

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 _____

STAFF USE ONLY:

File number(s): Ann-19-11
Rush Annexation

Project name: _____

Date filed: 8/28/19 Date complete: _____

Related files: _____

Subject Property Information

Address: 4120 E Ustick Rd. Parcel Number(s): R32497

Subdivision: N/A Block: N/A Lot: N/A Acreage: 3.93 Zoning: Country C-3

Prior Use of the Property: Single Family Rural Residence

Proposed Use of the Property: Rezone to C-3 after or simultaneous to Annexation

Applicant Information:

Applicant Name: ESTHER RUSH, Trust ^{of} Darryll Rush Trustee Phone: 208-514-9137

Address: 4120 E Ustick City: Caldwell State: Id. Zip: 83607

Email: N/A Cell: N/A

Owner Name: Esther Rush, Trust Phone: 208-514-9137

Address: 4120 E Ustick City: Caldwell State: Id Zip: 83607

Email: _____ Cell: _____

Agent Name: (e.g., architect, engineer, developer, representative) Broker, for Seller Doug Lambman

Address: 148 Yale City: NANIDA State: Id Zip: 83651

Email: doug@restate.com Cell: 208-901-5700

Authorization

Print applicant name: Darryll Rush, Trustee

Applicant Signature: Darryll Rush Date: 08/15/19

AI



CITY OF
Caldwell, Idaho

Planning & Zoning

ANNEXATION

Project Name: <i>Esther Rush, Trust</i>	File #: <i>Ann-19-11</i>
Applicant/Agent: <i>Doug Lamaman</i>	

Applicant (v)	Please provide the following REQUIRED documentation:	Staff (v)
	Completed & signed Hearing Review Master Application	✓
	Narrative fully describing the proposed use/request, including current potable water supply and current sewage system	✓
	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 annexed 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: *8/28/19*
 Received by: *LC*
 Proposed Hearing Date: *10-8-19*
 Hearing Body: *PZ*

AI

8/25/2019
Caldwell P&Z

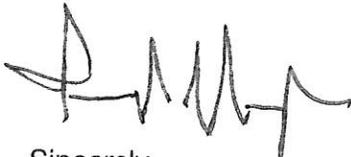
To whom it may concern,

As per the county and city requirements a detailed description of the proposed property is to be attached to the application.

My clients are asking for an annexation into the city of Caldwell as well and a rezone to C-3. Per the all ready agreed to and subsequently executed agreement with the city (resolution #354-18, on December 3rd 2018) to install utilities in the street fronting the land under consideration by the appropriate municipal entities.

In discussions with the city the zoning will allow either commercial or multi family to be developed and subsequently add additional taxable revenue to the city. We informed the public per the ordinance and held the community meeting on 8/15/2019. As the agent for the trust I spoke with a number of parties in advance of the meeting no one voiced an objection on those calls. I have attached the attendance sheet from the initial meeting as well as the addressee who were notified.

We look forward to answering any further questions as we proceed you may reach me at 208-901-5700 as agent for the owner /trust



Sincerely,
Douglas J. Lampman
Founder/Broker
ABR,CRB,GRI,MA
Homes Of Idaho,inc.

AD



Ustick Rd 227.00'

Bennington St

Clayton St

Ashton Ave

347.73'

390.08'

GOV LOT 3

IN
OUT

10.09'

R32497
T 008832

R32498
T 006664

R325

R32504234
R32504233
R32504232
R32504231
R32504230

R32504225
R32504226
R32504227
R32504228
R32504229
R32504223
R32504222
R32504221
R32504220
R32504219

R32504217
R32504216
R32504215
R32504214

R32504200
R32504201
R32504202
R32504203
R32504204
R32504205
R32504206
R32504207
R32504208
R32504209



A3

Ustick Rd 237.00'

347.77'

390.86'

GOV LOT 3

R32504216
R32504217
R32504218
R32504219
R32504220
R32504221
R32504222
R32504223

Bennington St

Ashton Ave

R32504224	R32504225
R32504226	R32504227
R32504228	R32504229
R32504230	R32504231
R32504232	R32504233
R32504234	R32504235

Clayton St

R32504236
R32504237
R32504238
R32504239
R32504240
R32504241

R32504200
R32504201
R32504202
R32504203
R32504204
R32504205
R32504206
R32504207
R32504208
R32504209

IN
OUT

R32497
T 98832

R32498
T 00669

R325
T 0116

450.07'

