



KUNA PLANNING AND ZONING COMMISSION
Agenda for June 13, 2017

Kuna City Hall ■ Council Chambers ■ 751 W. 4th St. ■ Kuna, Idaho

1. CALL TO ORDER AND ROLL CALL

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

2. CONSENT AGENDA

- a) Planning and Zoning Commission meeting minutes for May 23, 2017.
- b) **17-01-SUP** (Special Use Permit) – Patricia Downum; Kuna Kave Kids -*Findings of Fact and Conclusions of Law*
- c) **17-02-S** (Subdivision) – Sailer Shores Meadows Subdivision #2 – *Findings of Fact and Conclusions of Law*
- d) **13-04-SUP** (Special Use Permit *modification*) – Falcon Ridge Public Charter School: Special Use Permit Modification -*Findings of Fact and Conclusions of Law*
- e) **17-02-ZC** (Rezone) – Darius Elison, One Call Restoration -*Findings of Fact and Conclusions of Law*

3. NEW BUSINESS

- a) **17-08-DR** (Design Review) – BRS Architects representing Dan Todd; Smoky Mountain Pizzeria Grill: Applicant requests Design Review approval from the Planning and Zoning Commission (acting as Design Review Committee) for a 4,064-square foot commercial building to house a new Smoky Mountain Pizzeria Grill restaurant, and accompanying landscaping and parking lot on Lot 2, Block 1 within the Ensign Commercial subdivision.

4. PUBLIC HEARING

- a) **16-04-S** (Subdivision) and **16-19-DRC** (Subdivision Design Review) - On behalf of Troost Family Living Trust, Jaylen Walker with AllTerra Consulting (applicant) requests approval for a preliminary plat over approximately 4.70 acres of land, currently zoned R-12 (High Density Residential). The applicant proposes to subdivide the parcel into nine buildable lots and one common lot in preparation for a multi-family project. The site is located near the northeast corner (NEC) of Deer Flat Road and School Avenue. **-This action is to re-open the public hearing from March 14, 2017, due to public noticing infraction.**
- b) **17-01-ZOA** (Zoning Ordinance Amendment) - An ordinance of the Kuna, Idaho, amending Title 5, Chapter 1, Section 6, Part 2 titled Meanings of Terms and Words by deleting the reference book titled, "Illustrated Book of Development Definitions" and replacing it with "A Planners Dictionary", the remaining text of Part 2 shall remain unchanged; amending Title 5, Chapter 3, Section 3 to provide that the minimum street frontage per lot is a recommendation that can be modified by the Planning and Zoning Director and modifying the height in M-1 and M-2 Zones to 100 feet and striking M-3 Zone from the table; deleting Title 6, Chapter 5, Section 4 in its entirety; providing for a severability clause; and providing an effective date.

5. COMMISSION DISCUSSION AND REPORTS

6. ADJOURNMENT

**CITY OF KUNA
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**MEETING MINUTES
Tuesday, May 23, 2017**

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	Absent
Commissioner Dana Hennis	Absent	Troy Behunin, Senior Planner	X
Commissioner Cathy Gealy	X	Trevor Kesner, Planner II	X
Commissioner Stephen Damron	X	Jace Hellman, Planner I	X
Commissioner John Laraway	Absent		

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

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

Call to Order and Roll Call

1. CONSENT AGENDA

- a) Planning and Zoning Commission meeting minutes for May 23, 2017.

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

2. NEW BUSINESS

- a) **17-01-SUP** (Special Use Permit) – Patricia Downum, Kuna Kave Kids: The applicant is seeking SUP approval for a Childcare Center use at 763 W. Avalon in Kuna, Idaho.

Patricia Downum: My name is Patty Downum, I am the owner of Kuna Kave Kids Day Care. I established it in 2003 at home and then we moved just down here on 4th where we purchased an old house that we turned into a center. We would like to expand to a new building over in the old city hall on Avalon. We have so many kids coming into the city and everyone is full and we have people saying can't you take them and we can't we are full, and they are hearing that from all the daycares. It would bring more jobs here locally, so if I moved there I would be hiring ten just to start, new employees. **C/Young:** Okay, any questions for the applicant as this point? **C/Gealy:** I just had one quick question, at least in the report it said you would be open Monday through Friday? **Patricia Downum:** Correct. **C/Gealy:** 6am to 6pm, do you anticipate being open on the weekends or later in the evening? **Patricia Downum:** Nope. **C/Young:** Okay, thank you. Then, Trevor come on up. **Trevor Kesner:** Chairman Young, Commissioners, the applicant Patty Downum you just heard from is the owner of Kuna Kaves Kids daycare center, as she stated and as reflected in the staff report they propose to operate a child care center within the existing commercial building located at 763 W Avalon, obviously, that's the old city hall its 1.292 acres. The subject site is fully improved with sidewalks abutting the site. It has a paved parking area with handicap stalls and appropriate drainage facilities. The applicant proposes to care for more than 36 children at any one time, I don't know what the threshold is, I would imagine that is probably just the occupancy of the building, so we will probably have to defer to her for how many kids she anticipates serving. The applicant has submitted all of the necessary childcare licensing documents from health and welfare. She is already with Central District Health Department on Site. I had a conservation with Kuna fire district. Obviously, a certificate of occupancy exists for the building already, however some modifications for safety will need to be made for

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childcare center requirements. The applicant will permit with the city to make any of those recommended modifications for tenant improvement, as suggested by the Central District Health Department, Kuna Fire District, or our building department, either or. Property owners were notified within 300 feet about this, and staff did not receive any responses, the city engineer didn't really have any site recommendations for required improvements and ACHD has no frontage requirements, it is likely the applicant will not be subject to any additional impact fees, because I was told that those were based on the size of the structure and since that's not increasing, I don't see how additional impact fees would be necessary, but ACHD is the authority on that, so we will defer to them. Planning and Zoning concludes that it complies with Chapter 3, Title 5 of Kuna City Code for childcare centers and zoning regulations. The project provides for certain goals and policies within Kuna's Comprehensive Plan as noted in the staff report. Staff forwards a recommendation of approval to the Commission with the conditions as stated and any additional conditions you may see as necessary for the child care center. With that, I will stand for questions. **C/Damron:** Does staff has any concerns for the affluent of water, I am not sure what is rated for when it went it, but I am sure that is going to raise it up. **Trevor Kesner:** The affluent? **C/Damron:** Yeah for the toilets and the water system. **Trevor Kesner:** The city engineer would likely make a recommendation on an increased cost for equivalent dwelling units for the site. I would imagine that the city engineer when we sent out agency requests for comments. I don't know that the amount of toilet flushing going on is going to be significantly increased. There are no new bathroom facilities proposed, but I don't have any comments from the city engineer of an Increased EDU Charge for that. **C/Gealy:** Do you have any information on outside play area, where it would be? **Trevor Kesner:** The applicant has indicated that the existing backyard, which is also utilized, somewhat utilized by an additional tenant in the building for some storage and loading and unloading facilities back there. She has stated that she is going to install a vinyl fence around that play area so it would be completely screened, and completely enclosed from the adjacent uses. I believe that is in the staff report in the site plan that was submitted. If it is not we can certainly ask the applicant to verify that that is the plan. **C/Gealy:** I have no other questions. **C/Young:** Okay, then we will go ahead and open up the public testimony at 6:13 PM and I don't see anybody up to testify, I do have one signed in favor but not to testify, is there anybody who would like to testify that is not signed in? seeing none I will go ahead and close public testimony at 6:14, which then brings up our discussion and for me I don't know that I have any concerns, I think that the site is great, accessible from two different streets. **C/Damron:** I don't see anything. **C/Young:** Covered entryway, I don't know how much more you would want for a daycare. Any other thoughts. **C/Gealy:** If the applicant could approach again, I am curious about where you plan to have your outside area. **Patricia Downum:** I have diagram that I'll show. So, this is where you enter and there is a gate here. ****Inaudible** C/Gealy:** and then you would have access. **Patricia Downum: **Inaudible** C/Gealy:** Okay, Thank you. **C/Young:** Okay thank you. Anything else?

Commissioner Gealy motions to approve Case No. 17-01-SUP (Special Use Permit) for Kuna Kave Kids Daycare with the conditions outlined in the staff report and testimony; Commissioner Damron Seconds, all aye and motion carried 3-0.

- b) **17-02-S** (Subdivision) and **17-06-DR** (Design Review) – Sailer Shores Meadows Subdivision #2: A preliminary plat and design review request from Thomas Maile to subdivide an approximately 1.78-acre site in an existing R-6 zone into eight (8) residential building lots and three (3) common lots. The site is located approximately 600 feet south of the intersection of Kuna Road and South Sailer Place, addressed as 245 S. Sailer Place, Kuna, Idaho.

Thomas Maile: Good evening Chairman Young and other Commissioners of P&Z my name is Tom Maile I reside at 885 W Rush Road in Eagle and I was one of the principals involved in the Sailer Shores Meadows #1 which adjoins the current project. I think you packet probably includes the site development plan

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drafted by B&A engineering showing the lot configuration, the road layout. I think it speaks rather well for the city of Kuna, the first phase we had 26 lots so we had five either under construction and or sold and the demand has been very high and it speaks well for the city of Kuna and the location we are at just off of sailer place. We have been using Hayden Homes Subsidiary Simplicity Homes and I think they make a very good product, I don't know if any of you have seen the new construction in sailer shores meadows but we have been very pleased with their construction, the quality of their work and of course the demand is very high. We anticipate the same sort of approach on sailer shores meadows 2 and of course we will work in conjunction with the city engineer and the planning staff to make sure we have all of our eyes and crossed out T's. So, we are looking forward to doing phase two. If you have any questions, it is still early in the evening, I think I can answer them. **C/Young:** any questions for the applicant at this time. **C/Gealy:** I have no questions at this time. **C/Damron:** None at this time. **C/Young:** Okay. **Trevor Kesner:** Chairman Young and Commissioners Trevor Kesner, Planning Staff 751 W 4th Street. The application before you tonight seeks preliminary plat approval for the sailer shores meadows subdivision preliminary plat. As stated in the staff report, the applicant proposes 8 single family home lots and 3 common lots which consists of approximately 8.6% of the 1.78-acre site. The development will provide improvements and connections to the existing improvements constructed for the first sailer shores meadows development on sailer place. Sailer Shores Meadows #2 will be built in a single phase. The applicant has submitted all of the required documents for this preliminary plat, and design review request and the subject site is already zoned R-6 which is appropriate for the development. Property owners within 300 feet of the site were mailed notice of tonight's hearing on April 21st and the site posting was placed to reflect tonight's hearing date on April 27th. The hearing notification was also published in Kuna, Melba News on April 26th and the City Engineer has provided recommendations for any modifications to the submitted construction plans. Based on staff's review of the application, staff concludes that the application complies with title 6 of Kuna City Code and provides for a number of goals and objectives for private property rights, land use, transportation and connectivity, housing and community design within Kuna's Comprehensive Plan. Staff forwards a recommendation of approval to the Commission with the conditions as stated in the staff report and any additional conditions you deem necessary. With that, I will stand for any questions. **C/Young:** Okay any questions for staff. **C/Gealy:** I have no questions. **C/Damron:** I do have one for Trevor, I was looking at the aerial view of that, and Ada County said that they have to maintain the irrigation ditches around the property. I couldn't see any on the aerial for the downstream water rights. Are there irrigation ditches on that parcel? **Trevor Kesner:** If there are, I don't know if there are or there aren't, delivery could not be impeded, so if there are any ditches so they will either have to be piped or tiled, but I haven't seen the civil plans for grading or drainage. **C/Damron:** Thanks. **C/Young:** Any other questions for staff? **Trevor Kesner:** Thank you. **C/Young:** Okay thank you. Then I will open up the public testimony at 6:22 and I see Mr. Maile has testified, is there anybody else who has not testified who would like to testify for this application? Okay seeing none, I will close the testimony at 6:24 and that brings up our discussion, any thoughts? **C/Gealy:** Seems pretty straight forward. **C/Young:** It seems connect, and consistent with everything going in there. **C/Damron:** I would like to know if there are irrigation ditches how he plans to, if he is going to tile them and if it is going to be open ditches what the safety for...**C/Young:** Yeah, would the applicant please come forward. **Thomas Maile:** Yes there maybe one drainage ditch that has historically run parallel within ten feet of south sailer place on the properties side and historically that has flooded a portion of the field, but it also goes off to the east, excuse me to the south in a concrete box so conceivably we are going to go in with pipping, maybe an 8 inch or 10-inch pipe

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to handle that waste water that has come across historically on to the property. Then it is gathered in a concrete culvert and dispersed to the west on the property that's not owned by us. I think we will be able to handle what the city engineer is saying and make sure that's accommodated. **C/Damron:** None of those ditches drain down to further properties for water rights for. **Thomas Maile:** No, its waste water, it comes into the property. Any water rights affected by waste water, from what I understand that waste water has gone into Indian Creek to the south. So, if there is any continued waste water it will probably drain in the same area. I don't know if Journey's End is handling the concept of how to get rid of their waste water on their land, I am sure they will. I think we can address it and deal with it, it is not a major issue.

Commissioner Gealy motions to approve Case No. 17-06-DR (Design Review) for Sailer Shores Subdivision #2 with the conditions outlined in the staff report and testimony; Commissioner Damron Seconds, all aye and motion carried 3-0.

Commissioner Gealy motions to recommend approval to City Council Case No. 17-02-S (Subdivision) for Sailer Shores Subdivision #2 with the conditions outlined in the staff report and testimony; Commissioner Damron Seconds, all aye and motion carried 3-0.

- c) **13-04-SUP** modification (Special Use Permit) and **17-04-DR** (Design Review) – Falcon Ridge Public Charter School: A Special Use Permit Modification and Design Review request from Design West Architects, representing the Falcon Ridge Public Charter School to construct a 5,220 square feet (SF) addition to their existing building. The site is located at 278 South Ten Mile Road, Kuna, Idaho (APN#: R5070252300).

Jim Main: Jim Main, 414 SW Sailer Kuna, Idaho. Mr. Chairman, members of the commission first of all I would like to thank the staff for the work they have done on this and helping us to get to this point. Falcon Ridge Public Charter School is requesting approval of the SUP modification for additions to the school and the design review the additions as well. We have a rendering of the building on the screen. The construction materials will be identical to the existing construction and materials on the current school. The building itself will consist of two additions, one to the Northwest and one to the southeast and these additions are program specific additions. So, we've got a designated eating area, a designated music classroom a designated science classroom and a teacher lounge. So, the additions to the project will not add any student load, or any additional teachers. There should be no impact to the sewer or water on the site. The additions are also interior to the site, so the only impacted area should be immediately adjacent to where the additions are. We have met with staff, we have gone over this and had a couple meetings together and I have read the conditions of their approval and as it stands currently we are in agreement with their recommendations and I would be glad to answer any questions. **C/Young:** Okay, are there any questions for the applicant? **C/Damron:** Do you guys have an existing water retention on site now? **Jim Main:** Yes there is water retention for drainage on site. **C/Damron:** Okay that's all I had then. **C/Gealy:** I have no questions. **C/Young:** Thank you and we will have staff come up. **Jace Hellman:** Chairman, commissioners for the record my name is Jace Hellman, Planner I for the City of Kuna 751 W 4th ST. Before we begin, between Thursday and tonight's meeting we met with the applicant to clarify a few minor items, that were of cause for concern for them in the staff report, mostly pertaining to the conditions of approval laid out in the staff report, which are marked in red. So, this version of the staff report will be used for the basis of your decision, not the original that is in your packet. The application before you tonight seeks

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amendment or Modification to the original Special Use Permit and a new Design Review in order to construct two additions totaling 5,220 square feet to their existing building located at 278 South Ten Mile Road. The site is zoned C-2, and has been the home for Falcon Ridge Public Charter School for many years. It was granted the current special use permit in 2013. The applicant is proposing two additions totaling approximately 5,230 additional SQ FT to the existing approximately 20,380 SQ FT building. The applicant indicated that even with these additions, the school will remain a K-8 facility. There will be no increase in student capacity, faculty, traffic etc. The additions will add a dedicated science classroom, music classroom and eating area so that these functions do not have to take place in the regular classrooms. The site is currently zoned Area Commercial District (C-2) and these proposed additions require a modification or amendment of the Special Use Permit that was granted, as well as a Design Review for the new additions to the building. Staff has determined that this application complies with Title 5 of Kuna City Code; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No.'s 13-04-SUP & 17-04-DR, subject to the recommended conditions of approval. One last note, curb and gutter for the site, was recommended originally in 2013, but never required in the original conditions of approval for this SUP. ACHD has issued comments for the project and will not require curb and gutter. The planning and zoning department will follow the road authorities lead and not require installation of curb and gutter at this time. Based on research by the applicant, there is also a financial factor, in which if curb and gutter is a requirement, this project could become financially harmful to the applicant. I will now stand for any questions. **C/Young:** Okay are there any questions for staff. **C/Gealy:** I have no questions. **C/Damron:** I have no questions. **C/Young:** Thank you. I will go ahead and open up the public testimony at 6:31 and I have listed Carl Able, if you would come forward and state your name and address for the record. **Carl Able:** Good evening sirs and mam. 2284 N Starhawk Ave. I am in favor of this from the stand point of this city is in need of it as far as we are pushing for STEM, Science Technology and the fact that they are getting their own science room is a huge plus, I've had three of my kids in this school for the last three years and I can't tell you how much this school has done so I am totally in favor of this. Thank you. **C/Young:** Okay thank you very much. Next I have listed Mark Green. **Mark Green:** Commissioners, Mark Green, 931 E Pine Ave, Meridian Idaho 83642. I am the Charter administrator for Falcon Ridge Charter and Obviously, I am in favor, but I just wanted to make myself available for any questions if you have any. **C/Gealy:** Thank you. **C/Young:** Okay, any questions? No? Thank you. Next I have listed is Erica Kallin. **Eric Kallin:** 929 S Jump Rope Place. I am the chair women of the falcon ridge charter school board. I wanted to come in and kind of give you an idea of what our school is and why it is important to us. We are a school of choice, which means that parents apply for their children to attend our school, but unlike the rest of the Kuna schools we don't benefit from the school levy's. All of our funding comes from the state, so we have to be very fiscally responsible in order to do things like an expansion, when we first put our school together and built our school, we did the best we could with the money we had, but we knew that it wasn't going to be enough. We have a wonderful music program, our music director put it together beauty and the beast and it was wonderful. We have a great science program, we have started pushing STEM and future city in our school. Right now, our kids eat in the gym that where they have to eat, so they have to tear it down every day so that the kids can still use the gym for the gym purposes. This really gives the kids an opportunity to excel. We pride ourselves on being an anti-bullying school and we pride ourselves on our students pushing our students to break that glass ceiling and to accomplish and achieve more and we pride ourselves on our students being the pride of Kuna. So, this is something that will allow our students to continue to get the best education possible and to really make the city proud. I will stand for questions

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if you have any. **C/Young:** Okay is there anybody who is not signed up that would like to testify on this application. Is there anything the applicant would like to add to what anybody has said, if not then...**Jim Main:** one that I may, regarding the curb and gutter that was recommended for the project, as it stands that you've heard that the school is not funded the way that the public schools are funded. They have to go out and procure loans for this and right now they are working through Zion's Bank and the USDA to procure the Funding for this and therefore they have to pay it back. They can't just pass a bond, and you and I would basically just have our taxes pay for it. The curb and gutter, it is kind of a snowball effect. Right now, Ada County does not know if they are going to put in a roundabout at that location. The last project we dedicated 48 feet of right of way to ACHD for future improvement. To install curb and gutter, it is kind of funny because ACHD is not requiring curb and gutter, the City Engineer kind of recommended curb and gutter, so if the city recommends it. Then ACHD says now that's its recommended by the city you are going to have to follow our guidelines, which means not only curb and gutter, it's a 48-foot section of road way Avalon and Ten Mile, its drainage systems, and it is also moving overhead powerlines. So, we have done some quick numbers, and this is right around a million-dollar project for Falcon Ridge. The improvements that would be required by requiring curb and gutter would come in around at 300 to 400 thousand dollars, so at that point it would basically kill the project and with that I would be glad to answer any questions. **C/Young:** Okay. **C/Damron:** No questions. **C/Young:** okay thank you. Then I will go ahead and close the public testimony at 6:37. So, that brings up our discussion. **C/Damron:** Looking at it, it doesn't increase they footprint very much, they are using the existing inlets just at the end of that building so I don't see any issues. **C/Gealy:** yeah it looks straightforward. **C/Young:** the modifications to the elevations along the design review side. All the finishes match. There are not large expansions, I don't see any issues there either. **C/Damron:** I like the façade of the building matches the rest of the building, I am pretty happy with that.

Commissioner Gealy motions to approve Case No. 13-04-SUP (special Use Permit) modification and 17-04-DR (Design Review) for Falcon Ridge Public Charter School with the conditions outlined in the staff report and testimony; Commissioner Damron Seconds, all aye and motion carried 3-0.

- d) **17-02-ZC** (Rezone) – Darius Elison, One Call Restoration: A request to rezone a parcel's current R-6 (Medium-Density Residential) zoning designation to a C-2 (Area Commercial District) zoning designation. The site is located at 315 East Avalon St., Kuna, Idaho (APN#: R9442000081).

Darius Elison: Darius Elison 11381 Gila Drive in Kuna and we are just trying to take that lot that has been sitting empty and make that apart of the city and rezone it to commercial use. It is just sad, it is such a beautiful lot and it has just been a weed farm for years. Ever since they took down that little shop down there. So, that's what we are trying to do. **C/Young:** What kind of restoration do you do? **Darius Elison:** Water, flood, fire. It will be 8 to 5 Monday through Friday. We are just going to put a shop with an office out front, we are going to put sidewalk through, as recommended by ACHD as well as asphalt the entry. We are going to use everything else existing on the lot. We are going to go with planning and zoning to figure out the exact location of the building but we just want to get a somewhere out front and use the back property for future use. Probably build something else later on. **C/Gealy:** would you anticipate storing any property that might belong to a customer on your property? **Darius Elison:** possibly, yes. So,

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the first building we are going to build is just going to be our shop and warehouse. There is going to be a section for O-zone, for treatment for people's content with fire damage, so in that case we store in on site. But very little of it, it is usually just for the treatment and once it goes through treatment and we are waiting for the house to be rebuilt, during the building process they will be stored somewhere else.

C/Gealy: So, it wouldn't be long term storage. **Darius Elison:** No. Very short term, while their stuff goes through the treatment process is all. **C/Gealy:** Would be stored then in trailers outside? **Darius Elison:** We bring it into the trailer and we bring it into the shop and we will have a O-Zone room setup, where its contained and has the right air situation going on and we bring it in there, and we treat it and get the smell off and we take it either back to the house to their Onsite storage at their place or another storage facility that will be for long term that we keep it in. **C/Young:** Do any of your processes create any fumes or large amounts of particulates, or odors or anything like that. **Darius Elison:** No, the only thing we are doing on site is just O-Zone treatment, everything else is done at the home or business that we are working on. The O-Zone is literally not going to affect anything. It smells like copper penny when you're in the room and it will make you a little woozy, but that's we put proper ventilation in there and it's a pretty simple process. Right now, it's a good opportunity. Right now, there's not a restoration company located in Kuna, we try and hire locally, our kids go to local schools and we are growing. We are the fastest growing restoration company in the state, and we are going to be the first company that is master certified we are going to be, as of next march, we are going to be the first and only company, closest to Portland, who has a certified carpet inspector. We do everything the right way so, we are proud of our business. This will be our second location so we are excited to get it open. **C/Young:** Okay are there any other questions for the applicant at this time, alright thank you. **Jace Hellman:** Chairman, commissioners for the record my name is Jace Hellman, Planner I for the City of Kuna 751 W 4th ST. The application before you tonight is seeking a rezone from R-6 to C-2. As reflected in the staff report, the applicant is proposing a zone change in hopes of eventually building an office and a shop, for their business on the approximately 0.97-acre lot located at 315 East Avalon Street. The site is identified as Medium-Density residential on Kuna's Comprehensive Plan Future Land Use Map. The Comprehensive Plan is a living document and Staff views this proposed land use request, although it does not match the approved Comprehensive Plan Future Land Use Map Designation, to be compatible and consistent with adjacent uses and zoning designations. The rezone to a commercial use also aligns with the vision for downtown as described in the Kuna Downtown Revitalization Plan. The applicant's intention is to remove the existing storage shed and build a new shop and office for his business. The described land use falls under the category of "shop for a building contractor", which is outright permitted under the applicants requested zoning designation of C-2 (Area Commercial District). Staff has determined that the applicant has submitted all the necessary document, and this application complies with Kuna City Code, specifically Title 5; and fits the current adjacent commercial zoning designations. Staff recommends a recommendation of approval from the commission for Case # 17-02-ZC, subject to the recommended conditions of approval listed in Section 'L' of the Staff report. I will now stand for any questions. **C/Young:** Okay any questions for staff? **C/Gealy:** I do have one question and that's in respect to the green belt, I have not been back there so I don't know, but is there sufficient space between this property and the creek for a green belt path down there. **Jace Hellman:** I have not been back there yet, maybe the applicant could explain. **Darius Elison:** The green belt already goes through there. The property line ends and then there's about 10 FT of weeds and then it hits the green belt, they just planted all those trees, it's about 100 feet from the actual creek. **C/Gealy:** That's the way it looks. From the map, here it looks like there is plenty of space. But, I would expect that there would

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be no public access through this property to the green belt. Public access would than occur, I would expect along the roads. **Jace Hellman:** yes, I would assume along the roads, or at a further distance down, I don't think they grant a public access easement through the property. **C/Gealy:** It's probably not a good idea. **C/Damron:** No questions. **C/Young:** Thank you. Then I will go ahead and open the public testimony at 6:46 and seeing no one else in the room I will go ahead and close it at 6:47, and that brings up our end. **C/Gealy:** It seems appropriate to me, the rezone seems appropriate, given the neighborhood and the location of the property. **C/Young:** I agree.

Commissioner Damron motions to recommend approval Case No. 17-02-ZC (Rezone) for Darius Elison, One Call Restoration with the conditions outlined in the staff report and testimony; Commissioner Gealy Seconds, all aye and motion carried 3-0.

3. COMMISSION DISCUSSION AND REPORTS

4. ADJOURNMENT

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

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

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



City of Kuna

P.O. Box 13
Kuna, ID 83634
Phone: (208) 922-5274
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Finding of Fact and Conclusions of Law

To: Planning and Zoning Commission

Case Number: 17-01-SUP (Special Use Permit)
for a Child Care Center

Site Location: 763 W. Avalon St.
Kuna, ID 83634

Planner: Trevor Kesner, Planner II

Hearing Date: May 23, 2017

Findings: June 13, 2014

Applicant: Patricia Downum
139 W. 4th St.
Kuna, ID 83634
(208) 869-5906
Kavekeeper1@yahoo.com

Owner: Tim Gordon
1206 N. Black Cat Rd.
Kuna, ID 83634

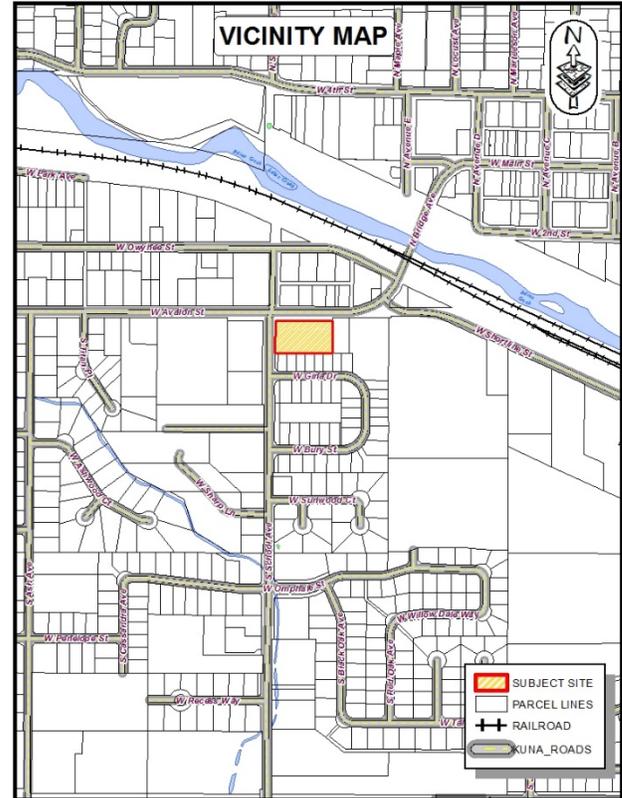


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- A. Course Proceedings
- B. General Facts, Staff Analysis
- C. Agency Responses
- D. Applicable Standards
- E. Comprehensive Plan Analysis
- F. Factual Findings
- G. Conclusions of Law
- H. Decision by the Commission

A. Course of Proceedings

1. The applicant is proposing to operate a Childcare Center within an existing commercial building located at 763 W. Avalon Street. In accordance with Titles 5-3 and 5-6 (Zoning Districts and Definitions) of Kuna City Code (KCC); this use requires approval of a Special Use Permit (SUP).
2. In accordance with KCC Title 5, Chapters 3 and 6, the applicant seeks approval of a Special Use Permit (SUP) for a Childcare Center at the subject site for more than thirty-six (36) children at any one time, on a regularly scheduled basis.

B. General Project Facts and Staff Analysis:

1. **Request:** The applicant is seeking SUP approval for Childcare Center use at 763 W. Avalon in Kuna to provide additional choices for parents who seek child care facilities which suit their child/children's needs.
2. **Noticing:** The applicant has submitted all necessary documents and materials for review and has held the appropriate neighborhood meeting and posted the site in accordance with KCC posting requirements. The Planning and Zoning public hearing is scheduled for May 23, 2017.

3. **Background:** The applicant is proposing to move and operate an existing Childcare Center business (Kuna Kave Kids) at the subject site. The Childcare Center hours of operation will be Monday through Friday from approximately 6:00 am until 6:00 pm with some variation for special circumstances. The applicant proposes to provide care for children age newborn to 11 years old. The applicant proposes a maximum number of 8-10 employees working on site at any one time. A Childcare Center use in the C-2 zone requires an SUP to operate this type of business.
4. **Legal Description:** A warranty deed with the legal description were included with the application documents.
5. **Comprehensive Plan Designation:** The Future Land Use map approved by the Kuna City Council identifies this site as Area Business District (C-2); used for general business, shopping centers and related uses with access to a collector thoroughfare. In accordance with KCC 5-3-2, staff views this Childcare Center SUP request to be consistent with the Future Land Use map.

6. **Land Use:**

Direction	Current Zoning	
North	C-1/R-6	Neighborhood Business District/Medium Density Residential – Kuna City
South	R-8	High Density Residential – Kuna City
East	C-2	Area Business District – Kuna City
West	M-1	Light Manufacturing District – Kuna City

6.1 **Aerial Map:**



6.2 **Parcel Number:** APN: S1326120716

6.3 **Parcel Sizes and Current Zoning:**

Zoning: C-2 (Area Business District)

Parcel Size: 1.292-acre parcel; approximately 45,000 square feet.

6.4 Services:

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

6.5 Existing Structures, Vegetation and Natural Features: There is currently a fully improved commercial structure on the subject site, estimated to be approximately 9,746 square feet. Vegetation on site consists of landscaping generally associated with a commercial office building in a ‘C-2’ zoning designation. The topography of the site is generally flat and drainage of non-permeable surfaces are accommodated for and fully contained on site.

6.6 Transportation / Connectivity: Road frontage is on W. Avalon Street and S. School Avenue. The subject site is fully improved with sidewalks and approved commercial driveway approaches. A dedicated bike lane is located along the north side of W. Avalon, and marked crosswalks are located at the intersection of W. Avalon and S. School Avenue.

6.7 Public Services, Utilities and Facilities: Notifications were sent out to all applicable government agencies for this land use action application and the public was invited to attend.

a. Notifications

- | | |
|----------------------------|----------------|
| i. Agencies | April 18, 2017 |
| ii. 300’ Property Owners | April 21, 2017 |
| iii. Kuna, Melba Newspaper | April 26, 2017 |
| iv. Site Posted | May 13, 2017 |

C. Partner Agency Comments: The following agencies returned comments, which are included as exhibits with this case file:

- | | |
|--|---------------|
| a. Nampa Meridian Irrigation District (NMID) | - Exhibit B.1 |
| b. Central District Health Department (CDHD) | - Exhibit B.2 |
| c. Idaho Department of Environmental Quality (DEQ) | - Exhibit B.3 |
| d. Ada County Highway District (ACHD) | - Exhibit B.4 |

D. Applicable Standards:

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

E. Comprehensive Plan Analysis:

The Planning and Zoning Commission may accept the Comprehensive Plan components as described below.

1. The proposed Special Use Permit for this site is consistent with the following Comprehensive Plan components:

GOALS AND POLICIES – Property Rights

Goal 1: Ensure that the City of Kuna land use policies, restrictions, conditions and fees do not violate private property rights. Establish an orderly, consistent review process for the City of Kuna to evaluate whether proposed actions may result in private property “takings”.

Policy 1: As part of a land use action review, the staff shall evaluate with guidance from the City's attorney; The Idaho Attorney General's established six criterions to determine the potential for property taking.

GOALS AND POLICIES – Economic Development

Goal 1: Promote and support a diverse and sustainable economy that will allow more Kuna residents to work in their community.

Policy 1.3: The City will develop a policy to provide incentives and/or assistance in order to competitively attract firms.

GOALS AND POLICIES – Land Use

Goal 2: Encourage a balance of land uses to ensure that Kuna remains a desirable, stable, and self-sufficient community.

Objective 2.2: Plan for areas designed to accommodate a diverse range of businesses and commercial activity, within both the community-scale and neighborhood-scale centers; to strengthen the local economy and to provide more opportunities for social interaction.

Policy 2.3: Retail and residential land uses should be appropriately mixed and balanced with professional offices and service facilities to provide residents with a broader mix of services within walking distance from their homes.

F. Findings of Fact:

1. All required procedural items have been completed as shown in the staff report.
2. The proposed Childcare Center complies with Section 6.0 of Kuna's Comprehensive Plan.
3. Public services are available, installed and are adequate to accommodate the site's proposed special use.
4. The proposed Special Use Permit will not be detrimental to the public's health, safety and general welfare.
5. The site is zoned C-2 and is appropriate for use as a Childcare Center by obtaining Special Use Permit approval.
6. The project description, staff analysis and findings of fact are correct.

G. Conclusions of Law:

1. The Childcare Center use is consistent with Kuna City Code.
2. The Childcare Center use meets the general objectives of Kuna's Comprehensive Plan.
3. The site is physically suitable for a Childcare Center use.
4. The Childcare Center use is unlikely to cause environmental damage or avoidable injury to wildlife or their habitat.
5. The Childcare Center use is unlikely to cause adverse public health problems.
6. The Childcare Center use is in compliance with all other ordinances and laws of the City.
7. The Childcare Center use is not detrimental to the present and potential surrounding uses; or, 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.
8. The existing street and utility services in proximity to and serving the site are suitable and adequate for Childcare Center purposes.
9. Based on the evidence contained in Case #17-01-SUP, this proposal complies with Sections 5-3 and 5-6 of Kuna City Code.
10. Based on the evidence contained in Case #17-01-SUP, this proposal complies with Section 6.0 of the Kuna Comprehensive Plan and the Comprehensive Future Land Use Map.

11. The Planning and Zoning Commission of Kuna, Idaho, has the authority to approve this SUP application. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

H. Decision by the Commission:

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

Conditions of approval:

1. As requested by the applicant, the Childcare Center facility is allowed to be open Monday through Friday from 6:00 am until 6:00 pm, Monday through Friday, with some variation to accommodate any special circumstances.
2. Signs, banners, flags or other means to attract attention onsite are allowed in accordance with KCC 5-10-4. A permit must be obtained prior to installing any new or modifying any existing signage.
3. In the event the uses or the buildings on this parcel are enlarged, expanded or altered in anyway (even for a temporary purpose), the applicant shall seek an amendment to the approvals of this SUP through the public hearing process.
4. The applicant shall install safety locks on all doors and cabinets where chemicals are stored.
5. Fire extinguishers and smoke detectors shall be installed according to Kuna Fire Chief instructions, ICC 2012 standards, and in accordance with Title 9, Chapter 1 of Kuna City Code.
6. Comply with all State, City, Central Health District and Fire District standards, as recommended.
7. This SUP is valid as long as the conditions of approval are adhered to continuously. In the event the conditions are not continuously followed; the SUP may be revoked by the planning and zoning commission.
8. Applicant shall ensure that fencing around the outside play areas is in safe condition and has a gate that locks on at least one side of the structure and is accessible from a side yard.
10. The Special Use Permit shall follow the proposed intent provided on the SUP application and divest when the applicant no longer operates a Childcare Center on the property and/or has any interest in the property or the business is discontinued for more than one (1) year. The applicant is obligated to advise the City of any changes in ownership or leasing agreements which would affect business operations.
11. The applicant shall provide the City with a copy of the Childcare License from the State of Idaho within 30 days after approval and signing of the City's Findings of Fact, Conclusions of Law for the SUP or the approvals will divest.
12. The applicant shall maintain a Kuna City Business License through the Kuna City Clerk's office once the Special Use Permit is acquired; the Fire District, Building Inspector and Central District Health Department must perform their necessary inspections for final sign-off, if not already submitted.
13. Meet all staff and agency requirements and recommendations.

DATED this 13th day of June, 2017

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Trevor Kesner, Planner II
Kuna Planning and Zoning Department



City of Kuna

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

P&Z Findings of Fact and Conclusions of Law

To: Kuna Planning and Zoning Commission

Case Number: 17-02-S and 17-06-DR:
Sailor Shores Meadows
Subdivision #2

Location: 600 feet south of the corner
of S. Sailor Place and Kuna
Road, Kuna, Idaho 83634

Planner: Trevor Kesner, Planner II

Hearing Date: May 23, 2017

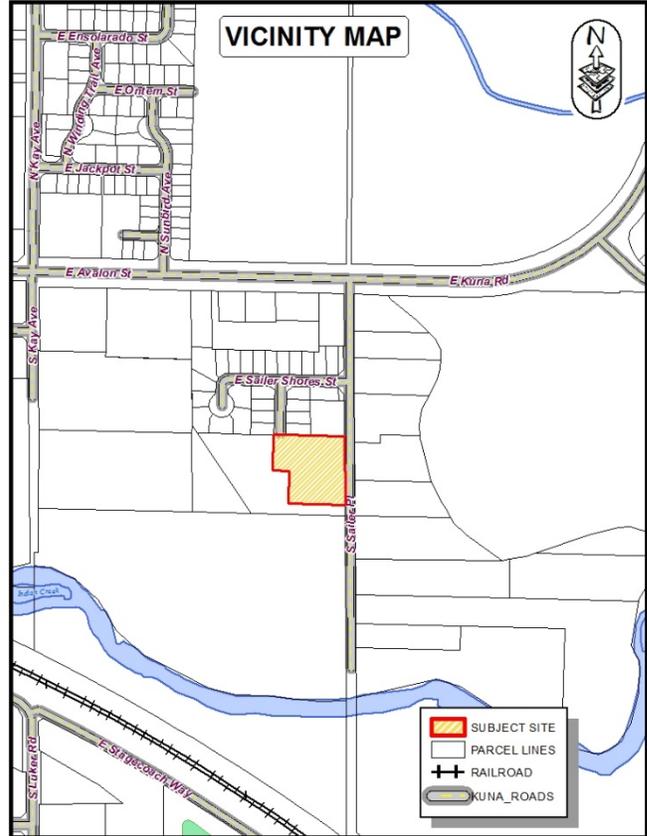
Findings: June 13, 2017

Applicants: Thomas Maile
885 W. Rush Road
Eagle, Idaho 83616
208.284.5506

Project Engineer: B&A Engineers
Joe Canning
5505 W. Franklin Rd.
Boise, Idaho 83705
208.343.3381

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- A. Course Proceedings
- B. General Facts, Staff Analysis
- C. Applicable Standards
- D. Comprehensive Plan Analysis
- E. Findings of Fact
- F. Conclusions of Law
- G. Decision by the Commission



A. Course of Proceedings

1. Proposing a Preliminary Plat for a residential subdivision is designated in Kuna City Code (KCC), 1-14-3 as a public hearing matter, with the Planning and Zoning Commission as the recommending body, and City Council as the decision-making body; and a Design Review for subdivision common area landscaping is designated as a public meeting, with the Planning and Zoning Commission (acting as Design Review Committee) as the decision-making body. These land use requests provided proper public notice and followed the requirements set forth in Idaho Code, Chapter 65-Local Land Use Planning Act.

a. Notifications

- | | |
|----------------------------|----------------|
| i. Agencies | April 18, 2017 |
| ii. 300' Property Owners | April 21, 2017 |
| iii. Kuna, Melba Newspaper | April 26, 2017 |
| iv. Site Posted | April 27, 2017 |

2. In accordance with KCC Title 6 in Kuna City Code (KCC) this application seeks approval for a Preliminary Plat (residential subdivision), known as Sailor Shores Meadows Subdivision #2.

