CITY OF
Caldwell, Idaho

Planning & Zoning

HEARING REVIEW APPLICATION

Type of Review Requested (check all that apply)

- ☒ Annexation/Deannexation
- ☐ Appeal/Amendment
- ☐ Comprehensive Plan Map Change
- ☐ Design Review
- ☐ Ordinance Amendment
- ☐ Rezone
- ☒ Special Use Permit
- ☐ Subdivision- Preliminary Plat
- ☐ Subdivision- Final Plat
- ☐ Subdivision- Short Plat
- ☐ Time Extension
- ☐ Variance
- ☐ Other _____

STAFF USE ONLY:

File number(s): ANN-19-05
SUP-19-15

Project name: City of Caldwell Pond Lane Annex

Date filed: 6/7/19 Date complete: _____

Related files: _____

Subject Property Information

Address: 0 Pond Lane Parcel Number(s): R3496400000

Subdivision: _____ Block: _____ Lot: _____ Acreage: 37.4 Zoning: Ag to R-2

Prior Use of the Property: Pond

Proposed Use of the Property: Pond, Public Park

Applicant Information:

Applicant Name: City of Caldwell Phone: (208) 455-3000

Address: 411 Blaine Street City: Caldwell State: ID Zip: 83605

Email: _____ Cell: _____

Owner Name: Same Phone: _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Cell: _____

Agent Name: (e.g., architect, engineer, developer, representative) _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Cell: _____

Authorization

Print applicant name: Garret Nancolas

Applicant Signature: Dennis Callsen City Council President Date: 6/10/19

CITY OF
Caldwell, Idaho

Planning & Zoning

ANNEXATION

Project Name: City of Caldwell	File #: ANN-19-05
Applicant/Agent:	

Applicant (√)	**Please provide the following REQUIRED documentation:**	Staff (√)
	Completed & signed Hearing Review Master Application	✓
	Narrative fully describing the proposed use/request, including current potable water supply and current sewage system	✓
	Recorded warranty deed for the subject property	✓
	Signed Property Owner Acknowledgement (if applicable)	—
	Vicinity map, showing the location of the subject property	✓
	Site Plan **The following are suggested items that may be shown on the site plan:**	✓
	• Property boundaries of the site	
	• Existing buildings on the site	
	• Parking stalls and drive aisles	
	• Sidewalks or pathways (proposed and existing)	
	• Fencing (proposed and existing)	
	Metes and bounds legal description for the site to be annexed in WORD format	
	Landscape Plan (if applicable)	
	Neighborhood Meeting sign-in sheet	
	All of the above items shall be submitted in 8 ½ x 11 paper format AND in electronic format (preferably PDF or Word) on either a jump drive or CD. Please be aware the jump drive or CD will become part of the file and will not be returned.	
	Fee	n/A

STAFF USE ONLY:

Date Application Received: 6-7-19

Received by: LC

Proposed Hearing Date: PZ

Hearing Body: Aug. 13

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CITY OF
Caldwell, Idaho

Planning & Zoning

SPECIAL-USE PERMIT

Project Name: City of Caldwell Park Pond Ln	File #: SUP-19-15
Applicant/Agent:	

Applicant (√)	**Please provide the following REQUIRED documentation:**	Staff (√)
	Completed & signed Hearing Review Master Application	✓
	Narrative fully describing the proposed use/request	✓
	Recorded warranty deed for the subject property	✓
	Signed Property Owner Acknowledgement (if applicable)	—
	Vicinity map, showing the location of the subject property	✓
	Site Plan **The following are suggested items that may be shown on the site plan:**	✓
	• Property boundaries of the site	
	• Existing buildings on the site	
	• Parking stalls and drive aisles	
	• Sidewalks or pathways (proposed and existing)	
	• Fencing (proposed and existing)	
	Floor Plan	—
	Landscape Plan (if applicable)	—
	Neighborhood Meeting sign-in sheet	
	All of the above items shall be submitted in 8 ½ x 11 paper format AND in electronic format (preferably PDF or Word) on either a jump drive or CD. Please be aware the jump drive or CD will become part of the file and will not be returned	
	Fee	n/A

STAFF USE ONLY:

Date Application Received: 6-7-19

Received by: LC

Proposed Hearing Date: PZ 8-13

Hearing Body: PZ

A1

The City of Caldwell is requesting to annex approximately 37.4 acres into the city limits with an R-2 zoning designation, along with a Special-Use Permit for a public park. The property was recently acquired by the City from ITD. There is an existing pond on the site and it is adjacent to the Caldwell Rotary Fishing Ponds and Whittenberger Park.

