

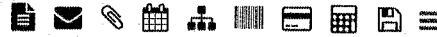
Permit Project



File #: 22-002684 ***
0 FLORIDA AVE CALDWELL ID 83605
Legacy Falls Rezone

- Permits
- Reviews
- Inspections
- Activities
- Documents
- Contacts
- History

Edit Permit: ZON22-000005



Permit #: ZON22-000005
 Permit Type: Rezone
 Sub Type: 2 to 20 acres
 Work Description: Legacy Falls Rezone

Applicant: BVA Development - Jackson Clr ***
 Status: Online Application Received
 Application Date: 07/11/2022
 Total Amount: \$ 0.00
 Approval Date:
 Amount Paid: \$ 0.00
 Issue Date:
 Balance Due: \$ 0.00
 Expiration Date:
 Valuation: 0.00
 Close Date:
 Non-Billable:
 Last Inspection:

PROPERTY INFORMATION

Is this part of a concurrent application: No
 Prior use of the property: Bare Land
 Proposed use of the property: Northern portion to be zoned as commercial, southern portion to be zoned as residential
 Current Zone:
 Desired Zone:

CONTACT INFORMATION

Property Owner: BV LEGACY FAI ***
 Agent: BVA Development - Jackson Cleverley ***

SUBMITTAL DOCUMENTS

Will you be submitting plans for review: Yes
 Projectdox Permit #: ZON22-000005
 Site Plan: Metes and bounds legal description: Legacy Fall No.1 Boundary Revised 5-28-08 BE.pdf
 Overall layout.pdf
 Vicinity map: Neighborhood meeting sign in sheet: Neighborhood meeting sign in Karcher.pdf
 Zoning Exhibit.pdf
 Project narrative: Legacy Falls Narrative.pdf
 Property Owner: admin@ballventures.com_20220622_114840.pdf
 Acknowledgement:
 Landscape plan: 20018 Landscape-L1.1 (1).pdf
 Recorded warranty deed: C07172 Original warranty deed on 7 acre corner parcel 032708.pdf
 Copy of the Order of Decision: Development Agreement with Caldwell (1).pdf
 Copy of the Record of Survey: Record of Survey.pdf

- EDIT: File
- ADD: Activity, Address, Alert, Contact, Document, Email, Inspection, Letter, Note, Payment, Permit, Route
- REPORTS: Custom, Detail, Summary



OFFICE USE ONLY

of legal notices:

of P & Z commissions:

of mail recipients:

of mailings:

Permit Fees

Quantity	Fee	Description	Amount	Total
			Plan Check Fees:	0.00
			Other Fees:	0.00
			Total Fees:	0.00

Payments

Date	Type	Reference	Note	Receipt #	Received From	Amount
						Amount Paid:
						0.00
						Balance Due:
						0.00

- Home
- My Activities
- Create
- Search
- Reports
- Support Center
- Administration
- Logoff

Permit Project



File #: 22-004672 ...
 0 FLORIDA AVE CALDWELL ID 83607
 BVA would like to rezone the bottom half of parcel R32822011A from commercial to residential per ZON22-000005 and will require to amend the Comp Plan Map

- Permits
- Reviews
- Inspections
- Activities
- Documents
- Contacts
- History

EDIT:
File

Edit Permit: **CPM22-000012**



- ADD:
 - Activity
 - Address
 - Alert
 - Contact
 - Document
 - Email
 - Inspection
 - Letter
 - Note
 - Payment
 - Permit
 - Route

Permit #: CPM22-000012
Permit Type: Comp Plan Map Change
Sub Type: Comm Plan Map Change
Work Description: BVA would like to rezone the bottom half of parcel R32822011A from commercial to residential per ZON22-000005 and will require to amend the Comp Plan Map

Applicant: BVA Development - Hallie Hart
Status: Online Application Received
Total Amount: \$ 0.00
Amount Paid: \$ 0.00
Balance Due: \$ 0.00
Valuation: 0.00
Non-Billable:

Application Date: 12/12/2022
Approval Date:
Issue Date:
Expiration Date:
Close Date:
Last Inspection:

- REPORTS:
 - Custom
 - Detail
 - Summary

OFFICE USE ONLY

P&Z Hearing Date Scheduled:
P&Z Legal Ad Publish Date:
P&Z Decision:
CC Hearing Date Scheduled:
CC Legal Ad Publish Date:
CC Decision:
Resolution Approval Date:

Subject Property Information

Applicant Information

Current Comp Plan Map Designation: Commercial & Service
Proposed Comp Plan Map Designation: Residential
Owner Name: BV Legacy Falls LLC
Phone: 208.523.3794
Address: PO Box 51298

A-1

City: Idaho Falls
 State: ID
 Zip: 83405
 Email: admin@ballventures.com
 Cell:

Agent Information: (e.g., architect, engineer, developer, representative)
 Name: Hallie Hart - BVA Develo
 Address: 1144 S Silverstone Way
 City: Meridian
 State: Idaho
 Zip: 83642
 Email: hallie@bvadev.com
 Cell: 208.761.7191

Submittal Requirements

Narrative fully describing the proposed map change, including the following:

Select File

Karcher Comp Plan Narrative.docx

Total # of acres being re-classified and the new map classification

How the proposed change will complement with the surrounding area

Site Plan (PDF):

Updated Site Plan.pdf

Landscape Plan (PDF):

20018 Landscape-L1.1 (1).pdf

Neighborhood Meeting (PDF):

Neighborhood meeting sign in Karcher.pdf

Warrant deed for the subject property:

Select File

C07172 Original warranty deed on 7 acre corner parcel 032708.pdf

Signed Property Owner Acknowledgement (if applicable):

Select File

admin@ballventures.com_20220622_114840.pdf

Vicinity, map, showing the location of the subject property:

Select File

Vicinity Map.pdf

Please indicate # of Property Owners within 300 feet:

+/- 30

Authorization

Print applicant name:

Hallie Hart

Applicant Signature:

signature.png


Date:

12/12/2022

Permit Fees

Quantity	Fee	Description	Amount	Total
		Plan Check Fees:		0.00
		Other Fees:		0.00
		Total Fees:		0.00



 Payments



Date Type Reference Note

Receipt # Received From Amount

Amount Paid: 0.00

Balance Due: 0.00

A-1



CITY OF Caldwell, Idaho

Planning & Zoning Hearing Review Application

Type of Review Requested

- Annexation/Deannexation
- Appeal/Amendment
- Comprehensive Plan Map Change
- Design Review
- Ordinance Amendment
- Rezone
- Special Use Permit
- Subdivision- Preliminary Plat
- Subdivision- Final Plat
- Subdivision- Short Plat
- Time Extension
- Variance
- Other _____

STAFF USE ONLY:

File Number(s): ZON 22-000005

Project Name: Legacy Falls Rezone

Date Filed: 7/11/22 Date Complete: _____

Related Files: _____

Subject Property Information

Address: 0 FLORIDA AVE CALDWELL, ID 83605 Parcel Number(s): R32822011A0

Subdivision: N/A Block: N/A Lot: _____ Acreage: 4.29 Zoning: C-1

Prior Use of the Property: Bare Land

Proposed Use of the Property: Northern portion to be zoned as commercial, southern portion to be zoned as residential

Applicant Information

Applicant Name: Jackson Cleverley Phone: _____

Address: 2775 W. Navigator Dr. Suite 220 City: Meridian State: ID Zip: 83642

Email: jackson@bvadev.com Cell: _____

Owner Name: BV LEGACY FALLS LLC Phone: _____

Address: PO BOX 51298 City: IDAHO FALLS State: ID Zip: 83405

Address: IDAHO FALLS, ID 83405

Email: _____ Cell: _____

Agent Name: (e.g., architect, engineer, developer, representative) BVA Development

Address: 2775 W. Navigator Dr. Suite 220 City: Meridian State: ID Zip: 83642

Email: jackson@bvadev.com Cell: 208-996-6248

Authorization

Print Applicant Name: Jackson Cleverley

Applicant Signature: _____ Date: 07/11/2022

621 Cleveland Boulevard • Caldwell, Idaho 83605 • Phone: (208) 455-3021 • www.cityofcaldwell.com/PlanningZoning



CITY OF Caldwell, Idaho

Planning &
Zoning
Hearing
Review
Application

Type of Review Requested

- Annexation/Deannexation
- Appeal/Amendment
- Comprehensive Plan Map Change
- Design Review
- Ordinance Amendment
- Rezone
- Special Use Permit
- Subdivision- Preliminary Plat
- Subdivision- Final Plat
- Subdivision- Short Plat
- Time Extension
- Variance
- Other _____

STAFF USE ONLY:

File Number(s): CPM22-000012

Project Name: BVA

Date Filed: _____ Date Complete: _____

Related Files: _____

Subject Property Information

Address: 0 FLORIDA AVE CALDWELL, ID 83607 Parcel Number(s): R32822011A0

Subdivison: 14-3N-3W NE TX 07132 IN NWNE &SWNE OF PHYLLIS CANAL Block: na Lot: na Acreage: _____ Zoning: _____

Prior Use of the Property: _____

Proposed Use of the Property: _____

Applicant Information

Applicant Name: Hallie Hart Phone: _____

Address: 1144 S Silverstone Way City: Meridian State: ID Zip: 83642

Email: hallie@bvadev.com Cell: _____

Owner Name: BV LEGACY FALLS LLC Phone: _____

Address: PO BOX 51298 City: IDAHO FALLS State: ID Zip: 83405

Email: _____ Cell: _____

Agent Name: (e.g., architect, engineer, developer, representative) _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Cell: _____

Authorization

Print Applicant Name: Hallie Hart

Applicant Signature: _____ Date: 12/12/2022

621 Cleveland Boulevard • Caldwell, Idaho 83605 • Phone: (208) 455-3021 • www.cityofcaldwell.com/PlanningZoning

A
1/1



CITY OF Caldwell, Idaho

Planning & Zoning

HEARING REVIEW APPLICATION

Type of Review Requested (check all that apply)

- Annexation/Deannexation
- Appeal/Amendment
- Comprehensive Plan Map Change
- Design Review
- Ordinance Amendment
- Rezone
- Special Use Permit
- Subdivision- Preliminary Plat
- Subdivision- Final Plat
- Subdivision- Short Plat
- Time Extension
- Variance
- Other Development Agreement Amendment

STAFF USE ONLY:

File number(s): AMD-22-07

Project name: Legacy Falls

Date filed: _____ Date complete: _____

Related files: _____

Subject Property Information

Address: Florida Ave, Caldwell, ID 83607 Parcel Number(s): R3282011A

Subdivision: 14-3N-3W NE TX 07132 Block: x Lot: x Acreage: 14.292 Zoning: _____

Prior Use of the Property: in NWNE + SWNE E of Phyllis Canal Agriculture / Bare Land

Proposed Use of the Property: Commercial and Multifamily

Applicant Information:

Applicant Name: Hallie Hart, Ball Ventures Ahlquist Phone: 208-761-7191

Address: 1144 Silverstone Way City: Meridian State: ID Zip: 83642

Email: hallie@bvaldev.com Cell: 208-761-7191

Owner Name: BV Legacy Falls LLC Phone: 208-523-3794

Address: PO Box 51298 City: Idaho Falls State: ID Zip: 83405

Email: admin@ballventures.com Cell: _____

Agent Name: (e.g., architect, engineer, developer, representative) Hallie Hart, Ball Ventures Ahlquist

Address: 1144 Silverstone Way City: Meridian State: ID Zip: 83642

Email: hallie@bvaldev.com Cell: 208-761-7191

Authorization

Print applicant name: Hallie Hart

Applicant Signature: Hallie Hart Date: 12-14-2022

A-1

Comprehensive Plan Amendment

Map amendment	10260	1	\$ 2,575.00					\$ 2,575.00
Text Amendment	10270		\$					\$

