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 November 9, 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 ITEMS LISTED 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 October 26, 2021

2. Findings of Fact & Conclusions of Law
   1. Case Nos. 21-04-ZC (Rezone), 21-05-S (Preliminary Plat) & 21-12-DR (Design Review) Ewing Meadows Subdivision

3. PUBLIC HEARINGS: ALL OF THE ITEMS LISTED ARE ACTION ITEMS

A. *Recessed from October 26, 2021* Case Nos. 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat) & 20-05-SUP (Special Use Permit) for Merlin Cottages Subdivision – Doug Hanson, Planner II

A Team Land Consultants on behalf of Merlin pointe, LLC, requests planned unit development approval for an approximately 7.04 (6.61 developable) acre site, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts and to subdivide the property into 66 total lots (54 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; (APNs: R5672430020, R5672430040, R5672430060).

Procedure:
Open Public Hearing
Receive Testimony
Commission presents questions they may have for Applicant and/or Staff
Close Public Hearing

Potential Motions:

Option 1: Recommend Approval to City Council of Case Nos. 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat), 20-05-SUP (Special Use

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

B. *Tabled from October 12, 2021* Case Nos. 21-04-AN (Annexation), 21-03-ZC (Rezone), 21-01-PUD (Planned Unit Development), 21-03-S (Preliminary Plat), 21-04-SUP (Special Use Permit), 21-01-DA (Development Agreement) & 21-26-DR (Design Review) for Sabino's Rocky Ridge Subdivision – Doug Hanson, Planner II

Providence Properties LLC requests Planned Unit Development approval for approximately 136.17 acres, with C-1 (Neighborhood Commercial), R-6 (Medium Density Residential) and R-8 (High Density Residential) zoning district classifications. The applicant requests Pre-Plat approval in order to subdivide the approximate 136.17 acres into 697 total lots (619 single family, 76 common, and 2 commercial). The subject site is located at 3250 W Hubbard Road, Kuna, ID 83634, within Section 10, Township 2 North, Range 1 West; (APNs: S1310314800, S1310346805, S1310427810, S1310449300).

Staff requests this item be tabled to a date uncertain pending additional review.

C. Case No. 21-07-AN (Annexation) for Ledgestone South – Troy Behunin, Senior Planner

GEM State Planning, LLC on behalf of Trilogy Development, Inc. requests Annexation of approximately 99.78 acres into the City of Kuna and to zone approximately (approx.) 83.33 acres as R-6 Medium Density Residential (MDR), and 16.45 acres as R-8 MDR. The Applicant only requests Annexation at this time and will propose a Preliminary Plat in the future. The subject site is adjacent to Kuna City limits on the north and west side; and is currently zoned RR (Rural Residential) in Ada County. The subject site is located at 2425 N Locust Grove Road, Kuna, ID 83642, (APN's: S1418123460, S1418123496, S1418123498, S1418123490, S1418427800 & S1418417200).). Section 18, Township 2 North, Range 1 East.

Procedure:
Open Public Hearing
Receive Testimony
Commission presents questions they may have for Applicant and/or Staff
Close Public Hearing

Potential Motions:
Option 1: Recommend Approval to City Council of Case No. 21-07-AN (Annexation) for Ledgestone South with the Conditions as outlined in the Staff Report.
Option 2: Recommend Denial to City Council of Case No. 21-07-AN (Annexation) for Ledgestone South.

4. BUSINESS ITEMS:

A. Case No. 21-25-DR (Design Review) for the Americool Buildings – Jessica Reid, Planning Services Specialist ACTION ITEM

Rick Bugatsch, on behalf of TLM, LLC, requests Design Review approval for a 3,300 SF metal building with office & warehouse space, associated parking lot and landscaping. The subject site is located at 707 W Avalon (APN: S1326120800) with an M-1 (Light Industrial/Manufacturing) zoning designation; Section 26, Township 2 North, Range 1 West.

B. Case No. 21-27-DR (Design Review) Rising Sun Fencing Alternative Compliance Request – Troy Behunin, Senior Planner ACTION ITEM

M3 Companies, LLC requests Design Review (Alternative Compliance) approval for perimeter fencing for the subdivisions known as the Rising Sun Estates and Rising Sun Commons. The Applicant desires to install a consistent and unique fence throughout each of their multiple phases, as described in KCC 5-4-6-B-3-g-2. This project is located on the Southwest Corner (SWC) of Kuna Road and Stroebel Road, Kuna, ID.

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 October 26, 2021

6:00 PM REGULAR MEETING

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

1. CALL TO ORDER & ROLL CALL:

(Timestamp 00:01:22)
COMMISSION MEMBERS PRESENT:
Chairman Lee Young – Absent
Vice Chairman Dana Hennis – In Person
Commissioner Cathy Gealy – Absent
Commissioner Stephen Damron – In Person
Commissioner Tyson Garten – In Person

CITY STAFF PRESENT:
Bill Gigray, City Attorney – Via Zoom
Jace Hellman, Planning & Zoning Director – Via Zoom
Doug Hanson, Planner II – In Person
Jessica Reid, Planning Services Specialist – In Person

2. CONSENT AGENDA: ALL OF THE ITEMS LISTED 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 October 12, 2021

2. Findings of Fact & Conclusions of Law
  1. Case No. 21-03-CPF Arbor Ridge Villas

(Timestamp 00:01:40)
Motion To: Approve Consent Agenda.
Motion By: Commissioner Damron
Motion Seconded: Commissioner Garten
Further Discussion: None
Voting No: None
Absent: 2
Motion Passed: 3-0-2, Commissioners Young and Gealy were absent.

(Timestamp 00:01:48)
City Attorney Bill Gigray suggested that as the Chairman was not present, the Commission add to the Motion the Vice Chairman may sign the Consent Agenda items in his stead. Vice Chairman Hennis thanked Mr. Gigray.

(Timestamp 00:02:24)
Motion To: Approve Consent Agenda and permit the Vice Chairman to sign the items due to the Chairman's absence.
Motion By: Commissioner Damron
Motion Seconded: Commissioner Garten
Further Discussion: None
Voting No: None
Absent: 2
Motion Passed: 3-0-2, Commissioners Young and Gealy were absent.

3. PUBLIC HEARINGS: ALL OF THE ITEMS LISTED ARE ACTION ITEMS

(Timestamp 00:02:48)

A. *Tabled from October 12, 2021* Case Nos. 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat) & 20-05-SUP (Special Use Permit) for Merlin Cottages Subdivision – Doug Hanson, Planner II

A Team Land Consultants on behalf of Merlin pointe, LLC, requests planned unit development approval for an approximately 7.04 (6.61 developable) acre site, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts and to subdivide the property into 66 total lots (54 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; (APNs: R5672430020, R5672430040, R5672430060).

(Timestamp 00:03:19)
Planner II Doug Hanson presented an overview of the project and notified the Commission that he had received word from Ada County Highway District (ACHD) that morning in regards to them making updates to their Staff Report as the road layout for this project had been amended per their direction. Mr. Hanson stated he would leave the decision to the Commission on whether to make a recommendation to City Council after the Public Hearing or to table the Case to a date certain pending their review of the amended ACHD Staff Report; he then stood for questions.

(Timestamp 00:05:02)
Commissioner Damron asked if ACHD had provided a timeline of when they anticipated to have the revised Staff Report complete. Mr. Hanson answered they had estimated two (2) weeks at the latest.

(Timestamp 00:05:20)
Vice Chairman Hennis asked Mr. Hanson what the proposed density was for the residential aspect of the project. Mr. Hanson stated the Net Density was 13.27 Dwelling Units Per Acre (DUA); Vice Chairman thanked Mr. Hanson.

(Timestamp 00:06:20)
Commissioner Damron expressed his preference to wait for the revised ACHD report prior to making a recommendation so as to have a complete overview of the project; Commissioner Garten agreed.

(Timestamp 00:06:47)
Vice Chairman Hennis was concerned with the fact the Public Hearing had previously been and stated he would like to receive testimony from those in attendance; Commissioner Damron agreed.

(Timestamp 00:08:20)
Steve Arnold of A Team Land Consultants provided additional information regarding the revised ACHD Staff Report and that he and the Developer agreed with their comments which they had been provided via email. Mr. Arnold expressed he would like to succeed some of his allotted time to the project Builder as there had been previous discussion and submitted testimony from the current residents of Merlin Pointe, regarding issues they had faced in their homes constructed by the same Builder. Mr. Arnold continued by showing a slideshow of the updated Preliminary Plat where the residential lot counts had been reduced and the commercial lots increased; he also commented he had calculated a Net Density of 7.6 DUA based on the revised Preliminary Plat. Mr. Arnold continued, stating there was 27% open space within the project and there were several building themes; the units along the public street, Cottage and Merlin Avenue were rear-loaded residences. He explained the craftsman style of Phase 1 of Merlin Cottages would continue into this Phase & the dwelling would range from 1,500 to 1,800 SF. Mr. Arnold explained the amenities of walking paths, green space and gazebos. He touched on the concern of existing residents that the proposed residences would be rentals, however, that was not the case and would be a for sale product. Additionally, he addressed the decrease in traffic as the project no longer incorporated the original box-store that was under contract in the past, and the proposed project reduced in lot count. An HOA would be put in place and would be responsible for maintaining common areas.

(Timestamp 00:14:15)
Commissioner Damron asked if it would be the same HOA. Mr. Arnold answered there would be two separate HOA's.

(Timestamp 00:14:24)
Mr. Arnold continued addressing the traffic, stating only 15% of the originally projected traffic would be generated by this project. He also addressed the issues they experience with their original landscaper and how they had remedied that issue and were continuing to address the remaining items. In summary, Mr. Arnold agreed with all staff and agency recommendations; reduced their original proposed density; and were providing a mix of housing types. He then stood for questions.

(Timestamp 00:17:00)
Commissioner Damron asked if the builder on the first Phase was the same for this one. Mr. Arnold stated that was correct and made a few comments on the interior finishes.

(Timestamp 00:17:20)
Vice Chairman Hennis questioned if the updated Preliminary Plat was in the packet. Mr. Hennis addressed Mr. Arnolds statement that the project followed Kuna City Code but was requesting

variance in the lot coverage and setbacks. Mr. Arnold explained that it was permitted by the Planned Unit Development (PUD) barring certain other items were done.

(Timestamp 00:18:32)
Mr. Hanson made a point of clarification and pointed out Exhibit 2.58 was the updated 54 lot Preliminary Plat and was title "Updated Preliminary Plat" in the packet. He then explained the overall density of the project was 9.02 but when looking at only the residential portion, the Net Density did total 13.27 DUA; he also explained Applicants are allowed up to a 15% increase in the underlying zoning density with a PUD. The Commission thanked Mr. Hanson.

(Timestamp 00:19:18)
Commissioner Damron asked if the 1,500 to 1,800 sf included the garages. Mr. Arnold said it did not, it was the living space only.

(Timestamp 00:19:42)
There were no other questions from the Commission and Mr. Arnold left the podium. Planning Services Specialist notified the Commission there was one minute and 28 seconds left of the Applicants allotted time for the Builder to use in addressing the Commission.

(Timestamp 00:20:03)
Greg Hathaway of Hathaway Homes (Builder) addressed the Commission and touched on the issues raised in written testimony submitted by residents of Phase 1. He said he did not like individuals to feel like work was inadequate and they stood by their warranty, however, there were additional issues with the grade they could not take care of; specifically, the amount of water applied after individuals had taken residence. Mr. Hathaway explained French drains had been installed to address water runoff issues. He also stated as grass seed had not taken originally, they had provided sod as a replacement in efforts to be fair. He also explained that as the project continued on, landscaping was not provided in the yards, therefore they did not add additional topsoil, it was up to the homeowner and stated that was common practice among development(s) throughout the area. In conclusion, Mr. Hathaway stated they make an effort to address issues reported by homeowners as soon as possible and schedule with homeowners for times that were convenient for them to perform repairs. Mr. Hathaway then stood for questions.

(Timestamp 00:21:59)
Vice Chairman Hennis asked if it was within the contract for homeowners to receive the backyards with additional topsoil or if that was dependent on the Phase. Mr. Hathaway stated it was dependent on the Phase; when it was a part, up to four (4) inches of topsoil was provided and it was graded to maintain the required grade. Vice Chairman thanked Mr. Hathaway and as there were no other questions, Mr. Hathaway left the podium.

(Timestamp 00:22:45)
Vice Chairman Hennis opened the Public Hearing.

<u>Support:</u>
1. Steve Arnold, A Team Land Consultants, 1785 Whisper Cove, Boise, ID, 83709 – Applicant, Testify
2. Greg Hathaway, Hathaway Homes, 6770 Elm Lane, Nampa, ID, 83687 – Builder, Testify
3. Bob Hathaway, Hathaway Homes, 10988 Quail Cove, Nampa, ID, 83687 – Builder, Not Testify

Neutral:

1. David Reinhart, Kuna Joint School District No. 3, 711 E Porter, Kuna, ID, 83634 – Testify
2. Lonna Kowalski, 1110 E Folgado, Kuna, ID, 83634 – Not Testify
3. Kathleen Thomason, 308 N Bay Haven, Kuna, ID, 83634 - Testify

Against:

1. Lon Morgan, 1033 E Seraphina, Kuna, ID, 83634 – Neighborhood Representative, Testify
2. Roger Tofslie, 233 N Sailer Avenue, Kuna, ID, 83634 – Not Testify
3. Joanne Tofslie, 233 N Sailer Avenue, Kuna, ID, 83634 – Not Testify
4. Mia Riegel, 313 N Sailer Avenue, Kuna, ID, 83634 – Not Testify
5. Donna Gerhart, 1144 E Seraphina, Kuna, ID, 83634 – Not Testify
6. Dick Gerhart, 1144 E Seraphina, Kuna, ID, 83634 – Not Testify
7. Shelly Kamps, 2967 N Sailer Avenue, Kuna, ID, 83634 – Not Testify
8. Tami Morgan, 1088 E Seraphina, Kuna, ID, 83634 – Not Testify
9. Roger Tofslie, 233 N Sailer Avenue, Kuna, ID, 83634 – Not Testify
10. Charlotte Busbee, 364 N Bay Haven Avenue, Kuna, ID, 83634 – Not Testify
11. Jim Kowalski, 1110 E Folgado, Kuna, ID, 83634 – Not Testify

(Timestamp 00:23:18)
David Reinhart explained no one project causes adverse effects to the School District (KSD) but all projects combined, that is why KSD was taking a new approach and requesting partnerships with Developers in which they provide land and/or voluntary impact fees. KSD had not yet discussed this with the Developer but would be reaching out.

(Timestamp 00:25:05)
Lon Morgan, speaking as a Neighborhood Representative, thanked the Commission for the opportunity to testify and for the information provided by the Applicant. He listed concerns regarding property values; traffic; home style and class. Mr. Morgan wished the Developer to mirror the existing home product and curb appeal. He expressed serious concerns with the amount of traffic coming around the "Kuna Curve" and how difficult it was to merge into the traffic that already existed; he questioned if turn lanes could be provided. Mr. Morgan discussed how Kuna was a very young City when it came to its residents median age and felt that due to this, the possible buyers attracted to the project would be first-time homebuyers. Mr. Morgan proposed some possible alternatives: mirror the existing home style in the new Phase; and possibly developing a City Park. Mr. Morgan thanked the Commission for their time.

(Timestamp 00:39:40)
Kathleen Thomason expressed her disagreement with her neighbors' opinions and how they had become upset when they were notified of the proposed continued development. Ms. Thomason stated she was made aware of the future development of the surrounding property when she purchased her home. She also expressed her opinion that the proposed homes that would not have yards would actually attract "older folks" as it was less to take care of.

(Timestamp 00:41:18)
In rebuttal, Mr. Arnold was flattered the existing residents cared so much for the neighborhood that they were trying to protect its future; he continued by assuring the existing residents that the next Phases would be even better than the first. He touched on feedback received that less landscaping be provided and instead an HOA maintained common area. Mr. Arnold stated he had

stressed to the realtor that marketed the first part of the project, that buyers were made aware that additional development was coming. Mr. Arnold reiterated that the original traffic study was performed with a big-box store in mind and by creating single-family development instead, it actually reduced the originally projected traffic. He then stood for any additional questions from the Commission.

(Timestamp 00:45:15)
Vice Chairman Hennis addressed public testimony regarding deceleration/turn lanes for the development and asked if there were any plans for that. Mr. Arnold stated that in their original discussions with Ada County Highway District (ACHD) regarding the development of the properties, they had requested a turn lane, however they would not allow it. Vice Chairman Hennis also pointed out that the Idaho Transportation Department (ITD) controlled Meridian Road to about Walgreens, that is why they were differentiating between the two agencies (ACHD & ITD); he explained the public may not know that information. Mr. Arnold took the opportunity to point out that ITD was intending to reduce the speed limit at the Kuna Curve down to 35, and reducing down from there for the following speed zones, to help with deceleration of speed. There were no further questions from the Commission.

(Timestamp 00:47:15)
Vice Chairman Hennis asked the Commission their thoughts on continuing the Public Hearing until the revised ACHD staff report was received. Commissioner Damron said he agreed with waiting as he was concerned with the traffic; since there could not be a deceleration lane, could there be a light. Vice Chairman Hennis stated he was not aware of a light planned at that location and hadn't seen any information from ACHD or ITD.

(Timestamp 00:49:52)
City Attorney Bill Gigray provided comment for consideration by the Commission explaining the hearing could be recessed and reconvened at the following meeting. He also suggested getting comments from not just ACHD but ITD as well; that would clear up which parts of the road are primary and secondary jurisdiction. Vice Chairman Hennis thanked Mr. Gigray and asked Mr. Hanson if comments had been received from ITD; there were none. Vice Chairman Hennis then asked if the information had been sent to ITD and Mr. Hanson confirmed the information had been provided along with the agency transmittal request for comments. Vice Chairman Hennis was surprised ITD did not provide comments and Commissioner Damron was curious if ITD had seen the traffic study like ACHD had. Mr. Hanson explained the Traffic Impact Study (TIS) was performed five (5) years prior when the project as a whole was presented for approvals; Vice Chairman Hennis pointed out that Mr. Arnolds comments on traffic reduction seemed appropriate as the original TIS included the big-box store, however, he still wanted additional information.

(Timestamp 00:54:35)
Mr. Gigray suggested asking the Applicant what negotiations and/or permits they may have received from ACHD or ITD since access permits are required to access the roadways. Mr. Arnold stated the access was fully under ITD and they had in fact submitted their TIS to both ITD and ACHD; ITD reviewed the impacts to their rights-of-way and ACHD reviewed the projected traffic on internal streets. Mr. Arnold guessed that since there was a reduction in traffic with the new proposed Phase, they did not deem it necessary to comment. He also pointed out there was a possible traffic light at Kay and Avalon, and there were plans to change the layout of the

Meridian Road and Kuna Road intersection, so an additional light at N Sailer and Avalon most likely would not be approved.

(Timestamp 00:59:50)
The Commission continued to discuss their desire for additional comments, Vice Chairman Hennis deferred to Mr. Hanson. Mr. Hanson stated there had been a request for comments from ITD on the original plat and the revised plat but none had been provided, however, he asked the Commission if they would like him to request specific comments regarding decelerations lanes or other specifics, before the next meeting. Commissioner Damron then asked if there was a light planned; Mr. Hanson explained a signalized intersection at Kay and Avalon was the City's number one line-item request from ACHD. Commissioner Damron requested Mr. Hanson to follow up with ITD on a possible traffic light.

(Timestamp 01:02:32)
Motion To: Recess Case Nos. 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat) & 20-05-SUP (Special Use Permit) for Merlin Cottages Subdivision until November 9, 2021, pending additional comments from the Idaho Transportation Department.
Motion By: Commissioner Damron
Motion Seconded: Commissioner Garten
Further Discussion: None
Voting No: None
Absent: 2
Motion Passed: 3-0-2, Commissioners Young and Gealy were absent.

(Timestamp 01:04:08)
Motion To: Recess the meeting for few minutes to allow the individuals present for the previous hearing to vacate Chambers if they wished to.
Motion By: Commissioner Damron
Motion Seconded: Commissioner Garten
Further Discussion: None
Voting No: None
Absent: 2
Motion Passed: 3-0-2, Commissioners Young and Gealy were absent.

(Timestamp 01:12:18)
Motion To: Reconvene the meeting.
Motion By: Commissioner Damron
Motion Seconded: Commissioner Garten
Further Discussion: None
Voting No: None
Absent: 2
Motion Passed: 3-0-2, Commissioners Young and Gealy were absent.

(Timestamp 01:12:25)
B. *Tabled from September 28, 2021* Case Nos. 21-04-ZC (Rezone), 21-05-S (Preliminary Plat) & 21-12-DR (Design Review) for Ewing Meadows Subdivision – Doug Hanson, Planner II

Sterling Land Development Inc requests a rezone for approximately 80.715 total acres to from an A (Agriculture) to an R-6 (Medium Density Residential) zone. The applicant also requests

preliminary plat approval in order to subdivide the approx. 80.715 acres into 319 total lots (298 buildable lots, 21 common lots). The site is located in Section 15, Township 2 north, Range 1 West (APN: S1315212403, S13155214551, S1315244600).

(Timestamp 01:12:41)
Planner II Doug Hanson presented an overview of the proposed project. Mr. Hanson notified the Commission it had been requested for the Applicant/Developer enter into a Development Agreement (DA) with the city, for any possible creative sewer solutions they may develop. He then stood for questions.

(Timestamp 01:14:10)
Vice Chairman Hennis asked if a DA had been presented yet; Mr. Hanson answered there was not as of yet. There were no other questions from the Commission.

(Timestamp 01:14:25)
Bonnie Layton thanked the Commission for their time and presented an overview of the proposed project. She informed the Commission of the project location and that Shayla Avenue would provide the connection through the development from Ardell to Hubbard. Ms. Layton explained the subject site had been Annexed into the city in 2006 with a zoning designation of Agriculture and they were requesting Medium Density Residential. She explained their project and others were working together to create a sewer serviceability solution with Public Works, such as a temporary lift station. Mrs. Layton discussed the sites topography and how the project had been designed with that it mind. She stated the project Net Density was 4.9 Dwelling Units Per Acre (DUA) with lots sizes ranging from 50 – 60+ feet wide in order to accommodate various floor plans. Ms. Layton talked about the proposed pathways and open spaces throughout the development, and how they were a great amenity for residents. She addressed the revisions requested in the ACHD Staff Report and stated they agreed with them and would be making those changes. She also explained they had been in contact with Kuna Joint School District No. 3 and were developing that partnership; she then stood for questions.

(Timestamp 01:25:24)
Commissioner Damron referenced Lots 6, 7, 9 and 10 and asked if they would be a green pathway; Ms. Layton confirmed they were. Vice Chairman asked about the proposed housing; Ms. Layton stated there would be a mix of one (1) and two (2) story homes with two (2) to three (3) car garages. Commissioner Damron asked about the average size of the homes; Ms. Layton stated they were anticipated to be a minimum of 1,800 sf and up to possibly 3,200 sf. Vice Chairman Hennis provided positive comments on how the open spaces were spread out through the development, then asked if they were going to be providing amenities like playgrounds. Ms. Layton explained they typically provide play structures, shade structures and various other items as part of all of their developments. Commissioner Damron asked if irrigation would be coming from the proposed pond; Ms. Layton said they would have pressurized irrigation but wished to defer any additional irrigation questions to their Engineer. Ryan Young, NV5 Engineer, addressed the Commission explaining the pond would be used as an irrigation reservoir for the City's irrigation system and irrigation for the subdivision came from the City's regular pressurized irrigation system. He also noted their pressurized irrigation was reviewed and approved by Public Works. As for stormwater drainage, there would be underground drainage built in. The Commission thanked Mr. Young.

(Timestamp 01:30:12)
Vice Chairman Hennis opened the public hearing.

Support:
None

Neutral:
1. David Reinhart, Kuna Joint School District No. 3, 711 E Porter Street, Kuna, ID, 83634 – Testify
2. Tuck Ewing, 1500 N Eldorado, Boise, ID, 83704 - Testify

Against:
1. Neil Durrant, 4000 W Hubbard Road, Kuna, ID, 83634 – Testify

(Timestamp 01:30:28)
David Reinhart of Kuna Joint School District No.3 (KSD), reviewed the projected number of students at buildout which totaled 220; though not all would attend KSD schools, a majority would. The Developer of the project was the first one to pledge voluntary impact/support fees to KSD to accommodate their impact; Crimson Point Elementary would need to add on.

(Timestamp 01:33:06)
Neil Durrant addressed the Commission and informed them the Developer had not reached out regarding the concerns he had raised during the Neighborhood Meeting; nothing on the Plat had been changed. He was concerned the Developer had not considered the impact to the 5-acre lots to the north and they fact they have equipment/trucks entering/exiting their properties. Mr. Durrant was concerned that he would face issues moving his farm equipment up and down Hubbard Road when construction on the sewer line began, especially because some of his equipment reached 20 feet wide and W Hubbard was a dead-end road. Per Mr. Durrant, he had attended the last Kuna Rural Fire District (KRFD) Commission meeting where they had discussed KRFD was responding to less than 75% of calls within the area, and they were relying heavily on the surrounding areas/cities to respond to the rest. He also addressed where it was stated in the Design Review application that there were no trees over four (4) inches; Mr. Durrant disagreed and stated there were actually many, including a large Poplar tree visited by hawks and other birds of prey. He explained he had to go directly to the Ada County Highway District (ACHD) to address his concerns about the N Shayla alignment since the Developer had not; if the alignment of the roadway had not been addressed, that Mid-Mile Collector would have lined up directly with his driveway. Mr. Durrant then referred to ACHD comments that N Ten Mile Road would face traffic issues once the 12th and 35th lot was developed due to lack of right-of-way; he also addressed the need for additional right-of-way from the southeast corner property owner and how that would further affect the N Shayla alignment. (Mr. Durrant's time elapsed and Vice Chairman Hennis requested he finish up). Mr. Durrant stated the site posting was not perpendicular to the roadway but were parallel. He also thanked the Developer for placing larger lots near his house but also requested the homes on those lots be limited to single-story. Mr. Durrant summarized that he was willing to work with the Developer and make compromises, however, the Developer needed to reach out. He then thanked the Commission and vacated the podium.

(Timestamp 01:37:18)
Vice Chairman Hennis invited the Applicant to rebut.

(Timestamp 01:37:48)
Ms. Layton discussed concerns brought up during their Neighborhood Meeting and how they were addressed: The alignment adjustment to N Shayla was requested by ACHD and they would make those revisions. She understood Mr. Durrants concerns and commented that they would communicate with ACHD and any other agencies on performing their construction in a way that would minimize impact. Mrs. Layton then stood for any additional questions.

(Timestamp 01:40:22)
Vice Chairman Hennis referenced the traffic mitigation efforts on N Ten Mile as the list from ACHD was extensive, and asked Ms. Layton if they were in agreeance with them since some of the items may not have a planned fix quite yet. She explained they had reviewed the mitigation requests and spoke with Mindy at ACHD regarding timelines of some of the items and the impacts of additional proposed subdivisions. She further explained that Mindy had said the neighboring subdivisions had been accounted for and the same requests had been made of them, it became a point of who got to that point in their development first; Ms. Layton stated they were coordinating with the other Developers and they would work together on those mitigations.

(Timestamp 01:41:50)
Commissioner Damron asked Ms. Layton if they were agreeable to keeping the homes on the lots next to Mr. Durrants property single-story. She responded Mr. Durrants home was across Hubbard from Mr. Durrant, not directly adjacent, but believed they were fine with that request.

(Timestamp 01:42:40)
Mr. Hanson deferred to City Attorney Bill Gigray for a point of clarification: Mr. Durrant stated the signs posting the property were parallel to the roadway and one sided, however, staff was in receipt of a Proof of Property Posting form with photos; Mr. Hanson further explained that short of staff visiting the site to confirm this, there was no way to prove either way. Would the property need to be reposted and continued? Mr. Gigray stated the most important thing was the property was posted, second was if the signs were two (2) sided and they had proof of that which the Commission could base their decision on. He explained the posting procedure would be controlled primarily by City Ordinance. Mr. Hanson referred to Kuna City Code (KCC) 5-1A-8 which states signs must be double sided and placed perpendicular to the roadway; an Affidavit of Posting (Proof of Posting) stating the signs were posted in accordance with KCC; and the photos were primarily used to confirm the verbiage of the sign. Mr. Gigray stated the Commission could inquire further with the Applicant who submitted the Affidavit, if they had personal knowledge the signs were posted correctly. Ms. Layton approached the podium and explained they contracted Forge Sign Works for the posting of the site and that company posts projects all over the valley, and had been the sign contractor NV5 had been using for a long time. She believed they were in compliance with posting the signs per KCC.

(Timestamp 01:45:55)
Mr. Gigray informed the Commission they could recess the hearing barring additional proof of the sign posting, from the sign company themselves, if they felt it was necessary. The Commission discussed that option amongst themselves, the options they had, and the legality of the posting. Commissioner Damron asked staff how many additional parcels there were further down Hubbard Road, Mr. Hanson stated he was not sure. Vice Chairman Hennis pointed out if there was signage along Ardell Road to the south, there were many more homes due to the Crimson Point Subdivision.

(Timestamp 01:49:11)
An audience member asked if the opportunity for public testimony was closed, Vice Chairman Hennis answered it was not. The Commission continued to discuss the matter amongst themselves. Mr. Gigray explained if the Commission wished to recess the hearing to the next meeting, they could limit the receipt of additional testimony in regards to the signs only, then make a decision. If it was determined at that meeting the posting was not correct, then the site would have to be reposted. The Commission thanked Mr. Gigray.

(Timestamp 01:52:02)
Commissioner Damron commented there was no blatant attempt to obscure the sign and the site was posted, he continued by stating if they wished to receive testimony from the sign company themselves, it could delay the hearing one (1) or two (2) meetings, thus pushing it into December. Commissioner Damron did not feel it was not on purpose and Vice Chairman Hennis commented that Ordinance was Ordinance. Mr. Gigray explained that the matter became on issue of due process if the posting was challenged.

(Timestamp 01:54:18)
Commissioner Damron pointed out the Commission could not prove the sign wasn't moved either. Vice Chairman Hennis requested the audience member who wished to testify to come forward.

(Timestamp 01:54:56)
Tuck Ewing of Yes Development addressed that Mr. Durrant did bring up a good point, then asked if this was a matter that Mr. Durrant wanted to address in court. Mr. Ewing stated he believed the signs were there, he just had not seen them himself. He further stated that if the signs were not posted correctly and did not meet KCC, Mr. Durrants concerns were legitimate and he understood the Commission would have to make the best decision they saw fit; he also felt that delaying the project and it turned out the signs were posted correctly, it was appropriate for some monetary recourse.

(Timestamp 01:56:35)
Commissioner Damron asked Mr. Durrant if the matter was a great enough issue to him to carry the matter to court? Mr. Durrant stated it was not a severe issue, he just wished to address it and referred to the photos provided with the Proof of Property Posting. He explained by looking at how the sign was set against the adjacent cornfield and gated pipe; it was evident they were not perpendicular. Mr. Durrant stated that as long as the Developer was willing to work with him on his concerns, it was not a matter that needed to go to court. Vice Chairman Hennis asked if his driveway was on Hubbard Road, Mr. Durrant confirmed it was. The Vice Chairman then asked Mr. Durrant if the shifting of N Shayla was adequate or still caused issue. Mr. Durrant explained the road would be immediately adjacent to his driveway and that raised safety concerns with him when it came to exiting his driveway.

(Timestamp 01:58:58)
Commissioner Damron asked Mr. Gigray what their recourse options were: legal recourse or a minor infraction where the complainant was not determined to push the matter to court and what the Commission could do. Mr. Gigray explained taking all of the information into account, if it was evidence they could rely on, the Commission could make a decision. Mr. Gigray also pointed out that there was no recourse from the Developer to Mr. Durrant in regards to Mr. Durrants right

to comment on the signs and did not believe the Developer had a right to threaten Mr. Durrant with costs for doing so; he continued by stating that the Developer would of course need to refer to his own attorneys in the matter. Mr. Gigray summarized that if the Commission was confident with the strength of the record, they could make a decision.

(Timestamp 02:02:03)
Commissioner Damron requested Ms. Layton approach the podium and asked that since Mr. Durrant did not see it as a huge issue if they worked with him on his concerns, would they be willing to do so? Ms. Layton stated it was a reasonable request and would work with Mr. Durrant and stressed they wanted to be good neighbors. The Commission thanked Ms. Layton then requested Mr. Durrant approach. Commissioner Damron asked Mr. Durrant if that was acceptable solution, he stated it was.

(Timestamp 02:04:17)
The Vice Chairman closed the hearing and the Commission proceeded into deliberation. Vice Chairman Hennis stated he was satisfied they had reached a solution and requested a Condition be added referring to it; he further commented the sewer improvements were a positive. The Chairman believed there was a solution to be had and Commissioner Damron agreed. Commissioner Garten commented he was appreciative the Developer was willing to work with KSD.

(Timestamp 02:06:04)
Motion To: Recommend Approval to City Council of Case Nos. 21-04-ZC (Rezone) & 21-05-S (Preliminary Plat) for Ewing Meadows Subdivision with the Conditions as outlined in the Staff Report, and the additional Conditions the Developer enter into a Development Agreement regarding sewer solutions and the Developer work with Mr. Durrant on his safety concerns.
Motion By: Commissioner Damron
Motion Seconded: Commissioner Garten
Further Discussion: None
Voting No: None
Absent: 2
Motion Passed: 3-0-2, Commissioners Young and Gealy were absent.

Motion To: Approve Case No. 21-12-DR (Design Review) for Ewing Meadows Subdivision with the Conditions as outlined in the Staff Report.
Motion By: Commissioner Damron
Motion Seconded: Commissioner Garten
Further Discussion: None
Voting No: None
Absent: 2
Motion Passed: 3-0-2, Commissioners Young and Gealy were absent.

(Timestamp 02:08:44)
C. *Tabled From September 28, 2021* Case Nos. 21-04-S (Preliminary Plat) & 21-14-DR (Design Review) Falcon Crest Golf Villages – Troy Behunin, Planner III

Wendy Shrief of JUB Engineers, on behalf of M3 ID Valor Golf Villages, LLC requests approval to subdivide approximately 86.90 acres into 291 residential lots, 18 common driveway lots and 43 common lots. The subject site was annexed into Kuna City on February 5, 2019 (18-03-AN & 18-

02-PUD). The site is currently zoned R-6 (Medium Density Residential) and R-12 (High Density Residential). The subject site is located near the northeast corner of Cloverdale and Kuna Road, within Section 22, Township 2 North, Range 1 East; (APN: S1422110300).

(Timestamp 02:09:00)
Planner II Doug Hanson stated staff requested the item be tabled to a date certain of November 9, 2021.

(Timestamp 02:09:36)
Motion To: Table Case Nos. 21-04-S (Preliminary Plat) & 21-14-DR (Design Review) Falcon Crest Golf Villages be tabled to a date certain of November 9, 2021.
Motion By: Commissioner Damron
Motion Seconded: Commissioner Garten
Further Discussion: None
Voting No: None
Absent: 2
Motion Passed: 3-0-2, Commissioners Young and Gealy were absent.

4. BUSINESS ITEMS:

(Timestamp 02:09:50)
The Vice Chairman asked staff if there were any items to address; there were not.

5. ADJOURNMENT:

(Timestamp 02:10:06)
Motion To: Adjourn.
Motion By: Commissioner Damron
Motion Seconded: Commissioner Garten
Further Discussion: None
Voting No: None
Absent: 2
Motion Passed: 3-0-2, Commissioners Young and Gealy were absent.

_____

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

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

CITY OF KUNA

751 W. 4th Street • Kuna, Idaho • 83634 • Phone (208) 922-5274
Fax: (208) 922-5989 • www.Kunacity.Id.gov

SIGN-UP SHEET

October 26, 2021 – Planning and Zoning Commission Public Hearing

Case Name: Merlin Cottages Subdivision

Case No: 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Subdivision), 20-05-SUP (Special Use Permit) and 20-22-DR (Design Review)

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Commission or City Council.

IN FAVOR	NEUTRAL	IN OPPOSITION
☑ Testify ☐ Not Testify Steve Arnold Print Name 1785 Whisper Cove Print Address Boise Id 83709 City State, Zip	☐ Testify ☐ Not Testify DAVID REINHART Print Name 791 E PORTER Print Address KUNA ID 83634 City State, Zip	☒ Testify ☐ Not Testify Lon Morgan Print Name 1033 E Seraphina Print Address Kuna ID 83634 City State, Zip
☐ Testify ☐ Not Testify Lon Morgan Print Name Print Address City State, Zip	☐ Testify ☐ Not Testify Print Name Print Address City State, Zip	☐ Testify ☑ Not Testify Roger + Joanne Tofslie Print Name 233 N. Sailer Ave Print Address Kuna City State, Zip
☒ Testify ☐ Not Testify Greg Hathaway Print Name Print Address 6770 Elmlawn Nampa City ID 83687 State, Zip	☐ Testify ☐ Not Testify Print Name Print Address City State, Zip	☐ Testify ☑ Not Testify Mia Riegel Print Name 313 N. Sailer Av Print Address Kuna 83634 City State, Zip
☐ Testify ☒ Not Testify Bob Hathaway Print Name 10988 Quail Cove Print Address Nampa ID 83687 City State, Zip	☐ Testify ☐ Not Testify Print Name Print Address City State, Zip	☑ Testify ☑ Not Testify Donna + Dick Gerhart Print Name 1144 E. Seraphina Print Address Kuna ID 83634 City State, Zip

IN FAVOR	NEUTRAL	IN OPPOSITION
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☒ Not Testify
		Shelley Kamps
Print Name	Print Name	Print Name
		297 N Sailer Ave
Print Address	Print Address	Print Address
		Kuna ID 83634
City State, Zip	City State, Zip	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☒ Not Testify
		Tami Morgan
Print Name	Print Name	Print Name
		1088 E Sera Sheka St
Print Address	Print Address	Print Address
		Kuna Idaho 83634
City State, Zip	City State, Zip	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☒ Not Testify
		ROGER A IVERSEN
Print Name	Print Name	Print Name
		233 N SAILER AVE
Print Address	Print Address	Print Address
		KUNA ID 83634
City State, Zip	City State, Zip	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☒ Not Testify
		Charlotte Busbee
Print Name	Print Name	Print Name
		364 N Bay Haven Ave
Print Address	Print Address	Print Address
		Kuna ID 83634
City State, Zip	City State, Zip	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☒ Not Testify	☐ Testify ☒ Not Testify
	Lonna Kowalski	Jim KOWALSKI
Print Name	Print Name	Print Name
	1110 E Folgado	1110 E FOLGADO ST
Print Address	Print Address	Print Address
	KUNA 83634	KUNA 83634
City State, Zip	City State, Zip	City State, Zip

IN FAVOR	NEUTRAL	IN OPPOSITION
☐ Testify ☐ Not Testify	☒ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Kathleen Thomason	Print Name
Print Address	308 N Bay Haven	Print Address
City State, Zip	Kuna ID 83634	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
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Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip

CITY OF KUNA

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SIGN-UP SHEET

October 26, 2021 – Planning and Zoning Commission Public Hearing

Case Name: Ewing Meadows Subdivision

Case No: 21-04-ZC (Rezone), 21-05-S (Subdivision) and 21-12-DR (Design Review)

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Commission or City Council.

IN FAVOR	NEUTRAL	IN OPPOSITION
☐ Testify ☐ Not Testify	☒ Testify ☐ Not Testify	☒ Testify ☐ Not Testify
Print Name	DAVID REINHART	Neil Durrant
Print Address	711 E PORTER	4000 W. Hubbard Rd.
City State, Zip	KUNA ID 83634	Kuna ID 83634
☐ Testify ☐ Not Testify	☒ Testify ☒ Not Testify	☐ Testify ☐ Not Testify
Print Name	Luck Ewing	Print Name
Print Address	1300 N. Eldorado	Print Address
City State, Zip	Boise ID 83704	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip

received
10-25-21

(For Oct 26, 1021 Kuna P&Z Meeting)*

RE: 2015 CITY OF KUNA COMPREHENSIVE PLAN

PAGE 27
"Age
According to the 2010 Census, Kuna has the lowest median age (28.1 years) in Ada County – well below Ada County's median age (34.8 years), and nearly 10 years lower than the median age nation-wide (37.2 years."

MEDIAN AGE COMPARISONS			
	MEDIAN AGE		
	2000	2010	2021
Boise	32.8	35.3	36.1
Eagle	35.2	40.6	47.1
Garden City	35.4	43.2	48.7
Kuna	**26.1**	**28.1**	29.1
Meridian	30.1	32.5	36.2
Star	28.4	32.3	36.4
Ada County	32.8	34.8	
State of Idaho	33.2	34.6	
Country	35.3	37.2	
Source: COMPASS			

*https://worldpopulationreview.com/us-cities/kuna-id-population

"Trends in age significantly impact a community's planning needs. ….. The 30 to 49 year-old age group tends to be viewed as the new generation of community leaders and business owners. ….

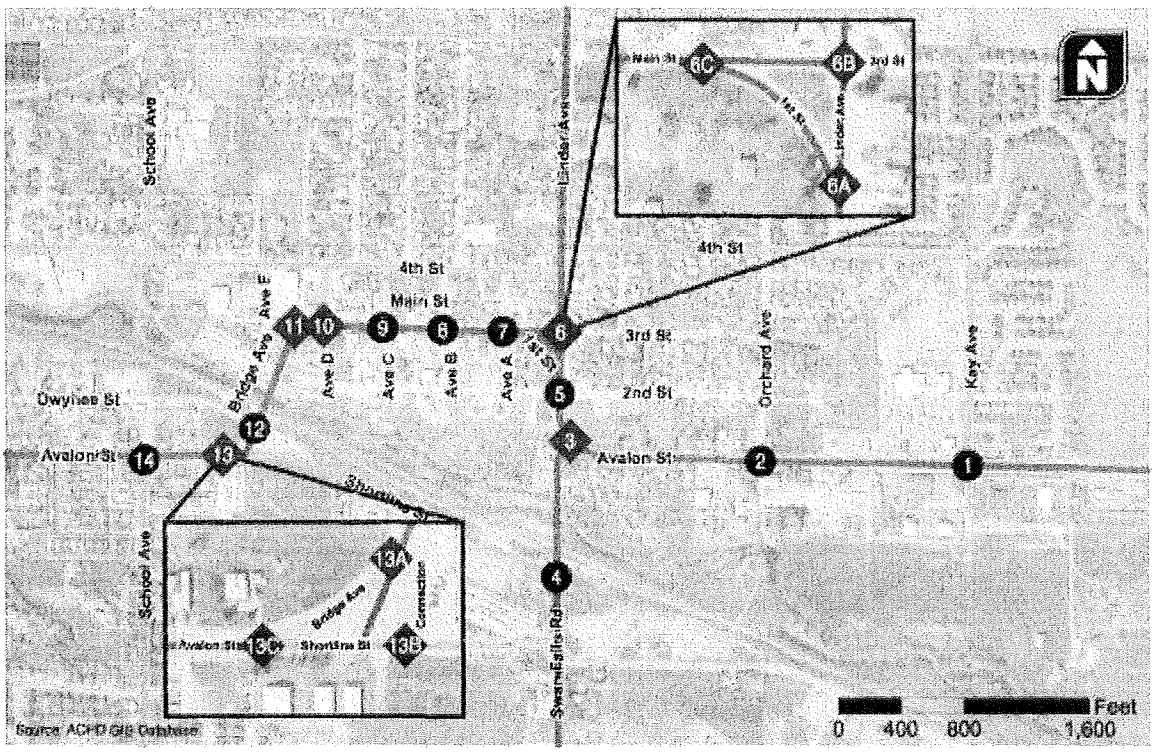
Within this population range, those 30 to 34 year-olds are typically first-time home buyers, while 35 to 39 year-olds are typically included in the move-up home buyer market. "

Exhibit
2.63

"Commute to Work"
"The average commute time for those living in Kuna is 24.5 minutes. The Kuna commute time is above the average of Ada County and Idaho. Although Kuna's job opportunities are increasing, most residents travel outside Kuna to work since the majority of the employment opportunities are located in Boise.

"The longer commute time, complemented with rising transportation costs, could have an impact on the rate of future housing growth in Kuna, and emphasizes the importance of creating more jobs within the City for trip capture purposes."

AVERAGE COMMUTE TIME TO WORK*	
Boise	17.5
Eagle	21.7
Garden City	17.8
Kuna	**24.5**
Meridian	21.8
Star	26.2
Ada County	19.4
State of Idaho	20.0
Country	25.4
**Commute time in minutes*	
Source: COMPASS	


School Ave
Linder Ave
4th St
Main St
Ave E
Ave D
Ave C
Ave B
Ave A
3rd St
2nd St
Orchard Ave
Kay Ave
Owyhee St
Bridge Ave
Avalon St
Shoreline St
Sharks Eats Rd
6C
6B
6A
13A
13C
13B
Connector
0 400 800 1,600
Feet

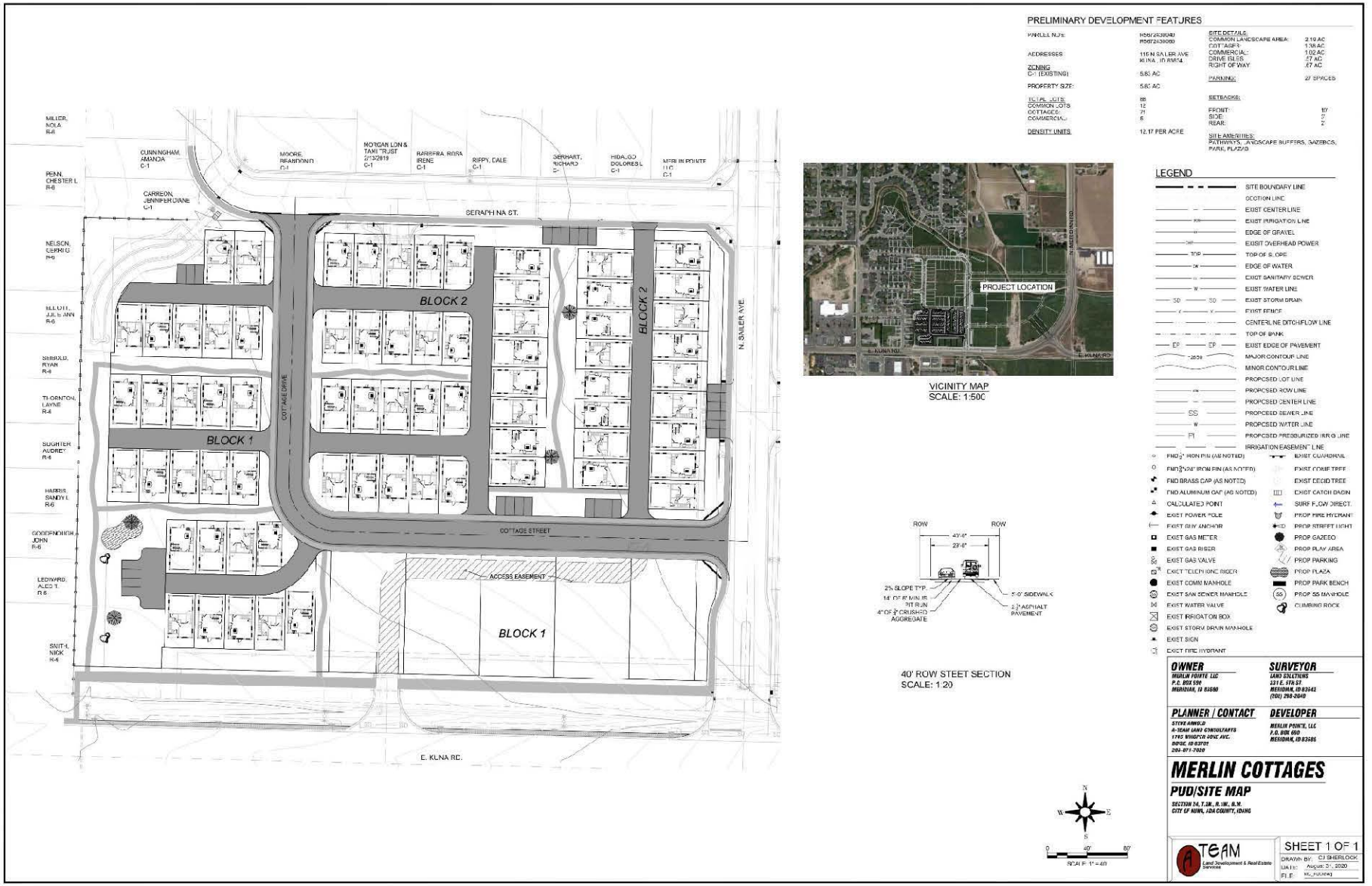
Kuna Planning and Zoning
Merlin Cottages Subdivision

SITE CHARACTERISTICS

1. **Building Lots: we went from 71 lots to 54 lots.**
2. **Density: 10 lots/acre to 7.6 lots/acre.**
3. **Increased the retail lots along Avalon from 5 to 6.**
4. **There is 27-percent open space.**
5. **The subject site offers a variety of housing types.**
6. **Roadways: we have coordinated the design with ACHD the City and Fire**
7. **The private road meets City and Fire standard.**
8. **Amenities include detached walking paths, gazebos and plaza/sitting areas**
9. **The Housing will be 1,500-1,800 SF, Single Family a for sell product.**
10. **Architecture will be similar to phase one, craftsman style but detached.**
11. **Traffic will decrease with the change in use (box store to single family)**
12. **Each building platted on its own lot**
13. **There will be a separate set of CC&R's and HOA for this section**
14. **The Builder is planned to be Hathaway Homes, who built phase one Towns and provides a quality product.**
15. **There is a lot of opposition from the owners which we sold to north of this site. All of them were given notice of this upcoming development. We will be consistent with the quality north of this site.**

