



**TO: BOARD OF ADA COUNTY COMMISSIONERS**

**HEARING DATE:** March 12, 2014

**STAFF:** Brent Danielson, Associate Planner

**PROJECT NO.:** 200800159 CU-MSP-TE

**APPLICANT:** Calvin L. Dillabaugh

### **INTRODUCTION**

An application for a time extension for an approved conditional use and master site plan for a Dillabaugh's Flooring America retail outlet store. The property is located at 9998 W. State Street in Section 14, T. 4N, R. 1E.

### **EXECUTIVE SUMMARY**

This request concerns extending the time allowed for the establishment of a Dillabaugh's Flooring America retail outlet store approved in File No. 200800159 CU-MSP by the Board of Ada County Commissioners on January 28, 2009. The original approval was contingent upon the applicant satisfying specific conditions of approval by January 28, 2011. An administrative one-year time extension was granted for the project by the Director on January 21, 2011. A board-granted time extension was granted for the project by the Board on January 11, 2012. The applicant is requesting for the Board of Ada County Commissioners to grant a second board-granted time extension to give the applicant an additional two (2) years to complete required improvements and conditions due to the economic conditions of the past few years.

At the time this staff report was written the following agencies have provided comments: Idaho Transportation Department, Eagle Fire Department, Ada County Building Division, Boise City Public Works Department, Boise School District, and the Ada County Engineer. The Idaho Transportation Department (Exhibit 9), Eagle Fire District (Exhibit 10), and the Ada County Building Division (Exhibit 11) responded that they either do not object or have any comments regarding the application. The Boise City Public Works Department replied in Exhibit #12 that connection to sanitary sewers is required and that sewers are available in W. State Street and N. Gardner Lane. The Boise School District stated in Exhibit #13 that the Developer and/or Owner have made arrangements to comply with all requirements of the Boise School District. The Ada County Engineer in Exhibit #14 that she recommends approval of the time extension.

---

#### **STAFF REPORT**

Project #200800159 CU-MSP-TE  
Calvin L. Dillabaugh  
DFC Investments, LLC

## RECOMMENDATION

Based upon Staff's review of the application, staff concludes that this application complies with the Ada County Code and recommends approval to the Board as set out in the proposed Findings of Fact and Conclusions of Law attached hereto.

The Board should consider the evidence and testimony presented during the public hearing prior to rendering its decision concerning this application.

### EXHIBIT LIST – PROJECT NO.: 201301351 ZOA

- 1 Master Application Form. 2 pages.
- 2 Time Extension Checklist. 1 page.
- 3 Detailed Letter. 1 page.
- 4 Site Plan. 1 page.
- 5 Deeds. 5 pages.
- 6 Submittal Letter to the Applicant dated December 31, 2013. 1 page.
- 7 Vicinity Map. 1 page.
- 8 Agency Transmittal. 2 pages.
- 9 Agency Response from the Idaho Transportation Department (ITD) dated December 31, 2013. 1 page.
- 10 Agency Response from the Eagle Fire Department dated January 2, 2014. 1 page.
- 11 Memorandum from the Ada County Building Division dated January 3, 2014. 1 page.
- 12 Agency Response from the Boise City Public Works Department dated January 6, 2014. 1 page.
- 13 Agency Response from the Boise School District dated January 8, 2014. 1 page.
- 14 Memorandum from the Ada County Engineer dated January 10, 2014. 1 page.
- 15 Radius Map. 1 page.
- 16 Radius Notice Report. 5 pages.
- 17 Mailing List. 1 page.
- 18 Radius Notice. 1 page.
- 19 Legal Notice of Public Hearing published on February 25, 2014. 1 page.

---

#### STAFF REPORT

Project #200800159 CU-MSP-TE  
Calvin L. Dillabaugh  
DFC Investments, LLC



# MASTER APPLICATION/PETITION REQUEST

ADA COUNTY DEVELOPMENT SERVICES

200 W. Front Street, Boise, Idaho 83702. www.adaweb.net phone: (208) 287-7900 fax: (208) 287-7909

### TYPE OF ADMINISTRATIVE APPLICATION:

- ACCESSORY USE\*
- FARM DEVELOPMENT RIGHT
- FLOODPLAIN PERMIT
- HILLSIDE DEVELOPMENT\*
- HIDDEN SPRINGS ADMINISTRATIVE
- HIDDEN SPRINGS SPECIAL EVENT
- LIGHTING PLAN
- LANDSCAPE PLAN
- DRAINAGE PLAN
- MASTER SITE PLAN\*
- EXPANSION NONCONFORMING USE
- ONE TIME DIVISION
- PRIVATE ROAD
- PROPERTY BOUNDARY ADJUSTMENT
- PLANNED UNIT DEVELOPMENT (PUD)
- SIGN PLAN
- TEMPORARY USE\*

### TYPE OF HEARING LEVEL APPLICATION:

- CONDITIONAL USE
- DEVELOPMENT AGREEMENT
- SUBDIVISION, PRELIMINARY\*
- PLANNED COMMUNITIES\*
- SUBDIVISION, SKETCH PLAT\*
- VACATION
- VARIANCE
- ZONING MAP AMENDMENT
- ZONING TEXT AMENDMENT

### TYPE OF HEARING LEVEL PETITION:

- COMPREHENSIVE PLAN MAP OR TEXT AMENDMENT PETITION CHECKLIST

### TYPE OF ADDENDA:

- APPEAL
- ADMINISTRATIVE MODIFICATION
- DEVELOPMENT AGREEMENT MODIFICATION
- FINAL PLAT
- TIME EXTENSION

### REQUIRED SUBMITTALS:

- CHECKLIST for applicable application(s). If multiple applications, do not duplicate submittals.
- \*SUPPLEMENTAL WORKSHEET REQUIRED

### SITE INFORMATION:

Section: 14, T. 4N., R. 1E Township: 4N Range: 1E Total Acres: 1.3  
 Subdivision Name: Randall Acres Sub #9 Lot: 12, 13, 14, 15 Block: 1  
 Site Address: 9998, (10032, 10070) W. State St. City: \_\_\_\_\_  
 Tax Parcel Number(s): R7334200123, R7334200121 and R7334200110  
 Existing Zoning: C1 Proposed Zoning: C1 Area of City Impact: Boise Overlay  
 District(s): \_\_\_\_\_

RECEIVED

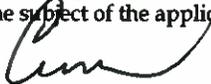
DEC 27 2013

ADA COUNTY DEVELOPMENT SERVICES

### OFFICE USE ONLY

Project #:	Planning Fees/GIS:	Engineering Fees:
Received By: _____ Date: _____ Stamped <input type="checkbox"/>		

<b>APPLICANT/AGENT: (Please print)</b>	<b>ADDITIONAL CONTACT if applicable: (Please Print)</b>
Name: <u>Caldin L. Willasaugh</u>	Name: _____
Address: <u>6926 N. Spurwing Way</u>	Address: _____
City: <u>Meridian</u> State: <u>ID</u> Zip: <u>83446</u>	City: _____ State: _____ Zip: _____
Telephone: <u>208-870-3600</u> Fax: _____	Telephone: _____ Fax: _____
Email: <u>Cal@FlooringAmericaBoise.com</u>	Email: _____
I certify this information is correct to the best of my knowledge.	<b>ENGINEER/SURVEYOR if applicable: (Please Print)</b>
	Name: _____
<u>12-19-13</u>	Address: _____
	City: _____ State: _____ Zip: _____
	Telephone: _____ Fax: _____
	Email: _____
Signature: (Applicant) _____ Date _____	

<b>OWNER (S) OF RECORD: (Please Print)</b>	<b>OWNER (S) OF RECORD: (Please Print)</b>
Name: <u>DEC Investments LLC</u>	Name: _____
Address: <u>6926 N. Spurwing Way</u>	Address: _____
City: <u>Meridian</u> State: <u>ID</u> Zip: <u>83446</u>	City: _____ State: _____ Zip: _____
Telephone: <u>208-870-3600</u>	Telephone: _____
Fax: _____	Fax: _____
Email: <u>Cal@FlooringAmericaBoise.com</u>	Email: _____
I consent to this application, I certify this information is correct, and allow Development Services staff to enter the property for related site inspections. I agree to indemnify, defend and hold Ada County and its employees harmless from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of the application.	I consent to this application, I certify this information is correct, and allow Development Services staff to enter the property for related site inspections. I agree to indemnify, defend and hold Ada County and its employees harmless from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of the application.
	
