## Hearing Date: December 5, 2019

File No.: H-2019-0109

Project Name: Edington Commons

Request:

- Annexation & Zoning of 14.56 acres of land with R-15 zoning; and,
- Preliminary plat consisting of 92 building lots, 10 common lots and 4 other lots for common driveways on 13.49 acres of land in an R-15 zoning district, by G20, LLC.

Location: The site is located at 3610 N. Linder Rd., in the SW ¼ of Section 36, Township 4N., Range 1W.



## **Planning Division**

DEVELOPMENT REVIEW APPLICATION

T						
	STAFF USE ONLY: Project name: Edington Commons					
	File number(c):					
		files:				
l						
4X	Type of Review Requested (check all that apply)					
	□ Accessory Use (check only 1)	□ Final Plat Modification				
	□ Daycare □ Home Occupation	□ Landscape Plan Modification ⊠ Preliminary Plat				
	☐ Home Occupation/Instruction for 7 or more	$\square$ Private Street				
	Administrative Design Review	Property Boundary Adjustment				
	□ Alternative Compliance	Rezone				
	Annexation and Zoning	□ Short Plat				
	□ Certificate of Zoning Compliance □ City Council Review	□ Time Extension (check only 1) □ Director				
	Comprehensive Plan Map Amendment					
	Comprehensive Plan Text Amendment	□ UDC Text Amendment				
	Conditional Use Permit	$\Box$ Vacation (check only 1)				
	□ Conditional Use Modification (check only 1) □ Director	□ Director □ Commission				
	Development Agreement Modification	□ Other				
	□ Final Plat					
	Applicant Information					
	Applicant name: <u>G20 LLC</u>	Phone: 208-336-5355				
	Applicant address: <u>4824 W Fairview Ave</u>	Email: Laren@congergroup.com				
	City: Boise	State: <u>ID</u> Zip: <u>83706</u>				
	Applicant's interest in property: □ Own □ Rent ☑ Op					
	Owner name: Vogel Lester & Betty Trust	Phone:				
	Owner address: 3610 N Linder Road					
	City: Meridian	State: <u>ID</u> Zip: <u>83646</u>				
	Agent/Contact name (e.g., architect, engineer, developer, representative):					
	Firm name: Laren Bailey	Phone: 208-899-1155				
	Agent address: _ 4824 W Fairview Ave					
		State: <u>ID</u> Zip: <u>83706</u>				
	Primary contact is: 🛛 Applicant 🗆 Owner 🗆 Agent/Co	ontact				
	Subject Property Information					
	Location/street address: 3610 N Linder RD	Township, range, section:				

Community Development 
Planning Division 
33 E. Broadway Avenue, Ste. 102 Meridian, Idaho 83642
Phone: 208-884-5533 Fax: 208-888-6854 www.meridiancity.org/planning

Project/subdivision name: \_\_\_\_\_Edington Commons

General description of proposed project/request: Preliminary Plat, Annexation and Rezone

Proposed zoning district(s): <u>R15</u>
Acres of each zone proposed: 13.49
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? HOA
Which irrigation district does this property lie within? <u>Settlers and Nampa Meridian Irrigation Districts</u>
Primary irrigation source: <u>Surface Canals</u> Secondary: <u>City Water</u>
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: _92   Number of building lots: _92
Number of common lots:       10         Number of other lots:       4 (common drives)
Proposed number of dwelling units (for multi-family developments only):
1 bedroom: 2–3 bedrooms: 4 or more bedrooms:
Minimum square footage of structure (excl. garage): Maximum building height:
Minimum property size (s.f.):
Gross density (Per UDC 11-1A-1): <u>6.83</u> Net density (Per UDC 11-1A-1): <u>11.64</u>
Acreage of qualified open space: 2.02       Percentage of qualified open space: 15%
Type and calculations of qualified open space provided in acres (Per UDC 11-3G-3B): <u>Refer to attached Open Space Exhibit</u>
Amenities provided with this development (if applicable): <u>Play Ground, Climbing Dome, Swings, Climbing Rocks</u> , Seating areas
Type of dwelling(s) proposed: 凶 Single-family Detached 忆 Single-family Attached □ Townhouse
□ Duplex □ Multi-family □ Vertically Integrated □ Other
Non-residential Project Summary (if applicable)
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: Laren Bailey
Applicant signature: Date: 9.17.2019

Community Development 
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33 E. Broadway Avenue, Ste. 102 Meridian, Idaho 83642
Phone: 208-884-5533 Fax: 208-888-6854 www.meridiancity.org/planning





# Edington Commons Narrative

Attached for your review and favorable consideration are the applications for the Edington Commons Residential Community located North of Ustick Road and East of Linder Road. We respectfully request approval of our Annexation and Zoning, Development Agreement and Preliminary Plat applications.

For design and planning purposes, our design team used the Meridian City Pre-Application Meetings, Neighborhood Meetings, the Comprehensive Plan, and Zoning Code as the policy basis for the design of the Edington Community. We have thoughtfully designed 92 single-family residential dwellings on 13.47 acres that will add to the surrounding neighborhood. Located on the north side of East Ustick Road and east of Linder Road, Edington will add to the mix of Meridian's available housing opportunities. Homeowners will have access to onsite amenities such as a half-acre park, playground and attractive landscaping. Off-site amenities include access to Settlers Park, Julius M. Kleiner Park and retail along Eagle Road such as The Village at Meridian and Center Point Market Place directly south of this neighborhood. This Project will provide homes that people can afford on an infill property that will utilize existing utilities and road that have been planned for developments in this area.

### SUMMARY OF APPLICATIONS

- Annexation/Zoning
- Preliminary Plat
- Development Agreement

### ZONING INFORMATION

- Current Zone RUT
- Comp. Plan Designation MDR
- Proposed Zone MDR

# **Table of Contents**

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## Exhibit A - Site Plan

**Edington Commons** is a residential community is located north of Ustick Road and east of Linder Road and will consist of 92 single-family residential homes in an R-15 zone for lot dimensional standards. Edington will provide much needed homes that people can afford in this area of Meridian that will help support the commercial and retail uses of the City. Pathways and sidewalks within the development will encourage walkability to the neighboring schools and regional park. We have purposefully designed for single level homes along the Linder road frontage in order to provide a more aesthetically pleasing view from the roadway.





## Exhibit B - Community Amenities

#### **PROJECT AMENITIES**

As the *developer* we have researched and interviewed past homeowners as well as followed the city ordinances to plan the most productive amenities for this neighborhood. As typical of our developments; the amenity package exceeds the requirement of Meridian City Development Code, which requires that the application have one amenity for projects up to 20 acres. We are proposing <u>four additional</u> amenities for a total of <u>five</u>, including a neighborhood park with a play structure, climbing rocks, climbing dome, swing set and seating areas. Please refer to the renderings and a detailed list of amenities below:

#### **Proposed Amenities:**

- o Large Half-Acre Park The half-acre park will contain the following recreation facilities:
  - Play Structure
  - Swing Set
  - Seating Benches
  - Climbing Rocks
  - Climbing Dome
  - Attractive Landscaping and Pedestrian Pathways





## Exhibit D – Home Design













## Exhibit E - Preliminary Plat

#### PRELIMINARY PLAT APPLICATION

**Edington Commons** will provide homes that people can afford in a very desirable part of North Meridian. The Edington Neighborhood has a proposed residential density of 6.83 DU/AC, this is lower than the maximum allowed within this medium density comprehensive plan area. We are requesting the R-15 zone in order to utilize the dimensional standards and not for density. The intersection of Ustick Road and Linder was improved a few years ago including curb, gutter and sidewalk. Linder Road is currently being widened and sewer and water services have been stubbed to this property that are adequate size and capacity for this development. With the large amount of infrastructure investment in this area, the proximity to schools, parks and services the Edington Neighborhood will be a perfect addition to the City of Meridian.





## Exhibit F - Transportation

The intersection of Ustick Road and Linder was improved a few years ago including curb, gutter and sidewalk. Linder Road is currently being widened and will provide a fully functional 5 – lane arterial roadway that will serve the traffic needs of the surrounding area. Traffic planning in this area has already taken into account the development of the Edington Property at the housing densities that have been proposed with this project. For this reason, ACHD did not require a traffic study be completed.



## Commons

## **Exhibit G** – Comprehensive Plan Goals

The Edington Neighborhood meets or exceeds all the City of Meridian Comprehensive Plan Requirements for the Medium Density Residential Designation. The following is written explanation that describes how the project meets each of the comprehensive plan goals and requirements:

### Comprehensive Plan (https://www.meridiancity.org/compplan):

Medium Density Residential: to allow smaller lots for residential purposes within City limits. Uses may include single-family homes at gross densities of three to eight dwelling units per acre. Density bonuses may be considered with the provision of public amenities such as open space, pathways, or land dedicated for public services.