B. General Project Facts, Staff Analysis:

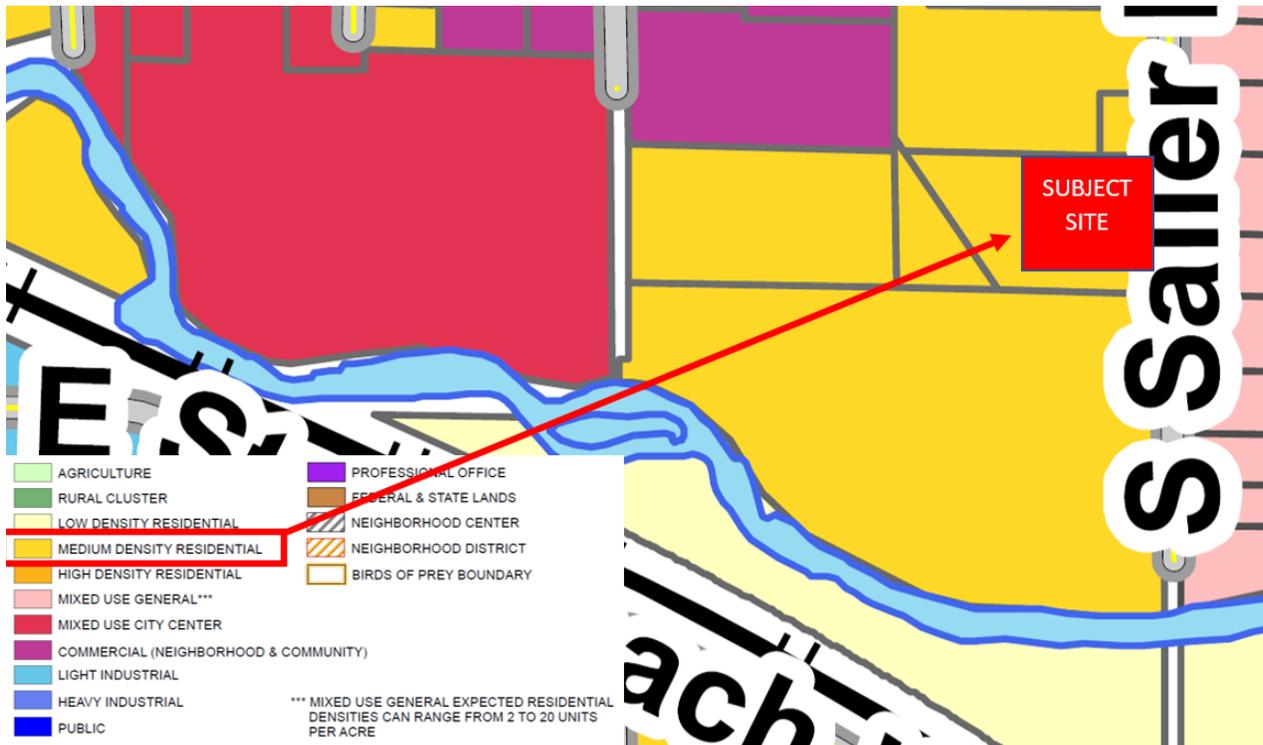
1. **Request:** A preliminary plat and design review request from Thomas Maile to subdivide an approximately 1.78-acre parcel within an existing R-6 zone into eight (8) residential building lots and three (3) common lots. The subject site is located approximately 600 feet south of the intersection of Kuna Road and Sailer Place, and is addressed as 245 S. Sailer Place, Kuna, Idaho

2. The applicant has submitted all the necessary documents and materials for review and has held the appropriate neighborhood meeting (two attendees) and has posted the site in accordance with KCC 5-1A-8 posting requirements.

3. **History:** The subject site has historically been used for agricultural-related uses (pasture).

4. **Legal Description:** A legal description was included with the application documents (deed).

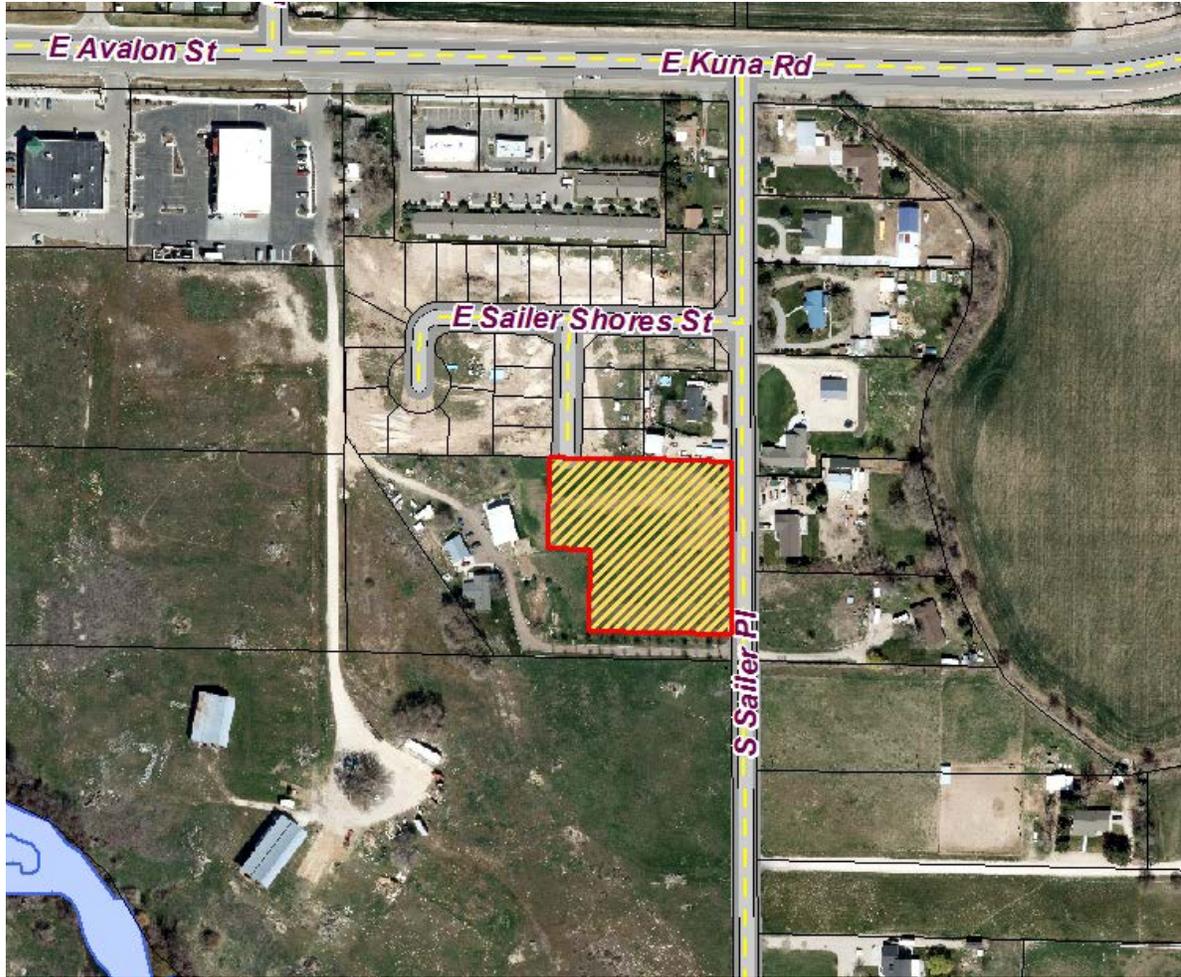
5. **Comprehensive Plan Designation:** The Comprehensive Plan Future Land Use map indicates the site has a designation of Medium Density Residential. In accordance with KCC 5-3-2, staff views this residential use request as compatible with the Comprehensive Plan.



6. Surrounding Land Uses:

Direction	Current Zoning and Jurisdiction	
North	R-6	Medium Density Residential – Kuna City
South	R-6	Medium Density Residential – Kuna City
East	RUT	Rural Urban Transition – Ada County
West	R-6	Medium Density Residential. – Kuna City

6.1 Aerial Map:



6.2 Parcel Numbers: APN: R0615251730

6.3 Parcel Sizes and Current Zoning:

Acres: 1.78 acres
Zoning: R-6

6.4 Services:

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

6.5 Existing Structures, Vegetation and Natural Features: The subject site is currently vacant and generally flat. The vegetation on site is commonly associated with that of a vacant parcel.

6.6 Transportation / Connectivity: Public road frontage is on south Sailor Place which is improved with 2 travel lanes, approximately 23-feet of pavement, and no curb, gutter or sidewalk abutting the site.

Johns Bay Avenue stubs to the site's northern property line. Applicant proposes to construct a new local street (Sunwood Court), connecting to the Johns Bay Avenue stub to the north, as a 36-foot wide street section with curb, gutter, and 5-foot wide attached sidewalk within the right-of-way to intersect with S. Sailer Place. Applicant proposes to extend S. Sailer Place southward, with curb, gutter and sidewalk improvements (as a half street section) on the west side, abutting the site.

6.7 Public Services, Utilities and Facilities: The following agencies returned comments which are included as exhibits with this case file:

- City Engineer - Exhibit B.1
- Nampa-Meridian Irrigation District - Exhibit B.2
- Central District Health - Exhibit B.3
- Department of Environmental Quality - Exhibit B.4
- Boise Project Board of Control. - Exhibit B.5
- Ada County Highway District - Exhibit B.6

C. Applicable Standards:

1. City of Kuna Design Review Ordinance, 2011-08.
2. City of Kuna Subdivision Ordinance No. 2010-15, Title 6 Subdivision Regulations.
3. City of Kuna Landscape Ordinance No. 2006-100.
4. City of Kuna Comprehensive Plan.
5. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

D. Comprehensive Plan Analysis:

The Planning and Zoning Commission may accept or reject the Comprehensive Plan components as described below

1. The proposed subdivision is consistent with the following Comprehensive Plan components:

GOALS AND POLICIES – Property Rights

Goal 1: Ensure that the City of Kuna land use policies, restrictions, conditions and fees do not violate private property rights. Establish an orderly, consistent review process for the City of Kuna to evaluate whether proposed actions may result in private property “takings”.

Policy 1: As part of a land use action review, staff shall evaluate with guidance from the City's attorney; the Idaho Attorney General's six criterion established to determine the potential for property taking.

Economic Development Goals and Objectives - Section 5 - Summary:

Ensure an adequate supply of housing for all income levels and facilitate pedestrian connections, both visually and physically, to enhance pedestrian movement.

Comment: The proposed application complies with the comprehensive plan by providing a mix of lot sizes and sidewalk connectivity throughout the subdivision to meet this goal. The subdivision is also located near future greenbelt connections at the terminus of Sailer Place.

Land Use Goals and Objectives - Section 6 - Summary:

Adopt a future land use plan and map that includes natural and developed open spaces, while providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups. Protect existing neighborhoods and ensure new development is sustainable and keeps Kuna desirable. Develop cohesive neighborhoods with character and quality while incorporating a variety of densities and styles.

Comment: *The project complies with the land use plan as adopted by the City by incorporating the following; open space (common lots) and varied housing choices and types to promote desirable, cohesive community character and a quality neighborhood that is cohesive with the existing neighborhood.*

Public Services, Facilities and Utilities Goals and Objectives - Section 8 - Summary:

Provide adequate services, facilities, and utilities for all City residents and annex contiguous properties that request City services. Ensure that development within Kuna connects into the City's sanitary sewer and potable water systems and continue expansion of the City's sewer systems as resources allow.

Comment: *Kuna has adequate services to serve this development. This application will extend the City's sanitary sewer system, potable water and adds to the pressure irrigation mainline in an orderly fashion.*

Transportation Goals and Objectives - Section 9 - Summary:

Work with ACHD, COMPASS, and ITD to promote and encourage bicycling and walking as transportation modes. Develop a transportation strategy and identify future transit corridors while requiring developers to preserve rights-of-way, to improve mobility on major routes while balancing land use planning with transportation needs.

Comment: *ACHD has provided comments and a staff report and the City engineer has provided a staff report. The project meets with the transportation goals of the City by building sidewalks through the development and fronting the site on Sailer Place, to create additional pedestrian and roadway connections.*

Housing Goals and Objectives - Section 12 - Summary:

Encourage developers to provide high-quality development with a variety of lot sizes, dwelling types, densities and price points to meet the needs of current and future population while creating safe and aesthetically-pleasing neighborhoods. Ensure housing is available throughout the community for all income levels and those with special needs. Encourage logical and orderly residential development while discouraging developers from developing land divisions greater than one half acre because large lot subdivisions increase municipal costs, require public subsidy and create sprawl.

Comment: *Applicant has proposed 8 single family building lots of varied sizes to be developed in a logical and orderly manner and provides lots much smaller than one half acre lots that within a walkable distance to existing commercial destinations.*

Community Design Goals and Objectives - Section 13 - Summary:

Strengthen Kuna's Image through good community and urban design principles that create self-sufficient neighborhoods. Foster good community design concepts that incorporate landscape features to serve as buffers between incompatible uses while reducing scale and create a sense of place.

Comment: *The application incorporates sound community design and landscape features to buffer incompatible uses to create a sense of place for the community and foster neighborhood interactions and activities.*

E. Findings of Fact:

1. All required procedural items have been completed as detailed in this staff report.
2. The proposed residential development complies with Section 6.0 of Kuna's Comprehensive Plan.
3. The proposed residential development complies with the Kuna City Code.
4. Public services are available and are adequate to accommodate this site's development.
5. The proposed residential preliminary plat will not be detrimental to the public's health, safety and general welfare.
6. The site is zoned R-6 and is appropriate for use as a residential subdivision after acquiring the proper approvals.

7. The project description, staff analysis and proposed findings of fact are correct.

F. Conclusions of Law:

1. The preliminary plat use is consistent with Kuna City Code.
2. The preliminary plat use meets the general objectives of Kuna's Comprehensive Plan.
3. The site is physically suitable for a preliminary plat use.
4. The proposed preliminary plat use is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
5. The residential preliminary plat is not likely to cause adverse public health problems.
6. The residential preliminary plat is in compliance with all ordinances and laws of the City.
7. The residential preliminary plat is not detrimental 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.
8. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.
9. Based on evidence contained in Case #17-02-S and 17-06-DR, this proposal complies with KCC Title 6.
10. Based on the evidence contained in Case #17-02-S and 17-06-DR, this proposal complies with Section 6.0 of the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map.
11. The Planning and Zoning Commission of Kuna, Idaho, has the authority to recommend approval or denial for this preliminary plat application.
12. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

G. Decision by the Commission:

17-02-S: Subdivision Note: *This motion is to recommend approval for the subdivision request to City Council. However, if the Planning and Zoning Commission wishes to recommend approval or denial for specific parts of the request as detailed in this report, those changes must be specified.*

74-06-DR: Design Review Note: *This motion is to approve the design review request. However, if the Planning and Zoning Commission wishes to approve or deny specific parts of the request as detailed in this 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 recommends *approval* for Case No. 17-01-S, a subdivision request by Thomas Maile to Kuna City Council; and hereby *approves* Case No. 17-06-DR, with the following conditions of approval:

1. The applicant shall obtain written approval of the construction plans from the agencies noted below. The approval may be either on agency letterhead referring to the approval use or may be written or stamped upon a copy of the approved plan. All site improvements are prohibited prior to approval of these agencies.
 - a.) The City Engineer shall approve the sewer and water hook-ups.
 - b.) The Kuna Fire District shall approve all fire flow requirements and/or building plans.
 - c.) The Boise-Kuna Irrigation District shall approve all proposed modifications to the existing irrigation system.
 - d.) Approval from Ada County Highway District and impact Fees, if any shall be paid prior to building permit approval.
 - e.) The City Engineer shall approve a surface drainage run-off plan, (if needed). As recommended by Central District Health Department, the plan should be designed and constructed in conformance with standards contained in "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of a drainage design plan from the Kuna City Engineer. The drainage design plan shall include all proposed site grading.

2. All public right-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may be commenced without the approval of the Ada County Highway District. Any work within the Ada County Highway District right-of-way requires a permit. For information regarding the requirements to obtain a permit, contact Ada County Highway District Development Services at 387-6100.

2.1 – Dedicate right-of-way in sufficient amounts which follow City and ACHD standards and widths.

3. 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.
4. 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.
5. Lighting within the sites shall comply with Kuna City Code.
7. Fencing within and around the site shall comply with Kuna City Code (except as specifically approved otherwise).
8. Signage within the site shall comply with Kuna City Code. The applicant shall apply for a sign permit prior to subdivision sign construction.
9. The applicant shall follow all the requirements for sanitary sewer, potable water, pressure irrigation system connections, and all other requirements of the City engineer, as outlined in the Engineers memorandum dated April 18, 2017.
10. Submit a petition prior to submitting an application for final plat to the City, consenting to the pooling of irrigation surface water rights for delivery purpose and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation District (KMID).
11. Applicant's submitted preliminary plat and landscape plan (date stamped 03/29/2017 and 03/21/2017, respectively) shall be considered binding.
12. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace any unhealthy or dead plant material immediately (within 3 days as weather permits or as the planting season permits), as required to meet the standards of these requirements. Maintenance and planting within public right-of-way shall be with approval from the public and/or private entities owning the property.
13. The applicant shall comply with all conditions of approval listed in the Kuna staff report and as approved by the Commission and any other applicable agency comments.
14. Applicant shall comply with all local, state and federal laws.

DATED: this day _____ of _____, 2017.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Trevor Kesner, Planner II
Kuna Planning and Zoning Department



City of Kuna

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

Findings of Fact and Conclusions of Law

To: Planning and Zoning Commission (P&Z) acting as Design Review Committee (DRC)

File Numbers: 13-04-SUP (Special Use Permit modification);
17-04-DR (Design Review)

Location: 278 South Ten Mile Road
Kuna, Idaho 83634

Planner: Jace Hellman, Planner I

Hearing date: May 23, 2017
Findings: June 13, 2017

Applicant: Falcon Ridge Public Charter School
278 South Ten Mile Road
Kuna, ID 83634
208.922.9228
mgreen@falconridgecharter.org

Representative: Design West Architects – Jim Main
216 SW 5th Ave STE 100
Meridian, ID 83642
208.888.1768
jmain@designwestid.com

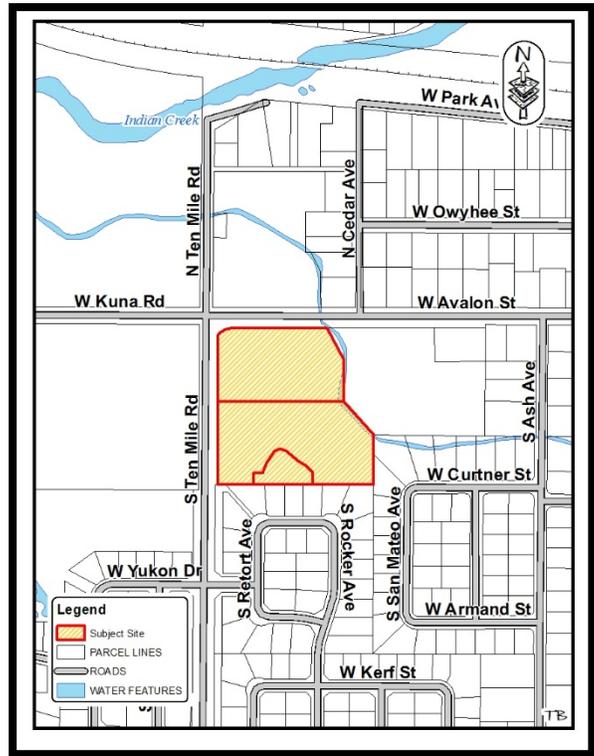


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| E. General Project Facts | K. Decision by the Commission |
| F. Staff Analysis | |

A. Course of Proceedings:

1. A school within the C-2 commercial district, as described in KCC 5-3-2, requires a special use permit (SUP) within the City of Kuna. The applicant was granted their original SUP under case No. 13-04-SUP. With the proposed additions to the existing building the applicant seeks modification, or amendment, for 13-04-SUP. The proposed additions require the applicant to submit development designs for evaluation by the Design Review Committee as well.
2. In accordance with KCC Title 5, Chapters 3, 4 and 10, these applications seek SUP amendment/modification approval and Design Review Committee approval.

a. Notifications

- i. Neighborhood Meeting March 6, 2017 (one attendee)
- ii. Agencies April 7, 2017
- iii. 300' Notice to Property Owners April 21, 2017
- iv. Kuna, Melba Newspaper April 26, 2017
- v. Site Posted May 1, 2017

B. Applicants Request:

A Special Use Permit Modification and Design Review request from Design West Architects, representing the Falcon Ridge Public Charter School to construct a 5,220 square feet (SF) addition to their existing building. The site is located at 278 South Ten Mile Road, Kuna, ID 83634. (APN#: R5070252300).

C. Aerial Map:



D. History:

This site is zoned C-2, and has been the home for Falcon Ridge Public Charter School for many years. It was granted the current Special Use Permit in 2013.

E. General Projects Facts:

1. Legal Description:

A warranty deed including a legal description was included with the application. A Parcel of land being in a portion of lots 11 and 12 of the Kuna Home Tracts, as shown on the plat and recorded in Book 5 of Plats at page 247 of Ada County Records.

2. Surrounding Land Uses:

North	C-2	Area Commercial District - Kuna City
South	R-6	Medium Density Residential District– Kuna City
East	R-6	Medium Density Residential District – Kuna City
West	C-1	Neighborhood Commercial District – Kuna City

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

- Parcel Size: 3.15 acres
- Zoning: Area Commercial District (C-2)
- Parcel #: R5070252300

4. **Services:**

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

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

With this being an amendment to the original Special Use Permit, the original structures, vegetation and natural features exist.

6. **Transportation / Connectivity:**

The parcel has significant frontage on South Ten Mile Road and West Avalon Street. An existing Ingress/egress driveway access is available on South Ten Mile.

7. **Environmental Issues:**

Staff is not aware of any environmental issues, health or safety conflicts associated with this application. This site's topography is generally flat with a 1-2% grade.

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

Under the SUP, a school is an appropriate use with the sites current C-2 zone. The Future Land Use map identifies the site as Public and the use is in concert with the Public designation on the Future Land Use map. A school is defined in KCC 5-1-6 as a Public use. In accordance with KCC 5-3-2, staff views this request to be consistent with the Future Land Use map.

9. **Agency Responses:**

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

- Kuna City Engineer Memorandum (April 12, 2017) – Exhibit C5
- Central District Health Department (April 17, 2017) – Exhibit C6
- Ada County Highway District (April 20, 2017) – Exhibit C7

F. Staff Analysis:

The applicant is proposing two additions totaling approximately 5,230 additional SQ FT to the existing approximately 20,380 SQ FT building. The applicant indicated that these additions will be used for a new Teachers lounge and a music space for the students. The applicant also indicates that these additions will not expand the numbers of faculty or students. The site is currently zoned Area Commercial District (C-2) and these proposed additions require a modification or amendment of the Special Use Permit that was granted, as well as a Design Review for the new additions to the building.

Staff has determined that this application complies with Title 5 of Kuna City Code; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No.'s 13-04-SUP & 17-04-DR, subject to the recommended conditions of approval.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance No. 230, Title 5, Chapter 6 Special Uses
2. City of Kuna Design Review Ordinance No. 2011-08
3. City of Kuna Landscape Ordinance No. 2006-100
4. City of Kuna Comprehensive Plan
5. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act

H. Comprehensive Plan Analysis:

The Kuna Planning and Zoning Commission may accept the Comprehensive Plan components as described below:

1. The proposed Special Use Permit and Design Review applications for the site are consistent with the following Comprehensive Plan components:

2.0 – Property Rights

Goal 1: Ensure that the City of Kuna land use policies, restrictions, conditions and fees do not violate private property rights. Establish an orderly, consistent review process for the City of Kuna to evaluate whether proposed actions may result in private property “takings”.

Policy: As part of a land use action review, the staff shall evaluate with guidance from the City’s attorney; The Idaho Attorney General’s six criteria established to determine the potential for property taking.

4.0 – School Facilities

Goal 1: Provide high-quality education

Policy: Provide adequate school capacity for present and future enrollment.

Policy: Provide sufficient space at every elementary school for music, art, physical education, computer laboratories, resource services and guidance.

5.0 – Economic Development

Goal 1: Promote and support a diverse and sustainable economy that will allow more Kuna residents to work in their community.

Objective 1.2:

Strengthen existing business enterprises and promote their expansion

6.0 – Land Use

Goal 2: Encourage a balance of land uses to ensure that Kuna remains a desirable, stable, and self-sufficient community.

Objective 2.2:

Plan for areas designed to accommodate a diverse range of businesses and commercial activity – within both the community-scale and neighborhood-scale centers – to strengthen the local economy and to provide more opportunities for social interaction.

Policy: Retail and residential land uses should be appropriately mixed and balanced with professional offices and service facilities to provide residents with a broader mix of services within walking distance from their homes.

I. Findings of Fact:

1. All required procedural items have been completed as shown in the staff report.
2. The Falcon Ridge Public Charter School's proposal for expansion generally complies with Kuna's Comprehensive Plan.
3. Public services are adequate to accommodate this site's intended use.
4. The site is zoned C-2 and is generally appropriate for use as a school site by obtaining a special use permit.
5. The site is physically suitable for the proposed special use amendment
6. The use appears to be in compliance with all ordinances and laws of the City; **Or as otherwise approved.**
7. The use does not appear to be detrimental to the present and potential surrounding uses; to the health, safety, and general welfare of the public, considering the physical features of the site, facilities and existing adjacent uses.
8. The existing and proposed street and utility services in proximity to the site are suitable and adequate for the proposed additions.
9. The Kuna planning commission accepts the facts as outlined in the staff report, public testimony and the supporting evidence as presented.
10. The neighborhood meeting was held on March 6, 2017, and all notification requirements were met.
11. All notifications and the public hearing were conducted within the guidelines of applicable Idaho Code and City Ordinances.

J. Conclusions of Law:

1. The proposed school use is consistent with Kuna City Code.
2. The proposed school use meets the general objectives of Kuna's Comprehensive Plan.
3. The site is physically suitable for a school use.
4. The proposed school use is not likely to cause substantial environmental damage or injury to wildlife or their habitat.
5. The proposed school use is not likely to cause adverse public health problems.
6. The proposed school use is in compliance with all other ordinances and laws of the City; **Or as otherwise approved.**
7. The proposed school use is not detrimental to the present; or 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.
8. The existing and proposed street and utility services in proximity to the site are suitable and adequate for operation of a school.
9. Based on the evidence contained in Case No. 13-04-SUP and 17-04-DR, this proposal complies with KCC Title 5.
10. The Planning and Zoning Commission of Kuna, Idaho, has the authority to approve/conditionally approve/deny these Special Use Permit and Design Review applications.
11. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

K. Decision by the Commission:

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

Based on the facts outlined in staff's report and public testimony as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby approves Case No.'s 13-04-SUP, and 17-04-DR, a Special Use Permit and Design Review request by Jim Main of Design West Architects representing Falcon Ridge Public Charter School with the following conditions of approval:

1. The applicant shall follow all conditions of approval in the Kuna staff report and other applicable agency comments; **As listed specifically in the Planning and Zoning Conditions of Approval in this staff report – See Section K.**
2. The applicant shall obtain a building permit for required building modifications, remodeling, or additions to the existing structure, prior to construction.
3. The applicant shall obtain written approval of the construction plans from the agencies noted below. The approval may be either on agency letterhead referring to the approved special use or may be written or stamped upon a copy of the approved plans. All site improvements are prohibited prior to approval of these agencies and the issuance of a building permit:
 - a.) The City Engineer shall approve the sewer hook-ups.
 - b.) The City Engineer shall approve the drainage and grading plans **at time of civil plan review in connection with the conditions listed in section K of this Report.** Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, “Catalog for Best Management Practices for Idaho Cities and Counties”. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c.) 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.
 - d.) The KMID Irrigation District shall approval any modifications to the existing irrigation system.
 - e.) Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
4. All public right-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District **at time of Right of Way development.** No public street construction may be commenced without the approval of the Ada County Highway District. Any work within the Ada County Highway District right-of-way requires a permit. For information regarding the requirements to obtain a permit, contact Ada County Highway District Development Services at (208) 387-6100. **Developer is aware that this intersection (South Ten Mile and W Kuna Road) may receive a roundabout in the future and may require additional Right of Way.**
5. 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.
6. 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.
7. Compliance with the requirements of the Boise Project Board of Control and KMID is required.
8. There shall be easements provided for all utilities, drainage and irrigation abutting to and centered on the interior property lines. Easements shall have a minimum total width of ten feet (10’).
9. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace any unhealthy or dead plant material immediately (within 3 days as weather permits) or as the planting season permits, as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public and/or private entities owning the property.
10. Parking on site shall comply with KCC 5-9 (Except as specifically approved otherwise).
11. In the event the use on this parcel is enlarged, expanded or altered in anyway, the applicant shall seek an amendment to the approvals of this special use permit through the public hearing process.
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 by the Planning and Zoning Commission.
13. The applicant’s building, landscape, parking and lighting plan, (date stamped 3.8.2017) shall be considered binding site plans.
14. Applicant shall comply with all local, state and federal laws.

DATED this 13th day of June, 2017

Lee Young - Chairman
Planning & Zoning Commission

ATTEST:

Jace Hellman – Planner I
Kuna Planning and Zoning Dept.



City of Kuna

P.O. Box 13
Phone: (208) 922-5274
Fax: (208) 922-5989
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Findings of Fact and Conclusions of Law

To: **Planning and Zoning Commission**

File Number: 17-02-ZC (Rezone)

Location: 315 E Avalon St,
Kuna, ID 83634

Planner: Jace Hellman, Planner I

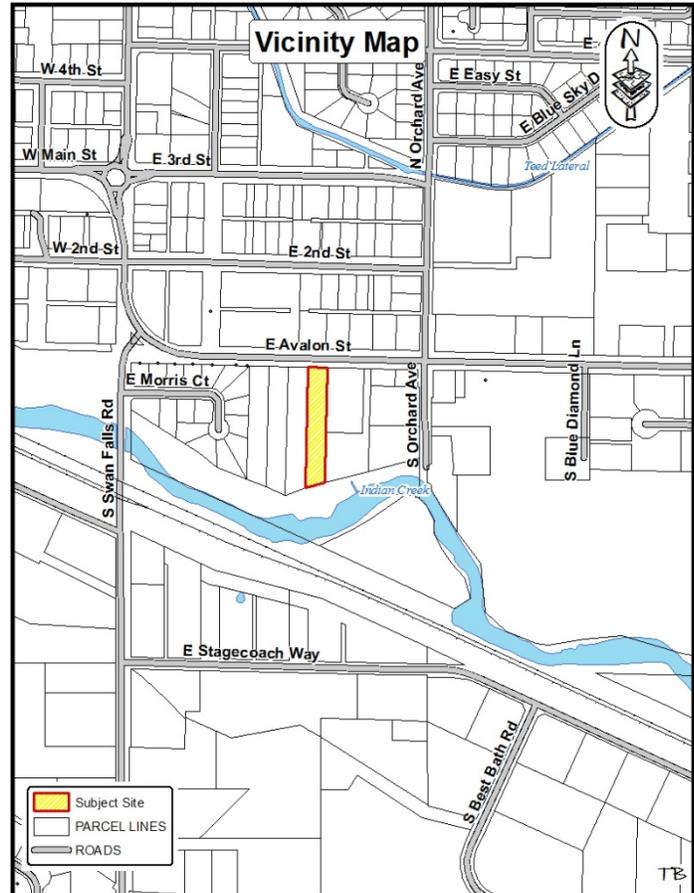
Hearing Date: May 23, 2016

Findings: **June 13, 2017**

Applicant: Darius Elison
11381 Gila Dr.
Kuna, ID 83634
onecallidaho@gmail.com

Table of Contents:

- A. Process and Noticing
- B. Applicant Request
- C. Site History
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- G. Procedural Process
- H. Findings of Fact for Commission Consideration
- I. Comprehensive Plan Analysis
- J. Kuna City Code Analysis
- K. Conclusions of Law
- L. Recommended Conditions of Approval



A. Process and Noticing:

1. Kuna City Code 1-14-3 (KCC), states that rezones are designated as a public hearing, with the Commission as the recommending body and the City Council as the decision-making body. This land use application was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

- | | |
|----------------------------|------------------------------|
| i. Neighborhood Meeting | April 7, 2017 (one attendee) |
| ii. Agency Comment Request | April 19, 2017 |
| iii. 300' Property Owners | April 21, 2017 |
| iv. Kuna, Melba Newspaper | April 26, 2017 |
| v. Site Posted | May 12, 2017 |

B. Applicants Request:

1. A request from Darius Elison, One Call Restoration, to rezone a parcel’s current R-6 (Medium-Density Residential) zoning designation to a C-2 (Area Commercial District) zoning designation. The site is located at 315 East Avalon St., Kuna, ID 83634. (APN#: R9442000081).

C. Site History:

This parcel has historically been used as a residential home site. It was most recently the site of Willow Tree Gift Shop.

D. General Projects Facts:

1. Surrounding Land Use Zoning Designations:

North	R-6	Medium Density Residential - Kuna City
South	P	Public District
East	C-2 & R-6	Area Commercial District & Medium Density Residential – Kuna City
West	R-6	Medium Density Residential – Kuna City

2. Parcel Sizes, Current Zoning, Parcel Number:

- Parcel Size: 0.97(approximately)
- Current Zoning: R-6 (Medium-Density Residential)
- Parcel #:9442000081

3. Services:

Sanitary Sewer– City of Kuna
 Potable Water – City of Kuna
 Irrigation District – Boise-Kuna Irrigation District
 Pressurized Irrigation – City of Kuna (KMID)
 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:

The previous structure has been removed, and only a shed remains on site. Vegetation on site is generally associated with a residential use, such as grass and weeds.

5. Transportation / Connectivity:

The subject site is located on East Avalon Street adjacent to the Family Dollar Store. The site has frontage access via an existing curb-cut on East Avalon Street and will remain the primary access for the site. Future site improvements will be reviewed and assessed by Ada County Highway District for any required improvements and/or additional impacts to the roadway system.

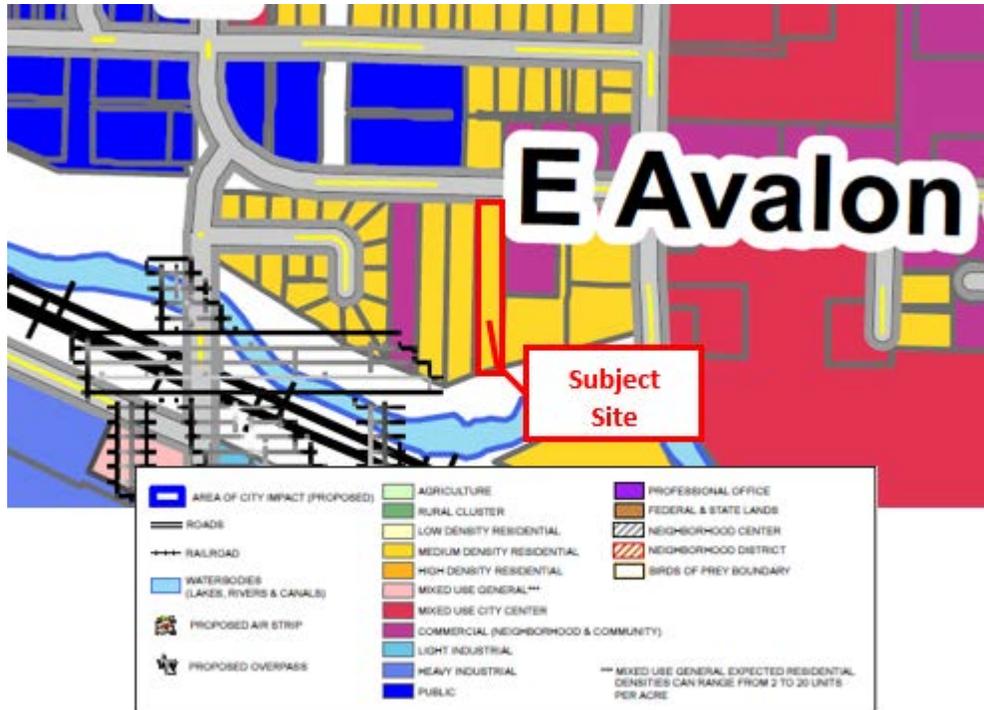
6. Environmental Issues:

Staff is not aware of any environmental issues, health or safety conflicts. This site’s topography is generally flat.

7. Comprehensive Plan Future Land Use Map:

The site is identified as Medium-Density residential on Kuna’s Comprehensive Plan Future Land Use Map. The comprehensive plan is a living document, intended for use as a guide by governmental bodies. The plan is not law that must be adhered to in the most stringent sense; it is to be used by public officials to guide their decision-making for the City. While the Comprehensive Plan Map (CPM) calls for a residential use on this parcel, staff believes this rezone request is in harmony with, and compatible to, the adjacent commercial uses and other C-2 (Area Commercial District) zoning designations. The rezone to a commercial use also aligns with the vision for downtown as described in the Kuna Downtown Revitalization Plan.

Staff views this proposed land use request to be consistent with the surrounding area land uses and zoning designations. Although it does not match the approved Comp Plan Map designation, the proposed use is compatible with current surrounding and adjacent uses.



8. Agency Responses:

The following agencies returned comments:

- Kuna School District – Exhibit B4
- COMPASS – Exhibit B5
- DEQ – Exhibit B6
- ACHD – Exhibit B7
- Boise Project Board of Control – Exhibit B8

E. Staff Analysis:

The applicant’s intention is to remove the existing storage shed and build a new shop and office for his business, One Call Restoration. The described land use falls under the category of “shop for a building contractor”, which is outright permitted under the applicants requested zoning designation of C-2 (Area Commercial District).

Although the Future Land Use Map has this particular parcel listed as Medium-Density Residential. Staff feels that if a rezone was granted, the use of this parcel would be consistent with those uses adjacent to the property.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and fits the current adjacent commercial zoning designations. Staff forwards a recommendation of approval for Case # 17-02-ZC, subject to the recommended conditions of approval listed in Section ‘L’ of this report.

F. Applicable Standards:

1. Kuna City Code (KCC) Title 1,
2. Kuna City Code (KCC) Title 5, Chapter 14.
3. City of Kuna Comprehensive Plan and Future Land Use Map
4. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act

G. Procedural Process:

On May 23, 2017, the Commission will consider the project, including the submitted application items, agency comments, staff's report, application exhibits and any public testimony presented or given.

H. Findings of Fact:

1. **Rezone:** Based on the record contained in Case No. 17-02-ZC, including the exhibits, staff's report and any public testimony at the public hearing, the Planning and Zoning Commission of Kuna, Idaho, hereby recommends *approval* of the Findings of Fact and Conclusions of Law, and conditions of approval for Case No. 17-02-ZC rezone.

2. The Kuna Planning and Zoning 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 May 23, 2017 to hear from the 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.*

3. Based on the evidence contained in Case No. 17-02-ZC, this proposal appears to generally comply with the Comprehensive Plan and Future Land Use Map.

Comment: *The Comp Plan Future Land Use Map designates the approximately 0.97 acres (subject property) as medium-density residential. The proposed rezone to a commercial use (C-2) conforms with adjacent commercial uses.*

4. The Kuna Planning and Zoning Commission has the authority to recommend approval or denial for this application.

Comment: *On May 23, 2017, Kuna's Planning and Zoning Commission will vote to recommend approval of application 17-02-ZC to the Kuna City Council.*

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

Comment: *As noted in the process and noticing section, notice requirements were met to hold a public hearing on May 23, 2017.*

I. Comprehensive Plan Analysis:

The Kuna Planning and Zoning Commission accepts the Comprehensive Plan components as described below. The proposed zone change for the site is consistent with the following Comprehensive Plan components:

Private Property Rights Goals and Objectives - Section 2 - Summary:

Ensure the City land use policies, restrictions, conditions and fees do not violate private property rights and ensure that land use actions, decisions, and regulations do not effectively eliminate all economic value of the subject property. Ensure that City land use actions, decisions, and regulations do not prevent a private property owner from taking advantage of a fundamental property right and staff shall evaluate with guidance from the City's attorney; the Idaho Attorney General's six criteria established to determine the potential for property taking.

Comment: *Utilizing the Idaho Attorney Generals criteria, and a review by the City Attorney, the proposed project does not constitute a "takings" and the economic value is intact.*

Economic Development Goals and Objectives - Section 5 - Summary:

Improve and diversify the local economy to ensure a sustainable economic tax base. Capitalize on local and regional strengths to promote sustainable growth.

Goal 1: Promote and support a diverse and sustainable economy that will allow more Kuna residents to work in their community.

Objective 1.2: Strengthen existing business enterprises and promote their expansion.

Goal 2: Expand Kuna's shopping and entertainment opportunities.

Objective 2.1: Assist in retaining or expanding sales opportunities in entertainment, sit-down restaurants, and neighborhood/convenience shopping categories. Encourage neighborhood and community-scale retail.

Goal 3: Strengthen and expand the City Center area

Objective 3.2 Improve the City Center's streetscape.

Land Use Goals and Objectives – Section 6 – Summary:

Preserve and enhance the Kuna community quality of life.

Goal 2: Encourage a balance of land uses to ensure that Kuna remains a desirable, stable, and self-sufficient community.

Objective 2.1: Support mixed uses in the City core to provide a vibrant community center with a 24-hour population.

City Center Goals and Objectives – Section 15 – Summary:

Kuna citizens expressed a strong desire to sustain and revitalize its historic downtown core and expand and strengthen it. The Plan outlines a vision for strong, sustainable and modern city center.

Goal 1: Develop a healthy and vibrant City Center that offers Kuna residents a variety of services.

Objective 3.2: Encourage business investment in the City Center

Goal 2: Make Kuna's City Center pedestrian friendly.

Objective 2.1: Create lively and attractive pedestrian oriented streets within the City Center

Comment: *Via ACHD, applicant would be required construct a 5 FT wide detached concrete sidewalks*

J. 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 a commercial zoning designation.

Comment: *The 0.97-acre parcel is suitable to accommodate a commercial use.*

3. The rezone to commercial uses is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

Comment: *The land to be rezoned is not used as wildlife habitat. Roads, structures and open space already exist and will therefore not cause environmental damage or loss of habitat.*

4. The Rezone application is not likely to cause adverse public health problems.

Comment: *The proposed commercial zoning designation is connected to Kuna public sewer and water 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 request considers the location of the property and adjacent uses. The subject property is located within downtown area. The adjacent uses are commercial and residential – as referenced in the Kuna Comprehensive Plan Future Land Use Map.*

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

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

K. Conclusions of Law:

1. Based on the evidence contained in Case No 17-02-ZC, Commission finds Case No. 17-02-ZC generally complies with Kuna City Code.
2. Based on the evidence contained in Case No. 17-02-ZC, Commission finds Case No. 17-02-ZC is generally consistent with Kuna's Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

L. Recommended Conditions of Approval:

Note: This proposed motion is to approve this request. If the Commission wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.

On May 23, 2017, the Planning and Zoning Commission voted to recommend *approval* for Case No 17-02-ZC, based on the facts outlined in staff's report and the testimony during the public hearing by the Planning and Zoning Commission of Kuna, Idaho, the Commission hereby recommends *approval* for Case No. 17-02-ZC, a request from Darius Elison DBA One Call Restoration, with the following conditions of approval to Council:

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 site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve sewer hook-ups.
 - b. The City Engineer shall approve drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District.
 - d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of each building permit.

