1. CALL TO ORDER AND ROLL CALL

Chairman Lee Young  
Vice Chairman Dana Hennis  
Commissioner Cathy Gealy  
Commissioner Stephen Damron  
Commissioner John Laraway

2. CONSENT AGENDA:  
   All Listed Consent Agenda Items are Action Items

3. NEW BUSINESS
   a. 18-21-DR (Design Review) – Merlin Pointe Subdivision No. 1; On behalf of Black Creek LLP, the applicant, Steve Arnold with A Team Land Consultants, seeks Design Review approval from the Planning and Zoning Commission (acting as Design Review Committee) for the first phase of Merlin Pointe Subdivision, which includes 52 townhouse buildings and landscaping for six commercial lots and eight common lots. A sign application for the subdivision and townhomes accompanies this application. The site is located on East Kuna Road, Kuna, Idaho 83634 (APN# S1324449005 and R0615254601). ACTION ITEM.

4. PUBLIC HEARING
   a. 18-02-S (Preliminary Plat) & 18-18-DR (Design Review) – Madrone Heights Subdivision; On behalf of N Star Farm, LLC (the applicant), Kirsti Grabo with KM Engineering, requests approval to subdivide approximately 39.48 acres (previously zoned R-6) into 206 single home lots, an additional 27 common lots, and one shared driveway. Applicant has reserved the name Madrone Heights Subdivision. A Design Review application for the landscaping for the 27 common lots accompanies this application. The address is 2030 W. Kuna Road, Kuna Idaho, and is located near the NWC of Ten Mile and Kuna Roads, in Section 22, T 2N, R 1W, APN #: S1322438400. ACTION ITEM.  
   - Staff requests this item be tabled until a date determined by the Planning and Zoning Commission.

5. COMMISSION REPORTS

6. ADJOURNMENT
PZ COMMISSION MEMBER | PRESENT | CITY STAFF PRESENT: |
-----------------------|---------|---------------------|
Chairman Lee Young     | X       | Wendy Howell, Planning Director | X |
Commissioner Dana Hennis | X       | Troy Behunin, Senior Planner | Absent |
Commissioner Cathy Gealy | X       | Jace Hellman, Planner II | Absent |
Commissioner Stephen Damron | X       | Sam Weiger, Planner I | X |
Commissioner John Laraway | Absent | Richard Roats, City Attorney | X |

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Chairman Young called the meeting to order at 6:00 pm.

Call to Order and Roll Call

1. CONSENT AGENDA
   b. Findings of Fact and Conclusions of Law for 18-01-CPF; Kelleher Sub No. 2

   Commissioner Hennis Motions to approve the consent agenda; Commissioner Damron Seconds, all aye and motion carried 3-0.

2. PUBLIC HEARING
   a. 18-05-ZOA (Zoning Ordinance Amendment) – Wireless Facilities; An Ordinance of The City Council of Kuna, Idaho Amending Kuna City Code (KCC) to:
      • Strike the Definition “Cell Tower/Telecommunications” from KCC 5-1-6 and the Land Use Table KCC 5-3-2;
      • Add the definition Wireless Facilities- Small and Wireless Facilities- Macro to the Land Use Table KCC 5-3-2.

   And Adopting a new chapter, Chapter 18, titled “Wireless Facilities Ordinance” that provides for:
   • Definitions;
   • Exemptions from the Wireless Facilities Ordinance;
   • General Standards and Permits Required for Wireless Facilities and Support Structures;
   • Design Standards, including Setbacks, Heights, Landscaping, Screening and Fencing, Stealth Design, Collocation, Preferred Tower Locations, Aesthetics, and Landscaping;
   • Macro Wireless Facility Application Requirements;
   • Procedures for obtaining a Special Use Permit for Towers and Support Structures as required by the Land Use Table, a Review Process and Factors to be Considered;
   • Small Wireless Facilities Applications Requirements;
   • Procedures for obtaining a Zoning Permit for a Small Wireless Facility, including Design Standards, and Construction, Setback, and Fall Zone Standards;
   • Procedure for Small Wireless Facilities and Support Structure Administrative Review and Approval;
   • Additional Provisions;
   • Wireless Facilities Existing on the Date of Adoption of this Ordinance;
   • Provisions Concerning Facilities or Circumstances Not Otherwise Addressed in the Ordinance;
   • Miscellaneous Provisions;
And Amending KCC Title 6, Chapter 4, Section 2 Titled Required Public Improvements to add to the requirements:

- Cell Towers: Cell Tower placement is subject to the provisions of the City's Wireless Facilities Ordinance, Chapter 18, Title 5, et seq.; and
- Providing for Severability;
- Providing for a Repealer Provision;
- Providing for an Effective Date

**C/Young:** The first item up on your public hearing is 18-05-ZOA, a Zoning Ordinance Amendment for wireless facilities. **Richard Roats:** Good evening Commissioners, for the record, Richard Roats. Before you is consideration to amend City Code for the wireless ordinance. The process started approximately a year and a half ago, when I was contacted by a service provider to bring in some newer, smaller antennas. That caused me to get into and look at what we had existing for our wireless, which was about nothing. I started to get the ball rolling in revising not only the new technology with the small cells, but the larger tower aesthetic and more. Before you today is a combination of the hours that I spent working with that. I think before I continue to answer any questions or go further, Verizon is here with a presentation on what these really are. You can get a better idea of these sites and facilities.