Within residential areas the following policies shall apply:

• At the discretion of City Council, areas with a Residential Comprehensive Plan designation may request an office use if the property only has frontage on an arterial street or section line road and is three acres or less in size. In this instance, no ancillary commercial uses shall be permitted.

# No office or commercial uses are being proposed within the Medium Density Residential area of the Edington Neighborhood.

• In residential areas, other residential densities will be considered without requiring a Comprehensive Plan Amendment. However, the density can only be changed one "step" (i.e., from low to medium, not low to high, etc.). This provision does not apply to 1) the area bounded by Can-Ada, Chinden, McDermott, and Ustick Roads or 2) within the Ten Mile Interchange Specific Area Plan, or 3) within the North and South Rims as depicted in Appendix E where no "step up" is allowed.

With a density of 6.83 DU/AC, No density "step" up is being requested in the Edington Neighborhood, the R-15 Zoning Designation is only being requested for the dimensional standards and not for density purposes.

• Residential uses north of Chinden Boulevard and within ¼ mile or less from the North Rim should have lot sizes ranging from one-half to one acre, ensuring compatibility with SpurWing Country Club to the east. Use of transitional lot sizes and clustering of smaller lots adjacent to the non-residential and rim property are encouraged.

This policy is not applicable to this property.



#### **Comprehensive Plan Policies:**

Goals, Objectives, & Action Items: The following Comprehensive Plan policies are applicable to this application and apply to the proposed use of this property:

• "Provide for a wide diversity of housing types (single-family, modular, mobile homes and multi-family arrangements) and choices between ownership and rental dwelling units for all income groups in a variety of locations suitable for residential development." (3.07.03B)

The Edington Neighborhood will bring two distinct housing types and sizes to the Ustick and Linder area. A single-family detached product and a single-family attached product that will create a perfect transition from the busy arterial corridor along Linder Road.

• "Provide housing options close to employment and shopping centers." (3.07.02D)

The proposed Edington Development will be in close proximity to shopping and services at the corner of Ustick and Eagle Roads.

• "Locate high-density development, where possible, near open space corridors or other permanent major open space and park facilities, Old Town, and near major access thoroughfares." (3.07.02L)

Edington Neighborhood residence will be within walking distance of the Settlers Regional City Park to the east of the project, sidewalks, pathways and regional pathway connections will provide many opportunities for pedestrians to access commercial and recreational facilities.

• "Consider ACHD's Master Street Map (MSM) in all land use decisions." (3.03.04K)

This project does not abut and mid-mile collector roadways, it is in compliance with the MSM.

• *"Require open space areas within all development." (6.01.01A)* 

The Edington Neighborhood Preliminary Plat not only meets the City of Meridians open space and amenity requirements but <u>EXCEEDS</u> them. The development is required by code to provide 10% open space equal to 1.47 Acres. We have provided a generous 2.02 Acres for 15% open space.

• "Permit new development only where urban services can be reasonably provided at the time of final approval and development is contiguous to the City." (3.01.01F)

The proposed development is contiguous to the City and urban services can be provided to this development. Being that the Edington Development is an infill property it will utilizes existing city sewer and water services that have already been extended to the property.



• "Restrict private curb cuts and access points on collectors and arterial streets." (3.06.02D)

In following the intent of the Comprehensive Plan and Meridian City Code the street network of the Edington Development is designed to slow traffic through the residential neighborhoods and to funnel traffic onto the existing arterial and collector roadways.

• *"Work with ACHD, COMPASS, and VRT on bringing public transportation to and through Meridian."* (3.03.04H)

This property is an infill property that does front on Linder Road, however pedestrian sidewalks and pathways will make it only a short walk to major thoroughfares that will be served by public transportation in the future.

• "Require pedestrian access connectors in all new development to link subdivisions together to promote neighborhood connectivity as part of a community pathway system." (3.03.03B)

The Edington Neighborhood includes internal pathways and sidewalks that will create a walkable neighborhood that will allow residence and neighboring subdivisions to walk or bike to the commercial and recreation areas to the east and north.

• "Work with transportation agencies and private property owners to preserve transportation corridors, future transit routes and infrastructure, road and highway extensions, and to facilitate access management planning." (3.01.01J)

This is an infill development and is not proposing any direct access to state highways.

• "Develop alternative modes of transportation through pedestrian improvements, bicycle lanes, off-street pathways, and transit-oriented development as appropriate." (3.03.03D)

The Edington Neighborhood includes internal pathways and sidewalks that will create a walkable neighborhood that will allow residence and neighboring subdivisions to walk or bike to the commercial and recreation areas to the south.



## Sawtooth Land Surveying, LLC

2030 S. Washington Ave, Emmett, ID 83617 P: (208) 398-8104 F: (208) 398-8105 1044 Northwest Blvd., Ste. G Coeur d'Alene, ID 83814 P: (208) 714-4544 F: (208) 292-4453

|4| |<sup>st</sup> Avenue East Jerome, ID 83338 P: (208) 329-5303 F: (208) 324-3821

## Annexation Legal Description (R-15)

A parcel of land being a portion of the W1/2 SW1/4 SW1/4 of Section 36, Township 4 North, Range 1 West of the Boise Meridian, Ada County, Idaho, more particularly described as follows:

**BEGINNING** at the S1/16 corner common to Sections 35 and 36, from which the southwest corner of said Section 36, bears South 00°14′51″ West, 1318.78 feet distant;

Thence South 88°56'15" East, coincident with the north line of the SW1/4 SW1/4 of said Section 36, a distance of 272.69 feet;

Thence South 71°02′05″ East, 415.82 feet to the east line of the W1/2 SW1/4 SW1/4 of said Section 36;

Thence South 00°17′40″ West, coincident with said east line, 863.19 feet to the southeast corner of the N1/2 SW1/4 SW1/4 SW1/4 of said Section 36;

Thence North 88°46'08" West, coincident with the south line of said N1/2 SW1/4 SW1/4 SW1/4 of Section 36, a distance of 665.89 feet to the west line of said SW1/4 SW1/4 of said Section 36;

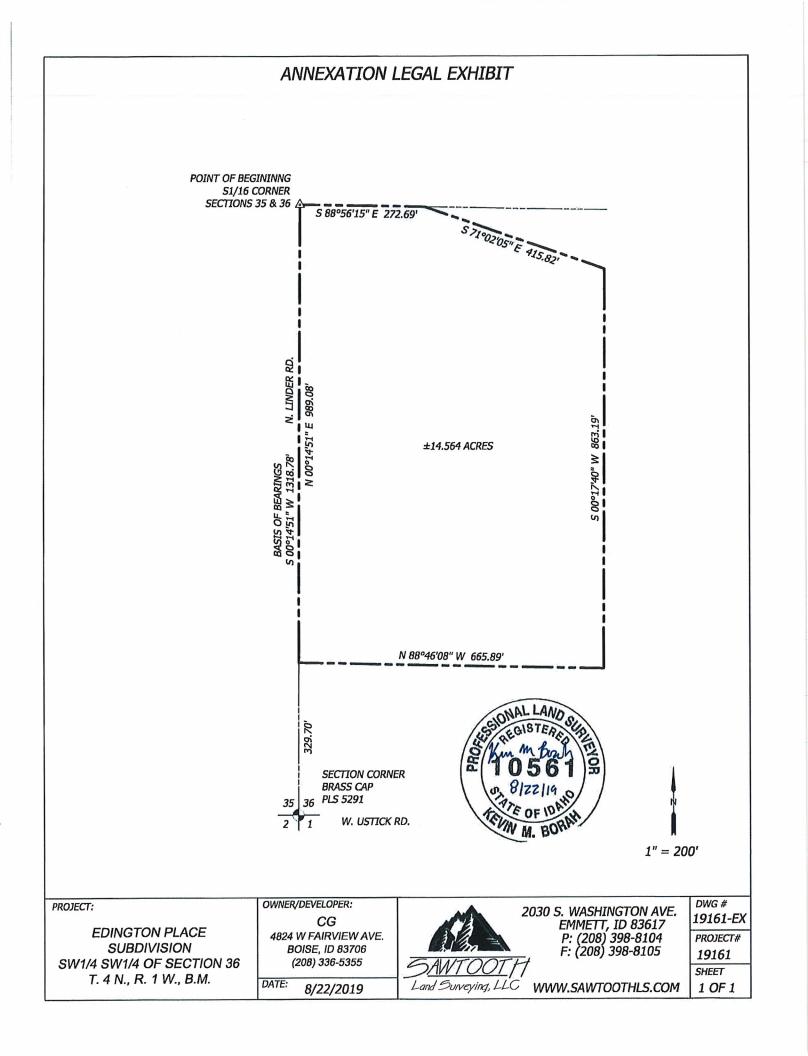
Thence North 00°14'51" East, coincident with said west line, 989.08 feet to the Point of BEGINNING.

