

**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

Chairman McGrath called the meeting to order at 6:40 p.m.

Approval of Minutes. Kropp motioned and Sellman seconded to approve the Minutes of the June 28, 2016 Planning and Zoning Commission meeting.

Report on Council Actions. There were no City Council members present.

Assistant Planning Director Hobbs stated City Council, on their July 5, 2016 meeting, approved the Vacation of Easement for 6866 E Roxi Cove Ct for Caron Denet, representing Kevin Lloyd.

Chairman McGrath proceeded to the business item on the agenda.

Subdivision Final Plat Approval for Sonata Pointe Subdivision No. 1 in an RS-7 zoning district on the south side of W Lone Star Rd, west of Lone Star Middle School (47 single family residential lots on 15.23 acres, 3.09 dwelling units per acre – situated in the NE ¼ of Section 30 T3N R2W BM) for Challenger Development (SPF 012-16)

Assistant Planning Director Hobbs:

- Hobbs stated Staff had reviewed the Final Plat and found the Final Plat to be in care and keeping with the Preliminary Plat in all respects, conforms to the RS-7 zoning standards, as well as City of Nampa Subdivision standards.
- Hobbs reviewed the Staff Report and recommended conditions of approval.

Gunstream motioned and Sellman seconded to approve the Final Plat for Sonata Pointe Subdivision No. 1, located on 15.23 acres, on the south side of W Lone Star Rd, west of Lone Star Middle School, for Challenger Development, subject to:

1. **Compliance with all City department/division or outside agency requirements pertinent to this matter. This is to include any extant but applicable conditions from prior approvals for this subdivision as iterated in correspondence on file with the City pertaining to Sonata Pointe Subdivision.**
Specifically,
 - a) **Compliance with the requirements listed in the June 20, 2016 memorandum from the Nampa Engineering Division authored by Daniel Badger.**
2. **The water system for the Project shall be completely installed and able to deliver water prior to any building permits being issued within the Development. The water shall be sufficient in volume and pressure to provide sufficient adequate fire suppression for the Development in accordance with Fire Department policy or International Fire Code requirements as applicable.**

3. Correct any spelling, grammar and punctuation and numbering errors that may be evident on the plat face and/or in the proposed Project plat development notes.
4. Developer/Development shall comply with City of Nampa landscape standards as applicable to the subdivision, to include internal street tree planting and periphery landscape corridor landscape requirements.
5. Developer's engineer shall incorporate required plat revisions onto the final Mylar version of the same and revise the Project's landscape plan as required. A copy of a/the final landscape plan shall be remitted to Staff in conjunction with the Mylar submittal following Council approval of the final plat.

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

Public Hearing No. 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 Ave. (A 1.655 acre portion of Section 2 T3N R2W, NE ¼ BM, Westview Subdivision Lot 4 North of the Canal, less Tax 1 and 10 in NW ¼, NE ¼) for Dean and Daren Anderson (CMA 026-16, ZMA 015-16)

Chairman McGrath proceeded to public hearing.

Dean Anderson of 3100 Crescent Rim, Boise – applicant:

Daren Anderson of 1104 Imperial Ln, Boise – applicant:

- Dean Anderson stated they were applying for the Rezone to RMH in order to provide 30 high-end luxury apartments
- Dean Anderson indicated pictures of a similar apartment complex in Boise – Depot Lofts at the end of Vista, near the Depot.
- Daren Anderson presented pictures of building elevations that would be similar to the proposed project.
- Daren Anderson noted the building elevation for the back of the building that would face the canal.
- Daren Anderson indicated the location of the proposed 12 unit building and the 18 unit building.
- The preliminary site plan was presented by Daren Anderson, showing the back of the larger building along the canal.
- The locations of the proposed double and single car garages were noted by Daren Anderson.
- **Rodriguez** inquired on the number of people that would be living in the proposed development.
- **Daren Anderson** stated he did not know the number of people that would be living there but there would be 15 one bedroom units, and 15 two bedroom units.
- **Rodriguez** inquired if there was an additional exit that would accommodate better traffic flow, other than the one entry way shown off of W Orchard Ave.
- **Daren Anderson** stated there would be one exit and one entrance, and added there would also be a full circle turnaround to accommodate fire trucks and other larger vehicles.
- **Rodriguez** inquired about an emergency exit and Daren Anderson replied there was no exit at the back because of the canal.
- **Daren Anderson** stated the architects had looked into the ingress and egress requirements for emergency vehicles and the residents, and had taken that into consideration with the proposed site plan.
- Additionally, stated Daren Anderson, another architect and civil engineer would be going over the proposed site design to make sure everything was up to Code and safe.

