

OFFICIALS

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



CITY OF KUNA
Kuna City Hall Council Chambers, 751 W 4th Street, Kuna, Idaho 83634

Planning & Zoning Commission Meeting
AGENDA
Tuesday April 13, 2021

6:00 PM REGULAR MEETING

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

1. CALL TO ORDER & ROLL CALL:

2. CONSENT AGENDA: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS

All items listed under the Consent Agenda are considered to be routine and are acted on with one motion by the Commission. There will be no separate discussion on these items unless the Chairman, Commissioner, or City Staff requests an item to be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda under Business or as instructed by the Commission.

- A. Regular Planning and Zoning Commission Meeting Minutes Dated March 23, 2021
- B. Findings of Fact and Conclusions of Law
 - I. Case No. 21-03-DR (Design Review) Kuna Market Village – Jessica Reid, Planning Services Specialist **ACTION ITEM**

3. PUBLIC HEARINGS: (6:00 PM or as soon thereafter as matters may be heard.)

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. To learn more about the process for written or oral testimony, please contact the Planning and Zoning Department at (208) 922-5274.

- A. Case Nos. 20-07-AN (Annexation), 20-16-S (Preliminary Plat) & 20-25-DR (Design Review) Arrowwood Heights Subdivision – Troy Behunin, Senior Planner **ACTION ITEM**

Wendy Shrief of JUB Engineers on behalf of Hayden Homes, requests to Annex approximately 53.16 acres into Kuna City Limits with an R-6 (Medium Density Residential), R-8 (Medium/High Density Residential) and C-1 (Neighborhood Commercial) Zoning Districts. In addition, Applicant requests to subdivide approximately 41.3 acres into 177 Single-Family Residential lots (approx. 33.71 acres R-6, approx. 7.59 acres R-8), 26 Common Lots, and 4 shared driveways; the approximately 9.79 acres of Commercial will remain as an out parcel to be developed in the future. The project proposes a Net Density of 7.93 DUA (Dwelling Units per Acre) & 4.29 Gross DUA, with 16% open space. The subject site is located at 7445 S Ten Mile Road, Kuna, ID 83634, within Section 3, Township 2 North, Range 1 West (APN: S1303417354).

Staff requests this item be tabled to a date certain of April 27, 2021 due to having not received critical agency comments.

B. Case No. 21-01-CPF (Combined Preliminary & Final Plat) Willa Fields Subdivision – Doug Hanson, Planner II ACTION ITEM

Joel Hirtle requests approval for a Combined Preliminary & Final Plat in order to subdivide approx. 2.00 ac. into two single family residential lots. The property is zoned R-6 (Medium Density Residential) within Kuna City Limits. The subject site is located at 1220 S Ash Avenue, Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APN: R5070501193).

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Potential Motions:

Consideration to either:

Option 1: *Recommend Approval or Denial of Case No. 21-01-CPF (Combined Preliminary & Final Plat) and Close the Public Hearing*

Option 2: *Continue Public Hearing to a Date Certain*

C. Case No. 21-02-AN (Annexation) Markovetz – Jessica Reid, Planning Services Specialist ACTION ITEM

Michelle Carroll with City of Trees Real Estate, on behalf of her clients Donald & Carol Markovetz, requests to Annex approx. 33.02 ac. into Kuna City Limits with an R-8 (Medium/High Density Residential) zoning designation. (APNs: R5462680010, R5462680020, R5462680070, R5462680100 & R5462680110).

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Potential Motions:

Consideration to either:

Option 1: *Recommend Approval or Denial of Case No. 21-02-AN (Annexation) and Close the Public Hearing*

Option 2: *Continue Public Hearing to a Date Certain*

4. BUSINESS ITEMS:

None

5. ADJOURNMENT:

OFFICIALS

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



CITY OF KUNA
Kuna City Hall Council Chambers, 751 W 4th Street, Kuna, Idaho 83634

Planning & Zoning Commission Meeting
MINUTES
Tuesday March 23, 2021

6:00 PM REGULAR MEETING

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

1. CALL TO ORDER & ROLL CALL:

(Timestamp 00:09:20)

COMMISSION MEMBERS PRESENT:

Chairman Lee Young – Via Zoom
Vice Chairman Dana Hennis – In Person
Commissioner Stephen Damron – In Person
Commissioner Cathy Gealy – In Person
Commissioner Tyson Garten – Absent

CITY STAFF PRESENT:

Bill Gigray, City Attorney – Via Zoom
Jace Hellman, Planning & Zoning Director – In Person
Lisa Holland, Economic Development Director – In Person

2. CONSENT AGENDA: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS

All items listed under the Consent Agenda are considered to be routine and are acted on with one motion by the Commission. There will be no separate discussion on these items unless the Chairman, Commissioner, or City Staff requests an item to be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda under Business or as instructed by the Commission.

A. Regular Planning and Zoning Commission Meeting Minutes Dated March 9, 2021

B. Findings of Fact and Conclusions of Law

- 1.** Case No. 20-04-SUP (Special Use Permit) for Gerla Commercial Group Daycare – Jessica Reid, Planning Services Specialist **ACTION ITEM**
- 2.** Case Nos. 20-12-S (Preliminary Plat) & 20-20-DR (Design Review) for Lugarno Terra North – Doug Hanson, Planner II **ACTION ITEM**
- 3.** Case No. 20-28-DR (Design Review) Trimjoist Manufacturing Facility – Jessica Reid, Planning & Zoning Specialist **ACTION ITEM**
- 4.** Case No. 21-02-DR (Design Review) for Multi-tenant Building – Jessica Reid, Planning Services Specialist **ACTION ITEM**

Motion To: Approve the Consent Agenda
Motion By: Commissioner Hennis
Motion Seconded: Commissioner Damron
Further Discussion: None
Voting No: None
Absent: 1
Motion Passed: 4-0-1, Commissioner Garten was absent

3. PUBLIC HEARINGS: (6:00 PM or as soon thereafter as matters may be heard.)

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. To learn more about the process for written, oral or virtual testimony, please follow the directions above or contact the Planning and Zoning Department at (208) 922-5274.

None

4. BUSINESS ITEMS:

(Timestamp 00:10:10)

- A.** Consideration to approve Case No. 21-03-DR (Design Review) Kuna Marketplace Village – Jessica Reid, Planning Services Specialist **ACTION ITEM**

Lisa Holland, Economic Development Director, requests Design Review approval for Kuna Marketplace Village, a multi-phased retail development, and associated landscaping. The proposed marketplace will consist of approximately twenty-nine (29) small retail storefronts and twelve (12) food truck parking spaces; located behind the old 4th Street Gym at 571 W 4th Street. The approximately 120 Square Foot, temporary retail spaces will be placed in small groups and situated around a community plaza space to be landscaped and maintained by the Kuna Parks Department.

(Timestamp 00:10:25)

Planning Services Specialist Jessica Reid addressed the Commission, notifying them of a correction in the name of the case. Ms. Reid proceeded to present an overview of the project.

(Timestamp 00:11:42)

Economic Development Director Lisa Holland provided specific details regarding the project, its origination, its partnerships, and its construction.

(Timestamp 00:19:25)

The Commissioners asked questions regarding parking, maintenance plans for the units, the role of students within construction and public restroom facilities. Ms. Holland provided answers.

(Timestamp 00:22:00)

The Commission proceeded to their deliberation.

Motion To: Approve Case No. 21-03-DR (Design Review) for the Kuna Market Village, with the Conditions as outlined in the staff report.

Motion By: Commissioner Hennis

Motion Seconded: Commissioner Damron

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 4-0-1, Commissioner Garten was absent

5. **ADJOURNMENT:**

(Timestamp 00:25:22)

Planning & Zoning Director Jace Hellman reminded the Commission of the upcoming Legal 101 Workshop, with City Council, taking place on April 2, 2021. City Attorney Bill Gigray stated he was looking forward to the Workshop.

Motion To: Adjourn

Motion By: Commissioner Hennis

Motion Seconded: Commissioner Damron

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 4-0-1, Commissioner Garten was absent

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Jace Hellman, Planning and Zoning Director
Kuna Planning and Zoning Department

1.2 Public Meeting

1.2.1 The Planning and Zoning Commission heard this on March 23, 2021. The FCO's have been requested to go to the Commission April 13, 2021.

1.3 Testimony

1.3.1 Those who testified at the Commissions March 23, 2021 meeting are as follows, to-wit:

1.3.1.1 City Staff:
Jessica Reid, Planning Services Specialist

1.3.1.2 Appearing for the Applicant:
Lisa Holland, Economic Development Director

II DECISION

WHEREUPON THE PLANNING AND ZONING COMMISSION being duly informed upon the premises and having reviewed the record, evidence, and testimony received and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

III FINDINGS OF FACT

3.1 Findings Regarding Design Review

3.1.1 The Applicant has submitted a complete application, and following staff review for technical compliance and Commission review of the Design Review, the application appears to be in general compliance with the design requirements listed in KCC Title 5, Chapter 9.

3.1.2 Upon staff review, the buildings appear to be in compliance with design standards.

3.1.3 Upon review, staff finds the Kuna Marketplace Village is an appropriate fit for the properties CBD (Central Business District) zoning designation.

3.1.4 The existing gravel parking lot provides ample space for patrons as well as providing sufficient ADA accessible parking stalls. The fully improved parking lot located at Kuna City hall, 751 W 4th Street, is one (1) block away and will provide for overflow parking.

3.1.5 The Applicant has proposed a plaza style green space in which the project will be centered around, as well as pedestrian walkways throughout the marketplace.

- 3.1.6** The proposed project is to be constructed around a central, plaza style green space and will provide pedestrian walkways throughout the site. Additionally, picnic tables and restroom facilities will be provided for the public. All landscaping appears to meet current design standards; maintenance of the landscaping will be performed by the City of Kuna Parks and Recreation Department.
- 3.1.7** Minimal to no grading is required but slight evening of the surface may be required to ensure units are level.
- 3.1.8** Staff has reviewed the application and finds that the proposed units, parking lot & landscaping generally appears to conform to Kuna City Code Title 5, Chapter 4, Design Review Overlay District, as well as conforms to the Kuna architectural guidelines and parking standards.

3.2 Testimony of City Staff

- 3.2.1 Conclusions:** The Planning Services Specialist, in a staff report to the Planning and Zoning Commission dated March 23, 2021, confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:
 - 3.2.1.1** This application is a request for approval of Design Review for the construction of the proposed Kuna Market Village, twenty-nine (29) retail units, 12 food truck parking spaces, entertainment stage, landscaping, and parking areas.
 - 3.2.1.2** The subject site lies on the southern half of the Old 4th Street Gym parcel, located at 571 W 4th Street, Kuna, ID, 83634.
 - 3.2.1.3** The proposed project will be developed in partnership with Kuna Joint School District No. 3, and provides the opportunity for Home Occupation based businesses to operate a small retail storefront.
 - 3.2.1.4** The proposed twenty-nine (29), approximately 120 Square Foot, retail units will be constructed by Kuna High School Students under the leadership of local developers. Unit elevations will consist of hardboard or cottage lap siding in a variety of colors, white vinyl French door on the front, a white vinyl window on the back, and gray shingles. All retail units are proposed to be constructed on temporary foundations.
 - 3.2.1.5** The proposed project is to be constructed around a central, plaza style green space with grass, and will provide recycled asphalt pedestrian walkways throughout the site. Additionally, picnic tables and three (3) restroom facilities will be provided for the public. Installation and maintenance of landscaping will be performed by the City of Kuna Parks and Recreation Department.
 - 3.2.1.6** The existing gravel parking lot provides ample space for patrons as well as providing sufficient ADA accessible parking stalls. The fully

improved parking lot located at Kuna City hall, 751 W 4th Street, is one (1) block away and will provide for overflow parking.

3.2.1.7 The proposed project will be developed in two (2) phases; Phase No. 1 to occur in 2021 and Phase No. 2 to occur in 2022. The first Phase will consist of twelve (12) units arranged in small adjacent groups, surrounding the landscaped plaza. The perimeter is proposed to be fenced with six (6) foot, black powder-coated chain-link to match the existing fencing.

3.2.2 Staff Recommendations: As a result of the review, Planning Services Specialist, Jessica Reid, recommended approval of the applications with the following conditions:

3.2.2.1 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:

3.2.2.1.1 No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the civil plan.

3.2.2.1.2 The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.

3.2.2.1.3 The City shall approve any modifications to the existing irrigation system.

3.2.2.1.4 Approval from Ada County Highway District/Impact Fees, if any, shall be paid *prior to issuance* of building permits.

3.2.2.2 The City Engineer shall review and approve all Civil Plans.

3.2.2.3 The Applicant shall obtain separate electrical and plumbing permits *prior* to construction.

3.2.2.4 This development is subject to building and Landscaping Design Review Inspections *prior* to issuance of building permits.

3.2.2.5 The Landowner/Applicant/Developer, and any future assigns having interest in the subject property, shall fully comply with all conditions of development as approved by the Planning and Zoning Commission, or seek amending them through the Design Review process.

3.2.2.6 Applicant shall follow staff, City Engineer and other agency recommended requirements, as applicable.

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

**IV
CONCLUSIONS OF LAW**

- 4.1** City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50, Idaho Code.
- 4.2** The Kuna Planning and Zoning Commission has the decision-making authority over all Legislative Design Review applications as provided in Kuna City Code Title 1, Section 14, Section 3.
- 4.3** Kuna City Code Title 5, Chapter 4, Section 2 provides that:

This chapter applies to all proposed development located within the design review overlay district which shall include the entire city limits, and any land annexed into the city after the date of adoption hereof. Such development includes, but is not limited to, new commercial, industrial, institutional, office, multifamily residential projects, common areas, subdivision signage, proposed conversions, proposed changes in land use and/or building use, or exterior remodeling, exterior restoration, and enlargement or expansion of existing buildings, signs or sites, and requires the submittal of a design review application pursuant to this chapter and fee as prescribed from time to time by the city council.

**V
ORDER OF APPROVAL OF APPLICATION FOR DESIGN REVIEW**

The Kuna Planning and Zoning Commission, having reviewed the above-entitled record, having listened to the arguments and presentations at the public meeting, and being fully informed in the premises and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, DO HEREBY APPROVE:

- 5.1** Case No. 21-03-DR (Design Review) for the Kuna Market Village.

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna at its regular meeting held on the 13th day of April, 2021.

Lee Young, Chairman



751 W 4th Street | Kuna, ID | 83634
(208) 922-5274 | www.kunacity.id.gov
EXHIBIT CHECKLIST



Case Name: Willa Fields
Case No.(s): 21-01-CPF (Combo Plat)

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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: 21-01-CPF (Combination Plat) – Willa Fields

Site Location: 1220 S Ash Avenue, Kuna, ID 83634

Planner: Doug Hanson, Planner II

Hearing Date: April 13, 2021

Owner: Verna Robinson
1220 S Ash Avenue
Kuna, ID 83634

Applicant: Joel Hirtle
535 S Retort Place
Kuna, ID 83634
208.810.5614
joelh@cbhhomes.com

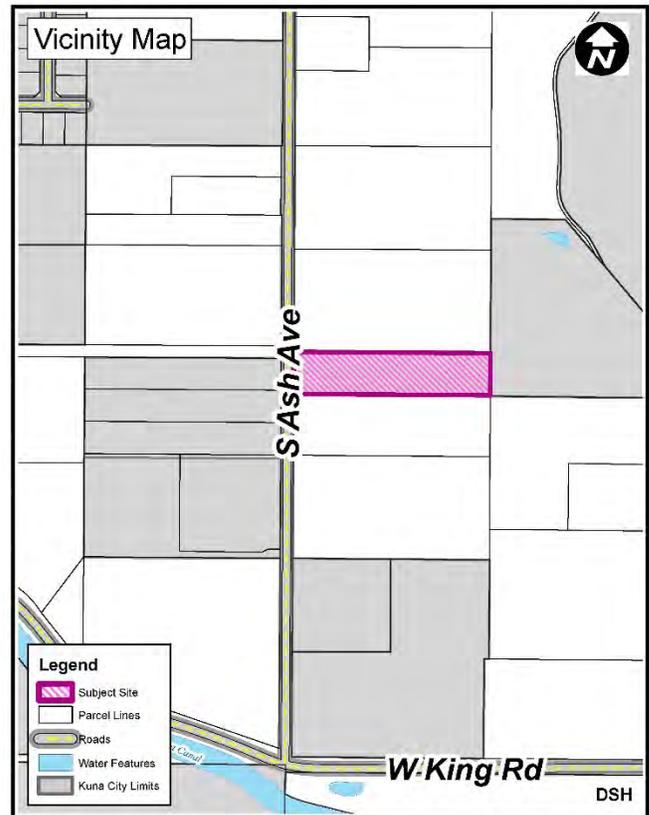


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|---|---|

A. Process and Noticing:

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that Combination Preliminary and Final Plat 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 | February 1, 2021 (5 people attended) |
| ii. Agency Comment Request | February 26, 2021 |
| iii. 300’ Property Owners Notice | March 24, 2021 |
| iv. Kuna Melba Newspaper | March 24, 2021 |
| v. Site Posted | March 30, 2021 |

B. Applicant’s Request:

The applicant requests approval for a Combined Preliminary & Final Plat in order to subdivide approximately 2.00 acres into two single family residential lots. The property is zoned R-6 (Medium Density Residential) within Kuna

City Limits. The subject site is located at 1220 S Ash Avenue, Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APN: R5070501193).

C. Site History:

The parcel is zoned R-6 (Medium Density Residential) within Kuna City Limits. Historically the site has served as a single-family residence and 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 2.00-acre site as Low Density Residential.

2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map does not indicate a future pathway/trail/bike route through the subject site.

3. **Surrounding Land Uses:**

North	RUT	Rural Urban Transition – Ada County
South	R1	Estate Residential – Ada County
East	A	Agriculture – Kuna City
West	R-4	Medium Density Residential – Kuna City

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

Property Owner	Parcel Size:	Current Zone:	APN:
Verna Robinson	2.00	R-6 (Medium Density Residential)	R5070501193

5. **Services:**

- Sanitary Sewer– On Site/Private
- Potable Water – On Site/Private
- Fire Protection – Kuna Rural Fire District (KRFD)
- Police Protection – Kuna Police (Ada County Sheriff’s office)
- Sanitation Services – J & M Sanitation

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

The proposed project site has one single family residence and one out building. Vegetation on-site is consistent with that of a residential property. The site has an estimated average slope of 1 to 1.4%. 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 proposed site will take access off of S Ash Avenue. Currently, Ash Avenue is improved with two travel lanes, 30 feet of pavement, and no curb, gutter, or sidewalk abutting the site. There is 40 feet of right-of-way (ROW), 20 feet from centerline. Ash Avenue is classified as a residential local street, there is no requirement to install a landscape buffer along these types of roadways per KCC Title 5 Chapter 17. The applicant has not proposed any ROW dedication, ACHD calls for the applicant to dedicate additional ROW to total 25 feet from centerline, staff supports this recommendation. KCC calls for the applicant to install a five-foot wide sidewalk along their frontage, however coupled with limited road frontage, distance to existing sidewalk, and ROW preservation, staff sees the additional ROW dedication for future improvements to Ash Avenue to be sufficient.

There is an existing 20-foot-wide unimproved driveway providing access to the property via Ash Avenue. The applicant is proposing to extend the existing driveway in order to create a shared driveway to access both lots of the proposed subdivision. The applicant proposes a shared driveway with a length greater than 150 feet, the maximum length established in KCC. The applicant has requested a variance to the code pursuant to KCC 6-6-2, which can be viewed on page 37 of the packet. ACHD requires that the applicant submit a driveway approach request form and be required to pave the driveway it's entire width at least 30 feet into the site beyond the edge of pavement of Ash Avenue. Staff has conditioned the applicant to pave the entire length of the shared driveway with an approved dust free surface as determined by the City Engineer. Staff recommends the applicant will be required to construct an approved KRFD turnaround in accordance with their access road guidelines. The applicant has been conditioned to obtain Kuna Rural Fire District Access and Water Supply permit approval prior to final plat signature.

8. Environmental Issues:

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

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

- Kuna Rural Fire District..... Exhibit B-2
- Central District Health Department Exhibit B-3
- Boise Project Board of Contr..... Exhibit B-4
- Department of Environmental Quality..... Exhibit B-5
- Nampa Meridian Irrigation District..... Exhibit B-6
- Ada County Highway District..... Exhibit B-7
- City Engineer Exhibit B-8

E. Staff Analysis:

A pre-application meeting was held with the applicant on September 24, 2020, representatives from Planning and Zoning and Parks and Recreation were in attendance, comments from Public Works and the Kuna Rural Fire District were provided to the applicant at time of meeting. The applicant held a neighborhood meeting on February 1, 2021. There was a total of five (5) residents who attended the meeting. Neighborhood meeting minutes have been provided as a part of this application.

The applicant requests approval for a Combined Preliminary & Final Plat in order to subdivide approximately 2.00 acres into two single family residential lots. The property is zoned R-6 (Medium Density Residential) within Kuna City Limits. The subject site is located at 1220 S Ash Avenue, Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APN: R5070501193).

Willa Fields will utilize private septic and well systems to serve the proposed lots. Per Kuna City Engineer comments (Exhibit B-8) The applicant shall verify well systems and septic systems meet Idaho Department of Environmental Quality and Idaho Department of Water Resources (IDWR) requirements. The applicant has been conditioned that engineer will not sign the final plat until an approval letter is received from the Central District Health Department and Idaho Department of Environmental Quality approving the well and septic locations and systems. The applicant shall be conditioned to connect to public water utilities at time of septic system failure when City water services are available within three hundred (300) feet at any point of the parcels. At that time, the applicant will decommission the well, crush the septic lid and connect to City Water services, in accordance with the City's "to and through" policy in Kuna City Code 6-4-2.

Staff has reviewed the proposed Combination Plat for technical compliance with KCC, and finds the Combination Plat is in compliance Kuna City, Title 5 and Title 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan. The applicant will be required to work with Kuna's staff, Ada County Highway District (ACHD), the Kuna Rural Fire District (KRFD) and any other applicable agencies to ensure conformance to each agency's

requirements. Staff recommends that if the Planning and Zoning Commission recommends approval of Case No. 21-01-CPF (Combination Plat), 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.
5. Idaho Code, Title 50, Chapter 13, Plats and Vacations.

G. Proposed Findings of Fact and Conclusions of Law

Based upon the record contained in Case No. 21-01-CPF including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, the exhibits, and testimony during the public hearing, the Kuna Planning and Zoning Commission hereby recommends (*approval/denial*) of the Findings of Fact and Conclusions of Law, and conditions of approval for Case No. 21-01-CPF, a request from Joel Hirtle to subdivide approximately 2.00 acres into 2 lots.

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

1. *Based on the evidence contained in Case No. 20-01-CPF, this proposal does/does not generally comply with the City Code.*

Staff Finding: *The applicant has submitted a complete application, and following staff review for technical compliance the application appears to be in general compliance with the design requirements, 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 February 1, 2021. A total of five residents attended the meetings. Neighborhood Notices were mailed out to residents within 300-FT of the proposed project site on March 24, 2021 and a legal notice was published in the Kuna Melba Newspaper on March 24, 2021. The applicant posted sign on the property on March 30, 2021.*

3. *Based on the evidence contained in Case No. 20-01-CPF, this proposal does/does not 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 subject site is zoned R-6 Medium Density Residential, the Comp Plan Map designates the properties as Low Density, the applicant is proposing two dwelling units over 2.00 acres conforming to the intent of the FLUM.*

4. The contents of the proposed preliminary plat application *does/does not* 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 combination 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/cannot accommodate* the proposed development.

Staff Finding: *Per ACHD's report the site will generate nine additional trips per day with nine existing. Additional ROW dedication and improvements to the shared driveway access can accommodate the development. Willa Fields will utilize private septic and well systems to serve the proposed lots. Per Kuna City Engineer comments (Exhibit B-8) The applicant shall verify well systems and septic systems meet Idaho Department of Environmental Quality and Idaho Department of Water Resources requirements. The applicant has been conditioned that engineer will not sign the final plat until an approval letter is received from the Central District Health Department and Idaho Department of Environmental Quality approving the well and septic locations and systems.*

6. The proposed development *is/is not* continuous with Master Utility Plans (Sewer/Water/Pressurized Irrigation).

Staff Finding: *The proposed development will not hook into the sewer, water, or pressurized irrigation system. The applicant will connect to public water utilities at time of septic system failure when City water services are available within three hundred (300) feet at any point of the parcels. At that time, the applicant will decommission the well, crush the septic lid and connect to City Water services, in accordance with the City's "to and through" policy in Kuna City Code 6-4-2.*

7. The public *does/does not* 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, Parks and the Ada County Highway District), and property taxes will be collected, therefore satisfying the financial capability to provide supporting services.*

8. The proposed project *does/does not* consider health and safety of the public and the surrounding area's environment.

Staff Finding: *The well and septic system will be constructed in accordance with City of Kuna Public Works, Central District Health Department, Idaho Department of Environmental Quality and Idaho Department of Water Resources standards. 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 combination preliminary and final plat request for the site (*is/is not*) consistent with the following Comprehensive Plan components as described below:

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

- Goal 3.D: Encourage development of housing options and strong neighborhoods.
 - Objective 3.D.1: Encourage development of housing options for all citizens.
 - Policy 3.D.1.a: Encourage preservation and development of housing that meets demand for household sizes, lifestyles and settings.

- Goal 3.G: Respect and protect private property rights.
 - Objective 3.G.1: Ensure land use policies, restrictions, and fees do not violate private property rights.
 - Policy 3.G.1.b: Ensure City land use actions, decisions and regulations will not cause an unconstitutional regulatory taking of private property; and do not effectively eliminate all economic value of the subject property.
 - Policy 3.G.1.c: Ensure City land use actions, decisions and regulations do not prevent a private property owner from taking advantage of a fundamental property right. Ensure city actions do not impose a substantial and significant limitation on the use of the property.