The above described parcel contains 14.564 acres, more or less.

**BASIS OF BEARING** for this description is South 00°14′51″ West, between the S1/16 corner common to Sections 35 and 36 and the southwest corner of Section 36, Township 4 North, Range 1 West of the Boise Meridian.



P:\2019\19161-EDINGTON PLACE ALTA-CMG\Survey\Drawings\Descriptions\19161-Annexation Legal.docx.docx



AFTER RECORDING RETURN TO: LESTER & BETTY VOGEL 3610 NORTH LINDER MERIDIAN, IDAHO 83646 ADA COUNTY RECORDER J. DAVID NAVARRO BOISE IDAHO 10/01/07 09:42 AM DEPUTY Palti Thompson RECORDED – REQUEST OF Betty Vogel AMOUNT 12.00

107136075

RESIDENCE QUITCLAIM DEED

GRANTOR:

LESTER C. VOGEL and BETTY L. VOGEL, husband and wife.

GRANTEE:

V LESTER C. VOGEL AND BETTY L. VOGEL AS CO-TRUSTEES OF THE LESTER & BETTY VOGEL TRUST UNDER TRUST AGREEMENT DATED SEPTEMBER 24, 2007 AND THEIR SUBSTITUTES AND SUCCESSORS AS TRUSTEES THEREUNDER.

GRANTEE ADDRESS:

3610 NORTH LINDER, MERIDIAN, IDAHO 83646

DESCRIPTION OF REAL PROPERTY CONVEYED BY THIS DEED:

Situated in the County of ADA, State of IDAHO

The real estate more particularly described upon Exhibit "A" attached hereto and by this reference incorporated herein and made a part hereof.

Subject to any encumbrances thereon.

) ) ss

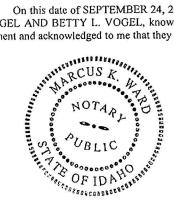
FOR VALUE RECEIVED, the above name Grantor does hereby convey, release, remise, and forever QUITCLAIM unto the above named Grantec, the real property above described together with the appurtenances.

This deed is given for estate planning purposes to vest title to the property in a living trust established by Grantor, under the provisions of which Grantor has the right to use and occupy the above described real estate for Grantors personal residence during the remainder of Grantors lifetime. There is no value consideration in each or property.

Dated: SEPTEMBER 24, 2007

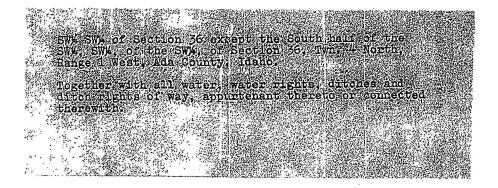
STATE OF IDAHO COUNTY OF CANYON

On this date of SEPTEMBER 24, 2007 before me, a Notary Public in and for said State, personally appeared LESTER C. VOGEL AND BETTY L. VOGEL, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Notary Public for State of IDAHO

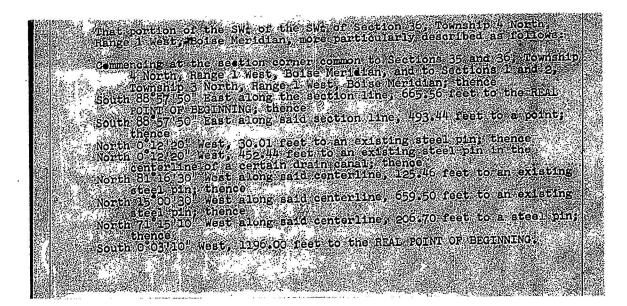
Residing at: CALDWELL, IDAHO Comm. Expires: DECEMBER 5, 2009



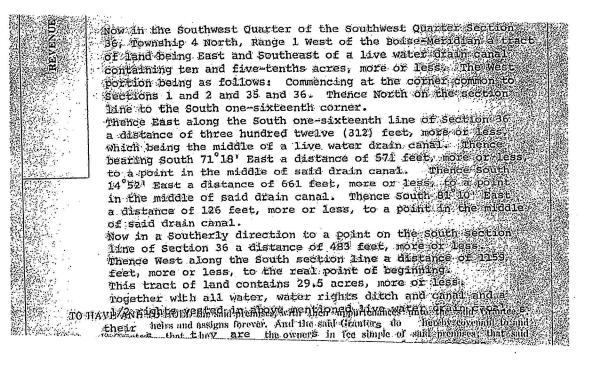
"EXHIBIT A"

## EXCEPTING THEREFROM EXHIBIT "B" AND EXHIBIT "C"

## EXHIBIT "B"



## EXHIBIT "C"



#### AFFIDAVIT (For Property of Trust)

State of IDAHO County of CANYON

We, LESTER C. VOGEL and BETTY L. VOGEL, of lawful age, being first duly sworn, upon oath depose and say:

) ) ss.

)

1. "The LESTER & BETTY VOGEL TRUST" dated SEPTEMBER 24, 2007 is the name of a revocable living trust which may acquire, sell, convey, encumber, lease, and otherwise deal with interests in real and personal property in said name.

2. We are the Grantor, (Settlors) and Trustees of the aforementioned Trust and as such have authority to execute and to record this Affidavit. Our address is 3610 NORTH LINDER, MERIDIAN, IDAHO 83646.

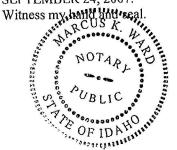
3. We may each, individually act for and represent the trust in any transaction. Upon both of our deaths or written certification by two licensed physicians that we, or the survivor, have become so incapacitated as to be unable to manage our financial affairs or upon other events as described in our trust, then one of the following persons, listed in order of priority shall serve as trustee:

a. CINDY L. FRITZ

b. BUDDY J. VOGEL

4. All trustees and successor trustees have full power and authority granted to fiduciaries under the IDAHO Fiduciaries Powers Act. We, or the survivor, may change successor trustees, but third parties shall be relieved of any liability for such change until given actual notice. No person paying money to or delivering property to any trustee shall be required to see to its application. All persons relying on this document regarding the trustees and their powers over trust property shall be held harmless for any resulting loss or liability from such reliance. A photo static or other facsimile copy of this Affidavit shall be just as valid as the original.

Subscribed and sworn to before me in person by LESTER C. VOGEL and BETTY L. VOGEL, as Grantors and Trustees, as their voluntary act and deed in executing this Affidavit on this day of SEPTEMBER 24, 2007.



Notary Public for State of Idaho Residing at Caldwell, Canyon, Idaho My Commission Expires: December 5, 2009

1

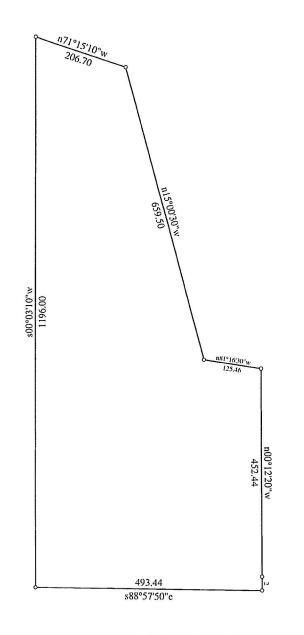
AFFIDAVIT

	Notary Public for the State of Idaho, Fees \$ 1.00
2-5	Residing at Boise, Idaho. Mail to: Comm. Expires:10/30/70
	A-15181
	WARRANTY DEE 77 .735
	For Value Received
	ZELDA A. STRIBLING, a widow,
ço.	the grantor , do es hereby grant, bargain, sell and convey unto
AMP	C. LESTER/VOGEL and BETTY L. VOGEL, husband and wife,
IE S1	the grantees, the following described premises, inAdaCounty Idaho, to wit:
REVENUE STAMPS	SWM SWM of Section 36 except the South half of the
REY	SWY SWY of the SWA of Section 36, Twn. 4 North,
	Range 1 West, Ada County, Idaho. Together with all water, water rights, ditches and
	ditch rights of way, appurtenant thereto or connected
	therewith.
	O HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and
with t	O HAVE AND TO HOLD the said premises, with their appurtenances unto the said GranteeS, their heirs and assigns forever. And the said Grantor do es hereby covenant to and he said Grantees, that she is the owner in fee simple of said premises; that they are free all encumbrances
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with t from : and ti Dated STATE On thi before m appeared ZELI	their heirs and assigns forever. And the said Grantor do es hereby covenant to and he said Grantees, that she is the owner in fee simple of said premises; that they are free all encumbrances hat she will warrant and defend the same from all lawful claims whatsoever. April <u>15th</u> , 1965. OF IDAHO, COUNTY OF ADA is 15th day of April , 1965, te, a notary public in and for said State, personally A A. STRIBLING, a widow,

