

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 September 14, 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 (1) 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.

1. Regular Planning and Zoning Commission Meeting Minutes Dated August 24, 2021
2. Findings of Fact & Conclusions of Law
 1. Case No. 21-06-AN (Annexation) 1113 & 1169 N Black Cat Road

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 No. 21-02-OA (Ordinance Amendment) Amending Subsection Q of Section 4 of Chapter 5 of Title 5 Kuna City Code, Electrical Energy Transmission Lines – Jace Hellman, Planning & Zoning Director **ACTION ITEM**

- **MAKING CERTAIN FINDINGS**
- **AMENDING SUBSECTION Q OF SECTION 4 OF CHAPTER 5 OF TITLE 5 KUNA CITY CODE MAKING TECHNICAL CHANGES TO THE ZONING REGULATION OF ELECTRICAL ENERGY TRANSMISSION LINES AS UNIQUE LAND USES; AND**
- **DIRECTING THE CITY CLERK; AND**
- **PROVIDING AN EFFECTIVE DATE.**

Procedure:

Open Public Hearing
Receive Testimony
Commission presents questions they may have
Close Public Hearing

Potential Motions:

Option 1: Recommend Approval to City Council of Case No. 21-02-OA (Ordinance Amendment).

Option 2: Recommend Denial to City Council of Case No. 21-02-OA (Ordinance Amendment).

- B.** Case No. 21-11-AN (Annexation) East Kuna Industrial – Jace Hellman, Planning & Zoning Director **ACTION ITEM**

KC Gardner Company, LC, represented by The Land Group, Inc., requests approval to annex nine (9) properties totaling approx. 1,088 acres, into Kuna City Limits with M-1 (Light Manufacturing/Industrial) & M-2 (Heavy Manufacturing/Industrial) zoning district classifications. Additionally, a Development Agreement is proposed to accompany the Annexation request. The nine (9) properties are located generally north & south of Kuna-Mora Road & east of Cole Road (APNs: S1531233600, S1531300000, S2006121115, S2006121150, S2006417205, S2006417265, S2006417500, S2007111100 and S2007111200).

Staff requests this item be tabled to a date certain of September 28, 2021, due to not having received critical agency comments.

- C.** Case Nos. 20-06-ZC (Rezone), 20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat), 20-05-SUP (Special Use Permit) & 21-02-DA (Development Agreement) for Merlin Cottages Subdivision – Doug Hanson, Planner II **ACTION ITEM**

A Team Land Consultants on behalf of Merlin pointe, LLC, requests planned unit development approval for an approximately 5.83-acre parcel, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts and to subdivide the approximate 5.83-acres into 72 total lots (60 residential, 6 common, and 6 commercial). The subject site is located at 115 N Sailer Avenue, Kuna, ID 83634, within Section 24, Township 2 North, Range 1 West; (APN: R5672430040).

Procedure:

Open Public Hearing

Receive Testimony

Commission presents questions they may have

Close Public Hearing

Potential Motions:

Option 1: Recommend Approval to City Council of Case Nos. 20-06-ZC (Rezone), 20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat), 20-05-SUP (Special Use Permit) & 21-02-DA (Development Agreement) for Merlin Cottages Subdivision.

Option 2: Recommend Denial to City Council of Case Nos. 20-06-ZC (Rezone), 20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat), 20-05-SUP (Special Use Permit) & 21-02-DA (Development Agreement) for Merlin Cottages Subdivision.

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 August 24, 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:

(Due to Technical Difficulties, the recording begins at Timestamp 00:09:45)

COMMISSION MEMBERS PRESENT:

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

CITY STAFF PRESENT:

Bill Gigray, City Attorney – Via Zoom
Jace Hellman, Planning & Zoning Director – In Person
Doug Hanson, Planner II – In Person
Jessica Reid, Planning Services Specialist – 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 (1) 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.

(Timestamp 00:10:25)

1. Regular Planning and Zoning Commission Meeting Minutes Dated August 10, 2021
2. Findings of Fact & Conclusions of Law
 1. Case No. 21-13-DR (Design Review) Cazador No. 2 Pool House
 2. Case No. 21-02-CPF (Combination Preliminary & Final Plat) Falcon Crest Clubhouse
 3. Case Nos. 20-07-AN (Annexation), 20-16-S (Preliminary Plat) & 20-25-DR (Design Review) Arrowwood Heights Subdivision

(Timestamp 00:10:32)

Motion To: Approve Consent Agenda.
Motion By: Vice Chairman Hennis
Motion Seconded: Commissioner Gealy
Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-0-2, Commissioners Damron & Garten were 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 or oral testimony, please contact the Planning and Zoning Department at (208) 922-5274.

(Timestamp 00:10:44)

- A.** Case Nos. 21-03-AN (Annexation), 21-02-S (Preliminary Plat) & 21-10-DR (Design Review)
Sadie Creek South Subdivision – Doug Hanson, Planner II **ACTION ITEM**

Stephanie Hopkins of KM Engineering, LLP, on behalf of Challenger Development, requests to annex one parcel approx. 32 acres into Kuna City Limits with an R-8 (Medium Density Residential) zoning district classification and to subdivide the 32 acres into 192 total lots (170 residential lots, 22 common lots). The subject site is located at the NEC of S Luker Road and E King Road, within Section 25, Township 2 North, Range 1 West (APN: S1325438400).

(Timestamp 00:11:28)

Planner II Doug Hanson addressed the Commission, notifying them the Case was being requested to be tabled to a date uncertain.

(Timestamp 00:11:35)

Motion To: Table Case Nos. 21-03-AN (Annexation), 21-02-S (Preliminary Plat) & 21-10-DR (Design Review) for Sadie Creek South Subdivision to a date uncertain.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Gealy

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-0-2, Commissioners Damron & Garten were absent.

(Timestamp 00:12:06)

- B.** Case No. 21-06-AN (Annexation) 1113 & 1169 N Black Cat – Doug Hanson, Planner II
ACTION ITEM

Robin and Diana Sanders request to annex two (2) parcels consisting of approximately 9.8 acres into Kuna City Limits with an R-2 zoning district classification. The subject sites are located at 1113 and 1169 N Black Cat Road, Kuna, ID 83634, within Section 21, Township 2 North, Range 1 West; (APNs: S1321141880, S1321141920).

(Timestamp 00:12:24)

Planner II Doug Hanson presented an overview of the project and stood for questions.

(Timestamp 00:13:54)

Applicant Diana Sanders introduced herself as the owners of the two properties being considered, then introduced her son to give the official Applicant presentation.

(Timestamp 00:14:24)

Josh Sanders introduced himself and presented an overview of the request. Mr. Sanders explained they had performed due diligence by speaking with applicable agencies prior to application submission. He explained additional right-of-way (ROW) would be dedicated to ACHD and two (2) property access points would be closed per ACHD standards. The Applicant(s) felt that the proposed zoning fit with the Kuna Comprehensive Plan and provided an acceptable buffer between Agriculture and possible future Residential developments. Mr. Sanders gave a history of their family in the community and their desire to be able to remain in the area, he then stood for questions.

(Timestamp 00:18:48)

City Attorney Bill Gigray asked a procedural question regarding the zoning. Commissioner Hennis referenced the application which reflected an R-2 (Medium Density Residential) zoning. Mr. Gigray explained he had wanted to make sure all individuals present at the meeting were aware.

(Timestamp 00:19:50)

Chairman Young opened the Public Hearing at 6:39 PM.

Support:

Diana Sanders, 1113 S Black Cat Road, Kuna, Idaho, 83634 – Testify
Robin Sanders, 1113 S Black Cat Road, Kuna, Idaho, 83634 – Not Testify
Josh Sanders, 1169 N Black Cat Road, Kuna, Idaho, 83634 – Testify
Rachel Sanders, 3468 N Dove Place, Boise, Idaho, 83704 – Not Testify

Against:

Alta Graham, 1015 N Black Cat Road, Kuna, Idaho, 83634 – Testify
Bill Graham, 1015 N Black Cat Road, Kuna, Idaho, 83634 - Testify

Neutral:

None

(Timestamp 00:20:00)

Chairman Young requested Vice Chairman Hennis call the names of individuals who had signed up to testify as he was present via Zoom; Vice Chairman Hennis did so.

(Timestamp 00:20:48)

Alta Graham presented her concerns regarding the project. Mrs. Graham referenced research she had performed and agencies which she had contacted. She expressed her fears of a higher density subdivision being developed and their desire to continue being able to enjoy their country lifestyle. Mrs. Graham also expressed her concerns regarding the train crossings on Black Cat/Greenhurst Road, as well as the speed of traffic which uses the road. *(Applicant's testimony time elapsed)*. She then expressed her concerns regarding what she saw as uncontrolled growth within Kuna and the impacts it caused. Vice Chairman Hennis addressed Mrs. Graham and explained her testimony time had elapsed.

(Timestamp 00:25:50)

Bill Graham addressed the Commission and explained his and his family's history within the community. Mr. Graham then expressed his concerns with the proposed zoning and stated he was unsure of the number of homes that could potentially be built on the property. He wasn't sure if the area would be able to support additional wells or septic systems without creating a strain on the surrounding area. Mr. Graham also explained the increase in traffic they have seen through the years and crossings.

(Timestamp 00:28:12)

City Attorney Bill Gigray requested Mr. Graham state his name and address for the record; he did so.

(Timestamp 00:28:52)

Chairman Young confirmed if there were any other individuals present who wished to testify, in person or via Zoom, who wished to testify but had not gotten the chance to sign up; there were not. He then called forward the Applicant for rebuttal.

(Timestamp 00:29:30)

Mr. Sanders pointed out they were not subdividing the property, they only wished to split the lots into five (5) total parcels in the future. He explained that ACHD was aware of traffic within the area and were currently performing a traffic study; he felt that ACHD was the agency in charge of the roadways, they were aware of any issues. Mr. Sanders spoke about the impact fees they would pay to the City and that by becoming part of the City Limits, they would be able to vote on local issues.

(Timestamp 00:31:55)

Chairman Young asked a clarifying question for the benefit of all those present, regarding R-2 zoning. Mr. Hanson explained an R-2 zoning designation does not allow the development of more than two (2) Dwelling Units Per Acre (DUA). Vice Chairman Hennis pointed out the R-2 zoning designation was the lowest designation recognized by the city; Mr. Hanson confirmed the information was correct. Chairman Young moved the Commission into their discussion.

(Timestamp 00:32:42)

Vice Chairman Hennis began by recognizing comments made during public testimony by explaining that even though an R-2 was the lowest designation recognized by the city, it could allow the potential of up to 18 dwelling units; Mr. Hennis was not sure if making an additional Condition would adequately soothe the neighbors' fears. He addressed roadway safety and was not sure if there was much more impact the project could have as it was usually the larger developments that tended to have a high impact. He also commented that the subject sites appeared large enough to support additional well and septic systems.

(Timestamp 00:34:16)

Mr. Gigray addressed Vice Chairman Hennis's comment regarding an additional Condition and explained to do so would require a Development Agreement.

(Timestamp 00:35:02)

Chairman Young expressed he had no issue with the projects location or zoning and was not in support of requiring a Development Agreement.

(Timestamp 00:36:07)

Commissioner Gealy felt the R-2 designation was a good transition between the city and the country and felt like the Commission could complicate that buffer or future buffer, by requiring a Development Agreement. She felt it made sense to Annex whether now or in the future, as City Services would be available to the area in the future.

(Timestamp 00:37:28)

Vice Chairman Hennis referred to the parcel map and expressed how difficult it would be to get more than five (5) dwellings on the parcel due to its configuration, especially when adding in setback requirements and others. He restated a Development Agreement seemed not to be needed.

(Timestamp 00:38:12)

Commissioner Gealy reiterated her concerns regarding the potential impacts of a Development Agreement on the buffer. Chairman Young agreed.

(Timestamp 00:36:06)

Chairman Young closed the Public Hearing at 6:58 PM, then asked if there weren't any other questions, he would stand for a Motion.

(Timestamp 00:39:43)

Motion To: Approve Case No. 21-06-AN (Annexation) for 1113 & 1169 N Black Cat Road, with the Conditions as outlined in the Staff Report.

Motion By: Commissioner Gealy

Motion Seconded: Vice Chairman Hennis

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-0-2, Commissioners Damron & Garten were absent.

(Timestamp 00:40:18)

- C. Case No. 21-02-OA (Ordinance Amendment) Amending Subsection Q of Section 4 of Chapter 5 of Title 5 Kuna City Code, Electrical Energy Transmission Lines – Jace Hellman, Planning & Zoning Director **ACTION ITEM**

(Timestamp 00:40:44)

Chairman Young noted the request by Staff on the Agenda that the Case be tabled to a date certain of September 14, 2021, due to a noticing error.

(Timestamp 00:40:56)

Motion To: Table Case No. 21-02-OA (Ordinance Amendment) Amending Subsection Q of Section 4 of Chapter 5 of Title 5 of Kuna City Code, Electrical Energy Transmission Lines, to September 14, 2021.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Gealy

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-0-2, Commissioners Damron & Garten were absent.

4. BUSINESS ITEMS:

(Timestamp 00:41:24)

Chairman Young asked if there were any business items to address; there were not.

5. ADJOURNMENT:

(Timestamp 00:41:36)

Motion To: Adjourn.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Gealy

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-0-2, Commissioners Damron & Garten were absent.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

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

IN FAVOR

NEUTRAL

IN OPPOSITION

Testify **Not Testify**

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2.5	Vicinity Map			X
2.6	1113 N Black Cat Road Deed			X
2.7	1169 N Black Cat Road Deed			X
2.8	Neighborhood Meeting Certification			X
2.9	Commitment to Property Posting			X
2.17	Agency Transmittal			X
2.18	Ada County Development Services			X
2.19	Nampa and Meridian Irrigation District			X
2.20	Central District Health Department			X
2.21	City Engineer			X
2.22	Ada County Highway District			X
2.23	Planning and Zoning Commission Kuna City Website Notice			X
2.24	Planning and Zoning Commission Kuna Melba News			X
2.25	Planning and Zoning Commission Mailer			X
2.26	Planning and Zoning Commission Proof of Property Posting			X

1.2 Hearings

1.2.1 The Planning and Zoning Commission heard this on August 24, 2021. The FCO's have been requested to go to the Planning and Zoning Commission on September 14, 2021.

1.3 Witness Testimony

1.3.1 Those who testified at the Planning and Zoning Commission's August 24, 2021 hearing are as follows, to-wit:

1.3.1.1 City Staff:
Doug Hanson, Planner II

1.3.1.2 Appearing for the Applicant:
Diana Sanders, 1113 N Black Cat Road, Kuna, ID 83634
Josh Sanders, 1169 N Black Cat Road, Boise, Idaho, 83634

1.3.2.3 Appearing in Favor:
Robin Sanders, 1113 N Black Cat Road, Kuna, ID 83634 – Did not testify
Rachel Sanders, 3468 N Dove Place, Boise, ID 83704 - Did not testify

1.3.2.4 Appearing Neutral:
None

1.3.2.5 Appearing Against:
Alta Graham, 1015 N Black Cat Road, Kuna, ID 83634 – Testified

**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 RECOMMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

**III
FINDINGS OF FACT**

3.1 Findings Regarding Notice

3.1.1 Notice Required: Notice has been given in accordance with City Code and Idaho Statutes.

3.1.2 Notice Provided

3.1.2.1 Notice was published for the August 24, 2021 hearing on the Annexation for 1113 and 1169 N Black Cat Road in the *Kuna Melba News*, the official City of Kuna newspaper, which has general circulation within the boundaries of the City and in Ada County and Canyon County.

<i>Newspaper</i>	<i>Date Published</i>
<i>Kuna Melba News</i>	August 4, 2021

3.1.2.2 Notice for the August 24, 2021 hearing containing the legal description of the property proposed to be annexed was mailed on August 4, 2021 to all known and affected property owners within three hundred (300) feet of the boundaries of the area described in the application.

3.1.2.3 Notice for the August 24, 2021 hearing was posted on a sign in accordance with Kuna City Code 5-1A-8 on August 13, 2021. A Proof of Property Posting was provided to staff on August 13, 2021.

3.1.2.4 Notice for the August 24, 2021 hearing was posted in conspicuous places within City Hall on the Foyer Bulletin Boards and City Website.

3.2 Findings Regarding Annexation

3.2.1 The land for proposed Annexation is comprised of two (2) parcels totaling

approximately 9.8 acres. The parcels are as follows:

Property Owner	Parcel Size:	Current Zone	Parcel Number
Robin and Diana Sanders	4.9	RR (Ada County)	S1321141880
Ronin and Diana Sanders	4.9	RR (Ada County)	S1321141920

3.2.2 The landowners of the parcel at issue did not oppose Annexation.

3.2.3 The existing land uses and zoning designations for lands surrounding the subject parcel is as follows:

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

3.2.4 1113 N Black Cat Road contains a 1,586 square foot home with a 576 square foot attached garage. 1169 N Black Cat Road contains a 1,792 square foot mobile home with a 2,000 square foot barn. Vegetation in direct proximity to the primary dwelling units includes trees, shrubs and grass. Vegetation on the remainder of the site is consistent with that of pasture-like fields.

3.2.5 The parcels have an estimated average slope of 3% to 5.9%. According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be between 20 and 40 inches.

3.2.6 There is no development associated with this application, the Ada County Highway District (ACHD) has provided comments detailing what will be required as a part of a future development application.

3.2.7 The proposed project takes frontage on Black Cat Road. Black Cat Road is currently improved with two (2) travel lanes, 25 feet of pavement and no curb, gutter or sidewalk abutting the site. There is 55 feet of right-of-way, 30 feet from Centerline. The City of Kuna Street Circulation Map identifies Black Cat Road as a Minor Arterial. As part of a future development application, the applicant will be required to dedicate additional right of way to total 39-feet from centerline, with an eight-foot-wide detached sidewalk within a 20–30-foot landscape buffer in accordance with ACHD policy and Kuna City Code (KCC) standards.

3.2.8 The subject site currently has three (3) unimproved driveways that provide access to the site from Black Cat Road located 85, 178 and 322 feet south of the site’s northernmost property line. ACHD approved a private road application for the site in April 2021 requiring that the driveways located 85 and 322 feet south of the site’s

northernmost property line be closed. The driveway located 178 feet south of the site's northernmost property line was approved to be improved as a 24-foot-wide private road/driveway and is currently under construction.

3.3 Testimony of the City Planner

3.3.1 Conclusions: The City Planner, in a staff report to the Planning and Zoning Commission dated August 24, 2021 confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:

3.3.1.1 The applicant held a neighborhood meeting with residents within 300 ft of the proposed project area on May 22, 2021, there were no attendees. Neighborhood meeting minutes as well as mailed materials have been provided as a part of this application.

3.3.1.2 The property is currently zoned RR (Rural Residential) within unincorporated Ada County. The applicant is proposing to annex the approximately 9.8-acres with a R-2 (Low Density Residential) zoning district classification. The property is adjacent to Kuna City Limits, which makes it eligible for consideration of annexation. The property owner is consenting to the annexation and the property is contiguous with Kuna City limits situated to the east of the subject site. Idaho Statutes §50-222 grants cities the authority to annex lands which are reasonably necessary to assure the orderly development of Idaho's cities in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable the orderly development of private lands which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocate the costs of public services in management of development on the urban fringe.

3.3.1.3 This request is limited to the annexation of the land into Kuna City Limits, no development associated with this application.

3.3.1.4 Staff has determined the applicant's annexation request is in compliance with Idaho Statutes §50-222 and the goals and policies set in Kuna's Comprehensive Plan. Staff recommends that if the Commission recommends approval to the City Council, that the applicant be subject to the conditions of approval listed in section "IX" of this report, as well as any additional conditions designated by the Planning and Zoning Commission.

3.3.2 Staff Recommendations: As a result of the review, City Planner II, Doug Hanson, recommended if the Planning and Zoning Commission recommends approval of Case No. 21-06-AN (Annexation), the applicant be subject to the following conditions of approval:

- 3.3.2.1** Upon development 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:
- 3.3.2.1.1** The City Engineer shall approve the sewer connections.
 - 3.3.2.1.2** 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.
 - 3.3.2.1.3** 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”.
 - 3.3.2.1.4** 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.
 - 3.3.2.1.5** The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
 - 3.3.2.1.6** Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid *prior to issuance* of any building permit(s).
 - 3.3.2.1.7** 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.
- 3.3.2.2** 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.
- 3.3.2.3** 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.

- 3.3.2.4** 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 (KMIS) of the City.
- 3.3.2.5** The owner/developer/applicant, 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 the public hearing process.
- 3.3.2.6** The owner/developer/applicant shall follow staff, City Engineers and other agency requirements as applicable.
- 3.3.2.7** The owner/developer/applicant shall comply with all local, state and federal laws.

3.4 Other Testimony

- 3.4.1** 8/24/2021 Public Hearing – Diana Sanders 1113 N Black Cat Road, Kuna, Idaho 83634, introduced herself as the applicant and let the Planning and Zoning Commission know that her son, Josh Sanders would be speaking on her behalf.
- 3.4.2** 8/24/2021 Public Hearing – Josh Sanders 1169 N Black Cat Road, Kuna, Idaho 83634, discussed his desire to annex into the City of Kuna in order to be more involved within the City in matters such as voting in local elections. He discussed that the annexation would lead to the creation of five lots in the future, they have already begun construction on a road approved by Ada County and have closed two of the three (3) driveways that access the subject properties.
- 3.4.3** 8/24/2021 Public Hearing – Alta Graham, 1015 N Black Cat Road, Kuna, Idaho 83634, expressed her concerns with the density of the R-2 zone and possible future subdivisions, infrastructure improvements that are needed for a railroad crossing and the level of traffic on Black Cat Road.
- 3.4.4** 8/24/2021 Public Hearing – Bill Graham, 1015 N Black Cat Road, Kuna, Idaho 83634, discussed his concerns with infrastructure necessary to support the project, specifically improved roadways and the addition of multiple new wells and septic systems.
- 3.4.5** 8/24/2021 Public Hearing – In his rebuttal, Josh Sanders, 1169 N Black Cat Road, Kuna, Idaho 83634, stated that they were not going through the process to create a subdivision, just split the property into five (5) parcels. They chose R-2 because it was the least dense residential zoning district in the City of Kuna and saw their property as a good transition piece from residential to agriculture land uses. He affirmed that all city code would be followed.

