffic impact study is provided. A separate CSLOS worksheet will be provided as applicable. More information on the Complete Streets can be found [here](#).

A"location affordability portal" has been developed to determine housing and transportation costs. On average, in Ada and Canyon Counties, 26% of household income is spent on transportation. Developing in areas with existing employment and services will enable households to save on transportation costs." Developing in areas with employment and services will enable households to save. More information on the location affordability portal is available [here](#).

Infill development is using land within already developed areas and meets the following criteria:

- At least 1 job/per acre within 1 mile of the development
- Within city limits (or enclave)
- Within 1/4 mile of at least one of the following: public school, public park, transit stop, or retail center.

More information on infill can be found [here](#).

Prime Farmland areas were designated in the CIM 2040 Vision as areas to preserve to enable agricultural production. While not all farmland will be able to be preserved over the next three decades, areas with prime soils and without urban infrastructure are key candidates for preservation. More information about the CIM 2040

Communities in Motion 2040 Development Checklist

Transit Affected	Area of Influence	Travel Demand Model	Complete Streets	Location Affordability	Infill Development	Economic Development	Open Space	Farmland
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Communities in Motion 2040 Vision

The *Communities in Motion 2040 Vision* illustrates a preferred growth scenario for the Treasure Valley, specifically Ada and Canyon Counties. Defined by local stakeholders, including the public, the *Vision* will help guide development of the *Communities in Motion 2040* regional long-range transportation plan.

Vision Statement

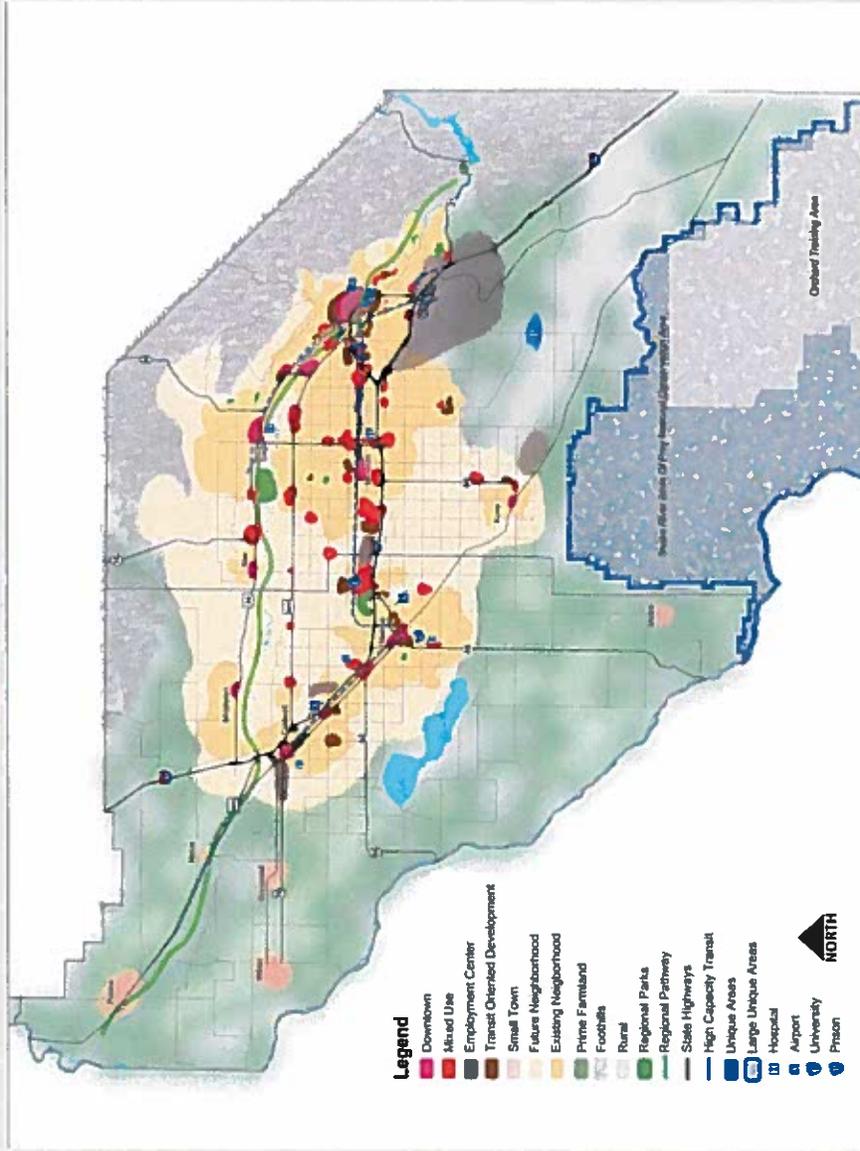
The *Communities in Motion 2040 Vision* provides new housing and job along transit corridors and in major activity centers with a strong focus on maintaining the region's recreation and open space assets. New growth would be comprised of a variety of housing types, served by infrastructure, nearby services, and bundles of green bonded or environmental constraints.

