



**TO: BOARD OF ADA COUNTY COMMISSIONERS**

**HEARING DATE:** May 7, 2014

**STAFF:** Brent Danielson, Associate Planner

**PROJECT NO.:** 201400069-S

**APPLICANT:** SLN Planning, Inc.

### **INTRODUCTION**

A preliminary plat for a three (3) lot residential subdivision. The property contains 19.38 acres and is located at 7085 S. Eagle Road in Section 5, T. 2N, R.1E.

### **EXECUTIVE SUMMARY**

The applicant is requesting a preliminary for a three (3) lot residential on 19.38 acres in the Rural-Urban Transition (RUT) District. Two (2) of the lots are 5.0 acres and third lot is 9.38 acres. The lots will take frontage and access from an existing public road (S. Eagle Road).

At the time this staff report was written the following agencies have provided comments: Idaho Fish and Game Department, Ada County Building Division, Boise Project Board of Control, Central District Health Department, Idaho Department of Environmental Quality, Ada County Engineering/Surveying Division, City of Meridian, and the Ada County Highway District. The Idaho Fish and Game Department in Exhibit #1 stated that they have no records of any federally listed threatened or endangered species, state sensitive species, or critical habitat at the site of the proposed subdivision. The Ada County Building Division replied in Exhibits #15 and #31 that they have no objection to the proposed development. The Boise Project Board of Control responded in Exhibits #16 and #36 that the United States' Farr Lateral lies within the boundary of the above-mentioned location and that they assert the federal easement of 31 feet south of the lateral's centerline. In addition, any fencing must be constructed just off the lateral easement and storm drainage and/or street runoff must be retained on site. The Central District Health Department stated in Exhibit #17 that an application, full engineering report, and onsite soil evaluation must be submitted to them to determine septic suitability. They also stated in Exhibit #32 that the project will need to be reviewed by the Idaho Department of Water Resources. In Exhibit #18 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 Engineering/Surveying Division stated in Exhibit #19 that a drainage study and drainage plan need to be submitted with the final plat. The Ada County Highway District responded in Exhibit #24 that the existing 24-foot wide driveway located 220 feet south of Adler Hof Lane is approved. They recommend that the applicant

---

#### **STAFF REPORT**

SLN Planning, Inc.  
Mikal Black

construct one (1) shared access to align with Vantage Point Lane to serve the southernmost two (2) lots. The City of Meridian replied in Exhibit #26 that in accordance with Ada County Code 9-4-3C and 9-4-3D, the City of Meridian will not require dry lines to be installed or utility easements granted for this development.

### **RECOMMENDATION**

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

On March 13, 2014 after considering the evidence and testimony presented during the public hearing the Commission voted 5-0 to recommend approval of Project #201400069 S to the Board.

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

### **EXHIBIT LIST – PROJECT NO.: 201400069 S**

- 1 Idaho Fish and Game Letter dated September 19, 2013. 1 page.
- 2 Pre-application Conference Notes. 3 pages.
- 3 Subdivision Name Request. 1 page.
- 4 Master Application Form. 2 pages.
- 5 Preliminary Plat Checklist. 3 pages.
- 6 Applicant's Detailed Letter. 1 page.
- 7 Preliminary Plat. 1 page.
- 8 Natural Features Analysis. 1 page.
- 9 Neighborhood Meeting Certification Form. 3 pages.
- 10 Deed. 3 pages.
- 11 Legal Description. 2 pages.
- 12 Vicinity Map. 1 page.
- 13 Submittal Letter. 1 page.
- 14 Agency Transmittal. 1 page.
- 15 Memorandum from the Ada County Building Division dated January 23, 2014. 1 page.
- 16 Agency response from the Boise Project Board of Control dated January 25, 2014. 2 pages.
- 17 Agency response from the Central District Health Department dated January 28, 2014. 1 page.

- 18 Agency response from the Idaho Department of Environmental Quality (DEQ) dated January 31, 2014. 4 pages.
- 19 Memorandum from the Engineering/Surveying Division dated February 5, 2014. 1 page.
- 20 Radius Map. 1 page.
- 21 Radius Notice Report. 2 pages.
- 22 Mailing List. 1 page.
- 23 Radius Notice. 1 page.
- 24 ACHD Staff Report. 12 pages.
- 25 Legal Notice of Public Hearing published on February 25, 2014. 1 page.
- 26 Waiver letter from the City of Meridian dated March 3, 2014. 1 page.
- 27 Ada County Highway District (ACHD) Staff Report dated March 5, 2014. 13 pages.
- 28 Sign Posting Certification Form and Photo dated March 3, 2014. 2 pages.
- 29 Action Letter to Shawn Nickel dated March 19, 2014. 1 page.
- 30 Agency Transmittal. 1 page.
- 31 Memorandum from the Ada County Building Division dated March 20, 2014. 1 page.
- 32 Agency response from the Central District Health Department dated March 21, 2014. 1 page.
- 33 Radius Map. 1 page.
- 34 Mailing List. 1 page.
- 35 Radius Notice. 1 page.
- 36 Agency response from the Boise Project Board of Control dated April 8, 2014. 2 pages.
- 37 Legal Notice of Public Hearing published on April 22, 2014. 1 page.



**IDAHO DEPARTMENT OF FISH AND GAME**

SOUTHWEST REGION  
3101 South Powerline Road  
Nampa, Idaho 83686

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

September 19, 2013

Shawn L. Nickel  
SLN Planning  
1589 N. Estancia Place  
Eagle, Idaho 83616  
208-794-3013  
[shawn@slnplanning.com](mailto:shawn@slnplanning.com)

**RE: Sensitive Species Determination – Meridian, Idaho**

Dear Mr. Nickel,

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 subdivision located in Meridian, Idaho. The 20-acre project site is generally located in Section 5, T2N, R1E, Boise Meridian.

The Department has no records of any federally listed threatened or endangered species, state sensitive species, or critical habitat within, or immediately adjacent to, the proposed project area.

Thank you. Please contact Rick Ward in the Southwest Region office at (208)475-2763 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

RECEIVED  
JAN 15 2014  
ADA COUNTY  
DEVELOPMENT SERVICES

EXHIBIT 1  
Page 1 of 1  
Project # 201400069 - 5



ADA COUNTY
DEVELOPMENT SERVICES

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

PREAPPLICATION CONFERENCE NOTES

Preapplication Number: 201300098 - PREAP - A

Status: Active

Date Received: 9/19/2013

Date Closed:

Meeting Date: 9/26/2013 Date Assigned: 9/19/2013

Project Description:

To discuss a subdivision of 4 lots, each zoned RUT. Also to discuss a potential private road.

Applicant's Name:
NICKLES SHAWN

No. of Lots/Units: 0 Total Acres: 19.682

Development Services Staff Assigned To Meeting:

Table with 2 columns: Staff Name, Attended Meeting?
Brent Danielson [checked]
Diana Sanders [checked]
Megan Basham [unchecked]

Unique Features:

Sewer/Septic:

Water/Well:

General Property Location:

Parcel Info:

Table with 3 columns: Parcel Num, Street Address, City/State/Zip
S1405141900 7085 S EAGLE RD Meridian, ID 83642-0000
S1405417210 7085 S EAGLE RD Meridian, ID 83642-0000

Zone Info:

Table with 2 columns: Zone Type, Zone
Existing Zone RUT

TwN / Rng / Sec Info:

Table with 4 columns: TwN, Rng, Sec, Qtr
2N 1E 5

Overlay Areas Info:

Table with 4 columns: Overlay Area, Overlay Value, Code Ref, Comments
Impact Area Meridian

Comp Plan:

Agencies To Contact:

Table with 2 columns: Agency Name, Contact Person
ADA County Highway District/ Planning Dept - (208)-387-6170 Little Christy
Central District Health Department - (208)-327-8517 Reno Mike
Idaho Power Company - (208)-388-2699 Phillips Rachael

Proposed Allowed Uses:

Dwelling, single-family detached

Required Applications:

App Type: Descriptive Name:

RECEIVED
JAN 15 2014
ADA COUNTY DEVELOPMENT SERVICES
EXHIBIT 2
Page 1 of 3
Project # 201400098 S



ADA COUNTY  
DEVELOPMENT SERVICES

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

PREAPPLICATION CONFERENCE NOTES

PK PRIVATE ROAD  
S PRELIMINARY PLAT

**Notes:**

The property is within the Meridian Impact Area and is zoned RUT. The minimum lot size in the RUT is 5 acres with 250 feet of road frontage. The two properties together, don't quite equal 20 (19.6) acres. Unless the more property can be obtained or an accurate survey can show that the property is 20 acres, the maximum number of lots would be 3.

The property is designated Low Density Residential. An RUT subdivision does not require connection to sewer and water.

An application for a preliminary plat is required. A preliminary plat requires a minimum of two (2) public hearings.

A private road application may be required based on the configuration of the properties. The private road can be gravel if serves four (4) properties or less. A 50' easement is required with a 24' travelway.

An application for a subdivision will require a Natural Features Analysis. See Subsection 8-4E-4D for information on Natural Features Analysis.

Prior to submittal of an application another preapplication conference is required. In this preapplication conference staff will do a completeness review of the preliminary plat.

A neighborhood meeting will be required prior to submittal of the application material. Neighbors within a 300-foot radius of the property as well as any registered neighborhood associations. The County can provide you with the mailing labels for the neighborhood meeting. There is \$26.50 fee for these labels.

Property owners are required to post a sign on the property 10 days prior to each public hearing that notifies the public of the public hearing. Section 8-7A-5.F of the Ada County Code highlights the specific information that must be included on the signs. Typically, property owners hire a sign company to erect the signs.

All application fees are due when you submit the application. A fee schedule can be found on the Development Services website. Please call the Development Services Department before you submit your application to confirm the appropriate fee amount.

Applicable sections:

- 8-2B: Residential Base Districts
- 8-4D: Private Roads
- 8-6: Subdivision Regulations
- 8-7A-3: Neighborhood Meetings
- 8-7A-5F: Signposting Requirements

Meeting Notes:

Section 9-4-3D (Meridian's Title 9 Agreement) has the following provision: A condition of approval for all subdivision plats in the urban service planning area for land zoned RUT shall require that, prior to occupancy of the subdivision's first dwelling unit, dry line sewer and water lines shall be installed to accommodate the future resubdivision to urban densities. This requirement may be waived if a letter of waiver is submitted to the director from the Meridian City Council prior to preliminary plat approval by the Board.

RECEIVED  
JAN 15 2014  
ADA COUNTY  
DEVELOPMENT SERVICES



**ADA COUNTY  
DEVELOPMENT SERVICES**

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

**PREAPPLICATION CONFERENCE NOTES**

---

Section 9-4-3C All subdivision plat applications in the urban service planning area for land zoned RUT shall require a street and utility easement plan. Said plan shall provide for future resubdivision to urban densities and shall be included on the final plat. This requirement may be waived if a letter of waiver is submitted to the director from the Meridian council prior to preliminary plat approval by the Board.

A second preapp conference is required prior to submitting the application for a technical review with the County Engineer and Surveyor for technical completeness review.

Flag lots aren't allowed because they don't meet the 250 feet frontage requirement. Thus a private road is required.

---

**Additional Preap Conference:** Required

**Neighborhood Meeting Required?** Yes

**Cross References:**

RECEIVED  
JAN 15 2014  
ADA COUNTY  
DEVELOPMENT SERVICES

**Shawn Nickel**

---

**From:** Jerry Hastings [jhastings@adaweb.net]  
**Sent:** Thursday, November 07, 2013 2:48 PM  
**To:** Shawn Nickel  
**Subject:** Derry Subdivision Name Reservation

November 7, 2013

Shawn Nickel  
SLN Planning

RE: Subdivision Name Reservation: "**Derry Subdivision**"

Dear Shawn,

At your request I have reserved the name of "**Derry 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:** Shawn Nickel [<mailto:shawn@slnplanning.com>]  
**Sent:** Thursday, November 07, 2013 12:35 PM  
**To:** Jerry Hastings  
**Subject:** FW: Subdivision Name Reservation

Hello Jerry! I would like to reserve the following subdivision name:

"Derry Subdivision"

Located at 7085 S. Eagle Road, Meridian  
Section 5, T.2N, R1E  
DTP Surveying is the surveyor of record  
SLN Planning is the applicant

Thanks Jerry!

Shawn

Shawn L. Nickel  
Land Use Planning Consultant  
SLN Planning

RECEIVED  
JAN 15 2014  
ADA COUNTY  
DEVELOPMENT SERVICES  
EXHIBIT 3  
Page 1 of 1  
Project # 20140001 S



# 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
- X 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:

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

### SITE INFORMATION:

Section: 5 Township: 2N Range: 1E Total Acres: 19.38  
 Subdivision Name: Derry Subdivision Lot: -- Block: --  
 Site Address: 7085 S. Eagle Road City Meridian Idaho  
 Tax Parcel Number(s): 51405417210 ; 51405141900  
 Existing Zoning: RUT Proposed Zoning: N/A Area of City Impact: Meridian Overlay  
 District(s) None

RECEIVED  
 JAN 15 2014  
 ADA COUNTY  
 DEVELOPMENT SERVICES

### OFFICE USE ONLY

Project #.: <u>201400069-5</u>	Planning Fees/GIS:	Engineering Fees:
Received By: <u>BSP</u> Date: <u>1-14-14</u> Stamped <input checked="" type="checkbox"/>	<u>\$1209</u>	<u>\$110</u>

EXHIBIT 4  
 Page 1 of 2  
 Project # 2014000695

<b>APPLICANT/AGENT: (Please print)</b>		<b>ADDITIONAL CONTACT if applicable: (Please Print)</b>	
Name: <u>Shawn L. Nickel - SLN PLANNING</u>		Name: _____	
Address: <u>1589 N. Estancia Pl.</u>		Address: _____	
City: <u>Eagle</u> State: <u>ID</u> Zip: <u>83616</u>		City: _____ State: _____ Zip: _____	
Telephone: <u>794-3013</u> Fax: _____		Telephone: _____ Fax: _____	
Email: <u>shawn@slnplanning.com</u>		Email: _____	
I certify this information is correct to the best of my knowledge.		<b>ENGINEER/SURVEYOR if applicable: (Please Print)</b>	
_____		Name: _____	
_____		Address: _____	
_____		City: _____ State: _____ Zip: _____	
_____		Telephone: _____ Fax: _____	
_____		Email: _____	
Signature: (Applicant) _____		Date _____	

<b>OWNER (S) OF RECORD: (Please Print)</b>		<b>OWNER (S) OF RECORD: (Please Print)</b>	
Name: <u>Mikal Black (Smith)</u>		Name: _____	
Address: <u>7085 S. Eagle Rd.</u>		Address: _____	
City: <u>Meridian</u> State: <u>ID</u> Zip: <u>83642</u>		City: _____ State: _____ Zip: _____	
Telephone: <u>208-599-3684</u>		Telephone: _____	
Fax: _____		Fax: _____	
Email: _____		Email: _____	
I consent to this application, I certify this information is correct, and allow Development Services staff to enter the property for related site inspections. I agree to indemnify, defend and hold Ada County and its employees harmless from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of the application.		I consent to this application, I certify this information is correct, and allow Development Services staff to enter the property for related site inspections. I agree to indemnify, defend and hold Ada County and its employees harmless from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of the application.	
Signature: <u>Mikal Black</u> _____		Signature: All Owner (s) of Record _____	
Date: <u>11-20-13</u>		Date _____	

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

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

RECEIVED  
 JAN 15 2014  
 ADA COUNTY  
 DEVELOPMENT SERVICES

# 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
✓	Three paper copies and one electronic copy of all required submittals.	
✓	Completed and signed Master Application	✓
✓	Completed Supplemental Information	✓
	Associated Forms:	
N/A	Zoning Ordinance Map Amendment (Re-zone)	
	Development Agreement	
	Sketch Plat	
	Zoning Text Amendment	
	Private Road Vacation	
✓	DETAILED LETTER by the applicant fully describing the request or project and address the following	✓
✓	Explain the proposed use, and all uses associated with the request.	
✓	Any other supporting information.	
✓	NATURAL FEATURES ANALYSIS (ACC 8-4E-4D) must include the following	✓
✓	Three paper copies and one electronic copy.	
✓	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.	
✓	HYDROLOGY. ACC 8-4E-4D1	
✓	SOILS ACC 8-4E-4D2	
✓	TOPOGRAPHY ACC 8-4E-4D3	
✓	VEGETATION ACC 8-4E-4D4	
✓	SENSITIVE PLANT AND WILDLIFE SPECIES ACC 8-4E-4D5	
✓	HISTORIC RESOURCES ACC 9-4E-4D6	
✓	HAZARDOUS AREAS ACC 8-4E-4D7	
✓	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)	-
✓	SUBDIVISION NAME APPROVAL from the County Engineer.	✓
N/A	RESTRICTIVE COVENANTS if proposed.	
✓	IRRIGATION PLAN as required per Idaho Statute 31-3805.	✓
N/A	OPEN SPACE MANAGEMENT PLAN.	
✓	DEED (or evidence of proprietary interest)	✓
✓	NEIGHBORHOOD MEETING CERTIFICATION	✓
✓	PRE-APPLICATION CONFERENCE NOTES	✓
✓	SUPPLEMENTAL DATA required by County Engineer	
✓	PRELIMINARY PLAT SPECIFICATIONS ACC 8-6-4-2 Submit 1 electronic copy, 2 full size copies, and one reduced copy to 8 1/2" X11".	✓
✓	METES AND BOUNDS LEGAL DESCRIPTION of the property to be subdivided including a Microsoft Word® electronic Word document.	✓
N/A	OVERLAY DISTRICT: May require a separate checklist or additional info for the following.	

