

October 6, 2009

Robert B. Burns, Esq.
Moffatt, Thomas, Barret, Rock & Fields
101 S. Capitol Blvd.
Boise, ID 83701

RE: CUP07-00084 & CFH07-00022/ Appeal

Dear Mr. Burns:

An appeal of the Planning Commission's decision on CUP07-00084 and CFH07-00022 has been filed and accepted on October 1, 2009. This appeal will be scheduled before the Boise City Council by the City Clerk. Once the date is established a letter will be forthcoming.

Parties to the appeal (the applicant and those whose names are listed on the appeal submitted to the City on October 1, 2009) should be aware of the following:

- a. The parties to the appeal may file memoranda consisting of written arguments that support their position within 14 days after the date of the appeal deadline.
- b. Any replies to the memoranda must be filed within 21 days of the appeal deadline. No further memoranda shall be accepted after that time.
- c. Neither memoranda nor responses may contain new facts or evidence or discuss matters outside the record. Memoranda are limited solely to why the record does or does not support the decision, or meet the other enumerated grounds for appeal.

If you have any questions, please contact this department at (208) 384-3830.

Sincerely,

Bruce Eggleston, AICP
Planning Analyst II
Boise City Planning and Development Services

cc: AASE'S Canyon Point Development, LLC/ Attn: Aspen Capital / 8899 S. 700 E.
Suite 180 / Sandy, UT 84070
Capital Development, Inc. / 6200 N. Meeker Place / Boise, ID 83713
Parties of Record