633.57'

336.62'

40.09'

117.64'

82.06'

113.08'

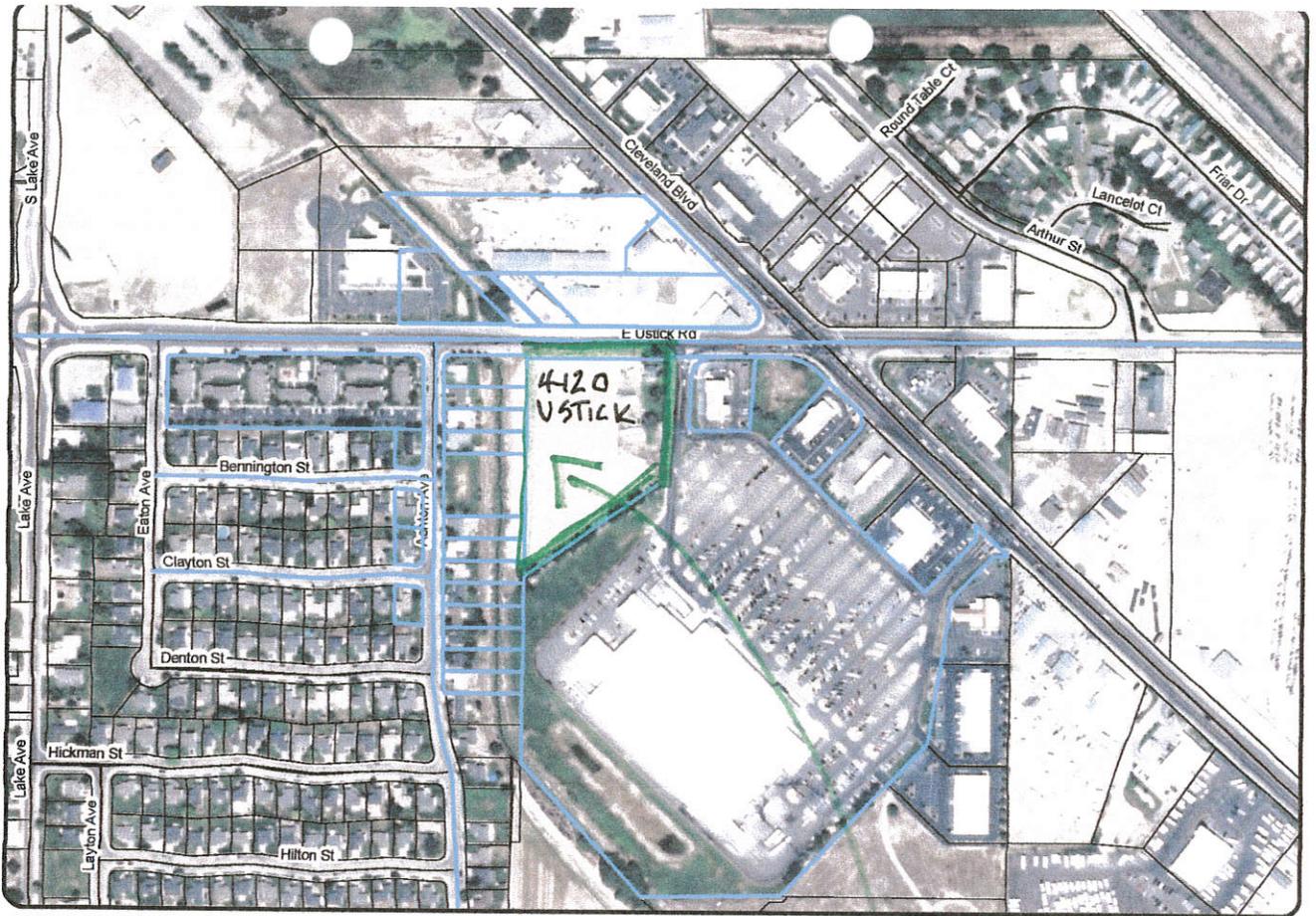
198.50'

