

City of Nampa
Regular Council Meeting
August 15, 2016

REGULAR COUNCIL WILL START AT 6:30 P.M.
PUBLIC HEARINGS START AT 7:00 P.M.

Call to Order and Pledge to Flag

Invocation – Bishop Klint Keller – Church of Jesus Christ of Latter-day Saints

Roll Call

All matters listed within the Consent Agenda are considered to be routine by the Council and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember or citizen so requests in which case the item will be removed from the Consent Agenda and placed on the Regular Agenda.

Proposed Amendments to Agenda

Any Items Added Less Than 48 Hours Prior to the Meeting are Added by Council Motion at This Time

Consent Agenda

- 1) Minutes of the Regular Council Meeting of August 1, 2016; Airport Commission Meeting of July 11, 2016; Nampa Bicycle and Pedestrian Advisory Committee; Board of Appraisers Minutes; Planning & Zoning Commission Meeting; Library Board Meeting; IT Steering Committee Meeting;
- 2) Bills
- 3) The City Council Dispenses With the Three (3) Reading Rule of Idaho Code § 50-902 for all Ordinances
- 4) Final Plat Approvals
 - a) Timbercreek Subdivision on the West Side of S Powerline Road, North of E Iowa Avenue for Timbercreek Partners, LLC
- 5) Authorize Public Hearings
 - a) Renaming of North Midland Boulevard
 - b) Modification of Zoning Development Agreement Between Dan Turner & City of Nampa for Property Located at 921 E Colorado Avenue for Shannon Robnett Representing Scott Thompson, Crane Creek Investments, LLC
 - c) Annexation & Zoning to BC for 3 Acres to IL for 7.79 Acres and to RS-18 for 1.95 Acres at 1122, 1214, and 1216 Southside Boulevard, and 0 Wilson Lane for Mason & Stanfield, Inc Representing William T. Cushing (Nampa P&Z Commission Recommended Denial)
 - d) Amendment of Title 5 Business Licenses, Section 5-2-25 and Several Sections and Chapters of Title 10 Planning & Zoning
- 6) Authorize to Proceed With Bidding Process
 - a) Western Regional Lift Station Parallel Force Main Project
- 7) Monthly Cash Reports
- 8) Resolutions – Disposal of Property With Value Under \$1000.00
 - a) None
- 9) Licenses for 2016-2017 (*All Licenses Subject to Police Approval*): La Rosita Mexican Store, 711 E Lincoln Avenue, Off-Premise Beer & Wine
- 10) Approval of Agenda

Communications

Staff Communications

Staff Report – Michael Fuss

Unfinished Business

- 1) **Third Reading** of Ordinance Annexing and Zoning to RS 8.5, RS 12, and RS 18 for 178.41 acres at 8142 W Ustick Rd, 17535 Star Rd, 17547 Star Rd, and three parcels addressed as 0 Star Rd for Engineering Solutions, LLP representing Star Development, Inc.
- 2) **THIRD Reading** of Ordinance Annexing and Zoning to RML for a Fourplex Development at 1910 Sunny Ridge Road for Gavin King

- 3) **THIRD Reading** of Ordinance Annexing and Zoning to IH for a Headquarters and Warehousing for Fuel, Diesel, and Oil Distribution at 0, 9364, 9326, and 0 Cherry Lane for Zane Powell
- 4) Resolution Amending Comprehensive Plan From Medium Density to Community Mixed Use
- 5) First Reading of Ordinance Annexing and Zoning to BC At the Corner of Madison Road and Ustick Road for Mark L Hess Representing Jerry Hess
- 6) First Reading of Ordinance Rezoning from IP and BC to IL at 415 N Kings Road for West Valley Construction Representing H M Clause Inc.

New Business

- 1) Resolution Amending 2015 – 2016 Fiscal Year Budget
- 2) Request Council Approval to Purchase Eight 2017 Tahoes for the Nampa Police Department
- 3) Request Council Approval for RFP for a Leasing Agreement for 15 Unmarked Police Vehicles
- 4) Motion to Adjourn into Executive Session Pursuant to Idaho Code 74-206(1) (f) To Communicate with Legal Counsel for the Public Agency to Discuss the Legal Ramifications of and Legal Options for Pending Litigation, or Controversies not yet Being Litigated but Imminently Likely to be Litigated. The Mere Presence of Legal Counsel at an Executive Session Does not Satisfy this Requirement

Public Hearings

- 1) Comprehensive Plan Future Land Use Map Amendment From General Commercial to High Density Residential and Rezone From RML and RS 6 to RMH at 347 W. Orchard Avenue for Dean and Daren Anderson
- 2) Variance Requiring the Height of a Building to be Limited to 30 Feet, Unless the Buildings are Set Back 50 Feet from the Property Line, if the Property Abuts an RS Zoning District for Property Located at 347 W Orchard Avenue for Dean and Daren Anderson
- 3) Comprehensive Plan Future Land Use Map Amendment from Public and Parks to Community Mixed Use; Rezone from AG to GB1; and Planned Unit Development Permit for Residential Uses at 1660 11th Avenue North for Doug Russell representing The Land Group Inc. for the Idaho Department of Health & Welfare

Adjourn

Next Meeting

♦ **Regular Council at 6:30 p.m. – Tuesday, September 6, 2016 City Council Chambers**

Individuals, who require language interpretation or special assistance to accommodate physical, vision, hearing impairments, please contact the Planning Department at Nampa City Hall, (208) 468-5484.

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to participate actively in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the City Clerk.

REGULAR COUNCIL

August 1, 2016

Mayor Henry called the meeting to order at 6:30 p.m.

Clerk made note that Councilmembers Skaug, Haverfield, Levi, White, Bruner, and Raymond were present.

MOVED by Haverfield and **SECONDED** by Raymond to **approve the Consent Agenda with the above mentioned amendments; Regular Council Minutes of July 18; and Bicycle and Pedestrian Advisory Committee Minutes; Board of Appraisers Minutes; and Airport Commission Minutes; Planning & Zoning Commission Minutes; Library Commission Minutes; IT Steering Committee Minutes; department reports, bills paid; The City Council dispenses with the three (3) reading rule of Idaho Code § 50-902 for all ordinances; final and preliminary plat approvals: 1) Short Plat for WinCo Place Subdivision in a BC zoning district at 1175 North Happy Valley Road for WinCo Foods LLC; and authorize the following public hearings: 1) Zoning Map Amendment from RS-8.5 (Single Family Residential - 8,500 sq ft) to RA (Suburban Residential) at 17155, 17175, 17225, 0 Star Road and O Cherry Lane for John Low; 2) Amendments to Title 10, Chapters 3, 4 and 22 relating to establishment of the GBE (Gateway Business Entertainment) zone, allowable land uses, and parking provisions (ZTA 003-16). a) Amending Title 10, Chapter 3, Section 10-3-1 and 10-3-2 relating to land uses in the GBE (Gateway Business Entertainment) zone. b) Amending Title 10 chapter 4, Sections 10-4-1, 10-4-2, 10-4-5, 10-4-6, 10-4-8, 10-4-9, and I 0-4-10 relating to establishment of the GBE zone. c) Amending Title 10, Chapter 22, Sections 10-22-1, 10-22-4, and 10-22-6 pertaining to parking in the GBE zone; 3) Zoning Map Amendment from GB-1 (Gateway Business)) to GBE (Gateway Business Entertainment) at 16200 Idaho Center Blvd for the City of Nampa; Approve the following agreements: 1) None; Authorization to Proceed with the Bidding Process: 1) None; Monthly Cash Report; Resolutions – *Disposal of Property with Value Under \$1,000.00*: 1) None; and 2015-2016 Licenses: (all licenses subject to police approval); approval of the agenda. Authorize the Mayor to sign a lease agreement with the Union Pacific Railroad Company; The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the**

MOTION CARRIED

Andi McCreath stated that Brush-Up Nampa is an annual community event organizing volunteer teams to paint homes of Nampa senior and disabled residents in need. Paint and supplies are provided through the program by generous community sponsors, so this is a free event for both teams and homeowners.

- Teams of at least 10 volunteers are needed for each home
- We match teams with homes based on ability
- This year many teams did other beautification work in addition to painting
- Many hours are dedicated by staff to make this program a fun, and easy to volunteer for. It is an event that brings back teams each year.



| Investment | | What we did with it: |
|-------------------|-------------------|---|
| \$3,842 | City Allocation | Painted 13 Homes |
| \$4,250 | Cash Donations | Mobilized approximately 258 Volunteers, |
| \$8,092 | Total Spent | 18 teams |
| \$5,000 | In-kind donations | 1290 volunteer hours |
| \$13,092 | Cost of Program | valued at \$27,554 |

Public Works Director Michael Fuss presented a staff report to update the council on current projects as follows:

Stamm Farms Infiltration Property – Option to Purchase Agreement Update - As part of the Wastewater Program Upgrades project, City Staff and the Wastewater Program Management Team (WPMT) continue to identify the best approach for long-term wastewater discharge to meet increasingly stringent National Pollutant Discharge Elimination System (NPDES) permit limits. Approaches that have been evaluated include Infiltration, Treat and Offset, Treat to EPA Levels.

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On August 3, 2015, City Council approved the Option to Purchase Agreement for the Stamm Farm Infiltration property. The WPMT began working with landowners of Stamm Farms, LLC to evaluate the suitability of the property for potential long-term discharge to this potential site.

At the March 30th, 2016 Special City Council Meeting, the WPMT presented business case evaluation results of potential discharge options. Based on the new information, City Council directed Staff to continue with evaluating the “Treat” options and allow the Option to Purchase Agreement to expire. The Option Agreement is set to expire on August 27, 2016. In the current option the City could extend the option for an additional 18 months with an additional option payment of \$150,000. Staff will not be pursuing the Option extension.

The City Attorney has reviewed the Option Agreement conditions and WPMT findings for the property. No items were identified that would justify requesting a refund of option payment. It was recommended that the City offer a Release of Memorandum of Agreement (MOA) to the landowners of Stamm Farms, a MOA between the City and Stamm Farms had been previously filed in Canyon County.

The third reading of the following Ordinance was postponed at the request of staff due to lack of supporting documentation.

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS 8142 W. USTICK ROAD, 17535 STAR ROAD, 17547 STAR ROAD, AND THREE PARCELS ADDRESSED MUTUALLY AS 0 STAR ROAD, NAMPA, IDAHO, COMPRISING A TOTAL OF APPROXIMATELY 190.37 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF NAMPA, COUNTY OF CANYON, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, IDAHO, WITH APPROXIMATELY 5.35 ACRES BEING PART OF THE RS 18 (SINGLE FAMILY RESIDENTIAL – WITH A “REQUIRED PROPERTY AREA” OF AT LEAST 18,000 SQUARE FEET) ZONE, 6.61 ACRES BEING PART OF THE RS-12 (SINGLE FAMILY RESIDENTIAL – WITH A “REQUIRED PROPERTY AREA” OF AT LEAST 12,000 SQUARE FEET) ZONE, AND APPROXIMATELY 178.41 ACRES BEING PART OF THE RS 8.5 (SINGLE FAMILY RESIDENTIAL – WITH A “REQUIRED PROPERTY AREA” OF AT LEAST 8,500 SQUARE FEET) ZONE; DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, IDAHO; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; AND DIRECTING THE CLERK OF THE CITY OF NAMPA TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT

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TO IDAHO CODE, SECTION 63-215. (Applicant Engineering Solutions representing Star Development Inc.)

The third reading of the following Ordinance was postponed at the request of staff.

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS **1910 SUNNY RIDGE ROAD**, NAMPA, IDAHO, COMPRISING APPROXIMATELY 1.58 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF NAMPA, COUNTY OF CANYON, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, IDAHO, AS PART OF THE **RML** (LIMITED MULTI-FAMILY RESIDENTIAL) **ZONE**; DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, IDAHO; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE; AND, DIRECTING THE CLERK OF THE CITY OF NAMPA TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT TO IDAHO CODE, SECTION 63-215. (Applicant Gavin King)

The third reading of the following Ordinance was postponed at the request of staff.

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS **0, 9364, 9326, AND 0 CHERRY LANE**, NAMPA, IDAHO, COMPRISING APPROXIMATELY 39.25 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF NAMPA, COUNTY OF CANYON, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, IDAHO, AS PART OF THE **IH** (HEAVY INDUSTRIAL) **ZONE**; DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, IDAHO; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE; AND, DIRECTING THE CLERK OF THE CITY OF NAMPA TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT TO IDAHO CODE, SECTION 63-215. (Applicant Zane Powell)

The following Ordinance was read by title:

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AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, VACATING A FIVE (5') FOOT PORTION OF A TEN (10') FOOT PUBLIC UTILITY, DRAINAGE AND IRRIGATION EASEMENT LOCATED ON THE PROPERTY COMMONLY KNOWN AS 1227 ELDORAN DRIVE, NAMPA, IDAHO, AND DIRECTING THE CITY ENGINEER TO ALTER THE USE AND AREA MAP ACCORDINGLY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF IN CONFLICT HEREWITH. (Applicant Jennifer Trujillo)

The Mayor declared this the first reading.

Mayor Henry presented a request to pass the preceding Ordinance under suspension of rules.

MOVED by Skaug and **SECONDED** by Haverfield to pass the preceding ordinance under suspension of rules. The Mayor asked for a roll call vote with all councilmembers present voting **YES** The Mayor declared the ordinance duly passed, numbered it **4270** and directed the clerk to record it as required.

The following Ordinance was read by title:

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL AMENDING TITLE 6, CHAPTER 2, SECTIONS 06-2-22 OF THE NAMPA CITY CODE, RELATING TO ANIMALS BECOMING A NUISANCE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH.

The Mayor declared this the first reading.

Mayor Henry presented a request to pass the preceding Ordinance under suspension of rules.

MOVED by Skaug and **SECONDED** by Raymond to pass the preceding ordinance under suspension of rules and the Summary of publication. The Mayor asked for a roll call vote with all councilmembers present voting **YES** The Mayor declared the ordinance duly passed, numbered it **4271** and directed the clerk to record it as required.

Mayor Henry presented a request to **award the bid and authorize the Mayor to sign a contract for 2016 CDBG Downtown Sidewalk and tree replacement project construction.**

Michael Fuss presented a staff report explaining that there are 10 tree wells that are located at corners, alleyways, driveways, and midblock with tree related trip hazards (see exhibit "A").

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These contain brick work under the revised Streetscape plan. Community Development Block Grant (CDBG) monies can be used for this cost.

Council directed Engineering to move forward with bidding of the top seven ranked locations per budgeted money at the June 6th council meeting. CDBG budget is \$229,000.

The City received three bids from:

| | |
|-------------------|-------------|
| J2 Construction | \$58,271.00 |
| Hess Construction | \$75,610.00 |
| Paul Construction | \$97,909.58 |

The estimated project costs are:

| | |
|-----------------------------------|--------------------|
| Design Engineering costs to date | \$33,000.00 |
| Construction Engineering Estimate | \$4,200.00 |
| Construction | <u>\$58,271.00</u> |
| Total | \$95,471.00 |

A 46 calendar day contract time is anticipated.

With the remaining grant money Engineering has asked T-O Engineers to provide an estimate for costs to design and construct the final rebuild locations that were ranked by the Downtown Business Association (see exhibit "B"). T-O will start design upon the award of this bid with construction anticipated for spring of 2017.

As the total expected expenditures were unknown at the deadline for roll-over requests, Staff anticipates moving forward with extending the project up to the total available CDBG funding. A budget amendment up to the remaining CDBG funds may be necessary to complete the project in FY17.

Engineering Division has reviewed the bids and recommends award to J2 Construction.

MOVED by Raymond and **SECONDED** by Haverfield to **Award bid and authorize Mayor to sign contract for 2016 CDBG Downtown Sidewalk and Tree Replacement Project with J2 Construction** in the amount of **\$58,271.00** The Mayor asked for a roll call vote with all Councilmember presented voting **YES**. The Mayor declared the
MOTION CARRIED

Mayor Henry presented a request to **award the bid and authorize the Mayor to sign a contract for 2016 Manhole & Lid Adjust to grade project construction.**

Michael Fuss presented a staff report explaining that in past years the existing roadways have been chip sealed and overlaid leaving the manhole and valve lids low in the roadway.

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Adjusting the manhole and valve lids to grade will provide a better ride quality for the city's roads.

The Manhole & Valve Lid Adjust to Grade Project will be performed in the current year's Chip Sealing Zone (proposed project limits shown in exhibit "A").

The Council has authorized FY16 budget for this project.

"Requests for Quotation" were sent to four concrete contractors and two contractors responded with a quote for the project.

The apparent low bidder is Professional Construction Services, Inc. with a quote amount of \$39,212.00 (see exhibit "B").

The project is funded by each Public Works Division with operations dollars.

Notice to Proceed is estimated for Mid-August.

Substantial Completion of this project will be September 23, 2016.

MOVED by Haverfield and **SECONDED** by Bruner to **award bid and authorize Mayor to sign contract** for the **2016 Manhole & Lid Adjust to Grade Project** in the amount of **\$39,212.00 to Professional Construction Services, Inc.** The Mayor asked for a roll call vote with all Councilmember presented voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request for **award the bid and authorize the Mayor to sign a contract for FY16 Pavement Mark & Sign** installation project construction.

Michael Fuss presented a staff report explaining that the FY 16 Pavement Management program includes installing shared lane markings at the following locations (see exhibit "A"):

- 1st Street North between 11th Avenue North and East Railroad Street
- 11th Avenue North between Centennial Drive and Birch Lane
- 16th Avenue North between 2nd Street North and Garrity Boulevard
- 4th Avenue North and 3rd Avenue North between 6th Street North and North Franklin Boulevard
- Birch Lane between North Franklin Boulevard and 11th Avenue North
- East Karcher Road between Madison Road and North Franklin Boulevard

It also include installing bicycle lanes at the following locations (also on exhibit "A"):

- 11th Avenue North between East Comstock Avenue and Centennial Drive

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- o Birch Lane between 11th Avenue North and Idaho Center Boulevard

On June 6, 2016 City Council authorized no parking zones adjacent to the proposed bike lanes.

In an effort to maintain or improve the streets operational efficiencies, it was decided to bid the significant amount of thermal plastic work

On June 20, 2016 City Council authorized the bidding process for the project. The City received two (2) bids (see exhibit "B") from:

- o Curtis Clean Sweep, Inc.
- o Pavement Markings Northwest, Inc.

Curtis Clean Sweep, Inc. is the apparent low bidder at \$59,016.00. All necessary public bidding requirements appear to be satisfied.

Total project cost estimate:

| | |
|---|--------------------|
| o Engineering and Construction Services | \$4,351.60 |
| o Construction Costs | <u>\$59,016.00</u> |
| o Total | \$63,367.60 |

FY-16 Pavement Management Budget will be used to pay for the project.

Construction will begin in August.

Contractor will be required to provide necessary bonds, insurance certificates, and other documents as required before the Agreement can be executed and the Notice to Proceed can be issued.

Engineering Division staff has reviewed the bids and recommend award to Curtis Clean Sweep, Inc.

MOVED by Haverfield and **SECONDED** by Raymond to **award bid** and **authorize the Mayor to sign a contract** for the **FY16 Pavement Marking & Sign Installation Project** with **Curtis Clean Sweep Inc.**, in the amount of **\$59,016.00**. The Mayor asked for a roll call vote with all Councilmember presented voting **YES**. The Mayor declared the
MOTION CARRIED

Mayor Henry presented a request to reject all bids for **storm water repairs – Taffy Drive at Carmel Court and Peppermint Project Construction** and authorize re-bids.

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Michael Fuss presented a staff report explaining that a major storm in 2013 caused flooding and wash outs at 29 locations within the City. Currently all emergency and/or imminent life safety repairs have been made. The remaining repairs to two of the locations within the Asset Management Zone are proposed by the following:

- o The collection swale on Taffy Drive (Exhibit A)
- o Peppermint Drive storm water detention pond with discharge to Indian Creek (Exhibit A)

Over time both facilities have been filled in or eroded causing damage and ruining its effectiveness. In keeping with the general practice of City performing heavy maintenance and homeowners or associations performing the light maintenance, the repair of these projects were scheduled in FY16 Asset Management Cycle.

Mason and Stanfield Engineers (M&S) were contracted to design stormwater repair solutions and bid documents for both Taffy Drive and Peppermint Drive.

The City solicited formal bids for the project in accordance with I.C. § 67-2805(3) and four (4) contractors responded with the following bids:

| | |
|--|--------------|
| 1) Paul Construction, Inc. | \$166,755.80 |
| 2) Hawkeye Builder, Inc. | \$150,546.00 |
| 3) Gabbert & Edwards, LLC | \$121,269.40 |
| 4) Pavement Specialties of Idaho (PSI) | \$0.00 |

Of the four (4) bids received, only Paul Construction and Hawkeye were responsive. Gabbert & Edwards did not acknowledge an addendum as required by the contract documents. PSI only bid on a companion project that is funded by the Parks Department despite clarification in an addendum that bids of this manner would not be considered.

For the two responsive bidders there is conflicting information about a mandatory pre-bid meeting in the project specifications. Only Paul Construction attended the pre-bid meeting. Furthermore the bid from Paul exceeds the project budget for the companion project funded by the Parks Department.

The City Attorney has reviewed the apparent bids and recommends re-bidding the project due to the risk of a bid protest from one or more bidders.

Before re-bidding the project, conflicting language about the mandatory pre-bid meeting and the companion project from the Parks Department will be removed.

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MOVED by Haverfield and **SECONDED** by Raymond to **authorize the Mayor and Public Works Director to reject all bids and re-bid the Storm Water Repairs – Taffy Drive at Carmel Court and 67 Peppermint project.** The Mayor asked all in favor say aye with all Councilmember presented voting **AYE**. The Mayor declared the
MOTION CARRIED

Mayor Henry presented a request to **award the bid and authorize the Mayor to sign a contract for Well 5 Upgrades Project Construction.**

Michael Fuss presented a staff report explaining that Well 5 was drilled in 1950 and is in need of upgrades. It is approximately 500 feet deep and is a high quality artisan water source.

The Well 5 Upgrades project will include a new motor and pump along with new building, mechanical and electrical improvements and is located in Starr Park on 3rd Street North.

The Well 5 Upgrades project has an approved FY16 Water Division budget of \$600,000.

The City Council authorized the bidding process for the project on July 5th 2016.

The City received 2 bids for the proposed project. The apparent low bidder (Star Construction) submitted a bid with a math error that resulted in their withdrawal from the bid. Irminger Construction was the second lowest bidder with a bid of \$429,793.96 (see exhibit “A”).

Engineering Division staff and the consulting design engineer, Civil Survey Consultants, Inc. recommend award to the second lowest bidder and release of the bid bond to Star Construction.

MOVED by Haverfield and **SECONDED** by Skaug to **Award bid and authorize Mayor to sign contract for the Well 5 Upgrades project in the amount of \$429,793.96 to Irminger Construction.** The Mayor asked for a roll call vote with all Councilmember presented voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry presented a request to **authorize the Mayor and Council to approve the dissolution of current fueling contract and award to the second responsible bidder.**

Michael Fuss presented a staff report explaining that Fleet Services Division is requesting on behalf of the selection committee for Citywide Fueling Project (RFP 15-1552) to dissolve the contract approved by Council and signed by the Mayor on April 22nd, 2016 with Gem-Stop (A.H. Schade Inc.) due to failure to comply with technical requirements as outlined within pg. 12, section 1, subsection 1.4 “*Accounting/Reporting information...*”, of the RFP.

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- o Gem-Stop has failed to provide a useable fuel data report that properly interacts with *FASTER*, the City's Fleet management software. The raw data files that Gem-Stop receives from the CFN network documenting fuel transactions are not provided in .CSV, .TXT, or .DAT formatting which is required by *FASTER* for importing purposes.
- o Staff has worked with Gem-Stop since the contract execution in an attempt to work out the *FASTER* software problem with no result. Gem-Stop has informed Staff that it is unable to provide the software interface.

The Fleet Services *FASTER* software is the primary tool used for fleet maintenance documenting work orders, defining preventative maintenance and scheduled maintenance. The fuel use data and mileage information provided by the fuel supplier is critical to the function of the *FASTER* and the Fleet Management Program.

The City received two (2) bid responses to RFP 15-1552. Both responses were for the same price but Gem Stop was chosen due to the increased location and anticipated convenience.

Maverik Inc. has notified Staff that the raw data files utilized by Maverik Inc. are provided by the WEX network in .CSV formatting, which is compatible with the City's *FASTER* software.

Contract dissolution is authorized as outlined in the professional services contract section 19: *"Termination for Cause: If, through any cause, Supplier shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or if Supplier shall violate any of the covenants, agreements, or stipulations of this Agreement, the City shall thereupon have the right to terminate this Agreement"*.

Therefore, Staff recommends dissolution of the contract with Gem-Stop (A.H. Schade Inc.) for cause and authorization to contract with Maverik Inc. This recommended action meets the statutory bidding requirements, provides the City with the same low bid price for fuel and the necessary fuel data to operate and maintain the public fleet.

MOVED by Bruner and **SECONDED** by Skaug to **approve the dissolution of the current fueling contract with Gem-Stop (A.H. Schade Inc.) and award to the second responsible bidder, Maverik Inc.** The Mayor asked for a roll call vote with all Councilmember presented voting **YES**. The Mayor declared the

MOTION CARRIED

The following Resolution was presented:

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A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NAMPA, A MUNICIPAL CORPORATION OF IDAHO, AUTHORIZING THE DESTRUCTION OF CERTAIN CITY RECORDS.

MOVED by Haverfield and **SECONDED** by White to pass the **resolution** as presented. The Mayor asked for a roll call vote with Councilmembers present voting **YES**. The Mayor declared the resolution passed, numbered it **31-2016**, and directed the clerk to record it as required

MOTION CARRIED

Mayor Henry presented a request to **authorize the Mayor to sign a contract** with **MDS** for **medical services**.

Fire Chief Karl Malott presented a staff report explaining that this is a contract between Canyon County Ambulance District, City Of Caldwell, City Of Nampa, Middleton Rural Fire District, Melba Rural Fire Protection District, Wilder Rural Fire Protection District and Homedale Rural Fire Protection District (Collectively Referred To Hereinafter As Agencies”) And Medical Direction Services, PLLC (Hereinafter “MDS”).

Agencies must fulfill certain requirements relating to continuing education and quality control, as established by the Idaho EMS Physician Commission and the Idaho Bureau of Emergency Medical Services. Agencies desire to obtain certain services from MDS in order to assist.

Agencies in fulfilling such requirements.

Agencies are the licensed members and parties to that certain Joint Powers Agreement for Coordinated and Cooperative Provision of Emergency Medical Services Operating as the “Treasure Valley Emergency Medical Services System” in Canyon County Idaho [Here in after referred to as Treasure Valley Emergency Medical Services System], which Agreement in Article VII thereof provides for a System Medical Director and the Agencies desire to obtain services from MDS to perform the duties of the System Medical Directorate.

MOVED by White and **SECONDED** by Raymond to **authorize the Mayor to sign a contract** with **MDS** for **medical services**. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry opened a **public hearing** for **Program Year 2016 Action Plan** for Submittal to HUD.

Jennifer Yost presented a staff report explaining that the City of Nampa receives Community Development Block Grant Fund every year from the federal government to be used for community

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development in our city, most specifically to develop and sustain resources that benefit low and moderate income persons and to aid in the prevention or elimination of slums or blight.

Background:

Thirteen (13) applications were presented to the Council on June 2nd at which time each applicant was able to present their projects. The proposed projects are divided into three categories: Administration/Planning, Public Services and Housing/ Community Development.

Limits to allocation:

- Federal regulations mandate a **maximum** of 20% of our entitlement funds to Administration & Planning.
- Federal regulations mandate a **maximum** of 15% of our entitlement funds to Public Service.
- The Council adopted City of Nampa Application Guidelines for program year 2016 which states:
 - No more than 4 Public Service subrecipients (non-city sponsored projects) would be funded; and
 - If a funded public service applicant generates program income the city would limit the allocation to public service to 14% (\$104,779) of the CDBG funds.

Action Plan Funding:

If you wish to review the entire plan, a copy of the draft Program Year 2016 CDBG Action Plan is available on the City website at: <http://www.cityofnampa.us/index.aspx?nid=159>

Every year a determination on the allocation of funds and the activities that will be accomplished during the upcoming year is made. On June 20th, City Council made the entitlement allocation determinations and the anticipated Program Income, which is subject to CDBG regulations, to include:

| Organization | Project Income | Amount | Program | Type |
|---------------------|--------------------------------|---------------|----------------|----------------|
| The Salvation Army | Community Family Shelter | \$40,000 | | Public Service |
| St. Alphonsus | Meals on Wheels | \$25,000 | \$1,200 | Public Service |
| CATCH, Inc. | CATCH of Canyon County | \$20,000 | | Public Service |
| Jesse Tree | Emergency Rental & Mercy Asst. | \$19,779 | | Public Service |
| NWREC | Colorado Gardens | \$30,000 | | Housing |
| CDI | Creekbridge Apts | \$20,000 | | Housing |
| City of Nampa | Housing Improvement Loan | \$145,000 | \$6,000 | Housing |
| City of Nampa | Brush Up Nampa Admin | \$15,000 | | Housing |

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| | | | | |
|----------------------|----------------------------------|------------------|----------------|-----------------------|
| City of Nampa | ADA Park Improvements | \$35,200 | | Comm. Dev. |
| City of Nampa | Old Nampa Ped Ramp Improvements | \$180,000 | | Comm. Dev. |
| City of Nampa | Downtown Historic Facades | \$69,083 | | Comm. Dev. |
| <u>City of Nampa</u> | <u>CDBG Admin & Planning</u> | <u>\$149,365</u> | <u>\$1,900</u> | <u>Administration</u> |
| TOTAL | | \$748,427 | \$9,100 | |

Public Comment Period:

The Citizen Participation Plan for CDBG requires that a 30 day comment period be initiated for the Action Plan. On June 27 the Comment Period was opened and a notice was issued in the paper. Additionally CDBG staff held an open house on July 20th to solicit additional comment. As of the date of this memo no comments have been received by Economic/Community Development staff. If comments are received prior to Council Meeting, they will be handed out at that time for review by Council.

At the Public Hearing on August 1, you will be asked to approve the plan for submittal to HUD. The adoption of the plan implements the decisions previously made by City Council.

No one appeared in favor of or in opposition to the request.

MOVED by White and **SECONDED** by Haverfield to close the public hearing. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

MOVED by Skaug and **SECONDED** by Haverfield to Adopt and approve the plan and authorize the Mayor to sign for submittal of the City of Nampa CDBG Program Year 2016 Action Plan to HUD. The Mayor asked for a roll call vote with Councilmembers Levi, White, Bruner, Haverfield, Skaug voting YES. Councilmember Raymond voting NO. The Mayor declared the

MOTION CARRIED

Mayor Henry opened a public hearing for Comprehensive Plan Map Amendment from Medium Density Residential to Community Mixed Use and Annexation and Zoning to BC at the Corner of Madison Road and Ustick Road for Mark L Hess Representing Jerry Hess.

No one appeared to present the request.

Robert Hobbs presented a staff report explaining that the request was for a Comprehensive Plan Future Land Use Map Amendment from "Medium Density Residential" to "Community Mixed Use" and for Annexation from "County" into the City of Nampa and Zoning Assignment of land

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to “BC” (Community Business) pertaining to a certain pair of land parcels located at the NE corner of Madison and Ustick Road for Mark Hess representing Jerry Hess.

History:

The Planning and Zoning Commission, during their regularly scheduled public hearing of June 28, 2016, voted to recommend to the Nampa City Council that they approve the comprehensive plan map amendment and annexation and zoning assignment requests (see attached hearing minutes).

Comprehensive Plan Map Amendment

In the 2010 Idaho Legislative session, House Bill no. 608 was signed into law. This law provides that changes to a comprehensive plan land use map may be recommended by a Planning & Zoning Commission at any time, unless the local governing Board has established by Resolution a minimum interval between requested amendments not to exceed six months.

More important to this matter, **the two criteria that used to found in state law to guide the Commission and Council in determining whether to allow the modification or not are [now] absent from the same and from City ordinance(s).** Thus, approving or not a requested comprehensive plan change/amendment becomes a purely subjective matter and decision on the part of a City like Nampa. In our case, Staff has been suggested that both the Commission and Council still give some consideration as to whether the area around a property under review for a Comprehensive Plan amendment is in flux and/or whether an error of some kind was made in the original Plan or on its associated Future Land Use Map that the current proposal would be fixing – or that an update to the same is warranted.

As to the matter made the subject of this report, the Property is currently positioned in a “Medium Density Residential” setting in Canyon County’s jurisdiction and is comprised of a pair of “enclaved” parcels. The Applicant(s) seek conversion of the residential setting to “Community Mixed Use”. The City’s currently adopted Comprehensive/Master Plan notes that,

“Community Mixed-Use districts are recommended locations for development of activity centers that are specifically planned to include commercial uses, [sic] would focus on more community wide needs and services. These areas should be sited along major transportation corridors.”

Community Mixed Use Principles include the following:

“Provide an interconnection circulation system that is convenient for automobiles, pedestrians and transit”, and, “Located on major transportation corridors”, and, “May include higher density residential”, and, “Landscape areas”.

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(Nampa 2035, Chapter 5 Land Use, 5.7 Commercial Mixed Use, Community Mixed Use, Feb. 2012)

Changing the Comprehensive Plan Future Land Use Map's setting of "Medium Density Residential" to "Community Mixed Use" as requested would provide underlying support for development of the Property, once annexed, for commercial purposes. Such resultant harmonization between an actual, proposed land use and/or zone with the Comprehensive Plan Future Land Use Map would be considered, per industry practice and court decree, then properly arranged (i.e., needful/desirable/sustainable).

Commercial zoning is most logically found at major intersections in the majority of cases when such is proposed to be established outside of a "commercial node" – as proposed by the application made the subject of this report. A narrative to explain the goals of the Applicant(s) and their vision of the build-out pattern of the Property was not provided to Staff for inclusion in/with this report.

As the Property lies adjacent to and at the intersection corner of a pair of collector/arterial rights-of-way, lies just west of another area established by the Comprehensive Plan Future Land Use Map as "Community Mixed Use" and is developable land in an area perceived to be transitioning in land use character, Staff finds the contemplated application reasonable to consider.

Annexation/(re)zoning Conclusions of Law

10-2-3 (C) Annexations and/or Rezones/Zoning assignments must be reasonably necessary, in the interest of the public, further promote the purposes of zoning, and be in agreement with the adopted Comprehensive Plan for the neighborhood.

Annexation/(re)zoning Finding of Facts

(PERTAINING TO THE APPROXIMATELY 1.52 ACRES OF LAND REQUESTED TO BE ANNEXED):

Zoning: Regarding Applicant's Proposed/Desired Annexation and Zoning Assignment Request (to BC) Staff finds:

1. Current Jurisdiction/Status:

The Property is currently within Canyon County; Property appears unencumbered presently with structures per imagery, is relatively flat and owned by the Applicant(s); and,

2. Surrounding Zoning:

That County land currently adjoins the Property to the north and lies adjacent to the same on the west (across Madison); City residential zoning lies east and south of the Property (with a sliver of County land between Ustick Road and the RS 6 zoning that lies south of the Property -- see attached Vicinity Maps); and,

3. Immediately Surrounding Land Uses:

Generally: On all sides open land or rural residential build-out, with a [City] single-family residential subdivision to the southeast of the Property; and,

4. Connectivity of Property to City:

That the Property abuts land within the incorporate limits of the City of Nampa on its southern and eastern sides and is, therefore, eligible for consideration for annexation; and,

5. Proposed Zoning:

That the BC district is Nampa's "Community Business" Zone, which is Nampa's most commonly used commercial district and is often found in strip development patterns and at roadway intersections throughout the City; there are no minimal bulk regulations associated with said zone; also, a wide range/variety of land uses are permitted or able to be entertained via the Conditional Use Permit review process therein; and,

6. Reasonable:

That it may be variously argued that consideration for annexing and zoning the Property is reasonable given that: a) the City has received an application to annex the Property and amend its official zoning map by the Property owner; and, b) annexation and zoning is a legally recognized legislative and quasi-judicial act long sanctioned under American administrative law; and, c) within the City of Nampa, annexing and zoning assignment is a long standing (and code sanctioned) practice; and, d) other lands in the vicinity of the Property have been added to the City via annexation with zoning assigned at time of their incorporation; and, e) the Property is eligible by law for annexation and zoning assignment; and, f) that the Applicant intends to develop the Property; and, g) City utility services are available to the Property (see aerial photo with utility lines displayed); and, h) emergency services are available to the Property; and,

7. Public Interest:

That Nampa has determined that it is in the public interest to provide varying commercial development opportunities and diverse commercial land use types within its confines. Expressions of that policy are published in Nampa's adopted Comprehensive/Master Plan, as well as embodied in its decisions to date regarding similar applications; and,

8. Promotion of Zoning Purpose(s):

That among the general (and Nampa endorsed) purposes of zoning is to promote orderly, systematic development and patterns thereof which preserve and/or enhance public health, safety and welfare. Included in our commercial zoning regulations, therefore, are standards governing commercial development which appertain to allowable land uses, building setbacks, building aesthetics, provision of parking and service drives, property landscaping, etc. While a specific plan was not advanced in conjunction with the application set considered by this report, Staff notes that any site development will be regulated by, and through, the design review and building permit review processes because those processes are, by law, associated with land development in a BC Zone. Their imposition and enforcement follows any granted zoning land entitlement (including any Conditional Use Permit that may be requested in connection with entitling use of the Property for a specified use requiring CUP approval post annexation and zoning) and subsequent proposal to construct buildings on a/the site that received the entitlement(s); and,

9. Comprehensive Plan:

Should the Council approve the amendment of the Property's overlying Comprehensive Plan as proposed by the Applicant(s) and noted in this report, then requisite support for the proposed commercial zone would be accordingly provided, and, concerns of "spot zoning" thereby contravened; and,

10. Services:

That utility and emergency services are, or can be made, available to the Property (see aerial photo with utility lines displayed); and,

11. Further, that:

a. Agency/City department comments have been received regarding this matter. Such correspondence as received from agencies or the citizenry regarding this application package [received by noon July 27, 2016] is hereafter attached to this report.

1. City Engineering has no objection(s) concerning the annexation/zoning application, and has provided (a) recommended requirement(s) in the event that Property is annexed/zoned and the proposed Project entitled for development (see attached Engineering Division memorandum); and,
2. The Nampa Highway District has no objection(s) concerning the Comprehensive Plan Map Amendment and Annexation/Zoning application requests; and,
3. The Planning and Zoning Commission, during their regularly scheduled public hearing of June 28, 2016, voted to recommend to the Nampa City Council that

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they approve the above referenced comprehensive plan map amendment and annexation and zoning assignment requests.

4. Staff has not received commentary from any surrounding property owners or neighbors either supporting or opposing this request.

Note: The preceding general statements are offered as possible [preliminary] findings, and are not intended to be all inclusive or inarguable. They are simply provided to the Commission in the event that the requested entitlements are recommended for approval. Staff notes that development of the Property would not be under the auspice of a rigid infill definition; rather, it is an inclusion of a commercial site in an area still largely regulated to an existing rural residential character and developing suburban residential nature (but also one that is part of a northward expanding projection of City limits which is also transitioning in development/land use character).

In summary, the Property may be zoned BC, but nothing will [ultimately] force the Council to do so as it acts in its quasi-judicial capacity to decide on the proper land use zone/district to assign to the Property. Given the findings noted above, however, BC zoning is certainly an “entertainable” zone and recommend for imposition...

Recommended Conditions of Approval

N/A at the time of this report’s publication...

(Right-of-way dedication and property improvement emplacement requirements, as iterated in the Engineering Division memorandum dated June 15, 2016, will be exacted by that Division at time of Property development -- save for right-of-way dedication which will be required to be executed prior to the third reading of the ordinance annexing the Property being executed. A Development Agreement, therefore, is not deemed necessary for this application set by either Planning/Zoning or Engineering Staff.)

No one appeared in favor of or in opposition to the request.

Those appearing with questions concerning the request were: Jaynella Anderson, 18070 Madison Road.

Robert Hobbs went over the process for annexation and zoning.

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MOVED by Skaug and **SECONDED** by Haverfield to **close the public hearing**. The Mayor asked all in favor to say **aye** with all Councilmembers present voting **AYE**. The Mayor declared the

MOTION CARRIED

MOVED by Haverfield and **SECONDED** by White to **approve the Comprehensive Plan Map Amendment** from Medium Density Residential to Community Mixed Use and the **Annexation and Zoning** to BC at the corner of **Madison Road and Ustick Road** and authorize the City Attorney to draw the appropriate Resolution and Ordinance for the request. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry opened a **public hearing** for **Rezone** from **IP** and **BC** to **IL** at **415 N Kings Road** for **West Valley Construction** representing **H M Clause Inc.**

Jim McGarvin, 1608 Parker, P. O. Box 1056, Caldwell, presented the request.

Planning and Zoning Director Norm Holm presented a staff report explaining that the request is for a rezone from from **IP** (Industrial Park) and **BC** (Community Business) to **IL** (Light Industrial) for property located at 415 North Kings Road for West Valley Construction for **HM, Clause, Inc.**

General Information

Planning & Zoning Commission Recommendation: Approval, with no conditions attached.

Planning & Zoning History: The owner's representative indicates the rezone is requested to match the rest of the **HM. Clause** property already zoned **IL**.

Proposed Land Uses: No intended new uses just a continuation and future expansion of existing uses. Per their website <http://hmclause.com> **HM. Clause, Inc.** is an international company dedicated to innovative and sustainable development of the highest quality vegetable seeds and sells their commercial seed products under the name of *Harris Moran Seed Company* and *Clause Vegetable Seeds*.

Surrounding Land Use and Zoning:

North- Industrial, **IP**

South- Commercial, **BC**

East- Commercial, **BC**

West- Commercial, **BC**; and Industrial, **IL**

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Comprehensive Plan Designation: Light Industrial

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

Special Information

Public Utilities:

12" sewer main in Garrity Blvd, 8" sewer main in Kings Rd
12" water main in Garrity Blvd, 12" sewer main in Kings Rd
No irrigation service available to the property

Public Services: All present.

Transportation and Traffic: The parcel has access from Garrity Blvd via panhandle, and frontage and access from N Kings Rd.

Environmental: The rezone would have little effect on the adjoining properties. The impacts of allowable industrial related uses on the property would be no different than that which presently exists on the adjoining IL zoned properties to the east and north.

Staff Findings and Discussion

The requested rezone is appropriate. It makes good sense for the City and for the property owner to have the parcel zoned IL the same as the intended land use.

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

1. Rezone of the subject property to IL is reasonably necessary in order to allow the applicant/owner to have all of their property zoned under the same designation of IL.
2. Rezone of the subject property to IL is in the interest of the property owner and conforms to the adopted comprehensive plan designation of Light Industrial.
3. Industrial use of the subject property will be compatible with the existing industrial character already established in the neighborhood.
4. The use of a development agreement to establish any conditions for the rezone of the property serves no purposes.

At the date of this memo staff has received no statements of opposition or support from any property owners, businesses or residents in the area.

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No one appeared in favor of or in opposition to the request.

Larell Skagsberg, 6424 Elm Lane, gave some information on the use of the site.

MOVED by White and **SECONDED** by Haverfield to **close the public hearing**. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the **MOTION CARRIED**

MOVED by White and **SECONDED** by Haverfield to **approve the rezone from IP and BC to IL at 415 N Kings Road** and authorize the City Attorney to draw the appropriate Ordinance. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry opened a **public hearing** for **variance** to Zoning Ordinance Section 10-11-4.A Requiring that no Principal Building Shall Exceed either Three Stories or 30 Feet in Height for Property Located at **15 and 23 5th Street North** for **Vineyard at Broadmore II LP**, Greg Urrutia Representing.

Greg Urrutia presented the request.

Robert Hobbs presented a staff report explaining that requested action is for a variance to Nampa City Zoning Codes for the required maximum allowable building height allowed in the RML Zone pertaining to two parcels of land located at 15 and 25 5th Street North for Vineyard at Broadmore II LP, Greg Urrutia.

Application Summary: The Applicant is requesting a Variance to N.C.C. § 10-11-4.A that mandates that no principal structure within the RML Zone shall exceed either three (3) stories or thirty feet (30') in height. The Applicant(s) state they are requesting the Variance Permit in order to able to construct a 30-unit multiple-family complex that will expectedly be three full stories and measure 41 feet and 4 inches in height. The Applicant(s) reason that the Variance is justifiable given that: a) the Property's "relatively high water table" makes "underground parking impossible" and thereby shifts the parking space development for the project to the land's surface thereby reducing the available building envelope, thus pushing the proposed building vertical in order to capture the intended apartment density; and, b) "a small portion of the Property is within" the 500-year floodplain and is not, therefore, suitable for building within; and, c) the Property is irregularly shaped (not rectangular) "making a portion of the Property not suitable" for constructing the type of building desired (thus also reducing the available building footprint viable for construction and prompting the Applicant(s) to build vertically to achieve their desired density; and, d) that issuance of the Variance would allow the building designer(s)

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to use a [sloped] residential style, gabled and hipped roofs consistent with other structures in the area; and, e) that even with a height over thirty feet (30') as proposed, the "structure would still be 16' shorter than the Phase 1 building" [already constructed] "directly north [of the Property] across 5th Street North"; and, f) "The building height will not adversely affect neighboring properties."

History: On January 05, 2009, the City Council granted/issued a Variance Permit for, effectually, the very same request as sponsored by the current Applicant(s). That Variance Permit lapsed after six (6) months of inactivity. The current application basically resurrects that prior application and seeks a new approval.

Contents:

Conclusions of Law: Pages 2-3

Staff Narrative Findings/Discussion: Pages 3-8

Recommended Condition(s) of Approval: Page 8

Attachments Description(s): Page 8

Applicable Regulations

10-24-1: [VARIANCE] PURPOSE:

The council is empowered to grant variances in order to prevent or to lessen practical development difficulties, unique site circumstances and unnecessary physical, geographical hardships inconsistent with the objectives of zoning as would result from a literal interpretation and enforcement of certain of the bulk or quantifiable regulations prescribed by this title.

A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of: a) special characteristics applicable to the site which deprive it of privileges commonly enjoyed by other properties in the same zone or vicinity, and b) the variance is not in conflict with the public interest. Hardships must result from special site characteristics relating to the size, shape or dimensions of a site or the location of existing structures thereon, from geographic, topographic or other physical conditions, or from population densities, street locations or traffic conditions or other unique circumstances.

Variances are not intended to allow something that others do not have a permitted right to do. The purpose of a variance is to provide fair treatment and to see that individuals are not penalized because of site characteristics beyond their control. (Ord. 2140; and. Ord. 2978)

10-24-2: ACTIONS:

- A. **Granting Of Variance Permit:** The council may grant a variance permit with respect to requirements for fences and walls, site, area, width, frontage, depth, coverage, front yard, rear yard, side yards, outdoor living area, height of structures, distances between structures or landscaped areas as the variance was applied for or in modified form if, on the basis of application, investigation and evidence submitted, the council concludes the following:
1. Literal interpretation and enforcement of the regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning ordinance.
 2. There are extraordinary site characteristics applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zoning district.
 3. Literal interpretation and enforcement of the regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.
 4. The granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.
 5. The granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

Staff Findings and Discussion

- I. **Variance Introduction:** Variances are traditionally offered zoning tools used as remedies to seek jurisdictional waivers or reductions of quantifiable, measurable development code requirements (e.g., setbacks, property dimensions, height standards, min. or maximum quantities or sizes, etc.) with which compliance in a given situation could not be attained due to site constraints (such as unusual topography) inherent to a property, rather than being the result of an applicant's own action(s)/development desires. Normally, economic considerations or "self-imposed hardships" or predicaments are not qualifying grounds to support a Variance application or its approval. As noted in the planning text The Practice of Local Government Planning (ICMA, 1988, 2nd ed.),

"Many requests for variances are for minor bulk variances in existing neighborhoods: for example, expansions of patios or carports one or two feet into designated side-yard setbacks. On such matters the zoning board becomes a sort of neighborhood arbitration board, dealing with physical hardships. Although these hardships are rarely great, this should be weighed against the extent of the public sector's stake in the somewhat arbitrary determination that a 10-foot- side yard is superior to a 9-foot one."

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In Nampa, in order to justify a Variance Permit request, an applicant is tasked with arguing successfully to the City's Council that there is some aspect of the Property that physically, topographically or based on code requirements puts them at a disadvantage in trying to accomplish what they wish in comparison to like properties, especially in the surrounding area.

If the Council believes that there is no real topographical hardship associated with a Variance application (e.g., a river, a highway or a mountain in the way, etc.), then left to the applicant is the opportunity to argue that there is a "unique site circumstance" sufficient to justify their request. In times past, Variance Permits have been issued on a case by case basis where a unique situation could be determined to exist that pertained to a Variance application. Thus, historical matters, errors by the City or County, demonstrated lack of knowledge concerning a code by an applicant or their contractor, common sense "solutioning", development precedent and a variety of other mitigating factors have been evaluated in conjunction with these kinds of applications for relief from quantifiable, measurable standards adopted as law via Nampa's zoning ordinance.

Council is at liberty to approve or deny a Variance. And, their vote should not necessarily be construed as setting precedent -- for nothing binds them to vote the same way twice other than their own perceptions and those of others that they may be concerned with. Still, consistency is a desirable goal when dealing with case by case Variance requests. As a Variance decision is a "quasi-judicial" matter, any vote to approve or deny should be accompanied by a reasoned statement listing the rationale for the decision made.

II. This Application: As Variance Permits have been used to provide opportunity for an applicant to seek relief from a dimensional or quantifiable, metric standard, this request was received to ask the Council to consider allowing an exception to the maximum building height afforded by the RML Zone. The summary explanation of the Applicant(s)' request was provided at the beginning of this report. A copy of their application narrative is hereafter attached.

As this is a Variance request, it is the obligation of the Applicant to present such facts and persuasive arguments as to convince the Council that there exists some form of hardship or other unique site circumstance to justify issuance of the requested permit. The review criteria the Council is to use in assessing the application are those in bold font listed at the beginning of this report under the heading of "Applicable Regulations", "Actions" 1-5. Those criteria serve as the "Conclusions of Law" to be associated with this matter.

III. General, Possible Findings:

1. The Property (legal description within City case file VAR 00012-2016) made the subject of this Variance request is located within the incorporated limits of the City of Nampa; and,

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2. The Property owner has a controlling interest in the Property and is authorized to represent the same or allow another party to represent the same in this matter; and,
3. The Property owner has authorized Gregory Urrutia ["Applicant"] to apply for and represent his interest in obtaining the requested Variance Permit; and,
4. The Applicant proposes that the Nampa City Council grant an increased height allowance beyond thirty feet (30') to facilitate construction of a specific apartment building on the Property; and,
5. As authorized and mandated according to Idaho statute, the City has adopted a comprehensive zoning ordinance that applies to all properties within the City's incorporated limits and, by limited form and fashion, to areas within its negotiated impact area; and,
6. The City's zoning ordinance requires that properties in the RML Zone comply with all relevant zoning code requirements appertaining thereto (including emplacement of any requisite, extant site improvements); and,
7. That maximum building height as a zoning control is based on a relatively flat piece of ground. The zoning code, in the definitions section specifies that "building height" is,

"The vertical distance from the established grade to the highest point on the roof or parapet walls for buildings."

When considering "building stories", the same code section specifies that,

"The determination of the allowed height of a building is based on the number of stories above grade plane or by a set measurement expressed in feet in the code. The height definition applies to those stories that are fully above grade plane. It also includes those stories which may be partially below finished ground level, but the finished floor level is more than six feet (6') above grade plane. It also includes those floor levels which, due to irregular terrain, have a finished floor level more than twelve feet (12') above finished ground level at any point surrounding the building. Any building level not qualifying as a story above grade plane is, by definition, a basement." (N.C.C. § 10-1-2.Definitions)

8. In the case of significant grade variation on a single development site, Staff has considered building height to be set by a line parallel to grade, vs. an average or median

line drawn halfway [or at another point] through a building to separate one end on a lower level from a higher planed end. Therefore, whether by considering actual building height or number of stories, Staff believes the Applicant(s) is required to submit a Variance Permit in order to pre-authorize construction of their desired multiple-family residential structure on the Property; and,

9. The Applicant has, therefore, submitted to the City a complete Variance Permit Application together with the requisite fee, and the City has received the application and deemed it acceptable; and,
10. The Variance Application is being processed in conjunction with procedures compliant with the Local Land Use Planning Act, and Nampa Zoning Ordinance standards appertaining to such an application type; and,
11. Variances, as a rule, are not to be issued simply for economic reasons or convenience; they “shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of: a) special characteristics applicable to the site which deprive it of privileges commonly enjoyed by other properties in the same zone or vicinity”; and,
12. Further, a statement has been provided that attempts to justify the Variance request as some type of topographical or other physical site hardship or “unique site circumstance” that restricts Property development or “buildout” or use of land as allowed to other City properties or as granted already to City properties developed and/or used in similar fashion to the business plan(s) of the Applicant; and,
13. Adjacent property owners have not provided comment regarding the application; and,
14. The City’s Engineering Division has expressed that they are not opposed to the application; and,
15. The City’s Building Department has expressed that they are not opposed to the application; and,
16. No direct physical impact on the general public by this request is foreseen by virtue of this request were it approved; expected impact would either: a) be on surrounding properties adjacent to the Property; and/or, be on the question any approval raises as to its propriety, possibly including a perceived setting of precedence for similar setback code deviations given compliance to building height standards demonstrated by other persons/parties in the City; and,

17. That City services are available to the Property, the site has access to City public roads; and,
18. The most recent land use entitlement case bearing directly on this matter was acted on in 2009, whereby the City's Council of the time approved a Variance Permit in care and keeping with the current proposal; and,
19. Attached to this report is all of the information Staff had by the time this report was ready to go to print (5pm, July 28).

IV. Analysis/Opinion: In Nampa, as pertaining to land use Variance Permit requests, a burden rests upon an applicant to argue persuasively to the City's Council that one or more conditions related to the property they represent interfere(s) with the applicant's use of their land in manner and form commensurate with that enjoyed, most particularly, by their neighbors or other properties in a similar situation and zoning district as that applicant's land. Each Variance application is reviewed on a case by case basis and the merits of the matter are weighed in the public venue. Public testimony is received and the opinions of City departments or outside agencies submitted to the Council for their consideration.

With respect to the matter made the subject of this report, Applicant, per their narrative (and as afore-cited in this report) argues for their Variance request, essentially as follows:

- A) That the Property's "relatively high water table" makes "underground parking impossible" and thereby shifts the parking space development for the project to the land's surface thereby reducing the available building envelope, thus pushing the proposed building vertical in order to capture the intended apartment density; and,
- B) That "a small portion of the Property is within" the 500-year floodplain and is not, therefore, suitable for building within; and,
- C) That the Property is irregularly shaped (not rectangular) "making a portion of the Property not suitable" for constructing the type of building desired (thus also reducing the available building footprint viable for construction and prompting the Applicant(s) to build vertically to achieve their desired density; and,
- D) That issuance of the Variance would allow the building designer(s) to use a [sloped] residential style, gabled and hipped roofs consistent with other structures in the area; and,

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- E) That even with a height over thirty feet (30') as proposed, the "structure would still be 16' shorter than the Phase 1 building" [already constructed] "directly north [of the Property] across 5th Street North"; and,
- F) That, "The building height will not adversely affect neighboring properties."

Noting the understandable arguments made by the Applicant, Staff also observes as follows:

- G) That a Variance Permit was filed, reviewed by Council and approved by Council on January 05, 2009 for a forty foot (40') tall single multiple-family structure to be built on the Property due to "slope differential" (top of Property vs. bottom of Property grade/elevation difference); and,
- H) Another similar structure has been built on land north of the Property that exceeds thirty feet in altitude and was considered, more or less, the first phase of a larger project that contemplated adding the building made the subject of this report. That prior multiple-family structure for seniors did not require a Variance as it was built in the RMH Zone that has a less restrictive height control than the RML Zone to its south.

That notwithstanding the fore-going, meritorious contravening findings to the Applicant's arguments for [seeking] an increased building height allowance may be voiced as follows:

- A) That the Applicant(s) hardships are somewhat self-imposed, in that they could adjust the proposed building's footprint, and by association, height to fit the RML height constraint as well continue to meet relevant setback controls, etc. Economic return is not a viable Variance argument from a legal or industry practice point of view when it comes to considering land use Variance Permit requests; and,
- B) That the Property could be made the subject of a rezone request to RMH like the land above it to the north and thus be able to forego having to have a Variance permit filed against it to relax height controls associated with the zone currently overlaid on the Property.

Maximum Building Height Relief Request:

Favorable Recommendation

As to the proposed, increased building height request, Staff believes the same to be reasonable given that:

1. A Variance request for almost the exact same proposal as that addressed by this report was considered and approved by Nampa's City Council in 2009; and,

2. That the arguments by the Applicant(s) carry some merit given the slope of the Property and the other factors raised by them; and,
3. That public opposition has not been voiced regarding this matter to date; and,
4. That the proposed building is in care and keeping (in terms of architectural styling) with its predecessor apartment structure built immediately north of the Property and was conceptually understood to be an eventual phase 2 to the same; and,
5. That rezoning the Property may accomplish the same result as approving the requested Variance but take longer to process and require a Development Agreement contract to control the land use and density; and,
6. That per the 2009 Variance Staff report on record for the Property, the ground is lower than or equal to other parcels/lots to its sides or north [at least 6' per contour map] and thus any structure thereon will be perceived to be lower than if the Property were flat ground at an elevation similar to the highest levels of its neighboring properties. The building will not, expectedly, block views of the land above it to the southwest (it has a hillside at its back and one house), and, even if it did, there is no right to a view-scape under land use zoning code or law in Nampa. Plus, the building to the northwest of the structure proposed with this application was developed as a comparable use by the same Applicant and has southern oriented apartments on floors that would likely see over the top of the newly proposed building when looking south/se; and,
7. That the TV station (KTRV 12) which lies in a RP (Residential Professional) Zone to the west of the Property, per the 2009 Staff report, appears to, "possess buildings which exceed the 30' height limitation."

Recommended Condition(s) of Approval

Should the Council vote to approve this Variance package request, then Staff recommends that they/you consider imposing the following Condition(s) of Approval against the same:

Generally:

1. Applicant(s) shall comply with all applicable requirements [including obtaining a Building Permit] as may be imposed by City agencies appropriately involved in the review of this request (e.g., Nampa Fire [inspection], Building, Planning and Zoning and Engineering Departments, etc.) as the Variance(s) approval(s) do/does not, and shall not, have the affect of abrogating requirements from those agencies or City divisions/departments...

No one appeared in favor of the request.

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Those appearing in opposition to the request were: Pamela Berner, 16 4th Street North.

MOVED by Haverfield and **SECONDED** by Raymond to **close the public hearing**. The Mayor asked all in favor to say **aye** with all Councilmembers present voting **AYE**. The Mayor declared the

MOTION CARRIED

MOVED by Skaug and **SECONDED** by Raymond to **approve the Variance** to Zoning Ordinance Section 10-11-4.A Requiring that no Principal Building Shall Exceed either Three Stories or 30 Feet in Height for Property Located at **15 and 23 5th Street North as requested with staff conditions**. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

MOTION CARRIED

Mayor Henry opened a **public hearing** for **2016 – 2017 Fiscal Year Budget**.

Finance Director Vikki Chandler presented the following powerpoint presentation:

How we develop Nampa's budget

- ⊙ Project reasonable estimates for Revenue - Don't want to be too high (which causes cuts later in the year) are too low (which brings premature reductions);
- ⊙ Prioritize Expenses - for this year we addressed a few needed positions and some human resource needs, as well as some large capital needs.
- ⊙ Watch the use of reserves and grant funding - Structural strength of a budget means using one-time money for one-time expenses and knowing how long grant funding will last.
- ⊙ Conservative use of Property Taxes - As established in previous years, the levy rate will decrease this year.

Property Tax Budget

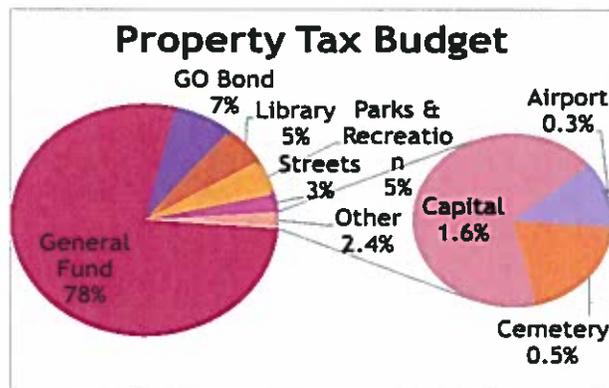
| | | |
|--|----|---------|
| New Construction & Annexation: | \$ | 626,461 |
| Property Tax Allowance: | \$ | 889,555 |
| % of Allowable Increase | | 2.46% |
| Total % of Increase w/New Construction | | 4.2% |
| % of Increased Assessed Valuation | | 7.4% |
| Expected Levy Rate Decrease | | -0.283% |

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 August 1, 2016

So here are the facts most people here will care about: Total new property tax budget is \$1.5 million: \$626,000 in New Construction. Council voted earlier this year to budget 3% of the allowed increase but we are using only 2.46% of that. With the 7.4% increase in overall assessed valuation, we are predicting a levy rate decrease of about a quarter percent. It's hard to say what the individual tax payer will experience, since it depends on the increase in homeowner's exemption and the increased value of their house vs their land. But people seem to be happier when they can sell their homes for more expensive ones or refinance due to increases in assessed values.

| Property Taxes Budget | FY 2016 | FY 2017 | Variance |
|-----------------------|-------------------|-------------------|------------------|
| General Fund | 28,196,929 | 29,197,228 | 1,000,299 |
| Library | 1,992,553 | 2,052,329 | 59,776 |
| Parks & Recreation | 1,823,100 | 1,864,935 | 41,835 |
| Streets | 1,100,394 | 940,405 | (159,989) |
| Cemetery | 166,815 | 173,576 | 6,761 |
| Airport | 103,810 | 106,925 | 3,115 |
| Capital | 19,121 | 583,090 | 563,969 |
| Subtotal | 33,402,722 | 34,918,488 | 1,515,766 |
| GO Bond | 2,696,900 | 2,697,150 | 250 |
| Total | 36,099,622 | 37,615,638 | 1,516,016 |

This is how we are allocating the Property Tax Budget for 2017.



This chart shows that 78% of all property taxes are in the General Fund, which is within half a million dollars of the support required for public safety. 8% goes towards the General Obligation Bond as approved by voters, 6% for the Library, 5% for Parks & Recreation and 2.4% for Cemetery, Airport and Capital needs.

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| | FY 2016 | | FY 2017 | |
|--------------------------------|-----------------|-----|-----------------|-----------|
| Public Safety | 33.4 | 23% | \$ 34.9 | 25% |
| Public Works | 69.0 | 48% | 67.6 | 48% |
| Culture, Recreation, Education | 23.4 | 16% | 19.9 | 14% |
| Admin, Legal, Permits | 15.0 | 10% | 14.5 | 10% |
| General Obligation Bonds | 2.7 | 2% | 2.7 | 2% |
| Total | \$ 143.5 | | \$ 139.6 | 3% |

| | FY 2016 | | FY 2017 | |
|------------------|-----------------|-----|-----------------|-----------|
| Salaries & Wages | 33.1 | 23% | \$ 34.3 | 25% |
| Benefits | 14.8 | 10% | 15.2 | 11% |
| Operations | 52.5 | 37% | 52.1 | 37% |
| Capital | 39.9 | 28% | 34.7 | 25% |
| Debt Service | 3.3 | 2% | 3.3 | 2% |
| Total | \$ 143.6 | | \$ 139.6 | 3% |

This compares the total budget by function and category current year 2016 compared to next year. One of our challenges is the same in the private sector which is the competition for jobs. Unemployment in Nampa has fallen from 4.7 to 3.8%. To recruit skilled talent requires that we remain competitive, so we've increased slightly the certain wages. Our benefits package is not as competitive as it used to be, which has become a question new applicants ask about and consider. Our self-funded health benefits plan increased 4% this year, which many employers would be envious to achieve. And we are doing well with it.

Capital Projects

| Special Funds | General Funds | Enterprise Funds | Capital Funds | Total |
|---------------|---------------|------------------|---------------|--------|
| \$ 18.0 | \$ 0.7 | \$ 12.5 | \$ 3.5 | \$34.7 |

Capital projects cause some of our swing year to year. We are funding part of a software project this year, similar to putting a roof on a house—it has to be done and will likely cost more next year than we like to think. But our staff especially appreciates Council's priority for maintenance items.

No one appeared in favor of or in opposition to the request.

Those appearing with questions or comments were: Janette Quist, 78 North Jefferson Street; Hubert Osborne; 4199 East Switzer Way.

MOVED by Raymond and **SECONDED** by Haverfield to close the public hearing. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the MOTION CARRIED

Regular Council
August 1, 2016

Councilmembers discussed the Treasure Valley Transits budget requests and the Library.