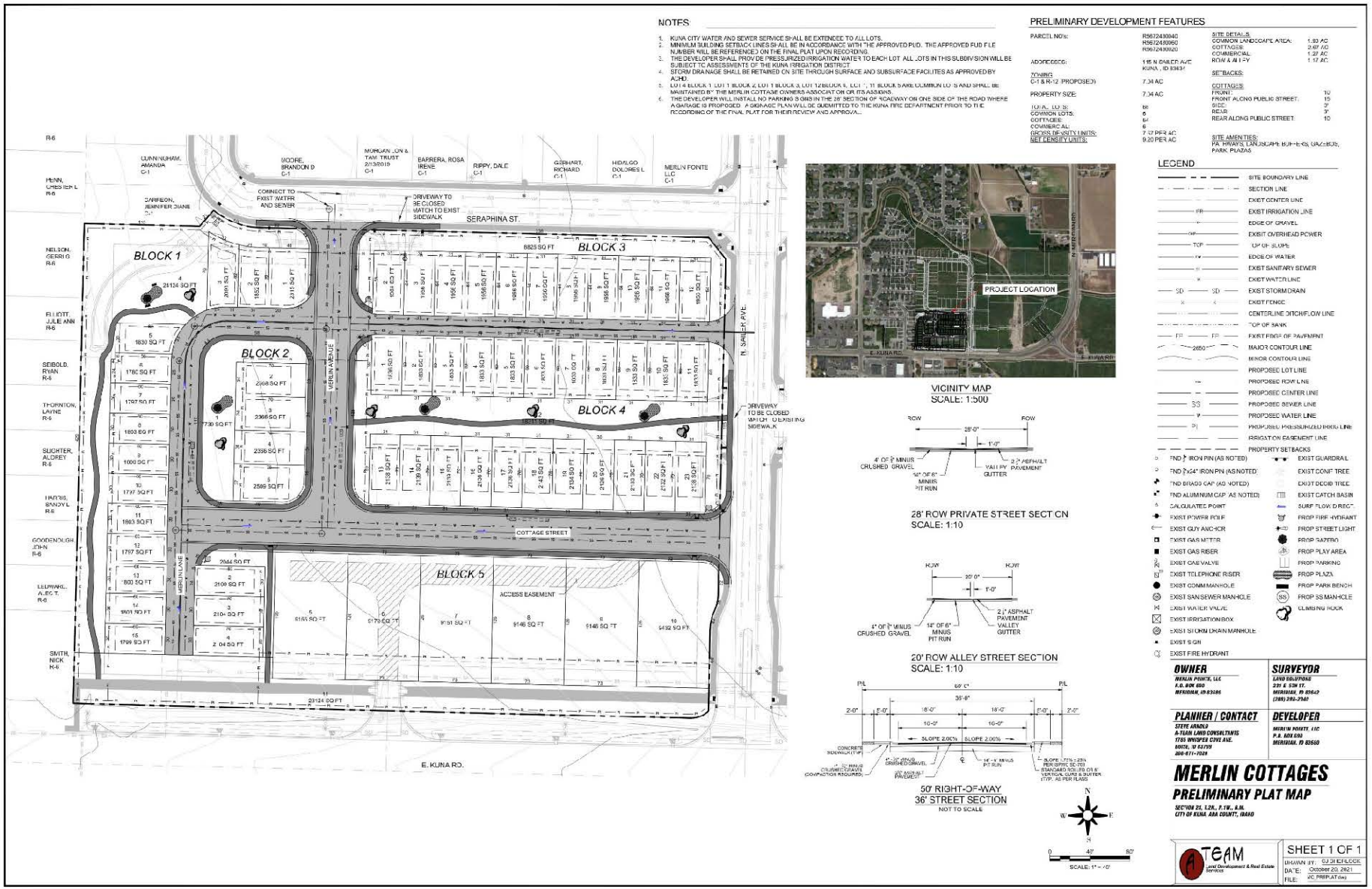
A TEAM Land Consultants

Original Submittal

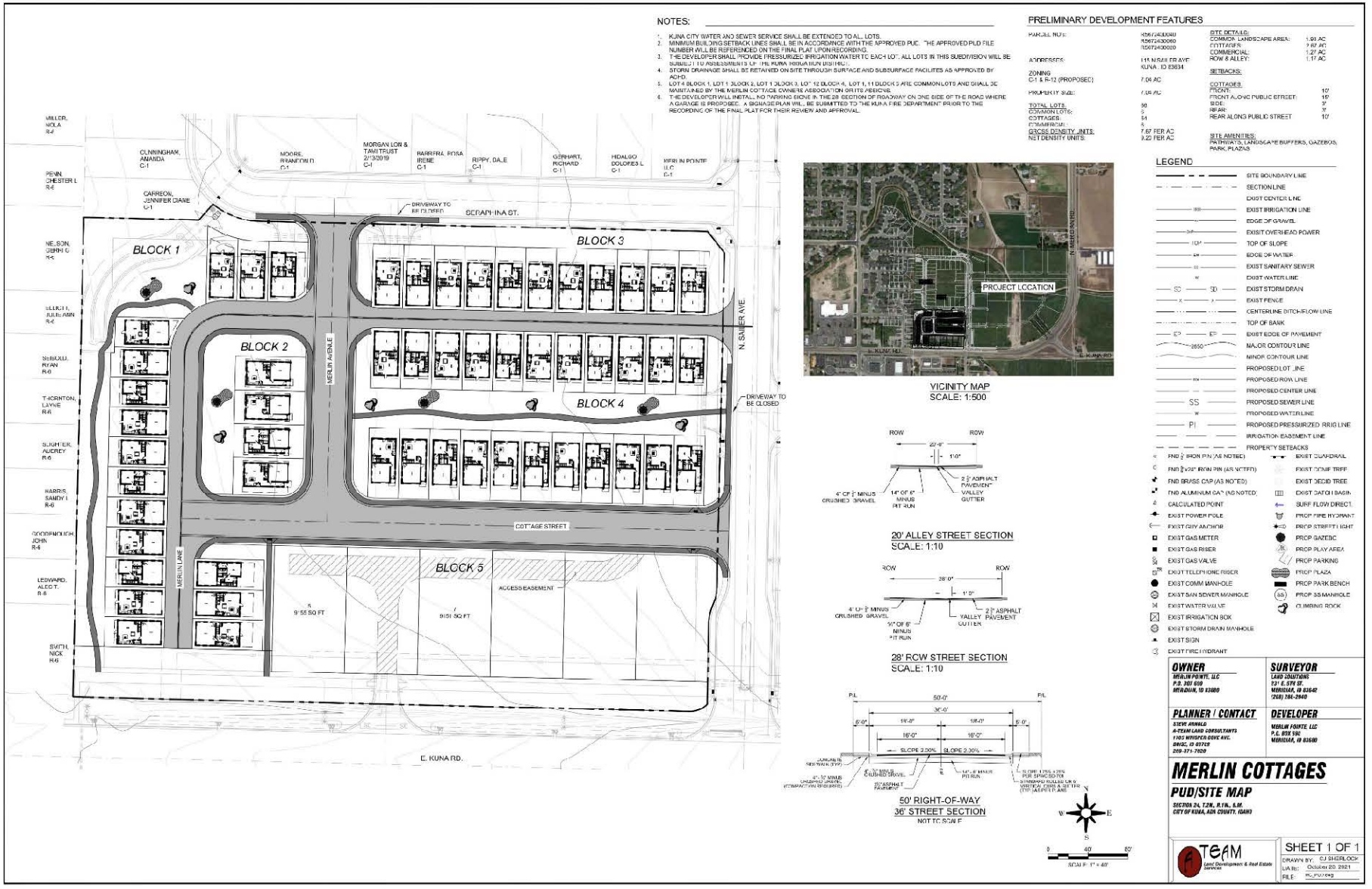


CURRENT LAYOUT

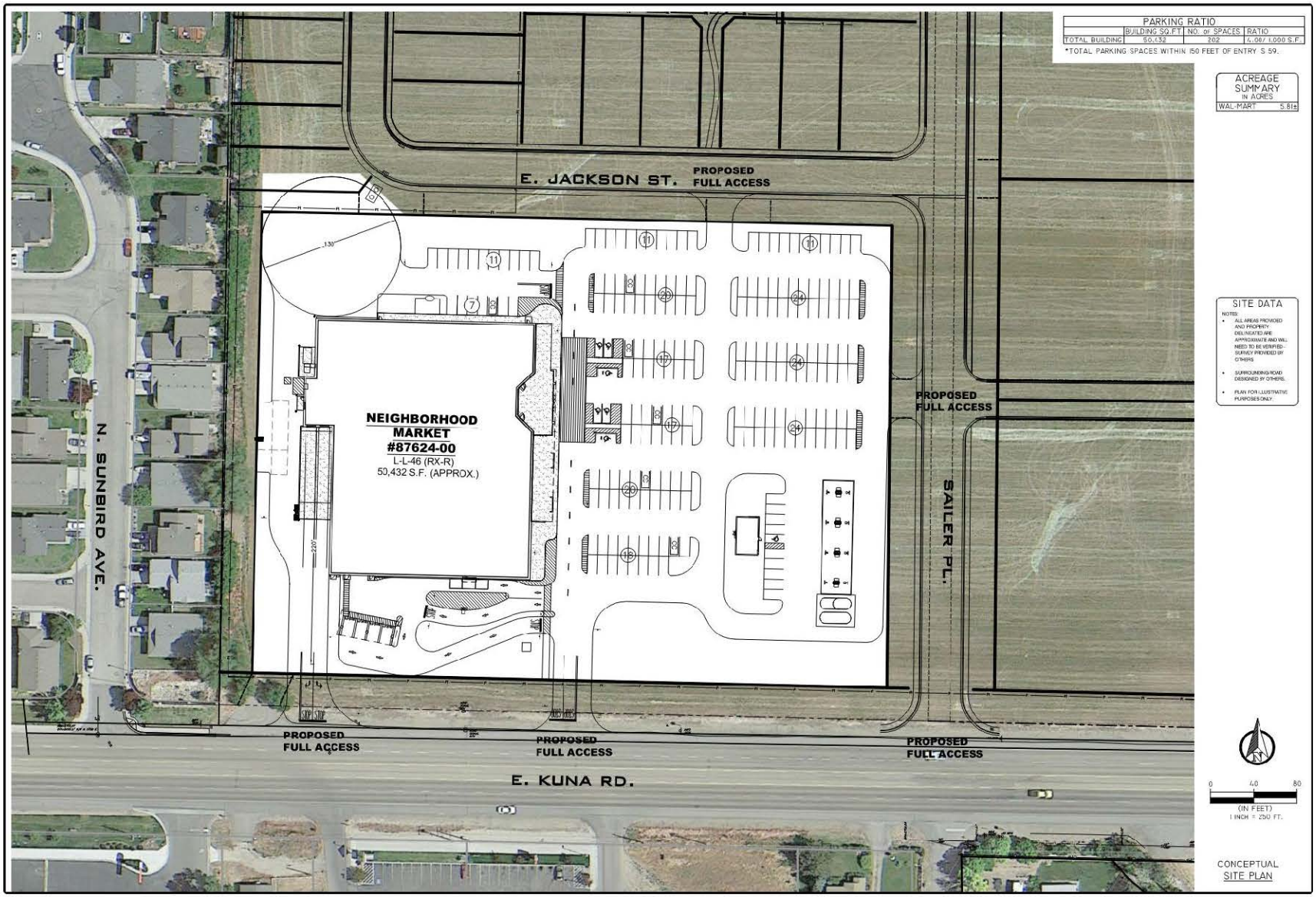
Preliminary Plat Map



PUD Map


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 MORIA IRRIGATION DISTRICT.
4. STORM DRAINAGE SHALL BE RETAINED ON SITE THROUGH SURFACE AND SUBSURFACE FACILITIES AS APPROVED BY ACHD.
5. LOT 4 BLOCK 1, LOT 1 BLOCK 2, LOT 1 BLOCK 3, LOT 12 BLOCK 4, LOT 1, 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 SR 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 NOS:
R5672400040
R5672400060
R5672400020
ADDRESSES:
115 N MUELLER AVE
KUNA, ID 83634
ZONING
C-1 & R-12 (PROPOSED)
PROPERTY SIZE:
7.04 AC
7.08 AC
TOTAL LOTS:
COMMON LOTS:
COTTAGES:
COMMERCIAL:
ROW:
56
3
54
1
GROSS DENSITY UNITS:
7.67 PER AC
NET DENSITY UNITS:
9.22 PER AC
SITE DETAILS:
COMMON LANDSCAPE AREA: 1.93 AC
COTTAGES: 2.67 AC
COMMERCIAL: 1.27 AC
ROW & ALLEY: 1.17 AC
SETBACKS:
COTTAGES
FRONT: 10'
FRONT ALONG PUBLIC STREET: 15'
SIDE: 3'
REAR: 3'
REAR ALONG PUBLIC STREET 10'
SITE AMENITIES:
PATHWAYS, LANDSCAPE BUFFERS, GAZEBOS, PARK, PLAZAS
MILLER, NOLA R-6
CUNNINGHAM, AMANDA C-1
MOORE, BRANDON D C-1
MORGAN LON & TAMI TRUST 2/13/2019 C-1
RAMIREZ, ROSA IRENE C-1
RIPPY, DALE C-1
GERHART, RICHARD C-1
HIDALGO DOLORES L C-1
CARREON, JENNIFER DIANE C-1
DRIVEWAY TO BE CLOSED
SCRAPHINA ST.
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
MERLIN AVENUE
N. SAUER AVE
COTTAGE STREET
MERLIN LANE
ACCESS EASEMENT
9155 SQ FT
9155 SQ FT
E. KUNA RD.
PROJECT LOCATION
N. MUELLER RD
VICINITY MAP
SCALE: 1:500
20' ALLEY STREET SECTION
SCALE: 1:10
28' ROW STREET SECTION
SCALE: 1:10
50' RIGHT-OF-WAY
36' STREET SECTION
NOT TO SCALE
SCALE: 1" = 40'
LEGEND
SITE BOUNDARY LINE
SECTION LINE
EXIST CENTER LINE
EXIST IRRIGATION LINE
EDGE OF GRAVEL
EXISIT OVERHEAD POWER
TOP OF SLOPE
EDGE OF WATER
EXIST SANITARY SEWER
EXIST WATER LINE
EXIST STORM DRAIN
EXIST FENCE
CENTERLINE DITCH/FLOW LINE
TOP OF BANK
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
PROPERTY SETBACKS
FND ½" IRON PIN (AS NOTED)
FND ½"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
EXIST GUARDRAIL
EXIST CONIF TREE
EXIST DECID TREE
EXIST CATCH BASIN
SURF FLOW DIRECT.
PROP FIRE HYDRANT
PROP STREET LIGHT
PROP GAZEBO
PROP PLAY AREA
PROP PARKING
PROP PLAZA
PROP PARK BENCH
PROP SS MANHOLE
CLIMBING ROCK
OWNER
MERLIN POINTE, LLC
P.O. BOX 610
MERIDIAN, ID 83680
SURVEYOR
LAND SOLUTIONS
421 E. 5TH ST.
MERIDIAN, ID 83642
(208) 761-2940
PLANNER / CONTACT
STEVE ARNOLD
A-TEAM LAND CONSULTANTS
1105 WHISPER COVE AVE.
BOISE, ID 83725
208-371-7020
DEVELOPER
MERLIN POINTE LLC
P.O. BOX 610
MERIDIAN, ID 83680
MERLIN COTTAGES
PUD/SITE MAP
SECTION 24, T.2N., R.1W., B.M.
CITY OF KUNA, ADA COUNTY, IDAHO
A-TEAM Land Development & Real Estate Services
SHEET 1 OF 1
DRAWN BY: CJ SHERLOCK
DATE: October 20, 2021
FILE: PUD.dwg

Original Design



West View from Sailer

West VIEW from Merlin Ave

PARK VIEW

Proposed Building

1 3D View 1

WHITE CLOUD CAD
301 N. 21TH ST., BOISE, ID
530 VALLEY CREEK RD., STANLEY, ID

(208) 917-7769 BOISE OFFICE
(208) 774-8343 STANLEY OFFICE
(208) 412-8343 CELL

CJ SHERLOCK
WHITECLOUDCAD@GMAIL.COM

ALLEY LOAD OR SIDE ENTRY COTTAGE

NO.	DESCRIPTION	DATE

COVER SHEET

Project number	
Date	10/15/2021 3:26:19 PM
Drawn by	CJ SHERLOCK
Checked by	

A-100

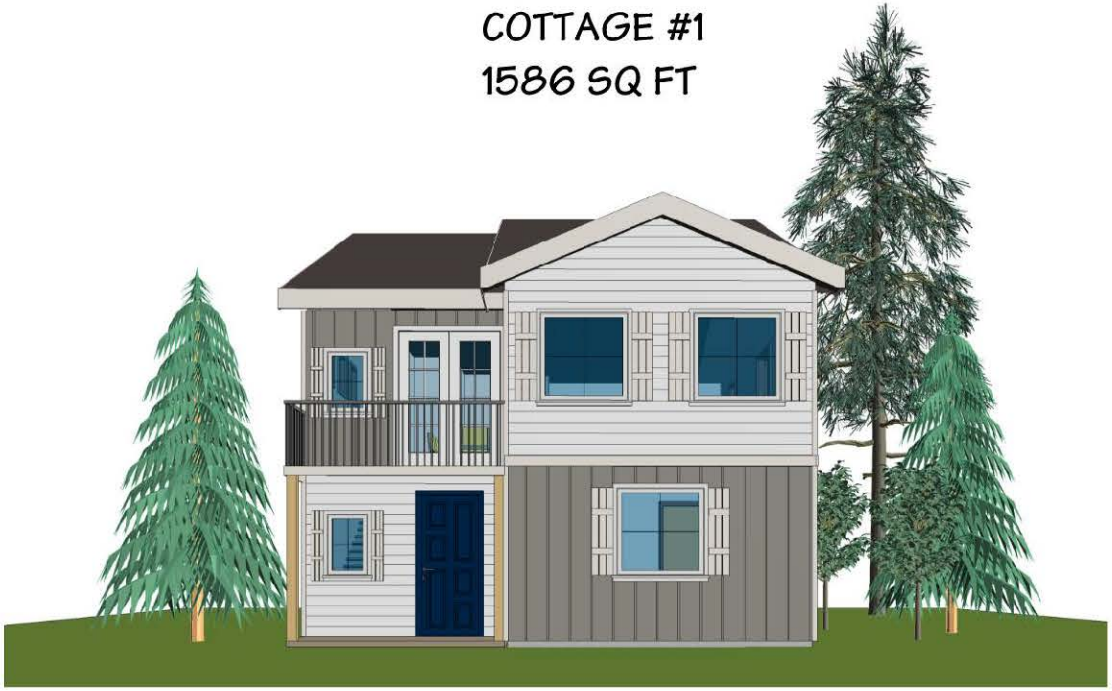
Scale

C:\CLIENTS\ATEAM\450 ARCHITECTURAL COTTAGES\COTTAGE 4.RVT

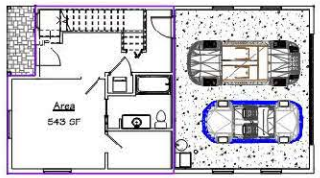
Proposed Building

MERLIN COTTAGES

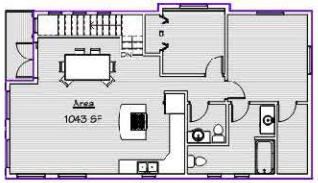
COTTAGE #1
1586 SQ FT



1 3D View 1



2 TOF
1/8" = 1' 0"



3 TOW FIRST FLOOR
1/8" = 1' 0"

WHITE CLOUD STUDIOS
301 N. 27TH ST., BOISE, ID
590 VALLEY CREEK RD., STANLEY, ID

(208) 917-7763 Boise Office
(208) 774-8343 Stanley Office
(208) 412-8343 Cell

CJ SHERLOCK
whitecloudcadd@gmail.com

MERLIN COTTAGES
115 N. Sailor Ave
Kuna, ID 83634

No.	Description	Date

A TEAM Land Development & Real Estate Services

COVER SHEET

Project number	WCC COTTAGE 1_2020
Date	8/21/2020 1:59:13 PM
Drawn by	CJ SHERLOCK
Checked by	S ARNOLD
Scale	1/8" = 1'-0"

A-100

G:\CLIENTS\STEVE ARNOLD\DOCS ARCHITECTURAL\COTTAGES\COTTAGE 1.rvt

In conclusion

- The project conforms with City Code, the COMP Plan, and we have made all the staff and agency recommended changes
- We have taken in the neighborhood concerns about density and have greatly reduced it.
- Open space greatly exceeds requirements.
- Developer is committed to providing a quality neighborhood that people are proud to call home, as seen by the townhomes.
- We are providing a mix of housing types that is in a huge demand and is consistent with Comprehensive Planning policies.
- The site is in-fill and currently utilizing City services.
- We ask for your approval of the project.

A TEAM Land Consultants

THANK YOU

Further Discussion

- 1.
- 2.
- 3.
- 4.

Neighborhood Comments

- 1.
- 2.
- 3.
- 4.
- 5.

BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATION OF **YES DEVELOPMENT, LLC** For Rezone, Preliminary Plat and Design Review for the *Ewing Meadows Subdivision*.	)	**Case Nos. 21-04-ZC (Rezone) 21-05-S (Preliminary Plat) 21-12-DR (Design Review)** **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER OF RECOMMENDED APPROVAL OF REZONE AND PRELIMINARY PLAT APPLICATIONS, AND APPROVAL OF DESIGN REVIEW APPLICATION.**

THESE MATTERS came before the Planning and Zoning Commission for Public Hearing on October 26, 2021, for receipt and consideration by the Planning and Zoning Commission of these recommended Findings of Fact, Conclusions of Law and Order of Decision for the above referenced applications. The Planning and Zoning Commission does now hereby make and set forth the Record of Proceedings, and these recommended Findings of Fact, Conclusions of Law, and Order of Decision.

I
RECORD OF PROCEEDINGS

The record of proceedings of the above-referenced matter consists of the follow, to-wit:

1.1 Exhibits:

	DESCRIPTION OF EVIDENCE	*Withdrawn*	*Refused*	*Admitted*
1.1	Staff Report			X
2.1	Planning and Zoning Application Coversheet			X
2.2	Rezone Application			X
2.3	Preliminary Plat Application			X
2.15	Design Review Application			X

2.4	Narrative			X
2.5	Vicinity Map			X
2.6	Legal Description			X
2.27	Legal Description Updated			X
2.28	Legal Description Parcel S1315212403			X
2.29	Legal Description Parcel S1315214551			X
2.30	Legal Description Parcel S1315244600			X
2.7	Warranty Deed			X
2.8	Affidavit of Legal Interest			X
2.9	Neighborhood Meeting Certification			X
2.10	Subdivision Name Reservation			X
2.11	Preliminary Plat			X
2.32	Updated Preliminary Plat			X
2.12	Landscape Plan			X
2.36	Updated Landscape Plan			X
2.13	Lot Maintenance Agreement			X
2.14	Commitment to Property Posting			X
2.16	TIS Executive Summary			X
2.17	Agency Transmittal			X
2.18	Ada County Development Services			X
2.19	Central District Health Department			X
2.20	Boise Project Board of Control			X
2.21	Department of Environmental Quality			X
2.22	Nampa Meridian Irrigation District			X
2.23	COMPASS			X
2.24	City Engineer			X
2.31	City Engineer Updated Comments			X
2.37	Ada County Highway District			X
2.25	Planning and Zoning Commission Kuna Melba News			X
2.26	Planning and Zoning Commission Mailer			X
2.33	Kuna Melba News Planning and Zoning Commission Re-notice			X
2.34	Planning and Zoning Commission Mailer Re-notice			X
2.35	Planning and Zoning Commission Website Notice			X
2.36	Planning and Zoning Commission Proof of Property Posting			X
2.38	City Engineer Memo 10.26.2021			X

1.2 Hearings

1.2.1 Planning and Zoning Commission heard this on October 26, 2021. The FCO's have been requested to go to the Planning and Zoning Commission on November 9, 2021.

1.3 Witness Testimony

1.3.1 Those who testified at the Commission's October 26, 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:
Bonnie Layton

1.3.1.3 Appearing in Favor:
None.

1.3.1.4 Appearing Neutral:
David Reinhart, 711 E Porter, Kuna, ID 83634 - Testified
Tuck Ewing, 1500 N Eldorado, Boise, ID 83704 – Testified

1.3.1.5 Appearing Against:
Neil Durrant, 4000 W Hubbard 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 RECCOMENDED 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 the City Code and Idaho Statutes.

3.1.2 Notice Provided

3.1.2.1 Notice was published for the October 26, 2021 hearing on the Rezone and Preliminary Plat for Ewing Meadows Subdivision in the *Kuna Melba News*, the official City of Kuna newspaper, which has general circulation within the boundaries of the City, Ada County and Canyon County.

Newspaper	***Date Published***
Kuna Melba Newspaper	October 6, 2021

3.1.2.2 Notice for the October 26, 2021 hearing containing the description of the property proposed to be developed, was mailed on October 6, 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 October 26, 2021 hearing was posted on a sign in accordance with Kuna City Code 5-1A-8 on October 15, 2021. A Proof of Property Posting was provided to staff on October 15, 2021.

3.2 Findings Regarding Rezone

3.2.1 The land for proposed Rezone is comprised of three parcels totaling approximately 80.75 acres. The parcels include the following:

Property Owner	Parcel Size:	Current Zone	Parcel Number
YES Development, LLC	77.738 acres	A – Agriculture	S1315212403
YES Development, LLC	0.211 acres	A – Agriculture	S1315244600
YES Development, LLC	0.031 acres	A – Agriculture	S1315214551

3.2.2 The landowner of the parcel at issue did not oppose rezoning.

3.2.3 The parcels are in Kuna City Limits and have a zoning district classification of Agriculture. The Comprehensive Plan Future Land Use Map (FLUM) identifies the subject properties as Medium Density Residential.

3.2.4 The existing land uses and zoning district classifications for lands surrounding the subject parcels are as follows:

North	RR R-4	Rural Residential – Ada County Medium Density Residential – Kuna City
South	RR R-4	Rural Residential – Ada County Medium Density Residential – Kuna City
East	RR R-6	Rural Residential – Ada County Medium Density Residential – Kuna City
West	R-4	Medium Density Residential – Kuna City

3.3 Findings Regarding Preliminary Plat Application

3.3.1 All technical requirements listed in KCC 6-2-3 were provided on the Preliminary Plat.

3.3.2 The proposal is for a single Subdivision that would include 315 lots (294 residential lots, and 21 common lots).

3.3.3 The applicant requested the R-6 (Medium Density Residential) zoning district.

3.3.4 Per the Ada County Highway District (ACHD) report and the submitted Traffic Impact Study (TIS), the current roadway segments of Ten Mile Road between Ardell and Hubbard

Road and Ten Mile Road between Hubbard Road and Columbia Road will not meet minimum operational thresholds at the buildout of this development in their current configuration. Additionally, the intersections of Ten Mile Road and Columbia Road, Hubbard Road and Ten Mile Road, and Hubbard Road and Linder Road will not meet minimum operational thresholds with the buildout of this development in their current configuration. However, ACHD has listed mitigation improvements to be completed by certain lot counts throughout the development process. Once the mitigation improvements are completed, per the submitted TIS the surrounding roadways and intersections will be back to within an acceptable operational threshold. Staff will require the applicant to work with ACHD and the City to complete all required mitigation improvements to the surrounding roadways and intersections as detailed in the ACHD staff report.

3.3.5 Hubbard Road runs the northern frontage of the proposed subject site. Hubbard Road is listed as a minor arterial on the City of Kuna Master Street Map (MSM), and is currently improved with two (2) travel lanes, 24 feet of pavement and no curb, gutter or sidewalk abutting the site within 50 feet of right-of-way (ROW). The applicant will be required to construct Hubbard Road as half of a 46-foot street section with gravel shoulder and borrow ditch, eight (8) foot wide detached sidewalk and 20 to 30-foot landscape buffer in accordance with ACHD policy and Kuna City Code (KCC) standards. There are two (2) existing driveways on Hubbard Road, the applicant will be required to close the two existing driveways in accordance with ACHD Policy and KCC standards.

3.3.6 Ardell Road runs the southern frontage of the proposed subject site. Ardell Road is listed as a mid-mile collector on the MSM, and is currently improved with two (2) travel lanes, 24 feet of pavement and no curb, gutter or sidewalk abutting the site within 50 feet of right-of-way (ROW). The applicant will be required to construct Ardell Road as half of a 36-foot street section with vertical curb, gutter, four (4) to eight (8) foot wide irrigated planter strip, eight (8) foot wide detached sidewalk and 20-foot landscape buffer in accordance with ACHD policy and KCC standards.

3.3.7 The applicant proposes to construct an entirely new section of Shayla Avenue along the property's eastern frontage. Shayla Avenue is listed as a north south mid mile collector on the MSM. The applicant will be required to construct Shayla Avenue as half of a 36-foot street section with 12 additional feet of pavement widening, vertical curb, gutter, four (4) to eight (8) foot wide irrigated planter strip, eight (8) foot wide detached sidewalk and 20-foot landscape buffer in accordance with ACHD policy and KCC standards. The applicant should be required to coordinate the location of Shayla Avenue with the proposed development, Sabino's Rocky Ridge, to the north as ACHD will require the alignment of Shayla Avenue to align with Shayla Avenue on the north side of Hubbard Road.

3.3.8 The proposed development will construct internal local roads as 36-foot street sections with rolled curb and gutter, within 40 feet of ROW, with an eight (8) foot wide planter strip and 5-foot-wide detached sidewalk located outside of the right-of-way. The applicant shall be conditioned to provide a permanent ROW easement to two (2) feet behind back of sidewalk for any sidewalk placed outside of the dedicated ROW. The applicant shall be conditioned to measure all front building setbacks from back of sidewalk, not back of property line on all internal local roads. A number of internal local roads are proposed to be constructed at a length greater than 750 feet in length, the applicant should be required to work with ACHD to redesign the roadways to reduce length or include passive design elements. The applicant should be conditioned to submit a revised preliminary plat to ACHD showing the

redesigned roadways for review and approval prior to plan approval and ACHD's signature on the first final plat.

3.3.9 The project proposes to construct one local street, Malad Creek Street, to intersect the proposed collector, Shayla Avenue, located 1,250-feet north of Ardell Road ACHD recommends Malad Creek Street to be shifted south due to the proximity of the canal and its location near the property line splitting the two adjacent parcels to the east of the site (S1315120800 and S1315131200), to alleviate impacting the construction of the bridge when the adjacent parcel(s) develop; Staff supports this recommendation.

3.4 Testimony of the City Planner

3.4.1 Conclusions: The City Planner, in a staff report to the Planning and Zoning Commission dated October 26, 2021, confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:

3.4.1.1 The applicant held a neighborhood meeting with residents within 300 ft of the proposed project area on May 6, 2021: there was a total of seven (7) residents who attended the meeting. Neighborhood meeting minutes have been provided as a part of this application. The proposed application has been noticed to all property owners within 300 feet and published in the Kuna Melba News.

3.4.1.2 The properties are currently zoned A (Agriculture) within Kuna City Limits. The applicant is proposing to rezone approximately 80.75 acres to an R-6 (Medium Density Residential) zone and to subdivide the approximate 80.75 acres into 315 total lots (294 residential and 21 common).

3.4.1.3 13.21 acres, or *16.4%* of the project, is proposed to be open space, including all end caps, buffers, parks, and pathways. A total of 7.72 acres or, *9.5%* of the project, is considered useable open space as defined by KCC 5-1-6-2. Included in the useable open space are parks with grassy play areas, a tot lot, picnic tables and benches. Pathways are provided throughout the subdivision to provide pedestrian connectivity. KCC 5-17 requires developments with a range of 251-300 homes/dwelling units to devote *9.50%* of the development area to useable open space; staff views the proposed open space for Ewing Meadows to be in compliance with KCC.

3.4.1.4 The Ewing Meadows Subdivision application represents approximately 294 residential sewer connections. Per Exhibit 2.31 Public Works staff conditionally supports the Ewing Meadows Subdivision development with current design. The developer plans to design and construct a lift station in the northwest corner of the property. Public works recommends that the south portion of the development gravity into Crimson Point Lift Station. The remaining property should gravity into the future regional lift station to the north, which may eliminate the need for a lift station and temporary telemetry work with the Crimson Point Lift Station and force main. If the future northern regional lift station is not operational within Ewing Meadow Subdivision's time constraints, the developer may design a temporary lift station that will discharge to the force main currently used by the Crimson Point Lift Station. To avoid pumping conflicts, the developer may design telemetry to work with

the Crimson Point Lift Station and force main; the developer shall take financial responsibility of any required upgrades (such as SCADA or system) that may be needed to support their project. The developer shall also take responsibility of any and all consequences (including unintended) that occur as a result of their creative temporary sewer alternative. The developer shall disconnect from the Crimson Point force main and connect to the future regional lift station when it is online. It will be the responsibility of the developer to obtain all approvals and permits from affected agencies, including but not limited to IDEQ, ditch or canal companies, Central District Health (CDH), and ACHD for construction and decommissioning throughout the project. Public Works recommends a Development Agreement as a Condition of the zoning between the City and the developer to document each parties' obligations for the creative temporary sewer alternative. Planning and Zoning would agree with Public Works recommendation.

3.4.1.5 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.

3.4.1.6 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.

3.4.1.7 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.

3.4.1.8 Staff has reviewed the proposed Preliminary Plat for technical compliance with KCC, the Rezone, 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, if the sewer infrastructure improvements recommended by the Public Works department are completed. The applicant will be required to work with Kuna's staff, ACHD, the Kuna Rural Fire District (KRFD), and any other applicable agencies, to ensure conformance to each agency's requirements. If the Planning and Zoning Commission recommends approval of Case Nos. 21-04-ZC (Rezone) and 21-05-S (Preliminary Plat), and approves Case No. 21-12-DR (Design Review) the applicant shall be subject to the

Conditions of Approval listed in section "3.4.2" of this document, as well as any additional Conditions requested by the Planning and Zoning Commission.

3.4.2 Staff Recommendations: As a result of the review, Planner II Doug Hanson, recommends if the Planning and Zoning Commission recommends approval of Case Nos. 21-04-ZC (Rezone) and 21-05-S (Preliminary Plat), and approves Case No. 21-12-DR (Design Review), the applicant be subject to the following Conditions of Approval:

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

3.4.2.1.1 The City Engineer shall approve the sewer hook-ups.

3.4.2.1.2 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.

3.4.2.1.3 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".

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

3.4.2.1.5 The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.

3.4.2.1.6 Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid *prior to issuance* of any building permit(s).

3.4.2.1.7 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.

3.4.2.2 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.

3.4.2.3 Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.

3.4.2.4 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 Pressure Irrigation System (KMIS) of the City.

3.4.2.5 Connection to City Services (Sewer, Water, Pressurized Irrigation) is required. The applicant shall conform to all corresponding Master Plans.

3.4.2.6 Developer/owner/applicant shall be required to participate, as determined by the City Engineer, in the development of additional sewer capacity.

3.4.2.7 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.

3.4.2.8 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.

3.4.2.9 Developer/owner/applicant shall install a sign at the terminus of every proposed stub street stating the roads will continue in the future. Developer/owner/applicant shall obtain proper language from Ada County Highway District.

3.4.2.10 Applicant shall work with staff in order to provide final locations of street lights as required by Kuna City Code.

3.4.2.11 Street lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.

3.4.2.12 Fencing within and around the site shall comply with Kuna City Code (unless specifically approved otherwise and permitted).

3.4.2.13 All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within three (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.

3.4.2.14 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.

3.4.2.15 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.

3.4.2.16 If any revisions are made, the applicant shall provide the Planning and Zoning Staff with a revised copy of the Preliminary Plat.

3.4.2.17 Any revisions of the plat are subject to administrative determination to rule if the revision is substantial.

3.4.2.18 Home construction shall not commence during the City quiet hours of 11:00 pm to 7:00 am.

3.4.2.19 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.

3.4.2.20 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.

3.4.2.21 Developer/owner/applicant shall follow staff, City engineers and other agency recommended requirements as applicable.

3.4.2.22 Developer/owner/applicant shall comply with all local, state and federal laws.

3.4.2.23 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 Crimson Point Lift Station, future regional lift station or some other City appurtenance has capacity to accept the wastewater discharged from the proposed subdivision.

3.4.2.24 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.

3.4.2.25 Developer/owner/applicant shall provide a permanent right-of-way easement to two (2) feet behind back of sidewalk for any sidewalk placed outside of the dedicated right-of-way.

3.4.2.26 Developer/owner/applicant shall measure all front building setbacks from back of sidewalk on all internal local roads.

3.4.2.27 Developer/owner/applicant shall submit a revised Preliminary Plat to ACHD showing redesigned roadways for internal local roads greater than 750 feet in length, for review and approval prior to plan approval and ACHD's signature on the first Final Plat.

3.4.2.28 Developer/owner/applicant shall work with Neil Durant, the neighboring property owner in addressing his concerns on traffic mitigation issues.

3.4.2.29 Developer/owner/applicant shall enter into a Development Agreement with the City and the developer to document each parties' obligations for a creative temporary sewer alternative.

3.5 Other Testimony

3.5.1 10/26/2021 Public Hearing – Bonnie Layton, NV5, testified about the specifics of the project including: open space and amenities, conversations that have been had with the Kuna School District, and the willingness to work with ACHD on the roadway improvements and traffic mitigation strategies outlined in ACHD's staff report and the Traffic Impact Study.

3.5.2 10/26/2021 Public Hearing – David Reinhart, testified about the number of students a development of this size would generate. He explained that Kuna School District would be working with developers for collecting voluntary support fees moving forward and the applicant has agreed to participate.

3.5.3 10/26/2021 Public Hearing – Neil Durrant, stated that he had issues with none of the changes he suggested during the Neighborhood Meeting being reflected on the Preliminary Plat. The placement of the proposed mid-mile collector Shayla Avenue in relation to his driveway created concern for him in his ability to move his farm equipment. Mr. Durrant also took issue with the placement of the signs used for the property posting.

3.5.4 10/26/2021 Public Hearing – Tuck Ewing, addressed Mr. Durrant's issues with the property posting signs, questioning if this was a matter that Mr. Durrant wanted to delay the application process for.

3.5.5 10/26/2021 Public Hearing – Bonnie Layton, NV5, rebutted that she used the same sign company that they have used for a number of previous applications and to her knowledge all signs were posted correctly. She expressed her willingness to work with Mr. Durrant moving forward in order to alleviate his concerns with the project. She agreed to all Conditions within the staff report.

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 §50-13 & 67-65, and Kuna City Code 1-14-3.

4.3 The Kuna Planning and Zoning Commission has the exclusive general supervisory authority over recommendation of all plat approvals and certification under their jurisdiction as provided in Idaho Code §50-1308.

V
CONCLUSIONS OF LAW
RE: APPLICATION FOR REZONE

5.1 The City of Kuna has authority to Rezone lands within its boundaries pursuant to I.C. §67-6511.

5.2 Kuna City Code, Title 1, Chapter 14, Section 3, states that Rezones are designated as Public Hearings, with the Planning and Zoning Commission as a recommending body and City Council as the decision-making body.

5.3 The Rezone, proposed by the Rezone Application in Case No. 21-04-ZC, would comply with the Comprehensive Plan.

VI
CONCLUSIONS OF LAW
RE: APPLICATION FOR PRELIMINARY PLAT

6.1 The City of Kuna has authority to approve Preliminary Plats within its boundaries pursuant to I.C. §50-13 & 67-65.

6.2 Kuna City Code, Title 1, Chapter 14, Section 3, states that Preliminary Plats are designated as Public Hearings, with the Planning and Zoning Commission as a recommending body and City Council as the decision-making body.

6.3 Subdivision regulations as defined in Kuna City Code Title 6 are authorized by I.C. §§ 50-13 & 67-65 and Article 12, section 2.

VII
ORDER OF RECCOMENDING APPROVAL OF APPLICATIONS FOR REZONE AND PRELIMINARY PLAT

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:

7.1 That the Rezone application (Case No. 21-04-ZC) is recommended approval.

7.2 That the Preliminary Plat application (Case No. 21-05-S) is recommended approval.

VIII
ORDER OF APPROVAL OF APPLICATION FOR DESIGN REVIEW

The Kuna Planning and Zoning Commission, having reviewed the above-entitled record, having listened to the arguments and presentations at the 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 APPROVE:

8.1 That the Design Review application (Case No. 21-12-DR) is hereby approved.

BY ACTION OF THE PLANNING AND ZINING COMMISSION of the City of Kuna at its regular meeting held on the 9th day of November, 2021.

_____

Lee Young, Chairman

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

MEMO

Date: November 5, 2021

From: Doug Hanson, Planning and Zoning Department

To: Planning and Zoning Commission

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

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Commissioners,

At your request staff sent another transmittal to the Idaho Transportation department (ITD) requesting comment. ITD responded that they will have comments, but have not yet had time to review the application.

The anticipated updated final staff report from the Ada County Highway District (ACHD) has not been received.

Best Regards,

Doug Hanson
Planner II
Planning and Zoning Department
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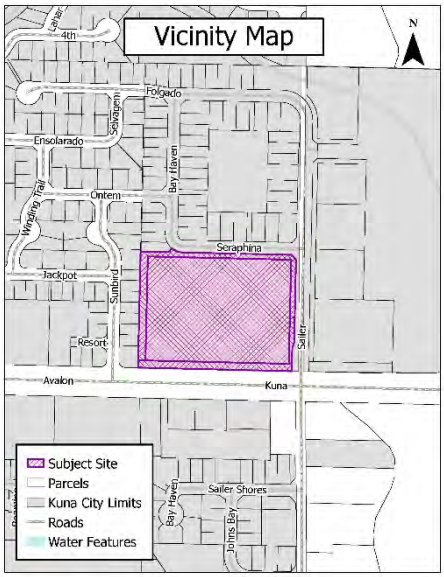
208.922.5274

BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF KUNA

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

	DESCRIPTION OF EVIDENCE	*Withdrawn*	*Refused*	*Admitted*
1.2	Staff Report			X
1.3	Planning and Zoning Commission Sign in Sheet 10.26.2021			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
2.6	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
2.62	Merlin Cottages Legal Description Updated			X
2.15	Merlin Pointe Subdivision Legal Description			X
2.17	Planned Unite Development Site Plan			X
2.57	Updated Planned Unite Development Site Plan			X
2.18	Preliminary Plat			X
2.58	Updated Preliminary Plat			X
2.19	Landscape Plan			X
2.59	Updated Landscape Plan			X
2.36	Cottage Elevations			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
2.51	City Engineer Addendum			X
2.55	Ada County Highway District Road Layout Changes			X
2.64	Ada County Highway District Updated Staff Report			X

2.56	Kuna Rural Fire District			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
2.38	Planning and Zoning Commission Mailer Re-notice			X
2.39	Planning and Zoning Commission Kuna Melba News Re-notice			X
2.54	Planning and Zoning Commission Proof of Posting Sign Update			X
2.20	Roberta Sailer Public Comment			X
2.21	Lon Morgan Public Comment			X
2.22	Donna Gerhart Public Comment			X
2.37	Lon Morgan Public Comment 9.13.2021			X
2.40	Lon Morgan Public Comment 9.27.2021			X
2.41	Tami Morgan Public Comment			X
2.42	Shelley Kamps Public Comment			X
2.43	Rosa Barrera Public Comment			X
2.44	Kathleen McVey Public Comment			X
2.45	Roger and Joanne Tofslie Public Comment			X
2.46	Deb Rippy Public Comment			X
2.47	Charolette Busbee Public Comment			X
2.48	Richard Gerhart Public Comment			X
2.49	Sheri Welsh Public Comment			X
2.50	Donna Gerhart Public Comment			X
2.52	Camellia Riegel Public Comment			X
2.53	James & Lonna Kowalski			X
2.60	Roger and Joanne Tofslie Public Comment 10.20.2021			X
2.61	Patty Hugli Public Comment			X
2.63	Lon Morgan Public Comment 10.25.2021			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: September 21, 2021

2.1.1.4 Kuna Melba News Newspaper: September 22, 2021

2.1.1.5 Site Posted: October 2, 2021

2.1.1.6 Public Hearing Continued October 26, 2021

III
APPLICANTS REQUEST

3.1 A Team Land Consultants on behalf of Merlin pointe, LLC, requests planned unit development approval for an approximately 7.04 (6.61 developable) acre site, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts and to subdivide the property into 66 total lots (54 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: R5672430020, R5672430040, R5672430060).

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 Numbers, Owner, Parcel Size and Current Zoning

4.5.1 R5672430020

4.5.1.1 Merlin Pointe, LLC

4.5.1.2 Approximately 0.436 acres

4.5.1.3 C-1 (Neighborhood Commercial)

4.5.2 R5672430040

4.5.2.1 Merlin Pointe, LLC

4.5.2.2 Approximately 5.83 acres

4.5.2.3 C-1 (Neighborhood Commercial)

4.5.3 R5672430060

4.5.3.1 Merlin Pointe, LLC

4.5.3.2 Approximately 0.778 acres

4.5.3.3 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 7.04-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
City Engineer Addendum	2.51
Ada County Highway District Road Layout Changes	2.55
Kuna Rural Fire District	2.56

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 cub, 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 cub, 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 curb, gutter and five (5) foot wide attached sidewalk. The applicant proposes to construct the internal local road Merlin Avenue as a 36-foot street section within 50 feet of ROW with curb, gutter and five (5) foot wide attached sidewalk. Both internal local roads are in compliance with KCC standards and ACHD Policy.

A 20-foot alley is proposed to serve two rows of alley loaded homes located in the northeast corner of the subject site. This does meet ACHD's policy as proposed as an alley cannot provide sole access. ACHD recommends that the alley instead be constructed as a private road.

A private street is proposed to run north -south on the western side of the subject site. The private street is proposed to be 28 feet in width and fully paved in conformance with KCC standards.

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 were 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 planned unit development for an approximately 7.04 (6.61 developable) acre site, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts and to subdivide the property into 66 total lots (54 residential, 6 common, and 6 commercial).

The overall gross density of the project is 7.67 dwelling units per acre (DUA), the net density is 9.20 DUA. The proposed gross density for the residential portion of the project of the project is 9.35 DUA, the net density is 13.27 DUA. 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 proposed net density of 13.27 DUA falls within the allowable 15 percent increase.

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" lots proposed. The "cottage" lots propose a 10-foot front setback, three (3) foot side setback and three (3) foot rear setbacks. The "cottage" lots will have a 15-foot front setback along public streets. While not required, the applicant has provided elevations of the cottages which can be seen as *Exhibit 2.36* in the packet. All residential units will be single family on individually platted lots.

The applicant has proposed 1.93 acres, or 29% 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. 1.40 acres or 21% open space has been proposed exclusive of the required residential buffers. Staff views the open space to be in compliance with KCC.

The Merlin Cottages Subdivision application represents approximately 54 residential sewer connections. Per City Engineer comments in *Exhibit 2.33 and 2.51* the original concept plan

approved with the Merlin Pointe Subdivision approved on November 6, 2013 specified a number of lots intended for commercial uses. The public infrastructure was designed, constructed and made operational from this original concept plan. By rezoning this parcel to R-12, the demand on public infrastructure increases. If Merlin Cottages is approved, other lots and phases within the Merlin Pointe Subdivision must decrease demand to accommodate the Merlin Pointe Cottages Subdivision. With the proposed project, the applicant will need to increase the sewer pipe size for an estimated length of 1300 ft to accommodate their proposed use. Wastewater from the proposed development is anticipated to flow to the Orchard Lift Station Sewage Basin.

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.

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, 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 if infrastructure improvement recommendations from Public Works are complied with. 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 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) 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 approximately 7.04 (6.61 developable) acres, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts and to subdivide the property into 66 total lots (54 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 if infrastructure improvement recommendations from Public Works are complied with.*

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. The meeting was initially noticed for a hearing date of December 8, 2020 and 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 and the project was re-noticed and. 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 and made sign updates on October 2, 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 will be provided infrastructure improvement recommendations from Public Works are complied with.*

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

Staff Finding: *Per City Engineer comments in Exhibit 2.33 and 2.51 the original concept plan approved with the Merlin Pointe Subdivision approved on November 6, 2013 specified a number of lots intended for commercial uses. The public infrastructure was designed, constructed and made operational from this original concept plan. By rezoning this parcel to R-12, the demand on public infrastructure increases. If Merlin Cottages is approved, other lots and phases within the Merlin Pointe Subdivision must decrease demand to accommodate the Merlin Pointe Cottages Subdivision. With the proposed project, the applicant will need to increase the sewer pipe size for an estimated length of 1300 ft to accommodate their proposed use. Wastewater from the proposed development is anticipated to flow to the Orchard Lift Station Sewage Basin. Correspondence from ACHD confirms that streets can accommodate the proposed development.*

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

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 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.

8.2 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.

8.3 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 for approximately 7.04 (6.61 developable) acre site, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts and to subdivide the property into 66 total lots (54 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.

9.7 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.

9.8 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.

9.9 Applicant shall obtain written approval from the Kuna Rural Fire District regarding proposed alley widths.

9.10 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.

9.11 Applicant shall work with staff in order to provide final locations of street lights as required by Kuna City Code.

9.12 Street lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.

9.13 Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted).

9.14 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.

9.15 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.

9.16 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.

9.17 If any revisions are made, the applicant shall provide the Planning and Zoning Staff with a revised copy of the preliminary plat.

9.18 Any revisions of the plat are subject to administrative determination to rule if the revision is substantial.

9.19 All developer activities shall not commence during the City quiet hours of 11:00 pm to 7:00 am.

9.20 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.

9.21 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.

9.22 Developer/owner/applicant shall follow staff, City engineers and other agency recommended requirements as applicable.

9.23 Developer/owner/applicant shall comply with all local, state and federal laws.

9.24 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 Sation or some other City appurtenance has capacity to accept the wastewater discharged from the proposed subdivision.

9.25 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 9th day of November, 2021.

Aerial Map
N
Lahar
4th
Folgado
Selvagem
Ensolarado
Bay Haven
Winding Trail
Ontem
Seraphina
Jackpot
Sunbird
Resort
Sailer
Avalon
Kuna
Sailer Shores
Bay Haven
Johns Bay
Subject Site
Parcels
Roads
Water Features
Maxar, Microsoft

CITY OF KUNA

751 W. 4th Street • Kuna, Idaho • 83634 • Phone (208) 922-5274
Fax: (208) 922-5989 • www.Kunacity.Id.gov

SIGN-UP SHEET

October 26, 2021 – Planning and Zoning Commission Public Hearing

Case Name: Merlin Cottages Subdivision

Case No: 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Subdivision), 20-05-SUP (Special Use Permit) and 20-22-DR (Design Review)

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Commission or City Council.

IN FAVOR	NEUTRAL	IN OPPOSITION
☒ Testify ☐ Not Testify Steve Arnold Print Name 1785 Whisper Cove Print Address Boise Id 83709 City State, Zip	☐ Testify ☐ Not Testify DAVID REINHART Print Name 7711 E PORTER Print Address KUNA ID 83634 City State, Zip	☒ Testify ☐ Not Testify Lon Morgan Print Name 1033 E Seraphina Print Address Kuna ID 83634 City State, Zip
☐ Testify ☐ Not Testify Lon Morgan Print Name Print Address City State, Zip	☐ Testify ☐ Not Testify Print Name Print Address City State, Zip	☐ Testify ☑ Not Testify Roger + Joanne Tofslie Print Name 233 N. Sailer Ave Print Address Kuna City State, Zip
☒ Testify ☐ Not Testify Greg Hathaway Print Name Print Address 6770 Elmlawn Nampa City ID 83687 State, Zip	☐ Testify ☐ Not Testify Print Name Print Address City State, Zip	☐ Testify ☑ Not Testify Mia Riegel Print Name 313 N. Sailer Av Print Address Kuna 83634 City State, Zip
☐ Testify ☒ Not Testify Bob Hathaway Print Name 20988 Quail Cove Print Address Nampa ID 83687 City State, Zip	☐ Testify ☐ Not Testify Print Name Print Address City State, Zip	☐ Testify ☑ Not Testify Donna + Dick Gerhart Print Name 1144 E. Seraphina Print Address Kuna ID 83634 City State, Zip

IN FAVOR	NEUTRAL	IN OPPOSITION
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☒ Not Testify
Print Name	Print Name	Shelley Kumps
Print Address	Print Address	297 N Sailer Ave
City State, Zip	City State, Zip	Kuna ID 83634
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☒ Not Testify
Print Name	Print Name	Tami Morgan
Print Address	Print Address	1088 E Sera Mesa St
City State, Zip	City State, Zip	Kuna Idaho 83634
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☒ Not Testify
Print Name	Print Name	ROGER D IVERSEN
Print Address	Print Address	233 N SAILER AVE
City State, Zip	City State, Zip	KUNA ID 83634
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☒ Not Testify
Print Name	Print Name	Charlotte Busbee
Print Address	Print Address	364 N Bay Haven Ave
City State, Zip	City State, Zip	Kuna ID 83634
☐ Testify ☐ Not Testify	☐ Testify ☒ Not Testify	☐ Testify ☒ Not Testify
Print Name	Lonne Kowalski	Jim KOWALSKI
Print Address	1110 E Folgado	1110 E FOLGADO ST
City State, Zip	Kuna 83634	KUNA 83634

IN FAVOR	NEUTRAL	IN OPPOSITION
☐ Testify ☐ Not Testify	☒ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name: Kathleen Thomason	Print Name
Print Address	Print Address: 308 N Bay Haven	Print Address
City State, Zip	City: Kuna ID 83634 State, Zip	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip

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:

☐	Annexation	☐	Appeal
☐	Comp. Plan Map Amendment	☐	Combination Pre & Final Plat
☐	Design Review	✔	Development Agreement
☐	Final Planned Unit Development	☐	Final Plat
☐	Lot Line Adjustment	☐	Lot Split
☐	Ordinance Amendment	✔	Planned Unit Development
✔	Preliminary Plat	✔	Rezone
☐	Special Use Permit	☐	Temporary Business
☐	Vacation	☐	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: 115 N Sailer Ave Kuna, ID 83634

Nearest Major Cross Streets: Sailer Road and Avalon Road

Parcel No.(s): _____

Section, Township, Range: SECTION 24, T.2N., R.1W

Property Size: 5.83

Current Land Use: Vacant Proposed Land Use: Residential & Commercial

Current Zoning: C-1 Proposed Zoning: R-12 & C-1

Project Description

Project Name: Merlin Cottage Subdivision

General Description of Project: 60 cottage lots and 6 retail lots

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: Gazebos, Pathways and common landscape areas.

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: 60 No. of Building Lots: 60

No. of Common Lots: 6 No. of Other Lots: 6 Retail lots

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

☒ Single-Family ☐ Townhomes ☐ Duplexes ☐ Multi-Family

☒ Other: 6 Retail lots

Minimum square footage of structure(s): 1,300 s.f

Gross Density (Dwelling Units ÷ Total Acreage): 10.29/acre

Net Density (Dwelling Units ÷ Total Acreage not including Roads): 13.5/acre

Percentage of Open Space provided: 33-percent Acreage of Open Space: 1.95

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

Common areas and pathways

Non-Residential Project Summary (If Applicable)

Number of building lots: 6 Other lots: n/a

Gross floor area square footage: 25-percent Existing (if applicable): n/a

Building height: 35-feet Hours of Operation: Will comply with code.

Total no. of employees: unknow Max no. of employees at one time: unknown

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

Proposed Parking:

ADA accessible spaces: Dimensions:

Regular parking spaces: Dimensions:

Width of driveway aisle: 24-feet

Proposed lighting: LED Parking lot lighting

Is lighting “Dark Sky” compliant? YES NO

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

Landscape berms along all roadways and buffers along the west boundary.

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.

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

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.

<u>Information to Note:</u>
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: Sailer Road and Avalon Road

Distance from Major Cross Streets: They are at major cross streets

PUD Information

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

   The PUD is a request to rezone a portion of a previously platted lot for the construction of 60 cottage units and 6 retail lots.

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? None at this time

5. What is the current land use? Vacant Commercial

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?
   No, one phase

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?
   Subsurface seepage beds.

10. % of site devoted to building coverage: N/A

11. % of site devoted to landscaping: 33-percent Sq. Ft: 1.95 acres

12. % of landscaping within parking lot(s): N/A

13. Provide dimensions of landscaped areas within public ROW: N/A

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: 24-percent Sq. Ft.: _____

16. % of site devoted to other uses: 18-percent retail Please describe: _____
    Retail lots

The Ada County Highway District (ACHD) may also conduct public meetings regarding this application. If you have questions about the meeting date(s), please contact ACHD at (208) 387-6170.

Applicant Signature: _____ Date: _____

Additional Information/Comments/Notes

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	*Field not completed.*
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 - Check all that apply:	Residential, Commercial
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	*Field not completed.*
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 - Check all that apply:	Residential, Commercial
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? Will it remain?	Vinyl
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
Maintenance Agreement	CCRs-Merlin Pointe - Residential.doc ACHD.docx
Legal Description	Legal Description - NW Properties.pdf
Proof of Ownership	Deed - Merlin Pointe.pdf
Letter of Intent	Narrative_MC (002).pdf
Commitment of Property Posting	Commitment to Property Posting.pdf
Traffic Impact Study	*Field not completed.*
TIS Dropbox Link	*Field not completed.*
Subdivision Name Reservation	Merlin Pointe Sub Name Reservation.msg
Phasing Plan	MC_PREPLAT_08-27-2020.pdf
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

Drawing	
(Section Break)	
Reference	
Affidavit of Legal Interest	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: 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 - Check all that apply:	Residential, Commercial
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, fencings, 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).: R5672430040

Closest Major Cross Streets: Sailer Street and Avalon Street

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: 60 cottage lots and 6 retail lots

_____

_____

_____

2. Dimension of property: 430' x 530'

3. Current land use(s): Vacant

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?

   _____

   No, one phase.

6. Number and use(s) of all structures: 60 Cottage and 6 retail lots

7. Building Height: 35' max

8. Number of Stories: 2

(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:
90 percent

Exterior Building Materials and Colors

	Material	Color
Roof:	ASPHALT SHINGLE	
Walls: (include percentage of wall coverage of each material)		Earth tones see attached
% of Wood Application:	COLLINS TRUWOOD 50.13	Earth tones see attached
% EIFS: (Exterior Insulation Finish System)		
% Masonry:	ROCK 11.47%	Earth tones see attached
% Face Block:		
% Stucco:		
Other:	CORRUGATED METAL 20.2	GALVANIZED
Windows/Doors:	VINYL/WOOD/ALUMINUM	See attached
Soffits and Fascia:	COLLINS TRUWOOD	See attached
Trim, etc.:	HARDI TRIM	See attached

Mechanical Units

Please identify mechanical unit(s) size and placement: Rear of building, 3'x3'

Proposed screening method? 4' vinyl fence

Trash Enclosures

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

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? City

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

Fencing

Is there any existing fencing that will remain? YES NO

If Yes, what is the fencing material, size and location? New 6' Vinyl along west PL

What is the fencing material for all new fencing? Vinyl

The City has regulations for fences, walls, and hedges (see Kuna City Code 5-5-5). A fence permit must but 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?	44.93%	
% of site devoted to landscaping? (Include landscaped rights-of-way)	33.44%	Square Footage: 84,942 SQ FT
% of site that is hard surface? (paving, driveways, walkways)	24%	Square Footage:
% of site devoted to other uses:		Describe:

Landscaping

Please provide dimensions of landscaped areas within public rights-of-way: No

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.)*

N/A

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: N/A

What is the proposed method of screening? N/A

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? N/A Dimensions? _____

Total number of ADA accessible spaces? N/A Dimensions? _____

Total number of compact spaces (8' x 17')? N/A

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: 10' Rear: 2' Alley load Side: 0 Side: 5

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:

_____

_____

_____

_____

_____

_____

A TEAM
Land Development & Real Estate Services

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.