143.57'

223.58'

135.80'

Handwritten mark



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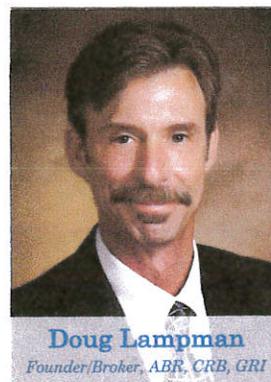


Doug Lampman
 Founder/Broker, ABR, CRB, GRI
 208.901.5700

homes of Idaho

* NOTILE!
 COMMUNITY MEETING, 6:00pm
 Thursday August 15
 2019

You are invited to a community meeting, On Thursday August 15th. At the subject property. The meeting will be held at 6:pm to accommodate everyone's schedules. We look forward to seeing you At the property 4120 E Ustick. This notice is in compliance with Caldwell's annexation and zoning ordinance.

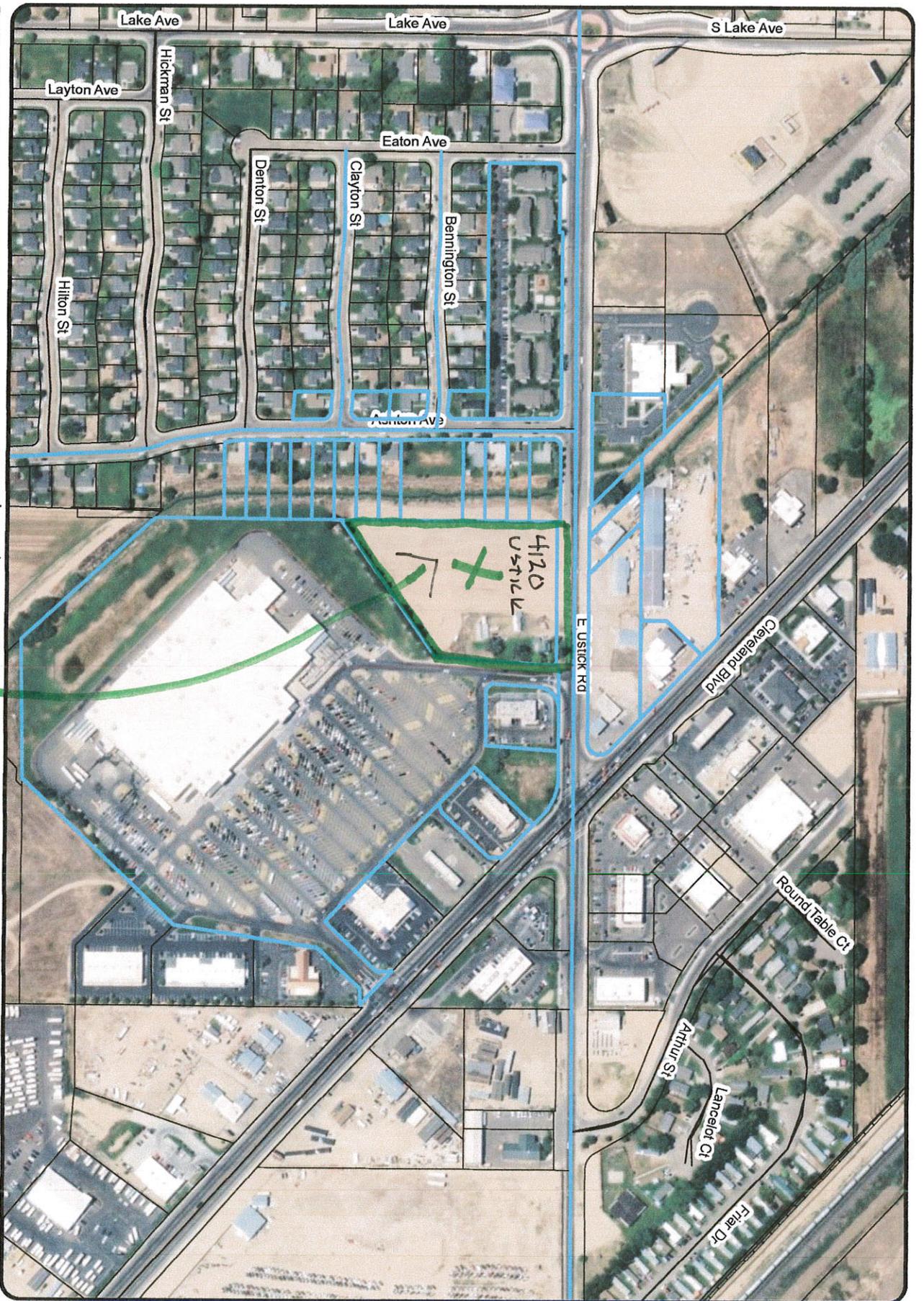


homes of Idaho

148 N. Yale St.
 Nampa, ID 83651
 doug@rvesta.com
 Office: (208) 442-8500
 Fax: (208) 442-1531
 Cell: (208) 901-5700

www.IDHomeSearch.com/doug

AS



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Esther Rush, Trust
 4120 E Ustick
 Subject Property



A parcel of land situated in Government Lot 3, Section 1, Township 3 North, Range 3 West, Boise Meridian, Canyon County, Idaho. Said parcel is more particularly described as follows:

Beginning at the Northwest corner of said Government Lot 3; thence
South $89^{\circ}54'08''$ East along the North line thereof, a distance of 390.86 feet; thence
South $03^{\circ}55'42''$ West, a distance of 376.71 feet; thence
South $55^{\circ}10'06''$ West, a distance of 450.07 feet to a point on the West line of said Government Lot 3;
thence
North $00^{\circ}23'46''$ East along said West line a distance of 633.57 feet to the POINT OF BEGINNING.

RIGHT OF WAY PURCHASE AGREEMENT

Parcel No.: R3249700000
Address: 4120 E. Ustick Road
Project Name: Ustick Road Widening
County of: Canyon

THIS AGREEMENT made this 16th day of November, 2018, between City of Caldwell, by and through its City Council, by its Mayor or the authorized representative, herein called "City," and the Esther E. Rush Life Estate & Esther Rush Trust herein called "Grantor". THE PARTIES hereto agree as follows:

