



Mayor Tammy de Weerd

**City Council Members:**

Luke Cavener  
Ty Palmer  
Treg Bernt

Joe Borton  
Genesis Milam  
Anne Little Roberts

**TRANSMITTALS TO AGENCIES FOR COMMENTS ON  
DEVELOPMENT PROJECTS WITH THE CITY OF MERIDIAN**

To ensure that your comments and recommendations will be considered by the Meridian Planning and Zoning Commission please submit your comments and recommendations to Meridian City Hall

**To: Attention C.Jay Coles, City Clerk**

**By: February 23, 2018**

Transmittal Date: January 26, 2018

File No: H-2018-0003 CUP, PP

Hearing Date: March 1, 2018

**Request:** A Conditional Use Permit Consisting of 240 Multi-Family Dwelling Units on Approximately 12.59 Acres In an Existing R-40 Zoning District and A Preliminary Plat Consisting of 13 Multi-Family Building Lots and 3 Common Lots on 12.59 Acres in an Existing R-40 Zoning District for Baraya Apartments.

By: Schultz Development

Location of Property or Project: Southwest Corner of South Ten Mile Road and West Franklin Road

Ryan Fitzgerald (No FP)	Meridian School District
Gregory Wilson (No FP)	Meridian Post Office
Steven Yearsley (No FP)	Ada County Highway District
Treg Bernt (No FP)	Ada County Development Services
Rhonda McCarvel (No FP)	Central District Health
Bill Cassinelli (No FP)	COMPASS
Jessica Perreault (No FP)	Nampa Meridian Irrigation District
Tammy de Weerd, Mayor	Settlers Irrigation District
City Council	Idaho Power Company
Sanitary Services	Century Link
Building Department	Intermountain Gas Co.
Fire Department	Idaho Transportation Department
Police Department	Ada County Associate Land Records
City Attorney	Downtown Projects
City Public Works	Meridian Development Corporation
City Planner	Historical Preservation Comm.
Parks Department	South of RR/SW Meridian
Economic Development	NW Pipeline
New York Irrigation District	Boise-Kuna Irrigation District
Boise Project Board of Control – Tim Paige	

## **Hearing Date: March 1, 2018**

File No.: H-2018-0003

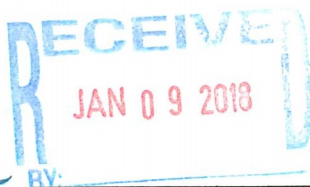
Project Name: Baraya Apartments

Request: (CUP): Request for a Conditional Use Permit consisting of 240 multi-family dwelling units on approximately 12.59 acres in an existing R-40 zoning district.

Request: (PP) Request for Preliminary Plat consisting of 13 multi-family building lots 3 common lots on 12.59 acres in an existing R-40 zoning district.

Location: The site is located near the southwest corner of S. Ten Mile Road and W. Franklin Road, in the north east  $\frac{1}{4}$  of Section 15, Township T.3N., Range 1W (parcel # S1215120850).

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Planning Division

DEVELOPMENT REVIEW APPLICATION

STAFF USE ONLY:

Project name: Baraya Apartments
File number(s): H-2018-0003
Assigned Planner: Josh Beach Related files:

Type of Review Requested (check all that apply)

- Accessory Use, Administrative Design Review, Alternative Compliance, Annexation and Zoning, Certificate of Zoning Compliance, City Council Review, Comprehensive Plan Map Amendment, Comprehensive Plan Text Amendment, Conditional Use Permit, Conditional Use Modification, Development Agreement Modification, Final Plat, Final Plat Modification, Planned Unit Development, Preliminary Plat, Private Street, Property Boundary Adjustment, Rezone, Short Plat, Time Extension, UDC Text Amendment, Vacation, Variance, Other

Applicant Information

Applicant name: Schultz Development Phone: 880-1695
Applicant address: PO Box 1115 Email: schultzdevelopment@yahoo.com
City: Meridian State: ID Zip: 83680

Applicant's interest in property: Other Manager
Owner name: Endurance Holdings LLC Phone:
Owner address: 1977 E. Overland Rd Email:
City: Meridian State: ID Zip: 83642

Agent/Contact name (e.g., architect, engineer, developer, representative): Matt Schultz
Firm name: Schultz Development Phone: 880-1695
Agent address: PO Box 1115 Email: schultzdevelopment@yahoo.com
City: Meridian State: ID Zip: 83680

Primary contact is: Applicant Owner Agent/Contact

Subject Property Information

Location/street address: W. Franklin Rd Township, range, section: T3N, R1W, S.15
Assessor's parcel number(s): 51215120850 Total acreage: 12.59 Zoning district: R-40

Project/subdivision name: Baraya Apartments Subdivision  
General description of proposed project/request: 240 unit apartment complex on 13 building lots and 3 common lots or 12.6 acres in  
Proposed zoning district(s): R-40 - existing existing R-40 zone.  
Acres of each zone proposed: 12.59 acres

Type of use proposed (check all that apply):

Residential  Office  Commercial  Employment  Industrial  Other \_\_\_\_\_

Who will own & maintain the pressurized irrigation system in this development? NMID

Which irrigation district does this property lie within? NMID

Primary irrigation source: NMID Secondary: City

Square footage of landscaped areas to be irrigated (if primary or secondary point of connection is City water): \_\_\_\_\_

**Residential Project Summary (if applicable)**

Number of residential units: 240 Number of building lots: 13

Number of common lots: 3 Number of other lots: -

Proposed number of dwelling units (for multi-family developments only):

1 bedroom: 48 2-3 bedrooms: 144 4 or more bedrooms: 48

Minimum square footage of structure (excl. garage): 8,056 SF ~~17,984 SF~~ Maximum building height: 40'

Minimum property size (s.f.): 15,080 SF Average property size (s.f.): 33,039 SF

Gross density (Per UDC 11-1A-1): 19.06 Du/Ac Net density (Per UDC 11-1A-1): 20.57 (minus collector row)

Acreage of qualified open space: 2.97 ac Percentage of qualified open space: 23.6%

Type and calculations of qualified open space provided in acres (Per UDC 11-3G-3B): Clubhouse, pool, open space, collector landscape buffers 1/2 arterial

Amenities provided with this development (if applicable): Clubhouse, pool, fire pit, playground, open area

Type of dwelling(s) proposed:  Single-family Detached  Single-family Attached  Townhouse  Duplex  Multi-family  Vertically Integrated  Other \_\_\_\_\_

**Non-residential Project Summary (if applicable) - N/A**

Number of building lots: \_\_\_\_\_ Common lots: \_\_\_\_\_ Other lots: \_\_\_\_\_

Gross floor area proposed: \_\_\_\_\_ Existing (if applicable): \_\_\_\_\_

Hours of operation (days and hours): \_\_\_\_\_ Building height: \_\_\_\_\_

Total number of parking spaces provided: \_\_\_\_\_ Number of compact spaces provided: \_\_\_\_\_

**Authorization**

Print applicant name: Matt Schulta, Schultz Development

Applicant signature: [Signature] Date: 1-8-18

**AFFIDAVIT OF LEGAL INTEREST**

STATE OF IDAHO )  
COUNTY OF ADA )

I, Lets Golf LLC  
Russell Huren Miller, 16130 N. Elder St.  
(name) (address)  
Nampa, ID  
(city) (state)

being first duly sworn upon, oath, depose and say:

1. That I am the record owner of the property described on the attached, and I grant my permission to:

Schultz Development, PO Box 1115, Meridian ID  
(name) (address) 83680

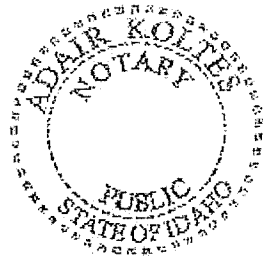
to submit the accompanying application(s) pertaining to that property.