MOVED by Haverfield and **SECONDED** by Raymond to **approve the 2016 – 2017 Fiscal Year Budget** and authorize the Ordinance. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the
MOTION CARRIED

The following Ordinance was read by title:

AN ORDINANCE APPROPRIATING FUNDS FOR A TWELVE MONTH PERIOD FROM THE FIRST DAY OF OCTOBER, 2016 TO AND INCLUSIVE OF THE THIRTIETH DAY OF SEPTEMBER, 2017 FOR THE FOLLOWING FUNDS AND DEPARTMENTS: CITY CLERK, CIVIC CENTER, CODE ENFORCEMENT, ECONOMIC DEVELOPMENT, ENGINEERING, FACILITIES DEVELOPMENT, FINANCE, FIRE, GENERAL GOVERNMENT, HUMAN RESOURCES, INFORMATION TECHNOLOGY, LEGAL, MAYOR/CITY COUNCIL, PARKS, PLANNING AND ZONING, POLICE, 911 FEES, PUBLIC WORKS ADMIN, RECREATION, FLEET MANAGEMENT, AIRPORT, CEMETERY, CIVIC CENTER, DEVELOPMENT SERVICES, FAMILY JUSTICE CENTER, IDAHO CENTER, LIBRARY, RECREATION CENTER, GOLF, SANITATION COLLECTION, STREET, UTILITY BILLING, WASTEWATER, WATER, FEDERAL, STATE AND LOCAL GRANTS, DEVELOPMENT IMPACT FEES, CAPITAL PROJECTS, AND GO BOND DEBT SERVICE; REFERENCING SOURCES AND USES OF FUNDS AND APPROPRIATING MONIES; SPECIFYING A PROCESS FOR EXPENDITURE OF FUNDS; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section 1. That the following general fund total and enterprise/special revenue fund amounts or so much thereof as may be necessary, are hereby appropriated out of any money in the City Treasury for the purpose of maintaining a government for the City of Nampa, Idaho for the fiscal year beginning with the first day of October, 2016 to and inclusive of the thirtieth day of September, 2017 as follows:

| GENERAL FUND | | ENTERPRISE & SPECIAL REVENUE FUNDS | |
|------------------------|-------------|---|--------------|
| City Clerk | \$326,875 | 911 Fees | \$ 1,651,141 |
| Code Enforcement | \$498,141 | Airport | 757,526 |
| Economic Development | \$461,771 | Cemetery | 319,871 |
| Engineering | \$1,673,414 | Civic Center | 1,235,327 |
| Facilities Development | \$1,447,267 | Development Services | 1,742,688 |
| Finance | \$810,496 | Electric Franchise Fees | - |

Regular Council
August 1, 2016

| | | | |
|-----------------------------------|---------------------|--|----------------------|
| Fire | \$11,901,269 | Family Justice Center | 284,207 |
| General Government | \$640,787 | Idaho Center | 4,093,805 |
| Transfer to Family Justice Center | \$243,640 | Library | 2,158,329 |
| Transfer to Civic Center | \$365,451 | Nampa Recreation Center | 3,215,277 |
| Transfer to Idaho Center | \$799,842 | Parks & Recreation | 3,696,122 |
| Transfer to Parks & Rec | \$806,419 | Golf | 2,411,595 |
| Human Resource | \$459,168 | Sanitation Collection | 8,842,148 |
| Information Technology | \$2,229,293 | Street | 10,655,176 |
| Legal | \$856,000 | Utility Billing | 1,190,106 |
| Mayor/City Council | \$510,426 | Wastewater | 17,638,010 |
| Parks & Rec Admin | \$377,160 | Water | 11,337,870 |
| Planning & Zoning | \$519,809 | Workers Comp | 65,128 |
| Police | \$20,266,589 | SUBTOTAL | \$ 71,294,326 |
| Public Works Admin | \$395,332 | | |
| Fleet Management | \$1,213,405 | | |
| SUBTOTAL | \$46,802,554 | CAPITAL PROJECTS & DEBT SERVICE FUNDS | |
| | | Capital Projects | \$1,575,890 |
| | | Library Major Capital Campaign | - |
| | | Development Impact Fees | \$2,384,000 |
| GRANT FUNDS | | GO Bond Debt Service | 2,697,150 |
| Federal Programs | \$10,346,149 | SUBTOTAL | \$6,657,040 |
| State Programs | 4,470,054 | | |
| Private | 8,791 | | |
| SUBTOTAL | 14,824,994 | GRAND TOTAL | \$139,578,914 |

Section 2. That the amount of money derived from funds or sources created by law for specific purposes is hereby appropriated for such purposes.

Section 3. That the Finance Department is hereby authorized and required upon presentation of the proper vouchers, approved by the Council as provided by law, to draw checks on the funds stated and against the appropriations as made in the preceding sections of this Ordinance, in favor of the parties entitled thereof.

Section 4. That this Ordinance shall be in full force and effect upon publication.

The Mayor declared this the first reading.

Mayor Henry presented a request to pass the preceding Ordinance under suspension of rules.

MOVED by Haverfield and **SECONDED** by Bruner to pass the preceding ordinance under suspension of rules. The Mayor asked for a roll call vote with all councilmembers present voting

Regular Council
August 1, 2016

YES The Mayor declared the ordinance duly passed, numbered it **4272** and directed the clerk to record it as required.

The Mayor adjourned the meeting at 7:47 p.m.

Passed this 15th day of August, 2016.

MAYOR

ATTEST:

CITY CLERK

NAMPA AIRPORT COMMISSION
JULY 11, 2016

The meeting was called to order at 5:30 pm by Chairman Mark Miller
Roll Call:

- Members Present: Mark Miller, Tom Howard, Gene Clark, Dave Beverly
- Council Liaison:
- Members Absent: Brent Ross

Proposed amendments to the agenda; None

MOVED by Beverly and seconded by Clark to **nominate Tom Howard for the 2016 Commission Vice Chairman.**

MOTION CARRIED

MOVED by Howard and seconded by Clark to **approve the minutes for the Regular meeting of June 13, 2016.**

MOTION CARRIED

Staff Report:

Monte Hasl, Airport Superintendent, presented the following staff report:

- Open Units; Wait List; Fuel Report.
- Airfield Conditions; RWY/TWY & Apron in good shape; RWY/TWY lighting systems operating normally; PAPI operating normally, alignment checked/cleaned; AWOS operating normally.
- Miscellaneous; Welcome Dr. David Beverly to the Commission; TNT Dynamite Grill's has vacated the café. The café has undergone a deep cleaning and we are still advertising for an operator; Terminal building security camera system has been upgraded; East side hangar development –Bartlow has broken ground; Airport staff has undergone CPR and AED training; Weed/rodent control is ongoing; NOTAMS, crane west of airfield.

The Airport Superintendent handed out copies of the latest Airport Economic Impact Study (2009). The Idaho Transportation Department - Aeronautics Division is in the process of updating the study. Aeronautics anticipates the study to be completed in 2017.

The Public Works Director asked if the next Airport Economic Impact Study would be done in time to incorporate into the next Airport Master Plan. The Airport Superintendent indicated the study should be complete in 2017 and the next Master Plan is scheduled for 2018.

Commissioner Beverly inquired about the status of the chihuahua that has been loose on the Airport. The Airport Superintendent reported staff is still working to trap the chihuahua.

Grant Report:

AIP-27 (Phase 1 Environmental Study for Purchase of Land in the Runway 11 RPZ) – Tom Lemenager, J.U.B. Engineers, updated the Commission on our next AIP project; Planning for the Environmental Assessment for the Land Purchase in the runway 11 RPZ (runway protection zone). The project has run into an obstacle. The land owner has indicated he will not allow access onto the property and is requesting to meet with the City to determine why the City wants to purchase the property and who is the driving force, the City or the FAA.

CONSENT FOR PUBLIC HEARING

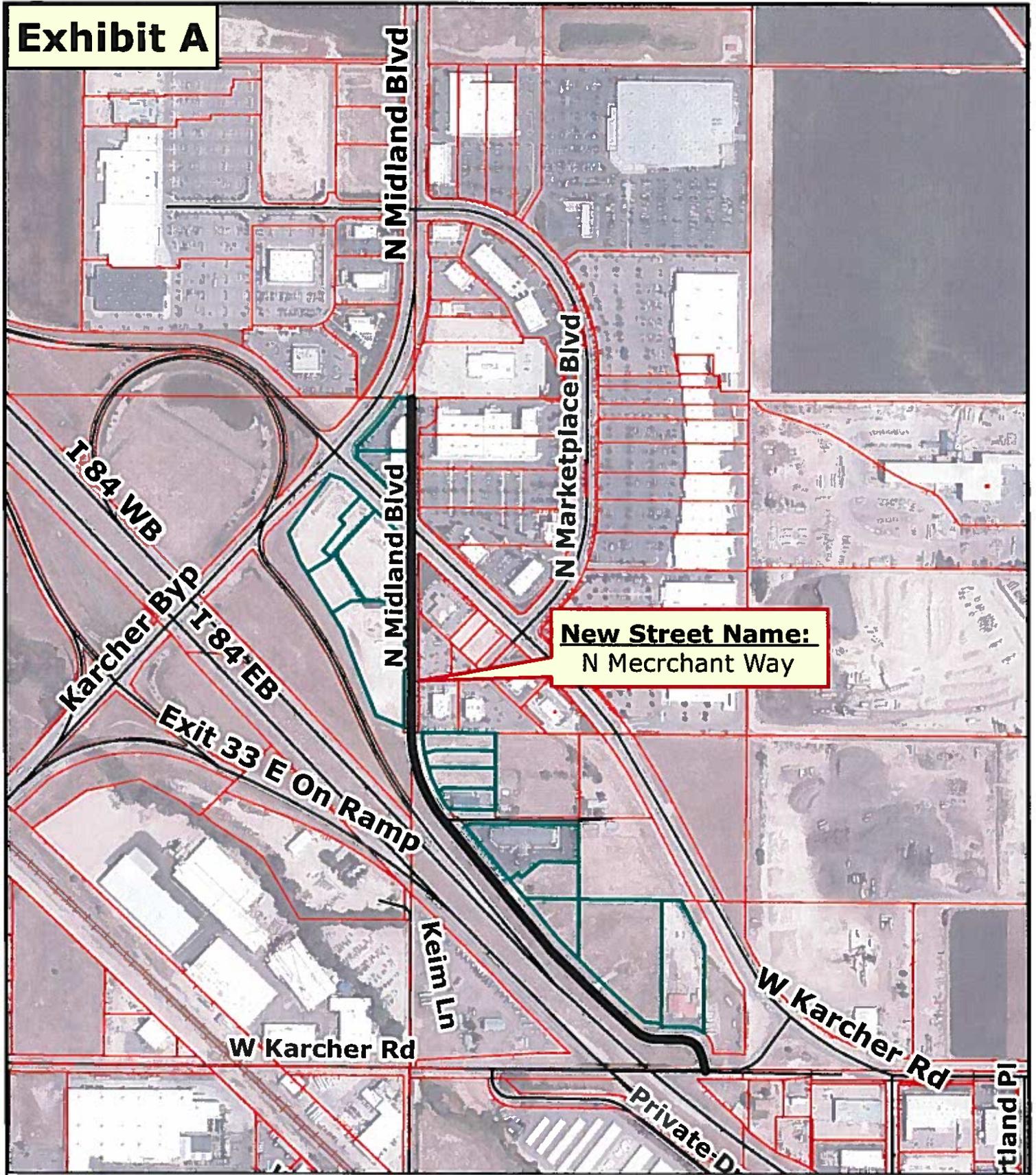
RENAMING A PORTION OF NORTH MIDLAND BOULEVARD

- Engineering received a formal request from the Canyon County Sheriff's Office on January 20, 2016 to rename the old alignment of N Midland Blvd near Treasure Valley Marketplace. Engineering is responsible for street name changes within Nampa City Limits.
 - The current street configuration has created two intersections with the same street names (Karcher Bypass and N Midland Blvd). These duplicate intersection names are problematic for emergency service routing and general wayfinding.
- There are 16 parcels and 32 addresses that will be impacted by the proposed street renaming (see exhibit A).
 - The proposed street renaming will allow all address numbers to remain the same (see exhibits C, D & E), with the exception of the Karcher Village development (see exhibit B).
 - *For example, 16150 N Midland Blvd will become 16150 N Merchant Way.*
 - The Karcher Village development (north of Karcher Bypass and west of Best Buy) will be decreasing their address numbers by one, changing them from odd to even, and keeping the N Midland Blvd street name in their address.
 - *This development has frontage on both the old and newer alignment of N Midland Blvd.*
- Engineering staff sent a letter to all parcel owners on April 13, 2016 describing the situation and requesting any new street name proposals as well as any feedback regarding the street renaming.
- Engineering & Public Works Staff visited the existing business owners on April 19, 2016 to make sure they were aware of the situation and provide a chance for feedback.
- Engineering staff received two street name submissions: N Fairfield Way & N Advantage Way. Both of these names correspond with existing businesses on the street. In order to avoid any potential conflicts of interest the City of Nampa Addressing & Street Naming Committee determined the most acceptable new street name was North Merchant Way.
 - This name was chosen from a short list of options as it complimented the nearby Treasure Valley Marketplace theme.

- Engineering sent a letter on June 22, 2016 to all property owners notifying them of the proposed street renaming as well as the upcoming City Council dates.
- Engineering and Public Works Staff revisited the existing businesses July 6, 2016 to ensure that everyone was aware of the proposed changes and timeframe for implementation.
- In an effort to minimize the impact on the parcel and business owners the proposed ordinance provides that the street renaming and addressing changes become effective February 1st, 2017. This will allow the owners and businesses time to prepare and update their records.
- Engineering staff will coordinate with the Postal Service as well as local utility companies and other agencies to ensure the street renaming and addressing transition is smooth.
- Emergency Services supports the proposed street renaming.
- Staff recommends that the portion of North Midland Boulevard be renamed North Merchant Way.

REQUEST: Authorize Public Hearing (see exhibit F) for September 6, 2016 on the proposed renaming of a portion of North Midland Boulevard

Exhibit A

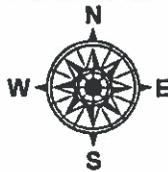


New Street Name:
N Mecerchant Way



**City of Nampa
Engineering Division
411 3rd St S
Nampa, ID 83651**

Prepared by: morsea



Not to Scale

Proposed Effective Date: 2/1/2017

- | | | | |
|-----------------------|------------|-----------|--------------------|
| Address Status | ● Hold | ● Retired | ▣ Parcel |
| ● Active | ● Proposed | ● Other | ▣ Parcel selection |

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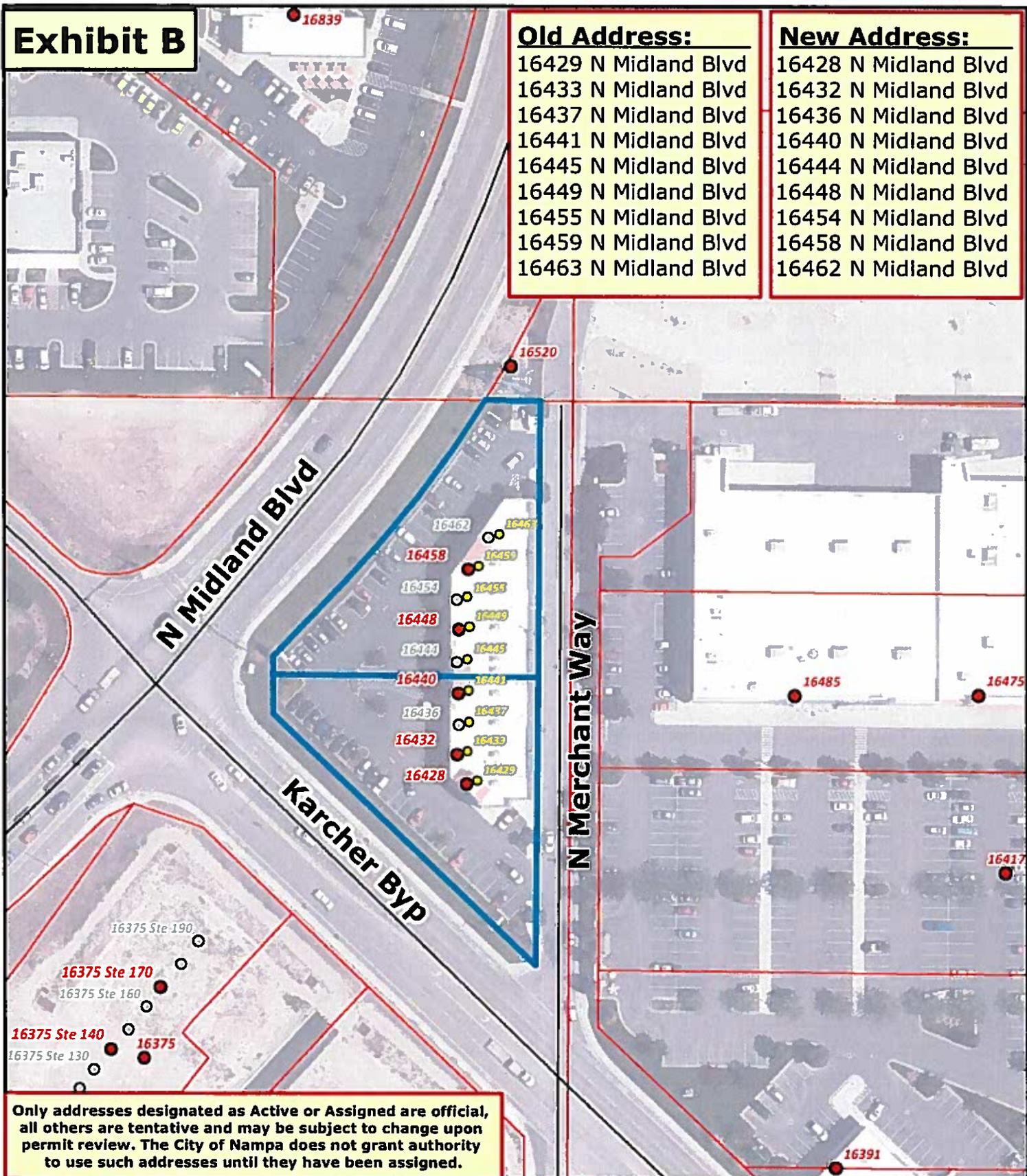
Exhibit B

Old Address:

- 16429 N Midland Blvd
- 16433 N Midland Blvd
- 16437 N Midland Blvd
- 16441 N Midland Blvd
- 16445 N Midland Blvd
- 16449 N Midland Blvd
- 16455 N Midland Blvd
- 16459 N Midland Blvd
- 16463 N Midland Blvd

New Address:

- 16428 N Midland Blvd
- 16432 N Midland Blvd
- 16436 N Midland Blvd
- 16440 N Midland Blvd
- 16444 N Midland Blvd
- 16448 N Midland Blvd
- 16454 N Midland Blvd
- 16458 N Midland Blvd
- 16462 N Midland Blvd

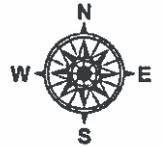


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City of Nampa
Engineering Division
 411 3rd St S
 Nampa, ID 83651

Prepared by: morsea



Not to Scale

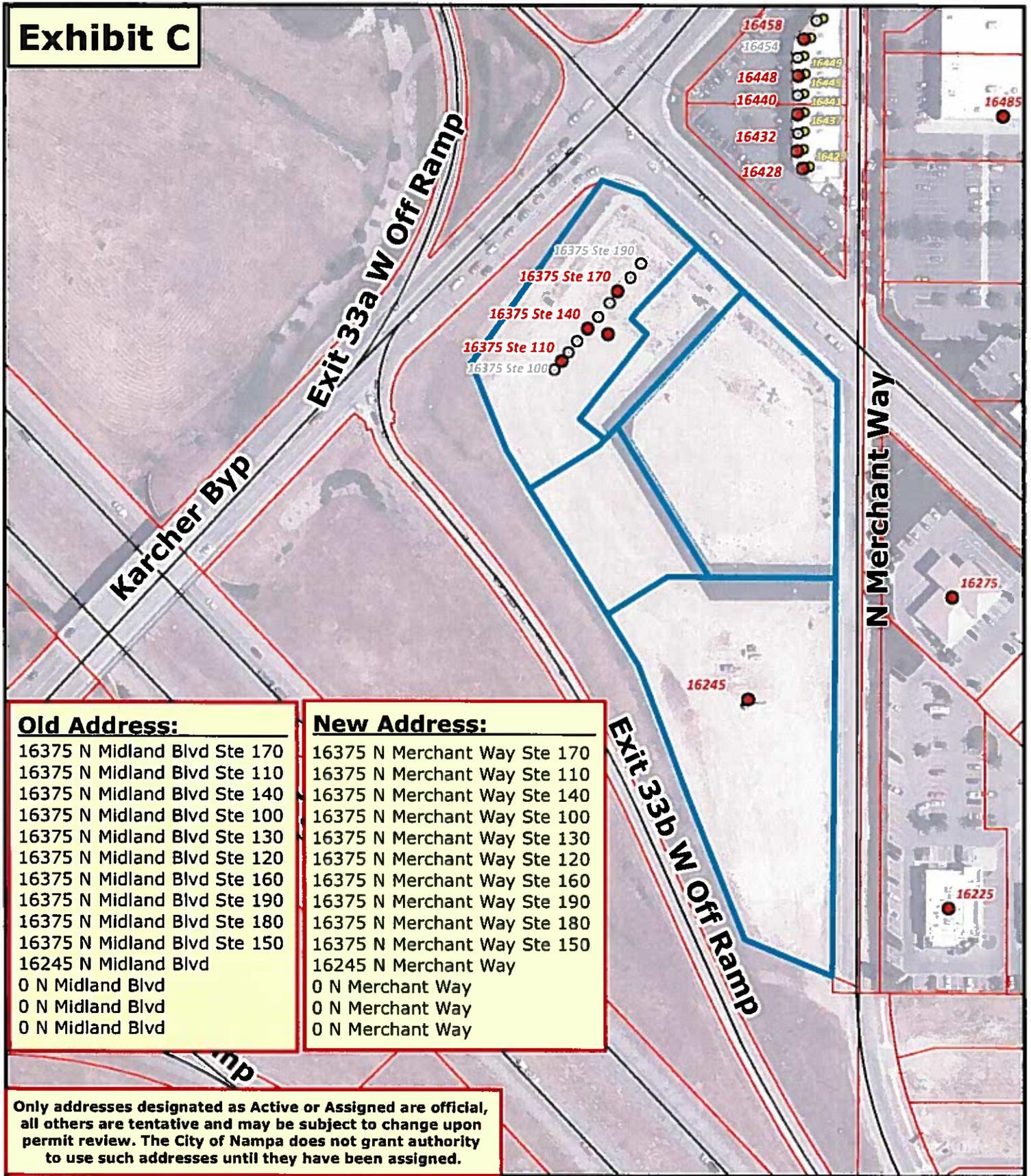
Effective Date: 02/01/2017

Address Status

| | | | |
|----------|-----------|--------------------|----------|
| ● Active | ● Hold | ● Proposed | ▣ Parcel |
| ○ Other | ● Retired | ▣ Parcel Selection | |

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Exhibit C



Old Address:

- 16375 N Midland Blvd Ste 170
- 16375 N Midland Blvd Ste 110
- 16375 N Midland Blvd Ste 140
- 16375 N Midland Blvd Ste 100
- 16375 N Midland Blvd Ste 130
- 16375 N Midland Blvd Ste 120
- 16375 N Midland Blvd Ste 160
- 16375 N Midland Blvd Ste 190
- 16375 N Midland Blvd Ste 180
- 16375 N Midland Blvd Ste 150
- 16245 N Midland Blvd
- 0 N Midland Blvd
- 0 N Midland Blvd
- 0 N Midland Blvd

New Address:

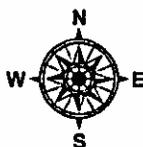
- 16375 N Merchant Way Ste 170
- 16375 N Merchant Way Ste 110
- 16375 N Merchant Way Ste 140
- 16375 N Merchant Way Ste 100
- 16375 N Merchant Way Ste 130
- 16375 N Merchant Way Ste 120
- 16375 N Merchant Way Ste 160
- 16375 N Merchant Way Ste 190
- 16375 N Merchant Way Ste 180
- 16375 N Merchant Way Ste 150
- 16245 N Merchant Way
- 0 N Merchant Way
- 0 N Merchant Way
- 0 N Merchant Way

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City of Nampa
Engineering Division
411 3rd St S
Nampa, ID 83651

Prepared by: morsea



Not to Scale

Effective Date: 02/01/2017

Address Status

- Active
- Hold
- Proposed
- Other
- Retired
- Parcel
- Parcel Selection

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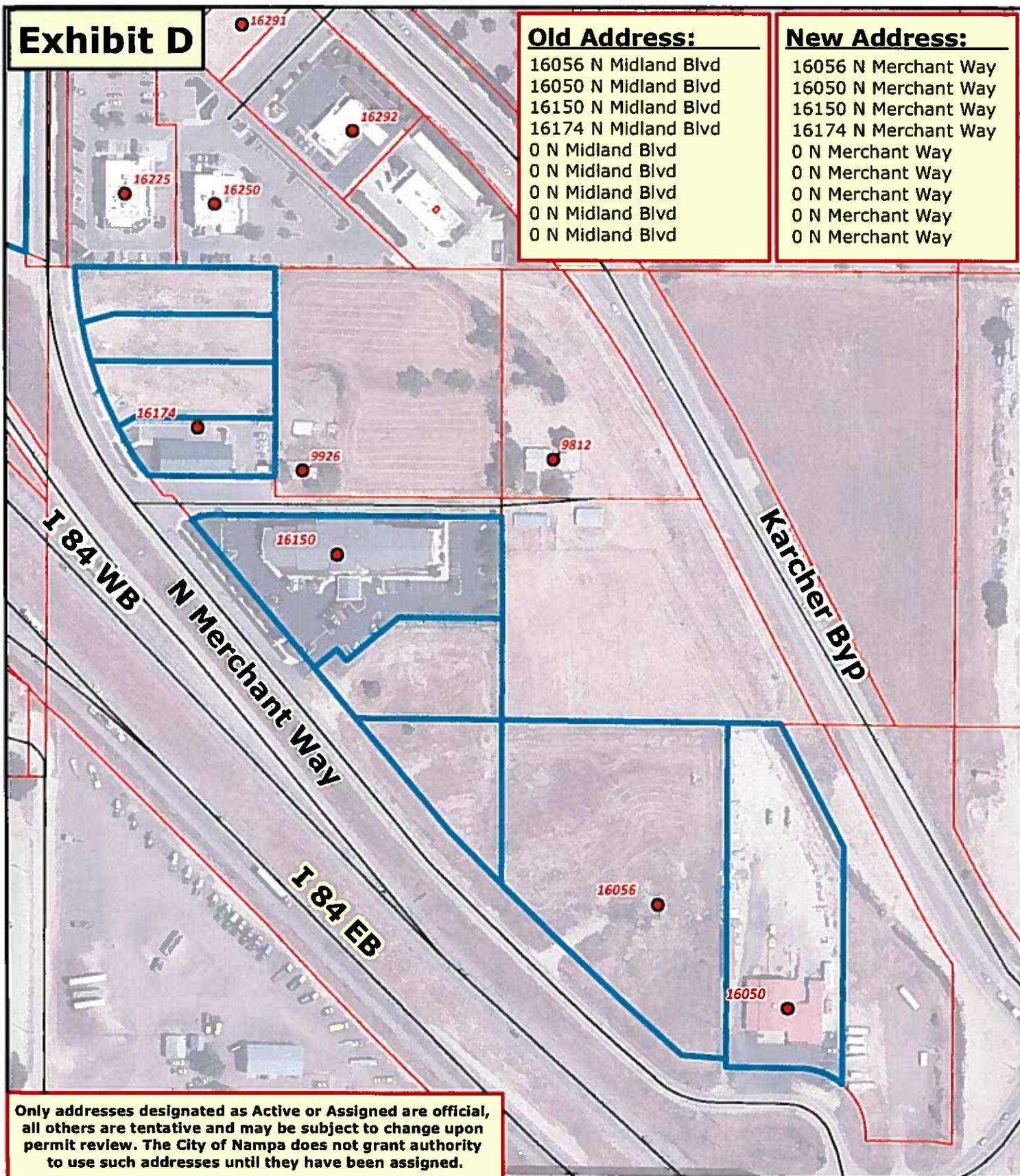
Exhibit D

Old Address:

16056 N Midland Blvd
 16050 N Midland Blvd
 16150 N Midland Blvd
 16174 N Midland Blvd
 0 N Midland Blvd

New Address:

16056 N Merchant Way
 16050 N Merchant Way
 16150 N Merchant Way
 16174 N Merchant Way
 0 N Merchant Way

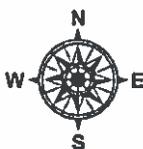


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Engineering Division
 411 3rd St S
 Nampa, ID 83651

Prepared by: morsea



Not to Scale

Effective Date: 02/01/2017

Address Status

| | | | |
|---|---|---|--|
| ● Active | ● Hold | ● Proposed | Parcel |
| Other | ● Retired | Parcel Selection | |

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Exhibit E

Karcher Village

| Account | Old Address | New Address | Business | General Legal |
|----------------|----------------------|----------------------|--|--|
| R22589011A0 | 16429 N Midland Blvd | 16428 N Midland Blvd | Tobacco Connection | 08-3N-2W SE HELEN B SUB TX 96254 LS RD |
| R22589011A0 | 16433 N Midland Blvd | 16432 N Midland Blvd | The Mail Room | 08-3N-2W SE HELEN B SUB TX 96254 LS RD |
| R22589011A0 | 16437 N Midland Blvd | 16436 N Midland Blvd | The Mail Room (additional use) | 08-3N-2W SE HELEN B SUB TX 96254 LS RD |
| R22589011A0 | 16441 N Midland Blvd | 16440 N Midland Blvd | Great Clips | 08-3N-2W SE HELEN B SUB TX 96254 LS RD |
| R2258901100 | 16445 N Midland Blvd | 16444 N Midland Blvd | Eyemart (additional use) | 08-3N-2W SE HELEN B SUB TX 96253 LS RD |
| R2258901100 | 16449 N Midland Blvd | 16448 N Midland Blvd | Eyemart | 08-3N-2W SE HELEN B SUB TX 96253 LS RD |
| R2258901100 | 16455 N Midland Blvd | 16454 N Midland Blvd | West Valley Medical Group (additional use) | 08-3N-2W SE HELEN B SUB TX 96253 LS RD |
| R2258901100 | 16459 N Midland Blvd | 16458 N Midland Blvd | West Valley Medical Group | 08-3N-2W SE HELEN B SUB TX 96253 LS RD |
| R2258901100 | 16463 N Midland Blvd | 16462 N Midland Blvd | West Valley Medical Group (additional use) | 08-3N-2W SE HELEN B SUB TX 96253 LS RD |

G&G Investments Commercial Development

| Account | Old Address | New Address | Business | General Legal |
|----------------|------------------------------|------------------------------|-----------------|--|
| R2258910000 | 16375 N Midland Blvd Ste 170 | 16375 N Merchant Way Ste 170 | Mattress Firm | 08-3N-2W SE G G INVEST COMM DEV LT 1 BLK 1 |
| R2258910000 | 16375 N Midland Blvd Ste 110 | 16375 N Merchant Way Ste 110 | Vitamin Shoppe | 08-3N-2W SE G G INVEST COMM DEV LT 1 BLK 2 |
| R2258910000 | 16375 N Midland Blvd Ste 140 | 16375 N Merchant Way Ste 140 | Aspen Dental | 08-3N-2W SE G G INVEST COMM DEV LT 1 BLK 3 |
| R2258910000 | 16375 N Midland Blvd Ste 100 | 16375 N Merchant Way Ste 100 | TBD | 08-3N-2W SE G G INVEST COMM DEV LT 1 BLK 4 |
| R2258910000 | 16375 N Midland Blvd Ste 130 | 16375 N Merchant Way Ste 130 | TBD | 08-3N-2W SE G G INVEST COMM DEV LT 1 BLK 5 |
| R2258910000 | 16375 N Midland Blvd Ste 120 | 16375 N Merchant Way Ste 120 | TBD | 08-3N-2W SE G G INVEST COMM DEV LT 1 BLK 6 |

Exhibit E

G&G Investments Commercial Development

| Account | Old Address | New Address | Business | General Legal |
|-------------|------------------------------|------------------------------|-------------|---|
| R2258910000 | 16375 N Midland Blvd Ste 160 | 16375 N Merchant Way Ste 160 | TBD | 08-3N-2W SE G G INVEST COMM DEV LT 1 BLK 7 |
| R2258910000 | 16375 N Midland Blvd Ste 190 | 16375 N Merchant Way Ste 190 | TBD | 08-3N-2W SE G G INVEST COMM DEV LT 1 BLK 8 |
| R2258910000 | 16375 N Midland Blvd Ste 180 | 16375 N Merchant Way Ste 180 | TBD | 08-3N-2W SE G G INVEST COMM DEV LT 1 BLK 9 |
| R2258910000 | 16375 N Midland Blvd Ste 150 | 16375 N Merchant Way Ste 150 | TBD | 08-3N-2W SE G G INVEST COMM DEV LT 1 BLK 10 |
| R2258910300 | 0 N Midland Blvd | 0 N Merchant Way | TBD | 08-3N-2W SE G G INVEST COMM DEV LT 4 BLK 1 |
| R2258910100 | 0 N Midland Blvd | 0 N Merchant Way | TBD | 08-3N-2W SE G G INVEST COMM DEV LT 2 BLK 1 |
| R2258910200 | 0 N Midland Blvd | 0 N Merchant Way | TBD | 08-3N-2W SE G G INVEST COMM DEV LT 3 BLK 1 |
| R2258910400 | 16245 N Midland Blvd | 16245 N Merchant Way | Holiday Inn | 08-3N-2W SE G G INVEST COMM DEV LT 5 BLK 1 |

South End (Fairfield, Advantage, Batteries Plus)

| Account | Old Address | New Address | Business | General Legal |
|-------------|----------------------|----------------------|-------------------------------|---|
| R3098100000 | 16056 N Midland Blvd | 16056 N Merchant Way | Vacant | 09-3N-2W SW HWY & LS RD W1/2 SESWSW LESS |
| R3098001000 | 16050 N Midland Blvd | 16050 N Merchant Way | Advantage Machine & Hydraulic | 09-3N-2W SW TAX 20 IN SE SW SW |
| R3098301000 | 16150 N Midland Blvd | 16150 N Merchant Way | Fairfield Inn | 09-3N-2W SW NWSWSW LS RD TX 07369 IN S1/2 |
| R3098500000 | 16174 N Midland Blvd | 16174 N Merchant Way | BATTERIES PLUS | 09-3N-2W SW TX 12119 IN SWSW |
| R3098201000 | 0 N Midland Blvd | 0 N Merchant Way | Vacant | 09-3N-2W SW LS RD SWSWSW-N & E OF HWY |
| R3098300000 | 0 N Midland Blvd | 0 N Merchant Way | Vacant | 09-3N-2W SW LS TX 06530 & 07369 LS RD S1/2 NWSWSW E OF I-84 |
| R3098500000 | 0 N Midland Blvd | 0 N Merchant Way | Vacant | 09-3N-2W SW TX 12120 IN SWSW |

Exhibit E

South End (Fairfield, Advantage, Batteries Plus)

| Account | Old Address | New Address | Business | General Legal |
|-------------|------------------|------------------|----------|------------------------------|
| R3098401000 | 0 N Midland Blvd | 0 N Merchant Way | Vacant | 09-3N-2W SW TX 12121 IN SWSW |
| R3098400000 | 0 N Midland Blvd | 0 N Merchant Way | Vacant | 09-3N-2W SW TX 12123 IN SWSW |

Exhibit F

**NOTICE OF PUBLIC HEARING
RENAMING A PORTION OF NORTH MIDLAND BOULEVARD**

NOTICE is hereby given that a public hearing will be held September 6, 2016, at 7:30 p.m., in the Council Chambers of the City Hall, 411 3rd Street So., Nampa, Idaho. All interested persons are invited to attend said public hearing or submit written comments to the city clerk prior to the hearing.

Dated this August 15, 2016.

CITY OF NAMPA, Deborah Bishop, City Clerk

Publish: August 23, 24 and 25, 2016

CONSENT TO BID

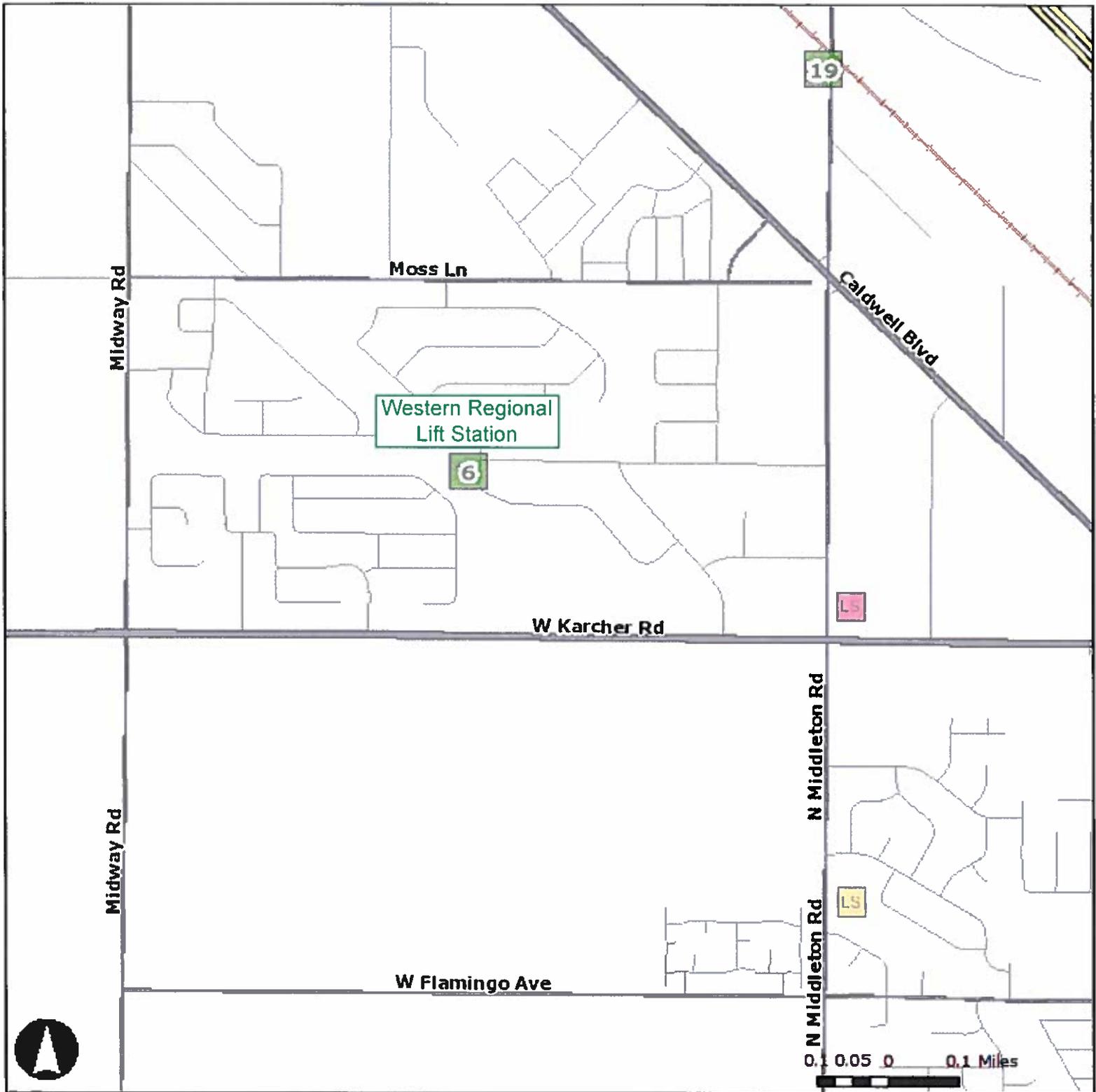
WESTERN REGIONAL LIFT STATION PARALLEL FORCE MAIN

- The Western Regional (Exhibit A) is the largest lift station (LS) in the City in terms of number of pumps, total capacity, total horsepower and force main diameter (18-inch). The LS currently pumps into a single force main which is projected to reach full capacity by 2040. In addition, no viable pump-around solutions are available for most of the alignment during a failure.
- This project is the next phase in a multi-phase project to install a parallel force main from the Western Regional LS to the waste water treatment plant.
- After the leak last winter, the remaining phases of the parallel force main were included and approved in the FY17 budget.
- T-O Engineers (T-O) has completed design of this phase and the project is ready to bid. T-O will assist the City with bidding and construction requests for information. Construction observations will be performed by HDR under a master agreement with the City.
- The Western Regional LS project has an approved FY16 Wastewater budget of \$700,000.

| | |
|-----------------------------------|-------------------|
| Design & Inspection | \$ 78,540 |
| <i>Observation Estimate (10%)</i> | <i>\$ 44,900</i> |
| <i>Construction Estimate</i> | <i>\$ 449,000</i> |
| Total | \$ 572,440 |

- T-O has provided an engineer's estimate and the Engineering Division recommends proceeding with the formal bidding process.

REQUEST: Authorize the Engineering Division to proceed with the formal bidding process for the Western Regional LS Parallel Force Main project.



CITY OF NAMPA
REGULAR COUNCIL
August 15, 2016
STAFF REPORT BY PUBLIC WORKS DEPARTMENT
MICHAEL FUSS, P.E., PUBLIC WORKS DIRECTOR

Special City Council Meeting – Developer Reimbursement Policy and Agreement, and Hookup Fees

Staff and City consultants have been working with an appointed group of developers and builders to create a new developer reimbursement policy and agreement for the City. The proposed policy will replace the current credit policy. A Special City Council meeting has been scheduled for Wednesday, September 7, from 3:00 p.m. to 5:00 p.m., in Nampa City Hall Council Chambers to present a draft policy to City Council for discussion and input. Following this workshop, the draft will be presented to the greater development community and the public prior to returning back to Council for adoption.

The draft policy will create a reimbursement agreement between the City and developers that installs public infrastructure at master planned size and depth that exceeds the amount necessary to serve the proposed development. The agreement creates an additional reimbursement amount assigned to benefiting undeveloped property to be paid at the time of platting for subdivisions, or at the time of a building permit for existing undeveloped lots.

The meeting will also provide Council with the opportunity to adopt new hookup fees for water, irrigation, and wastewater. Staff has received no additional comment or input from the development community since the last presentation to Council.

On September 7, City Council will have an opportunity to direct staff and consultants to further explore avenues or methodology for the developer reimbursement policy and agreement, and hookup fees. Staff looks forward to the discussion and input for these important economic development and free market concepts for investing in the City's infrastructure.

Wastewater Program Phase I Upgrades Project Group A Construction Update

City Staff is providing regular status update of Phase I Upgrades Project Group A as requested by City Council. Staff and the Wastewater Program Management Team (WPMT) have been diligently tracking this project since construction started in early June 2015.

With the construction work past the halfway point, staff and the WPMT would like to offer a construction tour for City Council Members. If interested, please contact Nate Runyan, Deputy Public Works Director, at runyann@cityofnampa or 468-4493.

Project Status

Since issuance of Notice to Proceed there has been considerable progress on Project Group A:

- Notice to Proceed issued June 2, 2015
- The Contract Time Completed is currently at 46%
- The Contract Work Completed is currently at 57%

Key activities and milestones achieved since the update to City Council on June 20, 2016, include:

- Commissioning and startup of three large Primary Effluent Pumps has been completed; staff is currently incorporating the pumps with regular operations at the plant
- Primary Effluent Pump Station (PEPS) electrical testing and punch list items have been completed
- Retrofits to Aeration Basin 2, that will enable phosphorus removal, have been completed
- Retrofits to Aeration Basin 1 began the first week of August and will be completed in mid-October
- Demolition and excavation of a Secondary Clarifier has been executed to begin construction for Aeration Basin 3
- Submitted 564 submittals since the Beginning of Project: Technical submittals, as well as information required for compliance to the City's State Revolving Fund (SRF) Loan with the IDEQ, have been received. Staff and the WPMT strive to respond to submittals as quickly as possible. Average response time is currently 19 days

Based on the current project schedule, the following are the major work items expected to be completed in the near future:

- Retrofits to Aeration Basin 1 will be completed in mid-October
- Construction of Aeration Basin 3 will begin August 2016; completion scheduled for November 2017

The following photos show the progression of work at the site:



Figure 1 – Installation of 30” air line along Aeration Basins 1 and 2



Figure 2 – Demolition of Secondary Clarifier and Secondary Effluent Pump Station (SEPS)

Financial Report

The following table shows current financials for Phase I Upgrades Project Group A:

| | Original Budget | Current Budget | Change Order Rate | Spent | Percent Spent |
|-------------------------------------|-----------------|----------------|-------------------|-------------|---------------|
| Project Group A – Ewing | \$12,494,000 | \$12,685,898 | 1.5% | \$7,259,894 | 57% |
| Phase I Upgrades Contingency | \$1,500,000 | \$1,271,809 | N/A | N/A | N/A |
| TOTAL | \$13,994,000 | \$13,994,000 | N/A | \$7,259,894 | 52% |

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (this "Agreement"), is made and entered into this ____ day of _____, 2016 (the "Effective Date"), by and between the City of Nampa, a municipal corporation, hereinafter referred to as the "City," and: Star Farm LLC, Evert Jansen Van Beek & Son Land LLC, John and Julie Jansen Van Beek and Nellie J. Van Beek , hereinafter referred to as "**Owner(s)/Developer(s)**."

RECITALS

- A. **Owner(s)/Developer(s)** is the owner of approximately 190.37 acres of real property legally described in **Exhibit "A" LEGAL DESCRIPTION OF THE PROPERTY** attached hereto and made a part hereof (the "**Property**").
- B. **Owner(s)/Developer(s)** applied to City on or about October 29, 2016 (the "date of application") for annexation of the **Property** to RS 7 (Single-Family Residential, 7,000 sq. ft. min. lot size) in anticipation of developing a portion of the **Property** on the east side of Star Road for a single-family residential subdivision to be known as "Silver Star Subdivision" (hereinafter the "**Project**").
- C. **City**, pursuant to Sections 10-2-3 & 10-2-4, Nampa City Code, and Idaho Code Section 50-222, has the authority to annex and zone the **Property** for the purpose of allowing, by agreement, a specific development to proceed in a specific area and for specific purposes and/or uses that are appropriate in the area.
- D. **City's** Planning and Zoning Commission and Council have held public hearings as prescribed by law with respect to the annexation and zoning district assignment request, development of the **Property**, and, the terms of this **Agreement**. Post reconsideration and hearing of a revised version of the entitlements sought and **Project** design, **City** has approved the requested annexation and zoning assignment of the area of the **Property** devoted to the **Project** to RS 18 for 5.34 acres, RS-12 for 6.61 acres and RS 8.5 for an 73.11 acres and the balance of the **Property**, 105.30 acres (not a part of the **Project**) to RS 8.5 zoning, subject to the terms and commitments contained in this Agreement.

AGREEMENT

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

1. This Agreement shall not prevent **City**, in subsequent actions applicable to the **Property**, from applying new ordinances and regulations of general application adopted by **City** in the exercise of its police powers that do not conflict with the parties' commitments applicable to the

Property as set forth herein, or the zoning designation approved hereby as the **Property** has been deemed suitable for the uses allowed within said zoning designation.

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

3. The **Project** shall be developed in substantial conformance with the conceptual plans (i.e., site & landscape) attached hereto as **Exhibit(s) "B" CONCEPTUAL PLAN(S)** and made a part hereof; provided, however, that **Owner(s)/Developer(s)** shall have limited flexibility, within code confines, to seek minor alterations to said plans in order to develop the **Property** to meet market conditions within the bounds of the **City's** ordinances, and, the only specific commitments concerning development of the **Project** which **Owner(s)/Developer(s)** is making are set forth herein. Upon recordation of this Agreement, **Owner(s)/Developer(s)** shall have all entitlement approvals required from **City** for development of the **Project** in substantial conformance with Exhibit B's Conceptual Plan(s).

4. The provisions and stipulations of this Agreement shall be binding on **City**, **Owner(s)/Developer(s)**, each subsequent owner of the **Property** or portion thereof, and each other person acquiring an interest in the **Property** and are, in no particular order, as set forth in this document, including the sundry additional conditions of approval attached hereto as **Exhibit "C" CONDITIONS OF APPROVAL**, and by this reference incorporated herein.

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

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

7. This Agreement and the commitments contained herein shall be terminated, and the zoning designation reversed, upon the failure of **Owner(s)/Developer(s)**, or each subsequent owner or each person acquiring an interest in the **Property**, to comply with the commitments contained herein within two (2) years after the effective date of this Agreement, and after the notice and hearing requirements of Idaho Code Section 67-6509 have been complied with by **City**. Exception: the failure to begin site development of all or a portion of a project proposed under this Agreement does not necessarily serve as impetus to allege that the commitments contained herein are not being fulfilled. Rather, commencement of site work and/or construction then left in abandon or failure to abide by the terms of this Agreement, as herein iterated, shall

serve as impetus to consider termination of this Agreement and reversion of zoning. Provided, however, no such termination or reversal shall occur unless **City** provides written notice of **Owner(s)/Developer(s)** failure to comply with the terms and conditions of this Agreement to **Owner(s)/Developer(s)** and **Owner(s)/Developer(s)** fails to cure such failure within six (6) months of **Owner(s)/Developer(s)** receipt of such notice. The two (2) year period of time for compliance with commitments may be extended by **City** for good cause upon application for such extension by **Owner(s)/Developer(s)**, and after complying with the notice and hearing provisions of Idaho Code Section 67-6509.

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

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

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

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

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

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

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

a. A waiver by **City** of any default by **Owner(s)/Developer(s)** of any one or more of the covenants or conditions hereof shall apply solely to the breach waived and shall not bar any other rights or remedies of **City** or apply to any subsequent breach of any such or other covenants and conditions. A waiver by **Owner(s)/Developer(s)** of any default by **City** of any one or more of the covenants and conditions hereof shall apply solely to the breach waived and shall not bar any other rights of remedies of **Owner(s)/Developer(s)** or apply to any subsequent breach of any such or other covenants and conditions.

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

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

d. In addition to the remedies set forth above, in the event of a default by **Owner(s)/Developer(s)**, or any other party claiming an interest herein, **City** may withhold building permits for any remaining lots within the development until such time as the default is cured.

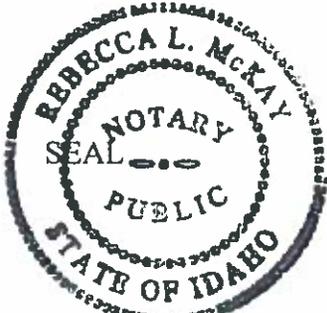
SEAL

Notary Public for State of Idaho
Residing at _____
Commission Expires: _____

STATE OF IDAHO)
 Ada) ss.
County of ~~Canyon~~)

On this 2nd day of August, in the year of 2016 before me,
Rebecca L. McKay, personally appeared Lee Centers, known or
identified to me, to be Manager, of Star Farms, LLC, the person
whose name is subscribed to the within and foregoing instrument and acknowledged to me that
he executed the same for and on behalf of Star Farms, LLC

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



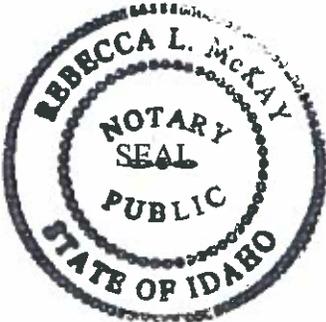
Rebecca L McKay
Notary Public for State of Idaho
Residing at Eagle JP
Commission Expires: 8/14/18

STATE OF IDAHO)
 Ada) ss.
County of ~~Canyon~~)

On this 2nd day of August, in the year of 2016 before me,
Rebecca L. McKay personally appeared John Jansen Van Beck known or
identified to me, to be Manager, of Evert Jansen Van Beck & Son Land LLC, the person
whose name is subscribed to the within and foregoing instrument and acknowledged to me that
he executed the same for and on behalf of the limited liability company Evert Jansen Van Beck & Son Land LLC

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

Rebecca L McKay
Notary Public for State of Idaho



Residing at Eagle, ID
Commission Expires 8/14/18

STATE OF IDAHO)
Ada) ss.
County of Canyon)

On this 2nd day of August, in the year of 2016 before me, Rebecca L. McKay,
Nellie J. Van Beek, personally appeared Nellie J. Van Beek, known or
identified to me, to be _____, of _____, the person
whose name is subscribed to the within and foregoing instrument and acknowledged to me that
he executed the same for and on behalf of her property.

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

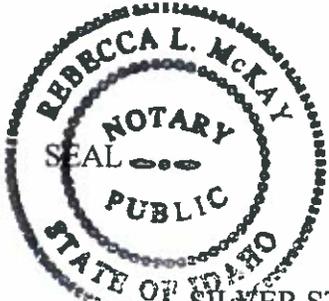


Rebecca L McKay
Notary Public for State of Idaho
Residing at Eagle ID
Commission Expires: 8/16/18

STATE OF IDAHO)
Ada) ss.
County of Canyon)

On this 2nd day of August, in the year of 2016 before me,
Rebecca L. McKay personally appeared John Jansen Van Beek and Talie Jansen Van Beek, known or
identified to me, to be husband and wife, the person
whose name is subscribed to the within and foregoing instrument and acknowledged to me that
he executed the same for and on behalf of John & Talie Jansen Van Beek

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



Rebecca L McKay
Notary Public for State of Idaho
Residing at Eagle, ID
Commission Expires: 8/16/18

EXHIBIT "A"

LEGAL DESCRIPTION OF THE PROPERTY

March 31, 2016

 Description for Proposed RS-8.5 Zone

A parcel located in the NW ¼ of Section 5 and the E ½ of Section 6, Township 3 North, Range 1 West, Boise Meridian, Canyon County, Idaho, and more particularly described as follows:

Commencing at an Aluminum Cap monument marking the northwest corner of Government Lot 4 of said Section 5, from which a 5/8 inch diameter iron pin marking the northeast corner of Government Lot 3 of said Section 5 bears S 89°18'00" E a distance of 2652.17 feet;

Thence S 0°47'23" W along the westerly boundary of said Government Lot 4 a distance of 1018.56 feet to a 5/8 inch diameter iron pin and the **POINT OF BEGINNING**;

Thence leaving said westerly boundary N 89°08'17" E a distance of 389.26 feet to a 5/8 inch diameter iron pin;

Thence N 17°38'35" E a distance of 28.76 feet to a point on the centerline of the Stafford Lateral;

Thence along said centerline the following described courses:

Thence S 68°22'41" E a distance of 347.49 feet to a point;

Thence S 71°55'29" E a distance of 71.96 feet to a point;

Thence a distance of 81.95 feet along the arc of a 96.89 foot radius curve right, said curve having a central angle of 48°27'42" and a long chord bearing S 47°41'38" E a distance of 79.53 feet to a point;

Thence S 23°27'46" E a distance of 75.83 feet to a point;

Thence a distance of 115.59 feet along the arc of a 100.16 foot radius curve left, said curve having a central angle of 66°07'17" and a long chord bearing S 56°31'16" E a distance of 109.28 feet to a point;

Thence S 89°34'47" E a distance of 351.93 feet to a point on the easterly boundary of said Government Lot 4;

Thence leaving said centerline S 0°48'50" W a distance of 43.82 feet to a 5/8 inch diameter iron pin marking the southeast corner of said Government Lot 4;

Thence S 88°50'34" E along the southerly boundary of Government Lot 3 of said Section 5 a distance of 1325.57 feet to a 5/8 inch diameter iron pin marking the southeast corner of said Government Lot 3;

Thence S 0°50'15" W along the easterly boundary of the SE ¼ of the NW ¼ of said Section 5 a distance of 1324.20 feet to a 5/8 inch diameter iron pin marking the southeast corner of said SE ¼ of the NW ¼;

Thence N 88°53'59" W along the southerly boundary of said NW ¼ a distance of 1252.34 feet to a point;

Thence leaving said boundary N 20°50'12" E a distance of 161.27 feet to point on a curve;

Thence a distance of 70.47 feet along the arc of a non-tangent 88.00 foot radius curve right, said curve having a central angle of 45°52'55" and a long chord bearing N 46°13'20" W a distance of 68.60 feet to a point;

Thence S 67°16'11" W a distance of 13.82 feet to a point;

Thence N 89°10'52" W a distance of 110.00 feet to a point;

Thence N 00°49'08" E a distance of 361.06 feet to a point;

Thence N 89°49'53" W a distance of 40.72 feet to a point of curvature;

Thence a distance of 28.58 feet along the arc of a 282.00 foot radius curve right, said curve having a central angle of 06°01'12" and a long chord bearing N 86°49'17" W a distance of 28.57 feet to a point;

Thence N 38°06'10" W a distance of 28.63 feet to a point on a curve;

Thence a distance of 12.56 feet along the arc of a non-tangent 428.00 foot radius curve right, said curve having a central angle of 01°40'52" and a long chord bearing N 06°45'54" E a distance of 12.56 feet to a point;

Thence N 84°04'32" W a distance of 56.00 feet to a point;

Thence N 88°53'59" W a distance of 123.98 feet to a point;

Thence S 14°03'19" W a distance of 98.51 feet to a point;

Thence S 12°31'33" W a distance of 182.90 feet to a point;

Thence N 88°53'59" W a distance of 331.31 feet to a point;

Thence N 85°37'33" W a distance of 109.27 feet to a point;

Thence N 00°47'23" E a distance of 8.59 feet to a point;

Thence N 89°12'37" W a distance of 66.00 feet to a point;

Thence N 0°47'23" E a distance of 194.31 feet to a point;

Thence N 89°00'07" W a distance of 448.37 feet to a point on the westerly boundary of said NW ¼;

Thence S 0°47'23" W along said westerly boundary a distance of 525.71 feet to a Brass Cap monument marking the southwest corner of said NW ¼;

Thence S 0°47'32" W along the easterly boundary of the E ½ of said Section 6 a distance of 408.00 feet to a 5/8 inch diameter iron pin;

Thence leaving said easterly boundary N 89°29'03" W a distance of 2641.62 feet to a 5/8 inch diameter pin on the westerly boundary of said E ½;

Thence N 0°53'53" E along said westerly boundary a distance of 409.00 feet to a 5/8 inch diameter iron pin marking the southwest corner of the NE ¼ of said Section 6;

Thence continuing along said westerly boundary N 0°54'24" E a distance of 1330.98 feet to a 5/8 inch diameter iron pin marking the northwest corner of the S ½ of the NE ¼ of said Section 6;

Thence S 89°22'21" E along the northerly boundary of said S ½ of the NE ¼ a distance of 2638.13 feet to a 5/8 inch diameter iron pin marking the northeast corner of said S ½ of the NE ¼, also being the southwest corner of Government Lot 4 of said Section 5;

Thence N 0°47'23" E along the westerly boundary of said Government Lot 4 a distance of 320.17 feet to the **POINT OF BEGINNING**;

Said parcel contains 178.41 acres and is subject to any easements existing or in use.



March 30, 2016

Description for Proposed RS-12 Zone
Silver Star Subdivision

A parcel located in the NW ¼ of Section 5, Township 3 North, Range 1 West, Boise Meridian, Canyon County, Idaho, and more particularly described as follows:

Commencing at an Aluminum Cap monument marking the northwest corner of Government Lot 4 of said Section 5, from which a 5/8 inch diameter iron pin marking the northeast corner of Government Lot 3 of said Section 5 bears S 89°18'00" E a distance of 2652.17 feet;

Thence S 0°47'23" W along the westerly boundary of said Government Lot 4 a distance of 2334.14 feet to the **POINT OF BEGINNING**;

Thence leaving said westerly boundary S 89°00'07" E a distance of 448.37 feet to a point;

Thence S 89°12'37" E a distance of 66.00 feet to a point;

Thence S 00°47'23" W a distance of 8.59 feet to a point;

Thence S 85°37'33" E a distance of 109.27 feet to a point;

Thence S 88°53'59" E a distance of 331.31 feet to a point;

Thence N 12°31'33" E a distance of 182.90 feet to a point;

Thence N 14°03'19" E a distance of 98.51 feet to a point;

Thence S 88°53'59" E a distance of 123.98 feet to a point;

Thence S 84°04'32" E a distance of 56.00 feet to a point on a curve;

Thence a distance of 12.56 feet along the arc of a non-tangent 428.00 foot radius curve left, said curve having a central angle of 01°40'52" and a long chord bearing S 06°45'54" W a distance of 12.56 feet to a point;

Thence S 38°06'10" E a distance of 28.63 feet to a point on a curve;

Thence a distance of 28.58 feet along the arc of a non-tangent 272.00 foot radius curve left, said curve having a central angle of 06°01'12" and a long chord bearing S 86°49'17" E a distance of 28.57 feet to a point of tangency;

Thence S 89°49'53" E a distance of 40.72 feet to a point;

Thence S 00°49'08" W a distance of 361.06 feet;

Thence S 89°10'52" E a distance of 110.00 feet to a point;

Thence N 67°16'11" E a distance of 13.82 feet to a point on a curve;

Thence a distance of 70.47 feet along the arc of a non-tangent 88.00 foot radius curve left, said curve having a central angle of 45°52'55" and a long chord bearing S 46°13'20" E a distance of 68.60 feet to a point;

Thence S 20°50'12" W a distance of 161.27 feet to a point on the southerly boundary of the NW ¼ of said Section 5;

Thence along said southerly boundary N 88°53'59" W a distance of 122.67 feet to a point;

Thence leaving said boundary N 00°49'08" E a distance of 100.00 feet to point;

Thence N 89°10'52" W a distance of 140.00 feet to a point;

Thence N 18°04'36" W a distance of 48.80 feet to a point;

Thence N 52°36'08" W a distance of 65.19 feet to a point;

Thence N 88°53'59" W a distance of 385.88 feet to a point of curvature;

Thence a distance of 128.55 feet along the arc of a 772.00 foot radius curve right, said curve having a central angle of 09°32'26" and a long chord bearing N 84°07'46" W a distance of 128.40 feet to a point of reverse curvature;

Thence a distance of 21.91 feet along the arc of a 828.00 foot radius curve left, said curve having a central angle of 01°30'58" and a long chord bearing N 80°07'02" W a distance of 21.91 feet to a point;

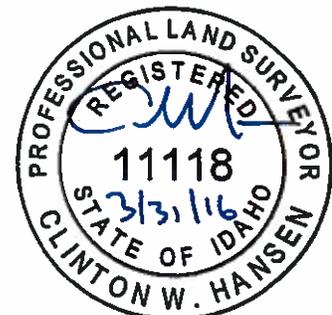
Thence N 84°07'59" W a distance of 94.11 feet to a point on a curve;

Thence a distance of 26.30 feet along the arc of a non-tangent 828.00 foot radius curve left, said curve having a central angle of 01°49'11" and a long chord bearing N 88°18'02" W a distance of 26.30 feet to a point of tangency;

Thence N 89°12'37" W a distance of 411.44 feet to a point on the westerly boundary of said NW ¼;

Thence N 0°47'23" E along said westerly boundary a distance of 127.51 feet to the **POINT OF BEGINNING**;

Said parcel contains 6.61 acres, more or less, and is subject to any easements existing or in use.



March 30, 2016

Description for Proposed RS-18 Zone
Silver Star Subdivision

A parcel located in the NW ¼ of Section 5, Township 3 North, Range 1 West, Boise Meridian, Canyon County, Idaho, and more particularly described as follows:

Commencing at an Aluminum Cap monument marking the northwest corner of Government Lot 4 of said Section 5, from which a 5/8 inch diameter iron pin marking the northeast corner of Government Lot 3 of said Section 5 bears S 89°18'00" E a distance of 2652.17 feet;

Thence S 0°47'23" W along the westerly boundary of said Government Lot 4 a distance of 2461.65 feet to the **POINT OF BEGINNING**;

Thence leaving said westerly boundary S 89°12'37" E a distance of 411.44 feet to a point of curvature;

Thence a distance of 26.30 feet along the arc of a 828.00 foot radius curve right, said curve having a central angle of 01°49'11" and a long chord bearing S 88°18'02" E a distance of 26.30 feet to a point;

Thence S 84°07'59" E a distance of 94.11 feet to a point on a curve;

Thence a distance of 21.91 feet along the arc of a non-tangent 828.00 foot radius curve right, said curve having a central angle of 01°30'58" and a long chord bearing S 80°07'02" E a distance of 21.91 feet to a point of reverse curvature;

Thence a distance of 128.55 feet along the arc of a 772.00 foot radius curve left, said curve having a central angle of 09°32'26" and a long chord bearing S 84°07'46" E a distance of 128.40 feet to a point of tangency;

Thence S 88°53'59" E a distance of 385.88 feet to a point;

Thence S 52°36'08" E a distance of 65.19 feet to a point;

Thence S 18°04'36" E a distance of 48.80 feet to a point;

Thence S 89°10'52" E a distance of 140.00 feet to a point;

Thence S 00°49'08" W a distance of 100.00 feet to a point on the southerly boundary of the NW ¼ of said Section 5;

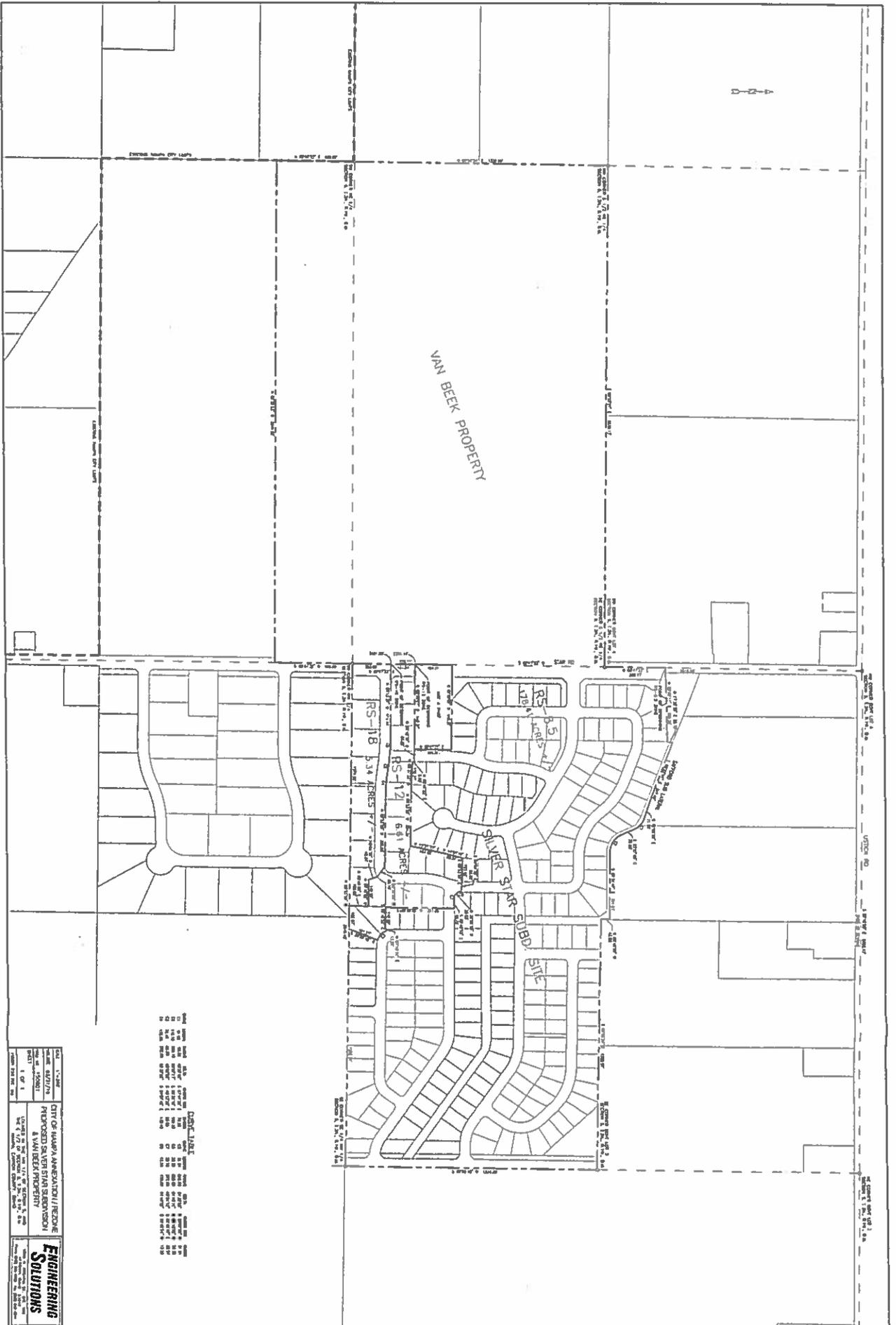
Thence along said southerly boundary N 88°53'59" W a distance of 1274.96 feet to a Brass Cap monument marking the southwest corner of said NW ¼;

Thence N 0°47'23" E along the westerly boundary of said NW ¼ a distance of 203.89 feet to the **POINT OF BEGINNING**;

Said parcel contains 5.34 acres, more or less, and is subject to any easements existing or in use.