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 2.00-acre (approximate) site (does/does not) appear to be suitable for the proposed development.

3. The Combination 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, and family units 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. This application (is/is not) likely to cause adverse public health problems.

Comment: The well and septic system will be constructed in accordance with City of Kuna Public Works, Central District Health Department, Idaho Department of Environmental Quality and Idaho Department of Water Resources standards, therefore eliminating the occurrence of adverse public health problems. The applicant will connect when services become available.

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 Combination Plat request considers the location of the property and adjacent uses. The adjacent uses are medium density residential (Kuna City), agriculture (Kuna City), rural urban transition (Ada County) and estate residential (Ada County).

J. Commission's Recommendation:

Note: These motions are for the approval, conditional approval or denial of the Design Review application and the recommendation of approval, conditional approval or denial of the Preliminary Plat application 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 No. 21-01-CPF (Combination Plat), a request from Joel Hirtle to subdivide approximately 2.00 acres into 2 lots, 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 Rural District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District are required.
 - e. The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
 - f. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid *prior to issuance* of any building permit(s).
 - g. All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
2. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see KCC 6-4-2-W.
3. Compliance with Idaho Code §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 Irrigation System of the City (KMIS).
5. Connection to City Services (Sewer, Water, Pressurized Irrigation) is required at time of septic system failure when public water utilities are available within three hundred (300) feet of the parcels. The applicant shall conform all corresponding Master Plans.
6. Applicant shall work with staff in order to provide final locations of street lights as required by Kuna City Code.
7. Street lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.
8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted).
9. All 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.
10. If any revisions are made, the applicant shall provide the Planning and Zoning Staff with a revised copy of the preliminary and final plats.
11. Any revisions of the plat are subject to administrative determination to rule if the revision is substantial.
12. 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.
13. Developer/owner/applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
14. Developer/owner/applicant shall comply with all local, state and federal laws.
15. Developer/owner/applicant shall not receive final plat signature from the City Engineer until an approval letter is received from the Central District Health Department and Idaho Department of Environmental Quality approving the septic and well systems and locations.

16. Developer/owner/applicant shall obtain Kuna Fire District Access and Water Supply permit approval prior to final plat signature.
17. Developer/owner/applicant shall pave the entire length of the shared driveway with an approved dust free surface as determined by the City Engineer.
18. Applicant shall correct any technical items and make any requested changes to bring the final plat into conformance as recommended by Kuna Public Works Staff.
19. Upon City Council Council's approval, no revisions shall be made to the final plat. If revisions are desired, the applicant shall bring a copy of the changes to Planning and Zoning Staff to determine if a new approval is required via City Council or Planning and Zoning Staff.
20. Applicant shall secure all signatures on the final plat check-off list prior to requesting Kuna City Engineer's signature on the final plat Mylar.

DATED this 13th day of April, 2021.

Vicinity Map



S Ash Ave

Legend

-  Subject Site
-  Parcel Lines
-  Roads
-  Water Features
-  Kuna City Limits

W King Rd

DSH

Aerial Map



S Ash Ave

W King Rd

Legend

-  Subject Site
-  Parcel Lines
-  Roads
-  Water Features

DSH

Zoning Map



S Ash Ave

W King Rd

Legend

	Subject Site		L-O		R-4
	PUD		M-1		R-5
	A		M-2		R-6
	C-1		P		R-8
	C-2		R-1		R-12
	C-3		R-2		R-16
	CBD		R-3		R-20

Future Land Use Map



S Ash Ave

W King Rd

Legend

 Subject Site	 Heavy Industrial
 Agriculture	 Light Industrial
 High-Density Residential	 Mixed-Use
 Medium-Density Residential	 Public
 Low-Density Residential	 State
 Commercial	 Federal

DSH

Local Property Values



S Ash Ave

W King Rd

Legend



Subject Site

Estimated Property Values



\$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

Local Property Sizes



S Ash Ave

W King Rd

Legend



Subject Site

Property Sizes 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

DSH



Combination Preliminary Plat & Final Plat Application

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

KUNA

Planning & Zoning

Combo Plats require Public hearings with both the Planning & Zoning Commission and City Council. Public Hearing signs will be required to be posted by the applicant for both meetings. Sign posting regulations are available online.

****Office Use Only****

Case No(s): 21-01-CPF

Project Name: WILLA FIELDS SUBDIVISION

Date of Pre-Application Meeting: 9-24-2020

Date Received: 2-1-2021

Date Accepted as Complete: _____

Application shall contain one (1) copy of the following:

- Complete Planning & Zoning Application Coversheet
- Complete Preliminary Plat Application
- Detailed narrative or justification for the application, describing the project, design elements, serviceability, amenities, and how the project complies with the requirements found within Kuna City Code.
- Vicinity Map 8.5" x 11": Drawn to scale of 1" = 300' (or similar), showing the location of subject property. Map shall contain a shaded area showing the annexation property; surrounding street names; and name(s) of surrounding subdivisions.
- Legal Description of Preliminary Plat Area: Include metes & bounds description to the section line of all adjacent roadways; stamped & signed by a registered professional Land Surveyor; calculated closure sheet; and a map showing the boundaries of the legal description.
- Recorded Warranty Deed for property.
- Affidavit of Legal Interest if the individual submitting this application is not the legal property owner. (One Affidavit required for each party involved. Originals must be submitted to the Planning & Zoning Department.)
- Neighborhood Meeting Certification.
- Commitment of Property Posting form signed by the applicant/agent.
- A letter or email from the Ada County Engineer showing the subdivision name reservation. (A name change needs to be submitted and approved by the Planning & Zoning Director & Ada County Engineer.)
- Plat Plans (24" x 36"): Drawn to a scale of 1" = 100' (or similar), showing
 - Topography at 2' intervals
 - Land uses (location, layout, types & dimensions) of Residential, Commercial & Industrial
 - Street right-of-way (ROW) including dimensions of ROW dedication for all roadways, street sections, improvements, etc.
 - Easements/common space such as utility easements, parks, community spaces, etc.
 - Layout & dimensions of lots

- Improvements drawing showing water, sewer, drainage, electricity, irrigation, telephone, gas, proposed street lighting, proposed street names, fire hydrant placement, storm water disposal, underground utilities, and sidewalks.
- Pressurized Irrigation Plan
- Plat Plans (8.5" x 11"): Drawn to a scale of 1" = 100' (or similar)
- Phasing Plan
- Approved final engineering construction drawings for streets, water, sewer, sidewalks, pressure irrigation & other public improvements.
- Statement of Conformance with the following: Preliminary Plat meets all requirements or conditions; and Preliminary Plat meets acceptable engineering practices and local standards.
- Landscape Plan for subdivision entrances, buffers, common areas, etc.
- Homeowners Maintenance Agreement for the care of landscaped common areas, & any proposed restrictive covenants and/or deed restrictions, and Homeowners Association documents.

This application shall not be considered complete (nor will a Public Hearing be scheduled) until Staff has received all required information. Once the application is deemed complete, Staff will notify the Applicant of the scheduled hearing date, fees due, and any additional items via a Letter of Completeness.

Information to Note:

The date of application acceptance shall be the date the applicant submits the final required information to the Planning & Zoning Department, including the application fee (KCC 5-1A-2C).

Complete applications shall be reviewed within sixty (60) days of date of acceptance (KCC 5-1A-5A).



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

Commission & Council Review Application

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

*Please submit the appropriate checklist (s) with application

For Office Use Only	
File Number (s)	21-01-5
Project name	Willa Fields subdivision
Date Received	2-16-21
Date Accepted/ Complete	2-26-21
Cross Reference Files	
Commission Hearing Date	
City Council Hearing Date	

Type of Review (check all that apply):

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

Contact/Applicant Information

Owners of Record: <u>Verna Robinson</u>	Phone Number: <u>208-375-8001</u>
Address: <u>1220 S Ash Ave</u>	E-Mail: _____
City, State, Zip: <u>KUNA ID, 83634</u>	Fax #: _____
Applicant (Developer): <u>JOEL HITTLE</u>	Phone Number: <u>208-910-5614</u>
Address: <u>535 S RETORT PL.</u>	E-Mail: <u>Joellh@abhomes.com</u>
City, State, Zip: <u>KUNA ID, 83634</u>	Fax #: _____
Engineer/Representative: _____	Phone Number: _____
Address: _____	F-Mail: _____
City, State, Zip: _____	Fax #: _____

Subject Property Information

Site Address: <u>1220 S ASH, KUNA, ID, 83634</u>	
Site Location (Cross Streets): <u>S ASH BETWEEN KUNA RD and KING RD</u>	
Parcel Number (s): <u># R5070501193</u>	
Section, Township, Range: <u>SECTION 26 T. 21N, R. 1 W Book 6 page 291</u>	
Property size: <u>87 186 sqf or 2.002 ACER</u>	
Current land use: <u>RESIDENTIAL</u>	Proposed land use: <u>RESIDENTIAL</u>
Current zoning district: <u>R-6</u>	Proposed zoning district: <u>R-6</u>

Project Description

Project / subdivision name: WILLA FIELDS SUBDIVISION
General description of proposed project / request: DIVIDE THE ORIGINAL LAND INTO TWO LOTS, BUILD ANOTHER RESIDENCE
Type of use proposed (check all that apply):
 Residential BOTH LOTS TO REMAIN RESIDENTIAL
 Commercial _____
 Office _____
 Industrial _____
 Other _____
Amenities provided with this development (if applicable): _____

Residential Project Summary (if applicable)

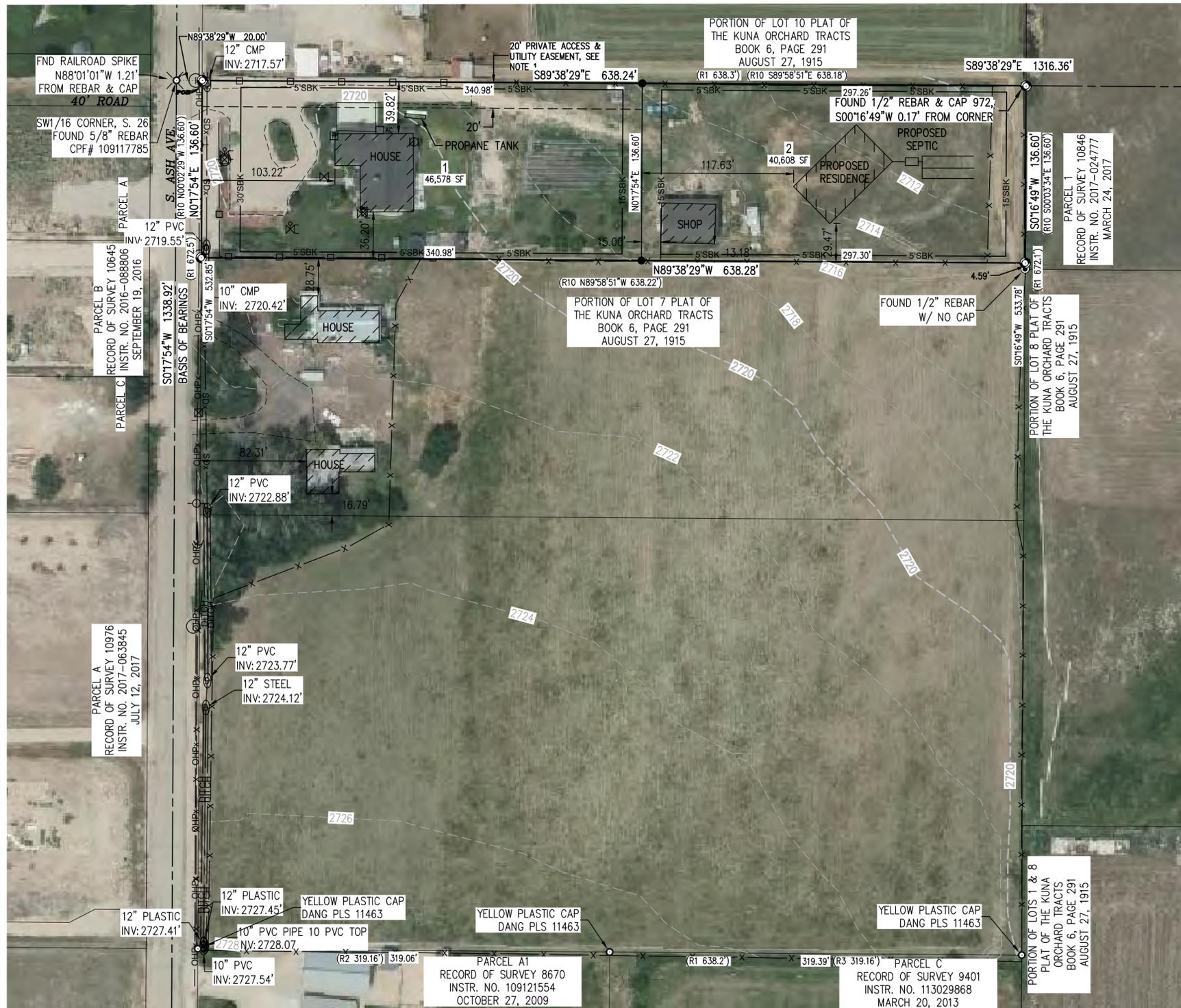
Are there existing buildings? Yes No
Please describe the existing buildings: EXISTING SINGLE RESIDENCE, 30x40 SHOP
Any existing buildings to remain? Yes No
Number of residential units: ONE Number of building lots: 2
Number of common and/or other lots: NA
Type of dwellings proposed:
 Single-Family RESIDENCE WILL BE BUILT ON NEW DIVIDED LAND
 Townhouses _____
 Duplexes _____
 Multi-Family _____
 Other _____
Minimum Square footage of structure (s): NA
Gross density (DU/acre-total property): NA Net density (DU/acre-excluding roads): NA
Percentage of open space provided: NA Acreage of open space: NA
Type of open space provided (i.e. landscaping, public, common, etc.): NA

Non-Residential Project Summary (if applicable)

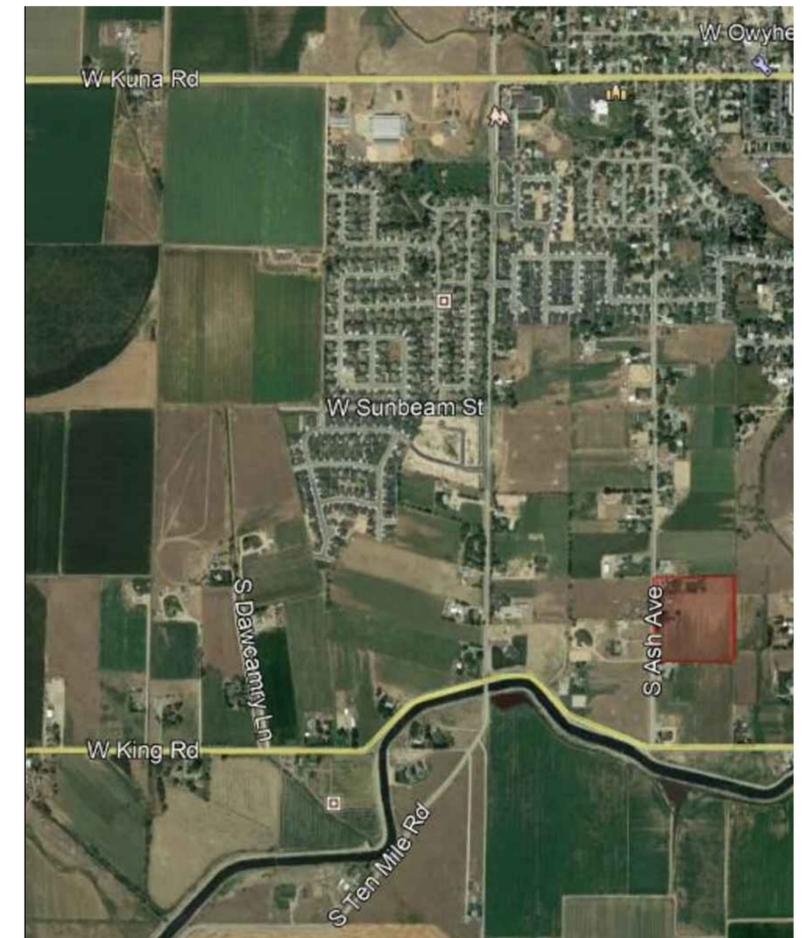
Number of building lots: _____ Other lots: _____
Gross floor area square footage: _____ Existing (if applicable): _____
Hours of operation (days & hours): _____ Building height: _____
Total number of employees: _____ Max. number of employees at one time: _____
Number and ages of students/children: _____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

Applicant's Signature: [Signature] Date: Feb 1, 2021

AERIAL MAP WILLA FIELDS SUBDIVISION



VICINITY MAP-NTS WILLA FIELDS SUBDIVISION



P:\JOEL_HIRTLE\229120-8000198.00\EXECUTION\DRAWINGS\SURVEY\V-8000198-PT01_R01.DWG 12/18/2020 2:24 PM

REVISIONS			
NO.	BY	DATE	REMARKS
1			
2			
3			
4			



690 Industry Way, Suite 10
Meridan, ID 83642
208-342-5400 www.NV5.com

Letter of Intent

City of Kuna

1220 South Ash

My name is Joel Hirtle. I'm writing this letter to request approval of the land division of 1220 south ash. We plan on dividing the existing 2 acre parcel of 1220 south ash into two equal plots of land. Land is zoned currently as R-6 but we only request dividing it into two plots. The preliminary and final plat submittal process was selected due to the small size and modest scope of the project. ACHD has required no additional improvements to the property, also due to the location of property we are out of the 300 feet requirement to connect to city utilities which are further north on south Ash.

My family and I love kuna and the farm town feel that we experience every day. We look forward to your response.

Sincerely,

Joel Hirtle

February 15, 2021

A parcel of land located in the SE1/4 SW1/4 of Section 26, Township 2 North, Range 1 West, Boise Meridian, Kuna, Idaho, and being and comprising a portion of Lot 7 of the Plat of The Kuna Orchard Tracts, filed as Book 6, Page 291 on August 27, 1915 as described in Warranty Deed filed as Instrument No. 110034309 on April 15, 20210 in the Office of the Ada County Recorder, and being more particularly described as follows:

COMMENCING at a found 5/8" rebar for the SW1/16 corner of said Section 26, (Corner Perpetuation Record Instr. No. 109117785), WHENCE a found 5/8" rebar for the W1/16 corner of the South line of said Section 26, (Corner Perpetuation Record Instr. No. 94051702) bears South 0°17'54" West a distance of 1338.92 feet;

THENCE coincident with the South 1/16 line, South 89°38'29" East a distance of 20.00 feet to a found 1/2" rebar and yellow plastic cap stamped "PLS 972" for the northwest corner of said Lot 7 and the POINT OF BEGINNING;

THENCE coincident with said South 1/16 line and the North line of said Lot 7, South 89°38'29" East a distance of 638.24 feet to the northeast corner of said Lot 7;

THENCE coincident with the East line of said Lot 7, South 0°16'49" West a distance of 136.60 feet to a found 5/8" rebar and yellow plastic cap stamped "PLS 972";

THENCE leaving said East line of said Lot 7, North 89°38'29" West a distance of 638.28 feet to a found 5/8" rebar and yellow plastic cap stamped "PLS 972", conterminous with said West line of Lot 7;

THENCE coincident with said West line of said Lot 7, North 0°17'54" East a distance of 136.60 feet to the POINT OF BEGINNING.

The above described parcel contains 87186.30 square feet or 2.00 acres, more or less.

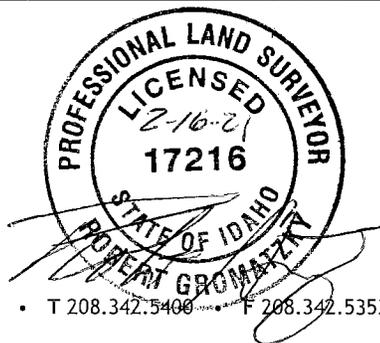
Together with and subject to covenants, easements, and restrictions of record.

The basis of bearings for this parcel is South 00°17'54" West between the southwest 1/16th corner and South 1/16th corner on the South line of said Section 26.

Robert Gromatzky, P.L.S.

License No. 17216

End of Description





City of Kuna AFFIDAVIT OF LEGAL INTEREST

City of Kuna
Planning & Zoning
Department
PO. Box 13
Kuna, ID 83634
208.922.5274
www.kunacity.id.gov

State of Idaho)) ss.
County of Ada)

I, VERNA J. ROBINSON 1220 S. ASH AVE.
Name Address
KUNA ID 83634
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 JOEL HIRTLE 535 S RETORT PL. KUNA ID.
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 28 day of JAN, 2021

Verna J. Robinson
Signature

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

B Tucker
Notary Public for Idaho

BAYLEE TUCKER
Notary Public
State of Idaho
Commission No. 61340

Residing at: Meridian, ID

My commission expires: 5/3/2025



WARRANTY DEED

For Value Received **Nathaniel Davis and Deanna Davis, Husband and Wife AND David L. Stucker and Pamela Stucker, Husband and Wife,** the Grantor, hereby grants, bargains, sells, conveys and warrants unto

Verna Robinson, An Unmarried Woman

OR

the grantee, whose current address is **11194 W. Red Maple Drive, Boise, ID 83709**

the following described premises, to wit:

See "Exhibit A" attached hereto

Parcel Number: **R5070501193**

SUBJECT TO: Current General Taxes, a lien in the process of assessments, not yet due or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated this 14th day of April, 2010.

Nathaniel Davis

Deanna Davis

David L. Stucker

Pamela Stucker

STATE OF Idaho)
) ss.
COUNTY OF Ada)

On this 14th day of April, 2010, before me, the undersigned, a Notary Public, in and for said State, personally appeared **Nathaniel Davis, Deanna Davis, David L. Stucker and Pamela Stucker** known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Trina Nishitani
Notary Public: TRINA NISHITANI
Residing at: Caldwell, Idaho
My commission expires 6/28/2015

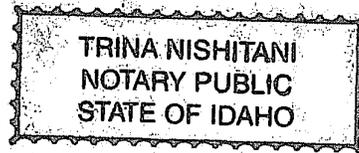


Exhibit A
LEGAL DESCRIPTION

Order No.: 1010067942

A parcel of land being the Northerly portion of Lot 7 of the Kuna Orchard Tracts, a subdivision, as filed for record in the office of Ada County Record, Boise, Idaho in Book 5 of Plats at Page 291, lying in the SE ¼ of the SW ¼ of Section 26, T2N, R1W, B.M. Ada County, Idaho and more particularly described as follows:

Beginning at an iron pin marking the Southwest corner of said SE ¼ of the SW ¼ of Section 26, thence along the Westerly boundary of said SE ¼ of the SW ¼ of Section 26, North 00°02'29" West 1,338.80 feet to an iron pin marking the Northwest corner of said SE ¼ of the SW ¼ of Section 26, thence leaving said Westerly boundary of the SE ¼ of the SW ¼ of Section 26, South 89°58'51" East 20.00 feet to an iron pin marking the Northwest corner of said Lot 7 of the Kuna Orchard Tracts, said iron pin being the REAL POINT OF BEGINNING;

Thence along the Northerly boundary of said Lot 7 of the Kuna Orchards Tracts, South 89°58'51" East 638.18 feet (formerly 638.3') to an iron pin marking the Northeast corner of said Lot 7 of the Kuna Orchard Tracts;

Thence along the Easterly boundary of said Lot 7 of the Kuna Orchard Tracts, South 00°03'34" East 136.60 feet to an iron pin;

Thence along a line parallel to and 136.60 feet Southerly of said Northerly boundary of Lot 7 of the Kuna Orchard Tracts, North 89°58'51" West 638.22 feet to an iron pin on the Westerly boundary of said Lot 7 of the Kuna Orchard Tracts;

Thence along said Westerly boundary of Lot 7 of the Kuna Orchard Tracts North 00°02'29" West 136.60 feet to the POINT OF BEGINNING.



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 list of neighbors notified and 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: DIVISION OF 1220 SOUTH ASH

Date and time of neighborhood meeting: _____

Location of neighborhood meeting: AT RESIDENCE OF VERNA ROBINSON @ 1220 SOUTH ASH

SITE INFORMATION:

Location: Quarter: _____ Section: 26 Township: 2N Range: R1 Total Acres: 2

Subdivision Name: WILLA FIELDS Lot: _____ Block: _____

Site Address: 1220 SOUTH ASH Tax Parcel Number(s): R5070501193

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

CURRENT PROPERTY OWNER:

Name: VERNA ROBINSON

Address: 1220 S ASH City: KUNA State: ID Zip: 83634

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

Name: JOEL HIRTLE Business (if applicable): _____

Address: 535 S RETORT PL City: KUNA State: ID Zip: 83634

PROPOSED USE:

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

Application Type

- Annexation
- Re-zone
- Subdivision (Sketch Plat and/or Prelim. Plat)
- Special Use
- Variance
- Expansion of Extension of a Nonconforming Use
- Zoning Ordinance Map Amendment

Brief Description

DIVISION OF 1220 S ASH IN TO TWO
SEPERATE ONE ACR LOT.