IV
CONCLUSIONS OF LAW
RE: POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION

- 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 power of the City of Kuna lies in the Planning and Zoning Commission to hear this matter as provided in Idaho Code §50-222 and Kuna City Code 1-14-3.

V
CONCLUSIONS OF LAW
RE: APPLICATION FOR ANNEXATION

- 5.1** The City of Kuna has authority to annex lands into its boundaries pursuant to I.C. §50-222.
- 5.2** I.C. §50-222(1) provides that:

[C]ities of the state should be able to annex lands which are reasonably necessary to assure the orderly development of Idaho's cities in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, *to enable the orderly development of private lands* which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocated the costs of public services in management of development on the urban fringe.

(emphasis added).

- 5.3** The proposed Annexation is a Category A Annexation as described in I.C. §50-222(3)(a), because the private landowner of the parcel at issue has consented to the proposed Annexation.
- 5.4** The Annexation, proposed by the Application of Case No. 21-06-AN, would constitute an orderly development and would not contribute to urban sprawl of the City.

VI
ORDER OF RECOMMENDING APPROVAL OF APPLICATION FOR ANNEXATION

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

- 6.1** Recommend approval to City Council of the Annexation application (Case No. 21-06-AN).

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna at its regular meeting held on the 14th day of September 2021.

Lee Young, Chairman
Kuna Planning and Zoning Commission

II PROCESS AND NOTICING

2.1 In accordance with Kuna City Code (KCC) 1-14-3, Ordinance Amendments are designated as a public hearing with the Planning and Zoning Commission as the recommending body and City Council as the decision-making body. This request was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Land Use Planning Act and Kuna City Code, Title 5.

2.1.1 Notifications

- | | |
|---|-------------------|
| 2.1.1.1 Agency Comments Request: | July 27, 2021 |
| 2.1.1.2 Kuna Melba News Newspaper: | August 25, 2021 |
| 2.1.1.3 Kuna Melba News Newspaper: | September 1, 2021 |
| 2.1.1.4 Kuna City Website: | August 4, 2021 |

III APPLICANT'S REQUEST

3.1 Consideration from the Planning and Zoning Commission of an Ordinance for the City of Kuna, Idaho, Amending Subsection Q of Section 4 of Chapter 5 of Title 5 Kuna City Code, making technical changes to the zoning regulation of electrical energy transmission lines as unique land uses; and directing the City Clerk; and providing an effective date.

IV GENERAL PROJECT FACTS

4.1 Agency Responses:

4.1.1 Request for Agency Comments was sent on July 27, 2021. Idaho Power provided comment on the proposed ordinance amendment on August 10, 2021.

V STAFF ANALYSIS

5.1 In an effort to prepare for future development in the East Kuna Industrial Area, the City of Kuna's Planning and Zoning Staff began to meet with Idaho Power to discuss what needs to be in place in order to ensure that necessary electrical infrastructure has the ability to be provided in order to serve the load requirements of potential users. After further discussion with Idaho Power, Staff came to the conclusion that the existing language within Subsection Q of Section 4 of Chapter 5 of Title 5, which reads, "*Power lines transmitting two hundred thirty (230) Kilovolts (kV) of electrical energy up to five hundred (500) kV shall be centered within an eight hundred-foot wide utility easement; power lines transmitting greater than five hundred (500) kV of electrical power shall be centered in a one thousand three hundred twenty-foot wide utility easement. No residential dwelling shall be placed within four hundred (400) feet of a two hundred thirty (230) to five hundred (500) kV power line or six*

hundred sixty (660) feet of a five hundred (500) to eight hundred (800) kV power line. Distance separations for other habitable structures shall be determined on a case-by-case basis (KCC 5-3-4-4:W).”, was too restrictive as it requires excessive easement widths surrounding power transmission lines. As a result, Staff is proposing to amend Subsection Q of Section 4 of Chapter 5 of Title 5 to read, “Power lines, transmitting electrical energy, shall comply with the National Electric Safety Code as currently adopted by the Idaho Public Utilities Commission and the Overhead Power Line Safety Act as currently adopted by the laws of the State of Idaho.”

5.2 Applicable Standards

5.2.1 City of Kuna Zoning Ordinance, Title 5

5.2.2 City of Kuna Comprehensive Plan

5.2.3 Idaho Code, Title 67, Chapter 65 – Local Land Use Planning Act

VI

PROPOSED FINDINGS OF FACT

- 6.1** 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:** In lieu of a mailed notice, two notices of the time and place of the hearing and summary of the proposal was published in the Kuna Melba News. The legal notices were submitted to Kuna Melba News to be published on August 4, 2021 and August 11, 2021; however, they were not published. Staff resubmitted the request for publishing on August 18, 2021. They were published on August 25, 2021 and September 1, 2021. A legal notice was posted to the website on August 4, 2021.*

- 6.2** In accordance with Kuna City Code 5-1A-3, applicable agencies were notified and asked to provide comment.

***Staff Finding:** Applicable agencies were notified to provide comments on July 27, 2021. Staff received comments from Idaho Power on August 10, 2021.*

VII

RECOMMENDATION BY THE COMMISSION

- 7.1** Based on the facts outlined in staff’s report, the exhibits submitted and public testimony as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby recommends approval/conditional approval/denial of Case No. 21-02-OA (*Ordinance Amendment*), a request from the City of Kuna to amend Subsection Q of Section 4 of Chapter 5 of Title 5 Kuna City Code, making technical changes to the zoning regulation of electrical energy transmission lines as unique land uses.

DATED this 14th day of September, 2021.

**KUNA CITY ORDINANCE NO. 2021-X
CITY OF KUNA**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- **MAKING CERTAIN FINDINGS**
- **AMENDING SUBSECTION Q OF SECTION 4 OF CHAPTER 5 OF TITLE 5 KUNA CITY CODE MAKING TECHNICAL CHANGES TO THE ZONING REGULATION OF ELECTRICAL ENERGY TRANSMISSION LINES AS UNIQUE LAND USES; AND**
- **DIRECTING THE CITY CLERK; AND**
- **PROVIDING AN EFFECTIVE DATE.**

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Kuna, Ada County, Idaho:

Section 1: That Subsection Q of Section 4 of Chapter 5 of Title 5 of the Kuna City Code be and the same are hereby amended to read as follows:

5-5-4

Q. Power transmission: Power lines, transmitting electrical energy, shall comply with the National Electric Safety Code as currently adopted by the Idaho Public Utilities Commission and the Overhead Power Line Safety Act as currently adopted by the laws of the state of Idaho. ~~transmitting two hundred thirty (230) Kilovolts (kV) of electrical energy up to five hundred (500) kV shall be centered within an eight hundred foot wide utility easement; power lines transmitting greater than five hundred (500) kV of electrical power shall be centered in a one thousand three hundred twenty foot wide utility easement. No residential dwelling shall be placed within four hundred (400) feet of a two hundred thirty (230) to five hundred (500) kV power line or six hundred sixty (660) feet of a five hundred (500) to eight hundred (800) kV power line. Distance separations for other habitable structures shall be determined on a case-by-case basis (KCC 5-3-4-4:W).~~

Section 2: Directing the City Clerk

2.1 The City Clerk is directed to file, this Ordinance in the official records of the City and to provide the same to the City's codifier for inclusion and publication in the Kuna City Code.

Section 3: Effective Date

3.1 This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law and at the discretion of the City Clerk and in lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

DATED this ____ day of _____, 2021,

CITY OF KUNA

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

W:\Work\K\Kuna, City of 25721\Ordinances\Zoning Ordinances\KUNA CITY ORDINANCE NO amending KCC 5 5 4 Q re
Transmission line regulation wfg.docx

Jace Hellman

From: Jace Hellman
Sent: Tuesday, July 27, 2021 3:54 PM
To: Ada County Engineer; Ada County Highway District; Adam Ingram; Beky Rone (Kuna USPS Addressing); Bobby Withrow; Boise Project Board of Control; Brent Moore (Ada County); Cable One TV; Catherine Feistner; Central District Health Department ; Chief Fratusco; COMPASS; David Reinhart; DEQ; Eric Adolfson; Idaho Power Easements; Idaho Power Easements 2; Intermountain Gas; ITD; J&M Sanitation; Jace Hellman; Leon Letson; Marc Boyer (Kuna Postmaster); Marci Horner (Meridian School District); Megan Leatherman; Nampa Meridian Irrigation District ; New York Irrigation; Paris Dickerson; Paul Stevens; Planning Manager (Ada County Development Services); Robbie Reno; Stacey Yarrington (Ada County); TJ Lawrence (Interim KRFD Chief); Paris Dickerson; Maffuccio, Jeff
Subject: City of Kuna Request for Comment - Case No. 21-02-OA - Power Transmission Line Regulation Amendment
Attachments: KUNA CITY ORDINANCE NO amending KCC 5 5 4 Q re Transmission line regulation.pdf

July 27, 2021

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

File Number & Case Name:	21-02-OA (Ordinance Amendment) – Power Transmission Line Regulation Amendment
Project Description	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA: <ul style="list-style-type: none">• MAKING CERTAIN FINDINGS; AND• AMENDING SUBSECTION Q OF SECTION 4 OF CHAPTER 5 OF TITLE 5 KUNA CITY CODE MAKING TECHNICAL CHANGES TO THE ZONING REGULATION OF ELECTRICAL ENERGY TRANSMISSION LINES AS UNIQUE LAND USES; AND• DIRECTING THE CITY CLERK; AND• PROVIDING AN EFFECTIVE DATE.
Applicant	Jace Hellman – City of Kuna Planning and Zoning Department 751 W 4 th St Kuna, ID 83634 208-922-5274 jhellman@kunaid.gov
Tentative Public Hearing Date	Tuesday, August 24, 2021 6:00 pm Kuna City Hall is located at 751 W. 4 th Street, Kuna, ID 83634

Staff Contact

Jace Hellman, Planning and Zoning Director
jhellman@kunaid.gov
Phone: 208.922.5274
Fax: 208.922.5989

Enclosed is information to assist you with your consideration and response. All comments as to how this action may affect the service(s) your agency provides, is greatly appreciated. Please contact staff with any questions. **If your agency needs different or additional information to review and provide comments please notify our office and they will be sent to you.** 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 for this project.*



Jace Hellman
Planning & Zoning Director
751 W 4th St
Kuna, ID 83634
Office: 208.922.5274
Cell: 208.204.4752
Email: jhellman@kunaid.gov

August 10, 2021

Mr. Jace Hellman
Director, Kuna Planning and Zoning
751 West 4th Street
Kuna, Idaho 83634

Re: 21-02-OA, Power Transmission Line Regulation Amendment

Dear Mr. Hellman,

Idaho Power Company appreciates the opportunity to comment on the proposed Ordinance Amendment, case file 21-02-OA, to Subsection 5-5-4(Q) of the Kuna City Code, regarding *Power Transmission Line Regulations* in Kuna. Idaho Power supports the proposed amendment to Subsection 5-5-4(Q) as outlined below.

Current Subsection 5-5-4(Q) is concerning from a public utility perspective because it requires excessive widths for transmission line easements (varying from 800' to 1000' for transmission lines of 230kV or higher) and excessive transmission line clearances from residential dwellings (varying from 400' to 660' for transmission lines of 230kV or higher). These distance requirements far exceed the standard utility practice and would effectively prohibit Idaho Power from installing a 230kV or greater transmission line within the City's boundaries or adjacent lands subject to the City's land use ordinances. This could restrict Idaho Power's ability to provide service to future development in the Kuna area.

Idaho Power supports the proposed revision of Subsection 5-5-4(Q) which states:

Power lines transmitting electrical energy, shall comply with the National Electric Safety Code¹ as currently adopted by the Idaho Public Utilities Commission and the Overhead Power Line Safety Act as currently adopted by the laws of the state of Idaho.

The National Electrical Safety Code (NESC) sets forth detailed and comprehensive electrical safety standards for public utilities such as Idaho Power, including clearance requirements for various land uses near power lines, such as buildings, structures, equipment, vehicles, etc. The NESC clearance requirements have been carefully calibrated to assure a safe distance from power lines. The clearance requirements vary depending on the voltage of the power line – higher voltage lines have greater clearance requirements than lower voltage lines under the NESC framework.

The Idaho Public Utility Commission ("PUC") has adopted the NESC standards for Idaho Power's utility service in Idaho, and Idaho Power accordingly complies with the NESC clearance requirements for our power line installations. For purposes of Subsection 5-5-4(Q), this means that Idaho Power acquires sufficient easement widths for our transmission lines, and maintains proper transmission line clearances from residential dwellings.

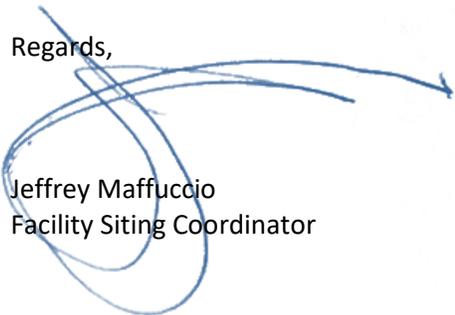
¹ Please note the NESC title is "National Electrical Safety Code".

The Idaho Power Line Safety Act also sets forth strict clearance requirements for work and other activities near Idaho Power's power lines, including high-voltage transmission lines.

The City's proposed revisions to Subsection 5-5-4(Q) would assure that appropriate safety clearances are maintained for all power transmission lines in Kuna, while removing the excessive and prohibitive easement width and residential dwelling clearance requirements currently set forth in Subsection 5-5-4(Q). It is important to note that even with the proposed amendments to Subsection 5-5-4(Q), the City would continue to have the opportunity to review and decide upon proposed Idaho Power transmission line projects within the City in the future under the Special Use Permit process set forth in Chapter 5, Title 4 of the Kuna City Code.

On behalf of Idaho Power, we appreciate your time and effort to review and consider these comments from Idaho Power in support of the proposed revisions to Subsection 5-5-4(Q). Please contact me with any questions or clarification at 208-388-2402 or jmaffuccio@idahopower.com.

Regards,



Jeffrey Maffuccio
Facility Siting Coordinator



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:
08/23/21	21880

LEGAL NOTICE

**Case No. 21-02-OA
 (Ordinance Amendment):
 Amending Subsection Q, of
 Section 4, of Chapter 5, of
 Title 5 Kuna City Code;**

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission will hold a Public Hearing **September 14, 2021, at 6:00 PM**, or as soon as can be heard; in connection with an Ordinance Amendment request for Subsection Q Power Transmission, Section 4 Provisions for Unique Land Uses, Chapter 5 Performance Standards, Title 5 Zoning Regulations. The Public Hearing is for the purpose of gaining community input on the following:

- MAKING CERTAIN FINDINGS
- AMENDING SUBSECTION Q OF SECTION 4 OF CHAPTER 5 OF TITLE 5 KUNA CITY CODE MAKING TECHNICAL CHANGES TO THE ZONING REGULATION OF ELECTRICAL ENERGY TRANSMISSION LINES AS UNIQUE LAND USES; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

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; the City of Kuna is providing alternative ways for the community to submit comments at Public Hearings if they do not wish to testify in person at the hearing, please contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

Kuna Planning & Zoning
 Department

August 25, 2021
 September 1, 2021

137696

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
137696	21-02-0A	08/25/21	09/01/21	2	████████

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
Discount:					\$0.00
Surcharge:					\$0.00
Credits:					\$0.00

Gross: ██████████
 Paid Amount: \$0.00

Amount Due: ██████████

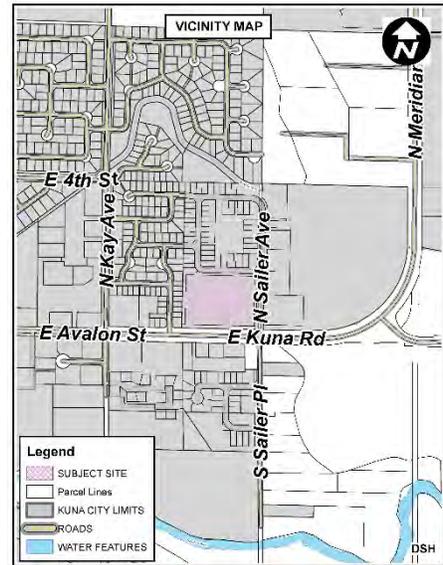
We Appreciate Your Business!

**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF KUNA**

IN THE MATTER OF THE APPLICATIONS OF) **Case No. 20-01-PUD**
) **(Planned Unit Development),**
MERLIN POINTE, LLC) **20-06-ZC (Rezone),**
) **20-08-S (Preliminary Plat),**
) **20-05-SUP (Special Use Permit) and**
) **20-22-DR (Design Review)**
)
)
For a Planned Unit Development, Rezone,) **STAFF REPORT FOR THE**
Preliminary Plat, Special Use Permit and) **MERLIN POINTE SUBDIVISION**
Design Review for 115 N Sailer Avenue.) **APPLICATION.**

TABLE OF CONTENTS

1. Exhibit List
2. Process and Noticing
3. Applicants Request
4. General Project Facts
5. Transportation and Connectivity
6. Staff Analysis
7. Proposed Findings of Fact and Conclusions of Law
8. Proposed Comprehensive Plan Analysis
9. Commission’s Recommendation



**I
EXHIBIT LIST**

The exhibits of the above-referenced matter consist of the following, to-wit:

1.1 Exhibits:

<i>DESCRIPTION OF EVIDENCE</i>		Withdrawn	Refused	Admitted
1.1	Staff Report			X
2.1	Planning and Zoning Application Coversheet			X

2.2	Planned Unit Development Application			X
2.3	Rezone Application			X
2.4	Preliminary Plat Application			X
2.5	Special Use Permit Application			X
2.34	Design Review Application			X
2.36	Cottages Elevations			X
2.6	Letter of Intent			X
2.7	Vicinity Map			X
2.8	Warranty Deed			X
2.9	Affidavit of Legal Interest			X
2.10	Commitment to Property Posting			X
2.11	Common Area Maintenance Agreement			X
2.12	Neighborhood Meeting Certification			X
2.13	Subdivision Name Reservation			X
2.14	Merlin Cottages Legal Description			X
2.15	Merlin Pointe Subdivision Legal Description			X
2.17	Planned Unite Development Site Plan			X
2.18	Preliminary Plat			X
2.19	Landscape Plan			X
2.20	Roberta Sailer Public Comment			X
2.21	Lon Morgan Public Comment			X
2.22	Donna Gerhart Public Comment			X
2.23	Agency Transmittal			X
2.24	Boise Project Board of Control			X
2.25	Kuna School District			X
2.26	Nampa and Meridian Irrigation District			X
2.27	Department of Environmental Quality			X
2.28	Central District Health Department			X
2.29	COMPASS			X
2.31	Ada County Highway District			X
2.33	City Engineer			X
2.30	Planning and Zoning Commission Proof of Property Posting			X
2.32	Planning and Zoning Commission Kuna Melba News			X
2.35	Planning and Zoning Commission Mailer			X

**II
PROCESS AND NOTICING**

2.1 Kuna City Code (KCC), Title 1, Chapter 14, Section 3 that Planned Unit Developments, Rezones Preliminary Plats and Special Use Permits 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.

2.1.1 Notifications

- 2.1.1.1** Neighborhood Meeting: July 20, 2020 (14 Attendees)
- 2.1.1.2** Agency Comments Request: June 28, 2021
- 2.1.1.3** 300 FT Property Owners Notice: August 25, 2021
- 2.1.1.4** Kuna Melba News Newspaper: August 25, 2021
- 2.1.1.5** Site Posted: July 16, 2021

**III
APPLICANTS REQUEST**

3.1 A Team Land Consultants on behalf of Merlin pointe, LLC, requests planned unit development approval for an approximately 5.83-acre parcel, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts and to subdivide the approximate 5.83-acres into 72 total lots (60 residential, 6 common, and 6 commercial). The subject site is located at 115 N Sailer Avenue, Kuna, ID 83634, within Section 24, Township 2 North, Range 1 West; (APN: R5672430040).

**IV
GENERAL PROJECT FACTS**

4.1 Site History

4.1.1 The subject site was annexed into Kuna City Limits in 2013 with a C-1 (Neighborhood Commercial) zoning district on November 6, 2013 as a part of the Merlin Pointe Commercial Subdivision. Prior to 2013 the site was used primarily for agricultural purposes.

4.2 Surrounding Land Uses

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

4.5 Parcel Number, Owner, Parcel Size and Current Zoning

4.5.1 S1325438400

4.5.1.1 Merlin Pointe, LLC

4.5.1.2 Approximately 5.83 acres

4.5.1.3 C-1 (Neighborhood Commercial)

4.6 Services

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

4.7 Existing Structures, Vegetation, and Natural Features

4.7.1 The proposed project site contains no existing structures. Vegetation on site has been cleared. The site has an estimated average slope of 2% to 2.9%. According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be 20 to 40 inches across the proposed development area.

4.8 Environmental Issues

4.8.1 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.

4.9 Comprehensive Plan Future Land Use Map

4.9.1 The Future Land Use Map (FLUM) is intended to serve as a *guide* for the decision-making body for the city. The FLUM indicates land use designations generally speaking, it is not the actual zone. The Future Land Use Map identifies the approximately 5.83-acres as Mixed Use.

4.10 Recreation and Pathways Map

4.10.1 The Recreation and Pathways Master Plan Map does not indicate a future pathway, trail or bike route through the subject site.

4.11 Agency Responses

Agency	Exhibit No.
Boise Project Board of Control	2.24
Kuna School District	2.25
Nampa and Meridian Irrigation District	2.26
Department of Environmental Quality	2.27
Central District Health Department	2.28
COMPASS	2.29

Ada County Highway District	2.31
City Engineer	2.33

V
TRANSPORTATION AND CONNECTIVITY

5.1 Kuna Road runs the southern frontage of the subject site. Kuna Road is listed as a principal arterial on the City of Kuna Master Street Map (MSM). Kuna Road is improved with a planter strip, detached sidewalk and landscape buffer. The applicant proposes to use an existing driveway for access to the six (6) commercial lots fronting Kuna Road, the driveway was approved by the Idaho Transportation Department (ITD) as part of the Merlin Pointe Subdivision approved on November 19, 2013.