EXHIBIT(S) "B"
CONCEPTUAL PLAN(S)

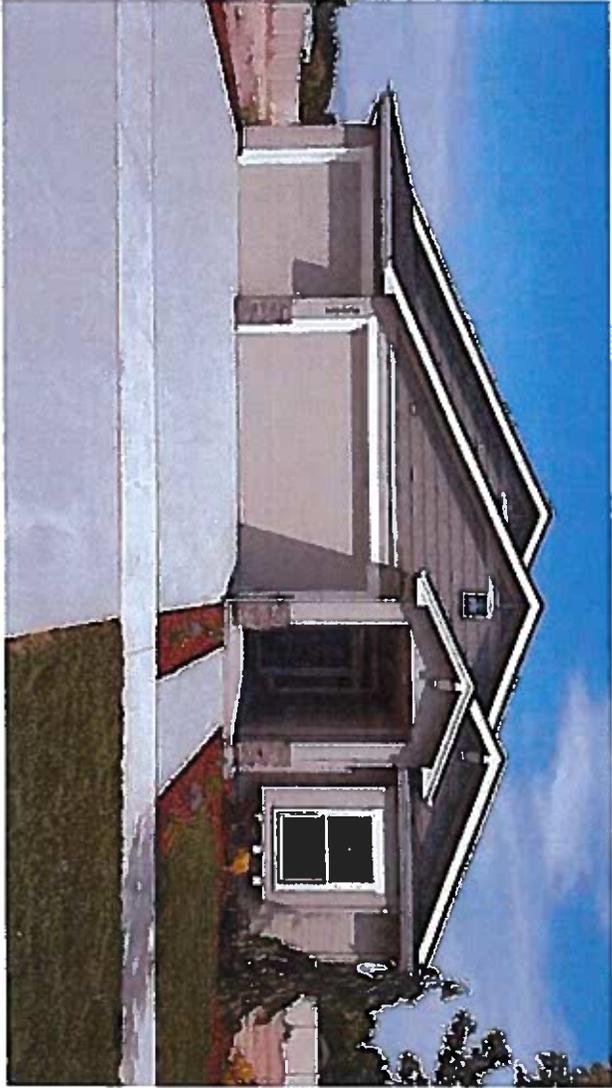


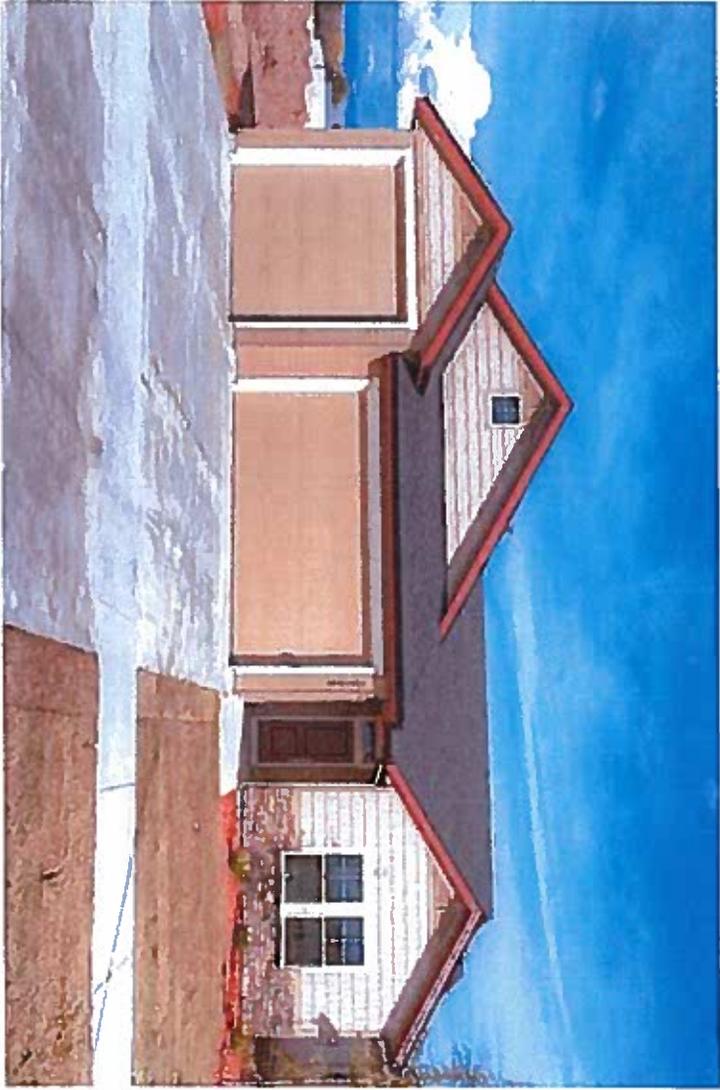
DATE LIST

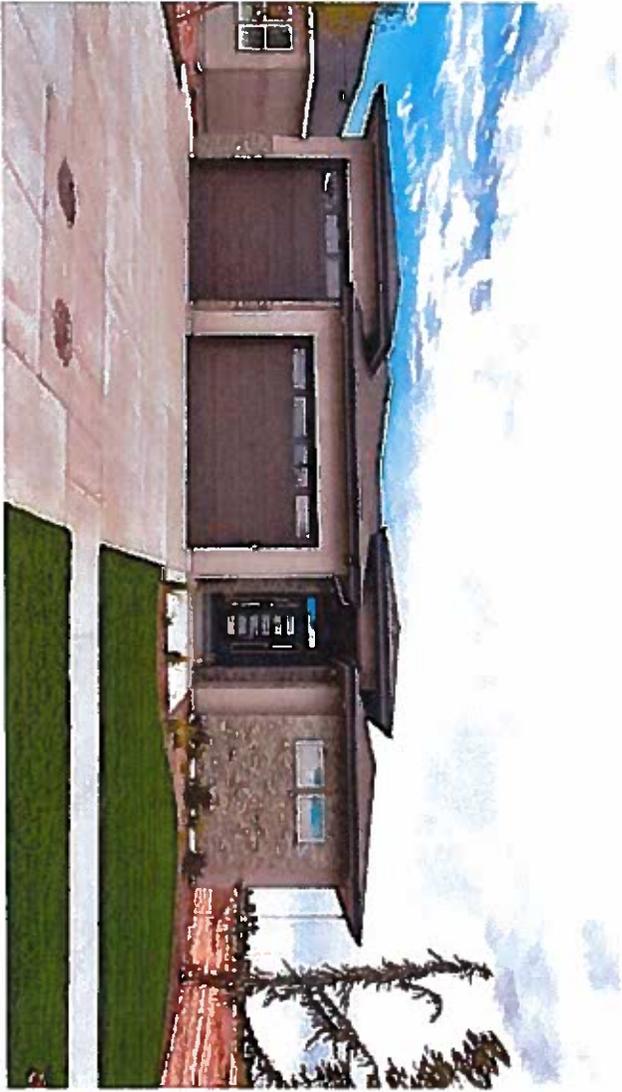
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| NO. 1 | NO. 2 | NO. 3 | NO. 4 | NO. 5 | NO. 6 | NO. 7 | NO. 8 | NO. 9 | NO. 10 | NO. 11 | NO. 12 | NO. 13 | NO. 14 | NO. 15 | NO. 16 | NO. 17 | NO. 18 | NO. 19 | NO. 20 | NO. 21 | NO. 22 | NO. 23 | NO. 24 | NO. 25 | NO. 26 | NO. 27 | NO. 28 | NO. 29 | NO. 30 | NO. 31 | NO. 32 | NO. 33 | NO. 34 | NO. 35 | NO. 36 | NO. 37 | NO. 38 | NO. 39 | NO. 40 | NO. 41 | NO. 42 | NO. 43 | NO. 44 | NO. 45 | NO. 46 | NO. 47 | NO. 48 | NO. 49 | NO. 50 | NO. 51 | NO. 52 | NO. 53 | NO. 54 | NO. 55 | NO. 56 | NO. 57 | NO. 58 | NO. 59 | NO. 60 | NO. 61 | NO. 62 | NO. 63 | NO. 64 | NO. 65 | NO. 66 | NO. 67 | NO. 68 | NO. 69 | NO. 70 | NO. 71 | NO. 72 | NO. 73 | NO. 74 | NO. 75 | NO. 76 | NO. 77 | NO. 78 | NO. 79 | NO. 80 | NO. 81 | NO. 82 | NO. 83 | NO. 84 | NO. 85 | NO. 86 | NO. 87 | NO. 88 | NO. 89 | NO. 90 | NO. 91 | NO. 92 | NO. 93 | NO. 94 | NO. 95 | NO. 96 | NO. 97 | NO. 98 | NO. 99 | NO. 100 |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------|

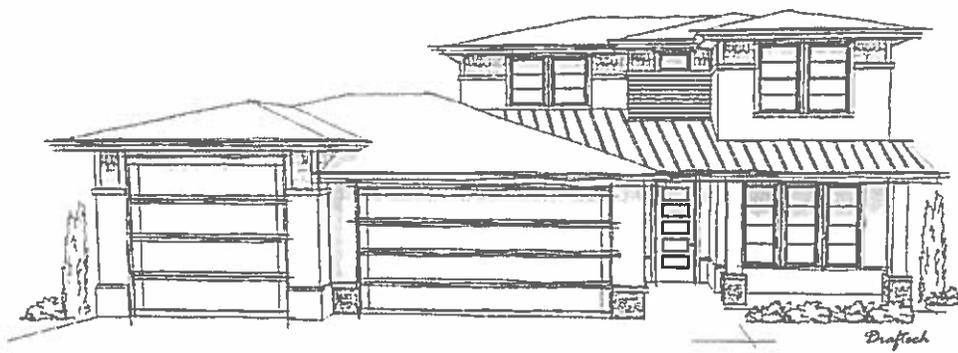
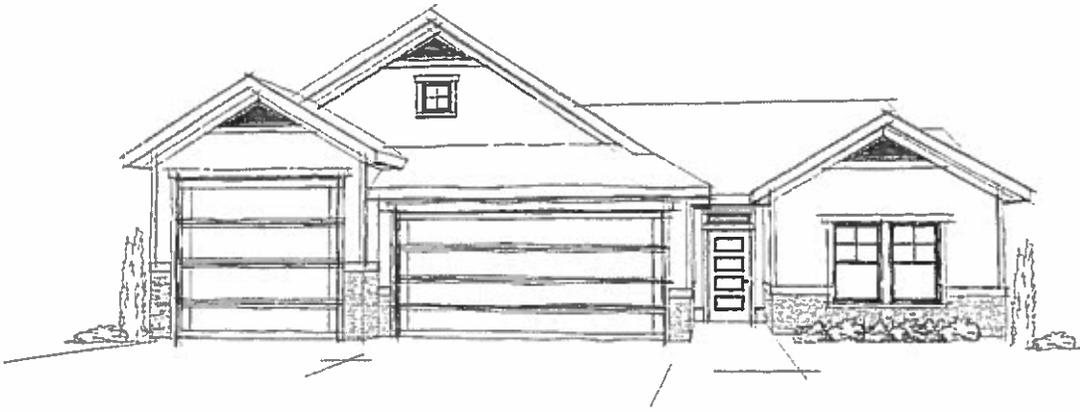
ENGINEERING SOLUTIONS

CITY OF ALABAMA AMENDATION / RESOLVE
 PROPOSED SUMNER ST AND VAN ST
 IN VAN BEK PROPERTY









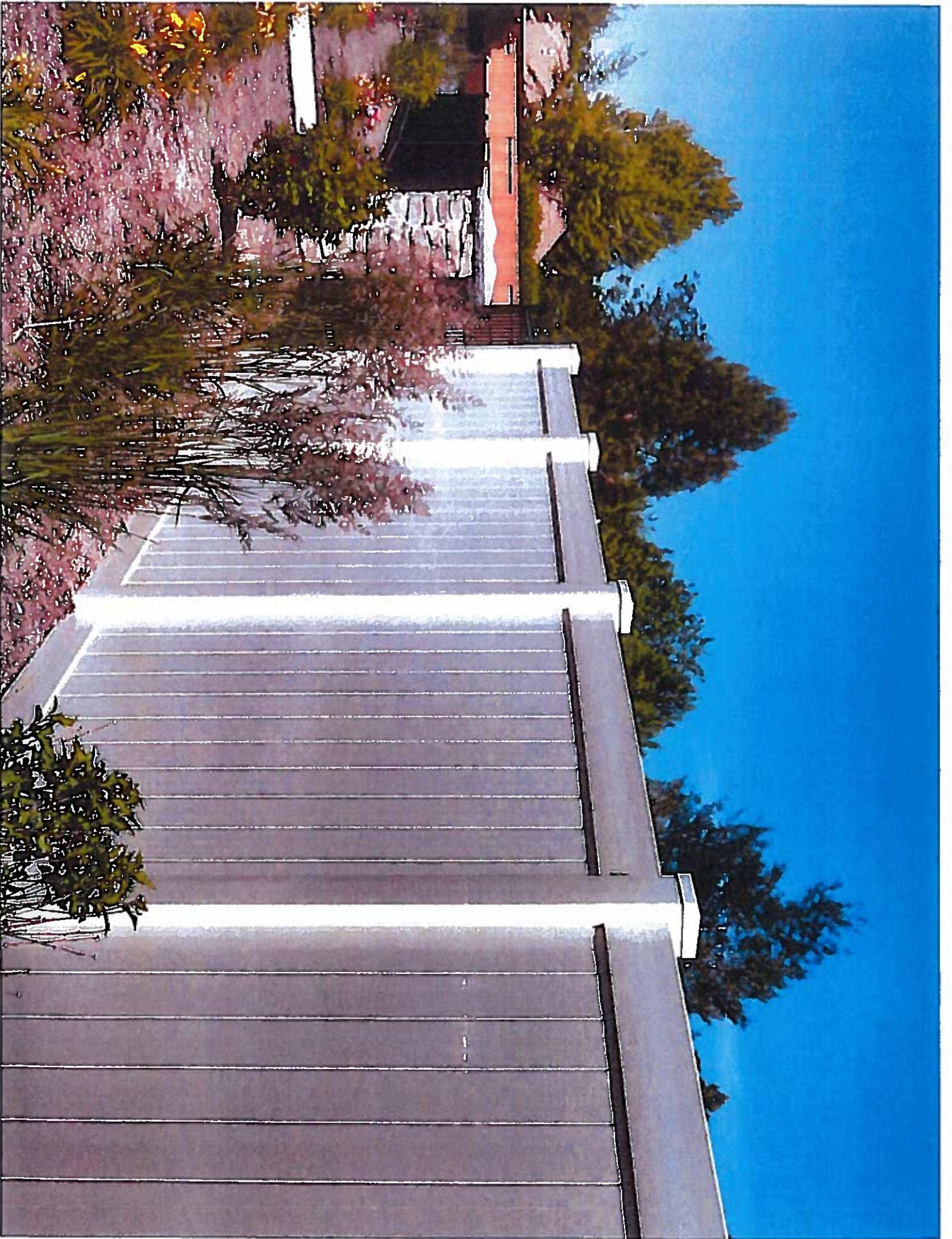


EXHIBIT "C"

CONDITIONS OF APPROVAL

1. Owner(s)/Developer(s)/Project shall dedicate right-of-way for Star Road, 50' from centerline.
2. City acknowledges that the Project has a vested right to discharge sewer to the Birch Sewer Drainage Basin, all other properties made a part of the annexation are subject to the following condition:
 - a. Prior to any development of the balance of the Property, as indicated by building permit application and issuance, Owner/Developer shall provide proof of reserved capacity in the Birch Sewer Drainage Basin as follows:
 - Written commitment from the owner of a separate property within the Birch Sewer Service Area, or a property otherwise entitled to connect to the Birch Sewer System, that the subject property will not be entitled to connect to the Birch Sewer System until the capacity actually used by the balance of the Property is removed for the Birch Sewer System and is physically served by the Purdam Sewer System
 - The identified property must be within the Birch Sewer Service Area or be otherwise entitled to connect to the Birch Sewer System (i.e., be part of the 2006 Sewer Improvement Reimbursement Agreement).
 - One or more properties may be identified, either for the entire project or as required to provide capacity for each phase of the project.
 - The identified property must restrict sewer service connection based on an acre to acre designation.
 - The Owner(s)/Developer(s) may, with written commitment from the owner and upon approval of the City, add or remove designated properties as long as sufficient capacity remains to serve existing platted lots.
 - Owner(s)/Developer(s) shall submit proof of capacity per above requirements with the submittal of each final plat application to the City for approval.
 - All commitments shall automatically be considered null and void by the City at the time of physical connection of the project sewer line to the operational Purdam Sewer System.
3. The entire perimeter of the Project shall be screened with sight/site obscuring six foot (6') fencing at the back/rear of all building lots. Emplacement of fencing along the south side of Lots 1-11 (to be converted into 10 lots) shall occur in conjunction with the first phase of development. All other fencing may be emplaced by home builders as a condition of

compliance with Covenants, Codes and Restrictions which shall be crafted and recorded for/against the Project and shall require fencing as noted by this condition and shall cause such fencing to be uniform in material and color. Fencing shall not be placed between Star Road and the required common area landscape strips that will parallel and abut the same and be made a part of the Project. Fencing shall not be placed between N. Griffon Avenue (or whatever name that future right-of-way assumes) and the common area landscape strips that will parallel and abut the same and be made a part of the Project.



CITY OF NAMPA
FINANCE DEPARTMENT

Vikki Chandler - Finance Director
(208) 468-5737

August 15, 2016

TO: City Council

CC: Mayor Bob Henry

FR: Vikki Chandler, Finance Director

RE: FY 2016 Budget Amendment

The final amendment has only a few items. We need an amendment primarily for new grant funds and those items approved by Council that still require budget approval. The following list explains the changes included in the resolution.

- 1) Grants include Family Justice Center for \$37,500 from the Council on Domestic Violence and \$40,000 from the Baseball Tomorrow Foundation for the new Midway Park.
- 2) Architectural fees of \$6,000 to get a jump start on the new lobby office for Utility Billing approved in FY 2017; funding is from reserves.
- 3) Rollover project in Streets for Lonestar and Midland of \$383,491 from the FY 2015 budget.
- 4) Downtown Tree Removal of \$46,201 from reserves.
- 5) Two projects required more funding than had been budgeted: Lube Bay for Fleet Services at \$9,522 and City Hall Parking Lot for \$8,918. State Shared Revenues should cover this.
- 6) Human Resources is preparing offices for a new manager and providing more confidentiality for current staff. Estimate is \$31,850; State Shared Revenues should cover this as well.
- 7) Police Dept. is acquiring through Fleet two 2016 Tahoes for \$96,000 through Impact Fees. Current revenues will cover this purchase.

RESOLUTION # - FY2016

AN AMENDED ESTIMATE OF EXPENSES AND REVENUES OF THE CITY OF NAMPA, IDAHO FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2015 TO AND INCLUSIVE OF SEPTEMBER 30, 2016, AND NOTICE OF PUBLIC HEARING ON THE PROPOSED BUDGET BY THE CITY COUNCIL.

WHEREAS, Section 50-1002 Idaho Code, requires the City Council, prior to passing the annual appropriation ordinance, to estimate the probable amount of money necessary for all purposes during the fiscal year end and;

WHEREAS, a proposed amendment to the budget has been prepared that includes an estimate of expenses and revenues for the fiscal year October 1, 2015 through and including September 30, 2016;

THEREFORE, it is hereby ordered by the City Council that this classification and estimate be entered into the minutes of the Council of the City of Nampa and the City Clerk be directed to cause the same to be published in the Idaho Press Tribune, a newspaper published in said City and having a general circulation therein.

ESTIMATED EXPENDITURES

GENERAL FUND

| | | |
|------------------------------|-------------------|------------------------------|
| City Clerk | 267,270 | |
| Code Enforcement | 466,759 | |
| Economic Development | 456,748 | |
| Engineering | 1,707,306 | |
| Facilities Development | 1,153,973 | |
| Finance | 1,129,989 | |
| Fire | 11,585,241 | |
| General Government | 803,528 | |
| Tfr to Family Justice Center | 224,883 | |
| Tfr to Civic Center | 494,588 | |
| Tfr to Idaho Center | 870,351 | |
| Tfr to Parks & Rec | 627,282 | |
| Human Resource | 410,378 | 378,528 |
| Information Technology | 2,151,486 | |
| Legal | 881,000 | |
| Mayor & Council | 528,466 | |
| Parks & Rec Admin | 365,786 | |
| Planning & Zoning | 487,559 | |
| Police | 19,408,089 | |
| Public Works Admin | 353,929 | |
| Fleet Management | 1,063,965 | 1,054,443 |
| SUBTOTAL | 45,438,576 | 46,397,204 |

GRANT FUNDS

| | | |
|-------------------------------|-------------------|------------------------------|
| FAA | 141,846 | |
| Federal DOT | 266,288 | |
| Federal HUD | 1,342,919 | |
| Other Federal Grants | 14,903,054 | 14,865,553 |
| State of Idaho & Local Grants | 3,778,921 | |
| Private Grants | 937,954 | 897,954 |
| SUBTOTAL | 21,370,982 | 21,293,481 |

ENTERPRISE & SPECIAL REVENUE FUNDS

| | | |
|--|---------------------|--------------------------------|
| 911 Fees | 987,669 | |
| Airport | 570,644 | |
| Cemetery | 304,042 | |
| Civic Center | 1,166,963 | |
| Development Services | 1,989,210 | |
| Downtown Renewal/Electric Franchise Fees | 46,201 | |
| Family Justice Center | 251,011 | |
| Idaho Center | 5,071,390 | |
| Library | 2,123,930 | |
| Nampa Recreation Center | 3,707,360 | |
| Parks & Recreation | 3,477,914 | |
| Golf | 2,355,146 | |
| Sanitation Collection | 8,685,969 | |
| Street | 11,191,549 | 10,808,059 |
| Utility Billing | 888,033 | 854,037 |
| Wastewater | 13,931,578 | |
| Water | 11,563,547 | |
| Workers Comp Fund | 63,663 | |
| SUBTOTAL | \$68,375,819 | \$67,942,432 |

CAPITAL & DEBT SERVICE FUNDS

| | | |
|--------------------------------|------------------|-----------------------------|
| Capital Projects | 1,459,840 | \$1,450,922 |
| Library Major Capital Campaign | - | |
| Development Impact Fees | 4,898,142 | 4,802,142 |
| GO Bond Debt Service | 2,696,900 | |
| SUBTOTAL | 9,054,882 | 8,949,964 |

GRAND TOTAL

144,240,259 ~~143,552,784~~

ESTIMATED REVENUES

PROPERTY TAXES

| | | |
|---------------------------------|---------------------|--|
| Real Property Taxes | \$33,519,651 | |
| Exempt Property Taxes (GO Bond) | 2,696,900 | |
| SUBTOTAL | \$36,216,551 | |

OTHER FEES

| | | |
|--------------------|------------------|--|
| 911 Fees | 987,669 | |
| Impact Fee | 890,000 | |
| Licenses & Permits | 1,970,838 | |
| SUBTOTAL | 3,848,507 | |

STATE REVENUE SHARING

| | | |
|-----------------------------------|---------------------|----------------------|
| Sales Tax | 5,110,457 | 5,069,085 |
| Personal Property Tax Replacement | 530,854 | |
| State Liquor | 758,389 | |
| Highway Users | 3,942,491 | 3,559,000 |
| Road & Bridge | 2,374,795 | |
| SUBTOTAL | \$12,716,986 | \$12,292,123 |

CHARGES FOR SERVICES

| | | |
|-----------------------------|---------------------|--|
| Airport | 408,262 | |
| Cemetery | 88,500 | |
| Civic Center | 545,077 | |
| Development Services | 22,667 | |
| General Government | 2,733,771 | |
| Golf Courses | 2,177,088 | |
| Idaho Center | 2,975,526 | |
| Local Grants | 1,695,079 | |
| Library | 22,000 | |
| Nampa Recreation Center | 3,128,750 | |
| Parks & Recreation | 349,500 | |
| Sanitation/Trash Collection | 8,685,969 | |
| State of Idaho | 2,029,113 | |
| Street & Traffic | 0 | |
| Utility Billing | 838,706 | |
| Wastewater | 12,078,629 | |
| Water | 8,800,000 | |
| Workers Compensation | 63,663 | |
| SUBTOTAL | \$46,642,300 | |

FRANCHISE FEES

| | | |
|--------------------|------------------|--|
| Electric Franchise | 988,000 | |
| Gas Franchise | 795,000 | |
| SUBTOTAL | 1,783,000 | |

GRANTS & DONATIONS

| | | |
|-----------------------------|-------------------|-----------------------|
| Donations | 579,465 | 549,465 |
| FAA Grants | 141,846 | |
| Federal Grants | 16,512,259 | 16,504,759 |
| Private Grant/Contributions | 70,000 | 30,000 |
| State Grants | 54,729 | |
| Local Grants | - | |
| SUBTOTAL | 17,358,299 | 17,280,799 |

FINES & FORFEITURES

| | | |
|--------------------|----------------|--|
| General Government | 639,000 | |
| Airport | - | |
| Library | 52,000 | |
| SUBTOTAL | 691,000 | |

TRANSFERS & FUND BALANCE

| | | |
|-----------------|-------------------|-----------------------|
| Transfers In | \$10,976,195 | |
| Fund Balance | 13,209,095 | 13,032,898 |
| SUBTOTAL | 24,185,290 | \$24,009,093 |

MISCELLANEOUS

| | | |
|-------------------|----------------|--------------------|
| Interest Earnings | 176,270 | |
| Miscellaneous | 622,056 | 613,138 |
| SUBTOTAL | 798,326 | 789,408 |

GRAND TOTAL

| | |
|----------------------|----------------------|
| \$144,240,259 | \$143,552,784 |
|----------------------|----------------------|

\$0



PLANNING & ZONING DEPARTMENT

Before the Mayor & City Council
Meeting of 15 AUGUST 2016

PUBLIC HEARING ITEM NO. 1 & 2 STAFF REPORT

Analyst: Robert Hobbs

Applicant(s):

Dean and Daren Anderson

File(s): CMA 026-16 & ZMA 015-16 & VAR 009-16

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

1. **Comprehensive Plan Future Land Use Map Amendment from General Commercial to High Density Residential; and,**

(Decision Required: Decision)

2. **Rezone of land from both RML (Limited Multiple-Family Residential) and RS 6 (Single Family Residential - 6,000 sq. ft.) to RMH (High Density, Multiple-Family Residential) ...**

(Decision Required: Decision)

3. **Variance to N.C.C. § 10-12-4.B which requires that the height of a building abutting a RS Zoned property be no greater than 30 feet unless the building is set back at least 50' from the intervening property line between the two buildings. (Otherwise, the normal height limit allowance in the RMH Zone is 65'.)...**

(Decision Required: Decision)

In order to facilitate construction of two apartment buildings: One 18-unit structure at the back of the Property with its long axis running east ←→ west, and one 12-unit structure on the east side of the Property with its long axis running north ←→ south; the buildings are tentatively proposed to be 38' tall at their highest point (e.g. ridgeline). Density yield proposed at 18 du/a, where 77 is normally allowed (in the RMH Zone). RMH Zone is proposed over RML (existing on

Property) to gain that zone's height allowance (vs. RML's lower limit), *not* for the RMH Zone's density or land use allowance...

Pertaining to:

A split-zoned parcel of land located at 347 W. Orchard Ave. (A 1.655 acre portion of Section 2, T3N, R2W, NE 1/4, BM, Westview Subdivision Lot 4 North of the Canal, less Tax 1 and 10 in NW 1/4, NE ¼ -- hereinafter the "Property")

History:

The Planning and Zoning Commission, during their regularly scheduled public hearing of July 12, 2016, voted to recommend approval of the Comprehensive Plan Future Land Use Map Amendment and the Rezone entitlements requests entailed in this matter. A copy of the hearing minutes from that meeting is hereto attached. No new information has been received by Staff pertaining to this application package in so far as we are aware since the Commissioners' meeting (the Variance application was submitted with the other two applications but is only required to be heard by Council and thus was not reviewed by the Commission).

COMPREHENSIVE PLAN MAP AMENDMENT

In the 2010 Idaho Legislative session, House Bill no. 608 was signed into law. This law provides that changes to a comprehensive plan land use map may be recommended by a Planning & Zoning Commission at any time, unless the local governing Board has established by Resolution a minimum interval between requested amendments not to exceed six months.

More important to this matter, the two criteria that used to found in state law to guide the Commission and Council in determining whether to allow the modification or not are [now] absent from the same and from City ordinance(s). Thus, approving or not a requested comprehensive plan change/amendment becomes a purely subjective matter and decision on the part of a City like Nampa. In our case, Staff has been suggested that both the Commission and Council still give some consideration as to whether the area around a property under review for a Comprehensive Plan amendment is in flux and/or whether an error of some kind was made in the original Plan or on its associated Future Land Use Map that the current proposal would be fixing – or that an update to the same is warranted.

As to the matter made the subject of this report, the Property is currently positioned in a "Commercial" setting and is comprised of a split-zoned, single parcel. The Applicant(s) seek conversion of the commercial setting to "High Density Residential" in order to support an associated request to rezone the whole of the Property to RMH in order to be able to build apartments on the Property. Regarding residential land uses generally, the City's currently adopted Comprehensive/Master Plan notes that,

"Historically, the City had gross (i.e., density number calculator) residential areas identified as low density (4 units per acre), medium density (4 to 9 units per acre) and high density (over 9 units per acre). The City has not met these densities.

In the new residential land use categories a full range of housing types will be allowed in areas where municipal services are provided. Uses may include residential development at densities higher than one dwelling

unit per acre. It was discussed that higher density infill should be considered as a top priority for staff; infrastructure [sic] and in order to preserve open spaces and agricultural lands.

Low, medium-low, medium and high-density development categories will allow a diversity of building types and size to accommodate a diverse population. Service commercial and public uses may be considered as an allowed use to encourage mixed-use development near the downtown core or by special use permit under special circumstances and when it is compatible with existing and potential residential uses.

Housing development in Nampa should be innovate in design and placement; should incorporate usable open space; and provide pedestrian, bike and street connectivity."

Regarding high density residential uses specifically, the City's currently adopted Comprehensive/Master Plan notes that,

"High Density Residential (HDR) greater than 9 units per acre; -- Residential dwelling unit development comes [sic] in all shape [sic], sizes and densities. The City expects creative designs and diverse types of housing units in all its new housing stock.

Housing development in residential areas can be developed as:

- a. Cluster Housing;
- b. Patio Home;
- c. Townhomes;
- d. Row Houses;
- e. Duplexes;
- f. Condominiums;
- g. Apartments and
- h. Other types of Multi-Family Residential Units, such as, [sic] group homes, homeless shelters, senior housing, assistance living facilities and others.

In addition, Master Planned Communities and Planned Unit Developments can combine residential development along with commercial development. Special requirements such as development agreements and Specific Area Plans may be implemented. These developments will be dependent on the final development agreement, these developments should be designed with the idea and projects that are modern and innovative, following the best planning practices available.

Note: This is not an exclusive list of all housing types."

(Nampa 2035, Chapter 5 Land Use, 5.5 Residential Land Uses, 5.5.4 High Density Residential, Feb. 2012)

Changing the Comprehensive Plan Future Land Use Map's setting of "Commercial" to "High Density Residential" as requested would provide underlying support for development of the Property, once rezoned, for multi-family dwelling units. Such resultant harmonization between an actual, proposed land use and/or zone with the Comprehensive Plan Future Land Use Map would be considered, per industry practice and court decree, then properly arranged (i.e., needful/desirable/sustainable).

RMH zoning is most logically found at major intersections in the majority of cases when such is proposed to be established outside and often adjacent to commercial area.

As the Property lies adjacent to an area established as "Commercial" per the City's Master Plan, and, on its other side and area set aside as "Medium Density Residential, as Property lies between commercial uses on one side and multiple-family development on the other (which in turn abuts a school, and, as the density sought by the Applicant(s) is actually in care and keeping with the RML Zone, not the RMH Zone (which is being sought solely to avoid a height Variance request as the proposed buildings will crest the RML Zone's 30 foot height limit by about 8')), Staff finds the contemplated application reasonable to consider.

ANNEXATION/[RE]ZONING CONCLUSIONS OF LAW

10-2-3 (C) Annexations and/or Rezones/Zoning assignments must be reasonably necessary, in the interest of the public, further promote the purposes of zoning, and be in agreement with the adopted Comprehensive Plan for the neighborhood.

ANNEXATION/[RE]ZONING FINDINGS OF FACT

(PERTAINING TO THE APPROXIMATELY 1.655 ACRES OF LAND REQUESTED TO BE ANNEXED):

Zoning: Regarding Applicant's Proposed/Desired Annexation and Zoning Assignment Request (to RMH) Staff finds:

1. Current Jurisdiction/Status:

The Property is currently within Nampa City; Property appears encumbered presently with one structure and various mature trees thereon per imagery and is relatively flat; Property is either owned or optioned by the Applicant(s); and,

2. Surrounding Zoning:

That City BC zoned land currently adjoins the Property on its eastern and northern sides, that City RS 6 and RML zoned lots adjoin the Property on its southern and western sides, that about half of the Property is already zoned RML – see attached Vicinity Map); and,

3. Immediately Surrounding Land Uses:

Generally (viewed radially from the Property – working outward): To the immediate east lies Pet Haven animal shelter, a now vacant car wash, and a gas station; to the south across a canal single-family residential subdivision, to the west vacant land, then duplexes and then a school, to the north, a small commercial shopping center; and,

4. Proposed Zoning:

That the RMH district is Nampa's "High Density" Zone often found in at or near roadway intersections here and there in the City; there are minimum bulk regulations associated with said zone; the zone is being sought not to facilitate high density development, but rather to allow for buildings that exceed the height limit of the RML Zone to in order to forego having to apply for a Variance; and,

6. Reasonable:

That it may be variously argued that consideration for [re]zoning the Property is reasonable given that: a) the City has received an application to rezone the Property by amending its official zoning map by the Property owner or an Applicant having a valid, legal interest in the same; and, b) rezoning is a legally recognized legislative act long sanctioned under American administrative law; and, c) within the City of Nampa, zoning assignment is a long standing (and law sanctioned) practice; and, d) other lands in the vicinity of the Property have been zoned in such a way as to provide a transitional arrangement between commercial and single-family residential – whether viewed north south or east to west; and, e) the Property is eligible by law for consideration for rezoning; and, f) that the Applicant intends to develop the Property; and, g) City utility services are available to the Property (see aerial photo with utility lines displayed); and, h) emergency services are available to the Property; and,

7. Public Interest:

That Nampa has determined that it is in the public interest to provide varying housing development opportunities and diverse housing land use types within its confines. Expressions of that policy are published in Nampa's adopted Comprehensive/Master Plan, as well as embodied in its decisions to date regarding similar applications. Engineering has not called for a traffic impact study (TIS) to date; and,

8. Promotion of Zoning Purpose(s):

That among the general (and Nampa endorsed) purposes of zoning is to promote orderly, systematic development and patterns thereof which preserve and/or enhance public health, safety and welfare. Included in our residential zoning regulations, therefore, are standards governing commercial development which appertain to allowable land uses, building setbacks, building aesthetics, provision of parking and service drives, property landscaping, etc. While a specific plan was not advanced in conjunction with the application set considered by this report, Staff notes that any site development will be regulated by, and through, the building permit review process and will force application of zoning laws (e.g., that which govern building heights, setbacks, landscaping, parking lot layout and striping, lighting of buildings and the parking area, etc. against any construction on the Property. Additionally, if a Development Agreement is imposed against the intended project to be developed on the Property, building elevations (architectural aesthetics) may also be regulated by the City; and,

9. Comprehensive Plan:

Should the Council approve the amendment of the Property's overlying Comprehensive Plan as proposed by the Applicant(s) and noted in this report, then requisite support for the proposed RMH zone would be accordingly provided, and, any concern of "spot zoning" thereby contravened; and,

10. Services:

That utility and emergency services are, or can be made, available to the Property (see aerial photo with utility lines displayed); and,

11. Further, that:

a. Agency/City department comments have been received regarding this matter. Such correspondence as received from agencies or the citizenry regarding this application package [received by noon June 22, 2016] is hereafter attached to this report.

1. Nampa City Engineering has no objection(s) concerning the Rezone application (or associated Comprehensive Plan Map Amendment request); and,
2. The Nampa Highway District has no objection(s) concerning the Rezone application (or associated Comprehensive Plan Map Amendment request); and,
3. The Nampa Building Department has no objection(s) concerning the Rezone application (or associated Comprehensive Plan Map Amendment request); and,
4. The Nampa Code Compliance Division has no objection(s) concerning the Rezone application (or associated Comprehensive Plan Map Amendment request), noting no violation cases are active on/against the Property; and,
5. Compass has provided comment on the Project (but with incorrect dwelling unit numbers); and,
6. Staff has not received commentary from any surrounding property owners or neighbors either supporting or opposing this request.

Note: The preceding general statements are offered as possible [preliminary] findings, and are not intended to be all inclusive or inarguable. They are simply provided to the Commission in the event that the requested entitlements are recommended for approval.

In summary, the Property may be zoned RMH, but nothing will [ultimately] force the Council to do so as it acts in its quasi-judicial capacity to decide on the proper land use zone/district to assign to the Property. Given the findings noted above, however, RMH zoning is certainly an "entertainable" zone and recommend for imposition...

VARIANCE APPLICABLE REGULATIONS

10-24-1: [VARIANCE] PURPOSE:

The council is empowered to grant variances in order to prevent or to lessen practical development difficulties, unique site circumstances and unnecessary physical, geographical hardships inconsistent with the objectives of zoning as would result from a literal interpretation and enforcement of certain of the bulk or quantifiable regulations prescribed by this title.

A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of: a) special

characteristics applicable to the site which deprive it of privileges commonly enjoyed by other properties in the same zone or vicinity, and b) the variance is not in conflict with the public interest. Hardships must result from special site characteristics relating to the size, shape or dimensions of a site or the location of existing structures thereon, from geographic, topographic or other physical conditions, or from population densities, street locations or traffic conditions or other unique circumstances.

Variances are not intended to allow something that others do not have a permitted right to do. The purpose of a variance is to provide fair treatment and to see that individuals are not penalized because of site characteristics beyond their control. (Ord. 2140; amd. Ord. 2978)

10-24-2: ACTIONS:

- A. Granting Of Variance Permit: The council may grant a variance permit with respect to requirements for fences and walls, site, area, width, frontage, depth, coverage, front yard, rear yard, side yards, outdoor living area, height of structures, distances between structures or landscaped areas as the variance was applied for or in modified form if, on the basis of application, investigation and evidence submitted, the council concludes the following:**
- 1. Literal interpretation and enforcement of the regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning ordinance.**
 - 2. There are extraordinary site characteristics applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zoning district.**
 - 3. Literal interpretation and enforcement of the regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.**
 - 4. The granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.**
 - 5. The granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.**

STAFF FINDINGS AND DISCUSSION

I. Variance Introduction:

Variances are traditionally offered zoning tools used as remedies to seek jurisdictional waivers or reductions of quantifiable, measurable development code requirements (e.g., setbacks, property dimensions, height standards, min. or maximum quantities or sizes, etc.) with which compliance in a given situation could not be attained due to site constraints (such as unusual topography) inherent to a property, rather than being the result of an applicant's own action(s)/development desires. Normally, economic considerations or "self-imposed hardships"

or predicaments are not qualifying grounds to support a Variance application or its approval. As noted in the planning text The Practice of Local Government Planning (ICMA, 1988, 2nd ed.),

“Many requests for variances are for minor bulk variances in existing neighborhoods: for example, expansions of patios or carports one or two feet into designated side-yard setbacks. On such matters the zoning board becomes a sort of neighborhood arbitration board, dealing with physical hardships. Although these hardships are rarely great, this should be weighed against the extent of the public sector’s stake in the somewhat arbitrary determination that a 10-foot- side yard is superior to a 9-foot one.”

In Nampa, in order to justify a Variance Permit request, an applicant is tasked with arguing successfully to the City’s Council that there is some aspect of the Property that physically, topographically or based on code requirements puts them at a disadvantage in trying to accomplish what they wish in comparison to like properties, especially in the surrounding area.

If the Council believes that there is no real topographical hardship associated with a Variance application (e.g., a river, a highway or a mountain in the way, etc.), then left to the applicant is the opportunity to argue that there is a “unique site circumstance” sufficient to justify their request. In times past, Variance Permits have been issued on a case by case basis where a unique situation could be determined to exist that pertained to a Variance application. Thus, historical matters, errors by the City or County, demonstrated lack of knowledge concerning a code by an applicant or their contractor, common sense “solutioning”, development precedent and a variety of other mitigating factors have been evaluated in conjunction with these kinds of applications for relief from quantifiable, measurable standards adopted as law via Nampa’s zoning ordinance.

Council is at liberty to approve or deny a Variance. And, their vote should not necessarily be construed as setting precedent – for nothing binds them to vote the same way twice other than their own perceptions and those of others that they may be concerned with. Still, consistency is a desirable goal when dealing with case by case Variance requests. As a Variance decision is a “quasi-judicial” matter, any vote to approve or deny should be accompanied by a reasoned statement listing the rationale for the decision made.

II. This Application:

As Variance Permits have been used to provide opportunity for an applicant to seek relief from a dimensional or quantifiable, metric standard, this request was received to ask the Council to consider allowing an exception to a building setback invoked by that building’s proposed height in the RMH Zone. Notwithstanding that the standard building height allowed in the RMH Zone is 65’ (unless approved otherwise by the Council), if a building is to exceed thirty feet (30’) and will be juxtaposed against a property that is zoned single-family residential (RS), then that building must be offset from the intervening property line 50’ [instead of the usual five feet (5’). (The afore-stated rule also applies to a situations when the RMH Zone abuts other zones [e.g., the AG, RA and RD]). The summary explanation/narrative of the Applicant(s)’ request as provided by them is attached to this report.

As this is a Variance request, it is the obligation of the Applicant to present such facts and persuasive arguments as to convince the Council that there exists some form of hardship or other unique site circumstance to justify issuance of the requested permit. The review criteria the Council is to use in assessing the application are those in bold font listed at the beginning of this report under the heading of "Applicable Regulations", "Actions" 1-5. Those criteria serve as the "Conclusions of Law" to be associated with this matter.

III. General, Possible Findings:

1. The Property (legal description within City case file VAR 0009-2016) made the subject of this Variance request is located within the incorporated limits of the City of Nampa; and,
2. The Property owner has a controlling interest in the Property and is authorized to represent the same or allow another party to represent the same in this matter; and,
3. The Property owner has applied for and represent his interest in obtaining the requested Variance Permit; and,
4. The Applicant proposes that the Nampa City Council grant an extraneous setback reduction which is keyed to building height when it exceeds thirty feet (30') in order to to facilitate construction of a specific apartment building on the Property; and,
5. As authorized and mandated according to Idaho statute, the City has adopted a comprehensive zoning ordinance that applies to all properties within the City's incorporated limits and, by limited form and fashion, to areas within its negotiated impact area; and,
6. The City's zoning ordinance requires that properties in the RMH Zone comply with all relevant zoning code requirements appertaining thereto (including emplacement of any requisite, extant site improvements); and,
7. That maximum building height as a zoning control is based on a relatively flat piece of ground. The zoning code, in the definitions section specifies that "building height" is,

"The vertical distance from the established grade to the highest point on the roof or parapet walls for buildings."

When considering "building stories", the same code section specifies that,

"The determination of the allowed height of a building is based on the number of stories above grade plane or by a set measurement expressed in feet in the code. The height definition applies to those stories that are fully above grade plane. It also includes those stories which may be partially below finished ground level, but the finished floor level is more than six feet (6') above grade plane. It also includes those floor levels which, due to irregular terrain, have a finished floor level more than twelve feet (12') above finished ground level at any point surrounding the building.

Any building level not qualifying as a story above grade plane is, by definition, a basement." (N.C.C. § 10-1-2.Definitions)

8. In the case of significant grade variation on a single development site, Staff has considered building height to be set by a line parallel to grade, vs. an average or median line drawn halfway [or at another point] through a building to separate one end on a lower level from a higher planned end. Therefore, whether by considering actual building height or number of stories, Staff believes the Applicant(s) is required to submit a Variance Permit in order to pre-authorize construction of their desired multiple-family residential structure on the Property; and,
9. The Applicant has, therefore, submitted to the City a complete Variance Permit Application together with the requisite fee, and the City has received the application and deemed it acceptable; and,
10. The Variance Application is being processed in conjunction with procedures compliant with the Local Land Use Planning Act, and Nampa Zoning Ordinance standards appertaining to such an application type; and,
11. Variances, as a rule, are not to be issued simply for economic reasons or convenience; they "shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of: a) special characteristics applicable to the site which deprive it of privileges commonly enjoyed by other properties in the same zone or vicinity"; and,
12. Further, a statement has been provided that attempts to justify the Variance request as some type of topographical or other physical site hardship or "unique site circumstance" that restricts Property development or "buildout" or use of land as allowed to other City properties or as granted already to City properties developed and/or used in similar fashion to the business plan(s) of the Applicant; and,
13. Adjacent property owners have not provided comment regarding the application; and,
14. The City's Engineering Division has expressed that they are not opposed to the application; and,
15. The City's Building Department has expressed that they are not opposed to the application; and,
16. The Nampa Highway District has expressed that they are not opposed to the application; and,
17. Arguably, no direct significant physical impact on the general public by this request is foreseen by virtue of this request were it approved; expected impact would either: a) of an inconsequential nature per City Engineering on traffic flow on Orchard; and/or, be on the question any approval raises as to its propriety, possibly including a perceived setting of precedence for similar setback code deviations given compliance to building height standards demonstrated by other persons/parties in the City. Applicants have indicated that a sixty foot (60') buffer between their Property and the adjacent single-family zoned land to the south exists by virtue of an intervening canal and its

associated easements along with a tree line – see attached aerial image(s). Land to the west side of the Property is open/undeveloped; land to the east is commercially developed ground; and,

18. That City services are available to the Property, the Property has access to City public right(s)-of-way; and,

19. Attached to this report is all of the information Staff had by the time this report was ready to go to print (12 noon, August 10, 2016)...

IV. Analysis/Opinion:

In Nampa, as pertaining to land use Variance Permit requests, a burden rests upon an applicant to argue persuasively to the City's Council that one or more conditions related to the property they represent interfere(s) with the applicant's use of their land in manner and form commensurate with that enjoyed, most particularly, by their neighbors or other properties in a similar situation and zoning district as that applicant's land. Each Variance application is reviewed on a case by case basis and the merits of the matter are weighed in the public venue. Public testimony is received and the opinions of City departments or outside agencies submitted to the Council for their consideration.

With respect to the matter made the subject of this report, Applicant, per their narrative (and as afore-cited in this report) argues for their Variance request, essentially as follows:

A) That the Property is buffered from its surrounds adequately without needing the extra/augmented setback space required by the RMH Zone for structures intended to be over thirty feet (30') in height; and,

B) That without the Variance Permit, the Applicants still intend to construct the apartment buildings allowed on the Property by virtue of the RMH District's bulk regulations, but that they will have to crop the rooftop pitch and/or sink the structures into the ground making for a less aesthetically appealing and less user friendly development; and,

C) That the Variance Permit is not being sought to facilitate the addition of extra density beyond that which is proposed (36 units) [by extension – the site plan for the Project has a pre-defined parking and landscaping area that reduces the available building envelope available. (As it is, parking, landscaping and lighting are already regulated by code. The unit count available to the Applicant is also artificially controlled by simple virtue of the amount of land available to the build upon after subtracting out ground to be dedicated as public right-of-way along the Property's frontage, as well as provision of landscaped yard areas [setbacks], loss of developable ground due to a canal easement along the southern side of the Property, and devotion of space to emplacing a code compliant parking lot). Just as an informational point, the RMH Zone in this situation, in gross numbers, provides a theoretical ability to construct approximately 134 units on the Property. Again, a true net developable dwelling unit number is reached when you deduct available land as afore-noted.

Staff would add that the two points of concern regarding the Variance are at the southwest corner of the rear building and the back side of the same. As positioned, the building

is intended to be 40-60' away from the rear yard property line of the neighbors to the south. And, there is no neighboring use to the west.

Notwithstanding the fore-going, contravening findings to the Applicant's arguments for [seeking] an increased building height allowance may be made in the same spirit as typical variance opposition...that there is some other opportunity to develop the site without needing a Variance (e.g. reducing structure size – thereby affecting density).

Given the circumstances attendant this application, if Council is okay with the conceptual plan for the Property's development, then Staff recommends that the Variance Permit request be favorably considered.

RECOMMENDED CONDITIONS OF APPROVAL

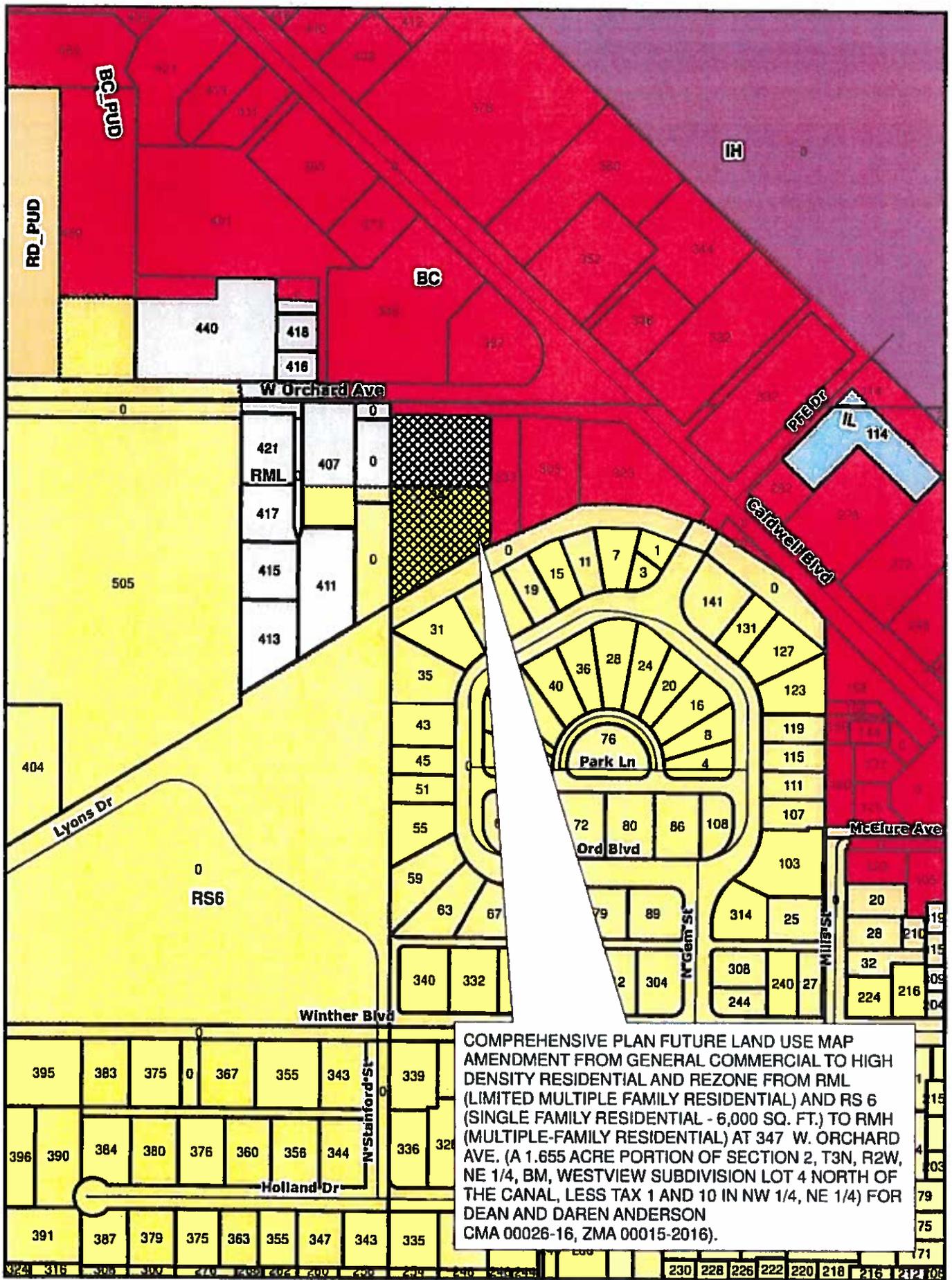
N/A at the time of this report's publication...a Development Agreement may be required, especially if City decision makers wish to regulate (generally) site design, dwelling unit density or building aesthetics or location placement.

Any extant right-of-way dedication and property improvement emplacement requirements will expectedly be required by Engineering as part of project build-out; however, no such mandates have thus far been advanced by that Division.

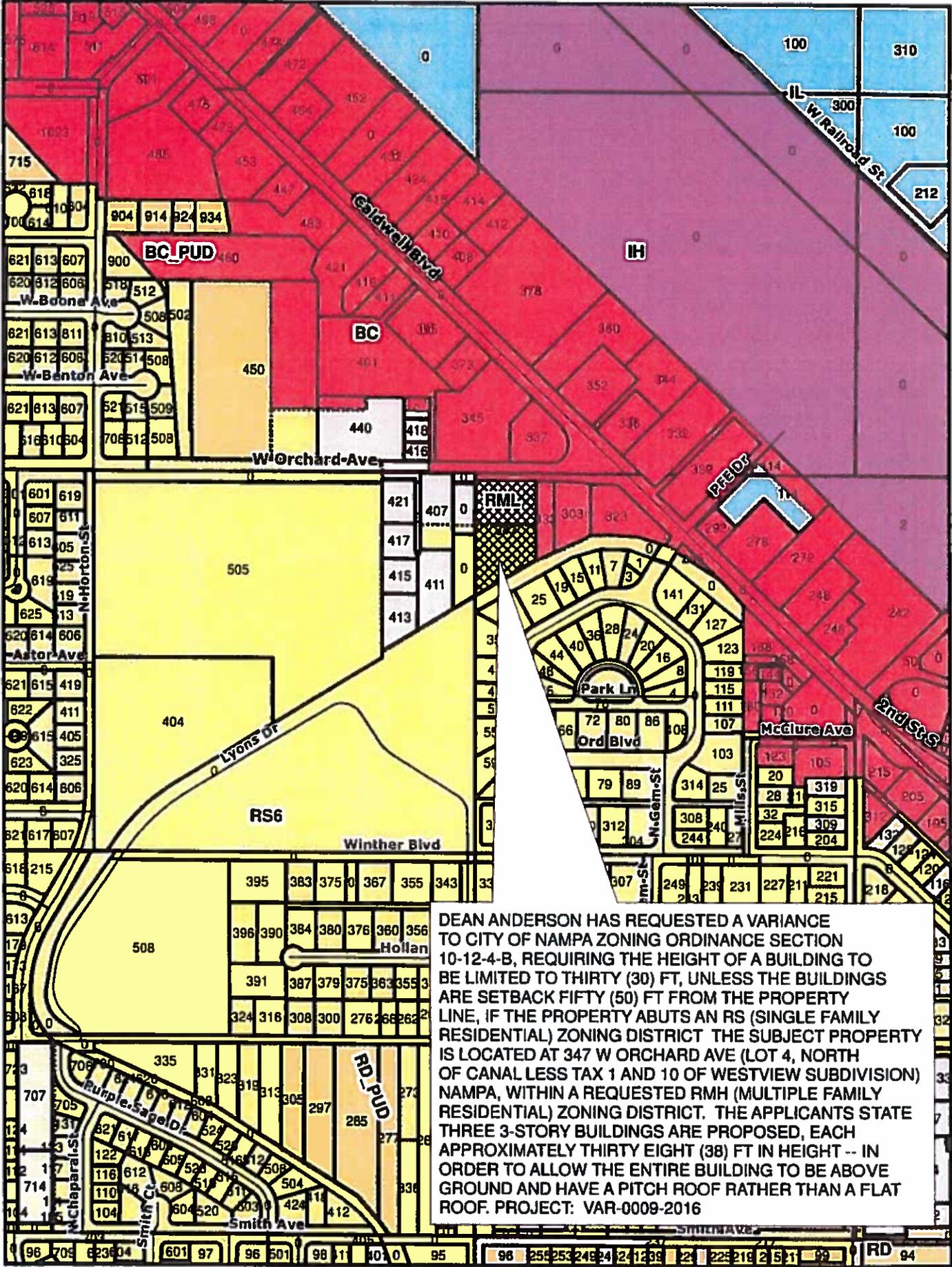
ATTACHMENTS

- Copy of Comprehensive Plan Map Amendment and Rezone Vicinity Map (page/Exhibit 13)
- Copy of Variance Permit Vicinity Map (page/Exhibit 14)
- Copy of Applicants' explanation/justification letter (page/Exhibit 15)
- Copy of Comprehensive Plan Future Land Use Map (page/Exhibit 16)
- Copy of Rezone application form (page/Exhibit 17)
- Copy of Variance Permit application form (page/Exhibit 18)
- Copy of aerial and street level imagery of Property and surrounds (pages/Exhibits 19-23)
- Copy of [any] inter-departmental/agency/citizen correspondence (pages/Exhibits 24-40)
- Copy of Applicants' conceptual site plan (page/Exhibit 41)

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COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT FROM GENERAL COMMERCIAL TO HIGH DENSITY RESIDENTIAL AND REZONE FROM RML (LIMITED MULTIPLE FAMILY RESIDENTIAL) AND RS 6 (SINGLE FAMILY RESIDENTIAL - 6,000 SQ. FT.) TO RMH (MULTIPLE-FAMILY RESIDENTIAL) AT 347 W. ORCHARD AVE. (A 1.655 ACRE PORTION OF SECTION 2, T3N, R2W, NE 1/4, BM, WESTVIEW SUBDIVISION LOT 4 NORTH OF THE CANAL, LESS TAX 1 AND 10 IN NW 1/4, NE 1/4) FOR DEAN AND DAREN ANDERSON CMA 00026-16, ZMA 00015-2016).



DEAN ANDERSON HAS REQUESTED A VARIANCE TO CITY OF NAMPA ZONING ORDINANCE SECTION 10-12-4-B, REQUIRING THE HEIGHT OF A BUILDING TO BE LIMITED TO THIRTY (30) FT, UNLESS THE BUILDINGS ARE SETBACK FIFTY (50) FT FROM THE PROPERTY LINE, IF THE PROPERTY ABUTS AN RS (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT. THE SUBJECT PROPERTY IS LOCATED AT 377 W ORCHARD AVE (LOT 4, NORTH OF CANAL LESS TAX 1 AND 10 OF WESTVIEW SUBDIVISION) NAMPA, WITHIN A REQUESTED RMH (MULTIPLE FAMILY RESIDENTIAL) ZONING DISTRICT. THE APPLICANTS STATE THREE 3-STORY BUILDINGS ARE PROPOSED, EACH APPROXIMATELY THIRTY EIGHT (38) FT IN HEIGHT -- IN ORDER TO ALLOW THE ENTIRE BUILDING TO BE ABOVE GROUND AND HAVE A PITCH ROOF RATHER THAN A FLAT ROOF. PROJECT: VAR-0009-2016

15

Project Description

This Request for Variance is in respect to Chapter 12, Section 10-12-4, Item B STRUCTURAL HEIGHT AND ACCESSORY STRUCTURE SETBACK REGULATIONS of the RMH Multiple-Family Residential District/Zone. The Project currently abuts upon an RS district on both the south and west sides.

We would like to get a variance to build above 30 feet in height within 50 feet of our southern and western property lines.

The purpose of the 50 foot requirement is to buffer the encroachment of large buildings upon neighboring residences; however, our south side already has a buffer of approximately 60 feet due to the canal located south of the Project, which includes its easements on both sides of the canal, as well as the width of the canal itself.

The lot located on the west side of the Project is zoned single family; however, there are no homes located on the property. The lot currently consists of concrete and dirt with no immediate plans for development.

The Project consists of three 3-story buildings and, even without the variance, the buildings will still be 3 stories in height. But without the variance the buildings would be sunken into the ground as well as having chopped or flat roof lines. Buildings sunken into the ground means there would be fewer ADA and Fair Housing Act requirements for us to make the units handicap friendly and accessible.

The higher roofline (un-chopped) we are proposing with the Project would be much more attractive for the neighborhood. The buildings would only be about 8 feet taller with this allowance of extra height.

Our bid for higher density is not to add more units but is tied into the height of the buildings only.

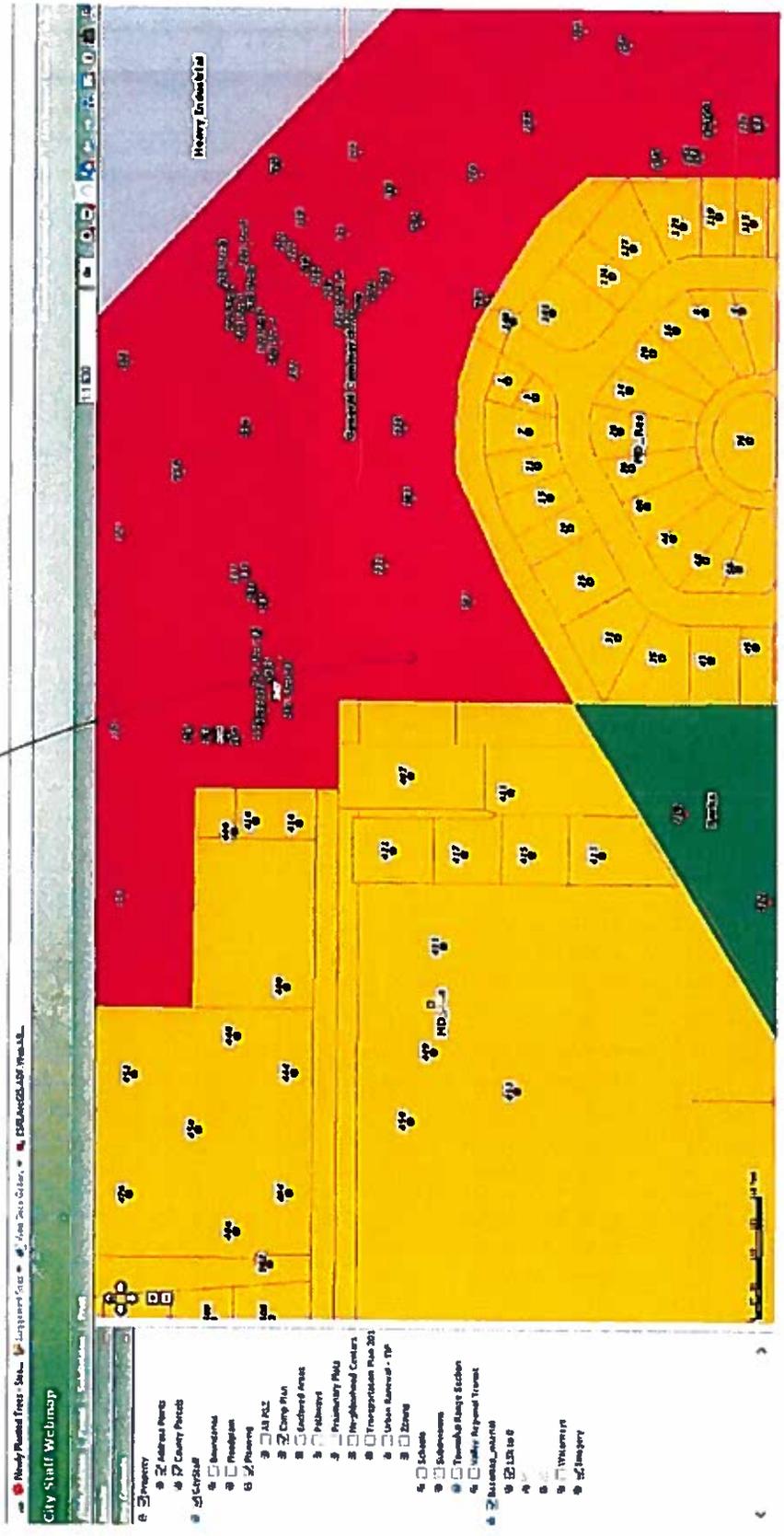
The approval of this Project could be contingent on the fact we will not build more than 36 units.

Thank you for your time and consideration.



16

presently





APPLICATION FOR AMENDMENT OF COMPREHENSIVE PLAN
City of Nampa, Idaho

17 4

7/2/16 FZ
ROBERT

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 \$421.00 (for 1 acre or less), and \$842.00 (for more than 1 acre) for a map amendment; or \$213.00 for a text amendment.