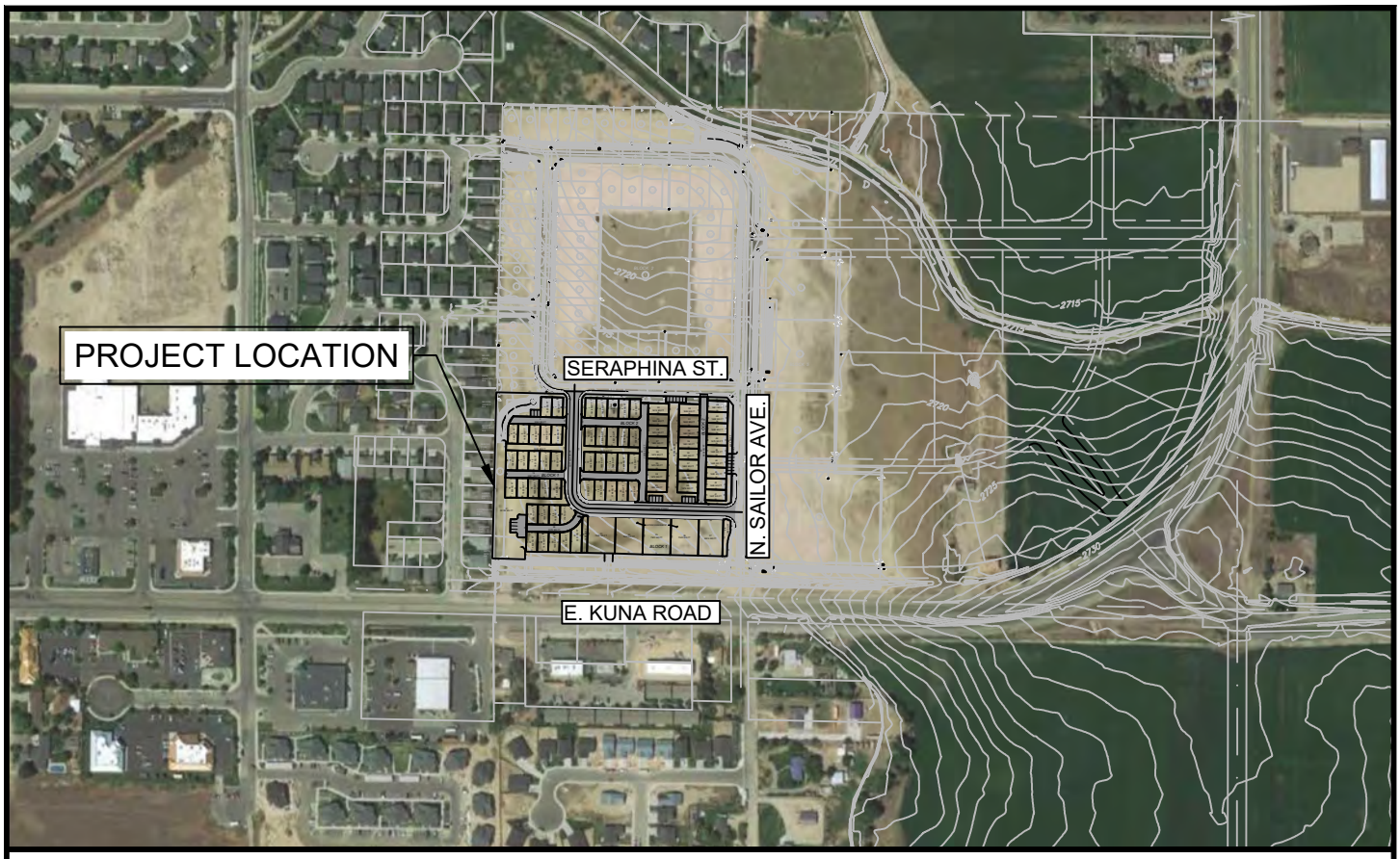
The Developer is proposing several architectural styles of buildings within the subdivision that will provide a varied streetscape. This mix of development product will enhance the subdivision and provide value to the subdivision years after it has been developed. The landscaping and screening provide 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

N

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

A TEAM
Land Development & Real Estate Services

ADA COUNTY RECORDER Phil McGrane
BOISE IDAHO Pgs=2 VICTORIA BAILEY
BLACK CREEK L P

2019-022359
03/21/2019 01:52 PM
AMOUNT $15.00

00604064201900223590020022

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.

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

LINDA BOOTS
COMM NO. 14855
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES: MAY 31, 2019

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 F Nicholson
Signature

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

Notary Public for Idaho

Residing at: Boise

My commission expires: 2/17/2021

STEVE ARNOLD
NOTARY PUBLIC
My Comm Exp. Feb. 17, 2021
Comm No. 40017
STATE OF IDAHO

Authentisign ID: 0188D8EE-8F52-4D84-8380-866421823839

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

COMMITMENT TO PROPERTY POSTING

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 Kun a City Code 5-1A-8.

Authentisign
Steven R Arnold
8/27/2020 4:09:04 PM MDT

Applicant/agent signature: _____ Date: 8/27/2020

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, Kuna, ID 83634 Tax Parcel Number(s): R5672430040

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 five retail lots
Re-zone	
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) Steve Arnold Date 7/20/2020

SIGN IN SHEET

PROJECT NAME: Merlin Cottages

Date: 7/14/2020

	Name	Address	Zip	Phone
1	Sue Peck	204 Bay Haven	83634	
2	Dale and Debby Rippy	1116 Seraphina St	83634	
3	Michael & Roberta Sailer	PO Box 82	83634	
4	Dallas & Rachel McCulloch	1165 E Folgado St	83634	
5	Jarid & Staci Sinkler	233 N. Sailer	83634	
6	Lon & Tami Morgan	1088 E Seraphina St	83634	
7	Richard & Donna Gerhart	1144 E Seraphina St	83634	
8	Dolores Hidalgo	1158 E Seraphina St	83634	
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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 by knowledge.

A Team Land Consultants, Steve Arnold

Printed Name

Steve Arnold

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 Cottages

A parcel being Lots 1, 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 and the **POINT OF BEGINNING;**

Thence along the westerly boundary of said subdivision, also being a portion of 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, and 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 479.45 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 continuing along said easterly boundary and the easterly boundary of Lot 1 of said Block 1 S 1°17'30" W a distance of 86.41 feet to the southeasterly corner of said Lot 1;

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

This parcel contains 7.05 acres.

Clinton W. Hansen, PLS
Land Solutions, PC
Revised: October 20, 2021

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;

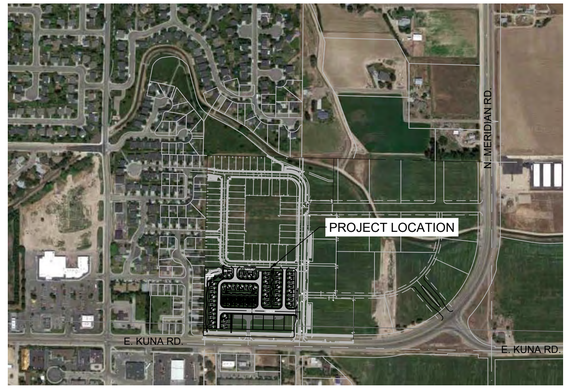
Thence S 88°40'00" E along said northerly boundary a distance of 1921.98 feet to the **POINT OF BEGINNING;**

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

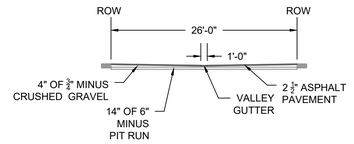
Clinton W. Hansen, PLS
Land Solutions, PC
January 2, 2013

NOTES:

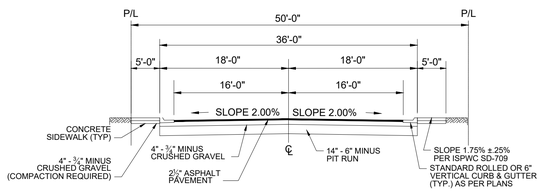
1. KUNA CITY WATER AND SEWER SERVICE SHALL BE EXTENDED TO ALL LOTS.
2. MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE APPROVED PUD. THE APPROVED PUD FILE NUMBER WILL BE REFERENCED ON THE FINAL PLAT UPON RECORDING.
3. THE DEVELOPER SHALL PROVIDE PRESSURIZED IRRIGATION WATER TO EACH LOT. 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 FACILITES 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.



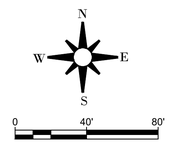
VICINITY MAP
SCALE: 1:500



26' ROW STREET SECTION
SCALE: 1:10



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



SCALE: 1" = 40'

PRELIMINARY DEVELOPMENT FEATURES

PARCEL NO's:	R5672430040 R5672430060
ADDRESSES:	115 N SAILER AVE KUNA , ID 83634
ZONING C-1 & R-12 (PROPOSED)	5.83 AC
PROPERTY SIZE:	5.83 AC
TOTAL LOTS:	72
COMMON LOTS:	6
COTTAGES:	60
COMMERCIAL:	6
DENSITY UNITS:	10.29 PER ACRE

SITE DETAILS:	
COMMON LANDSCAPE AREA:	1.95 AC
COTTAGES:	1.42 AC
COMMERCIAL:	1.06 AC
ROW & ALLEY:	1.40 AC
SETBACKS:	
COTTAGES:	
FRONT:	10'
SIDE:	3'
REAR:	2'
TOWNHOMES:	
FRONT:	15'
SIDE:	0'
REAR:	10'

SITE AMENITIES:
PATHWAYS, LANDSCAPE BUFFERS, GAZEBOS, PARK, PLAZAS

LEGEND

- SITE BOUNDARY LINE
- SECTION LINE
- EXIST CENTER LINE
- IRR — EXIST IRRIGATION LINE
- EG — EDGE OF GRAVEL
- OHP — EXISIT OVERHEAD POWER
- TOP — TOP OF SLOPE
- EW — EDGE OF WATER
- SS — EXIST SANITARY SEWER
- W — EXIST WATER LINE
- SD — EXIST STORM DRAIN
- X — EXIST FENCE
- CENTERLINE DITCH/FLOW LINE
- TOP OF BANK
- EP — EXIST EDGE OF PAVEMENT
- 2650 — MAJOR CONTOUR LINE
- MINOR CONTOUR LINE
- PROPOSED LOT LINE
- ROW — PROPOSED ROW LINE
- PROPOSED CENTER LINE
- SS — PROPOSED SEWER LINE
- W — PROPOSED WATER LINE
- PI — PROPOSED PRESSURIZED IRRIG LINE
- IRRIGATION EASEMENT LINE
- FND ½" IRON PIN (AS NOTED)
- FND ⅝"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
- TR — 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
- EXIST GUARDRAIL
- EXIST CONIF TREE
- EXIST DECID TREE
- EXIST CATCH BASIN
- SURF FLOW DIRECT.
- PROP FIRE HYDRANT
- PROP STREET LIGHT
- PROP GAZEBO
- PROP PLAY AREA
- PROP PARKING
- PROP PLAZA
- PROP PARK BENCH
- SS — PROP SS MANHOLE
- CLIMBING ROCK

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

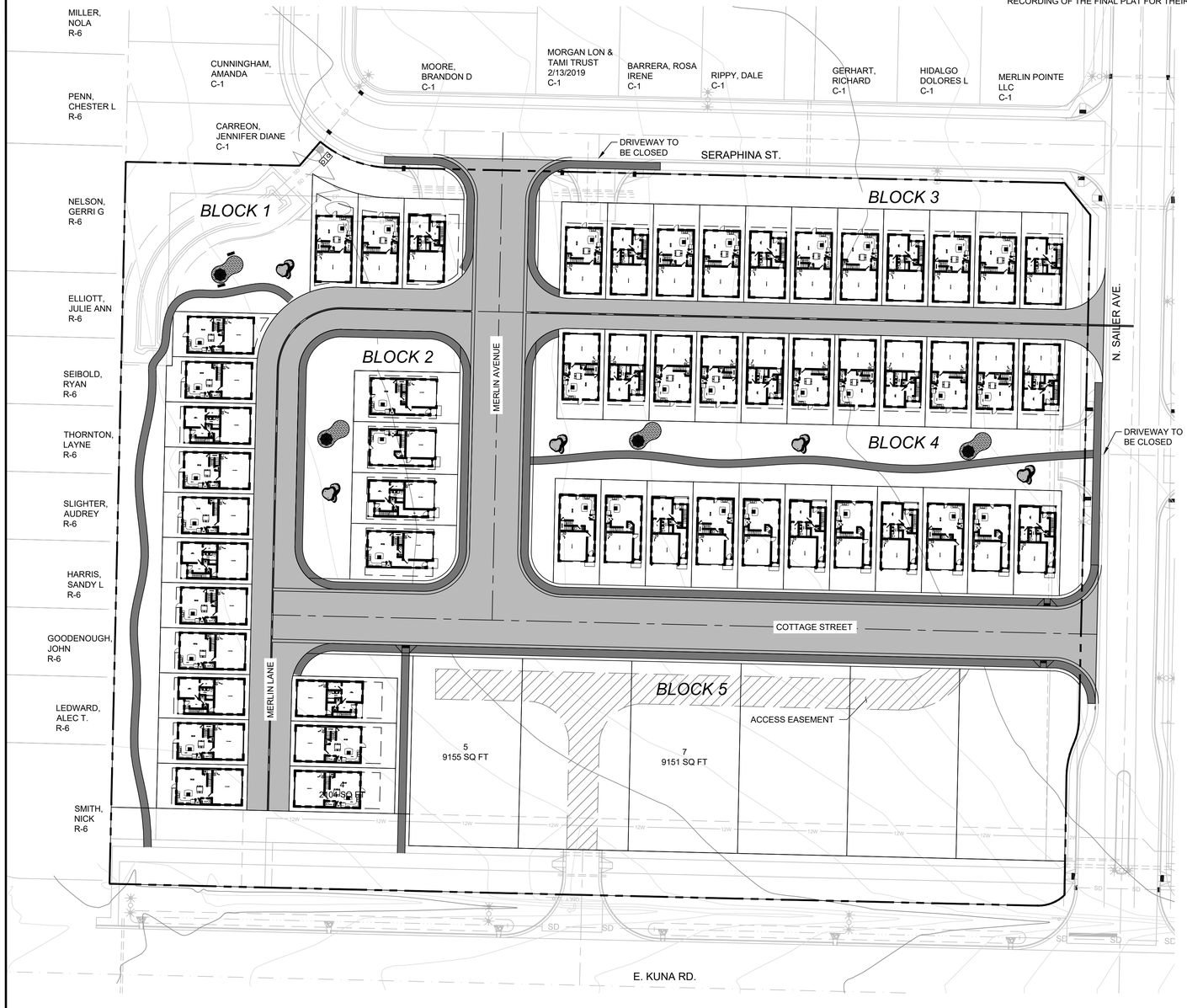
A-TEAM Land Development & Real Estate Services

SHEET 1 OF 1

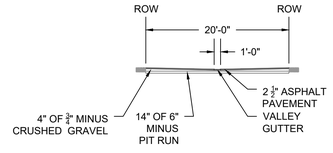
DRAWN BY: CJ SHERLOCK
DATE: April 27, 2021
FILE: MC_PUD.dwg

NOTES:

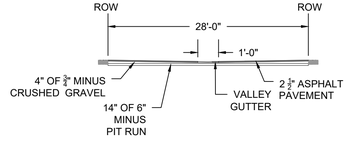
1. KUNA CITY WATER AND SEWER SERVICE SHALL BE EXTENDED TO ALL LOTS.
2. MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE APPROVED PUD. THE APPROVED PUD FILE NUMBER WILL BE REFERENCED ON THE FINAL PLAT UPON RECORDING.
3. THE DEVELOPER SHALL PROVIDE PRESSURIZED IRRIGATION WATER TO EACH LOT. 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 FACILITES AS APPROVED BY ACHD.
5. LOT 4 BLOCK 1, LOT 1 BLOCK 2, LOT 1 BLOCK 3, LOT 12 BLOCK 4, LOT 1, 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 28' 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.



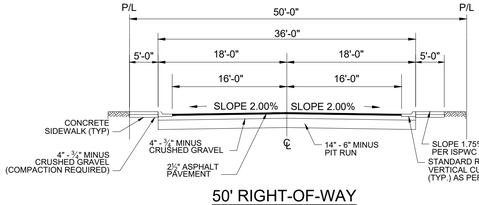
VICINITY MAP
SCALE: 1:500



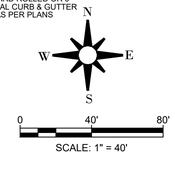
20' ALLEY STREET SECTION
SCALE: 1:10



28' ROW STREET SECTION
SCALE: 1:10



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



SCALE: 1" = 40'

PRELIMINARY DEVELOPMENT FEATURES

PARCEL NO's:	R5672430040 R5672430060 R5672430020
ADDRESSES:	115 N SAILER AVE KUNA , ID 83634
ZONING C-1 & R-12 (PROPOSED)	7.04 AC
PROPERTY SIZE:	7.04 AC
TOTAL LOTS:	66
COMMON LOTS:	6
COTTAGES:	54
COMMERCIAL:	6
GROSS DENSITY UNITS:	7.67 PER AC
NET DENSITY UNITS:	9.20 PER AC

SITE DETAILS:	
COMMON LANDSCAPE AREA:	1.93 AC
COTTAGES:	2.67 AC
COMMERCIAL:	1.27 AC
ROW & ALLEY:	1.17 AC

SETBACKS:

COTTAGES:	
FRONT:	10'
FRONT ALONG PUBLIC STREET:	15'
SIDE:	3'
REAR:	3'
REAR ALONG PUBLIC STREET:	10'

SITE AMENITIES:
PATHWAYS, LANDSCAPE BUFFERS, GAZEBOS, PARK, PLAZAS

LEGEND

- SITE BOUNDARY LINE
- SECTION LINE
- EXIST CENTER LINE
- IRR — EXIST IRRIGATION LINE
- EG — EDGE OF GRAVEL
- OHP — EXISIT OVERHEAD POWER
- TOP — TOP OF SLOPE
- EW — EDGE OF WATER
- SS — EXIST SANITARY SEWER
- W — EXIST WATER LINE
- SD — EXIST STORM DRAIN
- X — EXIST FENCE
- CENTERLINE DITCH/FLOW LINE
- TOP OF BANK
- EP — EXIST EDGE OF PAVEMENT
- 2650 — MAJOR CONTOUR LINE
- MINOR CONTOUR LINE
- PROPOSED LOT LINE
- ROW — PROPOSED ROW LINE
- PROPOSED CENTER LINE
- SS — PROPOSED SEWER LINE
- W — PROPOSED WATER LINE
- PI — PROPOSED PRESSURIZED IRRIG LINE
- IRRIGATION EASEMENT LINE
- PROPERTY SETBACKS
- FND ½" IRON PIN (AS NOTED)
- FND ⅝"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
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- EXIST SIGN
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- PROP GAZEBO
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- PROP PARKING
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MERLIN COTTAGES

PUD/SITE MAP

SECTION 24, T.2N., R.1W., B.M.
CITY OF KUNA, ADA COUNTY, IDAHO

A-TEAM Land Development & Real Estate Services

SHEET 1 OF 1

DRAWN BY: CJ SHERLOCK
DATE: October 20, 2021
FILE: MC_PUD.dwg

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 FACILITES 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
ADDRESSES:	115 N SAILER AVE KUNA , ID 83634
ZONING C-1 & R-12 (PROPOSED)	5.83 AC
PROPERTY SIZE:	5.83 AC
TOTAL LOTS:	72
COMMON LOTS:	6
COTTAGES:	60
COMMERCIAL:	6
DENSITY UNITS:	10.29 PER ACRE

SITE DETAILS:

COMMON LANDSCAPE AREA:	1.95 AC
COTTAGES:	1.42 AC
COMMERCIAL:	1.06 AC
ROW & ALLEY:	1.40 AC

SETBACKS:

COTTAGES:

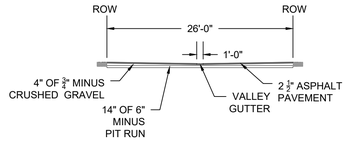
FRONT:	10'
SIDE:	3'
REAR:	2'

TOWNHOMES:

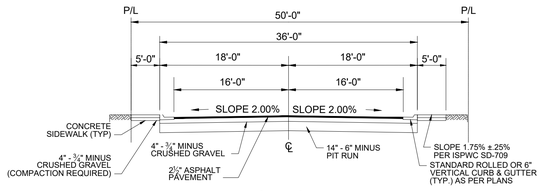
FRONT:	15'
SIDE:	0'
REAR:	10'

SITE AMENITIES:
PATHWAYS, LANDSCAPE BUFFERS, GAZEBOS, PARK, PLAZAS

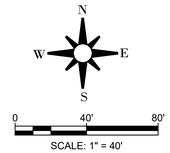
VICINITY MAP
SCALE: 1:500



26' ROW STREET SECTION
SCALE: 1:10



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



SCALE: 1" = 40'

LEGEND

- SITE BOUNDARY LINE
- SECTION LINE
- EXIST CENTER LINE
- IRR — EXIST IRRIGATION LINE
- EG — EDGE OF GRAVEL
- OHP — EXISIT OVERHEAD POWER
- TOP — TOP OF SLOPE
- EW — EDGE OF WATER
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- W — EXIST WATER LINE
- SD — EXIST STORM DRAIN
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- PROPOSED LOT LINE
- ROW — PROPOSED ROW LINE
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- IRRIGATION EASEMENT LINE
- FND ½" IRON PIN (AS NOTED)
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- FND BRASS CAP (AS NOTED)
- FND ALUMINUM CAP (AS NOTED)
- CALCULATED POINT
- EXIST POWER POLE
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MERLIN COTTAGES

PRELIMINARY PLAT MAP

SECTION 24, T.2N., R.1W., B.M.
CITY OF KUNA, ADA COUNTY, IDAHO

A-TEAM Land Development & Real Estate Services

SHEET 1 OF 1

DRAWN BY: CJ SHERLOCK
DATE: April 27, 2021
FILE: MC_PREPLAT.dwg

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 FACILITES AS APPROVED BY ACHD.
5. LOT 4 BLOCK 1, LOT 1 BLOCK 2, LOT 1 BLOCK 3, LOT 12 BLOCK 4, LOT 1, 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 28' 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 R5672430020
ADDRESSES:	115 N SAILER AVE KUNA , ID 83634
ZONING C-1 & R-12 (PROPOSED)	7.04 AC
PROPERTY SIZE:	7.04 AC
TOTAL LOTS:	66
COMMON LOTS:	6
COTTAGES:	54
COMMERCIAL:	6
GROSS DENSITY UNITS:	7.67 PER AC
NET DENSITY UNITS:	9.20 PER AC

SITE DETAILS:

COMMON LANDSCAPE AREA:	1.93 AC
COTTAGES:	2.67 AC
COMMERCIAL:	1.27 AC
ROW & ALLEY:	1.17 AC

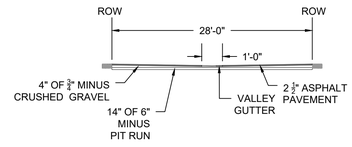
SETBACKS:

COTTAGES:

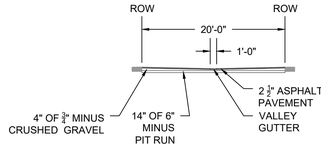
FRONT:	10'
FRONT ALONG PUBLIC STREET:	15'
SIDE:	3'
REAR:	3'
REAR ALONG PUBLIC STREET:	10'

SITE AMENITIES:
PATHWAYS, LANDSCAPE BUFFERS, GAZEBOS, PARK, PLAZAS

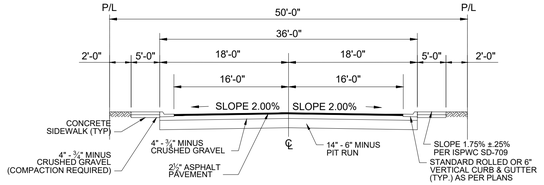
VICINITY MAP
SCALE: 1:500



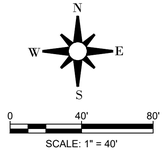
28' ROW PRIVATE STREET SECTION
SCALE: 1:10



20' ROW ALLEY STREET SECTION
SCALE: 1:10



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



SCALE: 1" = 40'

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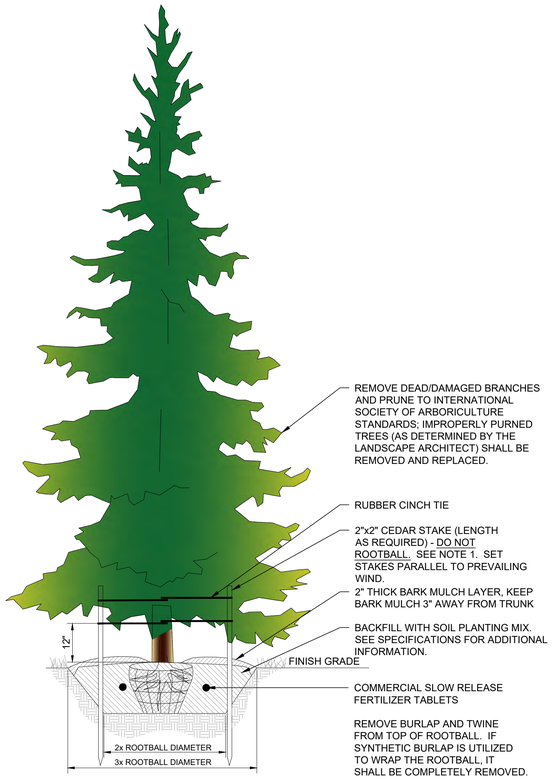
PRELIMINARY PLAT MAP

SECTION 24, T.2N., R.1W., B.M.
CITY OF KUNA, ADA COUNTY, IDAHO

A-TEAM Land Development & Real Estate Services

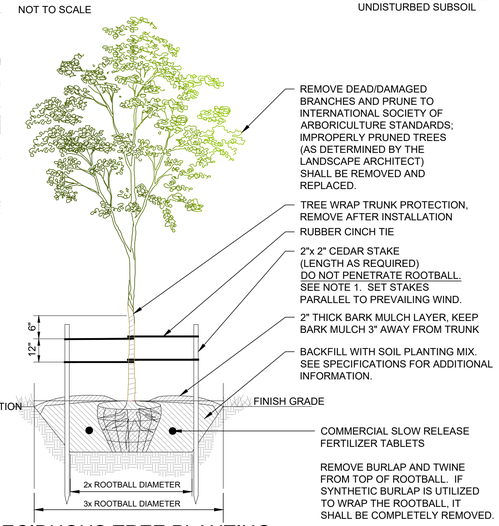
SHEET 1 OF 1

DRAWN BY: CJ SHERLOCK
DATE: October 20, 2021
FILE: MC_PREPLAT.dwg



CONIFEROUS TREE PLANTING

NOT TO SCALE



DECIDUOUS TREE PLANTING

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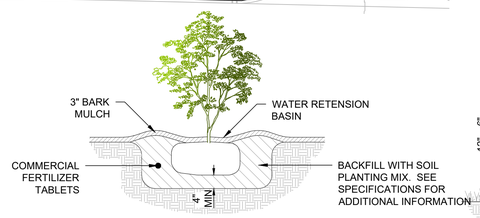
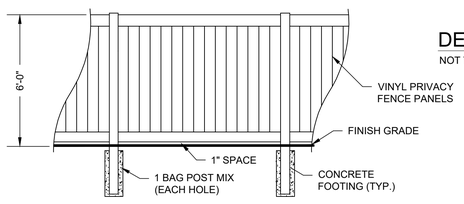


SHRUB PLANTING

NOT TO SCALE



EXISTING SOLID VINYL FENCING

NOT TO SCALE

PLAZA/GAZEBO AND PICNIC AREA

CLIMBING ROCK

LANDSCAPE & IRRIGATION NOTES:

1. CONTRACTOR SHALL REPORT TO LANDSCAPE ARCHITECT ALL CONDITIONS WHICH IMPAIR AND/OR PREVENT THE PROPER EXECUTION OF THIS WORK, PRIOR TO BEGINNING WORK.
2. COORDINATE WORK SCHEDULE AND OBSERVATIONS WITH LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION START-UP.
3. NEW CONIFER AND DECIDUOUS TREE PLANTING, SEE DETAIL B AND C/L1.0. CONTRACTOR SHALL STAKE ALL TREES DEEMED NECESSARY, I.E..... FROM BEING BLOWN OVER, PLANTED WITH LOOSE ROOT BALL, ETC. CONTRACTOR'S OPTION.
4. NEW SHRUB PLANTING. SEE DETAIL A/L1.0.
5. 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.
6. ALL PLANTING BEDS SHALL BE COVERED WITH A MINIMUM OF 3" OF SMALL (1" MINUS) BARK CHIPS. SUBMIT FOR APPROVAL.
7. 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.
8. FINISH GRADES TO BE SMOOTH AND EVEN GRADIENTS WITH POSITIVE DRAINAGE IN ACCORDANCE WITH SITE GRADING PLAN.
9. 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.
10. FERTILIZE ALL TREES AND SHRUBS WITH 'AGRIFORM' PLANTING TABLETS. QUANTITY PER MANUFACTURER'S RECOMMENDATIONS.
11. 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.
12. 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 EXTRANEOUS 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 EXTRANEOUS OR TOXIC MATTER HARMFUL TO PLANT GROWTH.
    a. 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.
    B. 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 ARCHITECTS REPRESENTATIVE BY THE CONTRACTOR. NO TOPSOIL SHALL BE DELIVERED IN A FROZEN OR MUDDY CONDITION. ACIDITY/ALKALINITY RANGE - PH. 5.5 TO 7.6.
13. IMMEDIATELY CLEAN UP ANY TOPSOIL OR OTHER DEBRIS ON THE SITE CREATED FROM LANDSCAPE OPERATIONS AND DISPOSE OF PROPERLY OFF SITE.
14. 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.
15. PLANTER BEDS AND LAWN AREAS ARE TO HAVE SEPARATE HYDRO-ZONES.
16. POP-UP SPRINKLER HEADS SHALL HAVE A MINIMUM RISER HEIGHT OF 4 INCHES AT LAWN AREAS AND 18" AT PLANTER BEDS.
17. 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.
18. ELECTRONIC WATER DISTRIBUTION/ TIMING CONTROLLERS ARE TO BE PROVIDED. MINIMUM CONTROLLER REQUIREMENTS ARE AS FOLLOWS:
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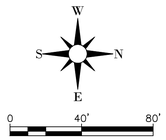
    -RUN TIME CAPABILITIES FOR EXTREMES IN PRECIPITATION RATES
    -AT LEAST ONE PROGRAM FOR EACH HYDROZONE
    -SUFFICIENT MULTIPLE CYCLES TO AVOID WATER RUN-OFF
    -POWER FAILURE BACKUP FOR ALL PROGRAMMED INDIVIDUAL VALVED WATERING STATIONS WILL BE DESIGNED AND INSTALLED TO PROVIDE WATER TO RESPECTIVE HYDRO-ZONES.
19. ALL EXISTING COTTON WOOD TREES TO BE REMOVED.

TREE PLANTING NOTES

1. 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.
2. REMOVAL OF BURLAP AND TWINE FROM TOP OF ROOTBALL MAY BE POSTPONED FOR 90 DAYS AT CONTRACTOR'S OPTION.
3. IN THE EVENT OF A QUESTION OR LACK OF CLARITY ON THE DRAWINGS, THE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT BEFORE PROCEEDING.
4. LANDSCAPE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT AND OWNER PRIOR TO INSTALLATION OF PLANT MATERIAL.
5. 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.
6. DEEP SOAK TREE TWICE WITHIN THE FIRST 24 HOURS.
7. 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



0 40' 80'

SCALE: 1" = 40'

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

MERLIN COTTAGE

PRELIMINARY LANDSCAPE PLAN

SECTION 24, T.2N., R.1W., B.M.
CITY OF KUNA, ADA COUNTY, IDAHO

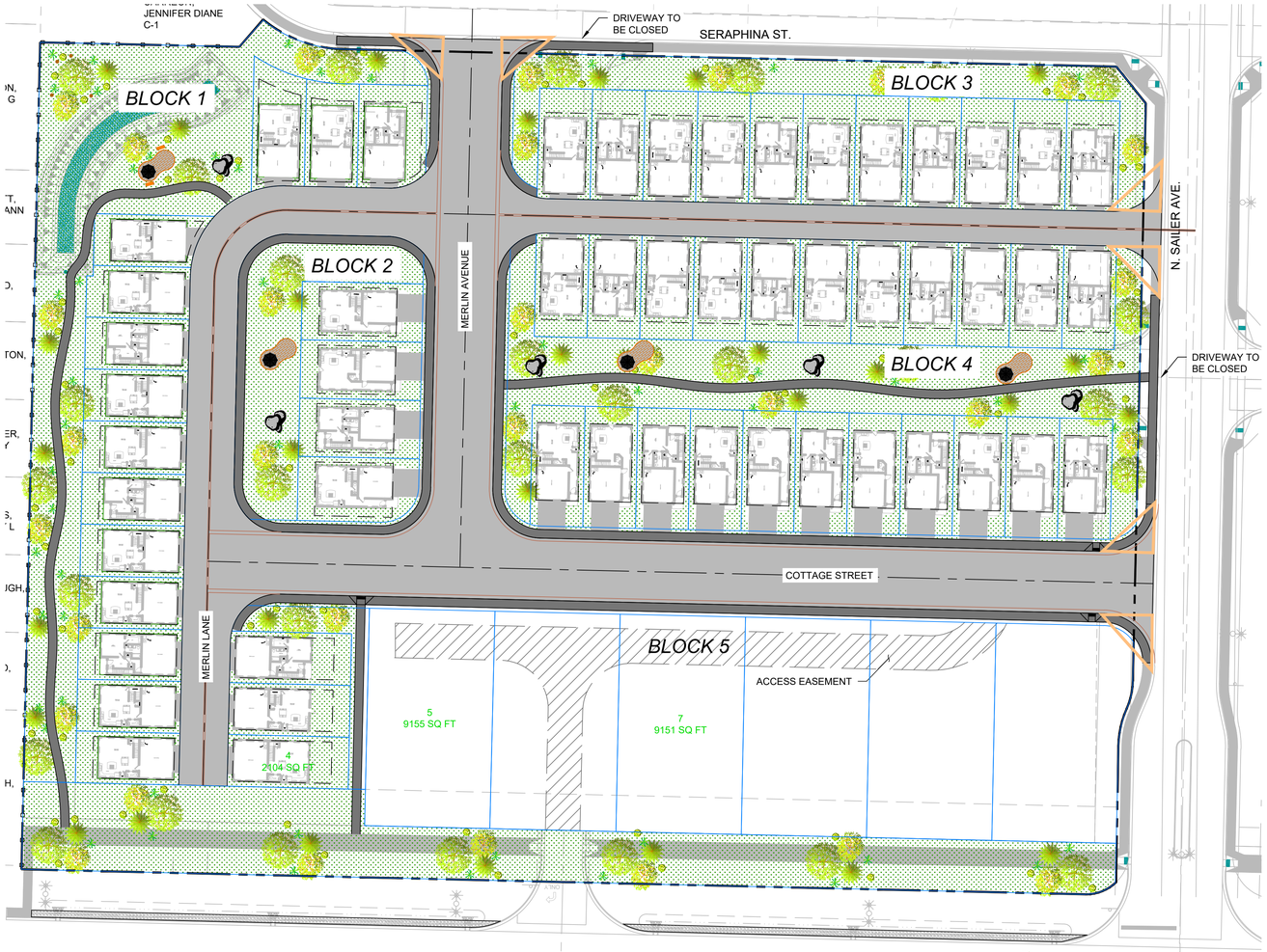
OWNER/DEVELOPER
MERLIN POINTE LLC
P.O. BOX 690
MERIDIAN, ID 83680

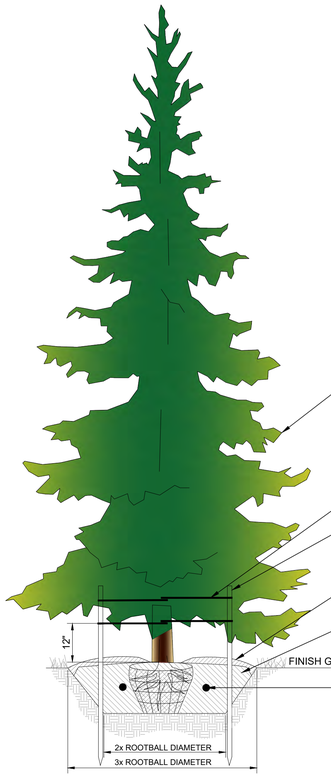
PLANNER / CONTACT
STEVE ARNOLD
A-TEAM LAND CONSULTANTS
1785 WHISPER COVE AVE.
BOISE, ID 83709
208-871-7020

A-TEAM Land Development & Real Estate Services

SHEET 1 OF 2

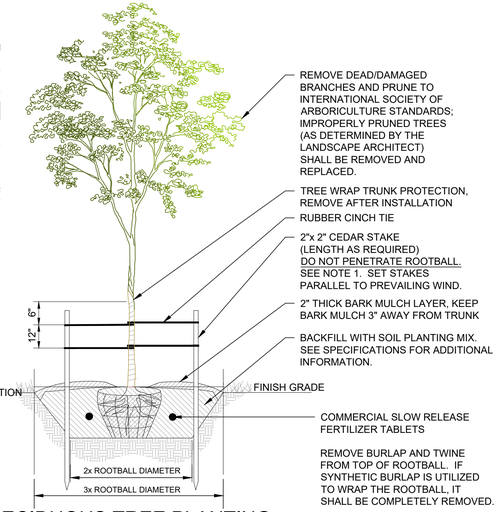
DRAWN BY: CJ SHERLOCK
DATE: March 19, 2021
FILE: MC_LANDSCAPE.dwg





CONIFEROUS TREE PLANTING

NOT TO SCALE



DECIDUOUS TREE PLANTING

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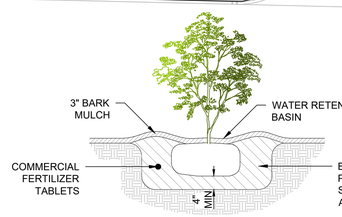
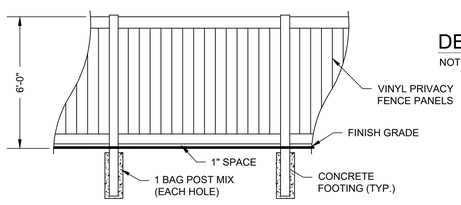


SHRUB PLANTING

NOT TO SCALE



EXISTING SOLID VINYL FENCING

NOT TO SCALE

PLAZA/GAZEBO AND PICNIC AREA

CLIMBING ROCK

LANDSCAPE & IRRIGATION NOTES:

1. CONTRACTOR SHALL REPORT TO LANDSCAPE ARCHITECT ALL CONDITIONS WHICH IMPAIR AND/OR PREVENT THE PROPER EXECUTION OF THIS WORK, PRIOR TO BEGINNING WORK.
2. COORDINATE WORK SCHEDULE AND OBSERVATIONS WITH LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION START-UP.
3. NEW CONIFER AND DECIDUOUS TREE PLANTING, SEE DETAIL B AND C/L1.0. CONTRACTOR SHALL STAKE ALL TREES DEEMED NECESSARY, I.E..... FROM BEING BLOWN OVER, PLANTED WITH LOOSE ROOT BALL, ETC. CONTRACTOR'S OPTION.
4. NEW SHRUB PLANTING. SEE DETAIL A/L1.0.
5. 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.
6. ALL PLANTING BEDS SHALL BE COVERED WITH A MINIMUM OF 3" OF SMALL (1" MINUS) BARK CHIPS. SUBMIT FOR APPROVAL.
7. 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.
8. FINISH GRADES TO BE SMOOTH AND EVEN GRADIENTS WITH POSITIVE DRAINAGE IN ACCORDANCE WITH SITE GRADING PLAN.
9. 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.
10. FERTILIZE ALL TREES AND SHRUBS WITH 'AGRIFORM' PLANTING TABLETS. QUANTITY PER MANUFACTURER'S RECOMMENDATIONS.
11. 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.
12. 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 EXTRANEOUS 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 EXTRANEOUS OR TOXIC MATTER HARMFUL TO PLANT GROWTH.
    a. 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.
    B. 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 ARCHITECTS REPRESENTATIVE BY THE CONTRACTOR. NO TOPSOIL SHALL BE DELIVERED IN A FROZEN OR MUDDY CONDITION. ACIDITY/ALKALINITY RANGE - PH. 5.5 TO 7.6.
13. IMMEDIATELY CLEAN UP ANY TOPSOIL OR OTHER DEBRIS ON THE SITE CREATED FROM LANDSCAPE OPERATIONS AND DISPOSE OF PROPERLY OFF SITE.
14. 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.
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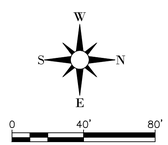

LANDSCAPE DESIGNER
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MERLIN COTTAGE

PRELIMINARY LANDSCAPE PLAN

SECTION 24, T.2N., R.1W., B.M.
CITY OF KUNA, ADA COUNTY, IDAHO

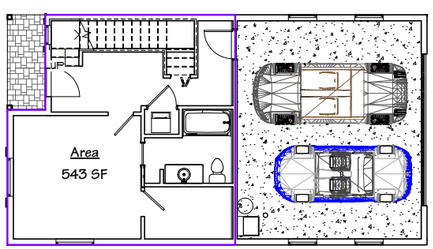
A-TEAM Land Development & Real Estate Services

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

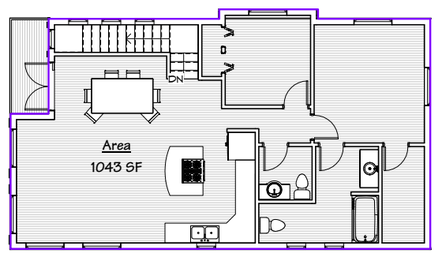
MERLIN COTTAGES

COTTAGE #1
1586 SQ FT

1 3D View 1



2 TOF
1/8" = 1'-0"



3 TOW FIRST FLOOR
1/8" = 1'-0"

WHITE CLOUD STUDIOS

301 N. 27TH ST., BOISE, ID
590 VALLEY CREEK RD., STANLEY, ID

(208) 917-7769 Boise Office
(208) 774-8343 Stanley Office
(208) 412-8343 Cell

CJ SHERLOCK
whitecloudcad@gmail.com

MERLIN COTTAGES
115 N. Sailor Ave
Kuna, ID 83634

No.	Description	Date

A TEAM Land Development & Real Estate Services

COVER SHEET

Project number	WCC COTTAGE 1_2020
Date	8/21/2020 1:59:13 PM
Drawn by	CJ SHERLOCK
Checked by	S ARNOLD

A-100

Scale 1/8" = 1'-0"

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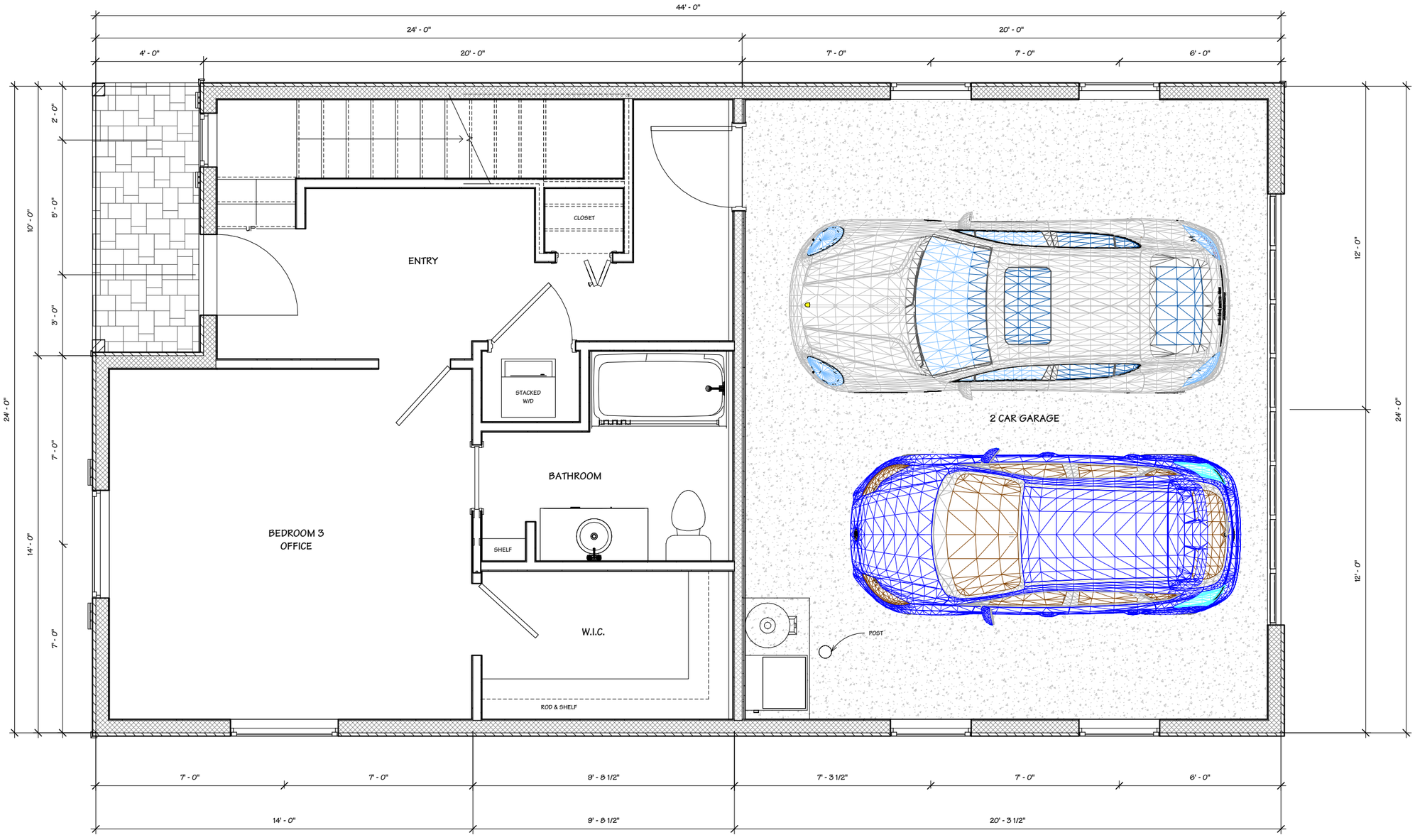

1 FIRST FLOOR
1/2" = 1'-0"

WHITE CLOUD STUDIOS

301 N. 27TH ST., BOISE, ID
590 VALLEY CREEK RD., STANLEY, ID

(208) 917-7769 Boise Office
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CJ SHERLOCK
whitecloudcad@gmail.com

MERLIN COTTAGES
115 N. Sailor Ave
Kuna, ID 83634

No.	Description	Date

ATEAM Land Development & Real Estate Services

FIRST FLOOR PLAN

Project number	WCC COTTAGE 1_2020
Date	8/21/2020 1:59:16 PM
Drawn by	CJ SHERLOCK
Checked by	S ARNOLD

A-101

Scale 1/2" = 1'-0"

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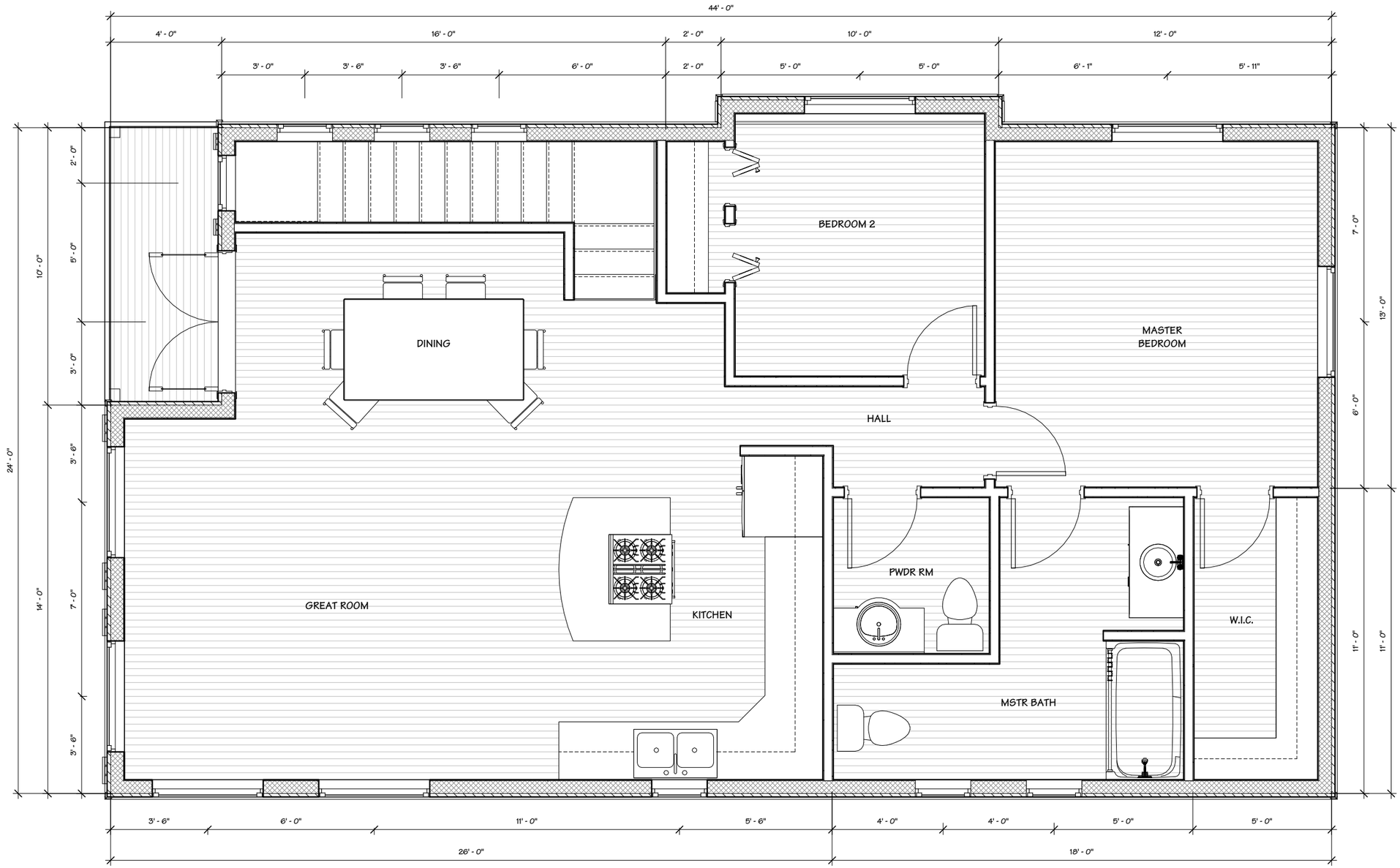

1 TOW FIRST FLOOR
1/2" = 1'-0"

WHITE CLOUD STUDIOS

301 N. 27TH ST., BOISE, ID
590 VALLEY CREEK RD., STANLEY, ID

(208) 917-7769 Boise Office
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CJ SHERLOCK
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MERLIN COTTAGES
115 N. Sailor Ave
Kuna, ID 83634

No.	Description	Date

A TEAM Land Development & Real Estate Services

SECOND FLOOR PLAN

Project number	WCC COTTAGE 1_2020
Date	8/21/2020 1:59:17 PM
Drawn by	CJ SHERLOCK
Checked by	S ARNOLD

A-102

Scale 1/2" = 1'-0"

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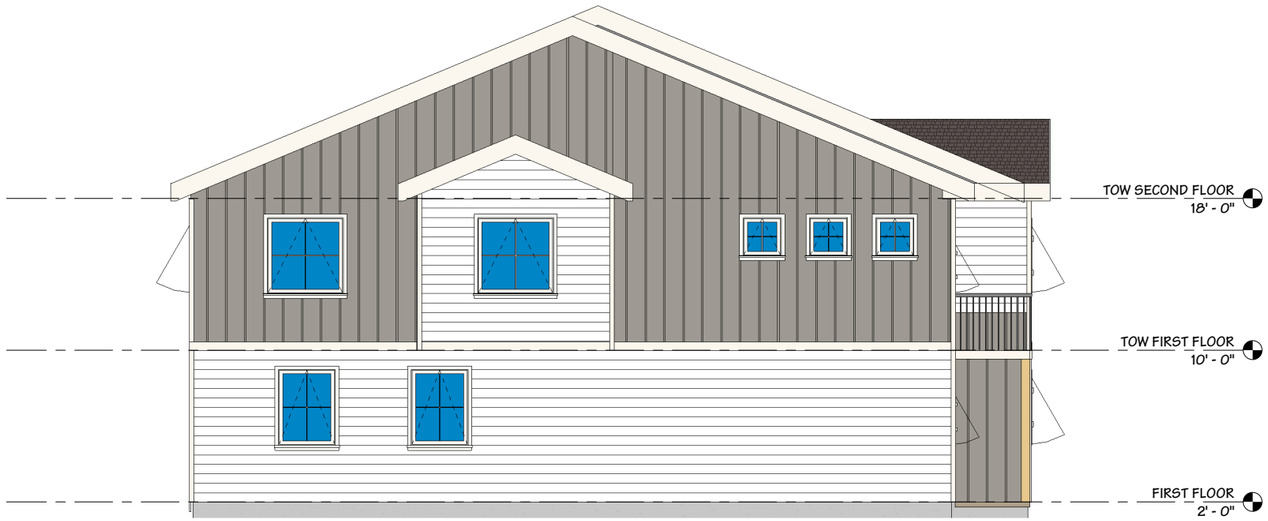

1 North
1/4" = 1'-0"

2 South
1/4" = 1'-0"

WHITE CLOUD STUDIOS

301 N. 27TH ST., BOISE, ID
590 VALLEY CREEK RD., STANLEY, ID

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MERLIN COTTAGES
115 N. Sailor Ave
Kuna, ID 83634

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ATEAM Land Development & Real Estate Services

ELEVATIONS

Project number	WCC COTTAGE 1_2020
Date	8/21/2020 1:59:18 PM
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A-201

Scale 1/4" = 1'-0"

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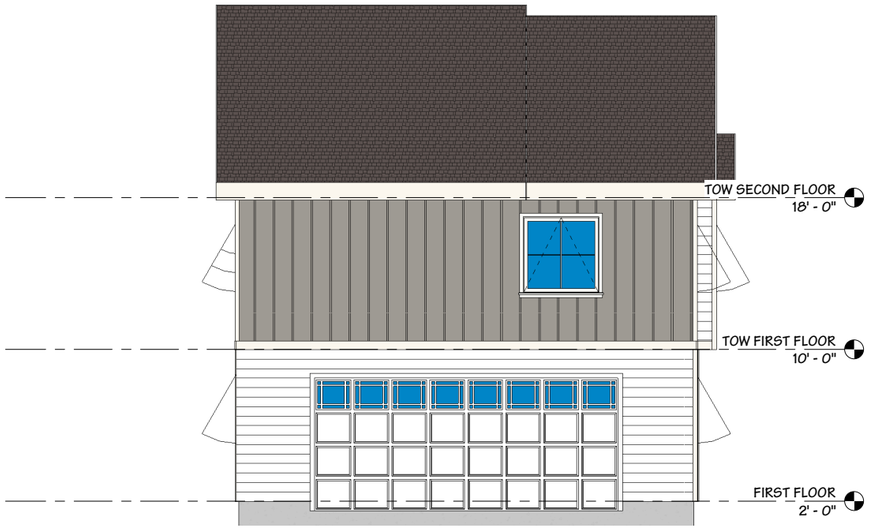

1 East
1/4" = 1'-0"

WHITE CLOUD STUDIOS

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MERLIN COTTAGES
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No.	Description	Date

ATEAM Land Development & Real Estate Services

ELEVATIONS

Project number	WCC COTTAGE 1_2020
Date	8/21/2020 1:59:19 PM
Drawn by	CJ SHERLOCK
Checked by	S ARNOLD

A-202

Scale 1/4" = 1'-0"