Assistant Planning Director Hobbs:

- Hobbs noted the applicants had applied for both a Comprehensive Plan Future Land Use Map Amendment to High Density Residential, as well as the Rezone to RMH.
- Hobbs reviewed the Staff Report and recommended conditions of approval.
- The Comprehensive Plan Map Amendment, continued Hobbs, was necessary in order to provide the underlying Comprehensive Plan support for the Rezone request to RMH.
- Hobbs reported the subject property was currently within a Commercial Comprehensive Plan Future Land Use Map designation, with Commercial designation also to the north, northwest and east.

- Hobbs reviewed the history of the State Code regarding Comprehensive Plan Amendments.
- The subject property, added Hobbs, was currently zoned RML on the north portion of the property, and RS-6 on the south side of the property. The zoning to the south was RS-6 – comprising single family residential homes, to the west was RS-6 and RML – with Nampa Christian School, RML to the northwest – with apartments, to the north BC and to the east BC – with the gas station on the corner of W Orchard Ave and Caldwell Blvd.
- According to Hobbs, the RMH zoning designation would allow for high density residential, and would also allow for buildings taller than 30 ft in height.
- Hobbs suggested the City Council would probably require the applicant to enter into a Development Agreement in order to control the density.

Chairman McGrath proceeded to public testimony:

Steve Van Atter – 15 Ord Blvd, Nampa – undecided:

- Mr Van Atter stated he had a couple of concerns.
- One concern, stated Mr Van Atter, was for some kind of sound barrier that would reduce the sound from the apartments across the canal.
- According to Mr Van Atter, the noise level from Caldwell Blvd was already pretty bad and adding more people could create a problem.
- The other concern, added Mr Atter, was the fact the traffic backed-up on Orchard Blvd from the lights at Caldwell Blvd in the morning, and considered adding more residential units in the proposed apartments would create more of a problem.

Daren Anderson:

- Regarding the noise from Orchard Ave, stated Mr Anderson, the apartment buildings would create a great sound barrier from both the apartment parking lot as well as W Orchard Ave.
- As far as the noise from Caldwell Blvd, continued Mr Anderson, the proposed apartment buildings would not help or hurt that noise.
- The back of the 18 unit apartment building would face the canal and the properties to the south, stated Mr Anderson, and the noise from the parking area would be blocked by the apartment complex.
- **Chairman McGrath** inquired what kind of fencing for safety would be place along the canal portion of the property.
- **Mr Anderson** replied they were proposing a 6 ft wrought iron fence that would allow vision but still block access to the canal.

Kropp motioned and Rodriguez seconded to close public hearing. Motion carried.

- **Rodriguez** noted the Nampa Christian School was located immediately to the west and questioned if there should be a Traffic Impact Study regarding the proposed rezone and apartment development.
- **Hobbs** replied the Engineering Division had indicated that per their standards, a Traffic Impact Study was not required at this time.
- **Myers** considered the proposed development would be located in a suitable location.

Myers motioned and Gunstream seconded to recommend to City Council Amendment of the Comprehensive Plan Future Land Use Map from General Commercial to High Density Residential for 347 W Orchard Avenue for Dean and Daren Anderson. Motion carried.

Myers motioned and Gunstream seconded to recommend to City Council, Rezone from RS-6 (Single Family Residential – 6000 sq ft minimum lot size) and RML (Limited Multiple Family Residential) to RMH (Multiple Family Residential) for 347 W Orchard Ave for Dean and Daren Anderson. Motion carried.

Public Hearing No. 2:

Modification of Annexation/Zoning Development Agreement between Northwest Development Company, LLC and the City of Nampa recorded 09/12/2005 as Inst. No. 200561243 amending the “Recitals” and “Agreement” sections to allow for a Rezone from RMH to RS-6, and Rezone from RMH to RS-6, for Lots 11-14, Block 2, Yellow Fern Subdivision, according to the plat filed in Book 42 of Plats at Page 29 – A 3.026 acre portion of the NE ¼ of the SE ¼ of Section 11 T3N R2W BM), for Glen Rimbey (DAM 004-16 and ZMA 017-16)

Chairman McGrath proceeded to public hearing.

Mr Glen Rimbey of 16437 11th Ave N, Nampa, the applicant:

- Mr Rimbey explained he was requesting the zoning on the subject properties in order to be reflective with what was already there.
- Mr Rimbey stated they were proposing to build four single family homes on the subject lots, and did not want anything high density built next to those lots.
- According to Mr Rimbey, the lots were originally zoned RMH for multi-family and they were now trying to rezone to single family residential.