WARRA	NTY DEED	8.1	1976
For Value Received		0.5	1310
LESTER C. VOGEL and BETTY L. VO	OGEL, husband and wife		
		· ·	
OTIS DENNY and CHARLINE DENNY,			_
grantees , the following described premises, ir		County Idaho, to-wit	
That portion of the $SW^{\frac{1}{4}}$ of the Range 1 West, Boise Meridian, n	SWL of Section 36, To nore particularly desc	ownship 4 Nort cribed as foll	b, Lows:
Commencing at the section corner 4 North, Range 1 West, Boi Township 3 North, Range 1 South 88°57'50" East along the POINT OF BEGINNING; thence South 88°57'50" East along said thence North 0°12'20" West, 30.01 feet North 0°12'20" West, 452.44 feet centerline of a certain dr	West, Boise Meridian; section line, 665.56 section line, 493.44	feet to a po	i 2, Real
centerline of a certain dr North 81°16'30" West along said steel pin; thence North 15°00'30" West along said	1 centerline, 125.40 1	eet to an exi	
steel pin; thence North 71°15'10" West along said			
thence South 0°03'10" West, 1196.00 fe	eet to the REAL POINT	OF BEGINNING.	
		1	
	Excepto	Int	
TO HAVE AND TO HOLD the said premis their heirs and assigns forever. A the said Grantees, that the y are the ov all incumbrances except taxes for l	tes, with their appurtenances u And the said Grantors do wnets in fee simple of said pret	into the said Grant hereby convenant to	o and
that they will warrant and defend the sa	ame from all lawful claims what	soever.	
d: October 9, 1970			
1. 0000001 3, 1310	Later C %	Parl	
	Betty L Dog	d	
of IDAHO, COUNTY OF Ada is day of October, 1970, me, a notary public in and for said State, personally d Lester C. Vogel and Betty	STATE OF IDAHO, COUNTY O I hereby certify that this instr the request of Lowell Otics at no minutes past this 17th d	ument was filed for red Denny 1 o'clock ay of February	cord at kP m.,
L. Vogel, husband and wife,	1971 , in my office, and duly record	led in Book	
L. Vogel, husband and wife,		TING	

6 11 Tan 1.14

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Title:		I	Date: 04-22-2019
Scale: 1 inch = 200 feet	File:		
Tract 1: 9.855 Acres: 429275 Sq Feet:	Closure = n07.3204w 0.01 Feet: Precision =1/361849: Peri	meter $= 3164$	Feet
001=/s88.5750e 665.56 002=s88.5750e 493.44 003=n00.1220w 30.01		7=n71.1510w 8=s00.0310w	

111 1478

#### WARRANTY DEED

For Value Received

LESTER C. VOGEL and BETTY L. VOGEL, husband and wife

the grantor S, do hereby grant, bargain, sell and convey unto

EVERETT C. CEDERBURG and ALICE G. CEDERBURG, husband and wife

the grantee s, the following described premises, to-wit:

A tract of land in the SW4SW4 of Section 36, T. 4 N., R. 1 W., B.M., Ada County, Idahc, more particularly described as follows:

Commencing at the section corner common to Sections 35 and 36, T. 4 N., R. 1 W., B.M., and Sections 1 and 2, T. 3 N., R. 1 W., B.M., Ada County, Idaho, thence North along the section line, 1321.66 feet to the south sixteenth section corner common to said Sections 35 and 36; thence S. 89°09'20" E. along the sixteenth section line, 272.69 feet to the real point of beginning; thence S. 71°15'10" E. along the centerline of a certain drain canal, 622.66 feet to a steel pin; thence North 191.43 feet to a point on said sixteenth section line; thence N. 89°09'20" W. along said sixteenth section line, 589.69 feet to the real point of buginning, together with all water and water rights, ditch and ditch rights appurtemant theretc. Said parcel contains 1.296 acres more or less, subject to easements of record or in use.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that the y are the owners in fee simple of said premises; that suid premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever. December 23. 1971. Dated:

1 STATE OF IDAHO, COUNTY OF and

the request of

of Deeds at page

1.5

70

I hereby certify that this instrument was filed for record at he request of Apole & Nechellane er

minutes past 10

CLARENCE A. PLANTING

Ex-Officie Recorder

19 72, in my office, and duly recorded in Book

(our

10

NSTRUMENT

No

3721

23

o'clock mm.,

Deputy.

Fel.

ADA STATE OF IDAHO, COUNTY OF ADA On this 2 3.49 day of Dicember , 1971, before me, a notary public in and for said State, personally appeared

Lester C. Vogel and Betty L. Vogel

n to me to be the person S who SE nameS are abstribed to the within instrument, and ocknowledged to the that they executed the same. Invol In Notary Public

Fees \$ JACK C. RIDDLEMOSER , Idaho Mail to: Attorney - Ak - Lost . MERIDIAN, IDAI 10 PALES Capitol Title Company RAILE INAHO

By.

this

STATE OF IDAHO

Besiding at

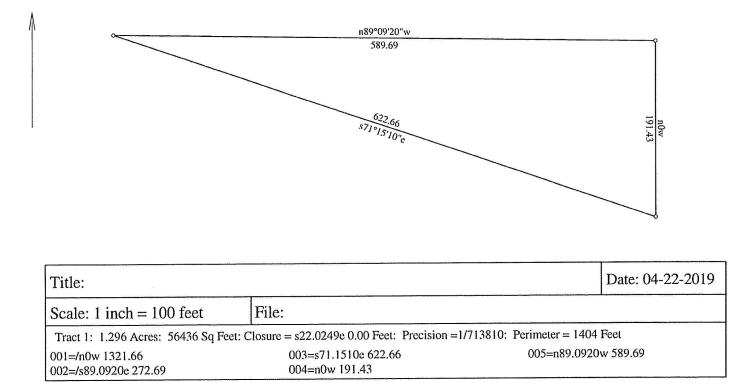
Comm. Expires

SS. County of Ada

On this 23rd day of December, 1971, before me, a Notary Public in and for said State, personally appeared Alice B. Cederburg, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

Cloa (S. Preleman) Notary Public for Idaho Residing at Meridian, Idaho. omm. Expires: 10-15-74 1 .... xcep

## Legal from WD 797513 (Except Out)



## WARRANTY DEED NA

For Value Received

STAMPS

VENUE

.:

:

.

LESTER C. VOGEL and BETTY L. VOGEL, husband and wife,

the grantor<sup>S</sup>, do hereby grant, bargain, sell and convey unto EVERETT C. CEDERBURG and ALICE B. CEDERBURG, husband and wife,

the grantees, the following described premises, to-wit:

Now in the Southwest Quarter of the Southwest Quarter Section 36, Township 4 North, Range 1 West of the Boise-Meridian a tract of land being East and Southeast of a live water drain canal containing ten and five-tenths acres, more or less. The West portion being as follows: Commencing at the corner common to Sections 1 and 2 and 35 and 36. Thence North on the section line to the South one-sixteenth corner.

Thence East along the South one-sixteenth line of Section 36 a distance of three hundred twelve (312) feet, more or less, which being the middle of a live water drain canal. Thence bearing South 71°18' East a distance of 571 feet, more or less, to a point in the middle of said drain canal. Thence South 14°52' East a distance of 661 feet, more or less, to a point in the middle of said drain canal. Thence South a distance of 126 feet, more or less, to a point in the middle of said drain canal.

Now in a Southerly direction to a point on the South section line of Section 36 a distance of 483 feet, more or less. Thence West along the South section line a distance of 1159 feet, more or less, to the real point of beginning. This tract of land contains 29.5 acres, more or less. Together with all water, water rights ditch and canal and a

TO HAVE AND AD HEN YEAR Shall Drakes of the said Grantors do hereby covenant to and

with the said Granters . that they are the owners in fee simple of said premises; that said premises are free from all incumbrances except current taxes and assessments.