Sailer Avenue runs the eastern frontage of the site. Sailer Avenue is listed as a local road on the MSM, which calls for a 36-foot street section within 50 feet of right-of-way (ROW). It is improved with two travel lanes, vertical curb, gutter and five (5) foot wide sidewalk within 60 feet of ROW in compliance with ACHD Policy and KCC standards. Seraphina Street runs the northern frontage of the site. Seraphina Street is listed as a local road on the MSM. It is improved with two travel lanes, vertical curb, gutter and five (5) foot wide sidewalk within 50 feet of ROW in compliance with ACHD Policy and KCC standards. The existing driveways on both Sailer Avenue and Seraphina Street will be closed and relocated. The closed driveways shall be replaced with curb, gutter and five (5) foot wide sidewalk in accordance with ACHD Policy and KCC standards.

The applicant proposes to construct the internal local road, Cottage Street as a 36-foot street section within 50 feet of ROW, with vertical curb, gutter and five (5) foot wide attached sidewalk in compliance with ACHD policy and KCC standards. The applicant proposes to construct the remainder of the unnamed internal roads as 26-foot streets/alleys with ribbon curb and no sidewalk. This proposal does not meet ACHD policy, public roads must either be extended as through streets or terminate in a cul-de-sac. ACHD recommends that the 26-foot streets/alleys be constructed as private roads. However, 26-foot street widths do not meet KCC for private streets. KCC requires all private roads to be paved no less than 28 feet in width.

KCC 5-18-1-A.-7. states private roads shall not provide connectivity from one (1) public road to another, or otherwise encourage travel through the development served by the private road; however, a private road may have a secondary access to a public road and/or may be connected to more than one (1) public road if access thereto is controlled by automatic gates or other traffic control devices as approved by city council. The applicants currently proposed internal streets provide connection from one (1) public road to another in two (2) locations between Cottage and Seraphina Street which is not in compliance with KCC.

Staff recommends that if the applicant desires the roadways to be constructed as private streets that they revise and resubmit the preliminary plat to provide private streets with a paved width of at least 28 feet and employ traffic calming measures to the connections onto Seraphina Street. If it is not the desire of the Commission and Council for private internal streets the applicant will be required to revise and resubmit the preliminary plat to provide public standard local streets in these locations.

VI STAFF ANALYSIS

6.1 The applicant held a neighborhood meeting with residents within 300 ft of the proposed project area on July 14, 2020. There was a total of fourteen (14) residents who attended the meeting. Neighborhood meeting minutes have been provided as a part of this application. The application initially came before the Planning and Zoning Commission on December 8, 2020. The applicant requested that the public hearing be tabled to a date uncertain. After time spent working with the Planning and Zoning Department, Public Works and Emergency Services the applicant submitted updates to the application. The proposed application has been noticed to all property owners within 300 feet and shared in the Kuna Melba News.

The property is currently zoned C-1 (Neighborhood Commercial) within Kuna City Limits. The applicant is proposing a planned unit development (PUD) for an approximately 5.83-acre parcel, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts and to subdivide the approximate 5.83-acres into 72 total lots (60 residential, 6 common, and 6 commercial).

Per KCC 5-7-3-D. to assure development flexibility, the Planning and Zoning Commission may recommend increasing the residential density up to fifteen (15) percent of the allowable number of dwelling units according to the zone's underlying zoning density. The overall gross density of the project is 10.29 dwelling units per acre (DUA). The proposed net density is 13.50 DUA, falling within the allowable 15 percent increase in residential density.

KCC 5-7-2-C allows for development and dimensional standard modifications to be made to the underlying zone through the PUD process with the Commission's recommendation and City Council's approval and provided the PUD application is in accordance with the city's adopted comprehensive plan. The minimum lot size proposed with the project is 1,758 square feet in place of the KCC 5-3-3 established minimum lot size within an R-12 zone of 2,200 square feet. Minimum square footage of structures is 1,300 square feet which would cover approximately 73 percent of the 1,758 square foot lots. KCC 5-3-3 establishes the maximum lot coverage in an R-12 zone at 60 percent. Reduced setbacks are requested for the "cottage" and "townhome" lots. The "cottage" lots propose a 10-foot front, three (3) foot side and two (2) foot rear setbacks. The "townhome" lots request 15-foot front, zero (0) foot side and 10-foot rear setbacks.

The applicant has proposed 1.95 acres, or 33% of the project to be open space. KCC 5-1-11-A requires that a minimum 10% of the developments gross land area shall be set aside for open space purpose and mutually exclusive of required residential buffers. 1.21 acres or 20% open space has been proposed exclusive of the required residential buffers. Staff views the open space to be in compliance with KCC.

The Merlin Pointe Subdivision application represents approximately 60 residential sewer connections. With the proposed project, the applicant will need to upsize approximately a quarter mile of sewer pipe leading to the lift station. Wastewater from the proposed development is anticipated to flow to the Orchard Lift Station Sewage Basin. Once upgrades are made to the sewer pipe the Orchard Lift Station Basin will have available capacity to support the project.

The installation of streetlights is a required public improvement listed under KCC 6-4-2. The applicant shall be required to work with staff in order to comply with KCC and install street lights a maximum spacing of 250 ft. The final location of street lights will be approved at

the time of construction document review. Staff would note that these streetlights must be designed and installed according to “Dark Sky” standards.

A design review application for common area landscaping and open space was included as a part of the overall application. Staff will require the applicant to comply with KCC 5-5-5-F and install “see-through” fencing along all residential buildable lot property lines that abut pathways. Staff finds the proposed landscaping, buffers and common space to be in compliance with Kuna City Code. Additionally, staff notes that if this project is approved, at the time of civil plan development, landscaping cannot be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves, and ACHD underground facilities. In the event that locations of landscaping are within the locations listed above, the landscaping in that area must be moved to an alternate location, and an updated landscape plan must be provided to staff prior to scheduling a final landscape inspection.

Elevations and renderings for the “townhomes” have not been provided as part of the proposed application. The applicant will be required to return for design review approval of the townhomes should the project be approved.

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

Staff has reviewed the proposed preliminary plat for technical compliance with KCC, apart from the proposed 26-foot internal streets, the preliminary plat and landscape plan comply with Title 5 and Title 6 of 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 the hearing be continued so that the applicant may submit a revised preliminary plat with internal streets that meet KCC and ACHD Policy. However, if the Planning and Zoning Commission recommends approval of Case Nos. 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat) and 20-05-SUP (Special Use Permit) as proposed, and approves Case No. 20-22-DR (Design Review) as proposed the applicant shall be subject to the conditions of approval listed in section “IX” of this memo, as well as any additional conditions requested by the Planning and Zoning Commission.

6.2 Applicable Standards

- 6.2.1** City of Kuna Zoning Ordinance, Title 5
- 6.2.2** City of Kuna Subdivision Ordinance Title 6.
- 6.2.3** City of Kuna Comprehensive Plan.
- 6.2.4** Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

VII PROPOSED FINDINGS OF FACT

Based upon the record contained in Case Nos. 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat) and 20-05-SUP (Special Use Permit) 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/conditional approval/denial) of Case Nos. 20-01-PUD, 20-06-ZC, 20-08-S and 20-05-SUP, a request from Merlin Pointe, LLC and A Team Boise for planned unit development approval for an approximately 5.83-acre parcel, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts and to subdivide the approximate 5.83-acres into 72 total lots (60 residential, 6 common, and 6 commercial).

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

7.1 Based on the evidence contained in Case Nos. 20-01-PUD, 20-06-ZC, 20-08-S and 20-05-SUP, 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.*

7.2 The public notice requirements *have/have not* been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

Staff Finding: *The applicant held a neighborhood meeting on July 20, 2020. A total of fourteen (14) residents attended the meeting. Neighborhood Notices were mailed out to residents within 300-FT of the proposed project site on August 25, 2021 and a legal notice was published in the Kuna Melba Newspaper on August 25, 2021. The applicant posted sign on the property on July 16, 2021.*

7.3 Based on the evidence contained in Case Nos. 20-01-PUD, 20-06-ZC, 20-08-S and 20-05-SUP, 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 proposed zoning districts are C-1 and R-12. The Comp Plan Map designates the property as Mixed Use.*

7.4 The contents of the proposed preliminary plat application *do/do 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 preliminary plat confirms all technical requirements listed in KCC 6-2-3 were provided.*

7.5 The availability of existing and proposed public services and streets *can/cannot* accommodate the proposed development.

Staff Finding: *The proposed Sadie Creek South Subdivision application represents approximately 60 residential sewer connections on 5.83 acres. With the proposed project, the applicant will need to upsize approximately a quarter mile of sewer pipe leading to the lift station. Wastewater from the proposed development is anticipated to flow to the Orchard Lift Station Sewage Basin. Once upgrades are made to the sewer pipe the Orchard Lift Station Basin will have available capacity to support the project. Correspondence from ACHD confirms that the street identified as Cottage Street on the preliminary plat is suitable and adequate for this project. The 26-foot internal streets/alleys do not meet ACHD standards for public roads should be constructed as private roads.*

If they are constructed as private roads they will not meet KCC standards and will be required to be widened and traffic calming measures must be constructed.

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

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

- 7.7** 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, Park and Ada County Highway District), and property taxes will be collected, therefore satisfying the financial capability to provide supporting services.*

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

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

- 7.9** The site landscaping *does/does not* minimize the impact on adjacent properties through the use of screening.

Staff Finding: *Per the submitted landscape Plan, the applicant is proposing a 20-foot landscape buffer along Kuna Road. A six-foot vinyl fence is proposed along the west property line.*

- 7.10** 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.*

VIII

PROPOSED COMPREHENSIVE PLAN ANALYSIS

The Kuna Planning and Zoning may *accept/reject* the Comprehensive Plan components, and shall determine if the proposed Planned Unit Development, Rezone, Preliminary Plat, Special Use Permit and Design Review requests for the site *are/are not* consistent with the following Comprehensive Plan components:

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

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

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

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

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

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

- Goal 3.D.: Encourage development of housing options and strong neighborhoods.
 - Objective 3.D.1.: Encourage development of housing options for all citizens.
 - Policy 3.D.1.a: Encourage preservation and development of housing that meets demand for household sizes, lifestyles and settings.
 - Objective 3.D.2.: Create strong neighborhoods through preservation, new development, connectivity and programming.
 - Policy 3.D.2.d: Work to ensure all neighborhoods in Kuna benefit from good connectivity through sidewalk, pathway and trail, on-street and transit infrastructure.
- Goal 3.G.: Respect and protect private property rights.
 - Objective 3.G.1.: Ensure land use policies, restrictions, and fees do not violate private property rights.
 - Policy 3.G.1.b: Encourage preservation and development of housing that meets demand for household sizes, lifestyles and settings.
 - Policy 3.G.1.c: Ensure 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.

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

- Goal 4.B.: Increase sidewalk coverage and connectivity and invest in pedestrian facilities to increase walkability.
 - Objective 4.B.2.: Maintain and expand sidewalks and pedestrian facilities within the community.

- Policy 4.B.2.b: Install detached sidewalks and/or protected pedestrian routes/facilities along high trafficked roads as development occurs.

IX COMMISSION'S RECCOMENDATION

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 planned unit development, rezone, preliminary plat and special use applications to the City Council. However, if the planning and Zoning Commission wishes to approve or deny specific parts of these requests as detailed in the report, those changes must be specified.

Based on the facts outlined in staff's report and public testimony as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby *recommends (approval/conditionally approval/denial)* Case Nos. 20-01-PUD (Planned Unit Development, 20-06-ZC (Rezone), 20-08-S (Preliminary Plat) and 20-05-SUP (Special Use Permit), request from A Team Land Consultants for planned unit development approval of an approximately 5.83-acre parcel, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts and to subdivide the approximate 5.83-acres into 72 total lots (60 residential, 6 common, and 6 commercial); and (*approves/conditionally approves/denies*) Case No. 20-22-DR (Design Review), subject to the following conditions of approval:

- 9.1** 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:
- 9.1.1** The City Engineer shall approve the sewer hook-ups.
 - 9.1.2** 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.
 - 9.1.3** 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".
 - 9.1.4** 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.
 - 9.1.5** The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
 - 9.1.6** Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permit(s).
 - 9.1.7** 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.
- 9.2** 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.

- 9.3** 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.
- 9.4** When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMIS).
- 9.5** Connection to City Services (Sewer, Water, Pressurized Irrigation) is required. The applicant shall conform all corresponding Master Plans.
- 9.6** The Developer/Owner/Applicant shall be required to participate, as determined by the City Engineer, in the development of additional lift station capacity.
- 9.9** Buffers, curb, gutter and sidewalk (attached and detached) shall be installed in accordance with Kuna City Code Title 5 Chapter 17 and Title 6 Chapter 4.
- 9.10** Developer/owner/applicant shall work with Ada County Highway District and the City of Kuna to complete all required traffic mitigation improvements to the surrounding roadways and intersections as detailed in the Ada County Highway District staff report.
- 9.11** Applicant shall obtain written approval from the Kuna Rural Fire District regarding proposed alley widths.
- 9.12** Developer/owner/applicant shall install a sign at the terminus of every proposed stub street stating these roads will continue in the future. Developer/owner/applicant shall obtain proper language from Ada County Highway District.
- 9.13** Applicant shall work with staff in order to provide final locations of street lights as required by Kuna City Code.
- 9.14** Street lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.
- 9.15** Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted).
- 9.16** All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
- 9.17** Landscaping shall not be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles.
- 9.18** 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.

- 9.19** If any revisions are made, the applicant shall provide the Planning and Zoning Staff with a revised copy of the preliminary plat.
- 9.20** Any revisions of the plat are subject to administrative determination to rule if the revision is substantial.
- 9.22** Home construction shall not commence during the City quiet hours of 11:00 pm to 7:00 am.
- 9.23** All weeds, grass, vines or other growth which endanger property or are liable to be fired, or weeds over twelve (12) inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed.
- 9.24** The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
- 9.25** Developer/owner/applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
- 9.26** Developer/owner/applicant shall comply with all local, state and federal laws.
- 9.27** Developer/owner/applicant shall not request final plat approval until the City's Public Works Director issues the Will-Serve Letter to the applicant that states the City's Orchard Lift Station or some other City appurtenance has capacity to accept the wastewater discharged from the proposed subdivision.
- 9.28** In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a final plat, the Applicant shall have good cause and be eligible to receive, pursuant to KCC 6-2-3 (J), a time extension to file a final plat up to and until a Will-Serve Letter has been issued.

DATED this 14th day of September, 2021.



Planning & Zoning Application Coversheet

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



Office Use Only

File No.(s): 20-01-PUD, 20-06-ZC, 20-08-S, 20-05-SUP

Project Name: Merlin Cottages

Date Received: _____

Date Accepted as Complete: _____

Type of review requested (check all that apply); please submit all associated applications:

<input type="checkbox"/>	Annexation	<input type="checkbox"/>	Appeal
<input type="checkbox"/>	Comp. Plan Map Amendment	<input type="checkbox"/>	Combination Pre & Final Plat
<input type="checkbox"/>	Design Review	<input type="checkbox"/>	Development Agreement
<input type="checkbox"/>	Final Planned Unit Development	<input type="checkbox"/>	Final Plat
<input type="checkbox"/>	Lot Line Adjustment	<input type="checkbox"/>	Lot Split
<input type="checkbox"/>	Ordinance Amendment	<input type="checkbox"/>	Planned Unit Development
<input type="checkbox"/>	Preliminary Plat	<input type="checkbox"/>	Rezone
<input type="checkbox"/>	Special Use Permit	<input type="checkbox"/>	Temporary Business
<input type="checkbox"/>	Vacation	<input type="checkbox"/>	Variance

Owner of Record

Name: _____

Address: _____

Phone: _____ Email: _____

Applicant (Developer) Information

Name: _____

Address: _____

Phone: _____ Email: _____

Engineer/Representative Information

Name: _____

Address: _____

Phone: 208-871-7020 Email: _____

Subject Property Information

Site Address: _____

Nearest Major Cross Streets: _____

Parcel No.(s): _____

Section, Township, Range: _____

Property Size: _____

Current Land Use: _____ Proposed Land Use: _____

Current Zoning: _____ Proposed Zoning: _____

Project Description

Project Name: _____

General Description of Project: _____

Type of proposed use (check all that apply and provide specific density/zoning):

Residential: R-2 R-4 R-6 R-8 **R-12** R-20 Commercial: **C-1** C-2 C-3 CBD

Office Industrial: M-1 M-2 Other: _____

Type(s) of amenities provided with development: _____

Residential Project Summary (If Applicable)

Are there existing buildings? YES **NO**

If YES, please describe: _____

Will any existing buildings remain? YES **NO**

No. of Residential Units: _____ No. of Building Lots: _____

No. of Common Lots: _____ No. of Other Lots: _____

Type of dwelling(s) proposed (check all that apply):

Single-Family Townhomes Duplexes Multi-Family

Other: _____

Minimum square footage of structure(s): _____

Gross Density (Dwelling Units ÷ Total Acreage): _____

Net Density (Dwelling Units ÷ Total Acreage not including Roads): _____

Percentage of Open Space provided: _____ Acreage of Open Space: _____

Type of Open Space provided (i.e. public, common, landscaping): _____

Non-Residential Project Summary (If Applicable)

Number of building lots: _____ Other lots: _____

Gross floor area square footage: _____ Existing (if applicable): _____

Building height: _____ Hours of Operation: _____

Total no. of employees: _____ Max no. of employees at one time: _____

No. of and ages of students: _____ Seating capacity: _____

Proposed Parking:

ADA accessible spaces: _____ Dimensions: _____

Regular parking spaces: _____ Dimensions: _____

Width of driveway aisle: _____

Proposed lighting: _____

Is lighting "Dark Sky" compliant? **YES** NO

Proposed landscaping (i.e. berms, buffers, entrances, parking areas, etc.):

Applicant Signature: _____ Date: _____



Planned Unit Development Application

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



****Office Use Only****

Case No(s): _____

Project Name: Merlin Cottages _____

Date of Pre-Application Meeting: _____ Valid for three (3) months

Date Received: 6.22.2021 _____

Date Accepted as Complete: _____

KCC 5-1-6 defines a Planned Unit Development as, “An area of land in which a variety of Residential, Commercial and Industrial uses under single ownership or control is developed for the purpose of selling individual lots or estates and are accommodated in a preplanned environment with more flexible standards, such as lot sizes and setbacks.”

The City of Kuna has adopted a Planned Unit Development (PUD) process whose purpose is to make Kuna a pleasant, comfortable place to live and work. This PUD process is based on standards and guidelines found in Kuna City Code (KCC) 6-5-2. KCC can be viewed at www.KunaCity.ID.gov.

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

- Complete Planning & Zoning Application Coversheet.
- Complete Planned Unit Development Application (*It is the applicant's responsibility to use current application.*)
- Detailed narrative or justification for the application, describing project, design elements and how the project complies with PUD standards; nature of the land use actions requested; proposed number of phases; number of lots for each applicable designation (i.e. Residential, Commercial, Common, etc.); Gross & Net density; Open Space percentage & amenities; roads; and parking.
- 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.
- Aerial Map 8.5" x 11": Color photo depicting the proposed site, street names, and surrounding area within 500'. (*The purpose of this photo is to view the existing features of the site & surrounding sites.*)
- Copy of Deed; **and**, if applicant is not the owner, an *original* Affidavit of Legal Interest from the owner (and **ALL** interested parties) stating the applicant is authorized to submit the application.
- 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.

- Preliminary Plat: Drawn to scale of 1" = 100' (or similar), displaying the following:
 - Name of project and date
 - Name of plan preparer with contact information
 - Names, addresses and phone numbers of the Controller & any others involved in the project (i.e. Architect, Landscape Architect, Designer, Engineer, Planner, Nurseryman, etc.)
 - North arrow
 - Property lines
 - Location of subdivision lines
 - Existing structures – Identify those which are relocated or removed
 - On-site and adjoining streets, alleys, private drives
 - Rights-of-way and their designation
 - Location and width of easements, canals and drainage ditches
 - On-site transportation circulation plan for motor vehicles, pedestrians and bicycles
 - Drainage location and method of on-site retention/detention
 - Existing and/or proposed utility services, any above ground utility structures and provide their location
 - Parking layout including spaces, driveways, curbs, cuts, circulation patterns, pedestrian walks and vision triangles
 - Location and dimensions of off-street parking
 - Location and size of any loading areas, docks, ramps and vehicle storage or service areas
 - Roofline and foundation plan of building and location onsite
 - Location of trash storage areas and exterior mechanical equipment; provide proposed method of screening
 - Sign locations (*A separate Sign Application must be submitted; this is a Staff level review.*)
 - Locations and uses of all Open Spaces
 - Location of public restrooms
 - Location, types and sizes of sound and visual buffers (*all buffers must be located outside the public right-of-way*)
 - Location of walls and fences; provide their height and material of construction
- Natural Features Map: showing an inventory of existing site features
 - Ground elevation shown by contour lines at 2' intervals or less
 - 5' intervals may be accepted for slopes greater than 10%
 - General soil types as documented by a soils engineer or engineering geologist
 - Hydrology:
 - Analysis of natural drainage patterns and water resources including an analysis of streams, natural drainage swales, wetlands, floodplain areas or other areas subject to flooding, poorly drained areas, permanent high ground water areas and seasonally high ground water areas as they may be located on site or be affected by on site activity
 - Proposed and existing storm water facilities
 - Water conveyance facilities
 - Water features (*i.e., ponds, wetlands and permanent/intermittent water courses*)
 - If any portion of property is subject to flooding, a FEMA Floodplain Development Permit Application is required
 - Trees, vegetation and ground cover, historic sites, major rock outcroppings, etc.