Annexation

Less than 2 acres	10240		\$	12550	\$	22025	\$	\$
More than 2 acres	10240		\$	12550	\$	22025	\$	\$
More than 20 acres	10240		\$	12550	\$	22025	\$	\$
DeAnnexatin	10240		\$					\$

Subdivision Plats

Preliminary Plat	10180		\$	12511	\$	22025	\$	\$
Short plat	10180		\$	12512	\$	22025	\$	\$
PUD w Subdivision	10210		\$	12513	\$	22025	\$	\$
PUD w/o Subdivision	10210		\$	12513	\$	22025	\$	\$
Final Plat	10180		\$	12512	\$	22025	\$	\$
Manufactured Home Park Prelim	10190		\$	12520	\$	22025	\$	\$
Manufactured Home Park Final	10190		\$	12520	\$	22025	\$	\$
Plat Amendment (Administrative)	10280		\$					\$
Plat Amendment (Public Hearing)	10280		\$					\$
Time Extension (Administrative)	10280		\$					\$
Time Extension (Public Hearing)	10280		\$					\$

Zone Change

Less than 2 acres	10220		\$			22025	\$	\$
More than 2 acres	10220	1	\$ 1,545.00			22025	\$ 157.00	\$ 1,702.00

Special Use Permit

Less than 2 acres	10200		\$	12530	\$	22025	\$	\$
More than 2 acres	10200		\$	12530	\$	22025	\$	\$
More than 20 acres	10200		\$	12530	\$	22025	\$	\$

Additional Fees

Appeals/ Amendments to Conditions	10290		\$					\$
Business Permits (No change in use)	11040		\$					\$
Business Permits (Change in use)	11040		\$					\$
Business Permits Renewal	11040		\$					\$
Certified Mailing	10340		\$					\$
Code Enforcement Admin. Fee	64240		\$					\$
Design Review - New Construction (Hearing Level)	10330		\$					\$
Design Review - Rennovations/Add.'s (Staff)	10330		\$					\$
Design Review - Building Maint. (Staff)	10330		\$					\$
Development Agreements	10335		\$					\$
Development Agreement Modification	10335	1	\$ 775.00					\$ 775.00

City Clerk FBI Background Check/Finger Print (\$33.25)	11031		\$					\$
Historic Preservation (Staff level)	11042		\$					\$
Historic Preservation (Hearing level)	11042		\$					\$
Lot Line Adjustments	10280		\$					\$
Lot Split	10280		\$					\$
Minor Land Use App. (Home Occupation, Temp. Use, Mobile Food Unit)	10216		\$			22025	\$	\$
Minor Land Use App. Renewal (Home Occupation, Temp. Use, Mobile Food Unit)	10216		\$			22025	\$	\$
Minor Land Use App. (Admin. Deter. Dir. Appr.)	10216		\$					\$
Ordinance Text Amendment	10230		\$					\$
Outdoor Dining Permit	11040		\$					\$
Variance (Hearing Level)	10250		\$					\$

Letter Verification

Certificate of Zoning Compliance Letter	10360		\$					\$
Legal Non-Conforming Use Letter	10360		\$					\$
Zoning Verification Letter	10360		\$					\$

Documents - Copies

Audio Tape Duplication	10360		\$					\$
Bike & Pedestrian Master Plan	10360		\$					\$
Comprehensive Plan	10360		\$					\$
Parks & Recreation Master Plan	10360		\$					\$
Subdivision Ordinances	10360		\$					\$
Treasure Valley Tree Selection Guide	10360		\$					\$
Xerox copies	1401		\$					\$
Zoning Ordinance	10360		\$					\$

TOTAL: \$ 4,895.00 \$ \$ 157.00 \$ 5,052.00

ZON22-000005 Legacy Falls Rezone, Comp Plan Map Change, Development Agreement Change

GRAND TOTAL \$ 5,052.00

A-1

BVA Development LLC

2775 West Navigator Drive, Suite 20
Meridian, ID 83642
208-616-1050

First Interbank
30 E Broadway Ave.
Meridian, ID 83642

3773

92-373/1231

**** FIVE THOUSAND FIFTY TWO AND 00/100 DOLLARS

TO THE
ORDER OF

07/19/2022

\$5,052.00***

City of Caldwell
Attn Planning & Zoning
621 Cleveland Blvd
Caldwell, ID 83605



⑈003773⑈ ⑆092901683⑆ 05 000 37353⑈

DATE:07/19/2022 CK#:3773 TOTAL:\$5,052.00*** BANK:BVA Development LLC Operating(bvadevib)
PAYEE:City of Caldwell(v0002628)

Property Address - Code	Invoice - Date	Description	Amount
BVA Development, LLC - bvadev.3	KARCHER.7.19.2022 - 07/19/22	Karcher/Legacy Falls	5,052.00
			<u>5,052.00</u>

A-1

City of Caldwell Receipting Form
Planning & Zoning, Engineering, and Fire Department

	Planning & Zoning		Engineering		Fire Department		Totals
Comprehensive Plan Amendment							
Map amendment	10260	1	\$ 3,482.50				\$ 3,482.50
Text Amendment	10270		\$				\$
Annexation							
Less than 2 acres	10240		\$	12550	\$	22025	\$
More than 2 acres	10240		\$	12550	\$	22025	\$
More than 20 acres	10240		\$	12550	\$	22025	\$
DeAnnexatin	10240		\$				\$
Subdivision Plats							
Preliminary Plat	10180		\$	12511	\$	22025	\$
Short plat	10180		\$	12512	\$	22025	\$
PUD w Subdivision	10210		\$	12513	\$	22025	\$
PUD w/o Subdivision	10210		\$	12513	\$	22025	\$
Final Plat	10180		\$	12512	\$	22025	\$
Manufactured Home Park Prelim	10190		\$	12520	\$	22025	\$
Manufactured Home Park Final	10190		\$	12520	\$	22025	\$
Plat Amendment (Administrative)	10280		\$				\$
Plat Amendment (Public Hearing	10280		\$				\$
Time Extension (Administrative)	10280		\$				\$
Time Extension (Public Hearing)	10280		\$				\$
Zone Change							
Less than 2 acres	10220		\$			22025	\$
More than 2 acres	10220		\$			22025	\$
Special Use Permit							
Less than 2 acres	10200		\$	12530	\$	22025	\$
More than 2 acres	10200		\$	12530	\$	22025	\$
More than 20 acres	10200		\$	12530	\$	22025	\$
Additional Fees							
Appeals/ Amendments to Conditions	10290		\$				\$
Business Permits (No change in use)	11040		\$				\$
Business Permits (Change in use)	11040		\$				\$
Business Permits Renewal	11040		\$				\$
Certified Mailing	10340		\$				\$
Code Enforcement Admin. Fee	64240		\$				\$
Design Review - New Construction (Hearing Level)	10330		\$				\$
Design Review - Rennovations/Add.'s (Staff)	10330		\$				\$
Design Review - Building Maint. (Staff)	10330		\$				\$
Development Agreements	10335		\$				\$
Development Agreement Modification	10335		\$				\$
City Clerk FBI Background Check/Finger Print (\$33.25)	11031		\$				\$
Historic Preservation (Staff level)	11042		\$				\$
Historic Preservation (Hearing level)	11042		\$				\$
Lot Line Adjustments	10280		\$				\$
Lot Split	10280		\$				\$
Minor Land Use App. (Home Occupation, Temp. Use, Mobile Food Unit)	10216		\$			22025	\$
Minor Land Use App. Renewal (Home Occupation, Temp. Use, Mobile Food Unit)	10216		\$			22025	\$
Minor Land Use App. (Admin. Deter. Dir. Appr.)	10216		\$				\$
Ordinance Text Amendment	10230		\$				\$
Outdoor Dining Permit	11040		\$				\$
Variance (Hearing Level)	10250		\$				\$
Letter Verification							
Certificate of Zoning Compliance Letter	10360		\$				\$
Legal Non-Conforming Use Letter	10360		\$				\$
Zoning Verification Letter	10360		\$				\$
Documents - Copies							
Audio Tape Duplication	10360		\$				\$
Bike & Pedestrian Master Plan	10360		\$				\$
Comprehensive Plan	10360		\$				\$
Parks & Recreation Master Plan	10360		\$				\$
Subdivision Ordinances	10360		\$				\$
Treasure Valley Tree Selection Guide	10360		\$				\$
Xerox copies	1401		\$				\$
Zoning Ordinance	10360		\$				\$
			\$ 3,482.50	\$		\$	\$ 3,482.50
CPM22-000012 LEGACY FALLS							
FOR REZONE ZON22-000005						GRAND TOTAL	\$ 3,482.50

*Pd in office w/ check # 4032
Given to A. Cabello 12/21/22*

AI

BVA Development, LLC
1144 S Silverstone Way Ste 500
Meridian, ID 83642
208-616-1050

First Inters. Bank
30 E Broadway Ave.
Meridian, ID 83642

4032

92-373/1231

**** THREE THOUSAND FOUR HUNDRED EIGHTY TWO AND 50/100 DOLLARS

TO THE
ORDER OF

12/20/2022

\$3,482.50****

City of Caldwell
Attn Planning & Zoning
621 Cleveland Blvd
Caldwell, ID 83605



⑈004032⑈ ⑈092901683⑈ 05 000 37353⑈

DATE:12/20/2022 CK#:4032 TOTAL:\$3,482.50*** BANK:BVA Development LLC Operating(bvadevib)
PAYEE:City of Caldwell(v0002628)

Property Address - Code	Invoice - Date	Description	Amount
BVA Development, LLC = bvadev.3	12202022Karcher - 12/20/22	Karcher Site Map amendment (Legacy F	3,482.50
			<hr/> 3,482.50

CPM22-000012

Security features. Details on back.

A-1

City of Caldwell Receipting Form
Planning & Zoning, Engineering, and Fire Department

	Planning & Zoning		Engineering		Fire Department		Totals
Comprehensive Plan Amendment							
Map amendment	10260	1	\$				\$
Text Amendment	10270		\$				\$
Annexation							
Less than 2 acres	10240		\$	12550	\$	22025	\$
More than 2 acres	10240		\$	12550	\$	22025	\$
More than 20 acres	10240		\$	12550	\$	22025	\$
DeAnnexatin	10240		\$				\$
Subdivision Plats							
Preliminary Plat	10180		\$	12511	\$	22025	\$
Short plat	10180		\$	12512	\$	22025	\$
PUD w Subdivision	10210		\$	12513	\$	22025	\$
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Manufactured Home Park Prelim	10190		\$	12520	\$	22025	\$
Manufactured Home Park Final	10190		\$	12520	\$	22025	\$
Plat Amendment (Administrative)	10280		\$				\$
Plat Amendment (Public Hearing)	10280		\$				\$
Time Extension (Administrative)	10280		\$				\$
Time Extension (Public Hearing)	10280		\$				\$
Zone Change							
Less than 2 acres	10220		\$			22025	\$
More than 2 acres	10220		\$			22025	\$
Special Use Permit							
Less than 2 acres	10200		\$	12530	\$	22025	\$
More than 2 acres	10200		\$	12530	\$	22025	\$
More than 20 acres	10200		\$	12530	\$	22025	\$
Additional Fees							
Appeals/ Amendments to Conditions	10290		\$				\$
Business Permits (No change in use)	11040		\$				\$
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Business Permits Renewal	11040		\$				\$
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Code Enforcement Admin. Fee	64240		\$				\$
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Design Review - Building Maint. (Staff)	10330		\$				\$
Development Agreements	10335		\$				\$
Development Agreement Modification	10335	1	\$ 1,103.00				\$ 1,103.00
City Clerk FBI Background Check/Finger Print (\$33.25)	11031		\$				\$
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Historic Preservation (Hearing level)	11042		\$				\$
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Lot Split	10280		\$				\$
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Minor Land Use App. Renewal (Home Occupation, Temp. Use, Mobile Food Unit)	10216		\$			22025	\$
Minor Land Use App. (Admin. Deter. Dir. Appr.)	10216		\$				\$
Ordinance Text Amendment	10230		\$				\$
Outdoor Dining Permit	11040		\$				\$
Variance (Hearing Level)	10250		\$				\$
Letter Verification							
Certificate of Zoning Compliance Letter	10360		\$				\$
Legal Non-Conforming Use Letter	10360		\$				\$
Zoning Verification Letter	10360		\$				\$
Documents - Copies							
Audio Tape Duplication	10360		\$				\$
Bike & Pedestrian Master Plan	10360		\$				\$
Comprehensive Plan	10360		\$				\$
Parks & Recreation Master Plan	10360		\$				\$
Subdivision Ordinances	10360		\$				\$
Treasure Valley Tree Selection Guide	10360		\$				\$
Xerox copies	1401		\$				\$
Zoning Ordinance	10360		\$				\$
			\$ 1,103.00	\$	\$	\$	\$ 1,103.00
ZON22-000005 LEGACY FALLS							
AMD-22-07							
GRAND TOTAL							\$ 1,103.00

