



**TO: ADA COUNTY PLANNING & ZONING COMMISSION**

**HEARING DATE:** March 13, 2014

**STAFF:** Brent Danielson, Associate Planner

**PROJECT NO.:** 201302032 S

**APPLICANT:** Kevin McCarthy, KM Engineering

### **INTRODUCTION**

A preliminary plat for a ten (10) lot residential subdivision. The property contains 2.07 acres and is located at 9414 W. Amity Road in Section 26, T. 3N, R. 1E.

### **EXECUTIVE SUMMARY**

The applicant has applied for a ten (10) lot residential subdivision on 2.07 acres in the Medium High Density Residential (R8) District. The applicant has submitted a revised preliminary plat dated February 21, 2014 (Exhibit #31) to address the Whitney Fire District's concern regarding the need for a secondary access. In Exhibit #23 the fire district mentioned that this subdivision in conjunction with the existing Silverpine Subdivision would bring the number of building sites in the subdivision to over 50 and pursuant to the Idaho State Fire Marshal's adoption of the 2009 Edition of the International Fire Code, a secondary access is required when the number of dwelling units exceed 30 (Appendix D, Section 107). The revised preliminary plat addresses the Whitney Fire District's concerns as well as the Ada County Highway District's (ACHD) concern about not having an additional access point on W. Amity Road for the subdivision. The new preliminary plat shows an emergency secondary access off of W. Amity Road. The Whitney Fire District (Exhibit #35) and ACHD finds that the revised preliminary plat dated February 21, 2014 addresses their concerns.

In addition to the Whitney Fire District, the other following agencies have provided comments: Ada County Engineering and Surveying Division, Boise City Public Works Department, Boise School District, Central District Health Department, Idaho Department of Environmental Quality (DEQ), and the Ada County Highway District. The Ada County Engineering and Surveying Division responded in Exhibit #18 that the applicant will need to submit a drainage study and drainage plan with the final plat. The Boise City Public Works Department replied in Exhibit #19 that connection to central sewer is required and sanitary sewers are available in W. Silverspring Street. The Boise School District responded in Exhibit #20 that at the present time, the Developer and/or Owner have made arrangements to comply with all requirements of the Boise School District. The Central District Health Department stated in Exhibit #21 that after

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#### **STAFF REPORT**

Project #201302032 S  
Ethridge Square Subdivision  
Margie Ethridge Family Trust

written approval from appropriate entities are submitted they can approve this proposal for central sewage and central water and the following plans must be submitted to and approved by the Idaho Department of Environmental Quality. In Exhibit #22 the Idaho Department of Environmental Quality provided general standards related to air quality, wastewater and recycled water, drinking water, surface water, and hazardous waste and ground water contamination. The Ada County Highway District in Exhibit #34 that the applicant's proposal meets District Policy and should be approved as proposed.

### **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 Commission as set out in the proposed Findings of Fact and Conclusions of Law attached hereto.

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

### **EXHIBIT LIST – PROJECT NO.: 201302032 S**

- 1 Pre-application Conference Notes. 2 pages.
- 2 Geotechnical Engineering Report dated October 28, 2013. 27 pages.
- 3 Subdivision Name Request. 1 page.
- 4 Idaho Department of Fish and Game Letter dated November 26, 2013. 1 page.
- 5 Ada County Street Name Evaluation. 2 pages.
- 6 Master Application Form. 2 pages.
- 7 Preliminary Plat Checklist. 3 pages.
- 8 Applicant's Detailed Letter. 2 pages.
- 9 Preliminary Plat. 2 pages.
- 10 Natural Features Analysis. 1 page.
- 11 Legal Description. 2 pages.
- 12 Neighborhood Meeting Certification Form. 1 page.
- 13 Deeds. 2 pages.
- 14 Ethridge Square Subdivision CC&R's. 35 pages.
- 15 Conceptual Building Elevations. 1 page.
- 16 Submittal letter. 1 page.
- 17 Agency Transmittal. 1 page.
- 18 Memorandum from Ada County Engineering/Surveying Division dated January 8, 2014. 1 page

- 19 Agency response from the Boise City Public Works Department dated January 9, 2014. 1 page.
- 20 Agency response from the Boise School District dated January 10, 2014. 1 page.
- 21 Agency response from the Central District Health Department dated January 10, 2014. 1 page.
- 22 Agency response from Idaho Department of Environmental Quality (DEQ) dated January 17, 2014. 4 pages
- 23 Agency response from the Whitney Fire District dated January 20, 2014. 1 page.
- 24 Revised Preliminary Plat dated January 22, 2014. 1 page.
- 25 Radius Map. 1 page.
- 26 Radius Notice Report. 8 pages.
- 27 Mailing List. 2 pages.
- 28 Radius Notice.
- 29 Correspondence between KM Engineering, LLP and the Ada County Highway District dated February 20, 2014. 1 page.
- 30 Correspondence between KM Engineering, LLP and the Whitney Fire District dated February 20, 2014. 1 page.
- 31 Revised Preliminary Plat dated February 21, 2014. 3 pages.
- 32 Sign Posting Certification Form dated February 25, 2014. 4 pages.
- 33 Correspondence between the Ada County Highway District and Brent Danielson dated February 25, 2014. 4 pages.
- 34 Ada County Highway District Staff Report. 16 pages.
- 35 Correspondence between the Whitney Fire District and Brent Danielson dated February 25, 2015. 1 page.
- 36 Legal Notice of Public Hearing published on February 25, 2014. 1 page.

ADA COUNTY  
DEVELOPMENT SERVICES

200 W. FRONT STREET  
BOISE, IDAHO 83702-7300  
PHONE (208) 287-7910

PREAPPLICATION CONFERENCE NOTES

Preapplication Number: 201300104 - PREAP - A

Status: Active

Date Received: 9/26/2013

Date Closed:

Meeting Date: 10/17/2013 Date Assigned: 9/26/2013

Project Description:

Proposing a 10 lot subdivision.

Applicant's Name:

KM ENGINEERING LLP

No. of Lots/Units: 0

Total Acres: 2.066

Development Services Staff Assigned To Meeting:

Staff Name:

Attended Meeting?

BRENT DANIELSON

DIANA SANDERS

Unique Features:

Sewer/Septic:

Water/Well:

General Property Location:

Parcel Info:

Parcel Num:

S1126438850

Street Address:

9414 W AMITY RD

City/State/Zip:

Boise, ID 83709-0000

Zone Info:

Zone Type:

Existing Zone

Zone:

R8

Tw n / Rng / Sec Info:

Tw n: Rng: Sec: Qtr:

3N 1E 26

Overlay Areas Info:

Overlay Area: Overlay Value: Code Ref: Comments:

Impact Area Boise

SouthWest Yes Article 8-3C

Comp Plan:

Boise

Agencies To Contact:

Agency Name:

ADA COUNTY HIGHWAY DISTRICT/ PLANNING DEPT - (208)-387-6170

Comments:

CENTRAL DISTRICT HEALTH DEPARTMENT - (208)-327-8517

Comments:

IDAHO POWER COMPANY - (208)-388-2699

Comments:

Contact Person:

LITTLE CHRISTY

RENO MIKE

PHILLIPS RACHAEL

Proposed Allowed Uses:

Dwelling, single-family detached

Required Applications:

App Type: Descriptive Name:

10/10/2013

Page 1 of 2

EXHIBIT 1  
Page 1 of 2  
Project # 201302032 S

ADA COUNTY  
DEVELOPMENT SERVICES

200 W. FRONT STREET  
BOISE, IDAHO 83702-7300  
PHONE (208) 287-7900

PREAPPLICATION CONFERENCE NOTES

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S PRELIMINARY PLAT

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**Notes:**

The property is zoned Medium High Density (R8) Residential. The property is located in Boise's Area of Impact.

See Article 8-2B for information on the Residential Base District.

See Chapter 8-6 of the Ada County Code for Subdivision Regulations.

See Article 8-6A of the Ada County Code for Subdivision Design Standards.

See Article 8-6B of the Ada County Code for Subdivision Required Improvements.

**Subdivision Process:**

A natural features analysis will be required with the preliminary plat.

A neighborhood meeting is required prior to application submittal. Neighbors within 300 feet and neighborhood associations should be notified. You can obtain mailing labels from our office for a fee of \$26.50.

Municipal sewer and water connection will be required.

A minimum of two hearing will be required--one before the P&Z and one before the Board. A subdivision typically takes about 4-6 months to navigate the hearing process.

The applicant will be required to post the property with the public hearing information along all road frontages--even stub streets from adjacent subdivisions.

**Meeting Notes:**

Work with City of Boise on connectivity issues.

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**Additional Preap Conference:** Required

**Neighborhood Meeting Required?** Yes

**Cross References:**



**GEOTECHNICAL ENGINEERING REPORT**  
of  
**Ethridge Subdivision**  
**9414 West Amity Road**  
**Boise, ID**

**RECEIVED**

**JAN 08 2014**

**ADA COUNTY  
DEVELOPMENT SERVICES**

**Prepared for:**

**Providence Properties, LLC**  
**701 South Allen Street, Suite 108**  
**Meridian, ID 83642**

**MTI File Number B131189g**



**Ms. Lisa Cunningham**  
**Providence Properties, LLC**  
**701 South Allen Street, Suite 108**  
**Meridian, ID 83642**  
**(208) 695-2400**

**Re: Geotechnical Engineering Report**  
**Ethridge Subdivision**  
**9414 West Amity Road**  
**Boise, ID**

Dear Ms. Cunningham:

In compliance with your instructions, we have conducted a soils exploration and foundation evaluation for the above referenced development. Fieldwork for this investigation was conducted on 18 October 2013. Data have been analyzed to evaluate pertinent geotechnical conditions. Results of this investigation, together with our recommendations, are to be found in the following report. We have provided a PDF copy for your review and distribution.

Often questions arise concerning soil conditions because of design and construction details that occur on a project. MTI would be pleased to continue our role as geotechnical engineers during project implementation. Additionally, MTI would be pleased in providing materials testing and special inspection services during construction of this project. If you will advise us of the appropriate time to discuss these engineering services, we will be pleased to meet with you at your convenience.

MTI appreciates this opportunity to be of service to you and looks forward to working with you in the future. If you have questions, please call (208) 376-4748.

Respectfully Submitted,  
Materials Testing & Inspection, Inc.

*Monica Saculles*  
Monica Saculles, P.E.  
Geotechnical Engineer



*Kevin L. Schroeder*  
Reviewed by: Kevin L. Schroeder, P.G.  
Geotechnical Services Manager



*Elizabeth Brown*  
Reviewed by: Elizabeth Brown, P.E.  
Geotechnical Engineer



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## INTRODUCTION

This report presents results of a geotechnical investigation and analysis in support of data utilized in design of structures as defined in the 2009 International Building Code (IBC). Information in support of groundwater and storm water issues pertinent to the practice of Civil Engineering is included. Observations and recommendations relevant to the earthwork phase of the project are also presented. Revisions in plans or drawings for the proposed development from those enumerated in this report should be brought to the attention of the soils engineer to determine whether changes in foundation recommendations are required. Deviations from noted subsurface conditions, if encountered during construction, should also be brought to the attention of the soils engineer.

### Project Description

The proposed development is in the southwestern portion of the City of Boise, Ada County, ID, and occupies a portion of the SW¼SE¼ of Section 26, Township 3 North, Range 1 East, Boise Meridian. This project will consist of construction of a residential subdivision to be developed on approximately 2 acres. At this time, a total of 10 residential lots are proposed. Total settlements are limited to 1 inch. Loads of up to 4,000 pounds per lineal foot for wall footings, and column loads of up to 50,000 pounds were assumed for settlement calculations. Additionally, assumptions have been made for traffic loading of pavements. Retaining walls are not anticipated as part of the project. MTI has not been informed of the proposed grading plan.

### Authorization

Authorization to perform this exploration and analysis was given in the form of a written authorization to proceed from Mr. Randal Clarno of Providence Properties, LLC to Kevin L. Schroeder of Materials Testing and Inspection, Inc. (MTI), on 8 October 2013. Said authorization is subject to terms, conditions, and limitations described in the Professional Services Contract entered into between Providence Properties, LLC and MTI. Our scope of services for the proposed development has been provided in our proposal dated 1 October 2013 and repeated below.

### Purpose

The purpose of this Geotechnical Engineering Report is to determine various soil profile components and their engineering characteristics for use by either design engineers or architects in:

- Preparing or verifying suitability of foundation design and placement
- Preparing site drainage designs
- Indicating issues pertaining to earthwork construction
- Preparing residential pavement section design requirements

### Scope of Investigation

The scope of this investigation included review of geologic literature and existing available geotechnical studies of the area, visual site reconnaissance of the immediate site, subsurface exploration of the site, field and laboratory testing of materials collected, and engineering analysis and evaluation of foundation materials. The scope of work did not include design recommendations specific to individual residences.



## **Warranty and Limiting Conditions**

MTI warrants that findings and conclusions contained herein have been formulated in accordance with generally accepted professional engineering practice in the fields of foundation engineering, soil mechanics, and engineering geology only for the site and project described in this report. These engineering methods have been developed to provide the client with information regarding apparent or potential engineering conditions relating to the site within the scope cited above and are necessarily limited to conditions observed at the time of the site visit and research. Field observations and research reported herein are considered sufficient in detail and scope to form a reasonable basis for the purposes cited above.

### **Exclusive Use**

**This report was prepared for exclusive use of the property owner(s), at the time of the report, and their retained design consultants ("Client").** Conclusions and recommendations presented in this report are based on the agreed-upon scope of work outlined in this report together with the Contract for Professional Services between the Client and Materials Testing and Inspection, Inc. ("Consultant"). Use or misuse of this report, or reliance upon findings hereof, by parties other than the Client is at their own risk. Neither Client nor Consultant make representation of warranty to such other parties as to accuracy or completeness of this report or suitability of its use by such other parties for purposes whatsoever, known or unknown, to Client or Consultant. Neither Client nor Consultant shall have liability to indemnify or hold harmless third parties for losses incurred by actual or purported use or misuse of this report. No other warranties are implied or expressed.

### **Report Recommendation are Limited and Subject to Misinterpretation**

There is a distinct possibility that conditions may exist that could not be identified within the scope of the investigation or that were not apparent during our site investigation. Findings of this report are limited to data collected from noted explorations advanced and do not account for unidentified fill zones, unsuitable soil types or conditions, and variability in soil moisture and groundwater conditions. To avoid possible misinterpretations of findings, conclusions, and implications of this report, MTI should be retained to explain the report contents to other design professionals as well as construction professionals.

Since actual subsurface conditions on the site can only be verified by earthwork, note that construction recommendations are based on general assumptions from selective observations and selective field exploratory sampling. Upon commencement of construction, such conditions may be identified that required corrective actions, and these required corrective actions may impact the project budget. Therefore, construction recommendations in this report should be considered preliminary, and MTI should be retained to observe actual subsurface conditions during earthwork construction activities to provide additional construction recommendations as needed.

Since geotechnical reports are subject to misinterpretation, **do not** separate the soil logs from the report. Rather, provide a copy, or authorize for their use, of the complete report to other design professional or contractors.

This report is also limited to information available at the time it was prepared. In the event additional information is provided to MTI following publication of our report, it will be forwarded to the client for evaluation in the form received.



**Environmental Concerns**

Comments in this report concerning either onsite conditions or observations, including soil appearances and odors, are provided as general information. These comments are not intended to describe, quantify, or evaluate environmental concerns or situations. Since personnel, skills, procedures, standards, and equipment differ, a geotechnical investigation report is not intended to substitute for a geoenvironmental investigation or a Phase II/III Environmental Site Assessment. If environmental services are needed, MTI can provide, via a separate contract, those personnel who are trained to investigate and delineate soil and water contamination.

**SITE DESCRIPTION**

**Site Access**

Access to the site may be gained via Interstate 84 to the Eagle Road exit. Proceed south on Eagle Road approximately 2.5 miles to its intersection with Amity Road. From this intersection, proceed east 2.75 miles to Silvermaple Avenue. The site is located to the north of this intersection. Presently the site exists as a vacant residence with associated outbuildings fronting Amity Road. The location is depicted on site map plates included in the **Appendix**.

**Regional Geology**

The project site is located within the western Snake River Plain of southwestern Idaho and eastern Oregon. The plain is a northwest trending rift basin, about 45 miles wide and 200 miles long, that developed about 14 million years ago (Ma) and has since been occupied sporadically by large inland lakes. Geologic materials found within and along the plain's margins reflect volcanic and fluvial/lacustrine sedimentary processes that have led to an accumulation of approximately 1 to 2 km of interbedded volcanic and sedimentary deposits within the plain. Along the margins of the plain, streams that drained the highlands to the north and south provided coarse to fine-grained sediments eroded from granitic and volcanic rocks, respectively. About 2 million years ago the last of the lakes was drained and since that time fluvial erosion and deposition has dominated the evolution of the landscape. The project site is underlain by "Basalt of Fivemile Creek" (Othberg and Stanford, 1993), one to three flows of medium gray olivine basalt found in the area of south Boise. This flow erupted from small vent near headwaters of Fivemile Creek and buries gravel composing sixth terrace above the modern Boise River floodplain. Thickness of this flow ranges from about 10 feet at the west edge of the flow to about 180 feet near its eastern extent. The bedrock is mostly mantled with loess 3-6 feet thick that contains 35% pedogenic clay and 2-3 feet thick duripans.

**General Site Characteristics**

This proposed development consists of approximately 2 acres of relatively flat and level terrain. Throughout the majority of the site, surficial soils consist of fine-grained clay-silt mixtures. Vegetation primarily consists of mature trees, pasture/lawn grasses, and other native weed and grass varieties typical of arid to semi-arid environments.



Small irrigation/drainage ditches are present along the northern and southern property boundaries and diagonally through the central portion of the site. Regional drainage for the site is north toward the Boise River. Storm water drainage for the site is achieved by percolation through surficial soils. The site is situated so that it is unlikely that it will receive any storm water drainage from off-site sources. Storm water drainage collection and retention systems were not noted on the project site.

### **Regional Site Climatology and Geochemistry**

According to the Western Regional Climate Center, the average precipitation for Treasure Valley is on the order of 10 to 12 inches per year, with an annual snowfall of approximately 20 inches and a range from 3 to 49 inches. The monthly mean daily temperatures range from 21° F to 95° F with daily extremes ranging from -25° F to 111° F. Winds are generally from the northwest or southeast with an annual average wind speed of approximately 9 miles per hour (mph) with a maximum of 62 mph. Soils and sediments in the area are primarily derived from siliceous materials and exhibit low electro-chemical potential for corrosion of metals or concretes. Local aggregates are generally appropriate for Portland cement and lime cement mixtures. Surface waters, groundwaters, and soils in the region typically have pH levels ranging from 7.2 to 8.2.

### **Geoseismic Setting**

Soils on site are classed as Site Class D in accordance with Chapter 16 of the 2009 edition of the IBC. Structures constructed on this site should be designed per IBC requirements for such a seismic classification. Our investigation did not reveal hazards resulting from potential earthquake motions including: slope instability, liquefaction, and surface rupture caused by faulting or lateral spreading. Incidence and anticipated acceleration of seismic activity in the area is low.

## **SOILS EXPLORATION**

### **Exploration and Sampling Procedures**

Field exploration conducted to determine engineering characteristics of subsurface materials included a reconnaissance of the project site and investigation by test pit. Test pit sites were located in the field by means of visual approximation from on-site features or known locations and are presumed to be accurate to within a few feet. Upon completion of investigation, each test pit was backfilled with loose excavated materials. Re-excavation and compaction of these test pit areas are required prior to construction of overlying structures.

In addition, samples were obtained from representative soil strata encountered. Samples obtained have been visually classified in the field by professional staff, identified according to test pit number and depth, placed in sealed containers, and transported to our laboratory for additional testing. Subsurface materials have been described in detail on logs provided in the **Appendix**. Results of field and laboratory tests are also presented on these logs. MTL recommends that these logs **not** be used to estimate fill material quantities.



## Laboratory Testing Program

Along with our field investigation, a supplemental laboratory testing program was conducted to determine additional pertinent engineering characteristics of subsurface materials necessary in an analysis of the anticipated behavior of the proposed structures. Laboratory tests were conducted in accordance with current applicable American Society for Testing and Materials (ASTM) specifications, and results of these tests are to be found on the accompanying logs located in the **Appendix**. The laboratory testing program for this report included: Atterberg Limits Tests - ASTM D4318, Grain Size Analysis - ASTM C117/C136, and Resistance Value (R-Value) and Expansion Pressure of Compacted Soils - Idaho T-8.

## Soil and Sediment Profile

The profile below represents a generalized interpretation for the project site. Note that on site soils strata, encountered between test pit locations, may vary from the individual soil profiles presented in the logs, which can be found in the **Appendix**.

The materials encountered during exploration were quite typical for the geologic area mapped as Basalt of Fivemile Creek. Surficial soils were predominately lean clays. However, limited basalt gravel fill material was present within the eastern side of test pit 3. Lean clays were primarily brown to dark brown, dry, and medium stiff to hard. Organic materials were noted throughout the lean clays. Silt and sandy silt soil horizons were encountered beneath the surficial lean clays in each test pit. The silts and sandy silts were tan to light brown, dry, hard, and contained some fine-grained sand. These soil horizons contained moderate to strong calcium carbonate cementation (hardpan). Refusal was met on basalt rock encountered beneath the silts and sandy silts within each test pit. The basalt was dark gray, moderately weathered, widely fractured, strong, and contained minor vesicles.

Test pit walls were stable at the time of exploration. However, moisture contents will also affect wall competency with saturated soils having a tendency to readily slough when under load and unsupported.

## Volatile Organic Scan

No environmental concerns were identified prior to commencement of the investigation. Therefore, soils obtained during on-site activities were not assessed for volatile organic compounds by portable photoionization detector. Samples obtained during our exploration activities exhibited no odors or discoloration typically associated with this type contamination. No groundwater was encountered.

## SITE HYDROLOGY

Existing surface drainage conditions are defined in the **General Site Characteristics** section. Information provided in this section is limited to observations made at the time of the investigation. Either regional or local ordinances may require information beyond the scope of this report.

## Groundwater

During this field investigation, groundwater was not encountered in test pits advanced to a maximum depth of 9.3 feet bgs. Soil moisture in the test pits were generally dry. In the vicinity of the project site, groundwater levels are controlled in large part by residential and commercial irrigation activity and leakage from nearby canals. Maximum groundwater elevations likely occur during the later portion of the irrigation season. During previous investigations performed in January 2007, September 2008, and February 2009 within approximately ¼-mile to the west, east, and south of the project site, no evidence of groundwater was noted within numerous test pits advanced to depths as great as 16.4 feet bgs. Furthermore, according to USGS monitoring well data within approximately ½-mile of the project site, groundwater was measured at depths ranging between 50 and 78 feet bgs. Based on evidence of this investigation and background knowledge of the area, MTI estimates groundwater depths to remain greater than approximately 20 feet bgs throughout the year. This depth can be confirmed through long-term groundwater monitoring.

## Soil Infiltration Rates

Soil permeability, which is a measure of the ability of a soil to transmit a fluid, was not tested in the field. Given the absence of direct measurements, for this report an estimation of infiltration is presented using generally recognized values for each soil type and gradation. Of soils comprising the generalized soil profile for this study, lean clay and silt soils generally offer little permeability, with typical hydraulic infiltration rates of less than 2 inches per hour. Sandy silt soils will commonly exhibit infiltration rates from 2 to 4 inches per hour. However, calcium carbonate cementation present within the silt and sandy silt soils may reduce the previously listed values to near zero. Infiltration rates through basalt rock can be highly variable, ranging from nearly zero to greater than 6 inches per hour in some cases. Infiltration testing is required to determine site-specific infiltration rates for drainage design once proposed locations of infiltration facilities are determined.

## FOUNDATION, SLAB, AND PAVEMENT DISCUSSION AND RECOMMENDATIONS

Various foundation types have been considered for support of the proposed development. Two requirements must be met in the design of foundations. First, the applied bearing stress must be less than the ultimate bearing capacity of foundation soils to maintain stability. Second, total and differential settlement must not exceed an amount that will produce an adverse behavior of the superstructure. Allowable settlement is usually exceeded before bearing capacity considerations become important; thus, allowable bearing pressure is normally controlled by settlement considerations.

Considering subsurface conditions and the proposed construction, it is recommended that the structures be founded upon conventional spread footings and continuous wall footings. Total settlements should not exceed 1 inch if the following design and construction recommendations are observed. Presently, there are approximately 10 lots proposed for the project site. The following recommendations are not specific to the individual structures, but rather should be viewed as guidelines for the subdivision – wide development.



**Foundation Design Recommendations**

Based on data obtained from the site and test results from various laboratory tests performed, MTI recommends following guidelines for the net allowable soils bearing capacity:

**Soil Bearing Capacity**

Footing Depth	ASTM D1557 Subgrade Compaction	Net Allowable Soil Bearing Capacity
Footings must bear on competent, undisturbed, native cemented silt soils or compacted structural fill. Existing lean clay soils and fill materials must be completely removed from below foundation elements. <sup>1</sup> Excavation depths ranging from 0.5 to 2.0 feet bgs should be anticipated to expose proper bearing soils.	Not Required for Native Soil  95% for Structural Fill	2,000 lbs/ft <sup>2</sup>  A 1/3 increase is allowable for short-term loading, which is defined by seismic events or designed wind speeds.

It will be required for MTI personnel to verify the bearing soil suitability for each structure at the time of construction.

Footings should be proportioned to meet either the stated soil bearing capacity or the 2009 IBC minimum requirements. Total settlement should be limited to approximately 1 inch, and differential settlement should be limited to approximately 1/2 inch. Objectionable soil types encountered at the bottom of footing excavations should be removed and replaced with structural fill. Excessively loose or soft areas that are encountered in the footing subgrade will require over-excavation and backfilling with structural fill. To minimize the effects of slight differential movement that may occur because of variations in character of supporting soils and seasonal moisture content, MTI recommends continuous footings be suitably reinforced to make them as rigid as possible. For frost protection, the bottom of external footings should be 24 inches below finished grade.

**Crawl Space Recommendations**

Considering the presence of shallow cemented soils across the site, all residences constructed with crawl spaces should be designed in a manner that will inhibit water in the crawl spaces. MTI recommends that roof drains carry storm water at least 5 feet away from each residence. Grades should be greater than 5% for a distance of 10 feet away from all residences. In addition, rain gutters should be placed around all sides of residences, and backfill around stem walls should be placed and compacted in a controlled manner.

Based on test pit logs, areas with shallow cementation are likely to be encountered across much of the site, with cementation present as shallow as roughly 0.5 to 1.5 feet across the site. In areas where cemented soils will be within 2 feet of the crawl space elevation, construction of subsurface drains is also recommended. Review of proposed grading in conjunction with soils data presented by MTI will be required to identify these areas. Subsurface drains should be placed at storm water and irrigation water collection points within the lawn area. These drains will require over-excavation through cemented soils to underlying free-draining soils and backfilling with permeable soils to permit drainage.



### **Floor, Patio, and Garage Slab-on Grade**

Uncontrolled fill was encountered in portions of the site. MTI recommends that these fill soils be excavated to a sufficient depth to expose competent, native soils or to a minimum depth of 1½ feet below finished subgrade. MTI personnel must be present during excavation to identify these materials.

Native clay soils are moderately plastic and will be susceptible to shrink/swell movements associated with moisture changes. These clay soils must be completely removed from below slabs-on-grade.

Organic, loose, or obviously compressive materials must be removed prior to placement of concrete floors or floor-supporting fill. In addition, the remaining subgrade should be treated in accordance with guidelines presented in the **Earthwork** section. Areas of excessive yielding should be excavated and backfilled with structural fill. Fill used to increase the elevation of the floor slab should meet requirements detailed in the **Structural Fill** section. Fill materials must be compacted to a minimum 95 percent of maximum density as determined by ASTM D1557.

A free-draining granular mat (drainage fill course) should be provided below slabs-on-grade. This should be a minimum of 4 inches in thickness and properly compacted. The mat should consist of a sand and gravel mixture, complying with Idaho Standards for Public Works Construction (ISPWC) specifications for ¾-inch (Type 1) crushed aggregate. A moisture-retarder should be placed beneath floor slabs to minimize potential ground moisture effects on moisture-sensitive floor coverings. The moisture-retarder should be at least 15-mil in thickness and have a permeance of less than 0.01 US perms as determined by ASTM E96. Placement of the moisture-retarder will require special consideration with regard to effects on the slab-on-grade. The granular mat should be compacted to no less than 95 percent of maximum density as determined by ASTM D1557. Upon request, MTI can provide further consultation regarding installation.

### **Recommended Pavement Sections**

As required by Ada County Highway District, MTI has used a traffic index of 6 to determine the necessary pavement cross-sections for the site. MTI has made assumptions for traffic loading variables based on the character of the proposed construction. The Client should review these assumptions to make sure they reflect intended use and loading of pavements both now and in the future. MTI collected a sample of near-surface soils for Resistance Value (R-value) testing representative of soils at depths of 1.5 to 2.0 feet below existing ground surface. This sample, consisting of silt collected from test pit 3, yielded a R-value of 8. The following are minimum thickness requirements for assured pavement function. Depending on site conditions, additional work, e.g. soil preparation, may be required to support construction equipment. These have been listed within the **Soft Subgrade Soils** subsection. Results of the test are graphically depicted in the **Appendix**.



**Flexible Pavement Sections**

The Gravel Equivalent Method, as defined in Section 500 of the State of Idaho Department of Transportation (ITD) Materials Manual, was used to develop the pavement section. Ada County Highway District (ACHD) parameters for traffic index and substitution ratios, which were obtained from the ACHD Development Policy Manual, were also used in the design. Calculation sheets provided in the **Appendix** indicate the soils constant, traffic loading, traffic projections, and material constants used to calculate the pavement sections. MTI recommends that materials used in the construction of asphaltic concrete pavements meet the requirements of the Idaho Standards for Public Works Construction (ISPWC) specifications. Construction of the pavement section should be in accordance with these specifications and should adhere to guidelines recommended in the section on **Construction Considerations**.

**Gravel Equivalent Method Flexible Pavement Specifications**

<b>Pavement Section Component<sup>1</sup></b>	<b>Roadway Section</b>
Asphaltic Concrete	2.5 Inches
Crushed Aggregate Base	4.0 Inches
Structural Subbase	12.0 Inches
Compacted Subgrade	Not Required

<sup>1</sup>It will be required for MTI personnel to verify subgrade competency at the time of construction.

**Asphaltic Concrete:** Asphalt mix design shall meet the requirements of ISPWC, Section 810 Class III plant mix. Materials shall be placed in accordance with ISPWC Standard Specifications for Highway Construction.

**Aggregate Base:** Material complying with ISPWC Standards for Crushed Aggregate Materials.

**Structural Subbase:** Material complying with requirements for granular structural fill (uncrushed) as defined in ISPWC.

**Common Pavement Section Construction Issues**

The subgrade upon which above pavement sections are to be constructed must be properly stripped, inspected, and proof-rolled. Proof rolling of subgrade soils should be accomplished using a heavy rubber-tired, fully loaded, tandem-axle dump truck or equivalent. Verification of subgrade competence by MTI personnel at the time of construction is required. Fill materials on the site must demonstrate the indicated compaction prior to placing material in support of the pavement section. MTI anticipates that pavement areas will be subjected to moderate traffic. MTI does not anticipate pumping material to become evident during compaction, but subgrade clays and silts near and above optimum moisture contents may tend to pump. Pumping or soft areas must be removed and replaced with structural fill.

Fill material and aggregates in support of the pavement section must be compacted to no less than 95 percent of the maximum dry density as determined by ASTM D698 for flexible pavements and by ASTM D1557 for rigid pavements. If a material placed as a pavement section component cannot be tested by usual compaction testing methods, then compaction of that material must be approved by observed proof rolling. Minor deflections from proof rolling for flexible pavements are allowable. Deflections from proof rolling of rigid pavement support courses should not be visually detectable.

## CONSTRUCTION CONSIDERATIONS

Recommendations in this report are based upon structural elements of the project being founded on competent cemented silt soils or compacted structural fill. Structural areas should be stripped to an elevation that exposes these soil types.

### Earthwork

Excessively organic soils, deleterious materials, or disturbed soils generally undergo high volume changes when subjected to loads, which is detrimental to subgrade behavior in the area of pavements, floor slabs, structural fills, and foundations. Mature trees, brush, and thick grasses with associated root systems were noted at the time of our investigation. It is recommended that organic or disturbed soils, if encountered, be removed to depths of 1 foot (minimum), and wasted or stockpiled for later use. Stripping depths should be adjusted in the field to assure that the entire root zone or disturbed zone or topsoil are removed prior to placement and compaction of structural fill materials. Exact removal depths should be determined during grading operations by MTI personnel, and should be based upon subgrade soil type, composition, and firmness or soil stability. If underground storage tanks, underground utilities, wells, or septic systems are discovered during construction activities, they must be decommissioned then removed or abandoned in accordance with governing Federal, State, and local agencies. Excavations developed as the result of such removal must be backfilled with structural fill materials as defined in the **Structural Fill** section.

MTI should oversee subgrade conditions (i.e., moisture content) as well as placement and compaction of new fill (if required) after native soils are excavated to design grade. Recommendations for structural fill presented in this report can be used to minimize volume changes and differential settlements that are detrimental to the behavior of footings, pavements, and floor slabs. Sufficient density tests should be performed to properly monitor compaction. For structural fill beneath building structures, one in-place density test per lift for every 5,000 square feet is recommended. In parking and driveway areas, this can be decreased to one test per lift for every 10,000 square feet.

## Dry Weather

If construction is to be conducted during dry seasonal conditions, many problems associated with soft soils may be avoided. However, some rutting of subgrade soils may be induced by shallow groundwater conditions related to springtime runoff or irrigation activities during late summer through early fall. Solutions to problems associated with soft subgrade soils are outlined in the **Soft Subgrade Soils** section. Problems may also arise because of lack of moisture in native and fill soils at time of placement. This will require the addition of water to achieve near-optimum moisture levels. Low-cohesion soils exposed in excavations may become friable, increasing chances of sloughing or caving. Measures to control excessive dust should be considered as part of the overall health and safety management plan.

## Wet Weather

If construction is to be conducted during wet seasonal conditions (commonly from mid-November through May), problems associated with soft soils must be considered as part of the construction plan. During this time of year, fine-grained soils such as silts and clays will become unstable with increased moisture content, and eventually deform or rut. Additionally, constant low temperatures reduce the possibility of drying soils to near optimum conditions.

## Soft Subgrade Soils

Shallow fine-grained subgrade soils that are high in moisture content should be expected to pump and rut under construction traffic. During periods of wet weather, construction may become very difficult if not impossible. The following recommendations and options have been included for dealing with soft subgrade conditions:

- Track-mounted vehicles should be used to strip the subgrade of root matter and other deleterious debris. Heavy rubber-tired equipment should be prohibited from operating directly on the native subgrade and areas in which structural fill materials have been placed. Construction traffic should be restricted to designated roadways that do not cross, or cross on a limited basis, proposed roadway or parking areas.
- Construction roadways on soft subgrade soils should consist of a minimum 2-foot thickness of large cobbles of 4 to 6 inches in diameter with sufficient sand and fines to fill voids. Construction entrances should consist of a 6-inch thickness of clean, 2-inch minimum, angular drain-rock and must be a minimum of 10 feet wide and 30 to 50 feet long. During the construction process, top dressing of the entrance may be required for maintenance.
- Scarification and aeration of subgrade soils can be employed to reduce the moisture content of wet subgrade soils. After stripping is complete, the exposed subgrade should be ripped or disked to a depth of 1½ feet and allowed to air dry for 2 to 4 weeks. Further disking should be performed on a weekly basis to aid the aeration process.
- Alternative soil stabilization methods include use of geotextiles, lime, and cement stabilization. MTI is available to provide recommendations and guidelines at your request.



## **Frozen Subgrade Soils**

Prior to placement of structural fill materials or foundation elements, frozen subgrade soils must either be allowed to thaw or be stripped to depths that expose non-frozen soils and wasted or stockpiled for later use. Stockpiled materials must be allowed to thaw and return to near-optimal conditions prior to use as structural fill.

## **Structural Fill**

Soils recommended for use as structural fill are those classified as GW, GP, SW, and SP in accordance with the Unified Soil Classification System (USCS) (ASTM D2487). Use of silty soils (USCS designation of GM, SM, and ML) as structural fill may be acceptable. However, use of silty soils (GM, SM, and ML) as structural fill below footings is prohibited. These materials require very high moisture contents for compaction and require a long time to dry out if natural moisture contents are too high and may also be susceptible to frost heave under certain conditions. Therefore these materials can be quite difficult to work with as moisture content, lift thickness, and compactive effort becomes difficult to control. If silty soil is used for structural fill, lift thicknesses should not exceed 6 inches (loose), and fill material moisture must be closely monitored at both the working elevation and the elevations of materials already placed. Following placement, silty soils must be protected from degradation resulting from construction traffic or subsequent construction.

Recommended granular structural fill materials, those classified as GW, GP, SW, and SP, should consist of a 6-inch minus select, clean, granular soil with no more than 50 percent oversize (greater than ¾-inch) material and no more than 12 percent fines (passing No. 200 sieve). These fill materials should be placed in layers not to exceed 12 inches in loose thickness. Prior to placement of structural fill materials, surfaces must be prepared as outlined in the **Construction Considerations** section. Structural fill material should be moisture-conditioned to achieve optimum moisture content prior to compaction. For structural fill below footings, areas of compacted backfill must extend outside the perimeter of the footing for a distance equal to the thickness of fill between the bottom of foundation and underlying soils, or 5 feet, whichever is less. All fill materials must be monitored during placement and tested to confirm compaction requirements, outlined below, have been achieved.