<u>12-19-13</u>	
Signature: All Owner (s) of Record _____ Date _____	Signature: All Owner (s) of Record _____ Date _____

ALL OWNER(S) OF RECORD (ON THE CURRENT DEED) MUST SIGN (Additional Sheets are Available Online)

If the property owner(s) are a business entity, please include business entity documents, including those that indicate the person(s) who are eligible to sign documents.

RECEIVED

DEC 27 2013

ADA COUNTY  
DEVELOPMENT SERVICES

EXHIBIT 1

Page 2 of 2

Project # 200800159 CWMS-P-TE

# ADA COUNTY DEVELOPMENT SERVICES

200 W. Front Street, Boise, ID 83702. www.adaweb.net phone: (208)287-7900 fax: (208)287-7909



## TIME EXTENSION CHECKLIST (ACC 8-7-6)

The first TE is a staff level application. The second TE is a hearing level application before the BOCC.

### GENERAL INFORMATION:

Applicant	DESCRIPTION	Staff
✓	One paper copy and one electronic copy of all required submittals.	
✓	Completed and signed Master Application	
✓	DETAILED LETTER by the applicant fully describing the request or project and address the following:	
	Administrative Time Extension?	
✓	Board Time Extension? <i>3rd Request</i>	
✓	Adequately justify the Time Extension	
✓	Describe any conditions of approval that have been met.	
✓	Time Extension request for project #: <i>200900159-2C-CU-15 P</i>	
✓	Date of original approval: <i>1-28-2009</i>	
	Date of administrative Time Extension approval: <i>1-19-2013</i>	
✓	Owner of the property at the time of original approval:	
✓	Current owner of the property:	
✓	SITE PLAN of the original application that was approved, reduced to 8 1/2 X 11.	
✓	DEED or evidence of proprietary interest.	
✓	APPLICATION FEE: Call County for Current Planning Fee or go to www.adaweb.net	

**APPLICATION WILL NOT BE ACCEPTED UNLESS ALL APPLICABLE ITEMS ON THE FORMS ARE SUBMITTED.**

RECEIVED  
 DEC 27 2013  
 ADA COUNTY  
 DEVELOPMENT SERVICES

# Dillabaugh's FlooringAmerica and Design

Calvin L Dillabaugh  
6926 N Spurwing Way  
Meridian, Id 83646

[Cal@flooringamericaboise.com](mailto:Cal@flooringamericaboise.com)

December 19, 2013

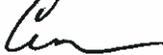
We are currently seeking a board issued time extension of 2 years for the zoning map amendment for project 200800159-ZC-CU-MSP. The original date of approval was 1-28-2009. The original intent of the zoning change was to build and operate a fifth location of Dillabaugh's Flooring America.

Due again, to a climate which has not been conducive to growth the new storefront has not been financially feasible. However it is still an asset with growth potential in the hopefully not to distant future.

The ownership at time of the original application and today's owners are still one in the same, DFC Investments LLC.

Currently no conditions of approval have been met to move forward on the project.

Sincerely,



Cal Dillabaugh

RECEIVED

DEC 27 2013

ADA COUNTY  
DEVELOPMENT SERVICES

EXHIBIT 3  
Page 1 of 1  
Project # 200800159-ZC-CU-MSP-TE

**East Boise**

2895 S. Federal Way, Boise, ID 83705  
Ph. 208-287-2450 Fax 208-287-2445

**West Boise**

11522 W. Fairview, Boise, ID 83713  
Ph. 208-322-2554 Fax 208-322-1878

**Nampa**

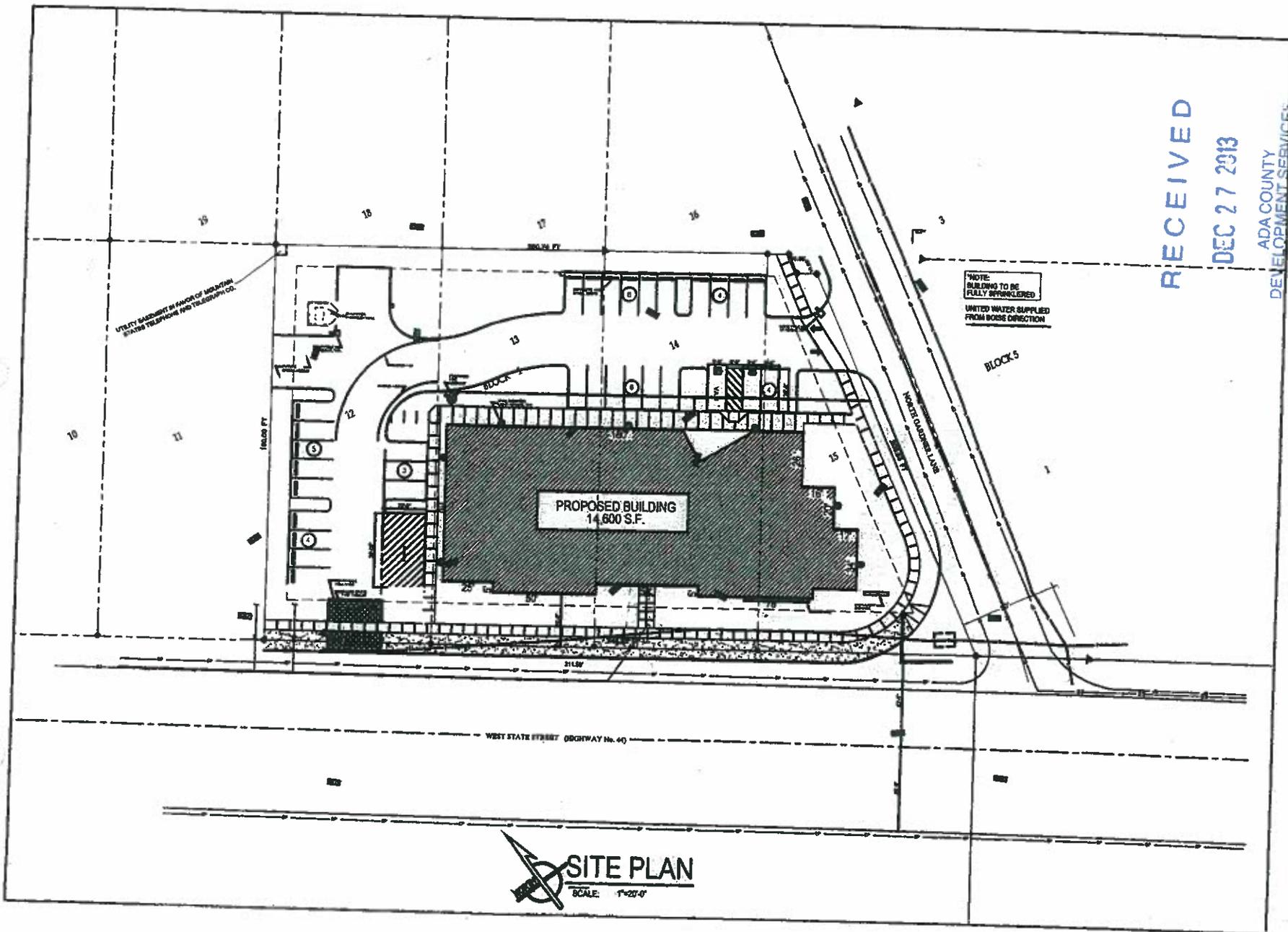
323 12th Ave. So., Nampa, ID 83651  
Ph. 208-467-4400 Fax 208-467-4409