- Sanitary sewer, storm drainage and water supply facilities (*If such facilities are not on or abutting the site, indicate the direction and distance to the nearest such facilities*)
- Width, location and purpose of all existing easements of record on/and abutting site(s)
- Site Plan: Drawn to a scale of 1" = 100' (or similar)
 - Name of project
 - Signed and stamped by a licensed engineer, including date and contact information (*with the exception of concept drawings and residential structures that do not require a licensed engineer's review*)
 - North Arrow
 - Locations of all existing and proposed dwelling units and/or individual lots
 - Location of major streets
 - Proposed yard requirements or Single-Family homes for individual lots
 - Existing and proposed traffic circulation system serving the PUD including:
 - Off-street parking and maneuvering
 - Points of access to existing public rights-of-way
 - Ownership of streets (*i.e. Public or Private*)
 - Parking areas
 - Existing and proposed pedestrian & bicycle circulation system
 - Conceptual plans for all services, including their location; whether services will be publicly or privately owned & maintained; location of utility connections. (*Any services intended to be privately owner, such as sewer/water/streets, requires prior review & approval by the City Engineer.*)
 - Proposed location and design of any public or private common areas or structures including Open Space; parks or recreations areas; and school sites.
 - Proposed architectural styles
- Landscape Plan for subdivision entrances, buffers, common areas, etc.
- Development Schedule indicating the approximate date on which construction of all phases within the project can be expected to begin; if schedule is approved by the Commission, it shall become part of the final development plan.
- Environmental Assessment, Grading Plan or other studies as may be appropriate for the proposed site or any additional information as determined by the Planning & Zoning Director, City Engineer, etc.

If the Preliminary Plat includes 100 lots or more, a Traffic Impact Study is required.

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).

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

Owner Information

Name: _____

Address: _____

Phone: _____ Email: _____

Applicant Information

Name & Title: _____

Address: _____

Phone: _____ Email: _____

Representative:

Name: _____

Address: _____

Phone: _____ Email: _____

Property Information

Address: _____

Parcel No(s): _____

Major Cross Streets: _____

Distance from Major Cross Streets: _____

PUD Information

- 1. This PUD Application is a request to construct, add or change (briefly explain the nature of request):

- 2. PUD Amenities (circle all that apply):

Playground(s) Basketball/Tennis Court(s) Baseball Diamond Soccer/Rugby Field(s)

Swimming Pool Natatoriums **Walking/Running Paths** Clubhouse School Sites

Pedestrian/Bicycle Pathways (exclusive of required sidewalks adjacent to Public Rights-of-Way) **Plaza's and Gazebos**

3. Are there any proposed pedestrian amenities such as bike racks; trash receptacles; benches; drinking fountains; etc.? **YES** NO

If Yes, please list: _____

4. Total number of parking spaces, including L x W? _____

5. What is the current land use? _____

6. What are the land uses of the adjoining properties?

North: _____ South: _____ East: _____ West: _____

7. If the development is intending to be phased, what is the phasing time period?

8. Are there any irrigation ditches/canals on or adjacent to the property? YES **NO**

If yes, who is the name of the irrigation or drainage provider? _____

9. What is the proposed method of on-site drainage retention/detention?

10. % of site devoted to building coverage: _____

11. % of site devoted to landscaping: _____ Sq. Ft.: _____

12. % of landscaping within parking lot(s): _____

13. Provide dimensions of landscaped areas within public ROW: _____

14. Are there any existing trees of 4-inch or greater in caliper? YES **NO**

If Yes, please provide type, size & indicate location on Landscape Plan: _____

15. % of site that is hard surface: _____ Sq. Ft.: _____

16. % of site devoted to other uses: _____ Please describe: _____

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

Rezone

Step 1

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

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

Contact/Applicant Information

Owner(s) of Record Merlin Pointe LLC

Phone: 12088717020

Email: steve@ateamboise.com

Address1 1785 Whisper Cove Ave

Address2 *Field not completed.*

City Boise

State ID

Zip 83709

Applicant (Developer): Steve Arnold

Applicant (Developer)
Company: A Team Land Consultants

Phone: 12088717020

Email: steve@ateamboise.com

Address1 1785 Whisper Cove Ave

Address2 *Field not completed.*

City Boise

State Idaho

Zip 83709

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

(Section Break)

Subject Property Information

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

(Section Break)

Project Description

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

project/request:

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

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

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

(Section Break)

Residential Project Summary (if applicable):

Are there existing buildings? No

Please describe existing buildings: *Field not completed.*

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

Number of Residential Units: 71

Number of buildable lots: 71

Number of common lots and/or other lots: 12

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

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

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

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

% of Open Space provided: 37-percent

Acreage of Open Space: 2.19

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

(Section Break)

Non-Residential Project Summary (if applicable):

Number of building lots: 5

Other lots: 0

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

Existing: *Field not completed.*

Hours of Operation: *Field not completed.*

Building Height: *Field not completed.*

Total Number of Employees: *Field not completed.*

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

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

Seating Capacity: *Field not completed.*

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

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

Handicapped parking spaces: *Field not completed.*

Total parking spaces: *Field not completed.*

Width of driveway aisle: *Field not completed.*

Proposed lighting: *Field not completed.*

Proposed landscaping: Landscape buffers.

Step 2

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

Step 3

Development Agreement Checklist

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

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

Additional Requirements

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

(Section Break)

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

First Name	Steve
Last Name	Arnold

Electronic Signature
Agreement

I Agree

Date & Time

9/30/2020 2:00 AM

Step 4

Reference

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

Commitment to Property Posting [Click here](#)

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

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

Preliminary Plat

Step 1

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

Contact/Applicant Information

Owner(s) of Record Merlin Pointe LLC

Phone: 208-514-4909

Email: steve@ateamboise.com

Address1 PO Box 690

Address2 *Field not completed.*

City Meridian

State ID

Zip 83680

Applicant (Developer): Steve Arnold

Applicant (Developer) Company: A Team Land Consultants

Phone: 208-871-7020

Email: steve@ateamboise.com

Address1 1785 Whisper Cove Ave

Address2 *Field not completed.*

City Boise

State Idaho

Zip 83709

Engineer/Representative: Steve Arnold

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

(Section Break)

Subject Property Information

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

(Section Break)

Project Description

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

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

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

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

(Section Break)

Residential Project Summary (if applicable):

Are there existing buildings? No

Please describe existing buildings: *Field not completed.*

Any existing buildings to remain? No

Number of Residential Units: 71

Number of buildable lots: 71

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

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

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

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

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

% of Open Space provided: 37-percent

Acreage of Open Space: 2.19

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

provided? lots.

(Section Break)

Non-Residential Project Summary (if applicable):

Number of building lots: 5

Other lots: none

Gross floor area square footage: Undetermined

Existing: 0-feet

Hours of Operation: C-1 allowable hours

Building Height: 35

Total Number of Employees: N/A

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

Number & ages of students/children: N/A

Seating Capacity: N/A

Existing fencing? Type? Vinyl
Will it remain?

Fencing type, size & location? west boundary only

Handicapped parking spaces: Undertermined

Total parking spaces: Undertermined

Width of driveway aisle: 24-feet

Proposed lighting: Attached to exterior

Proposed landscaping: Street buffers, linear parks and pocket parks

(Section Break)

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

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

First Name	Steve
Last Name	Arnold
Electronic Signature Agreement	I Agree

Step 2

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

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

Vicinity Map	MC VICINITY MAP_08-22-2020.pdf
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Maintenance Agreement	CCRs-Merlin Pointe - Residential.doc ACHD.docx
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Legal Description	Legal Description - NW Properties.pdf
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Proof of Ownership	Deed - Merlin Pointe.pdf
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Letter of Intent	Narrative_MC (002).pdf
------------------	--

Commitment of Property Posting	Commitment to Property Posting.pdf
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Traffic Impact Study	<i>Field not completed.</i>
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TIS Dropbox Link	<i>Field not completed.</i>
------------------	-----------------------------

Subdivision Name Reservation	Merlin Pointe Sub Name Reservation.msg
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Phasing Plan	MC_PREPLAT_08-27-2020.pdf
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Landscape Plan	MC_LANDSCAPE_08-27-2020.pdf
----------------	---

Neighborhood Meeting Certification	Neighborhood Meeting Certification.pdf
------------------------------------	--

8.5" x 11" Proposed Preliminary Plat	MC_PREPLAT_08-27-2020.pdf
--------------------------------------	---

24" x 36" Preliminary Plat	MC_PREPLAT_08-27-2020.pdf
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Drawing

(Section Break)

Reference

Affidavit of Legal Interest [Click here](#)

Commitment to Property [Click here](#)
Posting

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

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

Special Use Permit

Step 1

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

Contact/Applicant Information

Owner(s) of Record Merlin Pointe LLC

Phone: 208-871-7020

Email: steve@ateamboise.com

Address1 1785 Whisper Cove Ave

Address2 *Field not completed.*

City Boise

State ID

Zip 83709

Applicant (Developer): Steve Arnold

Applicant (Developer) Company: A Team Land Consultants

Phone: *Field not completed.*

Email: steve@ateamboise.com

Address1 1785 Whisper Cove Ave

Address2 *Field not completed.*

City Boise

State Idaho

Zip 83709

Engineer/Representative: *Field not completed.*

Engineer/Representative Company: A Team Land Consultants

Phone: 12088717020

Email: steve@ateamboise.com

Address1 1785 Whisper Cove Ave

Address2 *Field not completed.*

City Boise

State ID

Zip 83709

(Section Break)

Subject Property Information

Site Address: 115 N Sailer Avenue

Nearest Cross Streets: Avalon Road

Parcel Number(s): R5672430040, R5672430060

Section, Township, Range: 24, 2N 1W

Property Size: 5.83 acres

Current Land Use: Vacant Lot

Current Zoning District: C-1

Proposed Land Use: Residential and Retail

Proposed Zoning District C-1 and R-12

(Section Break)

Project Description

Project/Subdivision Name: Merlin Pointe Cottages

General description of proposed project/request: A preliminary plat for 71 single family homes 5 retail/commercial lots

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

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

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

(Section Break)

Residential Project Summary (if applicable):

Are there existing buildings? No

Please describe existing buildings: *Field not completed.*

Any existing buildings to remain? No

Number of Residential Units: 71

Number of buildable lots: 71

Number of common lots and/or other lots: 12

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

Minimum square footage of structures: 1,400

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

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

% of Open Space provided: 37-percent

Acreage of Open Space: 2.19

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

provided?

(Section Break)

Non-Residential Project Summary (if applicable):

Number of building lots: 5

Other lots: 0

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

Existing: *Field not completed.*

Hours of Operation: *Field not completed.*

Building Height: *Field not completed.*

Total Number of Employees: *Field not completed.*

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

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

Seating Capacity: *Field not completed.*

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

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

Handicapped parking spaces: *Field not completed.*

Total parking spaces: *Field not completed.*

Width of driveway aisle: *Field not completed.*

Proposed lighting: *Field not completed.*

Proposed landscaping: *Field not completed.*

(Section Break)

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

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

First Name Steve

Last Name Arnold

Electronic Signature Agreement I Agree

Step 2

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

Submittal Letter [Narrative_MC \(002\).pdf](#)

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

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

Vicinity Map [MC VICINITY MAP_08-22-2020.pdf](#)

Landscape Plan [MC LANDSCAPE_08-27-2020.pdf](#)

Site Development Plan [MC_PUD_08-31-2020.pdf](#)

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

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

(Section Break)

Reference

Affidavit of Legal Interest [Click here](#)

Commitment to Property Posting [Click here](#)

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



DESIGN REVIEW APPLICATION

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



****Office Use Only****

Case No(s): _____

Project Name: _____

Date of Pre-Application Meeting: _____ *Valid for three (3) months*

Date Received: _____

Date Accepted as Complete: _____

The City of Kuna has adopted a Design Review Overlay District whose purpose is to make Kuna a pleasant and comfortable place to live and work. This Design Review process is based on standards and guidelines found in Kuna City Code 5-4. The Design Overlay District includes all of Kuna City Limits.

Design Review includes, but is not limited to:

- Commercial
- Industrial
- Institutional
- Office
- Multi-family Residential
- Common Areas
- Proposed Conversions
- Proposed changes in land and/or building use
- Exterior Remodeling/Restoration
- Enlargement or Expansion of existing buildings or sites

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

- Complete Planning & Zoning Application Coversheet
- Complete Design Review Application *(It is the applicant's responsibility to use the most current application.)*
- Detailed narrative or justification for the application, describing the project, design elements and how the project complies with Design Review standards.
- Vicinity Map: 8.5" x 11" at 1" = 300' scale (or similar). Label the location of the property and adjacent streets.
- Aerial Map: 8.5" x 11" color photo depicting proposed site, street names, and surrounding area within 500'.
- Recorded Warranty Deed
- Affidavit of Legal Interest if the individual submitting the application is not the property owner. *(One Affidavit required for each party involved. Originals must be submitted to the Planning & Zoning Department.)*
- Color rendering and material sample(s) specifically noting where each color and material is to be located on the structure. *(PDF or photo of materials acceptable).*

- Detailed Plans: Site Plan; Landscape Plan; Drainage Plan; and Elevations.

Detailed Site Plan Requirements

- Name of plan preparer with contact information
- Name of project and date
- North arrow
- Property Lines
- Existing structures – Identify those which are relocated or removed
- On-site and adjoining streets, alleys, private drives and rights-of-way
- Drainage location and method of on-site retention/detention
- Location of public restrooms
- Existing and/or proposed utility services; any above ground utility structures and provide their location
- Location and width of easements, canals and drainage ditches
- Location and dimensions of off-street parking
- Location and size of any loading areas, docks, ramps and vehicle storage or service areas
- Location of trash storage areas and exterior mechanical equipment; provide proposed method of screening
- Sign locations (*A separate Sign Application must be submitted; this is a Staff level review.*)
- On-site transportation circulation plan for motor vehicles, pedestrians and bicycles
- Locations and uses of all Open Spaces (*if applicable*)
- Location, types and sizes of sound and visual buffers (*all buffers must be located outside the public rights-of-way.*)
- Parking layout including spaces, driveways, curbs, cuts, circulation patterns, pedestrian walks and vision triangles
- Location and designation of subdivision lines (*if applicable*), property lines, and rights-of-way
- Location of walls and fences; provide their height and material of construction
- Roofline and foundation plan of building and location onsite

Landscape Plan

The Landscape Plan need to be drawn by the Project Architect, Professional Landscape Architect, Landscape Designer, or qualified Nurseryman for developments possessing more than twelve thousand (12,000) square feet of private land. The Landscape Plan must be colored and drawn to a scale no smaller than 1" = 30', unless otherwise approved. The Planning & Zoning Director may require the preparation of a landscape plan for smaller developments by one of the noted individuals, if the lot(s) have unique attributes. (*See Kuna City Code 5-17 Landscaping Requirements*)

- Name of plan preparer with contact information
- Name of project and date
- North arrow
- Boundaries, property lines and dimensions
- Location and design of areas to be landscaped
- Location and labels for all proposed plants
- Existing vegetation identified by species & sizes, and if they are proposed to be relocated or removed (*Retention of existing trees required, see Kuna City Code 5-17-4*)

- Plant lists or schedules with the botanical common name, quantity, and spacing as well as the size of all proposed landscape materials at time of planting
- Location of automatic, underground irrigation systems (*See Kuna City Code 5-17-11*)
- Clearly identify pressurized irrigation lines and underground water storage
- Location, description, materials, and cross-sections of special features, including berming, retaining walls, hedges, fences, fountains, street/pathway furniture, etc.
- Sign locations (a separate sign application must be submitted)
- Locations of open spaces (*if applicable*)
- Parking areas
- Location and designations of all sidewalks
- Engineered Grading and Drainage Plans: A generalized drainage plan showing direction drainage with proposed on-site retention. Upon submission of building/construction plans for an approved Design Review application, a detailed site grading and drainage plan prepared by a registered professional engineer (PE), shall be submitted to the City for review and approval by the City Engineer.

Building Elevations

- Detailed elevation plans, in color, of each side of any proposed building(s) or addition(s). Label associated elevations with North, South, East, West
- Color renderings of all proposed building materials and indication where each material and color application are to be located, in PDF or JPEG format.
- Screening of mechanical equipment
- Provide a cross-section of the building showing any rooftop mechanical units and their roof placement
- Detailed trash enclosure elevation plans showing the materials to be used in construction

Lighting Plan

- Exterior lighting, including detailed cut sheets and photometric plan (*pedestrian, vehicle, security, decoration, etc.*)
- Types and wattage of all light fixtures. (*NOTE: Lighting fixtures shall comply with "Dark Sky" policies.*)
- Placement of all light fixtures shown on elevations and landscaping plans

Owner Information

Name: _____

Address: _____

Phone: _____ Email: _____

Applicant Information

Name: _____

Address: _____

Phone: _____ Email: _____

Engineer/Representative

Name: _____

Address: _____

Phone: _____ Email: _____

Property Information

Address: _____

Parcel No(s): _____

Closest Major Cross Streets: _____

Please check the box that reflects the intent of the application:

- Building Design Review Design Review Modification
- Staff Level Application Subdivision/Common Area Landscape

1. Briefly explain the nature of the request: _____

2. Dimension of property: _____

3. Current land use(s): _____

4. What are the land uses of the adjoining properties?

North: _____ South: _____

East: _____ West: _____

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

6. Number and use(s) of all structures: _____

7. Building Height: _____

8. Number of Stories: _____

(The height and width relationship of new structures shall be compatible and consistent with the architectural character of the area and proposed use. Height and area standards can be found in Kuna City Code 5-5-3.)

9. What is the percentage of building space on the lot when compared to the total lot area:

Exterior Building Materials and Colors

	Material	Color
Roof:		
Walls: (include percentage of wall coverage of each material)		
% of Wood Application:		
% EIFS: (Exterior Insulation Finish System)		
% Masonry:		
% Face Block:		
% Stucco:		
Other:		
Windows/Doors:		
Soffits and Fascia:		
Trim, etc.:		

Mechanical Units

Please identify mechanical unit(s) size and placement: _____

Proposed screening method? _____

Trash Enclosures

Please identify trash enclosure location, size, and construction materials: _____

Irrigation Ditches/Canals

Are there any irrigation ditches/canals on or adjacent to the property? YES NO

If Yes, what is the name of the irrigation/drainage provider? _____

What is the proposed method of on-site drainage retention/detention? _____

Fencing

Is there any existing fencing that will remain? **YES** NO

If Yes, what is the fencing material, size and location? _____

What is the fencing material for all new fencing? _____

The City has regulations for fences, walls, and hedges (see Kuna City Code 5-5-5). A fence permit must be acquired prior to installation of any fencing; a permit cannot be acquired until Design Review Application approval/denial.

Building Coverage

% of site devoted to building coverage?		
% of site devoted to landscaping? (Include landscaped rights-of-way)		Square Footage:
% of site that is hard surface? (paving, driveways, walkways)		Square Footage:
% of site devoted to other uses:		Describe:

Landscaping

Please provide dimensions of landscaped areas within public rights-of-way: _____

Are there any existing trees of 4" or greater in caliper on the property? YES **NO**

If Yes, what type, size and general location? *(Please indicate location on site plan. NOTE: It is the city's goal to preserve such trees.)*

Dock Loading Facilities

Will there be any dock loading facilities? YES NO *(If Yes, please continue; if No, please skip this section.)*

No. of dock loading facilities and their location: _____

What is the proposed method of screening? _____

Pedestrian Amenities

Are there any proposed pedestrian amenities? (i.e. bike racks, trash receptacles, drinking fountains, benches, etc.) **YES** NO

If Yes, please indicate type, number of each type: _____

Parking

Total number of parking spaces? _____ Dimensions? _____

Total number of ADA accessible spaces? _____ Dimensions? _____

Total number of compact spaces (8' x 17')? _____

Miscellaneous

Will you be proposing setbacks different than those found in KCC 5-3-3? **YES** NO

If YES, please provide setbacks below, in feet:

Front: _____ Rear: _____ Side: _____ Side: _____

Is any portion of the property subject to flooding conditions? YES **NO**

The Ada County Highway District (ACHD) may also conduct a public meeting regarding this application. If you have questions about the meeting date, the traffic that this development may generate or the impact of that traffic on streets in the area, please contact ACHD at (208) 387-6170. In order to expedite your request, please have ready the file number indicated.

Applicant Signature: _____ Date: _____

Additional Information

Please indicate/explain/provide any additional information deemed relevant to this application:



June 22, 2021

Mr. Jace Hellman
Planning and Zoning Administrator
City of Kuna
751 W. 4th Street
Kuna, Idaho 83634

Dear Jace:

Subject: Revised Merlin Cottages Subdivision

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

Project Summary

The applicant is proposing 60 cottage lots, 6 commercial lots and 6 common lots. The site is currently zoned C-1. The single family is being proposed within the C-1 zone, with a PUD application for a mixed use which is allowed within that zone. The commercial uses are not known at this time, but it is planned they will all have their own platted lot and will be subject to a design review when the use is determined. The single-family buildings will range from 1,400-1,800 square feet and all be alley loaded units with paseo's in the front of the units except for the lots facing Cottage Street in Block 3. All the landscaping is proposed to be maintained by the homeowner's association. The only fencing will be the existing 6-foot fence along the west boundary and between the commercial and the residential units. Any fencing of the internal lots will be restricted to four-foot-high wrought iron.

Access Roads and Connectivity

Primary access to the proposed development will be a road between Sailer Avenue and Seraphina Street. Common drive isles/alleys within the site will provide lots access to the internal and external roads. All the drive isles all meet the required 150-foot length or are continuous which meets fire requirements. We have met with the fire department and have their approval for the roadway system. The residential units will all be rear loaded, with common paseos in the front of each unit. The paseos will be maintained by the homeowner's association. A stub street was not provided to the west because that site has

been developed. There are numerous pathway connections to encourage pedestrian activity and mobility.