**Mark Estes:** Good evening Chairman Young and Commissioners, I am the consultant representing Verizon Wireless in Idaho. I work with public policy issues within the legislature and the network, which is principally involved in applying small cells across the valley. What I would like to do is provide some context and give you some sense of what the small cells are. Essentially the question is why Verizon is expanding the network in Idaho. Essentially in a nutshell, what has happened is exponential increase in the demand for mobile data. This goes for consumer and business demand, and the average smart phone user will consume 48 gigabytes of data per month in 2023. That’s up from 5.2 gigabytes a month in 2016. That’s just a huge amount of growth. If you look at what’s anticipated in Idaho, the Treasure Valley, and areas where we’re seeing tremendous growth, then you’re seeing 60 percent or more growth into the future. Around 52 percent of American households are wireless only for voice service. In North America, the average household has 13 connected devices with smartphones, outnumbering tablets six to one. Those are some of the drivers that are necessitating Verizon to make investments to deploy small cells in Kuna. The next thing I want to highlight for you all is that different locations require different solutions. Verizon uses a balanced approach to engineering. The best possible network given local community needs. At the top, you have the macro sites, which are the very large cell phone towers that we are all familiar with. Now, we have the next iteration of technology, which is small cells. Small cells are just as the name applies: short-range cell sites. The complement the macro cell towers in a smaller geographic area, ranging from a few hundred feet to a thousand feet. These lower-power antennas enhance capacity at high-traffic areas, dense urban areas, suburban neighborhoods, and more. Essentially small cells use radios that are a single antenna placed on an existing structure, including utility poles and street lights. The third solution that Verizon employs are called Distributing Antenna Systems (DAS). These are for in-building systems in some commercial properties and universities, where they go in and provide wireless coverage and capacity using the DAS systems inside of existing building and infrastructure. To give you some context as to where small cells fit in, this is a graphic that gives you a sense of the network. The graphic also shows you how all of the different components work together. Essentially small cells are an underlay to the macro network. They essentially coordinate signals between the macros, the small cells, and the building systems. You can see how they are kind of laid in places where there is more density, higher utilization, and you need greater capacity for where there are gaps in the network. Essentially it also reduces interference and improves performance in overall capacity of the network. These are the small cell components. You have antennas, you have back haul, radios, power, and battery backup. Those are the five system components. Next, these are the different design options. You can see the one on the left is in San Francisco, it is called a cantenna. The design is much more stealth in terms of the aesthetics and how they fit onto existing structures like street lights. You see about halfway down the streetlight there, you have two little boxes that are effectively the radios getting out and around this area in San Francisco. The second
On the left again, you see the inchpins in terms of work with. This is in terms of the internal team at the company that the company did for the Super Bowl. On the left again, you can see a cantenna. You can see about halfway down, where they put the radios, directly behind some street signs. As you walk down the street, you really cannot see them, but that’s one design. The other design in San Francisco, which again has an antenna at the top. And then two radio components about halfway down the streetlight. Next, we have Portland, Oregon, essentially using existing utility poles. You can see same, fundamental make-up in terms of design. The antenna is at the top, with radios on the existing power utility pole. The same goes for Las Vegas on this concrete utility pole. Next, this is Phoenix, Arizona on the left, and you can see another one of the designs that the City of Phoenix came up with and how they wanted to have it. On the far left here, you can see power, which is basically power back-up that cities want. That is one of the things that you’ll want to note. On the right, we have Casa Grande, Arizona. Casa Grande has a different design with an existing street light. Next, we have one that the City of Denver came up with in terms of the aesthetic design. They used these green model poles. You can see that all of these system components have been integrated into the actual light itself. On the right you can see how the equipment is inside the base of the pole. These are, as we speak, in the process of being deployed throughout the City of Denver. This is a design that Verizon came up with to really create some singular and aesthetically pleasing as it relates to things that they wanted to do in an around the downtown core. In closing, essentially, the net benefit is enhanced wireless service, reliability, resiliency, economic benefit, and a significant capital investment that Verizon makes into the community. This is to be able to provide wireless coverage and capacity, because there is not enough coverage right now. This is a very significant investment that they are making, and that concludes my presentation. The thing that is interesting is that we have been working with Richard for the last year and a half, and what you all have before you is one of the best model ordinances that we have seen. We work with municipalities across the country or across the region to really change the ordinances to allow for small cells to be employed in their jurisdiction. Richard has done a wonderful job with what is effectively a model ordinance for the entire state, and the Treasure Valley in particular. We have put a lot of time and effort into it, and I think it really reflects good work and thoughtful work on behalf of Richard and folks that I work with. This is in terms of the internal team at Verizon. With that, I will answer any questions about small cells in particular that you may have.  

C/Gealy: Mr. Chairman, I need to recuse myself from this. I’m actually a retiree of Verizon, I worked for the company. C/Damron: The micros, and all directions that it covers, is it 300 feet? Mark Estes: It depends on the size of the radio. The bigger the radios, the broader the coverage. Some of the larger radios put out about 1500 feet in terms of its circumference around. The smaller one is about 350 feet. It is not really a huge amount of coverage that they put out. They really do augment and underly the broader macro networks. It has quite frankly reached capacity at some points. They need to offload some of this capacity and put them onto these small cells. It is not a tremendous distance. C/Damron: If you expand that system, how easy is it to expand that system? If you have an economic development area, where you’re looking at a lot of commercial, and they start expanding further out. How easy is it to expand that system to provide that service to them? What kind of infrastructure do you have to have in place to make that as easy as possible? Mark Estes: We would put small cells onto the existing infrastructure first. Where there is not existing infrastructure, a gap, or an existing need, Verizon would drop in and actually put in a pole to provide coverage and capacity. In terms of what effort needs to be done, that’s essentially an engineering effort where essentially you can essentially drop in a pole as long as there’s power. Power is one of the linchpins in terms of being able to stand these things up. It depends upon power, and then basically a process where you come in and actually put these things in place. It’s not a technology issue, it’s more of an operational level of effort that is required. C/Damron: In a business district, would it be easier to expand that for usage? Mark Estes: Yes. C/Damron: Is there anything within those areas of operation of those micros that degrades that signal? Mark Estes: No. C/Young: You had mentioned that some municipalities installed battery backups for some of those. Does the municipality piggyback off some of that for emergency use? Mark Estes: It really depends. It’s the prerogative of some cities. Some cities want to have emergency backup for public safety related issues, right? It really is up to the
city to say that in this particular spot, this is what we need and this is what we want. Is does fundamentally relate to the aesthetics of the sidewalk. You really have to decide if this is what you want. Some cities say yes, this is what we want. Others say no, we want it built into one pole, completely integrated and not built into one box on the sidewalk. It’s really up to the underlying jurisdiction. C/Damron: When you bring systems in, as you set them up, are they providing customers with the highest level, 3G, 4G, if it moves to 5G is it automatically upgraded into the system?