Assistant Planning Director Hobbs:

- Hobbs noted the applicant was asking for Modification of the Development Agreement as well as a rezone to RS-6.
- Hobbs reviewed the Staff Report and recommended conditions of approval.
- According to Hobbs, the requested Rezone to RS-6 would not create non-conformity with adjacent properties.

Chairman McGrath proceeded to public testimony:

Debra Frost of 16463 11th Ave N, Nampa – in favor – but did not wish to speak.

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

Gunstream motioned and Rodriguez seconded to recommend to City Council Modification of the Annexation/Zoning Development Agreement between Northwest Development Company, LLC and City of Nampa recorded 09/12/2005 as Inst. No. 200561243 amending the “Recitals” and “Agreement” sections to allow for a rezone from RMH to RS-6 for Lots 11 – 14, Block 2, Yellow Fern Subdivision, for Glen Rimbey, subject to:

1. **The Applicant, as Owner/Developer [shall] enter into a Modified Development Agreement with the City of Nampa. Agreement(s) shall contain such conditions, terms, restrictions, representations, exhibits, acknowledgments and timelines as necessary to facilitate development of the Property as contemplated by the applicant and agreed to and conditioned by the City through its council or executive departments to outside agencies properly involved in the review of the Applicant’s request for the Property to be re-identified for [continued] single family residential use in an RS-6 Zone versus its original RMH entitlements.**

Motion carried.

Gunstream motioned and Sellman seconded to recommend to City Council Rezone from RMH (Multi Family Residential) for Lots 11 – 14, Block 2 Yellow Fern Subdivision, for Glen Rimbey, subject to:

- **The Applicant, as Owner/Developer [shall] enter into a Modified Development Agreement with the City of Nampa. Agreement(s) shall contain such conditions, terms, restrictions, representations, exhibits, acknowledgments and timelines as necessary to facilitate development of the Property as contemplated by the applicant and agreed to and conditioned by the City through its council or executive departments to outside agencies properly involved in the review of the Applicant’s request for the Property to be re-identified for [continued] single family residential use in an RS-6 Zone versus its original RMH entitlements.**

Motion carried.

Public Hearing No. 3:

Conditional Use Permit for a Home Occupation Day Care for up to 12 children in an RD zoning district at 807 14th Ave S. (A .138 acre portion of Section 27 T3N R2W BM NW ¼, Waterhouse Addition, SW 43 ft of Lot 3, Block 27), for Guerline Hyppolite (CUP 037-16).

Chairman McGrath proceeded to public hearing.

Guerline Hyppolite of 807 14th Ave S, Nampa – the applicant:

- Ms Hyppolite stated she had been running a daycare for over 20 years and added that she had an Associate's Degree in that field.
- Ms Hyppolite stated she would like to be approved and licensed for 12 children.
- In response to a question from **Chairman McGrath, Ms Hyppolite** stated she had been living at 807 14th Ave S since November.
- According to Ms Hyppolite she had been working in a daycare for two years, but had previously operated her own daycare.
- **Myers** noted the Fire Department required the 32 inch exit door to be in place in order to approve the property for a daycare for up to 12 children.
- **Ms Hyppolite** stated the 32 inch exit door had been installed.

Planning Director Holm:

- Holm stated the applicant had requested a Conditional Use Permit for a Home Occupation Daycare for up to 12 children.
- The property at 807 14th Ave S, stated Holm, comprised approximately 6000 sq ft.
- The applicant, continued Holm, resided at the property and was the owner.
- The surrounding properties, reported Holm were all single family residential within an established RD zoning district.
- Holm reviewed the Staff Report and recommended conditions of approval.
- According to Holm, no comments had been received from surrounding property owners or residents.
- Holm stated no complaints had been received from the Code Enforcement Division.
- Holm noted a copy of the Nampa Fire Department approved Inspection Form would be required, indicating the 32 inch exit door had been installed.

Chairman McGrath proceeded to public testimony.

Brandee Madsen of 16026 N 19th St, Nampa – in favor:

- Ms Madsen stated she had worked with Guerline Hyppolite and could vouch for her.
- Ms Madsen stated the kids loved Ms Hyppolite. Ms Madsen considered Ms Hyppolite was amazing, and added she would love to see her get a license for 12 children.