Proposed Buildings

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

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

Landscaping and Amenities

There is approximately 1.95 acres of open space being proposed. A landscape plan has been prepared in accordance with the City standards. The existing roadway buffers along the roads will be retained and additional paseos and linear open spaces are being proposed within the site. New pathways are proposed to connect to all the existing pathways within the subdivision. All the landscaping will be maintained by a subdivision homeowners association. Several gazebos and plaza/sitting areas are provided throughout the development, and linear and pocket parks are provided. Dog trash receptacles will be provided for dog waste. All residents will have equal use of the amenities in this phase and this phase will have access to the existing park.

Utilities, Irrigation, Storm Drainage and Parking Facilities

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

Neighborhood Meetings

On July 14, 2020 there was a virtual neighborhood meeting conducted via Zoom prior to submitting this application. There were several adjacent landowners that attended that meeting. There were color versions of the buildings and architectural drawings that seemed to get a lot of good attention. A concern that people had was one of drive isles that was being extended to Seraphina Street so we removed it. The current plat reflects the change requested. Another concern was the new residents would be able to use the park adjacent to phase one. I explained that the park was meant to be used by all the lots, both commercial and residential uses in all of Merlin Subdivision. There was nothing that we could modify to address this concern and I believe that concern remains. For the most part the neighbors took the proposed development well.

Vision Statement

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

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

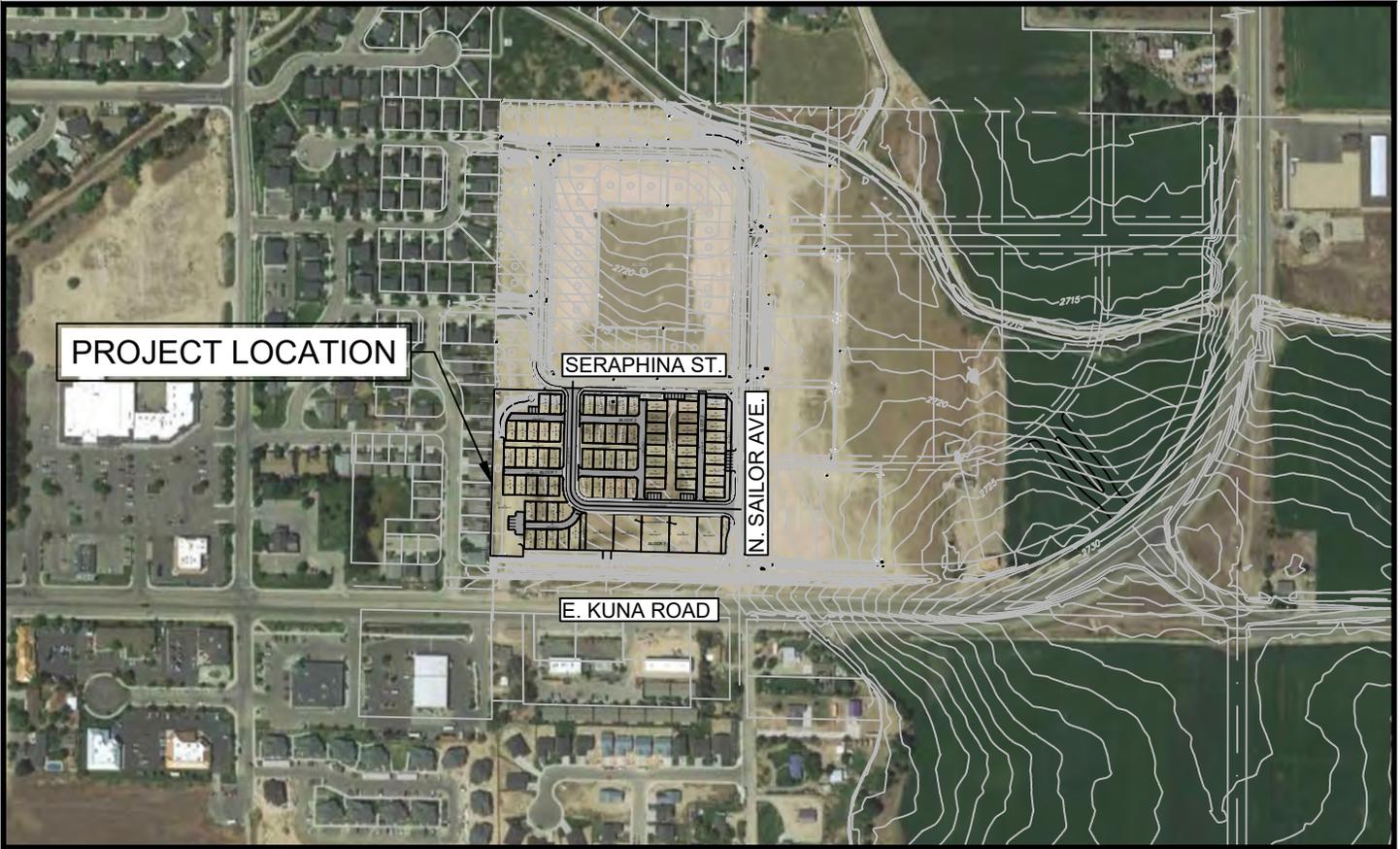
It is anticipated that the applications are in compliance with all applicable plans and codes adopted by the City. Please notify us as early as possible if you should need additional clarification or information regarding this application. The proposed development will be a great addition to the City.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

Sincerely,
A Team Land Consultants



Steve Arnold
Project & Real Estate Manager

Cc: Tom Nicholson
Scott Nicholson
Linda Boots



VICINITY MAP

SCALE: 1:500



OWNER/DEVELOPER

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

PLANNER / CONTACT

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

MERLIN COTTAGES VICINITY MAP

***SECTION 24
TOWNSHIP 2 NORTH, RANGE 1 WEST OF THE BOISE MERIDIAN
KUNA, ADA COUNTY, IDAHO***





Warranty Deed

For Value Received,

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

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

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

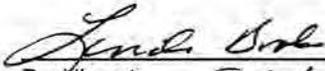
Dated:

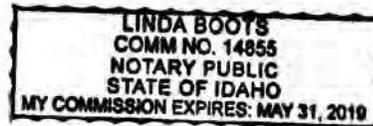
Black Creek Limited Partnership, an Idaho limited partnership

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

State of Idaho, County of Ada, ss.

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

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





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

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

City of Kuna AFFIDAVIT OF LEGAL INTEREST

State of Idaho)
) ss
County of Ada)

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

being first duly sworn upon oath, depose and say:

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

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

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

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

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

Dated this 27th day of August, 2020

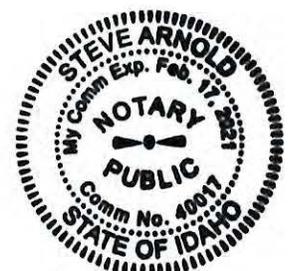
Thomas T. Nicholson
Signature

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

[Signature]
Notary Public for Idaho

Residing at: Boise

My commission expires: 2/17/2021





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.

AuthentSign

Steven R Arnold



8/27/2020

Applicant/agent signature:

Date:

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

records of Ada County, and incorporated herein by this reference as if set forth in full (the “Master Easement”). The Master Easement and the Storm Water Drainage System are dedicated to the Ada County Highway District pursuant to Section 40-2302, Idaho Code. The Master Easement is for the operation and maintenance of the Storm Water Drainage System.

Section 2. Operation and Maintenance: Operation and maintenance of the storm water drainage facilities shall be governed by the Operation and Maintenance Manual of the Storm Water Drainage System in Merlin Pointe Subdivision prepared on May 2018, which manual may only be modified with the written approval of the Ada County Highway District.

Section 3. Inspection and Maintenance: The Ada County Highway District shall have the right at all times to inspect the storm water drainage facilities and perform any required maintenance and repairs.

Section 4. Assessment and Lien Rights: The Ada County Highway District shall be entitled to levy assessments to the Association for the reasonable costs of all required maintenance and repairs to the storm water drainage facilities and shall be entitled to a continuing lien against all Lots for such unpaid assessments for maintenance and repair to the storm water drainage facilities.

Section 5. Approval of Amendments: Any amendment of this Declaration, the Covenants, Conditions and Restrictions contained herein, or the manual referred to in Section 2, above, having any direct impact or affect on the Ada County Highway District’s storm water drainage facilities shall be subject to prior review and approval by the Ada County Highway District.

Section 6. Grading: There shall be no interference with the established drainage pattern over any portion of the Properties, unless an adequate alternative provision is made for proper drainage and is first approved in writing by the Architectural Control Committee and ACHD. For the purposes hereof, “established” drainage is defined as the system of drainage, whether natural or otherwise, which exists at the time the overall grading of any portion of the Properties is completed by Declarant, or that drainage which is shown on any plans approved by the Architectural Control Committee and/or ACHD, which may include drainage from the Common Area over any Lot in the Properties.

ARTICLE VI: MAINTENANCE RESPONSIBILITY

Section 1. Association Responsibility: The Association shall provide maintenance to and be responsible for the Common Areas, the Irrigation Water Supply System and any other facilities and improvements described herein as being the Association’s responsibility in a competent and attractive manner, including the watering, mowing, fertilizing and caring for shrubs and trees in perpetuity. In the event the need for maintenance or repair is caused through the willful or negligent act of an Owner, his family, guests, invitees, employees, agents or contractors the costs of such maintenance or repairs shall be assessed to such Owner as set forth in Article III, Section 4, Paragraph D, above. The Association reserves an easement for ingress, egress and maintenance as may be reasonably necessary to perform the maintenance duties of the Association.



Neighborhood Meeting Certification

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

GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 5-1A-2 of the Kuna City Code or ask one of our planners for more information on neighborhood meetings.

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

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

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

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

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

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

Description of proposed project: 71 single family lots and 5 retail lots

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

Location of neighborhood meeting: Virtual Zoom Meeting

SITE INFORMATION:

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

Subdivision Name: Merlin Pointe Subdivision No. 1 Lot: _____ Block: _____

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

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

CURRENT PROPERTY OWNER:

Name: Merlin Pointe LLC

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

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

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

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

PROPOSED USE:

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

Application Type

Brief Description

Annexation

The applicant is proposing 71 single family lots and

Re-zone

five retail lots

Subdivision (Sketch Plat and/or Prelim. Plat)

Special Use

Variance

Expansion of Extension of a Nonconforming Use

Zoning Ordinance Map Amendment

APPLICANT:

Name: A Team Land Consultants, Steve Arnold

Address: 1785 Whisper Cove Avenue

City: Boise State: ID Zip: 83709

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

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

Signature: (Applicant)  Date 7/20/2020

SIGN IN SHEET

PROJECT NAME: Merlin Cottages

Date: 7/14/2020

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

NEIGHBORHOOD MEETING MINUTES

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

Meeting Location: Virtual Zoom Meeting

Description of Project Presented:

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

Attendee's comments:

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

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

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

A Team Land Consultants, Steve Arnold

Printed Name



Signature

7/20/2020
Date

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

July 19, 2012

Steve Arnold
A Team Land Consultants

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

Dear Steve,

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

Sincerely,
Jerry Hastings, P.L.S.
County Surveyor
Ada County, Idaho
208-287-7912
287-7909 Fax
jhastings@adaweb.net

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

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

Parcel S1324449005
TFI LIMITED PARTNERSHIP

Description: ATeamLand 1



Steve Arnold
Project Manager

1785 Whisper Cove Avenue
Boise, ID 83709

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

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

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

Jerry Hastings, P.L.S.
County Surveyor
Ada County, Idaho
208-287-7912
287-7909 Fax
jhastings@adaweb.net

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

Jerry,

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

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

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

Please let me know if you need additional information.

Thank you,

Description: ATeamLand 1



Steve Arnold
Project Manager

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

(208) 321-0525 fax

Legal Description Merlin Cottages

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

This parcel contains 6.61 acres.

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



Legal Description
Merlin Pointe Subdivision – NW Property

A parcel located in the SE ¼ of Section 24 of Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

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

Thence N 0°04'29" E along the easterly boundary of said SE ¼ a distance of 1320.17 feet to a point marking the northeast corner of the SE ¼ of the SE ¼ of said Section 24;

Thence N 88°40'00" W along the northerly boundary of said SE ¼ of the SE ¼ a distance of 65.01 feet to a 5/8 inch diameter iron pin on the westerly right-of-way of S. Meridian Road and the **POINT OF BEGINNING**;

Thence S 0°04'29" W along said westerly right-of-way a distance of 484.59 feet to a 5/8 inch diameter iron pin;

Thence continuing along said westerly right-of-way a distance of 1200.47 feet along the arc of a 753.51 foot radius curve right, said curve having a central angle of 91°16'56" and a long chord bearing S 45°42'39" W a distance of 1077.48 feet to a 5/8 inch diameter iron pin on the northerly right-of-way of E. Kuna Road;

Thence S 89°25'45" W along said northerly right-of-way a distance of 149.15 feet to a 5/8 inch diameter iron pin;

Thence continuing along said northerly right-of-way N 88°38'59" W a distance of 348.53 feet to a 5/8 inch diameter iron pin;

Thence leaving said northerly right-of-way N 0°34'36" E a distance of 1259.56 feet to a 5/8 inch diameter iron pin on the northerly boundary of the S ½ of the SE ¼ of said Section 24;

Thence N 88°40'00" W along said northerly boundary a distance of 20.00 feet to a 5/8 inch diameter iron pin;

Thence leaving said northerly boundary S 0°34'36" W a distance of 1259.56 feet to a 5/8 inch diameter iron pin on the northerly right-of-way of E. Kuna Road;

Thence N 88°38'59" W along said northerly right-of-way a distance of 660.53 feet to a Brass Cap monument on the westerly boundary of Block 15 of the Amended Plat of Part of the Avalon Orchard Tracts as shown in Book 6 of Plats on Page 254, records of Ada County, Idaho;

Thence N 1°17'30" E along said westerly boundary a distance of 1259.25 feet to a 5/8 inch diameter iron pin on the northerly boundary of said S ½ of the SE ¼;

Thence S 88°40'00" E along said northerly boundary a distance of 1921.98 feet to the **POINT OF BEGINNING**;

This parcel contains 52.34 acres and is subject to any easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
January 2, 2013



NOTES:

- KUNA CITY WATER AND SEWER SERVICE SHALL BE EXTENDED TO ALL LOTS.
- MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE APPROVED PUD. THE APPROVED PUD FILE NUMBER WILL BE REFERENCED ON THE FINAL PLAT UPON RECORDING.
- THE DEVELOPER SHALL PROVIDE PRESSURIZED IRRIGATION WATER TO EACH LOT. ALL LOTS IN THIS SUBDIVISION WILL BE SUBJECT TO ASSESSMENTS OF THE KUNA IRRIGATION DISTRICT.
- STORM DRAINAGE SHALL BE RETAINED ON SITE THROUGH SURFACE AND SUBSURFACE FACILITIES AS APPROVED BY ACHD.
- LOT 3 BLOCK 1, LOT 1 BLOCK 2, LOT 9 BLOCK 3, LOT 1 BLOCK 4, LOT 4, 11 BLOCK 5 ARE COMMON LOTS AND SHALL BE MAINTAINED BY THE MERLIN COTTAGE OWNERS ASSOCIATION OR ITS ASSIGNS.
- THE DEVELOPER WILL INSTALL NO PARKING SIGNS IN THE 26' SECTION OF ROADWAY ON ONE SIDE OF THE ROAD WHERE A GARAGE IS PROPOSED. A SIGNAGE PLAN WILL BE SUBMITTED TO THE KUNA FIRE DEPARTMENT PRIOR TO THE RECORDING OF THE FINAL PLAT FOR THEIR REVIEW AND APPROVAL.

PRELIMINARY DEVELOPMENT FEATURES

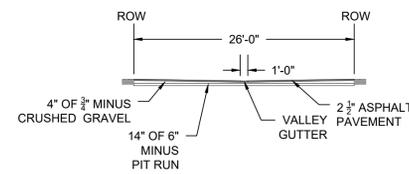
PARCEL NO'S:	R5672430040 R5672430060	SITE DETAILS:	COMMON LANDSCAPE AREA: 1.95 AC COTTAGES: 1.42 AC COMMERCIAL: 1.06 AC ROW & ALLEY: 1.40 AC
ADDRESSES:	115 N SAILER AVE KUNA, ID 83634	SETBACKS:	
ZONING:	C-1 & R-12 (PROPOSED)	5.83 AC	
PROPERTY SIZE:	5.83 AC	COTTAGES:	FRONT: 10' SIDE: 3' REAR: 2'
TOTAL LOTS:	72	TOWNHOMES:	FRONT: 15' SIDE: 0' REAR: 10'
COMMON LOTS:	6		
COTTAGES:	60		
COMMERCIAL:	6		
DENSITY UNITS:	10.29 PER ACRE		
		SITE AMENITIES:	PATHWAYS, LANDSCAPE BUFFERS, GAZEBOS, PARK, PLAZAS

LEGEND

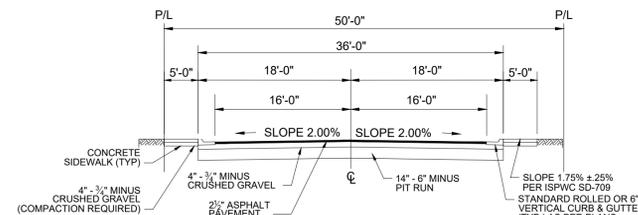
---	SITE BOUNDARY LINE	---	EXIST GUARDRAIL
---	SECTION LINE	○	EXIST CONIF TREE
---	EXIST CENTER LINE	○	EXIST DECID TREE
---	EXIST IRRIGATION LINE	■	EXIST BRASS CAP (AS NOTED)
---	EDGE OF GRAVEL	■	EXIST ALUMINUM CAP (AS NOTED)
---	EXIST OVERHEAD POWER	△	CALCULATED POINT
---	TOP OF SLOPE	●	EXIST POWER POLE
---	EDGE OF WATER	←	EXIST GUY ANCHOR
---	EXIST SANITARY SEWER	□	EXIST GAS METER
---	EXIST WATER LINE	■	EXIST GAS RISER
---	EXIST STORM DRAIN	⊗	EXIST GAS VALVE
---	EXIST FENCE	⊗	EXIST TELEPHONE RISER
---	CENTERLINE DITCH/FLOW LINE	●	EXIST COMM MANHOLE
---	TOP OF BANK	⊗	EXIST SAN SEWER MANHOLE
---	EXIST EDGE OF PAVEMENT	⊗	EXIST WATER VALVE
---	MAJOR CONTOUR LINE	⊗	EXIST IRRIGATION BOX
---	MINOR CONTOUR LINE	⊗	EXIST STORM DRAIN MANHOLE
---	PROPOSED LOT LINE	⊗	EXIST SIGN
---	PROPOSED ROW LINE	⊗	EXIST FIRE HYDRANT
---	PROPOSED CENTER LINE		
---	PROPOSED SEWER LINE		
---	PROPOSED WATER LINE		
---	PROPOSED PRESSURIZED IRRIG LINE		
---	IRRIGATION EASEMENT LINE		



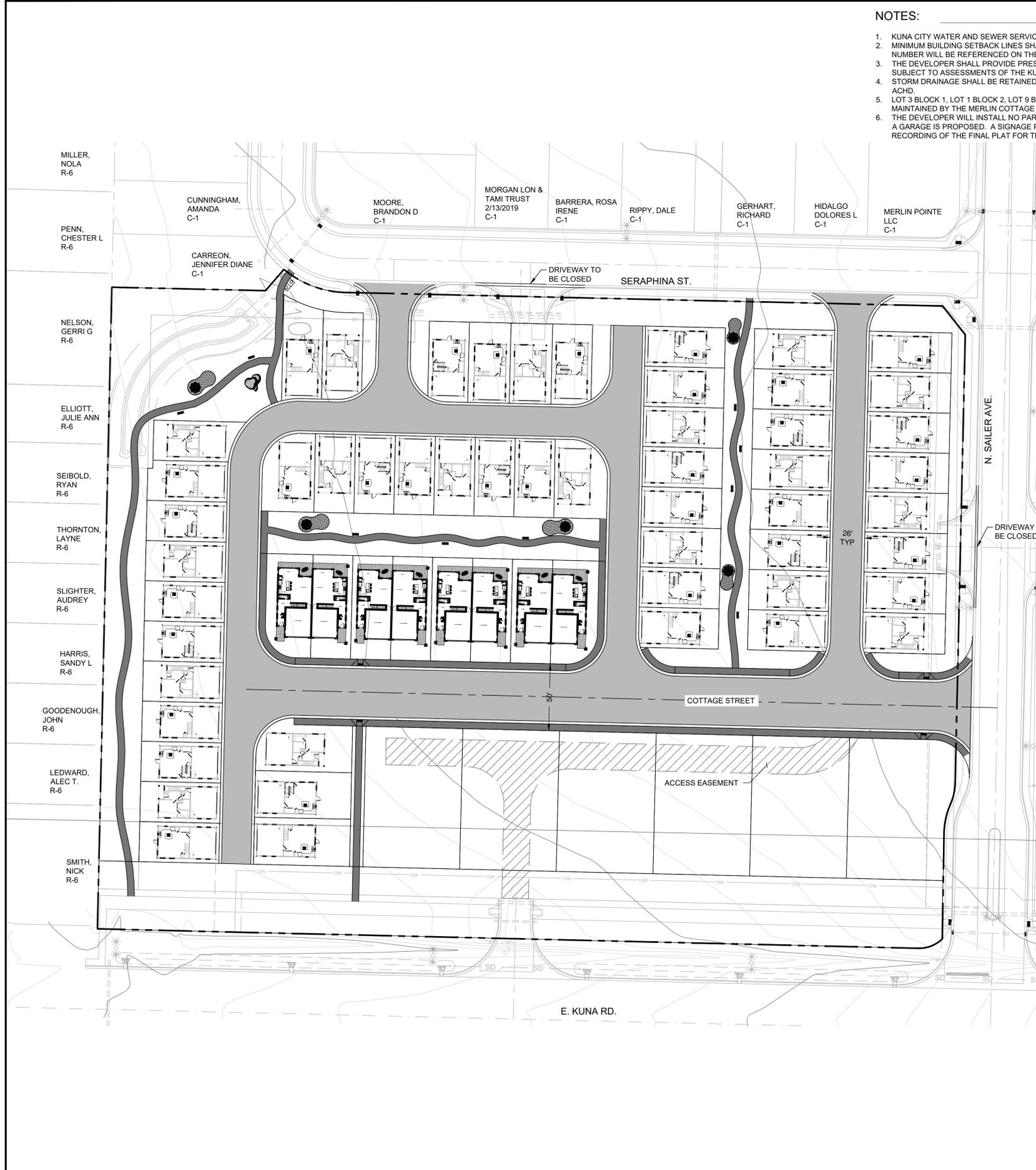
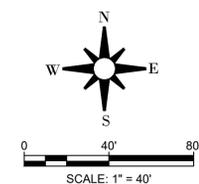
VICINITY MAP
SCALE: 1:500



26' ROW STREET SECTION
SCALE: 1:10



50' RIGHT-OF-WAY
36' STREET SECTION
NOT TO SCALE



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

MERLIN COTTAGES
PUD/SITE MAP
SECTION 24, T.2N., R.1W., B.M.
CITY OF KUNA, ADA COUNTY, IDAHO

TEAM Land Development & Real Estate Services	SHEET 1 OF 1 DRAWN BY: CJ SHERLOCK DATE: April 27, 2021 FILE: MC_PUD.dwg
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NOTES:

1. KUNA CITY WATER AND SEWER SERVICE SHALL BE EXTENDED TO ALL LOTS.
2. MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE APPROVED PUD. THE APPROVED PUD FILE NUMBER WILL BE REFERENCED ON THE FINAL PLAT UPON RECORDING.
3. THE DEVELOPER SHALL PROVIDE PRESSURIZED IRRIGATION WATER TO EACH LOT. ALL LOTS IN THIS SUBDIVISION WILL BE SUBJECT TO ASSESSMENTS OF THE KUNA IRRIGATION DISTRICT.
4. STORM DRAINAGE SHALL BE RETAINED ON SITE THROUGH SURFACE AND SUBSURFACE FACILITIES AS APPROVED BY ACHD.
5. LOT 3 BLOCK 1, LOT 1 BLOCK 2, LOT 9 BLOCK 3, LOT 1 BLOCK 4, LOT 4, 11 BLOCK 5 ARE COMMON LOTS AND SHALL BE MAINTAINED BY THE MERLIN COTTAGE OWNERS ASSOCIATION OR ITS ASSIGNS.
6. THE DEVELOPER WILL INSTALL NO PARKING SIGNS IN THE 26' SECTION OF ROADWAY ON ONE SIDE OF THE ROAD WHERE A GARAGE IS PROPOSED. A SIGNAGE PLAN WILL BE SUBMITTED TO THE KUNA FIRE DEPARTMENT PRIOR TO THE RECORDING OF THE FINAL PLAT FOR THEIR REVIEW AND APPROVAL.

