



## PLANNING & ZONING COMMISSION AGENDA

**Tuesday, August 25, 2020  
6:00 PM**

*Per the Order issued by Central District Health on July 14, 2020, Social distancing and face masks will be required.*

*Due to social distancing protocol, the Council Chambers Audience Occupancy Capacity is 15. The first 15 persons who appear will be allowed in Council Chambers. All other persons may access the meeting via Live Streaming.*

**Public testimony will be received on the cases listed under Public Hearings within this Agenda. The instructions and options available for public testimony are listed below.**

*Live Streaming Instructions: Members of the public may watch the June 9, 2020 Planning & Zoning Commission meeting via Facebook Live. The live feed will start at 6:00 PM on the City of Kuna Idaho Facebook page linked below: <https://www.facebook.com/CityofKunaIdaho/>*

### APPLICANT AND PUBLIC WRITTEN AND ORAL HEARING TESTIMONY PROCESS:

**Written - In Advance** to be included in the Agenda Packet that is distributed to the Decision-Making body.

1. Submit any option prior to 5:00 pm the Thursday before Public Hearing meeting. *Late submissions will not be included in the packet but will be provided at the meeting.*
2. Submit testimony via our website on the [Public Testimony Form](#). This form will email directly to the City for inclusion in the Agenda Packet.
3. Submit testimony via email to [PublicHearingTestimony@KunaID.gov](mailto:PublicHearingTestimony@KunaID.gov)
4. Submit via mail to:  
City of Kuna  
Attention: City Clerk  
PO Box 13  
Kuna ID 83634

### Written – Up to noon the day of the Public Hearing

1. Submit any option prior to noon the day of the Public Hearing meeting. *Late submissions will not be included.*
2. Submit testimony via our website on the [Public Testimony Form](#)
3. Submit testimony via email to [PublicHearingTestimony@KunaID.gov](mailto:PublicHearingTestimony@KunaID.gov)
4. Submit via mail to:  
City of Kuna  
Attention: City Clerk  
PO Box 13  
Kuna ID 83634

### Oral – Via electronic call during the Public Hearing

1. Submit request no later than noon the day of the Public Hearing meeting.
2. Email [PublicHearingTestimony@KunaID.gov](mailto:PublicHearingTestimony@KunaID.gov)

- ✓ Your name
  - ✓ Address
  - ✓ Phone Number you will be calling from to give testimony
  - ✓ Email Address
  - ✓ Date of Public Hearing
  - ✓ Case number or Identification of Public Hearing
3. Watch your email for a reply email with the information to join the meeting electronically. (Check your spam/junk folder as a precaution)
  4. Follow the dial in information.
  5. Call into the virtual lobby a minimum of 5 minutes prior to the meeting.

**Oral – In Person Testimony during the Public Hearing.**

Due to social distancing protocol, the Council Chambers Audience Occupancy Capacity is 15. Social Distancing will be required. The first 15 persons who appear, in addition to Mayor, City Council, and staff, will be allowed in Council Chambers. All other persons may access the meeting via Live Streaming on the City of Kuna Facebook page, <https://www.facebook.com/CityofKunaIdaho/>. All persons wishing to testify must, state their name and residential address. No person shall speak until recognized by the Mayor. A three (3) minute time limit will be placed on all testimonies.

Information provided at the public hearing will be available, upon request, five (5) days prior to the hearing. The hearing will be held in a facility that is accessible to persons with disabilities. Special accommodations will be available, upon request, five (5) days prior to the hearing in a format that is usable to persons with disabilities.

**1. CALL TO ORDER AND ROLL CALL**

**COMMISSIONERS:**

Chairman Lee Young

Commissioner Stephen Damron

Vice Chairman Dana Hennis

Commissioner John Laraway

Commissioner Cathy Gealy

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

**A. Planning and Zoning Commission Meeting Minutes**

1. August 11, 2020

**B. Findings of Fact & Conclusions of Law**

1. Case Nos. 20-01-AN (Annexation), 20-03-S (Preliminary Plat) and 20-07-DR (Design Review) Ledgestone South Subdivision
2. Case Nos. 19-14-AN (Annexation), 19-11-S (Preliminary Plat) & 19-32-DR (Design Review) Patagonia East, Ridge & Lakes Subdivision
3. Case Nos. 20-03-SUP (Special use Permit), 20-13-DR (Design Review) Eagle Christian Church
4. Case Nos. 20-01-ZC (Rezone), 20-02-S (Preliminary Plat) & 20-05-DR (Design Review) Sera Sole Subdivision
5. Case No. 19-13-AN (Annexation) Blackrock Marketplace/Village

**3. PUBLIC HEARING:**

#### **4. BUSINESS ITEMS:**

**A. Case No. 20-15-DR (Design Review) Patagonia Pool House - ACTION ITEM**

Celeste Valle of Breckon Land Design requests Design Review approval to construct a pool house, one pool, and accompanying parking lot with 15 parking spaces, two of which are ADA accessible; on future Lot 1, Block 18 (APN: S1407427955) of Patagonia No. 7.

**B. Case No. 20-08-SN (Sign) and 20-17-DR (Design Review) Kuna Dental Automated Monument Sign – ACTION ITEM**

Apex Signs, request sign and design review approval for an approximately 100 square foot, freestanding, automated monument sign with illumination. The subject site is located at 935 N Linder Road, Kuna, ID 83634 (APN# S1323142310).

#### **5. ADJOURNMENT:**



**PLANNING & ZONING COMMISSION  
MINUTES**

**Tuesday, August 11, 2020  
6:00 PM**

*Per the Order issued by Central District Health on July 14, 2020, social distancing and face masks were required. Council Chambers audience occupancy was 15.*

*This meeting was also streamed Live on the City of Kuna Facebook page:*

<https://www.facebook.com/CityofKunaIdaho/>

**Public testimony was received on the cases listed under Public Hearings within this Agenda.**

**1. CALL TO ORDER AND ROLL CALL**

**COMMISSIONERS:**

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

**CITY STAFF PRESENT:**

Wendy Howell, Planning and Zoning Director  
Troy Behunin, Senior Planner  
Doug Hanson, Planner  
Jessica Reid, Planning & Zoning Staff

**2. CONSENT AGENDA:**

*All Listed Consent Agenda Items are Action Items*

**A. Planning and Zoning Commission Meeting Minutes**

*I. July 28, 2020*

**B. Findings of Fact & Conclusions of Law**

*I. 19-11-AN (Annexation), 19-29-DR (Design Review) & 19-08-S (Preliminary Plat)  
Ashton Estates East*

**Commissioner Cathy Gealy moved to approve the Consent Agenda. Seconded by Commissioner John Laraway. Approved by the following roll call vote:**

**Voting Aye: Commissioner Dana Hennis, Commissioner Cathy Gealy and Commissioner John Laraway.**

**Voting No: None**

**Absent: 2**

**Motion carried: 3-0-2**

**3. PUBLIC HEARING:**

**A. Case Nos. 20-01-AN (Annexation), 20-03-S (Preliminary Plat) & 20-07-DR (Design Review) LedgeStone South Subdivision - **ACTION ITEM****

**Doug Hanson:** Good evening Mr. Vice Chairman, members of the Commission, for the record, Doug Hanson, Kuna Planning & Zoning Staff, 751 W 4<sup>th</sup> Street. The application before you this evening proposing to annex the approximately 97-acres into the Kuna City Limits. Of those 97-acres, the applicant has proposed to zone approximately 84% of the development site R-6 (Medium Density Residential) as defined via legal description. The proposed areas of R-6 will accommodate 291 standard single-family home lots. The remaining development area, as defined by legal description, is proposed to be zoned R-8 (Medium Density Residential). Similar to the original LedgeStone preliminary plat, LedgeStone South proposes to incorporate

102 alley-load lots. These single-family homes will face the street; however, driveway and garage access will be available from the rear of the house via a 20-foot wide public alley way. With 393 lots over approximately 97-acres, the overall gross density of the project is 4.07 dwelling units per acre (DUA). The net density is 5.56 (DUA). The applicant proposes 11.6% of the project to be dedicated to useable open space, which is compliant with Kuna City Code (KCC). Included in this project is an entirely new section of Ardell Road which will span from Stroebel Road to Locust Grove Road. Ardell Road is classified as an east-west major collector. Along Ardell Road the applicant has proposed a five-foot attached sidewalk. The sidewalk width requirement for Collector Roads is an eight-foot detached sidewalk with vertical curb and gutter. Staff would note that the applicant will be required to install curb, gutter and sidewalks on all roadways in accordance with KCC 5-17-13 and 6-4-2. Additionally, as a part of this application, there is an existing single-family home that is being included with the annexation proposal, however, this house and approximately 1.04-acres that surround it will not be included in the preliminary plat and will be listed as an out parcel on the plat. Ada County Highway District (ACHD) recommends the frontage along this site be improved consistent with the proposed improvements along Locust Grove Road and Ardell Road so there is not a gap in improvements. Staff agrees with this recommendation and will require the applicant to install curb, gutter and sidewalk in accordance with KCC 5-14 and 6-4. LedgeStone South sewage is anticipated to flow to the Patagonia Lift Station. The sewage is subsequently lifted to the Danskin Lift Station. At this time, neither lift station can support this project as they are currently configured. Staff would note that if the Commission recommends approval of this project, that the applicant be required to work with the Kuna City Engineer to provide a solution regarding the reaction of additional capacity. This condition has been provided as Condition No. 6 in section "I" of the staff report. Following review, staff has determined the annexation, preliminary plat and design review requests are within technical compliance of Kuna City Code, Idaho State Code and the Kuna Comprehensive Plan. As a reminder, the annexation and preliminary plat are before you as a recommendation to the City Council, and the design review is seeking your decision this evening. If the Commission approves the design review and recommends approval of the annexation/pre plat, staff would recommend that the applicant be subject to the conditions of approval listed in section "I" of your staff report, as well as any other additional conditions this decision-making body decides to impose. I will answer any questions you may have. **C/Hennis:** Any questions for staff? **C/Gealy:** I have no questions at this time. **C/Laraway:** No questions. **C/Hennis:** Thank you, and would the applicant like to present? **Jane Suggs:** Commissioners, nice to see you tonight, seems like I was just here not too long ago. Thank you, we were supposed to be here a couple of weeks ago and were not because we did not have our ACHD staff report; thank you for putting me on the agenda. My name is Jane Suggs, I work for Gem State Planning, 9840 Overland Road, in Boise and I am here representing LedgeStone South Subdivision. I think Doug did a really great job giving us an overview, I just want to reiterate that we meet the Comprehensive Plan for Medium Density and our preliminary plat meets all of the requirements of the City's zoning code; and the best thing, we agree to all of the conditions of approval. I am going to be a little brief because there are a lot of people out here wanting to talk. As you know, this project is a continuation of the LedgeStone Subdivision just to the north, and we have a vicinity map to show how they are connected. You will see that we are off of Hubbard between Locust Grove; you'll see the LedgeStone Subdivision which is under construction right now, we are getting the final plat approved so we can start building houses this Fall, we will continue to work into LedgeStone South and over to Locust Grove. The north-south collector is Stroebel Road, you'll

be familiar with Stroebel Road down near Deer Flat; we are going to extend that all the way to the extension of Ardell Road. The Ledgestone South subdivision is larger than the Ledgestone Subdivision but they are tied together; we plan for them to be seamlessly tied together and share amenities. As a recap, we are requesting annexation with two zoning designations, R-6 and R-8; the R-8 is just the front load lots, R-6 is the remaining lots. Another drawing I have shows the lot layout and that those R-6 lots meet the size requirements of R-4. You will see the areas in red, those are zoned R-6 but they are larger than the R-6 minimums, they are actually 6,600 square feet; they are not all 66-feet wide so I can't zone them to R-4. We are doing a nice mix of lots, in the blue are the R-8 lots; again, our Gross density is just over 4.04 units to the acre. We also have a landscape rendering I would like to finish up with, there are a few special features in Ledgestone South. We have a central park that is 3.69-acres that will include a neighborhood swimming pool which will serve the residents of Ledgestone and Ledgestone South; it will also include a play structure, a picnic shelter and some parking spaces. We are also including a 5-foot wide sidewalk along the north boundary where the ditch was, which runs half a mile and links the two projects. If you look at the original Ledgestone project that has a pathway along Mason Creek and you add this half mile, it provides substantial opportunities for people to walk. With the construction of Ledgestone South, we will add the mid-mile collector of Stroebel Road that runs from Hubbard, almost to Deer Flat, and we will construct the Ardell Road extension for about a half of a mile. Again, we are meeting the land use designation and the Comp Plan, requirements of the zoning code, subdivision requirements and we agree with the staff report. We request that you recommend approval to the City Council for annexation, rezone and preliminary plat and request that you approve our design review of the open spaces and landscaping. I will stand for any questions. **C/Gealy:** I have no questions. **C/Hennis:** I had a basic question, I remember reading the ACHD report and most of the traffic study; it seemed like ACHD first said the Traffic Study hadn't used the correct parameters, has that been worked out and are you in agreeance with the mitigation recommendations from ACHD? **JS:** Yes, that was earlier in the project where they sent an email that basically says, for all traffic studies, we have some questions. What had happened was even when they had completed their study, were in review of the study and in the process of writing their staff report, they wanted even more information from the traffic study; that is what held us up. The original traffic study was from October 2019 but they wanted more information and we worked with them. We do agree with those conditions and you will see we will be doing additional traffic study updates as the project progresses; at the 301 house there will be another and it will revisit that. **C/Hennis:** Ok, thank you. That leads us to the Public Hearing portion, I will go ahead and open the Public Hearing at 6:13 PM. There is one person signed up; has everybody signed up that wants to speak tonight regarding Ledgestone South? Ok, first up I have Roger Stagg; please come up to the microphone. As a reminder, everyone who testifies will be given three minutes to testify and after testimony, the applicant is able to address any questions. When you come up, please make sure to state your name and address for the record. **Roger Stagg:** I'm Roger Stagg, I'm here on behalf of myself and my wife Josette; our property is 2303 N Locust Grove Road. We are immediately south of Ledgestone South, their development is all of our northern and western property line; if I looked at the plat correctly, that is 29 homes against our property. First, I would like to read you a brief letter from my wife Josette, then I will add my comments and concerns; though I signed up under opposed and I hate to see a development this big right next to our rural living, I don't expect one property owner is going to stop the project so, it's more so requests. From my wife Josette: "Sadly, we no longer live on a quiet country road; the developments that are and have been approved made such an

impact on our rural roads, we find this impact devastating. I no longer feel safe going for walks as there is so much traffic and they go well beyond the 50-mph speed limit. Each and every new subdivision, of say 200 plus homes, adds 400 plus cars on the roads; and families of two or more children, most of which are school age. Our roads and schools cannot handle this impact, which means more school bonds to pass, more roads to widen and more accidents, etcetera. To the developers it means dollar signs; think about preserving some of the rural Kuna. Please consider the long-term effects of yet another subdivision in Ledgestone South. Josette M. Stagg” My comments in addition, when we moved there in 1992, there was more tractor traffic on Locust Grove than there were automobiles; that has already drastically changed and continues to change a great deal. There are frequent accidents at the corner of Hubbard and Locust Grove; my request, and this may go more towards ACHD, that there would be safety mitigation at Hubbard and Locust Grove whether that is a light, a 4-way stop or a roundabout. I would also request that Locust Grove, south of Hubbard, be reduced from 50-mph to either 35 or 40-mph; many cars go through there during high traffic hour, going well over 50-mph already. Any questions? **C/Gealy:** No. Thank you. **C/Hennis:** No. Ok, that is all I have signed up for the Public hearing. *(Roger Staggs comments from the audience)*. **Jessica Reid:** I’m sorry, time has elapsed. **C/Hennis:** We will close the Public Hearing on that at 6:18 PM. Ms. Suggs? **JS:** Jane Suggs, Gem State Planning, representing Ledgestone South subdivision. I don’t have any specific rebuttal to Mr. Staggs or the letter he read from his wife, but I understand a lot of changes have happened out here. We are making improvements where ACHD is requiring us to, along Locust Grove there is a need for left turn lanes above Hubbard Road all the way up to Amity; I don’t know who is going to be paying for that or how we go about making that happen because it requires right-of-way and it’s not adjacent to us. However, we will add traffic there and yes, many of those intersections will either be signalized or have roundabouts which what I think ACHD is preferring to do now. We participate in Impact Fees, I’m not sure if Kuna has the Cooperative Agreement with ACHD where we actually give additional monies; we will meet all ACHD requirements and will be doing traffic study updates as this develops. I don’t think that our development would object to changing the speed limits but that is typically something that has to come from the city and from more than one property owner or just the developer. We have actually asked for that before too in other parts of the valley. Again, I don’t have anything specific to respond; I respectfully ask your approval and recommendation of approval of our applications. Also, my door is open and my phone number is available if any neighbors would like to talk again. **C/Hennis:** To expand on what you said, I found in the ACHD report where it is suggesting mitigations done at that intersection pretty quickly; I think that will be part of ACHD’s plan here in the future. **JS:** Your next project *(on the agenda)* actually abuts that area as well. **C/Hennis:** That brings us to the Commissioners discussion; is there anything specific? **C/Gealy:** *(Directed to Mr. Staggs)* I appreciate your concerns, providing your comments and taking the time to come here, however, your concerns will need to be addressed with ACHD. I suggest you contact ACHD with your concerns regarding traffic, we each have an elected representative on the Board of Commissioners for the Ada County Highway District. Growth does impact our schools as well, we are aware of that, and our School Board determines when we build more schools; they are also our elected representatives. The schools tend to be reactive to the growth because growth comes and then we need more schools. When we look at these subdivisions, I prefer to see amenities for the people who will be living in these subdivisions, and that they are created as neighborhoods. I also look for transitions as in transitional lots between different types of uses. While I recognize you will have 29 new neighbors on your north boundary, they’ve actually put larger lots there; the alley-loaded lots

which tend to be smaller, are an attractive product for people looking for affordable housing, and those tend to be inside the development. I appreciate the applicant and the developer are making efforts to address those concerns. I really don't have any other concerns about this development, it's a continuation of the first one and it's in compliance with the Comprehensive Plan; many of our citizens participated in creating our Comprehensive Plan, it's a new one and was just approved by City Council. **C/Hennis:** I appreciate it's trying to incorporate this southern development into the northern development. I think it's laid out well, I like where the amenities are, I like the open space; I think it's quite a bit better than the northern one. It gives good areas to connect, it gives good pathways, it gives good outdoor space; I like what they've done there. I think we are going to see in the next couple of items coming up that we're going to get an area for another school on the same side, Swan Falls High School will remove some of the pressure off of Kuna High School; I think it's situated itself to come in at the right time. The traffic mitigation seems appropriate to me and ACHD. **C/Gealy:** I noticed as you did, that the traffic study that ACHD did have some initial concerns about the traffic impact study but, there was an addendum included that addressed some of the traffic mitigation that would be required in the 5; 10; 15-year timeframe. **C/Laraway:** This is going to sound odd but, it is a good place for the subdivision for what we're talking about. Traffic is always going to be an issue anywhere you put a lot of homes; normally what ACHD does is after the subdivision is installed, they do reduce the speed limit. Your speed limit will most likely drop, to what I don't know, that's up to the Chief of Police and ACHD. The 4-way stops are coming, they are pretty much all around the county now. Unfortunately, there has to be so many crashes at an intersection before ACHD will install a traffic control device; I don't know what that number is there. I don't have any problems with it, its growth, growth is going to hurt some neighbors but it is growth. **C/Hennis:** I think they are appropriately trying to give a neighborhood feel, to give it amenities that we have been looking for in the city; they are not just plopping houses on an empty parcel, they are providing parks, swimming pools, landscaping, pathways and other amenities. **C/Gealy:** I would also point out that there are multiple conditions of approval; I did check that everything mentioned in the staff report are listed in the conditions of approval. I didn't see a need for additional conditions of approval. **C/Hennis:** The main one is to work with the City Engineer to work on the sewer lift station capacity. **C/Gealy:** Also, as a side, it is a phased development and will go in over 6 years.

**Commissioner Cathy Gealy moved to recommend approval for 20-01-AN (Annexation) and 20-03--S (Preliminary Plat) to City Council for Ledgestone South Subdivision with the conditions as outlined in the staff report. Seconded by Commissioner Laraway. Approved by the following roll call vote:**

**Voting Aye: Commissioner Dana Hennis, Commissioner Cathy Gealy and Commissioner John Laraway.**

**Voting No: None**

**Absent: 2**

**Motion carried: 3-0-2**

**Commissioner Cathy Gealy moved approve 20-07-DR (Design Review) for Ledgestone South Subdivision with the conditions as outlined in the staff report. Seconded by Commissioner Laraway. Approved by the following roll call vote:**

**Voting Aye: Commissioner Dana Hennis, Commissioner Cathy Gealy and Commissioner John Laraway.**

**Voting No: None**

**Absent: 2**

**Motion carried: 3-0-2**

**B. Case No. 19-14-AN (Annexation), 19-11-S (Preliminary Plat) & 19-32-DR (Design Review) Patagonia East, Ridge, & Lakes Subdivision – ACTION ITEM**

**Troy Behunin:** Good evening Commissioners, for the record, Troy Behunin, Senior Planner, 751 W 4<sup>th</sup> Street, Kuna Planning and Zoning Department, Kuna, Idaho. The project you have listed, 19-14-AN (Annexation), 19-11-S (Preliminary Plat), 19-32-DR (Design Review), for the Patagonia Lakes, Patagonia Ridge and Patagonia East Subdivisions, is viewed as one project by staff even though they are adjacent yet split by Hubbard Road and Locust Grove. This is an annexation request involving multiple parcels which are all county parcels but, they are contiguous on the west side of the proposed Patagonia East and successively from there to the east. A map is shown on the front page of the staff report and there are additional maps throughout the packet. This is a Category A annexation request, applicant WHPacific-NV5 requests approval for the annexation, preliminary plat and design review; staff would note that the design review is up for your decision tonight and the annexation and preliminary plat are up for your recommendation to City Council. The applicant proposed to annex approximately 173.80-acres into the Kuna City Limits, using three different, all single-family, residential zones; there is R-8 (Medium Density Residential), R-6 (Medium Density Residential) and R-4 (Medium Density Residential), which is the border between medium and low density. The applicant proposes a multi-phased, master planned development. Applicant requests preliminary plat approval to subdivide the approximate 173.80-acres into, and up to, 561 single-family buildable lots; there are also 54 common lots and the applicant is working with the Kuna School District on at least 10-acre elementary school site. The applicant is also seeking design review approval for the common spaces, buffers, trails and parking for the project. The annexation is sought via an Affidavit of Legal Interest by the land owner who has request that the lands be annexed into the city. Kuna's Comprehensive Plan, a blueprint for the city, is a guide to help facilitate the development of lands within the City Limits; it does encourage a variety of housing, housing types and lot sizes for all income levels. The applicant seeks to develop various uses, including these multiple residential uses; they are proposing the school site and multiple private parks. The applicant is proposing public streets within the subdivision with all of the improvements required by the City of Kuna and ACHD; curb, gutter and sidewalk as well meeting the Kuna Rural Fire Districts requirements for roads and proposed stub streets to possible future subdivisions. With the large volume of walking/biking trails, they will reduce vehicle miles traveled and provide safer routes to school as well as provide a safe route to the open spaces and neighbors' homes. Staff does view that generally speaking, the project conforms to the Comprehensive Plan and the Future Land Use Map (FLUM), staff also finds the project appears to follow Kuna City standards and fulfills all technical requirements. Staff would like to note that all public roads will provide full right-of-way improvements on Hubbard Road, Locust Grove Road and all mid-mile collector roads; this is significant because we hear many concerns about traffic and want to point out that growth does pay for itself with these improvements. The subject property does require being connected to city potable water services and the Kuna Municipal Irrigation System (KMIS), or Pressurized Irrigation (PI), as well as city sewer services. The sewer will create a considerable burden on the Patagonia Lift Station, which then flows on to the Danskin Lift Station. The developer shall work with the City Engineer to participate in an engineered evaluation and solution of the Patagonia Lift

Station and any proposed improvements to the lift station to increase the force main capacity; this is listed in the Engineers Memo included in your packet. Staff has confirmed that after the packet was compiled and dispersed, the City Engineer and the applicant have discussed this matter multiple times and the applicant has agreed to work with the City Engineer for the Patagonia and Danskin Lift Station upgrade needs. The design review is for the landscaping, common areas and open spaces; staff finds that the landscape, buffers and open space generally meets and is in compliance with Kuna City Code; staff notes a reminder to the developer about landscaping that is noted in the staff report. Staff has determined that the preliminary plat and design review generally comply with the goals and policies of Title 5 and Title 6 of Kuna City Code, Idaho State Statute §67-6511, the Comprehensive Plan and the FLUM. If the Planning and Zoning Commission recommends approval of 19-14-AN and 19-11-S and approves 19-32-DR, staff recommends that the applicant be subject to the conditions of approval listed in section "I" of the staff report as well as any conditions the Commission deems necessary. I will sit for any questions that you might have. **C/Hennis:** Any questions for staff? **C/Laraway:** In the last subdivision we recommended approval for mentioned the sewage must be pumped to a lift station in Patagonia; is it this Patagonia or the original Patagonia? And my follow up question is if the new Patagonia will also pump to that? **TB:** That's a good question, the lift station mentioned is the Patagonia Lift Station that is in the original and existing Patagonia subdivision; it's on the southwest corner. **C/Gealy:** I have a couple of clarification questions and then had a letter to read regarding the school site. I read in the ACHD report that the Kuna School District had not yet decided that they were going to purchase that land, do you know if the developer plans to donate or sell the land to the Kuna School District? **TB:** There are some details that need to be ironed out; I have heard from the developer and the school district that it will be a mixture of donation and purchase. **C/Hennis:** When do you want to read that letter, as it is relevant? **TB:** I can read it right now if you'd like, I have copies to hand out to the Commission, or I could do it during the public testimony. **C/Gealy:** I think during public testimony is fine. I had another clarification question, the email from the Fire Chief, "All dead-end roads should be justified."; meaning they would be extended in the future, what's the timeframe, and if not, they need to meet standards of the Fire Code. Fitzroy dead-ends into private property; have you addressed those concerns with the Fire Chief? **TB:** I have spoken with the Fire Chief about this project, that is why it is listed in the Staff Analysis that they should be conditioned to work with ACHD, the City of Kuna departments, and the Kuna Rural Fire District for EMS. In addition, there is a catch-all phrase that states they must work with all applicable agencies, I believe that is the last condition listed. **C/Hennis:** Ok, would the applicant like to come up? **TB:** Commissioner Hennis, the applicant is attending via Zoom. **Bonnie Layton:** Good evening Commissioners. Is it possible to allow me to share my screen with the meeting? **TB:** Yes, Jessica will make that happen. **BL:** I have a few documents on my desktop to share; the illustrative site plan with an aerial photo as well as the connectivity plan; they will support the plan we have before you this evening. Good evening Commissioners, I am Bonnie Layton, Senior Planner at WH Pacific, 690 S Industry Way, in Meridian, Idaho, 83642. First, I would like to thank staff; Troy and Wendy have been a great help working with us on this project. This project was started prior to my employment with WH Pacific, so I am happy to be before you this evening to present this project on behalf of my client. I would like to reiterate that this project meets the standards of the Kuna Comprehensive Plan and City Code. As Troy mentioned, it is 173.80-acres with 561 single-family lots, 54 common lots, a 10-acre plus school site; three different residential zones with parks and connectivity. Generally speaking, we are in agreement with the staff report, Troy mentioned all of the issues I thought

I might need to discuss. I want to mention that this project started a couple of years ago, we had a neighborhood last September, submitted the application earlier in the year and then were on hold when COVID hit; things were drawn to a halt and during that time, my client acquired another 10-acres which helped to provide a better layout and addressed some of the issues from ACHD. We held another neighborhood meeting on June 4<sup>th</sup> and showed this updated plan; as the letters in the packet attest to, and previous testimony, I think it attests to traffic being a concern to neighbors out here. To address your point Commissioners, we will develop this project to ACHD standards and will try to mitigate traffic that is generated from our project. We provided these updated documents for the submittal and we did that because we wanted to be clear that everyone understood what the project was and had the most up-to-date information. At the neighborhood meeting I also suggested to the neighbors that if they had traffic concerns, to turn those over to ACHD and updated documents could be obtained from the city with our application; that was to attempt to avoid any confusion by having multiple plans floating around that may not be current. I wanted to make sure, especially because of the life of this project, I just wanted to make sure it was a clean and thorough submittal. Another exhibit we put together is to show connectivity; in the top corner you have the original Patagonia and then how this project connects into that with pathways. There's a great network of walking paths and biking trails for people to get around in this area. There will be various remedies for the residents here just like we do in the original; we've earmarked some areas for that for the residents. There is alley loaded lots that provides a higher density here and here; we have also complied with ACHD on how you enter and exit depending on the class of loads. We have tried to address all of the issues brought up my ACHD, we agree with the conditions of approval; we will work with staff on the Lift Station, as Troy mentioned, and as we move forward through development. With that I respectfully ask on behalf of my client, that you approve our project; we believe it will be an asset to the community of Kuna. With that, I will stand for any questions. **C/Hennis:** Thank you. Does the Commission have any questions? **C/Gealy:** I have no questions. **C/Laraway:** I do have a follow up question; I need to be educated on this. Back to the Lift Stations, it says here that the Patagonia Lift Station is not going to support the amount of sewage that is going to be coming, and it says that we are going to 'request' that the Engineer participate; my question is, is that something that I need to make in a Motion? That this is looked at or is will it be taken care of by City Code? **C/Hennis:** That's actually in our conditions, as Troy was saying, they will be required to abide by the City's recommendations in the Engineers report but it is also a line item. **C/Laraway:** Thank you. **TB:** To summarize Commissioner Laraway, it is actually listed as condition no. 14, and it is specific to the sewer capacity. **C/Laraway:** Ok. Thank you. **C/Hennis:** With that I will open the public hearing at 6:54 PM. I have a couple of people listed here to testify, the first being Christi Horton. If you would come up to the microphone and state your name and address for the record please. **Christi Horton:** Good evening, Christi Horton, 2291 E Hubbard Road, Kuna, 83634. I did submit a previous testimony addressing our questions and concerns, I am opposed to the annexation and the preliminary plat approval for the Patagonia East, Lake and Ridge Subdivisions. Many of us don't seem to get involved in all the Planning and Zoning meetings until it affects us personally, however, with all of the proposed subdivisions being brought before the board these days, our community is taking a stand with huge concerns on whether this area is ready for this rapid growth. I, as well as many outlying neighbors, ask you to please look and study this plat carefully. I'm an agricultural homeowner/farmer on the southeast corner of Hubbard, our family has proudly been a part of this community since my grandfather homesteaded here in 1935. Proposing to put that many houses on an agricultural

type area will totally take away the country type atmosphere we have had and are desperately trying to hold onto. On a personal level, I currently share a well with the potential buyer, I will lose my current driveway; I have a lot of questions. Many questions need to be addressed; why is the density on the north side of Hubbard Road so different to the south side? I have had many neighbors ask if this applies with the Comprehensive Plan. What information, and we've touched on some of this tonight, is provided for water, sewer and city services? What plans are provided for runoff water on the adjoining property. I have emergency response issues with the ingress/egress, does the fire department approve? There's a lot of houses there with one way in and out. There are huge concerns with the traffic increase; how is that going to be handled? What are the ACHD plans? Which was touched on tonight and I know they need to speak for that. When will they take effect? On January 22, 2019 at the Kuna public Planning and Zoning hearing, Jane Suggs reported that a 4-way stop at Hubbard and Locust Grove would be put in as well as widening of Hubbard Road; there is a partial widening going in to the Patagonia Subdivision and that is it. There are no stop signs and there have been many accidents on that corner, which is at the beginning phase of Patagonia; many of us as neighbors have witnessed and helped with those. This needs to be stopped or at least slowed down, especially at this point; Kuna has enough subdivisions going on, these roads are not ready for the growth and emergency services is a huge concern. Way too many houses are proposed, save what agricultural land we have and support our farmers and our way of life. **C/Hennis:** Thank you very much. **C/Gealy:** Thank you. **C/Hennis:** Next up on the list is Danny Horton, did you want to testify? You marked not to but I just wanted to make sure. (*Mr. Horton indicated he would not*). Ok. That's all I have signed up to testify; was there anybody else for the Patagonia Subdivisions that would like to testify and hasn't? With that I will close the public hearing at 6.58 PM, Bonnie Layton will now have her opportunity. **BL:** Thank you Chairman, I just want to reiterate that this project is in compliance with the Comprehensive Plan. We do understand the concerns of the adjacent residents, especially as it comes to traffic issues; we believe they have been addressed with ACHD, as was mentioned, even in the previous application. I know Ms. Suggs was in the audience earlier, I'm not sure if she is still there, she was the one who conducted the original neighborhood meeting when she was employed with WH Pacific; I took over her position at the end of last year. I have records from that and that was all submitted, generally speaking, we do believe this project is in compliance and we'll work with the agencies to solve any of the issues or requirements that they have of us. I thank you for your time this evening. **C/Hennis:** Thank you. At this point.... actually, we missed Mr. Behunin and the letter. **TB:** I will pass out the letter to the Commission quickly. Reading into the record, an email from David Reinhart, a spokesman and representative for Kuna School District No. 3. The email is dated August 11<sup>th</sup>, 2020: "Dear Commissioners, I apologize for not being able to be with you this evening as our Board of Trustees is meeting. I am writing on behalf of Kuna Joint School District #3 and our Board of Trustees. We study growth rates and housing patterns at a detailed level. Because of this we know, if our growth patterns hold true, we will need another elementary school east of Meridian Road and, ideally near Hubbard Road within the next 5 years. We have worked a number of times with the developers of Patagonia regarding the land that is before the Commission tonight; they have in their master plan, a section of approximately 10-acres set aside for a school. We have kept the Board apprised of this land and they are open to considering a donation or partial sale for the future use of a school. While the developers have been open to talking, to this date we do not have a proposal to consider. Therefore, Kuna School District is not to be assumed to be a part of this project. We have significant concerns about the growth in this area with no firm partnership with a developer to

assist with land as other developers have so generously offered. Without this land, any bond for a building would have to be increased by \$1 Million or more for land and infrastructure. We are not in a place that we want to ask voters for money for land and infrastructure if at all possible. Our Board welcomes offers of land but they must be specific and reasonable. Thank you for your time this evening. Please direct any questions you may have to me. David Reinhart, Assistant Superintendent for School Support Services, Kuna Joint School District.” I have had a conversation with Taylor Merrill, who is also present tonight, he represents the developer, and I have continued emails with David Reinhart; they are open to a partial donation/partial sale. There aren’t any details worked out yet, however, the developer’s representative did tell me today that they should have everything finalized, ready for signatures, before the City Council public hearing (*for this case*). The School District will still work with the developer and the developer still wants to work with the School District. **C/Gealy:** Can you tell me, of the 173.8 acres, there’s 21.93 acres of open space or 16.59%; can you tell me if that includes the 10-acres of the school site? **TB:** Bonnie, are you there? Could you answer that question? **BL:** Good evening Commissioners, I believe it does include that, I’m just flipping through my numbers. On the school site, working with my client, just to reiterate, we believe that the school site is a huge amenity for the community, but also for our project and our residents. This is something we are very motivated to make happen. To follow up with more detail on the open space, in our preliminary plat document on the coversheet, our total open space is 28.83-acres and that includes the school lot; common areas that are 19-acres and that gets us to a percentage of 16.59; useable open space of 12-acres; and gives us a total of 29.93-acres. **C/Hennis:** Thank you. **C/Gealy:** I have another question for the applicant, Mrs. Horton mentioned that she shares a well and will lose her driveway; what is the applicant’s intention on how to address that? **BL:** Commissioners, I am unclear on her losing her well or driveway, I’m not understanding that. Troy, I believe, has had some conversations with her. Troy, have you spoken with her? I have not had specific conversations with her. **TB:** I have not had any conversations with anybody other than Ms. Gina Russell who is a neighbor to the north of Patagonia East; I have not spoken with Mrs. Horton. I have read her letter and the letter from her husband, those were included in the packet, but other than that, I have had no contact. **BL:** Members of the Commission, if I could follow up? We would be providing City water to her and are willing to cooperate with any water concerns that she would have in that regard. **C/Hennis:** Ok, thank you. **C/Gealy:** Could I ask another question about the school site? Would it be your intention then to provide infrastructure to the school site as you are providing infrastructure to the development, such as water, sewer, trash, electric, roads? **BL:** Members of the Commission, thank you for the questions. Typically, we would have, like any other requirements, the services stubbed to the site; the details have yet to be worked out between my client and the School District. However, we would do at least was expected for any other adjacent parcel in accordance with the development. **C/Hennis:** With that we have Commissioners discussion. **Jessica Reid:** Excuse me Commissioners, could you please correct the time for the closing of the public hearing. **C/Hennis:** I will close the public hearing at 7:10 PM. As for Commissioner discussion, I think traffic mitigation has been a main concern; how will we deal with the increased traffic? ACHD does have some projects in the works in the next number of years, a roundabout at Hubbard and Locust Grove; some interim signals and 4-way stops. I’m not sure exactly of the timeframe or phasing but that’s already part of their plan. The City Engineer will work with the applicant to remedy the Lift Station issues; other than that, as long as they can work out an agreement with the school site, which is important. I think we may want to condition that prior to City Council, it is remedied; I think they need that

information in front of them to make an accurate decision. The open space is laid out pretty well; the connectivity between the two projects is well. There's good transition to the north with the small lots in the south and the larger lots near the neighbors; I would have liked to see more of that in the south, but it seems to be laid out pretty decently. **C/Gealy:** I have another question for staff; what is the Comprehensive Plan requirement for open space for this size of development? **TB:** They exceed the open space requirement for the useable open space. **C/Gealy:** Yes, but if we excluded the 10-acres of the school site? **TB:** The developer should be very motivated to work with the School District because without it, there would be no mixed component and the useable open space would not meet the requirements. **C/Gealy:** I'm concerned because the implication in the application is.... I assumed it was a donation and was part of the open space, thus, would meet the open space requirement. But it's not a donation and it doesn't seem as though the school site has been resolved so, it's possible they might not meet the open space requirement, then they would not be providing one of the amenities indicated. **TB:** You're correct, without the school, the open space requirement would not be met so, there would essentially not be a project. Much is riding on the donation of the site and sale of the land. Not every developer is the same as others and do not donate the entire parcel, some work it out with a sale. **C/Hennis:** My question in regards to that and the open space with donation vs sale is, if it is donated it can be construed as open space in their project however, if the parcel is sold, it would have a different owner; how then does that open space contribute to Patagonia? **TB:** Because it is all part of the same project coming forward at the same time. **C/Hennis:** But it's not their property. **TB:** It's like with LedgeStone where there is an outlying property; I can give examples of 7 or 8 other projects. The farmer no longer wants to farm so he sells the property as part of his retirement but doesn't want the 2-acres around the home to not be a part of it so that he doesn't have to be help to the covenants, codes, requirements or restrictions of a subdivision; this would be the same. The owner of the property is getting approval for this and after, that's when the sale/donation would take place; technically speaking, the owner is taking the ground through the public hearing process, and it will become a public amenity. It really is no different than when other projects include a City Park; the city doesn't take ownership until after it has been developed after it is an approved project and moved forward. **C/Hennis:** Ok. **C/Laraway:** This is kind of confusing to me; this proposal is based on open space or the school, right? **TB:** Correct, it is a large part of the open space. **C/Laraway:** For this to move forward right now, to me, we would have to have some kind of commitment from the developer that it was going to be donated to the School District. I understand that the School District must be involved and say they'll take it, but shouldn't that be worked out before it goes to the City Council? **TB:** That was the request of the developer this afternoon, that it be conditioned to reach an agreement because without the donation/sale, the project falls flat due to not meeting the open space requirement. They are going to have to do something; if we get to City Council and the developer removes it, then they will not get the approval because they have not met the Conditions of Approval. I am the one that does the landscape inspections to ensure that the project has been built to the requirements and conditions set forth, our department makes sure. **C/Laraway:** Ok, thank you. **C/Hennis:** Thank you. **C/Gealy:** There was one other point of clarification, and it came up in some of the letters from the public and also Mrs. Hortons testimony, regarding irrigation. My understanding is irrigation runoff is the responsibility of the property owner. In this case, if you have water running onto the developer's property, that is your responsibility, and if the developer has water running onto your property, that's the responsibility of the developer. **TB:** Yes, it's a state law. **C/Hennis:** Yes, you have to keep your water on your own property. **C/Gealy:** So, if you have

issues or concerns with that, you should bring them to the city staff. **C/Hennis:** The same with irrigation, anytime anyone has irrigation rights, you cannot impede it. I think that as long as this school/open space piece of the project is situated then.... That's a big portion. **C/Gealy:** Are you ready for a Motion?

**Commissioner Cathy Gealy moved to recommend approval 19-14-AN (Annexation) and 19-11-S (Preliminary Plat) for Patagonia East, Ridge, and Lakes Subdivisions with the conditions as outlined in the staff report as well as the additional conditions that the applicant work with the neighbor regarding the well and driveway and keep staff apprised of those conversations; and the developer and staff work with the School District to resolve the 10-acres that may or may not become a school site, prior to the next City Council meeting. Seconded by Commissioner John Laraway. Approved by the following roll call vote:**

**Voting Aye: Commissioner Dana Hennis, Commissioner Cathy Gealy and Commissioner John Laraway.**

**Voting No: None**

**Absent: 2**

**Motion carried: 3-0-2**

**Commissioner Cathy Gealy moved to approve 19-32-DR (Design Review) for Patagonia East, Ridge, and Lakes Subdivisions with the conditions as outlined in the staff report as well as the additional conditions that the applicant work with the neighbor regarding the well and driveway and keep staff apprised of those conversations; and the developer and staff work with the School District to resolve the 10-acres that may or may not become a school site, prior to the next City Council meeting. Seconded by Commissioner John Laraway. Approved by the following roll call vote:**

**Voting Aye: Commissioner Dana Hennis, Commissioner Cathy Gealy and Commissioner John Laraway.**

**Voting No: None**

**Absent: 2**

**Motion carried: 3-0-2**

**C. Case No. 20-13-DR (Design Review) & 20-03-SUP (Special Use Permit) New Eagle Christian Church – **ACTION ITEM****

**Doug Hanson:** Good evening Mr. Chairman, members of the Commission, for the record, Doug Hanson, Kuna Planning and Zoning Staff, 751 W 4<sup>th</sup> Street, Kuna, Idaho, 83634. The applicant Rennison Design, on behalf of Eagle Christian Church, seek a Special Use Permit to operate a church, and Design Review approval for the approximately 16, 983 square foot church building, parking lot, and landscaping located on the northwest corner of N Ten Mile Road and W Ardell Road, Kuna. The design review application proposes metal paneling for the walls of the waste enclosure; KCC 5-5-6 states that enclosure walls shall be constructed with concrete masonry unit block. Staff recommends that if the Commission approves this project, the applicant be conditioned to change the trash enclosure wall material to meet KCC. This condition has been provided as condition 15 in section "I" of this report. Staff has determined that this application complies with Title 5 of Kuna City Code, Comprehensive Plan and Idaho Code. With that, I will answer any questions you may have, thank you. **C/Hennis:**

Any questions from the Commissioners? **C/Gealy:** I have no questions, thank you. **C/Laraway:** No questions. **C/Hennis:** Do we have the applicant present? Please come up and state your name and address for the record. **Brian Liquin:** Good evening Mr. Chairman and members of the Commission, my name is Brian Liquin with Rennison Design, 410 E State Street, Eagle, Idaho, 83616. Thank you for having me tonight, I would like to thank staff, especially Doug and Troy, for their leadership; they have been great and the City has been great in general, to work with. We believe this is a good project, this property has been posted for some time that a church is or might be coming so, we are excited to be part of that venture and I think it will be a great addition to the City of Kuna. We have tonight Justin Sturgeon with New Beginnings Christian Church, which has been operating here in the area for 19-years; through a joint venture, New Beginnings will be leading the Kuna campus of Eagle Christian. The Special Use Permit: why a church here? I believe we are within the focus areas of the Comp Plan: building an economically diverse community; providing safe spaces for people to gather; enhancing a key arterial corridor; providing a resource for cultural and religious learning; promoting citizenship; and complimenting the surrounding uses and the city's Future Land Use Map including, mixed use, residential and commercial. There are also other tangible benefits of having a church: encouraged virtue; community engagement; civic responsibility; help families decide where to live and help choose this community; and they play a vital role at the local level in providing charitable opportunities, helping the poor and promoting volunteerism. The vicinity map gives you a feel for where we're at. Here is our phased approach to the site; putting a church near the corner with the parking surrounding, then with the Teed Lateral to the north, is a perfect opportunity to have a softball field. We're showing Phase 1 being the church and a portion of parking to the west, and Phases 2 and 3 with a time to be determined in the not too distant future, based on how the congregation grows. For clarification, the churches overall square footage is 22,400 with about 16,983 square feet base level and approximately 5,000 on the second level. This shows the future planned roundabout; this is our engineers slide that has a level of detail beyond the time we have here. Bottomline, the planned drainage swills on the landscape and civil plans, are very shallow, they are only going to fill with 12-inches to 19-inches of water, so they aren't big depressions. We have a couple of items that need to be pursued, this is an ACHD issue and we are requesting a second point of access. You can imagine a singular point of access 30-foot wide on Ardell Road at peak times, could be a serious point of congestion; we understand in dealing with ACHD and Doug, that in order to pursue an additional point of access on Ten Mile, we need to engage in a traffic analysis, which we are pursuing now. Whether that be a right-in-right-out (RiRo), or full turns access, that is something we feel is beneficial not just to our project but to the neighbors. The second point, the road width, we are proposing to comply with the ACHD requirement for road width and paving, which requires widening the paved surface to 17-foot plus 3-foot of shoulder, and then barrow pit into our detached sidewalk; whereas the City of Kuna staff has recommended full pavement out to vertical curb and gutter. The three-fold that we are proposing to stick to the ACHD requirement is because, the Cazador Subdivision to the east, is paved at the 17-foot width with the shoulder and barrow pit; more importantly, it's a considerable added cost for the church to try to afford that extra paving. Here is a quick shot of what we propose, we have been in conversation with ACHD directly, and highlighted in red, ACHD has specifically requested that we not install the curb and gutter at this point with the roundabout in the near future, in mind. I have a proposed modification to the conditions. Design Review: Our site has lush landscaping, a wide array of trees and shrubs, we have lots of buffer on both streets with grass sod, the softball field; we have well designed patio areas. 25-foot light poles throughout,

LED lighting and put on a timer so they are only fully illuminated for the times that they are needed. Contemporary architecture with unique masking of the building, a nice mix of natural colors and durable materials. The front of the church face is to the west and would be all stucco in a Grecian ivory color, wood toned cement board on some of the elements and is very durable. Also, brick veneer and a unique trellis structure and canopy on front of the entry; some roll-up doors and then as you round the building, the primary building material remains Grecian ivory but is switched to the Allura wall siding which is a fiber cement siding. The signage will be by separate permit but we do have image national working on signage, this image was a placeholder. What we would propose respectfully, is that the staff analysis possibly be modified into a condition along these lines: Ten Mile Road shall be widened per ACHD site specific Condition of Approval No.4, which is, widen the pavement on Ten Mile Road to a minimum of 17-feet from center line, plus a 3-foot gravel shoulder abutting the site, which is consistent with the roadway improvements approved for Cazador Subdivision, and also with ACHD's pavement widening recommendations. With that, I can take any questions. **C/Laraway:** No questions. **C/Hennis:** I don't have any questions at this point, I think you explained that pretty well. **C/Gealy:** Thank you, I have no questions. **C/Hennis:** Thank you. Ok, with that, I'll open the public hearing at 7:33 PM. I have just one person listed on the sheet in favor, but not to testify. Justin Sturgeon, do you still not want to testify? **Justin Sturgeon:** I'm the pastor at New Beginnings Christian Church and we're partnering with Eagle Christian on this project, I just wanted to be present. **C/Hennis:** Ok, thank you. With that, I don't see anyone else; is there anyone else here that has not signed up that wishes to speak. With nobody, I'll close the public hearing at 7:34 PM; there will be not rebuttal so, we'll go into Commissioner discussion. **C/Gealy:** I think it's a good location. I don't have any concerns with the design. **C/Hennis:** I think it's a nice-looking setup, it's laid out well, landscape is very nice. The new age architecture is something different; I guess the only question I have for staff is the recommendation change for the roadway with regards to ACHD's recommendations. I think that has some conflict with our City Code. **DH:** City Code does call for the 8-foot wide sidewalk, curb and gutter as well as the Master Street Map and our plan for the future roadways of Kuna. It calls for that because, we don't want through the Ten Mile Corridor or any roadway in the city, to have piecemealed parts, we want uniformity for improvement in the city; in addition to that, Cazador was approved in 2016, that was well before the Comprehensive Plan was established. Staff would continue with the recommendation that it be improved as a 48-foot improved road section. **C/Hennis:** What about the are in regards to the future roundabout? **DH:** That is ultimately ACHD's decision, it would help if they had a definitive date on when that roundabout would be created, but since that hasn't been provided it's difficult to say that the roadway shouldn't be fully improved. We don't know when that will actually happen; without a specific date it will be hard to say. **C/Hennis:** Right, understood. Thank you. **C/Gealy:** And it seems the applicant also needs to work with ACHD in respect to a second access on Ten Mile. **DH:** That's correct. **C/Hennis:** How do we feel about the proposed change versus our City Code? Especially with regards to an area that might get torn up in the near future or not near future; I guess that's something that we need more information on. This is our approval or denial for this, it doesn't go to City Council, we're the final say. **C/Gealy:** I know sometimes ACHD will require a trust to help offset their costs. I'm torn, I understand what the applicant is saying, why do these improvements if it's just going to get torn up? At the same time, we need sidewalks so, I don't see that there is an advantage to putting in a narrower sidewalk and a barrow ditch; something has to be improved around that corner. **C/Hennis:** Well, I think this is more than just the corner too, we're looking at the length of the

project as well; that's why I think it's a considerable amount of money between the two. Again, with property development, consistency in the city and City Code, I'm not sure what choice there is. I can see it not being in the roundabout area if it's in the near future but, I think the rest of it still has to be developed. The only thing I can see is in the area to work with ACHD to try and figure out when this is going to occur so that there isn't an expense there that is avoided by being ripped out. **C/Gealy:** Do you have any thoughts? **C/Laraway:** We run into this ACHD thing quite a bit so it's hard to foretell what they are going to do. It seems like when we approve these things, we have to wait and see what ACHD does but, I don't think we can do that. We need to look at what's in front of us and anticipate that ACHD will do the best for the citizens of Kuna as it goes along. **C/Hennis:** I think it's more along the lines of if it will be more along the lines of 1 – 5 years or 15 – 20 years. **Troy Behunin:** For the record, Troy Behunin. Just so you know, I was the planner for the two subdivisions that are actually on the east side of this, one north of Ardell and one south of Ardell. Those subdivisions are being developed right now, Ardell will be fully improved from Ten Mile to Linder and connected with pavement and improvements within the next 2 – 3 weeks. If it's not on ACHD's radar for improvements in the next couple of years, we're already too late; basically, that means three of these four corners are going to be developed. You are welcome to make a condition that they work with staff and ACHD for that but, there are several other projects, including the one at Linder, where they were approved for one thing and then ACHD came back and said they were putting in a roundabout and they had to modify their plat. I believe earlier that it was testified that there is wide lush landscaping, it seems like there might be some built-in room for a future roundabout but, they at least have an idea of where the roundabout is going to go and staff would be happy to work with ACHD and the applicant to make that happen. You are right, we do need improvements, this is our next presentation corridor and three of the four corners are going to have an improved road surface and development within the next year. **C/Laraway:** I also think that this is going to be a Sunday operation, so the traffic should be somewhat minimal compared to Monday – Friday where everybody is trying to get to work; that's a plus. As far as ACHD improvements, are they talking roundabout, traffic light, we don't know. **C/Hennis:** I thought I saw somewhere in there that there was a background with a roundabout. **C/Laraway:** I saw the roundabout, but again, the 4-way stop is going to be cheaper and faster; I don't know what they'll do, but again, thank gosh this is a Sunday operation, traffic should be minimal. **C/Gealy:** The condition as it stands is curb, gutter and sidewalk, attached and detached, shall be installed in accordance with Kuna City Code Title 5, Chapter 17; that's the condition that's there now. **C/Hennis:** Maybe we just modify that condition that the applicant, City and ACHD work together and just do what's necessary until their traffic mitigation at that corner is figured out. It's like Troy said, there should be a plan on that so, they should be able to say if they are going to do that within the next year to two years, that way it saves expense on a fair amount of that corner. That's the only suggestion that I see that's appropriate. **C/Gealy:** I'm wondering if we could include not necessarily a condition but certainly, the applicant could work with staff regarding the timing of the curb, gutter and sidewalk. Then depending on what you find from ACHD, to address the concerns of city staff and the code, that the improvements are made within a timely manner but not to be duplicated either. I'm not even sure that's a condition, I just think that's probably what needs to happen here. I'm not willing to condition the ACHD curb, gutter and sidewalk. **C/Hennis:** I agree with you and I think your wording there was along the lines of what I was thinking; to work with them on the phasing to make sure that we aren't duplicating or just putting something in just to remove it within a year. **C/Gealy:** Does that necessarily need to be a condition or is it more of a

suggestion? **C/Hennis:** I think it does because our condition right now says they need to put in curb, gutter and sidewalk in; so, if they are going to put that in in phase 1 when the church is going to be and then rip it out when they possibly put a roundabout in, I think it's inappropriate. I think it's just the conversation they need to have about phasing; just the proposed phasing of the site, maybe do the same with the appropriate curb and sidewalk and such. **TB:** What we have done with other recent projects is on classified roadways, like Ten Mile and Ardell, typically we recite what City Code is; curb, gutter, sidewalk and road widening, no barrow ditches, period. You put in the appropriately sized sidewalk because it's like you said Commissioner Gealy, if we don't require developers to put in sidewalk because there's no sidewalk out there, then we'll never get sidewalk based on that premise. If nobody puts in sidewalk because it's not there, we'll never get it. What we typically do is recite what City Code is and if, at the time of development, if the developer goes to ACHD and says the city is requiring us to put in curb, gutter and sidewalk, ACHD will then come to us and say they don't want it because A, B or C; we have a capital improvement plan or a road trust or something else we are working on, or, or, or. In the event that ACHD not accept vertical curb and will not accept road widening, then the city will work with ACHD on a barrow ditch, however, ACHD is all about function. We do not allow gravel, gravel is not an acceptable groundcover so, on the sidewalk side of a barrow ditch it needs to be grass with a water source and then the roadside may be dirt or gravel, whatever ACHD will accept. We will work them on that, but that is our standard condition; there are also two other subdivisions going in west of this and this is their only way to get to Ten Mile unless they go through two other neighborhoods. On the south side of Shayla, there are two more subdivisions going in, Ten Mile is becoming an increasingly busy corridor and I would be surprised if ACHD doesn't have a plan of what is going in there. ACHD has a roundabout, they just have to put it in and say this is what everyone is doing. I don't know what the timing is. **C/Gealy:** Thank you. **C/Hennis:** I think what he is trying to say is that even with the conditions as they are put.... **C/Gealy:** There still may be some modifications. **C/Hennis:** Yes. **C/Gealy:** And the staff will work with ACHD and the applicant. I don't see any reason to modify the conditions. **C/Hennis:** Then I'll stand for a motion. **DH:** Staff would recommend to put in an additional condition that applicant work with staff and ACHD on traffic analysis to determine the feasibility of a secondary driveway access off of Ten Mile Road. **C/Hennis:** Oh, I thought it was in there. **DH:** It's discussed in the staff analysis and ACHD staff report but it was not listed as a condition in our staff report.