Each layer of structural fill must be compacted, as outlined below:

- Below Structures and Rigid Pavements: A minimum of 95 percent of the maximum dry density as determined by ASTM D1557.
- Below Flexible Pavements: A minimum of 92 percent of the maximum dry density as determined by ASTM D1557 or 95 percent of the maximum dry density as determined by ASTM D698.

The ASTM D1557 test method must be used for samples containing up to 40 percent oversize (greater than ¾-inch) particles. If material contains more than 40 percent but less than 50 percent oversize particles, compaction of fill must be confirmed by proof rolling each lift with a 10-ton vibratory roller (or equivalent) until the maximum density has been achieved. Density testing must be performed after each proof rolling pass until the in-place density test results indicate a drop (or no increase) in the dry density, defined as the maximum density or "break over" point. The number of required passes should be used as the requirement on the remainder of fill placement. Material should contain sufficient fines to fill void spaces, and must not contain more than 50 percent oversize particles.

### Backfill of Walls

Backfill materials must conform to the requirements of structural fill, as defined in this report. For wall heights greater than 2.5 feet, the maximum material size should not exceed 4 inches in diameter. Placing oversized material against rigid surfaces interferes with proper compaction, and can induce excessive point loads on walls. Backfill shall not commence until the wall has gained sufficient strength to resist placement and compaction forces. Further, retaining walls above 2.5 feet in height shall be backfilled in a manner that will limit the potential for damage from compaction methods and/or equipment. It is recommended that only small hand-operated compaction equipment be used for compaction of backfill within a horizontal distance equal to the height of the wall, measured from the back face of the wall.

Backfill should be compacted in accordance with the specifications for structural fill, except in those areas where it is determined that future settlement is not a concern, such as planter areas. In nonstructural areas, backfill must be compacted to a firm and unyielding condition.

### Excavations

Shallow excavations that do not exceed 4 feet in depth may be constructed with side slopes approaching vertical. Below this depth, it is recommended that slopes be constructed in accordance with Occupational Safety and Health Administration (OSHA) regulations, section 1926, subpart P. Based on these regulations, on-site soils are classified as type "C" soil, and as such, excavations within these soils should be constructed at a maximum slope of 1½ foot horizontal to 1 foot vertical (1½H:1V) for excavations up to 20 feet in height. Excavations in excess of 20 feet will require additional analysis. Note that these slope angles are considered stable for short-term conditions only, and will not be stable for long-term conditions.

During our subsurface exploration, test pit sidewalls generally exhibited little indication of collapse. For deep excavations, native granular sediments, if encountered, cannot be expected to remain in position. These materials are prone to failure and may collapse, thereby, undermining upper soils layers. This is especially true when excavations approach depths near the water table. Care must be taken to ensure that excavations are properly backfilled in accordance with procedures outlined in this report.

Shallow soil cementation (caliche) was observed throughout much of the site and may cause difficulties during foundation development and utility placement. Cemented soils should be anticipated throughout the site at depths as shallow as 0.5 to 1.5 feet bgs.



## **Groundwater Control**

Groundwater was not encountered during the investigation and is anticipated to be below the depth of most construction. Special precautions may be required for control of surface runoff and subsurface seepage. It is recommended that runoff be directed away from open excavations. Silty or clayey soils may become soft and pump if subjected to excessive traffic during time of surface runoff. Pondered water in construction areas should be drained through methods such as trenching, sloping, crowning grades, nightly smooth drum rolling, or installing a French drain system. Additionally, temporary or permanent driveway sections should be constructed if extended wet weather is forecasted.

## **GENERAL COMMENTS**

When plans and specifications are complete, or if significant changes are made in the character or location of the proposed development, consultation with MTI should be arranged as supplementary recommendations may be required. Suitability of subgrade soils and compaction of structural fill materials must be verified by MTI personnel prior to placement of structural elements. Additionally, monitoring and testing should be performed to verify that suitable materials are used for structural fill and that proper placement and compaction techniques are utilized.



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## APPENDICES

### ACRONYM LIST

<b>AASHTO:</b>	American Association of State Highway and Transportation Officials
<b>ACCP:</b>	Asphalt Cement Concrete Pavement
<b>ACHD:</b>	Ada County Highway District
<b>ASTM:</b>	American Society for Testing and Materials
<b>AU:</b>	Auger sample
<b>bgs:</b>	below ground surface
<b>CB:</b>	Carbide bit
<b>CBR:</b>	California Bearing Ratio
<b>D:</b>	natural dry unit weight, pcf
<b>DB:</b>	diamond bit
<b>DM:</b>	Dames & Moore sampling tube
<b>GS:</b>	grab sample
<b>IBC:</b>	International Building Code
<b>ISPWC:</b>	Idaho Standards for Public Works Construction
<b>ITD:</b>	Idaho Transportation Department
<b>LL:</b>	Liquid Limit
<b>M:</b>	water content
<b>MSL:</b>	mean sea level
<b>N:</b>	Standard "N" penetration: blows per foot, Standard Penetration Test
<b>NP:</b>	nonplastic
<b>PCCP:</b>	Portland Cement Concrete Pavement
<b>PERM:</b>	vapor permeability
<b>PI:</b>	Plasticity Index
<b>PID:</b>	photoionization detector
<b>PVC:</b>	polyvinyl chloride
<b>Qc:</b>	cone penetrometer value, unconfined compressive strength, psi
<b>Qp:</b>	Penetrometer value, unconfined compressive strength, tsf
<b>Qu:</b>	Unconfined compressive strength, tsf
<b>SPT:</b>	Standard Penetration Test (140-pound hammer falling 30 in. on a 2-in. split spoon)
<b>SS:</b>	split spoon (1 3/8 in. inside diameter, 2 in. outside diameter, except where noted)
<b>ST:</b>	shelby tube (3 in. outside diameter, except where noted)
<b>USCS:</b>	Unified Soil Classification System
<b>USDA:</b>	United States Department of Agriculture
<b>UST:</b>	underground storage tank
<b>V:</b>	vane value, ultimate shearing strength, tsf
<b>WT:</b>	apparent groundwater level



**GEOTECHNICAL GENERAL NOTES**

RELATIVE DENSITY AND CONSISTENCY CLASSIFICATION			
Coarse-Grained Soils	SPT Blow Counts (N)	Fine-Grained Soils	SPT Blow Counts (N)
Very Loose:	< 4	Very Soft:	< 2
Loose:	4-10	Soft:	2-4
Medium Dense:	10-30	Medium Stiff:	4-8
Dense:	30-50	Stiff:	8-15
Very Dense:	>50	Very Stiff:	15-30
		Hard:	>30

Moisture Content	
Description	Field Test
Dry	Absence of moisture, dusty, dry to touch
Moist	Damp but not visible moisture
Wet	Visible free water, usually soil is below water table

Cementation	
Description	Field Test
Weakly	Crumbles or breaks with handling or slight finger pressure
Moderately	Crumbles or breaks with considerable finger pressure
Strongly	Will not crumble or break with finger pressure

PARTICLE SIZE					
Boulders:	>12 in.	Coarse-Grained Sand:	5 to 0.6 mm	Silts:	0.075 to 0.005 mm
Cobbles:	12 to 3 in.	Medium-Grained Sand:	0.6 to 0.2 mm	Clays:	<0.005 mm
Gravel:	3 in. to 5 mm	Fine-Grained Sand:	0.2 to 0.075 mm		

UNIFIED SOIL CLASSIFICATION SYSTEM			
Major Divisions		Symbol	Soil Descriptions
Coarse-Grained Soils <50% passes No.200 sieve	Gravel & Gravelly Soils <50% coarse fraction passes No.4 sieve	GW	Well-graded gravels; gravel/sand mixtures with little or no fines
		GP	Poorly-graded gravels; gravel/sand mixtures with little or no fines
		GM	Silty gravels; poorly-graded gravel/sand/silt mixtures
		GC	Clayey gravels; poorly-graded gravel/sand/clay mixtures
	Sand & Sandy Soils >50% coarse fraction passes No.4 sieve	SW	Well-graded sands; gravelly sands with little or no fines
		SP	Poorly-graded sands; gravelly sands with little or no fines
		SM	Silty sands; poorly-graded sand/gravel/silt mixtures
		SC	Clayey sands; poorly-graded sand/gravel/clay mixtures
Fine Grained Soils >50% passes No.200 sieve	Silts & Clays LL < 50	ML	Inorganic silts; sandy, gravelly or clayey silts
		CL	Lean clays; inorganic, gravelly, sandy, or silty, low to medium-plasticity clays
		OL	Organic, low-plasticity clays and silts
	Silts & Clays LL > 50	MH	Inorganic, elastic silts; sandy, gravelly or clayey elastic silts
		CH	Fat clays: high-plasticity, inorganic clays
		OH	Organic, medium to high-plasticity clays and silts
Highly Organic Soils	PT	Peat, humus, hydric soils with high organic content	



**ROCK CLASSIFICATION SYSTEM**

WEATHERING	
WEATHERING	FIELD TEST
Fresh	No sign of decomposition or discoloration. Rings under hammer impact.
Slightly Weathered	Slight discoloration inwards from open fractures, otherwise similar to Fresh.
Moderately Weathered	Discoloration throughout. Weaker minerals such as feldspar decomposed. Strength somewhat less than fresh rock but cores cannot be broken by hand or scraped with a knife. Texture preserved.
Highly Weathered	Most minerals somewhat decomposed. Specimens can be broken by hand with effort or shaved with knife. Core stones present in rock mass. Texture becoming indistinct but fabric preserved.
Completely Weathered	Minerals decomposed to soil but fabric and structure preserved. Specimens easily crumbled or penetrated.

FRACTURING	
SPACING	DISCRIPTION
6 ft.	Very widely
2 - 6 ft.	Widely
8 - 24 in.	Moderately
2 ½ - 8 in.	Closely
¼ - 2 ½ in.	Very Closely

ROCK QUALITY DESIGNATION (RQD)	
RQD (%)	ROCK QUALITY
90 - 100	Excellent
75 - 90	Good
50 - 75	Fair
25 - 50	Poor
0 - 25	Very Poor

COMPETENCY			
STRENGTH	CLASS	FIELD TEST	APPROXIMATE RANGE OF UNCONFINED COMPRESSIVE STRENGTH (tsf)
Extremely Strong	I	Many blows with geologic hammer required to break intact specimen.	>2000
Very Strong	II	Hand-held specimen breaks with pick end of hammer under more than one blow.	2000 - 1000
Strong	III	Cannot be scraped or peeled with knife, hand-held specimen can be broken with single moderate blow with pick end of hammer.	1000 - 500
Moderately Strong	IV	Can just be scraped or peeled with knife. Indentations 1 mm to 3 mm show on specimen with moderate blow with pick end of hammer.	500 - 250
Weak	V	Material crumbles under moderate blow with pick end of hammer and can be peeled with a knife, but is hard to hand-trim for triaxial test specimen.	250 - 10
Friable	VI	Material crumbles in hand.	N/A



**GEOTECHNICAL INVESTIGATION TEST PIT LOG**

Test Pit Log #: **TP-1** Date Advanced: **18 Oct 2013** Logged by: **Monica Saculles, P.E.**

Excavated by: **Struckman's Backhoe Service**

Location: **See Site Map Plates**

Depth to Water Table: **Not Encountered**

Total Depth: **9.3 Feet bgs**

Depth (Feet bgs)	Field Description and USCS Soil and Sediment Classification	Sample Type	Sample Depth (Feet bgs)	Qp	Lab Test ID
0.0-1.3	Lean Clay (CL): <i>Brown, dry, hard, with fine-grained sand.</i> --Organic material throughout.			4.5+	
1.3-8.1	Silt (ML): <i>Tan, dry, hard, with moderate calcium carbonate cementation throughout.</i>			4.5+	
8.1-9.3	Sandy Silt (ML): <i>Light brown, dry, hard, with fine-grained sand and strong calcium carbonate cementation throughout.</i>				
Below 9.3	Basalt: <i>Dark gray, moderately weathered, widely fractured, strong, with minor vesicles throughout.</i> --Refusal at 9.3 feet bgs.				

Test Pit Log #: **TP-2** Date Advanced: **18 Oct 2013** Logged by: **Monica Saculles, P.E.**

Excavated by: **Struckman's Backhoe Service**

Location: **See Site Map Plates**

Depth to Water Table: **Not Encountered**

Total Depth: **7.1 Feet bgs**

Depth (Feet bgs)	Field Description and USCS Soil and Sediment Classification	Sample Type	Sample Depth (Feet bgs)	Qp	Lab Test ID
0.0-1.6	Lean Clay (CL): <i>Dark brown, dry, hard, with fine-grained sand.</i> --Organic material throughout.			4.5+	
1.6-4.9	Silt (ML): <i>Tan, dry, hard, with moderate to strong calcium carbonate cementation throughout.</i>			4.5+	
4.9-7.1	Sandy Silt (ML): <i>Light brown, dry, hard, with fine-grained sand and strong calcium carbonate cementation throughout.</i>				
Below 7.1	Basalt: <i>Dark gray, moderately weathered, widely fractured, strong, with minor vesicles throughout.</i> --Refusal at 7.1 feet bgs.				

### GEOTECHNICAL INVESTIGATION TEST PIT LOG

Test Pit Log #: TP-3 Date Advanced: 18 Oct 2013 Logged by: Monica Saculles, P.E.

Excavated by: Struckman's Backhoe Service

Location: See Site Map Plates

Depth to Water Table: Not Encountered

Total Depth: 6.0 Feet bgs

Depth (Feet bgs)	Field Description and USCS Soil and Sediment Classification	Sample Type	Sample Depth (Feet bgs)	Qp	Lab Test ID
0.0-0.6	Lean Clay (CL): <i>Dark brown, dry, medium stiff to stiff, with fine-grained sand. --Organic material throughout. --East side of test pit contained basalt gravel fill material throughout.</i>			0.75-1.5	
0.6-3.3	Silt (ML): <i>Tan, dry, hard, with moderate to strong calcium carbonate cementation throughout. --East side of test pit contained basalt gravel fill material to a depth of roughly 2.0 feet bgs.</i>	GS Bulk		4.5+	A R-value
3.3-6.0	Sandy Silt (ML): <i>Light brown, dry, hard, with fine-grained sand and strong calcium carbonate cementation throughout.</i>				
Below 6.0	Basalt: <i>Dark gray, moderately weathered, widely fractured, strong, with minor vesicles throughout. --Refusal at 6.0 feet bgs.</i>				

Lab Test ID	M	LL	PI	Sieve Analysis*				
-	%	-	-	#4	#10	#40	#100	#200
A	15.9	NP	NP	88	81	58	44	35.0

\*Results of the sieve analysis appear to be skewed by the presence of calcium carbonate cementation.



**GRAVEL EQUIVALENT METHOD - PAVEMENT THICKNESS DESIGN PROCEDURES**

**Pavement Section Design Location:** Ethridge Subdivision, Residential Roadways

**Average Daily Traffic Count:** All Lanes & Both Directions  
**Design Life:** 20 Years  
**Traffic Index:** 6.00

**Climate Factor:** 1      **R-Value of Subgrade:** 8.00  
**Subgrade CBR Value:** 4      **Subgrade Mr:** 6.000

**R-Value of Aggregate Base:** 80  
**R-Value of Granular Borrow:** 60  
**Subgrade R-Value:** 8  
**Expansion Pressure of Subgrade:** 0.69  
**Unit Weight of Base Materials:** 130

**Total Design Life 18 kip ESAL's:** 33.131

**ASPHALTIC CONCRETE:**

**Gravel Equivalent, Calculated:** 0.384  
**Thickness:** 0.1969231

Use = 2.5 Inches

**CRUSHED AGGREGATE BASE:**

**Gravel Equivalent, ACTUAL:** 0.41  
**Gravel Equivalent (Ballast):** 0.768  
**Thickness:** 0.329

Use = 4 Inches

**GRANULAR BORROW:**

**Gravel Equivalent, ACTUAL:** 0.773  
**Gravel Equivalent (Ballast):** 1.766  
**Thickness:** 0.993

Use = 12 Inches

**TOTAL Thickness:** 1.542  
**Thickness Required by Exp. Pressure:** 0.764

	Design Depth Inches	ACHD Substitution Ratios
Asphaltic Concrete (at least 2.5):	2.50	1.95
Asphalt Treated Base (at least 4.2):	0.00	
Cement Treated Base (at least 4.2):	0.00	
Untreated Aggregate Base (at least 4.2):	4.00	1.10
Granular Borrow (at least 4.2):	12.00	1.00

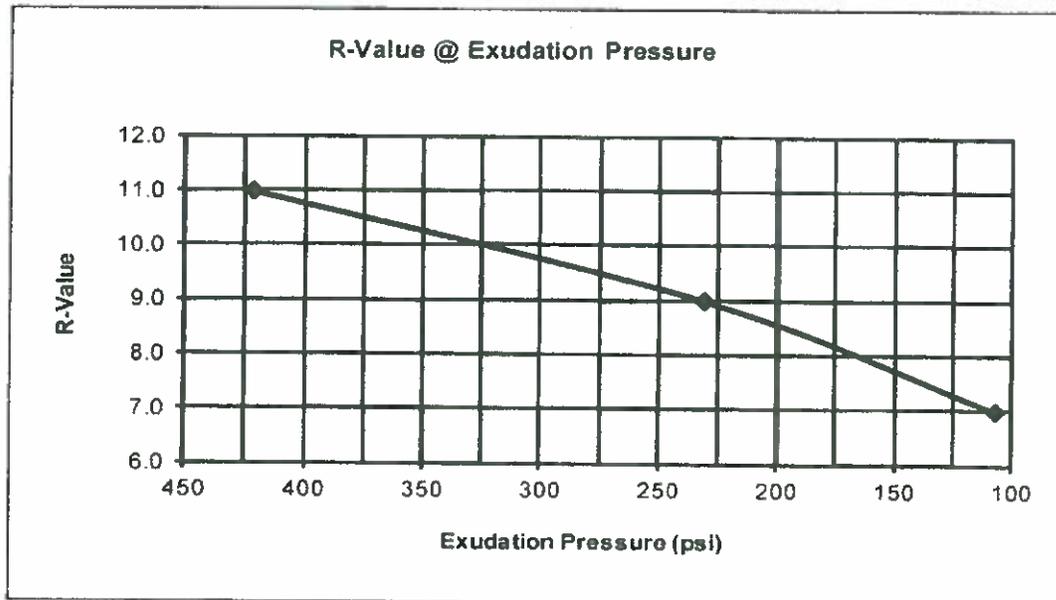


**R-VALUE LABORATORY TEST DATA**

<b>Source and Description:</b>	TP-3, 1.5'-2.0' - Silt							
<b>Date Obtained:</b>	October 18, 2013							
<b>Sample ID:</b>	13-7479							
<b>Sampling and Preparation:</b>	ASTM D75:		AASHTO T2:	X	ASTM D421:		AASHTO T87:	X
<b>Test Standard:</b>	ASTM D2844:		AASHTO T190:		Idaho T8:	X		

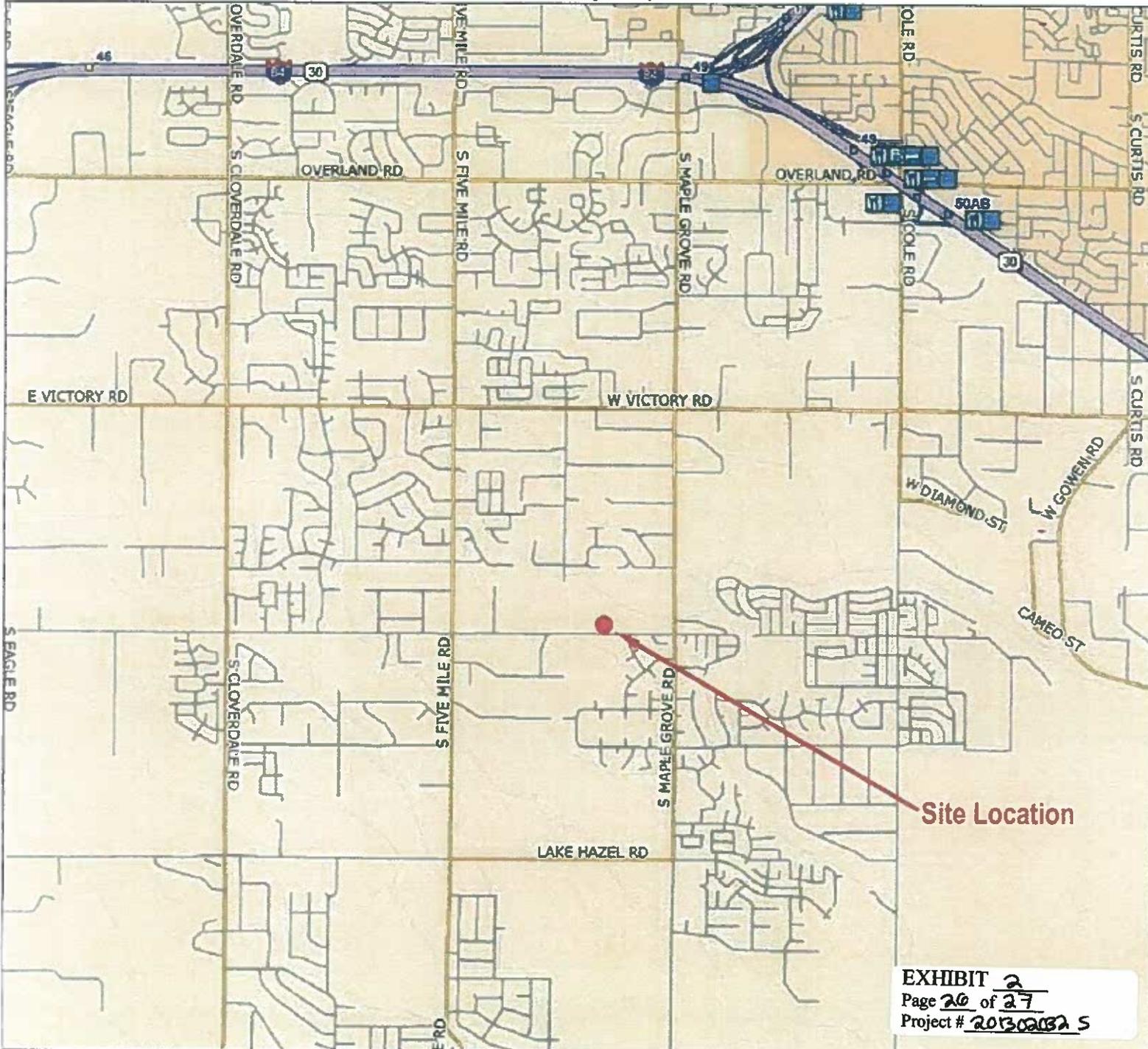
Sample	A	B	C
Dry Density (lb/ft <sup>3</sup> )	92.7	91.0	88.5
Moisture Content (%)	19.8	22.2	24.0
Expansion Pressure (psi)	1.02	0.69	0.33
Exudation Pressure (psi)	422	231	107
R-Value	11	9	7

**R-Value @ 200 psi Exudation Pressure = 8**



# Vicinity Map

Plate 1



### MAP NOTES:

- Delorme Street Atlas
- Not to Scale

### LEGEND

Approximate Site Location



Ethridge Subdivision  
9414 West Amity Road  
Boise, ID

Modified from DeLorme by: MHS  
25 October 2013  
Drawing: B131189g

Site Location

EXHIBIT 2  
Page 26 of 27  
Project # 201300025

**MATERIALS  
TESTING &  
INSPECTION**

2791 S. Victory View Way Phone: 208 376-4748  
Boise, ID 83709-2835 Fax: 208 322-8515  
E-mail: mt@mt-id.com



NOTES:

• Not to Scale

LEGEND

Approximate Site Boundary

Approximate MTI Test Pit Location



Ethridge Subdivision  
9414 West Amity Road  
Boise, ID

Modified by: MHS  
25 October 2013  
Drawing: B131189g

EXHIBIT 2  
Page 27 of 27  
Project # 201302032 S



**MATERIALS  
TESTING &  
INSPECTION**

2791 S. Victory View Way Phone: 208 376-4748  
Boise, ID 83709-2835 Fax: 208 322-6515  
E-mail: mt@mt-id.com

## Kirsti Allphin

---

**From:** Jerry Hastings [jhastings@adaweb.net]  
**Sent:** Thursday, November 21, 2013 4:49 PM  
**To:** Kirsti Allphin; Aaron Ballard  
**Subject:** Ethridge Square Sub Name Reservation

November 21, 2013

Kirsti Allphin  
KM Engineering, LLP

RE: Subdivision Name Reservation: "Ethridge Square Subdivision"

Dear Kirsti,

At your request I have changed the reserved from "Archer Square Subdivision" to "Ethridge Square Subdivision" for your project. I can honor this reservation only as long as your project is in the approval process. Final approval can only take place when the final plat is recorded

This reservation is available for the next ten (10) years unless the project is terminated by the client or the jurisdiction or the conditions of approval have not been met. In which case the name can be re-used by someone else.

Sincerely,  
Jerry Hastings, P.L.S.  
County Surveyor  
Ada County, Idaho  
208-287-7912  
208-287-7909 Fax  
[jhastings@adaweb.net](mailto:jhastings@adaweb.net)

---

**From:** Kirsti Allphin [mailto:KAllphin@kmengllp.com]  
**Sent:** Thursday, November 21, 2013 10:11 AM  
**To:** Jerry Hastings  
**Subject:** RE: Archer Square Sub Name Reservation

Awesome. Thanks Jerry!

---

**From:** Jerry Hastings [mailto:jhastings@adaweb.net]  
**Sent:** Thursday, November 21, 2013 10:08 AM  
**To:** Kirsti Allphin  
**Subject:** RE: Archer Square Sub Name Reservation

Ethridge will work. I will change it this pm. Thanks, Jerry.

Jerry Hastings, P.L.S.  
County Surveyor  
Ada County, Idaho  
208-287-7912  
208-287-7909 Fax  
[jhastings@adaweb.net](mailto:jhastings@adaweb.net)



---

**From:** Kirsti Allphin [mailto:KAllphin@kmengllp.com]  
**Sent:** Thursday, November 21, 2013 9:35 AM



**IDAHO DEPARTMENT OF FISH AND GAME**

SOUTHWEST REGION  
3101 South Powerline Road  
Nampa, Idaho 83686

C.L. "Butch" Otter / Governor  
Virgil Moore / Director

November 26, 2013

Kirsti Allphin  
KM Engineering, LLP  
9233 West State Street  
Boise, ID 83714  
208.639.6939  
[kallphin@kmengllp.com](mailto:kallphin@kmengllp.com)



**RE: Sensitive Species Determination – Archer Square Subdivision, Boise, ID**

Dear Ms. Allphin,

The Idaho Department of Fish and Game (Department) has reviewed your request for the identification of any federally listed threatened or endangered species, state sensitive species, or critical habitat at the site of the proposed Archer Square Subdivision located in Boise, ID. The project site is generally situated in Section 26, Township 3 North, Range 1 East, Boise Meridian. At buildout, it will consist of elements typical of residential subdivision construction including roadways, utilities, storm drainage facilities, and landscaping.

The Department has no records of any federally listed threatened or endangered species or critical habitat within or immediately adjacent to the proposed project area. Applicants should also consult with the United States Fish and Wildlife Service (Snake River Fish and Wildlife Office, Boise, Idaho: 208-378-5243) to determine if there are any special considerations for listed species that apply in the proposed project area. If this request is related to EPA requirements for a NPDES permit, please contact Bob Kibler at the same office (208-378-5255).

Thank you. Please contact Rick Ward in the Southwest Region office at (208) 465-8465 or [rick.ward@idfg.idaho.gov](mailto:rick.ward@idfg.idaho.gov) if you have any questions.

Sincerely,

Scott Reinecker  
Southwest Regional Supervisor

SR/rw

ecc: Kiefer/ HQ  
cc: Gold file

EXHIBIT 4  
Page 1 of 1  
Project # 201302032 S

*Keeping Idaho's Wildlife Heritage*

PRELIMINARY  
12/19/2013

ADA COUNTY STREET NAME EVALUATION



SUBDIVISION NAME: ETHRIDGE SQUARE SUB  
AGENCY and AGENCY FILE NO: Ada County: Boise AOI  
SECTION/ TOWNSHIP/ RANGE: 26 3N 1E  
DEVELOPER: KM ENGINEERING LLP

The street name comments listed below are made by the members of the ADA COUNTY STREET NAME COMMITTEE (Under the direction of the Ada County Assessor) regarding this development in accordance with the Ada County Street Name Ordinance. Overall final street names are subject to change at Final Plat phase levels due to design changes, time restraints and/or previous recorded plat street alignments.

**THE FOLLOWING EXISTING STREET NAMES SHALL APPEAR ON THE PLAT:**

W. AMITY RD S. SILVERMAPLE PL

W. SILVERSPRING ST

**THE FOLLOWING PROPOSED STREET NAMES ARE RECOMMENDED FOR APPROVAL:**

W. SILVERGARLAND ST S. SILVERMAPLE AVE

**THE FOLLOWING PROPOSED STREET NAMES ARE RECOMMENDED FOR DENIAL:**

**THE FOLLOWING CHANGES OR CORRECTIONS ARE RECOMMENDED:**

Please correct the post-type of Silvermaple from Pl to Ave south of W Silverspring St.

NOTE: IF THERE ARE CORRECTIONS AND CHANGES RECOMMENDED, PLEASE MAKE THESE CHANGES ON THE SUBDIVISION PLAT AND RESUBMIT TO THE COMMITTEE. A FINAL REVIEW WITH NO CHANGES REQUIRED AND THE MATCHING PLAT MUST BE PRESENTED TO THE ADA COUNTY SURVEYOR AT TIME OF RECORDING.

ADA COUNTY ASSESSOR	Representative <u>Ann Kovalick</u>	DATE <u>12-19-13</u>
ADA COUNTY	Representative _____	DATE _____
FIRE	Representative <u>[Signature]</u>	DATE <u>12/19/13</u>
ADA COUNTY HIGHWAY DIS.	Representative <u>[Signature]</u>	DATE <u>12/19/13</u>
ADA COUNTY SHERIFF	Representative <u>[Signature]</u>	DATE <u>12/19/13</u>
Boise Addressing	Rep <u>Emily [Signature]</u>	Date <u>12/19/2013</u>
Boise POS	<u>[Signature]</u>	<u>12/19/13</u>





# 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:

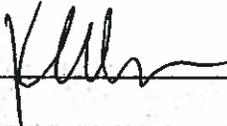
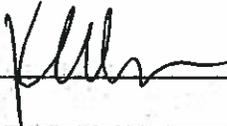
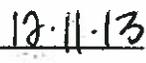
Section: 26 Township: 3N Range: 1E Total Acres: 2.07  
 Subdivision Name: Ethridge Square Subdivision Lot: \_\_\_\_\_ Block: \_\_\_\_\_  
 Site Address: 9414 West Amity Road City Boise  
 Tax Parcel Number(s): S1126438850  
 Existing Zoning: R-8 Proposed Zoning: R-8 Area of City Impact: Boise Overlay \_\_\_\_\_  
 District(s) Southwest

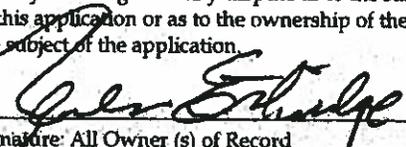


OFFICE USE ONLY

201302032-  
Eng-PP

Project #: <u>201302032-S</u>	Planning Fees/GIS: <u>1544.00</u>	Engineering Fees: <u>335.00</u>
Received By: <u>BA</u> Date: <u>12/31/13</u> Stamped <input checked="" type="checkbox"/>		

APPLICANT/AGENT: (Please print)		ADDITIONAL CONTACT if applicable: (Please Print)	
Name: <u>Kevin McCarthy - KM Engineering</u>		Name: <u>Randy Clarno - Providence Properties</u>	
Address: <u>9233 West State Street</u>		Address: <u>701 S. Allen, Ste. 108</u>	
City: <u>Boise</u> State: <u>ID</u> Zip: <u>83714</u>		City: <u>Meridian</u> State: <u>ID</u> Zip: <u>83642</u>	
Telephone: <u>639.6939</u> Fax: <u>639.6930</u>		Telephone: _____ Fax: _____	
Email: <u>kallphin@kmengllp.com</u>		Email: _____	
I certify this information is correct to the best of my knowledge.		ENGINEER/SURVEYOR if applicable: (Please Print)	
		Name: <u>KM Engineering</u>	
		Address: <u>same</u>	
		City: _____ State: _____ Zip: _____	
		Telephone: _____ Fax: _____	
Email: _____		Email: _____	
Signature: (Applicant)		Date	

OWNER (S) OF RECORD: (Please Print)		OWNER (S) OF RECORD: (Please Print)	
Name: _____		Name: <u>MARGIE ECKHARDT FAMILY TRUST</u>	
Address: _____		Address: <u>9414 W. AMITY</u>	
City: _____ State: _____ Zip: _____		City: <u>Boise</u> State: <u>ID</u> Zip: <u>83709</u>	
Telephone: _____		Telephone: <u>208-713-8685</u>	
Fax: _____		Fax: _____	
Email: _____		Email: <u>for a quality life@ada.gov</u>	
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.	
			
Signature: All Owner (s) of Record		Signature: All Owner (s) of Record	
Date		Date <u>11/26/2013</u>	

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.



# ADA COUNTY DEVELOPMENT SERVICES

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



## PRELIMINARY PLAT CHECKLIST

A Subdivision request requires a public hearing.