*Paid by check # 4026
Paid in Office*

*From Ganett Nancolas to
April Cabello*

A-1

BVA Developer LLC

1144 S Silverstone Way Ste 50u
Meridian, ID 83642
208-616-1050

First Int Bank
30 E Broauway Ave.
Meridian, ID 83642

4026

92-373/1231

**** ONE THOUSAND ONE HUNDRED THREE AND 00/100 DOLLARS

TO THE
ORDER OF

12/19/2022

\$1,103.00***

City of Caldwell
Attn Planning & Zoning
621 Cleveland Blvd
Caldwell, ID 83605



⑈004026⑈ ⑆092901683⑆ 05 000 37353⑈

DATE:12/19/2022 CK#:4026 TOTAL:\$1,103.00*** BANK:BVA Development LLC Operating(bvadevib)
PAYEE:City of Caldwell(v0002628)

Property Address - Code	Invoice - Date	Description	Amount
BVA Development, LLC - bvadev.3	Legacy Falls - 12/19/2022	Fee - Splitting lots in preparation	1,103.00
			1,103.00

Development agreement - hard copy app - AMD-22-07

A-1

CALDWELL PLANNING AND ZONING
ENGINEERING DEPARTMENT/FIRE DEPARTMENT

Fee Schedule-FY 2022-23 Effective October 1, 2022

	Planning and Zoning	Engineering	Fire Department
COMPREHENSIVE PLAN / ORDINANCE			
Map or Text Amendment	\$3,482.50		
ANNEXATION			
Less than 2 acres	\$1,607.00	Less than 2 acres \$83.92	Less than 1 acre \$144.10
More than 2 acres	\$3,080.50	2 to 20 acres \$472.05	More than 1 acre \$214.50
		More than 20 acres \$1,049.00	
DeAnnexation	3,482.50		
SUBDIVISION DEVELOPMENT			
Preliminary Plat	\$2,688 + \$20/lot	\$613.67 + \$20.46/lot	\$242.00 + \$1.35/lot
Short Plat	\$1,889 + \$20/lot	\$786.75 + \$20.46/lot	-
PUD w/ Subdivision	\$2,400 + \$20 lot/unit	\$613.67 + \$20.46/lot	\$346.50 + \$1.35/lot
PUD w/o Subdivision	\$2,400 + \$20 lot/unit	\$613.67	\$231.00 + 1.35/lot
Final Plat	\$1,438 + \$20/lot	\$262.25 + \$5.71/lot	\$143.00
Manufactured Home Park Prelim	\$2,399 + \$20/lot	\$613.67 + \$20.46/lot	\$343.40 + \$1.35/lot
Manufactured Home Park Final	\$1,889 + \$20/lot	\$613.67 + \$20.46/lot	\$343.40 + \$1.35/lot
Plat Amendment (Administrative)	\$800.00		
Plat Amendment (Public Hearing)	\$1,570.00		
Time Extension-Administrative	\$690.00		
Time Extension-Hearing Level	\$2,689.00		
ZONE CHANGE			
Less than 2 acres	\$2,183.00		Less than 50 acres \$172.70
More than 2 acres	\$3,080.00		More than 50 acres \$214.50
SPECIAL USE PERMIT			
Less than 2 acres	\$1,810.00	Less than 2 acres \$83.92	Less than 1 acre \$97.90
More than 2 acres	\$2,173.00	2 to 20 acres \$472.05	More than 1 acre \$97.90
		More than 20 acres \$1,049.00	
ADDITIONAL FEES			
Appeals/ Amendments to Conditions	\$1,303.00		
Business Permits (no change in use)	\$116.00		
Business Permits (change in use)	\$121.00		
Business Permits Renewal	\$25.00		
Certified Mailing	\$11.00		
Code Enforcement Admin. Fee	\$170.00		
Design Review - New Construction (Hearing Level)	\$1,097.00		
Design Review - Renovations/Additions (Staff)	\$580.00		
Design Review - Building Maintenance (Staff)	\$360.00		
Development Agreements	\$950.00		
Development Agreement Modification	\$1,103.00		
Historic Preservation - Staff level	\$50.00		
Historic Preservation - Public Hearing	\$150.00		
Lot Line Adjustments	\$591.00		
Lot Split	\$591.00		
Minor Land Use Application (Home Occupation, Temp Use, Mobile Food Unit)	\$116.00		\$97.90 mobile food units
Minor Land Use App Renewal (Home Occupation)	\$25.00		
Minor Land Use - (Admin Determination, Director approval)	\$580.00		
Ordinance Text Amendment	\$1,570.00		
Outdoor Dining Permit	\$83.00		
Variance- Hearing Level	\$1,889.00		
LETTER VERIFICATION			
Certificate of zoning compliance letter	\$55.00		
Legal non-conforming use letter	\$55.00		
Zoning verification letter	\$55.00		
COPIES OF DOCUMENTS			
Audio Tape Duplication	\$3.00 + tax		
Bike & Pedestrian Master Plan	\$23.80 + tax		
Comprehensive Plan	\$22.75 + tax		
Parks and Recreation Master Plan	\$11.90 + tax		
Subdivision Ordinance	\$10.82 + tax		
Treasure Valley Tree Selection Guide	\$7.00 + tax		
Xerox Copies	\$0.10 + tax		
Zoning Ordinance	\$33.50 + tax		

Updated: October 2022

A-1



CITY OF
Caldwell, Idaho

Planning & Zoning

APPEAL/AMENDMENT

Project Name: <i>Legacy Falls</i>	File #:
Applicant/Agent:	

Applicant (v)	Please provide the following REQUIRED documentation:	Staff (v)
	Completed and signed Hearing Review Application	✓
	Narrative fully describing the request, including the following: <ul style="list-style-type: none"> ➤ Specific item/requirement being appealed ➤ Reasons for the appeal/amendment ➤ Site-specific limitations and/or impediments on the property ➤ Any other pertinent information to the request. Please remember the applicant has the burden of proof to show why their request should be granted 	✓
	Warranty deed for the subject property	✓
	Signed Property Owner Acknowledgement (if applicable)	✓
	Vicinity map, showing the location of the subject property	✓
	Copy of the Order of Decision, other documents for any prior approvals of the site	✓
	All of the above items shall be submitted in 8 ½ x 11 paper format AND in electronic format (preferably PDF or Word) on either a jump drive or CD. Please be aware the jump drive or CD will become part of the file and will not be returned	
	Fee	✓

<u>APPEALING A CASE DECISION</u>	<u>REQUESTING AN AMENDMENT</u>
CASE #: _____	CASE #: _____
<u>Case decision being appealed was rendered by:</u>	<u>Requesting an amendment of:</u>
<input type="checkbox"/> Planning & Zoning Commission <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Historic Preservation Commission <input type="checkbox"/> Design Review Commission <input type="checkbox"/> P& Z Director <input type="checkbox"/> Landscape Design Review Committee	<input type="checkbox"/> Development Agreement _____: Item #(s) <input type="checkbox"/> Condition(s) of Approval from Order of Decision _____: Condition #(s)

<u>STAFF USE ONLY:</u>
Date Application Received: _____
Received by: _____
Proposed Hearing Date: _____
Hearing Body: _____

A-1



CITY OF
Caldwell, Idaho

Planning & Zoning

COMP PLAN MAP CHANGE

Project Name: <i>Legacy Falls</i>	File #:
Applicant/Agent:	

Applicant (v)	Please provide the following REQUIRED documentation:	Staff (v)
	Narrative fully describing the proposed map change, including the following: <ul style="list-style-type: none"> ➤ Total # of acres being re-classified and the new map classification ➤ How the proposed change will complement with the surrounding area 	✓
	Warranty deed for the subject property	✓
	Signed Property Owner Acknowledgement (if applicable)	✓
	Vicinity map, showing the location of the subject property	✓
	Metes and bounds legal description for the site	✓
	Neighborhood Meeting	✓
	Site Plan The following are suggested items that may be shown on the site plan:	✓
	• Property boundaries of the site	
	• Existing buildings on the site	
	• Parking stalls and drive aisles	
	• Sidewalks or pathways (proposed and existing)	
	• Fencing (proposed and existing)	
	Landscape Plan	
	All of the above items shall be submitted in 8 ½ x 11 paper format AND in electronic format (preferably PDF or Word) on either a jump drive or CD. Please be aware the jump drive or CD will become part of the file and will not be returned	
	Please indicate # of property owners within 300 feet: _____	
	Fee	✓

<u>STAFF USE ONLY:</u>
Date Application Received: _____
Received by: _____
Proposed Hearing Date: _____
Hearing Body: _____

A-1



CITY OF
Caldwell, Idaho

Planning & Zoning

REZONE

Project Name: <i>Legacy Falls</i>	File #:
Applicant/Agent:	

Applicant (v)	Please provide the following REQUIRED documentation:	Staff (v)
	Completed & signed Hearing Review Master Application	✓
	Narrative fully describing the proposed use/request	✓
	Recorded warranty deed for the subject property	✓
	Signed Property Owner Acknowledgement (if applicable)	
	Vicinity map, showing the location of the subject property	✓
	Site Plan	✓
	The following are suggested items that may be shown on the site plan:	
	• Property boundaries of the site	
	• Existing buildings on the site	
	• Parking stalls and drive aisles	
	• Sidewalks or pathways (proposed and existing)	
	• Fencing (proposed and existing)	
	Metes and bounds legal description for the site to be rezoned in WORD format	
	Landscape Plan (if applicable)	
	Neighborhood Meeting sign-in sheet	✓
	All of the above items shall be submitted in 8 ½ x 11 paper format AND in electronic format (preferably PDF or Word) on either a jump drive or CD. Please be aware the jump drive or CD will become part of the file and will not be returned	
	Fee	✓

STAFF USE ONLY:

Date Application Received: _____

Received by: _____

Proposed Hearing Date: _____

Hearing Body: _____

September 8, 2022

Caldwell Planning and Zoning
621 Cleveland Blvd.
Caldwell, ID 83605

Re: Legacy Falls Application for Comprehensive Plan Amendment and Rezone

Dear Planning and Zoning Commission,

On behalf of owner, **BV Legacy Falls LLC**, BVA Development LLC is submitting this application for a Comprehensive Plan Amendment and Rezone with respect to the property located at the southeast intersection of S Florida Ave and Karcher Rd (Parcel R32822011A) in Caldwell Idaho.

In the current Comprehensive Plan, the subject property is to be used for Commercial and Service in the future. We propose that the northern half of the property continue to be zoned as such, with the southern half of the property being rezoned as residential. We believe that this fits in well with what is currently being planned in the area, with residential already existing to the west, residential being planned and currently under design to the east, and residential to the south according to the Comprehensive Plan.