RECEIVED

JAN 15 2014

ADA COUNTY  
DEVELOPMENT SERVICES

	<b>HILLSIDE DEVELOPMENT (ACC 8-3H) YES ( ) NO ( )</b>	
N/A	Preliminary Grading Plan (ACC 8-3H-3B)	
	Slope Stabilization & Revegetation Plan & Report (ACC 8-3H-3C)	
	Prepared and sealed by a licenced landscape design professional? YES ( ) NO ( )	
	Engineering Hydrology Report (ACC 8-3H-3D)	
	Prepared and sealed by a professional engineer registered in the State of Idaho? YES ( ) NO ( )	
	Soils Engineering Report (ACC 8-3H-3E)	
	Prepared and sealed by a professional engineer registered in the State of Idaho? YES ( ) NO ( )	
	Engineering Geology Report (ACC 8-3H-3F)	
	Prepared by a professional geologist or prepared and sealed by a professional engineer registered in the State of Idaho? YES ( ) NO ( )	
	Visual Impact Report (ACC 8-3H-3G)	
Prepared by a licensed design professional? YES ( ) NO ( )		
	<b>FLOOD HAZARD (ACC 8-3F)</b>	
N/A	Evacuation plan filed with the Ada City-County Emergency Management Office? YES ( ) NO ( )	
	<b>WILDLAND-URBAN FIRE INTERFACE (ACC 8-3B)</b>	
N/A	Fire hazard and emergency access roads evaluated and sealed by licensed fire professional engineer? YES ( ) NO ( )	
N/A	<b>SOUTHWEST PLANNING AREA (ACC 8-3C)</b>	
	<b>PLANNED UNIT DEVELOPMENT (ACC 8-3D)</b>	
	<b>BOISE RIVER GREENWAY (ACC 8-3G)</b>	
	<b>BOISE AIR TERMINAL AIRPORT INFLUENCE AREAS (ACC 8-3A)</b>	
	<b>PROPOSED STREET NAME</b>	
	Must comply with ACC 2-1.	
	Contact Ada County Street Naming Specialist.	
	<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)		
✓	<b>MUST COMPLY WITH SIGN POSTING REGULATIONS (ACC 8-7A-5)</b>	
✓	<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:	3
Dwelling units per acre:	< 1 unit per 5 acres
Zero lot line setbacks	YES ( ) IDENTIFY NO <input checked="" type="checkbox"/>
Water Provider:	Private wells
Method of Sewage Disposal:	
<b>PRELIMINARY PLAT SPECIFICATIONS:</b>	
<input checked="" type="checkbox"/>	Scale of not more than 100' to the inch. (Or written approval from the director)
<input checked="" type="checkbox"/>	Limits extending 300' beyond the boundaries of the proposed development.
<input checked="" type="checkbox"/>	Subdivision boundary based on actual field survey, stamped by a licensed professional land surveyor.
<input checked="" type="checkbox"/>	Name of owner.
<input checked="" type="checkbox"/>	Name of person or firm responsible for the drawing.
<input checked="" type="checkbox"/>	Name of the proposed subdivision.
<input checked="" type="checkbox"/>	Date, graphic scale, true north arrow, vicinity map, section, township, and range.
<input checked="" type="checkbox"/>	Ties to all controlling corners.
<input checked="" type="checkbox"/>	Names of neighboring subdivisions, according to the Assessor's files.
<input checked="" type="checkbox"/>	Names and boundaries of owners of neighboring properties, according to the Assessor's files.
<input checked="" type="checkbox"/>	Name, location, width, direction of slope, centerline and right of way of all <i>existing and proposed</i> public streets and private roads.
<input checked="" type="checkbox"/>	Proposed off-site improvements pertaining to streets, water supply, sanitary sewer systems, storm water systems, fire protection facilities, and proposed utilities.
N/A	Street sections and pathway sections.
<input checked="" type="checkbox"/>	Lot layout with lot and block numbers, lot dimensions, and lot area in sq. ft.
<input checked="" type="checkbox"/>	Graphically depict the minimum setbacks. (describe in legend)
<input checked="" type="checkbox"/>	Areas of special interest labeled. (parks, schools, etc.)
N/A	Identify zero lot line properties.
<input checked="" type="checkbox"/>	<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.
<b>PLANNED UNIT DEVELOPMENT</b>	
N/A	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.
<b>BOISE AIR TERMINAL AIRPORT INFLUENCE AREAS</b>	
N/A	What Airport Influence District is the property is located in?
<b>WILDLAND-URBAN FIRE INTERFACE</b>	
N/A	All non-farm subdivisions shall provide fire flow as adopted by the fire authority. Submit a written statement approving such fire flow. YES ( ) NO ( )
<b>FLOOD HAZARD</b>	
N/A	Flood zone.
}	Floodway YES ( ) NO ( )
	Foothill or other hillside tributary floodways. YES ( ) NO ( )

RECEIVED  
JAN 15 2014  
ADA COUNTY  
DEVELOPMENT SERVICES

# SLN PLANNING

RESIDENTIAL & COMMERCIAL LAND USE PLANNING, CONSULTING, ENTITLEMENTS, DUE DILIGENCE  
1589 N. Estancia ♦ Eagle, Idaho 83616 ♦ 208.794-3013 ♦ shawn@slnplanning.com

Ada County Development Services  
200 W. Front Street  
Boise, ID 83702

December 13, 2013

**RE: Justification Letter of Intent for Derry Subdivision – Preliminary Plat Application**

Dear Development Services:

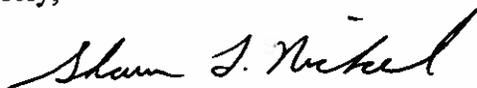
As representative for Mikal Black, please accept this application for Derry Subdivision, located at 7085 W. Eagle Road, south of Lake Hazel Road, in Ada County, Idaho, Section 5, Township 2 North, Range 1 East of the Boise-Meridian. Derry Subdivision includes 19.38 acres and has been designed with 3 buildable lots. The site is zoned RUT (Rural Urban Transition) and a density of less than 1 unit per 5 acres is proposed. The property is in the Meridian Area of Impact.

The enclosed application has been submitted in accordance with the requirements of the Ada County Zoning Ordinance. The City of Meridian has been consulted prior to submittal of this application and has informed the applicant that, upon transmittal of this application by the County, they are prepared to recommend approval of the subdivision as proposed.

All lots will front and access South Eagle Road, and have been designed to meet the design and dimensional standards of the RUT zone as set forth in the Ada County Zoning Ordinance. Each lot will meet the minimum 5 acre lot size. All lots will be served by private wells and individual septic systems. Irrigation will be provided to each lot through the existing irrigation system on the property. The property has existing water rights that will be divided among the three lots. An existing home with barns and agricultural buildings will remain as part of the proposed Lot 1. The lot-lines have been located so that all existing structures will meet the new setback requirements.

In conclusion, the proposed Derry Subdivision will be a compatible addition to the community and surrounding area. The subdivision will benefit the public interest by providing desirable, large lot development in this area of the City of Meridian Area of Impact. We would request approval of this preliminary plat, and look forward to working with staff.

Sincerely,



Shawn L. Nickel  
Land Planning & Entitlement Consultant  
Representing Mikal Black

RECEIVED  
JAN 15 2014  
ADA COUNTY  
DEVELOPMENT SERVICES

PRELIMINARY PLAT SHOWING  
**DERRY SUBDIVISION**  
 A PORTION OF THE EAST 1/2 OF SECTION 5,  
 T.2N.,R.1E., B.M., ADA COUNTY, IDAHO  
 2013



**SITE LOCATION MAP**  
 N.T.S.

**LEGEND**

- FOUND 1/2" IRON PIN, AS NOTED
- FOUND 5/8" IRON PIN, AS NOTED
- FOUND BRASS CAP MONUMENT
- ⊙ FOUND ALUMINUM CAP MONUMENT
- ⊠ BENCH MARK
- △ CALCULATED POINT
- PROPERTY BOUNDARY LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- EASEMENT LINE
- BUILDING SETBACK LINE
- X-X- FENCE
- LOT LINE
- LOT NO.
- SITE WELL
- CLEAN OUT

**GENERAL NOTES:**

- 1) THIS DEVELOPMENT RECOGNIZES IDAHO CODE 22-4503, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY AND CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME THE OPERATION BEGAN; PROVIDED, THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."
- 2) ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
- 3) ALL LOTS SHALL HAVE INDIVIDUAL DOMESTIC WELLS AND SEWER DRAINFIELDS. EACH INDIVIDUAL LOT OWNER SHALL CONNECT TO A MUNICIPAL SEWAGE COLLECTION AND TREATMENT FACILITY WHEN REASONABLY AVAILABLE.

**MEETS AND BOUNDS LEGAL DESCRIPTION**

S. EAGLE ROAD 20 ACRES

A parcel of land located in the East half of Section 5, T.2N.,R.1E., B.M., Ada County, Idaho, more particularly described as follows: Commencing at the Northeast corner of said Section 5, from which the East 1/4 corner of said Section bears South 00°12'47" West, 2678.35 feet; Thence South 00°12'47" West, 2052.35 feet; Thence North 64°46'33" West, 27.59 feet to a point on the West Right-of-Way of S. Eagle Road and the REAL POINT OF BEGINNING.

Thence along said Right-of-Way South 00°12'47" West, 1088.77 feet;  
 Thence departing said Right-of-Way North 74°08'45" West, 736.47 feet;  
 Thence North 00°13'22" East, 1157.85 feet to a point in the center of the Farr Lateral;  
 Thence along the center of the Farr Lateral the following courses and distances:  
 North 67°03'43" East, 168.20 feet;  
 South 89°17'53" East, 44.88 feet;  
 South 62°35'56" East, 39.89 feet;  
 South 56°12'44" East, 97.78 feet;  
 South 53°43'43" East, 74.43 feet;  
 South 46°02'59" East, 113.97 feet;  
 South 51°19'04" East, 59.66 feet;  
 South 67°20'32" East, 23.44 feet;  
 South 70°57'15" East, 70.30 feet;  
 South 58°54'00" East, 37.90 feet;  
 South 33°11'42" East, 23.44 feet;  
 Thence departing the center of said Farr Lateral South 64°46'33" East, 39.78 feet to the Point of Beginning. Containing 19.38 acres, more or less.

**PRELIMINARY DEVELOPMENT FEATURES**

TOTAL ACRES.....19.38 ACRES  
 LOT #1 EXISTING FARM.....9.38 ACRES  
 LOT #2 RESIDENTIAL LOT.....5.0 ACRES  
 LOT #3 RESIDENTIAL LOT.....5.0 ACRES  
 CURRENT ZONING.....RUT  
 PROPOSED ZONING.....RUT

SETBACKS:  
 FRONT.....30 FEET  
 SIDE.....25 FEET  
 REAR.....25 FEET

LINE	BEARING	LENGTH
L1	N 67°03'43" E	168.20'
L2	S 89°17'53" E	44.88'
L3	S 62°35'56" E	39.89'
L4	S 56°12'44" E	97.78'
L5	S 53°43'43" E	74.43'
L6	S 46°02'59" E	113.97'
L7	S 51°19'04" E	59.66'
L8	S 67°20'32" E	23.44'
L9	S 70°57'15" E	70.30'
L10	S 58°54'00" E	37.90'
L11	S 33°11'42" E	23.44'
L12	S 64°46'33" E	39.78'
L13	N 64°46'33" W	27.59'
L14	N 89°52'33" W	25.00'
L15	N 74°08'45" W	25.96'

**BENCHMARKS**

TBM NO. 1:  
 CONTROL POINT NO. 100,  
 TOP OF PLASTIC CAP ON  
 1/2" IRON PIN  
 ELEVATION = 2759.87

TBM NO. 2:  
 CONTROL POINT NO. 101,  
 TOP OF PLASTIC CAP ON  
 1/2" IRON PIN  
 ELEVATION = 2761.91

DATUM: NAVD 83

Exhibit #7  
 Page 1 of 1  
 Project #201400069 S



**OWNER**

MIKAL BLACK  
 7085 S. EAGLE ROAD  
 MERIDIAN, IDAHO 83642

**CONTACT**

SLN PLANNING  
 SHAWN L. NICKEL  
 1589 N. ESTANCIA PL.  
 EAGLE, IDAHO 83616  
 (208) 794-3013

STAMP:  
 DATE: 11-21-13

(208) 342-2999  
 (208) 342-2993  
 LANDSCAPE ARCHITECTURE, P.C.  
 2002 S. VISTA AVE.  
 BOISE, IDAHO 83705

REVISIONS:

IDAHO

PRELIMINARY PLAT  
 DERRY SUBDIVISION

ADA COUNTY

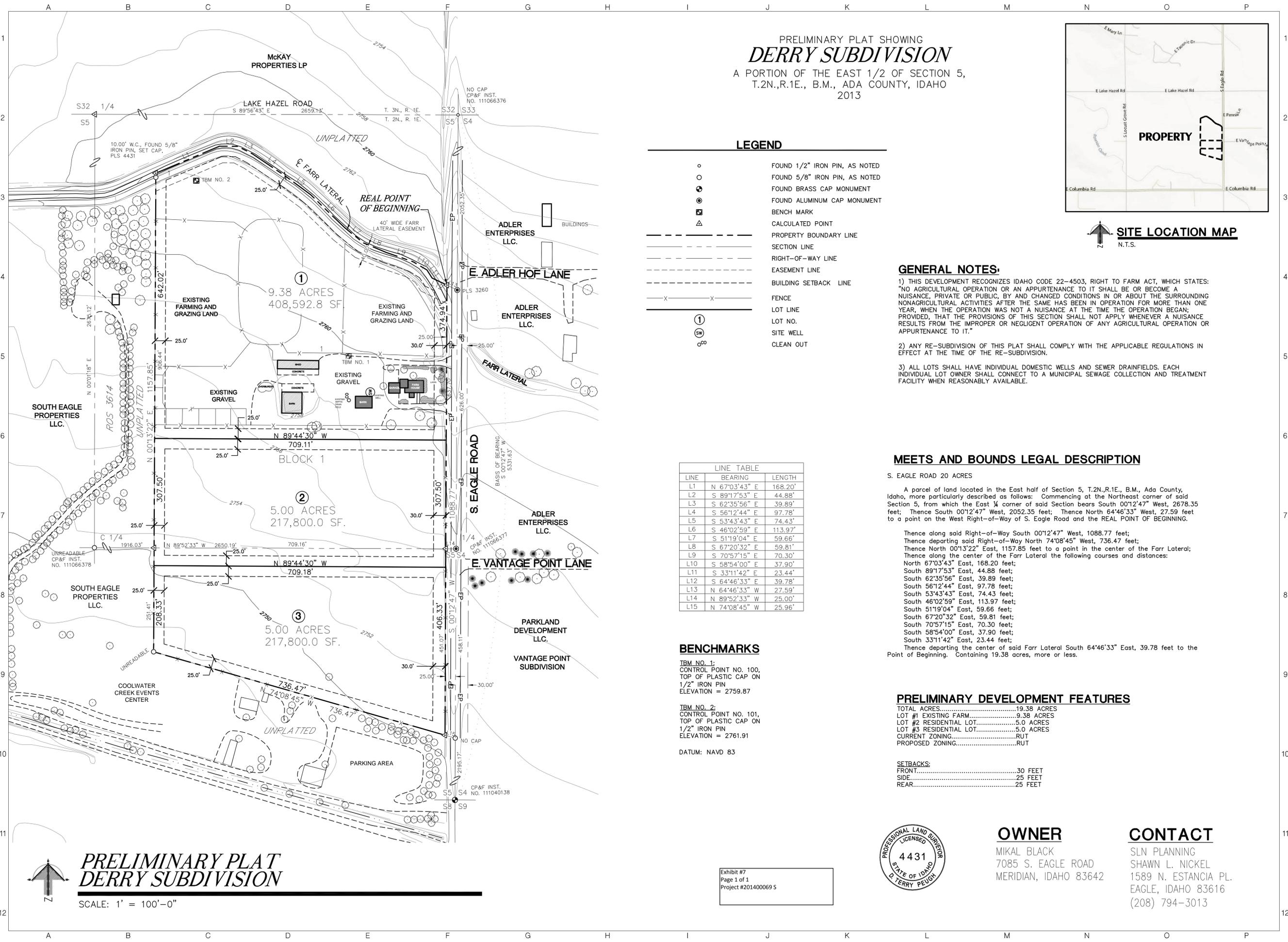
DRAWN BY:  
 JDR

CHECKED BY:  
 JDR

PROJECT NUMBER  
 -

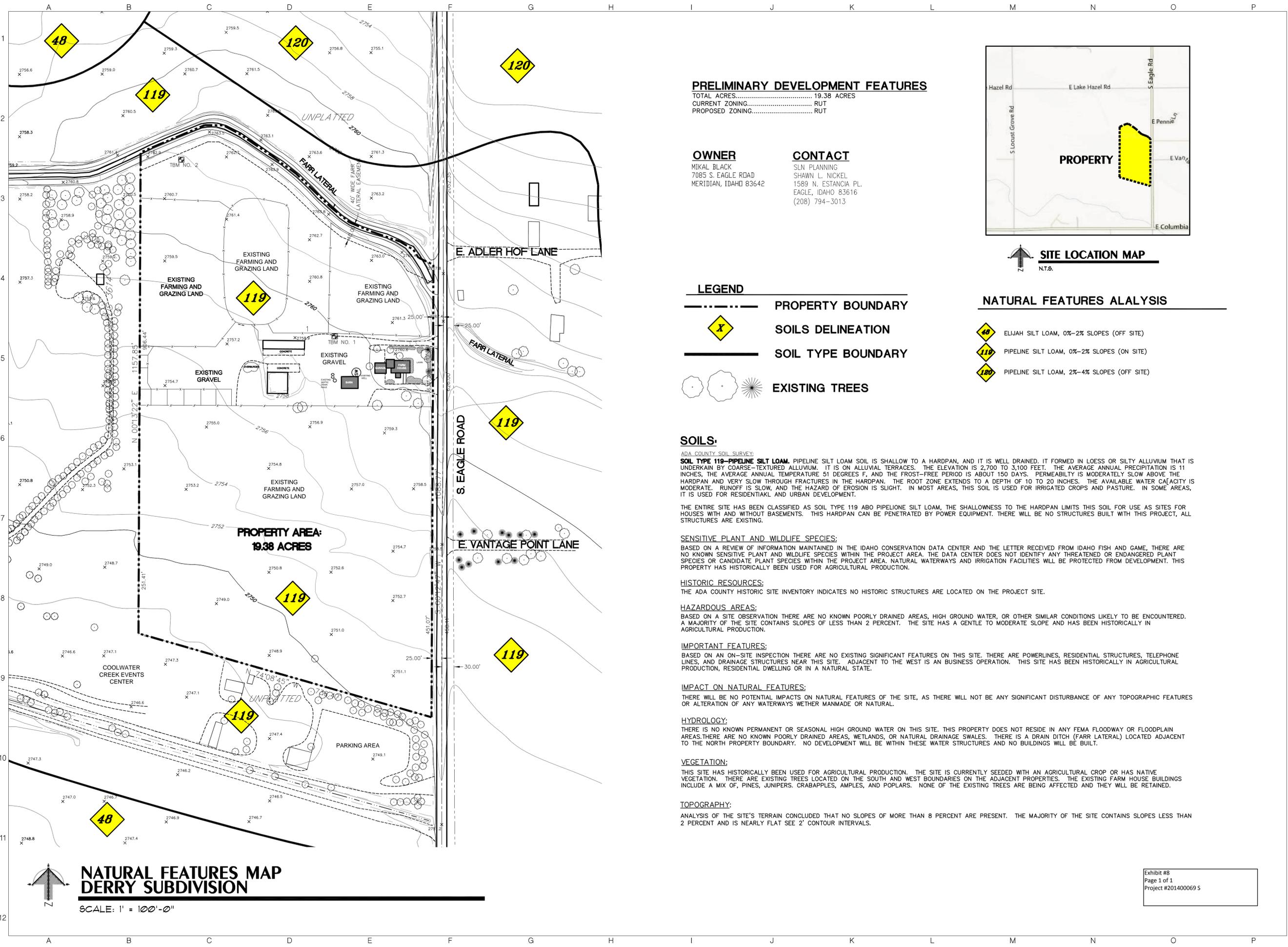
SHEET:

**P1.0**



**PRELIMINARY PLAT  
 DERRY SUBDIVISION**

SCALE: 1" = 100'-0"



**PRELIMINARY DEVELOPMENT FEATURES**  
 TOTAL ACRES..... 19.38 ACRES  
 CURRENT ZONING..... RUT  
 PROPOSED ZONING..... RUT

**OWNER**  
 MIKAL BLACK  
 7085 S. EAGLE ROAD  
 MERIDIAN, IDAHO 83642

**CONTACT**  
 SLN PLANNING  
 SHAWN L. NICKEL  
 1589 N. ESTANCIA PL.  
 EAGLE, IDAHO 83616  
 (208) 794-3013



**SITE LOCATION MAP**  
 N.T.S.

- LEGEND**
- PROPERTY BOUNDARY
  - X SOILS DELINEATION
  - SOIL TYPE BOUNDARY
  - Existing Trees

- NATURAL FEATURES ANALYSIS**
- 48 ELIJAH SILT LOAM, 0%-2% SLOPES (OFF SITE)
  - 119 PIPELINE SILT LOAM, 0%-2% SLOPES (ON SITE)
  - 120 PIPELINE SILT LOAM, 2%-4% SLOPES (OFF SITE)

**SOILS:**  
 ADA COUNTY SOIL SURVEY:  
**SOIL TYPE 119-PIPELINE SILT LOAM.** PIPELINE SILT LOAM SOIL IS SHALLOW TO A HARDPAN, AND IT IS WELL DRAINED. IT FORMED IN LOESS OR SILTY ALLUVIUM THAT IS UNDERKAIN BY COARSE-TEXTURED ALLUVIUM. IT IS ON ALLUVIAL TERRACES. THE ELEVATION IS 2,700 TO 3,100 FEET. THE AVERAGE ANNUAL PRECIPITATION IS 11 INCHES. THE AVERAGE ANNUAL TEMPERATURE 51 DEGREES F, AND THE FROST-FREE PERIOD IS ABOUT 150 DAYS. PERMEABILITY IS MODERATELY SLOW ABOVE THE HARDPAN AND VERY SLOW THROUGH FRACTURES IN THE HARDPAN. THE ROOT ZONE EXTENDS TO A DEPTH OF 10 TO 20 INCHES. THE AVAILABLE WATER CAPACITY IS MODERATE. RUNOFF IS SLOW, AND THE HAZARD OF EROSION IS SLIGHT. IN MOST AREAS, THIS SOIL IS USED FOR IRRIGATED CROPS AND PASTURE. IN SOME AREAS, IT IS USED FOR RESIDENTIAL AND URBAN DEVELOPMENT.

THE ENTIRE SITE HAS BEEN CLASSIFIED AS SOIL TYPE 119 AND PIPELINE SILT LOAM, THE SHALLOWNESS TO THE HARDPAN LIMITS THIS SOIL FOR USE AS SITES FOR HOUSES WITH AND WITHOUT BASEMENTS. THIS HARDPAN CAN BE PENETRATED BY POWER EQUIPMENT. THERE WILL BE NO STRUCTURES BUILT WITH THIS PROJECT, ALL STRUCTURES ARE EXISTING.

**SENSITIVE PLANT AND WILDLIFE SPECIES:**  
 BASED ON A REVIEW OF INFORMATION MAINTAINED IN THE IDAHO CONSERVATION DATA CENTER AND THE LETTER RECEIVED FROM IDAHO FISH AND GAME, THERE ARE NO KNOWN SENSITIVE PLANT AND WILDLIFE SPECIES WITHIN THE PROJECT AREA. THE DATA CENTER DOES NOT IDENTIFY ANY THREATENED OR ENDANGERED PLANT SPECIES OR CANDIDATE PLANT SPECIES WITHIN THE PROJECT AREA. NATURAL WATERWAYS AND IRRIGATION FACILITIES WILL BE PROTECTED FROM DEVELOPMENT. THIS PROPERTY HAS HISTORICALLY BEEN USED FOR AGRICULTURAL PRODUCTION.

**HISTORIC RESOURCES:**  
 THE ADA COUNTY HISTORIC SITE INVENTORY INDICATES NO HISTORIC STRUCTURES ARE LOCATED ON THE PROJECT SITE.

**HAZARDOUS AREAS:**  
 BASED ON A SITE OBSERVATION THERE ARE NO KNOWN POORLY DRAINED AREAS, HIGH GROUND WATER, OR OTHER SIMILAR CONDITIONS LIKELY TO BE ENCOUNTERED. A MAJORITY OF THE SITE CONTAINS SLOPES OF LESS THAN 2 PERCENT. THE SITE HAS A GENTLE TO MODERATE SLOPE AND HAS BEEN HISTORICALLY IN AGRICULTURAL PRODUCTION.

**IMPORTANT FEATURES:**  
 BASED ON AN ON-SITE INSPECTION THERE ARE NO EXISTING SIGNIFICANT FEATURES ON THIS SITE. THERE ARE POWERLINES, RESIDENTIAL STRUCTURES, TELEPHONE LINES, AND DRAINAGE STRUCTURES NEAR THIS SITE. ADJACENT TO THE WEST IS AN BUSINESS OPERATION. THIS SITE HAS BEEN HISTORICALLY IN AGRICULTURAL PRODUCTION, RESIDENTIAL DWELLING OR IN A NATURAL STATE.

**IMPACT ON NATURAL FEATURES:**  
 THERE WILL BE NO POTENTIAL IMPACTS ON NATURAL FEATURES OF THE SITE, AS THERE WILL NOT BE ANY SIGNIFICANT DISTURBANCE OF ANY TOPOGRAPHIC FEATURES OR ALTERATION OF ANY WATERWAYS WHETHER MANMADE OR NATURAL.

**HYDROLOGY:**  
 THERE IS NO KNOWN PERMANENT OR SEASONAL HIGH GROUND WATER ON THIS SITE. THIS PROPERTY DOES NOT RESIDE IN ANY FEMA FLOODWAY OR FLOODPLAIN AREAS. THERE ARE NO KNOWN POORLY DRAINED AREAS, WETLANDS, OR NATURAL DRAINAGE SWALES. THERE IS A DRAIN DITCH (FARR LATERAL) LOCATED ADJACENT TO THE NORTH PROPERTY BOUNDARY. NO DEVELOPMENT WILL BE WITHIN THESE WATER STRUCTURES AND NO BUILDINGS WILL BE BUILT.

**VEGETATION:**  
 THIS SITE HAS HISTORICALLY BEEN USED FOR AGRICULTURAL PRODUCTION. THE SITE IS CURRENTLY SEEDDED WITH AN AGRICULTURAL CROP OR HAS NATIVE VEGETATION. THERE ARE EXISTING TREES LOCATED ON THE SOUTH AND WEST BOUNDARIES ON THE ADJACENT PROPERTIES. THE EXISTING FARM HOUSE BUILDINGS INCLUDE A MIX OF, PINES, JUNIPERS, CRABAPPLES, AMPLS, AND POPLARS. NONE OF THE EXISTING TREES ARE BEING AFFECTED AND THEY WILL BE RETAINED.

**TOPOGRAPHY:**  
 ANALYSIS OF THE SITE'S TERRAIN CONCLUDED THAT NO SLOPES OF MORE THAN 8 PERCENT ARE PRESENT. THE MAJORITY OF THE SITE CONTAINS SLOPES LESS THAN 2 PERCENT AND IS NEARLY FLAT SEE 2' CONTOUR INTERVALS.

**NATURAL FEATURES MAP  
 DERRY SUBDIVISION**

SCALE: 1" = 100'-0"

Exhibit #8  
 Page 1 of 1  
 Project #201400069 S

STAMP:  
 DATE: 11-12-13

South LANDSCAPE ARCHITECTURE, P.C.  
 2002 S. VISTA AVE.  
 BOISE, IDAHO 83705  
 (208) 342-2999  
 FAX (208) 342-2993

REVISIONS:

NATURAL FEATURES MAP  
 DERRY SUBDIVISION  
 IDAHO  
 ADA COUNTY

DRAWN BY: JDR

CHECKED BY: T.L.S.

PROJECT NUMBER

SHEET:

**S1.0**

# 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: Derry Subdivision  
Date and time of neighborhood meeting: October 10, 2013 6:00pm  
Location of neighborhood meeting: On-site

## SITE INFORMATION:

Location: Quarter: \_\_\_\_\_ Section: 5 Township: 2N Range: 1E Total Acres: 19.38  
Subdivision Name: Derry Subdivision Lot: \_\_\_\_\_ Block: \_\_\_\_\_  
Site Address: 7085 S. Eagle Rd Tax Parcel Number(s): \_\_\_\_\_  
Meridian Id

## APPLICANT:

Name: Shawn L. Nichol  
Address: 1589 N- Estancia Pl.  
City: Eagle State: Id Zip: 83616  
Telephone: 794-3013 Fax: \_\_\_\_\_  
Email: shawn@swplanning.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]  
Signature: (Applicant)

Date Oct 11, 2013

RECEIVED  
JAN 15 2014  
ADA COUNTY  
DEVELOPMENT SERVICES

OFFICE USE ONLY			
File No.:	Received By:	Date:	Stamped:

8/4/11

EXHIBIT 9  
Page 1 of 3  
Project # 20140006A S

October 3, 2013

Dear Neighbor;

Please accept this invitation to attend a neighborhood meeting to review a request for a subdivision of property located on the west side of S. Eagle Road in Ada County, Idaho (see map below). The project would include three lots of 5 acres or greater. A representative will be present to provide neighboring property owners with information on the development prior to formal application to Ada County. For those interested, please join us at 6:00 p.m. on Thursday, October 10, 2013 at the property located at 7085 S. Eagle Road. If you should have any questions, please do not hesitate to contact me at 794-3013.

Please note that this is not a public hearing, and County officials will not be present. The purpose of this meeting is to provide neighboring property owners the opportunity to review the application and comment prior to formal submittal of an application to the County. A public hearing will be noticed to the neighboring property owners by the County at a future date.

We look forward to seeing you there.

Sincerely,

Shawn L. Nickel  
Representing Mikal Smith



RECEIVED  
JAN 15 2014  
ADA COUNTY  
DEVELOPMENT SERVICES

EXHIBIT 9  
Page 2 of 3  
Project # 20140009 S



RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

THORNTON BYRON L.L.P.  
3101 W. MAIN STREET, SUITE 200  
P.O. BOX 7156  
BOISE, ID 83707-1156  
208/344-8600

(SPACE ABOVE LINE FOR RECORDER'S USE)

## QUITCLAIM DEED

\* \* \* \* \*

ROBERT E. BLACK, Grantor, does hereby convey, release, remise and forever quitclaim unto MIKAL BLACK, Grantee, whose current address is 7085 S. Eagle Road, Meridian, Idaho 83642, as her sole and separate property, all of his right, title and interest in and to that certain real property located in Ada County, Idaho, more particularly described on Exhibit A, attached hereto and made a part hereof by this reference, together with all of the income, rents, issues and profits therefrom and any appreciation therein.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument effective the first day of May, 2011.

GRANTOR:

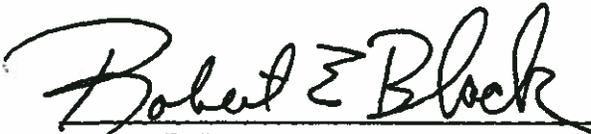
  
ROBERT E. BLACK

EXHIBIT 10  
Page 1 of 3  
Project # 201400069 5

RECEIVED  
JAN 15 2014  
ADA COUNTY  
DEVELOPMENT SERVICES



**EXHIBIT A**  
**LEGAL DESCRIPTION**

A parcel of land located in the East half of Section 5, Township 2 North, Range 1 East of the Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at an aluminum cap marking the Northeast corner of the Southeast quarter of said Section 5, also said cap being the real point of beginning.

Thence South 00 degrees 13'24" East 458.15 feet (formerly South 0 degrees 04" East) along the Easterly boundary of said Southeast quarter, also said boundary being the center line of South Eagle Road to an iron pin;

Thence leaving said Easterly boundary North 74 degrees 34'24" West 762.27 feet to an iron pin;

Thence North 0 degrees 13'24" West 1157.67 feet, parallel with the Easterly boundary of said Southeast quarter, to a point on the centerline of the Farr Lateral;

Thence along the centerline of said Farr Lateral the following courses and distances;

North 66 degrees 37'32" East 168.19 feet (formerly North 66 degrees 50'56" East) to a point;

South 89 degrees 44'04" East 44.88 feet (formerly South 89 degrees 30'40" East 44.88') to a point;

South 63 degrees 02'07" East 39.89 feet (formerly South 62 degrees 48'43" East 39.89') to a point;

South 56 degrees 38'55" East 97.78 feet (formerly South 56 degrees 25'31" East 97.78') to a point;

South 54 degrees 09'54" East 74.43 feet (formerly South 53 degrees 56'30" East 74.43') to a point;

South 46 degrees 29'10" East 113.98 feet (formerly South 46 degrees 15'46" East 113.98') to a point;

South 51 degrees 45'15" East 59.66 feet (formerly South 51 degrees 31'51" East 59.66') to a point;

South 67 degrees 46'43" East 59.81 feet (formerly South 67 degrees 33'19" East 59.81') to a point;

South 71 degrees 23'26" East 70.30 feet (formerly South 71 degrees 10'02" East 70.30') to a point;

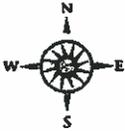
South 59 degrees 20'11" East 37.90 feet (formerly South 59 degrees 06'47" East 37.90') to a point;

South 33 degrees 37'53" East 23.44 feet (formerly South 33 degrees 24'29" East 23.44') to a point;

Thence leaving said centerline South 65 degrees 16'18" East 67.34 feet (formerly South 65 degrees 02'54" East 67.34') to an iron pin on the Easterly boundary of the Northeast quarter of said Section 5, also said boundary being the centerline of South Eagle Road;

Thence along said Easterly boundary and centerline South 0 degrees 13'24" East 625.91 feet (formerly South 625.62') to the real point of beginning.