APPLICANT:

Name: JOEL HITTLE

Address: 535 S RETORT PL

City: KUNA State: ID Zip: 83634

Telephone: 208-810-5614 Fax: NA

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 Feb 1, 2021

SIGN IN SHEET

PROJECT NAME: WILLA FIELDS SUBDIVISION

Date: Feb 1, 2021

	<u>Name</u>	<u>Address</u>	<u>Zip</u>	<u>Phone</u>
1	<u>Joel Miller</u>	<u>535 S Rebert Pl</u>	<u>83634</u>	<u>208-810-5614</u>
2	<u>Cindy Giesen</u>	<u>1363 S Ash Ave</u>	<u>83634</u>	<u>(208) 807-9611</u>
3	<u>Fred Giesen</u>	<u>"</u>	<u>"</u>	<u>"</u>
4	<u>LAYNE SARTON</u>	<u>1185 S, Ash Ave</u>	<u>83634</u>	<u>208-789-1702</u>
5	<u>BRENDA SARTON</u>	<u>" " " "</u>	<u>"</u>	<u>208-914-8386</u>
6	<u>Roger Theobald</u>	<u>1331 S School AVE</u>	<u>83634</u>	<u>702-275-1776</u>
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NEIGHBORHOOD MEETING MINUTES

Meeting Date: FEB 1, 2021 Number of Attendees: 6

Meeting Location: 1220 S ASH AVE

Description of Project Presented:

Division of 1220 S Ash into two separate lots, developing small subdivision by city requirements, lot that is divided will remain R-6 for a single residence, simple design with very low impact to the surrounding areas.

Attendee's comments:

- Cindy Giesen brought up ~~know~~ "dark sky" and lighting of the area, (document attached) we discussed there would only be small residential lighting on the home, and if in future we would follow the recommended shielded lights.

- All other attendees were in support of only having one base in the sub, that this development was low impact, Not alot of additional traffic on ash, and no further development, like the road along ash being left intact and not changing.

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

JOEL HIRTLE

Printed Name

Signature

Feb 1, 2021
Date

Greetings Joel Hirtle and Verna Robinson,

February 1, 2021

Best wishes in your efforts to divide the two acre parcel at 1220 S. Ash Ave. of Kuna Idaho, into two 1 acre lots. We reside on 2.4 acres SE of you and appreciate your plans to maintain the more rural feel of our immediate neighborhood, by considering a low density residential lot (RD1). We support your plan to split your lot and build a home on the second 1 acre lot.

We would like to take this opportunity to make a few requests, as you proceed with your development.

- 1) We moved to our location, SW of you, because the sky view was beautiful and dark enough to sometimes even see the milkyway. Additionally, there were very few bright outside lights on the horizon, to interfere with our sleep or outdoor viewing pleasures (except for the dairy farms to the south).

Please, do not introduce light pollution into our area, with glaring bright outside lights, having unshielded fixtures and/or mounted higher than necessary. Great lighting solutions and technologies are now available that will help you conserve energy, while providing better security and more focused yard lighting, without illuminating the sky or trespassing light into your home or your neighbor's properties and the horizon views.

Kuna City has 'Dark Sky' lighting codes, but pretty much require that you determine what is considered Dark Sky. I, Cindy, am sensitive to bright LED lights and have an interested in astronomy, so I became a member of the International Dark-Sky Association (IDA). Therefore, I would be happy to help you select fixtures that serve your outdoor yard lighting and security needs, while carefully considering Dark-Sky lighting solutions. (Also note that white vinyl fencing reflects excess light and can be irritating.) Please, feel free to contact me for any assistance or information concerning IDA suggestions and lighting - Cindy Giesen (208)807-9611.

Basically, the key words to look for in selecting 'dark sky' lighting fixtures is that they are FULLY SHIELDED and ideally below the 3501 Kelvin color range (a yellowish color range, rather than the brighter white glaring colors). Additionally, security lighting is found to be more effective if you use sensors that draw attention to movement by switching on, rather than being on constantly. I've included a few IDA brochures of dark-sky information.

- 2) South of your property are a few large trees that have been home to Hawks for many years. So as you prepare your utilities, please make sure that your connections do not interfere with their home and nesting patterns.

Thank you for taking these two items in consideration as you build and we look forward to welcoming you into our neighborhood.

Fred and Cindy Giesen 1363 S. Ash Avenue, Kuna Idaho 83634

Robert Gromatzky, PLS | Surveyor | [NV5](#)
[690 S. Industry Way | Meridian, Idaho 83642](#) | P: 208.275.8743 | C: 505.350.3824 | F: 000.000.0000

[Electronic Communications Disclaimer](#)

From: Sub Name Mail <subnamemail@adacounty.id.gov>
Sent: Friday, January 29, 2021 10:26 AM
To: Robert Gromatzky <Robert.Gromatzky@nv5.com>
Subject: RE: Willa Fields Subdivision Name Reservation

January 29, 2021

Robert Gromatzky, NV5

RE: Subdivision Name Reservation: **WILLA FIELDS SUBDIVISION**

At your request, I will reserve the name **Willa Fields 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.

This reservation is available for the project as long as it is in the approval process unless the project is terminated by the client, the jurisdiction or the conditions of approval have not been met, in which case the name can be re-used by someone else.

Sincerely,

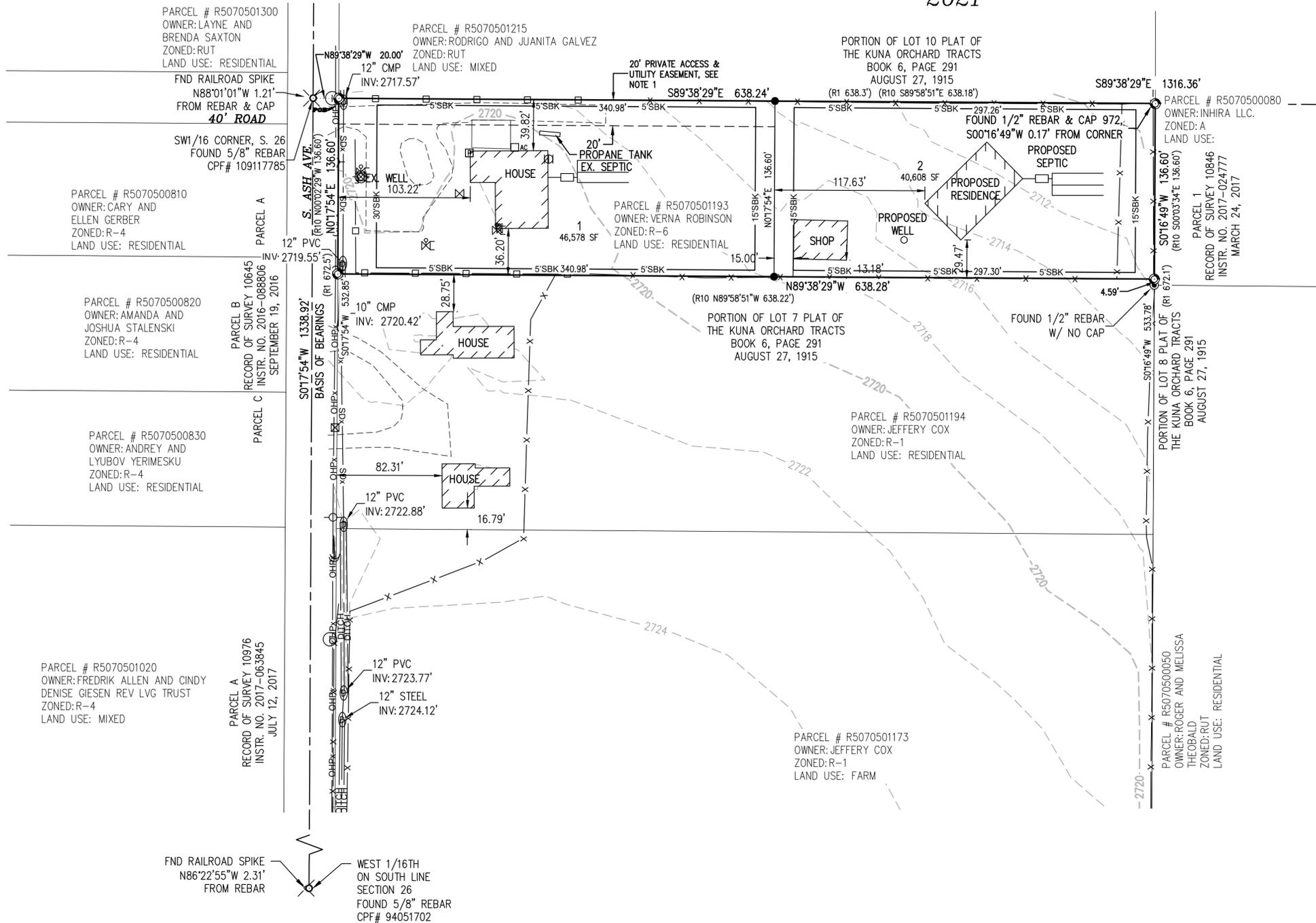


Glen Smallwood
Surveying Technician

Ada County Development Services
[200 W. Front St., Boise, ID 83702](#)
(208) 287-7926 office
(208) 287-7909 fax

From: Robert Gromatzky <Robert.Gromatzky@nv5.com>

**PRELIMINARY PLAT OF
WILLA FIELDS SUBDIVISION
A REPLAT OF LOT 7, OF THE KUNA ORCHARD TRACTS
KUNA, ADA COUNTY, IDAHO
2021**



LEGAL DESCRIPTION

A parcel of land located in the SE1/4 SW1/4 of Section 26, Township 2 North, Range 1 West, Boise Meridian, Kuna, Idaho, and being and comprising a portion of Lot 7 of the Plat of The Kuna Orchard Tracts, filed as Book 6, Page 291 on August 27, 1915 as described in Warranty Deed filed as Instrument No. 110034309 on April 15, 20210 in the Office of the Ada County Recorder, and being more particularly described as follows:

COMMENCING at a found 5/8" rebar for the SW1/16 corner of said Section 26, (Corner Perpetuation Record Instr. No. 109117785), WHENCE a found 5/8" rebar for the W1/16 corner of the South line of said Section 26, (Corner Perpetuation Record Instr. No. 94051702) bears South 0°17'54" West a distance of 1338.92 feet;

THENCE coincident with the South 1/16 line, South 89°38'29" East a distance of 20.00 feet to a found 1/2" rebar and yellow plastic cap stamped "PLS 972" for the northwest corner of said Lot 7 and the POINT OF BEGINNING;

THENCE coincident with said South 1/16 line and the North line of said Lot 7, South 89°38'29" East a distance of 638.24 feet to the northeast corner of said Lot 7;

THENCE coincident with the East line of said Lot 7, South 0°16'49" West a distance of 136.60 feet to a found 5/8" rebar and yellow plastic cap stamped "PLS 972";

THENCE leaving said East line of said Lot 7, North 89°38'29" West a distance of 638.28 feet to a found 5/8" rebar and yellow plastic cap stamped "PLS 972", conterminous with said West line of Lot 7;

THENCE coincident with said West line of said Lot 7, North 0°17'54" East a distance of 136.60 feet to the POINT OF BEGINNING.

The above described parcel contains 87186.30 square feet or 2.00 acres, more or less.

Together with and subject to covenants, easements, and restrictions of record.

The basis of bearings for this parcel is South 00°17'54" West between the southwest 1/16th corner and South 1/16th corner on the South line of said Section 26.

REVISIONS			
NO.	BY	DATE	REMARKS
1			
2			
3			
4			

N|V|5

690 Industry Way, Suite 10
Meridan, ID 83642
208-342-5400 www.NV5.com

SHEET 1 OF 1

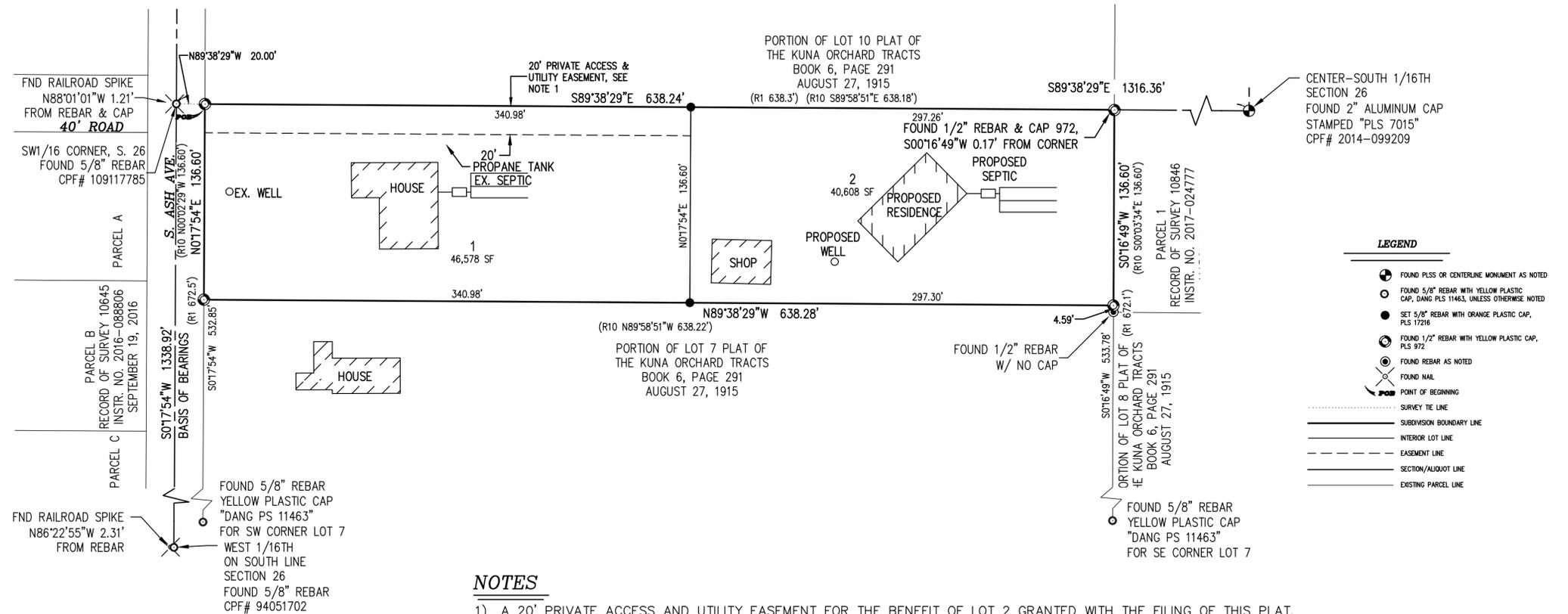
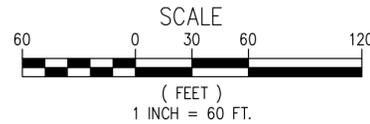
INDEX NO. 421-31-111-05-212

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**PLAT OF
WILLA FIELDS SUBDIVISION
A REPLAT OF LOT 7, OF THE KUNA ORCHARD TRACTS
KUNA, ADA COUNTY, IDAHO
2021**

BOOK _____, PAGE _____

BASIS OF BEARING IS GRID NORTH, IDAHO STATE PLANE
COORDINATE SYSTEM, WEST ZONE,
NORTH 00°17'54" EAST BETWEEN A FOUND 5/8" REBAR FOR
THE W1/16 CORNER IN THE SOUTH LINE OF SECTION 26 AND A
FOUND 5/8" REBAR FOR THE SW1/16 CORNER OF SECTION 30



NOTES

- 1) A 20' PRIVATE ACCESS AND UTILITY EASEMENT FOR THE BENEFIT OF LOT 2 GRANTED WITH THE FILING OF THIS PLAT.
- 2) LOTS 1 AND 2 OF THIS PLAT ARE ZONED R-6 AND ARE WITHIN THE CITY OF KUNA. LOTS 3 AND 4 OF THIS PLAT ARE ZONED R-1 WITHIN ADA COUNTY.
- 3) NO PUBLIC ROADS OR UTILITIES WILL BE CONSTRUCTED OR ARE REQUIRED FOR THIS PRELIMINARY/FINAL PLAT
- 4) RECORD BEARINGS AND DISTANCES SHOWN IN PARENTHESIS WITH REFERENCE DOCUMENT.

SURVEYOR'S NARRATIVE

THIS PRELIMINARY/FINAL PLAT FOR JOEL HIRTLE IS A DIVISION OF A PORTION OF LOT 7, OF THE PLAT OF THE KUNA ORCHARD TRACTS AND IS LOCATED IN THE SE1/4 SW1/4 OF SECTION 26 T. 2 N., R. 1 W., B.M., BOOK 6, PAGE 291, AUGUST 27, 1915 AND AS DESCRIBED IN WARRANTY DEED INSTR. NO. 110034309, APRIL 15, 2010.

THE EXTERIOR BOUNDARY OF ORIGINAL LOT 7 WAS RETRACED TO CONFIRM EXISTING MONUMENTATION FOUND AT THE CORNER LOCATIONS OF THE ABOVE DESCRIBED DEED AND FOR WHICH NO RECORD OF SURVEY OR SUBDIVISION PLAT EXISTS.

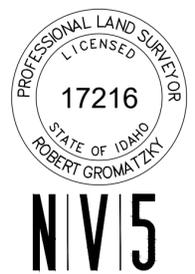
THE WEST LINE OF LOT 7 IS BASED ON FOUND MONUMENTATION FOR THE W1/16 LINE, OFFSET 20 FEET TO THE EAST THAT COMPRISES THE EASTERLY RIGHT OF WAY LINE FOR ASH AVENUE. FOUND MONUMENTATION ALONG THE EASTERLY LINE OF ASH AVENUE WAS ACCEPTED. THE NORTHERLY LINE IS BASED ON FOUND MONUMENTATION FOR THE SOUTH 1/16 LINE. THE FOUND REBAR AND CAP PLS 972 NEAR THE NORTHEAST CORNER OF LOT 7 WAS HELD FOR LINE, CONNECTING TO THE MONUMENT FOUND FOR THE SOUTHEAST CORNER, AND INTERSECTS THE SOUTH 1/16 LINE 0.17 FEET NORTHERLY OF THE REBAR WITH CAP PLS 972. FOUND MONUMENTATION FOR THE SOUTHEAST AND SOUTHWEST CORNERS OF LOT 7 WAS ACCEPTED.

THE FOUND MONUMENTATION OF THE NORTHERLY PORTION OF LOT 7, THE EXTERIOR OF THIS SUBDIVISION WAS FOUND TO BE IN SUBSTANTIAL CONFORMANCE WITH THE ORIGINAL BOUNDARY LINES OF LOT 7 AND SAID WARRANTY DEED, WITH MINOR NOTATIONS AS INDICATED ON THIS PLAT.

REFERENCES

- R1) PLAT OF THE KUNA ORCHARD TRACTS, BOOK 6, PAGE 291, AUGUST 27, 1915, RECORDS OF ADA COUNTY, IDAHO.
- R2) RECORD OF SURVEY NO. 8670, INSTRUMENT NO. 109121554, OCTOBER 27, 2009, RECORDS OF ADA COUNTY, IDAHO.
- R3) RECORD OF SURVEY NO. 9401, INSTRUMENT NO. 113029868, MARCH 20, 2013, RECORDS OF ADA COUNTY, IDAHO.
- R4) RECORD OF SURVEY NO. 200007404, RECORDS OF ADA COUNTY, IDAHO.
- R5) RECORD OF SURVEY NO. 10846, INSTRUMENT NO. 2017-024777, MARCH 24, 2017, RECORDS OF ADA COUNTY, IDAHO.
- R6) CORNER PERPETUATION AND FILING RECORD NO. 109117785, OCTOBER 15, 2009, RECORDS OF ADA COUNTY, IDAHO.
- R7) CORNER PERPETUATION AND FILING RECORD NO. 2019-089394, SEPTEMBER 20, 2019, RECORDS OF ADA COUNTY, IDAHO.
- R8) CORNER PERPETUATION AND FILING RECORD NO. 94051702, JUNE 2, 1994, RECORDS OF ADA COUNTY, IDAHO.
- R9) WARRANTY DEED NO. 95090271, DECEMBER 7, 1995, RECORDS OF ADA COUNTY, IDAHO.
- R10) WARRANTY DEED NO. 110034309, APRIL 15, 2010, RECORDS OF ADA COUNTY, IDAHO.

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690 Industry Way, Suite 10
Meridan, ID 83642
208-342-5400 www.NV5.com
SHEET 1 OF 3

PLAT OF
WILLA FIELDS SUBDIVISION

OWNERS CERTIFICATE

A parcel of land located in the SE1/4 SW1/4 of Section 26, Township 2 North, Range 1 West, Boise Meridian, Kuna, Idaho, and being and comprising a portion of Lot 7 of the Plat of The Kuna Orchard Tracts, filed as Book 6, Page 291 on August 27, 1915 as described in Warranty Deed filed as Instrument No. 110034309 on April 15, 20210 in the Office of the Ada County Recorder, and being more particularly described as follows:

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THENCE coincident with said West line of said Lot 7, North 0°17'54" East a distance of 136.60 feet to the POINT OF BEGINNING.

The above described parcel contains 87186.30 square feet or 2.00 acres, more or less.

Together with and subject to covenants, easements, and restrictions of record.

The basis of bearings for this parcel is South 00°17'54" West between the southwest 1/16th corner and South 1/16th corner on the South line of said Section 26.

It is the intention of the undersigned to hereby include the above described property in this plat. The easements shown are not dedicated to the public, All easements granted by hereon are private. No permanent structures are to be erected within the lines of said easements.

In witness whereof we have hereunto set our hands this _____ day of _____, 20____.

Verna Robinson

ACKNOWLEDGMENT

STATE OF IDAHO }
COUNTY OF ADA } SS

On this _____ day of _____, in the year _____, before

me the undersigned, a Notary Public in and for said State, In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for _____

Residing at _____

My commission expires _____

CERTIFICATE OF SURVEYOR

I, Robert Gromatzky, am a registered professional land surveyor in the state of Idaho, and do hereby certify that this plat, as described in the "Certificate of Owners", was drawn from an actual survey made on the ground under my direct supervision and accurately represents the points platted thereon, in conformity with the state of Idaho codes relating to plats, surveys and the corner perpetuation and filing act, Idaho Code 55-1601 through 55-1612.



N|V|5

690 Industry Way, Suite 10
Meridan, ID 83642
208-342-5400 www.NV5.com

PLAT OF
WILLA FIELDS SUBDIVISION

HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been satisfied according to the letter to be read on file with the County Recorder or his agent listing the conditions of approval. Sanitary restrictions may be re-imposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of disapproval.

Central District Health, EHS

APPROVAL OF ADA COUNTY HIGHWAY DISTRICT

This plat was accepted and approved by the Board of Ada County Highway District Commissioners on this ____ day of _____, 20__.

President
Ada County Highway District

APPROVAL OF CITY COUNCIL

I, the undersigned, City Clerk in and for the City of Kuna, Ada County, Idaho do hereby certify that at a regular meeting of the City Council held on the ____ day of _____, 20__, this plat was duly accepted and approved.

City Clerk, Kuna, Idaho

APPROVAL OF CITY ENGINEER

I, the undersigned, City Engineer, in and for City of Kuna, Ada County, Idaho hereby state that the recommended conditions of the city of Kuna have been satisfied for this plat.

Kuna City Engineer Date

CERTIFICATE OF COUNTY SURVEYOR

I, the undersigned, County Surveyor, in and for Ada County Idaho, do hereby certify that I have checked this plat and that it complies with the requirements of Idaho Code, relating to plats and surveys

Ada County Surveyor Date

CERTIFICATE OF COUNTY TREASURER

I, the undersigned, County Treasurer in and for the County of Ada, State of Idaho, per the requirements of Idaho Code, Title 50, Chapter 13, Section 50-1308, do hereby certify that any and all current and/or delinquent County Property Taxes for the property included in this proposed subdivision have been paid in full. This certificate is valid for the next thirty (30) days only.

Ada County Treasurer Date

COUNTY RECORDER CERTIFICATE

STATE OF IDAHO }
COUNTY OF ADA } SS

I hereby certify that this instrument was filed for record at the request of W&H Pacific at ____ minutes past ____ o'clock __M., on this ____ day of _____, 20__, in Book _____ of Plats at Pages _____ through _____, under instrument No. _____.

Deputy Ex-Officio Recorder



N|V|5

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Meridan, ID 83642
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1220 south ash "Willa Fields"

Request for a driveway over the established maximum length of 150 feet in Kuna City Code.

1. That there are such special circumstances or conditions affecting the property that the strict application of the provisions of this title would clearly be impracticable or unreasonable; in such cases, the subdivider shall first state his reasons in writing as to the specific provision or requirement involved.

- willa feilds community will consist of two residences, the existing residence that is located toward ash street, and the second will be constructed on the back section of the community. To gain access to the residence on the back section there was a 20 foot easement created which is about 200 feet long created. Due to the load of traffic on this easement, which will be an additional 6 trips a day, the unpaved 20 foot easement should be sufficient. Location of the existing residence sits directly in the middle of this narrow lot which restricts us from abiding to the city code. With additional 50 feet to the maximum length requirement a turnaround will be created on the back property to insure correct fire department access. Which has already been approved by the fire district.

2. That strict compliance with the requirements of this title would result in extraordinary hardship to the subdivider because of unusual topography, other physical conditions or other such conditions which are not self-inflicted, or that these conditions would result in inhibiting the achievement of the objectives of this title.

- The additional 50 feet is needed to access the property without the variance there can be no access to the behind property.

3. That the granting of the specified variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated.

- With the additional 50 feet we are needing to install a turn around for the fire district, this will be in the form of a "hammer head" and will insure public welfare and accessibility of said property will be met.

4. That such variance will not violate the provisions of the Idaho Code.

- I'm not an expert with the code but I believe all the agencies which include ACHD, irrigation district, bosie projects, kuna fire district, have had no real issues, they have not found any item in the code that would not allow for the variance road extension. Throughout the design and development I have been receiving the comment from the jurisdictions that the development is under 10 lots and each property will consist of 1 acre parcels the code doesn't have any conditions.

5. That such variance will not have the effect of nullifying the interest and purpose of this title and the comprehensive development plan.

- In the development of the Willa fields community which consist of two one acre lots and an open community limited to two residences I believe we are following the comprehensive plan of kuna. To keep the small town feeling. We are strengthening and in support of the comprehensive plan.