We believe this change would complement the area in many ways. First, with there already being existing single-family homes just to the west of the subject property, any kind of housing (single-family or multifamily) would work well in this area. Second, with there being residential planned to the east of the property, there is an easy connection of roadways between these two properties, making the area flow nicely. Third, the northern half of the property will remain as commercial, which not only follows the Comprehensive Plan, but also provides a nice buffer between the residential and Karcher Road.

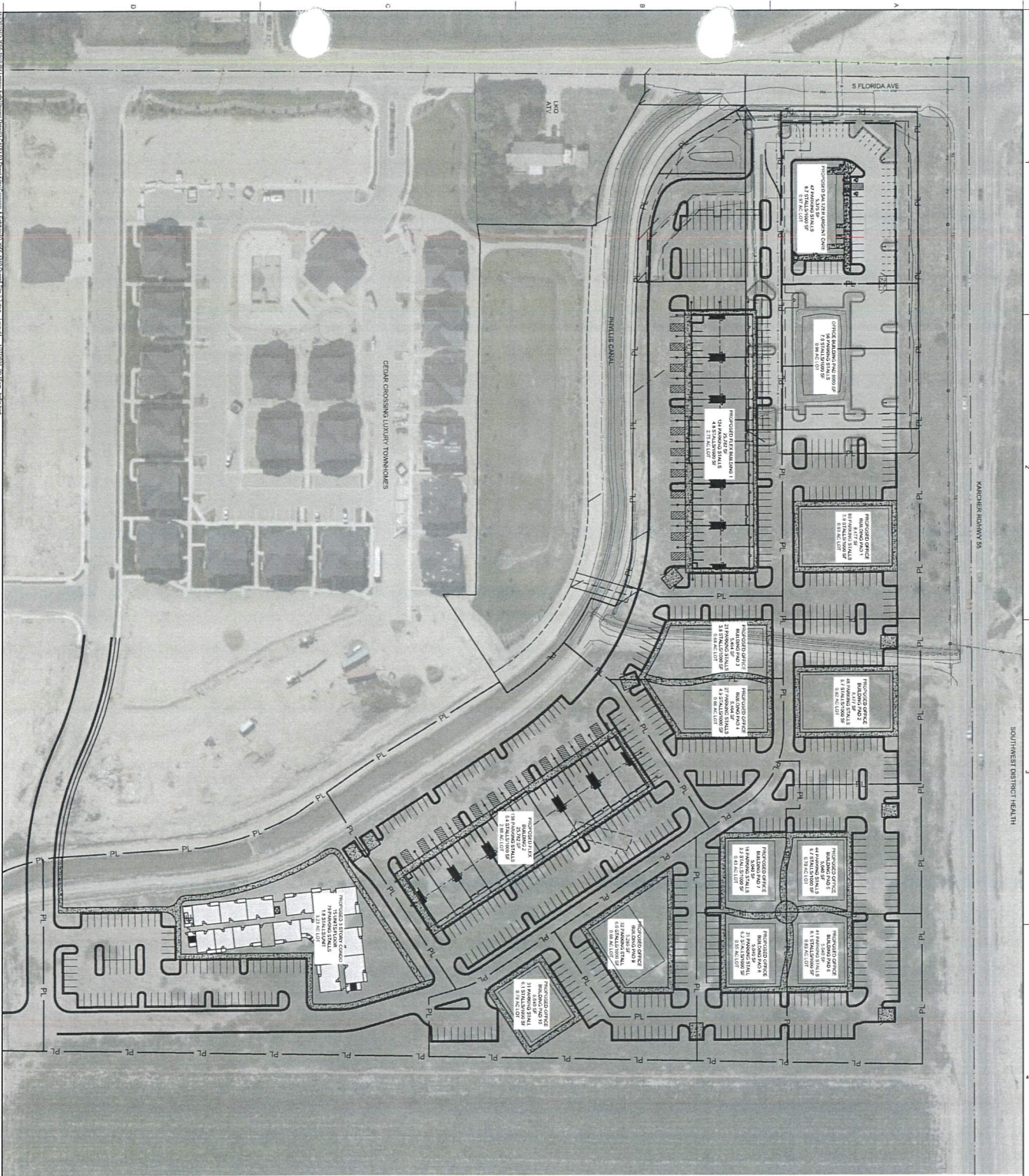
In conclusion, we believe that a Comprehensive Plan Amendment and a Rezone will benefit this area of Caldwell and will fit in well with the surrounding area, both what is currently there and what is planned. If you have any questions, please feel free to contact myself, Tonn Petersen, or Garret Nancolas.

Sincerely,

Jackson Cleverley
BVA Development
Assistant Project Manager
jackson@bvadev.com

A-2

The proposed rezone application is for the Legacy Falls Subdivision located in Caldwell, Idaho. We plan on rezoning the northern portion as commercial, with the southern portion as residential. In the roundtable meeting that was held on May 19th, Garrett Nancolas met with city officials and reviewed what was being proposed in the property to the east of this property, and they're going to be doing residential. Our rezone request will match up well with what they are proposing.



ZONING REQUIREMENTS

- ZONING: NEIGHBORHOOD COMMERCIAL, C-1
- BULK SETBACKS:
 - FRONT = 20'
 - SIDE = 10'
 - INTERIOR SIDE = 0'
 - STREET SIDE = 15'
- MAXIMUM ALLOWABLE BUILDING HEIGHT: 45.0'

MINIMUM PARKING REQUIREMENTS

- COMMERCIAL, AUTOMOTIVE: 2.0 PER SERVICE BAY
- COMMERCIAL, SERVICE: 1.0 PER 400 SF
- MULTI-FAMILY DWELLINGS: 1.5 PER UNIT

MINIMUM BICYCLE PARKING REQUIREMENTS

- COMMERCIAL, AUTOMOTIVE: 5% AUTOMOBILE STALLS
- COMMERCIAL, SERVICE: 15% AUTOMOBILE STALLS
- MULTI-FAMILY, RESIDENTIAL: 1 SPACE FOR EVERY 2 UNITS



WARNING

IF THIS BAR DOES NOT MEASURE 2" THEN DRAWING IS NOT TO SCALE

HORROCKS ENGINEERS
 2162 West Grove Pkwy., Suite 400
 Pleasant Grove, UT 84052
 (801) 763-5100
 www.horrocks.com

DRAWING INFO		REVISIONS	
DATE	BY	REV #	DATE
01/27/2021	HEH		
DESIGNED	HEH		
DRAWN	HEH		
CHECKED	RBS		
PROJECT	ID-2025-1910		

SEE GENERAL NOTES SHEET

LEGACY FALLS
 CALDWELL, IDAHO
 PRELIMINARY SITE LAYOUT

PRELIMINARY NOT FOR CONSTRUCTION

E01
 PAGE 01

Site Plan A-3

A-3

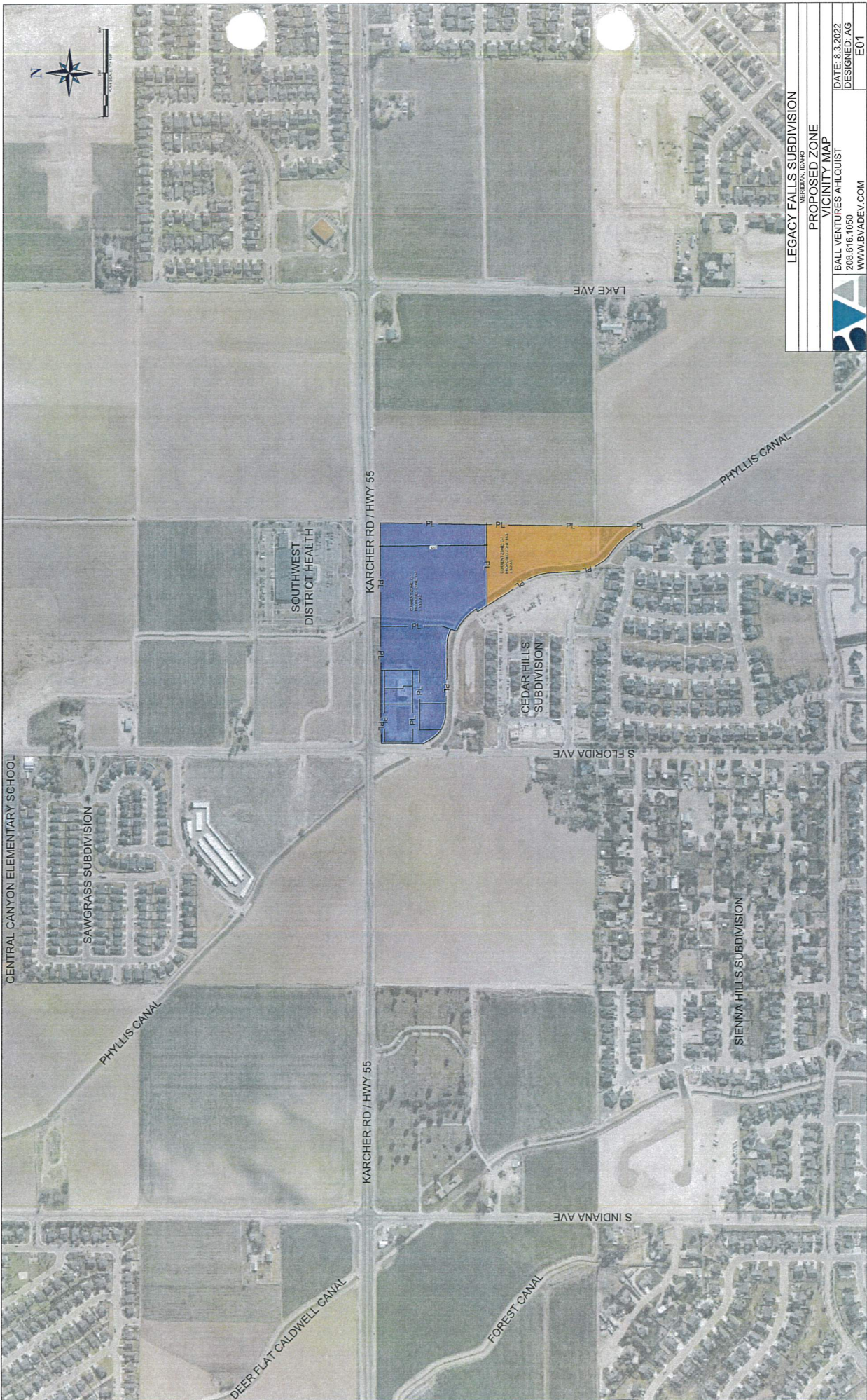


LEGACY FALLS SUBDIVISION	
MILWAUKEE, WISCONSIN	
PROPOSED ZONE	
OVERALL SITE EXHIBIT	
BALL VENTURES/ARTLOQUIST	
208.616.1090	
WWW.BVADEV.COM	
DATE: 5.31.2022	DESIGNED: HEH
	E01

Proposed zoning

Vicinity map

A-3 & A-4



A-4

June 22, 2022

Dear Neighbor:

We are in the process of submitting an application to the City of Caldwell for Rezone with respect to a 14.292 acre project located at 0 Florida Avenue, Caldwell Idaho (Parcel number R32822011A). The Neighborhood meeting is for informational purposes only. During the meeting we will describe the proposed project and answer any questions you may have. The meeting is **not** a public hearing before a governing body of the City. Instead, the meeting is a pre-application requirement, and the City does not have the formal application yet. Once our application has been submitted and processed, the City will schedule a public hearing, and you will receive notice of the public hearing date via postal mail, newspaper publication, and/or public hearing signage on the project site.

Date: Tuesday, July 5, 2022

Time: 6 pm – 7 pm

Location: 13432 Generations Ln, Nampa, ID 83607, across Karcher Road from Southwest District Health

Project Description: The property owner intends to rezone the parcel, with the northern portion zoned as commercial and the southern portion zoned as residential.