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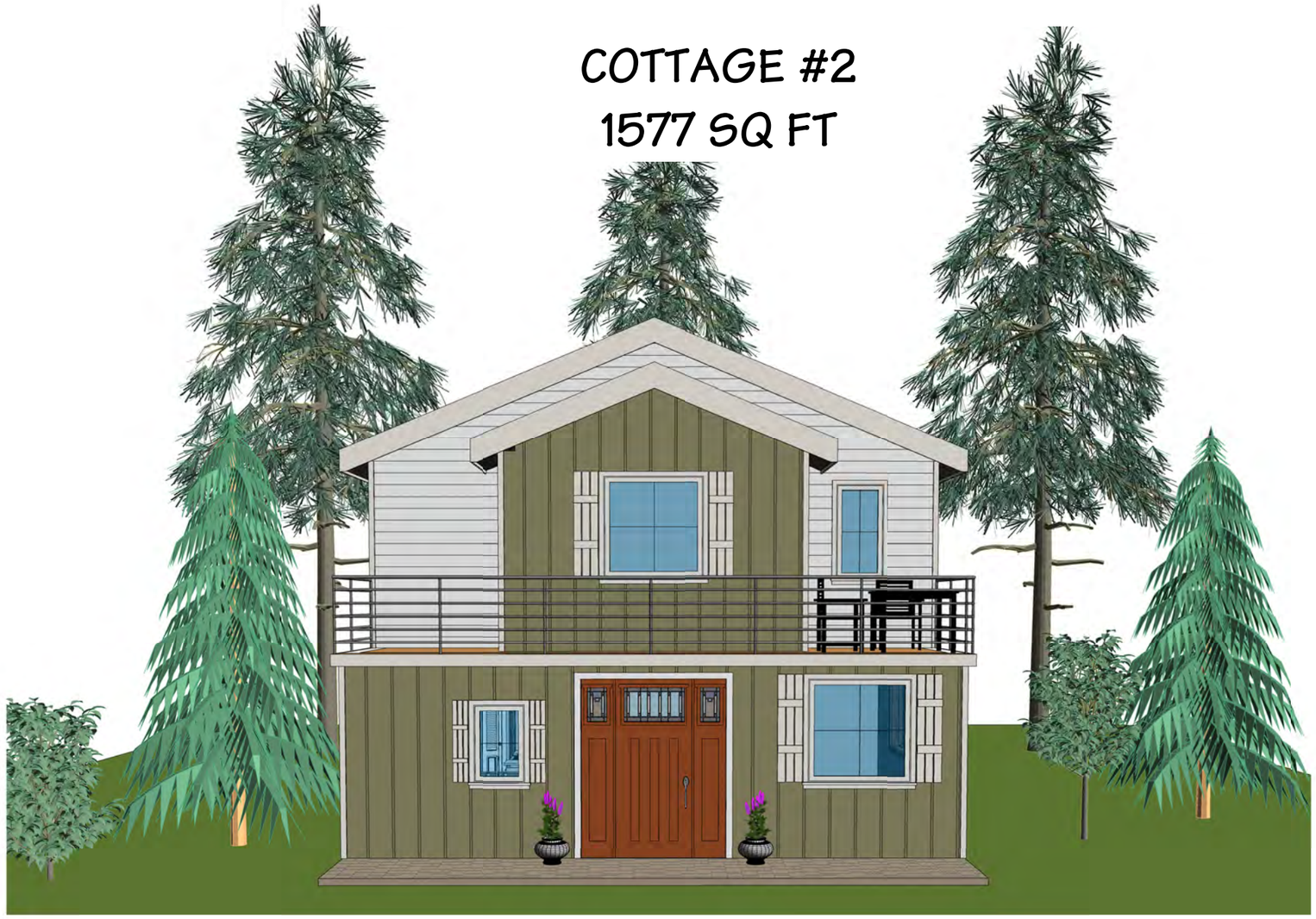
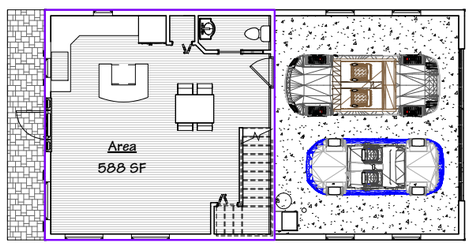
MERLIN COTTAGES

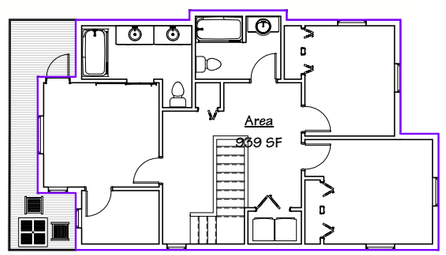
COTTAGE #2
1577 SQ FT



1 3D View 1



2 TOF
1/8" = 1'-0"



3 TOW FIRST FLOOR
1/8" = 1'-0"

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MERLIN COTTAGES
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ATEAM Land Development & Real Estate Services

COVER SHEET

Project number	WCC COTTAGE 2_2020
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A-100

Scale 1/8" = 1'-0"

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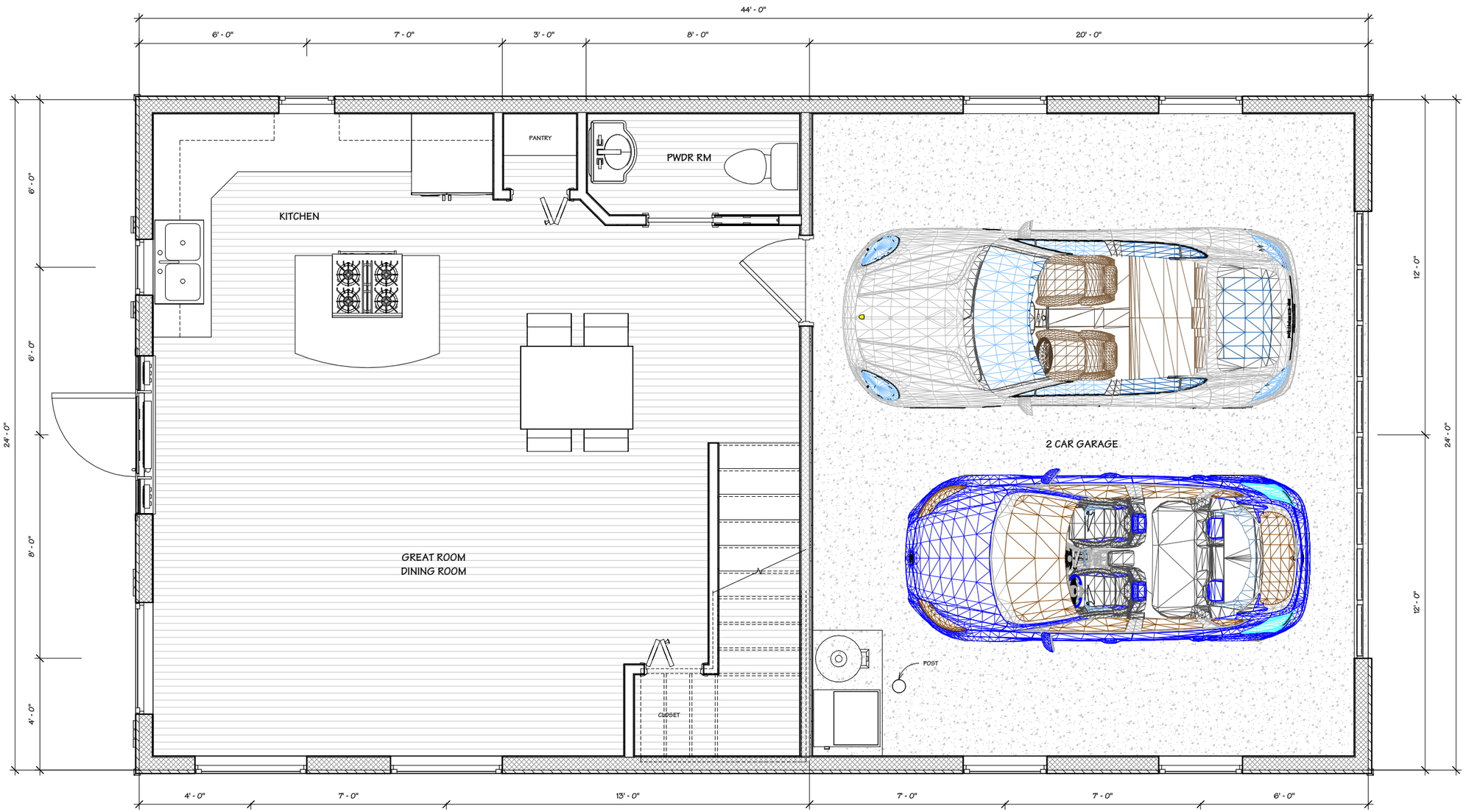

1 FIRST FLOOR
1/2" = 1'-0"

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MERLIN COTTAGES
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No.	Description	Date

A TEAM Land Development & Real Estate Services

FIRST FLOOR PLAN

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A-101

Scale 1/2" = 1'-0"

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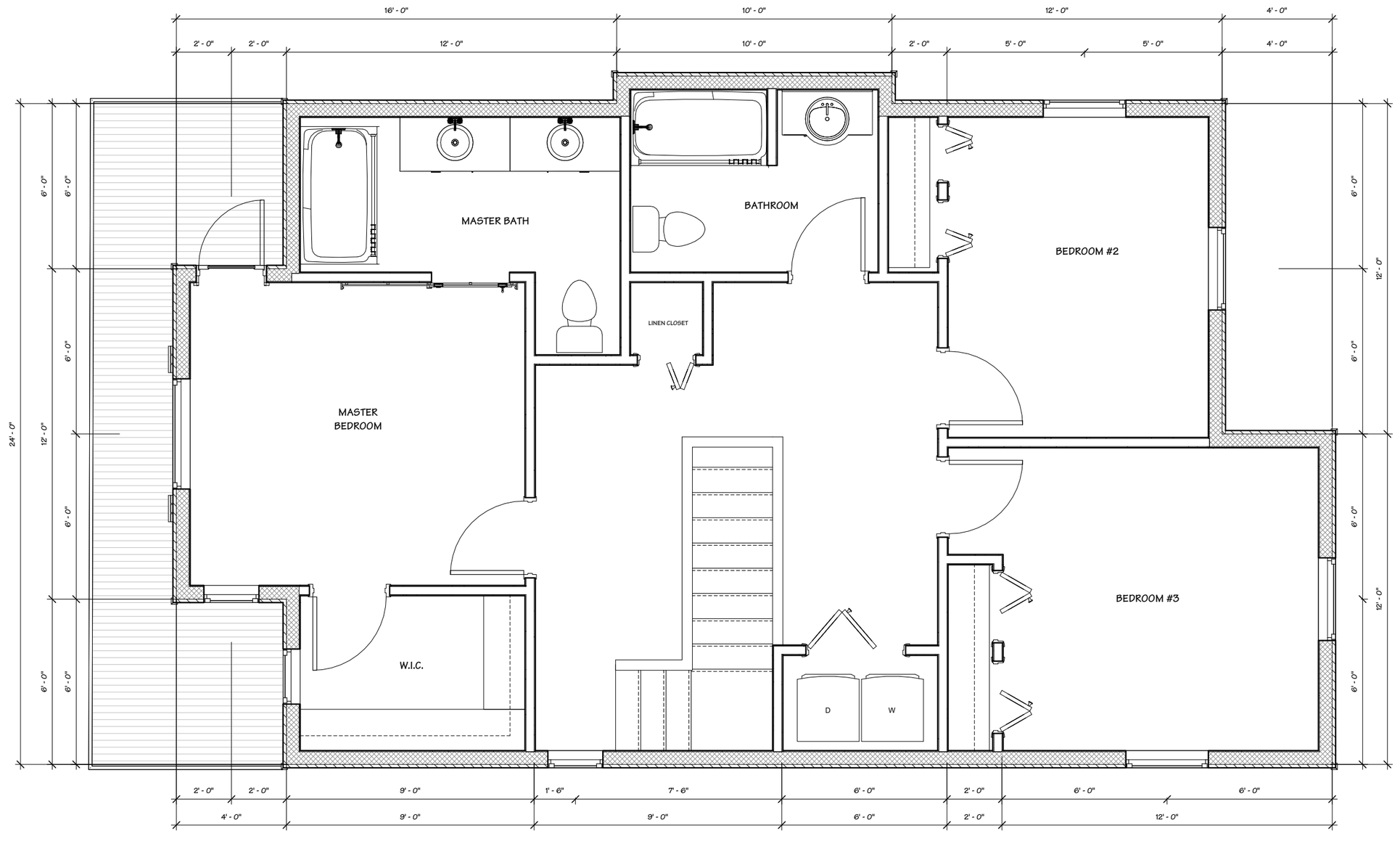

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A TEAM Land Development & Real Estate Services

SECOND FLOOR PLAN

Project number	WCC COTTAGE 2_2020
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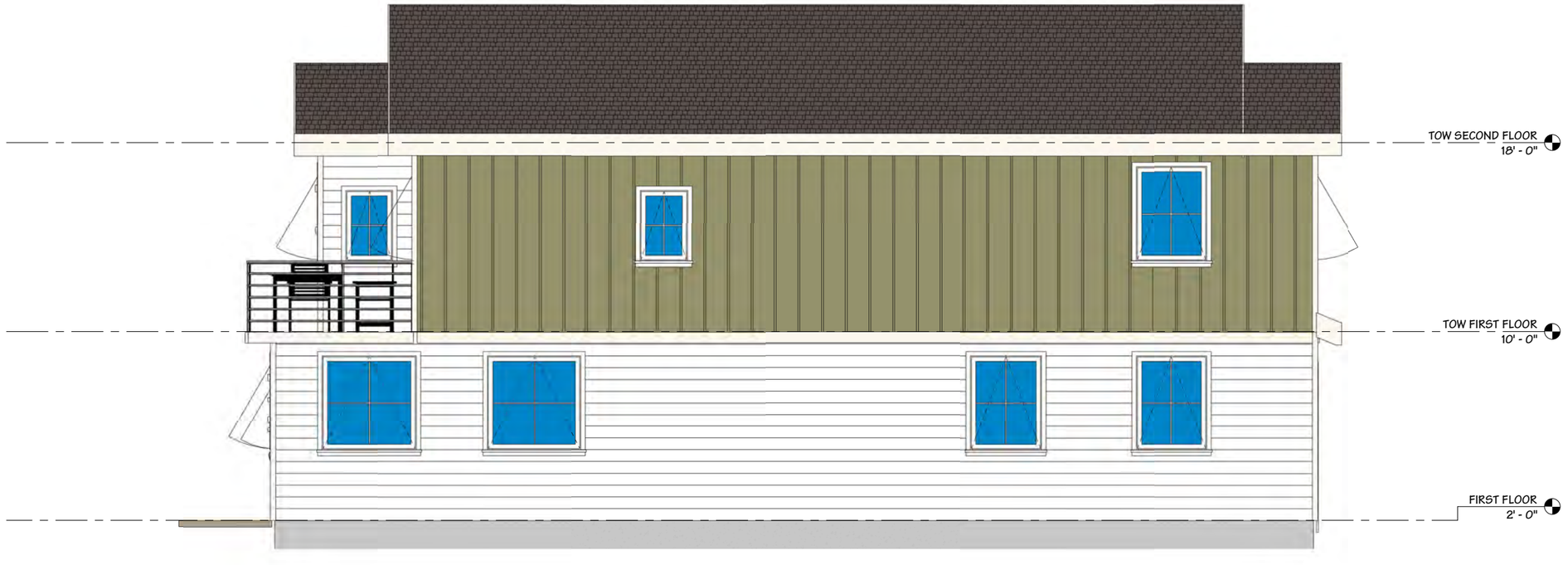
Checked by	S ARNOLD

A-102

Scale 1/2" = 1'-0"

G:\CLIENTS\STEVE ARNOLD\001 ARCHITECTURAL\COTTAGES\COTTAGE 2.rvt

1 North
3/8" = 1'-0"



2 South
3/8" = 1'-0"

WHITE CLOUD STUDIOS

301 N. 27TH ST., BOISE, ID
590 VALLEY CREEK RD., STANLEY, ID

(208) 917-7769 Boise Office
(208) 774-8343 Stanley Office
(208) 412-8343 Cell

CJ SHERLOCK
whitecloudcad@gmail.com

MERLIN COTTAGES
115 N. Sailor Ave
Kuna, ID 83634

No.	Description	Date

A TEAM Land Development & Real Estate Services

ELEVATIONS

Project number	WCC COTTAGE 2_2020
Date	8/21/2020 4:45:17 PM
Drawn by	CJ SHERLOCK
Checked by	S ARNOLD

A-201

Scale 3/8" = 1'-0"

G:\CLIENTS\STEVE ARNOLD\001 ARCHITECTURAL\COTTAGES\COTTAGE 2.rvt

1 East
3/8" = 1'-0"

2 West
3/8" = 1'-0"

WHITE CLOUD STUDIOS

301 N. 27TH ST., BOISE, ID
590 VALLEY CREEK RD., STANLEY, ID

(208) 917-7769 Boise Office
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CJ SHERLOCK
whitecloudcad@gmail.com

MERLIN COTTAGES
115 N. Sailor Ave
Kuna, ID 83634

No.	Description	Date

A TEAM Land Development & Real Estate Services

ELEVATIONS

Project number	WCC COTTAGE 2_2020
Date	8/21/2020 4:45:20 PM
Drawn by	CJ SHERLOCK
Checked by	S ARNOLD

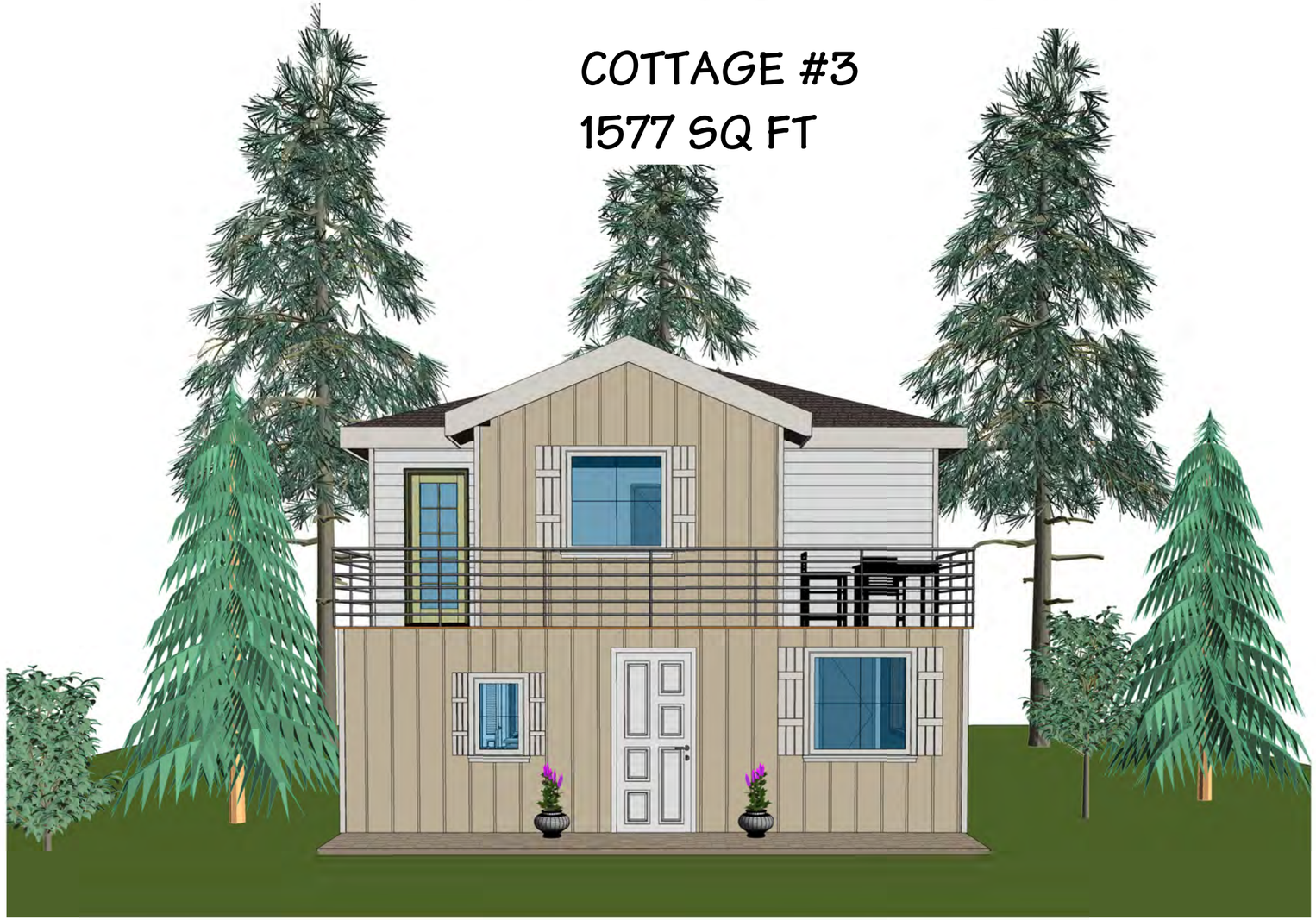
A-202

Scale 3/8" = 1'-0"

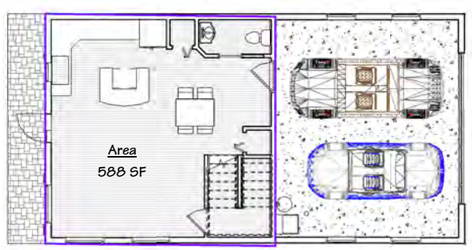
G:\CLIENTS\STEVE ARNOLD\001 ARCHITECTURAL\COTTAGES\COTTAGE 2.rvt

MERLIN COTTAGES

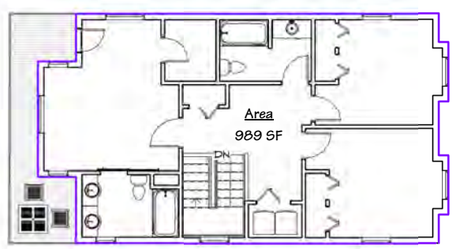
COTTAGE #3
1577 SQ FT



1 3D View 1



2 TOF
1/8" = 1'-0"



3 TOW FIRST FLOOR
1/8" = 1'-0"

WHITE CLOUD
STUDIOS

301 N. 27TH ST., BOISE, ID
590 VALLEY CREEK RD., STANLEY, ID

(208) 917-7769 Boise Office
(208) 774-8343 Stanley Office
(208) 412-8343 Cell

CJ SHERLOCK
whitecloudcad@gmail.com

MERLIN COTTAGES
115 N. Sailor Ave
Kuna, ID 83634

No.	Description	Date

A TEAM
Land Development & Real Estate Services

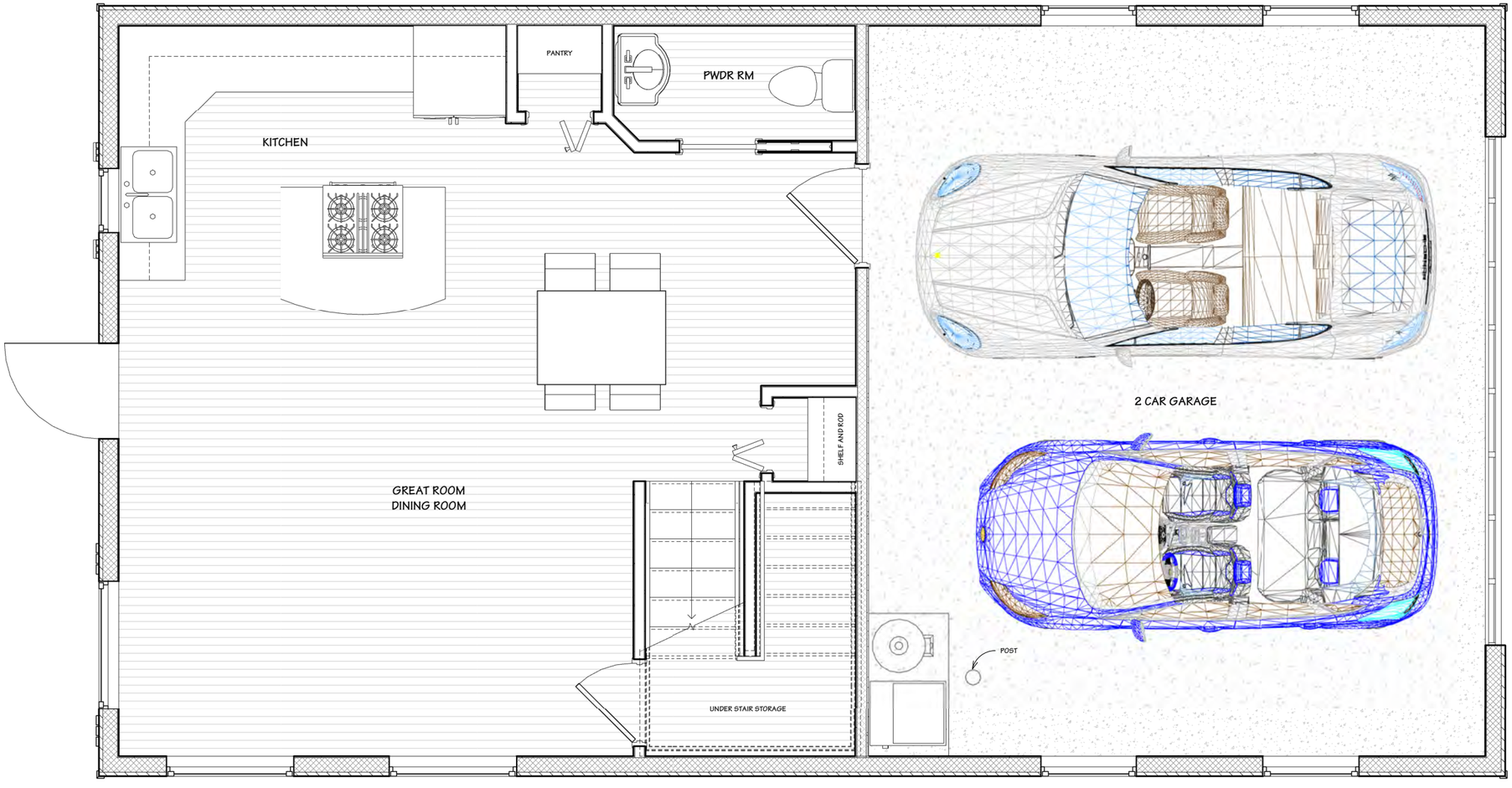
COVER SHEET

Project number	WCC COTTAGE 3_2020
Date	8/21/2020 4:48:43 PM
Drawn by	CJ SHERLOCK
Checked by	S ARNOLD

A-100

Scale 1/8" = 1'-0"

G:\CLIENTS\STEVE ARNOLD\001 ARCHITECTURAL\COTTAGES\COTTAGE 3.rvt



1 FIRST FLOOR
1/2" = 1'-0"

WHITE CLOUD STUDIOS

301 N. 27TH ST., BOISE, ID
590 VALLEY CREEK RD., STANLEY, ID

(208) 917-7769 Boise Office
(208) 774-8343 Stanley Office
(208) 412-8343 Cell

CJ SHERLOCK
whitecloudcad@gmail.com

MERLIN COTTAGES
115 N. Sailor Ave
Kuna, ID 83634

No.	Description	Date

A TEAM Land Development & Real Estate Services

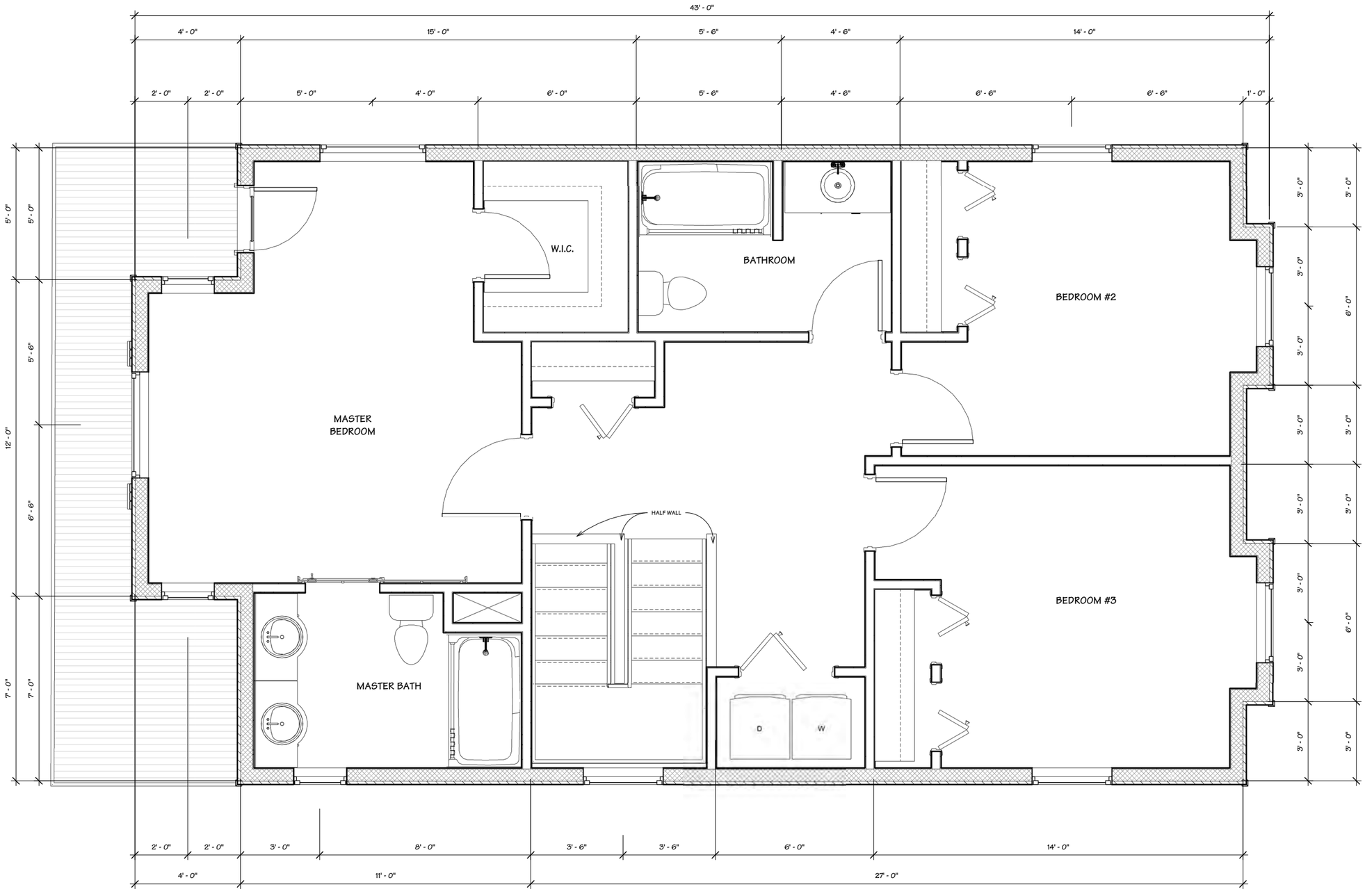
FIRST FLOOR PLAN

Project number	WCC COTTAGE 3_2020
Date	8/21/2020 4:48:46 PM
Drawn by	CJ SHERLOCK
Checked by	S ARNOLD

A-101

Scale 1/2" = 1'-0"

G:\CLIENTS\STEVE ARNOLD\001 ARCHITECTURAL\COTTAGES\COTTAGE 3.rvt



1 TOW FIRST FLOOR
1/2" = 1'-0"

WHITE CLOUD STUDIOS

301 N. 27TH ST., BOISE, ID
590 VALLEY CREEK RD., STANLEY, ID

(208) 917-7769 Boise Office
(208) 774-8343 Stanley Office
(208) 412-8343 Cell

CJ SHERLOCK
whitecloudcad@gmail.com

MERLIN COTTAGES
115 N. Sailor Ave
Kuna, ID 83634

No.	Description	Date

A TEAM Land Development & Real Estate Services

SECOND FLOOR PLAN

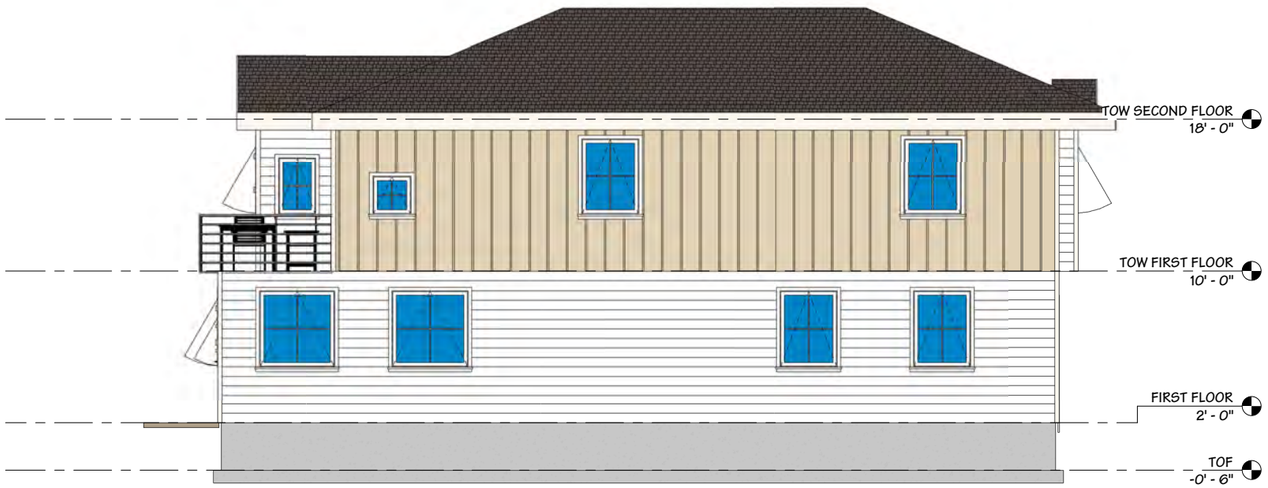
Project number	WCC COTTAGE 3_2020
Date	8/21/2020 4:48:48 PM
Drawn by	CJ SHERLOCK
Checked by	S ARNOLD

A-102

Scale 1/2" = 1'-0"

G:\CLIENTS\STEVE ARNOLD\001 ARCHITECTURAL\COTTAGES\COTTAGE 3.rvt

1 North
1/4" = 1'-0"



2 South
1/4" = 1'-0"

WHITE CLOUD STUDIOS

301 N. 27TH ST., BOISE, ID
590 VALLEY CREEK RD., STANLEY, ID

(208) 917-7769 Boise Office
(208) 774-8343 Stanley Office
(208) 412-8343 Cell

CJ SHERLOCK
whitecloudcad@gmail.com

MERLIN COTTAGES
115 N. Sailor Ave
Kuna, ID 83634

No.	Description	Date

ATEAM Land Development & Real Estate Services

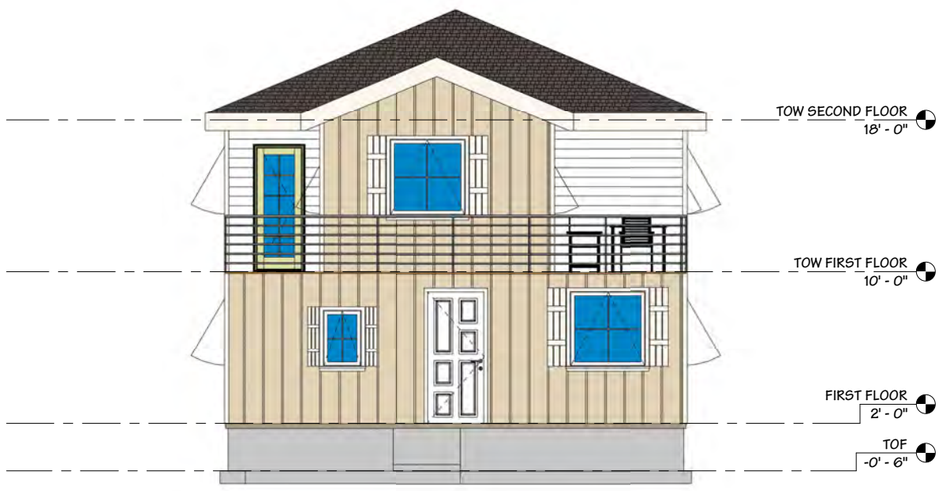
ELEVATIONS

Project number	WCC COTTAGE 3_2020
Date	8/21/2020 4:48:51 PM
Drawn by	CJ SHERLOCK
Checked by	S ARNOLD

A-201

Scale 1/4" = 1'-0"

G:\CLIENTS\STEVE ARNOLD\001 ARCHITECTURAL\COTTAGES\COTTAGE 3.rvt



2 West
1/4" = 1'-0"

1 East
1/4" = 1'-0"

WHITE CLOUD STUDIOS

301 N. 27TH ST., BOISE, ID
590 VALLEY CREEK RD., STANLEY, ID

(208) 917-7769 Boise Office
(208) 774-8343 Stanley Office
(208) 412-8343 Cell

CJ SHERLOCK
whitecloudcad@gmail.com

MERLIN COTTAGES
115 N. Sailor Ave
Kuna, ID 83634

No.	Description	Date

A TEAM Land Development & Real Estate Services

ELEVATIONS

Project number	WCC COTTAGE 3_2020
Date	8/21/2020 4:48:54 PM
Drawn by	CJ SHERLOCK
Checked by	S ARNOLD

A-202

Scale 1/4" = 1'-0"

G:\CLIENTS\STEVE ARNOLD\001 ARCHITECTURAL\COTTAGE8\COTTAGE 3.rvt

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 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 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
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.	

Best,

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

KUNA
Planning & Zoning

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
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.	

Best,

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

KUNA
Planning & Zoning

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) **20-08-S, 20-06-ZC**
115 N Sailer Ave. Kuna 83634
Boise-Kuna Irrigation District BK-1401
Teed Lateral 65+10
Sec. 24, T2N, R1W, BM.

Doug Hanson, Planner:

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

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

.

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

Sincerely,

Thomas Ritthaler
Assistant Project Manager, BPBC

tbr/tr
cc: Clint McCormick — Watermaster, Div.; 2 BPBC
Alicia Flavel — Secretary – Treasurer, BKID
File

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

711 E. Porter Rd., Kuna, Idaho 83634
Phone: (208) 922-1000 FAX: (208) 922-5646

Kuna School District

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

711 E. Porter Rd., Kuna, Idaho 83634
Phone: (208) 922-1000 FAX: (208) 922-5646

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 Conservations 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.

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

Sincerely,

Aaron Scheff
Regional Administrator
DEQ-Boise Regional Office

EDMS#: 2021AEK131

CENTRAL DISTRICT HEALTH

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 20-61-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 ☐ waste flow characteristics
☐ bedrock from original grade ☐ other _____

☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.

☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.

☒ 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:
☒ central sewage ☐ community sewage system ☐ community water well
☐ interim sewage ☒ central water
☐ individual sewage ☐ individual water

☒ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
☒ central sewage ☐ community sewage system ☐ community water
☐ sewage dry lines ☒ central water

☐ 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.

☐ 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.

☐ 12. We will require plans be submitted for a plan review for any:
☐ food establishment ☐ swimming pools or spas ☐ child care center
☐ beverage establishment ☐ grocery store

☒ 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDH.

☐ 14. _____

_____

_____ Reviewed By: Rob Bosch

Date: 7/9/2024

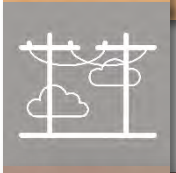
Communities in Motion 2040 2.0 Development Review

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**

CIM Corridor: **Kuna Road** Pedestrian level of stress: **PG** Bicycle level of stress: **R**	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.
Housing within 1 mile: **1,580** Jobs within 1 mile: **1,730** Jobs/Housing Ratio: **1.1**	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.
 Nearest police station: **1.4 miles** Nearest fire station: **1.3 miles**	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.
Farmland consumed: **Yes** Farmland within 1 mile: **620 acres**	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.
Nearest bus stop: **>4 miles** Nearest public school: **1.1 miles** Nearest public park: **0.8 miles** Nearest grocery store: **1.3 miles**	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.

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

COMPASS
COMMUNITY PLANNING ASSOCIATION
of Southwest Idaho

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

1. **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.

2. **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

3. **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.

4. **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-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.

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.

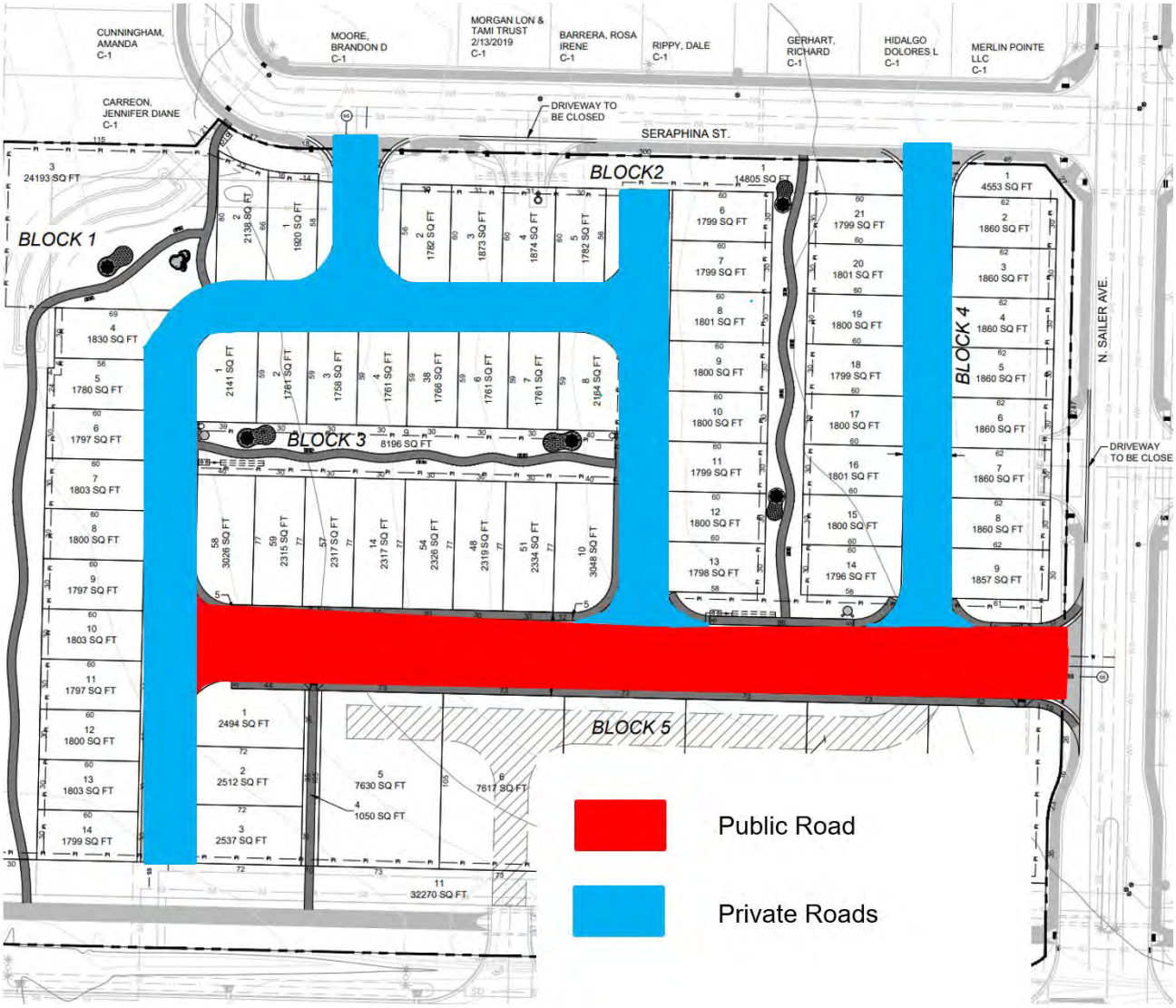
Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

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 though 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, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.

10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.

11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.

12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

F. Conclusions of Law

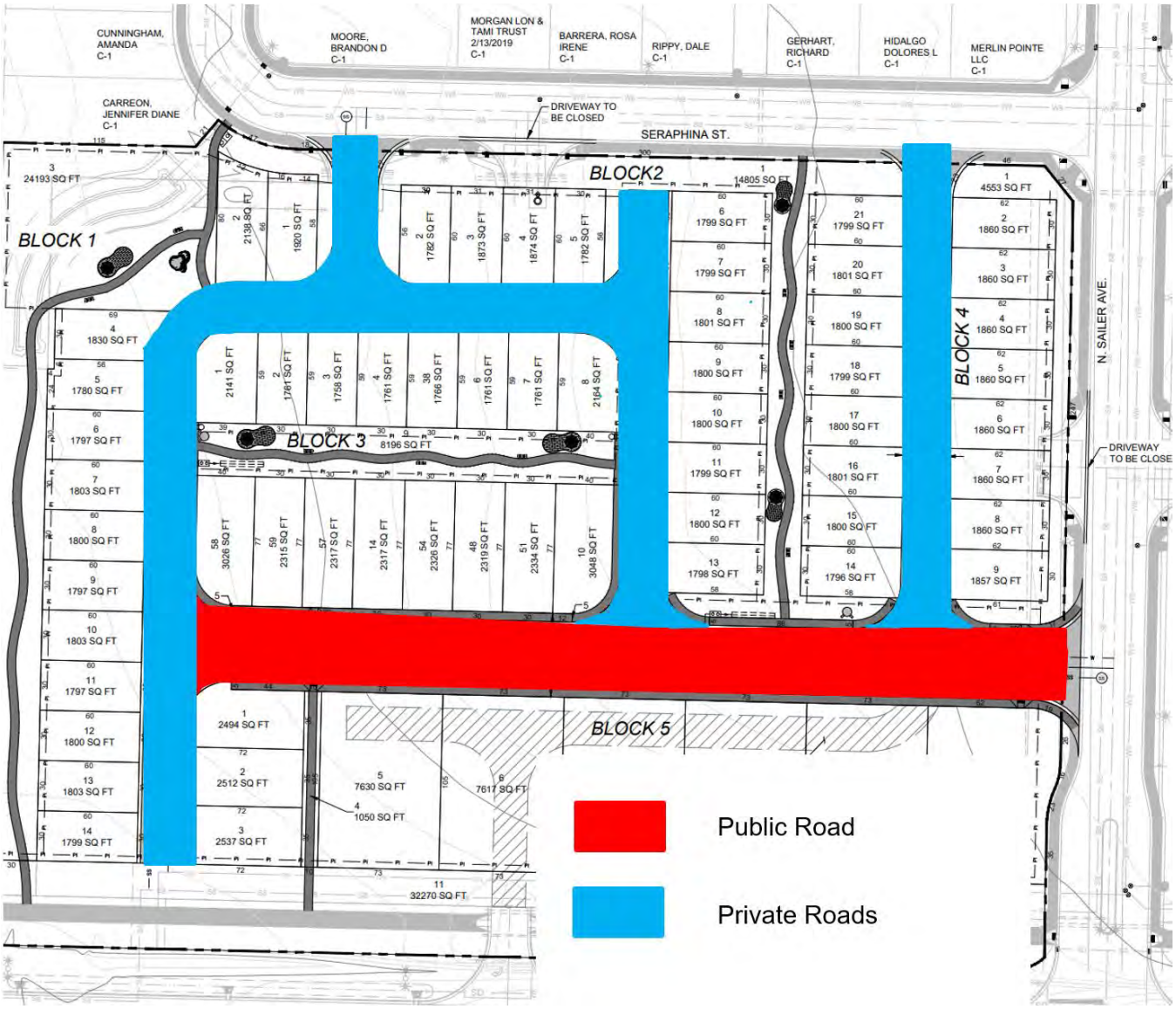
1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.

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

G. Attachments

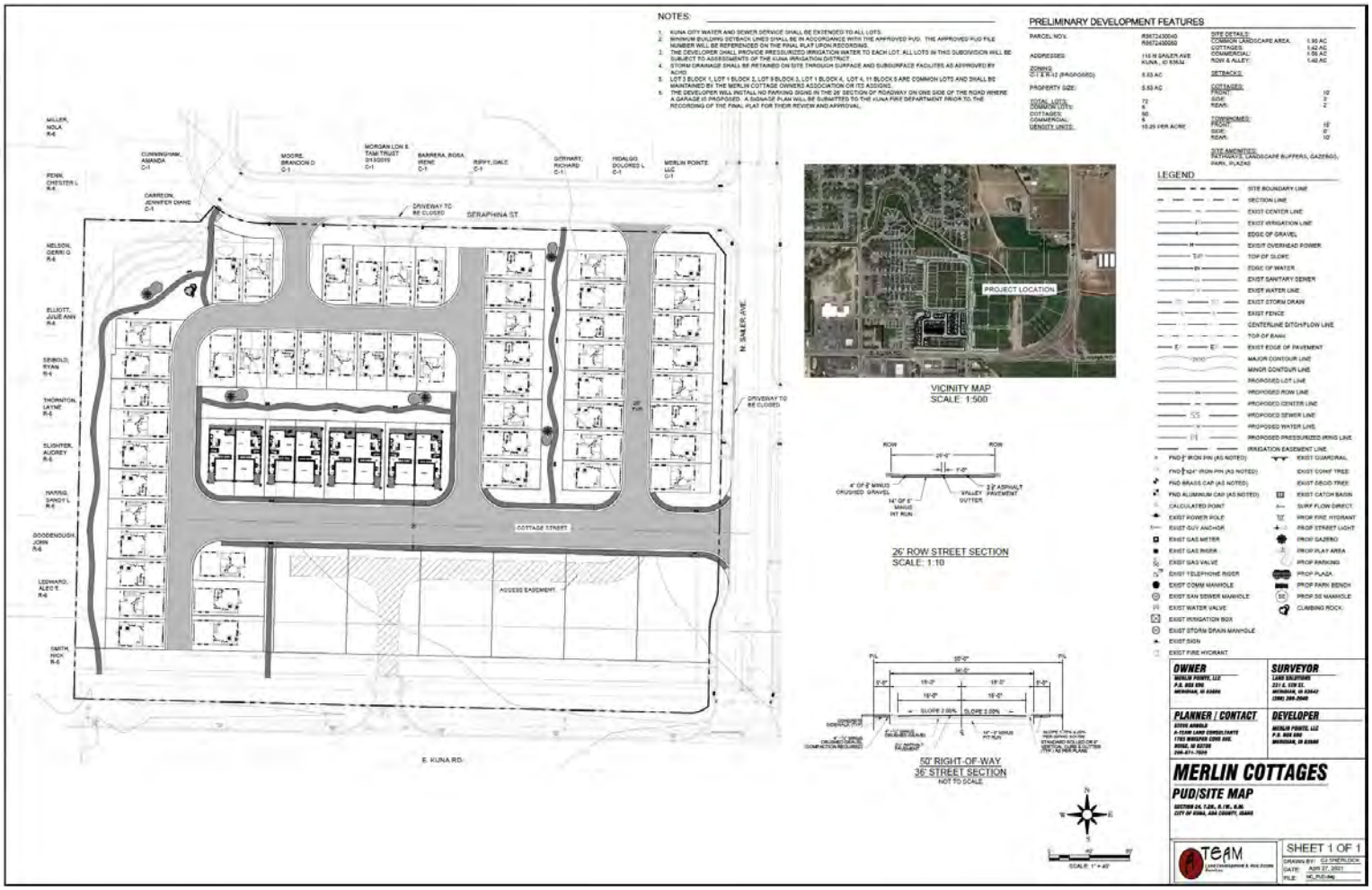
1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
5. Appeal Guidelines

FIGURE 1


CUNNINGHAM, AMANDA C-1
MOORE, BRANDON D C-1
MORGAN LON & TAMI TRUST 2/13/2019 C-1
BARRERA, ROSA IRENE C-1
RIPPY, DALE C-1
GERHART, RICHARD C-1
HIDALGO DOLORES L C-1
MERLIN POINTE LLC C-1
CARREON, JENNIFER DIANE C-1
DRIVEWAY TO BE CLOSED
SERAPHINA ST.
BLOCK 1
BLOCK2
BLOCK 3
BLOCK 4
BLOCK 5
N. SAILER AVE.
DRIVEWAY TO BE CLOSE
Public Road
Private Roads

VICINITY MAP

SITE PLAN


NOTES:
PRELIMINARY DEVELOPMENT FEATURES
SERAPHINA ST
N. SAILER AVE
COTTAGE STREET
ACCESS EASEMENT
E. KUNA RD.
PROJECT LOCATION
VICINITY MAP
SCALE: 1:500
26' ROW STREET SECTION
SCALE: 1:10
50' RIGHT-OF-WAY
36' STREET SECTION
NOT TO SCALE
LEGEND
OWNER
SURVEYOR
PLANNER / CONTACT
DEVELOPER
MERLIN COTTAGES
PUD/SITE MAP
SHEET 1 OF 1

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.I.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-I.
b) All pressurized irrigation infrastructure shall meet or exceed City of Kuna standards.
c) This project requires connection to the City's Pressurized Irrigation system.
d) There is 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
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

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

ADDENDUM FOR MERLIN POINTE COTTAGES SUBDIVISION

TO:	Jace Hellman	- Planning and Zoning Director
FROM:	Catherine Feistner, E.I.T.	- Assistant Kuna City Engineer
RE:	Public Works Comments for Merlin Pointe Cottages Subdivision (20-01-PUD, 20-08-S, 20-06-ZC, 20-05-SUP)	
DATE:	28 September 2021	

This addendum is in regards to the public infrastructure needed to service the Merlin Pointe Cottages Subdivision. The applicant proposes rezoning 5.83 acres from C-1 to both R-12 and C-1. The proposed Merlin Pointe Cottages Subdivision is located on a single lot of the previously approved Merlin Pointe Subdivision No. 1 plat. The original plat is dated 22 February, 2018.

The original concept plan specified a number of lots with an intended use. The public infrastructure was designed from this original concept plan. By rezoning this parcel to R-12, the demand on public infrastructure increases. This infrastructure has been constructed and is already in use. If the City approves this rezone, other lots and phases must decrease demand to accommodate the Merlin Pointe Cottages Subdivision.

Public Works staff largest concern is the 8-in. diameter sewer conveyance pipe; all phases of the Merlin Pointe Subdivision will contribute sewer to the 8-in. pipe. To make Merlin Pointe Cottages and the remaining phases of Merlin Pointe successful, the applicant will need to increase the pipe size for an estimated length of 1300 ft to accommodate their proposed use. The pipe size will be determined with flow modeling and further discussions with the developer of the remaining phases of Merlin Pointe Subdivision. Cost sharing may be an appropriate mechanism to pay for the pipe size increase.

Doug Hanson

From: Brenna Garro <BGarro@achdidaho.org>
Sent: Wednesday, October 6, 2021 10:22 AM
To: steve@ateamboise.com
Cc: Doug Hanson; Jessica Reid
Subject: RE: KPP21-0012 Merlin Cottages 20-01-PUD 20-08-S 20-06-ZC 20-05-SUP

Hi Steve,

At this time, I have no additional comments.

Thanks,

Brenna Garro
Planner, Development Services
Ada County Highway District
Phone: (208) 387-6346
bgarro@achdidaho.org

From: steve@ateamboise.com <steve@ateamboise.com>
Sent: Tuesday, October 5, 2021 2:54 PM
To: Brenna Garro <BGarro@achdidaho.org>
Cc: 'Doug Hanson' <dhanson@kunaid.gov>; 'Jessica Reid' <jreid@kunaid.gov>
Subject: RE: KPP21-0012 Merlin Cottages 20-01-PUD 20-08-S 20-06-ZC 20-05-SUP

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Brenna,

We put together an exhibit that shows the offset (see attached), please let me know your thoughts. It can be moved to 125' if needed but as I read the policy highlighted in yellow below it would allow the offset of 100'? If we need to move just let us know.

Thank You,

Steve Arnold, Project Manager
208-871-7020
Steve@ateamboise.com

From: Brenna Garro <BGarro@achdidaho.org>
Sent: Friday, September 24, 2021 9:41 AM
To: steve@ateamboise.com
Cc: 'Doug Hanson' <dhanson@kunaid.gov>; 'Jessica Reid' <jreid@kunaid.gov>
Subject: RE: KPP21-0012 Merlin Cottages 20-01-PUD 20-08-S 20-06-ZC 20-05-SUP

Hi Steve,

The access onto Sailer Avenue need to offset by 125-feet from each other and Seraphina Street.

The alley does not meet policy. Please see our alley policies below my signature.

Thanks!

Brenna Garro
Planner, Development Services
Ada County Highway District
Phone: (208) 387-6346
bgarro@achdidaho.org

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

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

Existing Alley Policy: District Policy 7210.2 states that if a proposed development abuts an existing alley, the dedication of additional right-of-way to obtain a minimum width from the centerline of the alley of 8-feet for residential uses and 10-feet for non-residential or commercial uses may be required. Each development will be reviewed by the District on a case-by-case basis. If the proposed development takes access from an alley, the developer will be required to pave the entire width of the right-of-way from the nearest public street to and abutting the development.

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

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

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

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

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

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

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

- The lead land use agency supports the land use proposing an alley to alley intersection.
- The intersecting alleys provide access to residential uses. On a case by case basis the District will consider allowing the alley to alley intersections for mixed use areas within a development.
- For alley/alley intersections, base the sight triangle on the 10x20 and use ACHD Policy 7200 Figure 3, but decrease the driver's eye location to 10' from the edge of travel way.
- For the horizontal curves in an alley base the clear sight triangle on AASHTO equation 3-38. HSO=R(1-cos(28.65*S/R)). The value for S shall be based on a single vehicle approaching a nonmoving object at 15 mph.
- Appropriate radii and site distances are accommodated at the alley/alley intersection. The minimum inside radius at the alley/alley intersection shall be 28-feet and the minimum outside radius shall be 48-feet. The radii at the intersection shall accommodate the planned design vehicle, most typically a sanitary services vehicle.
- The sight triangles shall either be identified as common spaces with landscaping restrictions or permanent easements identified on the plat.
- A coordination meeting is held with the applicable agency staff (fire department, police department, sanitary service provider, land use agency, and ACHD) to discuss and resolve potential issues.