2. I agree to indemnify, defend and hold the City of Meridian and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.
3. I hereby grant permission to City of Meridian staff to enter the subject property for the purpose of site inspections related to processing said application(s).

Dated this 15<sup>th</sup> day of January, 20 18

Russell Huren Miller  
(Signature)

SUBSCRIBED AND SWORN to before me the day and year first above written.



Adair Kollies  
(Notary Public for Idaho)

Residing at: Nampa, ID

My Commission Expires: 6-05-22



8151 W. Rifleman Street  
Boise, ID 83704

ELECTRONICALLY RECORDED-DO NOT  
REMOVE THE COUNTY STAMPED FIRST  
PAGE AS IT IS NOW INCORPORATED AS  
PART OF THE ORIGINAL DOCUMENT

File No. 634849 SRM/GL

### WARRANTY DEED

For Value Received Endurance Holdings, LLC, an Idaho limited liability company  
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Lets Golf, LLC, an Idaho limited liability company  
hereinafter referred to as Grantee, whose current address is 16130 N Elder ST Nampa, ID 83687

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

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

Dated: November 2, 2017

Endurance Holdings, LLC

By:

Corey D Barton, Manager

State of Idaho, County of Ada

On this 13<sup>th</sup> day of November in the year of 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared Corey D Barton, known or identified to me to be the Manager of the Limited Liability Company that executed the foregoing instrument, and acknowledged to me that such Limited Liability Company executed the same.

*Susan J. Merritt*

Residing at: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

Residing at Caldwell, ID  
My Commission Expires: 05-05-2023

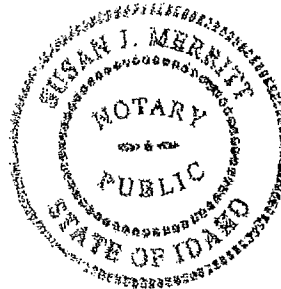


EXHIBIT A

REMAINDER PARCEL:

A parcel of land located in the in the NE1/4 of the NW1/4 and the NW1/4 of the NE1/4 of Section 15, T.3N., R.1W., B.M., Ada County, Idaho more particularly described as follows:

Commencing at the E1/16 corner of said Section 15 from which the N1/4 corner of said Section 15 bears North 89°15'23" West, 1320.35 feet;

thence along the East boundary line of the NW1/4 of the NE1/4 of said Section 15 South 00°35'22" West, 55.12 feet to a point on the South right-of-way line of W. Franklin Road, said point being the REAL POINT OF BEGINNING;

thence continuing along said East boundary line South 00°35'22" West, 1,273.84 feet to the NE1/16 corner of said Section 15;

thence along the South boundary line of the NW1/4 of the NE1/4 of said Section 15 North 89°15'16" West, 1,320.89 feet to the C-N1/16 corner of said Section 15;

thence along the South boundary line of the NE1/4 of the NW1/4 of said Section 15 North 89°15'16" West, 1,321.47 feet to the NW1/16 corner of said Section 15;

thence along the West boundary line of the NE1/4 of the NW1/4 of said Section 15 North 00°39'51" East, 707.20 feet to the SW corner of Baraya Subdivision No.1 as filed in Book 111 of Plats at Pages 15,916 through 15,919, records of Ada County, Idaho;

thence along the southerly boundary line of said Baraya Subdivision No.1 the following 3 courses and distances:

thence South 89°15'34" East, 161.45 feet;

thence South 00°31'51" West, 50.00 feet;

thence South 89°15'34" East, 535.00 feet;

thence leaving said Southerly boundary line South 00°44'26" West, 100.00 feet;

thence South 39°42'03" East, 60.29 feet;

thence 58.62 feet along the arc of a non-tangent curve to the left, said curve having a radius of 123.00 feet, a central angle of 27°18'18" and a long chord of 58.06 feet which bears North 74°37'02" East;

thence North 60°57'53" East, 24.09 feet;

thence South 74°02'07" East, 18.38 feet;

thence South 29°02'07" East, 289.66 feet;



thence North  $62^{\circ}57'37''$  East, 62.04 feet;  
thence North  $60^{\circ}57'53''$  East, 100.00 feet;  
thence North  $63^{\circ}49'38''$  East, 100.12 feet;  
thence North  $60^{\circ}57'53''$  East, 100.00 feet;  
thence South  $29^{\circ}02'07''$  East, 30.00 feet;  
thence North  $60^{\circ}57'53''$  East, 126.85 feet;  
thence South  $89^{\circ}15'34''$  East, 228.19 feet;  
thence South  $89^{\circ}32'47''$  East, 46.00 feet;  
thence North  $00^{\circ}27'13''$  East, 84.77 feet;  
thence South  $89^{\circ}15'34''$  East, 384.71 feet;  
thence South  $44^{\circ}24'11''$  East, 8.92 feet;  
thence South  $89^{\circ}32'47''$  East, 90.00 feet;  
thence North  $00^{\circ}27'13''$  East, 156.67 feet;

thence 183.84 feet along the arc of a curve to the right, said curve having a radius of 200.00 feet, a central angle of  $52^{\circ}39'58''$  and a long chord of 177.44 feet which bears North  $26^{\circ}47'12''$  East;

thence North  $53^{\circ}07'11''$  East, 107.95 feet;

thence 199.79 feet along the arc of a curve to the left, said curve having a radius of 270.00 feet, a central angle of  $42^{\circ}23'45''$  and a long chord of 195.26 feet which bears North  $31^{\circ}55'18''$  East to a point of compound curve;

thence 110.61 feet along the arc of said compound curve, said compound curve having a radius of 635.01 feet, a central angle of  $09^{\circ}58'48''$  and a long chord of 110.47 feet which bears North  $05^{\circ}44'01''$  East

thence North  $00^{\circ}44'37''$  East, 21.70 feet;

thence North  $45^{\circ}44'37''$  East, 28.28 feet;

thence South  $89^{\circ}15'23''$  East, 175.01 feet to the REAL POINT OF BEGINNING.



Community Development  
Department

Meridian City Hall, Suite 102  
33 E. Broadway Avenue  
Meridian, Idaho 83642  
208.887.2211

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## Parcel Verification

Date: **1/11/18**

The parcel information below has been researched and verified as correct by the City of Meridian Community Development Department.

Project Name: **Baraya Apartments Subdivision**

Parcel Number: **S1215120850**

Acres: **38.82**

T/R/S **3N 1W 15**

Property Owner: **Let's Golf, LLC**  
**16130 N. Elder St.**  
**Nampa, ID 83687**

January 8, 2018

City of Meridian  
Planning and Zoning Commission and City Council  
c/o City of Meridian Planning Department  
33 E. Broadway Avenue  
Meridian, ID 83642

**RE: Baraya Apartments Subdivision  
Conditional Use Permit and Preliminary Plat Applications**

Dear Commissioners and City Council Members:

On behalf of Endurance Holdings LLC, please accept these applications for a conditional use permit and preliminary plat for the Baraya Apartments Subdivision located on the south side of Franklin Road between Ten Mile Road and Black Cat Road. We are requesting a preliminary plat for 13 multi-family building lots with 240 units and 3 common lots on 12.59 acres in an existing R-40 zone.

**Site History – Baraya Subdivision**

The subject 12.59 acres is a portion of the 95.57 acre Baraya Subdivision approved by City Council on June 19, 2006 (AZ 06-061) with R-8, R-15, and R-40 zoning for 334 single-family residential building lots, 13 acres of R-40, and an elementary school site on Black Cat Road (PP 06-062). A development agreement was recorded on August 31, 2007 under Instrument #107123289 indicating a minimum 16 units per acre was required for the R-40 portion of the site. The Baraya Apartments are proposed in the exact area annexed and approved for R-40 in 2006.