PRELIMINARY DEVELOPMENT FEATURES

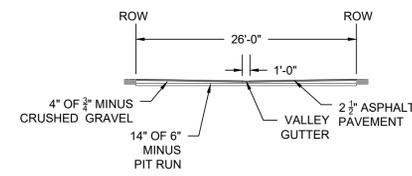
PARCEL NO'S:	R5672430040 R5672430060	SITE DETAILS:	COMMON LANDSCAPE AREA: 1.95 AC COTTAGES: 1.42 AC COMMERCIAL: 1.06 AC ROW & ALLEY: 1.40 AC
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COMMERCIAL:	6	FRONT: 15'	
DENSITY UNITS:	10.29 PER ACRE	SIDE: 0'	
		REAR: 0'	
		SITE AMENITIES:	PATHWAYS, LANDSCAPE BUFFERS, GAZEBOS, PARK, PLAZAS

LEGEND

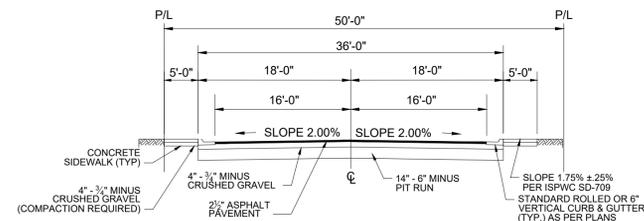
	SITE BOUNDARY LINE		EXIST GUARDRAIL
	SECTION LINE		EXIST CONIF TREE
	EXIST CENTER LINE		EXIST DECID TREE
	EXIST IRRIGATION LINE		EXIST CATCH BASIN
	EDGE OF GRAVEL		SURF FLOW DIRECT
	EXIST OVERHEAD POWER		PROP FIRE HYDRANT
	TOP OF SLOPE		PROP STREET LIGHT
	EDGE OF WATER		PROP GAZEBO
	EXIST SANITARY SEWER		PROP PLAY AREA
	EXIST WATER LINE		PROP PARKING
	EXIST STORM DRAIN		PROP PLAZA
	EXIST FENCE		PROP PARK BENCH
	CENTERLINE DITCH/FLOW LINE		PROP SS MANHOLE
	TOP OF BANK		CLIMBING ROCK
	EXIST EDGE OF PAVEMENT		
	MAJOR CONTOUR LINE		
	MINOR CONTOUR LINE		
	PROPOSED LOT LINE		
	PROPOSED ROW LINE		
	PROPOSED CENTER LINE		
	PROPOSED SEWER LINE		
	PROPOSED WATER LINE		
	PROPOSED PRESSURIZED IRRIG LINE		
	IRRIGATION EASEMENT LINE		
	FND 1/2" IRON PIN (AS NOTED)		
	FND 3/8"x24" IRON PIN (AS NOTED)		
	FND BRASS CAP (AS NOTED)		
	FND ALUMINUM CAP (AS NOTED)		
	CALCULATED POINT		
	EXIST POWER POLE		
	EXIST GUY ANCHOR		
	EXIST GAS METER		
	EXIST GAS RISER		
	EXIST GAS VALVE		
	EXIST TELEPHONE RISER		
	EXIST COMM MANHOLE		
	EXIST SAN SEWER MANHOLE		
	EXIST WATER VALVE		
	EXIST IRRIGATION BOX		
	EXIST STORM DRAIN MANHOLE		
	EXIST SIGN		
	EXIST FIRE HYDRANT		



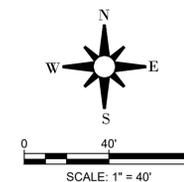
VICINITY MAP
SCALE: 1:500



26' ROW STREET SECTION
SCALE: 1:10

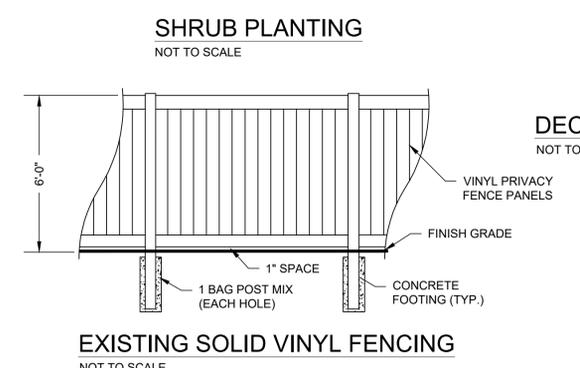
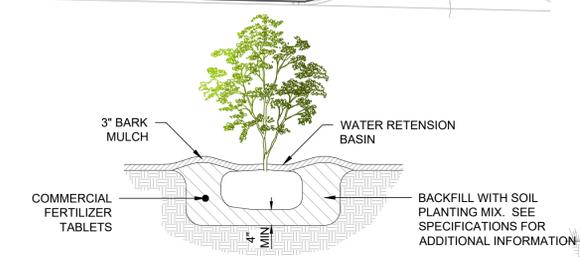
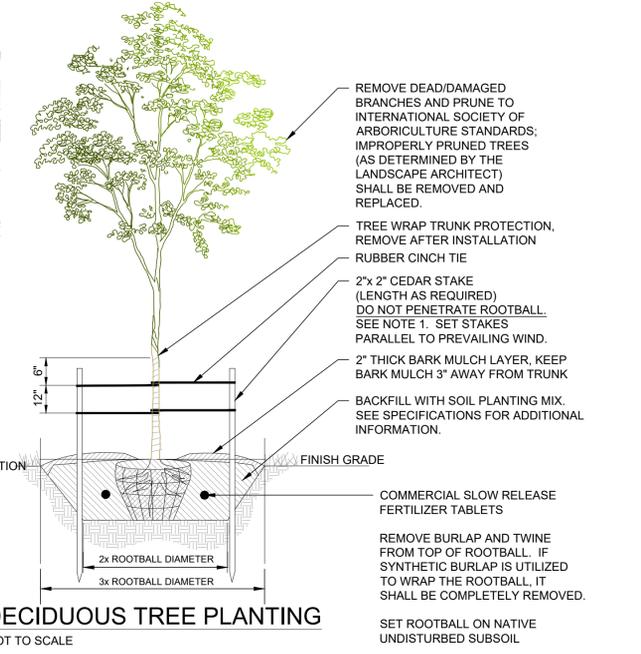
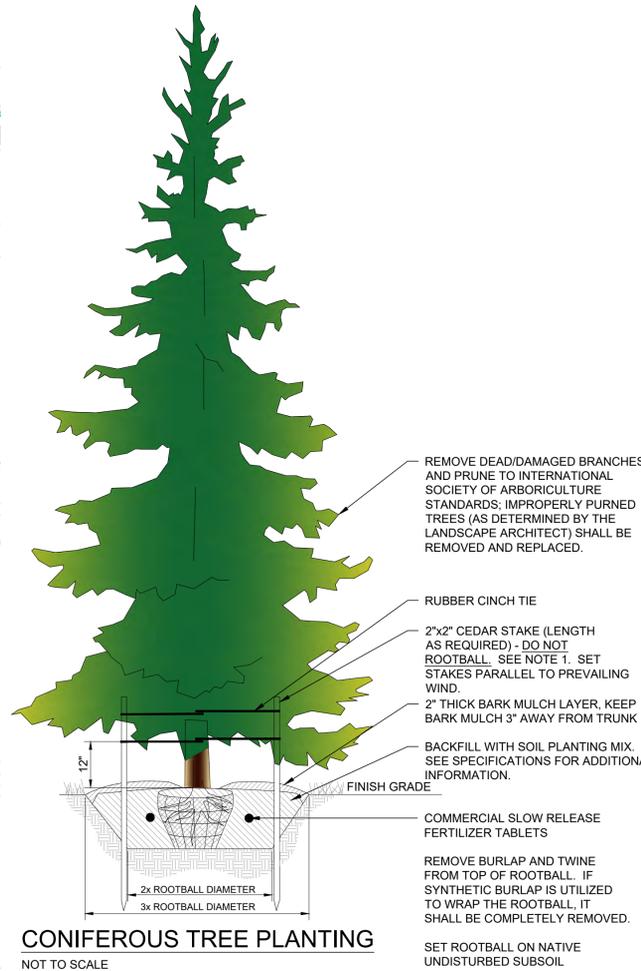


50' RIGHT-OF-WAY
36' STREET SECTION
NOT TO SCALE



OWNER MERLIN POINTE, LLC P.O. BOX 690 MERIDIAN, ID 83680	SURVEYOR LAND SOLUTIONS 231 E. 5TH ST. MERIDIAN, ID 83642 (208) 288-2040
PLANNER / CONTACT STEVE ARNOLD A-TEAM LAND CONSULTANTS 1785 WHISPER COVE AVE. BOISE, ID 83709 208-871-7020	DEVELOPER MERLIN POINTE, LLC P.O. BOX 690 MERIDIAN, ID 83680
MERLIN COTTAGES PRELIMINARY PLAT MAP SECTION 24, T.2N., R.1W., B.M. CITY OF KUNA, ADA COUNTY, IDAHO	

	SHEET 1 OF 1 DRAWN BY: CJ SHERLOCK DATE: April 27, 2021 FILE: MC_PREPLAT.dwg
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LANDSCAPE & IRRIGATION NOTES:

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

TREE PLANTING NOTES

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

LANDSCAPE LEGEND

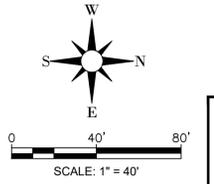
- DECIDUOUS TREE (ASH, NORWAY MAPLE, LINDEN)
- CONIFEROUS TREE
- SHRUB
- CLIMBING ROCKS
- LAWN AREA (SOD)
- EXISTING 6" VINYL FENCE
- GRAVEL BORROW DITCH



PLAZA/GAZEBO AND PICNIC AREA



CLIMBING ROCK



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

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

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

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



SHEET 1 OF 2
 DRAWN BY: CJ SHERLOCK
 DATE: March 19, 2021
 FILE: MC_LANDSCAPE.dwg

received
12.2.20

Roberta Sailer
PO Box 82
Kuna Idaho 83634-0082

December 2, 2020

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

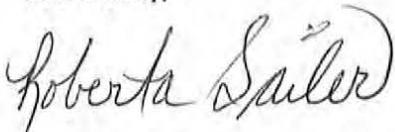
Re: Merlin Cottages Addition

Dear Commissioners:

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

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

Yours truly,



Roberta Sailer

Exhibit
C1

Doug Hanson

From: Jace Hellman
Sent: Thursday, December 03, 2020 11:59 AM
To: Doug Hanson
Subject: FW: Online Form Submittal: Public Testimony Form

Here is a public testimony Merlin Pointe PUD. Forward to the Commission so they will have it for Tuesday.

Thanks!

Jace Hellman
Interim Planning and Zoning Director
751 W 4th St
Kuna, ID 83634
jhellman@kunaid.gov



From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Thursday, December 3, 2020 11:52 AM
To: Jace Hellman <jhellman@kunaid.gov>; City Clerk <cityclerk@kunaid.gov>
Subject: Online Form Submittal: Public Testimony Form

Public Testimony Form

Please complete the form with your testimony for the below referenced case for the Public Hearing record.

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

Public Hearing Date	12/8/2020
---------------------	-----------

Will you also be providing in person testimony at the Public Hearing	No
--	----

In Favor, Neutral or In Opposition	Opposition
------------------------------------	------------

Email	lonmorgan@gmail.com
-------	--

Phone Number	208-890-5406
--------------	--------------

First Name	Lon
Last Name	Morgan
Address1	1088 E Seraphina St
City	Kuna
State	ID
Zip	83634

Written Testimony

1. NOTE: We did NOT receive a written/mail notification of this meeting, we learned of it from neighbors. Another neighbor also did not receive a notice.

2. At a public (Zoom) meeting with the developer a few weeks back we discussed some concerns about this development. We requested that the developer limit the homes on the South side of E. Seraphina St to Single Story only. Having two story homes alters the character of the street, increases congestion, and negatively obstructs the view.

We also requested the number of entrances into the development from E. Seraphina be limited to two.

The Developer seemed agreeable to our concerns and we were left with the impression that accommodation would be made to address these concerns. However, it appears the Plat, in its current form, does NOT take our concerns into consideration.

For this reason we are opposed to the development in its current form.

We request the City of Kuna withhold approval until such time as our concerns have been addressed. Of the concerns expressed we consider the single level for homes on E. Seraphina the most pressing.

Thank you for considering these issues.
Lon and Tami Morgan

By checking the "I agree" box below, you agree and acknowledge that submitting, that this testimony will be a public record and a part of the case file for the governing body. Any testimony submitted after the public hearing Will Not be considered by the governing body.

Electronic Signature Agreement	I Agree
--------------------------------	---------

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

December 4th, 2020
Donna Gerhart
1144 East Seraphina ST
Kuna, Idaho 83634
916-690-2952

received
12.4.20
by ANDY

City of Kuna,
Will you address our concerns at the Hearing Planning and Zoning Commission on Tuesday December 8, 2020 @ 6pm There will be neighborhood Representation attending the meeting from Merlin Cottages existing homes, Merlin Pointe.

1. Needed safe street Turning lanes at entrance off of Avalon, and through out entrance to the neighborhood,, 15-20 MPH Max speed limit in the neighborhood. On ALL STREETS

Parking on only 1 side of neighborhood streets. As to Avoid over flow parking congestion. Visitor Parking, NOT LONG TERM

Maintenance of Landscaping of island and at Entrance on Sailor St. and Care of roads backing up to the new construction area. Not the responsibility of the existing Homes or Common area Park in the rear of the homes. We Are not responsible for their HOA? And we are not allowing the new units to have access. Unless they Pay into our HOA.

What are the sizes of the homes sq. ft. and Exteriors, landscaping??

Sales Pricing and are they Single family PURCHASES? NO RENTALS!

Thank You,

Lon Morgan
Dallas McCulloch
Roger Tofslie
Donna Gerhart

Doug Hanson

From: Doug Hanson
Sent: Monday, June 28, 2021 9:15 AM
To: 'Ada County Engineer'; 'Ada County Highway District'; 'Adam Ingram'; 'Beky Rone (Kuna USPS Addressing)'; Bobby Withrow; 'Boise Project Board of Control'; 'Brent Moore (Ada County)'; 'Cable One TV'; Catherine Feistner; 'Central District Health Department '; 'Chief Fratusco'; 'COMPASS'; 'David Reinhart'; 'DEQ'; 'Eric Adolfsen'; 'Idaho Power Easements'; 'Idaho Power Easements 2'; 'Intermountain Gas'; 'ITD'; 'J&M Sanitation'; Jace Hellman; 'Krystal Hinkle'; 'Marc Boyer (Kuna Postmaster)'; 'Marci Horner (Meridian School District)'; 'Megan Leatherman'; 'Nampa Meridian Irrigation District '; 'New York Irrigation'; 'Paris Dickerson'; Paul Stevens; 'Planning Manager (Ada County Development Services)'; 'Robbie Reno'; 'Stacey Yarrington (Ada County)'; 'TJ Lawrence (Interim KRFD Chief)'
Subject: Merlin Cottages 20-01-PUD, 20-08-S, 20-06-ZC, 20-05-SUP City of Kuna Request for Comment Part 1
Attachments: Merlin Cottages 20-01-PUD, 20-08-S, 20-06-ZC, 20-05-SUP Agency Transmittal Packet Part 1.pdf

All,

The following packet will be coming in two parts due to file size.

June 28, 2021

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

FILE NUMBER:	UPDATED 20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat), 20-06-ZC (Rezone), and 20-05-SUP (Special Use Permit).
PROJECT DESCRIPTION	A Team Boise requests Planned Unit Development approval for an approximately 5.83-acre parcel, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts. Applicant requests Pre-Plat approval in order to subdivide the approximate 5.83-acres into 72 total lots (60 single family, 6 common, and 6 commercial). The subject site is located at 115 N Sailer Avenue, Kuna, ID 83634, within Section 24, Township 2 North, Range 1 West; (APN: R5672430040).
SITE LOCATION	115 N Sailer Avenue, Kuna, Idaho 83634.
REPRESENTATIVE	A Team Boise – Steve Arnold 1785 Whisper Cove Avenue Boise, ID 83709 208.871.7020 steve@ateamboise.com

SCHEDULED HEARING DATE	Tuesday, September 14, 2021 6:00 P.M.
STAFF CONTACT	Doug Hanson dhanson@kunaid.gov Phone: 208.922.5274 Fax: 208.922.5989
<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



Doug Hanson

From: Doug Hanson
Sent: Monday, June 28, 2021 9:16 AM
To: 'Ada County Engineer'; 'Ada County Highway District'; 'Adam Ingram'; 'Beky Rone (Kuna USPS Addressing)'; Bobby Withrow; 'Boise Project Board of Control'; 'Brent Moore (Ada County)'; 'Cable One TV'; Catherine Feistner; 'Central District Health Department '; 'Chief Fratusco'; 'COMPASS'; 'David Reinhart'; 'DEQ'; 'Eric Adolfson'; 'Idaho Power Easements'; 'Idaho Power Easements 2'; 'Intermountain Gas'; 'ITD'; 'J&M Sanitation'; Jace Hellman; 'Krystal Hinkle'; 'Marc Boyer (Kuna Postmaster)'; 'Marci Horner (Meridian School District)'; 'Megan Leatherman'; 'Nampa Meridian Irrigation District '; 'New York Irrigation'; 'Paris Dickerson'; Paul Stevens; 'Planning Manager (Ada County Development Services)'; 'Robbie Reno'; 'Stacey Yarrington (Ada County)'; 'TJ Lawrence (Interim KRFD Chief)'
Subject: Merlin Cottages 20-01-PUD, 20-08-S, 20-06-ZC, 20-05-SUP Agency Transmittal Packet City of Kuna Request for Comment Part 2
Attachments: Merlin Cottages 20-01-PUD, 20-08-S, 20-06-ZC, 20-05-SUP Agency Transmittal Packet Part 2.pdf

Part 2

June 28, 2021

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

FILE NUMBER:	UPDATED 20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat), 20-06-ZC (Rezone), and 20-05-SUP (Special Use Permit).
PROJECT DESCRIPTION	A Team Boise requests Planned Unit Development approval for an approximately 5.83-acre parcel, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts. Applicant requests Pre-Plat approval in order to subdivide the approximate 5.83-acres into 72 total lots (60 single family, 6 common, and 6 commercial). The subject site is located at 115 N Sailer Avenue, Kuna, ID 83634, within Section 24, Township 2 North, Range 1 West; (APN: R5672430040).
SITE LOCATION	115 N Sailer Avenue, Kuna, Idaho 83634.
REPRESENTATIVE	A Team Boise – Steve Arnold 1785 Whisper Cove Avenue Boise, ID 83709 208.871.7020 steve@ateamboise.com

SCHEDULED HEARING DATE	Tuesday, September 14, 2021 6:00 P.M.
STAFF CONTACT	Doug Hanson dhanson@kunaid.gov Phone: 208.922.5274 Fax: 208.922.5989
<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



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

RECEIVED
JUN 30 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

28 June 2021

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

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

20-08-S, 20-06-ZC

BK-1401

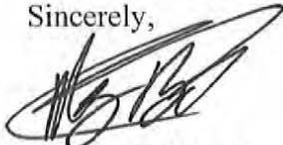
Doug Hanson, Planner:

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

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

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

Sincerely,



Thomas Ritthaler
Assistant Project Manager, BPBC

tbr/tr

cc: Clint McCormick
Alicia Flavel
File

Watermaster, Div.; 2 BPBC
Secretary – Treasurer, BKID

Kuna School District

Inspiring each student to become a lifelong learner and a contributing, responsible citizen.