**EXCEPT** any portion lying within the right-of-way for Eagle Road.



**DTP SURVEYING, LLC**  
Professional Land Surveyor

208.860.3442  
dtpcugh@msn.com  
1506 E. Prohaska Ct.  
Eagle, ID 83616

September 30, 2013

**S. EAGLE ROAD 20 ACRES**

A parcel of land located in the East half of Section 5, T.2N.,R.1E., B.M., Ada County, Idaho, more particularly described as follows: Commencing at the Northeast corner of said Section 5, from which the East ¼ corner of said Section bears South 00°12'47" West, 5331.63 feet; Thence South 00°12'47" West, 2052.35 feet; Thence North 64°46'33" West, 27.59 feet to a point on the West Right-of-Way of S. Eagle Road and the **REAL POINT OF BEGINNING**.

Thence along said Right-of-Way South 00°12'47" West, 1088.77 feet;  
Thence departing said Right-of-Way North 74°08'45" West, 736.47 feet;  
Thence North 00°13'22" East, 1157.85 feet to a point in the center of the Farr

Lateral;

Thence along the center of the Farr Lateral the following courses and distances:

- North 67°03'43" East, 168.20 feet;
- South 89°17'53" East, 44.88 feet;
- South 62°35'56" East, 39.89 feet;
- South 56°12'44" East, 97.78 feet;
- South 53°43'43" East, 74.43 feet;
- South 46°02'59" East, 113.97 feet;
- South 51°19'04" East, 59.66 feet;
- South 67°20'32" East, 59.81 feet;
- South 70°57'15" East, 70.30 feet;
- South 58°54'00" East, 37.90 feet;
- South 33°11'42" East, 23.44 feet;

Thence departing the center of said Farr Lateral South 64°46'33" East, 39.78 feet to the Point of Beginning. Containing 19.38 acres, more or less.



RECEIVED  
JAN 15 2014  
ADA COUNTY  
DEVELOPMENT SERVICES

!Á  
\* Á!

S. EAGLE ROAD 20 AC  
CLOSURE REPORT

PROJECT:  
DESCRIPTION:  
FILE: JUNK.CGX  
UNITS: U.S. SURVEY FOOT

Monday, September 30, 2013  
6:27 PM  
PAGE 1

INSTRUMENT SETUP

Instrument point: 1 1007.092 975.028  
Backsight point: 1 1007.092 975.028  
Backsight Bearing: N 00°00'00" E Distance: 0.00  
Remarks:

TYPE	FROM	TO	DIRECTION	DISTANCE	NORTHING	EASTING
INV	1	2	S 00°12'47" W	1088.77	-81.670	970.979
INV	2	3	N 74°08'45" W	736.47	119.526	262.524
INV	3	4	N 00°13'22" E	1157.85	1277.367	267.026
INV	4	5	N 67°03'44" E	168.20	1342.920	421.926
INV	5	6	S 89°17'53" E	44.88	1342.370	466.803
INV	6	7	S 62°35'56" E	39.89	1324.012	502.217
INV	7	8	S 56°12'44" E	97.78	1269.635	583.483
INV	8	9	S 53°43'43" E	74.43	1225.601	643.490
INV	9	10	S 46°02'59" E	113.97	1146.502	725.542
INV	10	11	S 51°19'04" E	59.66	1109.214	772.114
INV	11	12	S 67°20'32" E	59.81	1086.174	827.308
INV	12	13	S 70°57'15" E	70.30	1063.233	893.759
INV	13	14	S 58°54'00" E	37.90	1043.657	926.212
INV	14	15	S 33°11'42" E	23.44	1024.042	939.045
INV	15	16	S 64°46'33" E	39.78	1007.089	975.032

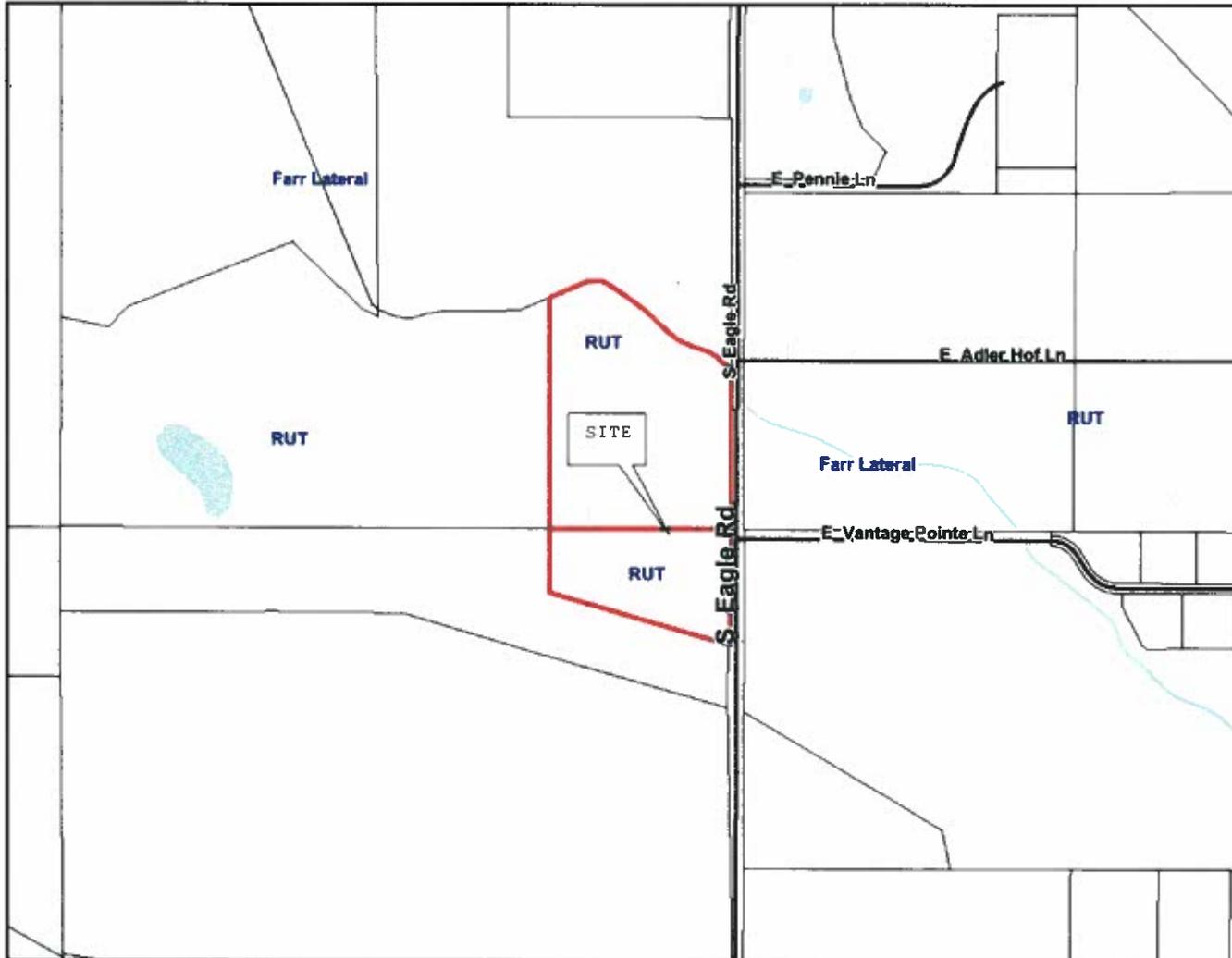
Closure

Closing line: S 58°40'32" E 0.01 from 16 to 1  
Latitude (N): 0.00 Perimeter: 3813.13  
Departure (E): 0.00 Error of Closure: 1:716168

Area: 844366.98 Square feet 19.3840 Acres

RECEIVED  
JAN 15 2014  
ADA COUNTY  
DEVELOPMENT SERVICES

# 201400069 S Vicinity Map



### Legend

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

Scale: 1:8,000

0 750 1500 2250 ft.

Map center: 43° 32' 20.4" N, 116° 21' 21.3" 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.

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 22, 2014

Shawn L. Nickel  
SLN Planning  
1589 N. Estancia Pl.  
Eagle, ID 83616

**RE: PROJECT #201400069-S; DERRY SUBDIVISION**

Dear Mr. Nickel;

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, 2013**. 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: Mikal Black (Smith), 7085 S. Eagle Rd., Meridian, ID 83642

Project #201400069-S  
Mikal Black (Smith)

EXHIBIT 13  
Page 1 of 1  
Project # 201400069 S

**Brent Danielson**

**From:** Brent Danielson  
**Sent:** Tuesday, January 21, 2014 4:09 PM  
**To:** rphillips@idahopower.com; exline.eric@meridianschools.org; Amy Aaron; laurenboehlke@yahoo.com; carla.bernardi@cableone.biz; mreno@cdhd.idaho.gov; lbadigia@cdhd.idaho.gov; jbmatttox@earthlink.net; cmiller@compassidaho.org; rward@idfg.idaho.gov; linda.clark@deq.idaho.gov; linda.clark@deq.idaho.gov; westerninfo@idwr.idaho.gov; msinglet@intgas.com; jtillman@kunafire.com; lsaxton@kunaschools.org; annh\_1@yahoo.com; mhill@meridiantcity.org; velta@nyid.org; swidrcd@idahorcd.org; Darby Weston; clittle@achdidaho.org; syarrington@achdidaho.org; Brian Wilbur; cherylwright@cwidaho.cc; mdewalt@adalib.org; Mark Ferm; Angela Gilman; Jerry Hastings; Kelly Woodworth; Jean Schaffer; Glenda Britz; Brent Danielson  
**Cc:** Brent Danielson  
**Subject:** Ada County Application Transmittal Notice.



<b>File Number:</b> <u>201400069-S</u>	<b>X-Reference:</b> NONE
<b>Description:</b> A preliminary plat application for a three (3) lot residential subdivision.	
<b>Reviewing Body:</b> P AND Z	<b>Hearing Date:</b> 3/13/2014
<b>Applicant:</b> SLN PLANNING INC	<b>P&amp;Z Recommendation:</b>
<b>Property:</b> The property contains 19.38 acres and is located at 7085 S EAGLE RD MERIDIAN 83642, Section 5 2N 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 2/5/2014. 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: 1/23/2014

RE: 201400069-S Derry Sub

TO: Brent Danielson, Associate Planner

FROM: Mark Ferm, Ada County Building Official

RECEIVED

JAN 23 2014

ADA COUNTY  
DEVELOPMENT SERVICES

---

Summary of Project:

A preliminary plat application for a three (3) lot residential subdivision at 7085 S Eagle Rd.

Findings and Conditions:

The Building Division has no objection to the proposed Development.

Conclusion:

Approved as submitted

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

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

**RICHARD DURRANT**  
CHAIRMAN OF THE BOARD  
**GRAHAM PATERSON**  
VICE CHAIRMAN OF THE BOARD

**TIMOTHY M. PAGE**  
PROJECT MANAGER

**ROBERT D. CARTER**  
ASSISTANT PROJECT MANAGER

**APRYL GARDNER**  
SECRETARY-TREASURER

**JERRI FLOYD**  
ASSISTANT SECRETARY-  
TREASURER

## BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD  
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 167,000  
ACRES FOR THE FOLLOWING  
IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT  
BOISE-KUNA DISTRICT  
WILDER DISTRICT  
NEW YORK DISTRICT  
BIG BEND DISTRICT

TEL: (208) 344-1141  
FAX: (208) 344-1437

25 January 2014

Ada County Development Services  
Courthouse  
200 West Front Street 2<sup>nd</sup> floor  
Boise, Idaho 83702

RE: SLN Planning-Derry Sub  
7085 S. Eagle Rd.  
New York Irrigation District  
Farr Lateral 87+00  
Sec. 05, T2N, R1E, BM.

**File No. 201400069-S**

NY-216-002-01



Brent Danielson, Associate Planner:

The United States' Farr Lateral lies within the boundary of the above-mentioned location. The easement for this lateral is held in the name of the United States through the Bureau of Reclamation under the authority of the Act of August 30, 1890. (26 Stat. 391; 43 U.S.C. 945)

The Boise Project Board of Control is contracted to operate and maintain this lateral. We assert the federal easement 31 feet south of the lateral's centerline. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

Fencing (as may be required) must be constructed just off the lateral easement.

The Boise Project does not approve landscaping (other than grass) within its easements.

Utilities planning to cross any project facility must do so in accordance with the master policies now held between the Bureau of Reclamation and most of the utilities. In any case no work shall take place within the easement before proper crossing agreements have been secured through both the Bureau of Reclamation and the Boise Project Board of Control.

Storm Drainage and/or Street Runoff must be retained on site.

Local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement.

EXHIBIT 16  
Page 1 of 2  
Project # 201400069 S

This development is subject to Idaho Code 31-3805, in accordance, this office is requesting a copy of the irrigation and drainage plans.

Whereas this development is in its preliminary stages, Boise Project Board of Control reserves the right to review plans and require changes when our easements and/or facilities are affected by unknown factors.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,



Bob Carter  
Assistant Project Manager, BPBC

bdc,bc

cc: Phil Comegys                      Watermaster, Div; 2 BPBC  
Velta Harwood                      Secretary – Treasurer, NYID  
File

Brent Danielson



CENTRAL DISTRICT HEALTH DEPARTMENT  
Environmental Health Division

Return to:

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

RECEIVED  
FEB 03 2014  
ADA COUNTY  
DEVELOPMENT SERVICES

Rezone # \_\_\_\_\_

Conditional Use # \_\_\_\_\_

Preliminary / Final / Short Plat 201400069-S

Derry Subdivision

- 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. An application & full engineering report Reviewed By: [Signature]  
must be submitted & onsite soil eval by  
CDHD to determine septic suitability required.

Date: 1/28/14

EXHIBIT 17  
Page 1 of 1  
Project # 201400069 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: 01/31/2014  
Agency Requesting Comments: Ada County Development Services  
Date Request Received: 1/21/2014  
Applicant/Description: Preliminary Plat Application for 3 Lot Subdv

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 Conservation 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.robbs@deq.idaho.gov](mailto:danielle.robbs@deq.idaho.gov)  
Boise Regional Office  
Idaho Department of Environmental Quality

C: File # 1936

**MEMORANDUM**

---



**DATE:** February 5, 2014

**RE:** Recommendation Regarding File 201400069 S, Derry 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.

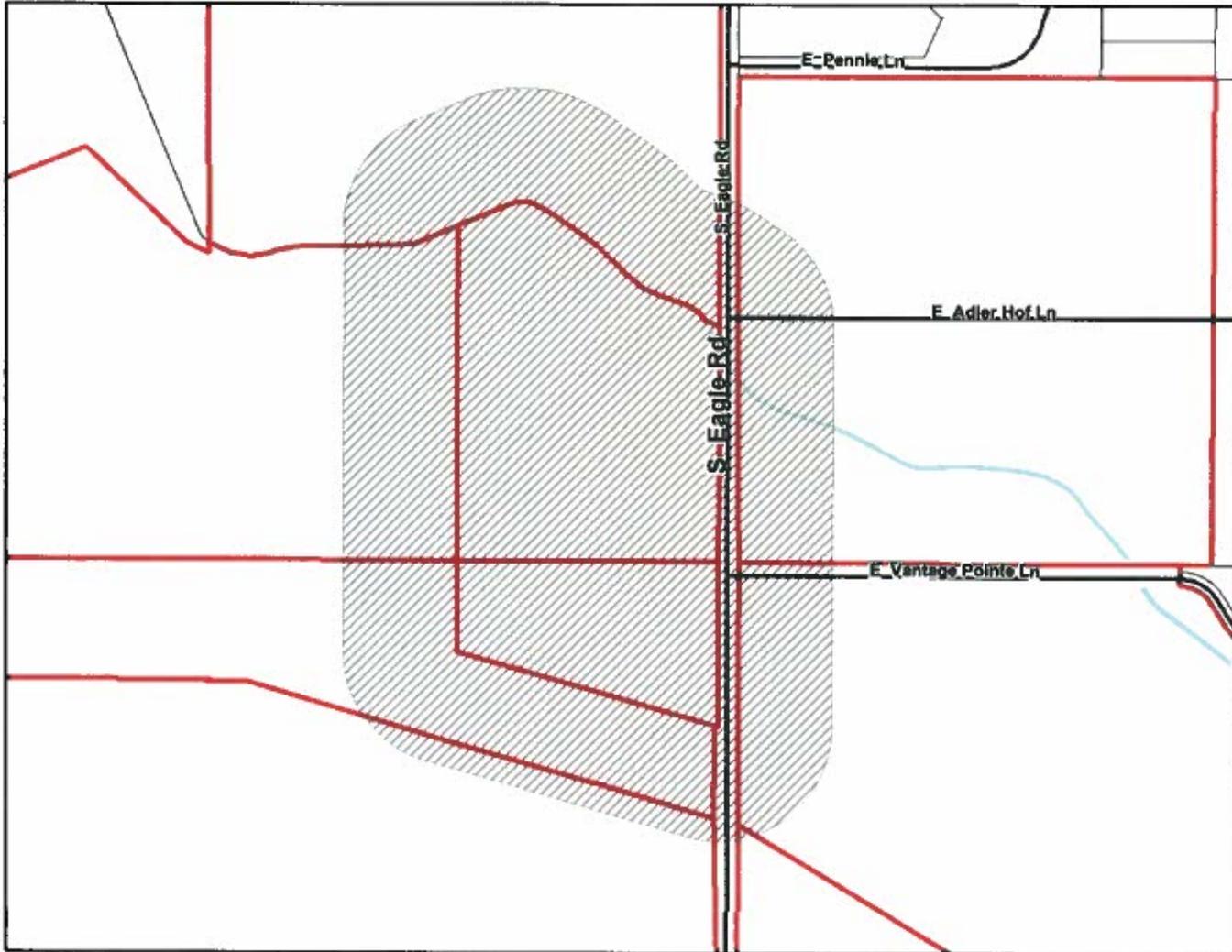
I recommend approval of these documents. Along with the Final Plat, a Drainage Study and Drainage Plan need to be submitted in accordance with Ada County Code 8-4A-11.