**Commissioner Cathy Gealy moved to approve 20-03-SUP (Special Use Permit) and 20-13-DR (Design Review) for New Eagle Christian Church with the conditions as outlined in the staff report and the additional condition that the applicant will work with staff and ACHD for a Traffic Impact Study regarding the possible secondary access on Ten Mile Road. Seconded by Commissioner John Laraway. Approved by the following roll call vote:**

**Voting Aye: Commissioner Danna Hennis, Commissioner Cathy Gealy and Commissioner John Laraway.**

**Voting No: None**

**Absent: 2**

**Motion carried: 3-0-2**

**D. Case No. 20-01-V (Variance) Harry Knox Lot Split – ACTION ITEM**

**Doug Hanson:** Good evening Mr. Chairman, members of the Commission, for the record, Doug Hanson, Kuna Planning and Zoning staff, 751 W 4<sup>th</sup> Street, Kuna, Idaho, 83634. The applicant, James Hallingshead, is seeking approval of this Variance request in order to create parcels smaller than the minimum lot size permitted within the Central business District through the Lot Split process for Ada County Assessor's parcel No. R5070001086, located at the northeast corner of W Main Street and N Avenue D. If approved, this Variance would grant the ability for the applicant to submit a Lot Split Application as a public meeting item to the City Council. Staff has determined that this application complies with Title 5 of Kuna City Code and Idaho Code. With that, I will answer any questions you may have. Thank you.

**C/Gealy:** I have no questions. **C/Laraway:** No questions. **C/Hennis:** No from me either. Is the applicant present? If you would like to come up and present anything more, please state your name and address for the record. **James Hallingshead:** I'm James Robert Hallingshead, 443 S Wagontown Ave, Kuna, Idaho, 83634. I am the representative for Mr. Harry W Knox, III, his family has owned the building since the '50's I believe. Originally the building was Idaho State Bank, sometime in the '50's they built an addition on the back and it is currently Kuna-Melba News. In around 1930 the white building at the end was built and in the late '50's – early '60's the open area was filled in with a central building. He wants to split into three lots which would be the white building, Country Cuts, and then Kuna-Melba News and Edward Jones would be one as they currently share a bathroom. The reason Mr. Knox wants to split them is because he is going to sell Parcel A as it is surveyed, the white building on the north end of the lot, to me and possibly Parcels B & C in the future. We are hoping to get the entire area repaired and a little more functional through owner vestments, so by splitting it he will give the tenants opportunity to invest into the property and make it more attractive to the community and market itself. Any questions for me? **C/Gealy:** I have no questions. **C/Laraway:** No, thank you. **C/Hennis:** Thank you very much. With that I will open the public hearing at 7:54 PM. Seeing nobody signed up in any of the categories, is there anybody here that would like to speak that hasn't signed up already? With that, I will close the public testimony at 7:55 PM. That brings us to Commissioner discussions; I think this one is a little bit different but it is straightforward. **C/Gealy:** I have no concerns. **C/Hennis:** I think it sounds reasonable as it's three buildings put together. **C/Laraway:** That was my hesitation. If we are going to grant the Variance, are there improvements coming to that site with that approval? **C/Hennis:** It sounds like it. **C/Laraway:** That's what I am saying, is the investor or the owner going to invest in it either way or only if the Variance is passed? **C/Hennis:** From what I read in the application, it seemed like it wasn't financially advantageous to invest in it without the Variance. **C/Gealy:** The Variance is really because of the size of the three lots. **C/Hennis:** I think the miss by 100 square feet, or something. **C/Gealy:** Right, they're not quite 1,000 square feet, they're 900; well one of them is. **C/Hennis:** If there are no issues then I'll stand for a motion.

**Commissioner Cathy Gealy moved to approve 20-01-V (Variance) for Harry Knox with the conditions as outlined in the staff report. Seconded by Commissioner John Laraway. Approved by the following roll call vote:**

**Voting Aye: Commissioner Danna Hennis, Commissioner Cathy Gealy and Commissioner John Laraway.**

**Voting No: None**

**Absent: 2**

**Motion carried: 3-0-2**

**E. Case No. 20-01-ZC (Rezone), 20-02-S (Preliminary Plat) & 20-05-DR (Design Review) Sera Sole Subdivision – ACTION ITEM**

**Troy Behunin:** For the record, Troy Behunin, Kuna Planning and Zoning Department, Senior Planner, 751 W 4<sup>th</sup> Street, Kuna, Idaho. The application before you tonight for the Sera Sole Subdivision, is a rezone, preliminary plat and a design review for the common spaces and open lots. The preliminary plat and rezone are for your recommendation to City Council, and the design review is for your approval or denial or conditional approval this evening. The applicant, Penelope Constantikes with Riley Planning, is requesting a rezone of two parcels within Kuna City Limits that are currently zoned Agriculture, to the R-6 (Medium Density Residential) zone. Many people are unaware of the fact that this parcel was approved back in 2006 as a subdivision and was actually part of the Local Improvement District (LID); it was excused from the LID but the project still remained and was still valid for a couple of years. However, it did fall down and all these years later, they are coming back with their subdivision request; it is similar to what was previously proposed but there are some significant differences. The applicant is proposing to rezone approximately 19.22-acres from Agricultural to R-6; the site on the Future Land Use Map (FLUM) does designate these parcels as a mixed use, however, these two parcels have very limited frontage. You can view that limited frontage on the preliminary plat or landscape plan, and as such, because of this limited and unowned property, staff views that it does comply to the FLUM because the parcels that adjacent to Swan Falls Road, are being reserved for future development if they so choose; those would be the commercial or public uses. It doesn't make any sense to put commercial behind homes when it needs frontage on a major road. They are proposing a Gross density of 4.05 dwelling units per acre (DUA), with the Net density being 5.61 DUA, which is under the allowed 6 DUA with the R-6 designation. They are proposing 11 common lots that total 2.83-acres or approximately 14.7% total open space; Kuna City Code (KCC) open space requirements do require that 50-100 dwelling units, you must devote at least 7.5% of the open space to useable open space. Staff notes that the applicant has chosen to put a useable open space in Lot 35, which is at the southernmost part of the preliminary plat. In concert with the City Engineer, staff does recommend that applicant be condition to work with the City Engineer because some of that is devoted as a retention pond to take care of the needs of the subdivision, however, in the open space requirements it does say that you can use some of the retention pond for your useable open space; the applicant must work with the City Engineer on this to make sure that they reach that 7.5% of useable open space. I believe that is a condition at the end of the staff report because it is very important to maintain that proper open space requirement. Staff does note that in the preliminary plat that is proposed, there is a portion of Swan Falls Road that would need to be improved and we would be happy to work with ACHD and the applicant on just how much needs to be improved, but certainly there needs to be acceleration and deceleration lanes and at least curb, gutter, some sidewalk and road widening. There were no stub streets provided from subdivisions to their south or to their west and so we are not requiring that they provide them since there are homes in the way. To the north is a light industrial parcel and because those traffic uses do not mix, we would also support no connection there as well. Staff was unable to locate any proposed locations of streetlights, we would just like to point out that streetlights are required to be LED lights, must fulfill dark sky requirements and work with the Public Works to identify what those wattages are, they have to be spaced appropriately at 250 feet. A design review for the common spaces has been included and staff notes that any areas next to the common area require either an open fence such as wrought iron, or they must be a 4 foot solid with a 2 foot lattice on top to provide some type of safety measure for the inside of the subdivision; the perimeter fence is required to be a 6 foot vinyl fence. Kuna's Comprehensive Plan does encourage a variety of housing types for all income levels and it also

encourages open space and pathways; staff finds that this generally seems to follow the Comprehensive Plan, the goals and policies of the City, and the open space requirements. Staff acknowledges that Commissioner Gealy did point out that in Section F there were a few typos which staff has corrected and will be updated for the Findings of Fact. With that, I will sit for any questions. **C/Gealy:** Thank you. **C/Hennis:** I have no questions at this time. **C/Laraway:** Not at this time. **C/Gealy:** I just have a concern and that is, there's really not a transition between the light industrial to the residential; I did read the comments of the applicant regarding how the land lays, but I'm just concerned that there seems to be a very abrupt change from industrial to residential. Although it is light industrial, I wonder if there is anything we can do to mitigate that? **TB:** Certainly, there is. I believe the Economic Development Director submitted a letter and the applicant submitted a letter of response to that; she and staff share the same concerns that perhaps there needs to be at least something back there to mitigate any future uses. Right now, it's a largely unused Lot, however, they have been in to talk with us about other uses in the last three of four years; it ranges from expanding the pallet business to having an RV storage yard. It's up to this body to come up with something that you feel comfortable with as a Condition of Approval stating that there needs to be something back there or something else; maybe deeper lots with heavy landscaping. **C/Gealy:** Thank you. **C/Hennis:** With that, do we have the applicant here tonight? Ah! Go ahead and come up and state your name and address for the record please. **Penelope Constantikes:** Thank you Mr. Chairman, for the record, Penelope Constantikes, PO Box 405, Boise, Idaho, 83701. The applicant and the project team have reviewed the comprehensive staff report provided by staff and agree with the conditions of approval. I would like to mention that Troy and the other planning staff are always very helpful and very professional. **Jessica Reid:** I apologize for interrupting, could you please hold the microphone closer? **PC:** Sure. As Sera Sole Subdivision received City approval in 2007 as mentioned by Troy, the proposed plat is almost identical to the proposed subdivision with the exception of a storm water facility that was originally proposed in the southeast corner; we've moved that to the interior of the site to allow for a future commercial lot, it's the only part of the site that is adjacent to Swan Falls Road. This subdivision will include 78 new building lots for single-family, detached traditional residences. Given its proximity to downtown Kuna, no new regional infrastructure will be needed, and provides future residents the ability to easily support downtown Kuna businesses by bike or by walking. Additional right-of-way will be dedicated to ACHD for future improvements to Swan Falls Road and an 8-foot wide sidewalk will be added to the west side of Swan Falls to improve pedestrian facilities adjacent to the site. I also wanted to add that our open space as proposed with the subdivision, is almost double what is required by Code. The essential services are close, thus reducing vehicle miles traveled by future residents. This development provides a variety and location to choose from when moving to Kuna. As an in-fill development, this project supports good land use planning in a variety of ways. The commercial site at the southeast corner of the site has an opportunity to fulfill the designation for mixed use in this area. The applicant has water rights and would be happy to pool the amount of surface water needed to provide the site with pressurized irrigation. Sera Sole meets the Comprehensive Plan vision and complies with Kuna Code with the implementation of the conditions of approval. The slope of the site is essentially from north to south and the placement of the open space is a reflection of that site geometry. If a pathway is ever implemented along the Kuna Mora Ditch, this open space would be ideally located. To facilitate future access to the planned Zamzow's Park, the applicant will include a connection to the northwest corner of the site from the interior of the subdivision to add connectivity to the future park. The staff report and ACHD staff report did not identify any deficiencies with the proposed subdivision. The additional right-of-way along the frontage will contribute to future road improvements to Swan Falls Road. The COMPASS review of the project identifies the positive attributes of the project including,

pedestrian usability; proximity to jobs, fire and police services all within 1 – 1.5 miles of the site; proximity to public school facilities; proximity to park facilities; and proximity to grocery services. Finally, the project will not contribute to the consumption of farmland. A neighborhood meeting was held on February 1<sup>st</sup> and property owners and residents within more than ¼ of a mile were notified; 5 individuals attended the meeting, representing 4 households, only one attendee did not live along Swan Falls Road. The trash along the ditch is unfortunate, however, the ditch area is offsite and not part of the proposed subdivision; perimeter fencing will be constructed with the development. This development will contribute to the future improvements of Swan Falls Road; I think that's an important item. The requested zoning designation is consistent with the surrounding area and this development will complement the surrounding residential density and architecture. The applicant and project team believe that the proposed Sera Sole Subdivision adheres to the applicable zoning codes, and the site is suitable for the proposed development. The project will not create an environmental hazard or cause any health problems. Sera Sole will not create a detriment to the present or future surrounding uses, and utilities are available to serve the site. The applicant will comply with all the conditions of approval, including required letters, installation of services, protection of other irrigation water users, installation of street improvements, street lights and fencing, and landscaping installation and maintenance. I would like to add that the site geometry plan that was submitted with the application, identifies streetlights and fire hydrants; I would be happy to hand this off if you all would like to look at it. Mr. Chairman, would you like this? **C/Hennis:** That has to be submitted to the City first. Thank you. **PC:** There is an existing Development Agreement, and the applicant will work with staff as needed to update the DA. The applicant and team will address the combination of open space and storm water retention, to maintain the proper open space provided in the subdivision; open vision fencing will be installed where needed. The applicant is also happy to work with staff in the district to implement any acceleration or deceleration lanes that appear to be required or needed. An updated landscape plan will be submitted to staff, and the team will work closely with the Kuna Fire Department to meet their standards for second access to the site. With regard to the transition to the north, the Comprehensive Plan identifies that area as future downtown Kuna so, I made an assumption that as the downtown area expands, the kinds of things like pallet factories might not be on deck anymore; perhaps I'm incorrect on that but, I know the Kuna Comprehensive Plan shows an expansion of the downtown area southward towards our site. We'd be happy to add a heavy landscape buffer along the north boundary if that is what you would like to see done for a transition. With that, I would be happy to answer any questions you have. **C/Gealy:** Just a point of clarification, the park to the northwest, is that what you said? **PC:** Yes ma'am. **C/Gealy:** Sorry, I'm not aware of it. **PC:** Mr. Chairman, Commissioner, it is the proposed Zamzow Park; there was some discussion mentioned in the letter from the Economic Development Director, and she referenced that future park; so, we'll put a connection, a pathway connection in from the interior of the site up to the northwest corner so that when other development occurs, and that pathway gets extended, people can get to the Zamzow Park without going out onto the public street. **C/Gealy:** Thank you. **C/Hennis:** I have no questions. **C/Laraway:** No questions. **C/Hennis:** Thank you, your presentation actually answered several of my questions. **TB:** Commissioner Hennis, I did receive a number of emails that I would like to hand out when you are ready for the public hearing portion. **C/Hennis:** I was just about to open it up; I will go ahead and open the public hearing up at 8:18 PM. Troy, please go ahead and hand those out. **TB:** Would the Commission like for these to be read or would you like to take a moment and read them? **C/Gealy:** Does the applicant have copies as well? **TB:** The applicant has been given these copies, yes. **C/Gealy:** I'll read them but I will need a minute to do so. **C/Hennis:** Yes, we'll take a couple of minutes to read them. Ok, we have several people that are signed up to testify that are not marked to testify or not to testify so, bear with me. Mr. Tom Bevan, did you

with to testify or not? **Tom Bevan:** No. **C/Hennis:** Ok. And Penelope, you already have. So, Ramon Herrera, if you would come up; you will have three minutes to provide your testimony, please state your name and address for the record. **Ramon Herrera:** Ramon Herrera, 664 S Willow Springs Place. We are opposed to this new housing development because of an increase to traffic downtown and Swan Falls, it's literally ridiculous to think we could do that at this current design. Our country roads have been turned into parking lots because of this increase in housing and developers haven't been held accountable to help with financial burden. This housing addition also takes away the home of migrating ducks that have lived at (*unintelligible*) for years. Adding homes of this magnitude also brings the question, where will these kids go to school? The School District would be left for us to pay as taxpayers and not the burden of the developers. If the housing should increase down south of Kuna, I challenge Kuna to provide better access across the tracks and fix an already big problem; how do First Responders get back there in case of emergency when the train is stopped? I have set there 15, 20, 30 minutes at a time and waited for the train to leave; we don't have access back there and it's ridiculous to think that First Responders can actually get there, an increase to population only poses a bigger risk. The last thing I would like to add is, to only have one means of egress in and out of the new neighborhood is reckless and a bad design; the developer should be challenged to at least provide better access for emergency responders so that my house doesn't burn down.

**C/Hennis:** Thank you. **C/Gealy:** Thank you. **C/Hennis:** Homer Mason? **Homer Mason:** No. **C/Hennis:** Ok, you don't wish to testify. Becky Higgs, come on up. **Becky Higgs:** For the record, my name is Becky Higgs and my letter to you was on behalf of me and my husband, we did write it together this morning. I want you to know that we just bought property on 704 S Willow Springs Place at the end of May and we didn't have time between our home in northern California and here; we came home last night to this notice which is the first I have ever heard about this at all. I've heard a great deal so far so; I have to edit a lot of what I already wrote because I had so many questions; I had to go from no information to getting really schooled today. Honorable Councilmen and Women, I will have to edit a little bit here. I see that the proposed subdivision is rural, there is to be 89 lots, I know 78 of them are to be housing. All fire and emergency medical support is north of the railroad tracks; these are all things I have had to find out really quick and with that development.... I'm a Critical Care Nurse, I worked in Critical Care my whole career, and one of the most important things we talk about when I worked in ICU, CCU, ER, when I worked with Paramedics and First Responders, is response time. That is absolutely what drives emergency medicine, and what I have learned is that the response times here are extremely dubious; that to me, I am blown away because I just found this out today. Now we're talking about proposing and putting on to Swan Falls Road, all of these people; do they know what I just found out today? Are they going to be told about these response times? Are they going to be told about this? Are they going to be told that? I look at Swan Falls Road and it doesn't have sidewalks, it doesn't have shoulders, it doesn't have anything, and people zoom back and forth; it's already so highly traffic and so quickly trafficked, 78 houses just being shoved out onto Swan Falls Road is ridiculous. To say that it's an R-6, and in my letter, I asked what's R-6? I also schooled myself in that and looked up the Ada County zoning districts and got that so, I see that R-6, and I also read a prior letter from the developers that they were saying that they were liked sized lots they were putting in. (*Timer sounds.*) Oh no! That's terrible because they aren't even close to the size of our lots so, there's high concentration. It's untenable. **C/Hennis:** Thank you. Ron Piper, it looks like you changed to not testify? **Ron Piper:** Yes. **C/Hennis:** Ok, thank you. Josh Golden? Go ahead and state your name and address for the record. **Josh Golden:** My name is Josh Golden; I live at 612 S Willow Springs Place. Most of our court is going to be affected by the neighbors behind us. I know in the presentation we talked about being a buffer between light industrial and the housing, and it's not even the north side of this property that is considered light industrial;

we've got J&M Sanitation right across the street. This field has always acted as that buffer between light industrial and now the housing areas, I understand that housing is just going to grow, but this field has been so critical in that separation between downtown Kuna, the railroad tracks and the light industrial, then starting to be homes. It was mentioned about a flock of ducks always using it, but we also see other birds of prey use this field as hunting; they nest in the towers right next to the development. We've seen crane, pheasants and all kinds of agricultural in this lot. We talked about the Zamzow Park, that's way by School Road, nowhere close to this development; I don't see where a pathway could be built on land that is already owned by somebody else. The common area that is already in our development where the water spillway is, is also used as a common area in our community and the other subdivisions right in there. We use that area for watching the fireworks for Kuna Days, this development will get a good show, but that was a huge gathering area for the community; there would be at least 100 – 200 people in that common area to watch the fireworks. Swan Falls Road was mentioned, yes it does need a lot of work, and where they are proposing an entrance, there is a pretty good-sized hill right there, you cannot see traffic coming over either side. If you're having 78 homes with their traffic turning in, some are coming off roads that are 50 – 55 MPH and they are coming into town, that hill alone is going to cause a hazard. **C/Hennis:** Thank you. So that is all that I have listed to testify, does anybody.... *(comment from audience)*. Sorry, you can sign up and ask the question if you would like to. Ok, you're Mr. Mason, correct? **Homer Mason:** My name is Homer Mason; I live at 588 S Willow Springs Place, Josh lives right beside me, all of our backyards face this development. We have a crappy fence that is falling down half of the time, we have a daycare center on Swan Falls Road right in front of this development. Like they said, there's no sidewalks, we do have kids that walk up and down that road. There is no speed limit, everyone goes down the road whatever they feel like. It's an unsafe situation to put in more homes, our fire department access is terrible; why this hasn't been addressed a long time ago is beyond me. I'm sure that the city could find it in their budget sometime in the future, and annex for a fire station over there. We've had one fire in our area, basically, it demolished the home. The access times we don't know because it all depends on what the railroad is doing. I know in the future there will probably be something done about it, but you know, we're speaking about today and adding more homes. It's not logical right now, you already have a development going in there on Kuna Road and Ten Mile; and as you drive around our city, there's signs all over the place that there's more proposed. What are we going to become? Meridian? There's got to be a stop somewhere; I understand people sell their properties so they can make money, but you have to understand too the developments that are already around there. Thank you. **C/Hennis:** Thank you. With that I will close the public testimony at 8.... **C/Gealy:** She gets to rebut. **C/Hennis:** That's true, sorry, I was ahead of myself. **PC:** Thank you Mr. Chairman. Again, for the record, Penelope Constantikes, PO Box 405, Boise, Idaho, 83701. I've been working in this industry for over 20 years, and my tenure includes COMPASS and ACHD; it's just a fact of development that new subdivisions are what generates the money for new fire stations and new roadways, infrastructure improvement is not proactive, it's reactive. There's just no way around that so, I understand but I also understand that until you have a property base to fund these additional services, they can't happen. We're doing what we can, which is adding right-of-way and pedestrian facilities; I did want to note that both parcels that are on the north and south side of our entry way are being given stubs, that way the daycare won't need to use Swan Falls Road anymore, they will be able to use our entryway for access to the facility. The property to the south of us is also getting a regular 50-foot-wide stub street so, we've accommodated that to the best of our ability. I live next to a large office complex and I walked through there the other night, obviously the owl that lives in our neighborhood got a nice, tasty treat because there were feathers and blood everywhere; wildlife can exist any number of places and they do it with ease. I don't think the transition of this property from

open space to a subdivision is going to diminish the wildlife in the area. I got not correspondence from the School (District) indicating there's a lack of capacity. We have two accesses to the site, there's a second access that's proposed along the south boundary, it's identified as emergency services at this time; whether or not that becomes a full public street is still up for questions, we'll work with the district fire department on that, but we have accommodated a second access point. The way we designed it was for it to be the commercial lot access, and then it would be bollard so that emergency services could get through into the subdivision without having cross traffic between residential and commercial; that's never a good idea. Again, I had 4 household that came to the neighborhood meeting and I sent a lot of notices out, I spent \$250 on postage stamps just to get those out; I understand that everyone is busy, but maybe some of these questions and some of this discussion could have taken place previously. I don't think the concentration of houses is inappropriate for the location, you do want higher density next to classified roads so that higher density subdivisions are not traveling through lower density subdivisions to get to primary roadways; that's just generally good planning practice. As far as having neighbors when you didn't have them before, again, that's something that just happens; if you move into a house next to a big open field in a town that growing, you probably should anticipate that there might someday might be something there besides an open field. I empathize, I've been on the receiving end of this, but again, it's just what happens I guess. The common area to the south, we have paired it with the open space that is available in Ryan Meadows so they are back to back. We have that huge, long stretch of open space along our south perimeter that pairs up against the open space in Ryan Meadows, I don't know that there will be a huge impact to the fireworks observation since we have that; it's a very wide area that we have designated as open space along our south boundary. ACHD did not indicate any issues with site distance, and access to Swan Falls Road; the traffic on Swan Falls is slightly under 600 vehicle trips in the peak hour, which is between 4:00 and 6:00. They did not indicate a problem with trip rates on Swan Falls Road, I know Swan Falls is on everyone's radar and something will happen, but it will be driven by development because that is what adds to the tax base. Thank you. **C/Hennis:** With that, I will close the public testimony at 8:42, and that brings up Commissioner discussion. Where to start.... I am concerned with the services available to the southern end, we've talked about that many times. **C/Laraway:** The services with what? **C/Hennis:** The services, Law Enforcement, First Responders, etc. I know that corner at Swan Falls off of Avalon, you'll sit and sit and sit going any direction. So, I do have concerns with the traffic there because I am not sure they addressed it beyond Shortline; it doesn't even seem like even breached the subject of what happens when.... Well, ACHD in the report with Swan Falls up to Avalon. I'm not sure if there's anything planned for that in the future. **C/Laraway:** Yeah. Emergency services, that's been a public concern for many years, even back when I was out here (*previous Law Enforcement serviceman*) it was a big concern. It's one of those double-edged swords to where you need growth out in a certain area for fire and police to go, oh, we need to build something there, there has to be a reason to build it. If there's no calls for services across the tracks, they're not going to build a fire station or a police station on the other side of the track; economics prevent that just like Falcon Crest, all those thousands of homes, now they are talking about putting a fire station out on Cloverdale. Economics says that's the smart thing to do, so in a way, adding more development out there does sort of enhance fire and police getting put out there. There's what, 27 trains a day that go through this town; it's going to stop everything until Union Pacific slows their trains down. The First Responder, it's been a thorn in my side since 2004 but, Union Pacific, ACHD, ITD, they're all involved in this to where we don't know where to build an overpass to get over the tracks; Union Pacific doesn't want to put up any money to build the overpass, ITD doesn't want to pay for it, with ACHD it would wipe their budget out for a year. Something has to not stop, and that's development, that's growth, the more we get out there the more somebody is

going to say that we need to build a fire station out there; it's all part of the growth. I've got a big lot right behind where I live, it's going to kill me the day someone develops it, but I know it's going to happen because it's part of growth; I had to accept that when I bought that piece of property, it wasn't going to be there forever. I could prevent it, I could buy it, but that's not economical either; so, we can't prevent the growth and we have to have the growth to have substantial first responder and other growth like overpasses, light industrial, it's all part of that package. I don't have an answer for it, I just don't to say first responders' routes as a reason we shouldn't build something, I did it for too many years. *(comment from audience)* **C/Hennis:** No sir, I'm sorry, public testimony has been closed unfortunately. I recognize what John says with the growth, but I mean, is it appropriate to have this many houses crammed into that little place with very little frontage and access? Is it appropriate to have, this being a 70-something home subdivision, and adding that much traffic, people, exposure on that road? **C/Gealy:** It is an in-fill development, and it is zoned medium residential with the R-6 zone, which they are under, is in the middle of medium density; it's more than R-4 but not as much as R-8, it would have been entirely permissible for them to have come with R-8. R-6, I think, is a good compromise and I think it fits with the surrounding use except, the industrial to the north, because there is medium density to the east and the south. It's unfortunate the subdivision to the west and the south did not put in stub streets, so they are pretty much tied to two entrances onto Swan Falls; I think they have addressed it. **C/Hennis:** Talking about the heavy landscape buffer on the north, that takes care of what you were talking about earlier. **C/Gealy:** Well, it would at least provide some mitigation for those homes. **C/Hennis:** I'm still debating, I don't necessarily think that.... I do agree that development drives some of these solutions, but I don't know if I agree with this large of an in-fill development there, though it's justifiable by rules. **C/Gealy:** And it's not as big as it could be if it was R-8. **C/Hennis:** That's true too, I mean, considering its even deemed mixed use, there are other alternatives, it could have been worse. **C/Gealy:** Mhm. The Gross is 4 DUA. **C/Hennis:** I do like they are allowing into the adjacent parcels up front for, more or less, usage and safety. I don't know, I would have liked a little bit fewer in there but, I see your point. **C/Gealy:** And it is close to downtown. Someday there will be a bridge and an overpass and sidewalks so people can live there and walk. *(Outburst from audience)*. **C/Hennis:** Quiet down please. **C/Gealy:** I don't quite understand about the ditch. **C/Hennis:** The debris? **C/Gealy:** Yes. The ditch and the debris; do you have any information at all? Who owns that ditch? **TB:** Commissioner Gealy, to answer your question, the map that I have in front of me does not indicate who owns the ditch; I did hear Penelope testify that it is actually off of their property. I do not know, without looking into it, who the ownership is. **C/Laraway:** If it's the Kuna-Mora Ditch, wouldn't that belong to the irrigation company? **TB:** So, the final plat for the Ryan Meadows Subdivision, which is directly to the south, does have a 10-foot pressurized irrigation easement on the inside and there is also a 20-foot easement inside a common lot on their northern boundary; I surmise that is where the ditch is, it's actually in the Ryan Meadows Subdivision. It's a common lot within the subdivision of Ryan Meadows. **C/Gealy:** So, it would be the responsibility of the Ryan Meadows Home Owners Association to address any concerns with the ditch, to address concerns with the fences. **TB:** Yes. *(Comment from audience: It only comes across Ryan Meadows just a little bit, it comes a little more south and then it cuts across behind the Mineral Springs complex; it cuts across part of the corner.)* **C/Gealy:** Thank you. **TB:** To answer your question, if this gets approved, they will have to follow the state law for maintaining access, preserving water rights, delivery and waste, and if any portion of that is on their property, they are going to have to.... **C/Gealy:** They'll be responsible for their part. **TB:** They'll be responsible for their part. It's just like if 80% of this is inside the Ryan Meadows Subdivision, which looking at this a sizeable portion is inside a common lot, then it's up to the underlying landowner to clean and maintain. **C/Gealy:** Thank

you. **TB:** And that will be discovered at construction document prep, should this get approved.  
**C/Hennis:** Thank you. Given that, I would stand for a motion.

**Commissioner Cathy Gealy moved to recommend approval of 20-01-ZC (Rezone) and 20-02-S (Preliminary Plat) for the Sera Sole Subdivision to City Council with the conditions as outlined in the staff report and the additional condition that the applicant work with staff to enhance the landscaping plan to include a heavy landscaping buffer between the subdivision and light industrial use to the north. Seconded by Commissioner John Laraway. Approved by the following roll call vote:**

**Voting Aye: Commissioner Danna Hennis, Commissioner Cathy Gealy and Commissioner John Laraway.**

**Voting No: None**

**Absent: 2**

**Motion carried: 3-0-2**

**Commissioner Cathy Gealy moved to approve 20-05-DR (Design Review) for the Sera Sole Subdivision with the conditions as outlined in the staff report and the additional condition that the applicant work with staff to enhance the landscaping plan to include a heavy landscaping buffer between the subdivision and light industrial use to the north. Seconded by Commissioner John Laraway. Approved by the following roll call vote:**

**Voting Aye: Commissioner Danna Hennis, Commissioner Cathy Gealy and Commissioner John Laraway.**

**Voting No: None**

**Absent: 2**

**Motion carried: 3-0-2**

**F. Case No. 19-13-AN (Annexation) Blackrock Market Place/Village – ACTION ITEM**

**Troy Behunin:** Good evening Commissioners, Troy Behunin, Planner III, 751 West Fourth Street. This Category “A” annexation request involves a County parcel and its location is shown on the vicinity Map. The applicant proposes to annex approximately 40.82 acres to create a development known as Blackrock Market Place. The site is adjacent to Kuna City limits on the west and south sides and is currently zoned RUT in the County. The applicant is proposing two different zones in order to develop the same lands into a mixed-use project. The applicant proposes using the R-20, High Density Residential (HDR) and the C-2 (Area Commercial) zones. The R-20 HDR was originally proposed to be approximately 13.22 acres in size, however, the applicant has prepared a reduced R-20 acreage (size) which they will present tonight. The applicant also proposes the C-2 zone which was originally proposed to be approximately 27.45 acres; this will naturally increase in size with the reduction to the R-20 size. The applicant, in the future, will propose multi-family housing units within the R-20 zone, and Commercial uses will be proposed within the C-2 zone, in the future as well. The site is located at the northwest corner of Meridian and Deer Flat Roads. The applicant has submitted multiple versions of a master site plan trying to follow staff’s recommendations, the City Council wishes, the Comprehensive Plan, Future Land Use Map (FLUM) and agencies. The FLUM and the Comprehensive Plan for Kuna identifies this parcel as mixed use (MU), which requires the applicant to propose a mixture of uses, including different types of commercial, along with other uses including different and compatible housing options. The

applicant does intend to subdivide the land for each of the multi-family units and for the commercial sites. The applicant will be required to submit a preliminary plat for approval by Council. Based on future Commercial uses, the applicant may need to apply for additional approvals which may include Special Use Permits and Design Review for all Commercial uses. Applicant is hereby notified that a percentage of useable open space for the residents and a certain number of parking stalls, will be required based entirely on the number of dwelling units. Staff notes the City Engineer states in his memo that Danskin Lift Station is nearing capacity, and staff recommends that the applicant be conditioned to/shall work with the City Engineer to ensure proper capacity. Kuna's Comprehensive Plan encourages a variety of all commercial types, housing types for all income levels, open space and pathways. Staff has reviewed the proposed annexation request and finds the annexation and zoning requests are in compliance with Kuna City Code (KCC); Idaho Statute; the Kuna Comprehensive Plan and FLUM. The applicant shall be required to work with Kuna's staff, Ada County Highway District (ACHD), the Kuna Rural Fire District (KRFD) and any other applicable agencies to ensure conformance to each agency's requirements. Staff recommends approval to the Planning and Zoning Commission. I stand for questions. **C/Hennis:** I have no questions. **C/Gealy:** Thank you for that, it was very thorough, and thank you to the applicant for finding a way through all of this. I had a couple of clarifications, one was the trails map wasn't here so, I was going to ask the applicant if he was aware of the trails map? And then, the note from the Fire Chief I found perplexing, and I wonder if staff may have an opportunity to talk with the fire department about mixed use and high density residential in conjunction with commercial. **TB:** That's a very good question Commissioner Gealy, thank you for asking that. yes, I have had a direct conversation with the Fire Chief about this, and what the applicant is going to propose with the new site plan, is actually in direct response to what the Fire Chief has raised as a concern. His concern isn't necessarily the mixture of high density and commercial, his concern is high density, commercial and a major ingress/egress all at the same location, especially at the convergence of Ardell Road to the north, and Meridian Road. His recommendation is to take the multi-family housing and push it as far away from that intersection as possible. **C/Gealy:** From the Ardell intersection? **TB:** From the Meridian Road and Ardell Road intersection. **C/Gealy:** And Deer Flat, I would assume. **TB:** Yes. He wasn't concerned about it necessarily on Deer Flat because that wasn't being proposed, but at the corner of Ardell Road and Meridian Road, he was concerned and that is what he told me, push that as far away from that intersection as possible. There's no other way to make it mixed use really. **C/Gealy:** Right. Ok, thank you very much. **C/Hennis:** If the applicant would like to come forward? **TJ Angstman:** Commissioners, staff; my name is TJ Angstman, I reside at 9473 W Pandion Court in Garden City. Thank you for the time to come talk to you, I have had a really good opportunity to work with staff. I'll take some time to talk about what I am not doing to give you a little bit of a concept on our progression on this, working with staff and the Comp Plan. One thing I think is important, is when we received the comments from the Fire Chief, we.... In order to do a project of the size we were proposing, it needed to have access on Meridian Road because you get so big, otherwise we would have to take the whole site and not have any commercial at all. Initially, the plan we had ended up going out to Meridian Road, and we were worried along with the Fire Chief, of people trying to take left turns across Meridian Road at a 55 or 65 MPH street. After reviewing the Fire Chiefs and staff comments, we did a much more reduced scale; this drawing here is 5.18 acres of multi-family and its 10 4-plexes. Now, our plan could change in the sense that we designed this as fast as we could so we could be ready today with an

example. There's a few things we would like consideration on because we've changed the plan so much, and there's really no access out to Meridian Road for these apartments; there's really no need for these two stub streets here, that's two more stub streets of people that can cut through this neighborhood to go to Deer Flat. My view is that just this stub would be required, because that is a pretty direct road that comes out right through to here. These both connect so, if someone wanted to go here, they could just go out here and around. There's an extra road connection and there's almost an acre of ground that's just blacktop. I talked with staff about this today's meeting because, initially, this was going to serve 260 dwellings, now we're talking about 40 so, maybe we don't need both connections. Staff and I have both agreed that today is not the day to talk about this, when we get a specific plan, but one of the comments in our packet is that both connections would be there; we're willing to do, we think it's excessive and I think the neighbors would appreciate only having one so then there's only one route coming through there. My guess is the Toll Brothers residents are going to use this more than our residents because it's a quick shot out to Ardell from their neighborhood, whereas before they had to wind through their whole subdivision to get there. I wish it had the whole map of their subdivision to show you but, as you know, it's 230 homes or so. We're changing that so we can have some parking, as you can see our site really uses up a lot of space in parking and that's because three parking spaces are required per unit here in Kuna. So, having the extra road and parking cuts down on opportunities for green space and maybe a little more creative design. We like it though, and we really like how the commercial lays out here; there's a nice flow, we plan a crossing over the canal so, when we develop the main corner, you'll have access all the way through the development to Deer Flat. There's a nice entrance and exit right here that lines up pretty well, we can't build ours as close to the intersection as the neighbor. The traffic flow and the interest we've had from commercial tenants tells us that this layout is going to be quite popular and I think the view shed for the neighborhood as a main entrance into town is better not having the storage and multi-family on Meridian Road. We have done probably four site plans, there were extensive and well done and we landed on this one, the one that probably creates the best interest for the City; from the perspective of staff, certainly they liked it better, and I don't know if multi-family is good against a busy road. So, that's what we have; I just wanted to note that we do follow the goals of the Comprehensive Plan, we've made a lot of adjustments for safety because we are on a busy street and an important corner; those changes include removing another connection on Meridian Road. We just have two connections when we could have had three, we decided to eliminate one just so there wouldn't be so many places for people to leave; it could be dangerous. We do believe in the idea of connected communities, but like I said, maybe we won't need the second connection; certainly, the connected communities would also include the development of the trail system and the bike path. You can see along the Boise River the sense of community that creates, and doing that in Kuna will do the same. We want to be part of the community and we hope that people can come shopping along there and enjoy what we develop. Other than that, I would say that I could stand for any questions; we've reduced the multi-family from 13, to 11, to 5.18-acres and that includes the acreage of the road. It does look like the 4-plexes could get arranged a little more creatively so that people aren't looking straight into each other's windows, I'll be working with an architect to get the site plan done; basically what you want your apartments to look like is a train wreck where they are all at different angles. Other than that, I'll stand for questions. **C/Hennis:** Did you mention there was going to be a crossover over the canal between the two? **TA:** Commissioner Hennis, yes, there is a plan to put that but won't be built until we develop the main corner. The corner

loses its value if we don't have this access here and across the canal there, people have to be able to take the right-in to go shopping or that corner will not work. We put it where ITD says it will be a legal and safe connection, we believe they are going to allow a full access, we know that could change in the future depending on safety. **C/Hennis:** Ok, thank you.

**C/Laraway:** I have a question for Troy. We're going to have a chance to talk about Design Review and everything else later on, right? Because I don't want to ask questions that don't have anything to do with the annexation. **TB:** Staff hesitated a little bit putting any kind of access marker in the staff report, but because it's our entry corridor, staff wanted to at least make that part of the record, not necessarily a large part of the discussion. At preliminary plat for the multi-family and the commercial, that will be one of the big discussion items; that will be the arena that it should be discussed. **C/Laraway:** This will come up again? **TB:** Absolutely. **C/Gealy:** With the annexation, we will indicate the acreage that would be multi-family and the acreage that would be commercial? **TB:** Yes. **C/Laraway:** Yes, I'm more concerned with ITD items. **TB:** Just so the applicant is aware, what is being presented is 5.18-acres multi-family so, that's the acreage that they'll be stuck with. **TA:** We have the legal description into staff now, so they know we can't move around, the only thing we hope to do is get some roadway reduced, that will make my plan better. **C/Gealy:** And the remainder is C-2? **TA:** C-2, correct. **C/Hennis:** I have no other questions. **C/Gealy:** I have no questions. **C/Laraway:** Nothing, thank you. **C/Hennis:** With that I will open up the public hearing at 9:19 PM. I have listed here David Gronbeck, but you didn't specify to testify or not. (*Mr. Gronbeck indicates he did not want to testify*). Ok, I'll mark you as not testify. In opposition, Daniel McDonald, you didn't specify. (*Answer from audience*). Ok, come on up and state your name and address for the record please. And again, we'll give you three minutes. **Daniel McDonald:** My name is Daniel McDonald, I live at 1867 N Siltstone Way, Kuna, 83634. I have a couple of questions on this one; like most have commented, schools; I have elementary school kids that go to Reed and a daughter that goes to Freemont, and their schools are full. They have built a couple of portables at Reed and they are completely full and over populated; adding high density there I am just concerned on schools, as is everybody else. I know that's a question but I think it needs to be addressed when you are putting high density into that area, that the schools need to be in the works. As far as the site for commercial, when we moved in there, we didn't know that was going to happen, but looking at Kuna's vision, it does show that there is a future park right there at Meridian and Deer Flat, it's on page 138 I believe. That four corners, you have the northwest zoned commercial, you have the northeast, southeast and northeast all commercial; that means there is no other place for a park but right there at the northwest corner. I understand that is a great place for commercial, but I would look at maybe putting in a park north of that instead of high density. As far as what the gentleman said about how the subdivisions residents will be using the access more than the tenants, I disagree; we have access to Ardell in our neighborhood, we don't need his access to get there, I think that is actually going to become a hazard to the subdivision since it is zoned for medium, not high density. Your adding more cars to that is going to be a problem, as it is, my kids stand at the bus stop at Deer Flat and Sailor, and we've had kids almost hit by cars; if we're adding more cars into that, it's just going to cause more problems. My other question for that is on the commercial; it does show that the commercial buildings are hugged tight to the neighborhood, and I know that the houses right there don't have a lot of barrier. We're going to have houses two-story's, looking into the back of a parking lot, into the back of a commercial site, which is going to be trash dumpster, people out there smoking, kids; I think we need to address the fact it is right up

against the subdivision, it needs to have some kind of a barrier, trees, spacing. Again, we kind knew what we were getting when we moved out here, it is growing exponentially out here, but we do need to do smart growth and not just growth for growth. With that, I have listed all my questions and concerns. Thank you for your time. **C/Hennis:** Thank you. **C/Gealy:** Thank you. **C/Hennis:** The last two I have on here have marked not to testify, is that still the case? Do you wish to testify at all? No, ok, I just want to give you the chance. With that I'll let the applicant come back and answer any questions that might have been brought up. **TA:** I appreciate the comments about the compatibility, I think its fair comment and is certainly a concern I would have if I lived there. What we understand the process to be is we'll come back with a specific plan when we have a user, the problem is we can talk all we want about it, but until we have a user, it's not much of a conversation. The users will know that they need to be mindful of the neighborhood they are moving into, and certainly, we'll be mindful of that; David (Gronbeck) lives in this community, I am part of this community and we plan to be part of the community with this development so, we want to have a healthy relationship with our neighbors. I would just say that what our current 4-plex proposal looks like there is only 40 homes versus the Toll Brothers is over 230 so, I don't know who will cut through more and I'm sure that they will say the other guys are cutting through way too much. The only thing we can do is follow the policies that are in place; ACHD and the City of Kuna both have connected community policies. What we need to do is to do it in a smart way, and I think having one, and maybe they could close down the other one and have a basketball hoop there or just close it down; whatever they want, but I think closing one of them would be a good idea. Other than that, what I have seen ACHD do is if there is a concern over traffic, they'll install traffic calming, maybe even make the developer who's responsible, pay for the traffic calming; if it's warranted, they won't go put speed bumps in if there's no warrant, they're going to put little things across the street. They'll do a traffic study and if there's a warrant, they'll make us put in some traffic calming. My guess is with 40 units, the number of trips per day based on the information ACHD provided in their staff report, is a little more than 7 but less than 8 trips per home; that means the total number of trips our multi-family is going to generate with this present layout is 320 total trips. Once you think about that, most of them are not going to be to Deer Flat but, the ones who are going to Deer Flat might cut through this neighborhood, that's the whole idea of connected neighborhoods; being part of the same neighborhood is the whole idea. We are only talking about 320 trips so, if they were all going there, how many minutes are there in a day? That's 60 minutes in an hour so, in 5 hours, there's one person per minute, if that was the whole day it would be less; they're not all going to be going that direction, my guess is most will go out Ardell to Meridian Road and off to work then back again on the same route. I'm not going to say it's not a valid concern, I would be; I live in a gated community right now for the same reason that he's saying, I wanted the safety for my family, so understand and I want to develop it that way, and we've already made some steps. Are there any other questions, I can answer them? **C/Hennis:** No. Thank you. So, with that I will close the public testimony at 9:27 PM, that will open up our discussion. Just to reiterate, it's nice to have the site plan and everything for reference on what we are trying to do with this whole thing, but this is just the annexation. Any future plats will be presented to us with a public hearing, everybody will have another opportunity to bring this forward. And I think that's the one thing I wanted to answer with the gentleman that came up too, the stub streets are going to be dependent upon ACHD, it's not by design it's by reference, so that is something that will be worked out when there's an actual plat. It's the same with the transition between the commercial and the residential down near the Deer

Flat side, there's got to be that commercial buffer, that's by Code for the city. Those will all be addressed and hopefully mitigate those problems, but again, we'll see that more definitively in the future. Otherwise, I think it's good use, I like the way they planned this with the multi-use in the back and the reduction to 5.18-acres, it's great. Any concerns?

**C/Gealy:** I have no concerns. **C/Laraway:** It's well laid out, but that's not why we're here. I like it so far but we're just here for the annexation part of it. **C/Hennis:** And the rest will follow in the future. So, with that I will stand for a motion.

**Commissioner Cathy Gealy moved to recommend approval of 19-13-AN (Annexation) for Black Rock Marketplace with the conditions as outlined in the staff. Seconded by Commissioner John Laraway. Approved by the following roll call vote:**

**Voting Aye: Commissioner Danna Hennis, Commissioner Cathy Gealy and Commissioner John Laraway.**

**Voting No: None**

**Absent: 2**

**Motion carried: 3-0-2**

#### **4. BUSINESS ITEMS:**

##### **A. Findings of Fact & Conclusions of Law**

###### **I. 20-01-V Harry Knox Lot Split**

**C/Hennis:** You have business items listed next on the agenda but it's the same lot split?

**Jessica Reid:** This is the approval of the Findings of Fact after the approved case so that it can move forward to Council at the next meeting. **C/Gealy:** We don't have to wait two weeks. **C/Hennis:** That works. With that I will stand for a motion.

**Commissioner Cathy Gealy moved to approve 20-01-V (Variance) Findings of Fact. Seconded by Commissioner John Laraway. Approved by the following roll call vote:**

**Voting Aye: Commissioner Danna Hennis, Commissioner Cathy Gealy and Commissioner John Laraway.**

**Voting No: None**

**Absent: 2**

**Motion carried: 3-0-2**

#### **5. ADJOURNMENT: 9:32 PM**

**C/Hennis:** Any reports? **Wendy Howell:** I just wanted to thank everyone that responded so far regarding the Urban Renewal District and its public workshop. **C/Gealy:** I can go to either one. If you end up calling a meeting. **WH:** We only have three items on the next agenda, design reviews. **C/Hennis:** Any other staff reports? **WH:** No, that is all.

**Commissioner Cathy Gealy moved adjourn. Seconded by Commissioner John Laraway. Approved by the following roll call vote:**

**Voting Aye: Commissioner Danna Hennis, Commissioner Cathy Gealy and  
Commissioner John Laraway.**

**Voting No: None**

**Absent: 2**

**Motion carried: 3-0-2**

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Lee Young, Chairman  
Kuna Planning and Zoning Commission

ATTEST:

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Wendy I. Howell, Planning and Zoning Director  
Kuna Planning and Zoning Department



# City of Kuna

## Planning and Zoning Commission

### Findings of Fact and Conclusions of Law

P.O. Box 13  
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 www.Kunacity.id.gov

**To:** Planning and Zoning Commission

**Case Numbers:** 20-03-S (Preliminary Plat), 20-01-AN (Annexation) and 20-07-DR (Design Review) – **Ledgestone South Subdivision.**

**Site Location:** 2425 N. Locust Grove Road, and Surrounding Parcels, Kuna, ID 83634

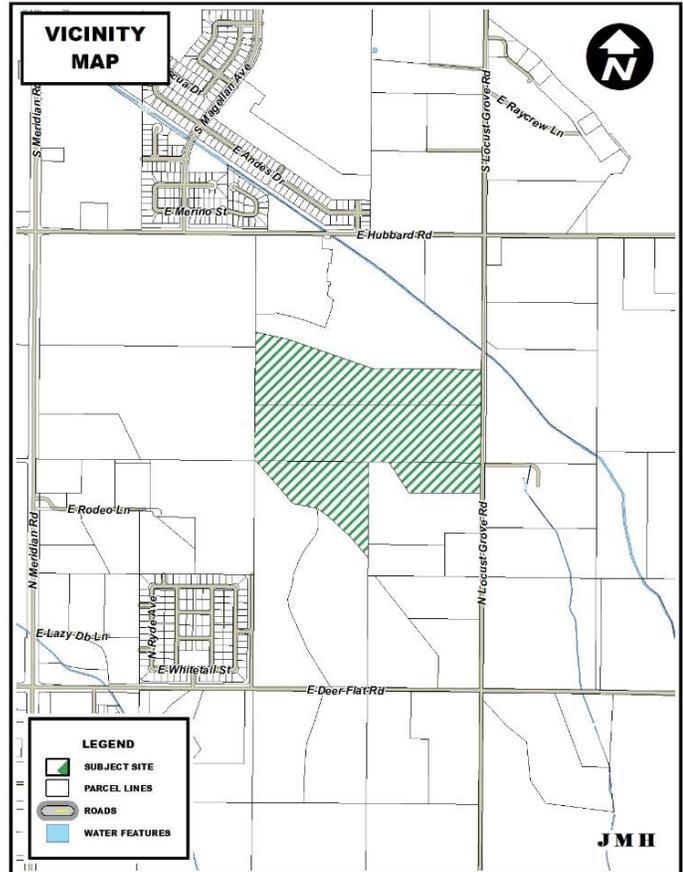
**Planner:** Jace Hellman, Planner II

**Hearing Date:** August 11, 2020  
**Findings:** **August 25, 2020**

**Owners:** TJ Johnson  
 2425 N. Locust Grove Road  
 Kuna, ID 83634  
  
 Heartland Townhomes Property Management LLC  
 9839 W Cable Car St., Suite 101  
 Boise, ID 83709

**Applicant:** Trilog Development, Inc  
 9839 W. Cable Car St., Suite 101  
 Boise, ID 83709  
 208.895.8858

**Representative:** Gem State Planning – Jane Suggs  
 9840 W. Overland Road, Suite 120  
 Boise, ID 83709  
 208.895.8858  
[jane@gemstateplanning.com](mailto:jane@gemstateplanning.com)



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**A. Process and Noticing:**

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that design reviews are designated as *public meetings*, with the Planning and Zoning Commission (acting as the Design Review Board) as the decision-making body; and that preliminary plats and annexations are designated as public hearings, with the Planning and Zoning Commission as a recommending body and City Council as the decision-making body. These land

use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

**a. Notifications**

- i. Neighborhood Meeting November 14, 2019 (3 people attended) & February 19, 2020 (1 person attended)
- ii. Agency Comment Request May 20, 2020
- iii. 400’ Property Owners Notice July 8, 2020
- iv. Kuna Melba Newspaper July 8, 2020
- v. Site Posted July 17, 2020

**B. Applicant’s Request:**

Trilogy Development, Inc and Gem State Planning request to annex approximately 97 acres into Kuna City Limits with R-6 (Medium Density Residential) and R-8 (Medium Density Residential) zoning district classifications and to subdivide the 97 acres into 437 total lots (393 buildable lots and 44 common lots). The subject sites are located along North Locust Grove Road and future extensions of Ardell Road and Stroebel Road, within Section 18, Township 2 North, Range 1 East; (APNs: S1418123460, S1418123485, S1418427800 and S1418417200).