### GENERAL INFORMATION:

Applicant	DESCRIPTION	Staff
x	Three paper copies and one electronic copy of all required submittals.	✓
x	Completed and signed Master Application	✓
x	Completed Supplemental Information	✓
n/a	Associated Forms:	
n/a	Zoning Ordinance Map Amendment (Re-zone)	
	Development Agreement	
	Sketch Plat	
	Zoning Text Amendment	
	Private Road	
	Vacation	
x	DETAILED LETTER by the applicant fully describing the request or project and address the following	✓
	x Explain the proposed use, and all uses associated with the request.	
	x Any other supporting information.	
x	NATURAL FEATURES ANALYSIS (ACC 8-4E-4D) must include the following:	✓
	x Three paper copies and one electronic copy.	
	x Important features such as existing structures, watercourses, wetlands, power lines, telephone lines, railroad lines, Airport influence areas, existing easements, municipal boundaries, section lines, parks, schools and supplemental data as required.	
	x HYDROLOGY. ACC 8-4E-4D1	
	x SOILS ACC 8-4E-4D2	
	x TOPOGRAPHY ACC 8-4E-4D3	
	x VEGETATION ACC 8-4E-4D4	
	x SENSITIVE PLANT AND WILDLIFE SPECIES ACC 8-4E-4D5	
	x HISTORIC RESOURCES ACC 9-4E-4D6	
	x HAZARDOUS AREAS ACC 8-4E-4D7	
	x IMPACT ON NATURAL FEATURES ACC 8-4E-4D8	
n/a	PHASING PLAN of proposed subdivision, if applicable, and timeline of phasing. (One full size copy and one electronic copy)	
x	SUBDIVISION NAME APPROVAL from the County Engineer.	✓
x	RESTRICTIVE COVENANTS if proposed.	✓
x	IRRIGATION PLAN as required per Idaho Statute 31-3805.	
n/a	OPEN SPACE MANAGEMENT PLAN.	
x	DEED ( or evidence of proprietary interest)	✓
x	NEIGHBORHOOD MEETING CERTIFICATION	✓
x	PRE-APPLICATION CONFERENCE NOTES	✓
x	SUPPLEMENTAL DATA required by County Engineer	✓
x	PRELIMINARY PLAT SPECIFICATIONS ACC 8-64-2 Submit 1 electronic copy, 2 full size copies, and one reduced copy to 8 1/2" X11".	✓
x	METES AND BOUNDS LEGAL DESCRIPTION of the property to be subdivided including a Microsoft Word® electronic Word document.	✓
	OVERLAY DISTRICT: May require a separate checklist or additional info for the following:	

**RECEIVED**  
 DEC 31 2013  
 ADA COUNTY  
 DEVELOPMENT SERVICES

n/a	<b>HILLSIDE DEVELOPMENT (ACC 8-3H) YES ( ) NO ( )</b>	
		<i>Preliminary Grading Plan (ACC 8-3H-3B)</i>
		<i>Slope Stabilization &amp; Revegetation Plan &amp; Report (ACC 8-3H-3C)</i>
		Prepared and sealed by a licenced landscape design professional? YES ( ) NO ( )
		<i>Engineering Hydrology Report (ACC 8-3H-3D)</i>
		Prepared and sealed by a professional engineer registered in the State of Idaho? YES ( ) NO ( )
		<i>Soils Engineering Report (ACC 8-3H-3E)</i>
		Prepared and sealed by a professional engineer registered in the State of Idaho? YES ( ) NO ( )
		<i>Engineering Geology Report (ACC 8-3H-3F)</i>
		Prepared by a professional geologist or prepared and sealed by a professional engineer registered in the State of Idaho? YES ( ) NO ( )
		<i>Visual Impact Report (ACC 8-3H-3G)</i>
		Prepared by a licensed design professional? YES ( ) NO ( )
n/a	<b>FLOOD HAZARD (ACC 8-3F)</b>	
		Evacuation plan filed with the Ada City-County Emergency Management Office? YES ( ) NO ( )
n/a	<b>WILDLAND-URBAN FIRE INTERFACE (ACC 8-3B)</b>	
		Fire hazard and emergency access roads evaluated and sealed by licensed fire professional engineer? YES ( ) NO ( )
x	<b>SOUTHWEST PLANNING AREA (ACC 8-3C)</b>	
n/a	<b>PLANNED UNIT DEVELOPMENT (ACC 8-3D)</b>	
n/a	<b>BOISE RIVER GREENWAY (ACC 8-3G)</b>	
n/a	<b>BOISE AIR TERMINAL AIRPORT INFLUENCE AREAS (ACC 8-3A)</b>	
x	<b>PROPOSED STREET NAME</b>	
	x	Must comply with ACC 2-1.
	x	Contact Ada County Street Naming Specialist.
n/a	<b>PLANNED COMMUNITIES:</b>	
		Digital Version of Planned Community Subdivision.
		Project Data Tables (see PC application manual)
		Color keyed full sized copy of preliminary plat displaying land use districts.
		Landscape Plan
		Urban Public Services Discription
		Open Space Description
		Community Center and/or Recreation Center Description (if applicable)
		Water Supply Verification
		Urban Public Services Construction Verification
		Urban Public Services Operation & Maintenance Verification
		Transportation Plan (if applicable)
x	<b>MUST COMPLY WITH SIGN POSTING REGULATIONS (ACC 8-7A-5)</b>	
x	<b>APPLICATION FEE: Call County or go to <a href="http://www.adaweb.net">www.adaweb.net</a> for fees</b>	

*Supplementary information at the discretion of the Director or County Engineer may be required to sufficiently detail the proposed development within any special development area, including but not limited to hillside, planned unit development, floodplain, southwest, WUFI, Boise River Greenway, airport influence, and/or hazardous or unique areas of development.*

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

**SUPPLEMENTAL INFORMATION / PRELIMINARY PLAT**

(to be completed by the applicant)

<b>DETAILED LETTER MUST INCLUDE:</b>		
Total number of dwellings:	10	
Dwelling units per acre:	4.8 (gross) - 7.3 (net)	
Zero lot line setbacks	YES ( ) IDENTIFY NO (x)	
Water Provider:	United Water	
Method of Sewage Disposal:	City of Boise	
<b>PRELIMINARY PLAT SPECIFICATIONS:</b>		
X	Scale of not more than 100' to the inch. (Or written approval from the director)	
X	Limits extending 300' beyond the boundaries of the proposed development.	
X	Subdivision boundary based on actual field survey, stamped by a licensed professional land surveyor.	
X	Name of owner.	
X	Name of person or firm responsible for the drawing.	
X	Name of the proposed subdivision.	
X	Date, graphic scale, true north arrow, vicinity map, section, township, and range.	
X	Ties to all controlling corners.	
X	Names of neighboring subdivisions, according to the Assessor's files.	
X	Names and boundaries of owners of neighboring properties, according to the Assessor's files.	
X	Name, location, width, direction of slope, centerline and right of way of all <i>existing</i> and <i>proposed</i> public streets and private roads.	
X	Proposed off-site improvements pertaining to streets, water supply, sanitary sewer systems, storm water systems, fire protection facilities, and proposed utilities.	
X	Street sections and pathway sections.	
X	Lot layout with lot and block numbers, lot dimensions, and lot area in sq. ft.	
X	Graphically depict the minimum setbacks. (describe in legend)	
n/a	Areas of special interest labeled. (parks, schools, etc.)	
n/a	Identify zero lot line properties.	
X	<b>Standard Subdivision:</b> Table with number of lots and acreage for residential, commercial, industrial, Common (Landscape, utility, or other), Open Space lots and the total of all.	
n/a	<b>PLANNED UNIT DEVELOPMENT</b>	
	Density bonus requested.	YES ( ) EXPLAIN NO ( )
	Commercial Uses.	YES ( ) LIST NO ( )
	Industrial Uses	YES ( ) LIST NO ( )
	Deviation of Dimensional Standards.	YES ( ) LIST NO ( )
	Dedicated open space shall abut any lots that have been reduced below the minimum property size and shall abut multi-family development.	
n/a	<b>BOISE AIR TERMINAL AIRPORT INFLUENCE AREAS</b>	
	What Airport Influence District is the property located in?	
n/a	<b>WILDLAND-URBAN FIRE INTERFACE</b>	
	All non-farm subdivisions shall provide fire flow as adopted by the fire authority. Submit a written statement approving such fire flow. YES ( ) NO ( )	
n/a	<b>FLOOD HAZARD</b>	
	Flood zone.	
	Floodway	YES ( ) NO ( )
	Foothill or other hillside tributary floodways.	YES ( ) NO ( )



December 30, 2013  
Project No.: 13-101



Diana Sanders  
Ada County Development Services  
200 West Front Street  
Boise, ID 83702

**RE: Ethridge Square Subdivision – 9414 West Amity – Ada County, ID  
Preliminary Plat Narrative**

Dear Diana:

On behalf of Providence Properties, LLC, we are pleased to submit the attached application and required supplements for the preliminary plat of Ethridge Square Subdivision. Please accept this letter as the required written narrative regarding the project.

This project is located at 9414 West Amity Road in Ada County, Idaho. The overall parcel includes 2.07 acres and currently houses an existing single-family residence and outbuildings. The enclosed application proposes to remove the existing structures and subdivide the site into 10 single-family residential building lots.

The site carries a Comprehensive Plan designation within the City of Boise of Planned Community and an Ada County Zoning designation of R-8, both of which allow for single-family residential developments. The existing zoning designation allows for up to 8 units per acre, and a new subdivision on this site is in accordance with other residential developments in the area. This project proposes a gross density of 4.8 units per acre and a net density of 7.3 units per acre, both of which comply with the current zoning regulations. Due to the project's small size, no open space or common area is proposed, and we are not requesting any variances to the ordinance as a part of this project.

This property has shares within the New York Irrigation District which will be utilized to provide pressure irrigation to the project. The District has indicated that there are pump stations in the area into which we may be able to tie, and they will make the proper determination once we get into the design stages.

The public utilities providing services to this area have been contacted and none have expressed concerns with serving this project. These include the City of Boise, United Water, Idaho Power, Intermountain Gas, CenturyLink, Cable One, and the New York Irrigation District.

There are no concerns in regards to other public services in the area, as the addition of 10 new homes within an existing residential area will not greatly impact available public services. Further, Ethridge Square Subdivision will not create excessive additional requirements at public expense for public

facilities and services because services will be supported by property taxes and/or fees paid directly to the service providers.

At this time, there are no known health, safety, or environmental problems that currently exist or that will exist as a result of this development.

Should you have questions or require further information in order to process these applications, please let me know as soon as possible.

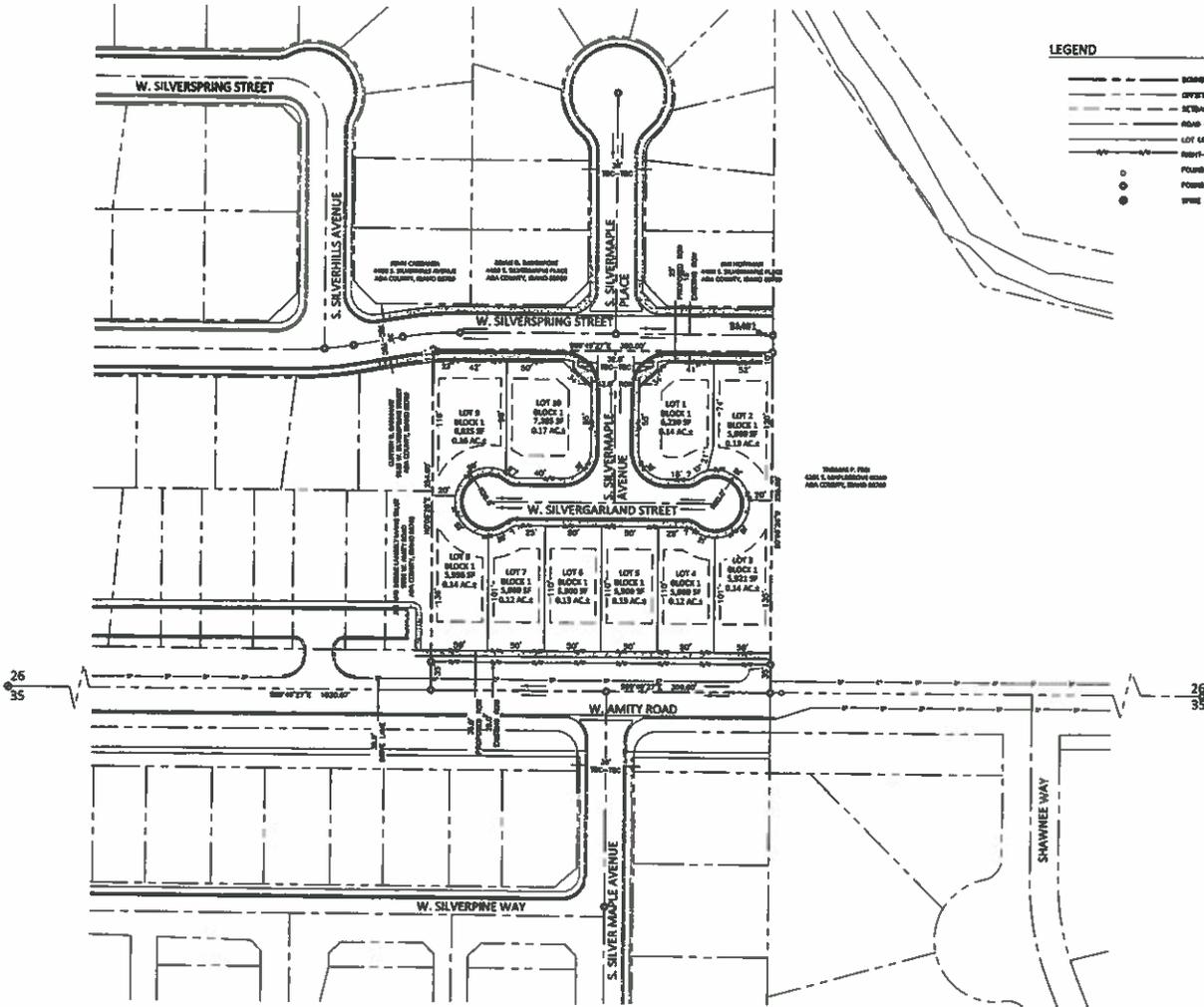
Sincerely,  
**KM Engineering, LLP**



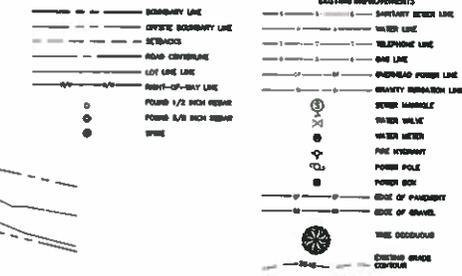
Kirsti Allphin  
Development Assistant

cc: Providence Properties, LLC

# ETHRIDGE SQUARE SUBDIVISION PRELIMINARY PLAT ADA COUNTY, IDAHO DECEMBER 2013



### LEGEND



### INDEX OF DRAWINGS

SHEET NO.	SHEET TITLE
SHEET 1	PRELIMINARY PLAT
SHEET 2	NATURAL FEATURES ANALYSIS
SHEET 3	PRELIMINARY ENGINEERING PLAN

### LEGAL DESCRIPTION

THE SW 1/4 OF THE SE 1/4 OF SECTION 26,  
TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN,  
ADA COUNTY, IDAHO

### NOTES

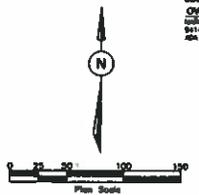
- LOT 9 BLOCK 1 SHALL BE A SINGLE STORY RESIDENCE.
- A 10-FOOT WIDE UTILITY TRENCH EASEMENT SHALL BE PROVIDED ALONG ALL RIGHTS-OF-WAY.
- A 6-FOOT WIDE UTILITY TRENCH EASEMENT WILL BE PROVIDED ALONG ALL ROAD LOT LINES AND/OR SEWER EASEMENTS.
- SEWER, LOT LINES AND CONCRETE ONLY AND NOT CHANGING DURING FINAL PAVING OF PAVEMENT OF THE CONSTRUCTION.
- LANDSCAPING AND BUSHES SHALL BE FOR PLANTING APPROVED PLANTS.
- CROSS-ACCESS EASEMENTS AND STORM DRAINAGE EASEMENTS MAY BE PROVIDED ALONG LOT LINES AS NECESSARY DURING FINAL DESIGN.

### PRELIMINARY PLAT DATA

AREA OF SITE	1.67 ACRES
NUMBER OF LOTS	10
NUMBER OF BLOCKS	1
NUMBER OF COLLECTOR LOTS	0
SHEDDING UNITS PER GROSS ACRE	4.8
STREETS	0-0
STREETS EXISTING (ADA COUNTY)	0-0
PROPOSED STREETS (ADA COUNTY)	0-0
ADDITIONAL STREET INFORMATION	
MINIMUM COVER FOR TIES	3.000 SF
MINIMUM PROPERTY PROVISION	100'
MINIMUM SHEDDING UNITS PER ACRE	5.0
MINIMUM BUSHES PER ACRE	25'
STREETS	
WIDTH	30'
POST	14"
SOIL	5"
STREETS	30'
LOCAL STREET	30'
UTILITIES	
WATER	WATER MAIN
SEWER	CITY OF BOISE
TELEPHONE	BOISE FROM
POWER	PORTLAND AND BOISE CO.
TELEPHONE	COUNTY LINE

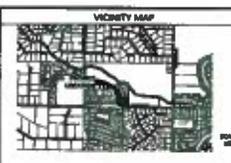
### CONTACT INFORMATION

<b>ENGINEERING CONSULTANT</b> DA ENGINEERING, LLP 2025 WEST STATE STREET BOISE, IDAHO 83724 PHONE: (208) 456-2838 FAX: (208) 232-0415 CONTACT: MARGA F. MCCORMY, P.E. BOISE, IDAHO	<b>GEOTECHNICAL ENGINEER</b> 2701 S. VICTORY WEST WAY BOISE, IDAHO 83726 PHONE: (208) 278-7748 FAX: (208) 232-0415 CONTACT: MARGA F. MCCORMY, P.E.
<b>OWNER</b> KIMBERLY BENTLEY POOLEY TRUST 9414 WEST ARMY ROAD ADA COUNTY, IDAHO	<b>APPLICANT / DEVELOPER</b> PROFESSIONAL ENGINEERS, LLC 701 SOUTH PALM STREET SUITE 200 BOISE, IDAHO 83725 PHONE: (208) 333-0000 CONTACT: MARGA F. MCCORMY, P.E.



**RECEIVED**  
DEC 31 2013  
ADA COUNTY  
COMPLIMENT SERVICES

BENCHMARKS	
BM#1	PK 104.8 N: 091187.03 E: 2479084.91 ELEVATION: 2744.28



PRELIMINARY NOT FOR CONSTRUCTION

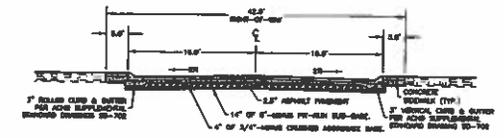
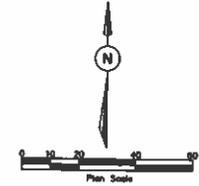
**ETHRIDGE SQUARE SUBDIVISION  
PRELIMINARY PLAT  
ADA COUNTY, IDAHO**

REVISIONS	
NO.	DATE

**km**  
KIMBERLY BENTLEY TRUST  
2013-12-31  
PROJECT: ETHRIDGE SQUARE  
SHEET NO. 1 OF 3

# ETHRIDGE SQUARE SUBDIVISION PRELIMINARY ENGINEERING PLAN ADA COUNTY, IDAHO DECEMBER 2013

- NOTES**
1. SEWERAGE WATER SERVICE WILL BE PROVIDED BY TAPPED MAIN, AN EXISTING WATER MAIN IS LOCATED BY SILVERSPRING STREET, AN 8" WATER MAIN WILL BE LOCATED THROUGH THE SUBDIVISION.
  2. SEWERAGE WATER SERVICE WILL BE PROVIDED BY THE CITY OF BOISE, THE PROPERTY WILL BE SERVED BY AN 8" WATER MAIN AND WILL CONNECT TO THE EXISTING MAIN AT SILVERSPRING STREET.
  3. WATER AND SEWER LINE DEPTH AND LOCATIONS ARE PRELIMINARY AND WILL BE REVISED DURING FINAL DESIGN.
  4. ALL EXISTING WATER MAINS AND SEWERAGE SYSTEMS WILL BE INSTALLED IN ACCORDANCE WITH THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY AND ADA COUNTY ORDINANCES.
  5. ALL SEWERAGE SHALL BE TAPPED TO ACHD AND THE PUBLIC. SEWERAGE SHALL BE CONVEYED TO AT LEAST ANNUAL AND SEWERAGE, SEE THE PRELIMINARY PROPERTY CHANGES SHEET OF THIS PLAN.
  6. STORM SEWERAGE FROM THE PUBLIC MAIN SHALL BE COLLECTED BY CURB AND GUTTER AND DRAINED TO CHAINAGE TO EXISTING STORM SEWERAGE SYSTEM. THE SEWERAGE BED BEDS AND LOCATIONS WILL BE DETERMINED AT FINAL DESIGN. SEE THE PRELIMINARY PROPERTY CHANGES SHEET OF THIS PLAN.
  7. SEWERAGE MAINS AND STORM SEWERAGE MAINS LOCATED OUTSIDE A PUBLIC RIGHT-OF-WAY WILL BE PROVIDED WITH A PERMANENT PUBLIC UTILITY EASEMENT.
  8. PRELIMINARY SEWER AND STORMAGE ARE SHOWN IN A CONCEPTUAL MANNER AND BE PROVIDED AND LOCATED THROUGH FINAL DESIGN.
  9. MAINTENANCE EASEMENTS WILL BE PROVIDED TO ACHD IN LOCATIONS WHERE IN, SEWERAGE IS OUTSIDE OF THE ROAD-TO-ROW.



**TYPICAL ROAD SECTION**  
SCALE: 1/4\"/>

**LEGEND**

<ul style="list-style-type: none"> <li>--- BOUNDARY LINE</li> <li>--- OPPOSITE BOUNDARY LINE</li> <li>--- SETBACK</li> <li>--- ROAD CENTERLINE</li> <li>--- LOT LINE</li> <li>--- FRONT-OF-YARD LINE</li> <li>○ PAVING 1/2" DEEP REBAR</li> <li>○ PAVING 3/4" DEEP REBAR</li> <li>○ SPINE</li> <li>--- PROPOSED IMPROVEMENTS</li> <li>--- SEWER LINE</li> <li>--- WATER LINE</li> <li>--- SEWER SERVICE LINE</li> <li>○ SEWER MANHOLE</li> <li>○ FIRE HYDRANT</li> <li>○ DOUBLE WATER SERVICE</li> <li>--- DRAINAGE ARROWS</li> </ul>	<ul style="list-style-type: none"> <li>--- EXISTING IMPROVEMENTS</li> <li>--- SEWER SERVICE LINE</li> <li>--- WATER LINE</li> <li>--- GAS LINE</li> <li>--- OVERHEAD POWER</li> <li>○ UTILITY SYMBOLS</li> <li>○ SEWER MANHOLE</li> <li>○ WATER VALVE</li> <li>○ WATER METER</li> <li>○ FIRE HYDRANT</li> <li>○ POWER POLE</li> <li>○ POWER BOX</li> <li>--- EDGE OF PAVEMENT</li> <li>--- BASE OF GRAVEL</li> <li>○ TREE DECORATION</li> <li>○ TREE DECORATION</li> </ul>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

PRELIMINARY NOT FOR CONSTRUCTION

**ETHRIDGE SQUARE SUBDIVISION  
PRELIMINARY ENGINEERING PLAN  
ADA COUNTY, IDAHO**

REVISIONS		
NO.	DESC.	DATE

10821  
P. R. 11-13  
DAVE R. ROBERTS

DATE: 12-21-2013  
PROJECT: 13-001  
SHEET NO. 3 OF 3

# ETHRIDGE SQUARE SUBDIVISION NATURAL FEATURES ANALYSIS ADA COUNTY, IDAHO DECEMBER 2013

## NATURAL FEATURES ANALYSIS SHEET NOTES

**CLIMATE\***  
ROCKY MOUNTAIN, INLAND TEMPERATURE, HIGH DESERT, AVERAGE ANNUAL PRECIPITATION IS 11 INCHES, AVERAGE ANNUAL TEMPERATURE IS 58°F, AND THE FROST PERIOD IS ABOUT 145 DAYS.

**GEOLOGY\***  
USDA SOIL SURVEY FOR ADA COUNTY, IDAHO, CLASSIFY THE SOILS IN THE SITE AREA AS FINE-GRAINED CLAY-SILT MIXTURES FORMED BY A NORTHWEST TRENDING RIFT BASIN. PROJECT AREA MAPPED AS PART OF THE BASALT OF FIVEMILE CREEK. THE TYPICAL SUBSURFACE PROFILE CONSISTS OF 1' OF DARK BROWN LEAN CLAY UNDERLAIN BY 4.5' OF TAN SILT, UNDERLAIN BY 2' OF LIGHT BROWN SANDY SILT, UNDERLAIN BY DARK GRAY BASALT.

**HYDROLOGY\***  
THE SITE IS WELL DRAINED WITH AN UNNAMED NATURAL DRAINAGE SWALE FLOWING SOUTH TO NORTH THROUGH THE CENTER OF THE SITE. THIS DRAINAGE SWALE IS CONNECTED TO A BORROW DITCH ALONG AMITY ROAD THAT FLOWS FROM EAST TO WEST. CURRENTLY ALL STORM WATER IS CONTAINED ONSITE. STORM WATER PERCOLATES BEFORE IT HAS THE OPPORTUNITY TO COLLECT AND LEAVE THE SITE.

THE SOILS PRESENT ON THE SUBJECT SITE ARE CLASSIFIED AS LOW PERMEABLE SOILS PER THE USDA SOIL SURVEY. GROUNDWATER WAS NOT ENCOUNTERED AT DEPTHS UP TO 9.3 FEET BELOW EXISTING GROUND DURING A GEOTECHNICAL INVESTIGATION CONDUCTED IN OCTOBER 2013. GROUNDWATER LEVELS FOR THIS SITE ARE ESTIMATED TO REMAIN GREATER THAN APPROXIMATELY 20 FEET BELOW EXISTING GROUND. GROUND WATER LEVELS ARE MOST LIKELY INFLUENCED BY RESIDENTIAL AND COMMERCIAL IRRIGATION ACTIVITIES AND LEAKAGE FROM NEARBY CANALS.

**SOILS\***  
THE SUBJECT SITE CONSISTS OF THE FOLLOWING SOIL TYPES ACCORDING TO THE ADA COUNTY SOIL SURVEY, SHEET 33.

-ELIJAH SILT LOAM, SOIL TYPE 48, IS MODERATELY DEEP TO DEEP AND IS WELL DRAINED. PERMEABILITY IS VERY LOW TO MODERATELY LOW, AQUIFER RECHARGE IS SLOW. THE AVAILABLE WATER CAPACITY IS MODERATE. THE HAZARD OF EROSION IS MODERATE. THE ROOT ZONE EXTENDS TO 20 TO 40 INCHES. THE DEPTH OF THE ROOT ZONE AND THE HAZARD OF EROSION ARE MAJOR LIMITATIONS TO AGRICULTURE.

-ELIJAH SILT LOAM, SOIL TYPE 49, IS MODERATELY DEEP TO DEEP AND IS WELL DRAINED. PERMEABILITY IS VERY LOW TO MODERATELY LOW, AQUIFER RECHARGE IS SLOW. THE AVAILABLE WATER CAPACITY IS MODERATE. THE HAZARD OF EROSION IS MODERATE. THE ROOT ZONE EXTENDS TO 20 TO 40 INCHES. THE DEPTH OF THE ROOT ZONE AND THE HAZARD OF EROSION ARE MAJOR LIMITATIONS TO AGRICULTURE.

**TOPOGRAPHY\***  
THE SUBJECT SITE GENERALLY SLOPES FROM SOUTH TO NORTH THEN EAST TO WEST. THE SLOPES IN THE PROJECT AREA RANGE FROM 0.25% TO 4.5%.

**VEGETATION**  
THE SITE MAINLY CONSISTS OF MATURE TREES, PASTURE/LAWN GRASSES AND OTHER NATIVE WEED AND GRASS VARIETIES TYPICAL OF ARID TO SEMI-ARID ENVIRONMENTS.

**WILDLIFE**  
A LETTER FROM THE IDAHO FISH AND GAME DEPARTMENT INDICATES NO RECORDS OF ANY SPECIAL STATUS SPECIES INHABITING THE AREA.

**HISTORIC RESOURCES**  
BASED ON THE ADA COUNTY HISTORIC SITE INVENTORY, THIS PROPERTY DOES NOT APPEAR TO CONTAIN ANY HISTORICAL STRUCTURES.

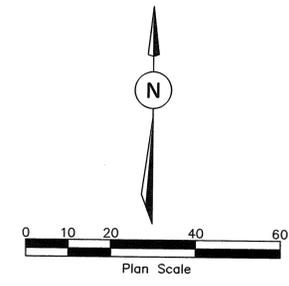
**HAZARDOUS AREAS**  
NO KNOWN HAZARDOUS AREAS.

**NATURAL FEATURES IMPACT**  
THE NATURAL DRAINAGE SWALE LOCATED ONSITE WILL BE REGRADED. ALL ONSITE DRAINAGE WILL BE DIRECTED TO STORM WATER INFILTRATION FACILITIES LOCATED ONSITE. THE EXISTING SWALE ALONG AMITY ROAD WILL REMAIN TO FLOW EAST TO WEST. THE EXISTING RESIDENCE AND VARIOUS ASSOCIATED STRUCTURES AND ITS VEGETATION WILL BE REMOVED DURING CONSTRUCTION. SITE VEGETATION WILL BE REPLACED WITH APPROVED VEGETATION IN ALL OPEN SPACE AND LANDSCAPE AREAS. REPLACED WITH APPROVED VEGETATION. EASEMENTS LOCATED ON SITE ARE TO BE REMOVED AND ABANDONED. ALL FENCING LOCATED ONSITE WILL BE REMOVED DURING CONSTRUCTION. IT IS ANTICIPATED THAT GROUNDWATER WILL NOT BE ENCOUNTERED DURING CONSTRUCTION AND WILL BE PROTECTED FROM STORM WATER BY DEQ'S REQUIRED SEPARATIONS STANDARDS. NO OTHER IMPACTS ARE ANTICIPATED.

\*A GEOTECHNICAL REPORT DATED OCTOBER 28, 2013 CONDUCTED BY MATERIALS TESTING AND INSPECTION HAS BEEN SUBMITTED WITH THIS APPLICATION.

### LEGEND

— — — — —	BOUNDARY LINE	— s — s — s —	EXISTING IMPROVEMENTS
— — — — —	OFFSITE BOUNDARY LINE	— w — w — w —	SANITARY SEWER LINE
— — — — —	SETBACKS	— g — g — g —	WATER LINE
— — — — —	ROAD CENTERLINE	— op — op — op —	GAS LINE
— — — — —	LOT LINE LINE	— g — g — g —	OVERHEAD POWER LINE
— R/W — R/W —	RIGHT-OF-WAY LINE	— g — g — g —	GRAVITY IRRIGATION LINE
○	FOUND 1/2 INCH REBAR	⊙	SEWER MANHOLE
⊙	FOUND 5/8 INCH REBAR	⊗	WATER VALVE
⊕	SPIKE	⊕	WATER METER
⊙	TEST PIT	⊕	FIRE HYDRANT
		⊕	POWER POLE
		⊕	POWER BOX
		— EP — EP —	EDGE OF PAVEMENT
		— EG — EG —	EDGE OF GRAVEL
		⊗	TREE DECIDUOUS
		— 2645 —	EXISTING GRADE CONTOUR

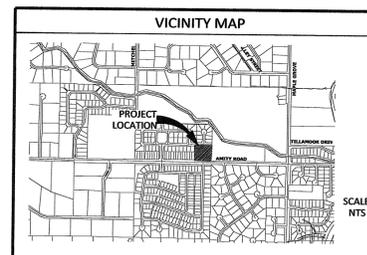


**SOILS DATA**  
SOILS DATA PER USDA SOIL SURVEY OF ADA COUNTY AREA IDAHO

48 ELIJAH SILT LOAM, Basalt substratum, Slope 0-2%

49 ELIJAH SILT LOAM, Basalt substratum, Slope 2-4%

Exhibit #10  
Page 1 of 1  
Project #201302032 S



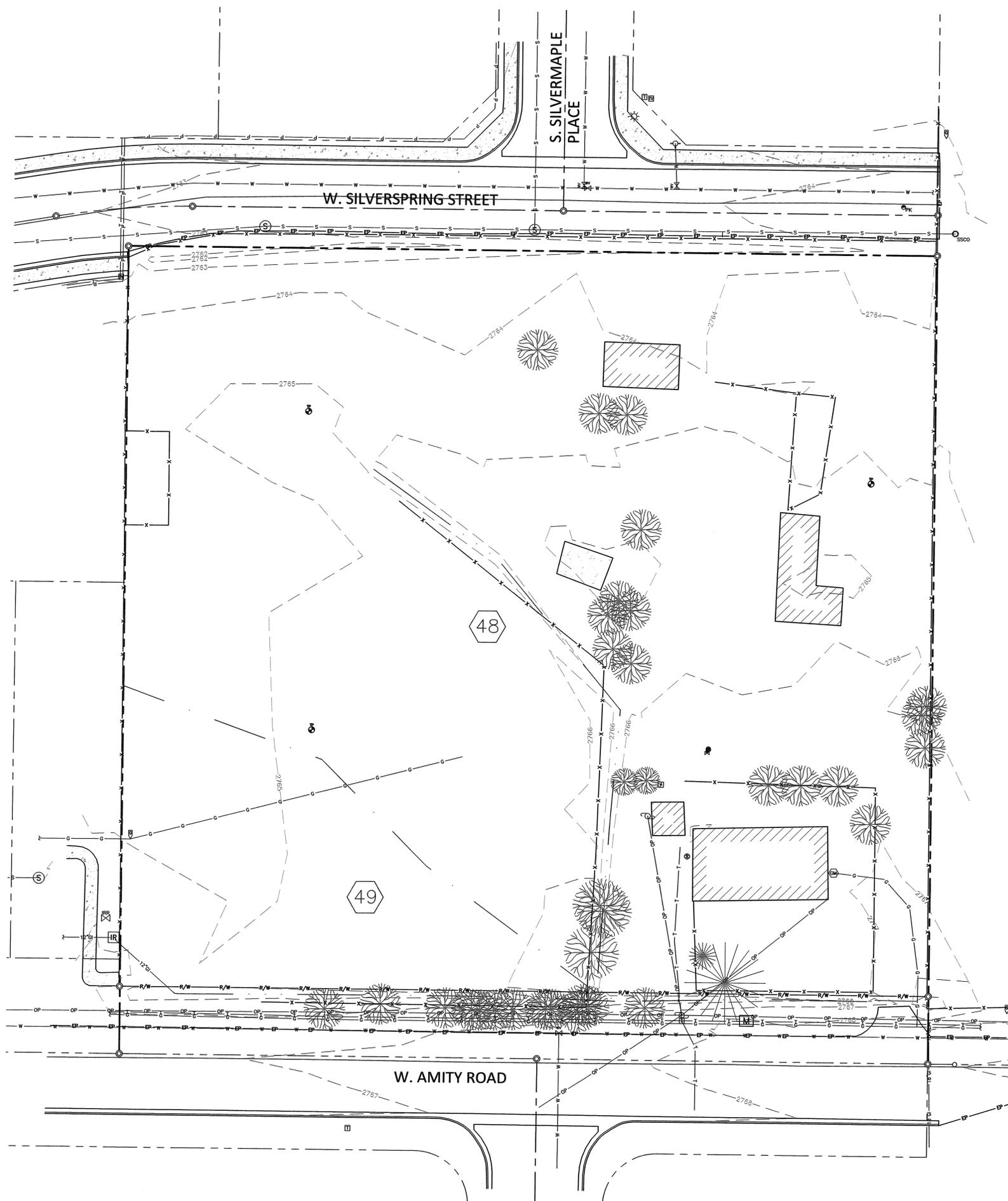
PRELIMINARY NOT FOR CONSTRUCTION

### ETHRIDGE SQUARE SUBDIVISION NATURAL FEATURES ANALYSIS ADA COUNTY, IDAHO

REVISIONS		
NO.	ITEM	DATE

9233 WEST STATE STREET  
BOISE, IDAHO 83714  
PHONE (208) 639-6939  
FAX (208) 639-6930

DATE: 12-11-2013  
PROJECT: 13-101  
SHEET NO. 2 OF 3



P:\13-02032\01\PRELIM\13-02032\_NATURAL\_FEATURES.DWG, ANDREW WHEELER, 12/11/2013, C:\CADD\13-02032\_NATURAL\_FEATURES.DWG, MAKE LAYOUT



December 5, 2013  
Project No. 13-101  
Ethridge Square Subdivision

A parcel of land situated in the SE 1/4 of the SW 1/4 of the SE 1/4 of Section 26, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at a brass cap marking the South 1/4 corner of said Section 26, which bears N89°49'27"W a distance of 2,660.08 feet from a found 5/8-inch rebar marking the Southeast corner of said Section 26, thence following the southerly line of the SE 1/4 of said Section 26, S89°49'27"E a distance of 1,030.07 feet to a found 5/8-inch rebar and being the **POINT OF BEGINNING**.

Thence leaving said southerly line, and following the easterly boundary line of Silverpine Subdivision, N00°06'26"E a distance of 300.00 feet to a found 5/8-inch rebar on the southerly boundary line of said Subdivision;

Thence leaving said easterly boundary line and following said southerly boundary line, S89°49'27"E a distance of 300.00 feet to a found 5/8-inch rebar on the easterly line of said SE 1/4 of the SW 1/4 of the SE 1/4;

Thence leaving said southerly boundary line and following said easterly line, S00°06'26"W a distance of 300.00 feet to a found 5/8-inch rebar marking the Southeast corner of said SE 1/4 of the SW 1/4 of the SE 1/4;

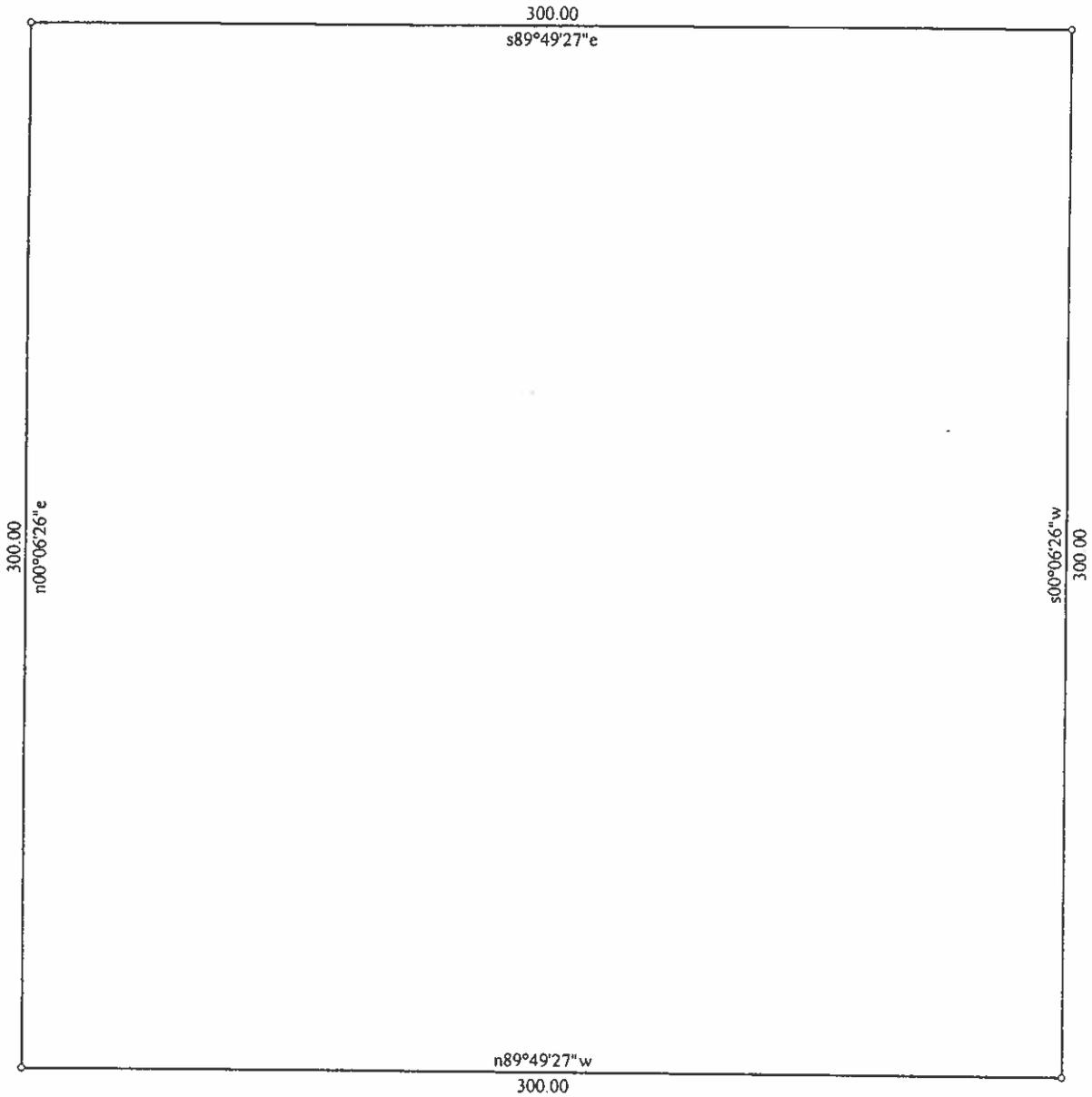
Thence leaving said easterly line and following the southerly line of said SE 1/4, N89°49'27"W a distance of 300.00 feet to the **POINT OF BEGINNING**.