**Payette**

797 S. 12th St., Payette, ID 83681  
Ph. 208-642-3085 Fax 208-642-8122



RECEIVED  
 DEC 27 2018  
 ADA COUNTY  
 DEVELOPMENT SERVICES



**SITE PLAN**  
 SCALE: 1"=20'-0"

DILLABAUGH  
 MSP  
 SUBMITTAL  
 REVISED 12.18.08

REV.	DATE	DESCRIPTION	BY

**SITE PLAN**  
 Scale: 1" = 20'-0"  
 C0128  
 Project Number  
 10/20/08  
 Date  
 SAC  
 Drawn By  
 SAC  
 Checked By  
**A1.0**  
 Sheet Number  
 Project # 200800159 CU-MSP-TE

ADA COUNTY  
 DEC 18 2008  
 DEVELOPMENT SERVICES

EXHIBIT 4  
 Page 1 of 1  
 Project # 200800159 CU-MSP-TE



Order No.: 07-001514 *NB1*

**WARRANTY DEED**

**FOR VALUE RECEIVED**

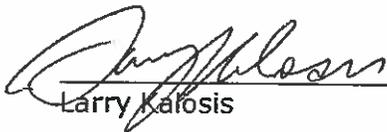
**Larry Kalosis, an unmarried person, who acquired title as Larry V. Kalosis, an unmarried person**  
GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL AND CONVEY unto: **DFC Investments Limited Partnership, an Idaho limited partnership**

GRANTEES(s), whose current address is: **11522 W. Fairview Avenue, Boise, ID 83713**  
the following described real property in ADA County, State of Idaho, more particularly described as follows, to wit:

Lot 12 in Block 1 of RANDALL ACRES SUBDIVISION NO. 9, according to the official plat thereof, filed in Book 13 of Plats at Page 807, records of Ada County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Date: *22<sup>nd</sup>* day of August, 2007

  
\_\_\_\_\_  
Larry Kalosis

RECEIVED

DEC 27 2013

ADA COUNTY  
DEVELOPMENT SERVICES

State of Idaho

County of Ada

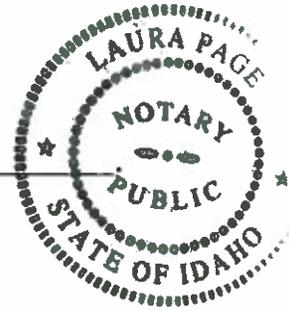
On this 22 day of August, 2007, before me the undersigned, a Notary Public in and for said state, personally appeared Larry Kalosis known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.

Laura Page  
Notary Public

Name: \_\_\_\_\_

Residing at \_\_\_\_\_

My Commission Expires: \_\_\_\_\_  
*Residing in Boise, Idaho  
Commission expires 07-30-09*



RECEIVED

DEC 27 2013

ADA COUNTY  
DEVELOPMENT SERVICES

ADA COUNTY RECORDER J. D.  
BOISE IDAHO 07/02/07 04:30 PM  
DEPUTY Neava Haney  
RECORDED - REQUEST OF  
Transaction Title

NAVARRO

AMOUNT 9.00

3



Order No.: 0600053039 *NB1*

### WARRANTY DEED

#### FOR VALUE RECEIVED

**Donald J Hill and Patricia A Hill, husband and wife**

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL AND CONVEY unto: **DFC Investments Limited Partnership, an Idaho limited partnership**

GRANTEES(s), whose current address is: **11522 W. Fairview Avenue, Boise, ID 83713**  
the following described real property in ADA County, State of Idaho, more particularly described as follows, to wit:

**SEE ATTACHED EXHIBIT "A"**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Date: 2 day of ~~June~~ <sup>July</sup>, 2007

Donald J Hill

Patricia A Hill

RECEIVED

DEC 27 2013

ADA COUNTY  
DEVELOPMENT SERVICES

EXHIBIT 5

Page 3 of 5

Project # 200900159 W-450-TE

State of Idaho

County of Ada

On this 2 day of ~~June~~ July, 2007, before me the undersigned, a Notary Public in and for said state, personally appeared Donald J Hill and Patricia A Hill known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

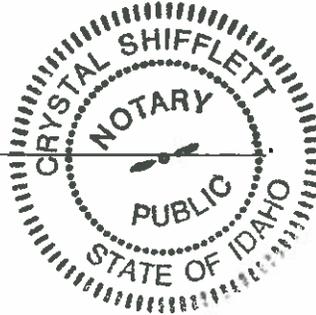
Crystal Shifflett  
Notary Public

Name: Crystal Shifflett

Residing at \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Residing in Boise, Idaho  
Commission expires: 04/01/2011



RECEIVED

DEC 27 2013

ADA COUNTY  
DEVELOPMENT SERVICES

**EXHIBIT A**

Lots 13, 14 and 15 in Block 1 of RANDALL ACRES SUBDIVISION NO. 9, according to the official plat thereof, file in Book 13 of Plats at Page 807, records of Ada County, Idaho.

EXCEPT the following described parcel:

Commencing at the Southeast corner of said Lot 15 which is also the right-of-way corner of State Highway 44 and Gardner Lane; thence Northwest 198.63 feet along the East property line of said Lot 15 to the REAL POINT OF BEGINNING; thence continuing North 10 feet; thence Northwest 65° for 10 feet; thence Southeast and parallel to the East property line 10 feet; thence East and parallel to the North property line 10 feet to the POINT OF BEGINNING.

RECEIVED

DEC 27 2013

ADA COUNTY  
DEVELOPMENT SERVICES

EXHIBIT 5

Page 5 of 5

Project # 200900159 CU-MSP-7E

# ADA COUNTY DEVELOPMENT SERVICES



PHONE (208) 287-7900  
FAX (208) 287-7909

200 W. FRONT STREET, BOISE, IDAHO 83702-7300

BUILDING • ENGINEERING • PLANNING • ZONING

December 31, 2013

Calvin L. Dillabaugh  
6926 N. Spurwing Way  
Meridian, ID 83646

**RE: PROJECT #200800159 CU-MSP-TE; DILLABAUGH'S FLOORING AMERICA**

Dear Mr. Dillabaugh;

This is to notify you that your application has been scheduled to be heard by the Board of Ada County Commissioners on **March 12, 2014**. This hearing will begin at 6:00 p.m. and will be held in the Commissioners Main Hearing Room #1235, on the first floor, 200 W. Front Street, Boise, ID. You or your representative must be present.

