



**TO: BOARD OF ADA COUNTY COMMISSIONERS**

**HEARING DATE:** March 12, 2014

**STAFF:** Brent Danielson, Associate Planner  
Brent Moore, Associate Planner

**PROJECT NO.:** 201400074 CU-MSP-V

**APPLICANT:** Levi Duckett (Sunshine Landscaping, Inc.)

### **INTRODUCTION**

A conditional use and master site plan application to operate and construct a contractor's yard/shop. The shop will be approximately 5,218 square feet and the existing dwelling on the property will be used as an office. In addition, an application for a variance to grant relief from a development standard requiring all structures and storage areas to be located a minimum of 100 feet from any property line because the subject property is located in a residential district. Also, a variance from the development standard for accessory office space to comply with Section 8-5-3-75 of the Ada County Code in order to exceed 25% of the gross floor area of the use. The property contains five (5) acres and is located at 4610 W. Franklin Road, Section 10, T. 3N, R. 1W.

### **EXECUTIVE SUMMARY**

The applicant is requesting a conditional use and master site plan to construct and operate a contractor's yard/shop. For the contractor's yard/shop the applicant will construct a 5,218 square foot contractor's shop and will convert the existing 1,700 square foot single family dwelling on the property into accessory office space.

The property is located at 4610 W. Franklin Road and is in the Rural-Urban Transition (RUT) District and Meridian's Area of Impact.

In order for the applicant to have a contractor's yard/shop on the property the applicant is requesting a variance to seek relief from the development standard requiring all structures and storage areas to be located a minimum of 100 feet from any property line. The variance is needed to relieve an undue hardship relating to a physical characteristic of the property. The property only has a width of 205.90 feet. Therefore, only 5.90 feet of the property (east-west) could be used for a contractor's yard/shop. The 5.90 feet does not leave enough room to construct a contractor's yard or shop. Staff finds that this variance complies with the three (3) required findings of fact associated with a variance. These findings include:

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#### **STAFF REPORT**

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1. The variance shall not grant a right or special privilege that is not otherwise allowed in the base district.
2. The variance relieves an undue hardship due to characteristics of the site; and
3. The variance shall not be detrimental to the public health, safety, and welfare.

The applicant has applied for a second variance to utilize the existing single-family dwelling as accessory space. This variance seeks relief from the development standard for accessory office space to comply with Section 8-5-3-75 of the Ada County Code in order to exceed 25% of the gross floor area of the use. With the proposed contractor's shop of 5,218 square feet the accessory office could be 1,304.5 square feet. Staff finds that the second variance does not relieve an undue hardship due to characteristics site as the applicant could only devote 1,304.5 square feet of the existing dwelling for the accessory office. However, upon further analysis of Section 8-5-3-75 of the Ada County Code it appears that the outdoor storage area could also be used in the calculation of the accessory office space since there is a provision if the approved primary use is not located in a structure, the office structure shall not occupy more than five percent (5%) of the property area. The contractor's yard/shop also includes an outdoor storage area that could be used in the calculations to allow for additional accessory office in the existing dwelling. At the time this staff report was written staff was working with the applicant to see if the proposed outdoor storage area would give them enough square footage to equal 1,700 square feet.

At the time this staff report was written the following agencies have provided comments: Meridian Fire Department, Central District Health Department, Idaho Department of Environmental Quality, Nampa and Meridian Irrigation District, Ada County Building Division, Ada County Engineer, and the Ada County Highway District. The Meridian Fire District replied in Exhibit #18 that they have concerns regarding water fire flow. The needed fire flow is going to be 2,000 gallons per minute with a 5,200 square foot type VB construction. As conditioned, the Meridian Fire District will need to approve all fire flow requirements or building plans. The Central District Health Department stated in Exhibit #19 that an accessory use application must be submitted to them. The Idaho Department of Environmental Quality in Exhibit #20 provided standards regarding air quality, wastewater and recycled water, drinking water, surface water, and hazardous waste and ground water contamination. The Nampa and Meridian Irrigation District replied in Exhibit #21 that they have no comment. The Ada County Building Division responded in Exhibit #23 that they have no objection to the proposed use; however, that applicant should be aware that building permits will be required for each structure. Also, plans will need to be prepared by a licensed Architect including a thorough analysis based on the 2012 International Building Code. The Ada County Engineer stated in Exhibit #28 that a drainage plan needs to be submitted in accordance with Section 8-4A-11 of the Ada County Code. The Ada County Highway District provided site specific conditions of approval in Exhibit #30.

### **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 with the exception of the second

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variance to seek relief from the development standard for accessory office space to comply with Section 8-5-3-75 of the Ada County Code in order to exceed 25% of the gross floor area of the use as set out in the proposed Findings of Fact and Conclusions of Law attached hereto.

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

**EXHIBIT LIST – PROJECT NO.: 201400074 CU-MSP-V**

- 1 Preapplication Conference Notes. 4 pages.
- 2 Letter from the Idaho Department of Fish and Game dated December 18, 2013. 1 page.
- 3 Master Application Form. 2 pages.
- 4 Conditional Use Checklist. 1 page.
- 5 Master Site Plan Checklist. 3 pages.
- 6 Variance Checklist. 1 page.
- 7 Detailed Letter for Master Site Plan and Conditional Use. 3 pages.
- 8 Detailed Letter for Variance. 2 pages.
- 9 Master Site Plan. 1 page.
- 10 Partial Site Plan. 1 page.
- 11 Natural Features Analysis. 4 pages.
- 12 Soils Report. 1 page.
- 13 Neighborhood Meeting Certification Form. 2 pages.
- 14 Deeds. 4 pages.
- 15 Submittal Letter dated January 24, 2014. 1 page.
- 16 Vicinity Map. 1 page.
- 17 Agency Transmittal. 2 pages.
- 18 Agency Response from the Meridian Fire Department dated January 27, 2014. 1 page.
- 19 Agency Response from the Central District Health Department dated January 28, 2014. 1 page.
- 20 Agency Response from the Idaho Department of Environmental Quality (DEQ) dated January 31, 2014. 4 pages.
- 21 Agency Response from the Nampa & Meridian Irrigation District dated February 3, 2014. 1 page.

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- 22 Correspondence between Levi Duckett and Brent Danielson dated February 3, 2014. 2 pages.
- 23 Memorandum from the Ada County Building Division dated February 5, 2014. 1 page.
- 24 Radius Map. 1 page.
- 25 Radius Notice Report. 2 pages.
- 26 Mailing List. 1 page.
- 27 Radius Notice. 1 page.
- 28 Memorandum from the Ada County Engineer dated February 11, 2014. 1 page.
- 29 Correspondence between Levi Duckett and Brent Danielson dated February 9, 2014. 4 pages.
- 30 Ada County Highway District (ACHD) Staff Report dated February 21, 2014. 14 pages.
- 31 Legal Notice of Public Hearing published on February 25, 2014. 1 page.
- 32 Correspondence between Levi Duckett and Brent Danielson dated February 26, 2014. 4 pages.

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ADA COUNTY
DEVELOPMENT SERVICES

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

PREAPPLICATION CONFERENCE NOTES

Preapplication Number: 201300126 - PREAP - A

Status: Active

Date Received: 11/20/2013

Date Closed:

500

Meeting Date: 11/26/2013 Date Assigned: 11/20/2013

Project Description:

Applicant's Name:
SUNSHINE LANDSCAPE

Applicant would like to apply for a Conditional Use for a contractors yard for a landscaping business.

No. of Lots/Units: 0 Total Acres: 5.000

Development Services Staff Assigned To Meeting:

Unique Features:

Staff Name: Attended Meeting?
BRENT DANIELSON [checked]
RICHARD BECK [checked]

Sewer/Septic:

Water/Well:

General Property Location:

North side of Franklin Road east of Black Cat Road.

Parcel Info:

Parcel Num: Street Address: City/State/Zip:
S1210336320 W FRANKLIN RD Meridian, ID 83642-0000
S1210336375 4610 W FRANKLIN RD Meridian, ID 83642-0000

Zone Info:

Zone Type: Zone:
Existing Zone RUT

TwN / Rng / Sec Info:

TwN: Rng: Sec: Qtr:
3N 1W 10

Overlay Areas Info:

Overlay Area: Overlay Value: Code Ref: Comments:
Impact Area Meridian

Comp Plan:

Meridian

Agencies To Contact:

Agency Name: Contact Person:
ADA COUNTY HIGHWAY DISTRICT/ PLANNING DEPT - (208)-387-6170 LITTLE CHRISTY
Comments:
CENTRAL DISTRICT HEALTH DEPARTMENT - (208)-327-8517 RENO MIKE
Comments:
IDAHO POWER COMPANY - (208)-388-2699 PHILLIPS RACHAEL
Comments:

Proposed Allowed Uses:

Contractor's yard or shop

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## PREAPPLICATION CONFERENCE NOTES

### Required Applications:

<b>App Type:</b>	<b>Descriptive Name:</b>
CU	CONDITIONAL USE
MSP	MASTER SITE PLAN
V	VARIANCE

### Notes:

The property is zoned Rural-Urban Transition (RUT) and is located in Meridian's Area of Impact.

See Article 8-2B of the Ada County Code for information on the Rural-Urban Transition (RUT) District.

A Contractor's Yard will require a conditional use and master site plan application.

The conditional use application requires a public hearing in front of the Planning and Zoning Commission.

See Section 8-5-3-30 of the Ada County Code for information on Contractor's Yard or Shop.

- If the property is located in a residential or rural base district, all structures or outdoor storage areas shall be located a minimum of 100 feet from any property line abutting another property. The 100 foot buffer from the property line shall have a vegetative ground cover and shall be regularly maintained to prevent weed growth. All structures and outdoor storage areas shall be depicted on the master site plan.
- Outdoor storage areas shall be screened year round and comply with section 8-5-3-78 of this chapter.
- The site shall not be used as a "junkyard" or "automobile wrecking yard" as herein defined.
- For the purposes of this title, a contractor's yard or shop is not a home occupation.
- The property shall have approved access from an improved public roadway for the use.
- Maintenance of vehicles or machinery shall be incidental to the contractor's yard or shop and the incidental use shall only include minor repair.
- Accessory office space shall comply with section 8-5-3-75 of this chapter and shall be identified on the master site plan.
- Parking area improvements shall comply with the standards found in chapter 4, article G of this title and shall be delineated on the master site plan or parking plan. No on street parking of vehicles or equipment associated with the use is allowed.
- Use of the property shall comply with title 5, chapter 13, "Noise", of this code.
- Hours of operation shall be limited between the hours of 7:00 A.M. and 10:00 P.M. unless otherwise approved or restricted with a conditional use permit.
- No retail sales associated with a contractor's yard or shop may occur on the property unless retail sales are approved with a different use that allows retail sales.
- A building permit may be required for the change in use or occupancy of any existing structure, or portion thereof, used in association with a contractor's yard or shop.
- For the duration of the approval, the use shall be subject to zoning inspection upon advanced notice and request by the Ada County development services department. If a permit holder refuses to allow inspection of the premises by the development service department, the approved zoning certificate or conditional use permit may be revoked.
- The following shall be considered as part of the review of an application for a conditional use permit for a contractor's yard or shop: a. The proximity of existing dwellings; b. The number of employees; c. The hours and days of operation; d. Dust; e. Noise; f. Outdoor loading; g. Traffic; h. Landscaping and screening; i. Other.
- The duration of a conditional use permit for a contractor's yard or shop shall be limited. The conditional use permit shall expire five (5) years following the approval date, or upon annexation of the subject property into a city, whichever occurs first. Upon expiration of the conditional use permit, all equipment and materials stored outdoors shall be removed within 30 days from the subject property.

See Article 8-4E of the Ada County Code for information on Master Site Plans.

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## PREAPPLICATION CONFERENCE NOTES

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A master site plan will require submittal of a natural features analysis. See Subsection 8-4E-4D of the Ada County Code for regulations regarding Natural Features Analysis. The following features shall be mapped, described, or noted as not applicable in the natural features analysis: Hydrology; Soils; Topography; Vegetation; Sensitive Plant and Wildlife Species; Historic Resources; Hazardous Areas; and Impact on Natural Features.

A master site plan also requires submittal of a parking plan. See Article 8-4G of the Ada County Code for information on Parking. The off-street parking and loading plan shall contain the location, size, and type of all proposed off-street parking and loading facilities. See Table 8-4G-1 for required automobile width and stall length by parking angle. A contractor's yard or shop requires 1 parking space per 1,000 square feet of gross floor area plus 1 per employee.

The applicant may submit a landscaping and screening plan at the time of application if a landscaping and screening plan is not submitted at the time of application, then it will be required to be submitted as a condition of approval. See Article 8-4F of the Ada County Code for information on landscaping and screening plans. There is a fee for the landscaping plan review of \$135.