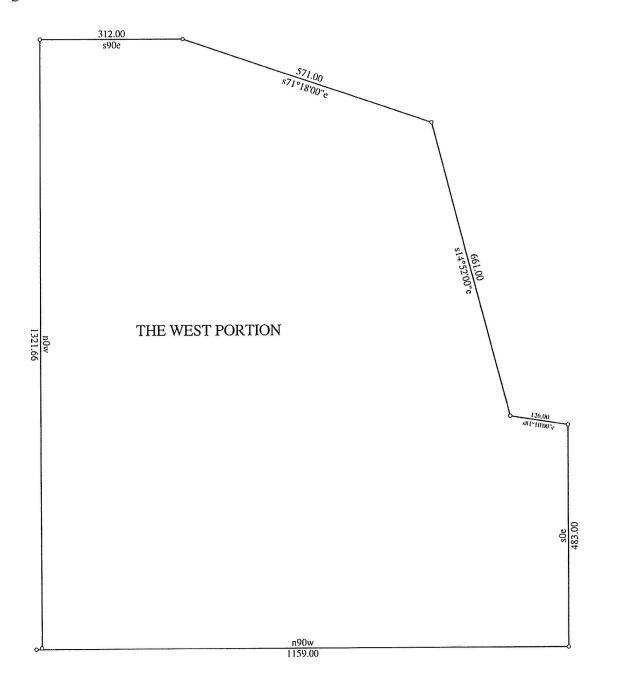
description cont: Except for rights-of-ways thereon.

and that they will warrant and defend the same from all lawful claims whatsoever. Dated:

STATE OF IDAHO, COUNTY OF STATE OF IDAHO, COUNTY OF NSTRUMENT I hereby certify that this instrum ited for second at day of february 19 70. On this 25 the request of before me, a notary public in and for said State, personally appeared CO minutes past in a ? 1. 19 LESTER, C. VOGEL and BETTY L. this day of 19 87, in my office, and duty recorded in "VOCEL, husband and wife, 2 of Deeds at page to be the person S whose name S are mown to me to be the person S who Se more S as JOHN BASTIDA Officio Recorder they me that .. Notary Public Deputy Bois , Idaho Residing at Mail Comm. Expires 7/11/1972 Capitol Title Company BOISE, IDAHO 

Legal from 8432425

Å



Title:	Date: 04-22-2019		
Scale: 1 inch = 200 feet	File:		
Tract 1: 29.530 Acres: 1286343 Sc 001=n0w 1321.66	Preet: Closure = $n77.4023e 12.33$ Feet: Precision : 004= $s14.5200e 661.00$	=1/376: Perimeter = 4634 Feet 007=n90w 1159.00	
001=n0w 1521.00 002=s90e 312.00 003=s71.1800e 571.00	005=s81.1000e 126.00 006=s0e 483.00	007-1000 1100100	

BOISE IDAHO 09/30/08 04:23 PM DEPUTY Bonnie Oberbillig RECORDED–REQUEST OF Ploneer	10	810960	8	
-	DEPUTY Bonnie Oberbillig RECORDED–REQUEST OF Pioneer	DEPUTY Bonnie Oberbillig RECORDED—REQUEST OF Ploneer 1@	DEPUTY Bonnie Oberbillig RECORDED—REQUEST OF 10810960	DEPUTY Bonnie Oberbillig RECORDED—REQUEST OF 108109608 Pioneer

### WARRANTY DEED

THIS INDENTURE, made this <u>3014</u> day of <u>SEPF</u>., 2008, LESTER C. VOGEL AND BETTY L. VOGEL AS CO-TRUSTEES OF THE LESTER & BETTY VOGAL TRUST UNDER TRUST AGREEMENT DATED SEPTEMBER 24, 2007 AND THEIR SUBSTITUTES AND SUCCESSORS AS TRUSTEES THEREUNDER, the "GRANTOR", whose current address is: 3610 North Linder Road, Meridian, Idaho 83646 and ADA COUNTY HIGHWAY DISTRICT, a body politic and corporate of the State of Idaho, the "GRANTEE";

#### WITNESSETH:

FOR VALUE RECEIVED, the GRANTOR has granted, conveyed, bargained and sold, and does hereby grant, bargain, sell, convey and confirm to the GRANTEE and its successors and assigns forever, that certain real property situated in the COUNTY OF ADA, STATE OF IDAHO, more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof,

TOGETHER with all and singular the buildings, structures, improvements and fixtures thereto, the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, the reversion and reversions, remainder and remainders, and rents, issues and profits thereof (the "Premises").

SUBJECT TO those exceptions to title to which this conveyance is expressly made subject and those made, suffered or done by the GRANTEE: (a) the GRANTOR covenants to the GRANTEE, its successors and assigns, that the GRANTEE shall enjoy the quiet and peaceful possession of the Premises; and (b) GRANTOR warrants to the GRANTEE, its successors and assigns, that GRANTOR is the owner of said Premises in fee simple and has the right and authority to convey the same to GRANTEE, and GRANTOR will defend the GRANTEE's title from all lawful claims whatsoever.

The current address of the GRANTEE is:

Ada County Highway District 3775 Adams Street Garden, Idaho 83714-6499

Except Out

Project Name: Ustick Road and Linder Road Intersection Project Number: 305048 Name: Vogel Parcel # 5 T4N, R1W, Sec 36

> IN WITNESS WHEREOF, this WARRANTY DEED has been duly executed by the GRANTOR, the day, month and year herein first above written.

Lester C. Vogel, Co-Trustee Better J. Nogel Co-Trustee Betty L. Vogel, Co-Trustee

ACKNOWLEDGMENT - Fiduciary/Off	cial			
STATE OF	, County of APE	۴	, ss.	
On this 300 day of	A		_ , in the year of $\dot{\underline{\Delta}}$	008 , before me
- De uenderoegned				, a notary public,
personally appeared Steller C. C	agel . Bette	J. Uccl	l	
	e the person what	be name is sut	bscribed to the	within instrument as
co-trustees		edged to me that <u>+</u>		the same as such
(trustee, sheriff, etc.)		-	0	
Co-triesteen				Stand Descourse Office
(trustee, sheriff, etc.)		1 A		
Notary	Public: 1 au	COSTS		A A A
		E E	λ b	X O I I O
Residi	ng at:			
Comm	ission Expires:	RESIDING AT: BO		and the composite the states
Comm		COMMUNICACIÓN EX	PIRES: 8-15-2009	Concaroca



Owner of Record:Lester C. and Betty L. VogelParcel Number:S0436336050ACHD Project:Ustick Rd. and Linder Rd. IntersectionProject Number:305048

## Parcel 5 Right-of-Way Take Description

A parcel of land situated in the SW1/4 of the SW1/4 of Section 36, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and said parcel also being a portion of that Warranty Deed, filed as instrument number 753376, records of Ada County, Idaho, being more particularly described as follows:

Commencing at a brass cap monument marking the southwest corner of the SW1/4 SW1/4 of said Section 36, from which a brass cap monument marking the northwest corner of the SW1/4 (W1/4 corner) bears N 0°14'54" E a distance of 2637.56 feet as shown on the construction plans for Ustick Road and Linder Road Intersection, Project No. 305048, records of Ada County Highway District, thence N 0°14'54" E, 329.68 feet along the west boundary of said SW1/4 SW1/4 and centerline of Linder Road to a point being the northwest corner of the S1/2 of the SW/14 SW1/4 SW1/4 of said Section 36, said point being the REAL POINT OF BEGINNING.

Thence continuing N 0°14'54" E, 989.03 feet along the west boundary of said SW1/4 SW1/4 and centerline of Linder Road to the northwest corner of the SW1/4 SW1/4 (S1/16 corner);

Thence S 88°56'24" E, 48.00 feet along the north boundary of said SW1/4 SW1/4 to a point;

Thence S 0°14'54" W, 989.01 feet parallel to the west boundary of said SW1/4 SW1/4 and centerline of Linder Road to a point on the north boundary of said S1/2 of the SW/14 SW1/4 SW1/4;

Thence N 88°57'35" W, 48.00 feet along said north boundary of the S1/2 of the SW/14 SW1/4 SW1/4 to the Real Point of Beginning.

Said described parcel contains 47,473 square feet (1.09 acres) and contains 24,724 square feet (0.57 acres) of a 25.00 feet wide prescriptive right-of-way easement along the west boundary of the SW1/4 SW1/4 of Section 36, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and is subject to easements of record or in use.



A

989.03 n00°14'54"e s00°14'54"w 989.01

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Title:		Date: 04-22-2019
Scale: 1 inch = 125 feet	File:	

Tract 1: 1.090 Acres: 47468 Sq Feet: Closure = s03.3313e 0.00 Feet: Precision =1/594819: Perimeter = 2074 Feet

001=n00.1454e 989.03 002=s88.5624e 48.00 003=s00.1454w 989.01 004=n88.5735w 48.00

#### AFFIDAVIT OF LEGAL INTEREST

STATE OF IDAHO ) ) COUNTY OF ADA )

I Vogel Laster & Betty Trug	t 4400 w Rasadera Rr	#44
Boise (name)	(address)	83705
(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:

(name) (address)

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 <u>16</u> day of July, 20<u>9</u>

Betty Vogel (Signature)