**C. Site History:**

All included parcels are zoned Rural Residential (RR) within unincorporated Ada County. Historically these parcels have served as farmland.

**D. General Projects Facts:**

1. **Comprehensive Plan Map:** The Future Land Use Map (FLUM) is intended to serve as a *guide* for the decision-making body for the City. The FLUM indicates land use designations generally speaking, it is not the actual zone. The Future Land Use Map identifies the approximately 97-acre site as Medium Density Residential.
2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map does not indicate a future pathway/trail through the subject site; however, bike routes are proposed along future extensions of Stroebel Road and Ardell Road.
3. **Surrounding Land Uses:**

<b>North</b>	R-8	Medium Density Residential – Kuna City
<b>South</b>	RR	Rural Residential – Ada County
<b>East</b>	RR	Rural Residential – Ada County
<b>West</b>	C-1	Neighborhood Commercial – Kuna City
	R-4	Medium Density Residential – Kuna City

4. **Parcel Sizes, Current Zoning, Parcel Numbers:**

Property Owner	Parcel Size:	Current Zone:	APN:
Heartland Townhomes Property Management	32.54	RR (Rural Residential)	S1418123460
TJ Johnson	40.40	RR (Rural Residential)	S1418123485
TJ Johnson	16.80	RR (Rural Residential)	S1418427800
TJ Johnson	7.88	RR (Rural Residential)	S1418417200

5. **Services:**

- Sanitary Sewer– City of Kuna
- Potable Water – City of Kuna
- Pressurized Irrigation – City of Kuna (KMIS)
- Fire Protection – City of Kuna (KRFD)
- Police Protection – Kuna Police (Ada County Sheriff’s office)

6. **Existing Structures, Vegetation and Natural Features:**

The proposed project sites contain one single-family home, which will remain on the property, and five (5) outbuildings. vegetation on-site is consistent with that of crop fields. The sites have an estimated average slope of 1% to 2%. According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be greater than 60 inches across a majority of proposed development area, however there are some areas where bedrock depth is between 20” and 40” along the southern boundaries of the development area.

7. **Transportation / Connectivity:**

The applicant proposes connections to classified roadways in three locations, North Locust Grove, and two new sections of mid mile collectors, South Stroebel Road and East Ardell Road. Additionally, the project proposes to connect into two existing stub streets located within Ledgestone Subdivision (approved March 5, 2019) and provide three new stub streets into adjacent properties. A pathway along the northern boundary of the project, as well as various internal pathways are being proposed.

8. **Environmental Issues:**

Staff is not aware of any environmental issues, health or safety conflicts beyond the designation of being in the nitrate priority area. Idaho Department of Environmental Quality (DEQ) has provided recommendations for surface and groundwater protection practices and requirements for development of the site.

9. **Agency Responses:** The following responding agency comments are included as exhibits with this case file:

- Boise Project Board of Control ..... Exhibit B-2
- Department of Environmental Quality ..... Exhibit B-3
- Ada County Development Services ..... Exhibit B-4
- Central District Health Department ..... Exhibit B-5
- Community Planning Association of Southwest Idaho (COMPASS)..... Exhibit B-6
- Kuna School District ..... Exhibit B-7
- Kuna City Engineer ..... Exhibit B-8
- Ada County Highway District ..... Exhibit B-9

E. **Staff Analysis:**

On February 14, 2020 Planning and Zoning staff held a pre-application meeting with the applicant, Public Works, the Parks Department, The Kuna School District, Kuna Rural Fire District and Kuna Police Department to discuss the project. The applicant held two neighborhood meetings with residents with 450 ft of the proposed project area on November 14, 2019 and February 19, 2020. There was a total of four resident who attended the meetings. Neighborhood meeting minutes as well as mailed materials have been provided as a part of this application.

The applicant is proposing to annex the approximately 97-acres into Kuna City Limits. Of those 97-acres, the applicant has proposed to zone approximately 84% of the development site R-6 (Medium Density Residential) as defined via legal description. The proposed areas of R-6 will accommodate 291 standard single-family home lots. The remaining development area, as defined by legal description, is proposed to be zoned R-8 (Medium Density Residential). Similar to the original Ledgestone preliminary plat, Ledgestone South proposes to incorporate 102 alley-load lots. These single-family homes will face the street; however, driveway and garage access will be available from the rear of the house via a 20 ft wide public alley way. With 393 lots over approximately 97 acres, the overall gross density of the project is 4.07 dwelling units per acre (DUA). The net density is 5.65 (DUA).

14.68 acres, or 15.2% of the project is proposed to be open space. This includes all buffers, parks, and pathways. 11.8 acres, or 11.6% of the project, are considered useable open space, as defined by KCC 5-1-6-2. Included in the useable open space is a five ft wide pathway that spans over ½ mile long along the northern boundary of the proposed project area and an approximately 3.9-acre park, which contains a pool, playground and picnic shelter. KCC 5-17 requires developments with a range of 351 to 400 homes/dwelling units to devote 10.50% of the

development area to useable open space. Staff views the open space to be in substantial compliance with Kuna City Code.

With this proposed project, the applicant is constructing a new section of stroebel road along the east property line, which will serve as one of the main entrances into the subdivision. Stroebel Road is listed a north-south minor collector according to Kuna's Street Circulation Map. The applicant also proposes to construct an entirely new section of Ardell Road which will span from Stroebel Road to Locust Grove Road. Ardell Road is classified as an east-west major collector. Along Ardell Road the applicant has proposed a five-foot attached sidewalk. The sidewalk width requirement for Collector Roads is an eight-foot detached sidewalk with vertical curb and gutter. Staff would note that the applicant will be required to install sidewalks in accordance with KCC 5-17-13 and 6-4-2. Additionally, the project proposes to connect into two existing stub streets located within Ledgestone Subdivision (approved March 5, 2019) and provide three new stub streets into adjacent properties. Within the development, the applicant proposes several alley ways to access the proposed alley-loaded home product. The applicant will be required to install "NO PARKING" signs within all alleys. Additionally, the applicant will be required to obtain written approval from the Kuna Rural Fire District regarding proposed alley widths. The applicant will be required to install a sign at the terminus of Ardell Road and Stroebel Road, as well as each proposed stub street stating that these roads will continue in the future. Staff will defer the applicant to comments provided by Ada County Highway District for preferred language. Several internal roadways within the proposed project exceed Ada County Highway Districts maximum roadway length of 750-feet with out traffic calming measures. The applicant will be required to submit a revised preliminary plat showing re-designed roadways to the City of Kuna and Ada County Highway District for review and approval prior to signature on the first final plat.

The installation of streetlights are required public improvements are a required public improvement listed under Kuna City Code 6-4-2. The applicant has included proposed locations of streetlights on the preliminary plat. Staff will require the applicant to work with staff in order to comply with KCC and install street lights a maximum spacing of 250 ft. The final location of street lights will be approved at the time of construction document review. Staff would note that these streetlights must be designed and installed according to "Dark Sky" standards.

Ledgestone South sewage is anticipated to flow to the Patagonia Lift Station. The Sewage is subsequently lifted to the Danskin Lift Station. At this time, neither lift station can support this project as they are currently configured. Staff would note that if the Commission recommends approval of this project, that the applicant be required to work with the Kuna City Engineer to provide a solution regarding the creation of additional capacity. This condition has been provided as condition number 6 in section "I" of this report.

Additionally, as a part of this application there is an existing single-family home located on parcel no. S1418123485 that is being included with the annexation proposal, however, this house and approximately 1.04 acres that surround it will not be included in the preliminary plat, and will be listed as an out parcel on the plat. Ada County Highway District recommends the frontage along this site be improved consistent with the proposed improvements along Locust Grove Road and Ardell Road so there is not a gap in improvements. Staff agrees with this recommendation and will require the applicant to install curb, gutter and sidewalk in accordance with Kuna City Code 5-17 and 6-4.

A design review application for common area landscaping and open space was included as a part of the overall application. The proposed application includes several internal pathways. Staff will require the applicant to comply with KCC 5-5-5-F and install "see-through" fence. Staff finds the proposed landscaping, buffers and common space to be in compliance with Kuna City Code. However, staff will require the applicant be conditioned to place sod wherever the landscape plan (dated March 23, 2020) identifies "Lawn" and provide staff an updated landscaping plan accommodating the requested change. Additionally, staff notes that if this project is approved, at the time of civil plan development, landscaping cannot be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves, and ACHD underground facilities. In the event that locations of landscaping are within the locations listed above, the landscaping in that area must be moved to an alternate location, and an updated landscape plan must be provided to staff prior to scheduling a final landscape inspection. No design review

application has been submitted for the pool and pool house area; however, design review approval will be required prior to submitting for a building permit.

The developer, owner and/or applicant is hereby notified that this project is subject to design review inspection fees. Required inspections (post construction), are to verify landscaping compliance prior to signature on the final plat.

Kuna's Comprehensive Plan (Comp Plan) encourages a variety of housing types for all income levels, open space and pathways numerous times throughout the document. Pertinent sections of the Comp Plan that address the above listed items are included below in Section G of this staff report. Staff has reviewed the proposed preliminary plat for technical compliance with KCC, and finds the pre-plat and landscape plan are in compliance Kuna City, Title 5 and Title 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan. The applicant will be required to work with Kuna's staff, Ada County Highway District (ACHD), the Kuna Rural Fire District (KRFD) and any other applicable agencies to ensure conformance to each agency's requirements.

The Planning and Zoning Commission voted 3-0 to recommend to City Council approval of case nos. 20-01-AN (annexation) and 20-03-S (preliminary plat) subject to the conditions of approval as outlined in section "I" of this report. Additionally, the Planning and Zoning Commission voted 3-0 to approve case no. 20-07-DR (Design Review) subject to the conditions of approval as outlined in section "I" of this report.

**F. Applicable Standards:**

1. City of Kuna Zoning Ordinance Title 5.
2. City of Kuna Subdivision Ordinance Title 6.
3. City of Kuna Comprehensive Plan.
4. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

**G. Comprehensive Plan Analysis:**

Kuna Planning and Zoning Commission has accepted the Comprehensive Plan components, and has determined the proposed annexation and preliminary plat requests for the site *are* consistent with the following Comprehensive Plan components as described below:

**Goal Area 2: Kuna will be a healthy, safe community.**

- Goal 2.A: Maintain and expand an interconnected greenbelt, pathways and trail system.
  - Objective 2.A.2: Maintain and expand the pathway and trail network with a focus on building connectivity to key activity and population centers that serve all areas of Kuna.
    - Policy 2.A.2.d: Work with private developers and landowners to direct expansion of the trails and pathways system throughout Kuna, including:
      - Ensure appropriate polices and ordinances are in place to incentivize and require construction of new pathways and trails infrastructure as development and redevelopment occurs.
      - Require all new neighborhood and subdivision developments to incorporate pathway connectivity within the neighborhood and tie into existing or anticipated pathways and trails.
      - Clearly identify locations where trails and pathways infrastructure should be publicly accessible, and who will be responsible to provide regular maintenance for these areas.
- Goal 2.B: Maintain and expand parks and public gathering spaces.
  - Objective 2.B.1 Maintain and expand the parks system
    - Policy 2.B.1.b: Continue to require neighborhood park development through the subdivision development process.

**Goal Area 3: Kuna's land uses will support a desirable, distinctive and well-designed community.**

- Goal 3.D: Encourage development of housing options and strong neighborhoods.

- Objective 3.D.1: Encourage development of housing options for all citizens.
  - Policy 3.D.1.a: Encourage preservation and development of housing that meets demand for household sizes, lifestyles and settings.
- Objective 3.D.2: Create strong neighborhoods through preservation, new development, connectivity and programming.
  - Policy 3D.2.d: Work to ensure that all neighborhoods in Kuna benefit from good connectivity through sidewalk, pathway and trail, on-street and transit infrastructure.
- Goal 3.G: Respect and protect private property rights.
  - Objective 3.G.1: Ensure land use policies, restrictions, and fees do not violate private property rights.
    - Policy 3.G.1.b: Ensure City land use actions, decisions and regulations will not cause an unconstitutional regulatory taking of private property; and do not effectively eliminate all economic value of the subject property.
    - Policy 3.G.1.c: Ensure City land use actions, decisions and regulations do not prevent a private property owner from taking advantage of a fundamental property right. Ensure city actions do not impose a substantial and significant limitation on the use of the property.

**Goal Area 4: Kuna will be a connected community through strong transportation and infrastructure systems.**

- Goal 4.B: Increase sidewalk coverage and connectivity and invest in pedestrian facilities to increase walkability.
  - Objective 4.B.2: Maintain and expand sidewalks and pedestrian facilities within the community.
    - Policy 4.B.2b: Install detached sidewalks and/or protected pedestrian routes/facilities along high trafficked roads as development occurs.
    - Policy 4.B.2.c: Promote the installation of off-system pedestrian pathways to create neighborhood connections and reduce the length of non-motorized transportation routes.
    - Policy 4.B.2.g: Coordinate with developers to connect and/or enhance pedestrian facilities, including on and off-system pathways, footbridges (across canals, etc.), road bridges, sidewalks, pedestrian crossings and wayfinding signage.
- Goal 4.C: Increase pathway, trail and on-street bicycle facilities to create an expanded and connected bicycle network.
  - Objective 4.C.1: Maintain and enhance existing pathways, trails and on-street bicycle facilities.
    - Policy 4.C.1.a: Expand the bicycle network as identified in the Kuna Pathways Master Plan and ACHD Roadways to Bikeways Plans through land use developments and capital improvement projects.
    - Policy 4.C.1.e: Coordinate with developers to connect to and/or enhance bicycle facility connections, including pathways, non-motorized canal crossings, road bridges and wayfinding signage.
  - Objective 4.C.2: Ensure expansion of pathways, trails and on-street bicycle routes.
    - Policy 4.C.2.b: Promote the installation of off-system bicycle pathways to create neighborhood connections and reduce non-motorized transportation route lengths.
- Goal 4.D: Promote a connected street network that incorporates mid-mile collectors and crossing for improved neighborhood connectivity.
  - Objective 4.D.2: Ensure the continued expansion/development of mid-mile collector system throughout the community.
    - Policy 4.D.2.a: Extend and expand mid-mile roads as growth occurs.
    - Policy 4.D.1.b: Preserve adequate right-of-way along all mid-mile roads or other approved alternative locations to align roads.

**H. Kuna City Code Analysis:**

1. This request appears to be consistent and in compliance with all Kuna City Code (KCC).

**Comment:** *The proposed applications adhere to the applicable requirements of Title 5 and Title 6 of KCC.*

2. The Planning and Zoning Commission feels the site *is* physically suitable for the proposed development.

**Comment:** *The 97-acre (approximate) site does appear to be suitable for the proposed development.*

3. The preliminary plat request is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

**Comment:** *The land to be developed is not used as wildlife habitat. Roads, driveways, family units and open spaces are planned for construction according the City and ACHD requirements and best practices and will therefore not cause environmental damage or loss of habitat.*

4. These applications *are not* likely to cause adverse public health problems.

**Comment:** *The project would connect to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

5. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.

**Comment:** *The preliminary plat request considers the location of the property and adjacent uses. The adjacent uses are medium density residential and neighborhood commercial (Kuna City) and rural residential (Ada County).*

6. The existing and proposed street and utility services in proximity to the site are suitable *or* adequate for a commercial development.

**Comment:** *Correspondence from ACHD confirms that the streets are suitable and adequate for this project. However, per Kuna City Engineer comments (Exhibit B8), a commensurate impact the City's water, sewer and irrigation will result with this development. Neither the Patagonia Lift Station, nor the Danskin Lift Station can support this project at this time.*

#### **I. Commission's Recommendation:**

Based on the facts outlined in staff's report and public testimony as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby recommends *approval* of Case Nos. 20-01-AN (*Annexation*) and 20-03-S (*Preliminary Plat*), a request from Trilogy Development, Inc and Gem State Planning to annex approximately 97 acres into Kuna City Limits with R-6 (Medium Density Residential) and R-8 (Medium Density Residential) zoning district classifications and to subdivide the 97 acres into 437 total lots (393 buildable lots and 44 common lots); AND *approves* Case No. 20-07-DR (*Design Review*), subject to the following conditions of approval:

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
  - a. The City Engineer shall approve the sewer hook-ups.
  - b. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
  - c. 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".
  - d. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District are required.

- e. The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
  - f. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
  - g. All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
2. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
  3. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
  4. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
  5. Connection to City Services (Sewer, Water, Pressurized Irrigation) is required. The applicant shall conform all corresponding Master Plans.
  6. The Developer/owner/applicant shall be required to participate, as determined by the City Engineer, in the development of additional lift station capacity.
  7. Curb, gutter and sidewalk (attached and detached) shall be installed in accordance with Kuna City Code Title 5 Chapter 17 and Title 6 Chapter 4.
  8. To ensure there is not a gap in improvements along Locust Grove Road and Ardell Road, the applicant shall install curb, gutter and sidewalk along 1.04-acre site in accordance with Kuna City Code Title 5 Chapter 17 and Title 6 Chapter 4.
  9. Applicant shall install "NO PARKING" signs within all alley-ways.
  10. Applicant shall obtain written approval from the Kuna Rural Fire District regarding proposed alley widths.
  11. Regarding the excessive street section lengths, the applicant shall submit a revised preliminary plat showing re-designed roadways to the City of Kuna and Ada County Highway District for review and approval prior to signature on the first final plat.
  12. All local roads intersecting Ardell Road shall either align or offset a minimum of 330-feet.
  13. Applicant/Developer shall install a sign at the terminus of Ardell Road and Stroebel Road, as well as every proposed stub street stating these roads will continue in the future. Applicant/Developer shall obtain proper language from Ada County Highway District.
  14. Applicant shall work with staff in order to provide final locations of street lights as required by Kuna City Code.
  15. Street lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.
  16. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted).
  17. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days 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 entities owning the property.
  18. Landscaping shall not be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles.
  19. The applicant shall install sod wherever the landscape plan (dated March 23, 2020) identifies "Lawn" and provide staff an updated landscaping plan accommodating the requested change.
  20. Subdivision amenities such as the proposed pool and pool house are subject to Design Review approval.
  21. All signage within/for the project shall comply with Kuna City Code, and shall be approved through the applicable sign approval process listed in KCC 5-10.

22. If any revisions are made, the applicant shall provide the Planning and Zoning Staff with a revised copy of the preliminary plat.
23. Any revisions of the plat are subject to administrative determination to rule if the revision is substantial.
24. 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 City Council, or seek amending them through public hearing processes.
25. Developer/owner/applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
26. Developer/owner/applicant shall comply with all local, state and federal laws.

**DATED** this 25<sup>th</sup> day of August, 2020.



*City of Kuna*  
**Planning and Zoning Commission**  
**Findings of Fact and Conclusions of Law**

P.O. Box 13  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
[www.Kunacity.id.gov](http://www.Kunacity.id.gov)

Based upon the record contained in Case Nos. 20-01-AN, 20-03-S and 20-07-DR including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the public hearing, the Kuna Commission hereby approves Case No. 20-07-DR and recommends *approval of the Findings of Fact and Conclusions of Law*, and conditions of approval for Case Nos. 20-01-AN and 20-03-S, a request from Trilogy Development, Inc and Gem State Planning to annex approximately 97 acres into Kuna City Limits with R-6 (Medium Density Residential) and R-8 (Medium Density Residential) zoning district classifications and to subdivide the 97 acres into 437 total lots (393 buildable lots and 44 common lots).

1. *Based on the evidence contained in Case Nos. 20-01-AN, 20-03-S and 20-07-DR, this proposal does generally comply with the City Code.*

**Finding:** *The applicant has submitted a complete application, and following staff review for technical compliance the application appears to be in general compliance with the design requirements, public improvement requirements, objectives and considerations listed in Kuna City Code Title 5 and Title 6.*

2. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

**Finding:** *The applicant held neighborhood meetings on November 14, 2019 and February 19, 2020. A total of four residents attended the meetings. Neighborhood Notices were mailed out to residents within 450-FT of the proposed project site on July 8, 2020 and a legal notice was published in the Kuna Melba Newspaper on July 8, 2020. The applicant posted sign on the property on July 17, 2020.*

3. *Based on the evidence contained in Case Nos. 20-01-AN, 20-03-S and 20-07-DR, this proposal does generally comply with the Comprehensive Plan.*

**Finding:** *The Comp Plan has listed numerous goals for providing a variety of housing densities and types to accommodate various lifestyles, ages and economic group in Kuna, as well as the installation of pathways and open space. The proposed zoning districts are R-6 and R-8 (Medium Density Residential). The Comp Plan Map designates the properties as Medium Density.*

4. The contents of the proposed preliminary plat application *does* contain all of the necessary requirements as listed in Kuna City Code 6-2-3: - Preliminary Plat.

**Finding:** *Review by Staff of the proposed preliminary plat confirms all technical requirements listed in KCC 6-2-3 were provided.*

5. The availability of existing and proposed public services and streets *can* accommodate the proposed development.

**Finding:** *Correspondence from ACHD confirms that the streets are suitable and adequate for this project. However, per Kuna City Engineer comments (Exhibit B8), a commensurate impact the City's water, sewer and irrigation will result with this development. Neither the Patagonia Lift Station, nor the Danskin Lift Station can support this project at this time.*

6. The proposed development *is* continuous with Master Utility Plans (Sewer/Water/Pressurized Irrigation).

**Finding:** *Correspondence from Kuna Public Works recommends the applicant be required to conform to the Master Sewer Plan, Master Water Plan and Master Pressurized Irrigation Plan, therefore satisfying this requirement.*

7. The public *does* have the financial capability to provide supporting services to the proposed development.

**Finding:** *Throughout the development of the project and beyond, connection fees, impact fees (Fire, police, Park and Ada County Highway District), and property taxes will be collected, therefore satisfying the financial capability to provide supporting services.*

8. The proposed project *does* consider health and safety of the public and the surrounding area's environment.

**Finding:** *Connection to City services, as well as other public improvements such as streetlights, fire hydrants, sidewalks, bike lanes, etc. are required to be implemented as a part of this project. No major wildlife habitats will be impacted by the proposed development.*

9. All private landowners *have* consented to annexation.

**Finding:** *An affidavit of legal interest was signed by Heartland Townhomes Property Management, LLC and TJ and Elaine Johnson allowing Gem State Planning and Trilogy Development to act on their behalf of this project, therefore consenting to the annexation of the proposed project site.*

10. The proposed project lands *are* contiguous or adjacent to property within Kuna City Limits.

**Finding:** *The parcel is contiguous with City limits to the north and west.*

11. The site landscaping *does* minimize the impact on adjacent properties through the use of screening.

**Finding:** *Per the submitted landscape Plan, the applicant is proposing a 25-foot landscape buffer along all classified roadways. A six-foot vinyl fence is proposed around the entire project.*

12. The applicant and/or owner of the property have the right to request a written regulatory taking analysis.

**Finding:** *Pursuant to Idaho Code 67-8003, the owner of private property that is subject of such action may submit a written request for a regulatory taking analysis with the City Clerk. Not more that twenty-eight (28) days after the final decision concerning the matter at issue, the City shall prepare a written taking analysis concerning the action if requested.*

**DATED** this 25<sup>th</sup> day of August, 2020.

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Lee Young, Chairman  
Kuna Planning and Zoning Commission

ATTEST:

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Jace Hellman, Planner II  
Kuna Planning and Zoning Department



# City of Kuna

## Planning & Zoning Commission

### Findings of Fact & Conclusions of Law

P.O. Box 13  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
Kunacity.id.gov

**To:** Planning and Zoning Commission

**Case Numbers:** 19-14-AN (Annex), 19-11-S (Subdivision), & 19-32-DR (Design Review) for the Patagonia East, Lakes, Ridge Subdivisions.

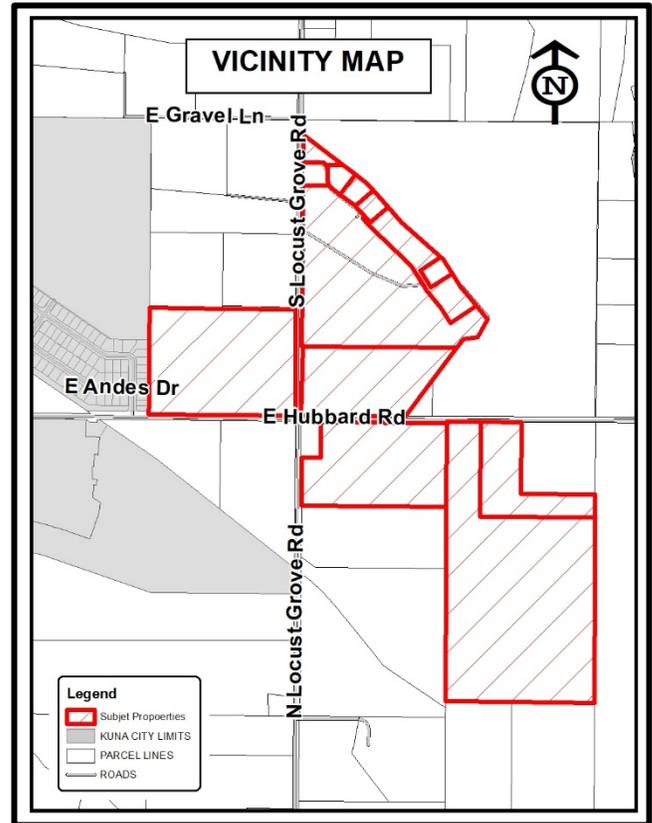
**Location:** Northwest, Northeast, Southeast Corners of Hubbard and Locust Grove Roads Kuna, Idaho 83634

**Planner:** Troy Behunin, Planner III

**Hearing Date:** July 28, 2020  
**Tabled until:** August 11, 2020  
**Findings of Fact:** August 25, 2020

**Applicant(s):** **Westpark Companies**  
Greg Johnson  
2463 E. Gala St., Ste. 120  
Meridian, ID 83642  
208.888.9946  
[greg@wstparkco.com](mailto:greg@wstparkco.com)

**Engineer:** **WHPacific - NV5**  
Bonnie Layton  
2141 W. Airport Way Ste. 104  
Boise, ID 83705  
208.342.5400  
[blayton@whpacific.com](mailto:blayton@whpacific.com)



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**A. Process and Noticing:**

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that design reviews are designated as *public meetings*, with the Planning and Zoning Commission (acting as the Design Review Board) as the decision-making body; and that annexations, and subdivision applications are designated as *public hearings*, with the Planning and Zoning Commission as the recommending body, and the City Council as the decision-making body. These land use applications were given proper public notice and have followed the requirements set forth in Idaho Code, Chapter 65, Local Land Use Planning Act (LLUPA).

**a. Notifications**

- |                           |   |
|---------------------------|---|
| i. Neighborhood Meeting   | September 17, 2019 (13 persons attended)<br>June , 2020 |
| ii. Agencies              | February 24, 2020                                       |
| iii. 450' Property Owners | July 2, 2019  |
| iv. Kuna, Melba Newspaper | June 17, 2020   |
| v. Site Posted            | July 2, 2020  |

**B. Applicant Request:**

1. The applicant, WHPacific–NV5 requests approval for Annexation, Preliminary Plat and Design Review. Applicant requests to annex approximately 173.80 ac into Kuna City limits, with three (3) zones throughout the project; the R-8 (Medium Density Residential [MDR]), R-6 and R-4 (MDR), zones. Applicant proposes a multi-phased master-planned development to be known as Patagonia East, Lakes and Ridge Subdivisions (Patagonia East). Applicant requests Preliminary Plat approval in order to subdivide approx 173.80 ac into 561 Single family buildable lots, 54 common lots and one 10-acre school lot for Kuna School District. Applicant also seeks Design Review approval for the common space landscaping. The project site is in Sections 7, 8 & 17, all in Township 2 North, Range 1 East (T2N,R1E), all three projects are at the intersection of Locust Grove and Hubbard Roads.

- C. Site History:** The subject site is comprised of multiple parcels; totaling approximately 173.80 acres. All parcels are currently in Ada County and zoned Rural Residential (RR), however, they are contiguous to Kuna City limits on the west side of parcel S1407449560. These lands have historically been used for Agricultural purposes. There is a single family residence one of the parcels and several outbuildings/shops.

**D. General Projects Facts:**

1. **Comprehensive Plan Designation:** The Future Land Use Map (Comp Plan Map) is intended to serve as a *guide* for the decision-making body of the City. The Comp Plan map indicates land use designations *generally* speaking, it is not the actual zone. The Future Land Use Map identifies the site with three different designations; Low Density Residential (LDR) and Medium Density Residential (MDR) which is 4-8 DUA (Dwelling Units an Acre) and Mixed-Use.
2. **Kuna Recreation and Pathways Master Plan Map:**  
The Kuna Recreation and Master Pathways Plan map identifies a pathway/trail along the Mason Creek Feeder in the southwest part of the project and on the south side of the project. See the Exhibit behind this report.
3. **Surrounding Existing Land Uses and Zoning Designations:**

<b>North</b>	RR	Rural Residential – Ada County
<b>South</b>	RR	Rural Residential – Ada County
<b>East</b>	RR	Rural Preservation – Ada County
<b>West</b>	R-6 & RR	Medium Density Residential – Kuna City, & Rural Residential – Ada County

4. **Parcel Sizes, Current Zoning, Parcel Numbers:**

Property Owner	Parcel Size – Approx.	Current Zone	Parcel Number
Wood Properties, LLC	.98 acres	RR - Rural Residential	S1407449560
Roeder Holdings, LLC	17.00 acres	RR - Rural Residential	S1408336300
Roeder Holdings, LLC	31.86 acres	RR - Rural Residential	R9237170650

Roeder Holdings, LLC	.98 acre	RR - Rural Residential	R9237170100
Roeder Holdings, LLC	.99 acre	RR - Rural Residential	R9237170300
Roeder Holdings, LLC	.95 acre	RR - Rural Residential	R9237170400
Roeder Holdings, LLC	.95 acre	RR - Rural Residential	R9237170500
Jill S. Ray	5.69 acres	RR - Rural Residential	R9237170610
Jill S. Ray	.92 acre	RR - Rural Residential	R9237170700
Roeder Holdings, LLC	20.82 acres	RR - Rural Residential	R9321840100
Wood Properties, LLC	55.89 acres	RR - Rural Residential	S1417212700
EE-DA-HOW, Farms, LLC	10 acres	RR - Rural Residential	S1417212650

5. **Services:**

Sanitary Sewer– City of Kuna	Fire Protection – Kuna Rural Fire District
Potable Water – Suez Water Company	Police Protection – Kuna City Police (A.C.S.O.)
Pressurized Irrigation– On Site Wells - HOA	Sanitation Services – J & M Sanitation

6. **Existing Structures, Vegetation and Natural Features:** Currently there is one residence on one of the properties. All parcels have been used for agricultural uses and accompanying out-building. There is some topographical variation that appears to run east-west. The vast majority of the site appears to be relatively flat and suitable for development.

**Transportation / Connectivity:** The site has significant frontage along Hubbard and Locust Grove Road. The overall project is split into three separate sections as this project sits at the northwest, northeast and southeast corners of Hubbard and Locust Grove. Applicant shall connect to existing stub streets within Patagonia Sub No. 2 as required in Kuna City Code (KCC) and provide stubs for future connections to serve the connection/traffic needs of the site and future adjacent developments. Applicant shall satisfy Kuna City and ACHD’s requirements for roadway improvements, including but not limited to, road widening and vertical/rolled curb, gutter and sidewalks appropriately..

7. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts. Idaho Department of Environmental Quality (DEQ) has provided recommendations for surface and groundwater protection practices and requirements for development of the site.

8. **Agency Responses:** The following responding agency comments are included as exhibits with this case file:

- City Engineer .....Exhibit B 1
- Ada County Highway District (ACHD) ..... Exhibit B 2
- COMPASS (Community Planning Association) ..... Exhibit B 3
- Department of Environmental Quality (DEQ) ..... Exhibit B 4
- Idaho Transportation Department (ITD) ..... Exhibit B 5
- Kuna Rural Fire District (KRFD) ..... Exhibit B 6

E. **Staff Analysis:**

The subject site straddles the intersection of Hubbard and Locust Grove Roads and involves 12 parcels, seven (7) of these parcels are lots within the Wasatch Subdivision. This application proposes a multi-phased master planned community and generally speaking the project as a whole is in line with the Comprehensive Plan (Comp Plan) and the Comprehensive Plan Map (CPM) designation of LDR, MDR and *Mixed-Use* by proposing three residential zones throughout the subject site with an accompanying public school site. This request will complement the two developments to the west and will provide project wide continuity as a multi-phased master planned community, consisting of approximately (Approx.) 163.56 ac.

The applicant requests annexation into Kuna City limits applying the Category “A” process for the approx. 163.56 ac. The lands in this application touch City limits on the west side of the site with contiguous land touches moving east and are therefore eligible for annexation. Applicant has submitted an application for annexation for 163.56 ac approx and is seeking three (3) different zoning designations for these proposed annexing parcels as follows:

- Approx 59.75 ac are proposed to be annexed with a zone change from Rural Residential (RR) TO R-4 MDR,
- Approx 86.92 ac are proposed to be annexed with a zone change from RR TO R-6 MDR,
- Approx 7.54 ac from RR, TO R-8, MDR,
- Approx 10.2 ac will become a elementary school site.

Kuna’s Comp Plan, encourages a variety of housing types for all income levels numerous times throughout the document. Additionally, the City attempts to balance all housing types within the City. Pertinent sections of the Comp Plan that address housing types are included in Section G (Comp Plan Analysis) of this report.

The applicant seeks approval for a mix of various uses throughout the project to include; multiple zones for residential uses, (MDR all single family), a public school site, open spaces including a possible City park, multiple private parks, with a considerable pathway network (*21.93 acres of open space, or 16.59%*). The applicant proposes a master-planned community for all ages. The applicant is proposing all public streets that will be built to Kuna and ACHD standards (curb, gutters & sidewalks) and must meet Kuna Fire Department requirements. Proposing a large network of biking and walking pathways, will help reduce vehicle trips for the residents. Since the applicant has proposed multiple residential zones, a school site, and a possible City public park, staff views the overall project to conform to the FLUM designations and Comp Plan document.

Staff has reviewed the preliminary plat application and it appears to follow KCC standards and requirements. All roads will be public and will be built to Kuna City and ACHD standards. Staff highlights that along all classified roads, KCC calls for full roadway improvements, including curb/gutter, road widening, and sidewalks at appropriate widths. The City does not allow for borrow ditches for any roads, unless a classified road does not meet the ACHD standards/policies for vertical curb. If the need arises for borrow ditches on classified roads *and* if ACHD does not specifically allow vertical curb, the applicant shall be conditioned to obtain a license agreement from ACHD to provide grass and watering source in the borrow ditches as allowed. Gravel and bare ground is not an allowed Kuna City ground cover. Staff notes that the subject property will need to be connected to the City’s public sewer facilities, potable water and the Kuna Municipal Irrigation System (KMIS). According to the City Engineer, “sewer flows from this development will add a considerable burden to Patagonia Lift Station. The developer will be requested to participate in an engineered evaluation of Patagonia Lift Station and proposed improvements to expand the lift station & force main capacity” – See City Engineer Memo:” 4. *Sanitary Sewer*. Staff has confirmed with the City Engineer that the applicant has agreed to work with the City Engineer for a solution with the Danskin Lift Station upgrade needs.

A design review application for common area landscaping and open space was included as a part of the overall application. Staff finds the proposed landscaping, buffers and open space generally to be in compliance with Kuna City Code. Staff notes that if this project is approved, at the time of civil plan development, landscaping cannot be placed within ten (10) feet of any meter pits, pressurized irrigation valves, and/or ACHD underground facilities and must honor all vision triangles. Applicant shall be conditioned to follow all landscape codes and planting requirements to insure field conditions do not change after approval is given. Staff notes that a monument sign for the subdivision was not included with the design review application noting that all monument signs are required to go through design review. This process can be accomplished at a later date without any delay to the project. Staff also notes that the planting details should be changed to reflect KCC; which are requested in the proposed conditions of approval (Condition #13).

Staff has determined the preliminary plat and design review generally complies with the goals and policies for Kuna City, Title 5 and Title 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Comprehensive Plan. Staff recommends that if the Planning and Zoning Commission recommends approval of Case No's 19-14-AN (Annexation) and 19-11-S (Preliminary Plat) and approves Case No. 19-32-DR (Design Review), the applicant be subject to the conditions of approval listed in section I of this report, as well as any additional conditions by the Planning and Zoning Commission.

**F. Applicable Standards:**

1. City of Kuna Zoning Ordinance Title 5.
2. City of Kuna Subdivision Ordinance Title 6.
3. City of Kuna Comprehensive Plan.
4. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

**G. Proposed Comprehensive Plan Analysis:**

Kuna Planning and Zoning Commission may accept or reject the Comprehensive Plan components, and shall determine if the proposed annexation, and preliminary plat requests for the site *are* consistent with the following Comprehensive Plan components as described below:

**Goal Area 3: Kuna's land uses will support a desirable, distinctive and well-designed community.**

- Goal 3.D: Encourage development of housing options and strong neighborhoods.
  - Objective 3.D.1: Encourage development of housing options for all citizens.
    - Policy 3.D.1.a: Encourage preservation and development of housing that meets demand for household sizes, lifestyles and settings.
- Goal 3.G: Respect and protect private property rights.
  - Objective 3.G.1: Ensure land use policies, restrictions, and fees do not violate private property rights.
    - Policy 3.G.1.b: Ensure City land use actions, decisions and regulations will not cause an unconstitutional regulatory taking of private property; and do not effectively eliminate all economic value of the subject property.
    - Policy 3.G.1.c: Ensure City land use actions, decisions and regulations do not prevent a private property owner from taking advantage of a fundamental property right. Ensure city actions do not impose a substantial and significant limitation on the use of the property.

**Goal Area 4: Kuna will be a connected community through strong transportation and infrastructure systems.**

- Goal 4.D: Promote a connected street network that incorporates mid-mile collectors and crossing for improved neighborhood connectivity.
  - Objective 4.D.2: Ensure the continued expansion/development of mid-mile collector system throughout the community.
    - Policy 4.D.2.a: Extend and expand mid-mile roads as growth occurs.
    - Policy 4.D.1.b: Preserve adequate right-of-way along all mid-mile roads or other approved alternative locations to align roads.

**H. Proposed Kuna City Code Analysis:**

1. This request appears to be consistent and in compliance with Kuna City Code (KCC).  
*Comment: The proposed project meets the land use and area standards in Chapter 3, Title 5 of KCC. Staff also finds that the proposed project meets all applicable requirements of Title 6 of KCC.*
2. The site is physically suitable for a subdivision.  
*Comment: The approx. 173.80 acre subdivision has sufficient size to include a mix of lot sizes, community landscape buffer(s).*

3. The annexation and subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.  
**Comment:** *The land to be annexed is not used as wildlife habitat. Roads, homes and open spaces are planned for construction according the City requirements and best practices. Staff is not aware of any environmental damage or loss of habitat associated with the proposed development.*
4. The annexation and subdivision application is not likely to cause adverse public health problems.  
**Comment:** *The annexation of the property requires a zoning designation per Kuna Code 5-13-9. The Medium Density zone requires connection to public sewer and water, therefore eliminating the occurrence of adverse public health problems. Through correspondence with public service providers and application evaluation, this project appears to avoid detriment to surrounding uses.*
5. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.  
**Comment:** *The annexation and subdivision design did consider the location of the property, classified roadways and the system. The subject property can be connected to the City's public sewer facilities, and will connect to Suez Water Systems for potable water and use existing on-site wells for a private pressure irrigation system. The adjacent uses are complimentary uses (Kuna) as proposed in the Kuna Comprehensive Plan Future Land Use Map.*
6. The existing and proposed streets and utility services in proximity to the site are suitable and adequate for residential purposes predicated on approved designs to extend and/or improve each accordingly.

**I. Recommendation of the Commission to Council:**

Based upon the record contained in Case No's 19-14-AN, 19-11-S and 19-32-DR including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the public hearing, the Kuna Commission hereby recommends *approval* of the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 19-14-AN and 19-11-S a request for annexation and preliminary plat approval by WHPacific NV5 with the following conditions of approval:

- Applicant shall follow all conditions outlined the staff report.
- Applicant shall work with the neighbor regarding the well and driveway and keep staff apprised of those conversations,
- Applicant shall work with the School District to resolve the 10-acres that may or may not become a school site, prior to the next City Council meeting.

Based upon the record contained in Case No. 19-32-DR including the Comprehensive Plan, Kuna City Code, Staff's Memorandum, including the exhibits, and the testimony during the public hearing, the Kuna Commission hereby *approves* the conditions of approval for Case No. 19-32-DR a request for Design Review approval by WHPacific NV5 with the following conditions of approval:

- Applicant shall follow all conditions outlined the staff report,
- Applicant shall work with the neighbor regarding the well and driveway and keep staff apprised of those conversations,
- Applicant shall work with the School District to resolve the 10-acres that may or may not become a school site, prior to the next City Council meeting.

And;

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:

- a. The City Engineer shall approve the sewer hook-ups.
  - b. The City Engineer shall approve drainage and grading plans.
  - c. 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".
  - d. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
  - e. 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.
  - f. The *Boise Project and Board of Control* shall approval any modifications to the existing irrigation system.
  - g. Approval from Ada County Highway District shall be obtained and Impact Fees must be paid prior to issuance of any building permit.
  - h. Idaho Transportation Department. No public street construction may be commenced without the approval and permit from Ada County Highway District and Idaho Transportation Department.
  - i. All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District,
2. Installation of utility service facilities shall comply with requirements of the public utility or irrigation district providing services. All utilities shall be installed underground, see KCC 6-4-2-W.
  3. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site.
  4. Street lighting shall use LED lights, with spacing and wattages meeting KCC 5-4-6; applicant shall coordinate a street light plan for P & Z approval in concert with the prepared construction drawings for the project.
  5. Parking within the site shall comply with KCC 5-9-3.
  6. Fencing within and around the site shall comply with Kuna City standards – KCC 5-5-5- A-J and KCC 6-4-2-E.
  7. A sign permit is required prior to subdivision entrance sign construction and shall comply with KCC 5-10-4. *Monument signs will require a separate design review.*
  8. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within three days or as the planting season permits as required to meet KCC 5-17-7 standards. Maintenance and planting within public rights-of-way shall be approved from the public entities owning the property.
  9. 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 Commission and/or Council, or seek amending them through public hearing processes.
  10. The applicant's proposed preliminary plat (dated May 2019) shall be considered a binding site plan, *or as modified and approved* through the public hearing process.
  11. The applicant's proposed Landscape Plan (dated 07.01.2019) shall be considered a binding site plan, *or as modified and approved* through the public hearing process.
  12. Applicant shall follow staff, city engineer and other agency recommended requirements as applicable.
  13. Applicant shall add the following notes to the landscape plans and resubmit a PDF for Planning and Zoning approved plans, bearing the changes.
    - 13.1 – Landscape contractor shall remove all twine/ropes and burlap from root balls.
    - 13.2 – Landscape contractor shall remove the wire basket from the top 1/2 of the root ball.
    - 13.3 – Grass and a water source shall be placed in any ACHD required borrow ditches and a license agreement obtained from ACHD.
    - 13.4 - Landscaping cannot be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves, and/or ACHD underground facilities and must honor all vision triangles
  14. Applicant shall work with the City Engineer to find a solution for the Sewer lift station concerns.
  15. Compliance with all local, state and federal laws is required.



*City of Kuna*  
**Planning and Zoning Commission**  
**Findings of Fact and Conclusions of Law**

P.O. Box 13  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
[www.Kunacity.id.gov](http://www.Kunacity.id.gov)

Based upon the record contained in Case No's 19-14-AN, 19-11-S and 19-32-DR, including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the public hearing, the Kuna Commission hereby recommends *approval* of the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 19-14-AN, 19-11-S and 19-32-DR, a request for annexation, preliminary plat and Design Review from WHPacific NV5:

1. *The Kuna Commission approves the facts as outlined in the staff report, the public testimony and the supporting evidence list presented.*

**Comment:** *The Kuna Commission held a public hearing on the subject applications on August 11, 2020, to hear from City staff, the applicant and to accept public testimony. The decision by the Commission is based on the application, staff report and public testimony, both oral and written.*

2. *Based on the evidence contained in Case No's 19-14-AN, 19-11-S and 19-32-DR this proposal generally complies with the Comprehensive Plan and City Code.*

**Comment:** *The Comp Plan has listed numerous goals for promoting and supporting a diverse and sustainable economy that will allow more Kuna residents to work in their community and encouraging a balance of land uses to ensure that Kuna remains desirable, stable and a self-sufficient community.*

3. *Based on the evidence contained in Case No's 19-14-AN, 19-11-S and 19-32-DR, this proposal generally complies with the Kuna City Code.*

**Comment:** *The applicant has submitted a complete application, and following staff review the application appears to be in general compliance with the design requirements, public improvement requirements, objectives and considerations listed in Kuna City Code Title 5 and Title 6.*

4. *The Commission has the authority to recommend approval for Case No's 19-14-AN and 19-11-S, and the authority to approve Case No. 19-32-DR.*

**Comment:** *On Aug. 11, 2020, the Kuna Commission voted to recommend approval for Case No's 19-14-AN, 19-11-S, and voted to approve 19-32-DR.*

5. *The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.*

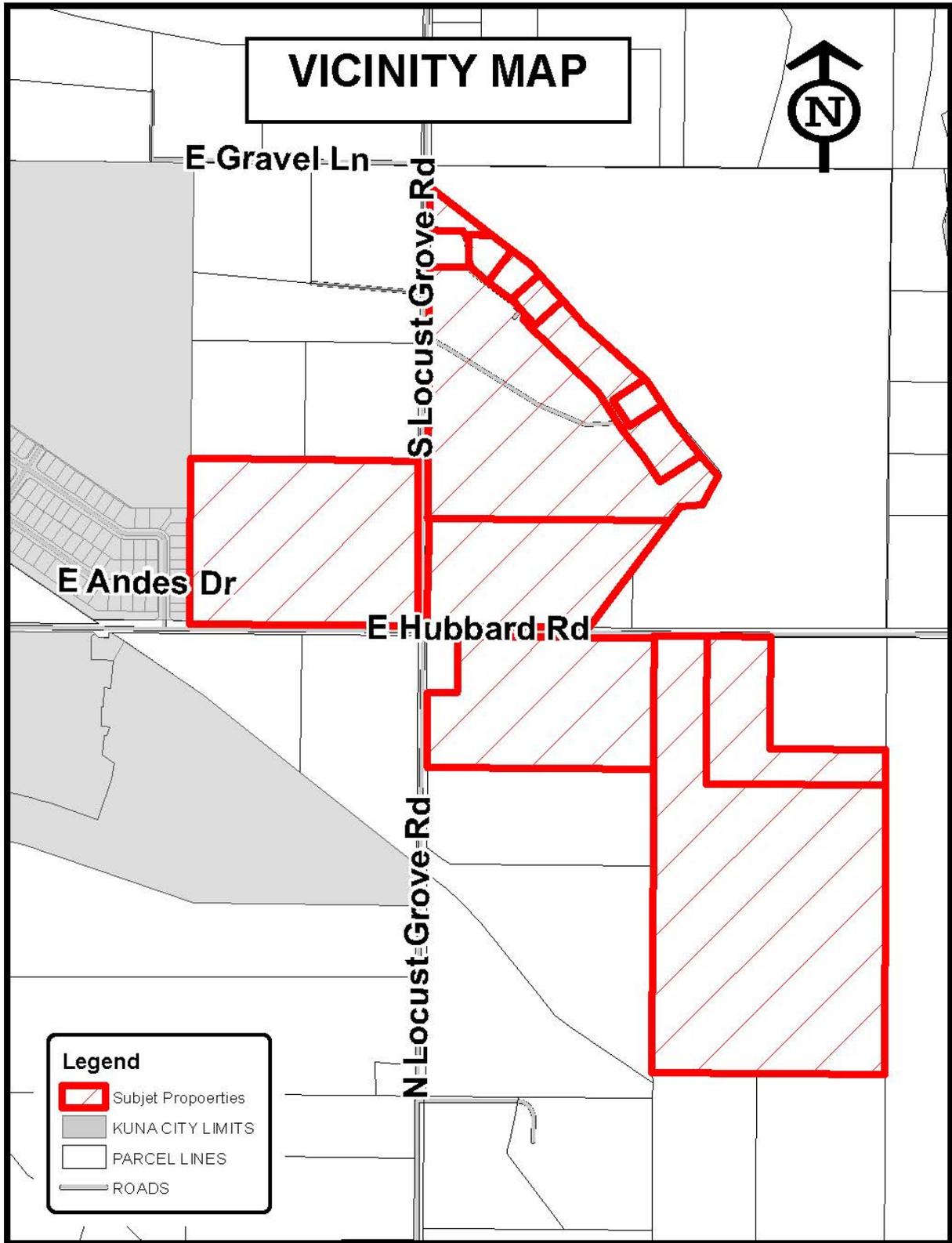
**Comment:** *Neighborhood Notices were mailed out to residents within 450-FT of the proposed project site on July 2, 2019, and a legal notice was published in the Kuna Melba Newspaper on June 17, 2020. The applicant placed a sign on the property on July 2, 2020.*

25<sup>th</sup> day of August, 2020.

\_\_\_\_\_  
Lee Young, Chairman  
Kuna Planning and Zoning Commission

ATTEST:

\_\_\_\_\_  
Troy Behunin, Planner III





# City of Kuna

## Planning & Zoning Commission

### Findings of Fact and Conclusions of Law

P.O. Box 13  
Phone: (208) 922-5274  
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www.Kunacity.id.gov

**To:** Kuna Planning and Zoning Commission.

**File Numbers:** 20-03-SUP (Special Use Permit) &  
20-13-DR (Design Review);  
Eagle Christian Church

**Location:** W. Ardell Road,  
Kuna, Idaho 83634

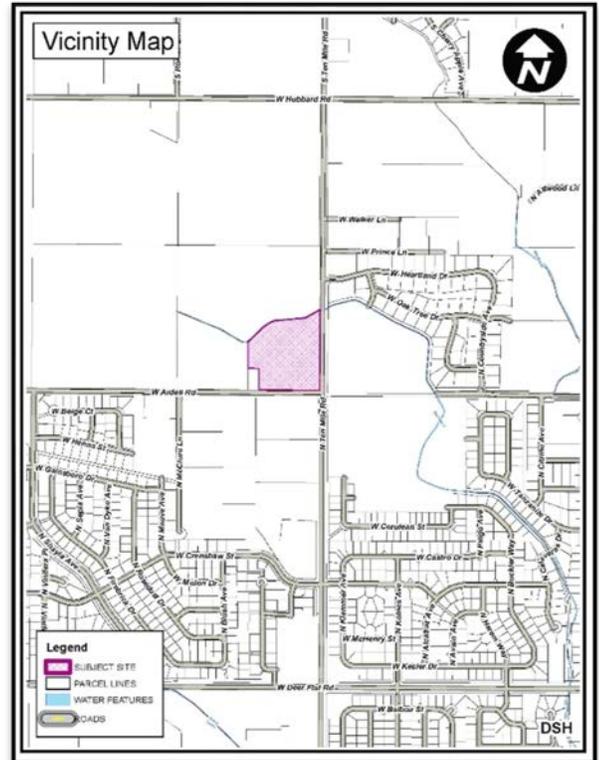
**Planner:** Doug Hanson, Planner I

**Hearing date:** August 11, 2020

**Findings:** August 25, 2020

**Owner:** Eagle Christian Church, Inc.  
100 Short Lane  
Eagle, ID 83616  
208.447.9454  
[steve.crane@eaglechristianchurch.com](mailto:steve.crane@eaglechristianchurch.com)

**Applicant:** Rennison Design  
410 E. State Street, Suite 120  
Eagle, ID 83616  
208.447.9454  
[brianl@rennisoncompanies.com](mailto:brianl@rennisoncompanies.com)



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| D. General Project Facts | H. Kuna City Code Analysis     |
|                          | I. Decision by the Commission  |

**A. Course of Proceedings:**

1. Kuna City Code (KCC); Title 5, Chapter 6, a Special Use Permit (SUP) is only obtained by an application going through the public hearing process. KCC Title 5 Chapter 3, Section, 2 requires obtaining a SUP to operate a church in an A (Agriculture) zoning district.
2. KCC, Title 1, Chapter 14, Section 3, states that design reviews and signs are designated as public meetings, with the Planning and Zoning Commission (acting as the Design Review Committee) as the decision-making body. As a public meeting item, this action requires no formal public noticing actions.