If any outdoor lighting is proposed or anticipated, the applicant shall submit a lighting plan. See Article 8-4H of the Ada County Code for information on lighting plans. There is a fee for the lighting plan review of \$100.

If any signs are proposed or anticipated, the applicant shall concurrently submit a sign plan. See Article 8-4I of the Ada County Code for information on sign plans. The landscaping, lighting, and sign plans can be conditions of approval.

See Section 8-5B of the Ada County Code for information on Conditional Uses.

Prior the submission of the application, a neighborhood meeting is required. You may obtain the mailing labels from this office for a \$26.50 fee. See Section 8-7A-3 of the Ada County Code for information on neighborhood meetings.

The applicant is required to post the property with the hearing information at least 10 days before the public hearing. A signed certification form is required to be submitted at least 7 days before the public hearing. See Subsection 8-7A-5F of the Ada County Code for information on Sign Posting.

### CODE REFERENCES:

Article 8-2B ~ Residential Base Districts.  
Article 8-4E ~ Master Site Plans.  
Article 8-4F ~ Landscaping & Screening Requirements  
Article 8-4G ~ Off-street Parking & Loading Facilities.  
Article 8-4H ~ Lighting Standards.  
Article 8-4I ~ Sign Regulations.  
Section 8-5-3-30 ~ Contractor's Yard or Shop.  
Article 8-5B ~ Conditional Uses.  
Section 8-7A-3 ~ Neighborhood Meetings.  
Section 8-7A-5F ~ Signposting Requirements.

### MEETING NOTES:

Variance: See Section 8-7-4 for the Zoning Ordinance standards.

Findings that the Board will need to make: Granting the variance will not result in a special right or privilege, the variance is needed due to physical characteristics of the site; and if granted the variance will not be detrimental to health, safety and welfare.



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**PREAPPLICATION CONFERENCE NOTES**

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**Additional Preap Conference:** Not Recommended

**Neighborhood Meeting Required?** Yes

**Cross References:**

11/26/2013

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IDAHO DEPARTMENT OF FISH AND GAME

SOUTHWEST REGION  
3101 South Powerline Road  
Nampa, Idaho 83686

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

December 18, 2012

Levi Duckett  
Sunshine Landscape, Inc.  
97 S Main St.  
Meridian, ID 83642  
[levi@sunshinelandscapes.net](mailto:levi@sunshinelandscapes.net)

**RE: Natural Features Analysis – Sunshine Landscaping Relocation, Meridian, ID**

Dear Mr. Duckett,

The Idaho Department of Fish and Game (Department) has reviewed your request for the identification of potential impacts to fish and wildlife resources as a result of the proposed master site plan for Sunshine Landscaping, Inc. The applicant proposes to relocate an existing business to a 2.9 acre parcel located at 240 W. McDermott Road, Nampa, ID. The property currently has an existing home with the remainder in pasture. The applicant proposes to add a shop facility on the property with the remainder used for vehicle parking. The project site is generally located in Section 9, T3N, R1W, Boise Meridian.

The Department does not anticipate adverse effects to fish and wildlife resources from the proposed project.

Thank you. Please contact Rick Ward in the Southwest Regional Office at (208) 465-8465, or via e-mail at [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

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Keeping Idaho's Wildlife Heritage

Equal Opportunity Employer • 208-465-8465 • Fax: 208-465-8467 • Idaho Relay (TDD) Service: 1-800-377-3529 • <http://fishandgame.idaho.gov/>

EXHIBIT 2  
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Project # 201400074 W-NSA-V



# MASTER APPLICATION/PETITION REQUEST

ADA COUNTY DEVELOPMENT SERVICES

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

### TYPE OF ADMINISTRATIVE APPLICATION:

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

### TYPE OF HEARING LEVEL APPLICATION:

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

### TYPE OF HEARING LEVEL PETITION:

- COMPREHENSIVE PLAN MAP OR TEXT AMENDMENT PETITION CHECKLIST

### TYPE OF ADDENDA:

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

### REQUIRED SUBMITTALS:

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

### SITE INFORMATION:

Section: 10 Township: 3N Range: 1W Total Acres: 5  
 Subdivision Name: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_  
 Site Address: 4610 N. Franklin Rd City: Meridian  
 Tax Parcel Number(s): 51210336375  
 Existing Zoning: RUT Proposed Zoning: RUT Area of City Impact: Meridian Overlay \_\_\_\_\_  
 District(s): A-110

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### OFFICE USE ONLY

Project #: <u>201400074-CU-MSP-V</u>	Planning Fees/GIS: <u>\$2684.00</u>	Engineering Fees: _____
Received By: <u>BSP</u> Date: <u>1-16-14</u> Stamped <input checked="" type="checkbox"/>		

<b>APPLICANT/AGENT:</b> (Please print)		<b>ADDITIONAL CONTACT if applicable:</b> (Please Print)	
Name: <u>Levi Duckett</u>		Name: _____	
Address: <u>Po Box 724</u>		Address: _____	
City: <u>Merriman</u> State: <u>Id</u> Zip: <u>83600</u>		City: _____ State: _____ Zip: _____	
Telephone: <u>(208) 889-8056</u> Fax: <u>898-9711</u>		Telephone: _____ Fax: _____	
Email: <u>levi@smshinelandscapes.net</u>		Email: _____	
I certify this information is correct to the best of my knowledge.		<b>ENGINEER / SURVEYOR if applicable:</b> (Please Print)	
 _____ Signature: (Applicant)		Name: _____	
		Address: _____	
		City: _____ State: _____ Zip: _____	
		Telephone: _____ Fax: _____	
		Email: _____	
_____ Date: <u>1/6/14</u>			

<b>OWNER (S) OF RECORD:</b> (Please Print)		<b>OWNER (S) OF RECORD:</b> (Please Print)	
Name: <u>Marc Johnson</u>		Name: _____	
Address: <u>12389 W Bowmont St</u>		Address: _____	
City: <u>Boise</u> State: <u>ID</u> Zip: <u>83713</u>		City: _____ State: _____ Zip: _____	
Telephone: <u>208-890-6738</u>		Telephone: _____	
Fax: _____		Fax: _____	
Email: <u>marc@talonconstruction.com</u>		Email: _____	
I consent to this application, I certify this information is correct, and allow Development Services staff to enter the property for related site inspections. I agree to indemnify, defend and hold Ada County and its employees harmless from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of the application.		I consent to this application, I certify this information is correct, and allow Development Services staff to enter the property for related site inspections. I agree to indemnify, defend and hold Ada County and its employees harmless from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of the application.	
 _____ Signature: All Owner (s) of Record		_____ Signature: All Owner (s) of Record	
_____ Date: <u>01/10/2014</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.

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**EXHIBIT 3**  
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 Project # 201400074 CU-MSP-V

# ADA COUNTY DEVELOPMENT SERVICES

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



## CONDITIONAL USE CHECKLIST

A Conditional Use request requires a public hearing.

### GENERAL INFORMATION:

Applicant	DESCRIPTION	Staff
✓	One paper copy and one electronic copy of all required submittals.	
✓	Completed and signed Master Application	✓
✓	DETAILED LETTER by the applicant fully describing the request or project and addressing the following:	✓
✓	Explain the proposed use, and all uses associated with the request.	
	Any other supporting information.	
	Address the standards in ACC 8-5-3 for proposed use(s):	
	Days of use:	
	Hours of use:	
	Duration of use(s):	
✓	MASTER SITE PLAN (If required)	✓
✓	NEIGHBORHOOD MEETING CERTIFICATION	✓
✓	PRE-APPLICATION CONFERENCE NOTES	✓
✓	SITE PLAN is not required if associated with a MSP.	✓
	Show existing and proposed structures.	
	Submit one electronic copy, one full sized plan and one 8 1/2" X 11" plan.	
✓	DEED (or evidence of proprietary interest)	✓
✓	OVERLAY DISTRICT: May require a separate checklist or additional information for the following:	✓
✓	HILLSIDE (ACC 8-3H)	
	FLOOD HAZARD (ACC 8-3F)	
	WILDLAND-URBAN FIRE INTERFACE (ACC 8-3B)	
	SOUTHWEST PLANNING AREA (ACC 8-3C)	
	PLANNED UNIT DEVELOPMENT (ACC 8-3D)	
	BOISE RIVER GREENWAY (ACC 8-3G)	
	BOISE AIR TERMINAL AIRPORT INFLUENCE AREAS (ACC 8-3A)	
	MUST COMPLY WITH SIGN POSTING REGULATIONS (ACC 8-7A-5)	
	APPLICATION FEE: Call County or go to www.adaweb.net for fees	

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. This application shall not be considered complete until staff has received all required information.

# ADA COUNTY DEVELOPMENT SERVICES

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



## MASTER SITE PLAN CHECKLIST (ACC 8-4D)

A Master Site Plan request does not require a public hearing. It is a staff level application, as long as it is not associated with a conditional use.

### GENERAL INFORMATION:

Applicant	DESCRIPTION	Staff
	One paper copy and one electronic copy of all required submittals.	
✓	Completed and signed Master Application.	✓✓
✓	Completed Supplemental Information.	
✓	DETAILED LETTER by the applicant fully describing the request or project and address the information on supplemental sheet;	✓✓
	DEED or evidence of proprietary interest.	✓
✓	IDAHO DEPARTMENT OF FISH AND GAME LETTER.	✓✓
✓	FULL SIZE SCALED PLOT PLAN, showing all existing and proposed easements, property lines, and structures drawn to scale, including one electronic copy and one copy reduced to 8 1/2 X 11. (Address required information on supplemental sheet)	✓✓
✓	FULL SIZE NATURAL FEATURES ANALYSIS ACC 8-4E-4D, including one electronic copy and one copy reduced to 8 1/2 X 11. (Address required information on supplemental sheet)	✓
✓	LANDSCAPING (ACC 8-4F) (Address required information on supplemental sheet) One electronic copy, one full size, and one 8 1/2 X 11 copy. <i>CON DESIGN</i>	0
	Drawn by a landscape professional. (within an area of impact)	
✓	OFF STREET PARKING & LOADING FACILITIES (ACC 8-4G) (Address required information on supplemental sheet)	✓✓
✓	LIGHTING (ACC 8-4H) (Address required information on supplemental sheet)	0
✓	SIGN PLAN (ACC 8-4I)	
	Indicate all proposed and existing signs.	
✓	NATURAL FEATURES ANALYSIS (ACC 8-4E-4D) see supplemental info.	✓
✓	OVERLAY DISTRICT: May require a separate checklist or additional information for the following:	✓
✓	HILLSIDE DEVELOPMENT (ACC 8-3H)	
	FLOOD HAZARD (ACC 8-3F)	
	WILDLAND-URBAN FIRE INTERFACE (ACC 8-3B)	
	SOUTHWEST PLANNING AREA (ACC 8-3C)	
	PLANNED UNIT DEVELOPMENT (ACC 8-3D)	
	BOISE RIVER GREENWAY (ACC 8-3G)	
	BOISE AIR TERMINAL AIRPORT INFLUENCE AREAS (ACC 8-3A)	
APPLICATION FEE: Call County or go to www.adaweb.net for fees		

*Condition 3*

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

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MSP SUPPLEMENTAL INFORMATION (to be completed by the applicant)	
DETAILED LETTER MUST ADDRESS THE FOLLOWING (If applicable)	
<input checked="" type="checkbox"/>	Proposed use (s):
	Is the project associated with a Conditional Use YES ( <input checked="" type="checkbox"/> ) NO ( )
	Conditional Use #
	Area of city impact: <i>Mendion</i>
<i>No</i>	Is this application a modification of an approved master site plan? Original MSP #
<i>No</i>	Is this application a change or expansion of an approved master site plan? Original MSP #
<input checked="" type="checkbox"/>	Total square feet of all proposed structures:
<input checked="" type="checkbox"/>	Hours of operation:
<input checked="" type="checkbox"/>	Days of operation:
<input checked="" type="checkbox"/>	Required parking:
<input checked="" type="checkbox"/>	Required bicycle parking:
<input checked="" type="checkbox"/>	Required ADA parking:
<input checked="" type="checkbox"/>	Number of employees during the largest shift:
<input checked="" type="checkbox"/>	Maximum number of patrons expected:
<input checked="" type="checkbox"/>	Outdoor speaker system YES ( ) NO ( <input checked="" type="checkbox"/> )
<input checked="" type="checkbox"/>	Proposed Sewer:
<input checked="" type="checkbox"/>	Proposed Water:
<input checked="" type="checkbox"/>	Pressurized Irrigation YES ( ) NO ( <input checked="" type="checkbox"/> )
	Multifamily structures shall have varied setbacks within the same structure and staggered and/or reversed unit plans. Structures within a multi-family development shall be rotated, staggered, and/or reversed.
<input checked="" type="checkbox"/>	Explain if the utilities are underground or if screening is provided.
SITE PLAN	
<input checked="" type="checkbox"/>	Structure location.
<input checked="" type="checkbox"/>	Pedestrian access and circulation.
<input checked="" type="checkbox"/>	Building elevations.
<input checked="" type="checkbox"/>	Well locations.
<input checked="" type="checkbox"/>	Drain fields.
<input checked="" type="checkbox"/>	Hydrant location, fire department access, fire flow resources, etc.
<input checked="" type="checkbox"/>	Pressurized Irrigation if required.
<input checked="" type="checkbox"/>	Parking plan. (required) ACC 8-4G
<input checked="" type="checkbox"/>	ADA parking identified.
<input checked="" type="checkbox"/>	Automobile access and circulation.
<input checked="" type="checkbox"/>	Lighting plan. (condition of approval) ACC 8-4H
<input checked="" type="checkbox"/>	Sign Plan. (If proposed, condition of approval) ACC 8-4I
LANDSCAPING (If applicable) <i>COA DESIGN</i>	
	Location, size, type, 75% maturity
	Vegetation to be saved YES ( ) NO ( <input checked="" type="checkbox"/> )
	Phased project YES ( ) NO ( <input checked="" type="checkbox"/> )
	Verification that standards are met.
	Fences over 100' YES ( <input checked="" type="checkbox"/> ) NO ( )
	Size at planting:
	Flood Hazard Overlay YES ( ) NO ( <input checked="" type="checkbox"/> )
	Sound walls YES ( ) NO ( <input checked="" type="checkbox"/> )