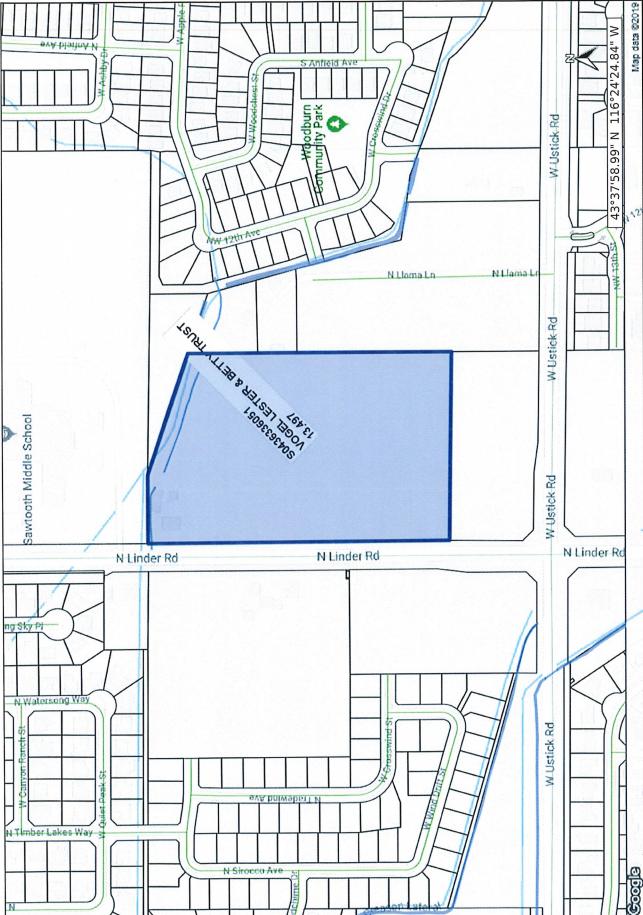
SUBSCRIBED AND SWORN to before me the day and year first above written.

NUMBER OF CONTRACTOR OF CONTRA	Dianne Jassis
NOTARY	(Notary Public for Idaho)
	Residing at: Ada County
THE OF IDANIAN	My Commission Expires: <u>8/1/2025</u>

Community Development 
Planning Division 
33 E. Broadway Avenue, Ste. 102 Meridian, Idaho 83642
Phone: 208-884-5533 Fax: 208-888-6854 <u>www.meridiancity.org/planning</u>
(03/23/2018)



# landproDATA PDF



The materials available at this website are for informational purposes only and do not constitute a legal document.

Sep 11, 2019 - landproDATA.com Scale: 1 inch approx 300 feet

## CITY OF MERIDIAN Pre-Application Meeting Notes

Project/Subdivision Name: Vogel Property		Date: <u>4/25/19</u>
Applicant(s)/Contact(s): Laren Bailey, Jim Cong		
City Staff: Sonya, Bill, Cameron, Scott, Terri, Jo	e, Tom, Stacy, Steve	0'
Location: <u>3610 N. Linder Rd.</u>		Size of Property: <u>13.5</u>
Comprehensive Plan FLUM Designation: MDR (	3-8 Units/acre)	Evicting Zoning: DUT
Existing Use: <u>Rural residential/ag</u>	(104 late 7 E unito/coro)	Existing Zoning: <u>RUT</u> Proposed Zoning: <u>R-15</u>
Proposed Use: <u>SFR, attached/detached units</u>		Proposed Zoning. <u>K-15</u>
Surrounding Uses: <u>school</u> , <u>rural residential/ag</u>	uffer required along N. Linder Rd., landscaped per th	e standards in LIDC 11-3B-7C
Open Space/Amonities/Pathways: Min. 10% du	alified open space & (1) site amenity required per star	hards in UDC 11-3G-3
Access/Stub Streets: Access via N Linder Rd :	provide stub streets to east & south per UDC 11-3A-3	
Waterways/ Floodnlain/Tonography/Hazards: Th	he Lemp Canal runs across the northern boundary of	the site: comply w/UDC 11-3A-6
History: <u>NA</u>	to comp ound rand dologo the normon boundary of	
Additional Meeting Notes:		
	nsity should be between 3 and 8 units per acre consist	stent with MDR FLUM designation
<ul> <li>Preliminary plat to subdivide property; compared to subdivide property; compared</li></ul>	bly with dimensional standards for the R-15 district in	UDC Table 11-2A-7 and the
subdivision design & improvement standard	Is in UDC 11-6C-3	
<ul> <li>Recommend common area is more centrall</li> </ul>		
<ul> <li>Signage should be provided for addressing</li> </ul>		
<ul> <li>Development is restricted to 30 lots until a s</li> </ul>		
		· · · · · · · · · · · · · · · · · · ·
Note: A Traffic Impact Study (TIS) will be required by	ACHD for large commercial projects and any residential d ocess, applicants are encouraged to submit the TIS to ACH	levelopment with over 100 units. To
to the City. Not beying ACHD comments and/or cond	litions on large projects may delay hearing(s) at the City. P	lease contact Mindy Wallace at 387-
	nation in regard to a TIS, conditions, impact fees and proce	
	, , , , , , , , , , , , , , , , , , , ,	
Other Agencies/Departments to Contact:		
Ada County Highway Dist. (ACHD)	Nampa Meridian Irrigation Dist. (NMID)	Public Works Department
Idaho Transportation Dept. (ITD)	Settler's Irrigation District	Building Department
Republic Services	Police Department	Parks Department
Central District Health Department	Fire Department	Other:
Application(s) Required:		— <u> </u>
Administrative Design Review	Conditional Use Permit Modification/Transfer	Rezone
Alternative Compliance	Development Agreement Modification	Short Plat
X Annexation	Final Plat	Time Extension – Council
City Council Review	Final Plat Modification	UDC Text Amendment
Comprehensive Plan Amendment – Map	Planned Unit Development	Vacation
Comprehensive Plan Amendment – Text	X Preliminary Plat	
Conditional Use Permit	Private Street	Other
Notos: 1) Applicants are required to hold a neighbor	bood meeting in accord with LIDC 11-5A-5C prior to submi	ittal of an application requiring a public

**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.



# Edington Neighborhood Meeting 6:00 pm, July 9, 2019, 3610 N Linder Road, Meridian, Idaho

Name	Phone No.	Address	Email
have Bailey	2-8-899-1155	4824 W Forver Ave	Lbally & guil.c
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## **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

7-1(-17

Date

## Laren Bailey

From:	noreply@meridiancity.org
Sent:	Monday, September 16, 2019 9:18 AM
То:	Laren Bailey; Lbailey@lei-eng.com; tricks@meridiancity.org; rbeecroft@meridiancity.org
Subject:	Address Verification Complete

Address verification is complete for record LDAV-2019-0608 Project: Edington

Parcel(s): S0436336051 Lot: null Block: null Subdivision: 4N 1W 36

Comments: Parcel verification City of Meridian 33 E. Broadway Ave., Meridian, Idaho 83642 Phone: 208-888-4433 www.meridiancity.org

All e-mail messages sent to or received by City of Meridian e-mail accounts are subject to the Idaho law, in regards to both release and retention, and may be released upon request, unless exempt from disclosure by law.

From:	Carl Porter
To:	Laren Bailey
Subject:	FW: Edington Place Subdivision Name Reservation - Vogel Property
Date:	Friday, May 3, 2019 12:57:14 PM
Attachments:	image003.png

Is this the one

Regards, Carl Porter, PLS President Sawtooth Land Surveying, LLC Land Surveying | Planning | 3D HDS Scanning D: 208.287.8453 • F: 208.398.8105 • C: 208.697.1994 Office Locations: Emmett, ID | Coeur d'Alene, ID | Jerome, ID Idaho | Oregon | Nevada

This e-mail, including attachments, may include confidential and/or proprietary information, and may be used only by the person or entity to which it is addressed. If the reader of this e-mail is not the intended recipient or his or her authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message by e-mail, or phone and destroy any and all copies of the correspondence and attachments.