Said parcel contains 2.066 acres, more or less.



EXHIBIT 11  
Page 1 of 2  
Project # 201302032 S





Title: ETHRIDGE SQUARE SUBDIVISION BOUNDARY		Date: 12-05-2013
Scale: 1 inch = 50 feet	File:	
Tract 1: 2.066 Acres: 90000 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 1200 Feet		
001=n00.0626e 300.00	003=s00.0626w 300.00	
002=s89.4927e 300.00	004=n89.4927w 300.00	

# Neighborhood Meeting Certification

ADA COUNTY DEVELOPMENT SERVICES, 200 W. Front Street, Boise, Idaho 83702

www.adaweb.net (208) 287-7900

## GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 8-7A-3 of the Ada County Code or ask one of our planners for more information on neighborhood meetings.

You may request a list of the people you need to invite to the neighborhood meeting from our department. This list includes all involved Neighborhood Associations and property owners within **300, 1,000, or 2,640 feet** of the subject property boundary need to be invited to your meeting. See ACC 8-7A-5C (1) & (2) for uses and districts requiring the 1000' or 2,640' notification.

Once you have held your neighborhood meeting, please complete this certification form and include it with your application.

**Please Note: The neighborhood meeting must be conducted in one location for attendance by all neighboring residents. Contacting and/or meeting individually with residents does not comply with the neighborhood meeting requirements.**

Description of proposed project: Ethridge Square - 10-lot residential subdivision

Date and time of neighborhood meeting: November 20, 2013 - 6:30 p.m.

Location of neighborhood meeting: Amity Elementary School Cafeteria

## SITE INFORMATION:

Location: Quarter: SE Section: 26 Township: 3N Range: 1E Total Acres: 2.06

Subdivision Name: Ethridge Square Subdivision

Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Site Address: 9414 West Amity Road

Tax Parcel Number(s): s1126438850

## APPLICANT:

Name: Kirsti Allphin - KM Engineering, LLP - on behalf of Providence Properties, LLC

Address: 9233 West State Street

City: Boise State: ID Zip: 83714

Telephone: 639.6939 Fax: 639.6930

Email: kallphin@kmengllp.com

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 8-7A-3 of the Ada County Code.

Signature: (Applicant)

11.22.13

Date



## OFFICE USE ONLY

File No.:

Received By:

Date:

Stamped:

8/4/11

EXHIBIT 12  
Page 1 of 1  
Project # 20302032-5



ADA COUNTY RECORDER J. DAVID NAVARRO  
BOISE IDAHO 05/21/08 02:10  
DEPUTY Vicki Allen  
RECORDED - REQUEST OF  
White Peterson

AMOUNT 6.00 2



**CORRECTION GRANT DEED**

MARGIE W. ETHRIDGE, a single woman, Grantor, as a transfer to a revocable intervivos trust, does hereby grant, transfer and convey to THE MARGIE ETHRIDGE FAMILY TRUST, Grantee, a trust established under the laws of the State of Idaho by an agreement dated April 18, 2008, of which the present Trustee is MARGIE W. ETHRIDGE, whose current address is 9414 West Amity, Boise, ID 83709, the following described real property, to wit:

The South One-half (S1/2) of the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of Section Twenty-Six (26), Township Three (3) North, Range One (1) East, Boise Meridian, Ada County, Idaho;

**EXCEPTING THEREFROM:**

A parcel of land lying in the South half of the Southwest quarter of the Southeast quarter of Section 26, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Southwest corner of the Southeast quarter (South quarter corner) of Section 26, Township 3 North, Range 1 East, Boise Meridian, the REAL POINT OF BEGINNING of this description;  
Thence North 00° 23' 17" East 664.29 feet to the Northwest corner of the South half of the Southwest quarter of the Southeast quarter;  
Thence South 89° 44' 22" East 1327.78 feet to the Northeast corner of the South half of the Southwest quarter of the Southeast quarter;  
Thence South 00° 11' 47" West 364.39 feet along the East line of the Southwest quarter of the Southeast quarter to a point;  
Thence north 89° 44' 06" West 300.00 feet to a point;  
Thence South 00° 11' 47" West 300.00 feet to a point on the South line of the Southwest quarter of the Southeast quarter;  
Thence North 89° 44' 06" West 1030.00 feet to the REAL POINT OF BEGINNING of this description.

Together with all water rights and ditch rights appurtenant to or used in connection therewith and all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

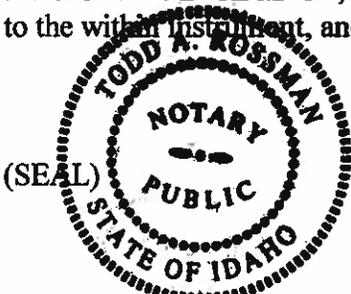
**CORRECTION: This Correction Grant Deed is being recorded to correct the legal description in that certain Grant Deed recorded on April 22, 2008, in the records of the Ada County Recorder as Instrument No. 108047301.**

IN WITNESS WHEREOF, the Grantor has hereunto subscribed her name to this instrument this 15<sup>th</sup> day of May, 2008.

Margie W. Ethridge  
MARGIE W. ETHRIDGE

STATE OF IDAHO )  
: ss.  
County of Canyon )

On this 15<sup>th</sup> day of May, 2008, before me a Notary Public, personally appeared MARGIE W. ETHRIDGE, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



[Signature]  
Notary Public for Idaho  
Commission expires: 1-4-2009

jg/W:\Work\E\Ethridge, Margie W 22631.000\Correction Deed - Grant.doc

**DECLARATION OF**

**COVENANTS, CONDITIONS AND RESTRICTIONS**

**FOR**

**ETHRIDGE SQUARE SUBDIVISION**



EXHIBIT 141  
Page 1 of 35  
Project # 20130032 S

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Project # 201302092 S

**DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS**

**FOR**

**ETHRIDGE SQUARE SUBDIVISION**

THIS DECLARATION is made effective as of \_\_\_\_\_ 20\_\_\_\_, by \_\_\_\_\_, an Idaho \_\_\_\_\_ (“Grantor” and “Class B Member”). All capitalized terms not otherwise defined in the text hereof are defined in Article 3.

**ARTICLE 1 - RECITALS**

The property potentially subject to this Declaration includes, but is not limited to, the property legally described on Exhibit A attached hereto and made a part hereof by this reference (“Ethridge Square Subdivision”). Grantor intends to develop Ethridge Square Subdivision in multiple development phases (“Tracts”). Each Tract, and any other property otherwise annexed into Ethridge Square Subdivision shall be subject to this Declaration through a Supplemental Declaration and all property made subject to this Declaration shall be referred to as the Property.” Unless and until a Supplemental Declaration is filed with the Ada County Recorder’s Office, none of the property identified on Exhibit A or otherwise shall be subject to this Declaration.

The purpose of this Declaration is to set forth the basic restrictions, covenants, limitations, easements, conditions, and equitable servitudes (collectively “Restrictions”) that apply to a Tract. The Restrictions are designed to preserve the Property’s value, desirability, and attractiveness, to ensure a well integrated high-quality development, and to guarantee adequate maintenance of the Common Area, and the Improvements located thereon, in a cost effective and administratively efficient manner.

**ARTICLE 2 - DECLARATION**

Grantor declares that the Property shall be held, sold, conveyed, encumbered, hypothecated, leased, used, occupied, and improved subject to the following terms, covenants, conditions, easements, and restrictions, all of which are declared and agreed to be in furtherance of a general plan for the protection, maintenance, subdivision, improvement, and sale of the Property, and to enhance the value, desirability, and attractiveness of the Property. The terms, covenants, conditions, easements, and restrictions set forth herein:

A. shall run with the land constituting the Property, and with each estate therein, and shall be binding upon all persons having or acquiring any right, title, or interest in the Property or any lot, parcel, or portion thereof;

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B. shall inure to the benefit of every lot, parcel, or portion of the Property and any interest therein; and,

C. shall inure to the benefit of, and be binding upon, Grantor, Grantor's successors in interest, and each grantee or Owner, and such grantee's or Owner's respective successors in interest, and may be enforced by Grantor, by any Owner, or such Owner's successors in interest, or by the Association as hereinafter described.

Notwithstanding the foregoing, no provision of this Declaration shall be construed as to prevent or limit Grantor's right to complete development of the Property and to construct improvements thereon, nor Grantor's right to maintain model homes, construction, sales, or leasing offices, or similar facilities (temporary or otherwise) on any portion of the Property, including the Common Area or any public right-of-way, nor Grantor's right to post signs incidental to construction, sales, or leasing, nor Grantor's right to modify plans for the Property, all in accordance with any necessary approvals of the City.

### ARTICLE 3 - DEFINITIONS

**"Architectural Committee."** Architectural Committee shall mean the committee created by the Grantor or an Association pursuant to Article 10 hereof.

**"Articles."** Articles shall mean the Articles of Incorporation of an Association or other organizational or charter documents of an Association.

**"Assessments."** Assessments shall mean those payments required of Owners or other Association Members, including Regular, Special, and Limited Assessments of any Association as further defined in this Declaration.

**"Association."** Association shall mean the Idaho profit or non-profit corporation, and its successors and assigns, established by Grantor to exercise the powers and to carry out the duties set forth in this Declaration or any Supplemental Declaration. Grantor shall have the power, in its discretion, to name the Association the "Ethridge Square Homeowners Association, Inc.," or any similar name which fairly reflects its purpose.

**"Association Rules."** Association Rules shall mean those rules and regulations promulgated by an Association governing conduct upon and use of the Property under the jurisdiction or control of an Association, the imposition of fines and forfeitures for violation of Association Rules and regulations, and procedural matters for use in the conduct of business of an Association.

**"Board."** Board shall mean the Board of Directors or other governing board or individual, if applicable, of an Association.

**"Building Lot."** Building Lot shall mean one or more lots within a Tract as specified or shown on any Plat and/or by Supplemental Declaration, upon which Improvements may be constructed.

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**"Bylaws."** Bylaws shall mean the Bylaws of the Association.

**"Common Area."** Common Area shall mean all real property in which the Association holds an interest or which is held or maintained, permanently or temporarily, for the common use, enjoyment, and benefit of the entire Subdivision and each Owner therein, and shall include, without limitation, all such parcels that are designated as private streets or drives, common open spaces, common landscaped areas, and waterways. The Common Area may be established from time to time by Grantor on any portion of the Property by describing it on a Plat, by granting or reserving it in a deed or other instrument, or by designating it pursuant to this Declaration or any Supplemental Declaration. The Common Area may include easement and/or license rights.

**"Declaration."** Declaration shall mean this Declaration as it may be amended from time to time.

**"Design Guidelines."** Design Guidelines shall mean the construction guidelines approved by the Architectural Committee.

**"Grantor."** Grantor shall mean \_\_\_\_\_, an Idaho \_\_\_\_\_, and its successors in interest, or any person or entity to whom the rights under this Declaration are expressly transferred by Grantor or its successor.

**"Improvement."** Improvement shall mean any structure, facility, or system, or other improvement or object, whether permanent or temporary, which is erected, constructed, or placed upon, under, or in, any portion of the Property, including but not limited to buildings, fences, streets, drives, driveways, sidewalks, bicycle paths, curbs, landscaping, signs, lights, mail boxes, electrical lines, pipes, pumps, ditches, waterways, and fixtures of any kind whatsoever.

**"Landscape Easements."** Landscape Easements shall mean any portion of a Building Lot located within the landscape easements designated on the Plat or in a Supplemental Declaration. This Landscape Easement is in addition to the general landscape easement described in Sections 5.5.2.3 and 12.7 of this Declaration.

**"Limited Assessment."** Limited Assessment shall mean a charge against a particular Owner and such Owners Building Lot, directly attributable to the Owner, equal to the cost incurred by the Association for corrective action or maintenance, repair, replacement and operation activities performed pursuant to the provisions of this Declaration or any Supplemental Declaration, including, without limitation, damage to or maintenance, repair, replacement and operation activities performed for any Common Area or the failure of an Owner to keep the Owner's Building Lot in proper repair, including interest thereon as provided in this Declaration or a Supplemental Declaration or for any goods or services provided by the Association benefiting less than all Owners.

**"Member."** Member shall mean each person or entity holding a membership in the Association. Where specific reference or the context so indicates, it shall also mean persons or entities holding membership.

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**“Owner.”** Owner shall mean the person or other legal entity, including Grantor, holding fee simple interest of record to a Building Lot which is a part of the Property, and sellers under executory contracts of sale, but excluding those having such interest merely as security for the performance of an obligation.

**“Ethridge Square Subdivision.”** Ethridge Square Subdivision shall mean the Property.

**“Person.”** Person shall mean any individual, partnership, corporation, or other legal entity.

**“Plat.”** Plat shall mean any subdivision plat covering any portion of the Property as recorded at the office of the County Recorder, Ada County, Idaho, as the same may be amended by duly recorded amendments thereof.

**“Property.”** Property shall mean the real property described in Exhibit A, including each lot, parcel, and portion thereof and interest therein, including all water rights associated with or appurtenant to such property, which are brought within the jurisdiction hereof by Supplemental Declaration or otherwise. The Property also may include, at Grantor’s sole discretion, such additional property in addition to that described in Exhibit A as may be annexed by means of Supplemental Declaration as provided herein.

**“Regular Assessment.”** Regular Assessment shall mean the portion of the cost of maintaining, improving, repairing, managing, and operating the Common Area and all Improvements located thereon, and the other costs of an Association which is to be levied against the Building Lot of and paid by each Owner to the Association, pursuant to the terms of this Declaration or a Supplemental Declaration.

**“Special Assessment.”** Special Assessment shall mean the portion of the costs of the capital improvements or replacements, equipment purchases and replacements or shortages in Regular Assessments which are authorized and to be paid by each Owner to the Association, pursuant to the provisions of this Declaration or a Supplemental Declaration.

**“Supplemental Declaration.”** Supplement Declaration shall mean any Supplemental Declaration including additional covenants, conditions, and restrictions that might be adopted with respect to any portion of the Property.

**“Tract.”** Tract shall mean a defined portion of the Property within which the contemplated development involves a common use or compatible uses, and which may have been designated as a Tract by this Declaration or a recorded Supplemental Declaration. Each Tract shall contain one or more Building Lots, and may be managed to the extent permitted herein.

**“Waterway.”** Waterway shall mean any surface water amenity, including, without limitation, any lake, pond, channel, slough, stream or reservoir, natural or artificial, which is located on the Property and which is included within or managed as Common Area.

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## ARTICLE 4 - GENERAL AND SPECIFIC RESTRICTIONS

**4.1 Structures - Generally.** All structures are to be designed, constructed and used in such a manner as to promote compatibility between the types of use contemplated by this Declaration.

**4.1.1 Use and Size of Dwelling Structure.** All Building Lots shall be used exclusively for single-family residential purposes. No Building Lot shall be improved except with a single-family dwelling unit or structure. The minimum structure size in Ethridge Square Subdivision shall be One Thousand Three Hundred (1,300) square feet, exclusive of garage.

**4.1.2 Architectural Committee Review.** No Improvements which will be visible above ground or which will ultimately affect the visibility of any above ground Improvement shall be built, erected, placed, or materially altered or removed from the Property unless and until the building plans, specifications, and plot plan or other appropriate plans and specifications have been reviewed in advance by the Architectural Committee and the same have been approved in writing. The review and approval or disapproval may be based upon the following factors - size, height, design and style elements, mass and form, topography, setbacks, finished ground elevations, architectural symmetry, drainage, color, materials, including Architectural Committee approved architectural shingles roofing material, physical or aesthetic impacts on other properties, including Common Areas, artistic conformity to the terrain and the other Improvements on the Property, and any and all other factors which the Architectural Committee, in its reasonable discretion, deems relevant. Said requirements as to the approval of the architectural design shall apply only to the exterior appearance of the Improvements. This Declaration is not intended to serve as authority for the Architectural Committee to control the interior layout or design of residential structures except to the extent incidentally necessitated by use, size, and height restrictions.

**4.1.3 Setbacks and Height.** No residential or other structure (exclusive of fences and similar structures) shall be placed nearer to the Building Lot lines or built higher than permitted by the Plat for the Tract in which the Building Lot is located, by any applicable zoning restriction, by any conditional use permit, or by a building envelope designated either by Grantor or applicable Architectural Committee, whichever is more restrictive.

**4.1.4 Accessory Structures.** Detached garages shall be allowed if in conformity with the provisions of this Declaration, and as approved by the applicable Architectural Committee. Garages, storage sheds attached to the residential structure, patio covers, and detached patio covers, shall be constructed of, and roofed with similar colors and design, as the residential structure on the applicable Building Lot. No playhouses, playground equipment, pool slides, diving boards, hot tubs, spas, or similar items shall extend higher than five (5) feet above the finished graded surface of the Building Lot upon which such item(s) are located, unless specifically so allowed by the Architectural Committee, in its sole discretion. Basketball courts, backboards, pools, tennis courts, shall be allowed in the backyard of any Building Lot, provided that such amenities are approved by the Architectural Committee and are not visible from any street, and do not promote noise or other nuisance that is offensive or

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detrimental to other property in the vicinity of the Building Lot or offensive or detrimental to the occupants of such other property.

**4.1.5 Driveways.** All access driveways shall have a wearing surface approved by the Architectural Committee of asphalt, concrete, or other hard surface materials, and shall be properly graded to assure proper drainage.

**4.1.6 Mailboxes.** All replacement mailboxes and stands will be of consistent design, material, and coloration and shall be located on or adjoining Building Lot lines at places designated by Grantor or the Architectural Committee.

**4.1.7 Fencing.** Fence designs shall not extend into any common green space within the subdivision. All fencing and boundary walls constructed on any Building Lot shall be of compatible style and material to that of other fencing constructed adjacent to or abutting Common Areas, public and private streets, and shall otherwise be as approved by the Architectural Committee. Fencing shall not extend higher than six (6) feet above the finished grade surface of the Building Lot or extend past the front setback of the home. All fencing must meet the setback requirements of City ordinance. Certain entryway, corner and view Building Lots as more particularly set forth in a Supplemental Declaration are restricted from fencing.

**4.1.8 Lighting.** Exterior lighting, including flood lighting, shall be part of the architectural concept of the Improvements on a Building Lot. Fixtures, standards, and all exposed accessories shall be harmonious with building design, and shall be as approved by the Architectural Committee. Lighting shall be restrained in design, and excessive brightness shall be avoided.

**4.2 Antennae.** All exterior radio antenna, television antenna, satellite dish antenna or other antenna of any type shall be screened by a fence, landscaping or similar structures in accordance with the Architectural Committee guidelines, except that screening shall not be required where it would unreasonably delay installation or unreasonably increase the cost of installation, maintenance or use of the antennae, or preclude the reception of an acceptable quality signal. No antennae may be installed prior to construction of a residential improvement upon a Building Lot.

**4.3 Insurance Rates.** Nothing shall be done or kept on any Building Lot which will increase the rate of insurance on any other portion of the Property without the approval of the Owner of such other portion, nor shall anything be done or kept on the Property or a Building Lot which would result in the cancellation of insurance on any property owned or managed by any such Association or which would be in violation of any law.

**4.4 No Further Subdivision.** No Building Lot may be further subdivided, nor may any easement or other interest therein, unless such subdivision complies with all applicable laws.

**4.5 Signs.** No sign of any kind shall be displayed for public view without the approval of the applicable Architectural Committee or Association, and the City if otherwise so required, except:

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A. such signs as may be used by Grantor in connection with the development of the Property and sale of Building Lots;

B. temporary signs naming the contractors, the architect, and the lending institution for particular construction operation;

C. such signs identifying Subdivision, or informational signs, of customary and reasonable dimensions as prescribed by the Architectural Committee may be displayed on or from the Common Area; and,

D. one (1) sign of customary and reasonable dimensions not to exceed three (3) feet by two (2) feet may be displayed by an Owner other than Grantor on or from a Building Lot advertising the residence for sale or lease

All signage, including signage for the exceptions listed in (A)-(D), must be done in accordance with the Subdivision signage format. Without limiting the foregoing, no sign shall be placed in the Common Area without the written approval of the applicable Architectural Committee or the Association.

**4.6 Nuisances.** No rubbish or debris of any kind shall be placed or permitted to accumulate anywhere upon the Property, including the Common Area or vacant Building Lots, and no odor shall be permitted to arise therefrom so as to render the Property or any portion thereof unsanitary, unsightly, offensive, or detrimental to the Property or to its occupants, or to any other property in the vicinity thereof or to its occupants. No noise or other nuisance, as described in the Boise City Code, as amended from time to time, shall be permitted to exist or operate upon any portion of the Property so as to be offensive or detrimental to the Property or to its occupants or to other property in the vicinity or to its occupants. Without limiting the generality of any of the foregoing provisions, no exterior speakers, horns, whistles, bells, or other sound devices (other than security devices used exclusively for security purposes which have been approved by the Association), flashing lights, or search lights, shall be located, used, or placed on the Property without the prior written approval of the Association.

**4.7 Exterior Maintenance: Owner's Obligations.** No Improvement shall be permitted to fall into disrepair, and each Improvement shall at all times be kept in good condition and repair. In the event that any Owner shall permit any Improvement, including trees and landscaping, which is the responsibility of such Owner to maintain, to fall into disrepair so as to create a dangerous, unsafe, unsightly, or unattractive condition, or damages property or facilities on or adjoining their Building Lot which would otherwise be the Association's responsibility to maintain, the Board of the Association, upon fifteen (15) days prior written notice to the Owner of such property, shall have the right to correct such condition, and to enter upon such Owner's Building Lot for the purpose of doing so, and such Owner shall promptly reimburse the Association for the cost thereof. Such cost shall be a Limited Assessment and shall create a lien enforceable in the same manner as other Assessments set forth in Article 8 of this Declaration. The Owner of the offending property shall be personally liable, and such Owner's property may be subject to a mechanic's lien, for all costs and expenses incurred by the Association in taking such corrective acts, plus all costs incurred in collecting the amounts due, including attorney's fees and costs. Each Owner shall pay all amounts due for such work within ten (10) days after

receipt of written demand therefor, or the amounts may, at the option of the Board, be added to the amounts payable by such Owner as Regular Assessments. Each Owner shall have the remedial rights set forth herein if the applicable Association fails to exercise its rights within a reasonable time following written notice by such Owner.

**4.8 Drainage.** There shall be no interference with the established drainage pattern over any portion of the Property, unless an adequate alternative provision is made for proper drainage and is first approved in writing by the applicable Architectural Committee. For the purposes hereof, "established" drainage is defined as the system of drainage, whether natural or otherwise, which exists at the time the overall grading of any portion of the Property is completed by Grantor, or that drainage which is shown on any plans approved by the Architectural Committee, which may include drainage from the Common Area over any Building Lot in the Property.

**4.9 Grading.** The Owner of any Building Lot within the Property in which grading or other work has been performed pursuant to a grading plan approved under applicable provisions of City Code shall maintain and repair all graded surfaces and erosion prevention devices, retaining walls, drainage structures, means, or devices which are not the responsibility of the Ada County Highway District, the Association, or other public agency, and plantings and ground cover installed or completed thereon. Such requirements shall be subject to Regular, Special, and Limited Assessments provided in Article 7 herein, as may be applicable.

**4.10 Water Supply Systems.** No separate or individual water supply system, regardless of the proposed use of the water to be delivered by such system, shall be permitted on any Building Lot unless such system is designed, located, constructed, and equipped in accordance with the requirements, standards, and recommendations of the Board of the Association and all governmental authorities having jurisdiction. Grantor or affiliates of Grantor may use the water supply as deemed necessary for temporary or other irrigation purposes.

**4.11 No Hazardous Activities.** No activities shall be conducted on the Property, and improvements constructed on any property which are or might be unsafe or hazardous to any person or property.

**4.12 Unsightly Articles.** No unsightly articles shall be permitted to remain on any Building Lot so as to be visible from any other portion of the Property. Without limiting the generality of the foregoing, refuse, garbage, and trash shall be kept at all times in such containers and in areas approved by the applicable Architectural Committee. No clothing or fabrics shall be hung, dried, or aired in such a way as to be visible to other property, and no equipment, treat pumps, compressors, containers, lumber, firewood, grass, shrub or tree clippings, plant waste, metals, bulk material, scrap, refuse, or trash shall be kept, stored or allowed to accumulate on any Building Lot except within an enclosed structure or as appropriately screened from view. No vacant residential structures shall be used for the storage of building materials.

**4.13 No Temporary Structures.** No house trailer, mobile home, tent (other than for short term individual use which shall not exceed one (1) week unless approved by the Association), shack or other temporary building, improvement, or structure shall be placed upon any portion of the Property, except temporarily as may be required by construction activity

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undertaken on the Property. Also excepted from this requirement is any sales office established for the Property.

**4.14 No Unscreened Boats, Campers, and Other Vehicles.** No boats, trailers, campers, all-terrain vehicles, motorcycles, recreational vehicles, bicycles, dilapidated or unrepaired and unsightly vehicles, or similar equipment shall be placed upon any portion of the Property (including, without limitation, streets, parking areas, and driveways) unless the same are enclosed by a structure concealing them from view in a manner approved by the Architectural Committee. To the extent possible, garage doors shall remain closed at all times.

**4.15 Sewage Disposal Systems.** No individual sewage disposal system shall be used on the Property. Each Owner shall connect the appropriate facilities on such Owner's Building Lot to the Boise City Sewer System and pay all charges assessed therefor.

**4.16 No Mining or Drilling.** No portion of the Property shall be used for the purpose of mining, quarrying, drilling, boring, or exploring for or removing water, oil, gas, or other hydrocarbons, minerals, rocks, stones, sand, gravel or earth. This paragraph 4.16 shall not prohibit exploratory drilling or coring which is necessary to construct a residential structure or Improvements.

**4.17 Energy Devices Outside.** No energy production devices, including, but not limited to, generators of any kind and solar energy devices, shall be constructed or maintained on any portion of the Property without the written approval of the applicable Architectural Committee, except for heat pumps shown in the plans approved by the Architectural Committee. This paragraph 4.17 shall not apply to passive solar energy systems incorporated into the approved design of a residential structure.

**4.18 Vehicles.** The use of all vehicles, including, but not limited to, trucks, automobiles, bicycles, motorcycles, snowmobiles, aircraft, and boats, shall be subject to all Association Rules, which may prohibit or limit the use thereof within Ethridge Square Subdivision. No on-street parking shall be permitted except where expressly designated for parking use. No parking bays shall be permitted in any side, front, or backyard. Vehicles parked on a driveway shall not extend into any sidewalk or bike path or pedestrian path. No motorized vehicle or device shall be permitted on any Waterway unless such vehicle is engaged in an emergency procedure.

**4.19 Animals/Pets.** No animals, birds, insects, pigeons, poultry or livestock shall be kept on the Property unless the presence of such creatures does not constitute a nuisance. This paragraph 4.19 does not apply to the keeping of up to two (2) domesticated dogs, up to two (2) domesticated cats, and other household pets which do not unreasonably bother or constitute a nuisance to others. Without limiting the generality of the foregoing, consistent and/or chronic barking by dogs shall be considered a nuisance. Each dog in Ethridge Square Subdivision shall be kept on a leash, curbed, and otherwise controlled at all times when such animal is off the premises of its owner. Such owner shall clean up any animal defecation immediately from the Common Area or public right-of-way. Failure to do so may result, at the Board's discretion, with a Limited Assessment levied against such animal owner. No dog or cat shall be allowed in any Waterway. The construction of dog runs or other pet enclosures shall be subject to

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applicable Architectural Committee approval, shall be appropriately screened, and shall be maintained in a sanitary condition. Dog runs or other pet enclosures shall be placed a minimum of ten (10) feet from the side and twenty-five (25) feet from the rear Building Lot line, shall not be placed in any front yard of a Building Lot, and shall be screened from view so as not to be visible from the Common Area or an adjacent Building Lot.

**4.20 Landscaping.** The Owner of any Building Lot shall sod and landscape such Building Lot in conformance with the landscape plan approved by the Association, and as approved by the Architectural Committee. All landscaping shall be planted within thirty (30) days after said dwelling structure is completed, weather permitting. The initial front landscaping shall include as a minimum, sod in the front and side yards, two (2) deciduous trees of at least two inch (2") caliper or one (1) pine tree of at least six feet (6') in height and one (1) flowering tree of at least two inch (2") caliper in front yard, ten (10) - five (5) gallon shrubs or plants, five (5) - two (2) gallon shrubs or plants and at least one (1) raised sculptured berm. But if Grantor or an affiliate of Grantor constructs the dwelling structure, only the front yard of the Building Lot is required to be landscaped within thirty (30) days of substantial completion of the dwelling structure. The Owner is then responsible for completing the balance of the Building Lot landscaping within ninety (90) days after the Building Lot is conveyed to the first Owner of the Building Lot. Additionally, Grantor may grant extensions of the landscaping deadlines to any party for up to ninety (90) days. Prior to construction of Improvements, the Owner (or any Association to which such responsibility has been assigned) shall provide adequate irrigation and maintenance of existing trees and landscaping, shall control weeds, and maintain the Owner's (or Association's) property in a clean and safe condition free of debris or any hazardous condition. All trees located on common Building Lot lines shall be the joint responsibility of the adjoining Building Lot owners. All landscaped Common Areas other than riparian vegetation shall be irrigated by an underground sprinkler system.

Following commencement of any construction of any Improvement, construction shall be diligently pursued and completed as soon as reasonably practical. All landscaping on a Building Lot, unless otherwise specified by the applicable Architectural Committee, shall be completed as soon as reasonably practical following completion of the residential structure on such Building Lot.

**4.21 Exemption of Grantor.** Nothing contained herein shall limit the right of Grantor to subdivide or re-subdivide any portion of the Property, to grant licenses, to reserve rights-of-way and easements with respect to the Common Area to utility companies, public agencies, or others, or to complete excavation, grading, and construction of Improvements to and on any portion of the property owned by Grantor, or to alter the foregoing and its construction plans and designs, or to construct such additional Improvements as Grantor deems advisable in the course of development of the Property so long as any Building Lot in the Property remains unsold. Such right shall include, but shall not be limited to, erecting, constructing, and maintaining on the Property such structures and displays as may be reasonably necessary for the conduct of Grantor's business of completing the work and disposing of the same by sales, lease or otherwise. Grantor shall have the right at any time prior to acquisition of title to a Building Lot by a purchaser from Grantor to grant, establish, and/or reserve on that Building Lot, additional licenses, reservations and rights-of way to Grantor, to utility companies, or to others as may from

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time to time be reasonably necessary to the proper development and disposal of the Property. Grantor may use any structures owned by Grantor on the Property as model home complexes or real estate sales or leasing offices for lots and homes within the Development. Grantor need not seek or obtain Architectural Committee approval of any Improvement constructed or placed by Grantor or an affiliate of Grantor on any portion of the Property owned by Grantor or an affiliate of Grantor. The rights of Grantor hereunder may be assigned by Grantor to any successor in interest in connection with Grantor's interest in any portion of the Property, by an express written assignment recorded in the Office of the Ada County Recorder.

**4.22 Conveyances to and from Municipalities.** The Board shall have the power to convey any portion of the Common Area in Ethridge Square Subdivision to the City, the County of Ada, the State of Idaho, the United States of America, or any political subdivision thereof. The Board shall also have the power to receive a conveyance of any property interest from the above-referenced entities, or any other individual or entity, and to hold such property interest as Common Area.

**4.23 Water Rights Appurtenant to Subdivision Lands.** Within one hundred twenty (120) days of the date of the recording of this Declaration, Grantor shall transfer from the Property subject to this Declaration, and within the boundaries of an irrigation entity, as defined in said Section 31-3805, Idaho Code, all water rights and assessment obligations appurtenant to the Property to the Association,

**4.24 Commencement of Construction.** Any owner of a Building Lot shall, within a period of one (1) year following the date of purchase of a Building Lot from Grantor, commence the construction of a dwelling structure in compliance with the restrictions herein, and such construction shall be completed within six (6) months thereafter. The term "Commence the construction," as used in this paragraph 4.24, shall require actual physical construction activities upon such dwelling structure upon such Building Lot. In the event such Owner shall fail or refuse to commence the construction of a dwelling structure within said one (1) year period, Grantor may, at Grantor's option, following the expiration of said one (1) year period, repurchase said Building Lot from such Owner or the then Owner of such Building Lot at a repurchase price equivalent to the money actually paid to Grantor, less any amount equivalent to ten (10) percent thereof. In the event Grantor shall exercise Grantor's option to repurchase such Building Lot, upon tender of said repurchase price, Owner or the then Owner of such Building Lot shall make, execute, and deliver to Grantor a deed reconveying said Building Lot, free and clear of all liens, which deed shall be binding upon all persons who may, at any time hereafter, own or claim any right, title, or interest in such Building Lot, and the successors in title thereto, whether acquired by voluntary act or through operation of law.

## **ARTICLE 5 - ETHRIDGE SQUARE HOMEOWNERS ASSOCIATION**

**5.1 Organization of Ethridge Square Homeowners Association.** Ethridge Square Homeowners Association ("Association") shall be initially organized by Grantor as an Idaho nonprofit corporation under the provisions of the Idaho Code relating to general non-profit corporations and shall be charged with the duties and invested with the powers prescribed by law and set forth in the Articles, Bylaws, and this Declaration. Neither the Articles nor the Bylaws

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shall be amended or otherwise changed or interpreted so as to be inconsistent with this Declaration or with any Supplemental Declaration which Grantor might adopt pertaining to the Subdivision.

**5.2 Membership.** Each Owner, by virtue of being an Owner and for so long as such ownership is maintained, shall be a Member of the Association and no Owner, except Grantor, shall have more than one membership in the Association. Memberships in the Association shall be appurtenant to the Tract, Building Lot, or other portion of the Property owned by such Owner. The memberships in the Association shall not be transferred, pledged, assigned, or alienated in any way except upon the transfer of Owner's title and then only to the transferee of such title. Any attempt to make a prohibited membership transfer shall be void and will not be reflected on the books of the Association.

**5.3 Voting.** For voting purposes, the Association shall have two (2) classes of Members as described below:

**5.3.1 Class A Members.** Owners other than Grantor, for so long as Grantor is the Class B Member, shall be known as Class A Members. Each Class Member shall be entitled to cast one (1) vote for each Building Lot owned by such Class A Member on the day of the vote. Upon termination of the Class B Member, Grantor shall become a Class A Member.

**5.3.2 Class B Member.** The Grantor shall be known as the Class B Member, and shall be entitled to six (6) votes for each Building Lot of which Grantor is the Owner, less six (6) votes for each Building Lot owned by a Person other than Grantor. The Class B Member shall cease to be a voting Member in the Association upon the later to occur of the following: (i) when the total cumulative votes of the Class A Members equal or exceed the total votes of the Class B Members; or (ii), the expiration of ten (10) years from the date on which the first Building Lot is sold to an Owner.

Fractional votes shall not be allowed. If the Owner of a Building Lot shall be more than one (1) Person, all such Persons shall be deemed Members, but the voting rights in the Association attributable to that Building Lot may not be split and shall be exercised by one representative selected by such Persons as they, among themselves, may determine. In the event that such joint Owners are unable to agree among themselves as to how their vote or votes shall be cast, they shall lose their right to vote on the matter being put to a vote. When an Owner casts a vote, it will thereafter be presumed conclusively for all purposes that such Owner was acting with authority and consent of all joint owners of the Building Lot(s) from which the vote derived. The right to vote may not be severed or separated from the ownership of the Building Lot to which it is appurtenant, except that any Owner may give a revocable proxy, or may assign such Owner's right to vote to a lessee, mortgagee, beneficiary, or contract purchaser of the Building Lot concerned, for the term of the lease, mortgage, deed of trust, or contract. Any sale, transfer, or conveyance of such Building Lot to a new Owner shall operate automatically to transfer the appurtenant voting right to the Owner, subject to any assignment of the right to vote to a lessee, mortgagee, or beneficiary as provided herein.

**5.4 Board of Directors and Officers.** The affairs of the Association shall be conducted and managed by a Board of Directors ("Board") and such officers as the Board may

elect or appoint, in accordance with the Articles and Bylaws, as the same may be amended from time to time. The Board of the Association shall be elected in accordance with the provisions set forth in the Association Bylaws.

## **5.5 Power and Duties of the Association.**

**5.5.1 Powers.** The Association shall have all the powers of a corporation organized under the general corporation laws of the State of Idaho subject only to such limitations upon the exercise of such powers as are expressly set forth in the Articles, the Bylaws, and this Declaration. The Association shall have the power to do any and all lawful things which may be authorized, required or permitted to be done by the Association under Idaho law and under this Declaration, and the Articles and Bylaws, and to do and perform any and all acts which may be necessary to, proper for, or incidental to the proper management and operation of the Common Area and the Association's other assets (including water rights when and if received from Grantor) and affairs and the performance of the other responsibilities herein assigned, including without limitation:

**5.5.1.1 Assessments.** The power to levy Assessments on any Owner or any portion of the Property and to force payment of such Assessments, all in accordance with the provisions of this Declaration.

**5.5.1.2 Right of Enforcement.** The power and authority from time to time in its own name, on its own behalf or on behalf of any Owner who consents thereto, to commence and maintain actions and suits to restrain and enjoin any breach or threatened breach of this Declaration or the Article or the Bylaws, including the Association Rules adopted pursuant to this Declaration, and to enforce by injunction or otherwise, all provisions hereof.