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	Outdoor speakers	YES ( ) NO ( <input checked="" type="checkbox"/> )
	Perimeter Landscaping & Screening	
	Required landscape points:	
	Minimum landscape width:	
	Parking Area Landscaping & Screening	
	% of Shading required:	
	Screening	YES ( ) NO ( )
	Pedestrian access required	YES ( ) NO ( <input checked="" type="checkbox"/> )
<b>PARKING</b>		
<input checked="" type="checkbox"/>	Identify all off street parking and loading.	
<input checked="" type="checkbox"/>	Phased project	YES ( ) NO ( <input checked="" type="checkbox"/> )
<input checked="" type="checkbox"/>	Restrictions on use	YES ( ) NO ( <input checked="" type="checkbox"/> )
<input checked="" type="checkbox"/>	Within 300' of the entrance:	YES ( <input checked="" type="checkbox"/> ) NO ( )
<i>NR</i>	Joint Parking Agreement (Submitt copy)	YES ( ) NO ( )
<input checked="" type="checkbox"/>	Identify width, angle, and depth of parking spaces.	
<input checked="" type="checkbox"/>	Address Bicycle Parking.	
<input checked="" type="checkbox"/>	List the number of required spaces for cars, bikes:	
<input checked="" type="checkbox"/>	List the number of off street loading spaces:	
<input checked="" type="checkbox"/>	List dimensionsof off street loading spaces:	
<input checked="" type="checkbox"/>	Detailed description of proposed paving materials.	
<b>LIGHTING (If applicable)</b>		
	Setbacks of the proposed lights:	
	Maximum Height:	
	Floodlights	YES ( ) NO ( )
	Shielding	YES ( ) NO ( )
<b>NATURAL FEATURES ANALYSIS</b>		
<input checked="" type="checkbox"/>	<b>HYDROLOGY. ACC 8-4E-4D1</b>	
<input checked="" type="checkbox"/>	<b>SOILS ACC 8-4E-4D2</b>	
<input checked="" type="checkbox"/>	<b>TOPOGRAPHY ACC 8-4E-4D3</b>	
<input checked="" type="checkbox"/>	<b>VEGETATION ACC 8-4E-4D4</b>	
<input checked="" type="checkbox"/>	<b>SENSITIVE PLANT AND WILDLIFE SPECIES ACC 8-4E-4D5</b>	
<input checked="" type="checkbox"/>	<b>HISTORIC RESOURCES ACC 9-4E-4D6</b>	
<input checked="" type="checkbox"/>	<b>HAZARDOUS AREAS ACC 8-4E-4D7</b>	
<input checked="" type="checkbox"/>	<b>IMPACT ON NATURAL FEATURES ACC 8-4E-4D8</b>	

# ADA COUNTY DEVELOPMENT SERVICES

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



## VARIANCE CHECKLIST (ACC 8-7-4)

A Variance request requires a public hearing.

### GENERAL INFORMATION:

Applicant	DESCRIPTION	Staff
✓	One paper copy and one electronic copy of all required submittals.	
✓	Completed and signed Master Application	
✓	DETAILED LETTER by the applicant fully describing the request or project and address the following:	✓
✓	Reason for the variance. Be specific.	
✓	Explain how the variance does not grant a right or special privilege that is not otherwise allowed in the base district.	
✓	Explain how the variance relieves an undue hardship due to the characteristics of the site.	
✓	Explain how the variance is not detrimental to the public health, safety, and welfare.	
✓	What is the hardship if the variance is denied?	
✓	Are there characteristics of the property that are unusual and make it necessary to obtain the variance?	
✓	Were you aware of this hardship prior to purchasing or developing your property?	
✓	How does the request comply with Idaho Code 67-6516?	
✓	CURRENT SITE PLAN One reduced copy to 8 1/2 X 11.	✓
✓	DEED or evidence of proprietary interest.	✓
✓	NEIGHBORHOOD MEETING CERTIFICATION	✓
✓	PRE-APPLICATION CONFERENCE NOTES	✓
✓	MUST COMPLY WITH SIGN POSTING REGULATIONS (ACC 8-7A-5)	
	APPLICATION FEE: Call County for Current Planning Fee or go to www.adaweb.net	

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

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Sunshine Landscape, Inc.  
4610 W Franklin Rd.  
Meridian, Id.

## Master Site Plan Application

### Proposed Use

---

The property will be used for a contractor's yard for a commercial landscape maintenance company to operate from. We operate a typical lawn maintenance company that uses industry standard equipment. We will use the property to park our trucks and trailers on nights and weekend and for storage of equipment and vehicles not being used at a given time. We will also use the property to house a shop which will be used to perform routine maintenance and repairs to our equipment and vehicles and for storage of tools.

### Proposed Structures

---

We will be constructing only one proposed structure on the property which will be a new shop. The shop will be 60' x 40' with a 20' canopy off the back of the shop for an enclosed equipment storage area and on one end of the shop there will be a 20' enclosed overhang to for additional storage. The 20' overhang will be concealed on 3 sides and only open on the end of the shop, which faces a pasture. There is an existing home on site that is approximately 1700 sq ft and was built in the 1970's. We will use the existing home for our office and it will require virtually no improvements to be usable.

### Operations

---

We operate within typical business hours structure, Monday thru Friday and 7 AM to 5 PM. We only operate starting at 7 during the peak season, which is usually from May to October. The rest of the year we begin operations at 8 AM. We may have one or more crews working on Saturdays during peak season, but it is unusual and would still be within the 7 AM to 5 PM time frame.

### Required Parking

---

Our company has 6 full time employees, and usually between 30 to 35 seasonal workers who operate from March thru November. Our proposed parking will exceed the requirements as we will provide a lot that is 64'

wide and 70' long. This would allow for approximately 8 parking stalls on each side and about 26' for a two way driving lane in between the stalls. The stalls will be about 9' x 18' at 0 degrees of angle. There will be two available ADA parking stalls located closest to our office, near the sidewalk which will allow direct access to the front door. There will also be additional parking along the shop in the back of the property. We will use 3/4" chipped gravel for the parking area and it will be contained with railroad ties, which will also serve to restrain vehicles when they park. The parking lot will be routinely oiled to keep dust mitigated. We will not have loading/unloading facilities at our property.

### **Employees & Patrons**

---

We do not sell any products from our business location, so we don't anticipate any patrons to visit our location on a reoccurring basis. We have 6 full time employees and typically 30-35 seasonal employees (March thru November).

### **Sewer, Water & Utilities**

---

The existing home (office) uses an existing well for water supply. The water for the shop will be provided from the existing well on site. Utilities (electrical) will be provided from the road and will be an underground supply provided by Idaho Power. Propane will be used to heat the shop and the supply will also be underground from new tank to be installed. Available City of Meridian septic will be tied into along Franklin rd for the new shop.

### **Lighting**

---

No exterior lighting is anticipated at this time.

### **Business Signs**

---

No business signs are anticipated at this time.

### **Natural Features Analysis**

---

The property consists of an existing home with a small yard, approximately 1700 sq ft of turf grass that surrounds the home on 3 sides. The remainder of the property is currently unused pasture. It has been planted in pasture grass and appears to have been unused for several years. The pasture

grass does not appear to have any significant weed infestations that are unusual, and there are no signs of noxious weeds on the property.

The yard around the home is manually watered. The pasture appears to water via ground gravity feed.

The pasture area will be disturbed for new areas of construction and parking only. All other existing grass areas will be left as it currently exists and will be periodically mowed throughout the growing season to keep a neat appearance.

The property is flat with very little grade going in any specific direction from the property onto neighboring properties or the roadways.

We have determined there are no historic resources currently located on the property.

### **Landscaping**

---

The landscaping improvements will mostly consist of enhancements along Franklin road at the property line. We intend to build a berm along Franklin road between the two entrances to the property and landscape that berm on the Franklin Rd side with shrubs, grasses and trees. It will have an automatic irrigation system. On the back side of the berm, we plan to build a retaining wall with natural boalders to allow for additional office parking in front of the garage. We will also be improving the landscaping around the house to include an irrigation system, new shrubs, turf and trees.

The fencing will include a 6' cedar fence on both the E and W property line that will go from the south property lines along Franklin Rd along the property lines to the north approximately 250 linear feet. This will provide privacy for our neighbors as well as security for us. At the back end of the proposed shop area beyond the gravel parking we will have pasture as it is now. We do not intend to build any solid fencing on the back side of our structure considering our property will extend for an additional 250' to the North.

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**Sunshine Landscape, Inc.**  
**4610 W Franklin Road**

### **Variance Request**

---

We are requesting a variance for the use of the property to allow the construction of our shop to be within 100' of the property line. We are requesting to put the back of the shop at approximately 40' from the West end of the property line, about 250' from Franklin Rd to the South. The shop will sit at 60' x 80' and will face to the East of the property. We have included photos of the view from the West, North and East side of the shop in its proposed location. To the West is an industrially zoned property with a shop within 20' of the property line that is currently being occupied by a landscaping company similar to ours. There is an additional 2 ½ acres of our property to the North of our shop that we will use as fenced pasture. The neighboring property to the East is also unused pasture ground.

The variance would not grant us a special right or privilege that would otherwise not be allowed in the area. Most of the properties we have seen in this area are older and already have shops or buildings that are already close to the property line. Most of this area is comprised of commercial properties, residences with acreage pastures and farms. Idaho Power also has a substation that is one property away from ours at the corner of Black Cat and Franklin.

The property in its entirety is 206' wide and 450' deep. Keeping our shop and storage 100' from the property line on all sides would require that we utilize only the middle 6' of the property, rendering the remainder of the property unusable, which is virtually all of the property. The property is bound by Franklin rd on the South end, an industrially zoned contractor's yard to the West, and pasture fields on the North and West sides.

We are proposing constructing our shop in a way that would maintain a 100' distance from the RUT zoned neighboring property to the East and also keep a 40' distance from the neighboring property to the West that is an Industrial zone. We feel that this will allow our residential neighbor to have that distance from our shop even thou their property is pasture to the East of our shop. Also, at our neighborhood meeting we discussed the shop with the neighbor on that side and he suggested that it was not a concern for him in any way.

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The relocation of our shop would not in any way affect the public because we do not have anyone beyond employees on our property. We do not sell goods to anyone at our location. There would be no disturbance to anyone that we can foresee. In fact, it would likely be more beneficial to neighbors and to the public in general to have the shop farther back off the road to improve visibility and minimize the impact of a new shop. Constructing the shop in the location we have specified will be in the best interest of neighbors and traffic on Franklin rd, it would keep vision for traffic and pedestrians open so their view would in no way potentially be compromised.

If the variance was denied, it would essentially render the property useless for our business. Due to the narrow nature of the property we would not be able to use it for a contractor's yard in any way without the variance requested.

We were aware of the requirements for storage and facilities on property in Ada County under this zoning, however we anticipated being able to obtain a variance as needed. We also searched extensively in Ada County for suitable property that fit with our needs and budget. We turned down several opportunities to purchase other properties because of our concern for existing neighbors to those properties. We chose this property because of the counties plans for that area and the expansions that are in the future planning. We feel that this property will be a great fit for us long term and also for the area, considering the future zoning changes to commercial/industrial. Franklin road is a busy road with increasing traffic and we felt our impact there would be minimal.

This request is in accordance with Idaho code 67-6516 because we have requested a variance that will be in the best interest of our business, the properties long term value as well as the safety and interest of the community who pass the property on Franklin and McDermott roads.

We are requesting that 100% of the existing house be used for office space rather than the standard 25%.