Quitclaim Deed from State of Idaho

City of Caldwell

Legend

Subject Property

Taxlots

DISCLAIMER

The information represented on this map results from the compilation of a variety of source materials. Is intended soley as a resource for the City of Caldwell Staff. The City of Caldwell makes no representation or warranty as to the accuracy of this product and in particular, its accuracy as to labeling, dimensions, property boundaries, or placement or location of any map features thereon. THE CITY OF CALDWELL DISCLAIMS ANY WARRANTY OF MERCHANTABILITY OR WARRANTY FOR FITNESS OF USE FOR A PARTICULAR PURPOSE, EXPRESS OR IMPLIED, WITH RESPECT TO THIS PRODUCT. Any use of this product except the same AS IS, WITH ALL FAULTS, and assumes responsibility for the same thereof.

NORTH

0 200 400 Feet

1 inch = 400 feet

CALDWELL

June 10, 2019

Neighborhood Meeting Notice

You are invited to a neighborhood meeting to discuss a proposed annexation and special-use permit for the property located on the east side of Pond Lane, approximately 3,800 feet south of Hwy 20/26 (aerial below). The City of Caldwell is requesting to annex this parcel into city limits and to utilize the area as a public city park. The neighborhood meeting will be held on Thursday June 20th, 2019 at 5:30 pm. We will meet at the northwest corner of the subject property, approximate location indicated by the yellow star on the picture below.

This is not a formal hearing, but rather a chance for you to come and ask questions regarding the proposal. A formal hearing for this request is scheduled to go before the Caldwell Planning & Zoning Commission on Tuesday August 13th and before the City Council on Monday September 16th.

If you have any questions prior to the neighborhood meeting please feel free to call me at anytime. I can be reached at (208) 455-4662.

Thank you,

JP Wg

Jarom Wagoner, AICP
Senior Planner
City of Caldwell

A5

After recording return to:
Right of Way
Idaho Transportation Dept.
PO Box 7129
Boise ID 83707-1129

Project No. CN-103S
Key No. A0415
Parcel Nos. 2.5 and 3.5
Parcel ID Nos. 51152 and 51153

2019-013605
RECORDED
04/04/2019 04:40 PM

00430424201900136060030031

CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=3 LBERG NO FEE
DEED
ITD

QUITCLAIM DEED

THIS INDENTURE is made this 4 day of April, 2019, by and between the **STATE OF IDAHO, IDAHO TRANSPORTATION BOARD, by and through the IDAHO TRANSPORTATION DEPARTMENT** ("Grantor"), whose address is 3311 West State Street, Boise, Idaho 83703, and the **CITY OF CALDWELL**, a municipality ("Grantee") whose address is 511 Blaine Street, Caldwell, Idaho 83606.

WITNESSETH: That Grantor, for value received, does, by these presents grant, bargain, sell, convey and FOREVER QUITCLAIM unto Grantee the following described real property situated in the County of CANYON, State of IDAHO, to-wit:

SEE LEGAL DESCRIPTION ON EXHIBIT A
ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Together with all appurtenances, easements and rights of way.

Real property containing approximately 37.384 acres.

