

**OFFICIALS**

Lee Young, Chairman  
Dana Hennis, Vice Chairman  
Stephen Damron, Commissioner  
Cathy Gealy, Commissioner  
Tyson Garten, Commissioner



**CITY OF KUNA**  
**Kuna City Hall Council Chamber, 751 W 4<sup>th</sup> Street, Kuna, Idaho 83634**

**Planning & Zoning Commission Meeting**  
**AGENDA**  
**Tuesday December 8, 2020**  
**6:00 PM**

*Due to the rise in COVID-19 cases and the Governor’s Order dated November 14, 2020:  
Council Chamber is closed to the public.  
Public Attendance Option is Live Streaming*

*Live Streaming Instructions: Members of the public may watch the December 8, 2020 Planning & Zoning Commission meeting via Facebook Live. The live feed will start at 6:00 PM on the City of Kuna Idaho Facebook page linked below: <https://www.facebook.com/CityofKunaIdaho/>*

*For questions please call the Kuna Planning and Zoning Department at (208) 922-5274*

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

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

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

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

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

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

1. Submit request **no later than noon the day of** the Public Hearing meeting.

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

### **1. CALL TO ORDER & ROLL CALL: 6:00 PM**

#### **COMMISSIONERS:**

Chairman Lee Young  
 Vice Chairman Dana Hennis  
 Commissioner Stephen Damron  
 Commissioner Cathy Gealy  
 Commissioner Tyson Garten

### **2. CONSENT AGENDA:**

### **3. PUBLIC HEARINGS:**

#### **A. Case Nos. 20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat), 20-06-ZC (Rezone), 20-05-SUP (Special Use Permit) & 20-22-DR (Design Review) Merlin Cottages**

Steve Arnold with A Team Land Development and Real Estate requests Planned Unit Development approval for an approximately 5.83-acre parcel, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts. The applicant requests preliminary plat approval in order to subdivide the approximate 5.83-acres into 88 total lots (71 single family, 12 common, and 5 commercial). The subject site is located at 115 N Sailer Avenue, Kuna, ID 83634, within Section 24, Township 2 North, Range 1 West; (APN: R5672430040).

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

### **5. ADJOURNMENT:**



751 W 4<sup>th</sup> Street | Kuna, ID | 83634  
(208) 922-5274 | [www.kunacity.id.gov](http://www.kunacity.id.gov)  
**EXHIBIT CHECKLIST**



Case Name: Merlin Cottages

Case No.(s): 20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat), 20-06-ZC (Rezone), 20-05-SUP (Special Use Permit) & 20-22-S (Design Review)

EXHIBITS	
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2	Planning and Zoning Commission Staff Report Pg. 2
3	Planned Unit Development Application Pg. 19
4	Preliminary Plat Application Pg. 26
5	Rezone Application Pg. 32
6	Special Use Permit Application Pg. 37
7	Vicinity Map Pg. 43
8	Legal Description Pg. 44
9	Affidavit of Legal Interest Pg. 46
10	Warranty Deed Pg. 47
11	Letter of Intent Pg. 49
12	Commitment to Property Posting Form Pg. 52
13	Subdivision Name Reservation Pg. 53
14	Neighborhood Meeting Certification Pg. 56
15	Preliminary Plat Pg. 60
16	Landscape Plan Pg. 61
17	Agency Transmittal Pg. 62
18	Central District Health Department Pg. 63
19	Department of Environmental Quality Pg. 64
20	Boise Project Board of Control Pg. 68
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22	Ada County Highway District Pg. 70
23	City Engineer Pg. 85
24	Planning and Zoning Kuna Melba News Legal Notice Pg. 89
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26	Planning and Zoning Proof of Property Posting Form Pg. 93
27	Roberta Sailer Letter Pg. 101



# City of Kuna

## Planning and Zoning Commission

### Staff Report

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

**To:** Planning and Zoning Commission

**Case Numbers:** 20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat), 20-06-ZC (Rezone), 20-05-SUP (Special Use Permit) and 20-22-DR (Design Review) – **Merlin Cottages**.

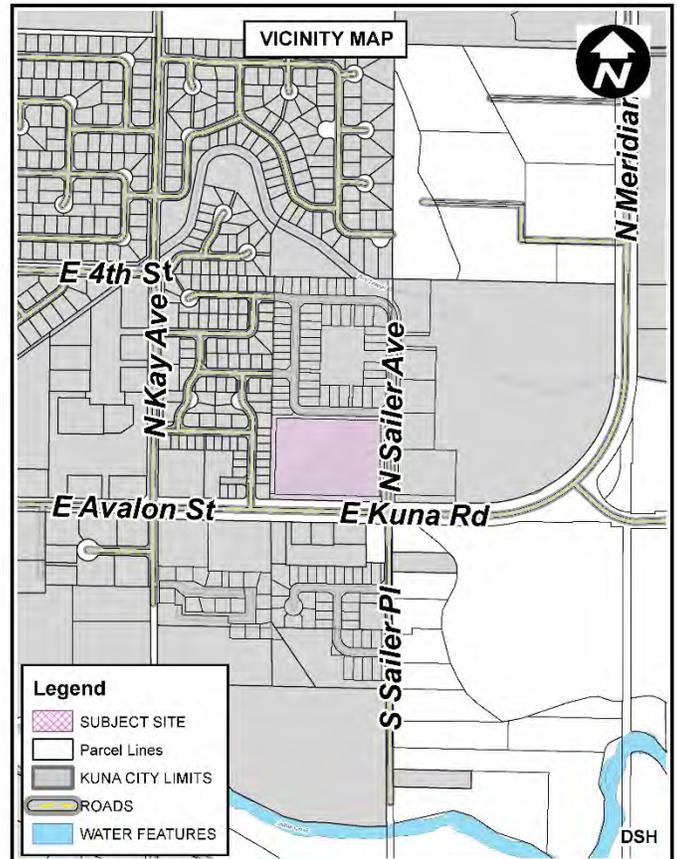
**Site Location:** 115 N Sailer Road, Kuna, ID 83634

**Planner:** Doug Hanson, Planner I

**Hearing Date:** December 8, 2020

**Owners:** Merlin Pointe LLC  
 PO Box 690  
 Meridian, ID 83680

**Applicant:** Steve Arnold  
 1785 Whisper Cove Avenue  
 Boise, ID 83709  
 208.871.7020  
[steve@ateamboise.com](mailto:steve@ateamboise.com)



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| D. General Project Facts | J. Commission’s Recommendation                      |
| E. Staff Analysis        |   |
| F. Applicable Standards  |   |

**A. Process and Noticing:**

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

**a. Notifications**

- |                                  |                                    |
|----------------------------------|------------------------------------|
| i. Neighborhood Meeting          | July 14, 2020 (14 people attended) |
| ii. Agency Comment Request       | October 12, 2020                   |
| iii. 400’ Property Owners Notice | November 18, 2020                  |

- iv. Kuna Melba Newspaper
- v. Site Posted

November 18, 2020  
November 27, 2020

**B. Applicant’s Request:**

Steve Arnold with A Team Land Development and Real Estate requests Planned Unit Development approval for an approximately 5.83-acre parcel, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts. The applicant requests preliminary plat approval in order to subdivide the approximate 5.83-acres into 88 total lots (71 single family, 12 common, and 5 commercial). The subject site is located at 115 N Sailer Avenue, Kuna, ID 83634, within Section 24, Township 2 North, Range 1 West; (APN: R5672430040).

**C. Site History:**

The subject site was annexed into Kuna City Limits in 2013 with a C-1 (Neighborhood Residential) zoning district. Historically the site was used for agricultural purposes.

**D. General Projects Facts:**

1. **Comprehensive Plan Map:** The Future Land Use Map (FLUM) is intended to serve as a *guide* for the decision-making body for the City. The FLUM indicates land use designations generally speaking, it is not the actual zone. The Future Land Use Map identifies the approximately 5.83-acre site as Commercial.
2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map does not indicate a future pathway, trail or bike route through the subject site.

3. **Surrounding Land Uses:**

<b>North</b>	C-1	Neighborhood Commercial – Kuna City
<b>South</b>	C-2	Area Commercial – Kuna City
<b>East</b>	C-1	Neighborhood Commercial – Kuna City
<b>West</b>	R-6	Medium Density Residential – Kuna City

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

Property Owner	Parcel Size:	Current Zone:	APN:
Merlin Pointe LLC	5.83	C-1 (Neighborhood Commercial)	R5672430040

5. **Services:**

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

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

The proposed project site is void of any structures. Vegetation on-site is consistent with that of agricultural uses. The site has an estimated average slope of 2% to 2.9%. According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be 20 to 40 inches across the proposed development area.

7. **Transportation / Connectivity:**

The project proposed residential via N Sailer Avenue and E Seraphina Street. The commercial frontage will be accessed via an existing driveway onto E Avalon Street. The preliminary plat proposes an access easement between the residential and commercial zones.

**8. Environmental Issues:**

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

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

- Central District Health Department ..... Exhibit B-2
- Department of Environmental Quality ..... Exhibit B-3
- Boise Project Board of Control..... Exhibit B-4
- Nampa Meridian Irrigation District..... Exhibit B-5
- Ada County Highway District..... Exhibit B-6
- City Engineer..... Exhibit B-7

**E. Staff Analysis:**

The applicant held a neighborhood meeting on July 14, 2020. There were 14 residents in attendance. Neighborhood meeting minutes have been provided as a part of this application.

The applicant is proposing a planned unit development on an approximately 5.83-acres parcel. The project proposes two zones, C-1 (Neighborhood Commercial) and R-12 (High Density Residential) within Kuna City Limits. The preliminary plat shows a residential density of the project is 12.17 dwelling units per acre (DUA), the applicant will be required to bring the density under 12 DUA in accordance with Kuna City Code (KCC) 5-2-2.

Planned unit developments require a minimum 10 percent of the developments gross land area to be set aside for open space, mutually exclusive to the required residential buffers per KCC 5-7-11. The project proposes approximately 2.19 acres of open space providing pathways throughout the subdivision for pedestrian connectivity and a pocket park. Staff will require the applicant comply with KCC 5-5-5-F and install “see-through” fence along all internal pathways. Staff views the open space to be in compliance with KCC. Additionally, staff notes that if this project is approved, at the time of civil plan development, landscaping cannot be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves, and ACHD underground facilities. In the event that locations of landscaping are within the locations listed above, the landscaping in that area must be moved to an alternate location, and an updated landscape plan must be provided to staff prior to scheduling a final landscape inspection. The developer, owner and/or applicant is hereby notified that this project is subject to design review inspection fees. Required inspections (post construction), are to verify landscaping compliance prior to signature on the final plat.

The projects commercial frontage will take access via an existing driveway onto E Avalon Street. The driveway access was previously approved as part of the Merlin Pointe Subdivision in 2013. Access to the residential portion of the project project will be taken via N Sailer Avenue and E Seraphina Street. Both roads are fully improved with two travel lanes, vertical curb, gutter and sidewalk. The preliminary plat shows a 40-foot right-of-way (ROW) section with a street width of 29 feet (back-of-curb to back-of-curb) for internal streets. The minimum road width within the City in all zoning districts is 36 feet (back-of-curb to back-of-curb) established in KCC 6-3-4. Staff recommends that internal streets be constructed with a street width of 36 feet, vertical curb, gutter and five-foot-wide attached sidewalks. The applicant is proposing to construct shared access driveways creating drive aisles within the site to serve the single-family homes, which will be loaded from the rear. The applicant will be required to install “NO PARKING” signs within the drive aisles. Additionally, the applicant will be required to obtain written approval from the Kuna Rural Fire District regarding proposed drive aisle widths.

The installation of streetlights is a required public improvement listed under Kuna City Code 6-4-2. The applicant has not included proposed locations of streetlights on the preliminary plat. Staff will require the applicant to work with staff in order to comply with KCC and install street lights with a maximum spacing of 250 ft. The final location of street lights will be approved at the time of construction document review. Staff would note that these streetlights must be designed and installed according to “Dark Sky” standards.

Kuna's Comprehensive Plan (Comp Plan) encourages a variety of housing types for all income levels, open space and pathways numerous times throughout the document. Pertinent sections of the Comp Plan that address the above listed items are included below in Section G of this staff report. Staff has reviewed the proposed preliminary plat for technical compliance with KCC, and finds the planned unit development, rezone and preliminary plat to be in general compliance with Title 5 and Title 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan. The applicant will be required to work with Kuna's staff, Ada County Highway District (ACHD), the Kuna Rural Fire District (KRFD) and any other applicable agencies to ensure conformance to each agency's requirements. Staff recommends that if the Planning and Zoning Commission recommends approval of case nos. 20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat) & 20-06-ZC (Rezone) and approves case no. 20-22-DR (Design Review) & 20-05-SUP (Special Use Permit), the applicant be subject to the conditions of approval listed in section "J" of this report, as well as any additional conditions requested by the Planning and Zoning Commission.

**F. Applicable Standards:**

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

**G. Proposed Findings of Fact and Conclusions of Law:**

Based upon the record contained in Case Nos. 20-01-PUD, 20-08-S, 20-06-ZC, 20-05-SUP and 20-22-DR including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the public hearing, the Kuna Commission hereby (approves/conditionally approves/denies) Case No. 20-05-SUP and 20-22-DR and recommends (*approval/denial*) of the Findings of Fact and Conclusions of Law, and conditions of approval for Case No. 20-01-PUD, 20-08-S and 20-06-ZC, a request from A Team Land Development and Real Estate Services for planned unit development approval to establish C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts and to subdivide the approximately 5.83-acres into 88 total lots (71 single family, 12 common, and 5 commercial).

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

1. *Based on the evidence contained in Case Nos. 20-01-PUD, 20-08-S, 20-06-ZC, 20-05-SUP and 20-22-DR, this proposal does generally comply with the City Code.*

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

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

**Staff Finding:** *The applicant held a neighborhood meeting on July 14, 2020. A total of fourteen residents attended the meetings. Neighborhood Notices were mailed out to residents within 400-FT of the proposed project site on November 18, 2020 and a legal notice was published in the Kuna Melba Newspaper on November 18, 2020. The applicant posted sign on the property on November 27, 2020.*

3. *Based on the evidence contained in Case Nos. 20-01-PUD, 20-08-S, 20-06-ZC, 20-05-SUP and 20-22-DR, this proposal does generally comply with the Comprehensive Plan.*

**Staff Finding:** *The Comp Plan has listed numerous goals for providing a variety of housing densities and types to accommodate various lifestyles, ages and economic group in Kuna, as well as the installation of pathways and open space. The project is zoned C-1 Neighborhood Commercial and R-12 High Density Residential, the Comp Plan Map designates the properties as Commercial.*

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

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

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

**Staff Finding:** *Correspondence from Kuna Public Works and ACHD confirms that the infrastructure and streets are suitable and adequate for this project.*

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

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

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

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

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

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

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

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

#### **H. Proposed Comprehensive Plan Analysis:**

Kuna Planning and Zoning Commission may (accept or reject) the Comprehensive Plan components, and shall determine if the proposed planned unit development, subdivision, rezone, special use permit and design review requests for the site (*are/are not*) consistent with the following Comprehensive Plan components as described below:

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

- Goal 1.A: Ensure Land Use in Kuna will support economic development.
- Goal 1.C: Attract and encourage new and existing businesses.

- Objective 1.C.2 Create an environment that is forendly to business creation, expansion and relocation.
  - Policy 1.C.2.d: Ensure infrastructure and public facilities are in place and parcels identified for commercial or industrial use are shovel-ready.

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

- Goal 2.B: Maintain and expand parks and public gathering spaces.
  - Objective 2.B.1 Maintain and expand the parks system
    - Policy 2.B.1.b: Continue to require neighborhood park development through the subdivision development process.

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

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

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

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

**Comment:** *The proposed applications (adhere/do not adhere) to the applicable requirements of Title 5 and Title 6 of KCC.*

2. The Planning and Zoning Commission feels the site (*is/is not*) physically suitable for the proposed development.

**Comment:** *The 5.83-acre (approximate) site (does/does not) appear to be suitable for the proposed development.*

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

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

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

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

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

**Comment:** *The planned unit development, preliminary plat and rezone requests consider the location of the property and adjacent uses. The adjacent uses are medium density residential (Kuna City), rural urban transition (Ada County) and rural residential (Ada County).*

6. The existing and proposed street and utility services in proximity to the site (are/are not) suitable or adequate for a commercial development.

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

**J. Commission's Recommendation:**

*Note: These motions are for the approval, conditional approval or denial of the special use permit and design review applications and the recommendation of approval, conditional approval or denial of the planned unit development, preliminary plat and rezone applications to the City Council. However, if the planning and Zoning Commission wishes to approve or deny specific parts of these requests 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 recommends (*approval/conditional approval/denial*) of Case Nos. 20-01-PUD, 20-08-S and 20-06-ZC, a request from A Team Land Development and Real Estate Services for planned unit development approval to establish C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts and to subdivide the approximately 5.83-acres into 88 total lots (71 single family, 12 common, and 5 commercial); AND (*approves/conditionally approves/denies*) Case Nos. 20-05-SUP & 20-22-DR, subject to the following conditions of approval:

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
  - a. The City Engineer shall approve the sewer hook-ups.
  - b. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
  - c. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties".
  - d. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District are required.
  - e. The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
  - f. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
  - g. All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
2. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2**.

3. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
4. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
5. Connection to City Services (Sewer, Water, Pressurized Irrigation) is required. The applicant shall conform all corresponding Master Plans.
6. The Developer/owner/applicant shall be required to participate, as determined by the City Engineer, in the development of additional lift station capacity.
7. Curb, gutter and sidewalk (attached and detached) shall be installed in accordance with Kuna City Code Title 5 Chapter 17 and Title 6 Chapter 4.
8. Applicant shall work with staff in order to provide final locations of street lights as required by Kuna City Code.
9. Street lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.
10. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted).
11. 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.
12. Landscaping shall not be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles.
13. All signage within/for the project shall comply with Kuna City Code, and shall be approved through the applicable sign approval process listed in KCC 5-10.
14. If any revisions are made, the applicant shall provide the Planning and Zoning Staff with a revised copy of the preliminary plat.
15. Any revisions of the plat are subject to administrative determination to rule if the revision is substantial.
16. 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.
17. Developer/owner/applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
18. Developer/owner/applicant shall comply with all local, state and federal laws.