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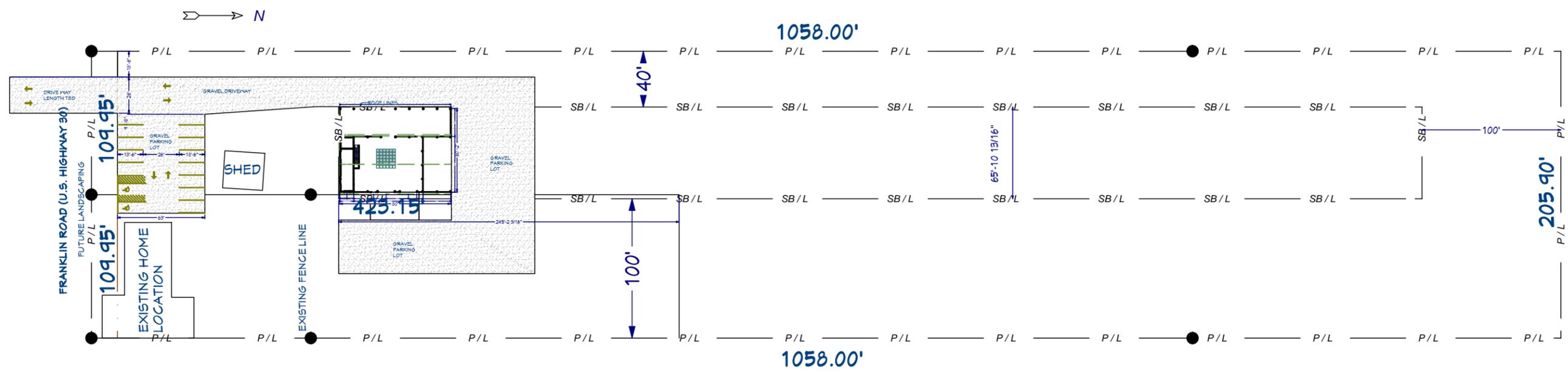


Exhibit #9  
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SHOP	2,000 SQ FT
STORAGE RM	315 SQ FT
BATHROOM	85 SQ FT
MEZZANINE STORAGE	418 SQ FT
EQUIPMENT STORAGE	1,600 SQ FT
MATERIAL STORAGE	800 SQ FT
<b>TOTAL</b>	<b>5,218 SQ FT</b>

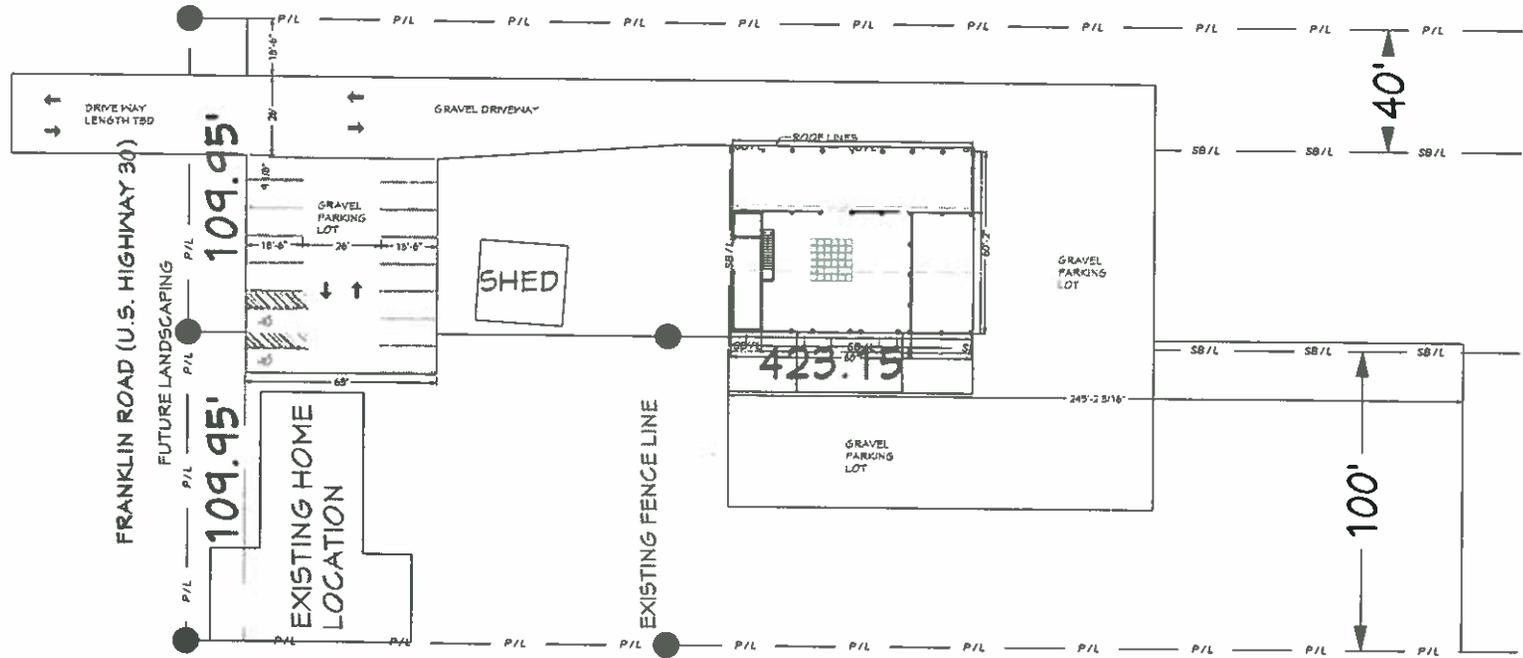
# SUNSHINE LANDSCAPE SHOP

DRAWINGS PROVIDED BY:  

 LIFESTYLE HOME DESIGN  
 616 W. Bear Track Dr.  
 Meridian, ID 83642  
 208-887-2222

DATE: 12/20/2013

SHEET: \_\_\_\_\_



**PARTIAL SITE PLAN**  
 SCALE: 1" = 40'-0"

EXHIBIT 10  
 Page 1 of 1  
 Project # 201400074 W-15P-V

SHOP	2,000 SQ FT
STORAGE RM	315 SQ FT
BATHROOM	85 SQ FT
MEZZANINE STORAGE	418 SQ FT
EQUIPMENT STORAGE	1,600 SQ FT
MATERIAL STORAGE	800 SQ FT
<b>TOTAL</b>	<b>5,218 SQ FT</b>

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January 15, 2014  
Syman Project No. 14-2329

Sunshine Landscape, Inc.  
97 S Main St  
Meridian, ID 83642

Attention: Levi Duckett

SUBJECT: Natural Features Analysis

Dear Levi,

This natural features analysis was prepared for the proposed Sunshine Landscape Shop located in the SW ¼ of the SW ¼ of section 10, T 3 N, R 1 W, Meridian Boise. The physical address of the proposed building is 4610 West Franklin Road, Meridian, ID 83642. The existing property is approximately 5 acres in size. In general, this project consists of construction of a 5,218 sq ft building, gravel driveway, and gravel parking lots. The following conclusions are based on the following:

- Site visit on January 13, 2014
- FIRM Flood Insurance Rate Map, Ada County Idaho and Incorporated Areas, Map Number 16001C0250J
- Reed S. Lewis, Paul K. Link, Loudon R Stanford, and Sean P. Long, 2012, Geologic Map of Idaho, Map-9, Idaho Geological Survey, Interactive map, [www.Idahogeology.org/webmap/](http://www.Idahogeology.org/webmap/).
- United States Department of Agriculture; Natural Resources Conservation service, 2013, Web Soil Survey, [websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx](http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx).
- Idaho Department of Water Resources Well Logs, Accessed January 14, 2013
- USGS Meridian, Idaho Quadrangle Map 7.5 minute scale

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HYDROLOGY

There are no permanent or ephemeral creek beds, or stream beds in the project area. Surface water generally drains to low areas to the east-northeast toward Purdam Gulch Drain. There are two (2) unnamed ditches which direct stormwater and irrigation water east across the property. One ditch is located on the northern boundary of the property and the remaining ditch is located approximately 190 feet from the south property boundary. The Federal Emergency Management Agency (FEMA) has classified the project location within Zone X. These areas are determined to be outside the 0.2% annual chance floodplain.

Based on review of well logs obtained from the Idaho Department of Water Resources within the same geographic ¼ section, the groundwater is about 4 feet below ground surface.

SOILS

Based on Idaho Geological Survey map the materials underlying the site consist of sediments and sedimentary rocks deposited during the Pleistocene. Deposits consist of older gravel, sand, and silt deposited in fans, streams, and lakes.

Studies completed by the U.S. Department of Agriculture National Resource Conservation Service (Web Soil Survey), indicate that the underlying soil consists of Aquic Torriorthents and Purdam silt loam. Aquic Torriorthents parent material is mixed alluvium and is somewhat poorly drained. The capacity of the most limiting layer to transmit water is moderately high to high. Purdam silt loam is mixed alluvium and lacustrine deposits and loess. Purdam silt loam is well drained. The capacity of the most limiting layer to transmit water is very low to moderately low. The soil survey indicates, within the Aquic Torriorthents, that the depth to restrictive features is 15 to 40 inches to strongly contrasting textural stratification. Within the Purdam silt loam the depth to restrictive features is 20 to 40 inches to duripan.

The typical profile of the Aquic Torriorthents is defined as 0 to 20 inches is a loam. From 20 to 60 inches is sand and gravel. The typical profile of the Purdam silt loam is defined as 0 to 10 inches is silt loam. From 10 to 13 inches is silty clay loam. From 13 to 24 inches is silt loam. From 24 to 38 inches is cemented material. And from 38 to 60 inches is stratified sand to loam. The hydrologic soil group for both materials is given as C. For both soil types the erosion K factor range is from 0.02 to 0.69.





Page 3

TOPOGRAPHY

The topography of the site is very flat. The elevation of the site is 2,550. Slopes throughout the property range from 0 to 3 percent. Based on USGS Meridian, Idaho Quadrangle map at 7.5 minute scale, the average slope is approximately less than 1 percent.

VEGETATION

Existing vegetation found on site is predominantly pasture grass. Some exotic plants such as cheatgrass (*Bromus tectorum*) and Russian thistle (*Salsola iberica*) were found present. No known habitat exist. The habitat within the proposed project area boundary is heavily degraded, trampled, and overgrazed by the presence of livestock. No livestock was observed at time of site visit.

SENSITIVE PLANT AND WILDLIFE SPECIES

The site has been developed in the past and is currently occupied. The Idaho Department of Fish and Game has no records of any federally listed threatened or endangered species or critical habitat within or immediately adjacent to the proposed project area, nor does the IDFG anticipate undue adverse effects to fish and wildlife resources from the proposed project.

HISTORIC RESOURCES

The project location is not identified as a historic resource by the Ada county historic resources inventory. The closest property regarding significant local and regional history is located at 5925 W Franklin Rd, Meridian, ID, approximately 1 mile from the project.

HAZARDOUS AREAS

The past use of the property was pasture land. There are no water supply wells within 100 feet of the proposed facility. No other hazardous areas have been identified within the project location.

IMPACT ON NATURAL FEATURES

Based on past use of the property and the proposed development, there is no reason to suspect that there is potential for impact of natural features.

Sunshine Landscape, Inc.  
January 15, 2014  
Syman Project No. 14-2329



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If you have any questions please contact Adam Lyman at 208-739-8320.

Respectfully submitted,

**Syman, LLC**

Adam Lyman  
Professional Engineer

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# WESTERN LABORATORIES, INC.