**5.5.1.3 Delegation of Powers.** The authority to delegate its power and duties to committees, officers, employees, or to any person, firm, or corporation to act as manager, and to contract for the maintenance, repair, replacement, and operation of the Common Area. Neither the Association nor the members of its Board shall be liable for any omission or improper exercise by the manager of any such duty or power so delegated. All contracts for management of any Common Area shall be for a term not exceeding one (1) year, and shall be subject to review by the Board upon the termination of the Class B Member.

**5.5.1.4 Association Rules.** The power to adopt, amend, and repeal by majority vote of the Board such rules and regulations as the Association deems reasonable. The Association may govern the use of the Common Areas, including, but not limited to, the use of private streets by the Owners, their families, invitees, licensees, lessees, or contract purchasers; provided, however, that any Association Rules shall apply equally to all Owners and shall not be inconsistent with this Declaration, the Articles, or the Bylaws. A copy of the Association Rules as they may from time to time be adopted, amended, or repealed, shall be mailed or otherwise delivered to each Owner. Upon such mailing or delivery, the Association Rules shall have the same force and effect as if they were set forth in and were a part of this Declaration. In the event of any conflict between such Association Rules and any other provisions of this Declaration, or the Articles or the Bylaws, the provisions of the Association

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Rules shall be deemed to be superseded by provisions of this Declaration, the Articles, or the Bylaws to the extent of any such inconsistency.

**5.5.1.5 Emergency Powers.** The power, exercisable by the Association or by any person authorized by it, to enter upon any property (but not inside any building constructed thereon) in the event of any emergency involving illness or potential danger to life or property or when necessary in connection with any maintenance or construction for which the Association is responsible. Such entry shall be made with as little inconvenience to the Owner as practicable, and any damage caused thereby shall be repaired by and at the expense of the Association.

**5.5.1.6 Licenses, Easements, and Rights-of-Way.** The power to grant and convey to any third party such licenses, easements, and rights-of-way in, on, or under the Common Area as may be necessary or appropriate for the orderly maintenance, preservation, and enjoyment of the Common Area, and for the preservation of the health, safety, convenience, and welfare of the Owners, for the purpose of constructing, erecting, operating, or maintaining:

**5.5.1.6.1** Underground lines, cables, wires, conduits, or other devices for the transmission of electricity or electronic signals-for lighting, heating, power, telephone, television, or other purposes, and the above ground lighting stanchions, meters, and other facilities associated with the provisions of lighting and services, public sewers, storm drains, water drains, and pipes, water supply systems, sprinkling systems, heating and gas lines or pipes, and any similar public or quasi-public improvements or facilities; and

**5.5.1.6.2** Mailboxes and sidewalk abutments around such mailboxes, or any service facility, berms, fencing and landscaping abutting common areas, public and private streets or land conveyed for any public or quasi-public purpose including, but not limited to, bicycle pathways.

**5.5.1.7 Newsletter.** If it so elects, prepare and distribute a newsletter on matters of general interest to Association Members, the cost of which shall be included in Regular Assessments.

The right to grant such licenses, easements, and rights-of-way is hereby expressly reserved to the Association and may be granted at any time prior to twenty-one (21) years after the death of the issue of the individuals executing this Declaration on behalf of Grantor who are being as of the date hereof.

**5.5.2 Duties.** In addition to duties necessary and proper to carry out the powers delegated to the Association by this Declaration, and the Articles and Bylaws, without limiting the generality thereof, the Association or its agent, if any, shall have the authority and the obligation to conduct all business affairs of the Association and to perform, without limitation, each of the following duties:

**5.5.2.1 Operation and Maintenance of the Common Area.** Operate, maintain, and otherwise manage, or provide for the operation, maintenance, and management of, the Common Area and Landscape Easement areas (as defined in Section 3.13),

including the repair and replacement of property damaged or destroyed by casualty loss. Specifically, the Association shall, at Grantor's sole discretion, operate and maintain all properties owned by Grantor which are designated by Grantor for temporary or permanent use by Members of the Association. Such properties may include those lands intended for open space uses and which may be referred to as "non-buildable" lots per the Plat. Additionally, the Association may, in its discretion, limit or restrict the use of the Common Area to the Owners residing in the Subdivision.

**5.5.2.2 Reserve Account.** Establish and fund a reserve account with a reputable banking institution or savings and loan association or title insurance company authorized to do business in the State of Idaho, which reserve account shall be dedicated to the costs of repair, replacement, maintenance and improvement of the Common Area.

**5.5.2.3 Maintenance of Berms Retaining Walls and Fences.** Maintain the berms, retaining walls, fences, and water amenities within and abutting the Common Area and Landscape Easement areas.

**5.5.2.4 Taxes and Assessments.** Pay all real and personal property taxes and Assessments separately levied against the Common Area or against the Property, the Association, and/or any other property owned by the Association. Such taxes and Assessments may be contested or compromised by the Association, provided, however, that such taxes and Assessments are paid or a bond insuring payment is posted prior to the sale or disposition of any property to satisfy the payment of such taxes and Assessments. In addition, the Association shall pay all other federal, state, or local taxes, including income or corporate taxes levied against the Association, in the event that the Association is denied the status of a tax exempt corporation.

**5.5.2.5 Water and Other Utilities.** Acquire, provide, and/or pay for water, sewer, garbage disposal, refuse and rubbish collection, electrical, telephone, and gas, and other necessary services, for the Common Area, and manage for the benefit of the Property all domestic, irrigation, and amenity water rights and rights to receive water held by the Association, whether such rights are evidenced by license, permit, claim, stock ownership, or otherwise. The Association shall maintain, repair, and operate any sewer lift stations located on the Property.

**5.5.2.6 Insurance.** Obtain insurance from reputable insurance companies authorized to do business in the State of Idaho, and maintain in effect any insurance policy the Board deems necessary or advisable, including, without limitation, the following policies of insurance:

**5.5.2.6.1** Fire insurance, including those risks embraced by coverage of the type known as the broad form "All Risk" or special extended coverage endorsement on a blanket agreed amount basis for the full insurable replacement value of all Improvements, equipment, and fixtures located within the Common Area.

**5.5.2.6.2** Comprehensive public liability insurance insuring the Board, the Association, the Grantor, and the individual grantees and agents and

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employees of each of the foregoing, against any liability incident to the ownership and/or use of the Common Area. Limits of liability of such coverage shall be as follows:

Not less than One Million Dollars and No Cents (\$1,000,000.00) per person, and One Million Dollars and No Cents (\$1,000,000.00) per occurrence, with respect to personal injury or death, and One Million Dollars and No Cents (\$1,000,000.00) per occurrence with respect to property damage.

Full coverage directors' and officers' liability insurance with a limit of at least Two Hundred Fifty Thousand Dollars and No Cents (\$250,000.00).

**5.5.2.6.3** Such other insurance, including motor vehicle insurance and Workmen's Compensation Insurance, to the extent necessary to comply with all applicable laws and indemnity, faithful performance, fidelity, and other bonds as the Board shall deem necessary or required to carry out the Association functions or to insure the Association against any loss from malfeasance or dishonesty of any employee or other person charged with the management or possession of any Association funds or other property.

**5.5.2.6.4** The Association shall be deemed trustee of the interests of all Owners in connection with any insurance proceeds paid to the Association under such policies, and shall have full power to receive such Owner's interests in such proceeds and to deal therewith.

**5.5.2.6.5** Insurance premiums for the above insurance coverage shall be deemed a common expense to be included in the Regular Assessments levied by the Association.

**5.5.2.7 Rule Making.** Make, establish, promulgate, amend, and repeal such Association Rules as the Board shall deem advisable.

**5.5.2.8 Architectural Committee.** Appoint and remove members of the Architectural Committee, subject to the provisions of this Declaration.

**5.5.2.9 Enforcement of Restrictions and Rules.** Perform such other acts, whether or not expressly authorized by this Declaration, as may be reasonably advisable or necessary to enforce any of the provisions of the Declaration, or of the Articles or the Bylaws, including, without limitation, the recordation of any claim of lien with the Ada County Recorder, as more fully provided herein.

**5.5.2.10 Private Streets, Signs, and Lights.** Maintain, repair, or replace private streets (as noted on the Plat and including any cul-de-sac easements), street signs, and private street lights located on the Property. This duty shall run with the land and cannot be waived by the Association unless the City of Boise consents to such waiver.

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**5.6 Personal Liability.** No Member of the Board, or member of any committee of the Association, or any officer of the Association, or the Grantor, or the manager, if any, shall be personally liable to any Owner, or to any other party, including the Association, for any damage, loss, or prejudice suffered or claimed on the account of any act, omission, error, or negligence of the Association, the Board, the manager, if any, or any other representative or employee of the Association, the Grantor, or the Architectural Committee, or any other committee, or any owner of the Association, or the Grantor, provided that such person, upon the basis of such information as may be possessed by such person, has acted in good faith without willful or intentional misconduct.

**5.7 Budgets and Financial Statements.** Financial statements for the Association shall be prepared regularly and copies shall be distributed to each Member of the Association as follows:

**5.7.1** A pro forma operating statement or budget, for each fiscal year shall be distributed not less than sixty (60) days before the beginning of each fiscal year. The operating statement shall include a schedule of Assessments received and receivable, identified by the Building Lot number and the name of the person or entity assigned.

**5.7.2** Within ninety (90) days after the close of each fiscal year, the Association shall cause to be prepared and available for delivery upon request to each Owner, a balance sheet as of the last day of the Association's fiscal year and annual operating statements reflecting the income and expenditures of the Association for the last fiscal year.

**5.8 Meetings of Association.** Each year the Association shall hold at least one (1) meeting of the Members, according to the schedule for such meetings established by the Bylaws.

## ARTICLE 6 - RIGHTS TO COMMON AREAS

**6.1 Use of Common Area.** Every Owner shall have a right to use each parcel of the Common Area, which right shall be appurtenant to and shall pass with the title to every Building Lot, subject to the following provisions:

**6.1.1** The right of the Association holding or controlling such Common Area to levy and increase Assessments for the maintenance, repair, management and operation of improvements on the Common Area;

**6.1.2** The right of the Association to suspend the voting rights and rights to use of, or interest in, the Common Area recreational facilities (but not including access to private streets, cul-de-sacs and walkways of the Property) by an Owner for any period during which any Assessment or charge against such Owner's Building Lot remains unpaid, and for a period not to exceed sixty (60) days for any infraction of the Association Rules; and,

**6.1.3** The right of the Association to dedicate or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be permitted by the Articles and the Bylaws and agreed to by the Members. No dedication or transfer of said Common Area shall be effective unless an

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instrument agreeing to such dedication or transfer signed by Members representing two-thirds (2/3) of each class of Members has been recorded.

**6.1.4** The right of the Association to prohibit the construction of structures or Improvements on all Common Areas which interfere with the intended use of such areas as private street, cul-de-sacs and walkways.

**6.1.5** The right of the Association to protect wildlife habitat.

**6.2 Designation of Common Area.** Grantor shall designate and reserve the Common Area in the Declaration, Supplemental Declarations, and/or recorded Plats, deeds, or other instruments, and/or as otherwise provided herein.

**6.3 Delegation of Right to Use.** Any Owner may delegate, in accordance with the respective Bylaws and Association Rules of the Association, such Owner's right of enjoyment to the Common Area, to the members of such Owner's family in residence, and such Owner's tenants or contract purchasers who reside on such Owner's Building lot. Only Grantor or the Association shall have the right to delegate the right of enjoyment to the Common Area to the general public, and such delegation to the general public shall be for a fee set by Grantor or the Association.

**6.4 Damages.** Each Owner shall be fully liable for any damage to any Common Area which may be sustained by reason of the negligence or willful misconduct of the Owner, such Owner's resident tenant or contract purchaser, or such Owner's family and guests, both minor and adult. In the case of joint ownership of a Building Lot, the liability of such Owners shall be joint and several. The cost of correcting such damage shall be a Limited Assessment against the Building Lot and may be collected as provided herein for the collection of other Assessments.

## ARTICLE 7 - ASSESSMENTS

**7.1 Covenant to Pay Assessments.** By acceptance of a deed to any portion of the Property, each Owner of such property hereby covenants and agrees to pay when due all Assessments or charges made by the Association, including all Regular, Special, and Limited Assessments and charges made against such Owner pursuant to the provisions of this Declaration or other applicable instrument.

**7.1.1 Assessment Constitutes Lien.** Such Assessments and Charges, together with interest, costs, and reasonable attorney's fees which may be incurred in collecting the same, shall be a charge on the land and shall be a continuing lien upon the property against which each such Assessment or charge is made.

**7.1.2 Assessment is Personal Obligation.** Each such Assessment, together with interest, costs and reasonable attorney's fees, shall also be the personal obligation of the Owner of such property beginning with the time when the Assessment falls due. The personal obligation for delinquent Assessments shall not pass to such Owner's successors in title unless expressly assumed by them but shall remain such Owner's personal obligation regardless of whether he remains an Owner.

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**7.2 Regular Assessments.** All Owners, including the Grantor, are obligated to pay Regular Assessments to the treasurer of the Association on a schedule of payments established by the Board.

**7.2.1 Purpose of Regular Assessments.** The proceeds from Regular Assessments are to be used to pay for all costs and expenses incurred by an Association, including legal and attorneys' fees and other professional fees, for the conduct of its affairs, including without limitation the costs and expenses of construction, improvement, protection, maintenance, repair, management, and operation of the Common Areas, including all Improvements located on such areas owned and/or managed and maintained by such Association, and an amount allocated to an adequate reserve fund to be used for repairs, replacement, maintenance, and improvement of those elements of the Common Area, or other property of the Association that must be replaced and maintained on a regular basis (collectively "Expenses").

**7.2.2 Computation of Regular Assessments.** The Association shall compute the amount of its Expenses on an annual basis. The Board shall compute the amount of Regular Assessments owed beginning the first day of the third month following the month in which the closing of the first sale of a Building Lot occurred in Property for the purposes of the Association's Regular Assessment ("Initiation Date"). Thereafter, the computation of Regular Assessments shall take place not less than thirty (30) nor more than sixty (60) days before the beginning of each fiscal year of an Association. The computation of the Regular Assessment for the period from the Initiation Date until the beginning of the next fiscal year shall be reduced by an amount which fairly reflects the fact that such period was less than one (1) year.

**7.2.3 Amounts Paid by Owners.** The Board can require, in its discretion or as provided in the Articles or Bylaws, payment of Regular Assessments in monthly, quarterly, semi-annual, or annual installments. The Regular Assessment to be paid by any particular Owner, except Grantor, for any given fiscal year shall be computed as follows:

**7.2.3.1** As to the Association's Regular Assessment, each Owner shall be assessed and shall pay an amount computed by multiplying the Association's total advance estimate of Expenses by the fraction produced by dividing the Building Lots in the applicable Tract attributable to the Owner by the total number of Building Lots in such Tract.

**7.2.3.2** Up until two (2) years following the date of the sale of a Building Lot in a particular Tract of the development, the Grantor shall be assessed the difference between the total revenue of the Association less the total expenses of the Association ("Shortfall") for that Tract of the development. The Grantor agrees to pay the cost of any Shortfall in order to properly maintain the Property during the development of each Tract. After two (2) years from the date of the first sale of a Building Lot in a particular Tract, the Grantor shall be assessed the Regular Assessment (defined in Section 7.2.3.1) for each Building Lot remaining in the respective Tract. This reduced assessment is in return for the Grantor paying the maintenance obligations for the Common Area prior to the acceptance of these obligations by the Association.

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### **7.3 Special Assessments.**

**7.3.1 Purpose and Procedure.** In the event that the Board of the Association shall determine that its respective Regular Assessment for a given calendar year is or will be inadequate to meet the Expenses of the Association for any reason, including but not limited to costs of construction, reconstruction, unexpected repairs or replacement of capital improvements upon the Common Area, attorney's fees and/or litigation costs, other professional fees, or for any other reason, the Board thereof shall determine the approximate amount necessary to defray such Expenses and levy a Special Assessment against the portions of the Property within its jurisdiction which shall be computed in the same manner as Regular Assessments. No Special Assessment shall be levied which exceeds twenty percent (20%) of the budgeted gross Expenses of the Association for that fiscal year, without the vote or written assent of the Owners representing a majority of the votes of the Members of the Association. The Board shall, in its discretion, determine the schedule under which such Special Assessment will be paid.

**7.3.2 Consistent Basis of Assessment.** Every Special Assessment levied by and for the Association shall be levied and paid upon the same basis as that prescribed for the levying and payment of Regular Assessments for the Association.

**7.4 Limited Assessments.** Notwithstanding the above provisions with respect to Regular and Special Assessments, a Board may levy a Limited Assessment against a Member as a remedy to reimburse the Association for costs incurred in bringing the Member and/or such Member's Building Lot or restricted Common Area into compliance with the provisions of the governing instruments for the Property, or for otherwise providing any goods or services benefiting less than all Members or such Members' Building Lots.

**7.5 Uniform Rate of Assessment.** Unless otherwise specifically provided herein, Regular and Special Assessments shall be fixed at a uniform rate per Building Lot for all Members of the Association.

**7.6 Assessment Period.** Unless otherwise provided in the Articles or Bylaws, the Assessment period shall commence on January 1st of each year and terminate December 31st of the year in which the Initiation Date occurs. The first Assessment shall be pro-rated according to the number of months remaining in the fiscal year and shall be payable in equal monthly installments.

**7.7 Notice and Assessment Due Date.** Ten (10) days prior written notice of Regular and Special Assessments shall be sent to the Owner of every Building Lot subject thereto, and to any person in possession of such Building Lot. The due dates for installment payment of Regular Assessments and Special Assessments shall be the first day of each month unless some other due date is established by the Board. Each monthly installment of the Regular Assessment of Special Assessment shall become delinquent if not paid within ten (10) days after the levy thereof. There shall accrue with each delinquent installment payment a late charge equal to ten percent (10%) of the delinquent installment. In addition, each installment payment which is delinquent for more than twenty (20) days shall accrue interest at eighteen percent (18%) per annum calculated from the date of delinquency to and including the date full payment is received

by an Association. An Association may bring an action against the delinquent Owner and may foreclose the lien against such Owner's Building Lot as more fully provided herein. Each Owner is personally liable for Assessments, together with all interest, costs and attorney's fees, and no Owner may exempt such Owner from such liability by a waiver of the use and enjoyment of the Common Areas, or by lease or abandonment of such Owners Building Lot.

**7.8 Estoppel Certificate.** The Association, upon at least twenty (20) days prior written request, shall execute, acknowledge and deliver to the party making such request, a statement in writing stating whether or not, to the knowledge of the Association, a particular Building Lot Owner is in default under the provisions of this Declaration, and further stating the dates to which any Assessments have been paid by the Owner. Any such certificate delivered pursuant to this paragraph 7.8 may be relied upon by any prospective purchaser or mortgagee of the Owner's Building Lot. Reliance on such Certificate may not extend to any default as to which the signor shall have had no actual knowledge.

**7.9 Special Notice and Quorum Requirements.** Notwithstanding anything to the contrary contained in either the Bylaws or the Articles, written notice of any meeting called for the purpose of levying a Special Assessment, or for the purpose of obtaining a membership vote in connection with an increase in the Regular Assessment, shall be sent to all Members of the Association and to any person in possession of a Building Lot in the applicable Tract, not less than fifteen (15) days nor more than thirty (30) days before such meeting. At the first such meeting called, the presence of Members or of proxies entitled to cast sixty percent (60%) of the total votes of the Association shall constitute a quorum. If such quorum is not present, subsequent meetings may be called subject to the same notice requirement, and the required quorum at the subsequent meetings shall be fifty percent (50%) of the quorum required at the preceding meeting. No such subsequent meeting shall be held more than thirty (30) days following the preceding meeting.

## **ARTICLE 8 - ENFORCEMENT OF ASSESSMENT; LIENS**

**8.1 Right to Enforce.** The Association has the right to collect and enforce its Assessments pursuant to the provisions hereof. Each Owner of Building Lot, upon becoming an Owner of such Building Lot, shall be deemed to covenant and agree to pay each and every Assessment provided for in this Declaration and agrees to the enforcement of all Assessments in the manner herein specified. In the event an attorney or attorneys are employed for the collection of any Assessment, whether by suit or otherwise, or to enforce compliance with or specific performance of the terms and conditions of this Declaration, each Owner agrees to pay reasonable attorney's fees in addition to any other relief or remedy obtained against such Owner. The Board or its authorized representative may enforce the obligations of the Owners to pay such Assessments by commencement and maintenance of a suit at law or in equity, or the Board may exercise the power of foreclosure and sale pursuant to paragraph 8.3 to enforce the liens created hereby. A suit to recover a money judgment for an unpaid Assessment shall be maintainable without foreclosing or waiving the lien hereinafter provided.

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## **8.2 Assessment Liens.**

**8.2.1 Creation.** There is hereby created a claim of lien with power of sale on each and every Building Lot to secure payment of any and all Assessments levied against such Building Lot pursuant to this Declaration together with interest thereon at the maximum rate permitted by law and all costs of collection which may be paid or incurred by the Association making the Assessment in connection therewith, including reasonable attorney's fees. All sums assessed in accordance with the provisions of this Declaration shall constitute a lien on such respective Building Lot upon recordation of a claim of lien with the Ada County Recorder. Such lien shall be prior and superior to all other liens or claims created subsequent to the recordation of the notice of delinquency and claim of lien except for tax liens for real property taxes on any Building Lot and Assessments on any Building Lot in favor of any municipal or other governmental assessing body which, by law, would be superior thereto.

**8.2.2 Claim of Lien.** Upon default of any Owner in the payment of any Regular, Special or Limited Assessment issued hereunder, the Association may cause to be recorded in the office of the Ada County Recorder a claim of lien. The claim of lien shall state the amount of such delinquent sums and other authorized charges (including the cost of recording such notice), a sufficient description of the Building Lot(s) against which the same have been assessed, and the name of the record Owner thereof. Each delinquency shall constitute a separate basis for a notice and claim of lien, but any number of defaults may be included within a single notice and claim of lien. Upon payment to the Association of such delinquent sums and charges in connection therewith or other satisfaction thereof, the Association shall cause to be recorded a further notice stating the satisfaction of relief of such delinquent sums and charges. The Association may demand and receive the cost of preparing and recording such release before recording the same.

**8.3 Method of Foreclosure.** Such lien may be foreclosed by appropriate action in court or by sale by the Association establishing the Assessment, its attorney or other person authorized to make the sale. Such sale shall be conducted in accordance with the provisions of the Idaho Code applicable to the exercise of powers of sale permitted by law. The Board is hereby authorized to appoint its attorney, any officer or director of the Association, or any title company authorized to do business in Idaho as trustee for the purpose of conducting such power of sale or foreclosure.

**8.4 Required Notice.** Notwithstanding anything contained in this Declaration to the contrary, no action may be brought to foreclose the lien created by recordation of the notice of delinquency and claim of lien, whether judicially, by power of sale or otherwise, until the expiration of thirty (30) days after a copy of such claim of lien has been deposited in the United States mail, certified or registered, postage prepaid, to the Owner of the Building Lot(s) described in such notice of delinquency and claim of lien, and to the person in possession of such Building Lot(s) and a copy thereof is recorded by the Association in the Office of the Ada County Recorder.

**8.5 Subordination to Certain Trust Deeds.** The lien for the Assessments provided for herein in connection with a given Building Lot shall not be subordinate to the lien of any

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deed of trust or mortgage except the lien of a first deed of trust or first mortgage given and made in good faith and for value that is of record as an encumbrance against such Building Lot prior to the recordation of a claim of lien for the Assessments. Except as expressly provided in paragraph 8.6 with respect to a first mortgagee who acquires title to Building Lot, the sale or transfer of any Building Lot shall not affect the Assessment lien provided for herein, nor the creation thereof by the recordation of a claim of lien, on account of the Assessments becoming due whether before, on, or after the date of such sale or transfer, nor shall such sale or transfer diminish or defeat the personal obligation of any Owner for delinquent Assessments as provided for in this Declaration.

**8.6 Rights of Mortgagees.** Notwithstanding any other provision of this Declaration, no amendment of this Declaration shall operate to defeat the rights of the Beneficiary under any deed of trust upon a Building Lot made in good faith and for value, and recorded prior to the recordation of such amendment, provided that after the foreclosure of any such deed of trust such Building Lot shall remain subject to this Declaration as amended.

## **ARTICLE 9 - INSPECTION OF ASSOCIATION'S BOOKS AND RECORDS**

**9.1 Member's Right of Inspection.** The membership register, books of account and minutes of meetings of the Board and committee of an Association shall be made available for inspection and copying by any Member of the Association or by such Member's duly appointed representatives, at any reasonable time and for a purpose reasonably related to such Member's interest as a Member at the office of the Association or at such other place as the Board of such Association shall prescribe. No Member or any other person, except Grantor, shall copy the membership register for the purposes of solicitation of or direct mailing to any Member of the Association.

**9.2 Rules Regarding Inspection of Books and Records.** The Board shall establish reasonable rules with respect to:

**9.2.1** Notice to be given to the custodians of the records by the persons desiring to make the inspection.

**9.2.2** Hours and days of the week when such an inspection may be made.

**9.2.3** Payment of the cost of reproducing copies of documents requested pursuant to this Article 9.

**9.3 Director's Rights of Inspection.** Every director shall have the absolute right at any reasonable time to inspect all books, records and documents of the Association, and the physical properties owned or controlled by the Association. The right of inspection by a director includes the right to make extracts and copies of documents.

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## ARTICLE 10 - ANNEXATION OF ADDITIONAL PROPERTIES

**10.1 By Grantor.** Grantor intends to develop the Property and other properties and may, in Grantor's sole discretion, deem it desirable to annex some or all of such properties to the Property covered by this Declaration. Tracts may be annexed to the Property and brought within the provisions of this Declaration as provided herein by Grantor, its successors or assigns, at any time, and from time to time, without the approval of any Owner or Association. The use and development of such Tracts shall conform to all applicable land use regulations, as such regulations are modified by variances.

**10.2 By Association.** Following the termination of the Class B Member, Tracts may be created, subject to the same conditions, by the Association upon the exercise by Members of at least two-thirds percent (2/3%) of the votes of the Association.

**10.3 Rights and Obligations of Owners of Annexed Tracts.** Subject to the provisions hereof, upon the recording of a Supplemental Declaration as to any Tract all provisions contained in the Declaration shall apply to the Tract in the same manner as if it were originally covered by this Declaration, subject to such modifications, changes and deletions as are specifically provided in such Supplemental Declaration, such Tract shall be treated for all purposes as a Tract as defined above. The Owners of lots located in the Tracts shall become members of the Association and shall become liable for their appropriate share of Assessments. Title to the Common Areas which are to be owned and managed by the Association within said Tracts shall be conveyed to the Association, free and clear of any and all encumbrances and liens, subject to reservations, easements, covenants, conditions and restrictions then of record including those set forth in this Declaration or any Supplemental Declaration applicable to such Tracts.

**10.4 Method of Annexation.** The addition of a Tract to the Property authorized under Sections 12.1 and 12.2 shall be made by filing of record a Supplemental Declaration or other similar instrument with respect to the Tract, which shall be executed by Grantor or the Owner thereof and which shall annex such property to the Property. Thereupon each Tract shall be part of the Property, shall be subject to this Declaration and encompassed within the general plan and scheme hereof as modified by such Supplemental Declaration, and shall be subject to the functions, powers, and jurisdiction of the Association established for the area encompassing such Tract. Such Supplemental Declaration or other appropriate document may contain such additions, modifications or deletions as may be deemed by Grantor or the Owner thereof desirable to reflect the different character, if any, of the Tract, or as Grantor or such Owner may deem appropriate in the development of the Tract. If any Tract is created, the Association shall have the authority to levy Assessments against the Owners located within such Tract, and the Association shall have the duty to maintain additional Common Area located within the Tract if so specified in any Supplemental Declaration.

**10.5 De-annexation.** Grantor may delete all or a portion of the Property, including previously annexed Tracts, from the Property and from coverage of this Declaration and the jurisdiction of the Association so long as Grantor is the owner of all such Tracts and provided that a Supplemental Declaration of Deletion of Property is recorded in the Office of the Ada

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Project # 2013020525

County Recorder in the same manner as a Supplemental Declaration of annexation. Members other than Grantor as described above, shall not be entitled to de-annex all or any portion of a Tract except on the favorable vote of seventy-five percent (75%) of all members of the Association and written approval of Grantor so long as Grantor owns any portion of the Property.

## ARTICLE 11 - EASEMENTS

**11.1 Easements of Encroachment.** There shall be reciprocal appurtenant easements of encroachment as between each Building Lot and such portion or portions of the Common Area adjacent thereto or as between adjacent Building Lots due to the unwillful placement or settling or shifting of the sidewalks and driveways constructed, reconstructed or altered thereon in accordance with the terms of this Declaration. Easements of encroachment shall be valid only so long as they exist, and the rights and obligations of Owners shall not be altered in any way because of encroachments, settling or shifting of the Improvements; provided, however, that in no event shall a valid easement for encroachment occur due to the willful act or acts of an Owner. In the event a structure on any Building Lot is partially or totally destroyed, and then repaired or rebuilt, the owners of each Building Lot agree that minor encroachments over adjoining Building Lots that existed prior to the encroachment may be reconstructed pursuant to the easement granted by this paragraph 12.1

**11.2 Easements of Access.** All Owners of Building Lots will have a perpetual easement for access, ingress and egress over the Common Area, including but not limited to the private streets, cul-de-sacs and walkways. Such easements shall run with the land, and may be used by Grantor, and by all Owners, their guests, tenants and invitees, residing on or temporarily visiting the Property, for pedestrian walkways, vehicular access and such other purposes reasonably necessary for the use and enjoyment of a Building Lot of Common Area.

**11.3 Drainage and Utility Easements.** Grantor expressly reserves for the benefit of all the Property reciprocal easements of access, ingress and egress for all Owners to and from their respective Building Lots for installation and repair of utility services, for drainage of water over, across and upon adjacent Building Lots, and Common Areas, resulting from the normal use of adjoining Building Lots or Common Areas, and for necessary maintenance and repair for any improvement including fencing, retaining walls, lighting facilities, mailboxes and sidewalk abutments, trees, and landscaping. Notwithstanding anything expressly or impliedly contained herein to the contrary, this Declaration shall be subject to all easements heretofore or hereafter granted by Grantor for the installation and maintenance of utilities and drainage facilities that are required for the development of the Property. In addition, Grantor hereby reserves for the benefit of the Association the right to grant additional easements and rights-of-way over the Property and/or a Tract, as appropriate, to the Property until close of escrow for the sale of the last Building Lot in the property to a purchaser.

**11.3.1 Improvement of Drainage and Utility Easement Areas.** The owners of Building Lots are hereby restricted and enjoined from constructing any Improvements upon any drainage or utility easement areas as shown on the Plat or otherwise designated in any recorded document which would interfere with or prevent the easement from being used for such purpose; provided, however, that the Owner of such Building Lot and the Grantor, Association

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or designated entity with regard to the Landscaping Easement described in this Article 12, shall be entitled to install and maintain landscaping on such easement areas, and also shall be entitled to build and maintain fencing on such easement areas subject to approval by the Association and/or the Architectural Committee, so long as the same would not interfere with or prevent the easement areas from being used for their intended purposes; provided, that any damage sustained to improvements on the easement areas as a result of legitimate use of the easement areas shall be the sole and exclusive obligation of the Owner of the Building Lot whose Improvements were so damaged.

**11.4 Rights and Duties Concerning Utility Easements.** The rights and duties of the Owners of the Building Lots within the Property with respect to utilities shall be governed by the following:

**11.4.1** Wherever utility house connections are installed within the Property, which connections or any portions thereof lie in or upon Building Lots owned by an Owner other than the Owner of the Building Lot served by the connections, the Owner of the Building Lot served by the connections shall have the right, and is hereby granted an easement to the full extent necessary therefor, to enter upon any Building Lot or to have their agent enter upon any Building Lot within the Property in or upon which said connections or any portion thereof lie, to repair, replace and generally maintain the connections as and when it may be necessary.

**11.4.2** Whenever utility house connections are installed within the Property, which connections serve more than one Building Lot, the Owner of each Building Lot served by the connections shall be entitled to full use and enjoyment of such portions of said connections as service to such Owner's Building Lot.

**11.5 Driveway Easements.** Whenever a driveway is installed within the Property which in whole or in part lies upon a Building Lot owned by an Owner other than the Owner of the Building Lot served by such driveway, or whenever a driveway is installed to serve more than one Building Lot, the Owner of each Building Lot served or to be served by such driveway shall be entitled to full use and enjoyment of such other Building Lot as required to service such Owner's Building Lot or to repair, replace, or maintain such driveway.

**11.6 Disputes as to Sharing of Costs.** In the event of a dispute between Owners with respect to the repair or rebuilding of utility connections or driveways, or with respect to the sharing of the cost therefor, upon written request of one of such Owners addressed to the Association, the matter shall be submitted to the Board which shall decide the dispute and, if appropriate, make an appropriate Assessment against any or all of the Owners involved on behalf of the prevailing Owner(s), which Assessment shall be collected and enforced in the manner provided by this Declaration for Limited Assessments.

**11.7 General Landscape Easement.** An easement is hereby reserved to each appropriate Association, its contractors and agents, to enter those portions of Building Lots, for the purpose of installing, maintaining, replacing, and restoring exterior landscaping, and natural vegetation and habitat. Such landscaping activity shall include, by way of illustration and not of limitation, the mowing of lawns, irrigation, sprinkling, tree and shrub trimming and pruning,

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walkway improvement, seasonal planting, and such other landscaping activities within the Property as such Association shall determine to be necessary from time to time.

**11.8 Overhang Easement.** There shall be an exclusive easement appurtenant to each Building Lot over the Common Areas for overhanging eaves, and for any projections from the buildings, which projections shall not extend beyond the save line and shall be consistent with all building codes.

**11.9 Maintenance and Use Easement Between Walls and Lot Lines.** Whenever the wall of a structure, or a fence or retaining wall legitimately constructed on a Building Lot under plans and specifications approved by the Architectural Committee is located within five (5) feet of the lot line of such Building Lot, the Owner of such Building Lot is hereby granted an easement over and on the adjoining Building Lot (not to exceed five (5) feet from the Building Lot line) for purposes of maintaining and repairing such wall or fence and eaves or other overhangs, and the Owner of such adjoining Building Lot is hereby granted an easement for landscaping purposes over and on the area lying between the lot line and such structure or fence so long as such use does not cause damage to the structure or fence.

**11.10 Waterway Easements.** Grantor hereby reserves for the benefit of the Association an easement for all Waterways and related pipes, pumps and other equipment over, across and under all Building Lots and Common Areas, to the extent reasonably required to maintain any water system installed by Grantor on the Property or pursuant to plans and specifications approved by the Architectural Committee. Any relocation of the water lines installed as a part of such system shall not be undertaken in any way which interrupts the flow of water through the system or damages the system in any other fashion. Grantor reserves the right to make any reconfiguration of any Waterway which it determines, in its own discretion, to be necessary, expedient or desirable, provided, however, that nothing herein shall reserve unto Grantor the right to take any action which would disturb, encroach upon, or endanger the foundation of any building, nor shall Grantor take any action which would materially alter any Waterway's proximity to improved property abutting such Waterways.

**11.11 Sewer Covenants and Restrictions.** All Building Lots within the Property shall be subject to and restricted by the following covenants and restrictions:

**11.11.1** A monthly sewer charge must be paid after connecting to the Boise City public sewer system, according to the ordinances and laws of Boise City.

**11.11.2** The Owner of the Building Lot shall submit to inspection by either the Department of Public Works or the Department of Building whenever a Building Lot is to be connected to the City's sewage system.

**11.11.3** The Grantor shall have the right and power to bring all actions against the Owner of the Property conveyed or any part thereof for the collection of any charges herein required and to enforce the conditions herein stated. This covenant shall run with the land.

**11.12 Specific Landscape Easement.** Grantor hereby reserves for the benefit of the Association a perpetual Landscape Easement. Such easement shall allow the Association to

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Project # 201302032 S

install and maintain the berms, retaining walls, fences, and landscaping within the area defined as the Landscape Easement.

## ARTICLE 12 - MISCELLANEOUS

**12.1 Term.** The easements created hereunder shall be perpetual, subject only to extinguishment by the holders of such easements as provided by law. The covenants, conditions, restrictions, and equitable servitudes of this Declaration shall run until \_\_\_\_\_, 20\_\_\_\_, unless amended as herein provided. After such date, such covenants, conditions, and restrictions shall be automatically extended for successive periods of ten (10) years each, unless amended or extinguished by a written instrument executed by Members holding at least three-fourths (3/4) of the voting power of the Association and such written instrument is recorded with the Ada County Recorder. Further provided that the Association shall not be dissolved without the prior written approval of the City of Boise and Ada County Highway District, such consent not to be unreasonably withheld provided that a responsible successor organization shall agree to perform those maintenance responsibilities arising from applicable city and county governmental requirements.

### 12.2 Amendment.

**12.2.1 By Grantor.** Except as provided in paragraph 13.3 below, until the recordation of the first deed to Building Lot in the Property, the provisions of this Declaration may be amended, modified, clarified, supplemented, added to (collectively, "amendment") or terminated by Grantor by recordation of a written instrument setting forth such amendment or termination. Any amendment affecting only a particular Tract may be made by Grantor by an amendment to this Declaration at any time up to the recordation of the first deed to a Building Lot in such Tract.