A copy of the staff report will be sent to you (and available online) prior to the meeting. Please contact me if you have any questions or comments regarding this application, the staff report, or any conditions, which may be attached to the staff report. I can be reached at 287-7913 or via e-mail at [bdanielson@adaweb.net](mailto:bdanielson@adaweb.net).

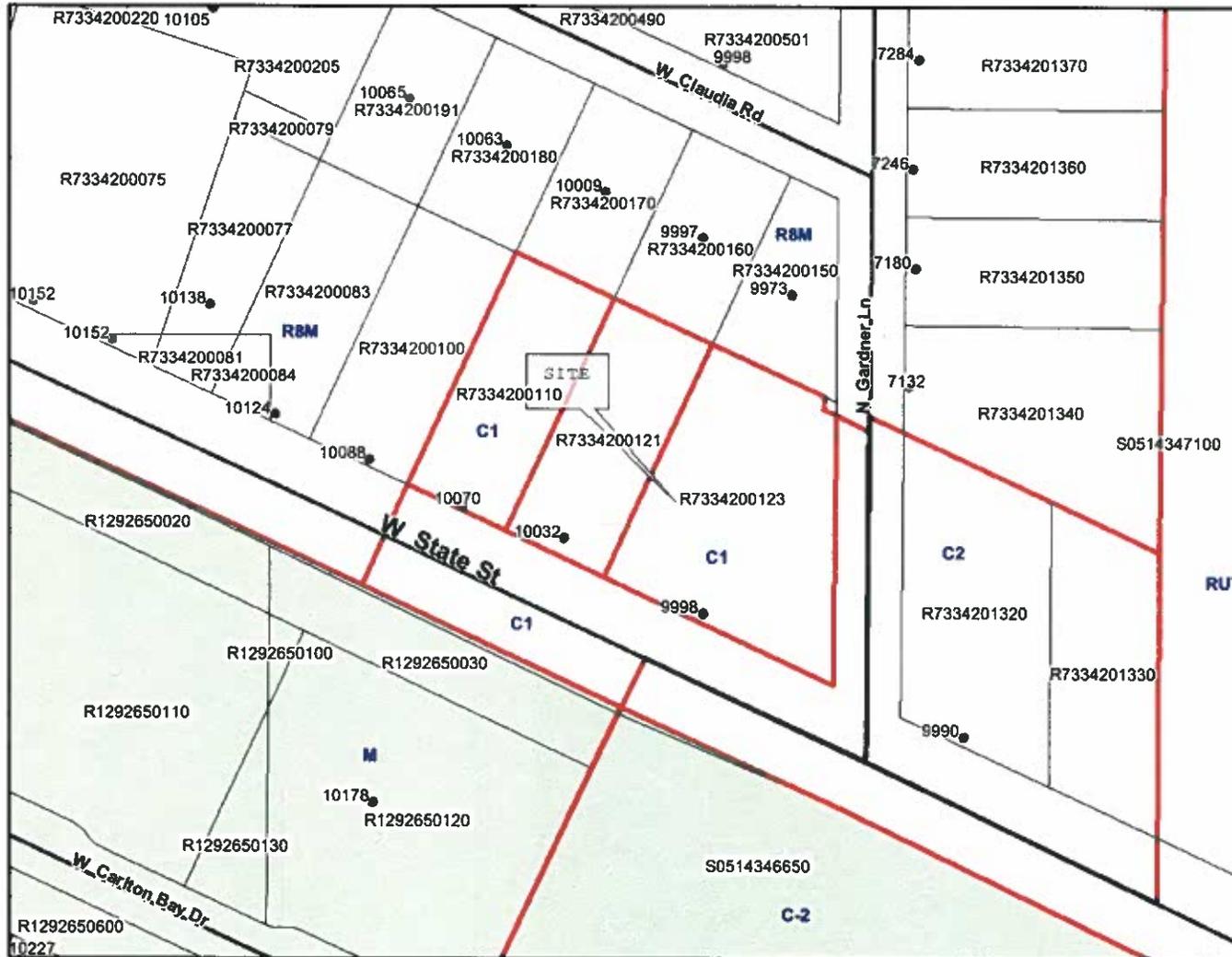
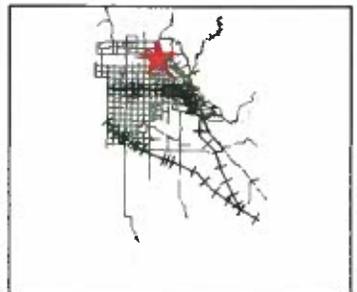
In accordance with State law, "**Notice of Public Hearing**" must be posted on the site. Ada County recently amended the code to require the applicant to post the sign.

The sign is required to be posted ten (10) days in advance of the hearing. If the property is not posted correctly or the certification form is not submitted to Development Services at least seven (7) days prior to the public hearing, the application will be tabled until the next available hearing date. The certification form is available to download on our website at [www.adaweb.net/DevelopmentServices](http://www.adaweb.net/DevelopmentServices). The sign is required to be taken down no later than three (3) days after the final decision. If there are multiple hearings on the application, the sign does not need to be taken down between hearings. However, the sign will need to be updated with the new hearing dates as the application goes through the hearing process.

Sincerely,

Handwritten signature of Brent Danielson in cursive.

Brent Danielson  
Associate Planner  
Ada County Development Services, Planning & Zoning Division



### Legend

- ✕ Railroads
- Major Streets
  - Minor Arterial
  - Collector
  - SECTION
  - PRINCIPAL Arterial
  - INTERSTATE
  - Other
- Minor Streets
  - LOCAL
  - PARKS
  - PRIVATE
  - RESIDENTIAL
  - Other
- Street Names (minor)
- Zoning
  - Addresses
  - Parcels
  - Parks
  - City Limits
  - Kuna
  - Boise
  - Garden City
  - Eagle
  - Star
  - Meridian

Scale: 1:1,500



Map center: 43° 40' 48.7" N, 116° 18' 28.9" W

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

**Brent Danielson**

**From:** Brent Danielson  
**Sent:** Tuesday, December 31, 2013 9:38 AM  
**To:** nancy@drycreekcemetery.com; rphillips@idahopower.com; john.lee@unitedwater.com; lanette.daw@boiseschools.org; carla.bernardi@cableone.biz; mreno@cdhd.idaho.gov; lbadigia@cdhd.idaho.gov; dabo@cityofboise.org; jtomlinson@cityofboise.org; kyokom@cityofboise.org; tmills@cityofboise.org; bryce@sawtoothlaw.com; kmccleenny@eaglefire.org; sbuck@eaglefire.org; linda.clark@deq.idaho.gov; linda.clark@deq.idaho.gov; dave.szplett@itd.idaho.gov; mark.wasdahl@itd.idaho.gov; msinglet@intgas.com; clittle@achdidaho.org; syarrington@achdidaho.org; fernsworth13@gmail.com; mdewalt@adalib.org; Mark Ferm; Angela Gilman; Kelly Woodworth; Jean Schaffer; boiseccc@qwestoffice.net; Glenda Britz; rkinney@republicservices.com; Brent Danielson  
**Cc:** Brent Danielson  
**Subject:** Ada County Application Transmittal Notice.