Mark Estes: Essentially, what small cells are intended to do is to lay the foundation for 5G. 5G is going to be employed in Sacramento is going to be one of the first cities in the country that is employed with components of 5G. That’s happening later this year. The small cells are intended to lay the foundation and capacity for that coverage. It’s not a technology issue, but that’s what this intended to do. You’re going to hear a lot of information over the course of the next 24 to 36 months about 5G. Making sure they have the capacity for coverage in the existing network is really what this is all about. It’s not a technology issue, but really a capacity issue. Richard Roats: Thank you Mark, Richard Roats, City of Kuna. Initially the communication was from another provider who was going to lease the facilities that they were going to install into all of the carriers. My goal was to write a comprehensive ordinance that would involve the smaller new technology with the larger macro cells. We looked at the placement of those, making sure that we could preserve our corridor. Comprehensively, it basically covers exactly what we want to do. Now, every time we come to you to address a problem, hopefully we can have the foresight saying that this is technology that is coming. We want to be ready for it. We want to be able to deploy, but we want to have a say in how we do that. I will stand for any questions you may have. C/Damron: Do you have a map of the overlays? Richard Roats: I did not put in the presentation, but it’s basically that I-69 corridor and a portion of Kuna Road. At some point, we want to cover the overlays as it’s amended. We would have to go back and amend this. C/Young: I do have a question that pertains to the ordinance. It’s under Kuna City Code 5-18-7 for tower and support structures. Under A-1-D, in this section, it talks about towers itself. Is it all towers? I guess my fear is, in the residential, it talks about a 25 percent setback for model poles. Are we talking about the smaller poles in San Francisco or the full-height, 100-foot towers? Under setback side of the residential dwellings, model poles, vertical facilities and other support structures shall be setback. Richard Roats: You kind of have to read it, Chairman Young, in conjunction with what’s allowed in that zone. Residential is going to have a different requirement, and that’s when you apply the 25 percent. Under the small, wireless facilities that are permitted, and the macro, which are accepting special use permits now. C/Young: I guess my fear is that for the macro tower, a 130-foot tower, say that you have residential homes that maybe have 10 or 15-foot setbacks along their property line. Let’s say there’s a setback for a macro tower that says that it has to be 25 percent. If it’s a 100-foot tower, then you’re only 25 feet from the property line potentially. You’ve got somebody looking out of their window at a 10-foot diameter pole. Richard Roats: It’s not going to be permitted in that situation that you’re looking at. C/Hennis: Do you have a map of the overlays? Richard Roats: I did not put in the presentation, but it’s basically that I-69 corridor and a portion of Kuna Road. At some point, we want to cover the overlays as it’s amended. We would have to go back and amend this. C/Young: I do have a question that pertains to the ordinance. It’s under Kuna City Code 5-18-7 for tower and support structures. Under A-1-D, in this section, it talks about towers itself. Is it all towers? I guess my fear is, in the residential, it talks about a 25 percent setback for model poles. Are we talking about the smaller poles in San Francisco or the full-height, 100-foot towers? Under setback side of the residential dwellings, model poles, vertical facilities and other support structures shall be setback. Richard Roats: You kind of have to read it, Chairman Young, in conjunction with what’s allowed in that zone. Residential is going to have a different requirement, and that’s when you apply the 25 percent. Under the small, wireless facilities that are permitted, and the macro, which are accepting special use permits now. C/Young: I guess my fear is that for the macro tower, a 130-foot tower, say that you have residential homes that maybe have 10 or 15-foot setbacks along their property line. Let’s say there’s a setback for a macro tower that says that it has to be 25 percent. If it’s a 100-foot tower, then you’re only 25 feet from the property line potentially. You’ve got somebody looking out of their window at a 10-foot diameter pole. Richard Roats: It’s not going to be permitted in that situation that you’re looking at. C/Hennis: It’s just based on a special use permit, though. It doesn’t say not permitted, you would just have to apply for special use, correct? Richard Roats: You’ve got that site analysis that you have to go through, also. There’s a high likelihood that if you go through that with a special use permit, you will get bumped down. A preferred power location within 200 feet of the residential is F, where it would be on a parcel of land within a residential zone. He would have gone through the industrial, commercial, city-owned right-of-way residential, non-right-of-way residential, and finally the parcel. It’s designed with some discretion. I think it’s a difficult enough with the preference location, the setback and the height. It’s difficult enough that you’ll be able to say that under special use, this is not appropriate for this location. C/Young: I’ll open the public testimony at 6:27 and close the public testimony at 6:28. C/Hennis: I have no problem with this, it’s really just filling a hole that our ordinance did not address too well. It’s trying to address some future needs and requirements. I think it’s a good ordinance for Kuna. C/Young: I think it’s trying to address existing and future technology. C/Damron: Just as Lee was talking about the 100-foot poles in residential areas, that’s a large piece of equipment to have in somebody’s backyard. We know some people need a little extra money, and one could possibly lease out a piece of land for that pole. C/Hennis: Even Planning and Zoning would make them go through these preferred tower locations first. I think we’ve got a way that we can review it. C/Damron: It’s going to help us economically grow too, because you’ll have the availability of those services that they can provide. Businesses are looking for these services.
Commissioner Hennis motions to recommend approval for Case No. 18-05-ZOA to City Council; Commissioner Damron Seconds; Motion carried 3-0.

3. COMMISSION REPORTS

4. ADJOURNMENT

Commissioner Hennis motions to adjourn; Commissioner Damron Seconds, all aye and motion carried 3-0.

______________________________
Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

______________________________
Wendy I. Howell, Planning and Zoning Director
Kuna Planning and Zoning Department
To: Planning and Zoning Commission (acting as Design Review Committee)

Case Numbers: 18-21-DR (Design Review) & 18-09-SN (Sign)

Location: East Kuna Road, Kuna, ID 83634

Planner: Jace Hellman, Planner II

Meeting Date: August 28, 2018

Owners of Record: Black Creek LLP
PO Box 690
Meridian, ID 83680
208-871-2070

Applicant: A Team Land Consultants
1785 Whisper Cove Ave.
Boise, ID 83709
208-321-0525
steve@ateamboise.com

Table of Contents:
A. Course Proceedings
B. Applicant Request
C. Aerial Map
D. History
E. General Project Facts
F. Staff Analysis
G. Applicable Standards
H. Proposed Decision by the Commission

A. Course of Proceedings:
1. According to Kuna City Code (KCC) Title 5, Chapter 4, Section 2 (Design Review); all new townhome projects, Subdivision landscaping and parking areas are required to submit an application for review by the Design Review Committee (DRC). As a public meeting item, this action requires no formal public noticing actions.
   a. Notifications
      i. Completeness Letter
         July 20, 2018
      ii. Agenda
         August 28, 2018

B. Applicants Request:
1. Request:
   On behalf of Black Creek LLP, the applicant, Steve Arnold with A Team Land Consultants, seeks Design Review approval from the Planning and Zoning Commission (acting as Design Review Committee) for the first phase of Merlin Pointe Subdivision, which includes 52 townhouse buildings and landscaping for six commercial lots and
eight common lots. A sign application for the subdivision and townhomes accompanies this application. The site is located on East Kuna Road, Kuna, Idaho 83634 (APN# S1324449005 and R0615254601).

C. **Aerial Map:**

![Aerial Map](image)

D. **History:**

The final plat for Merlin Pointe Subdivision No. 1 was approved by City Council on August 1, 2017. All utilities have been constructed to the lots and the site has been paved, and the remaining fencing, landscaping and street lights will commence construction shortly.

E. **General Projects Facts:**

1. **Comprehensive Plan Designation:** The Comprehensive Plan Future Land Use Map identifies this project location as Mixed-Use City Center. Staff views this request to be consistent with the approved Future Land Use Map.

2. **Surrounding Land Uses:**

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<td>West</td>
<td>R-6</td>
<td>Medium Density Residential – Kuna City</td>
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</tbody>
</table>
3. **Parcel Sizes, Current Zoning, Parcel Numbers:**
   - 27.27 (approximate) acres
   - C-1 (Medium-Density Residential)
   - Parcel No. R0615254601 & S1324449005

4. **Services:**
   - Sanitary Sewer – City of Kuna
   - Potable Water – City of Kuna
   - Irrigation District – Kuna Municipal Irrigation District
   - Pressurized Irrigation – City of Kuna (KMID)
   - Fire Protection – Kuna Rural Fire District
   - Police Protection – Kuna City Police (Ada County Sheriff’s office)
   - Sanitation Services – J&M Sanitation

5. **Existing Structures, Vegetation and Natural Features:**
   - Public improvements required for a subdivision (i.e. curb, gutter and sidewalk, paving, storm water drainage, utilities, fencing, landscaping, etc.) are near completion.