**a. Notifications**

- |                                     |                                |
|-------------------------------------|--------------------------------|
| i. Neighborhood Meeting             | April 22, 2020 (six attendees) |
| Neighborhood Meeting (Virtual)      | April 30, 2020 (no attendees)  |
| ii. Agency Notification             | June 8, 2020                   |
| iii. 400' Notice to Property Owners | July 22, 2020                  |

- iv. Kuna Melba Newspaper July 22, 2020
- v. Site Posted July 24, 2020

**B. Applicants Request:**

Rennison Design seeks a Special Use Permit (SUP) to construct and operate a new church. The property is located at the northwest corner of W. Ardell Road and N. Ten Mile Road (APN: S1315142250). The applicant also seeks design review approval for an approximately 16,983 square foot church building, parking lot and landscaping.

**C. History:** The property has historically been used for agricultural purposes.

**D. General Projects Facts:**

**1. Surrounding Land Uses:**

<b>North</b>	RR	Rural Residential – Ada County
<b>South</b>	RUT	Rural Urban Transition – Ada County
<b>East</b>	R-4	Medium Density Residential – Kuna City
<b>West</b>	RR A	Rural Residential – Ada County Agriculture – Kuna City

**2. Parcel Sizes, Current Zoning, Parcel Numbers:**

- Parcel Size: Approximately 9.53 acres
- Zoning: A (Agriculture)
- Parcel #: S1315142250

**3. Services:**

- Sanitary Sewer– City of Kuna (Future)
- Potable Water – City of Kuna (Future)
- Irrigation District – Boise Kuna Irrigation District (Future)
- Pressurized Irrigation – City of Kuna (Future)
- Fire Protection – Kuna Rural Fire District
- Police Protection – Kuna Police (Ada County Sheriff)
- Sanitation Services – J&M Sanitation

**4. Existing Structures, Vegetation and Natural Features:**

There is currently one small building near the northern border of the property, approximately 12 ft. x20 ft., owned by Sparklight, fiber optic. Agricultural fields account for the site’s vegetation. The site is relatively flat with an estimated average slope of 1% to 1.4%. Bedrock depth is estimated to be between 20 to 40 inches.

**5. Transportation / Connectivity:**

Current access to the site exists along the subject site’s east frontage on N. Ten Mile Road via an existing driveway, and the subject site’s south frontage W. Ardell Road via an existing driveway.

**6. Environmental Issues:**

Apart from being in the nitrate priority area, staff is not aware of any environmental issues, health or safety conflicts at this time. This site’s topography is generally flat.

**7. Comprehensive Future Land Use Map:**

The Future Land Use Map (FLUM) identifies this site as Commercial. With SUP approval, a church within a Agriculture zoning district is viewed as a commercial use. Staff views this proposed SUP request to be consistent with the surrounding zoning designations as designated in the FLUM.

**8. Agency Responses:**

The following agencies returned comments which are included as exhibits with this case file:

- Boise Project Board of Control (June 10, 2020) ..... Exhibit B-1
- Central District Health Department (June 17, 2020) ..... Exhibit B-2
- Nampa Meridian Irrigation District (June 22, 2020).....Exhibit B-3
- Ada County Highway District (June 26, 2020) .....Exhibit B-4
- City Engineer (July 13, 2020) .....Exhibit B-5

**E. Staff Analysis:**

Rennison Design seeks a Special Use Permit (SUP) to construct and operate a new church. The operation of a church is permitted within an A (Agriculture) zoning district after obtaining a SUP.

The property’s eastern border aligns with the principal arterial Ten Mile Road. Staff recommends that Ten Mile Road be improved as half of a 48 ft. street section with vertical curb, gutter and 8 ft. wide detached sidewalk following KCC. The property’s southern border aligns with the proposed mid-mile collector, Ardell Road. Staff recommends that Ardell Road be improved as half of a 36 ft. street section with vertical curb, gutter and 8 ft. wide detached sidewalk following KCC. The applicant proposes two drive way access points to the subject site on Ten Mile and Ardell Road. ACHD policy dictates that if a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. ACHD recommends that if the applicant would like to further pursue an additional driveway onto Ten Mile Road, a traffic analysis to demonstrate that an additional driveway is necessary to service the site should be provided. Staff agrees with this recommendation.

A design review application for building façade, parking lot and landscaping was included as a part of the overall application. Staff finds that the proposed building height and masonry generally appears to conform to KCC 5-4, and KCC 5-3-3. The applicant proposes 396 parking stalls, the number of stalls and stall dimensions are in conformance with KCC 5-9-2 and 5-9-3. Staff finds the proposed landscaping and buffers to be in compliance with KCC. Staff notes that that if this project is approved, at the time of civil plan development, landscaping cannot be placed within ten (10) ft. of any and all meter pits, pressurized irrigation valves or ACHD underground facilities.

Trash collection will be served through the use of a trash enclosure, the enclosure will house two dumpsters. The trash enclosure dimensions conform with KCC 5-5-6. The design review application proposes metal paneling for the walls of the waste enclosure. KCC 5-5-6 states that enclosure walls shall be constructed with concrete masonry unit block according to applicable building codes. Staff recommends that if the Commission approves this project, the applicant be conditioned to change the trash enclosure wall material to meet KCC. This condition has been provided as condition 15 in section “I” of this report.

The installation of streetlights is a required public improvement. The applicant has not identified streetlight locations on the site plan. The applicant will be required to work with staff in order to comply with KCC and install street lights with a maximum spacing of 250 feet along the site’s frontage. The locations of street lights will be approved at the time of construction document review. Staff would note that these street lights must be designed and installed according to “Dark skies” standards and KCC.

The applicant has not proposed a sign, which will require a separate sign permit application. The proposed sign(s) shall be submitted in conformance with KCC 5-10.

Staff has determined that this application complies with Title 5 of KCC; Idaho Code; the Comprehensive Plan; and the FLUM; Staff recommends that if the Planning and Zoning Commission approves Case No. 20-03-SUP and 20-13-DR that the applicant be subject to the recommended conditions of approval listed in section “I” of this report.

**F. Applicable Standards:**

1. Kuna City Code, Title 5, Zoning Regulations.
2. City of Kuna Comprehensive Plan.
3. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

**G. Comprehensive Plan Analysis:**

The Kuna Planning and Zoning Commission *accepts* the Comprehensive Plan components, and has determined the requested Special Use Permit for the site *is* consistent with the following Comprehensive Plan components as described below:

1. The proposed Special Use Permit application for the site are consistent with the following comprehensive plan components:

**Goal Area 1: Kuna will be Economically Diverse and Vibrant.**

- Goal 1.C: Attract and encourage new and existing businesses.
  - Objective 1.C.2: Create an environment that is friendly to business creation, expansion and relocation.

**Goal Area 3: Kuna’s Land uses will support a desirable, distinctive and well-designed community.**

- Goal 3.G: Respect and protect private property rights.
  - Objective 3.G.1: Ensure land use policies, restrictions, and fees do not violate private property rights.
    - Policy 3.G.1.c: Ensure City land use actions, decisions and regulations do not prevent a private property owner from taking advantage of a fundamental property right. Ensure city actions do not impose a substantial and significant limitation on the use of the property.

**H. Kuna City Code Analysis:**

1. This request appears to be *consistent and in compliance* with all Kuna City Code (KCC).

**Comment:** *The proposed application adheres to the applicable requirements of Title 5 of the KCC.*

2. The site *is* physically suitable for the proposed project.

**Comment:** *The 9.53-acre project site is suitable for a church.*

3. The special use permit *is not likely* to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

**Comment:** *The land to be developed is not used as wildlife habitat. Roads, driveways, family units and open spaces are planned for construction according the City and ACHD requirements and best practices and will therefore, not cause environmental damage or loss of habitat.*

4. The special use permit application *is not likely* to cause adverse public health problems.

**Comment:** *The project would connect to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

5. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.

**Comment:** *The special use permit request considers the location of the property and adjacent uses. The adjacent uses are residential and commercial– as referenced in the Kuna FLUM.*

6. The existing and proposed street and utility services in proximity to the site are suitable or adequate for a commercial development.

**Comment:** *Correspondence from ACHD and the City Engineer confirms that the streets and utility services are suitable and adequate for this project.*

**I. Decision by the Commission:**

Based on the facts outlined in staff's report and public testimony as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby *approves* Case No. 20-03-SUP & 20-13-DR, a Special Use Permit request by Rennison Design with the following conditions of approval:

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
  - a. The City Engineer shall approve the sewer hook-ups.
  - b. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
  - c. 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".
  - d. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities shall be as required by Kuna Fire District.
  - e. The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
  - f. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees shall be paid prior to *issuance* of any building permit.
  - g. All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
2. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground.
3. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
4. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system.
5. Connection to City Services (Sewer, Water, Pressurized Irrigation) is required. The applicant shall conform all corresponding Master Plans.
6. Curb, gutter and sidewalk (attached and detached) shall be installed in accordance with Kuna City Code Title 5 Chapter 17.
7. Applicant shall work with staff in order to provide locations of street lights as required by Kuna City Code.
8. Street lights for the site shall be LED lighting, must comply with Kuna City Code and established Dark Skies practices.
9. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days 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 approved from the public entities owning the property.

10. Signs, banners, flags or other means to attract attention onsite are allowed, with a permit, in accordance with KCC 5-10-4. A sign permit must be obtained prior to installing any new, or modifying any existing, signage.
11. In the event the uses or the building on this parcel are enlarged, expanded upon or altered in anyway (even for temporary purposes), the landowner/applicant/developer, and any future assigns having interest in the subject property, shall seek an amendment to the approvals of this Special Use Permit through the Planning and Zoning Department.
12. This Special Use Permit is valid if the conditions of approval are adhered to continuously. In the event the conditions are not continuously followed; the special use permit approval may be revoked.
13. The special use permit is not transferable from one parcel to another.
14. 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 Planning and Zoning Commission, or seek amending them through public the hearing processes.
15. The owner/developer/applicant shall change the trash enclosure wall material to meet KCC 5-5-6.
16. The owner/developer/applicant shall follow all staff and agency recommendations.
17. The owner/developer/applicant shall comply with all local, state and federal laws.

**DATED: this 25<sup>th</sup> day of August, 2020.**



*City of Kuna*  
Kuna Planning and Zoning Commission  
Findings of Fact and Conclusions of Law

P.O. Box 13  
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Based upon the record contained in Case No. 20-03-SUP & 20-13-DR including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, the exhibits, and the testimony during the public hearing, the Kuna Planning and Zoning Commission hereby *approves* Case No. 20-03-SUP & 20-13-DR, a request from Rennison Design to operate and construct a church. The site is located at the NWC of Ten Mile Road and Ardell Road, Kuna, ID 83634.

1. Based on the evidence contained in Case Nos. 20-03-SUP & 20-13-DR, this proposal **does** generally comply with the City Code.

**Finding:** *The applicants have submitted a complete application, and following staff review for technical compliance the application appears to be in general compliance with the special use standards, supplementary conditions and safeguards in Kuna City Code Title 5.*

2. Based on the evidence contained in Case Nos. 20-03-SUP & 20-13-DR, this proposal **does** generally comply with the Comprehensive Plan.

**Finding:** *The current zoning district is A (Agriculture). The Comp Plan Map designates this property as Commercial.*

3. The church **does** constitute a special use as established on the official schedule of district regulations for the zoning district involved.

**Finding:** *According to the official schedule of district regulations, church does constitute a special use for an A zoning district.*

4. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

**Finding:** *As noted in the process and noticing sections, notice requirements were met to hold a public hearing on August 11<sup>th</sup>, 2020.*

**DATED** this 25<sup>th</sup> day of August, 2020.

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Lee Young, Chairman  
Planning and Zoning Commission

ATTEST:

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Doug Hanson, Planner I  
Kuna Planning and Zoning Department



# City of Kuna

## Planning and Zoning Commission

### Findings of Fact & Conclusions of Law

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**To:** Planning and Zoning Commission

**Case Numbers:** 20-01-ZC 11 20-02-S (Preliminary Plat) and 20-05-DR (Design Review) – **Sera Sole Subdivision.**

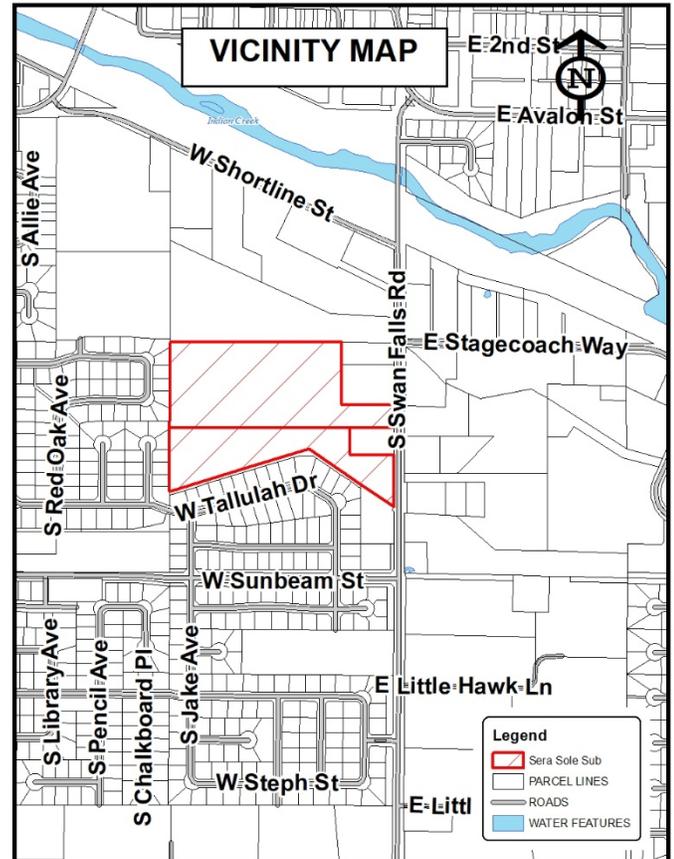
**Site Location:** Near the Northwest Corner (NWC) of Swan Falls & Sunbeam Ave., in Kuna, ID 83634

**Planner:** Troy Behunin, Planner III

**Hearing Date:** August 11, 2020  
**Findings of Fact:** August 25, 2020

**Owners:** **CCI Group LLC**  
4202 N. Marcliff Ave.  
Boise, ID 83704  
And,  
**Fred & Sharon Wheeler**  
846 S. Ash Ave.  
Kuna, ID, 83634

**Representative:** **Riley Planning LLC**  
Penelope Riley  
P.O. Box 405  
Boise, ID 83701  
208.908.1609  
[penelope@rileyplanning.com](mailto:penelope@rileyplanning.com)



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**A. Process and Noticing:**

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that design reviews are designated as *public meetings*, with the Planning and Zoning Commission (acting as the Design Review Board) as the decision-making body; and that rezones and preliminary plats are designated as public hearings, with the Planning and Zoning Commission as a recommending body and City Council as the decision-making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

**a. Notifications**

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>i. Neighborhood Meeting</li> <li>ii. Agency Comment Request</li> </ul> | <ul style="list-style-type: none"> <li>February 1, 2020 (4 people attended)</li> <li>March 30, and Updated April 17, 2020</li> </ul> |
|---|--|

- iii. 400' Property Owners Notice                      July 31, 2020
- iv. Kuna Melba Newspaper                                July 8, 2020
- v. Site Posted    July 31, 2020

**B. Applicant's Request:**

Riley Planning, LLC requests to rezone two parcels consisting of approximately 19.22-ac in Kuna City, from Agriculture (Ag.) **TO** the R-6 MDR (Medium Density Residential) zone and to subdivide the same lands into 89 total lots (78 buildable lots and 11 common lots). The subject site is located near the NWC of Swan Falls Road and Sunbeam Street within Section 26, Township 2 North, Range 1 West; (APNs: S1326141870 & S1326142025.).

**C. Site History:**

Both parcels are currently zoned Agriculture (AG), however, they are both in Kuna City. Historically these parcels have served as farmland.

**D. General Projects Facts:**

1. **Comprehensive Plan Map:** The Future Land Use Map (FLUM) is intended to serve as a *guide* for the decision-making body for the City. The FLUM indicates land use designations generally speaking, it is not the actual zone. The Future Land Use Map identifies the approximately 19.22-acre site as Mixed-Use.
2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map does not indicate a future pathway/trail through the subject site; however, bike routes and a Scenic Byway are proposed along Swan Falls Road. The applicant has proposed internal HOA owned trails and open spaces.

3. **Surrounding Land Uses:**

<b>North</b>	M-1	Light Industrial – Kuna City
<b>South</b>	R-6	Medium Density Residential – Kuna City
<b>East</b>	Ag.	Agriculture – City of Kuna
	M-1 R1, RUT	Light Industrial – City of Kuna Low Residential & Rural Residential – Ada County
<b>West</b>	R-6	Medium Density Residential – Kuna City

4. **Parcel Sizes, Current Zoning, Parcel Numbers:**

Property Owner	Parcel Size:	Current Zone:	APN:
CCI Group, LLC	12.24	Agriculture (Ag)	S1326141870
Fred & Sharon Wheeler	7.00	Agriculture (Ag)	S1326142025

5. **Services:**

- Sanitary Sewer– City of Kuna    Fire Protection – City of Kuna (KRFD)
- Potable Water – City of Kuna    Police Services – Kuna Police (Ada County Sheriff's office)
- Pressurized Irrigation – City of Kuna (KMIS)                        Sanitation Services – J & M Sanitation

6. **Existing Structures, Vegetation and Natural Features:**

The proposed project site contains no residences or outbuildings. The vegetation on-site is consistent with that of farmed fields and pasture for livestock. The site has an estimated average slope of 3% to 5.9%. According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be greater than 60 inches across a majority of proposed development area, however there are some areas where bedrock depth is between 20" and 40" along the southern boundaries of the development area.

7. **Transportation / Connectivity:**

The applicant proposes two connections to Swan Falls Road, a classified roadway. There are no existing stubs from existing Subdivisions for this developer to connect to other subdivisions. This application does not propose a stub for the M-1 property to the north as those two uses and their traffic do not mix.

8. **Environmental Issues:**

Staff is not aware of any environmental issues, health or safety conflicts beyond the designation of being in the nitrate priority area. Idaho Department of Environmental Quality (DEQ) has provided recommendations for surface and groundwater protection practices and requirements for development of the site.

9. **Agency Responses:** The following responding agency comments are included as exhibits with this case file:

- City Engineer ..... Exhibit B-1
- Ada County Highway District ..... Exhibit B-2
- Boise Project Board of Control ..... Exhibit B-3
- Central District Health Department ..... Exhibit B-4
- Department of Environmental Quality ..... Exhibit B-5
- Community Planning Association of Southwest Idaho (COMPASS)..... Exhibit B-6
- Econ Development Department ..... Exhibit B-7
- ID Transportation Dept. .... Exhibit B-8

E. **Staff Analysis:**

On September 12, 2019 Planning and Zoning staff held a pre-application meeting with the applicant, Public Works, the Parks Department, The Kuna School District, Kuna Rural Fire District and Kuna Police Department to discuss the project. The applicant held a neighborhood meeting with land owners within 350 ft of the proposed project area on February 1, 2020 and four (4) residents attended the meeting. Neighborhood meeting minutes as well as mailed materials have been added to this packet.

Staff views this project to be in concert with the FLUM as this project has limited frontage adjacent to Swan Falls and the fronting parcels will be reserved for the Mixed-Use component should they develop in the future.

The applicant is proposing to rezone the approximately (approx) 19.22-acres already Kuna City Limits from Agriculture (Ag) to an R-6 zone Medium Density Residential (MDR). The applicant is proposing 78 lots over the approx 19.22 ac, with a gross density for the project at 4.05 dwelling units per acre (DUA). The net density is proposed to be 5.61 (DUA). The applicant has proposed 11 common lots totaling 2.83 ac, which equals approx 14.7% total open space. KCC 5-17 requires developments with a range of 51 to 100 dwelling units to devote 7.50% of the development area to useable open space. Staff notes the applicant has chosen to place the useable open space in Lot 35, Block 1 (L 35, B 1) and is approx. 1.83 acres in size, or approx 9.5% of the site. While staff and the Parks Department prefer to see useable open space located centrally, with walking paths through long blocks of lots, staff views the open space to be in compliance with Kuna City Code. Staff notes that part of L 35, B 1 is also designated as a storm water retention area. Therefore, staff recommends that the applicant be conditioned to work with the City engineer to ensure that the area designated for "open space" *and* as water retention, is able to serve both purposes *and* maintain the proper open space requirements; see condition # 17. The original Sera Sole project from 2006 was part of the LID, however, according to the Public Works Department, this project has no reserved sewer connections.

With this Preliminary Plat, the applicant is proposing to widen Swan Falls Road along the east property line. Swan Falls Road is listed a north-south Minor Arterial Road according to Kuna's Street Circulation Map. The sidewalk width requirement for Arterial Roads is an eight-foot sidewalk with vertical curb and gutter. Staff would note that the applicant will be required to install curb/gutter and sidewalks in accordance with KCC 5-17-13 and 6-4-2. The existing subdivisions to the south and west, did not provide future stub streets and this subdivision will not be required to provide a stub to the south or the west. Applicant shall be conditioned to satisfy the Kuna Rural Fire Districts requirements at time of final design for the EMS ingress/egress.

The installation of streetlights are required public improvements are a required public improvement listed under Kuna City Code 6-4-2. Staff was unable to locate any proposed locations of streetlights on the preliminary plat or the landscape plan. Staff will require the applicant to work with staff in order to comply with KCC and install street lights a maximum spacing of 250 ft. The final location of street lights will be approved at the time of construction documPent review. Staff would note that these streetlights must be designed and installed according to “Dark Sky” standards and shall use LED lighting throughout the site.

A design review application for common area landscaping and open space was included as a part of the application. Applicant is required to comply with KCC 5-5-5-F and install “see-through” fence for areas next to common areas and a solid vinyl perimeter fence. Staff finds the proposed landscaping, buffers and common space to be in compliance with Kuna City Code. However, staff recommends the applicant be conditioned to place “Sod” where the landscape plan (dated Feb. 24, 2020) identifies “Grass” and provide staff an updated landscaping plan reflecting the change. This landscape plan will be considered a binding site plan. Additionally, staff notes that if this project is approved, at the time of civil plan development, landscaping cannot be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves, and ACHD underground facilities. In the event that locations of landscaping are within the locations listed above, the landscaping in that area must be moved to an alternate location, and an updated landscape plan must be provided to staff *prior* to scheduling a final landscape inspection. No design review application has been submitted for a monument sign however, design review approval will be required prior to submitting for a building permit. The developer, owner and/or applicant is hereby notified that this project is subject to design review inspection fees. Required inspections (post construction), are to verify landscaping compliance prior to signature on the final plat.

Kuna’s Comprehensive Plan (Comp Plan) encourages a variety of housing types for all income levels, open space and pathways numerous times throughout the document. Pertinent sections of the Comp Plan that address the above listed items are included below in Section G of this staff report. Staff has reviewed the proposed preliminary plat for technical compliance with KCC, and finds the pre-plat and landscape plan are in compliance Kuna City, Title 5 and Title 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan. Staff recommends the applicant be conditioned to work with Kuna’s staff, Ada County Highway District (ACHD), the Kuna Rural Fire District (KRFD) and any other applicable agencies to ensure conformance to each agency’s requirements. Staff recommends that if the Planning and Zoning Commission recommends approval of Case No’s 20-01-ZC (Rezone) and 20-02-S (Preliminary Plat) and approves Case No. 20-05-DR (Design Review), the applicant be subject to the conditions of approval listed in section “I” of this report, as well as any additional conditions requested by the Planning and Zoning Commission.

**F. Applicable Standards:**

1. City of Kuna Zoning Ordinance Title 5.
2. City of Kuna Subdivision Ordinance Title 6.
3. City of Kuna Comprehensive Plan.
4. Idaho Code, Title 67, Chapter 65 - Local Land Use Planning Act.

**G. Proposed Comprehensive Plan Analysis:**

Kuna Planning and Zoning Commission may accept or reject the Comprehensive Plan components, and shall determine if the proposed annexation and preliminary plat requests for the site **are/are not** consistent with the following Comprehensive Plan components as described below:

**Goal Area 2: Kuna will be a healthy, safe community.**

- Goal 2.A: Maintain and expand an interconnected greenbelt, pathways and trail system.
  - Objective 2.A.2: Maintain and expand the pathway and trail network with a focus on building connectivity to key activity and population centers that serve all areas of Kuna.
    - Policy 2.A.2.d: Work with private developers and landowners to direct expansion of the trails and pathways system throughout Kuna, including:

- Ensure appropriate polices and ordinances are in place to incentivize and require construction of new pathways and trails infrastructure as development and redevelopment occurs.
- Require all new neighborhood and subdivision developments to incorporate pathway connectivity within the neighborhood and tie into existing or anticipated pathways and trails.
- Clearly identify locations where trails and pathways infrastructure should be publicly accessible, and who will be responsible to provide regular maintenance for these areas.
- Goal 2.B: Maintain and expand parks and public gathering spaces.
  - Objective 2.B.1 Maintain and expand the parks system
    - Policy 2.B.1.b: Continue to require neighborhood park development through the subdivision development process.

**Goal Area 3: Kuna’s land uses will support a desirable, distinctive and well-designed community.**

- Goal 3.D: Encourage development of housing options and strong neighborhoods.
  - Objective 3.D.1: Encourage development of housing options for all citizens.
    - Policy 3.D.1.a: Encourage preservation and development of housing that meets demand for household sizes, lifestyles and settings.
  - Objective 3.D.2: Create strong neighborhoods through preservation, new development, connectivity and programming.
    - Policy 3D.2.d: Work to ensure that all neighborhoods in Kuna benefit from good connectivity through sidewalk, pathway and trail, on-street and transit infrastructure.
- Goal 3.G: Respect and protect private property rights.
  - Objective 3.G.1: Ensure land use policies, restrictions, and fees do not violate private property rights.
    - Policy 3.G.1.b: Ensure City land use actions, decisions and regulations will not cause an unconstitutional regulatory taking of private property; and do not effectively eliminate all economic value of the subject property.
    - Policy 3.G.1.c: Ensure City land use actions, decisions and regulations do not prevent a private property owner from taking advantage of a fundamental property right. Ensure city actions do not impose a substantial and significant limitation on the use of the property.

**Goal Area 4: Kuna will be a connected community through strong transportation and infrastructure systems.**

- Goal 4.B: Increase sidewalk coverage and connectivity and invest in pedestrian facilities to increase walkability.
  - Objective 4.B.2: Maintain and expand sidewalks and pedestrian facilities within the community.
    - Policy 4.B.2b: Install detached sidewalks and/or protected pedestrian routes/facilities along high trafficked roads as development occurs.
    - Policy 4.B.2.c: Promote the installation of off-system pedestrian pathways to create neighborhood connections and reduce the length of non-motorized transportation routes.
    - Policy 4.B.2.g: Coordinate with developers to connect and/or enhance pedestrian facilities, including on and off-system pathways, footbridges (across canals, etc.), road bridges, sidewalks, pedestrian crossings and wayfinding signage.
- Goal 4.C: Increase pathway, trail and on-street bicycle facilities to create an expanded and connected bicycle network.
  - Objective 4.C.1: Maintain and enhance existing pathways, trails and on-street bicycle facilities.
    - Policy 4.C.1.a: Expand the bicycle network as identified in the Kuna Pathways Master Plan and ACHD Roadways to Bikeways Plans through land use developments and capital improvement projects.
    - Policy 4.C.1.e: Coordinate with developers to connect to and/or enhance bicycle facility connections, including pathways, non-motorized canal crossings, road bridges and wayfinding signage.
  - Objective 4.C.2: Ensure expansion of pathways, trails and on-street bicycle routes.

- Policy 4.C.2.b: Promote the installation of off-system bicycle pathways to create neighborhood connections and reduce non-motorized transportation route lengths.
  - Goal 4.D: Promote a connected street network that incorporates mid-mile collectors and crossing for improved neighborhood connectivity.
    - Objective 4.D.2: Ensure the continued expansion/development of mid-mile collector system throughout the community.
      - Policy 4.D.2.a: Extend and expand mid-mile roads as growth occurs.
      - Policy 4.D.1.b: Preserve adequate right-of-way along all mid-mile roads or other approved alternative locations to align roads.

**H. Proposed Kuna City Code Analysis:**

1. This request appears to be consistent and in compliance with all Kuna City Code (KCC).

**Comment:** *The proposed applications adhere to the applicable requirements of Title 5 and Title 6 of KCC.*

2. The Planning and Zoning Commission feels the site *is* physically suitable for the proposed development.

**Comment:** *The approx 19.22-ac site appears to be suitable for the proposed development.*

3. The preliminary plat request is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

**Comment:** *The land to be developed is not used as wildlife habitat. Roads, driveways, family units and open spaces are planned for construction according the City and ACHD requirements and best practices and will therefore not cause environmental damage or loss of habitat.*

4. These applications *are not* likely to cause adverse public health problems.

**Comment:** *The project would connect to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

5. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.

**Comment:** *The rezone and preliminary plat requests did consider the location of the property and adjacent uses. The adjacent uses range from Medium Density Residential and Industrial (Kuna City) to Rural Urban Transition & Low Density (Ada County).*

6. The existing and proposed street and utility services in proximity to the site are suitable *or* adequate for a commercial development.

**Comment:** *Correspondence from ACHD and Kuna Public Works confirms that the streets and utility services are suitable and adequate for this project.*

**I. Commission’s Recommendation:**

Based on the facts outlined in staff’s report and public testimony as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby recommends *approval* of Case No’s 20-01-ZC (*Rezone*) and 20-02-S (Preliminary Plat), a request from Riley Planning, LLC to rezone two parcels consisting of approx 19.2- ac in Kuna City Limits from Ag. TO R-6 MDR zoning district and to subdivide the same lands into 89 total lots (78 buildable lots and 11 common lots); AND *approves* Case No. 20-05-DR (Design Review), subject to the following conditions of approval:

**20-01-S (Rezone) and 20-02-S (Pre Plat)** During the public hearing by the Planning and Zoning Commission of Kuna, Idaho, the Commission hereby recommended approval to City Council for Case No. 20-01-ZC, a rezone request by Riley Planning, LLC with the following conditions of approval:

- Applicant shall follow all conditions outlined the staff report,
- Applicant work with staff to enhance the landscaping plan to include a heavy landscaping buffer between the subdivision and light industrial uses to the north,

**20-05-DR (Design Review)** During the public hearing by the Planning and Zoning Commission of Kuna, Idaho, the Commission hereby recommended approval to City Council for Case No. 20-01-ZC, a rezone request by Riley Planning, LLC with the following conditions of approval:

- Applicant shall follow all conditions outlined the staff report,
- Applicant work with staff to enhance the landscaping plan to include a heavy landscaping buffer between the subdivision and light industrial uses to the north,

And;

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
  - a. The City Engineer shall approve the sewer hook-ups.
  - b. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
  - c. 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".
  - d. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District are required.
  - e. The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
  - f. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
  - g. All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
2. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
3. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
4. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
5. Connection to City Services (Sewer, Water, Pressurized Irrigation) is required. The applicant shall conform all corresponding Master Plans.
6. Curb, gutter and sidewalk shall be installed in accordance with Kuna City Code Titles 5 Chapter 17 and 6 Chapter 4.
7. Applicant shall work with staff in order to provide final locations of street lights as required by Kuna City Code.

8. Street lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.
9. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted).
10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days 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 entities owning the property.
11. Landscaping shall not be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles.
12. The applicant shall install sod wherever the landscape plan (dated March 23, 2020) identifies "Lawn" and provide staff an updated landscaping plan accommodating the requested change.
13. Subdivision amenities such as the proposed pool and pool house are subject to Design Review approval.
14. All signage within/for the project shall comply with Kuna City Code, and shall be approved through the applicable sign approval process listed in KCC 5-10.
15. If any revisions are made, the applicant shall provide the Planning and Zoning Staff with a revised copy of the preliminary plat.
16. Any revisions of the plat are subject to administrative determination to rule if the revision is substantial.
17. Applicant shall work with the City engineer to ensure that the area designated for "open space" and as water retention, is able to serve both purposes and maintain the proper open space requirements.
18. Applicant shall satisfy the Kuna Rural Fire Districts requirements at time of final design for the EMS ingree/egress.
19. 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 City Council, or seek amending them through public hearing processes.
20. Developer/owner/applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
21. Developer/owner/applicant shall comply with all local, state and federal laws.



*City of Kuna*  
**Planning and Zoning Commission**  
**Findings of Fact and Conclusions of Law**

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Based upon the record contained in Case Nos. 20-01-ZC, 20-02-S and 20-05-DR including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the public hearing, the Kuna Commission hereby approves Case No. 20-07-DR and recommends *approval of the Findings of Fact and Conclusions of Law*, and conditions of approval for Case Nos. 20-01-ZC and 20-02-S, a request from Riley Planning, LLC, to Rezone two parcels consisting of approximately 19.22-ac in Kuna City Limits from Ag. to the R-6 MDR zone and to subdivide the 19.22-ac into 89 total lots (78 buildable lots and 11 common lots).

*If the planning and Zoning Commission wishes to approve, deny or modify specific parts of the Findings of Facts and Conclusions of Law as detailed below, those changes must be specified.*

1. *Based on the evidence contained in Case Nos. 20-01-ZC, 20-02-S and 20-05-DR, this proposal does generally comply with the City Code.*

**Staff Finding:** *The applicant has submitted a complete application, and following staff review for technical compliance the application appears to be in general compliance with the design requirements, public improvement requirements, objectives and considerations listed in Kuna City Code Title 5 and Title 6.*

2. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

**Staff Finding:** *The applicant held neighborhood meetings on February 1, 2020. A total of four residents attended the meetings. Neighborhood Notices were mailed out to residents within 450-FT of the proposed project site on July 8, 2020 and a legal notice was published in the Kuna Melba Newspaper on July 8, 2020. The applicant posted sign on the property on July 31, 2020.*

3. *Based on the evidence contained in Case Nos. 20-01-ZC, 20-02-S and 20-05-DR, this proposal generally complies with the Comprehensive Plan.*

**Staff Finding:** *The Comp Plan has listed numerous goals for providing a variety of housing densities and types to accommodate various lifestyles, ages and economic group in Kuna, as well as the installation of pathways and open space. The proposed zoning district is R-6 MDR. The Comp Plan Map designates the properties as Medium Density.*

4. The contents of the proposed preliminary plat application *does* contain all of the necessary requirements as listed in Kuna City Code 6-2-3: - Preliminary Plat.

**Staff Finding:** Review by Staff of the proposed preliminary plat confirms all technical requirements listed in KCC 6-2-3 were provided.

5. The availability of existing and proposed public services and streets *can* accommodate the proposed development.

**Staff Finding:** Correspondence from ACHD and Kuna Public Works confirms that the streets and utility services are suitable and adequate to accommodate the proposed project. It should be noted that installation of this project will place a commensurate impact on City services.

6. The proposed development is continuous with Master Utility Plans (Sewer/Water/Pressurized Irrigation).

**Staff Finding:** Correspondence from Kuna Public Works recommends the applicant be required to conform to the Master Sewer Plan, Master Water Plan and Master Pressurized Irrigation Plan, therefore satisfying this requirement.

7. The public *does* have the financial capability to provide supporting services to the proposed development.

**Staff Finding:** Throughout the development of the project and beyond, connection fees, impact fees (Fire, police, Park and Ada County Highway District), and property taxes will be collected, therefore satisfying the financial capability to provide supporting services.

8. The proposed project considered health and safety of the public and the surrounding area's environment.

**Staff Finding:** Connection to City services, as well as other public improvements such as streetlights, fire hydrants, sidewalks, bike lanes, etc. are required to be implemented as a part of this project. No major wildlife habitats will be impacted by the proposed development.

9. All private landowners have consented to Rezone & the Preliminary Plat.

**Staff Finding:** An affidavit of legal interest was signed by the CCI Group, LLC and Fred and Sharon Wheeler allowing Riley Planning, LLC to act on their behalf of this project, therefore consenting to the Rezone of the proposed project site.

10. The proposed project lands *are* within Kuna City Limits.

**Staff Finding:** The parcel is within City limits and eligible for a Rezone.

11. The site landscaping minimizes the impact on adjacent properties through the use of screening.

**Staff Finding:** Per the submitted landscape Plan, the applicant is proposing an open space on the south side of the project and houses back house to the west. A six-foot vinyl fence is required around the entire project.

12. The applicant and/or owner of the property have the right to request a written regulatory taking analysis.

**Staff Finding:** Pursuant to Idaho Code 67-8003, the owner of private property that is subject of such action may submit a written request for a regulatory taking analysis with the City Clerk. Not more than twenty-eight

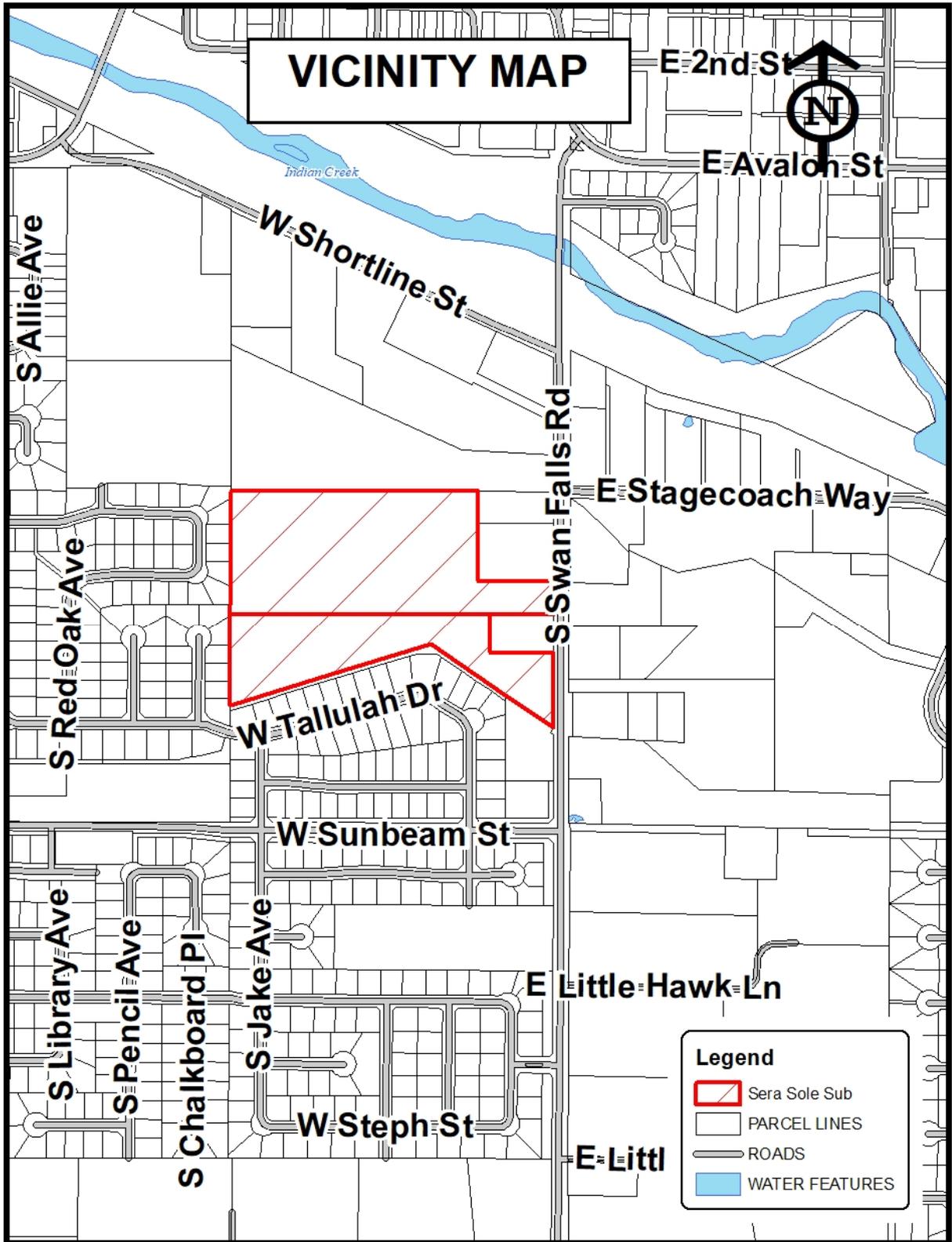
*(28) days after the final decision concerning the matter at issue, the City shall prepare a written taking analysis concerning the action if requested.*

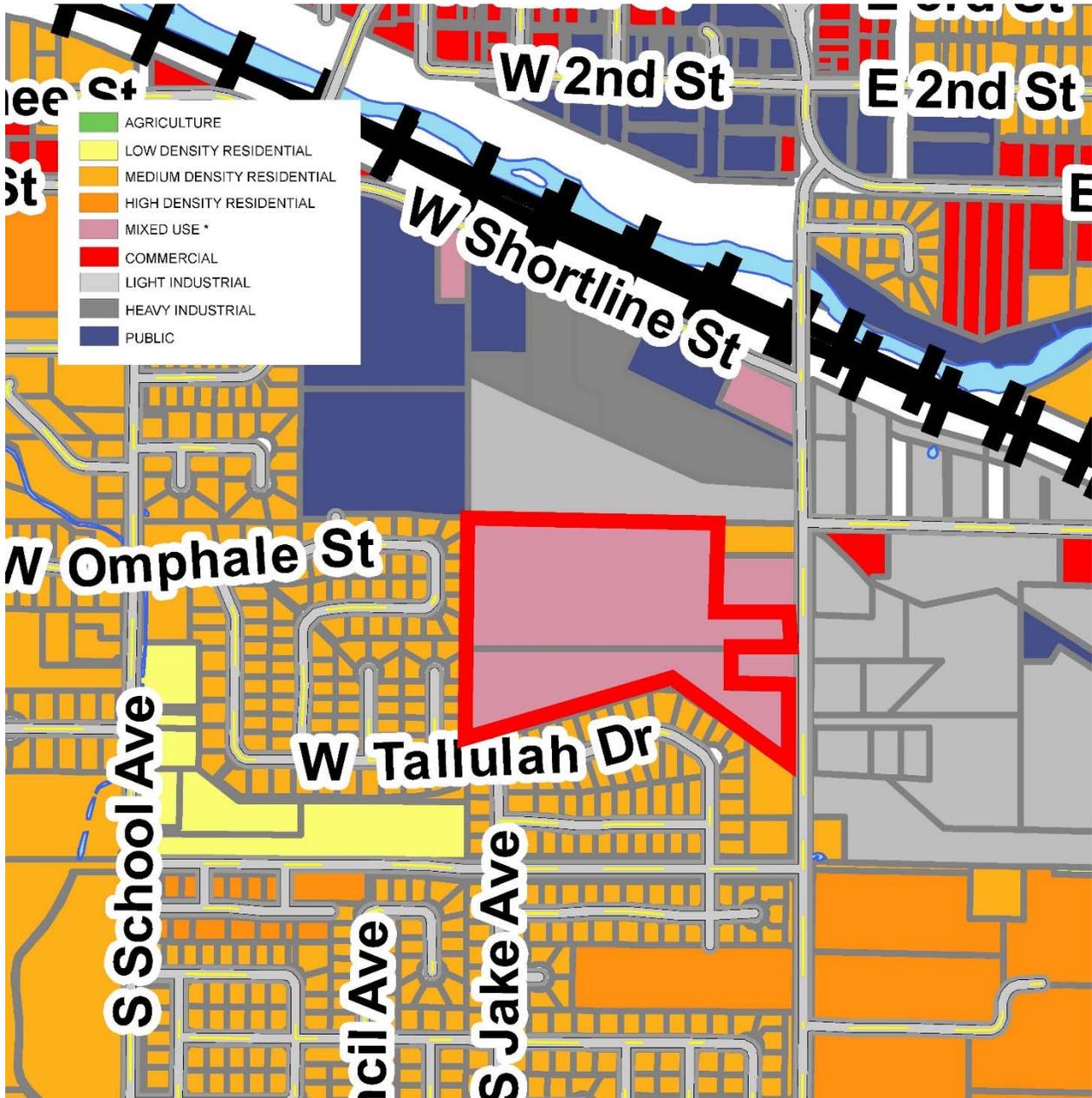
**DATED** this 25<sup>th</sup> day of August 2020.

\_\_\_\_\_  
Lee Young, Chairman  
Kuna Planning and Zoning Commission

ATTEST:

\_\_\_\_\_  
Troy Behunin, Planner III







# City of Kuna

## Planning and Zoning Commission

### Findings of Fact & Conclusions of Law

P.O. Box 13  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
[www.Kunacity.id.gov](http://www.Kunacity.id.gov)

**To:** Planning and Zoning Commission

**Case Numbers:** 19-08-AN (Annexation),  
**Black Rock Market Place**

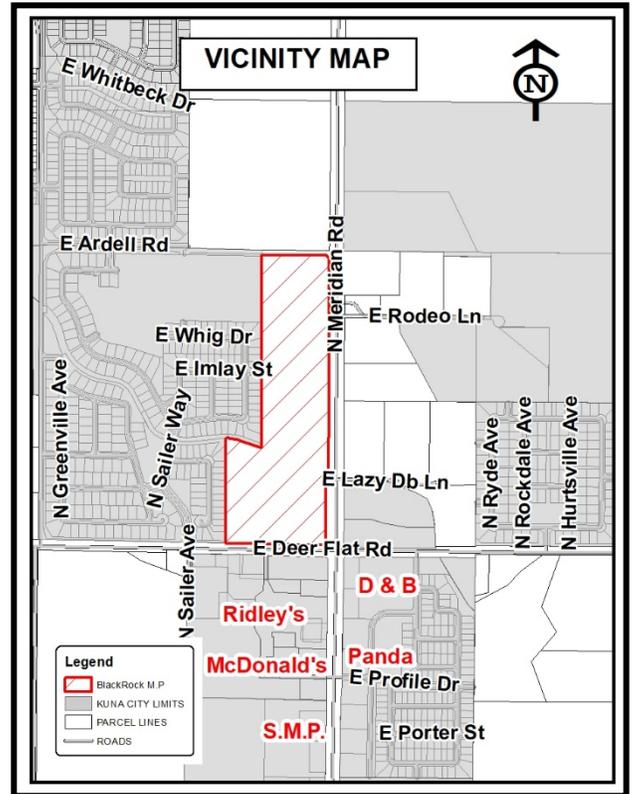
**Site Location:** 3001 West Ardell Road  
Kuna, ID 83634

**Planner:** Troy Behunin, Planner III

**Hearing Date:** June 23, 2020  
**Tabled until:** August 11, 2020  
**Findings of Fact:** **August 25, 2020**

**Owner:** Margaret M. Hill Ltd. Partnership  
556 E. locust View Ln.  
Meridian, ID 83642  
208.631.1521

**Applicant/Engineer :** SH69 Holdings, LLC  
*David Gronbeck*  
1400 E. Kokanee LN.  
Kuna, ID 83634  
208.3861.6664  
[gronbeck@kkgdev.com](mailto:gronbeck@kkgdev.com)



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**A. Process and Noticing:**

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that annexations are designated as public hearings, with the Planning and Zoning Commission as the recommending body and City Council as the decision-making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

**a. Notifications**

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>i. Neighborhood Meeting</li> <li>ii. Agency Comment Request</li> <li>iii. 400 Ft. Property Owners Notice</li> <li>iv. Kuna Melba Newspaper</li> <li>v. Site Posted</li> </ul> | <ul style="list-style-type: none"> <li>October 16, 2019 (2 people attended)</li> <li>April 10, 2020</li> <li>June 11, 2020 &amp; July 31, 2020 (<i>Courtesy</i>)</li> <li>June 3, 2020 (<i>Tabled at the Hearing</i>)</li> <li>July 30, 2020</li> </ul> |
|--|---|

**B. Applicant's Request:**

SH69 Holdings, LLC requests approval to annex approximately (approx) 40.82 acres (ac) into Kuna City limits in order to develop the same lands utilizing two separate zones; the R-20, High Density Residential (HDR) & C-2 (Area Commercial) zones. The R-20 HDR is proposed to be approx 13.22 ac in size, and the C-2 (Commercial) is proposed to be approx 27.45 ac. The applicant will propose multi-family housing units within the R-20 zone in the future, and Commercial uses will be proposed within the C-2 zone, in the future. The site is located at the hard northwest corner of Meridian and Deer Flat Roads in Kuna, ID 83634, Section 13, Township 2 North, Range 1 West; (APN: S1313449900).

**C. Site History:**

Currently the parcel is zoned Rural Urban Transition (RUT) within unincorporated Ada County. Historically this parcel has served as two residences with the majority of the land used for Agriculture (Ag) purposes.

**D. General Projects Facts:**

- 1. Comprehensive Plan Map:** The Future Land Use Map (FLUM) is intended to serve as a *guide* for the decision-making body for the City. The FLUM indicates land use designations generally speaking, it is not the actual zone. The Future Land Use Map designates the approximately 40.82-ac site for Mixed-Uses.
- 2. Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map indicates a future pathway/trail through the subject site. Staff recommends the applicant be conditioned to connect to the pathway/trail within Winfield Springs/Sterling Heights to the west on the same side of the Kuna Canal to conform to the Recreation and Pathways Master Plan Map.

**3. Surrounding Land Uses:**

<b>North</b>	RR	Rural Residential – Ada County
<b>South</b>	C-1	Neighborhood Commercial – Kuna City
<b>East</b>	C-1 RUT	Neighborhood Commercial – Kuna City Rural Residential – Ada County
<b>West</b>	R-6	Medium Density Residential – Kuna City

**4. Parcel Sizes, Current Zoning, Parcel Numbers:**

<b>Property Owner</b>	<b>Parcel Size:</b>	<b>Current Zone:</b>	<b>APN:</b>
HILL, MARGARET M FAMILY LP	40.82	RUT (Rural Urban Transition)	S1313449902

**5. Services:**

- Sanitary Sewer– City of Kuna
- Potable Water – City of Kuna
- Pressurized Irrigation – City of Kuna (KMIS)
- Fire Protection – Kuna Rural Fire Dist. (KRFD)
- Police Protection – Kuna Police (Ada County Sheriff’s office)
- Sanitation Services – J & M Sanitation

**6. Existing Structures, Vegetation and Natural Features:**

The proposed project sites contain two residences and a number of outbuildings to be removed at time of development on-site vegetation is consistent with that of Ag. fields. The sites have an estimated average slope of 1% to 1.4%. According to the USDA Soil Survey for Ada County, bedrock depth for the site is estimated to be greater than 60 inches across a majority of the proposed development area, however there are some areas where bedrock depth is between 20” and 40” along the northern boundaries.

7. **Transportation / Connectivity:**

The applicant proposes connections to a number of classified roadways in multiple locations; Deer Flat Rd., Ardell Road and Meridian Road, Kuna’s Entry Corridor. Additionally, the project proposes two connections to Winfield Springs Subdivision, the first is with existing E. Imlay St and the second will be to the approved stub street phase 7.

8. **Environmental Issues:**

Staff is not aware of any environmental issues, health or safety conflicts beyond the designation of being in the nitrate priority area. Idaho Department of Environmental Quality (DEQ) has provided recommendations for surface and groundwater protection practices and requirements for development of the site.

9. **Agency Responses:** The following responding agency comments are included as exhibits with this case file:

- Kuna City Engineer .....Exhibit B-1
- ACHD ..... Exhibit B-2
- Boise Project Board of Control ..... Exhibit B-3
- Community Planning Association of Southwest Idaho (COMPASS)..... Exhibit B-4
- Kuna Rural Fire District ..... Exhibit B-5

E. **Staff Analysis:**

On September 26, 2019 Planning and Zoning staff held a pre-application meeting with the applicant, Public Works, the Parks Department, the Kuna School District, Kuna Rural Fire District and Kuna Police Department to discuss the project. The applicant held a neighborhood meeting with neighboring land owners within 400 ft of the proposed project area on October 16, 2019 where two persons attended. The meeting minutes as well as mailed materials have been included as a part of this application.

The applicant is proposing to annex the approximately 40.82-ac into Kuna City Limits. The parcel touches Kuna City Limits on the west, and south sides of the site; with the land owner consenting to the annexation, the land is eligible for a category “A” annexation. In accordance with the Mixed-Uses on the FLUM, the applicant proposes to incorporate a mixture of Multi-family housing and Commercial uses throughout the project. The applicant proposes to zone approx. 13.22 acres of the development to R-20 HDR. The remaining development area, approx. 27.45 ac is proposed to be zoned C-2 (Area Commercial).