Baraya No. 1 was recorded on December 12, 2016 with 47 R-8 lots.

Baraya No. 2 is under construction with 48 R-8 lots with an anticipated recordation date of June 2018. Baraya No. 2 will construct the full Umbria Hills Drive to the mid-point of the Baraya Apartments and is considered a “collector” with a future signal planned to be installed by ACHD for the intersection of Umbria Hills Drive and Franklin Road.

**Surrounding Uses and Zoning**

The Baraya Apartment site is located approximately 1500 feet west of the Ten Mile Road and Franklin Road intersection on the south side of the recently widened (5 lanes) Franklin Road. The site is located on the southeast corner of Franklin Road and Umbria Hills Drive with existing R-40 zoning and a High-Density Residential Future Land Use Map (FLUM) designation.

To the west of the site, across Umbria Hills Drive (collector), is the single-family residential portion of the Baraya Subdivision under construction with a mix of front and alley-loaded, detached and attached housing product with a zoning of R-8 and R-15.

To the east of the site, is a 40-acre County property with a High-Density Residential FLUM designation.

To the north of the site on Umbria Hills Drive, is L-O, R-15, C-N zoning with the existing Silver Oaks Apartments and Ten Mile Christian Church.

To the south of the site are large, undeveloped parcels annexed into the City with C-C and TN-C zoning with Mixed Use Residential FLUM designations.

### **Conditional Use Permit Requirement**

The proposed Baraya apartment subdivision is an allowed use within the existing R-40 zone with a Conditional Use Permit application (attached). The site will consist of 13 multi-family buildings with 240 apartment units and a clubhouse/pool/amenity area. The buildings are a mix of 2 and 3-story buildings with 8, 16, and 24 units per building with architecture meeting the City of Meridian Design guidelines.

The site has been designed to meet the multi-family parking requirements of 1.5 spaces per 1-bedroom units and 2 spaces per 2/3 bedroom units with 1 covered parking space per unit. A total of 474 vehicle and 20 bicycle parking spaces have been provided. In addition, the site exceeds the multi-family and R-40 open space requirement with 3 acres of open space. The site amenities proposed are a 5,400 SF clubhouse, pool, playground, fire pit, and 50'x100' (min) open space.

### **Preliminary Plat**

The 12.6 acre site is proposed to be subdivided into 13 multi-family building lots and 3 common lots. The gross density is 19.06 dwelling units per acre with multi-family building lot sizes ranging from a minimum of 15,080 SF with an average multi-family building lot size of 33,039 SF. The net density (minus Umbria Hills 0.9 acre ROW) is 20.57 dwelling units per acre.

### **Sewer Service**

The Baraya Apartments will be serviced by an 8-inch sewer main in Umbria Hills Drive under construction with the Baraya Subdivision No. 2 project.

### **Water Service**

The Baraya Apartments will be serviced by a 12-inch water main stub in Umbria Hills Drive under construction with the Baraya Subdivision No. 2 project with a connection to the existing 12" water main in Franklin Road. This project will extend the 12" water main to the south boundary for future property connection.

### **Pressure Irrigation**

Primary pressure irrigation will be provided by Nampa-Meridian Irrigation District (NMID) via an existing regional pump station constructed with the Baraya Subdivision No. 1 project.

### **Roadways and Storm Drainage**

The site has two accesses to Umbria Hills Drive (collector) with direct access to Franklin Road. Franklin Road was recently widened to 5 lanes and this site will contribute funds to ACHD for the future traffic signal installation at this intersection.

One site access is under construction with Baraya Subdivision No. 2 and the other will be constructed with the Umbria Hills Drive extension provided with this project. In the future, a regional collector roadway system to the south, east, and west will provide access to both Ten Mile Road and Black Cat Road across future development parcels by others.

The interior drive aisles and parking stalls are designed to meet Meridian Fire Department standards and will have a cross-access and public utility easements across the building lots which are designed to the center of the driveway.

Storm drainage will be mitigated by underground seepage beds in accordance with ACHD design criteria for Umbria Hills Drive and City of Meridian standards for interior private driveway construction.

### **Architecture**

The proposed Baraya Apartment multi-family subdivision will consist of 13 multi-family buildings with 240 apartment units (2- and 3-story) and 3 common lots with a clubhouse/pool/amenity area (1-story). The submitted building architecture meets or exceeds the City of Meridian Design Review guidelines. Additional color renderings of the buildings will be provided prior to the first public meeting.

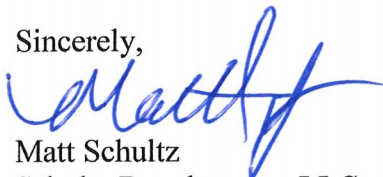
### **Variiances**

The site design for the Baraya Apartment Subdivision exceeds the minimum requirements of the R-40 zoning ordinance and Multi-Family Design Review guidelines and no variances are requested with this application.

### **Summary**

The proposed conditional use permit and preliminary plat applications for the Baraya Apartment Subdivision carefully considered all aspects of the Meridian Zoning Ordinance, the Meridian Comprehensive Plan, site location, surrounding neighborhoods, and the housing market in Meridian to develop a high-quality residential development that exceeds the minimum development standards and provides excellent design characteristics. We respectfully request your approval of these applications.

Sincerely,



Matt Schultz  
Schultz Development LLC

attachments

**DESCRIPTION FOR  
BARAYA APARTMENTS SUBDIVISION**

A parcel of land located in the NW 1/4 of the NE 1/4 of Section 15, T.3N., R.1W., B.M., Ada County, Idaho more particularly described as follows:

Commencing at the E1/16 corner of said Section 15 from which the N1/4 corner of said Section 15 bears North 89°15'23" West, 1320.35 feet;

thence along the East boundary line of the NW 1/4 of the NE 1/4 of said Section 15 South 00°35'22" West, 55.12 feet to a point on the South right-of-way line of W. Franklin Road, said point being the **REAL POINT OF BEGINNING**;

thence continuing along said East boundary line South 00°35'22" West, 1,273.84 feet to the NE1/16 corner of said Section 15;

thence along the South boundary line of the NW 1/4 of the NE 1/4 of said Section 15 North 89°15'16" West, 538.85 feet

thence leaving said South boundary line North 00°27'13" East, 572.68 feet;

thence South 89°32'47" East, 70.00 feet;

thence North 00°27'13" East, 156.67 feet;

thence 183.84 feet along the arc of a curve to the right, said curve having a radius of 200.00 feet, a central angle of 52°39'58" and a long chord which bears North 26°47'12" East, 177.44 feet;

thence North 53°07'11" East, 119.43 feet;

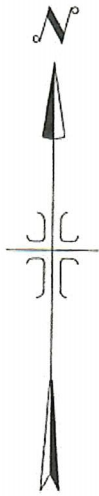
thence 177.78 feet along the arc of a curve to the left, said curve having a radius of 215.00 feet, a central angle of 47°22'38" and a long chord which bears North 29°25'52" East, 172.76 feet;

thence North 05°44'33" East, 129.19 feet;