**12.2.2 By Owners.** Except where a greater percentage is required by express provision in this Declaration, the provisions of this Declaration, other than this Article 13, any amendment shall be by an instrument in writing signed and acknowledged by the president and secretary of the Association certifying and attesting that such amendment has been approved by the vote or written consent of Owners representing more than fifty percent (50%) of the votes in the Association, and such amendment shall be effective upon its recordation with the Ada County Recorder. Any amendment to this Article 13 shall require the vote or written consent of Members holding ninety-five percent (95%) of the voting power of the Association.

**12.2.3 Effect of Amendment.** Any amendment of this Declaration approved in the manner specified above shall be binding on and effective as to all Owners and their respective properties notwithstanding that such Owners may not have voted for or consented to such amendment. Such amendments may add to and increase the covenants, conditions, restrictions, and easements applicable to the Property but shall not prohibit or unreasonably interfere with the allowed uses of such Owner's property which existed prior to the said amendment.

**12.3 Notices.** Any notices permitted or required to be delivered as provided herein shall be in writing and it may be delivered either personally or by mail. If delivery is made by

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mail, it shall be deemed to have been delivered seventy-two (72) hours after the same has been deposited in the United States mail, postage prepaid, addressed to any person at the address given by such person if no address has been given to the Association. Such address may be changed from time to time by notice in writing to the Association, as provided in this paragraph 13.3.

## **12.4 Enforcement and Non-Waiver.**

**12.4.1 Right of Enforcement.** Except as otherwise provided herein, any Owner of any Building Lot shall have the right to enforce any or all of the provisions hereof against any property within the Property and Owners thereof.

**12.4.2 Violations and Nuisances.** The failure of any Owner of a Building Lot to comply with any provision hereof, or with any provision of the Articles or Bylaws of any Association, is hereby declared a nuisance and will give rise to a cause of action in the Grantor, the Association or any Owner of Building Lot(s) within the Property for recovery of damages or for negative or affirmative injunctive relief or both. However, any other provision to the contrary notwithstanding, only Grantor, the Association, the Board, or a duly authorized agent of any of them, may enforce by self-help any of the provisions hereof only if such self-help is preceded by reasonable notice to the Owner.

**12.4.3 Violation of Law.** Any violation of any state, municipal, or local law, ordinance, or regulation pertaining to the ownership, occupation or use of any property within the Property is hereby declared to be a violation of this Declaration and subject to any or all of the enforcement procedures set forth in this Declaration and any or all enforcement procedures in law and equity.

**12.4.4 Remedies Cumulative.** Each remedy provided herein is cumulative and not exclusive.

**12.4.5 Non-Waiver.** The failure to enforce any of the provisions herein at any time shall not constitute a waiver of the right to enforce any such provision.

**12.5 Interpretation.** The provisions of this Declaration shall be liberally construed to effectuate its purpose of creating a uniform plan for the development and operation of the Property. This Declaration shall be construed and governed under the laws of the State of Idaho.

**12.5.1 Restrictions Construed Together.** All of the provisions hereof shall be liberally construed together to promote and effectuate the fundamental concepts of the development of the Property as set forth in the recitals of this Declaration.

**12.5.2 Restrictions Severable.** Notwithstanding the provisions of the foregoing paragraph 13.6.1, each of the provisions of this Declaration shall be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion thereof shall not affect the validity or enforceability of any other provision herein.

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Project # 201802032 S

**12.5.3 Singular Includes Plural.** Unless the context requires a contrary construction, the singular shall include the plural and the plural singular, and the masculine, feminine, or neuter shall each include the masculine, feminine, and neuter.

**12.5.4 Captions.** All captions and titles used in this Declaration are intended solely for convenience or reference and shall not affect that which is set forth in any of the provisions hereof.

**12.6 Successors and Assigns.** All references herein to Grantor, Owners, any Association, or person shall be construed to include all successors, assigns, partners, and authorized agents of such Grantor, Owners, Association, or person.

[Signature Page Follows]

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Project # 20020022 S

IN WITNESS WHEREOF, the Grantor has executed this Declaration effective as of the date first set forth above.

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[Add appropriate acknowledgment]

**EXHIBIT A**

**Legal Description of the Property**

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Project # 2013 02082 S

**Ethridge Square  
Conceptual Building Elevations**

---

- **Architectural Shingles**
- **Board & Batten and Lap Siding**
- **Cultured Stone Wainscot**



ADA COUNTY  
DEVELOPMENT SERVICES



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

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

BUILDING • ENGINEERING • PLANNING • ZONING

January 6, 2013

Kevin McCarthy  
KM Engineering  
9233 W. State Street  
Boise, ID 83714

**RE: PROJECT #201302032 S; ETHRIDGE SQUARE SUBDIVISION**

Dear Mr. McCarthy;

This is to notify you that your application has been scheduled to be heard by the Ada County Planning and Zoning Commission on **March 13, 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

Cc: Randy Clamo, Providence Properties, 701 S. Allen, Ste. 108, Meridian, ID 83642  
Margie Ethridge Family Trust, 9414 W. Amity Road, Boise, ID 83709

Project #201302032-S  
Ethridge Square Subdivision  
Margie Ethridge Family Trust

EXHIBIT 16  
Page 1 of 1  
Project # 201302032 S

**Brent Danielson**

**From:** Brent Danielson  
**Sent:** Wednesday, January 08, 2014 8:41 AM  
**To:** rphillips@idahopower.com; john.lee@unitedwater.com; Amy Aaron; lanette.daw@boiseschools.org; laurenboehlke@yahoo.com; carla.bernardi@cableone.biz; mreno@cdhd.idaho.gov; lbadigia@cdhd.idaho.gov; dabo@cityofboise.org; jtomlinson@cityofboise.org; kyokom@cityofboise.org; tmills@cityofboise.org; cmiller@compassidaho.org; rward@idfg.idaho.gov; linda.clark@deq.idaho.gov; linda.clark@deq.idaho.gov; westerninfo@idwr.idaho.gov; msinglet@intgas.com; velta@nyid.org; nap@q.com; suelynn.d.williams@usps.gov; Darby Weston; clittle@achdidaho.org; syarrington@achdidaho.org; ross@clearwire.net; rgervais@cityofboise.org; Brian Wilbur; cherylwright@cwidaho.cc; mdewalt@adalib.org; Mark Ferm; Angela Gilman; Kelly Woodworth; Jean Schaffer; Glenda Britz; Brent Danielson  
**Cc:** Brent Danielson  
**Subject:** Ada County Application Transmittal Notice.



<b>File Number:</b> <a href="#">201302032-S</a>	<b>X-Reference:</b> NONE
<b>Description:</b> A preliminary plat application for ten (10) residential lots.	
<b>Reviewing Body:</b> P AND Z	<b>Hearing Date:</b> 3/13/2014
<b>Applicant:</b> KM ENGINEERING LLP	<b>P&amp;Z Recommendation:</b>
<b>Property:</b> The property contains 2.066 acres and is located at 9414 W AMITY RD BOISE 83709, Section 26 3N 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 1/23/2014. 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

# MEMORANDUM

---



**DATE:** January 8, 2014

**RE:** Recommendation Regarding File 201302032 S, Ethridge Square Sub

**TO:** Brent Danielson, Associate Planner

**FROM:** Dale Meyers, Surveying/Engineering Tech

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

---

Brent,

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

- Detailed Letter
- Master Application
- Preliminary Plat

My comments and Conditions are as follows.

I recommend approval of these documents. Along with the Final Plat, a Drainage Study and Drainage Plan need to be submitted in accordance with Ada County Code 8-4A-11.

Please let me know if you need anything else from me.

Regards,

Dale



**BOISE CITY PUBLIC WORKS  
DEPARTMENT**

**DEPARTMENT CORRESPONDENCE**

Date: January 9, 2014

To: Ada County Planning & Zoning

Re: 201302032-S; 9414 W. Amity Rd.

**CONDITIONS OF APPROVAL**

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

Connection to central sewer is required. Sanitary sewers are available in W. Silverspring Street. Developer/Property Owner shall contact the Public Works Department regarding extension of the sewer system.

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)**

Street lights are required. The specific location and type of facilities to be installed will be identified in the conditions of subdivision plat approval.

**PERSON MAKING OTHER COMMENTS**

**OTHER COMMENTS**



  
PUBLIC WORKS REPRESENTATIVE

  
PUBLIC WORKS REPRESENTATIVE

cc: Applicant

I:\PWA\Subjects\Review Comments\CUs\2014-CU\201302032-S.doc

EXHIBIT 19  
Page 1 of 1  
Project # 201302032 S

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January 13, 2014 11:52:04 AM MST

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Received

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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 10, 2014

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



**RE: 201302032-S – Ethridge Square Subdivision**

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: **Amity**  
Junior High School: **West**  
High School: **Borah**

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



CENTRAL DISTRICT HEALTH DEPARTMENT  
Environmental Health Division

Bound D.

Return to:

- ACZ
- Boise
- Eagle
- Garden City
- Kuna
- Meridian
- Star

RECEIVED  
JAN 16 2014  
ADA COUNTY  
DEVELOPMENT SERVICES

Rezone # \_\_\_\_\_  
Conditional Use # \_\_\_\_\_  
Preliminary / Final / Short Plat 201302032 - S

Ethridge Square Sub.

- 1. We have No Objections to this Proposal.
- 2. We recommend Denial of this Proposal.
- 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
  - high seasonal ground water
  - waste flow characteristics
  - bedrock from original grade
  - other \_\_\_\_\_
- 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
  - central sewage
  - community sewage system
  - community water well
  - interim sewage
  - central water
  - individual sewage
  - individual water
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
  - central sewage
  - community sewage system
  - community water
  - sewage dry lines
  - central water
- 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 12. We will require plans be submitted for a plan review for any:
  - food establishment
  - swimming pools or spas
  - child care center
  - beverage establishment
  - grocery store
- 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.
- 14. \_\_\_\_\_

Reviewed By: [Signature]  
Date: 1/10/14

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Project # 201302032 S



STATE OF IDAHO  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
BOISE REGIONAL OFFICE  
1445 North Orchard Street • Boise, ID 83706-2239 • (208) 373-0550



## *DEQ Response to Request for Environmental Comment*

Date: 01/17/2014  
Agency Requesting Comments: Ada County Development Services  
Date Request Received: 01/08/2014  
Applicant/Description: 201302032-S Preliminary Plat Application for 10 Lots

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at <http://www.deq.idaho.gov/ieg/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

### **1. Air Quality**

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

For questions, contact David Luft, Air Quality Manager, at 373-0550.

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

### **2. Wastewater and Recycled Water**

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.

All projects for construction or modification of wastewater systems require

*preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.*

- *DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.*
- *DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

*For questions, contact Todd Crutcher, Engineering Manager, at 373-0550.*

### **3. Drinking Water**

- *DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.*
- *IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.*

*All projects for construction or modification of public drinking water systems require preconstruction approval.*

- *DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at <http://www.deq.idaho.gov/water-quality/drinking-water.aspx>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.*
- *If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.*
- *DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.*
- *DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

*For questions, contact Todd Crutcher, Engineering Manager at 373-0550.*

### **4. Surface Water**

- *A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.*
- *Please contact DEQ to determine whether this project will require a National Pollution*

*Discharge Elimination System (NPDES) Permit. If this project disturbs more than one acre, a stormwater permit from EPA may be required.*

- *If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.*
- *The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call 208-334-2190 for more information. Information is also available on the IDWR website at:  
<http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm>*
- *The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.*

*For questions, contact Lance Holloway, Surface Water Manager, at 373-0550.*

#### **5. Hazardous Waste And Ground Water Contamination**

- ***Hazardous Waste.*** *The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.*
- *No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.*
- ***Water Quality Standards.*** *Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).*

*Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.*

- ***Ground Water Contamination.*** *DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water*

*quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."*

*For questions, contact Aaron Scheff, Waste & Remediation Manager, at 373-0550.*

**6. Additional Notes**

- *If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at 373-0550, or visit the DEQ website (<http://www.deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx>) for assistance.*
- *If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.*

*We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any our technical staff at 208-373-0550.*

Sincerely,

***Danielle Robbins***

Danielle Robbins  
[danielle.robbins@deq.idaho.gov](mailto:danielle.robbins@deq.idaho.gov)  
Boise Regional Office  
Idaho Department of Environmental Quality

C: File # 1933



**Whitney Fire Protection District**

P.O. Box 190270  
Boise, Idaho 83719-0270

Phone (208) 375-6407  
Fax (208) 375-6416

**BOARD OF COMMISSIONERS**

James D. Alter  
John C. Paustian  
Judy M. Simmons

January 20, 2014



Brent Danielson, Associate Planner  
Ada County Dev. Services  
200 W. Front Street  
Boise, ID 83702  
[bdanielson@adaweb.net](mailto:bdanielson@adaweb.net)

RE: 201302032-S Ethridge Square Subdivision

Dear Mr. Danielson:

This letter is in regards to the proposed addition of another phase containing ten building sites at Ethridge Square Subdivision. This phase will bring the number of building sites in the subdivision to over 50. Pursuant to the Idaho State Fire Marshal's adoption of the 2009 Edition of the International Fire Code, a secondary access is required when the number of dwelling units exceeds 30 (Appendix D, Section 107).

There is a stub street shown but there is no indication if and when this street will provide a secondary access. The Whitney Fire District cannot approve this phase until the secondary access issue has been addressed.

If you have any questions or concerns, don't hesitate to call me at 208 869-5210.

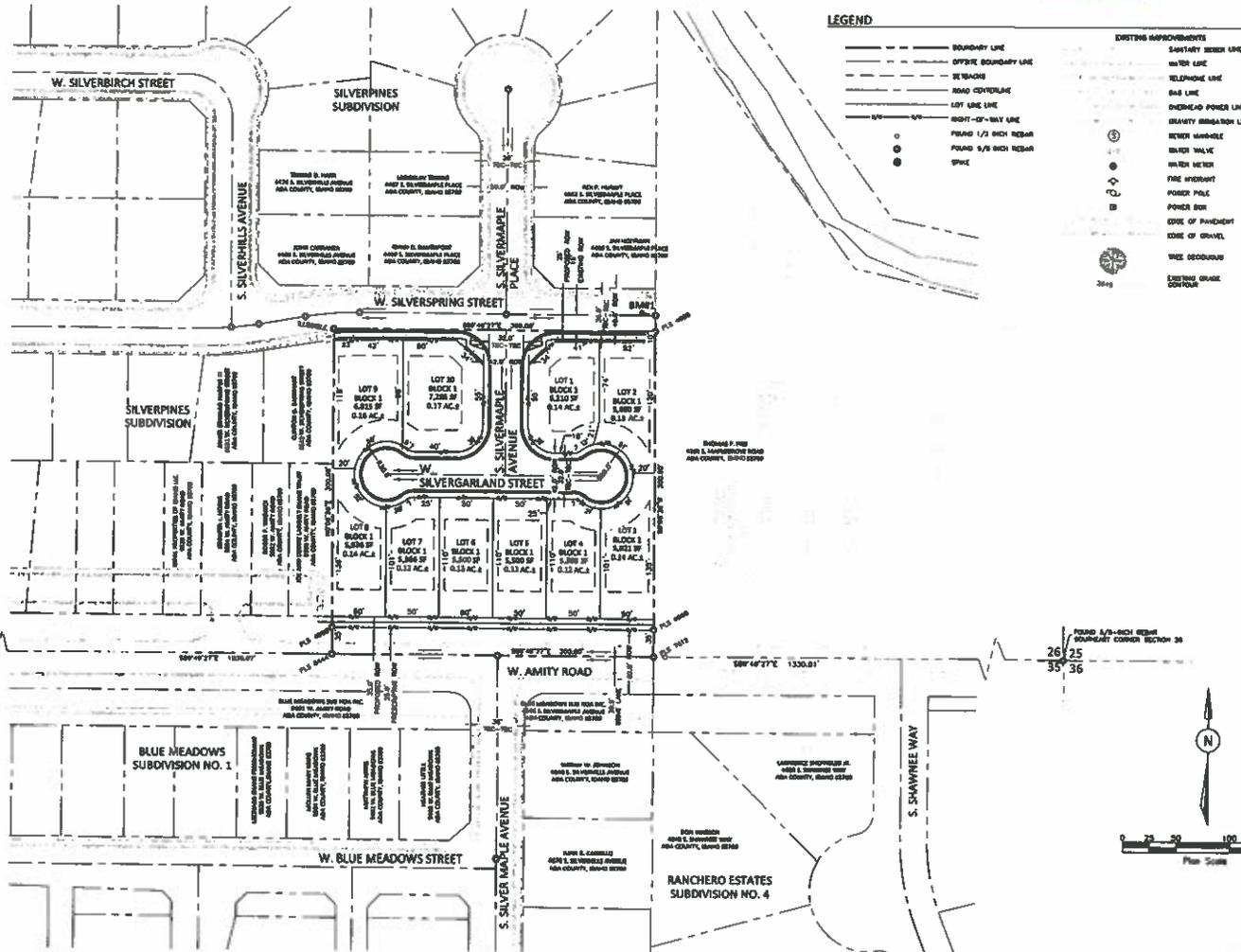
Sincerely

Renn Ross, Chief  
Whitney Fire Protection District

cc: Romeo P. Gervais, Boise Fire Dept.  
file

**RECEIVED**  
**JAN 24 2014**  
**ADA COUNTY**  
**DEVELOPMENT SERVICES**

**ETHRIDGE SQUARE SUBDIVISION**  
**PRELIMINARY PLAT**  
**ADA COUNTY, IDAHO**  
**JANUARY, 2014**



**LEGEND**

—	BOUNDARY LINE	—	EXISTING IMPROVEMENTS
- - -	OFFICE BOUNDARY LINE	—	SANITARY SEWER LINE
- · - · -	EASEMENT	—	WATER LINE
- · - · -	ROAD CENTERLINE	—	TELEPHONE LINE
- · - · -	LOT LINE LINE	—	64E LINE
—	RIGHT-OF-WAY LINE	—	OVERHEAD POWER LINE
○	POULD 1/2 INCH NEEDLE	—	GRAVITY IRRIGATION LINE
●	POULD 5/8 INCH NEEDLE	—	REINFORCED CONCRETE
○	SPIC	—	REINFORCED CONCRETE

**INDEX OF DRAWINGS**

SHEET NO.	SHEET TITLE
SHEET 1	PRELIMINARY PLAT
SHEET 2	NATURAL FEATURES ANALYSIS
SHEET 3	PRELIMINARY ENGINEERING PLAN

**LEGAL DESCRIPTION**  
 THE SW 1/4 OF THE SE 1/4 OF SECTION 26,  
 TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN,  
 ADA COUNTY, IDAHO

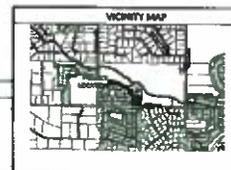
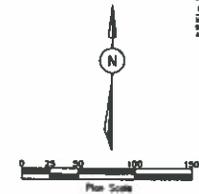
- NOTES**
- LOT 9 BLOCK 1 SHALL BE A SINGLE STORY RESIDENCE.
  - A 16-FOOT JOINT UTILITY TRENCH EASEMENT WILL BE PROVIDED ALONG ALL RIGHTS-OF-WAY.
  - A 6-FOOT JOINT UTILITY TRENCH EASEMENT WILL BE PROVIDED ALONG ALL REAR LOT LINES (APPLICABLE WHERE SHOWN APPLICABLE).
  - EXISTING LOT LINES ARE CONSIDERED ONLY AND MAY CHANGE DURING FINAL PLATING BASED ON PROVISIONS OF THE CONSTRUCTION.
  - LANDSCAPING AND BULKHEADS SHALL BE PER PUBLIC APPROVED PLANS.
  - CORNER ACCESS EASEMENTS AND STAIRWAY EASEMENTS MAY BE PROVIDED ACROSS LOT LINES AS DETERMINED DURING FINAL DESIGN.

**PRELIMINARY PLAT DATA**

AREA OF SITE	3.07 ACRES
NUMBER OF LOTS	30
NUMBER OF BLENDED LOTS	19
NUMBER OF COMMON LOTS	0
DWELLING UNITS PER GROSS ACRE	4.8
ZONING	R-4
DESIGN SPEED (ADA COUNTY)	35 MPH
DESIGN SPEED (ADA COUNTY)	35 MPH
MINIMUM DRIVEWAY WIDTH	10.00 FT
MINIMUM DRIVEWAY FRONT SETBACK	5.00 FT
MINIMUM DRIVEWAY WIDTH PER ACRE	5.00 FT
MINIMUM DRIVEWAY WIDTH	5.00 FT
SETBACKS	
FRONT	20'
REAR	15'
SIDE	5'
APPROACH STREET	20'
LOCAL STREET	20'
UTILITIES	
WATER	WATER MAIN
SEWER	CITY OF BOISE
POWER	BOISE POWER
TELEPHONE	BOISE TELEPHONE AND CO.
TELEPHONE	TELEPHONE

**CONTACT INFORMATION**

<b>ENGINEERING CONSULTANT</b> BOISE ENGINEERING, LP 800 WEST SHAWNEE STREET BOISE, IDAHO 83724 PH: (208) 333-8800 FAX: (208) 333-8800 CONTACT: JAMES P. MCCORMACK, P.E. Email: jamesmccormack@boiseeng.com	<b>GEOTECHNICAL ENGINEER</b> BOISE ENGINEERING, LP 779A S. VICTORY WAY SUITE 200 BOISE, IDAHO 83724 PHONE: (208) 333-8800 FAX: (208) 333-8800 CONTACT: MONICA SACCALLES
<b>OWNER</b> ETHRIDGE SQUARE FRANCHISE 9414 WEST AMITY ROAD ADA COUNTY, IDAHO 83409	<b>APPLICANT / DEVELOPER</b> ETHRIDGE SQUARE FRANCHISE, LLC 780 SOUTH ALLEN STREET BOISE, IDAHO 83746 PHONE: (208) 333-8800 CONTACT: KEVIN CLARKE



PRELIMINARY NOT FOR CONSTRUCTION

**ETHRIDGE SQUARE SUBDIVISION**  
**PRELIMINARY PLAT**  
**ADA COUNTY, IDAHO**

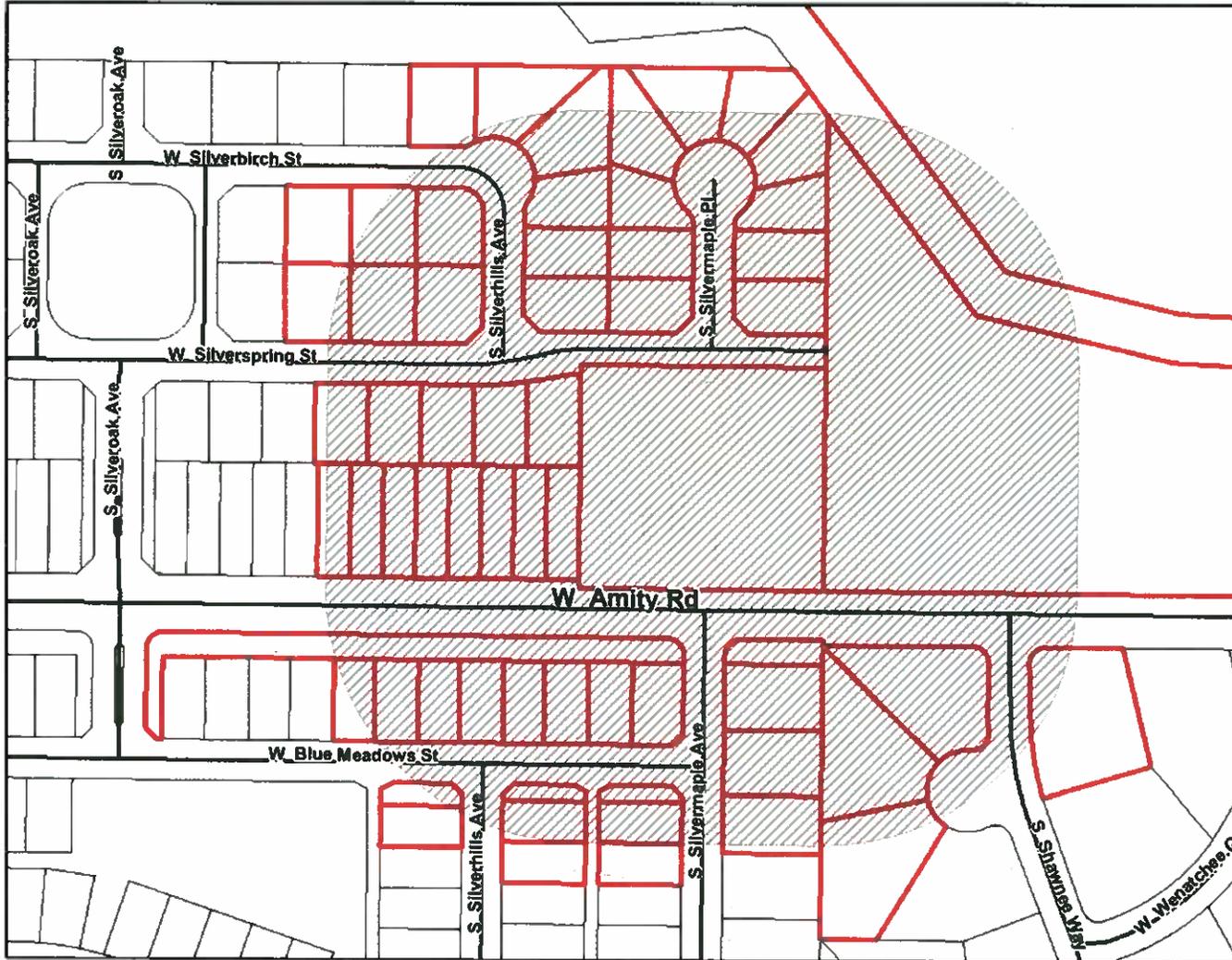
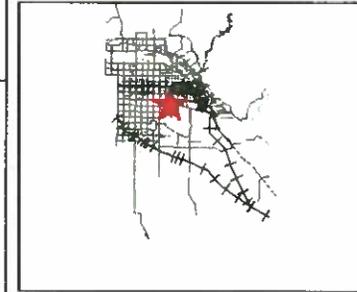
REVISIONS	
NO.	DATE

10821  
 1-25-2014  
 14/01  
 SHEET NO. 1 OF 3

**BENCHMARKS**

BM#1	PVI MARK N: 89187.25 E: 247008.91 ELEVATION: 2784.36
------	---------------------------------------------------------------

# 201302032-S 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: 1:2,500



Map center: 43° 33' 39.1" N, 116° 18' 0.3" 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: 201302032 - S

Date File Created: 02/11/2014

Parcel Number / Property Address	Primary Owner / Address	Legal Description
R1001520120 9651 W AMITY RD BOISE, ID 83709-0000	BLUE MEADOWS SUB HOA INC PO BOX 1090 MERIDIAN, ID 83680-0000	LOT 01 BLK 02 BLUEMEADOWS SUB NO 01
R1001520170 9596 W BLUE MEADOWS ST BOISE, ID 83709-0000	GREEN LARRY G 101 N MAIN ST HAILEY, ID 83333-0000	LOT 06 BLK 02 BLUEMEADOWS SUB NO 01
R1001520180 9588 W BLUE MEADOWS ST BOISE, ID 83709-0000	PANCHENKO ANDREY V 9588 W BLUE MEADOWS ST BOISE, ID 83709-0000	LOT 07 BLK 02 BLUEMEADOWS SUB NO 01
R1001520190 9560 W BLUE MEADOWS ST BOISE, ID 83709-0000	SAKIMOTO PROPERTIES LLC 170 FLYING CLOUD ST SEQUIM, WA 98382-0000	LOT 08 BLK 02 BLUEMEADOWS SUB NO 01
R1001520200 9548 W BLUE MEADOWS ST BOISE, ID 83709-0000	MCBRIDE KEVIN LEON 2802 DOUGLAS LN MANDAN, ND 58554-0000	LOT 09 BLK 02 BLUEMEADOWS SUB NO 01
R1001520210 9526 W BLUE MEADOWS ST BOISE, ID 83709-0000	PRUDHOMME LEONARD SHANE 9526 W BLUE MEADOWS ST BOISE, ID 83709-0000	LOT 10 BLK 02 BLUEMEADOWS SUB NO 01
R1001520220 9504 W BLUE MEADOWS ST BOISE, ID 83709-0000	KRIEG MOLLEN MARY 9504 W BLUE MEADOWS ST BOISE, ID 83709-0000	LOT 11 BLK 02 BLUEMEADOWS SUB NO 01
R1001520230 9482 W BLUE MEADOWS ST BOISE, ID 83709-0000	AKERS MATHEW 9482 W BLUE MEADOWS ST BOISE, ID 83709-0000	LOT 12 BLK 02 BLUEMEADOWS SUB NO 01