**DATED** this 8<sup>th</sup> day of December, 2020.

**AERIAL MAP**



**N Meridian**

**E 4th St**

**N Kay Ave**

**N Sailer Ave**

**E Avalon St**

**E Kuna Rd**

**S Sailer Pl**



**Legend**

-  SUBJECT SITE
-  ROADS
-  WATER FEATURES

**DSH**

**KUNA CITY  
LIMITS**



**E Kokanee Ln**

**E 4th St**

**N Kay Ave**

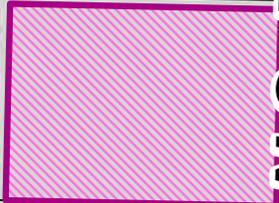
**N Sailer Ave**

**N Meridian Rd**

**E Avalon St**

**E Kuna Rd**

**S Sailer Pl**



**Legend**

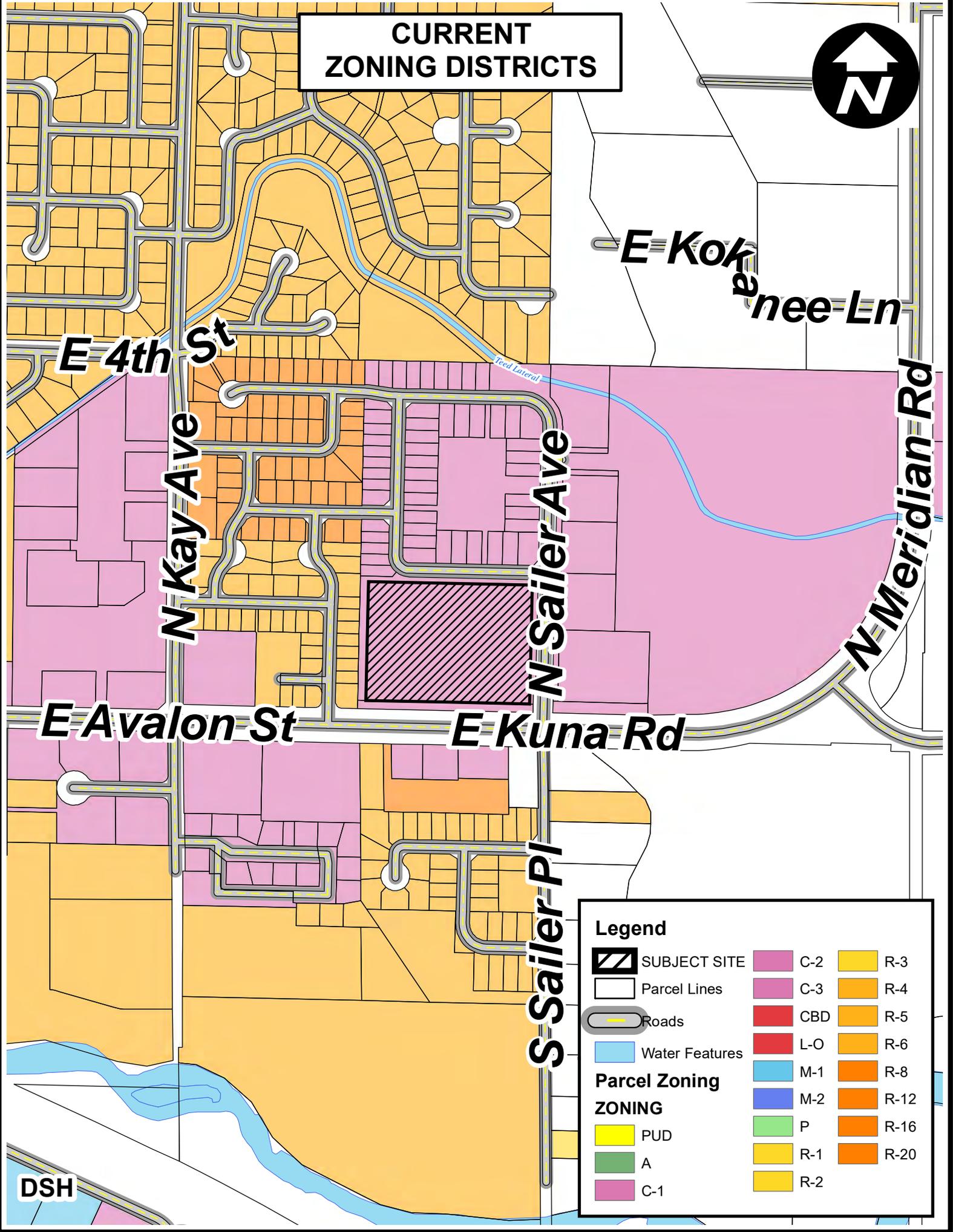
-  SUBJECT SITE
-  Parcel Lines
-  Kuna City Limits
-  Roads
-  Water Features

**DSH**

*Indian Creek*

*Teed Lateral*

# CURRENT ZONING DISTRICTS

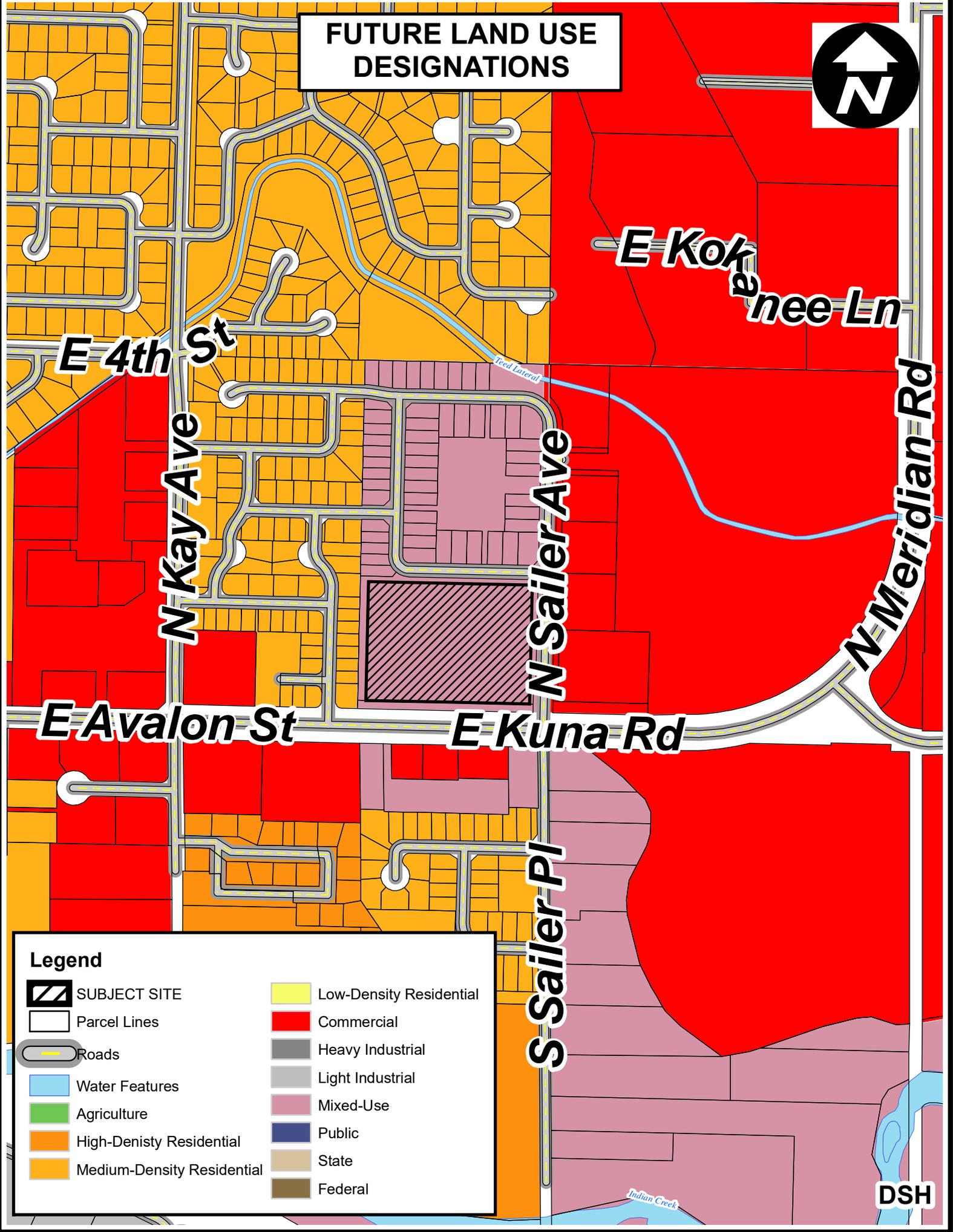
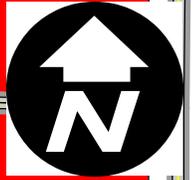


## Legend

	SUBJECT SITE		C-2		R-3
	Parcel Lines		C-3		R-4
	Roads		CBD		R-5
	Water Features		L-O		R-6
<b>Parcel Zoning</b>			M-1		R-8
<b>ZONING</b>			M-2		R-12
	PUD		P		R-16
	A		R-1		R-20
	C-1		R-2		

DSH

# FUTURE LAND USE DESIGNATIONS

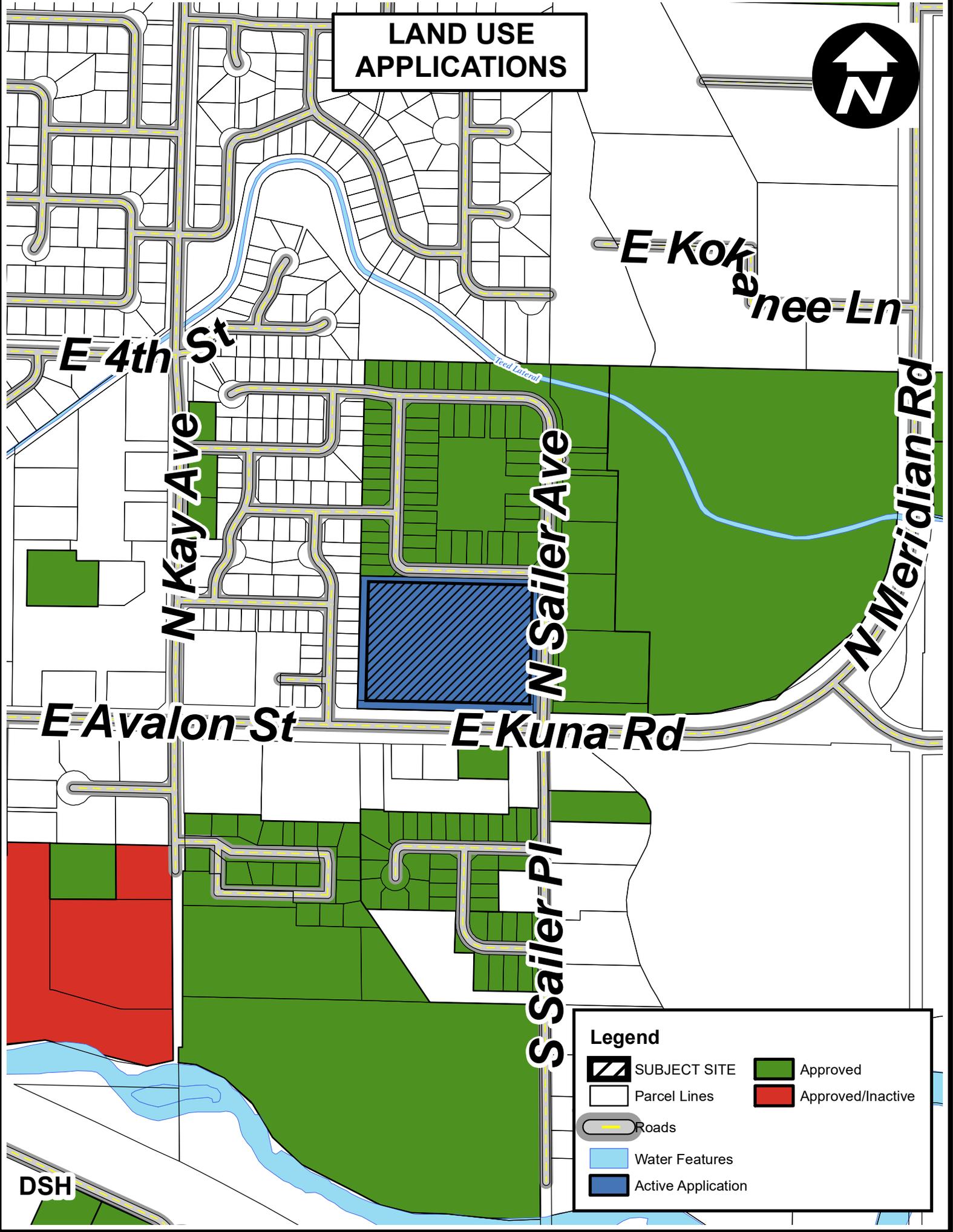


## Legend

-  SUBJECT SITE
-  Parcel Lines
-  Roads
-  Water Features
-  Agriculture
-  High-Density Residential
-  Medium-Density Residential
-  Low-Density Residential
-  Commercial
-  Heavy Industrial
-  Light Industrial
-  Mixed-Use
-  Public
-  State
-  Federal

DSH

# LAND USE APPLICATIONS

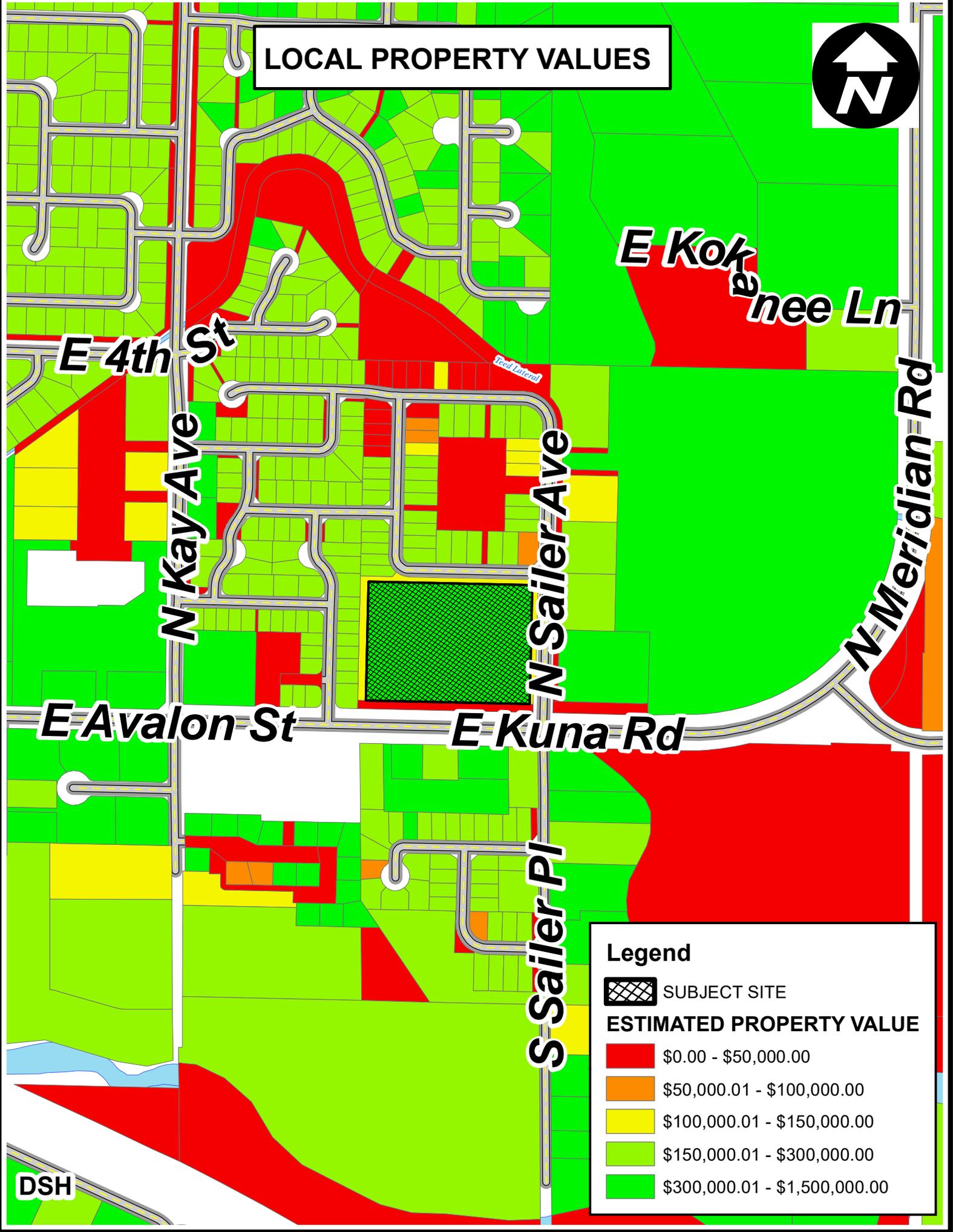


**Legend**

 SUBJECT SITE	 Approved
 Parcel Lines	 Approved/Inactive
 Roads	
 Water Features	
 Active Application	

DSH

**LOCAL PROPERTY VALUES**



**Legend**

-  SUBJECT SITE
- ESTIMATED PROPERTY VALUE**
-  \$0.00 - \$50,000.00
-  \$50,000.01 - \$100,000.00
-  \$100,000.01 - \$150,000.00
-  \$150,000.01 - \$300,000.00
-  \$300,000.01 - \$1,500,000.00

DSH

# LOCAL PROPERTY SIZES



**E Kokanee Ln**

**E 4th St**

**N Kay Ave**

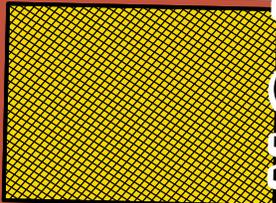
**N Sailer Ave**

**N Meridian Rd**

**E Avalon St**

**E Kuna Rd**

**S Sailer Pl**



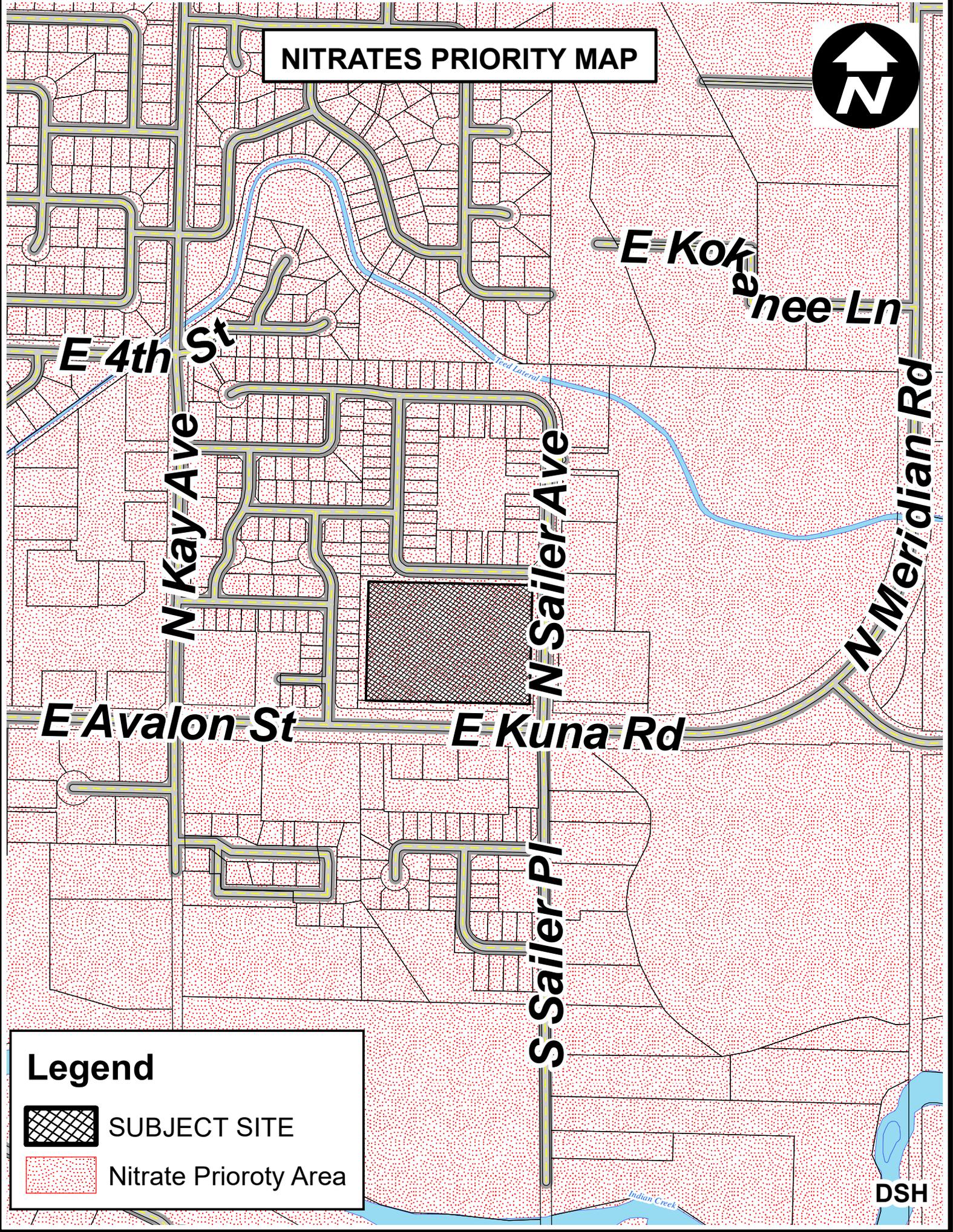
## Legend

 SUBJECT SITE

### PROPERTY SIZE IN ACRES

-  0.00 - 2.00
-  2.01 - 5.00
-  5.01 - 10.00
-  10.01 - 20.00
-  20.01 - 40.00
-  40.01 - 80.00
-  80.01 - 300.00