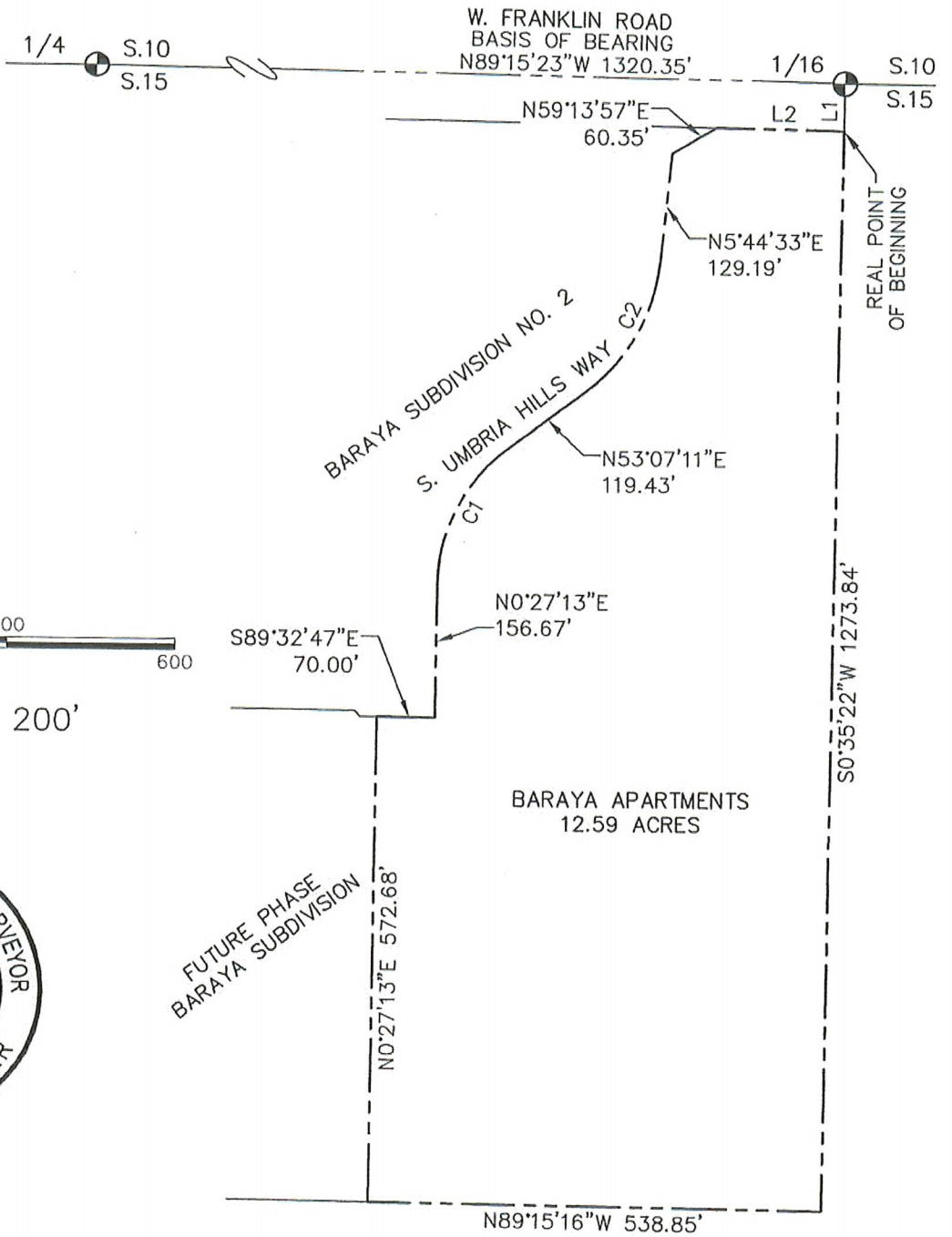
thence North 59°13'57" East, 60.35 feet to a point on the South right-of-way line of W. Franklin Road;

thence along said on the South right-of-way line South 89°15'23" East, 150.98 feet to the **REAL POINT OF BEGINNING**. Containing 12.59 acres, more or less.





SCALE: 1" = 200'



LINE TABLE		
LINE	LENGTH	BEARING
L1	55.12	S0°35'22"W
L2	150.98	S89°15'23"E

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD DIST.	CHORD BRG.	DELTA
C1	200.00	183.84	177.44	N26°47'12"E	52°39'58"
C2	215.00	177.78	172.76	N29°25'52"E	47°22'38"

ISG IDAHO SURVEY GROUP, P.C.

1450 E. WATERTOWER ST.  
SUITE 130  
MERIDIAN, IDAHO 83642  
(208) 846-8570

EXHIBIT DRAWING FOR  
BARAYA APARTMENTS

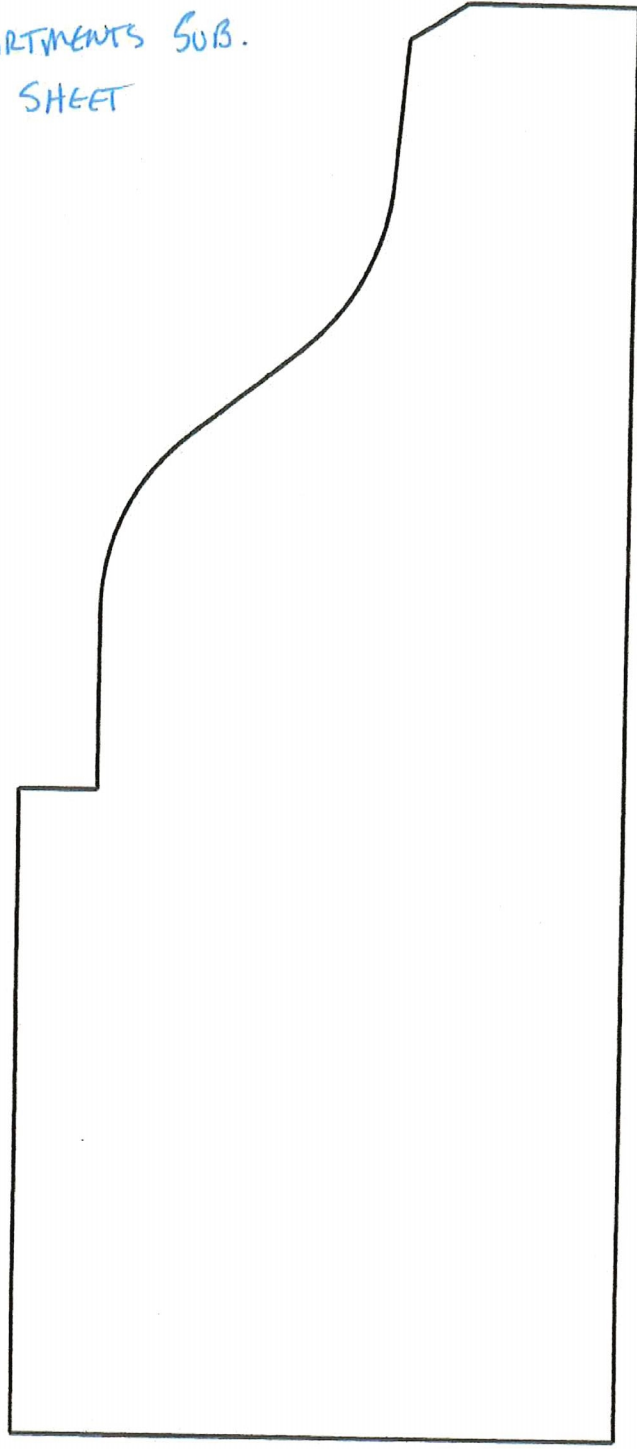
LOCATED IN THE NW 1/4 OF THE NE 1/4 SECTION 15, T.3N., R.1W., B.M.,  
MERIDIAN, ADA COUNTY, IDAHO

JOB NO.  
17-315

SHEET NO.  
1

DWG. DATE  
12/13/2017

BARAYA APARTMENTS SUB.  
CLOSURE SHEET



12/13/2017

Scale: 1 inch= 165 feet | File:

Tract 1: 12.5872 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=3434 ft.  
01 s00.3522w 1273.84  
02 n89.1516w 538.85  
03 n00.2713e 572.68  
04 s89.3247e 70  
05 n00.2713e 156.67  
06 Rt, r=200.00, delta=052.3958, chord=n26.4712e 177.44  
07 n53.0711e 119.43  
08 Lt, r=215.00, delta=047.2238, chord=n29.2552e 172.76  
09 n05.4433e 129.19  
10 n59.1357e 60.35  
11 s89.1523e 150.98