1. City shall pay Grantor and the Lien holder(s), if any, such sums of monies and subject to the contingencies as are set out below. Grantor agrees to pay all taxes and assessments due and owing, including those for the year 2018; and Grantor shall execute and deliver to City a notarized instrument of conveyance corresponding to the interest being acquired.
2. This contract shall not be binding unless and until executed by the City of Caldwell, by its Mayor.
3. The parties have herein set out the whole of their agreement, the performance of which constitutes the entire consideration for the grant of said right-of-way and shall relieve the City of all future claims or obligations on that account or on account of the location, grade and construction of the proposed roadway.

4. Right-of-Way:

City will pay Grantor for approximately 9,148 +/- square feet of new right-of-way \$11,648.00

TOTAL CONSIDERATION \$11,648.00

5. POSSESSION

Legal and Physical Possession- Grantor agrees to give the City legal and physical possession of the property herein being purchased by the City on December 03, 2018.

6. PRO-RATA REFUND OF TAXES

The City agrees to pay the Grantor a pro-rata refund of taxes for the tax year of 2018. The pro-rata amount shall be calculated and paid after the entire taxes for 2018 have been paid and the calculation shall be based on the proportionate amount of land as applied to the land value and for that portion of the year beyond the date of this agreement.

7. BUILDING AND SETBACK

Both parties understand and agree that this acquisition by the City will, in itself, not cause a violation of any current building or structure setback requirements and any current exceptions to the setback requirements shall be continued under grand-father rights.

8. INGRESS AND EGRESS

Grantor hereby grants the City or its contractor a Temporary Easement of ingress and egress for construction of approach, landscape repair or any other item requiring a Temporary Easement. Said easement to terminate upon completion of construction.