PROVIDED, however, that this conveyance is made and accepted upon the express condition and in compliance with Idaho Code 58-335A that said Grantee, its successors and/or assigns, shall use said land in perpetuity exclusively for a public purpose that does not interfere with and maintains the Site as a wetland mitigation area for FHWA Credits. If such described uses shall cease, the real property herein described shall revert to the ownership of Grantor. Then, and in that case, such public uses shall have terminated and the whole of the estate hereby granted and conveyed and any and all improvements thereon shall immediately revert to and become the property of Grantor, its successors and/or assigns forever. Grantor hereby

D-1175-19
RES 109-19

Project No. CN-1035
Key No. A0415
Parcel Nos. 2.5 and 3.5
Parcel ID Nos. 51152 and 51153

expressly reserves to itself, its successors and/or assigns, the right to enter upon said land and premises and to take absolute possession thereof any and all improvements thereon, for and upon the breach of the aforesaid condition.

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal the day and year first above written.

GRANTOR:

IDAHO TRANSPORTATION DEPARTMENT

By: _____
JUSTIN POND
Right of Way Program Manager

STATE OF IDAHO)
) ss.
County of ADA)

On this 4 day of April, 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared JUSTIN POND, known or identified to me to be the Right of Way Program Manager for the IDAHO TRANSPORTATION DEPARTMENT, the person who executed the foregoing instrument, and acknowledged to me that he executed the same on behalf of the STATE OF IDAHO and the IDAHO TRANSPORTATION BOARD.

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

NANCY L. PATRICK
COMMISSION #11329
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for IDAHO
Residing at Boise
My commission expires 10/20/2024

RECORD AT THE REQUEST OF THE STATE OF IDAHO
FEE EXEMPT – I.C. 67-2301

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EXHIBIT A

STATE MATERIAL SOURCE
CN-103-S
SEPTEMBER 18, 2018
INSTRUMENT NUMBERS: 823128 AND 823129

BOUNDARY DESCRIPTION

A PARCEL OF LAND SITUATE IN GOVERNMENT LOT 3, THE E. 1/2, OF THE S.W. 1/4, OF SECTION 16, T. 4 N., R. 3 W., B.M., CANYON COUNTY, IDAHO 2018. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 16, A BRASS CAP, CP&F NO. 951388;

A. THENCE N 1°00'38" E, 560.40 FEET ALONG SAID EAST LINE OF THE S.W. 1/4 TO A 5/8 INCH REBAR ON THE NORTHEASTERLY BOUNDARY OF THE OREGON SHORTLINE RAILROAD, THE **POINT OF BEGINNING;**

1) THENCE N 1°00'38" E, 1,562.80 FEET ALONG SAID EAST LINE OF THE S.W. 1/4 TO A POINT ON THE SOUTHWESTERLY BOUNDARY OF QUIT CLAIM DEED INST. 2007071037;
2) THENCE N 57°03'05" W, 118.75 FEET ALONG THE SOUTHWESTERLY BOUNDARY OF SAID QUIT CLAIM DEED INST. 2007071037;
3) THENCE N 86°02'39" W, 509.99 FEET ALONG NORTH BOUNDARY OF INST. 823129 TO A 5/8 INCH REBAR ON THE EAST BOUNDARY OF INST. 823128;
4) THENCE N 3°41'10" W, 377.10 FEET ALONG THE EAST BOUNDARY OF SAID INST. 823128 TO THE SOUTH BOUNDARY OF QUIT CLAIM DEED INST. 9001912;
5) THENCE N 89°08'14" W, 15.20 FEET ALONG THE SOUTH BOUNDARY OF QUIT CLAIM DEED INST. 9001912 TO A 5/8 INCH REBAR;
6) THENCE S 89°42'20" W, 676.71 FEET ALONG THE SOUTH BOUNDARY OF INST. 9001912 TO THE WEST LINE OF THE E. 1/2 OF SAID S.W. 1/4;
7) THENCE S 1°03'25" W, 779.18 FEET ALONG THE WEST LINE OF SAID E. 1/2 OF SAID S.W. 1/4 TO A 5/8 INCH REBAR ON THE NORTHEASTERLY BOUNDARY OF SAID OREGON SHORTLINE RAILROAD;
8) THENCE S 46°13'40" E, 1816.06 FEET ALONG SAID NORTHEASTERLY BOUNDARY OF THE SHORTLINE RAILROAD, TO THE **POINT OF BEGINNING.**

THE AREA ABOVE DESCRIBED CONTAINS 1628452.484 SQ FT OR 37.384 ACRES, MORE OR LESS.