Name of Applicant/Representative: DEAN ANDERSON / DAREN ANDERSON Phone: 3533043 9821818
Address: 915 N Cole Rd City: Boise State: ID Zip Code: 83704

Applicant's interest in property: (circle one) Own Rent Other
Owner Name: DEAN ANDERSON Phone: 3533043
Address: 915 N Cole Rd City: Boise State: ID Zip Code: 83704

Address of subject property: 347 W ORCHARD NAMPA ID.

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 Legal Attached Lot _____ Block _____ Book _____ Page _____

Project Description

State (or attach a letter stating) the requested zoning, the land use change(s) and the reason for the proposed change(s) and the use(s) which will be involved: The property has 2 zones (RES + Multi family) we want to change to one zone Multi family to build

If this application is for a change of plan text complete the following: apartments, - RMH desired

State (or attach a letter stating) the text changes requested, the page numbers in the plan, the reason for the proposed changes and why they would be in the interest of the public (attach the full text of the proposed amendment, as necessary):

GENERAL commercial to MID Residential - Rush desired

Dated this 9 day of JUNE, 2016

Dean Anderson
Signature of applicant

NOTICE TO APPLICANT

This application shall be referred to the Nampa Planning Commission for consideration at a public hearing. The Planning Commission will then make its recommendation to the City Council.

If the amendment is recommended for approval a second hearing shall be held before the City Council. If the amendment is recommended for denial you may appeal the decision to the City Council within 15 days from the date of such action by the Planning Commission. At least 15 days prior to each hearing, notice of time and place and a summary of the amendment(s) to be discussed shall be published in the Idaho Press-Tribune. 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.

Any person may apply for a plan amendment at any time to correct errors in the original plan or to recognize substantial changes in the actual conditions of an area.

For Office Use Only:
File Number: CMA 26 - 2016 Project Name: Orchard Apartments



APPLICATION FOR AMENDMENT OF ZONING ORDINANCE OR MAP
City of Nampa, Idaho

7/27/16 PE
Robert

18

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.

Name of Applicant/Representative: DEAN ANDERSON / DAREN ANDERSON Phone: 353 3043 9821818

Address: 915 N Cole Road City: Boise State: Id Zip Code: 83704

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

Owner Name: DEAN ANDERSON Phone: 3533043

Address: SAME AS ABOVE City: _____ State: _____ Zip Code: _____

Address of subject property: 347 W ORCHARD NAMPA ID.

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 Legal Attached Lot _____ Block _____ Book _____ Page _____

Project Description

State the zoning desired for the subject property: Multi-family - RMH desired
Northerly 150' x 15 RML Southerly balance R56 TO R2ML

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.
RMH desired,

Dated this 9 day of June, 2016

Signature of applicant

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: <u>REZ 15 - 2016</u> | Project Name: <u>Orchard Apartments</u> |



4/15 CC
ROBERT

APPLICATION FOR VARIANCE

City of Nampa, Idaho

19

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 \$255.00

208-982-1818 (Daren)

Name of Applicant/Representative: Dean Anderson Phone: 208-353-3043
Address: 915 N. Cole Rd. City: Boise State: ID Zip Code: 83704

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

Owner Name: Dean Arnold Anderson Phone: 353-3043
Address: 915 N. Cole Rd. City: Boise State: ID Zip Code: 83704

Address of subject property: 347 W. Orchard Ave Nampa ID

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

NO

Subject Property Information

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

- 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 _____
- An accurate scale drawing of the site and any adjacent property affected, showing all existing and proposed locations of streets, easements, property lines, uses, structures, driveways, pedestrian walks, off-street parking and off-street loading facilities and landscaped areas.
- Miscellaneous information, considered pertinent to the determination of this matter.

Project Description

State the nature of the variance request and the practical difficulty or unnecessary hardship, which would result from a literal interpretation and enforcement of the specific regulation for which the variance is being sought, (attach additional pages if necessary):

Please see attached sheet.

Dated this 13th day of June, 2016

[Signature]
Applicant Signature

NOTICE TO APPLICANT

This application will be referred to the Nampa City Council for its consideration. The City Council shall hold a public hearing on the application and it shall be granted or denied. Notice of the public hearing shall be sent to adjacent property owners no less than 10 or more than 30 days prior to the hearing. You will be given notice of the public hearing and should be present to answer any questions.

- A variance shall not be considered a right or a privilege, but will only be granted upon showing the following undue hardship:
1. Special characteristics of the site, which deprive it of privileges commonly enjoyed by other properties in the same zone or vicinity, and
 2. The variance is not in conflict with the public interest.
- Variances are not intended to allow something that others do not have a permitted right to do.**

The use or construction permitted by a variance must be commenced within a 6 month period. If such use or construction has not commenced within such time period the variance shall no longer be valid. Prior to the expiration of the 6-month period the applicant may request from the city Council an extension for up to an additional 6 months from the original date of approval.

| | |
|---|---|
| For Office Use Only: | |
| File Number: VAR <u>09</u> - 20 <u>16</u> | Project Name: <u>Orchard Apartments</u> |



City Staff Webmap

File Edit View Layers Home Help

- Priority
- Address Points
- County Parcels
- City Staff
- Boundaries
- Floodplain
- Planning
- Schools
- Subdivisions
- Township Range Section
- Valley Regional Transit
- Backmap_w/Arch
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Memorandum

To: Planning and Zoning
Cc: Tom Points, P. E., City Engineer
Cc: Daniel Badger, P. E., Staff Engineer
Cc: Michael Fuss, P. E., MBA, Nampa City Public Works Director
From: Jim Brooks – Engineering Division
Date: June 18, 2016
Re: Rezone request
Applicant: Dean & Daren Anderson
Applicant Address: 915 Nor. Cole Rd., Boise, ID. 83704
Parcel Addresses: 347 W. Orchard Avenue

CMA 026-16 for July 12, 2016 Planning & Zoning Meeting



The Engineering Division does not oppose the granting of this comprehensive plan map amendment request.

402
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Memorandum

To: Planning and Zoning
Cc: Tom Points, P. E., City Engineer
Cc: Daniel Badger, P. E., Staff Engineer
Cc: Michael Fuss, P. E., MBA, Nampa City Public Works Director
From: Jim Brooks – Engineering Division
Date: June 18, 2016
Re: Rezone request
Applicant: Dean & Daren Anderson
Applicant Address: 915 Nor. Cole Rd., Boise, ID. 83704
Parcel Addresses: 347 W. Orchard Avenue

ZMA015-16 for July 12, 2016 Planning & Zoning Meeting

The Engineering Division does not oppose the granting of this rezone request.

Memorandum

To: Mayor and City Council

Cc: Planning and Zoning

Cc: Tom Points, P. E., City Engineer

Cc: Daniel Badger, P.E., Staff Engineer

Cc: Michael Fuss, P. E., Nampa City Public Works Director

From: Jim Brooks – Engineering Division

Date: August 04, 2016

Revised:

Applicant: Dean Anderson

Address: 915 Nor. Cole Road, Boise, Idaho 83704

Parcel Address: 347 West Orchard, Nampa, Idaho

Re: Variance to exceed 30' in building height within 50' of the southern and western property lines.

VAR09-16 for the August 15, 2016 City Council Meeting

The Engineering Division has no concerns with the granting of this request.

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Norm Holm

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Tuesday, June 28, 2016 8:59 AM
To: Norm Holm
Subject: CMA 00026-16, ZMA 00015-2016

Good Morning Norman,

The Nampa Highway District #1 has no objection to the Comprehensive Plan Future Land Use Map Amendment from General Commercial to High Density Residential and Rezone from RML and RS 6 to RMH at 347 W Orchard Ave for Dean and Daren Anderson as it is not within the Highway District'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

29

Norm Holm

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Monday, August 01, 2016 1:29 PM
To: Norm Holm
Subject: VAR09-16

Good Afternoon Norman,

The Nampa Highway District #1 has no objection to the Variance submitted by Dean Anderson for property located at 347 W. Orchard Ave regarding building Height and setbacks as it is not within the Highway District'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

30

Shellie Lopez

From: Neil Jones
Sent: Wednesday, June 22, 2016 9:09 AM
To: Shellie Lopez
Subject: RE: 347 W Orchard Ave/ Dean & Daren Anderson - ZMA 015-16 & CMA 026 16

Building Department has no conditions.

Neil Jones
Plans Examiner Supervisor
P: 208.468.5492 F: 208.468.4494
[Department of Building Safety. Like us on Facebook](#)

From: Shellie Lopez
Sent: Thursday, June 09, 2016 12:58 PM
To: Amanda Morse <morsea@cityofnampa.us>; Beth Ineck <ineckb@cityofnampa.us>; Brent Hoskins <hoskinsb@cityofnampa.us>; Carl Miller <CMiller@compassidaho.org>; Craig Tarter <tarterc@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; Don Barr <barrd@cityofnampa.us>; Eric Skoglund <skoglundl@cityofnampa.us>; Jennifer Yost <yostj@cityofnampa.us>; Jim Brooks <brooksj@cityofnampa.us>; Michael Fuss <fussm@cityofnampa.us>; Neil Jones <jonesn@cityofnampa.us>; Patrick Sullivan <sullivanw@cityofnampa.us>; Ray Rice <ricer@cityofnampa.us>; Robin Collins <collinsrr@cityofnampa.us>; Soylfa Reyna <reynas@cityofnampa.us>; Sylvia Mackrill <mackrill@cityofnampa.us>; Tina Fuller <tfuller@compassidaho.org>; Tom Laws <tlaws@compassidaho.org>; Vickie Holbrook <holbrookv@cityofnampa.us>
Subject: 347 W Orchard Ave/ Dean & Daren Anderson - ZMA 015-16 & CMA 026 16

Good Afternoon!

ZMA 015-16 & CMA 026 16:

Dean & Daren Anderson have requested a Comprehensive Plan Future Land Use Map Amendment from General Commercial to High Density Residential and Rezone (of southerly portion property not zoned RML) from RS 6 (Single Family Residential - 6,000 sq. ft.) to RML (Limited Multiple-Family Residential) at 347 W. Orchard Ave. (A 1.655 acre portion of Section 2, T3N, R2W, NE 1/4, BM, Westview Subdivision Lot 4 North of the Canal, less Tax 1 and 10 in NW 1/4, NE 1/4).

The applicants are requesting these changes to allow for them to build apartments. The Comp Plan Amendment & Rezone applications will go before the Planning and Zoning Commission as a public hearing item on the July 12, 2016 agenda.

Please find attached ZMA 015-16 & CMA 026 16 files for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than June 29th.

Thank you & have a great day!

Shellie Lopez

From: Neil Jones
Sent: Wednesday, June 22, 2016 11:43 AM
To: Shellie Lopez
Subject: RE: Variance to build above 30' in height in a proposed RML zone/VAR 09 16

Building Department has no conditions at this time.

Neil Jones
Plans Examiner Supervisor
P: 208.468.5492 F: 208.468.4494
[Department of Building Safety](#), [Like us on Facebook](#)

From: Shellie Lopez
Sent: Wednesday, June 15, 2016 3:14 PM
To: Amanda Morse <morsea@cityofnampa.us>; Beth Ineck <ineckb@cityofnampa.us>; Brent Hoskins <hoskinsb@cityofnampa.us>; Carl Miller <CMiller@compassidaho.org>; Craig Tarter <tarterc@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; Don Barr <barrd@cityofnampa.us>; Eric Skoglund <skoglundl@cityofnampa.us>; Jennifer Yost <yostj@cityofnampa.us>; Jim Brooks <brooksj@cityofnampa.us>; Michael Fuss <fussm@cityofnampa.us>; Neil Jones <jonesn@cityofnampa.us>; Patrick Sullivan <sullivanw@cityofnampa.us>; Ray Rice <ricer@cityofnampa.us>; Robin Collins <collinsrr@cityofnampa.us>; Soyla Reyna <reynas@cityofnampa.us>; Sylvia Mackrill <mackrill@cityofnampa.us>; Tina Fuller <tfuller@compassidaho.org>; Tom Laws <tlaws@compassidaho.org>; Vickie Holbrook <holbrookv@cityofnampa.us>
Subject: Variance to build above 30' in height in a proposed RML zone/VAR 09 16

Good Afternoon! ☺

VAR 09-16

Dean Anderson has requested a Variance to build above 30' in height within 50' of the southern and western property lines in a proposed RML (Limited Multiple Family Residential) zoning district at 347 W. Orchard Ave. (A 1.655 acre portion of Section 2, T3N, R2W, NE 1/4, BM, Westview Subdivision Lot 4 North of the Canal, less Tax 1 and 10 in NW 1/4, NE 1/4).

The Variance is scheduled as a public hearing item on the City Council agenda of August 15, 2016.

Please find attached the VAR 09 -16 file for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) prior to August 03· 2016.

Thank you & have a great day!

CMA 026-2016

ge 32

Shellie Lopez

From: Vincent Aquino
Sent: Monday, June 13, 2016 12:01 PM
To: Shellie Lopez
Subject: 347 W Orchard Ave. P&Z Inspection

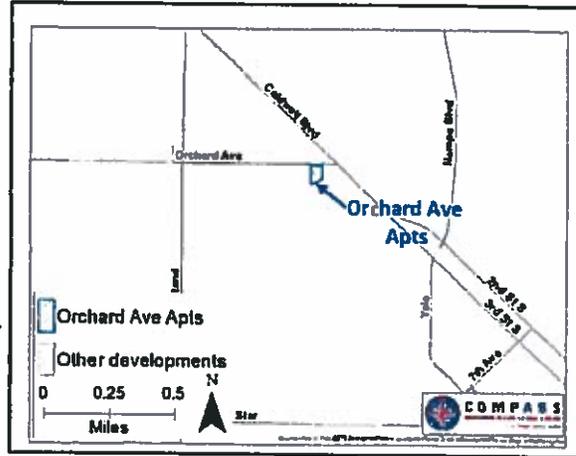
Work is currently being done on the property to bring it into compliance. No active case or current violations at this time.

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.

Handwritten initials and number 33

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 to view enlarged 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: Orchard Ave Apts - up to 60 residential units on 1.66 acres.

Summary: Located off the south side of Orchard Ave about 350 feet to the west of Caldwell Blvd, the proposed development is near one other current development. This development is anticipated to provide 8 residential units to this area. The City of Nampa Bicycle and Pedestrian Plan identifies Orchard Avenue as "Shared Lane Markings." No Complete Streets Level of Service was conducted as sidewalks exist on this section of Orchard Avenue. The proposal supports 12 CIM 2040 checklist items and does not support 10 CIM 2040 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 checked="" type="radio"/> Existing Neighborhood | <input type="radio"/> Foothills |
| <input 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: 2359

| Existing | | Existing TAZ + Proposal | | 2040 Forecast | |
|------------|------|-------------------------|------|---------------|------|
| Households | Jobs | Households | Jobs | Households | Jobs |
| 186 | 226 | 236 | 226 | 200 | 250 |

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: 2502, 2503, 2504, 2515, 2546, 2548

| Existing | | Existing TAZs + Net Proposed | | 2040 Forecast | |
|------------|-------|------------------------------|-------|---------------|-------|
| Households | Jobs | Households | Jobs | Households | Jobs |
| 2,168 | 2,852 | 2,226 | 2,852 | 2,399 | 3,351 |

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

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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: No site plan was provided for this proposal.

- 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 primary services are proposed on Caldwell Blvd near the development. See valleyconnect.

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**)

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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 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 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 development is consistent with the goals and objectives in Motion 2040 (CIM 2040) and regional transportation planning. This checklist was developed through a collaborative approach with COMPASS member agencies and adopted by the COMPASS Board on July 21, 2014.

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 to evaluate [CIM 2040](#) and more information about the CIM 2040 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 **CIM 2040 Vision Areas** is development proposed? (Call 2.1.1)

Downtown Employment Center Existing Neighborhood Future Future Neighborhood Rural Use Prime Farmland Rural Small Town Transit Oriented Development

Yes No N/A The proposed is within a CIM 2040 Major Activity Center. (Call 2.1.2)

Neighborhood (Transportation Analysis Zone) Designation: _____

| Neighborhood | Existing + Proposed | | Future Vision | |
|--------------|---------------------|------------|---------------|------------|
| | jobs | households | jobs | households |
| | | | | |

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

Area (Adjacent Transportation Analysis Zone) Designation: _____

| Area | Existing + Proposed | | Future Vision | |
|------|---------------------|------------|---------------|------------|
| | jobs | households | jobs | households |
| | | | | |

Yes No N/A The number of jobs and/or households in the development is consistent with jobs/households in the CIM 2040 Vision in the area. (Call 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) 475 2229

(Page 1 of 2)

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 services. 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 as 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](#).

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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, 36% 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/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 | |
|--|---|
| Transportation | |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | Area of Influence Travel Demand Model (AIM) is completed for the proposed project in the current level of transportation planning context (TIP) within one mile of project. |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal uses appropriate access management techniques as described in the COMPASS Access Management Toolkit. |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal supports Valley Regional Transit's bus stop locations and Transit Amenities Development Guidelines. |
| Complete Streets Level of Service (CSLOS) | |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal is in an area with a CSLOS of A, B, or C based on the proposed development and its associated work share (Goal 2.1.1). |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal maintains or improves current automobile LOS. |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal maintains or improves current bicycle LOS. |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal maintains or improves current pedestrian LOS. |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal is in an area with a Walkscore of 50 or higher. |
| Housing | |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal is in a compact housing area with residential units per acre. (Goal 2.1.1) |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal is in a mixed-use development or is a transit-oriented area. (Goal 2.1.1) |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal is in an area with lower transportation costs than the regional average (36% of the median household income). (Goal 2.1.1) |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal is in an area with higher employment density than the regional average. (Goal 2.1.1) |
| Community Infrastructure | |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal is in a transit-oriented area. (Goals 2.1.1, 2.1.2) |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal is within an adjacent city limits. (Goals 2.1.1, 2.1.2) |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal is within a city area of impact. (Goals 2.1.1, 2.1.2) |
| Public | |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal is within 1/4 mile of a transit stop. (Goal 2.1.1) |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal is within 1/4 mile of a public school. (Goal 2.1.1) |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal is within 1/4 mile of a grocery store. (Goal 2.1.1) |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal is within 1/4 mile of a park and ride location. (Goal 2.1.1) |
| Employment Development | |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal improves the job-housing balance by providing employment in non-office areas. (Goal 2.1.1) |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal provides grocery stores or other retail options for neighborhoods within 1/2 mile. (Goal 2.1.1) |
| Open Space | |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal is within 1/4 mile of a public park. (Goal 2.1.1) |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal provides at least 1 acre of parks for every 25 housing units. (Goal 2.1.1) |
| Farmland | |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal is in a prime farmland area as defined in the CIM 2040 Vision. (Goals 2.1.1, 2.1.2) |
| <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A | The proposal is in a prime farmland area as defined in the CIM 2040 Vision. (Goals 2.1.1, 2.1.2) |

The Regional Transportation Improvement Program (TIP) is a short-range (3-5 year) capital improvement program (budget) of transportation projects consistent with federal regulations and area policies and strategies. The TIP lists all projects for which federal funds are anticipated, along with non-federally funded projects that are regionally significant. The TIP represents the transportation improvement priorities of the region and is required by federal law. Relevant projects include those that improve capacity or function of road; studies are not included. More information on the TIP can be found [here](#).

Valley Regional Transit's Bus Stop Location and Transit Amenities Development Guidelines help in designing and placing transit facilities/amenities. These guidelines are to be considered in within the context of the overall location and project. More information about the guidelines can be found [here](#).

Walkscore is a walkability index that assigns a numerical walkability on a scale from 0 - 100 based on walking routes to destinations such as grocery stores, schools, parks, restaurants, and retail. Scores of 50 or higher are considered at least "Somewhat Walkable" while scores less than 50 are "Car-Dependent." More information on the Walkscore can be found [here](#).

Compact housing, in certain locations, can be an effective way to reduce housing burdens; promotes walking, biking, and transit use; reduce infrastructure costs; and preserve valuable prime farmland. Examples of successful compact housing projects in the region can be found [here](#).

While individuals differ, most studies indicate that people are willing to walk up to 1/4 mile for transit, parks, schools, and grocery stores. After that walk distance, most travel is made by motorized vehicles. A map highlighting walkability to key landmarks is found [here](#).

Prime farmland is defined as having irrigable soils and water rights. More information on the farmland preservation can be found [here](#).

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

Land Use Density and Diversity



Vision Areas

Below are possible representations of how the land use types are located in *Communities in Motion 2040* regional book.



Downtown
This area is the heart of the city and is characterized by tall buildings, pedestrian-friendly streets, and a mix of uses including residential, commercial, and cultural. It is the central business district and the heart of the city's identity.

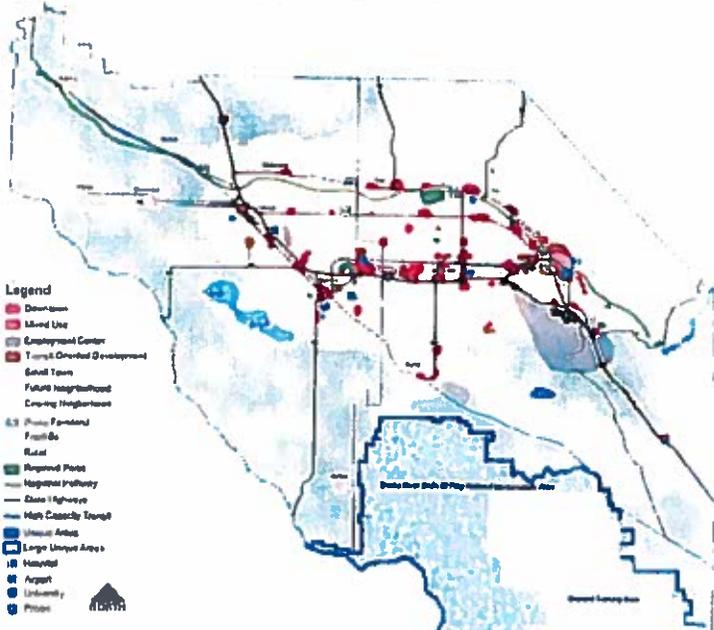


Mixed Use
This area is characterized by a mix of residential and commercial uses, including townhomes, multi-family housing, and small businesses. It is a vibrant, walkable neighborhood with a mix of building heights and styles.



Employment Center
This area is characterized by large commercial buildings, offices, and retail stores. It is a central business district and the heart of the city's economy.

Vision Map



Transit-Oriented Development
This area is characterized by high-density, mixed-use development located near transit stations. It includes multi-story residential buildings, offices, and retail stores, designed to be walkable and transit-friendly.



Small Town
This area is characterized by a main street with small businesses, multi-family housing, and a mix of building heights. It is a walkable, vibrant neighborhood with a strong sense of community.



Future Neighborhood
This area is characterized by a mix of residential and commercial uses, including townhomes, multi-family housing, and small businesses. It is a vibrant, walkable neighborhood with a mix of building heights and styles.



Growing Neighborhood
This area is characterized by a mix of residential and commercial uses, including townhomes, multi-family housing, and small businesses. It is a vibrant, walkable neighborhood with a mix of building heights and styles.



This vision was developed through a series of public meetings and workshops. It is a preferred growth scenario for the Treasure Valley, specifically Ada and Canyon Counties. It is defined by local stakeholders, including the public, and will help guide development of the *Communities in Motion 2040* regional long-range transportation plan.

- Downtown
- Mixed Use
- Employment Center
- Transit-Oriented Development
- Small Town
- Future Neighborhood
- Growing Neighborhood
- Priority Corridor
- Front-End
- Rural
- Regional Point
- Regional Pathway
- State Highway
- High Capacity Transit
- Urban Area
- Large Urban Area
- Hospital
- Airport
- University
- Prison

like 38

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

- It offers a vision that addresses:
 - How to get where you're going.
 - How to get there in a way that is safe, efficient, and sustainable.
 - How to get there in a way that is affordable.
 - How to get there in a way that is accessible.
 - How to get there in a way that is resilient.
- It is based on:
 - Community: Providing systems for each area as if it were a stand-alone community, but with a goal of efficient movement in the region.
 - Central Areas: Addressing better ways to move, expand, and connect to transportation and land use planning.
 - Future Goals: How to get there in a way that is safe, efficient, and sustainable.
 - Information: Coordinating data gathering and developing the information.

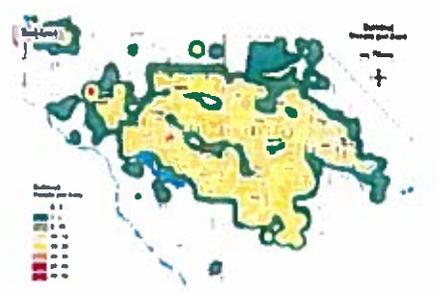
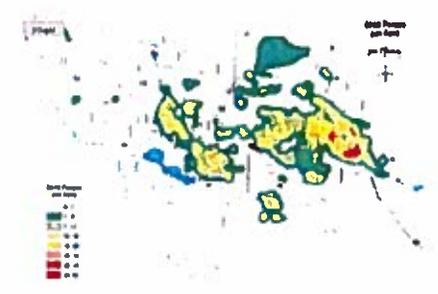
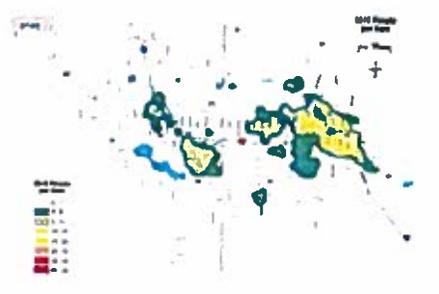
Vision Benefits

- Economic Development:** Attracting new companies, jobs, and investment to the region.
- Health:** Improving the quality of life by providing better access to jobs, services, and recreation.
- Community Infrastructure:** Improving the quality of life by providing better access to jobs, services, and recreation.
- Land Use:** Providing better access to jobs, services, and recreation.
- Transportation:** Providing better access to jobs, services, and recreation.
- Open Space:** Providing better access to jobs, services, and recreation.
- Quality of Life:** Providing better access to jobs, services, and recreation.
- Equity:** Providing better access to jobs, services, and recreation.
- Resilience:** Providing better access to jobs, services, and recreation.
- Community Infrastructure:** Providing better access to jobs, services, and recreation.

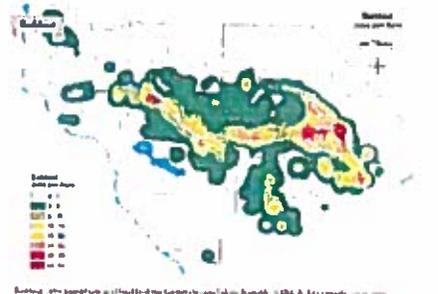
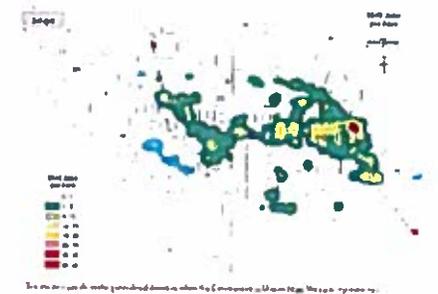
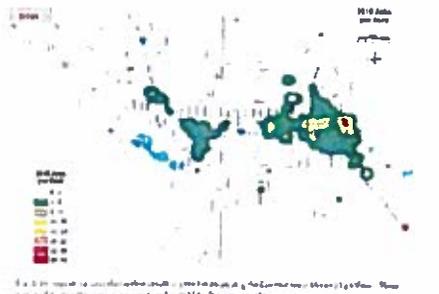
Vision Demographics

| City/County | Population | Households | Jobs | Population | Households | Jobs | Population | Households | Jobs |
|--------------------------|------------------|----------------|------------------|------------------|----------------|------------------|------------------|----------------|------------------|
| Ada | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 |
| Canyon | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 |
| Central | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 |
| Future | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 |
| Open Space | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 |
| Quality of Life | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 |
| Equity | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 |
| Resilience | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 |
| Community Infrastructure | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 | 100,000 | 40,000 | 100,000 |
| Total | 1,000,000 | 400,000 | 1,000,000 | 1,000,000 | 400,000 | 1,000,000 | 1,000,000 | 400,000 | 1,000,000 |

Population Density Maps



Employment Density Maps



Map data is based on the 2010 Census and other available data. The maps are for informational purposes only and do not constitute a guarantee of accuracy.

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Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH NAMPA, IDAHO 83651-4395
FAX # 208-463-0092

Phones: Area Code 208

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

July 6, 2016

Norman L. Holm
City of Nampa
411 3rd St.
Nampa, ID 83651

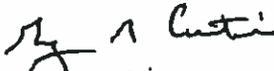
RE: CUP038-2016; 16697 N. Yorkshire Lane
CUP037-2016; 807 14th Avenue S.
CMA029-2016, ZMA016-2016, PUD002-2016; 1660 11th Avenue N.
CMA00026-16, ZMA00015-2016; 347 W. Orchard Avenue
DAM0004-2016, ZMA017-2016; Yellow Fern Subdivision

Dear Norm:

Nampa & Meridian Irrigation District (NMID) has no comment on the above-referenced applications.

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

Sincerely,



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

PC: Office/File

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



40

ORGANIZED 1904

Nampa & Meridian Irrigation District

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NAMPA, IDAHO 83651-4395

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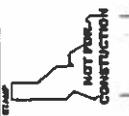
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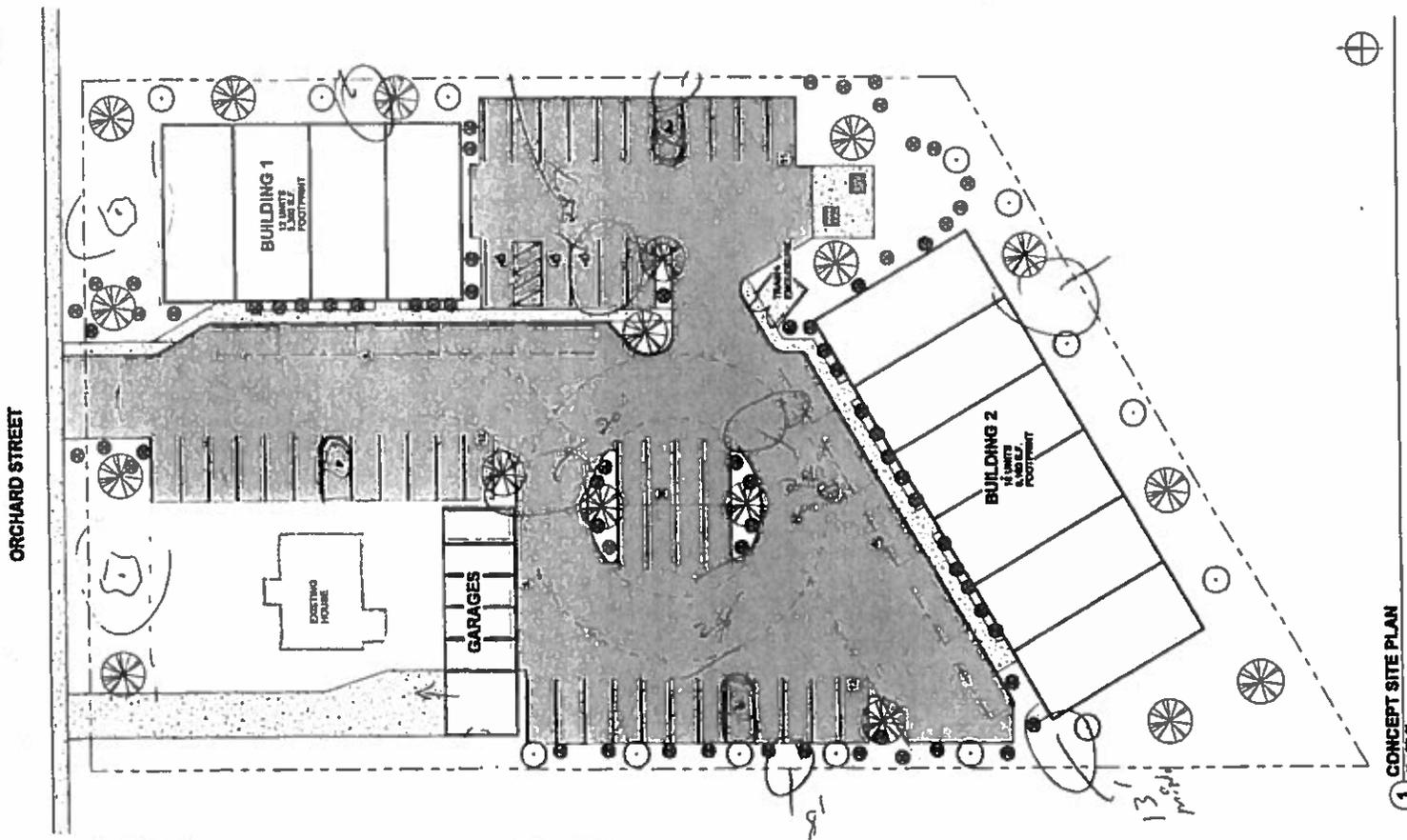
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APPROXIMATE IRRIGABLE ACRES
RIVER FLOW RIGHTS - 23,000
BOISE PROJECT RIGHTS - 40,000

41

| | | | | |
|---|---|--|--|--|
|  <p>jgt architecture 1512 12th Avenue South, Nampa, Idaho 83651 Phone: (208) 483-8285 Fax: (208) 483-0288 Email: jgt@jgt-architecture.com</p> |  | <p>SITE CONCEPT ORCHARD LOFTS FOR ORCHARD STREET NAMP, ID</p> | | <p>DATE: _____ DRAWN BY: _____ CHECKED BY: _____ DATE: _____</p> |
| | | <p>A-1.0 SHEET NO.</p> | | <p>DATE: _____ DRAWN BY: _____ CHECKED BY: _____ DATE: _____</p> |





Planning & Zoning Department
City Council Meeting
August 15, 2016

Staff Report – Public Hearing # 3

To: Planning & Zoning Commission

Applicant: Idaho Department of Health & Welfare / Doug Russell representing

File No's: CMA 029-2016 & ZMA 016-2016

Prepared By: Karla Nelson

Date: August 10, 2016

Requested Actions: 1) Comprehensive Plan Future Land Use Map Amendment from Public and Parks to Community Mixed Use 2) Rezone from AG (Agricultural) to GB1 at 1660 11th Ave North (Approximately 600 acres of land located in Sections 11,12,13, and 14, T3N, R2W, BM, Canyon County, Idaho)

Purpose: To provide for a mixed use center consisting of commercial, office, retail, civic, single family residential, multi-family residential, retirement homes and golf course/ open space.

BACKGROUND INFORMATION

History: The site was utilized as a care facility for people with physical and learning disabilities starting in the early 20th Century. In the 1980's the State of Idaho explored various possibilities to use some of the land for different purposes resulting in Centennial (1985) and Ridgecrest (1994) Golf Courses, the Department of Labor Job Corps campus (1995) and a juvenile corrections facility (1996).

The city of Nampa originally had a 25-year lease for Centennial and a 20-year lease for Ridgecrest golf courses. In December of 2014 a five year extension of both leases was approved. The lease extensions will expire on December 31, 2019.

Conceptual Master Plan: In July of 2013, Idaho Department of Health and Welfare completed a conceptual master plan for the Southwest Idaho Treatment Center (SWITC) site. The plan envisions a mix of uses that promote pedestrian accessibility throughout the development, connectivity to adjacent uses, and high quality architecture, landscaping and streetscape design. Design guidelines cover the overall site development, landscaping, and architecture. The application before City Council does not approve the conceptual master plan but it does consider a zoning and comprehensive plan map change that would allow for uses envisioned in the master plan.

The SWITC conceptual master plan includes an economic and fiscal impact analysis. If the land is developed as envisioned by the master plan the estimated total taxable value would be \$600 Million. Estimated annual tax revenue at full build-out per taxing entity is as follows:

- City of Nampa - \$6,954,600
- Nampa School District - \$2,761,100
- Canyon County - \$3,427,700
- Nampa Highway District - \$908,600
- Vallivue School District - \$3,274,300
- College of Western Idaho - \$114,400

Environmental

The Department of Environmental Quality keeps a database of historic landfill sites. The database includes a record for Canyon County Section 12, Subsection SW ¼; SW ¼, Township 03N; Range 02W, which is roughly the model airplane runway location. This area was a demolition disposal facility that is now closed. According to the Department of Environmental Quality, buried waste might be encountered during future excavation activities. Waste, if found, will need to be properly characterized and handled for proper disposal.

Public Utilities:

- Water:** Domestic waterlines are onsite, 12" mains on Ridgecrest Drive and 11th Avenue North. Future developers could connect into existing services, but a network of mainlines would need to be installed through the development, along with some pressure reducing valves.
- Sewer:** An 8" gravity sewer main serves a portion of 11th Avenue North. Future developers will need to upgrade approximately 1300 lineal feet of existing off site sewer pipe to 15" and install a gravity sewer pipe network at the site.
- Irrigation:** There is currently a private irrigation system that serves the site. Future developers will need to convert the development portion of the project to the municipal irrigation system. The golf course portion will be serviced by a private irrigation system.

Needed public utility improvements will be paid for by the land owner or developer as stipulated in the Development Agreement.

Emergency Services: All available.

Transportation: The property is accessed from 11th Avenue North Ext. and Ridgecrest Drive. Full build out of the master plan will require improved site access and internal connectivity. The 2013 conceptual master plan envisions a new interchange along I84. After discussing this option with the Idaho Transportation Department, the applicant has since removed the interchange from the master plan. Alternatively they are now proposing an overpass at 39th street and an overpass on the western end of the development down to E. Karcher Road. Transportation improvements will be paid for by the developer.

Correspondence and Public Input: To date there have been a few phone calls, emails and letters from citizens interested in preserving Ridgecrest and Centennial Golf Courses. In 2015 approximately 50 people showed up to a community open house regarding the Northeast Nampa Specific Area Plan. Nearly all of the attendants were concerned about potential changes to the golf courses. Approximately 150 people attended the July 12 Planning and Zoning Commission hearing, 65 people signed in as being against the proposal and 1 person signed in as being for the proposal.

Status of Applicant: Owner / Owner Representative

Location: North of I84 at 1660 11th Avenue North including Centennial and Ridgecrest Golf Courses.

Size of Area: Approximately 600 acres of land located in Sections 11, 12, 13, and 14, T3N, R2W, BM, Canyon County, Idaho

Current Comprehensive Plan Land Use Designation: Parks and Public

Proposed Comprehensive Plan Land Use Designation: Community Mixed Use

Existing Zoning: AG (Agricultural)

Proposed Zoning: GB1- PUD (Gateway Business 1 as a Planned Unit Development)

Surrounding Land Use and Zoning:

North- Primarily residential, RS 6

South- Primarily Industrial, IP and IL, some commercial, BC

East- Commercial, GB 1

West – Primarily Industrial (IP & IL) some commercial, BC

Planning and Zoning Commission: The Nampa City Planning and Zoning Commission, on July 12, 2016 voted 4 -2 to approve the Planned Unit Development permit and recommended that City Council approve the Comprehensive Plan Map Amendment and Rezone. The Commission made their recommendation contingent upon entering into a development agreement. Planning and Zoning Commissioners cited the master plan design and a need for the State of Idaho to maximize use of their land in the recommendation for approval.

DECISION CRITERIA

Comprehensive Plan Future Land Use Map Amendment

The decision to approve or deny a comprehensive plan map amendment/ change is purely subjective. However, the City attorney has advised that City Council provide some rational basis for the proposed change. Rationale could include substantial changes to the surrounding area and/or errors in the original plan.

The "Community Mixed Use" designation is recommended for activity centers that include commercial, office and residential uses. These areas include an interconnected circulation system that is convenient for automobiles, pedestrians and transit. Well planned mixed-use developments are encouraged by Nampa's comprehensive plan.

Rezone

In regard to the corresponding rezone request there are several criteria to consider. Rezones must be in harmony with the comprehensive plan; be reasonably compatible with existing, adjoining property uses; establish an area of zoning the same as or compatible with immediately adjoining districts; not create a "spot" zone; and be in the interest of the public and reasonably necessary.

The existing AG (Agricultural) district is meant to preserve the economic and social value of agricultural operations. Within the city it also serves as a transition between rural and urban. (Ord. 2140)

The purpose of the proposed GB1 (Gateway Business) district is to encourage the consistent development of areas surrounding community gateways or entryways. GB1 is intended for mixed use, primarily commercial development allowing for a variety of highest and best land use

alternatives with flexible development standards. High quality architecture, landscaping and site planning standards are encouraged. (Ord. 3450, 5-23-2005)

Planned Unit Development

The Planned Unit Development (PUD) was approved by the Planning and Zoning Commission and requires no further action by City Council. The approved PUD allows greater flexibility and more creative design for the development. All uses allowed within the underlying land use district are permitted within a PUD and up to 20% of the gross land area may be directed to uses not otherwise allowed, in this case residential.

STAFF FINDINGS

Regarding the requested **Comprehensive Plan Map Amendment** from Parks and Public to Community Mixed Use, City Council must determine a justification for approval or denial. As previously stated, a plan may be amended for any logical or reasonable basis.

There are no Community Mixed Use designations adjacent to the subject property. The closest such designation is about 500' to the north on the west side of Idaho Center Boulevard. However, the subject property is separated from surrounding land uses by the railroad corridor, I84 and steep slopes. These barriers provide some buffer to surrounding land uses.

Although the future land use map does not currently designate community mixed use for this area the Comprehensive Plan does encourage mixed use developments. Smart growth principles advocated for in Nampa's Comprehensive Plan support mixed land uses as a critical component of achieving better places to live. By allowing residential, commercial, office and recreational uses in close proximity, alternatives to driving, such as walking or biking, become viable. Mixed use developments tend to provide a larger variety of housing options, shorter travel times between work and home environments, a strong community atmosphere, and pedestrian friendly lifestyles.

A desire to see more mixed use developments in Nampa along with the master plan developed by the Idaho Department of Health and Welfare could all justify a Comprehensive Plan Map Amendment to Community Mixed Use.

Under Section 10-2-3 regarding rezones, in order to approve the proposed **Rezone from AG (Agricultural) to GB1 (Gateway Business)** City Council must find the following:

1. The proposed map amendment (rezone) would be in harmony with the city's currently adopted comprehensive plan and comprehensive plan future land use map (or as recommended for amendment);
This requirement could be met if the Comprehensive Plan map amendment is approved.
2. The proposed map amendment (rezone) would provide for a proposed use or set of uses that would be at least reasonably compatible with existing, adjoining property uses;
The site is separated from surrounding land uses by the railroad corridor, I84 and steep slopes. The property is bordered by commercial uses to the east, industrial to the west and the master plan places residential and golf course uses adjacent to existing residential to the north.
3. The proposed map amendment (rezone) would make a change on the land use map of the city which would establish an area of zoning the same as or compatible with immediately adjoining districts;

The proposed GB1 zoning is currently designated for the area to the east. The conceptual site plan also congregates residential and golf course uses on the northern section which is bordered by a residential subdivision. The master plan land use layout generally matches surrounding lands and interior buffers are designed to ease transitions between land uses.

4. The proposed map amendment (rezone) would not create a "spot" zone (having a section of one kind of zoning surrounded by another) having no supportive basis per the adopted comprehensive land use map so as to only serve to benefit the applicant;

The rezone is adjacent to GB1 zoning on the east end and therefore would not create a spot zone.

5. The proposed map amendment (rezone) would be in the interest of the public and reasonably necessary.

The proposed rezone would allow for the proposed SWITC master plan development which if fully realized is estimated to generate 6.9 million in annual tax revenues for the City of Nampa. The envisioned development would also create a quality mixed use development that would become a desirable amenity for Nampa.

Existing uses including the golf courses also provide a public good. However, the city cannot require the state to use the land for golf. Any use permitted by the zoning district is allowed. To ensure that the golf courses are preserved, the city would have to purchase the land from the Department of Health and Welfare.

The GB1 zoning district does not allow residential uses and some of the setback requirements would not support the proposed conceptual master plan. Therefore a Planned Unit Development (PUD) was approved by the Planning and Zoning Commission. The PUD will be effective if the Comprehensive Plan Map Amendment and Rezone are approved by Nampa City Council.

CONDITIONS OF APPROVAL

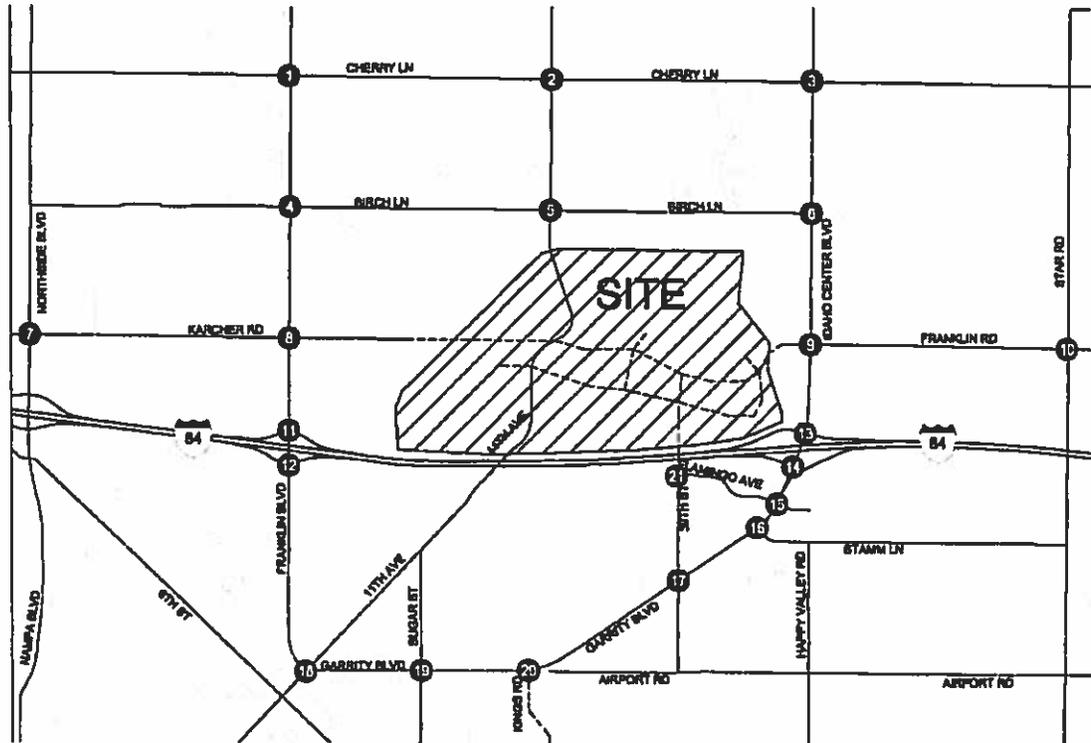
If Nampa City Council determines that the proposed comprehensive plan map amendment and rezone with a PUD is appropriate for the location, certain **conditions of approval** are recommended. Conditions of approval for the rezone are included in the attached Development Agreement. The Development Agreement requires the land owner and future developer to develop the land according to the Department of Health and Welfare Master Plan. The agreement identifies needed infrastructure improvements and states that the costs will be paid for by the land owner or future developer.

Development Agreement Conditions:

1. The Project shall be developed in substantial conformance with the conceptual master plan attached hereto as **Exhibit "B"** (the "**Conceptual Plan**") and made a part hereof; provided, however, that Owner/Developer shall have limited flexibility to modify through City Process and develop the Property as required to accommodate market conditions.
2. Design guidelines outlined in the Southwest Idaho Treatment Center Conceptual Master Plan Final Report dated July 2013 section 03.2 through 03.6 attached as Exhibit "D" shall be followed with substantial conformance provided, however, that Owner/Developer shall have limited flexibility to modify through City Process and develop the Property as required to accommodate market conditions.
3. Up to 20% of the gross land area may be directed to residential uses which are typically not allowed in the GB1 district.
4. This is a long term development project that will be phased and implemented over an extended period of time. All land divisions of any size or kind shall be required to go through

the City's preliminary and final plat process even if the size of the parcels might otherwise qualify for an exemption from the platting process. Platting shall include a compliance review with all applicable master plans, including the potential development of new master plans (see items 9.a and 11 below, as well as review of roadways and utility infrastructure).

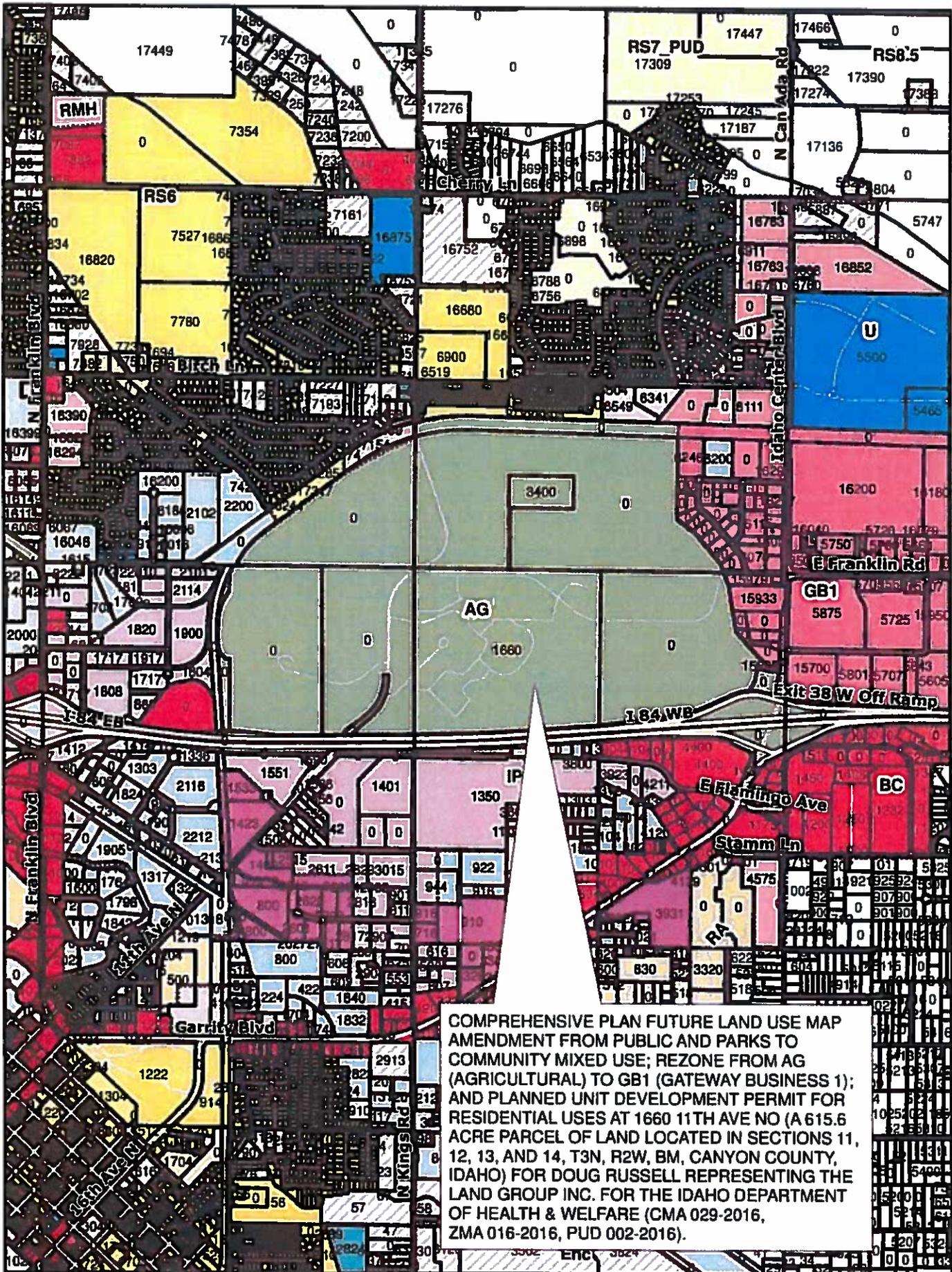
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6. The parties recognize and Owner/Developer accepts that major infrastructure improvements will be required in order for the Conceptual Plan to be implemented consistently with the scope of this Agreement. The parties recognize that some infrastructure will be required immediately and other improvements may not be required until later phases. Owner/Developer accepts and shall analyze, design and construct the following as required infrastructure components:
 - a. Create a continuous three to five lane roadway ("New Roadway") complete with bicycle lanes and sidewalks through the project that connects to the intersection of Idaho Center Boulevard and Franklin Road on the east and to Karcher Road on the west; including the implementation of a railroad overpass as required to connect with Karcher Road per the guidelines of the Union Pacific Railroad.
 - b. Construct a north-south roadway from the "New Roadway" to connect with North 39th Street south of Interstate 84, specifically including a minimum two-lane overpass over Interstate 84 complete with bicycle lanes and sidewalks per City requirements at the time of construction.
 - c. Intersection improvements at Karcher Road and Franklin Boulevard, as determined appropriate by future traffic impact studies and analysis. Improvements may include but not be limited to signalization or construction of a roundabout.
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 - e. At such time as the railroad crossing at 11th Avenue North south of Birch Lane is improved it shall at a minimum have concrete planking installed parallel to the rail
7. The parties recognize and Owner/Developer accepts that roadway impacts of the Project extend well beyond the perimeter of the Project. Owner/Developer and City agree that at a minimum, twenty-one intersections and connecting roadways will be directly impacted by the Project. The following graphic identifies the intersections. Owner/Developer shall analyze as part of all impact studies performed for each phase of development. Improvements identified as part of the TIS shall be implemented as required to achieve appropriate service at the various intersections.



8. Owner/Developer shall prepare a TIS consistent with City's TIS policy whenever required by City as a component of each preliminary and final plat application noted above.
9. Owner/Developer shall at a minimum implement the following Water Utility improvements:
 - a. Install a network of mainlines through the development. Specific size and configuration shall be determined at the time of preliminary plats.
 - b. Install pressure reducing valves at the connections from the mainline network in the Project to the existing City water system at Karcher Road and 11th Avenue North.
 - c. Dedicate a 2 acre parcel for future water tank site; tank site shall be dedicated to the City by 2018. Site shall be located in the higher elevations of the development.
10. Owner/Developer shall convert the development portion of the project to be served by the municipal irrigation system; the golf course shall be service by a private irrigation system.
11. With the submittal of the preliminary plat Owner/Developer shall pay for the sewer modeling preformed for the project; an estimated cost of the modeling is \$8,000. Owner/Developer shall upgrade approximately 1300 lineal feet of existing sewer pipe to 15", and install a gravity sewer pipe network generally as shown on the attached Exhibit "E".
12. Owner/Developer shall provide for perpetuation of all gravity irrigation supply and waste which enters and exits the site.
13. Construction of the overpass to E. Karcher Road shall be designed to perpetuate all existing driveway accesses.

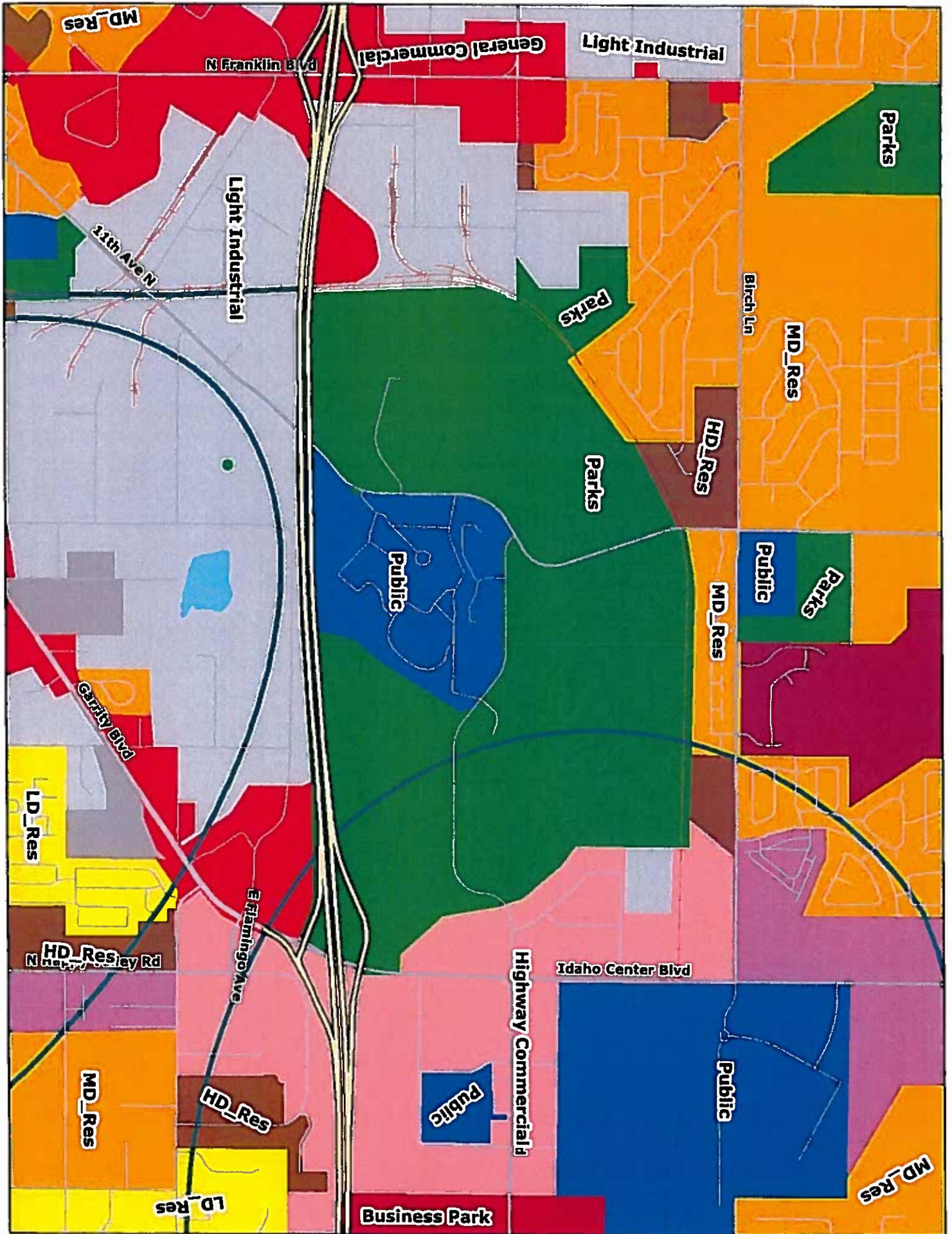
ATTACHMENTS

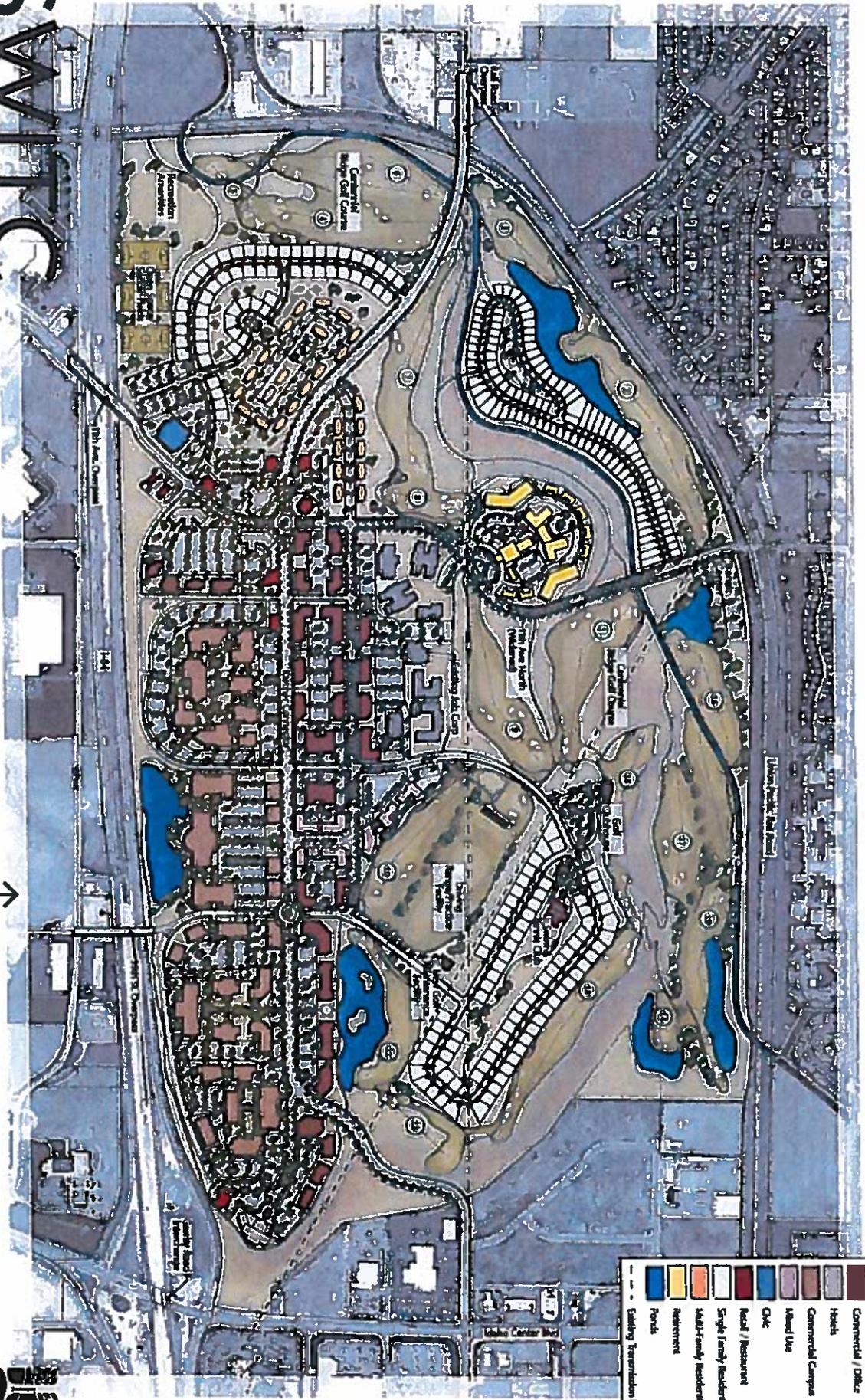
- Location, zoning, comprehensive plan future land use maps
- Southwest Idaho Treatment Center site plan
- Development Agreement
 - Southwest Idaho Treatment Center Conceptual Master Plan Design Guidelines
- Application(s) and letter
- Agency and neighboring property owner correspondence
- Planning and Zoning Commission minutes



COMPREHENSIVE PLAN FUTURE LAND USE MAP
 AMENDMENT FROM PUBLIC AND PARKS TO
 COMMUNITY MIXED USE; REZONE FROM AG
 (AGRICULTURAL) TO GB1 (GATEWAY BUSINESS 1);
 AND PLANNED UNIT DEVELOPMENT PERMIT FOR
 RESIDENTIAL USES AT 1660 11TH AVE NO (A 615.6
 ACRE PARCEL OF LAND LOCATED IN SECTIONS 11,
 12, 13, AND 14, T3N, R2W, BM, CANYON COUNTY,
 IDAHO) FOR DOUG RUSSELL REPRESENTING THE
 LAND GROUP INC. FOR THE IDAHO DEPARTMENT
 OF HEALTH & WELFARE (CMA 029-2016,
 ZMA 016-2016, PUD 002-2016).

ENC 3024





LEGEND:

| | |
|--|---------------------------|
| | Commercial / Office |
| | Health |
| | Commercial Campus |
| | Special Use |
| | Office |
| | Hotel / Restaurant |
| | Single Family Residential |
| | Multi-Family Residential |
| | Recreation |
| | Ponds |
| | Existing Transition Lines |

SWITC

Southwest Idaho Treatment Center | Nampa, ID | Idaho Department of Health & Welfare | June 14, 2016



DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (this “Agreement”), is made and entered into this _____ day of _____, 2016 (the “Effective Date”), by and between the City of Nampa, a municipal corporation, hereinafter referred to as the “City,” and: _____, hereinafter referred to as “Owner.”

RECITALS

- A. Owner is the owner of approximately 600 acres of real property legally described in Exhibit “A” attached hereto and made a part hereof (the “Property”).
- B. Owner applied to the City on June 14, 2016 (the “date of application”) to amend the Comprehensive Plan Future Land Use Map from Parks and Public to Community Mixed Use and to Rezone the property from AG (Agricultural) to GB1 (Gateway Business1) as a Planned Unit Development PUD that would allow up to 20% residential uses in anticipation of the development and construction of a mixed-use project comprising commercial office, retail, restaurants, multi-family residential, single family residential, open space for soccer and golf, retirement community, 3 hotels, a transit center and job corps (the “Project”).
- C. City, pursuant to Section 10-2-5, Nampa City Code, and Idaho Code Section 67-6511A, has the authority to rezone the Property and amend a Development Agreement for the purpose of allowing, by agreement, a specific development to proceed in a specific area and for specific purposes and/or uses that are appropriate in the area.
- D. City’s Planning and Zoning Commission and City’s City Council have held public hearings as prescribed by law with respect to the Comprehensive Plan Map Amendment, rezoning and development of the Property and this Agreement. City has approved the requested rezoning of the Property to GB1 Gateway Business 1 as a Planned Unit Development that allows up to 20% residential land use.