2. Applicant will be required to pave their driveway its full width, at least 30 feet into the site beyond the edge of pavement of Avalon Street (see exhibit B7)
3. Applicant will be required to construct a 5-foot wide detached concrete sidewalk located a minimum of 42 feet from the centerline of Avalon Street abutting the site. (See exhibit B7)
4. Applicant shall meet ACHD's standard conditions of approval dated May 4, 2017 (see exhibit B7)
5. Irrigation/drainage waters shall not be impeded by any construction on site per Idaho Code Section 31-3805. Compliance with the requirements of the Boise Project Board of Control is required.
6. Storm Drainage and/or Street Runoff must be retained on site. (See exhibit B8)
7. Local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by appropriate easements. (See exhibit B8)
8. Fencing within and/or around the site shall comply with Kuna City Code at time of development.
9. Parking within the site shall comply with KCC 5-9.
10. Signage within the site shall comply with KCC 5-10.
11. Lighting within the site shall comply with KCC 5-9-5-B.
12. 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. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
13. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions and Kuna City Code or seek amending them through the public hearing processes.
14. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
15. Applicant shall comply with all local, state and federal laws.

DATED this 13th day of June, 2017.

Lee Young - Chairman
Planning & Zoning Commission

ATTEST:

Jacae Hellman – Planner I
Kuna Planning and Zoning Dept.



City of Kuna

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www.Kunacity.Id.gov

Design Review Committee Staff Report

To: Planning and Zoning Commission
(acting as the Design Review Committee)

Case Numbers: 17-08-DR (Design Review) -
Smoky Mountain Pizzeria Grill

Location: 1011 South Meridian Road - South of
Ridley's Market – SWC of Meridian &
Deer Flat.

Planner: Trevor Kesner, Planner II

Meeting Date: June 13, 2017

Applicant: **Dan Todd**
Smoky Mountain Pizzeria
4098 E. 41st St.
Boise, ID 83714
dantodd@smkymt.com

Representative: **Amanda Ryan**
BRS Architects
1010 S. Allante Pl., Ste. 100
Boise, ID 83709
208.336.8370
amanda@brsarchitects.com

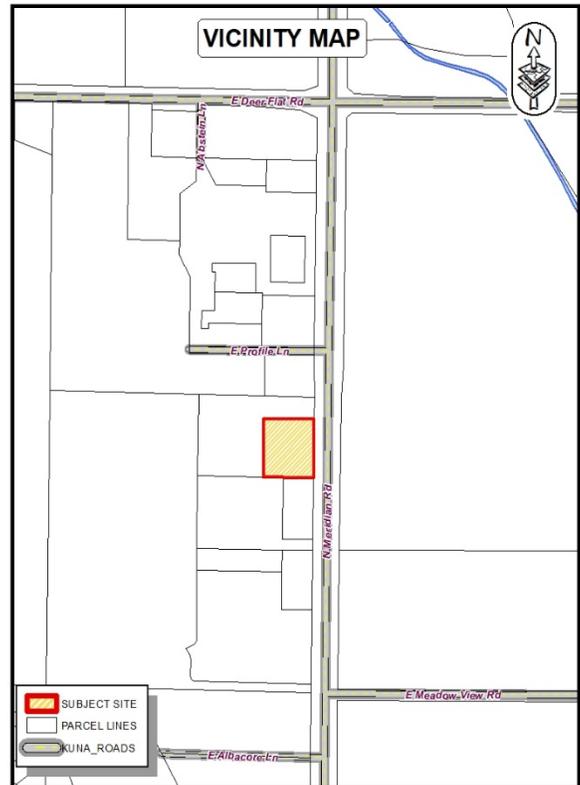


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| B. Applicant Request | F. Staff Analysis |
| C. Vicinity Maps | G. Applicable Standards |
| D. History | H. Decision by the Commission |

A. Course of Proceedings:

1. According to Kuna City Code (KCC) Title 5, Chapter 4, Section 2 (Design Review), all new commercial developments are required to submit an application for review by the Design Review Committee (DRC). As a public meeting action, this application requires no formal public noticing.

a. Notifications

- i. Agenda June 13, 2017

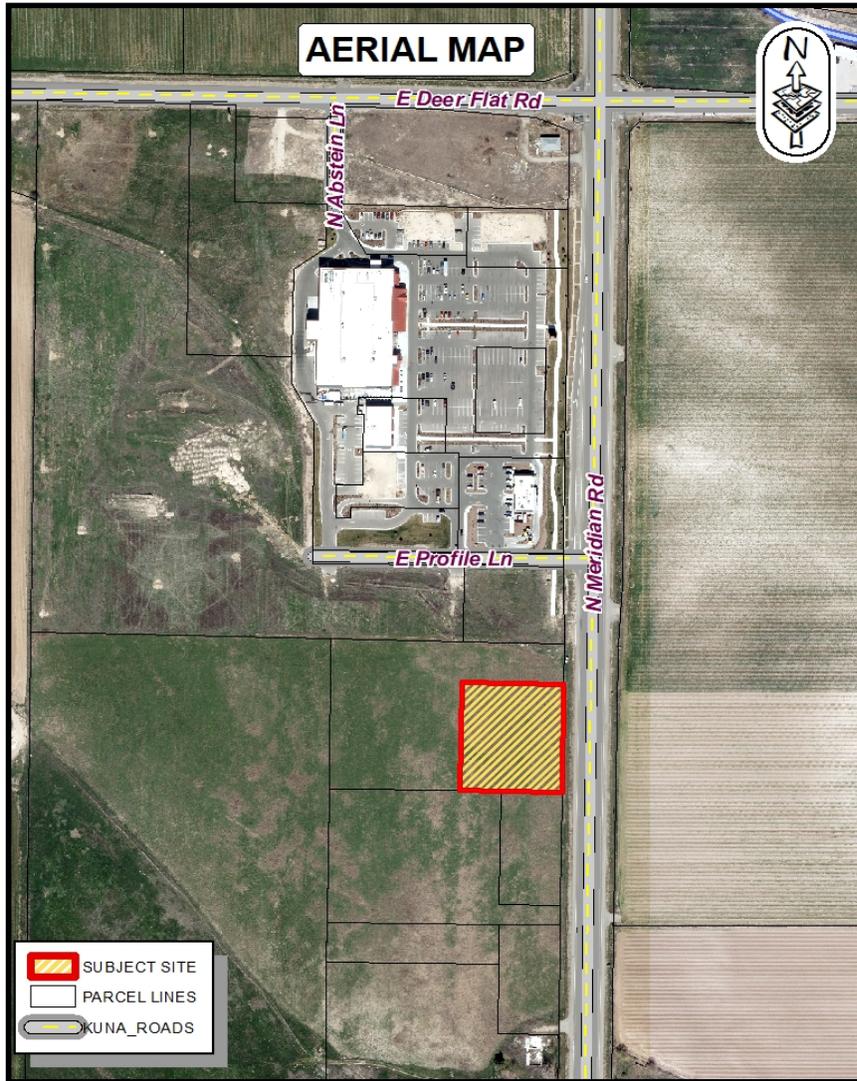
2. In accordance with KCC 5-4-2 and KCC 5-3-2, this application seeks DRC approval for building landscaping and parking lot design for a new Smoky Mountain Pizzeria Grill restaurant in Kuna.

B. Applicant Request:

1. Applicant requests Design Review approval from the Planning and Zoning Commission (acting as Design Review Committee) for a 4,064-square foot commercial building to house a new Smoky Mountain Pizzeria

Grill restaurant, and accompanying landscaping and parking lot on Lot 2, Block 1 within the Ensign Commercial subdivision.

C. **Aerial Map:**

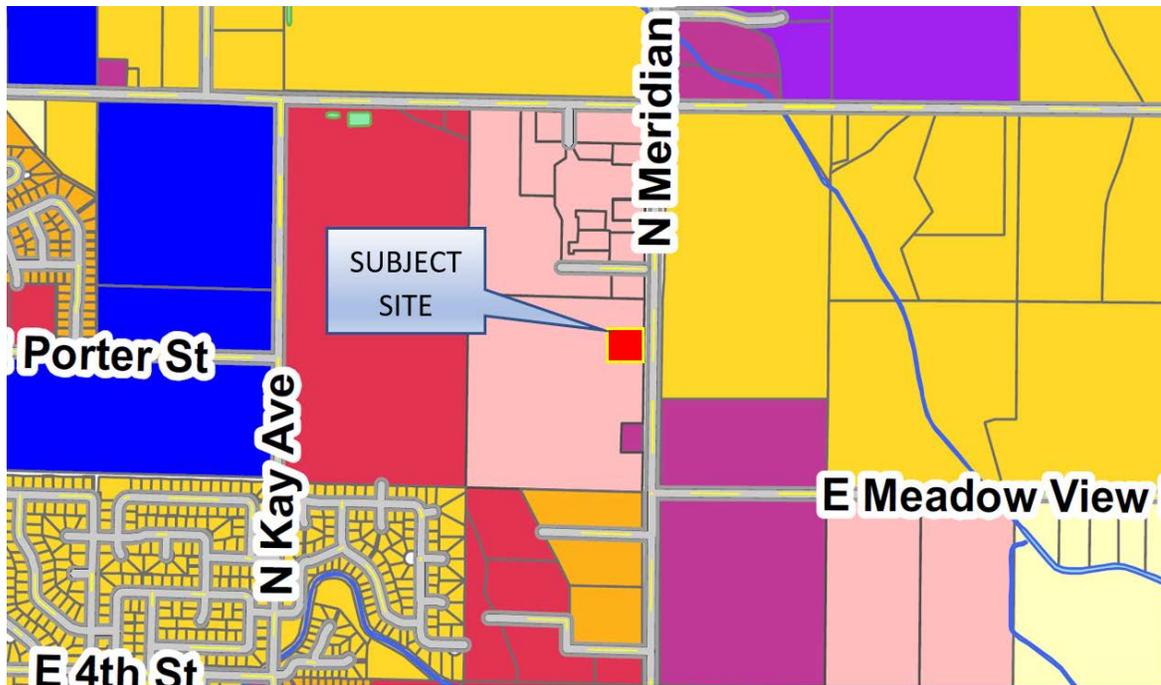


D. **History:**

The property is in the City limits and is zoned C-1 (Neighborhood Commercial District). This parcel within the platted Ensign Subdivision has historically been farmed.

E. **General Project Facts:** This parcel is south of the Ridley's Family Subdivision No. 1 development, and east of the new Tractor Supply Company store – Kuna, Idaho. The new restaurant building will be approximately 4,069 square feet in size and will have a patio and will include a patio area for outdoor dining.

1. **Comprehensive Plan Designation:** The Comprehensive Plan Map (CPM) identifies this site as Mixed-Use General, and has a current commercial zoning designation of 'C-1'. Staff views this request to be consistent with the approved comprehensive plan future land use map.



Legend

AGRICULTURAL	PROFESSIONAL OFFICE
RURAL CLUSTER	FEDERAL LAND
LOW DENSITY	NEIGHBORHOOD CENTER
MEDIUM DENSITY	NEIGHBORHOOD DISTRICT
HIGH DENSITY	WWTF
MIXED USE GENERAL***	CITY INTEREST
MIXED USE CITY CENTER	MIXED USE GENERAL WITH A MINIMUM EQUIVALENCE OF 3 UNITS PER ACRE
LIGHT INDUSTRIAL	GREEN WAY WATERWAYS
HEAVY INDUSTRIAL	GREENBELT OVERLAY
PUBLIC	
COMMERCIAL	

*** MIXED USE GENERAL EXPECTED RESIDENTIAL DENSITIES CAN RANGE FROM 2 TO 20 UNITS PER ACRE

2. Surrounding Land Uses:

North	C-1	Neighborhood Commercial – Kuna City
South	C-1	Neighborhood Commercial – Kuna City
East	RUT	Rural Urban Transition – Ada County
West	C-1	Neighborhood Commercial – Kuna City

3. Parcel Sizes, Current Zoning, Parcel Numbers:

- Approximately 1.45 acres.
- C-1, Neighborhood Commercial
- Parcel No. R2404320020

4. Services:

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

5. **Existing Structures, Vegetation and Natural Features:** The property has no existing buildings and has vegetation associated with an unimproved commercial building site.
6. **Transportation / Connectivity:** The site is primarily accessed via the ingress/egress driveway provided internally to the Ensign commercial development; which takes access directly from the Highway 69/Meridian Road approach. The site has additional approved driveway access ingress/egress from East Profile Lane, south of McDonalds. The site abuts the existing sidewalk along Highway 69/Meridian Road.
7. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts. This site's topography is generally flat.

F. Staff Analysis:

Staff has reviewed the application and finds the proposed building, landscaping and parking lot generally satisfies the intent of Kuna's Codes and fits into the overall vision of the C-1 District and generally conforms to the 'Kuna Architecture' guidelines and parking standards.

Staff finds that the proposed commercial building for Smoky Mountain Pizzeria restaurant is in general conformance with the Design Review Ordinance (Kuna City Code [KCC] Title 5, Chapter 4. The submitted plans make note that the proposed rooftop mechanical equipment is to be screened by 'secondary screening method' with a wood slat appearance to match the style of the building. Applicant's proposed screening appears to be in accordance with KCC 5-4-6-C-i.

The applicant has proposed 89 parking spaces and staff finds the parking lot is in substantial conformance with KCC Title 5 Chapter 9.

Staff finds the proposed landscaping is in conformance with KCC Title 5 chapter 17, Landscaping Ordinance.

The dumpster enclosure is proposed to be constructed of painted concrete blocks and the gates are proposed as metal in accordance with KCC 5-17-12-A-4, and J&M Sanitation standards.

The proposed wall signs shown on the submitted building elevations (and other signage) will require a separate design review application, as they were not a part of this application and shall be submitted in conformance with KCC 5-10-4-G and Q.

Applicant will be subject to design review inspections and fees for the inspections (post construction), for compliance verification of the building, parking lot, landscaping and eventually signage, prior to certificate of occupancy being issued.

Staff views the proposed new commercial building, landscaping and parking lot to be generally consistent with the goals and vision of the overlay district and Kuna city. Staff forwards a recommendation of approval for case No. 17-08-DRC to the Design Review Committee.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance No. 230
2. City of Kuna Design Review Ordinance, 2011-08.
3. City of Kuna Comprehensive Plan.
4. City of Kuna Overlay District Ordinance, 2011-06
5. City of Kuna Landscaping Ordinance, 2012-22
6. City of Kuna Parking Lot Ordinance, 2011-12

H. Decision by the Commission:

Note: This proposed motion is for approval or denial of this request. However, if the Planning and Zoning Commission (acting as Design Review Committee) wishes to approve or deny specific parts of these requests as detailed in the report, those changes must be specified.

On June 13, 2017, the Planning and Zoning Commission (acting as the Design Review Committee), voted to approve case No. 17-08-DRC, based on the facts outlined in staff's report, the case file and testimony at the public meeting. The Planning and Zoning Commission of Kuna, Idaho, hereby approves Case No.'s 17-08-DRC, a Design Review request by Amanda Ryan with BRS Architects (on behalf of Dan Wood with Smoky Mountain Pizzeria Grill), with the following conditions of approval:

- Follow all conditions as outlined in the staff report.

Conditions of Approval:

1. Signage for the site shall comply with current Kuna City Code. Proposed signage shall go through the Design Review Process and applicant shall obtain a sign permit *prior to construction*.
2. The applicant shall follow all requirements for sanitary sewer, potable water, pressure irrigation system connections, and all other requirements of the City engineer and Building Department
3. The applicant shall obtain written approval of the construction plans from the agencies noted below. The approval may be either on agency letterhead referring to the approved use or may be written or stamped upon a copy of the approved plan. All site improvements are prohibited prior to approval of these agencies.
 - a.) The Kuna Fire District shall approve all fire flow requirements and/or building plans.
 - b.) Approval from Ada County Highway District / Impact Fees, if any shall be paid prior to building permit approval.
4. Parking within the site shall comply with Kuna City Code (except as specifically approved otherwise).
5. Landscaping shall be installed according to the submitted landscape plan dated 04/07/17.
6. The applicant shall obtain a Special Use Permit approval to operate the proposed full-service bar within the new restaurant.
7. Applicant shall follow all staff and agency recommendations.
8. The applicant shall comply with all federal, state and local laws.



City of Kuna
 Planning & Zoning
 Department
 P.O. Box 13
 Kuna, Idaho 83634
 208.922.5274
 Fax: 208.922.5989
 Website: www.kunacity.id.gov

Commission & Council Review Application

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

*Please submit the appropriate checklist (s) with application

For Office Use Only	
File Number (s)	17-08-DR
Project name	Smokey Mtn. Pizza D.R.
Date Received	5/3/17
Date Accepted/ Complete	5/15/17
Cross Reference Files	17-03-SUP (Forthcoming)
Commission Hearing Date	
City Council Hearing Date	

Type of Review (check all that apply):

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

Contact/Applicant Information

Owners of Record: <u>EMMETT PARTNERS LLS</u>	Phone Number: _____
Address: _____	E-Mail: _____
City, State, Zip: _____	Fax #: _____
Applicant (Developer): <u>SMOKY MOUNTAIN PIZZERIA</u>	Phone Number: _____
Address: <u>4098 E 41ST STREET</u>	E-Mail: <u>DANTODD@SMKYMT.COM</u>
City, State, Zip: <u>BOISE IDAHO 83714</u>	Fax #: _____
Engineer/Representative: <u>BRS ARCHITECTS</u>	Phone Number: <u>208.336.8370</u>
Address: <u>1010 S ALLANTE PLACE STE 100</u>	E-Mail: <u>AMANDA@BRSARCHITECTS.COM</u>
City, State, Zip: <u>BOISE IDAHO 83709</u>	Fax #: <u>208.336.8380</u>

Subject Property Information

Site Address: <u>1011 N MERIDIAN ROAD KUNA IDAHO 83643</u>
Site Location (Cross Streets): <u>MERIDIAN ROAD AND DEER FLAT</u>
Parcel Number (s): <u>R2404320020</u>
Section, Township, Range: <u>SECTION 24, 2N, 1W</u>
Property size: <u>1.45 ACRES</u>
Current land use: <u>VACANT</u> Proposed land use: <u>COMMERCIAL</u>
Current zoning district: <u>C-1</u> Proposed zoning district: <u>C-1</u>



Project Description

Project / subdivision name: SMOKY MOUNTAIN PIZZERIA | ENSIGN SUBDIVISION NO 1
 General description of proposed project / request: NEW RESTAURANT BUILDING AND SUPPORTING SITE DEVELOPMENT

Type of use proposed (check all that apply):
 Residential _____
 Commercial _____
 Office _____
 Industrial _____
 Other _____

Amenities provided with this development (if applicable): _____

Residential Project Summary (if applicable)

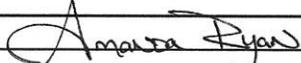
Are there existing buildings? Yes No
 Please describe the existing buildings: _____
 Any existing buildings to remain? Yes No
 Number of residential units: _____ Number of building lots: _____
 Number of common and/or other lots: _____
 Type of dwellings proposed:
 Single-Family _____
 Townhouses _____
 Duplexes _____
 Multi-Family _____
 Other _____
 Minimum Square footage of structure (s): _____
 Gross density (DU/acre-total property): _____ Net density (DU/acre-excluding roads): _____
 Percentage of open space provided: _____ Acreage of open space: _____
 Type of open space provided (i.e. landscaping, public, common, etc.): _____

Non-Residential Project Summary (if applicable)

Number of building lots: 1 Other lots: _____
 Gross floor area square footage: 4064 SF Existing (if applicable): _____
 Hours of operation (days & hours): _____ Building height: 20' - 6"
 Total number of employees: 25 Max. number of employees at one time: 8
 Number and ages of students/children: _____ Seating capacity: _____
 Fencing type, size & location (proposed or existing to remain): _____

Proposed Parking:
 a. Handicapped spaces: 3 Dimensions: 8X20
 b. Total Parking spaces: 89 Dimensions: 9X20
 c. Width of driveway aisle: 20-25'

Proposed Lighting: BUILDING LIGHTS WL1 | SITE LIGHTS AL1 AL2
 Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.):
PARKING ISLANDS, PERIMETER LANDSCAPING, PORTION OF PATIO LANDSCAPED

Applicant's Signature:  Date: 5.3.17

HOURS
 M-TH 11-930
 F-S 11-10
 S 12-9



City of Kuna Design Review Application

P.O. Box 13
Kuna, Idaho 83634
(208) 922.5274
Fax: (208) 922.5989
Website: www.kunacity.id.gov

FILE NO.:	17-08-DR	Smokey Mtn. Pizza
CROSS REF.:	17-03-SUP	
FILES:		

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

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

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

Application Submittal Requirements

Applicant Use		Staff Use
<input type="checkbox"/> N/A	Date of pre- application meeting : <u>N/A PER TREVOR KESNER</u> <i>Note: Pre-Applications are valid for a period of three (3) months.</i>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	A complete Design Review Application form <i>Note: It is the applicant's responsibility to use a current application.</i>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Detailed letter of explanation or justification for the application, describing the project and design elements, and how the project complies with Design Review standards.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	One (1) Vicinity Map (8 ½" x 11") at 1" = 300' scale (or similar), label the location of the property and adjacent streets.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	One 8 ½" x 11" colored aerial photo depicting proposed site, street names, and surrounding area within five-hundred feet (500').	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Copy of Deed; and, if the applicant is not the owner, an original notarized statement (affidavit of legal interest) from the owner (and all interested parties) stating the applicant is authorized to submit this application.	<input checked="" type="checkbox"/>



Detailed site, landscape, drainage plan, elevation and to scale. *(No smaller than 1"=30', unless otherwise approved.)*

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

- (1) 24" X 36" TO SCALE COPIES
- (1) 11" X 17" REDUCTIONS
- (1) 8 1/2" x 11" REDUCTIONS

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

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

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

Site Plan

Applicant Use

North Arrow

To scale drawings

Property lines

Name of "Plan Preparer" with contact information

Name of project and date

Existing structures, identify those which are to be relocated or removed

On-site and adjoining streets, alleys, private drives and rights-of-way

Drainage location and method of on-site retention / detention

Location of public restrooms

Existing / proposed utility service and any above-ground utility structures and their location

Location and width of easements, canals and drainage ditches

Location and dimension of off-street parking

Locations and sizes of any loading area, docks, ramps and vehicle storage or service areas

Trash storage areas and exterior mechanical equipment, with proposed method of screening

Sign locations *(a separate sign application must be submitted with this application)*

On-site transportation circulation plan for motor vehicles, pedestrians and bicycles

Locations and uses of ALL open spaces

Locations, types and sizes of sound and visual buffers *(Note: all buffers must be located outside the public right-of-way)*

Parking layout including spaces, driveways, curb cuts, circulation patterns, pedestrian walks and vision triangle

Locations of subdivision lines *(if applicable)*

Illustration that demonstrates adequate sight distance is provided for motor vehicles, pedestrians and bicycles

Location of walls and fences and indication of their height and material of construction

Roofline and foundation plan of building, location on the site

Location and designations of all sidewalks

Location and designation of all rights-of-way and property lines

Staff Use

AK

AK
lot lines

Landscape and Streetscape Plan

The landscape and streetscape plans need to be drawn by the project architect, professional landscape architect, landscape designer, or qualified nurseryman for development's possessing more than twelve thousand (12,000) square feet of private land. The landscaped and streetscape plans must be colored.

The Planning Director or City Forester may require the preparation of a landscape plan for smaller developments by one of the noted individuals if the lot(s) have unique attributes.

Applicant Use		Staff Use
<input checked="" type="checkbox"/>	North Arrow	<input type="checkbox"/>
<input checked="" type="checkbox"/>	To scale drawings	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Boundaries, property lines and dimensions SEE ARCH SITE PLAN	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Name of "Plan Preparer" with contact information	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Name of project and date	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Type and location of all plant materials and other ground covers. <i>Please review the City's plant list and rely upon it to identify the site's planting strategy. Include botanical and common name, quantity, spacing and sizes of all proposed landscape materials at the time of planting, and at maturity. A list of acceptable trees is available upon request from City Planning Staff. If there are any questions, please contact the City Forester, Natalie Reeder, at 208.880.0953</i>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Existing vegetation identified by specific size. Identify those which are proposed to be relocated or removed.	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Method of irrigation. <i>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.</i>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Location, description, materials, and cross-sections of special features, including berming, retaining walls, hedges, fences, fountains street/pathway furniture (benches, etc.), etc.	<input type="checkbox"/>
<input type="checkbox"/>	Sign locations <i>Note: A separate sign application must be submitted with this application</i>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Locations and uses for open spaces	<input type="checkbox"/>
<input type="checkbox"/>	Parking layout including spaces, driveways, curb cuts, circulation patterns, pedestrian walks and vision triangle SEE ARCH SITE PLAN	<input type="checkbox"/>
<input type="checkbox"/>	Illustration that demonstrates adequate sight distance is provided for motor vehicles, pedestrians and bicycles	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Location and designations of all sidewalks	<input type="checkbox"/>
<input checked="" type="checkbox"/>	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.	<input type="checkbox"/>

APZ



Building Elevations

Applicant
Use

Detailed elevation plans of each side of any proposed building(s) or additions(s)
Note: Four (4) elevations to include all sides of development and must be in color

Identify the elevations as to north, south, east, and west orientation

Colored copies of all proposed building materials and indication where each material and color application is to be located
Note: Submit as 11"x17" reductions

Screening/treatment of mechanical equipment

Provide a cross-section of the building showing any roof top mechanical units and their roof placement

Detailed elevation plans showing the materials to be used in construction of trash enclosures

Staff
Use

Lighting Plan

Applicant
Use

Exterior lighting including detained cut sheets and photometric plan (pedestrian, vehicle, security, decoration)

Types and wattage of all light fixtures

Note: The City encourages use of "dark sky" lighting fixtures

Placement of all light fixtures shown on elevations and landscaping plans

Staff
Use

Roof Plans

Applicant
Use

Size and location of all roof top mechanical units

Staff
Use



Design Review Application

Applicant: AMANDA RYAN Phone: 208.336.8370

Owner

Representative

Fax/Email: AMANDA@BRSARCHITECTS.COM

Applicant's Address: 1010 S ALLANTE PLACE STE 100
BOISE IDAHO Zip: 83709

Owner: DAN TODD PRESIDENT Phone: 208.443.9596

Owner's Address: 4098 E 41ST STREET Email: DANTODD@SMKYMT.COM

BOISE IDAHO Zip: 83714

Represented By: *(if different from above)* _____ Phone: _____

Address: _____ Email: _____

Zip: _____

Address of Property: 1011 N MERIDIAN ROAD KUNA IDAHO 83643

Zip: _____

Distance from Major Cross Street: 44' Street Name(s): MERIDIAN ROAD

Please check the box that reflects the intent of the application

- BUILDING DESIGN REVIEW**
 SUBDIVISION / COMMON AREA LANDSCAPE

- DESIGN REVIEW MODIFICATION**
 STAFF LEVEL APPLICATION

This Design Review application is a request to construct, add or change the following: *(Briefly explain the nature of the request.)*

APPROVE THE DESIGN OF A NEW SMOKY MOUNTAIN PIZZERIA GRILL RESTAURANT

1. Dimension of Property: 1.45 ACRES 263' X 238'
2. Current Land Use(s): VACANT
3. What are the land uses of the adjoining properties?
- North: COMMERCIAL
- South: COMMERCIAL
- East: VACANT
- West: VACANT
4. Is the project intended to be phased, if so what is the phasing time period? NOT PHASED
Please explain: _____

5. The number and use(s) of all structures: 1 NEW RESTAURANT STRUCTURE

6. Building heights: +18' - 0" & 20' - 6" Number of stories: 1
The height and width relationship of new structures shall be compatible and consistent with the architectural character of the area and proposed use.

Note: The maximum building height for each zoning district is as follows:

L-O: 35'	C-2: 60'	CBD: 80'	M-2: 60'	P: 60'
C-1: 35'	C-3: 60'	M-1: 60'	M-3: 60'	

7. What is the percentage of building space on the lot when compared to the total lot area? 6.5%
8. Exterior building materials & colors: *(Note: This section must be completed in compliance with the City of Kuna Ordinance No. 2007-21A (as amended); found online at www.cityofkuna.com) under the City Code.*

	MATERIAL	COLOR
Roof:	<u>TPO</u>	<u>WHITE</u>

Walls: *(State percentage of wall coverage for each type of building material below for each frontage wall) If there is not adequate space to identify the various building materials and applications, please list them on the attached sheet of this application. Please attach photos to support application types.*

- | | | | |
|--|-------------------------|---|--|
| % of Wood application: | <u>30%</u> | / | <u>reclaimed wood</u> |
| % EIFS:
<i>(Exterior Insulation Finish System)</i> | _____ | / | _____ |
| % Masonry: | <u>25%</u> | / | <u>GLEN GERY ABERDEEN</u> |
| % Face Block: | _____ | / | _____ |
| % Stucco: | <u>30%</u> | / | <u>BM 2153-40 BM HC-75 BM 2158-10 BM 2109-20</u> |
| & other material(s): | <u>CONCRETE 3%</u> | / | <u>LIMESTONE</u> |
| List all other materials: | <u>METAL AWNINGS 5%</u> | | <u>DARK BRONZE BM 2091-10</u> |
| Windows/Doors:
<i>(Type of window frames & styles / doors & styles, material)</i> | <u>6%</u> | / | <u>ALUMINUM STOREFRONT DARK BRONZE</u> |
| Soffits and fascia material: | <u>WOOD LOOK</u> | / | _____ |
| Trim, etc.: | <u>1%</u> | / | <u>DARK BRONZE</u> |

Other: _____ / _____

9. Please identify Mechanical Units: T.B.D.
Type/Height: T.B.D.
Proposed Screening Method: ROOFTOP SCREEN. WOOD SLAT APPEARANCE

10. Please identify trash enclosure: *(size, location, screening & construction materials)* _____
26'-8" X 18'-8" | SOUTH WEST CORNER OF BUILDING | PAINTED CMU

11. 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? _____

12. Fencing: *(Please provide information about new fencing material as well as any exiting fencing material)*
N/A
Type: _____
Size: _____
Location: _____

(Please note that the City has height limitations of fencing material and requires a fence permit to be obtained prior to installation)

13. Proposed method of On-site Drainage Retention/Detention:
CATCH BASINS TO ON SITE RETENTION

14. Percentage of Site Devoted to Building Coverage: 6.5% BUILDING

% of Site Devoted to Landscaping: <i>(Including landscaped rights-of-way)</i>	<u>34%</u>	Square Footage:	<u>21,765 SF</u>
% of Site that is Hard Surface: <i>(Paving, driveways, walkways, etc.)</i>	<u>59.5%</u>	Square Footage:	<u>37,221 SF</u>
% of Site Devoted to other uses:	<u>6.5% BUILDING</u>		

Describe: _____
% of landscaping within the parking lot (landscaped islands, etc.): 34%

15. For details, please provide dimensions of landscaped areas within public rights-of-way:
38'

16. Are there any existing trees of 4" or greater in caliper on the property? *(Please provide the information on the site plans.)* NO
If yes, what type, size and the general location? *(The City's goal is to preserve existing tree with greater than a four inch (4") caliper whenever possible):*

17. Dock Loading Facilities:
Number of docking facilities and their location: 0

Method of screening: 0

18. Pedestrian Amenities: *(bike racks, receptacles, drinking fountains, benches, etc.)* BIKE RACK TO ACCOMODATE 3 BIKES. SIDEWALK CONNECTION TO PUBLIC SIDEWALK ALONG MERIDIAN ROAD.

19. Setbacks of the proposed building from property lines:



1010 S. Allante Place,
Suite 100
Boise, Idaho 83709
Telephone 208 336-8370
Fax 208 336-8380

May 1, 2017

Attn: City of Kuna, Planning and Zoning - Design Review
751 W 4th Street
Kuna, Idaho 83634

RE: Smoky Mountain Pizzeria Grill

To Whom it May Concern,

On behalf of Smoky Mountain Pizzeria Grill, please accept this letter of explanation for the new restaurant building located in Kuna. The site is located right off North Meridian Road, South of Deer Flat Road in the Ensign Subdivision on Lot 2. The location is near a Dollar Store, Riddleys Grocery Store, and a tractor supply store, all of which match company standards more than an approved architectural style.

The proposed design came about by creating a prototype store for the Smoky Mountain restaurant chain. By looking into the proposed future locations where this prototype is to be located, and comparing the overall style to fit into all the design guidelines, the proposed design came about. Although the design guidelines say, the styles are not all inclusive, we took into consideration some of the approved materials and style elements when designing to help define the Kuna Architecture Style. The overall design materials are brick, reclaimed wood, stucco, with limestone accents, and metal awnings. Fitting the design with the Colonial Revival where the main entrance of the building is a prominent tower element of reclaimed wood framed by protruding brick pilasters. The siding throughout the rest of the building consists of a brick base, with wood siding that looks similar in style to Clapboard siding, and a stucco band that is held up by brick pilasters. The windows are dual-lite windows, framed by stucco elements. The trash enclosure design is painted concrete block, with a 2 metal gates that appears to be of similar style to the approved trash enclosures located in the Architecture and Site Design Booklet. The proposed landscape design is organic in nature and is designed as an extension of the existing landscape from the Development Landscape Plans to help unify the development and the city.

Thank you for your review and consideration of our project. We welcome input and helpful interaction from you and your staff during the review process to provide the owner and the City of Kuna a successful project. Please contact me with any questions or comments regarding this design review application.

Sincerely,
Amanda Ryan | BRS Architects | amanda@brsarchitects.com



3

ADA COUNTY RECORDER Christopher D. Rich	2015-091292
BOISE IDAHO Pgs=3 CHE FOWLER	10/01/2015 02:49 PM
FIRST AMERICAN TITLE AND ESCROW COMPANY	\$16.00

AFTER RECORDING MAIL TO:

Emmett Partners, LLC
579 South Moss Hill Drive
Bountiful, UT 84010

ADA COUNTY RECORDER Christopher D. Rich	2015-098773
BOISE IDAHO Pgs=3 BONNIE	10/26/2015 01:54 PM
IDAHO SURVEY GROUP	AMOUNT:\$16.00



ELECTRONICALLY RECORDED - DO NOT REMOVE THE COUNTY STAMPED FIRST PAGE AS IT IS NOW INCORPORATED AS PART OF THE ORIGINAL DOCUMENT

WARRANTY DEED

File No.: 4103-2439692 (DS)

Date: September 22, 2015

For Value Received, The Rama Group, LLC, an Idaho Limited Liability Company, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto Emmett Partners, LLC, a Utah Limited Liability Company, hereinafter referred to as Grantee, whose current address is 579 South Moss Hill Drive, Bountiful, UT 84010, the following described premises, situated in Ada County, Idaho, to wit:

LEGAL DESCRIPTION: Real property in the County of Ada, State of Idaho, described as follows:

A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF KUNA, ADA COUNTY, IDAHO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 24 FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 24 BEARS NORTH 00°46'12" EAST, 2,649.30 FEET; THENCE ALONG THE EAST BOUNDARY LINE OF SAID SECTION 24 NORTH 00°46'12" EAST, 1,324.65 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 24; THENCE ALONG THE NORTH BOUNDARY LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 24 NORTH 88°36'31" WEST, 70.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF NORTH KUNA-MERIDIAN ROAD (ST. HWY. 69) SAID POINT BEING THE REAL POINT OF BEGINNING; THENCE LEAVING SAID NORTH BOUNDARY LINE AND ALONG SAID WEST RIGHT-OF-WAY LINE SOUTH 00°46'12" WEST, 1,284.45 FEET; THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE NORTH 88°26'50" WEST, 546.26 FEET; THENCE 31.14 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 89°13'02" AND A LONG CHORD WHICH BEARS NORTH 43°50'19" WEST, A DISTANCE OF 28.09 FEET; THENCE NORTH 00°46'12" EAST, 70.22 FEET; THENCE 59.67 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 74.00 FEET, A CENTRAL ANGLE OF 46°11'54" AND A LONG CHORD WHICH BEARS NORTH 22°19'45" WEST, A DISTANCE OF 58.06 FEET; THENCE

RE-RECORDED TO CORRECT LEGAL DESCRIPTION



APN:

Warranty Deed
- continued

File No.: 4103-2439692 (DS)
Date: 09/22/2015

**NORTH 64°10'29" EAST 42.13 FEET; THENCE
NORTH 32°28'19" EAST 21.02 FEET; ~~THENCE~~
~~SOUTH 88°36'31" EAST 540.04 FEET; THENCE~~
NORTH 00°46'12" EAST, 1,102.47 FEET TO A POINT ON THE NORTH BOUNDARY LINE OF THE
SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 24; THENCE ALONG
SAID NORTH BOUNDARY LINE
SOUTH 88°36'31" EAST, 540.04 FEET TO THE REAL POINT OF BEGINNING.**

APN:

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

EMMETT PARTNERS, LLC

OPERATING AGREEMENT

THIS OPERATING AGREEMENT (“Agreement”) is made and entered into this 14 day of March, 2015, the persons whose names and signatures appear below, hereinafter referred to collectively as the “Members” and separately as “Member”.

RECITALS:

A. The Members desire to form a Utah limited liability company (the “Company”) in accordance with Title 48, Chapter 2c, of the Utah Code, sometimes known as the Utah Limited Liability Company Act (“Act”), for the purposes and on the terms, covenants and conditions set forth herein.

B. Concurrent with their execution hereof, the Members have caused to be executed the Articles of Organization for the Company and will forthwith cause the same to be filed with the Division of Corporations and Commercial Code (“Division”) of the Department of Commerce, State of Utah.

C. The Members have each reviewed this Agreement, in its entirety, and desire to cause the same to be adopted as and for the Operating Agreement of the Company, in accordance with the Act.

NOW, THEREFORE, pursuant to Title 48, Chapter 2c, Utah Code Annotated, 1953 (as amended), and all other pertinent laws of the State of Utah and its political subdivisions, the undersigned mutually agree and covenant as follows:

**ARTICLE I
NAME AND PRINCIPAL PLACE OF BUSINESS**

1.1 Name. The business of the Company shall be conducted under the name of DOLLAR PARTNERS, LLC, hereinafter sometimes referred to as the Company name.

1.2 Principal Place of Business. The principal place of business for the Company shall be 579 South Moss Hill Dr. Bountiful, Utah 84010.

**ARTICLE II
PURPOSE**

2.1 Principal Purpose. The principal purpose of this Company shall be limited to those purposes set forth in the Company’s Articles of Organization, as from time to time amended and filed with the Division.

**ARTICLE III
CREATION AND FORMATION**

3.1 The parties do hereby form a Utah Limited Liability Company pursuant to the provisions of Title 48, Chapter 2c, of the Utah Code Annotated of 1953 (herein referred to as the "Code"), for the purposes provided for in the Company's Articles of Organization.

**ARTICLE IV
TERM OF EXISTENCE**

4.1 The Company shall commence as of the date of filing of the Company's Articles of Organization with the Division and shall continue thereafter for a period of ninety nine (99) years, unless and until terminated as provided herein. The Company may not transact any business nor incur any indebtedness, excepting that which is incidental to its organization or to obtaining subscriptions for or payment of contributions to the capital of the Company, until the Articles of Organization of the Company have been filed with the Division. For purposes of this Section 4.1, the Articles of Organization of the Company shall be deemed filed with the Division when the Division places its stamp or seal on the original of said Articles of Organization and said original Articles of Organization are filed in the office of the Division.

**ARTICLE V
NAMES AND ADDRESSES OF MEMBERS**

5.1 Members. The name and place of residence of the Members of the Company are as follows:

<u>Name</u>	<u>Address</u>
GREGORY A. STUART	579 South Moss Hill Dr. Bountiful, Utah 84010
JEREMY R. TERRY	1021 South 1600 East Bountiful, Utah 84010
M. BRETT JENSEN	2694 N. 920 East North Logan, Utah 84341

**ARTICLE VI
CAPITAL CONTRIBUTIONS AND CAPITAL
ACCOUNTS**

6.1 Initial Capital. The initial contributions to capital by the Members may be in the form of cash, at risk indebtedness, other property or services (valued, for this purpose, at fair market value) and shall be in the amounts as follows:

<u>Member</u>	<u>Cash or Property</u>
GREGORY A. STUART	\$ 60.00
JEREMY R. TERRY	\$ 20.00
M. BRETT JENSEN	\$ 20.00

6.2 Additional Capital Requirements. Should the Members determine that additional capital is required to acquire, retain or maintain capital assets of the Company or to pay operating expenses of the Company, the Members shall contribute such additional capital as may be required in proportion to their distributive shares. Should any one or more of the Members neglect or refuse to make the additional capital contributions required, the remaining Members, on a pro rata or other agreed basis, may lend the deficiency in additional capital to the Company. Should none of the Members contribute or lend the deficiency in capital contributions to the Company, the Members may borrow the deficiency from whatever sources are available to the Company upon such terms as are acceptable to the Members.

6.3 Negative Capital Accounts. Members having a negative or debit balance in their capital accounts shall restore such accounts to a zero or credit balance by making capital contribution items to the Company.

6.4 Withdrawals by Members. Except as otherwise specifically provided in this Agreement and in accordance with law, no Member shall have the right to withdraw or reduce his capital contribution to the Company.

6.5 Interest on Capital Accounts. The Members shall not receive interest on funds contributed by them as capital to the Company. Interest earned on Members' capital accounts shall inure to the benefit of the Company.

ARTICLE VII DISTRIBUTIVE SHARES

7.1 Distributive Share Defined. The term "distributive share" shall mean the interest of a Member, expressed in terms of a percentage, in the capital, profits and losses and cash and property available for distribution by the Company for all tax and accounting purposes.

7.2 Members' Distributive Shares. All items of income, loss, credits, capital, expense, capital gains and losses and cash available for distribution shall be allocated and distributed to and among the Members as follows with the exceptions of Development Fees as defined in section 7.3.

<u>Member</u>	<u>Percentage Participation</u>
GREGORY A. STUART	60%

JEREMY R. TERRY	20%
M. BRETT JENSEN	20%

<u>Member</u>	<u>Percentage Participation</u>
GREGORY A. STUART	33.1/3%
JEREMY R. TERRY	33.1/3%
M. BRETT JENSEN	33.1/3%

7.5 Cash Available for Distribution. Substantially all of the cash available for distribution, if any, shall be distributed to the Members at least quarterly. As used herein, the term “cash available for distribution” shall mean the excess of the Company’s cash receipts over the Company’s cash expenditures, for all purposes, including the establishment and maintenance of reserves reasonably required to sustain and maintain the operations of the Company’s business.