If you have any comments or questions prior to the meeting, please contact me at (208) 996-6248 or jackson@bvaddev.com. You may also send correspondence to the address shown below.

Sincerely,

Jackson Cleverley

A-5

Account	OwnerName	InCareOf	Address	City	State	ZipCode
R32823	PINTLER CHARLES AND CAROL FAMILY TRUST		6510 RIM RD	NAMPA	ID	83686
R32822	BV LEGACY FALLS LLC		PO BOX 51298	IDAHO FALLS	ID	83405
R32822104	JDL INVESTMENTS LLC		11687 PAUL LN	CALDWELL	ID	83607
R32822100	BV LEGACY FALLS LLC		PO BOX 51298	IDAHO FALLS	ID	83405
R32825012	BILTMORE COMPANY LLC		1580 W CAYUSE CREEK DR	MERIDIAN	ID	83646
R32737010	STATE OF IDAHO DISTRICT HEALTH DEPT 3		13307 MIAMI LN	CALDWELL	ID	83607
R32737	THORNTON-GALLUP LLC		PO BOX 1495	NAMPA	ID	83653
R32824204	GARDNER STEVEN D		13302 BLOOMFIELD DR	CALDWELL	ID	83607
R32824208	WADSWORTH NEIL AND VI ANN FAMILY TRUST		13358 BLOOMFIELD DR	CALDWELL	ID	83607
R32824207	NORSTROM ROB E		13344 BLOOMFIELD DR	CALDWELL	ID	83607
R32824206	SMITH-GRAHAM LYNDI JANEEN		13330 BLOOMFIELD DR	CALDWELL	ID	83607
R32824205	HALCOMB TAMMIE HEATHER		13314 BLOOMFIELD DR	CALDWELL	ID	83607
R32824203	BARNES DARYN		15706 CONLEY WAY	CALDWELL	ID	83607
R32824186	TUSCANY RICHARD R		15704 BRIDGETON AVE	CALDWELL	ID	83607
R32824185	KLITZING THOMAS R		15697 CONLEY WAY	CALDWELL	ID	83607
R32824202	INDRIERI NICK J		15692 CONLEY WAY	CALDWELL	ID	83607
R32824184	HYDE DAVE L		15683 CONLEY WAY	CALDWELL	ID	83607
R32824201	REYES JESSE ALVAREZ		13286 SMITHTOWN CT	CALDWELL	ID	83607
R32824200	HAMMONS DUSTIN L		13272 SMITHTOWN CT	CALDWELL	ID	83607
R32824199	CALDERON STEPHANIE		13264 SMITHTOWN CT	CALDWELL	ID	83607
R32824198	GREEN AMANDA		13265 SMITHTOWN CT	CALDWELL	ID	83607
R32825011	HBU INVESTMENTS LLC		PO BOX 1335	MERIDIAN	ID	83680
R32824219	AWND PROPERTIES LLC		2120 E LANARK ST	MERIDIAN	ID	83642
R32736	PINTLER CHARLES AND CAROL FAMILY TRUST		6510 RIM RD	NAMPA	ID	83686
R32824235	AWND PROPERTIES LLC		2120 E LANARK ST	MERIDIAN	ID	83642
R32824234	AWND PROPERTIES LLC		2120 E LANARK ST	MERIDIAN	ID	83642
R32824233	AWND PROPERTIES LLC		2120 E LANARK ST	MERIDIAN	ID	83642
R32824232	AWND PROPERTIES LLC		2120 E LANARK ST	MERIDIAN	ID	83642
R32824231	AWND PROPERTIES LLC		2120 E LANARK ST	MERIDIAN	ID	83642
R32824230	AWND PROPERTIES LLC		2120 E LANARK ST	MERIDIAN	ID	83642
R32824236	AWND PROPERTIES LLC		2120 E LANARK ST	MERIDIAN	ID	83642
R32824382	AWND PROPERTIES LLC		2120 E LANARK ST	MERIDIAN	ID	83642
R32824161	CEDAR CROSSING HOMEOWNERS ASSOC INC	MGM MAI	289 SW 5TH AVE	MERIDIAN	ID	83642

NEIGHBORHOOD MEETING FORM
City of Caldwell Planning and Zoning Department
621 E. Cleveland Blvd., Caldwell, ID 83605
Phone: (208) 455-3021

Start Time of Neighborhood Meeting: 6:00

End Time of Neighborhood Meeting: 7:00

Those in attendance please print your name and address. If no one attended, Applicant please write across this form "No one attended."

PRINTED NAME

ADDRESS, CITY, STATE, ZIP

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____

A-5

- 20. _____
- 21. _____
- 22. _____
- 23. _____
- 24. _____
- 25. _____

Neighborhood Meeting Certification:

Applicants shall conduct a neighborhood meeting for the following: special use permit applications; variance applications; annexation applications; planned unit development applications; preliminary plat applications that will be submitted in conjunction with an annexation, rezone or planned unit development application; and, rezone applications as per City of Caldwell Zoning Ordinance Section 10-03-12.

Description of the proposed project: REZONE OF LEGACY FALLS SITE

Date of Round Table meeting: MAY 19, 2022

Notice sent to neighbors on: JUNE 24, 2022

Date & time of the neighborhood meeting: JULY 5, 2022 @ 6:00

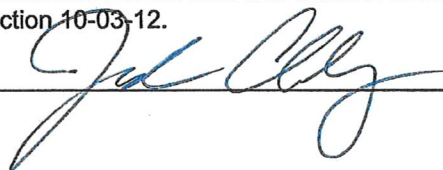
Location of the neighborhood meeting: ON SITE

Developer/Applicant:

Name: JACKSON CLEVELLEY

Address, City, State, Zip: 2775 W NAVIGATOR DR #220 MERIDIAN ID 83642

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with City of Caldwell Zoning Ordinance Section 10-03-12.

DEVELOPER/APPLICANT SIGNATURE  DATE 7/6/22

A-5

Exhibit A
LEGAL DESCRIPTION

Order No.: 206050185

A parcel of land being a portion of the NW1/4 of the NE1/4 of Section 14, T3N, R3W, BM, Canyon County, Idaho, as shown on a Record of Survey, filed for record in the office of the Canyon County Recorder, Caldwell, Idaho under Instrument No. 200222210 and more particularly described as follows:

BEGINNING at a PK nail marking the North ¼ corner of said Section 14;
thence along the North boundary of said Section 14
North 89°05'15" East 748.15 feet to a point; thence leaving said North
boundary along a line 14.00 feet West of the top of bank of the Phyllis Branch Canal
South 04°05'10" West 280.44 feet to an iron pin; thence continuing
South 03°09'42" West 163.63 feet to an iron pin; thence continuing
South 18°07'24" West 39.53 feet to an iron pin marking a point of curve;
thence leaving said line along the arc of a curve to the left having a radius of 180.00 feet, a
central angle of 29°11'01", a length of 91.68 feet and a long chord bearing
North 75°40'02" West 90.69 feet to an iron pin marking a point of
tangent; thence
South 89°44'28" West 195.36 feet to an iron pin; thence
North 88°53'09" West 203.33 feet to an iron pin marking a point of curve;
thence along the arc of a curve to the right having a radius of 175.00 feet, a central angle of
57°53'14", a length of 176.81 feet and a long chord bearing
North 59°56'32" West 169.38 feet to an iron pin marking a point of
tangent; thence
North 30°59'56" West 64.93 feet to an iron pin; thence
South 89°57'48" West 40.00 feet to a point on the North-South centerline
of said Section 14; thence along the North-South centerline
North 00°02'12" West 302.77 feet the POINT OF BEGINNING.