AGREEMENT

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

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

2. The Project shall be developed in substantial conformance with the conceptual master plan attached hereto as **Exhibit "B"** (the "**Conceptual Plan**") and made a part hereof; provided, however, that Owner/Developer shall have limited flexibility to develop the Property to meet market conditions, and the only specific commitments concerning development of the Project which the Owner/Developer is making are set forth herein. Upon recordation of this Agreement, Owner/Developer shall have all approvals required from the City for development of the Project in general conformance with the Conceptual Plan.
3. This Agreement is intended to be supplemental to all other local, city, state and federal Code requirements, rules and regulations, and is established to help assure the compatibility of the resulting land use with the surrounding area. Provided, however, that to the extent this Agreement conflicts with any provision of the Nampa City Code, this Agreement shall prevail to the extent permitted by law.
4. The provisions and stipulations of this Agreement shall be binding on City, Owner/Developer, each subsequent owner of the Property or portion thereof, and each person acquiring an interest in the Property and are, in no particular order, as set forth in the conditions of approval attached hereto as **Exhibit "C"**, and by this reference incorporated herein.
5. This Agreement may be modified only by the written agreement of Owner/Developer and the City after complying with the notice and hearing procedures required under Idaho Code Section 67-6511A or Nampa City Code Section 10-2-5(D) or successor provisions.
6. The execution of this Agreement and the written commitments contained herein shall be deemed written consent to change the zoning of the Property to its prior designation upon failure of Owner/Developer to comply with the terms and conditions of this Agreement. Provided, however, that no such consent shall be deemed to have been given unless City provides written notice of any such failure and Owner/Developer or its successors and/or assigns fails to cure such failure as set forth below.
7. This Agreement and the commitments contained herein shall be terminated, and the zoning designation reversed, upon the failure of Owner/Developer, or each subsequent owner or each person acquiring an interest in the Property, to comply with the commitments contained herein within two (2) years after the Effective Date, and after the notice and hearing requirements of Idaho Code Section 67-6509 have been complied with by City. Exception: the failure to begin site development of all or a portion of a project proposed under this Agreement does not necessarily serve as impetus to allege that the commitments contained herein are not being fulfilled. Rather, commencement of site work and/or construction then left in abandon or failure to abide by the terms of this Agreement, as herein iterated, shall serve as impetus to consider termination of this Agreement and reversion of zoning. Provided, however, no such termination or reversal shall occur unless City provides written notice of Owner/Developer's failure to comply with the terms and conditions of this Agreement to Owner/Developer and Owner/Developer fails to cure such failure within six (6) months of Owner/Developer's receipt of such notice. The two (2) year period of time for compliance with commitments may be extended by City for good cause upon application for such extension by Owner/Developer, and after complying with the notice and hearing provisions of Idaho Code Section 67-6509.

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

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

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

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

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

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

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

a. A waiver by City of any default by Owner/Developer of any one or more of the covenants or conditions hereof shall apply solely to the breach waived and shall not bar any other rights or remedies of City or apply to any subsequent breach of any such or other covenants and conditions. A waiver by Owner/Developer of any default by City of any one or more of the covenants and conditions hereof shall apply solely to the breach

waived and shall not bar any other rights of remedies of Owner/Developer or apply to any subsequent breach of any such or other covenants and conditions.

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

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

d. In addition to the remedies set forth above, in the event of a default by Owner/Developer, or any other party claiming an interest herein, City may withhold building permits for any remaining lots within the development until such time as the default is cured.

EXHIBIT "A"

LEGAL DESCRIPTION OF THE PROPERTY

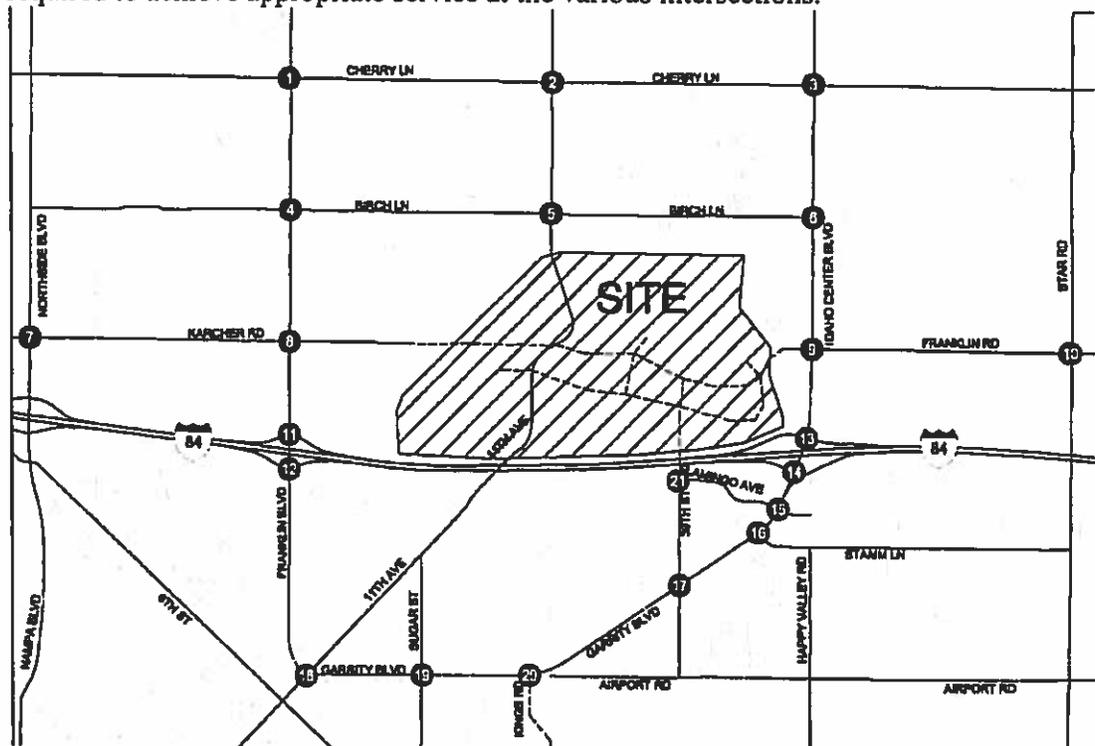
EXHIBIT "B"
CONCEPTUAL PLAN

EXHIBIT "C"

CONDITIONS OF APPROVAL

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5. Owner/Developer shall, upon finalization of the comp plan amendment and rezone, submit to City for review and approval a preliminary plat which identifies mega lots and proposed phases. This application shall include submittal of a study for buildout impacts and transportation needs as well as initial major infrastructure required upon implementation of each phase or mega lot. The study shall look specifically at required sewer main, water main, pressurized irrigation, and roadway infrastructure within the development which connects to adjacent city facilities off site, as well as intersections within the impact area. A utility and roadway master plan for the Project shall be included as part of this submittal. All infrastructure shall be sized or upgradable as required for final build out and shall be based on a comprehensive review of existing infrastructure needs. Prior to the preliminary plat being approved by the City, Owner/Developer shall submit for review and approval a development agreement modification specifying how major infrastructure items will be funded. Detail of the funding shall specify how infrastructure costs will be equitably allocated to the phases of development.
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- b. Construct a north-south roadway from the "New Roadway" to connect with North 39th Street south of Interstate 84, specifically including a minimum two-lane overpass over Interstate 84 complete with bicycle lanes and sidewalks per City requirements at the time of construction.
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12. Owner/Developer shall provide for perpetuation of all gravity irrigation supply and waste which enters and exits the site.
13. Construction of the overpass to E. Karcher Road shall be designed to perpetuate all existing driveway accesses.
14. An easement or land swap will occur to allow continued use of a 100-foot x 100-foot square site for a radio tower serving the Nampa Police and Fire Department. In addition, an easement will need to be maintained for service vehicles to access the site. The location is shown in Exhibit "F".

EXHIBIT "D"
DESIGN GUIDELINES

03 DESIGN DOCUMENTS

03.2 DESIGN GUIDELINES

03.2.1 Introduction

These Design Guidelines have been created to provide an aesthetic road map in support of the Southwest Idaho Treatment Center (SWITC) Master Plan. Zoning Classifications set forth reference the Master Planning Summary discussing zoning and land use review per adjacent land uses. Ideally the SWITC property would eventually be rezoned with appropriate overlays in support of identified land uses. With this approach, the design guidelines defer to the Nampa City Zoning Ordinance guidelines for building setbacks, heights, and general zone uses. Throughout the document references to the Nampa City Zoning Ordinance anticipate a coordinated rezoning of the SWITC property for planned uses.

The guidelines include sections for site design guidelines, landscape design, golf course design, architectural design and signage. Each of the sections is specific to the building type described. A Design Review process shall be put in place so that all proposed work will be reviewed and approved according to development parameters, and maintained by the various owner associations within the development areas.



Site Design

03.2.2 Intent

The Design Guidelines are intended to be a timeless and flexible document with the understanding that development will occur over an extended time period. The goal is to ensure the development is harmonious, resulting in complimentary relationships between architectural forms and common site amenities.

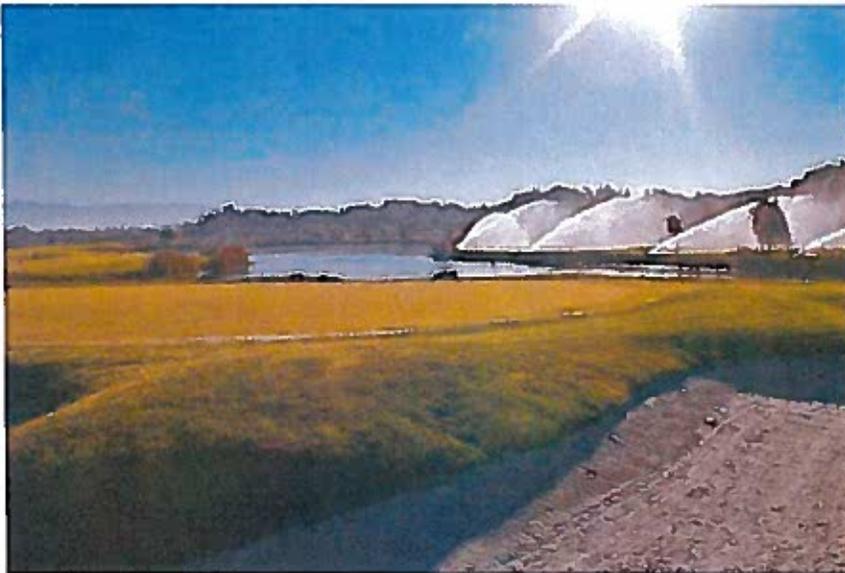
All improvements within the Southwest Idaho Treatment Center Master Plan will conform to the zoning and development established under a new Southwest Idaho Treatment Center Master Plan Ordinance. In addition to the Southwest Idaho Treatment Center zoning criteria and these design guidelines, projects will also be required to adhere to development covenants, conditions and restrictions (CC&R's). All future facilities must submit design documents to appropriate local jurisdictions and owner's association for review and approval. Further submissions as required by ordinance will follow City approval processes.



Architectural Design



Landscape Design



Golf Course Design

03 DESIGN DOCUMENTS

03.3 SITE DESIGN GUIDELINES

03.3.1 Introduction

The site design guidelines establish the framework with which to approach the design and planning of the various development areas within the SWITC Master Plan area. Included in this text are both planning components as well as implementation components. Placement of buildings is as important as the development of amenities throughout the development areas to ensure a consistent level of quality.

The objectives of the site development guidelines are:

- *To support and amplify the goals of the Southwest Idaho Treatment Center Master Plan*
- *To recognize the unique nature and location of the property within the local context as well as within the context of the entire Treasure Valley.*
- *Responding to the area's uniqueness through the enhancement and creation of an interesting and aesthetically pleasing environment.*
- *To encourage development that is visually understandable and meaningful to the users.*
- *To encourage planning and buildings of a high quality and appropriate character while maintaining a variety of expression and creativity within various areas of the development.*
- *To promote pedestrian accessibility throughout the development and connectivity to adjacent uses.*
- *To create a pedestrian scale in the design of streets, spaces between buildings, and the buildings themselves.*
- *To enhance the appearance of buildings and structures through site design.*
- *To create visual unity and continuity among parcels, neighborhoods, and adjacent properties.*

03.3.2 Land Use

The SWITC Master Plan includes a design approach which responds to the site's terrain, views, amenities, and access. Those land use zones identified below shall be translated into zone overlays through the City of Nampa. The overlay zones within the areas include commercial, mixed-use, professional office, and residential.

The land uses with the SWITC Master Plan include:

- *Residential – to range from low density single-family residential to high density multi-family residential*
- *Commercial – include dense mixed use urban core with a variety of uses including commercial retail, office and residential. The intent of higher density is to create greater access to shopping, recreating and working through a pedestrian friendly community. Other commercial uses within the plan include a lower density business community, and commercial retail (banks, restaurants, shops, etc.).*
- *Job Corp Campus - Existing*
- *Institutional (Educational)– campus with open space*
- *Civic*
- *Public – Golf course and clubhouse, recreational park*
- *Transit Hub – connecting the surrounding communities to the SWITC property and providing alternate modes of transportation.*



Conceptual Land Use Plan

Legend

| | | | |
|-------------------|---|---------------------------|---|
| Commercial/Office |  | Single Family Residential |  |
| Hotel |  | Multi-Family Residential |  |
| Commercial Campus |  | Retirement |  |
| Mixed-Use |  | Storage |  |
| Civic |  | Golf Fairway and Greens |  |
| Retail/Restaurant |  | | |

03 DESIGN DOCUMENTS

03.3 SITE DESIGN GUIDELINES

03.3.3 Site Development

The site development of areas within SWITC will provide a visually distinctive and memorable experience to its users and residents. The overall concept for the site planning is to capitalize on the site's existing amenities, its accessible location, its visibility from travel corridors, its mountain views, and reconfiguration of the public courses to continue the tradition of quality golf experience while allowing inclusion of a planned development with diverse uses from residential to commercial, creating a vibrant addition to Nampa and its surrounding areas.

Related site improvements include but are not limited to parking, a transit hub, walkways, street networks and associated amenities including lighting, as well as pedestrian amenities. Open space amenities includes public gathering areas, plaza and parks, and golf course connectivity. The resulting site configurations create a series of large outdoor spaces connected by structure

placements, roads, and walkways throughout the Southwest Idaho Treatment Center Master Plan areas.

The land use designations are a deliberate mix of commercial office, commercial retail (including banks, restaurants, and shops), mixed-use, multi-family housing hospitality, civic, and single family residential. The mix is designed to create a vibrancy and livability with multiple opportunities for each. The Master Plan also responds to establishing appropriate buffers and adjacencies for these residential districts providing support for the residents with working, shopping, and recreating opportunities

Distinct residential districts will provide opportunities to accommodate multiple living styles depending on future residences' necessities. The following images demonstrate some of the required characteristics of site development at SWITC including spatial relationships between building, public open space, architectural styles and landscape. (See Images 1-8)



1. Commercial Campus Aerial



2. Commercial Campus Perspective



3. Transit Hub

03 DESIGN DOCUMENTS

3.3 SITE DESIGN GUIDELINES



4. *Mixed-Use Perspective*



5. *Mixed-Use Aerial*



6. *Single Family Residential Aerial*



7. Multi-family Residential Aerial



8. Multi-Family Residential Perspective

03 DESIGN DOCUMENTS

03.4 LANDSCAPE DESIGN GUIDELINES

03.4.1 Introduction

The term landscape as used in this section refers to those elements that give form and character to the physical and natural environment of the Southwest Idaho Treatment Center (SWITC) project site. Those elements include but are not limited to the placement of trees, shrubs and other vegetation, sidewalks, paths and trails, drainage swales, lighting, screening, entry features, open space, plazas and patios. The goal of this section of the design guidelines is to provide design standards that create aesthetically pleasing outdoor spaces, with functional and safe circulation systems for pedestrians and vehicles.

The landscape design for the SWITC project area should respond to the character of the site and create places with different spatial characteristics. Soft and hard landscape materials shall be selected that relate to the urban nature of commercial and mixed use development, or park-like feel of recreational facilities, or the natural character of the areas that buffer the golf course facilities. The landscape design guidelines for public right of way and for vehicular and pedestrian corridors within the SWITC project area reflect several important objectives:

- *To establish consistency in the design of streets within the SWITC project area.*
- *To create a strong visual identity through street design that provides unity to the project and a framework for individual expression in the design of specific project areas and parcels.*
- *To create a pleasant pedestrian environment with universal accessibility and safety throughout the project area.*
- *To improve traffic flow and safety in the entire SWITC area.*

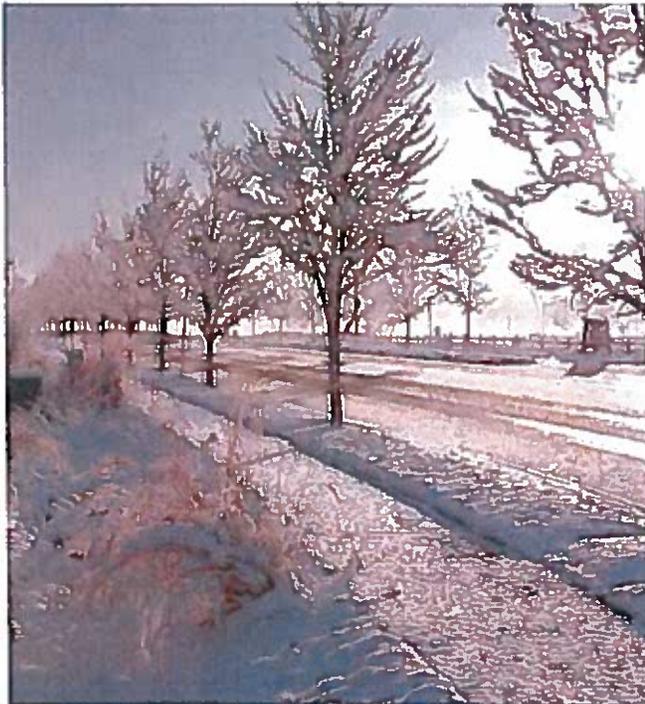


Color and Texture of Plant Materials

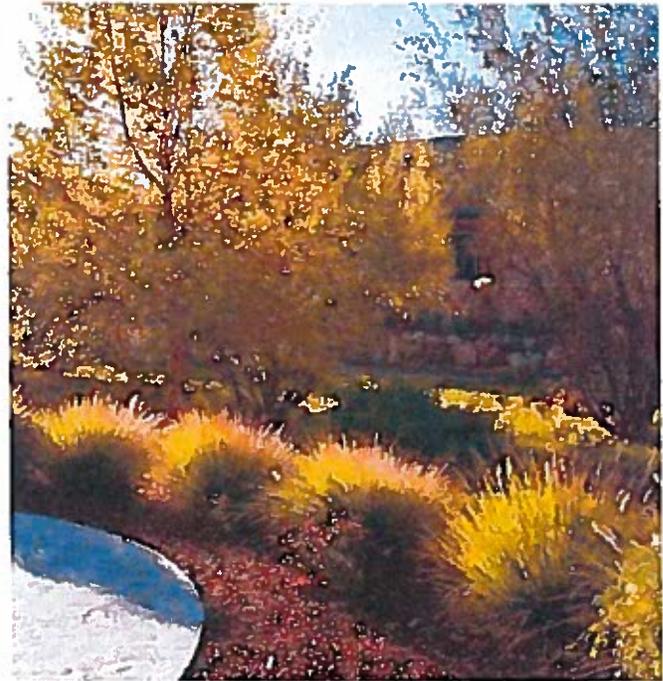
03.4.2 General Landscape Requirements

The following are general requirements that apply to landscape design for all development within the SWITC project area:

- Provide year-round interest in the selection of plant material, through varied use of color, texture and form and deciduous and evergreen plants.
- A landscape plan is required for all parcels and shall be prepared by a licensed landscape architect/designer. Plans should identify all plant material including names, sizes and quantities, hardscape improvements, proposed and existing structures, grading and drainage, and irrigation plans.
- Planning for water wise landscaping is encouraged through plant selection, irrigation design, water harvesting, and utilization of alternative water sources beyond municipal systems.
- All plant material shall meet minimum standards of ANSI Z60.1, American Standard for Nursery Stock, and shall be warranted for 1 year from the date of substantial completion.
- All plant material shall be planted in accordance with the latest version of the standards by the American Nursery and Landscape Association.
- Bark mulch and weed barrier fabric shall be applied to a depth of 3" in all planter beds for weed control and moisture retention. Rock mulch will be allowed on a case by case basis where the mulch is part of the aesthetic design.
- Landscape areas may not have slopes greater than 3:1, and lawn areas shall be on a slope of 4:1 maximum.
- Primary pedestrian pathways through open space shall be 8' width and paved. Secondary pathways from the primary pathways to building entrances, parking lots etc may be 5' width.
- All trees shall be planted outside of utility easements provided for municipal water mains, sewer mains or storm water facilities. Trees shall also be located outside of all Idaho Power easements.
- Landscaping within or adjacent to road intersections, driveway intersections and roundabouts shall comply with landscape guidelines while maintaining clear vision triangles for both pedestrians and vehicle traffic. Local codes should also be referenced in regard to vision triangles to ensure that all safety requirements are achieved.



Year-round Interest



Bark Mulch in Landscape

03 DESIGN DOCUMENTS

03.4 LANDSCAPE DESIGN GUIDELINES

03.4.3 Landscape Standards for Streets

A coherent and organized streetscape is important in providing beauty and order within this development. The purpose of this section is to provide a clear basis for selecting the appropriate type of trees and landscaping for each type of street within the SWITC Master Plan area. The visual importance of street trees is critical to the identity of the area, as they provide visual coherence between streets, buildings and open space. Tree form, foliage, color and fragrance create identities along with uniqueness. The following guidelines build upon the existing local codes by offering some variation to enable the creation of distinctive spaces through careful selection and placement of trees, shrubs and groundcovers.

01. COLLECTOR AND ARTERIAL STREETS

- Construction standards and dimensions of right-of-way, drive lanes, bike lanes, center islands, sidewalks and landscape strips shall be in accordance with standards shown for Collector and Arterial Streets and shall comply with the local highway district.
- Class II deciduous shade trees are to be planted within the landscape strip between the back of curb and sidewalk along all collector or arterial streets. Tree spacing shall be 35 feet on center. (See figure 01.)
- Species should remain the same along each road until reaching intersections or landscape features where transitions to another species may be appropriate.
- All street trees shall be minimum 2" caliper at the time of installation.
- Buffers outside of the streetscape-planting strips shall comply with local jurisdictional requirements for landscape buffers and shall consist of lawn, shrubs, groundcover and trees. Properties fronting any street shall provide the minimum required landscape buffer between the back edge of the sidewalk and edge of any site development (parking lot, building, etc.). (See figure 01.)
- Landscape buffers shall consist of a combination of planting, berms, walls, or fences that provide a minimum 36-inch and maximum 42-inch visual screen between adjacent parking areas and public streets. (See Parking Screening section of in Landscape Guidelines.)
- Pedestrian crosswalks, which cross streets or major driveways, shall consist of a material other than asphalt. Approved materials include concrete and concrete pavers. Where concrete crosswalks abut asphalt streets or

driveways, a proper transition, such as a concrete apron, is required between the concrete and asphalt to avoid excessive wear and damage. (See figure 01.1)

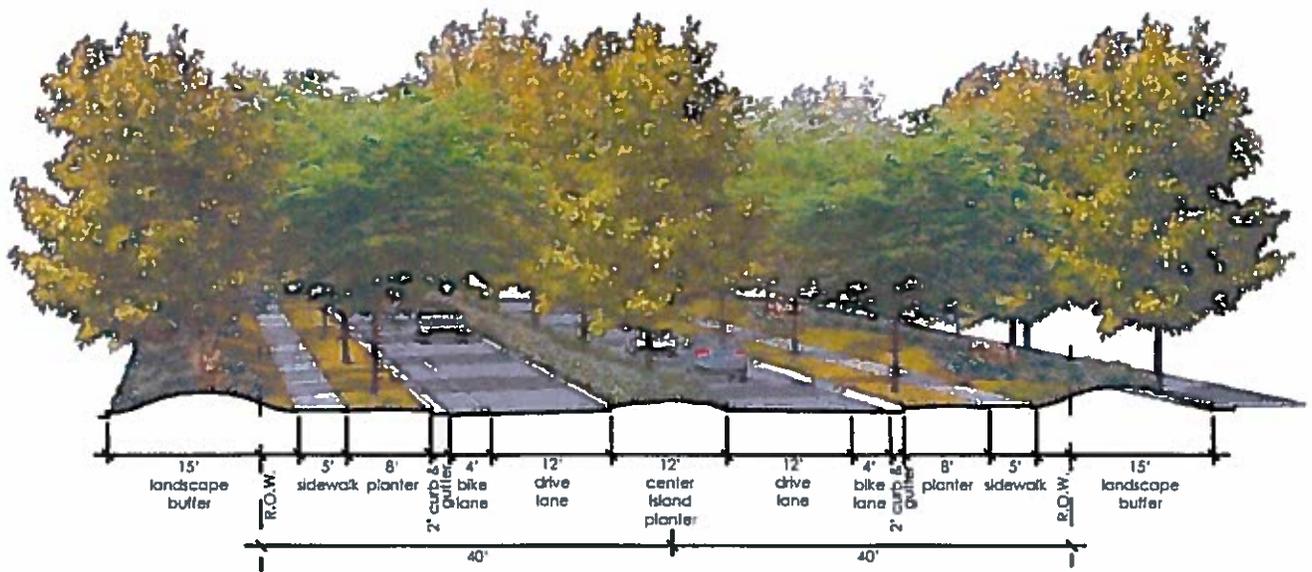
- Maintenance within the public right of way including street trees, groundcover areas, irrigation and sidewalks will be paid for by funds supplied by HOA dues.
- Trees adjacent to public pedestrian walkways in the landscape buffer can be class I, II, or III provided that they do not interfere with pedestrian circulation. Class I and II trees shall be a minimum of 4' from the edge of sidewalk or curbs, and class III trees shall be a minimum of 8' from the edge of sidewalk or curbs.
- Center planter islands shall be placed to avoid creating sight line obstructions. Refer to local codes for requirements of sight lines at controlled and uncontrolled intersections.

02. MIXED-USE AREA STREETS

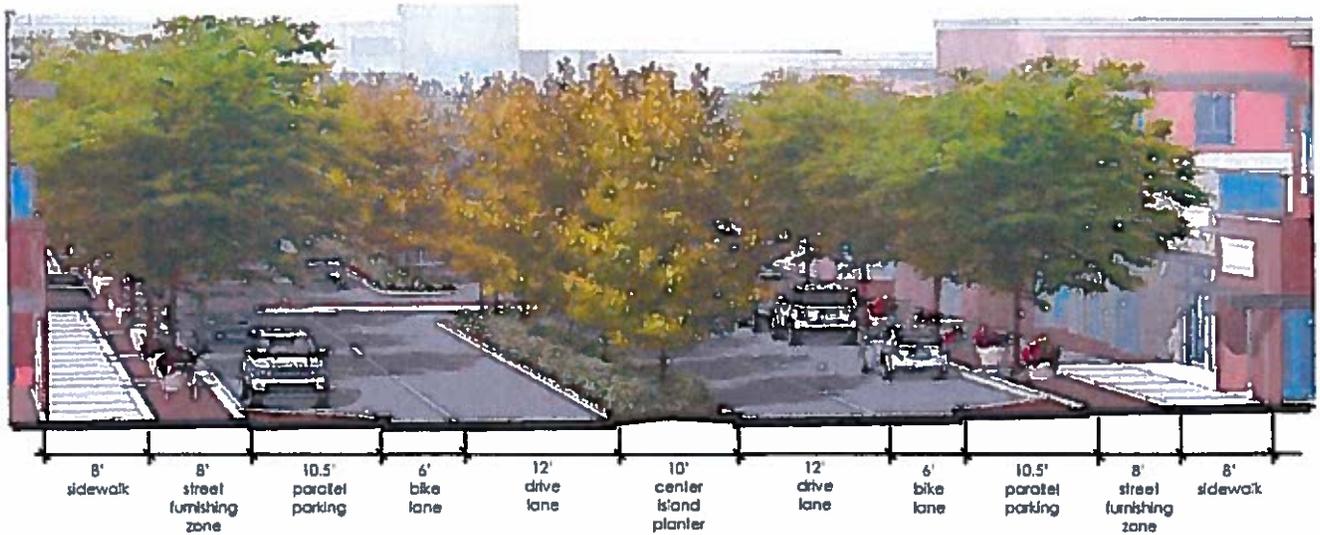
- Construction dimensions of drive lanes, bike lanes, center islands, sidewalks and parking lanes shall be in accordance with the standards Mixed-Use Area Street Section identified in the guidelines. (See Figure 02)
- Class II deciduous shade trees are to be planted along all streets through the mixed-use zone at approximately 35-foot intervals in the street-furnishing zone between the curb and sidewalk. Trees shall be planted within tree grates.
- Species should remain the same along each road until reaching intersections or landscape features where



01.1 Pavers Crosswalk with Concrete Apron



01 Collector and Arterial Streets Section



02 Mixed-Use Area Streets Section

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transitions to another species may be appropriate.

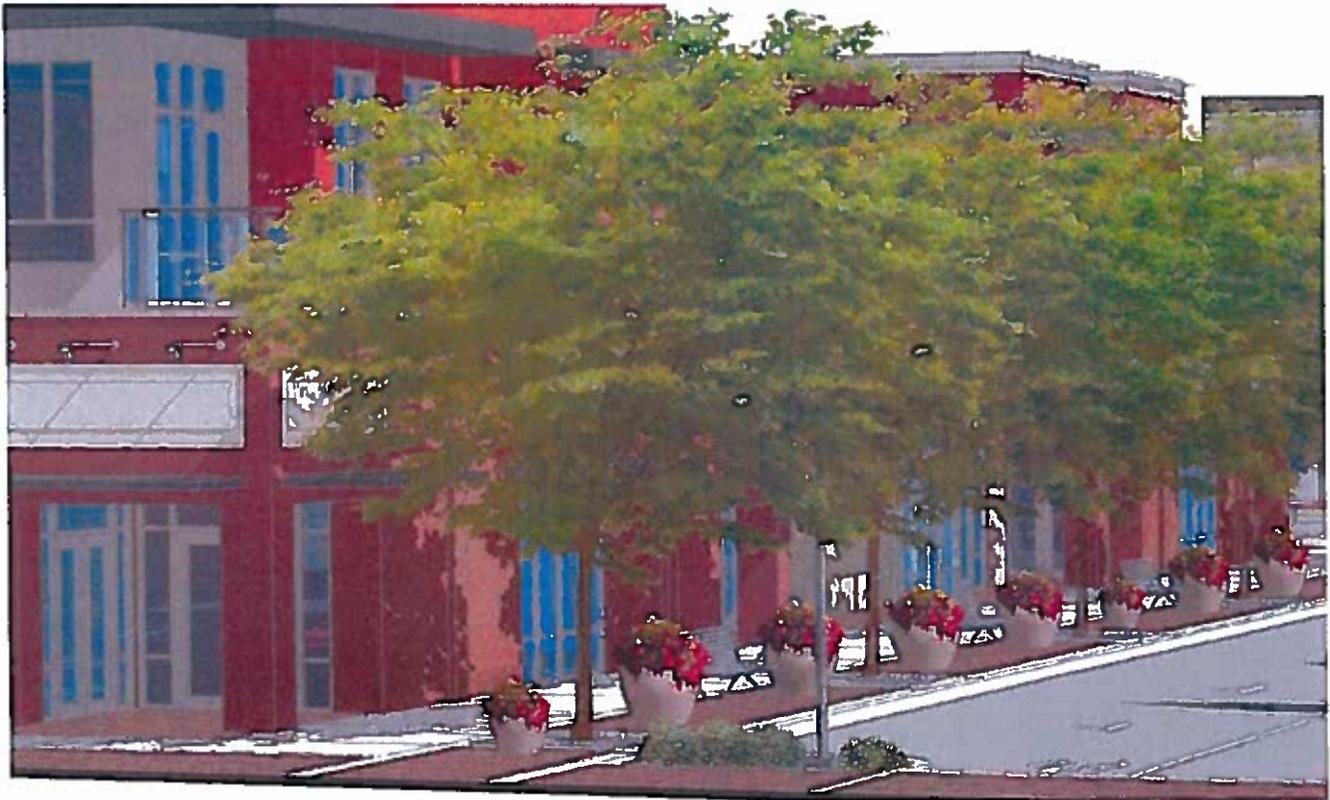
- All trees shall be minimum 2" caliper at the time of installation.
- All benches, trash cans, bike racks and planter pots shall be placed in the 8' wide street furnishings zone. Configuration of street furnishings shall be similar to image below (See Street Tree Planting and Site Furnishing illustration below.) See site furniture portion in this document for further details.
- The 8' wide street furnishings zone shall be comprised of a material other than standard concrete. Alternative solutions include brick or concrete pavers or colored and stamped concrete. Once a style is established, it shall remain consistent. See site furniture and paving sections in this document for further details.
- Pedestrian crosswalks within this zone shall be paved with

colored/stamped concrete or concrete pavers. Where concrete crosswalks abut asphalt streets or driveways, a proper transition such as a concrete apron is required to avoid excessive wear or damage.

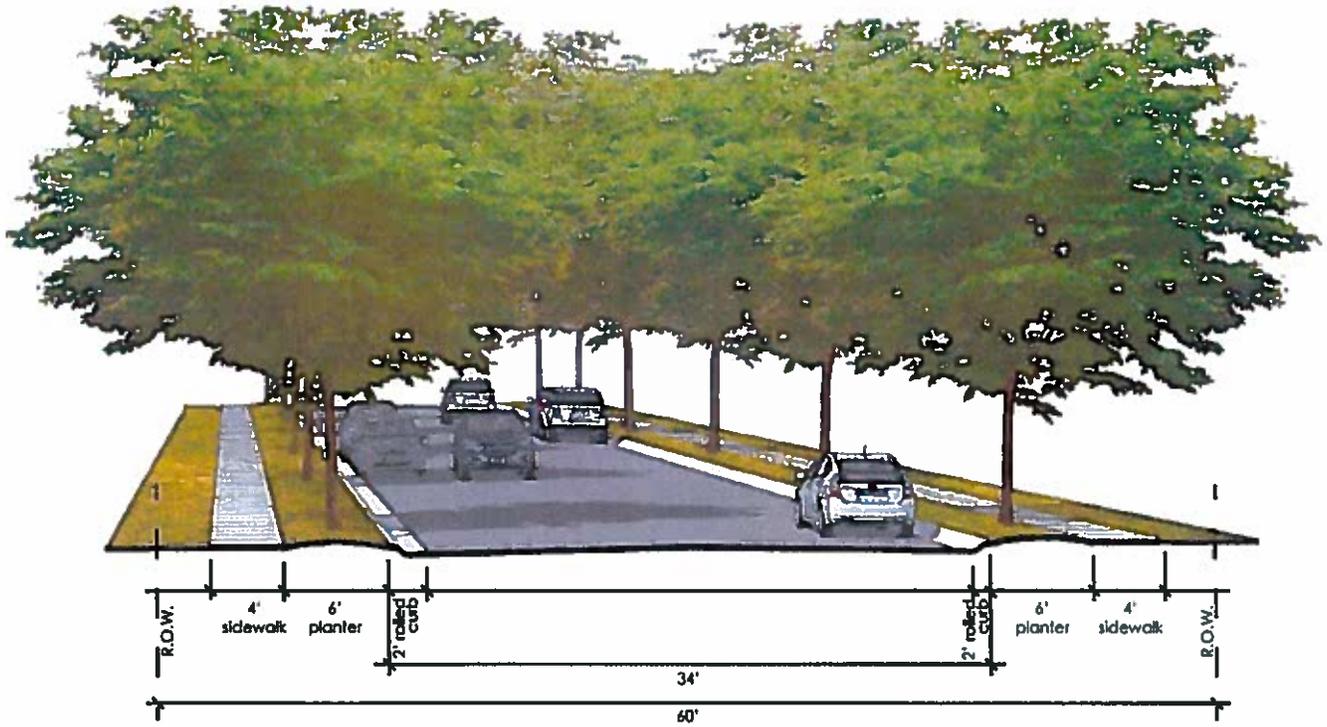
- Maintenance within the public right of way including street trees, groundcover areas, irrigation and sidewalks will be paid for by funds supplied by HOA dues.

03 RESIDENTIAL STREETS

- Construction standards and dimensions of right-of-way, drive lanes, parking lanes, sidewalks and landscape strips shall be in accordance with local jurisdictional standards for Residential Streets.
- Class II deciduous shade trees are to be planted along all streets in Residential zones at approximately 35 foot intervals in the planter between the curb and sidewalk.



Street Tree Planting and Site Furnishing



03 Residential Streets Section

- *Species should remain consistent along each road until reaching intersections or landscape features where transitions to another species may be appropriate.*
- *All trees shall be minimum 2" caliper at the time of installation.*
- *The homeowners association is responsible for maintaining the improvements within the public right of way from the property line to the edge of the curb. This includes street trees, turf, irrigation and sidewalks.*
- *The entrances to residential areas are to be defined with appropriate decorative entries which may include planting, signage, water features, masonry structures or other elements of interest.*

03 DESIGN DOCUMENTS

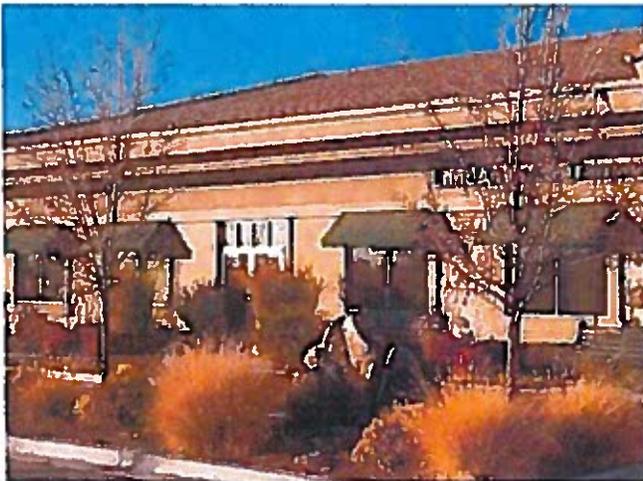
03.4 LANDSCAPE DESIGN GUIDELINES

03.4.4 Landscape and Planting Design

The SWITC site encompasses a large geographical space and several different proposed uses. Within each zone of development, there is a requirement for the landscape design to create spaces that are aesthetically pleasing while providing safe and unique gathering places that transition well from one space to the next. Success of this approach will depend greatly on the appropriate placement of landscape features, with an intent focus on the relationship of these elements and proposed or existing structures.

Landscape themes typically have relationships with certain plant types. Whether it is urban, residential, ornamental, natural, or transitional type themes; the types of trees, shrubs, groundcovers and grasses should reflect the desired context. Several landscape types are identified within these general guidelines along with planting schemes that promote the creation or enhancement of place. The use of semi-mature plant materials is encouraged to establish the character of the development.

Similarly, hardscapes such as plazas, patios and pathways help define specific themes. Materials, shapes, furnishings and size are just a few characteristics that help achieve thematic success. Public spaces should contain seating, sunny and shady areas, and places for social interaction or quiet respite. Circulation systems should be accessible, safe and provide access to all parts of the site through a hierarchy of paths that accommodate expected traffic. Building plazas should provide a clear sense of arrival and entry, and pathways between buildings should satisfy desired travel paths.

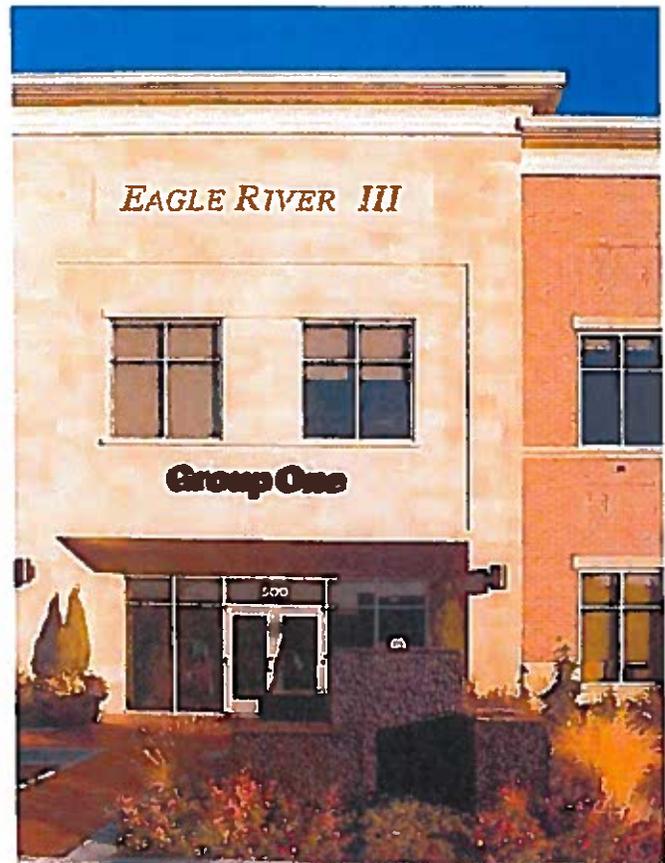


01 Foundation Plantings

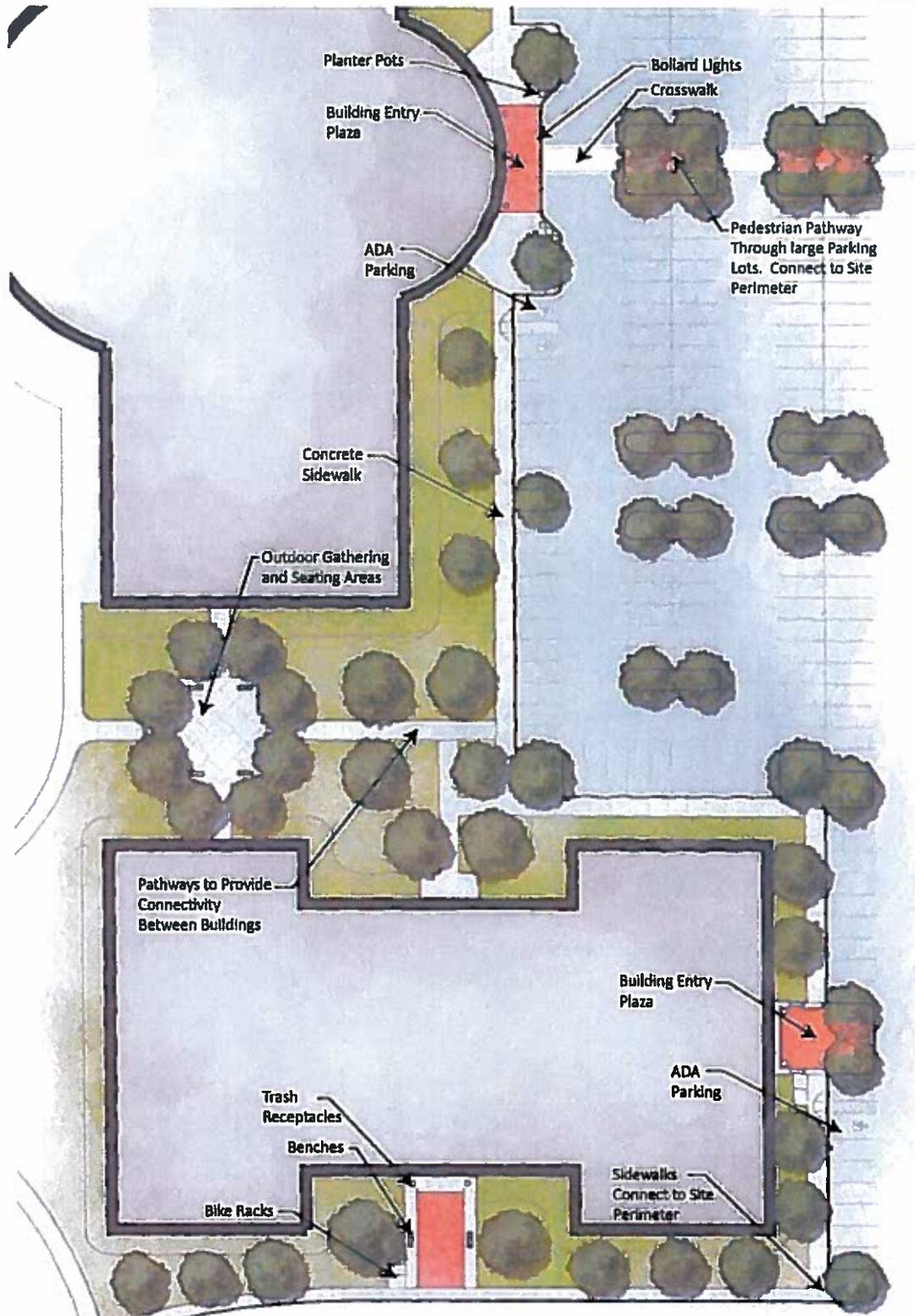
03.4.5 Landscape Guidelines for Use Zones

01 CAMPUS, OFFICE AND COMMERCIAL

Landscape planting around the campus, commercial and office buildings helps to blend different architectural styles, provide color and texture in the environment, soften the hard edges between structures and the ground plane, and accent the visual appeal of architectural style. Buildings within these zones shall have foundation plantings around the majority of building perimeters at a width not less than 6'-0", but proportionally adapted to vertical building heights. Plant material utilized for foundational planting should be easy to maintain, should thrive both visually and physically in large massing scenarios, and shall adapt to sun angles created by the vertical building walls. Large massing's of plant species are recommended for foundation planting scenarios; however, building entries shall be accentuated through the use of perennials, specimen plants, art features, water features or plaza spaces. Building corners and architectural features shall



01 Entry Planting



Conceptual Example of Design and Layout of the Site Furniture, Walkways and Paving in Commercial Development

03 DESIGN DOCUMENTS

03.4 LANDSCAPE DESIGN GUIDELINES

also be accented through the use of specimen trees or shrubs.

To ensure that design intent is effective, all shrubs, perennials and groundcover in mixed use and urban areas should be maintained in their natural state, to the sizes and shapes identified in the species selection list. (See Appendix E) Maintenance, specifically pruning practice, plays an important role in the long-term success of a landscape. Except for in rare instances where bonsai or shaping practices are being implemented, plants shall be pruned and maintained in their natural forms.

Hardscape shall be implemented at main and secondary entryways to buildings. Main entry points shall promote a sense of arrival and provide for small gatherings through the use of varying paving materials and site furnishings. Site furnishings shall include items such as benches, trash containers, and bike racks. Decorative and functional bollards, landscape lighting and planter pots should be considered to enhance paved areas in terms of function and aesthetic appearance, but should not clutter or impede entrances or pathways. See guidelines for Site Furniture, Walkways and Paving in this document for further details.

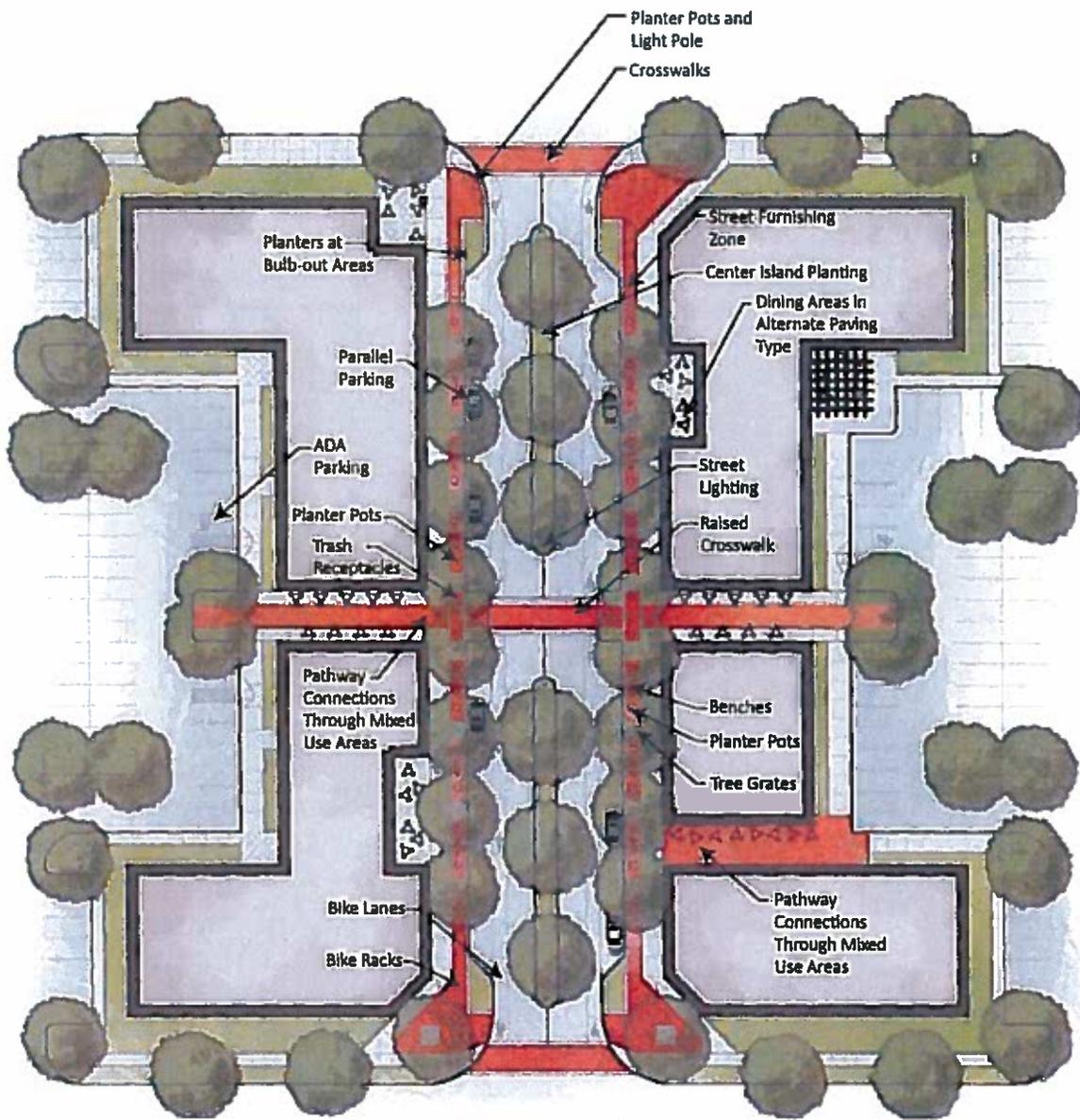
02 MIXED-USE AND URBAN

The mixed use areas of the SWITC Master Plan are intended to provide an urban lifestyle center centrally located within the development. Landscape design within this area will focus primarily on hardscapes and site furnishings. Paving design shall delineate between primary walkways which allow unimpeded pedestrian travel ways and access to entries, and the site furnishings zone adjacent to the street. Other elements to be provided in the mixed use and urban zone include outdoor dining areas, bike lanes and parallel on-street parking.

The general approach to all planting should be to select species that contribute to the visual experience of the public as they use this area, whether street trees, planters, hanging baskets, or containers. Planting schemes should provide diversity through color, form, texture, and fragrance. Softening of the built landscape, such as buildings and pavement, is encouraged. Plants that provide year-round interest with changing foliage, color or spring flowering should be provided, as well as sufficient evergreen plant material. To ensure the design intent is effective, all shrubs, perennials and groundcover in mixed use and urban areas should be maintained to the height and width as specified in the *Plant Species Selection List*. (See Appendix E)



02 Urban Site Furnishings



Mixed-Use Area Showing Conceptual Planing, Paving, Street Furnishings Zone and Pathway Connections

03 DESIGN DOCUMENTS

03.4 LANDSCAPE DESIGN GUIDELINES

03 COMMUNITY PARKS, OPEN SPACE, AND TRANSIT CENTER

Higher pedestrian use areas of a park may require selection of plant material that is more robust and functional, particularly if placed adjacent to paved or high use areas. Areas of lesser use such as small gardens, may include a higher proportion of specimen plant material. In all areas, planting schemes should provide diversity of color, texture and form, and shall accent adjacent hardscapes or structures

Concepts of Crime Prevention Through Environmental Design (CPTED) should be employed to ensure that design in these areas deters potential criminal activity. This shall be accomplished by promoting natural surveillance, controlling access points, creating a sense of ownership, and through routine and consistent maintenance. CPTED landscaping guidelines shall be used, including planting shrubs with a maximum height of three feet and trees with a proper ground clearance of eight feet above walkways, vehicular travel and parking lanes. To ensure the design intent is effective, all shrubs, perennials and groundcover in these areas shall be maintained to maximize beauty and minimize hiding areas.

04 GOLF PERIMETERS

The areas around the fairways, tees and greens, and the steep slopes of the escarpment to the north of the site, are maintained minimally with little or no irrigation, and contain both native and non-native grasses and shrubs. Design proposals for these areas are limited, or are intended to remain undisturbed. Planting in developments bordering these naturalistic areas should blend from ornamental to native to maintain the existing condition and character of these areas. Shape of planter beds should be organic in nature and tree spacing should be irregular. Species selection should be from *Plant Species Selection List*. (See Appendix E, pg. 132) All landscaping adjacent to tees, fairways and greens shall be approved by the Golf Course Architect.



03 Planting at High Pedestrian Use Areas



04 Planting at golf Perimeter

05 RESIDENTIAL

The SWITC Master Plan project includes residential development of varying densities and diverse architectural forms, including single family residences, apartments, townhomes, and a retirement community. Landscape design in these areas should respond to the context of each residential area. High density areas may be more urban in feel and so may borrow more from the guidelines in the section for urban landscape design, whereas low density areas may relate more to adjacent natural landscapes and employ the use of perennials or native planting on a greater scale. Groups of plants may be smaller creating more of a garden feel although this does not preclude larger concentrations of ornamental grasses or perennials for example. Gathering or sitting areas should include a good diversity of plants that provide year round color, shade, separation from roadways, and contrast of shape and texture. Residential developments should be designed with unique characteristics to create places that foster a feeling of individual identity for the local residents. Species selection should be from *Plant Species Selection List*. (See Appendix E, pg. 132)

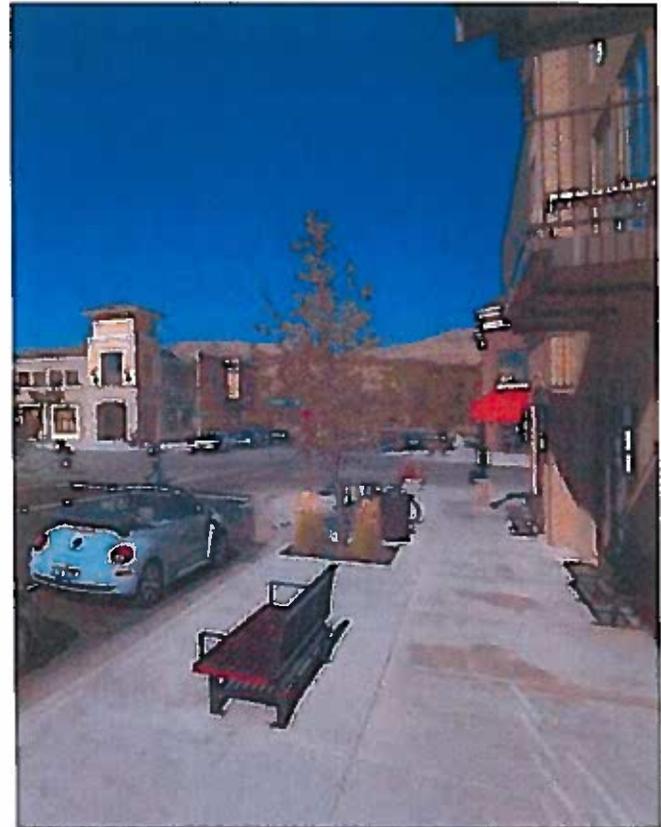
03 DESIGN DOCUMENTS

03.4 LANDSCAPE DESIGN GUIDELINES

03.4.6 Site Furniture

Site furniture shall be provided to increase the aesthetic quality, enjoyment and safety of plazas, walkways and public open spaces. These include, but are not limited to: benches, planter boxes and pots, trash receptacles, bollards, bollard lighting, bike racks, picnic tables, shelters, overhead shade structures and tree grates. While product manufacturers, materials or colors are not specified in these guidelines, the design and selection of these components of the landscape should be complimentary to other site furniture in the development, to the buildings to which they relate in terms of their material, color, form etc., and to the context of the surroundings, whether it be an urban hardscape or park or trail location. Particular attention shall be paid to site furniture in the direct vicinity of core areas such as the mixed use development, where materials, colors etc. shall be consistent and complimentary with the design standards already in place. Numbers of bike racks provided shall meet the requirements of local ordinances for the appropriate zoning category.

Site furniture should be placed appropriately, taking care to minimize visual clutter. Placement within plazas or other gathering spaces, along walkways and outside of buildings should be based on the use of the space and the anticipated flow of pedestrian or vehicular traffic, and to ensure safety of the space being used. Furnishings should be placed to anticipate requirement for both sun and shade, and other climatic conditions that affect use of outdoor spaces. The mixed use zone streets are required to have a street furnishings zone where all benches, trash receptacles, bike racks etc should be located. (See adjacent image)

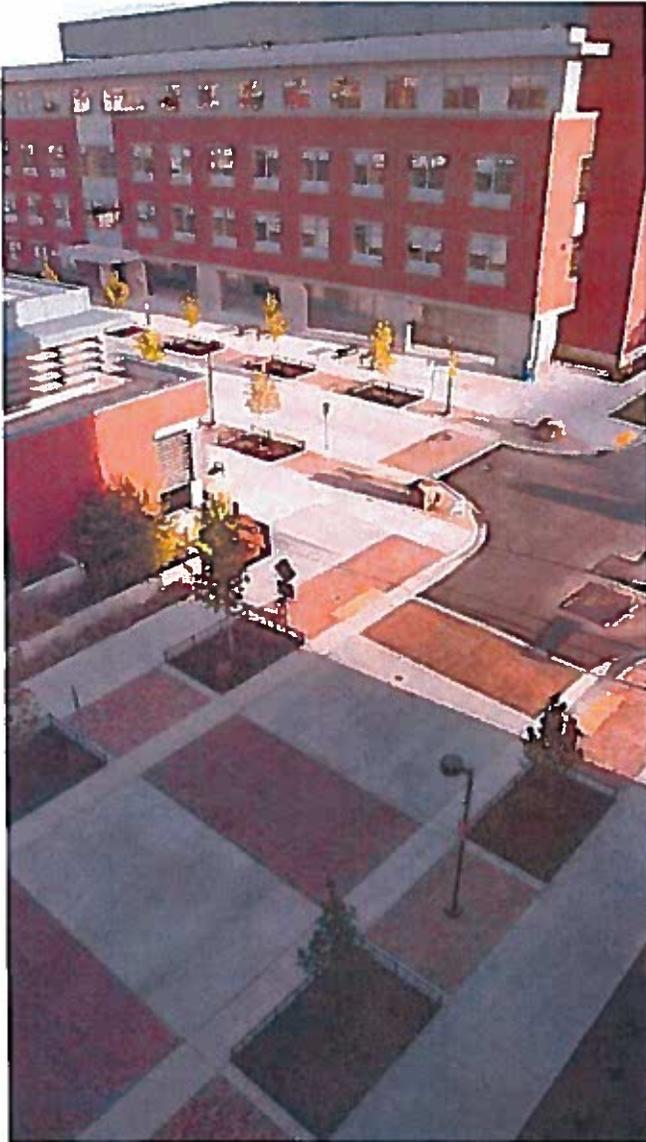


Site furnishings

03.4.7 Walkways and Paving

One of the overall aims of the site design guidelines is to create a walkway and path system that will connect all parcels and buildings within the SWITC Master Plan project area. Parcel development shall include:

- *Provision for paved entry areas or plazas at building entrances. Sized to accommodate expected pedestrian traffic and to relate to scale of buildings. Include street furniture as required.*
 - *Provision of paved gathering spaces adjacent to and between buildings for gathering or socializing opportunities for employees etc.*
 - *Provision of one or more walkways that directly links the pedestrian entrances of businesses within the commercial development to public pathways adjacent to streets.*
 - *Interconnection of development parcels and buildings*
- by providing pathways along direct desire lines to other buildings, plazas, open space or walkways.*
- *Delineation of walkways within the commercial development from parking area paving by using a contrasting paving material. The material shall be complimentary in terms of color, texture and material to the surrounding buildings and context.*
 - *Walkway surface patterns and scoring depth that are compatible with the comfort and safety needs of pedestrians, especially the elderly and the handicapped.*
 - *Particular attention shall be paid to paving design and layout in the direct vicinity of core areas, where materials, patterns etc. shall be consistent and complimentary with the design standards already in place.*
 - *Interconnection of adjacent buildings by providing clearly*



Contrasting Paving Material

marked pathways both to the primary pedestrian pathway and from building to building.

- *Walking trails through the SWITC development should connect different parcels and land uses to promote connectivity throughout the project area. All trails should be paved and be a minimum of 5' width, and provide seating at appropriate resting areas.*



Gathering Space and Entry Area



Walkways Connecting SWITC

03 DESIGN DOCUMENTS

03.4 LANDSCAPE DESIGN GUIDELINES

03.4.8 Parking Lot Design

01 LAYOUT

Layout of parking lots should meet the requirements of the local ordinance. Minimum standards for SWITC include:

- All standard parking spaces to be 9'x20'.
- All accessible parking spaces and access routes must meet requirements of A.D.A. Accessibility Guidelines for Buildings and Facilities (ADAAG).
- Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance.
- Rows of parking spaces should not exceed (12) stalls before the placement of a landscape planter. Parking lot planter islands shall be a minimum width of 9' including curbs.
- A minimum 5' width concrete sidewalk shall be provided along the edge of all parking lots where adjacent to a building façade.

02 PLANTING

Planting in parking lots is required to soften the visual impact of large expanses of paving, to provide shade for cars and buildings, and for other positive environmental effects such as mitigation of storm water run-off. Minimum landscape planting requirements for parking lots shall be as described in local ordinances. Specific requirements include:

- Provide class II sized trees within all islands at the density described in the Nampa City Code. No Class I trees will be allowed within parking lot planters.
- Class III trees may be located in parking lot planters where the planter size allows the trunk to be at least 8' from the edge of curb.
- Use a species of tree that will permit initial limbing of seven (7) feet height. Prune trees regularly to achieve an ultimate limb height of twelve (12) feet.
- Locate the trees to frame building entryways and signage.
- Protect trees from overhanging bumpers with concrete curbs and allow for a minimum of four (4) feet between the curb and the center of the tree trunk.
- Use one tree species in parking lot areas that are defined by a group of buildings or separated by drive aisles. For variety, vary tree species between parcels.

- Islands shall be planted with shrubs, perennials or ground-cover to match the species type for Campus/Office/Commercial/Residential etc.

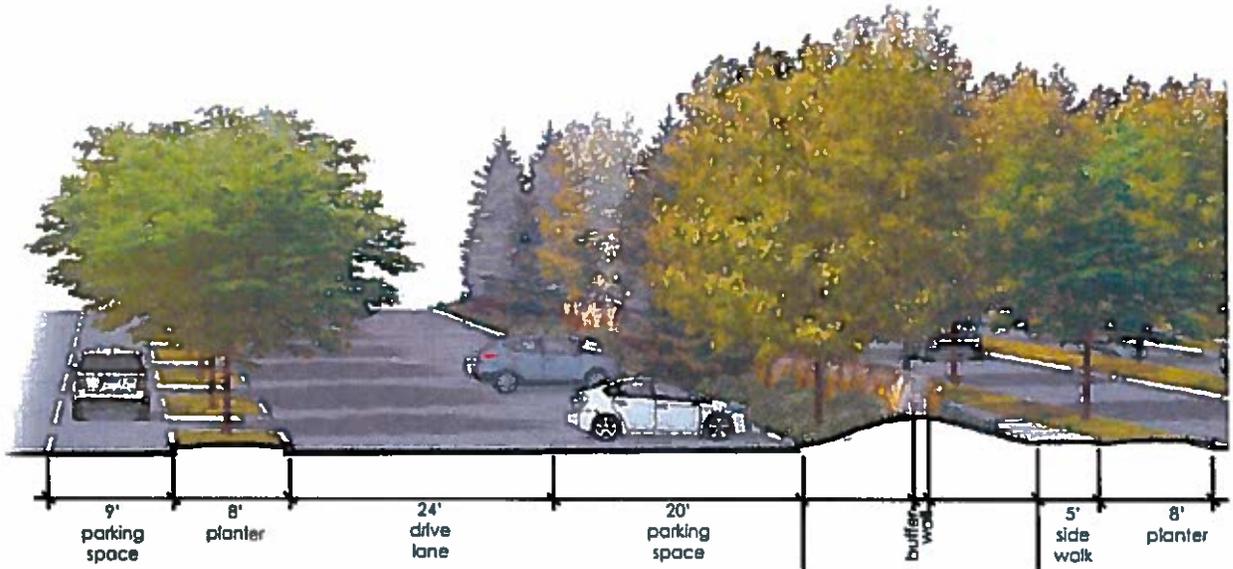
03 SCREENING

To reduce the visual impact of rows of parked cars, parking lots are to be screened from view where they border public streets. This includes roads within the multi-family and retirement community areas that access off-street parking lots. Maximum screen height shall be 42 inches. The following requirements pertain to screen design:

- Screens may consist of all plant material or a combination of low walls, earth berms, and supplementary plant material.
- The plant material in all-plant screens should be of such a type and number to reach a height of 42 inches within three years and to be approximately 75% opaque year round.
- Designs for wall screens shall include some low foundation plant material to visually soften the wall.
- Walls may be constructed of wood, masonry, or concrete, but must be complimentary to any adjacent buildings and in context with the surrounding landscape.

Drive thru lanes can also be visually intrusive and require the following considerations:

- Wherever feasible, orient the drive through lane to be perpendicular to public streets to reduce headlight glare into oncoming traffic.
- Visually screen drive through lanes from view along public streets. Screening may be accomplished using plant material or a combination of low walls or earth berms and supplementary plant material as described for parking lot screening.



Parking Lot Screening Section



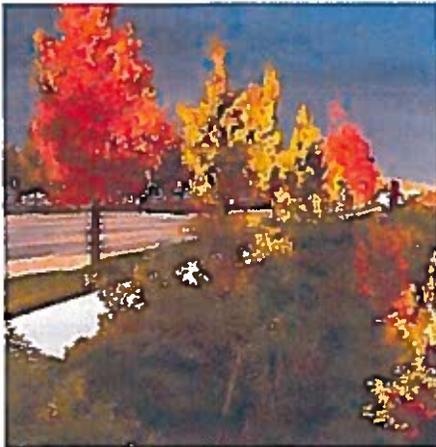
Drive Thru Screening



Drive Thru Screening

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03.4 LANDSCAPE DESIGN GUIDELINES

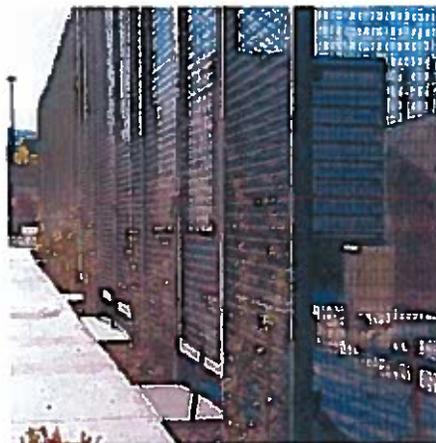


Storm Water Bioswale

03.4.9 Storm Water Treatment

Storm water treatment should meet the minimum design standards of the City of Nampa code, complying with the City Engineering Development Process and Policy Manual, and Standard Construction Specifications documents. All storm water generated on parcels of the SWITC development shall be retained on site, directed into appropriate permanent storm drainage facilities such as seepage beds and swales.