**ARTICLE VIII
MEMBERS**

8.1 Authority. Management of the Company shall be by the Members, and the consent of all Members shall be required to:

- (a) set up and grant signature authority for any bank or money management accounts;
- (b) pledge or assign company assets;
- (c) do any act in contravention of this Agreement;
- (d) do any act which would make it impossible to carry on the ordinary business of the Company;
- (e) confess a judgment against the Company;
- (f) possess Company property or assign the rights of the Company in specific Company property for other than a Company purpose;
- (g) admit a person as a Member except as otherwise provided in this Agreement;
- (h) sell all or substantially all of the assets of Company; and

(i) continue the business with Company property after death, retirement, resignation, expulsion, bankruptcy or dissolution of a Member or upon the occurrence of any other event that terminates the continued eligibility for membership of a Member in the Company.

Any meetings involving members other than the Management Committee set forth herein may be called by any Member with ten day written notice unless said notice requirement is waived by all of the Members.

8.2 Conflicts of Interest. Any of the Members, or any officer, employee, or other person holding a legal or beneficial interest in an entity which is a Member, may engage in or possess an interest in other business ventures of every nature and description, independently or with others, including, but not limited to those similar to the business of the Company; and neither the Company nor the Members shall have any right by virtue of this Agreement in and to such independent ventures or to the income or profits derived therefrom.

8.3 Reimbursement and Indemnification. The Members shall be entitled to payment for all goods and materials used for or by the Company. All expenses of the Company shall be billed directly to and paid by the Company. Each Member shall be indemnified by the Company on all obligations incurred in the normal course of Company business and as allowed pursuant to this agreement.

ARTICLE IX BOOKS OF ACCOUNT AND RECORDS

9.1 Accounting Year and Method. The Company shall adopt a calendar year for its financial reporting and federal income tax purposes. The Company shall prepare all financial statements and federal and state income tax reports on a cash basis.

9.2 Maintenance of Books and Records. At all times during the existence of the Company, the Members shall keep or cause to be kept by an agent full and true books of account, in which shall be entered fully and accurately each transaction of the Company.

9.3 Tax Returns. The Members shall have the books and records of the Company reviewed and income tax returns prepared for the Company; and a report indicating the respective Member's share of net profits or losses and capital gains or losses, all as defined and reflected on said Company income tax return, shall be available to the Members within ninety (90) days after the close of the taxable year of the Company for which such return was prepared.

9.4 Record Depository. The Members shall keep at the Company's principal place of business the following:

(a) a current list in alphabetical order of the full name and last known business, residence, or mailing address of each member;

(b) a copy of the stamped Articles of Organization and all certificates of amendment to

them, collectively referred to as the "Certificate of Organization," together with executed copies of any powers of attorney pursuant to which any certificate of amendment has been executed;

(c) copies of the Company's federal, state, and local income tax returns and reports, if any, for the three (3) most recent years;

(d) copies of any financial statements of the Company, if any, for the three (3) most recent years;

(e) a copy of the Company's operating agreement and all amendments thereto; and

(f) unless otherwise set forth in the Articles of Organization, a written statement setting forth:

(i) the amount of cash and a description and statement of the agreed value of the other property or services contributed by each Member and which each Member has agreed to contribute;

(ii) the times at which, or events on the happening of which, any additional contributions agreed to be made by each Member are to be made;

(iii) any right of a Member to receive distributions which include a return of all or any of the Member's contributions;

(iv) any date or event upon the happening of which a member is entitled to payment in redemption of the member's interest in the company; and

(v) any date or event upon the happening of which the Company is to be dissolved and its affairs wound up.

Records kept under this section are subject to inspection and copying at the reasonable request and at the expense of any Member during ordinary business hours.

ARTICLE X TRANSFER OF COMPANY INTEREST

10.1 Transfer or Assignment. No Member may sell, assign or transfer all or any part of his interest herein or any part of his interest in the Company without following the procedure set forth in paragraph 10.2. If none of the Members purchase the offered interest then the Member may sell such interest upon obtaining the written consent of the other Members. If the nontransferring Members do not consent to the proposed transfer or assignment, the transferee of the interest of the Member has no right to participate in the management of the business and affairs of the Company or to become a Member. In that event, the transferee is entitled to receive only the share of profits or other compensation by way of income and the return of contributions to which that Member would otherwise be entitled.

10.2 Right of First Refusal. If one of the Members wishes to dispose of his interest

voluntarily, he shall first offer in writing to sell his interest to the other Members. Each remaining Member shall have the right to purchase a pro-rata share of the interest being offered for sale consistent with his ownership share which right shall be exercised in writing within thirty days after receipt of the offer. If any Member declines to purchase his pro-rata share, the remaining Members shall have the right to purchase their proportionate share of the amount remaining.

10.3 Pledging of Company Interest. No Member may pledge all or any part of his interest herein or any part of his interest in the Company. Any expenses incurred by the Company in defending or meeting obligations of an individual Member shall be chargeable to that individual Member out of his capital account or shall be deducted from his share of the annual net profits prior to the distribution thereof.

ARTICLE XI CESSATION OF A MEMBER

11.1 Member Termination. Upon the death, retirement, resignation, expulsion, bankruptcy, or dissolution of a Member or upon the occurrence of any other event that terminates the continued eligibility for membership of a Member in the Limited Liability Company, the Company shall be dissolved unless the business of the Limited Liability Company is continued by the consent of all remaining Members within ninety (90) days after the event of termination.

ARTICLE XII DISSOLUTION AND WINDING-UP

12.1 Dissolution and Termination of the Company. The Company shall be dissolved and terminated upon the happening of any of the following:

- (a) by written, unanimous agreement of the Members;
- (b) upon the expiration of the period set forth in Section 4.1 above;
- (c) when the Company is not the successor or survivor entity in any merger or consolidation between the Company and any one (1) or more other entities; or
- (d) upon the sale of all or substantially all of the assets of the Company.

12.2 Settlement Upon Dissolution. Upon the dissolution of the Company, the profits, losses and capital of the Company shall be distributed as follows:

- (a) first, liabilities to creditors, in order of priority as provided by law, except those liabilities to Members of the Company on account of their contributions to capital;
- (b) second, to Members in respect to their capital accounts; and

(c) third, to Members in respect to their respective distributive shares.

ARTICLE XIII AMENDMENT

13.1 Amendment of Operating Agreement. The Company's Operating Agreement and Certificate of Company of this Company shall be amended, by restatement or addendum, whenever:

(a) there is a change in the name of the Company;

(b) there is a change in the character of the business of the Company from that specified in the Company's Articles of Organization;

(c) there is a false or erroneous statement in the Articles of Organization;

(d) there is a change in the time, as stated in the Articles of Organization, for the dissolution of the Company;

(e) there is a change in the name and street address of the Manager of the Company or if the Company is managed by its Members, there is a change in the names and addresses of the Company's Members;

(f) the Members determine to fix a time not previously specified in the Articles of Organization for the dissolution of the Company; or

(g) the Members desire to make a change in any of the provisions of the Articles of Organization in order for said Articles of Organization to accurately represent the agreement among them.

Such amendment shall require the vote of the Members holding a majority of the ownership interest in the Company.

ARTICLE XIV MISCELLANEOUS

14.1 Notices. All notice under this Agreement shall be in writing and shall be given to the Member entitled thereto by personal service or by certified or registered mail, return receipt requested, to the address set forth in this Agreement for such Member or at such other address as he may specify in writing.

14.2 Title and Captions. Paragraph titles or captions contained in this Agreement are inserted only as a matter of convenience and for reference and in no way define, limit, extend or describe the scope of this Agreement or the intent of any provision hereof.

14.3 Gender. Whenever the singular number is used in this Agreement and when required by the context, the same shall include the plural, and the masculine gender shall include

the feminine and neuter genders and the word “person” shall include trust, corporation, firm, partnership, or other form of association.

14.4 Counterparts. This Agreement may be executed in several counterparts, and all so executed shall constitute one agreement binding on all parties hereto, notwithstanding that all the parties are not signatory to the original or the same counterpart.

14.5 Governing Law. This Agreement and all amendments hereto shall be governed by the laws of the State of Utah.

14.6 Survival of Terms and Provisions. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the successors and assigns of the respective Members.

14.7 Severability. The invalidity or unenforceability of any part of this Agreement shall not invalidate or affect the validity or enforceability of any other provision of this Agreement, which shall continue to govern the rights and obligations of the parties hereto as though the invalid or unenforceable provision(s) were not a part hereof.

14.8 Further Instruments. The Members agree that they will execute any and all other documents or legal instruments that may be necessary or required to carry out and effectuate all of the provisions hereof.

14.9 Preparation of Agreement. The Members acknowledge that they have all participated in the preparation of this Agreement and, in the event that any question arises regarding its interpretation, no presumption shall be drawn in favor of or against any Member with respect to the drafting hereof.

14.10 Entire Agreement. This Agreement constitutes and represents the entire agreement of Members with respect to the subject matter hereof, and all other prior agreements, covenants, promises and conditions, verbal or written, between these parties, are incorporated herein. No Member hereto has relied upon any other promise, representation or warranty, other than those contained herein, in executing this Agreement.

14.11 Waiver of Lis Pendens and Partition. The Members recognize that no Member has any direct right in any Company property, but only an interest in the Company which is deemed to be personal property. Nevertheless, because the Company may suffer irreparable financial loss if a lis pendens were filed or an action for partition were brought with respect to company property by a Member arising out of a Company dispute, each Member does hereby waive any such right to file a lis pendens against any property of the Company or bring an action for partition thereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

MEMBERS:



GREGORY A. STUART



JEREMY R. TERRY



M. BRETT JENSEN

COPY

Date: 03/19/2015
Receipt Number: 5943664
Amount Paid: \$70.00

DK

RECEIVED

MAR 19 2015

Utah Div. of Corp. & Comm. Code

**CERTIFICATE OF ORGANIZATION
OF
EMMETT PARTNERS, LLC**

The undersigned person, being 18 years of age or older and acting as organizer pursuant to the Utah Revised Uniform Limited Liability Company Act (the "Act"), hereby adopts the following Certificate of Organization this 18th day of March, 2015 for the purpose of forming a limited liability company under the Act.

ARTICLE I

The name of the limited liability company is Emmett Partners, LLC (the "Company").

ARTICLE II

The street and mailing address of the Company's principal office is:

Nine Exchange Place, Suite 600
Salt Lake City, Utah 84111

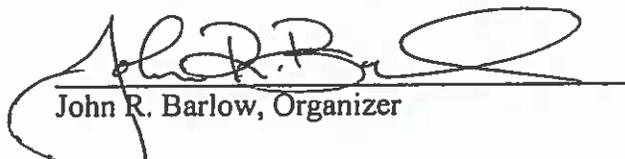
ARTICLE III

The name of the Company's initial registered agent and the address of the Company's initial registered office in the State of Utah are:

M&B Corporate Services, LLC
Nine Exchange Place, Suite 600
Salt Lake City, Utah 84111

ARTICLE IV

The name of the organizer of the Company is John R. Barlow, and his signature is below.


John R. Barlow, Organizer

03-19-15P02:40 RCVD

Date of this notice: 03-19-2015

Employer Identification Number:
47-3469035

Form: SS-4

Number of this notice: CP 575 G

EMMETT PARTNERS LLC
GREGORY A STUART SOLE MBR
9 E EXCHANGE PL STE 600
SALT LAKE CTY, UT 84111

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 47-3469035. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

IMPORTANT REMINDERS:

- * Keep a copy of this notice in your permanent records. **This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you.** You may give a copy of this document to anyone asking for proof of your EIN.
- * Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- * Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is EMME. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.



Rapid Creek Ln

69

N Meridian Rd

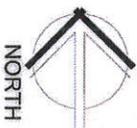
E Limestone St

E Alhacora Ln

E Kokan

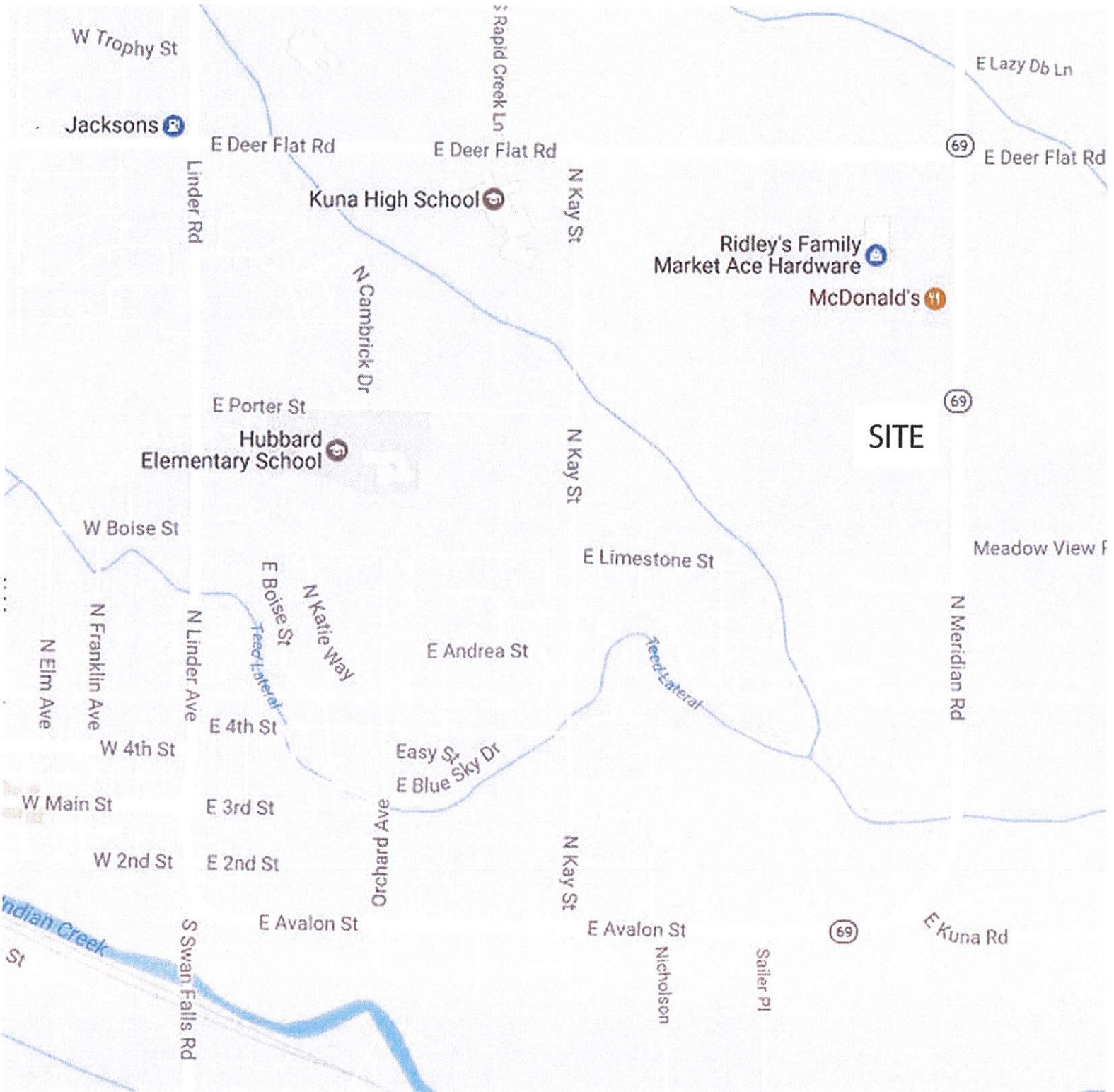
N Quail
one ct
N Sit

AERIAL PHOTO



Exhibit

B-7.1



VICINITY MAP



Exhibit
B-7.2

VICINITY MAP



E Deer Flat Rd

N Albacore Ln

E Profile Ln

N Meridian Rd

E Meadow View Rd

E Albacore Ln



SUBJECT SITE



PARCEL LINES



KUNA ROADS

AERIAL MAP



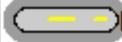
E. Deer Flat Rd

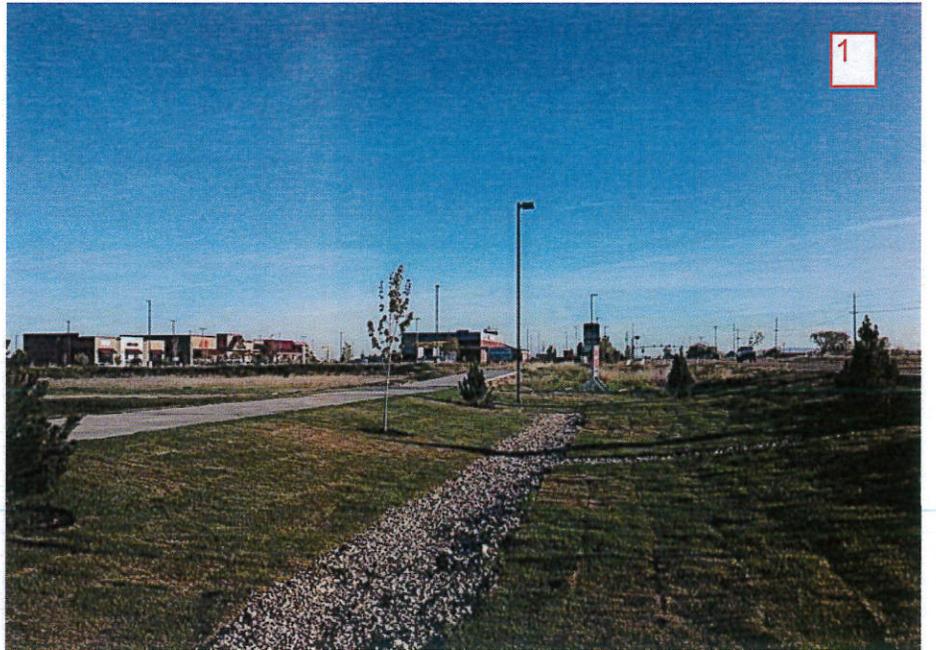
N. Abstein Ln

E. Profile Ln

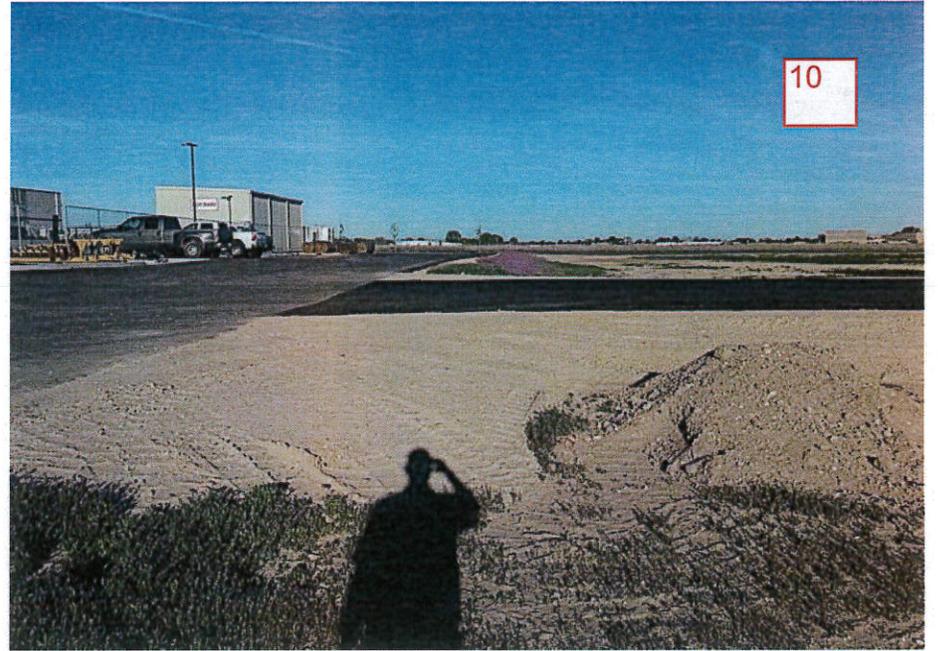
N. Meridian Rd

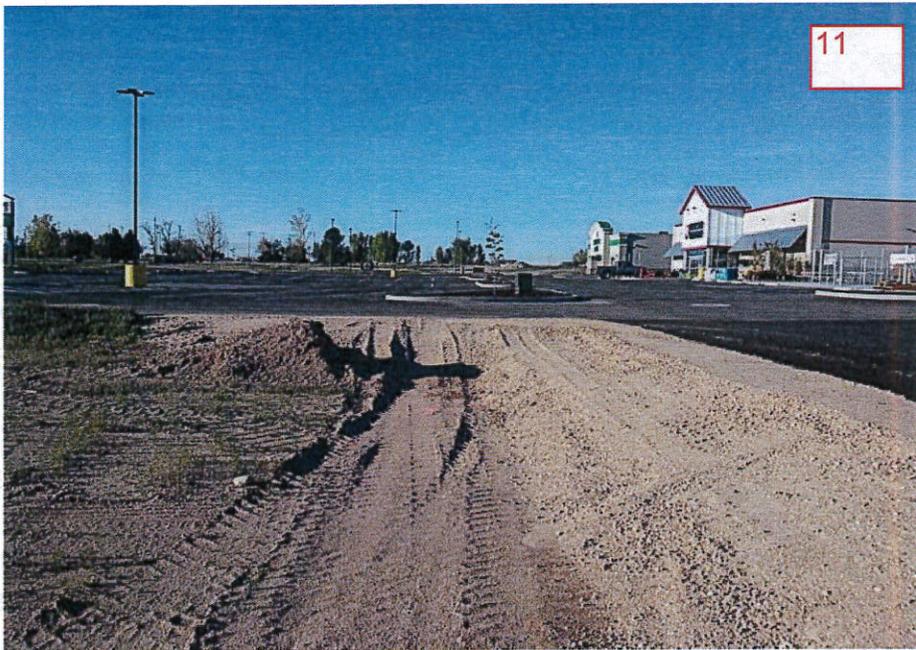


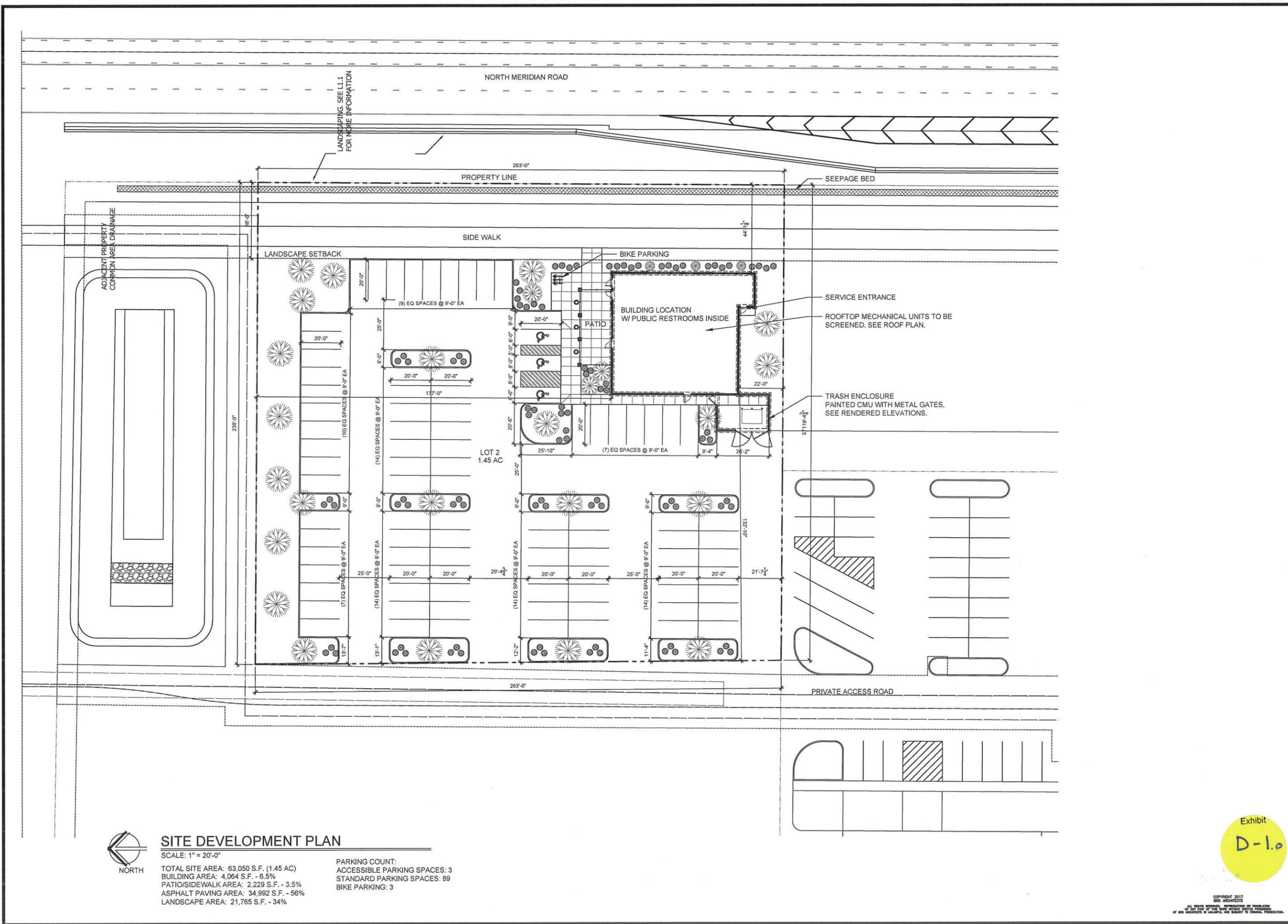
-  SUBJECT SITE
-  PARCEL LINES
-  KUNA_ROADS











SITE DEVELOPMENT PLAN

SCALE: 1" = 20'-0"

TOTAL SITE AREA: 63,050 S.F. (1.45 AC)
 BUILDING AREA: 4,064 S.F. - 6.5%
 PATIO/SIDEWALK AREA: 2,229 S.F. - 3.5%
 ASPHALT PAVING AREA: 34,992 S.F. - 56%
 LANDSCAPE AREA: 21,765 S.F. - 34%

PARKING COUNT:
 ACCESSIBLE PARKING SPACES: 3
 STANDARD PARKING SPACES: 89
 BIKE PARKING: 3

NO.	REVISIONS	DATE

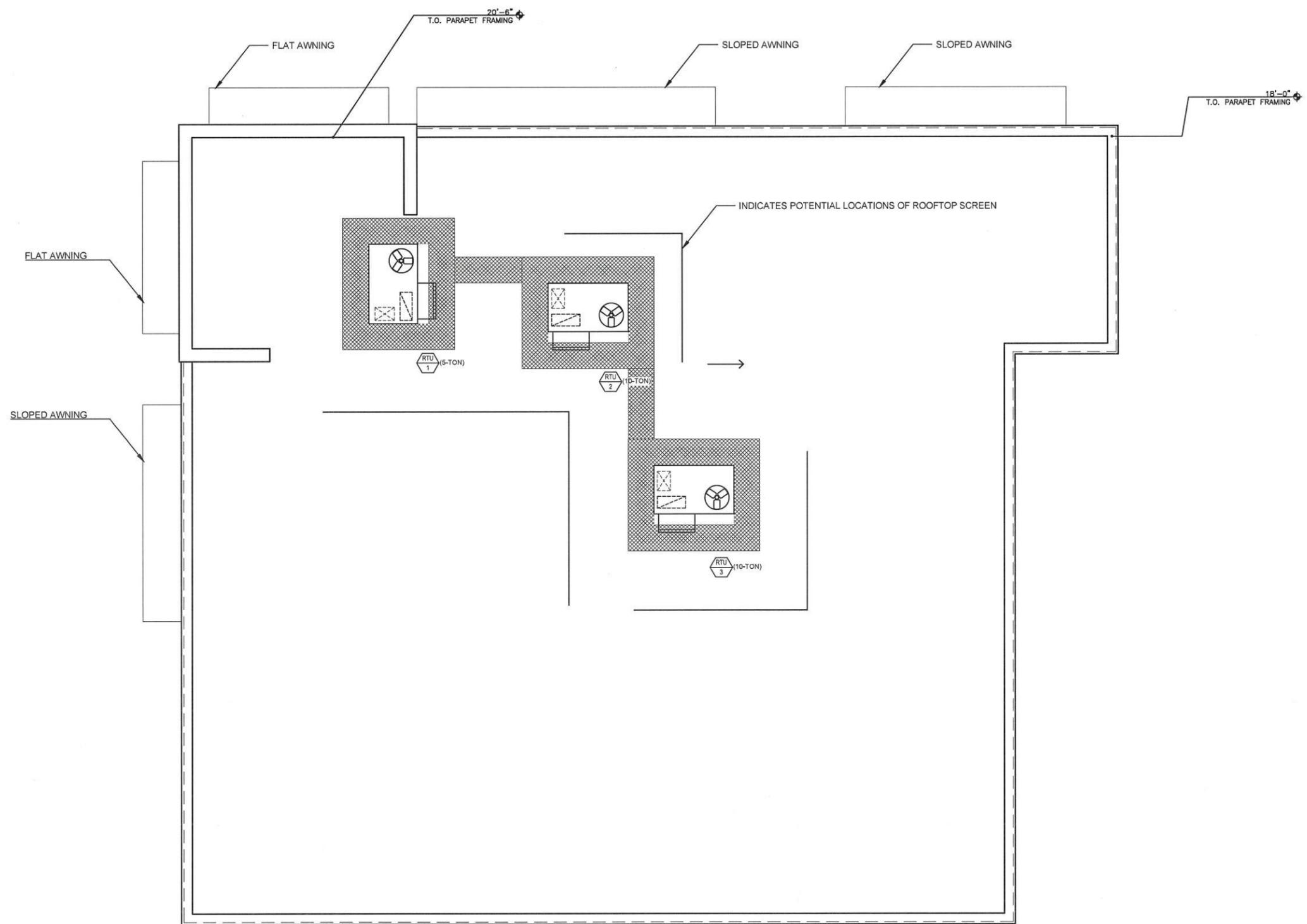
1010 S. ALLANTE PL.
 SUITE 100
 BOISE, IDAHO 83709
 (208) 336-8370
 FAX (208) 336-8380

PROPOSED DEVELOPMENT FOR:

DRAWN	TJK
DATE	03.15.17
CHECKED	TJK
JOB NO.	14026
SHEET	A-1.0

Exhibit
D-1.0

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ROOF PLAN
SCALE: 1/4" = 1'-0"

NOTES

- MECHANICAL ROOFTOP UNIT SIZING AND LOCATION TO BE DETERMINED, SCHEMATIC LAYOUT SHOWN
- SCREENING OF ROOF TOP UNITS TO BE SCREENED BY SECONDARY SCREEN METHOD TO MATCH STYLE OF BUILDING.

NO.	REVISIONS	DATE

1010 S. ALLANTE PL.
SUITE 100
BOISE, IDAHO 83709
(208) 336-8370
FAX (208) 336-8380

PROPOSED DEVELOPMENT FOR:

Exhibit
D-1.1

DRAWN	ALR
DATE	03.15.17
CHECKED	TJK
JOB NO.	14026
SHEET	A-1.1

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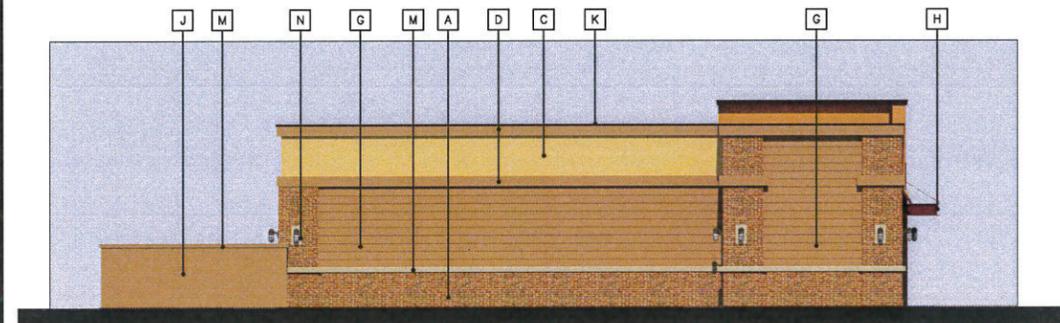


VIEW FROM THE NORTH EAST



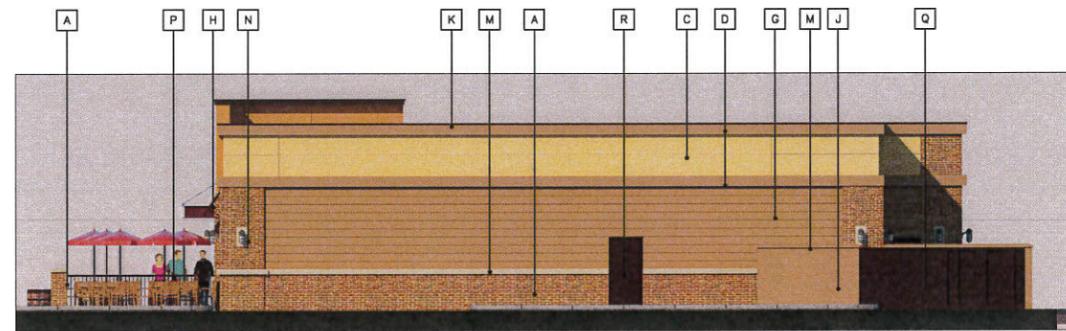
EAST ELEVATION

SCALE: 1/8" = 1'-0"



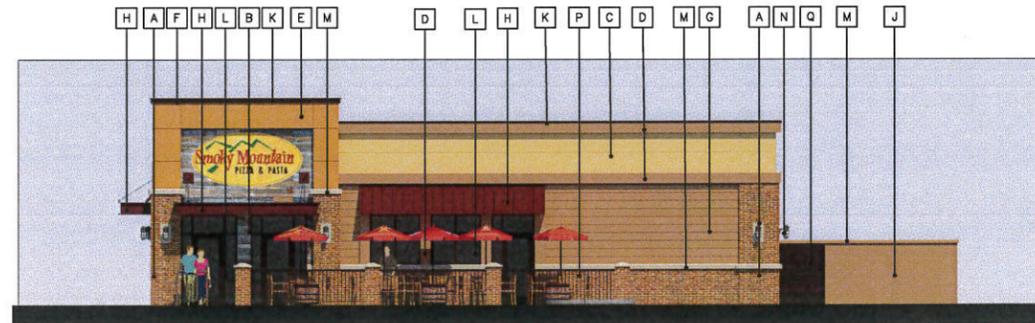
SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



WEST ELEVATION WITH TRASH ENCLOSURE

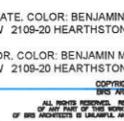
SCALE: 1/8" = 1'-0"



NORTH ELEVATION

SCALE: 1/8" = 1'-0"

FINISHES

- A BRICK VENEER. GLEN GERY. ABERDEEN. 
- B RECLAIMED BARN WOOD. 
- C EIFS. MEDIUM TEXTURE. COLOR: BENJAMIN MOORE COLOR PREVIEW 2153-40 CORK. 
- D EIFS. MEDIUM TEXTURE. COLOR: BENJAMIN MOORE COLOR PREVIEW HC-75 MARYVILLE BROWN. 
- E EIFS. MEDIUM TEXTURE. COLOR: BENJAMIN MOORE COLOR PREVIEW 2159-10 DRIED MUSTARD. 
- F EIFS. MEDIUM TEXTURE. COLOR: BENJAMIN MOORE COLOR PREVIEW 2109-20 HEARTHSTONE BROWN. 
- G HORIZONTAL SIDING. TEXTURE: SMOOTH. COLOR: BENJAMIN MOORE COLOR PREVIEW HC-75 MARYVILLE BROWN. 
- H METAL AWNING. COLOR: BENJAMIN MOORE COLOR PREVIEW 2091-10 TEA. 
- J CONCRETE MASONRY BLOCK. COLOR: BENJAMIN MOORE COLOR PREVIEW HC-75 MARYVILLE BROWN. 
- K PREFINISHED GALVANIZED STEEL COPING. COLOR: DARK BRONZE. 
- L ALUMINUM STOREFRONT COLOR: DARK BRONZE. 
- M PRECAST CONCRETE SILL. 
- N LIGHT FIXTURES.
- P WROUGHT IRON FENCING. COLOR: BLACK.
- Q METAL GATE. COLOR: BENJAMIN MOORE COLOR PREVIEW 2109-20 HEARTHSTONE BROWN.
- R H.M. DOOR. COLOR: BENJAMIN MOORE COLOR PREVIEW 2109-20 HEARTHSTONE BROWN.