Dyann Aspiazu of 804 14th Ave S – opposed:

- Ms Aspiazu stated she lived right across the street from the subject property.
- Ms Aspiazu stated she was not opposed to the daycare because Ms Hyppolite does an excellent job and her customers appreciate the service she provides.
- However, added Ms Aspiazu, she did have safety concerns due to the fact that many people have problems with parking, and vehicles monopolizing other residents' parking spaces. There were also people that were double parking, and doing u-turns in the middle of the street – and those issues need to be addressed.
- Additionally, stated Ms Aspiazu, there was a registered sex offender within 150 ft of the daycare. Ms Aspiazu stated she and Ms Hyppolite had discussed that issue, and considered if she notified the children's parents there should not be a problem.
- **Chairman McGrath** inquired if the traffic issues were related to the applicant's property or parents of the children. **Ms Aspiazu** stated the traffic issues were caused by Ms Hyppolite's customers dropping off or picking up their children.

Ms Hyppolite:

- Ms Hyppolite stated she had advised her parents about the sex-offender.
- According to Ms Hyppolite, Central Elementary school was right down the street and there were a lot of children going back and forth to the school.
- Ms Hyppolite stated she had informed her parents that when parking they are not to park too close to the neighbors. Ms Hyppolite added there were other neighbors that also park in front of her house and she could not get in to park.
- **Ms Madsen** stated there were not more than 3 parents dropping off or picking up at any one time, and usually only two at most.
- Ms Madsen discussed ways to allow room for parents to park in front of the house.

Kropp motioned and Rodriguez motioned to close public hearing. Motion carried.

- **Rodriguez** stated he did not have a problem with the application as long as Ms Hyppolite resides at that residence.

Rodriguez motioned and Kropp seconded to approve the Conditional Use Permit for a Home Occupation Daycare for up to 12 children in an RD zoning district at 807 14th Ave S, for Guerline Hyppolite, subject to:

1. **The operator obtains and maintains licensing with the State of Idaho Department of Health and Welfare.**
2. **The use as a Home Occupation Daycare does not substantially change the character of the home and shall be clearly secondary to the use of the home as a residence.**
3. **The outdoor play area and landscaping shall be maintained in a neat and orderly manner.**
4. **The outdoor play area shall be continuously fenced in order to retain children from wandering out of the area.**
5. **All requirements of the Nampa Building, Fire and Engineering Departments regarding daycare use shall be satisfied as per State Law prior to occupancy.**
6. **Installation of a second 32 inch exit required by IDAPA for a Group Daycare as required by the Nampa Fire Department in order to allow for the requested Daycare of up to 12 children.**
7. **The size of any advertising signs shall not exceed that allowed for Home Occupations of two (2) sq ft.**
8. **The Conditional Use Permit be granted to Guerline Hyppolite only, and shall not be transferable to any other operator or location.**

Motion carried.

Public Hearing No. 4:

Conditional Use Permit for Permanent Keeping of 3 Dogs and Occasional Keeping of 4 Dogs for total of 7 Dogs in an RS-6 zoning district at 16697 N Yorkshire Lane. (A .198 acre portion of Section 11 T3N R2W BM, NE ¼, Sherwood Forest No. 4, Lot 31, Block 8) for Kimberly Callaghan (CUP 038-16).

Chairman McGrath proceeded to public hearing.

Kimberly Callaghan of 16697 N Yorkshire Lane, Nampa – the applicant:

- Ms Callaghan stated she had two dogs of her own, as well as her daughter's dog, her mother's 2 dogs and her son's 2 dogs.
- According to Ms Callaghan, she would only require the Conditional Use Permit approval for 7 dogs for one year.
- **Chairman McGrath** inquired if there had been any issues with the dogs and **Ms Callaghan** replied that two of the dogs had escaped.
- In response to a question from **Chairman McGrath**, **Ms Callaghan** advised all the dogs were small breeds, including Yorkie and Pomeranian. All the dogs have been sterilized, had all their shots and were licensed.
- Ms Callaghan informed the Commission regarding the approximate time frames for keeping her mother's dogs, her daughter's dog, and noted her son currently lived in Seattle and travelled a lot for work and she was keeping his dogs until he was settled.
- Ms Callaghan advised there was a complaint regarding the dogs getting loose and that issue has been remedied.

Planning Director Holm:

- Holm indicated the location of the property and an aerial view.
- According to Holm, there had been no comments received from surrounding property owners or residents.
- Code Enforcement, added Holm, has not indicated any recent violations.
- Holm stated the Conditional Use Permit request for a total of 7 dogs was only for one year.
- Holm reviewed the Staff Report and recommended conditions of approval.

Chairman McGrath proceeded to public hearing.