Swales should be designed to blend into landscape areas avoiding geometric shapes and steeply graded sides (maximum 4:1). They should be planted with grasses and shrubs to reflect both the growth conditions likely to be present and the character of naturally wet areas, while not impeding the capacity of the swale to dissipate storm water. Boulders and cobble rock may also be used as elements of the design of swales. Swales shall be designed to be free-draining with no standing water within 24 hours of the end of a storm water event. The use of permeable paving is also encouraged for plazas, walkways and parking lots where appropriate.



Service Area Screening

03.4.10 Service Areas

All service areas are required to be screened from public view. This is to be achieved as follows:

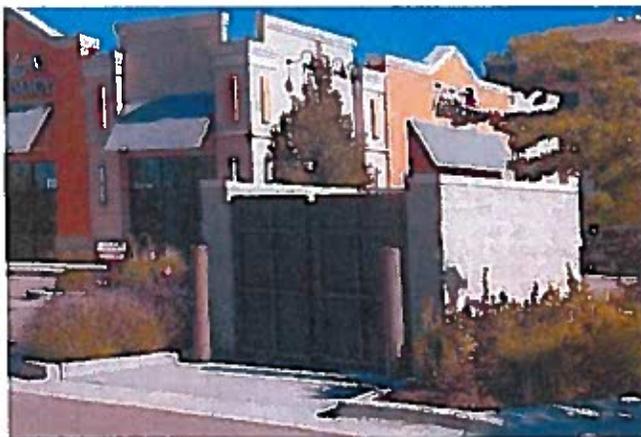
- Screen dumpsters, trash cans and recycling bin locations from public view with a combination of screen walls and plant material. Walls should be of a material that is complimentary to adjacent buildings.
- The height of plant materials and walls should fully screen the dumpsters, trash cans and recycling bins at the time of installation.
- Loading dock areas should also be screened from public view with landscaping and/or walls.
- See architectural guidelines for additional information.

03.4.11 Water Use and Irrigation

All landscape areas shall have an automatic underground irrigation system. An irrigation plan is required for all parcels to be developed prior to construction with information that shows at minimum:

- Irrigation performance specifications including design requirements, materials and construction methods.
- Head layout, sleeve, pipe, and valve sizing and locations.
- Backflow preventer and controller types and location.
- Available gallons per minute, water pressure and point of connection.

The performance specifications shall address the following requirements:



Screening Dumpsters



Automatic Underground Irrigation

- *Specify an appropriate backflow prevention device.*
- *The irrigation shall be designed to provide 100% coverage with head to head spacing.*
- *Sprinkler heads shall have matched precipitation rates within each control valve circuit.*
- *Lawn areas and shrub areas shall be on separate irrigation zones.*
- *Use water management principles to irrigate efficiently with properly designed systems and by applying the right amount of water at the right time.*
- *Maintain the landscape appropriately by mowing, pruning and fertilizing properly.*
- *Utilize smart controllers and weather stations to maintain efficient watering times.*

Water-Wise landscapes promote conservation of water, use of indigenous plant species and reduced water costs associated with landscape irrigation. The following design considerations should be employed as practicable:

- *Group plants of similar water needs together to reduce overall requirement for water.*
- *Use native plants or drought tolerant species, where appropriate.*
- *Use soil amendments such as compost or manure for moisture retention.*
- *Ensure bark mulch is maintained to a sufficient depth.*

03 DESIGN DOCUMENTS

03.4 LANDSCAPE DESIGN GUIDELINES

03.4.12 Fences and Walls

Fences or walls may be used to provide privacy, control circulation, provide security etc. The following guidelines for fencing shall be followed:

- *Fences located adjacent to public streets must be visually transparent, such as wrought iron railings or tubular steel fencing, and powder coated an appropriate color to complement adjacent buildings.*
- *Fences shall be stepped down rather than sloping with the grade.*
- *Wire fences constructed of industrial type materials such as chain link fencing are not permitted when located adjacent to public streets or parking areas.*
- *Walls shall be detailed with reveals, caps, overhangs, or other added visual interest.*
- *Walls shall be level or stepped rather than sloped with the grade. Walls with a finished face of flat poured concrete or CMU are not allowed when located adjacent to public streets, and shall have a veneer complimentary to adjacent buildings.*
- *Colors, design and materials of all fencing shall be complimentary to adjacent buildings and the landscape context.*
- *Refer to the section on Service Areas for further guidelines.*
- *Fence materials shall consist of vinyl, cedar, redwood, stone, etc., and shall comply with local ordinances.*



Transparent Fence with Detailed Wall

03.4.13 Maintenance

The property owner, homeowner or business association shall be responsible for the maintenance of all landscape areas. Landscaping shall be continually maintained including irrigation, weeding, pruning and replacing plant material or irrigation components as approved in the original design. The following standards shall apply to all landscape areas and materials:

- *Any replacement or alteration of plant material must be approved according to SWITC development protocol.*
- *Non-living ground covers, such as rock or organic mulch, must have 100% ground surface coverage and be maintained at the required depth.*
- *All plant material including trees, shrubs, groundcovers, vines and turf must have a 100% ongoing survival rate.*
- *Any dead or severely damaged plant material shall be replaced by the owner within six months of notification by the appropriate entity administering SWITC development guidelines.*
- *Pruning of plant materials shall not drastically alter the natural growth pattern and maturing size. To ensure the design intent is effective, all shrubs, perennials and groundcover should be maintained to the height and width as specified in the species selection lists for SWITC.*
- *Tree pruning within the right-of-way is allowed by permit*



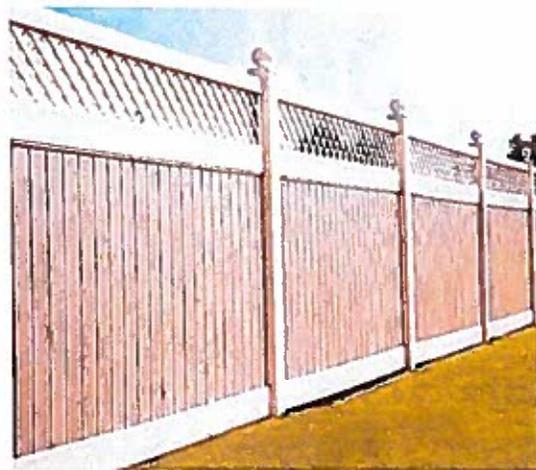
Cedar Fencing

only and must be performed by a City approved contractor. Topping is expressly prohibited. If the City determines that pruning has occurred that violates this requirement, the owner will be required to replace the affected plant with an equal plant within six months of notification by the City. This requirement also applies to plant material affected by storm damage.

- *Plants infected with insects or disease must be treated appropriately or removed from the property, as required by the City. Plants removed must be replaced with equal plant materials.*
- *Weeds must be abated and removed.*
- *Tree grates in sidewalks and plazas shall be widened to accommodate the growing tree trunk and prevent girdling of any trees planted in tree wells.*
- *Turf areas shall be mowed, aerated, de-thatched, fertilized, and have weeds removed to ensure they are kept in a healthy condition.*
- *Irrigation is discouraged in the heat of the day (between the hours of 10 a.m. and 6 p.m.) in order to reduce evaporation. Excessive water runoff onto paved areas is not permitted.*
- *Irrigation systems shall be maintained and periodically adjusted to assure watering is efficient and conservation methods are effective. Replacement parts shall match or be compatible with the system requirements.*



Redwood Fencing



Vinyl Fencing

03 DESIGN DOCUMENTS

03.5 GOLF COURSE DESIGN GUIDELINES

03.5.1 Centennial Ridge Golf Course Overview

As an integral part of the SWITC Conceptual Master Plan, goals and objectives of the new golf course routing and design include:

- Provide a dynamic public recreational use amenity within the development.
 - While data supports a reduction in the amount of golf on the property, it is intended to remain a key component of the new master plan.
- Compliment the quality of the other development components.
 - The golf course must be designed, constructed and maintained at a level that compliments the quality of the proposed development.
- Take advantage of existing natural features or areas of the property that lend itself to the design of the golf holes.
 - Areas of the property that are particularly suited for golf hole design will be used to create a unique golfing experience. Areas are sought out and used within the routing of the golf course to provide the greatest possible value. This will result in a fun and memorable golfing experience.
- Add premium values to adjacent properties.
 - Golf will be used to increase premiums on adjacent uses including housing, commercial, and retail/entertainment uses where possible. This will add considerable value to the development by adding premiums where they may not otherwise exist.
- Use the golf course as a buffer.
 - Golf can be used to separate the various uses on the property or to buffer against existing constraints or elements such as transmission lines, railways, and neighboring industrial uses.
- Route golf holes in areas that are not necessarily suited for other uses.
 - Areas of significant terrain and slope, within easements and adjacent to industrial uses are best suited for golf.
- Create a superior customer experience and amenities.
 - Additional customer amenities include an extensive and dynamic practice facility with sheltered and

heated hitting bays, pitching and chipping areas, an area at the clubhouse for outside group and catered events overlooking golf and mountain views, and a dedicated entry.

- Take advantage of the views and vistas to the north and west.
 - The Clubhouse will be positioned on high ground overlooking holes routed on the lower areas of the property with unobstructed views of the foothills and mountains to the north and west.
- Consider phased development of the new master plan.

03.5.2 Components of the New Facility

- New 18 hole championship caliber golf course routed over portions of the existing golf courses.
- Extensive golf academy practice facility including:
 - A range tee to accommodate up to 42 golfer stations with a portion covered and climate controlled.
 - An artificial turf strip along the back.
 - Realistic target greens within the range at various yardages.
 - 300+ yard length
 - Cart and ADA access
 - Pitching and Chipping complex
 - Practice putting green
 - Area for teaching facility building
 - No required netting for ball containment
- Relocated and improved clubhouse facility
- Relocated turf management facility
- Potential 6 hole academy/short course

03.5.3 Traits of the Golf Course Design

- A wide range of course set up and yardage options ranging from 4,800 yards to 6,900 yards on 5 sets of tees and an additional championship/tournament tee configuration of 7,200 yards for designated use only.
- A good distribution of hole lengths, direction and shape.
- Strategically positioned bunkering throughout the holes that

will provide interest to the round for all players and an appropriate challenge for better players.

- Wide and accommodating fairways for maximum playability.
- Large green surfaces for multiple pin locations and spreading of wear built to USGA specifications.
- Maintain walkability.
- Existing steep slope is incorporated into the design of several of the golf holes for added drama and interest.
- Areas outside of maintained turf improved to contain low water use grasses and plant materials.
- Concrete cart paths at all greens and tees only.
- Re-use of existing lakes, expansion and addition of two additional lakes.
- ADA access to all areas.
- Course developed to Audubon certification guidelines.

| <i>Yardages and Par</i> | | | | | | |
|-------------------------|-----------|-------------|-------------|-------------|-------------|-------------|
| Hole | Par | Black | Blue | White | Green | Red |
| 1 | 4 | 400 | 385 | 370 | 335 | 295 |
| 2 | 5 | 530 | 510 | 490 | 453 | 415 |
| 3 | 4 | 370 | 346 | 315 | 290 | 240 |
| 4 | 4 | 405 | 380 | 352 | 328 | 285 |
| 5 | 3 | 162 | 152 | 135 | 128 | 112 |
| 6 | 4 | 465 | 425 | 406 | 380 | 348 |
| 7 | 5 | 515 | 500 | 486 | 452 | 400 |
| 8 | 3 | 150 | 138 | 132 | 108 | 98 |
| 9 | 4 | 428 | 406 | 378 | 340 | 318 |
| Out | 36 | 3425 | 3242 | 3064 | 2814 | 2511 |
| | | | | | | |
| 10 | 4 | 356 | 342 | 323 | 300 | 265 |
| 11 | 4 | 368 | 350 | 332 | 305 | 275 |
| 12 | 3 | 216 | 196 | 175 | 160 | 138 |
| 13 | 5 | 505 | 475 | 450 | 420 | 375 |
| 14 | 3 | 200 | 178 | 160 | 151 | 126 |
| 15 | 4 | 432 | 410 | 395 | 358 | 325 |
| 16 | 5 | 561 | 528 | 500 | 478 | 430 |
| 17 | 4 | 385 | 360 | 340 | 290 | 262 |
| 18 | 4 | 435 | 392 | 368 | 325 | 310 |
| In | 36 | 3468 | 3231 | 3043 | 2787 | 2506 |
| | | | | | | |
| Total | 72 | 6883 | 6473 | 6107 | 5601 | 5017 |

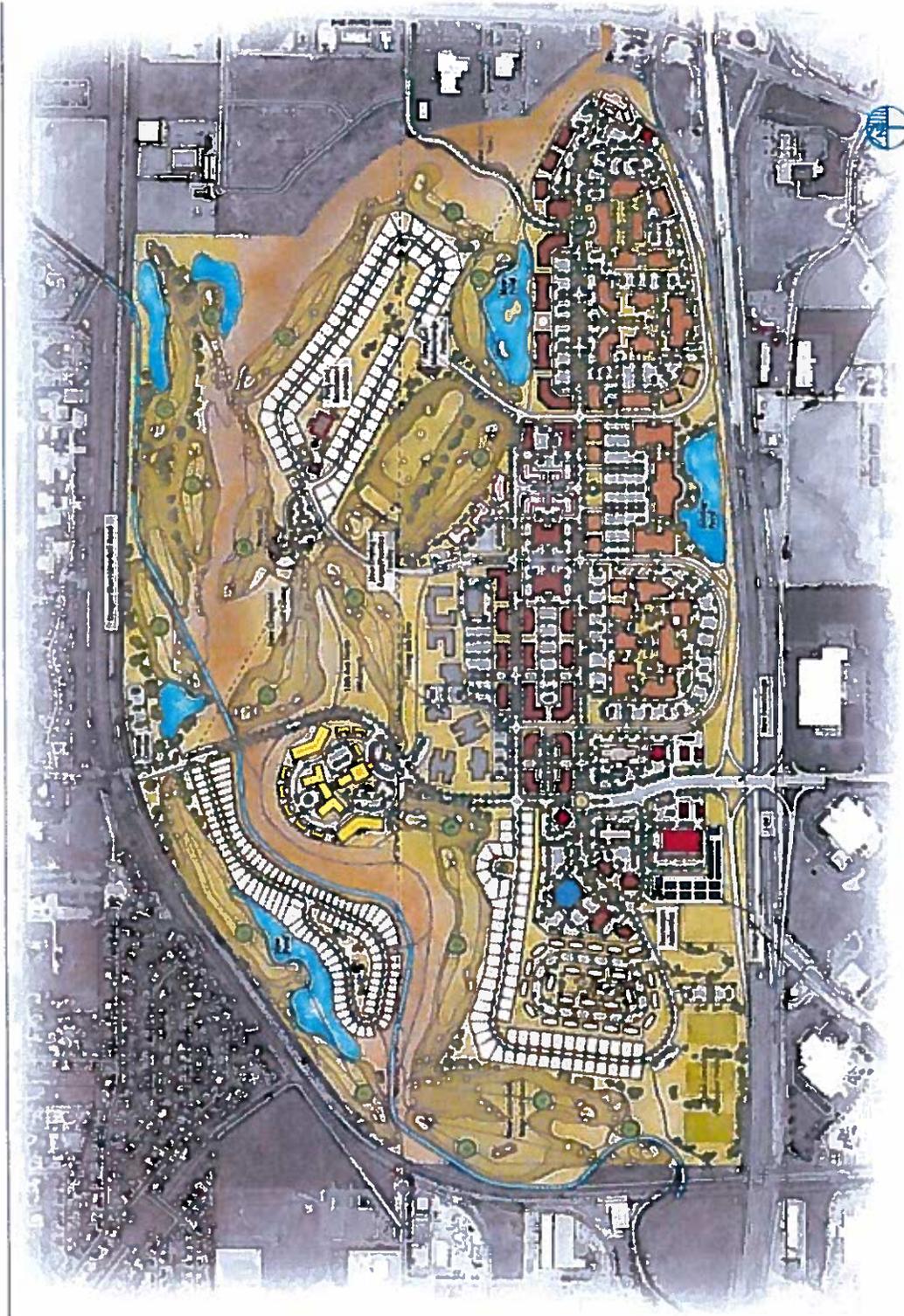
Centennial Ridge Score Card

03 DESIGN DOCUMENTS

03.5 GOLF COURSE DESIGN GUIDELINES

03.5.4 Hole-by-Hole Description of the Conceptual Routing

- **Hole 1 -** A mid length par 4 with a dramatic tee shot down the hill to stars the round. An option to carry the hazards on the inside will provide the desired approach position for the 2nd.
- **Hole 2 -** Par 5 that plays backwards over the existing 14th hole of the Centennial course. The existing unattractive ponds are re-built into one large water hazard along the 2nd and 3rd legs that also buffers and adds premium to the new housing to the south. This results in a memorable risk reward 2nd shot to a green perched out over the water.
- **Hole 3 -** The tee shot on the short par 4 is played over the water with an optional tee location having a more challenging angle and longer carry to the fairway. The green is position between the canal and railway near the green of existing hole 12.
- **Hole 4 -** A par 4 that is routed over previous hole 9 newly graded for improved sight lines and a new green location back and right above the area of the removed old maintenance facility. The hole adds premium to the new development along the east side of the hole.
- **Hole 5 -** The par 3 7th hole of Centennial is redesigned to maintain the dramatic shot over the canal but to an improved green complex suited for the shot. A larger tee complex provides more variety in set-up and angles to the green.
- **Hole 6 -** The awkward 8th hole of Centennial is used to create this dynamic par 4 with a split fairway option off the tee. Golfers can choose to play to the high ground on the right away from the canal where a more challenging 2nd awaits or down the lower left side which is guarded by the canal. Removal of the existing tee complex above allows for an improved green here which greatly enhances playability for all.
- **Hole 7 -** To take advantage of the existing dramatic slope this par 5 is routed beautifully along the top over the alignment of the existing 11th hole in reverse fashion. The green is perched along the edge creating a risk reward option on the 2nd shot. Conservative play is along the right.
- **Hole 8 -** The shortest par 3 on the course plays due north with a green situated along the top of the slope that drops down along the left. Bunkers flanking the long green establish interesting pin positions that will create different shot values on a daily basis.
- **Hole 9 -** Returning to the clubhouse this par 4 doglegs left along the sweeping ground to a green situated in the location of the Ridgecrest existing 18th tees. Fairway and greenside bunkering creates strategic and visual interest to the hole while the wide fairway maintains playability.
- **Hole 10 -** This shorter par 4 runs to the east between the new practice range on the left and future commercial or retail development on the right. A well contoured green surface provides interest to the hole that can be watched from the development.
- **Hole 11 -** The par 4 sweeps around a large lake on the inside to a cape green. Golfers are faced with a fun choice in determining their angle of carry over the water on their drive. Commercial development across the lake is afforded an intimate view of the hole for added premium.
- **Hole 12 -** The existing terrain along the top of the slope is taken advantage of here to create a dramatic par 3. The longest of the par 3's the hole can extend out to 230 yards for championship play where the carry over the slope is also greater to the green that is perched on the peninsula beyond. Uninterrupted views of the mountain ranges beyond will help make this a memorable golf hole.
- **Hole 13 -** The existing Ridgecrest 11th hole is enhanced at the green and fairway bunkering is added to compliment the fairway which is routed along the top of the slope. Housing added along the left is situated at a safe distance away from the hole.
- **Hole 14 -** The existing Ridgecrest 12th hole is enhanced with improved tee configuration and cart path that safely traverses the slope down to the green below. The area surrounding the green is also enhanced.
- **Hole 15 -** The existing Ridgecrest 13th hole is extended to a long par 4. The tee shot is played along the existing lake on the right as the hole dog-legs around the water.
- **Hole 16 -** This par 5 starts off with a split fairway option on the drive where players can choose to play across the canal where an easier 2nd shot awaits. Choices



Not to Scale

Scenarios of Historic Preservation Context

- abound on this hole but playability is maintained with the wide areas of play and conservative routes maintained. The canal comes into play again with the green situated along its bank near existing hole 16 green.
- Hole 17.** Routed over currently unused ground this mid length par 4 plays from elevated tees positioned on the hillside to a wide fairway guarded only at the farthest end. The green is designed to require a well placed approach to post a low score.
- Hole 18.** This dramatic par 4 finishing hole plays over beautiful natural terrain that is particularly suited for golf. Perched along the slope golfers will pack their angle of carry off the various tees to gain the greatest advantage. Approach shots are played to a green that is perched out on the tip of the peninsula.
- Clubhouse.** Arrival to the Clubhouse extends beyond the existing transmission and power lines which then no longer interrupt the beautiful vistas and views from the setting. The building is situated to overlook the dramatic finishing hole as well as play down the 1st hole.

Conceptual Master Plan Showing the Proposed Centennial Ridge Golf Course

03 DESIGN DOCUMENTS

03.6 ARCHITECTURAL DESIGN GUIDELINES

03.6.1 Introduction

The architectural character acknowledges that all ground in the Southwest Idaho Treatment Center Master Plan represents an important master planned development within the city of Nampa. Within the planned area the intended character varies relative to the identified uses. It is important that the architectural character of each different building type be interesting, diverse, innovative, thoughtful, and compatible within the property boundaries, and that it meet the provisions contained in these design guidelines. The architectural character encourages variations of form, massing, and scale of the buildings, and the incorporation of high quality and appropriate building materials such as stone, brick, stucco, window and storefront glass systems, roofing, canopies, and building lighting. In addition, all structures will be responsive to the site location and amenities. Ultimately, the design intent of the guidelines is to foster creative, interesting, cohesive and timeless architectural and landscape designs throughout the Southwest Idaho Treatment Center.

The architectural design guidelines provide an aesthetic framework under which physical structures are designed and incorporated into the site. The guidelines address site placement in conjunction with the Site Design Guidelines, building form, materials, and finishes. The Architectural Design Guidelines include specific provisions for the building types identified below:

- Commercial buildings including offices, technology and medical campus development
- Mixed-use Commercial Buildings with a mix of commercial retail, commercial offices, and multi-family residential.
- Residential Buildings including single family detached, single family attached, multi-family condominiums, townhouses, and apartments.

03.6.2 Commercial Buildings

This section represents commercial buildings allowed in specific zones independent of mixed-use and/or residential zones as defined by City code, and the Southwest Idaho Treatment Center Master Plan. Commercial buildings are intentionally located on the master plan concepts to inform the desired site character, and may include one, two, three, and four story structures that are commercially oriented in uses. Allowable Commercial uses will be identified.

These design guidelines will address the opportunities of form, building height, imagery, proportion, and elements of building structures. The building elements include entrances and storefronts, windows and doors, roofs, materials and colors, exterior lighting, building signage, and site relationship among others.

Form

Architectural form in commercial building types should be varied based on location use, and the uses of the physical adjacencies. Buildings identified as strictly commercial office are most likely located within low density business communities, and will be stand alone structures exposed on all elevations. These buildings may be two to four stories, with articulation of facades and no-ellines.

Height

Building height within the Southwest Idaho Treatment Center Master Plan area will be limited by the Master Plan and shall reference Nampa City Code. All of the commercial structures shall comply with height limits specific to the zoning area. Commercial zone maximum height limits may vary from thirty feet to fifty feet. Measurement of building height is per the Nampa City Zoning Ordinance Business Districts.

Historic Buildings:

The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or the average height of the highest gable of a pitch or hip roof.

The ordinance recognizes the challenge with mechanical screening and has exempted it from the height measurement when determining the building height.



Measurement Diagram for 1-4 Story Buildings

IMAGERY

The aesthetic imagery of commercial structures in the SWITC Master Plan project are based on building size, height, form, materiality, and composition of all visual building elements. All of these components are expected to develop the imagery of the structure as a three dimensional form within the environment. The design guidelines are written such that the building designer is motivated to use all the tools available to create a structure of interesting design, using high quality materials, and in a fashion that speaks to permanence, longevity, lasting quality, and is contextually responsive to the surrounding development and structures.



1-Story Commercial/Retail Building



2-Story Commercial/Retail Building



3-Story Commercial/Retail Building



2-Story Commercial/Retail Building



Hotel



4-Story Commercial/Retail Building



Bank



Bank

03 DESIGN DOCUMENTS

03.6 ARCHITECTURAL DESIGN GUIDELINES



Proportion Diagram

PROPORTIONS

Buildings may be of a scale and proportion that relates well to adjacent buildings without dominating, overwhelming or appearing insubstantial in relationship. Long walls may be relieved with offsets, balconies, projections, recesses, or other architectural features. The façade of buildings shall be articulated into architecturally-distinct sections. Articulation can be achieved by change in plane, material, color, or a combination thereof.

The composition of elements should recognize the human scale through material changes, and or articulation within the composition, and building form modulations. Facades are encouraged to incorporate visually continuous details. These may be interrupted by windows and doors, as well as form modulations.

ARCHITECTURAL ELEMENTS, COMPONENTS AND DETAILS

01 Entrances and Storefronts

Entrances and storefronts typically identify the entrance to a building and define major from minor elevations. They represent a dynamic tool and element in defining primary and secondary access points as well as set the tone for a structure. Similar to windows, they are infinitely flexible in configuration giving the designer limitless opportunities in composition. Designed to be welcoming and at a human scale, while lending proportion and size to a building's composition. They can enhance building modulation by integration in a design at all levels and applications.

Storefronts shall include the following elements:

- *Large storefront windows.*
- *Doors easily identifiable.*
- *Visually attractive.*
- *Visually strong within composition.*
- *Awning or canopy at entrance.*



Entry Imagery



- *Horizontal human scale element(s).*

Other pedestrian friendly elements are encouraged:

- *Pedestrian scale signage.*
- *Planter boxes and hanging baskets.*
- *Public art such as sculpture, murals, or water features.*
- *Seating such as chairs or benches.*

Entries to office or reception areas for individual uses shall be on the front or approach side of the building, shall be easily visible and distinguishable from adjacent parking areas through the use of architectural elements, and shall not rely on disproportionately scaled signage.

02 Canopies, Trellises and Awnings

Canopies, trellises, and awnings serve a number of purposes both functionally and aesthetically. They provide coverage from inclement weather, shade from sun, and if done well, can enhance the compositional aesthetics of a building. They can be constructed of permanent materials or temporary fabrics. In addition to protection they can be transparent or translucent, enhancing the experience of the pedestrian as they engage the canopies.

Trellises are also an element that provide protection from the sun, create a framework on which to grow plants and vines, and are another tool to enhance a building's aesthetic. Trellises can also be used as a landscape element fully independent of any building. Material can be metal, wood, or vinyl. Finishes can vary depending upon the desired look. Trellises can be placed at the ground level or on upper floors, decks, and walls.

03 Windows and Doors

Windows and doors – similar to storefronts and entrances, provide a strong design element that when applied properly reinforces the building composition and aesthetic. Both doors and windows can establish a patterned rhythm within a building. Placement within a wall can create the impression of depth and solidity. Placed at the face of a building's surface material, the imagery is much different. Placement is very important in the composition.

Doors identify commerce and entry, and should be highly visible and easily legible by the public. The sense of entrance should be reinforced by the composition of an entry system, placement of the doors, specific style and material.

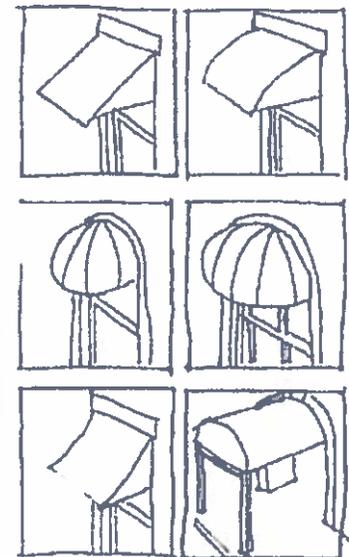
Windows come in all sizes and shapes, materials, and colors,



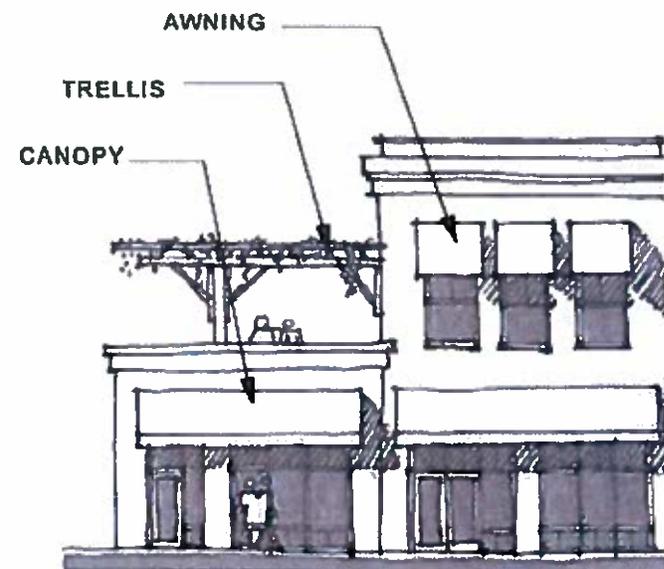
Canopy



Trellis



Awning Diagram



03 DESIGN DOCUMENTS

03.6 ARCHITECTURAL DESIGN GUIDELINES

as well as operability, transparency, and ability to join in configurations limited by design. Shapes include ribbon windows in aluminum frames, simple divided windows in single openings, to ganged groupings of two or more windows "mullied" together to create a larger assembly. Selection of window type and style, as well as material must enhance the overall composition of the building.

Openings shall be appropriate to the general aesthetic of the office building, and may include individual 'punched' windows, or groups of openings, ribbon windows or storefronts.

Entry doors may be recessed to create a modulated 'street wall' and create an interesting contrast of shade and shadow.

Entry assemblies and doors may be celebrated with contrasting colors, high quality materials, and surrounds to call attention to building entrances.

Windows shall be of differing sizes reflecting the various public or private rooms within.

Ground level windows shall extend above an 18 to 24 inch base.

Recessing and trimming of doors and windows is highly encouraged to create shade and shadow across the face of the building.

Doors and windows should be consistent throughout comparable locations on/in the building.

To create activity on the sidewalk special attention should be given to windows and doors as they offer activity and visual excitement to the commercial areas. Doors are encouraged every 30' along storefront buildings

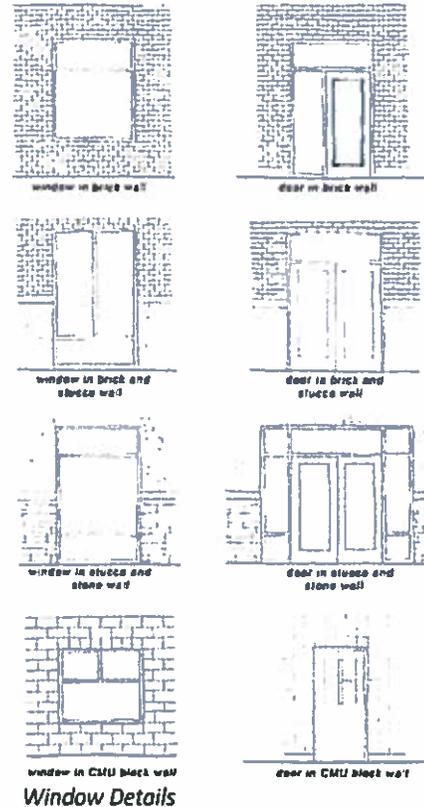
Window shading devices are highly encouraged for summer sun protection.

Door / window compositions should be compatible with all other opening installations in a building design.

04 Exterior Lighting

Exterior lighting is intended to serve three purposes—enhance safety, conserve the 'dark sky,' and enhance the building aesthetic.

- *Low intensity light sources shall be used with frosted or translucent lenses and 'cut-off' fixtures.*
- *Light sources shall not be visible off-site.*
- *Up lighting of trees, vegetation, buildings, outbuildings, and landscape structures is allowed.*



- *Holiday lights are allowed for seasonal celebrations.*

05 Materials and Colors

Materials for buildings at SWITC should reflect the heritage of the site and include local materials found in the vicinity. These include a combination of enduring materials such as limestone, sandstone, granite, basalt, stucco and brick as the dominant exterior wall material.

Accent materials such as wood and fiber cement paneling, stucco, and formed metal can be integrated into the overall design to add visual interest, enhance scale, and support the overall design composition. Where material changes happen, they must occur at a clear break in the surface plane of the building. Materials shall be consistently applied to all elevations and shall generally wrap corners prior to a transition.

Undersides of decks, balconies, bay windows, soffits, and other elements, if visible from below, shall be finished consistently with adjacent level of finish. Similarly, topsides of such elements shall also be finished with consistent high level finishes.

Large areas of color shall mimic tones which exist in the natural landscape. Deep colors may be used as accents. Colors should celebrate and differentiate commercial buildings from each other and be consistently applied.

06 Signage

Building signage is important for the identity of the buildings and should be integrated into the design and order of all structures. To create an interesting pedestrian street scene, creative and lively signs are highly encouraged.

All signage must be submitted for review with the building design review submission.

07 Roofs

The integration of visible roofs as part of a building design and composition provides the opportunity to enhance a structure's design through additional visual interest, modulation, and articulation. On high bay buildings, the use of sloping roofs around the perimeter, within or exceeding the depth of the structural and mechanical systems, are encouraged as a means of visually reducing the scale when appropriate.

Roofs may be either flat or sloped, and must be made of durable, quality materials consistent with first class commercial construction. Sloped roofs must use long lasting materials such as natural slates, ceramic tile, concrete tile, architectural grade composition shingles, or seamed metal roofing materials. Other products will be considered upon full review of the material and its proposed integration into the design.

Roof terraces and gardens are encouraged and may include pavilions, pergolas, trellises and other enlivening structures made of compatible materials.

Parapets and cornices are required for flat roofs. Parapets must be capped and may be stepped. Decorative elements of parapets

may exceed height limits by 4 feet maximum.

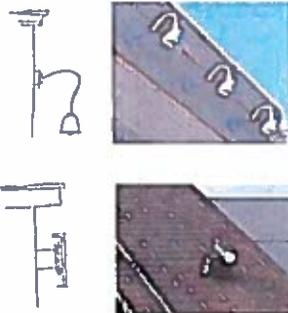
Gutters are required where roofs are exposed to view. In such case, downspouts and rain water leaders will be required to contain the flow of runoff from the roofs down to a grade collection system. Water will not be allowed to flow across patios, sidewalks, ramps, parking areas or roads. Downspouts should be handled as a component of the design composition and be located in logical locations relative to the overall building design, and site storm water facilities.

08 Miscellaneous (Dumpsters, Satellite Dishes, Mechanical Equipment, Etc.)

Dumpsters, trash disposal equipment, mechanical equipment, meters, satellite dishes and exterior work areas remain necessary components of most structures and should be considered with the same standard and care as the main structures. These support elements must be completely screened from view within enclosed yards responding to the design of the adjacent structure they are supporting.

Elements such as dumpsters must have hinged tops to prevent unsightliness, blowing of trash around the site, and wildlife access. Satellite dishes and other communication equipment must also be screened from public view. Screening can be addressed by on ground enclosures or roof area enclosures. Satellite dishes may be no larger than 36" in diameter to avoid the necessity of disproportionately tall enclosures.

Loading docks and areas supporting buildings shall be located such that the function is well screened from view of adjacent structures and pedestrians. Truck parking in support of commercial buildings, large doors and loading/unloading areas shall be located within walled courts, wings of the building, or a combination of both to substantially conceal the activity. Such structures including gates, grilles and fencing, must be designed to tie into the aesthetic of the building they are connected with.



Lighting Details and Imagery



03 DESIGN DOCUMENTS

03.6 ARCHITECTURAL DESIGN GUIDELINES

03.6.3 Mixed-Use Buildings

Mixed-Use commercial buildings may include one, two, three, and four story structures that are a mix of commercial and residential oriented uses. These uses include office, retail, banks, shops, and restaurants. Within the guidelines we address the opportunities of form, building height, imagery, proportion, and elements of building structures. The elements include entrances and storefronts, windows and doors, roofs, materials and colors, exterior lighting, building signage, and site relationship.

FORM

Architectural form in the mixed-use commercial building type is varied based on location within the SWITC plan area, the intended tenant uses, and the adjacencies on site. Buildings identified as mixed-use buildings are most likely located adjacent to the central access road and will commonly be multi-building structures with exposure on two or three elevations. These buildings are intended to be one to three stories, with articulation of facades that may include stepping in plan and elevation.

The goal of the mixed-use commercial is to create an urban feel by the establishment of a vibrant street façade with variation in architectural style and tenant use.

Buildings shall be of a scale and proportion that relates well to adjacent buildings without dominating, overwhelming or appearing insubstantial in relationship. Long walls shall be relieved with offsets, balconies, projections, recesses, or other architectural features.

To maintain pedestrian friendliness, building forms must be articulated with a base, middle, and top.

- *Top elements define roof or parapet with a distinct three dimensional outline or profile achieved with projections such as cornices, canopies, parapets, or pitched roof eaves with changes in materials and colors.*
- *Middle elements must be distinct in material and color from the top and base. Window articulation may vary from the base and top in support of the composition.*
- *Base elements must be 5' tall at a minimum, (preferably closer to a full story in height), and must be made with an enduring material such as stone or brick, or combination thereof.*
- *Corner elements may be celebrated in forms such as towers, projecting bays, and balconies. Balconies, step backs, and other forms are encouraged for visual variety.*

HEIGHT

Building heights will be limited by the Southwest Idaho Treatment Center Master Plan Zoning Ordinance. All of the mixed-use commercial structures will be held to the height limits specific to the zoning area.

Measurement of building height is per the Nampa City Zoning Ordinance:

Height, Building:

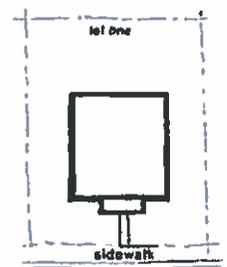
The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or the average height of the highest gable of a pitch or hip roof.

The ordinance recognizes the challenge with mechanical screening and has exempted it from the height measurement when determining the building height.

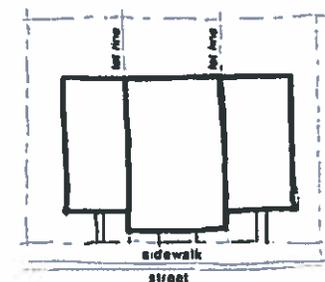
PROPORTIONS

Buildings shall be of a scale and proportion that relate well to adjacent buildings without dominating, overwhelming or appearing unrelated. Long walls shall be relieved with offsets, balconies, projections, recesses, or other architectural features. The façade of buildings shall be articulated into architecturally-distinct sections with each section taller than it is wide. Articulation must be by change in plane, material or color.

To create a human scale, facades are encouraged to incorporate visually continuous details, these may be interrupted by windows and doors. *Note: Building Proportions Diagram references proportional distances at the elevation plane.*



standalone building
Footprint Articulation



zero lot line buildings

IMAGERY

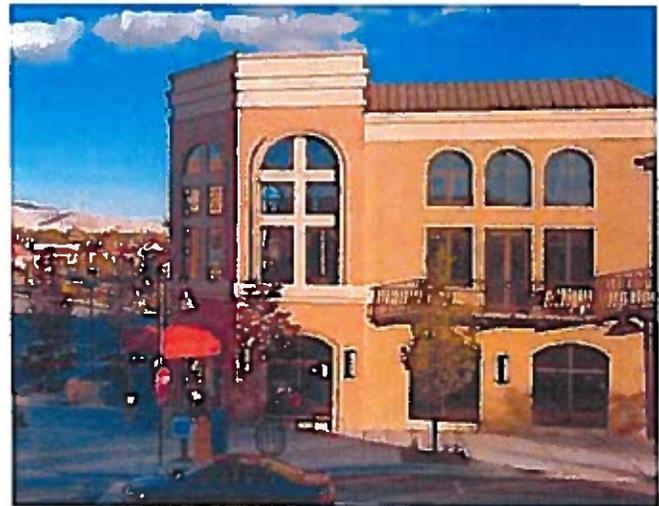
The imagery for mixed-use commercial structures in the Southwest Idaho Treatment Center Master Plan project is not defined as a prescriptive requirement. Building size, height and form are expected to inform the imagery of the structure as a three dimensional form in the environment. Additional imagery components include building materials, architectural elements, and the composition of these features. The Southwest Idaho Treatment Center Master Plan is written such that the building designer is motivated to use all the tools available to create a structure of interesting design; with high quality materials; in a fashion that speaks to permanence, longevity, lasting quality; and is contextually responsive to the surrounding development and structures.



2-Story Commercial/Retail Building



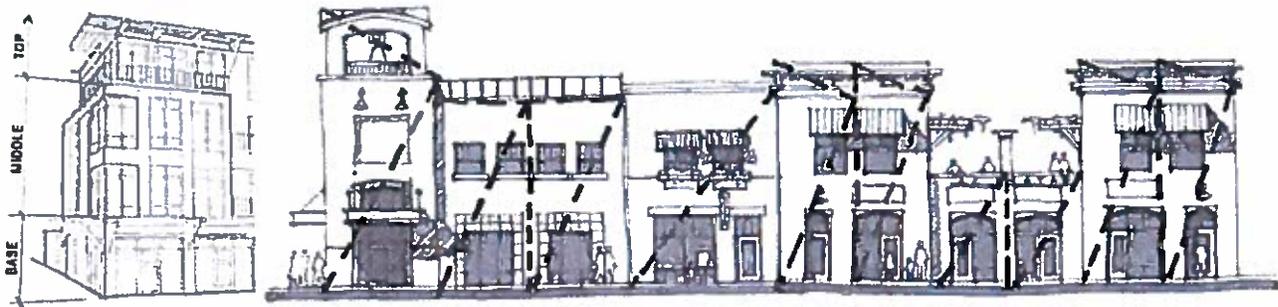
1-Story Commercial/Retail Building



3-Story Commercial/Retail Building



Measurement Diagram for 1-4 Story Buildings ---



Form Articulation

Building Proportions Diagram

03 DESIGN DOCUMENTS

03.6 ARCHITECTURAL DESIGN GUIDELINES

ARCHITECTURAL ELEMENTS, COMPONENTS AND DETAILS

01 Entrances and Storefronts

In mixed-use building design, entrances and storefront are critical to the success of creating a space that meets the necessities of the tenant relative to identification, ease of discovery, and in the case of retail, visual access to the space. Entries must be oriented to the street, and easily identifiable. A protective covering is encouraged such as a canopy, trellis, or portico. Other additional enhancement should be provided near the entrance such as lighting, seating, ornamental potted plantings, and possibly a special paving pattern announcing the entry.

Storefronts should further enhance the retail function of the space behind and may include the following elements:

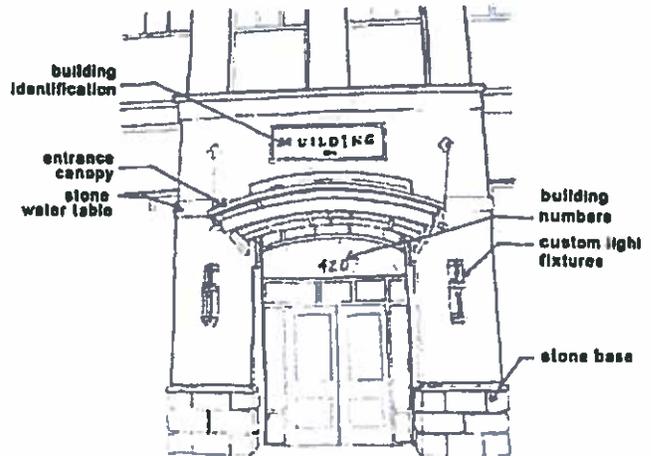
- *Large, raised storefront windows with projecting sills.*
- *Mullions that provide for ease of visual access to displays.*
- *Storefront compositions that provide flexibility for varying types of retail tenants beyond.*
- *Storefront configurations that enhance the architectural design of the building while addressing proportion, pedestrian scale, and comfort when standing adjacent to it.*
- *Horizontal human scale element (see Proportion guidelines).*

Other pedestrian friendly elements are encouraged:

- *Planter boxes and hanging baskets.*
- *Awning or canopy at entrance and along the storefront openings.*
- *Structural and architectural articulation between storefronts.*
- *Public art such as sculpture or murals.*
- *Seating such as chairs or benches.*



Entrances and Storefronts



Entry Detailing

02 Canopies, Trellises and Awnings

Canopies, trellises, and awnings serve a number of purposes both functionally and aesthetically. They provide coverage from inclement weather, shade from sun, and if done well, can enhance the compositional aesthetic of a building.

They can be constructed of permanent materials or temporary fabrics. In addition to protection they can be transparent or translucent, enhancing the experience of the pedestrian as they engage the canopies.

Trellises are also an element that provide protection from the sun, create a framework from which to grow plants and vines, and is another tool to enhance a building's aesthetic. Trellises can also be used as a landscape element fully independent of any building. Material can be metal to wood to vinyl. Finishes can vary depending upon the aesthetic desired. Trellises can be placed at the ground level or on upper floors, decks, and walls.



Trellis



Canopy

03 Windows and Doors

Windows and doors – similar to storefronts and entrances, provide a strong design element that applied properly reinforces the building composition and aesthetic. Both doors and windows can establish a patterned rhythm within a building. Placement within a wall can create the impression of depth and solidity. Placed at the face of a building's surface material, the imagery is much different. Placement is very important in the composition.

Doors identify commerce and entry, and should be highly visible and easily legible by the public. The sense of entrance should be reinforced by the composition of an entry system, placement of the doors, specific style and material.

Windows come in all sizes and shapes, materials, and colors, as well as operability, transparency, and ability to join in configurations limited by design. Shapes include ribbon windows in aluminum frames, simple divided windows in single openings, to ganged groupings of two or more windows "mulled" together to create a larger assembly. Selection of window type and style, as well as material must enhance the overall composition of the building.

Openings shall be appropriate to the general aesthetic of the building, and may include individual 'punched' windows, or groups of openings, ribbon windows or storefronts.

Entry doors may be recessed to create a modulated 'street wall' and create an interesting contrast of shade and shadow.

Doors shall be celebrated with contrasting colors, materials, and surrounds to call attention to building entrances.

Windows shall be of differing sizes reflecting the various public or private rooms within.

Recessing and trimming of doors and windows is highly encouraged to create shade and shadow across the face of the building.

Doors and windows should be consistent throughout the building.

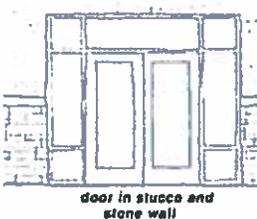
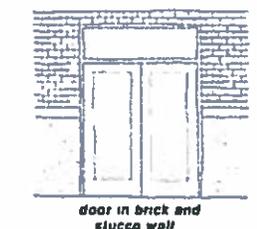
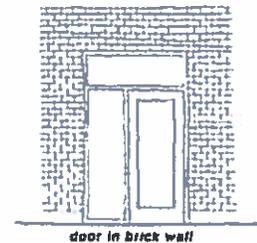
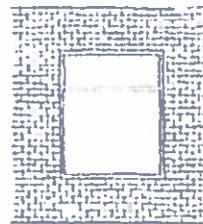
To create activity on the sidewalk, special attention should be given to windows and doors as they offer activity and visual excitement to the commercial areas of the Southwest Idaho Treatment Center Master Plan area, and are highly encouraged to have active doors every 30' along storefront buildings

Window shading devices are highly encouraged for summer sun protection.

Vertically rectangular windows should dominate. Shallow arched windows are allowed in masonry openings.

Ground level windows shall extend above an 18 to 24 inch base.

Glazing may extend from the head to the ground or paving surface.



Window Details

03 DESIGN DOCUMENTS

03.6 ARCHITECTURAL DESIGN GUIDELINES

04 Exterior Lighting

Exterior lighting is intended to serve three purposes—enhance safety, conserve the ‘dark sky,’ and create a cohesive pedestrian identity. Within the mixed-use commercial area of the SWITC development, lighting is also important to promote the businesses. Tenant spaces should be marked with interesting lighting complimentary to the building composition. Where buildings are combined, lighting should be evaluated and the appropriate fixtures and type should respond to the architecture. It is not necessary that one single fixture be used on all buildings.

Lighting should be treated as a design element within the overall building composition. Items to consider when selecting exterior building lighting include:

- *Light sources shall not be visible off-site nor distracting at the source.*
- *Low intensity light sources shall be used with frosted or translucent lenses and ‘cut-off’ fixtures.*
- *Up lighting of canopies, trees, and building elements to be done in a fashion not distracting of other aspects of the design.*
- *Average lighting levels shall not exceed 15 foot candles measured at the frontage of buildings.*
- *Holiday lights are allowed for seasonal celebrations.*

05 Materials and Colors

Materials for buildings at Southwest Idaho Treatment Center Master Plan should reflect the heritage of the site and include local materials found in the vicinity. These include a combination of enduring materials such as limestone, sandstone, granite, basalt, stucco, and brick as the dominant exterior wall material.

Accent materials include wood and fiber cement paneling, stucco, and formed metal can be integrated into the overall design to add visual interest, enhance scale, and support the overall design composition. Where material changes happen, they must occur at a clear break in the surface plane of the building. Materials shall be consistently applied to all elevations and shall generally wrap corners prior to a transition.

Undersides of decks, balconies, bay windows, etc. if visible from below, shall be finished consistently with adjacent level of finish. Similarly, topsides of such elements shall also be finished with consistent high level finishes.

Large areas of color shall reflect the neighboring natural landscape and natural materials. Deep colors may be used as accents. Colors should celebrate and differentiate homes and commercial buildings from each other and be consistently applied.

06 Signage

Building signage is important for the identity of tenants within the mixed use core of the SWITC plan and should be integrated into the design of the building. To create an interesting pedestrian street scene, creative and lively signs are highly encouraged. Refer to the guidelines for project and building signage later in this document.

All signage must be submitted for review with the building design review submission.

07 Roofs

The integration of visible roofs as part of a building design and composition provides the opportunity to enhance the structures design through additional visual interest, modulation, and articulation. On high bay buildings, the use of sloping roofs around the perimeter, within or exceeding the depth of the structural and mechanical systems, are encouraged as a means of visually reducing the scale when appropriate.

Roofs may be either flat or sloped, and must be made of durable, quality materials consistent with first class commercial construction. Sloped roofs must use long lasting materials such as natural slates, ceramic tile, concrete tile, architectural grade composition shingles, or seamed metal roofing materials. Other products will be considered upon full review of the material and its proposed integration into the design.

Roof terraces and gardens are encouraged and may include pavilions, pergolas, trellises and other enlivening structures made of compatible materials.

Parapets and cornices are required for flat roofs. Parapets must be capped and may be stepped. Decorative elements of parapets may exceed height limits by four (4) feet maximum.

Gutters are required where roofs are exposed to view. In such case, downspouts and rain water leaders will be required to contain the flow of runoff from the roofs down to a grade collection system. Water will not be allowed to flow across patios,

sidewalks, ramps, parking areas or roads. Downspouts should be handled as a component of the design composition and be located in logical locations relative to the overall building design.

Q8 Parking

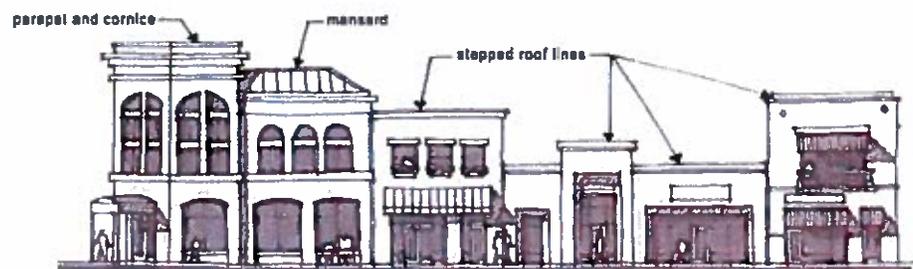
Refer to landscape guidelines for parking design.

Q9 Miscellaneous (Dumpster, Satellite Dishes, Mechanical Equipment, Etc.)

Dumpsters, trash disposal equipment, mechanical equipment, meters, satellite dishes and exterior work areas remain necessary components of most structures and should be considered with the same standard and care as the main structures. These support elements must be completely screened from view within enclosed yards responding to the design of the adjacent structure they are supporting.

Elements such as dumpsters must have hinged tops to prevent unsightliness, blowing of trash around the site, as well as wildlife access. Satellite dishes along with other communication paraphernalia must also be screened from public view. Such screening can be within on ground enclosures or roof area enclosures. Satellite dishes may be no larger than 36" in diameter to avoid the necessity of disproportionately tall enclosures.

Loading docks and areas supporting buildings shall be located such that the function is well screened from view of adjacent structures and pedestrians. Truck parking in support of commercial buildings, large doors and loading/unloading areas shall be located within walled courts, wings of the building, or a combination of both to substantially conceal the activity. Such structures, including gates, grilles and fencing, must be designed to tie into the aesthetic of the building with which they are connected.



Roof Detail Diagram

03 DESIGN DOCUMENTS

03.6 ARCHITECTURAL DESIGN GUIDELINES

03.6.4 Residential Buildings

The residential land use designations within the Southwest Idaho Treatment Center Master Plan offer numerous residential building opportunities ranging from single family structures and townhouse residences to high density condominium living. The mix of residential product is anticipated to be varied in size, configuration, type, form, and aesthetic. As mentioned, the design guidelines anticipate structures ranging from traditional detached single family dwellings to multi storied condominium structures, with variations between including attached single family townhouses, twins, and quads, depending on the specific residential area. The important aspect of design and aesthetic within each residential planning area is a consistent push toward compatible imagery and quality, as well as a respect of existing context when it exists.

The residential designations within the Southwest Idaho Treatment Center Master Plan are defined relative to the ordinance criteria of density, type (single family / multi family), and massing including structure height and structure setbacks from property lines.

FORM

The variations of form within the different residential areas can be expressed as single residence structures, combined residential structures with similar elements to single structures, and larger structures expressing individual units within a greater composition. Generally, form for residential buildings is intended to be more intimate in character from that of commercial structures. In support of this approach, higher density dwelling structures may appear as large homes with a single entrance. In which case, individual units should be expressed with window groupings, porches, balconies, bay windows and other three dimensional articulation to break up mass. Town homes should be articulated to be different from each other by using bays, varying roof lines, and porches. The same can be said for detached single family residences when creating a residential community. Structures can be individual in character and imagery, while being a strong element in the fabric of the community.

HEIGHT

Designated within the Southwest Idaho Treatment Center Master Plan Zoning Ordinance, height is stated in terms of the maximum limits. Up to that point residential structures can set the building height at a constant, or vary through interesting forms and volumes.

As the residential unit density decreases, the height of residential

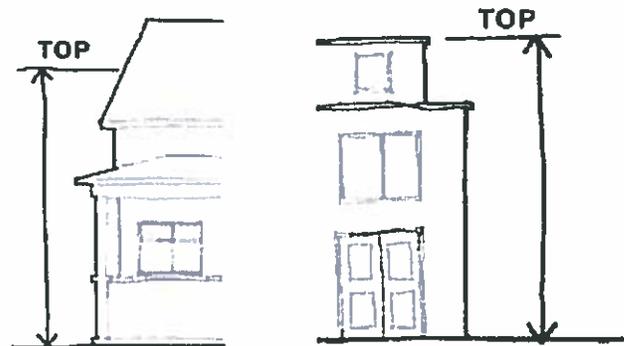
structures is reduced to be compatible with adjacent properties. Higher density structures will be placed in areas where additional height should incorporate varying roof lines and heights to maintain the sense of residential design.

Measurement of building height is per the Nampa City Zoning Ordinance:

Height, Building:

The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or the average height of the highest gable of a pitch or hip roof.

The ordinance recognizes the challenge with mechanical screening in higher density residential units and has exempted it from the height measurement when determining the building height. Mechanical equipment screening and mechanical penthouses may exceed parapet heights by no more than five (5) feet in unoccupied spaces.



Building Height Diagram

TYPES AND STYLES

01 Single Family Detached and Attached

Generally, all houses should reflect the building traditions of the region, which are based on Idaho's climate, indigenous materials, and craftsmanship, as well as historic periods of settlement and development.

Some examples of common design elements are buildings with deep overhangs, wall offsets, recessed windows and doors, dormers, and the use of straightforward natural materials.

Particular architectural vernaculars lending themselves to residential design include adaptations of the following styles:

- *Craftsman*
- *Prairie Style*
- *Shingle*
- *Modern*
- *Victorian*

While the design guidelines anticipate the adaptation of specific architectural vernaculars, it is the intent that single family structures be designed to blend into the specific planning areas with interest in design and materials.

Q2 Multi-Family- Medium Density

Medium density multifamily residential design provides opportunities to create the density within structures that look like larger residences. The adjacent image combines multiple units in a composition that is very residential in scale, provides the identity of individual entries, while affording the aesthetic of residential looking structures. Through the variation of roof forms, building height, window fenestration, and residential scale detailing, the building establishes a residential quality.

Q3 Multi-Family- High Density

High density residential structures embody many of the characteristics of a commercial building in response to the needs of the program. This building type can integrate into the Southwest Idaho Treatment Center Master Plan by establishing a residential feel in a structure that is considerably larger than single family homes or low to medium density residential design.

The integration of materials, the overall building design, and the detailing of elements within the composition can reinforce the residential nature of the building while supporting an aesthetic appropriate to the size and scale of the structure. As structures become larger in mass it is important that the pedestrian experience along the base of the building be a residential scale.

BUILDING MASSING AND FORM

In general, building mass shall be residential in scale and should respond to the surrounding block, lot type and size in which the residence is located within the Southwest Idaho Treatment Center Master Plan areas. Building design shall incorporate varied projections and recesses, including bay windows, dormers, porches, etc. Elements such as these will create visual interest



Single Family, Detached



Single Family, Attached



Multi-Family-Medium Density



Multi-Family-High Density

03 DESIGN DOCUMENTS

03.6 ARCHITECTURAL DESIGN GUIDELINES

and should respond to existing site conditions on each particular home site as well as the surrounding built and natural environment.

All residential buildings are to be designed and built with a similar material palette on all elevations, giving equal attention to the sides and rear elevations as is given to the street side elevation.

All residential buildings should be particularly sensitive to their street frontage. Design elements that create a play of light and shadow and reduce the perceived bulk such as deep porches, decks, overhangs, multi-paned windows and deep offsets should be used.

The use of detached garages and breezeways connecting to the main house are encouraged where block design permits.

Houses located on sloped sites shall respond to the topography and shall integrate the building into the existing landform through the integration of elements including day lighted basements, stepped plans and responsive landscape.

Asymmetrical compositions of residential building forms are preferred.

WINDOWS, DOORS AND ENTRIES

The use of recessed doors (entrances as well as garage doors) and window openings is encouraged. This use will create shadow lines to give the house a more substantial appearance.

Entry elements shall be in scale with the relative proportions of the house and streetscape. Dominating and over stylized entries will not be accepted.

All openings shall appear as individual 'punched' windows, or groups of openings. Horizontal as well as vertical mullions are encouraged to reinforce residential scale; true divide lights are desired.

The shape and detail of all openings are to be appropriate to the style of architecture. Window styles are to be consistent throughout the entire building.

Glass and glazing may be coated or tinted to control solar heat gain. Mirrored glass is not permitted in any instance.

Double or triple pane windows are required.

Exterior finishes of all windows shall be wood, colorfast vinyl or bronze anodized (or other appropriate color) finish. Unfinished aluminum is not allowed.



Building Massing and Form Imagery

ROOFS

From many viewpoints in and around the Southwest Idaho Treatment Center Master Plan community, roofs are a dominant element of the landscape and must create a harmonious relationship with the surrounding block, street, site and adjacent structures. All roofs shall be carefully designed in form, materials, and color so that they integrate the structure with its landscape, setting, and neighboring buildings. All roof materials shall be class 'A' fire rated and non-reflective.

Materials for roofs include, without limitation:

- Unglazed tile
- Slate
- Concrete tile
- Architectural shingles
- Non reflective metals.

Flat roofs for mechanical equipment shall be concealed by sloping roofs or portions of the building. Dormers for windows, louvers and vents are encouraged on large expanses of roof, and parapets, cornices, and other detailing is desirable. Rooftop equipment and large vents are to be grouped and fully concealed in chimney-like structures as integral parts of the roof and/or wall design and shall match the roof in color. Ridge vents are encouraged.

All skylights, solar equipment, antennas, dishes and other roof appurtenances will be reviewed on an individual basis by the Southwest Idaho Treatment Center Master Plan Design Review protocol.

Roof dormers and other three-dimensional elements should be used to add large-scale texture to roof forms, avoiding the

appearance of wide, unbroken roof planes. The use of large roof overhangs is strongly encouraged.

CHIMNEYS AND ROOF PROJECTIONS

All roof projections, including chimneys, flues and vents shall be compatible in scale, height, and material with the structure from which they project. Where possible, large vents are to be grouped and concealed in chimney-like structures as integral parts of the roof or wall design. All rooftop hardware shall be painted to match the roof color.

Chimney hardware must be fully screened within an architectural feature.

Chimneys on exterior walls must be integrated into the building design in order to anchor the building to the site.

PORCHES AND DECKS

The use of porches, patios, terraces and decks in building design is encouraged to create a strong relationship between indoor and outdoor areas, encouraging the creation of a sense of community.

Porches, verandas, colonnades, terraces, and patios for climate control, circulation, and outdoor living shall be designed as integral elements of the building and site.

Houses on corner lots shall incorporate front and side elements in the building design.

Minimum depth of porches shall be six feet.

Materials of these elements shall match or compliment those of the main structure.

RAILINGS

The use of railings on porches, balconies and upper level windows or door openings should be carefully considered as a component of an architectural style. When properly applied, well-designed and properly detailed railings are an opportunity to reinforce specific characteristics of the selected architectural style. The materials used for railings should be part of an appropriate palette of materials for the architectural style of the building.

MATERIALS AND COLORS

Exterior use of materials and colors provide the opportunity to create individual identity for each residence while also being responsive to the context of the community and adjacent structures. Following are a number of items that the designer may incorporate to enhance the residential unit designs be it single family or multi-family structures:

- Exterior walls and finishes should reflect a logical and appropriate combination of colors, textures and forms to compliment the context of the surrounding built and natural environment.
- Exterior walls of all residential buildings may use a maximum of three materials with one being dominant over the others in a logical, structural relationship.
- When a change in the materials occurs, a clear break in the surface plane should be seen. Materials should be consistently applied to all elevations of the structure.
- All building facades must include a significant degree of texture such as that provided by the use of wood (or cement panel) shingles, shiplap, board and batten applied sidings, stone, and brick. No vinyl siding is allowed.
- Stucco may be used in small amounts and must be used in conjunction with at least one other material. Frequent control joints, significant textural qualities and color variations are required.
- A palette of acceptable colors is available from the Design Review Board. Color application should be used consistently throughout each home site for all the buildings and secondary structures.
- Colors for large field application shall be recessive in value, while accent colors should be used in limited areas.



Porch Diagram

03 DESIGN DOCUMENTS

03.6 ARCHITECTURAL DESIGN GUIDELINES

03.6.5 Project and Building Signage

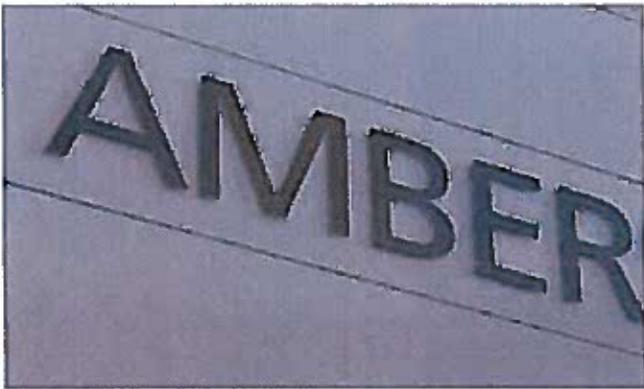
Project and building signage is defined to respond to the various identification needs throughout the Southwest Idaho Treatment Center Master Plan and to ensure that there is continuity of overall signage while allowing for specific individualization. All signage will be reviewed and approved by the Development Ownership Team and an Architectural Control Committee established by the development parameters. All development signage will be maintained by the various owner associations within the development areas. All individual tenant signage maintenance will be the responsibility of the tenant and or the specific building owner.