NO.	REVISIONS	DATE

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FAX (208) 336-8380



PROPOSED DEVELOPMENT FOR:



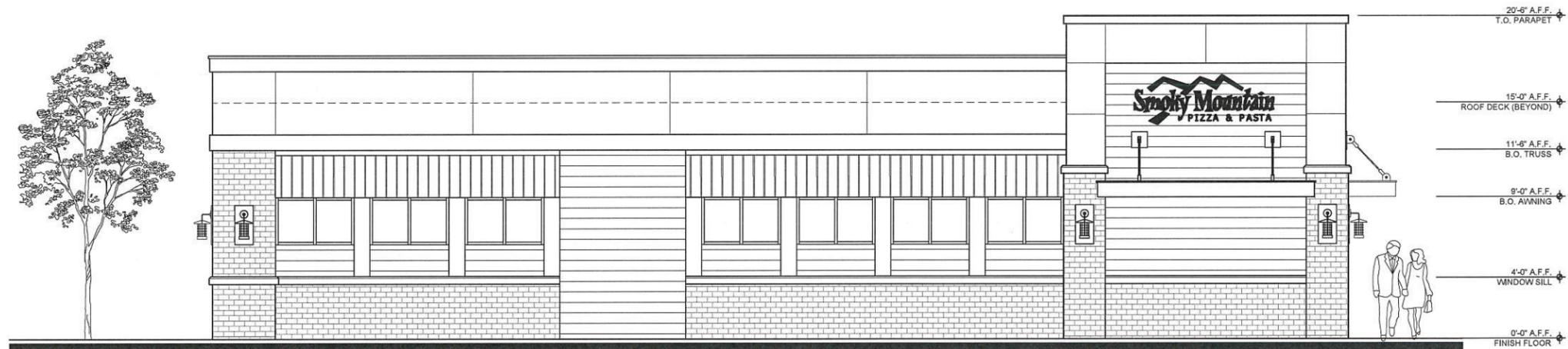
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DATE	03.15.17
CHECKED	TJK
JOB NO.	14026
SHEET	A-2.0

Exhibit
D-1.2
or D-2

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



EAST ELEVATION
SCALE: 1/4" = 1'-0"

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PROPOSED DEVELOPMENT FOR:

Smoky Mountain
PIZZERIA GRILL

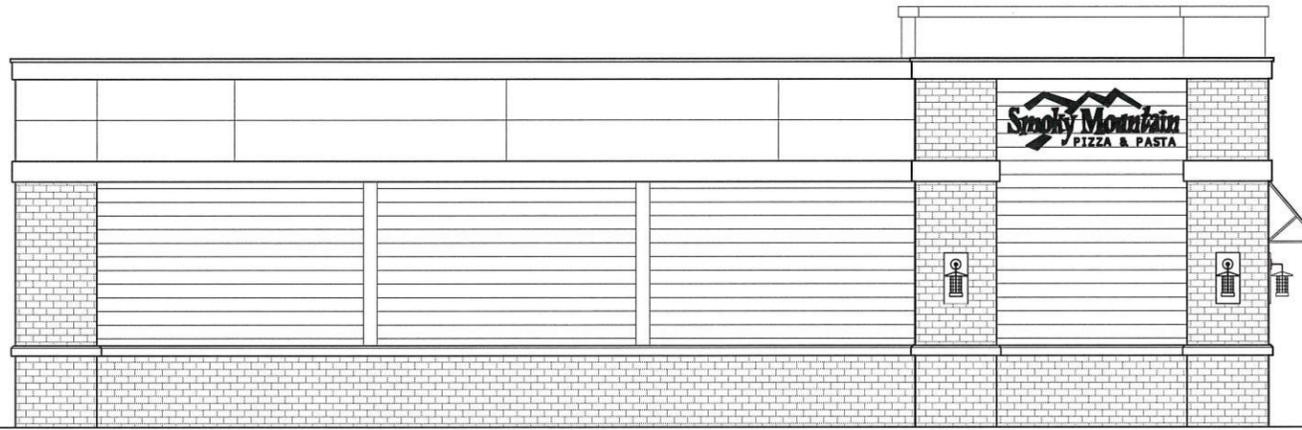
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18'-0" A.F.F.
T.O. PARAPET

0'-0" A.F.F.
FINISH FLOOR



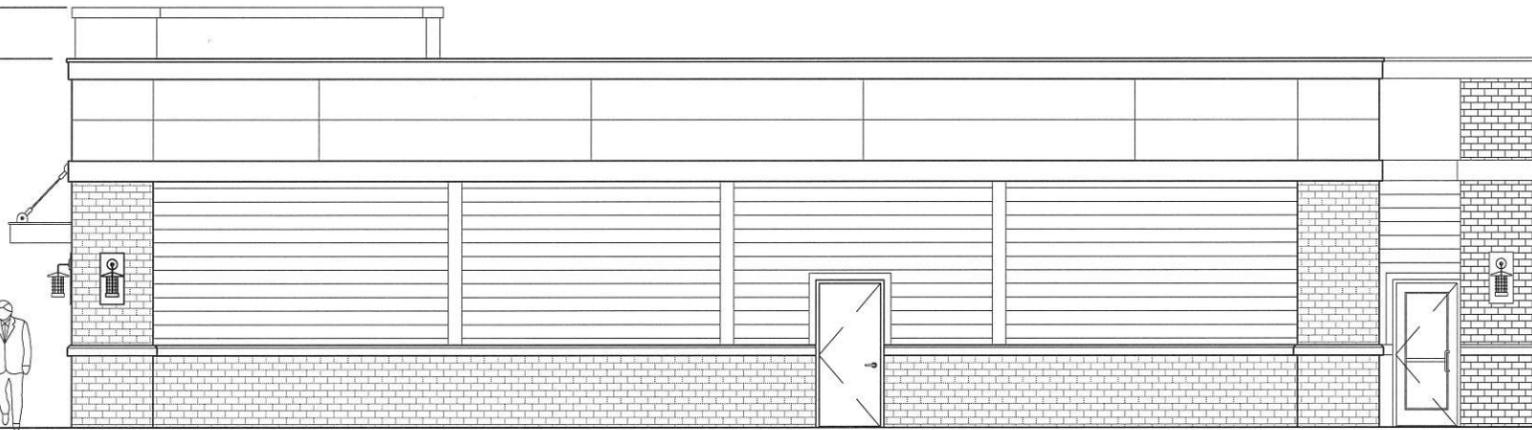
SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

20'-5" A.F.F.
T.O. PARAPET BEYOND

18'-0" A.F.F.
T.O. PARAPET

0'-0" A.F.F.
FINISH FLOOR



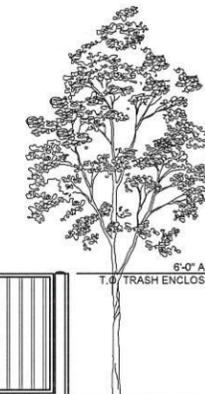
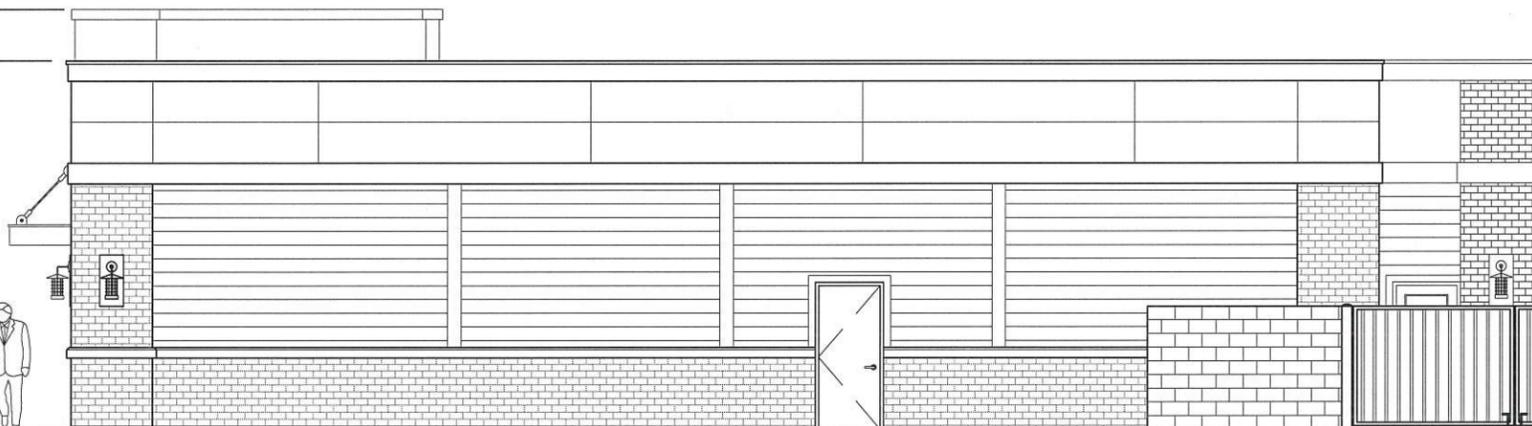
WEST ELEVATION WITHOUT DUMPSTER

SCALE: 1/4" = 1'-0"

20'-5" A.F.F.
T.O. PARAPET BEYOND

18'-0" A.F.F.
T.O. PARAPET

0'-0" A.F.F.
FINISH FLOOR



6'-0" A.F.F.
T.O. TRASH ENCLOSURE

WEST ELEVATION WITH DUMPSTER

SCALE: 1/4" = 1'-0"

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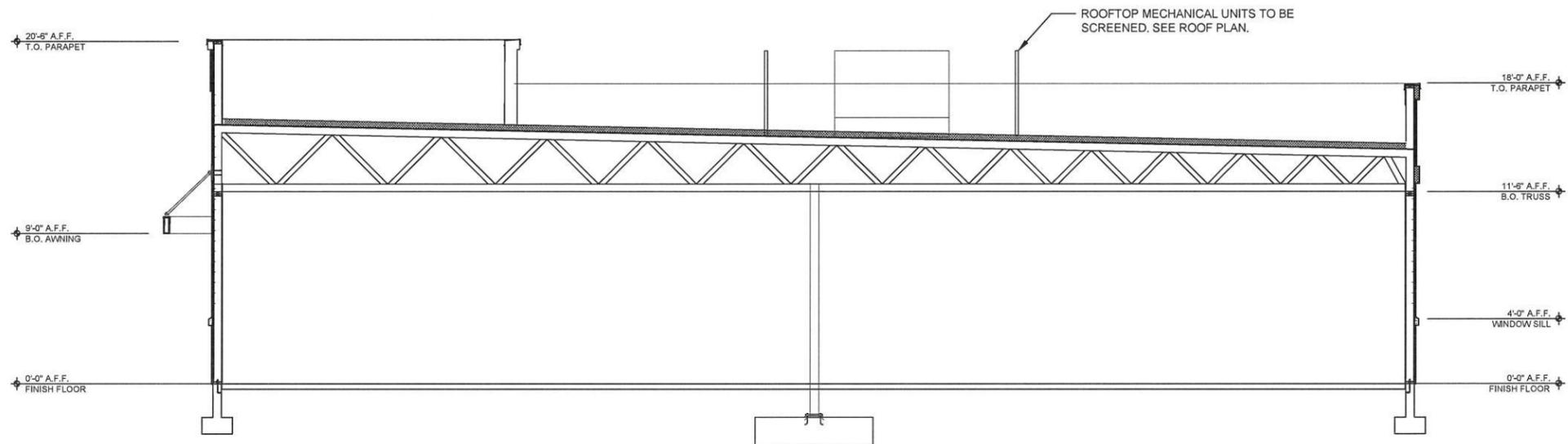
PROPOSED DEVELOPMENT FOR:

Smoky Mountain
PIZZERIA GRILL

DRAWN	TJK
DATE	03.15.17
CHECKED	TJK
JOB NO.	14026
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SECTION 'A'
SCALE: 1/4" = 1'-0"

NOTES

- MECHANICAL ROOFTOP UNIT SIZING AND LOCATION TO BE DETERMINED
- SCREENING OF ROOF TOP UNITS TO BE SCREENED BY SECONDARY SCREEN METHOD TO MATCH STYLE OF BUILDING.

DATE	REVISIONS	NO.

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FAX (208) 336-8380

PROPOSED DEVELOPMENT FOR:

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STACK ROCK GROUP
 LANDSCAPE ARCHITECTURE/MASTER PLANNING
 MILLET C HOWARD, P.L.A.
 OFFICE: (208) 345.0500
 EMAIL: MILLET@STACKROCKGROUP.COM
 WWW.STACKROCKGROUP.COM

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PROPOSED DEVELOPMENT FOR:

Smoky Mountain Pizzeria Grill

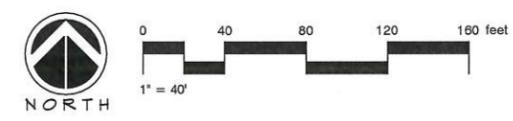
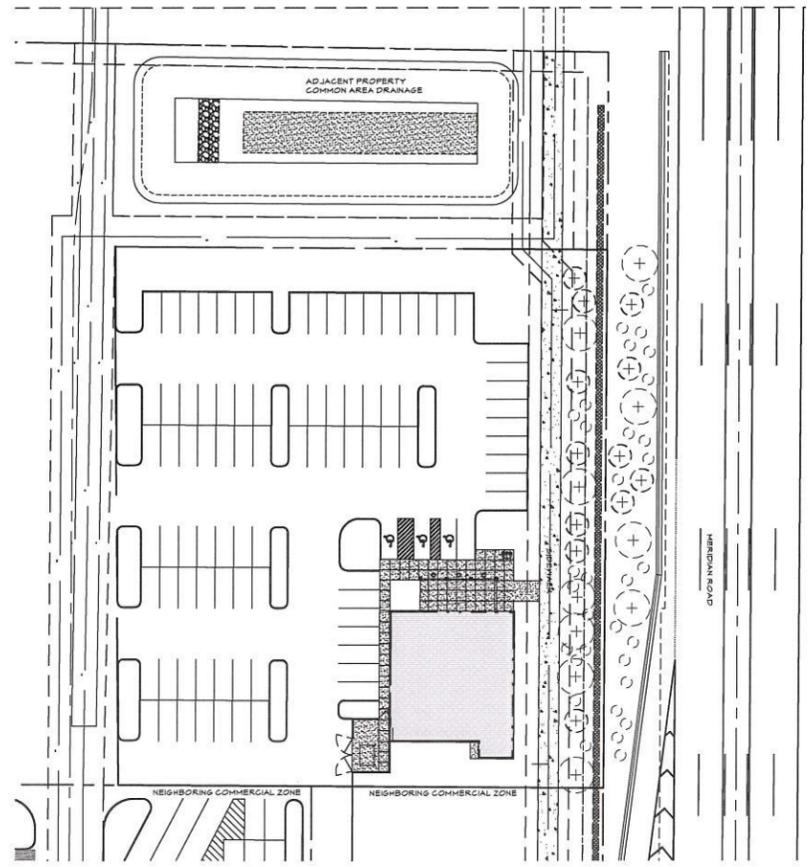
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DATE	04.07.2017
CHECKED	JB
JOB NO.	14026
SHEET	L1.0
LANDSCAPE OVERVIEW	

LANDSCAPE NOTES:

- REGULATIONS & STANDARDS**
 - All contractor work shall be conducted in accordance with ISFNC (Idaho Standard Public Works Construction), 2017; and City of Kuna, ID codes, standards and state and local regulations.
 - EXISTING CONDITIONS**
 - All utilities shall be located prior to construction and protected. Any damage to structures, utilities or concrete will be replaced at contractor's expense.
 - The site has many existing improvements such as underground utilities, curb and gutter, light poles and sidewalks.
 - See Engineer's plans for information about existing features; all drainage pipes and locations. Protect and retain drainage at all times.
 - GRADING & SITE PREPARATION**
 - Prepare finish grades for planting by grubbing and removing weeds, if necessary apply Round-Up (or equivalent herbicide), using a certified applicator. Remove rocks and other materials over 2".
 - All gravel overprep to be removed and disposed of off site.
 - Finish grade to be smooth transition to allow for entire site to be a natural flowing space.
 - Fine grade lawn areas to elevations set by Engineer's plans with positive drainage away from structures.
 - Refer to Engineer's plans for grading information & for all drainage pipes and locations. Protect and retain drainage at all times.
 - No pooling or standing water will be accepted per industry standards.
 - SOILS**
 - All planter beds to receive a minimum of 18" depth of screened topsoil. Spread, compact, and fine grade to smooth and uniform grade 2" below adjacent surfaces.
 - All lawn areas to receive a minimum of 12" depth of screened topsoil. Spread, compact, and fine grade topsoil to a smooth uniform grade 1" below adjacent surfaces.
 - All seeded areas to receive a minimum of 6" of screened topsoil. Spread, compact and fine grade topsoil to smooth and uniform grade 3" below adjacent surfaces.
 - Reuse of existing topsoil that has been stockpiled on site is permitted if:
 - Topsoil is tested and analyzed to ensure a proper growing medium. Provide additional amendments as determined by soil tests. And
 - Topsoil is to be loose, friable sandy loam that is clean and free of toxic materials, noxious weeds, weed seeds, rocks, grass or other foreign materials.
 - Topsoil should have a pH of 6.5 to 8.0.
 - If on site topsoil does not meet these minimum standards contractor is responsible for providing approved imported topsoil or improving onsite topsoil per the approval of the project manager.
 - If imported topsoil is used it must be from a local source and be screened free of any debris or foreign matter. Topsoil must not contain rocks, sticks, lumps, or toxic matter.
 - Smooth, compact, and fine grade topsoil in lawn areas to smooth and uniform grade 5" below adjacent surfaces.
 - Prepare finish grade of topsoil to elevations set by Engineer's plans with positive drainage away from structures. Refer to Civil Engineer's plans for grading information.
 - Amend soil for all new plantings with 2 parts topsoil and 1 part compost
 - PLANTER BED MULCH**
 - All planter beds to receive 2" depth of perma bark rock mulch or approved equal (crushed basalt rock), submit for approval prior to placement.
 - Install over commercial grade weed-barrier fabric, per manufacturer recommendations.
- LAWN AREAS**
 - Sodded to be tall turf-type fescue or approved equal per approved by owner, regionally grown, provide same mix as seeded

- or approved equal (above), to be installed 6 weeks min prior to opening date.
- Lay sod within 24 hrs of harvesting. Lay sod to form a solid mass with offset, tightly fitted joints on even grades.
- Strip, repair and replace dead sod as needed
- All lawn edges next to planter beds have a cut edge.
- PLANTS**
 - All plant material shall be installed per industry standards.
 - All plant material shall meet or exceed the minimum federal standards as regulated by ANSI Z60.1, American Standard for Nursery Stock. Plants not meeting these standards for quality, or plants determined to be unhealthy by Owner's representative, will be rejected.
 - All Ball and Burlap trees to be installed per Balled and Burlapped planting detail 1/L 1.0.
 - All shrubs to be installed per detail 2/L 1.0.
 - Trees and shrubs over 36" shall not be planted within clear vision triangles per city code.
 - All trees shall not be planted within the 10' clear zone of all ACHD (Ada County Highway District) storm drain pipe, structures, or facilities.
 - Fertilize all trees and shrubs with 'Agriform' planting tablets or approved equal. Apply per manufacturers recommendations.
- IRRIGATION**
 - Irrigation system shall be built to the following specifications:
 - Adhere to city codes when connecting to city water.
 - All irrigation material to be new with manufacturers' warranty fully intact.
 - Install indoor rated controller to be located as indicated on plan; coordinate with project manager and site electrician on exact location.
 - Controller to have On/Off rain switch or rain shut off device that does not alter program.
 - All remote control valves (including master control valve) to have flow control device.
 - Irrigation system piping to be minimum class 200 PVC or approved equal, sleeves to be double the size of pipes located within, all wires to be contained in separate sleeves 1-1/2" dia min.
 - Use common trenching where possible.
 - All PVC located under hardscapes to be schedule 40 PVC with same req's as above.
 - All mainline pipe and wires to be buried a minimum of 18" and all lateral piping to be buried a minimum of 12" below grade.
 - All wires to be 14 gauge direct bury wire at a minimum. Size wire for correct voltage loss.
 - Supply a minimum of (2) spare wires to furthest valves from controller in all directions.
 - Sprinkler heads shall have a matched precipitation within each control circuit. Velocities shall not exceed 5 feet per second.
 - Contractor is responsible complying with all codes and paying all permits necessary.
 - Sprinkler heads shall have a matched precipitation within each control circuit. Velocities shall not exceed 5 feet per second.
 - Water schedule to be provided at a min of 60% evapotranspiration as determined by the local ET.
- CONTRACTOR RESPONSIBILITIES**
 - Estimated quantities are shown for general reference only. Contractor shall be responsible for all quantity estimates.
 - Refer to note 2.1 regarding damages to existing utilities & permitting note in irrigation section.
 - All plant material and workmanship shall be guaranteed for a period of one year beginning at the date of Acceptance by Owner. Replace all dead or unhealthy plant material immediately with same type and size at no cost to Owner.
 - In the event of a discrepancy, notify the General Contractor.

PROJECT SITE:



LANDSCAPE REQUIREMENTS:

LANDSCAPE BUFFERS ABUTTING PUBLIC STREETS:

*STREET TREE SPACING: 1 SHADE TREES/ 35LF 5 SHRUBS/35LF
 *5' MIN SPACING FROM BACK OF SIDEWALK
 *NO TREES OR SHRUBS OVER 36" TO BE PLANTED WITHIN CLEAR VISION TRIANGLE
 *ONLY CLASS I TREES FROM RECOMMENDED PLANT LIST MAY BE LOCATED UNDER OVERHEAD UTILITY LINES
 *TREE SPACING PER 100 LF FOR BUFFERS: 2 SHADE TREES, 3 EVERGREEN TREES AND 12 SHRUBS
 *NO TREES OR SHRUBS OVER 36" TO BE PLANTED WITHIN CLEAR VISION TRIANGLE
 *ONLY CLASS I TREES FROM RECOMMENDED PLANT LIST MAY BE LOCATED UNDER OVERHEAD UTILITY LINES

NOTE:
 *SEE DEVELOPMENT LANDSCAPE PLANS WHICH PROVIDE ROW/STREET BUFFERING LANDSCAPE REQUIREMENTS, APPROVED QUANTITY OF SHRUBS AND TREES

PARKING LOT LANDSCAPING:

*1 SHADE TREE PER TERMINAL PLANTER/ PLANTER ISLAND
 *PERIMETER SCREENING SHALL PROVIDE 1 TREE & 5 SHRUBS PER 35 LF

PARKING LOT TREES REQUIRED: 13 PROVIDED: 13

NOTE:
 *MERGE PARKING REQUIREMENTS ON TREES AND SHRUBS WITH PROPOSED LANDSCAPE SCREENING FROM DEVELOPMENT, NO ADDITIONAL TREES, REDUCE 30 SHRUBS TO 20 TO PROVIDE SCREENING

ADDITIONAL REQUIREMENTS:

PLANTING SIZING:

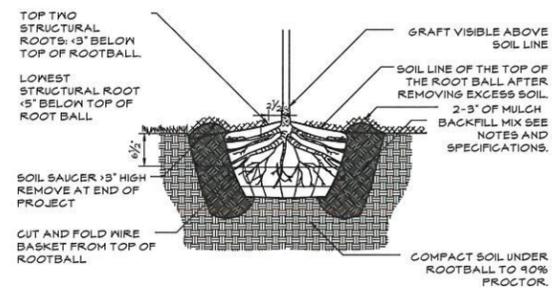
PLANT	MINIMUM SIZE
SHADE TREE	2" CALIPER
ORNAMENTAL TREE	2" CALIPER
EVERGREEN TREE	6" HEIGHT
MOODY SHRUBS	2 GALLON

*TREES SHALL NOT BE PLANTED WITHIN 10' OF ACHD STORM DRAIN PIPE, STRUCTURES OR FACILITIES
 *SEEPAGE BEDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM
 *NO TREES OR SHRUBS OVER 36" HIGH SHALL BE PLANTED WITHIN THE CLEAR VISION TRIANGLES

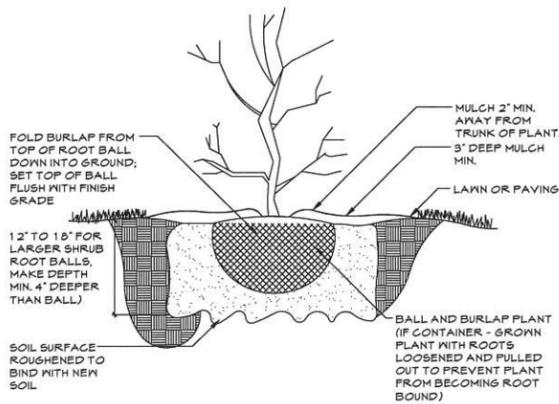
- NOTES:**
- DO NOT DAMAGE OR CUT LEADER
 - DO NOT DISTURB ROOT OR DAMAGE ROOT BALL WHEN INSTALLING TREE OR TREE STAKES.
 - TREE STAKING SHALL BE AT THE DISCRETION OF CONTRACTOR, HOWEVER ANY TREES DISTURBED FROM PLUMB DURING THE PLANT WARRANTY PERIOD WILL BE REPAIRED OR REPLACED AT CONTRACTOR'S EXPENSE.
 - WATER PLANTS THOROUGHLY IMMEDIATELY AFTER INSTALLATION.
 - REMOVE ALL BURLAP, TWINE, ROPE, OR MATERIAL FROM THE TOP 1/4 OF THE ROOTBALL.
 - 5" DIAMETER PLANTER BED/MULCH RING AROUND THE TRUNK OF THE TREE, 3" OF MULCH MIN. DO NOT PLACE MULCH WITHIN 2" OF TRUNK OF TREE.

NOTE:
 REMOVE ALL TAGS, TWINE OR OTHER NON BIODEGRADABLE MATERIALS ATTACHED TO PLANT OR ROOT MASS.

BACKFILL SHALL BE 100% TOPSOIL. WATER SETTLE ALL PLANTINGS TO ENSURE PLANT ROOTBALL MAINTAINS 3" HEIGHT ABOVE EXISTING SOILS WHEN COMPLETE.

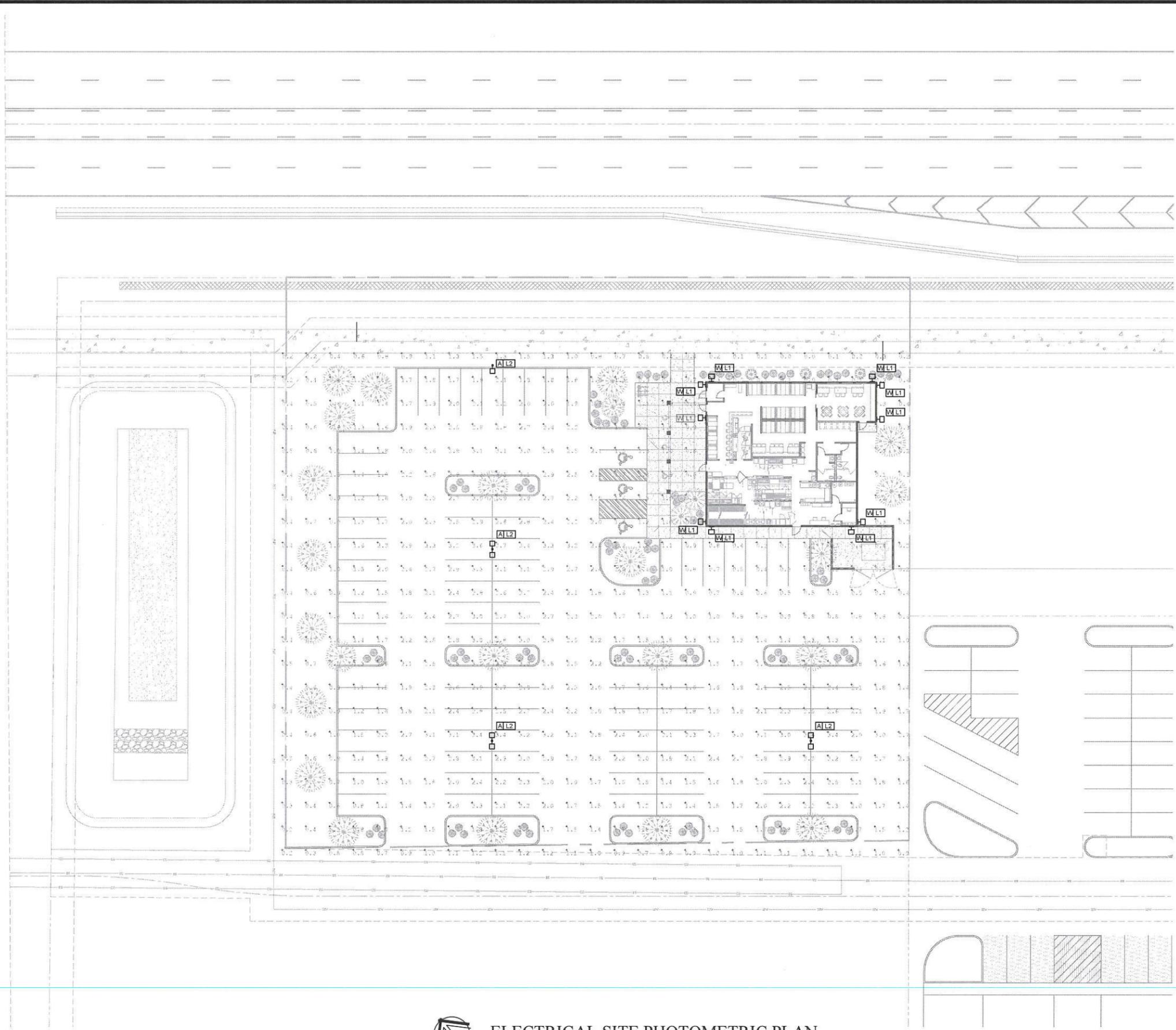


1 BALL AND BURLAP TREE PLANTING
 3/4" - 1'-0" 329343.13-01



2 SHRUB PLANTING
 1" - 1'-0" 329333-01

Exhibit
D-1.5



ELECTRICAL SITE PHOTOMETRIC PLAN
 SCALE: 1" = 20'-0"

NOT FOR CONSTRUCTION



world wide web: e2co.com
 800 s. industry way, suite 350
 meridian, idaho 83642
 phone: 208.378.4450
 fax: 208.378.4451
 e2co project #: 17053



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VIEW FROM THE NORTH EAST

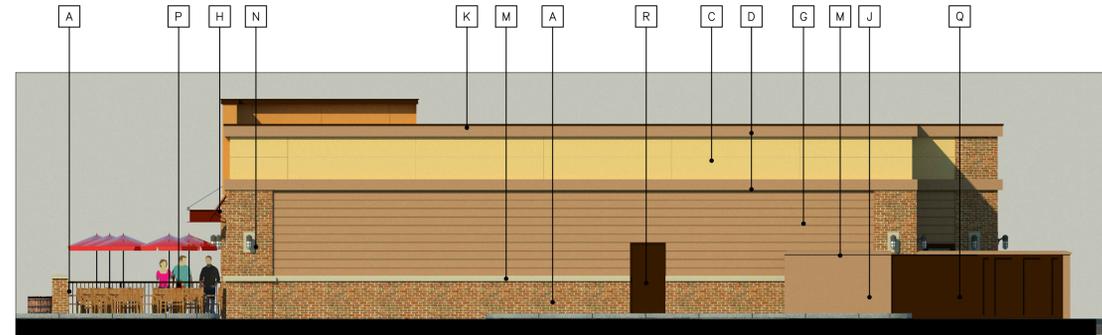
FINISHES

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- R H.M. DOOR. COLOR: BENJAMIN MOORE COLOR PREVIEW 2109-20 HEARTHSTONE BROWN. 



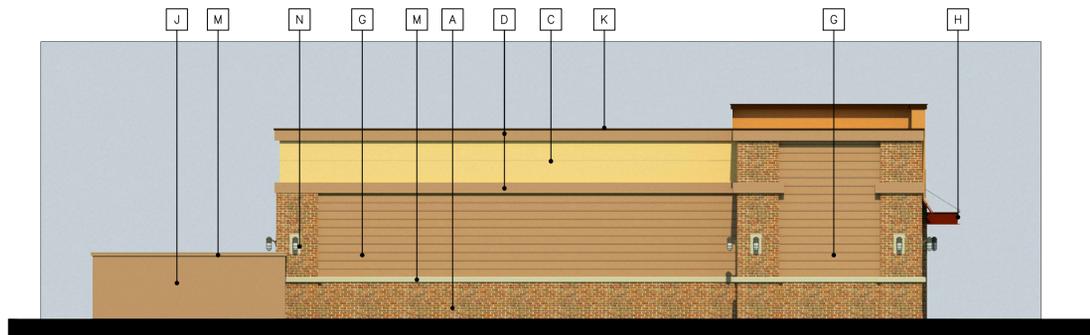
EAST ELEVATION

SCALE: 1/8" = 1'-0"



WEST ELEVATION WITH TRASH ENCLOSURE

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



NORTH ELEVATION

SCALE: 1/8" = 1'-0"

NO.	REVISIONS	DATE

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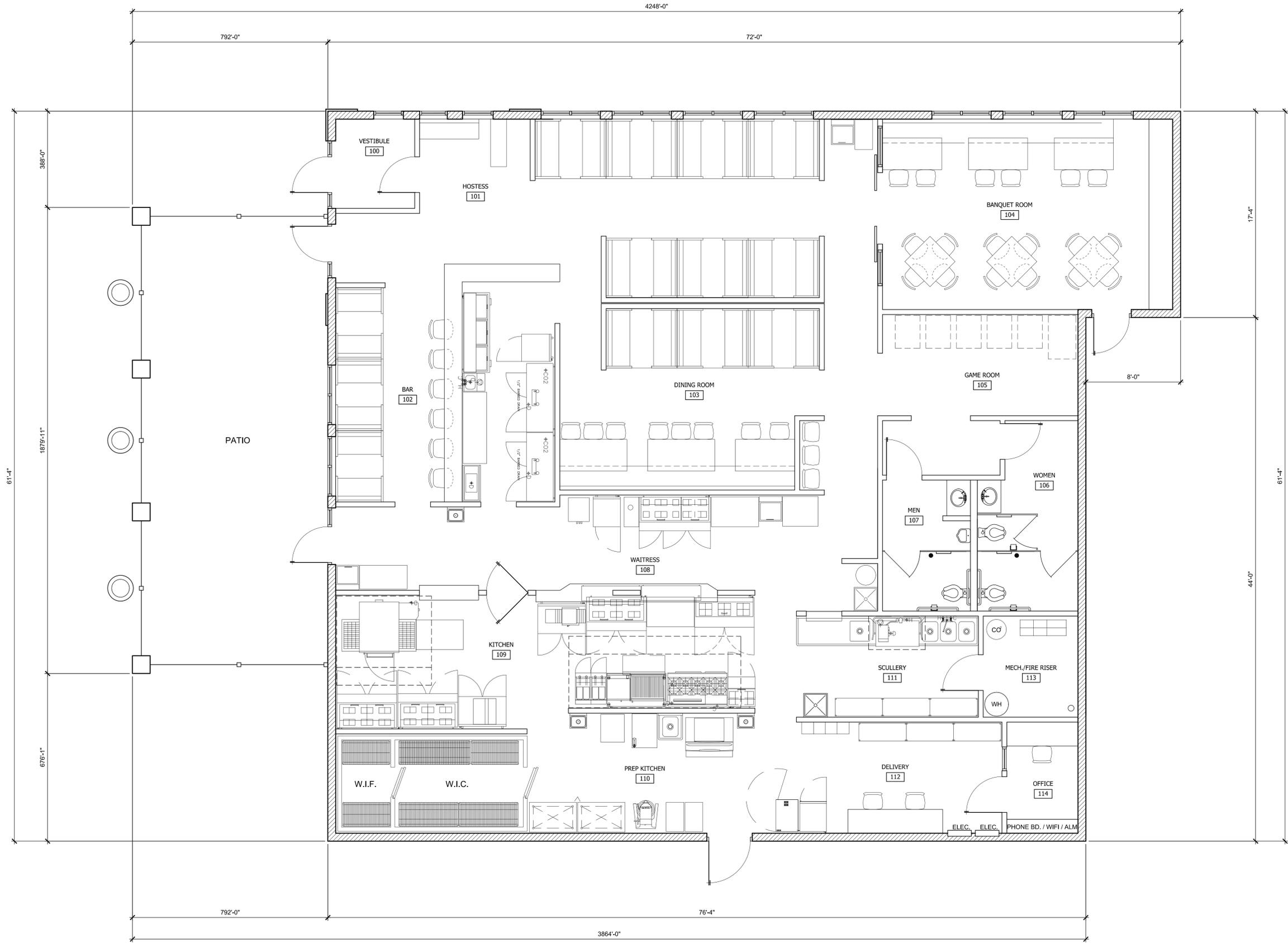


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JOB NO.	14026
SHEET	A-2.0

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FLOOR PLAN - CORNER ENTRY PROTOTYPE
 SCALE: 1/4" = 1'-0" GROSS: 4,064 S.F. / USABLE: 3,888 S.F.



RESTAURANT SEATING AREA = 1,929 S.F. / 15 S.F. PER OCCUPANT = 129
 KITCHEN AREA = 1,674 S.F. / 200 S.F. PER OCCUPANT = 9
 RESTROOM AREA = 285 S.F.
 TOTAL OCCUPANT LOAD = 138 (96 SEATS)

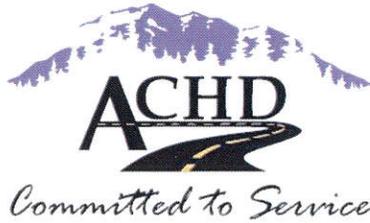
NO.	REVISIONS	DATE

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 (208) 336-8370
 FAX (208) 336-8380

PROPOSED DEVELOPMENT FOR:

DRAWN	TJK
DATE	01.31.17
CHECKED	TJK
JOB NO.	14026
SHEET	A-1.0

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Rebecca W. Arnold, Vice President
Sara M. Baker, Commissioner
Jim D. Hansen, Commissioner
Kent Goldthorpe, Commissioner

June 1, 2017

Amanda Ryan
BRS Architects
1010 S. Allante Pl. Ste. 100
Boise, ID 83709

**RE: CIF17-0025 / 17-03-SUP / 1101 N. Meridian Rd. / Smoky Mountain Pizza
PLAN ACCEPTANCE**

The District has reviewed the building plans for the above referenced project for assessment of impact fees. The District has no comment on the site improvements because all proposed improvements are outside of ACHD right-of-way. If the scope of work changes to include work within the right-of-way, the District will need to review and approve those changes.

Requirements Prior to Starting Work

1. Comply with all Standard Requirements of approval.
2. The impact fee must be paid prior to issuance of a building permit.

When Ready to Request ACHD Occupancy Sign-Off

1. Call 387-6380 and provide all information as shown in the header of this letter, i.e. the file number, site address, and the name of the project. Please include your name and return phone number.

Total Impact Fee due: \$33,129.73

ACHD inspection is not required.

If you have any questions or concerns please feel free to contact me at (208) 387-6335.

Sincerely,

Austin Miller
Planner I
Development Services

cc: Project File

Exhibit
C-4



STATE OF IDAHO
DEPARTMENT OF ENVIRONMENTAL QUALITY
BOISE REGIONAL OFFICE
1445 North Orchard Street • Boise, ID 83706-2239 • (208) 373-0550

DEQ Response to Request for Environmental Comment

Date: June 1, 2017
Agency Requesting Comments: City of Kuna
Date Request Received: May 19, 2017
Applicant/Description: BRS Architects/17-03-SUP (Special Use Permit)
Smoky Mountain Pizzeria Grill

Thank you for the opportunity to respond to your letter dated .

Based on the information provided, it appears there are no issues within our regulatory authority. At this time, we do not have any comments; however, we do request that this project consider the state and federal rules and regulations for air, water, waste and the overall environment. If there is additional information to be reviewed, please let us know.

We appreciate the opportunity to review the application, if you have additional questions or concerns, please contact me at (208) 373-0550.

Sincerely,

A handwritten signature in cursive script that reads "Aaron Scheff".

Aaron Scheff
aaron.scheff@deq.idaho.gov
Regional Administrator
Boise Regional Office
Idaho Department of Environmental Quality

ec: File # 2298
TRIM: 2017AEK70





CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:

- ACZ
- Boise
- Eagle
- Garden City
- Kuna
- Meridian
- Star

RECEIVED
6-6-17

Rezone # 17-03-SUP

Conditional Use # _____

Preliminary / Final / Short Plat _____

Smoky Mtn. City of Kuna

- 1. We have No Objections to this Proposal.
- 2. We recommend Denial of this Proposal.
- 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
 - high seasonal ground water
 - bedrock from original grade
 - waste flow characteristics
 - other _____
- 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
 - central sewage
 - interim sewage
 - individual sewage
 - community sewage system
 - central water
 - individual water
 - community water well
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - central sewage
 - sewage dry lines
 - community sewage system
 - central water
 - community water
- 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 12. We will require plans be submitted for a plan review for any:
 - food establishment
 - beverage establishment
 - swimming pools or spas
 - grocery store
 - child care center
- 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

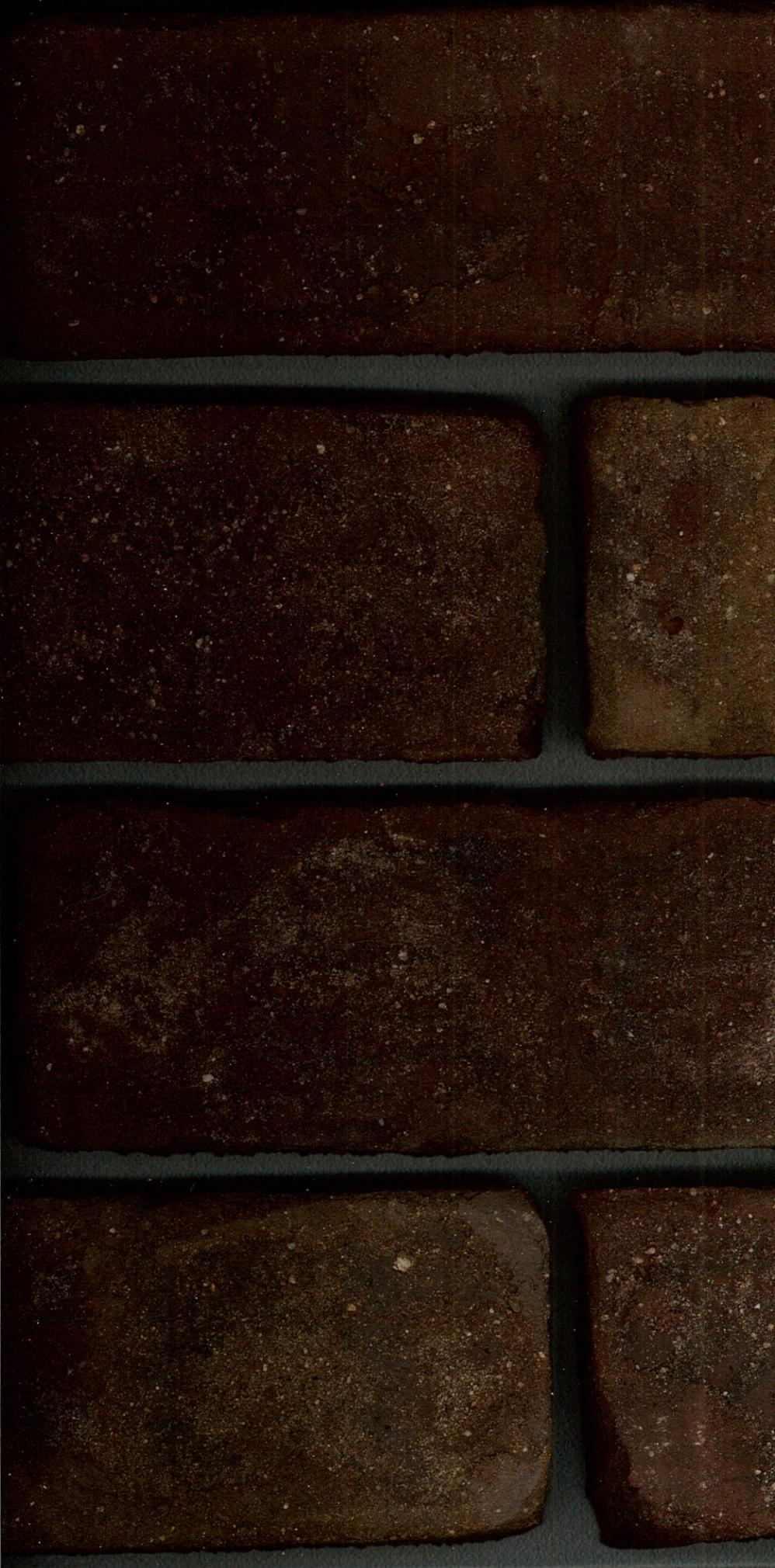
14. _____ Reviewed By: [Signature]
 _____ Date: 5/31/17

Exhibit
C-5



SMOKY MOUNTAIN - KUNA

Sta
(3-7/8" x 2-





City of Kuna

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

P & Z Comm. Staff Report – Re-Opened Hearing

To: **P & Z Commission**

File Numbers: **16-04-S** (Subdivision) and **16-19-DRC** (Sub Design Review).