June 29, 2021

Dear Honorable Members of the Planning and Zoning Commission,

Kuna School District has experienced approximately 2% growth over the last few years. Based on the 2016 Kuna School District Growth Report and Demographic Forecast, we predict that these homes, when completed, will house 39 school aged children based on our calculation of .65 students per household which is the Ada County standard calculation. Approval of the Merlin Cottage PUD will affect enrollments at the following schools:

	Enrollment	Capacity
Hubbard Elementary School	200	500
Fremont Middle School	550	430
Kuna High School	1800	1500 (KHS) 500 (SFHS)

While it appears that our schools can accommodate children who may live in this new neighborhood we do have a concern for the overall growth pattern that will quickly require another bond election.

This neighborhood is one of many that will impact the schools above. When all the approved developments in this region come to fruition, we will be well beyond our capacity in our current buildings. Without the ability to assess impact fees because of State law, Kuna School District will have to seek the support of voters for future bonds to support building projects.

The safety of our students is our first and foremost priority. With this in mind, we ask that you encourage the developer to also provide walkways that are lit beyond the minimum standards, bike paths and pedestrian access for our students. School capacity and transportation is addressed in Idaho Code 67-6508.

We remain open to dialogue with any patron, the City of Kuna or any developer.

Regards,

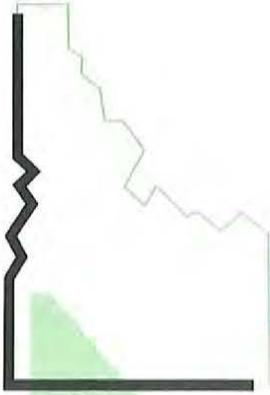
David Reinhart

Assistant Superintendent for School Services

Kuna School District

Inspiring each student to become a lifelong learner and a contributing, responsible citizen.





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

July 1, 2021

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

RE: 20-01-PUD/ 115 N. Sailer Avenue Kuna

Dear Doug:

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

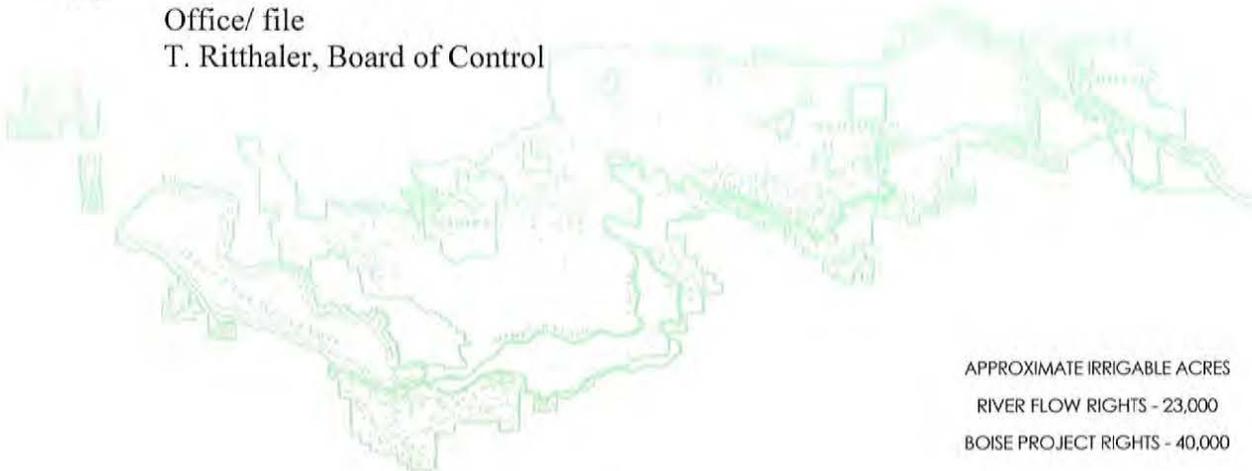
All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site NMID must review drainage plans. Developers must comply with Idaho Code 31-3805.

Sincerely,

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

Cc:

Office/ file
T. Ritthaler, Board of Control



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



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

Brad Little, Governor
Jess Byrne, Director

July 9, 2021

By e-mail: dhanson@kunaid.gov

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

Subject: Merlin Cottages, 20-01-PUD/20-08-S/20-06-ZC/20-05-SUP

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:
<https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

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: <https://www.deq.idaho.gov/water-quality/drinking-water/>). 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

- Please contact DEQ to determine whether this project will require an Idaho Pollution Discharge Elimination System (IPDES) Permit. A Construction General Permit from DEQ 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.
- For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
- 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 <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> 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.

Response to Request for Comment

July 9, 2021

Page 5

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,

A handwritten signature in black ink that reads "Aaron Scheff". The signature is written in a cursive, flowing style.

Aaron Scheff
Regional Administrator
DEQ-Boise Regional Office

EDMS#: 2021AEK131



Ada County Transmittal
Division of Community and Environmental Health

Return to:

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

Rezone # _____

Conditional Use # _____

Preliminary / Final / Short Plat 20-01-PLD

Merlin Cottages

- 1. We have No Objections to this Proposal.
- 2. We recommend Denial of this Proposal.
- 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
 - high seasonal ground water
 - bedrock from original grade
 - waste flow characteristics
 - other _____
- 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:
 - 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. _____

Reviewed By: _____

[Signature]
 Date: 7/9/2024

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: Merlin

Agency: Kuna

CIM Vision Category: Future Neighborhoods

New households: 60

New jobs: ±50

Exceeds CIM forecast: No

	<p>CIM Corridor: Kuna Road Pedestrian level of stress: PG 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: 1,580 Jobs within 1 mile: 1,730 Jobs/Housing Ratio: 1.1</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: 1.4 miles Nearest fire station: 1.3 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: 620 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: 1.1 miles Nearest public park: 0.8 miles Nearest grocery store: 1.3 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

The location is an infill site in an employment-centric area, with over one thousand jobs within a mile of the site. The location is approximately one mile from a public school and public park and the site has been designed internal pathways. The proposal is a mix of residential and employment. This location and mix of uses and may reduce trip length. State Highway 69 is a five-lane, high-speed highway at this location. A safe pedestrian crossings of Avalon Street will make non-motorized trips to nearby grocery and other retail services and may encourage bicycle and pedestrian use.

The site is not currently served by public transportation. ValleyConnect 2.0 proposes bus service from downtown Kuna to northwest Boise via downtown Meridian. The closest bus stop would be on Kay Street, less than ½ mile in distance, when that route is operational.

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: Merlin Cottages/ KPP21-0012/ 20-01-PUD/ 20-08-S/ 20-06-ZC/ 20-05-SUP
 This is a rezone, a planned unit development, special use permit, and preliminary plat application to allow for the development of a 72-lot mixed-use development on 5.83-acres.

Lead Agency: City of Kuna

Site address: 115 N Sailer Avenue

Staff Approval: August 24, 2021

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

Staff Contact: Brenna Garro
 Phone: 387-6346
 E-mail: bgarro@achdidaho.org



A. Findings of Fact

- Description of Application:** The applicant is requesting approval of a rezone for a portion of the site from C-1 (Neighborhood Commercial) to R-12 (High density Residential), a planned unit development, a special use permit, and preliminary plat application consisting of 72-lots (60 single-family lots, 6 common lots, and 6 commercial lots) for a mixed-use development on 5.83-acres.

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

- Description of Adjacent Surrounding Area:**

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

- Site History:** ACHD previously reviewed this site as Merlin Pointe/13-01-AN/13-01-ZC/13-01-S/13-01-DA in August 2013. The requirements of this staff report are not consistent with those of the prior action as this site was previously zoned for commercial uses.

ACHD previously reviewed this site as Merlin Cottages/ KPP20-0014/ 20-01-PUD/ 20-08-S/ 20-06-ZC/ 20-05-PUD in November 2020. The requirements of this staff report are not consistent with those of the prior action.

- Transit:** Transit services are not available to serve this site.

5. **New Center Lane Miles:** The proposed development includes 0.16 centerline miles of new public road.
6. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time. The impact fee assessment will not be released until the civil plans are approved by ACHD.
7. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
There are no roadways, bridges or intersections in the general vicinity of the project that are in the Integrated Five Year Work Plan (IFYWP) or the District's Capital Improvement Plan (CIP).

B. Traffic Findings for Consideration

1. **Trip Generation:** The residential portion of this development is estimated to generate 566 vehicle trips per day; 60 vehicle trips per hour in the PM peak hour for single-family use, based on the Institute of Transportation Engineers Trip Generation Manual, 10th edition.

Estimated Trip Generation for Commercial Uses:

Use (per 1,000 square feet)	Average Daily Trips	PM Peak Hour Trip Generation
Drive in Bank (drive-in lanes)	124.76	27.15
Hair Salon (1,000 sf)	N/A	1.45
Convenience Market (1,000 sf)	762.28	49.11
Medical/Dental Office Building (1,000 sf)	34.80	3.46

2. **Condition of Area Roadways**

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count
**State Highway 69/ Kuna Road/ Avalon Street	635-feet	Principal Arterial	708
Sailer Avenue	445-feet	Local	N/A
Seraphina Street	500-feet	Local	N/A

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

3. **Average Daily Traffic Count (VDT)**

Average daily traffic counts are based on ACHD's most current traffic counts.

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

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

cooperation among local jurisdictions in implementing the Roadways to Bikeways Plan recommendations.

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

C. Findings for Consideration

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

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

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

2. Sailer Avenue

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

b. **Policy:**

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

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

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

Sidewalk Policy: District Policy 7208.5.6 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all commercial streets. If a separated sidewalk is proposed, a parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip.

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

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

- c. **Applicant's Proposal:** The applicant is not proposing any frontage improvements on Sailer Avenue abutting the site.
- d. **Staff Comments/Recommendations:** Sailer Avenue is fully improved with 2-travel lanes, vertical curb, gutter, and 5-foot wide sidewalk. Therefore, no additional right-of-way dedication or street improvements are required as part of this application.

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

3. Seraphina Street

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

- b. **Policy:**

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

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

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

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

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

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

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

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

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

- c. **Applicant's Proposal:** The applicant is not proposing any frontage improvements on Seraphina Street abutting the site.
- d. **Staff Comments/Recommendations:** Consistent with District Minor Improvements policy, the applicant should be required to repair or replace any damaged or broken curb, gutter, and sidewalk on Seraphina Street abutting the site.

4. Cottage Street

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

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

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

- A 36-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and on-street parking.

Continuation of Streets Policy: District Policy 7208.2.4 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 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, water and sewer.
- Promotes orderly development.

Sidewalk Policy: District Policy 7208.5.6 requires a concrete sidewalks at least 5-feet wide to be constructed on both sides of all commercial streets. If a separated sidewalk is proposed, a parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip.

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

- c. **Applicant's Proposal:** The applicant is proposing to construct a new internal commercial street, Cottage Street, as a 36-foot wide street section with curb, gutter, and 5-foot wide sidewalk within 50-feet of right-of-way.

- d. **Staff Comments/Recommendations:** The applicant's proposal to construct a new commercial street, Cottage Street, as a 36-foot street section with curb, gutter, and 5-foot wide sidewalk within 50-feet of right-of-way meets District policy. Cottage Street is proposed to extend 563-feet west of Sailer Avenue and to intersect an unnamed north/south roadway (measured centerline to centerline). Staff has recommended that the unnamed north/south street be constructed as private road. Public streets need to either be extend or terminated in a cul-de-sac turnaround. Because of this, staff recommends that Cottage Street be extended to intersect Seraphina Street creating a continuous public street through the site.

5. Internal Streets

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

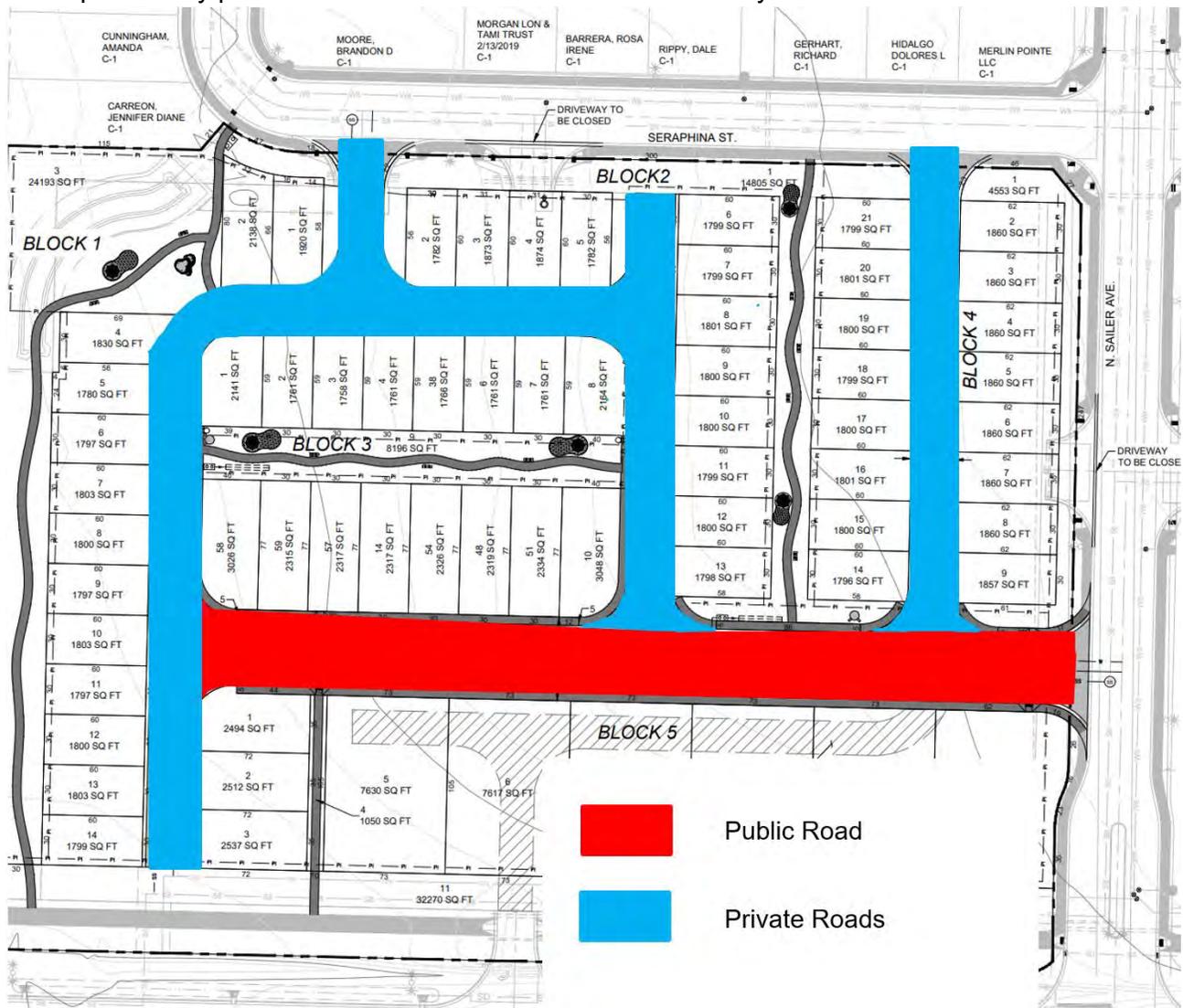
provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the 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.

- c. **Applicant's Proposal:** The applicant is proposing to construct new local streets/alleys as 26-foot wide local streets/alleys with ribbon curb and no sidewalks.
- d. **Staff Comments/Recommendations:** The applicant's proposal to construct new local streets/alleys as 26-foot wide local streets/alleys does not meet District local street or alley policies and should not be approved as proposed. The applicant should be required to construct the proposed 26-foot wide street sections as private roads (see Finding 8 and Figure 1).

If the City of Kuna requires the construction of public streets within the site, then a revised preliminary plat should be submitted to ACHD and the City of Kuna for review.



6. Roadway Offsets

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

b. **Policy:**

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

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

c. **Applicant's Proposal:** The applicant is proposing to construct a new internal street, Cottage Street, to intersect Sailer Avenue located approximately 240-feet north of Kuna Road.

The applicant is proposing to construct 2 new internal streets, one to intersect Seraphina Street located approximately 80-feet east of Bay Haven Avenue and another to intersect Seraphina Street located approximately 114-feet west of Sailer Avenue.

d. **Staff Comments/Recommendations:** The applicant's proposal to construct a new internal street, Cottage Street, to intersect Sailer Avenue 240-feet north of Kuna Road meets District policy and should be approved, as proposed.

The applicant's proposal to construct 2 new internal streets to intersect Seraphina Street should not be approved, as proposed. Staff has recommended that these streets be constructed as private roads (see Finding 8).

7. Driveways

7.1 Sailer Avenue

a. **Existing Conditions:** There is an existing driveway from the site onto Sailer Avenue located approximately 360-feet north of Kuna Road.

b. **Policy:**

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

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

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

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.4.3, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway.

c. **Applicant's Proposal:** The applicant is proposing to close the existing driveway on Sailer Avenue located approximately 360-feet north of Kuna Road.

d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed. The driveway should be closed with the construction of curb, gutter, and 5-foot wide attached sidewalk to match the improvements on either side.

7.2 Seraphina Street

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

b. Policy:

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

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

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

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.4.3, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway.

c. Applicant's Proposal: The applicant is proposing to close the existing driveway on Seraphina Street located approximately 360-feet west of Sailer Avenue.

The applicant is proposing to keep the existing driveway on Seraphina Street located approximately 463-feet west of Sailer Avenue as access to the proposed internal local roads.

d. Staff Comments/Recommendations: The applicant should be required to close the existing driveway from the site onto Seraphina Street, located 360-feet west of Sailer Avenue, with curb, gutter, and 5-foot wide sidewalk.

The applicant's proposal to keep the existing driveway on Seraphina Street located approximately 463-feet west of Sailer Avenue as access to the proposed internal local roads meets the District's driveway policies. However staff recommends that the applicant construct the proposed internal roads as private roads (see Finding 8).

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: The streets shown in Figure 1 on page 7 proposed as 26-foot wide local streets do not meet any ACHD standards. Because of this they should all be constructed as private roads.

If the City of Kuna approves the private road, the applicant shall be required to pave the private roadway a its full width 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 the private road. 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. 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.

10. Landscaping

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

D. Site Specific Conditions of Approval

1. Repair or replace any damaged or broken curb, gutter, and sidewalk on Sailer Avenue and Seraphina Street abutting the site.
2. Construct a new internal commercial street, Cottage Street, as a 36-foot wide street section with curb, gutter, and 5-foot wide sidewalk within 50-feet of right-of-way.
3. Construct Cottage Street to extended to intersect Seraphina Street creating a continuous public street through the site.
4. Construct Cottage Street to intersect Sailer Avenue 240-feet north of Kuna Road, as proposed.
5. Close the existing driveway from the site onto Sailer Avenue, located 360-feet north of Kuna Road, with curb, gutter, and 5-foot wide sidewalk.
6. Close the existing driveway from the site onto Seraphina Street, located 360-feet west of Sailer Avenue, with curb, gutter, and 5-foot wide sidewalk.
7. As shown in Figure 1, construct the 26-foot wide streets as private roads.
8. Pave the first 30-feet of the private roads into the site beyond the edge of pavement of Seraphina Street and Cottage Street.
9. Install street name and stop signs for the private road/drive aisles. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.
10. Submit civil plans to ACHD Development Services for review and approval. The impact fee assessment will not be released until the civil plans are approved by ACHD.
11. Payment of impact fees is due prior to issuance of a building permit.

12. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

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

F. Conclusions of Law

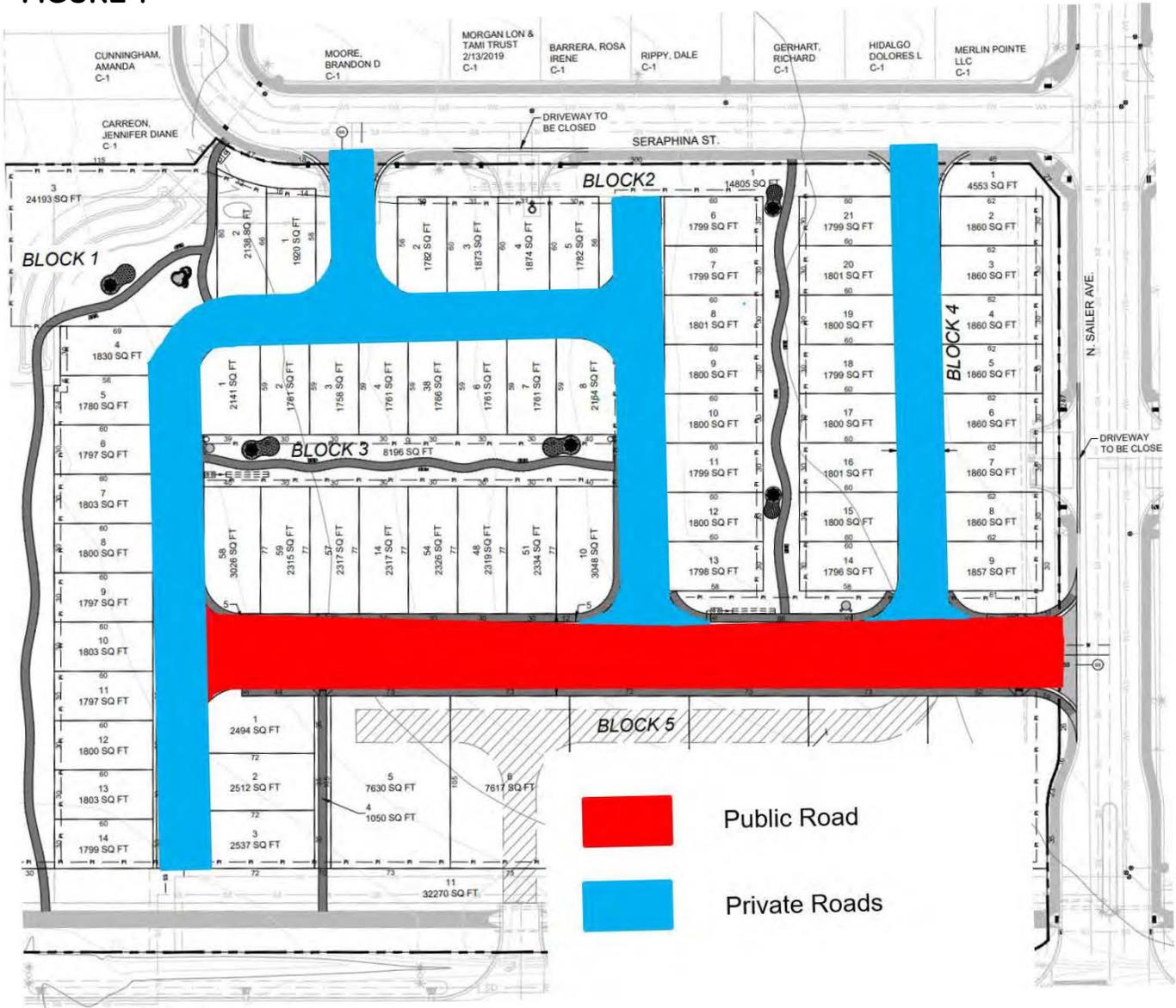
1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.