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

Regards,

Dale

# 201400069 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
- Water
- Parks
- City Limits
  - Kuna
  - Boise
  - Garden City
  - Eagle
  - Star
  - Meridian

Scale: 1:5,500



Map center: 43° 32' 20.9" N, 116° 21' 19.4" 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: 201400069-S

Date File Created: 02/11/2014

Parcel Number / Property Address	Primary Owner / Address	Legal Description
R8970710010 S EAGLE RD MERIDIAN, ID 83642-0000	PARKLAND DEVELOPMENT LLC PO BOX 344 MERIDIAN, ID 83680-0334	LOT 01 BLK 01 VANTAGE POINTE SUB
R8970710025 S EAGLE RD MERIDIAN, ID 83642-0000	PARKLAND DEVELOPMENT LLC PO BOX 344 MERIDIAN, ID 83680-0334	PAR #0025 OF LOT 2 & 14 BLK 1 VANTAGE POINTE SUB PARCEL L2 R/S 5114
S1404233610 7020 S EAGLE RD MERIDIAN, ID 83642-0000	ADLER ENTERPRISES LLC PO BOX 1298 DANVILLE, CA 94526-0298	PAR #3610 OF SW4NW4 SEC 4 2N 1E #233600-B #8847758
S1405110470 S EAGLE RD MERIDIAN, ID 83642-0000	MCKAY PROPERTIES LP 3112 W 27TH AVE KENNEWICK, WA 99337-0000	PAR #0470 OF NE4 SEC 05 2N 1E #110452-B
S1405131304 S EAGLE RD MERIDIAN, ID 83642-0000	SOUTH EAGLE PROPERTIES LLC 7355 S EAGLE RD MERIDIAN, ID 83642-0000	PAR #1304 OF S2NE4 SEC 5 2N 1E #131300-B #120900-S
S1405141900 7085 S EAGLE RD MERIDIAN, ID 83642-0000	BLACK MIKAL A 7085 S EAGLE RD MERIDIAN, ID 83642-0000	PAR #1900 OF S2NE4 SEC 5 2N 1E #142293-S
S1405417210 7085 S EAGLE RD MERIDIAN, ID 83642-0000	BLACK MIKAL A 7085 S EAGLE RD MERIDIAN, ID 83642-0000	PAR #7210 OF NE4SE4 SEC 5 2N 1E #417280-S
S1405417310 7355 S EAGLE RD MERIDIAN, ID 83642-0000	SOUTH EAGLE PROPERTIES LLC 7355 S EAGLE RD MERIDIAN, ID 83642-0000	PAR #7310 OF N2SE4 SEC 5 2N 1E #417300-B

S1405428000  
S EAGLE RD  
MERIDIAN, ID 83642-0000

SMITH TERRELL F  
3000 E COLUMBIA RD  
MERIDIAN, ID 83642-7210

PAR #8000 @ CTR SE4  
SEC 5 2N 1E  
#449910-B

**Primary Owner**  
ADLER ENTERPRISES LLC  
BLACK MIKAL A  
MCKAY PROPERTIES LP  
PARKLAND DEVELOPMENT LLC  
SMITH TERRELL F  
SOUTH EAGLE PROPERTIES LLC

**Mailing Address**  
PO BOX 1298  
7085 S EAGLE RD  
3112 W 27TH AVE  
PO BOX 344  
3000 E COLUMBIA RD  
7355 S EAGLE RD

**Mailing Address City, State Zip**  
DANVILLE, CA 94526-0298  
MERIDIAN, ID 83642-0000  
KENNEWICK, WA 99337-0000  
MERIDIAN, ID 83680-0334  
MERIDIAN, ID 83642-7210  
MERIDIAN, ID 83642-0000

ADA COUNTY DEVELOPMENT SERVICES  
200 W FRONT ST BOISE ID 83702



February 12, 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:

**201400069-S DERRY SUBDIVISION**, A preliminary plat for a three (3) lot residential subdivision. The property contains 19.38 acres and is located at 7085 S. Eagle Road in Section 5, T. 2N, R. 1E, Meridian, 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 "**201400069-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 23  
Page 1 of 1  
Project # 201400069 S



**Project/File:** Derry Subdivision (201400069-S)  
 The applicant is requesting approval to subdivide 19.38 acres into 3 buildable lots.

**Lead Agency:** Ada County

**Site address:** 7085 S. Eagle Rd.

**Commission**

**Approval:** XXXX, 2013

**Applicant/ Representative:** Shawn L. Nickel  
 SLN Planning  
 1589 N. Estancia Pl.  
 Eagle, ID 83616

**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 approval of Derry Subdivision, a 3 lot residential subdivision on 19.38 acres. The property is currently zoned RUT with one existing single family dwelling that is to remain. This application is consistent with the comprehensive plan for Ada County and is within Meridian's Area of Impact.

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

Direction	Land Use	Zoning
North	Rural Urban Transition	RUT
South	Rural Urban Transition	RUT
East	Rural Urban Transition	RUT
West	Rural Urban Transition	RUT

3. **Site History:** ACHD has not previously reviewed this site for a development application.

4. **Transit:** Transit services are not available to serve this site.

5. **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.

6. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**

- Lake Hazel Road is listed in the Capital Improvements Plan to be widened to 5 lanes from Locust Grove Road to Eagle Road between 2022 and 2026.

- Lake Hazel Road is listed in the Capital Improvements Plan to be widened to 5 lanes from Eagle Road to Cloverdale Road between 2027 and 2031.
- The intersection of Eagle Road and Lake Hazel Road is listed in the Capital Improvements Plan to be widened to 6 lanes on the north leg, 6 lanes on the south, 7 lanes east, and 7 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 19 additional vehicle trips per day (10 existing); 2 additional vehicle trips per hour in the PM peak hour (1 existing), 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
Eagle Road	1,095 feet	Minor Arterial	82	Better than "D"	Better than "D"
Lake Hazel Road	None	Principal Arterial	347	Better than "E"	Better than "E"

\* Acceptable level of service for a two-lane principal arterial is "E" (690 VPH).

\* Acceptable level of service for a two-lane minor arterial is "D" (550 VPH).

3. **Average Daily Traffic Count (VDT)**

*Average daily traffic counts are based on ACHD's most current traffic counts. Although these counts were taken in 2011 and 2012, they are reflective of the current volumes due to little development/growth in this area. Waiting for updated counts for this 3-lot subdivision would have resulted in a delay in the application review process.*

- The average daily traffic count for Eagle Road north of Columbia Road was 1,403 on October 4, 2011.
- The average daily traffic count for Lake Hazel Road west of Five Mile Road was 8,698 on October 11, 2012.

## **C. Findings for Consideration**

1. **Eagle Road**

a. **Existing Conditions:** Eagle Road is improved with 2 travel lanes (24-feet of pavement), and no curb, gutter or sidewalk abutting the site. There is 50 feet of right-of-way for Eagle Road (25 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.

**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.

**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.

**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 Eagle Road is designated in the MSM as a Residential Arterial with 3 lanes and on-street bike lanes, a 46 foot street section within 74 feet of right-of-way.

**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.

- c. **Applicant Proposal:** The applicant is not proposing any improvements to Eagle Road abutting the site. The applicant has requested a waiver of the sidewalk policy due to the cost associated with constructing 1,100 feet of sidewalk for a 3-lot subdivision on 19-acres.
- d. **Staff Comments/Recommendations:** There is no sidewalk on Eagle Road in the vicinity of the site. On nearby roads with similar applications, ACHD has worked with applicants to acquire the right-of-way at no cost to ACHD, in lieu of sidewalk. Staff recommends the same for this plat and is supportive of the waiver of Policy 7205.5.7. The applicant should be required to dedicate 37 feet of right-of-way from the centerline of Eagle Road abutting the site. The applicant has agreed to dedicate the additional right-of-way required with no compensation in lieu of constructing sidewalk on Eagle Road abutting the site.

## 2. Driveways

### 2.1 Eagle Road

- a. **Existing Conditions:** There are two existing driveways on Eagle Road that serve the existing residence. The driveways are located approximately 220 feet and 330 feet south of Adler Hof Lane.
- b. **Policy**
  - Access Points Policy:** District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

**Access Policy:** District policy 7205.4.6 states that direct access to minor arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.

**Successive Driveways:** District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 50 MPH to align or offset a minimum of 425 feet from any existing or proposed driveway.

**Driveway Width Policy:** District policy 7205.4.8 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7205.4.8, the applicant should be required to pave the driveway its full width and at least 30-foot into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7205.4.8.

**Cross Access Easements/Shared Access Policy:** District Policy 7202.4.1 states that cross access utilizes a single vehicular connection that serves two or more adjoining lots or parcels so that the driver does not need to re-enter the public street system.

- c. **Applicant's Proposal:** The applicant is not proposing any changes to existing driveways or additional driveways.
- d. **Staff Comments/Recommendations:** The two existing driveways do not meet District Successive Driveways and Shared Access Policies. The applicant should be required to close the existing 24 foot wide driveway located approximately 220 feet south of Adler Hof Lane. The existing 20 foot wide driveway located 330 feet south of Adler Hof Lane is approved. Staff recommends the applicant construct one shared access to align with Vantage Point Lane to serve the southernmost two lots as no driveways currently exist.

The applicant should be required to pave the driveways their full width and a minimum of 30 feet into the site beyond the edge of pavement for Eagle Road.

### 3. 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.

### 4. Other Access

Eagle Road is classified as minor arterial roadway. Other than the access specifically approved with this application, direct lot access is prohibited to this roadway and should be noted on the final plat.

## D. Site Specific Conditions of Approval

1. Dedicate 37 feet of right-of-way from the centerline of Eagle Road abutting the site. The applicant will not be compensated for this right-of-way in lieu of the waiver of sidewalk.
2. Close the existing 24 foot wide driveway located approximately 220 feet south of Adler Hof Lane.
3. The existing 20-foot wide driveway located 330 feet south of Adler Hof Lane is approved.
4. Construct one 24-foot wide (maximum) shared access to align with Vantage Point Lane to serve the southernmost 2 lots.

5. Pave the driveways their full width and at least 30-feet beyond the edge of pavement with pavement tapers.
6. Other than the access specifically approved with this application, direct lot access is prohibited to Eagle Road and shall be noted on the final plat.
7. Payment of impacts fees are due prior to issuance of a building permit.
8. 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.

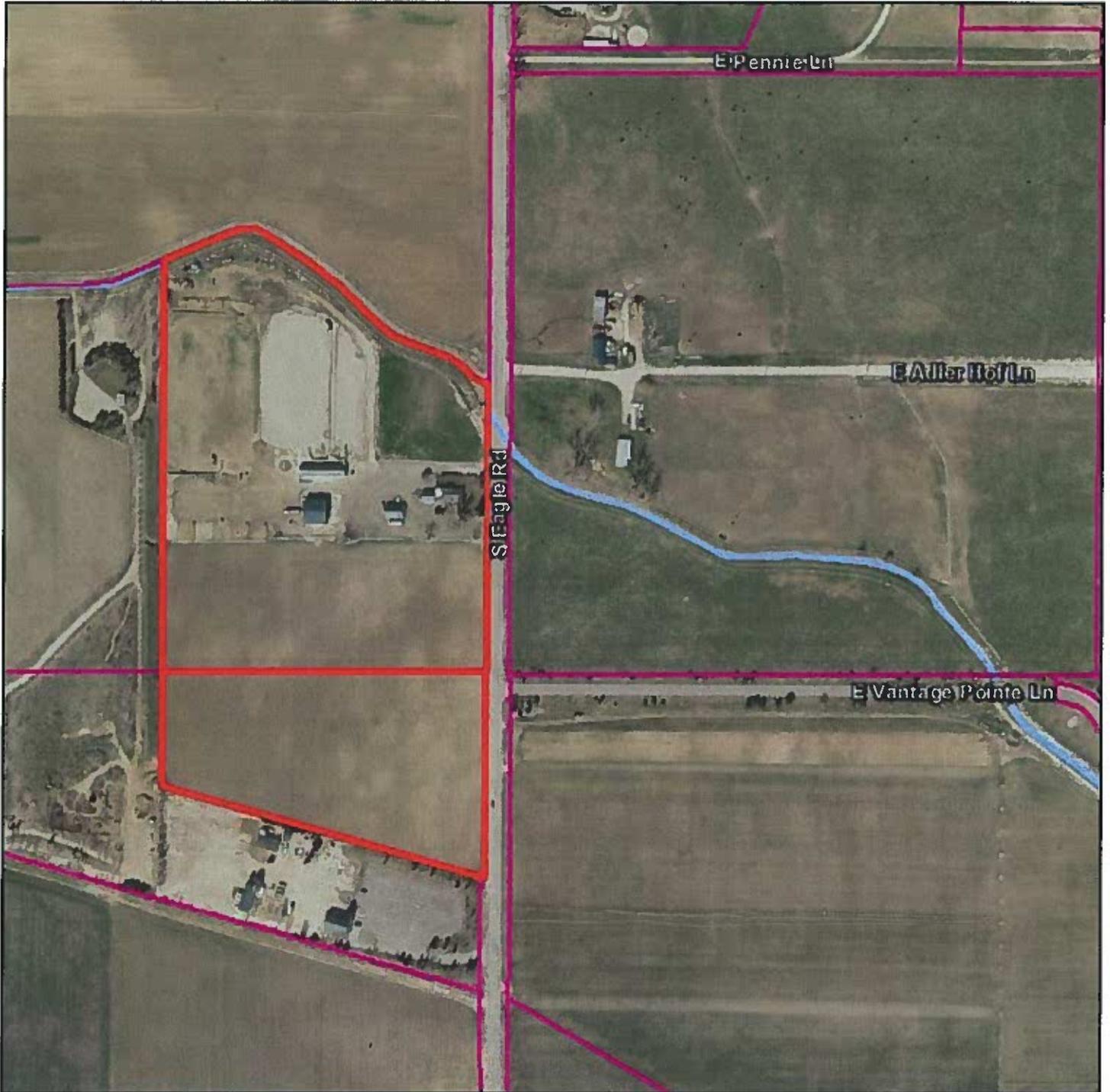
## **F. Conclusions of Law**

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





# 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.

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 25  
Page 1 of 1  
Project # 201400069 S



Mayor Tammy de Weerd

**City Council Members:**

Keith Bird  
Luke Cavener  
Charlie Rountree

Joe Borton  
Genesis Milam  
David Zarembo

March 3, 2014

Shawn L. Nickel  
Land Use Planning Consultant  
1589 N. Estancia Place  
Eagle, Idaho 83616



Re:      Subdivision:              Derry Subdivision  
            Ada Co Proj No:          201400069-S  
            Applicant:                Shawn L. Nickel

The above referenced subdivision is not serviceable by the City of Meridian's municipal sewage collection or water distribution systems at this time.

Although main lines are currently master planned to serve this area, existing utilities are not within reasonable distance for connection. As of this date, there are no plans in the near future for water or sewer main line construction.