Location: **NEC of Deer Flat Road & School Avenue, Kuna, Idaho**

Planner: **Troy Behunin, Planner III**

Original Hearing date: **March 14, 2017**
Hearing Re-Opened: **June 13, 2017**

Applicant: **Greg Bullock**
514 Bayhill Dr.
Nampa, ID 83686
208.941.1076
Gregbullock14@gmail.com

Owner: **Troost Family Living Trust**
30540 Sabin Road
Parma, ID 83660

Engineer: **Jay Walker**
AllTerra Consulting
849 E. State Str., Ste. 104
Eagle, Idaho 83616
208.484.4479
jwalker@allterraconsulting.com

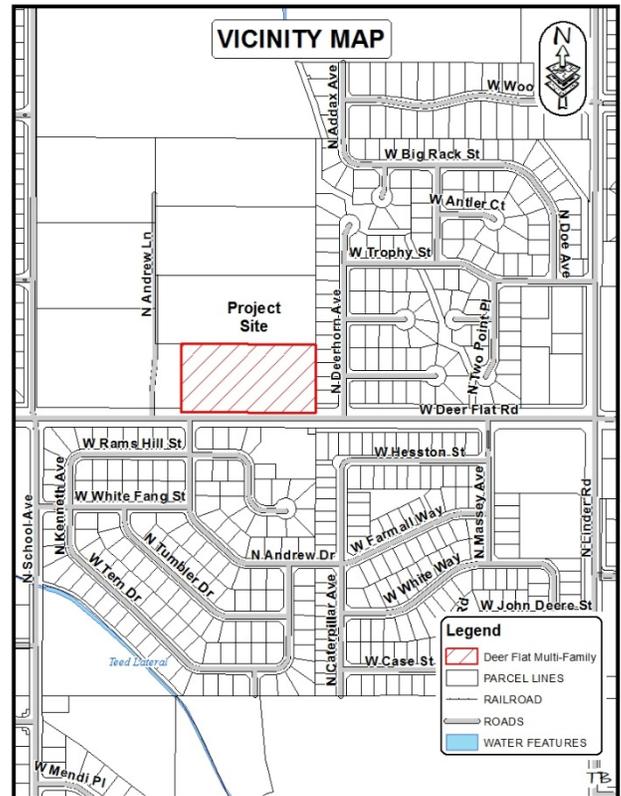


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A. Process and Noticing:

1. Kuna City Code 1-14-3 (KCC), Title 1, Chapter 14, Section 3, states that preliminary plat's for subdivisions are designated as public hearings, with the City Council as the decision making body, and Commission as the decision making body for design review. This land use application was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

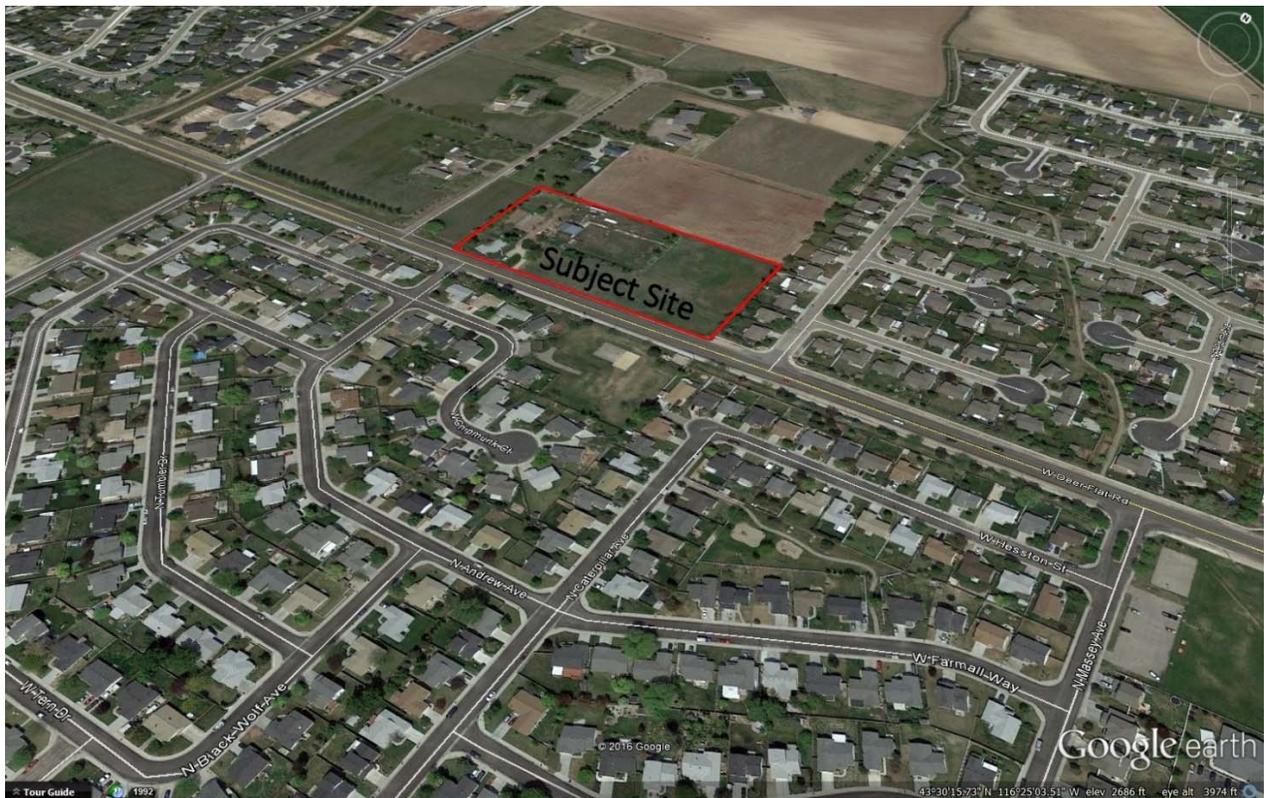
- | | |
|----------------------------|--|
| i. Neighborhood Meeting | October 14, 2016 (one person attended) |
| ii. Agency Comment Request | January 26, 2017 |
| iii. 300' Property Owners | June 2, 2017 |
| iv. Kuna, Melba Newspaper | May 24, 2017 |
| v. Site Posted | June 2, 2017 |

B. Applicants Request:

1. Request:

On behalf of Troost Family Living Trust, Jaylen Walker with AllTerra Consulting (applicant), requests approval for a preliminary plat over approximately 4.70 acres of land, currently zoned R-12 (High Density Residential). The applicant proposes to subdivide the parcel into nine buildable lots and one common lot. in preparations for a multi-family project. The site is located near the northeast corner (NEC) of Deer Flat Road and School Avenue.

C. Aerial Map:



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D. Site History:

Recently, this site was annexed into Kuna and has been used historically for small agricultural purposes and a rental property for many years. The site is surrounded by both City and County platted subdivisions.

E. General Projects Facts:

1. **Comprehensive Plan Map:** The Future Land Use Map (Comp Plan Map) is intended to serve as a guide for the decision making body for the City. This map indicates a land use designation and it is not the actual zoning. The Comp Plan Map designation for this site was amended July 5, 2016, to High Density Residential.

2. **Surrounding Land Uses:**

North	RUT	Rural Urban Transition – Ada County
South	R-6	Medium Density Residential – Kuna City
East	R-6	Medium Density Residential – Kuna City
West	RUT	Rural Urban Transition – Ada County

3. **Parcel Sizes, Current Zoning, Parcel Number(s):**

- Parcel Size: 4.70 acres (approximately)
- Zoning: R-12, (high Density Residential) – Kuna city
- Parcel #: S1314438920

4. **Services:**

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

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

There are several structures on site, including a home, a large accessory building, trailers, and old sheds. The remaining site has vegetation that is generally associated with an open field.

6. **Transportation / Connectivity:**

The site is near the north east corner (NEC) of Deer Flat Road and School Avenue. Ingress / Egress is proposed to and from Deer Flat Road.

7. **Environmental Issues:**

Staff is not aware of any environmental issues, health or safety conflicts. The site’s topography is generally flat.

8. **Agency Responses:**

The following agencies returned comments: City Engineer (Gordon Law, P.E.) Exhibit B-1, ACHD (Stacey Yarrington) Exhibit B-2, Boise Project Board of Control (BPBC - Bob Carter) Exhibit B-3, Central Dist. Health Dept. (CDHD - Lori Badigian) Exhibit B-4, COMPASS Planning Association (Carl Miller) Exhibit B-5, J & M Sanitation (Chad Gordon) Exhibit B-6, and the Kuna School District (Brenda Saxton) Exhibit B-7. The responding agency comments are included with this case file and are included with this report.

F. Staff Analysis:

A noticing infraction for the March 14, 2017, public hearing was brought to the attention of the Planning and Zoning Department. That discovery prompted staff to re-open the public hearing with the P & Z Commission, in order to provide additional/proper opportunity for the public to express their opinions about the project in a public setting.

These lands were annexed into Kuna city limits in July of 2016 (16-01-AN), with an accompanying Comp Plan Map amendment (16-01-CPM), from Medium Density to High Density Residential. The site is surrounded by Kuna City limits with platted City and County subdivisions. This parcel should be considered an infill development. The parcel is adjacent to a minor arterial (Deer Flat Road) and all public utilities are near this site.

The applicant seeks preliminary plat approval in order to develop the property into a multi-family housing project. Applicant proposes 11 total lots, including 10 buildable lots to place up to 13 four-plex buildings, yielding up to 52 total units. Three lots will be developed with two, four-plex buildings.

There is an existing house on site that encroaches on the future Rights-of-Way (ROW) along Deer Flat Road. The applicant requests that the house is allowed to remain in place. Staff has read the comments from the City Engineer and ACHD, and agrees with the opinions expressed in those reports. Those reports are included with this staff memo and it is encouraged that the Commission read those reports. Staff is concerned about continuing direct access to Deer Flat for the existing home and would recommend providing an internal access. The existing home relies on a septic and well system at this time. Staff recommends the existing home be conditioned to connect to the City sewer and potable water systems when these and all city utilities are within a distance of 300' as stated in the Engineers report. Staff recommends that a plan be provided to show where the existing private septic and well systems are located on the site. Staff recommends the applicant be conditioned to provide a way for the ROW along the Deer Flat frontage be accounted for. ACHD has made recommendations concerning the ROW, the encroachment of the house, and the dedication of future ROW, and staff would agree with their assessment and solution. Staff also recommends that the applicant work with KFD and J & M Sanitation to ensure proper maneuverability for EMS and sanitation needs to and through the site; in particular, the round-a-bout in the center of the project. Staff is concerned about traffic flow and driver-conflict and now looks to the applicant to demonstrate how the parking in the round-a-bout will not cause traffic or pedestrian conflict or worse.

Staff has reviewed the proposed landscape plan and finds it is in substantial conformance with the Landscape code for Kuna. During the annexation and Comp Plan Map Amendment process for this parcel last year, the Commission conditioned enhanced landscaping should be placed on the east and north sides of the project to minimize noise and other impacts to neighbors. Staff recommends additional trees and possibly berms to help offset the impacts to neighbors agreed to during the annexation process.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No. 16-04-S, subject to the recommended conditions of approval listed in Section 'N' of this report.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5, Chapter 13
2. City of Kuna Comprehensive Plan, adopted September 1, 2009
3. City of Kuna Design Review Code Title 5, Chapter 4
4. City of Kuna Landscape Code Title 5, Chapter 17.
5. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

H. Proposed Procedural Background:

On June 13, 2017, Commission considered the project, including the application, agency comments, staff's report, application exhibits and public testimony presented or given.

I. Proposed Findings of Fact for Commissions Consideration:

Based on the record contained in Case No. 16-04-S, including the exhibits, staff's report and the public testimony at the public hearing, the City Council of Kuna, Idaho, hereby *approves / denies* the proposed Findings of Fact and Conclusions of Law, and conditions of approval for Case No. 16-04-S, Subdivision.

The Commission concludes that the Application does/does not comply with the City of Kuna's Zoning regulations (Title 5) of KCC and/or the Subdivision regulations outlined in title 6 of KCC.

1. In making a decision regarding the Subdivision application, the Council is to consider Idaho Code §67-6535 (2), which states the following:

The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.

In addition, Idaho Code §67-6535(2)(a), provides that:

Failure to identify the nature of compliance or noncompliance with express approval standards or failure to explain compliance or noncompliance with relevant decision criteria shall be grounds for invalidation of an approved permit or site-specific authorization, or denial of same, on appeal.

2. The Commission has the authority to recommend approval or denial for Case No. 16-04-S. On June 13, 2017, Kuna's Commission voted to recommend approval/denial of Case No. 16-04-S.

Comment: *On June 13, 2017, Commission voted to recommend approval / denial of applications 16-04-S.*

3. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances to hold a public hearing on June 13, 2017, with the Commission.
4. The Kuna Commission accepts the facts as outlined in the staff report, the public testimony and the supporting evidence list presented.

Comment: *The Commission held a public hearing on the subject application on June 13, 2017, to hear from the 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.*

5. Based on the evidence contained in Case No's 16-04-S, this proposal appears to *generally* comply with the Comprehensive Plan and Comp Plan Map as amended.

Comment: *The Comp Plan has listed numerous goals for providing multi-family housing in Kuna. The Comp Plan Map now designates this property as High Density. As this is a proposed residential use the project generally follows the goals of the Comp Plan and the Comp Plan Map.*

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

Comment: *As noted in the process and noticing sections, notice requirements were met to hold a public hearing on June 13, 2017.*

J. Proposed Factual Summary:

This site is located near the north east corner (NEC) of Deer Flat Road and School Avenue. Applicant proposes a preliminary plat for approximately 4.7 acres into City limits with an R-12 zone. Applicant proposes and a Comprehensive Plan Map amendment for the site, from Medium Density to High Density Residential.

The site will take access from existing Deer Flat Road.

K. Comprehensive Plan Analysis:

The Kuna Commission accepts the Comprehensive Plan components as described below:

The designation from Medium Density to High Density on the Comp Plan Map for this parcel was amended in July of 2016 (16-01-CPM). The updated map was not available at time of this public hearing. The proposed preliminary plat for the site is consistent with the following Comprehensive Plan components:

Community Vision Statement:

Residents hoped for the creation of business and light commercial use centers within neighborhoods. These centers would include restaurants, gas stations, churches, *multi-family* use facilities, and other mixed-use developments. Citizens anticipated the manufacturing area moving south and eastward between the Union Pacific Railroad Line and Kuna Mora Road (Page 21).

Housing:

Residents envisioned higher densities in the City's core to include opportunities for mixed residential and light commercial activity. They expressed interest in a mix of residential type dwellings applications; including single-family, *multi-family*, apartments and condominiums. They were receptive to a greater mix of lot sizes and house prices to appeal to a variety of people. A goal expressed by many was the preservation of large lots and rural cluster development in appropriate balance with a complement of other types of residential development (Page 21).

Comment: *The proposal follows the community vision and housing goals as stated and adopted.*

Private Property Rights Goals and Objectives - Section 2 - Summary:

Ensure the City land use policies, restrictions, conditions and fees do not violate private property rights and ensure that land use actions, decisions, and regulations do not effectively eliminate all economic value of the subject property. Ensure that City land use actions, decisions, and regulations do not prevent a private property owner from taking advantage of a fundamental property right and staff shall evaluate with guidance from the City's attorney; the Idaho Attorney General's six criterion established to determine the potential for property taking.

Comment: *Utilizing the Idaho Attorney Generals criteria, and a review by the City Attorney, the proposed project does not constitute a "takings" and the economic value is intact.*

Economic Development Goals and Objectives - Section 5 - Summary:

Ensure an adequate supply of housing for all income levels and facilitate pedestrian connections, both visually and physically, to enhance pedestrian movement (Pg. 42 – 1.5 and Pg. 43 – 3.1).

Comment: *The proposed application complies with these elements of the comprehensive plan by providing a non-standard housing type meeting this goal.*

Land Use Goals and Objectives - Section 6 - Summary:

Adopt a future land use plan and map that includes natural and developed open spaces, while providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups. Protect existing neighborhoods and ensure new development is sustainable and keeps Kuna desirable. Develop cohesive neighborhoods with character and quality while incorporating a variety of densities and styles (Pg. 64 – 3.1 & Goal 3 and Pg. 65 – 4.3).

Neighborhood Core Concept:

The character of residential housing surrounding and within the core of a Neighbor Center is that of a close-knit, mixed-density community. The Neighborhood District provides close access to community services located within the core. The highest density housing should be located near the core service areas (schools, churches, parks, neighborhood commercial). Housing types may include multi-family dwellings, duplexes, town houses, row homes, and single-family residences (Page 81).

Medium Density Residential:

This designation describes areas where residential development densities generally range from four to seven units per acre. These areas will be made up of single-family homes, but may include townhomes, row houses duplexes and other types of multi-family land uses. Areas featuring these densities are generally located within the City Center and around Neighborhood Centers (Page 88).

Neighborhood District:

The Neighborhood District can be characterized as residential housing within the core of a close-knit, mixed-density community. The Neighborhood District provides close access to the community services located within the core. The highest density housing should be located near the core service areas (schools, churches, parks, neighborhood commercial). Housing types may include *multi-family* dwellings, duplexes, town houses, row homes, and single-family residences (Page 93).

Comment: *The proposal complies with the land use plan as adopted by Kuna, by incorporating the following; non-typical housing densities and types in or near a neighborhood core while promoting in-fill methodologies and a quality housing project.*

Housing Goals and Objectives - Section 12 - Summary:

Encourage developers to provide high-quality development with a variety of lot sizes, dwelling types, densities and price points to meet the needs of current and future population while creating safe and aesthetically-pleasing neighborhoods. Ensure housing is available throughout the community for all income levels and those with special needs. Encourage logical and orderly residential development while discouraging developers from developing land divisions greater than one half acre because large lot subdivisions increase municipal costs, require public subsidy and create sprawl (Pg. 155 – 1.2, Pg. 163 12.4 and Pg. 165 – 2.1).

Encourage mixed-use development that includes town centers, single-family, *multi-family*, accessory units, and other types of residential development. – Policy 1.1.2, Section 12, Housing (Page 155).

Comment: *Applicant proposes high density residential which will contribute to availability of varied types and home sizes in a logical and orderly manner with an infill style of development.*

Community Design Goals and Objectives - Section 13 - Summary:

Strengthen Kuna's Image through good community and urban design principles that create self-sufficient neighborhoods. Foster good community design concepts that incorporate landscape features to serve as buffers between incompatible uses while reducing scale and creates a sense of place.

Neighborhoods:

Kuna's updated Plan is an advocate for the development of self-sufficient neighborhoods. These neighborhoods are intended to be connected by transit and other non-motorized methods of transportation. Each neighborhood

will have a center, a core and an edge. The Neighborhood Center will be the core of the neighborhoods churches, schools, and public facilities. The neighborhood centers will feature denser developments and *multi-family* residential development (Page 179).

Existing Residential Subdivisions:

Residential placement is intended to increase social interactions at various times of the day. *Multi-family* residential uses should be located closer to the neighborhood cores and be interspersed with mixed-uses (Page 178).

Neighborhoods:

Kuna's updated Plan is an advocate for the development of self-sufficient neighborhoods. These neighborhoods are intended to be connected by transit and other non-motorized methods of transportation. Each neighborhood will have a center, a core and an edge. The Neighborhood Center will be the core of the neighborhoods churches, schools, and public facilities. The neighborhood centers will feature denser developments and multi-family residential development (Page 179).

Comment: *This application promotes sound community and urban design principles.*

L. Proposed Kuna City Code Analysis:

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

Comment: *The proposed project meets the land use and area standards in Chapter 3, Title 5 of the Kuna City Code (KCC). Staff also finds that the proposed project meets all applicable requirements of Title 6 of the KCC*

2. The site is physically suitable for a subdivision.

Comment: *The 4.7 acre (approximate) project includes a request for a subdivision in an R-12 zone. The site appears to be compatible with the proposal.*

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

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

4. The Subdivision proposal is not likely to cause adverse public health problems.

Comment: *The proposed Subdivision for the property requires a zoning designation per Kuna Code 5-13-9. The high density land use application requires connection 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 Commission did consider the location of the property and adjacent uses. The subject property is surrounded by existing City and Ada County subdivisions and will be connected to the Kuna City central sewer and potable and pressure irrigation water systems. The current adjacent uses are both small farms and residential uses and an minor arterial road.*

6. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.

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

M. Proposed Conclusions of Law:

1. Based on the evidence contained in Case No's 16-04-S and 16-19-DRC, Commission finds Case No's 16-04-S and 16-19-DRC generally comply with Kuna City Code.
2. Based on the evidence contained in Case No's 16-04-S and 16-19-DRC, Commission finds Case No's 16-04-S and 16-19-DRC are generally consistent with Kuna's Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

N. Proposed Recommendation of the Commission to City Council:

16-04-Sub, Note: *This proposed motion is to recommend approval, conditional approval, or denial for this request to City Council. If the Commission wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

16-19-DRC--Design Review Note: *The proposed motion is to approve or deny the design review request. If the Planning and Zoning Commission wishes to approve or deny specific parts of the requests as detailed in the report, those changes must be specified.*

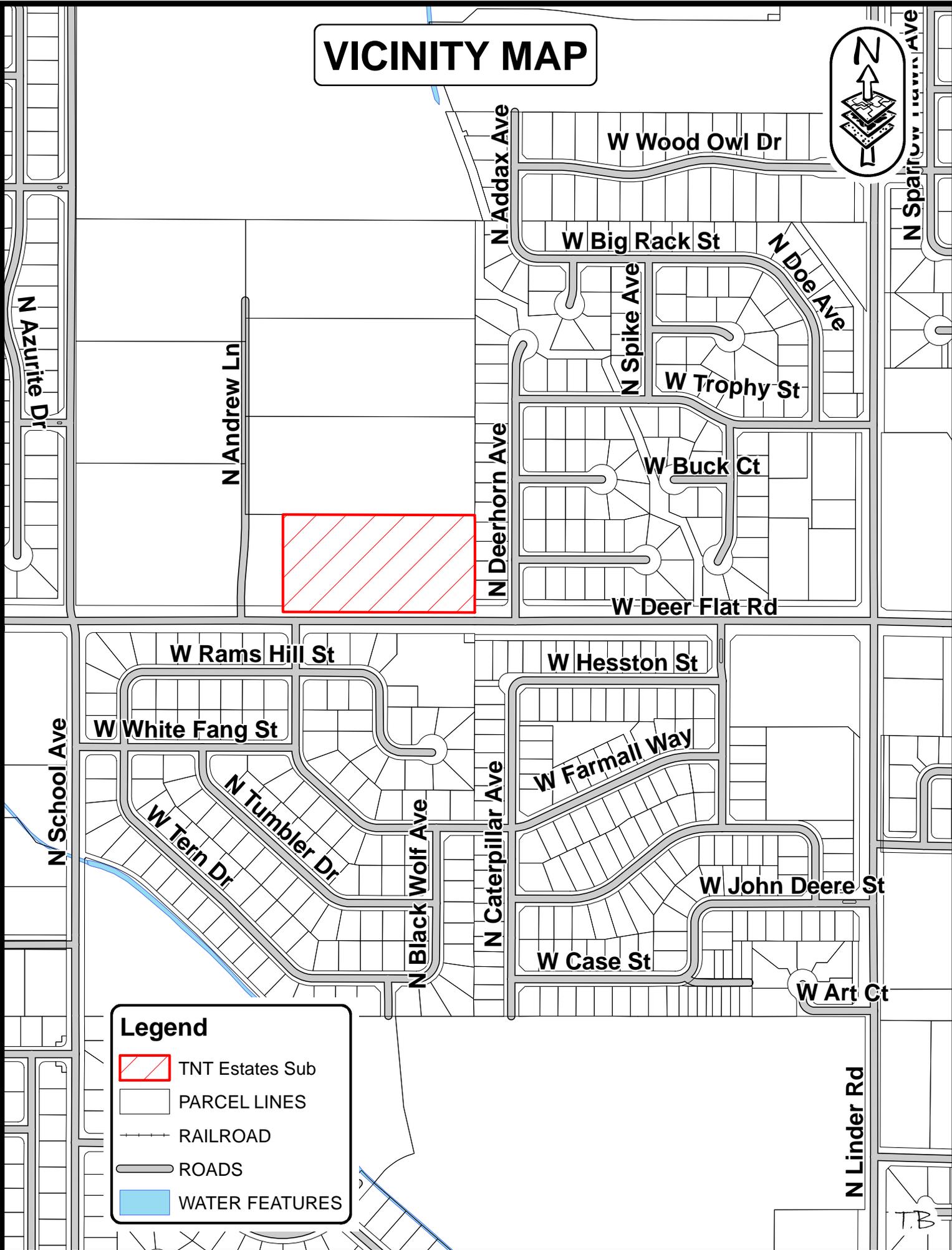
Based on the facts outlined in staff's report and the public testimony during the public hearing by the Planning and Zoning Commission of Kuna, Idaho, the Commission hereby recommends to City Council an approval/denial for Case No. 16-04-S and approves/denies Case No.16-19-DRC, a subdivision preliminary plat request from Greg Bullock and Jay Walker (AllTerra Consulting), 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 the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. 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.
 - d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
 - 2.1– At time of development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
3. 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**.

4. 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.
5. 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 requesting to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
6. All street lighting within and for the site shall be LED lighting and must comply with Kuna City Code and established Dark Skies practices.
7. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
9. All signage within/for the project shall comply with Kuna City Code.
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. 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.
12. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
13. Developer/owner/applicant shall comply with all local, state and federal laws.

DATED this ____, day of _____, 2017,

VICINITY MAP

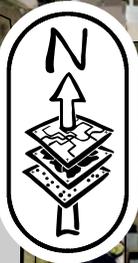


Legend

-  TNT Estates Sub
-  PARCEL LINES
-  RAILROAD
-  ROADS
-  WATER FEATURES

T.B.

VICINITY MAP



N Andrew Ln

N Deerhorn Pl

N Deerhorn Ave

W Deer Flat Rd

W Rams Hill St

N Misty Springs Ave

N Caterpillar Ave

N Andrew Dr

Legend

-  TNT Estates Sub
-  PARCEL LINES
-  RAILROAD
-  ROADS
-  WATER FEATURES

550 W. DEER FLAT
LETTER OF INTENT

PURPOSE

This application is for preliminary (final plat soon to follow) of TNT Estates Subdivision located at 550 W. Deer Flat Road. The parcel is zoned R-12 and consists of approximately 4.72 acres.

PROJECT DETAILS

The plat, if approved, will create 10 lots. Nine of the lots will support the construction of 13 two-story, four-plex buildings, netting 52 residential units. One lot will encompass an existing single-family home located in the southwest corner. The existing house will be retained.

The layout has been carefully planned to provide an enjoyable setting for tenants. The private parking fields and drive isles are surrounded by the proposed buildings. This will minimize vehicle noise and lights trespassing onto adjacent parcels. The parking fields are arranged around a central island, thus avoiding a "cookie cutter" sea of asphalt. The center island will be visually pleasing and will allow emergency vehicles to maneuver around it. Given the short length of the private drive isles, turn-arounds are not required. Proper easements over the internal drive isles and parking stalls will be provided. To ensure these areas will be properly maintained, an operation and maintenance agreement will be prepared and each owner will be a party to the agreement. Parking will exceed the minimum required by City code (72 vs 84).

A combination of 6' solid fencing, trees, and/or berming will be installed along portions of the west end of the north boundary. Various options have been discussed with the adjacent land owner. We suggested they attend the public hearings and discuss their desires.

A 15' landscape easement/buffer will be constructed along Deer Flat Road.

The lots have been arranged to provide the minimum required street frontage width of 40'.

Access to the buildings will be via a private approach off Deer Flat Road. The access is proposed in the center of the Deer Flat frontage. A public street exists on the north side of Deer Flat road approximately 450' to the east. A public street exists along the south side of Deer Flat approximately 275' to the west. A private lane exists along the north side of Deer Flat road approximately 450' to the west. This location does not conflict with the existing access points. The proposed location also allows the existing house to remain.

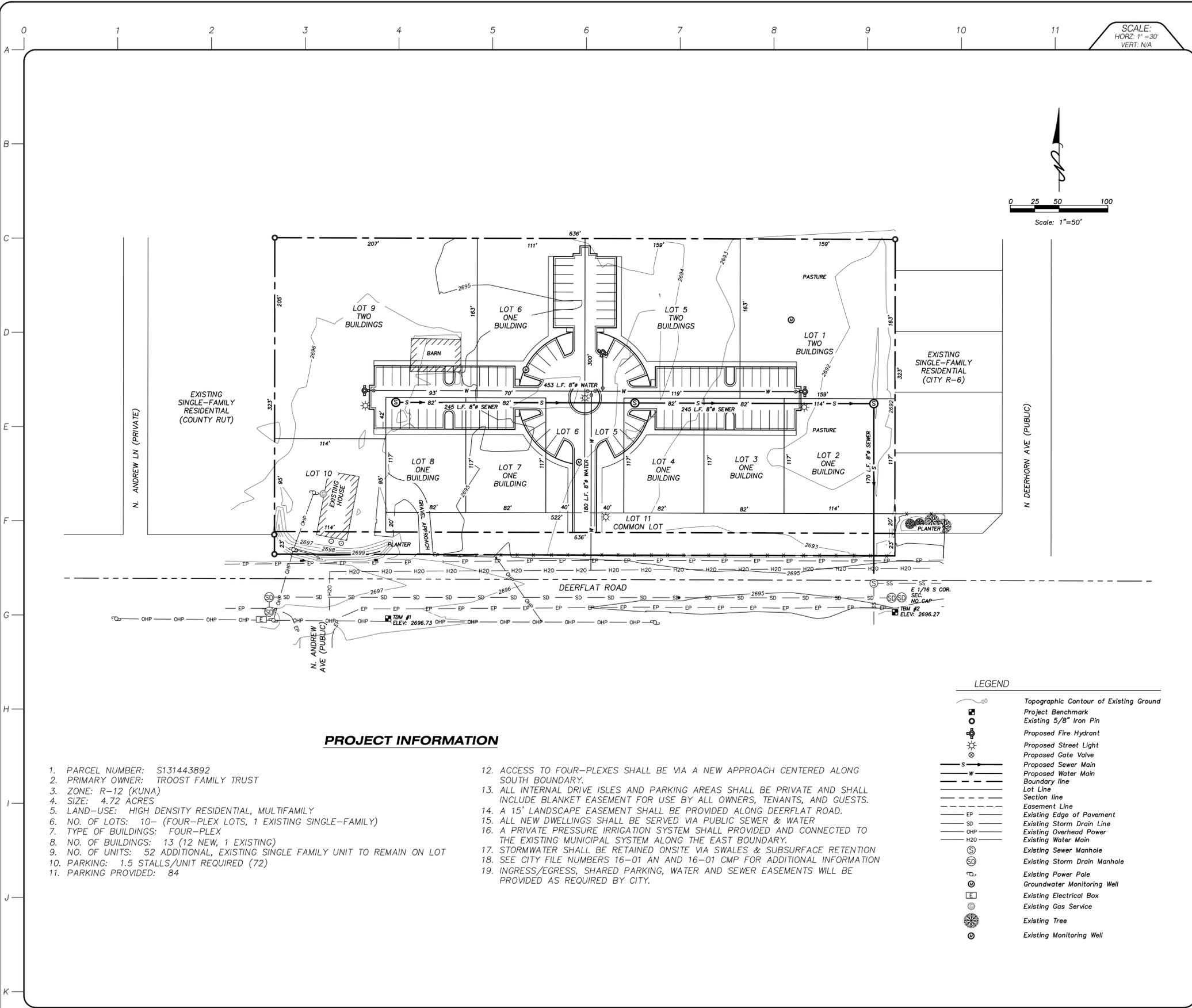
Screened trash enclosures will be installed adjacent to the parking fields.

As required by ACHD, a concrete sidewalk will be constructed along the Deer Flat Road frontage.

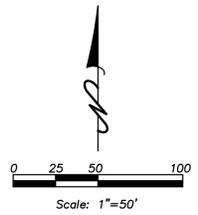
The project will utilize city water, sewer and pressure irrigation.

Internal site lighting will be limited to exterior, wall mounted fixtures. This will mitigate light trespassing upon adjacent parcels. If desired by the City, short "yard style" fixtures can be placed in the parking areas.

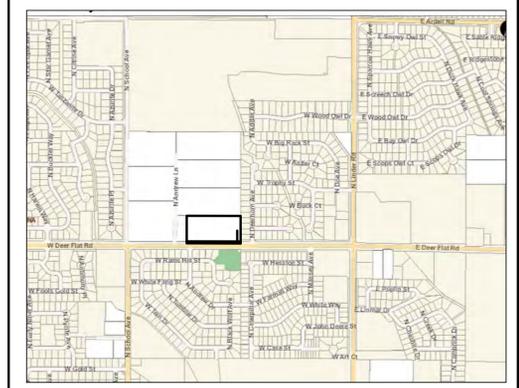
RECEIVED
12.16.16



SCALE:
HORZ. 1" = 30'
VERT. N/A



VICINITY MAP
SCALE: 1" = 1000'



REVISIONS

NO.	DESCRIPTION

BENCHMARK

TBM 1, ELEV: 2696.73'	TBM 2, ELEV: 2696.27'
--------------------------	--------------------------



CLIENT

TROOST FAMILY LIVING TRUST
30540 SABIN ROAD
PARMA, IDAHO
PHONE #

PROJECT:

KINGS ESTATES SUBDIVISION
550 DEER FLAT ROAD KUNA, ID.
SW 1/4, SE 1/4, SEC. 14, T2N,
R1W B.M. ADA COUNTY, IDAHO.

PREPARED BY:
R. SCOTT STANFIELD &
COMPASS LAND SURVEYING

PRELIMINARY PLAT SHEET: 1 OF 1

PROJECT INFORMATION

1. PARCEL NUMBER: S131443892
2. PRIMARY OWNER: TROOST FAMILY TRUST
3. ZONE: R-12 (KUNA)
4. SIZE: 4.72 ACRES
5. LAND-USE: HIGH DENSITY RESIDENTIAL, MULTIFAMILY
6. NO. OF LOTS: 10- (FOUR- PLEX LOTS, 1 EXISTING SINGLE-FAMILY)
7. TYPE OF BUILDINGS: FOUR- PLEX
8. NO. OF BUILDINGS: 13 (12 NEW, 1 EXISTING)
9. NO. OF UNITS: 52 ADDITIONAL, EXISTING SINGLE FAMILY UNIT TO REMAIN ON LOT
10. PARKING: 1.5 STALLS/UNIT REQUIRED (72)
11. PARKING PROVIDED: 84
12. ACCESS TO FOUR-PLEXES SHALL BE VIA A NEW APPROACH CENTERED ALONG SOUTH BOUNDARY.
13. ALL INTERNAL DRIVE ISLES AND PARKING AREAS SHALL BE PRIVATE AND SHALL INCLUDE BLANKET EASEMENT FOR USE BY ALL OWNERS, TENANTS, AND GUESTS.
14. A 15' LANDSCAPE EASEMENT SHALL BE PROVIDED ALONG DEERFLAT ROAD.
15. ALL NEW DWELLINGS SHALL BE SERVED VIA PUBLIC SEWER & WATER
16. A PRIVATE PRESSURE IRRIGATION SYSTEM SHALL PROVIDED AND CONNECTED TO THE EXISTING MUNICIPAL SYSTEM ALONG THE EAST BOUNDARY.
17. STORMWATER SHALL BE RETAINED ONSITE VIA SWALES & SUBSURFACE RETENTION
18. SEE CITY FILE NUMBERS 16-01 AN AND 16-01 CMP FOR ADDITIONAL INFORMATION
19. INGRESS/EGRESS, SHARED PARKING, WATER AND SEWER EASEMENTS WILL BE PROVIDED AS REQUIRED BY CITY.

LEGEND

- Topographic Contour of Existing Ground
- Project Benchmark
-
- Proposed Fire Hydrant
- Proposed Street Light
- Proposed Gate Valve
- Proposed Sewer Main
- Proposed Water Main
- Boundary line
- Lot Line
- Section line
- Easement Line
- Existing Edge of Pavement
- Existing Storm Drain Line
- Existing Overhead Power
- Existing Water Main
- Existing Sewer Manhole
- Existing Storm Drain Manhole
- Existing Power Pole
- Groundwater Monitoring Well
- Existing Electrical Box
- Existing Gas Service
- Existing Tree
- Existing Monitoring Well



BAER DESIGN GROUP, LLC
 539 S. Fitness Place, Ste 120
 Eagle, ID 83616
 Ph. 208.938.7721

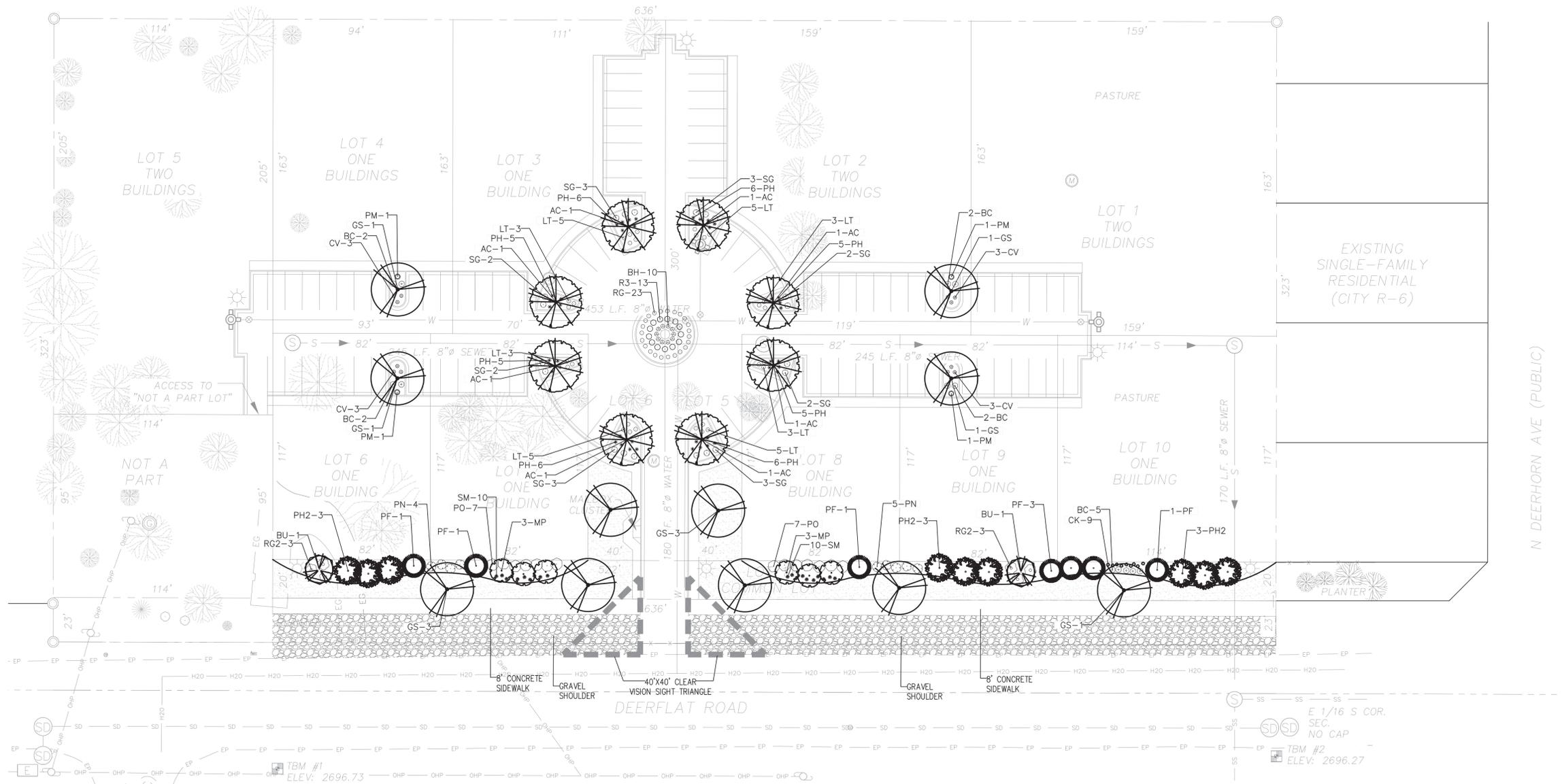


TNT Estates Subdivision
 Kuna, Idaho
 550 Deer Flat Road

Landscape Plan

Project No:	17010
Drawn by:	JL
Checked by:	GB
Date:	02/14/2017
Sheet No:	L1.0

L1.0



LANDSCAPE PLAN

Scale 1" = 30'-0"

PLANT SCHEDULE					
DECIDUOUS TREES	BOTANICAL NAME	COMMON NAME	SIZE	MATURE SIZE	QTY
AC	Acer platanoides 'Crimson King'	Crimson King Maple	2" CAL. B&B	35'X30'	8
BU	Betula utilis jacquemontii	Whitebarked Himalayan Birch	2" CAL. B&B	35'X20'	2
GS	Gleditsia triacanthos 'Skyline'	Skyline Honey Locust	2" CAL. B&B	35'X30'	11
EVERGREEN TREES	BOTANICAL NAME	COMMON NAME	SIZE	MATURE SIZE	QTY
PH2	Picea pungens 'Hoopsii'	Hoopsii Blue Spruce	6"-8" B&B	35'X15'	9
PF	Pinus flexilis 'Vanderwolf's Pyramid'	Vanderwolf's Pyramid Pine	10"-12" B&B	25'X15'	7
FLOWERING TREES	BOTANICAL NAME	COMMON NAME	SIZE	MATURE SIZE	QTY
MP	Malus x 'Prairifire'	Prairifire Crab Apple	2" CAL. B&B	15'X15'	6
SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	MATURE SIZE	QTY
BC	Berberis thunbergii 'Crimson Pygmy'	Crimson Pygmy Barberry	2 GAL.	2'X3'	13
BH	Berberis thunbergii 'Helmond Pillar'	Columnar Barberry	5 GAL.	4'X2'	10
CK	Calamagrostis x acutiflora 'Karl Foerster'	Feather Reed Grass	1 GAL.	4'X2'	9
CV	Coreopsis verticillata 'Moonbeam'	Threadleaf Coreopsis	1 GAL.	1'X2'	12
LT	Lavandula angustifolia 'Thumbelina Leigh'	Thumbelina Leigh English Lavender	1 GAL.	1'X1.5'	32
PH	Pennisetum alopecuroides 'Hameln'	Hameln Dwarf Fountain Grass	1 GAL.	2'X2'	44
PN	Physocarpus opulifolius 'Summer Wine'	Summer Wine Ninebark	5 GAL.	5'X5'	9
PM	Pinus mugo 'Mops'	Mugo Pine	5 GAL.	3'X3'	4
PO	Prunus laurocerasus 'Otto Luyken'	Luykens Laurel	5 GAL.	3'X6'	14
RG2	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac	2 GAL.	3'X6'	6
R3	Rosa x 'Nearly Wild'	Nearly Wild Rose	2 GAL.	2'X3'	13
RG	Rudbeckia fulgida 'Goldstrum'	Coneflower	1 GAL.	2'X2'	23
SM	Salvia x sylvestris 'May Night'	Sage	1 GAL.	2'X2'	20
SG	Spiraea x bumalda 'Goldflame'	Goldflame Spirea	2 GAL.	3'X3'	20
GROUND COVERS	BOTANICAL NAME	COMMON NAME	CONT	QTY	
	Turf Sod Bluegrass	Kentucky Bluegrass	SOD	8,122 sf	

LANDSCAPE NOTES:

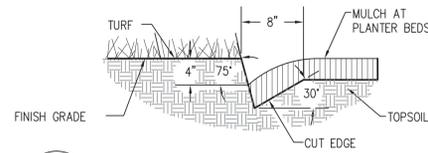
- Prior to construction start-up, coordinate work schedule and observations with Landscape Architect.
- Report all conditions which impair or prevent the proper execution of this work to Landscape Architect, prior to construction.
- Contractor shall verify all utility locations prior to construction operations. Any damage to utilities shall be contractor's responsibility.
- Contractor shall repair any areas disturbed by construction back to pre-construction conditions.
- All plant material shall be installed as per details this sheet.
- No substitutions will be allowed without consent from the Landscape Architect.
- Contractor shall stake all trees necessary to prevent them from being blown over.
- All plant material shall conform to the American Nurseryman standards and will be rejected if in unhealthy condition.
- All plant material shall be guaranteed for one year after the date of acceptance by owner. Contractor shall replace all plant material found dead or unhealthy immediately with the same size and species at no cost to the owner.
- Fertilize all trees with 'Agriform' planting tablets. Follow manufacturer's recommendations.
- All topsoil to be amended at a ratio of 3 cu. yds. of organic matter per 1000 sq. ft. Roto-till organic matter into the top 6 inches of topsoil.
- All shrub beds shall have a min 18 inches of topsoil. Spread, compact and fine grade smoothly to 3 inches below the surface of walkways and curbs.
- Finish grades are to be smooth with positive drainage in accordance with the grading plan.
- Topsoil shall be a loose, friable, sandy loam, clean and free of rocks (larger than 2 inches), weeds, roots, grass, or other foreign material that is harmful to plant growth. Topsoil shall have a pH of 5.5 to 7.0.
- Where possible, re-use existing surface topsoil from site. Verify topsoil will meet the requirements and amend as necessary. Import when existing topsoil quantities are insufficient.
- If importing topsoil from offsite, obtain from local sources that have similar soil characteristics to the project site. New topsoil must be fertile, friable, natural loam, reasonably free of subsoil, clay clumps, weeds, roots, stones larger than 1 inch. Representative samples shall be tested for acidity, fertility and general texture. Copies of the testing agency's findings and recommendations shall be submitted to the Landscape Architect.
- Contractor is responsible for the immediate clean up of any topsoil or other debris on site created from landscape construction operations.
- All mulch shall be shredded bark mulch.
- Coordinate planting with irrigation contractor.
- Contractor shall provide an automatic subsurface irrigation system to provide 100% coverage to all landscaping on site.