P.O. Box 1020 • Parma, Idaho 83660 • 800-658-3858  
 http://www.westernlaboratories.com

25%

Lab Number  
 33731

Date: 12/6/2012

Client: SUNL

Gardner: Sunshine Landscape

Garden ID:

## Lawn, Parks, Trees & Shrubs



### SOIL REPORT

ELEMENT	ANSWER	INTERP	Should Be	ELEMENT	ANSWER	INTERP	Should Be
pH-Water	7.4	Slightly Basic		Potassium-ppm	665	High	350 +
pH-SMP				Magnesium-ppm	614	Very High	300 +
Texture	Loamy Sand			Sodium-ppm	239	Too High	< 150
Soluble Salts	0.35	Normal	< 1.5	Zinc-ppm	2.6	Adequate	1.5 - 3.0
CEC Cation Exchange Capacity	9	Low		Iron-ppm	14	Adequate	25+
% Lime	4.7	Potential sealing		Manganese-ppm	18	Adequate	6 - 30
% Organic Matter	2.44	Low		Copper-ppm	1.0	Low	1.2 - 2.5
Nitrates-ppm	20	Adequate	50 +	Sulfate-ppm	115	Adequate	20 +
Phosphorus-ppm	48	Adequate	40 +	Boron-ppm	2.2	High	0.8 - 1.2
Calcium-ppm	5219	Very High	1,500 +	Acidity	0		
% Base Saturation	424	Strongly Basic		Chloride-ppm			< 80

#### SOIL CHARACTERISTICS

- Low nutrient and low water holding capacity
- Potential soil surface sealing and iron chlorosis
- Severe crop restrictions due to sodium
- No salt problems expected

#### RECOMMENDATIONS IN POUNDS PER 1,000 SQUARE FEET

GROUP	LAWN	DECIDUOUS	EVERGREEN	SHRUBS	FLOWERS	GROUND COVER	ACID TOLERANT
Nitrogen*	5.1	2.8	3.7	2.8	3.2	2.3	2.3
Phosphorus	2.6	1.7	1.2	.7	1.7	.7	2.1
Potassium							
Sulfate Sulfur							
Elemental Sulfur	3	4	5	5	3	3	9
Gypsum							
Lime							

#### RECOMMENDATIONS IN OUNCES PER 1,000 SQUARE FEET

Magnesium							
Zinc	2.4	2.4	2	1.2	1.6	.9	1.6
Plant Food Iron	5.9	2.2	9.6	5.9	2.2	.4	5.9
Manganese							
Copper	.4	.7	.4	.2	.2		.4
Boron							

\* Split apply nitrogen. Do not apply more than five pounds of fertilizer on established vegetation at one time. Always irrigate following fertilization on established crop. Over and under irrigation is a major cause of poor plant appearance.

John P. Taberna, Soil Scientist

EXHIBIT 10

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Project # 20100071 W-10-V

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# 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: Contractors Yard

Date and time of neighborhood meeting: 12/28/13 10 AM

Location of neighborhood meeting: House on Property

## SITE INFORMATION:

Location: Quarter: \_\_\_\_\_ Section: 10 Township: 3N Range: 1W Total Acres: 5

Subdivision Name: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Site Address: 4610 W Franklin Rd

Tax Parcel Number(s): S1210336320  
S1210336375

## APPLICANT:

Name: Levi Dickett

Address: PO Box 724

City: Meridian State: ID Zip: 83680

Telephone: 884-8036 Fax: 898-9711

Email: levi@scorchinlandscapes.net

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



Signature: (Applicant)

Date: 1/7/2014

## OFFICE USE ONLY

File No.: \_\_\_\_\_ Received By: \_\_\_\_\_ Date: \_\_\_\_\_ Stamped: \_\_\_\_\_

8/4/11

EXHIBIT 13  
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Project # 20100074 W-149-V

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# Neighborhood Meeting Sign-In Sheet

Name: STEVE JAVOUSHEK Address: 4540 W FRANKLIN RD

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

Thank you!

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EXHIBIT 13  
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Project # 201400034 W-RSP-V



### QUITCLAIM DEED

Grantor, KIMBERLEE JOHNSON, for good and valuable consideration, the receipt of which is hereby acknowledged, does REMISE, RELEASE and forever QUITCLAIM unto MARC JOHNSON, a single man, whose current address is 12389 W. Bowmont Street, Boise, Idaho 83713, as his sole and separate property, as Grantee, and to Grantee's heirs and assigns forever, all of the following described real estate, situated in Ada County, State of Idaho, referred to as 4 acre parcel adjacent to 4610 Franklin Road, Meridian, Ada County, Idaho, and being more particularly described as follows:

Exhibit A attached.

Together with all tenements, hereditaments and appurtenances thereunto belonging.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, the said Grantor has hereunto set her hand this 3 day of September, 2008.

*Kimberlee Johnson*  
KIMBERLEE JOHNSON

STATE OF IDAHO )  
 ) :SS  
County of Ada )

On this 3 day of September, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared KIMBERLEE JOHNSON, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

*Ana M. Mendiol*  
NOTARY PUBLIC FOR IDAHO  
Residing at: Boise, Idaho  
My Commission Expires: 7/18/09

QUITCLAIM DEED - 1

EXHIBIT 14  
Page 1 of 4  
Project # 2000074 W-44p-V

RECEIVED  
JAN 15 2014  
ADA COUNTY  
DEVELOPMENT SERVICES

EXHIBIT "A"

PARCEL I:

A parcel of land in the Southwest quarter of Section 10, Township 3 North, Range 1 West, Boise-Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the section corner common to Sections 9, 10, 15 and 16, Township 3 North, Range 1 West; thence  
East 702.57 feet to a point; thence  
North 0°08'20" West 30 feet to a steel pin on the Northerly right of way line of Highway 30 to the REAL POINT OF BEGINNING; thence  
North 0°08'20" West 423.15 feet to a point; thence  
West 102.95 feet to a point; thence  
South 0°08'20" East 423.15 feet to a point on the Northerly line of Highway 30; thence  
East along said right of way line 102.95 feet to said POINT OF BEGINNING.

EXCEPT ditch and road rights-of-way.



**QUITCLAIM DEED**

*Kimberlee*

Grantor, A JOHNSON, for good and valuable consideration, the receipt of which is hereby acknowledged, does REMISE, RELEASE and forever QUITCLAIM unto MARC JOHNSON, a single man, whose current address is 12389 W. Bowmont Street, Boise, Idaho 83713, as his sole and separate property, as Grantee, and to Grantee's heirs and assigns forever, all of the following described real estate, situated in Ada County, State of Idaho, referred to as 4610 Franklin Road, Meridian, Ada County, Idaho, and being more particularly described as follows:

Exhibit A attached.

Together with all tenements, hereditaments and appurtenances thereunto belonging.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, the said Grantor has hereunto set her hand this 3 day of September, 2008.

*Kimberlee Johnson*  
KIMBERLEE JOHNSON

STATE OF IDAHO )  
 ) : ss  
County of Ada )

On this 3 day of September, 2008, before me, the under-  
signed, a Notary Public in and for said State, personally appeared  
KIMBERLEE JOHNSON, known or identified to me to be the person whose  
name is subscribed to the within instrument, and acknowledged to me  
that she executed the same.

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

*Ana M. Mendez*  
NOTARY PUBLIC FOR IDAHO  
Residing at: Boise, Idaho  
My Commission Expires: 7/18/09

QUITCLAIM DEED - 1

EXHIBIT 14  
Page 3 of 4  
Project # 201400074 W-N69-V

RECEIVED  
JAN 15 2014  
ADA COUNTY  
DEVELOPMENT SERVICES

Exhibit "A"

PARCEL II:

A parcel of ground in the Southwest quarter of the Southwest quarter of Section 10, Township 3 North, Range 1 West, Boise-Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the section corner common to Sections 9, 10, 15 and 16, Township 3 North, Range 1 West, Boise-Meridian; thence  
East along the section line 496.67 feet to a point; thence  
North  $0^{\circ}08'20''$  West 30.00 feet to the Northerly right-of-way line of Highway 30 the REAL POINT OF BEGINNING; thence  
North  $0^{\circ}08'20''$  West 1,058.00 feet to a point; thence  
East 205.90 feet to a point; thence  
South  $0^{\circ}08'20''$  East 1,058.00 feet to a point on the Northerly right of way line of Highway 30; thence  
West along said right-of-way line 205.90 feet to the REAL POINT OF BEGINNING.

EXCEPT a parcel of land in the Southwest quarter of Section 10, Township 3 North, Range 1 West, Boise-Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the section corners common to Sections 9, 10, 15 and 16, Township 3 North, Range 1 West; thence  
East 702.57 feet to a point; thence  
North  $0^{\circ}08'20''$  West 30 feet to a steel pin on the Northerly right-of-way line of Highway 30 to the REAL POINT OF BEGINNING; thence  
North  $0^{\circ}08'20''$  West 423.15 feet to a point; thence  
West 102.95 feet to a point; thence  
South  $0^{\circ}08'20''$  East 423.15 feet to a point on the Northerly line of Highway 30; thence  
East along said right-of-way line 102.95 feet to said POINT OF BEGINNING.

FURTHER EXCEPT ditch and road rights-of-way.

*H. Anderson*

RECEIVED  
JAN 15 2014  
ADA COUNTY  
DEVELOPMENT SERVICES

# 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 24, 2014

Levi Duckett  
P.O. Box 724  
Meridian, ID 83680

**RE: PROJECT #201400074 CU-MSP-V; SUNSHINE LANDSCAPE**

Dear Mr. Duckett;

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

A copy of the staff report will be sent to you (and available online) prior to the meeting. Please contact me if you have any questions or comments regarding this application, the staff report, or any conditions, which may be attached to the staff report. I can be reached at 287-7913 or via [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: Marc Johnson, 12389 W. Bowmont St., Boise, ID 83713

Project #201400074 CU-MSP  
Levi Duckett  
Marc Johnson

EXHIBIT 15  
Page 1 of 1  
Project # 201400074 CU-MSP-V

# 201400074 CU-MSP-V Vicinity Map



### Legend

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

Scale: 1:3,600



Map center: 43° 36' 20.8" N, 116° 27' 4.6" W

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

**Brent Danielson**

**From:** Brent Danielson  
**Sent:** Monday, January 27, 2014 2:25 PM  
**To:** rphillips@idahopower.com; exline.eric@meridianschools.org; gordon.m.hamilton@williams.com; carla.bernardi@cableone.biz; mreno@cdhd.idaho.gov; lbadigia@cdhd.idaho.gov; rward@idfg.idaho.gov; linda.clark@deq.idaho.gov; linda.clark@deq.idaho.gov; westerninfo@idwr.idaho.gov; msinglet@intgas.com; tmcmmorrow@spro.net; mhill@meridiantcity.org; cboucher@meridiantcity.org; gretchen@mld.org; swidrcd@idahorcd.org; Darby Weston; clittle@achdidaho.org; syarrington@achdidaho.org; parks4fun4u@aol.com; Brian Wilbur; cherylwright@cwidaho.cc; Mark Ferm; Angela Gilman; Kelly Woodworth; Jean Schaffer; Glenda Britz; rkinney@republicservices.com; Brent Danielson  
**Cc:** Brent Danielson  
**Subject:** Ada County Application Transmittal Notice.

	<h2>Ada County Development Services</h2> <h3>Planning &amp; Zoning Division Transmittal</h3>
--	--

<b>File Number:</b> <a href="#">201400074-CU / MSP / V</a>	<b>X-Reference:</b> NONE
<b>Description:</b> A conditional use and master site plan application to operate and construct a contractor's yard/shop. The shop will be approximately 5,218 square feet and the existing dwelling on the property will be used as an office. In addition, an application for a variance to grant relief from a development standard requiring all structures and storage areas to be located a minimum of 100 feet from any property line because the subject property is located in a residential district. Also, a variance from the development standard for accessory office space to comply with Section 8-5-3-75 of the Ada County Code in order to exceed 25% of the gross floor area of the use.	
<b>Reviewing Body:</b> BOCC	<b>Hearing Date:</b> 3/12/2014
<b>Applicant:</b> SUNSHINE LANDSCAPE	<b>P&amp;Z Recommendation:</b>
<b>Property:</b> The property contains 5.000 acres and is located at 4610 W FRANKLIN RD MERIDIAN 83642, Section 10 3N 1W.	

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 2/11/2014. 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

## Brent Danielson

**From:** Perry Palmer <ppalmer@meridiancity.org>  
**Sent:** Monday, January 27, 2014 3:41 PM  
**To:** Brent Danielson  
**Subject:** 201400074CU/MSPV



Hi Brent,

The only issue with this application is going to be water. There is a development proposed for basically across the street which will provide water within an acceptable distance for this application. The timing of the development and the fire flow that will be available at this point are both uncertain. The needed fire flow is going to be 2000 gallons per minute with a 5200 square foot type VB construction.

Not seeing the plans, is there a natural break to create a 2 hour separation say between the office area and the shop to keep the maximum area at 3600 square feet or less? Other than access, that is all I have to offer on this application.

Please let me know if you have any questions.

Thanks,  
Perry

**Perry Palmer, Deputy Chief of Fire Prevention  
Meridian Fire Department  
208-888-1234**



***Dedication, Loyalty, Tradition***

### **CONFIDENTIALITY NOTICE:**

**This email and any files transmitted with it are confidential and privileged and intended for receipt and use solely by the individual or entity named in this email transmission. If you are not the intended recipient, be advised that you have received this email in error, and that any use, dissemination, forwarding, printing, disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. Please notify the sender immediately that you have received this message in error and destroy this message.**

EXHIBIT 18  
Page 1 of 1  
Project # 201400074CU-MSP-V

Brent Daulson



CENTRAL DISTRICT HEALTH DEPARTMENT

Environmental Health Division

RECEIVED  
FEB 03 2014  
ADA COUNTY  
DEVELOPMENT SERVICES

Return to:

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

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

Conditional Use # 201400074-C4/MSP/V

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

sect 10

- 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 accessory use application  
must be submitted to CDHD.