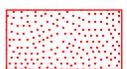
# NITRATES PRIORITY MAP



## Legend



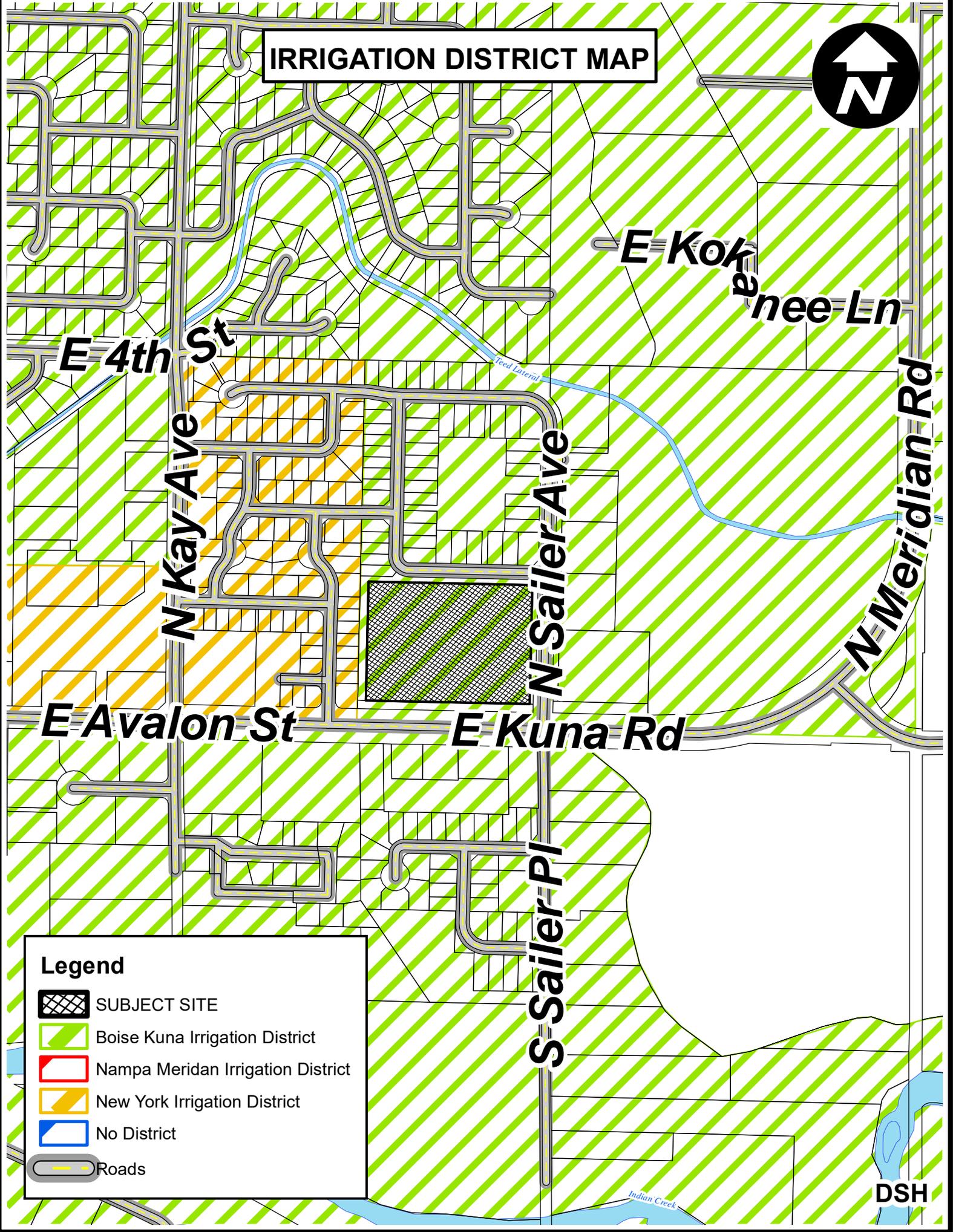
SUBJECT SITE



Nitrate Priority Area

DSH

# IRRIGATION DISTRICT MAP



## Legend

-  SUBJECT SITE
-  Boise Kuna Irrigation District
-  Nampa Meridan Irrigation District
-  New York Irrigation District
-  No District
-  Roads

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [Jessica Reid](#); [Doug Hanson](#)  
**Subject:** Online Form Submittal: Planned Unit Development (PUD)  
**Date:** Wednesday, September 2, 2020 4:32:43 PM

---

## Planned Unit Development (PUD)

### Step 1

#### Contact/Applicant Information

##### Applicant

First Name	Steve
Last Name	Arnold
Phone	12088717020
Email	steve@ateamboise.com
Address1	1785 Whisper Cove Ave
Address2	<i>Field not completed.</i>
City	Boise
State	Idaho
Zip	83709

##### Owner

First Name	Merlin Pointe LLC
Last Name	<i>Field not completed.</i>
Phone	12088717020
Email	steve@ateamboise.com
Address1	PO Box 690
Address2	<i>Field not completed.</i>
City	Meridian
State	Idaho
Zip	83680

## Representative

First Name	Steve
Last Name	Arnold
Phone	12088717020
Email	steve@ateamboise.com
Address1	1785 Whisper Cove Ave
Address2	<i>Field not completed.</i>
City	Boise
State	Idaho
Zip	83709

(Section Break)

## Property Information

Address1	115 N. Sailer Road
Address2	<i>Field not completed.</i>
City	Kuna
State	Idaho
Zip	83634
Distance from major cross streets	0
Street Name(s)	Kuna Road and Sailer Avenue

(Section Break)

## Amenities

*Please select the item that best reflects the amenities used.*

No. 1	<i>Field not completed.</i>
No. 2	Pedestrian & Bicycle Pathways
No. 3	Other
Description of Other	Gazebos, Plaza and sitting areas

## Step 2

This PUD application is a request to construct, add or change the following:

The applicant is proposing to construct 71 single family/cottage lots and five commercial lots.

Dimension of Property 591' x 430'

Current Land Use(s) Vacant Commercial

What are the land uses of the adjoining properties?

North Townhomes

South Kuna Road

East Kuna Road

West Single family

Is the project intended to be phased? If so, what is the phasing time period?

No

Please explain *Field not completed.*

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?

*Field not completed.*

## Step 3

Fencing

Is there any existing fencing?

Yes

Will any existing fencing remain?

Yes

Please describe the type, size & location of any fencing that will

Six foot vinyl adjacent to west boundary.

remain

---

Please describe the type, size & location of any NEW fencing	4' wrought iron will be allowed adjacent to the paseos.
--	---

---

(Section Break)

---

Drainage

---

What is the proposed method of on-site drainage retention/detenion?	Surface and subsurface storm drains
---	-------------------------------------

---

(Section Break)

---

---

% of site devoted to Building Coverage?	23%
---	-----

---

---

% of site devoted to Landscaping?	37%
-----------------------------------	-----

---

---

Square Footage of Landscaping?	95,396 s.f.
--------------------------------	-------------

---

---

% of site that is Hard Surfaces?	21%
----------------------------------	-----

---

---

Square Footage of Hard Surfaces?	54,014 s.f.
----------------------------------	-------------

---

---

% of Site Devoted to Other Uses?	N/A
----------------------------------	-----

---

---

Please describe "Other" uses	<i>Field not completed.</i>
------------------------------	-----------------------------

---

---

% of Landscaping within the parking lot?	N/A
--	-----

---

---

Please provide dimensions of Landscaped areas within the public right-of-way	N/A
--	-----

---

---

Are there any existing trees of 4" or greater in caliper on the	No
---	----

---

property?

---

If Yes, what type, size and general location?	<i>Field not completed.</i>
---	-----------------------------

---

(Section Break)

---

Pedestrian Amenities	Gazebos, walking paths, plazas and sitting areas.
----------------------	---

---

(Section Break)

---

#### Parking Requirements

---

Total number of parking spaces?	27
---------------------------------	----

---

Width & length of spaces?	9x19'
---------------------------	-------

---

Total number of compact spaces?	None
---------------------------------	------

---

(Section Break)

---

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

---

Floodplain Development Permit Application Upload	<i>Field not completed.</i>
--	-----------------------------

---

#### Step 4

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

*The Ada County Highway District (ACHD) may also conduct public meetings regarding this application. If you have questions about the meeting date or the traffic that this development may generate, or the impact of that traffic on streets in the area, please contact ACHD at (208) 387-6100. In order to expedite your request, please have your file number ready.*

---

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

First Name	Steve
Last Name	Arnold
Electronic Signature Agreement	I Agree
Date & Time	9/2/2020 4:30 AM

**Step 5**

Date of Pre-Application Meeting	7/13/2020
Letter of Explanation	<a href="#">Narrative_MC (002).pdf</a>
Vicinity Map	<a href="#">MC_VICINITY MAP_08-22-2020.pdf</a>
Aerial Photo	<a href="#">MC_VICINITY MAP_08-22-2020.pdf</a>
Deed	<a href="#">Deed - Merlin Pointe.pdf</a>

(Section Break)

Preliminary Plat Development Plan  
*The Preliminary Plat Development Plan; which shall include drawings and supplementary written narrative materials to include the following:*

Sketches or Illustrations	<a href="#">MC_PUD_08-31-2020.pdf</a>
Vicinity Map	<a href="#">MC_VICINITY MAP_08-22-2020.pdf</a>
Land Use Description	The applicant is proposing residential and commercial uses.
Nature of Land Uses	Residential and Commercial.
Does the PUD involve a Preliminary Plat?	Yes
If Yes, include the number of phases and description of each one.	This site will be developed in one phase.

Narrative	<a href="#">Narrative_MC (002).pdf</a>
-----------	--

(Section Break)

Preliminary Drawings	<a href="#">MC_PUD_08-31-2020.pdf</a>
----------------------	---------------------------------------

(Section Break)

---

Natural Features Map      [MC\\_NAT FEATURES\\_08-31-2020.pdf](#)

---

Contiguous Land Map      [MC\\_VICINITY MAP\\_08-22-2020.pdf](#)

---

(Section Break)

---

Site Plan                      [MC\\_PUD\\_08-31-2020.pdf](#)

---

Studies                        *Field not completed.*

---

Concurrent Approval      [MC\\_PREPLAT\\_08-27-2020.pdf](#)

---

Development Schedule    *Field not completed.*

---

Additional Information    *Field not completed.*

---

(Section Break)

---

Reference

---

Affidavit of Legal            [Click here](#)  
Interest

---

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

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [Jessica Reid](#); [Doug Hanson](#)  
**Subject:** Online Form Submittal: Preliminary Plat  
**Date:** Wednesday, September 2, 2020 4:59:12 PM

---

## Preliminary Plat

### Step 1

Please complete each section of application in full  
*NOTE: Engineering fees shall be paid by the applicant if required.*

#### Contact/Applicant Information

Owner(s) of Record Merlin Pointe LLC

Phone: 208-514-4909

Email: [steve@ateamboise.com](mailto:steve@ateamboise.com)

Address1 PO Box 690

Address2 *Field not completed.*

City Meridian

State ID

Zip 83680

Applicant (Developer): Steve Arnold

Applicant (Developer) Company: A Team Land Consultants

Phone: 208-871-7020

Email: [steve@ateamboise.com](mailto:steve@ateamboise.com)

Address1 1785 Whisper Cove Ave

Address2 *Field not completed.*

City Boise

State Idaho

Zip 83709

Engineer/Representative: Steve Arnold

Engineer/Representative Company:	A Team Land Consultants
Phone:	2088717020
Email:	steve@ateamboise.com
Address1	1785 Whisper Cove Ave
Address2	<i>Field not completed.</i>
City	Boise
State	Idaho
Zip	83709

(Section Break)

#### Subject Property Information

Site Address:	115 N. Sailer Avenue
Nearest Cross Streets:	Kuna Road
Parcel Number(s):	R5672430040, R5672430060
Section, Township, Range:	R2N T1W Sec. 24
Property Size:	5.83 acres
Current Land Use:	Vacant Commercial Lot
Current Zoning District:	C-1
Proposed Land Use:	Single Family and Commercial
Proposed Zoning District	C-1

(Section Break)

#### Project Description

Project/Subdivision Name:	Merlin Cottages
General description of proposed project/request:	A request to re-plat an existing lot within Merlin Subdivision to residential and commercial uses.

Type of Use Proposed - Residential, Commercial  
Check all that apply:

If Other has been selected, please provide a description: *Field not completed.*

Amenities provided with this development: Walking paths, gazebo/sitting area, open space corridor and street buffers

(Section Break)

Residential Project Summary (if applicable):

Are there existing buildings? No

Please describe existing buildings: *Field not completed.*

Any existing buildings to remain? No

Number of Residential Units: 71

Number of buildable lots: 71

Number of common lots and/or other lots: 11 Common 5 Commercial

Type of dwellings proposed - Check all that apply: Single-Family

Minimum square footage of structures: 1,450 s.f

Gross Density (DU/Acre - Total Property): 12.2/acre

Net Density (DU/Acre - Excluding Roads): 13.7

% of Open Space provided: 37-percent

Acreage of Open Space: 2.19

Type of Open Space linear walking paths, gazebos/common amenity lots, and buffer

provided? lots.

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(Section Break)

---

Non-Residential Project Summary (if applicable):

---

Number of building lots: 5

---

Other lots: none

---

Gross floor area square footage: Undetermined

---

Existing: 0-feet

---

Hours of Operation: C-1 allowable hours

---

Building Height: 35

---

Total Number of Employees: N/A

---

Max. Number of Employees at one time? N/A

---

Number & ages of students/children: N/A

---

Seating Capacity: N/A

---

Existing fencing? Type? Vinyl  
Will it remain?

---

Fencing type, size & location? west boundary only

---

Handicapped parking spaces: Undertermined

---

Total parking spaces: Undertermined

---

Width of driveway aisle: 24-feet

---

Proposed lighting: Attached to exterior

---

Proposed landscaping: Street buffers, linear parks and pocket parks

---

(Section Break)

---

*By checking the "I agree" box below, you agree and acknowledge that 1) Your*

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

---

First Name	Steve
Last Name	Arnold
Electronic Signature Agreement	I Agree

---

## Step 2

---

NOTE: A file MUST be provided for each item marked with a red asterisk (\*) in order to be able to submit this application.

*Once the application is deemed complete, staff will notify the applicant of the scheduled hearing date, fees due, additional copies needed, etc.*

---

Vicinity Map	<a href="#">MC_VICINITY MAP_08-22-2020.pdf</a>
--------------	--

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Maintenance Agreement	<a href="#">CCRs-Merlin Pointe - Residential.doc ACHD.docx</a>
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---

Legal Description	<a href="#">Legal Description - NW Properties.pdf</a>
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Proof of Ownership	<a href="#">Deed - Merlin Pointe.pdf</a>
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Letter of Intent	<a href="#">Narrative_MC (002).pdf</a>
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---

Commitment of Property Posting	<a href="#">Commitment to Property Posting.pdf</a>
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Traffic Impact Study	<i>Field not completed.</i>
----------------------	-----------------------------

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TIS Dropbox Link	<i>Field not completed.</i>
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Subdivision Name Reservation	<a href="#">Merlin Pointe Sub Name Reservation.msg</a>
------------------------------	--

---

Phasing Plan	<a href="#">MC_PREPLAT_08-27-2020.pdf</a>
--------------	---

---

Landscape Plan	<a href="#">MC_LANDSCAPE_08-27-2020.pdf</a>
----------------	---

---

Neighborhood Meeting Certification	<a href="#">Neighborhood Meeting Certification.pdf</a>
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8.5" x 11" Proposed Preliminary Plat	<a href="#">MC_PREPLAT_08-27-2020.pdf</a>
--------------------------------------	---

---

24" x 36" Preliminary Plat	<a href="#">MC_PREPLAT_08-27-2020.pdf</a>
----------------------------	---

---

Drawing

---

(Section Break)

---

Reference

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Affidavit of Legal Interest [Click here](#)

---

Commitment to Property [Click here](#)  
Posting

---

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

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [Jessica Reid](#); [Doug Hanson](#)  
**Subject:** Online Form Submittal: Rezone  
**Date:** Wednesday, September 30, 2020 2:06:25 PM

---

## Rezone

### Step 1

Please complete each section of application. Be aware that a file must be provided for each item marked with a red asterisk (\*) in order to submit application.