The scenario supports local comprehensive plan goals and objectives, and includes existing developments as of July 2015. This scenario would support high-capacity transit for State Street (Highway 44) and a route parallel to Interstate 84, as well as multimodal infrastructure and services throughout the region.

Key goals include walkability, preserving farmland, increasing congestion, increasing transportation options, improving job-housing balance, better access to parks, and maintaining environmental resources.

Vision Map

Land Use Density and Diversity



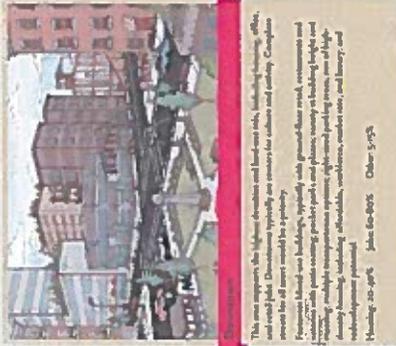
Please note: This Vision Map reflects the preferred growth scenario approved by the COCOMPASS Board. It is not a plan and does not regulate land use.



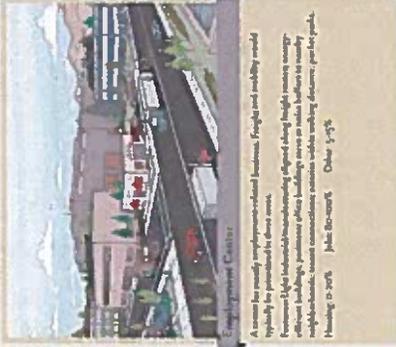
The *Communities in Motion 2040 Vision* is an assessment of land use patterns and growth in the region. COCOMPASS members consider factors that affect quality of life for area residents when making decisions about transportation and zoning patterns for growing inland transportation dollars over the next 25 years.

Vision Areas

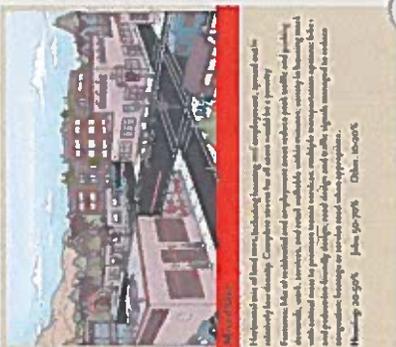
Below are possible interpretations of how the land use types included in *Communities in Motion 2040* could look.