City of Kuna
Planning & Zoning Department

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

Agency Transmittal

February 26, 2021

Notice is hereby given by the City of Kuna that the following action(s) is/are under consideration:

FILE NUMBER:	21-01-CPF (Combo Preliminary & Final Plat) Willa Fields Subdivision
PROJECT DESCRIPTION	The applicant requests approval for a Combined Preliminary & Final Plat in order to subdivide approximately 2.00 acres into two single family residential lots. The property is zoned R-6 (Medium Density Residential) within Kuna City Limits. The subject site is located at 1220 S Ashe Avenue, Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APN: R5070501193).
SITE LOCATION	1220 S Ash Avenue, Kuna, Idaho 83634.
OWNER	Verna Robinson 1220 S Ash Avenue Kuna, ID 83634 208.375.8001
APPLICANT	Joel Hirtle 535 S Retort Place Kuna, ID 83634 208.810.5614 joelh@cbhhomes.com
SCHEDULED HEARING DATE	Tuesday, April 13, 2021 6:00 P.M.
STAFF CONTACT	Doug Hanson dhanson@kunaid.gov Phone: 208.287.1771

- Page 2

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. 4th Street, Kuna, Idaho. If your agency needs additional time for review, please let our office know ASAP.

Doug Hanson

From: Phil Roberts <proberts@kunafire.com>
Sent: Monday, March 01, 2021 10:01 AM
To: Doug Hanson
Cc: Reggie Edwards
Subject: RE: 21-01-CPF (Combined Preliminary & Final Plat) Willa Fields Sub Request for Comment

We need to see a more defined site plan for the access road and a fire department turn-around for the back property site. Location of the existing Propane tank may need to be protected from vehicle damage due to proximity from access road. Address signage shall be at entrance of the property.

Chief R.

*Phil Roberts
Fire Chief
Kuna Rural Fire District
208-922-1144 Ext 101
208-922-1982 Fax
208-870-3057 Cell*



From: Doug Hanson <dhanson@kunaid.gov>
Sent: Friday, February 26, 2021 11:20 AM
To: adam.ingram@cableone.biz; agilman@adaweb.net; bmoore@adacounty.id.gov; Bobby Withrow <bwithrow@kunaid.gov>; BRO.Admin@deq.idaho.gov; bryce.ostler@intgas.com; Catherine Feistner <cfeistner@kunaid.gov>; Chad.Gordon@jmsanitation.com; cheryl.goettsche@cableone.biz; cmiller@compassidaho.org; D3Development.Services@itd.idaho.gov; dreinhart@kunaschools.org; eadolfson@compassidaho.org; easements@idahopower.com; horner.marci@westada.org; Jace Hellman <jhellman@kunaID.gov>; jboal@adaweb.net; jim@kunaschools.com; Julie.R.Stanley@usps.gov; kfunke@idahopower.com; Krystal Hinkle <khinkle@kunafire.com>; lbadigia@cdhd.idaho.gov; Lisa Holland <lholland@kunaid.gov>; marc.c.boyer@usps.gov; mfratusco@adacounty.id.gov; mleatherman@adaweb.net; mronk@idahopower.com; nmid@nmid.org; Paul Stevens <PStevens@kunaid.gov>; PDickerson@idahopower.com; planningreview@achdidaho.org; Phil Roberts <proberts@kunafire.com>; rebecca.i.rone@usps.gov; Reggie Edwards <redwards@kunafire.com>; TRitthaler@boiseproject.org
Subject: 21-01-CPF (Combined Preliminary & Final Plat) Willa Fields Sub Request for Comment

February 26, 2021

Notice is hereby given by the City of Kuna that the following action(s) is/are under consideration:

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OWNER	Verna Robinson 1220 S Ash Avenue Kuna, ID 83634 208.375.8001
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SCHEDULED HEARING DATE	Tuesday, April 13, 2021 6:00 P.M.
STAFF CONTACT	Doug Hanson dhanson@kunaid.gov Phone: 208.287.1771
<p>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. 4th Street, Kuna, Idaho. If your agency needs additional time for review, please let our office know ASAP.</p>	

Best,

Doug Hanson
Planner II
City of Kuna
751 W 4th St
Kuna, ID 83634
dhanson@kunaid.gov
208.287.1771



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 CPF 21-01

Willa Fields

- 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:
 - central sewage
 - interim sewage
 - individual sewage
 - community sewage system
 - central water
 - individual water
 - community water well
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - central sewage
 - sewage dry lines
 - community sewage system
 - central water
 - community water
- 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 12. We will require plans be submitted for a plan review for any:
 - food establishment
 - beverage establishment
 - swimming pools or spas
 - grocery store
 - child care center
- 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDH.

14. Submit land development application, fees. Test holes & full engineer report required. If plat is approved, then applicant can apply for a septic permit

Reviewed By: MW Boof
 Date: 3/4/2021

GALE MASLONKA
CHAIRMAN OF THE BOARD
RICHARD DURRANT
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)

2485 OVERLAND ROAD
BOISE, IDAHO 83705-3111

RECEIVED
MAR 04 2021
CITY OF KUNA

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

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

02 March 2021

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

RE: Verna Robinson (Willa Fields Sub) **21-01-CPF**
1220 S Ash St., Kuna 83634
Boise-Kuna Irrigation District BK-1300 F1
Mora Canal 530+00A
Sec. 35, T2N, R1W, BM.

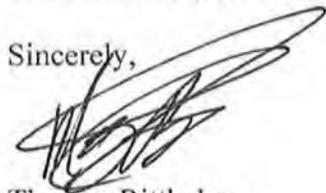
Doug Hanson, Planner:

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: Ray Moore
Alicia Flavel
File

Watermaster, Div; 3 BPBC
Secretary – Treasurer, BKID



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1445 N Orchard Street, Boise, ID 83706
(208) 373-0550

Brad Little, Governor
Jess Byrne, Director

March 5, 2021

By e-mail: dhanson@kunaaid.gov

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

Subject: Willa Fields Subdivision, 21-01-CPF

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.

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 for all construction projects 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.
- 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. DRINKING 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). 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. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** 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 (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards

- **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.
- **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 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

EDMS#: 2021AEK31



RECEIVED

MAR 15 2021

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

March 10, 2021

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

RE: 21-01-CPF/ Willa Fields Subdivision; 1220 S. Ash 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.

Please feel free to contact me with any further questions.

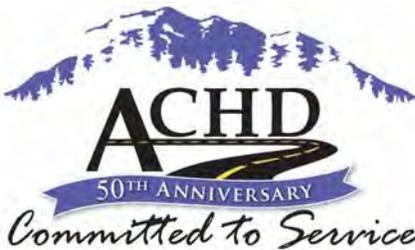
Sincerely,

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

Cc: Office/ file



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



Kent Goldthorpe, President
Dave McKinney, Vice-President
Jim D. Hansen, Commissioner
Mary May, Commissioner
Alexis Pickering, Commissioner

March 19, 2021

To: Joel Hirtle
535 S Retort Place
Kuna, ID 83634

Subject: Willa Fields/ KPP21-0002/ 21-01-CPF
1220 S Ash Avenue
This is a combined preliminary and final plat application to allow for the development of a 2-lot single-family subdivision on 2-acres.

The Ada County Highway District has reviewed the submitted application for the preliminary plat referenced above and has determined that there are no street improvements required to the adjacent street due to the fact that the development is generating less than 10 additional average daily trips, consistent with District policy.

A. Findings of Fact

1. Ash Avenue

- a. **Existing Conditions:** Ash Avenue is improved with 2-travel lanes, 30-feet of pavement, and no curb, gutter or sidewalk abutting the site. There is 40-feet of right-of-way for Ash Avenue (20-feet from centerline).

There is an existing single-family dwelling on the site.

b. **Policy**

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.

- c. **Applicant's Proposal:** The applicant is not proposing any right-of-way dedication to Ash Avenue abutting the site.

- d. **Staff Comments/Recommendations:** Consistent with District Right-of-Way policy, the applicant should be required to dedicate additional right-of-way to total 25-feet from centerline of Ash Avenue abutting the site.

2. Driveways

- a. **Existing Conditions:** There is an existing 20-foot wide unimproved driveway on the site's north property line.

- 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.

- c. **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)
- d. **Applicant's Proposal:** The applicant is proposing to utilize the existing 20-foot wide driveway located at the site's north property line as a shared access driveway onto Ash Avenue from the site.
- e. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed.

The applicant should submit a driveway approach request form and be required to pave the driveway its entire width and at least 30-feet into the site beyond the edge of pavement of Ash Avenue.

B. Site Specific Conditions of Approval

1. Dedicate additional right-of-way to total 25-feet from centerline of Ash Avenue abutting the site.
2. Submit a driveway approach request, link to form is below, for the 20-foot wide shared driveway located at the site's north property line onto Ash Avenue from the site.
<http://www.achdidaho.org/Documents/Forms/mostDocs/DrivewayApproachRequest.pdf>
3. Pave the driveway its entire width and at 30-feet into the site beyond the edge of pavement of Ash Avenue.
4. A Traffic Impact Fee will be assessed by ACHD and will be due prior to issuance of a building permit. Please contact the ACHD Planner (see below) for information regarding impact fees.
5. Plans shall be submitted to the ACHD Development Services Department for plans acceptance, and impact fee assessment (if an assessment is applicable).
6. Comply with the Standard Conditions of Approval as noted below.

C. Traffic Information

Trip Generation

This development is estimated to generate 9 additional vehicle trips per day (9 existing); and 1 additional vehicle trips per hour in the PM peak hour (1 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 10th edition.

Condition of Area Roadways: *Traffic Count is based on Vehicles per hour (VPH)*

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Ash Avenue	136-feet	Local	14	N/A

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

- The average daily traffic count for Ash Avenue north of King Road was 187 on 06/19/2019.

D. Attachments

1. Vicinity Map
2. Site Plan
3. Standard Conditions of Approval
4. Appeal Guidelines

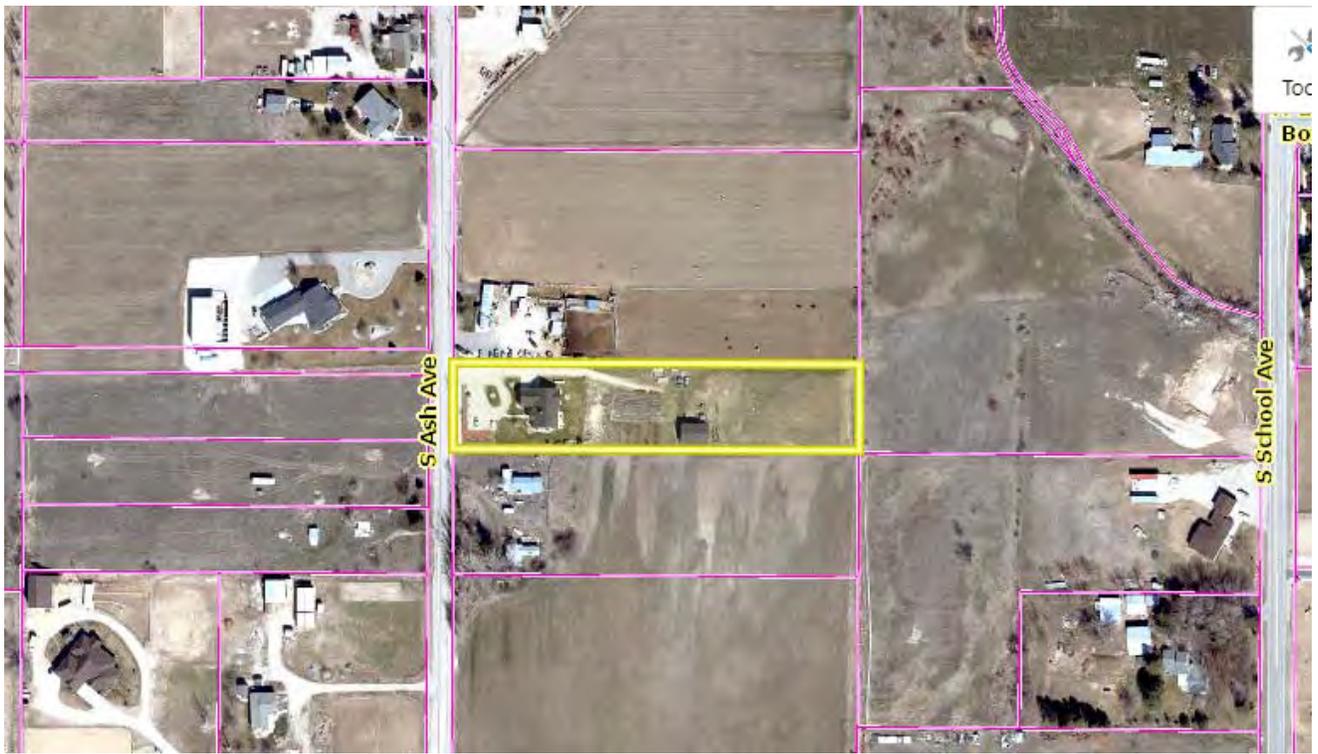
If you have any questions, please feel free to contact me at (208) 387-6178.

Sincerely,

Mindy Wallace, AICP
Planning Review Supervisor
Development Services

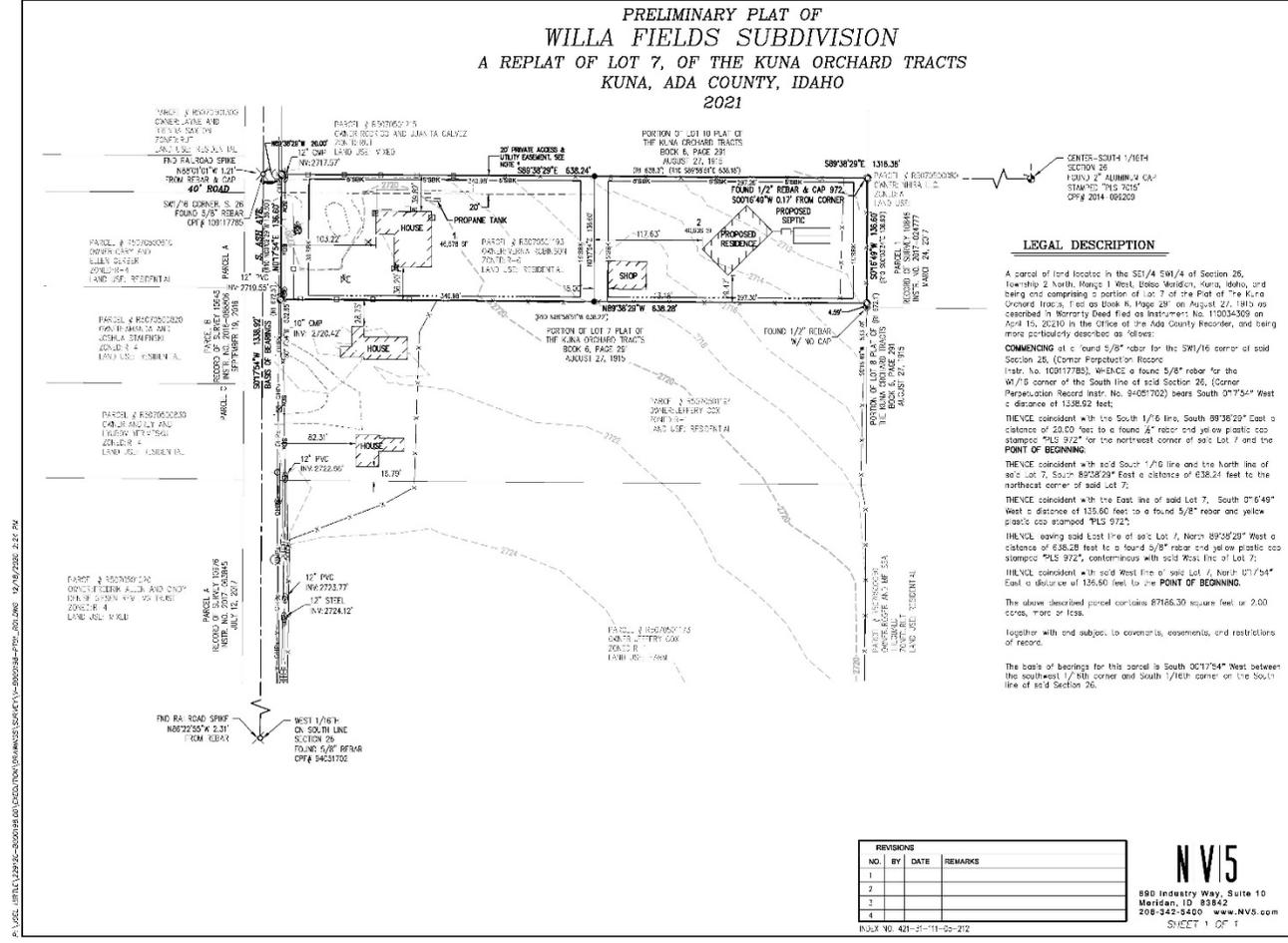
cc: Project File
City of Kuna

VICINITY MAP



SITE PLAN

PRELIMINARY PLAT OF WILLA FIELDS SUBDIVISION A REPLAT OF LOT 7, OF THE KUNA ORCHARD TRACTS KUNA, ADA COUNTY, IDAHO 2021



LEGAL DESCRIPTION

A parcel of land located in the SW1/4 SW1/4 of Section 26, Township 2 North, Range 1 West, Boise Meridian, Kuna, Idaho, and being and comprising a portion of Lot 7 of the Plat of the Kuna Orchard Tracts, First as Book 6, Page 28 on August 27, 1910 as described in Warranty Deed filed on Instrument No. 110034909 on April 15, 2020 in the Office of the Ada County Recorder, and being more particularly described as follows:

COMMENCING at a found 5/8" rebar for the SW1/6 corner of said Section 26, (Corner Flagstation Record Instr. No. 10017785), **WHENCE** a found 5/8" rebar for the W1/6 corner of the South line of said Section 26, (Corner Parcelstation Record Instr. No. 9405702) bears South 07°54' West a distance of 1388.92 feet;

THENCE coincident with the South 1/6 line, South 89°38'20" East a distance of 20.00 feet to a found "A" rebar and yellow plastic cap stamped "MS 922" for the northwest corner of said Lot 7; and the **POINT OF BEGINNING**;

THENCE coincident with said South 1/6 line and the North line of said Lot 7, South 89°38'20" East a distance of 636.24 feet to the northeast corner of said Lot 7;

THENCE coincident with the East line of said Lot 7, South 0°0'49" West a distance of 135.66 feet to a found 5/8" rebar and yellow plastic cap stamped "MS 922";

THENCE leaving said East line of said Lot 7, North 89°38'20" West a distance of 636.28 feet to a found 5/8" rebar and yellow plastic cap stamped "MS 922", continuous with said West line of Lot 7;

THENCE coincident with said West line of said Lot 7, North 07°54' East a distance of 135.66 feet to the **POINT OF BEGINNING**.

The above described parcel contains 8766.30 square feet or 2.00 acres, more or less.

Together with and subject to covenants, easements, and restrictions of record.

The basis of bearings for this parcel is South 00°17'54" West between the southwest 1/8th corner and South 1/6th corner of the South line of said Section 26.

REVISIONS			
NO.	BY	DATE	REMARKS
1			
2			
3			
4			

NV5

890 Industry Way, Suite 10
Meridian, ID 83842
208-242-8400 www.NV5.com
SHEET 1 OF 1

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, 7203.6, 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.

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

Catherine Feistner, E.I.T.
Assistant Kuna City Engineer
cfeistner@kunaid.gov
208-639-5347

COMBO PRELIMINARY AND FINAL PLAT MEMORANDUM

To: Jace Hellman, Planning and Zoning Director
From: Catherine Feistner, E.I.T.
Date: 15 March 2021
RE: Willa Fields Subdivision – 21-01-CPF (Combo Preliminary & Final Plat)

The Willa Fields Subdivision, located at 1220 S Ash Avenue, combo preliminary and final plat with Planning and Zoning acceptance date of 26 February, 2021 has been reviewed. The applicant's proposed development has not been formatted to comply with the intended City of Kuna (City) R-6 (medium density residential) zone requirements. Review of civil design drawings is accomplished separately, when received.

These comments may be expanded or refined based on future land-use actions.

1. Inspection Fees

- a. 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 if applicable, to provide accurate as-built drawings to the City.

2. General

- a. The development site consists of 2.0 acres. The applicant requests to divide his 2-acre parcel into two one-acre parcel for a second residence.
- b. Equivalent Dwelling Units (EDUs) are reckoned at approximately 3.18 people per household. The resultant projected population for this subdivision is approximately 4.
- c. The preliminary plat shows one (1) private access west of the development site joining to S. Ash Avenue.
- d. Streetlights on private streets will not be owned and maintained by the City. City Code 5-18-1 states that private, dead-end roads may not exceed 450-ft in length.
- e. A plan approval letter will be required if this project affects any local irrigation districts.
- f. Elevations shall be actual NAVD 88 datum elevations. A localized elevation system is not acceptable.
- g. All positional information shall be from the most recent state plane coordinate system.
- h. Provide engineering certification on all final engineering drawings.
- i. Fire suppression shall be available and approved by KRFD.

3. Sanitary Sewer

- a. The applicant's property is not connected to City services and wishes to remain on a septic system.
- b. City code 5-16-B.2 states public sewer utilities shall be extended to each parcel when sewer is available within three hundred (300) feet of the parcels. At this time, the applicant will decommission the septic system and connect to City Sewer services, in accordance with the City's "to and through" policy in Kuna City Code 6-4-2.
- c. All sewer infrastructure must meet or exceed City of Kuna requirements.

4. Potable Water

- a. The applicant's property is not connected to City services and the applicant's water source is not described.
- b. City code 5-16-B.2 states public water utilities shall be extended to each parcel when water is available within three hundred (300) feet of the parcels. At this time, the applicant will decommission the well and connect to City Water services, in accordance with the City's "to and through" policy in Kuna City Code 6-4-2.
- c. Verify well systems and septic systems meet IDEQ and IDWR requirements.
- d. The nearest available water main line is located 0.2 miles north on S Ash Ave.

5. Pressurized Irrigation

- a. The applicant's property is not connected to the City's pressurized irrigation system and does not need to connect as a result of this project.
- b. Existing irrigation ditches (supply & drain) must be relocated as needed and as approved by the irrigation ditch company/users.

6. 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. 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.
- d. Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties.

7. As-Built Drawings

- a. If the applicant chooses to connect to any public system, as-built drawings will be required.

8. Property Description

- a. The applicant provided a replat and supporting documents as part of the application.



ADVERTISING PROOF

PO Box 9399
 1618 N Midland Blvd, 83651,
 Nampa, ID 83652
 Ph. (208) 465-8129 Fax: (907) 452-5054

BILLING DATE:	ACCOUNT NO:
03/22/21	21880

LEGAL NOTICE

Case No. 21-01-CPF: Willa Fields Subdivision; Preliminary-Plat & Final Plat.

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission will hold a public hearing Tuesday, April 13, 2021, at 6:00 PM, or as soon as can be heard; in connection with a Combination Preliminary & Final Plat (CPF) request for Willa Fields Subdivision. Joel Hirtle requests approval for a Combined Preliminary & Final Plat in order to subdivide approx. 2.00 ac. into two single family residential lots. The property is zoned R-6 (Medium Density Residential) within Kuna City Limits. The subject site is located at 1220 S Ash Avenue, Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APN: R5070501193).

Please do not contact the Commission or Council including the Mayor as this may jeopardize the public hearing process as it is considered ex parte. If you 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, please contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

Kuna Planning & Zoning Department

March 24, 2021 83798

JESSICA REID
 1 KUNA, CITY OF
 P.O. BOX 13
 KUNA, ID 83634

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
83798	PH 4/13/21	03/24/21	03/24/21	1	

We Appreciate Your Business!

Kuna Planning & Zoning
PO Box 343
Kuna, ID 83634

NEGATIVE
NOTICE
City
KUNA, ID 83634-0000

NEOPOST FIRST-CLASS MAIL
03/24/2021
US POSTAGE \$000.00
ZIP 83634
041M11460992

Suggestions for Testifying at the Public Hearing:

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/93/Agendas-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 by close of business the Wednesday prior to the hearing will be included in the packet that is distributed to the governing body prior to the hearing. 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.