LANDSCAPE REQUIREMENTS:

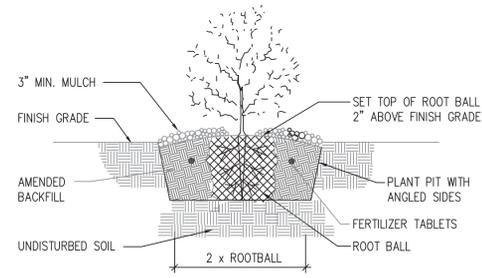
Per Kuna City Code; Title 511 Zoning Regulations, Chapter 17 Landscaping Requirements.

AREA	REQUIREMENT	MEASUREMENT	REQUIRED	PROVIDED
COMMON AREA LANDSCAPE	One (1) deciduous shade tree per one thousand (1,000) square feet of site	2189 SQ FT	2 shade trees	2 shade trees
LANDSCAPE BUFFER	Trees, shrubs, & lawn with the following plants per one hundred (100) linear feet: Two (2) shade trees, three (3) evergreen trees and twelve (12) shrubs			
Deer Flat Road		522 FT	10 shade trees 16 evergreen trees 63 shrubs	7 shade trees & 6 ornamental trees* 16 evergreen trees 63 shrubs

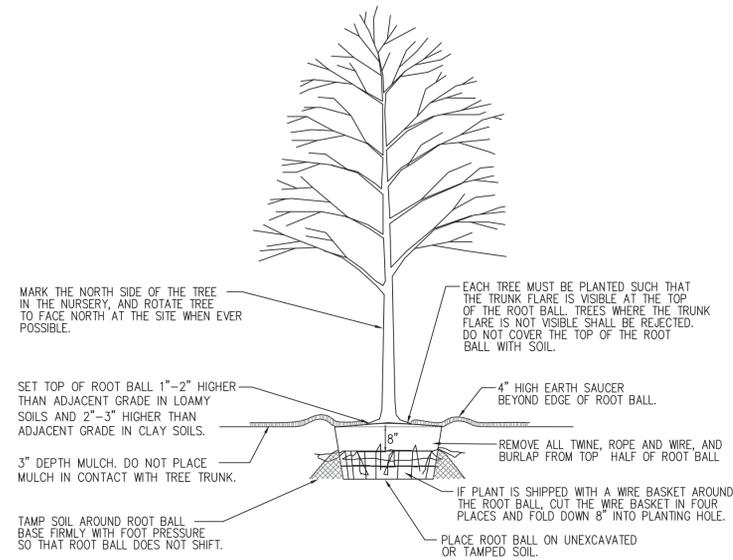
*Three (3) required shade trees substituted for six (6) ornamental trees



1 EDGING DETAIL

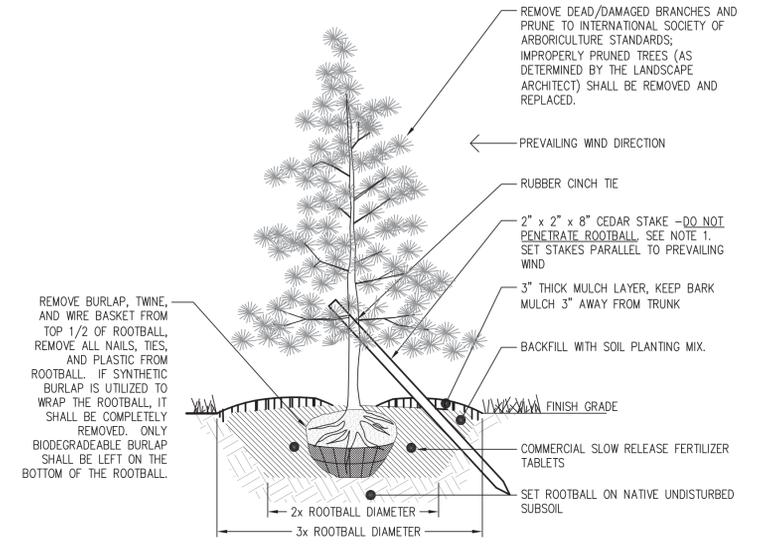


2 SHRUB PLANTING DETAIL



- NOTES:**
- DO NOT HEAVILY PRUNE TREE AT PLANTING. PRUNE ONLY CROSSOVER LIMBS, CO-DOMINANT LEADERS, AND BROKEN AND DEAD BRANCHES. DO NOT PRUNE TERMINAL BUDS OF BRANCHES EXTENDING TO THE CROWN.
 - WRAP TREE TRUNKS ONLY UPON APPROVAL OF THE LANDSCAPE ARCHITECT.
 - STAKE TREES AS NECESSARY. STAKES MUST BE REMOVED WITHIN 12 MONTHS OF PLANTING.

3 TREE PLANTING DETAIL



- NOTES:**
- THE STAKING OF TREES IS TO BE THE CONTRACTOR'S OPTION. ALL STAKING SHALL BE REMOVED AT THE END OF THE ONE YEAR WARRANTY PERIOD.
 - WRAP RUBBER CINCH TIES AROUND THE TREE TRUNKS AND STAKES USING EITHER THE STANDARD OR FIGURE EIGHT TYING METHOD. SECURE THE TIES TO THE STAKES WITH GALVANIZED NAILS TO PREVENT SLIPPAGE.
 - WATER TREE TWICE WITHIN THE FIRST 24 HOURS.

4 CONIFER TREE PLANTING AND STAKING DETAIL



BAER DESIGN GROUP, LLC
 539 S. Fitness Place, Ste 120
 Eagle, ID 83616
 Ph. 208.938.7721



Kuna, Idaho

TNT Estates Subdivision

550 Deer Flat Road

Landscape Details

Revisions

Project No.: 17010
 Drawn by: JL
 Checked by: GB
 Date: 02/14/2017

Sheet No.: **L1.1**



City of Kuna
 Planning & Zoning
 Department
 P. O. Box 13
 Kuna, Idaho 83634
 208.922.5274
 Fax: 208.922.5989
 Website: www.cityofkuna.com

Commission & Council Review Application

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

*Please submit the appropriate checklist (s) with application

For Office Use Only	
File Number (s)	16-04-S
Project name	
Date Received	
Date Accepted/Complete	
Cross Reference Files	
Commission Hearing Date	
City Council Hearing Date	

Type of Review (check all that apply):

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

Contact/Applicant Information *Troost Family Living Trust*

Owners of Record: <u>GREG TROOST</u>	Phone Number: _____
Address: <u>30540 SABIN RD</u>	E-Mail: _____
City, State, Zip: <u>PARMA, ID</u>	Fax #: _____
Applicant (Developer): <u>Greg Bullock</u>	Phone Number: <u>941-1076</u>
Address: <u>514 Bayhill Dr.</u>	E-Mail: <u>gregbullock14@gmail.com</u>
City, State, Zip: <u>Nampa, ID</u>	Fax #: _____
Engineer/Representative: <u>Scott Stanfield</u>	Phone Number: <u>800-7753</u>
Address: <u>2964 Stewart Rd</u>	E-Mail: <u>civil90@gmail.com</u>
City, State, Zip: <u>KUNA ID 83634</u>	Fax #: _____

Subject Property Information

Site Address: <u>550 W. Deer Flat</u>
Site Location (Cross Streets): <u>Linder / Deer Flat</u>
Parcel Number (s): <u>513 51314438920</u>
Section, Township, Range: <u>14 2N 1W</u>
Property size: <u>4.72 ac</u>
Current land use: <u>Pasture, single-family</u> Proposed land use: <u>multifamily</u>
Current zoning district: <u>R-12</u> Proposed zoning district: <u>same</u>



Project Description

Project / subdivision name: TNT Estates
 General description of proposed project / request: Pre-plot approval for 10 lots
 Type of use proposed (check all that apply):
 Residential _____
 Commercial _____
 Office _____
 Industrial _____
 Other _____
 Amenities provided with this development (if applicable): Private Parking

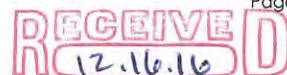
Residential Project Summary (if applicable)

Are there existing buildings? Yes No
 Please describe the existing buildings: House & Barn
 Any existing buildings to remain? Yes No
 Number of residential units: 52 plus house Number of building lots: 10
 Number of common and/or other lots: N/A
 Type of dwellings proposed:
 Single-Family Existing house
 Townhouses _____
 Duplexes _____
 Multi-Family 13 buildings @ 4 units each
 Other _____
 Minimum Square footage of structure (s): 3200
 Gross density (DU/acre-total property): 11.4 Net density (DU/acre-excluding roads): 12
 Percentage of open space provided: 4 Acreage of open space: _____
 Type of open space provided (i.e. landscaping, public, common, etc.): _____

Non-Residential Project Summary (if applicable) N/A

Number of building lots: _____ Other lots: _____
 Gross floor area square footage: _____ Existing (if applicable): _____
 Hours of operation (days & hours): _____ Building height: _____
 Total number of employees: _____ Max. number of employees at one time: _____
 Number and ages of students/children: _____ Seating capacity: _____
 Fencing type, size & location (proposed or existing to remain): _____
 Proposed Parking:
 a. Handicapped spaces: _____ Dimensions: _____
 b. Total Parking spaces: _____ Dimensions: _____
 c. Width of driveway aisle: _____
 Proposed Lighting: _____
 Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): _____

Applicant's Signature: _____ Date: _____



A



CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@kunaid.gov

MEMORANDUM

TO: Director of Kuna Planning and Zoning

FROM: In Place of the Kuna City Engineer
Michael L. Borzick
GIS Manager

RE: TNT Estates Sub
North of Deer Flat Road and East of School Road
Subdivision PrePlat
16-04-S

DATE: February 14, 2017

The City Engineer has reviewed the request of the above applicant dated January 25, 2017. It is noted that specific development plans are not provided except those implied as allowed or permitted in a "R-12" zone. The recommendation of the City Engineer is to proceed with this Subdivision and address any issues and conditions raised below in connection with this application during plan review. Accordingly, the City Engineer provides the following comments:

1. Sanitary Sewer Needs

- a) The applicant's property is presently used as a single-family dwelling and some scattered agriculture, with a private sewer system and does not appear to require immediate City service depending on the location of the existing drain field in regards to proposed buildings, parking areas, watermains, etc. Depending on the location of the drain field or with additional development, it may require municipal sewer service. The City Engineer recommends ultimate connection to City facilities at such time as existing systems fail or in connection with this future development.
- b) Wastewater from the applicant's property has the future option of being treated at the North Treatment Plant which has sufficient capacity to serve this site. The nearest point of connection for the TNT Estates property is located near the southeast corner of said property within W Deer Flat Rd which sewer line discharges into the Danskin Lift Station. When connecting to the sewer system, the applicant will need to abide by any relevant sewer reimbursement policies and agreements and any relevant connection fees.
- c) The existing homestead appears to be served by its own septic tank and drain field. If the site system fails or the use of the property is changed or expanded beyond that proposed

in this application or facilities are extended within 300' of the dwelling, the City Engineer recommends applying a condition to connect to City facilities.

- d) The City Engineer requests that the septic tank and drain field be located on the site plan so lot lines, parking areas and buildings can be properly located within proximity of said drain field.
- e) Applicant must conform to City of Kuna Sewer Master Plan.
- f) For assistance in locating existing facilities and understanding issues associated with connection, please contact the City Engineer at 287-1727.

2. Potable Water Needs

- a) The applicant's property to be annexed is presently used as a single-family dwelling and agriculture purposes, has at least one (1) private water system and does not require immediate City service unless the private well is too close to the septic system. The City Engineer recommends connection to City facilities at the commencement of development because facilities are now within 300' of the dwelling.
- b) The nearest point of connection for the TNT Estates property is in an 8-inch water main along the frontage of W Deer Flat Rd. When connecting to the water system, the applicant will need to abide by any relevant water reimbursement policies and agreements and any relevant connection fees.
- c) Improvements necessary to provide adequate fire protection as required by Kuna Fire District will be required of the development.
- d) The City Engineer requests the current well be located on the site plan so lot lines, sewer facilities, parking areas and buildings can be properly located within the proximity of said well.
- e) Applicant must conform to City of Kuna Water Master Plan.
- f) For assistance in locating existing facilities, please contact the City Engineer at 287-1727.

3. Pressure Irrigation

- a) The property's irrigation needs are presently served from surface water rights delivered through local canals and from private wells and does not require immediate City service. The applicants' property will need to show how they can maintain surface water rights for proper irrigation or they will need to connect to the City's Pressurized Irrigation system so public potable water is not used for irrigation purposes. The City Engineer recommends ultimate connection to City facilities in connection with future development or when facilities are within 300' of the dwelling.
- b) The City Engineer suggests that connecting the residence to PI may be an advantage so that surface water drainage from the residence does not impact the development.
- c) The nearest point of connection for the TNT Estates property is directly adjacent and to the East in an 6-inch pressure irrigation main. When connecting to the pressure irrigation system, the applicant will need to abide by any relevant pressure irrigation reimbursement policies and agreements and any relevant connection fees.
- d) As a condition related to paragraph 3(a), connection to pressure irrigation shall constitute an automatic petition for inclusion in the municipal irrigation system and an agreement to the pooling of this property's water rights for delivery purposes.
- e) Applicant must conform to City of Kuna Irrigation Master Plan.
- f) For assistance in locating existing facilities, please contact the City Engineer at 287-1727.

4. Grading and Storm Drainage

The following is not required for annexation but will be required when alteration of surface features is proposed (such as grading or paving) in connection with future land use applications:

- a) Please provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.
- b) If impervious area is increased, please provide a storm water disposal plan acceptable to the City Engineer which accounts for the increased storm water drainage. Please provide detail drawings of drainage facilities for review. The city relies on the ACHD Storm water policy as guidance for design.
- c) Any increase in quantity or rate of runoff or decrease in quality of runoff from the site compared to historical conditions must be detained, treated and released at rates no greater than historical amounts.
- d) If offsite disposal of storm water in excess of historical rates or conditions is proposed, or disposed at locations different than provided historically, the approval of the affected entities is required.

5. General

- a) With the addition of this property into the corporate limits of Kuna and its potential connection to both potable water and irrigation services, this property will be placing demand not only on constructed facilities but on water rights provided by others. It is the reasonable expectation, in return, that this property transfer to the City at time of connection (ie development) any conveyable water rights by deed and “Change of Ownership” form from IDWR that are presently associated with the property. The domestic water right associated solely with a residence and ½ acre or less is not conveyable. The water right held in trust by an irrigation district is also not conveyable.
- b) A plan approval letter will be required if this project affects any local irrigation districts.
- c) Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties.
- d) State the vertical datum used for elevations on all drawings.
- e) Provide a viable solution for the existing home’s location in the proposed widened right-of-way of W Deer Flat Road.
- f) Provide engineering certification on all final engineering drawings.
- g) The applicant proposes creating an out parcel for the existing building (dwelling). The City Engineer recommends against creating an out-parcel in this instance because it creates the most obstacles to re-developing the site later. The City recommends accommodating the applicant’s desire to maintain the existing use temporarily until in the natural course of phasing the project, the sewer and PI are extended within 300’ of the dwelling.

6. Inspection Fees

An inspection fee will be required for City inspection of the construction of any **public** water, sewer and irrigation facility associated with this development. The developer will still require a qualified responsible engineer to do sufficient inspection to justly certify to

DEQ the project was completed in accordance with approved plans and specifications and to provide accurate as-built drawings to the City. The developer's engineer and the City's inspector are permitted to coordinate inspections as much as possible. The current inspection fee is \$1.00 per lineal foot of sewer, water and pressure irrigation pipe and payment is due and payable prior to City's approval of final construction plans.

7. Right-of-Way

The subject property fronts on existing section line arterial street (Deer Flat Road). The following conditions are related to these classified streets and future quarter line classified streets and apply at the time of additional development:

- a) Sufficient half right-of-way on the quarter line and section line for existing and future classified streets should be provided pursuant to City and ACHD standards. The City Engineer recommends right-of-way at full width is provided across the entire Deer Flat frontage, including proposed out-parcel.
- b) It is recommended new and existing approaches onto the classified streets comply with ACHD approach policies.
- c) It is recommended sidewalk, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, are provided at the time of land-use change or re-development.
- d) It is recommended that ACHD comment on the existing building's encroachment into the proposed Public right-of-way.

8. As-Built Drawings

As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the developer's engineer. The city may help track changes, but will not be responsible for the finished product. As-built drawings will be required before occupancy or final plat approval is granted.

9. Property Description

- a) The applicant provided a metes and bounds property description of the subject parcel.

We look forward to working with you on this project. If we may be of further assistance, feel free to contact me at 287-1727.

Sincerely,

Gordon N Law

Gordon N Law
City Engineer



Paul Woods, President
Rebecca W. Arnold, Vice President
Sara M. Baker, Commissioner
Kent Goldthorpe, Commissioner
Jim Hansen, Commissioner

Date: March 8, 2017

(Via email)

To: Greg Bullock
514 Bayhill Drive
Nampa, ID 83686

Subject: TNT Estates/ KPP17-0001/ 16-04-S
550 W Deer Flat Road

On March 8, 2017, the Ada County Highway District Commission acted on your application for the above referenced project. The attached report lists site-specific requirements, conditions of approval and street improvements, which are required.

If you have any questions, please feel free to contact me at (208) 387-6171.

Sincerely,

Stacey Yarrington
Planner III
Development Services
Ada County Highway District

CC: Project file
City of Kuna (via email)
All Terra Consulting (via email)
Scott Stanfield (via email)



Project/File: **TNT Estates/ KPP17-0001/ 16-04-S**
This is a preliminary plat application consisting of 9 multi-family lots (52 units) and 1 single family residential lot (existing) on 4.7-acres.

Lead Agency: City of Kuna

Site address: 550 W Deer Flat Road

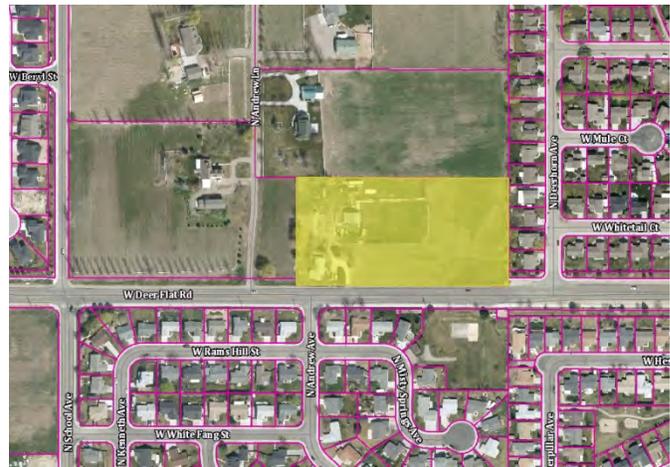
Commission Hearing: *Consent Agenda*
 March 8, 2017

Commission Approval: March 8, 2017

Applicant: Greg Bullock
 514 Bayhill Drive
 Nampa, ID 83686

Representative: All Terra Consulting
 Jaylen Walker
 849 E State Street, Ste. 104
 Eagle, ID 83616

Staff Contact: Stacey Yarrington
 Phone: 387-6171
 E-mail: syarrington@achdidaho.org



A. Findings of Fact

- Description of Application:** The applicant is requesting approval of a preliminary plat consisting of 9 multi-family lots (52 units) and 1 single family lot (existing) to total 10 lots on 4.7-acres.
- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Rural Urban Transition (Ada County)	RUT
South	Medium Density Residential	R-6
East	Medium Density Residential	R-6
West	Medium Density Residential	R-6

- Site History:** ACHD has not previously reviewed this site for a development application.
- Transit:** Transit services are not available to serve this site.
- New Center Lane Miles:** There are no new centerline miles of public roadway associated with this project.

6. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.
7. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
 - The intersection of Linder Road and Deer Flat Road is scheduled in the IFYWP to be widened to 5-lanes on the north leg, 4-lanes on the south, 5-lanes east, and 5-lanes on the west leg, and reconstructed/signalized in 2020.
 - Deer Flat Road is listed in the CIP to be widened to 5-lanes from Linder Road to SH-69/ Meridian Road between 2026 and 2030.
 - The intersection of Deer Flat Road and SH-69/ Meridian Road is listed in the CIP to be widened to 6-lanes on the north leg, 6-lanes on the south, 6-lanes east, and 6-lanes on the west leg, and signalized between 2031 and 2035.

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 346 additional vehicle trips per day (10 existing); 32 additional vehicle trips per hour in the PM peak hour (1 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 9th edition.
2. **Condition of Area Roadways**
Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Existing Plus Project
**SH-69/ Meridian Road	0-feet	Principal Arterial	511	Better than "E"	Better than "E"
Deer Flat Road	635-feet	Minor Arterial	464	Better than "E"	Better than "E"
Linder Road	0-feet	Minor Arterial	283	Better than "E"	Better than "E"

* Acceptable level of service for a three-lane minor arterial is "E" (720 VPH)

** ACHD does not set level of service thresholds for State Highways.

3. **Average Daily Traffic Count (VDT)**
Average daily traffic counts are based on ACHD's most current traffic counts.

- The average daily traffic count for SH 69/ Meridian Road south of Deer Flat Road was 9,549 on 7/20/2016.
- The average daily traffic count for Deer Flat Road east of School Avenue was 7,065 on 1/20/2016.
- The average daily traffic count for Linder Road north of Deer Flat Road was 4,548 on 7/31/2014.

C. Findings for Consideration

1. **Deer Flat Road**
 - a. **Existing Conditions:** Deer Flat Road is improved with 3-travel lanes, and no curb, gutter or sidewalk abutting the site. There is 70-feet of right-of-way for Deer Flat Road (25-feet from centerline).

b. Policy:

Arterial Roadway Policy: District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Master Street Map and Typology Policy: District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

Street Section and Right-of-Way Width Policy: District Policies 7205.2.1 & 7205.5.2 state that the standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within 96-feet of right-of-way. This width typically accommodates two travel lanes in each direction, a continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial.

Right-of-Way Dedication: District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Deer Flat Road is designated in the MSM as a Residential Arterial with 5-lanes and on-street bike lanes, a 71-foot street section within 97-feet of right-of-way.

c. Applicant Proposal: The applicant is proposing to dedicate 23-feet of right-of-way from centerline of Deer Flat Road abutting the site.

d. Staff Comments/Recommendations: The applicant's proposal to dedicate 23-feet of additional right-of-way to total 48-feet of right-of-way along Deer Flat Road abutting the site meets District policy and should be approved, as proposed.

There is an existing house currently located on the site and shown on the preliminary plat as 'not a part'. As the existing house is being divided from the existing parcel, it is still part of the subdivision process. Therefore, staff recommends that because the existing house will encroach into the future right-of-way, approximately 9 feet, the applicant should enter into a

license agreement with ACHD for that portion of the building to remain in the right-of-way to be dedicated until such time as Deer Flat Road is widened; requiring the building or a portion of the building to be removed at the owner's expense.

The applicant should be required to construct 5-foot wide detached sidewalk along Deer Flat Road from the west property line of Lot 6 east to tie into the existing improvements to the east. The sidewalk should be located a minimum of 42-feet from centerline of Deer Flat Road abutting the site. The applicant should be required to provide a road trust for the future construction of sidewalk along the 'not a part' parcel, that is currently encumbered by the existing house. Staff is recommending the road trust because the rental contract is expected to expire in December 2019, and it is anticipated that this lot will redevelop within the next 10 years. The amount of the road trust is \$2,500.00.

A permanent right-of-way easement should be required for any public sidewalk located outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk.

2. Driveways

Deer Flat Road

a. **Existing Conditions:** There is an existing unimproved residential driveway onto Deer Flat Road from the site.

b. **Policy**

Access Points Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

Access Policy: District policy 7205.4.6 states that direct access to minor arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.

Successive Driveways: District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 35 MPH to align or offset a minimum of 355-feet from any existing or proposed driveway.

Driveway Width Policy: District policy 7205.4.8 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

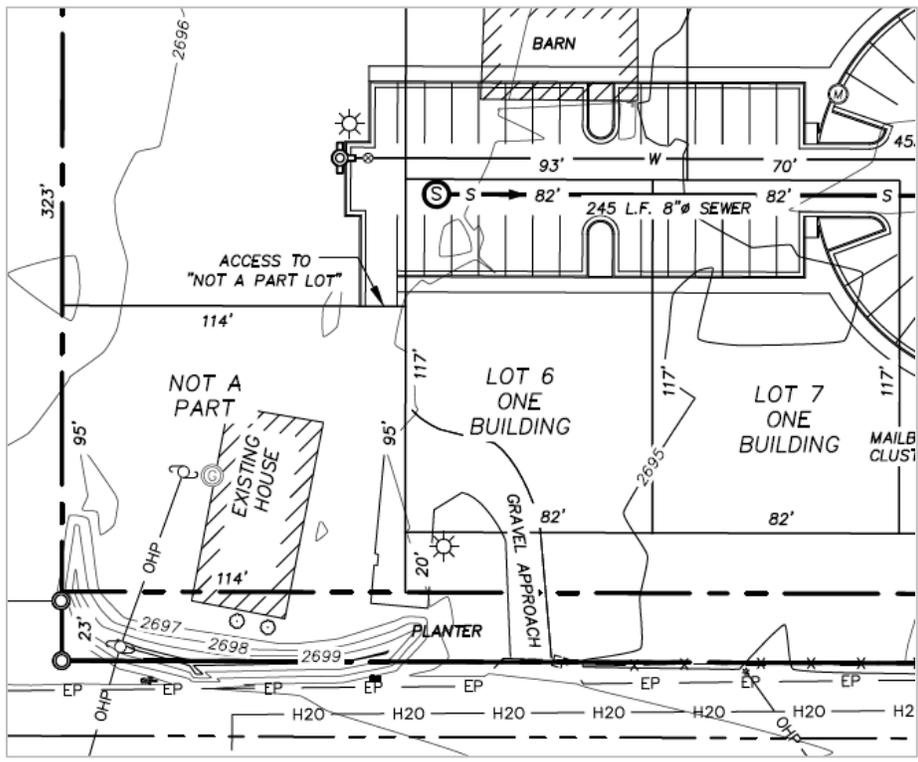
Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7205.4.8, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7205.4.8.

Cross Access Easements/Shared Access Policy: District Policy 7202.4.1 states that cross access utilizes a single vehicular connection that serves two or more adjoining lots or parcels so that the driver does not need to re-enter the public street system.

- c. **Applicant's Proposal:** The applicant is proposing to construct a 25-foot wide driveway, located approximately 454-feet west of Deerhorn Avenue and 275-feet east of Andrew Avenue, onto Deer Flat Road from the site.
- d. **Staff Comments/Recommendations:** The applicant's proposal does not meet District Successive Driveway and Driveway Location policies because it does not meet the separation distance between Andrew Avenue and the proposed driveway. However, staff recommends a modification of policy to allow the driveway, as a temporary full-access driveway, to be located as proposed due to the fact that there is insufficient frontage to meet the separation distance (because the existing house is not being demolished at this time); and the site does not have access to a lesser street. This is a 22% modification to the dimensional standard for a full-access driveway and is approved at the Development Services Manager's authority.

The applicant should be required to pave the driveway its entire width and at least 30 feet into the site beyond the edge of pavement of the roadway and install pavement tapers with a minimum 15-foot radii.

As stated above in Section 1.d., the existing house that is shown as 'not a part' currently takes access from the unimproved driveway onto Deer Flat Road. The existing driveway is shown on the preliminary plat to cross into Lot 6. Therefore, the applicant should be required to close the existing unimproved driveway, located approximately 615-feet west of Deerhorn Avenue onto Deer Flat Road from the site with 5-foot wide detached sidewalk as stipulated in the above section; and the existing home should take access from within the development, as shown.



3. Parking

The applicant is proposing 84 on-site parking stalls for the site. The recommended number of parking spaces based on the Institute of Transportation Engineers Parking Generation, 4th Edition, is 101. No parking is allowed on Deer Flat Road. The applicant and the City of Kuna should verify that there is adequate on-site parking for the proposed use.

4. Tree Planters

Tree Planter Policy: Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

5. Landscaping

Landscaping Policy: A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

6. Other Access

Deer Flat Road is classified as a minor arterial roadway. Other than the access specifically approved with this application, direct lot access is prohibited to this roadway and should be noted on the final plat.

D. Site Specific Conditions of Approval

1. Dedicate 23-feet of additional right-of-way from centerline to total 48-feet of right-of-way along Deer Flat Road abutting the site.
2. Enter into a license agreement with ACHD for that portion of building to remain in the right-of-way (approximately 9-feet) to be dedicated until such time as Deer Flat Road is further improved; requiring a portion of the building to be removed at the owner's expense.
3. Construct 5-foot wide detached sidewalk, located minimum 42-feet from centerline along Deer Flat Road, from the west property line of Lot 6 (includes existing unimproved driveway), east to tie into the existing improvements east of the site.
4. Provide a road trust in the amount of \$2,500.00 for the future construction of sidewalk along the 'not a part' parcel, that is currently encumbered by the existing house.
5. Provide a permanent right-of-way easement for any public sidewalk placed outside of the dedicated right-of-way.
6. Construct a temporary full access 25-foot wide driveway, located approximately 454-feet west of Deerhorn Avenue and 275-feet east of Andrew Avenue, onto Deer Flat Road from the site.
7. Pave the driveway its entire width and at least 30 feet into the site beyond the edge of pavement of the roadway and install pavement tapers with a minimum 15-foot radii.
8. Other than the access specifically approved with this application, direct lot access is prohibited to Deer Flat Road and should be noted on the final plat.
9. Payment of impacts fees are due prior to issuance of a building permit.
10. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).

2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

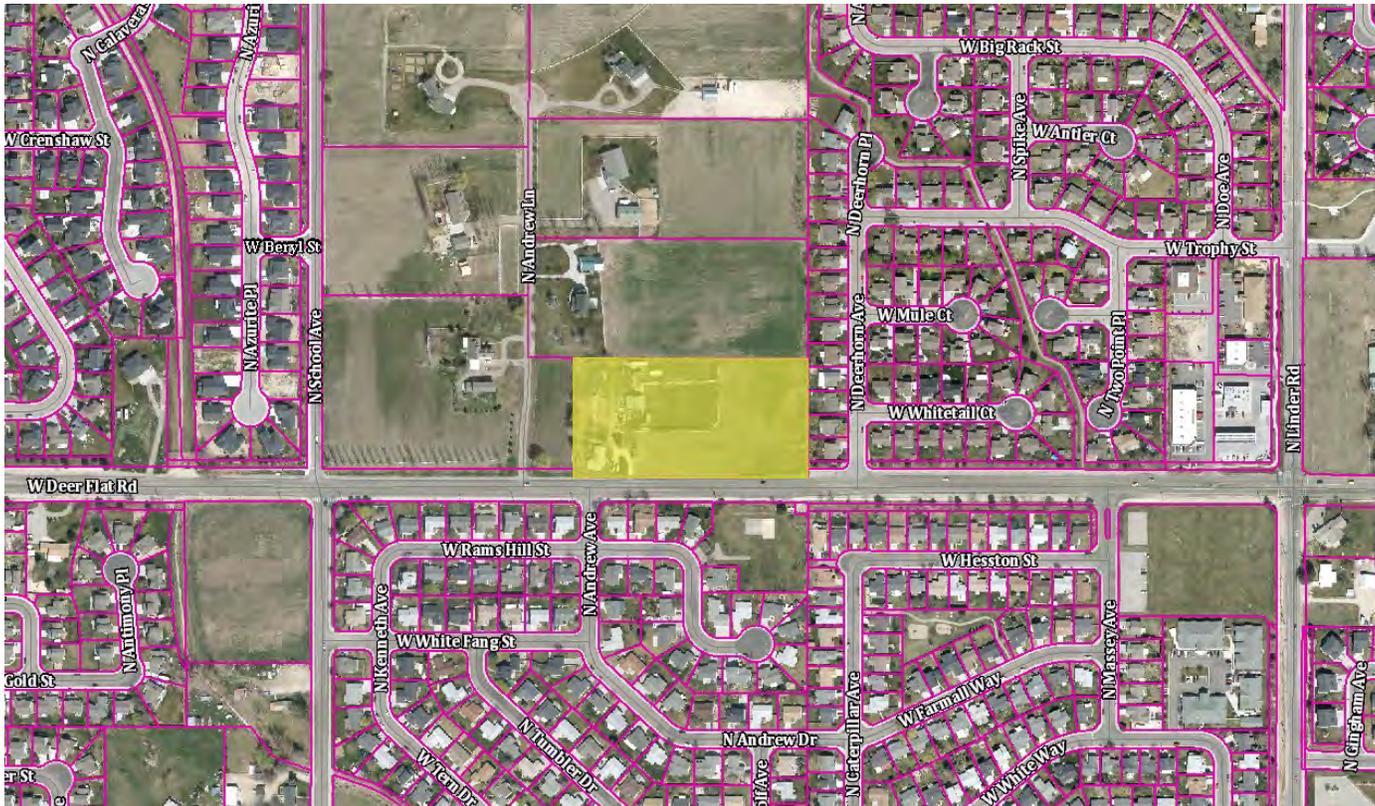
F. Conclusions of Law

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

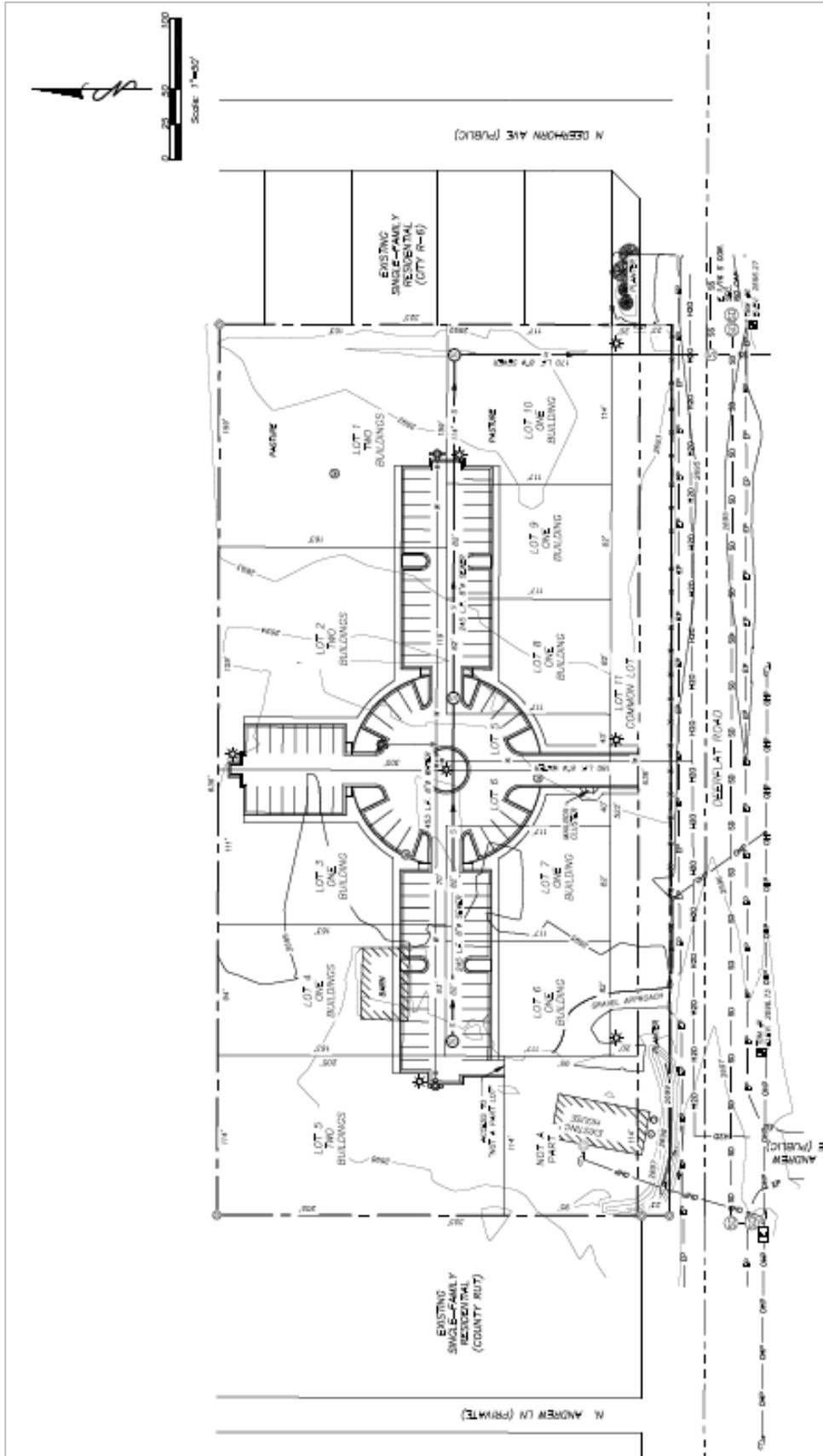
G. Attachments

1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
5. Request for Reconsideration Guidelines

VICINITY MAP



SITE PLAN



Ada County Utility Coordinating Council

Developer/Local Improvement District Right of Way Improvements Guideline Request

Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.

- 1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.
- 2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.
- 3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.
- 4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

Notification to the Ada County UCC can be sent to: 50 S. Cole Rd. Boise 83707, or Visit iducc.com for e-mail notification information.

Development Process Checklist

Items Completed to Date:

- Submit a development application to a City or to Ada County
- The City or the County will transmit the development application to ACHD
- The ACHD **Planning Review Section** will receive the development application to review
- The **Planning Review Section** will do one of the following:
 - Send a “**No Review**” letter to the applicant stating that there are no site specific conditions of approval at this time.
 - Write a **Staff Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.
 - Write a **Commission Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

Items to be completed by Applicant:

- For **ALL** development applications, including those receiving a “**No Review**” letter:
 - The applicant should submit one set of engineered plans directly to ACHD for review by the **Development Review Section** for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
 - The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.
- Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

DID YOU REMEMBER:

Construction (Non-Subdivisions)

Driveway or Property Approach(s)

- Submit a “Driveway Approach Request” form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.

Working in the ACHD Right-of-Way

- Four business days prior to starting work have a bonded contractor submit a “Temporary Highway Use Permit Application” to ACHD Construction – Permits along with:
 - a) Traffic Control Plan
 - b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50’ or you are placing >600 sf of concrete or asphalt.

Construction (Subdivisions)

Sediment & Erosion Submittal

- At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.

Idaho Power Company

- Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.

- Final Approval from Development Services is required** prior to scheduling a Pre-Con.

Request for Reconsideration of Commission Action

1. **Request for Reconsideration of Commission Action:** A Commissioner, a member of ACHD staff or any other person objecting to any final action taken by the Commission may request reconsideration of that action, provided the request is not for a reconsideration of an action previously requested to be reconsidered, an action whose provisions have been partly and materially carried out, or an action that has created a contractual relationship with third parties.

- a. Only a Commission member who voted with the prevailing side can move for reconsideration, but the motion may be seconded by any Commissioner and is voted on by all Commissioners present.

If a motion to reconsider is made and seconded it is subject to a motion to postpone to a certain time.

- b. The request must be in writing and delivered to the Secretary of the Highway District no later than 3:00 p.m. on the day prior to the Commission's next scheduled regular meeting following the meeting at which the action to be reconsidered was taken. Upon receipt of the request, the Secretary shall cause the same to be placed on the agenda for that next scheduled regular Commission meeting.
- c. The request for reconsideration must be supported by written documentation setting forth new facts and information not presented at the earlier meeting, or a changed situation that has developed since the taking of the earlier vote, or information establishing an error of fact or law in the earlier action. The request may also be supported by oral testimony at the meeting.
- d. If a motion to reconsider passes, the effect is the original matter is in the exact position it occupied the moment before it was voted on originally. It will normally be returned to ACHD staff for further review. The Commission may set the date of the meeting at which the matter is to be returned. The Commission shall only take action on the original matter at a meeting where the agenda notice so provides.
- e. At the meeting where the original matter is again on the agenda for Commission action, interested persons and ACHD staff may present such written and oral testimony as the President of the Commission determines to be appropriate, and the Commission may take any action the majority of the Commission deems advisable.
- f. If a motion to reconsider passes, the applicant may be charged a reasonable fee, to cover administrative costs, as established by the Commission.

BRIAN McDEVITT
CHAIRMAN OF THE BOARD

RICHARD DURRANT
VICE CHAIRMAN OF THE BOARD

TIMOTHY M. PAGE
PROJECT MANAGER

ROBERT D. CARTER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

JERRI FLOYD
ASSISTANT SECRETARY-
TREASURER
City of Kuna
P.O. Box 13
Kuna, Idaho 83634

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 167,000
ACRES FOR THE FOLLOWING
IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT
BOISE-KUNA DISTRICT
WILDER DISTRICT
NEW YORK DISTRICT
BIG BEND DISTRICT

24 February 2017

TEL: (208) 344-1141
FAX: (208) 344-1437

RE: Jaylen Walker- TNT Estates **16-04-S**
550 W. Deer Flat Rd.
Boise-Kuna Irrigation District **BK-279A**
Teed Lateral 182+00 Rot.
Sec. 14, T2N, R1W, BM.

Troy Behunin:

There are no Project facilities located on the above-mentioned property; however it does in fact possess a valid water right.

Local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement.

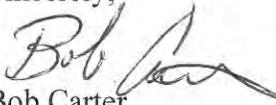
This development is subject to Idaho Code 31-3805, in accordance, this office is requesting a copy of the irrigation and drainage plans.