11-17-2006 LgSj

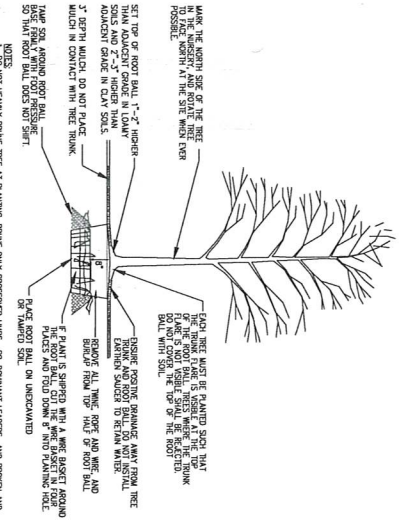
A-6

LANDSCAPE NOTES

1. VERIFICATION OF TOTAL LANDSCAPE MATERIAL QUANTITIES AS SHOWN ON THIS DRAWING IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR. IF QUANTITIES LISTED DO NOT CORRELATE WITH WHAT IS SHOWN ON THE PLAN, THE QUANTITIES SHOWN SHALL BE THE BASIS FOR THE CONTRACTOR'S ORDERING AND DELIVERY OF MATERIALS. SHRUB, ROCK, TOPSOIL, MULCH, SEED OR SOIL, EROSION, AND OTHER LINE QUANTITIES.
2. IMMEDIATELY AFTER AWARD OF CONTRACT, NOTIFY THE LANDSCAPE ARCHITECT OF THE CONTRACTOR'S ORDERING AND DELIVERY OF MATERIALS. NUMBERS IF A SPECIFIED PLANT IS NOT AVAILABLE, THE LANDSCAPE ARCHITECT SHALL NOT ALTER THE ORIGINAL BID PRICE, UNLESS A CREDIT IS DUE TO THE OWNER.
3. CONTRACTOR SHALL LOCATE AND IDENTIFY EXISTING UNDERGROUND AND ABOVE-GROUND UTILITIES AND SERVICES PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE ADEQUATE MEANS OF PROTECTION OF UTILITIES AND SERVICES DESIGNATED BY THE ARCHITECT. CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE PROTECTION AT CONTRACTOR'S EXPENSE.
4. PROVIDE REQUIRED SOIL EROSION CONTROL MEASURES THROUGHOUT THE DURATION OF THE CONTRACT PERIOD. SHOULD THERE BE EXISTING SOIL EROSION, CONTRACTOR SHALL BE RESPONSIBLE TO REPAIR AND RESTORE TO ORIGINAL ACCEPTANCE OF THE SITE IN ITS EXISTING CONDITION.
5. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR PREPARING ALL CONSTRUCTION DETAILS AND SPECIFICATIONS. CONTRACTOR SHALL BE RESPONSIBLE TO REMOVE PRIOR TO ANY FILL OPERATIONS, EXISTING MATERIALS, SUCH AS CONSTRUCTION DEBRIS, AGGREGATE BASE MATERIAL, ASPHALT, ETC., SHALL BE REMOVED PRIOR TO ANY FILL OPERATIONS. CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE PROTECTION OF EXISTING UTILITIES AND SERVICES. CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE PROTECTION AT CONTRACTOR'S EXPENSE.
6. FILL ALL PLANTING AREAS WITH CLEAN EARTHEN FILL, AS PER SPECIFICATIONS. SOIL SHALL BE FREE OF HEAVY STIFF CLAY AND ANY OTHER MATERIALS THAT WOULD PREVENT PROPER ROOT DEVELOPMENT AND POSITIVE DRAINAGE.
7. TOPSOIL SHALL BE A LOOSE, FINABLE, SANDY LOAM, CLEAN AND FREE OF TOXIC MATERIALS, NODULAR WEED SEEDS, ROCKS, DEBRIS, OR OTHER MATERIALS. CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE PROTECTION OF EXISTING UTILITIES AND SERVICES. CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE PROTECTION AT CONTRACTOR'S EXPENSE.
8. TOPSOIL DEPTH SHALL BE AS FOLLOWS (UNLESS APPLICABLE): LAWN AREAS - 5" MIN.; PLANTER BEDS - 12" MIN.; CURB ISLANDS - 18" MIN. ALL PLANTING BEDS SHALL BE TREATED WITH A PRE-EMERGENT HERBICIDE.
9. FINISH GRADE FOR LANDSCAPE AREAS TO BE SMOOTH AND EVEN GRADES FOR TURF AREAS SHALL NOT EXCEED 3:1. WITH STEEP GRADING, PLANT, SOILS FOR 1" DEPTH OF 3/4" GRAIN BARK AND TAN ROCK MULCH OVER PERMEABLE WEED BARRIERS IN ALL PLANTER BEDS TOP OF MULCH SHALL BE SET 1" BELOW TOP OF ADJACENT MASSGRAZE OR LAWN.
10. PRE-EMERGENT HERBICIDE SHALL BE APPLIED PER MANUFACTURER'S AND SPECIFICATIONS. CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE PROTECTION OF EXISTING UTILITIES AND SERVICES. CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE PROTECTION AT CONTRACTOR'S EXPENSE.
11. ALL PLANT MATERIAL SHALL CONFORM TO THE AMERICAN WEDDING PLANT STANDARDS FOR TYPE AND SIZE SHOWN. PLANTS WILL BE RECEIVED IF NOT IN HEALTHY GROWING CONDITION.
12. ALL WEAVING MATERIAL SHALL BE CUT AND REMOVED FROM AROUND THE PLANT MATERIAL. CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE PROTECTION OF EXISTING UTILITIES AND SERVICES. CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE PROTECTION AT CONTRACTOR'S EXPENSE.
13. ALL WEAVING MATERIAL SHALL BE CUT AND REMOVED FROM AROUND THE PLANT MATERIAL. CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE PROTECTION OF EXISTING UTILITIES AND SERVICES. CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE PROTECTION AT CONTRACTOR'S EXPENSE.
14. ALL PLANT MATERIAL SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR BEGINNING AT THE DATE OF ACCEPTANCE BY OWNER. REPLACE ALL PLANT MATERIAL FOUND DEAD OR NOT IN HEALTHY CONDITION IMMEDIATELY WITH EQUIVALENT SPECIES AND SPECIES TO BE SHOWN TO THE ARCHITECT.
15. FERTILIZE ALL TREES AND SHRUBS WITH AGRIFORM PLANTING TABLETS. QUANTITY PER MANUFACTURER'S RECOMMENDATIONS.
16. CONTRACTOR SHALL CENTER WITH THE CITY THAT ALL OF THE TREES OR SHRUBS SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR BEGINNING AT THE DATE OF ACCEPTANCE BY OWNER. REPLACE ALL PLANT MATERIAL FOUND DEAD OR NOT IN HEALTHY CONDITION IMMEDIATELY WITH EQUIVALENT SPECIES AND SPECIES TO BE SHOWN TO THE ARCHITECT.
17. CONTRACTOR'S MAINTENANCE THROUGH FINAL COMPLETION SHALL INCLUDE:
 - PRUNING, CUTTING, WEEDING, WATERING, AND APPLICATION OF FERTILIZER TO ALL PLANTS AND SHRUBS.
 - PLANTS FREE OF INSECTS AND DISEASE UNTIL FINAL ACCEPTANCE BY OWNER.
 - RE-SET DETIRED PLANTS TO A PROPER GRADE AND POSITION.
 - RESTORE PLANTING SAUCER AND ADJACENT MATERIAL AND REMOVE AND REPLACE OLD MATERIAL.
 - TOPHAT AND REPAIR GUY WIRES AND STAKES AS REQUIRED ONLY IF ORIGINALLY REQUIRED.
 - CORRECT DEFECTIVE WORK AS SOON AS POSSIBLE AFTER DEFICIENCIES ARE IDENTIFIED BY ARCHITECT AND DESIGN PERSONNEL.
 - REPAIRING PLANT MATERIAL.
 - MOWING TURF GRASS MAINTAIN A MINIMUM 2" AND MAXIMUM 3" STAND OF GRASS.

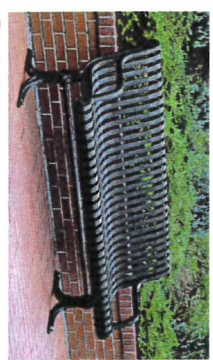
GENERAL IRRIGATION NOTES - DESIGN REVIEW/ AGENCY SUBMITTAL

1. ALL PLANT MATERIALS TO BE IRRIGATED VIA SUBSURFACE PRESSURE IRRIGATION SYSTEM. ON-SITE IRRIGATION SYSTEM SHALL BE AN UNDERGROUND, AUTOMATIC SYSTEM.
2. COVERAGE: THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE ONE HUNDRED PERCENT (100%) COVERAGE WITH HEAD TO HEAD SPACING OR TRIANGULAR SPACING AS APPROPRIATE.
3. MATCHED PRECIPITATION RATES: SPRINKLER HEADS SHALL HAVE MATCHED PRECIPITATION RATES WITH EACH CONTROL VALVE.
4. IRRIGATION DESIGN: SPRINKLER HEADS INCLUDING LAWN OR OTHER HIGH WATER DEMAND AREAS SHALL BE DESIGNED TO PROVIDE ONE HUNDRED PERCENT (100%) COVERAGE WITH HEAD TO HEAD SPACING OR TRIANGULAR SPACING AS APPROPRIATE. SPRINKLER HEADS INCLUDING LAWN OR OTHER HIGH WATER DEMAND AREAS SHALL BE DESIGNED TO PROVIDE ONE HUNDRED PERCENT (100%) COVERAGE WITH HEAD TO HEAD SPACING OR TRIANGULAR SPACING AS APPROPRIATE.
5. OVERSPRAY: SPRINKLER HEADS SHALL BE ADJUSTED TO REDUCE OVERSPRAY ONTO AREAS.



1 TREE PLANTING DETAIL

1. STAKE TIES & NECESSARY STAKES MUST BE REMOVED WITHIN 12 MONTHS OF PLANTING.
2. WAP TIES REMOVED ONLY UPON APPROVAL OF THE LANDSCAPE ARCHITECT.



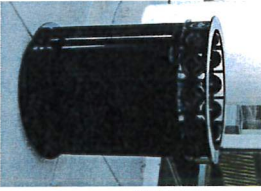
2 BENCH

1. BENCH SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
2. BENCH SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
3. BENCH SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.



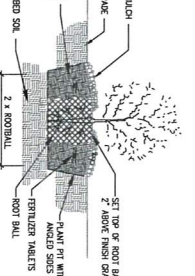
3 BIKE RACK

1. BIKE RACK SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
2. BIKE RACK SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
3. BIKE RACK SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.



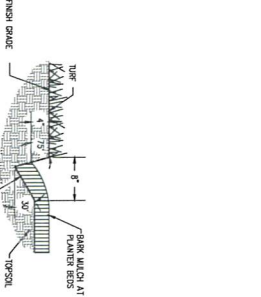
4 TRASH RECEPTACLE (WITH ASH PAN)

1. TRASH RECEPTACLE SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
2. TRASH RECEPTACLE SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
3. TRASH RECEPTACLE SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.



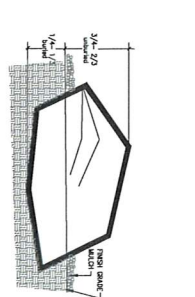
5 SHRUB PLANTING DETAIL

1. SHRUB SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
2. SHRUB SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
3. SHRUB SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.



6 EDGING DETAIL

1. EDGING SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
2. EDGING SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
3. EDGING SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.



7 BOULDER PLACEMENT DETAIL

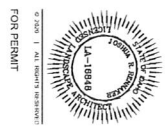
1. BOULDER SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
2. BOULDER SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
3. BOULDER SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.

PLANT SCHEDULE	QTY	BOTANICAL / COMMON NAME	SIZE	MATURE SIZE HxW	CLASS
PERENNIAL TREES	4	BOTANICAL / COMMON NAME	2" DIA. B&B	45'x25'	Class II
PERENNIAL TREES	3	Prunus virginiana 'Tender Red'	2" DIA. B&B	25'x20'	Class I
PERENNIAL TREES	1	BOTANICAL / COMMON NAME	7'-8" B&B	20'x6'	CLASS
SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	MATURE SIZE HxW	
Bm	17	Banksia integrifolia 'Mammal' TM	5' DIA.	9'x2'	
CK2	5	Cornus sericea 'Keweenaw'	5' DIA.	2'x3'	
CK4	5	Cornus florida 'Moonshadow' TM	2' DIA.	3'x3'	
HA	3	Hydrangea arborescens 'Mammoth'	5' DIA.	4'x4'	
IB3	27	Juniperus horizontalis 'Blue Chip'	2' DIA.	1'x6'	
IR	7	Prunella virginiana 'Tom Williams'	5' DIA.	7'x3'	
R02	15	Rosa americana 'Double-Love'	2' DIA.	3'x6'	
SC	18	Spiraea x bumalda 'Goldflame'	2' DIA.	3'x3'	
ANNUALS/PERENNIALS	QTY	BOTANICAL / COMMON NAME	SIZE	MATURE SIZE HxW	
H04	28	Hebe x exoniifolia x 'Congo Apache'	1' DIA.	2'x2'	
HI	133	Hebe x exoniifolia x 'Happy Returns'	1' DIA.	1.5'x1.5'	
SM	37	Sedum spectabile 'Newspaper'	1' DIA.	2'x2'	
GROUND COVERS	QTY	BOTANICAL / COMMON NAME	SIZE	MATURE SIZE HxW	
	2,413 sf	Turf Sod Rhynchospora			

NOT FOR CONSTRUCTION - PRELIMINARY DESIGN

LANDSCAPE DETAILS L1.1

FOR PERMIT
 3.16.2020
 DRAWN BY: RENAEKKA
 CHECKED BY: RENAEKKA
 DESIGNED BY: RENAEKKA



FOR PERMIT
 CONSTRUCTION DOCUMENTS
KARCHER AND FLORIDA - URGENT CARE



8-A

Property Owner Acknowledgement


I, BV Legacy Falls, LLC, the record owner for real property addressed as 0 Florida Avenue (R32822011A), am aware of, in agreement with, and give my permission to Jackson Cleverly, to submit the accompanying application(s) pertaining the that property.

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

Dated this 22nd day of June, 2022

BV LEGACY FALLS, LLC


By: BV Management Services, Inc., the Executive Manager

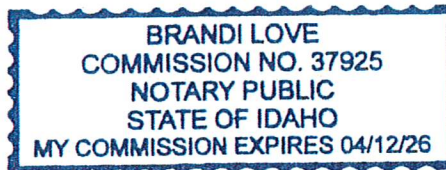
By:  Cortney Liddiard, President
(Signature)

CERTIFICATE OF VERIFICATION

STATE OF IDAHO)
) ss.
County of Bonneville)

I, Brandi Love, a Notary Public, do hereby certify that on this 22nd day of June, 2022, personally appeared before me Cortney Liddiard, known or identified to me to be the President of BV Management Services, Inc., which corporation is the Executive Manager of BV Legacy Falls, LLC, and the Manager who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that such corporation as the Manager executed the same in said limited liability company name.