From: Sub Name Mail [mailto:subnamemail@adacounty.id.gov]
Sent: Friday, April 19, 2019 4:42 PM
To: Carl Porter
Cc: Laren Bailey
Subject: RE: Edington Place Subdivision Name Reservation - Vogel Property

April 19, 2019

Carl Porter, Sawtooth Land Surveying Laren Bailey, Devco

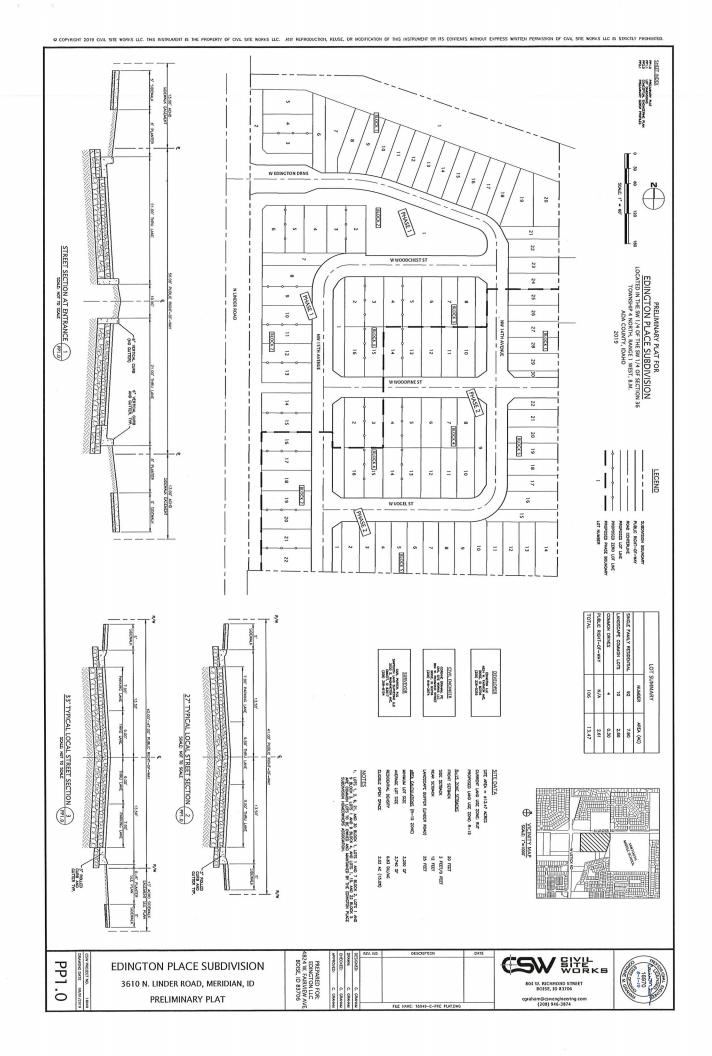
RE: Subdivision Name Reservation: EDINGTON PLACE SUBDIVISION

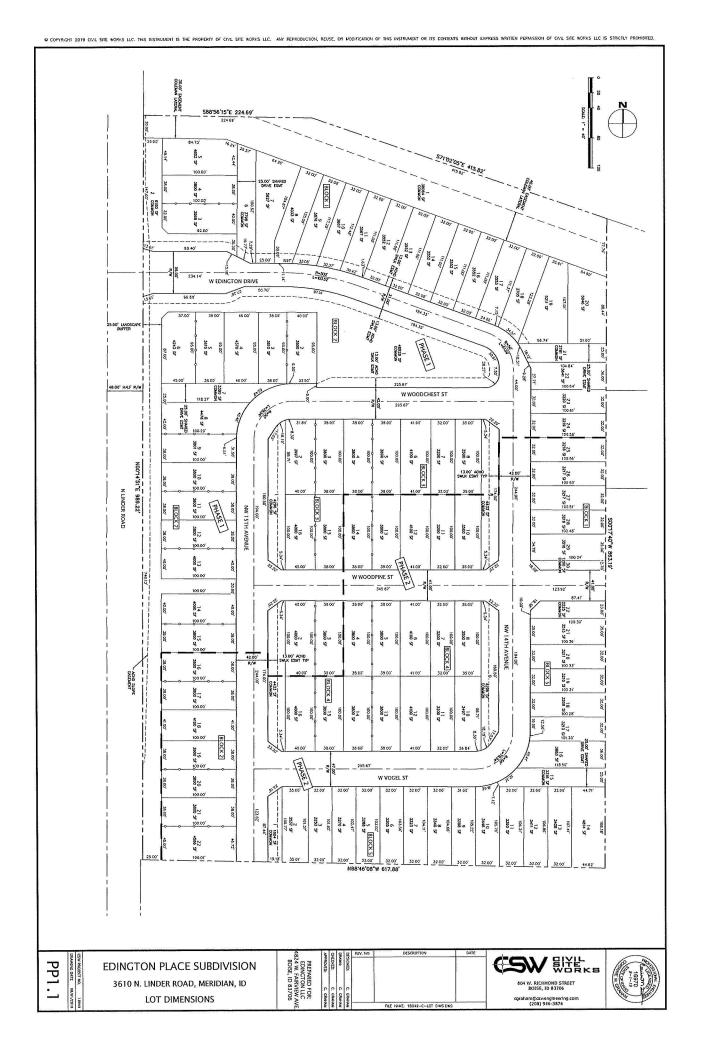
At your request, I will reserve the name **Edington Place Subdivision** for your project. I can honor this reservation only as long as your project is in the approval process. Final approval can only take place when the final plat is recorded.

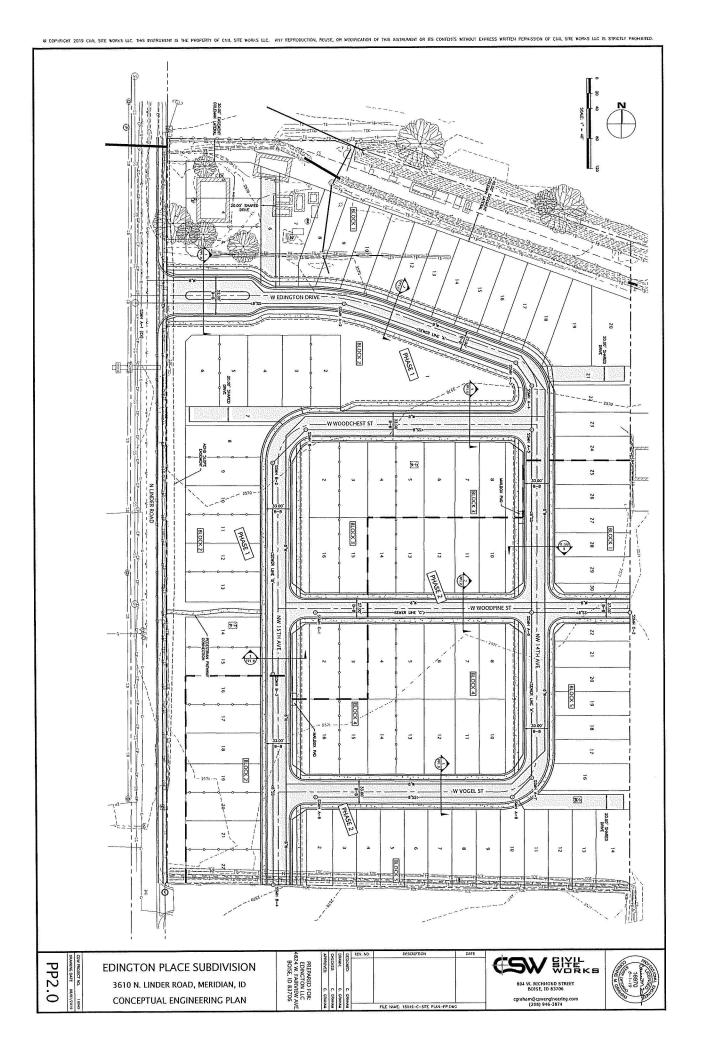
This reservation is available for the project as long as it is in the approval process unless the project is terminated by the client, the jurisdiction or the conditions of approval have not been met, in which case the name can be re-used by someone else.