If the irrigation system will be incorporated into the City of Kuna's pressure system, we will require confirmation from both the City of Kuna and the Boise-Kuna Irrigation District.

Whereas this property lies within the Boise-Kuna Irrigation District it is important that representatives of this development contact the BKID office as soon as possible to discuss the assessment of the newly formed lots associated with the development of this property.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,



Bob Carter
Assistant Project Manager- BPBC
bdc/bc

cc: Clint McCormick Watermaster, Div; 2 BPBC
Lauren Boehlke Secretary – Treasurer, BKID
File



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:

- ACZ
Boise
Eagle
Garden City
Kuna
Meridian
Star

Rezone #

Conditional Use #

Preliminary / Final / Short Plat 16-04 S

(Bullock) TNT Estates

RECEIVED 2-8-17

- 1. We have No Objections to this Proposal.
2. We recommend Denial of this Proposal.
3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
4. We will require more data concerning soil conditions on this Proposal before we can comment.
5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
8. After written approval from appropriate entities are submitted, we can approve this proposal for:
9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
12. We will require plans be submitted for a plan review for any:
13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

14. _____

Reviewed By:

[Signature]

Date: 2/3/17

RECEIVED FEB 08 2017 CITY OF KUNA

Communities in Motion 2040 Development Checklist

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this checklist as a tool for local governments to evaluate whether land developments are consistent with the goals of *Communities in Motion 2040* (CIM 2040), the regional long-range transportation plan for Ada and Canyon Counties. CIM 2040 was developed through a collaborative approach with COMPASS member agencies and adopted by the COMPASS Board on **July 21, 2014**.



 LFN WR HQ;DUJH PDS

This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2040 goals, objectives, and performance measures. A checklist user guide is available [here](#); and more information about the CIM 2040 goals can be found [here](#); and information on the CIM 2040 Vision can be found [here](#).

Name of Development: TNT Estates

Summary: 52 residential unit multi-family northwest of the intersection of Deer Flat Road and Linder Road. Ardel Estates, with 261 residential units, has also been proposed for this Neighborhood. The proposal meets 10 CIM checklist items and does not meet 12 items. Consider sidewalk improvements along Deer Flat to connect with existing infrastructure directly adjacent to the east. Additionally, Summitview Park is directly across Deer Flat Road, however there is no safe crossing at this location.

Land Use

In which of the [CIM 2040 Vision Areas](#) is the proposed development? (Goal 2.1)?

- Downtown Employment Center Existing Neighborhood Foothills
 Future Neighborhood Mixed Use Prime Farmland Rural
 Small Town Transit Oriented Development

Yes No N/A The proposal is within a CIM 2040 Major Activity Center. (Goal 2.3)

Neighborhood (Transportation Analysis Zone) Demographics

Existing		Existing TAZ + Proposal		2040 Forecast	
Households	Jobs	Households	Jobs	Households	Jobs
167	136	480	136	765	176

Yes No N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this neighborhood. (Goal 2.1)

Area (Adjacent Transportation Analysis Zone) Demographics

Existing		Existing TAZs + Net Proposed		2040 Forecast	
Households	Jobs	Households	Jobs	Households	Jobs
1,636	396	2,147	436	2,918	753

Yes No N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this area. (Goal 2.1)



More information on COMPASS and *Communities in Motion 2040* can be found at:
www.compassidaho.org
 Email: info@compassidaho.org
 Telephone: (208) 475-2239



Communities in Motion 2040 Development Checklist

Transportation

- Attached N/A An Area of Influence Travel Demand Model Run is attached.
- Yes No N/A There are relevant projects in the current Regional [Transportation Improvement Projects](#) (TIP) within one mile of the development.
- Comments: In FY2020, plans to improve the intersection at Linder and Deer Flat. Adding curb, gutter, bike lanes.
- Yes No N/A The proposal uses appropriate access management techniques as described in the [COMPASS Access Management Toolkit](#).
- Comments: The proposal uses a single-access point to Deer Flat Road. Coordinate access location with ACHD.
- Yes No N/A This proposal supports Valley Regional Transit's [valleyconnect](#) plan. See [Valley Regional Transit Amenities Development Guidelines](#) for additional detail.
- Comments: The proposal meets transit density (7 DU/acre) but is not on an existing transit route. Future demand

response services are proposed for the area.

The **Complete Streets Level of Service (LOS)** scoring based on the proposed development will be provided on an separate worksheet (**Goals [1.1](#), [1.2](#), [1.3](#), [1.4](#), [2.4](#)**):

- Attached N/A Complete Streets LOS scorecard is attached.
- Yes No N/A The proposal maintains or improves current automobile LOS.
- Yes No N/A The proposal maintains or improves current bicycle LOS.
- Yes No N/A The proposal maintains or improves current pedestrian LOS.
- Yes No N/A The proposal maintains or improves current transit LOS.
- Yes No N/A The proposal is in an area with a [Walkscore](#) over 50.

Housing

- Yes No N/A The proposal adds [compact housing](#) over seven residential units per acre. (**Goal [2.3](#)**)
- Yes No N/A The proposal is a mixed-use development or in a mixed-use area. (**Goal [3.1](#)**)
- Yes No N/A The proposal is in an area with lower transportation costs than the [regional average](#) of 26% of the median household income. (**Goal [3.1](#)**)
- Yes No N/A The proposal improves the jobs-housing balance by providing housing in employment-rich areas. (**Goal [3.1](#)**)

Community Infrastructure

- Yes No N/A The proposal is infill development. (**Goals [4.1](#), [4.2](#)**)
- Yes No N/A The proposal is within or adjacent to city limits. (**Goals [4.1](#), [4.2](#)**)
- Yes No N/A The proposal is within a city area of impact. (**Goals [4.1](#), [4.2](#)**)

Health

- Yes No N/A The proposal is within 1/4 mile of a transit stop. (**Goal [5.1](#)**)
- Yes No N/A The proposal is within 1/4 mile of a public school. (**Goal [5.1](#)**)
- Yes No N/A The proposal is within 1/4 mile of a grocery store. (**Goal [5.1](#)**)
- Yes No N/A The proposal is within 1 mile of a park and ride location. (**Goal [5.1](#)**)

Economic Development

- Yes No N/A The proposal improves the jobs-housing balance by providing employment in housing-rich areas. (**Goal [3.1](#)**)
- Yes No N/A The proposal provides grocery stores or other retail options for neighborhoods within 1/2 mile. (**Goal [6.1](#)**)

Open Space

- Yes No N/A The proposal is within a 1/4 mile of a public park. (**Goal [7.1](#)**)
- Yes No N/A The proposal provides at least 1 acre of parks for every 35 housing units. (**Goal [7.1](#)**)

Farmland

- Yes No N/A The proposal is outside "Prime Farmland" in the CIM 2040 Vision. (**Goals [4.1](#), [8.2](#)**)
- Yes No N/A The proposal is outside prime farmland. (**Goal [8.2](#)**)

Communities in Motion 2040 Complete Streets Scorecard

The purpose of this checklist is to provide a tool for local governments to evaluate whether land developments are in accordance with the goals of *Communities in Motion 2040* (CIM 2040). Complete Streets Level of Service (LOS) refers to the multimodal (automobile, bicycle, pedestrian, and transit) experience and grades a roadway (A-F) for each mode. COMPASS conducts Complete Streets Level of Service (CSLOS) analysis for developments on arterial roads.



	Mode	Existing	With bicycle lane and sidewalk 
		Link LOS	Link LOS 
Deer Flat Road Deerhorn Road to School Avenue 	Transit	F	F
	Bike	B	A
	Ped	C	A
Highway Capacity Manual 2010 Methodologies			

Walkscore: 35 Car-Dependent. Walkscore is a walkability index that assigns a numerical walkability on a scale from 0 - 100 based on walking routes to destinations such as grocery stores, schools, parks, restaurants, and retail. Scores of 50 or higher are considered at least "Somewhat Walkable" while scores less than 50 are "Car-Dependent."

Additional Comments:

The *Ada County Highway District Livable Street Design Guide* indicates that this section of Deer Flat Road is classified as a Residential Arterial with bicycle lanes and detached sidewalks. The bicycle lane would improve Bicycle LOS from "B" to "A" and the detached sidewalk would improve Pedestrian LOS from LOS "C" to LOS "A."

More information on
COMPASS and
*Communities in Motion
2040* can be found at:



www.compassidaho.org



Troy Behunin

From: Chad Gordon <chad.gordon@jmsanitation.com>
Sent: Thursday, January 26, 2017 12:44 PM
To: Troy Behunin
Subject: Re: TNT Pre Plat Application

Categories: Agency Comments

Troy,

I do not see any proposed trash enclosures on this. I see a need for 3 enclosures to satisfy the solid waste needs. I am also curious of the measurements of the center roundabout it looks as if this could be a tight turning radius for our truck limiting our movement in the complex.

Thanks,

On Thu, Jan 26, 2017 at 11:49 AM, Troy Behunin <tbehunin@kunaid.gov> wrote:

Good morning everyone,

Please review the PDF attached with this email for a proposed preliminary plan in Kuna. Please send relevant project comments back to our office and we will include them with our staff report for our Commission and Council. This is scheduled for a public hearing with our P & Z Commission on February 28, 2017.

If your agency needs additional time for review or to return comments, please notify our office ASAP so we can properly plan for our public hearing.

Please confirm receipt of this email. If you have questions, please let us know.

Thank you very much,

Troy

Troy Behunin
Planner III
City of Kuna
751 W. 4th Street
Kuna, ID 83634

TBehunin@Kunald.Gov

Troy Behunin

From: Brenda Saxton <bsaxton@kunaschools.org>
Sent: Monday, January 30, 2017 3:51 PM
To: Troy Behunin
Subject: Re: TNT Pre Plat Application

Categories: Agency Comments

Hi Troy,

This new sub will be in the walk zone for all school levels.

Thank you,
Brenda Saxton

On Fri, Jan 27, 2017 at 9:15 AM, Troy Behunin <tbehunin@kunaid.gov> wrote:

Good morning everyone,

Please review the PDF attached with this email for a proposed preliminary plat in Kuna. Please send relevant project comments back to our office and we will include them with our staff report for our Commission and Council. This is scheduled for a public hearing with our P & Z Commission on February 28, 2017.

If your agency needs additional time for review or to return comments, please notify our office ASAP so we can properly plan for our public hearing.

Please confirm receipt of this email. If you have questions, please let us know.

Thank you very much,

Troy

Troy Behunin
Planner III
City of Kuna
751 W. 4th Street
Kuna, ID 83634

TBehunin@Kunald.Gov



Neighborhood Meeting Certification

CITY OF KUNA PLANNING & ZONING * 763 W. Avalon, Kuna, Idaho, 83634 * www.kunacity.id.gov * (208) 922-5274 * Fax: (208) 922-5989

GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 8-7A-3 of the Kuna City Code or ask one of our planners for more information on neighborhood meetings.

The meeting must be held either on a weekend between 10 a.m. and 7 p.m., or a weekday between 6 p.m. and 8 p.m. Meetings cannot be conducted on holidays, holiday weekends, or the day before or after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- The Subject Property;
- The nearest available public meeting place (Examples include fire stations, libraries and community centers);
- An office space within a 1-mile radius of the subject property.

The meeting cannot take place more than 2 months prior to acceptance of the application and the application will not be accepted before the neighborhood meeting is conducted. You are required to send written notification of your meeting, allowing a reasonable amount of time before your meeting for property owners to plan to attend. Contacting and/or meeting individually with residents will not fulfill Neighborhood Meeting requirements.

You may request a list of the people you need to invite to the neighborhood meeting from our department. This list includes property owners within 300 feet of the subject property. Once you have held your neighborhood meeting, please complete this certification form and include it with your application.

Please Note: The neighborhood meeting must be conducted in one location for attendance by all neighboring residents. Contacting and/or meeting individually with residents does not comply with the neighborhood meeting requirements.

Please include a copy of the sign-in sheet for your neighborhood meeting, so we have written record of who attended your meeting and the letter of intent sent to each recipient. In addition, provide any concerns that may have been addressed by individuals that attended the meeting.

Description of proposed project: Preliminary Final Plat Map
 Date and time of neighborhood meeting: 10/14/16 6:00 PM
 Location of neighborhood meeting: 1537 LINDER RD. KUNA, ID. 83634

SITE INFORMATION:

Location: Quarter: SW/SE Section: 14 Township: 2N Range: 1W Total Acres: 4.72
 Subdivision Name: KING ESTATES Lot: 10 Block: 1
 Site Address: 550 W. DEER FLAT Tax Parcel Number(s): 51314438920
KUNA ID 83634

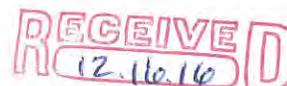
Please make sure to include **all** parcels & addresses included in your proposed use.

CURRENT PROPERTY OWNER:

Name: TROST Family Living Trust
 Address: 30540 SABIN RD. City: PARMA State: ID Zip: 83660

CONTACT PERSON (Mail recipient and person to call with questions):

Name: GREG BULLOCK Business (if applicable): _____
 Address: 504 BAYHILL DR City: NAMPA State: ID Zip: 83686



Oct. 5, 2016

Dear property owner,

On Friday Oct. 14, 2016 from 6:00 to 6:30PM there will be a neighborhood meeting located at Stubbs Realty Office 1537 Linder Rd. Kuna Id. 83634.

The purpose of this meeting is to discuss the preliminary plat map for the King Estates medium density project located at 550 W. Deer Flat Rd. Kuna. This project was recently approved for annexation, rezone, and an amended comprehensive map plan change by the Kuna City Council.

You will be asked to sign a sign in sheet to show your attendance and have opportunity to ask questions regarding the layout of the project.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Bullock", written over a large, stylized, light-colored scribble or watermark.

Greg Bullock

Representative for the Applicant

RECEIVED
12-16-16



Neighborhood Meeting List Request

CITY OF KUNA PLANNING & ZONING, 763 West Avalon, Kuna, Idaho 83634 * www.cityofkuna.com * (208) 922-5274 * Fax: (208) 922-5989

GENERAL INFORMATION:

If you are applying for one of the uses listed below, you must conduct a Neighborhood Meeting. This meeting allows neighbors to learn more about your project before the public hearing (Kuna Planning & Zoning will notify surrounding property owners of the hearing). All involved property owners within *300 feet of the subject property boundary need to be invited to your meeting.

According to Kuna City Code, the meeting must be held either on a weekend between 10 a.m. and 7 p.m., or a weekday between 6 p.m. and 8 p.m. Meetings cannot be conducted on holidays, holiday weekends, or the day before or after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- The Subject Property;
- The nearest available public meeting place (Examples include fire stations, libraries and community centers);
- An office space within a 1-mile radius of the subject property.

The meeting cannot take place more than 6 months prior to acceptance of the application and the application will not be accepted before the neighborhood meeting is conducted. You are required to send written notification of your meeting, allowing a reasonable amount of time before your meeting for property owners to plan to attend. **Please fill out the supplied certification form and include it with your application so we have written record of your meeting.** Contacting and/or meeting individually with residents will not fulfill Neighborhood Meeting requirements.

*PLEASE NOTE: A \$20.00 FEE IS REQUIRED FOR THIS SERVICE (CITY OF KUNA PROVIDES MAILING LABELS)

PROPOSED USE:

I request a neighborhood meeting list for the following proposed use of my property (check all that apply):

<u>APPLICATION TYPE</u>	<u>BRIEF DESCRIPTION</u>
<input checked="" type="checkbox"/> Subdivision (Sketch Plat and/or Prelim. Plat)	<u>PRELIMINARY PLAT & FINAL PLAT</u>
<input type="checkbox"/> Conditional Use	_____
<input type="checkbox"/> Variance	_____
<input type="checkbox"/> Expansion of Extension of a Nonconforming Use	_____
<input type="checkbox"/> Zoning Ordinance Map Amendment	_____

SITE INFORMATION:

Location: Quarter: SW/SE Section: 14 Township: 2N Range: 1W Total Acres: 4.72
 Subdivision Name: King Estates Lot(s): 10 Block(s): 1
 Site Address: 550 W. Deer Flat Tax Parcel Number(s): 51314438920
Kuna, Id. 83634

Please make sure to include **all** parcels & addresses included in your proposed use.

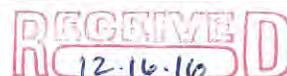
CURRENT PROPERTY OWNER:

Name: TROOST Family Living Trust
 Address: 30540 SABIN Rd. City: PARMA State: Id. Zip: 83660

CONTACT PERSON (Mail recipient and person to call with questions):

Name: GREG Bullock Business (if applicable): _____
 Address: 504 Bayhill DR. City: NAMPA State: Id. Zip: 83686
 Fax: 461-3730 Phone: _____ Cell: (208) 941-1076

OFFICE USE ONLY			
File No.:	Received By:	Date:	Stamped:



SIGN IN SHEET

PROJECT NAME: King Estates: 550 W. Deer Flat Rd.

Date: 10/14/16

Keena

	<u>Name</u>	<u>Address</u>	<u>Zip</u>	<u>Phone</u>
1	<u>Brian Fuys</u>	<u>1752 N Andrew</u>	<u>83634</u>	<u>208-406-6253</u>
2				
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COMPASS LAND SURVEYING, P.L.L.C.

3818 E. Newby Street, Suite 103
Nampa, Idaho 83687

Telephone: (208) 442-0115
Fax: (208) 327-2106
Email: rgray.cls@gmail.com

Client: Troost Family Trust
Date: December 2, 2016
Job No.: 9516

PROPERTY DESCRIPTION

A parcel of land being a portion of the SW 1/4 SE 1/4 of Section 14, Township 2 North, Range 1 West, Boise Meridian, Kuna, Ada County Idaho, more particularly described as follows:

Commencing at a found 3 inch diameter brass disk marking the SW corner of said SW 1/4 SE 1/4, (South 1/4 corner), said corner bears N. 89° 50' 22" W., a distance of 2642.67 feet from a found 5/8 inch diameter iron pin marking the SE corner of said SW 1/4 SE 1/4, (Section corner common to sections 13, 14, 23 and 24);

to the POINT OF BEGINNING, said point monumented with a
Thence along the south boundary of said SW 1/4 SE 1/4, S. 89° 50' 22" E., a distance of 685.46 feet;

Thence N. 00° 04' 01" E., a distance of 25.00 feet to a found 5/8 inch diameter iron pin with no cap marking the northerly right of way of Deer Flat Road and also marking the boundary corner for Saratoga Subdivision as on file in Book 76 of Plats at Page 7878 and 7879 in the Office of the Recorder of Ada County, Idaho. Said corner being the POINT OF BEGINNING;

Thence along the easterly boundary of said Saratoga Subdivision, N. 00° 04' 01" E., a distance of 322.89 feet to a found 5/8 inch diameter iron pin stamped "PLS 6111" marking a boundary angle point of said subdivision;

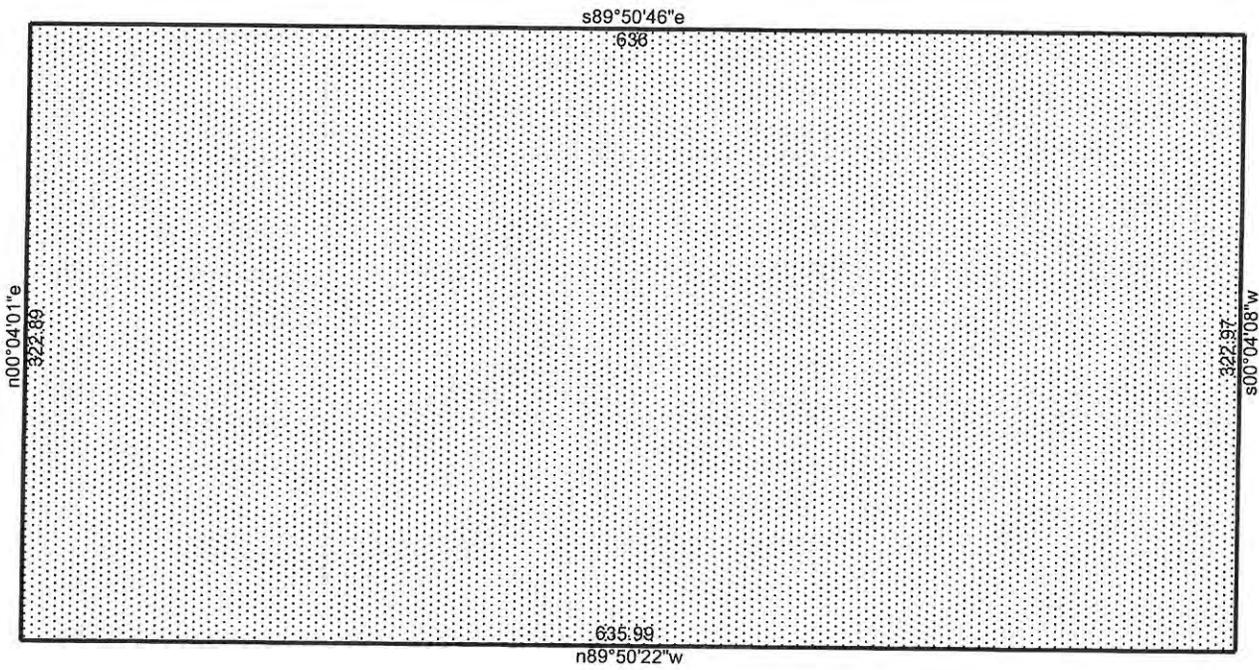
Thence along the southerly boundary of said Saratoga Subdivision, S. 89° 50' 46" E., a distance of 636.00 feet to a found 5/8 inch diameter iron pin stamped "PLS 6111" marking a boundary angle point of said subdivision and marking a point on the westerly boundary of DeerHorn Subdivision as on file in Book 79 of Plats at Page 8506 through 8508 in the Office of the Recorder of Ada County;

Thence along the westerly boundary of said DeerHorn Subdivision, S. 00° 04' 08" W., a distance of 322.97 feet to the northerly right of way of Deer Flat Road;

Thence leaving said westerly boundary and along the northerly right of way of said Deer Flat Road, N. 89° 50' 22" W., a distance of 635.99 feet to the POINT OF BEGINNING

This parcel contains 4.71 acres or 205,386 square feet more or less.





Troost Family Trust property

12/2/2016

Scale: 1 inch= 100 feet | File: 9516 Closure.ndp

Tract 1: 4.7149 Acres (205382 Sq. Feet), Closure: n08.0320e 0.01 ft. (1/315736), Perimeter=1918 ft.

- 01 n00.0401e 322.89
- 02 s89.5046e 636
- 03 s00.0408w 322.97
- 04 n89.5022w 635.99



City of Kuna
Planning and Zoning Commission
Staff Report

P.O. Box 13
Kuna, ID 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
www.kunacity.id.gov

To: Planning and Zoning Commission
File Numbers: 17-01-ZOA (Zoning Ordinance Amendment)
Planner: Wendy I. Howell, PCED
Hearing Date: June 13, 2017

A. Planning and Zoning Request

An ordinance of the City of Kuna, Idaho, amending Title 5, Chapter 1, Section 6, Part 2 titled Meanings of Terms and Words by deleting the reference book titled, "Illustrated Book of Development Definitions" and replacing it with "A Planners Dictionary", the remaining text of Part 2 shall remain unchanged; amending Title 5, Chapter 3, Section 3 to provide that the minimum street frontage per lot is a recommendation that can be modified by the Planning and Zoning Director and modifying the height in M-1 and M-2 Zones to 100 feet and striking M-3 Zone from the table; deleting Title 6, Chapter 5, Section 4 in its entirety; providing for a severability clause; and providing an effective date.

B. Course of Proceedings

Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states text amendments and ordinance changes are designated as a public hearing with the Planning and Zoning Commission as the recommending body and the City Council as the decision-making body. This request was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Land Use Planning Act.

a. Notifications

- i. Agencies May 10, 2017
ii. Kuna, Melba Newspaper May 17, 2017
May 24, 2017

C. Agency Responses

- Central District Health responded on May 16, 2017 stating they have no objections. (Exhibit C.1)
Kuna City Engineer responded on May 21, 2017 stating he had no comments. (Exhibit C.2)
Idaho Transportation Department responded on June 1, 2017 stating they have no comments. (Exhibit C.3)

D. Staff Comments

The proposed change to which the reference book is used for definitions of zoning terms and words not currently found in Kuna City Code. The replacement book is a more comprehensive and updated terminology source for planners entitled, "A Planners Dictionary". This newly proposed book is also recommended by the American Planners Association.



The minimum street frontage is proposed to be revised from being a requirement to a recommendation. This revision will encourage developers to use creativity in their designs of subdivision plats. It will also allow developers to request R-4 zones (maximum of four-dwellings per gross acre) rather than the currently popular R-6 zone (maximum of six-dwellings per gross acre).

Kuna City Code's maximum height requirement in M-1 and M-2 (industrial) zones is being requested to change from 60 feet to 100 feet. The purpose of this change is to better accommodate manufacturing/industrial structures. There have been requests for larger building heights due to the specific needs of such companies. Kuna Fire District has an *Interagency Agreement* that compliments the *Mutual Aid Agreement*. Under the *Mutual Aid Agreement*, a fire district may place a call for a specific need including, but not limited to, a longer ladder, whereas in the past, this was not the case. Additionally, this increase in allowable building height will necessitate fire sprinkler requirements, which will also aid in the control of any potential fires.

The proposed changes are consistent with the Comprehensive Plan. The City attorney has reviewed the proposed ordinance without any objections.

E. Applicable Standards

1. Kuna Zoning Ordinance Title 5
2. Kuna 2015 Comprehensive Plan
3. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act

F. Proposed Recommendation by Planning and Zoning Commission

The Commission shall consider and discuss the evidence and testimony presented at the hearing prior to rendering its decision.

Note: The following proposed motion is for approval, conditional approval or denial of this request. If the Commission wishes to just approve or deny specific parts of the request, it must be specified.

Based on the facts outlined in staff's report, agency responses, and public testimony as presented (if any), the Planning and Zoning Commission of Kuna, Idaho recommends approval an Ordinance of City of Kuna, Idaho, amending Title 5, Chapter 1, Section 6, Part 2 titled, Meanings of Terms and Words by deleting the reference book titled, "Illustrated Book of Development Definitions" and replacing it with "A Planners Dictionary", the remaining text of Part 2 shall remain unchanged; amending Title 5, Chapter 3, Section 3 to provide that the minimum street frontage per lot is a recommendation that can be modified by the Planning and Zoning Director and modifying the height in M-1 and M-2 Zones to 100 feet and striking M-3 Zone from the table; deleting Title 6, Chapter 5, Section 4 in its entirety; providing for a severability clause; and providing an effective date, to the City Council.

**ORDINANCE NO.
CITY OF KUNA, IDAHO**

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO AMENDING TITLE 5, CHAPTER 1, SECTION 6, PART 2 TITLED MEANINGS OF TERMS AND WORDS BY DELETING THE REFERENCE BOOK TITLED ILLUSTRATED BOOK OF DEVELOPMENT DEFINITIONS AND REPLACING IT WITH A PLANNERS DICTIONARY, THE REMAINING TEXT OF PART 2 SHALL REMAIN UNCHANGED; AMENDING TITLE 5, CHAPTER 3, SECTION 3 TO PROVIDE THAT THE MINIMUM STREET FRONTAGE PER LOT IS A RECOMMENDATION THAT CAN BE MODIFIED BY THE PLANNING AND ZONING DIRECTOR AND MODIFYING THE HEIGHT IN M-1 AND M-2 ZONES TO 100 FEET AND STRIKING M-3 ZONE FROM THE TABLE; DELETING TITLE 6, CHAPTER 5, SECTION 4 IN ITS ENTIRETY; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article XII, Section 2 of the Idaho Constitution, and Idaho Code Section 50-302 allow municipal corporations to adopt regulations which are not contrary to the general laws; and

WHEREAS, the City Council finds that it is necessary to update the code regarding the reference book used for zoning terms or words, lot dimensions, and to delete the section for large scale development.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KUNA, ADA COUNTY, IDAHO, as follows:

Section 1: Kuna City Code Title 5, Chapter 1, Section 2, Part 2, titled “Meanings of Terms or Words” shall be amended as follows:

5-1-6-2: - MEANINGS OF TERMS OR WORDS:

...

For the meanings of zoning terms or words not found in Kuna City Code 5-1-6-2, the city staff shall rely upon the latest ["~~Illustrated Book of Development Definitions~~" by Moskowitz and Lindbloom - A Planners Dictionary, edited by Michael Davidson and Fay Dolnick, American Planning Association and Planning Advisory Service,](#) for interpretation purposes.

....

Section 2: Kuna City Code Title 5, Chapter 3, Section 3, titled “Official Height and Area Standards” shall be amended in part, as follows:

5-3-3: - OFFICIAL HEIGHT AND AREA STANDARDS:

MINIMUM YARD AND SQUARE FOOTAGE REQUIREMENTS



Zoning District	Maximum Height	Recommended Minimum Street Frontage*	Front Yard Setback on Local Road	Front Yard Setback on Arterial or Collector Street	Rear Yard Setback	Interior Side Yard Setback	Street Side Yard Setback	Maximum Lot Coverage	Minimum Lot Size
A	45'	0**	20' from lot line	30'	30'	10' from lot line	15'	90%	5 acres
R-2	35'	120'	20'	30'****	15'	5'	20'	40%	20,000 sq ft
R-4	35'	66'	20'	30'****	15'	5'	20'	40%	6,600 sq ft
R-6	35'	45'	20'	30'****	15'	5'	20'	40%	4,500 sq ft
R-8	35'	40'	20'	30'****	15'	5'	20'	40%	3,300 sq ft
R-12	40'	40'	20'	30'****	15'	5'	20'	60%	2,200 sq ft
R-20	40'	40'	20'	30'****	15'	5'	20'	60%	1,300 sq ft
O	35'	0**	20'	0	30'	5'	20'	80% DR	2,000 sq ft
C-1	35'	0**	15'	0	5'	0	10'	100% DR	2,000 sq ft
C-2	60'	0**	0	0	0	0	0	100% DR	1,300 sq ft
C-3	60'	0**	0	0	0	0	0	100% DR	1,300 sq ft
CBD	80**	0**	0	0	0	0	0	100% DR	1,000 sq ft
M-1	100-60'	0**	0	0	0	0	0	100% DR	5,000 sq ft
M-2/M-3	100-60'	0**	0	0	0	0	0	100% DR	5,000 sq ft
P	60'	0**	0	0	0	0	0	100% DR	400 sq ft

OFFICIAL HEIGHT AND AREA STANDARDS:

MINIMUM YARD AND SQUARE FOOTAGE REQUIREMENTS

Notes:

The city has discontinued the R-1, R-3, and R-5 zones and converted these discontinued zones to the following: R-1 see R-2; R-3 see R-4; and R-5 see R-6. The M-3 zone, which is limited to mining uses, has been consolidated with the M-2 zone.

The terms property owner, applicant, controller and developer are used interchangeably.

* The city encourages creativity in the design of its subdivisions; the Planning and Zoning Director may allow the reduction of the street frontage recommendation after reviewing the entire subdivision plat, which shall consider the overall layout of streets and lots.

** It is presumed the parcel's street frontage will be of a sufficient width to accommodate the placement of a driveway entrance for those uses fronting on a street where they have driveway access.

*** Building heights above sixty (60) feet, and especially habitable spaces located above that height, may require the procuring of special safety equipment or fire apparatus.

**** Residential access to a functionally classified roadway is limited.

Section 3: Kuna City Code Title 6, Chapter 5, Section 4, titled "Large Scale Development Subdivision" shall be deleted as follows:

~~6-5-4: LARGE SCALE DEVELOPMENT SUBDIVISION:~~

~~Due to the impact that a large-scale development would have on public utilities and services, the developer shall submit the following information along with the preliminary plat:~~

~~A. Identification of all public services that would be provided to the development (i.e., fire protection, police protection, central water, central sewer, road construction, parks and open space, recreation, maintenance, schools and solid waste collection). B. Estimate the public service costs to provide adequate service to the development. C. Estimate the tax revenue that will be generated from the development. D. Suggested public means of financing the services for the development if the cost for the public services would not be offset by tax revenue received from the developer.~~

Section 4: This ordinance shall become effective upon passage and publication.

ADOPTED this ____ day of June 2017.

CITY COUNCIL OF THE CITY OF
KUNA
Ada County, Idaho

Joe L. Stear, Mayor

ATTEST:

Christina Engels, City Clerk

IDAHO PRESS TRIBUNE
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ORDER CONFIRMATION

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Ad #: 1619758

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1 KUNA, CITY OF
P.O. BOX 13
KUNA ID 83634

Start: 05/17/2017 Stop: 05/24/2017
Times Ord: 2 Times Run: ***
LEG 1.00 X 61.00 Words: 202
Total LEG 61.00
Class: 0006 GOVERNMENT NOTICES
Rate: LG Cost: 89.18
Affidavits: 1

Contact: CHRIS ENGLER
Phone: (208)387-7727
Fax#:
Email: awelker@kunaaid.gov; gsmith@
Agency:

Ad Descrpt: 17-01-ZOA
Given by: TREVOR KESNER
Created: sje14 05/12/17 11:01
Last Changed: sje14 05/12/17 11:03

PUB ZONE EDT TP START INS STOP SMTWTFS
KMN A 96 S 05/17,24

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion I understand that the rate charged will be based upon the rate for the number of insertions used.

Wendy J Howell
Name (print or type)

W Howell
Name (signature)

(CONTINUED ON NEXT PAGE)



LEGAL NOTICE

**17-01-ZOA - Zoning
Ordinance Amendment**

NOTICE IS HEREBY GIVEN that the Kuna Planning and Zoning Commission will hold a public hearing Tuesday, June 13, 2017 at 6:00 p.m. or as soon as possible thereafter at Kuna City Hall, 751 W. 4th Street, Kuna, ID. The public hearing is to gain Commission input on a proposed zoning amendment. Specifically, AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO AMENDING TITLE 5, CHAPTER 1, SECTION 6, PART 2 TITLED MEANINGS OF TERMS AND WORDS BY DELETING THE REFERENCE BOOK TITLED ILLUSTRATED BOOK OF DEVELOPMENT DEFINITIONS AND REPLACING IT WITH A PLANNERS DICTIONARY. THE REMAINING TEXT OF PART 2 SHALL REMAIN UNCHANGED; AMENDING TITLE 5, CHAPTER 3, SECTION 3 TO PROVIDE THAT THE MINIMUM STREET FRONTAGE PER LOT IS A RECOMMENDATION THAT CAN BE MODIFIED BY THE PLANNING AND ZONING DIRECTOR AND MODIFYING THE HEIGHT IN M-1 AND M-2 ZONES TO 100 FEET AND STRIKING M-3 ZONE FROM THE TABLE; DELETING TITLE 6, CHAPTER 5, SECTION 4 IN ITS ENTIRETY; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

All interested parties are invited to attend and express their views on the proposed amendment.

Those persons desiring to provide public comment must state his/her name and residential address. A three (3) minute time limit may be placed on all testimony.

If you have any questions or require special accommodation(s), please contact the Kuna Planning & Zoning Department prior to the public hearing by calling (208) 922-5274.

Kuna Planning & Zoning
Department

May 17, 24, 2017

1619758

Wendy Howell

From: Trevor Kesner
Sent: Thursday, May 11, 2017 4:18 PM
To: ACHD; Ada County Engineer; Antonio Conti; Attorney Icloud; Becky Rone - Kuna USPS Addressing ; Boise Project Board of Control; Boise Project Board of Control; Boise-Kuna Irrigation Distr.; Cable One t.v.; Central District Health Dept. CDHD; COMPASS; DEQ; Eric Adolfson; Gordon Law; Idaho Power; Idaho Power; Idaho Power Easements; Intermountain Gas; Intermountain Gas; J&M Sanitation - Chad Gordon; Jaime Gollither; Julie Stanley - Regional Address Mgmt.; Ken Couch: Idaho Transportation Department; Kuna Police; Kuna Postmaster - Marc C. Boyer; Kuna School District; Kuna School District; Kuna School District; Nampa Meridian Irrigation District; Natalie Purkey; Planning Mgr: Ada County Development Services; Terry Gammel; Ada County Development Services (Mark Perfect)
Cc: Wendy Howell; Bob Bachman; Bobby Withrow
Subject: City of Kuna, Planning and Zoning Department - Request for Agency Comments / Recommendations

Notice is hereby given by the City of Kuna that the following action is under consideration for:

FILE NUMBER	17-01-ZOA (Zoning Ordinance Amendment)
PROJECT DESCRIPTION	This is a request to amend an Ordinance of the City Council of Kuna, Idaho amending Title 5, Chapter 1, Section 6, Part 2 Titled meanings of terms and words by deleting the reference book titled <u>Illustrated Book of Development Definitions</u> and replacing it with <u>A Planners Dictionary, The Remaining Text of Part 2 Shall Remain Unchanged</u> ; amending Title 5, Chapter 3, Section 3 to provide that the minimum street frontage per lot is a recommendation that can be modified by the Planning and Zoning Director and modifying the height in M-1 and M-2 zones to 100 feet and striking M-3 zone from the table; deleting Title 6, Chapter 5, Section 4 in its entirety; providing for a severability clause; and providing an effective date.
APPLICANT/ REPRESENTATIVE	City of Kuna PO Box 13 Kuna, ID 83634
SCHEDULED HEARING DATE	Tuesday, June 13, 2017 6:00 pm
STAFF CONTACT	Wendy I. Howell, Planning & Zoning Director whowell@cityofkuna.com Phone: 208- 922-5274 Fax: 208-922-5989
No response to this notification within 15 business days will indicate that you have no objection or concerns with this proposed amendment. We would appreciate any information you can supply us as to how this action would affect the services your agency provides. The public hearing is at 6:00 pm, located at Kuna City Hall, 751 W. 4 th Street, Kuna, Idaho 83634.	

Thank you,





CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:

- ACZ
- Boise
- Eagle
- Garden City
- Kuna
- Meridian
- Star

Rezone # 17-01-ZOA
 Conditional Use # _____
 Preliminary / Final / Short Plat _____

RECEIVED

MAY 22 2017

CITY OF KUNA

City of Kuna

- 1. We have No Objections to this Proposal.
- 2. We recommend Denial of this Proposal.
- 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
 - high seasonal ground water
 - waste flow characteristics
 - bedrock from original grade
 - other _____
- 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
 - central sewage
 - community sewage system
 - community water well
 - interim sewage
 - central water
 - individual sewage
 - individual water
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - central sewage
 - community sewage system
 - community water
 - sewage dry lines
 - central water
- 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 12. We will require plans be submitted for a plan review for any:
 - food establishment
 - swimming pools or spas
 - child care center
 - beverage establishment
 - grocery store
- 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

14. _____ Reviewed By: Rowland

Date: 5/16/17

Exhibit

C-1

Review

Trevor Kesner

From: Antonio Conti
Sent: Sunday, May 21, 2017 9:44 AM
To: Trevor Kesner
Subject: RE: City of Kuna, Planning and Zoning Department - Request for Agency Comments / Recommendations

No Comments on my side

Antonio Marcel Conti
City Engineer

From: Trevor Kesner
Sent: Thursday, May 11, 2017 4:18 PM
To: ACHD <clittle@achdidaho.org>; Ada County Engineer <agilman@adaweb.net>; Antonio Conti <aconti@kunaID.gov>; Attorney Icloud <kunaattorney@icloud.com>; Becky Rone - Kuna USPS Addressing <rebecca.i.rone@usps.gov>; Boise Project Board of Control <tpage@boiseproject.org>; Boise Project Board of Control <bcarter@boiseproject.org>; Boise-Kuna Irrigation Distr. <laurenboehlke@yahoo.com>; Cable One t.v. <cheryl.goettsche@cableone.biz>; Central District Health Dept. CDHD <lbadigia@cdhd.idaho.gov>; COMPASS <cmiller@compassidaho.org>; DEQ <Alicia.martin@deq.idaho.gov>; Eric Adolfson <eadolfson@compassidaho.org>; Gordon Law <glaw@kunaid.gov>; Idaho Power <bwatson2@idahopower.com>; Idaho Power <ahawkins@idahopower.com>; Idaho Power Easements <MALandt@idahopower.com>; Intermountain Gas <bryce.ostler@intgas.com>; Intermountain Gas <robert.miller@mdu.com>; J&M Sanitation - Chad Gordon <Chad.Gordon@jmsanitation.com>; Jaime Gollither <jaime@dtgmaps>; Julie Stanley - Regional Address Mgmt. <Julie.R.Stanley@usps.gov>; Ken Couch: Idaho Transportation Department <ken.couch@itd.idaho.gov>; Kuna Police <jdusseau@adaweb.net>; Kuna Postmaster - Marc C. Boyer <marc.c.boyer@usps.gov>; Kuna School District <kbekkedahl@kunaschools.org>; Kuna School District <wjohnson@kunaschools.org>; Kuna School District <bsaxton@kunaschools.org>; Nampa Meridian Irrigation District <nmid@nmid.org>; Natalie Purkey <npurkey@kunaid.gov>; Planning Mgr: Ada County Development Services <jboal@adaweb.net>; Terry Gammel <tgammel@kunafire.com>; Ada County Development Services (Mark Perfect) <dsperfma@adaweb.net>
Cc: Wendy Howell <whowell@kunaid.gov>; Bob Bachman <bbachman@kunaid.gov>; Bobby Withrow <bwithrow@kunaid.gov>
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IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028
Boise, ID 83707-2028

(208) 334-8300
itd.idaho.gov

June 1, 2017

Wendy I. Howell
City of Kuna, Planning and Zoning Department
P.O. Box 13
Kuna, ID 83634

VIA EMAIL

RE: 17 -01- ZOA ZONING ORDINANCE AMENDMENT

The Idaho Transportation Department (ITD) has reviewed the referenced zoning ordinance amendment notice requesting to amend Title 5, Chapter 1, Section 6, Part 2 titled meanings of terms and words by deleting the reference book titled "Illustrated Book of Development Definitions" and replacing with "A Planners Dictionary". The remaining text of Part 2 shall remain unchanged. ITD has the following comments:

1. ITD does not object to the changes described in this notice.

If you have any questions, you may contact me at 332-7190.

Sincerely,

A handwritten signature in blue ink that reads "Ken Couch".

Ken Couch
Development Services Coordinator
Ken.Couch@itd.idaho.gov

Exhibit
C.3