6. **Transportation / Connectivity:**
   - The extension of North Sailer Avenue will serve as the main access to the project site. Lots 1 and 3 of Block 1, and Lots 14, 15, and 17 of Block 4 are subject to cross access shared easements for ingress/egress. Internal micro pathways throughout the development connect the townhome residents to a pocket park centrally located within the development.

7. **Environmental Issues:**
   - The subject site lies within the designated Nitrate Priority Area (NPA). Beyond the NPA, staff is not aware of any additional environmental issues, health or safety conflicts.

F. **Staff Analysis:**
   - Staff has reviewed the application and finds that the first phase of Merlin Pointe Subdivision, which includes 52 townhouse buildings and landscaping for six commercial lots and eight common lots, generally satisfies the intent of Kuna’s Codes and generally conforms to the Kuna Architecture guidelines and parking standards.

   The applicant has proposed a 20-foot landscape buffer along East Kuna Road. Extensive landscaping is proposed between future commercial lot 2 block 1 and the residences of the existing subdivision to the east. Staff finds the proposed landscaping to be in substantial conformance with KCC Title 5 chapter 17, Kuna’s Landscaping Ordinance.

   The applicant proposes to sod within the common areas along Kuna Road and up North Sailer Avenue until the intersection of what has been referred to as East Jackpot Street. The applicant proposes to use hydro seed for all remaining areas. Staff would note that a landscaping plan was approved in 2013, when Merlin Pointe Subdivision was originally presented. The landscape plan did identify sod throughout the site. Staff will rely on the Design Review Committee to decide whether to uphold the original 2013 decision for sod throughout, or to allow for hydro seed in the locations proposed in 2018. Staff would recommend that applicant install sod in landscape buffers along classified roads.

   No trash enclosures have been proposed for the townhome component of this project. Rather, each townhome will use tip carts for the discarding of trash. Trash enclosures for commercial lots will be reviewed when future tenants go through their respective design review process.

   Applicant is hereby notified that this project is subject to design review inspections and fees. Required inspections (post construction), are to verify design review compliance for building, prior to issuance of the Certificate of Occupancy for the building, and landscaping prior to signature on the final plat.
A sign application accompanies this overall design review application. The applicant has proposed two monument style signs for the development. The first proposed monument sign will act as an overall shopping center sign for the future tenants of the proposed commercial lots. The second proposed monument sign is a single tenant sign for the townhome component of the project, otherwise known as “Merlin Cottages”. Staff finds both proposed signs to be in substantial conformance with KCC Title 5 Chapter 10, Kuna’s Sign Ordinance.

Staff views the proposed townhomes and landscaping to be generally consistent with the goals and vision for the City of Kuna. Staff forwards a recommendation of approval for Case No. 18-21-DR and 18-09-SN to the Design Review Committee.

G. Applicable Standards:
1. City of Kuna Zoning Ordinance.
2. City of Kuna Design Review Ordinance.
3. City of Kuna Comprehensive Plan.
4. City of Kuna Public Ways and Property Ordinance.

H. Proposed Decision by the Planning and Zoning Commission:

Note: This proposed motion is for approval, or denial of this request. However, if the Design Review Committee wishes to approve, conditionally approve or deny specific parts of the request as detailed in the report, those changes must be specified.

Based on the facts outlined in staff’s report, the case file and discussion at the public meeting, the Design Review Committee of Kuna, Idaho, hereby (approves/denies) Case No. 18-21-DR & 18-09-SN, a Design Review request by A Team Land Consultants, with the following conditions of approval:

1. The applicant shall follow all requirements for sanitary sewer, potable water, irrigation system connections, and all other requirements of the Kuna Public Works Department.
2. The applicant shall obtain written approval of the construction plans from the agencies noted below. The approval may be either on agency letterhead referring to the approved use or may be written or stamped upon a copy of the approved plans. All site improvements are prohibited prior to approval of these agencies and the issuance of a building permit:
   a. The City Engineer shall review and approve all civil plans and sewer hook-ups. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, “Catalog for Best Management Practices for Idaho Cities and Counties”. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the civil plan.
   b. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
   c. The KMID Irrigation District shall approve any modifications to the existing irrigation system.
   d. Approval from Ada County Highway District / Impact Fees, if any shall be paid prior to building permit approval.
3. Parking within the site shall comply with Kuna City Code (except as specifically approved otherwise). All parking lot drainage and storm water retention plans shall be reviewed and approved by the City Engineer.
4. The landscape plan is considered a binding site plan. Landscaping shall be installed according to the submitted landscape plan dated January 18, 2018 (except as specifically approved otherwise).
5. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace any unhealthy or dead plant material immediately (within 3 days as weather permits) or as the planting season permits, as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public and/or private entities owning the property.
6. Lighting within the site shall comply with current Kuna City Code. All street lighting within and for the site shall be LED lighting and establish dark skies practices.
7. This development is subject to building and landscaping design review inspections. Inspection fees shall be paid prior to staff inspection.
8. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the Design Review Committee/Planning and Zoning Commission, or seek amending them through the Design Review process.

9. Applicant shall adhere to all other previous conditions of approval, unless specifically changed through the appropriate process.

10. Applicant shall follow staff, City engineer and other agency recommended requirements, as applicable.

11. Applicant shall comply with all local, state and federal laws.

DATED: This 28th day of August, 2018.
# Commission & Council Review Application

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## Note: Engineering fees shall be paid by the applicant if required.

*Please submit the appropriate checklist(s) with application

### Type of Review (check all that apply):

- [ ] Annexation
- [ ] Appeal
- [ ] Comprehensive Plan Amendment
- [ ] Design Review
- [ ] Development Agreement
- [ ] Final Planned Unit Development
- [ ] Final Plat
- [ ] Lot Line Adjustment
- [ ] Lot Split
- [ ] Planned Unit Development
- [ ] Preliminary Plat
- [ ] Rezone
- [ ] Special Use
- [ ] Temporary Business
- [ ] Vacation
- [ ] Variance

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## For Office Use Only

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<td>Cross Reference Files</td>
<td></td>
</tr>
<tr>
<td>Commission Hearing Date</td>
<td>8/28/18</td>
</tr>
<tr>
<td>City Council Hearing Date</td>
<td></td>
</tr>
</tbody>
</table>

---

## Contact/Applicant Information

**Owners of Record:** Black Creek LLP  
**Address:** PO Box 690  
**City, State, Zip:** Meridian, ID, 83680

**Phone Number:**  871-2070  
**E-Mail:** steve@ateanboise.com  
**Fax #:** 401-0977

**Applicant (Developer):** A Team Land Consultants  
**Address:** 1785 Whisper Cove Ave  
**City, State, Zip:** Boise, ID, 83709

**Phone Number:** 321-0525  
**E-Mail:** steve@ateanboise.com  
**Fax #:** 401-0977

**Engineer/Representative:** A Team Land Consultants  
**Address:** 1785 Whisper Cove Ave  
**City, State, Zip:** Boise, ID, 83709