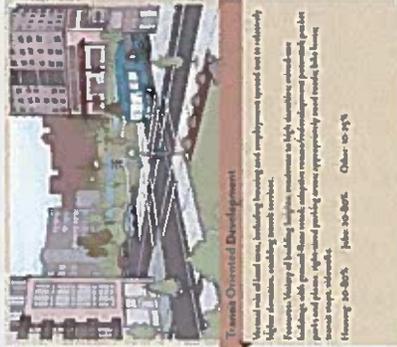
Future Employment
This area supports the highest densities and land uses, including housing, office, and retail jobs. Development typically are centers for urban and activity. Complete streets for all users would be a priority. Features include new buildings, typically with ground-floor retail, restaurants and services, and parking spaces, typically with ground-floor retail, restaurants and services. Parking spaces are typically with ground-floor retail, restaurants and services. Parking spaces are typically with ground-floor retail, restaurants and services. Parking spaces are typically with ground-floor retail, restaurants and services.



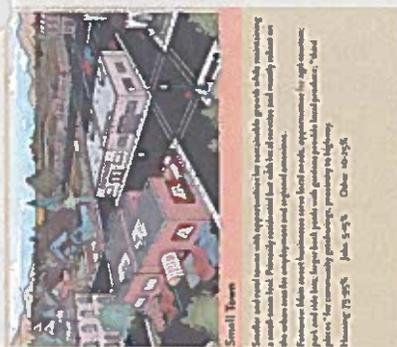
Future Residential
This area supports a mix of housing types, including single-family detached, townhomes, and multi-family units. Features include a mix of housing types, including single-family detached, townhomes, and multi-family units. Features include a mix of housing types, including single-family detached, townhomes, and multi-family units. Features include a mix of housing types, including single-family detached, townhomes, and multi-family units.



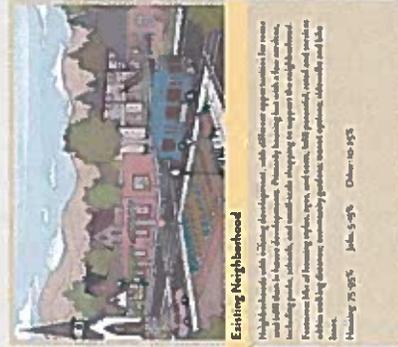
Future Unique Areas
This area supports a mix of housing types, including single-family detached, townhomes, and multi-family units. Features include a mix of housing types, including single-family detached, townhomes, and multi-family units. Features include a mix of housing types, including single-family detached, townhomes, and multi-family units.



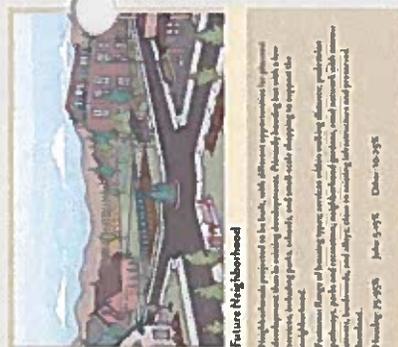
Transit Oriented Development
This area supports a mix of housing types, including single-family detached, townhomes, and multi-family units. Features include a mix of housing types, including single-family detached, townhomes, and multi-family units. Features include a mix of housing types, including single-family detached, townhomes, and multi-family units.



Small Town
This area supports a mix of housing types, including single-family detached, townhomes, and multi-family units. Features include a mix of housing types, including single-family detached, townhomes, and multi-family units. Features include a mix of housing types, including single-family detached, townhomes, and multi-family units.



Existing Neighborhood
This area supports a mix of housing types, including single-family detached, townhomes, and multi-family units. Features include a mix of housing types, including single-family detached, townhomes, and multi-family units. Features include a mix of housing types, including single-family detached, townhomes, and multi-family units.



Future Neighborhood
This area supports a mix of housing types, including single-family detached, townhomes, and multi-family units. Features include a mix of housing types, including single-family detached, townhomes, and multi-family units. Features include a mix of housing types, including single-family detached, townhomes, and multi-family units.