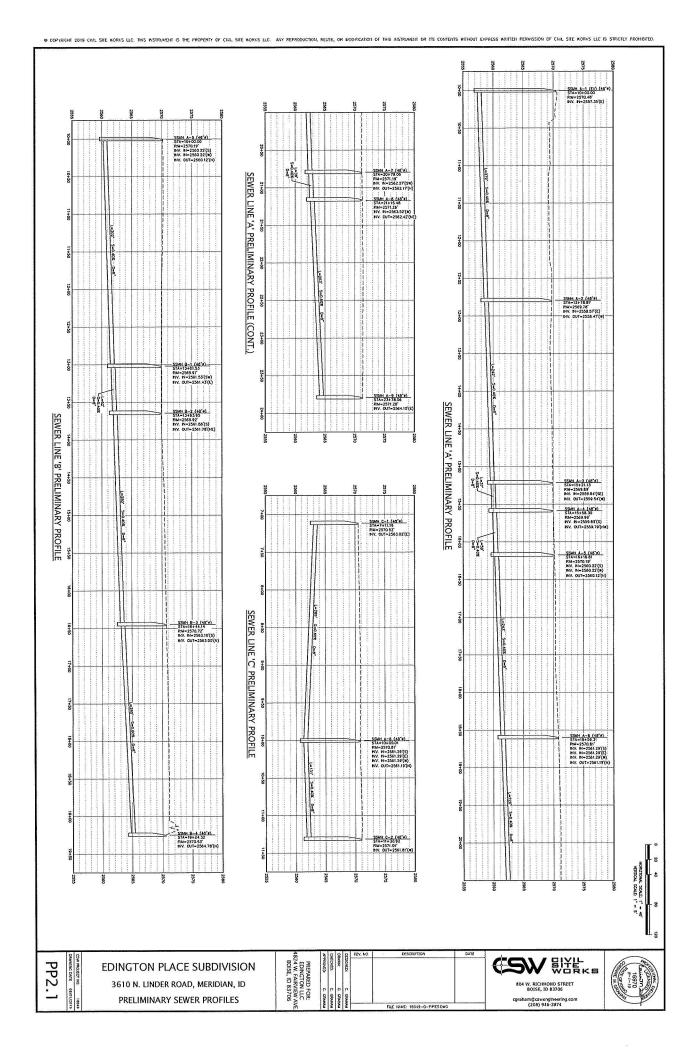
Sincerely,

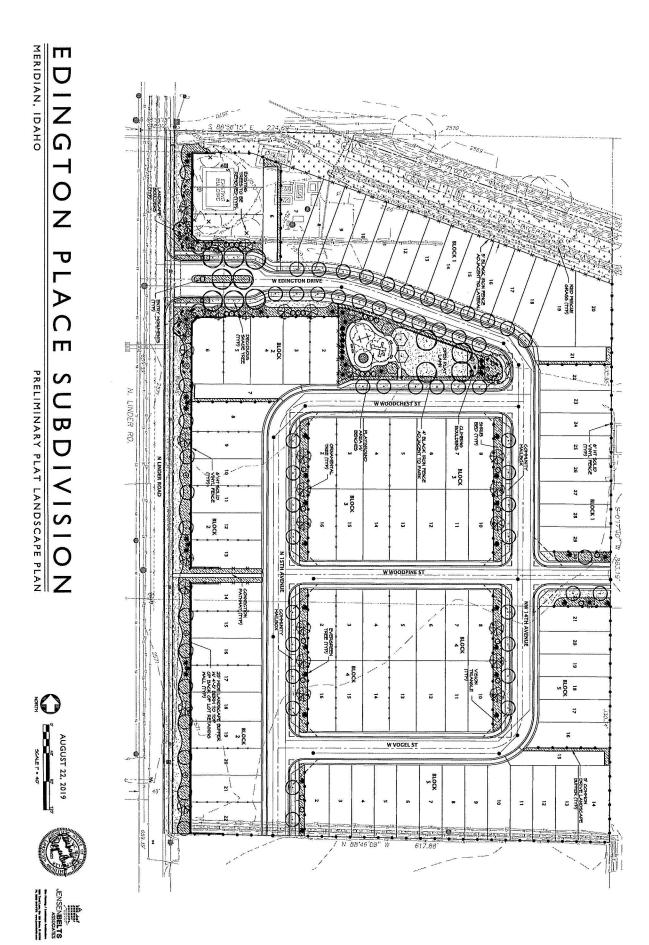
Glen Smallwood Surveying Technician Ada County Development Services 200 W. Front St., Boise, ID 83702 (208) 287-7926 office

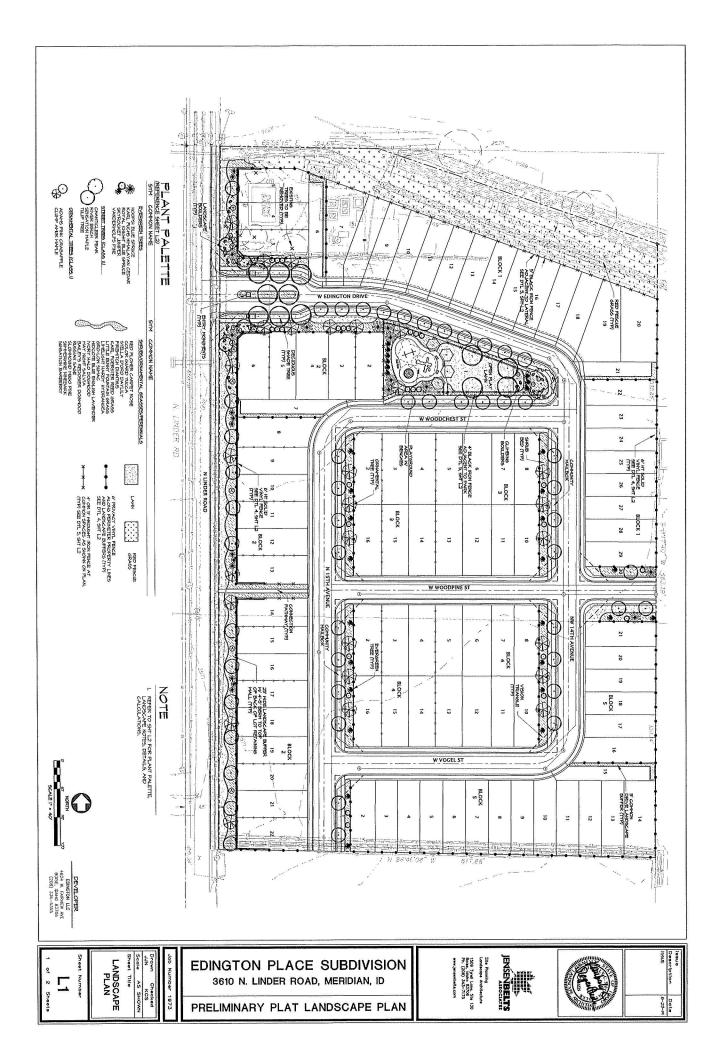


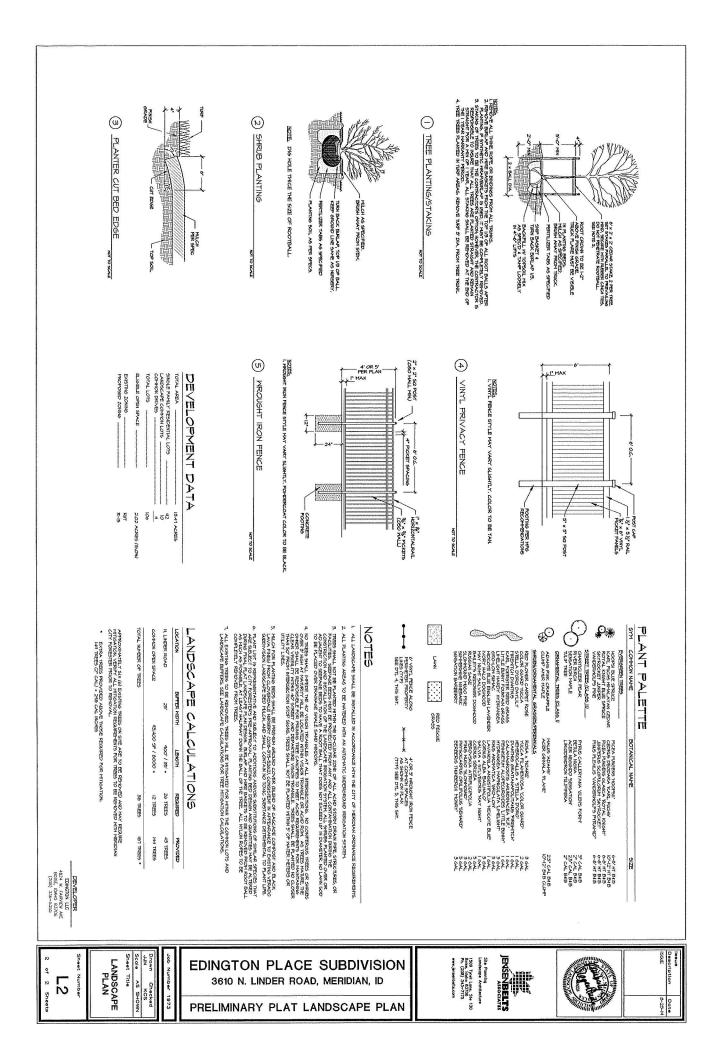












### **Laren Bailey**

From: Sent: To: Subject: Mindy Wallace <Mwallace@achdidaho.org> Thursday, July 11, 2019 10:30 AM Laren Bailey RE: Edington Subdivision

Hi Laren,

I don't think that we need a meeting, a traffic impact study is not required for this application.

Please let me know if you have any other questions.

Mindy

Mindy Wallace, AICP Planning Review Supervisor Ada County Highway District 208-387-6178

# ACHD Development Services is open for business at our new location at 1301 N. Orchard Street, Suite 200 in the CSC building. Parking and building entrance are located on west side of building.

From: Laren Bailey <laren@congergroup.com> Sent: Wednesday, July 10, 2019 4:27 PM To: Mindy Wallace <Mwallace@achdidaho.org> Subject: Edington Subdivision

# [THIS EMAIL ORIGINATED EXTERNALLY. PLEASE USE CAUTION WHEN OPENING ATTACHMENTS OR LINKS INSIDE THIS EMAIL.]

Mindy,

I think that you are aware, but we are working on a preliminary plat application for the attached property at Linder and Ustick roads. I was wondering if you think we should come in for a meeting to discuss. We have worked through including our access and utility stubs into the current reconstruction of Linder Road. Do you think that we will need a traffic study?

Please let me know what your thoughts are. Thank you