ADA COUNTY RECORDER Christopher D. Rich  
BOISE IDAHO Pgs=7 LISA BATT  
TITLEONE BOISE

2016-117044  
12/02/2016 03:21 PM  
\$28.00

## ACCOMMODATION RECORDING

ADA COUNTY RECORDER Christopher D. Rich  
BOISE IDAHO Pgs=4 BONNIE OBERBILLIG  
TITLEONE BOISE

2016-111050  
11/16/2016 10:29 AM  
\$19.00

RERECORD TO CORRECT LEGAL ATTACHED AS EXHIBIT 'B'

### SPECIAL WARRANTY DEED

Buyrite, L.L.C., an Idaho limited liability company, hereinafter referred to as "Grantor," for valuable consideration given by ENDURANCE HOLDINGS, LLC; an Idaho Limited Liability Company hereinafter referred to as "Grantee," whose complete mailing address is: 1977 E. Overland Rd., Meridian, Idaho 83642, does hereby sell, transfer and convey unto said Grantee, its successors and assigns, the following described premises situate in the County of ~~Boise~~ <sup>Ada</sup>, State of Idaho, to wit:

Described on Exhibit "A" attached hereto and incorporated herein by reference ("Premises").

To have and to hold the same, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

Grantor hereby covenants with Grantee that said Premises are free from all encumbrances and that it will warrant and defend said Premises against the lawful claims of all persons claiming by, through or under it; subject, however, to all easements or other matters of record or that would appear from a survey or careful examination of the Premises, including the rights of all persons in possession, if any.

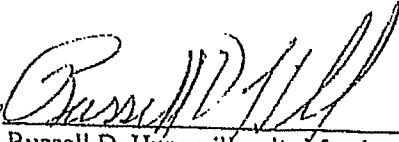
THE PREMISES ARE SOLD AND CONVEYED TO GRANTEE AS IS, WHERE IS, AND WITH ALL FAULTS, INCLUDING BOTH LATENT AND PATENT DEFECTS. OTHER THAN AS EXPRESSLY SET FORTH HEREIN, NO WARRANTIES, EXPRESS OR IMPLIED, ARE MADE BY GRANTOR CONCERNING THE PREMISES. GRANTEE, BY ACCEPTING THIS DEED, RELEASES GRANTOR FROM ANY AND ALL LIABILITY RELATING TO ANY ASPECT OR CONDITION OF THE PREMISES, KNOWN OR UNKNOWN, FORESEEABLE OR UNFORESEEABLE, ACTUAL OR CONTINGENT, ARISING BY STATUTE, COMMON LAW OR OTHERWISE.

IN WITNESS WHEREOF, this Special Warranty Deed has been duly executed by and on behalf of Grantor this 14<sup>th</sup> day of November, 20 16.

GRANTOR:

BUYRITE, L.L.C.

By

  
Russell D. Hunemiller, its Member

ACCOMMODATION  
RECORDING

ADA COUNTY RECORDER Christopher D. Rich  
BOISE IDAHO Pgs=4 BONNIE OBERBILLIG  
TITLEONE BOISE  
2016-111050  
11/16/2016 10:29 AM  
\$19.00

\* RERECORD TO CORRECT LEGAL ATTACHED AS EXHIBIT "B"

SPECIAL WARRANTY DEED

Buyrite, L.L.C., an Idaho limited liability company, hereinafter referred to as "Grantor," for valuable consideration given by ENDURANCE HOLDINGS, LLC; an Idaho Limited Liability Company hereinafter referred to as "Grantee," whose complete mailing address is: 1977 E. Overland Rd., Meridian, Idaho 83642, does hereby sell, transfer and convey unto said Grantee, its successors and assigns, the following described premises situate in the County of ~~Boise~~ Ada, State of Idaho, to wit:

Described on Exhibit "A" attached hereto and incorporated herein by reference ("Premises").

To have and to hold the same, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

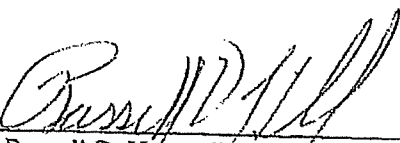
Grantor hereby covenants with Grantee that said Premises are free from all encumbrances and that it will warrant and defend said Premises against the lawful claims of all persons claiming by, through or under it; subject, however, to all easements or other matters of record or that would appear from a survey or careful examination of the Premises, including the rights of all persons in possession, if any.

THE PREMISES ARE SOLD AND CONVEYED TO GRANTEE AS IS, WHERE IS, AND WITH ALL FAULTS, INCLUDING BOTH LATENT AND PATENT DEFECTS. OTHER THAN AS EXPRESSLY SET FORTH HEREIN, NO WARRANTIES, EXPRESS OR IMPLIED, ARE MADE BY GRANTOR CONCERNING THE PREMISES. GRANTEE, BY ACCEPTING THIS DEED, RELEASES GRANTOR FROM ANY AND ALL LIABILITY RELATING TO ANY ASPECT OR CONDITION OF THE PREMISES, KNOWN OR UNKNOWN, FORESEEABLE OR UNFORESEEABLE, ACTUAL OR CONTINGENT, ARISING BY STATUTE, COMMON LAW OR OTHERWISE.

IN WITNESS WHEREOF, this Special Warranty Deed has been duly executed by and on behalf of Grantor this 14<sup>th</sup> day of November, 2016.

GRANTOR:

BUYRITE, L.L.C.

By   
Russell D. Hunemiller, its Member

ACCOMMODATION  
RECORDING

RE-RECORD TO CORRECT LEGAL ATTACHED AS EXHIBIT "B"  
SPECIAL WARRANTY DEED

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**Described on Exhibit "A" attached hereto and incorporated herein by reference ("Premises").**

To have and to hold the same, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

Grantor hereby covenants with Grantee that said Premises are free from all encumbrances and that it will warrant and defend said Premises against the lawful claims of all persons claiming by, through or under it; **subject, however,** to all easements or other matters of record or that would appear from a survey or careful examination of the Premises, including the rights of all persons in possession, if any.

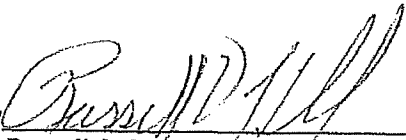
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IN WITNESS WHEREOF, this Special Warranty Deed has been duly executed by and on behalf of Grantor this 14<sup>th</sup> day of November, 20 16.

GRANTOR:

BUYRITE, L.L.C.

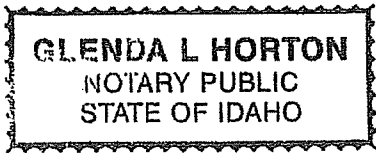
By

  
Russell D. Hunemiller, its Member

STATE OF IDAHO            )  
  ) ss.  
County of Ada Canyon    )

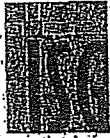
On this 14<sup>th</sup> day of November, 2016, before me, Glenda L. Horton, a Notary Public in and for said State, personally appeared Russell D. Hunemiller, known or identified to me to be the Member of Buyrite, L.L.C., or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company 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.



Glenda L Horton  
Notary Public for Idaho  
Residing at Nampa ID  
My commission expires 05/28/2019

**EXHIBIT A TO SPECIAL WARRANTY  
DEED**



IDAHO  
SURVEY  
GROUP

VanAulker

1450 East Watertower St.  
Suite 100  
Meridian, Idaho 83642

Phone (208) 846-8570  
Fax (208) 884-5399

Project No. 05-256-01

Franklin Road 77.68 Acres

November 18, 2008

The NE 1/4 of the NW 1/4 and the NW 1/4 of the NE 1/4 of Section 15, T.3N., R.1W., B.M., Ada County, Idaho, excepting therefrom the North 48 feet, more particularly described as follows: Commencing at the 1/4 corner common to Section 10 and the said Section 15 from which the Northwest corner of said Section 15 bears North 89°15'34" West, 2640.56 feet; Thence along the North-South mid-section line South 00°20'28" West, 48.00 feet to a point on the South right-of-way of W. Franklin Road and the REAL POINT OF BEGINNING.