In addition, the following components are included as part of the Southwest Idaho Treatment Center Master Plan design guidelines:

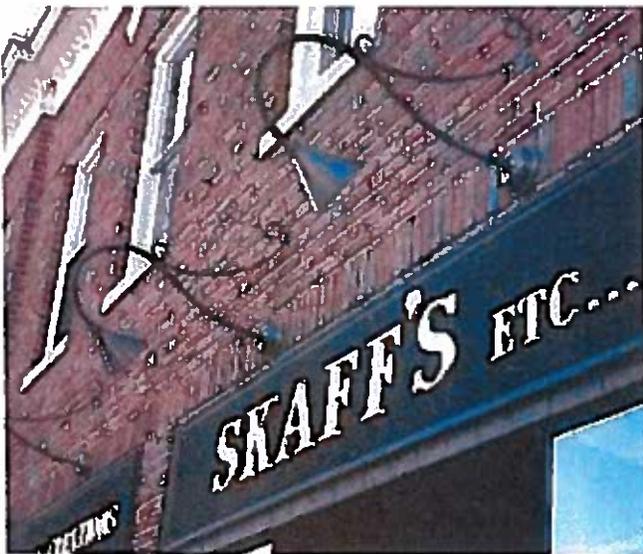
- *Each tenant shall be required to submit signage plans to the building's managing entity for written approval. A design review sign application, accompanied by the written approval of the managing entity, shall be submitted to the City for any proposed signs for City staff review and approval. All signs shall be in compliance with the criteria stated herein as well as Nampa City Code. In cases of any conflict between Nampa City Code and the criteria specified herein, the more restrictive requirements shall apply.*
- *Building wall signs shall be placed within the approved sign areas as designated on individual project elevations. Signage may not exceed the standards in the Nampa City Zoning Ordinance signage standards.*
- *All building wall signs shall be constructed of a hi-density urethane material or aluminum 1/8" thick (minimum). The face of the wall signs shall have dimension by routing or extrusion, with a minimum of 1/8" variation. Individual letter signs shall meet the following:*
 - *Letters shall not be interconnected and a maximum of 12" in height.*
 - *Letters taller than 6" shall be a minimum of 1 1/2" in thickness.*
 - *Letters shall be stud mounted 1" off the face of the building.*
 - *Letters shall be flat or matte black or other approved earth tone colors. No glassy.*
 - *Paints, vinyl or Plexiglas is permitted.*
- *All elements shall be painted with a color palette sensitive to its context and land use district. If, in the opinion of City staff, a proposed color varies significantly from the colors depicted on the colored rendering submitted to the City for the monument signs or for the building, staff may choose to have the Design Review Committee review the color for appropriateness.*
- *There will be development specific monument signs identifying each development area in the Southwest Idaho Treatment Center Master Plan. Those locations will be identified on the final plat maps of each section.*
- *Buildings will be allowed a monument sign on each street frontage. The sign must conform to the Nampa City Zoning Ordinance signage standards in effect at the time a sign permit is submitted for.*
 - *Individual tenant identification is allowed on monument signs.*
- *Exterior illumination for the monument signs shall be recessed in the ground and shall be shielded with landscape materials.*
- *If exterior illumination is proposed for building wall signs, gooseneck light fixtures shall be used and shall be located as not to shine onto the roadway or onto any nearby property.*
- *Any free-hanging signboards proposed under the covered porch shall be a maximum of 8 square feet each. A maximum of one free-hanging signboard per tenant shall be permitted. If any such sign overhangs a walkway a minimum of 7-feet 6-inches shall be maintained between the bottom of the sign and the walkway.*
- *One neon sign per business shall be permitted and may not exceed in any dimension the designated signage area per Elevations.*
- *Any other signage such as temporary, grand opening, etc. shall comply with Nampa City Code.*
- *Any signage on doors or windows shall comply with Nampa City Code.*



Letters Mounted 1" Off Face of Wall



Flat Black Letters



Goosneck Light Fixtures

EXHIBIT "E"

SEWER SYSTEM EVALUATION



Sewer System Evaluation Zoning System Change



Legend

- Connection Points Service Concept
- ▭ Parcels to Rezone
- ▭ Parcels
- Lift Station CIP
- Lift Station
- WWTP
- 8-in
- 12-in
- 15-in
- Pipe Improvement
- Existing Sewer Trunk

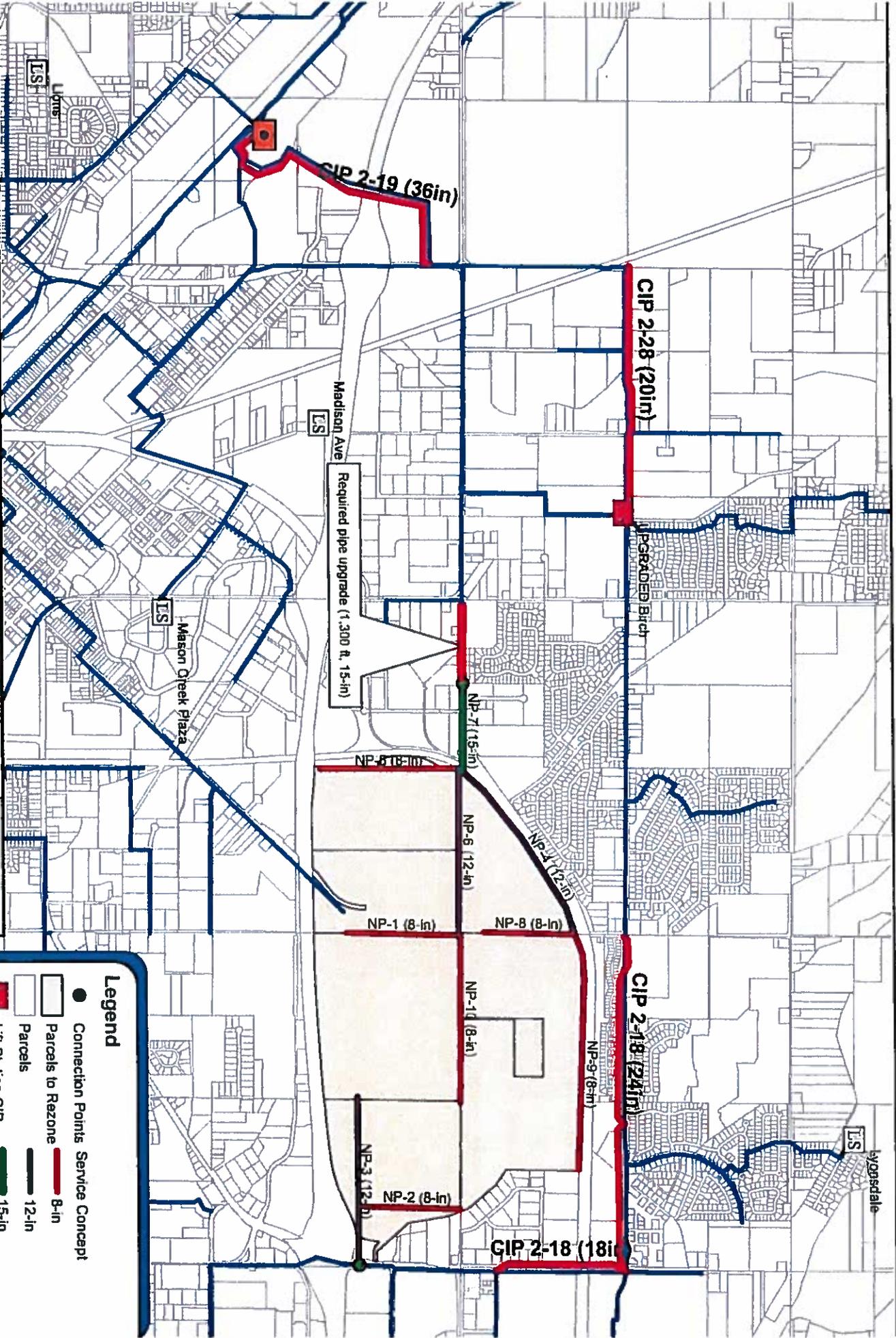
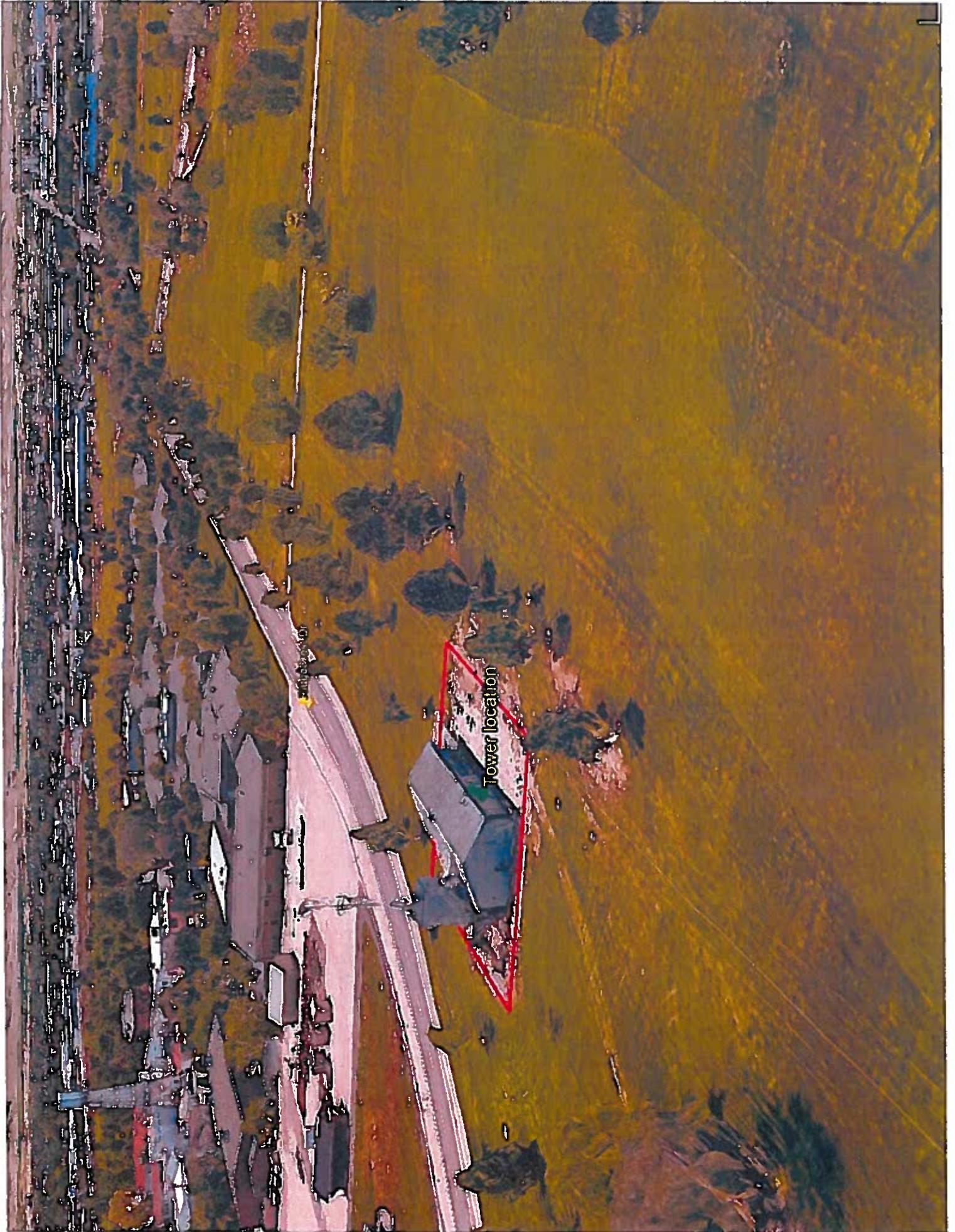


EXHIBIT "F"

RADIO TOWER LOCATION



Tower location



APPLICATION FOR AMENDMENT OF COMPREHENSIVE PLAN
City of Nampa, Idaho

7/2/16 PR
KVA

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 \$421.00 (for 1 acre or less), and \$842.00 (for more than 1 acre) for a map amendment; or \$213.00 for a text amendment.

Name of Applicant/Representative: Doug Russell / The Land Group Inc. Phone: 208.939.4041
Address: 462 E. Shore Dr. Suite 100 City: Eagle State: ID Zip Code: 83616
Applicant's interest in property: (circle one) Own Rent Other Planner / Design Consultant
Owner Name: Idaho Department of Health & Welfare (Paul Spannkebel) Phone: 208.334.5912
Address: 450 W. State St. City: Boise State: Idaho Zip Code: 83720

Address of subject property: 1660 11th Ave. N, Nampa, ID

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):

[X] Original Legal description of property AND a legible WORD formatted document. (Must have for final recording)
Old or illegible title documents will need to be retyped in a WORD formatted document

[] Subdivision Lot Block Book Page

Project Description

State (or attach a letter stating) the requested zoning, the land use change(s) and the reason for the proposed change(s) and the use(s) which will be involved: See attached narrative for further details

PARKS/PUBLIC TO COMMUNITY MIXED USE

If this application is for a change of plan text complete the following:

State (or attach a letter stating) the text changes requested, the page numbers in the plan, the reason for the proposed changes and why they would be in the interest of the public (attach the full text of the proposed amendment, as necessary):

N/A

Dated this 28th day of July, 2015

[Signature]
Signature of applicant

NOTICE TO APPLICANT

This application shall be referred to the Nampa Planning Commission for consideration at a public hearing. The Planning Commission will then make its recommendation to the City Council.

If the amendment is recommended for approval a second hearing shall be held before the City Council. If the amendment is recommended for denial you may appeal the decision to the City Council within 15 days from the date of such action by the Planning Commission. At least 15 days prior to each hearing, notice of time and place and a summary of the amendment(s) to be discussed shall be published in the Idaho Press-Tribune. 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.

Any person may apply for a plan amendment at any time to correct errors in the original plan or to recognize substantial changes in the actual conditions of an area.

For Office Use Only:

File Number: CMP 2008 - 2015 Project Name: CMP PUBLIC/PARKS TO COMMUNITY

MIXED USE 615 ACRES STATE OF ID
+ NAMPA LANDS N. OF I84 - GOLF COURSE AREA



APPLICATION FOR AMENDMENT OF ZONING ORDINANCE OR MAP
City of Nampa, Idaho

7/21/16 PR

KALH

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.

Name of Applicant/Representative: Doug Russell / The Land Group Inc. Phone: 208.939.4041

Address: 462 E. Shore Dr. Suite 100 City: Eagle State: ID Zip Code: 83616

Applicant's interest in property: (circle one) Own Rent Other Planner / Design Consultant

Owner Name: Idaho Department of Health & Welfare (Paul Spannkebel) Phone: 208.334.5912

Address: 450 W. State St. City: Boise State: Idaho Zip Code: 83720

Address of subject property: 1660 11th Ave. N, Nampa, ID

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: GBI

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.

See attached narrative AG TO GB-1

Dated this 28th day of July, 20 15

Signature of applicant

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: REZ 2009 - 2015

Project Name: REZ AG TO GB-1 615.60 ACRES
STATE OF ID. / CITY OF NAMPA
N OF I-84 / GOLF COURSE AREA



Application for Planned Unit Development

City of Nampa, Idaho

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.)

Name of Applicant/Representative: Doug Russell/ The Land Group, Inc. Phone: 208.939.4041
 Address: 462 E. Shore Dr. Suite 100 City: Eagle State: ID Zip Code: 83616
 Applicant's interest in property: (circle one) Own Rent Other Planner/Design Consultant
 Owner Name: Idaho Department of Health & Welfare (Paul Spannknebel) Phone: 208.334.5912
 Address: 450 W. State St. City: Boise State: Idaho Zip Code: 83720
 Survey, Engineer or Planner Name: The Land Group, Inc. Phone: 208.939.4041
 Proposed Schedule for Development: Beginning Date 2017 to Ending Date 2045

Address of subject property: 1660 11th Ave. N, Nampa, ID

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: GBI

Existing Use of subject property: State facilities and golf course

State (or attach a letter stating) the reason the PUD would be in the Public Interest: See attached narrative for further details.

Dated this 30 day of June, 20 16


Applicant Signature

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 002 - 2016 Project Name: Southwest Idaho Treatment Center



City of Nampa

PLANNING and ZONING DEPARTMENT

OFFICE (208) 468-5484

CITY HALL

411 THIRD STREET SO.

NAMPA, IDAHO 83651

FAX (208) 465-2261

AFFIDAVIT OF LEGAL INTEREST

STATE OF IDAHO)
):SS
COUNTY OF CANYON)

A. I, Paul J. Spannkebel, whose address is 450 W. State St., Boise, Idaho 83720, being first duly sworn upon oath, depose and say that I am the owner of record of the property described on the attached application.

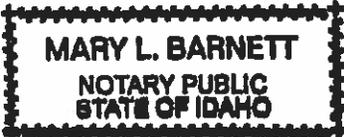
B. I grant my permission to The Land Group, Inc., whose address is 462 E Shore Drive, Eagle, ID 83616, to submit the accompanying application pertaining to the property described on the attached application.

C. I agree to indemnify, defend and hold the City of Nampa and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

Dated this 10th day of July, 2015.


Signature

SUBSCRIBED AND SWORN to before me the 10th day of July, 2015.



Mary Barnett
Notary Public for Idaho
Residing at Boise Idaho
Commission Expires: 9.11.15

Norm Holm

From: Doug Russell <doug@thelandgroupinc.com>
Sent: Tuesday, June 14, 2016 10:51 AM
To: Karla Nelson
Cc: Norm Holm; Robert Hobbs
Subject: SWITC- Comprehensive Plan and Rezone
Attachments: 160614 SWITC Comp Plan Narrative Letter 111135.pdf; 160614 SWITC DRAFT Development Agreement Conditions 111135.pdf; MB 160614 SWITC 300scale 111135.pdf

All

As discussed via the phone over the past week, I am pleased to be sending you a revised narrative letter for the SWITC Comp plan and rezone applications. It is our intention that this letter and revised master plan exhibit get the SWITC public hearing process back on track once again. In addition to the attached exhibits, I will soon be providing you with a copy of our recent traffic analysis results and updated financial data based on current projections rather the projections presented back in 2014. One other piece of information that I am including is a copy of some development agreement conditions. These conditions were developed in concert with Clair Bowman in an effort to give him a level of confidence in the transportation plan going forward. We realize that actual language is subject to change, but these capture the overall vision in basic terminology.

We are excited to get this process moving forward. Please let me know if you have any questions or need any additional information. We look forward to being provide with a hearing date as soon as you know when that will be.

Thanks again for all your help.

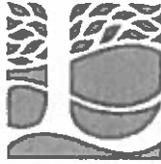
Kind Regards, Doug

principal

doug russell

208 939.4041 | p
462 e shore dr, ste 100
eagle, idaho 83616
doug@thelandgroupinc.com

THE LAND GROUP | thelandgroupinc.com



THE LAND GROUP, INC.

June 14, 2016

Karla Nelson
City of Nampa
Planning and Zoning Department
411 3rd Street South
Nampa, Idaho 83651

Re: Southwest Idaho Treatment Center- Comprehensive Plan Amendment and Rezone Applications

Dear Karla

As you know, back in August of 2015 we requested a deferral of our public hearing to a date uncertain. Since that time, I have been working closely with Nampa's Senior Transportation Planner, Clair Bowman and our traffic consultant, John Ringert of Kittelson and Associates. The purpose of our collaboration has been to better understand the short and long term effects of traffic within the general vicinity of SWITC.

Utilizing growth projections from COMPASS, John and Clair developed and reviewed a model which allowed them to better understand the impacts of this project on existing and future traffic patterns, not only within the project limits but at various strategic intersections within a +/- 5mile radius. This understanding led to some key revisions within our master plan, with a specific purpose of accommodating SWITC traffic while at the same time improving traffic patterns within the planning area. This is achieved by providing another overpass crossing I-84 as well as another east west route connecting Garrity Blvd and Franklin Road. These key transportation elements will assist in the accommodation of anticipated growth as individual project phases come on line.

On behalf of the Idaho Department of Health and Welfare, I am excited to request that once again we move forward with public process as required for consideration of a comprehensive plan amendment, Planned Unit Development (PUD) and Rezone as allowed and outlined in the Nampa City Code. As discussed, we are providing the PUD application as required to accommodate residential development within the requested GB1 zone. We anticipate and encourage the inclusion of our revised overall master plan and design guidelines to ensure that the property is developed in a manner consistent with the owner's vision, Nampa's Comprehensive Plan and city ordinances.

The project site consists of seven existing parcels of land which total +/- 615 acres. The site is bounded by Interstate 84 to the south, the Union Pacific Railroad on the north and west, and commercial

development along the eastern boundary. Current access to the site is via 11th Avenue North from the south and north and Ridgcrest Drive from the east.

The current land use designations for the entire site fall under the designations "Parks" and "Public". Current zoning for the entire site is AG. We are requesting a land use map change to "Community Mixed Use" with a zoning designation of GB1.

Consistent with our original submittal, the proposed Comprehensive redevelopment of the project site includes the implementation of a mixed use center with provisions for multiple land uses, including residential. Because residential development is not typically allowed within the GB1 zoning designation, we are also requesting approval of a Planned Unit Development application to accommodate the proposed residential components. The proposed Conceptual Master Plan includes the following:

- Commercial Office- 133 acres with +/- 1.9 million square feet of building facilities
- Mixed use/ Retail/ Restaurant- 22.9 acres with +/- 245,650 square feet of building facilities
- Multi Family Residential- 15.8 acres with +/-200 units and a recreation facility
- Single Family Residential- 63 acres with 258 units
- Retirement/ Assisted Living- 14 acres, +/- 160 independent living units and assisted living units
- 3 hotel sites
- Transit Center
- Redesigned 18 hole golf course
- Job Corps facilities to remain- +/- 191,000 square feet

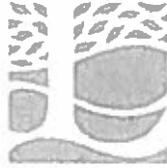
The proposed master plan lays out a clear vision for future development of this strategic piece of land located within the Idaho Center Special Planning Area. While some transportation and utility infrastructure upgrades will be required, services and access are available.

We are confident that this prominent mixed use project will be an asset to the City of Nampa, providing a quality development plan that is in step with the City's long range vision for employment centers with accommodating residential component. We respectfully request your thoughtful consideration, support and approval of these applications.

Sincerely,



Doug Russell, PLA
Owner Representative



THE LAND GROUP, INC.

July 24, 2015
Project No. 111135

Exhibit "A"

SWITC PROPERTY DESCRIPTION

A parcel of land located in Sections 11, 12, 13 and 14, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, being more particularly described as follows:

Commencing at the Section Corner common to Sections 11, 12, 13 and 14 of said Township 3 North, Range 2 West;

Thence South $00^{\circ}05'22''$ West, a distance of 2651.50 feet on the Section Line common to said Sections 13 and 14 to the One Quarter Section Corner common to said Sections 13 and 14;

Thence North $89^{\circ}28'56''$ West, a distance of 2632.29 feet on the east-west mid-section line of said Section 14 to the Center One Quarter Section Corner of said Section 14;

Thence North $00^{\circ}07'22''$ East, a distance of 305.19 feet on the north-south mid-section line of said Section 14 to the POINT OF BEGINNING;

Thence North $00^{\circ}07'22''$ East, a distance of 989.85 feet on the north-south mid-section line of said Section 14 to a point on the West Bank of the Phyllis Canal;

Thence on the West Bank of the Phyllis Canal for the following courses and distances:

Thence North $47^{\circ}39'38''$ West, a distance of 119.37 feet to a point of curve;

Thence 212.27 feet on the arc of a curve to the right, said curve having a radius of 254.00 feet, a central angle of $47^{\circ}52'54''$, a chord bearing of North $23^{\circ}43'11''$ West, and a chord length of 206.14 feet;

Thence North $00^{\circ}13'16''$ East, a distance of 191.89 feet;

Thence North $02^{\circ}48'52''$ East, a distance of 133.40 feet to a point of curve;

Thence 351.38 feet on the arc of a curve to the right, said curve having a radius of 665.00 feet, a central angle of $30^{\circ}16'29''$, a chord bearing of N $17^{\circ}57'07''$ East, and a chord length of 347.31 feet;

Thence North $33^{\circ}05'21''$ East, a distance of 108.06 feet to a point on the north-south mid-section Section Line of said Section 14;

Thence leaving the West Bank of the Phyllis Canal, North $00^{\circ}07'22''$ East, a distance of 248.91 feet on the north-south mid-section Section Line of said Section 14 to a point on a curve on the southerly right-of-way line of the Oregon Short Line Railroad property;

Thence on the southerly right-of-way line of the Oregon Short Line Railroad property for the following courses and distances:

Thence 470.22 feet on the arc of a curve to the right, said curve having a radius of 1818.34 feet, a central angle of $14^{\circ}49'00''$, a chord bearing of North $33^{\circ}02'21''$ East, and a chord length of 468.91 feet;

Thence North $53^{\circ}45'23''$ East, a distance of 1848.32 feet to a point of curve;

Thence 1018.50 feet on the arc of a curve to the right, said curve having a radius of 2764.79 feet, a central angle of $21^{\circ}06'24''$, a chord bearing of North $64^{\circ}18'35''$ East, and a chord length of 1012.75 feet to a point of compound curve;

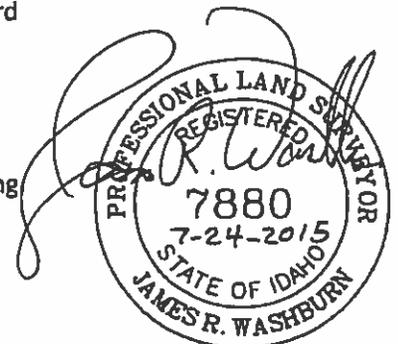
Thence 813.57 feet on the arc of a curve to the right, said curve having a radius of 2764.79 feet, a central angle of 16°51'36", a chord bearing of North 83°17'35" East, and a chord length of 810.64 feet;
Thence South 88°16'37" East, a distance of 2936.18 feet;
Thence South 00°39'19" West, a distance of 558.56 feet;
Thence South 00°56'23" West, a distance of 601.67 feet;
Thence South 53°57'38" East, a distance of 302.44 feet;
Thence South 40°09'30" East, a distance of 582.79 feet;
Thence South 20°10'34" East, a distance of 344.13 feet;
Thence South 09°11'56" East, a distance of 639.93 feet;
Thence South 41°44'36" East, a distance of 677.11 feet to a point on the Northerly Right-of-Way line of Ridgecrest Drive;
Thence South 89°22'10" East, a distance of 164.71 feet on said Northerly Right-of-Way Line of Ridgecrest Drive;
Thence South 09°30'05" West, a distance of 56.29 feet to a point on the Southerly Right-of-Way Line of said Ridgecrest Drive;
Thence North 89°22'10" West, a distance of 108.48 feet on said Southerly Right-of-Way Line of Ridgecrest Drive to a point of curve;
Thence 205.68 feet on the arc of a curve to the right, said curve having a radius of 260.00 feet, a central angle of 45°19'31", a chord bearing of North 66°42'25" West, and a chord length of 200.36 feet on said Southerly Right-of-Way Line of Ridgecrest Drive;
Thence North 44°02'39" West, a distance of 14.42 feet on said Southerly Right-of-Way Line;
Thence South 10°12'56" West, a distance of 232.88 feet;
Thence South 31°00'42" West, a distance of 159.35 feet to a point of curve on the Northerly Right-of-Way Line of Interstate 84;
Thence on the Northerly Right-of-Way Line of Interstate 84 for the following courses and distance:

Thence 270.55 feet on the arc of a curve to the left, said curve having a radius of 711.62 feet, a central angle of 21°46'59", a chord bearing of South 76°30'54" West, and a chord length of 268.92 feet;
Thence South 65°37'25" West, a distance of 377.49 feet to a point of curve;
Thence 696.44 feet on the arc of a curve to the right, said curve having a radius of 2216.83 feet, a central angle of 18°00'00", a chord bearing of South 74°37'25" West, and a chord length of 693.58 feet;
Thence South 83°47'45" West, a distance of 728.23 feet;
Thence South 83°03'27" West, a distance of 200.25 feet;
Thence South 85°55'12" West, a distance of 1082.88 feet to a point of curve;
Thence 141.00 feet on the arc of a curve to the right, said curve having a radius of 22,808.30 feet, a central angle of 0°21'15", a chord bearing of South 86°05'50" West, and a chord length of 141.00 feet to a point of curve;
Thence 1199.06 feet on the arc of a curve to the right, said curve having a radius of 22,808.30 feet, a central angle of 03°00'45", a chord bearing of South 87°46'50" West, and a chord length of 1199.06 feet;
Thence South 89°17'12" West, a distance of 955.68 feet;
Thence South 89°20'27" West, a distance of 1173.68 feet;
Thence North 84°03'29" West, a distance of 533.49 feet;
Thence South 89°35'38" West, a distance of 133.54 feet to the point of beginning

The above Parcel Contains 615.6 Acres more or less.

PREPARED BY: THE LAND GROUP, INC.

JAMES R. WASHBURN



RECORD OF SURVEY

A SURVEY FOR THE CITY OF NAMPA LOCATED IN SECTIONS 11, 12, 13 AND 14, TOWNSHIP 3 NORTH, RANGE 2 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO.

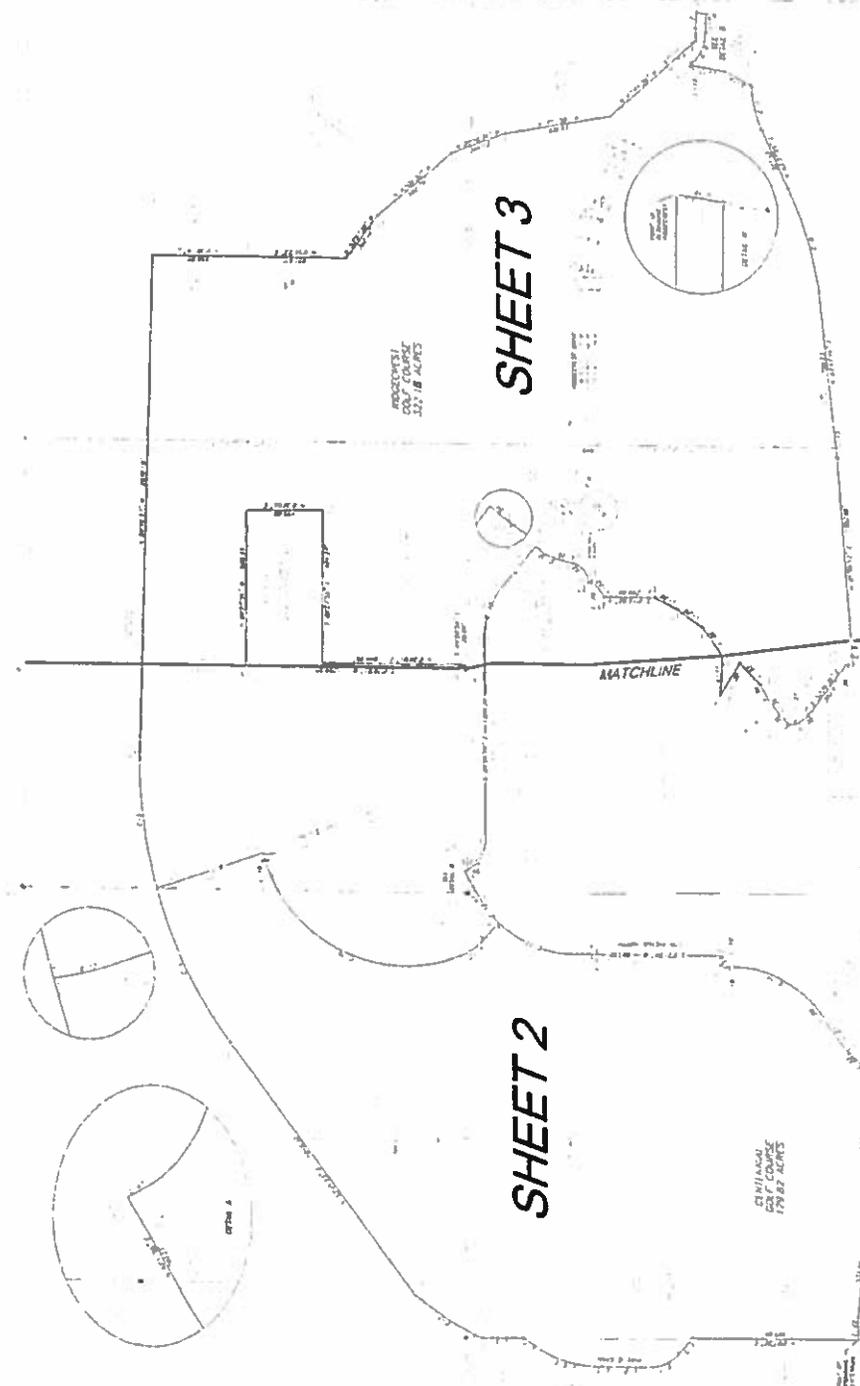


SUNNY TOPK AD 174 11 0 0 0 0 0000
 SUNNY TOPK AD 174 12 0 0 0 0 0000
 SUNNY TOPK AD 174 13 0 0 0 0 0000
 SUNNY TOPK AD 174 14 0 0 0 0 0000

LEGEND

- FOUND 5/8" IRON PIN
- SET 3/2" IRON PIN WITH #15 WOOD PLASTER CAP
- FOUND BRASS CAP MONUMENT
- FOUND ALIF OR PINEWOOD STAKE
- FOUND PINE NAIL
- CALCULATED POINT NOTHING SET
- FOUND 1/2" IRON CONCRETE MONUMENT

SEE SHEET 4 FOR CURVE AND LINE DATA



PROPOSED LOT 18 ACRES

SHEET 3

MATCHLINE

SHEET 2

25 1/2 ACRES
 179.87 ACRES



Working together to plan for the future

July 5, 2016

Norm Holm, Director
Nampa Planning & Zoning Department
411 3rd Street South
Nampa, ID 83651

Re: Southwest Idaho Treatment Center Development Checklist

Dear Mr. Holm:

On June 15, 2016, the Community Planning Association of Southwest Idaho (COMPASS) received the City of Nampa's request for a Comprehensive Plan Future Land Use Map amendment and rezone of the Southwest Idaho Treatment Center area. As a member service, COMPASS provides development review checklists to assist member agencies evaluate consistency of proposed development with the goals in the regional long-range transportation plan for Ada and Canyon Counties: *Communities in Motion 2040* (CIM 2040). CIM 2040 was developed collaboratively with land use and transportation agencies throughout the Treasure Valley and the demographic forecasts for households and jobs in CIM 2040 are based upon the approved comprehensive plans of the cities and counties.

Attached is the development review checklist for the Southwest Idaho Treatment Center property. Important highlights the City of Nampa may consider during its review process include:

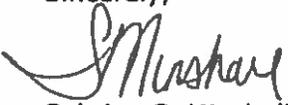
- The proposed development is anticipated to create about 3,400 more jobs than forecasted for the area. This could place a tremendous demand on the transportation system, whereas system improvements to accommodate that level of employment have not been planned for as they were not anticipated during the development of the region's long range transportation plan. If the proposal passes, COMPASS and Nampa will need to reconcile the forecasted demographics for the area and include capital improvements needed from the developer's Traffic Impact Study in the next long range transportation plan.
- The application states the development will include a "Transit Center" at an undetermined location on the property. In 2015, COMPASS developed a public transportation network as part of the long range plan. This network is in the process of being further refined in the long range plan update (*Communities in Motion 2040 2.0*). While high frequency services were identified for Idaho Center Boulevard, no services or amenities were planned in the Southwest Idaho Treatment Center area. It is important to note this is primarily due to the planned density and land uses previously assumed at these locations.

- Ongoing evaluation of a high capacity transit corridor parallel I-84 is ongoing. While specific alignments and transit modes have not been selected, it is important to note one potential option for high capacity transit runs along the northern boundary of the subject property. Currently, a station location is proposed at the College of Western Idaho Campus/Idaho Center Blvd area. It will be critical to maintain compatible land uses and access to this potential location. If the applicant desires another transit center location, please coordinate closely with Valley Regional Transit and COMPASS in the refinement of the future public transportation network update, which will be solidified in the next six months.
- The Complete Streets Level of Service (CSLOS) scorecard (included in the checklist) is an estimation of the anticipated bicycle, pedestrian and transit traffic level of comfort on an arterial roadway. The scorecard was completed using the assumption that the main east-west road connecting Franklin Road to Karcher Road would be a 5 lane facility. COMPASS can provide a similar analysis with alternative street designs or for other roadways. If you have questions on this analysis please call.
- To meet the policies of the 2011 City of Nampa Bicycle and Pedestrian Master Plan consider preserving easements along the Union Pacific Railroad line of the project as this rail line is being considered for future adjacent Rails with trails efforts. Nampa participates in the regional Rails with Trails consortium led by COMPASS. Preservation of these easements is a fantastic way to provide these regional connections. Additionally, the City of Nampa Bicycle and Pedestrian Master Plan highlights future shared bike lanes along 11th Avenue.

The checklist provided is not intended to be comprehensive, but provides a starting point for bridging local and regional planning. COMPASS looks forward to working with the City of Nampa, Idaho Transportation Department, and Valley Regional Transit regarding the conceptual master plan for the Southwest Idaho Treatment Center.

Please contact Carl Miller at cmiller@compassidaho.org or (208) 475-2239 if you have any questions regarding the attached information or would like additional information.

Sincerely,



Sabrina C. Minshall
Director of Planning

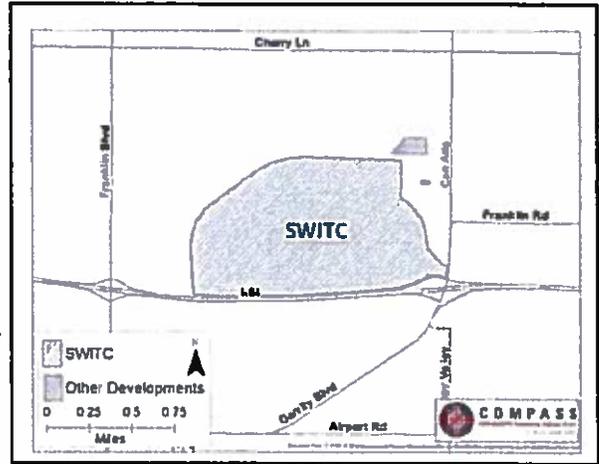
Attachment: Southwest Idaho Treatment Center Development Checklist

pc: Karla Nelson
Jeff Barnes
Len Grady
Clair Bowman
Amy Schroeder

T:\FY16\600 Projects\620 Demographics and Growth Monitoring\Development Monitoring\Development Tracking\Developments\Nampa SWITC Comp Plan Amend Req

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 to view enlarged 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: Southwest Idaho Treatment Center - CMA/ZMA of 615.6 acres

Summary: Bounded by I-84 to the south, the Union Pacific Railroad to the north and west and Garry Blvd/Idaho Center Blvd/Can Ada Rd to the east, the proposed development would create 458 new residential units and approximately 5,040 jobs. There are two other active developments in the TAZs directly adjacent to this proposal, these developments are anticipated to add a total of 178 residential units.
The proposal supports 17 CIM 2040 checklist items and does not support 6 CIM 2040 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 checked="" type="radio"/> Existing Neighborhood | <input type="radio"/> Foothills |
| <input 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: 2401 & 2402

| Existing | | Existing TAZ + Proposal | | 2040 Forecast | |
|------------|------|-------------------------|-------|---------------|-------|
| Households | Jobs | Households | Jobs | Households | Jobs |
| 0 | 186 | 458 | 5,040 | 465 | 1,629 |

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: 2356, 2357, 2382, 2384, 2388, 2423, 2425, 2440, 2441, 2442

| Existing | | Existing TAZs + Net Proposed | | 2040 Forecast | |
|------------|-------|------------------------------|-------|---------------|-------|
| Households | Jobs | Households | Jobs | Households | Jobs |
| 971 | 4,568 | 1,607 | 9,608 | 1,698 | 8,961 |

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: The proposal does not appear to conflict with the Access Management Toolkit.

- 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 routes are proposed near the development. Applicant should contact VRT regarding transit center location and design.

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.
- CSLOS attachment indicates comfort level based on bicycle and pedestrian improvements on Karcher and Franklin
- 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](#)**)

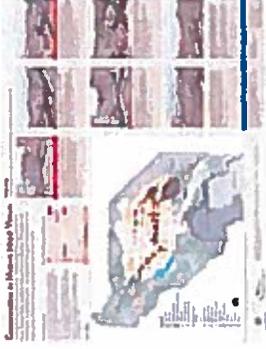
Open Space

- 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](#)**) *Proposals with multi-family housing are not subject to park criteria.

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 Complete Streets Scorecard



The purpose of this checklist is to provide a tool for local governments to evaluate whether land developments are in accordance with the goals of *Communities in Motion 2040* (CIM 2040). Complete Streets Level of Service (LOS) refers to the multimodal (automobile, bicycle, pedestrian, and transit) experience and grades a roadway (A-F) for each mode. COMPASS conducts Complete Streets Level of Service (CSLOS) analysis for developments on arterial roads.

| Street | Mode | 5-lane roadway | 5-lane with sidewalk | 5-lane with sidewalk with bicycle lane |
|---|---------|----------------|----------------------|--|
| | | Link LOS | Link LOS | Link LOS |
| Franklin to Karcher Idaho Center Boulevard to Franklin Boulevard | Transit | F | F | F |
| | Bike | D | D | B |
| | Ped | E | C | C |

Highway Capacity Manual 2010 Methodologies



More information on
COMPASS and
Communities in Motion
2040 can be found at:

www.compassidah.org



COMPASS
COMMUNITY PLANNING ASSOCIATION
of Southwest Idaho

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

MAP

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization for Ada and Canyon Counties. COMPASS has developed this checklist as a tool for local governments to evaluate whether land development projects align with the goal of **Communities in Motion 2040 (CIM 2040)** 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.

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, objectives, 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? (Check all that apply.) (Goal 2.1.1)
 Downtown Employment Center Existing Neighborhood Footcandle
 Future Neighborhood Mixed Use Remote Farmland Rural
 Small Town Transit Oriented Development

Yes No N/A The proposal is within a CIM 2040 Major Activity Center. (See 2.1.1)

Neighborhood (Transportation Analysis Zone) Demographics

| Neighborhood | Existing + Proposed | Jobs | Households | Jobs | Households |
|--------------|---------------------|-------|------------|-------|------------|
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |

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 2.1.1)

Area (Adjacent Transportation Analysis Zone) Demographics

| Area | Existing + Proposed | Jobs | Households | Jobs | Households |
|-------|---------------------|-------|------------|-------|------------|
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |

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 2.1.1)



More information on COMPASS and Communities in Motion 2040 can be found at:
www.compassidaho.org
 Email: info@compassidaho.org
 Telephone: (208) 475-2279



COMPASS
 Community in Motion 2040

Page 1 of 23

Location map highlights the location of the proposed development and the nearby 2040 functionally classified roadways. Functionally classified 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 Vision

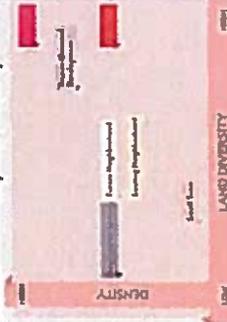
The Communities in Motion 2040 Vision illustrates a preferred growth scenario for the Treasure Valley, specifically Ada and Canyon Counties. Defined by local stakeholders, including the public, the Vision will help guide development of the Communities in Motion 2040 regional long-range transportation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

Vision Statement

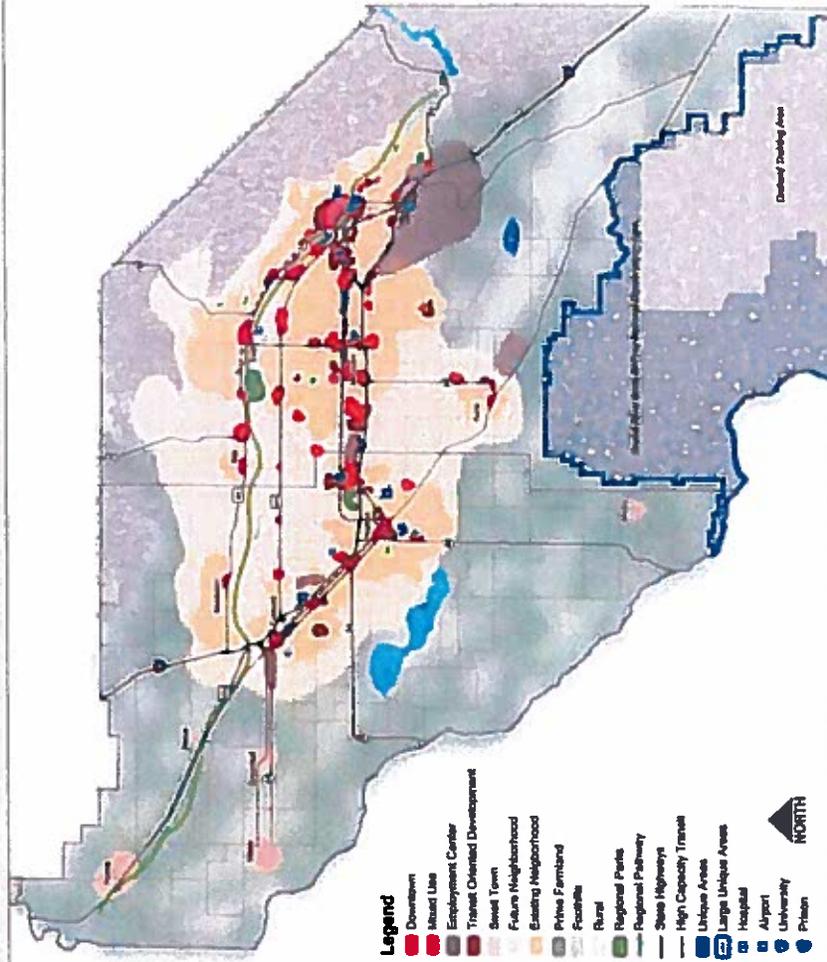
The Communities in Motion 2040 Vision provides a preferred growth scenario and transportation plan for the Treasure Valley. The Vision is defined by local stakeholders, including the public, and is intended to guide development of the Communities in Motion 2040 regional long-range transportation plan.

The Vision supports local transportation plans and includes a preferred growth scenario for the Treasure Valley. The Vision is defined by local stakeholders, including the public, and is intended to guide development of the Communities in Motion 2040 regional long-range transportation plan.

Land Use Density and Diversity



Vision Map



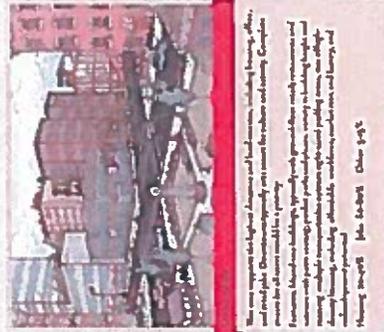
Please note: The Vision Map reflects the preferred growth scenario approved by the CEQA/NEPA Board. It is not a plan and does not require regulatory authority.

The Community Planning Association of Southeast Idaho (CPASAI) is an association of local governments working together to plan for the future of the region. CPASAI's members recognize that the quality of life for our communities is directly related to transportation and setting policies for the transportation infrastructure over the next 20 years.



Vision Areas

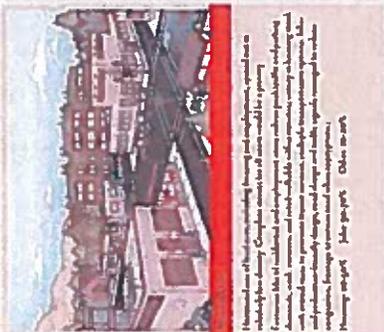
Below are possible interpretations of how the land use types included in Communities in Motion 2040 would look.



This area represents the downtown core of the Treasure Valley, including downtown Boise and downtown Idaho Falls. This area is characterized by high density and diversity. It includes a mix of land uses, including residential, commercial, and institutional. It is also characterized by high density and diversity, with a mix of building heights and styles.



This area represents a diverse mix of land uses and building heights. It includes a mix of residential, commercial, and institutional. It is also characterized by high density and diversity, with a mix of building heights and styles.



This area represents a small town vision area, characterized by a mix of land uses and building heights. It includes a mix of residential, commercial, and institutional. It is also characterized by high density and diversity, with a mix of building heights and styles.



This area represents a transit-oriented development vision area, characterized by a mix of land uses and building heights. It includes a mix of residential, commercial, and institutional. It is also characterized by high density and diversity, with a mix of building heights and styles.



This area represents a future neighborhood vision area, characterized by a mix of land uses and building heights. It includes a mix of residential, commercial, and institutional. It is also characterized by high density and diversity, with a mix of building heights and styles.



This area represents a future mixed-use vision area, characterized by a mix of land uses and building heights. It includes a mix of residential, commercial, and institutional. It is also characterized by high density and diversity, with a mix of building heights and styles.



This area represents a future mixed-use vision area, characterized by a mix of land uses and building heights. It includes a mix of residential, commercial, and institutional. It is also characterized by high density and diversity, with a mix of building heights and styles.

- Boise State University
- Idaho State University
- University of Idaho
- College of Western Idaho
- St. Alphonsus Medical Center
- St. Luke's Medical Center
- St. Vincent Medical Center
- Boise International Airport
- Hagerman Airport, Caldwell Airport

Norm Holm

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Tuesday, June 28, 2016 9:03 AM
To: Norm Holm
Subject: CMA 029-2016, ZMA 016-2016, PUD 037-2016

Good Morning Norman,

The Nampa Highway District #1 has no objection to the Comprehensive Plan Future Land Use Map Amendment from Public and Parks to Community Mixed Use, Rezone from AG to GB1, and Planned Unit Development Permit for Residential Uses at 1660 11th Ave No. for Doug Russell representing the Land Group Inc. For the Idaho Department of Health and Welfare as it is not within the Highway District'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

Shellie Lopez

From: Neil Jones
Sent: Wednesday, June 22, 2016 11:41 AM
To: Shellie Lopez
Subject: RE: Comprehensive Plan Future Land Use Map Amendment to Community Mixed Use, and Rezone from AG to GB1 ZMA 016-16 & CMA 029 16

Building Department has no conditions at this time.

Neil Jones

Plans Examiner Supervisor

P: 208.468.5492 F: 208.468.4494

[Department of Building Safety](#), [Like us on Facebook](#)

From: Shellie Lopez
Sent: Wednesday, June 15, 2016 9:59 AM
To: Amanda Morse <morsea@cityofnampa.us>; Beth Ineck <ineckb@cityofnampa.us>; Brent Hoskins <hoskinsb@cityofnampa.us>; Carl Miller <CMiller@compassidaho.org>; Craig Tarter <tarterc@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; Don Barr <barrd@cityofnampa.us>; Eric Skoglund <skoglundl@cityofnampa.us>; Jennifer Yost <yostj@cityofnampa.us>; Jim Brooks <brooks@cityofnampa.us>; Michael Fuss <fussm@cityofnampa.us>; Neil Jones <jonesn@cityofnampa.us>; Patrick Sullivan <sullivanw@cityofnampa.us>; Ray Rice <ricer@cityofnampa.us>; Robin Collins <collinsrr@cityofnampa.us>; Soyla Reyna <reynas@cityofnampa.us>; Sylvia Mackrill <mackrill@cityofnampa.us>; Tina Fuller <tfuller@compassidaho.org>; Tom Laws <tlaws@compassidaho.org>; Vickie Holbrook <holbrookv@cityofnampa.us>
Subject: Comprehensive Plan Future Land Use Map Amendment to Community Mixed Use, and Rezone from AG to GB1 ZMA 016-16 & CMA 029 16

Good Morning! ☺

ZMA 016-16 & CMA 029 16:

Doug Russell of the Land Group, representing the State of Idaho Department of Health and Welfare, has requested a Comprehensive Plan Future Land Use Map Amendment from Public and Parks to Community Mixed Use, and Rezone from AG (Agricultural) to GB1 (Gateway Business 1) for a 615.6 acre parcel of land located in Sections 11, 12, 13, and 14, T3N, R2W, BM (Canyon County parcels R31440, R310550, R31070, R310710, R31143, R310820, R310830), including 1660 11TH Ave. N., Nampa.

The proposed Conceptual Master Plan includes the following:

- Commercial Office – 133 acres with +/- 1.9 million square feet of building facilities
- Mixed Use/ Retail/ Restaurant – 22.9 acres with +/- 245,650 square feet of building facilities
- Multi-Family Residential – 15.8 acres with 200 units and a recreation facility
- Single Family Residential – 63 acres with 258 units
- Retirement/ Assisted Living – 14 acres, 160 independent living units and assisted living units
- 3 Hotels
- Transit Center
- Redesigned 18 hole golf course
- Job Corps facilities to remain - +/- 191,000 square feet

UNION PACIFIC RAILROAD
1400 Douglas Street, Stop 1580
Omaha, Nebraska 68179

Patrick R. McGill/UPC Senior Counsel-Real Estate, Law Dept.

P 402 544 5761
F 402 997 3603
prmcgill@up.com

July 11, 2016

VIA EMAIL ONLY: holm@cityofnampa.us

City of Nampa
Attn: Norman L. Holm
411 3rd Street South
Nampa, Idaho 83651

Re: Comments to proposed Comprehensive Plan Future Land Use Map Amendment from Public and Parks to Community Mixed Use; Rezone from Agricultural to Gateway Business 1 and Planned Unit Development Permit for Residential Uses at 1660 11th Ave. No. (the "Project")

Dear Mr. Holm:

Thank you for allowing Union Pacific Railroad Company ("UP") the opportunity to submit the following comments in response to the notice on the above-referenced Project. UP is a Delaware corporation that owns and operates a common carrier railroad network in the western half of the United States, including the State of Idaho. UP's rail network is vital to the economic health of Idaho and the nation as a whole and its rail service to customers in the Nampa Area is crucial to the future success and growth of those customers.

The proposed Project location is adjacent to UP's Boise Subdivision. Additionally, there are at-grade rail crossings over these tracks at nearby locations. Any land planning decisions should consider that train volumes near the Project area may increase in the future. UP also asks that the City and the Project developers keep in mind that this is a vital and growing rail corridor and nearby land uses should be compatible with this continuing rail use.



City of Nampa
July 11, 2016

Drainage and Project Construction

UP requests the City ensure that the drainage plan relating to the Project does not shift storm water drainage toward UP property and infrastructure. Any runoff onto UP's property may cause damage to its facilities resulting in a potential public safety issue. If the Project is approved, we ask that the City require the applicant to mitigate all safety risks and the impacts of the railroad's 24-hour operations during the construction of the Project.

UP appreciates the developer and the City giving due consideration to the above concerns, as this proposed Project may result in impacts to land use and public safety. Please give notice to UP of all future hearings and other matters with respect to the Project as follows:

Paul Nahas, Manager - Real Estate
Union Pacific Railroad Company
1400 Douglas Street - STOP 1690 Omaha, NE 68179
(402) 544-8043
plnahas@up.com

Please do not hesitate to contact Paul Nahas if you have any questions or concerns.

Sincerely,



Patrick R. McGill
Senior Counsel - Real Estate
Union Pacific Railroad Company

cc: Paul Nahas



DNEMN1CR1 704

Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH

NAMPA, IDAHO 83651-4395

FAX # 208-463-0092

Phones: Area Code 208

OFFICE: Nampa 466-7861

SHOP: Nampa 466-0663

July 6, 2016

Norman L. Holm
City of Nampa
411 3rd St.
Nampa, ID 83651

**RE: CUP038-2016; 16697 N. Yorkshire Lane
CUP037-2016; 807 14th Avenue S.
CMA029-2016, ZMA016-2016, PUD002-2016; 1660 11th Avenue N.
CMA00026-16, ZMA00015-2016; 347 W. Orchard Avenue
DAMO004-2016, ZMA017-2016; Yellow Fern Subdivision**

Dear Norm:

Nampa & Meridian Irrigation District (NMID) has no comment on the above-referenced applications.

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

Sincerely,

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

PC: Office/File

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

Karla Nelson

From: Walt Scholl
Sent: Thursday, August 04, 2016 12:18 PM
To: Karla Nelson
Cc: Patrick Sullivan
Subject: Tower Site Ridgecrest
Attachments: NHD Tower 2resize.jpg; NHD Tower 1resize.jpg; NHD Tower resize.jpg; Ridgecrest Proposed tower Site.jpg; Tower Site 2.jpg; Tower Site 3.jpg; Tower Site 4.jpg

Categories: Red Category

Hello Karla

Glad I spoke with you yesterday and followed up today on the Radio tower location at Ridgecrest property. I had gone out a year ago with our Radio network maintenance vender (intermountain Communication) to scout out best location for our much needed radio tower site. We had checked several locations including the Hugh Nichols public safety building but it just would not clear the area we are trying to reach on the north side of town just past the I-84 freeway. We have a tower already established at the Ridgecrest location with power and a t-1 connection. That tower would come down and a new 700MHZ radio tower would replace it. The site would include a small building for the radio network also a generator and propane that would fuel the generator if a power outage occurred. We would need access from the road (Ridgecrest Dr) to the site for maintenance. The property would be fenced in with a locked gate. The tower height would be 100-foot-high and the base is 23 X 23 X 23 foot. The building is 27 Long X 11-foot-wide by 11-foot high. Generator is inside a separate part of the building and the propane is 14-foot-long and 5 foot wide. (Measurement are approximate). The site would need to be 100-foot X 100-foot Square. So service trucks can enter the site with ease. The site would service Police and Fire. The pictures attached are from Nampa Highway District site for example. Also google earth shots of Ridgecrest proposed site. I hope this is what you need.

Thanks



Walt Scholl
IT Field Technician | 700MHZ Radio
Communications
O: 208.468.5403 C: 208.250-0879
[City of Nampa - Like us on Facebook](#)

NAMPA Proud

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Christopher Daly

From: Bill Hartman <bill_hartman@hotmail.com>
Sent: Wednesday, July 06, 2016 5:10 PM
To: Christopher Daly
Subject: ZMA016-2016 proposal from Health and Welfare

I am opposed to The Land Group request for a zoning change and modification of the comprehensive plan. The estimated income to the State of Idaho and the City of Nampa is just that, an estimate, who knows where they got those figures from and how valid they are. I must admit that my initial interest in this was because of the threat to our Municipal Golf Courses which I feel are a great attraction for the City of Nampa especially to attract quality businesses with above average paying jobs. While there is mention of a golf course in the proposal there is absolutely no guarantee it will come to pass and it will not be a quality affordable Municipal Course such as we have now. It is absolutely ridiculous that a city the size of Nampa would be without a Municipal Course. Our courses currently provide great recreation opportunities for adults, senior citizens, and many activities for our youth from Universities to High Schools clear down to 5 and 6 year olds, we don't want to lose that. Additionally as this has progressed I have now become very concerned that this proposal if allowed will be an environmental disaster as well as create an infrastructure nightmare that the costs of which will be enormous and probably be borne by the citizens of Nampa. The increased costs for the additional police and fire protection we don't even know what that will amount to, in addition to that the traffic mess that already exists will multiply, Winco is being built near Garrity Blvd when that is completed the traffic will be worse. I84 is always a complete mess from about 3 to 6 Monday through Friday and don't forget the traffic being created by Western Idaho Community College. I really feel that this is really bad idea for the reasons I have already stated and numerous others other people will bring up, and request that the rezone request and the comprehensive modification request be denied. Thank you for serving on this Planning and Zoning Commission.
Sent from [Mail](#) for Windows 10



July 12, 2016

Mr. Norman L. Holm
Planning Director
Planning & Zoning Department
411 3rd Street South
Nampa, ID 83651

Dear Mr. Holm:

The AIM Companies (AIM) has been the worldwide headquarters for a nutritional supplement company in Nampa, Idaho since 1982. Dennis J. Itami and Ronald A. Wright have been co-owners of AIM during this time and have occupied the current building since 1995. The land that the building sits on is owned by Wright Itami Land Co. LLC.

This letter serves as our Letter of Opposition to the proposed "Comprehensive Plan Future Land Use Map Amendment from public and parks to community mixed use; rezone from AG (Agricultural) to GB1 (Gateway Business1); and Planned Unit Development Permit for residential uses at 1660 11th Ave. NO (A 615.6 acre parcel of land located in sections 11, 12, 13, and 14, T3N, R2W, BW, Canyon County, Idaho).

Of particular concern is the proposed construction of an overpass connecting to 39th Street North at Flamingo Avenue (AIM building at Flamingo and 39th). We hereby outline our concerns below:

- The overpass would be too close to the AIM building which would have an impact on our property values.
- The overpass would be too close to the AIM building which would increase traffic and become a safety hazard to our customers and staff.
- The noise factor from increased traffic would disrupt our business and property values.
- AIM would incur higher property taxes that will result from the new growth.
- The overpass would be a continued hardship on our business as customers and staff would have a hard time getting to and from the building during the construction phase. This is already apparent with the current St. Alphonsus construction and detours.

For the reasons listed above, we strongly oppose approval of at least the overpass project and trust you will take our concerns into consideration during the decision-making process.

Respectfully submitted,

Dennis J. Itami
President/CEO & Co-owner

Ronald A. Wright
Senior Vice President & Co-owner

July 12, 2016

Nampa Planning & Zoning Commission

Re: IDHW Applications CMA 029-2016, ZMA 016-2016, PUD 002-2016

Dear Chair and Commissioners:

I am a resident of Nampa, having lived and worked here for the past seventeen years. I am not an avid golfer but have a deep concern for this community and the potential that we will lose proven amenities in exchange for a promise that the state of Idaho Department of Health and Welfare will expand the tax base.

I have reviewed the application, and the staff report. I find the application lacking in several material aspects.

Several of you were either on the Commission or part of the Planning Committee that helped develop the Nampa 2035 Comprehensive Land Use Plan that was adopted in 2012. As you are aware, the planning process took two years and the expenditure of tens of thousands of dollars. A significant portion of that time was spent envisioning what the City of Nampa would or should look like in 2035. An entire chapter in that plan addresses parks and community recreation amenities. It is significant that the plan assumes that the two municipal golf courses will continue to be a part of the community going forward. The Comp Plan Map, which the applicant now seeks to amend, designates this area as Public, and Recreation. My question to the Commission is: what has changed that would mandate a change in the potential uses for this land? The only thing that has changed is the desire by IDHW to abandon its existing uses and make some profit. Our community is growing and the change of this land as proposed would eliminate 27 holes of golf. You are aware that in the last two years the Broadmore Golf Club closed resulting in the loss of a nine hole course, swimming pool, and restaurant/lounge. At a time when our population is increasing, and the 2035 plan indicates that there should be one eighteen hole course for every 50,000 residents, it makes no sense to decrease the number of golf courses.

Is there a scarcity of property available for office and commercial uses? I submit that at this time there is adequate inventory of land already zoned with sufficient infrastructure to accommodate future needs. The Gateway Center off Happy Valley and Flamingo, not far from this property, is under-utilized. There are multiple vacant storefronts and several building pad sites that already have the required water, sewer, irrigation and transportation infrastructure. Just down the hill from the applicant's property, to the east lies the Central Valley Commercial Park property which other than the required landscape buffer lies undeveloped but otherwise ready to go. Across the road from Central Valley lies the property formerly owned by the late Melvin Huter which is also for sale and ripe for development. Farther east across from Sorrento Lactalis is a small commercial building which has yet to see its first tenant some seven years or so after completion. With all this available land, and in at least two developments - buildings, why does the city need to give up recreational land in order to allow the IDHW to speculate and further add

to oversupply? I submit that you may deny the requested comp plan amendment solely on the basis that there exists an oversupply in the market today and for the foreseeable future.

Since the City controls the zoning for the property it is inaccurate to state that the City has no say in how this property is used. While a decision to zone property is treated as a quasi-judicial matter, and the decision to change zoning must be made on the basis of findings of fact and conclusions of law, the applicant has the burden to show that the criteria for rezoning property is in the best interests of the public. Please note that the criteria is not "... in then best interests of the applicant" but "... in the best interests of the public." What is best for the community as a whole? Our state supreme court has held that there is no absolute right to a rezone of property even when the requested rezone matches the comprehensive land use plan map. See *Bone v. City of Lewiston*, 107 Idaho 844.

In item 5, page 5 of the Staff Report, staff outlines the public benefit for the proposal solely in terms of the projected property tax revenue. I argue that the numbers presented are pure conjecture. The application at hand is put forth by the owner of the property, not by an experienced developer who wants to begin development and presumably who has customers lined up to purchase or lease buildings. Until you can know exactly what will be constructed, and when, there is no way to determine what the tax revenue will be. What if the buildings are owned and occupied by entities that are exempt from property tax? To base your decision on this conjecture is misplaced. Staff also states that the city cannot require the state to use the property for golf courses. While that statement is correct as far as it goes it ignores the fact that the city can, and already has, determined what uses are permitted on the property. As currently zoned, golf courses are permitted uses in the Ag zone. The schedule of use controls contains multiple permitted uses and several conditionally permitted uses. If the zoning is not changed could IDHW cancel the golf course leases and graze goats on the fairways? Yes, but why would they? Rent is currently being paid to IDHW with no investment by IDHW required. The city pays the operation costs and IDHW gets a guaranteed check. If the zoning is changed, the city will lose all ability to negotiate uses going forward and will effectively give up the golf courses. Nampa will be the largest city in the valley without a municipal golf course.

To summarize, reasons to deny the application include: No significant change in the community since the 2035 Comp Plan was adopted in 2012; there is a current oversupply of commercially zoned, infrastructure ready property within one mile of the applicant's property, the projected uses are speculative at this time, and the changes requested are not in the best interests of the public.

If you believe that the applicant has met its burden and it is appropriate to consider making some or all of the requested changes, here are some of the possibilities you may wish to put in place. First, only rezone the area currently occupied by the state's facilities and leave the golf courses in the Ag zone. Let IDHW start with vacating its own facilities first, getting Juvenile Corrections off the land, etc. They can develop their first phase on the ground they occupy so the immediate effect is on the applicant. Second, increase the strength of the development agreement conditions. Insist that they obtain the values that they say they are going to get and require that they meet those values in order to obtain certificates of occupancy on the buildings.

Nampa Planning & Zoning Commission

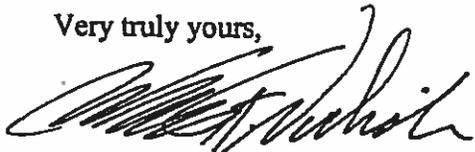
July 12, 2016

Page 3

Determine which items of public infrastructure must be constructed before certificates of occupancy are issued for any buildings. The transportation infrastructure laid out in their plan is expensive. Make sure it gets built first rather than halfway through the project. Perhaps insist that after the roads are built the next item to be built is the eighteen hole golf course, clubhouse, tennis courts, etc. Get those in place and then build the commercial and other structures. The tendency in developments is for the expensive amenities to get built last. Change the course and make them build those amenities first. Have staff change the terms of the development agreement, specifically, on Exhibit C, Item 2, it states that the design guidelines proposed by the applicant "... shall be followed with substantial conformance..." Instead, revise that language to read: "... shall be strictly followed..." And include definite dates for completion of infrastructure.

In conclusion, the presented application would unnecessarily add to an existing oversupply of property available for commercial development and would require an extensive expenditure of funds to supply necessary infrastructure with little assurance that the public will be benefitted. Instead, the public will likely only gain a loss of public recreation opportunities. Let us not look back on this decision with the lament embodied in the old Joni Mitchell song Big Yellow Taxi, part of whose lyrics was "Don't it always seem to go that you don't know what you've got 'til its gone."