Therefore, in accordance with Ada County Code 9-4-3C and 9-4-3D, the City of Meridian will not require dry lines to be installed or utility easements granted for this development.

Please don't hesitate to call should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Warren Stewart".

Warren Stewart, P.E.  
Meridian City Engineer  
Phone # 898-5500

cc:      File

EXHIBIT 26  
Page 1 of 1  
Project # 201400069 S



John S. Franden, President  
Mitchell A. Jaurena, Vice President  
Rebecca W. Arnold, Commissioner  
Sara M. Baker, Commissioner  
Jim D. Hansen, Commissioner

Date: March 5, 2014

To: Shawn L. Nickel (via email)  
SLN Planning  
1589 N. Estancia Pl.  
Eagle, ID 83616

Subject: Derry Subdivision (201400069-S)  
7085 S. Eagle Rd.



On March 5, 2014 the Ada County Highway District Commission acted on your application for the above referenced project. The attached report lists site-specific requirements, conditions of approval and street improvements, which are required.

If you have any questions, please feel free to contact me at (208) 387-6218.

Sincerely,

Lauren Watsek  
Planner I  
Development Services  
Ada County Highway District

CC: Project file  
Ada County Development Services (sent via email)



**Project/File:** **Derry Subdivision (201400069-S)**  
 The applicant is requesting approval to subdivide 19.38 acres into 3 buildable lots.

**Lead Agency:** Ada County

**Site address:** 7085 S. Eagle Rd.

**Commission**

**Approval:** March 5, 2014

**Applicant/ Representative:** Shawn L. Nickel  
 SLN Planning  
 1589 N. Estancia Pl.  
 Eagle, ID 83616

**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 approval of Derry Subdivision, a 3 lot residential subdivision on 19.38 acres. The property is currently zoned RUT with one existing single family dwelling that is to remain. This application is consistent with the comprehensive plan for Ada County and is within Meridian's Area of Impact.

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

Direction	Land Use	Zoning
North	Rural Urban Transition	RUT
South	Rural Urban Transition	RUT
East	Rural Urban Transition	RUT
West	Rural Urban Transition	RUT

3. **Site History:** ACHD has not previously reviewed this site for a development application.

4. **Transit:** Transit services are not available to serve this site.

5. **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.

6. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**

- Lake Hazel Road is listed in the Capital Improvements Plan to be widened to 5 lanes from Locust Grove Road to Eagle Road between 2022 and 2026.

- Lake Hazel Road is listed in the Capital Improvements Plan to be widened to 5 lanes from Eagle Road to Cloverdale Road between 2027 and 2031.
- The intersection of Eagle Road and Lake Hazel Road is listed in the Capital Improvements Plan to be widened to 6 lanes on the north leg, 6 lanes on the south, 7 lanes east, and 7 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 19 additional vehicle trips per day (10 existing); 2 additional vehicle trips per hour in the PM peak hour (1 existing), 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
Eagle Road	1,095 feet	Minor Arterial	82	Better than "D"	Better than "D"
Lake Hazel Road	None	Principal Arterial	347	Better than "E"	Better than "E"

- \* Acceptable level of service for a two-lane principal arterial is "E" (690 VPH).
- \* Acceptable level of service for a two-lane minor arterial is "D" (550 VPH).

3. **Average Daily Traffic Count (VDT)**

*Average daily traffic counts are based on ACHD's most current traffic counts. Although these counts were taken in 2011 and 2012, they are reflective of the current volumes due to little development/growth in this area. Waiting for updated counts for this 3-lot subdivision would have resulted in a delay in the application review process.*

- The average daily traffic count for Eagle Road north of Columbia Road was 1,403 on October 4, 2011.
- The average daily traffic count for Lake Hazel Road west of Five Mile Road was 8,698 on October 11, 2012.

## **C. Findings for Consideration**

1. **Eagle Road**

- a. **Existing Conditions:** Eagle Road is improved with 2 travel lanes (24-feet of pavement), and no curb, gutter or sidewalk abutting the site. There is 50 feet of right-of-way for Eagle Road (25 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.

**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.

**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.

**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 Eagle Road is designated in the MSM as a Residential Arterial with 3 lanes and on-street bike lanes, a 46 foot street section within 74 feet of right-of-way.

**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.

- c. **Applicant Proposal:** The applicant is not proposing any improvements to Eagle Road abutting the site. The applicant has requested a waiver of the sidewalk policy due to the cost associated with constructing 1,100 feet of sidewalk for a 3-lot subdivision on 19-acres.
- d. **Staff Comments/Recommendations:** There is no sidewalk on Eagle Road in the vicinity of the site. On nearby roads with similar applications, ACHD has worked with applicants to acquire the right-of-way at no cost to ACHD, in lieu of sidewalk. Staff recommends the same for this plat and is supportive of the waiver of Policy 7205.5.7. The applicant should be required to dedicate 37 feet of right-of-way from the centerline of Eagle Road abutting the site. The applicant has agreed to dedicate the additional right-of-way required with no compensation in lieu of constructing sidewalk on Eagle Road abutting the site.

## 2. Driveways

### 2.1 Eagle Road

- a. **Existing Conditions:** There are two existing driveways on Eagle Road that serve the existing residence. The driveways are located approximately 220 feet and 330 feet south of Adler Hof Lane.

- b. **Policy**

**Access Points Policy:** District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

**Access Policy:** District policy 7205.4.6 states that direct access to minor arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.

EXHIBIT 27  
Page 4 of 13  
Project # 204000245

**Successive Driveways:** District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 50 MPH to align or offset a minimum of 425 feet from any existing or proposed driveway.

**Driveway Width Policy:** District policy 7205.4.8 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7205.4.8, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7205.4.8.

**Cross Access Easements/Shared Access Policy:** District Policy 7202.4.1 states that cross access utilizes a single vehicular connection that serves two or more adjoining lots or parcels so that the driver does not need to re-enter the public street system.

- c. **Applicant's Proposal:** The applicant is not proposing any changes to existing driveways or additional driveways.
- d. **Staff Comments/Recommendations:** The two existing driveways do not meet District Successive Driveways and Shared Access Policies. The applicant should be required to close the existing 24 foot wide driveway located approximately 220 feet south of Adler Hof Lane. The existing 20 foot wide driveway located 330 feet south of Adler Hof Lane is approved. Staff recommends the applicant construct one shared access to align with Vantage Point Lane to serve the southernmost two lots as no driveways currently exist.

The applicant should be required to pave the driveways their full width and a minimum of 30 feet into the site beyond the edge of pavement for Eagle Road.

### 3. 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.

### 4. Other Access

Eagle Road is classified as minor arterial roadway. Other than the access specifically approved with this application, direct lot access is prohibited to this roadway and should be noted on the final plat.

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

1. Dedicate 37 feet of right-of-way from the centerline of Eagle Road abutting the site. The applicant will not be compensated for this right-of-way in lieu of the waiver of sidewalk.
2. Close the existing 24 foot wide driveway located approximately 220 feet south of Adler Hof Lane.
3. The existing 20-foot wide driveway located 330 feet south of Adler Hof Lane is approved.
4. Construct one 24-foot wide (maximum) shared access to align with Vantage Point Lane to serve the southernmost 2 lots.

5. Pave the driveways their full width and at least 30-feet beyond the edge of pavement with pavement tapers.
6. Other than the access specifically approved with this application, direct lot access is prohibited to Eagle Road and shall be noted on the final plat.
7. Payment of impacts fees are due prior to issuance of a building permit.
8. 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

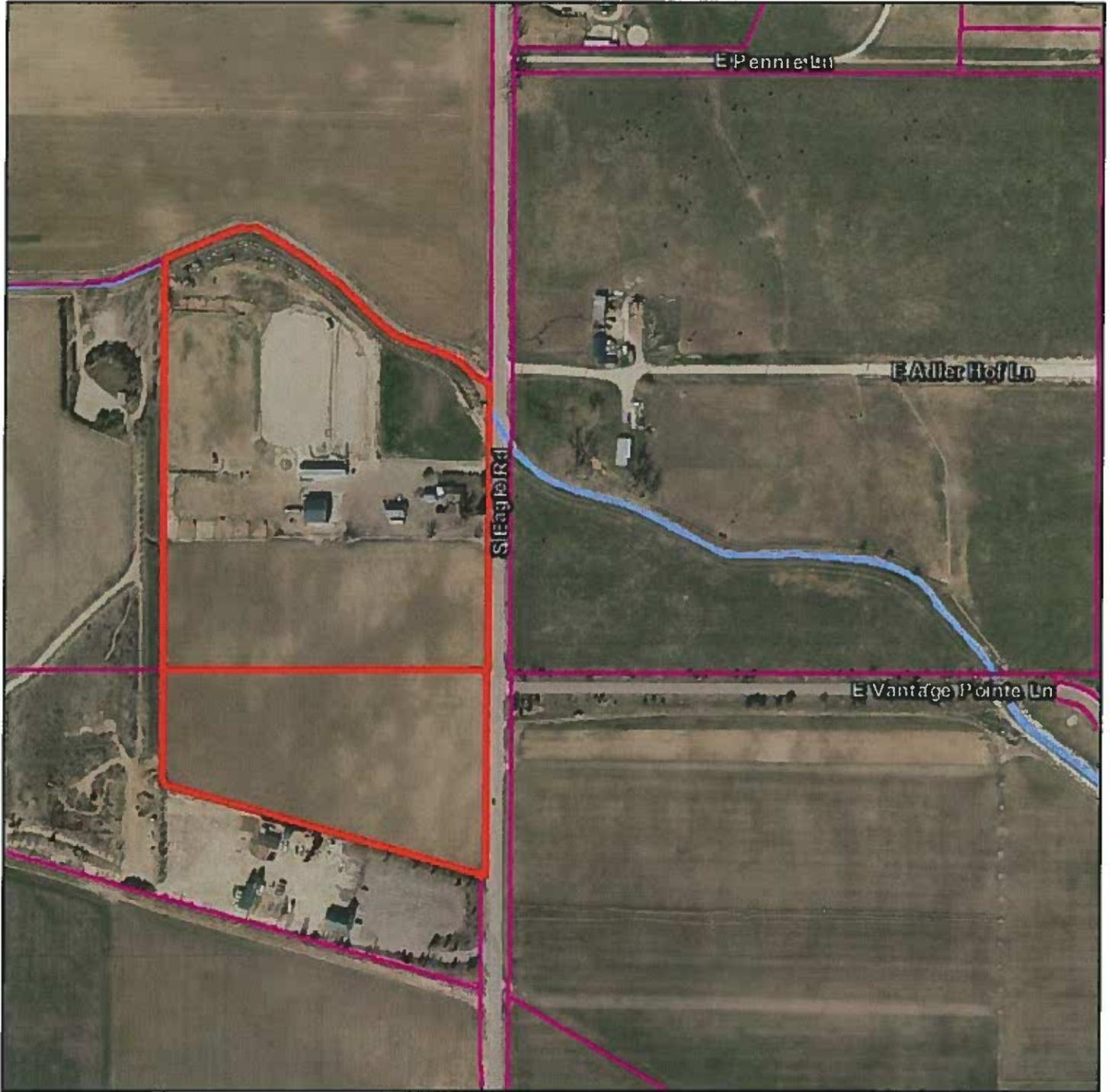
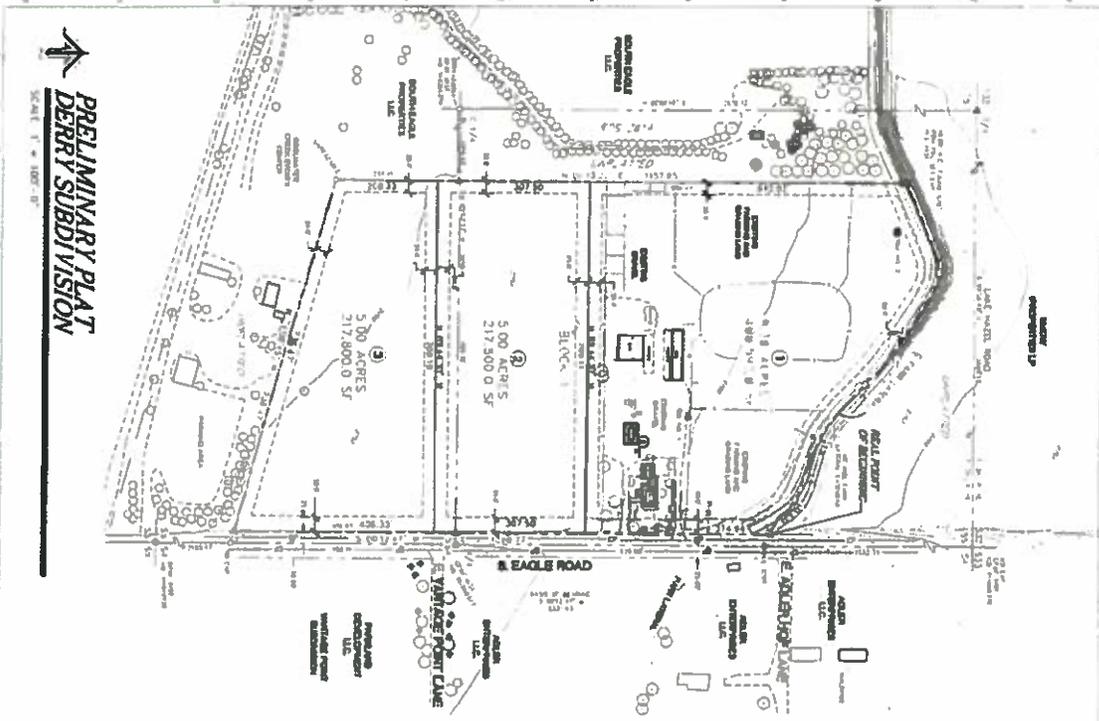


EXHIBIT 27  
Page 8 of 13  
Project # 20140029 S

**SITE PLAN**



**PRELIMINARY PLAT  
DERRY SUBDIVISION**

SCALE 1" = 100'-0"

**PRELIMINARY PLAT SHOWING  
DERRY SUBDIVISION**  
A PORTION OF THE EAST 1/2 OF SECTION 5  
T2N, R1E, B3W  
ADA COUNTY, IDAHO  
2013