<b>File Number:</b> <u>200800159-CU / CU-TE / DA / MSP / ZC</u>	<b>X-Reference:</b> NONE
<b>Description:</b> An application for a time extension for an approved conditional use and master site plan for a Dillabaugh's Flooring America retail outlet store.. This is the 3rd time extension and second board level time extension.	
<b>Reviewing Body:</b> BOCC	<b>Hearing Date:</b> 3/12/2014
<b>Applicant:</b> DILLABAUGHS FLOOR COVERING	<b>P&amp;Z Recommendation:</b>
<b>Property:</b> The property contains 1.310 acres and is located at 9998 STATE ST, Section 14 4N 1E.	

Ada County Development Services is requesting comments and recommendations on the application referenced above. To review detailed information about the request please either click on the file number identified above, or visit the Ada County Development Service's Application Tracking System (ATS) web site at [gisx.adaweb.net/acdsv2/](http://gisx.adaweb.net/acdsv2/) and search by file number. Hover over the pushpin that appears on the map with your mouse and select "Additional Info" from the pop-up box. You will then be able to review individual documents, drawings and other information detailing the request.

We request that you submit your comments or recommendations by 1/15/2014. When responding, please reference the file number identified above. If responding by email, please send comments to [bdanielson@adaweb.net](mailto:bdanielson@adaweb.net).

To request a hard copy of materials associated with this application, for additional information, or to provide comment on Ada County's Development Services ATS, please call me at the number listed below.

Sincerely yours,  
**BRENT DANIELSON, ASSOCIATE PLANNER**

200 W Front Street  
Boise ID 83702  
[bdanielson@adaweb.net](mailto:bdanielson@adaweb.net)  
(208) 287-7913



**IDAHO TRANSPORTATION DEPARTMENT**  
P.O. Box 8028  
Boise, ID 83707-2028

(208) 334-8300  
itd.idaho.gov

December 31, 2013

Brent Danielson  
Ada County Development Services  
200 W Front Street  
Boise ID 83702



**Re: 200800159-CU / CU-TE / DA / MSP / ZC – Time Extension For Dillabaugh’s Flooring at 9998 West State Street**

Dear Mr. Danielson:

The Idaho Transportation Department (ITD) has reviewed the referenced development application for the time extension request by Dillabaugh’s Flooring. ITD has the following comments:

1. ITD does not object to the time extension. All the original site development requirements are to remain.
2. In addition, ITD’s access management policies have changed since the original application. The project site does not have sufficient frontage to allow an approach to SH-44 (State Street).
3. The applicants are reminded that commercial signs (for the new building) are not permitted within ITD right-of-way.

If you have any questions, you may contact MS Shona Cheever at 334.8341 or me at 334.8377.

Sincerely,

A handwritten signature in blue ink that reads 'Dave Szplett'.

Dave Szplett  
Access Management Manager  
[dave.szplett@itd.idaho.gov](mailto:dave.szplett@itd.idaho.gov)

## Brent Danielson

---

**From:** Scott Buck <SBuck@eaglefire.org>  
**Sent:** Thursday, January 02, 2014 12:36 PM  
**To:** Brent Danielson  
**Subject:** File # 200800159-CU/CU-TE/DA/MSP/ZC

Brent,

The Eagle Fire Department has no comment at this time on the above referenced file.

Scott Buck  
Division Chief  
Eagle Fire Department  
O 208-939-6463  
C 208-914-8294



# MEMORANDUM

---



DATE: 1/3/2014

RE: 200800159-CU/CU-TE/DA/MSP/ZC

TO: Brent Danielson, Associate Planner

FROM: Mark Ferm, Ada County Building Official



## Summary of Project:

An application for a time extension for an approved conditional use and master site plan for a Dillabaugh's Flooring America retail outlet store.. This is the 3rd time extension and second board level time extension the subject property is located at 9998 W State St.

## Findings and Conditions:

The Building Division has no objection to the proposed time extension however the applicant should be aware Ada County is currently in the process of adopting the 2012 edition of the International Building Code and after the adoption is complete new buildings must be designed pursuant to the 2012 Edition.

## Conclusion:

Approved with comments listed above.

Mark Ferm  
Ada County Building Official  
200 W Front Suite 2125  
Boise Idaho 83702  
Phone 287-7910

[markf@adaweb.net](mailto:markf@adaweb.net)

Brent D.

**BOISE CITY PUBLIC WORKS DEPARTMENT**

**DEPARTMENT CORRESPONDENCE**

Date: January 6, 2014

To: Ada County Planning & Zoning

Re: 200800159-CU/CU-TE/DA/MSP/ZC; 9998 State Street

**CONDITIONS OF APPROVAL**

**SEWER CONDITIONS – MIKE SHEPPARD (384-3920)**

Upon development of the property, connection to central sanitary sewer is required. Sewers are available in W. State Street and N. Gardner Lane.

Prior to granting final sewer construction plan approval, the Boise City Council recommendations of approval must be adopted.

**DRAINAGE / STORM WATER CONDITIONS – BRIAN MURPHY (384-3752)**

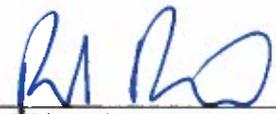
No comment.

**STREET LIGHT CONDITIONS – MIKE HEDGE (388-4719)**

No comment.



  
PUBLIC WORKS REPRESENTATIVE

  
PUBLIC WORKS REPRESENTATIVE

cc: Applicant

TIME RECEIVED

January 8, 2014 2:41:27 PM MST

REMOTE CSID

208 854 4011

DUPLICATION

27

PAGES

1

STATUS

Received

01/08/2014 14:42

208-854-4011

BSD TRANSPORTATION

PAGE 01/01



## Independent School District of Boise City #1

**Boundaries, Transportation, and Traffic Safety**

8169 W Victory Rd - Boise, ID 83709

(208) 854-4167 Fax (208) 854-4011

January 8, 2014

Ada County Development Services  
200 W Front St  
Boise, ID 83702



**RE: Randall SUB #9 - Dillabaugh's Flooring**

At the present time, the Developer and/or Owner have made arrangements to comply with all requirements of the Boise School District.

The schools currently assigned to the proposed project area are:

Elementary School: **Shadow Hills**  
Junior High School: **Riverglen**  
High School: **Capital**

Comments Regarding Traffic Impact: **None**

Comments Regarding Safe Routes to School Impact: **None**

If you have any further questions, please feel free to contact this office.

Lanette Daw, Supervisor  
Traffic Safety and Transportation

LD/pkw

**MEMORANDUM**

---



**DATE:** January 10, 2014

**RE:** Recommendation Regarding File 200800159 – CU TE MSP DA ZC, Dillabaughs Floor Covering

**TO:** Brent Danielson, Associate Planner

**FROM:** Angela Gilman, Ada County Engineer

---

Brent,

Per your request I have reviewed the project referenced above. The documents reviewed include:

- Master Application
- Detailed Letter
- Project Site Plan

My comments and Conditions of Approval are as follows:

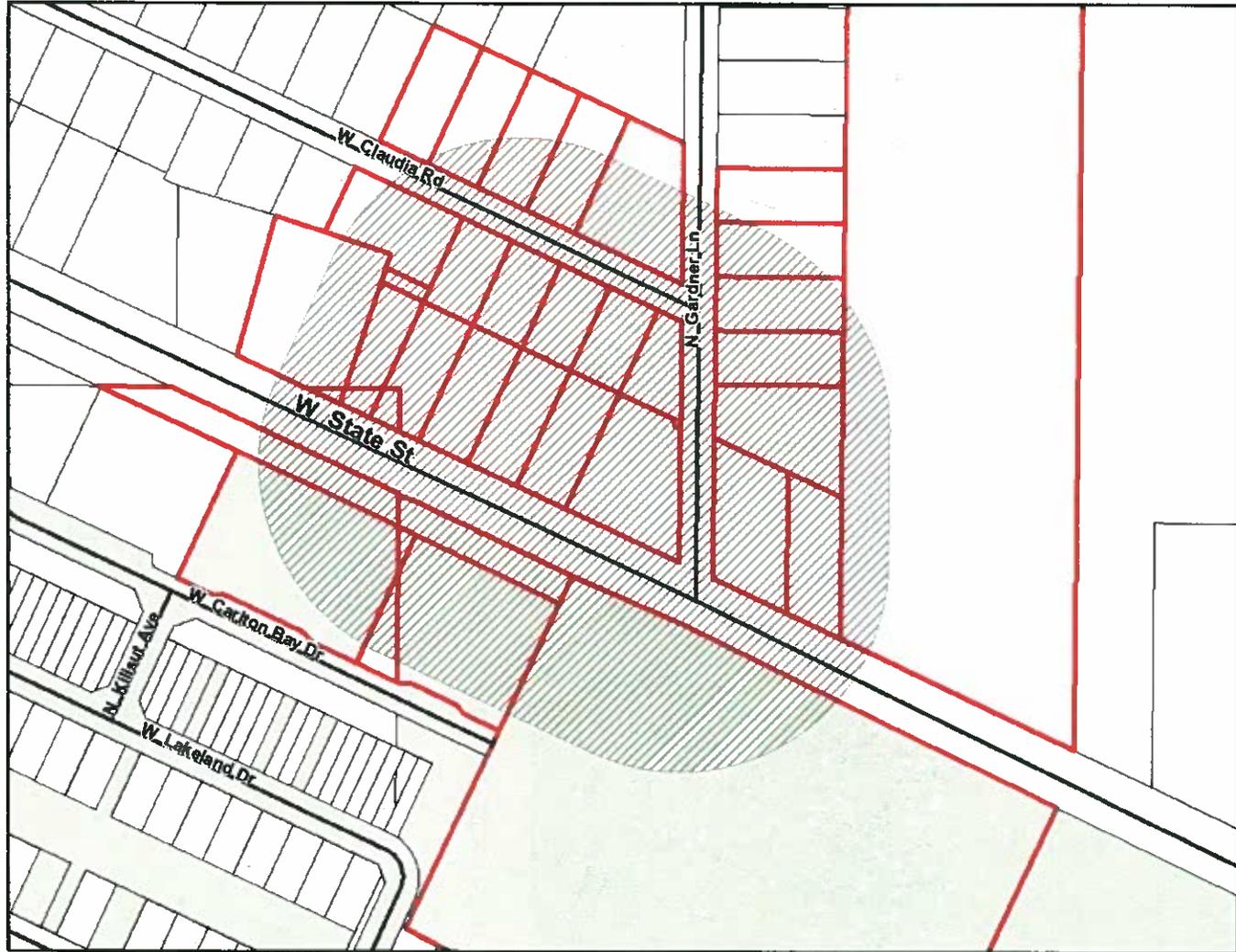
I recommend approval of the time extension.

Regards,

Angela Gilman, P.E.



# 200800159 CU-MSP-TE Radius Map



### Legend

- xx Railroads
- Major Streets
  - Minor Arterial
  - Collector
  - SECTION
  - PRINCIPAL Arterial
  - INTERSTATE
  - Other
- Minor Streets
  - LOCAL
  - PARKS
  - PRIVATE
  - RESIDENTIAL
  - Other
- Street Names (minor)
- Parcels
- Parks
- City Limits
  - Kuna
  - Boise
  - Garden City
  - Eagle
  - Star
  - Meridian

Scale: 1:3,000



Map center: 43° 40' 48.5" N, 116° 18' 27.9" W

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

# RADIUS NOTICE REPORT

FILE NAME: 200800159 W-MSP-TE

Date File Created: 02/07/2014

Parcel Number / Property Address	Primary Owner / Address	Legal Description
R1292650020 W STATE ST GARDEN CITY, ID 83714-0000	CARLTON BAY SUBDIVISION HOA PO BOX 810 STAR, ID 83669-0000	LOT 01B BLK 01 CARLTON BAY SUB
R1292650030 W STATE ST GARDEN CITY, ID 83714-0000	CARLTON BAY SUBDIVISION HOA PO BOX 810 STAR, ID 83669-0000	LOT 01C BLK 01 CARLTON BAY SUB
R1292650100 10254 W CARLTON BAY DR GARDEN CITY, ID 83714-0000	RIVER NORTH LLC 5525 N GLENWOOD ST GARDEN CITY, ID 83714-1336	LOT 06A BLK 01 CARLTON BAY SUB
R1292650110 10254 W CARLTON BAY DR GARDEN CITY, ID 83714-0000	RIVER NORTH LLC 5525 N GLENWOOD ST GARDEN CITY, ID 83714-1336	LOT 06B BLK 01 CARLTON BAY SUB
R1292650120 10178 W CARLTON BAY DR GARDEN CITY, ID 83714-0000	S & M INVESTMENTS LLC 1100 E HARCOURT DR BOISE, ID 83642-0000	LOT 07A BLK 01 CARLTON BAY SUB
R1292650130 10178 W CARLTON BAY DR GARDEN CITY, ID 83714-0000	S & M INVESTMENTS LLC 1100 E HARCOURT DR BOISE, ID 83642-0000	LOT 07B BLK 01 CARLTON BAY SUB
R7334200075 10152 W STATE ST BOISE, ID 83714-0000	CARPENTER ROGER O 10152 W STATE ST BOISE, ID 83714-1446	PAR #0075 OF SEC 14 ADJ TO BLK 1 & OF LOTS 9 & 21 BLK 1 OUT OF FLOOD DIST RANDALL ACRES #9 #8623072 8700691*
R7334200076 10152 W STATE ST BOISE, ID 83714-0000	CARPENTER ROGER O 10152 W STATE ST BOISE, ID 83714-1446	PAR #0075 OF SEC 14 ADJ TO BLK 1 & OF LOTS 9 & 21 BLK 1 IN FLOOD DIST RANDALL ACRES #9 #8623072 8700691*