751 W 4th Street • PO Box 13
Kuna, ID 83634 • (208) 922-5274
www.kunacity.id.gov

Dear Property Owner: NOTICE IS HEREBY GIVEN that the Planning & Zoning Commission is scheduled to hold a **Public Hearing** on **April 13, 2021**, beginning at **6:00 PM** (or as soon as it may be heard), in City Hall Council Chambers, 751 W 4th Street, Kuna, ID, 83634 on the following case:

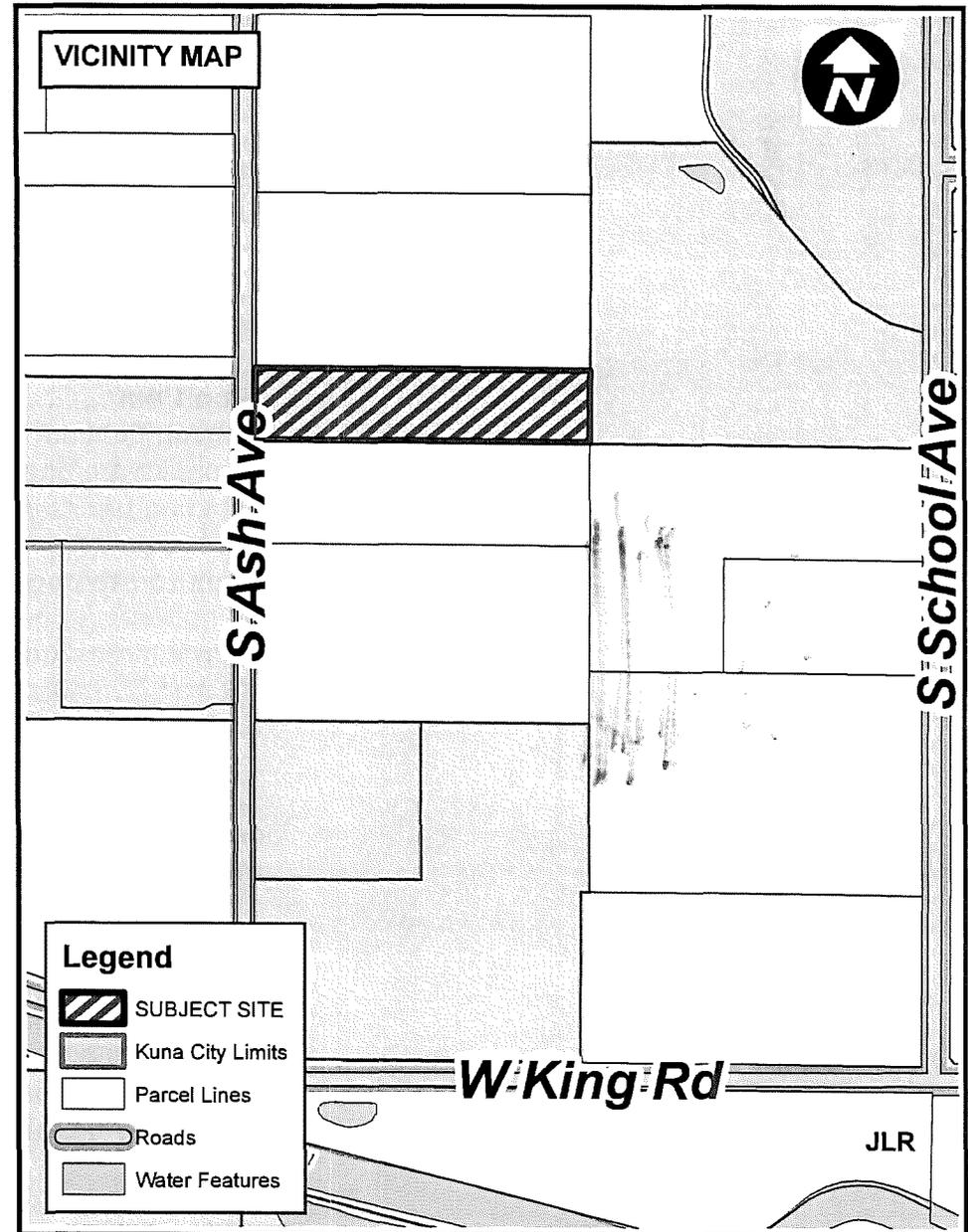
**Combination Preliminary & Final Plat (CPF)
Willa Fields Subdivision**

Joel Hirtle requests approval for a Combined Preliminary & Final Plat in order to subdivide approx. 2.00 ac. into two single family residential lots. The property is zoned R-6 (Medium Density Residential) within Kuna City Limits. The subject site is located at 1220 S Ash Avenue, Kuna, ID 83634, within Section 26, Township 2 North, Range 1 West; (APN: R5070501193).

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; please see the attached instructions or contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

Written testimony received by the close of business on **April 7, 2021** will be included in the packet that is distributed to the governing body prior to the hearing. Late submissions will be presented to the governing body at time of the hearing.

MAILED 03.24.2021





The public is invited to provide comment; instructions and options available for alternative public testimony options 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 prior to 5:00 PM the Wednesday 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](http://KunaCity.ID.gov), KunaCity.ID.gov> *Doing Business*> *Forms & Applications*> *Frequently requested Applications and Forms*> *ONLINE 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
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 by noon the day of the 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](http://Kunacity.id.gov) 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

Oral – In Person Testimony during the Public Hearing

Due to social distancing protocol, social distancing is encouraged within Council Chambers; mask wearing is at individual discretion. All persons wishing to testify must, state their name and residential address. No person shall speak until recognized by the Commission Chairman. A three (3) minute time limit will be placed on all testimonies.



CITY OF KUNA
PLANNING & ZONING DEPARTMENT

751 West 4th Street
P.O. Box 13
Kuna, ID 83634
Phone: 208-922-5274
Fax: 208-922-5989
www.kunacity.id.gov

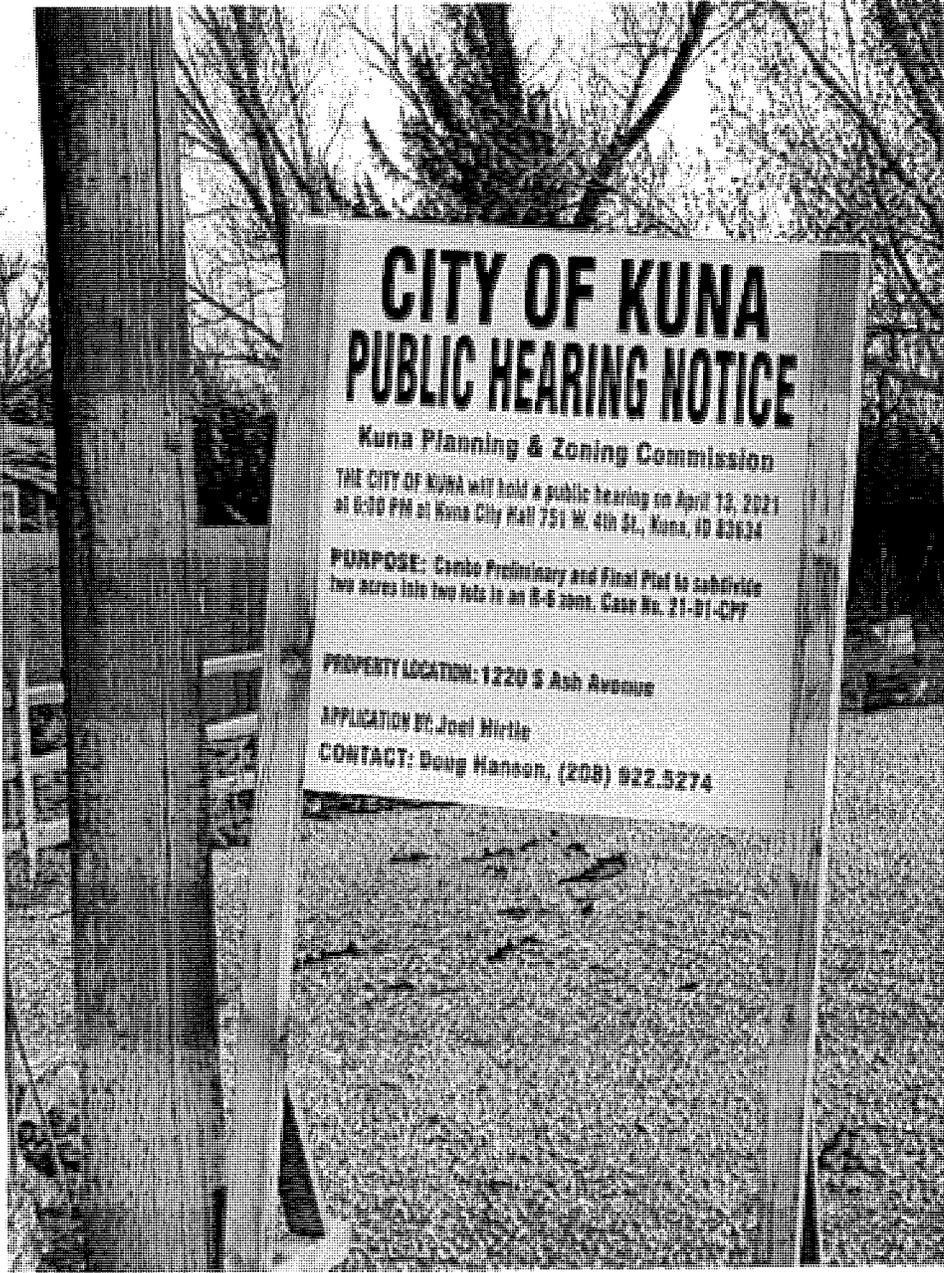
CERTIFICATE OF MAILING

Date: 3/24/2021
To: 300' Property Owners Other _____
Planner: Jessica Reid, Planning Services Specialist
Case Name: 21-01-CPF – Willa Fields Subdivision

I HEREBY CERTIFY that on this 24th day of March, 2021, 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 PUBLIC HEARING NOTICE

Kuna Planning & Zoning Commission

THE CITY OF KUNA will hold a public hearing on April 13, 2021
at 6:00 PM at Kuna City Hall 751 W. 4th St., Kuna, ID 83634

PURPOSE: Combo Preliminary and Final Plat to subdivide
two acres into two lots in an R-6 zone. Case No. 21-01-CPP

PROPERTY LOCATION: 1220 S Ash Avenue

APPLICATION BY: Joel Hirtle

CONTACT: Doug Hanson, (208) 922.5274





751 W 4th Street | Kuna, ID | 83634
(208) 922-5274 | www.kunacity.id.gov
EXHIBIT CHECKLIST



Case Name: Markovetz
Case No.(s): 21-02-AN (Annexation)

EXHIBITS	Page No.
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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: 21-02-AN (Annexation) Markovetz
Site Location: 325 S Terben Lane Kuna, ID 83634
Planner: Jessica Reid Planning Services Specialist
Hearing Date: April 13, 2021
Applicant: Michelle Carroll City of Trees Real Estate 8950 W Emerald Street Suite 198 Boise, ID 83704

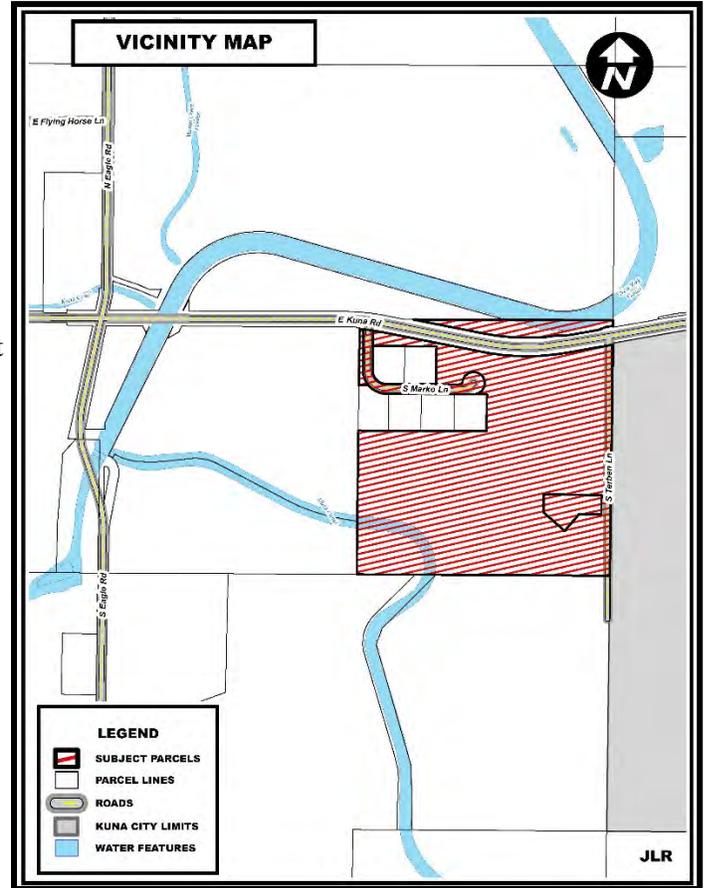


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- A. Process and Noticing
B. Applicants Request
C. Site History
D. General Project Facts
E. Staff Analysis
F. Applicable Standards
G. Proposed Findings of Fact and Conclusions of Law
H. Proposed Comprehensive Plan Analysis
I. Proposed Kuna City Code Analysis
J. Commission's Recommendation

A. Process and Noticing:

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

a. Notifications

- i. Neighborhood Meeting November 7, 2020 (9 people attended)
ii. Agency Comment Request February 18, 2021
iii. 300' Property Owners Notice March 24, 2021
iv. Kuna Melba Newspaper March 24, 2021
v. Site Posted March 30, 2021

B. Applicant's Request:

Michelle Carroll of City of Trees Real Estate, on behalf of her clients Donald and Carol Markovetz, requests to Annex approximately 33.02 acres into Kuna City Limits with a R-8 (Medium/High Density Residential) zoning designation. (APNs: R5462680010, R5462680020, R5462680070, R5462680100 and R5462680110).

C. Site History:

Currently, the property is zoned Rural Residential (RR) within unincorporated Ada County. Historically, the parcels have been utilized as open pasture land and contains a Single-Family residence with access from S Terben lane.

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 FLUM designates the approximately 33.02-acre site as Medium Density Residential.

2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map indicates the properties are proposed to be part of future pathways and trails; these pedestrian and bicycle pathways/trails will meander through the subject site.

3. **Surrounding Land Uses:**

North	RR	Rural Residential – Ada County
South	RR	Rural Residential – Ada County
East	A	Agriculture – Kuna City
West	RR	Rural Residential – Ada County

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

Property Owners:	Parcel Size:	Current Zone:	APN:
Donald & Carol Markovetz	1.47	RR (Ada County)	R5462680010
	0.152	RR (Ada County)	R5462680020
	1.13	RR (Ada County)	R5462680070
	29.395	RR (Ada County)	R5462680100
	0.872	RR (Ada County)	R5462680110

5. **Services:**

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

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

The proposed site contains one (1) Single-Family residence (APN: R5462680110). On-site vegetation is consistent with that of agriculture pasture-type fields. The sites have an estimated average slope of 0.9% to 5.9%. According to the USDA Soil Survey for Ada County, bedrock depth for the site is estimated to be between 20 – 40 inches, and greater than 60 inches.

7. **Transportation / Connectivity:**

The residence is accessed via an existing driveway onto S Linder Road and there is no new development proposed with this application but a development application may be forthcoming in the near future.

The Community Planning Association of Southwest Idaho (COMPASS) provides a “G” or “PG” rating as acceptable Levels of Stress for pedestrian and bicyclist facilities which support all ages and comfort levels; currently, the Kuna Road Corridor has been rated “R” and is not an acceptable Level of Stress. In addition, ValleyConnect 2.0 has no plans for bus services in this location. COMPASS encourages future development to provide improved pedestrian and bicycle circulation pathways, stub streets, and a pathway along the New York Canal to provide future connectivity. Staff notes COMPASS has reported the location of the subject sites is within an area that is predominately farmland and nearby services such as Fire, Police, schools, parks, grocery stores, etcetera, are a distance greater than 3.5 miles away; as well as indicating the growth in the area, including the additional developments in the vicinity, have exceeded their growth forecast for that area.

The Ada County Highway District (ACHD) identifies Kuna Road as a Level 3 facility within their Roadways to Bikeways Master Plan, which implements an improved bicycle network as to provide alternate means of viable transportation; they have also identified Level 1 facilities within the site. Currently, ACHD rates the condition of area roadways as “E” being an acceptable level of service for a two-lane minor arterial; per the ACHD staff report dated March 22, 2021, the area roadways have been rated better than “D”, with an Average Daily Traffic Count (VDT) of 1,020 per their most recent traffic counts (performed April 13, 2016). ACHD notes that Kuna Road is improved with two (2) travel lanes and one (1) turn lane. There is no curb, gutter, or sidewalk abutting the site; these types on improvements would be required upon submission of a development application. The improvements will be required to be made in accordance with Kuna City Code (KCC) standards and ACHD policy. ACHD provided a staff report based on the current proposed annexation and possible future development of the subject sites; within this report, substantial street improvements would be required upon development. These improvements could include: a Traffic Impact Study (TIS) if there are 100 or more single-family homes proposed for development, if development would generate 100 or more new PM peak hour trips; widening Kuna Road to seventeen (17) feet from centerline on each side; constructing a five (5) foot detached concrete sidewalk and three (3) foot gravel shoulder on both sides of Kuna Road; additional street frontage improvements; and dedication of additional right-of-way if turn lanes become required based on development numbers. ACHD staff also notes the Applicant would be required to construct a new north/south collector roadway at the site’s east property line as half of a two-lane collector roadway, and continuing north of Kuna Road until a bridge crossing would be required over the New York Canal. Per ACHD, Applicant shall be subject to all district policies and any additional requirements shall be met and constructed to ACHD and KCC standards.

8. **Environmental Issues:**

A portion of the subject site lies within the 100 Year Floodplain Area; beyond this, Staff is not aware of any other environmental issues, health or safety conflicts.

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

Boise Project Board of Control	Exhibit B-2
Nampa & Meridian Irrigation District	Exhibit B-3
Assistant City Engineer	Exhibit B-4
COMPASS	Exhibit B-5
ACHD	Exhibit B-6

E. Staff Analysis:

The Applicant held a Neighborhood Meeting with neighboring land owners within 300 ft of the proposed project area on November 7, 2020, there were nine (9) attendees. The meeting minutes have been included as a part of this application.

Staff has determined that the properties are eligible for Annexation into Kuna City limits. The property owner is consenting to the Annexation and the properties are contiguous with Kuna City limits situated to the east of the subject site. The Applicant is proposing to annex approximately 33.02 acres into Kuna City Limits with an R-8 zoning district classification, in accordance with the Medium Density land use designation on the FLUM. This request is limited to the annexation of the land into Kuna City Limits, with a possible development application forthcoming in the future.

The Boise Project Board of Control commented the subject sites will not be allowed to connect to the Kuna Municipal Irrigation System unless it acquires a legal surface water irrigation right from the New York Irrigation District. They also note that high ground water spreading is against Idaho State Statues. In addition, the Boise Project Board of Control asserts the federal easement of 35 feet east of the water's edge and 20 feet west out and parallel to the canal's lower toe as the area is required for the operation and maintenance of the canal; no landscaping besides grass or gravel is permitted within the easements and any/all fencing or pathways must be constructed just off this easement. The easement must maintain unhindered access and surfaces must remain a flat & drivable.

Staff has determined the Applicant's Annexation request is in compliance with Kuna City Code, Title Five; Idaho Statutes §50-222 and §67-65; and the goals and policies set in Kuna's Comprehensive Plan. Staff recommends if the Commission recommends approval to the City Council, that the Applicant be subject to the Conditions of Approval listed in section "J" of this report, as well as any additional conditions designated by the Planning and Zoning Commission.

F. Applicable Standards:

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

G. Proposed Findings of Fact and Conclusions of Law:

Based upon the record contained in Case No. 21-02-AN, including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the public hearing, the Kuna Planning and Zoning Commission hereby recommends *approval/ denial* of the Findings of Fact and Conclusions of Law, and Conditions of Approval for Case No. 21-02-AN, a request from Michelle Carroll, on behalf of landowners Donald and Carol Markovetz, to Annex approximately 33.02 acres into Kuna City limits with and R-8 (Medium/High Density Residential) zoning district classification.

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

1. Based on the evidence contained in Case No. 21-02-AN, this proposal does/does not generally comply with the City Code.

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

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: Neighborhood notices were mailed to residents within 300-ft of the proposed project site on March 24, 2021 and a legal notice was published in the Kuna Melba Newspaper on March 24, 2021. The applicant posted a sign on the property on March 30, 2021.

3. Based on the evidence contained in Case No. 21-02-AN, this proposal does/does not generally comply with the Comprehensive Plan.

Staff Finding: The Comprehensive Plan designates the future land use designation of the proposed subject sites as Medium Density Residential. The Applicant is requesting an R-8 (Medium/High Density Residential) zone.

4. The contents of the proposed Annexation application does/does not contain all of the necessary requirements as listed in Kuna City Code.

Staff Finding: Review by staff of the proposed Annexation confirms all technical requirements listed within Kuna City Code were provided.

5. All private landowners have/have not consented to annexation.

Staff Finding: Affidavits of legal interest were signed by Donald and Carol Markovetz, therefore consenting to the annexation of the proposed project sites.

6. The proposed project lands are/are not contiguous or adjacent to property within Kuna City Limits.

Staff Finding: The parcel is contiguous with Kuna City limits to the east.

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

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

H. Proposed Comprehensive Plan Analysis:

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

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

- Goal 3.A: Ensure community design directs growth and implements sustainable land use patterns.
 - Objective 3.A.1: Use the Future Land Use Map and land use regulations to direct development, encourage complementary and compatible land uses, and achieve good community design.
- 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/not be* consistent and in compliance with all Kuna City Code (KCC).

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

2. The Annexation request *is/is not* likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

Comment: *There is no development proposed with this application at this time.*

3. The application *is/is not* likely to cause adverse public health problems.

Comment: *There are no adverse public health problems known at this time.*

J. Commission's Recommendation:

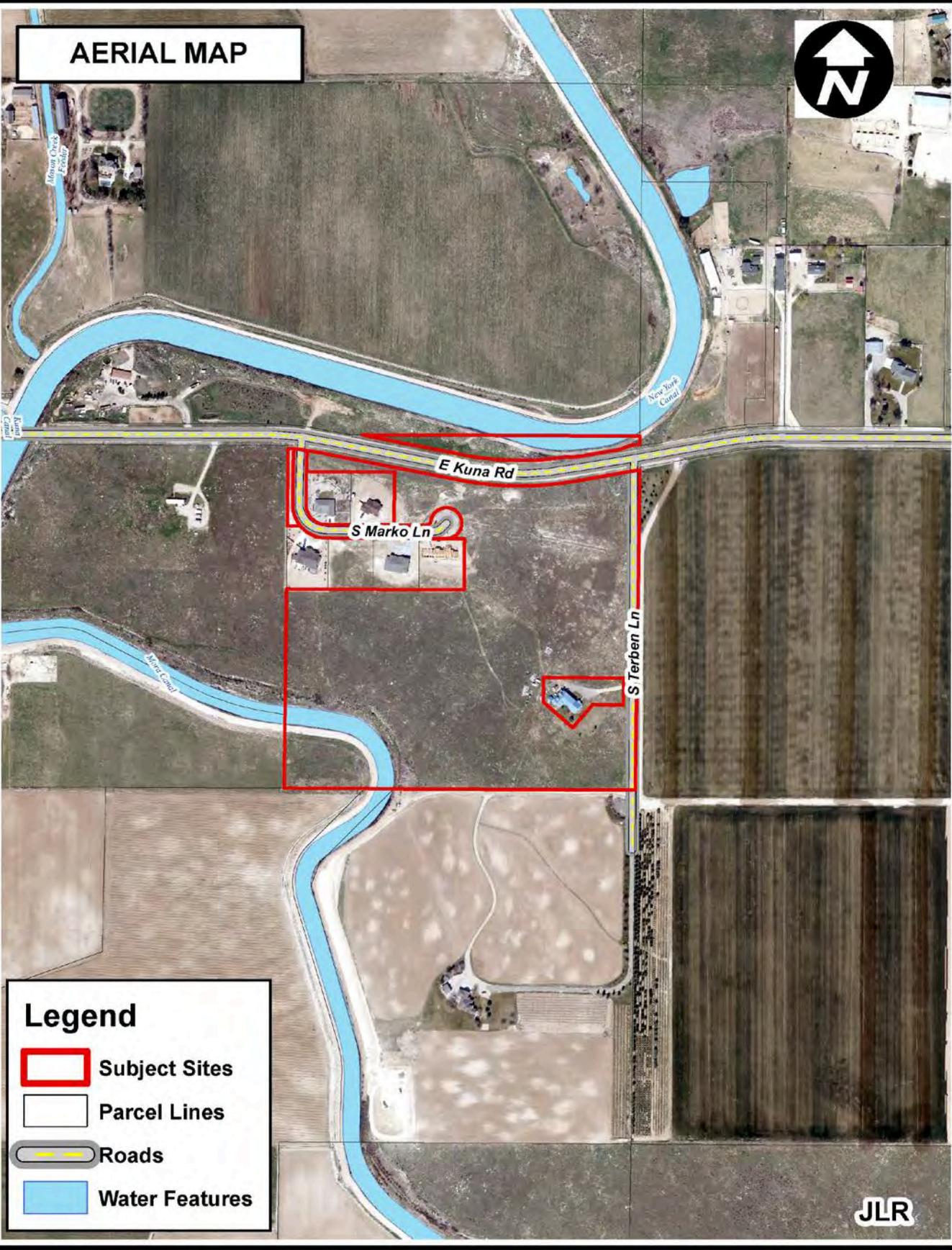
Note: The motion is for the recommendation of approval, conditional approval or denial of the Annexation application to the City Council. However, if the Planning and Zoning Commission wishes to approve or deny specific parts of these requests as detailed in the report, those changes must be specified.

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/denial** of Case No. 21-02-AN (*Annexation*), a request from Michelle Carroll, on behalf of landowners Donald and Carol Markovetz, to Annex approximately 33.02 acres into Kuna City limits with and R-8 (Medium/High Density Residential) zoning district classification.

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 connections.
 - b. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties".
 - d. The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural 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.