**LEGEND**

- 1. ROAD 1/2" (SEE PLAN 14-18)
- 2. ROAD 1/4" (SEE PLAN 14-18)
- 3. ROAD 1/8" (SEE PLAN 14-18)
- 4. ROAD 1/16" (SEE PLAN 14-18)
- 5. ROAD 1/32" (SEE PLAN 14-18)
- 6. ROAD 1/64" (SEE PLAN 14-18)
- 7. ROAD 1/128" (SEE PLAN 14-18)
- 8. ROAD 1/256" (SEE PLAN 14-18)
- 9. ROAD 1/512" (SEE PLAN 14-18)
- 10. ROAD 1/1024" (SEE PLAN 14-18)
- 11. ROAD 1/2048" (SEE PLAN 14-18)
- 12. ROAD 1/4096" (SEE PLAN 14-18)
- 13. ROAD 1/8192" (SEE PLAN 14-18)
- 14. ROAD 1/16384" (SEE PLAN 14-18)
- 15. ROAD 1/32768" (SEE PLAN 14-18)
- 16. ROAD 1/65536" (SEE PLAN 14-18)
- 17. ROAD 1/131072" (SEE PLAN 14-18)
- 18. ROAD 1/262144" (SEE PLAN 14-18)
- 19. ROAD 1/524288" (SEE PLAN 14-18)
- 20. ROAD 1/1048576" (SEE PLAN 14-18)
- 21. ROAD 1/2097152" (SEE PLAN 14-18)
- 22. ROAD 1/4194304" (SEE PLAN 14-18)
- 23. ROAD 1/8388608" (SEE PLAN 14-18)
- 24. ROAD 1/16777216" (SEE PLAN 14-18)
- 25. ROAD 1/33554432" (SEE PLAN 14-18)
- 26. ROAD 1/67108864" (SEE PLAN 14-18)
- 27. ROAD 1/134217728" (SEE PLAN 14-18)
- 28. ROAD 1/268435456" (SEE PLAN 14-18)
- 29. ROAD 1/536870912" (SEE PLAN 14-18)
- 30. ROAD 1/1073741824" (SEE PLAN 14-18)
- 31. ROAD 1/2147483648" (SEE PLAN 14-18)
- 32. ROAD 1/4294967296" (SEE PLAN 14-18)
- 33. ROAD 1/8589934592" (SEE PLAN 14-18)
- 34. ROAD 1/17179869184" (SEE PLAN 14-18)
- 35. ROAD 1/34359738368" (SEE PLAN 14-18)
- 36. ROAD 1/68719476736" (SEE PLAN 14-18)
- 37. ROAD 1/137438953472" (SEE PLAN 14-18)
- 38. ROAD 1/274877906944" (SEE PLAN 14-18)
- 39. ROAD 1/549755813888" (SEE PLAN 14-18)
- 40. ROAD 1/1099511627776" (SEE PLAN 14-18)
- 41. ROAD 1/2199023255552" (SEE PLAN 14-18)
- 42. ROAD 1/4398046511104" (SEE PLAN 14-18)
- 43. ROAD 1/8796093022208" (SEE PLAN 14-18)
- 44. ROAD 1/17592186444416" (SEE PLAN 14-18)
- 45. ROAD 1/35184372888832" (SEE PLAN 14-18)
- 46. ROAD 1/70368745777664" (SEE PLAN 14-18)
- 47. ROAD 1/140737491555296" (SEE PLAN 14-18)
- 48. ROAD 1/281474983110592" (SEE PLAN 14-18)
- 49. ROAD 1/562949966221184" (SEE PLAN 14-18)
- 50. ROAD 1/112589993242368" (SEE PLAN 14-18)
- 51. ROAD 1/225179986484736" (SEE PLAN 14-18)
- 52. ROAD 1/450359972969472" (SEE PLAN 14-18)
- 53. ROAD 1/900719945938944" (SEE PLAN 14-18)
- 54. ROAD 1/1801439891877888" (SEE PLAN 14-18)
- 55. ROAD 1/3602879783755776" (SEE PLAN 14-18)
- 56. ROAD 1/7205759567511552" (SEE PLAN 14-18)
- 57. ROAD 1/1441151913502304" (SEE PLAN 14-18)
- 58. ROAD 1/2882303827004608" (SEE PLAN 14-18)
- 59. ROAD 1/5764607654009216" (SEE PLAN 14-18)
- 60. ROAD 1/11529215308018432" (SEE PLAN 14-18)
- 61. ROAD 1/23058430616036864" (SEE PLAN 14-18)
- 62. ROAD 1/46116861232073728" (SEE PLAN 14-18)
- 63. ROAD 1/92233722464147456" (SEE PLAN 14-18)
- 64. ROAD 1/184467444928294912" (SEE PLAN 14-18)
- 65. ROAD 1/368934889856589824" (SEE PLAN 14-18)
- 66. ROAD 1/737869779713179648" (SEE PLAN 14-18)
- 67. ROAD 1/1475739594226358976" (SEE PLAN 14-18)
- 68. ROAD 1/2951479188452717952" (SEE PLAN 14-18)
- 69. ROAD 1/5902958376905435904" (SEE PLAN 14-18)
- 70. ROAD 1/11805916753810871808" (SEE PLAN 14-18)
- 71. ROAD 1/23611833507621743616" (SEE PLAN 14-18)
- 72. ROAD 1/47223667015243487232" (SEE PLAN 14-18)
- 73. ROAD 1/94447334030486974464" (SEE PLAN 14-18)
- 74. ROAD 1/18889466806097394928" (SEE PLAN 14-18)
- 75. ROAD 1/37778933612194789856" (SEE PLAN 14-18)
- 76. ROAD 1/75557867224389579712" (SEE PLAN 14-18)
- 77. ROAD 1/151115734448779159424" (SEE PLAN 14-18)
- 78. ROAD 1/302231468897558318848" (SEE PLAN 14-18)
- 79. ROAD 1/604462937795116637696" (SEE PLAN 14-18)
- 80. ROAD 1/1208925875902332675392" (SEE PLAN 14-18)
- 81. ROAD 1/2417851751804665350784" (SEE PLAN 14-18)
- 82. ROAD 1/4835703503609330701568" (SEE PLAN 14-18)
- 83. ROAD 1/9671407007218661403136" (SEE PLAN 14-18)
- 84. ROAD 1/1934281401443732286272" (SEE PLAN 14-18)
- 85. ROAD 1/3868562802887464572544" (SEE PLAN 14-18)
- 86. ROAD 1/7737125605774929145088" (SEE PLAN 14-18)
- 87. ROAD 1/15474251211549852900176" (SEE PLAN 14-18)
- 88. ROAD 1/30948502423099705800352" (SEE PLAN 14-18)
- 89. ROAD 1/61897004846199411600704" (SEE PLAN 14-18)
- 90. ROAD 1/123794009692398832014112" (SEE PLAN 14-18)
- 91. ROAD 1/247588019384797664028224" (SEE PLAN 14-18)
- 92. ROAD 1/495176038769595328056448" (SEE PLAN 14-18)
- 93. ROAD 1/990352077539190656112896" (SEE PLAN 14-18)
- 94. ROAD 1/198070415507381312225792" (SEE PLAN 14-18)
- 95. ROAD 1/396140831014762624451584" (SEE PLAN 14-18)
- 96. ROAD 1/792281662029525248903168" (SEE PLAN 14-18)
- 97. ROAD 1/1584563324059050497806336" (SEE PLAN 14-18)
- 98. ROAD 1/3169126648118100995612672" (SEE PLAN 14-18)
- 99. ROAD 1/6338253296236201991225344" (SEE PLAN 14-18)
- 100. ROAD 1/1267650659247240398245688" (SEE PLAN 14-18)
- 101. ROAD 1/2535301318494480796491376" (SEE PLAN 14-18)
- 102. ROAD 1/5070602636988961592982752" (SEE PLAN 14-18)
- 103. ROAD 1/1014120527397792318596544" (SEE PLAN 14-18)
- 104. ROAD 1/2028241054795584637193088" (SEE PLAN 14-18)
- 105. ROAD 1/4056482109591169274386176" (SEE PLAN 14-18)
- 106. ROAD 1/811296421918233854877232" (SEE PLAN 14-18)
- 107. ROAD 1/1622592838364467709754464" (SEE PLAN 14-18)
- 108. ROAD 1/3245185676728935419508928" (SEE PLAN 14-18)
- 109. ROAD 1/6490371353457870839017856" (SEE PLAN 14-18)
- 110. ROAD 1/12980742709115741678035712" (SEE PLAN 14-18)
- 111. ROAD 1/25961485418231483356071424" (SEE PLAN 14-18)
- 112. ROAD 1/51922970836462966712112848" (SEE PLAN 14-18)
- 113. ROAD 1/10384594169325933342425696" (SEE PLAN 14-18)
- 114. ROAD 1/20769188338651866684851392" (SEE PLAN 14-18)
- 115. ROAD 1/41538376677303733369702784" (SEE PLAN 14-18)
- 116. ROAD 1/83076753354607466739405568" (SEE PLAN 14-18)
- 117. ROAD 1/166153506709214933478811136" (SEE PLAN 14-18)
- 118. ROAD 1/33230701341842986695762272" (SEE PLAN 14-18)
- 119. ROAD 1/66461402683685973391524544" (SEE PLAN 14-18)
- 120. ROAD 1/13292280536737194783049088" (SEE PLAN 14-18)
- 121. ROAD 1/26584561073474389566098176" (SEE PLAN 14-18)
- 122. ROAD 1/53169122146948779132196352" (SEE PLAN 14-18)
- 123. ROAD 1/10633824429389758226438704" (SEE PLAN 14-18)
- 124. ROAD 1/21267648858779516452877408" (SEE PLAN 14-18)
- 125. ROAD 1/42535297717559032905754816" (SEE PLAN 14-18)
- 126. ROAD 1/85070595435118065811509312" (SEE PLAN 14-18)
- 127. ROAD 1/170141190870236131623018624" (SEE PLAN 14-18)
- 128. ROAD 1/340282381740472263246037248" (SEE PLAN 14-18)
- 129. ROAD 1/680564763480944526492074496" (SEE PLAN 14-18)
- 130. ROAD 1/136112952696188905298414896" (SEE PLAN 14-18)
- 131. ROAD 1/272225905392377810596829792" (SEE PLAN 14-18)
- 132. ROAD 1/544451810784755621193659584" (SEE PLAN 14-18)
- 133. ROAD 1/1088903621689511242387319168" (SEE PLAN 14-18)
- 134. ROAD 1/2177807243379022484774638336" (SEE PLAN 14-18)
- 135. ROAD 1/4355614486758044969549276672" (SEE PLAN 14-18)
- 136. ROAD 1/8711228973516089939098553344" (SEE PLAN 14-18)
- 137. ROAD 1/1742245794703217877819710688" (SEE PLAN 14-18)
- 138. ROAD 1/3484491589406435755639421376" (SEE PLAN 14-18)
- 139. ROAD 1/6968983178812871511271842752" (SEE PLAN 14-18)
- 140. ROAD 1/1393796635762574302253685504" (SEE PLAN 14-18)
- 141. ROAD 1/2787593271525148604507371008" (SEE PLAN 14-18)
- 142. ROAD 1/5575186543050297209004742016" (SEE PLAN 14-18)
- 143. ROAD 1/11150373086100594178009484032" (SEE PLAN 14-18)
- 144. ROAD 1/22300746172201198356018968064" (SEE PLAN 14-18)
- 145. ROAD 1/44601492344402396712037936128" (SEE PLAN 14-18)
- 146. ROAD 1/89202984688804793424075872256" (SEE PLAN 14-18)
- 147. ROAD 1/178405973377609588848015144512" (SEE PLAN 14-18)
- 148. ROAD 1/356811946755219177696030289024" (SEE PLAN 14-18)
- 149. ROAD 1/713623893510438355392060578048" (SEE PLAN 14-18)
- 150. ROAD 1/1427247787020876710784121116608" (SEE PLAN 14-18)
- 151. ROAD 1/2854495574041753421568242233216" (SEE PLAN 14-18)
- 152. ROAD 1/5708991148083506843136484466432" (SEE PLAN 14-18)
- 153. ROAD 1/1141798296176701368627168893264" (SEE PLAN 14-18)
- 154. ROAD 1/2283596592353402737254337786528" (SEE PLAN 14-18)
- 155. ROAD 1/4567193184706805474508675573056" (SEE PLAN 14-18)
- 156. ROAD 1/9134386369413610949017351146112" (SEE PLAN 14-18)
- 157. ROAD 1/18268772738827221898034022292224" (SEE PLAN 14-18)
- 158. ROAD 1/36537545477654443796068044584448" (SEE PLAN 14-18)
- 159. ROAD 1/73075090955308887592136089168896" (SEE PLAN 14-18)
- 160. ROAD 1/146150181910617775184272178337792" (SEE PLAN 14-18)
- 161. ROAD 1/292300363821235550368544356675584" (SEE PLAN 14-18)
- 162. ROAD 1/58460072764247110073708871335111008" (SEE PLAN 14-18)
- 163. ROAD 1/11692014552849422014741774267022144" (SEE PLAN 14-18)
- 164. ROAD 1/23384029105698844029483548534044288" (SEE PLAN 14-18)
- 165. ROAD 1/46768058211397688058967097068088576" (SEE PLAN 14-18)
- 166. ROAD 1/93536116422795376117934194136177152" (SEE PLAN 14-18)
- 167. ROAD 1/187072232455790752358683382723544304" (SEE PLAN 14-18)
- 168. ROAD 1/374144464911581504717366765447088608" (SEE PLAN 14-18)
- 169. ROAD 1/7482889298231630094347335308941713216" (SEE PLAN 14-18)
- 170. ROAD 1/149657785844626601887467061792342624" (SEE PLAN 14-18)
- 171. ROAD 1/299315571689253203774934123584684848" (SEE PLAN 14-18)
- 172. ROAD 1/598631143378506407549868247169368992" (SEE PLAN 14-18)
- 173. ROAD 1/119726226757701281509773654338737984" (SEE PLAN 14-18)
- 174. ROAD 1/239452453515402563019547308677475968" (SEE PLAN 14-18)
- 175. ROAD 1/478904907030805126039109467354951936" (SEE PLAN 14-18)
- 176. ROAD 1/957809814061610252078218934709903744" (SEE PLAN 14-18)
- 177. ROAD 1/1915619628123205040156377688419887488" (SEE PLAN 14-18)
- 178. ROAD 1/383123925624641008031275537683977984" (SEE PLAN 14-18)
- 179. ROAD 1/766247851249282016062551075367955968" (SEE PLAN 14-18)
- 180. ROAD 1/1532495702497644321250110307135911936" (SEE PLAN 14-18)
- 181. ROAD 1/306499140499528864250022061471833872" (SEE PLAN 14-18)
- 182. ROAD 1/61299828099905772850004412294366744" (SEE PLAN 14-18)
- 183. ROAD 1/12259965619981154560008824588733488" (SEE PLAN 14-18)
- 184. ROAD 1/24519931239962309120017649177467776" (SEE PLAN 14-18)
- 185. ROAD 1/49039862479924618240035298354935552" (SEE PLAN 14-18)
- 186. ROAD 1/98079724959849236480070596709871104" (SEE PLAN 14-18)
- 187. ROAD 1/196159449919698472960141193419742208" (SEE PLAN 14-18)
- 188. ROAD 1/392318899839396945920282386839484416" (SEE PLAN 14-18)
- 189. ROAD 1/784637799678793891840564773678968832" (SEE PLAN 14-18)
- 190. ROAD 1/156927559357788778368112954755793664" (SEE PLAN 14-18)
- 191. ROAD 1/31385511871557755673622590951155488" (SEE PLAN 14-18)
- 192. ROAD 1/62771023743115511335125181902308976" (SEE PLAN 14-18)
- 193. ROAD 1/125542047486230226702251381846177952" (SEE PLAN 14-18)
- 194. ROAD 1/251084094972460453404502763692355904" (SEE PLAN 14-18)
- 195. ROAD 1/502168189944920906809005527384711808" (SEE PLAN 14-18)
- 196. ROAD 1/100433639989984181361801055477543712" (SEE PLAN 14-18)
- 197. ROAD 1/200867279979968362723602110915508724" (SEE PLAN 14-18)
- 198. ROAD 1/401734559959936725447204221830174448" (SEE PLAN 14-18)
- 199. ROAD 1/80346911991987345089440844366034896" (SEE PLAN 14-18)
- 200. ROAD 1/160693839839774690178880887322077952" (SEE PLAN 14-18)
- 201. ROAD 1/321387679679549380357761774644155904" (SEE PLAN 14-18)
- 202. ROAD 1/642775359359098760715553449288311808" (SEE PLAN 14-18)
- 203. ROAD 1/128555071818199540143110689777663712" (SEE PLAN 14-18)
- 204. ROAD 1/257110143636399080286221379555327424" (SEE PLAN 14-18)
- 205. ROAD 1/514220287272798160572442759110654848" (SEE PLAN 14-18)
- 206. ROAD 1/10284405745459964011448851982213110976" (SEE PLAN 14-18)
- 207. ROAD 1/205688114909199280228977039644261792" (SEE PLAN 14-18)
- 208. ROAD 1/4113762298183985604579540792885344" (SEE PLAN 14-18)
- 209. ROAD 1/8227524596367971209159891585770688" (SEE PLAN 14-18)
- 210. ROAD 1/164550491273359424183197837155376" (SEE PLAN 14-18)
- 211. ROAD 1/329100982546718848366395674310752" (SEE PLAN 14-18)
- 212. ROAD 1/658201965093437696732791348621504" (SEE PLAN 14-18)
- 213. ROAD 1/131640393018687393462582277223008" (SEE PLAN 14-18)
- 214. ROAD 1/263280786037374786925164554446016" (SEE PLAN 14-18)
- 215. ROAD 1/526561572074749573850329108892032" (SEE PLAN 14-18)
- 216. ROAD 1/105312314549499147700065821777064" (SEE PLAN 14-18)
- 217. ROAD 1/210624629098998294400131643554128" (SEE PLAN 14-18)
- 218. ROAD 1/421249258197996588800263287108256" (SEE PLAN 14-18)
- 219. ROAD 1/842498516395993177600526574216512" (SEE PLAN 14-18)
- 220. ROAD 1/168499703279198635200105314843264" (SEE PLAN 14-18)
- 221. ROAD 1/336999406558397270400210629686528" (SEE PLAN 14-18)
- 222. ROAD 1/673998813116794540800421319373056" (SEE PLAN 14-18)
- 223. ROAD 1/1347997626233489081600842638746112" (SEE PLAN 14-18)
- 224. ROAD 1/2695995252466978163201685277492224" (SEE PLAN 14-18)
- 225. ROAD 1/5391990504933956326403370554984448" (SEE PLAN 14-18)
- 226. ROAD 1/1078398100986791265280674110968896" (SEE PLAN 14-18)
- 227. ROAD 1/2156796201973582530561348221937792" (SEE PLAN 14-18)
- 228. ROAD 1/4313592403947165061129644387475584" (SEE PLAN 14-18)
- 229. ROAD 1/862718480789433012225178888795168" (SEE PLAN 14-18)
- 230. ROAD 1/172543696177886602445035777590336" (SEE PLAN 14-18)
- 231. ROAD 1/345087392355773204890071555180672" (SEE PLAN 14-18)
- 232. ROAD 1/690174784711546409780143030361344" (SEE PLAN 14-18)
- 233. ROAD 1/1380349569423092819560286060722688" (SEE PLAN 14-18)
- 234. ROAD 1/2760699138846185639120572121445376" (SEE PLAN 14-18)
- 235. ROAD 1/552139827769237127824011424289072" (SEE PLAN 14-18)
- 236. ROAD 1/110427965538447425648802284478144" (SEE PLAN 14-18)
- 237. ROAD 1/220855931076894851297616568956288" (SEE PLAN 14-18)
- 238. ROAD 1/441711862153789702595233137912576" (SEE PLAN 14-18)
- 239. ROAD 1/883423724307579405190466275825152" (SEE PLAN 14-18)
- 240. ROAD 1/176684748861515880380932551650304" (SEE PLAN 14-18)
- 241. ROAD 1/353369497723031760761865103300608" (SEE PLAN 14-18)
- 242. ROAD 1/706738995446063521523730206601216" (SEE PLAN 14-18)
- 243. ROAD 1/1413477910892127042447460413224224" (SEE PLAN 14-18)
- 244. ROAD 1/282695582178425408489492082644448" (SEE PLAN 14-18)
- 245. ROAD 1/565391164356850816978984165288896" (SEE PLAN 14-18)
- 246. ROAD 1/1130782327113701639577963305777792" (SEE PLAN 14-18)
- 247. ROAD 1/2261564654227403279155926611555584" (SEE PLAN 14-18)
- 248. ROAD 1/4523129308454806558311853223111168" (