NOTARY PUBLIC FOR IDAHO
Residing at Idaho Falls ID
My Commission Expires 4-12-2026





332 N. Broadmore Way
Nampa, ID 83687
Ph: (208) 442-6300 • Fax: (208) 466-0944

LEGAL DESCRIPTION For LEGACY FALLS SUBDIVISION NO.1

A parcel of land located in the NW 1/4 of the NE 1/4 of Section 14, Township 3 North, Range 3 West, Boise Meridian, City of Caldwell, Canyon County, Idaho, being more particularly described as follows:

BEGINNING at a Brass Cap Monument marking the Northwest Corner of the Northeast Corner of said Section 14; From which an Iron Pipe marking the Northeast Corner of said Section 14 Bears N 89°05'48" E 2651.80 Feet;

Thence, N 89°05'15" E 466.20 Feet along the North Line of said Section 14 to a 5/8 inch Iron Rod;

Thence, leaving said North Line S 00°54'45" E 303.20 Feet to a 5/8 inch Iron Rod;

Thence, S 89°05'15" W 197.61 Feet to a 5/8 inch Iron Rod;

Thence, S 00°54'45 E 145.43 Feet to a 5/8 inch Iron Rod;

Thence, N 88°51'54 W 55.47 Feet to a found 5/8 inch Iron Rod and a point of curvature;

Thence, 176.84 Feet along the arc of a 175.00 Feet radius curve to the right with a central angle of 57°53'48", which long chord bears N 59°55'48" W 169.41 Feet to a found 5/8 inch Iron Rod and a point of tangency;

Thence, N 31°01'03" W 64.86 Feet to a found 5/8 inch Iron Rod;

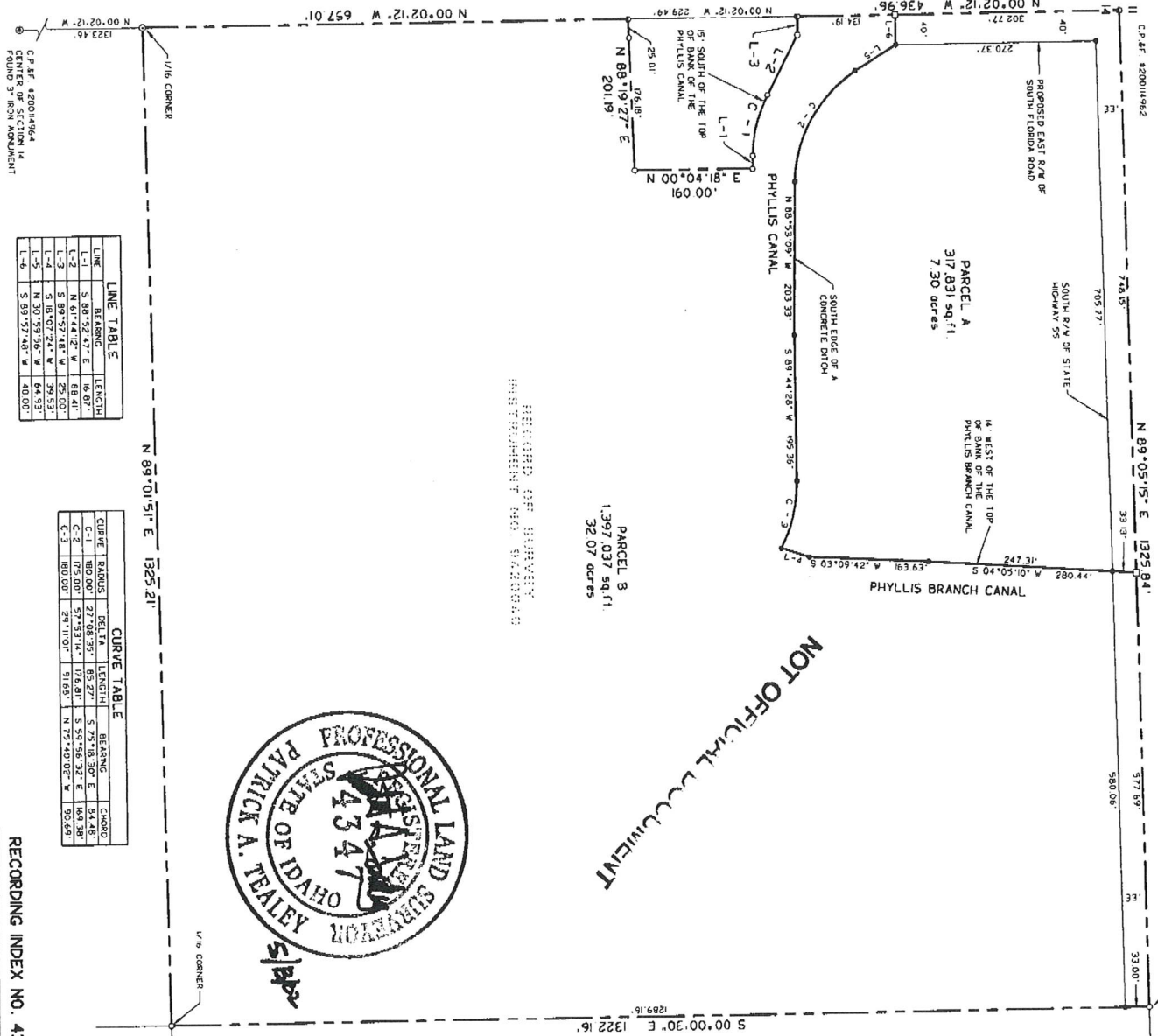
Thence, S 89°58'12" W 40.05 Feet to a 5/8 inch Iron Rod lying on the North-South mid-section line of said Section 14;

Thence, along said mid-section line N 00°01'48" W 302.75 Feet to the **POINT OF BEGINNING**.

Said above described parcel contains 167,981 Sq. Ft., or 3.86 acres more or less and is subject to any and all easements and/or rights-of-way of record.

INSTRUMENT NO. 21 222210

SOUTH FLORIDA AVENUE



LINE TABLE

LINE	BEARING	LENGTH
L-1	S 89°52'42" E	16.87'
L-2	N 61°44'12" W	68.41'
L-3	S 89°57'48" W	25.00'
L-4	S 10°07'24" W	39.53'
L-5	N 30°59'06" W	64.93'
L-6	S 89°57'48" W	40.00'

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C-1	180.00'	27°08'35"	85.27'	S 75°18'30" E	84.48'
C-2	175.00'	57°53'14"	176.81'	S 59°58'32" E	164.38'
C-3	180.00'	29°11'07"	91.65'	N 75°48'02" W	90.69'



NOT OFFICIAL DOCUMENT

RECORD OF SURVEY

FOR ROBERT ADLER

A PORTION OF THE NW 1/4 NE 1/4, SECTION 14,
T3N, R3W, B1M,
CANYON COUNTY, IDAHO

LEGEND

- BOUNDARY LINE
- FOUND BK NAIL
- FOUND 5/8" IRON PIN
- FOUND 1/2" IRON PIN
- SET 1/2" x 24" IRON PIN w/CAP
- CALCULATED POINT

CERTIFICATE OF SURVEYOR

I, PATRICK A. TEALEY, PLUS NO. 4347, STATE OF IDAHO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED ON THIS PLAT WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS IN CONFORMITY WITH THE STATE OF IDAHO SURVEYING ACT AND SURVEYS AND THE CORNER PERPETUATION AND PLATS ACT

RECORDER'S CERTIFICATE

STATE OF IDAHO)
COUNTY OF CANYON) SS
Filed for Record of the Request of _____ day of _____ 20____
Min. post _____ o'clock A.M. this _____ day of _____ 20____
Recorder _____
By _____ Deputy

TEALEY'S LAND SURVEYING

2501 SPOUSE BASIN RD. BOISE, IDAHO 83702
208-385-0636

DATE: APRIL, 2002

DRAWING NO.: 2444

INSTRUMENT NO. _____

A-11

200222210

RECORDED

2002 MAY 15 PM 3 08

G NOEL HALES
CANYON CNTY RECORDER

BY *V Upton*

95.00

15 pages

2007070091

RECORDED

2007 OCT 19 PM 1 07

WILLIAM H. HURST
CANYON CITY RECORDER
W. Hurst

REQUEST
TYPE DA FEE —
CALDWELL CITY OF

September 25, 2007
Legacy Falls Development Agreement
(ANN-162-07/SUB-180P-07)

Recording requested by:
City of Caldwell
Planning and Zoning Department
P.O. Box 1177
Caldwell, Idaho 83606

For Recording Purposes Do
Not Write Above This Line

**DEVELOPMENT AGREEMENT
Legacy Falls Subdivision**

This Development Agreement made and entered into this 25 day of SEPTEMBER 2007, by and between the City of Caldwell, a municipal corporation in the State of Idaho ("Caldwell"), by and through its Mayor, and BV Legacy Falls LLC, and Legacy Falls LLC ("Applicants" and/or "Owners").

WHEREAS, the Owner of record holds certain real estate (Property) and hereby authorizes the Applicant to enter into this agreement with respect to said Property located in the City's area of impact and contiguous to the City of Caldwell and more particularly described as follows:

See Exhibit "A", a legal description, attached hereto and incorporated herein by this reference; and

WHEREAS, the Property is the subject of an application for annexation and land use zone classification identified as Application Number ANN-162-07 and SUB-180P-07; and

WHEREAS, the Applicant intends any development of the Property will be as C-1 Neighborhood Commercial; and

WHEREAS, the Property is currently zoned by Canyon County as A (Agricultural); and

WHEREAS, the Applicant is seeking to rezone the property to the City of Caldwell's C-1 Zoning Classification; and

Legacy Falls Development Agreement
Original

[Signature]
9/25/07

DA-07-020

A-12

WHEREAS, it is the intent of this Development Agreement to protect the rights of the Applicant's use and enjoyment of the Property, while at the same time limiting any adverse impacts resulting from the rezone of this Property upon neighboring properties and the community and ensuring that any development of the Property is in a manner consistent with Caldwell's Comprehensive Plan and City Code; and

WHEREAS, Caldwell and Applicant desire to set forth herein limitations and/or conditions upon the use and all development of the Property; and

WHEREAS, all capitalized terms in this Development Agreement not herein defined shall have those meanings designated in the Caldwell City Code, the Caldwell Zoning Ordinance, and the Caldwell Comprehensive Plan; and

WHEREAS, the annexation and land use zone classification are subject to a development agreement; and

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, Applicant and Caldwell agree as follows:

ARTICLE I LEGAL AUTHORITY

1.1 Caldwell will adopt an ordinance to rezone the Property subject to the provisions of this Development Agreement. This Development Agreement shall be signed prior to the Mayor's signing of an affirmative Order of Decision by the Mayor and City Council permitting the annexation. The annexation ordinance will become effective after its approval, passage and publication.

ARTICLE II CONDITIONS OF THE LAND USE ZONE CLASSIFICATION

2.1 The Property shall be utilized in the fashion and according to the terms set forth in the development application ANN-162-07 to include the following conditions:

1. All development applications for the Property must meet all requirements of the City of Caldwell City Code in effect at the date of submittal of any development application, including but not limited to platting applications and building permit applications.
2. The date of submittal of the annexation request for the Property was June 13, 2007. On that date a design review process for the City of Caldwell was not established. If the City of Caldwell has established a design review process at the date of submittal of any other development application(s) besides ANN-162-07/SUB-180P-07 for the Property after the aforementioned date in Item 2, the Applicant shall be required to go through the design review process.

phase basis, upon the City Engineer's signature on the final plat for each phase of the property.

8. Any approaches on Karcher Road are not allowed, consistent with City Ordinance No. 2556 referred to as the "Caldwell Access Control Standards for State Administered Highways Ordinance" and Idaho Transportation Department's Access Policy for Type 4 facilities.
9. The location of any and all ingress and/or egress approaches to the Property shall be approved by the City Engineer.
10. All roadways, planned and future, shall be built to Caldwell City standards and dedicated for public purpose. Public roadway improvements shall include curb, gutter, sidewalk, sub-base and asphalt paving, storm drainage facilities, streetlights, and water mains. These street improvement features shall be incorporated into the subdivision as it is developed and shall be constructed by an appropriately licensed public works contractor.
11. If specifications to the current street section schedule requirements have been changed by the date of submittal of any development applications, the most stringent requirements shall be required to be adhered to in any development.
12. Any non classified street planned, or future, shall be constructed within a minimum fifty-six (56) foot right-of-way consistent with the City of Caldwell Subdivision Ordinance or a fifty-one (51) foot right-of-way consistent with City standards for a planned unit development. The streets shall be constructed at a width of 37 feet to back of curb and shall feature standard rolled curb, gutter, 4-foot wide sidewalks, sub-base and asphalt paving, required storm drainage facilities and streetlights.
13. All development, impending and future, shall comply with ACHD intersection spacing and alignment standards as adopted by the City of Caldwell, restricting full access approaches and intersections to a distance of no less than 440 feet (when and if possible), near curb to near curb, from signalized intersections or intersections likely to be signalized (intersections of classified roads) and right-in-right-out intersections a distance no less than 220 feet, near curb to near curb, from such intersections. Further, approaches on the same side of the street shall be spaced no less than 150 feet apart, near curb to near curb. Approaches or intersecting roadways to be installed across the street from existing intersections shall either be aligned within a 10-foot centerline offset or be offset by no less than 150 feet near curb to near curb.
14. All development will require the Applicant to comply with Idaho State Statute 49-221 regarding clear sight at intersections within and adjacent to the development and other applicable standards.