Reviewed By: [Signature]  
Date: 1/28/14

EXHIBIT 19  
Page 1 of 1  
Project # 201400074-C4-MSP-V



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: 01/27/2014  
Applicant/Description: Conditional use and master site plan application to operate and construct a contractor's yard/shop

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

C: File # 1941



ORGANIZED 1904

# Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH  
FAX #208-463-0092

NAMPA, IDAHO 83651-4395  
nmid.org

OFFICE: Nampa 208-466-7861  
SHOP: Nampa 208-466-0663

Ada County Development Services  
200 W Front St.  
Boise, ID 83702-7300

**RE: 201400074-CU/MSP/V: 4610 W Franklin Rd., Meridian**

Dear Development Services:

Nampa & Meridian Irrigation District (NMID) has no comment on the above-referenced application.

All laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site, Nampa & Meridian Irrigation District (NMID) must review drainage plans.

Sincerely,

Greg G. Curtis  
Water Superintendent  
Nampa & Meridian Irrigation District  
GGC/dbg

PC: Office/File

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



**EXHIBIT 21**  
Page 1 of 1  
Project # 201400074 CU-MSP-V

APPROXIMATE IRRIGABLE ACRES  
RIVER FLOW RIGHTS - 23,000  
BOISE PROJECT RIGHTS - 40,000

**Brent Danielson**

---

**From:** Levi Duckett <levi@sunshinelandscapenet.com>  
**Sent:** Monday, February 03, 2014 4:15 PM  
**To:** Brent Danielson  
**Subject:** Re: Clarification on Project #201400074 CU-MSP-V

Yes, employees drive our vehicles during the day. We are planning to have them park in the front by the office. Our goal is to keep them out of parking in the back behind the locked gate if possible. We are planning to park our vehicles in the parking area by the shop in back. None of our equipment/vehicles will be parked up front by the road.

On Mon, Feb 3, 2014 at 3:08 PM, Brent Danielson <[bdanielson@adaweb.net](mailto:bdanielson@adaweb.net)> wrote:  
Levi,

In working on your application I have come across a couple of items where I would like your clarification. For the parking plan would the employees just be parking in the parking lot by the office (existing house) or would they also park in the parking area by the new shop? I am assuming that the seasonal employees would come to the site in the morning and receive their orders for the day and then go out in crews in Sunshine Landscape vehicles to the various work sites. Is this a correct assumption? I am also assuming that Sunshine Landscape trucks and trailers will be parked in the parking area by the shop. Is this a correct assumption as well?

	<p><b>Brent Danielson</b> <i>Associate Planner</i></p> <p><b>Ada County Development Services</b> 200 W. Front St., Boise, ID 83702 <a href="tel:(208)287-7913">(208) 287-7913</a> office <a href="tel:(208)287-7909">(208) 287-7909</a> fax</p>
--	---

--  
Thanks,

Levi Duckett  
Certified Landscape Professional

**Sunshine Landscape, Inc**  
*"Nature at its Best"*



Office (208) 884 8036  
Fax (208) 898 9711  
Email [levi@sunshinelandscapes.net](mailto:levi@sunshinelandscapes.net)

EXHIBIT 22  
Page 2 of 2  
Project # 20140004 C-115P-1

# MEMORANDUM

---



DATE: 2/5/2014

RE: 201400074-CU/MSP/V Sunshine Landscape

TO: Brent Danielson, Associate Planner

FROM: Mark Ferm, Ada County Building Official

RECEIVED

FEB 05 2014

ADA COUNTY  
DEVELOPMENT SERVICES

---

## Summary of Project:

A conditional use and master site plan application to operate and construct a contractor's yard/shop. The shop will be approximately 5,218 square feet and the existing dwelling on the property will be used as an office. In addition, an application for a variance to grant relief from a development standard requiring all structures and storage areas to be located a minimum of 100 feet from any property line because the subject property is located in a residential district. Also, a variance from the development standard for accessory office space to comply with Section 8-5-3-75 of the Ada County Code in order to exceed 25% of the gross floor area of the use. This project is located at 4610 W Franklin.

## Findings and Conditions:

The Building Division has no objection to the proposed use however the applicant should be aware that Building permits will be required for each structure. Plans prepared by a licensed Architect including a thorough Code analysis based on the 2012 International Building Code will be required this analysis must provide Accessible features as required in chapter 11 and ANSI A117.1 2009 edition.

## Conclusion:

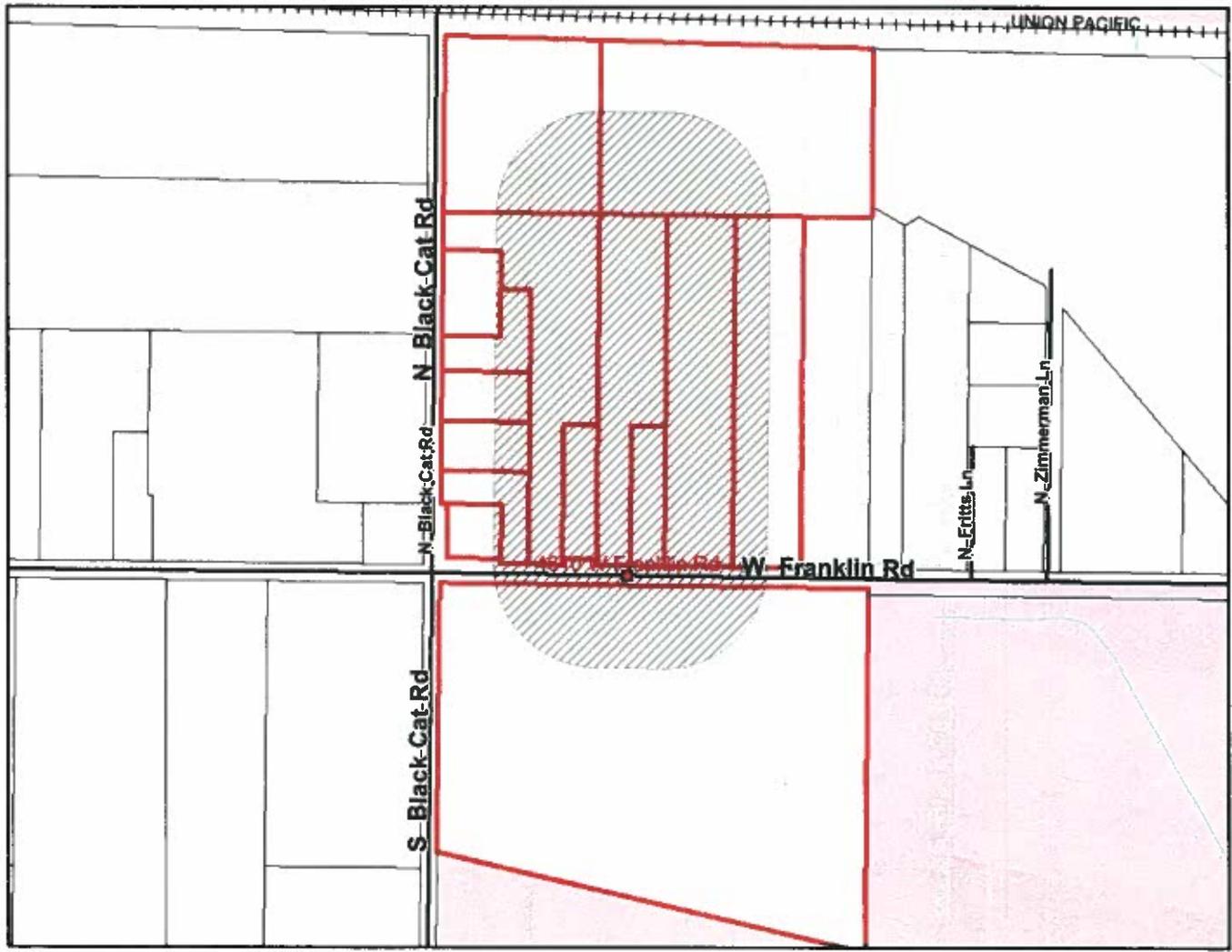
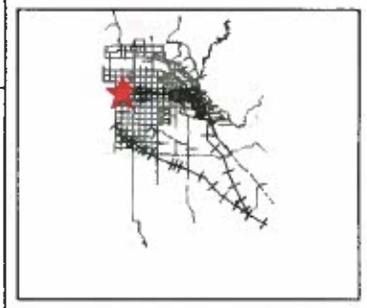
Approved with conditions listed above.

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

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

EXHIBIT 23  
Page 1 of 1  
Project #201400074 CU-MSP-V

# 201400074 CU-MSP-V 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

Scale: 1:6,058



Map center: 43° 36' 17.9" N, 116° 27' 5.4" 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: 201400074

Date File Created: 02/05/2014

Parcel Number / Property Address	Primary Owner / Address	Legal Description
S1210325900 462 N BLACK CAT RD MERIDIAN, ID 83642-0000	ROTH CHARLES A II 462 N BLACK CAT RD MERIDIAN, ID 83642-0000	PAR #5900 OF W2SW4 SEC 10 3N 1W #9155330
S1210325950 N BLACK CAT RD MERIDIAN, ID 83642-0000	SCHOOP RENE A 3822 W LAKE HAZEL RD MERIDIAN, ID 83642-7106	PAR #5950 OF W2SW4 SEC 10 3N 1W #9020532
S1210336015 286 N BLACK CAT RD MERIDIAN, ID 83642-0000	HATCH JENEAN A PO BOX 50344 BOISE, ID 83705-0000	PAR #6015 OF SW4SW4 SEC 10 3N 1W
S1210336100 254 N BLACK CAT RD MERIDIAN, ID 83642-0000	ROBISON WILBUR & MARGARET 3116 S LINDSAY AVE BOISE, ID 83705-4827	PAR #6100 OF SW4SW4 SEC 10 3N 1W #99037411
S1210336125 220 N BLACK CAT RD MERIDIAN, ID 83642-0000	LACASSE JOANNE 220 N BLACK CAT RD MERIDIAN, ID 83642-0000	PAR #6125 OF SW4SW4 SEC 10 3N 1W
S1210336135 150 N BLACK CAT RD MERIDIAN, ID 83642-0000	EDGERTON CLYDE MILTON 150 N BLACK CAT RD MERIDIAN, ID 83642-0000	PAR #6135 OF SW4SW4 SEC 10 3N 1W
S1210336150 88 N BLACK CAT RD MERIDIAN, ID 83642-0000	ABERASTURI RICHARD D 88 N BLACK CAT RD MERIDIAN, ID 83642-0000	PAR #6150 OF SW4SW4 SEC 10 3N 1W #8919119
S1210336200 64 N BLACK CAT RD MERIDIAN, ID 83642-0000	GUTHRIE KATHRYN M 64 N BLACK CAT RD MERIDIAN, ID 83642-5316	PAR #6200 OF SW4SW4 SEC 10 3N 1W #99028764 #95005820

S1210336252  
4770 W FRANKLIN RD  
MERIDIAN, ID 83642-0000

IDAHO POWER COMPANY  
PO BOX 70  
BOISE, ID 83707-0070

PAR #6252 OF SW4SW4  
SEC 10 3N 1W  
#6250-B  
#98077528 #98021033

S1210336320  
W FRANKLIN RD  
MERIDIAN, ID 83642-0000

JOHNSON MARC  
12389 W BOWMONT ST  
BOISE, ID 83713-0000

PAR #6320 OF SW4SW4  
SEC 10 3N 1W

S1210336351  
4670 W FRANKLIN RD  
MERIDIAN, ID 83642-0000

ZANDERS ANTHONY R  
2225 E CHIMERE DR  
MERIDIAN, ID 83646-1553

PAR #3651 NEAR CTR S POR  
OF SW4SW4  
SEC 10 3N 1W  
#336350-B

S1210336375  
4610 W FRANKLIN RD  
MERIDIAN, ID 83642-0000

JOHNSON MARC  
12389 W BOWMONT ST  
BOISE, ID 83713-0000

PAR #6375 OF SW4SW4  
SEC 10 3N 1W  
#9166627

S1210336400  
4540 W FRANKLIN RD  
MERIDIAN, ID 83642-0000

JANOUSHEK STEPHEN  
4540 W FRANKLIN RD  
MERIDIAN, ID 83642-5487

PAR #6400 OF SW4SW4  
SEC 10 3N 1W  
#97054942

S1210336425  
4490 W FRANKLIN RD  
MERIDIAN, ID 83642-0000

LAKEY CHUCK V  
4490 W FRANKLIN RD  
MERIDIAN, ID 83642-8487

PAR #6425 OF SW4SW4  
SEC 10 3N 1W

S1215223100  
W FRANKLIN RD  
MERIDIAN, ID 83642-0000

ORUP HANS I & SONDR A 1984  
18153 BANCROFT AVE  
MONTE SERENO, CA 95030-4102

W2NW4 N OF DITCH  
SEC 15 3N 1W  
#9339761

**Primary Owner**

ROTH CHARLES A II  
SCHOOP RENE A  
HATCH JENEAN A  
ROBISON WILBUR & MARGARET TRUST  
LACASSE JOANNE  
EDGERTON CLYDE MILTON  
ABERASTURI RICHARD D  
GUTHRIE KATHRYN M  
IDAHO POWER COMPANY  
JOHNSON MARC  
ZANDERS ANTHONY R  
JOHNSON MARC  
JANOUSHEK STEPHEN  
LAKEY CHUCK V  
ORUP HANS I & SONDR A 1984 TRUST