This request is limited to the annexation of the land into Kuna City Limits, and assigning a zone to the property upon annexation. The applicant intends to follow Kuna City Code (KCC) and is requesting the R-20 zone to place a multi-family project onsite. If approved by Council, the R-20 zone will only require a Design Review application for the buildings, parking, landscaping and street lights for a Multi-family (MF) project. If the applicant intends to subdivide the land for each of the MF units, then the applicant will be required to submit a preliminary plat for approval by Council. Based on future Commercial uses, the applicant may need to apply for additional approvals which may include Special Use Permits and Design Review for all Commercial uses. The applicant will also be required to submit a preliminary plat in order to subdivide for Commercial uses which will be subject to Councils approval. Applicant is hereby notified that KCC 5-17 requires developments provide a certain percentage of useable open space for the residents along with a certain number of parking stalls, based entirely on the number of dwelling units. A dwelling unit is defined in KCC.

Staff notes the City Engineer states in his memo that Danskin Lift Station is nearing capacity, and staff recommends that the applicant be conditioned to/shall work with the City Engineer to ensure proper capacity.

With this proposed project, the applicant is proposing five (5) connections to classified roads. Two points on Ardell Road, an east-west major collector; one access on Deer Flat Road an east-west minor arterial; and three connections to Meridian Road a principal arterial also known as Kuna’s Entry Corridor, and it is within the Overlay District. Additionally, the project proposes two connections to Winfield Springs Subdivision (See above for locations). The applicant is proposing two full ingress/egress and a RiRo (Right-in/Right-out) along their one-half

mile of frontage. Staff notes that with future development the applicant shall be required to install sidewalks street lights, roadway-improvements and other items in accordance with KCC 5-17-13 and 6-4-2.

If approved, a Design Review application for all commercial buildings, parking lots, signage, common area landscaping and open space will be required with future applications. The developer, owner and/or applicant is hereby notified that this project is subject to Design Review inspection fees. Required inspections (post construction), are to verify landscaping compliance prior to signature on the final plat.

Kuna's Comprehensive Plan (Comp Plan) encourages a variety of all commercial types, housing types for all income levels, open space and pathways numerous times throughout the document. Pertinent sections of the Comp Plan that address the above listed items are included below in Section G of this staff report. Staff has reviewed the proposed annexation request and finds the annexation and zoning requests are in compliance with KCC Title 5 and Title 6 of the Kuna City Code; Idaho Statute § 67-6511; the Kuna Comprehensive Plan and FLUM. The applicant shall be required to work with Kuna's staff, Ada County Highway District (ACHD), the Kuna Rural Fire District (KRFD) and any other applicable agencies to ensure conformance to each agency's requirements. Staff recommends that if the Planning and Zoning Commission recommends approval of Case No. 19-08-AN (Annexation), the applicant shall be subject to the conditions of approval listed in section "I" of this report, and any additional conditions requested by the Planning and Zoning Commission.

**F. Applicable Standards:**

1. City of Kuna Zoning Ordinance Title 5.
2. City of Kuna Comprehensive Plan.
3. Kuna Future Land Use Map
4. Idaho Code, Title 67, Chapter 65- Local Land Use Planning Act.

**G. Comprehensive Plan Analysis:**

Kuna Planning and Zoning Commission may (accept or reject) the Comprehensive Plan components, and shall determine if the proposed annexation and preliminary plat requests for the site *are/are not* consistent with the following Comprehensive Plan components as described below:

**Goal Area 1: Kuna will be economically diverse and vibrant.**

Goal 1 A: Ensure Land use in Kuna will support Economic Development.

- 1 B: Support development of a skilled, talented and trained workforce.
- 1 C: Attract and encourage new and existing businesses.
- 1 D: Address and plan for economic expansion of the City and region.

**Objectives:**

1.A.2. Create commercial nodes and corridors that support development of economic opportunities that do not compete with downtown revitalization efforts.

**Policies:**

1A.2.d: Designate a sufficient quantity of land on the Future Land Use Map for commercial use.

**Plan Implementation:** (Pg. 18)

2. Develop true mixed-use areas and new commercial areas and employment centers.

**Goal Area 2: Kuna will be a healthy, safe community.**

- Goal 2.A: Maintain and expand an interconnected greenbelt, pathways and trail system.
  - Objective 2.A.2: Maintain and expand the pathway and trail network with a focus on building connectivity to key activity and population centers that serve all areas of Kuna.
    - Policy 2.A.2.d: Work with private developers and landowners to direct expansion of the trails and pathways system throughout Kuna, including:

- Ensure appropriate polices and ordinances are in place to incentivize and require construction of new pathways and trails infrastructure as development and redevelopment occurs.
    - Require all new neighborhood and subdivision developments to incorporate pathway connectivity within the neighborhood and tie into existing or anticipated pathways and trails.
    - Clearly identify locations where trails and pathways infrastructure should be publicly accessible, and who will be responsible to provide regular maintenance for these areas.
  - Goal 2.B: Maintain and expand parks and public gathering spaces.
    - Objective 2.B.1 Maintain and expand the parks system
      - Policy 2.B.1.b: Continue to require neighborhood park development through the subdivision development process.

**Goal Area 3: Kuna’s land uses will support a desirable, distinctive and well-designed community.**

- Goal 3.D: Encourage development of housing options and strong neighborhoods.
  - Objective 3.D.1: Encourage development of housing options for all citizens.
    - Policy 3.D.1.a: Encourage preservation and development of housing that meets demand for household sizes, lifestyles and settings.
  - Objective 3.D.2: Create strong neighborhoods through preservation, new development, connectivity and programming.
    - Policy 3D.2.d: Work to ensure that all neighborhoods in Kuna benefit from good connectivity through sidewalk, pathway and trail, on-street and transit infrastructure.
- Goal 3.G: Respect and protect private property rights.
  - Objective 3.G.1: Ensure land use policies, restrictions, and fees do not violate private property rights.
    - Policy 3.G.1.b: Ensure City land use actions, decisions and regulations will not cause an unconstitutional regulatory taking of private property; and do not effectively eliminate all economic value of the subject property.
    - Policy 3.G.1.c: Ensure City land use actions, decisions and regulations do not prevent a private property owner from taking advantage of a fundamental property right. Ensure city actions do not impose a substantial and significant limitation on the use of the property.

**Goal Area 4: Kuna will be a connected community through strong transportation and infrastructure systems.**

- Goal 4.B: Increase sidewalk coverage and connectivity and invest in pedestrian facilities to increase walkability.
  - Objective 4.B.2: Maintain and expand sidewalks and pedestrian facilities within the community.
    - Policy 4.B.2b: Install detached sidewalks and/or protected pedestrian routes/facilities along high trafficked roads as development occurs.
    - Policy 4.B.2.c: Promote the installation of off-system pedestrian pathways to create neighborhood connections and reduce the length of non-motorized transportation routes.
    - Policy 4.B.2.g: Coordinate with developers to connect and/or enhance pedestrian facilities, including on and off-system pathways, footbridges (across canals, etc.), road bridges, sidewalks, pedestrian crossings and wayfinding signage.
- Goal 4.C: Increase pathway, trail and on-street bicycle facilities to create an expanded and connected bicycle network.
  - Objective 4.C.1: Maintain and enhance existing pathways, trails and on-street bicycle facilities.
    - Policy 4.C.1.a: Expand the bicycle network as identified in the Kuna Pathways Master Plan and ACHD Roadways to Bikeways Plans through land use developments and capital improvement projects.
    - Policy 4.C.1.e: Coordinate with developers to connect to and/or enhance bicycle facility connections, including pathways, non-motorized canal crossings, road bridges and wayfinding signage.
  - Objective 4.C.2: Ensure expansion of pathways, trails and on-street bicycle routes.

- Policy 4.C.2.b: Promote the installation of off-system bicycle pathways to create neighborhood connections and reduce non-motorized transportation route lengths.
  - Goal 4.D: Promote a connected street network that incorporates mid-mile collectors and crossing for improved neighborhood connectivity.
    - Objective 4.D.2: Ensure the continued expansion/development of mid-mile collector system throughout the community.
      - Policy 4.D.2.a: Extend and expand mid-mile roads as growth occurs.
      - Policy 4.D.1.b: Preserve adequate right-of-way along all mid-mile roads or other approved alternative locations to align roads.

#### H. Kuna City Code Analysis:

1. This request appears to be consistent and in compliance with all Kuna City Code (KCC).

**Comment:** *The proposed applications adhere to the applicable requirements of Title 5 and Title 6 of KCC.*

2. The Planning and Zoning Commission feels the site *is* physically suitable for the proposed development.

**Comment:** *The approx 40.82-ac site appears to be suitable for the proposed development.*

3. The annexation and zoning request is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

**Comment:** *The land to be developed is not used as wildlife habitat. Roads, driveways, family units and open spaces are planned for construction according the City and ACHD requirements and best practices and will therefore not cause environmental damage or loss of habitat.*

4. These applications *are not* likely to cause adverse public health problems.

**Comment:** *The project would connect to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

5. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.

**Comment:** *The annexation and zoning request considers the location of the property and adjacent uses. The adjacent uses range from C-1, Medium Density Residential (Kuna City) to Rural Residential (Ada County).*

6. The existing and proposed street and utility services in proximity to the site are suitable *or* adequate for a High Density and a commercial development.

**Comment:** *Correspondence from ACHD confirms that the streets are suitable and adequate for this project. Applicant shall work with the City Engineer to ensure lift station capacity in the Danskin lift station and shall work with the City Engineer for solutions if needed.*

#### I. Commission's Recommendation:

Based on the facts outlined in staff's report and public testimony as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby recommends *approval* of Case No. 19-08-AN (*Annex*), a request from SH69 Holdings, LLC to annex approx 40.82- acres into Kuna City Limits with R-20 HDR and C-2 Area Commercial zoning districts subject to the following conditions of approval:

**19-08-A (Annexation)** During the public hearing by the Planning and Zoning Commission of Kuna, Idaho, the Commission hereby recommended approval to City Council for Case No. 19-08-AN, a rezone request by SH69 Holdings, LLC with the following conditions of approval:

- Applicant shall follow all conditions outlined the staff report.

And;

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
  - a. The City Engineer shall approve the sewer connections.
  - b. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
  - c. 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".
  - d. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District are required.
  - e. The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
  - f. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
  - g. All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
2. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
3. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
4. When required, submit a petition to the City (as necessary, confirmed with the City Engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation System (KMIS) of the City.
5. Connection to City Services (Sewer, Water, Pressurized Irrigation) is required. The applicant shall conform all corresponding Master Plans.
6. Curb, gutter and sidewalk (attached and detached) shall be installed in accordance with Kuna City Code Title 5, Chapter 17 and Title 6, Chapter 4.
7. Street lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.
8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted).
9. All required landscaping shall be permanently maintained in healthy growing conditions. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits and is required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
10. Landscaping shall not be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles.
11. *Applicant shall work with the City Engineer to ensure capacity in the Danskin lift station and work with the City Engineer for solutions if needed.*

12. All signage within/for the project shall comply with Kuna City Code, and shall be approved through the applicable sign approval process listed in KCC 5-10.
13. Applicant shall follow KCC 5-17 and provide the require percentage of useable open space for the residents which is based on the number of dwelling units.
14. Applicant shall follow KCC 5-17 and provide the require number of parking stalls, based on the number of dwelling units.
15. 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 City Council, or seek amending them through public hearing processes.
16. Developer/owner/applicant shall follow staff, City Engineers and other agency requirements as applicable.
17. Developer/owner/applicant shall comply with all local, state and federal laws.



*City of Kuna*  
**Planning and Zoning Commission**  
**Findings of Fact and Conclusions of Law**

P.O. Box 13  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
[www.Kunacity.id.gov](http://www.Kunacity.id.gov)

Based upon the record contained in Case No. 19-08-AN, including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the public hearing, the Kuna Commission hereby recommends *approval* of the Findings of Fact and Conclusions of Law, and conditions of approval for Case No. 19-08-AN, a request from SH69 Holdings, LLC to annex approximately 40.82 acres into Kuna City Limits with R-20 HDR zoning district.

*If the Planning and Zoning Commission wishes to approve, deny or modify specific parts of the Findings of Facts and Conclusions of Law as detailed below, those changes must be specified.*

1. *Based on the evidence contained in Case No. 19-08-AN, this proposal does generally comply with the City Code.*

**Staff Finding:** *The applicant has submitted a complete application, and following staff review for technical compliance the application appears to be in general compliance with the objectives and considerations listed in Kuna City Code Title 5 and Title 6.*

2. *The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.*

**Staff Finding:** *The applicant held a neighborhood meeting on October 16, 2019 and two residents attended. Neighborhood Notices were mailed out to residents within 400 Ft of the proposed project site on June 11, 2020 with courtesy notices sent July 31, 2020, and a legal notice was published in the Kuna Melba Newspaper on June 3, 2020. The applicant posted sign a on the property on July 30, 2020.*

3. *Based on the evidence contained in Case No. 19-08-AN, this proposal does generally comply with the Comprehensive Plan.*

**Staff Finding:** *The Comp Plan has listed numerous goals for providing a variety of housing densities and types to accommodate various lifestyles, ages and economic group in Kuna, as well as the installation of pathways and open space. The proposed zoning districts are R-20 (High Density Residential) and C-2 (Area Commercial). The Comp Plan Map designates the property as Mixed-Uses.*

4. *The proposed annexation application contains all of the necessary requirements as listed in Kuna City Code.*

**Staff Finding:** *Review by staff of the proposed annexation confirms all technical requirements listed in KCC were provided.*

5. *The availability of existing and proposed public services and streets can accommodate the proposed development.*

**Staff Finding:** *Correspondence from ACHD confirms that the streets are suitable and adequate for this project. Applicant shall work with the City Engineer to ensure Lift Station capacity in the Danskin lift station and possibly work with the City Engineer for solutions if needed.*

6. *The proposed development is continuous with Master Utility Plans (Sewer/Water/Pressurized Irrigation).*

**Staff Finding:** Correspondence from Kuna Public Works notes the Danskin Lift Station is nearing capacity, applicant shall work with the City Engineer to ensure Lift Station capacity.

7. The public has the financial capability to provide supporting services to the proposed development.

**Staff Finding:** Throughout the development of the project and beyond, connection fees, impact fees (Fire, Police, Park and Ada County Highway District), and property taxes will be collected, therefore satisfying the financial capability to provide supporting services.

8. The proposed project considers health and safety of the public and the surrounding area's environment.

**Staff Finding:** Connection to City services, as well as other public improvements such as streetlights, fire hydrants, sidewalks, bike lanes, etc. are required to be implemented as a part of this project. No major wildlife habitats will be impacted by the proposed development.

9. All private landowners have consented to annexation.

**Staff Finding:** An affidavit of legal interest was signed by Margaret M. Hill Ltd. Partnership allowing SH69 Holdings, LLC to act on their behalf of this project, therefore consenting to the annexation of the proposed project site.

10. The proposed project lands are contiguous or adjacent to property within Kuna City Limits.

**Staff Finding:** The parcel is contiguous with City limits to the south and west.

11. The future site landscaping shall minimize the impact on adjacent properties through the use of screening.

**Staff Finding:** The applicant shall submit a landscape plan with future applications for staff and the Design Review Committee's review.

12. The applicant and/or owner of the property have the right to request a written regulatory taking analysis.

**Staff Finding:** Pursuant to Idaho Code 67-8003, the owner of private property that is subject of such action may submit a written request for a regulatory taking analysis with the City Clerk, not more than twenty-eight (28) days after the final decision concerning the matter at issue, the City shall prepare a written taking analysis concerning the action if requested.

**DATED** this 25<sup>th</sup> day of August, 2020.

\_\_\_\_\_  
Lee Young, Chairman  
Kuna Planning and Zoning Commission

ATTEST:

\_\_\_\_\_  
Troy Behunin, Planner III



# City of Kuna

P.O. Box 13  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
www.kunacity.id.gov

## Planning & Zoning Commission - Staff Report

**To:** Kuna Planning and Zoning Commission acting as the Design Review Committee

**File Numbers:** 20-15-DR (Design Review)  
Patagonia Pool House

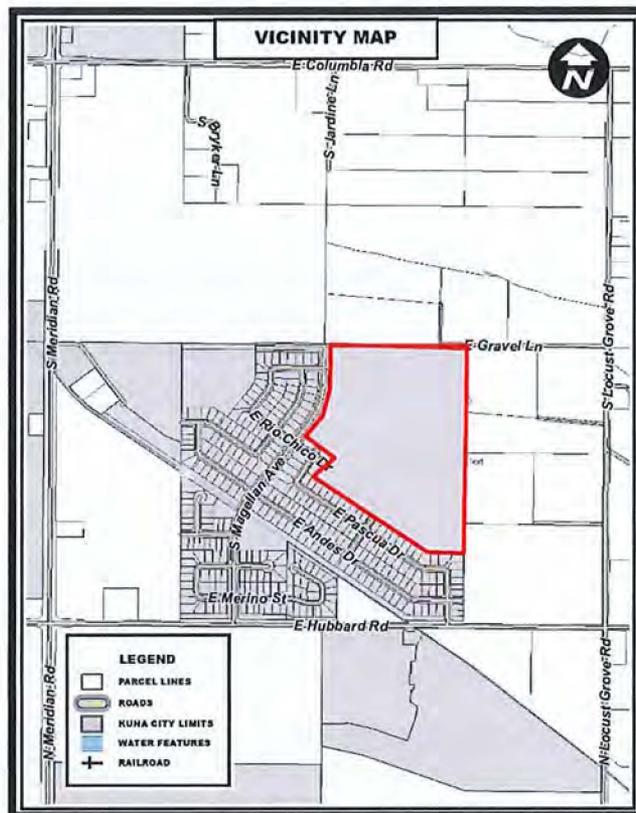
**Location:** Future Lot 1, Block 18  
Patagonia No. 7  
Kuna, ID 83634

**Planner:** Jessica Reid  
Planning & Zoning Staff

**Hearing date:** August 25, 2020

**Owner:** Patagonia Development  
PO Box 344  
Meridian, ID 83660  
208.870.3432

**Applicant:** Breckon Land Design  
Celeste Valle  
499 Main St.  
Boise, ID 83702  
208.639.6407  
[cvalle@breckonld.com](mailto:cvalle@breckonld.com)



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| B. Applicants Request    | F. Applicable Standards                |
| C. History               | G. Proposed Decision by the Commission |
| D. General Project Facts |  |

### A. Course of Proceedings:

1. According to Kuna City Code (KCC) Title 5, Chapter 4, Section 2 (Design Review); all new commercial projects and parking lots are required to submit an application for review by the Planning and Zoning Commission. As a public meeting item, this action requires no formal public noticing actions.

#### a. Notifications

- |                        |                 |
|------------------------|-----------------|
| i. Completeness Letter | July 15, 2020   |
| ii. Agenda             | August 25, 2020 |

**B. Applicants Request:**

Celest Valle of Breckon Land Design, requests Design Review (DR) approval to construct a pool house, one pool, and accompanying parking lot with 15 parking spaces, two of which are ADA Accessible.

**C. General Projects Facts:**

**1. Surrounding Land Uses:**

<b>North</b>	R-6	Medium Density Residential – Kuna City
<b>South</b>	R-6	Medium Density Residential – Kuna City
<b>East</b>	R-6	Medium Density Residential – Kuna City
<b>West</b>	R-6	Medium Density Residential – Kuna City

**2. Parcel Sizes, Current Zoning, Parcel Numbers:**

- Approximately 52.15 Acres
- Zoning: R-6 (Medium Density Residential)
- Parcel # S1407427955 (until Final Plat is recorded)

**3. Services:**

Sanitary Sewer – City of Kuna  
Potable Water – City of Kuna  
Pressurized Irrigation – Kuna Municipal Irrigation System (KMIS)  
Fire Protection – Kuna Rural Fire District  
Police Protection – Kuna Police (Ada County Sheriff’s office)  
Sanitation Services – J&M Sanitation

**4. Existing Structures, Vegetation and Natural Features:**

There are no structures or vegetation on the subject site. This site has been graded and prepped for development and is generally flat.

**5. Transportation / Connectivity:**

Vehicle ingress/egress will become available via a public road with the future construction of Patagonia Subdivision No. 7 and the extension of E Rio Chico Drive.

**6. Comprehensive Future Land Use Map: The Future Land Use Map (FLUM) identifies this site as Medium Density Residential.**

**D. Staff Analysis:**

The pool, pool house and associated parking lot is planned for future Lot 1, Block 18 of Patagonia Subdivision No. 7. Trash collection via bins has been provided on the north side of the pool house with appropriate screening walls as well as the additional amenities of a seating area and bike rack. Staff finds that the proposed 13 regular parking spaces and 2 ADA accessible parking spaces appear to meet the requirements specified in Kuna City Code (KCC) 5-9-3.

Staff has reviewed the application and finds that the proposed pool house, pool, and parking lot generally appears to conform to Kuna City Code Title 5, Chapter 4, Design Review Overlay District, as well as conforms to the Kuna architectural guidelines and parking standards.

Staff notes the applicant will be required to have all drainage and storm water retention plans reviewed and approved by the City Engineer. The applicant is hereby notified that this project is subject to a Design Review inspection and fees for the building and parking lot. Required post construction inspections are to verify Design Review compliance for the buildings, parking lot and lighting.

Staff has determined that this application complies with Kuna City Code; Kuna Comprehensive Plan; Future Land Use Map; and Idaho Code. Staff recommends that if the Planning and Zoning Commission approves Case No. 20-15-DR (Design Review), the applicant shall be subject to the conditions of approval listed in section "F" of this report, as well as any additional conditions requested by the Planning and Zoning Commission.

**E. Applicable Standards:**

1. Kuna City Code, Title 5, Zoning Regulations
2. City of Kuna Comprehensive Plan
3. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act

**F. Proposed Decision by the Commission:**

*Note: This proposed motion is for approval, conditional approval or denial of this request. However, if the Planning and Zoning Commission wishes to change specific parts of the request as detailed in the report, those changes must be specified.*

The decision is based on the facts outlined in the staff report, the case file, and the discussion at the public meeting. The Planning and Zoning Commission (acting as Design Review Committee) of Kuna, Idaho, hereby **approves/denies** Case No. 20-15-DR, a Design Review request from Celeste Valle to construct a pool house, pool, accompanying lighting and a parking lot, 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 applicable 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. 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. The City Engineer shall review and approve all civil plans and sewer hook-ups.
4. The applicant shall follow all specifications and requirements listed in KCC 8-4: - Solid Waste Management.
5. The applicant shall obtain separate electrical and plumbing permits **prior** to construction.

6. This development is subject to building design review inspections **prior** to receiving a certificate of occupancy. Design review inspection fees shall be paid prior to requesting staff inspection.
7. 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 Planning and Zoning Commission, or seek amending them through the Design Review process.
8. Applicant shall follow staff, City engineer and other agency recommended requirements, as applicable.
9. Applicant shall comply with all local, state and federal laws.

**DATED** this 25<sup>th</sup> day of August, 2020.



*City of Kuna*  
Planning and Zoning Commission  
Findings of Fact and Conclusions of Law

P.O. Box 13  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
[www.Kunacity.id.gov](http://www.Kunacity.id.gov)

Based upon the record contained in Case No. 20-15-DR including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, and including the exhibits, the Kuna Commission hereby (approves/conditionally approves/denies) Case No. 20-15-DR, a request from Breckon Land Design for the Patagonia pool and pool house..

*If the planning and Zoning Commission wishes to approve, deny or modify specific parts of the Findings of Facts and Conclusions of Law as detailed below, those changes must be specified.*

1. Based on the evidence contained in Case No. 20-15-DR, the building design, including building mass, proportion of building, and relationship of exterior materials (*does/does not*) generally comply with the City Code.

***Staff Finding:*** *The applicant has submitted a complete application, and following staff's review for technical compliance, the application appears to be in general compliance with the design requirements listed in Kuna City Code Title 5.*

2. The contents of the proposed Design Review application (*does/does not*) contain all of the necessary requirements as listed in KCC 5-4-9: - Design Review Application Required.

***Staff Finding:*** *Review by Staff and the Commission of the proposed Design Review confirms all applicable requirements listed in KCC 5-4-9 were provided.*

3. The overall building design, including building mass, proportion of building, relationship of openings in the buildings, and relationship of exterior materials, (*is/is not*) appropriate for the proposed site selection.

***Staff Finding:*** *The pool house is surrounded by a proposed pool and patio area. The pool house will have two separate restroom facilities for community members that are recreating in the pool area. The proposed pool house will be 17-feet and 5-inches tall. The pool house features a covered and gated entry with changes in the building façade and roofline. Building façade colors are earth toned and offer varying textures. The area will be well lit with building mounted LED lighting.*

4. The parking lot site plan design (*does/does not*) minimizes the impact of traffic on adjacent streets, (*provides/does not provide*) appropriate, safe vehicle parking.

***Staff Finding:*** *The parking lot is a private parking lot that serves the residents of the Patagonia Subdivision – all phases. The parking lot will be accessed via a public street connection with phase 7 construction. The applicant has proposed thirteen off-street spaces which are 9 feet wide and 20 feet long, and one handicapped space which is 16 feet wide by 20 feet long. Parking area is well lit via building mounted lighting and street lights along E Rio Chico Drive. Applicant shall follow stall and aisle design standards listed in KCC.*

5. The site plan design (*does/does not*) provide for safe pedestrian access.

**Staff Finding:** *A 5-foot sidewalk, approved with the Patagonia No.7 Final Plat on May 19, 2020, will be installed and provides pedestrians safe access to and from the pool. Appropriate lighting provided along E Rio Chico Drive.*

6. The site landscaping (*does/does not*) minimize the impact on adjacent properties through proper use of screening with sound and sight buffers. Unsightly areas (*are/are not*) concealed and/or screened.

**Staff Finding:** *The sound and sight buffers includes a 6-foot tall open vision metal fence around the pool area as well as a landscape buffer. All deciduous trees have a 2-inch caliper, all evergreen trees are at least 6-feet tall; additional plantings include ornamental flowering trees with a 2-inch caliper, shrubs, perennials and ornamental grasses. The proposed landscaping is in conformance with Kuna City Code, and minimizes impact on adjacent uses. The proposed pool area includes amenities such as a covered seating area, handicap access to pool via ramp, patio seats and a bike rack.*

7. On-site grading and drainage (*are/are not*) designed to maximize land use benefits and minimize off-site impact.

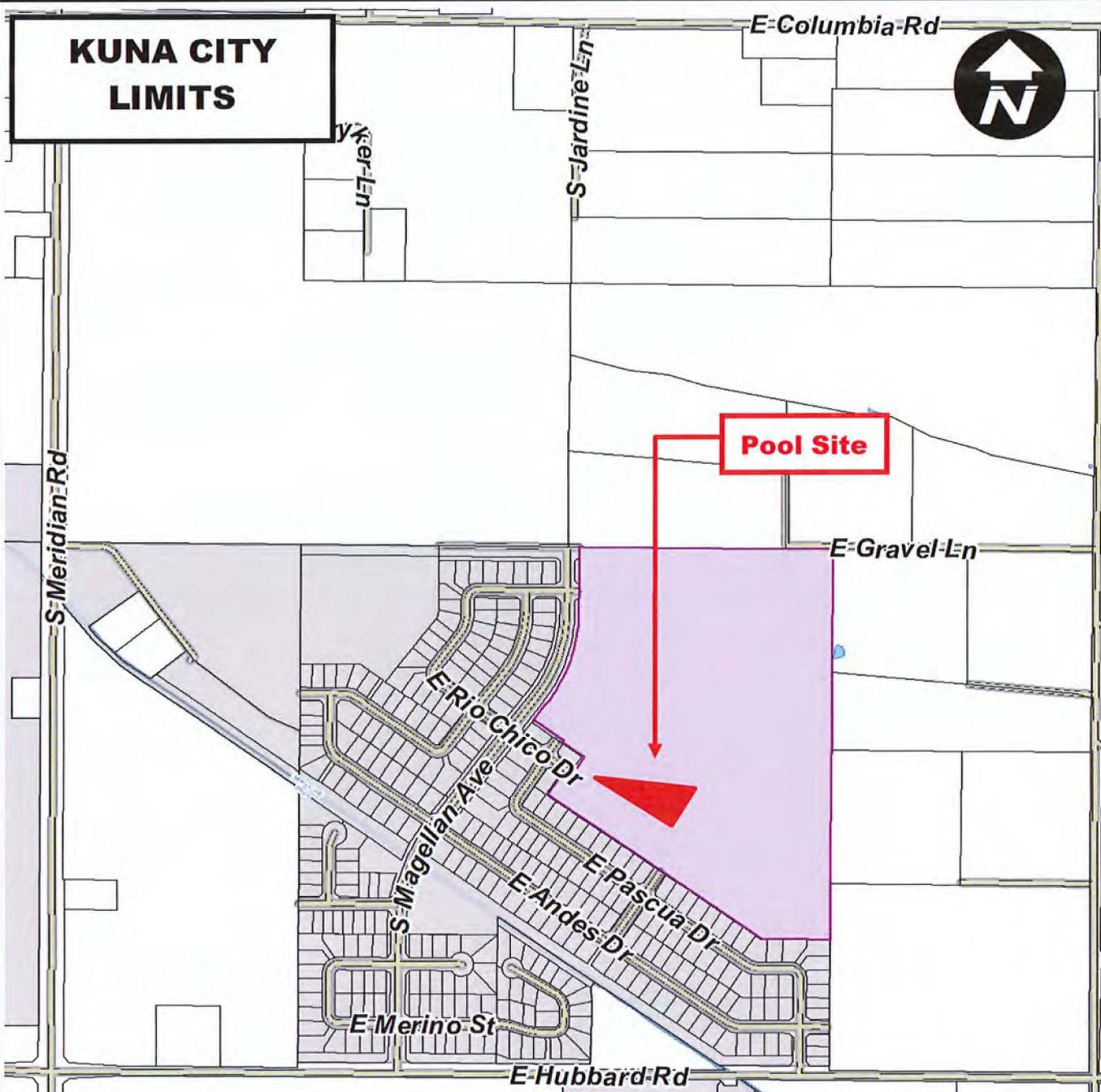
**Staff Finding:** *The applicant proposes a storm drain in the parking lot. The applicant is required to have all civil plans reviewed and approved by the Kuna City Engineer prior to construction in order to ensure that the drainage benefits the land use and minimizes off-site impact.*

**DATED** this 25<sup>th</sup> day of August, 2020.

**AERIAL  
MAP**



# KUNA CITY LIMITS



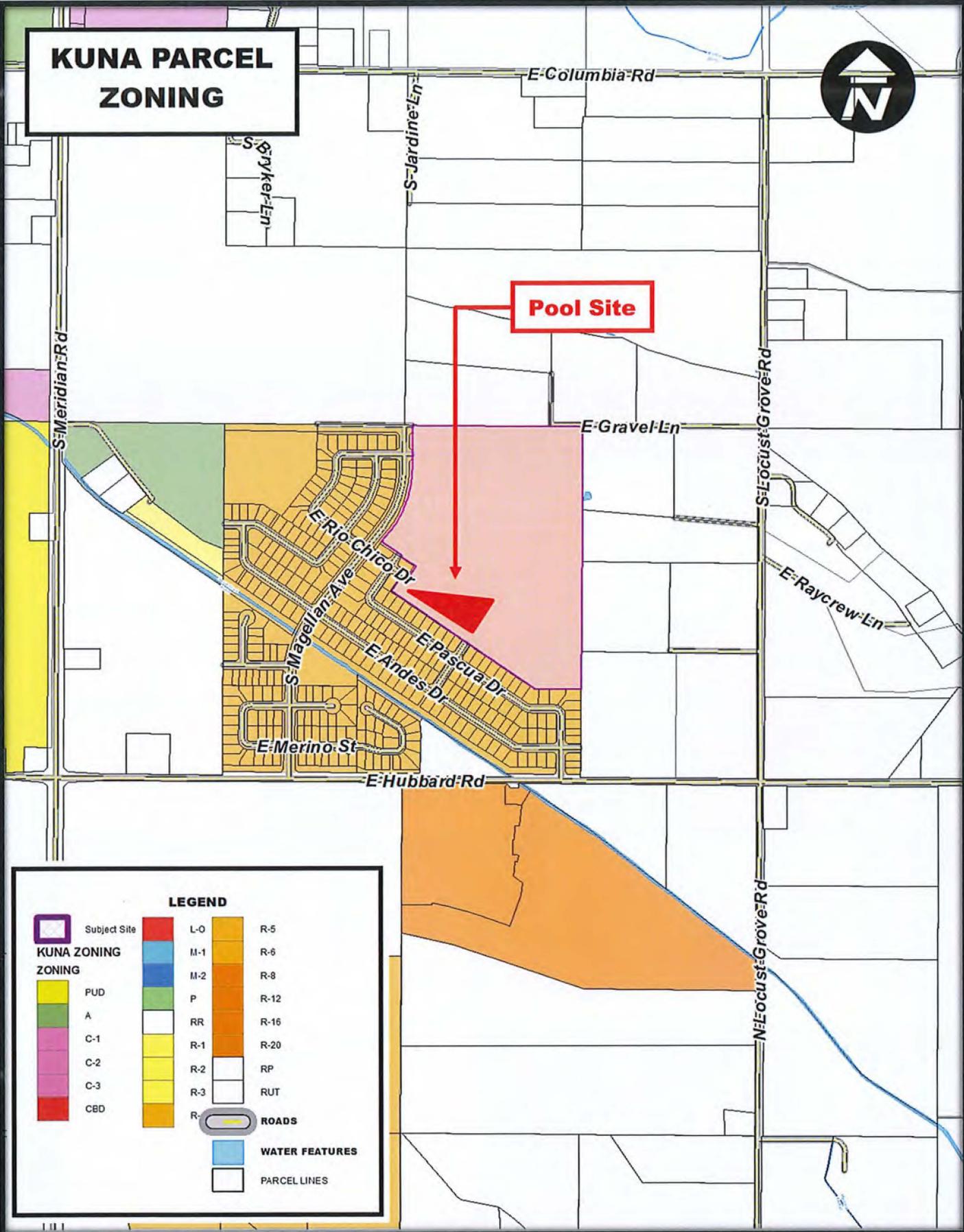
**LEGEND**

- Subject Site
- PARCEL LINES
- ROADS
- KUNA CITY LIMITS
- WATER FEATURES
- RAILROAD

# KUNA PARCEL ZONING



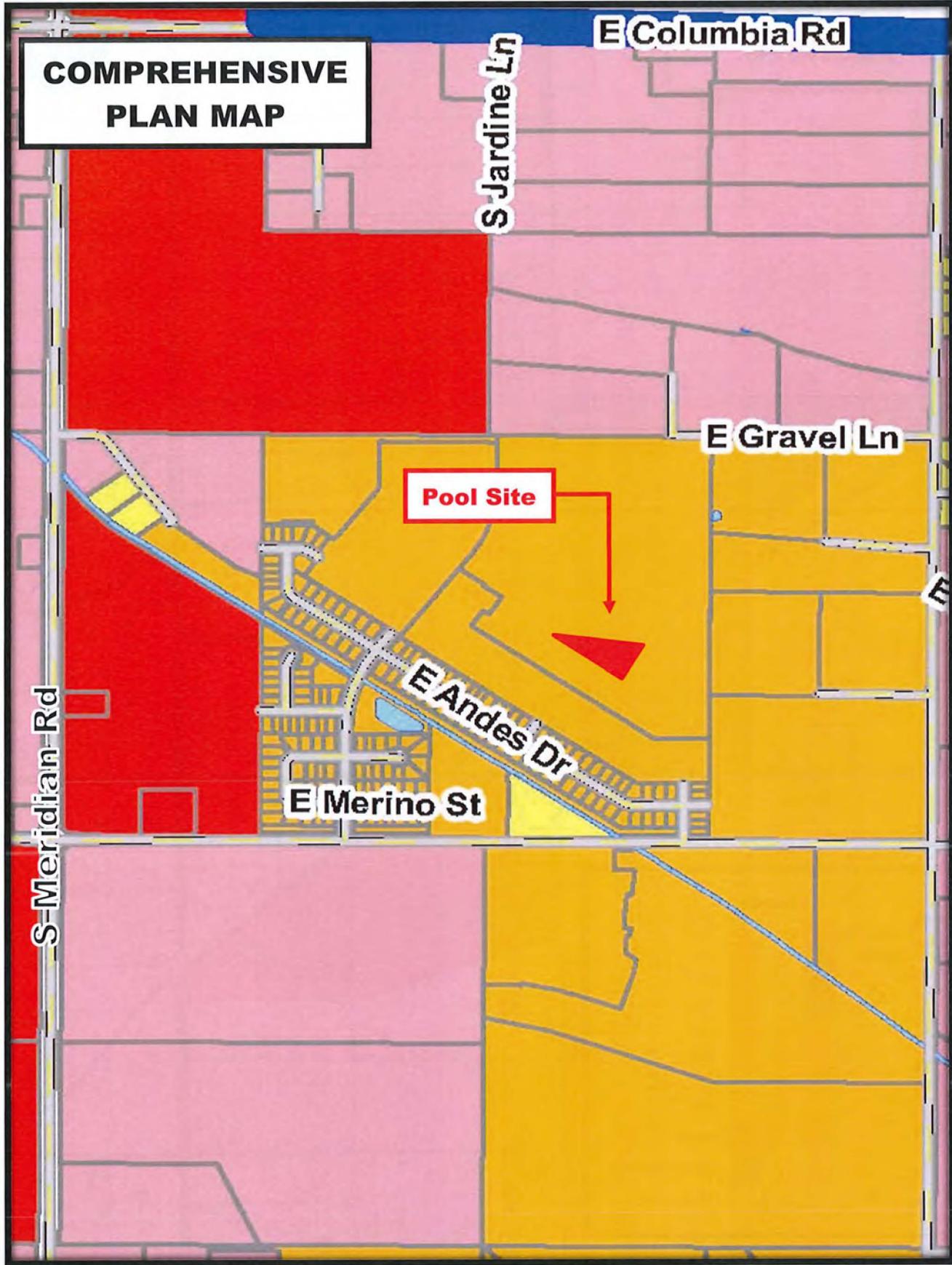
**Pool Site**



**LEGEND**

	Subject Site		L-0		R-5
<b>KUNA ZONING</b>			M-1		R-6
	PUD		M-2		R-8
	A		RR		R-12
	C-1		R-1		R-16
	C-2		R-2		R-20
	C-3		R-3		RP
	CBD		R		RUT
			<b>ROADS</b>		
			<b>WATER FEATURES</b>		
			<b>PARCEL LINES</b>		

**COMPREHENSIVE  
PLAN MAP**



**Jessica Reid**

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**From:** noreply@civicplus.com  
**Sent:** Friday, June 19, 2020 11:11 AM  
**To:** Jessica Reid; Doug Hanson  
**Subject:** Online Form Submittal: Design Review

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

## Design Review

### Step 1

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#### Design Review Application Submittal Requirements

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Date of Pre-Application Meeting: N/A

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Letter of Explanation: [20074 Design Narrative 20200611.pdf](#)

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Vicinity Map: [Vicinity Map.pdf](#)

---

Aerial Photo: [Aerial Photo.pdf](#)

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Deed: [Patagonia deed and affidavit.pdf](#)

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Detailed Site Plan: [Patagonia Pool Site Plan.pdf](#)

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Detailed Landscape Plan: [Patagonia Pool Landscape Plan.pdf](#)

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Detailed Drainage Plan: [Patagonia Civil plans.pdf](#)

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Detailed Elevation Plan: [A-211 EXTERIOR ELEVATIONS.pdf](#)

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Material Sample Rendering: [A-212 COLORED RENDERING MATERIAL SAMPLE BOARD.pdf](#)

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(Section Break)

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#### Site Plan

*A Site Plan that graphically portrays the site and includes the following features: 1) North arrow. 2) To scale drawings. 3) Property lines. 4) Name of "Plan Preparer" with contact info. 5) Name of project & date. 6) Existing structures; identify those which are to be relocated or removed. 7) On-site adjoining streets, alleys, private drives and rights-of-way. 8) Drainage location and method of on-site retention/detention. 9) Location of public restrooms. 10) Existing/proposed utility service and any above-ground utility structures and their location. 11) Location and width of easements, canals and drainage ditches. 12) Location and dimensions of off-street parking. 13) Locations and sizes of any loading area, docks, ramps and*

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vehicle storage or service areas. 14) Trash storage areas and exterior mechanical equipment with proposed method of screening. 15) Sign locations (a separate sign application must be submitted along with this application; a link and upload area are provided at the end of this application). 16) On-site transportation circulation plan for motor vehicles, pedestrians, and bicycles. 17) Locations and uses of ALL Open Spaces. 18) Locations, types and sizes of sound and visual buffers (Note: All buffers must be located outside the public right-of-way). 19) Parking layout including spaces, driveways, curb cuts, circulation patterns, pedestrian walks and vision triangles. 20) Location of subdivision lines (if applicable). 21) Illustration that demonstrates adequate sight distance is provided for motor vehicles, pedestrians and bicycles. 22) Location of walls and fences and indication of their height and material of construction. 23) Roofline and foundation plan of building location on the site. 24) Location and designations of all sidewalks. 25) Location and designation of all rights-of-way and property lines.

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Site Plan

[Patagonia Pool Site Plan.pdf](#)

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(Section Break)

### Landscape & 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 landscape and streetscape plans must be colored. The Planning & Zoning 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.*

### Landscape & Streetscape Plan Requirements

1) North arrow. 2) To scale drawings. 3) Boundaries, property lines and dimensions. 4) Name of "Plan Preparer" with contact info. 5) 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 proposed landscape materials at the time of planting and at maturity. A list of acceptable trees is available upon request from staff). 6) Existing vegetation identified by specific size. Identify those which are proposed to be relocated or removed. 7) 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). 8) Locations, description, materials, and cross-sections of special features, including berming, retaining walls, hedges, fencing, fountains, street/pathway furniture, etc.). 9) Sign locations (a separate sign application must be submitted with this application, a link and upload area are provided at the end of this application). 10) Locations and uses for Open Spaces. 11) Parking layout including spaces, driveways, curb cuts, circulation patterns, pedestrian walks and vision triangles. 12) Illustration that demonstrates adequate sight distance is provided for motor vehicles, pedestrians and bicycles. 13) Location and designations of all sidewalks. 14) Clearly identify pressurized irrigation lines and underground water storage. 15) 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.

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Landscape & Streetscape Plan      [Patagonia Pool Landscape Plan.pdf](#)

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(Section Break)

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**Building Elevations**

1) Detailed elevation plans of each side of any proposed building(s) or addition(s) (Note: Four (4) elevations to include all sides of development and must be in color). 2) Identify the elevations as to North, South, East and West orientation. 3) Color copies of all proposed building materials and indication where each material and color application is located (Note: Submit as 11" x 17" reductions). 4) Screening/treatment of mechanical equipment. 5) Provide a cross-section of the building showing any rooftop mechanical units and their roof placement. 6) Detailed elevation plans showing the materials to be used in construction of trash enclosures.

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Building Elevations      [A-211 EXTERIOR ELEVATIONS.pdf](#)

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(Section Break)

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**Lighting Plan**

1) Exterior lighting including detailed cut sheets and photometric plan (pedestrian, vehicle, security, decoration). 2) Types and wattage of all light fixtures (Note: The City encourages use of "Dark Sky" lighting fixtures). 3) Placement of all light fixtures shown on elevations and landscaping plans.

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Lighting Plan      [Patagonia lighting plan.pdf](#)

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(Section Break)

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**Roof Plans**

1) Size and location of all rooftop mechanical units.

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Roof Plans      [A-131 ROOF PLAN.pdf](#)

---

**Step 2**

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**Applicant**

---

First Name      Celeste

---

Last Name      Valle

---

Title      Representative

---

Phone Number      208-376-5153 ext. 107

---

Email      cvalle@breckonld.com

---

Address1      6661 N Glenwood Street

---

Address2 *Field not completed.*

City Garden City

State ID

Zip 83714

(Section Break)

**Owner**

First Name Patagonia Development

Last Name *Field not completed.*

Phone Number 208-870-3432

Email *Field not completed.*

Address1 P.O. Box 344

Address2 *Field not completed.*

City Meridian

State ID

Zip 83660

(Section Break)

**Represented By**  
*If different from above*

First Name Taylor

Last Name Merrill

Phone Number 208-870-3432

Email taylor@westparkco.com

Address1 2463 E Gala Street

Address2 Suite 120

City Meridian

State ID

Zip 83642

(Section Break)

Property Information

Address1 E Rio Chico Drive R-6

Address2 Field not completed.

City Kuna

State ID

Zip 83634

Distance from Major Cross Street 1,178 ft.

Cross Street Name(s) E Hubbard Road

Step 3

Intent Building Design Review

Explanation To construct a community swimming pool, parking lot, and pool house consisting of restrooms and storage.

Dimension of Property 3.59 Acres

Current Land Use(s) Vacant Land

What are the land uses of the adjoining properties? North and East are zoned R-6 and South and West is E Rio Chico Drive

Is the project intended to be phased, if so, what is the phasing time period? No

Please explain Field not completed.

Number of and use(s) of all structures Pool Restrooms and Storage

Minimum building height for each zoning district  
O: 35', C-1: 35', C-2: 60', C-3: 60', CBD: 80', M-1: 60', M-2: 60', M-3: 60', P: 60'

Building heights 17'-2" ✓

Number of stories 1 ✓

What is the percentage of building space on the lot 853/156,101=1%

when compared to the total lot area?

(Section Break)

**Materials**

*Note: This section must be completed in compliance with the City of Kuna Ordinance No. 2007-21A.*

Roof Material and Color      Asphalt shingle- Black

**Walls**

*State percentage of wall coverage for each type of building material below for each frontage wall. Please attach photos to support application types.*

Supporting Photos      *Field not completed.*

% of Wood      70

% EIFS (Exterior Insulation Finish System)      0

% Masonry      30

% Face Block      *Field not completed.*

% Stucco      *Field not completed.*

% Stucco      *Field not completed.*

List all other Wall materials      *Field not completed.*

Windows/Doors      Vinyl/wood

Soffits & Fascia      hardieboard

Trim, etc.      hardieboard

Identify Mechanical Units      N/A

Type/Height      *Field not completed.*

Proposed Screening Method      *Field not completed.*

Identify Trash Enclosures      2 bins at North end of building

Proposed Screening Method      *Field not completed.*

Materials & Color      Hardiboard wall to match building

Are there any irrigation ditches/canals on or adjacent to the property?	No
If Yes, what is the name of the irrigation or drainage provider?	<i>Field not completed.</i>
<b>Fencing</b>	
<i>Note: The City of Kuna has height limitations of fencing material (Kuna City Code 4-2A-20) and requires a fence permit to be obtained prior to installation.</i>	
Existing Fencing Material, Color & Height	Existing 6' Vinyl fence at perimeter adjacent to residential lots
Will the existing fencing remain?	Yes
New Fencing Material, Color & Height	6' Black wrought iron fence
Location of New Fencing	at pool deck perimeter
<b>Drainage</b>	
Proposed method of on-site drainage retention/detention?	parking lot drainage by seepage bed and roof and pool deck runoff by swale
Percentage of site devoted to building coverage?	0.4%
% of site devoted to Landscaping?	96%
% of site that is hard surface?	9.8%
% of site devoted to other uses?	<i>Field not completed.</i>
Describe other uses	<i>Field not completed.</i>
Dimensions of landscaped areas within public rights-of-way	8' tree lawns
% of Landscaping within the parking lot?	2.2% perimeter buffer

Are there any existing trees of 4" or greater on the property? No

If Yes, what type, size and general location? *Field not completed.*

**Dock Loading Facilities**

Number of docking facilities and their location? N/A

Method of screening? *Field not completed.*

**Parking Requirements**

Total number of parking spaces? 15

Width & length of spaces? 9'x20'

Total number of compact spaces (8' x 17')? *Field not completed.*

**Miscellaneous**

Pedestrian amenities? Bike Racks, Trash receptacles, and benches

Is any portion of the property subject to flooding conditions? No

(Section Break)

If the Planning & Zoning Director or designee, the Planning & Zoning Commission, and/or the City Council determine that additional and/or revised information is needed; and/or if other unforeseen circumstances arise, and dates outlined for processing may be rescheduled by the City. Applicant/Representative MUST attend the Planning & Zoning Commission meetings.

*The Ada County Highway District (ACHD) 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 ACHD at (208) 387-6100. In order to expedite your request, please have ready the file number indicated in this notice.*

*By checking the "I agree" box below, you agree and acknowledge that 1) Your application will not be signed in the sense of a traditional paper document, 2) By signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) You may still be required to provide a traditional signature at a later date.*

First Name Celeste

Last Name	Valle
Electronic Signature Agreement	I Agree
Date & Time	6/19/2020 11:00 AM

(Section Break)

#### Reference Items

Affidavit of Legal Interest	<a href="#">Click here</a>
Sign Permit Application	<a href="#">Click here</a>
Sign Permit Upload	<a href="#">SIGN PERMIT.pdf</a>

Email not displaying correctly? [View it in your browser.](#)

06/11/20

Planning and Zoning  
City of Kuna  
751 W 4<sup>th</sup> St.  
Kuna, ID 83634

Re: Kuna Poolhouse – Patagonia Subdivision – Design Review

This project includes the construction of a new pool, pool deck, and poolhouse for the new Patagonia Subdivision in Kuna. The poolhouse will include changing restroom facilities for the deck, as well as storage for the pool equipment and pool toys. With the use of varying colors and textures across the façade, as well as alternating materials, the building meets the standards set forth in the guidelines of the Kuna Design Manual. We will address each item below as it might relate to this building:

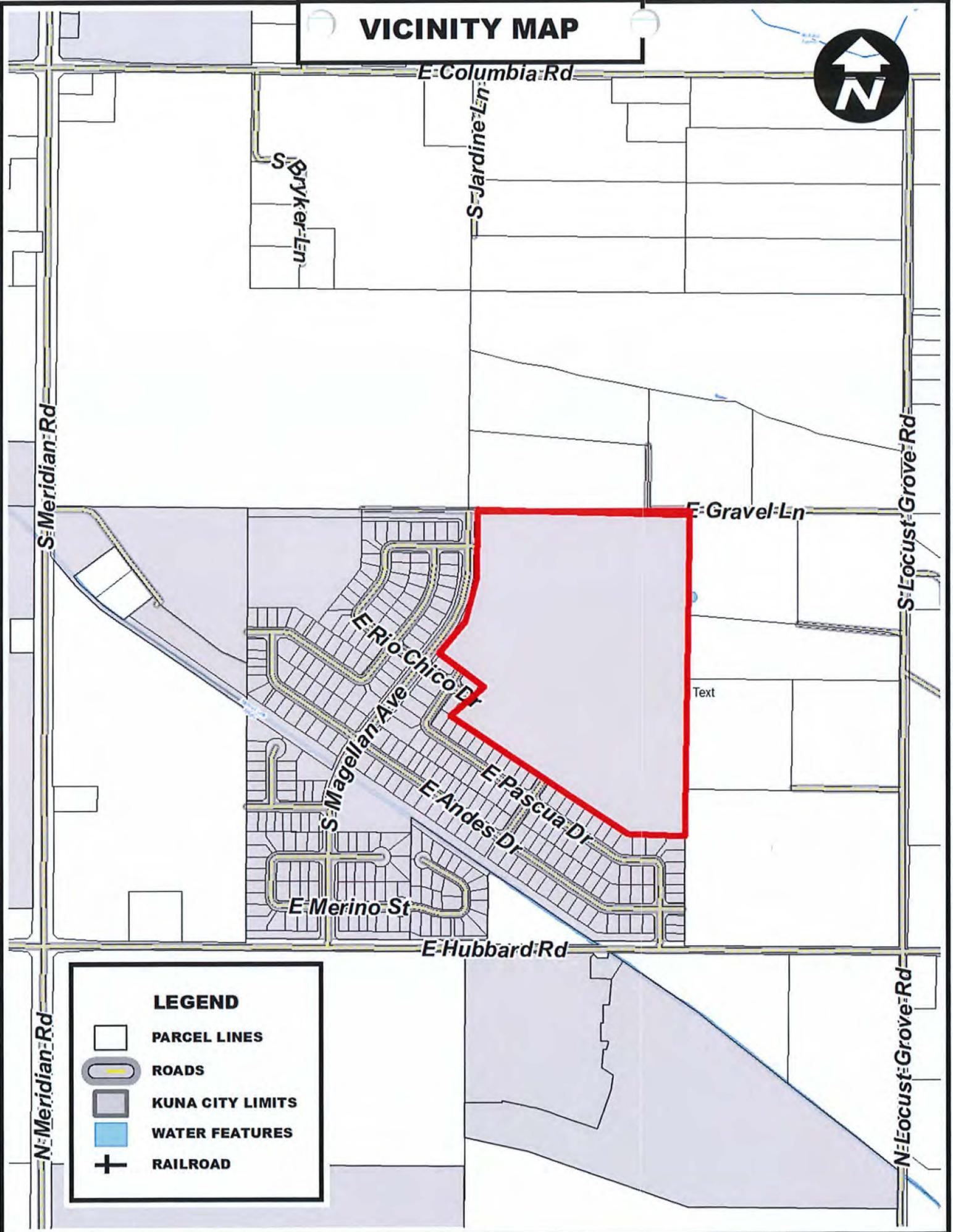
- Architectural Character:
  - Primary Public Entrances – The main entrance to the building is defined by columns flanking the entry gate, as well as a large gable roof and curved soffit that cover the entrance to the pool area.
  - Pattern Variations - the differences in wall materials and colors create a nice variety of patterns and combinations.
  - Fenestration – Natural light is allowed into the building through the tall clerestory windows into each room.
  