- The crossing alley has a maximum block length of 500-feet (measured near edge to near edge of the intersecting streets). The crossing alley shall intersect a public street at each end and shall not terminate at another alley. The crossing alley is the alley that has intersections with two public streets and an intersection with the perpendicular alley.

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

From: steve@ateamboise.com <steve@ateamboise.com>
Sent: Thursday, September 23, 2021 4:48 PM
To: Brenna Garro <BGarro@achdidaho.org>
Cc: 'Doug Hanson' <dhanson@kunaid.gov>; 'Jessica Reid' <jreid@kunaid.gov>
Subject: RE: KPP21-0012 Merlin Cottages 20-01-PUD 20-08-S 20-06-ZC 20-05-SUP

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Brenna,

What are your thoughts on the attached concept?

Thank You,

Steve Arnold, Project Manager
208-871-7020
Steve@ateamboise.com

From: Brenna Garro <BGarro@achdidaho.org>
Sent: Tuesday, August 24, 2021 4:00 PM
To: steve@ateamboise.com
Cc: Doug Hanson <dhanson@kunaid.gov>; Jessica Reid <jreid@kunaid.gov>
Subject: RE: KPP21-0012 Merlin Cottages 20-01-PUD 20-08-S 20-06-ZC 20-05-SUP

Good afternoon,

Attached is the ACHD staff report for the Merlin Cottages site located at 115 N Sailer Avenue. Please respond to this email with any questions or concerns you may have.

Cheers,

Brenna Garro
Planner, Development Services
Ada County Highway District
Phone: (208) 387-6346
bgarro@achdidaho.org

From: Brenna Garro
Sent: Friday, August 20, 2021 1:25 PM
To: steve@ateamboise.com
Cc: Doug Hanson <dhanson@kunaid.gov>; Jessica Reid <jreid@kunaid.gov>
Subject: KPP21-0012 Merlin Cottages 20-01-PUD 20-08-S 20-06-ZC 20-05-SUP

Good afternoon,

Attached is the ACHD draft staff report for the Merlin Cottages site located at 115 N Sailer Avenue. Please respond to this email with any questions or concerns by Tuesday, August 24th, at 4:00pm before ACHD issues the final staff report.

Cheers,

Brenna Garro
Planner, Development Services
Ada County Highway District
Phone: (208) 387-6346
bgarro@achdidaho.org

Virus-free. www.avg.com

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: November 5th, 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

1. **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.

2. **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

3. **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.

4. **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. Internal Commercial Roads

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-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.

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 new internal commercial streets, Cottage Street and Merlin Avenue, as a 36-foot wide street section with curb, gutter, and 5-foot wide attached concrete sidewalk within 50-feet of right-of-way.

d. Staff Comments/Recommendations: The applicant's proposal to construct new internal commercial streets, Cottage Street and Merlin Avenue, as a 36-foot wide street section with curb, gutter, and 5-foot wide attached sidewalk within 50-feet of right-of-way meets District policy and should be approved as proposed.

5. Alleys

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

b. Policy:

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

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

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

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

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

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

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

c. **Applicant's Proposal:** The applicant is proposing to construct a new alley within the site as a 20-foot wide alley street section to run east/west between Sailer Avenue and Merlin Avenue. This alley is proposed to provide sole access to lots 2-12 of block 3 and lots 1-11 of block 4.

d. **Staff Comments/Recommendations:** The applicant's proposal to construct a new alley within the site as a 20-foot wide alley street section to run east/west between Sailer Avenue and Merlin Avenue does not meet District alley policies as an alley cannot provide sole access and should not be approved, as proposed. Staff recommend that this alley be redesigned and constructed as a private road.

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 approximately 240-feet north of Kuna Road.

The applicant is proposing to construct a new internal street, Merlin Avenue, to intersect Seraphina Street approximately 125-feet east of Bay Haven 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 a new internal street, Merlin Avenue, to intersect Seraphina Street 125-feet east of Bay Haven Avenue meets District policy and should be approved, as proposed.

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 reconstruct existing driveway on Seraphina Street located approximately 463-feet west of Sailer Avenue, as an entrance to an internal commercial road located approximately 125-feet east of Bay Haven Avenue.

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 reconstruct existing driveway on Seraphina Street located approximately 463-feet west of Sailer Avenue, as an entrance to an internal commercial road located approximately 125-feet east of Bay Haven Avenue, meets District policy and should be approved, as proposed.

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.

Driveway Location Policy: District policy 7208.4.1 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/arterial or arterial street intersection.

Successive Driveways: District Policy 7208.4.1 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 7208.4.3 restricts commercial driveways to a maximum width of 40-feet. Most commercial driveways will be constructed as curb-cut type facilities.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7208.4.3, 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.

b. Applicant's Proposal: The applicant is proposing to construct a 28-foot wide private road, Merlin Lane, within the site to intersect the proposed internal roads at two points in alignment with Cottage Street and the proposed alleyway.

c. Staff Comments/Recommendations: The applicant's proposal to construct a 28-foot wide private road, Merlin Lane, within the site to intersect the proposed internal roads at two points in alignment with Cottage Street and the proposed alleyway meets District policy. However, staff recommends that the proposed alleyway and the portion of Cottage Street between the Merlin Avenue and Merlin Lane be constructed as a private road. The private road approaches at the intersections of the proposed internal streets should be constructed as curb cut type approaches. See Figure 1.

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.

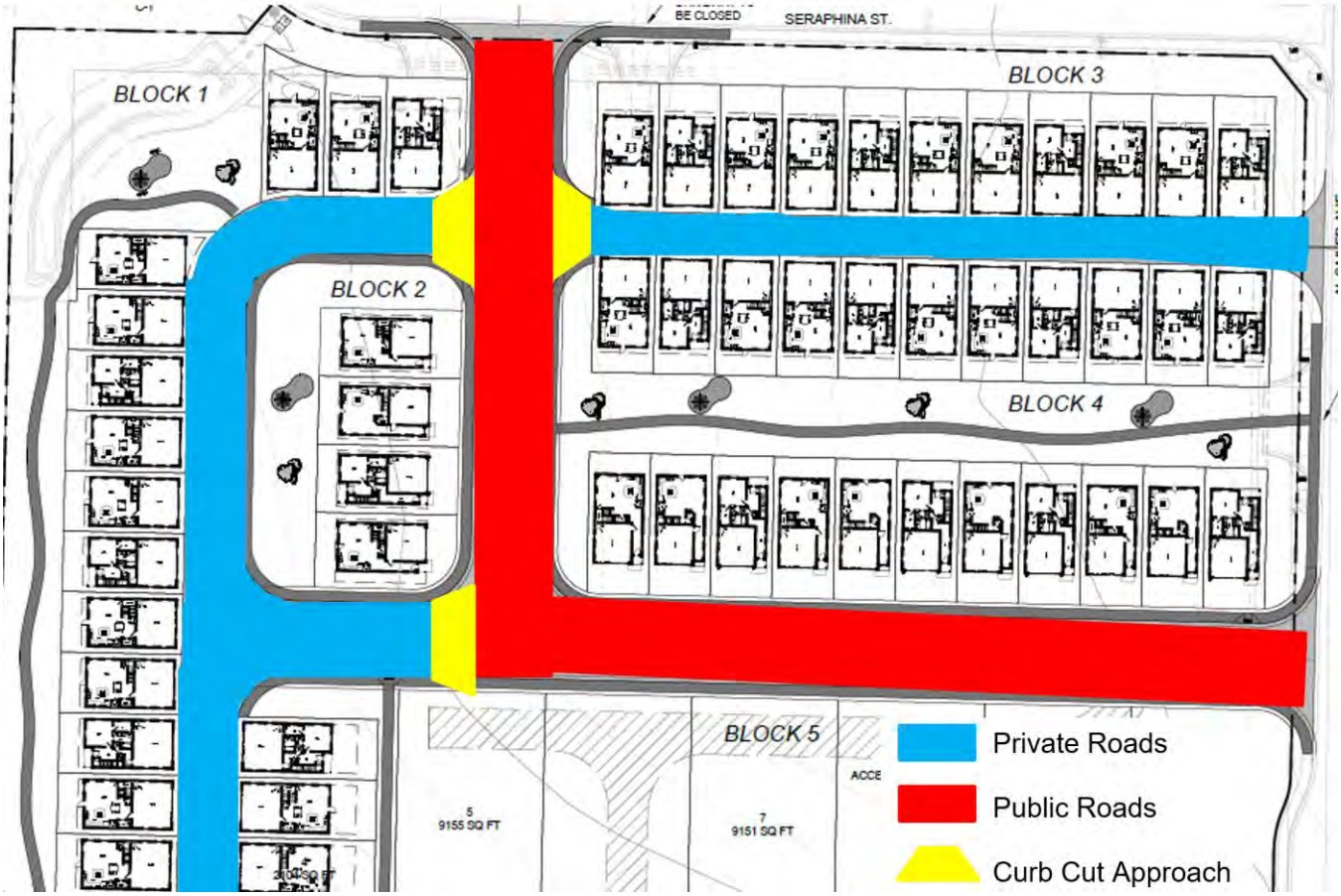
Street name and stop signs are required for the private road. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.

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.

Figure 1.



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 Cottage Street and Merlin Avenue as 36-foot wide street sections with curb, gutter, and 5-foot wide sidewalk within 50-feet of right-of-way.

3. Construct Cottage Street to intersect Sailer Avenue 240-feet north of Kuna Road, as proposed.

4. Construct Merlin Avenue to intersect Seraphina Street 125-feet east of Bay Haven Avenue, 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. Reconstruct existing driveway on Seraphina Street located approximately 463-feet west of Sailer Avenue, as an entrance to an internal commercial road located approximately 125-feet east of Bay Haven Avenue.

8. Construct Merlin Lane as a 28-foot wide private road to intersect Merlin Avenue as a curb cut type approach, as shown in Figure 1.

9. Construct the portion of Cottage Street between the Merlin Avenue and Merlin Lane as a 28-foot wide private road to intersect Cottage Street as a curb cut type approach, as shown in Figure 1.

10. Construct the proposed 20-foot wide alley street section as a private road to intersect Sailer Avenue 119-feet south of Seraphine Street, as shown in Figure 1.

11. Construct the proposed 20-foot wide alley street section as a private road with a curb cut type approach onto Merlin Avenue, as shown in Figure 1.

12. Install street name and stop signs for the private road/drive aisles. The signs may be ordered though the District. Verification of the correct, approved name of the road is required.

13. 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.

14. Payment of impact fees is due prior to issuance of a building permit.

15. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

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

2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.

3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.

4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.

5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.

6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.

7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking

ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.

8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.

9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.

10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.

11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.

12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

F. Conclusions of Law

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

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

G. Attachments

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

FIGURE 1

BE CLOSED
SERAPHINA ST.
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
5
9155 SQ FT
7
9151 SQ FT
Private Roads
Public Roads
Curb Cut Approach

VICINITY MAP

SITE PLAN

CARREON, JENNIFER DIANE C-1
DRIVEWAY TO BE CLOSED
SERAPHINA ST.
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
MERLIN AVENUE
N. BAKER AVE
DRIVEWAY TO BE CLOSED
COTTAGE STREET
MERLIN LANE
ACCESS EASEMENT
8
9150 SQ FT
7
9151 SQ FT

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.

Doug Hanson

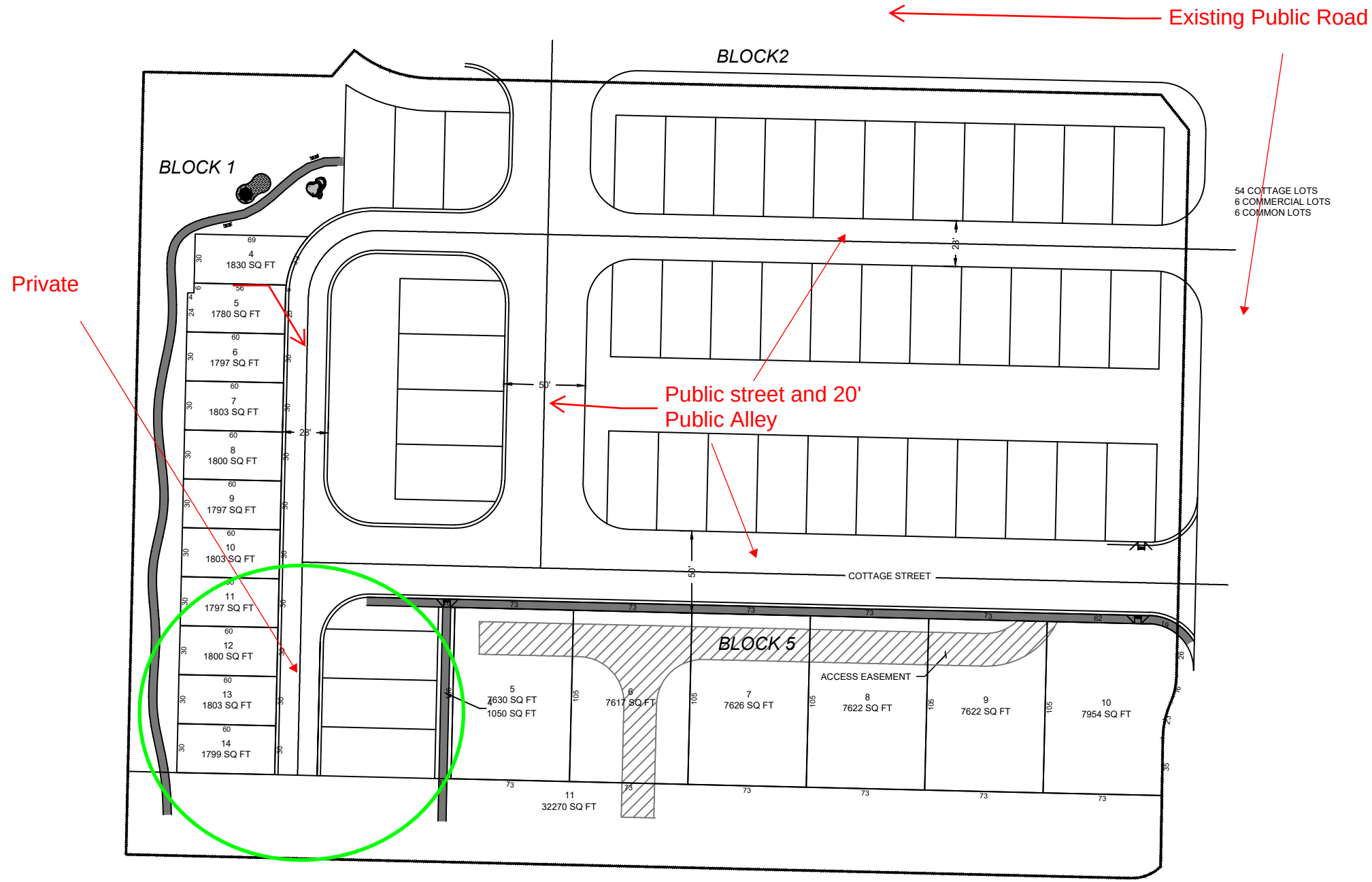
From: Scott Arellano <scott@fccnwi.com>
Sent: Tuesday, October 5, 2021 11:52 AM
To: Doug Hanson
Cc: TLawrence Kuna Fire
Subject: Re: Merlin Cottages Road Layout

Hi Doug, No, there are no concerns with that layout.

Scott Arellano, CFM
Kuna Rural Fire District
1.208.629.8636 (office)
scott@fccnwi.com

On Tue, Oct 5, 2021 at 11:41 AM Doug Hanson <dhanson@kunaid.gov> wrote:

> Scott,
>
> Does the fire district have any issues with the proposed road layout on the concept plan attached? More specifically, the termination of the private road without a turnaround, it appears this segment of road is less than 150 feet in length from the public road, so would that negate the need for a turnaround?
>
> Best,
>
> Doug Hanson
>
> Planner II
>
> City of Kuna
>
> 751 W 4th St
>
> Kuna, ID 83634
>
> dhanson@kunaid.gov
>
> 208.287.1771


Existing Public Road
BLOCK2
BLOCK 1
54 COTTAGE LOTS
6 COMMERCIAL LOTS
6 COMMON LOTS
Private
Public street and 20'
Public Alley
COTTAGE STREET
BLOCK 5
ACCESS EASEMENT
4
1830 SQ FT
5
1780 SQ FT
6
1797 SQ FT
7
1803 SQ FT
8
1800 SQ FT
9
1797 SQ FT
10
1803 SQ FT
11
1797 SQ FT
12
1800 SQ FT
13
1803 SQ FT
14
1799 SQ FT
5
7630 SQ FT
1050 SQ FT
6
7617 SQ FT
7
7626 SQ FT
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7622 SQ FT
9
7622 SQ FT
10
7954 SQ FT
11
32270 SQ FT
28'
50'
50'

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

STEVE ARNOLD
NOTARY PUBLIC
Commission # 40017
My Commission Expires Feb 17, 2027
STATE OF IDAHO

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

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

Discount:	**$0.00**
Surcharge:	**$0.00**
Credits:	**$0.00**

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

We Appreciate Your Business!

AD# 137711

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

NEOPOST
8/25/2021
US POSTAGE $000.00⁰
FIRST-CLASS MAIL
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

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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

Suggestions for Testifying at Public Hearings:

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KUNA

Planning & Zoning
PO BOX 13
Kuna, ID 83634

JR 9.21.21
DH 9.21.21

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09/21/2021
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ZIP 83634
041M11460992

City of Kuna

LEGAL NOTICE

Dear Property Owner: NOTICE IS HEREBY GIVEN **the Planning & Zoning Commission** is scheduled to hold a Public Hearing on **October 12, 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. 6.61-acres with 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 (APNs: R5672430020, R5672430040, R5672430060).

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 **October 6, 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 09.21.2021

ADVERTISING PROOF

c/o ISj Payment Processing Center
PO Box 1570,
Pocatello,ID 83204
Ph. (208) 465-8129 **Fax:** (907) 452-5054

BILLING DATE:	ACCOUNT NO:
09/21/21	21880

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

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
149041	LEGAL NOTICE Case No	09/22/21	09/22/21	1	$51.62

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount

Discount: **$0.00**
Surcharge: **$0.00**
Credits: **$0.00**

Gross:**$51.62**
Paid Amount:**$0.00**

Amount Due:**$51.62**

We Appreciate Your Business!

AD# 149041

LEGAL NOTICE

Case Nos. 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, October 12, 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 approx. 6.61-acres with 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; (APNs: R5672430020, R5672430040, R5672430060)

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

September 22, 2021
149041

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 Tuesday, August 28, 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* October 2 *day of* 21, 2020.

Signature,

Owner/Developer/Realtor

STATE OF IDAHO)
): ss
County of Ada)

On this 2nd *day of* October, 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

STEVE ARNOLD
NOTARY PUBLIC
Commission # 40017
My Commission Expires Feb 17, 2027
STATE OF IDAHO

CITY OF KUNA
PUBLIC HEARING NOTICE

Kuna Planning and Zoning Commission

THE CITY OF KUNA will hold a public hearing on
October 12, 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 6.61 acres, 60 single family lots, 6 common lots and 6 commercial lots.

LOCATION: NW corner of Sailer Avenue and Avalon Street

APPLICATION BY: A-Team Land Consultants

CITY CONTACT: Doug Hanson - 208.922.5274

CITY OF KUNA
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CITY OF KUNA

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CITY OF KUNA

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LOCATION: NW corner of Sailer Avenue and Avalon Street

APPLICATION BY: A-Team Land Consultants

CITY CONTACT: Doug Hanson - 208.922.5274

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

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.

received
12.4.20
by ANDY

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

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

received
9-13-21

TO: Kuna Planning and Zoning

From: Merlin Pointe HOA

RE: Case No. 20-01-PUD, 20-08-S, 20-06-ZC & 20-05-SUP

Greetings,
We are the members of the Merlin Pointe HOA that represents the residents of Phase I of the Merlin Pointe development in Kuna.

We have some 52 homes in the subdivision. Our demographics include seniors, working folks, several are single. We do have families with children. While doing the survey for this petition we found 46 residents were adamantly opposed to this development, one new resident was indifferent, 5 were not reachable, but we anticipate they would oppose it also.

The demographics of the proposed Phase II development of Merlin Pointe would be radically different: all two-story, high density housing. Very few, if any, seniors would buy into a community where they have to climb stairs. This would be a community of younger people, many with children. Which is fine, if properly handled.

Let us consider the real world traffic implications of this development. Today it is common for both man and wife to work. This means two separate cars being driven to different work destinations. They will typically leave and arrive home at similar times. With 60 single homes, and a conservative estimate of only 1 car per family going to work means 60, likely many more, cars leaving each morning.

Nearly all will be trying to turn left from Sailer onto Avalon, into fast oncoming traffic, in the same general time frame.

Kuna may someday have a traffic light at Kay St. and Avalon, near Albertson's. But given the close proximity to Kay St. it is unlikely there will ever be a traffic light at Sailor St.

Result: Perpetually long and dangerous traffic lines at Sailor trying to turn east onto Avalon.

How about commute traffic?
Let's consider a similar development by the same developer: '*The Cottages at White Cloud*' at Cloverdale and Irving in Meridian. There the neighborhood is a balanced blend of conventional and two-story homes.

When commute traffic exits the *White Cloud* development they can readily access Fairview Ave. to the north or Executive Dr and Franklin Rd to the immediate south. There are multiple exit routes commuters can take to easily and safely blend into traffic. This same developer is demonstrating it can be done given the right location. The Kuna location, however, gives NO similar options.

Result: lots of traffic accidents.

What about the children?
We might reasonably assume 40-50 children, or more, would be living in this subdivision. The developer provided a modicum of divided Common Area: pathways, some gazebos to sit at, and a climbing rock down in one corner.

But where do children actually run and play? Where do family or neighborhood gatherings take place? Where are dogs taken to exercise? Where is the sense of community?

The developer would likely point to the existing Common Area in Phase I. That area is not conveniently located. There is no off-street parking. Children would have to cross a city street that by then will be increasingly congested.

Property Values:
With Phase I of this development everyone agrees: this is an ideal living space. Compact yet with breathing room. The central common area was a major selling point for many residents. We have seen our property values increase accordingly.

The proposed Phase II is the complete opposite. This congested proposal, many/mostly rentals, CLASHES at every level with what we've tried to create in Phase I. The two side-by-side developments are total opposites and completely incompatible.

We see wholesale rental units as a major negative influence on our property values. This development is fundamentally incompatible with our current homes and lifestyles. As noted earlier, a near unanimous number of residents strongly oppose this development.

A Reconsideration:
We understand this is the first R-12 development in the Kuna area. It would also be the furthest away from the Meridian/Boise urban centers.
Is this not unnecessary and unwise leap-frogging?

Would it not be better if these types of developments were situated closer to existing urban infrastructure to handle the congestion? The developers have already shown they are capable of doing that with their *White Cloud* development in Meridian.

We have had numerous consultations among the HOA Board members and with many homeowners regarding the proposed development.

We can categorically affirm to the Kuna P&Z we have found NO ONE that supports this development in its current form.

We strongly urge the Kuna Planning and Zoning Committee to reject this development proposal. Kuna needs and deserves a less dense, more people friendly development. We should not be promoting sardine-can living.

Respectfully submitted:

Name: AJAY ABRAHAM Signature: Ajay

Name: Joanne Tofslie Signature: Joanne Tofslie

Name: JAMES KOWALSKI Signature: Jame Kowalski

Name: Rosa Barrera Signature: Rosa Barrera

Name: Tami Morgan Signature: Tami Morgan

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We can categorically affirm to the Kuna P&Z we have found NO ONE that supports this development in its current form.

We strongly urge the Kuna Planning and Zoning Committee to reject this development proposal. Kuna needs and deserves a less dense, more people friendly development. We are not ready for sardine-can living.

Respectfully submitted:

1116 not home Name_____ Signature_____

Name Richard Gerhart Signature Richard D. Gerhart

Name Donna Gerhart Signature Donna M. Gerhart

Name Dolores Hidalgo Signature Dolores Hidalgo

Name ROGER PALMER Signature Roger C Palmer

119 Name Keri Ro Signature Keri Ro

Name_____ Signature_____

Name_____ Signature_____

Name_____ Signature_____

Name: Shirley Shaw Signature: Shirley Shaw

Name: KAY SLUSHER Signature:

Name: PAT CARTER Signature: Pat Carter

Name: Thomas E Watson Signature: Thomas E Watson

Name: Brandon Moore Signature:

Name: Amanda Cunningham Signature:

Name: Steven Schmidt Signature:

Name: Kelly Johnson Signature:

Name: Max Engstrom Signature:

Name: Russ Hanna Signature:

Name: Libby Ann Schultze Signature:

Name: MARLA Fischer Signature:

Name: Lonnie Lewis Signature:

Name: Bobbi Lewis Signature:

Name: Lonna Kowalski Signature:

Name: Jean York Signature: Jean York

Name: Dennis Wilson Signature: Dennis Wilson

Name: Barbara Hyala Signature:

Name: Sheri Welsh Signature:

Name: Steve K. Hixson Signature:

Name: Beverly Tueller Signature:

Name: Neldon Tueller Signature:

Name: Amy Langton Signature:

Name: Noel Panike Signature:

Name: Sarah Bowman Signature:

Name: Deanna Wilson Signature:

Name: Rachel McCulloch Signature:

Name: Dale T. Rippy Signature:

Name: Signature:

Name: Signature:

Name: Signature:

Name: Shelley Kamps Signature: Shelley Kamps

Name: Kathleen McKay Signature: Kathleen McKay

Kathleen McKay

Name: Jacqueline Smithley Signature: Jacqueline Smithley

Name: Vicki Burns Signature: Vicki Burns

Name: Amelia (Mia) Signature:

Name: Roger Tofslie Signature:

Name: _____ Signature: _____

Name: _____ Signature: _____

Name: _____ Signature: _____

Name: _____ Signature: _____

Name: _____ Signature: _____

Name: _____ Signature: _____

Name: _____ Signature: _____

Name: _____ Signature: _____

Name: Charlotte Busbee Signature: Charlotte Busbee

Name: Jennifer Carreon Signature: Jennifer Carreon

Name: _____ Signature: _____

Name: _____ Signature: _____

Name: _____ Signature: _____

Name: _____ Signature: _____

Name: _____ Signature: _____

Name: _____ Signature: _____

Name: _____ Signature: _____

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Name: _____ Signature: _____

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Name: _____ Signature: _____

Name: _____ Signature: _____

Doug Hanson

From: Jace Hellman
Sent: Monday, September 27, 2021 12:41 PM
To: Doug Hanson
Subject: FW: Online Form Submittal: Public Testimony Form

KUNA
Planning & Zoning

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

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, September 27, 2021 12:39 PM
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	20-01-PUD (Merlin Pointe II)
Public Hearing Date	10/12/2021
Will you also be providing in person testimony at the Public Hearing	Yes
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	To: Members of the Kuna Planning and Zoning Commission Thank you for your service and dedication to maintaining and bettering our Kuna community. I wish to make a few observations relevant to the proposed Merlin Pointe II subdivision. We have lived in the first phase of Merlin Pointe Phase I for two years, having moved here from Boise. We love living here and have enjoyed the style of homes and sense of community. While we knew there would be development in Phase II we did not have a full appreciation of the type and scope of development. The developer provided a Zoom meeting but it was difficult to understand all that was involved and no written description, plot maps or follow-up was provided. We are extremely concerned with the proposed development for the following reasons: 1. Compatibility – The proposed development is very opposite to the existing Phase I. Ours is a mixed community of Seniors, older Singles, working families with children. By contrast the proposed architecture is radically different and intended for singles and young couples. The very 'look and feel' clashes dramatically. 2. Safety – Anyone who has lived in this area appreciates the current challenge of navigating on and off Avalon from Sailor St. At the Sailor exit traffic on Avalon is barely starting to slow down after rounding the turn from Meridian Rd. Commute traffic on Avalon is already heavy and will get worse with more developments to the West and South. Commute traffic leaving our neighborhood is funneled onto Sailor St. and forced to turn left into oncoming traffic. With ~60 new homes an already marginal traffic problem will more than double and become dramatically worse. A dramatic increase in traffic accidents would seem inevitable. 3. Construction issues– Many owners in the present Merlin Pointe development have had to deal with sub-par construction issues ranging from multiple flooding episodes from inadequate drainage, little or no top soil for lawns, sheetrock nails popping out, persistent floor squeaks, dying trees and more. The same developers, A-Group, have a very poor record in responding to these problems. We might well expect similar problems in

Phase II.

4. Property values - There is something to “Pride of Ownership”. It these units are largely rentals, and with absentee landlords, there will be little incentive to maintain the properties. The first year or two may be OK, but from then on we are looking at a future New York style Tenement Slum!

What happens to the work and investment we have put into our homes when the first thing potential buyers see when they pull into our neighborhood is a decaying rental district?

We implore the Kuna P&Z -NOT- to approve this disastrous proposal. It is bad for the neighborhood, it is bad for Kuna. The developers should rather be encouraged to mirror the already existing Phase I neighborhood in style and substance, perhaps with more emphasis on quality of construction.

Respectfully submitted,
Lon 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.

Doug Hanson

From: Jace Hellman
Sent: Monday, September 27, 2021 1:07 PM
To: Doug Hanson
Subject: FW: Online Form Submittal: Public Testimony Form

Follow Up Flag: Follow up
Flag Status: Flagged

KUNA Planning & Zoning

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

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, September 27, 2021 1:02 PM
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	20-01-PUD
Public Hearing Date	10/12/2021
Will you also be providing in person testimony at the Public Hearing	No
In Favor, Neutral or In Opposition	Opposition
Email	tamimorgan1@gmail.com
Phone Number	208-850-0924
First Name	Tami
Last Name	Morgan

Address1	1088 E Seraphina St
City	Kuna
State	ID
Zip	83634
Written Testimony	When we first moved into our neighborhood which is located across the street of the new development that is going in, we bought because we could see that it would be a quiet neighborhood with mostly senior citizens. Most of the homes are all on one level that compliment each other. When we bought we assumed that more homes like ours would be built across from us to make it uniform. In looking at the proposed case # 20-01-PUD, it appears that these homes are all 2 story homes that most likely will be younger people who most likely will commute to jobs. I am concerned about large flow of traffic going through our peaceful neighborhood, and onto the already congested Kuna and Avalon road. Traffic from Meridian road onto Kuna/Avalon in the afternoon and morning is already hard to get onto and off of. What is it going to be like when these 50 plus family homes are put into place? How are school buses to be navigated in such a tight community without traffic lights or crosswalks for children? Another huge concern I have, in reading the HOA that will be placed in that neighborhood, it does not suggest anything about rentals being prohibited or limited. This tells me the units will be mainly rentals, which would lower the value of our own neighborhood. The developers are the same developers that we had in our neighborhood. We are still finding and picking up the pieces of these same developer's mistakes, neglect and shortcuts and things that they should have taken care of themselves! Something that was not disclosed to us: no top soil was brought in on the leach clay making it difficult to do any type of landscaping. We personally had to bring top soil to help get our yard going. The common area and other parts of the neighborhood are having problems with plants, trees and grass. We are looking at taking out and replanting dying trees, etc. because the developers did not bother to make sure they were planted properly. No top soil was put onto any of the ground in this neighborhood, so we have issues with water not

	permeating into the ground, which attracts mosquitoes. In addition to trees, plants, and grass dying, we have had lots of flooding issues which we have had to take care of. Only very belatedly was a better French drain put that helps. In my personal opinion and experiences, they are not good on their promises and will go as cheaply as they possibly can on the homes in this new development. Please! Please! don't let them do this without more research and guidelines. It can be devastating for our neighborhood and for Kuna!

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.

Doug Hanson

From: Jace Hellman
Sent: Monday, September 27, 2021 2:19 PM
To: Doug Hanson
Subject: FW: Online Form Submittal: Public Testimony Form

KUNA
Planning & Zoning

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

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, September 27, 2021 2:16 PM
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	20-01-PUD
Public Hearing Date	10/12/2021
Will you also be providing in person testimony at the Public Hearing	No
In Favor, Neutral or In Opposition	Opposition
Email	shelleykampd8@gmail.com
Phone Number	208 258 5820
First Name	Shelley
Last Name	Kamps
Address1	297 N Sailer Ave
City	Kuna

State	Idaho
Zip	83634
Written Testimony	I am in opposition to having rental houses that will not have enough room for cars that will have to overflow into the Merlin cottages also we have very few children living here and the proposal for a Play ground in our backyard seems it would be better to have it in the allotment where the children will be also with all the trouble we had with landscaping it is now remedied with the H O Way we are concerned that it being a rental it may not be cared for in the manner the Merlin cottages H O Way would agree with I also had problems with a leaking roof twice and it was not remedied I had to pay it myself $2000 and the small things that were needed done in the home were not taken care of by the builder I had to pay for them to be fixed myself I don't know about anyone else's interaction but I I am concerned that if they reacted without concern to remedy things for houses will they be less likely to care for rentals and a whole new section of rental homes could look very uncapped also it's very hard to turn left a lot of times out of our allotment with the people we have now I understand that rentals is what they've decided on what I'd like to see is a spot for a playground in the new rental area and ample parking for the allotment that will be new and also Remedy for traffic patterns for the future thank you so much for allowing me to voice my concerns

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.

Doug Hanson

From: Jace Hellman
Sent: Monday, September 27, 2021 3:22 PM
To: Doug Hanson
Subject: FW: Online Form Submittal: Public Testimony Form

KUNA
Planning & Zoning

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

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, September 27, 2021 3:20 PM
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	20-01-PID
Public Hearing Date	10/12/2021
Will you also be providing in person testimony at the Public Hearing	No
In Favor, Neutral or In Opposition	Opposition
Email	rosabspagirls@yahoo.com
Phone Number	8054044684
First Name	Rosa
Last Name	Barrera
Address1	1102 E Seraphina Street
City	Kuna

State	ID
Zip	83634-5550
Written Testimony	I am concerned about added traffic and quite frankly added water usage; we are in the middle of a drought. I am very concerned that the same developer will be involved. I personally was left with an improperly graded back yard! The construction company placed the blame on the developer, the developer did not care to get involved. Two years later I have the financial burden to fix the ongoing issue of water pooling in the middle of my yard. Rosa Barrera 1102 E Seraphina St Kuna, Id 86364

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

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Doug Hanson

From: Jace Hellman
Sent: Tuesday, September 28, 2021 8:20 AM
To: Doug Hanson
Subject: FW: Online Form Submittal: Public Testimony Form

KUNA Planning & Zoning

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

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, September 27, 2021 5:48 PM
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	20-01-PUD
Public Hearing Date	10/12/2021
Will you also be providing in person testimony at the Public Hearing	No
In Favor, Neutral or In Opposition	Opposition
Email	maryonlibraryon@gmail.com
Phone Number	208-863-9347
First Name	Kathleen
Last Name	McVey
Address1	217 N Sailer Ave
City	Kuna

State	ID
Zip	83634
Written Testimony	Dear Planning and Zoning Commission, I have deep misgivings about the unfortunate plan to develop the 5.8 acres of Merlin Pointe which are on Avalon with so many units. This plan is not at all reasonable and there are no other developments with such unreasonable plans in Kuna. 60 - 65 units are far too many for such a small space. As the developer's plan is, there is inadequate parking available, for so many unites and no plan for a common area belonging to such homeowners as will occupy those units. The common area that exists now is too small to accommodate so many units. In addition, no mention has been made as to whether or not the new residents' HOA will include contributing to the existing common area. Traffic in and out of the subdivision will be terribly congested if there are no plans to create a separate street exit for these units. The outlet from Sailer Ave. cannot accommodate so much traffic, particularly as there is no light at that spot, and Avalon increasingly becomes a busier thoroughfare for the community. I urge you to vote against the builder's plans as they exist. These negative outcomes will adversely affect the entire community, and will lower the existing homeowners' property values. Furthermore, Hathaway Homes has shown that they are the kind of builders that do only the bare minimum of planning, as evidenced by the subdivision's woefully ill-conceived original landscaping contract. The contract had no provision for upkeep, except for mowing the lawn in the common areas. Weeds at the Sailer Ave. entrance, as well as throughout the subdivision, were never tended to. The HOA board has had to take it upon themselves to find a new contractor. The current landscaping contract has led to many dead and dying trees, overrun weeded areas, dead grass and pooling water in the common area. Several homeowners in the subdivision with issues that Hathaway Homes took no responsibility for, including faulty grading in the back yard of my property, and others' property, had to be paid for by homeowners themselves. There continues to be pooling water in the yards of several of Merlin Pointe's homes. I respectfully plead with you to hold Hathaway Homes to a more reasonable development plan, and to demonstrate that the final plan will provide for these critical issues I have listed. Sincerely,

Kathleen McVey
217 N. Sailer Avenue
Kuna, ID 83634
maryonlibraryon@gmail.com

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.

Doug Hanson

From: Jace Hellman
Sent: Tuesday, September 28, 2021 8:20 AM
To: Doug Hanson
Subject: FW: Online Form Submittal: Public Testimony Form

KUNA
Planning & Zoning

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

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, September 27, 2021 6:20 PM
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	20-01-PUD
Public Hearing Date	10/12/2021
Will you also be providing in person testimony at the Public Hearing	No
In Favor, Neutral or In Opposition	Opposition
Email	rtofslie@gmail.com
Phone Number	9707441775
First Name	Roger and Joanne
Last Name	Tofslie
Address1	233 North Sailer Avenue
City	Kuna

State	Idaho
Zip	83634
Written Testimony	Our opposition to this Phase II Development stems from witnessing how the developers and contractors have dealt with us and our many neighbors on minor and/or serous issues concerning their land and homes. The developers failed to properly grade and excavate the entire subdivision, which has resulted in improper drainage and flooding issues for many, costing the homeowners, not the developers, a significant amount. It has also been verified that many, if not all trees planted in the subdivision were not properly installed, ie: root balls still tightly encased in burlap, as well as metal cages surrounding burlap and root ball (pictures available upon request), which has caused these trees to die. Many residents have had serious issues with constant weeds in common area and sidewalk beds (prior landscapers), stagnant standing water, crumbling concrete work, leaking roofs. Of the people we've spoken with, we have not found a single homeowner in Merlin Point who is happy with how the developers and contractors have handled things here. We all love our community and we hope you do, too. Kuna is growing at a fast pace, and we want to see developments come in that will make Kuna a wonderful place to live, not just now, but in 5, 10, 20 years from now. We encourage you to choose developers that have integrity in their building, have quality workmanship, and back up their work, To say that a high percentage of Merlin Point homeowners are less than satisfied with this developer is an understatement, and we do not feel this developer has Kuna in its best interest.

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Doug Hanson

From: Jace Hellman
Sent: Tuesday, September 28, 2021 8:20 AM
To: Doug Hanson
Subject: FW: Online Form Submittal: Public Testimony Form

KUNA
Planning & Zoning

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

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, September 27, 2021 6:32 PM
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	20-01-PUD
Public Hearing Date	10/12/2021
Will you also be providing in person testimony at the Public Hearing	No
In Favor, Neutral or In Opposition	Opposition
Email	Debrippy8@gmail.com
Phone Number	2082865323
First Name	Deb
Last Name	Rippy
Address1	1116 E Seraphina Street
City	Kuna

State	Idaho
Zip	83634
Written Testimony	I wish to express my concerns regarding the high-density rental housing proposal for the vacant land between E Seraphina and Avalon Street. My concerns are for predictable descending property values, privacy and safety issues, traffic and parking concerns, lack of open space and the number of rentals in a very confined area. Please do not move forward with this proposed type of property use.

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.

Doug Hanson

From: Jace Hellman
Sent: Tuesday, September 28, 2021 8:20 AM
To: Doug Hanson
Subject: FW: Online Form Submittal: Public Testimony Form

KUNA Planning & Zoning

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

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, September 27, 2021 6:46 PM
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	20-01-PUD
Public Hearing Date	10/12/2021
Will you also be providing in person testimony at the Public Hearing	No
In Favor, Neutral or In Opposition	Opposition
Email	charlotte.busbee@gmail.com
Phone Number	208-971-1498
First Name	Charlotte
Last Name	Busbee
Address1	364 North Bay Haven Avenue
City	Kuna

State	ID
Zip	83634
Written Testimony	This builder (Hathaway Homes) all too frequently, did not take care of issues that were warranted or should have been warranted. And now, it seems he/they want to put high density, transient housing in an area that cannot handle it. I am concerned the impact on our neighborhood & on the city of Kuna as a whole for the increase in traffic in an area that wasn't designed for that; as well as the very real potential for increase in crime, whether petty or major. Please reconsider accepting this next phase of too many units in such a small area! I should think most of that area along Avalon/Kuna Rd should be dedicated to retail, not housing.

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.

Doug Hanson

From: Jace Hellman
Sent: Tuesday, September 28, 2021 8:21 AM
To: Doug Hanson
Subject: FW: Online Form Submittal: Public Testimony Form

KUNA Planning & Zoning

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

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, September 27, 2021 7:01 PM
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	20-01-PUD
Public Hearing Date	10/12/2021
Will you also be providing in person testimony at the Public Hearing	No
In Favor, Neutral or In Opposition	Opposition
Email	rgerhart1941@gmail.com
Phone Number	9168131316
First Name	Richard
Last Name	Gerhart
Address1	1144 E Seraphina Street
City	Kuna

State	Id
Zip	83634
Written Testimony	They said it was going to be for sale units and we where concerned about parking such as in front of our homes and now they want rentals this will become a mess and lower our values. The neighbor next to us has drainage problems her runoff runs into our property and floods a quarter of our yard.She has complained as well as us and the builder puts it on us.If you have time and see what we're talking about you will understand.Many of our neighbors have had and still.do.

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.

Doug Hanson

From: Jace Hellman
Sent: Tuesday, September 28, 2021 8:21 AM
To: Doug Hanson
Subject: FW: Online Form Submittal: Public Testimony Form

KUNA Planning & Zoning

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

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, September 27, 2021 7:03 PM
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	20-01pud
Public Hearing Date	10/12/2022
Will you also be providing in person testimony at the Public Hearing	No
In Favor, Neutral or In Opposition	Opposition
Email	sheriw55.sw@gmail.com
Phone Number	2084093349
First Name	Sheri
Last Name	Welsh
Address1	1085 E Folgado Street
City	Kuna

State	Idaho
Zip	83634
Written Testimony	I am opposed to rentals. I was never informed of this when I purchased the property. This will cause too.much traffic in the area..

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.

Doug Hanson

From: Jace Hellman
Sent: Tuesday, September 28, 2021 8:21 AM
To: Doug Hanson
Subject: FW: Online Form Submittal: Public Testimony Form

KUNA
Planning & Zoning

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

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Tuesday, September 28, 2021 6:11 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	20-01-PUD
Public Hearing Date	10/12/2021
Will you also be providing in person testimony at the Public Hearing	No
In Favor, Neutral or In Opposition	Opposition
Email	donna.gerhart@gmail.com
Phone Number	9166902952
First Name	Donna
Last Name	Gerhart
Address1	1144 E Seraphina ST
City	Kuna

State	CA
Zip	83634
Written Testimony	We have been deceived and continuously lied to by this developer and Builder. There was never true plans told to us before we purchased our home. There is not the infrastructure for the event of renters. Parking, Access, and over flow of cars. The Entrances proposed are too small and few to accommodate Residence. Concerns are Safety, OVER crowding, and if they have plans to Allow access the common areas we were Lied to. This area was told to us that it was an area for Merrlin Point Cottages.. They are not trustworthy builders and developers for Many reasons. I am sure others have mentioned them. Maintenance, honoring Warranties, Quality of construction and Landscaping, there are so many problems! And Issues. I don't feel you want these corporations involved in building in Kuna. Very suspicious Thank you for hearing our concerns.

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

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Doug Hanson

From: Jace Hellman
Sent: Thursday, September 30, 2021 8:07 AM
To: Doug Hanson
Subject: FW: Online Form Submittal: Public Testimony Form

KUNA
Planning & Zoning

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

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Wednesday, September 29, 2021 10:32 PM
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	20-01-PUD
Public Hearing Date	10/12/2021
Will you also be providing in person testimony at the Public Hearing	No
In Favor, Neutral or In Opposition	Opposition
Email	Geinieandmia@gmail.com
Phone Number	7144788380
First Name	Camellia
Last Name	Riegel
Address1	313 N. Sailer Ave.
City	Kuna

State	ID
Zip	83634
Written Testimony	Thank you for hearing the current Merlin Point residents on the new proposed development site. My greatest concern is 3 fold: 1) Rush hour traffic. Without a light on Kuna at the development intersections it would be chaotic at best. How is this addressed? 2) The new sites must have sufficient parking included in the develoed area. What is the ratio proposed? With 50 - 60 new residences, that will almost surely be 100+ more cars that will take away current owners home front parking. 3) New development's use of the middle green area part of our current subdivision. liability issues, & insurance: Will the new housing have their own? Are there proposed new uses for this area, i.e. children's play area, etc? It is a beautiful area. Of concern is Merlin Point HOA's responsibility for the new residents. Is that addressed? Thank you. Camellia Riegel

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

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Doug Hanson

From: Jace Hellman
Sent: Friday, October 1, 2021 3:21 PM
To: Doug Hanson
Subject: FW: Online Form Submittal: Public Testimony Form

Follow Up Flag: Follow up
Flag Status: Completed

KUNA Planning & Zoning

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

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Friday, October 1, 2021 2:33 PM
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	20-01-PUD
Public Hearing Date	10/12/2021
Will you also be providing in person testimony at the Public Hearing	No
In Favor, Neutral or In Opposition	Opposition
Email	Jimnlonna@gmail.com
Phone Number	707-334-9383
First Name	James & Lonna
Last Name	Kowalski

Address1	1110 E Folgado St
City	Kuna
State	ID
Zip	83634
Written Testimony	We are concerned about the density of population in our neighborhood. The traffic alone would be sufficient for concern but there is also the water issue. Can our water supply service all the homes proposed? Kuna is still a quaint rural town but that is all quickly changing. Thank you for considering our concerns Respectfully, Jim and Lonna Kowalski

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Electronic Signature Agreement	I Agree

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Doug Hanson

From: Jace Hellman
Sent: Wednesday, October 20, 2021 7:52 AM
To: Doug Hanson
Subject: Fwd: Online Form Submittal: Public Testimony Form

Sent from my iPhone

Begin forwarded message:

> **From:** noreply@civicplus.com
> **Date:** October 19, 2021 at 8:08:22 PM MDT
> **To:** Jace Hellman <jhellman@kunaid.gov>, City Clerk <cityclerk@kunaid.gov>
> **Subject: Online Form Submittal: Public Testimony Form**
> **Reply-To:** jtofslie@gmail.com

Public Testimony Form

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

Case Number/Description	20-01-PUD
Public Hearing Date	10/26/2021
Will you also be providing in person testimony at the Public Hearing	No
In Favor, Neutral or In Opposition	Opposition
Email	jtofslie@gmail.com
Phone Number	970-744-1776
First Name	Roger and Joanne
Last Name	Tofslie
Address1	233 North Sailer Avenue
City	Kuna
State	Idaho

Zip	83634
Written Testimony	This is additional testimony we are adding from the previous date. Our opposition to Phase II is as follows: - the developers have not shown an effort to stand behind their work or their contractors work (ie: grading issues, landscaping, building warranties, honoring their word, failure to clean up job site after each working day) - rental units now versus owner-occupied, which we were told by the ATeam in the spring of 2020 would be the case -increased traffic on all subdivision streets -on-street parking congestion based on limited garage and driveway parking for new Phase -use of common park by Phase II, which we were all told was strictly for Phase I only, as the signs state at each entrance -traffic congestion exiting Sailer onto Avalon, especially mornings and evenings, with no guarantee of a traffic light at this location -probable decreasing of home values due to rental/multi-family dwelling units -if the same care is taken with building and landscaping in Phase II that was done in Phase I, we don't see this subdivision (the first one you basically see when you enter Kuna), looking attractive and welcoming in 2-5 years from now. We again encourage you, as a Planning and Zoning Board, to approve only contractors and developers that want to put Kuna first and make it a town we can all take pride in. -

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

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Doug Hanson

From: Jace Hellman
Sent: Wednesday, October 20, 2021 7:52 AM
To: Doug Hanson
Subject: Fwd: Online Form Submittal: Public Testimony Form

Sent from my iPhone

Begin forwarded message:

> **From:** noreply@civicplus.com
> **Date:** October 19, 2021 at 9:10:22 PM MDT
> **To:** Jace Hellman <jhellman@kunaid.gov>, City Clerk <cityclerk@kunaid.gov>
> **Subject: Online Form Submittal: Public Testimony Form**
> **Reply-To:** Patty_hugli@yahoo.com

Public Testimony Form

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

Case Number/Description	20-01-PUD
Public Hearing Date	10/26/2021
Will you also be providing in person testimony at the Public Hearing	No
In Favor, Neutral or In Opposition	Opposition
Email	Patty_hugli@yahoo.com
Phone Number	562-798-8870
First Name	Patty
Last Name	Hugli
Address1	350 N Bay Haven Avenue
City	Kuna
State	ID

Zip	83634
Written Testimony	I am to the understanding that Merlin Cottages/Hathaway Homes is requesting to build rental properties and businesses on Avalon in front of The Merlin Cottages community. I was not told there were rental properties to be built when purchasing my home. If I knew, I would not have purchased the property I now reside at. There were several items that were not installed correctly in my home such as shower doors not installed properly, popping noises in the floors of the house and air/ heating not flowing properly in the front bedroom of the home. Most were repaired with the exception of the floor popping and air/heating which currently remains a problem. Upon request to repair or replace these items I was told to fix the popping floor myself by going under the house and putting wedges in the popping spots. Regarding the air/heating after several conversations I was told by Greg Hathaway that if I wanted to call and have it looked at I would need to pay the fee (I was still under the year warranty with Hathaway at the time). He refused to have his guys look at it. I request there be no rental property be built on Avalon. This would affect the current community of Merlin with sewer problems, traffic congestion (without a signal on Avalon and Sailor) and devalue the current Merlin properties because of rentals moving in with owner possessed homes. Thank you, Patty Hugli

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

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received
10-25-21

(For Oct 26, 1021 Kuna P&Z Meeting)*

RE: 2015 CITY OF KUNA COMPREHENSIVE PLAN

PAGE 27
"Age
According to the 2010 Census, Kuna has the lowest median age (28.1 years) in Ada County – well below Ada County's median age (34.8 years), and nearly 10 years lower than the median age nation-wide (37.2 years."

MEDIAN AGE COMPARISONS			
	MEDIAN AGE		
	2000	2010	2021
Boise	32.8	35.3	36.1
Eagle	35.2	40.6	47.1
Garden City	35.4	43.2	48.7
Kuna	**26.1**	**28.1**	29.1
Meridian	30.1	32.5	36.2
Star	28.4	32.3	36.4
Ada County	32.8	34.8	
State of Idaho	33.2	34.6	
Country	35.3	37.2	
Source: COMPASS			

*https://worldpopulationreview.com/us-cities/kuna-id-population

"Trends in age significantly impact a community's planning needs. ….. The 30 to 49 year-old age group tends to be viewed as the new generation of community leaders and business owners. ….

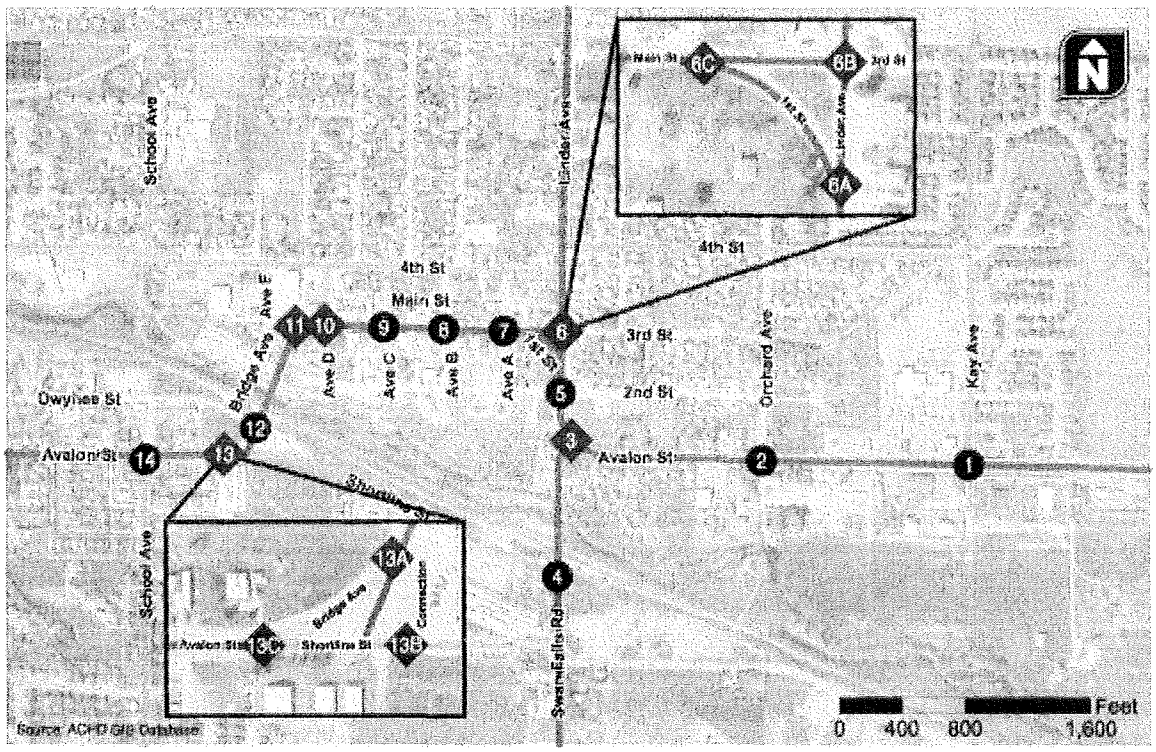
Within this population range, those 30 to 34 year-olds are typically first-time home buyers, while 35 to 39 year-olds are typically included in the move-up home buyer market. "

Exhibit
2.63

"Commute to Work"
"The average commute time for those living in Kuna is 24.5 minutes. The Kuna commute time is above the average of Ada County and Idaho. Although Kuna's job opportunities are increasing, most residents travel outside Kuna to work since the majority of the employment opportunities are located in Boise.

"The longer commute time, complemented with rising transportation costs, could have an impact on the rate of future housing growth in Kuna, and emphasizes the importance of creating more jobs within the City for trip capture purposes."