Thence along the said right-of-way South 89°15'27" East, 1320.26 feet to a point on the East line of said NW 1/4 of the NE 1/4;

Thence South 00°27'13" West, 1281.09 feet to the NE 1/16 corner;

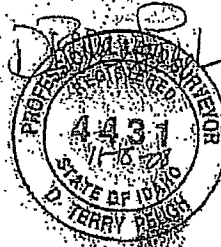
Thence North 89°15'04" West, 1317.75 feet to the C-N 1/16 corner;

Thence continuing North 89°15'04" West, 1324.68 feet to the NW 1/16 corner;

Thence North 00°31'51" East, 1280.74 feet to a point on said South right-of-way of W. Franklin Road;

Thence along said right-of-way South 89°15'34" East, 1320.44 feet to the Point of Beginning. Containing 77.68 acres, more or less.

Prepared By:  
Idaho Survey Group, P.C.



D. Terry Peugh, PLS

DESCRIPTION FOR  
REMAINDER PARCEL  
BARAYA SUBDIVISION

A parcel of land located in the in the NE 1/4 of the NW 1/4 and the NW 1/4 of the NW 1/4 of Section 15, T.3N., R.1W., B.M., Ada County, Idaho more particularly described as follows:

Commencing at the N1/4 corner of said Section 15 from which the NW corner of said Section 15 bears North 89°15'34" West, 2640.56 feet;

thence along the North-South centerline of said Section 15 South 00°36'46" West, 55.12 feet to a point on the South right-of-way line of W. Franklin Road, said point being the **REAL POINT OF BEGINNING**;

thence along said South right-of-way line South 89°15'23" East, 1,320.38 feet to a point on the East boundary line of the NW 1/4 of the NE 1/4 of said Section 15;

thence along said East boundary line South 00°35'22" West, 1,273.84 feet to the NE1/16 corner of said Section 15;

thence along the South boundary line of the NW 1/4 of the NE 1/4 of said Section 15 North 89°15'16" West, 1,320.89 feet to the C-N1/16 corner of said Section 15;

thence along the South boundary line of the NE 1/4 of the NW 1/4 of said Section 15 North 89°15'16" West, 1,321.47 feet to the NW 1/16 corner of said Section 15;

thence along the West boundary line of the NE 1/4 of the NW 1/4 of said Section 15 North 00°39'51" East, 707.20 feet;

thence leaving said West boundary line South 89°15'34" East, 161.45 feet;

thence South 00°31'51" West, 50.00 feet;

thence South 89°15'34" East, 535.00 feet;

thence North 60°57'53" East, 55.02 feet;

thence South 29°02'07" East, 3.57 feet;

thence North 60°57'53" East, 212.00 feet;

thence North 29°02'07" West, 396.59 feet;

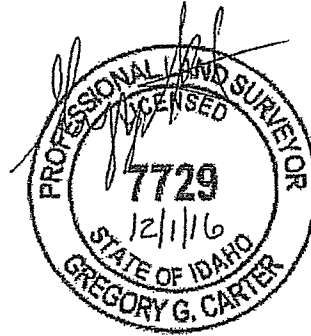
thence North 43°03'55" West, 81.88 feet;



thence North 67°55'41" West, 83.90 feet;

thence North 00°44'26" East, 53.13 feet to a point on the South right-of-way line of W. Franklin Road;

thence along said South right-of-way line South 89°15'34" East, 721.19 feet to the **REAL POINT OF BEGINNING**. Containing 66.29 acres, more or less.





Subject: RE: Baraya Apartments

---

From: Mwallace@achdidaho.org

To: schultzdevelopment@yahoo.com; Clittle@achdidaho.org

Date: Monday, January 8, 2018, 11:18:18 AM MST

---

Hi Matt,

A traffic impact study is not required for this project, as the original Baraya TIS included 260 multi-family units.

Please let me know if you have any questions.

Mindy

Mindy Wallace, AICP

Planner III

Ada County Highway District

208-387-6178

---

**From:** Matt Schultz [mailto:schultzdevelopment@yahoo.com]

**Sent:** Sunday, January 07, 2018 10:35 PM

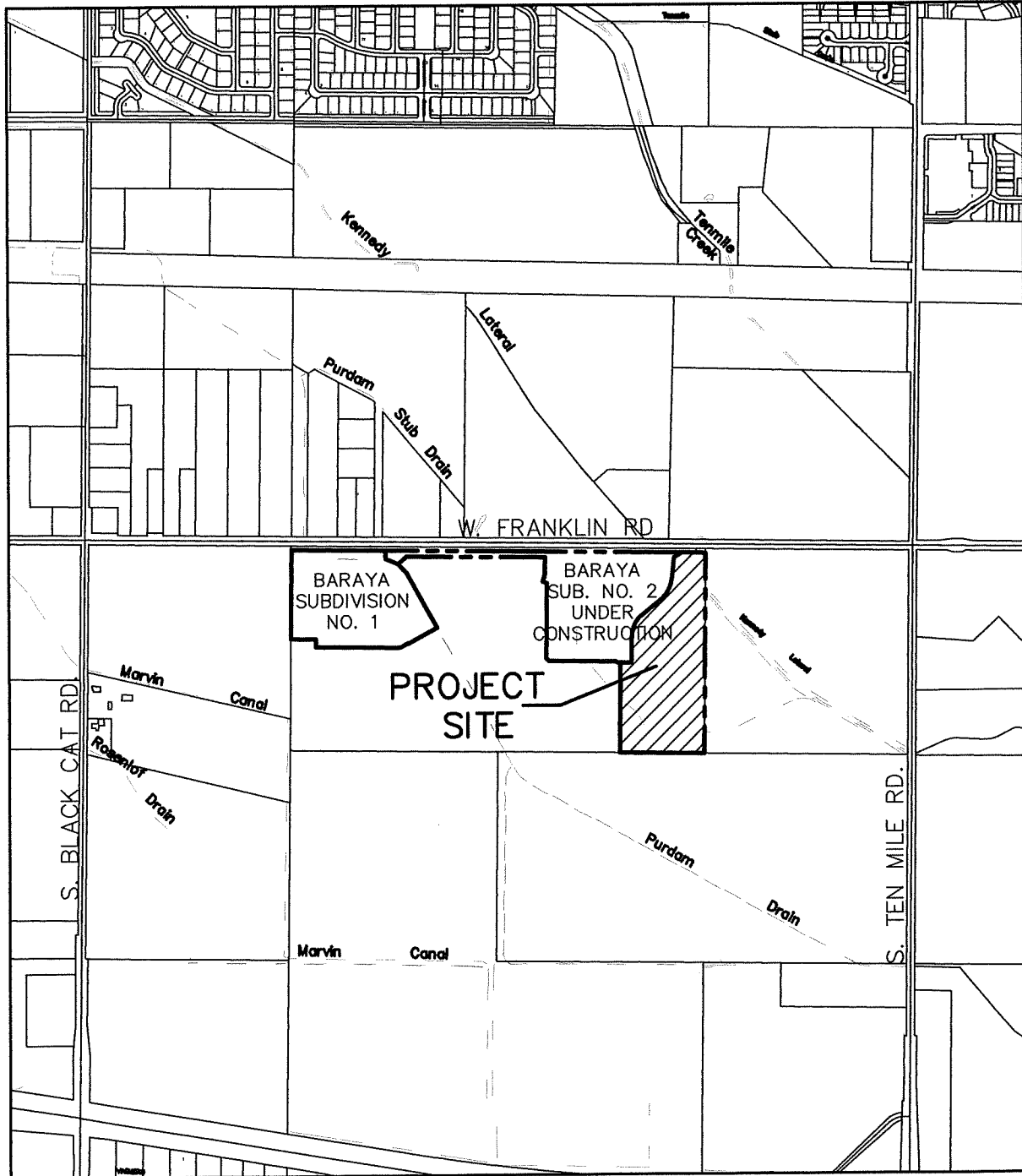
**To:** Mindy Wallace; Christy Little

**Subject:** Baraya Apartments

Hi Mindy and Christy,

# VICINITY MAP FOR BARAYA APARTMENTS SUBDIVISION

A PORTION OF THE NW 1/4 OF SECTION 15,  
TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN  
MERIDIAN, ADA COUNTY, IDAHO  
2018