# 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.

EXHIBIT 27  
Page 10 of 13  
Project # 201400069 S

# 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.

EXHIBIT 27  
Page 11 of 13  
Project # 20140009 S

## 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.

EXHIBIT 27  
Page 12 of 13  
Project # 20140009 S

## 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.

EXHIBIT 27  
Page 13 of 13  
Project # 20 H00069 S



# 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:	Section: 5	Township: 2~	Range: 1E	Total Acres: 19.38
Project Name: <u>Derry Sub</u>				Lot:	Block:
Site Address: <u>7085 S. Eagle Rd</u> <u>Eagle, ID 83616</u>				Tax Parcel Number(s):	
File Number:				Date Posted: <u>March 1, 2014</u>	

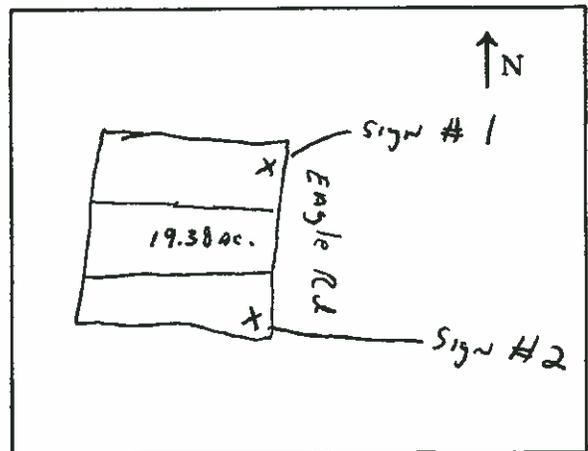
## APPLICANT:

Name: <u>Shawn Nickel</u>		
Address: <u>1589 N. Estancia Pl.</u>		
City: <u>Eagle</u>	State: <u>ID</u>	Zip: <u>83616</u>
Telephone: <u>794-3013</u>	Fax:	

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.

[Signature] 3-3-14  
 Signature: (Applicant) Date

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



OFFICE USE ONLY			
File No.:	Received By:	Date:	Stamped:

EXHIBIT 28  
 Page 1 of 2  
 Project # 20140009 S



Sign #1

**RECEIVED**  
**MAR 06 2014**  
 ADA COUNTY  
 DEVELOPMENT SERVICES

Sign #2



ADA COUNTY  
DEVELOPMENT SERVICES

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

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



BUILDING • ENGINEERING • PLANNING • ZONING

March 19, 2014

Shawn L. Nickel  
SLN Planning  
1589 N. Estancia Place  
Eagle, ID 83616

**RE: Project No. 201400069 S; Derry Subdivision**

Dear Mr. Nickel:

This is to notify you of the action taken by the Ada County Planning and Zoning Commission on the application referenced above.

The Commission voted at their March 13, 2014, public hearing to approve the application subject to the Conditions of Approval attached to Findings of Fact, Conclusions of Law, and Order. The Commission reached its determination based on the Findings of Fact and Conclusions of Law. The Board of Ada County Commissioners will hold a public hearing on **May 7, 2014**, at 6:00 P.M., in the Commissioners Main Hearing Room #1235, 200 W. Front Street. You or your designated 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 findings of fact.

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 <https://adacounty.id.gov/Development-Services>. The sign is required to be taken down no later than three (3) days after the final decision.

If you have any further questions, please feel free to contact me at 287-7913 or via e-mail at [bdanielson@adaweb.net](mailto:bdanielson@adaweb.net).

Sincerely,

Handwritten signature of Brent Danielson in cursive.

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

Enclosure

Cc: Mikal Black (Smith), 7085 S. Eagle Road, Meridian, ID 83642

EXHIBIT 2A  
Page 1 of 1  
Project # 201400069 S

**Brent Danielson**

**From:** Brent Danielson  
**Sent:** Wednesday, March 19, 2014 11:48 AM  
**To:** rphillips@idahopower.com; exline.eric@meridianschools.org; Amy Aaron; laurenboehlke@yahoo.com; carla.bernardi@cablone.biz; mreno@cdhd.idaho.gov; lbadigia@cdhd.idaho.gov; jbmattox@earthlink.net; cmiller@compassidaho.org; rward@idfg.idaho.gov; linda.clark@deq.idaho.gov; linda.clark@deq.idaho.gov; westerninfo@idwr.idaho.gov; msinglet@intgas.com; jtillman@kunafire.com; lsaxton@kunaschools.org; annh\_1@yahoo.com; mhill@meridiacity.org; velta@nyid.org; swidrcd@idahorcd.org; Darby Weston; clittle@achdidaho.org; syarrington@achdidaho.org; Brian Wilbur; cherywright@cwidaho.cc; mdewalt@adalib.org; Mark Ferm; Angela Gilman; Jerry Hastings; Jean Schaffer; Dale Ann Barton; Glenda Britz; Brent Danielson  
**Cc:** Brent Danielson  
**Subject:** Ada County Application Transmittal Notice.

	<b>Ada County Development Services</b> <b>Planning &amp; Zoning Division Transmittal</b>
--	---

<b>File Number:</b> <a href="#">201400069-S</a>	<b>X-Reference:</b> NONE
<b>Description:</b> A preliminary plat application for a three (3) lot residential subdivision.	
<b>Reviewing Body:</b> BOCC	<b>Hearing Date:</b> 5/7/2014
<b>Applicant:</b> SLN PLANNING INC	<b>P&amp;Z Recommendation:</b> RECOMMEND APPROVAL
<b>Property:</b> The property contains 19.682 acres and is located at 7085 S EAGLE RD MERIDIAN 83642, Section 5 2N 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 4/3/2014. 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: 3/20/2014

RE: 201400069-S Derry Sub

TO: Brent Danielson, Associate Planner

FROM: Mark Ferm, Ada County Building Official

---

Summary of Project:

A preliminary plat application for a three (3) lot residential subdivision at 7085 S Eagle Rd.

Findings and Conditions:

The Building Division has no objection to the proposed Development.

Conclusion:

Approved as submitted

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

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





**CENTRAL DISTRICT HEALTH DEPARTMENT**  
**Environmental Health Division**

Return to:

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

Rezone # 201400069-S

Conditional Use # \_\_\_\_\_

Preliminary / Final / Short Plat \_\_\_\_\_

**RECEIVED**  
**MAR 25 2014**  
 ADA COUNTY  
 DEVELOPMENT SERVICES

*Derry Subdivision*

- 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.

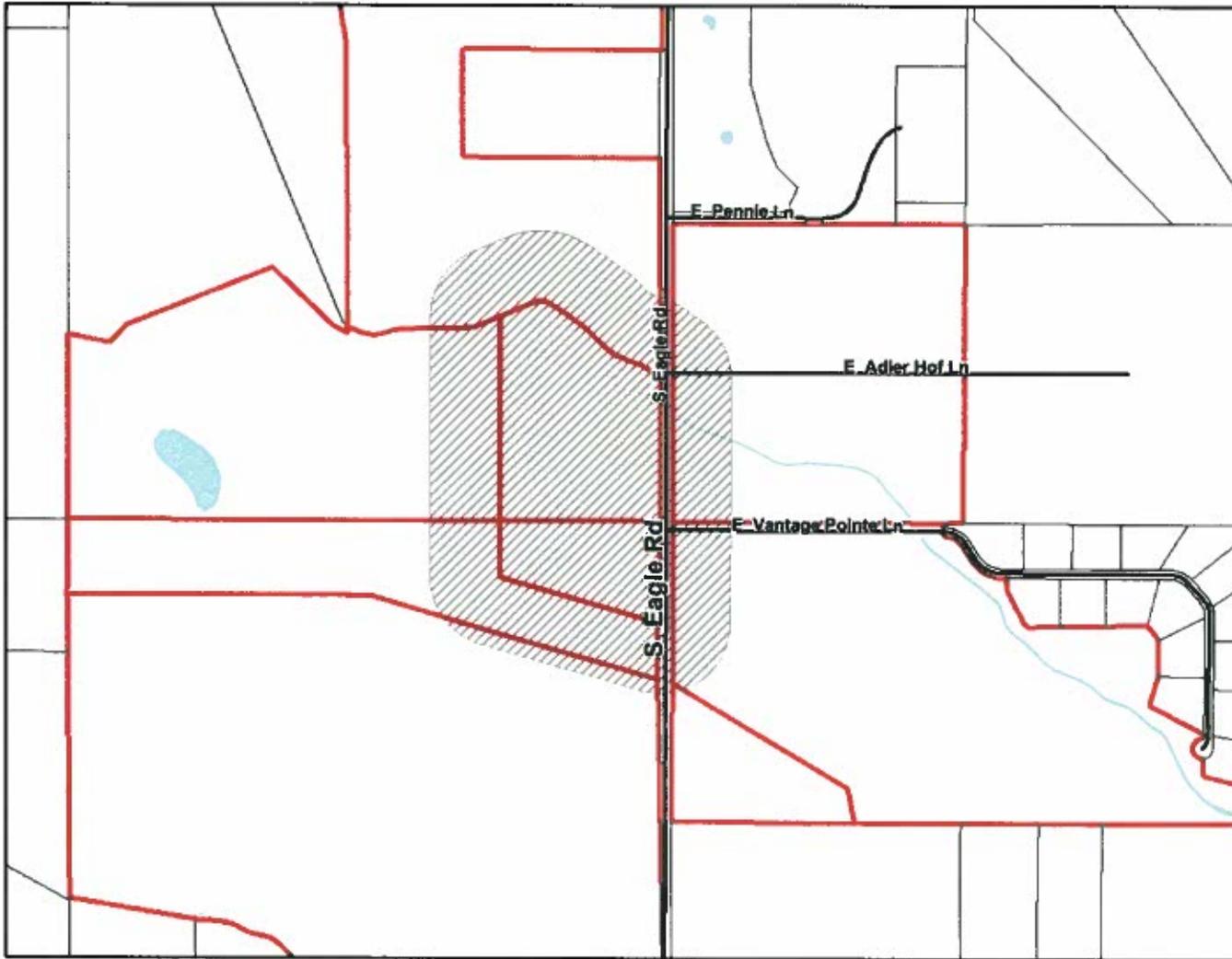
14. Application for subdivision, test holes & full engineering report required.

Reviewed By: Low Bag  
 Date: 3/24/14

EXHIBIT 32  
 Page 1 of 1  
 Project # 201400069 S

*Danielson*

# 201400069 S Radius Map



### Legend

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

0 900 1800 2700 ft.

Map center: 43° 32' 20" N, 116° 21' 18" W



Scale: 1:9,000

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.

**Primary Owner**

ADLER ENTERPRISES LLC  
BLACK MIKAL A  
MCKAY FAMILY INVESTMENTS LLC  
PARKLAND DEVELOPMENT LLC  
SMITH TERRELL F  
SOUTH EAGLE PROPERTIES LLC

**Mailing Address**

PO BOX 1298  
7085 S EAGLE RD  
3112 W 27TH AVE  
PO BOX 344  
3000 E COLUMBIA RD  
7355 S EAGLE RD

**Mailing Address City, State Zip**

DANVILLE, CA 94526-0298  
MERIDIAN, ID 83642-0000  
KENNEWICK, WA 99337-0000  
MERIDIAN, ID 83680-0334  
MERIDIAN, ID 83642-7210  
MERIDIAN, ID 83642-0000

ADA COUNTY DEVELOPMENT SERVICES  
200 W FRONT ST BOISE ID 83702



April 9, 2014

Dear Property Owner:

LEGAL NOTICE IS HEREBY GIVEN THAT the Board of Ada County Commissioners will hold a public hearing on **May 7, 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:

**201400069-S DERRY SUBDIVISION**, A preliminary plat for a three (3) lot residential subdivision. The property contains 19.38 acres and is located at 7085 S. Eagle Road in Section 5, T. 2N, R. 1E, Meridian, 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 "**201400069-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 <https://adacounty.id.gov> 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 35  
Page 1 of 1  
Project # 201400069 S

**RICHARD DURRANT**  
CHAIRMAN OF THE BOARD  
**GRAHAM PATERSON**  
VICE CHAIRMAN OF THE BOARD

**TIMOTHY M. PAGE**  
PROJECT MANAGER

**ROBERT D. CARTER**  
ASSISTANT PROJECT MANAGER

**APRYL GARDNER**  
SECRETARY-TREASURER

**JERRI FLOYD**  
ASSISTANT SECRETARY-TREASURER

# BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD  
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 167,000  
ACRES FOR THE FOLLOWING  
IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT  
BOISE-KUNA DISTRICT  
WILDER DISTRICT  
NEW YORK DISTRICT  
BIG BEND DISTRICT

TEL: (208) 344-1141  
FAX: (208) 344-1437



08 April 2014

Ada County Development Services  
Courthouse  
200 West Front Street 2<sup>nd</sup> floor  
Boise, Idaho 83702

RE: SLN Planning-Derry Sub  
7085 S. Eagle Rd.  
New York Irrigation District  
Farr Lateral 87+00  
Sec. 05, T2N, R1E, BM.

File No. 201400069-S

NY-216-002-01

Brent Danielson, Associate Planner:

The United States' Farr Lateral lies within the boundary of the above-mentioned location. The easement for this lateral is held in the name of the United States through the Bureau of Reclamation under the authority of the Act of August 30, 1890. (26 Stat. 391; 43 U.S.C. 945)

The Boise Project Board of Control is contracted to operate and maintain this lateral. We assert the federal easement 25 feet south of the lateral's centerline. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

Fencing (as may be required) must be constructed just off the lateral easement.

The Boise Project does not approve landscaping (other than grass) within its easements.

Utilities planning to cross any project facility must do so in accordance with the master policies now held between the Bureau of Reclamation and most of the utilities. In any case no work shall take place within the easement before proper crossing agreements have been secured through both the Bureau of Reclamation and the Boise Project Board of Control.

Storm Drainage and/or Street Runoff must be retained on site.

Local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement.

This development is subject to Idaho Code 31-3805, in accordance, this office is requesting a copy of the irrigation and drainage plans.

The developers of this land must contact the New York Irrigation District office in regards to any change in assessments to the new lots being proposed.

Whereas this development is in its preliminary stages, Boise Project Board of Control reserves the right to review plans and require changes when our easements and/or facilities are affected by unknown factors.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,



Bob Carter  
Assistant Project Manager, BPBC

bdc,bc

cc: Phil Comegys                      Watermaster, Div; 2 BPBC  
Velta Harwood                      Secretary – Treasurer, NYID  
File

LEGAL NOTICE OF PUBLIC HEARING Legal notice is hereby given that the Board of Ada County Commissioners will hold a public hearing on May 7, 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: 201301484-ZOA SLN Planning, LLC: A zoning ordinance text amendment to provide specific regulations to allow Outdoor, Self Service Storage Facilities within the Rural-Urban Transition (RUT) District. Brent Danielson 287-7913 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, 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 201400202 CU-MSP-ZC-DA-HD-FP, IDAHO POWER COMPANY: Swan Falls Improvement. A rezone and development agreement to remove a portion of the property out of the WUFI. A conditional use/ master site plan for the addition of camping areas, boat ramps and improvements to the existing park. A hillside development and flood plain application for the disturbance of steep slopes and work within the unnumbered A flood plain. The property is located at the end of S. Swan Falls Road; 2S 1E Sec. 7, 18, 19, 30, 31 and 2S 1W Sec. 12. Diana Sanders 287-7905 Staff Reports Available On-Line 5 Days before Hearing Date - adaweb.net Auxiliary aids or services for persons with disabilities are available upon request. Please call 287-7900 or 287-7979 (TDD) by 5:00 p.m. three days prior to this public hearing so that arrangements can be made. BOARD OF ADA COUNTY COMMISSIONERS Mark Perfect Planning & Zoning Administrator Pub. Apr. 22, 2014  
**Publish Dates:** 4/22/2014 -5/6/2014 1

EXHIBIT 37  
Page 1 of 1  
Project # 201400069 S