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

#### Contact/Applicant Information

Owner(s) of Record Merlin Pointe LLC

Phone: 12088717020

Email: [steve@ateamboise.com](mailto:steve@ateamboise.com)

Address1 1785 Whisper Cove Ave

Address2 *Field not completed.*

City Boise

State ID

Zip 83709

Applicant (Developer): Steve Arnold

Applicant (Developer) Company: A Team Land Consultants

Phone: 12088717020

Email: [steve@ateamboise.com](mailto:steve@ateamboise.com)

Address1 1785 Whisper Cove Ave

Address2 *Field not completed.*

City Boise

State Idaho

Zip 83709

Engineer/Representative:	Steve Arnold
Engineer/Representative Company:	A Team Land Consultants
Phone:	12088717020
Email:	steve@ateamboise.com
Address1	1785 Whisper Cove Ave
Address2	<i>Field not completed.</i>
City	Boise
State	Idaho
Zip	83709

(Section Break)

#### Subject Property Information

Site Address:	115 N Sailer Avenue
Nearest Cross Streets:	Avalon Road
Parcel Number(s):	R5672430040, R5672430060
Section, Township, Range:	24, 2N 1W
Property Size:	5.83 acres
Current Land Use:	Vacant Lot
Current Zoning District:	C-1
Proposed Land Use:	Residential and Retail
Proposed Zoning District	C-1 and R-12

(Section Break)

#### Project Description

Project/Subdivision Name:	Merlin Pointe Cottages
General description of proposed	A preliminary plat for 71 single family homes 5 retail/commercial lots

project/request:

---

Type of Use Proposed - Residential, Commercial  
Check all that apply:

---

If Other has been selected, please provide a description: *Field not completed.*

---

Amenities provided with this development: Pathways, paseos, gazebos and sitting areas.

---

(Section Break)

---

Residential Project Summary (if applicable):

---

Are there existing buildings? No

---

Please describe existing buildings: *Field not completed.*

---

Any existing buildings to remain? *Field not completed.*

---

Number of Residential Units: 71

---

Number of buildable lots: 71

---

Number of common lots and/or other lots: 12

---

Type of dwellings proposed - Check all that apply: Single-Family

---

Minimum square footage of structures: 1,400 S.F

---

Gross Density (DU/Acre - Total Property): 12.2/acre

---

Net Density (DU/Acre - Excluding Roads): 13.7

---

% of Open Space provided: 37-percent

---

Acreage of Open Space: 2.19

---

Type of Open Space provided?                      Parkways, paseos, common lots

---

(Section Break)

---

Non-Residential Project Summary (if applicable):

---

Number of building lots:                      5

---

Other lots:    0

---

Gross floor area square footage:                      *Field not completed.*

---

Existing:    *Field not completed.*

---

Hours of Operation:                      *Field not completed.*

---

Building Height:                      *Field not completed.*

---

Total Number of Employees:                      *Field not completed.*

---

Max. Number of Employees at one time?                      *Field not completed.*

---

Number & ages of students/children:                      *Field not completed.*

---

Seating Capacity:                      *Field not completed.*

---

Existing fencing? Type? Will it remain?                      *Field not completed.*

---

Fencing type, size & location?                      *Field not completed.*

---

Handicapped parking spaces:                      *Field not completed.*

---

Total parking spaces:                      *Field not completed.*

---

Width of driveway aisle:                      *Field not completed.*

---

Proposed lighting:                      *Field not completed.*

---

Proposed landscaping:                      Landscape buffers.

---

**Step 2**

---

Letter of Intent	<a href="#">Narrative_MC (002).pdf</a>
Vicinity Map	<a href="#">MC_VICINITY MAP_08-22-2020.pdf</a>
Legal Description	<a href="#">20-74 Legal Description - Merlin Cottages.pdf</a>
Warranty Deed	<a href="#">Deed - Merlin Pointe.pdf</a>
Proof of Ownership	<a href="#">Affidavit Signed_MC.PDF</a>
Neighborhood Meeting Certification	<a href="#">Neighborhood Meeting Certification.pdf</a>
Commitment of Property Posting	<a href="#">Commitment to Property Posting.pdf</a>

### Step 3

#### Development Agreement Checklist

*The proposed Development Agreement (DA) shall include the following: 1) Specific use or uses of the parcel for which the DA is sought. 2) Allowed or conditional use in the conditional zone for which application has been made. 3) Concept plan of the project to be developed on the parcel. Concept plan shall include description of the density allowed or sought; and maximum height, size & location of any structures on the property. 4) Time required to begin the use on the property. 5) Statement by the Owner of the parcel that failure to comply with the commitments in the DA shall be deemed consent to rezone the use to the pre-existing zone; or in the case of an initial zone at annexation, a zone deemed appropriate by the Council. 6) Other matter mutually agreeable to the parties.*

Development Agreement [CCRs-Merlin Pointe - Residential.doc ACHD.docx](#)

#### Additional Requirements

*DA Checklist requires additional forms (Commitment of Property Posting, Neighborhood Meeting Certification, Affidavit of Legal Interest), however, these forms were provided in previous section of application.*

(Section Break)

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

First Name	Steve
Last Name	Arnold

Electronic Signature  
Agreement

I Agree

---

Date & Time

9/30/2020 2:00 AM

---

**Step 4**

---

Reference

---

Affidavit of Legal Interest Form [Click here](#)

---

Commitment to Property Posting [Click here](#)

---

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

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [Jessica Reid](#); [Doug Hanson](#)  
**Subject:** Online Form Submittal: Special Use Permit  
**Date:** Wednesday, September 30, 2020 2:14:01 PM

---

## Special Use Permit

### Step 1

Please complete each section of application in full  
*NOTE: Engineering fees shall be paid by the applicant if required.*

#### Contact/Applicant Information

Owner(s) of Record Merlin Pointe LLC

Phone: 208-871-7020

Email: [steve@ateamboise.com](mailto:steve@ateamboise.com)

Address1 1785 Whisper Cove Ave

Address2 *Field not completed.*

City Boise

State ID

Zip 83709

Applicant (Developer): Steve Arnold

Applicant (Developer) Company: A Team Land Consultants

Phone: *Field not completed.*

Email: [steve@ateamboise.com](mailto:steve@ateamboise.com)

Address1 1785 Whisper Cove Ave

Address2 *Field not completed.*

City Boise

State Idaho

Zip 83709

Engineer/Representative: *Field not completed.*

Engineer/Representative Company:	A Team Land Consultants
Phone:	12088717020
Email:	steve@ateamboise.com
Address1	1785 Whisper Cove Ave
Address2	<i>Field not completed.</i>
City	Boise
State	ID
Zip	83709

(Section Break)

#### Subject Property Information

Site Address:	115 N Sailer Avenue
Nearest Cross Streets:	Avalon Road
Parcel Number(s):	R5672430040, R5672430060
Section, Township, Range:	24, 2N 1W
Property Size:	5.83 acres
Current Land Use:	Vacant Lot
Current Zoning District:	C-1
Proposed Land Use:	Residential and Retail
Proposed Zoning District	C-1 and R-12

(Section Break)

#### Project Description

Project/Subdivision Name:	Merlin Pointe Cottages
General description of proposed project/request:	A preliminary plat for 71 single family homes 5 retail/commercial lots

Type of Use Proposed - Residential, Commercial  
Check all that apply:

If Other has been selected, please provide a description: *Field not completed.*

Amenities provided with this development: Pathways, Paseos, sitting plaza and pic nic area

(Section Break)

Residential Project Summary (if applicable):

Are there existing buildings? No

Please describe existing buildings: *Field not completed.*

Any existing buildings to remain? No

Number of Residential Units: 71

Number of buildable lots: 71

Number of common lots and/or other lots: 12

Type of dwellings proposed - Check all that apply: Single-Family

Minimum square footage of structures: 1,400

Gross Density (DU/Acre - Total Property): 12.2/acre

Net Density (DU/Acre - Excluding Roads): 13.7

% of Open Space provided: 37-percent

Acreage of Open Space: 2.19

Type of Open Space: Landscaping, pathways, paseos, gazebo and pic nic area.

provided?

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(Section Break)

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Non-Residential Project Summary (if applicable):

---

Number of building lots: 5

---

Other lots: 0

---

Gross floor area square footage: *Field not completed.*

---

Existing: *Field not completed.*

---

Hours of Operation: *Field not completed.*

---

Building Height: *Field not completed.*

---

Total Number of Employees: *Field not completed.*

---

Max. Number of Employees at one time? *Field not completed.*

---

Number & ages of students/children: *Field not completed.*

---

Seating Capacity: *Field not completed.*

---

Existing fencing? Type? Will it remain? *Field not completed.*

---

Fencing type, size & location? *Field not completed.*

---

Handicapped parking spaces: *Field not completed.*

---

Total parking spaces: *Field not completed.*

---

Width of driveway aisle: *Field not completed.*

---

Proposed lighting: *Field not completed.*

---

Proposed landscaping: *Field not completed.*

---

(Section Break)

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By checking the "I agree" box below, you agree and acknowledge that 1) Your

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

---

First Name                      Steve

---

Last Name                      Arnold

---

Electronic Signature Agreement                      I Agree

---

**Step 2**

---

Note: A file MUST be provided for each item marked with a red asterisk (\*) in order to be able to submit the application.  
*Once the application is deemed complete, City Staff will notify the applicant of the scheduled hearing date, fees, due, additional copies needed, etc.*

---

Submittal Letter                      [Narrative\\_MC \(002\).pdf](#)

---

Legal Description                      [20-74 Legal Description - Merlin Cottages.pdf](#)

---

Proof of Ownership                      [Deed - Merlin Pointe.pdf](#)

---

Vicinity Map                      [MC\\_VICINITY MAP\\_08-22-2020.pdf](#)

---

Landscape Plan                      [MC\\_LANDSCAPE\\_08-27-2020.pdf](#)

---

Site Development Plan                      [MC\\_PUD\\_08-31-2020.pdf](#)

---

Commitment of Property Posting                      [Commitment to Property Posting.pdf](#)

---

Neighborhood Meeting Certification                      [Neighborhood Meeting Certification.pdf](#)

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(Section Break)

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Reference

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Affidavit of Legal Interest                      [Click here](#)

---

Commitment to Property Posting                      [Click here](#)

---

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

VICINITY MAP



N Meridian

E 4th St

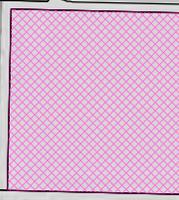
N Kay Ave

N Sailer Ave

E Avalon St

E Kuna Rd

S Sailer Pl



Legend

-  SUBJECT SITE
-  Parcel Lines
-  KUNA CITY LIMITS
-  ROADS
-  WATER FEATURES

DSH

## Legal Description Merlin Cottages

A parcel being Lots 2 and 3 of Block 1 of the Plat of Merlin Pointe Subdivision No. 1, as shown in Book 115 of Plats on Pages 17375 through 17378, records of Ada County, Idaho, located in the SE ¼ of Section 24 of Township 2 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho, and more particularly described as follows:

Commencing at an Aluminum Cap monument marking the southeast corner of said SE ¼, from which an Aluminum Cap monument marking the southwest corner of said SE ¼ bears N 88°38'59" W a distance of 2667.49 feet;

Thence N 88°38'59" W along the southerly boundary of said SE ¼ a distance of 2015.09 feet to a point;

Thence leaving said southerly boundary N 1°21'01" E a distance of 60.00 feet to a point marking the southwesterly corner of said Merlin Pointe Subdivision No. 1;

Thence along the westerly boundary of said subdivision, also being the easterly boundary of Sunbird Village Subdivision No. 1, as shown in Book 70 of Plats on Pages 7232 and 7233, records of Ada County, Idaho, N 1°17'30" E a distance of 30.00 feet to the southwesterly corner of said Lot 3, the **POINT OF BEGINNING**;

Thence along the westerly boundary of said Lot 3, also being a portion of the easterly boundary of said Sunbird Village Subdivision No. 1, and of the easterly boundary of Sunbird Village Subdivision No. 2, as shown in Book 89 of Plats on Pages 9407 and 9408, records of Ada County, Idaho, N 1°17'30" E a distance of 449.45 feet to the northwesterly corner of said Lot 3;

Thence along the northerly and easterly boundary of said Lot 3 the following courses and distances:

Thence S 88°42'30" E a distance of 115.40 feet to a point;

Thence N 40°59'50" E a distance of 21.01 feet to a point on a curve;

Thence a distance of 50.33 feet along the arc of a 75.50 foot radius non-tangent curve left, said curve having a central angle of 38°11'28" and a long chord bearing S 69°36'46" E a distance of 49.40 feet to a point of tangency;

Thence S 88°42'30" E a distance of 448.14 feet to a point;

Thence S 38°30'50" E a distance of 27.34 feet to a point;

Thence S 1°17'30" W a distance of 334.89 feet to a point of curvature;

Thence a distance of 16.45 feet along the arc of a 42.00 foot radius curve right, said curve having a central angle of 22°26'44" and a long chord bearing S 12°30'52" W a distance of 16.34 feet to a point of reverse curvature;

Thence a distance of 22.33 feet along the arc of a 57.00 foot radius curve left, said curve having a central angle of 22°26'44" and a long chord bearing S 12°30'52" W a distance of 22.19 feet to a point of tangency;

Thence S 1°17'30" W a distance of 56.41 feet to the southeasterly corner of said Lot 3;

Thence N 88°38'59" W along the southerly boundary of said Lot 3 and of said Lot 2 of Block 1 a distance of 633.64 feet to the **POINT OF BEGINNING**.

This parcel contains 6.61 acres.

Clinton W. Hansen, PLS  
Land Solutions, PC  
September 29, 2020





City of Kuna  
P.O. Box 13  
Kuna, Idaho 83634

Phone: (208) 922-5274  
Fax: (208) 922-5989  
Web: www.kunacity.id.gov

# City of Kuna AFFIDAVIT OF LEGAL INTEREST

State of Idaho )  
) ss  
County of Ada )

I, Merlin Pointe LLC , PO Box 690  
Name Address  
Meridian ID 83680  
City State Zip Code

being first duly sworn upon oath, depose and say:

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

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

Permission to A Team Land Consultants 1785 Whisper Cove Ave. Boise ID 83709 Name Address  
to submit the accompanying application pertaining to that property.

B. I agree to indemnify, defend and hold City of Kuna and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

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

Dated this 27th day of August, 2020

Thomas T. Nicholson  
Signature

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

[Signature]  
Notary Public for Idaho

Residing at: Boise

My commission expires: 2/17/2021





---

## Warranty Deed

For Value Received,

**Black Creek Limited Partnership, an Idaho limited partnership, the Grantor, does hereby grant, bargain sell and convey unto, Merlin Pointe, LLC, an Idaho limited liability company, whose current address is PO Box 690, Meridian, Idaho 83680-0690 the Grantee, the following described premises, in Ada County, Idaho, To Wit:**

All Lots in All Blocks of Merlin Pointe Subdivision No. 1, according to the official plat thereof, filed in Book 115 of Plats at Page(s) 17375 through 17378, official records of Ada County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

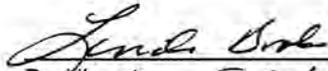
Dated:

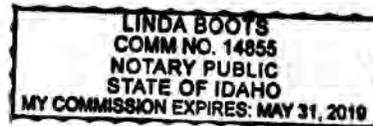
Black Creek Limited Partnership, an Idaho limited partnership

By: Thomas T. Nicholson  
Thomas T. Nicholson, General Partner

State of Idaho, County of Ada, ss.

On this 20 day of March in the year of 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Thomas T. Nicholson, known or identified to me to be the General Partner of the partners in the limited partnership of Black Creek Limited Partnership, and the partner(s) who subscribed said partnership's name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

 \_\_\_\_\_, Notary Public  
Residing at: Idaho  
My Commission Expires: 5/31/19  
(seal)





August 31, 2020

Mrs. Wendy Howell  
Planning and Zoning Administrator  
City of Kuna  
751 W. 4<sup>th</sup> Street  
Kuna, Idaho 83634

Dear Wendy:

Subject: Merlin Cottages Subdivision

On behalf of Merlin Pointe LLC, A Team Land Consultants presents to the City of Kuna, a Preliminary Plat and a Planned Unit Development application for the proposed Merlin Cottage Subdivision. The subject property is located on the northwest corner of Sailer Avenue and Kuna Road. The property contains 5.83 total acres. The property is identified as Ada County Assessor's Tax Parcel Number R5672430040, and R5672430060.

### **Project Summary**

The applicant is proposing 71 cottage lots, 5 commercial lots and 12 common lots. The site is currently zoned C-1. The single family is being proposed within the C-1 zone, with a PUD application for a mixed use which is allowed within that zone. The commercial uses are not known at this time, but it is planned they will all have their own platted lot and will be subject to a design review when the use is determined. The single-family buildings will range from 1,400-1,800 square feet and all be alley loaded units with paseo's in the front of the units. All the landscaping is proposed to be maintained by the homeowner's association. The only fencing will be the existing 6-foot fence along the west boundary and between the commercial and the residential units. Any fencing of the internal lots will be restricted to four-foot-high wrought iron.

### **Access Roads and Connectivity**

Primary access to the proposed development will be a road between Sailer Avenue and Seraphina Street. Common drive isles/alleys within the site will provide lots access to the internal roads. All the drive isles all meet the required 150-foot length or are continuous which meets fire requirements. The residential units will all be rear loaded, with common paseos in the front of each unit. The paseos will be maintained by the homeowner's association. A stub street was not provided to the west because that site has been developed. There are numerous pathway connections to encourage pedestrian activity and mobility.

### **Proposed Buildings**

As part of the application we are submitting color photographs of the proposed buildings. The color combination for the buildings will be a mixture of earth tones as shown on the submitted pictures. The fascia and trim will be designed in such a way as to better accent the earth tones. Variations in wall panels and rooflines are provided to add to the architectural appearance. All the buildings will be constructed to a minimum of a Silver LEED standard, thus providing energy efficiency. This in turn allows the mechanical units to be constructed smaller. Two-foot fencing will be provided to screen the mechanical units.

The buildings and the facades are architecturally attractive and help function to promote a higher end home. The square footage of the buildings will range from 1,400 to 1,800 square feet. There will be a mix of 2- and 3-bedroom units. All the buildings are rear loaded with a two-car garage accessed by a drive isle off the new roads. All the homes are two stories with balconies on the second floor and a patio at the ground level with its own individual entrance off the paseo. There will be varying facades for the buildings throughout the site to break up the front façade and this will also be done along the existing and proposed roadways.

### **Landscaping and Amenities**

There is approximately 2.19 acres of open space being proposed. A landscape plan has been prepared in accordance with the City standards. The existing roadway buffers along the roads will be retained and additional paseos and linear open spaces are being proposed within the site. New pathways are proposed to connect to all the existing pathways within the subdivision. All the landscaping will be maintained by a subdivision homeowners association. Several gazebos and plaza/sitting areas are provided throughout the development, and linear and pocket parks are provided. All residents will have equal use of the amenities in this phase and this phase will have access to the existing park.

### **Utilities, Irrigation, Storm Drainage and Parking Facilities**

There are existing wet and dry utilities adjacent to this site's boundaries. The developer is proposing to extend both City sewer and water from the east and north into this site. Dry utilities will also be extended into all building lots. Portions of the common areas will be utilized for storm drain; subsurface seepage beds will dispose of the storm water. Pressurized irrigation is proposed to all common areas including the paseos. All storm drain will be designed to accommodate the 100-year event. During the construction of the site, a storm water pollution prevention plan will be provided, and best management practices will be implemented. All the parking has been designed to City standards.