**Phone Number:** 321-0525  
**E-Mail:** steve@ateanboise.com  
**Fax #:** 401-0977

---

## Subject Property Information

**Site Address:** 1380 E. Kuna Road, Kuna ID, 83634

**Site Location (Cross Streets):** SH 69 and Avalon Street

**Parcel Number(s):** R0615254601, S1324449005

**Section, Township, Range:** Section 24, T.2N, R.1W, B.M.

**Property size:** 27.27

**Current land use:** Agriculture  
**Proposed land use:** Commercial/Res.

**Current zoning district:** C-1  
**Proposed zoning district:** C-1

---
**Project Description**

<table>
<thead>
<tr>
<th>Project / subdivision name:</th>
<th>Merlin Pointe Subdivision 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>General description of proposed project / request:</td>
<td>This phase is 52 townhouse lots, 6 commercial lots, and 8 common lots.</td>
</tr>
<tr>
<td>Type of use proposed (check all that apply):</td>
<td>Residential, Commercial</td>
</tr>
<tr>
<td>Amenities provided with this development (if applicable):</td>
<td>Street buffers and Neighborhood Park</td>
</tr>
</tbody>
</table>

**Residential Project Summary (if applicable)**

| Are there existing buildings? | ☐ Yes ☐ No |
| Please describe the existing buildings: | Outhuildings to be removed |
| Any existing buildings to remain? | ☐ Yes ☐ No |
| Number of residential units: | 52 Townhouse |
| Number of building lots: | 52 |
| Number of common and/or other lots: | 2 |
| Type of dwellings proposed: | Single-Family, Townhouses, Duplexes, Multi-Family, Other |
| Minimum Square footage of structure (s): | 1,200 s.f. |
| Gross density (DU/acre-total property): | 8/acre |
| Net density (DU/acre-excluding roads): | 9/acre |
| Percentage of open space provided: | 17% |
| Acreage of open space: | 4.6-acres |
| Type of open space provided (i.e. landscaping, public, common, etc.): | Street & residential buffers, Neighborhood Park |

**Non-Residential Project Summary (if applicable)**

| Number of building lots: | 6 |
| Other lots: | 6 common/buffers |
| Gross floor area square footage: | Unknown |
| Existing (if applicable): | N/A |
| Hours of operation (days & hours): | Unknown |
| Building height: | 35-feet |
| Total number of employees: | Unknown |
| Max. number of employees at one time: | UK |
| Number and ages of students/children: | N/A |
| Seating capacity: | N/A |
| Fencing type, size & location (proposed or existing to remain): | Vinyl, and cinder block |
| | b. Total Parking spaces: N/A, Dimensions: ---- |
| | c. Width of driveway aisle: N/A |
| Proposed Lighting: | Decorative street lighting |
| Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): | Berms along SH 69 and all internal road will have buffers for the commercial roads |

Applicant’s Signature: __________________________ Date: 6-26-18
City of Kuna
Design Review Application

The City of Kuna has adopted a Design Review process whose purpose is to make Kuna a pleasant and comfortable place to live and work. This Design Review process is based on standards and guidelines found in the Design Review Ordinance No. 2007-02 and the Architecture and Site Design Booklet. Both of these documents can be found online (www.cityofkuna.com) or are picked up in the City’s Planning and zoning department located at 763 W Avalon, Kuna ID. Staff is glad to assist you with your application form.

The Design Review application applies to the following land use actions:

- Multi-family dwellings (3 or more)
- Commercial
- Industrial
- Institutional
- Office
- Common Area
- Subdivision Signage
- Proposed Conversions
- Proposed changes in land use and/or building use or exterior remodeling
- Exterior restoration, and enlargement or expansion of existing buildings, signs or sites.

Application Submittal Requirements

Applicant Use

☐ Date of pre-application meeting: April 18, 2018
Note: Pre-Applications are valid for a period of three (3) months.

☐ A complete Design Review Application form
Note: It is the applicant’s responsibility to use a current application.

☐ Detailed letter of explanation or justification for the application, describing the project and design elements, and how the project complies with Design Review standards.

☐ One (1) Vicinity Map (8 ½” x 11”) at 1” = 300’ scale (or similar), label the location of the property and adjacent streets.

☐ One 8 ½” x 11” colored aerial photo depicting proposed site, street names, and surrounding area within five-hundred feet (500’).

☐ Copy of Deed; and, if the applicant is not the owner, an original notarized statement (affidavit of legal interest) from the owner (and all interested parties) stating the applicant is authorized to submit this application.
Detailed site, landscape, drainage plan, elevation and to scale. (No smaller than 1’=30’, unless otherwise approved.)

**One of each plan** (site, landscape, drainage plan and elevations) is required to be submitted in the following plan sizes:

1. 24" X 36" TO SCALE COPIES
2. 11" X 17" REDUCTIONS
3. 8 ½" X 11" REDUCTIONS

Provide a color rendering and material sample board specifically noting where each color and material is to be located on the structure.

**Note:** Provide photo of the colored rendering and material samples board to City Staff electronically in a JPG or PDF format.

The Applicant is obligated to provide a site plan that graphically portrays the site and includes the following features:

**Site Plan / Final Plat Map**

- North Arrow
- To scale drawings
- Property lines
- Name of “Plan Preparer” with contact information
- Name of project and date
- Existing structures, identify those which are to be relocated or removed
- On-site and adjoining streets, alleys, private drives and rights-of-way
- Drainage location and method of on-site retention / detention
- Location of public restrooms
- Existing / proposed utility service and any above-ground utility structures and their location
- Location and width of easements, canals and drainage ditches
- Location and dimension of off-street parking
- Locations and sizes of any loading area, docks, ramps and vehicle storage or service areas
- Trash storage areas and exterior mechanical equipment, with proposed method of screening
- Sign locations *(a separate sign application must be submitted with this application)*
- On-site transportation circulation plan for motor vehicles, pedestrians and bicycles
- Locations and uses of ALL open spaces
- Locations, types and sizes of sound and visual buffers *(Note: all buffers must be located outside the public right-of-way)*
- Parking layout including spaces, driveways, curb cuts, circulation patterns, pedestrian walks and vision triangle
- Locations of subdivision lines *(if applicable)*
- Illustration that demonstrates adequate sight distance is provided for motor vehicles, pedestrians and bicycles
- Location of walls and fences and indication of their height and material of construction
- Roofline and foundation plan of building, location on the site
- Location and designations of all sidewalks
- Location and designation of all rights-of-way and property lines
Landscape and Streetscape Plan

The landscape and streetscape plans need to be drawn by the project architect, professional landscape architect, landscape designer, or qualified nurseryman for development's possessing more than twelve thousand (12,000) square feet of private land. The landscaped and streetscape plans must be colored. The Planning Director or City Forester may require the preparation of a landscape plan for smaller developments by one of the noted individuals if the lot(s) have unique attributes.