MEMORANDUM

TO: Caldwell City Council

Meeting Date: December 03, 2018



AGENDA ITEM INFORMATION

SUBJECT:		<i>Department Submittals</i>	<i>X to mark</i>	<i>Initials</i>
Purchase Agreement: 48' Half Width Right-of-Way Along 4120 E. Ustick Road. Requested Action: Authorize the Mayor to execute the attached Right-of-Way Purchase Agreement		Building Department		
		CDBG		
		Clerk		
		City Attorney		
		Finance Department		
		Human Resources		
		Planning & Zoning		
		Fire Department		
		Police Department		
		Public Works		
		Street Department		
		Water Department		
		WWTP		
		Engineering <i>RM</i>	X	<i>T.J.F.</i>
	Mapping			
COST IMPACT:	\$11,648.00	Parks and Recreation		
FUNDING SOURCE:		Airport		
		Information Systems		
TIMELINE:	Payment to be made upon passage of the attached resolution. Construction currently anticipated for 2020	Golf Course		
		OTHER:		

SUMMARY STATEMENT:

Currently the City is planning on widening Ustick Road, continuing from the eastern most limits of the Lake/Ustick Roundabout project to Cleveland Boulevard. To accommodate the proposed improvements, it is necessary to acquire right-of-way from Esther E. Rush, whose property address is 4120 E. Ustick Road. The City has agreed to pay Ms. Rush \$11,648.00 for the right-of-way, place a driveway and to not commence the road construction until Ms. Rush is either no longer residing at the property or gives written consent to complete the road project while still residing in the residence as outlined in the Purchase Agreement in exchange for the 48' wide strip of right-of-way across the frontage for their property.

Included in the attached resolution is the authorization to the Mayor to execute the Right-of-Way Purchase Agreement on behalf of the City. Said Right-of-Way Purchase Agreement is attached for signature.

RECOMMENDED ACTION:

The Engineering Department has reviewed the attached documents and recommends that the City Council accept this right-of-way and approve the attached resolution.

Canyon County Parcel Information

Property ID: R3249700000
Alt Parcel ID: 03N03W012555
Property Address: 4120 E Ustick Rd
 Caldwell, ID 83607
Parcel City Code: Caldwell

Owner Information

Name: Rush Esther E Life Estate
 Rush Esther Trust
Address: 4120 E Ustick Rd
 Caldwell, ID 83607

Assessor Information

Legal Description: 01-3N-3W NW TX 98832 IN NENW LS RD
TwN/Range/Section: 03N03W01 Quarter: NW
Acres: 3.93 (171,191 SqFt)
Irrigation Dist: Pioneer Irrigation District
School District: 770 Vallivue School Dist
Instrument #: 2018054775
Subdivision:
Plat Instr. #:
Lot:
Block:
Recreation: -

Assessed Values

Land Value: \$87,600
Improvement Value: \$93,800
Total Value: \$181,400



Treasurer Information

Year: 2018	Tax: \$508
Year: 2017	Tax: \$530
Year: 2016	Tax: \$557
Levy Year: 2018	
Levy Code: 223-00	
Levy Rate: 0.012570374	

Assessor Land Categories

Use Code	Description	Value
12	12 Rural res tract	\$33,600
12H	12H Rural Res	\$54,000
32	32 Non-res imp on 1-12,15	\$2,000
32	32 Non-res imp on 1-12,15	\$2,300
32	32 Non-res imp on 1-12,15	\$2,500
34H	34H Res imp on 12	\$300
34H	34H Res imp on 12	\$5,500
34H	34H Res imp on 12	\$81,200

Residential Characteristics

Main Floor SqFt: 945	Second Floor SqFt: 0	Half Baths: 0	Bedrooms: 3
Lower Floor SqFt: 0	Year Built: 1940	Full Baths: 1	Carport SqFt: 0
Upper Floor SqFt: 324	Garage Area: 0	Decks: 0	AC: None
Attic SqFt: 0	Attic Finished SqFt: 0	Deck SqFt: 0	
Bsmt SqFt: 0	Bsmt Finished SqFt: 0	Porches: 2	
Total SqFt: 1,269		Porch SqFt: 184	

Transfer Information

Rec. Date: 12/4/2018	Sale Price:	Doc Num: 0000054775	Doc Type:
Buyer: CITY OF CALDWELL		Seller: RUSH ESTHER TRUST	