VICINITY MAP  
SCALE 1" = 1000'

# CITY OF MERIDIAN

## PRE-APPLICATION MEETING NOTES

Project/Subdivision Name: Baraya Apartments Date: August 17 & Sept. 19, 2017  
 Applicant(s)/Contact(s): Matt Schultz, Pete Rockwell  
 City Staff: Sonya, Bill, Bruce, Brian, Rick, Ken (ITD)  
 Location: 3935 W. Franklin Rd. Size of Property: \_\_\_\_\_  
 Comprehensive Plan FLUM Designation: HDR; development is governed by the Ten Mile Interchange Specific Area Plan  
 Existing Use: Ag/undeveloped Existing Zoning: R-40  
 Proposed Use: MFR (apartments) Proposed Zoning: NA  
 Surrounding Uses: Residential, ag, future mixed use  
 Street Buffer(s) and/or Land Use Buffer(s): 25' along W. Franklin Rd.; 20' along collector streets  
 Open Space/Amenities/Pathways: Comply with qualified open space & site amenity requirements in UDC 11-3G-3 & the common area & amenity requirements listed in the specific use standards for multi-family dev. listed in UDC 11-4-3-27C& D  
 Access/Stub Streets/Street System: Access via Franklin Rd.  
 Waterways/ Floodplain/Topography/Hazards: Not in flood plain  
 History: AZ-06-061; (DA#107123289); PP-06-062; TE-09-015; TE-11-001; TEC-13-001  
 Additional Meeting Notes: Future development should be consistent with the guidelines in the TMSAP

- A CUP is required for a multi-family development in the R-40 zoning district; comply with specific use standards in UDC 11-4-3-27
- Comply with provisions of DA; requires a min. residential density of 16 units/acre or greater
- Provide a pedestrian pathways for interconnectivity; and a north/south collector street per the Master Street Map
- Provide a secondary emergency access as required by the Fire Dept.
- If subdividing the property, a preliminary plat is required

*Note: A Traffic Impact Study (TIS) will be required by ACHD for large commercial projects and any residential development with over 100 units. To avoid unnecessary delays & expedite the hearing process, applicants are encouraged to submit the TIS to ACHD prior to submitting their application to the City. Not having ACHD comments and/or conditions on large projects may delay hearing(s) at the City. Please contact Mindy Wallace at 387-6178 or Christy Little at 387-6144 at ACHD for information in regard to a TIS, conditions, impact fees and process.*

**Other Agencies/Departments to Contact:**

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Ada County Highway Dist. (ACHD)    | <input type="checkbox"/> Nampa Meridian Irrigation Dist. (NMID) | <input type="checkbox"/> Public Works Department |
| <input type="checkbox"/> Idaho Transportation Dept. (ITD)   | <input type="checkbox"/> Settler's Irrigation District          | <input type="checkbox"/> Building Department     |
| <input type="checkbox"/> Republic Services                  | <input type="checkbox"/> Police Department                      | <input type="checkbox"/> Parks Department        |
| <input type="checkbox"/> Central District Health Department | <input type="checkbox"/> Fire Department                        | <input type="checkbox"/> Other: _____            |

**Application(s) Required:**

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Administrative Design Review        | <input type="checkbox"/> Conditional Use Permit Modification/Transfer | <input type="checkbox"/> Rezone                   |
| <input type="checkbox"/> Alternative Compliance              | <input type="checkbox"/> Development Agreement Modification           | <input type="checkbox"/> Short Plat               |
| <input type="checkbox"/> Annexation                          | <input type="checkbox"/> Final Plat                                   | <input type="checkbox"/> Time Extension – Council |
| <input type="checkbox"/> City Council Review                 | <input type="checkbox"/> Final Plat Modification                      | <input type="checkbox"/> UDC Text Amendment       |
| <input type="checkbox"/> Comprehensive Plan Amendment – Map  | <input type="checkbox"/> Planned Unit Development                     | <input type="checkbox"/> Vacation                 |
| <input type="checkbox"/> Comprehensive Plan Amendment – Text | X Preliminary Plat  | <input type="checkbox"/> Variance                 |
| X Conditional Use Permit                                     | <input type="checkbox"/> Private Street                               | <input type="checkbox"/> Other                    |

**Notes:** 1) Applicants are required to hold a neighborhood meeting in accord with UDC 11-5A-5C prior to submittal of an application requiring a public hearing (except for a vacation or short plat); and 2) All applicants for permits requiring a public hearing shall post the site with a public hearing notice in accord with UDC 11-5A-5D.3 (except for UDC text amendments, Comp Plan text amendments, and vacations). The information provided during this meeting is based on current UDC requirements and the Comprehensive Plan. Any subsequent changes to the UDC and/or Comp Plan may affect your submittal and/or application. This pre-application meeting shall be valid for four (4) months.

**NEIGHBORHOOD MEETING**

**BARAYA APARTMENTS C.U.P. AND PRELIMINARY PLAT**

**MERIDIAN POLICE STATION, CONFERENCE ROOM**

**OCTOBER 4, 2017 at 6:00 PM**

	<u>Name</u>	<u>Address</u>	<u>Phone #</u>	<u>E-mail</u>
1.	Matt Schultz	8421 S. Ten Mile	880-1695	
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				


## COMMITMENT OF PROPERTY POSTING

Per Unified Development Code (UDC) 11-5A-5D, the applicant for all applications requiring a public hearing (except for a UDC text amendment, a Comprehensive Plan text amendment and/or vacations) shall post the subject property not less than ten (10) days prior to the hearing. The applicant shall post a copy of the public hearing notice of the application(s) on the property under consideration.

The applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the City no later than seven (7) days prior to the public hearing attesting to where and when the sign(s) were posted. Unless such Certificate is received by the required date, the hearing will be continued.

The sign(s) shall be removed no later than three (3) days after the end of the public hearing for which the sign(s) had been posted.

I am aware of the above requirements and will comply with the posting requirements as stated in UDC 11-5A-5.

  
\_\_\_\_\_  
Applicant/agent signature

1-8-18  
\_\_\_\_\_  
Date

Subject: **Baraya Apartments Subdivision Name Reservation**

---

From: subnamemail@adaweb.net

To: schultzdevelopment@yahoo.com

Cc: gcarter@idahosurvey.com

Date: Tuesday, October 10, 2017, 1:46:18 PM MDT

---

October 10, 2017

Greg Carter, Idaho Survey Group

Matt Schultz, Schultz Development

RE: Subdivision Name Reservation: **BARAYA APARTMENTS SUBDIVISION**

At your request, I will conditionally reserve the name **Baraya Apartments Subdivision** for your project. I can honor this reservation only as long as your project is in the approval process. Final approval can only take place when the final plat is recorded.

This reservation is conditionally available for the project as long as it is in the approval process, unless the project is terminated by either the client, the jurisdiction or if the conditions of approval have not been met, in which case the name can be re-used by someone else. In addition, this development must adjoin a previous phase of Baraya Subdivision, or a different name will be required and this reservation will be invalid.