- North Arrow
- To scale drawings
- Boundaries, property lines and dimensions
- Name of “Plan Preparer” with contact information
- Name of project and date
- Type and location of all plant materials and other ground covers.
  Please review the City’s plant list and rely upon it to identify the site’s planting strategy. Include botanical and common name, quantity, spacing and sizes of all proposed landscape materials at the time of planting, and at maturity. A list of acceptable trees is available upon request from City Planning Staff. If there are any questions, please contact the City Forester, Natalie Reeder, at 208.880.0953
- Existing vegetation identified by specific size. Identify those which are proposed to be relocated or removed.
- Method of irrigation.
  Note: All plant materials, except existing native plants not damaged during construction or xeriscape species shown not to require regular watering, shall be irrigated by underground sprinkler systems set on a timer in order to obtain proper watering duration and ease of maintenance.
- Location, description, materials, and cross-sections of special features, including berms, retaining walls, hedges, fencings, fountains, street/pathway furniture (benches, etc.), etc.
- Sign locations
  Note: A separate sign application must be submitted with this application
- Locations and uses for open spaces
- Parking layout including spaces, driveways, curb cuts, circulation patterns, pedestrian walks and vision triangle
- Illustration that demonstrates adequate sight distance is provided for motor vehicles, pedestrians and bicycles
- Location and designations of all sidewalks
- Engineered grading and drainage plans: A generalized drainage plan showing direction drainage with proposed on-site retention. Upon submission of building/construction plans for an approved design review application, a detailed site grading and drainage plan, prepared by a registered professional engineer [PE] shall be submitted to the City for review and approval by the City Engineer.

Design Review Application

Form 300DR

May 2010
Page 3 of 8
Building Elevations

- Detailed elevation plans of each side of any proposed building(s) or additions(s).
  - Note: Four (4) elevations to include all sides of development and must be in color.
- Identify the elevations as to north, south, east, and west orientation.
- Colored copies of all proposed building materials and indication where each material and color application is to be located.
  - Note: Submit as 11"x17" reductions.
- Screening/treatment of mechanical equipment.
- Provide a cross-section of the building showing any roof top mechanical units and their roof placement.
- Detailed elevation plans showing the materials to be used in construction of trash enclosures.

Lighting Plan

- Exterior lighting including detailed cut sheets and photometric plan (pedestrian, vehicle, security, decoration).
- Types and wattage of all light fixtures.
  - Note: The City encourages use of "dark sky" lighting fixtures.
- Placement of all light fixtures shown on elevations and landscaping plans.

Roof Plans

- Size and location of all roof top mechanical units.
Design Review Application

Applicant: A Team Land Consultants, Steve Arnold

Owner: Black Creek LLP

Represented By: A Team Land Consultants, Steve Arnold

Address: 1785 Whisper Cove Avenue

Boise, Idaho

Owner's Address: PO Box 690

Meridian Idaho

Represented By: (if different from above) A Team Land Consultants, Steve Arnold

Address: 1785 Whisper Cove Avenue

Boise, Idaho

Address of Property: Avalon Road and Sailor Street

Kuna Idaho

Distance from Major Cross Street: On SH 69 and Avalon Street

Zip: 83709

Phone: 871-7020

Email: steve@ateamboise.com

Zip: 83640

Phone: 514-4909

Email: lbootstfi@gmail.com

Zip: 83709

Phone: 871-7020

Email: steve@ateamboise.com

Zip: 83634

Street Name(s):

Please check the box that reflects the intent of the application

☑ BUILDING DESIGN REVIEW
☑ SUBDIVISION / COMMON AREA LANDSCAPE

☐ DESIGN REVIEW MODIFICATION
☐ STAFF LEVEL APPLICATION
This Design Review application is a request to construct, add or change the following: *(Briefly explain the nature of the request.)*

**The applicant is proposing to construct 52 townhouse buildings and 6 commercial lots.**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Dimension of Property:</td>
<td>approximately 1,200 by 980-feet</td>
</tr>
<tr>
<td>2. Current Land Use(s):</td>
<td>Vacant</td>
</tr>
<tr>
<td>3. What are the land uses of the adjoining properties?</td>
<td></td>
</tr>
<tr>
<td>North:</td>
<td>Large Acreage Single Family</td>
</tr>
<tr>
<td>South:</td>
<td>Commercial</td>
</tr>
<tr>
<td>East:</td>
<td>Storage and Vacant land</td>
</tr>
<tr>
<td>West:</td>
<td>Single family</td>
</tr>
<tr>
<td>4. Is the project intended to be phased, if so what is the phasing time period?</td>
<td>Yes</td>
</tr>
<tr>
<td>Please explain:</td>
<td>The second phase will be constructed after the first phase has been sold or occupied.</td>
</tr>
<tr>
<td>5. The number and use(s) of all structures:</td>
<td>52 townhouse units with 6 commercial lots and 6 common lots. The common lots will be utilized as street buffers and a neighborhood park.</td>
</tr>
<tr>
<td>6. Building heights:</td>
<td>35-feet</td>
</tr>
<tr>
<td>Number of stories:</td>
<td>Two</td>
</tr>
<tr>
<td>The height and width relationship of new structures shall be compatible and consistent with the architectural character of the area and proposed use.</td>
<td></td>
</tr>
<tr>
<td><strong>Note:</strong> The maximum building height for each zoning district is as follows:</td>
<td></td>
</tr>
<tr>
<td>L-O: 35'</td>
<td>C-2: 60'</td>
</tr>
<tr>
<td>C-1: 35'</td>
<td>C-3: 60'</td>
</tr>
<tr>
<td>7. What is the percentage of building space on the lot when compared to the total lot area?</td>
<td>80-percent</td>
</tr>
<tr>
<td>8. Exterior building materials &amp; colors: <em>(Note: This section must be completed in compliance with the City of Kuna Ordinance No. 2007-21A (as amended); found online at <a href="http://www.cityofkuna.com">www.cityofkuna.com</a> under the City Code.)</em></td>
<td></td>
</tr>
<tr>
<td><strong>MATERIAL</strong></td>
<td><strong>COLOR</strong></td>
</tr>
<tr>
<td>Roof:</td>
<td>Asphalt Shingles</td>
</tr>
<tr>
<td>Walls: <em>(State percentage of wall coverage for each type of building material below for each frontage wall if there is not adequate space to identify the various building materials and applications, please list them on the attached sheet of this application. Please attach photos to support application types.)</em></td>
<td></td>
</tr>
<tr>
<td>% of Wood application:</td>
<td>Horizontal Lap/shake/wood grain</td>
</tr>
<tr>
<td>% EIFS: <em>(Exterior Insulation Finish System)</em></td>
<td></td>
</tr>
<tr>
<td>% Masonry:</td>
<td>3-Percent cultured stone</td>
</tr>
<tr>
<td>% Face Block:</td>
<td></td>
</tr>
<tr>
<td>% Stucco:</td>
<td></td>
</tr>
<tr>
<td>&amp; other material(s):</td>
<td></td>
</tr>
<tr>
<td>List all other materials:</td>
<td></td>
</tr>
<tr>
<td>Windows/Doors: <em>(Type of window frames &amp; styles / doors &amp; styles, material)</em></td>
<td>Vinyl/Single Hung</td>
</tr>
<tr>
<td>Soffits and fascia material:</td>
<td>Wood grain</td>
</tr>
<tr>
<td>Trim, etc.:</td>
<td>Horizontal trim</td>
</tr>
</tbody>
</table>