- Color and Materials – The building colors and materials are a match to the surrounding structures, while being different enough to set this building apart as its own element.
  
- Site Plan and Building Layout:
  - Building Location – within the new Patagonia neighborhood at the northeast corner of E Hubbard Rd. and S Meridian Rd.
  - Parking areas – a new parking lot is proposed on the southeast side of the building.
  - Pedestrian Walkways and Facilities – There is pedestrian access around the poolhouse, as well as bike parking near the entrance to the poolhouse.

Sincerely,



Marla Carson, Architect  
neUdesign Architecture, LLC

# VICINITY MAP



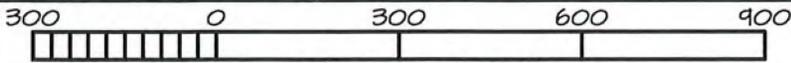
## LEGEND

-  PARCEL LINES
-  ROADS
-  KUNA CITY LIMITS
-  WATER FEATURES
-  RAILROAD

SA\_projects\2019\19082\_patagonia\7\CAD\Sheets\PRELIMINARY\VICINITY\_MAP.dwg plotted by: Celeste Valle on Thu, June 18, 2020 at 08:22 AM



# AERIAL PHOTO



SCALE: 1"= 300'-0"

Scale: 1"=300'-0"

6/11/2020

19082

# X2.0



- Civil Engineering
- Landscape Architecture
- Erosion & Sediment Control
- Graphic Communication
- Irrigation Design
- Land Planning

www.breckonlandesign.com  
 Fax: 208-376-6529  
 Phone: 208-376-5153  
 6661 North Glenwood Street  
 Garden City, Idaho 83714

PATAGONIA POOL  
 E. RIO CHICO DRIVE  
 EXHIBIT 2: AERIAL PHOTO



7+

## Grant Deed

Arbor Ridge, LLC, an Idaho limited liability company, Grantor, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain and convey to Patagonia Development LLC, an Idaho limited liability company, whose current address is P.O. Box 344, Meridian, Idaho 83680, Grantee, effective September 5, 2018, the following described real property located in Ada County, Idaho, more particularly described as follows:

See EXHIBIT "A" attached.

Together with all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

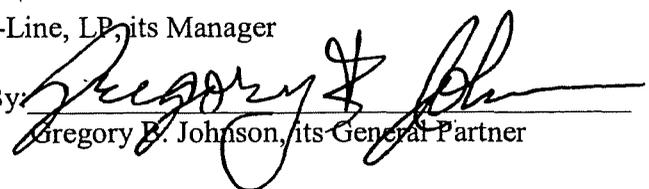
SUBJECT TO taxes and assessments for the year 2018 and all subsequent years, and to such rights, easements, liens, encumbrances, covenants, rights-of-way, reservations, restrictions, and zoning regulations as appear of record or based upon the premises, and to any state of facts an accurate survey or inspection of the premises would show.

The property described in this conveyance shall be the separate property of the Grantee, and in accordance with the provisions of Idaho Code § 32-906(1), all income, rents, issues, profits, gains and appreciation of said property shall be the separate property of the Grantee.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 6<sup>TH</sup> day of December, 2018.

Arbor Ridge, LLC

J-Line, LP, its Manager

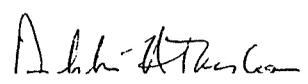
By:   
Gregory B. Johnson, its General Partner

"Grantor"

STATE OF IDAHO )  
: ss.  
COUNTY OF ADA )

On this 6<sup>TH</sup> day of December, 2018, before me, a Notary Public in and for said State, personally appeared Gregory B. Johnson, General Partner of J-Line, LP an Idaho limited partnership, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of said entity.





Legal Description  
Patagonia Subdivision Remainder Parcel

A parcel located in the S ½ of Section 7, Township 2 North, Range 1 East, Boise Meridian, City of Kuna, Ada County, Idaho, and more particularly described as follows:

Commencing at an Aluminum Cap monument marking the northwest corner of the SE ¼ of said Section 7, from which an Aluminum Cap monument marking the northeast corner of the SE ¼ of said Section 7 bears S 89°19'11" E a distance of 2652.85 feet;

Thence S 89°19'11" E along the north boundary of said SE ¼ a distance of 57.00 feet to the **POINT OF BEGINNING**;

Thence continuing along said north boundary S 89°19'11" E a distance of 1269.30 feet to a 5/8 inch diameter rebar marking the northeast corner of the NW ¼ of the SE ¼ (CE 1/16 corner) of said Section 7;

Thence S 0°28'57" W along the east boundary of the W ½ of said SE ¼ a distance of 1963.72 feet to a point;

Thence leaving said boundary N 89°25'45" W a distance of 334.81 feet to a point;

Thence N 55°36'52" W a distance of 1298.62 feet to a point;

Thence N 34°23'08" E a distance of 119.74 feet to a point;

Thence S 55°36'52" E a distance of 44.31 feet to a point;

Thence N 34°23'08" E a distance of 134.77 feet to a point;

Thence N 55°36'52" W a distance of 133.07 feet to a point;

Thence N 34°23'08" E a distance of 12.41 feet to a point;

Thence N 55°36'52" W a distance of 180.94 feet to a point on the future easterly boundary of Patagonia Subdivision No. 4;

Thence along said future easterly boundary the following courses and distances:

Thence N 38°27'29" E a distance of 94.44 feet to a 5/8 inch diameter rebar marking a point of curvature;

Thence a distance of 501.90 feet along the arc of a 757.00 foot radius curve left, said curve having a central angle of 37°59'16" and a long chord bearing N 19°27'51" E a distance of 492.76 feet to a 5/8 inch diameter rebar;

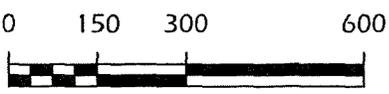
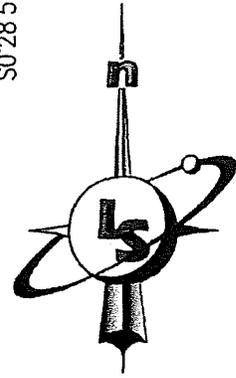
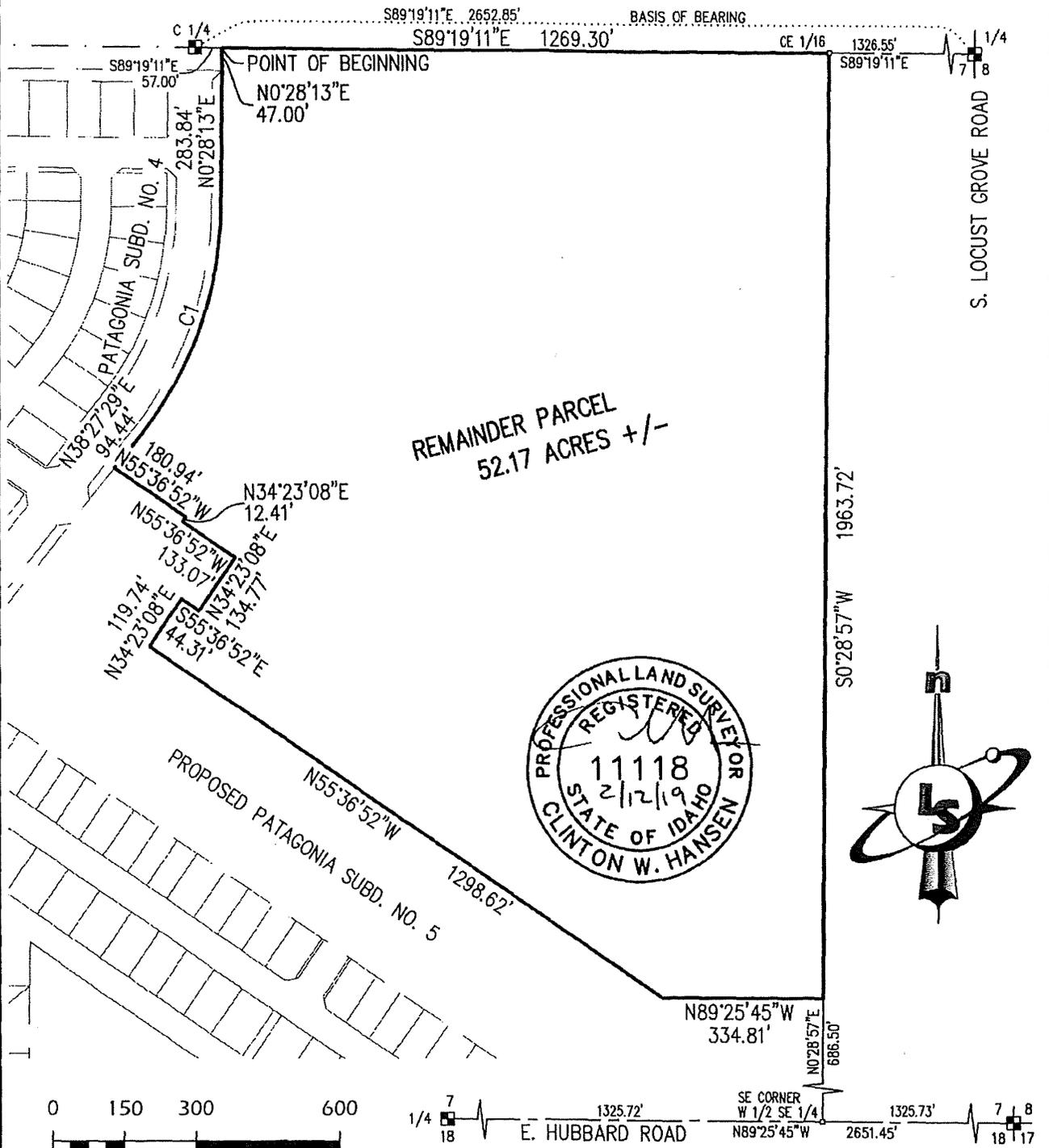
Thence N 0°28'13" E a distance of 283.84 feet to the northeasterly corner of said subdivision;

Thence leaving said boundary and continuing N 0°28'13" E a distance of 47.00 feet to the **POINT OF BEGINNING**.

This parcel contains 52.17 acres.

# PATAGONIA SUBDIVISION - REMAINDER PARCEL

LOCATED IN THE S 1/2 OF SECTION 7, T.2N., R.1E., B.M., KUNA, ADA COUNTY, IDAHO



CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	501.90'	757.00'	37°59'16"	N19°27'51"E	492.76'

**LandSolutions**  
Land Surveying and Consulting

231 E 5TH ST., STE. A  
MERIDIAN, ID 83642  
(208) 288-2040 (208) 288-2557 fax  
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~~5~~  
5

(Space Above For Recorder's Use)

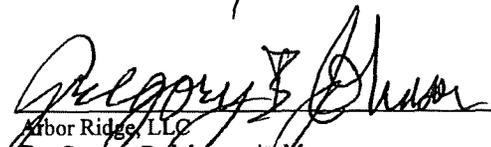
**QUITCLAIM DEED**

For value received, the receipt and sufficiency of which is hereby acknowledged, Arbor Ridge, LLC ("Grantor"), does hereby release and forever quitclaim unto Patagonia Development, LLC, an Idaho limited liability company ("Grantee"), whose address is PO Box 344, Meridian, ID 83680, and his heirs and assigns forever, all right, title and interest which Grantor now has or may hereafter acquire in the following described real property situated in Ada County, State of Idaho, to-wit:

See EXHIBIT "A" attached

TO HAVE AND TO HOLD, all and singular the said real property, together with all appurtenances, tenements, hereditaments, reversions, remainders, rents, issues, profits, rights-of-way, and water rights in anywise appertaining to the real property herein described, as well in law as in equity, unto Grantee, and to his heirs and assigns forever.

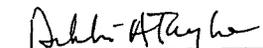
WITNESS the hand of said Grantor this 12<sup>th</sup> day of July, 2019.

  
Arbor Ridge, LLC  
By: Gregory B. Johnson, its Manager

STATE OF IDAHO )  
                          ) ss.  
County of Ada )

On this 12<sup>th</sup> day of July in the year of 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Gregory B. Johnson, known or identified to me to be the person who executed the instrument. *manager of Arbor Ridge, LLC*

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
NOTARY PUBLIC FOR IDAHO  
Residing at Nampa, ID  
My Commission Expires 11/30/2023



Legal Description  
Patagonia Subdivision Exchange Parcel  
Arbor Ridge LLC to Patagonia Development LLC

A parcel located in the S ½ of Section 7, Township 2 North, Range 1 East, Boise Meridian, City of Kuna, Ada County, Idaho, and more particularly described as follows:

**BEGINNING** at an Aluminum Cap monument marking the northeast corner of the SW ¼ of said Section 7, from which an Aluminum Cap monument marking the northwest corner of the SW ¼ of said Section 7 bears N 89°19'20" W a distance of 2561.82 feet;

Thence S 89°19'11" E along the northerly boundary of said S ½ of Section 7 a distance of 57.00 feet to a point;

Thence leaving said northerly boundary S 0°28'13" W a distance of 47.00 feet to a point marking the northeast corner of that parcel as shown in Grant Deed Instrument No. 2019-010038, records of Ada County, Idaho;

Thence along the northerly boundary of said parcel N 89°19'11" W a distance of 702.00 feet to a point marking the northwest corner of said parcel;

Thence N 0°28'13" E a distance of 46.97 feet to a point on the northerly boundary of said S ½ of Section 7;

Thence along said northerly boundary S 89°19'20" E a distance of 645.00 feet to the **POINT OF BEGINNING**.

This parcel contains 32,984 square feet (0.757 acres) and is subject to any easements existing or in use.

Clinton W. Hansen, PLS  
Land Solutions, PC  
June 24, 2019

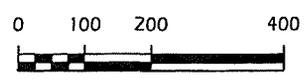


# PATAGONIA SUBDIVISION EXCHANGE PARCEL

## ARBOR RIDGE LLC TO PATAGONIA DEVELOPMENT LLC



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	57.00'	S89°19'11"E
L2	47.00'	S0°28'13"W
L3	46.97'	N0°28'13"E



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# City of Kuna AFFIDAVIT OF LEGAL INTEREST

City of Kuna  
P.O. Box 13  
Kuna, Idaho 83634  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
Kunacity.id.gov

State of Idaho )  
 ) ss  
County of Ada )

I, Patagonia Development , PO Box 344  
Name Address  
Meridian , Idaho, 83660  
City 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 Celest Valle, Breckon Land Design 6661 N Glenwood Street Garden City, Idaho 83714  
Name 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 24<sup>TH</sup> day of July, 2020  
by [Signature]  
Signature

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

[Signature]  
Notary Public for Idaho  
Residing at: RESIDING AT: NAMPA, ID  
My commission expires: \_\_\_\_\_

**DeANN L SAYRE**  
**COMMISSION #30074**  
**NOTARY PUBLIC**  
**STATE OF IDAHO**  
**MY COMMISSION EXPIRES 06/28/2022**

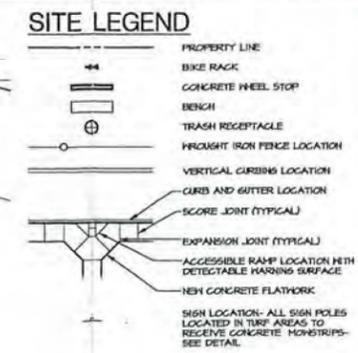
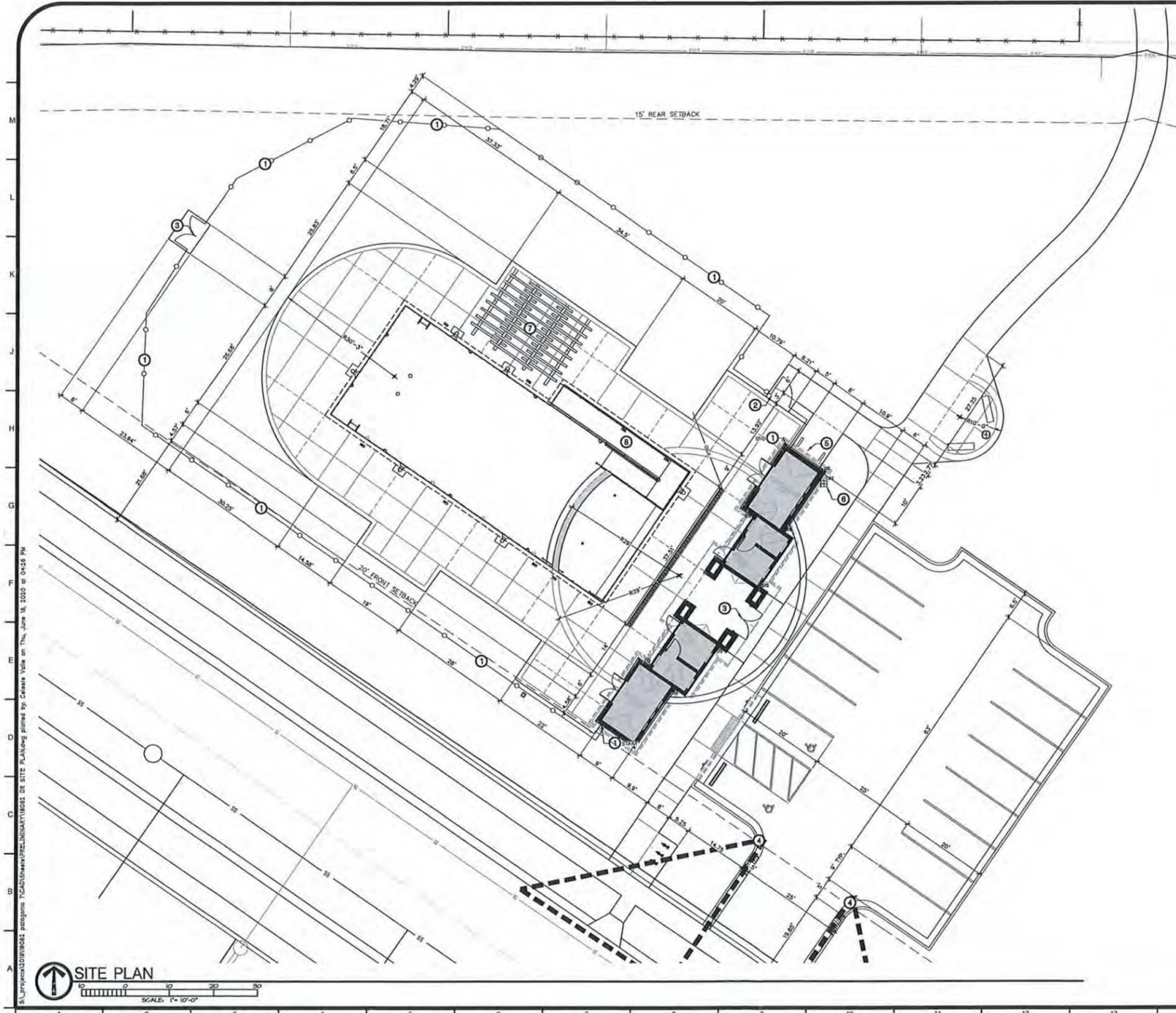




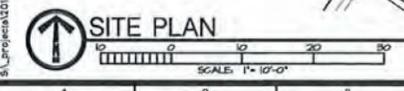

**PATAGONIA SUBDIVISION NO.7 POOL**  
**E RIO CHICO DRIVE**  
**KUNA, IDAHO**  
 SCALE: 1" = 40'-0"


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 Phone: 833-877-6533  
 8501 North Glenwood Street  
 Denver, CO 80214

Exhibit  
**A2**



- CALLOUT LEGEND**
- ① 6'-0" TALL WROUGHT IRON FENCE SEE DETAIL 2/DR15
  - ② 6'-0" X 5'-0" WIDE WROUGHT IRON GATE WITH LOCKING DEVICE, SELF CLOSING DEVICE, AND SELF LATCHING DEVICE. CONTRACTOR TO SUBMIT CUT SHEET OF DEVICES FOR GATE EGRESS TO MEET IBC 2015 SECTION B104.1.1.1.1 "GATES" FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION. SEE DETAIL 2/DR15.
  - ③ 6'-0" X 7'-0" WIDE WROUGHT IRON DOUBLE GATE WITH LOCKING DEVICE, SELF CLOSING DEVICE. CONTRACTOR TO SUBMIT CUT SHEET OF DEVICES FOR GATE EGRESS TO MEET IBC 2015 SECTION B104.1.1.1.1 "GATES" FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.
  - ④ 40'-0" VISION TRIANGLE
  - ⑤ TRASH BINS WITH SCREENING WALLS
  - ⑥ APPROXIMATE LOCATION OF 6AS METER, REFER TO LANDSCAPE PLAN FOR SCREENING.
  - ⑦ CABANA STRUCTURE PER ARCHITECT
  - ⑧ ADA RAMP



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PATAGONIA SUBDIVISION NO.7  
E. RIO CHICO DRIVE  
KUNA, IDAHO  
SITE PLAN



REV#	DATE	DESCRIPTION

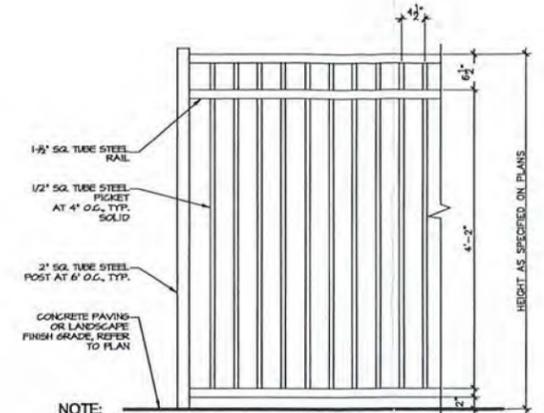
PROJECT NO.: 19082  
DRAWN BY: CV  
CHECKED BY: JB  
DATE: 6/17/2020

SHEET NUMBER  
**DR1.1**

DESIGN REVIEW

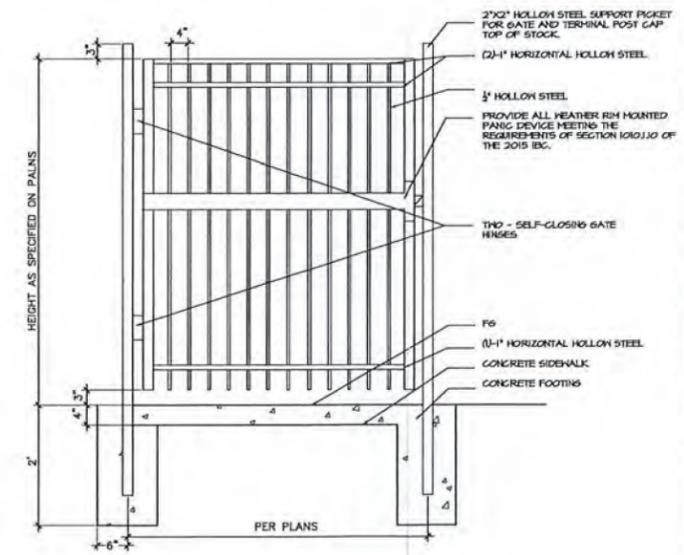
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S:\projects\2019\02\patagonia\7CAD\dwg\prelim\TUBES DR SITE PLAN.dwg plotted by: Chelsea Vega on Thu, Jun 10, 2020 at 10:39 AM



- NOTE:**
- 1) FINISH SHALL BE MANUFACTURED POWDER COATING. SUBMIT COLOR SAMPLE FROM FULL COLOR PALETTE FOR OWNER APPROVAL PRIOR TO ORDERING.
  - 2) CONCRETE POST FOOTING SHALL BE 12" MINIMUM DIAMETER X 36" DEEP (4500 PSI).
  - 3) ALL FIELD HELDS SHALL BE GRIND SMOOTH AND POWDER COATED TO MATCH ADJACENT SURFACES.
  - 4) CONTRACTORS ARE RESPONSIBLE FOR SHOP DRAWINGS TO BE REVIEWED BY DESIGN PROFESSIONAL PRIOR TO INSTALLATION. TUBE STEEL GATES SHALL BE POWDER COATED - COLOR AS DIRECTED BY OWNER.

**1 TUBE STEEL FENCE** Scale: 1"=1'-0"



- NOTE:**
1. CONTRACTORS ARE RESPONSIBLE FOR SHOP DRAWINGS TO BE REVIEWED BY LANDSCAPE ARCHITECT BEFORE INSTALLATION.
  2. WROUGHT IRON GATE TO BE PAINTED - COLOR AS DIRECTED BY OWNER.

**2 WROUGHT IRON PEDESTRIAN GATE** Scale: 1/4"=1'-0"



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PATAGONIA SUBDIVISION NO.7  
E. RIO CHICO DRIVE  
KUNA, IDAHO  
SITE DETAILS



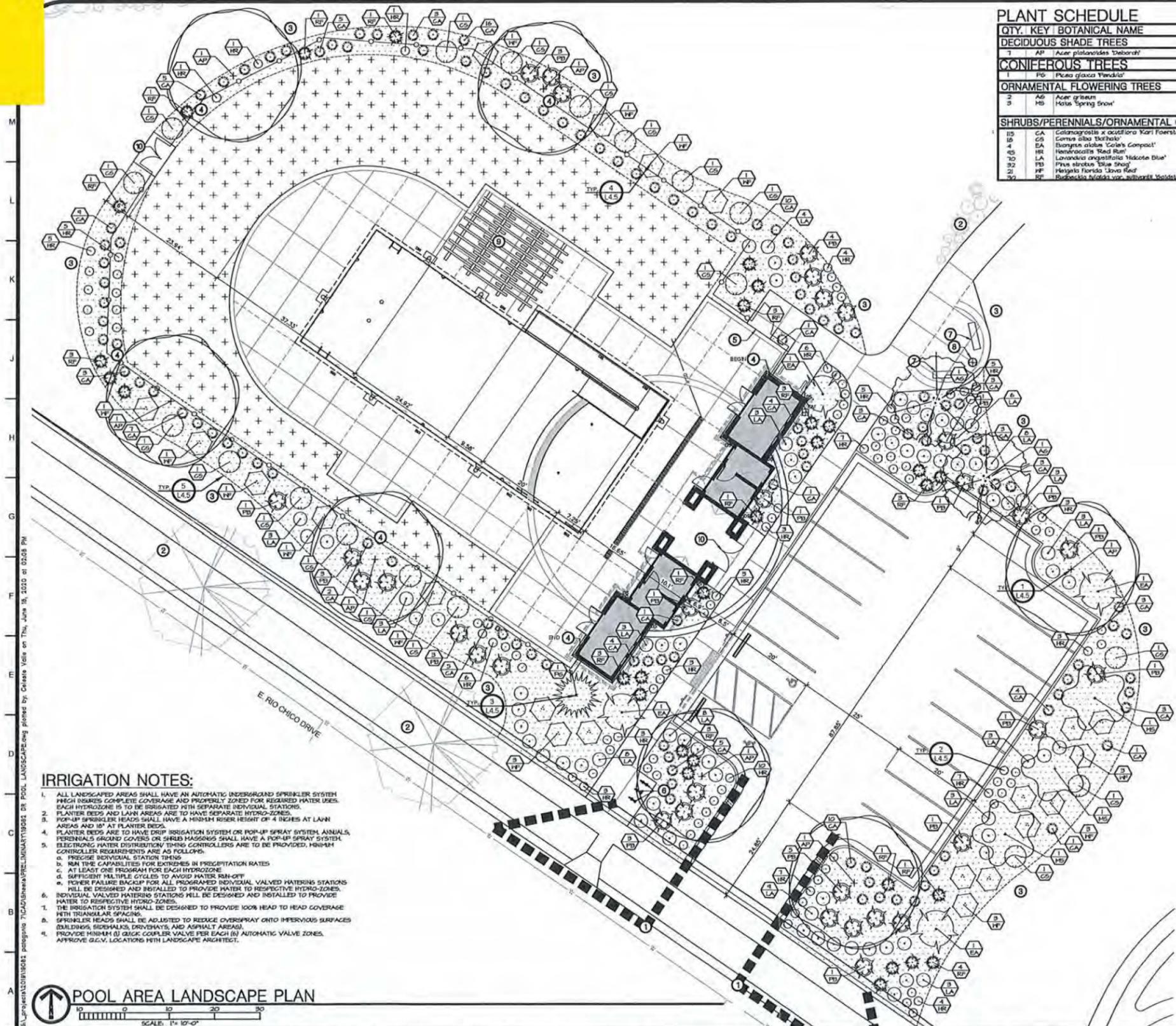
No.	Date	Description

PROJECT NO.: 19082  
DRAWN BY: CV  
CHECKED BY: JB  
DATE: 6/17/2020

SHEET NUMBER  
**DR1.5**

DESIGN REVIEW

pool capacity  
49



### PLANT SCHEDULE

QTY.	KEY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES	CLASS
<b>DECIDUOUS SHADE TREES</b>						
7	AP	Acer platanoides 'Deborah'	Deborah Norway Maple	2" CAL. B&B 45H X 40H		II
<b>CONIFEROUS TREES</b>						
1	PS	Pinus glauca 'Vendler'	Heaping White Spruce	6" Hgt. B&B 180H X 10" H		
<b>ORNAMENTAL FLOWERING TREES</b>						
3	MS	Acer glabrum 'Kola Spring Snow'	Paperbark Maple	2" CAL. B&B 30H X 25" H		I
3	MS		Spring Snow Crabapple	2" CAL. B&B 25H X 22" H		I
<b>SHRUBS/PERENNIALS/ORNAMENTAL GRASSES</b>						
15	CA	Calamagrostis x acutiflora 'Karl Foerster'	Foerster's Feather Reed Grass	#1	4H X 2H	
16	CS	Cornus alba 'Dorothy'	Ivory Halo Dogwood	#5	5H X 5H	
4	EA	Eumonia elata 'Coral Compact'	Coral's Compact Burning Bush	#5	2H X 2H	
45	HR	Hemerocallis 'Red Sun'	Red Sun Daylily	#1	2H X 2H	
70	LA	Lavandula angustifolia 'Vicki's Blue'	English Lavender	#1	2H X 3H	
32	PS	Pinus strobus 'Blue Snow'	Blue Star Eastern White Pine	#5	2H X 4H	
21	RF	Retigala Florida 'Java Red'	Java Red Heligola	#1	4H X 5H	
32	RF	Retigala Florida var. 'Sulphur' 'Sulphur'	Sulphur Yellow Heligola	#1	2H X 3H	

### LANDSCAPE LEGEND

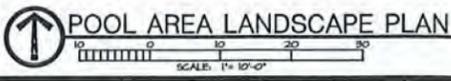
- PLANTS TO BE INSTALLED
- CUT EDGE AS DETAILED
- EXISTING FENCE
- 6'-0" WROUGHT IRON FENCE
- PROPERTY LINE (VERIFY)
- SMH LOCATION
- BIKE RACK AS SPECIFIED
- CONCRETE WHEEL STOP
- VERTICAL CURBING LOCATION
- CURB AND GUTTER LOCATION
- SCORE JOINT (TYPICAL)
- EXPANSION JOINT (TYPICAL)
- ACCESSIBLE RAMP LOCATION WITH DETECTABLE HARDING SURFACE
- NEW CONCRETE PLATHORK
- QUANTITY
- PLANT IDENTIFICATION KEY
- TURF SOOD OVER APPROVED TOPSOIL AS SPECIFIED
- 1" DEPTH OF CRUSHED SANDSTONE MULCH OVER DEDIT 5' PRO FEED BARRIER FABRIC AND TOPSOIL AS SPECIFIED OR APPROVED EQUAL
- PROPOSED BUILDING

### CALLOUT LEGEND

- 1 40'-0" VISION TRIANGLE
- 2 PERIMETER LANDSCAPING AND FENCING PER PATAGONIA SUBDIVISION PHASE 1 APPROVED PLANS
- 3 PATCH BACK TURF TO MATCH EXISTING
- 4 6'-0" WROUGHT IRON FENCE, SEE DETAIL UDRI.S
- 5 6'-0" X 5'-0" WIDE WROUGHT IRON GATE WITH LOCKING DEVICE, SELF CLOSING DEVICE, CONTRACTOR TO SUBMIT CUT SHEET OF DEVICES FOR GATE EGRESS TO MEET IBC 2015 SECTION 904.4.1 "GATES" FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION, SEE DETAIL 2209.05.
- 6 BIKE RACK TO BE LANDSCAPE FORMS, INC.'S COLLECTION LOOP BIKE RACK OR APPROVED EQUAL, COLOR TO BE DETERMINED BY OWNER.
- 7 BENCH TO BE LANDSCAPE FORMS INC. PARC VUE BACKED BENCH WITH ARMS OR APPROVED EQUAL, SURFACE MOUNT, COLOR TO BE DETERMINED BY OWNER.
- 8 TRASH RECEPTACLE TO BE HASLBY 650 SERIES LASER CUT SHEET METAL, FRAME WITH BLACK LINER AND METAL LID, PRODUCT NUMBER IS HRS00-32-H-L-L-13C, OR APPROVED EQUAL, COLOR TO BE DETERMINED BY OWNER.
- 9 CABANA STRUCTURE PER ARCHITECT.
- 10 6'-0" X 7'-0" WIDE WROUGHT IRON DOUBLE GATE WITH LOCKING DEVICE, SELF CLOSING DEVICE, CONTRACTOR TO SUBMIT CUT SHEET OF DEVICES FOR GATE EGRESS TO MEET IBC 2015 SECTION 904.4.1 "GATES" FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.

### IRRIGATION NOTES:

- ALL LANDSCAPED AREAS SHALL HAVE AN AUTOMATIC UNDERGROUND SPRINKLER SYSTEM WHICH INSURES COMPLETE COVERAGE AND PROPERLY ZONED FOR REQUIRED WATER USES. EACH HYDROZONE IS TO BE IRRIGATED WITH SEPARATE INDIVIDUAL STATIONS.
- PLANTER BEDS AND LAWN AREAS ARE TO HAVE SEPARATE HYDRO-ZONES.
- POP-UP SPRINKLER HEADS SHALL HAVE A MINIMUM RISER HEIGHT OF 4 INCHES AT LAWN AREAS AND 18" AT PLANTER BEDS.
- PLANTER BEDS ARE TO HAVE DRIP IRRIGATION SYSTEM OR POP-UP SPRAY SYSTEM. ANNUALS, PERENNIALS, GRASS COVERS OR SHRUB MASSINGS SHALL HAVE A POP-UP SPRAY SYSTEM. ELECTRONIC WATER DISTRIBUTION/TIMING CONTROLLERS ARE TO BE PROVIDED, MINIMUM CONTROLLER REQUIREMENTS ARE AS FOLLOWS:
  - PROVIDE INDIVIDUAL STATION TIMING
  - MIN TIME CAPABILITIES FOR EXTREMES IN PRECIPITATION RATES
  - AT LEAST ONE PROGRAM FOR EACH HYDROZONE
  - SUFFICIENT MULTIPLE CYCLES TO AVOID WATER RUN-OFF
  - POWER FAILURE BACKUP FOR ALL PROGRAMED INDIVIDUAL VALVED WATERING STATIONS
- INDIVIDUAL VALVED WATERING STATIONS WILL BE DESIGNED AND INSTALLED TO PROVIDE WATER TO RESPECTIVE HYDRO-ZONES.
- THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE 100% HEAD TO HEAD COVERAGE WITH TRIANGULAR SPACING.
- SPRINKLER HEADS SHALL BE ADJUSTED TO REDUCE OVERSPRAY ONTO IMPERVIOUS SURFACES (BUILDINGS, SIDEWALKS, DRIVEWAYS, AND ASPHALT AREAS).
- PROVIDE MINIMUM (1) QUICK COUPLER VALVE PER EACH (2) AUTOMATIC VALVE ZONE. APPROVE Q.C.V. LOCATIONS WITH LANDSCAPE ARCHITECT.



PATAGONIA SUBDIVISION NO.7  
E. RIO CHICO DRIVE  
KUNA, IDAHO  
LANDSCAPE PLAN



REV	DATE	DESCRIPTION

PROJECT NO.: 19092  
DRAWN BY: DR21  
CHECKED BY: JB  
DATE: 6/17/2020  
SHEET NUMBER: DR21

DESIGN REVIEW

### LANDSCAPE AREA PREPARATION NOTES:

- LIMIT TURF SUBGRADE PREPARATION TO AREAS TO BE PLANTED.
- NEARLY GRADED SUBGRADES: LOOSEN SUBGRADE TO A MINIMUM DEPTH OF 4 INCHES. REMOVE STONES LARGER THAN 1 INCH IN ANY DIMENSION AND STICKS, RUBBISH, AND OTHER EXTRANEOUS MATTER AND LEGALLY DISPOSE OF THEM OFF OWNER'S PROPERTY.
  - SPREAD PLANTING SOIL TO A DEPTH OF 12 INCHES IN TURF AREAS AND 6 INCHES AT SHRUB BED AREAS BUT NOT LESS THAN REQUIRED TO MEET FINISH GRADES AFTER LIGHT ROLLING AND NATURAL SETTLEMENT. DO NOT SPREAD IF PLANTING SOIL OR SUBGRADE IS FROZEN, MUDDY, OR EXCESSIVELY WET.
  - SPREAD PLANTING SOIL OVER LOOSENED SUBGRADE.
  - REDUCE ELEVATION OF PLANTING SOIL TO ALLOW FOR SOIL THICKNESS OF 500 OR SEED.
- UNCHANGED SUBGRADES: IF TURF IS TO BE PLANTED IN AREAS UNALTERED OR UNDISTURBED BY EXCAVATING, GRADING, OR SURFACE SOIL STRIPPING OPERATIONS, PREPARE SURFACE SOIL AS FOLLOWS:
  - REMOVE EXISTING GRASS, VEGETATION, AND TURF. DO NOT MIX INTO SURFACE SOIL.
  - LOOSEN SURFACE SOIL TO A DEPTH OF AT LEAST 6 INCHES. PROVIDE NEED ABATEMENT PROCEDURE. APPLY SOIL AMENDMENTS AND FERTILIZERS ACCORDING TO PLANTING SOIL MIX PROPORTIONS AND MIX THOROUGHLY INTO TOP 6 INCHES OF SOIL. TILL SOIL TO A HOMOGENEOUS MIXTURE OF FINE TEXTURE.
  - APPLY SOIL AMENDMENTS DIRECTLY TO SURFACE SOIL BEFORE LOOSENING.
  - REMOVE STONES LARGER THAN 1 INCH IN ANY DIMENSION AND STICKS, ROOTS, TRASH, AND OTHER EXTRANEOUS MATTER.
  - LEGALLY DISPOSE OF WASTE MATERIAL, INCLUDING GRASS, VEGETATION, AND TURF, OFF OWNER'S PROPERTY.
- FINISH GRADING: GRADE PLANTING AREAS TO A SMOOTH, UNIFORM SURFACE PLANE WITH LOOSE, UNIFORM FINE TEXTURE. GRADE TO WITHIN PLUS OR MINUS 1/2 INCH OF FINISH ELEVATION. ROLL AND RAKE, REMOVE RIDGES, AND FILL DEPRESSIONS TO MEET FINISH GRADES. LIST FINISH GRADING TO AREAS THAT ARE TO BE PLANTED IN THE IMMEDIATE FUTURE.
- MOISTEN PREPARED AREA BEFORE PLANTING IF SOIL IS DRY. WATER THOROUGHLY AND ALLOW SURFACE TO DRY BEFORE PLANTING. DO NOT CREATE HEAVY SOIL.
- BEFORE PLANTING, OBTAIN LANDSCAPE ARCHITECT'S ACCEPTANCE OF FINISH GRADING, RESTORE PLANTING AREAS IF ERODED OR OTHERWISE DISTURBED AFTER FINISH GRADING.
- DO NOT SOAK BURLAP OR HRP BEFORE PLANTING. IF HRP IS USED, TEMPERATURE SHALL BE BETWEEN 50 F AND 45 F FOR A 24 HOUR PERIOD. HRP SHALL BE LESS THAN 5 MPH.

### WEED ABATEMENT NOTES:

- ALL AREAS TO BE PLANTED OR HYDROSEEDED SHALL HAVE WEED ABATEMENT OPERATIONS PERFORMED ON THEM PRIOR TO PLANTING OR HYDROSEEDING.
- CONTRACTOR SHALL SPRAY ALL EXPOSED WEEDS WITH GROUND-UP (CONTACT HERBICIDE) OR APPROVED ESSENTIAL OILS.
- DO NOT WATER FOR AT LEAST SEVEN (7) DAYS. REMOVE EXPOSED WEEDS FROM THE SITE.
- CONTRACTOR SHALL OPERATE THE AUTOMATIC IRRIGATION SYSTEM FOR A PERIOD OF FOURTEEN (14) DAYS, AT CONCLUSION OF THIS MATURING PERIOD, DISCONTINUE WATERING FOR THREE TO FIVE (3-5) DAYS.
- APPLY SECOND APPLICATION OF GROUND-UP TO ALL EXPOSED WEEDS. APPLY IN STRICT CONFORMANCE WITH MANUFACTURER'S SPECIFICATIONS AND INSTRUCTIONS. DO NOT WATER FOR AT LEAST SEVEN (7) DAYS. REMOVE WEEDS FROM THE SITE.
- IF ANY EVIDENCE OF WEED GERMINATION EXISTS AFTER TWO (2) APPLICATIONS, CONTRACTOR SHALL BE OBLIGATED TO PERFORM A THIRD APPLICATION.
- AT THE TIME OF PLANTING AND HYDROSEEDING, ALL PLANTING AREAS SHALL BE WEED CAPS.

### TOPSOIL NOTES

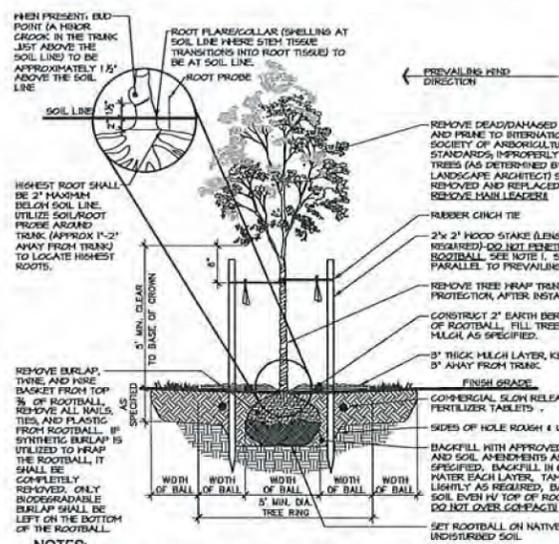
- TOPSOIL REQUIREMENTS: ASTM D 5048, PH RANGE OF 5.5 TO 7.0, FOUR PERCENT ORGANIC MATERIAL, MINIMUM FREE OF STONES 1/4" OR LARGER IN ANY DIMENSION, AND OTHER EXTRANEOUS MATERIALS HARMFUL TO PLANT GROWTH.
- TOPSOIL SOURCE: STRIP EXISTING TOPSOIL FROM ALL AREAS OF THE SITE TO BE DISTURBED. TOPSOIL SHALL BE FERTILE, FINE, AND FREE OF ROOTS, STUMPS, STONES, CLAY LUMPS, BRUSH, NEEDS, AND OTHER LITTER, AND FREE OF ROOTS, STUMPS, ORGANIC MATTER, LARGER THAN 2 INCHES IN ANY DIMENSION, AND OTHER EXTRANEOUS OR TOXIC MATTER HARMFUL TO PLANT GROWTH. TOPSOIL SHALL BE SCREENED TO ACHIEVE THIS REQUIREMENT.
- REPRESENTATIVE SAMPLES SHALL BE TESTED FOR ACIDITY, FERTILITY, AND GENERAL TEXTURE BY A RECOGNIZED COMMERCIAL OR GOVERNMENT AGENCY AND COPIES OF THE TESTING AGENCY'S FINDINGS AND RECOMMENDATIONS SHALL BE FURNISHED TO THE ARCHITECT'S REPRESENTATIVE BY THE CONTRACTOR. ALL TOPSOIL SHALL BE AMENDED TO ACHIEVE SPECIFIED PH AND ORGANIC REQUIREMENTS. RETEST TOPSOIL PRIOR TO FINAL COMPLETION TO ENSURE REQUIREMENTS HAVE BEEN MET. NO TOPSOIL SHALL BE PLACED WHILE IN A FROZEN OR MUDDY CONDITION.
- PLACE TOPSOIL IN AREAS WHERE REQUIRED TO OBTAIN TRIANGULAR AS SCHEDULED. PLACE TOPSOIL DURING DRY WEATHER. PROVIDE ADDITIONAL IMPORTED TOPSOIL REQUIRED TO BRING SURFACE TO PROPOSED FINISH GRADE, AS REQUIRED.
  - LAWN AREAS, 12 INCHES MINIMUM OR AS NECESSARY TO ACHIEVE EVEN GRADES WITH SURROUNDING LAWN AREAS.
  - PLANTER BEDS, 18 INCHES MINIMUM.
- FINE GRADE TOPSOIL TO SMOOTH, EVEN SURFACE WITH LOOSE, UNIFORM FINE TEXTURE. REMOVE RIDGES AND FILL DEPRESSIONS TO MEET FINISH GRADES. FINISH GRADE OF TOPSOIL SHALL BE 2" BELOW FINISH GRADE OF PAVEMENTS AREAS FOR 500 AND 1" FOR SEED.
- TOPSOIL STOCKPILE LOCATIONS TO BE COVERED COORDINATE WITH EROSION AND SEDIMENT CONTROL PLAN.
- ALL GRAVEL, SUBGRADE, AND OTHER IMPORTED FILL MATERIALS OTHER THAN TOPSOIL SHALL ONLY BE STOCKPILED IN PROPOSED IMPROVEMENT AREAS. NO GRAVEL OR ROCK MATERIALS SHALL BE STOCKPILED OR TEMPORARILY PLACED IN PROPOSED LANDSCAPE AREAS TO PREVENT LANDSCAPE AREAS FROM BEING CONTAMINATED WITH ROCK MATERIALS. CONTRACTOR SHALL SUBMIT A DETAILED STOCKPILE PLAN TO LANDSCAPE ARCHITECT AND OWNER FOR APPROVAL PRIOR TO ANY EARTHWORK OPERATIONS.

### LANDSCAPE NOTES:

- CONTRACTOR SHALL REPORT TO LANDSCAPE ARCHITECT ALL CONDITIONS WHICH IMPAIR AND/OR PRESENT THE PROBABILITIES OF THIS WORKING DESIGN.
- NO MATERIAL SUBSTITUTIONS SHALL BE MADE WITHOUT THE LANDSCAPE ARCHITECT'S PRIOR WRITTEN APPROVAL. ALTERNATE MATERIALS OF SIMILAR SIZE AND CHARACTER MAY BE SUBSTITUTED IF SPECIFIED PLANT MATERIALS CAN NOT BE OBTAINED.
- COORDINATE ALL WORK WITH ALL OTHER SITE RELATED DEVELOPMENT DRAWINGS.
- COORDINATE WORK SCHEDULE AND OBSERVATIONS WITH LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION START.
- ALL PLANT MATERIAL SHALL BE INSTALLED AS PER DETAILS.
- ALL PLANT MATERIAL SHALL CONFORM TO THE AMERICAN HARBURYMAN STANDARDS FOR TYPE AND SIZE SHOWN. PLANTS WILL BE REJECTED IF NOT IN A SOUND AND HEALTHY CONDITION.
- IN THE EVENT OF A PLANT COUNT DISCREPANCY, PLANT SYMBOLS SHALL OVERRIDE SCHEDULE QUANTITIES AND CALL OUT SYMBOL NUMBERS.
- ALL PLANTING BEDS SHALL BE COVERED WITH A MINIMUM OF 3" DEPTH OF CRUSHED SANDSTONE MULCH. SUBMIT SAMPLE FOR APPROVAL.
- ALL PLANT MATERIAL SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR BEGINNING AT THE DATE OF ACCEPTANCE BY THE OWNER. REPLACE ALL PLANT MATERIAL FOUND DEAD OR NOT IN A HEALTHY CONDITION IMMEDIATELY WITH THE SAME SIZE AND SPECIES AT NO COST TO THE OWNER. FINISH GRADING SHALL PROVIDE A SMOOTH TRANSITION WITH ADJACENT SURFACES AND ENSURE POSITIVE DRAINAGE IN ACCORDANCE WITH THE SITE GRADING PLAN.
- AHEAD EXISTING APPROVED TOPSOIL AT A RATIO OF THREE CUBIC YARDS OF APPROVED COMPOST PER 1000 SQUARE FEET. NOTO-TILL ORGANIC MATTER A MINIMUM OF 6 INCHES INTO TOPSOIL.
- FERTILIZE ALL TREES AND SHRUBS WITH AGRIFORM® PLANTING TABLETS. QUANTITY PER MANUFACTURER'S RECOMMENDATIONS.
- ALL PLANTING BEDS SHALL HAVE A MINIMUM 18" DEPTH OF TOPSOIL. LAWN AREAS SHALL HAVE A MINIMUM 12" DEPTH OF TOPSOIL. SPREAD, COMPACT, AND FINE GRADE TOPSOIL TO A SMOOTH AND UNIFORM GRADE 3" BELOW ADJACENT SURFACES OF PLANTER BED AREAS, 1/2" BELOW ADJACENT SURFACES OF TURF 500 AREAS, AND 1" BELOW ADJACENT SURFACES OF TURF SEED AREAS.
- REMOVE EXISTING TOPSOIL STOCKPILED ON THE SITE. SUPPLEMENT WITH IMPORTED TOPSOIL WHEN QUANTITIES ARE INSUFFICIENT. VERIFY SATURABILITY AND COORDINATION OF H2O AS A GROWING MEDIUM. PERFORM SOIL TEST ANALYSIS AND PROVIDE ADDITIONAL AMENDMENT AS DETERMINED BY SOIL TESTS. TOPSOIL SHALL BE A LOOSE, FRAGILE, SANDY LOAM, CLEAN AND FREE OF TOXIC MATERIALS, NOxious WEEDS, NEEDS, ROCKS, GRASS, OR OTHER FOREIGN MATERIAL, AND A HAVE A PH OF 5.5 TO 7.0. IF ON-SITE TOPSOIL DOES NOT MEET THESE MINIMUM STANDARDS, CONTRACTOR IS RESPONSIBLE TO EITHER:
  - PROVIDE APPROVED IMPORTED TOPSOIL, OR
  - IMPROVE ON-SITE TOPSOIL WITH METHODS APPROVED BY THE LANDSCAPE ARCHITECT.
- IF IMPORTED TOPSOIL FROM OFF-SITE SOURCES IS REQUIRED, ENSURE IT IS FERTILE, FRAGILE, NATURAL LOAM, SURFACE SOIL, REASONABLY FREE OF SUBSOIL, CLAY LUMPS, BRUSH, NEEDS, AND OTHER LITTER, AND FREE OF ROOTS, STUMPS, STONES LARGER THAN 2 INCHES IN ANY DIMENSION, AND OTHER EXTRANEOUS OR TOXIC MATTER HARMFUL TO PLANT GROWTH.
  - OBTAIN TOPSOIL FROM LOCAL SOURCES OR FROM AREAS HAVING SIMILAR SOIL CHARACTERISTICS TO THOSE FOUND ON THE PROJECT SITE. OBTAIN TOPSOIL ONLY FROM NATURALLY, WELL-DRAINED SITES WHERE TOPSOIL OCCURS AT A DEPTH OF NOT LESS THAN 4 INCHES.
  - REPRESENTATIVE SAMPLES SHALL BE TESTED FOR ACIDITY, FERTILITY, TOXICITY, AND GENERAL TEXTURE BY A RECOGNIZED COMMERCIAL OR GOVERNMENT AGENCY AND COPIES OF THE TESTING AGENCY'S FINDINGS AND RECOMMENDATIONS SHALL BE FURNISHED TO THE OWNER'S REPRESENTATIVE BY THE CONTRACTOR. NO TOPSOIL SHALL BE DELIVERED IN A FROZEN OR MUDDY CONDITION. ACIDITY/ALKALINITY RANGE - PH 5.5 TO 7.0.
- IMMEDIATELY CLEAN UP ANY TOPSOIL OR OTHER DEBRIS ON THE SITE CREATED FROM LANDSCAPE OPERATIONS AND DISPOSE OF PROPERLY OFF SITE.
- TREES SHALL NOT BE PLANTED WITHIN THE 10'-0" CLEAR ZONE OF ALL ADJ. STORM DRAIN PIPE, STRUCTURES OR FACILITIES. TREES SHALL NOT BE PLANTED WITHIN 5'-0" OF AN A.C.I.D. SIDEWALK.
- SEWERAGE BEDS AND OTHER STORM DRAINAGE FACILITIES MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM.
- IN THE EVENT OF A DISCREPANCY, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY.