### **Neighborhood Meetings**

On July 14, 2020 there was a virtual neighborhood meeting conducted via Zoom prior to submitting this application. There were several adjacent landowners that attended that meeting. There were color versions of the buildings and architectural drawings that seemed to get a lot of good attention. A concern that people had was one of drive isles that was being extended to Seraphina Street so we removed it. The current plat reflects the change requested. Another concern was the new residents would be able to use the park adjacent to phase

one. I explained that the park was meant to be used by all the lots, both commercial and residential uses in all of Merlin Subdivision. There was nothing that we could modify to address this concern and I believe that concern remains. For the most part the neighbors took the proposed development well.

### **Vision Statement**

Our vision is to promote a residential development with a series of building styles to provide multiple housing choices within the City of Kuna. This site is centrally located in an area of the City that has been developed with residential and commercial uses. There are entertainment and employment centers in very close proximity to the proposed development. The landscaping and paseos provided throughout are very esthetic and are a very usable amenity. The amenities are provided to enhance the livability of this development and promote a sense of being.

The Developer is proposing several architectural styles of buildings within the subdivision that will provide a varied streetscape. This mix of development product will enhance the subdivision and provide value to the subdivision years after it has been developed. The landscaping and screening provide the residents of this development a more private sense than a typical site, and the neighboring uses will have little impact from this development. This development will enhance the community and the project will be an asset to the City.

It is anticipated that the applications are in compliance with all applicable plans and codes adopted by the City. Please notify us as early as possible if you should need additional clarification or information regarding this application. The proposed development will be a great addition to the City. I look forward to working with the City as this development moves forward in the process.

Sincerely,  
A Team Land Consultants



Steve Arnold  
Project & Real Estate Manager

Cc: Tom Nicholson  
Scott Nicholson  
Linda Boots



# City of Kuna COMMITMENT TO PROPERTY POSTING

City of Kuna  
P.O. Box 13  
Kuna, Idaho 83634

Phone: (208) 922-5274  
Fax: (208) 922-5989  
Web: [www.kunacity.id.gov](http://www.kunacity.id.gov)

Per City Code 5-1A-8, the applicant for all applications requiring a public hearing shall post the subject property not less than ten (10) days prior to the hearing. The applicant shall post a copy of the public hearing notice or the application(s) on the property under consideration.

The applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the City no later than seven (7) days prior to the public hearing attesting to where and when the sign(s) were posted. Unless such Certificate is received by the required date, the hearing will be continued.

The sign(s) shall be removed no later than three (3) days after the end of the public hearing for which the sign(s) had been posted.

I am aware of the above requirements and will comply with the posting requirements as stated in Kuna City Code 5-1A-8.

Authenticator  
**Steven R Arnold**



8/27/2020

Applicant/agent signature: \_\_\_\_\_

Date: \_\_\_\_\_

8/27/2020 4:09:04 PM MDT

**From:** [Jerry Hastings](#)  
**To:** "Steve Arnold"  
**Cc:** "Clint Hansen"  
**Subject:** Merlin Pointe Sub. Name Reservation  
**Date:** Thursday, July 19, 2012 5:03:30 PM  
**Attachments:** [image001.jpg](#)

---

July 19, 2012

Steve Arnold  
A Team Land Consultants

RE: Subdivision Name Reservation: "**Merlin Pointe Subdivision**"

Dear Steve,

At your request, I will reserve the name "**Merlin Pointe Subdivision**" for your project. I can honor this reservation only as long as your project is in the approval process. Final approval can only take place when the final plat is recorded.

Sincerely,  
Jerry Hastings, P.L.S.  
County Surveyor  
Ada County, Idaho  
208-287-7912  
287-7909 Fax  
[jhastings@adaweb.net](mailto:jhastings@adaweb.net)

---

**From:** Steve Arnold [mailto:[steve@ateamboise.com](mailto:steve@ateamboise.com)]  
**Sent:** Thursday, July 19, 2012 3:49 PM  
**To:** Jerry Hastings  
**Subject:** RE: Name Reservation for Merlin Pointe Sub.

The owner that is listed is TFI Limited partnership, Tom Nicholson. I can get you the parcel numbers if needed. Clint Hanson is doing my surveying, he will be doing the Final Plat. It is a pretty big commercial site. I'm still here and kicking, and actually getting pretty busy. My wife and I also started a real estate business and that is doing well also; the market is on "fire" right now especially if you are a seller people are bidding on homes!

Parcel S1324449005  
TFI LIMITED PARTNERSHIP

Description: ATeamLand 1



Steve Arnold  
Project Manager

1785 Whisper Cove Avenue  
Boise, ID 83709

(208) 871-7020 office  
(208) 321-0525 fax

---

**From:** Jerry Hastings [mailto:jhastings@adaweb.net]  
**Sent:** Thursday, July 19, 2012 3:42 PM  
**To:** 'Steve Arnold'  
**Subject:** RE: Name Reservation for Merlin Pointe Sub.

Hi Steve, good to hear you are still around. Choice Number 2 will work. The other names are already being used. Also, do you have a parcel number or the owner? Who will be preparing the plat (PLS)? Thanks, Jerry.

Jerry Hastings, P.L.S.  
County Surveyor  
Ada County, Idaho  
208-287-7912  
287-7909 Fax  
[jhastings@adaweb.net](mailto:jhastings@adaweb.net)

---

**From:** Steve Arnold [mailto:steve@ateamboise.com]  
**Sent:** Thursday, July 19, 2012 3:33 PM  
**To:** Jerry Hastings  
**Subject:** Name Reservation

Jerry,

I would like to reserve one of the following names in the priority listed below:

1. Sparrow hawk
2. Merlin Pointe
3. Trails End

The project is 115-acres down in Kuna, right on the bend.

Please let me know if you need additional information.

Thank you,

Description: ATeamLand 1



Steve Arnold  
Project Manager

1785 Whisper Cove Avenue  
Boise, ID 83709  
(208) 871-7020 office

(208) 321-0525 fax



# 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 5-1A-2 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: 71 single family lots and 5 retail lots

Date and time of neighborhood meeting: 7/14/2020 at 6:00 PM

Location of neighborhood meeting: Virtual Zoom Meeting

## SITE INFORMATION:

Location: Quarter: SE Section: 24 Township: 2N Range: 1W Total Acres: 5.83

Subdivision Name: Merlin Pointe Subdivision No. 1 Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Site Address: 115 N Sailer Ave Tax Parcel Number(s): R5672430040  
Kuna, ID 83634

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

## CURRENT PROPERTY OWNER:

Name: Merlin Pointe LLC

Address: PO Box 690 City: Meridian State: ID Zip: 83680

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

Name: Steve Arnold Business (if applicable): A Team Land Consultants

Address: 1785 Whisper Cove Ave. City: Boise State: ID Zip: 83709

**PROPOSED USE:**

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

**Application Type**

**Brief Description**

Annexation

The applicant is proposing 71 single family lots and

Re-zone

five retail lots

**Subdivision** (Sketch Plat and/or Prelim. Plat)

**Special Use**

Variance

Expansion of Extension of a Nonconforming Use

Zoning Ordinance Map Amendment

**APPLICANT:**

Name: A Team Land Consultants, Steve Arnold

Address: 1785 Whisper Cove Avenue

City: Boise State: ID Zip: 83709

Telephone: 208-871-7020 Fax: 208-401-0977

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 5-1A-2 of the Kuna City Code

Signature: (Applicant)  Date 7/20/2020

# SIGN IN SHEET

PROJECT NAME: Merlin Cottages

Date: 7/14/2020

	<u>Name</u>	<u>Address</u>	<u>Zip</u>	<u>Phone</u>
1	<u>Sue Peck</u>	<u>204 Bay Haven</u>	<u>83634</u>	<u></u>
2	<u>Dale and Debby Rippy</u>	<u>1116 Seraphina St</u>	<u>83634</u>	<u></u>
3	<u>Michael &amp; Roberta Sailer</u>	<u>PO Box 82</u>	<u>83634</u>	<u></u>
4	<u>Dallas &amp; Rachel McCulloch</u>	<u>1165 E Folgado St</u>	<u>83634</u>	<u></u>
5	<u>Jarid &amp; Staci Sinkler</u>	<u>233 N. Sailer</u>	<u>83634</u>	<u></u>
6	<u>Lon &amp; Tami Morgan</u>	<u>1088 E Seraphina St</u>	<u>83634</u>	<u></u>
7	<u>Richard &amp; Donna Gerhart</u>	<u>1144 E Seraphina St</u>	<u>83634</u>	<u></u>
8	<u>Dolores Hidalgo</u>	<u>1158 E Seraphina St</u>	<u>83634</u>	<u></u>
9	<u></u>	<u></u>	<u></u>	<u></u>
10	<u></u>	<u></u>	<u></u>	<u></u>
11	<u></u>	<u></u>	<u></u>	<u></u>
12	<u></u>	<u></u>	<u></u>	<u></u>
13	<u></u>	<u></u>	<u></u>	<u></u>
14	<u></u>	<u></u>	<u></u>	<u></u>
15	<u></u>	<u></u>	<u></u>	<u></u>
16	<u></u>	<u></u>	<u></u>	<u></u>
17	<u></u>	<u></u>	<u></u>	<u></u>
18	<u></u>	<u></u>	<u></u>	<u></u>
19	<u></u>	<u></u>	<u></u>	<u></u>
20	<u></u>	<u></u>	<u></u>	<u></u>
21	<u></u>	<u></u>	<u></u>	<u></u>
22	<u></u>	<u></u>	<u></u>	<u></u>
23	<u></u>	<u></u>	<u></u>	<u></u>
24	<u></u>	<u></u>	<u></u>	<u></u>
25	<u></u>	<u></u>	<u></u>	<u></u>
26	<u></u>	<u></u>	<u></u>	<u></u>
27	<u></u>	<u></u>	<u></u>	<u></u>
28	<u></u>	<u></u>	<u></u>	<u></u>
29	<u></u>	<u></u>	<u></u>	<u></u>
30	<u></u>	<u></u>	<u></u>	<u></u>

## NEIGHBORHOOD MEETING MINUTES

Meeting Date: 7/14/2020 Number of Attendees: 22 including myself

Meeting Location: Virtual Zoom Meeting

Description of Project Presented:

Re-plat of the existing commercial lot into 71 single family lots and five commercial lots.

Attendee's comments:

1. A number of residents commented about the new residents using the park.

2 Access out to Seraphina Street was a concern so we eliminate one of the drive isles

I hereby certify that the above information is complete and correct to the best of my knowledge.

A Team Land Consultants, Steve Arnold

Printed Name



Signature

7/20/2020  
Date

**PRELIMINARY DEVELOPMENT FEATURES**

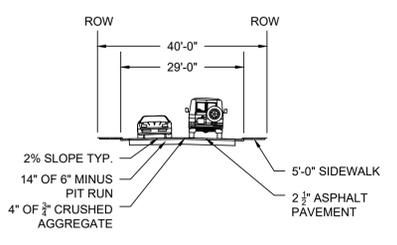
PARCEL NO'S:	R5672430040 R5672430060	SITE DETAILS:	COMMON LANDSCAPE AREA: 2.19 AC COTTAGES: 1.38 AC COMMERCIAL: 1.02 AC DRIVE ISLES: .57 AC RIGHT OF WAY: .87 AC
ADDRESSES:	115 N SAILER AVE KUNA, ID 83634	PARKING:	27 SPACES
ZONING C-1 (EXISTING)	5.83 AC	SETBACKS:	
PROPERTY SIZE:	5.83 AC	FRONT:	10'
TOTAL LOTS:	88	SIDE:	3'
COMMON LOTS:	12	REAR:	2'
COTTAGES:	71	SITE AMENITIES:	PATHWAYS, LANDSCAPE BUFFERS, GAZEBOS, PARK, PLAZAS
COMMERCIAL:	5		
DENSITY UNITS:	12.17 PER ACRE		

**LEGEND**

	SITE BOUNDARY LINE		EXIST GUARDRAIL
	SECTION LINE		EXIST CONIF TREE
	EXIST CENTER LINE		EXIST DECID TREE
	EXIST IRRIGATION LINE		EXIST CATCH BASIN
	EDGE OF GRAVEL		SURF FLOW DIRECT.
	EXIST OVERHEAD POWER		PROP FIRE HYDRANT
	TOP OF SLOPE		PROP STREET LIGHT
	EDGE OF WATER		PROP GAZEBO
	EXIST SANITARY SEWER		PROP PLAY AREA
	EXIST WATER LINE		PROP PARKING
	EXIST STORM DRAIN		PROP PLAZA
	EXIST FENCE		PROP PARK BENCH
	CENTERLINE DITCH/FLOW LINE		PROP SS MANHOLE
	EXIST EDGE OF PAVEMENT		CLIMBING ROCK
	MAJOR CONTOUR LINE		
	MINOR CONTOUR LINE		
	PROPOSED LOT LINE		
	PROPOSED ROW LINE		
	PROPOSED CENTER LINE		
	PROPOSED SEWER LINE		
	PROPOSED WATER LINE		
	PROPOSED PRESSURIZED IRRIG LINE		
	IRRIGATION EASEMENT LINE		
	FND 1/2" IRON PIN (AS NOTED)		EXIST TELEPHONE RISER
	FND 3/4" IRON PIN (AS NOTED)		EXIST COMM MANHOLE
	FND BRASS CAP (AS NOTED)		EXIST SAN SEWER MANHOLE
	FND ALUMINUM CAP (AS NOTED)		EXIST WATER VALVE
	CALCULATED POINT		EXIST IRRIGATION BOX
	EXIST POWER POLE		EXIST STORM DRAIN MANHOLE
	EXIST GUY ANCHOR		EXIST SIGN
	EXIST GAS METER		EXIST FIRE HYDRANT
	EXIST GAS RISER		
	EXIST GAS VALVE		
	EXIST TELEPHONE RISER		
	EXIST COMM MANHOLE		
	EXIST SAN SEWER MANHOLE		
	EXIST WATER VALVE		
	EXIST IRRIGATION BOX		
	EXIST STORM DRAIN MANHOLE		
	EXIST SIGN		
	EXIST FIRE HYDRANT		



VICINITY MAP  
SCALE: 1:500



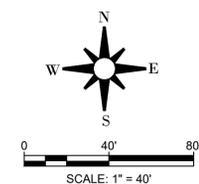
40' ROW STREET SECTION  
SCALE: 1:20

**NOTES:**

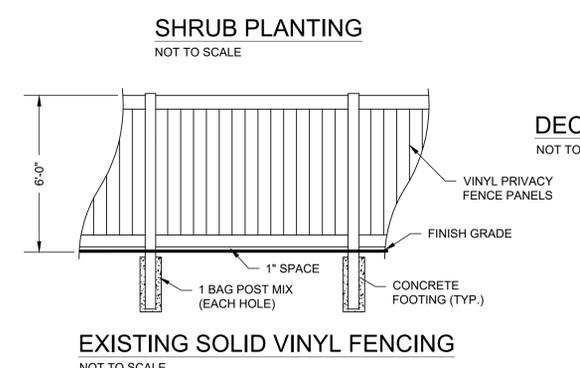
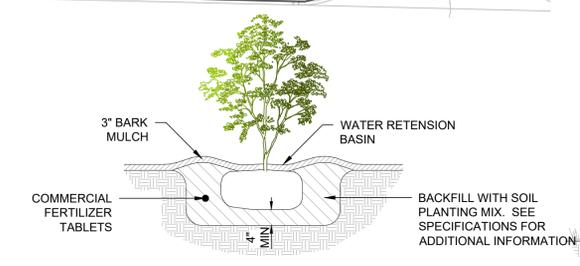
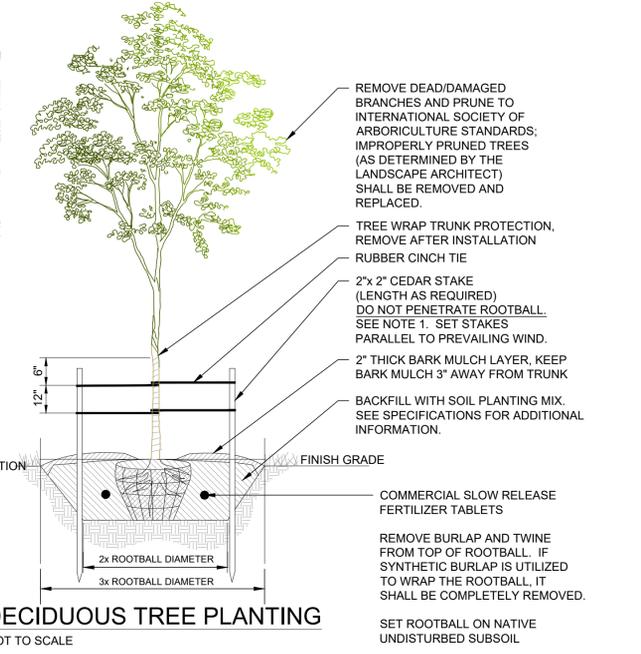
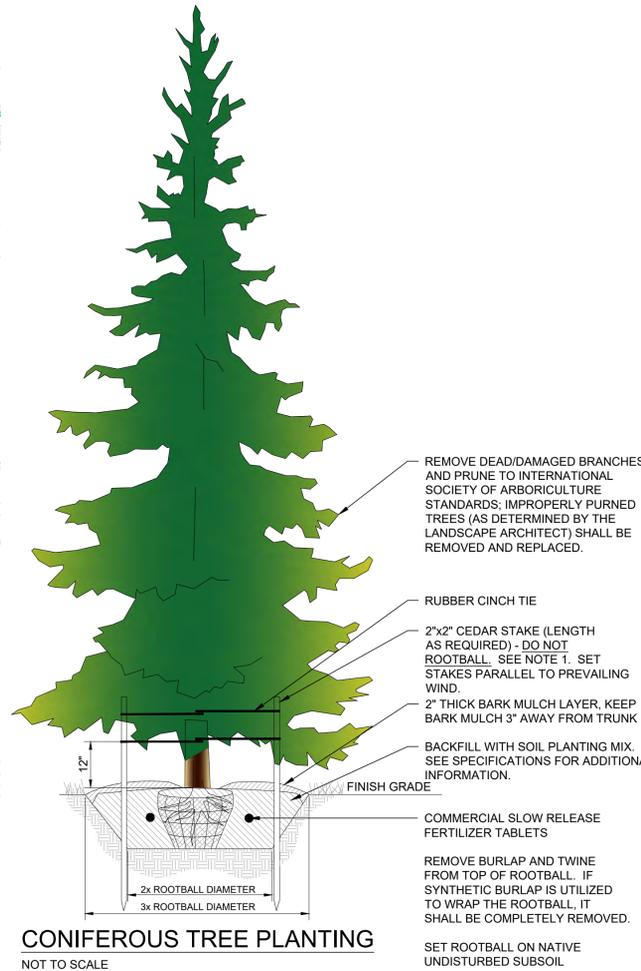
- KUNA CITY WATER AND SEWER SERVICE SHALL BE EXTENDED TO ALL LOTS.
- MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE APPLICABLE STANDARDS OF THE CITY OF KUNA AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT.
- THE DEVELOPER SHALL PROVIDE PRESSURIZED IRRIGATION WATER TO EACH LOT. ALL LOTS IN THIS SUBDIVISION WILL BE SUBJECT TO ASSESSMENTS OF THE KUNA IRRIGATION DISTRICT.
- STORM DRAINAGE SHALL BE RETAINED ON SITE THROUGH SURFACE AND SUBSURFACE FACILITIES AS APPROVED BY ACHD.
- LOT 9, 21, 32 & 38 BLOCK 1; LOT 11, 31 & 50 BLOCK 2 ARE COMMON LOTS TO BE OWNED AND MAINTAINED BY THE MERLIN COTTAGES OWNERS ASSOCIATION OR ITS ASSIGNS.
- LOTS 3, 15 & 26 BLOCK 1; LOTS 22 & 40 BLOCK 2 ARE DRIVE ISLE LOTS AND SHALL HAVE A BLANKET PERMANENT EASEMENT FOR PUBLIC UTILITIES AND CROSS ACCESS TO ADJACENT LOTS. SAID LOTS SHALL BE MAINTAINED BY THE MERLIN COTTAGE OWNERS ASSOCIATION OR ITS ASSIGNS.
- OTHER THAN THE EXISTING DRIVEWAY ON KUNA ROAD, DIRECT LOT OR PARCEL ACCESS TO KUNA ROAD SHALL BE PROHIBITED. ACCESS RESTRICTIONS SHALL BE NOTED ON THE FINAL PLAT.