Area	Key Features	Housing	Jobs	Other
Future Employment	Modern office buildings, glass facades, parking lots	10-20%	40-50%	Other: 10-20%
Future Residential	Multi-story apartment buildings, mixed housing types	60-70%	10-15%	Other: 10-20%
Future Unique Areas	Mixed residential and commercial buildings, schools, churches	10-20%	10-15%	Other: 10-20%
Transit Oriented Development	Transit station, mixed housing and commercial buildings	30-40%	30-40%	Other: 10-20%
Small Town	Mixed residential and commercial buildings, schools, churches	10-20%	10-15%	Other: 10-20%
Existing Neighborhood	Mixed residential and commercial buildings, schools, churches	10-20%	10-15%	Other: 10-20%
Future Neighborhood	Mixed residential and commercial buildings, schools, churches	10-20%	10-15%	Other: 10-20%

Communities in Motion is the regional long-range transportation plan for Ada and Canyon Counties.

It offers a vision that addresses:

- How land use affects transportation
- How investments in transportation influence growth
- What the transportation system is supposed to achieve
- How transportation projects are selected
- How transportation projects serve regional needs

It is based on:

- **Connectivity:** Providing options for safe access and expanded mobility choices in a cost-effective manner in the region.
 - **Coordination:** Achieving better inter-jurisdictional coordination of transportation and land use planning.
 - **Environment:** Minimizing transportation impacts to people, cultural resources, and the environment.
 - **Information:** Coordinating data gathering and dispensing better information.
- The complete Communities in Motion 2010 plan is available online at www.compassidaho.org.

Vision Benefits

Economic Development: A 61% increase in composite population near downtowns and other activity centers. Growth in these areas is typically more sustainable than other locations due to the proximity of features.

Housing: Growth in areas with transportation and other infrastructure improve overall affordability by locating housing near transit routes, employment centers, and basic services.

Land Use: Better jobs-housing balance reduces traffic, improves air quality, and increases discretionary time.

Transportation: Strong transportation infrastructure and services promote economic development and quality of life.

Open Space: Access to parks and open space enables citizens to enjoy the cultural beauty of the region.

Health: More transportation options and development near services enables physical activity and improves air quality.

Farmstead: Almost 80% of farmland can be preserved by developing infill sites and other non-farm areas. This will increase agricultural economic value in the area and preserve food security.

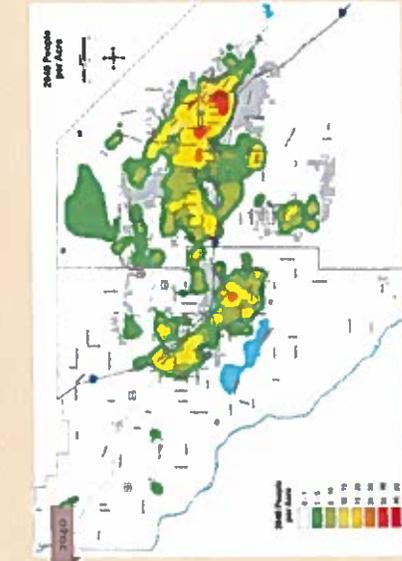
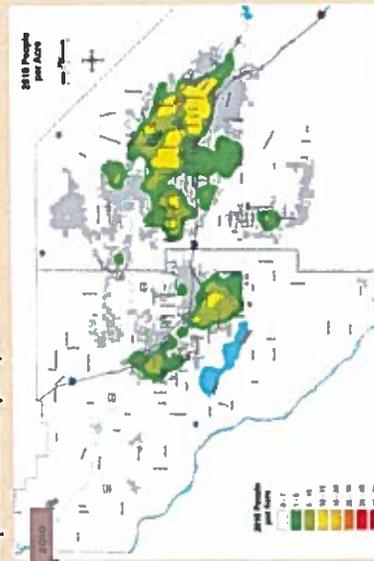
Community Infrastructure: Development in or nearby areas served by infrastructure reduces infrastructure costs and can save municipalities millions of maintenance and operation costs.