AVERAGE COMMUTE TIME TO WORK*	
Boise	17.5
Eagle	21.7
Garden City	17.8
Kuna	**24.5**
Meridian	21.8
Star	26.2
Ada County	19.4
State of Idaho	20.0
Country	25.4
**Commute time in minutes*	
Source: COMPASS	

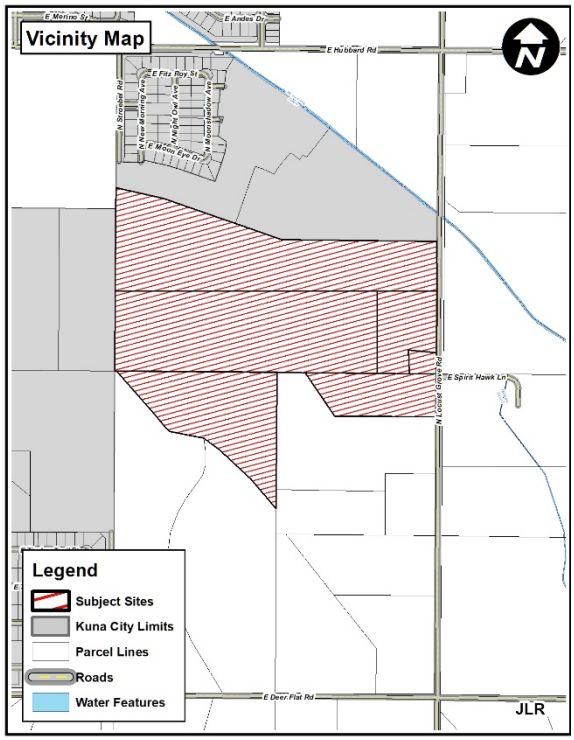

School Ave
Lindsey Ave
4th St
Main St
Bridge Ave
Ave E
Ave D
Ave C
Ave B
Ave A
3rd St
2nd St
Orchard Ave
Kay Ave
Owyhee St
Avalon St
Shoreline St
Sharkfin Rd
Feet
0 400 800 1,600
Source: ACHD GIS Database

BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATION OF	)	**Case No. 21-07-AN (Annexation)**
	)	
TRILOGY DEVELOPMENT, INC.	)	
	)	
For Annexation For Parcel No's: S1418123460, S1418123496, S1418123498, S1418123490, S1418427800, S1418417200	)	**STAFF REPORT LEDGESTONE SOUTH ANNEXATION REQUEST.**

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 & Conclusions of Law
8. Proposed Comprehensive Plan Analysis
9. Proposed Commission's Recommendation



I
EXHIBIT LIST

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

1.1 Exhibits:

	DESCRIPTION OF EVIDENCE	*Withdrawn*	*Refused*	*Admitted*
	Staff Report			X
2.1	Application Coversheet			X

2.3	Letter of Intent			X
2.4	R-6 Zone and OVERALL Legal Description(s)			X
2.5	R-8 Legal Description			X
2.6	Vicinity Map			X
2.7	Vicinity Map With City Limits			X
2.8	Warranty Deed(s) – Johnson			X
2.10	Warranty Deed(s) – Heartland Homes			X
2.11	Affidavit of Legal Interest – Fred Depold			X
2.12	Affidavit of Legal Interest – Heartland Homes			X
2.13	Neighborhood Meeting Certification			X
2.14	Commitment to Post the Property			X
2.15	City Engineer's Memo			X
2.16	Ada County Highway District Comments (ACHD)			X
2.17	Ada County Development Services			X
2.18	Boise Project Board of Control Comments			X
2.19	Central District Health Comments			X
2.20	COMPASS Comments			X
2.21	Agency Comments Request 9.15.2021			X
2.22	P&Z Kuna Melba News 10.13.2021			X
2.23	P&Z Legal Notice Mailer 10.13.2021			X
2.24	P&Z Proof of Property Posting			X

II
PROCESS AND NOTICING

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

2.1.2 Notifications

2.1.2.1 Neighborhood Meeting: June 30, 2021 (No attendees)

2.1.2.2 Agency Comments Request: September 16, 2021

2.1.2.3 300 FT Property Owners Notice: October 13, 2021

2.1.2.4 Kuna Melba News Newspaper: October 13, 2021

2.1.2.5 Site Posted: October 29, 2021

III
APPLICANTS REQUEST

3.1 GEM State Planning, LLC on behalf of Trilogy Development, Inc. requests Annexation of approximately 99.78 acres into the City of Kuna and to zone approximately (approx.) 83.33 acres as R-6 Medium Density Residential (MDR), and 16.45 acres as R-8 MDR. The Applicant only requests Annexation at this time and will propose a Preliminary Plat in the future. The subject site is adjacent to Kuna City limits on the north and west side; and is currently zoned RR (Rural Residential) in Ada County. The subject site is located at 2425 N Locust Grove Road, Kuna, ID 83642, (APN's: S1418123460, S1418123496, S1418123498, S1418123490, S1418427800 & S1418417200).). Section 18, Township 2 North, Range 1 East.

IV
GENERAL PROJECT FACTS

4.1 Site History

4.1.1 These parcels are currently in Ada County and zoned RR (Rural Residential), and are directly adjacent to Kuna City Limits. Historically these parcels have served as farmland and a single residence.

4.2 Surrounding Land Uses

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

4.3 Parcel Sizes, Current Zoning and Parcel Numbers

Approx. Size	Current Zoning	Parcel Numbers
32.54 ac	RR	S1418123460
32.51 ac	RR	S1418123496
6.55 ac.	RR	S1418123498
1.04 ac.	RR	S1418123490
16.80 ac.	RR	S1418427800
7.88 ac.	RR	S1418417200

4.4 Services

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

4.5 Existing Structures, Vegetation, and Natural Features

4.5.1 The proposed project site has one residence and several outbuildings used for agricultural purposes. Vegetation on-site is consistent with that of crop fields. The site has an estimated average slope of 1.5% to 1.9%. According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be 20 to 60 inches across the lands proposed for annexation.

4.6 Environmental Issues

4.6.1 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 future development of the site.

4.7 Comprehensive Plan Future Land Use Map

4.7.1 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 99.78 acres as MDR.

4.9 Recreation and Pathways Map

4.9.1 The Recreation and Pathways Master Plan Map does not indicate a future pathway/trail within the subject site.

4.10 Agency Responses

Agency	Exhibit No.
City Engineer – Kuna City Public Works	2.15
Ada County Highway District (ACHD)	2.16
Ada County Development Services	2.17
Boise Project Board of Control	2.18
Central District Health	2.19
COMPASS	2.20

V
TRANSPORTATION AND CONNECTIVITY

5.1 Ada County Highway District (ACHD) delivered comments for an application on record known as KPP 19-0009 (ACHD case number) [20-01-AN, 20-03-S and 20-07-DR; *Ledgestone South 2020*]. ACHD has simply applied the requirements of the former application to this Annexation only application (21-07-AN), in connection with any Future Development application(s).

VI
STAFF ANALYSIS

6.1 The applicant held a neighborhood meeting on June 30, 2021; there were no attendees. Meeting minutes have been provided as a part of this packet.

The Applicant requests Annexation of approximately 99.78 -acres into the City of Kuna using two zones; approx. 83.86 acres as R-6 MDR, and 16.45 acres as R-8 MDR. The lands are currently in Ada County, zoned RR (Rural Residential) and are adjacent to Kuna City Limits on the north and west sides.

The Applicant is only requesting Annexation into the City of Kuna at this time; the applicant is reminded of all City of Kuna development standards if development is proposed in the future. The standards for useable open space are defined in Kuna City Code (KCC) 5-1-6-2. Pathways must be provided throughout the subdivision for pedestrian connectivity. KCC 5-17 defines how much developments shall devote as useable open space. The Applicant is reminded that local roads are required to provide five-foot wide minimum attached sidewalks and eight foot (8) minimum wide detached sidewalks along classified roads.

The proposed Annexation is within the Danskin Lift Station Sewage Basin which requires upgrades. The developer may be requested to participate with lift station and/or force main improvements in order to serve possible future development. Sewer Flow models would be required to verify pipe sizes and would be paid by developer. A design review application for street buffers, common area landscaping and open space would be required as a part of a land use application in the future.

Staff has reviewed the proposed Annexation for qualification and compliance with KCC, and finds the application is in compliance Kuna City Code Title 5; Idaho Statute § 50-222; and the Kuna Comprehensive Plan. The Applicant will be required to work with Kuna's staff, Ada County Highway District (ACHD), the Kuna Rural Fire District (KRFD) and any other applicable agencies to ensure conformance to each agency's requirements. Staff recommends that if the Planning and Zoning Commission recommends approval of Case No. 21-07-AN (Annexation), the Applicant be subject to the Conditions of Approval listed in section "IX" (9) of this report, as well as any additional conditions requested by the Planning and Zoning Commission as applicable.

6.2 Applicable Standards

6.2.1 City of Kuna Comprehensive Plan FLUM
6.2.2 Idaho Code, Title 50, Chapter 222

VII
PROPOSED FINDINGS OF FACT

Based upon the record contained in Case No. 21-07-AN, including the Comprehensive Plan, Kuna City Code, Staff's Memorandum, the exhibits, and testimony during the public hearing, the Kuna Planning and Zoning Commission recommends (***approval/conditional approval/denial***) for Case No. 21-07-AN, to City Council; a request by Gem State Planning on behalf of Trilogy Homes, LLC, for annexation of approx.

99.78 acres into Kuna City with approx. 83.33 acres as R-6 MDR and approx. 16.45 acres as R-8 MDR zones,

If the Planning and Zoning Commission wishes to Approve, Conditionally 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 No. 21-07-AN, this proposal **does/does not** generally comply with the Kuna City Code (KCC).

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

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

Staff Finding: *The applicant held a neighborhood meeting on June 30, 2020; No residents attended the meeting. A legal notice was published in the Kuna Melba Newspaper on October 13, 2021. The applicant posted sign on the property on October 29, 2021. Neighbor Notices were mailed to land owners within 300-FT of the proposed project site on October 13, 2021.*

7.3 Based on the evidence contained in Case No. 21-07-AN, 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 groups in Kuna, as well as the installation of pathways and open space. The Annexation is proposed to be zoned R-6 and R-8 (both MDR), the Comp Plan Map designates the properties as MDR.*

7.4 All private landowners ***have/have not*** consented to the Annexation.

Staff Finding: *All property owners have signed Affidavits of Legal Interest to allow Gem State Planning, LLC to submit an Annexation application request to the City of Kuna on their behalf.*

7.5 The proposed lands for Annexation ***are/are not*** eligible for Annexation into Kuna City limits.

Staff Finding: *The lands proposed for Annexation have a contiguous touch on the north and west sides of the site.*

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

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

VIII
PROPOSED COMPREHENSIVE PLAN ANALYSIS

The Kuna Planning and Zoning Commission may **accept/reject** the Comprehensive Plan components, and shall determine if the proposed Annexation request for the site **is/is not** consistent with the following Comprehensive Plan components to be adhered to at time **of/if** Future Development as an MDR site occurs:

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

- Goal 3.A.: Ensure community design directs growth and implement sustainable land use patterns.
  - Objective 3.D.1.: Encourage development in priority areas.
    - Policy 3.A.2.b. Encourage infill development to maximize the use of developable land, minimize infrastructure costs and preserve agricultural and open spaces

- 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.

IX
PROPOSED COMMISSIONS ORDER OF DECISION

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

Based on the facts outlined in staff's report and the public testimony as presented at the hearing, the Planning and Zoning Commission of Kuna, Idaho, hereby recommends ***approval/conditional approval/denial*** of Case No 21-07-AN (Annexation) a request from Gem State Planning, LLC to annex

approx. 99.78 acres into the City of Kuna and zone approx. 83.33 acres as R-6 MDR, 16.45 acres as R-8 MDR subject to the following conditions of approval:

At time of development in the future:

9.1 The Owner/Developer/Applicant 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 connections.

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 (KMIS) 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 It is the responsibility of the developer or his engineer to coordinate and design for the stricter requirement between agencies and the City of Kuna standards for the entire development

9.6 The Land Owner/Applicant/Developer, and/or 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.

9.7 Owner/Developer/Applicant, and/or any future assigns having an interest in any of the subject properties shall be subject to all provisions required within an applicable Development Agreement.

9.8 For all future development, the owner/developer/applicant and any future assigns having interests in any of the subject properties shall be subject to applicable processes required in Kuna City Code, unless otherwise provided for within an applicable Development Agreement

9.9 Owner/Developer/Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.

9.10 Owner/Developer/Applicant shall comply with all local, state and federal laws.

DATED: this 9th day of November, 2021.

Exhibit 2.1

Planning & Zoning Application Coversheet

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

KUNA Planning & Zoning

****Office Use Only****

File No.(s): 21-07-AN

Project Name: Ledgestone South

Date Received: 07.20.2021

Date Accepted as Complete: _____

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

✓	Annexation		Appeal
	Comp. Plan Map Amendment		Combination Pre & Final Plat
	Design Review		Development Agreement
	Final Planned Unit Development		Final Plat
	Lot Line Adjustment		Lot Split
	Ordinance Amendment		Planned Unit Development
	Preliminary Plat	✓	Rezone
	Special Use Permit		Temporary Business
	Vacation		Variance

Owner of Record

Name: TJ Johnson/ Heartland Townhome Property Management

Address: 2425 N Locust Grove Road

Kuna, Idaho 83634

Phone: _____ Email: _____

Applicant (Developer) Information

Name: Trilogy Development, Inc

Address: 9839 W. Cable Car St., Suite 101

Boise, Idaho 83709

Phone: (208) 602-6941 Email: jane@gemstateplanning.com

Engineer/Representative Information

Name: Gem State Planning/ Jane Suggs

Address: 9839 W. Cable Car St. Suite 101

Exhibit 2.1

Boise, Idaho 83709

Phone: (208) 602-6941 Email: jane@gemstateplanning.com

Subject Property Information

Site Address: 2425 N. Locust Grove Road and surrounding parcels

Nearest Major Cross Streets: Ardell Street extension, Stroebel Road extension, Locust Grove Road

Parcel No.(s): S1418123460, S1418123496, S1418123498, S1418123490, S1418427800, S1418417200

Section, Township, Range: 18, 2N, 1E

Property Size: Approximately 100 acres

Current Land Use: Agriculture Proposed Land Use: SF residential

Current Zoning: RR Proposed Zoning: R-6/R-8

Project Description

Project Name: Ledgestone South

General Description of Project: Annex and rezone property for single family home lots, plus open space and amenities.

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: SF home to be annexed and zoned, but not part of plat.

Will any existing buildings remain? (YES) NO

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

Exhibit 2.1

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

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

☐ Single-Family ☐ Townhomes ☐ Duplexes ☐ Multi-Family

☐ Other: None at this time.

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: Jane Smith Date: 7/19/21

Exhibit 2.3

Gem State Planning, LLC

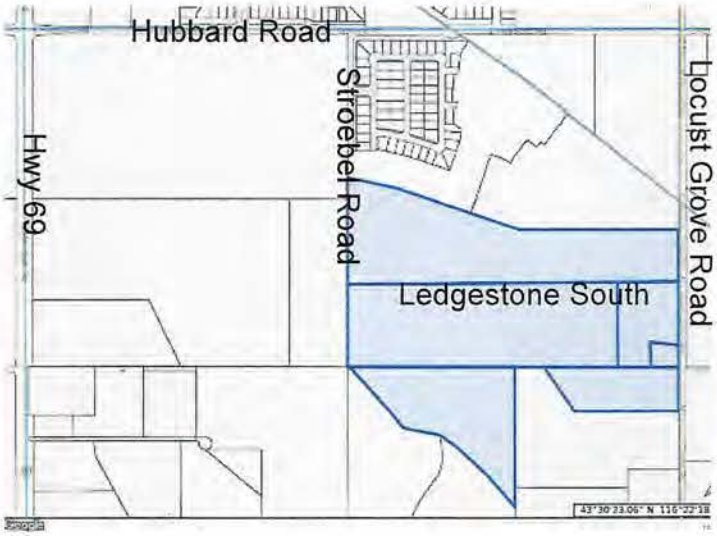
July 15, 2021

Mr. Jace Helman, Planning Director
City of Kuna
751 W. 4th Street
Kuna, ID 83634

Subject: Ledgestone South – annexation and rezone

Dear Mr. Helman:

On behalf of Trilogy Development, please accept the attached applications and support materials for the annexation and zoning for 6 parcels of land, commonly know as Ledgestone South. The 6 parcels are highlighted below and are located south of Ledgestone Subdivision, currently under construction.



History

As you know, Trilogy Development applied for annexation, zoning, and a preliminary plat in May of 2020. After a recommendation of approval by the Planning and Zoning Commission on August 11, 2020, the Kuna City Council subsequently denied our request for annexation on October 20, 2020. We filed for reconsideration of the City Council denial, but that request for reconsideration was also denied on November 4, 2020. The reason for the denial was outlined in the Conclusions of Law:

> *5.4 The annexation, proposed Annexation Application in Case No. 20-01-AN, is unable to connect to City sewer facilities, as the Patagonia and Danskin Lift Stations are both currently operating above capacity (including existing EDUs and current "Will Serve EDUs).*

Exhibit 2.3

We were surprised by the denial of our applications, since the City of Kuna had already added two new conditions of approval for our development that would control our ability to connect to the lift stations. These conditions of approval, that we accepted, would clearly defer any homebuilding until the sewer issues were resolved.

> *Developer/owner/applicant shall not submit an application for final plat until the City's Public Works Director issues a will Serve Letter to the applicant stating that the City's Patagonia and Danskin Lift Stations or any other City Appurtenance has capacity to accept the wastewater discharged from the proposed development.*
>
> *In the event a Will Service Letter is not issued within the time the Applicant is required to record a final plat, the Applicant shall have a 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.*

Application for Annexation and Zoning

As the City of Kuna and land developers continue to work on solutions to the sewer lift station and transmission capacity issues, we have removed our proposed preliminary plat from consideration by the City. Our current applications are for 1) annexation and zoning and 2) development agreement.

We are requesting annexation of 99.78 acres of property into the City of Kuna with zoning designations of R-6 and R-8, both Medium Density Residential Districts. Legal descriptions for each zoning area are included in our application and they describe the lot boundaries that we hope to develop with a future preliminary plat application.

A Development Agreement template provided by the City of Kuna has been modified and included with our application materials. The DA can be further modified during the approval process.

Neighborhood Meeting

A neighborhood meeting was held at 6 pm on Wednesday, June 30, 2021. The meeting was held in a grassy open space in the Ledgestone Subdivision, adjacent to the proposed project site. No one attended the neighborhood meeting. Please note that 2 neighborhood meetings were held for the previous application, so neighbors are mostly familiar with the project area and project plans. A copy of the neighborhood meeting letter and meeting certification are in our application package.

We look forward to working with you through the application and approval process.

Sincerely,

Jane Suggs

cc: Shawn Brownlee, Trilogy Development

Exhibit 2.4

DESCRIPTION FOR
LEDGESTONE SOUTH ANNEXATION PARCEL
R-6 ZONE

A portion of the NE1/4 and NW1/4 of the SE 1/4 of Section 18, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

BEGINNING at the C1/4 corner of said Section 18 from which the N1/4 corner of said Section 18 bears North 00°23'35" East, 2,647.91 feet;

thence along North-South centerline of said Section 18 North 00°23'35" East, 1,496.20 feet;

thence leaving said North-South centerline South 77°18'25" East, 398.64 feet;

thence South 70°52'25" East, 990.00 feet;

thence North 85°22'35" East, 1,329.94 feet to a point on the East boundary line of said Section 18;

thence along said East boundary line South 00°22'30" West, 1,213.09 feet to the E1/4 of said Section 18;

thence continuing along said East boundary line South 00°23'29" West, 352.66 feet;

thence leaving said East boundary line North 89°36'45" West, 853.65 feet;

thence North 33°44'39" West, 427.90 feet to point on the East-West centerline of said Section 18;

thence along said East-West centerline North 89°31'55" West, 232.34 feet to the C-E 1/16 corner of said Section 18;

thence along the East boundary line of the NW1/4 of the SE 1/4 of said Section 18 South 00°19'01" West, 1,115.69 feet;

thence leaving said East boundary line North 40°42'16" West, 320.50 feet;

thence North 47°01'16" West, 354.00 feet;

thence North 53°29'46" West, 154.82 feet;

thence North 78°43'23" West, 282.06 feet;

thence North 52°27'08" West, 37.04 feet;

thence North 38°31'46" West, 134.23 feet;

thence North 41°29'51" West, 490.35 feet to a point on the North boundary line of said Northwest 1/4 of the Southeast 1/4;

thence along said North boundary line North 89°31'55" West, 13.00 feet to the **POINT OF BEGINNING**. Containing 99.78 acres, more or less.

EXCEPTING THEREOF:

A portion of the NE1/4 and the NW1/4 of the SE1/4 of Section 18, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

PARCEL P1:

Commencing at the C1/4 corner of said Section 18 from which the N1/4 corner of said Section 18 bears North 00°23'35" East, 2,647.91 feet;

thence North 74°14'02" East, 772.52 feet to the **REAL POINT OF BEGINNING**;

thence North 00°23'35" East, 537.54 feet;

thence 32.70 feet along the arc of curve to the right, said curve having a radius of 100.00 feet, a central angle of 18°44'01" and a long chord which bears North 09°45'36" East, 32.55 feet;

thence North 19°07'36" East, 53.50 feet;

thence South 70°52'24" East, 210.80 feet;

thence 124.38 feet along the arc of curve to the right, said curve having a radius of 100.00 feet, a central angle of 71°15'59" and a long chord which bears South 35°14'24" East, 116.52 feet;

thence South 00°23'35" West, 457.92 feet;

thence North 89°36'25" West, 290.00 feet to the **REAL POINT OF BEGINNING**. Containing 3.81 acres, more or less.

PARCEL P2:

Commencing at the C1/4 corner of said Section 18 from which the N1/4 corner of said Section 18 bears North 00°23'35" East, 2,647.91 feet;

thence North 81°26'47" East, 1434.89 feet to the **REAL POINT OF BEGINNING**;

thence North 00°35'53" East, 654.74 feet;

thence 78.54 feet along the arc of curve to the right, said curve having a radius of 50.00 feet, a central angle of 90°00'00" and a long chord which bears North 45°35'53" East, 70.71 feet;

thence South 89°24'11" East, 240.00 feet;

thence South 00°35'53" West, 414.08 feet;

thence South 89°32'30" East, 270.00 feet;

thence South 89°31'35" East, 476.64 feet;

thence South 00°22'30" West, 189.84 feet;

thence 157.24 feet along the arc of curve to the right, said curve having a radius of 100.00 feet, a central angle of 90°05'35" and a long chord which bears South 45°25'17" West, 141.54 feet;

thence North 89°31'55" West, 937.61 feet to the **REAL POINT OF BEGINNING**. Containing 9.60 acres, more or less.

PARCEL P3:

Commencing at the C 1/4 corner of said Section 18 from which the N1/4 corner of said Section 18 bears North 00°23'35" East, 2,647.91 feet;

thence South 79°13'58" East, 916.28 feet to the **REAL POINT OF BEGINNING**;

thence South 89°36'25" East, 290.07 feet;

thence South 00°19'01" West, 216.21 feet;

thence South 00°39'57" West, 93.53 feet;

thence South 00°06'39" East, 76.32 feet;

thence 43.69 feet along the arc of a non-tangent curve to the right, said curve having a radius of 300.00 feet, a central angle of 08°20'36" and a long chord which bears South 04°29'19" West, 43.65 feet;

thence South 08°39'37" West, 51.48 feet;

thence 108.49 feet along the arc of curve to the right, said curve having a radius of 50.00 feet, a central angle of 124°19'07" and a long chord which bears South 70°49'10" West, 88.42 feet;

thence North 47°01'16" West, 325.55 feet;

thence 5.11 feet along the arc of curve to the left, said curve having a radius of 150.00 feet, a central angle of 01°57'13" and a long chord which bears North 47°59'53" West, 5.11 feet;

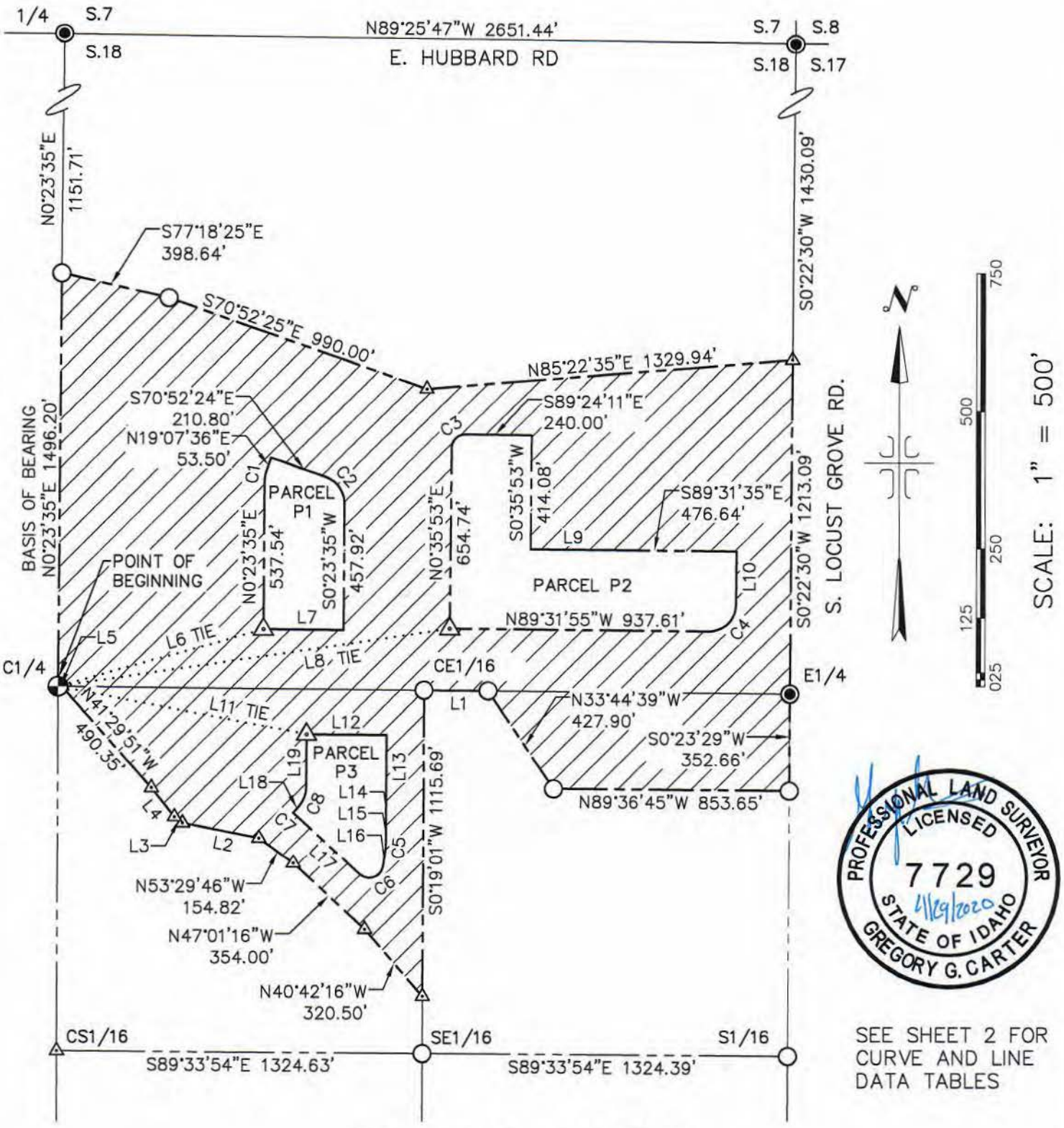
thence North 41°01'31" East, 35.00 feet;

thence 70.99 feet along the arc of curve to the left, said curve having a radius of 100.00 feet, a central angle of 40°40'23" and a long chord which bears North 20°41'19" East, 69.51 feet;

thence North 00°21'08" East, 194.71 feet to the **REAL POINT OF BEGINNING**. Containing 3.04 acres, more or less.

Net Area of R-6 Annexation and Re-Zone is 83.33 acres.

Exhibit 2.4



PROFESSIONAL LAND SURVEYOR LICENSED 7729 STATE OF IDAHO GREGORY G. CARTER 4/29/2020

SEE SHEET 2 FOR CURVE AND LINE DATA TABLES

NET R-6 AREA = 83.33 ACRES

P:\Johnson 96 acre Topo 19-104\dwg\Ledgestone South R-6.dwg 4/29/2020 1:34:09 PM

IDAHO SURVEY GROUP, LLC 9955 W. EMERALD ST. BOISE, IDAHO 83704 (208) 846-8570	EXHIBIT__ DRAWING FOR ANNEXATION & R-6 RE-ZONE LEDGESTONE SOUTH SUBDIVISION LOCATED IN THE NE 1/4 AND THE NW 1/4 OF THE SE 1/4 OF SECTION 18 T.2N., R.1E., B.M., ADA COUNTY, IDAHO	JOB NO. 19-104 SHEET NO. 1of2 DWG. DATE 4/29/2020

Exhibit 2.4

LINE TABLE		
LINE	LENGTH	BEARING
L1	232.34	N89°31'55"W
L2	282.06	N78°43'23"W
L3	37.04	N52°27'08"W
L4	134.23	N38°31'46"W
L5	13.00	N89°31'55"W
L6	772.52	N74°14'02"E
L7	290.00	N89°36'25"W
L8	1434.89	N81°26'47"E
L9	270.00	S89°32'30"E
L10	189.84	S0°22'30"W
L11	916.28	S79°13'58"E
L12	290.07	S89°36'25"E
L13	216.21	S0°19'01"W
L14	93.53	S0°39'57"W
L15	76.32	S0°06'39"E
L16	51.48	S8°39'37"W
L17	325.55	N47°01'16"W
L18	35.00	N41°01'31"E
L19	194.71	N0°21'08"E

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD DIST.	CHORD BRG.	DELTA
C1	100.00	32.70	32.55	N9°45'36"E	18°44'01"
C2	100.00	124.38	116.52	S35°14'24"E	71°15'59"
C3	50.00	78.54	70.71	N45°35'53"E	90°00'00"
C4	100.00	157.24	141.54	S45°25'17"W	90°05'35"
C5	300.00	43.69	43.65	S4°29'19"W	8°20'36"
C6	50.00	108.49	88.42	S70°49'10"W	124°19'07"
C7	150.00	5.11	5.11	N47°59'53"W	1°57'13"
C8	100.00	70.99	69.51	N20°41'19"E	40°40'23"

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IDAHO SURVEY GROUP, LLC
9955 W. EMERALD ST.
BOISE, IDAHO 83704
(208) 846-8570

EXHIBIT___ DRAWING FOR
ANNEXATION & R-8 RE-ZONE
LEDGESTONE SOUTH SUBDIVISION
LOCATED IN THE NE 1/4 AND THE NW 1/4 OF THE SE 1/4 OF SECTION 18 T.2N., R.1E., B.M., ADA COUNTY, IDAHO

JOB NO. 19-104
SHEET NO. 2of2
DWG. DATE 4/29/2020

Exhibit 2.5

DESCRIPTION FOR

LEDGESTONE SOUTH
ANNEXATION AND R-8 REZONE

A portion of the NE1/4 and the NW1/4 of the SE1/4 of Section 18, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

PARCEL P1:

Commencing at the C1/4 corner of said Section 18 from which the N1/4 corner of said Section 18 bears North 00°23'35" East, 2,647.91 feet;

thence North 74°14'02" East, 772.52 feet to the **REAL POINT OF BEGINNING**;

thence North 00°23'35" East, 537.54 feet;

thence 32.70 feet along the arc of curve to the right, said curve having a radius of 100.00 feet, a central angle of 18°44'01" and a long chord which bears North 09°45'36" East, 32.55 feet;

thence North 19°07'36" East, 53.50 feet;

thence South 70°52'24" East, 210.80 feet;

thence 124.38 feet along the arc of curve to the right, said curve having a radius of 100.00 feet, a central angle of 71°15'59" and a long chord which bears South 35°14'24" East, 116.52 feet;

thence South 00°23'35" West, 457.92 feet;

thence North 89°36'25" West, 290.00 feet to the **REAL POINT OF BEGINNING**. Containing 3.81 acres, more or less.

PARCEL P2:

Commencing at the C1/4 corner of said Section 18 from which the N1/4 corner of said Section 18 bears North 00°23'35" East, 2,647.91 feet;

thence North 81°26'47" East, 1434.89 feet to the **REAL POINT OF BEGINNING**;

thence North 00°35'53" East, 654.74 feet;

thence 78.54 feet along the arc of curve to the right, said curve having a radius of 50.00 feet, a central angle of 90°00'00" and a long chord which bears North 45°35'53" East, 70.71 feet;

thence South 89°24'11" East, 240.00 feet;

thence South 00°35'53" West, 414.08 feet;

thence South 89°32'30" East, 270.00 feet;

thence South 89°31'35" East, 476.64 feet;

thence South 00°22'30" West, 189.84 feet;

thence 157.24 feet along the arc of curve to the right, said curve having a radius of 100.00 feet, a central angle of 90°05'35" and a long chord which bears South 45°25'17" West, 141.54 feet;

thence North 89°31'55" West, 937.61 feet to the **REAL POINT OF BEGINNING**. Containing 9.60 acres, more or less.

PARCEL P3:

Commencing at the C 1/4 corner of said Section 18 from which the N1/4 corner of said Section 18 bears North 00°23'35" East, 2,647.91 feet;

thence South 79°13'58" East, 916.28 feet to the **REAL POINT OF BEGINNING**;

thence South 89°36'25" East, 290.07 feet;

thence South 00°19'01" West, 216.21 feet;

thence South 00°39'57" West, 93.53 feet;

thence South 00°06'39" East, 76.32 feet;

thence 43.69 feet along the arc of a non-tangent curve to the right, said curve having a radius of 300.00 feet, a central angle of 08°20'36" and a long chord which bears South 04°29'19" West, 43.65 feet;

thence South 08°39'37" West, 51.48 feet;

thence 108.49 feet along the arc of curve to the right, said curve having a radius of 50.00 feet, a central angle of 124°19'07" and a long chord which bears South 70°49'10" West, 88.42 feet;

thence North 47°01'16" West, 325.55 feet;

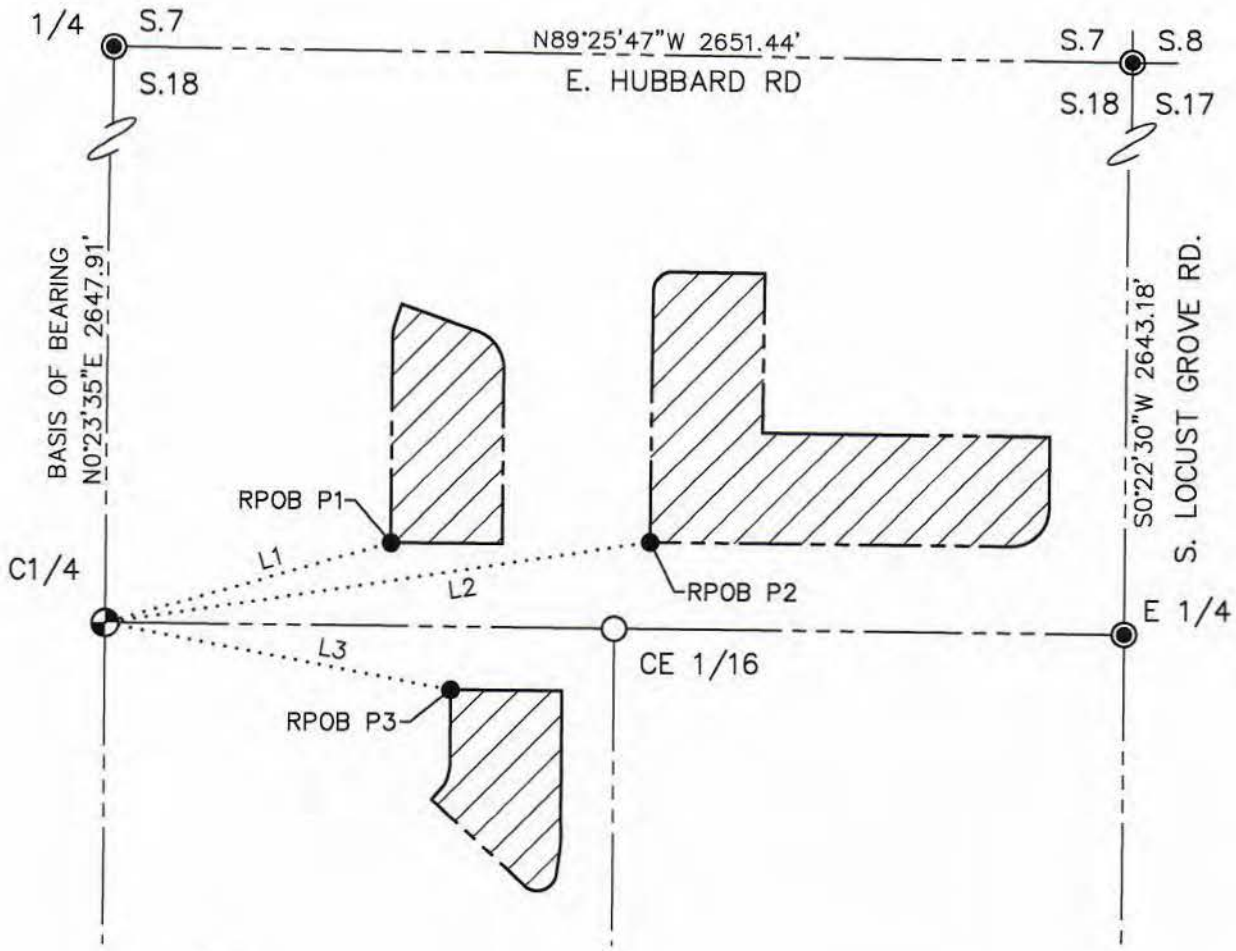
thence 5.11 feet along the arc of curve to the left, said curve having a radius of 150.00 feet, a central angle of 01°57'13" and a long chord which bears North 47°59'53" West, 5.11 feet;

thence North 41°01'31" East, 35.00 feet;

thence 70.99 feet along the arc of curve to the left, said curve having a radius of 100.00 feet, a central angle of 40°40'23" and a long chord which bears North 20°41'19" East, 69.51 feet;

thence North 00°21'08" East, 194.71 feet to the **REAL POINT OF BEGINNING**. Containing 3.04 acres, more or less.

Exhibit 2.5



LINE TABLE		
LINE	LENGTH	BEARING
L1	772.52	N74°14'02"E
L2	1434.89	N81°26'47"E
L3	916.28	S79°13'58"E

SCALE: 1" = 500'

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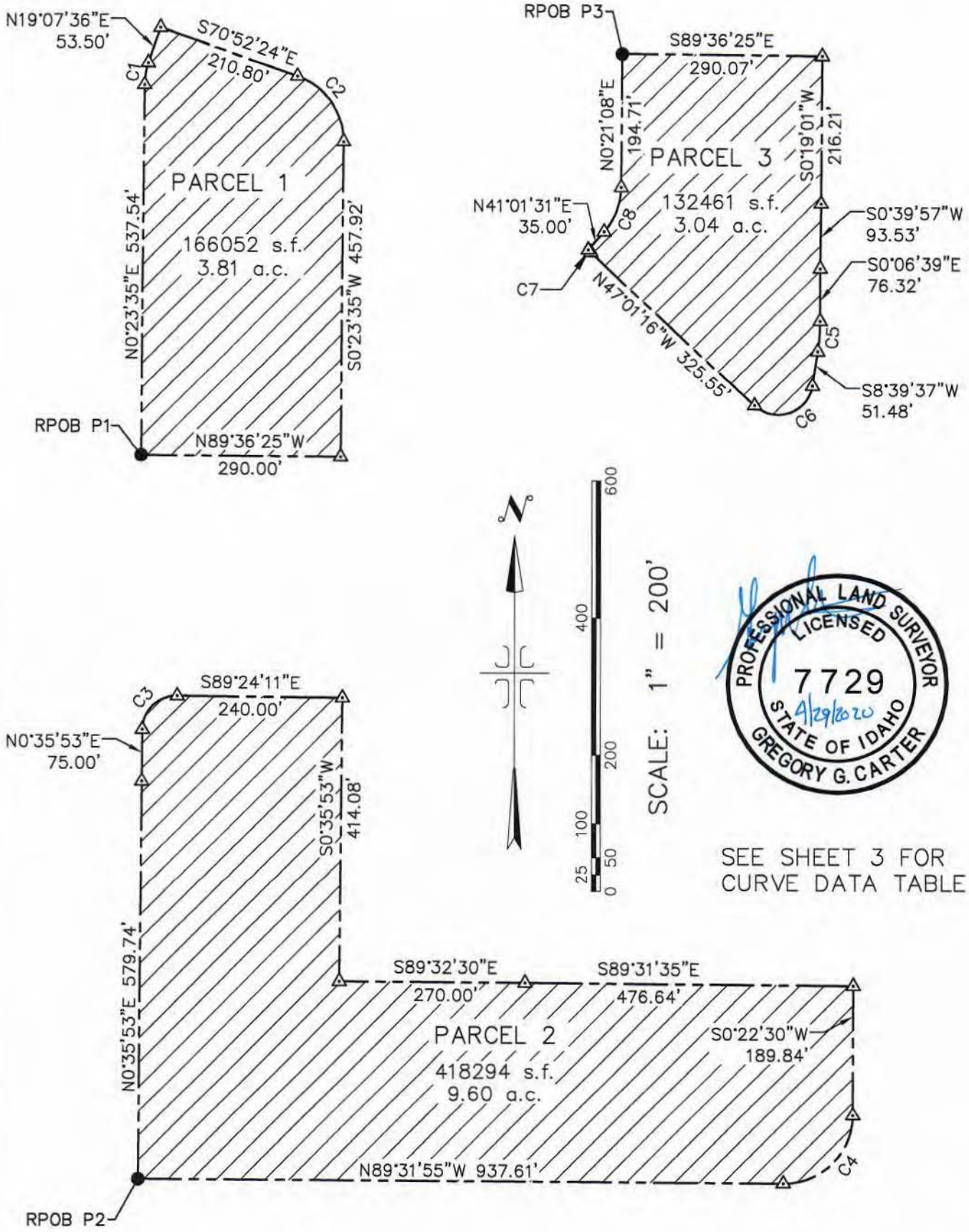
IDAHO SURVEY GROUP, LLC
9955 W. EMERALD ST.
BOISE, IDAHO 83704
(208) 846-8570

EXHIBIT__ DRAWING FOR
ANNEXATION & R-8 RE-ZONE
LEDGESTONE SOUTH SUBDIVISION

LOCATED IN THE NE 1/4 AND THE NW 1/4 OF THE SE 1/4 OF SECTION 18 T.2N., R.1E., B.M., ADA COUNTY, IDAHO

JOB NO. 19-104
SHEET NO. 1of3
DWG. DATE 4/29/2020

Exhibit 2.5



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IDAHO SURVEY GROUP, LLC 9955 W. EMERALD ST. BOISE, IDAHO 83704 (208) 846-8570	EXHIBIT___ DRAWING FOR ANNEXATION & R-8 RE-ZONE LEDGESTONE SOUTH SUBDIVISION LOCATED IN THE NE 1/4 AND THE NW 1/4 OF THE SE 1/4 OF SECTION 18 T.2N., R.1E., B.M., ADA COUNTY, IDAHO	JOB NO. 19-104 SHEET NO. 2of3 DWG. DATE 4/29/2020

Exhibit 2.5

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD DIST.	CHORD BRG.	DELTA
C1	100.00	32.70	32.55	N9°45'36"E	18°44'01"
C2	100.00	124.38	116.52	S35°14'24"E	71°15'59"
C3	50.00	78.54	70.71	N45°35'53"E	90°00'00"
C4	100.00	157.24	141.54	S45°25'17"W	90°05'35"
C5	300.00	43.69	43.65	S4°29'19"W	8°20'36"
C6	50.00	108.49	88.42	S70°49'10"W	124°19'07"
C7	150.00	5.11	5.11	N47°59'53"W	1°57'13"
C8	100.00	70.99	69.51	N20°41'19"E	40°40'23"

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IDAHO SURVEY GROUP, LLC
9955 W. EMERALD ST.
BOISE, IDAHO 83704
(208) 846-8570

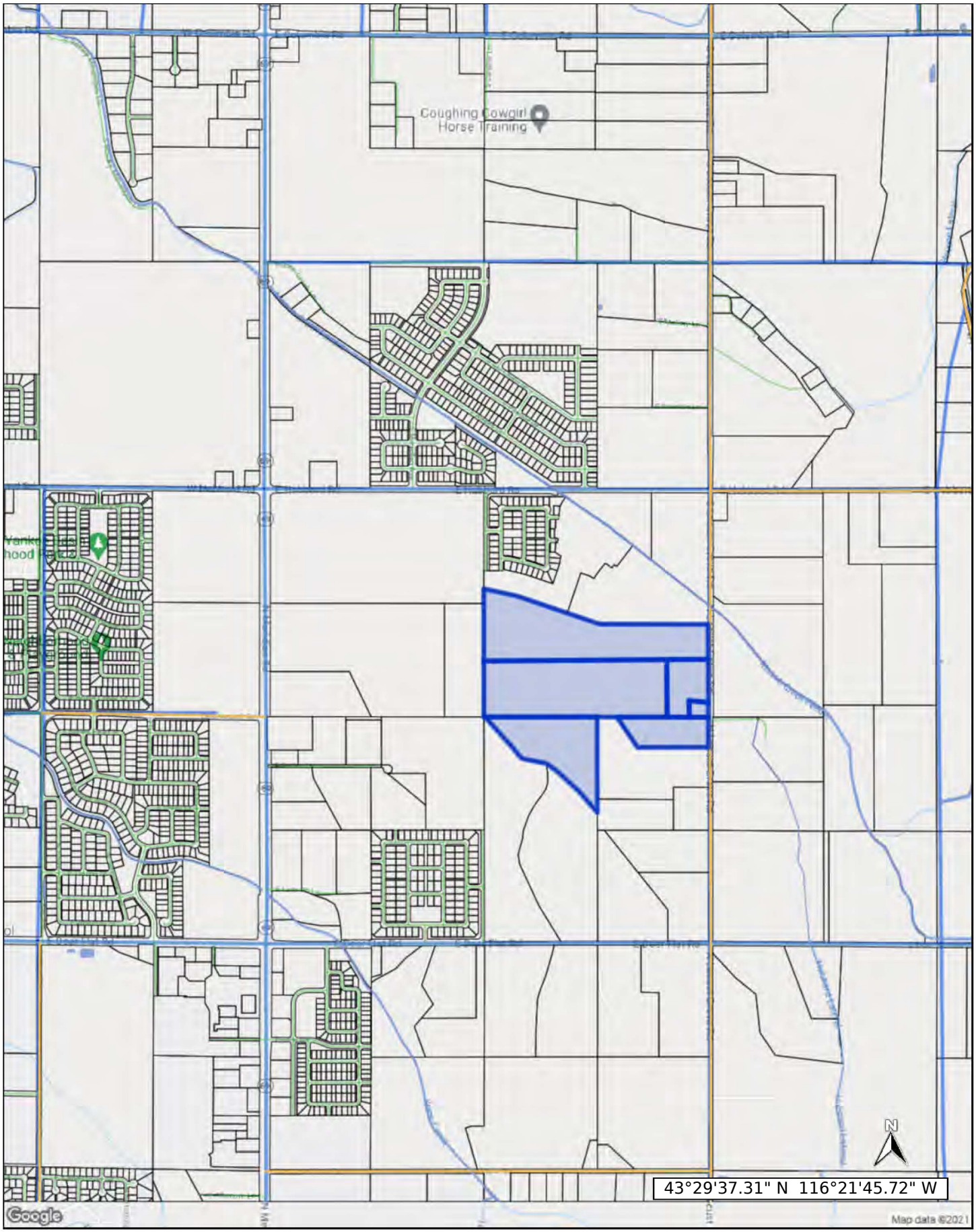
EXHIBIT___ DRAWING FOR
ANNEXATION & R-8 RE-ZONE
LEDGESTONE SOUTH SUBDIVISION
LOCATED IN THE NE 1/4 AND THE NW 1/4 OF THE SE 1/4 OF SECTION 18 T.2N., R.1E., B.M., ADA COUNTY, IDAHO

JOB NO. 19-104
SHEET NO. 3of3
DWG. DATE 4/29/2020

Exhibit 2.6

Ledgestone South

annexation and rezone



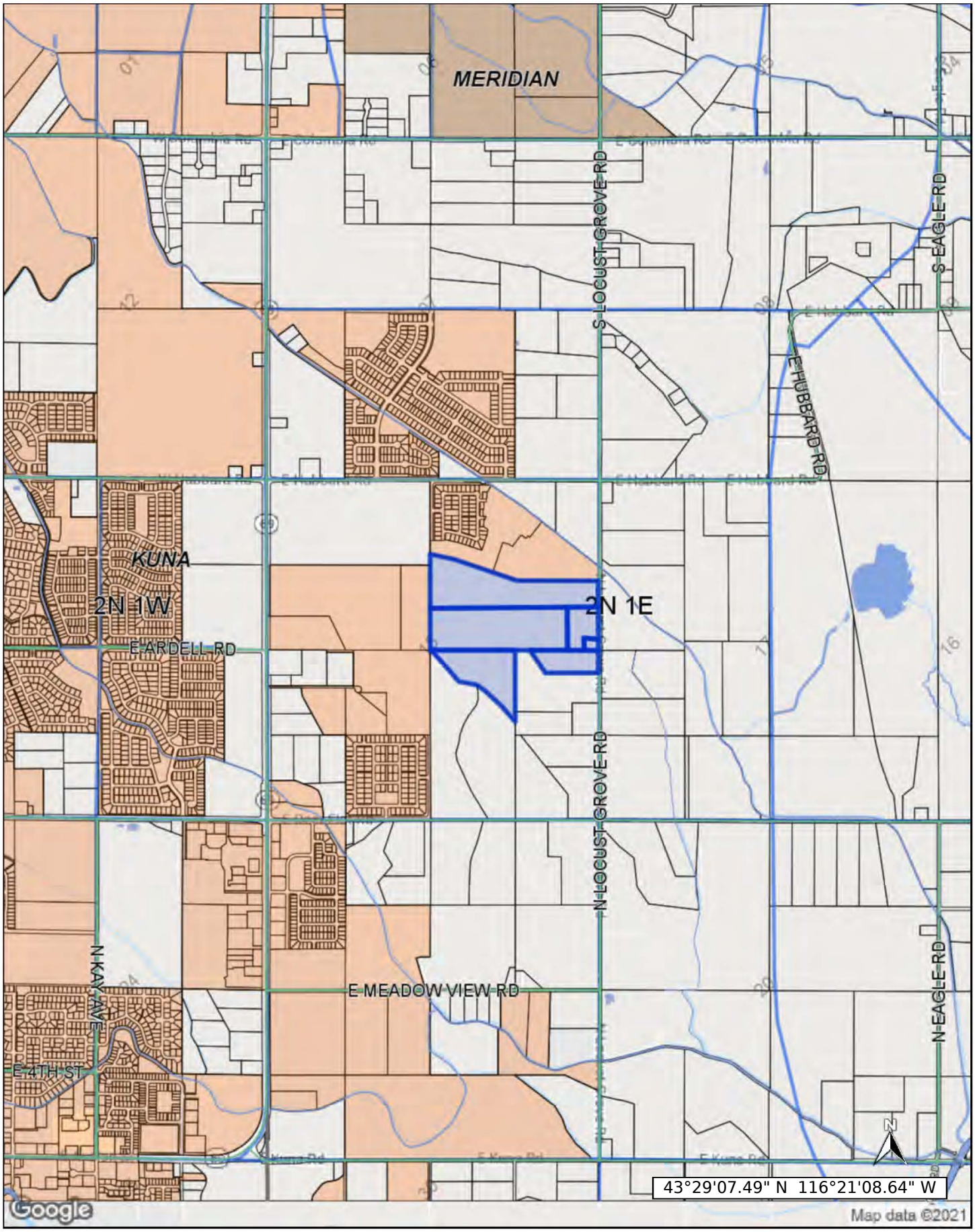
Jun 30, 2021 - landproDATA.com
Scale: 1 inch approx 1500 feet

The materials available at this website are for informational purposes only and do not constitute a legal document.

Exhibit 2.7

Ledgestone South

annexation and rezone



Jun 30, 2021 - landproDATA.com
Scale: 1 inch approx 2000 feet

The materials available at this website are for informational purposes only and do not constitute a legal document.

Exhibit 2.8

8107831 WARRANTY DEED 548 1628

FOR VALUE RECEIVED, Kelsie L. Butler and Sheila D. Butler, Husband and wife

the grantor s, do hereby grant, bargain, sell and convey unto

T.J. Johnson and G. Elaine Johnson, husband and wife
whose current address is 1512 EMPIRE Wy.

the grantees, the following described premises, in Ada County Idaho, to wit:

A TRACT OF LAND IN THE NE¼SE¼ OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE-MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE-MERIDIAN, ADA COUNTY, IDAHO; THENCE
NORTH ALONG THE EAST SECTION LINE OF SAID SECTION 18, 2290.26 FEET TO THE REAL POINT OF BEGINNING; THENCE CONTINUING
NORTH ALONG THE SECTION LINE, 352.66 FEET TO THE NORTHEAST CORNER OF THE NE¼SE¼ OF SAID SECTION 18; THENCE
NORTH 89°54' WEST ALONG THE NORTH BOUNDARY LINE OF SAID NE¼SE¼, 1093.67 FEET TO A POINT; THENCE
SOUTH 34°07'54" EAST 428.35 FEET TO A POINT; THENCE
EAST 853.32 FEET TO THE REAL POINT OF BEGINNING.

SUBJECT TO:
GENERAL TAXES FOR THE YEAR 1981 AND SUBSEQUENT YEARS, AN ACCRUING LIEN.

LIENS, LEVIES AND ASSESSMENTS OF THE BOISE-KUNA IRRIGATION DISTRICT.

Lawyers Title
08 10 A 25 Feb 81
by Irma Clark
8.20

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that they are free from all incumbrances EXCEPT THOSE OF PUBLIC RECORD.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: February 24, 1981

Kelsie L. Butler

Sheila D. Butler

STATE OF IDAHO, COUNTY OF Ada

On this 24th day of February, 1981, before me, a notary public in and for said State, personally appeared Sheila D. Butler

known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that executed the same.

Notary Public
Residing at Idaho
Comm. Expires

STATE OF IDAHO, COUNTY OF Ada

On this 24th day of February, 1981 before me, personally appeared Sheila D. Butler, known to me to be the person whose name is subscribed to the within instrument as Attorney in Fact of Kelsie L. Butler and acknowledged to me that she subscribed the name of Kelsie L. Butler as principal and her own name as Attorney in Fact.

Notary Public for Idaho, Residing at Boise
My commission expires: September 1985

LAWYERS TITLE

(25)

(A)

Exhibit 2.8

646 51

8318822

WARRANTY DEED

8317104

FOR VALUE RECEIVED,

LESLIE G. PAULIN AND WANDA N. PAULIN, HUSBAND AND WIFE

the grantors, do hereby grant, bargain, sell and convey unto

T.J. JOHNSON AND C. ELAINE JOHNSON, HUSBAND AND WIFE

whose current address is RT 3, [illegible], Idaho, [illegible]

the grantees, the following described premises, in ADA County Idaho, to wit:

A PARCEL OF LAND SITUATED IN THE WEST ONE-HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE-MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 18; THENCE ALONG THE NORTH-SOUTH MID SECTION LINE OF SAID SECTION 18
NORTH 0°09'07" WEST 2645.80 FEET TO THE CENTER OF SECTION 18, A POINT MARKED BY A BRASS CAP; THENCE ALONG THE EAST-WEST MID SECTION LINE
SOUTH 89°56'09" EAST 13.00 FEET TO A POINT MARKED BY A ONE-HALF INCH IRON BAR, BEING A POINT IN THE CENTERLINE OF AN IRRIGATION DITCH, ALSO BEING THE REAL POINT OF BEGINNING; THENCE CONTINUING
SOUTH 89°56'09" EAST 1313.08 FEET TO A POINT MARKED BY A ONE-HALF INCH IRON BAR. BEING THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 18; THENCE LEAVING SAID LINE AND ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER SOUTH 0°05'01" EAST 1115.52 FEET TO POINT IN THE CENTERLINE OF AN IRRIGATION DITCH; THENCE LEAVING SAID LINE AND ALONG THE CENTERLINE OF AN IRRIGATION DITCH THE FOLLOWING COURSES
NORTH 41°06'30" WEST 320.28 FEET TO A POINT (FORMERLY 320.00 FEET); THENCE
NORTH 47°25'30" WEST 354.00 FEET TO A POINT; THENCE
NORTH 53°54'00" WEST 154.82 FEET TO A POINT; THENCE
NORTH 79°07'37" WEST 282.07 FEET TO A POINT; THENCE
NORTH 52°51'22" WEST 37.02 FEET TO A POINT; THENCE
NORTH 38°56'0" WEST 134.23 FEET TO A POINT; THENCE
NORTH 41°54'05" WEST 490.35 FEET TO THE POINT OF BEGINNING.