R7334200077  
10138 W STATE ST  
BOISE, ID 83714-0000

WIDE HORIZON PROPERTIES LLP  
10152 W STATE ST  
BOISE, ID 83714-0000

PAR #0071 N'LY POR OF  
LOT 09 BLK 01  
RANDALL ACRES NO 09  
#0078-S

R7334200079  
10138 W STATE ST  
BOISE, ID 83714-0000

WIDE HORIZON PROPERTIES LLP  
10152 W STATE ST  
BOISE, ID 83714-0000

PAR #0079 S'LY POR OF  
LOT 21 BLK 01  
RANDALL ACRES NO 09  
#0078-B

R7334200081  
W STATE ST  
BOISE, ID 83714-0000

WIDE HORIZON PROPERTIES LLP  
10152 W STATE ST  
BOISE, ID 83714-0000

PAR #0082 OF LOTS 9 & 21  
IN FLOOD DIST BLK 1  
RANDALL ACRES #9

R7334200083  
10124 W STATE ST  
BOISE, ID 83714-0000

WIDE HORIZON PROPERTIES LLP  
10152 W STATE ST  
BOISE, ID 83714-0000

LOT 10 OUT OF FLOOD DIST  
BLK 1  
RANDALL ACRES #9

R7334200084  
W STATE ST  
BOISE, ID 83714-0000

WIDE HORIZON PROPERTIES LLP  
10152 W STATE ST  
BOISE, ID 83714-0000

LOT 10 IN FLOOD DIST  
BLK 1  
RANDALL ACRES #9

R7334200100  
10088 W STATE ST  
BOISE, ID 83714-0000

C & H INVESTMENT GROUP  
1882 N PRESTWICK WAY  
EAGLE, ID 83616-0000

LOT 11 BLK 1  
RANDALL ACRES SUB NO 9

R7334200110  
10070 W STATE ST  
BOISE, ID 83714-0000

DFC INVESTMENTS LIMITED  
PO BOX 5009  
BOISE, ID 83705-0000

LOT 12 BLK 1  
RANDALL ACRES SUB NO 9  
CASE #3P-8637

R7334200121  
10032 W STATE ST  
BOISE, ID 83714-0000

DFC INVESTMENTS LTD  
P O BOX 5009  
BOISE, ID 83705-0000

LOT 13  
RANDALL ACRES SUB 9  
#0128-S

R7334200122  
GARDNER  
BOISE, ID 83714-0000

INTERMOUNTAIN GAS CO  
PO BOX 5650  
BISMARCK, ND 58506-5650

PAR #0122 OF LOT 15 BLK 1  
RANDALL ACRES SUB NO 9

R7334200123  
9998 W STATE ST  
BOISE, ID 83714-0000

DFC INVESTMENTS LTD  
P O BOX 5009  
BOISE, ID 83705-0000

PAR #0123 OF LOTS 14 & 15  
RANDALL ACRES SUB 9  
#0128-B  
#8555831 32 33 #8558173

R7334200150  
9973 W CLAUDIA RD  
BOISE, ID 83714-0000

MCPHERSON JERRIE LIVING TRUST  
10105 W CLAUDIA RD  
BOISE, ID 83714-0000

LOT 16 BLK 1  
RANDALL ACRES SUB NO 9

R7334200160  
9997 W CLAUDIA RD  
BOISE, ID 83714-0000

MCPHERSON JERRIE LIVING TRUST  
10105 W CLAUDIA RD  
BOISE, ID 83714-0000

LOT 17 BLK 1  
RANDALL ACRES SUB NO 9  
SP IE #9800027M

R7334200170  
10009 W CLAUDIA RD  
BOISE, ID 83714-0000

JOHNSON JOANNE  
10009 W CLAUDIA RD  
BOISE, ID 83714-1401

LOT 18 BLK 1  
RANDALL ACRES SUB NO 9  
#96027631

R7334200180  
10063 W CLAUDIA RD  
BOISE, ID 83714-0000

GRAYBEAL STEVEN L  
10063 W CLAUDIA RD  
BOISE, ID 83714-0000

LOT 19 BLK 1  
RANDALL ACRES SUB NO 9  
#94039951

R7334200191  
10065 W CLAUDIA RD  
BOISE, ID 83714-0000

GOMEZ SERGIO  
9660 W ARNOLD RD  
BOISE, ID 83714-0000

LOT 20 BLK 1  
RANDALL ACRES SUB NO 9

R7334200205  
10105 W CLAUDIA RD  
BOISE, ID 83714-0000

CHERRY KIM N  
22345 CAN-ADA RD  
STAR, ID 83669-0000

PAR #0205 OF LOTS 21/22 BLK 1  
RANDALL ACRES #9  
#0200-C #0210-C

R7334200460  
10104 W CLAUDIA RD  
BOISE, ID 83714-0000

STOHLER DIANE  
10104 W CLAUDIA RD  
BOISE, ID 83714-0000

LOT 14 BLK 2  
RANDALL ACRES SUB NO 9

R7334200472  
10066 W CLAUDIA RD  
BOISE, ID 83714-0000

HUNTER CAROLYN HORTON  
10052 W CLAUDIA RD  
BOISE, ID 83714-1402

LOT 15 BLK 2  
RANDALL ACRES SUB NO 9  
#0470-S  
#99057437

R7334200474  
10052 W CLAUDIA RD  
BOISE, ID 83714-0000

HORTON-HUNTER CAROLYN J  
10052 W CLAUDIA RD  
BOISE, ID 83714-1403

LOT 16 BLK 2  
RANDALL ACRES SUB NO 9  
#0470-B #99059429

MMARL992701 00-63-307B

R7334200490  
10040 W CLAUDIA RD  
BOISE, ID 83714-0000

GATES ALBERT  
10040 W CLAUDIA RD  
BOISE, ID 83714-0000

LOT 17 BLK 2  
RANDALL ACRES SUB NO 9

R7334200501  
9998 W CLAUDIA RD  
BOISE, ID 83714-0000

SHILOH INVESTMENTS INC  
4214 S CONSTITUTION AVE  
BOISE, ID 83716-0000

LOTS 18 & 19 BLK 2  
RANDALL ACRES SUB NO 9

R7334201320  
9990 W STATE ST  
BOISE, ID 83714-0000

ELLIS JAMES C  
9990 W STATE ST  
GARDEN CITY, ID 83714-3642

LOT 1 BLK 5  
RANDALL ACRES SUB NO 9

R7334201330  
9990 W STATE ST  
BOISE, ID 83714-0000

ELLIS JAMES C  
9990 W STATE ST  
GARDEN CITY, ID 83714-3642

LOT 2 BLK 5  
RANDALL ACRES SUB NO 9

R7334201340  
7132 N GARDNER LN  
BOISE, ID 83714-0000

KESGARD STEVE A  
7180 N GARDNER LN  
BOISE, ID 83714-0000

LOT 3 BLK 5  
RANDALL ACRES SUB NO 9

R7334201350  
7180 N GARDNER LN  
BOISE, ID 83714-0000

KESGARD STEVEN A  
7180 GARDNER LN  
BOISE, ID 83714-0000

LOT 4 BLK 5  
RANDALL ACRES SUB 9

R7334201360  
7246 N GARDNER LN  
BOISE, ID 83714-0000

DOLAN JIM  
4500 S RIDGEVIEW RD  
MERIDIAN, ID 83642-0000

LOT 5 BLK 5  
RANDALL ACRES SUB 9  
#8932563 64

R7334201370  
7284 N GARDNER LN  
BOISE, ID 83714-0000

KLEINMAUS ERICH  
7284 N GARDNER LN  
BOISE, ID 83714-0000

LOT 6 BLK 5  
RANDALL ACRES SUB 9

R7334201380  
7302 N GARDNER LN  
BOISE, ID 83714-0000

SIMS-JUDD TAMI JO  
7302 N GARDNER LN  
BOISE, ID 83714-0000

LOT 7 BLK 5  
RANDALL ACRES SUB NO 9

S0514346650  
9995 W STATE ST  
GARDEN CITY, ID 83714-0000

GRACE AT STATE STREET LLC  
4356 N NINES RIDGE  
BOISE, ID 83702-0000

PAR #6650 OF SW4  
SEC 14 4N 1E

S0514347100  
9744 W STATE ST  
BOISE, ID 83714-0000

WITTE FRANZ JR  
9770 W STATE ST  
BOISE, ID 83703-0000

PAR #7100 OF SW4  
SEC 14 4N 1E

**Primary Owner**

C & H INVESTMENT GROUP  
 CARLTON BAY SUBDIVISION HOA INC  
 CARPENTER ROGER O  
 CHERRY KIM N  
 DFC INVESTMENTS LIMITED PARTNERSHIP  
 DOLAN JIM  
 ELLIS JAMES C  
 GATES ALBERT  
 GOMEZ SERGIO  
 GRACE AT STATE STREET LLC  
 GRAYBEAL STEVEN L  
 HORTON-HUNTER CAROLYN J  
 HUNTER CAROLYN HORTON  
 INTERMOUNTAIN GAS CO  
 JOHNSON JOANNE  
 KESGARD STEVE A  
 KLEINMAUS ERICH  
 MCPHERSON JERRIE LIVING TRUST  
 RIVER NORTH LLC  
 S & M INVESTMENTS LLC  
 SHILOH INVESTMENTS INC  
 SIMS-JUDD TAMI JO  
 STOHLER DIANE  
 WIDE HORIZON PROPERTIES LLP  
 WITTE FRANZ JR