<b>OWNER</b> MERLIN POINTE, LLC P.O. BOX 690 MERIDIAN, ID 83680	<b>SURVEYOR</b> LAND SOLUTIONS 231 E. 5TH ST. MERIDIAN, ID 83642 (208) 288-2040
<b>PLANNER / CONTACT</b> STEVE ARNOLD A-TEAM LAND CONSULTANTS 1785 WHISPER COVE AVE. BOISE, ID 83709 208-871-7020	<b>DEVELOPER</b> MERLIN POINTE, LLC P.O. BOX 690 MERIDIAN, ID 83680

**MERLIN COTTAGES**  
**PRELIMINARY PLAT MAP**  
SECTION 24, T.2N., R.1W., B.M.  
CITY OF KUNA, ADA COUNTY, IDAHO



	<b>SHEET 1 OF 1</b>
Land Development & Real Estate Services	DRAWN BY: CJ SHERLOCK DATE: August 27, 2020 FILE: MC_PREPLAT.dwg



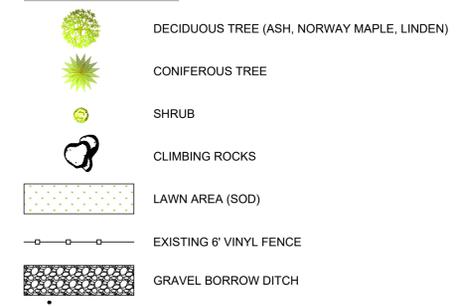
**LANDSCAPE & IRRIGATION NOTES:**

- CONTRACTOR SHALL REPORT TO LANDSCAPE ARCHITECT ALL CONDITIONS WHICH IMPAIR AND/OR PREVENT THE PROPER EXECUTION OF THIS WORK, PRIOR TO BEGINNING WORK.
- COORDINATE WORK SCHEDULE AND OBSERVATIONS WITH LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION START-UP.
- NEW CONIFER AND DECIDUOUS TREE PLANTING, SEE DETAIL B AND C/L 1.0. CONTRACTOR SHALL STAKE ALL TREES DEEMED NECESSARY, I.E., FROM BEING BLOWN OVER, PLANTED WITH LOOSE ROOT BALL, ETC. CONTRACTOR'S OPTION.
- NEW SHRUB PLANTING. SEE DETAIL A/L 1.0.
- ALL PLANT MATERIAL SHALL CONFORM TO THE AMERICAN NURSERYMAN STANDARDS FOR TYPE AND SIZE SHOWN. PLANTS WILL BE REJECTED IF NOT IN A SOUND AND HEALTHY CONDITION.
- ALL PLANTING BEDS SHALL BE COVERED WITH A MINIMUM OF 3" OF SMALL (1" MINUS) BARK CHIPS. SUBMIT FOR APPROVAL.
- ALL PLANT MATERIAL SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR BEGINNING AT THE DATE OF ACCEPTANCE BY OWNER. REPLACE ALL PLANT MATERIAL FOUND DEAD OR NOT IN A HEALTHY CONDITION IMMEDIATELY WITH THE SAME SIZE AND SPECIES AT NO COST TO THE OWNER.
- FINISH GRADES TO BE SMOOTH AND EVEN GRADIENTS WITH POSITIVE DRAINAGE IN ACCORDANCE WITH SITE GRADING PLAN.
- IN ALL PLANTER BED AND LAWN AREAS, THE TOP 6 INCHES OF TOPSOIL WILL BE AMENDED AT A RATIO OF 3 CUBIC YARDS OF ORGANIC MATTER PER 1000 SQUARE FEET. ROTO-TILL ORGANIC MATTER A MINIMUM OF 6 INCHES INTO TOPSOIL.
- FERTILIZE ALL TREES AND SHRUBS WITH 'AGRIFORM' PLANTING TABLETS. QUANTITY PER MANUFACTURER'S RECOMMENDATIONS.
- ALL PLANTING BEDS SHALL HAVE A MINIMUM OF 18" OF TOPSOIL. LAWN AREAS SHALL HAVE A MINIMUM OF 12" TOPSOIL. SPREAD, COMPACT AND FINE GRADE TOPSOIL TO A SMOOTH AND UNIFORM GRADE 3" BELOW SURFACE OF WALKS AND CURBS IN PLANTING BED AREAS, 1 1/2" AT SOD LAWN AREAS, AND 1" AT SEED LAWN AREAS.
- REUSE EXISTING SURFACE TOPSOIL STOCKPILED ON THE SITE. VERIFY SUITABILITY OF SURFACE SOIL TO PRODUCE TOPSOIL MEETING REQUIREMENTS AND AMEND WHEN NECESSARY. TOPSOIL SHALL BE A LOOSE, FRIABLE, SANDY LOAM, CLEAN AND FREE OF TOXIC MATERIALS, NOXIOUS WEEDS, WEED SEEDS, ROCKS, GRASS OR OTHER FOREIGN MATERIAL AND A PH OF 5.5 TO 7.0. IF ON-SITE TOPSOIL DOES NOT MEET THESE MINIMUM STANDARDS, CONTRACTORS ARE RESPONSIBLE TO EITHER: A) PROVIDE APPROVED IMPORTED TOPSOIL, OR B) IMPROVE ON-SITE TOPSOIL WITH METHODS APPROVED BY LANDSCAPE ARCHITECT. SUPPLEMENT WITH IMPORTED TOPSOIL WHEN QUANTITIES ARE INSUFFICIENT. CLEAN TOPSOIL OF ROOTS, PLANTS, SODS, STONES, CLAY LUMPS AND OTHER EXTRANEIOUS MATERIALS HARMFUL TO PLANT GROWTH. IF IMPORTED TOPSOIL FROM OFF-SITE SOURCES IS REQUIRED, PROVIDE NEW TOPSOIL THAT IS FERTILE, FRIABLE, NATURAL LOAM, SURFACE SOIL, REASONABLY FREE OF SUBSOIL, CLAY LUMPS, BRUSH, WEEDS AND OTHER LITTER, AND FREE OF ROOTS, STUMPS, STONES LARGER THAN 2 INCHES IN ANY DIMENSION, AND OTHER EXTRANEIOUS OR TOXIC MATTER HARMFUL TO PLANT GROWTH.
- OBTAIN TOPSOIL FROM LOCAL SOURCES OR FROM AREAS HAVING SIMILAR SOIL CHARACTERISTICS TO THAT FOUND AT PROJECT SITE. OBTAIN TOPSOIL ONLY FROM NATURALLY, WELL-DRAINED SITES WHERE TOPSOIL OCCURS IN A DEPTH OF NOT LESS THAN 4 INCHES.
- REPRESENTATIVE SAMPLES SHALL BE TESTED FOR ACIDITY, FERTILITY AND GENERAL TEXTURE BY A RECOGNIZED COMMERCIAL OR GOVERNMENT AGENCY AND COPIES OF THE TESTING AGENCY'S FINDINGS AND RECOMMENDATIONS SHALL BE FURNISHED TO THE ARCHITECT'S REPRESENTATIVE BY THE CONTRACTOR. NO TOPSOIL SHALL BE DELIVERED IN A FROZEN OR MUDDY CONDITION. ACIDITY/ALKALINITY RANGE - PH: 5.5 TO 7.6.
- IMMEDIATELY CLEAN UP ANY TOPSOIL OR OTHER DEBRIS ON THE SITE CREATED FROM LANDSCAPE OPERATIONS AND DISPOSE OF PROPERLY OFF SITE.
- ALL LANDSCAPE AREAS SHALL HAVE AN AUTOMATIC UNDERGROUND SPRINKLER SYSTEM WHICH INSURES COMPLETE COVERAGE AND PROPERLY ZONED FOR REQUIRED WATER USES. EACH HYDROZONE IS TO BE IRRIGATED WITH SEPARATE INDIVIDUAL STATIONS.
- PLANTER BEDS AND LAWN AREAS ARE TO HAVE SEPARATE HYDRO-ZONES.
- POP-UP SPRINKLER HEADS SHALL HAVE A MINIMUM RISER HEIGHT OF 4 INCHES AT LAWN AREAS AND 18" AT PLANTER BEDS.
- PLANTER BEDS ARE TO HAVE DRIP IRRIGATION SYSTEMS OR POP-UP SPRAY SYSTEMS. ANNUALS, PERENNIALS GROUND COVERS OR SHRUB MASSINGS SHALL HAVE A POP-UP SPRAY SYSTEM.
- ELECTRONIC WATER DISTRIBUTION/TIMING CONTROLLERS ARE TO BE PROVIDED. MINIMUM CONTROLLER REQUIREMENTS ARE AS FOLLOWS:
  - PRECISE INDIVIDUAL STATION TIMING
  - RUN TIME CAPABILITIES FOR EXTREMES IN PRECIPITATION RATES
  - AT LEAST ONE PROGRAM FOR EACH HYDROZONE
  - SUFFICIENT MULTIPLE CYCLES TO AVOID WATER RUN-OFF
  - POWER FAILURE BACKUP FOR ALL PROGRAMMED INDIVIDUAL VALVED WATERING STATIONS WILL BE DESIGNED AND INSTALLED TO PROVIDE WATER TO RESPECTIVE HYDRO-ZONES.
- ALL EXISTING COTTON WOOD TREES TO BE REMOVED.

**TREE PLANTING NOTES**

- THE STAKING OF TREES IS TO BE THE CONTRACTOR'S OPTION. HOWEVER, THE CONTRACTOR IS RESPONSIBLE TO INSURE THAT ALL TREES ARE PLANTED STRAIGHT AND THAT THEY REMAIN STRAIGHT FOR A MINIMUM OF 1 YEAR. ALL STAKING SHALL BE REMOVED AT THE END OF THE ONE YEAR WARRANTY PERIOD.
- REMOVAL OF BURLAP AND TWINE FROM TOP OF ROOTBALL MAY BE POSTPONED FOR 90 DAYS AT CONTRACTOR'S OPTION.
- IN THE EVENT OF A QUESTION OR LACK OF CLARITY ON THE DRAWINGS, THE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT BEFORE PROCEEDING.
- LANDSCAPE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT AND OWNER PRIOR TO INSTALLATION OF PLANT MATERIAL.
- 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.
- DEEP SOAK TREE TWICE WITHIN THE FIRST 24 HOURS.
- IN THE EVENT HARDPAN SOILS PREVENT TREE PLANTING AS DETAILED, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY.

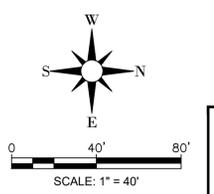
**LANDSCAPE LEGEND**



PLAZA/GAZEBO AND PICNIC AREA



CLIMBING ROCK



**OWNER/DEVELOPER**  
MERLIN POINTE LLC  
P.O. BOX 690  
MERIDIAN, ID 83680

**LANDSCAPE DESIGNER**  
THE 3 BROTHERS LANDSCAPING CO.  
2565 W TARGEE ST  
BOISE, ID 83705  
(208) 899-2108

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

**MERLIN COTTAGE**  
**PRELIMINARY LANDSCAPE PLAN**  
SECTION 24, T.2N., R.1W., B.M.  
CITY OF KUNA, ADA COUNTY, IDAHO



SHEET 1 OF 2  
DRAWN BY: CJ SHERLOCK  
DATE: August 27, 2020  
FILE: MC\_LANDSCAPE.dwg



City of Kuna  
Planning & Zoning Department

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

## Agency Transmittal

October 12, 2020

Notice is hereby given by the City of Kuna that the following actions are under consideration:

<b>FILE NUMBER:</b>	20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat), 20-06-ZC (Rezone), and 20-05-SUP (Special Use Permit).
<b>PROJECT DESCRIPTION</b>	A Team Boise requests Planned Unit Development approval for an approximately 5.83-acre parcel, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts. Applicant requests Pre-Plat approval in order to subdivide the approximate 5.83-acres into 88 total lots (71 single family, 12 common, and 5 commercial).
<b>SITE LOCATION</b>	115 N Sailer Avenue, Kuna, Idaho 83634.
<b>REPRESENTATIVE</b>	A Team Boise – Steve Arnold 1785 Whisper Cove Avenue Boise, ID 83709 208.871.7020 <a href="mailto:steve@ateamboise.com">steve@ateamboise.com</a>
<b>SCHEDULED HEARING DATE</b>	Tuesday, <b>December 8, 2020</b> 6:00 P.M.
<b>STAFF CONTACT</b>	Doug Hanson <a href="mailto:dhanson@kunaid.gov">dhanson@kunaid.gov</a> Phone: 208.922.5274 Fax: 208.922.5989

We have included a packet with the application items that were submitted to assist you with your consideration and responses. **No response within 15 business days will indicate you have no objection or concerns with this proposed project.** We would appreciate any information you can provide about how this action would affect the services you provide. The public hearing is at 6:00 p.m. or, as soon thereafter as it may be heard, in Kuna's chambers located at Kuna City Hall 751 W. 4<sup>th</sup> Street, Kuna, Idaho. If your agency needs additional time for review, please let our office know ASAP.



**Ada County Transmittal**  
**Division of Community and Environmental Health**

- Return to:
- ACZ
  - Boise
  - Eagle
  - Garden City
  - Meridian
  - Kuna
  - Star

Rezone # \_\_\_\_\_

Conditional Use # \_\_\_\_\_

Preliminary / Final / Short Plat 20-08-S

*Merlin Cottages*

- 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 approvals from appropriate entities are submitted, we can approve this proposal for:
 

<input checked="" type="checkbox"/> central sewage	<input type="checkbox"/> community sewage system	<input type="checkbox"/> community water well
<input type="checkbox"/> interim sewage	<input checked="" type="checkbox"/> central water	
<input type="checkbox"/> individual sewage	<input type="checkbox"/> individual water	
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 

<input checked="" type="checkbox"/> central sewage	<input type="checkbox"/> community sewage system	<input type="checkbox"/> community water
<input type="checkbox"/> sewage dry lines	<input checked="" type="checkbox"/> 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:
 

<input type="checkbox"/> food establishment	<input type="checkbox"/> swimming pools or spas	<input type="checkbox"/> child care center
<input type="checkbox"/> beverage establishment	<input type="checkbox"/> grocery store	
- 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDH.
- 14. \_\_\_\_\_

Reviewed By: *[Signature]*  
 Date: 10 / 15 / 2020



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

1445 North Orchard Street • Boise, ID 83706 • (208) 373-0550  
www.deq.idaho.gov

Brad Little, Governor  
Jess Byrne, Director

October 23, 2020

By e-mail: [dhanson@kunaid.gov](mailto:dhanson@kunaid.gov)

Doug Hanson - Planner I  
City of Kuna  
751 W 4th St  
Kuna, ID 83634

Subject: 20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat), 20-06-ZC (Rezone), and 20-05-SUP (Special Use Permit)

Dear Mr. Hanson:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: [deq.idaho.gov/assistance-resources/environmental-guide-for-local-govts](http://deq.idaho.gov/assistance-resources/environmental-guide-for-local-govts).

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

## 1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).
- All property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites. Information on fugitive dust control plans can be found at: [http://www.deq.idaho.gov/media/61833-dust\\_control\\_plan.pdf](http://www.deq.idaho.gov/media/61833-dust_control_plan.pdf)
- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.

- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.
- For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

## **2. WASTEWATER AND RECYCLED WATER**

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

## **3. WASTEWATER AND RECYCLED WATER**

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: [deq.idaho.gov/water-quality/drinking-water.aspx](http://deq.idaho.gov/water-quality/drinking-water.aspx)). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.

- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

#### 4. SURFACE WATER

- A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.
- Please contact DEQ to determine whether this project will require a National Pollution Discharge Elimination System (NPDES) Permit. A Construction General Permit from EPA may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: <https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

#### 5. HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site.

These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.

- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).
- Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Albert Crawshaw, Waste & Remediation Manager, at (208) 373-0550.

## 6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website [deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx](http://deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx) for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,



Aaron Scheff  
Regional Administrator  
DEQ-Boise Regional Office

ec: EDMS#2020AEK237

**RON PLATT**  
CHAIRMAN OF THE BOARD

**BRIAN MCDEVITT**  
VICE CHAIRMAN OF THE BOARD

**ROBERT D. CARTER**  
PROJECT MANAGER

**THOMAS RITTHALER**  
ASSISTANT PROJECT MANAGER

**APRYL GARDNER**  
SECRETARY-TREASURER

**MARY SUE CHASE**  
ASSISTANT SECRETARY-  
TREASURER

## 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

RECEIVED  
OCT 19 2020  
CITY OF KUNA

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

15 October 2020

City of Kuna  
751 W. 4th St.  
Kuna, Idaho 83634

RE: Steve Arnold (Merlin Pointe Sub)  
115 N Sailer Ave. Kuna 83634  
Boise-Kuna Irrigation District  
Teed Lateral 65+10  
Sec. 24, T2N, R1W, BM.

BK-1401

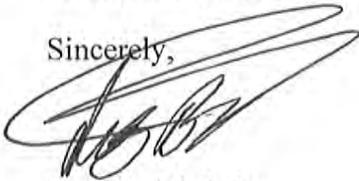
Doug Hanson, Planner:

There are no Boise 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.

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

Sincerely,



Thomas Ritthaler  
Assistant Project Manager, BPBC

tbr/tr

cc: Clint McCormick  
Lauren Boehlke  
File

Watermaster, Div; 2 BPBC  
Secretary – Treasurer, BKID



RECEIVED

OCT 28 2020

CITY OF KUNA  
ORGANIZED 1904

# Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH  
FAX #208-463-0092

NAMPA, IDAHO 83651-4395  
nmid.org

OFFICE: Nampa 208-466-7861  
SHOP: Nampa 208-466-0663

October 22, 2020

Doug Hanson, Planner I  
City of Kuna  
751 W. 4<sup>th</sup> Street  
Kuna, ID 83634

**RE: 20-01-PUD, 20-08-S, 20-06-ZC, 20-05-SUP/ 115 N. Sailer Avenue**

Dear Doug:

Nampa & Meridian Irrigation District (NMID) has no comment on the above referenced application as it lies outside of our district boundaries. Please contact Thomas Ritthaler, Boise Project- Board of Control, at 208-344-1141 or 2465 Overland Road Room 202 Boise, ID 83705-3173.