R1001520240  
9460 W BLUE MEADOWS ST  
BOISE, ID 83709-0000

LITTLE HEATHER  
9460 W BLUE MEADOWS ST  
BOISE, ID 83709-0000

LOT 13 BLK 02  
BLUEMEADOWS SUB NO 01

R1001520380  
4689 S SILVERHILLS AVE  
BOISE, ID 83709-0000

BLUE MEADOWS SUB HOA INC  
PO BOX 1090  
MERIDIAN, ID 83680-0000

LOT 01 BLK 04  
BLUEMEADOWS SUB NO 01

R1001520390  
4691 S SILVERHILLS AVE  
BOISE, ID 83709-0000

BOWEN MALCOLM M II  
12716 E TIERRA ASPERA ST  
DEWEY, AZ 86327-7247

LOT 02 BLK 04  
BLUEMEADOWS SUB NO 01

R1001520590  
4696 S SILVERHILLS AVE  
BOISE, ID 83709-0000

BLUE MEADOWS SUB HOA INC  
PO BOX 1090  
MERIDIAN, ID 83680-0000

LOT 01 BLK 06  
BLUEMEADOWS SUB NO 01

R1001520600  
4698 S SILVERHILLS AVE  
BOISE, ID 83709-0000

CHIGBROW GARY W  
1211 S COMMON AVE  
BOISE, ID 83709-0000

LOT 02 BLK 06  
BLUEMEADOWS SUB NO 01

R1001520610  
4716 S SILVERHILLS AVE  
BOISE, ID 83709-0000

SCHULTZ JUSTIN EARL  
4716 S SILVERHILLS AVE  
BOISE, ID 83709-0000

LOT 03 BLK 06  
BLUEMEADOWS SUB NO 01

R1001520710  
4685 S SILVERMAPLE AVE  
BOISE, ID 83709-0000

BLUE MEADOWS SUB HOA INC  
PO BOX 1090  
MERIDIAN, ID 83680-0000

LOT 01 BLK 07  
BLUEMEADOWS SUB NO 01

R1001520720  
4687 S SILVERMAPLE AVE  
BOISE, ID 83709-0000

OSMANAGIC SEAD  
4687 S SILVERMAPLE AVE  
BOISE, ID 83709-0000

LOT 02 BLK 07  
BLUEMEADOWS SUB NO 01

R1001520730  
4705 S SILVERMAPLE AVE  
BOISE, ID 83709-0000

CALDWELL MATTHEW S  
4705 S SILVERMAPLE AVE  
BOISE, ID 83709-0000

LOT 03 BLK 07  
BLUEMEADOWS SUB NO 01

R1001520830  
4646 S SILVERMAPLE AVE  
BOISE, ID 83709-0000

BLUE MEADOWS SUB HOA INC  
PO BOX 1090  
MERIDIAN, ID 83680-0000

LOT 01 BLK 08  
BLUEMEADOWS SUB NO 01

R1001520840  
4648 S SILVERMAPLE AVE  
BOISE, ID 83709-0000

JOHNSON JEREMY W  
4648 S SILVERMAPLE AVE  
BOISE, ID 83709-0000

LOT 02 BLK 08  
BLUEMEADOWS SUB NO 01

R1001520850  
4670 S SILVERMAPLE AVE  
BOISE, ID 83709-0000

CARRILLO JUAN R  
4670 S SILVERMAPLE AVE  
BOISE, ID 83709-0000

LOT 03 BLK 08  
BLUEMEADOWS SUB NO 01

R1001520860  
4682 S SILVERMAPLE AVE  
BOISE, ID 83709-0000

NESTLER ERIC T  
4682 S SILVERMAPLE AVE  
BOISE, ID 83709-0000

LOT 04 BLK 08  
BLUEMEADOWS SUB NO 01

R7332830110  
4667 S SHAWNEE WAY  
BOISE, ID 83709-0000

VINZANT BERNARD G  
4667 S SHAWNEE WAY  
BOISE, ID 83709-5355

LOT 33 BLK 6  
RANCHERO ESTATES NO 4  
#8838564

R7332830115  
4643 S SHAWNEE WAY  
BOISE, ID 83709-0000

WATSON DON  
4643 S SHAWNEE WAY  
BOISE, ID 83709-0000

LOT 34 BLK 6  
RANCHERO ESTATES NO 4  
#99055414

R7332830120  
4629 S SHAWNEE WAY  
BOISE, ID 83709-0000

SHEFFIELD LAWRENCE JR  
4629 S SHAWNEE WAY  
BOISE, ID 83709-0000

LOT 35 BLK 6  
RANCHERO ESTATES NO 4

R7332830430  
4630 S SHAWNEE WAY  
BOISE, ID 83709-0000

RICKERL THOMAS HERMAN JR  
4630 S SHAWNEE WAY  
BOISE, ID 83709-5354

LOT 24 BLK 8  
RANCHERO ESTATES NO 4  
#7711075

R7909630270  
4480 S SILVERMAPLE PL  
BOISE, ID 83709-0000

HOFFMAN JAN  
4480 S SILVERMAPLE PL  
BOISE, ID 83709-4223

LOT 01 BLK 02  
SILVERPINE SUB

R7909630280  
4462 S SILVERMAPLE PL  
BOISE, ID 83709-0000

HURLEY REX P  
4462 S SILVERMAPLE PL  
BOISE, ID 83709-0000

LOT 02 BLK 02  
SILVERPINE SUB

R7909630290  
4444 S SILVERMAPLE PL  
BOISE, ID 83709-0000

OWENS DOMINIQUE G  
4444 S SILVERMAPLE PL  
BOISE, ID 83709-0000

LOT 03 BLK 02  
SILVERPINE SUB

R7909630300  
4426 S SILVERMAPLE PL  
BOISE, ID 83709-0000

MAINS LEE  
4426 S SILVERMAPLE PL  
BOISE, ID 83709-0000

LOT 04 BLK 02  
SILVERPINE SUB

R7909630310  
4408 S SILVERMAPLE PL  
BOISE, ID 83709-0000

ELLIOTT LARRY  
4408 S SILVERMAPLE PL  
BOISE, ID 83709-0000

LOT 05 BLK 02  
SILVERPINE SUB

R7909630320  
4401 S SILVERMAPLE PL  
BOISE, ID 83709-0000

ALLAN JANICE  
4401 S SILVERMAPLE PL  
BOISE, ID 83709-0000

LOT 06 BLK 02  
SILVERPINE SUB

R7909630330  
4423 S SILVERMAPLE PL  
BOISE, ID 83709-0000

SMITH AMBER R  
4423 S SILVERMAPLE PL  
BOISE, ID 83709-0000

LOT 07 BLK 02  
SILVERPINE SUB

R7909630340  
4445 S SILVERMAPLE PL  
BOISE, ID 83709-0000

HARR BRYAN D  
4445 S SILVERMAPLE PL  
BOISE, ID 83709-0000

LOT 08 BLK 02  
SILVERPINE SUB

R7909630350  
4467 S SILVERMAPLE PL  
BOISE, ID 83709-0000

TRAVAR MIROSLAV  
4467 S SILVERMAPLE PL  
BOISE, ID 83709-0000

LOT 09 BLK 02  
SILVERPINE SUB

R7909630360  
4489 S SILVERMAPLE PL  
BOISE, ID 83709-0000

DAVENPORT BRIAN D  
1744 HOLMES ST  
LIVERMORE, CA 94550-0000

LOT 10 BLK 02  
SILVERPINE SUB

R7909630370  
4498 S SILVERHILLS AVE  
BOISE, ID 83709-0000

CARRANZA JOHN  
4498 S SILVERHILLS AVE  
BOISE, ID 83709-0000

LOT 11 BLK 02  
SILVERPINE SUB

R7909630380  
4476 S SILVERHILLS AVE  
BOISE, ID 83709-0000

HARR DEIDRA D  
4476 S SILVERHILLS AVE  
BOISE, ID 83709-0000

LOT 12 BLK 02  
SILVERPINE SUB

R7909630390  
4454 S SILVERHILLS AVE  
BOISE, ID 83709-0000

THORSON KIRSTEN E  
4454 S SILVERHILLS AVE  
BOISE, ID 83709-0000

LOT 13 BLK 02  
SILVERPINE SUB

R7909630400  
9510 W SILVERBIRCH ST  
BOISE, ID 83709-0000

WESTPHAL JASON  
9510 W SILVERBIRCH ST  
BOISE, ID 83709-0000

LOT 14 BLK 02  
SILVERPINE SUB

R7909630410  
9538 W SILVERBIRCH ST  
BOISE, ID 83709-0000

TILTON LORI  
9538 W SILVERBIRCH ST  
BOISE, ID 83709-0000

LOT 15 BLK 02  
SILVERPINE SUB

R7909630420  
9542 W SILVERBIRCH ST  
BOISE, ID 83709-0000

NISBETT ROBERT S  
9542 W SILVERBIRCH ST  
BOISE, ID 83709-0000

LOT 16 BLK 02  
SILVERPINE SUB

R7909630470  
9541 W SILVERBIRCH ST  
BOISE, ID 83709-0000

HILL ERVIN T  
9541 W SILVERBIRCH ST  
BOISE, ID 83709-0000

LOT 01 BLK 03  
SILVERPINE SUB

R7909630480  
9563 W SILVERBIRCH ST  
BOISE, ID 83709-0000

G & B CLARK FAMILY TRUST  
5863 WEDGEWOOD DR  
GRANITE BAY, CA 95746-0000

LOT 02 BLK 03  
SILVERPINE SUB

R7909630490  
9595 W SILVERBIRCH ST  
BOISE, ID 83709-0000

WHITE GARRETT L  
9595 W SILVERBIRCH ST  
BOISE, ID 83709-0000

LOT 03 BLK 03  
SILVERPINE SUB

R7909630520  
9594 W SILVERSPRING ST  
BOISE, ID 83709-0000

PRIVRATSKY RYAN  
29356 ELBA DR  
LAGUNA NIGUEL, CA 92677-0000

LOT 06 BLK 03  
SILVERPINE SUB

R7909630530  
9576 W SILVERSPRING ST  
BOISE, ID 83709-0000

HENSLEY SARAH A  
9576 W SILVERSPRING ST  
BOISE, ID 83709-0000

LOT 07 BLK 03  
SILVERPINE SUB

R7909630540  
9558 W SILVERSPRING ST  
BOISE, ID 83709-0000

FARR VIRGINIA L  
9558 W SILVERSPRING ST  
BOISE, ID 83709-0000

LOT 08 BLK 03  
SILVERPINE SUB

R7909630620  
9519 W SILVERSPRING ST  
BOISE, ID 83709-0000

BARNHART CLINTON D  
9519 W SILVERSPRING ST  
BOISE, ID 83709-0000

LOT 01 BLK 06  
SILVERPINE SUB

R7909630630  
9531 W SILVERSPRING ST  
BOISE, ID 83709-0000

HARPER JAMES EDWARD III  
9531 W SILVERSPRING ST  
BOISE, ID 83709-0000

LOT 02 BLK 06  
SILVERPINE SUB

R7909630640  
9555 W SILVERSPRING ST  
BOISE, ID 83709-0000

CHEN SHUYI  
9555 W SILVERSPRING ST  
BOISE, ID 83709-0000

LOT 03 BLK 06  
SILVERPINE SUB

R7909630650  
9573 W SILVERSPRING ST  
BOISE, ID 83709-0000

WOOD LISA B  
9573 W SILVERSPRING ST  
BOISE, ID 83709-0000

LOT 04 BLK 06  
SILVERPINE SUB

R7909630660  
9591 W SILVERSPRING ST  
BOISE, ID 83709-0000

ROBINS SHELBY K  
9591 W SILVERSPRING ST  
BOISE, ID 83709-0000

LOT 05 BLK 06  
SILVERPINE SUB

R7909630760  
9574 W AMITY RD  
BOISE, ID 83709-0000

SITES SHAUN  
10400 W OVERLAND RD PMB 422  
BOISE, ID 83709-0000

LOT 15 BLK 06  
SILVERPINE SUB

R7909630770  
9542 W AMITY RD  
BOISE, ID 83709-0000

DIXSON THOMAS & SALLY LIVING  
PO BOX 190564  
BOISE, ID 83719-0000

LOT 16 BLK 06  
SILVERPINE SUB

R7909630780  
9540 W AMITY RD  
BOISE, ID 83709-0000

DIXSON THOMAS & SALLY LIVING  
PO BOX 190564  
BOISE, ID 83719-0000

LOT 17 BLK 06  
SILVERPINE SUB

R7909630790  
9528 W AMITY RD  
BOISE, ID 83709-0000

HOLTON & YOUNG HOLDINGS LLC  
1712 E MYRTLE BEACH CT  
EAGLE, ID 83616-5365

LOT 18 BLK 06  
SILVERPINE SUB

R7909630800  
9526 W AMITY RD  
BOISE, ID 83709-0000

IDEAL PROPERTIES OF IDAHO LLC  
10503 E MEADOW RUN  
PARKER, CO 80134-0000

LOT 19 BLK 06  
SILVERPINE SUB

R7909630810  
9504 W AMITY RD  
BOISE, ID 83709-0000

HOBBS JENNIFER L  
2727 E GLOUCESTER ST  
BOISE, ID 83706-0000

LOT 20 BLK 06  
SILVERPINE SUB

R7909630820  
9502 W AMITY RD  
BOISE, ID 83709-0000

WARRICK ROGER P  
9701 W DESERT AVE  
BOISE, ID 83709-0000

LOT 21 BLK 06  
SILVERPINE SUB

R7909630830  
9500 W AMITY RD  
BOISE, ID 83709-0000

LANGLEY JOE & DEBBIE LIVING  
703 W BOGUS VIEW DR  
EAGLE, ID 83616-0000

LOT 22 BLK 06  
SILVERPINE SUB

S1126438850  
9414 W AMITY RD  
BOISE, ID 83709-0000

ETHRIDGE MARGIE FAMILY TRUST  
9414 W AMITY RD  
BOISE, ID 83709-5309

PAR #8850 @ SE COR  
SW4SE4  
SEC 26 3N 1E  
#438600-B

S1126449350  
4271 S MAPLE GROVE RD  
BOISE, ID 83709-0000

LP SILVERPINE LLC  
PO BOX 1939  
EAGLE, ID 83616-0000

PAR #9350 OF S2SE4  
SEC 26 3N 1E  
#449301-B

S1126449700  
4261 S MAPLE GROVE RD  
BOISE, ID 83709-0000

FREI THOMAS P  
9232 W WENATCHEE CT  
BOISE, ID 83709-5366

PAR #9700 OF SE4SE4  
SEC 26 3N 1E  
#449505-S  
#8309272

<b>Primary Owner</b>	<b>Mailing Address</b>	<b>Mailing Address City, State Zip</b>
AKERS MATHEW	9482 W BLUE MEADOWS ST	BOISE, ID 83709-0000
ALLAN JANICE	4401 S SILVERMAPLE PL	BOISE, ID 83709-0000
BARNHART CLINTON D	9519 W SILVERSPRING ST	BOISE, ID 83709-0000
BLUE MEADOWS SUB HOA INC	PO BOX 1090	MERIDIAN, ID 83680-0000
BOWEN MALCOLM M II	12716 E TIERRA ASPERA ST	DEWEY, AZ 86327-7247
CALDWELL MATTHEW S	4705 S SILVERMAPLE AVE	BOISE, ID 83709-0000
CARRANZA JOHN	4498 S SILVERHILLS AVE	BOISE, ID 83709-0000
CARRILLO JUAN R	4670 S SILVERMAPLE AVE	BOISE, ID 83709-0000
CHEN SHUYI	9555 W SILVERSPRING ST	BOISE, ID 83709-0000
CHIGBROW GARY W	1211 S COMMON AVE	BOISE, ID 83709-0000
DAVENPORT BRIAN D	1744 HOLMES ST	LIVERMORE, CA 94550-0000
DIXSON THOMAS & SALLY LIVING TRUS	PO BOX 190564	BOISE, ID 83719-0000
ELLIOTT LARRY	4408 S SILVERMAPLE PL	BOISE, ID 83709-0000
ETHRIDGE MARGIE FAMILY TRUST	9414 W AMITY RD	BOISE, ID 83709-5309
FARR VIRGINIA L	9558 W SILVERSPRING ST	BOISE, ID 83709-0000
FREI THOMAS P	9232 W WENATCHEE CT	BOISE, ID 83709-5366
G & B CLARK FAMILY TRUST	5863 WEDGEWOOD DR	GRANITE BAY, CA 95746-0000
GREEN LARRY G	101 N MAIN ST	HAILEY, ID 83333-0000
HARPER JAMES EDWARD III	9531 W SILVERSPRING ST	BOISE, ID 83709-0000
HARR BRYAN D	4445 S SILVERMAPLE PL	BOISE, ID 83709-0000
HARR DEIDRA D	4476 S SILVERHILLS AVE	BOISE, ID 83709-0000
HENSLEY SARAH A	9576 W SILVERSPRING ST	BOISE, ID 83709-0000
HILL ERVIN T	9541 W SILVERBIRCH ST	BOISE, ID 83709-0000
HOBBS JENNIFER L	2727 E GLOUCESTER ST	BOISE, ID 83706-0000
HOFFMAN JAN	4480 S SILVERMAPLE PL	BOISE, ID 83709-4223
HOLTON & YOUNG HOLDINGS LLC	1712 E MYRTLE BEACH CT	EAGLE, ID 83616-5365
HURLEY REX P	4462 S SILVERMAPLE PL	BOISE, ID 83709-0000
IDEAL PROPERTIES OF IDAHO LLC	10503 E MEADOW RUN	PARKER, CO 80134-0000
JOHNSON JEREMY W	4648 S SILVERMAPLE AVE	BOISE, ID 83709-0000
KRIEG MOLLEN MARY	9504 W BLUE MEADOWS ST	BOISE, ID 83709-0000
LANGLEY JOE & DEBBIE LIVING TRUST	703 W BOGUS VIEW DR	EAGLE, ID 83616-0000
LITTLE HEATHER	9460 W BLUE MEADOWS ST	BOISE, ID 83709-0000
LP SILVERPINE LLC	PO BOX 1939	EAGLE, ID 83616-0000
MAINS LEE	4426 S SILVERMAPLE PL	BOISE, ID 83709-0000
MCBRIDE KEVIN LEON	2802 DOUGLAS LN	MANDAN, ND 58554-0000
NESTLER ERIC T	4682 S SILVERMAPLE AVE	BOISE, ID 83709-0000



ADA COUNTY DEVELOPMENT SERVICES  
200 W FRONT ST BOISE ID 83702



February 11, 2014

Dear Property Owner:

LEGAL NOTICE IS HEREBY GIVEN THAT the Ada County Planning and Zoning Commission will hold a public hearing on **March 13, 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:

**201302032-S ETHRIDGE SQUARE SUBDIVISION**, A preliminary plat for a ten (10) lot residential subdivision. The property contains 2.07 acres and is located at 9414 W. Amity Road in Section 26, T. 3N, 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 "**201302032-S**" 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.

EXHIBIT 28  
Page 1 of 1  
Project # 201302032 S

**Brent Danielson**

**From:** Lauren Watsek <Lwatsek@achdidaho.org>  
**Sent:** Thursday, February 20, 2014 10:18 AM  
**To:** Kirsti Allphin  
**Subject:** RE: Ethridge Square



Hi Kirsti,

The attached concept layout looks like what we discussed when we met and is acceptable. We'll wait to revise our report until we get the new plat from Ada County next week.

Thanks,

Lauren

---

**From:** Kirsti Allphin [<mailto:KAllphin@kmengllp.com>]  
**Sent:** Wednesday, February 19, 2014 4:12 PM  
**To:** Lauren Watsek; Mindy Wallace  
**Subject:** Ethridge Square

Hi Lauren & Mindy -

Thanks for meeting with us to discuss the fire department's requirement that we have secondary emergency access to the Ethridge Square site. Per our conversation, we have revised the layout for the site and it is attached for your review. I have also attached the fire district's letter requiring a secondary access.

If this concept looks acceptable, please let me know in writing (e-mail is fine) as soon as possible. We need to have our revised plat back to Ada County by Monday.

Please feel free to call with any questions, and thanks for your help.

Thanks,

Kirsti Allphin  
Development Assistant  
Office Manager



KM Engineering, LLP  
9233 West State Street  
Boise, ID 83714  
208.639.6939 Fax 208.639.6930

[kallphin@kmengllp.com](mailto:kallphin@kmengllp.com)

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No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2012.0.2247 / Virus Database: 3705/6610 - Release Date: 02/20/14

## Brent Danielson

---

**From:** Renn Ross <[ross@clearwire.net](mailto:ross@clearwire.net)>  
**Sent:** Thursday, February 20, 2014 8:52 AM  
**To:** Kirsti Allphin  
**Subject:** RE: Ethridge Square

RECEIVED

FEB 24 2014

ADA COUNTY  
DEVELOPMENT SERVICES

Kristi  
That looks like it will work.  
Renn

---

**From:** Kirsti Allphin [<mailto:KAllphin@kmengllp.com>]  
**Sent:** Wednesday, February 19, 2014 4:11 PM  
**To:** [ross@clearwire.net](mailto:ross@clearwire.net)  
**Cc:** Romeo Gervais  
**Subject:** Ethridge Square  
**Importance:** High

Hi Renn -

Per our conversation, attached please find the new proposed layout for Ethridge Square reflecting secondary emergency access to Amity. If you could please take a look at this and e-mail me a response if the concept is acceptable, we will get the new plat in to the County. We need to have the new plat in to them by this coming Monday.

Thanks for your help, and please feel free to call with any questions.

Thanks,

Kirsti Allphin  
Development Assistant  
Office Manager



KM Engineering, LLP  
9233 West State Street  
Boise, ID 83714  
208.639.6939 Fax 208.639.6930

[kallphin@kmengllp.com](mailto:kallphin@kmengllp.com)

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No virus found in this message.

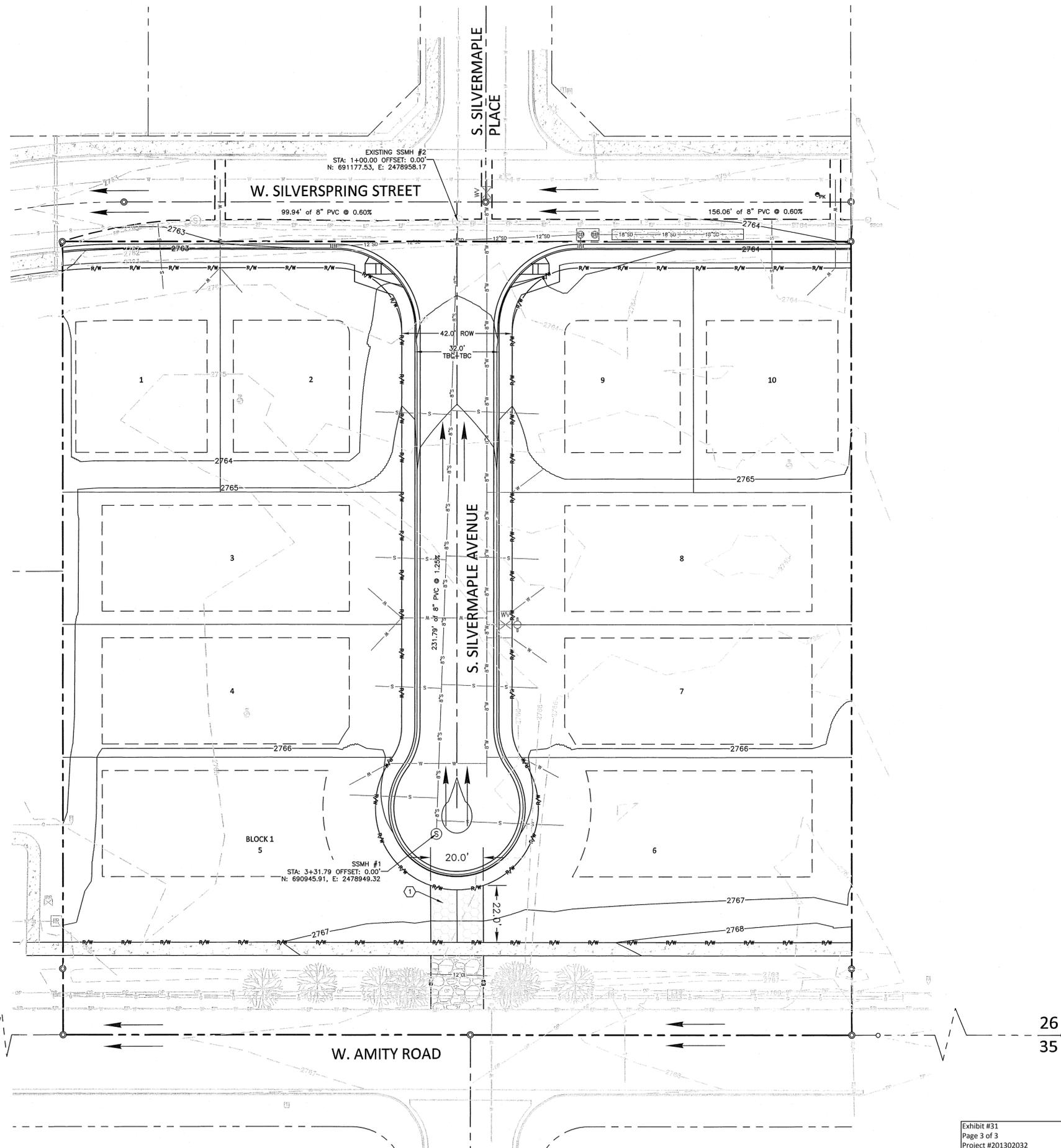
Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2012.0.2247 / Virus Database: 3705/6610 - Release Date: 02/20/14





# ETHRIDGE SQUARE SUBDIVISION PRELIMINARY ENGINEERING PLAN ADA COUNTY, IDAHO FEBRUARY, 2014

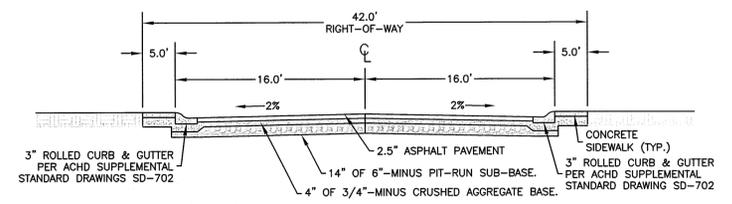


### KEYNOTES

1. INSTALL 22"x20" GRASS PAVER SECTION.

### NOTES

1. DOMESTIC WATER SERVICE WILL BE PROVIDED BY UNITED WATER. AN EXISTING WATER MAIN IS LOCATED IN SILVERSPRING STREET. AN 8" WATER MAIN WILL BE ROUTED THROUGH THE SUBDIVISION.
2. SANITARY SEWER SERVICE WILL BE PROVIDED BY THE CITY OF BOISE. THE PROPERTY WILL BE SERVED BY AN 8" SEWER MAIN AND WILL CONNECT TO THE EXISTING MAIN IN SILVERSPRING STREET.
3. WATER AND SEWER LINE SIZES AND LOCATIONS ARE PRELIMINARY AND WILL BE REFINED DURING FINAL DESIGN.
4. ALL DOMESTIC WATER MAINS AND SANITARY SEWER WILL BE INSTALLED IN ACCORDANCE WITH THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY AND ADA COUNTY MINIMUM STANDARDS.
5. ALL STREETS SHALL BE DEDICATED TO ACHD AND THE PUBLIC. ROADWAYS WILL BE CONSTRUCTED TO AT LEAST MINIMUM ACHD STANDARDS. SEE THE PRELIMINARY ROADWAY CROSS-SECTIONS ON THIS SHEET.
6. STORM DRAINAGE FROM THE PUBLIC ROAD SHALL BE COLLECTED IN CURB AND GUTTER AND ROUTED TO DISCHARGE TO BELOW GRADE INFILTRATION SYSTEMS. THE SEEPAGE BED SIZES AND LOCATIONS WILL BE DETERMINED AT FINAL DESIGN.
7. SANITARY SEWER, WATER, AND STORM DRAINAGE FACILITIES LOCATED OUTSIDE A PUBLIC RIGHT-OF-WAY WILL BE PROVIDED WITH A PERMANENT PUBLIC UTILITY EASEMENT.
8. PEDESTRIAN RAMPS AND CROSSINGS ARE SHOWN IN A CONCEPTUAL MANNER AND WILL BE REFINED AND DETAILED DURING FINAL DESIGN.
9. MAINTENANCE EASEMENTS WILL BE PROVIDED TO ACHD IN LOCATIONS WHERE THE SIDEWALK IS OUTSIDE OF THE RIGHT-OF-WAY.
10. PRESSURE IRRIGATION SYSTEM SHALL BE DESIGNED DURING FINAL DESIGN PHASE.



TYPICAL ROAD SECTION  
SCALE: NTS

### LEGEND

EXISTING IMPROVEMENTS	
---	BOUNDARY LINE
---	OFFSITE BOUNDARY LINE
---	SETBACKS
---	ROAD CENTERLINE
---	LOT LINE LINE
---	RIGHT-OF-WAY LINE
○	FOUND 1/2 INCH REBAR
⊙	FOUND 5/8 INCH REBAR
⊗	SPIKE
---	PROPOSED IMPROVEMENTS
---	SEWER LINE
---	WATER LINE
---	SEWER SERVICE LINE
⊙	SEWER MANHOLE
⊙	FIRE HYDRANT
---	DOUBLE WATER SERVICE
---	DRAINAGE ARROWS
---	SANITARY SEWER LINE
---	WATER LINE
---	GAS LINE
---	OVERHEAD POWER LINE
---	GRAVITY IRRIGATION LINE
⊙	SEWER MANHOLE
⊙	WATER VALVE
⊙	WATER METER
⊙	FIRE HYDRANT
⊙	POWER POLE
⊙	POWER BOX
---	EDGE OF PAVEMENT
---	EDGE OF GRAVEL
⊙	TREE DECIDUOUS
---	EXISTING GRADE CONTOUR

PRELIMINARY NOT FOR CONSTRUCTION

## ETHRIDGE SQUARE SUBDIVISION PRELIMINARY ENGINEERING PLAN ADA COUNTY, IDAHO

REVISIONS		
NO.	ITEM	DATE



DATE: 2-21-2014  
PROJECT: 13-101  
SHEET NO. 3 OF 3

Exhibit #31  
Page 3 of 3  
Project #201302032

P:\13-101\13-101 PRELIMINARY\13-101 PRELIMINARY ENGINEERING.DWG, ANDREW NEVILL, ZDZDZKA, RW-ADWPIC, 2/26/14

# Sign Posting Certification

ADA COUNTY DEVELOPMENT SERVICES, 200 W Front Street, Boise, Idaho 83702

www.adaweb.net | (208) 287-7900

## GENERAL INFORMATION:

You must post the property at least ten (10) days prior to the scheduled public hearing. The Certification form must be submitted at least seven (7) days prior to the scheduled public hearing. Please review Section 8-7A-5 of the Ada County Code for all sign posting requirements.

Please attach dated photographs of each sign with the certification.

## PROJECT INFORMATION:

Location:	Quarter: SE	Section: 26	Township: 3N	Range: 1E	Total Acres: 2.07
Project Name: <u>Ethridge Square Subdivision</u>			Lot:	Block:	
Site Address: <u>9414 West Amity Road</u>			Tax Parcel Number(s): <u>S1126438850</u>		
File Number: 201302032 S			Date Posted: 2.25.14		

<b>APPLICANT:</b> Providence Properties, LLC		
Name: c/o KM Engineering, LLP		
Address: 9233 West State Street		
City: Boise	State: ID	Zip: 83714
Telephone: 208.639.6939	Fax: 208.639.6930	

I certify that the property was posted at least ten (10) days prior to the scheduled public hearing and have attached dated photographs of each sign in accordance with Section 8-7A-5 of the Ada County Code.



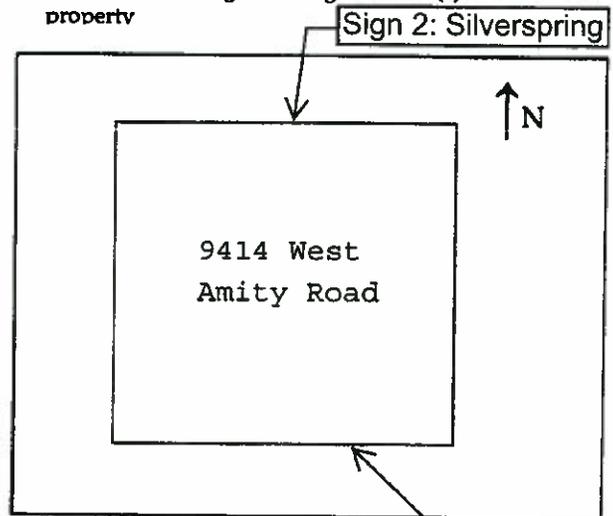
2.25.14

Signature: (Applicant)

Date

Kirsti Allphin, Applicant's Representative

Please draw a diagram of sign location(s) on the property



RECEIVED

FEB 25 2014

ADA COUNTY  
DEVELOPMENT SERVICES

Sign 1: Amity

Sign 2: Silverspring

## OFFICE USE ONLY

File No.:	Received By:	Date:	Stamped:
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EXHIBIT 32  
Page 1 of 4  
Project # 201302032 S

Sign 1: Amity Road



Sign 2: Silverspring Street



# ADA COUNTY PUBLIC HEARING NOTICE

## Ada County Planning & Zoning Commission

**WHEN:** Ada County will hold a public hearing on March 13, 2014, at 6:00 pm in the Commissioners Main Hearing Room #1235 on the first floor of the County building at 200 West Front Street, Boise, ID.

**PURPOSE:** A Preliminary Plat for Ethridge Square Subdivision to include 10 residential lots.

**PROPERTY SIZE / LOCATION:** The property contains approximately 2.07 acres and is located at 9414 West Amity Road. The site is on the north side of West Amity Road approximately 1/4 mile west of South Maple Grove Road; Section 26, T.3N., R.1E.

**APPLICATION BY:** Providence Properties, LLC

**PROJECT #:** 201302032 S

RECEIVED

PLANNER/PHONE #: Brent Danielson / (208) 287-7900

FEB 25 2014

ADA COUNTY  
DEVELOPMENT SERVICES

EXHIBIT 32  
Page 4 of 4  
Project # 2013 02032 S

## Brent Danielson

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**From:** Lauren Watsek <Lwatsek@achdidaho.org>  
**Sent:** Tuesday, February 25, 2014 1:22 PM  
**To:** Brent Danielson  
**Subject:** RE: Ethridge Square Sub (Secondary Access)

Hi Brent,

Mindy and I met with KM Engineering to discuss the resubmittal. The attached drawing looks like what we talked about and is acceptable.

Thanks,  
Lauren

---

**From:** Brent Danielson [<mailto:bdanielson@adaweb.net>]  
**Sent:** Tuesday, February 25, 2014 1:13 PM  
**To:** Lauren Watsek  
**Subject:** Ethridge Square Sub (Secondary Access)

Lauren,

KM Engineering sent us a revised preliminary plat with a secondary access off of Amity Road to address the Fire District's concerns about having a secondary access. Attached is the revised preliminary plat please let me know if ACHD finds this to be acceptable. Thanks.



RECEIVED

ETHRIDGE SQUARE SUBDIVISION

PRELIMINARY PLAT

ADA COUNTY, IDAHO

FEBRUARY, 2014

ADA COUNTY DEVELOPMENT SERVICES

INDEX OF DRAWINGS

SHEET NO.	SHEET TITLE
SHEET 1	PRELIMINARY PLAT
SHEET 2	NATURAL FEATURES ANALYSIS
SHEET 3	PRELIMINARY ENGINEERING PLAN

LEGAL DESCRIPTION

THE SW 1/4 OF THE SE 1/4 OF SECTION 28, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO

NOTES

- LOT 1 BLOCK 1 SHALL BE A SINGLE STORY RESIDENCE.
- A 10-FOOT JOINT UTILITY TRENCH EXCEPT WILL BE PROVIDED ALONG ALL SIDES-OF-ROAD.
- A 6-FOOT JOINT UTILITY TRENCH EXCEPT WILL BE PROVIDED ALONG ALL REAR LOT LINES AND/OR SIDE DRIVE ACCESS.
- INTERNAL LOT LINES ARE EXCEPTIONAL ONLY AND MAY CHANGE DURING FINAL PLATTING BASED ON FINDING OF THE CONSTRUCTION.
- LANDSCAPING AND BUILDINGS SHALL BE FOR FUTURE APPROVED PLANS.
- CHILD-ACCESS LANDSCAPE AND OTHER EXCLUSIVE CHILDREN MAY BE PROVIDED ALONG LOT LINES AS DETERMINED DURING FINAL DESIGN.

PRELIMINARY PLAT DATA

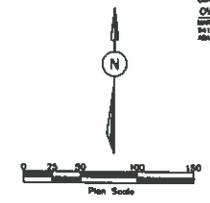
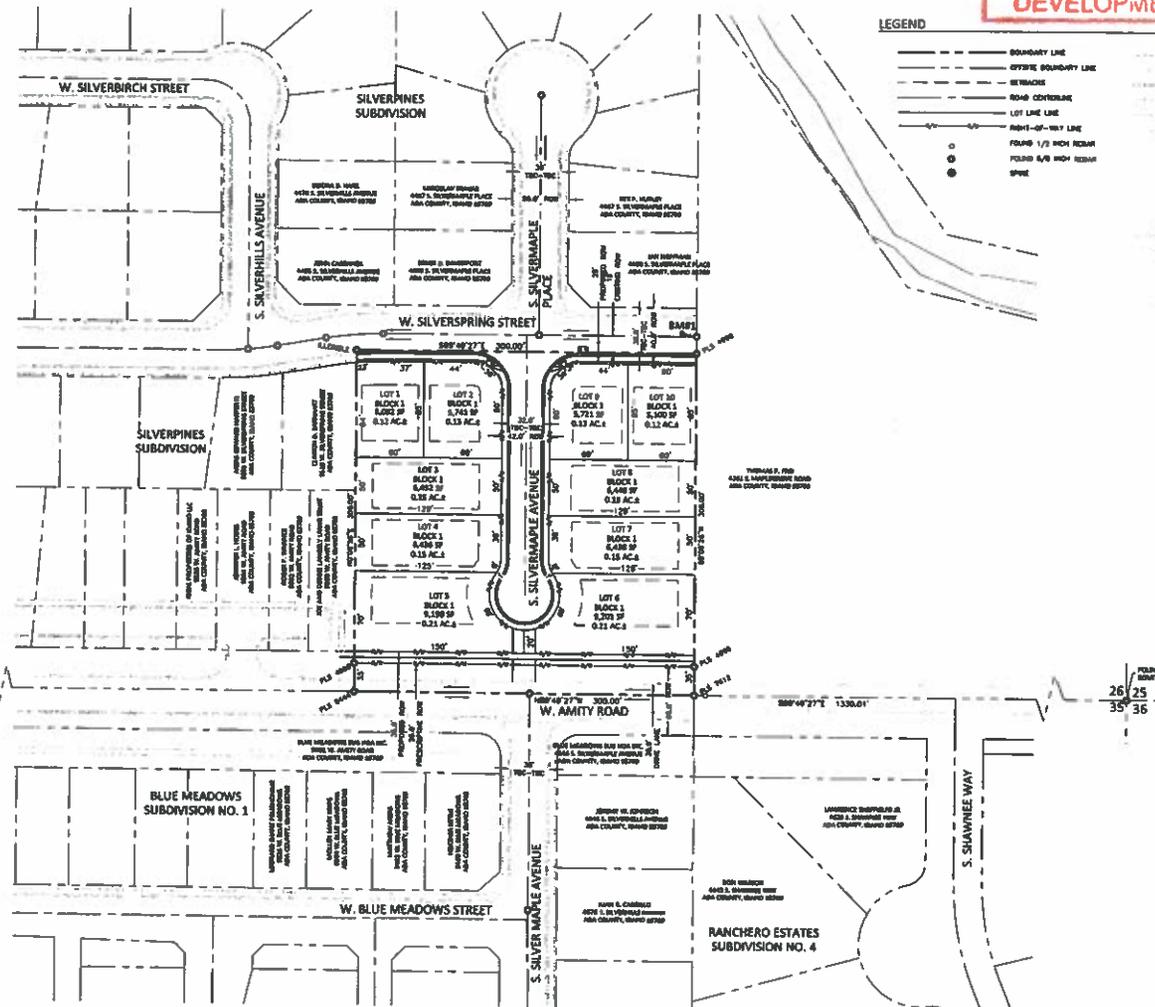
NET AREA OF SITE	0.27 ACRES
NUMBER OF LOTS	10
NUMBER OF SUBDIVISION LOTS	10
NUMBER OF COMMON LOTS	0
WELLING UNITS PER GROSS ACRE	4.8
ZONING	R-3
EXISTING ZONING (ADA COUNTY)	R-3
PROPOSED ZONING (ADA COUNTY)	R-3
STREET FRONT FOOTPRINT	5,000 SF
MINIMUM CORNER LOT SIZE	1,200 SF
MINIMUM SIDEWALK FOOTPRINT	50 SF
MINIMUM SIDEWALK WIDTH PER ACR	3.0
MINIMUM SIDEWALK WIDTH	3'
STREET FRONT	15'
REAR	15'
SIDE	5'
ADJACENT STREET	30'
LOCAL STREET	30'
UTILITIES	UNDERGROUND
SEWER	UNDERGROUND ONE (1) CO.
WATER	UNDERGROUND ONE (1) CO.
TELEPHONE	UNDERGROUND ONE (1) CO.

CONTACT INFORMATION

<b>ENGINEERING CONSULTANT</b>	<b>GEOTECHNICAL ENGINEER</b>
TR ENGINEERING, LLC 2525 WEST STATE STREET BOISE, IDAHO 83724 PHONE: (208) 378-3839 FAX: (208) 378-4830 CORPORATE: STEVEN P. HODGSON, P.E. EMAIL: <a href="mailto:shodgson@tr-engineering.com">shodgson@tr-engineering.com</a>	STRELL & VICKROY WEST BOISE FOOTBALL FIELD OFFICE PHONE: (208) 378-1749 FAX: (208) 372-9878 CONTACT: MONICA SACHALSKI
<b>OWNER</b>	<b>APPLICANT / DEVELOPER</b>
ETHRIDGE ETHRIDGE FAMILY TRUST 5414 WEST JEFFER ROAD BOISE, IDAHO 83748 PHONE: (208) 365-2400 CONTACT: RONALD CLARKE	PRODIGE PROPERTIES, LLC 701 SOUTH ALDEN STREET STE. 100 BOISE, IDAHO 83742 PHONE: (208) 365-2400 CONTACT: RONALD CLARKE

**LEGEND**

—	BOUNDARY LINE	—	EXISTING IMPROVEMENTS
- - -	OFFICE BOUNDARY LINE	—	SEWER LINE
- - -	SETBACKS	—	WATER LINE
- - -	ROAD CENTERLINE	—	TELEPHONE LINE
- - -	LOT LINE LINE	—	AND LINE
- - -	RIGHT-OF-WAY LINE	—	OVERHEAD POWER LINE
○	FOUND 1/2" HIGH REBAR	—	GRAVITY SEWER LINE
○	FOUND 4/8" HIGH REBAR	—	WATER MAIN
○	SPINE	—	WATER VALVE
		—	WATER METER
		—	PIPE MIDPOINT
		—	POWER POLE
		—	POWER BOX
		—	EDGE OF PAVEMENT
		—	EDGE OF GRAVEL
		—	TREE BOUNDARY
		—	EXISTING SHADE CONTROLLER



**BENCHMARKS**

BM#1	PK. MAIL R# 691187.25 E# 2478004.91 ELEVATION: 2744.36
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**PRELIMINARY NOT FOR CONSTRUCTION**

**ETHRIDGE SQUARE SUBDIVISION**  
PRELIMINARY PLAT  
ADA COUNTY, IDAHO

REVISIONS		
NO.	DATE	DESCRIPTION



DATE: 3-20-2014  
PROJECT: 14-001  
SHEET NO. 1 OF 3

**ETHRIDGE SQUARE SUBDIVISION  
NATURAL FEATURES ANALYSIS  
ADA COUNTY, IDAHO  
FEBRUARY, 2014**

RECEIVED  
FEB 25 2014  
ADA COUNTY  
DEVELOPMENT SERVICES

**NATURAL FEATURES ANALYSIS SHEET NOTES**

**CLIMATE**  
ROCKY MOUNTAIN ISLAND TEMPERATURE, HIGH DENSITY, AVERAGE ANNUAL PRECIPITATION IS 17 INCHES, AVERAGE ANNUAL HUMIDITY IS 65%, AND THE FROST PERIOD IS ABOUT 145 DAYS.

**SOILS**  
SOILS SURVEY FOR ADA COUNTY, IDAHO, CLASSIFY THE SOILS IN THE SITE AREA AS FINE-SANDS CLAY-SILT INTERCALATED FORMED BY A SUBSTRATE UNDERSTAYING SOFT BASAL PROJECT SOILS SHOWN AS PART OF THE BASIN OF FORMAL CREEK. THE FORMAL SUBSTRATE PROFILE CONSISTS OF Y OF BARE BROWN LEAN CLAY MEDIUM-LAY OF LF OF BAY SILT UNDERLAY BY Z OF LIGHT BROWN SANDY SILT UNDERLAY BY BARE GRAY BASAL.

**VEGETATION**  
THE SITE IS WELL SERVED WITH AN UNMATURED NATURAL GRASSLAND SINCE PLANTS BELONG TO NORTH SOUTHWESTERN SECTION OF THE SITE. THE GRASSLANDS ARE IN CONTACT WITH A BUSHY OPEN PLAINS FROM EAST TO WEST. CURRENTLY ALL PLANTS WHICH ARE CONTACTED WITH PLANTS FROM EAST TO WEST IT HAS THE OPPORTUNITY TO COLLECT AND LEAVE THE SITE.

**SOILS**  
THE SOILS PRESENT ON THE SUBJECT SITE ARE CLASSIFIED AS LOW PERMEABLE SOILS FOR THE USDA SOIL SURVEY. UNDERSTANDING WAS NOT DISCOVERED AT GOING UP TO 3.5 FEET BELOW CATHARTIC SECTION DURING A GEOTECHNICAL INVESTIGATION CONDUCTED IN OCTOBER 2013. GROUNDWATER LEVELS FOR THE SITE ARE ESTIMATED TO BE AT A DEPTH OF ABOUT APPROXIMATELY 10 FEET BELOW CATHARTIC SECTION. GROUNDWATER LEVELS ARE MOST LIKELY INFLUENCED BY RESIDENTIAL AND COMMERCIAL, REMEDIATION ACTIVITIES AND LEAKAGE FROM NEARBY CANALS.