Sincerely,



**Jerry L. Hastings, PLS 5359**

*County Surveyor*

**Deputy Clerk Recorder**

**Ada County Development Services**

200 W. Front St., Boise, ID 83702

(208) 287-7912 office

(208) 287-7909 fax

---



# *B* Bailey Engineering, Inc.

CIVIL ENGINEERING|PLANNING|CADD

TO: Meridian Public Works Department  
33 E Broadway Street  
Meridian, Idaho 83642

DATE: January 5, 2018

**PROJECT: Baraya Apartments Subdivision (BEI Project No. C2013-026)**

To Whom it May Concern:

This letter is to provide certification for Baraya Apartments Subdivision that all street finished centerline elevations are set a minimum of three (3) feet above the highest established groundwater elevations.

Sincerely,



David A. Bailey, P.E.  
President









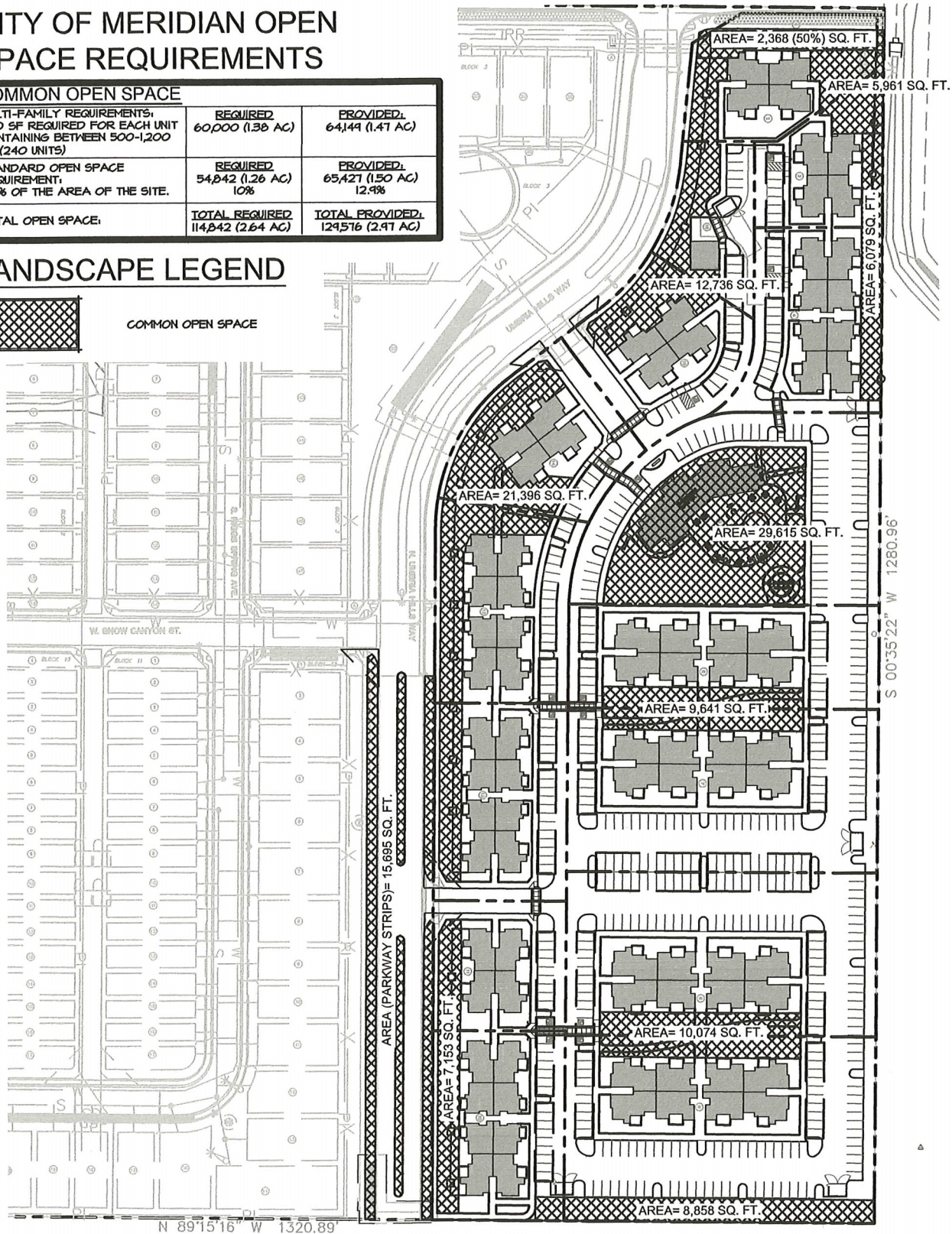




# CITY OF MERIDIAN OPEN SPACE REQUIREMENTS

COMMON OPEN SPACE		
MULTI-FAMILY REQUIREMENTS: 250 SF REQUIRED FOR EACH UNIT CONTAINING BETWEEN 500-1,200 SF (240 UNITS)	REQUIRED 60,000 (1.38 AC)	PROVIDED: 64,144 (1.47 AC)
STANDARD OPEN SPACE REQUIREMENT: 10% OF THE AREA OF THE SITE.	REQUIRED 54,842 (1.26 AC) 10%	PROVIDED: 65,421 (1.50 AC) 12.9%
TOTAL OPEN SPACE:	TOTAL REQUIRED 114,842 (2.64 AC)	TOTAL PROVIDED: 129,576 (2.97 AC)

## LANDSCAPE LEGEND



S:\projects\2017\17192\_baraya\_apts\CAD\Preliminary\17192\_preliminary\_landscape.dwg plotted by: Tyler Chambers on Thu, January 04, 2018 at 10:32 AM



• Civil Engineering  
 • Landscape Architecture  
 • Erosion & Sediment Control  
 • Graphic Communication  
 • Irrigation Design  
 • Land Planning  
 www.breckonlandesign.com  
 Fax: 208-376-6520  
 Phone: 208-376-5153  
 6661 North Glenwood Street  
 Garden City, Idaho 83714

## BARAYA APARTMENTS FRANKLIN ROAD, MERIDIAN OPEN SPACE EXHIBIT

SCALE: 1" = 150'

1/4/2018

PROJECT #: 17192

# X-1.0













**Community Development Dept.**  
Meridian City Hall, Suite 102  
33 E. Broadway Avenue  
Meridian, Idaho 83642

---

**MEMORANDUM**

January 9, 2018

To: Jenny Fields, Budget Analyst  
From: Stacy Hersh, Land Development Support Specialist  
Re: Final construction costs for sanitary sewer and/or water infrastructure at:  
Geddes Subdivision

Jenny,

Attached are the developer's final costs for the finished construction of the sanitary sewer and/or domestic water infrastructure.

Sanitary Sewer Total:	\$27,906.00
Domestic Water Total:	\$29,620.00

Please let me know if you should have any questions or concerns.

Thanks,

Stacy Hersh

**Sent with Final  
Acceptance Letter  
Attached**

FRANKLIN ROAD



BARAYA SUBDIVISION  
PHASE 2

UMBRIA HILLS AVE.

W. SNOW CANYON ST.

UMBRIA HILLS AVE.

BARAYA SUBDIVISION  
FUTURE PHASE



**BARAYA APARTMENTS**  
3935 W. FRANKLIN ROAD  
MERIDIAN, IDAHO 83642

SCALE: 1"=40'-0"

**BRECKON** landesign

- Civil Engineering
- Landscape Architecture
- Erosion & Sediment Control
- Graphic Communication
- Irrigation Design
- Land Planning

www.breckonlandesign.com  
 Fax: 823-376-6533  
 Phone: 823-376-6533  
 6225 North Glenwood Street  
 Garden City, Idaho 83714

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