James R Boatman of 8186 E Jacob Dr, Nampa – opposed but did not wish to speak.

Dan Martinez of 11378 Fitzwilliam Lp, Nampa – opposed:

- Mr Martinez stated he believed one reason the neighborhood was very nice was because of the City regulations limiting the number of dogs to two. If the application were to be approved it would be setting a precedent for other people to have more than two dogs.
- Mr Martinez considered the statement regarding “occasional dogs” on the premises would be subject to interpretation and enforcement.
- Mr Martinez noted the close proximity of homes in the neighborhood.
- There were already problems with barking dogs in many of the neighborhoods, noted Mr Martinez.
- Mr Martinez suggested that anyone wanting that many dogs should move to the country in order for the dogs to have lots of room to roam.

Annette Asche of 16817 N Kettering, Nampa – opposed but did not wish to speak.

Tanya Pesaturo of 16817 N Kettering Ln, Nampa – opposed but did not wish to speak.

Chris McIntire of 16653 N Windsor Ln, Nampa – opposed but did not wish to speak.

Patricia Sankey of 7243 E Hampshire Ln, Nampa – opposed:

- Ms Sankey stated she agreed with the previous speaker.
- Ms Sankey considered it was too concentrated a neighborhood to allow 7 dogs on one property.
- According to Ms Sankey, she lived approximately 100 yards from the subject property and there were already problems with dogs barking continuously.
- Ms Sankey considered if approved for 7 dogs, it could create problems, as well as a precedent for other people.
- Ms Sankey stated it would be inappropriate to approve the application for 7 dogs.
- **Rodriguez** inquired if Ms Sankey could hear the applicant’s dogs barking and **Ms Sankey** replied she did not know who the barking dogs belonged to.
- According to Ms Sankey she had been working night shift and it was very difficult to sleep with all the barking dogs.

Debra Frost of 16463 11th Ave N – undecided:

- Ms Frost stated she did not know the subject property.
- According to Ms Frost she loved dogs, and added that her dogs wear bark collars.
- Little dogs, added Ms Frost, bark as much as large dogs.
- Ms Frost considered if someone owns a dog they should be a responsible dog owner.
- If the son was in Seattle and the two dogs were at the subject property, was he a responsible dog owner, added Ms Frost.

Ms Callaghan:

- Ms Callaghan agreed they should be living out in the country with the dogs and that was her goal, and added that when her husband gets home from deployment they will look at moving to the country.
- Ms Callaghan stated there were dogs barking throughout the entire neighborhood.
- According to Ms Callaghan, her son had lived in Boise but moved to Seattle for his job and she was caring for his dogs until he finds a home.

- **Chairman McGrath** inquired if the applicant had a plan in place for keeping all of the dogs under control and **Ms Callaghan** replied her property was more or less double fenced.
- Ms Callaghan emphasized she was home all day and all night to monitor the dogs and added the dogs had only got out of the yard that one time.

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

- **Kehoe** stated the neighbors had stated there was already a problem in the neighborhood with dogs barking and considered it would be inconsiderate to add four more dogs.
- **Myers** noted the applicant was doing everything she could to avoid any problems.
- **Rodriguez** considered with the existing barking dog problem, approval should not be given to add more dogs in to the area.
- **Myers** considered it would be a temporary situation for one year.
- **Chairman McGrath** suggested the application could be accommodated with a conditioned response.
- **Gunstream** stated he was not a pet owner but was in favor of the application and noted the applicant had taken all the steps to prevent any problems.

Myers motioned and Gunstream seconded to approve the Conditional Use Permit for a one (1) year time frame for Kimberly Callaghan for 16697 N Yorkshire Lane, subject to:

1. **The applicant maintains their yard free from the accumulation of dog feces.**
2. **The applicant prevents the dogs from excessively barking so as to constitute a nuisance to the neighbors.**
3. **Three or more citations issued against the applicant by Animal Control officers be considered sufficient grounds to revoke the Conditional Use Permit and that such will be considered null and void upon receipt of the third citation.**
4. **The animals be restricted so as to not run at large off the property. This shall include completion and maintenance of adequate fencing at a condition and height to keep the dogs from getting away when let outside.**
5. **Yearly application by the applicant, and issuance of a Non-Commercial Kennel License for the seven (7) dogs on the premises at 16697 N Yorkshire Lane.**

Motion denied with Gunstream and Myers in favor and Kropp, Kehoe, Rodriguez and Sellman opposed.

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 hole 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, Bruneel 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 Ridgcrest 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 Ridgcrest 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.
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 - 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.
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- 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.
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 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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