**SOIL**  
THE SUBJECT SITE CONSISTS OF THE FOLLOWING SOIL TYPES ACCORDING TO THE ADA COUNTY SOIL SURVEY, SHEET 33:  
-SLASH SILT LOAM, SOIL TYPE 48, IS MODERATELY DEEP TO DEEP AND IS WELL DRAINAGE. PERMEABILITY IS VERY LOW TO MODERATELY LOW. AVERAGE MOISTURE IS ABOVE THE AVAILABLE WATER CAPACITY IS MODERATE. THE HAZARD OF EROSION IS MODERATE. THE HAZARD OF DROUGHT IS TO BE HIGHER THAN THE HAZARD OF ROOT DISEASE AND THE HAZARD OF DROUGHT ARE MAJOR LIMITATIONS TO AGRICULTURE.  
-SLASH SILT LOAM, SOIL TYPE 49, IS MODERATELY DEEP TO DEEP AND IS WELL DRAINAGE. PERMEABILITY IS VERY LOW TO MODERATELY LOW. AVERAGE MOISTURE IS ABOVE THE AVAILABLE WATER CAPACITY IS MODERATE. THE HAZARD OF EROSION IS MODERATE. THE HAZARD OF DROUGHT IS TO BE HIGH THAN THE HAZARD OF ROOT DISEASE AND THE HAZARD OF DROUGHT ARE MAJOR LIMITATIONS TO AGRICULTURE.

**TOPOGRAPHY**  
THE SUBJECT SITE IS MODERATELY SLOPED FROM SOUTH TO NORTH WITH EAST TO WEST. THE SLOPES IN THE PROJECT AREA RANGE FROM 0.25% TO 4.5%.

**VEGETATION**  
THE SITE MAINLY CONSISTS OF NATIVE TREES, PASTURE-LAND GRASSES AND OTHER NATIVE TREES AND GRASS VARIETIES TYPICAL OF WEST TO SOIL-AND ENVIRONMENT.

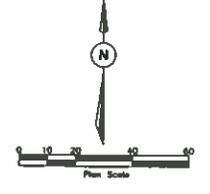
**WILDLIFE**  
A LETTER FROM THE DAVID FISH AND GAME DEPARTMENT INDICATES NO RECORDS OF ANY SPECIAL STATUS SPECIES PASSING THE AREA.

**HISTORIC RESOURCES**  
BASED ON THE ADA COUNTY HISTORIC SITE INVENTORY, THE PROPERTY DOES NOT APPEAR TO CONTAIN ANY HISTORIC STRUCTURES.

**HAZARDOUS AREAS**  
NO KNOWN HAZARDOUS AREAS.

**HAZARDOUS MATERIALS**  
THE NATURAL DRAINAGE BASIN LOCATED HEREIN WILL BE REFINISHED. ALL OTHER DRAINAGE BASIN LOCATED TO STORM WATER DRAINAGE FEATURES LOCATED HEREIN. THE DRAINAGE BASIN ALONG AMITY ROAD WILL REMAIN IN PLACE EAST TO WEST. THE DRAINAGE BASIN WILL BE REFINISHED DURING CONSTRUCTION. ALL UTILITIES AND ITS VERTICAL CURVE WILL BE REFINISHED DURING CONSTRUCTION. ALL UTILITIES AND ITS VERTICAL CURVE WILL BE REFINISHED DURING CONSTRUCTION. ALL UTILITIES AND ITS VERTICAL CURVE WILL BE REFINISHED DURING CONSTRUCTION. ALL UTILITIES AND ITS VERTICAL CURVE WILL BE REFINISHED DURING CONSTRUCTION. IT IS ANTICIPATED THAT UNDERSTAYING WILL BE DISCOVERED DURING CONSTRUCTION AND WILL BE PROTECTED FROM STORM WATER BY BOTH REQUIRED SEPARATION STATIONS. NO OTHER IMPACTS ARE ANTICIPATED.

\*A GEOTECHNICAL REPORT DATED OCTOBER 2013, SOILS CONDUCTED BY HARTWELL TESTING AND INSPECTION HAS BEEN SUBMITTED WITH THIS APPLICATION.

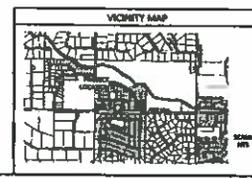


**LEGEND**

- |                             |                              |
|-----------------------------|------------------------------|
| --- BOUNDARY LINE           | --- EXISTING IMPROVEMENTS    |
| - - - OFFSITE BOUNDARY LINE | --- SANITARY SEWER LINE      |
| - - - RETRADES              | --- WATER LINE               |
| - - - ROAD CENTERLINE       | --- GAS LINE                 |
| - - - LOT LINE LINE         | --- OVERHEAD POWER LINE      |
| - - - RIGHT-OF-WAY LINE     | --- DRAINAGE SEPARATION LINE |
| ○ FOUND 1/2 INCH REBAR      | ○ REINFORCING                |
| ○ FOUND 3/4 INCH REBAR      | ○ WATER METER                |
| ○ SPIKE                     | ○ FIRE HYDRANT               |
| ○ WET PIT                   | ○ POWER POLE                 |
|                             | ○ POWER BOX                  |
|                             | --- EDGE OF PAVEMENT         |
|                             | --- EDGE OF GRAVEL           |
|                             | ○ TREE OCCURRING             |
|                             | ○ EXISTING GRADE CONTROL     |

**SOILS DATA**

- SOIL DATA PER USDA SOIL SURVEY OF ADA COUNTY AREA SHEET 33
- 48 SLASH SILT LOAM, Found, Substratum, Slope 0-2%
- 49 SLASH SILT LOAM, Found, Substratum, Slope 2-4%



PRELIMINARY NOT FOR CONSTRUCTION

**ETHRIDGE SQUARE SUBDIVISION  
NATURAL FEATURES ANALYSIS  
ADA COUNTY, IDAHO**

REVISIONS		
NO.	DESCRIPTION	DATE

km  
ENGINEERING

10821  
3-21-14  
DAVID R. HICKEL

DATE: 2-11-2014  
PROJECT: 13-001  
SHEET NO.: 2 OF 3





**Project/File: Ethridge Square (201302032-S)**

The applicant is requesting preliminary plat approval for a 10 lot residential subdivision on approximately 2.07 acres. This preliminary plat could be approved at the staff level, but staff has been in contact with the HOA in the area and neighbors may wish to testify with their concerns about traffic.

**Lead Agency:** Ada County

**Site address:** 9414 W. Amity Road

**Commission Approval:** February 5, 2014

**Applicant:** Kevin McCarthy  
KM Engineering  
9233 W. State St.  
Boise, ID 83714

**Representative:** Randy Clarno  
Providence Properties  
701 S. Allen, Ste. 108  
Meridian, ID 83642

**Staff Contact:** Lauren Watsek  
Phone: 387-6218  
E-mail: [lwatsek@achdidaho.org](mailto:lwatsek@achdidaho.org)



**A. Findings of Fact**

1. **Description of Application:** The applicant is requesting preliminary plat approval for Ethridge Square, a 10 lot residential subdivision. The proposed site is currently zoned R-B. The applicant's proposal is consistent with the comprehensive plan for the City of Boise and Ada County.

2. **Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Silverpine Subdivision	R-8
South	Bluemeadows Subdivision	R-8
East	Southwest Residential District	RSW
West	Silverpine Subdivision	R-8

3. **Site History:** ACHD Commission previously reviewed this site as a part of Silverleaf Subdivision in July 2003. As a part of that application the Commission required the extension of Silverspring Street to the east to provide for future access to this site.

EXHIBIT 24  
Page 1 of 16  
Project # 2013 02032 S

4. **Transit:** Transit services are not available to serve this site.
5. **New Center Lane Miles:** 0.07
6. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.
7. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
  - Five Mile Road is listed in the Capital Improvements Plan to be widened to 5 lanes from Lake Hazel Road and Amity Road between 2022 and 2026.
  - Five Mile Road is listed in the Capital Improvements Plan to be widened to 5 lanes from Amity Road to Victory Road between 2017 and 2021.
  - Maple Grove Road is listed in the Capital Improvements Plan to be widened to 5 lanes from Amity Road to Victory Road between 2027 and 2031.
  - The intersection of Amity Road and Five Mile Road is listed in the Capital Improvements Plan for a multi-lane roundabout to be constructed and be widened to 4 lanes on the north leg, 4 lanes on the south, 2 lanes east, and 2 lanes on the west leg, and signalized between 2027 and 2031.
  - The intersection of Amity Road and Maple Grove Road is listed in the Capital Improvements Plan for a single-lane roundabout to be constructed and widened to 4 lanes on the north leg, 2 lanes on the south, 2 lanes east, and 2 lanes on the west leg, and signalized between 2027 and 2031.

## **B. Traffic Findings for Consideration**

1. **Trip Generation:** This development is estimated to generate 95 additional vehicle trips per day; 10 additional vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 9<sup>th</sup> edition.
2. **Condition of Area Roadways**  
Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Existing Plus Project
Amity Road	300 feet	Collector/Residential Arterial	244	Better than "D"	Better than "D"
Silverspring Street	300 feet	Local	N/A	N/A	N/A

\* Acceptable level of service for a two-lane collector is "D" (425 VPH).

3. **Average Daily Traffic Count (VDT)**  
*Average daily traffic counts are based on ACHD's most current traffic counts.*
  - The average daily traffic count for Amity Road east of Five Mile Road was 4,580 on October 3, 2012.

## **C. Findings for Consideration**

### **1. Southwest Boise Transportation Study**

The Southwest Boise Transportation Study (SWBS) is a regional study that identifies future roadway improvements, collector roadway connections, intersection and corridor needs in

Southwest Boise. The study helps ACHD plan for and accommodate future traffic demand in the Southwest Boise area. The study also includes a new Eagle Road/Cloverdale Road alignment to create a continuous north-south connection between Kuna-Mora Road and Interstate 84. The study was created in collaboration with the City of Boise and was adopted by the ACHD Commission in May of 2009.

- The provided recommendations for the proposed site have been met or proposed with this application.

## 2. Amity Road

a. **Existing Conditions:** Amity Road is improved with 2 travel lanes, and no curb, gutter or sidewalk abutting the site. There is 60 feet of right-of-way for Amity Road (26 feet from centerline).

b. **Policy:**

**Arterial Roadway Policy:** District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

**Master Street Map and Typology Policy:** District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

**Street Section and Right-of Way Width Policy:** District Policy 7205.2.1 & 7205.5.2 states that the standard 3-lane street section shall be 46-feet (back-of-curb to back-of-curb) within 70 feet of right-of-way. This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

**Right-of-Way Dedication:** District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

**Sidewalk Policy:** District Policy 7205.5.7 requires a concrete sidewalks at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

**ACHD Master Street Map:** ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Amity Road is designated in the

MSM as a Residential Arterial with 3 lanes and on-street bike lanes, a 46 foot street section within 70 feet of right-of-way.

- c. **Applicant Proposal:** The applicant is proposing to dedicate 35 feet of right-of-way from centerline and construct 5 foot wide concrete sidewalk on Amity Road abutting the site, to align with the existing sidewalk located west of the site.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District Policy and should be approved as proposed.

The applicant should be required to provide a permanent right-of-way easement for public sidewalk placed outside of the dedicated right-of-way for Amity Road. The easement shall encompass the entire area between the right-of-way line and 2 feet behind of the back edge of the sidewalk.

### 3. Site Access

The applicant is proposing to take access off of Silverspring Street as recommended by ACHD. Although the site also has frontage on Amity Road, Silverspring Street was originally approved to extend to and through this site to the east to eliminate a new street intersection on Amity Road. This reduces conflicts with pedestrians and bicycles, which is especially important because there is an elementary school just west of the adjacent subdivision.

The applicant is proposing to construct 10 single family dwellings, consistent with the existing R-8 zoning, with an estimated trip generation of 95 trips per day to/from the proposed development. There are 12 existing houses on the street that directly access Silverspring Street, and an additional 10 houses that access the street but do not have frontage. There are an additional 10 houses that access multiple streets but do not have frontage. If all of the houses (32) access Silverspring Street only, the estimated trip generation from the existing homes is 304 vehicle trips per day. Even with the proposed development accessing Silverspring Street there is sufficient capacity and no thresholds are close to being met for traffic on a local street. The maximum traffic on one access is 1,000 VTD and local streets when extended and fully developed should not exceed 2,000 VTD (7207.3.1).

### 4. Silverspring Street

- a. **Existing Conditions:** There is 25 feet of pavement and 40 feet of right-of-way for Silverspring Street abutting the site.
- b. **Policy:**

**Local Roadway Policy:** District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

**Street Section and Right-of-Way Policy:** District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 50-feet wide and that the standard street section shall be 36-feet (back-of-curb to back-of-curb). The District will consider the utilization of a street width less than 36-feet with written fire department approval.

**Standard Urban Local Street—36-foot to 33-foot Street Section and Right-of-way Policy:** District Policy 7207.5.2 states that the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 50-feet of right-of-way.

The District will also consider the utilization of a street width less than 36-feet with written fire department approval. Most often this width is a 33-foot street section (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size.

**Sidewalk Policy:** District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

- c. **Applicant's Proposal:** The applicant is proposing to complete Silverspring Street as a 36 foot street section with rolled curb, gutter, and 5 foot wide attached concrete sidewalk within 50 feet of right-of-way abutting the site.
- d. **Staff Comments/Recommendations:** The applicant's proposal to complete Silverspring Street as a 36 foot street section with rolled curb, gutter, and 5 foot wide attached concrete sidewalk within 50 feet of right-of-way abutting the site meets District Policy and should be approved as proposed.

Silverspring Street was originally constructed as a stub street. With the improvements made by this development, the street will continue to be a stub street. As development occurs to the east of this site, Silverspring Street will be extended and will likely connect to a north-south street that was previously approved to cross the canal with Silverspring #2, continuing on to Maple Grove Road north of the canal through that development. The applicant should be required to install a sign at the terminus of Silverspring Street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

## 5. Internal Roads

- a. **Existing Conditions:** No roads are currently constructed internal to the site.

- b. **Policy:**

**Local Roadway Policy:** District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

**Street Section and Right-of-Way Policy:** District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 50-feet wide and that the standard street section shall be 36-feet (back-of-curb to back-of-curb). The District will consider the utilization of a street width less than 36-feet with written fire department approval.

**Standard Urban Local Street—36-foot to 33-foot Street Section and Right-of-way Policy:** District Policy 7207.5.2 states that the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 50-feet of right-of-way.

The District will also consider the utilization of a street width less than 36-feet with written fire department approval. Most often this width is a 33-foot street section (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size.

**Sidewalk Policy:** District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

**Cul-de-sac Streets Policy:** District policy 7207.5.8 requires cul-de-sacs to be constructed to provide a minimum turning radius of 45-feet; in rural areas or for temporary cul-de-sacs the emergency service providers may require a greater radius. Landscape and parking islands may be constructed in turnarounds if a minimum 29-foot street section is constructed around the island. The pavement width shall be sufficient to allow the turning around of a standard AASHTO SU design vehicle without backing. The developer shall provide written approval from the appropriate fire department for this design element.

The District will consider alternatives to the standard cul-de-sac turnaround on a case-by-case basis. This will be based on turning area, drainage, maintenance considerations and the written approval of the agency providing emergency fire service for the area where the development is located.

- c. **Applicant's Proposal:** The applicant is proposing to construct all internal local streets as 32 foot street sections with rolled curb, gutter, and 5 foot wide attached concrete sidewalks within 42 feet of right-of-way. The applicant is proposing to construct 2 cul-de-sacs with 30 foot radii.
- d. **Staff Comments/Recommendations:** The applicant should construct the internal streets as 33 foot street sections with rolled curb, gutter, 5 foot wide attached concrete sidewalk, and 42 feet of right-of-way. This street section allows for on-street parking, with fire department approval. The applicant's design for the 2 cul-de-sacs does not meet Policy. The applicant should be required to construct both cul-de-sacs to provide a minimum turning radius of 45 feet; OR provide an alternative turnaround design with a minimum 26-foot radius.

The applicant should be required to obtain written fire department approval for the reduced street sections.

## 6. Roadway Offsets

- a. **Existing Conditions:** There are currently no roads constructed internal to the site.
- b. **Policy:**

**Local Offset Policy:** District policy 7207.4.2, requires local roadways to align or provide a minimum offset of 125-feet from any other street (measured centerline to centerline).

c. **Applicant's Proposal:** The applicant is proposing to construct all new local streets to provide a minimum offset of 125 feet from any other street.

d. **Staff Comments/Recommendations:** The applicant's proposal to provide a minimum offset of 125 feet meets District Policy and should be approved as proposed.

## 7. Tree Planters

**Tree Planter Policy:** Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

## 8. Landscaping

**Landscaping Policy:** A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

## 9. Neighborhood Concerns

A neighborhood representative for Silverpine Subdivision contacted ACHD with concerns about access to the site from Silverpine Street, traffic generated from the 10 proposed homes, and requested the installation of a "NO OUTLET" sign, along with a speed hump near the end of Silverspring Street.

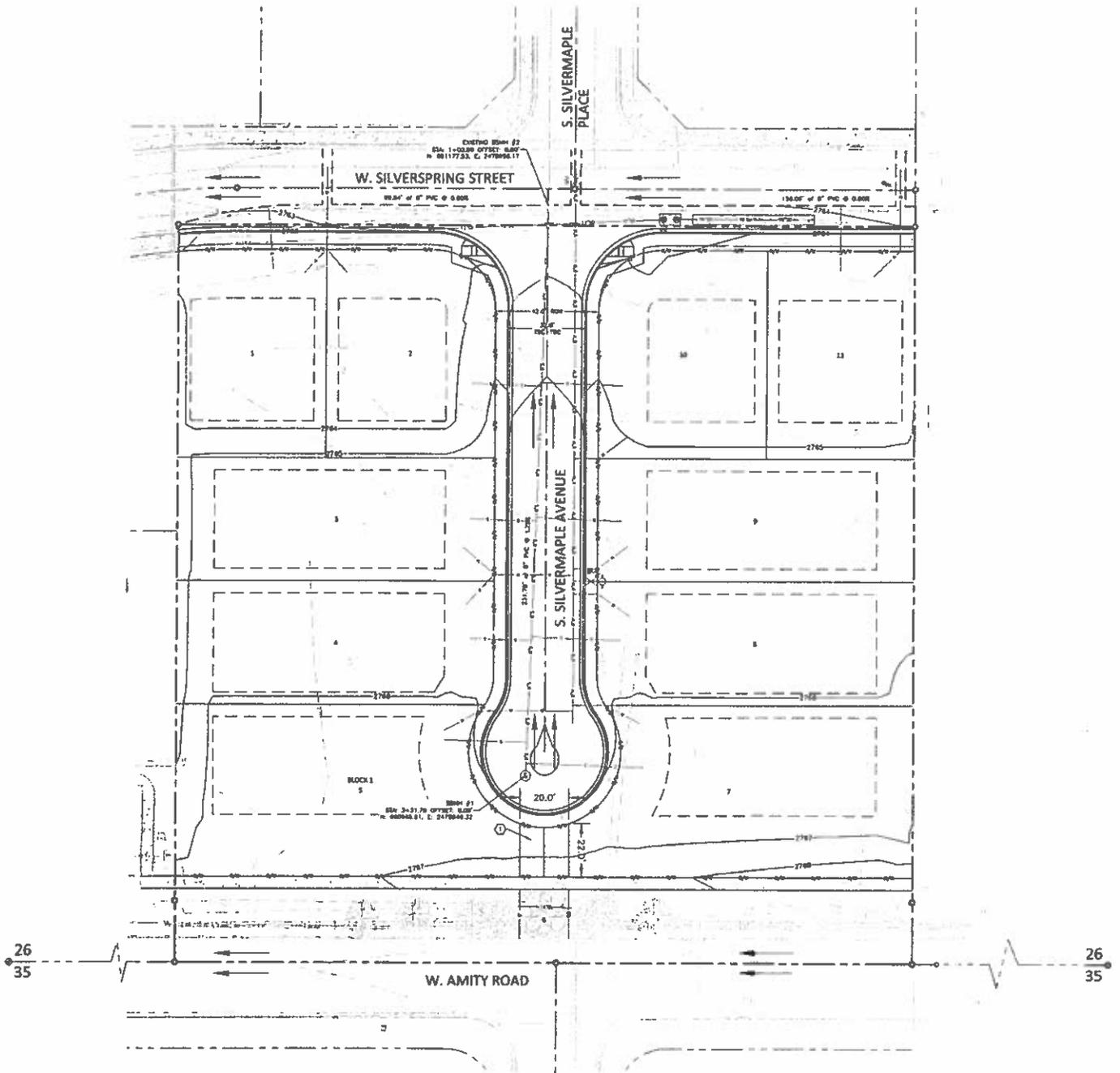
- As noted in Finding #3 above, access should be taken from the local street system as was approved in 2003.
- Staff contacted the applicant and they have agreed to install a "NO OUTLET" sign on Silverspring Street near the intersection of Silveroak Avenue. The exact location will be determined by District staff.
- The installation and location of speed humps is determined by speed and volume. As discussed in Finding #3 above, the volumes on the street would not warrant traffic calming measures at this time.

## 10. Other Access

Amity Road is classified as a minor arterial/collector roadway. Direct lot access is prohibited to this roadway and should be noted on the final plat.

# 11. Secondary Access

After further discussion with Ada County Development Services and the Whitney Fire Protection District, the applicant revised the preliminary plat for Ethridge Square Subdivision to satisfy the need for a secondary emergency access into the development. The revised preliminary plat shown below is approved by ACHD Staff.



## **D. Site Specific Conditions of Approval**

1. Dedicate 35 feet of right-of-way from the centerline of Amity Road and construct 5 foot wide concrete sidewalk on Amity Road abutting the site, to align with the existing sidewalk located west of the site. If public sidewalk is placed outside of the dedicated right-of-way, the applicant shall provide a permanent right-of-way easement. The easement shall encompass the entire area between the right-of-way line and 2 feet behind the back edge of the sidewalk.
2. Construct Silverspring Street as a 36 foot street section with rolled curb, gutter and attached 5 foot wide concrete sidewalk within 50 feet of right-of-way abutting the site, as proposed. The applicant should be required to install a sign at the terminus of Silverspring Street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."
3. Construct all internal local roads as 33 foot street sections with rolled curb, gutter, 5 foot wide attached concrete sidewalks, and 42 feet of right-of-way. The applicant shall provide a permanent right-of-way easement for public sidewalk placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2 feet behind the back edge of the sidewalk.
4. Construct two proposed cul-de-sacs to provide a minimum turning radius of 45 feet; OR provide an alternative turnaround design with a minimum 26-foot radius.
5. Obtain written fire department approval for the reduced street sections.
6. Install a "NO OUTLET" sign on Silverspring Street near the intersection of Silveroak Avenue. Coordinate the location with District staff.
7. Direct lot access is prohibited to Amity Road and shall be noted on the final plat.
8. Payment of impacts fees are due prior to issuance of a building permit.
9. Comply with all Standard Conditions of Approval.

## **E. Standard Conditions of Approval**

1. All irrigation facilities shall be relocated outside of the ACHD right-of-way.
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD

Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.

8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

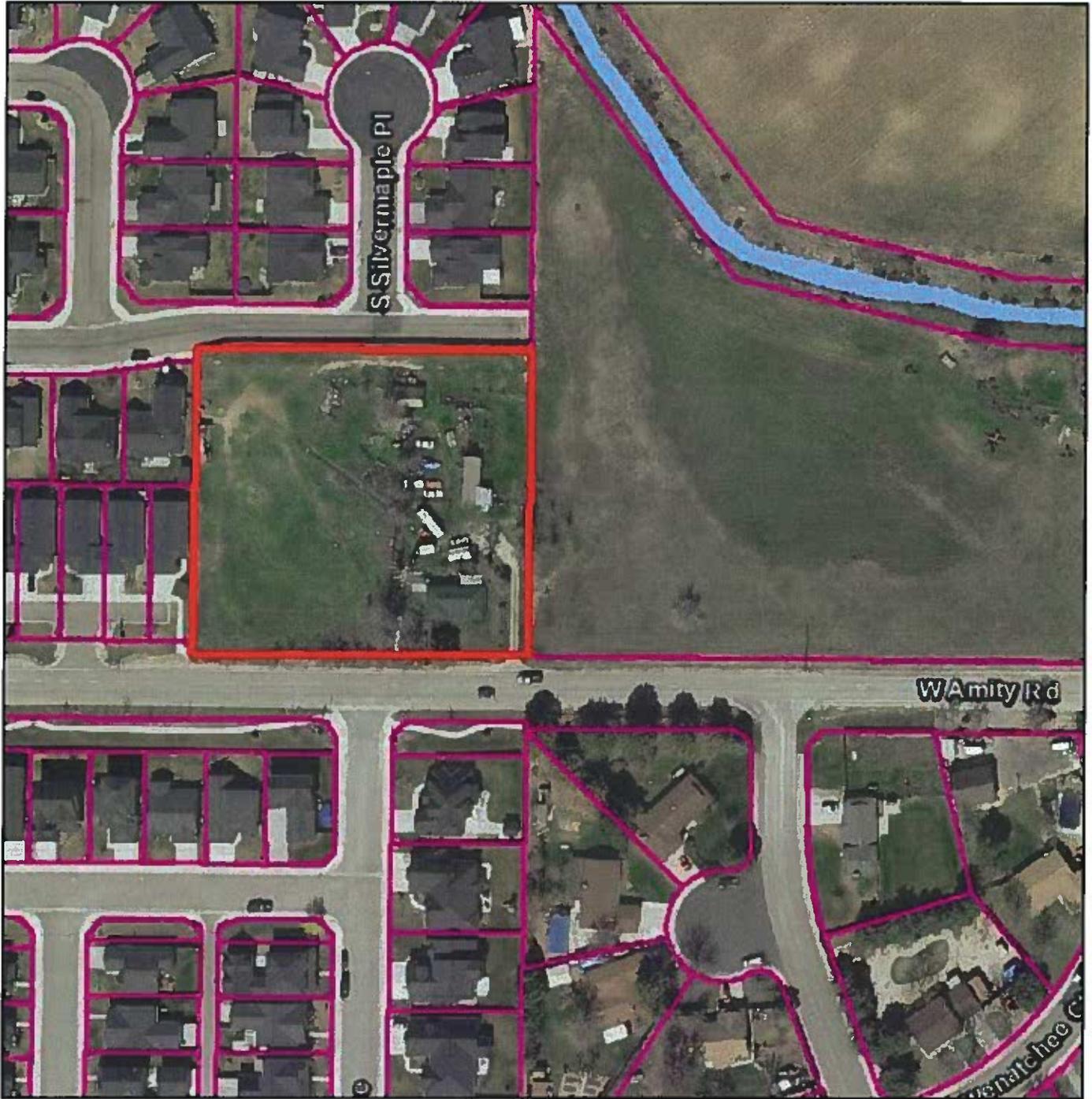
## **F. Conclusions of Law**

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

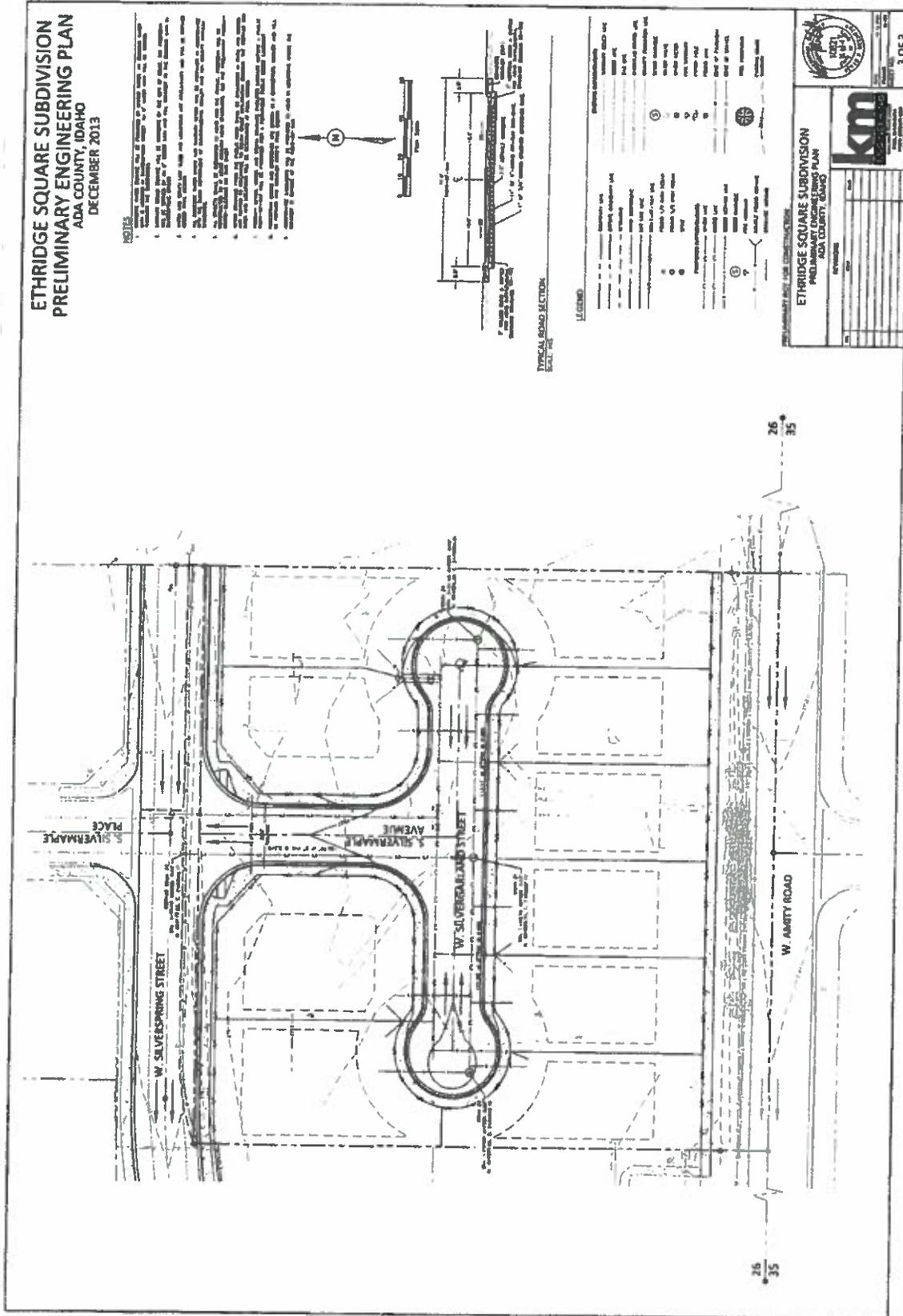
## **G. Attachments**

1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
5. Request for Reconsideration Guidelines

VICINITY MAP



**SITE PLAN**



# Ada County Utility Coordinating Council

## Developer/Local Improvement District Right of Way Improvements Guideline Request

*Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.*

- 1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.
- 2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.
- 3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.
- 4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

**Notification to the Ada County UCC can be sent to:** 50 S. Cole Rd. Boise 83707, or Visit [iducc.com](http://iducc.com) for e-mail notification information.

# Development Process Checklist

## Items Completed to Date:

- Submit a development application to a City or to Ada County
- The City or the County will transmit the development application to ACHD
- The ACHD **Planning Review Section** will receive the development application to review
- The **Planning Review Section** will do one of the following:
  - Send a "**No Review**" letter to the applicant stating that there are no site specific conditions of approval at this time.
  - Write a **Staff Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.
  - Write a **Commission Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

## Items to be completed by Applicant:

- For **ALL** development applications, including those receiving a "**No Review**" letter:
  - The applicant should submit one set of engineered plans directly to ACHD for review by the **Development Review Section** for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
  - The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.
- Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

### DID YOU REMEMBER:

#### *Construction (Non-Subdivisions)*

- Driveway or Property Approach(s)**
  - Submit a "Driveway Approach Request" form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.
- Working in the ACHD Right-of-Way**
  - Four business days prior to starting work have a bonded contractor submit a "Temporary Highway Use Permit Application" to ACHD Construction – Permits along with:
    - a) Traffic Control Plan
    - b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50' or you are placing >600 sf of concrete or asphalt.

#### *Construction (Subdivisions)*

- Sediment & Erosion Submittal**
  - At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.
- Idaho Power Company**
  - Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.
- Final Approval from Development Services is required** prior to scheduling a Pre-Con.

## Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the ROWDS Manager when it is alleged that the ROWDS Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
  - a. **Filing Fee:** The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
  - b. **Initiation:** An appeal is initiated by the filing of a written notice of appeal with the Secretary of Highway Systems, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
  - c. **Time to Reply:** The ROWDS Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
  - d. **Notice of Hearing:** Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the ROWDS Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
  - e. **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.

## Request for Reconsideration of Commission Action

1. **Request for Reconsideration of Commission Action:** A Commissioner, a member of ACHD staff or any other person objecting to any final action taken by the Commission may request reconsideration of that action, provided the request is not for a reconsideration of an action previously requested to be reconsidered, an action whose provisions have been partly and materially carried out, or an action that has created a contractual relationship with third parties.
  - a. Only a Commission member who voted with the prevailing side can move for reconsideration, but the motion may be seconded by any Commissioner and is voted on by all Commissioners present.

If a motion to reconsider is made and seconded it is subject to a motion to postpone to a certain time.
  - b. The request must be in writing and delivered to the Secretary of the Highway District no later than 3:00 p.m. on the day prior to the Commission's next scheduled regular meeting following the meeting at which the action to be reconsidered was taken. Upon receipt of the request, the Secretary shall cause the same to be placed on the agenda for that next scheduled regular Commission meeting.
  - c. The request for reconsideration must be supported by written documentation setting forth new facts and information not presented at the earlier meeting, or a changed situation that has developed since the taking of the earlier vote, or information establishing an error of fact or law in the earlier action. The request may also be supported by oral testimony at the meeting.
  - d. If a motion to reconsider passes, the effect is the original matter is in the exact position it occupied the moment before it was voted on originally. It will normally be returned to ACHD staff for further review. The Commission may set the date of the meeting at which the matter is to be returned. The Commission shall only take action on the original matter at a meeting where the agenda notice so provides.
  - e. At the meeting where the original matter is again on the agenda for Commission action, interested persons and ACHD staff may present such written and oral testimony as the President of the Commission determines to be appropriate, and the Commission may take any action the majority of the Commission deems advisable.
  - f. If a motion to reconsider passes, the applicant may be charged a reasonable fee, to cover administrative costs, as established by the Commission.

## Brent Danielson

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**From:** Renn Ross <[ross@clearwire.net](mailto:ross@clearwire.net)>  
**Sent:** Tuesday, February 25, 2014 4:30 PM  
**To:** Brent Danielson; [rgervais@cityofboise.org](mailto:rgervais@cityofboise.org)  
**Subject:** RE: Ethridge Square Subdivision (Secondary Access)

Brent,  
Yes I am fine with the temporary access until such time as the sub street is connected.  
Thanks  
Renn

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**From:** Brent Danielson [<mailto:bdanielson@adaweb.net>]  
**Sent:** Tuesday, February 25, 2014 1:17 PM  
**To:** [ross@clearwire.net](mailto:ross@clearwire.net); [rgervais@cityofboise.org](mailto:rgervais@cityofboise.org)  
**Subject:** Ethridge Square Subdivision (Secondary Access)

Chiefs Ross and Gervais,

KM Engineering has sent us a revised preliminary plat depicting a secondary access to address your concerns regarding a secondary access for the Ethridge Square development on Amity Road about a ¼ mile west of Maple Grove Road. Attached is the revised preliminary plat please let me if this addresses your concerns regarding secondary access. Thanks.

	<p><b>Brent Danielson</b> <i>Associate Planner</i></p> <p>Ada County Development Services 200 W. Front St., Boise, ID 83702 (208) 287-7913 <i>office</i> (208) 287-7909 <i>fax</i></p>
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LEGAL NOTICE OF PUBLIC HEARING Legal notice is hereby given that the Ada County Planning and Zoning Commission will hold a public hearing on March 13, 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: 201302018-CU-MSP, Greg Grigsby.: A request for a conditional use and master site plan to allow for the construction of a church. The church will occupy 2600 square feet of the existing structure with a 5600 sq. ft. addition. The total square footage of the church will be 8,200 sq. ft. The maximum number of patrons is expected to be 76. The property is located 4495 S. Meridian Road; 3N 1W Sec. 25. Megan Basham 287-7944 201302032-S, Ethridge Square Subdivision: A preliminary plat application for a ten (10) lot residential subdivision. The property is located at 9414 W. Amity Road; 3N 1E Sec. 26. Brent Danielson 287-7913 201400069-S, Derry Subdivision: A preliminary plat application for a three (3) lot residential subdivision. The property is located at 7085 S. Eagle Road; 2N 1E Sec. 5. Brent Danielson 287-7913 201400166-S-ZC-DA, Moonridge Subdivision #13: A request for a rezone from C1 to R12, a five (5) lot residential subdivision (3 residential, 2 common lots) and a development agreement for a 0.481-acre property at the southeast corner of West Lake Hazel Road and South Zither Avenue. This is a resubdivision of Lot 14, Block 1 of the Moonridge Subdivision No. 12. The property is located at 8801 W. Lake Hazel Road; 2N 1E Sec. 1. Megan Basham 287-7944 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. ADA COUNTY PLANNING AND ZONING COMMISSION Mark Perfect Planning & Zoning Administrator Pub. Feb. 25, 2014 **Publish Dates:** 2/25/2014 -3/11/2014

EXHIBIT 36  
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