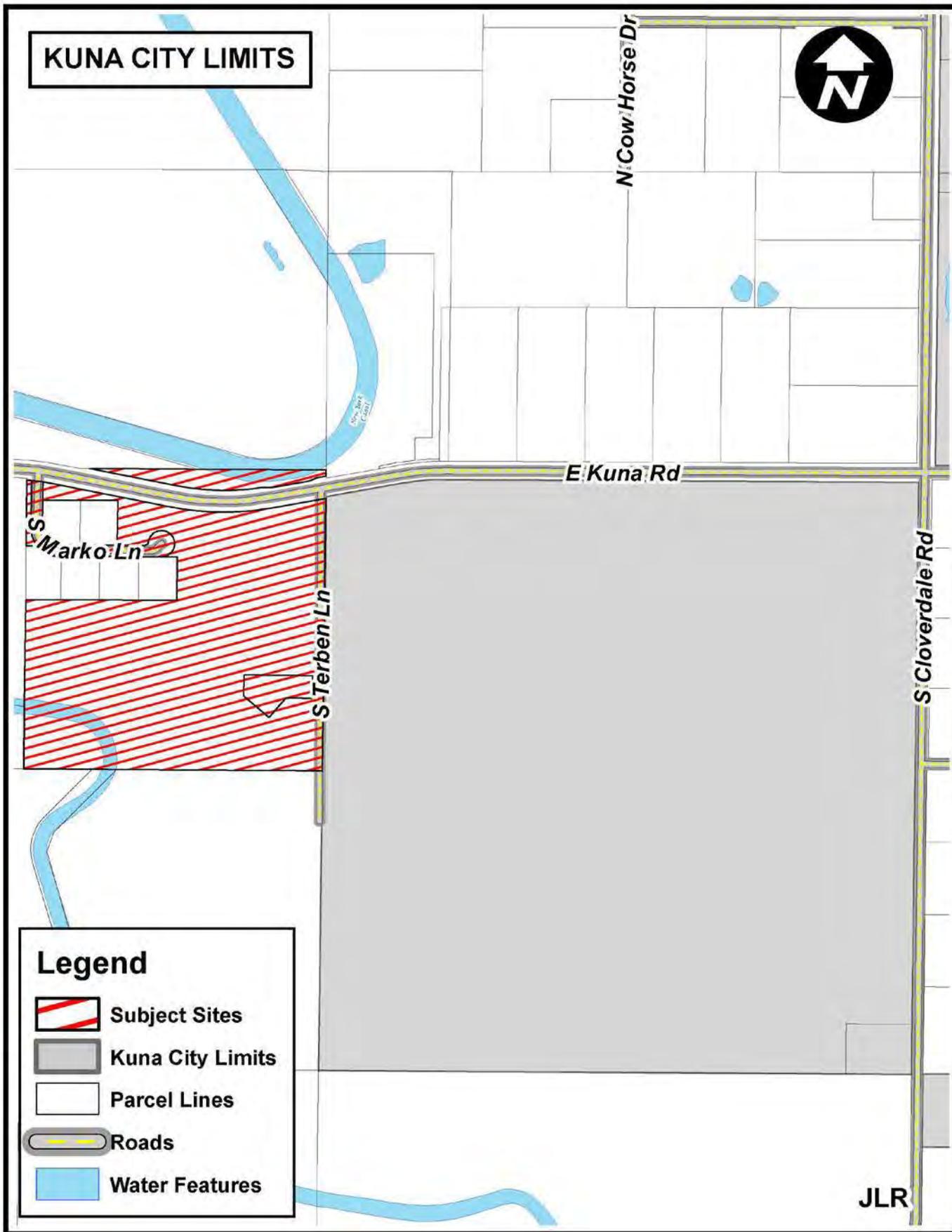
AERIAL MAP



Legend

-  Subject Sites
-  Parcel Lines
-  Roads
-  Water Features

JLR



From: noreply@civicplus.com
To: [Jessica Reid](#); [Doug Hanson](#)
Subject: Online Form Submittal: Annexation
Date: Thursday, January 7, 2021 1:29:37 PM

Annexation

Step 1

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

Project Name	E Kuna Rd
--------------	-----------

Case Number	<i>Field not completed.</i>
-------------	-----------------------------

(Section Break)

Contact/Applicant Information

Owner(s) of Record:	Donald J Markovetz
---------------------	--------------------

Phone:	(208) 871-0585
--------	----------------

Email:	dcmarkovetz@gmail.com
--------	-----------------------

Address1	325 S Terben Ln
----------	-----------------

Address2	<i>Field not completed.</i>
----------	-----------------------------

City	Kuna
------	------

State	ID
-------	----

Zip	83634
-----	-------

Applicant (Developer):	Michelle Carroll
------------------------	------------------

Applicant (Developer) Company:	City of Trees Real Estate
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Phone:	(208) 578-6539
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Email:	michelle@cityoftreesrealestate.com
--------	------------------------------------

Address1	8950 W Emerald St., Ste #198
----------	------------------------------

Address2	<i>Field not completed.</i>
----------	-----------------------------

City	Boise
------	-------

State	ID
Zip	83704
Engineer/Representative:	<i>Field not completed.</i>
Engineer/Representative Company:	<i>Field not completed.</i>
Phone:	<i>Field not completed.</i>
Email:	<i>Field not completed.</i>
Address1	<i>Field not completed.</i>
Address2	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>

(Section Break)

Subject Property Information

Site Address:	E Kuna Rd
Nearest Cross Streets:	Cloverdale and Kuna Rd
Parcel Number(s)	R5462680010, R5462680020, R5462680070, R5462680100, R5462680110
Section, Township, Range:	2N1E28
Property Size:	33.02 Acres
Current Land Use:	Residential
Current Zoning District:	RR
Proposed Land Use:	Residential
Proposed Zoning District:	R8

(Section Break)

Project Description

Markovetz Subdivision

Project/Subdivision
Name:

General description of
proposed
project/request: Annexation of Markovetz owned land

Type of Use Proposed - Residential
Check all that apply:

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

Amenities provided with N/A
this development:

(Section Break)

Residential Project Summary (if applicable)

Are there existing Yes
buildings?

Please describe existing Single family residence
buildings:

Any existing buildings to Yes
remain?

Number of Residential 1
Units:

Number of buildable 1
Lots:

Number of common lots 0
and/or other lots:

Type of dwellings Single-Family
proposed?

Minimum square footage N/A
of structures:

Gross Density (DU/Acre - *Field not completed.*
Total Property):

Net Density (DU/Acre - *Field not completed.*
Excluding Roads):

% of Open Space provided: *Field not completed.*

Acreeage of Open Space: *Field not completed.*

Type of Open Space provided? *Field not completed.*

(Section Break)

Non-Residential Project Summary (if applicable):

Number of building lots: *Field not completed.*

Other lots: *Field not completed.*

Gross floor area Square Footage: *Field not completed.*

Existing (if applicable): *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.*

Step 2

Project Name: Markovetz Annexation

Applicant: Michelle Carroll

All applications are required to contain one (1) copy of the following:
NOTE: Original Affidavits of Legal Interest must be mailed with payment after receipt of Completeness Letter.

Letter of Intent [Markovetz - Letter of Intent.pdf](#)

Vicinity Map [Affected Properties Map.pdf](#)

Legal Description of Annexation Area [Markovetz Plat Map.pdf](#)

Recorded Warranty Deed for Property [WD-99065045.pdf](#)

Proof of Ownership [Markovetz - Affidavit of Legal Interest.pdf](#)

Development Agreement *Field not completed.*

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

Commitment of Property Posting [Markovetz - Commitment to property posting.pdf](#)

(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 Michelle

Last Name Carroll

Electronic Signature Agreement I Agree

Date & Time 1/7/2021 1:30 PM

(Section Break)

Neighborhood Meeting [Click Here](#)
Certification Form

Commitment to Property [Click here](#)
Posting Form

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



City of Kuna AFFIDAVIT OF LEGAL INTEREST

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

State of Idaho)
) ss.
County of Ada)

I, DONALD J. MARKOVETZ, 325 So. TERREN LN.
Name Address
KUNA, ID. 83634
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 MICHELLE CARROLL 8950 EMERALD # 198 BOISE ID 83704
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 Oct 1st day of October, 20 20

Donald Markovetz
Signature

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



Notary Public for Idaho
Residing at: ID
My commission expires: 9/12/2024



City of Kuna AFFIDAVIT OF LEGAL INTEREST

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

State of Idaho)
) ss.
County of Ada)

I, CAROL J. MARKOVETZ, 325 S. TERBEN LN
Name Address
KUNA, ID 83634
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 MICHELLE CARROLL 8950 EMERALD #198 BOISE ID 83704
Name Address
to submit the accompanying application pertaining to that property.

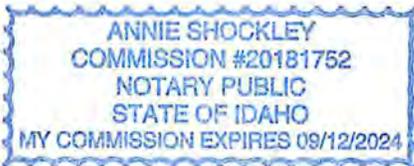
B. I agree to indemnify, defend and hold City of Kuna and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

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 1 day of Oct., 2020

Carol J. Markovetz
Signature

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



[Signature]
Notary Public for Idaho
Residing at: ID
My commission expires: 9/12/2024



ADA COUNTY RECORDER
 J. DAVID NAVARRO
 PIONEER TITLE COMPANY
 OF ADA COUNTY
 1999 JUN 29 PM 4: 46

RECORDED - REQUEST OF
 FEE 6.00 DEPUTY *M. White*
 99065045

PIONEER TITLE

821 West State Street / Boise, Idaho 83702
 (208) 336-6700

888 North Cole Road / Boise, Idaho 83704
 (208) 377-2700

ACCOMODATION *OTA 3571*

SPACE ABOVE FOR RECORDING DATA

WARRANTY DEED

(INDIVIDUAL)

FOR VALUE RECEIVED

DONALD J. MARKOVETZ AND CAROL J. MARKOVETZ, HUSBAND AND WIFE

GRANTOR(s) does (do) hereby GRANT, BARGAIN, SELL and CONVEY unto

DONALD J. MARKOVETZ AND CAROL J. MARKOVETZ, HUSBAND AND WIFE

GRANTEE(S), whose current address is: 9011 W. Maple Hills Drive, Boise, Id. 83709
 the following described real property in Ada County, State of Idaho,
 more particularly described as follows, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF AS LOT 1

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: JUNE 28, 1999

Donald J. Markovetz
 DONALD J. MARKOVETZ

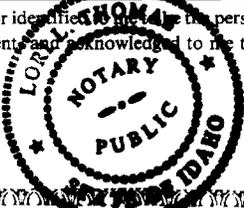
Carol J. Markovetz
 CAROL J. MARKOVETZ

STATE OF IDAHO, County of ADA, ss.

On this 28th day of JUNE, in the year of 1999, before me

Lori L. Thomas, a Notary Public, personally appeared Donald J. Markovetz and Carol J. Markovetz

known or identified to me as the person(s) whose name(s) subscribed to the within instruments and acknowledged to me that he executed the same.



Notary Public: *Lori L. Thomas*
 Residing at: Boise, Idaho
 My Commission Expires: October 22, 2004

LOT 1

A tract of land being the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 28, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, described as follows:

Commencing at a found brass cap monumenting the Northwest Corner of said Section 28, said corner being on the centerline of Kuna Road, thence easterly along said centerline and the northerly line of said Section 28 South $89^{\circ}-38'-23''$ East a distance of 1319.87 feet to a point, said point being the Northwest Corner of said Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 28 and the POINT OF BEGINNING.

Thence continuing along said northerly line South $89^{\circ}-38'-23''$ East a distance of 659.94 feet to a point;

Thence leaving said northerly line South $00^{\circ}-48'-03''$ West a distance of 163.14 feet to a set steel pin on the southerly right-of-way of said Kuna Road;

Thence South $00^{\circ}-48'-03''$ West a distance of 1166.09 feet to a set steel pin on the southerly line of said Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$;

Thence westerly along the southerly line of said Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ North $89^{\circ}-35'-49''$ West a distance of 660.14 feet to a set steel pin monumenting the Southwest Corner of said Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$;

Thence northerly along the westerly line of said Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ North $00^{\circ}-48'-35''$ East a distance of 1285.65 feet to a set steel pin on the southerly right-of-way of said Kuna Road;

Thence continuing North $00^{\circ}-48'-35''$ East a distance of 43.09 feet to the POINT OF BEGINNING.

The above described tract of land contains 20.14 acres, more or less, subject to all existing easements and rights-of-way.

Request for Voluntary Annexation

City of Kuna

Dear Council Members:

As the owner of the below-referenced property, I would like the City Council to consider my request for annexation. The property in question is located at 325 Terben Lane.

The property is currently undeveloped and is zoned RR. The size of the tract is 33.019 acres and it is contiguous to the city limits.

A) The tax evaluation data for the property is as follows:

1. Tax Parcel Number(s) _R5462680010, R5462680020, R5462680070, R5462680100, R5462680110
2. Owner(s) as listed on Deed Markovetz, Donald J.
3. Tax Value (by parcel) R5462680010 - \$11,900, R5462680020 - \$0.00, R5462680070 - \$0.00, R5462680100 - \$239,000, R5462680110 - \$415,000

B) The anticipated impact to City services is as follows:

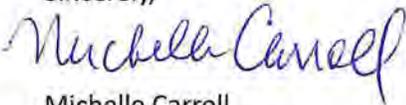
1. Water/Sewer (estimated gallons per day): unknown.

C) Enclosed, please find the following information:

1. Copy of Annexation Survey and Legal Description of Property;
2. Copy of All Deeds for the Area to Be Annexed to verify ownership;
3. Flat fee of \$1200 + \$30 per acre (In addition to the application fee, the applicant is responsible for advertising and recording costs associated with the annexation request.)

Any additional information may be obtained by contacting Michelle Carroll at 949-285-0712.

Sincerely,



Michelle Carroll

Applicant for Don Markovetz

VICINITY MAP



E Flying Horse Ln

N Eagle Rd

Mason Creek Feeder

Kuna Canal

New York Canal

E Kuna Rd

S Marko Ln

Moya Canal

S Terben Ln

S Eagle Rd

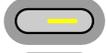
LEGEND



SUBJECT PARCELS



PARCEL LINES



ROADS



KUNA CITY LIMITS



WATER FEATURES

PLAT SHOWING MARKOVETZ SUBDIVISION

THE NE 1/4 OF THE NW 1/4 OF SECTION 28
TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE MERIDIAN
ADA COUNTY, IDAHO
2008



SCALE: 1"=100'

LEGEND

- Brass Cap Monument
- Right of Way Monument
- Found 3/8" Iron Pin, "HODGESVC B446", unless otherwise noted
- Set 5/8" x 30" Iron Pin w/ Plastic Cap, "HODGE PLS B575"
- Set 1/2" x 24" Iron Pin w/ Plastic Cap, "HODGE PLS B575"
- Boundary Line
- Lot Line
- Easements, dimensioned as shown
- Section Line
- Street Center Line

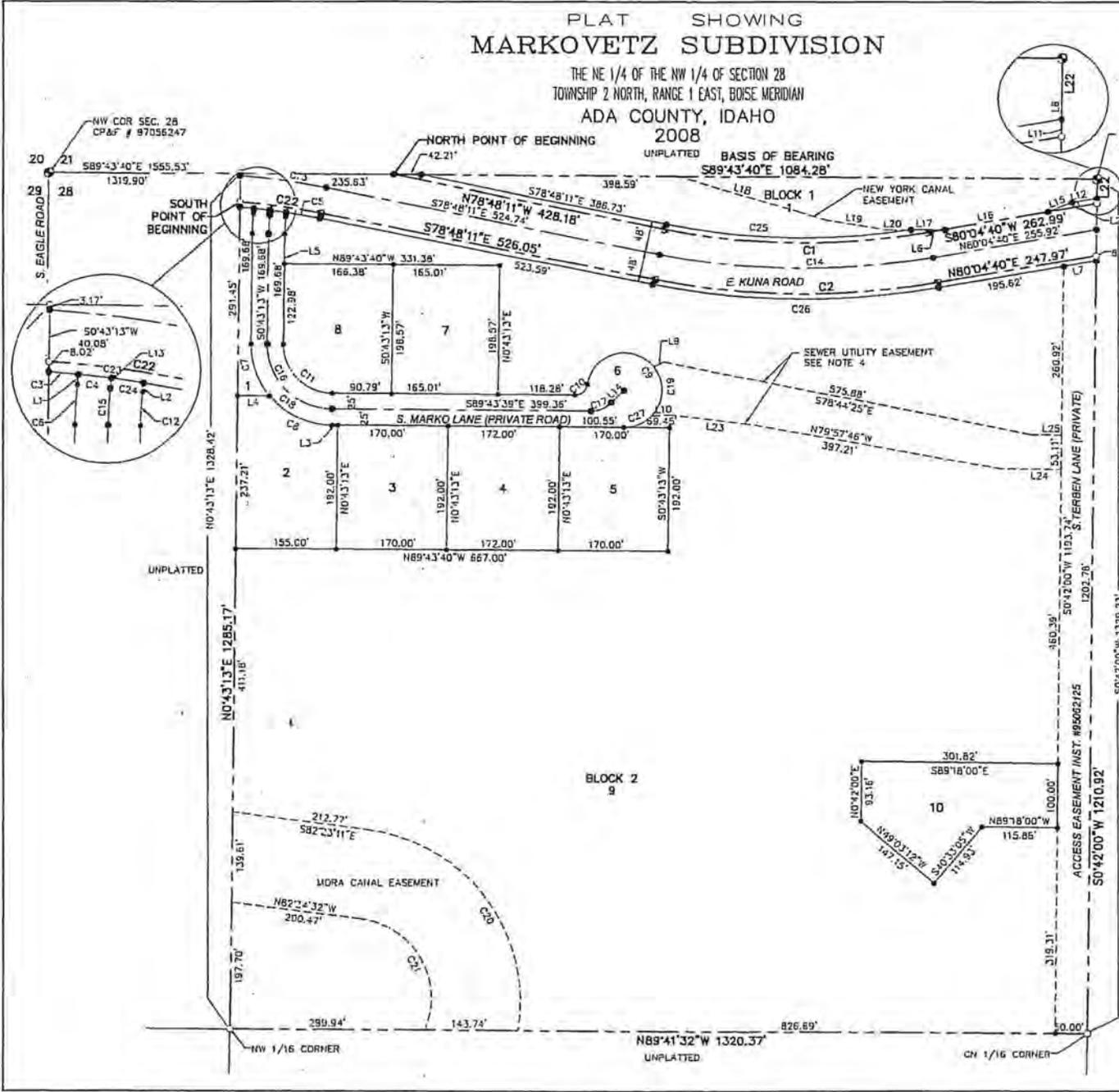
BASIS OF BEARING

The Basis of Bearing of this survey is between the North 1/4 Corner and the Northwest Corner of Section 28 which bears North 89°43'40" West as established by C.P.S., projected to the Idaho State Plane Coordinate System West Zone, NAD83 Datum and reference to the Idaho H.A.R.N. Survey (1959 Adjustment).

All distances shown are at ground values.



J-U-B ENGINEERS, INC.
Engineers Surveyors Planners
Boise, Idaho (208) 333-1111
LAST UPDATED: 5/28/2008





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 list of neighbors notified and 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: E. Kuna Rd. Annexation
 Date and time of neighborhood meeting: 11-7-2020 11:00am
 Location of neighborhood meeting: 325 Terben Rd., Kuna, ID 83634
2N 1E 28

SITE INFORMATION:

Location: Quarter: _____ Section: _____ Township: _____ Range: _____ Total Acres: _____
 Subdivision Name: Markovetz Sub Lot: _____ Block: _____
 Site Address: E Kuna Rd. Tax Parcel Number(s): R5462680010
Kuna, ID 83634 R5462680100 R5462680020
R5462680110 R5462680070

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

CURRENT PROPERTY OWNER:

Name: Don & Carol Markovetz
 Address: 325 Terben Rd City: Kuna State: ID Zip: 83634

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

Name: Michelle Carroll Business (if applicable): City of Trees Real Estate
 Address: 8950 W. Emerald St City: Boise State: ID Zip: 83704
#198

PROPOSED USE:

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

Application Type

- Annexation
- Re-zone
- Subdivision (Sketch Plat and/or Prelim. Plat)
- Special Use
- Variance
- Expansion of Extension of a Nonconforming Use
- Zoning Ordinance Map Amendment

Brief Description

Water & sewer / city services
R-8

APPLICANT:

Name: Michelle Carroll
Address: 8950 W. Emerald Rd. #198,
City: Boise State: ID Zip: 83704
Telephone: 449-285-0712 Fax: _____

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) Michelle Carroll Date 11/7/2020

SIGN IN SHEET

PROJECT NAME: E Kuna Rd. - Annexation

Date: 11/7/2020

	<u>Name</u>	<u>Address</u>	<u>Zip</u>	<u>Phone</u>
	<u>Linda Ostolasa</u>	<u>1180A. Eagle Rd</u>	<u>83634</u>	
2	<u>Jon Mendiola</u>	<u>226 S. Eagle Rd</u>	<u>83634</u>	
3	<u>Dani Mendiola</u>	<u>226 S. Eagle Rd</u>	<u>83634</u>	
4	<u>R. M. Garcia</u>	<u>636 S. Eagle Rd</u>		
5	<u>Dennis Rainwater</u>	<u>145 S. Marko Lane</u>	<u>83634</u>	<u>661 699 4950</u>
6	<u>KATHRYN RAINWATER</u>	<u>145 S. MARKO LANE</u>	<u>83634</u>	<u>661 699 4950</u>
7	<u>NORM KRUEGER</u>	<u>41 S. MARKO LN.</u>	<u>83634</u>	<u>208-340-3495</u>
8	<u>Dan Barker</u>	<u>197 S. MARKO LN</u>	<u>83634</u>	<u>208 424 6671</u>
9	<u>Maria Burns</u>	<u>197 S Marko Ln</u>	<u>83634</u>	<u>208-424-6671</u>
10				
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NEIGHBORHOOD MEETING MINUTES

Meeting Date: 11/7/2020 Number of Attendees: 12 + 2 PRESENTERS
Meeting Location: 325 S TERBEN LN KUNA ID 83634

Description of Project Presented:

ANNEXATION OF ALL PARCELS THAT ARE OWNED BY
DON MARKOVETZ

Attendee's comments:

WHAT REZONING ARE YOU ASKING FOR? CITY ASSIGNS
ZONING AND THIS LAND WILL BE ASSIGNED RB.
HOW MUCH WILL TAXES GO UP IF ANNEXATION IS APPROVED? CALL CITY
WHEN WILL CITY WATER & SEWER BE NEAR? WORKING ON FALCONCREST
AND MAKING THEIR WAY THIS DIRECTION. WILL CURRENT DRAINFIELD
REMAIN? YES, THERE IS AN EASEMENT THAT WILL REMAIN IN PLACE.
WHO DECIDES ON HOMES BEING BUILT? DEVELOPER & BUILDER. RESIDENTS OF
MARKOVETZ SUBDIVISION ARE CONCERNED ABOUT 2 STORY HOMES & LOSING VIEWS.
CAN OTHERS ANNEX IN & TAP INTO CITY SERVICES? YES WHAT IS THAT COST? UNKNOWN
RESIDENTS REQUEST ROAD BETWEEN THEIR SUBDIVISION AND LAND. EXTRA LOT IN
SUBDIVISION IS BUILDABLE. ALL QUESTIONS & CONCERNS ABOUT DEVELOPMENT / BUILDING

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

MICHELLE CARROLL

Printed Name

Michelle Carroll

Signature

11/7/2020

Date



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

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

Michelle Cancef

Applicant/agent signature

12/21/2020

Date



Agency Transmittal

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov



March 2, 2021

Notice is hereby given by the City of Kuna that the following action(s) are under consideration:

File No. & Case Name	21-02-AN (Annexation) – Markovetz
Project Description	Michelle Carroll with City of Trees Real Estate, on behalf of her clients Donald & Carol Markovetz, requests to Annex approximately 33.02 acres into Kuna City Limits with an R-8 (Medium/High Density Residential) zoning designation. (APNs: R5462680010, R5462680020, R5462680070, R5462680100 & R5462680110). There is no development application for the properties at this time but future development may occur.
Site Location	325 S Terben Lane, Kuna, ID 83634 – On E Kuna Road between S Eagle Road & S Terben Lane
Applicant/Representative	Michelle Carroll City of Trees Real Estate 8950 W Emerald Street, Suite 198 Boise, ID 83704 208.578.6539 michelle@cityoftreesrealestate.com
Public Hearing Date	Tuesday, April 13, 2021 6:00 PM Council Chambers, Kuna City Hall 751 W 4 th Street, Kuna, ID 83634
Staff Contact	Jessica Reid, Planning & Zoning Staff jreid@kunaid.gov 208.387.7731

Attached is information to assist you with your consideration and response to the above-mentioned project. All comments as to how this action may affect the service(s) your agency provides is greatly appreciated. *If your agency requires different and/or additional information to review in order to provide comments, please notify our office and the items will be forwarded to you; if you have any other questions, please contact staff.* **If your agency needs additional time for review, please let our office know as soon as possible. *No response within 15 business days will indicate you have no objection or comments regarding this project.***

GALE MASLONKA
CHAIRMAN OF THE BOARD

RICHARD DURRANT
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
MAR 05 2021
CITY OF KUNA

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

03 March 2021

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

RE: Donald and Carol Markovetz 21-02-AN
325 S Terben Lane, Kuna
New York Irrigation District
NO SURFACE IRRIGATION WATER RIGHT (HIGH GROUND)
Kuna Canal 25+00, Painter Lateral All
Sec. 28, T2N, R1E, BM.

Jessica Reid, Planning and zoning staff:

Boise Project will not allow this property to be connected into the City of Kuna's pressurized irrigation system, serviced from our canal systems, unless it acquires a legal surface water irrigation right from the New York Irrigation District. High ground water spreading is against the Idaho State Statutes.

The United States' Mora Canal lies within the boundary of the above-mentioned location. The easement for this canal is held in the name of the United States through the Bureau of Reclamation under the authority of the Act of August 30, 1890. (26 Stat. 391; 43 U.S.C. 945)

The Boise Project Board of Control is contracted to operate and maintain this canal. We assert the federal easement of 35 feet east of the water's edge and 20 feet west out and parallel to the canal's lower toe. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

The Boise Project does not approve landscaping (other than grass or gravel) within its easements, as this will certainly increase our cost of maintenance. All easements must remain a flat drivable surface.

Fencing/pathways (as may be required) must be constructed just off the canal easement, to ensure public safety and prevent encroachments.

Please note the appropriate easements on all future preliminary/final plats.

Wording on the preliminary and final recorded plat needs to state that any proposed and/or future usage of the Boise Project Board of Control facilities are subject to Idaho Statues, Title 42-1209.

Project facilities and/or easements that parallel, and are within and/or intended to be within road right-of-ways due to any development of this property must be relocated outside of road right-of-ways. The easements of Boise Project facilities will remain the same unless agreed upon and/or approved with written permission from Boise Project Board of Control.