**Mailing Address**

462 N BLACK CAT RD  
3822 W LAKE HAZEL RD  
PO BOX 50344  
3116 S LINDSAY AVE  
220 N BLACK CAT RD  
150 N BLACK CAT RD  
88 N BLACK CAT RD  
64 N BLACK CAT RD  
PO BOX 70  
12389 W BOWMONT ST  
2225 E CHIMERE DR  
12389 W BOWMONT ST  
4540 W FRANKLIN RD  
4490 W FRANKLIN RD  
18153 BANCROFT AVE

**Mailing Address City, State Zip**

MERIDIAN, ID 83642-0000  
MERIDIAN, ID 83642-7106  
BOISE, ID 83705-0000  
BOISE, ID 83705-4827  
MERIDIAN, ID 83642-0000  
MERIDIAN, ID 83642-0000  
MERIDIAN, ID 83642-0000  
MERIDIAN, ID 83642-5316  
BOISE, ID 83707-0070  
BOISE, ID 83713-0000  
MERIDIAN, ID 83646-1553  
BOISE, ID 83713-0000  
MERIDIAN, ID 83642-5487  
MERIDIAN, ID 83642-8487  
MONTE SERENO, CA 95030-4102

ADA COUNTY DEVELOPMENT SERVICES  
200 W FRONT ST BOISE ID 83702



February 5, 2014

Dear Property Owner:

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

**201400074 CU-MSP-V**, A conditional use and master site plan application to operate and construct a contractor's yard/shop. The shop will be approximately 5,218 square feet and the existing dwelling on the property will be used as an office. In addition, an application for a variance to grant relief from a development standard requiring all structures and storage areas to be located a minimum of 100 feet from any property line because the subject property is located in a residential district. Also, a variance from the development standard for accessory office space to comply with Section 8-5-3-75 of the Ada County Code in order to exceed 25% of the gross floor area of the use. The property contains 5 acres and is located at 4610 W Franklin Road Section 10, T. 3N, R. 1W, 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 "**201400074-CU**" in search application by file number.
- 3 Click on 'Application Information'.
- 4 Review documents by clicking on 'Supporting Documents'.

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



**NOTES:**

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

MEMORANDUM

---



**DATE:** February 11, 2014

**RE:** Recommendation Regarding File 201400074 CU MSP V, Sunshine Landscaping

**TO:** Brent Danielson, Associate Planner

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

**CC:**



Brent,

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

- Master Application
- Detailed Letter
- Master Site Plan

My comments and Conditions of Approval are as follows:

Drainage

I believe in this instance gravel is an acceptable surface for the parking and driveway areas. There is no information as to how the site will be graded and whether drainage will be retained onsite. A Drainage Plan needs to be submitted in accordance with Ada County Code 8-4A-11.

## Brent Danielson

---

**From:** Levi Duckett <levi@sunshinelandscapes.net>  
**Sent:** Wednesday, February 19, 2014 10:52 AM  
**To:** Brent Danielson  
**Subject:** Re: Sign Posting Reminder for Project #201400074 CU-MSP-V

We have the seasonal employees working at the same time, however for the most part we have 3 or 4 that car pool together every day. So there aren't as many cars as employees.

I didn't know that the plans had to be done by an architect. We've had a builder that does extensive design work draw them up, but they are not done by an architect. I'll have to work on that.

On Wed, Feb 19, 2014 at 10:24 AM, Brent Danielson <[bdanielson@adaweb.net](mailto:bdanielson@adaweb.net)> wrote:

Levi,

I am currently in the middle of writing the staff report. We have heard from a number of agencies. I am attaching the response that I received from the Meridian Fire District. The fire district expressed some concerns regarding water for fire flow. The Building Division stated that building plans will need to be prepared by a licensed Architect.

You mentioned to me that your employees will park in the front by the office. The parking lot up front by the office has 15 parking spaces. In your detailed letter you mention that your company has six (6) full time employees, and usually between 30 to 35 seasonal workers who operate from March thru November. Based on the number of seasonal employees (30 to 35) would there be enough parking for all of them to park in the office parking lot or would some of them need to park by the shop? Or is the situation that you have (30 to 35) seasonal employees throughout the year, but they are not working all the time.



**Brent Danielson**  
*Associate Planner*

**Ada County Development Services**  
200 W. Front St., Boise, ID 83702  
[\(208\) 287-7913](tel:2082877913) office  
[\(208\) 287-7909](tel:2082877909) fax

EXHIBIT 29  
Page 1 of 4  
Project # 201400074 CU-MSP-V

**From:** Levi Duckett [mailto:[levi@sunshinelandscape.net](mailto:levi@sunshinelandscape.net)]  
**Sent:** Wednesday, February 19, 2014 10:07 AM  
**To:** Brent Danielson  
**Subject:** Re: Sign Posting Reminder for Project #201400074 CU-MSP-V

OK, thanks.

Is all of our other stuff going ok?

On Wed, Feb 19, 2014 at 9:03 AM, Brent Danielson <[bdanielson@adaweb.net](mailto:bdanielson@adaweb.net)> wrote:

Levi,

I just wanted to remind you that the sign for the Board's March 12, 2014 public hearing needs to be posted on the site at least ten (10) days prior to the public hearing. The sign posting certification form and pictures of the sign need to be submitted to me at least seven (7) days prior to the public hearing.

Attached is the sign posting certification form and brochure. The brochure has information regarding the size of the sign and what the sign needs to say. If you have any questions or concerns please let me know. If you want I can take a look at the sign text for you to make all the required information is on the sign.

	<p><b>Brent Danielson</b></p> <p><i>Associate Planner</i></p> <p><b>Ada County Development Services</b> 200 W. Front St., Boise, ID 83702 <a href="tel:2082877913">(208) 287-7913 office</a></p>
--	--

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Page 2 of 4  
Project # 201400074 CU-MSP-V

[\(208\) 287-7909](tel:(208)287-7909) fax

--

Thanks,

Levi Duckett

Certified Landscape Professional

**Sunshine Landscape, Inc**

*"Nature at its Best"*

Office [\(208\) 884 8036](tel:(208)8848036)

Fax [\(208\) 898 9711](tel:(208)8989711)

Email [levi@sunshinelandscape.net](mailto:levi@sunshinelandscape.net)

--

Thanks,

Levi Duckett

Certified Landscape Professional

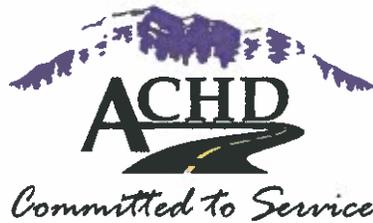
**Sunshine Landscape, Inc**

*"Nature at its Best"*

Office (208) 884 8036

Fax (208) 898 9711

Email [levi@sunshinelandscapenet](mailto:levi@sunshinelandscapenet)



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

Date: February 21, 2014

To: Levi Duckett (sent via email)  
Sunshine Landscape, Inc.  
P.O. Box 724  
Meridian, ID 83680

Subject: 201400074-CU/MSP/V  
4610 W. Franklin Road



On February 21, 2014 the Ada County Highway District Staff 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)



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

Date: February 21, 2014

To: Levi Duckett (sent via email)  
Sunshine Landscape, Inc.  
P.O. Box 724  
Meridian, ID 83680

Subject: 201400074-CU/MSP/V  
4610 W. Franklin Road



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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: 201400074-CU/MSP/V**

The applicant is requesting master site plan, variance and conditional use approvals to construct a contractor's yard and shop for a landscaping company.

**Lead Agency:** Ada County

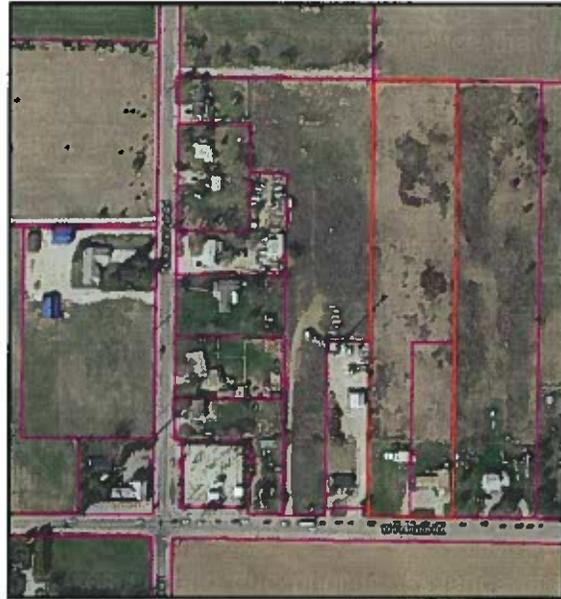
**Site address:** 4610 W. Franklin Rd.

**Staff Approval:** February 21, 2014

**Applicant:** Levi Duckett  
Sunshine Landscape, Inc.  
P.O. Box 724  
Meridian, ID 83680

**Representative:** Marc Johnson  
12389 W. Bowmont St.  
Boise, ID 83713

**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 proposing to construct a new shop (60' X 40'), use the existing house for office space, and utilize the remainder of the property as a contractor's yard for a landscape maintenance company. The property is located in the City of Meridian's Area of Impact and currently zoned RUT.

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/Limited Industrial	RUT/M1

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):**

- Franklin Road is scheduled in the Integrated Five Year Work Plan and Capital Improvements Plan to be widened to 5 lanes from Black Cat Road to Ten Mile Road in 2016.
- The intersection of Franklin Road and Black Cat Road is listed in the Integrated Five Year Work Plan and Capital Improvements Plan to be widened to 7 lanes on the north leg, 7 lanes on the south, 7 lanes east, and 7 lanes on the west leg, and signalized between 2015.
- Black Cat Road is listed in the Capital Improvements Plan to be widened to 5 lanes from Overland Road to Cherry Lane between 2017 and 2021.

**B. Traffic Findings for Consideration**

1. **Trip Generation:** This development is estimated to generate 45 additional vehicle trips per day (10 existing); 7 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
Franklin Road	100 feet	Principal Arterial	505	Better than "E"	Better than "E"
Black Cat Road	None	Minor Arterial	314	Better than "D"	Better than "D"

- \* 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.*

- The average daily traffic count for Franklin Road east of Black Cat Road was 8,560 on December 14, 2011.
- The average daily traffic count for Black Cat Road north of Franklin Road was 4,989 on December 20, 2011.

**C. Findings for Consideration**

**1. Franklin Road**

- a. **Existing Conditions:** Franklin Road is improved with 2 travel lanes, and no curb, gutter or sidewalk abutting the site. There is 60 feet of right-of-way for Franklin Road (27 feet from centerline).
- b. **Policy:**  
**Arterial Roadway Policy:** District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

**Master Street Map and Typology Policy:** District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master

Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

**Street Section and Right-of-Way Width Policy:** District Policies 7205.2.1 & 7205.5.2 state that the standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within 96-feet of right-of-way. This width typically accommodates two travel lanes in each direction, a continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial.

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

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

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

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

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

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

**ACHD Preliminary Design:** ACHD plans to widen Franklin Road to five lanes with curb, gutter, detached sidewalk and bike lanes. The preliminary design includes:

- Landscaped medians as called for in the Ten Mile Interchange Specific Area Plan,
- Widen and signalize Franklin Road and Black Cat Road intersection to include additional thru lanes and turning lanes,
- Construct landscaped drainage swales on both sides of Franklin Road.

c. **Applicant Proposal:** The applicant is not proposing any improvements to Franklin Road abutting the site.

d. **Staff Comments/Recommendations:** The applicant's proposal to not improve Franklin Road abutting the site does not meet District Policy and should not be approved as proposed.

As this segment of Franklin Road is listed in the CIP and IFYWP, the applicant should be required to dedicate an additional 6 feet of right-of-way from the existing right-of-way line on the north side of Franklin Road and provide a 5 foot wide permanent right-of-way easement from the future right-of-way line. The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way. These requirements for the Franklin Road are included as part of the PRELIMINARY plans for the expansion project and may change in the final design for Franklin Road.

EXHIBIT 30  
Page 4 of 14  
Project # 20140074 CU-MSP-V

As Franklin Road is listed in the IFYWP to be widened to 5 lanes from Black Cat Road to Ten Mile Road, the applicant should be required to provide a road trust deposit in the amount of \$3,240; in lieu of designing and constructing sidewalk. This deposit is to cover the cost of sidewalk construction abutting the proposed site that the applicant would otherwise be required to construct themselves.