**Mailing Address**

1882 N PRESTWICK WAY  
 PO BOX 810  
 10152 W STATE ST  
 22345 CAN-ADA RD  
 PO BOX 5009  
 4500 S RIDGEVIEW RD  
 9990 W STATE ST  
 10040 W CLAUDIA RD  
 9660 W ARNOLD RD  
 4356 N NINES RIDGE  
 10063 W CLAUDIA RD  
 10052 W CLAUDIA RD  
 10052 W CLAUDIA RD  
 PO BOX 5650  
 10009 W CLAUDIA RD  
 7180 N GARDNER LN  
 7284 N GARDNER LN  
 10105 W CLAUDIA RD  
 5525 N GLENWOOD ST  
 1100 E HARCOURT DR  
 4214 S CONSTITUTION AVE  
 7302 N GARDNER LN  
 10104 W CLAUDIA RD  
 10152 W STATE ST  
 9770 W STATE ST

**Mailing Address City, State Zip**

EAGLE, ID 83616-0000  
 STAR, ID 83669-0000  
 BOISE, ID 83714-1446  
 STAR, ID 83669-0000  
 BOISE, ID 83705-0000  
 MERIDIAN, ID 83642-0000  
 GARDEN CITY, ID 83714-3642  
 BOISE, ID 83714-0000  
 BOISE, ID 83714-0000  
 BOISE, ID 83702-0000  
 BOISE, ID 83714-0000  
 BOISE, ID 83714-1403  
 BOISE, ID 83714-1402  
 BISMARCK, ND 58506-5650  
 BOISE, ID 83714-1401  
 BOISE, ID 83714-0000  
 BOISE, ID 83714-0000  
 BOISE, ID 83714-0000  
 GARDEN CITY, ID 83714-1336  
 BOISE, ID 83642-0000  
 BOISE, ID 83716-0000  
 BOISE, ID 83714-0000  
 BOISE, ID 83714-0000  
 BOISE, ID 83714-0000  
 BOISE, ID 83703-0000

ADA COUNTY DEVELOPMENT SERVICES  
200 W FRONT ST BOISE ID 83702



February 10, 2014

Dear Property Owner:

LEGAL NOTICE IS HEREBY GIVEN THAT the Board of Ada County Commissioner's will hold a public hearing on **March 12, 2014** at 6:00 p.m. in the Commissioners Main Hearing Room #1235, on the first floor, 200 W. Front Street, Boise, ID, to hear the following:

**200800159-CU-MSP-TE**, An application for a time extension for an approved conditional use and master site plan for a Dillabaugh's Flooring America retail outlet store. The property contains 1.31 acres and is located at 9998 W. State Street in Section 14, T. 4N, R. 1E, Boise, ID.

Contact, Brent Danielson, Associate Planner, at 287-7913 for more information.

This is an Official Notice of Public Hearing regarding the use of a property near your own. You have been notified because records indicated that you own property near or within **300'** of the applicant's project boundary. You are invited to attend the public hearing and offer your comments for consideration. If you are unable to attend, you may send comments to our office before the hearing date, and they will be entered in the public hearing record.

This application can be viewed by completing the following:

- 1 Type <http://gisx.adaweb.net/acdsv2>
- 2 Enter **"200800159-CU"** in search application by file number.
- 3 Click on 'Application Information'.
- 4 Review documents by clicking on 'Supporting Documents'.

5 days prior to the hearing you can go to [www.adaweb.net](http://www.adaweb.net) to view the agenda or staff report.



NOTES:

- This item may not be heard at the scheduled time of 6:00 p.m., as multiple items may be considered during the hearing.
- Video, audio, PowerPoint, or other computer-generated visuals used to present testimony, must be provided to the Planner ½ hour prior to the start of the hearing: file format compatibility cannot be guaranteed.
- Auxiliary aids or services for persons with disabilities are available upon request. Please call 287-7900 or 287-7979 (TDD) three days prior to this public hearing to make arrangements.

LEGAL NOTICE OF PUBLIC HEARING Legal notice is hereby given that the Board of Ada County Commissioners will hold a public hearing on March 12, 2014 at 6:00 p.m. in the Commissioners Main Hearing Room #1235, on the first floor, 200 W. Front Street, Boise, ID, to hear a request for: 201400119-VAC, Avimor Development: A request to vacate the public trail easement located in Lot 19, Block 12 of the Avimor Subdivision No. 1 final plat. The trail will be relocated to the west within the Foothills Heritage Park. The property is located on North Streams Edge Place; 5N 2E Sec. 18. Megan Basham 287-7944 200800159-CU-TE, DFC Investments: An application for a time extension for an approved conditional use and master site plan for a Dillabaugh's Flooring America retail outlet store. This is the 3rd time extension and second board level time extension. The property is located at 9998 State Street; 4N 1E Sec. 14. Brent Danielson 287-7913 201301546-ZC-S-DA-DA(M), Painted Ridge #2: A preliminary plat for a 164 lot subdivision consisting of 155 residential lots and nine (9) common lots on approximately 41.73 acres. It is noted that 31.73 acres of the proposed subdivision is under a development agreement for Painted Ridge Subdivision (aka Racers Ridge Subdivision). Thus, there is an application for a development agreement modification on 31.73 acres. In addition, there is a zoning ordinance map amendment application to rezone with a development agreement the additional ten (10) acres of the proposed subdivision from the RUT District to the R8 District. The property is located at 5997 E. Columbia Road; 2N 3E Sec. 9. Brent Danielson 287-7913 201400074-CU-MSP-V, Levi Duckett: A conditional use and master site plan application to operate and construct a contractor's yard/shop. The shop will be approximately 5,218 square feet and the existing dwelling on the property will be used as an office. In addition, an application for a variance to grant relief from a development standard requiring all structures and storage areas to be located a minimum of 100 feet from any property line because the subject property is located in a residential district. Also, a variance from the development standard for accessory office space to comply with Section 8-5-3-75 of the Ada County Code in order to exceed 25% of the gross floor area of the use. The property is located at 4610 W. Franklin Road; 3N 1W Sec. 10. Brent Danielson 287-7913 Staff Reports Available On-Line 5 Days before Hearing Date - adaweb.net Auxiliary aids or services for persons with disabilities are available upon request. Please call 287-7900 or 287-7979 (TDD) by 5:00 p.m. three days prior to this public hearing so that arrangements can be made. BOARD OF ADA COUNTY COMMISSIONERS Mark Perfect Planning & Zoning Administrator Pub. Feb. 25, 2014 **Publish Dates:** 2/25/2014 -3/11/2014

EXHIBIT 19  
Page 1 of 1  
Project # 200800159 CU-MSP-TE