Vision Demographics

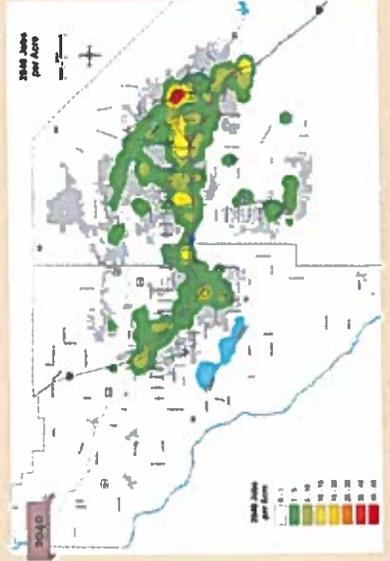
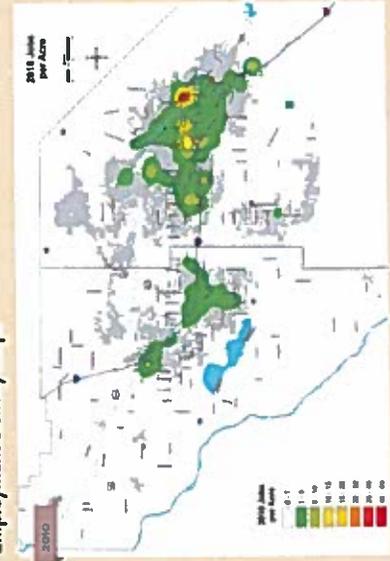
City/Area of Impact	2010 Population	2010 Households	2010 Jobs	2010 Population	2010 Households	2010 Jobs	2010 Population	2010 Households	2010 Jobs
Ada	33,241	10,564	14,048	37,292	10,818	15,048	473,462	136,376	194,373
Elgin	2,122	637	5,277	5,246	1,871	15,448	106,051	32,876	47,086
Grain City	10,200	6,918	7,049	10,891	8,101	13,294	47,568	32,447	51,810
Haun	15,379	4,481	1,866	25,891	10,770	8,950	344,995	124,148	193,770
Meridian	81,466	28,296	30,272	154,780	57,508	65,632	595,208	225,276	299,477
Star	8,472	2,277	364	35,844	12,075	3,241	79,354	28,606	10,079
Ada County (outside area of impact)	11,645	3,248	2,448	20,253	7,666	13,466	81,941	28,606	21,109
Ada County Total	335,365	108,446	140,249	374,377	113,814	150,479	1,449,868	438,241	605,582
Caldwell	50,872	16,240	13,441	60,921	20,028	23,929	271,004	105,353	125,343
Coon Valley	3,248	871	5,847	5,847	1,714	3,245	137,984	44,248	31,248
Idaho Falls	8,451	2,279	2,528	8,451	2,279	2,528	3,009	968	2,926
Malden	10,348	3,541	1,882	14,475	6,666	6,837	45,666	17,266	15,625
North	98,773	31,879	29,276	160,886	59,888	69,873	477,951	179,731	213,839
North	9,641	3,351	2,423	14,464	5,464	4,641	12,895	6,320	3,883
Perma	2,388	695	687	8,866	3,495	1,861	20,477	8,371	35,948
Wildor	1,997	662	383	8,460	2,271	779	14,473	5,220	6,620
Canyon County (outside area of impact)	22,624	7,616	4,729	24,823	11,824	5,691	24,416	7,724	50,277
Canyon County Total	188,923	65,864	30,882	247,683	107,275	100,978	1,070,608	425,955	480,371
Total Region	684,308	212,049	240,246	1,002,000	339,449	404,627	3,223,248	945,087	1,221,422

Note: Totals may not sum due to overlapping areas of impact.

Population Density Maps



Employment Density Maps



The 2010 maps show the housing conditions used to develop the Communities in Motion 2010 Vision. These maps are based on the 2000 transit count and 2005 labor department of labor employment data.

The above maps show the general densities when the Communities in Motion 2010 Vision is implemented.

Buildout is the quantification of land use (comprehensive) plans. It includes COMASS as a consideration range corridor projections used to not constrained by the 2010 population forecast adopted by the COMPASS Board. It is not an official forecast for air quality conformity.

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