2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

G. Attachments

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

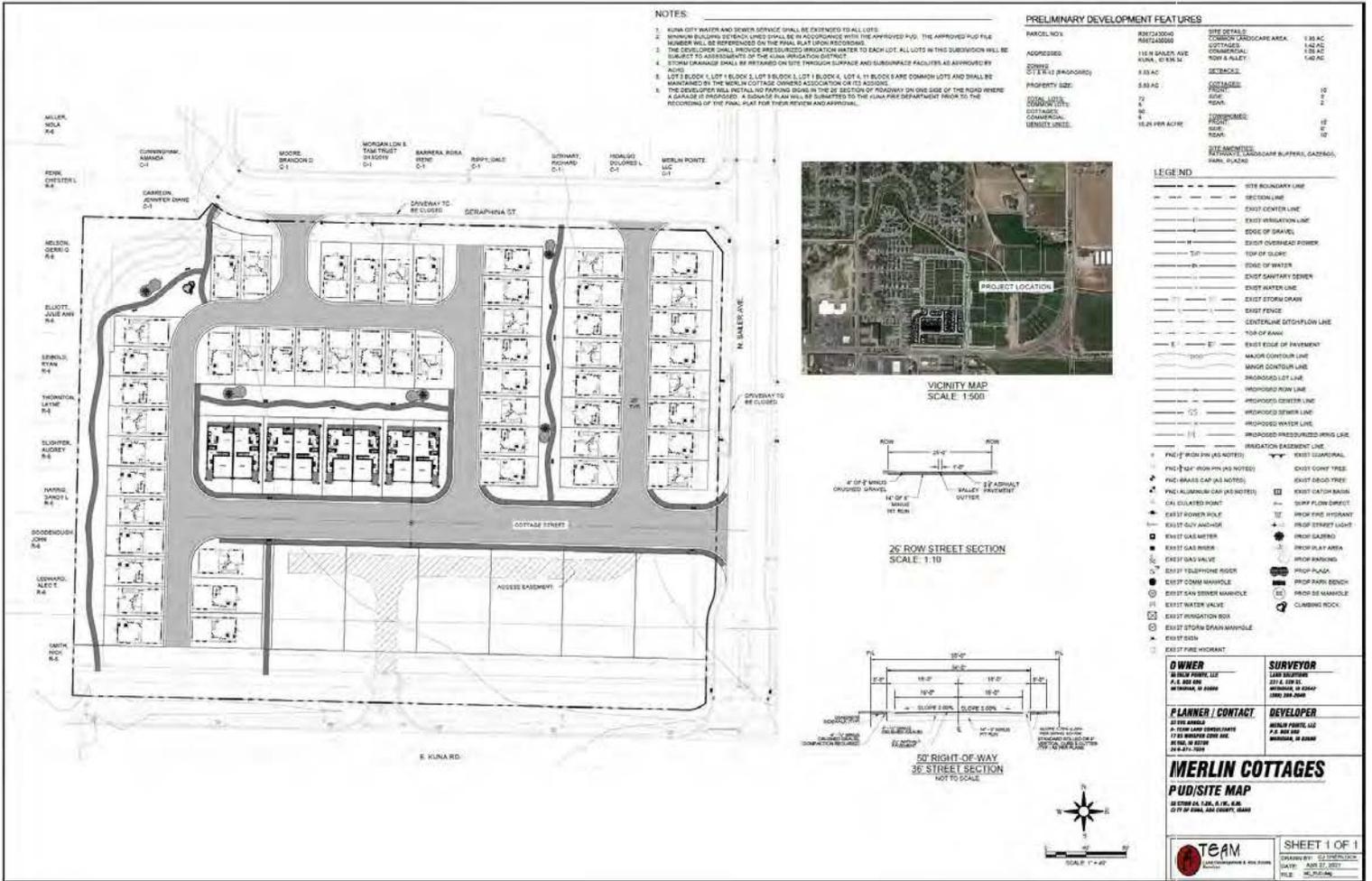
FIGURE 1



VICINITY MAP



SITE PLAN



NOTES

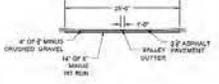
1. SINK CITY WATER AND SEWER SERVICE SHALL BE EXTENDED TO ALL LOTS
2. SHOWER BUILDING DETACHMENT SHALL BE IN ACCORDANCE WITH THE APPROVED PUD. THE APPROVED PUD FILE NUMBER WILL BE REFERENCED ON THE FINAL PLAT SHOW RECORDING.
3. THE DEVELOPER SHALL PROVIDE PREDESIGNED IRRIGATION WATER TO EACH LOT. ALL LOTS IN THIS SUBDIVISION WILL BE SUBJECT TO ASSIGNMENTS OF THE KUNA IRRIGATION DISTRICT.
4. STORM DRAINAGE SHALL BE PROVIDED ON SITE THROUGH SURFACE AND SUBSURFACE FACILITIES AS APPROVED BY NHD.
5. LOT BLOCK 4, LOT 1 BLOCK 5, LOT 1 BLOCK 6, LOT 1 BLOCK 7, LOT 1 BLOCK 8 ARE COMMON LOTS AND SHALL BE MAINTAINED BY THE HOA IN COTTAGE OWNERS ASSOCIATION OR ITS SUCCESSOR.
6. THE DEVELOPER WILL INSTALL AND PROVIDE SIGNAGE IN THE 20' SECTION OF ROADWAY ON ONE SIDE OF THE ROAD WHERE A GARAGE IS PROVIDED. A SIGNAGE PLAN WILL BE SUBMITTED TO THE KUNA FIRE DEPARTMENT PRIOR TO THE RECORDING OF THE FINAL PLAT FOR THEIR REVIEW AND APPROVAL.

PRELIMINARY DEVELOPMENT FEATURES

PARCEL NO.	801240000	SITE TOTAL	COMBINED CADDIS AREA	1.93 AC
ADDRESS	116 N. KUNA AVE, KUNA, OR 97634	COTTAGE	1.08 AC	
PROPERTY SIZE	1.93 AC	SEWERAGE	1.08 AC	
LOT SIZE (APPROX)	8,842 SQ FT	CONCRETE	10'	
LOT VALUE	72	ASPH	2'	
COMMON LOTS	8	SEWER	10'	
COMMON LOTS	8	TOWNSHIP	10'	
DENSITY UNITS	16.21 PER ACRE	SEWER	10'	
		SEWER	10'	



VICINITY MAP
SCALE: 1:500



30' ROW STREET SECTION
SCALE: 1:10



50' RIGHT-OF-WAY
30' STREET SECTION
NOT TO SCALE

LEGEND

- SITE BOUNDARY LINE
- SECTION LINE
- EXIST CENTER LINE
- EXIST IRRIGATION LINE
- EXIST CENTER LINE
- EXIST OVERHEAD POWER
- TOP OF GROUND
- EDGE OF WATER
- EXIST SANITARY SEWER
- EXIST WATER LINE
- EXIST STORM DRAIN
- EXIST FENCE
- CENTERLINE LOT/PLAT LINE
- TOP OF BANK
- EXIST EDGE OF PAVEMENT
- MAJOR CONTOUR LINE
- MINOR CONTOUR LINE
- PROPOSED LOT LINE
- PROPOSED POWER LINE
- PROPOSED CENTER LINE
- PROPOSED SEWER LINE
- PROPOSED WATER LINE
- PROPOSED PREDESIGNED IRRIGATION LINE
- IRRIGATION EXISTING LINE
- EXIST QUARRIES
- EXIST COURT TREE
- EXIST CATION WALL
- EXIST FLOOR CURB
- EXIST FIRE HYDRANT
- EXIST STREET LIGHT
- EXIST GAS METER
- EXIST GAS VALVE
- EXIST TELEPHONE RISER
- EXIST COMM MANHOLE
- EXIST SANITARY MANHOLE
- EXIST IRRIGATION BOX
- EXIST STORM DRAIN MANHOLE
- EXIST SIGN
- EXIST FIRE HYDRANT

D W W E R 2100 PINE LANE P.O. BOX 676 KUNA, OR 97634	SURVEYOR LARRY BISHOP 221 S. 10TH ST. MEDFORD, OR 97504 (531) 268-2000
PLANNER / CONTACT 2100 PINE LANE P.O. BOX 676 KUNA, OR 97634 (531) 268-2000	DEVELOPER MERLIN COTTAGES LLC P.O. BOX 676 KUNA, OR 97634

MERLIN COTTAGES
PUD/SITE MAP
2100 PINE LANE, P.O. BOX 676, KUNA, OR 97634

TEAM Landscape Architecture & Site Planning	SHEET 1 OF 1 DRAWN BY: GJ DORRICK DATE: APR 27, 2023 FILE: MCF-2023
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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.



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

Catherine Feistner, E.J.T.
Assistant Kuna City Engineer

Brady Barroso
Engineering Technician I

PRELIMINARY PLAT MEMORANDUM

To: Jace Hellman - Planning and Zoning Director
From: Brady Barroso - Engineering Technician I
Catherine Feistner - Assistant City Engineer
Date: 3 August 2021
RE: Public Works Comments
Merlin Pointe Cottages – 20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat), 20-06-ZC (Rezone), 20-05-SUP (Special Use Permit)

The Merlin Pointe Cottages and associated commercial, located on the northwest corner of E Avalon St and N Sailer Ave, dated 28 June 2021 has been reviewed. This review is based on land use as allowed or permitted in “R-12 and C-1” zones. This application encompasses 5.83 acres. This application contains a total of 60 single-family residential lots, 6 common lots, and 6 commercial lots. These comments apply to the application as they affect public works infrastructure. The applicant provided a preliminary plat and supporting documents as part of the application. Review of civil design drawings is accomplished separately, when received.

Comments may be expanded or refined in connection with the future land-use actions.

1) Inspection Fees

- a) An inspection fee will apply to inspect the final construction of water, sewer, and irrigation facilities 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 pressure irrigation pipe. *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 Merlin Pointe Cottage Subdivision consists of 5.83 acres with City of Kuna C-1 zoning designation.

- b) The Merlin Pointe Cottage Subdivision requests the development site be rezoned from C-1 to R-12 and C-1.
- c) Equivalent Dwelling Units (EDUs) are reckoned at approximately 3.18 people per household. The resultant projected population for this subdivision is approximately 191. This makes the realized density approximately 33 people per acre.
- d) The preliminary plat shows three (3) total accesses to the subdivision, one (1) off of N Sailer Ave, and two (2) off of Seraphina St.
- e) Areas for outside activities are incorporated into the project. Connection to the City of Kuna pathways presents a long-term goal that should be considered.
- f) A plan approval letter will be required if this project affects any local irrigation districts.
- g) Elevations shall be actual NAVD 88 datum elevations. A localized elevation system is not acceptable.
- h) All positional information shall be from the most recent state plane coordinate system.
- i) Provide engineering certification on all final engineering drawings.
- j) The City of Kuna requires streetlights in all subdivisions. Streetlights are required along arterial roads bordering the subdivision, at the entrance of the subdivision, at intersections, and at every 250' interval. Streetlights should coincide with Fire Hydrants whenever possible.
- k) Kuna Rural Fire District (KRFD) requires fire hydrants at 500' intervals.

3) Right-of-Way

- a) Public Works recommends replacing the proposed easement layout on lots 5-10, block 5 with a blanket cross-access easement.
- b) Sufficient right-of-way for existing and future classified streets shall be provided pursuant to City & ACHD standards.
- c) Approaches onto classified streets must comply with ACHD approach policies.
- d) All street construction must meet or exceed City of Kuna and ACHD development standards.
- e) All City mainlines crossing proposed lots or located on the backs or sides of lots shall have easements that allow the City of Kuna to access and maintain the utilities.
- f) The KRFD Deputy Fire Marshal must approve fire access to the subdivision and any traffic calming measures.
- g) Roads must continue to and through to the next road connection to promote connectivity throughout the City.

4) Sanitary Sewer Connection

- a) With the proposed changes and future phases, the applicant will need to upsize approximately a quarter mile of sewer pipe leading to the lift station.
- b) The developer may be requested to participate with lift station and/or force main improvements.
- c) The applicant's property is not connected to City services and is subject to connection fees for the ultimate connected sewer load. City Code 6-4-2-O requires Planned Unit Developments (PUD) and master planned communities to have a master utility plan that addresses sanitary sewer issues. City code 5-16-3-B.2 states public sewer utilities shall be extended to each parcel when sewer is available within three hundred (300) feet of the parcels.

- d) There is 8-in. gravity sewer pipe surrounding the site on E. Seraphina St, N Sailer Ave, and north of E. Avalon St. The sewage flows to Orchard Lift Station, which currently has available capacity. The conveyance pipe leading to the lift station needs to be upgraded.
- e) All sewer infrastructure must meet or exceed City of Kuna requirements.
- f) Sewer flow models will be required to verify pipe sizes.
- g) Sewer connection fees apply to each lot containing a home or other facility.
- h) 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.
- i) This application shall conform to the sewer masterplan as applicable. The sewer master plan specifies minimum pipe sizes and supports the “to and through” utility policy.

5) Potable Water Connection

- a) The applicant’s property is not connected to City services and is subject to connection fees for the ultimate connected water demand. City Code 6-4-2-X requires PUDs and master planned communities to have a master utility plan that addresses potable water issues. City code 5-16-3-B.2 states public water utilities shall be extended to each parcel when water is available within three hundred (300) feet of the parcels.
- b) There is water pipe surrounding the site on E. Seraphina St (8-in.), N. Sailer Ave (8-in.), and north of E. Avalon St (12-in.).
- c) All water infrastructure must meet or exceed City of Kuna requirements.
- d) Water flow models will be required to verify adequate water supply and fire suppression.
- e) Water connection fees apply to each lot containing a home or other facility.
- f) All existing wells shall be abandoned in accordance with Idaho Department of Water Resources (IDWR) requirements. Documentation shall be provided to the City of Kuna.
- g) This application shall conform to the water master plan as applicable.
- h) Fire hydrants are required in a layout acceptable to the KRFD.

6) Pressurized Irrigation

- a) The applicant’s property is not connected to the City’s pressurized irrigation system. Relying on drinking water for irrigation purposes is contrary to City Code 6-4-2-l.
- b) All pressurized irrigation infrastructure shall meet or exceed City of Kuna standards.
- c) This project requires connection to the City’s Pressurized Irrigation system.
- d) There is 10-in. PI mainline south of the site, north of E. Avalon St.
- e) Annexation into the municipal irrigation district and pooling of water rights is a requirement of the final plat approval.
- f) Existing irrigation ditches (supply & drain) must be relocated as needed and as approved by the irrigation ditch company/users.
- g) Pressurized irrigation flow model will be required to verify adequate pressurized irrigation supply.
- h) All residential, common lots, and open areas with irrigation are required to connect to the pressurized irrigation system and to pay the associated connection fee.
- i) This application shall be conditioned to conform to the Pressure Irrigation Master Plan where applicable.

7) Grading and Storm Drainage

- a) Provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.
- b) The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for design of private storm water disposal systems.
- c) Runoff from public right-of-way is regulated by ACHD. On site storm water retention shall be reviewed in conjunction with the City's Civil Engineering Construction Improvements Review. Provide a storm water disposal & treatment plan which accounts for increased on-site storm water runoff volumes. Provided detailed drawings of drainage & treatment facilities with supporting calculation for review and approval.
- d) Sidewalks, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, shall be provided in connection with property development.
- e) 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.

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.



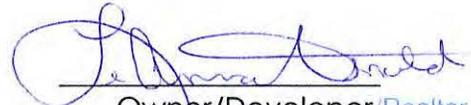
City of Kuna PROOF OF PROPERTY POSTING

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

This notice shall confirm that the Public Hearing Notice for Merlin Cottages Subdivision
(**NAME OF SUBDIVISION OR ADDRESS**) was posted as required per Kuna City Ordinance
5-1A-8. Sign posted Friday, July 16, 2021 (**DAY OF THE WEEK, MONTH,
DATE AND YEAR**). *This form is required to be returned three (3) calendar days
subsequent to posting and signs are to be removed from the site three (3) calendar
days after the hearing.*

DATED this July day of 16, 2021.

Signature,


Owner/Developer/Realtor

STATE OF IDAHO)
) : ss
County of Ada)

On this 16th day of July, 2021, before me the
undersigned, a Notary Public in and for said State, personally appeared before me
(Owner, Developer).

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



Notary Public
Residing at Boise
Commission Expires February 17, 2027



CITY OF KUNA PUBLIC HEARING NOTICE

Kuna Planning and Zoning Commission

THE CITY OF KUNA will hold a public hearing on
September 14, 2021 at the Kuna City Hall, at 6:00 p.m.

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

LOCATION: NW corner of Sailer Avenue and Avalon Street

APPLICATION BY: A-Team Land Consultants

CITY CONTACT: Doug Hanson - 208.922.5274

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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:
08/23/21	21880

LEGAL NOTICE

Case No. 20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat), 20-06-ZC (Rezone) & 20-05-SUP (Special Use Permit) for Merlin Cottages

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission is scheduled to hold a public hearing on **Tuesday, September 14, 2021, at 6:00 PM**, (or as soon as can be heard); in City Hall Council Chambers, 751 W 4th Street, Kuna, ID, 83634, in connection with Merlin Cottages. A Team Boise requests Planned Unit Development approval for an approx. 5.83-acre parcel with a C-1 (Neighborhood Commercial) & R-12 (High Density Residential) zoning districts. In addition, Applicant requests Preliminary Plat approval to subdivide the parcel into 72 total lots (60 single family, 6 common & 6 commercial). The subject site is located at 115 N Sailer Avenue, Kuna, ID, 83634, within Section 24, Township 2 North, Range 1 West; (APN: R5672430040)

Please do not contact the 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; the City of Kuna is providing alternative ways for the community to submit comments at Public Hearings if they do not wish to testify in person at the hearing, please contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

Kuna Planning & Zoning Department

August 25, 2021 137711

DOUG HANSON
 1 KUNA, CITY OF
 P.O. BOX 13
 KUNA, ID 83634

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
137711	20-01-PUD, 20-06-ZC	08/25/21	08/25/21	1	\$50.14

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount:	\$0.00
Surcharge:	\$0.00
Credits:	\$0.00

We Appreciate Your Business!

Suggestions for Testifying at Public Hearings:

Be Informed...

Review the proposal, Staff Report, applicable Ordinance(s), Comprehensive Plan & Idaho Code §67-65. All items pertaining to the application can be found online the Friday prior to the hearing at www.kunacity.id.gov >City Government >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 & concise comments. The Developer or their Representative is given 10 minutes to present their project; 3 minutes per individual is provided for public testimony; neighborhood groups are encouraged to select a community representative & the representative is provided 10 minutes (please inform staff). The Developer/Representative is given additional time for rebuttal.

If you do not wish to speak, write...

Written testimony received by close of business the Wednesday before the hearing will be included in the meeting packet; late submissions will be provided to the governing body at time of hearing. As a reminder, it is unreasonable to submit extensive written comments/info at the hearing and expect it to be reviewed prior to a decision.

KUNA



Planning & Zoning
PO BOX 13
Kuna, ID 83634

EPOST

FIRST-CLASS MAIL

8/25/2021

US POSTAGE \$000.00⁰⁰



ZIP 83634
041M11460992

JR 8-25-21

DH 8-25-21

City of Kuna

LEGAL NOTICE



Dear Property Owner: NOTICE IS HEREBY GIVEN the **Planning & Zoning Commission** is scheduled to hold a Public Hearing on **September 14, 2021 at 6:00 PM** (or as soon as can be heard), in City Hall Council Chambers, 751 W 4th Street, Kuna, ID, 83634, on the following case:

Case No. 20-01-PUD (Planned Unit Development), 20-08-S (Preliminary Plat), 20-06-ZC (Rezone) & 20-05-SUP (Special Use Permit) for Merlin Cottages

A Team Boise requests Planned Unit Development approval for approx. 5.83-acre parcel with a C-1 (Neighborhood Commercial) & R-12 (High Density Residential) zoning districts. In addition, Applicant requests Preliminary Plat approval to subdivide the parcel into 72 total lots (60 sing family, 6 common & 6 commercial). The subject site is located at 115 N Sailer Avenue, Kuna, ID, 83634, within Section 24, Township 2 North, Range 1 West (APN: R5672430040).

The public is invited to provide written or oral testimony; the City of Kuna is providing alternative ways for the community to submit comments at Public Hearings of they do not wish to testify in person or will not be able to attend. Please contact the Kuna Planning & Zoning Department at (208) 922-5274.

Written testimony received by close of business on **September 8, 2021** will be included with the packet distributed to the governing body prior to the hearing; late submissions will be provided at time of hearing.



MAILED 08.25.2021