*Design Review Application*  
*Form 300DR*
9. Please identify Mechanical Units: 
   Exterior adjacent to the garage
   Type/Height: 
   Carrier Unit 2 1/2 feet
   Proposed Screening Method: 
   behind the townhouse fence
10. Please identify trash enclosure: 
   (Site, location, screening & construction materials) 
   N/A
11. Are there any irrigation ditches/canals on or adjacent to the property? 
   Yes
   If yes, what is the name of the irrigation or drainage provider? 
   Teed Lateral, BPBC
12. Fencing: [Please provide information about new fencing material as well as any existing fencing material]
   White vinyl
   Type: 
   White Vinyl
   Size: 
   4-foot adjacent to the common area, 6-foot exterior
   Location: 
   At the north and west boundary along the park and walking areas
   (Please note that the City has height limitations on fencing material and requires a fence permit to be obtained prior to installation)
13. Proposed method of On-site Drainage Retention/Detention:
   storm water pond and subsurface seepage beds
14. Percentage of Site Devoted to Building Coverage: 
   60 to 70-percent
   % of Site Devoted to Landscaping: 
   19-percent Square Square 5.34-acres
   % of Site that is Hard Surface: 
   28-percent Square Footage 1.82-acres
   % of Site Devoted to other uses: 
   8-percent devoted to a pocket park
   Describe: 
   Gazebo and picnic area with a playground.
   % of landscaping within the parking lot (landscaped islands, etc.): 
   N/A
15. For details, please provide dimensions of landscaped areas within public rights-of-way:
   There is an 8x65' island that will have a monument sign and landscaping with in the island
16. Are there any existing trees of 4" or greater in caliper on the property? [Please provide the information on the site plans.]
   There are no existing trees within this phase that will remain.
   If yes, what type, size and the general location? [The City's goal is to preserve existing tree with greater than a four inch (4"
   caliper whenever possible):
17. Dock Loading Facilities:
   Number of docking facilities and their location: 
   None
   Method of screening: 
   N/A
18. Pedestrian Amenities: [Bike racks, receptacles, drinking fountains, benches, etc.]
   There are walking paths and parks with a gazebo.
19. Setbacks of the proposed building from property lines:
Front 15 -feet  Rear 5 -feet  Side 0 -feet  Side (street) 10-feet

20. Parking requirements: N/A, all parking will be within garages and driveways.

Total Number of Parking Spaces: N/A  Width and Length of Spaces: N/A

Total Number of Compact Spaces 8'x17'): none

21. Is any portion of the property subject to flooding conditions? Yes ______ No ______

IF THE PLANNING DIRECTOR OR DESIGNEE, THE DESIGN REVIEW BOARD AND/OR THE CITY COUNCIL DETERMINE THAT ADDITIONAL AND/OR REVISED INFORMATION IS NEEDED, AND/OR IF OTHER UNFORESEEN CIRCUMSTANCES ARISE, ANY DATES OUTLINED FOR PROCESSING MAY BE RESCHEDULED BY THE CITY. APPLICANT/REPRESENTATIVE MUST ATTEND THE DESIGN REVIEW BOARD MEETING/PLANNING AND ZONING MEETINGS.

The Ada County Highway District may also conduct public meetings regarding this application. If you have questions about the meeting date or the traffic that this development may generate or the impact of that traffic on streets in the area, please contact the Ada County Highway District at 208.387.6170. In order to expedite your request, please have ready the file number indicated in this notice.

Signature of Applicant __________________________ Date 6/26/18

City staff comments:

_________________________________________________________

Signature of receipt by City Staff __________________________ Date ________

FOR ADDITIONAL INFORMATION:
(Please list page number and item in reference)
June 26, 2018

Mrs. Wendy Howell  
Planning and Zoning Administrator  
City of Kuna  
763 W. Avalon  
Kuna, Idaho 83634  

Dear Wendy:

Subject: Merlin Pointe Design Review

On behalf of Black Creek LLP, A Team Land Consultants presents to the City of Kuna, a Design Review Application for the first phase of Merlin Pointe Subdivision. The subject property is located on the north side of Avalon Street and west of State Highway 69. This phase contains 26.96 total acres.

The applicant is proposing 52 townhouse buildings, six commercial buildings and 8 common lots. There is a 2.22 acres pocket park proposed in the first phase, with micro paths leading in all directions into the park. Landscape buffers are provided between all the commercial lots and the residential lots along with islands and buffers along Sailer Avenue. All utilities have been constructed to the lots and the site is paved, the remaining fencing, landscaping, and street lights will be constructed shortly.

It is anticipated that the application follows all applicable plans and codes adopted by the City. Please notify us as early as possible if you should need additional clarification or information regarding this application.

Sincerely,
A Team Land Consultants

Steve Arnold  
Project & Real Estate Manager

Cc: Tom Nicholson  
Scott Nicholson  
Linda Boots
WARRANTY DEED

TFI LIMITED PARTNERSHIP, Grantor, does hereby convey, grant and warrant to BLACK CREEK LIMITED PARTNERSHIP, an Idaho Limited Partnership, Grantee, whose current address is P.O. Box 690, Meridian, ID 83680-0690, all of the real property described in Exhibit A and B attached hereto, together with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments, appurtenances, reversions, and remainders appurtenant thereto.

SUBJECT, HOWEVER, to the following:

1. All easements and rights-of-way appearing on record or on the premises.
3. Covenants, restrictions and zoning regulations as appear of record or by use upon the premises.
4. Current real property taxes, irrigation assessments or other governmental assessments or charges.

SUBJECT TO taxes and assessments for the year 2015 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

The Grantors covenant to the Grantee that they are the owners of said premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that they will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantors has executed this instrument on this 9th day of November, 2015.

Thomas T. Nicholson, General Partner

Scott R. Nicholson, General Partner

STATE OF IDAHO )

ss

COUNTY OF ADA )

On this 9th day of November, 2015, before me, Linda Boots, a Notary Public, personally appeared THOMAS T. NICHOLSON and SCOTT R. NICHOLSON, General Partners, known or identified to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same.

Linda Boots, Notary Public for Idaho
My Commission expires 5/31/19
Residing in Boise, ID
EXHIBIT A

Lots 1, 3, 5, and 7 in Block 15 of the Amended Plat of a part of the Avalon Orchard Tracts, according to the plat thereof, filed in Book 6 of Plats at Page 254, records of Ada County, Idaho.

EXCEPT that portion of said Lot 7 conveyed to the State of Idaho by deed recorded under Instrument No. 97051060.

All of Block 6 of the Amended Plat of a part of the Avalon Orchard Tracts according to the plat thereof, filed in Book 6 of Plats at Page 254, records of Ada County, Idaho, North and West of Teed Lateral.