The construction of any roadway crossings must be conducted only during the non-irrigation season when the lateral is dewatered. In any case no work shall take place within the easement before the proper crossing agreements have been secured through the Bureau of Reclamation and the Boise Project Board of Control.

Utilities planning to cross any project facility must do so in accordance with the master policies now held between the Bureau of Reclamation and most of the utilities. In any case, no work shall take place within the easement before proper crossing agreements have been secured through both the Bureau of Reclamation and the Boise Project Board of Control.

Parking lots, curbing, light poles, signs, etc. and the placing of asphalt and/or cement over Project facility easements must be approved by Boise Project Board of Control prior to construction.

Boise Project Board of Control must approve any requests and/or relocation of delivery points prior to construction.

Storm Drainage and/or Street Runoff must be retained on site.

NO DISCHARGE into any live irrigation system is permitted.

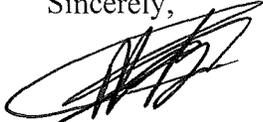
Local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement.

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

Whereas this development is in its preliminary stages, Boise Project Board of Control reserves the right to review plans and require changes when our easements and/or facilities are affected by unknown factors.

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: Ray Moore Watermaster, Div; 3 BPBC
Terri Hasson Secretary – Treasurer, NYID
File



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

Catherine Feistner, E.I.T.
Asst. Kuna City Engineer
cfeistner@kunaid.gov
208-639-5347

Annexation Memorandum

TO: Jace Hellman - Planning and Zoning Director
FROM: Catherine Feistner, E.I.T. - Assistant Kuna City Engineer
RE: Public Works Comments for Markovetz Subdivision
21-02-AN (Annexation)
DATE: 15 March 2021

The Markovetz Subdivision, located at 325 S Terben Ln, annexation with Planning and Zoning acceptance date of 29 January, 2021 has been reviewed. The applicant's proposed development has been formatted to comply with City of Kuna (City) R-8 (medium density residential) zone requirements. The annexation request rests with the Planning and Zoning Department. Review of civil design drawings is accomplished separately, when received.

These comments may be expanded or refined based on future land-use actions.

1. Inspection Fees

- a. An inspection fee will apply to City inspection of water, sewer and irrigation facilities construction associated with this development.
- 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.
- c. The developer's engineer and the City's inspector are permitted to coordinate inspections. The current inspection fee is \$1.00 per lineal foot of sewer, water and pressurized irrigation pipe. Pressurized irrigation connection fees are pursuant to Resolution No. R65-2020. Payment is due and payable prior to the pre-construction meeting.
- d. The Kuna Rural Fire District's current hydrant flow testing and plat base fee are \$300.00 and \$75.00 respectively for a total of \$375.00. Payment is due and payable prior to the pre-construction meeting.

2. General

- a. The applicant requests 33.02 acres to be annexed into the City of Kuna with an intent of R-8 zoning designation upon annexation.
- b. Equivalent Dwelling Units (EDUs) are reckoned at approximately 3.18 people per household. The resultant projected population for this subdivision is approximately 840. A commensurate impact on the City of Kuna's street infrastructure, pressurized irrigation, sewer, and water utilities will result.
- c. At least two access points are required in Phase 1 per Kuna Rural Fire District (KRFD)

- d. A plan approval letter will be required if this project affects any local irrigation districts.
- e. Elevations shall be actual NAVD 88 datum elevations. A localized elevation system is not acceptable.
- f. All positional information shall be from the most recent state plane coordinate system.
- g. Provide engineering certification on all final engineering drawings.
- h. 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 be coincident with Fire Hydrants whenever possible. Streetlights located on private drives shall not be owned or maintained by the City.
- i. KRFD requires fire hydrants are required every 500 feet.

3. Right-of-Way

- a. Sufficient right-of-way for existing and future classified streets shall be provided pursuant to City & ACHD standards.
- b. Approaches onto classified streets must comply with ACHD approach policies.
- c. All street construction must meet or exceed City of Kuna and ACHD development standards.
- d. 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.
- e. The KRFD Deputy Fire Marshal must approve fire access to the subdivision.
- f. Roads must continue to and through to the next road connection to promote connectivity throughout the City.

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 the subdivision to connect to the City sewer system. 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. The nearest available sewer mainline connection point will be North of the property on Kuna Rd. The development site is located in the Orchard Lift Station Sewage Basin, which has 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 and will be paid by the developer.
- 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 the subdivision to connect to the City water system. 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. The nearest available water mainline connection point will be North of the property on Kuna Rd.

- 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 and will be paid by the developer.
- 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. This parcel does not have surface water rights and is subsequently not allowed to connect to the City's system.
- b. Relying on drinking water for irrigation purposes is contrary to City Code 6-4-2-I.
- c. All pressurized irrigation infrastructure shall meet or exceed City of Kuna standards.
- d. Existing irrigation ditches (supply & drain) must be relocated as needed and as approved by the irrigation ditch company/users.
- e. Pressurized irrigation flow model will be required to verify adequate pressurized irrigation supply and will be paid by the developer.
- f. 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. 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.
- c. 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.
- d. Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties.
- e. Runoff from public right-of-way is regulated by ACHD.
- f. Private stormwater disposal systems are reviewed by the City. The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for the design of private storm water disposal systems. On-site stormwater retention shall be reviewed in conjunction with the City's Design Review of the associated project. Provide a stormwater 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.



RECEIVED

MAR 15 2021

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

March 10, 2021

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

RE: 21-02-AN/ Markovetz; 325 S. Terben Lane

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.

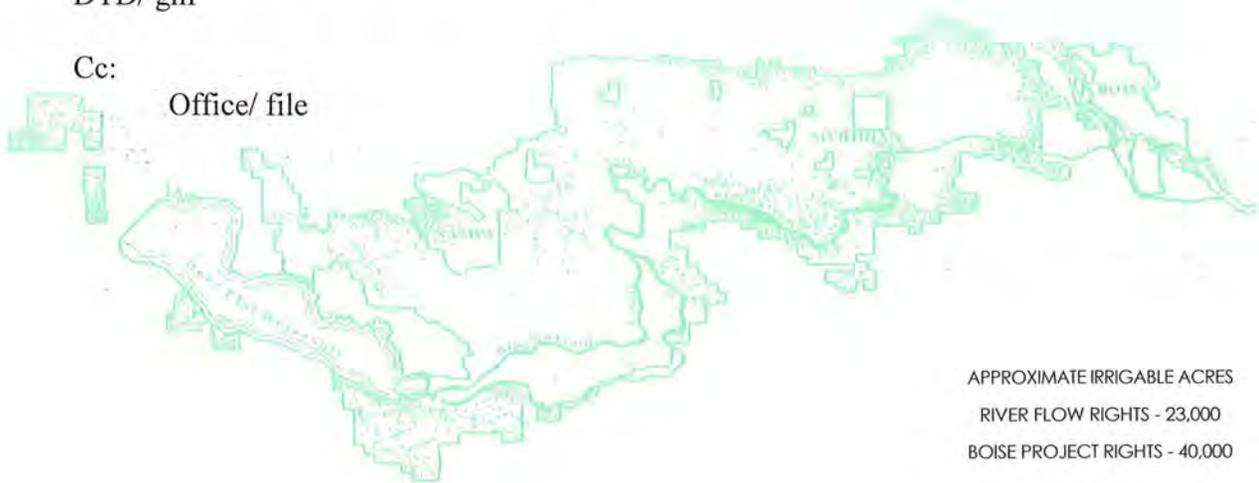
All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site NMID must review drainage plans. Developers must comply with Idaho Code 31-3805.

Please feel free to contact me with any further questions.

Sincerely,

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

Cc: Office/ file



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

Communities in Motion 2040 2.0 Development Review

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this review as a tool for local governments to evaluate whether land developments are consistent with the goals of *Communities in Motion 2040 2.0* (CIM 2040), the regional long-range transportation plan for Ada and Canyon Counties. This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2040 2.0 goals.

Development Name: Markovetz Rezone

Agency: Kuna

CIM Vision Category: Rural

New households: ~264

New jobs: 0

Exceeds CIM forecast: Yes

	<p>CIM Corridor: Kuna Road Pedestrian level of stress: R Bicycle level of stress: R</p>	<p>Level of Stress considers facility type, number of vehicle lanes, and speed. Roads with G or PG ratings better support bicyclists and pedestrians of all ages and comfort levels.</p>
	<p>Housing within 1 mile: 170 Jobs within 1 mile: 110 Jobs/Housing Ratio: 0.6</p>	<p>A good jobs/housing balance – a ratio between 1 and 1.5 – reduces traffic congestion. Higher numbers indicate the need for more housing and lower numbers indicate an employment need.</p>
	<p>Nearest police station: >4 miles Nearest fire station: >4 miles</p>	<p>Developments within 1.5 miles of police and fire stations ensure that emergency services are more efficient and reduce the cost of these important public services.</p>
	<p>Farmland consumed: Yes Farmland within 1 mile: 1,184 acres</p>	<p>Farmland contributes to the local economy, creates additional jobs, and provides food security to the region. Development in farm areas decreases the productivity and sustainability of farmland.</p>
	<p>Nearest bus stop: >4 miles Nearest public school: 3.8 miles Nearest public park: 3.7 miles Nearest grocery store: 3.6 miles</p>	<p>Residents who live or work less than ½ mile from critical services have more transportation choices. Walking and biking reduces congestion by taking cars off the road, while supporting a healthy and active lifestyle.</p>

Recommendations

This location is still in a predominately farmland area. Nearby services, such as schools, parks, grocery, and other services are likely accessed only by vehicle. ValleyConnect 2.0 does not plan for bus service to this location. This proposal, coupled with others in the vicinity, exceeds growth forecasted for this area. Transportation infrastructure may not be able to support the new transportation demands.

The proposal did not include a site plan. Encourage the developer to provide stub streets, internal bicycle and pedestrian circulation, and an improved pathway along the New York Canal to provide future connectivity.

More information about COMPASS and *Communities in Motion 2040 2.0*:

Web: www.compassidaho.org

Email info@compassidaho.org

More information about the development review process:

<http://www.compassidaho.org/dashboard/devreview.htm>



Project/File: **Markovetz Annexation and Rezoning/ KUNA21-0002/ 21-02-AN**
This is an annexation and rezoning application to annex 33.02 acres into the City of Kuna with an R-8 zoning designation.

Lead Agency: City of Kuna

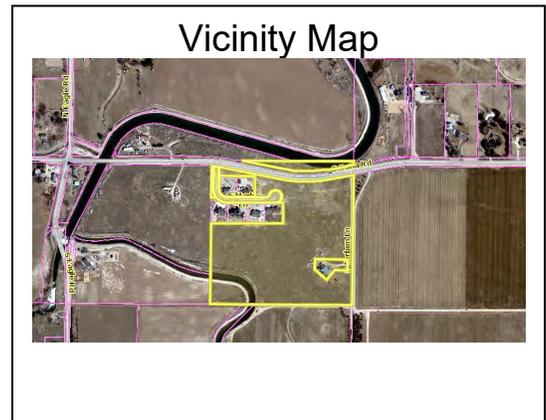
Site address: On the north and south side of Kuna Road, east of Eagle Road, Parcel Numbers R5462680010, R5462680020, R5462680070, R5462680100, R5462680110.

Staff Approval: March 22, 2021

Applicant: Michelle Carroll
 City of Trees Real Estate
 8950 W. Emerald Street, Suite 198
 Boise, ID 83704

Representative: Same as above.

Staff Contact: Paige Bankhead, E.I.
 Phone: 387-6293
 E-mail: pbankhead@achdidaho.org



A. Findings of Fact

- Description of Application:** The applicant is requesting approval of an annexation and rezoning application to annex 33.02 acres into the City of Kuna with an R-8 zoning designation.

The City of Kuna’s Future Land Use Map designates this area as Medium Density Residential.

- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Rural Residential (Ada County)	RR
South	Rural Residential (Ada County)	RR
East	Rural Residential (Ada County)	RR
West	Rural Residential (Ada County)	RR

- Site History:** ACHD has not previously reviewed this site for a development application.
- Transit:** Transit services are not available to serve this site.
- Pathway Crossings:** United States Access Board R304.5.1.2 Shared Use Paths. In shared use paths, the width of curb ramps runs and blended transitions shall be equal to the width of the shared use path.

AASHTO's Guidelines for the Development of Bicycle Facilities 5.3.5 Other Intersection Treatments: The opening of a shared use path at the roadway should be at least the same width as the shared use path itself. If a curb ramp is provided, the ramp should be the full width of the path, not including any flared sides if utilized. Detectable warnings should be placed across the full width of the ramp.

FHWA's "Designing Sidewalks and Trails for Access" (1999) reflected common ADA-related concepts: Chapter 6, Page 16-6: The width of the ramp should be at least as wide as the average width of the trail to improve safety for users who will be traveling at various speeds. In addition, the overall width of the trail should be increased, so the curb ramp can be slightly offset to the side. The increased width reduces conflict at the intersection by providing more space for users at the bottom of the ramp.

6. **New Center Lane Miles:** The proposed development includes 0.0 centerline miles of new public road.
7. **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.
8. **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).
9. **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.
 - The BMP identifies Kuna Road as a Level 3 facility that will be constructed as part of a future ACHD project. The BMP also identifies level 1 facilities on the new collector roadways within the site. The applicant will construct the new collectors consistent with the MSM and the Roadways to Bikeways Master plan with the future development application.

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 9.44 additional vehicle trips per single family detached home per day; and 1 additional vehicle trip in the PM peak hour per single family detached home, based on the Institute of Transportation Engineers Trip Generation Manual, 10th edition.
2. **Traffic Impact Study**
 - a. **Policy:**
District policy 7106.1 Traffic Impact Studies (TIS): Traffic Impact Studies are intended to determine the need for any improvements to the adjacent and nearby transportation system in order to maintain a satisfactory level of service, and acceptable level of safety and the appropriate access provisions for a proposed development.

Traffic Impact Studies are generally required when:

- A proposed development or redevelopment of a site will generate 100 or more new peak hour trips; OR

- The added volume is equal to 1,000 vehicles per day; OR
- As required in Table 1 below. (The values in Table 1 are a general guide to determine if a TIS will be required.)

Table 1: Approximate TIS Trigger Values

Land Use Type	Land Use Code	Trigger Value
Residential	210, 220, 221, 270	100 Dwelling Units
Retail	815, 820, 850	35,000 square feet
Office	710, 750, 770	50,000 square feet
Industrial	110, 130, 140, 150	70,000 square feet
Lodging	310, 312, 320	100 rooms
School (K-12)		All

District policy 7106.1.1 Initial Meeting: It is recommended that the applicant of a proposed development that may require a TIS, review the project with District staff before submitting the development application to the lead land use agency. The initial meeting may need to include staff from the lead land use agency, COMPASS, and the Idaho Transportation Department, (if ITD roadways will be impacted), and other agencies as appropriate. The District will review the requirements for the TIS with the applicant and set the general parameters for the study. It is recommended that the applicant submit the TIS directly to the District prior to the submittal of a development application to the lead land use agency (Submitting the TIS before the development application will allow time for the TIS review which will help to expedite approval of the development.) If the assumptions in the TIS do not match the development application, the TIS may need to be revised. It will be determined at the Initial Meeting which agencies and/or parties shall continue to be involved in the review of the TIS.

- b. **Staff Comments:** The applicant should be required to submit a traffic impact study to ACHD for review and approval if there are 100 or more single family lots proposed with this development, or the development is proposed to generate more than 100 PM peak hour trips.

3. Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Kuna Road	1,250-feet	Minor Arterial	115	Better than "D"

* Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).

4. 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 Cloverdale Road was 1,020 on 04/13/2016.

C. Findings for Consideration

This application is for annexation and rezone only. Listed below are some findings for consideration that the District may identify when it reviews a future development application. The District may add additional findings for consideration when it reviews a specific redevelopment application.

1. Kuna Road

a. **Existing Conditions:** Kuna Road is improved with 2-travel lanes and no curb, gutter or sidewalk abutting the site. There is 96-feet of right-of-way for Kuna Road (46-feet from centerline).

b. **Policy:**

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

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

Street Section and Right-of Way Width Policy: District Policy 7205.2.1 & 7205.5.2 states that the standard 3-lane street section shall be 46-feet (back-of-curb to back-of-curb) within 70 feet of right-of-way. This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

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

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

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

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

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

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

Roadways Outside City's Area of Impact: District Policy 7205.2 states that if a proposed development abuts a paved road outside a City's area of impact, the District may consider waiving the requirement to construct sidewalk along the arterial roadway. If this waiver is granted, other requirements may be established to accommodate pedestrians and non-motorized travel.

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder

adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Kuna Road is designated in the MSM as a Residential Arterial with 3-lanes and on-street bike lanes, a 46-foot street section within 78-feet of right-of-way.

- c. **Staff Comments/Recommendations:** With the future development application, the applicant will be required to widen the pavement on Kuna Road abutting the site to 17-feet from the centerline of the roadway and construct a 3-foot wide gravel shoulder. The applicant will also be required to construct a 5-foot wide detached concrete sidewalk located a minimum of 30-feet from the centerline of Kuna Road abutting the site.

If the small parcel to the north of Kuna Road is included with the future development application, the applicant should be required to widen the pavement on Kuna Road to total 34-feet (17-feet from centerline on each side) and construct a 5-foot wide detached concrete sidewalk and 3-foot wide gravel shoulder on each side where the site encompasses Kuna Road on both sides.

There is already 96-feet of right-of-way for Kuna Road abutting the site which exceeds the MSM requirements for right-of-way for this segment of Kuna Road. Therefore, staff recommends no additional right-of-way dedication be required with the future development application unless additional improvements are required that warrant additional right-of-way dedication, such as turn lanes, on Kuna Road abutting the site as necessary.

2. North/South Collector Road

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

- b. **Policy:**

Collector Street Policy: District policy 7206.2.1 states that the developer is responsible for improving all collector frontages adjacent to the site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.

Master Street Map and Typologies Policy: District policy 7206.5 states that if the collector street is designated with a typology on the Master Street Map, that typology shall be considered for the required street improvements. If there is no typology listed in the Master Street Map, then standard street sections shall serve as the default.

Street Section and Right-of-Way Policy: District policy 7206.5.2 states that the standard right-of-way width for collector streets shall typically be 50 to 70-feet, depending on the location and width of the sidewalk and the location and use of the roadway. The right-of-way width may be reduced, with District approval, if the sidewalk is located within an easement; in which case the District will require a minimum right-of-way width that extends 2-feet behind the back-of-curb on each side.

The standard street section shall be 46-feet (back-of-curb to back-of-curb). This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Residential Collector Policy: District policy 7206.5.2 states that the standard street section for a collector in a residential area shall be 36-feet (back-of-curb to back-of-curb). The District will consider a 33-foot or 29-foot street section with written fire department approval and taking into consideration the needs of the adjacent land use, the projected volumes, the need for bicycle lanes, and on-street parking.

Sidewalk Policy: District policy 7206.5.6 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all collector streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

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

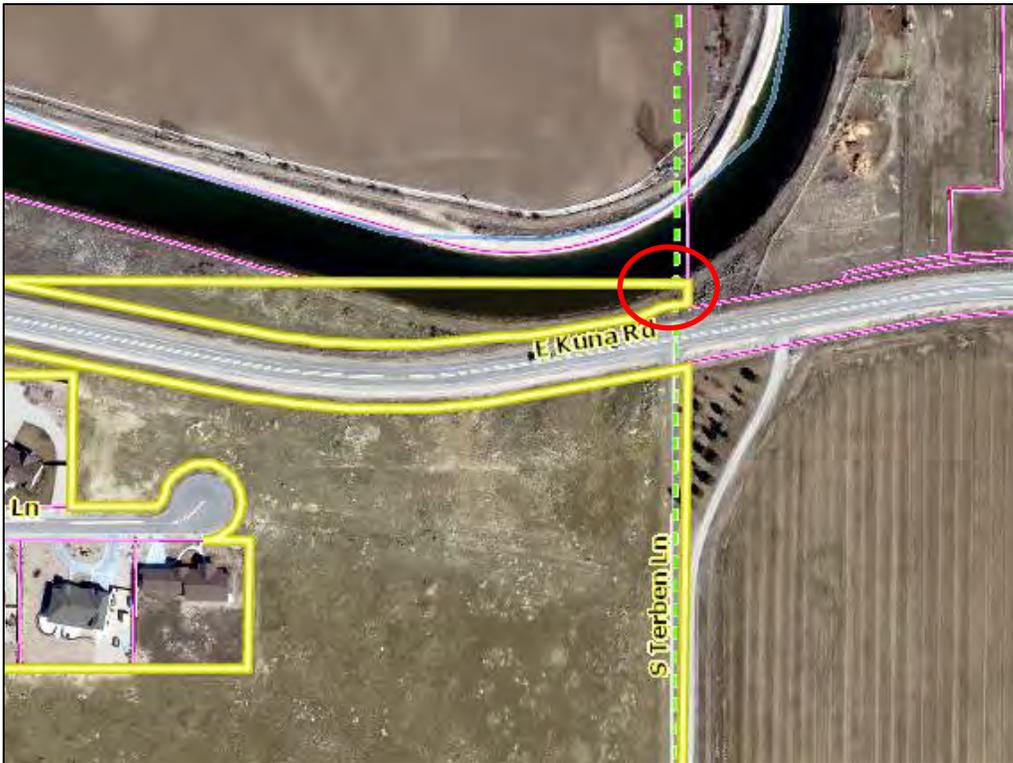
A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public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

Half Street Policy: District Policy 7206.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. A new collector roadway was identified on the MSM with the street typology of Rural Collector at the site's east property line, north and south of Kuna Road at the mid-mile location between Eagle Road and Cloverdale Road and continues through the property stubbing to the south, as well as to the north for the portion of the site north of Kuna Road. The Rural Collector typology as depicted in the Livable Street Design Guide recommends a 2-lane roadway with an 8-foot wide paved shoulder within 50-feet of right-of-way.

- c. **Staff Comments/Recommendations:** With the future development application, the applicant should be required to construct the new north/south collector roadway at the site's east property line as ½ of a 2-lane collector roadway with an 8-foot wide shoulder on the west side of the roadway with an additional 12-feet of pavement beyond the centerline of the roadway to provide an adequate roadway surface and construct a 3-foot wide gravel shoulder and borrow ditch sized to accommodate the roadway stormwater runoff on the east side of the road. The applicant will be required to dedicate right-of-way for the new roadway that extends from the site's east property line to 2-feet behind the back of sidewalk.

The MSM shows the rural collector roadway continuing north of Kuna Road along site's east property line, shown below. This segment of the collector roadway will be approximately 50-feet long until a bridge crossing is required over the New York Canal. The requirements for this segment of the north/south collector roadway will be assessed and determined at the time of the future development application.



For detached sidewalk located outside of the right-of-way, the applicant may provide a permanent right-of-way easement that extends from the right-of-way line to 2-feet behind the back of sidewalk. If street trees are desired an 8-foot wide planter strip is required.

3. Internal Local Roads

a. **Existing Conditions:** There are no roadways 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.

Continuation of Streets Policy: District Policy 7207.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:

- Reduces vehicle miles traveled.
- Increases pedestrian and bicycle connectivity.
- Increases access for emergency services.
- Reduces need for additional access points to the arterial street system.
- Promotes the efficient delivery of services including trash, mail and deliveries.
- Promotes appropriate intra-neighborhood traffic circulation to schools, parks, neighborhood commercial centers, transit stops, etc.
- Promotes orderly development.

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.

Cul-de-sac Streets Policy: District policy 7207.5.8 requires cul-de-sacs to be constructed to provide a minimum turning radius of 50-feet; in rural areas or for temporary cul-de-sacs the emergency service providers may require a greater radius. Landscape and parking islands may be constructed in turnarounds if a minimum 29-foot street section is constructed around the island. The pavement width shall be sufficient to allow the turning around of a standard AASHTO SU design vehicle without backing. The developer shall provide written approval from the appropriate fire department for this design element.

The District will consider alternatives to the standard cul-de-sac turnaround on a case-by-case basis. This will be based on turning area, drainage, maintenance considerations and the written approval of the agency providing emergency fire service for the area where the development is located.

Landscape Medians Policy: District policy 7207.5.16 states that landscape medians are permissible where adequate pavement width is provided on each side of the median to accommodate the travel lanes and where the following is provided:

- The median is platted as right-of-way owned by ACHD.
- The width of an island near an intersection is 12-feet maximum for a minimum distance of 150-feet. Beyond the 150-feet, the island may increase to a maximum width of 30-feet.
- At an intersection that is signalized or is to be signalized in the future, the median width shall be reduced to accommodate the necessary turn lane storage and tapers.

- The Developer or Homeowners Association shall apply for a license agreement if landscaping is to be placed within these medians.
 - The license agreement shall contain the District’s requirements of the developer including, but not limited to, a “hold harmless” clause; requirements for maintenance by the developer; liability insurance requirements; and restrictions.
 - Vertical curbs are required around the perimeter of any raised median. Gutters shall slope away from the curb to prevent ponding.
- c. **Staff Comments/Recommendations:** If public local roadways are proposed with the future development application, the application will be subject to the District Policies listed above. If public roads are proposed, at a minimum, the applicant should be required to construct one local street to stub to the site’s east property line with the future development application to provide connectivity to that parcel.

4. Alleys

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

b. **Policy:**

New Alley Policy: District Policy 7210.3.1 requires the minimum right-of-way width for all new residential alleys shall be a minimum of 16-feet or a maximum of 20-feet. If the residential alley is 16-feet in width building setbacks required by the land use agency having jurisdiction shall provide sufficient space for the safe backing of vehicles into the alley (see Section 7210.3.3). The minimum right-of-way width for all new commercial or mixed-use alleys shall be 20-feet. All alleys shall be improved by paving the full width and length of the right-of-way.