EXCEPT: DITCH AND ROAD RIGHTS-OF-WAY.

THIS IS BEING RE-RECORDED DUE TO LEGAL DESCRIPTION CHANGE

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all incumbrances except for those of public record

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: APRIL 6, 1983

LESLIE G. PAULIN

WANDA N. PAULIN

STATE OF IDAHO, COUNTY OF ADA

On this 14th day of APRIL, 1983, before me, a notary public in and for said State, personally appeared

LESLIE G. PAULIN AND WANDA N. PAULIN

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public

Residing at Boise, Idaho

Comm. Expires September 1984

STATE OF IDAHO, COUNTY OF ADA, ss.

Lawyers Title

05 min. 04 P.M. 11 day April 1983

Peggy Christensen

E. recording

Lawyers Title

15 min. 12 P.M. 19 day April 1983

Peggy Christensen

LAWYERS TITLE CO. of IDAHO

4818 EMERALD
PO BOX 8245
PHONE 336-1054
BOISE, IDAHO
ZIP CODE 83704

26

B

Exhibit 2.8

1184000472

WARRANTY DEED

9003078

For Value Received
THE A. E. MONTGOMERY and HELEN B. MONTGOMERY TRUST

the grantor .do es hereby grant, bargain, sell and convey unto
THEONE J. JOHNSON and G. ELAINE JOHNSON, husband and wife,
the grantee s, whose current address is ~~1809 Norcrest Drive, Boise, Idaho, 83705~~

the following described premises, in Ada County Idaho, to-wit:

See Exhibit A attached hereto and made a part hereof.

MAILING ADDRESS.
T. J. JOHNSON
2425 N. LOCUST GROVE RD.
KUNA IDAHO 83634

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said Grantee s that ~~it is~~ he owner in fee simple of said premises; that they are free from all incumbrances

and that ~~it is~~ will warrant and defend the same from all lawful claims whatsoever.

Dated: 14th day of May, 1977.

Robert Montgomery Trustee
Robert Montgomery, Trustee

Bruce Montgomery
Bruce Montgomery, Trustee

STATE OF IDAHO, COUNTY OF Ada
On this 16th day of May, 1977, before me, a notary public in and for said State, personally appeared BRUCE MONTGOMERY, one of the Trustees of the A. E. MONTGOMERY and HELEN B. MONTGOMERY TRUST,

known to me to be the person who se name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public
Residing at Boise, Idaho
Comm. Expires 1-14-78

STATE OF IDAHO, COUNTY OF Ada
I hereby certify that this instrument was filed for record at the request of Theone J Johnson
at 45 minutes past 9 o'clock A.m., this 19th day of January, 1990, in my office, and duly recorded in Book of Deeds at page

JOHN BASTIDA
Ex-Officio Recorder
By J. Good Deputy.
Fees $ 12.00
Mail to:

INSTRUMENT No.

27

C

Exhibit 2.8

1184000473

EXHIBIT A

TRACT I:

An irregular tract in the Northeast one-quarter of Section 18, T. 2 N., R. 1 E., Boise Meridian, Ada County, Idaho, and lying Southerly of the Crest Ditch and Northerly of a drain ditch described as follows:

From a point on the East boundary of Section 18, T. 2 N., R. 1 E., Boise Meridian, situated 1208.46 feet North 0°02' West of the quarter section corner between Sections 17 and 18; thence
South 85°01' West along the center line of the Crest Ditch 351.6 feet to the real place of beginning; thence
South 85°01' West along the center line of the drain ditch, 980.3 feet to a point; thence
North 71°14' West along the center line of a drain ditch, 990.00 feet to a point; thence
North 77°40' West along the center line of a drain ditch, 398.64 feet to a point on the North and South center line of Section 18; thence
North 0°02' East along the North and South center line of Section 18, 337.7 feet to a point in the center of the Crest ditch; thence
South 75°01' East along the center line of the Crest Ditch 2324.8 feet to a point; thence
South 41°09' East along the center line of the Crest Ditch 78.95 feet to the real place of beginning.

TRACT II:

Part of the Northeast one-quarter of Section 18, T. 2 N., R. 1 E., Boise Meridian, Ada County, Idaho.

Beginning at the East quarter corner of said Section; thence West 2654.5 feet to center of said Section; thence North 0°2' East 1496.2 feet; thence South 77°40' East, 398.64 feet; thence South 71°14' East, 990 feet; thence North 85°1' East 1331.9 feet; thence South 0°2' East 1208.46 feet to a point of beginning.

EXCEPT roads and ditches and rights of way.

Exhibit 2.8

1184000474

TRACT III:

An irregular tract in the Northeast one-quarter of Section 18, T. 2 N., R. 1 E., Boise Meridian, Ada County, Idaho described as follows:

Beginning at the Quarter Section corner between Sections 7 and 18, T. 2 N., R. 1 E., Boise Meridian; thence
North 89°59' East along the Section line 846.6 feet to a point in the center of the Mason Creek Ditch; thence
South 56°06' East along the center line of the Mason Creek Ditch 673.11 feet to a point; thence
South 52°08' East continuing along the center line of the Mason Creek Ditch 1580.1 feet to a point on the East boundary of Section 18; thence
South 0°02' East 93.86 feet to a point in the Center of the Crest Ditch; thence
South 85°01' West along the center line of the Crest Ditch 351.6 feet to a point; thence
North 41°09' West continuing along the center line of the Crest Ditch 78.95 feet to a point; thence
North 75°01' West continuing along the center line of the Crest Ditch 2324.8 feet to a point on the North and South center line of Section 18; thence
North 0°02' East 814 feet to the place of beginning.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

subject to all easements and rights of way of record or appearing on the land;

subject, also, to taxes and assessments levied and assessed for the year 1977, which are now liens but not yet due nor payable.

Exhibit 2.8

1184000475

STATE OF ~~NEW YORK~~ Michigan)
: ss.
County of Kent)

On the 21 day of May, 1977, before me, personally came ROBERT MONTGOMERY, one of the Trustees of the A. E. MONTGOMERY and HELEN B. MONTGOMERY TRUST, to me, known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same.

NOTARY PUBLIC FOR ~~NEW YORK~~ Michigan
Residence: Zeeland, Michigan 49464
Expiration Date - October 18, 1977

This document is being recorded as is at the request of T. J. Johnson. No seal on the Notary

Exhibit 2.8

ACCOMMODATION RECORDING

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=3 VICTORIA BAILEY
TITLEONE BOISE

2018-103100
10/29/2018 04:27 PM
$15.00

Quitclaim Deed

For value received, **Theone J. Johnson and G. Elaine Johnson, husband and wife**

Does hereby convey, release, remise, and forever quit claim unto

Theone J. Johnson and G. Elaine Johnson, husband and wife

whose current address is 2425 N. Locust Grove Rd., Kuna, ID 83634,

the following described premises:

See Parcel B, attached hereto and made a part hereof.

To have and to hold the said premises, unto the said grantees, heirs and assigns forever.

Date: 10/29/2018

See attached signature page

(D)

Exhibit 2.8

Theone J. Johnson

G. Elaine Johnson

State of Idaho, County of ~~And~~ Ada, ss.

On this 29th day of October in the year of 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Theone & Elaine Johnson known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Fred DePold, Notary Public
Residing at: meridian Idaho
My Commission Expires: 12-18-2023
(seal)

FRED DEPOLD
NOTARY PUBLIC
MY COMMISSION
EXPIRES 12-18-2023
STATE OF IDAHO
COMMISSION NUMBER 43783

Exhibit 2.8

DESCRIPTION FOR
T.J. JOHNSON – PARCEL B

A parcel of land located in the NE 1/4 of Section 18, T.2N., R.1E., B.M., Ada County, Idaho more particularly described as follows:

Commencing at the NE corner of said Section 18 from which the E 1/4 corner bears South 00°22'30" West, 2643.18 feet;

thence along the East boundary line of said Section 18 South 00°22'30" West, 1,561.24 feet to the **REAL POINT OF BEGINNING;**

thence continuing along said East boundary line South 00°22'30" West, 1,081.94 feet to the E 1/4 corner of said Section 18;

thence along the East-West centerline of said Section 18 North 89°31'55" West, 2,652.27 feet to the C 1/4 of said Section 18;

thence along the North-South centerline of said Section 18 North 00°23'35" East, 1,496.20 feet;

thence leaving said North-South centerline South 77°18'25" East, 398.64 feet;

thence South 70°52'25" East, 1,021.82 feet;

thence South 89°24'07" East, 1,294.76 feet to the **REAL POINT OF BEGINNING.** Containing 72.94 acres, more or less.

Exhibit 2.10

ADA COUNTY RECORDER Phil McGrane BOISE IDAHO Pgs=3 CHE FOWLER TITLEONE BOISE	**2019-127517** **12/19/2019 12:34 PM** $15.00

TitleOne
a title & escrow co.

Order Number: 19350969

Warranty Deed

For Value Received,

T. J. Johnson also known as Theone J. Johnson and G. Elaine Johnson, husband and wife, the Grantor, does hereby grant, bargain sell and convey unto, **Heartland Townhomes Property Management, LLC, an Idaho limited liability company, as to an undivided 78.13% interest and JRL Properties L.P., an Idaho limited partnership, as to an undivided 21.87% interest**, whose current address is **9839 W. Cable Car St., Ste 101, Boise, ID 83709,** the Grantee, the following described premises, in **Ada County, Idaho,** To Wit:

EXHIBIT "A" ATTACHED HERETO AND MADE APART HEREOF

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.

Remainder of this page intentionally left blank.

Exhibit 2.10

Dated: 12/19/19

T. J. Johnson

G. Elaine Johnson

State of Idaho, County of Ada, ss.

On this 19th day of December in the year of 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared T. J. Johnson and G. Elaine Johnson, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Notary Public
Residing In:
My Commission Expires:
(seal)

Residing at: Boise, ID
Commission expires: 11/28/2025

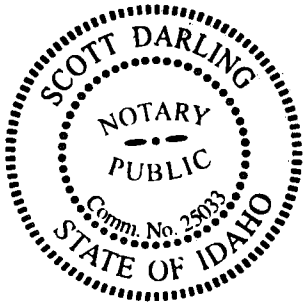


Exhibit 2.10

DESCRIPTION FOR
32.54 ACRE PURCHASE PARCEL
LEDGESTONE SUBDIVISION

A parcel of land located in the NE 1/4 of Section 18, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho being more particularly described as follows:

Commencing at the NE corner of said Section 18 from which the E 1/4 corner bears South 00°22'30" West, 2643.18 feet;

thence along the East boundary line of said Section 18 South 00°22'30" West, 1,561.24 feet to the **REAL POINT OF BEGINNING;**

thence continuing along said East boundary line South 00°22'30" West, 407.58 feet;

thence leaving said East boundary line North 90°00'00" West, 2652.12 feet to a point on the North-South centerline of said Section 18;

thence along said North-South centerline North 00°23'35" East, 843.50 feet;

thence leaving said North-South centerline South 77°18'25" East, 398.64 feet;

thence South 70°52'25" East, 1,021.82 feet;

thence South 89°24'07" East, 1,294.76 feet to the **REAL POINT OF BEGINNING**. Containing 32.54 acres, more or less.

Exhibit 2.11

City of Kuna
AFFIDAVIT OF LEGAL INTEREST

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

State of Idaho)
) ss.
County of Ada)

I, 207 LLC / Fred Depold , 6750 W. Lazy Diamond C Lane
Name **Address**

Meridian , Idaho 83646
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 Gem State Planning (Name) 9840 W. Overland Road, Suite 120, Boise, ID 83709 (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 20th day of July, 20 20

Signature

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

Notary Public for Idaho

Residing at: Boise ID

My commission expires: 9/6/2025

DAVID LABRIE
Comm. No. 50738
NOTARY PUBLIC
Expires: 09/06/2025
STATE OF IDAHO

Exhibit 2.12

City of Kuna
AFFIDAVIT OF LEGAL INTEREST

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

State of Idaho)
) **ss.**
County of Ada)

I, John A Laude, Sr., Heartland Townhomes Property Management, LLC 9839 W. Cable Car Street, Suite 101
Name **Address**

Boise , Idaho 83709
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 Gem State Planning (Name) 9840 W. Overland Road, Suite 120, Boise, ID 83709 (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 3rd day of April, 20 20

Signature

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

Notary Public for Idaho

Residing at: Boise ID

My commission expires: 9/6/2025

DAVID LABRIE
Comm. No. 50738
NOTARY PUBLIC
Expires: 09/06/2025
STATE OF IDAHO

Exhibit 2.13

Neighborhood Meeting Certification

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

KUNA Planning & Zoning

You **must** conduct a Neighborhood Meeting **prior** to submission of an application for Annexation; Rezone; Special Use Permit; Subdivision; and Variance. Please see Kuna City Code 5-1A-2 for more information or contact the Planning & Zoning Department at (208) 922-5274.

The Neighborhood Meeting Certification packet includes the following:

- Neighborhood Meeting Certification – This acts as quick reference information regarding your project.
- Sign-in Sheet – This provides written record of who attended your Neighborhood Meeting.
- Neighborhood Meeting Minutes – Provides space in which to record the items discussed and any concerns attendees may have.

A Neighborhood Meeting cannot take place more than two (2) months prior to acceptance of the application and an application will not be accepted before the meeting is conducted. You are required to mail written notification of your meeting, allowing at least fourteen (14) days before your meeting for property owners to plan to attend. **Contacting and/or meeting individually with property owners will not fulfill Neighborhood Meeting requirements.** You may request a 300' property owners mailing list by completing the Neighborhood Meeting Mailing List Request form located under Forms & Applications on the City of Kuna website.

Neighborhood Meetings must be held on either a weekend between 10:00 Am & 7:00 PM, or a weekday between 6:00 PM & 8:00 PM. The meeting **cannot** be conducted on holidays, holiday weekends, or the day before/after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- Subject property;
- Nearest available public meeting place (i.e. Libraries, Community Centers, etc.); or
- An office space within a one (1) mile radius of the subject property.

Once you have held your Neighborhood Meeting, please complete this certification form and include with your application along with the Sign-in Sheet, Neighborhood Meeting Minutes & a copy of the notification mailed to attendees.

Description of proposed project: Ledgestone South - annexation and rezone to R-6 and R-8

Date of Meeting: June 30,2021 Time: 6 pm

Meeting Location: open space at Ledgestone Sub. on New Morning Avenue

Site Information

Location: Quarter _____ Section 18 Township 2N Range 1E Total Acres 99.8

Subdivision Name: Ledgestone South (proposed) Lot ____ Block ____

Exhibit 2.13

Address: 2425 N. Locust Grove Road + surrounding parcels

Parcel No(s).: S1418427800, S1418417200, S1418123460, S1418123496, S1418123498, S1418123490

Include ALL addresses and parcel numbers for your application.

Current Property Owner

Name: Heartland Townhomes Property Management, TJ Johnson

Address: 9839 W. Cable Car Street, Suite 101, Boise, ID 83709

Contact Person

Name: Jane Suggs

Business Name (if applicable): Gem State Planning

Address: 9839 W. Cable Car Street, Suite 101, Boise, ID 83709

Phone: 208-602-6941 Email: jane@gemstateplanning.com

Applicant

Name: Jane Suggs / Gem State Planning

Address: 9839 W. Cable Car Street, Suite 101, Boise, ID 83709

Phone: 208-602-6941 Email: jane@gemstateplanning.com

I, Jane Suggs, *certify that a Neighborhood Meeting was conducted at the time and location noted on this form in accordance with Kuna City Code 5-1A-2.*

Applicant Signature: Jane Suggs Date: 7/1/21

Exhibit 2.13

Ledgestone South – annexation and rezone
Neighborhood Meeting
Wednesday, June 30, 2021
6 pm

	Name	Address	Email / Phone
1.			
2.			
3.			
4.			
5.			
6.			
7.			
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16.			
17.			
18.			
19.			
20.			

Exhibit 2.13

NEIGHBORHOOD MEETING MINUTES

Meeting Date: 6/30/21 Number of Attendees: 0

Location: open space in Ledgestone Subdivision on New Morning Avenue

Project Description: annexation of approximately 100 acres and rezone to R-6 and R-8

Attendee Comments or Concerns: no comments

I, Jane Suggs, *hereby certify the above information and the information provided within these forms is true, complete and correct to the best of my knowledge.*

Applicant Signature: Jane Suggs Date: 7/1/21

Exhibit 2.13

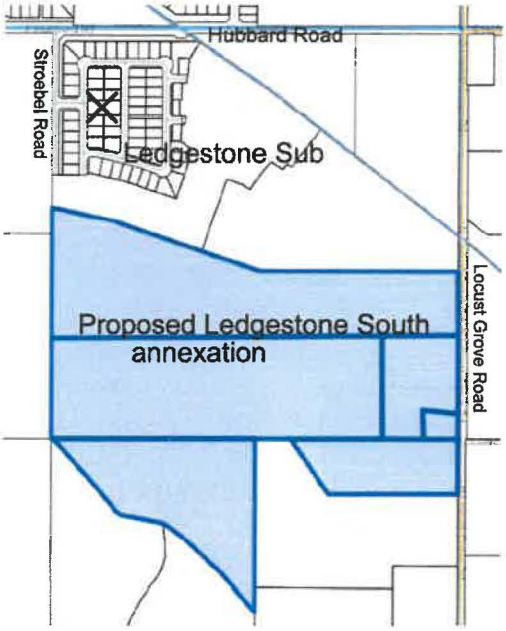
Gem State Planning, LLC

June 23, 2021

Subject: Ledgestone South – annexation of property for a new residential community

Dear Neighbors:

You and your family are invited to attend a neighborhood meeting to discuss the plans to annex property into the City of Kuna. The property is located just south of the Ledgestone Subdivision, which is currently under construction on Stroebel Road, south of Hubbard Road.



You may recall receiving neighborhood meeting notifications about a similar project in November 2019 and February 2020.

Our current request to the City of Kuna will be for **annexation and zoning only**. We do not plan to file applications for a subdivision, so there will be no plans to display at the meeting.

Our meeting will be held on Wednesday, June 30, 2021, at 6 pm. We will meet in the grassy area of Ledgestone Subdivision, shown with an X on the map above.

If you have any questions about the meeting or the proposed annexation, please do not hesitate to e-mail me at jane@gemstateplanning.com or call me at 208-602-6941.

Sincerely,

Jane Suggs

9839 W. Cable Car Street, Suite 101, Boise, Idaho 83709

300 FT Property Owner Information - Ledgestone South - APNs: S1418123460, S1418123496, S1418123498, S1418123490, S1418427800, S1418417200

PRIMOWNER	SECOWNER	ADDCONCAT	STATCONCAT
KIRKHAM GRANT E TRUST	KIRKHAM ROBERTA M TRUST	1857 N LOCUST GROVE RD	KUNA, ID 83634-0000
LEDGESTONE HOA INC		289 SW 5TH AVE	MERIDIAN, ID 83642-0000
CHALLENGER DEVELOPMENT INC		1977 E OVERLAND RD	MERIDIAN, ID 83642-0000
SELECT DEVELOPMENT & CONTRACTING LLC		PO BOX 1030	MERIDIAN, ID 83680-0000
DEERE BENJAMIN F	DEERE KENDA J	2440 N LOCUST GROVE RD	KUNA, ID 83634-0000
BEATTY MELVIN GEORGE JR	BEATTY MARIE	2390 N LOCUST GROVE RD	KUNA, ID 83634-0000
JRL PROPERTIES LP		9839 W CABLE CAR ST STE 101	BOISE, ID 83709-0000
GARRETT BRUCE	JOHNSON-GARRETT ROBYN	2933 N LOCUST GROVE RD	KUNA, ID 83634-0000
ENDURANCE HOLDINGS LLC		1977 E OVERLAND RD	MERIDIAN, ID 83642-0000
HEARTLAND TOWNHOMES PROPERTY MANAGEMENT LLC	JRL PROPERTIES LP	9839 W CABLE CAR ST STE 101	BOISE, ID 83709-0000
207 LLC		6750 W LAZY DIAMOND C LN	MERIDIAN, ID 83646-5076
HEARTLAND TOWNHOMES PROPERTY MANAGEMENT LLC		9839 W CABLE CAR ST STE 101	BOISE, ID 83709-0000
JOHNSON T J	JOHNSON G ELAINE	4357 E VACHERON ST	MERIDIAN, ID 83642-0000
KOUDELKA J J JR	KOUDELKA MADGE H	PO BOX 1564	NAMPA, ID 83653-1564
BARTON COREY		1977 E OVERLAND RD	MERIDIAN, ID 83642-0000
STAGG ROGER L & JOSETTE M REVOCABLE LIVING TRUST	STAGG ROGER L TRUSTEE	2303 N LOCUST GROVE RD	KUNA, ID 83634-1313
MANNING AUSTIN	MANNING ROSIE	2800 E DEER FLAT RD	KUNA, ID 83634-0000
GROTHAUS DANIEL LEE &	GROTHAUS SHIRLEY LOUISE	2404 DEER FLAT	KUNA, ID 83634-0000
WILLIAMS-BLACK MICHAEL	WILLIAMS-BLACK HEIDI	2930 E DEER FLAT RD	KUNA, ID 83634-0000

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
COMMITMENT TO PROPERTY POSTING

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

Jane Seyn
Applicant/agent signature

12/10/19
Date

Exhibit 2.15

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

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

Brady Barroso
Engineering Technician I

ANNEXATION MEMORANDUM

To:	**Jace Hellman**	**- Planning and Zoning Director**
From:	**Brady Barroso**	**- Engineering Technician I**
	Catherine Feistner	**- Assistant City Engineer**
Date:	**26 October 2021**	
RE:	**Public Works Comments**	
	Ledgestone South Subdivision – 21-07-AN (Annexation)	

The Ledgestone South Subdivision, 21-07-AN, annexation request dated 15 September 2021 has been reviewed. The applicant wishes to annex with a City of Kuna (City) R-6 & R-8 (medium density residential) zones. These comments apply to the application as they affect public works infrastructure. Review of civil design drawings is accomplished separately, when received.

Public Works staff can support this application once there is available sewer capacity for this project. The Public Works Department is unable to provide sewer capacity until the 18-in. force main project is complete. The Ledgestone South Subdivision can serve as a critical redundancy component to existing infrastructure in this area by means of creating needed potable water looping, irrigation looping and irrigation storage.

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 applicant requests approximately 100 acres to be annexed into the City of Kuna with an intent of R-6 & R-8 zoning designation upon annexation.
b) Equivalent Dwelling Units (EDUs) are reckoned at approximately 3.18 people per household. The resultant projected population for this subdivision is approximately 2,009.
c) At least two access points are required in Phase I per Kuna Rural Fire District (KRFD) or no more than thirty (30) certificates of occupancy will be issued.
d) 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.
e) A plan approval letter will be required if this project affects any local irrigation districts.
f) Elevations shall be actual NAVD 88 datum elevations. A localized elevation system is not acceptable.
g) All positional information shall be from the most recent state plane coordinate system.
h) Provide engineering certification on all final engineering drawings.
i) The City of Kuna requires streetlights in all subdivisions. Streetlights are required along arterial roads bordering the subdivision, at the entrances of the subdivision, at intersections, and at every 250' interval. Streetlights should be coincident with Fire Hydrants whenever possible.
j) Fire suppression shall be available and approved by KRFD.
k) No building construction can begin without adequate fire protection.

3) Right-of-Way

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

4) Sanitary Sewer Connection

a) The applicant's property is not connected to City services. City code 5-16-3-B.2 states public sewer utilities shall be extended to each parcel when sewer is available within three hundred (300) feet of the parcels.
b) All existing sewage treatment facilities (septic tank and drain field) must be decommissioned in accordance with Idaho Department of Environmental Quality (DEQ) requirements. Documentation shall be provided to the City of Kuna.
c) The closest connection point is located directly north in the Ledgestone Subdivision. However, the Patagonia Lift Station flows into the Danskin Lift Station Basin which is currently at capacity.
d) This development may be asked to participate in cost-sharing to upgrade pumps at Patagonia Lift Station.

e) Sewer must provide connectivity for surrounding developments.
f) No cleanouts are permitted at the end of runs in lieu of manholes per Kuna City Code 6-4-2-B.14.
g) All sewer infrastructure must meet or exceed City of Kuna requirements.
h) Sewer flow models will be required to verify and accommodate pipe sizes.
i) Sewer connection fees apply to each lot containing a home or other facility.
j) 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. 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. It is expected the applicant will connect to City water services, in accordance with the City's "to and through" policy in Kuna City Code 6-4-2.
b) 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.
c) The closest connection point is located directly north in the Ledgestone Subdivision. Connection at the southwest corner of this property on Stroebel Rd will be required to provide looping.
d) All water infrastructure must meet or exceed City of Kuna requirements.
e) Water flow models will be required to verify and accommodate adequate water supply and fire suppression.
f) Water connection fees apply to each lot containing a home or other facility.
g) Fire hydrants are required in a layout acceptable to the KRFD.

6) Pressurized Irrigation

a) The applicant's property is not connected to City services. City Code 6-4-2 requires the subdivision to connect to the City municipal irrigation system. City Code 5-16-3-B.2 states pressurized irrigation utilities shall be extended to each parcel when pressurized irrigation is available within three hundred (300) feet of the parcels. It is expected the applicant will connect to City pressurized irrigation services, in accordance with the City's "to and through" policy in Kuna City Code 6-4-2.
b) The developer is expected to design and construct an irrigation pump and pond during the initial phases of this project.
c) Relying on drinking water for irrigation purposes is contrary to City Code 6-4-2-B.9.
d) The closest connection point is located directly north in the Ledgestone Subdivision. Providing a connection point at the southwest corner on Stroebel Rd will be required for looping.
e) All pressurized irrigation infrastructure shall meet or exceed City of Kuna standards.
f) Annexation into the municipal irrigation system and pooling of water rights is a requirement of the final plat approval.
g) Existing irrigation ditches (supply & drain) must be relocated as needed and as approved by the irrigation ditch company/users.
h) Pressurized irrigation flow model will be required to verify and accommodate adequate pressurized irrigation supply.

i) All residential, common lots, and open areas with irrigation are required to connect to the pressurized irrigation system and to pay the associated connection and assessment fee.

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) Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties. Slopes shall not be steeper than 3:1 on lots adjacent to a street or common lot and no steeper than 4:1 for lots with common rear lot lines.

d) Runoff from public right-of-way is regulated by ACHD. On site storm water retention shall be reviewed in conjunction with the City's Civil Engineering Construction Improvements Review. Provide a storm water disposal & treatment plan which accounts for increased on-site storm water runoff volumes. Provide detailed drawings of drainage & treatment facilities with supporting calculations for review and approval.

e) 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.

8) As-Built Drawings

a) As-built (record) 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.

b) *Correct and verified* a*s-built (record drawings) drawings will be required before occupancy or final plat approval is granted.*

9) Exhibits

a) No maps are included to support Public Works comments.

Exhibit 2.16

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

September 29th, 2021

To: Trilogy Development, Inc.
9839 W Cable Car Street
Suite #101
Boise, ID 83709

Subject: KUNA21-0007/ 21-07-AN
2425 N Locust Grove Road
Ledgestone South Subdivision

On August 3rd, 2020, the Ada County Highway District approved Ledgestone South Subdivision/ KPP19-0009/ 20-01-AN/ 20-07-DR/ 20-03-S for an annexation, rezone, and preliminary plat to develop 393 buildable lots and 44 common lots on 97 acres. The site-specific conditions of approval also apply to Ledgestone South Subdivision/ KUNA21-0007/ 21-07-AN.

If you have any questions, please feel free to contact me at (208) 387-6346.

Sincerely,

Brenna Garro

Brenna Garro
Planner 1
Development Services

cc: City of Kuna (Troy Behunin), via email
Gem State Planning (Jane Suggs), via email

Exhibit 2.16

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).Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
2. In accordance with District policy, 7203.6, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
3. 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.
4. 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.
5. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
6. 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.
7. 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.
8. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
9. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
10. 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.
11. 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.

Exhibit 2.16

Development Services Department

Project/File: **Ledgestone South Subdivision/ KPP19-0009/ 20-01-AN/20-07-DR/20-03-S**
This is an annexation and rezone application to annex 97 acres with an R-6 and R-8 zoning district and a preliminary plat application to develop 393 buildable lots and 44 common lots on 97 acres.

Lead Agency: City of Kuna

Site address: 2425 N. Locust Grove Road

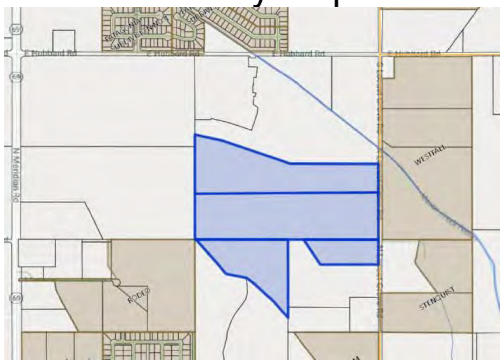
Staff Approval: August 3, 2020

Applicant: Trilogy Development, Inc.
9839 W. Cable Car Street, Suite 101
Boise, ID 83709

Representative: Jane Suggs
Gem State Planning
9840 W. Overland Road, Suite 120
Boise, ID 83709

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

Vicinity Map



A. Findings of Fact

1. **Description of Application:** The applicant is requesting approval of an annexation and rezone application to annex 96.6 acres with a R-6 and R-8 zoning district and 0.4 acres with an R-6 zoning district totaling 97 acres. The applicant is also requesting approval of a preliminary plat application to develop 393 buildable lots and 44 common lots on 96.6 acres.

   The City of Kuna's Future Land Use Map designates this area as medium density residential.

2. **Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Medium Density Residential	R-6
South	Rural Urban Transition (Ada County)	RUT
East	Rural Urban Transition (Ada County)	RUT
West	Commercial	C-1

3. **Site History:** ACHD has not previously reviewed this site.

4. **Adjacent Development:** The following developments are pending or underway in the vicinity of the site:

- Patagonia Subdivision, consisting of 470 single-family residential lots, located north of this site was approved by ACHD in October 2014 and is in various stages of development.
- Ledgestone Subdivision, consisting of 253 single-family residential lots, located directly north of the site, was approved by ACHD in January 2019.

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

6. **New Center Lane Miles:** The proposed development includes 4.28 centerline miles of new public road.

7. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time. The impact fee assessment will not be released until the civil plans are approved by ACHD.

8. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
   - The intersection of SH-69 (Meridian Road) and Hubbard Road is listed in the CIP to be widened to 6-lanes on the north leg, 5-lanes on the south, 4-lanes east, and 3-lanes on the west leg, and signalized between 2031 and 2035.
   - The intersection of Lake Hazel Road and Locust Grove Road is listed in the CIP to be reconstructed as a single lane roundabout to be widened to 3-lanes on the north leg, 2-lanes on the south, 2-lanes east, and 3-lanes on the west leg with a westbound bypass right turn bypass lane between 2026 and 2030.

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

    The BMP identifies Locust Grove Road abutting the site as a Level 2 facility and the new east-west and north-south MSM collector roads as Level 1 facilities. The applicant will construct the new collectors consistent with the MSM and the Roadways to Bikeways Master plan.

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 3,710 additional vehicle trips per day (10 existing); 393 additional vehicle trips per hour in the PM peak hour (1 existing), based on the traffic impact study.

2. **Traffic Impact Study**
   WHPacific prepared a traffic impact study for the proposed Ledgestone Subdivision. An executive summary of the findings **as presented by WHPacific can found in Attachment 3**. The executive summary is **not the opinion of ACHD staff**. ACHD has reviewed the submitted traffic impact study for consistency with ACHD policies and practices, and may have additional requirements beyond what is noted in the summary. ACHD Staff comments on the submitted traffic impact study can be found below under staff comments.

   a. **Policy**
      Mitigation Proposals: Mitigation recommendations shall be provided within the report. At a minimum, for each roadway segment and intersection that does not meet the minimum acceptable level of service planning threshold or v/c ratio, the report must discuss feasible

measures to avoid or reduce the impact to the system. To be considered adequate, measures should be specific and feasible. Mitigation may also include:

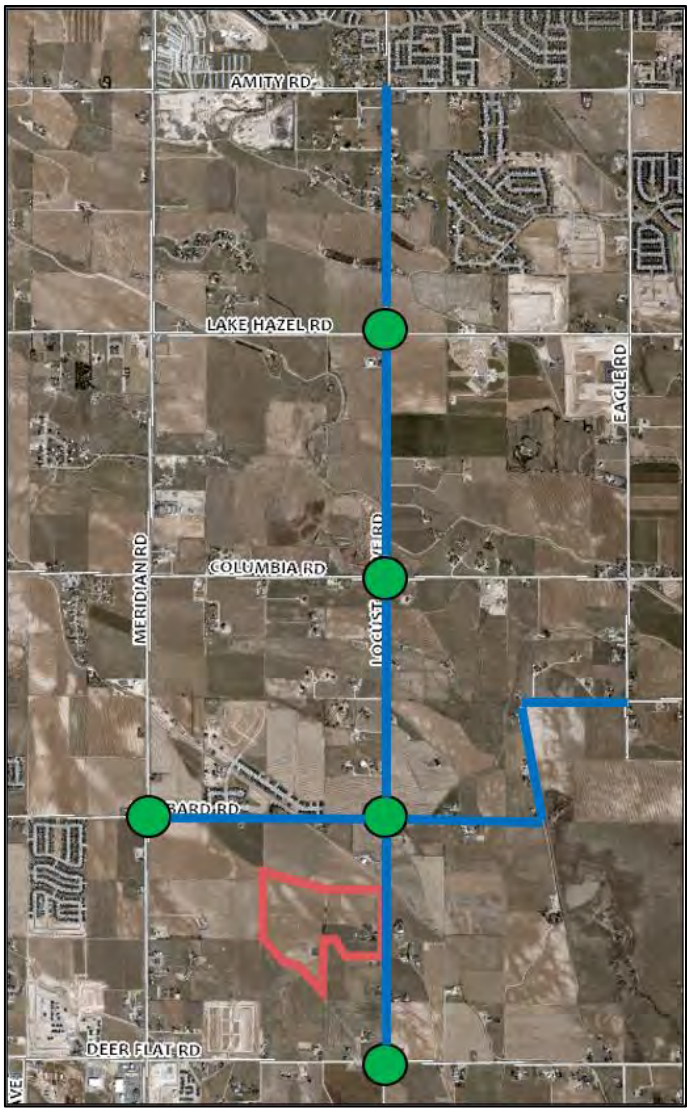
- Revision to the Phasing Plan to coincide with the District's planning Capital Projects.
- Reducing the scope and/or scale of the project.

Alternative Mitigation Measures: 7106.7.3 states that if traditional mitigation measures such as roadway widening and intersection improvements are infeasible as determined by ACHD, the TIS may recommend alternative mitigation measures. Alternative mitigation measures shall demonstrate that impacts from the project will be offset.

- If the impacted roadway segments and/or intersections are programmed as funded in the Integrated Five Year Work Plan (IFYWP) or the Capital Improvements Plan (CIP); no alternative mitigation is required.
- If the impacted roadway segments and/or intersections are not programmed in either the IFYWP or the CIP; the applicant may (i) analyze the shoulder hour and (ii) provide a safety analysis to determine alternative mitigation requirements.
    - If the impacted roadway segments and intersections meet the minimum acceptable level of service planning thresholds in the shoulder hour the applicant may suggest feasible alternative mitigation such as: sidewalks, bike facilities, connectivity, safety improvements, etc. within 1.5 miles of the proposed development.
    - If the shoulder hour planning thresholds are exceeded the applicant may request to enter into a Development Agreement and pay into the Priority Corridor Fund an amount determined by the ACHD to offset impacts from the project.
- Alternative Mitigation may also include:
    - Revision to the Phasing Plan to coincide with the District's future Capital Projects.
    - Reducing the scope and/or scale of the project.

Level of Service Planning Thresholds: District Policy 7206.4.1 states that, Level of Service Planning Thresholds have been established for principal arterials and minor arterials within ACHD's Capital Improvement Plan and are also listed in section 7106. Unless otherwise required to provide a Traffic Impact Study under section 7106, a proposed development with site traffic less than 10% of the existing downstream roadway or intersection peak hour traffic shall not be required to provide mitigation for a roadway or intersection that currently exceeds the minimum acceptable level of service planning threshold or V/C ratio.

Exhibit 2.16



Intersections (green circle) and Roadway Segments (blue lines) analyzed in the TISS

Staff Comments/Recommendations: Staff has reviewed the submitted traffic impact study (TIS) and generally agrees with the findings and recommendations. The TIS notes that all roadway segments and intersections meet ACHD's minimum operational thresholds for the existing traffic conditions.

The TIS recommends improvements to Hubbard Road from SH-69 to Locust Grove Road and from Locust Grove Road to Eagle Road. However, the site traffic is less than 10% of the 2025 total traffic. Therefore, no improvements are required for this segment of Hubbard Road consistent with District's Level of Service Planning Thresholds policy, that states a proposed development with site traffic less than 10% of the existing downstream roadway or intersection peak hour traffic shall not be required to provide mitigation for a roadway or intersection that currently exceeds minimum acceptable level of service planning threshold or V/C ratio.

The TIS recommends the following improvements for the roadway segments that exceed ACHD thresholds for the 2025 background and 2025 total traffic. The percentage of site traffic for the 2025 total traffic is noted.

- Locust Grove Road
  - Deer Flat to Hubbard (17%) - Continuous center turn lane

- Hubbard to Columbia (13%) - 2 through lanes in each direction with a center turn lane
- Lake Hazel to Amity (13%) - 2 through lanes in each direction with a center turn lane
- Columbia Road to Lake Hazel Road (18%) – Continuous center turn lane

The roadway segments that are anticipated to exceed ACHD's acceptable level of service thresholds are not scheduled for improvements in ACHD's IFYWP or CIP, with the exception of Locust Grove Road from Lake Hazel Road to Amity Road which is listed in the draft CIP to be widened to 3-lanes and is anticipated to adopted in August 2020. The TIS notes that this segment of Locust Grove Road meets the level of service planning thresholds for a 3-lane minor arterial for the 2025 background traffic, but exceeds the thresholds the 2025 total traffic and should be widened to 5-lanes to mitigate the 2025 total traffic. The TIS notes that there are 254 existing PM peak hour trips for this segment of Locust Grove Road; allowing an additional 321 PM peak hour trips on this segment of Locust Grove Road before reaching ACHD's acceptable level of service planning threshold of 575 PM peak hour trips for a 2-lane minor arterial roadway and 466 PM peak hour trips for a 3-lane minor arterial roadway. Apex Northwest Subdivision has proposed to enter a Cooperative Development Agreement to widen a portion of this segment of Locust Grove Road to 3-lanes abutting their site. If this segment of Locust Grove Road is not widened to 3-lanes prior to ACHD's approval of the final plat or plan that contains the 322nd building lot, then the applicant will need to recommend alternative mitigation measures in an updated traffic impact study prior to ACHD's plan approval and signature on the final plat that contains the 322nd building lot. Additional widening or improvements to Locust Grove may not be feasible since there is not enough right-of-way for the recommended improvements to be made at this time. As an alternative, the applicant may stop final platting and wait for ACHD to make the improvements.

All roadway segments listed above are located off-site with the exception of a portion of Locust Grove Road from Deer Flat Road to Hubbard Road that abuts the site. The TIS recommends that this segment of Locust Grove Road be widened to 3-lanes for the 2025 background traffic, and subsequently the 2025 total traffic. Consistent with District policy for Level of Service Planning Thresholds, the applicant should be required to improve this segment of Locust Grove Road since the site's peak hour trips are greater than 10% of the 2025 total traffic. However, this improvement may infeasible since there is not enough right-of-way for the recommended improvements to be made at this time on this segment. Therefore, staff recommends that the applicant be required to recommend alternative mitigation measures in an updated traffic impact study prior to ACHD's approval of the final plat or plan that contains the 301st building lot since there is not enough right-of-way to widen this segment of Locust Grove Road to 3-lanes. As an alternative, the applicant may stop final platting and wait for ACHD to make the improvements.

The TIS recommended widening Locust Grove Road from Columbia Road to Lake Hazel Road to 3-lanes to mitigate the 2025 total traffic. However, the TIS notes that this segment of Locust Grove Road is only anticipated to be over the acceptable level of service planning thresholds by 16 peak hour trips for the 2025 total traffic. Therefore, staff recommends that no improvements be required with this development application. Improvements for this segment of Locust Grove Road may be required in the future based on findings of future traffic impact studies.

The TIS recommends widening Locust Grove Road from Hubbard Road to Columbia Road to 3-lanes to mitigate the 2025 background traffic and widen to 5-lanes to mitigate the 2025 total traffic. Consistent with District policy for Level of Service Planning Thresholds, the applicant should be required to improve this segment of Locust Grove Road since the site's peak hour trips are greater than 10% of the 2025 total traffic. However, this improvement is infeasible at this time as there is currently not enough right-of-way for the recommended improvements to be made at this time. Therefore, staff recommends that the applicant be required to recommend alternative mitigation measures in an updated traffic impact study prior to ACHD's approval of the final plat or plan that contains the 301st building lot.

The TIS recommends the following improvements for the intersections that exceed ACHD thresholds for the 2025 background and 2025 total traffic. The percentage of site traffic for the 2025 total traffic is noted.

- Hubbard Road/Locust Grove Road (16.7%)– Traffic Signal with left turn lanes on all approaches.
- Columbia Road/Locust Grove Road (11.4%) – Traffic Signal with left turn lanes on all approaches.
- Lake Hazel Road/Locust Grove Road (8.9%) – Traffic Signal with left and right turn lanes on all approaches.

The site traffic is less than 10% of the 2025 total traffic at the intersection of Lake Hazel Road and Locust Grove Road. Therefore, no improvements are required for this segment of Hubbard Road consistent with District's Level of Service Planning Thresholds policy, that states a proposed development with site traffic less than 10% of the existing downstream roadway or intersection peak hour traffic shall not be required to provide mitigation for a roadway or intersection that currently exceeds minimum acceptable level of service planning threshold or V/C ratio.

Ledgestone Subdivision has been required to convert the Locust Grove Road/Hubbard Road intersection to an all-way stop control intersection prior to plan approval and ACHD's signature on the final plat that contains the 225th lot. The applicant should coordinate the installation of the traffic signal if it is proposed to be installed before converting the intersection to an all-way stop control intersection.

The TIS recommends installing a traffic signal and left turn lanes on all approaches at Hubbard Road/Locust Grove Road and Columbia Road/Locust Grove Road to mitigate the 2025 background traffic and 2025 total traffic. These intersections are not listed in the CIP or IFYWP. Prior to ACHD's signature on the final plat which contains the 301st building lot the applicant should be required to submit an updated traffic impact study to staff for review for the Locust Grove Road/Columbia Road intersection and the Locust Grove Road/Hubbard Road intersection.

The peak hour trip counts for improvement thresholds for intersections and roadway segments were not originally included in the TIS. The peak hour trip thresholds for the installation of signals at the study intersections were higher than the thresholds noted above, however, there are several developments proposed in the area and there is substantial growth proposed. Therefore, the peak hour traffic thresholds for improvements was reduced to ensure the intersections are improved when necessary.

To verify the assumptions of the TIS and to ensure that improvements are made when necessary to serve the site the application should be required to submit an updated traffic impact study prior to ACHD signature on the final plat that contains the 301st building lot. The updated TIS should include all of the study area intersections and roadway segments included in the original study. A shoulder hour analysis should be provided per ACHD policy 7106.7.3 for all offsite roadway segments. Additional improvements may be required based on the findings of the updated traffic impact study.

The applicant should construct a dedicated southbound right-turn lane on Locust Grove Road at Ardell Road when Ardell Road is constructed to intersect Locust Grove Road, as recommended by the TIS.

3. Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Hubbard Road (SH-69 to Locust Grove Rd)	0-feet	Minor Arterial	47	Better than "D"
Hubbard Road (Locust Grove to Eagle Rd)	0-feet	Minor Arterial	19	Better than "D"
Locust Grove Road (Deer Flat to Hubbard)	1,440-feet	Minor Arterial	101	Better than "D"
Locust Grove Road (Hubbard to Columbia)	0-feet	Minor Arterial	71	Better than "D"
Locust Grove Road (Columbia to Lake Hazel)	0-feet	Minor Arterial	142	Better than "D"
Locust Grove Road (Lake Hazel to Amity)	0-feet	Minor Arterial	254	Better than "D"

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

4. Average Daily Traffic Count (VDT)

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

- The average daily traffic count for Hubbard Road between SH-69 and Locust Grove Road was 628 on 8/7/2018.
- The average daily traffic count for Hubbard Road east of Locust Grove Road was 561 on 10/17/2018.
- The average daily traffic count for Locust Grove Road between Hubbard Road and Deer Flat Road was 1,127 on 8/7/2018.
- The average daily traffic count for Locust Grove Road between Hubbard Road and Columbia Road was 1,009 on 8/7/2018.
- The average daily traffic count for Locust Grove Road between Columbia Road and Lake Hazel Road was 2,049 on 8/7/2018.
- The average daily traffic count for Locust Grove Road between Lake Hazel Road and Amity Road was 2,582 on 10/16/2018.

C. Findings for Consideration.

1. Hubbard Road/Locust Grove Road Intersection

The traffic impact study notes that the Hubbard Road/Locust Grove Road intersection will exceed acceptable LOS "E" and will need to be improved with an interim signal. To verify the assumptions of the traffic impact study and to ensure that improvements are made when warranted; staff has recommended that an updated traffic impact study be provided with future phases, which includes an updated analysis of the Hubbard Road/Locust Grove Road intersection. The updated traffic impact study should be submitted prior to ACHD's signature on the final plat which contains the 301st lot.

If the updated traffic impact study shows that the Hubbard Road/Locust Grove Road intersection will exceed acceptable LOS "E" and that signal warrants are met, then the applicant will be required to install an interim signal prior to ACHD's signature on the final plat which contains the

301st lot. Additionally, the applicant will need to obtain plan approval and enter into a signal agreement with ACHD.

The signal agreement should include requirements that the intersection be designed as a 3 X 3 intersection with three 12-foot wide travel lanes: one receiving lane, one dedicated left turn lane, and one thru/right lane on each approach; that the applicant is responsible for all costs associated with the hardware, design, and installation of the interim signal, and that interim improvements are not eligible for reimbursement by ACHD.

In order to ensure the Hubbard Road/Locust Grove Road intersection will be improved when warranted, the following items must be in place prior to plans acceptance for the final plat which necessitates the improvement based on the findings of the updated traffic impact study:

- Signal Agreement
- Full design and approved plans for the intersection

2. Columbia Road/Locust Grove Road Intersection

The traffic impact study notes that the Columbia Road/Locust Grove Road intersection will exceed acceptable LOS “E” and will need to be improved with an interim signal. To verify the assumptions of the traffic impact study and to ensure that improvements are made when warranted; staff has recommended that an updated traffic impact study be provided with future phases, which includes an updated analysis of the Columbia Road/Locust Grove Road intersection. The updated traffic impact study should be submitted prior to ACHD's signature on the final plat which contains the 301st lot.

If the updated traffic impact study shows that the Columbia Road/Locust Grove Road intersection will exceed acceptable LOS “E” and that signal warrants are met then the applicant will be required to install an interim signal prior to ACHD’s signature on the final plat which contains the 301st lot. Additionally, the applicant will need to obtain plan approval and enter into a signal agreement with ACHD.

The signal agreement should include requirements that the intersection be designed as a 3 X 3 intersection with three 12-foot wide travel lanes: one receiving lane, one dedicated left turn lane, and one thru/right lane on each approach; that the applicant is responsible for all costs associated with the hardware, design, and installation of the interim signal, and that interim improvements are not eligible for reimbursement by ACHD.

In order to ensure the Columbia Road/Locust Grove Road intersection will be improved when warranted, the following items must be in place prior to plans acceptance for the final plat which necessitates the improvement based on the findings of the updated traffic impact study:

- Signal Agreement
- Full design and approved plans for the intersection

3. Locust Grove Road

a. Existing Conditions: Locust Grove Road is improved with 2-travel lanes and no curb, gutter or sidewalk abutting the site. There is 58-feet of right-of-way for Locust Grove Road (26-feet from centerline).

b. Policy:

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

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

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

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

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

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

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

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

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

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Locust Grove Road is designated in the MSM as a Residential Arterial with 3-lanes and on-street bike lanes, a 46-foot street section within 74-feet of right-of-way.

c. **Applicant Proposal:** The applicant has proposed to dedicate additional right-of-way to total 40-feet from the centerline of Locust Grove Road abutting the site and improve Locust Grove Road abutting the site with pavement widening to 21-feet from centerline of the roadway, vertical curb, a 5-foot wide planter strip, and 8-foot wide concrete sidewalk within right-of-way with 1-foot of right-of-way behind sidewalk.

d. **Staff Comments/Recommendations:** Locust Grove Road is not centered on the section line and varies between 1 to 2 feet. Consistent with the adjacent developments, frontage improvements and right-of-way dedication along Locust Grove Road should be measured from section line.

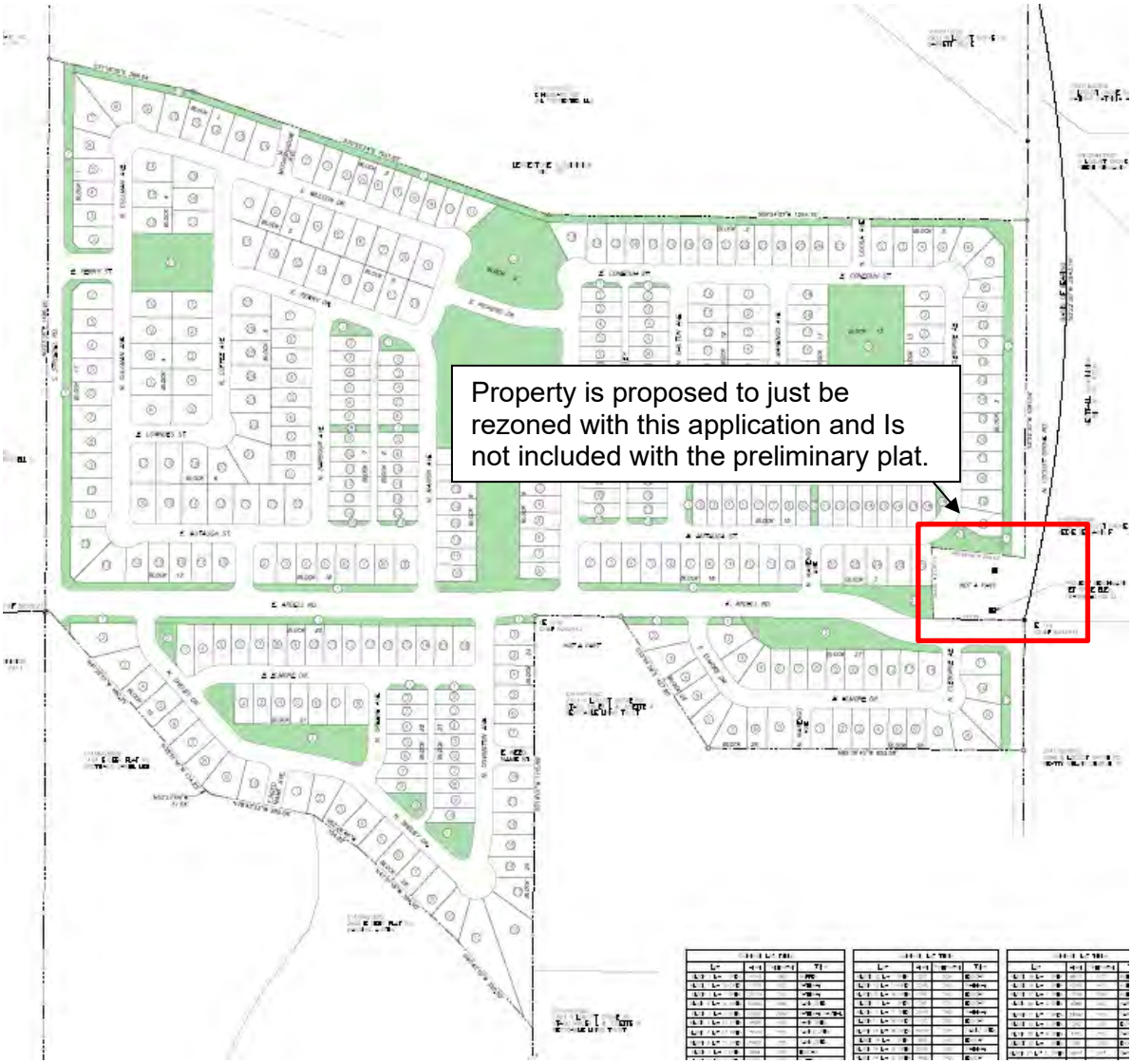
Exhibit 2.16

The applicant's proposal to construct Locust Grove Road as ½ of a 46-foot wide street section with vertical curb gutter and an 8-foot wide detached concrete sidewalk abutting the site exceeds ACHD policy which requires right-of-way dedication, pavement widening and the construction of sidewalks on arterial roadways.

At a minimum the applicant should be required to improve Locust Grove Road with pavement widening to 17-feet from the centerline of the roadway plus a 3-foot wide gravel shoulder, borrow ditch and 5-foot wide concrete sidewalk located 30-feet from section line adjacent to the entire site. Dedicate right-of-way to total a minimum of 37-feet from section line and provide a sidewalk easement extending 2-feet behind the back of sidewalk for all sidewalk located outside the dedicated right-of-way. The applicant should be required to construct a northbound dedicated left-turn lane at Ardell Road.

If the applicant chooses to fully improve Locust Grove Road abutting the site as proposed then it should be improved as ½ of a 46-foot street section with vertical curb, gutter, a minimum 6-foot wide planter strip and 8-foot wide concrete sidewalk, consistent with the MSM. The applicant should dedicate right-of-way to total 48.5-feet from section line of Locust Grove Road abutting the site.

The 0.4 acre residential parcel abutting the site and Locust Grove Road is included with this rezoning application, but is not included with the preliminary plat application. Typically, rezoning applications do not require abutting site improvements, however, staff recommends that this segment of Locust Grove Road abutting the 0.4 acre parcel be improved consistent with the improvements for Locust Grove Road on either to the north and south of the parcel with the Ledgestone South development, construct sidewalk and dedicate additional right-of-way so there is not a gap in improvements on Locust Grove Road.



The applicant should be required to construct a southbound dedicated right-turn lane on Locust Grove Road at Ardell Road when Ardell Road is constructed to intersect Locust Grove Road, consistent with the TIS recommendations.

If street trees are desired within the planter strips, then 8-foot wide planter strips should be provided.

Compensation will not be provided for the right-of-way dedication or improvements since this segment of Locust Grove Road is not scheduled in the IFYWP or listed in the CIP.

4. Ardell Road

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

b. Policy:

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

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

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

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

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

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

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

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

Half Street Policy: District Policy 7207.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. A new collector roadway was identified on the MSM with the street typology of Residential Collector. The new collector roadway should intersect Locust Grove Road at the half-mile between Hubbard Road and Deer Flat Road and continue through the property stubbing to the west. The Residential Collector typology as depicted in the Livable Street Design Guide recommends a 2-lane roadway with bike lanes, and on street parking, a 36-foot street section within 50 to 70-feet of right-of-way.

c. **Applicant Proposal:** The applicant has proposed to construct Ardell Road to intersect Locust Grove and extend it through the site to the west and stub it to the west property line. The applicant has proposed to construct Ardell Road as a 46-foot wide street section with 3-lanes, vertical curb, gutter and attached 5-foot wide concrete sidewalk within 70-feet of right-of-way.

d. **Staff Comments/Recommendations:** The applicant's proposal exceeds District policy and the MSM which requires a 36-foot wide residential collector street section with curb, gutter and a 5-foot wide detached (or 7-foot wide attached) concrete sidewalk. At a minimum, the applicant should be required to construct Ardell Road as a 36-foot wide street section with

vertical curb, gutter, and a 5-foot wide detached (or 7-foot wide attached) concrete sidewalk consistent with the MSM. The applicant should be required to dedicate right-of-way from 2-feet behind the back of sidewalk on each side. For detached sidewalk, the applicant may reduce the right-of-way width to 2-feet behind the back of curb and provide a permanent right-of-way easement that extends from the right-of-way line to 2-feet behind the back of sidewalk.