All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site NMID must review drainage plans. Developers must comply with Idaho Code 31-3805.

Sincerely,

David T. Duvall  
Asst. Water Superintendent  
Nampa & Meridian Irrigation District  
DTD/ gnf

Cc:

Office/ file  
T. Ritthaler, Board of Control



APPROXIMATE IRRIGABLE ACRES  
RIVER FLOW RIGHTS - 23,000  
BOISE PROJECT RIGHTS - 40,000



**Project/File:** **Merlin Cottages/ KPP20-0014/ 20-01-PUD/20-08-S/20-06-ZC/20-05-PUD**  
*This is a rezone, a planned unit development, and preliminary plat application to allow for the development of an 88-lot mixed-use development on 5.83-acres.*

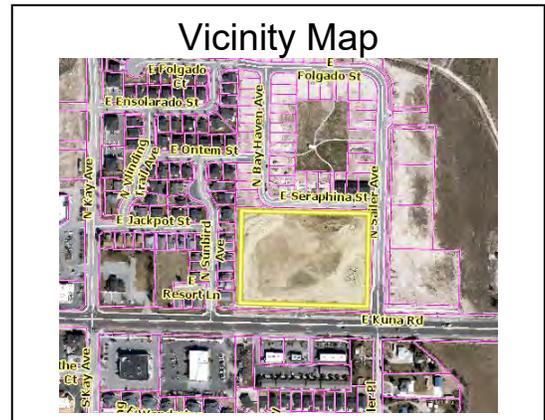
**Lead Agency:** City of Kuna

**Site address:** 115 N Sailer Avenue

**Staff Approval:** November 12, 2020

**Applicant/  
 Representative:** A Team Boise  
 Steve Arnold  
 1785 Whisper Cove Avenue  
 Boise, ID 83709

**Staff Contact:** Stacey Yarrington, Planner III  
 Phone: 387-6171  
 E-mail: [syarrington@achdidaho.org](mailto:syarrington@achdidaho.org)



## **A. Findings of Fact**

- Description of Application:** The applicant is requesting approval to rezone a portion of the site from C-1 (Neighborhood Commercial) to R-12 (High density Residential), a planned unit development, and preliminary plat application consisting of 88-lots (71 single-family lots, 12 common lots, and 5 commercial lots) for a mixed-use development on 5.83-acres.

The applicant's proposal is consistent with the City of Kuna's Future Land Use map that designates this site as Mixed Use.

- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Neighborhood Commercial	C-1
South	Medium density Residential, Area Commercial (City of Kuna) Estate Residential (Ada County)	R-6, C-2, R1
East	Neighborhood Commercial	C-1
West	Medium density Residential	R-6

- Site History:** ACHD previously reviewed this site as Merlin Pointe/13-01-AN/13-01-ZC/13-01-S/13-01-DA in August 2013. The requirements of this staff report are not consistent with those of the prior action as this site was previously zoned for commercial uses.
- Transit:** Transit services are not available to serve this site.
- New Center Lane Miles:** The proposed development includes 0.14 centerline miles of new public road.

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. The impact fee assessment will not be released until the civil plans are approved by ACHD.
7. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**  
There are no roadways, bridges or intersections in the general vicinity of the project that are in the Integrated Five Year Work Plan (IFYWP) or the District's Capital Improvement Plan (CIP).

## **B. Traffic Findings for Consideration**

1. **Trip Generation:** The residential portion of this development is estimated to generate 670 vehicle trips per day; 71 vehicle trips per hour in the PM peak hour for single-family use, based on the Institute of Transportation Engineers Trip Generation Manual, 10<sup>th</sup> edition.

### **Estimated Trip Generation for Commercial Uses:**

<b>Use (per 1,000 square feet)</b>	<b>Average Daily Trips</b>	<b>PM Peak Hour Trip Generation</b>
Drive in Bank (drive-in lanes)	124.76	27.15
Hair Salon		1.45
Convenience Market (no fuel stations)	762.28	49.11
Medical/Dental Office Building	34.80	3.46

2. **Condition of Area Roadways**

Traffic Count is based on Vehicles per hour (VPH)

<b>Roadway</b>	<b>Frontage</b>	<b>Functional Classification</b>	<b>PM Peak Hour Traffic Count</b>	<b>PM Peak Hour Level of Service</b>
**State Highway 69/ Kuna Road/Avalon Street	635-feet	Principal Arterial	708	N/A
Sailer Avenue	480-feet	Local	N/A	N/A
Seraphina Street	630-feet	Local	N/A	N/A

\*\* 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 Kuna Road west of SH-69/Meridian Road was 12,031 on 12/31/2019.
- There are no current traffic counts for Sailer Avenue and Seraphina Street.

4. **Roadways to Bikeways Master Plan:** ACHD's Roadways to Bikeways Master Plan (BMP) was adopted by the ACHD Commission in May of 2009 and was update in 2018. The plan seeks to implement the Planned Bicycle Network to support bicycling as a viable transportation option for Ada County residents with a wide range of ages and abilities, maintain bicycle routes in a state of good repair in order to ensure they are consistently available for use, promote awareness of existing bicycle routes and features and support encouragement programs and to facilitate coordination and cooperation among local jurisdictions in implementing the Roadways to Bikeways Plan recommendations.

There are no BMP roadways identified within the area of the development.

## **C. Findings for Consideration**

### **1. State Highway SH-69/ Kuna Road/Avalon Street**

SH-69/Kuna Road/Avalon Street is under the jurisdiction of the Idaho Transportation Department (ITD). The applicant, City of Kuna, and ITD should work together to determine if additional right-of-way or improvements are necessary on SH-69/Kuna Road/Avalon Street.

**Staff Comments/Recommendations:** The applicant is proposing to use an existing driveway onto SH-69/Kuna Road/Avalon Street located 355-feet west of Sailer Avenue to provide access to the commercial uses. This driveway was previously approved by ITD as part of the Merlin Pointe Subdivision development application.

### **2. Sailer Avenue**

**a. Existing Conditions:** Sailer Avenue is improved with 2-travel lanes, vertical curb, gutter, and 5-foot wide sidewalk abutting the site. There is 60-feet of right-of-way for Sailer Avenue (30-feet from centerline).

There is an existing 34-foot wide driveway located approximately 360-feet north of Kuna Road.

**b. Policy:**

**Commercial Roadway Policy:** District Policy 7208.2.1 states that the developer is responsible for improving all commercial street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

**Street Section and Right-of-Way Policy:** District Policy 7208.5 states that right-of-way widths for new commercial streets shall typically be 50 and 70-feet wide and that the standard street section will vary depending on the need for a center turn lane, bike lanes, volumes, percentage of truck traffic, and/or on-street parking.

- A 36-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and on-street parking.
- A 40-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and a center turn lane.
- A 46-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and a center turn lane and bike lanes.

**Sidewalk Policy:** District Policy 7208.5.6 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all commercial streets. If a separated sidewalk is proposed, 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.

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.

**Minor Improvements Policy:** District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

**c. Applicant's Proposal:** The applicant is proposing to close the existing driveway and construct on-street back-on parking on Sailer Avenue within ACHD right-of-way.

- d. **Staff Comments/Recommendations:** Sailer Avenue is fully improved with 2-travel lanes, vertical curb, gutter, and 5-foot wide sidewalk. Therefore, no additional right-of-way dedication or street improvements are required as part of this application.

The applicant should be required to close the existing driveway on Sailer Avenue located 360-feet north of SH-69/Kuna Road with vertical curb, gutter, and 5-foot wide sidewalk to match existing conditions on either side.

Consistent with District Minor Improvements policy, the applicant should be required to repair or replace any damaged or broken curb, gutter, and sidewalk on Sailer Avenue abutting the site.

On-street back-on parking within ACHD's right-of-way is not approved (See Finding 7 below).

### 3. Seraphina Street

- a. **Existing Conditions:** Seraphina Street is improved with 2-travel lanes, curb, gutter, and 5-foot wide sidewalk abutting the site. There is 50-feet of right-of-way for Seraphina Street (25-feet from centerline).

- b. **Policy:**

**Local Roadway Policy:** District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

**Street Section and Right-of-Way Policy:** District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

**Standard Urban Local Street—33-foot Street Section and Right-of-way Policy:** District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

**Sidewalk Policy:** District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

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.

**Minor Improvements Policy:** District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter, and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

- c. **Applicant's Proposal:** The applicant is proposing to construct on-street back-on parking on Seraphina Street within ACHD right-of-way.
- d. **Staff Comments/Recommendations:** Consistent with District Minor Improvements policy, the applicant should be required to repair or replace any damaged or broken curb, gutter, and sidewalk on Seraphina Street abutting the site.

On-street back-on parking within ACHD's right-of-way is not approved (see Finding 7 below).

#### 4. Internal Street

- a. **Existing Conditions:** There are no streets internal within the site.

- b. **Policy:**

**Local Roadway Policy:** District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

**Street Section and Right-of-Way Policy:** District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

**Standard Urban Local Street—33-foot Street Section and Right-of-way Policy:** District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

**Sidewalk Policy:** District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

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.

- c. **Applicant Proposal:** The applicant is proposing to construct a new local street, Cottage Drive/ Cottage Street as a 29-foot street section with curb, gutter, and 5-foot wide sidewalk within 40-feet of right-of-way.

The applicant is proposing to construct on-street back-on parking on Cottage Street within ACHD right-of-way abutting the site.

- d. **Staff Comments/Recommendations:** The applicant's proposal does not meet District policy and should not be approved, as proposed. The applicant should be required to construct the new local street, Cottage Drive/ Cottage Street as a 36-foot street section with curb, gutter, and 5-foot wide sidewalk within 50-feet of right-of-way. For detached sidewalk located outside of the right-of-way, the applicant should be required to provide a permanent right-of-way easement that extends from the right-of-way line to 2-feet behind the back of sidewalk.

On-street back-on parking within ACHD's right-of-way is not approved (see Finding 7 below).

## 5. Roadway Offsets

- a. **Existing Conditions:** There are no roadways within the site.

- b. **Policy:**

**Local Offset Policy:** District policy 7207.4.2, requires local roadways to align or provide a minimum offset of 125-feet from any other street (measured centerline to centerline).

District policy 7208.4.2, requires commercial roadways intersecting other local streets (residential, industrial, or commercial) to provide a minimum offset of 125-feet from any other roadway or intersection (measured centerline to centerline).

- c. **Applicant's Proposal:** The applicant is proposing to construct a new local street, Cottage Drive, to intersect Seraphina Street located approximately 80-feet east of Bay Haven Avenue and 463-feet west of Sailer Avenue.

The applicant is proposing to construct a new local street, Cottage Street, to intersect Sailer Avenue located approximately 260-feet north of Kuna Road.

- d. **Staff Comments/Recommendations:** The applicant's proposal to construct Cottage Drive, to intersect Seraphina Street located 80-feet east of Bay Haven Avenue does not meet District offset policy, which requires local streets to align or offset 125-feet. Therefore, the applicant should be required to redesign the site to locate the new local street, Cottage Drive, to meet the minimum offset requirement of 125-feet from Bay Haven Avenue.

The applicant's proposal to construct a new local street, Cottage Street, to intersect Sailer Avenue meets District policy and should be approved, as proposed.

## 6. Driveways

### 6.1 Seraphina Street

- a. **Existing Conditions:** There are two existing driveways onto Seraphina Street from the site located approximately 360-feet and 463-feet west of Sailer Avenue.

- b. **Policy:**

**Driveway Location Policy:** District policy 7207.4.1 requires driveways near intersections to be located a minimum of 75-feet (measured centerline-to-centerline) from the nearest local street intersection, and 150-feet from the nearest collector or arterial street intersection.

**Successive Driveways:** District Policy 7207.4.1 states that successive driveways away from an intersection shall have no minimum spacing requirements for access points along a local street, but the District does encourage shared access points where appropriate.

**Driveway Width Policy:** District policy 7207.4.3 states that where vertical curbs are required, residential driveways shall be restricted to a maximum width of 20-feet and may be constructed as curb-cut type driveways.

**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.4.3, 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.

- c. **Applicant's Proposal:** The applicant is proposing to close the existing driveway on Seraphina Street located approximately 360-feet west of Sailer Avenue with curb, gutter, and 5-foot wide sidewalk and to construct a new 21-foot wide driveway onto Seraphina Street located approximately 115-feet west of Sailer Avenue.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed.

## 6.2 Internal Street – Cottage Drive/Cottage Street

- a. **Existing Conditions:** There are no driveways within the site.

- b. **Policy:**

**Driveway Location Policy:** District policy 7207.4.1 requires driveways near intersections to be located a minimum of 75-feet (measured centerline-to-centerline) from the nearest local street intersection, and 150-feet from the nearest collector or arterial street intersection.

**Successive Driveways:** District Policy 7207.4.1 states that successive driveways away from an intersection shall have no minimum spacing requirements for access points along a local street, but the District does encourage shared access points where appropriate.

**Driveway Width Policy:** District policy 7207.4.3 states that where vertical curbs are required, residential driveways shall be restricted to a maximum width of 20-feet and may be constructed as curb-cut type driveways.

**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.4.3, 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.

- c. **Applicant's Proposal:** The applicant is proposing to construct shared access driveways creating drive aisles within the site to serve the single-family homes as follows:
  - Two 21-foot wide driveways in alignment on Cottage Drive located approximately 98-feet south of Seraphina Street.
  - Two 21-foot wide driveways in alignment on Cottage Drive located 245-feet south of Seraphina Street.
  - A 21-foot wide driveway located approximately 345-feet south of Seraphina Street.
  - A 21-foot wide driveway located approximately 108-feet west of Sailer Avenue.
  - A 21-foot wide driveway located approximately 270-feet west of Sailer Avenue.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed.

## 7. **Parking**

The applicant is proposing to construct on-street back-on parking stalls within ACHD's right-of-way on Sailer Avenue, Seraphina Street, and Cottage Street. These streets are either constructed as or will be constructed as 36-foot street sections that allows for 2-travel lanes and parallel on-street parking. Back-on parking areas, as proposed by the applicant, has been allowed in some locations within Ada County, typically in central business districts and would not be allowed in this location due to safety and ADA concerns. On-street parking or any parking within the right-of-way cannot be counted towards city parking requirements, as it can be removed as anytime at the discretion of ACHD. If additional guest parking is needed to serve the site, then an on-site parking lot should be provided.

## 8. **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.

## 9. **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.

## **D. Site Specific Conditions of Approval**

1. Close the existing driveway on Sailer Avenue located 360-feet north of SH-69/Kuna Road with vertical curb, gutter, and 5-foot wide sidewalk to match existing conditions on either side.
2. Repair or replace any damaged or broken curb, gutter, and sidewalk on Sailer Avenue and Seraphina Street abutting the site.
3. Construct Cottage Drive/ Cottage Street as a 36-foot street section with curb, gutter, and 5-foot wide sidewalk within 50-feet of right-of-way. For detached sidewalk located outside of the right-of-way, provide a permanent right-of-way easement that extends from the right-of-way line to 2-feet behind the back of sidewalk.
4. On-street back-on parking is within the right-of-way is prohibited on all roadways.
5. Construct Cottage Drive to intersect Seraphina Street and offset Bay Haven Avenue by a minimum of 125-feet.
6. Construct Cottage Street to intersect Sailer Avenue located 260-feet north of Kuna Road.
7. Construct a 21-foot wide curb cut type driveway onto Seraphina Street located 115-feet west of Sailer Avenue.
8. Close the existing driveway located 360-feet west of Sailer Avenue with curb, gutter, and 5-foot wide sidewalk.
9. Construct the shared driveways as curb cut type driveways to create drive aisles within the site as follows:
  - Two 21-foot wide driveways in alignment on Cottage Drive located approximately 98-feet south of Seraphina Street.

- Two 21-foot wide driveways in alignment on Cottage Drive located 245-feet south of Seraphina Street.
  - A 21-foot wide driveway located approximately 345-feet south of Seraphina Street.
  - A 21-foot wide driveway located approximately 108-feet west of Sailer Avenue.
  - A 21-foot wide driveway located approximately 270-feet west of Sailer Avenue.
10. Submit civil plans to ACHD Development Services for review and approval. The impact fee assessment will not be released until the civil plans are approved by ACHD.
  11. Payment of impact fees is due prior to issuance of a building permit.
  12. 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. Appeal Guidelines

VICINITY MAP





# 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](http://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 Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
  - a. **Filing Fee:** The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
  - b. **Initiation:** An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
  - c. **Time to Reply:** The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
  - d. **Notice of Hearing:** Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
  - e. **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.



CITY OF KUNA  
P.O. BOX 13  
KUNA, ID 83634  
[www.kunacity.id.gov](http://www.kunacity.id.gov)

Paul A. Stevens, P.E.  
Kuna City Engineer

## PRELIMINARY PLAT MEMORANDUM

**Date:** 2 December 2020  
**From:** Paul A. Stevens, P.E.  
Catherine Feistner, E.I.T.  
**To:** Jace Hellman, Planning and Zoning Director  
**RE:** Merlin Pointe Cottages – 20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat), 20-06-ZC (Rezone), 20-05-SUP (Special Use Permit)

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The Merlin Pointe Cottages Subdivision and associated commercial dated 12 October 2020 has been reviewed. The application provides a narrative explaining the developers vision for the space, vicinity map, aerial map, legal description with exhibit, Declaration of Covenants, Conditions, and Restrictions, affidavit of legal interest, warranty deed, commitment to property posting, preliminary plat, landscape plan and neighborhood meeting certification. These comments apply to the preliminary plat, planned unit development, and rezone as they affect public works infrastructure.

Landscaping, population density, parking requirements, emergency access, intense pedestrian and vehicular traffic in the proposed City of Kuna R-12 (High Density Residential) and C-1 (Neighborhood Commercial) zone and similar topics are evaluated by the Planning and Zoning Department. Review and evaluation of civil design drawings is accomplished separately, when received.

These comments may be expanded or refined based on future land-use actions. The following comments apply considering current, effective requirements:

### 1. Inspection Fees

- a. An inspection fee will be levied for City inspection of water, sewer and irrigation facilities construction associated with this development. The current inspection fee is \$1.00 per lineal foot of sewer, water and pressure irrigation pipe. Payment is due and payable prior to City's approval of final construction plans. Site work shall not begin until all fees are paid.
- b. The developer shall retain a qualified responsible, Idaho registered professional engineer to provide sufficient inspection to certify to DEQ that the project was completed in accordance

with approved plans and specifications and to provide accurate as-built drawings to the City. IDAPA 10.01.02 lists the professional engineer's project responsibilities.

- c. The developer's engineer and the City's inspector are encouraged to coordinate inspections.
- d. The Kuna Rural Fire District's current hydrant flow testing and plat base fee are \$300.00 and \$75.00 respectively. Payment is due and payable prior to the pre-construction meeting.