Dedication of clear title to the right-of-way and the improvement of the alley, and acceptance of the improvement by the District as meeting its construction standards, are required for all alleys contained in a proposed development.

Alley Length Policy: District Policy 7210.3.2 states that alleys shall be no longer than 700-feet in length. If the lead land use agency having jurisdiction requires a shorter block length, the alley shall be no longer than the agency’s required block length.

Alley Parking & Setbacks Policy: District Policy 7210.3.3 states that parking within the alley right-of-way is prohibited. “No Parking” signs are required to be installed by the developer. The signs should be located at the alley/street intersections. Parking which is entered from the alley shall be designed so the minimum clear distance from the back of the parking stall to the opposite side of the alley is 20-feet for all perpendicular parking.

Setbacks for structures taking access from the alley should be closely coordinated with the lead land use agency. The setbacks shall either discourage parking within the alley (where it may partially block or occur within the right-of-way) or allow adequate area for one perpendicular parking pad. In order to discourage parking, building setbacks shall be minimal from the alley right-of-way line, while still achieving the required 20-feet of back-up space from a garage or other parking structure to the opposite side of the alley (i.e. 4-foot setback + 16-foot alley= 20-feet for back-up space).

Alleys as Stub Street Policy: District Policy 7210.3.5 states that alleys may be constructed as stubs to adjacent properties if the same land use pattern is desired by the lead land use agency and the continuation of the alley is associated with a parallel stub street with an appropriate turnaround. The District will only consider an alley as a stub street if there is full support from the lead land use agency (indicated either by staff or Commission/Council support). Some lead land use agencies may require a temporary turnaround at the end of the stubbed alley. Typically support will be granted from the lead land use agency if the property being stubbed to is either zoned similarly or has the same comprehensive plan designation as

the property being developed (i.e. densities and land use layout are anticipated to be similar). Prior to the District approving an alley as a stub, the applicant shall seek comment and/or a conceptual plan from the adjacent property owner.

If an alley is to be stubbed to an adjacent property for future development the area should have an established circulation plan that supports the temporary dead-end. An alley may be stubbed to an adjacent property; there may be interim restrictions on building lots, turnarounds, sanitary service provision, emergency access provision, and other related items.

Alley Intersections and Offsets Policy: District policy 7210.3.7 states that alleys should intersect public streets at each end. In specific circumstances as outlined in the policies below, the District may consider allowing an alley to intersect a public street at only one end. A 90-degree angle of intersection shall be designed where practical. In no case shall the intersecting angle be less than 75-degrees, as measured from centerline of intersecting street. An access to an alley shall be located a minimum of 50-feet from the nearest street (measured centerline to centerline).

Alley/Alley Intersection Policy: District policy 7210.3.7.1 states that alley to alley intersection may only be considered or allowed under the specific circumstances identified below:

- The lead land use agency supports the land use proposing an alley to alley intersection.
- The intersecting alleys provide access to residential uses. On a case by case basis the District will consider allowing the alley to alley intersections for mixed use areas within a development.
- For alley/alley intersections, base the sight triangle on the 10x20 and use ACHD Policy 7200 Figure 3, but decrease the driver's eye location to 10' from the edge of travel way.
- For the horizontal curves in an alley base the clear sight triangle on AASHTO equation 3-38. $HSO=R(1-\cos(28.65*S/R))$. The value for S shall be based on a single vehicle approaching a nonmoving object at 15 mph.
- Appropriate radii and site distances are accommodated at the alley/alley intersection. The minimum inside radius at the alley/alley intersection shall be 28-feet and the minimum outside radius shall be 48-feet. The radii at the intersection shall accommodate the planned design vehicle, most typically a sanitary services vehicle.
- The sight triangles shall either be identified as common spaces with landscaping restrictions or permanent easements identified on the plat.
- A coordination meeting is held with the applicable agency staff (fire department, police department, sanitary service provider, land use agency, and ACHD) to discuss and resolve potential issues.
- The crossing alley has a maximum block length of 500-feet (measured near edge to near edge of the intersecting streets). The crossing alley shall intersect a public street at each end and shall not terminate at another alley. The crossing alley is the alley that has intersections with two public streets and an intersection with the perpendicular alley.

Alley/Local Street Intersections Policy: District Policy 7210.3.7.2 states that alleys may intersect all types of local streets including minor local streets. Alleys shall generally be designed with a curb cut type approach when intersecting a local street. Alleys shall generally intersect streets in the middle of the block equally offsetting the intersecting streets. Alleys shall either align with alley/street intersections or provide a minimum 100-foot offset (measured centerline to centerline) from other local street intersections. For alley intersections with local streets, the District may consider a reduced offset if the lead land use agency's required lot size allows for shorter buildable lots.

- c. **Staff Comments/Recommendations:** The future development application will be subject to the District Policies listed above if public alleys are proposed with the development.

5. Roadway Offsets

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

b. **Policy:**

Collector Offset Policy: District policy 7206.4.5, states that the preferred spacing for a new local street intersecting a collector roadway to align or offset a minimum of 330-feet from any other street (measured centerline to centerline).

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).

- c. **Staff Comments/Recommendations:** The future development application will be subject to the District Policies listed above. The development should be oriented to use the north/south collector roadway at the site's east property line as the primary access to Kuna Road.

6. Stub Streets

- a. **Existing Conditions:** There are no streets that stub to the site.

b. **Policy:**

Stub Street Policy: District policy 7206.2.4.3 (collector) and 7207.2.4.3 (local) states that stub streets will be required to provide circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7206.2.4 (collector) and 7207.2.4 (local), except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign shall be installed at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE." Or "THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS STREET WILL BE EXTENDED IN THE FUTURE."

In addition, stub streets must meet the following conditions:

- A stub street shall be designed to slope towards the nearest street intersection within the proposed development and drain surface water towards that intersection; unless an alternative storm drain system is approved by the District.
- The District may require appropriate covenants guaranteeing that the stub street will remain free of obstructions.

Temporary Dead End Streets Policy: 7206.2.4.4 (collector) and 7207.2.4.4 (local) requires that the design and construction for cul-de-sac streets shall apply to temporary dead end streets. The temporary cul-de-sac shall be paved and shall be the dimensional requirements of a standard cul-de-sac. The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends onto a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

- c. **Staff Comments/Recommendations:** If public roads are proposed, at a minimum the applicant should be required to construct a local road to stub to the site's east property line with the future development application. The future development application will be subject to the District Policies listed above.

7. Driveways

7.1 Kuna Road

- a. **Existing Conditions:** There is one private road, Terben Lane, from the site onto Kuna Road that is located at the site's east property line. There is another private road, Marko Lane, from the site onto Kuna Road located 50-feet east of the site's west property line.

b. Policy:

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

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

Driveway Location Policy: District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a single left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 660-feet from the intersection for a full-movement driveway.

District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a dual left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 710-feet from the intersection for a full-movement driveway.

Successive Driveways: District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 30 MPH to align or offset a minimum of 330-feet from any existing or proposed driveway.

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

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

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

c. Staff Comments/Recommendations: The applicant will be required to close Terben Lane at the site's east property line with the construction of the north/south collector roadway that is shown on the MSM, as indicated in Finding 3, with the future development application.

The applicant should be required to provide access within the development to the private road, Mark Lane, which currently provides access to Kuna Road for single family residential homes. The applicant will also be required to close Mark Lane on Kuna Road with the future development application in order to reduce the number of access points on Kuna Road, an arterial roadway. The applicant will be required to provide access to the north/south collector roadway from Mark Lane with the future development application

There is an off-site driveway for a parcel located directly east of the site located 165-feet to the east of Terben Lane on Kuna Road. This driveway curves to the west and parallels Terben Lane

and the future alignment of the north/south collector roadway. In order to reduce the number of access points on Kuna Road, staff recommends that the City of Kuna require that the off-site driveway located 165-feet east of Terben Lane be closed when access to the north/south collector roadway is available to the parcel directly east of the site with the future development application.

7.2 North/South Collector Road

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

b. **Policy:**

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

District Policy 7206.1 states that the primary function of a collector is to intercept traffic from the local street system and carry that traffic to the nearest arterial. A secondary function is to service adjacent property. Access will be limited or controlled. Collectors may also be designated at bicycle and bus routes.

Driveway Location Policy (Signalized Intersection): District policy 7206.4.3 requires driveways located on collector roadways near a signalized intersection to be located outside the area of influence; OR a minimum of 440-feet from the signalized intersection for a full-access driveway and a minimum of 220-feet from the signalized intersection for a right-in/right-out only driveway. Dimensions shall be measured from the centerline of the intersection to the centerline of the driveway.

Driveway Location Policy (Stop Controlled Intersection): District policy 7206.4.4 requires driveways located on collector roadways near a STOP controlled intersection to be located outside of the area of influence; OR a minimum of 150-feet from the intersection, whichever is greater. Dimensions shall be measured from the centerline of the intersection to the centerline of the driveway.

Successive Driveways: District policy 7206.4.5 Table 1, requires driveways located on collector roadways with a speed limit of 25 MPH and daily traffic volumes greater than 100 VTD to align or offset a minimum of 245-feet from any existing or proposed driveway.

Driveway Width Policy: District policy 7206.4.6 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7206.4.6, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7206.4.6.

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. **Staff Comments/Recommendations:** The future development application will be subject to the District Policies listed above for driveways that are proposed on the new north/south collector road.

7.3 Internal Local Roads

- a. **Existing Conditions:** There are no roadways 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, except for single family homes.

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. **Staff Comments/Recommendations:** The future development application will be subject to the District Policies listed above for driveways proposed onto local roadways.

8. Private Roads

- a. **Private Road Policy:** District policy 7212.1 states that the lead land use agencies in Ada County establish the requirements for private streets. The District retains authority and will review the proposed intersection of a private and public street for compliance with District intersection policies and standards. The private road should have the following requirements:

- Designed to discourage through traffic between two public streets,
- Graded to drain away from the public street intersection, and
- If a private road is gated, the gate or keypad (if applicable) shall be located a minimum of 50-feet from the near edge of the intersection and a turnaround shall be provided.

- b. **Staff Comments/Recommendations:** If the City of Kuna approves private road(s) with the future development application, the applicant shall be required to pave the private road(s) a minimum of 20 to 24-feet wide and at least 30-feet into the site beyond the edge of pavement of all public streets and install pavement tapers with 15-foot curb radii abutting the existing roadway edge. If private roads are not approved by the City of Kuna, the applicant will be required to revise and resubmit the preliminary plat to provide public standard local streets in these locations.

Street name and stop signs are required for private roads. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.

ACHD does not make any assurances that the private road, which is a part of this application, will be accepted as a public road if such a request is made in the future. Substantial redesign and reconstruction costs may be necessary in order to qualify this road for public ownership and maintenance.

The following requirements must be met if the applicant wishes to dedicate the roadway to ACHD:

- Dedicate a minimum of 50-feet of right-of-way for the road.

- Construct the roadway to the minimum ACHD requirements.
- Construct a stub street to the surrounding parcels.

9. Traffic Calming

- Speed Control and Traffic Calming Policy (Local):** District policy 7207.3.7 states that the design of local street systems should discourage excessive speeds by using passive design elements. If the design or layout of a development, regardless of the street lengths, is anticipated to necessitate future traffic calming implementation by the District, or the streets extend greater than 750-feet in length, then the District will require changes to the layout and/or the addition of passive design elements such as horizontal curves, bulb-outs, chokers, etc. The District will also consider texture changes to the roadway surface (i.e. stamped concrete) as a passive design element. These alternative methods may require maintenance and/or license agreement.
- Staff Comments/Recommendations:** The future development application will be subject to the District Policy listed above.

10. Canal Crossing

If canal crossings are proposed with the future development application, the District will require that the applicant submit the bridge plans for the crossing of the canal for review and approval prior to the pre-construction meeting and final plat approval. Note: all plan submittals for bridges or pipe crossings of irrigation facilities should be submitted to ACHD for review no later than December 15th for construction in the following year prior to irrigation season.

11. 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.

12. 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.

13. Other Access

Kuna Road is classified as a minor arterial roadway and a north/south collector roadway is located at the site's east property line. Other than the access specifically approved with the future development application, direct lot access is prohibited to Kuna Road and the north/south collector roadway and should be noted on the final plat.

D. Site Specific Conditions of Approval

This application is for an annexation and rezone only. Site specific conditions of approval will be established as part of the future development application.

1. Payment of impact fees is due prior to issuance of a building permit.
2. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

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

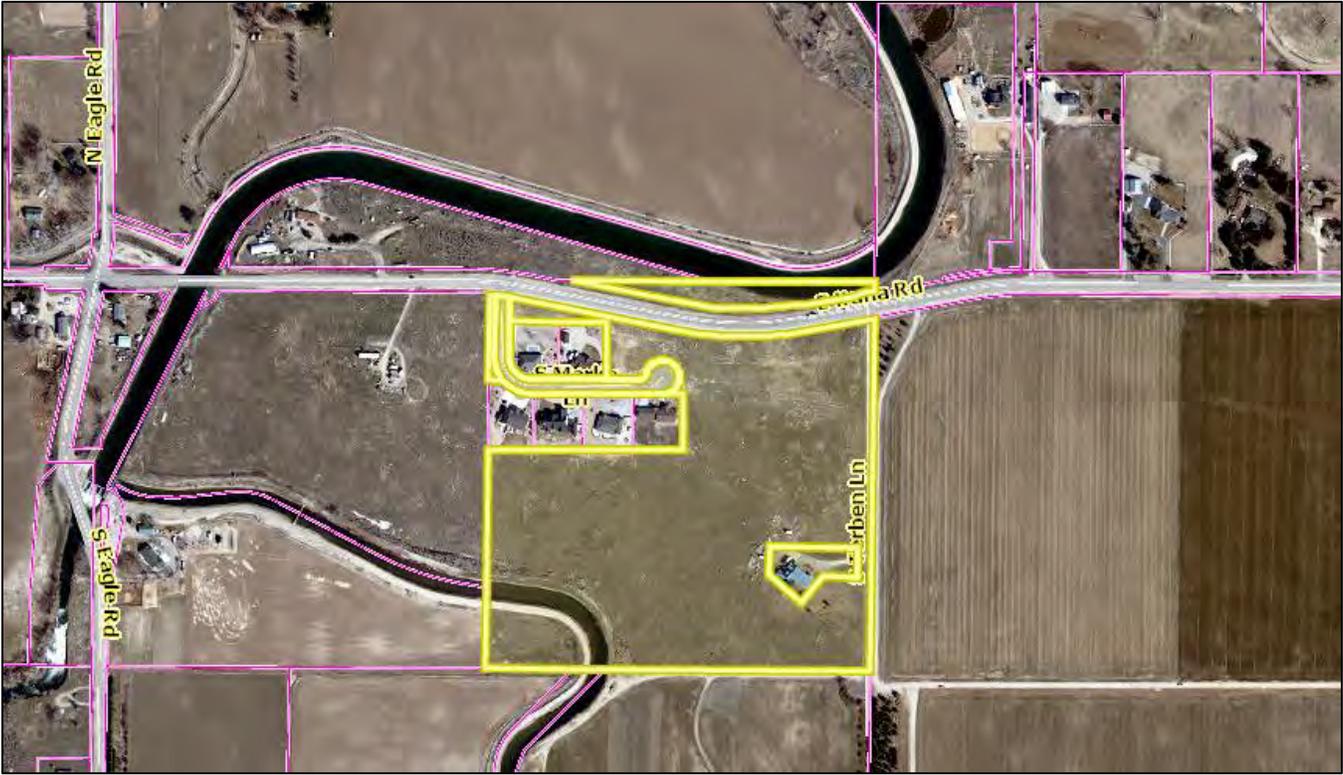
F. Conclusions of Law

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

G. Attachments

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

Request for Reconsideration of Commission Action

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

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

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

- b. The request must be in writing and delivered to the Secretary of the Highway District no later than 11:00 a.m. 2 days prior to the Commission's next scheduled regular meeting following the meeting at which the action to be reconsidered was taken. Upon receipt of the request, the Secretary shall cause the same to be placed on the agenda for that next scheduled regular Commission meeting.
- c. The request for reconsideration must be supported by written documentation setting forth new facts and information not presented at the earlier meeting, or a changed situation that has developed since the taking of the earlier vote, or information establishing an error of fact or law in the earlier action. The request may also be supported by oral testimony at the meeting.
- d. If a motion to reconsider passes, the effect is the original matter is in the exact position it occupied the moment before it was voted on originally. It will normally be returned to ACHD staff for further review. The Commission may set the date of the meeting at which the matter is to be returned. The Commission shall only take action on the original matter at a meeting where the agenda notice so provides.
- e. At the meeting where the original matter is again on the agenda for Commission action, interested persons and ACHD staff may present such written and oral testimony as the President of the Commission determines to be appropriate, and the Commission may take any action the majority of the Commission deems advisable.
- f. If a motion to reconsider passes, the applicant may be charged a reasonable fee, to cover administrative costs, as established by the Commission.

NEOPOST

FIRST-CLASS MAIL

03/24/2021

US POSTAGE \$000.00



ZIP 83634
041M1 1460992

Kuna Planning & Zoning
PO Box 343
Kuna, ID 83634

NEGOTIATE

Suggestions for Testifying at the Public Hearing:

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/93/Agendas-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 by close of business the Wednesday prior to the hearing will be included in the packet that is distributed to the governing body prior to the hearing. 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.



751 W 4th Street • PO Box 13
Kuna, ID 83634 • (208) 922-5274
www.kunacity.id.gov

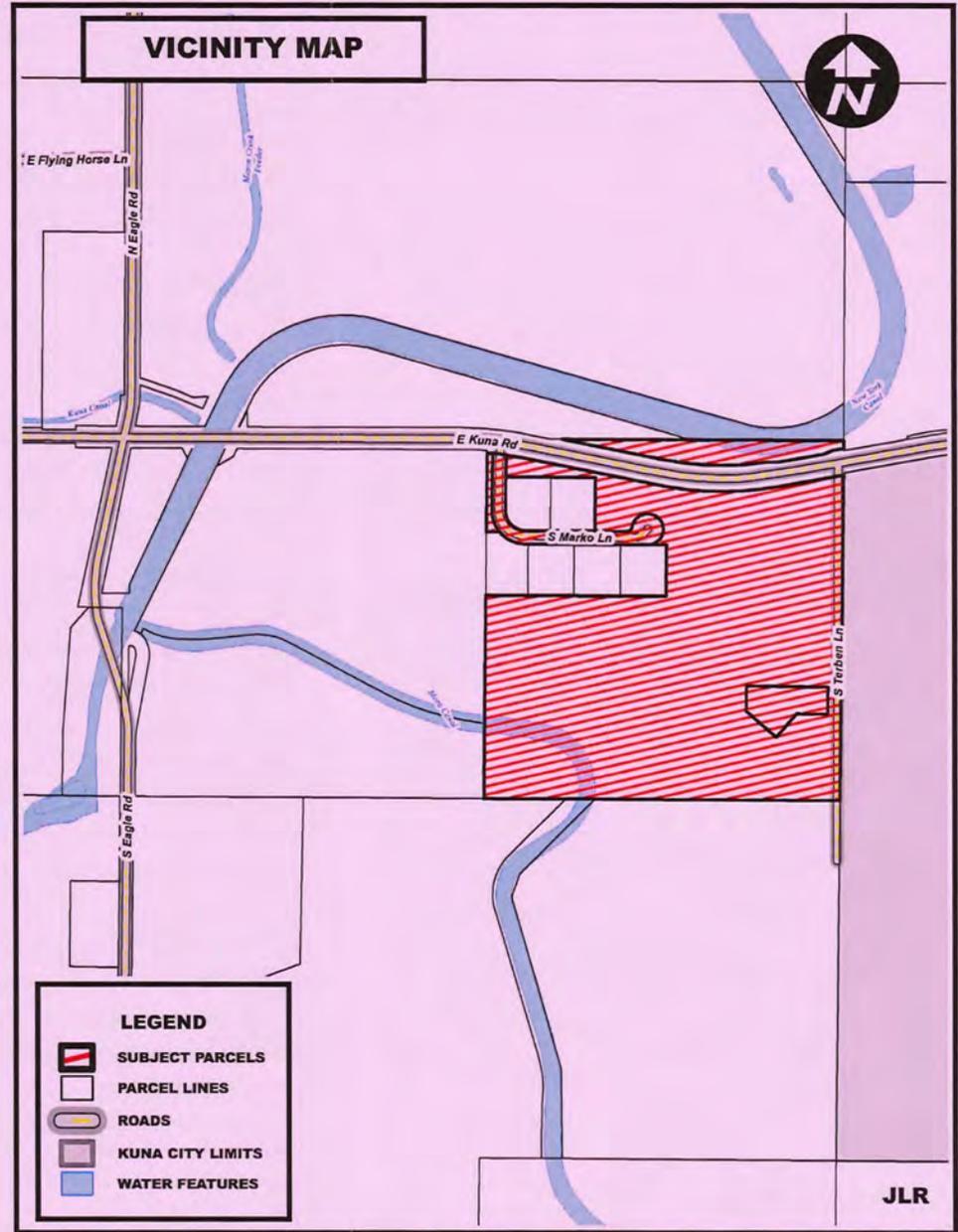
Dear Property Owner: NOTICE IS HEREBY GIVEN that the Planning & Zoning Commission is scheduled to hold a **Public Hearing** on **April 13, 2021**, beginning at **6:00 PM** (or as soon as it may be heard), in City Hall Council Chambers, 751 W 4th Street, Kuna, ID, 83634 on the following case:

**Annexation (AN)
Markovetz Properties**

Michelle Carroll with City of Trees Real Estate, on behalf of her clients Donald & Carol Markovetz, requests to Annex approx. 33.02 ac. into Kuna City Limits with an R-8 (Medium/High Density Residential) zoning designation. (APNs: R5462680010, R5462680020, R5462680070, R5462680100 & R5462680110).

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; please see the attached instructions or contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

Written testimony received by the close of business on **April 7, 2021** will be included in the packet that is distributed to the governing body prior to the hearing. Late submissions will be presented to the governing body at time of the hearing.



MAILED 03.24.2021



The public is invited to provide comment; instructions and options available for alternative public testimony options 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 prior to 5:00 PM the Wednesday 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](#), [KunaCity.ID.gov](#)> *Doing Business*> *Forms & Applications*> *Frequently requested Applications and Forms*> *ONLINE 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
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 by noon the day of the 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](#) [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

Oral – In Person Testimony during the Public Hearing

Due to social distancing protocol, social distancing is encouraged within Council Chambers; mask wearing is at individual discretion. All persons wishing to testify must, state their name and residential address. No person shall speak until recognized by the Commission Chairman. A three (3) minute time limit will be placed on all testimonies.



Certificate of Mailing

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov



Date: 03.24.2021

Project Name: Markovetz

Case No(s): 21-02-AN (Annexation)

To: X 300' Property Owners Other: _____

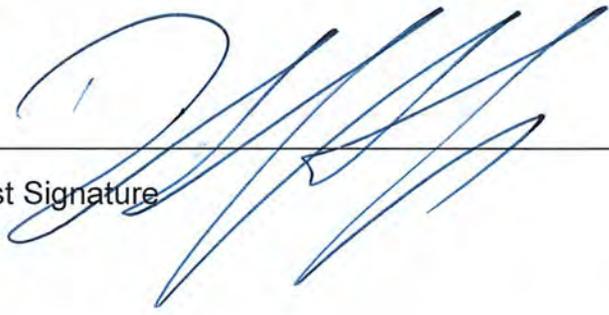
Staff Name: Jessica Reid

I HEREBY CERTIFY that on this 24th day of March, 2021, I caused a true and correct copy of the foregoing to be deposited in the United States mail, postage prepaid.



 Signature Date

3.24.21



 Attest Signature Date

3-24-2021

RECEIVED

MAR 29 2021

CITY OF KUNA

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO

County of Ada

21880 83800
1 KUNA, CITY OF

P.O. BOX 13
KUNA, ID 83634

SHARON JESSEN

of the State of Idaho, being of first duly sworn, deposes
and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the Kuna Melba News, a weekly newspaper published in the State of Idaho; that the said newspaper is in general circulation in the said county of Ada, and in the vicinity of Kuna, Idaho and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 1 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement

LEGAL NOTICE

Case No. 21-02-AN:
Markovetz; Annexation.

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission will hold a public hearing Tuesday, April 13, 2021, at 6:00 PM, or as soon as can be heard; in connection with an Annexation (AN) request for the Markovetz Properties, Michelle Carroll with City of Trees Real Estate, on behalf of her clients Donald & Carol Markovetz, requests to Annex approx. 33.02 ac. into Kuna City Limits with an R-8 (Medium/High Density Residential) zoning designation. (APNs: R5462680010, R5462680020, R5462680070, R5462680100 & R5462680110).

Please do not contact the Commission or Council including the Mayor as this may jeopardize the public hearing process as it is considered ex parte. If you 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, please contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

Kuna Planning & Zoning
Department

March 24, 2021 83800

That said notice was published the following: 03/24/2021

Sharon Jessen

SHARON JESSEN
STATE OF IDAHO
County of Canyon and Ada

On this 24th day of March, in the year of 2021 before me a Notary Public, personally appeared. SHARON JESSEN, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

Colleen R. Nielsen

Notary Public of Idaho
My commission expires 4/28/23





E Kuna Road, east of S Marko Lane



CITY OF KUNA PUBLIC HEARING NOTICE

Kuna Planning and Zoning Commission

THE CITY OF KUNA will hold a public hearing on
April 13, 2021 at the Kuna City Hall, at 6:00 p.m.

PURPOSE: Annexation of the Markovetz properties:
33.02 acres, R-8 Medium Density Residential zoning

LOCATION: 325 S Terben Lane

APPLICATION BY: Michelle Carroll, City of Trees Real
Estate - Keller Williams Realty Boise

E Kuna Road, just west of S Terben Lane