EXCEPTING THEREFROM the following described parcel of land:

The Northeastern portion of Lot 1 in Block 6 of Avalon Orchard Tract, lying in the NW4NW4 of Section 30, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, between the North boundary of Lot 1 and the Teed Sublateral, more particularly described as follows:

Beginning at a point 25 feet South of the Northwest Corner of Section 30, Township 2 North, Range 1 East, Boise Meridian;
Thence East parallel to the Northern boundary of Section 30 Lot 1 in Block 6, 1037.6 feet to the REAL POINT OF BEGINNING;
Thence continuing East 151.6 feet to the Eastern boundary of Lot 1 in Block 6;
Thence South 201.5 feet along the Eastern boundary of Lot 1 in Block 6 to the Teed Sublateral;
Thence Westerly South 58°20' West 185 feet following the Teed Sublateral;
Thence North 297.5 feet to the REAL POINT OF BEGINNING.

AND EXCEPT that portion of said Block 6 conveyed to the State of Idaho by deed recorded under Instrument No. 97051068.

All of Block 9 of the Amended Plat of a part of the Avalon Orchard Tracts, according to the plat thereof, filed in Book 6 of Plats at Page 254, records of Ada County, Idaho, North and East of Teed Lateral.

EXCEPT that portion conveyed to the State of Idaho by deed recorded under Instrument No. 97051061.

Lot 4, South of Teed Lateral, Section 19, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho.

EXCEPT those portions conveyed to the State of Idaho by deed recorded under Instrument No's. 97051063 and 97051064.

The SE4SE4 Section 24, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho

EXCEPT right-of-way for Kuna Road.

AND EXCEPT that portion conveyed to the State of Idaho by deeds recorded under Instrument No. 97051066.
EXHIBIT B

A parcel of land being a portion of the southeast 1/4 of the southeast 1/4 of Section 24, Township 2 North, Range 1 West, Boise Meridian and the southwest 1/4 of the southwest 1/4 of Section 19, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho more particularly described as follows to wit:

Commence at the brass cap marking the southeast corner of said Section 24, Township 2 North, Range 1 West, Boise Meridian;

thence N 0°04'05" E a distance of 34.69 feet to the Northeasterly Right-of-Way of Kuna Mora Road, according to Federal Aid Project No. STR-3782(600), said point being a 5/8" rebar with an orange plastic cap marked "ITD" on a non-tangent curve and the POINT OF BEGINNING;

thence along a curve to the right, coincident with said Northeasterly Right-of-Way of Kuna Mora Road, a distance of 147.18 feet, having a radius of 202.80 feet, a chord bearing of N 60° 16'10" W a distance of 143.98 feet, and a central angle of 41°34'59" to the intersection of the Northwest Right-of-Way of the original SH-69, according to Federal Aid Project No. S356(1) and the Northeasterly Right-of-Way of Kuna Mora Road, according to Federal Aid Project No. STR-3782(600) said point being a 5/8" rebar with an orange plastic cap marked "ITD" on a non-tangent curve;

thence along a curve to the left, coincident with the said Northwest Right-of-Way of the original SH-69, a distance of 229.35 feet, having a radius of 268.61 feet, a chord bearing of N 24°31'44" E a distance of 222.44 feet, and a central angle of 48°55'19" to a 5/8" rebar with an orange plastic cap marked "ITD";

thence N 0°04'05" E, coincident with the said Northwesterly Right-of-Way of the original SH-69, a distance of 104.87 feet to a Right-of-Way monument, said monument being 74.00' right of station 63+48.19 and the Southeast Right-of-Way of the existing SH-69, according to Federal Aid Project No. S356(1) and STP-3782(101), said monument being a point of curvature of a tangent curve;

thence along a curve to the left, coincident with the said Southeasterly Right-of-Way of the existing SH-69, a distance of 170.08 feet, having a radius of 892.53 feet, a chord bearing of N 22°56'18" E a distance of 169.82 feet, and a central angle of 10°55'05" to a Right-of-Way monument, said monument being 74.00' right of station 65+04.18 and the East Right-of-Way of the original SH-69;

thence S 0°04'05" W, coincident with the said East Right-of-Way of the original SH-69, a distance of 261.34 feet to a 5/8" rebar with an orange plastic cap marked "ITD";
EXHIBIT B (Continued)

Additional Remainder Parcel, a portion of the SE1/4 SE1/4 of Section 24, T2N, R1W, B.M. amd the SW1/4 SW1/4 of Section 19, T2N, R1E, B.M. SH-69, Kuna to Amity Rd.;

thence N 89°55'55" W, coincident with the said East Right-of-Way of the original SH-69, a distance of 8.00 feet to a 5/8" rebar with an orange plastic cap marked "ITD";

thence S 0°04'05" W, coincident with the said East Right-of-Way of the original SH-69, a distance of 276.06 feet to a Right-of-Way monument, said monument being 41.58 feet left of station 3+90.18 and stamped "3+90.20 41.47 LT" and the Northeasterly Right-of-Way of Kuna Mora Road, a non-tangent curve;

thence along a curve to the right, coincident with said Northeasterly Right-of-Way of Kuna Mora Road, a distance of 25.12 feet, having a radius of 202.80 feet, a chord bearing of N 84°36'36" W a distance 25.11 feet, and a central angle of 7°05'53" to the POINT OF BEGINNING;

the above described parcel contains approximately 0.8411 acres and is subject to all easements of record.
City of Kuna

AFFIDAVIT OF LEGAL INTEREST

State of Idaho  )  ss
County of Ada  )

I, BLACK CREEK LLP
Name

Po Box 690
Address

Meridian
City
Boise, Idaho 83709
State
Zip Code

being first duly sworn upon oath, depose and say:

(If Applicant is also Owner of Record, skip to B)

A. That I am the record owner of the property described on the attached, and I grant my

Permission to Steven R. Arnold
Name

1785 S Whisper Cove Ave, Boise, ID 83709
Address

to submit the accompanying application pertaining to that property.

B. I agree to indemnify, defend and hold City of Kuna 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.

C. I hereby grant permission to the City of Kuna staff to enter the subject property for the
purpose of site inspections related to processing said application(s).

Dated this 22 day of January, 2017

Thomas E. Nicholson, General Partner

Signature

Subscribed and sworn to before me the day and year first above written.

Linda Boots
Notary Public for Idaho
Residing at: Boise, ID
My commission expires: 5/31/13

Form 100C May 2010

Exhibit B6
VICINITY MAP
MERLIN SUBDIVISION
LOCATED IN SECTION 24, T.3N., R.1W., B.M.
KUNA, ADA COUNTY, IDAHO
1" = 3000'

DEVELOPER / OWNER
TFI LP
P.O. BOX 690
MERIDIAN, ID 83680

PLANNER / CONTACT
STEVE ARNOLD
A-TEAM LAND CONSULTANTS
1785 WHISPER COVE AVE.
BOISE, ID 83709
208-871-7020

SURVEYOR
LAND SOLUTIONS
231 E. 5th ST.
MERIDIAN, ID 83642
(208) 288-2040
Hathaway Homes Three Unit A TH elev
Hathaway Homes Two Unit A TH elev
Hathaway Homes Two Unit B TH elev
Townhouse Color Schemes

1.

2.

3.

4.
SINGLE FACE NON-ILLUMINATED MONUMENT DISPLAY  SCALE 1/8"=1'-0" THOUGHT SKETCHES