3. In the event the Property's legal description is discovered to be in error, the Applicant will be responsible for assuming the measures necessary to provide the City with an accurate legal description and correction of any erroneous annexation actions that may have occurred as a result.
4. All development shall be consistent with the City of Caldwell's Comprehensive Plan. Any flexibility granted shall be consistent with the interests of the City of Caldwell and in substantial compliance with said Plan.
5. In accordance with City Code, development will require the construction of street side improvements in any public right-of-way adjacent to the Property to include curb, gutter, sidewalk, sub-base and asphalt paving, storm drainage facilities, street lights and water mains. These street improvement features will be required to be incorporated into the design and construction of all streets located within the development.
6. At the time of development or within 90 days of a request by the City of Caldwell (whichever is sooner), the Applicant shall dedicate a 70-foot one-half width right-of-way (minus existing) along the entire Karcher Road frontage. At the time of development, any development will require the street to be improved to a Principal Arterial and State Highway. An additional thirty (30) foot landscape buffer adjacent to the dedicated seventy (70) feet of right-of-way will be required to facilitate future right-of-way needs per the Idaho Department of Transportation recommendations. The street will be required to be constructed at a half width of 38.0 feet from centerline to back-of-curb and shall feature standard vertical curb, 5-foot wide sidewalks, sub-base and asphalt paving, required storm water drainage facilities and street lights. City of Caldwell Specifications for these improvements will be required to be observed. In the event Idaho Transportation Department or the City of Caldwell access standards are relaxed the Applicant will be required to construct a wider street section as determined by the City Engineer. The Applicant's obligations for this item shall be deemed fulfilled, on a phase-by-phase basis, upon the City Engineer's signature on the final plat for each phase of the Property.
7. At the time of development or within 90 days of a request by the City of Caldwell (whichever is sooner), the Applicant shall dedicate a 40-foot one-half width right-of-way (minus existing) along the entire Florida Avenue frontage. At the time of development, any development will require the street to be improved to a Collector roadway. The street will be required to be constructed at a width of 20.5 feet from centerline to back-of-curb and shall feature standard vertical curb, 5-foot wide sidewalks, sub-base and asphalt paving, required storm water drainage facilities and street lights. City of Caldwell Specifications for these improvements will be required to be observed. This street section will be required to be wider if the City Engineer determines such a need based on the traffic study. Additional widening is likely to be necessary at the intersection of Florida and Karcher. The Applicant's obligations for this item shall be deemed fulfilled, on a phase-by-

19. In the course of development, street improvements, traffic mitigation measures or trust investments shall be completed in equitable portions for each phase so that the cost to develop lots given the overall improvements required is as nearly the same for each phase as is practical. In no case shall the Applicant delay a disproportionate share of the cost to later phases.
20. All development will require the Applicant to meet all requirements set forth in the City of Caldwell Zoning Ordinance.
21. All development will require the Applicant to meet all requirements set forth in the City's most-recently adopted Landscaping Ordinance and Tree Ordinance as of the date of submittal of any development applications including but not limited to platting applications and building permit applications.
22. The Applicant will maintain the site in keeping with the City's nuisance abatement program until such time as the development is complete. This maintenance will include the semi-annual mowing of all weeds within the subdivision boundaries and the removal of noxious weeds when they are identified. The developer will apply all appropriate dust abatement procedures as part of the construction process.
23. At the time of development of the Property, the Applicant will post and maintain a "Rules and Regulations" sign at all entryways to the development until it is fully developed. The signs would be intended for subcontractors performing work and should include: 1) no dogs; 2) no loud music; 3) no alcohol or drugs; 4) no abusive language; 5) dispose of personal trash and site debris; 6) clean up any mud and/or dirt that is deposited from the construction parcel onto streets; 7) installation of a temporary construction fence that would keep debris from being blown off site by the wind; 8) no burning of construction or other debris on the Property.
24. The Applicant shall identify and retain all historical drainage discharge points from the property for the purpose of draining on site storm water detention facilities.
25. All development shall require the developer to maintain any existing upstream and/or downstream irrigation and/or drainage rights that may cross the property. Conveyance systems are subject to Irrigation District and City of Caldwell design review and approval.
26. All development will require compliance with the City of Caldwell Storm Water Management Manual. On site detention facilities shall be required for management of site storm water for future development except as provided for under said Manual.

27. All development will require the applicant to connect to the City of Caldwell Municipal Sewer System and comply with the Dixie Interceptor Sewer Study as it shall be subsequently updated. The location of sewer services, including sizing of mains, providing of easements, frontage construction and offsite construction are to be decided during review of improvement plans. All-weather surfaces may be required adjacent to mainlines that fall outside public right-of-way.
28. A public utility easement not less than 20 feet in width shall be provided for any sewer lines not in the public right-of-way. An all-weather surface shall be required for said public utility easement.
29. Any platted development of the Property will require all easements and/or rights-of-way to be determined and clearly indicated on the Final Plat. A note will be required to be placed on the Final Plat indicating that all rights-of-way are to be dedicated to the public. Commercial access points shall meet the access spacing policy and shall be subject to review and approval by City Engineering. This statement does not indemnify the Applicant from future requirements of any access-related policies or codes.
30. A note shall be placed on the final plat stating that no individual common lot or individual commercial lot shall be allowed to take direct access to Karcher Road or Florida Avenue.
31. All development will require the Applicant to connect to the City of Caldwell Municipal Water System and comply with the City of Caldwell Water Master Study as updated at the time of development.
32. City standards require that all new developments construct 12-inch water lines along all section and quarter section lines. Additionally all on site water mains will need to be looped and off-site lines extended sufficient for fire flow and water quality purposes. Internal main sizing and construction plan approval will be dependent upon the availability of fire flow. A redundant water source shall be required as well.
33. Irrigation water for the subject property shall be obtained from the appropriate Government Irrigation District and/or groundwater sources. Pressure irrigation facilities shall be provided consistent with City and Government Irrigation Provider specifications and dedicated to the applicable government irrigation provider. Said Government Irrigation provider shall operate pressurized irrigation facilities for the site.
34. The development is to include a non-potable water pressure irrigation system. The design of this pressure irrigation system is to be reviewed and approved by the Caldwell Municipal Irrigation District prior to construction plan approval. It shall be required that the system shall be operated and maintained by the Caldwell Municipal Irrigation District.

44. Architectural standards shown in attached Exhibit "B" shall be followed for all buildings within all phases of this development.
45. All common areas shall be designated as common lots and shall be owned, operated and maintained by a business owners association.
46. The preliminary plat approved by City Council at a public hearing held September 17, 2007 was for Phase 1 only for the western portion of the Property (see attached Exhibit C). An additional preliminary plat will need to be submitted, reviewed and approved for Phase 2 prior to any construction drawings or final platting of Phase 2.
47. Any note, item or drawing element on any plats, construction drawings, engineering drawings and/or design drawings related to the Property inconsistent with City Codes, Policies, and/or Ordinances shall not be construed as approved unless specifically addressed and granted by City Council as a variance or deviation.

**ARTICLE III
AFFIDAVIT OF PROPERLY OWNERS**

3.1 An affidavit of the owners of the Property agreeing to submit the Property to this Development Agreement and to the provisions set forth in Idaho Code Section 67-6511A is incorporated herein by reference.

**ARTICLE IV
DEFAULT**

4.1 In the event the Applicant fails to comply with the commitments set forth herein, within thirty (30) days of written notice of such failure from Caldwell, Caldwell shall have the right, without prejudice to any other rights or remedies, to cure such default or enjoin such violation and otherwise enforce the requirements contained in this Development Agreement.

4.2 If required to proceed in a court of law or equity to enforce any provision of this Development Agreement, the prevailing party shall be entitled to recover all direct out-of-pocket costs so incurred to cure or enjoin such default and to enforce the commitments contained in this Development Agreement, including attorneys' fees and court costs as the Court shall determine.

Legacy Park Development Agreement
Original *[Signature]*

singular or plural number shall each be deemed to include the others wherever and whenever the context so dictates.

7.3 Choice of Law. This Development Agreement shall be construed in accordance with the laws of the State of Idaho in effect at the time of the execution of this Development Agreement. Any action brought in connection with this Development Agreement shall be brought in a court of competent jurisdiction located in Canyon County, Idaho.

7.4 Notices. Any notice which a party may desire to give to another party must be in writing and may be given by personal delivery, by mailing the same by registered or certified mail, return receipt requested postage prepaid or by Federal Express or other reputable overnight delivery service to the party to whom the notice is directed at the address of such party set forth below:

Caldwell: Planning and Zoning Department
P.O. Box 1177
Caldwell, Idaho 83606

Owners/Applicants: Legacy Falls, LLC
P.O. Box 1604
Idaho Falls, ID 83403

BV Legacy Falls, LLC
P.O. Box 1604
Idaho Falls, ID 83404

Or such other addresses and to such other persons as the parties may hereafter designate. Any such notice shall be deemed given upon receipt if by personal delivery, forty-eight (48) hours after deposit in the United States mail, if sent by mail pursuant to the foregoing, or twenty-four (24) hours after timely deposit with a reputable overnight delivery service.

7.5 Effective Date. This Development Agreement shall be effective after delivery to each of the parties hereto of a fully executed original of this Development Agreement.

IN WITNESS WHEREOF, the parties have executed this Development Agreement.

DATED this 25 day of September 2007.

Legacy Falls Development Agreement
Original 11/10 9-25-07

REORDER SCAN

Legacy Field Development Agreement
Original W. P. Farley

OWNERS/APPLICANTS:

Legacy Falls LLC

By: [Signature]

STATE OF IDAHO)
County of Bonneville) : ss.
County of ~~Canyon~~)

On this 25th day of September, 2007, before the undersigned notary public in and for the said state, personally appeared Matt Morgan known or identified to me to be the property owner/applicant referenced herein acting on behalf of Legacy Falls LLC.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

[Signature]
Notary Public for Idaho
Residing at: Idaho Falls
My Commission Expires: 8-1-2009



Legacy Falls Development Agreement
Original [Signature]

A-12

OWNERS/APPLICANTS:

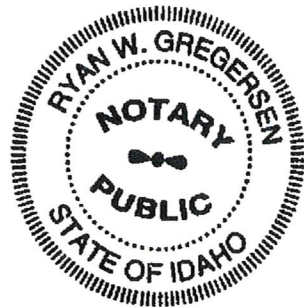
BV Legacy Falls LLC

By: _____

STATE OF IDAHO)
County of Bonneville) ss.
 ~~Canyon~~

On this 25th day of September, 2007, before the undersigned notary public in and for the said state, personally appeared Matt Morgan, known or identified to me to be the property owner/applicant referenced herein acting on behalf of BV Legacy Falls I.I.C.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Ryan W. Gregeresen
Notary Public for Idaho
Residing at: Idaho Falls
My Commission Expires: 8-1-2009