Very truly yours,



William F. Nichols
11204 W. Victoria Dr.
Nampa, Idaho 83686

Centennial and Ridgecrest Golf Courses - Questions

How much of the land the State wants to sell was actually purchased by the Health and Welfare? If the land was purchased by Health and Welfare (then it was purchased by state or city taxes - so it is owned by the Idaho citizens.

How much of this acreage was donated to the state and to whom and by whom?

Health and Welfare should do all it can to keep the citizens healthy (to eliminate future costs for health care).

Nampa has 2 beautiful golf courses - which it uses as a benefit for folks moving to this area.

Removing all the trees and grass (to replace with cement and pavement) is not good for the environment. Also there is wildlife that will be affected.

I have learned that the Job Corps will not be affected - so why does the City of Nampa and the State say the Golf Courses have to go.

Even if the developer agrees to create a new course - who will own it? Will it be public or private?

I would like to see the State of Idaho (we the people) deed the golf courses to the City of Nampa with the stipulation they not be removed without an election to voice the will of the people.

If the Health and Welfare wants to sell the Idaho State Sanitarium only- they should be able to do so and use only those funds to keep Idaho folks healthy.

If there is any question about this subject - it should be put to a vote by the citizens.

Thank you,

Elaine Yost
Nampa, Idaho
July 14, 2016

14730 HENSEN DRIVE
465-5681

To: Members of Nampa Planning and Zoning
Members of the Nampa City Council and Mayor

From: Beldon Ragsdale, Retired State DHW Medicaid Policy/Reimbursement Specialist and Idaho Transportation Grants Officer - 25 years, Resident of Kensington Estates
16780 No Gentry Dr, Nampa ID 83687, 936-8465

RE: Testimony for July 17th Hearing, Zoning of State Property affecting Centennial and Ridgecrest Golf Courses *Hearing # 5 - Rezone A6 to GB1...*

I have had the opportunity to review the Department of Health and Welfare's Plan involving the vision they have for the state property on which the golf courses operated under lease with the City of Nampa and other state operations such the former ISSH and Job Corps etc. reside. My comments are in regards to the veracity of the document's claims, or vision. The validity of the contents and claims of the DHW plan should be considered carefully and pragmatically so as to avoid making decisions which are costly to the community and discredit the credibility of those using the state's claims as justification for poor decisions.

The integrity of the vision of the DHW Plan is severely compromised. It reads more like a wish list, not a credible civil engineering plan. When Planning and Zoning is considering the state's presumption and demand the city accommodate zoning changes based on the DHW Plan, I hope that it has the presence of mind to see that this document veils or ignores some real facts and that it is a more a marketing tool than anything else.

The State, dba DHW has made many speculative claims regarding growth and development. The pivotal claims I noticed were the anticipation of a new 11th St. Overpass/off ramp and a nearby Transit Center. The Transit Center is for a Light Rail Passenger System that has been discussed and even tested while I worked at the Idaho Transportation Department in the Division of Public Transportation. The cost of purchasing Union Pacific right of way and the rail replacement was estimated at over \$1 million per mile. That would require a local match contribution of anywhere from 7 to 20% depending on the federal funding sources and future Congressional appropriations and grant competitions. The transit center, commuter parking and roadway construction would have similar local match requirements for at least several million more. Operation of a light rail system, requires local match of about 50% per year, at least a million a year which far exceeds what the city already contributes just to the local bus system under ValleyRide. Nampa will struggle to maintain control of the costs of the transit center operations and related rail maintenance expenses. It is ironic that Nampa wanted to cut its ValleyRide budget when it is moving towards a project that requires an expanded bus system needed to offload train riders and make the train system viable. If the city or state, or ValleyRide allows the DHW to sell the land now, they will have to buy it back later at a higher cost. How much planning is there with that logic.

Of the millions in tax revenues that the city has accepted and quoted from the DHW estimate, I doubt that the State's estimate has offset the millions of dollars of related up-front and ongoing local expenses that will be incurred. If the city planners have actually planned for these changes, then the costs of these items should also be offset against the anticipated revenues the city expects to be generated overall by the development of the property involved. . I doubt the State has taken it into account as that would hurt their

marketing of the property for commercial development. The Commission and the public should view these estimates as what is referred to as SWAG (Scientific Wild A** Guess). Especially so, if the estimates were made by the same staff estimating costs and revenues and occupancies for the new Library Building complex. As a former state DHW employee, I have witnessed more than one half-truth being released to the public.

As far as a new overpass and off-ramp on 11th goes, that is a complete fabrication. Nowhere in the State Transportation Improvement Plan (STIP), the COMPASS TIP, is that project anticipated – ever. In fact, while I worked at the Idaho Transportation Department, Nampa and Caldwell delayed the Karcher Road interchange by a year when disputing if it shouldn't have been built closer to Caldwell. The final informal agreement with the ITD Board was that if Caldwell had the local match, they would get priority on the next interchange on Ustick or Middleton Rd. Given it took more than 20 years to build the Karcher Interchange, and given that Nampa or Caldwell can hardly afford to maintain their respective freeway and related roadway maintenance, no one should expect a new exchange on 11th street in the next 40 years. There will be significant local match needed to build an interchange and afford the maintenance costs and costs to the related infrastructure. In addition, DHW's proposal of a new interchange would not likely be given a high priority in the STIP, if at all, because the roadway crosses five railroad tracks and dead ends into a school zone and park with an already overloaded intersection during rush hour. The costs are prohibitive. If the the DHW development Plan does not materialize, another constant drain on city resources such as the Ford center will be created. Knowing this, a prospective developer bidding for the state land would have to revise his pitch to interested investors.

I have heard that the city is proposing a new road that responds to the transportation issues. The cost of the new road will be a local highway with a higher local match cost and have to be built by delaying other local projects already planned for those limited highway dollars. Will the Commission share evidence that this road can or will be built to justify its rezoning decision? As a resident directly adversely affected by the increases in traffic from hundreds of apartments that have been built, and being built ,on Birch St, commercial traffic form 600 acres of businesses will only make it unbearable. Even an egress onto Franklin road through the commercial zone would not reduce the traffic circumventing or congestion back flow it will cause.

The Mayor has made it well-known that he is all for the development of the properties and the related tax revenue increase. Therefore, it falls to the other city officials that we trust to make an independent assessment based on the reality and not the bluster and promises of those who are selling dreams as opposed to seeing the real value of keeping the municipal golf course(s) zoning intact. There will be no lack of testimony from other citizens who will speak to that point. The city has repeatedly sought to assuage the public opinion by saying that the DHW Plan has planned for an 18-hole golf course - probably run by a private company. Realistically, there aren't any new golf courses being built in Idaho. In fact, the closure of Broadmore and Foxtail in Meridian prove differently. I was a member of Hunter's Point, and it went bankrupt. I believe that the only reason it reopened as Red Hawk is so that the creditors of Hunter's Point have a chance of recouping their losses. My bet is that the old boys will sell it as soon as they can. The DHW plan cannot guarantee there will be a golf course on the rezoned property. If there is that intent, do not change the zoning for it. Too many proposals are modified repeatedly when an actual development and funding appear and disappear. Clearly, Nampa is in danger of losing

something that makes its quality of life clearly stand out from the rest of the valley. If these golf courses become the backside of business offices lining the freeway, Nampa will look like another gritty little city. Centennial was created as a local course to which the general public, local youth development programs to insure the general public's ability to find accessible, inclusive and affordable recreation. Remember that Hunter's Point was originally planned to be an exclusive club until the 2008 crash, and Broadmore was an elitist country club. The new course developers may find that their plans may need to return to that status.

The Mayor and the press have parroted the DHW 2013 estimate of the land value. Earlier this year, the land near the Meridian interchange was awarded to a sole source bidder that failed to purchase and did not have ability to attract enough investors to pay for it. I hope the State's only interested bidder are not the same people. I would hope Planning and Zoning asks the State that question. The State's answer will affect your decision as to the comparability the property values off Garrity and I-84 has the \$200,000/acre value the State has stated. It is especially questionable if Planning and Zoning sees the DHW plan and proposed development for the wish list it is.

The city is not considering to enter the bidding for any part of the golf courses. I had a planner tell me that the mayor is trying to get us of a business and noncompete with private companies. Believe me, if there was a lot of money in it, other golf courses would have been built long ago. Instead, many local citizens have contributed their time and money to make Centennial happen so their children and they could be assured of not having to join exclusive private golf clubs like Broadmore. The only reason golf courses survive is because they have the public's loyalty and support. It is insulting to me, and others I know, to be patronized when we hear the city officials state, and the media repeat the claim that there will "probably" be a private course built and not by the city.

The city committed \$2 million dollars to purchase farm land outside the city limits for a future park near Iowa St. When I lived next to Lewis Lane on South Powerline, the land on the that corner was donated to the city for a park. The city exchanged it for about 60-80 acres of farm land off of Missouri. It should be listed as a city asset as available for land swap are the prpoerties downtown and by the Ford Center. The State also negotiates property and land exchanges between governmental entities without bidding. Those exchanges only required fair values and did not have to go out for bid as is required when the State sells to private parties. The city could easily enter into negotiations with the State to discuss a land exchange of idle properties the city is holding for sale and development. Surely the land by the Ford Center is as valuable as the golf course property. Since the golf courses are part of the city's parks and recreation department, this is a possibility if the political will is there. How many city parks are self sufficient, generate a cash revenue surplus and have over a million dollar capital reserve accummulated.

Obviously, once the State sells it, the DHW Plan everyone is relying so heavily upon places no binding legal restrictions on the developer(s). Planning and Zoning is the public's only defense against unrestricted speculation as proposed by the state and its prospective buyer/developer. It would seem more appropriate to the public that the purchaser, prior to actual development, apply to Planning and Zoning for specific zoning changes instead of repeatedly asking for variances, etc. later. With the real possibility that this is land speculation veiled under the cloak of development being the goal and rezoning the golf course property is needed to artificially inflate the price of the land.

There is a real possibility that development will take many more years than planned because of EPA concerns over the old ISSH dump site and railroad creasote leaching, and funding for roads, etc. Much of the property could sit idle or torn up until the economy upturns. Real estate investors are attracted and withdraw based on 'plans' that overpromise and underdeliver. Much of it could sit as idle as the buildings in the Gateway Junction Mall or Tamarack Resort. In conclusion, I hope my comments have sparked some legal and other legitimate concerns over the planning and zoning regarding this proposed development.

Karla Nelson

From: R. J. <medallia.llc@outlook.com>
Sent: Thursday, July 14, 2016 1:18 PM
To: Karla Nelson
Subject: Ridgecrest-Centennial Development

Karla you and I talked this morning about this project and I had another question. You said that if a portion of the site is sold for development then that developer would do a traffic impact study as part of their proposal. I believe it is likely that smaller portions of the site will be sold off to different developers, so this scenario seems likely.

However, traffic impacts will increase as portions of the site are developed. If the first portion that is sold is the SE corner for instance, traffic impacts could be relatively light, but after a few more sections are sold, traffic impacts will increase. So a later section might have such an impact that Karcher Road will have to be extended, or the 39th Street overpass will have to be built. If the burden of that cost falls entirely on the developer of a later section, then development activity would probably stop.

This question is analogous to my first one about how to ensure that the golf course is actually built, given the probability that there will be multiple developers.

Thanks
Ron Johnson
208-549-9055

**NAMPA PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
TUESDAY, JULY 12, 2016, 6:30 P.M.
AT THE NAMPA CIVIC CENTER, 311 3RD ST S, NAMPA**

| | | |
|----------|-------------------------------|----------------------------------|
| Members: | Lance McGrath, Chairman | Peggy Sellman |
| | Chad Gunstream- Vice Chairman | Norm Holm, Director |
| | Steve Kehoe | Robert Hobbs, Assistant Director |
| | Harold Kropp | Karla Nelson – Community Planner |
| | Kevin Myers | Tom Points – City Engineer |
| | Victor Rodriguez | Daniel Badger, Staff Engineer |
| Absent: | Sheila Keim | Bret Miller |

Public Hearing No. 5:

Comprehensive Plan Future Land Use Map Amendment from Public and Parks to Community Mixed Use; Rezone from AG to GB-1; and, Planned Unit Development Permit for Residential Uses at 1660 11th Ave N. (A 615.6 acre parcel of land located in Sections 11, 12, 13, and 14, T3N R2W BM, Canyon County, for Doug Russell representing the Land Group Inc, for the Idaho Department of Health & Welfare (CMA 029-2016, ZMA 016-2016, and PUD 002-2016.

Chairman McGrath proceeded to public hearing.

Doug Russell of The Land Group, 462 E Shore Dr, Eagle, representing the applicants, The Idaho Department of Health and Welfare.

- Mr Russell advised they had submitted the application in August of 2015 and after receiving Staff comments and concerns they worked with some additional outside consultants and resubmitted with revisions.
- Mr Russell reviewed the project and indicated an aerial view of the subject site, comprising approximately 613 acres, currently known as the Southwest Idaho Treatment Center.
- The 613 acres, added Mr Russell, was owned by the Idaho Department of Health and Welfare, a site that has cared for mentally ill patients. Over time, with the change in the care of mentally ill patients, the number of patients in the facility was now down to 25 residential clients.
- Mr Russell noted the Job Corps facility was located on the subject property.
- The golf courses were also on the subject property, as well as a hobby air strip.
- The Idaho Dept of Health and Welfare, explained Mr Russell, no longer needs all of the property and noted the SWITC land was becoming more and more valuable primarily because it fronts on to I-84, and roadway improvements would provide more access to the site.
- Mr Russell noted the adjacent GB-1 and Commercial zoning to the east, RS-6 zoning to the north, IP and IL and some BC zoning to the south, and IP, IL and some BC zoning to the west.
- Mr Russell indicated the three transmission lines coming through the site.
- In 2011, continued Mr Russell, The Idaho Dept of Health and Welfare, in cooperation with the Idaho Department of Public Works put out a Request for Proposal to create a Master Plan scenario developed in such a way as to achieve the highest and best use of the subject property, in order to be responsible stewards of the land, and use the resources for the benefit of the taxpayers of the State of Idaho.
- In 2014, stated Mr Russell, the leases for the two golf courses were extended to 2019, in order to provide enough time to get the Master Plan underway.
- According to Mr Russell, the State of Idaho was very aware that the golf courses are very dear to the City of Nampa and the surrounding area.
- Mr Russell presented information regarding: the forecast for the population growth in the area by 2035; property values in close proximity to the SWITC site; and, estimated property tax revenues.
- Mr Russell reviewed the history of the golf course since 1985 when the original 25 year lease was executed – with a cost of \$12,000 per annum or 1 percent of gross revenue, in 2010 the lease was extended to

- December of 2014 with an increase in the lease price from \$12,000 per annum to \$21,710 per annum, and in 2014 the lease was extended to December of 2019.
- Based on current land values, explained Mr Russell, the current returns were not maximizing the resources for the Idaho taxpayer.
 - Mr Russell provided information on lease returns to the State and noted the potential income for the State from the sale of the golf courses would be approximately \$60,584,000.
 - Mr Russell reviewed the proposed Master Plan for the subject property: the large amount of commercial/office development – including hotels; commercial campus/mixed use; multi-family residential; and, single family residential.
 - The residential areas to the north, continued Mr Russell, would have similar uses adjacent their properties with the golf course area and single family residential.
 - All the commercial development, added Mr Russell, would be kept close to the Interstate.
 - Mr Russell noted there would be approximately 113 acres of commercial/office space, with almost 2,000,000 sq ft of building facilities – creating professional campuses for Research and Development, Technology, and uses that would create jobs in the area.
 - Centrally located, reported Mr Russell, would be mixed use, retail and restaurant facilities to serve the key transportation corridor. To separate the driving range from the campus, noted Mr Russell, a small downtown core type of area had been provided.
 - Mr Russell indicated the centrally located multi-family housing area of approximately 15.8 acres.
 - To the north, stated Mr Russell, would be the single family residential areas close to the proposed golf course. There would also be 19 acres of proposed open space and soccer fields.
 - A retirement community, with access to the golf course, was also proposed, reported Mr Russell.
 - Mr Russell advised four hotels were proposed.
 - Mr Russell discussed the proposed transit center along the UPRR in anticipation of potential future mass transit.
 - According to Mr Russell, the Job Corps facility would remain.
 - Mr Russell discussed the proposed new 18 hold golf course, the relocation of the golf clubhouse, and added the golf course would be in close proximity to the driving range and practice facility.
 - Mr Russell reviewed the architectural design guidelines to assure that architectural styles are adhered to.
 - Mr Russell stated the applicants would like to modify the Comprehensive Plan from Public Parks to Community Mixed Use, Rezone the entire property to GB-1, and, gain approval for a Planned Unit Development Permit for Residential Uses.
 - The P-U-D request, along with the Development Agreement, added Mr Russell, would allow incorporation of a residential component, within the proposed GB-1 zoning district.
 - Mr Russell noted the existing GB-1 zoning, adjacent to the east of the subject property.
 - Mr Russell referred to sections of the City of Nampa Zoning Ordinance.
 - According to Mr Russell, there would be a tax gain to the City of Nampa with approval of the proposed plan, with a projection of approximately \$17 million annually in taxes.
 - Additionally, there would be a lot of infrastructure upgrades, added Mr Russell.
 - Mr Russell stated they were well aware there would be a number of hurdles to be taken care of in the way of infrastructure development, including many of the intersections that surround the subject property.
 - Two things that would be changed related to transportation: 1) Connection of Garrity Blvd to Karcher Rd – a through road with 3 to 5 lanes, with an overpass; 2) An overpass for N 39th St, due to the fact the previously discussed interchange would not be taking place.
 - Regarding the lease situation, added Mr Russell, the State has agreed to extend the lease for the golf course land to 2019.
 - **Gunstream** inquired about the proposed 18 hold golf course and if it would be leased to the City, or privately owned.
 - **Mr Russell** replied the State Department of Health and Welfare would not be the developer of the subject property and did not know if the proposed golf course would be public or private.
 - **Rodriguez** stated the State Dept of H & W had submitted the master plan knowing that it would not coincide or be in harmony with the Nampa 2035 Comprehensive Plan.
 - **Mr Russell** replied the applicant had participated in discussions with the City of Nampa as they worked through the application process.

- **Rodriguez** suggested the Land Group, representing the Department of H & W wanted the City to amend the Comprehensive Plan and Rezone the property to GB-1 for the profit of business and the State Dept of H & W.
- **Rodriguez** considered if the State Dept of H & W wanted the profit to go back to the State Lands Dept they would have put the property up for auction, however, that process was not followed.
- **Mr Russell** responded that there were a lot of rules and regulations for the State to sell land. The applications tonight before the Planning and Zoning Commission were regarding the Comprehensive Plan Amendment to Community Mixed Use, re-zoning to GB-1, and the Planned Unit Development.
- **Rodriguez** considered the State was dealing with a community in Nampa that would be effected by the proposed plans -- which would make more money for the State but the City of Nampa taxpayers would subsidizing.
- **Mr Russell** disagreed with that comment.
- **Rodriguez** stated N 39th St was a City street and as it was only one lane would have to be expanded and the adjacent property owners would have to agree to the City purchasing their land, or under "eminent domain".
- **Mr Russell** stated that was not the direction the applicants were heading and they were fully aware that when the overpass was constructed to cross the Interstate the developers would have to purchase property on the south side of the freeway.
- **Mr Russell** reiterated, the developer of the subject property would fund the installation of the overpass.
- Discussion continued on whether the City of Nampa would have to support the development of infrastructure or the project if no one purchased the property.
- **Mr Russell** emphasized the costs for the infrastructure associated with the subject project would be borne by the developer/project and advised those conditions were in the proposed Development Agreement
- **Kehoe** inquired if the buildings related to the jail, the Job Corps and the hospital would be removed first or some time down the road.
- **Mr Russell** stated the Dept of Health and Welfare had been in discussions with the Dept of Corrections and they are fully aware of the current process. The understanding to date is that those facilities will move and the proceeds from the sale of the property would be utilized to relocate those facilities. There would be no further need for the State Hospital facilities and they would be removed.
- According to **Mr Russell**, the Job Corps would be the only facility to remain and continue to operate.
- **Kehoe** inquired what part of the proposed development would be constructed first.
- **Mr Russell** replied the next step in the process would be submittal of the Preliminary Plat that would comprise 8 to 10 mega lots. The mega lots would then require further Preliminary Plats for each mega lot.
- The idea, added **Mr Russell**, would be to start at the east end of the proposed development and then move west as things progress.
- As much of the golf course as possible would be kept in operation, until development required the courses to finish.
- **Kehoe** inquired when the two overpasses would go over the Interstate.
- **Mr Russell** stated that as each phase comes on line Traffic Impact Studies would be required and the results of those TIS statements would determine how much road infrastructure would have to be built per phase.
- **Kehoe** inquired about the proposed transit Center and **Mr Russell** advised the Transit Center was an item that had undergone a lot of discussion over the last four years and there were two different thoughts on that light rail line from one end of the valley to the other
- **Kehoe** noted discussions on a light rail line had been taking place for a long time and nothing had ever happened.
- **Myers** inquired if the applicants had considered, instead of the 39th St overpass, extending Flamingo Ave over to 11th Ave N and using the existing overpass.
- **Mr Russell** stated they had not taken that into consideration but were open to consider anything the City considered valid, and noted one of the key ideas was to have more than one crossing over the Interstate.
- **Myers** inquired if there were any historic buildings on the State Hospital site and **Mr Russell** replied the existing barn on the site was on the Historical Register and would be remaining on the site.

Karla Nelson – City of Nampa Community/Future Planner:

- **Nelson** noted the items before the Commission were: Comprehensive Plan Future Land Use Map Amendment from Public and Parks to Community Mixed Use; Rezone from AG to GB-1; and, Planned Unit Development Permit for Residential Uses at 1660 11th Ave N – a 615.6 acre parcel).

- The current uses, added Nelson, were currently residential to the north, commercial to the east and industrial to the south.
- Nelson indicated the utilities currently available to the site: domestic water lines; sewer mainline; and irrigation lines.
- Any future developer/owner of the SWITC property would connect the utility systems throughout the site with no cost to the City, and Nelson advised that condition was listed in the Development Agreement.
- In addition, there may be some additional sewer capacity improvements and transportation improvements to be borne by the developer or the owners of the property – not the City of Nampa.
- Nelson reviewed the relevant criteria for approval of the Comprehensive Plan Amendment and the rezone to GB-1, for the subject property.
- With the GB-1 zoning to the east, added Nelson, it would not be considered spot zoning.
- Nelson considered the most difficult question could be: would the Rezone to GB-1 be in the public interest, and was it reasonably necessary -- with the legality being the City does not own the golf course land.
- Many people in the community, added Nelson, had helped build the golf courses.
- The existing zoning, advised Nelson, was AG (Agricultural), and noted public buildings were a permitted use.
- Nelson reviewed the criteria for the Planning Commission to use in their decision making for the Comprehensive Plan Amendment, the Rezone to GB-1, and the Planned Unit Development (for the residential portion) application. Nelson reviewed the Development Agreement and recommended conditions of approval if the Commission determined to approve the applications. Nelson noted there could be some additional conditions of approval added by the City Council.
- Additional public hearings, reported Nelson, would be held for the Preliminary Plats.
- Gunstream questioned why the applicant had not requested specific zones, such as BC for the commercial area and RMH for the residential areas, and Nelson replied the applicant had desired the options and the mix of the P-U-D.
- Rodriguez stated he did not see a Fiscal Analysis by the City for the proposed project.
- Nelson stated that was not something the City typically performed.
- In response to Rodriguez inquiry, Nelson reiterated there would be no accepted costs by the City of Nampa, all the costs were iterated in the Development Agreement and would be paid for by the developer and not the City of Nampa.
- Rodriguez questioned if the proposed development was a good project for the City of Nampa if there were so many people opposed to it.
- Nelson stated the applications had come in for the subject property and those applications were then scheduled for the public hearing process.
- Rodriguez questioned the raise in City of Nampa residential irrigation fees and whether the domestic irrigation fees would be subsidizing commercial irrigation fees, specifically in relation to the subject development.
- Staff Engineer Badger explained the recent irrigation fee increase covered both commercial and residential properties. Badger explained the irrigation use by residential and commercial had been studied and the cost was shifted to those that use the most irrigation water – and noted with commercial properties there would be much less landscaping on their properties per acre and, therefore, they would use much less water.
- Badger advised when the project developed, the developer would pay to develop the pressurized irrigation system for the residential properties which would then be annexed into the Municipal Irrigation District and pay their fair share of irrigation fees.
- Kehoe inquired about the golf course lease that had been renewed to 2019 and inquired if the City had any recourse if the State refused to renew the golf course lease in 2019.
- Nelson considered the State had every right not to renew the golf course lease in 2019, and it could, in fact, be terminated earlier with notice from the State.

Chairman McGrath proceeded to public hearing.

Robert Willingham of 17635 N Parkdale Ave, Nampa – in favor:

- Mr Willingham stated his family had lived there for about 12 years and he had looked at the proposed Comp Plan Amendment, Rezone and PUD. He viewed those applications regarding his family's future and the future for the City.

- Mr Willingham stated if the applications were approved there would be significant taxes coming in for schools and road infrastructure.
- Mr Willingham asked the Commission to approve the applications so the site could be developed and tax revenue could come in and help the entire City.

Ron Fortner of 6970 E Greens Dr, Nampa – opposed:

- Mr Fortner stated he was President of the Men’s Golf Association and would be speaking regarding the Ridgecrest and Centennial Golf Courses.
- Mr Fortner considered the entire issue was about money.
- According to Mr Fortner, with approval of the proposed development there would be more cars, traffic, more congestion, pollution, and less recreation.
- The two proposed roads would just lead to more congestion, continued Mr Fortner.
- According to Mr Fortner, he had been an educator, teacher and coach for 47 years and over the last 30 years there had been 3000 young men and women from the local high schools and NNU playing at Centennial and Ridgecrest golf courses. If those golf courses were to be terminated then they will have nowhere to practice, hold their matches, with no alternative golf courses available.
- The young people were the future of the Nampa golf programs, and those programs also keep kids out of trouble after school.
- Mr Fortner stated that more than 300 senior citizens play at Centennial and Ridgecrest every week, coming from all over Treasure Valley.
- Mr Fortner questioned what was the focal point of Nampa, and what do you see when you drive on the freeway through Nampa – the green grass and trees of Centennial and Ridgecrest golf courses. The City has the Centennial and Ridgecrest courses featured on the City website.
- In 1987, stated Mr Fortner, the City of Nampa asked Wendell Christiansen to build a golf course, and the citizens and businesses of Nampa built the golf course – not the City.
- Mr Fortner emphasized the quality of life in Nampa was more important to him than a few extra dollars.

Richard M Lord of 213 Walnut Creek Way, Nampa – opposed but did not wish to speak.

Mike Arnell of 6856 E Greens Drive, Nampa – opposed:

- Mr Arnell considered traffic would be his first concern which will increase on Garrity Blvd to over 17,000 vehicles per day once the Stamm Apartments, St Alphonsus Hospital, Winco, Brunel Tire and CWI expand.
- The traffic on I-84 and Garrity would exceed 79,000 vehicles per day, adding thousands of additional trips to and from the proposed development.
- Also traffic on 11th Ave N will significantly increase in both directions with the proposed development and the newly constructed westbound two lane road from Idaho Center Blvd to the top of the proposed development will be hard pressed to handle westbound traffic. The east bound rush hour traffic on that roadway would become problematic as well.
- Mr Arnell cited concerns regarding hotels and the transit station traffic.
- According to Mr Arnell, the air quality in the Treasure Valley can be problematic and increased traffic over the next 20 years will worsen the air quality.
- Mr Arnell stated there was a landfill under the 10 acre site used by the Nampa Model Aviators and questioned if future construction would create an environmental concern.
- Mr Arnell considered the City of Nampa would be responsible to build and expand roads and utilities up to the proposed development and questioned how much property taxes would increase.
- Mr Arnell inquired what developer would be the financial anchor for the project and could that developer survive an economic downturn and back the project until it was finished.
- Mr Arnell asked the Commission to deny the proposal.

Gavin Powell of 17793 Polara Way, Nampa – opposed:

- Mr Powell stated he was a business owner, with 20 employees, and owned both commercial and private properties and added he was also a golfer.
- Mr Powell suggested Mr Russell’s presentation had been given as if the proposed project and relevant applications were foregone conclusions they would be approved.
- According to Mr Powell, his children had grown up on the golf course, and the high schools and college use the course for practice.

- Mr Powell discussed the inherent value of the open space which would be replaced with urban sprawl, simply for increased tax dollars.
- Mr Powell stated it was important to look at the greater good for the community, and what were valuable assets for the City -- and make decisions that provide for quality of life.

Bill Haynes of 28 N Jefferson, Nampa – opposed but did not wish to speak.

Anne DeCloss of 6775 E Greens Dr, Nampa – opposed:

- Ms DeCloss considered the importance of having a municipal golf course, where children, and high school and college students get to take advantage of the golf course. Many people do not have the money to participate on a private golf course.
- Ms DeCloss stated she had seen the many benefits of golf with her father and grandfather.
- Ms DeCloss emphasized she was concerned about the fact the City did not own the land and the State could close the golf course in 90 days.

Grace Belliston of 409 Silvertip Circle, Nampa – opposed but did not wish to speak.

Earlyn Gilbert 1012 14th Ave S, Nampa – opposed:

- Ms Gilbert concurred with comments from the earlier speakers.
- Ms Gilbert noted how much busyness would be on the hill and she disagreed with the plan.

Dave and Nancy Shepherd of 6703 E Greens Dr, Nampa – opposed but did not wish to speak.

Michael Gee of 6578 E Greens Dr, Nampa – opposed but did not wish to speak.

Margaret LaLeef of 2412 E Amity Ave, Nampa – opposed but did not wish to speak.

Robin Bruneel of 307 Ruth Ln, Nampa – opposed but did not wish to speak.

Carol Johnson of 766 S Torine Ave, Meridian – opposed but did not wish to speak

Robert DeCloss of 6775 E Greens Dr, Nampa – opposed:

- Mr DeCloss stated the presentation for the proposed project was very impressive, however, he did have some concerns.
- Mr DeCloss inquired about the Transit Station to be located near Birch Ave and 11th Ave N which might create additional traffic problems on Birch Ave.
- Mr DeCloss considered it troubling that the City did not own the land and the State could come in at any time and build anything they want.
- Mr DeCloss questioned what controls the City would have to make sure it would be a nice development for the community.

James Dean of 505 Bay Hill Dr, Nampa – opposed but did not wish to speak.

David Ferdinand of 2419 W Herron Lp, Nampa – opposed.

- Mr Ferdinand recognized it would not be an easy decision for the Planning Commission.
- Mr Ferdinand suggested the City could be building its own competition.
- If the land was sold by the State of Idaho, continued Mr Ferdinand, and not sold under auction but someone else bought it, then he was not sure how the proposed development could be guaranteed.
- Mr Ferdinand inquired, how long the development would take and what was the impact on the community.
- According to Mr Ferdinand, the community golf courses did draw economic development to the City.
- Mr Ferdinand suggested the City stop and take a look because timing was everything in development.

Leroy Horne, no address given, Nampa – opposed but did not wish to speak.

Paul Schaffeld – no address given, Nampa – opposed.

- Mr Schaffeld stated he had been on the Golf Commission for 14 years and considered there was a great quality of life in Nampa and the Ridgecrest Centennial golf courses added to that quality of life.
- Mr Schaffeld discussed the Mayor's Golf Tournament that had been going on for 10 to 12 years and discussed the scholarships from that tournament given to kids to go to college.
- According to Mr Schaffeld, money from the golf tournament was also given to Youth Golf and to the Mayor's Teen Council.
- So losing money from the Mayor's Golf Tournament would really hurt the Nampa kids.
- Rodriguez inquired if the golf courses were self-sufficient and Mr Schaffeld stated the golf courses had made money every year.
- In response to a question from Rodriguez, Mr Schaffeld advised the Golf Commission had not been in any discussions with The Land Group regarding the proposed golf course.

Bill Hattran of 833 N Bristol St, Nampa – opposed but did not wish to speak.

Randall Nye of 5143 Canary Ln, Nampa – opposed:

- Mr Nye stated Nampa was a special place and discussed many of the things the City had done over the year: to make Nampa special, such as the Recreation Center and the Civic Center.
- Ridgecrest and Centennial Golf Courses, added Mr Nye, from the very beginning and continuing on, had been a centerpiece of Nampa and something Nampa could always point to as a place of pride.
- Mr Nye stated his business was commercial real estate and with the numbers presented it seemed fairly obvious the proposed project would go through.
- However, there was more involved with the golf courses than just money and if the project does go through the personality of Nampa will change, the face of Nampa will change, and it will be a sad day for golfers and the citizens of Nampa.

Eddie Combs of 6907 E Greens Dr, Nampa – opposed but did not wish to speak.

Craig Stensgaard of 2404 S Morning Sun Ct, Nampa – opposed.

- Mr Stensgaard stated he was speaking as a citizen of Nampa, as a member of the Nampa Golf Commission, and as the Head Men's and Women's Golf Coach at Northwest Nazarene University for the past 17 years.
- The proposed plan, continued Mr Stensgaard indicated a golf course to be included in the proposed development, however, there was nothing to show a golf course would be assured to the community.
- With the requested zoning, suggested Mr Stensgaard, a private developer would have no requirement to build, or repurpose parts of two golf courses into a new golf course, with the requested zoning. Mr Stensgaard considered it was just a desire by the seller – the State of Idaho, that it would happen.
- Mr Stensgaard stated he was concerned with both the development of the golf course, and the private versus public golf course issue. Mr Stensgaard considered that issue could not be controlled by the City of Nampa after the fact.
- Mr Stensgaard noted the history of Redhawk Golf Course, which started as a private golf course, moved to semi-private and was now public again.
- Mr Stensgaard inquired if there would be the possibility of creating a specific new zoning designation designated as "Public Golf", specific to surrounding the 18 proposed holes in the plan, to assure the community of a public 18 hole golf course, rather than leaving the construction of that course and the public/versus private status to the decision of the developer.

Marlin Steed – no address given – opposed did not wish to speak.

Brian Benson of 7165 E Hampshire Ln, Nampa – opposed but did not wish to speak.

Cheryl Katich of 319 W Dewey Ave, Nampa – opposed but did not wish to speak.

Rose Nicolosi of 6904 E Greens Dr, Nampa – opposed but did not wish to speak.

James Adamowski of 6833 E Greens Dr, Nampa – opposed but did not wish to speak.

James Coffey of 2520 S Florence St, Nampa – opposed.

- Mr Coffey stated he was attending as a representative of the Nampa Senior Golf Group, comprising 150 people.
- Mr Coffey added he was also a paid member of Centennial Golf Course and noted there were hundreds of members of the Centennial and Ridgecrest Golf Courses.
- A lot of the people playing at the Centennial and Ridgecrest Golf Courses, added Mr Coffey, come from Boise, Meridian and Caldwell, and added the quality of the golf courses speak for themselves.
- According to Mr Coffey, if the plan was to do away with the two existing golf courses and develop a new one it should be kept in mind that it would take at least 10 years to develop a golf course with trees and quality.
- Mr Coffey thanked the Planning Commission members that had asked questions regarding the Master Plan submitted by the State.
- According to Mr Coffey, the proposed Master Plan had a lot of holes in it and the Commission should study the plan carefully before approving.
- Mr Coffey stated if Nampa ever decided to build another golf course, they should never, ever, build on State property again.
- Mr Coffey reiterated his opposition to the applications, at least until they have been studied much more thoroughly.

Mark K Bell of 3524 Tayten Dr, Nampa – opposed but did not wish to speak.

Karen Schumacher of 6812 View Ln, Nampa – opposed but did not wish to speak.

Sean Beck of 910 W Riverstone Ct, Nampa – opposed but did not wish to speak.

John Rybarczyk of 1310 Arlington Caldwell:

- Mr Rybarczyk stated in 1984 and 1985 there were no golf courses in Nampa, only Broadmore which was a 9 hole private golf course.
- According to Mr Rybarczyk, Wendell Christiansen – Parks and Recreation Director for years and years, spearheaded a drive of volunteers to work and build Centennial Golf Course. There are hundreds of names of volunteers on golf course plaque.
- Mr Rybarczyk stated he had been one of those volunteers and had also done a lot of advertising for them because that was Nampa needed – a golf course that could really be used.
- A few years after the golf course got going they were running 60,000 to 70,000 rounds of golf per year.
- Mr Rybarczyk stated that a past Mayor and City Council worked with the citizens and built the great golf course entirely without raising a bond, by hard work and enthusiasm, and added that he hated to see those golf courses go by the wayside.
- A City the size of Nampa, added Mr Rybarczyk, deserves a golf course for the use of their juniors, high school students, college students, business and professional people, as well as for the good of the local retirees.
- Mr Rybarczyk considered the Chamber of Commerce had been very proud to tell prospective companies and businesses that Nampa has three of the finest golf courses in the State of Idaho

Ed Fulton of 2019 W Blossom Ave, Nampa – opposed but did not wish to speak.

Stephen R Roy of 1306 Virginia Circle, Nampa – opposed but did not wish to speak.

Clinton A Beers of 432 W Colorado, Nampa – opposed but did not wish to speak.

Brian Proehl of 8207 E McKenzie St, Nampa – opposed but did not wish to speak.

Kimberly Callaghan of 16697 N Yorkshire Ln, Nampa – opposed but did not wish to speak.

Bruce Wethered - no address given - opposed but did not wish to speak.

Debra Frost of 16463 11th Ave N, Nampa – opposed but did not wish to speak.

Mike Peters of 6795 E Greens Dr, Nampa – opposed but did not wish to speak.

Hal Poarch of 2110 Ranch Rd, Nampa – opposed but did not wish to speak.

Hubert Osborne of 4199 E Switzer Way, Nampa – undecided but did not wish to speak.

Mike DeArmand of 7802 S Saddle Bag Way, Nampa - opposed:

- Mr DeArmand stated he wanted to talk about process – and the fact the applicants and not the people of Nampa had determined the highest and best use of the golf course property.
- Mr DeArmand suggested the purchaser of the State property should come in with a master plan because then there would be control. Mr DeArmand stated there was no control with the current plan.
- Mr DeArmand considered the land did not belong to the Department of Health and Welfare because the Deeds he reviewed at the Canyon County Assessor's Office indicated the State of Idaho, and not the Department of Health and Welfare were the owners.
- Mr DeArmand referred to State Code regarding sale of land.
- Rodriguez referred to Mr DeArmand's e-mail to the Planning Commission regarding a Ten Mile Interchange and Mr DeArmand considered the Overpass would also cost about \$10 million.

Mark Bell of 427 W Island Ct, Nampa – opposed.

- Mr Bell concurred with the earlier speakers.
- Mr Bell stated he had lived in Nampa for 6 years, and prior to that lived in Oregon for 35 years.
- Mr Bell stated he did not understand the tax revenue argument because if the population was going to continue to grow, businesses will continue to come to Nampa. If a business does not locate here it will locate somewhere else.
- At the present time, people driving by can tell they are in Nampa when they see the golf courses.

Donnie Gregerson of 1107 Winther Ave – opposed but did not wish to speak.

Archie Yamamoto of 8434 Hwy 20-26, Nampa – opposed but did not wish to speak:

Jeremy Powers of 1465 Deer Crest St, Meridian – opposed but did not wish to speak.

Tim Bensley of 974 N Colchester Dr, Nampa – opposed but did not wish to speak.

Tanya Pesaturo of 16817 N Kettering Ln, Nampa – opposed but did not wish to speak.

Nicole Bradshaw of 1916 Fillmore St, Caldwell – opposed.

- Ms Bradshaw stated she lived in Caldwell, but was a business person in the City of Nampa.
- Ms Bradshaw added she was the Chair for the Chamber of Commerce, but was representing herself and her family at tonight's meeting.
- According to Ms Bradshaw, we are losing our green space. While traveling to different cities and towns it became evident it was very difficult to find a public golf course, and that was where the City of Nampa would be heading.
- Ms Bradshaw reiterated that losing the Ridgecrest and Centennial golf courses would also be losing City green space and it was very important to maintain those green spaces in the City of Nampa. Ms Bradshaw questioned if, under the proposed development, there would be any guarantee a golf course or park space would be included.

Lee Bradshaw of 1916 Fillmore St, Caldwell – opposed:

- Mr Bradshaw stated his opposition to the applications before the Commission.
- Mr Bradshaw concurred with comments from the previous speakers.
- Mr Bradshaw stated the Commission should consider that once a decision was made to go forward with the proposed development and the golf courses are gone, then they are gone.
- The proposed development, continued Mr Bradshaw had a lot of things that everyone liked, but it would be up to the developer on how it would be developed.
- Mr Bradshaw questioned the figures regarding land values presented by the applicant, and added there was no buyer for the property at this time.

- Nampa, emphasized Mr Bradshaw, was known for its golf courses.

Scott Myers of 1304 N 39th St, Nampa – opposed.

- Mr Myers spoke in opposition.

Sherrel Myers of 1304 N 39th St, Nampa – opposed but did not wish to speak.

Pierce Bradshaw of 1916 Fillmore St, Caldwell – opposed but did not wish to speak.

Dale Nordstrom of 524 Fletcher Dr, Nampa – opposed but did not wish to speak.

Eddie Combs of 6907 E Greens Dr, Nampa – opposed:

- Mr Combs voiced concern regarding what was happening to the golf courses.
- According to Mr Combs, he moved to Nampa in the early 1950s, and noted a portion of the golf course had been a garbage dump at that time.
- Mr Combs emphasized he had concerns with the traffic, the schools, the congestion, and the streets to access the freeway.
- Mr Combs noted how the freeway from Meridian currently narrowed down from four lanes to Nampa, then to three lanes, and then down to two lanes, and suggested the proposed development would incur major expense to take care of all the traffic issues.
- With the expansion of St Alphonsus, Win-Co, and CWI there would already be an increase in traffic.
- According to Mr Combs, they had built their house on the golf course side of The Greens at Ridgecrest 12 years ago to spend their retirement and he hated to see anything happen to that golf course.

Gale and Kathleen Mekelburg of 16433 N Golfview Ct, Nampa – opposed but did not wish to speak.

James and Kathleen Peterson of 16443 N Golfview Ct, Nampa – opposed but did not wish to speak.

William Nichols of 11204 W Victoria Dr, Nampa – opposed.

- Mr Nichols stated he was not a golfer and did not live close to the subject golf courses.
- Mr Nichols referred to his letter to the Commission dated July 12, 2016.
- It was his understanding, stated Mr Nichols, the Dept. of Health and Welfare had been considering the idea for the proposed project for 10 years.
- Mr Nichols referred to the City of Nampa Comprehensive Plan 2035, adopted in 2012 and noted the State Dept. of H & W had not come forward at that time to request a change for the subject property. The only thing different was the fact the State Dept. of H & W now has a plan and they want to get rid of some property.
- Mr Nichols considered there had not been a real change in the community that would warrant the proposed plan.
- Additionally, stated Mr Nichols, the City had a responsibility to some of the existing developers that had already received approval and noted the Gateway Center was half empty, and other projects that were still undeveloped, and considered there were a lot of potential developers that should be considered.
- Changing the zoning as requested, continued Mr Nichols, will make it very difficult to walk back that change at a later time.
- Mr Nichols noted the existing AG zone would allow for a number of different uses on the subject property but he did not think the State would be putting up public buildings.
- The suggestion was made by Mr Nichols that the Commission carefully go through the conditions of approval and look at every single part of the Development Agreement to make sure it was very tight, so that when a developer bought the property the development represented today would be the development that would be built.
- Mr Nichols asked for the Commission to consider prioritizing the timing some of the infrastructure to go in first, rather than waiting for a Traffic Impact Study.
- Rodriguez inquired if Mr Nichols considered the proposed development project would harm the Downtown Nampa businesses.
- Mr Nichols stated he was not qualified to offer an opinion regarding that issue.

- The proposed project, continued Mr Nichols, was a brand new development, similar to the nearby Gateway Center and completely different from downtown.

John Balsillie of 6874 E Greens Dr, Nampa – undecided but did not wish to speak.

Phyllis Charters of 16401 Putting Ct, Nampa – Undecided

- Ms Charters stated she understood they would be expanding the 11th Ave N overpass which would carry 18 wheelers and large trucks. At the intersection of Birch Lane and 11th Ave N was the Greens at Ridgecrest Subdivision and Birch Elementary School. Ms Charters stated they had been trying for a long time to get a traffic light, or even a crosswalk at the intersection so the children going to school could cross safely and that had not yet been accomplished.
- Ms Charters considered the school should have a “No Truck Zone”.
- The new subdivisions, the nearby college and the apartments had generated a tremendous amount of traffic to Birch Ln, stated Ms Charters, and the City should look at the existing road infrastructure and traffic before adding more with the proposed development.
- Ms Charters inquired about walking paths, green belts and parks for the subject property.

Mr Russell

- Mr Russell responded to comments received during the public hearing.
- Regarding coordinating with the Comprehensive Plan 2035 that was adopted in 2012, Mr Russell advised they had been in the early stages of the proposed development at that time and the City made the decision to pull that area out of the plan.
- Mr Russell noted there had been several meetings with the Mayor, and several meetings with the State Legislature, several meetings with the Governor’s office, and several meeting with various agencies of City Government, and it was definitely a project that was being driven by the executive branch of the State Government and the Department of Health and Welfare. It seemed to be pretty clear that the State Dept. of Health and Welfare did own and operate the subject property. Mr Russell added they had been asked to move the project forward by the State.
- Mr Russell referred to previous questions indicating the City would be required to subsidize future transportation improvements, utility infrastructure, etc,
- Mr Russell emphasized it was important to understand one of the reasons the applications were before the City was to make sure the Dept. of Health and Welfare appropriately handled their resources in favor of the Idaho taxpayers.
- Mr Russell reviewed the history of the leases on the subject property and advised the reality was that the State of Idaho had been subsidizing golf, with very inexpensive leases.
- The leases are now up, added Mr Russell, and the State has the responsibility to the taxpayers – and referred to State Code regarding the sale of properties when the department was not needful for the operation of the same.
- The Dept. of Health and Welfare, continued Mr Russell, has clearly identified the fact the hospital facility on the site was no longer needed and also recognized the fact the land has much more value than the \$43,000 a year the lease payments are providing.
- Mr Russell reiterated it was not the intent of the State to burden the City of Nampa residents with the cost of infrastructure.
- According to Mr Russell, the applicants had been working on the proposed development for four years and the reason the project was moving slowly was because the applicants had been very thoughtful and careful in their approach to design and making sure all the bases were covered.
- The idea, added Mr Russell, was not to push the golf courses out but to move through the process for a gateway, critical, strategic, piece of land in the City of Nampa.
- Mr Russell considered that who may or may not operate the golf course in the future was not a threat but was simply an unknown.
- The 615 acre master plan, continued Mr Russell, was not something that happened overnight and considered that a planned development was much better than sporadic development in various areas of the City, especially in light of utility infrastructure and transportation.
- Chairman McGrath inquired about the location of the old landfill.
- The old landfill, replied Mr Russell, was located directly underneath the hobby air strip and in the master plan the proposed golf course clubhouse and parking areas may encroach into that area.

- The air strip, added Mr Russell, was not included in the overall master plan because the City chooses not to include it.
- Mr Russell reiterated they were aware of the landfill and where it was located.
- Kehoe noted the concern of the public regarding no guaranty the golf course would actually be built.
- Mr Russell responded to the question regarding the State receiving approvals for the plan and then just walking away, and the future buyer not having to comply with the proposed plan.
- Mr Russell emphasized the intent was to get the entitlements for the master plan as requested and those entitlements would run with the land, the master plan, the zoning, as well as the approved P-U-D and would be tied to a Development Agreement, along with the design guidelines. Anyone, stated Mr Russell, whether the State or a private buyer, if they decide to move forward with the development they would be required to develop under the direction of the master plan.
- The master plan, continued Mr Russell, was definitely conceptual in nature, and there were things that could be revised in the process, but it was important the development stick with the square footages and densities as proposed and generally laid out as depicted.
- Today, reiterated Mr Russell, the applicants were requesting recommendation for approval of the Comprehensive Plan Amendment, and the Rezone from AG to GB-1, as well as approval of the P-U-D.
- Mr Russell stressed he had been directed by his client, the State Dept. of Health and Welfare, to make sure a golf component was kept in the proposed development, even though it had not been determined as yet if it would be a private or public golf course, it would be an element within the project – and would be an excellent amenity for the proposed type of development.

Randy Aldridge of 1715 S Edwards Dr, Nampa – opposed.

- Mr Aldridge inquired about the proposed Transit Center and noted it had cost the UPRR so much money to run the Boise Branch line, they sold it to a private railroad.
- Mr Aldridge inquired who would be maintaining the Transit Center and the branch line to Boise.

Mr Russell responded to questions regarding the Transit Center.

- Mr Russell confirmed that the UPRR does still own the right-of-way and has the last say in the running of the Transit Center.
- According to Mr Russell, the UPRR was not allowing any more ground level crossings and that was why the proposed development had an overpass over the railroad. The ground crossing would be kept at the north end of the subject property.
- Mr Russell stated it was his understanding the UPRR owns the right-of-way and WATCO in Boise operates the line.
- Regarding the termination of the leases for the golf courses, continued Mr Russell, those leases could be cancelled at any time by written mutual agreement.

Scott Myers of 1304 N 39th St, Nampa – opposed:

- Mr Myers referred to the proposed overpass at N 39th St.
- According to Mr Myers, N 39th St at the present time was very, very narrow and inquired if there would be a stop light at N 39th and Garrity Blvd.
- Mr Myers stated his house was located very close to N 39th St and the hospital would be locating very close to the back of his property and questioned if the front of his property would be taken to widen N 39th St.
- Mr Myers had questions regarding the time frame on the widening and whether the State or the developer would be widening N 39th St.
- Mr Myers stated some real answers were needed on the questions raised.
- According to Mr Myers, with the approval of the proposed development, downtown Nampa would die.

City Engineer Points:

- Regarding Garrity Blvd and N 39th St, Points stated a separate developer with the St Alphonsus expansion, would be putting in a signal for that project.

Kehoe motioned and Rodriguez motioned to close public hearing. Motion carried.

- Rodriguez listed his concerns regarding the proposed development: 1) traffic, businesses, especially downtown Nampa or local, will suffer; 3) air quality; 4) solid waste; 5) infrastructure costs; 6) tax

increases; 7) loss of open space; 8) needing a municipal golf course for those who are less fortunate, children and seniors; 9) anti-transit; 10) building for the competition and damaging local businesses; 11) it is not in the best interest of the City of Nampa; 12) quality of life; 13) the personality of Nampa 14) it is not in the best interest of the City of Nampa taxpayers; 15) traffic congestion; 16) land use issues; and, 17) the surrounding landowners do not know what will happen to this property.

- Kehoe stated he was on the Comprehensive Plan 2035 Committee and heard nothing about the golf course project at that time.
- Kehoe explained it was his understanding from being on the Committee that the Comprehensive Plan was a living document, with the idea that things could change.

- Gunstream considered the decision before the Commission did not come easily.
- According to Gunstream, he was 17 when he helped plant trees at the golf course.
- Everyone, added Gunstream, defines quality of life differently.
- Gunstream considered the master plan conceptually fits with a huge development and noted it could take two years to develop Phase 1, another 4 years for Phase 2, and up to 15 to 20 years to develop from start to finish.
- According to Gunstream, the proposed project defines quality for many different people and noted how Nampa had progressively changed.

- Chairman McGrath noted the Commission had listened to a lot of testimony and what their town means to each person.
- However, added Chairman McGrath, the Commission has to be impartial.
- The State, being the landowner, added Chairman McGrath, was responsible to several million people, the citizens of the State of Idaho, and has to maximize the use of the subject land to benefit the entire State of Idaho. Change is hard, added Chairman McGrath.
- Chairman McGrath questioned whether the proposed development would negatively impact the downtown businesses.
- The Commission, added Chairman McGrath, was looking specifically at the Comprehensive Plan Amendment to Community Mixed Use; the Rezone from AG to GB-1; and the Planned Unit Development Permit.

- Myers stated he also moved to Nampa in 1992 and played both golf courses over the years.
- Myers added his parents had moved here a few years ago into the Greens at Ridgecrest Subdivision.
- The bottom line, stated Myers, was the City of Nampa did not own the golf course land and the City missed the boat a long time ago with the golf courses.
- The reality is, added Myers, the lease would be up in 2019.
- Myers stated that the proposed plan was a development the City could be proud of for generations to come and was thankful they would be keeping a portion of the land as a golf course.
- Myers stated he would like to see stronger language regarding enforcing the provision of a golf course in the Development Agreement and to retain the golf course as a public course.

Rodriguez motioned and Kropp seconded to: 1) Deny the application for a Comprehensive Plan Future Land Use Map Amendment from Public and Parks to Community Mixed Use; 2) Deny the application for Rezone from AG to GB-1 PUD; and, 3) Deny the application for a Planned Unit Development Permit to allow residential uses in a GB-1 zone; all for 1660 11th Ave N (615.6 acre parcel of land in Sections 11, 12, 13 and 14 T3N R2W BM) for Doug Russell representing the Land Group Inc, for the Idaho Department of Health and Welfare.

Motion failed with Rodriguez and Kropp in favor of the motion and Gunstream, Kehoe, Myers and Sellman opposed.

Gunstream motioned and Kehoe seconded to recommend to City Council approval of the Comprehensive Plan Future Land Use Map Amendment from Public and Parks to Community Mixed Use for 1660 11th Ave N (A 615.6 acre parcel of land located in Sections 11, 12, 13 and 14

T3N R2W BM in Canyon County) for Doug Russell representing The Land Group Inc, for the Idaho Department of Health & Welfare:

Motion carried with Gunstream, Kehoe, Myers and Sellman in favor and Kropp and Rodriguez opposed.

Gunstream motioned and Kehoe seconded to recommend to City Council approval of the Rezone from AG to GB-1 for 1660 11th Ave N (A 615.6 acre parcel of land located in Sections 11, 12, 13 and 14 T3N R2W BM, Canyon County), for Doug Russell representing the Land Group Inc, for the Idaho Department of Health & Welfare, subject to:

- 1. The project shall be developed in substantial conformance with the site plan. The owner shall have limited flexibility to develop the Property to meet market conditions.**
- 2. Design guidelines 03.2 through 03.6 outlined in the Southwest Idaho Treatment Center Conceptual Master Plan Final Report dated July 2013 shall be followed with substantial conformance. The owner shall have limited flexibility to develop the Property to meet market conditions.**
- 3. Up to 20% of the gross land area may be directed to uses not typically allowed in the GB-1 district, based on the proposal, the use exceptions will be residential.**
- 4. Individual uses and structures in the P-U-D need not comply with the specific regulations of the underlying GB-1 district provided the requirements in (10-26-4 and 10-26-6) are adhered to, specifically:**
 - a) Fire Regulations: where two walls oppose each other minimum separation shall be required by City fire regulations.**
 - b) Light and Air: Building spacing may be reduced where there are no windows or very small window area and where rooms have adequate provisions for light and air from another direction.**
 - c) Building Separation: Any detached structure shall be set at least six feet apart.**
 - d) Parking Space Clearance: Any garages, carports or parking pads shall be no closer to the drive, street or ally which they access, than twenty feet.**
 - e) Access: Access to a public street is assured to each and every building lot/parcel by recorded easement.**
 - f) Setback: At least five feet is maintained between any detached structure and a side or rear building lot property line.**
 - g) Height of Buildings: Building heights, if increased beyond that normally allowed in the zone in which the PUD is located are not increased by more than two 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.**
 - h) Reduced Property Area: For a structure it is sufficient to fully contain that structure on a single lot/parcel.**
 - i) Zero Lot Line Structure Placement(s): Zero lot line construction is allowed provided the following requirements are met:**
 - i. In the case of common wall construction all applicable City, State and Federal building regulations shall be complied with.**
 - ii. 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.**
 - iii. Adjoining lot shall provide a five foot maintenance easement on the zero lot line side.**
- 5. This is a long term development project that will be phased and implemented over an extended period of time. All land divisions of any size or kind shall be required to go through the City's preliminary and final plat process even if the size of the parcels might otherwise qualify for an exemption from the platting process. Platting shall include a compliance review with all applicable master plans, including the potential development of new master plans as well as review of roadways and utility infrastructure.**
- 6. Owner/Developer shall, upon finalization of the Comprehensive Plan Amendment and Rezone, submit to City for review and approval a Preliminary Plat which identifies mega lots and proposed phases. This application shall include submittal of a study for buildout impacts and transportation needs as well as initial major infrastructure required upon implementation of each phase or mega lot. The study shall look specifically at required sewer**

main, water main, pressurized irrigation, and roadway infrastructure within the development which connects to adjacent City facilities off site, as well as intersections within the impact area. A utility and roadway master plan for the Project shall be included as part of this submittal. All infrastructure shall be sized as required for final build out and shall be based on a comprehensive review of existing infrastructure needs.

7. The parties recognize and Owner/Developer accepts that major infrastructure improvements will be required in order for the Conceptual Plan to be implemented consistently with the scope of this Agreement. The parties recognize that some infrastructure will be required immediately and other improvements may not be required until later phases. Owner/Developer accepts and shall construct the following as required infrastructure components:
 - a) Create a continuous four or five lane roadway (“New Roadway”) through the project that connects to the intersection of Idaho Center Boulevard and Franklin Road on the east and to Karcher road on the west. Specific improvements include widening the current Ridgecrest Drive to four lanes from Idaho Center Boulevard to the eastern boundary of the Project; constructing a bridge from the western-most boundary of the Project over the irrigation canal and Union Pacific Railroad line to connect with Karcher Road.
 - b) Construct a north-south roadway from the New Roadway to connect with North 39th St south of Interstate 84, specifically including a minimum two-lane overpass over Interstate 84 complete with bicycle lanes and sidewalks per City requirements at the time of construction.
 - c) Intersection improvements at Karcher Road and Franklin Boulevard including but not limited to signalization or construction of a roundabout.
 - d) Intersection improvements at North 39th Street and Flamingo including but not limited to signalization or construction of a roundabout.
8. The parties recognize and Owner/Developer accepts that roadway impacts of the Project extend well beyond the perimeter of the Project. Owner/Developer and city agree that at a minimum, twenty-one intersections and connecting roadways will be directly impacted by the Project. Owner/Developer shall, at a minimum, address all of them in all Traffic Impact Studies (“TIS”) prepared in compliance with this Agreement.
9. Owner/Developer shall prepare a TIS consistent with City’s TIS policy whenever required by City as a component of each preliminary and final plat application noted above.
10. Owner/Developer shall at a minimum implement the following Water Utility improvements:
 - a) Install a network of mainlines through the development. Specific configuration shall be determined at the time of Preliminary Plats.
 - b) Install pressure reducing valves at the connections from the mainline network in the Project to the existing City water system at Karcher Road and 11th Avenue North.
 - c) Dedicate a 2 acre parcel for future water tank site; tank site shall be dedicated to the City by 2018. Site shall be located in the higher elevations of the development.
11. Owner/Developer shall implement one of the following Pressure Irrigation improvements:
 - a) Maintain the existing system as a private system and install a private distribution network to provide service to all lots; or
 - b) Upgrade the existing pressure irrigation facilities to meet City standards; installing public mainlines to provide service to all lots; and dedicating the system to the City.
12. Prior to submittal of a Preliminary Plat application, Owner/Developer shall engage in a sewer master planning exercise with the City of Nampa to help determine long range infrastructure needs associated with the implementation of this project. Costs associated with the sewer master plan update are estimated at \$8000 and shall be paid by the Owner/Developer for any planning associated with bringing the project on line.
13. Owner/Developer shall implement the following Gravity Irrigation improvement;
14. Provide for the continuation of all gravity irrigation supply and waste which enters and exits the site.
15. Construction of the overpass to E Karcher Road shall be designed to perpetuate all existing driveway accesses.

Motion carried with Gunstream, Kehoe, Myers and Sellman in favor and Kropp and Rodriguez opposed.

Chairman McGrath adjourned the meeting.

Rodriguez motioned and Gunstream seconded to reconvene the Planning and Zoning Commission meeting. Motion carried.

Gunstream motioned and Kehoe seconded to approve the Planned Unit Development Permit for residential uses at 1660 11th Ave No. (A 615.6 acre parcel of land located in Sections 11, 12, 13 and 14 T3N R2W BM, Canyon County), for Doug Russell representing The Land Group, Inc, for the Idaho Department of Health and Welfare, subject to

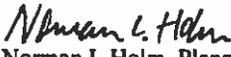
1. The project shall be developed in substantial conformance with the site plan. The owner shall have limited flexibility to develop the Property to meet market conditions.
2. Design guidelines 03.2 through 03.6 outlined in the Southwest Idaho Treatment Center Conceptual Master Plan Final Report dated July 2013 shall be followed with substantial conformance. The owner shall have limited flexibility to develop the Property to meet market conditions.
3. Up to 20% of the gross land area may be directed to uses not typically allowed in the GB-1 district, based on the proposal, the use exceptions will be residential.
4. Individual uses and structures in the P-U-D need not comply with the specific regulations of the underlying GB-1 district provided the requirements in (10-26-4 and 10-26-6) are adhered to, specifically:
 - a) Fire Regulations: where two walls oppose each other minimum separation shall be required by City fire regulations.
 - b) Light and Air: Building spacing may be reduced where there are no windows or very small window area and where rooms have adequate provisions for light and air from another direction.
 - c) Building Separation: Any detached structure shall be set at least six feet apart.
 - d) Parking Space Clearance: Any garages, carports or parking pads shall be no closer to the drive, street or ally which they access, than twenty feet.
 - e) Access: Access to a public street is assured to each and every building lot/parcel by recorded easement.
 - f) Setback: At least five feet is maintained between any detached structure and a side or rear building lot property line.
 - g) Height of Buildings: Building heights, if increased beyond that normally allowed in the zone in which the PUD is located are not increased by more than two 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.
 - h) Reduced Property Area: For a structure it is sufficient to fully contain that structure on a single lot/parcel.
 - i) Zero Lot Line Structure Placement(s): Zero lot line construction is allowed provided the following requirements are met:
 - i. In the case of common wall construction all applicable City, State and Federal building regulations shall be complied with.
 - ii. 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.
 - iii. Adjoining lot shall provide a five foot maintenance easement on the zero lot line side.
5. This is a long term development project that will be phased and implemented over an extended period of time. All land divisions of any size or kind shall be required to go through the City's preliminary and final plat process even if the size of the parcels might otherwise qualify for an exemption from the platting process. Platting shall include a compliance review with all applicable master plans, including the potential development of new master plans as well as review of roadways and utility infrastructure.
6. Owner/Developer shall, upon finalization of the Comprehensive Plan Amendment and Rezone, submit to City for review and approval a Preliminary Plat which identifies mega lots and proposed phases. This application shall include submittal of a study for buildout impacts and transportation needs as well as initial major infrastructure required upon implementation of each phase or mega lot. The study shall look specifically at required sewer main, water main, pressurized irrigation, and roadway infrastructure within the

development which connects to adjacent City facilities off site, as well as intersections within the impact area. A utility and roadway master plan for the Project shall be included as part of this submittal. All infrastructure shall be sized as required for final build out and shall be based on a comprehensive review of existing infrastructure needs.

7. The parties recognize and Owner/Developer accepts that major infrastructure improvements will be required in order for the Conceptual Plan to be implemented consistently with the scope of this Agreement. The parties recognize that some infrastructure will be required immediately and other improvements may not be required until later phases. Owner/Developer accepts and shall construct the following as required infrastructure components:
 - a) Create a continuous four or five lane roadway (“New Roadway”) through the project that connects to the intersection of Idaho Center Boulevard and Franklin Road on the east and to Karcher road on the west. Specific improvements include widening the current Ridgecrest Drive to four lanes from Idaho Center Boulevard to the eastern boundary of the Project; constructing a bridge from the western-most boundary of the Project over the irrigation canal and Union Pacific Railroad line to connect with Karcher Road.
 - b) Construct a north-south roadway from the New Roadway to connect with North 39th St south of Interstate 84, specifically including a minimum two-lane overpass over Interstate 84 complete with bicycle lanes and sidewalks per City requirements at the time of construction.
 - c) Intersection improvements at Karcher Road and Franklin Boulevard including but not limited to signalization or construction of a roundabout.
 - d) Intersection improvements at North 39th Street and Flamingo including but not limited to signalization or construction of a roundabout.
8. The parties recognize and Owner/Developer accepts that roadway impacts of the Project extend well beyond the perimeter of the Project. Owner/Developer and city agree that at a minimum, twenty-one intersections and connecting roadways will be directly impacted by the Project. Owner/Developer shall, at a minimum, address all of them in all Traffic Impact Studies (“TIS”) prepared in compliance with this Agreement.
9. Owner/Developer shall prepare a TIS consistent with City’s TIS policy whenever required by City as a component of each preliminary and final plat application noted above.
10. Owner/Developer shall at a minimum implement the following Water Utility improvements:
 - a) Install a network of mainlines through the development. Specific configuration shall be determined at the time of Preliminary Plats.
 - b) Install pressure reducing valves at the connections from the mainline network in the Project to the existing City water system at Karcher Road and 11th Avenue North.
 - c) Dedicate a 2 acre parcel for future water tank site; tank site shall be dedicated to the City by 2018. Site shall be located in the higher elevations of the development.
11. Owner/Developer shall implement one of the following Pressure Irrigation improvements:
 - a) Maintain the existing system as a private system and install a private distribution network to provide service to all lots; or
 - b) Upgrade the existing pressure irrigation facilities to meet City standards; installing public mainlines to provide service to all lots; and dedicating the system to the City.
12. Prior to submittal of a Preliminary Plat application, Owner/Developer shall engage in a sewer master planning exercise with the City of Nampa to help determine long range infrastructure needs associated with the implementation of this project. Costs associated with the sewer master plan update are estimated at \$8000 and shall be paid by the Owner/Developer for any planning associated with bringing the project on line.
13. Owner/Developer shall implement the following Gravity Irrigation improvement;
14. Provide for the continuation of all gravity irrigation supply and waste which enters and exits the site.
15. Construction of the overpass to E Karcher Road shall be designed to perpetuate all existing driveway accesses.

Motion carried with Gunstream, Kehoe, Myers and Sellman in favor and Kropp and Rodriguez opposed.

Meeting adjourned at 11:30 p.m.


Norman L. Holm, Planning Director

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