## 2. Driveways

### 2.1 Franklin Road

a. **Existing Conditions:** There are two unpaved driveways from the site onto Franklin Road located approximately 95 feet and 177 feet east of the west property line. (590 feet and 670 feet east of Black Cat Road, measured centerline to centerline).

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 7205.4.7 states that direct access to principal 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 1b under District policy 7205.4.7, unless a waiver for the access point has been approved by the District Commission. Driveways, when approved on a principal arterial shall operate as a right-in/right-out only, and the District will require the construction of a raised median to restrict the left turning movements.

**Driveway Location Policy:** District policy 7205.4.7 requires driveways located on principal arterial roadways to be located a minimum of 355-feet from the nearest intersection for a right-in/right-out only driveway. Full-access driveways are not allowed on principal arterial roadways.

**Successive Driveways:** District policy 7205.4.7 Table 1b, requires driveways located on principal arterial roadways with a speed limit of 50 MPH to align or offset a minimum of 520 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.

**Temporary Access Policy:** District Policy 7202.4.2 identifies a temporary access as that which "is permitted for use until appropriate alternative access becomes available". Temporary access may be granted through a development agreement or similar method, and the developer shall be responsible for providing a financial guarantee for the future closure of the driveway.

**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 proposing to close both existing driveways and construct one 26 foot wide driveway located approximately 30 feet east of the west property line. (630 feet east of Black Cat Road, measured centerline to centerline).
- d. **Staff Comments/Recommendations:** The applicant's proposal does not meet District Successive Driveway and Driveway Location Policies; however, staff recommends a modification of policy to allow the driveway to be located as proposed due to the fact that the applicant has a limited amount of frontage on Franklin Road, and regardless of where the driveway is placed, it would not meet District Policies. The proposed driveway should be approved as a right-in/right-out only driveway. As a part of the widening of Franklin Road, a raised median will be constructed on Franklin Road to restrict left turning movements. Until Franklin Road is widened and the median is installed, the driveway can operate as a temporary full access. The applicant should be required to pave the driveway its entire width of 26-feet and a minimum of 30 feet into the site beyond the edge of pavement of Franklin Road with pavement tapers.

### 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

Franklin Road is classified as a principal arterial roadway. Other than the access specifically approved with this application, direct lot access is prohibited to this roadway.

## D. Site Specific Conditions of Approval

1. Dedicate an additional 6 feet of right-of-way from the existing right-of-way line on the north side of Franklin Road and provide a 5 foot wide permanent right-of-way easement from the future right-of-way line abutting the site. The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way line.
2. Provide a road trust deposit of \$3,240 for sidewalk on Franklin Road abutting the site.
3. Construct a 26 foot wide driveway on Franklin Road located approximately 30 feet east of the west property line. Pave the driveway its entire width and a minimum of 30 feet into the site beyond the edge of pavement of Franklin Road. The driveway shall operate as a temporary full access, but will be restricted to a right-in/right-out only driveway with the installation of the median when the roadway is widened.
4. Payment of impacts fees are due prior to issuance of a building permit.
5. 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.

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## **G. Attachments**

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

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VICINITY MAP

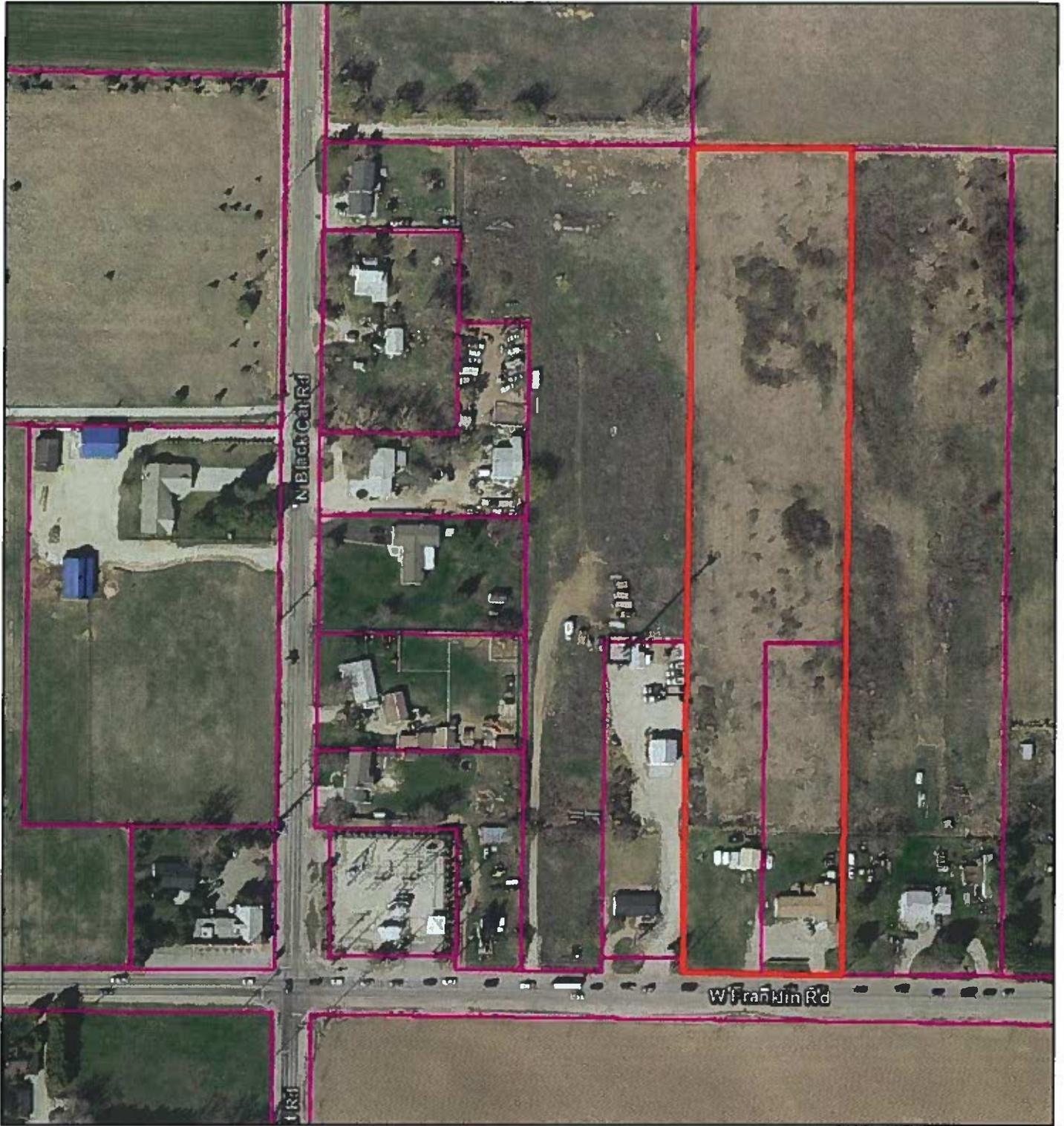


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**SITE PLAN**

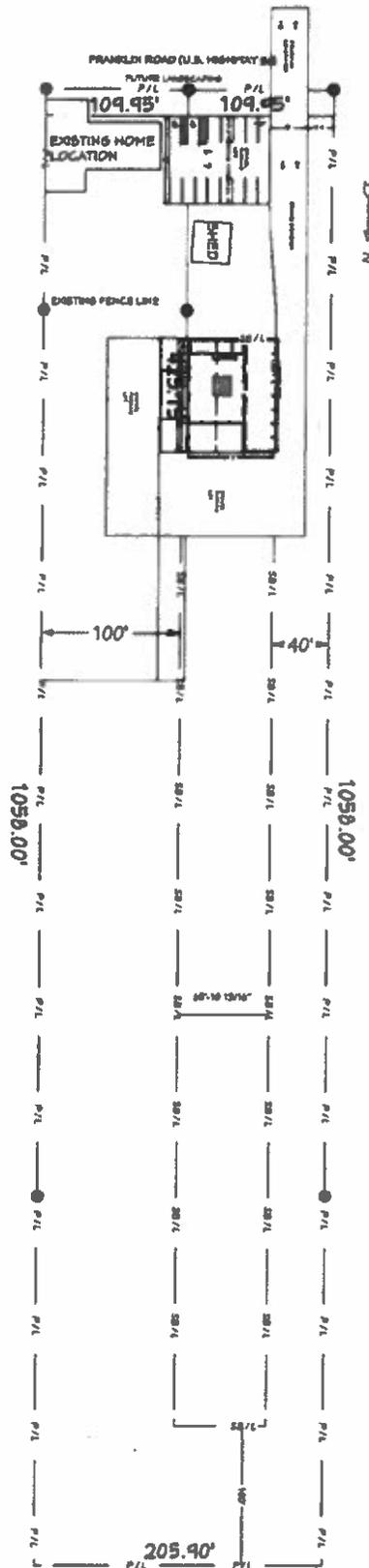


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# Ada County Utility Coordinating Council

## 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.

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# 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.

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## 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.

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

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## Brent Danielson

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**From:** Levi Duckett <levi@sunshinelandscapes.net>  
**Sent:** Wednesday, February 26, 2014 10:42 AM  
**To:** Brent Danielson  
**Subject:** Re: Size of Outdoor Storage Area

Well, we can certainly designate a certain portion of the gravel lot to "outdoor storage" and I can always use that approved area for storage of equipment if I ever needed to. I was just trying to avoid a bunch of additional restrictions or requirements so I am trying to get my small equipment all parked inside the shop.

But, if I'm understanding correctly we could just designate a certain amount of the gravel lot as outdoor storage and use it to help us get around the variance requirement for the office. If that's what you meant then I'm all for that.

On Wed, Feb 26, 2014 at 10:01 AM, Brent Danielson <[bdanielson@adaweb.net](mailto:bdanielson@adaweb.net)> wrote:

Levi,

The reason why I asked about the outdoor storage area is to find a way for us to comply with the code and eliminate the need for the second variance of exceeding the square footage of the accessory office space. *Section 8-5-3-75 states that the office shall not occupy more than 25% of the gross floor area of the approved use. If the approved primary use is not located in a structure, the office structure shall not occupy more than five percent (5%) of the property area on which the primary use is located or five thousand (5,000) square feet, whichever is less.*

25% of the contractor's shop (5,218 sq. ft.) is 1,304.5 square feet. In talking with my supervisor he suggested for me to check with you to see what the size of your outdoor storage area is as we can use both the structure and the outdoor storage area (portion of the area depicted as gravel parking lot by the shop not used for outdoor parking.) For example if the outdoor storage area was 7,910 square feet. Five (5%) percent of 7,910 square feet would be 395.5 square feet. 1,304.5 square feet plus the 395.5 square feet would equal 7,910 square feet.



**Brent Danielson**

**Associate Planner**

**Ada County Development Services**

200 W. Front St., Boise, ID 83702

[\(208\) 287-7913](tel:(208)287-7913) office

[\(208\) 287-7909](tel:(208)287-7909) fax

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**From:** Levi Duckett [mailto:[levi@sunshinelandscapes.net](mailto:levi@sunshinelandscapes.net)]  
**Sent:** Monday, February 24, 2014 3:28 PM

**To:** Brent Danielson  
**Subject:** Re: Size of Outdoor Storage Area

We won't really have outdoor storage areas. Our equipment is either in the shop, or the back storage area of the shop or parked in trailers. The only thing that would really be parked or stored outside of those areas would be just trucks and trailers. Those will go in the parking lot area in front of the shop and to the North.

On Mon, Feb 24, 2014 at 3:25 PM, Brent Danielson <[bdanielson@adaweb.net](mailto:bdanielson@adaweb.net)> wrote:

The storage for equipment?

**From:** Levi Duckett [mailto:[levi@sunshinelandscapes.net](mailto:levi@sunshinelandscapes.net)]  
**Sent:** Monday, February 24, 2014 3:25 PM  
**To:** Brent Danielson  
**Subject:** Re: Size of Outdoor Storage Area

As in parking lot, or just storage for equipment, etc?

On Mon, Feb 24, 2014 at 3:24 PM, Brent Danielson <[bdanielson@adaweb.net](mailto:bdanielson@adaweb.net)> wrote:

Levi,

Do you know what the specific size of the outdoor storage area of the contractor's yard.



**Brent Danielson**

***Associate Planner***

**Ada County Development Services**

200 W. Front St., Boise, ID 83702

(208) 287-7913 office

(208) 287-7909 fax

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Thanks,

Levi Duckett

Certified Landscape Professional

**Sunshine Landscape, Inc**

***"Nature at its Best"***

Office (208) 884 8036

Fax (208) 898 9711

Email levi@sunshinelandscape.net

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Thanks,

Levi Duckett

Certified Landscape Professional

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Email [levi@sunshinelandscape.net](mailto:levi@sunshinelandscape.net)

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Thanks,

Levi Duckett

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