### TURF AREA PREPARATION NOTES:

- LIMIT TURF SUBGRADE PREPARATION TO AREAS TO BE PLANTED.
- NEARLY GRADED SUBGRADES: LOOSEN SUBGRADE TO A MINIMUM DEPTH OF 4 INCHES. REMOVE STONES LARGER THAN 1 INCH IN ANY DIMENSION AND STICKS, RUBBISH, AND OTHER EXTRANEOUS MATTER AND LEGALLY DISPOSE OF THEM OFF OWNER'S PROPERTY.
- SPREAD PLANTING SOIL OVER LOOSENED SUBGRADE.
- REDUCE ELEVATION OF PLANTING SOIL TO ALLOW FOR SOIL THICKNESS OF 500.
- UNCHANGED SUBGRADES: IF TURF IS TO BE PLANTED IN AREAS UNALTERED OR UNDISTURBED BY EXCAVATING, GRADING, OR SURFACE SOIL STRIPPING OPERATIONS, PREPARE SURFACE SOIL AS FOLLOWS:
  - REMOVE EXISTING GRASS, VEGETATION, AND TURF. DO NOT MIX INTO SURFACE SOIL.
  - LOOSEN SURFACE SOIL TO A DEPTH OF AT LEAST 6 INCHES. APPLY SOIL AMENDMENTS AND FERTILIZERS ACCORDING TO PLANTING SOIL MIX PROPORTIONS AND MIX THOROUGHLY INTO TOP 6 INCHES OF SOIL. TILL SOIL TO A HOMOGENEOUS MIXTURE OF FINE TEXTURE.
  - APPLY SOIL AMENDMENTS DIRECTLY TO SURFACE SOIL BEFORE LOOSENING.
  - REMOVE STONES LARGER THAN 1 INCH IN ANY DIMENSION AND STICKS, ROOTS, TRASH, AND OTHER EXTRANEOUS MATTER.
  - LEGALLY DISPOSE OF WASTE MATERIAL, INCLUDING GRASS, VEGETATION, AND TURF, OFF OWNER'S PROPERTY.
- FINISH GRADING: GRADE PLANTING AREAS TO A SMOOTH, UNIFORM SURFACE PLANE WITH LOOSE, UNIFORM FINE TEXTURE. GRADE TO WITHIN PLUS OR MINUS 1/2 INCH OF FINISH ELEVATION. ROLL AND RAKE, REMOVE RIDGES, AND FILL DEPRESSIONS TO MEET FINISH GRADES. LIST FINISH GRADING TO AREAS THAT CAN BE PLANTED IN THE IMMEDIATE FUTURE.
- MOISTEN PREPARED AREA BEFORE PLANTING IF SOIL IS DRY. WATER THOROUGHLY AND ALLOW SURFACE TO DRY BEFORE PLANTING. DO NOT CREATE HEAVY SOIL.
- BEFORE PLANTING, OBTAIN LANDSCAPE ARCHITECT'S ACCEPTANCE OF FINISH GRADING, RESTORE PLANTING AREAS IF ERODED OR OTHERWISE DISTURBED AFTER FINISH GRADING.

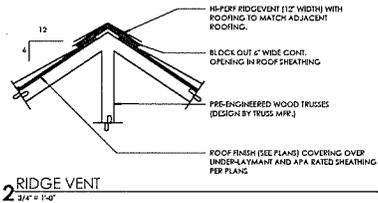


**ROOF NOTES**

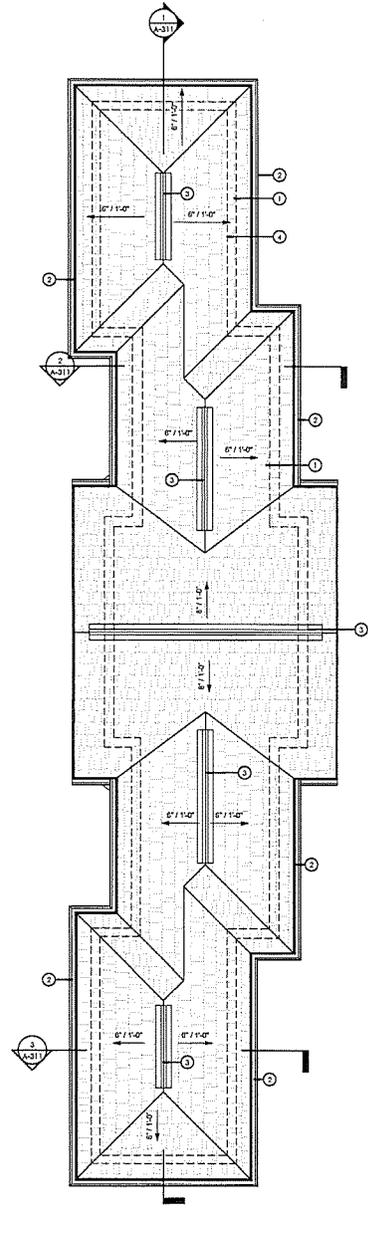
- No. Note
- 1 ARCHITECTURAL ASPHALT SHINGLES (30# ROOFING FELT)
  - 2 PREFINISHED METAL GUTTER AND DOWNSPOUTS
  - 3 CONTINUOUS VEEGE MEME REFER TO 21A-131
  - 4 WALLS BELOW TYP.

**GENERAL NOTES**

1. ROOF MATERIAL SHALL BE 30 YEAR ARCHITECTURAL ASPHALT SHINGLES (B AND C) OVER (1) LAYER 30# (OR 12) LAYERS (S# BUILDING PAPER) OVER STRUCT. GRADE SHEATHING. REFER TO STRUCT. DRAWINGS.
2. PROVIDE 50% OF REQUIRED 1" / 300" H OF ATTIC FLOOR SPACE ROOF VENTING ABOVE THE EAVES W/ RIDGE VENTING.
3. PROVIDE GUTTERS AND DOWNSPOUTS AS SHOWN. ALL GUTTERS AND DOWNSPOUTS ARE DESIGN BUILT BY THE CONTRACTOR. PROVIDE 22 GA. PREFINISHED SEAMLESS ALUMINUM GUTTER. MAXIMUM LENGTH OF GUTTER TO DOWNSPOUT: 20'-0". COORDINATE THE FINAL LOCATION OF ALL DOWNSPOUTS WITH OWNER PRIOR TO CONSTRUCTION. PROVIDE CONCRETE SPLASH BLOCK AT EACH DOWNSPOUT BASE AND SLOPE TO DRAIN AWAY FROM BUILDING.
4. STANDARD EAVE DEPTH IS TO BE 2'-0" U.O.N.
5. EACH SUBCONTRACTOR TRADE SHALL VERIFY EXISTING CONDITIONS AND REPORT ANY DISCREPANCIES WITH DRAWINGS TO THE ARCHITECT PRIOR TO THE BEGINNING OF CONSTRUCTION.
6. ALL KEYNOTES, DIMENSIONS, AND NOTES ARE TYPICAL.
7. COORDINATE ROOF PLAN WITH ROOF FRAMING PLAN AND WITH FINAL ROOF TRUSS SHOP DRAWINGS. OWNER HAS OPTION TO PROVIDE 2'-0" WIDE ICE AND WATER SHIELD AT ALL ROOF VALLEY LOCATIONS (CENTERED) AND AT ALL EAVES (EXTEND 3'-0" UP PAST EXTERIOR WALL BELOW).
9. ALL ROOF TO HAVE PREFINISHED METAL EAVE AND RAPE DRIP FLASHING. PROVIDE PREFINISHED METAL VALLEY FLASHING.
10. ALL FRAMING, FIXTURES AND EQUIPMENT TO BE INSTALLED TO BE IN ACCORDANCE WITH THE MANUFACTURERS REQUIREMENT, ACCEPTED BUILDING STANDARDS AND CONFORM TO ALL BUILDING CODES.



**2 RIDGE VENT**  
24" x 1'-0"



**1 ROOF PLAN**  
1/4" = 1'-0"



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**PATAGONIA 7 POOLHOUSE**  
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1	CLIENT REVIEW	3/27/20
2	DESIGN REVIEW	6/11/20

ROOF PLAN

A-131

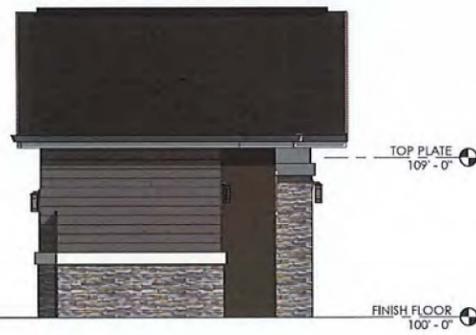
DATE 6.4.20  
JOB NUMBER 20074  
DRAWN BY AIB



1 NORTH ELEVATION - COLORED  
1/4" = 1'-0"



2 EAST ELEVATION - COLORED  
1/4" = 1'-0"



3 SOUTH ELEVATION - COLORED  
1/4" = 1'-0"



4 WEST ELEVATION - COLORED  
1/4" = 1'-0"



STONE VENEER



FIBER CEMENT SHINGLE SIDING - TAUPE



FIBER CEMENT BATT AND BOARD - CREAM



FIBER CEMENT 6" HORIZONTAL SIDING - CHOCOLATE BROWN



ARCHITECTURAL ASPHALT SHINGLES - BLACK



TRIM, FASCIA, AND SOFFIT - CREAM



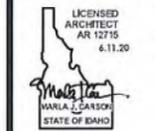
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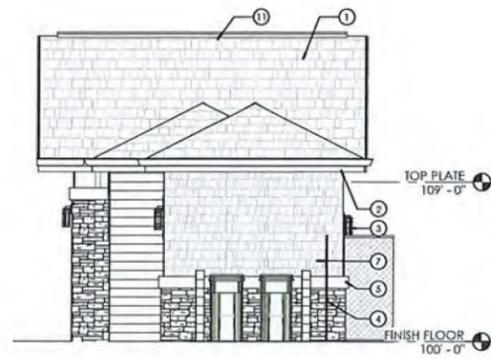


NO.	DESCRIPTION	DATE
A.	CLIENT REVIEW	3.27.20
B.	CLIENT REVIEW	4.20.20
C.	DESIGN REVIEW	6.11.20

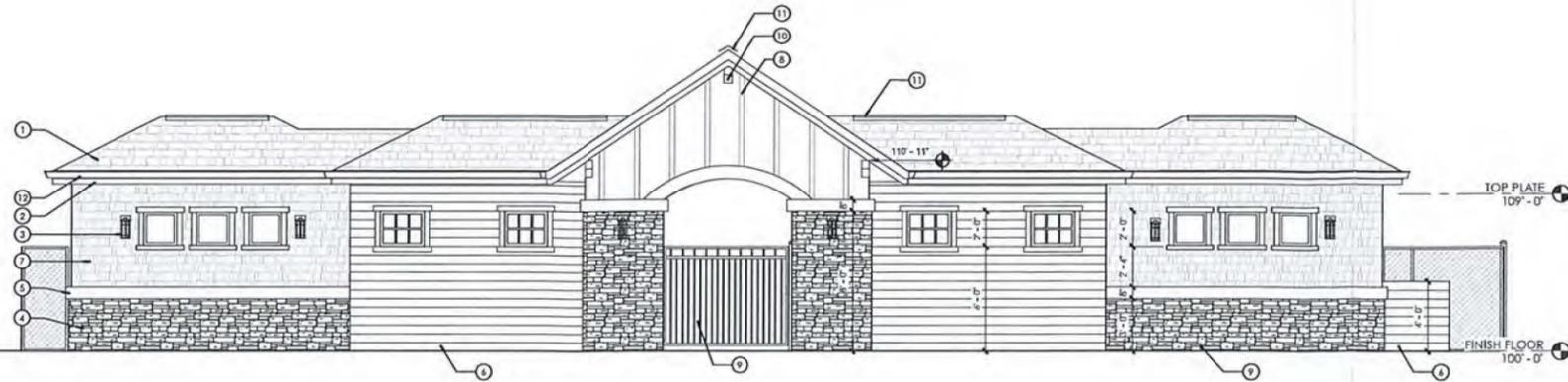
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ELEVATIONS

A-212

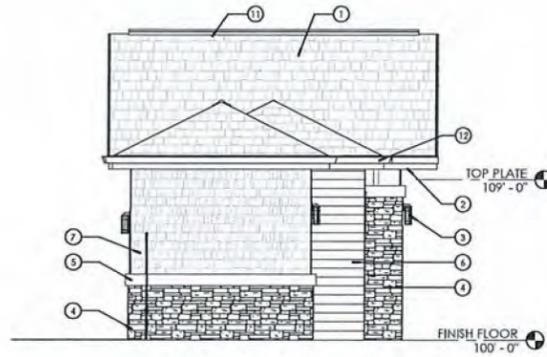
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JOB NUMBER 20074  
DRAWN BY ALB



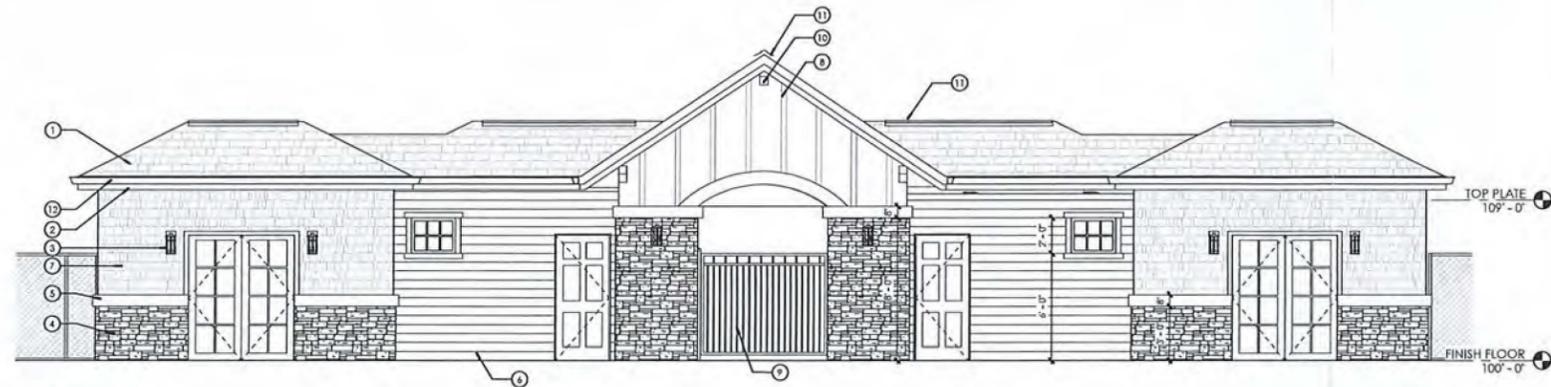
1 NORTH ELEVATION  
1/4" = 1'-0"



2 EAST ELEVATION  
1/4" = 1'-0"



3 SOUTH ELEVATION  
1/4" = 1'-0"



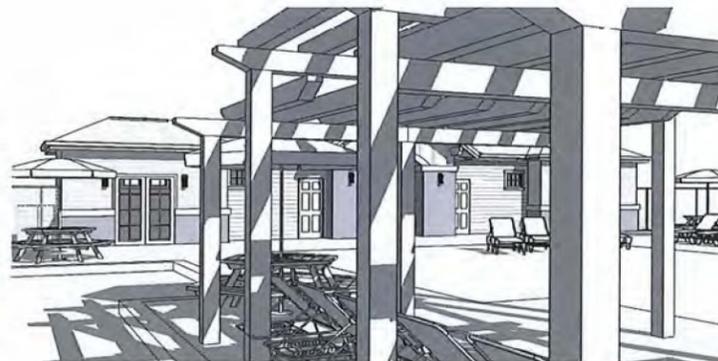
4 WEST ELEVATION  
1/4" = 1'-0"

**ELEVATION NOTES**

NO.	NOTE CONTENT
1	ARCHITECTURAL ASPHALT SHINGLE ROOF
2	FASCIA
3	LIGHTING - REFER TO REFLECTED CEILING PLAN
4	STONE VENEER
5	IRIS BOARD
6	HARDE PLANK SIDING - 6" HORIZONTAL
7	HARDE PLANK SIDING - SHINGLES
8	HARDE PLANK SIDING - BOARD & BATTEN

**ELEVATION NOTES**

NO.	NOTE CONTENT
9	6 ORNAMENTAL GATE
10	DECORATIVE BEAM
11	CONTINUOUS RIDGE VENT
12	PREFINISHED METAL GUTTER AND DOWNSPOUTS



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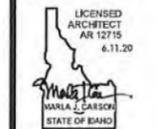
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PATAGONIA SUB.

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853 sq. Feet

EXTERIOR ELEVATIONS

A-211

DATE  
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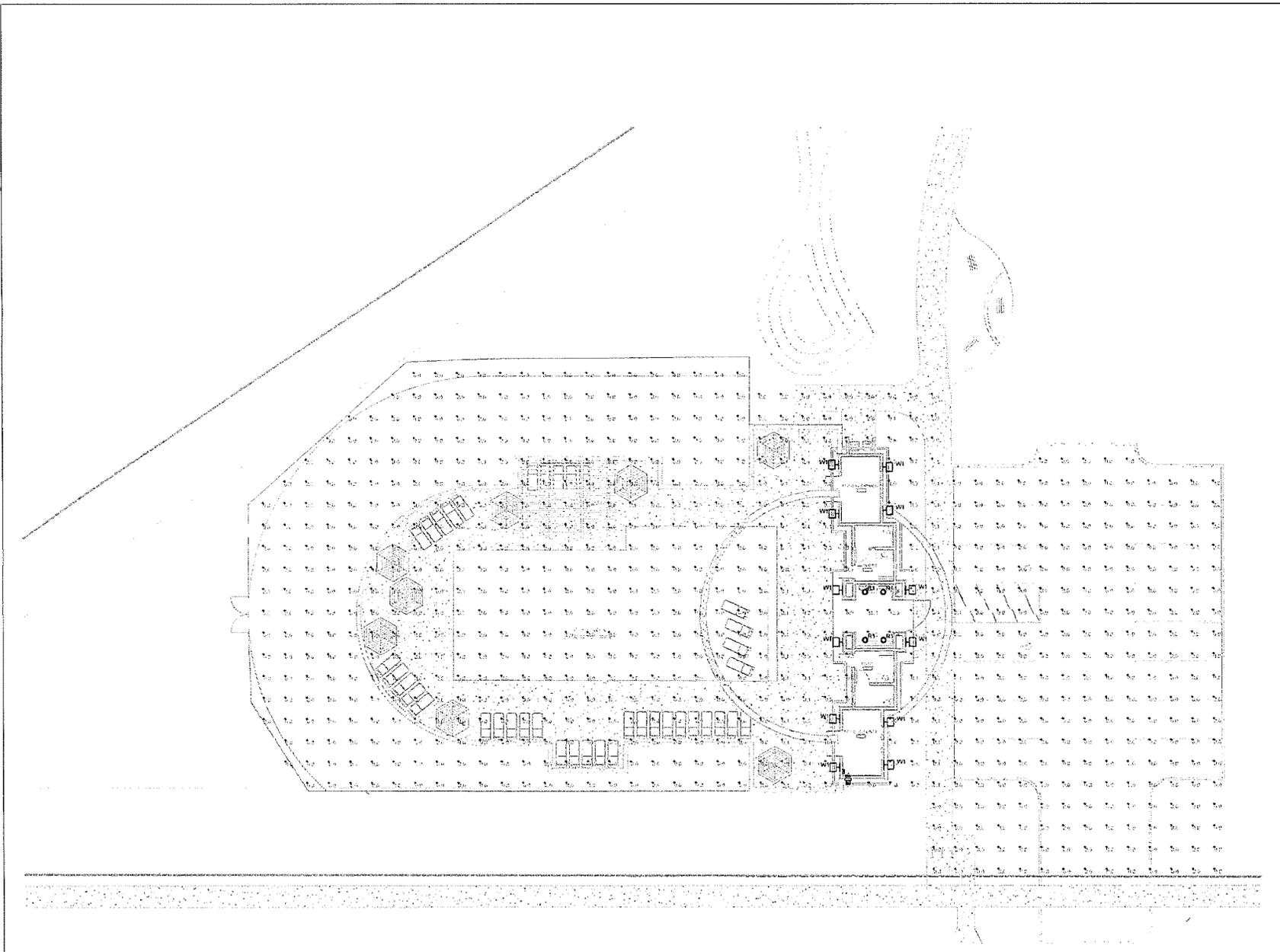


NO. DESIGN PRIN. DATE

SITE  
PHOTOMETRIC  
PLAN

E101

DATE: 4/01/20  
JOB NUMBER: 29074  
DRAWN BY: EWA



1 SITE PHOTOMETRIC PLAN  
1" = 100'

**Description**

The Halo ML56 LED Downlighting System is a series of modular LED Light Modules for use with designated 5" or 6" ML56 LED trims in new construction, remodel and retrofit installation. Compatible with Halo 5" H550 and 6" H750, H2750 Series LED housings. And in retrofit of existing housings the ML56 Series fits 5" or 6" Halo, All-Pro, and others. ML56 system offers shallow trims for installation in Halo, All-Pro and others shallow housings. ML56 Light Modules are offered in 600 Series, 900 Series, and 1200 Series, 80CRI or 90CRI, and four color temperatures 2700K, 3000K, 3500K, 4000K. ML56 Light Modules are universal voltage 120V – 277V and dimmable at 120V. The ML56 lens provides uniform diffuse illumination standard. ML56 - 1200 Series offers narrow flood (NFL) beam forming reflector as an optional accessory. Wet location listed with reflector and baffle trims (directional eyeball trims are damp listed). Halo ML56 Series offers high performance LED downlighting in a flexible modular selection.

<b>Catalog #</b>		<b>Type</b>
<b>Project</b>		
<b>Comments</b>		<b>Date</b>
<b>Prepared by</b>		

**Specification Features**

**Mechanical**

**Light Module**

- Module includes LED package, LED driver, heat sink, and lens
- Durable die-cast aluminum construction.
- Heat sink designed to conduct heat away from the LED keeping the junction temperatures below specified maximums, including insulated ceiling environments

**Optics**

- Diffuse lens is standard on all 1200 Series LED light modules
  - Impact-resistant polycarbonate
  - Convex form for lamp-like appearance
  - High lumen transmission
- Optional beam forming optic replaces diffuse lens and provide narrow flood (NFL) 25° nominal distribution. Beam forming optic is field installed. Order separately (accessories).

**Mounting**

- Light Modules attach to reflector and baffle trims via locking tabs, and attach to eyeballs via keyed twist-to-lock mating bosses
- The complete light module and trim assembly installs into housings with precision formed torsion springs located on the trim
- Use retrofit adapter band (ML7RAB) accessory when housing does not have receivers for torsion springs.

**Housing Compatibility**

A complete ML56 system includes a LED Light Module, LED trim, and a compatible housing (new construction, remodel, or existing retrofit). Housing compatibility in the ML56 System is determined by the ML56 trim dimensions. ML56 trims are available in 5" and 6" aperture (5" = 59xx series and 6" = 69xx series trims). Refer to Housing – Trim Section in this document.

**LED**

- 1200 Series = 1200 design lumens typical. Delivered lumens vary upon 5" or 6" trim, color temperature, and trim finish.
- Color Temperature options: 2700K, 3000K, 3500K, 4000K

- CRI: 80
- L70 at 50,000 hours, projected in accordance with IES TM-21
- LED is a chip on board design consisting of a multiple LED package with proximity phosphor coating to create one virtual white light source for a productive "cone of light"

**Color Specification & Quality Standards**

- A tight chromaticity specification ensures LED color uniformity, sustainable Color Rendering Index (CRI) and Correlated Color Temperature (CCT) over the useful life of the LED
- LED color uniformity of 3 SDCM exceeds ENERGY STAR® color standards per ANSI C78.377-2008.
- Every Halo LED Light Module is quality tested and performance measured, and then serialized in a permanent record to register lumens, wattage, CRI and CCT.
- Halo LED serialized testing and measurement process ensures color and lumen consistency on a per-unit basis, and validates long-term product consistency over time
- Halo ML56 LED Light Modules include lumen, CRI, and CCT designations in the model number
  - Example: **ML5612830**
  - 56** = 5" / 6" aperture series
  - 12** = 1200 lumen series
  - 8** = >80 CRI
  - 30** = 3000K nominal CCT

**Electrical Power Connections**

- LED connector is a non-screw base luminaire disconnect offering easy installation in Halo 5" H550 Series and 6" H750 and H2750 Series housings (per LED trim 5" or 6").
- LED Connector meets high-efficacy luminaire requirements as a non-screw base, and where required.
- The included E26 medium screw-base Edison adapter provides easy retrofit of incandescent housings (see Housing Section).

**Ground Connection**

- Separate grounding cable included on the module for attachment to the housing during installation.

**LED Driver**

- Driver is universal voltage 120V-277V, and may be controlled from a switch in Halo LED housings at 120V, 220V, 230V, 240V, and 277V.
- Driver is dimmable at 120V operation when connected to a compatible dimmer.
- Driver is a high efficiency, electronic power supply providing DC power to the LED.
- Driver meets FCC EMI/RFI Consumer Level limits on 120V main inputs, and is compliant for use in residential and commercial installations.
- Driver features high power factor, low THD, and has integral thermal protection in the event of over temperature or internal failure.
- Driver is replaceable, if replacement should be required.

**Dimming**

Designed for dimming capability to nominal 5% in normal operation with standard 120V Leading Edge (LE) and Trailing Edge (TE) phase control dimmers. (Consult dimmer manufacturer for dimmer compatibility and details. Note, some dimmers require a neutral in the wallbox.)

**Warranty**

Eaton's Cooper Lighting provides a (5) five year limited warranty on the Halo ML56 LED Light Module.

**LED Module in New or Retrofit Existing Construction – Housings other than Halo or All-Pro**

- If used in recessed housings other than Halo or All-Pro the Cooper Lighting 5-year limited warranty applies to the LED Light Module and Trim only.
- As with any electrical installation, a qualified electrician must ensure compatibility of use with a particular housing; this includes all applicable national and local electrical and building codes. Installer is responsible to properly and securely retain the LED Module and LED Trim in the housing at time of installation.



**ML56 LED System**

**1200 Series with Beam Forming Reflector Option**  
**80 CRI**

- ML5612827**
- ML5612830**
- ML5612835**
- ML5612840**

**5-Inch and 6-Inch 1200 Lumen LED Light Module for New Construction, Remodel and Retrofit**

**For use with 59x and 69x Series 5" and 6" Trims**

**FOR USE IN INSULATED CEILING AND NON-INSULATED CEILING RATED HOUSINGS**

**HIGH EFFICACY LED WITH INTEGRAL DRIVER - DIMMABLE**

**Energy Data**

<b>ML56 1200/80 Series</b>
(Values at non-dimming line voltage)
Minimum Starting Temp: -30°C (-22°F)
EMI/RFI: FCC Title 47 CFR, Part 15, (Consumer)
Sound Rating: Class A
Input Voltage: UNV 120V-277V
Power Factor: >0.95 @ 120V and >0.9 @277V
Input Frequency: 50/60Hz
THD: <20%
Input Power: 17.5W
Input Current at 120V: 0.14A
Input Current at 277V: 0.07A
Driver Compliance: UL8750, Class II rated
Maximum IC (Insulated Ceiling) Ambient Continuous Operating Temperature: 25°C (77°F)
Maximum Non-IC Ambient Continuous Operating Temperature: 40°C (104°F)



**ML5612827**  
5" or 6" LED 1200 Series



**ML5612830**  
5" or 6" LED 1200 Series



**ML5612835**  
5" or 6" LED 1200 Series



**ML5612840**  
5" or 6" LED 1200 Series

## Compliance

- cULus listed 1598 Luminaire (Halo and All-Pro housings)
  - UL Classified when used in retrofit (refer to housing section)
  - cULus listed for damp locations
  - cULus Wet location listed with baffle and reflector trims only
  - Airtight certified per ASTM E283 (not exceeding 2.0 CFM under 57 Pascals pressure difference)
  - IP56 ingress protection rated with baffle and reflector trims only
  - RoHS compliant
  - May be used in IC (insulated ceiling) housings in direct contact with insulation\* and combustible material
  - Can be used as a California Title 24 compliant Non-Residential LED Luminaire (Non-IC)
  - Can be used for International Energy Conservation Code (IECC) high efficiency luminaire compliance.
  - Can be used for Washington State Energy Code compliance
  - ENERGY STAR® certified luminaire - consult ENERGY STAR® certified product list
  - EMI/RFI per FCC 47CFR Part 15 Class B Consumer limits (commercial and residential compliant)
  - Photometric testing in accordance with IES LM-79
  - Lumen maintenance projections in accordance with IES LM-80 and TM-21
  - CE Mark - "Conformité Européene" conformity with the Council of European Communities Directives, meeting internationally recognized compliance when used with Halo H550, H750, and H2750 Series LED housings only
- \* Not for use with housings in direct contact with spray foam insulation.

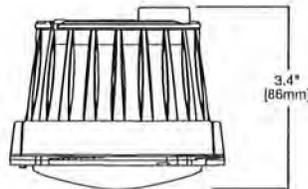
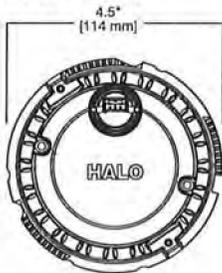


Refer to ENERGY STAR® Certified Products List.

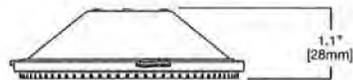
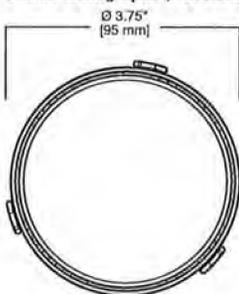
Can be used to comply with California Title 24 Non-Residential Lighting Controls requirements as a LED Luminaire

## Dimensions

### ML56 LED Module



### Beam Forming Optic (Accessories)



## Ordering Information

Sample Number: **ML5612830 593WB**

Order LED Module and trim separately.

A complete system also includes a compatible housing (new construction, remodel, or existing retrofit). Housing aperture size in the ML56 System is determined by the ML56 trim dimensions. ML56 trims are available in 5" and 6" aperture (5" = 59xx series and 6" = 69xx series trims). Refer to Housing Section in this document.

### ML56 LED Light Modules 1200 Series / 80 CRI

**ML5612827**= 5 7/8" LED light module, 1200 lumen, 80CRI, 2700K  
**ML5612830**= 5 7/8" LED light module, 1200 lumen, 80CRI, 3000K  
**ML5612835**= 5 7/8" LED light module, 1200 lumen, 80CRI, 3500K  
**ML5612840**= 5 7/8" LED light module, 1200 lumen, 80CRI, 4000K

### ML56 LED 5" and 6" Trims

#### 590 Series - 5" LED Trims

**592SC**=5" LED trim, specular reflector & white flange  
**592H**=5" LED trim, haze reflector & white flange  
**592W**=5" LED trim, white reflector & flange  
**593WB**=5" LED trim, white micro-step baffle & flange  
**593BB**=5" LED trim, black micro-step baffle & white flange  
**594WB**=5" LED directional trim, white eyeball, baffle & flange – shallow and standard housings  
**595WW**=5" LED trim, wall wash - specular reflector, repositionable specular kick reflector, white flange  
**596WB**=5" LED trim, white shallow baffle & flange – shallow and standard housings

#### 690 Series - 6" LED Trims

**692SC**=6" LED trim, specular reflector & white flange  
**692H**=6" LED trim, haze reflector & white flange  
**692W**=6" LED trim, white reflector & flange  
**693WB**=6" LED trim, white micro-step baffle & flange  
**693BB**=6" LED trim, black micro-step baffle & white flange  
**693TBZB**=6" LED trim, tuscan bronze micro-step baffle & flange  
**693SNB**=6" LED trim, satin nickel micro-step baffle & satin nickel flange  
**694WB**=6" LED directional trim, white eyeball, baffle & flange – shallow and standard housings  
**694TBZB**=6" LED directional trim, tuscan bronze eyeball, baffle & flange – shallow and standard housings  
**694SNB**=6" LED directional trim, satin nickel eyeball, baffle & flange – shallow and standard housings  
**695WW**=6" LED trim, wall wash - specular reflector, repositionable specular kick reflector, white flange  
**696WB**=6" LED trim, white shallow baffle & flange – for use with shallow and standard housings

### ML56 Beam Forming Optic / Media 1200 Series Accessories

**BFR56NFL**=Beam forming reflector kit, narrow flood, 25° nominal  
**BFR56MH**=Media holder, accepts one 3.45" lens. Requires BFR56NFL & L345SF, order separately.  
**L345SF**=3.45" diameter soft focus lens. Requires BFR56NFL and BFR56MH, order separately.

### ML56 System Accessories

**ML7RAB**=Retrofit adapter band for housings without torsion spring receivers. The ML7RAB kit supplies parts to retrofit four housings; the kit includes:  
 4 – Retrofit adapter bands with screws and locking wire nuts  
**WW595SC**=5" Wall wash Insert - kick reflector for 595WW (1-included with trim) double or corner wall wash\*\*  
**WW695SC**=6" Wall wash Insert - kick reflector for 695WW (1-included with trim) Double or Corner Wall Wash\*\*  
**TRM590WH**=5" LED oversize trim ring for use with 59" series trims, white 6.3" I.D., 7.5" O.D. Ring slips over LED trim. Inset design allows 5" trim to fit into oversize ring for an even trim surface  
**TRM690WH**=6" LED oversize trim ring for use with 69" series trims, White 6.9" I.D., 9.5" O.D. Ring slips over LED trim. Inset design allows 6" trim to fit into oversize ring for an even trim surface

\*\*Wall Wash Trims 595WW and 695WW Feature an exclusive Repositionable Kick Reflector for fine-tuning adjustment of the wall wash effect. The WW595SC and WW695SC are Repositionable Kick Reflectors sold separately for addition to the Wall Wash Trim when a double or corner wall wash is needed, or for replacement of original kick reflector included with the trim.

## Lighting Facts

ML5612827

PRODUCT SPECIFICATIONS	
Lumens (Light Output)	<b>1376</b>
Watts	<b>17.5</b>
Lumens Per Watt (Efficacy)	<b>78.6</b>
Color Accuracy (CRI)	<b>81</b>
Light Color (CCT) Correlated Color Temperature (CCT)	<b>2700K</b>
MODEL# ML5612827	

ML5612830

PRODUCT SPECIFICATIONS	
Lumens (Light Output)	<b>1549</b>
Watts	<b>17.5</b>
Lumens Per Watt (Efficacy)	<b>88.5</b>
Color Accuracy (CRI)	<b>82</b>
Light Color (CCT) Correlated Color Temperature (CCT)	<b>3000K</b>
MODEL# ML5612830	

ML5612835

PRODUCT SPECIFICATIONS	
Lumens (Light Output)	<b>1570</b>
Watts	<b>17.5</b>
Lumens Per Watt (Efficacy)	<b>89.7</b>
Color Accuracy (CRI)	<b>83</b>
Light Color (CCT) Correlated Color Temperature (CCT)	<b>3500K</b>
MODEL# ML5612835	

ML5612840

PRODUCT SPECIFICATIONS	
Lumens (Light Output)	<b>1695</b>
Watts	<b>17.5</b>
Lumens Per Watt (Efficacy)	<b>96.9</b>
Color Accuracy (CRI)	<b>83</b>
Light Color (CCT) Correlated Color Temperature (CCT)	<b>4000K</b>
MODEL# ML5612840	

## Housing – Trim Compatibility

Housing aperture size in the ML56 System is determined by the ML56 trim dimensions. ML56 trims are available in 5" and 6" aperture (5" = 59xx series and 6" = 69xx series trims). Refer to ML56 TRIMS in this document. (Note "X" in the trim model number denotes finish code.)

## Housing – Compatibility

The ML56 LED light module - trim combination is cULus Listed or UL Classified for use with any 5" or 6" diameter recessed housing constructed of steel or aluminum with an internal volume that exceeds 115 in<sup>3</sup> in addition to those noted below.

## Halo and All-Pro UL Listed Compatibility

6" Trims: 692X, 693X, 694X, 695X, 696X

(Note shallow housings for use with 694X trims only)

### HALO - LED Housings with LED luminaire connector - high-efficacy compliant

Brand	Housing Type	Catalog Number	Description
Halo	Standard Housings	H750ICAT	6" LED, Insulated Ceiling, Air-Tite, New Construction Housing
		H750RICAT	6" LED, Insulated Ceiling, Air-Tite, Remodel Housing
		H750T	6" LED, Non-IC, Air-Tite, New Construction Housing
		H750TCP	6" LED, Non-IC, New Construction/Remodel Chicago Plenum Housing
		H750RINTD010	6" LED, Non-IC, Air-Tite, Remodel Housing (International CE Mark and UL/cUL Listed)
Halo	Shallow Housings	H2750ICAT	6" LED, Shallow, Insulated Ceiling, Air-Tite, New Constr. (use with 694X trims only)

### HALO and All-Pro - Incandescent E26 Screwbase Housings

Brand	Housing Type	Catalog Number	Description
Halo	Standard Housings	H7ICAT	6" Insulated Ceiling, Air-Tite New Construction Housing
		H7RICAT	6" Insulated Ceiling, Air-Tite Remodel Housing
		H7ICT	6" Insulated Ceiling, New Construction Housing
		H7RICT	6" Insulated Ceiling, Remodel Housing
		H7ICATNB	6" Insulated Ceiling, Air-Tite New Construction Housing, No Socket Bracket
		H7ICTNB	6" Insulated Ceiling, New Construction Housing, No Socket Bracket
		H7T	6" Non-IC, New Construction Housing
		H7RT	6" Non-IC, Remodel Housing
		H7TNB	6" Non-IC, New Construction Housing, No Socket Bracket
		H7TCP	6" Non-IC, Chicago Plenum, New Construction/Remodel Housing
		H7UICAT	6" Insulated Ceiling, Universal New Construction Housing (use with 694X and 696X trims only)
		H7UICAT	6" Insulated Ceiling, Universal, Air-Tite, New Construction Housing (use with 694X and 696X trims only)
		All-Pro	Standard Housings
E1700RAT	6" Insulated Ceiling, Air-Tite Remodel Housing		
E1700	6" Insulated Ceiling, New Construction Housing		
E1700R	6" Insulated Ceiling, Remodel Housing		
E1700ATNB	6" Insulated Ceiling, Air-Tite New Construction Housing, No Socket Bracket		
E1700NB	6" Insulated Ceiling, New Construction Housing, No Socket Bracket		
E1700U	6" Insulated Ceiling, Universal New Construction Housing		
E1700UAT	6" Insulated Ceiling, Universal, Air-Tite, New Construction Housing		
ET700	6" Non-IC, New Construction Housing		
ET700R	6" Non-IC, Remodel Housing		
Halo	Shallow Housings	H27ICAT	6" Shallow, Insulated Ceiling, Air-Tite New Construction (use with 694X trims only)
		H27RICAT	6" Shallow, Insulated Ceiling, Air-Tite Remodel Housing (use with 694X trims only)
		H27ICT	6" Shallow, Insulated Ceiling, New Construction Housing (use with 694X trims only)
		H27RICT	6" Shallow, Insulated Ceiling, Remodel Housing (use with 694X trims only)
		H27T	6" Shallow, Non-IC, New Construction Housing (use with 694X trims only)
		H27RT	6" Shallow, Non-IC, Remodel Housing (use with 694X trims only)
All-Pro	Shallow Housings	E12700AT	6" Shallow, Insulated Ceiling, Air-Tite New Construction (use with 694X trims only)
		E12700	6" Shallow, Insulated Ceiling, New Construction Housing (use with 694X trims only)
		E12700R	6" Shallow, Insulated Ceiling, Air-Tite Remodel Housing (use with 694X trims only)
		ET2700	6" Shallow, Non-IC, New Construction Housing (use with 694X trims only)
		ET2700R	6" Shallow, Non-IC, Remodel Housing (use with 694X trims only)

### Halo LED Retrofit Enclosures

Brand	Type	Catalog Number	Description
Halo	Retrofit	ML7BXRFK	6" Retrofit Enclosure, Non-IC, BX Whip
		ML7E2GRFK	6" Retrofit Enclosure, Non-IC, E26 Screw base Interface

**Housing – Compatibility Continued**

5" Trims: 592X, 593X, 594X, 595X, 596X (ML56 1200 Series not for use with 593TBZB, 593SNB, 594TBZB, 594SNB models.)  
(Note shallow housings for use with 594X trims only)

**HALO - LED Housings with LED luminaire connector - high-efficacy compliant**

Brand	Housing Type	Catalog Number	Description
Halo	Standard Housings	H550ICAT	5" LED, Insulated Ceiling, Air-Tite, New Construction Housing
		H550RICAT	5" LED, Insulated Ceiling, Air-Tite, Remodel Housing

**HALO and All-Pro - Incandescent E26 Screwbase Housings**

Brand	Housing Type	Catalog Number	Description
Halo	Standard Housings	H5ICAT	5" Insulated Ceiling, Air-Tite New Construction Housing
		H5RICAT	5" Insulated Ceiling, Air-Tite Remodel Housing
		H5T	5" Non-IC, New Construction Housing
		H5RT	5" Non-IC, Remodel Housing
		H5TM	5" Non-IC, New Construction Housing (Canada)
All-Pro	Standard Housings	E1500AT	5" Insulated Ceiling, Air-Tite New Construction Housing
		E1500RAT	5" Insulated Ceiling, Air-Tite Remodel Housing
		ET500	5" Non-IC, New Construction Housing
		ET500R	5" Non-IC, Remodel Housing
Halo	Shallow Housings	H25ICAT	5" Shallow, Insulated Ceiling, Air-Tite New Construction (use with 594X trims only)

**HOUSINGS - UL Classified for Retrofit Compatibility**

6" Trims: 692X, 693X, 694X, 695X, 696X

Juno	IC22, IC22R, IC22W, IC22S, IC23, IC23W, TC2, TC2R, IC2
Capri	CR1, PR1, DL1
Elco	HL7ICA (EL7ICA)
Lithonia	LC6, L7X
Thomas	PS1
Commercial Electric	C7ICA, H3
Progress	P87-AT †
Lightolier	1104ICx †, 1104IC †

† Requires ML7RAB retrofit adapter band (ordered separately); for use in housings without torsion springs.

Juno®, Capri, Lightolier®, Lithonia Lighting®, Thomas® Lighting, Elco Lighting®, Progress® Lighting and Commercial Electric® and their product brand names, where identified above, are tradenames or trademarks of each respective company and Cooper makes no representations on these trademarks.

**ML56 1200 Series Compliance Table**

80 CRI LED Modules with ML56 Trims

	ML5612827	ML5612830	ML5612835	ML5612840
593BB	ES, T24NR, WSEC, IECC			
693BB	ES, T24NR, WSEC, IECC			
593TBZB	ES, T24NR, WSEC, IECC			
693TBZB	ES, T24NR, WSEC, IECC			
593SNB	ES, T24NR, WSEC, IECC			
693SNB	ES, T24NR, WSEC, IECC			
592H	ES, T24NR, WSEC, IECC			
593WB	ES, T24NR, WSEC, IECC			
592SC	ES, T24NR, WSEC, IECC			
592W	ES, T24NR, WSEC, IECC			
595WW	ES, T24NR, WSEC, IECC			
695WW	ES, T24NR, WSEC, IECC			
692H	ES, T24NR, WSEC, IECC			
692W	ES, T24NR, WSEC, IECC			
692SC	ES, T24NR, WSEC, IECC			
693WB	ES, T24NR, WSEC, IECC			
596WB	ES, T24NR, WSEC, IECC			
694TBZB	ES, T24NR, WSEC, IECC			
696WB	ES, T24NR, WSEC, IECC			
594TBZB	ES, T24NR, WSEC, IECC			
694SNB	ES, T24NR, WSEC, IECC			
594SNB	ES, T24NR, WSEC, IECC			
694WB	ES, T24NR, WSEC, IECC			
594WB	ES, T24NR, WSEC, IECC			
594WB-30	ES, T24NR, WSEC, IECC			
694WB-30	ES, T24NR, WSEC, IECC			

**Code Descriptions:**

- ES = ENERGY STAR® Certified Luminaire
- T24NR = May be used for California Title 24 Non-Residential LED Luminaire
- IECC = International Energy Conservation Code "High Efficacy"
- WSEC = Washington State Energy Code - "High Efficacy" Luminaire

**ML56 1200 Series Lumen Table**

80 CRI LED Modules with ML56 trims

	Trim Catalog #	ML5612827		ML5612830		ML5612835		ML5612840	
		Lumens	LPW	Lumens	LPW	Lumens	LPW	Lumens	LPW
0° Tilt Angle	593BB	900.9	51.5	1014.1	57.9	1027.9	58.7	1109.7	63.4
	693BB	1008.2	57.6	1134.9	64.9	1150.3	65.7	1241.9	71.0
	593TBZB	1017.8	58.2	1145.8	65.5	1161.3	66.4	1253.8	71.6
	693TBZB	1048.0	59.9	1179.7	67.4	1195.7	68.3	1290.9	73.8
	593SNB	1115.5	63.7	1255.8	71.8	1272.8	72.7	1374.1	78.5
	693SNB	1162.5	66.4	1308.7	74.8	1326.5	75.8	1432.1	81.8
	592H	1285.6	73.5	1447.2	82.7	1466.8	83.8	1583.6	90.5
	593WB	1310.9	74.9	1475.7	84.3	1495.7	85.5	1614.8	92.3
	592SC	1327.8	75.9	1494.7	85.4	1515.0	86.6	1635.6	93.5
	592W	1331.4	76.1	1498.8	85.6	1519.1	86.8	1640.0	93.7
	595WW	1336.2	76.4	1504.2	86.0	1524.6	87.1	1646.0	94.1
	695WW	1337.4	76.4	1505.6	86.0	1526.0	87.2	1647.5	94.1
	692H	1342.2	76.7	1511.0	86.3	1531.5	87.5	1653.4	94.5
	692W	1363.9	77.9	1535.4	87.7	1556.2	88.9	1680.1	96.0
	692SC	1368.8	78.2	1540.9	88.0	1561.7	89.2	1686.1	96.3
	693WB	1376.0	78.6	1549.0	88.5	1570.0	89.7	1695.0	96.9
	596WB	1380.8	78.9	1554.4	88.8	1575.5	90.0	1700.9	97.2
	694TBZB	1385.6	79.2	1559.9	89.1	1581.0	90.3	1706.9	97.5
	696WB	1411.0	80.6	1588.4	90.8	1609.9	92.0	1738.1	99.3
	594TBZB	1412.2	80.7	1589.7	90.8	1611.3	92.1	1739.6	99.4
694SNB	1425.4	81.5	1604.7	91.7	1626.4	92.9	1755.9	100.3	
594SNB	1447.2	82.7	1629.1	93.1	1651.2	94.4	1782.6	101.9	
694WB	1468.9	83.9	1653.5	94.5	1676.0	95.8	1809.4	103.4	
594WB	1477.3	84.4	1663.0	95.0	1685.6	96.3	1819.8	104.0	
30° Tilt Angle	594WB-30	1396.5	79.8	1572.1	89.8	1593.4	91.1	1720.3	98.3
	694WB-30	1374.8	78.6	1547.6	88.4	1568.6	89.6	1693.5	96.8

**Photometry 5" Trims • 1200 Series • 80 CRI**

**Multiplier Table**

CCT Option	2700 K	3000 K	3500 K	4000 K
CCT Multiplier	0.888	1.000	1.014	1.094

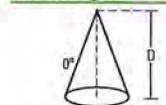
Table based upon testing with 3000°K color temperature, 80CRI.  
Multipliers may be used to determine relative lumen values with other color temperatures.

**ML5612830-592SC**

Test Number	P129764
Light Module	1200 Series, 80CRI
Trim	5" Aperture, Specular Clear Trim
Lumens	1495 Lm
Efficacy	86.4 Lm/W
SC	0.98

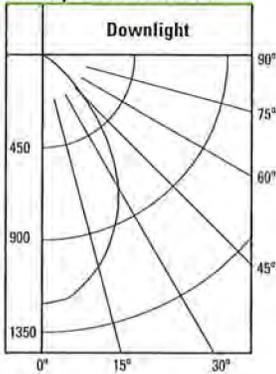


**Cone of Light**



D	FC	L	W
5.5'	40	5.2	5.2
7'	24.7	6.8	6.8
8'	18.9	7.8	7.8
9'	15	8.8	8.8
10'	12.1	9.8	9.8
12'	8.4	11.6	11.6

**Candlepower Distribution**



**Zonal Lumen Summary**

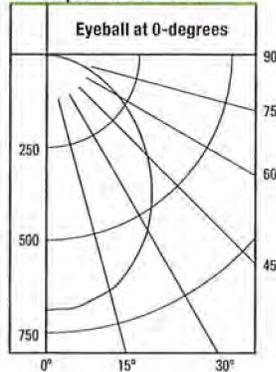
Zone	Lumens	%Fixture
0-30	805	53.9
0-40	1176	78.6
0-60	1477	98.8
0-90	1495	100
90-180	0	0
0-180	1495	100

**ML5612830-594WB**

Test Number	P129820
Light Module	1200 Series, 80CRI
Trim	5" Aperture, Directional Eyeball
Lumens	1663
Efficacy	96.1 Lm/W
SC	1.18



**Candlepower Distribution**



**Zonal Lumen Summary**

Zone	Lumens	%Fixture
0-30	521	31.3
0-40	829	49.9
0-60	1371	82.4
0-90	1663	100
90-180	0	0
0-180	1663	100

**30° Horizontal Plane**

D	FC	L	W	CB
5.5'	19.8	6.3	6.4	3.2
7'	12.2	8.1	8.2	4
8'	9.4	9.3	9.4	4.6
9'	7.4	10.5	10.6	5.2
10'	6	11.6	11.8	5.8
12'	4.2	14	14.2	6.9

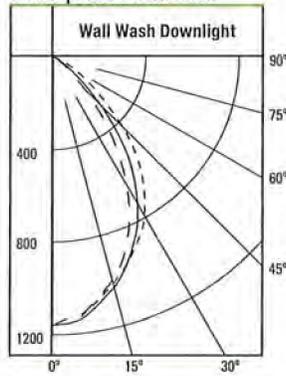
**30° Vertical Plane**

D	FC	L	W	CB
1'	368.1	1.1	1.2	1.7
2'	92	2.2	2.6	3.5
3'	40.9	3.5	3.8	5.2
4'	23	4.6	5.2	6.9
5'	14.7	5.7	6.4	8.7
6'	10.2	6.9	7.8	10.4

Photometric tests are per IES measurement standards. Tests represent typical fixture performance. Field results may vary.

Photometry 5" Trims • 1200 Series • 80 CRI

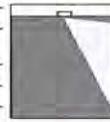
Candlepower Distribution



**Legend**  
0-deg: --- Wall  
90-deg: --- Side  
180-deg: --- Room

ML5612830-595WW

Test Number	P129844
Light Module	1200 Series, 80CRI
Trim	5" Aperture, Wall Wash with Specular Clear Trim and Specular Clear Kick Reflector
Lumens	1504
Efficacy	86.9 Lm/W
SC	0.98



Zonal Lumen Summary

Zone	Lumens	%Fixture
0-30	774	51.5
0-40	1139	75.7
0-60	1469	97.7
0-90	1504	100
90-180	0	0
0-180	1504	100

Single Unit Footcandles

2.5' From Wall (Distance From Fixture Along Wall)

DD	1'	2'	3'	4'	5'	6'
1'	5.1	3.4	1.4	0.4	0.1	0
2'	19.6	13.9	5.9	1.8	0.5	0.1
3'	23.9	19.2	10.2	4.1	1.5	0.2
4'	17.8	15.6	10.7	5.6	2.5	1.1
5'	12.1	11.1	8.6	5.6	3.2	1.5
6'	8.3	7.7	6.5	4.7	3.2	1.9
7'	5.8	5.5	4.8	3.8	2.8	1.9
8'	4.2	4	3.6	3	2.4	1.7
9'	3.1	3	2.7	2.3	2	1.5
10'	2.3	2.3	2.1	1.8	1.6	1.3

Multiple Unit Footcandles

2.5' From Wall (Distance From Fixture Along Wall)

DD	-3'	-4'
1'	5.6	4.5
2'	21.4	18.9
3'	28	29.4
4'	23.4	26.4
5'	17.7	19.8
6'	13	14.2
7'	9.5	10.2
8'	7.1	7.5
9'	5.4	5.7
10'	4.2	4.4

Photometry 5" Trims • 1200 Series • 80 CRI • NFL Lens

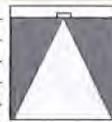
Multiplier Table

CCT Option	2700 K	3000 K	3500 K	4000 K
CCT Multiplier	0.888	1.000	1.014	1.094

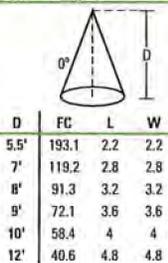
Table based upon testing with 3000°K color temperature, 80CRI.  
Multipliers may be used to determine relative lumen values with other color temperatures.