## **2. General**

- a. The Merlin Pointe Cottages Subdivision site is 5.83 acres and is currently zoned C-1 (City of Kuna Neighborhood Commercial).
- b. 'A-Team Land Consultants' requests to rezone 4.83 acres to City of Kuna R-12 (High Density Residential).
- c. 'A-Team Land Consultants' proposes 71 single family homes and 5 retail/commercial lots.
- d. Equivalent Dwelling Units (EDUs) are reckoned at approximately 3.18 people per household. At this rate the projected population for this subdivision will be approximately 226 people or 47 people per acre. A commensurate impact on the City of Kuna's sewer, water, and pressurized irrigation will result.
- e. 'A-Team Land Consultants' proposes 2.19 acres of common landscape area, 0.57 acres of backloaded drive aisles, 1.38 acres of cottages, 1.02 acres of commercial, and 0.67 acres of right of way.
- f. 'A-Team Land Consultants' proposes two (2) access to Seraphina Street to the north and one (1) access to N. Sailor Avenue.
- g. Areas for outside activities are incorporated into the project. Connection to the City of Kuna pathways presents a long-term goal that should be considered.
- h. A plan approval letter will be required if this project affects any local irrigation districts.
- i. Elevations shall be actual NAVD 88 datum elevations. A localized elevation system is not acceptable.
- j. All positional information shall be from the most recent state plane coordinate system.
- k. Provide engineering certification on all final engineering drawings.
- l. The City of Kuna requires streetlights in all subdivisions. Streetlights are required along arterial roads bordering the subdivision, at the entrances of the subdivision, at intersections, and at every 250' interval. Streetlights should coincide with Fire Hydrants whenever possible.
- m. Kuna Rural Fire District (KRFD) requires fire hydrants at 500-foot intervals.

## **3. Right-of-Way**

- a. Merlin Pointe Subdivision will impact travel on E. Kuna Road and adjoining roads.
  - a. All street construction must meet or exceed ACHD and City of Kuna development standards.
  - b. Sufficient right-of-way for existing and future classified streets shall be provided pursuant to City & ACHD standards.
  - c. Approaches onto classified streets must comply with ACHD and City of Kuna approach policies.
  - d. Sidewalk, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, shall be provided in connection with property development.
  - e. All city mainlines crossing proposed lots, running along the back of lots and sides of lots shall have easements that allow the City of Kuna to access and maintain the utilities.

- f. All mainlines owned by the development shall be placed in easements large enough to allow maintenance and repairs.

#### **4. Sanitary Sewer**

- a. The applicant's property is not connected to City services and is subject to connection fees for the ultimate connected sewer load. City Code 6-4-2-O requires Planned Unit Developments (PUD) and master planned communities to have a master utility plan that addresses sanitary sewer issues. City code 5-16-3-B.2 states public sewer utilities shall be extended to each parcel when sewer is available within three hundred (300) feet of the parcels.
- b. There is sewer mainline surrounding the site on E. Seraphina St, N. Sailer Ave, and north of E. Avalon St. The sewage flows to Orchard Lift Station, which has available capacity.
- c. The developer may be requested to participate with lift station and/or force main improvements.
- d. All sewer infrastructure must meet or exceed City of Kuna requirements.
- e. Sewer flow models will be required to verify pipe sizes.
- f. Sewer connection fees apply to each lot containing a home or other facility.
- g. All existing sewage treatment facilities (septic tank and drain field) must be decommissioned in accordance with Idaho Department of Environmental Quality requirements. Documentation shall be provided to the City of Kuna.
- h. This application shall conform to the sewer master plan as applicable. The sewer master plan specifies minimum pipe sizes and supports the "to and through" utility policy.

#### **5. Potable Water**

- a. The applicant's property is not connected to City services and is subject to connection fees for the ultimate connected water demand. City Code 6-4-2-X requires PUDs and master planned communities to have a master utility plan that addresses potable water issues. City code 5-16-3-B.2 states public water utilities shall be extended to each parcel when water is available within three hundred (300) feet of the parcels.
- b. There is water mainline surrounding the site on E. Seraphina St, N. Sailer Ave, and north of E. Avalon St.
- c. All water infrastructure must meet or exceed City of Kuna requirements.
- d. Water flow models will be required to verify adequate water supply and fire suppression.
- e. Water connection fees apply to each lot containing a home or other facility.
- f. All existing wells shall be abandoned in accordance with Idaho Department of Water Resources (IDWR) requirements. Documentation shall be provided to the City of Kuna.
- g. This application shall conform to the water master plan as applicable.
- h. Fire hydrants are required in a layout acceptable to the KRFD.

#### **6. Pressurized Irrigation**

- a. The applicant's property is not connected to the City's pressurized irrigation system. Relying on drinking water for irrigation purposes is contrary to City Code 6-4-2-I.
- b. All pressurized irrigation infrastructure shall meet or exceed City of Kuna standards.
- c. This project requires connection to the City's Pressurized Irrigation system.

- d. There is PI mainline south of the site, north of E. Avalon St.
- e. Annexation into the municipal irrigation district and pooling of water rights is a requirement of the final plat approval.
- f. Existing irrigation ditches (supply & drain) must be relocated as needed and as approved by the irrigation ditch company/users.
- g. Pressurized irrigation flow model will be required to verify adequate pressurized irrigation supply.
- h. All residential, common lots and open areas with irrigation are required to connect to the pressurized irrigation system and to pay the associated connection fee.
- i. This application shall be conditioned to conform to the Pressure Irrigation Master Plan where applicable.

## **7. Grading and Storm Drainage**

- a. 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. The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for design of private storm water disposal systems.
- c. Sidewalk, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, shall be provided in connection with property development.
- d. Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties. Slopes shall not be steeper than 3:1 on lots adjacent to a street or common lot and no steeper than 4:1 for lots with common rear lot lines.
- e. Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties.
- f. Runoff from public right-of-way is regulated by ACHD. On site storm water retention shall be reviewed in conjunction with the City's Civil Engineering Construction Improvements Review. Provide a storm water disposal & treatment plan which accounts for increased on-site storm water runoff volumes. Provide detailed drawings of drainage & treatment facilities with supporting calculations for review and approval.

## **8. As-Built Drawings**

- a. 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 preliminary plat and supporting documents as part of the application.

**LEGAL NOTICE****File #'s 20-01-PUD, 20-08-S, 20-06-ZC, 20-05-SUP  
& 20-22-DR, Merlin Cottages**

NOTICE IS HEREBY GIVEN, that the Kuna Planning and Zoning Commission will hold a public hearing, Tuesday, December 8, 2020 at 6:00 pm, or as soon as can be heard at Kuna City Hall, 751 W. 4th St, Kuna, ID; in connection with a request from A Team Land Development and Real Estate Services for Planned Unit Development approval for an approximately 5.83-acre parcel, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts. Applicant requests Pre-Plat approval in order to subdivide the approximate 5.83-acres into 88 total lots (71 single family, 12 common, and 5 commercial). The subject site is located at 115 N Sailer Avenue, Kuna, ID 83634, within Section 24, Township 2 North, Range 1 West; (APN: R5672430040).

Please do not contact the Planning & Zoning Commission or City Council including the Mayor as this may jeopardize the public hearing process since it is considered ex parte. If you have any questions or require special accommodations, please contact Kuna Planning & Zoning Department prior to the meeting at (208) 922-5274.

The public is invited to provide written or oral testimony. Due to current health precautions associated with the Coronavirus, the City of Kuna is providing alternative ways for the community to submit comments at public hearings.

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

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

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

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

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

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

1. Submit request no later than noon the day of the Public Hearing meeting.
2. Email [PublicHearingTestimony@KunalD.gov](mailto:PublicHearingTestimony@KunalD.gov)
  - √ Your name
  - √ Address
  - √ Phone Number you will be calling from to give testimony
  - √ Email Address
  - √ Date of Public Hearing
  - √ Case number or Identification of Public Hearing
3. Watch your email for a reply email with the information to join the meeting electronically. (Check your spam/junk folder as a precaution)
4. Follow the dial in information.
5. Call into the virtual lobby a minimum of 5 minutes prior to the meeting.

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

Due to social distancing protocol, the Council Chambers Audience Occupancy Capacity is 15. Social Distancing and masks will be required. The first 15 persons who appear will be allowed in Council Chambers. All other persons may access the meeting via Live Streaming on the City of Kuna Facebook page, <https://www.facebook.com/CityofKunalDaho/>. All persons wishing to testify must, state their name and residential address. A three (3) minute time limit will be placed on all testimonies.

Kuna Planning & Zoning Department

November 18, 2020

49571



**CITY OF KUNA**  
PLANNING & ZONING DEPARTMENT

751 West 4<sup>th</sup> Street  
P.O. Box 13  
Kuna, ID 83634  
Phone: 208-922-5274  
Fax: 208-922-5989  
[www.kunacity.id.gov](http://www.kunacity.id.gov)

**CERTIFICATE OF MAILING**

Date: 11/18/2020  
To:  400' Property Owners     Other \_\_\_\_\_  
Planner: Doug Hanson, Planner I  
Case Name: 20-01-PUD, 20-06-ZC, 20-08-S, 20-05-SUP and 20-22-DR – Merlon Cottages

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I HEREBY CERTIFY that on this 18<sup>th</sup> day of November, 2020, I caused a true and correct copy of the foregoing instrument to be deposited in the United States mail, with prepaid postage.

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Attest

City of Kuna  
Planning and Zoning  
PO Box 13  
Kuna, ID 83634

NEOPOST  
11/18/2020  
US POSTAGE \$000.00<sup>0</sup>  
FIRST-CLASS MAIL  
ZIP 83634  
041M11460992

# LEGAL NOTICE

## Suggestions For Testifying at the Public Hearing:

### **Social distancing due to Covid-19...**

Under the authority of the Governor's partial Open Meeting Law Suspension Proclamation dated March 13, 2020, and due to required social distancing protocol, the Council Chambers Audience Occupancy Capacity is 15. The first 15 persons who appear, in addition to the Governing Body and Staff, will be allowed in Council Chambers. Virtual participation/ testimony via zoom is available (please see attached instructions for more details). All other persons may access the meeting via live streaming on the City of Kuna's Facebook page.

### **Be informed . . .**

Review the proposal, staff report, applicable provisions of the ordinance, comprehensive plan and Idaho State Code (Title 67, Chapter 65).

All items pertaining to the application can be found the Friday prior to the hearing at <http://kunacity.id.gov/240/Agendas-and-Meeting-Minutes>.

### **Be on time . . .**

Although the item you are interested in may not be first on the agenda, you never know when it will be heard. The governing body has authority to adjust the schedule according to its discretion. Thus, anticipate attending from the beginning.

### **Speak to the point . . .**

The governing body appreciates pertinent, well organized, factual and concise comments. Redundant testimony is prohibited. The developer or their representative is given 10 minutes to present their project. Others wishing to testify are given three (3) minutes. The developer (or their representative) is given additional time for rebuttal to address issues raised during public testimony. Long stories, abstract complaints, or generalities may not be the best use of time. Neighborhood groups are encouraged to organize testimony and have one (1) person speak on behalf of the group. The group representative will receive 10 minutes to make comments.

### **If you don't wish to speak, write . . .**

Written testimony submitted one (1) week prior to the hearing will be included in the packet that is distributed to the governing body prior to the hearing. Please submit all written testimony via mail, email or the City's website (<http://kunacity.id.gov/Form-Center/City-Clerk-13/Public-Testimony-Form-121>)

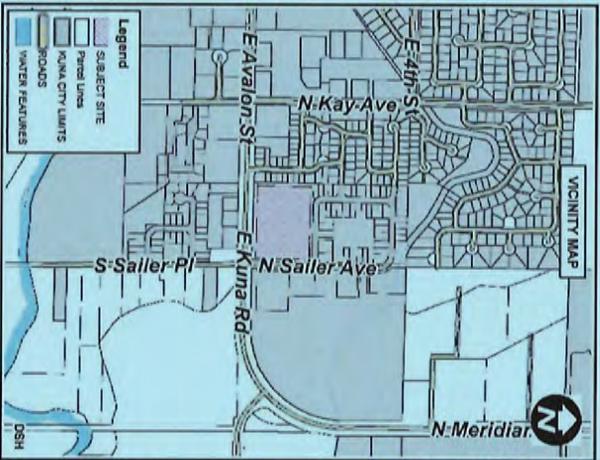
Late submissions will be presented to the governing body at time of hearing. As a reminder, it is unreasonable to submit extensive written comments or information at the hearing and expect them to be reviewed prior to a decision.



**CITY OF KUNA**  
**PLANNING & ZONING DEPARTMENT**  
 PO Box 13 • 751 W. 4th St • Kuna, Idaho • 83634  
 Phone (208) 922-5274 • Fax: (208) 922-5989  
[www.kunacity.id.gov](http://www.kunacity.id.gov)

Dear Property Owner:

**NOTICE IS HEREBY GIVEN** that the City of Kuna Planning and Zoning Commission is scheduled to hold a public hearing on **December 8, 2020**, beginning at **6:00 pm** on the following case:



A Team Land Development and Real Estate Services requests Planned Unit Development approval for an approximately 5.83-acre parcel, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts. The applicant requests preliminary plat approval in order to subdivide the approximate 5.83-acres into 88 total lots (71 single family, 12 common, and 5 commercial). The subject site is located at 115 N Sailer Avenue, Kuna, ID 83634, within Section 24, Township 2 North, Range 1 West; (APN: R5672430040).

The hearing will be held at **6:00 PM** in the Council Chambers at City Hall located at **751 W. 4th Street, Kuna, Idaho**.

Under the authority of the Governor's partial Open Meeting Law Suspension Proclamation dated March 13, 2020, and due to required social distancing protocol, **the Council Chambers Audience Occupancy Capacity is 15**. The first 15 persons who appear, in addition to the Planning and Zoning Commission and staff, will be allowed in Council Chambers. Virtual participation/testimony via Zoom and the submittal of written testimony are available as alternative forms of public testimony

(please see attached instructions for more details). Written testimony received by the close of business on **December 2, 2020** will be included in the packet that is distributed to the governing body prior to the hearing. Please submit written testimony via mail, email or the City's website (<http://kunacity.id.gov/FormCenter/City-Clerk-13/PUBLIC-Testimony-Form-121>). Late submissions will be presented to the governing body at time of the hearing.

All other persons may access the meeting via live streaming on the City of Kuna's Facebook page.

Mail written comments to PO Box 13, Kuna, ID 83634 or hand deliver them to City Hall.

If you have questions or need special assistance, please contact the Planning and Zoning Division at (208) 922-5274, or email [dhanson@kunaid.gov](mailto:dhanson@kunaid.gov).



# MERLIN COTTAGES

MAILED 11/18/2020



**With the City Hall limited seating capacity to the public due to COVID-19, the Kuna Planning and Zoning Commission will be holding a virtual public hearing on 20-01-PUD, 20-06-ZC, 20-05-SUP and 20-22-DR; Merlin Cottages. The instructions and options available for public testimony are listed below.**

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

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

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

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

1. Submit any below stated option prior to noon the day of the Public Hearing meeting. *Late submissions will not be included.*
2. Submit testimony via our website on the [Public Testimony Form](#)  
[Kunacity.id.gov](#) > *Doing Business* > *Forms and Applications* > *Frequently Requested Applications and Forms* > *ONLINE Public Testimony Form*
3. Submit testimony via email to [PublicHearingTestimony@KunaID.gov](mailto:PublicHearingTestimony@KunaID.gov)
4. Submit via mail to:  
City of Kuna  
Attention: Planning and Zoning Department  
PO Box 13  
Kuna ID 83634

**Oral – Via electronic call is allowed based on Governor Little’s Open Meeting Law suspension proclamation of March 13, 2020, until testimony in person is allowed.**

1. Submit request no later than noon the day of the Public Hearing meeting.
2. Email [PublicHearingTestimony@KunaID.gov](mailto:PublicHearingTestimony@KunaID.gov)
  - ✓ Your name
  - ✓ Address
  - ✓ Phone Number you will be calling from to give testimony
  - ✓ Email Address
  - ✓ Date of Public Hearing
  - ✓ Case number or Identification of Public Hearing
3. Watch your email for a reply email with the information to join the meeting electronically. (Check your spam/junk folder as a precaution)
4. Follow the dial in information.
5. Call into the virtual lobby a minimum of 5 minutes prior to the meeting.



# City of Kuna PROOF OF PROPERTY POSTING

City of Kuna  
P.O. Box 13  
Kuna, Idaho 83634

Phone: (208) 922-5274  
Fax: (208) 922-5989  
Web: [www.kunacity.id.gov](http://www.kunacity.id.gov)

This notice shall confirm that the Public Hearing Notice for Merlin Cottage Subdivision  
(**NAME OF SUBDIVISION OR ADDRESS**) was posted as required per Kuna City Ordinance  
5-1A-8. Sign posted Tuesday, November 24, 2020. (**DAY OF THE WEEK, MONTH,  
DATE AND YEAR**). This form is required to be returned three (3) calendar days  
subsequent to posting and signs are to be removed from the site three (3) calendar  
days after the hearing.

DATED this 30th. day of November, 2020.

Signature,

  
Owner/Developer /Realtor

STATE OF IDAHO )  
 ) : ss  
County of Ada )

On this 30th day of November, 2020, before me the  
undersigned, a Notary Public in and for said State, personally appeared before me  
(Owner, Developer) /Realtor, LeAnna Arnold

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

  
\_\_\_\_\_  
Notary Public  
Residing at Boise  
Commission Expires February 17, 2021



# CITY OF KUNA PUBLIC HEARING NOTICE

## **Kuna Planning and Zoning Commission**

THE CITY OF KUNA will hold a public hearing on  
December 8, 2020 at the Kuna City Hall, at 6:00 p.m.

**PURPOSE:** Planned Unit Development, Rezone,  
Subdivision, Special Use Permit - Merlin Point Cottages,  
Zoning – C-1 & R-12, Subdivision of 5.83 acres, 71 single  
family lots, 12 common lots and 5 commercial lots.

**LOCATION:** NW corner of Sailer Avenue and Avalon Street

**APPLICATION BY:** A-Team Land Consultants

**CITY CONTACT:** Doug Hanson - 208.922.5274

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received  
12.2.20

Roberta Sailer  
PO Box 82  
Kuna Idaho 83634-0082

December 2, 2020

City of Kuna  
Planning & Zoning  
PO Box 13  
Kuna Idaho 83634

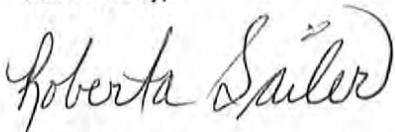
Re: Merlin Cottages Addition

Dear Commissioners:

I am neither in favor of or opposed to the applicants request for the subject site located at 115 N Sailer Avenue, Kuna, Idaho.

My concern is the three proposed streets that dead end at the perimeter landscaping on the west side of the development. During the neighborhood meeting that was held virtually on July 14, 2020, I questioned the lack of space for a fire trucks to turn around at the western end of the three streets in question. Steve Arnold told me at that time that the fire trucks could just back out of the streets. I was under the impression that fire trucks require an area large enough to turn around and exit without backing out. What about delivery trucks? In my opinion, it is clearly a safety issue having large vehicles backing out of residential streets.

Yours truly,



Roberta Sailer

Exhibit  
C1