TOGETHER WITH AND SUBJECT TO COVENANTS, RIGHTS, EASEMENTS, AND RESTRICTIONS OF RECORD.

PROFESSIONAL LAND SURVEYOR
LICENSED
13992
9/25/18
STATE OF IDAHO
JOSEPH R. JONES

A6

Jarom Wagoner

From:	Debbie Geyer
Sent:	Wednesday, May 08, 2019 1:56 PM
To:	Jerome Mapp; Jarom Wagoner
Cc:	Robb MacDonald; Brent Orton; Garret Nancolas; Dave Marston
Subject:	FUTURE PARK SITE -- Parcel & Pond -- Gifted from ITD
Attachments:	RES 109-19_201905081144.pdf

Jarom & Jerome:

Please find attached Resolution No. 109-19 accepting a Quitclaim Deed from ITD concerning the designated parcel and pond area located near Rotary Pond.

The Mayor has asked that the Planning & Zoning Department please move forward with the annexation of this parcel/pond site into the Caldwell City Limits and that a special use permit be initiated for the site to be used as a future park.

Thank you so much for your assistance.

CALDWELL

CITY CLERK
Debbie Geyer, CMC
City of Caldwell
PO Box 1179
411 Blaine Street
Caldwell, ID 83606
(208) 455-4656 (phone)
(208) 455-3003 (fax)

"A good example is the best sermon." Benjamin Franklin

NOTICE: All communications transmitted with the City of Caldwell 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.

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MEMORANDUM

TO: Caldwell City Council
Meeting Date: May 6, 2019

AGENDA ITEM INFORMATION

SUBJECT:

Approve a Quitclaim Deed from State of Idaho, Idaho Transportation Board, by and through the Idaho Transportation Department to the City of Caldwell.

Department Submittals	*X to mark*	*Initials*
Building Department		
CDBG		
Clerk		
City Attorney		
Finance Department		
Human Resources		
Planning & Zoning		
Fire Department		
Police Department		
Public Works		
Street Department		
Water Department		
WWTP		
Engineering		
Mapping	X	DM
Parks and Recreation		
Airport		
Information Systems		
Golf Course		
OTHER:		

COST IMPACT:

FUNDING SOURCE:

TIMELINE:

SUMMARY STATEMENT:

This deed conveys 37.38 acres at the south end of Pond Lane adjacent to and west of the City gravel pit property.

The following are attached:

1. Resolution approving deed
2. Quitclaim Deed from State of Idaho, Idaho Transportation Board, by and through the Idaho Transportation Department to the City of Caldwell
3. Map depicting the subject parcel

RECOMMENDED ACTION:

It is the recommendation of the Mapping Department that Council approve the deed as submitted.

D6

RESOLUTION NO. 109-19

A RESOLUTION BY THE CITY OF CALDWELL, IDAHO APPROVING A QUITCLAIM DEED FROM STATE OF IDAHO, IDAHO TRANSPORTATION BOARD, BY AND THROUGH THE IDAHO TRANSPORTATION DEPARTMENT

Be it Resolved that the City of Caldwell, Idaho hereby accepts and approves a "QUITCLAIM DEED" from State of Idaho, Idaho Transportation Board, by and through the Idaho Transportation Department. This deed conveys 37.38 acres at the south end of Pond Lane adjacent to and west of the City gravel pit property.

The City Clerk of the City of Caldwell is hereby directed to forward a copy of the above described deed to the Mapping Department of said City of Caldwell for preservation in an index of deeds.

PASSED BY THE COUNCIL of the City of Caldwell, Idaho, this **6th** day of **May, 2019.**

APPROVED BY THE MAYOR of the City of Caldwell, Idaho, this **6th** day of **May, 2019.**

Approved By:

Garret L. Nancolas, Mayor

Attest:

CITY OF CALDWELL INCORPORATED JAN 15 1890 CANYON COUNTY, IDAHO

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