ML5612830-BFR56NFL-592H

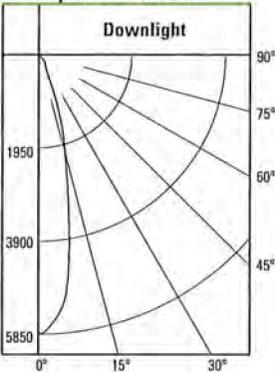
Test Number	P130378
Light Module	1200 Series, 80CRI, NFL optic
Trim	5" Aperture, Haze Trim
Lumens	1478
Efficacy	85.4 Lm/W
SC	0.41



Cone of Light



Candlepower Distribution

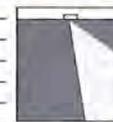


Zonal Lumen Summary

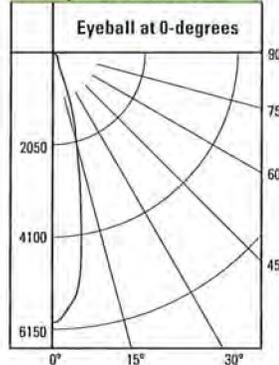
Zone	Lumens	%Fixture
0-30	1289	87.2
0-40	1428	96.6
0-60	1475	99.9
0-90	1478	100
90-180	0	0
0-180	1478	100

ML5612830-BFR56NFL-594WB

Test Number	P130442
Light Module	1200 Series, 80CRI, NFL optic
Trim	5" Aperture, Directional Eyeball
Lumens	1698
Efficacy	98.2 Lm/W
SC	0.4



Candlepower Distribution



Zonal Lumen Summary

Zone	Lumens	%Fixture
0-30	1291	76.1
0-40	1428	84.1
0-60	1638	96.5
0-90	1698	100
90-180	0	0
0-180	1698	100

30° Horizontal Plane

D	FC	L	W	CB
5.5'	135.8	2.8	2.4	3.2
7'	83.8	3.6	3	4
8'	64.2	4.1	3.6	4.6
9'	50.7	4.6	4	5.2
10'	41.1	5.1	4.4	5.8
12'	28.5	6.1	5.4	6.9

30° Vertical Plane

D	FC	L	W	CB
1'	1098	1	0.6	1.7
2'	274.5	2.1	1.2	3.5
3'	122	3.2	1.8	5.2
4'	68.6	4.3	2.6	6.9
5'	43.9	5.4	3.2	8.7
6'	30.5	6.5	3.8	10.4

Photometric tests are per IES measurement standards. Tests represent typical fixture performance. Field results may vary.

Photometry 6" Trims • 1200 Series • 80 CRI

Multiplier Table

CCT Option	2700 K	3000 K	3500 K	4000 K
CCT Multiplier	0.8863	1.0000	1.0136	1.0943

Table based upon testing with 3000°K color temperature, 80CRI.

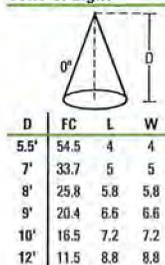
Multipliers may be used to determine relative lumen values with other color temperatures.

ML5612830-692SC

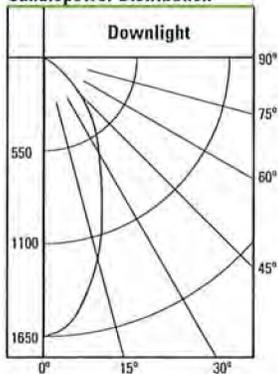
Test Number	P129860
Light Module	1200 Series, 80CRI
Trim	6" Aperture, Specular Clear Trim
Lumens	1541
Efficacy	89.1 Lm/W
SC	0.74



Cone of Light



Candlepower Distribution

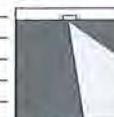


Zonal Lumen Summary

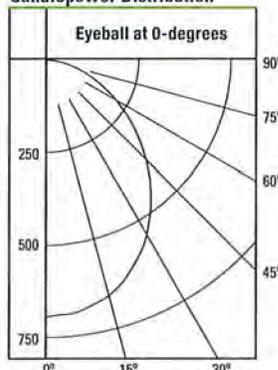
Zone	Lumens	%Fixture
0-30	860	55.8
0-40	1194	77.5
0-60	1521	98.7
0-90	1541	100
90-180	0	0
0-180	1541	100

ML5612830-694WB

Test Number	P129916
Light Module	1200 Series, 80CRI
Trim	6" Aperture, Directional Eyeball
Lumens	1654
Efficacy	95.6 Lm/W
SC	1.17



Candlepower Distribution



Zonal Lumen Summary

Zone	Lumens	%Fixture
0-30	521	31.5
0-40	828	50.1
0-60	1366	82.6
0-90	1654	100
90-180	0	0
0-180	1654	100

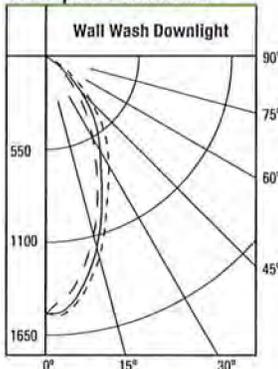
30° Horizontal Plane

D	FC	L	W	CB
5.5'	19.8	6.3	6.4	3.2
7'	12.2	8.1	8.2	4
8'	9.4	9.2	9.4	4.6
9'	7.4	10.5	10.6	5.2
10'	6	11.6	11.8	5.8
12'	4.2	13.9	14.2	6.9

30° Vertical Plane

D	FC	L	W	CB
1'	367.1	1.1	1.2	1.7
2'	91.8	2.2	2.6	3.5
3'	40.8	3.5	3.8	5.2
4'	22.9	4.7	5.2	6.9
5'	14.7	5.7	6.4	8.7
6'	10.2	6.9	7.8	10.4

Candlepower Distribution



ML5612830-695WW

Test Number	P129940
Light Module	1200 Series, 80CRI
Trim	6" Aperture, Wall Wash with Specular Clear Trim and Specular Clear Kick Reflector
Lumens	1506
Efficacy	87 Lm/W
SC	0.76



Zonal Lumen Summary

Zone	Lumens	%Fixture
0-30	821	54.5
0-40	1147	76.2
0-60	1473	97.8
0-90	1506	100
90-180	0	0
0-180	1506	100

Single Unit Footcandles

2.5' From Wall (Distance From Fixture Along Wall)

DD	●	1'	2'	3'	4'	5'	6'
1'	4.2	2.5	0.9	0.3	0.1	0	0
2'	18.3	13.1	5.6	1.7	0.5	0.1	0
3'	21.6	17	9.5	4.1	1.5	0.5	0.2
4'	16.6	14.2	9.6	5.3	2.5	1.1	0.5
5'	11.9	10.6	7.8	5.1	3	1.5	0.8
6'	8.5	7.7	6	4.3	2.9	1.7	1
7'	6.4	5.8	4.7	3.5	2.5	1.7	1.1
8'	4.8	4.4	3.7	2.9	2.1	1.5	1.1
9'	3.7	3.5	2.9	2.3	1.8	1.3	1
10'	2.9	2.7	2.4	1.9	1.5	1.2	0.9

Multiple Unit Footcandles

2.5' From Wall (Distance From Fixture Along Wall)

DD	--3'--		--4'--			
1'	4.5	3.1	4.5	4.3	1.8	4.3
2'	20	17.7	20	18.8	11.2	18.8
3'	25.7	26.2	25.7	23.2	19	23.2
4'	21.9	23.8	21.9	19.1	19.1	19.1
5'	16.9	18.3	16.9	14.8	15.6	14.8
6'	12.8	13.8	12.8	11.4	12.1	11.4
7'	9.9	10.5	9.9	8.9	9.4	8.9
8'	7.7	8.1	7.7	7	7.3	7
9'	6	6.4	6	5.5	5.8	5.5
10'	4.8	5.1	4.8	4.4	4.7	4.4

Legend

- 0-deg: --- Wall
- 90-deg: --- Side
- 180-deg: --- Room

Photometric tests are per IES measurement standards. Tests represent typical fixture performance. Field results may vary.

Photometry 6" Trims • 1200 Series • 80 CRI • NFL Lens

Multiplier Table

CCT Option	2700 K	3000 K	3500 K	4000 K
CCT Multiplier	0.888	1.000	1.014	1.094

Table based upon testing with 3000°K color temperature, 80CRI.

Multipliers may be used to determine relative lumen values with other color temperatures.

ML5612830-BFR56NFL-692H

Test Number	P130474
Light Module	1200 Series, 80CRI, NFL optic
Trim	6" Aperture, Haze Trim
Lumens	1543
Efficacy	89.2 Lm/W
SC	0.41

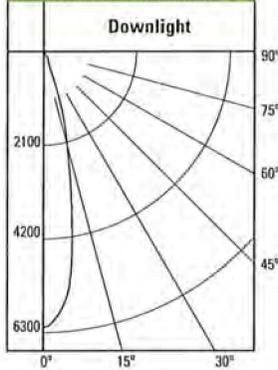


Cone of Light



D	FC	L	W
5.5'	204.4	2.2	2.2
7'	126.2	2.8	2.8
8'	96.6	3.2	3.2
9'	76.3	3.6	3.6
10'	61.8	4	4
12'	42.9	4.8	4.8

Candlepower Distribution

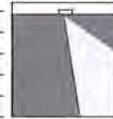


Zonal Lumen Summary

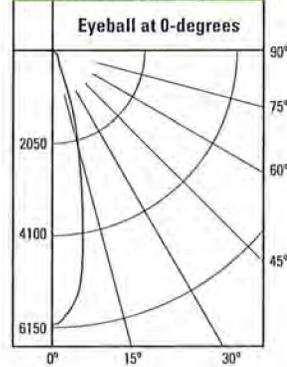
Zone	Lumens	%Fixture
0-30	1319	85.5
0-40	1457	94.4
0-60	1541	99.9
0-90	1543	100
90-180	0	0
0-180	1543	100

ML5612830-BFR56NFL-694WB

Test Number	P130538
Light Module	1200 Series, 80CRI, NFL optic
Trim	6" Aperture, Directional Eyeball
Lumens	1688
Efficacy	97.6 Lm/W
SC	0.41

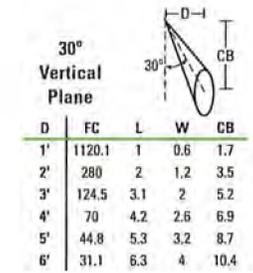
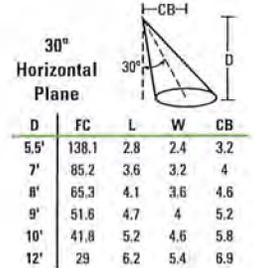


Candlepower Distribution



Zonal Lumen Summary

Zone	Lumens	%Fixture
0-30	1315	77.9
0-40	1456	86.2
0-60	1661	98.4
0-90	1688	100
90-180	0	0
0-180	1688	100



Photometric tests are per IES measurement standards. Tests represent typical fixture performance. Field results may vary.

# WAC LIGHTING

## Nest

### Outdoor Wall Sconce 3000K

Model & Size	Color Temp & CRI	Watt	LED Lumens	Delivered Lumens	Finish
WS-W26712 12"	3000K 90	8.5W	180	145	BZ Bronze

Example: **WS-W26712-BZ**

#### DESCRIPTION

A harmonious blend of arts and crafts. Nest is constructed with extruded aluminum louvers to create a dramatic pattern of illumination. The frame is solid die-cast aluminum with weather resistance and

#### FEATURES

- Extruded aluminum louvers create a dramatic pattern of light to generate interest
- Weather resistant powder coated finishes
- ACLED driverless technology
- 5 year warranty

#### SPECIFICATIONS

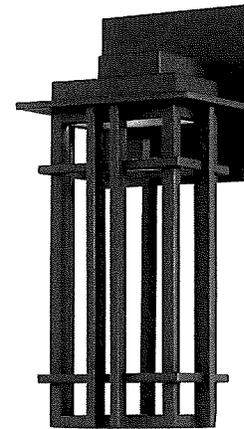
Color Temp:	3000K
Input:	120 VAC, 50/60Hz
CRI:	90
Dimming:	ELV: 100-10%
Rated Life:	54000 Hours
Standards:	ETL, cETL, IP65, Dark Sky Friendly Wet Location Listed
Construction:	Aluminum hardware with glass diffuser

Fixture Type: \_\_\_\_\_

Catalog Number: \_\_\_\_\_

Project: \_\_\_\_\_

Location: \_\_\_\_\_

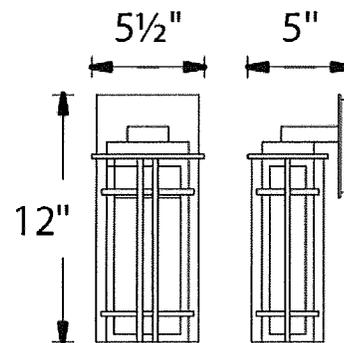


#### FINISHES



Bronze

#### LINE DRAWING



# WAC LIGHTING

## Nest

### Outdoor Wall Sconce 3000K

Model & Size	Color Temp & CRI	Watt	LED Lumens	Delivered Lumens	Finish
○ WS-W26716 16"	3000K 90	13W	280	210	○ BZ Bronze

Example: **WS-W26716-BZ**

#### DESCRIPTION

A harmonious blend of arts and crafts. Nest is constructed with extruded aluminum louvers to create a dramatic pattern of illumination. The frame is solid die-cast aluminum with weather resistance and

#### FEATURES

- Extruded aluminum louvers create a dramatic pattern of light to generate interest
- Weather resistant powder coated finishes
- ACLED driverless technology
- 5 year warranty

#### SPECIFICATIONS

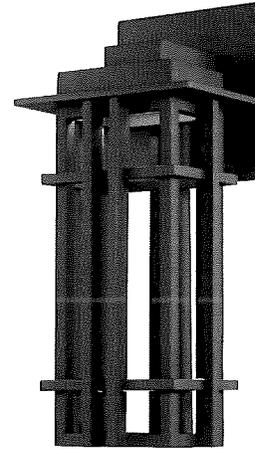
Color Temp:	3000K
Input:	120 VAC, 50/60Hz
CRI:	90
Dimming:	ELV: 100-10%
Rated Life:	54000 Hours
Standards:	ETL, cETL, IP65, Dark Sky Friendly Wet Location Listed
Construction:	Aluminum hardware with glass diffuser

Fixture Type: \_\_\_\_\_

Catalog Number: \_\_\_\_\_

Project: \_\_\_\_\_

Location: \_\_\_\_\_

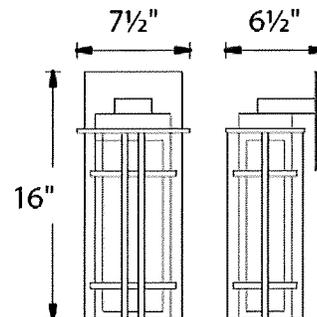


#### FINISHES



Bronze

#### LINE DRAWING





**CITY OF KUNA**  
**P.O. BOX 13**  
**KUNA, ID 83634**  
[www.kunacity.id.gov](http://www.kunacity.id.gov)

Paul A. Stevens, P.E.  
Kuna City Engineer  
208-287-1727

## DESIGN REVIEW MEMORANDUM

**Date:** 13 July 2020  
**From:** Paul A. Stevens, P.E.  
**To:** Wendy Howell, Planning and Zoning Director  
**RE:** 20-15-DR PATAGONIA POOL HOUSE

---

The Patagonia Pool House design review application dated 8 July 2020 has been reviewed. The following narrative is limited to the design review request. Items such as number of parking spaces, sufficiency of Handicapped facilities and landscaping are not a function of Public Works. Comments regarding landscaping, parking and associated facilities will be generated from the respective disciplines. The lot area as shown on the site plan is approximately 14,114 square feet (0.32) Acres. Approximately 3,015 square feet (21%) of the lot will contain the building, the balance of 11,099 (79%) square feet will contain parking and landscaping.

### 1. General

- a. Provide street lighting in accordance with City of Kuna code.
- b. All connections to City utilities (pressurized irrigation, sewer, water) shall adhere to the City of Kuna standards in effect at the time of construction.
- c. Coordinate connection to City utilities with the City of Kuna Public Works department.

### 2. On Site Stormwater Retention

- a. Provide stormwater retention system calculations to the City Engineer for approval if storm water is retained on site.

### 3. Irrigation

- a. Pressurized irrigation is included in the civil design package.
- b. Connection to potable water for irrigation is not allowed.
- c. Do not cross connect irrigation zones.

### 4. Sewer

- a. A sewer mainline of sufficient capacity is available to service this property.
- b. Commercial units require separate sewer services.

### 5. Water

- a. A water mainline of sufficient capacity has been extended to service this property.

- b. Commercial units require separate water services.
- c. The Kuna Fire Department shall review fire suppression capabilities of the facility and shall provide their requirements concerning fire hydrant location. All decisions by the KFD representative are final.



# KUNA

Planning & Zoning

July 15, 2020

**Celeste Valle**  
**Breckon Land Design**  
6661 N Glenwood Street  
Garden City, ID 83714  
cvalle@breckonld.com

### Completeness Letter

20-15-DR (Design Review) – Patagonia Pool House, E. Rio Chico Drive (APN: S1407427955)

Dear Celeste Valle:

The City of Kuna Planning and Zoning Department staff is in receipt of your application for a Design Review for the above referenced parcel located at E. Rio Chico Drive, future Lot 1 Block 18. The application as submitted is now deemed complete as of July 8, 2020.

The following application fees are now due for the requested land use actions:

#### **Planning and Zoning Department:**

Architectural Building Review: \$400 (base) + (\$10/1,000 Sq. Ft.) @ 853 Sq. Ft. = \$410.00

#### **Total Fees Now Due: \$410.00**

The following fees will be required when construction is completed and prior to issuance of the Certificate of Occupancy:

- Design Review Compliance Building Inspection Fee: \$150.00
- Design Review Compliance Landscaping Inspection Fee: \$150.00

A Design Review is designated in Kuna City Code 1-14-3 (KCC), as a public meeting with the Planning and Zoning Commission as the decision-making body. As a public meeting, this application does not require public notice as set forth in Idaho Code, Chapter 65, Idaho Local Land Use Planning Act.

Your application is *tentatively* scheduled for a public meeting with the Planning and Zoning Commission on **August 11, 2020 at 6:00 pm** in Council Chambers, or as soon after as it may be heard. Please plan on attending to answer any questions the Council may have regarding your application.

If you have any questions, feel free contact our office. Please reference case #20-15-DR in any future correspondence.

Respectfully,

Jessica Reid  
Kuna Planning & Zoning Department

Cc: Wendy Howell, City of Kuna, Director of Planning Services



City of Kuna  
 Planning & Zoning Department

City of Kuna  
 P.O. Box 13  
 Kuna, Idaho 83634  
 Phone: (208) 922-5274  
 Fax: (208) 922-5989  
 www.Kunacity.id.gov

## Agency Transmittal

July 28, 2020

Notice is hereby given by the City of Kuna the following actions are under consideration:

<b>FILE NUMBER:</b>	20-15-DR (Design Review) – Patagonia Pool House
<b>PROJECT DESCRIPTION</b>	Celeste Valle requests Design Review Approval for a pool house in the Patagonia Subdivision, future Lot 1, Block 18. (APN: S1407427955)
<b>SITE LOCATION</b>	Future Lot 1, Block 18, E Rio Chico Drive, Kuna, ID 83634.
<b>REPRESENTATIVE</b>	<i>Celeste Valle</i> Breckon Land Design 499 Main Street Boise, ID 83660 208.639.6407 <a href="mailto:cvalle@breckonld.com">cvalle@breckonld.com</a>
<b>SCHEDULED HEARING DATE</b>	Tuesday, <b>August 25, 2020.</b> 6:00 P.M.
<b>STAFF CONTACT</b>	Jessica Reid <a href="mailto:jreid@kunaid.gov">jreid@kunaid.gov</a> Phone: 922.5274 Fax: 922.5989

We have enclosed information to assist you with your consideration and response. ***No response within 15 business days will indicate you have no objection or comments for this project.*** We would appreciate any information as to how this action would affect the service(s) your agency provides. The hearing is scheduled to begin at 6:00 p.m. or as soon as it may be heard. Kuna City Hall is located at 751 W. 4<sup>th</sup> Street, Kuna, ID 83634. Please contact staff with questions. ***If your agency needs different plans or paper copies to review, notify our office know and we will send them. Please notify our office who future packets should be sent to, included their email as well.*** If your agency needs additional time for review, please let our office know ASAP.



**From:** [Chad Gordon](#)  
**To:** [Jessica Reid](#)  
**Subject:** Re: 20-15-DR (Design Review) Request for Comments  
**Date:** Tuesday, July 28, 2020 10:38:20 AM  
**Attachments:** [image002.png](#)

---

Yes, this is fine for a pool house to use carts.

Thanks,

On Tue, Jul 28, 2020 at 10:21 AM Jessica Reid <[jreid@kunaid.gov](mailto:jreid@kunaid.gov)> wrote:

Good Morning Chad,

I am still pretty new to this part of Planning & Zoning so I apologize that I did not have this to you sooner. Please review the attached site plan; the developer would like to use regular trash bins (carts) as their trash collection, is that acceptable?

Thanks so much!

*Jessica Reid*

Customer Service Specialist III

751 W 4<sup>th</sup> Street

Kuna, ID 83634

[jreid@kunaid.gov](mailto:jreid@kunaid.gov)

Ph: (208) 922-5274

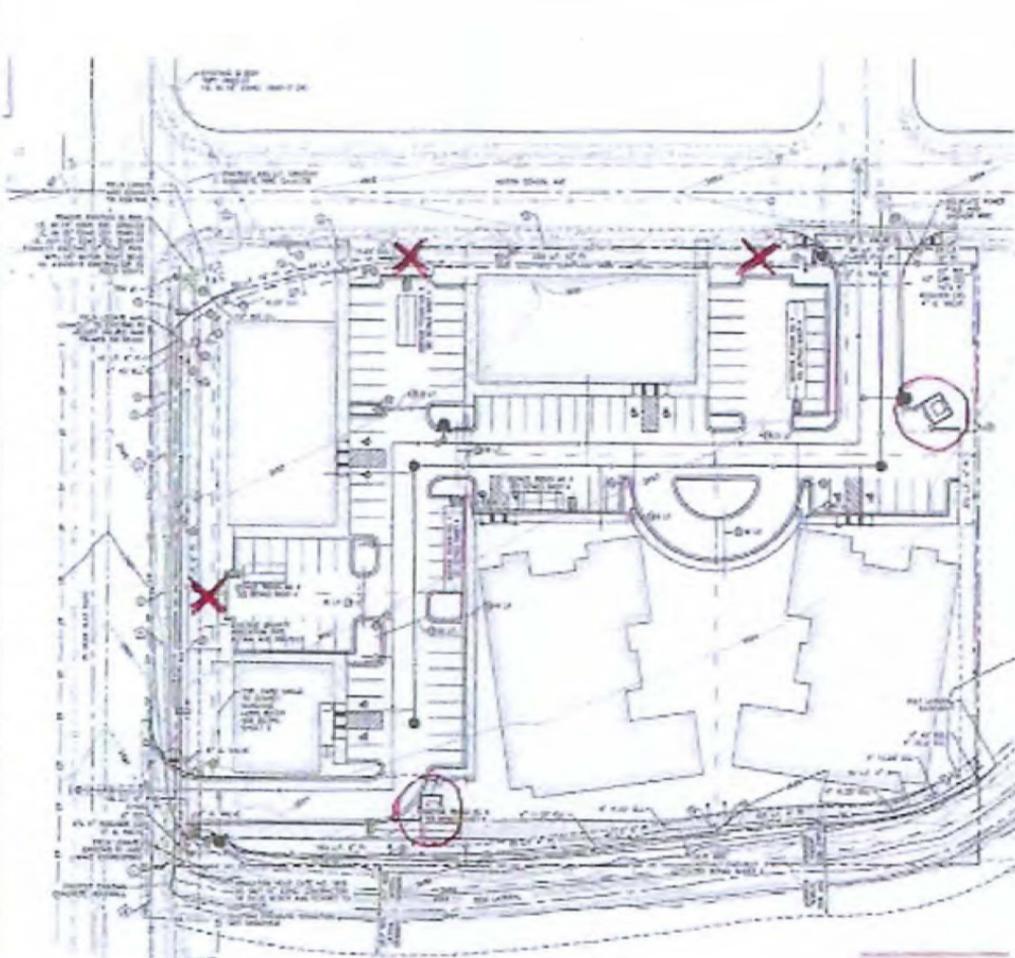
**KUNA**  
Planning & Zoning

--  
Chad J. Gordon



J&M Sanitation Inc.  
Office # (208) 922-3313  
Fax # (208) 922-4033  
Cell # (208) 941-6371  
E-mail : [chad.gordon@jmsanitation.com](mailto:chad.gordon@jmsanitation.com)

PROJECT NO. 100-100000000  
DATE: 10/10/2010





# City of Kuna

## Planning and Zoning Commission

### Staff Report

P.O. Box 13  
 Phone: (208) 922-5274  
 Fax: (208) 922-5989  
 www.Kunacity.id.gov

**To:** Planning and Zoning Commission

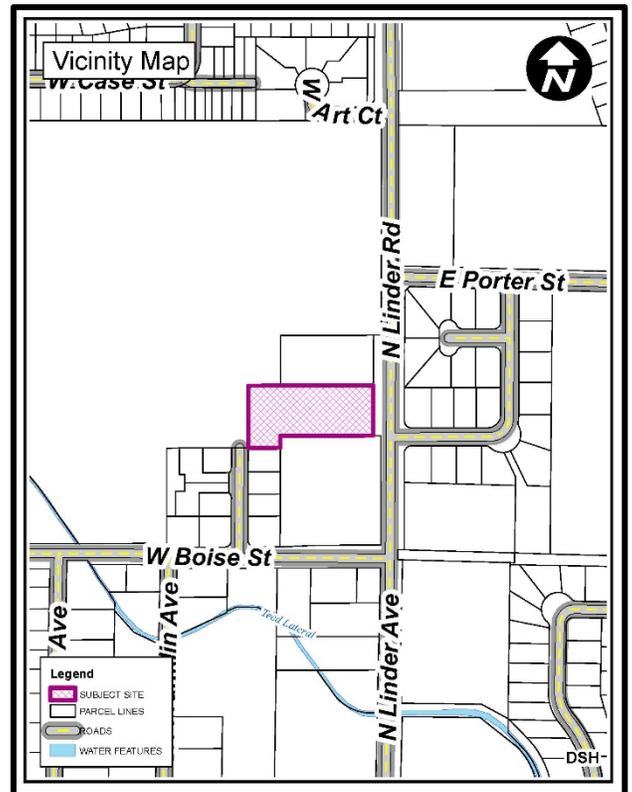
**Case Numbers:** 20-17-DR (Design Review);  
 20-08-SN (Sign) -  
**Kuna Dental Automated Monument Sign**

**Site Location:** 935 N Linder Road  
 Kuna, Idaho 83634

**Planner:** Doug Hanson, Planner I

**Meeting Date:** August 25, 2020

**Applicant:** **Apex Signs**  
 Craig Lunsford  
 PO Box 2002  
 Eagle, Idaho 83616  
 208.871.6103  
[apexsignsboise@gmail.com](mailto:apexsignsboise@gmail.com)



**Table of Contents:**

- A. Process and Noticing
- B. Applicants Request
- C. Site History
- D. General Project Facts
- E. Staff Analysis
- F. Applicable Standards
- G. Proposed Decision by the Commission

**A. Process and Noticing:**

Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that design reviews are designated as *public meetings*, with the Planning and Zoning Commission (acting as the Design Review Board) as the decision-making body. As a public meeting item, this action requires no formal noticing actions.

**B. Applicant’s Request:**

Apex Signs, request sign and design review approval for an approximately 100 square foot, freestanding, automated monument sign with illumination. The subject site is located at 935 N Linder Road, Kuna, ID 83634 (APN# S1323142310).

**C. Site History:**

This parcel is currently zoned C-3 (Service Commercial) within Kuna City Limits, it has been commercially zoned for over 25 years.

**D. General Projects Facts:**

**1. Surrounding Land Uses:**

<b>North</b>	C-3 CBD	Service Commercial – Kuna City Commercial Business District – Kuna City
<b>South</b>	R-20	High Density Residential – Kuna City

<b>East</b>	R-6	Medium Density Residential – Kuna City
<b>West</b>	CBD	Commercial Business District – Kuna City

2. **Parcel Sizes, Current Zoning, Parcel Numbers:**

<b>Property Owner</b>	<b>Parcel Size</b>	<b>Current Zone:</b>	<b>Parcel Number</b>
Croft Real Estate Investments LLC	1.363 acres	C-3 (Service Commercial)	S1323142310

3. **Existing Structures, Vegetation and Natural Features:**

The site has three existing structures. Vegetation is typical with that of a commercial office park. The site's topography is generally flat.

4. **Environmental Issues:**

Apart from being in the nitrate priority area, staff is not aware of any environmental issues, health or safety conflicts at this time.

E. **Staff Analysis:**

The applicant is proposing to construct a new onsite freestanding, automated monument sign with illumination for Kuna Dental. The monument sign stands approximately 15 feet high and 10 feet across at its widest point. The sign cabinet area is approximately 100 square feet.

Staff has determined the design review application complies with Kuna City Code, Title 5. Staff recommends if the proposed project is approved, the applicant be subject to the conditions of approval listed in section "G" of this report and any additional conditions requested by the Planning and Zoning Commission.

F. **Applicable Standards:**

1. City of Kuna Zoning Ordinance Title 5.
2. City of Kuna Comprehensive Plan.
3. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

G. **Proposed Order of Decision by the Commission:**

*Note: This motion is for the approval, conditional approval or denial of the design review application. However, if the Planning and Zoning Commission wishes to approve or deny specific parts of this request as detailed in the report, those changes must be specified.*

Based on the facts outlined in staff's report and public testimony as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby **approves/conditionally approves/denies** Case No's 20-17-DR (Design Review) and 20-08-SN (Sign), a request from Apex Signs for design review approval for a freestanding, automated monument sign with illumination, subject to the following conditions:

1. All signage on site shall comply with KCC 5-10.
2. Applicant shall obtain all appropriate building permits prior to construction (electrical permits are considered under this condition). All work shall be inspected by Kuna City Inspectors
3. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of approval by the Design Review Committee/Planning and Zoning Commission, or seek an amendment through the Design Review process.
4. Applicant must ensure that sign is no closer than 10' to Rights-of-Way
5. Applicant shall follow staff, City Engineer and other agency recommended requirements, as applicable.
6. Applicant shall comply with all local, state and federal laws.

**DATED** this 25<sup>th</sup> day of August, 2020.



*City of Kuna*  
Planning and Zoning Commission  
Proposed Findings of Fact and Conclusions of Law

P.O. Box 13  
Phone: (208) 922-5274  
Fax: (208) 922-5989  
[www.Kunacity.id.gov](http://www.Kunacity.id.gov)

Based upon the record contained in Case No's 20-17-DR & 20-08-SN including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, the Kuna Commission hereby *approves/conditionally approves/denies* the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 20-17-DR & 20-08-SN, a design review request from Apex Signs for a freestanding, automated monument sign with illumination for Kuna Dental.

1. Based on the evidence contained in Case No's 20-17-DR & 20-08-SN, this proposal **does/does not** generally comply with the City Code.

**Staff Finding:** *The applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with the design requirements listed in Kuna City Code Title 5.*

2. The contents of the proposed design Review application **does/does not** contain all of the necessary requirements as listed in Kuna City Code 5-4-9: - Design Review Application Required.

**Staff Finding:** *Review by Staff and the Commission of the proposed Design Review confirms all applicable requirements listed in KCC 5-4-9 were provided.*

3. The proposed project **does/does not** generally conform to the Kuna Architecture Guidelines.

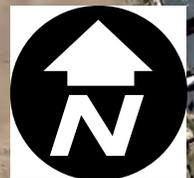
**Staff Finding:** *The applicant proposes to construct a monument sign that stands approximately fifteen (15) feet high and ten (10) feet across at its widest point. The sign cabinet area is approximately 100 square feet. The applicant has proposed to construct the sign out of materials and colors that are consistent with Kuna Architecture Design Guidelines.*

**DATED** this 25<sup>th</sup> day of August, 2020.

# Aerial Map

W Case St

W Art Ct



N Linder Rd

E Porter St



W Boise St

m Ave

W Klin Ave

Teed Lateral

N Linder Ave

**Legend**

-  SUBJECT SITE
-  ROADS
-  WATER FEATURES

DSH



# City of Kuna SIGN PERMIT APPLICATION

City of Kuna  
P.O. Box 13  
Kuna, Idaho 83634

Phone: (208) 922-5274  
Fax: (208) 922-5989  
Web: www.kunacity.id.gov

**SUBMITTAL FEE: \$30**

## SUBMIT

- ✓ Completed & signed Sign Permit application.
- ✓ Detailed letter by applicant describing the request/project
- ✓ Copy of the dimension and location of existing sign (s). Include picture of both wall signs and free standing signs.
- ✓ Copy of the dimension and location of proposed signs including:
- ✓ Complete text to appear on sign (business name, log, sub-titles, etc) including size & lettering style
- ✓ Overall sign dimensions (including base, wall area, background area)
- ✓ Construction materials
- ✓ Sign and lettering color (s) – include color samples or paint chips
- ✓ Copy of building elevations, including wall dimensions & exact, scaled location of sign on building (for wall signs)
- ✓ Copy of site plan showing property lines & any adjacent sidewalks, rights of way from center of streets, landscaping, screening and exact, scaled location of sign on property. (for free standing sign)

Parcel #: \_\_\_\_\_ Zone \_\_\_\_\_

Site Address: 935 N. LINDER RD.

Applicant's Name: CRAIG LUNSFORD Phone: 208-871-6103

Applicant's Address: PO Box 2002 City: EAGLE Zip: 83616

Contact's Email: APEX SIGNS BOISE @ GMAIL.COM RCE# 23494

Note: The following information must be completed in entirety. For additional signs, please attach information to application

SIGN #1	PROPOSED _____	EXISTING <input checked="" type="checkbox"/>	OFF PREMISES _____	ON PREMISE _____
Type of Sign:	Freestanding <input checked="" type="checkbox"/>	Wall _____	Ground Monument <input checked="" type="checkbox"/>	
Sign Dimensions:	Length _____	Width _____	Square Feet <u>64</u>	
Building Lineal Foot (space of which is occupied by enterprise) _____				

SIGN #2	PROPOSED <input checked="" type="checkbox"/>	EXISTING _____	OFF PREMISES _____	ON PREMISE _____
Type of Sign:	Freestanding <input checked="" type="checkbox"/>	Wall _____	Ground Monument _____	
Sign Dimensions:	Length <u>10'</u>	Width <u>6'-10"</u>	Square Feet <u>88</u>	
Building Lineal Foot (space of which is occupied by enterprise) <u>93'</u> <u>EMC 3'x6'</u>				

**Note:** Once plans have been checked and approved for issuance the applicant **MUST** pick up the building permit within **30 days** or the plans will be destroyed. Per IBC 2015/IRC 2012 regulations, work must commence or resume within 180 days or permit is invalid. Building Official may grant time extensions prior to expiration

Applicant's Signature: L. C. LFL Date: 6.30.20

\*\*\*\*\*OFFICE USE ONLY\*\*\*\*\*

BP #	SITE ADDRESS	Planning & Zoning Approval and Date
FILE #		/



July 7, 2020

The City of Kuna Planning and Zoning

751 W 4th St.

Kuna, ID 83634

RE: Kuna Dental

To Whom it May Concern:

APEX Sign Company on behalf of Kuna Dental, is seeking sign permits for the manufacturing of a double-sided pylon with an EMC (Electronic Message Center) at 935 Linder Rd, Kuna, ID 83634.

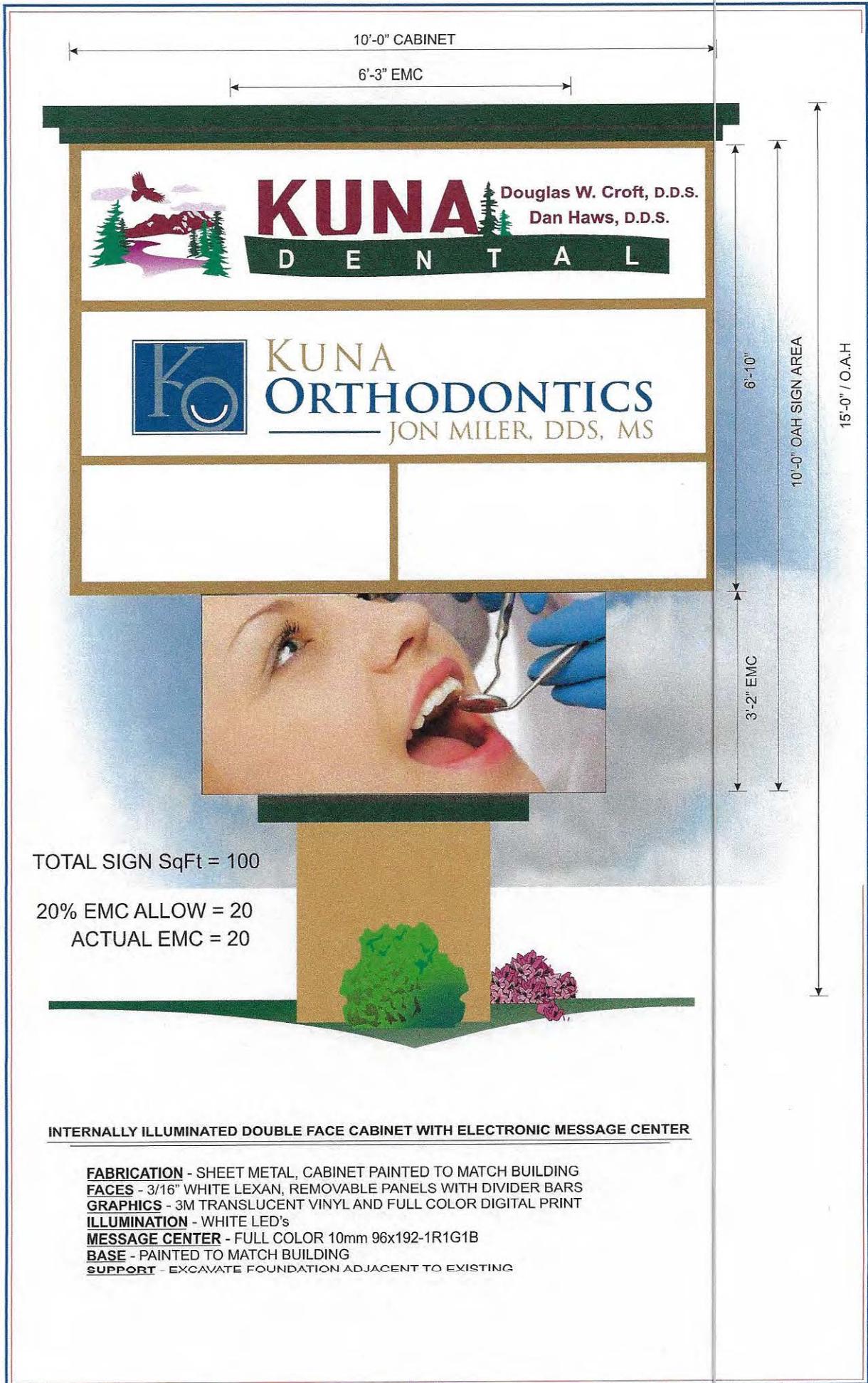
Respectfully,

A handwritten signature in black ink, appearing to read "Craig Lunsford", written in a cursive style.

Craig Lunsford <><

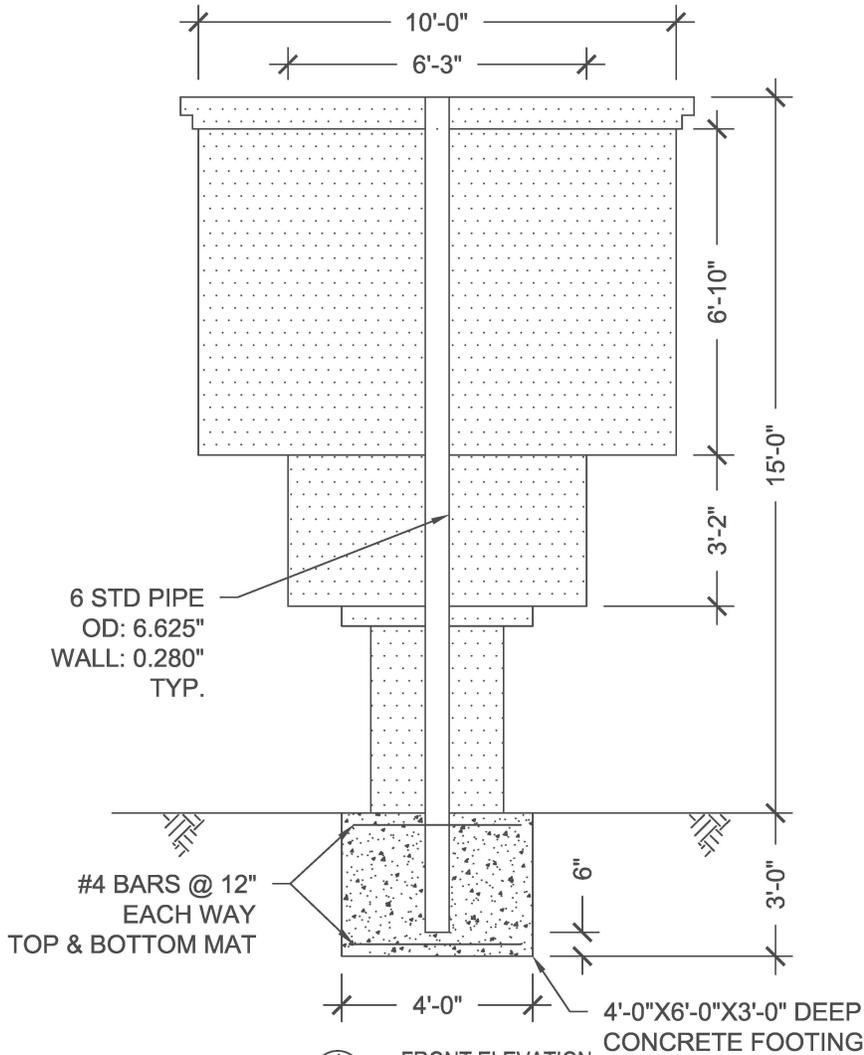
APEX Sign Company

President



PROJECT: KUNA DENTAL - 935 LINDER RD., KUNA, ID  
 PROJECT #: 26617  
 CLIENT: AIM SIGN

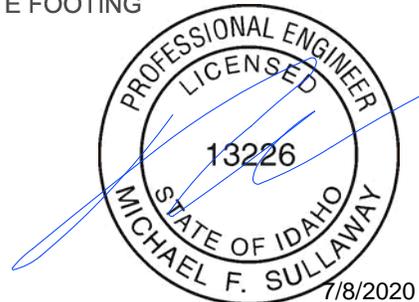
DATE: 7/6/2020  
 ENGINEER: DL  
 LAST REVISED:



**GENERAL NOTES**

1. DESIGN CODE: IBC 2015
2. DESIGN LOADS: ASCE 7-10
3. WIND VELOCITY: 115 MPH EXPOSURE C
4. CONCRETE 2500 PSI MIN.
5. PIPE STEEL ASTM A53, Fy= 35 KSI MIN.
6. REINFORCING BAR (REBAR) STEEL ASTM A615 GR. 60 KSI
7. PROVIDE 3" CONCRETE COVER MIN. FOR REBAR
8. PROVIDE PROTECTION AGAINST DISSIMILAR METALS USING ANTI-CORROSIVE PAINT OR NEOPRENE GASKETS
9. VERTICAL SOIL BEARING PER IBC CLASS 4 (2000 PSF)
10. ALL EXISTING ELEMENTS AND DIMENSIONS TO BE VERIFIED IN FIELD.
11. ALL DIMENSIONS TO BE VERIFIED PRIOR TO FABRICATION.

① FRONT ELEVATION





10815 Rancho Bernardo RD., SD, CA 92127  
 projectmanager@sullawayeng.com  
 Phone: 858-312-5150 Fax: 858-777-3534

PROJECT: KUNA DENTAL  
 PROJ. NO.: 26617  
 CLIENT: AIM SIGN

DATE: 7/6/20  
 ENGINEER: DL

v5.3

units; pounds, feet unless noted otherwise

**Applied Wind Loads; from ASCE 7-10**

$F = q_z * G * C_f * A_f$  with  $q_z = 0.00256 K_z K_{zt} K_d V^2$  (29.3.2 & 29.4)  
 $C_f = 1.743$  (Fig. 29.4-1) max. height= 15  
 $K_{zt} = 1.0$  (26.8.2) (=1.0 unless unusual landscape)  
 $K_z =$  from table 28.3-1 Exposure= c  
 $K_d = 0.85$  for signs (table 26.6-1)  
 $V = 115$  mph  
 $G = 0.85$  (26.9) weight= 0.822 kips  
 $s/h = 0.456$   $M_{DL} = 0.00$  k-ft  
 $B/s = 1.46$

Pole Loads	structure component	height at section c.g.	$K_z$	$q_z$	pressure $q_z * G * C_f$	$A_f$	shear	Wind Moment $M_w$	
	1	2.0	0.85	24.5	36.2	10.9	395	773	
	2	4.125133333	0.85	24.5	36.2	1.7	60	249	
	3	5.9	0.85	24.5	36.2	19.8	717	4245	
	4	10.9	0.85	24.5	36.2	42.7	1548	16897	
	5	14.7	0.85	24.5	36.2	7.2	260	3809	
	6	15.0	0.85	24.5	36.2	0.0	0	3	
sums:						82.2	2980	25.98	( $M_w$ ) k-ft arm= 8.7
				$P_u = 0.99$ kip			$M = 25.98$ k-ft	$M = \text{sqrt}(M_{DL}^2 + M_w^2)$	
				$M_u = \text{sqrt}(1.2M_{DL}^2 + 1.0M_w^2) = 25.98$ k-ft					

**Pole Design section; pipe**

$M_u \leq \phi M_n$  with  $M_n = f_y Z$   $f_y = 35$  ksi  $\phi = 0.9$

H	$M_u$ (k-ft)	Z req'd. (in)	Size(in)	t (in)	Z	USE:
at grade	25.98	10	6	0.28	11	6 STD PIPE, $\phi M_n = 27.8$ k-ft

PROJECT: KUNA DENTAL  
 PROJ. NO.: 26617  
 CLIENT: AIM SIGN

 DATE: 7/7/20  
 ENGINEER: DL

Version 3.0 building code; IBC 2015 **Longitude Direction** units; pounds, feet unless noted otherwise

applied shear at grade  $v = 1.86$  kip = unfactored load 2.98 k (LRFD)

applied moment at grade  $m = 16.2$  kip-ft = unfactored load 25.98 k-ft (LRFD)

depth of soil above footing  $h_s = 0$  ft

allowable soil bearing  $p = 2.7$  ksf

(use a factor of 1.33 for wind or seismic)

### Spread Footing Design

moment  $m = 21.8$  k-ft  
 Footing size (ft)  $b = 4.00$   $L = 6.0$   $h = 3.00$   $S = 24.0$   
 Footing Weight = 10.8 k signage weight = 0.8 k soil 0.00 total = 11.62  
 Overturning;  $M_c = 34.87$   $M_c > 1.5M$  1.5975 ok  
 soil pressure; max = 1.726 ksf ok  
 forces on concrete pad;  $V = 11.3$  k  $V_r = 18.03$  k (=1.6V)  
 $M = 16.90$  k-ft  $M_r = 27.04$  k-ft

#### Check Slab;

$\phi = 0.9$   $f_y = 60$  ksi  $f_c = 2.5$  ksi 150 lbs/ft<sup>3</sup>  
 Flexure  $A_s = 0.25$   $d = 32.0$  in  
 $\phi M_n = \phi A_s f_y (d - a/2) = 431$  k-in = 35.92 k-ft  $M_r < \phi M_n$  ok  
 $a = A_s f_y / 0.85 f_c b = 0.147$  in

**Check minimum**  $A_{smin} = 2\sqrt{f_c} b d / f_y = 3.84$   $200 b d / f_y = 5.12$  or  $1.333 A_s = 0.33$  in<sup>2</sup>

**Use  $A_s = 0.33$  in<sup>2</sup>**

short direction  $\gamma_s = 2 / (\beta + 1) = 0.8$  with  $\beta = 1.5$  short direction;  $\gamma A_s = 0.27$  in<sup>2</sup>

**USE #4@12" EACH WAY**

Shear;  $\phi V_n = \phi 2\sqrt{f_c} b d$   $\phi V_c = 115.2$   $\phi = 0.75$   $V_r < \phi V_n$  ok

#### Top Slab

Assume half of footing is in uplift

weight = 5.40 kip arm = 1.5 ft  
 $M = 8.10$  k-ft  $M_r = 9.7$  k-ft

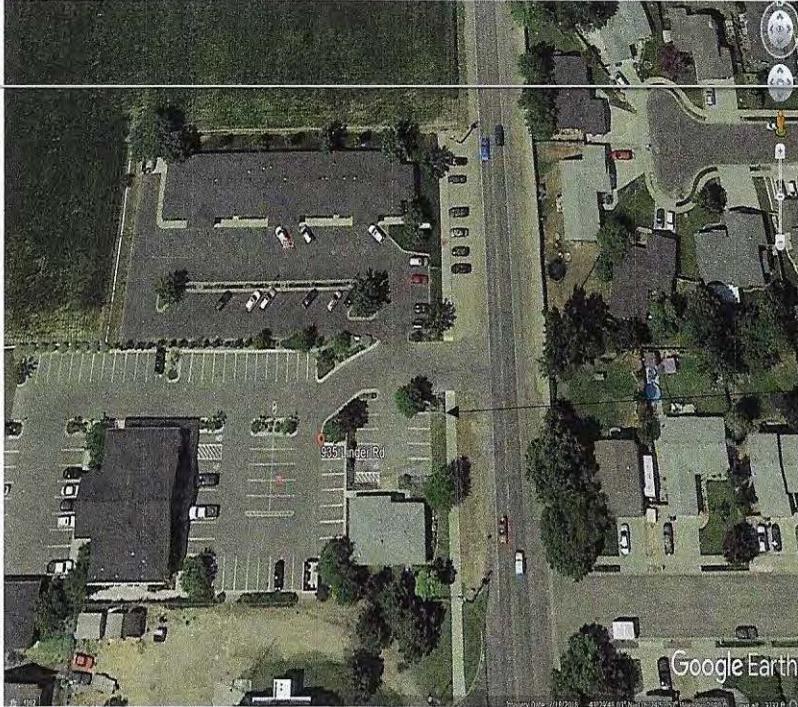
Flexure  $A_s = 0.25$   
 $\phi M_n = \phi A_s f_y (d - a/2) = 431$  k-in = 35.9 k-ft  $M_r < \phi M_n$  ok  
 $a = A_s f_y / 0.85 f_c b = 0.098$  in

**Check minimum**  $A_{smin} = 2\sqrt{f_c} b d / f_y = 5.76$   $200 b d / f_y = 7.68$  or  $1.333 A_s = 0.333$  in<sup>2</sup>

**Use  $A_s = 0.33$  in<sup>2</sup>**

short direction  $\gamma_s = 2 / (\beta + 1) = 0.8$  with  $\beta = 1.5$  short direction;  $\gamma A_s = 0.27$  in<sup>2</sup>

**USE #4@12" EACH WAY**



Monument  
display



APEX Sign Company  
PO Box 2002  
Eagle, ID 83616

**PROJECT**  
Kuna Dental

**LOCATION**  
935 N. Linder Rd.  
Kuna, Dental



City of Kuna  
P.O. Box 13  
Kuna, Idaho 83634

Phone: (208) 922-5274  
Fax: (208) 922-5989  
Web: www.kunacity.id.gov

# City of Kuna AFFIDAVIT OF LEGAL INTEREST

State of Idaho )

) ss

County of Ada )

I, Douglas Croft 935 N. Linder Rd. Kuna, ID 83634  
Name Address

City 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 Apex Sign Company P.O. Box 2002, Eagle, ID 83616  
to submit the accompanying application pertaining to that property. Name Address

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 25<sup>th</sup> day of June, 2020

Signature [Handwritten Signature]

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

[Handwritten Signature]  
Notary Public for Idaho

Residing at: Kuna

My commission expires: 05-27-2026

**ANDREA MURAKAMI**  
Notary Public - State of Idaho  
Commission Number 20201965  
My Commission Expires 05-27-2026

# Vicinity Map



W Case St

W Art Ct

E Porter St

N Linder Rd

W Boise St

Ave

Lin Ave

N Linder Ave

Teed Lateral

DSH

## Legend

 SUBJECT SITE

 PARCEL LINES

 ROADS

 WATER FEATURES