The 0.4 acre residential parcel abutting the site and the future Ardell Road is included with this rezoning application, but is not included with the preliminary plat application. Typically, rezoning applications do not require abutting site improvements, however, staff recommends that this segment of Ardell Road abutting the 0.4 acre parcel be improved consistent with the improvements for Ardell Road to the west of the parcel with the Ledgestone South development, construct sidewalk and dedicate additional right-of-way so there is not a gap in improvements on Ardell Road.

If street trees are desired, an 8-foot wide planter strip should be required.

5. Stroebel Road

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

b. Policy:

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

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

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

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

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

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

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

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

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

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. A new collector roadway was identified on the MSM with the street typology of Residential Collector. The new collector roadway should intersect Locust Grove Road at the half-mile between Hubbard Road and Deer Flat Road and continue through the property stubbing to the west. The Residential Collector typology as depicted in the Livable Street Design Guide recommends a 2-lane roadway with bike lanes, and on street parking, a 36-foot street section within 50 to 70-feet of right-of-way.

c. **Applicant Proposal:** The applicant has proposed to dedicate 42-feet of right-of-way abutting the site's west property for Stroebel Road and construct Stroebel Road from Ardell Road and stub it to the site's north property line. The applicant has proposed to construct Stroebel Road as ½ of a 36-foot wide street section with vertical curb, gutter, bike lanes, a 5-foot wide planter strip and 8-foot wide concrete sidewalk on the east side of the road with an additional 12-feet of pavement widening beyond the centerline of the road with a 3-foot wide gravel shoulder and borrow ditch on the unimproved side within right-of-way.

d. **Staff Comments/Recommendations:** The applicant's proposal is consistent with the MSM and meets District policy and should be approved, as proposed, except for the proposed 5-foot wide planter strip. For detached sidewalk, the applicant should be required to provide a minimum 6-foot wide planter strip, or 8-foot wide planter strip if street trees are desired. The applicant's proposal to construct an 8-foot wide sidewalk exceeds the District's policy which requires a 5-foot wide detached sidewalk or 7-foot wide attached sidewalk. At a minimum, the applicant should be required to construct a 5-foot wide detached concrete sidewalk or 7-foot wide attached concrete sidewalk.

6. Internal Local Roads

a. **Existing Conditions:** There are no local roadways within the site. There is one local road, Moonshadow Avenue, that is proposed to stub to the site's north property line. This stub street is not constructed yet and was approved as part of ACHD's action on Ledgestone Subdivision directly north of 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.

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

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

- The Developer or Homeowners Association shall apply for a license agreement if landscaping is to be placed within these medians.
- The license agreement shall contain the District's requirements of the developer including, but not limited to, a "hold harmless" clause; requirements for maintenance by the developer; liability insurance requirements; and restrictions.
- Vertical curbs are required around the perimeter of any raised median. Gutters shall slope away from the curb to prevent ponding.

c. Applicant's Proposal: The applicant has proposed to continue Moonshadow Avenue into the site. The applicant has proposed to construct the internal local streets as 36-foot wide street sections with curb, gutter and attached 5-foot wide concrete sidewalks within 50-feet of right-of-way.

The applicant has proposed to construct the entry portion of Perry Street as a 50-foot wide street section with two 21-foot wide travel lanes, an 8-foot wide landscaped island, curb, gutter and attached 5-foot wide concrete sidewalks within 70-feet of right-of-way.

The applicant has proposed to construct 8 knuckles.

d. Staff Comments/Recommendations: The applicant's proposal meets District policy and should be approved, as proposed. The applicant may reduce the right-of-way width to 2-feet behind the back of sidewalk. If street trees are desired, 8-foot wide planter strips are required. The applicant or homeowners association should enter into a license agreement with ACHD for any landscaping proposed to be located within the island.

7. Alleys

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

b. Policy:

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

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

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

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

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

other parking structure to the opposite side of the alley (i.e. 4-foot setback + 16-foot alley= 20-feet for back-up space).

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

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

c. **Applicant Proposal:** The applicant has proposed to construct several alleys:

- A 530-foot long alley extending from Perry Drive to Autauga Street,
- A 665-foot long alley extending from Conecuh Street to Autauga Street,
- A 700-foot long alley extending from Chilton Avenue to Cleburne Avenue,
- A 390-foot long alley extending from Elmore Drive to Shelby Drive.

The applicant has proposed to construct the alleys with 16-feet of pavement with rolled curb and gutter within 20-feet of right-of-way.

d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed, except for the proposed curb and gutter that exceeds District policy. At a minimum, the applicant should be required to pave the entire width and length of the right-of-way for the alleys. The applicant should be required to install "NO PARKING" signs at the alley/street intersections.

8. Roadway Offsets

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

b. **Policy:**
Collector Offset Policy: District policy 7205.4.3 states that optimum spacing for new unsignalized collector roadways intersecting minor arterials is 1,320-feet as identified in Table 1a (7205.4.6).

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

District policy 7206.4.2 states that the preferred spacing for new collectors intersecting existing collectors is ¼ mile to allow for adequate signal spacing and alignment.

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

c. **Applicant's Proposal:** The applicant has proposed to construct Ardell Road, a collector roadway, to intersect Locust Grove Road, a minor arterial roadway, 2,640-feet south of Hubbard Road.

The applicant has proposed to construct several local roads to intersect Ardell Road, a collector roadway.

- Cleburne Avenue 200-feet west of Locust Grove Road,
- Elmore Drive 307-feet west of Marengo Avenue,
- Escambia Avenue 230-feet east of Covington Avenue,
- Marion Avenue 156-feet west of Covington Avenue,
- Shelby Drive 265-feet west of an unnamed local road

The applicant has proposed to construct Strobel Road, a collector roadway, to intersect Ardell Road 250-feet west of Shelby Drive.

d. **Staff Comments/Recommendations:** The applicant's proposal to construct Ardell Road to intersect Locust Grove Road and Stroebel Road to intersect Ardell Road meets District policy and should be approved, as proposed.

The applicant's proposal to construct the local roadways intersecting Ardell Road does not meet the District's policy which states that new local streets intersecting a collector roadway should align or offset a minimum of 330-feet. The applicant should be required to construct all local roads intersecting Ardell Road to align or offset a minimum of 330-feet.

9. Stub Streets

a. **Existing Conditions:** There is one local street, Moonshadow Avenue, proposed to stub to the site's north property line. The stub street is not constructed yet and was approved as part of ACHD's action on Ledgestone Subdivision directly north of the site.

b. **Policy:**

Stub Street Policy: District policy 7206.4.3 (collector) and 7207.2.4.3 (local) states that stub streets will be required to provide circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7207.2.4 (local), except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign shall be installed at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE." Or that "THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS STREET WILL BE EXTENDED AND WIDENDED IN THE FUTURE."

In addition, stub streets must meet the following conditions:

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

Temporary Dead End Streets Policy: 7206.2.4 (collector) and 7207.2.4.4 (local) requires that the design and construction for cul-de-sac streets shall apply to temporary dead end streets. The temporary cul-de-sac shall be paved and shall be the dimensional requirements of a standard cul-de-sac. The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends onto a buildable lot, the entire lot shall be

encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

c. **Applicant Proposal:** The applicant as proposed to construct Stroebel Road to stub to the site's north property line at the northwest corner.

The applicant has also proposed to construct Ardell Road to stub to the site's west property line and intersect Stroebel Road. The applicant has proposed to construct the following local roadways to stub to the site's south property line:

- Marengo Avenue 600-feet to the west of the east property line.
- An unnamed local road 610-feet east of the west property line.

The applicant has proposed to construct the following local roadways to stub to the site's north property line:

- Coosa Avenue, 410-feet west of the site's east property line.

d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed. The applicant should be required to install at sign at the terminus of the Ardell Road and Stroebel Road stating that "THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS STREET WILL BE WIDENED AND EXTENDED IN THE FUTURE." The applicant should be required to install a sign at the terminus of the local roads stating that "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

The applicant should be required to construct a temporary cul-de-sac consistent with the District's dimensional requirements for a standard cul-de-sac at the terminus of Stroebel Road per District policy which requires a temporary cul-de-sac at the terminus of a stub street if the street length is greater than 150-feet. The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends into a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

10. Traffic Calming

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

b. **Staff Comments/Recommendations:** There are several long sections of local roadways proposed within the development, which are greater than 750-feet in length and will need to be redesigned to reduce the length or the roadways or to include the use of passive design elements. The following roadways should be redesigned:

- Wilcox Drive
- Cullman Avenue
- Autuaga Street
- Shelby Drive
- Escambia Avenue
- Conecuh Street

Stop signs, speed humps/bumps and valley gutter will not be accepted as traffic calming.

The applicant should be required to submit a revised preliminary plat showing the redesigned roadways for review and approval prior to ACHD's signature on the first final plat.

11. Tree Planters

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

12. Landscaping

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

13. Other Access

Locust Grove Road is classified as a minor arterial roadway, Ardell Road and Stroebel Road are classified as collector roadways. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways and should be noted on the final plat.

D. Site Specific Conditions of Approval

1. Redesign the following roadways to reduce the length of the roadways or to include the use of passive design elements and submit a revised preliminary plat showing the redesigned roadways for review and approval prior to ACHD's signature on the first final plat.

- Wilcox Drive
- Cullman Avenue
- Autuaga Street
- Shelby Drive
- Escambia Avenue
- Conecuh Street

Stop signs, Speed humps/bumps and valley gutter will not be accepted as traffic calming.

2. Submit a revised preliminary plat showing the revised local roads intersecting Ardell Road to align or off offset a minimum of 330-feet for review and approval prior to ACHD's signature on the first final plat

3. Prior to ACHD's signature on the final plat which contains the 301st building lot the submit a revised traffic impact study. The updated TIS should include all of the study area intersections and roadway segments included in the original study. A shoulder hour analysis should be provided per ACHD policy 7106.7.3 for all offsite roadway segments. Additional improvements may be required based on the findings of the updated traffic impact study.

4. Prior to ACHD's signature on the final plat which contains the 301st building lot the applicant should be required to submit an updated traffic impact study. The updated traffic impact study shall include, at a minimum, a signal warrant analysis for the Hubbard Road/Locust Grove Road intersection. Additional improvements for future phases may be required based on the findings of the future updated traffic impact studies.

If it is determined through the updated traffic impact study that improvements are needed at the Hubbard Road/Locust Grove Road intersection, then install an interim signal within the existing right-of-way at the Hubbard Road/Locust Grove Road intersection.

Enter into a signal agreement with ACHD for the installation of the interim signal at the Hubbard Road/Locust Grove Road intersection. The signal agreement shall include that the intersection be designed to provide a 3 X 3 intersection with three 12-foot wide travel lanes: one receiving lane, one dedicated left turn lane, and one thru/right lane on each approach; that the applicant is responsible for all costs associated with the hardware, design, and installation of the interim signal, and that interim improvements are not eligible for reimbursement by ACHD.

In order to ensure the Hubbard Road/Locust Grove Road intersection will be improved when warranted, the following items must be in place prior plans acceptance for the final plat which contains the 301st building lot:

- Signal Agreement
- Full design and approved plans for the intersection

5. Prior to ACHD's signature on the final plat which contains the 301st building lot the applicant should be required to submit an updated traffic impact study. The updated traffic impact study shall include, at a minimum, a signal warrant analysis for the Columbia Road/Locust Grove Road intersection. Additional improvements for future phases may be required based on the findings of the future updated traffic impact studies.

If it is determined through the updated traffic impact study that improvements are needed at the Columbia Road/Locust Grove Road intersection, then install an interim signal within the existing right-of-way at the Columbia Road/Locust Grove Road intersection.

Enter into a signal agreement with ACHD for the installation of the interim signal at the Columbia Road/Locust Grove Road intersection. The signal agreement shall include that the intersection be designed to provide a 3 X 3 intersection with three 12-foot wide travel lanes: one receiving lane, one dedicated left turn lane, and one thru/right lane on each approach; that the applicant is responsible for all costs associated with the hardware, design, and installation of the interim signal, and that interim improvements are not eligible for reimbursement by ACHD.

In order to ensure the Columbia Road/Locust Grove Road intersection will be improved when warranted, the following items must be in place prior plans acceptance for the final plat which contains the 301st building lot:

- Signal Agreement
- Full design and approved plans for the intersection

6. Dedicate additional right-of-way to total a minimum of 37-feet from the centerline of Locust Grove Road abutting the site.

7. Improve Locust Grove Road abutting the site with additional pavement widening to total 17-feet from the section line and construct a 5-foot wide detached concrete sidewalk and locate it a minimum of 30-feet from the section line. Detached sidewalk located outside of the right-of-way may be placed in a permanent right-of-way easement.

8. If the applicant chooses to fully improve Locust Grove Road abutting the site, it should be improved as ½ of a 46-foot wide 3-lane residential arterial street section with vertical curb, gutter, and a 5-foot wide detached concrete sidewalk (or 7-foot attached) consistent with the MSM. If street trees are desired, an 8-foot wide planter strip should be provided. Detached sidewalk located outside of the right-of-way may be placed in a permanent right-of-way easement.

9. If the applicant chooses to improve Locust Grove Road abutting the 0.4 acre parcel that is proposed to be rezoned with this development application, it should be improved consistent with the improvements on Locust Grove Road with the Ledgestone South development to the north and south of the parcel. If street trees are desired, an 8-foot wide planter strip should be provided.

10. Construct a dedicated southbound right-turn lane on Locust Grove Road at Ardell Road when Ardell Road is constructed to intersect Locust Grove Road.

11. Construct Ardell Road to intersect Locust Grove Road, a minor arterial roadway, 2,640-feet south of Hubbard Road, as proposed.

12. Construct Ardell Road as a 36-foot wide street section with vertical curb, gutter, and a 5-foot wide detached (or 7-foot wide attached) concrete sidewalk. Dedicate right-of-way for the street to 2-feet behind the back of sidewalk on each side. For detached sidewalk, the applicant may reduce the right-of-way width to 2-feet behind the back of curb and provide a permanent right-of-way easement that extends from the right-of-way line to 2-feet behind the back of sidewalk. If street trees are desired, an 8-foot wide planter strip is required.

13. If the applicant chooses to fully improve Ardell Road abutting the 0.4 acre parcel that is proposed to be rezoned with this development application, it should be improved consistent with the improvements on Ardell Road to the west of the 0.4 acre parcel with the Ledgestone South development. If street trees are desired, an 8-foot wide planter strip should be provided.

14. Construct Stroebel Road along the west property line to intersect Ardell Road, as proposed.

15. Dedicate 42-feet of right-of-way abutting the site's west property for Stroebel Road, as proposed.

16. Construct Stroebel Road from Ardell Road and stub the street to the site's north property line, as proposed.

17. Construct Stroebel Road as ½ of a 36-foot wide street section with vertical curb, gutter, bike lanes, a minimum of 5-foot wide detached (7-foot attached) concrete sidewalk on the east side of the road with an additional 12-feet of pavement widening beyond the centerline of the road with a 3-foot wide gravel shoulder and borrow ditch on the unimproved side within right-of-way, as proposed. Dedicate right-of-way for the street to 2-feet behind the back of sidewalk. For detached sidewalk, the applicant may reduce the right-of-way width to 2-feet behind the back of curb and provide a permanent right-of-way easement that extends from the right-of-way line to 2-feet behind the back of sidewalk. If street trees are desired, an 8-foot wide planter strip is required.

18. Construct all local roads intersecting Ardell Road to align or offset at least 330-feet from any other road.

19. Construct one collector roadway, Stroebel Road, to stub to the site's north property line at the northwest corner and the site's south property line at the southwest corner, as proposed. Install at sign at the terminus of the roadway stating that "THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS STREET WILL BE WIDENED AND EXTENDED IN THE FUTURE."

20. Construct one collector roadway, Ardell Road, to stub to the site's west property line at the site's southwest corner, as proposed. Install at sign at the terminus of the roadway stating that "THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS STREET WILL BE WIDENED AND EXTENDED IN THE FUTURE."

21. Construct a temporary cul-de-sac at the terminus of Stroebel Road. The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends into a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

22. Construct the following local roadways to stub to site's the south property line, as proposed:

- Marengo Avenue 600-feet to the west of the east property line.
- An unnamed local road 610-feet east of the west property line.

23. Construct the following local roadways to stub to the site's north property line, as proposed:

- Coosa Avenue, 410-feet west of the site's east property line.

24. Install a sign at the terminus of the local road stub streets stating that "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

25. Continue Moonshadow Avenue into the site, as proposed.

26. Construct the internal local streets as 36-foot wide street sections with curb, gutter and attached 5-foot wide concrete sidewalks within 50-feet of right-of-way, as proposed. If street trees are desired, 8-foot wide planter strips are required.

27. Construct the entry portion of Perry Street as a 50-foot wide street section with two 21-foot wide travel lanes, an 8-foot wide landscaped island, curb, gutter and attached 5-foot wide concrete sidewalks within 70-feet of right-of-way, as proposed. The center landscape island should be platted as right-of-way owned by ACHD. The applicant or homeowners association should enter into a license agreement with ACHD for any landscaping proposed to be located within the island. The applicant may reduce the right-of-way width to 2-feet behind the back of sidewalk. If street trees are desired, 8-foot wide planter strips are required.

28. Construct 8 knuckles, as proposed.

29. Construct the following alleys, dedicate 20-feet of right-of-way for the alleys and pave the alleys their entire width and length, as proposed:

- A 530-foot long alley extending from Perry Drive to Autauga Street
- A 665-foot long alley extending from Conecuh Street to Autauga Street
- A 700-foot long alley extending from Chilton Avenue to Cleburne Avenue
- A 390-foot long alley extending from Elmore Drive to Shelby Drive

30. Install "NO PARKING" signs at the alley/street intersections.

31. Other than the access specifically approved with this application, direct lot access is prohibited to Locust Grove Road, Ardell Road and Stroebel Road and should be noted on the final plat.

32. 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.

33. Payment of impact fees is due prior to issuance of a building permit.

34. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

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

2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.

3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.

4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.

5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.

6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.

7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.

8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.

9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.

10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.

11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.

12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

F. Conclusions of Law

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

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

G. Attachments

Exhibit 2.16

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

VICINITY MAP

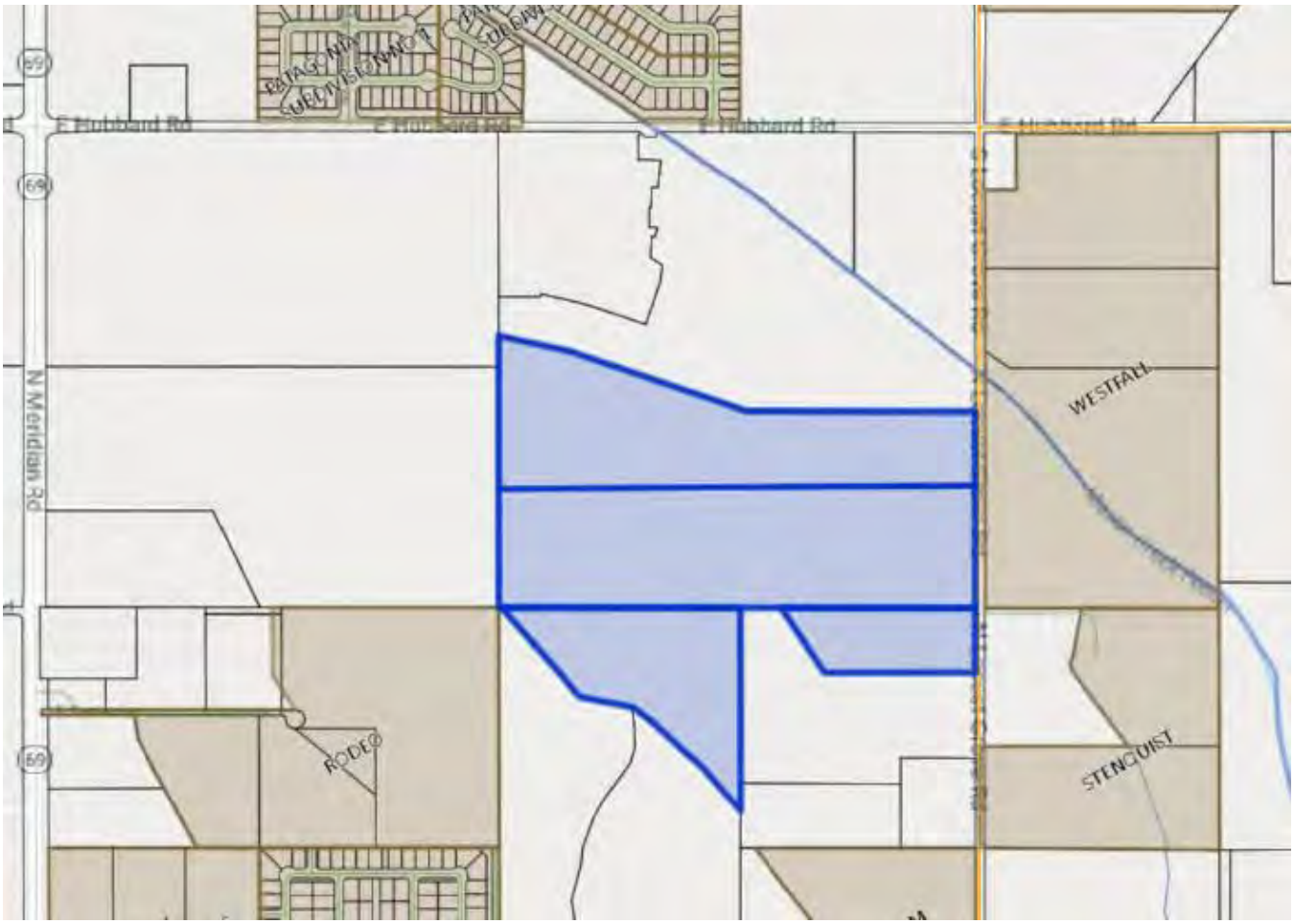


Exhibit 2.16

SITE PLAN

TIS Executive Summary

October 23, 2019

EXECUTIVE SUMMARY

This study was prepared in accordance with the ADA County Highway District's (ACHD's) requirements for a Traffic Impact Study listed in Section 7106 of the current *ACHD Policy Manual*. It evaluates the traffic impacts associated with the Ledgestone South Subdivision in Kuna, ID. The study area, scope and specific analysis parameters and requirements are the result of an Area of Influence Review performed by the Community Planning Association of Southwest Idaho (COMPASS) and discussion with ACHD. The study's principal findings and recommendations are summarized below.

Proposed Development

1.0 Ledgestone Subdivision is a proposed development consisting of 431 single-family dwelling units on a 95.95 acre parcel located south of Hubbard Road, between Meridian Road (SH 69) and Locust Grove Road located in Ada County, Idaho.

2.0 The development is planned to be constructed over a period of approximately six years, or to the year 2025. Due to the short duration of buildout, an interim evaluation was not required by ACHD.

3.0 The proposed development is expected to generate 4,069 daily trips, 319 AM peak hour trips and 427 PM peak hour trips.

4.0 The primary roadway network serving this proposed subdivision includes the following roadway segments and intersections:

Intersections:

- Hubbard Road and SH69 (Meridian Road)
- Locust Grove Road and Deer Flat Road
- Locust Grove Road and Hubbard Road
- Locust Grove Road and Columbia Road
- Locust Grove Road and Lake Hazel Road
- All site access points

Segments:

- Hubbard Rd between SH69 and Locust Grove Rd
- Hubbard Rd between Locust Grove Rd and Eagle Rd
- Locust Grove Rd between Deer Flat Rd and Hubbard Rd
- Locust Grove Rd between Hubbard Rd and Columbia Rd
- Locust Grove Rd between Columbia Rd and Lake Hazel Rd
- Locust Grove Rd between Lake Hazel Rd and Amity Rd
- All internal collectors

Primary access to the site will be provided via S. Stroebel Road, constructed along the ½ mile alignment, between Meridian Road and Locust Grove Road and an easterly access on Locust Grove Road.

Proposed Mitigation for Existing Traffic

5.0 For the existing traffic conditions analyzed with the existing roadway lane configuration, all study area roadways meet ACHD's minimum operational thresholds. No roadway improvements are needed to mitigate existing traffic.

6.0 For the existing traffic conditions analyzed with the existing intersection control and lane configuration, all study area intersections meet ACHD's minimum operational thresholds. No intersection improvements are needed to mitigate the existing traffic.

2025 Background Conditions

1.6 REVISIONS

Per ACHD Policy, the target LOS threshold for roadway segments is LOS E for Principal and Minor Arterial. Five of the six roadway segments do not meet this desired operational threshold under 2025 background conditions. Table 6R2 summarizes the LOS for the roadway segments. The recommended improvements are as follows:

- Hubbard Road, SH69 to Locust Grove Road
  - Continuous LT lane, two through lanes each direction.
- Hubbard Road, Locust Grove Road to Eagle Road
  - Continuous LT lane.
- Locust Grove Road, Deer Flat Road to Hubbard Road
  - Continuous LT lane.
- Locust Grove Road, Hubbard Road to Columbia Road
  - Continuous LT lane.
- Locust Grove Road, Lake Hazel Road to Amity Road
  - Continuous LT lane, two through lanes each direction.

These modifications will be assumed under subsequent roadway segment analyses.

Table 6R2 – Roadway Segment LOS – 2025 Background Traffic (replaces original Table 6/6R)

Roadway Segment	Functional Class	No. of Thru Lanes	Left-Turn Treatment	Threshold Volume		AM Peak Hour Major Direction		PM Peak Hour Major Direction	
				LOS D	LOS E	Vol (vph)	LOS	Vol (vph)	LOS
Hubbard Rd, SH69 to Locust Grove Rd	Minor Arterial	1	No LT Lane	540	575	1093	> E	468	< D
Hubbard Rd, SH69 to Locust Grove Rd	***Minor Arterial***	***2***	***Continuous LT Lane***	***1395***	***1540***	***1093***	***< D***	***468***	***< D***
Hubbard Rd, Locust Grove to Eagle	Minor Arterial	1	No LT Lane	540	575	537	< D	625	> E
Hubbard Rd, Locust Grove to Eagle	***Minor Arterial***	***1***	***Continuous LT Lane***	***675***	***720***	***537***	***< D***	***625***	***< D***
Locust Grove Rd, Deer Flat to Hubbard	Minor Arterial	1	No LT Lane	540	575	193	< D	591	> E
Locust Grove Rd, Deer Flat to Hubbard	***Minor Arterial***	***1***	***Continuous LT Lane***	***675***	***720***	***193***	***< D***	***591***	***< D***
Locust Grove Rd, Hubbard to Columbia	Minor Arterial	1	No LT Lane	540	575	627	> E	243	< D

Locust Grove Rd, Hubbard to Columbia	***Minor Arterial***	***1***	***Continuous LT Lane***	***675***	***720***	***627***	***< D***	***243***	***< D***
Locust Grove Rd, Columbia to Lake Hazel	Minor Arterial	1	No LT Lane	540	575	330	< D	484	< D
Locust Grove Rd, Lake Hazel to Amity	Minor Arterial	1	No LT Lane	540	575	403	< D	721	> E
Locust Grove Rd, Lake Hazel to Amity	***Minor Arterial***	***2***	***Continuous LT Lane***	***1395***	***1540***	***403***	***<D***	***721***	***<D***

Exhibit 2.16

Each intersection in the study area was evaluated under the 2025 background traffic volumes, existing traffic controls and lane configurations. Per ACHD Policy, the target LOS threshold for intersections are a maximum overall volume to capacity (v/c) ratio of 0.90 and 1.0 per lane group. Table 7R2 summarized the LOS results. The recommended improvements are as follows:

- Hubbard Road and Locust Grove Road
  - Traffic Signal
- Columbia Road and Locust Grove Road
  - Traffic Signal
- Lake Hazel and Locust Grove Road
  - Traffic Signal, all approach right-turn lanes

These modifications will be assumed under subsequent roadway segment analyses.

Table 7R2 – Intersection Traffic Operations – 2025 Background Traffic (replaces original Table 7)

Intersection	Traffic Control Lane Group	AM LOS/Delay/v/c	PM LOS/Delay/v/c
Hubbard Rd/ SH69	Traffic Signal	C/25.1	C/27.5
	Eastbound	C/30.1/0.614	D/46.8/0.293
	Westbound	C/33.0/0.385	E/78.7/0.724
	Northbound	C/28.4/0.890	C/27.6/0.344
	Southbound	B/14.6/0.378	C/34.8/0.948
Deer Flat/ Locust Grove	TWSC	NR	NR
	Eastbound	A/7.7/0.06	A/8.9/0.07
	Westbound	A/8.2/0.00	A/7.5/0.00
	Northbound	C/18.7/0.19	C/22.2/0.12
	Southbound	C/13.8/0.14	E/43.0/0.81
Hubbard/ Locust Grove	TWSC	NR	NR
	Eastbound	B/10.2/0.41	A/8.3/0.06
	Westbound	A/9.3/0.04	A/9.2/0.24
	Northbound	Out of range	Out of range
	Southbound	Out of range	F/1062.3/3.12
Hubbard/Locust Grove	***Traffic Signal***	***B/14.1***	***C/33.5***
	Eastbound	***A/9.2/0.322***	***D/39.7/0.793***
	Westbound	***A/9.8/0.53***	***D/35.3/0.931***
	Northbound	***D/37.8/0.784***	***C/32.5/0.241***
	Southbound	***C/34.6/0.376***	***D/39.0/0.864***
Columbia Rd/ Locust Grove	AWSC	F/60.8	F/116.3
	Eastbound	F/101.3/1.13	C/20.1/0.58
	Westbound	B/13.5/0.40	F/208.0/1.39
	Northbound	B/13.8/0.37	B/12.8/0.16
	Southbound	B/13.4/0.35	F/53.1/0.95
Columbia Rd/Locust Grove	***Traffic Signal***	***B/19.1***	***C/28.2***
	Eastbound	***B/11.1/0.218***	***C/32.3/0.765***
	Westbound	***B/17.7/0.205***	***C/22.1/0.802***
	Northbound	***D/37.1/0.822***	***C/23.9/0.131***
	Southbound	***C/33.9/0.543***	***C/33.6/0.922***
	AWSC	F/86.4	F/254.2

2025 Total Conditions

Two of six roadway segments do not meet desired operational thresholds under 2025 site plus background conditions. Table 9R2 summarizes the LOS for the roadway segments. The recommended improvements are as follows:

- Locust Grove Road, Hubbard Road to Columbia Road
  - Two through lanes each direction.
- Locust Grove Road, Columbia Road to Lake Hazel Road
  - Continuous LT lane.

Table 9R2 - Roadway Segment LOS – 2025 Site Plus Background Traffic (replaces original Table 9/9R)

Roadway Segment	Functional Class	No. of Thru Lanes	Left-Turn Treatment	Threshold Volume		AM Peak Hour Major Direction		PM Peak Hour Major Direction	
				LOS D	LOS E	Vol (vph)	LOS	Vol (vph)	LOS
Hubbard Rd, SH69 to Locust Grove Rd	Minor Arterial	2	Continuous LT Lane	1395	1540	1125	< D	575	< D
Hubbard Rd, Locust Grove to Eagle	Minor Arterial	1	Continuous LT Lane	675	720	573	< D	666	< D
Locust Grove Rd, Deer Flat to Hubbard	Minor Arterial	1	Continuous LT Lane	675	720	242	< D	712	< D
Locust Grove Rd, Hubbard to Columbia	Minor Arterial	1	Continuous LT Lane	675	720	723	> E	250	< D
Locust Grove Rd, Hubbard to Columbia	***Minor Arterial***	***2***	***Continuous LT Lane***	***1395***	***1540***	***723***	***< D***	***250***	***< D***
Locust Grove Rd, Columbia to Lake Hazel	Minor Arterial	1	No LT Lane	540	575	426	< D	591	< E
Locust Grove Rd, Columbia to Lake Hazel	***Minor Arterial***	***1***	***Continuous LT Lane***	***675***	***720***	***426***	***< D***	***591***	***< D***
Locust Grove Rd, Lake Hazel to Amity	Minor Arterial	2	Continuous LT Lane	1395	1540	466	<D	828	<D

Exhibit 2.16

Each intersection in the study area was evaluated under the 2025 Site Plus Background traffic conditions with existing traffic controls and lane configurations, or with the proposed improvements to mitigate 2025 background traffic. Table 10R2 summarizes these LOS results. The northbound approach at Hubbard Road and Stroebel performs at LOS F for AM peak conditions. This can be typical for minor street stop-controlled approaches to heavily traveled roadways. As the v/c ratio at this location is below 1.0, further mitigation at this location is not recommended. All other intersections perform at an acceptable LOS and v/c ratios.

Table 10R2 – Intersection Traffic Operations – 2025 Site Plus Background Traffic (replaces original Table 10/10R)

Intersection	Traffic Control Lane Group	AM LOS/Delay/v/c	PM LOS/Delay/v/c
Hubbard Rd/ SH69	Traffic Signal	C/33.5	C/32.9
	Eastbound	C/26.1/0.423	D/54.5/0.215
	Westbound	D/38.2/0.406	E/76.4/0.685
	Northbound	D/37.6/0.919	D/37.6/0.419
	Southbound	C/31.1/0.518	D/39.2/0.947
Deer Flat/ Locust Grove	TWSC	NR	NR
	Eastbound	A/7.7/0.06	A/8.9/0.07
	Westbound	A/8.2/0.00	A/7.5/0.00
	Northbound	C/18.7/0.20	C/21.8/0.17
	Southbound	B/14.9/0.18	E/42.7/0.81
Hubbard/Locust Grove	Traffic Signal	C/24.6	D/39.5
	Eastbound	C/22.6/0.492	D/39.2/0.617
	Westbound	C/24.2/0.050	E/65.5/0.969
	Northbound	C/34.3/0.847	C/34.6/0.354
	Southbound	C/29.2/0.321	D/44.0/0.912
Columbia/Locust Grove	Traffic Signal	C/28.5	D/38.1
	Eastbound	C/31.1/0.728	D/43.3/0.903
	Westbound	C/25.8/0.245	D/35.3/0.788
	Northbound	C/33.6/0.849	C/26.7/0.056
	Southbound	C/28.8/0.468	D/42.5/0.949
Lake Hazel/ Locust Grove	Traffic Signal	C/34.3	D/39.5
	Eastbound	D/39.4/0.855	C/34.3/0.597
	Westbound	C/29.2/0.258	D/44.8/0.860
	Northbound	D/39.3/0.904	C/32.8/0.516
	Southbound	C/31.1/0.664	D/52.2/0.950
Stroebel/ Hubbard	TWSC	NR	NR
	Eastbound	NR	NR
	Westbound	B/11.5/0.02	A/8.9/0.03
	Northbound	F/112.9/0.85	D/25.2/0.28
Locust Grove/ East Access (South of Rio Vallegas)	TWSC	NR	NR
	Eastbound	B/12.1/0.20	C/18./0.25
	Northbound	A/7.7/0.00	A/9.4/0.02
	Southbound	NR	NR

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.

Exhibit 2.16

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.

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: Ledgestone South **Agency: Kuna**

CIM Vision Category: Future Neighborhoods

New households: 393 **New jobs: 0** **Exceeds CIM forecast: Yes**

CIM Corridor: **Locust Grove Rd** Pedestrian level of stress: **R** Bicycle level of stress: **R**	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.
Housing within 1 mile: **310** Jobs within 1 mile: **24** Jobs/Housing Ratio: **0.08**	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.
Nearest police station: **4 miles** Nearest fire station: **3.2 miles**	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.
Farmland consumed: **Yes** Farmland within 1 mile: **1,531 acres**	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.
Nearest bus stop: **>4 miles** Nearest public school: **2.4 miles** Nearest public park: **1.4 miles** Nearest grocery store: **1.1 miles**	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.

Recommendations

This proposal exceeds growth forecasted for this area. Transportation infrastructure may not be able to support the new transportation demands. It is on the fringe of urban development in an area predominately farmland area, far from employment centers and public transportation. The closest bus service is more than four miles away and ValleyConnect 2.0 does not plan to serve this area.

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

COMPASS
COMMUNITY PLANNING ASSOCIATION of Southwest Idaho

Exhibit 2.16

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.

Exhibit 2.16

Request for Reconsideration of Commission Action

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

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

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

    b. The request must be in writing and delivered to the Secretary of the Highway District no later than 11:00 a.m. 2 days prior to the Commission's next scheduled regular meeting following the meeting at which the action to be reconsidered was taken. Upon receipt of the request, the Secretary shall cause the same to be placed on the agenda for that next scheduled regular Commission meeting.

    c. The request for reconsideration must be supported by written documentation setting forth new facts and information not presented at the earlier meeting, or a changed situation that has developed since the taking of the earlier vote, or information establishing an error of fact or law in the earlier action. The request may also be supported by oral testimony at the meeting.

    d. If a motion to reconsider passes, the effect is the original matter is in the exact position it occupied the moment before it was voted on originally. It will normally be returned to ACHD staff for further review. The Commission may set the date of the meeting at which the matter is to be returned. The Commission shall only take action on the original matter at a meeting where the agenda notice so provides.

    e. At the meeting where the original matter is again on the agenda for Commission action, interested persons and ACHD staff may present such written and oral testimony as the President of the Commission determines to be appropriate, and the Commission may take any action the majority of the Commission deems advisable.

    f. If a motion to reconsider passes, the applicant may be charged a reasonable fee, to cover administrative costs, as established by the Commission.

Exhibit 2.17

ADA COUNTY DEVELOPMENT SERVICES

200 W. FRONT STREET, BOISE, IDAHO 83702-7300 PHONE (208) 287-7900
https://adacounty.id.gov/developmentservices FAX (208) 287-7909

BUILDING • COMMUNITY PLANNING • ENGINEERING & SURVEYING • PERMITTING

August 2, 2021

Troy Behunin
Kuna City Planning Department
PO Box 13
Kuna, ID 83634

RE: 21-07-AN / 2425 N Locust Grove Road / Ledgestone South Annexation

Troy,

The City of Kuna has requested feedback regarding the proposed annexation for Ledgestone South with a rezoning to R-6 and R-8 on 99.78-acres located at 2425 N Locust Grove Road.

Ada County is supportive of the application due to the proximity of the site to existing public services. *Goal 2.2f* of the Ada County Comprehensive Plan encourages residential development to occur at urban densities within Areas of City Impact where public facilities are available.

Regarding the land use, Ada County is supportive of the application due to the compatibility of the proposed zoning with the surrounding area. The proposal is to rezone approximately 83.33-acres to R-6 (Medium density Residential) and approximately 16.45-acres to R-8 (Medium density Residential, which allows for 6-units and 8-units per acre respectively.

The City of Kuna has adopted an updated comprehensive plan, which has not been adopted by Ada County, however, the site is located within the Area of City Impact. Therefore, the application is consistent with the City's Future Land Use Map designating the site as Medium Density Residential. The site is contiguous to City of Kuna limits. Therefore, the proposed development is compatible with other development in the area.

Please feel free to contact me with any questions.

Sincerely,

Stacey Yarrington

Stacey Yarrington
Community & Regional Planner
Ada County Development Services

Exhibit 2.18

GALE MASLONKA
CHAIRMAN OF THE BOARD

RICHARD DURRANT
VICE CHAIRMAN OF THE BOARD

ROBERT D. CARTER
PROJECT MANAGER

THOMAS RITTHALER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

MARY SUE CHASE
ASSISTANT SECRETARY-TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

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

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

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

RECEIVED
SEP 20 2021
CITY OF KUNA

17 September 2021

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

RE: Ledgestone South, Trilogy Development **21-07-AN**
642 S Ash St., Kuna 83634
Boise-Kuna Irrigation District **BK-184, 184 A1 &A2, 187 B**
New York Irrigation District **NY-367-001-00, 367-001-03**
Hubbard Lateral 53+30, 74+00, 74+10, 76+30
Sec. 18, T2N, R1W, BM.

Troy Behunin, Planner III:

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

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

The developer must contact Boise-Kuna Irrigation District and New York Irrigation District as soon as possible as to who will own and operate the pressurized irrigation system for this development.

Boise Project must receive confirmation from both Irrigation Districts as to who will own and operate the PI system prior to any approval of a drainage and irrigation plan.

Boise Project requires a hard copy of a full set of plans including drainage and irrigation.

Exhibit 2.18

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	Watermaster, Div.2 BPBC
	Alicia Flavel	Secretary-Treasurer, BKID
	Terri Hasson	Secretary-Treasurer, NYID
	File	

CENTRAL DISTRICT HEALTH

Ada County Transmittal

Division of Community and Environmental Health

Exhibit 2.19

Rezone # AZ-07-AN

Conditional Use #

Preliminary / Final / Short Plat

Ledgestone South

Return to:

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

☐ 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: Lou Pooley

Date: 9/29/21

6/20 jm

Review Sheet

Exhibit 2.20

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: Ledgestone **Agency: Kuna**

CIM Vision Category: Rural

New households: 631 **New jobs: 0** **Exceeds CIM forecast: Yes**

CIM Corridor: **Locust Grove Road** Pedestrian level of stress: **R** Bicycle level of stress: **R**	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.
Housing within 1 mile: **220** Jobs within 1 mile: **30** Jobs/Housing Ratio: **0.1**	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.
Nearest police station: **3.9 miles** Nearest fire station: **3 miles**	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.
Farmland consumed: **Yes** Farmland within 1 mile: **1,054 acres**	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.
Nearest bus stop: **>4 miles** Nearest public school: **2.3 miles** Nearest public park: **2.5 miles** Nearest grocery store: **1.7 miles**	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.

Recommendations

This proposal exceeds growth forecasted for this area. Transportation infrastructure may not be able to support the new transportation demands. The *COMPASS FY2018-2022 Transportation Improvement Program* does not identify any major road improvement projects in this area.

The site is not currently served by public transportation. *ValleyConnect 2.0* proposes a bus route from downtown Kuna to Chinden Boulevard via Linder Road with 20-minute frequencies. The closest bus stop would be about 2 miles away when that route is operational. Consider improving bike/ped facilities to support non-motorized transport westward to downtown Kuna. A site plan was not provided with the application. Consider an internal multi-use pathway to comply with the Kuna Regional Pathway Map.

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

COMPASS
COMMUNITY PLANNING ASSOCIATION
of Southwest Idaho

Exhibit 2.20

Fiscal Impact Analysis Supplemental for the Development Review Checklist

The purpose of the fiscal impact analysis is to better estimate expected revenues and costs to local governments as a result of new development so that the public, stakeholders, and the decision-makers can better manage growth. Capital and operating expenditures are determined by various factors that determine service and infrastructure needs, including persons per household, student generation rates, lot sizes, street frontages, vehicle trip and trip adjustment factors, average trip lengths, construction values, income, discretionary spending, and employment densities.

The COMPASS Development Checklist considers the level of fiscal benefits, how many public agencies benefit or are burdened by additional growth, and how long the proposal will take to achieve a fiscal break-even point, if at all. More information about the COMPASS Fiscal Impact Tool is available at: www.compassidaho.org/prodserv/fiscalimpact.htm.

Overall Net Fiscal Impact

Net Fiscal Impact, by Agency

City

County

Highway District

School District

Break Even: 1 Year

Exhibit 2.21

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

Planning & Zoning Department

Agency Notification

September 15, 2021

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

File Number & Case Name:	21-07-AN (Annexation) – Ledgestone South Subdivision
Project Description	Jane Suggs of Gem State Planning, on behalf of Trilogy Development, requests approval for Annexation of approximately 99.78 ac. into Kuna City Limits with approx. 83.33 ac. zoned R-6 (Medium Density Residential) and approx. 16.45 ac. zoned as R-8 (Medium Density Residential). Applicant only requests annexation at this time and will propose a preliminary plat in the future (APN: S1303417354). Section 18, Township 2 North, Range 1 East.
Site Location	2425 N Locust Grove Road, Kuna 83634.
Applicant	**Trilogy Development, Inc.** 9839 W Cable Car St., Suite 101 Boise, ID 83709 208.895.8858 shawn@trilogyidaho.com
Representative	**Jane Suggs, Gem State Planning** 9839 W Cable Car St., Suite 101 Boise, ID 83709 208.602.6941 Jane@gemstateplanning.com
Tentative Public Hearing Date	Tuesday, **October 26, 2021** 6:00 PM Council Chambers within Kuna City Hall, located at 751 W. 4th Street, Kuna, ID 83634
Staff Contact	Troy Behunin Planner III Kuna P&Z Department 208.922.5274 TBehunin@kunaid.gov

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.*

Exhibit 2.22

ADVERTISING PROOF

c/o ISj Payment Processing Center
PO Box 1570,
Pocatello,ID 83204
Ph. (208) 465-8129 **Fax:** (907) 452-5054

BILLING DATE:	ACCOUNT NO:
10/11/21	21880

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

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
156852	21-07-AN 2425 N. LOC	10/13/21	10/13/21	1	$44.96

LEGAL NOTICE

Case No. 21-07-AN (Annexation): 2425 N Locust Grove Rd., Kuna, ID

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission will hold a public hearing **Tuesday, November 9, 2021, at 6:00 PM,** or as soon as can be heard; in connection with an Annexation (AN) request to annex approx. 99.78 ac. into Kuna City Limits with approx. 83.33 ac. zoned R-6 (Medium Density Residential) and approx. 16.45 ac. zoned as R-8 (Medium Density Residential). Applicant will propose a preliminary plat in the future (APN: S1418123460, S1418123496, S1418123498, S1418123490, S1418427800 & S1418417200). Section 18, Township 2 North, Range 1 East.

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

October 13, 2021 156852

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount

Discount: **$0.00**
Surcharge: **$0.00**
Credits: **$0.00**

Gross:**$44.96**
Paid Amount:**$0.00**

Amount Due:**$44.96**

We Appreciate Your Business!

AD# 156852

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 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

FIRST-CLASS
10/13/2021
US POSTAGE $000.00
ZIP 83634
041M11460992

JR 10/13/21

Exhibit 2.2

Exhibit 2.23

Exhibit 2.24

Proof of Property Posting

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

KUNA Planning & Zoning

This form shall confirm that the Public Hearing Notice for 21-07-AN (Case No.) Ledgestone South (Project Name) was posted, as required per Kuna City Code 5-1A-8, on 10/27/21 (Date). This form and associated photos shall be returned to the Planning & Zoning department no later than seven (7) days prior to the Public Hearing. Signs shall be removed from the site within three (3) days after the Public Hearing.

DATED this 27th day of October, 2021.

Signature: Jane Suggs (Owner/Developer)

State of Idaho)
) ss
County of Ada)

On this 27th day of October, 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.

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

HANNAH CHEREJI
Comm. No. 20191774
NOTARY PUBLIC
Expires: 08/30/2025
STATE OF IDAHO

Affix Seal Here

HANNAH CHEREJI (Print Name)

Residing at: Nampa, ID (Address)
City State ZIP

My Commission expires: 8-30-2025 (Date)

Hannah Cherej
Signature

Exhibit 2.24

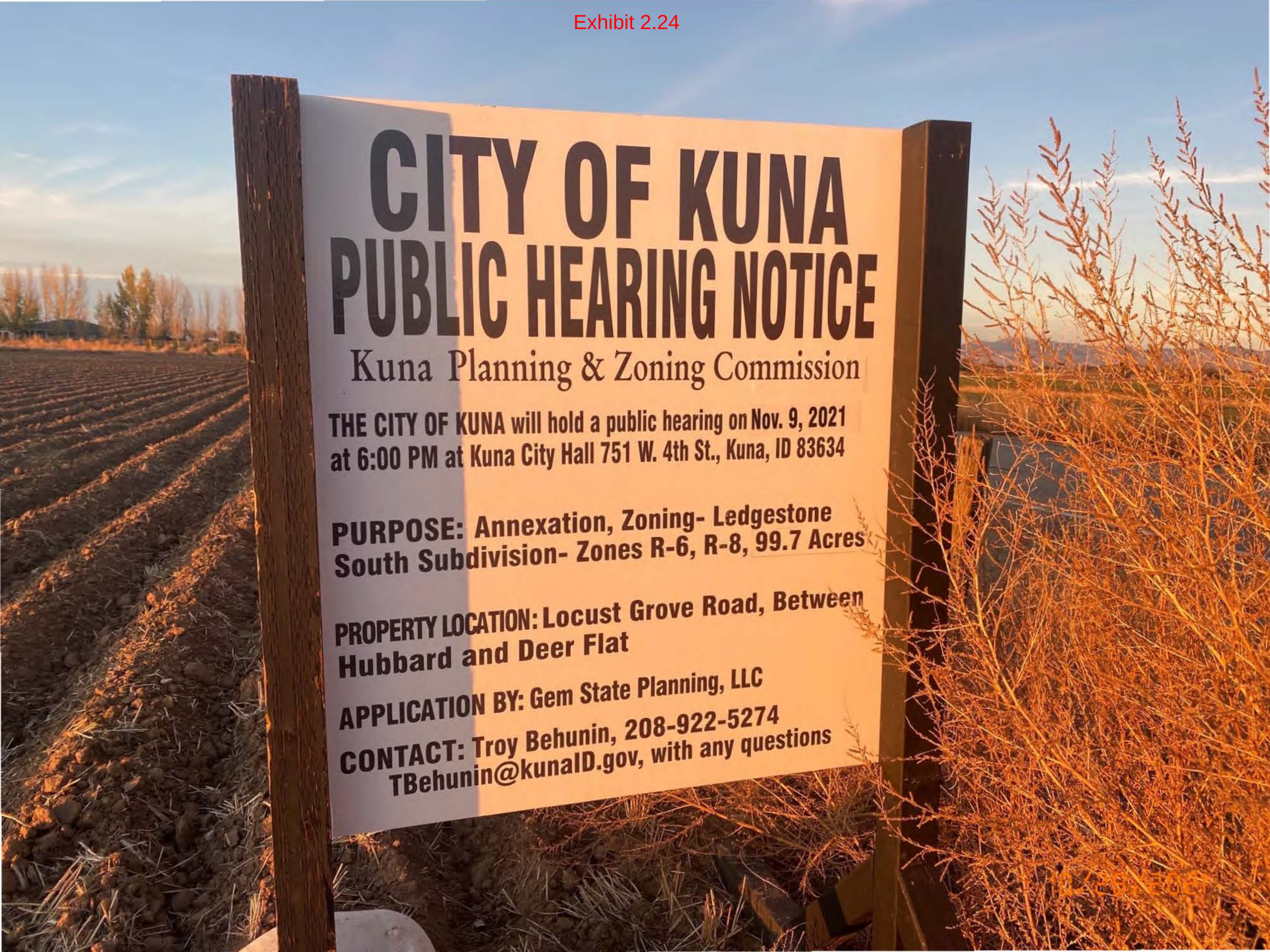

CITY OF KUNA
PUBLIC HEARING NOTICE
Kuna Planning & Zoning Commission
THE CITY OF KUNA will hold a public hearing on Nov. 9, 2021
at 6:00 PM at Kuna City Hall 751 W. 4th St., Kuna, ID 83634
PURPOSE: Annexation, Zoning- Ledgestone
South Subdivision- Zones R-6, R-8, 99.7 Acres
PROPERTY LOCATION: Locust Grove Road, Between
Hubbard and Deer Flat
APPLICATION BY: Gem State Planning, LLC
CONTACT: Troy Behunin, 208-922-5274
TBehunin@kunaID.gov, with any questions

Exhibit 2.20

CITY OF KUNA
PUBLIC HEARING NOTICE

Kuna Planning & Zoning Commission

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PURPOSE: Annexation, Zoning- Ledgestone South Subdivision- Zones R-6, R-8, 99.7 Acres

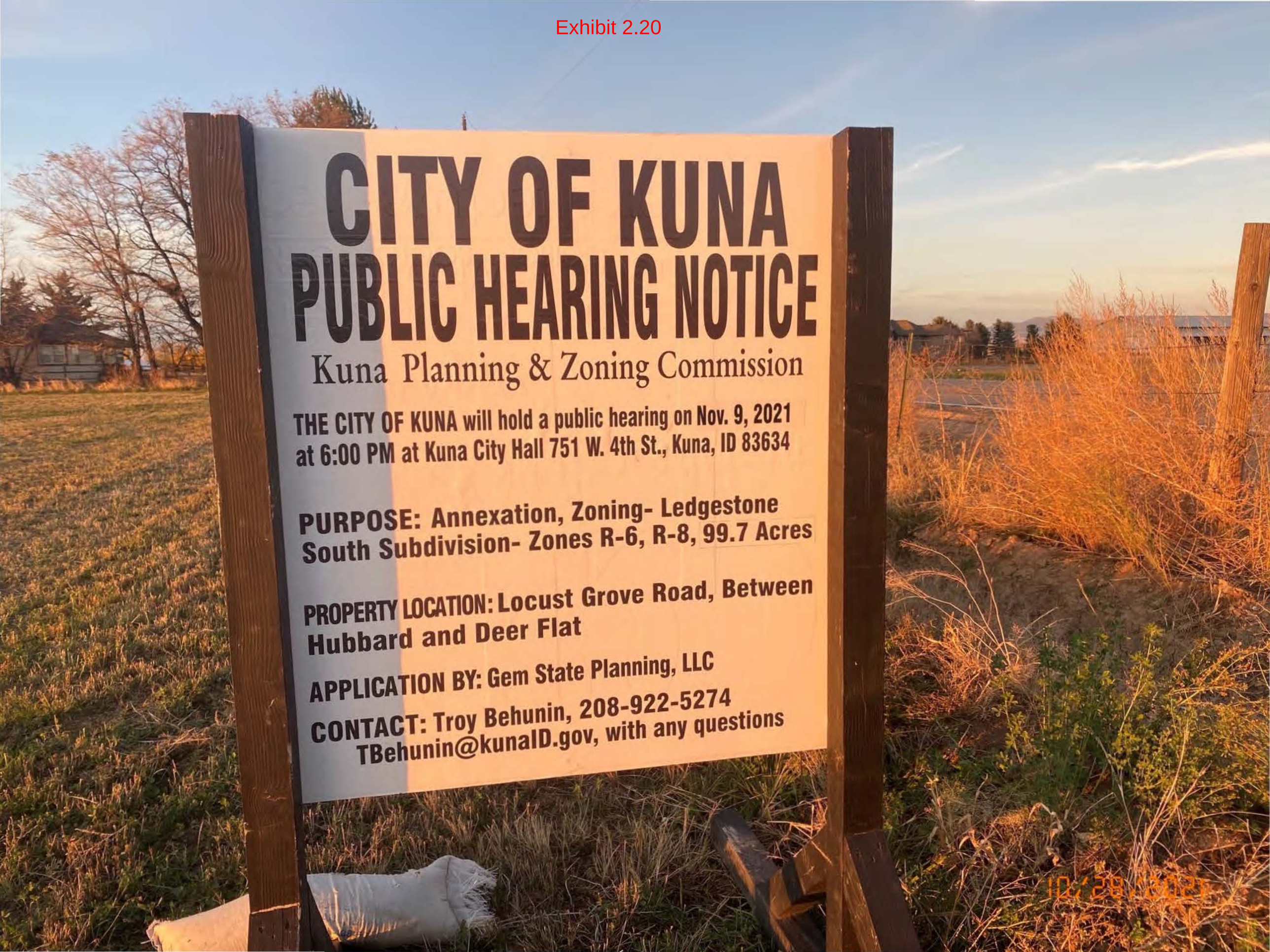
PROPERTY LOCATION: Locust Grove Road, Between Hubbard and Deer Flat

APPLICATION BY: Gem State Planning, LLC

CONTACT: Troy Behunin, 208-922-5274
TBehunin@kunaID.gov, with any questions

10/28/2021

Exhibit 2.20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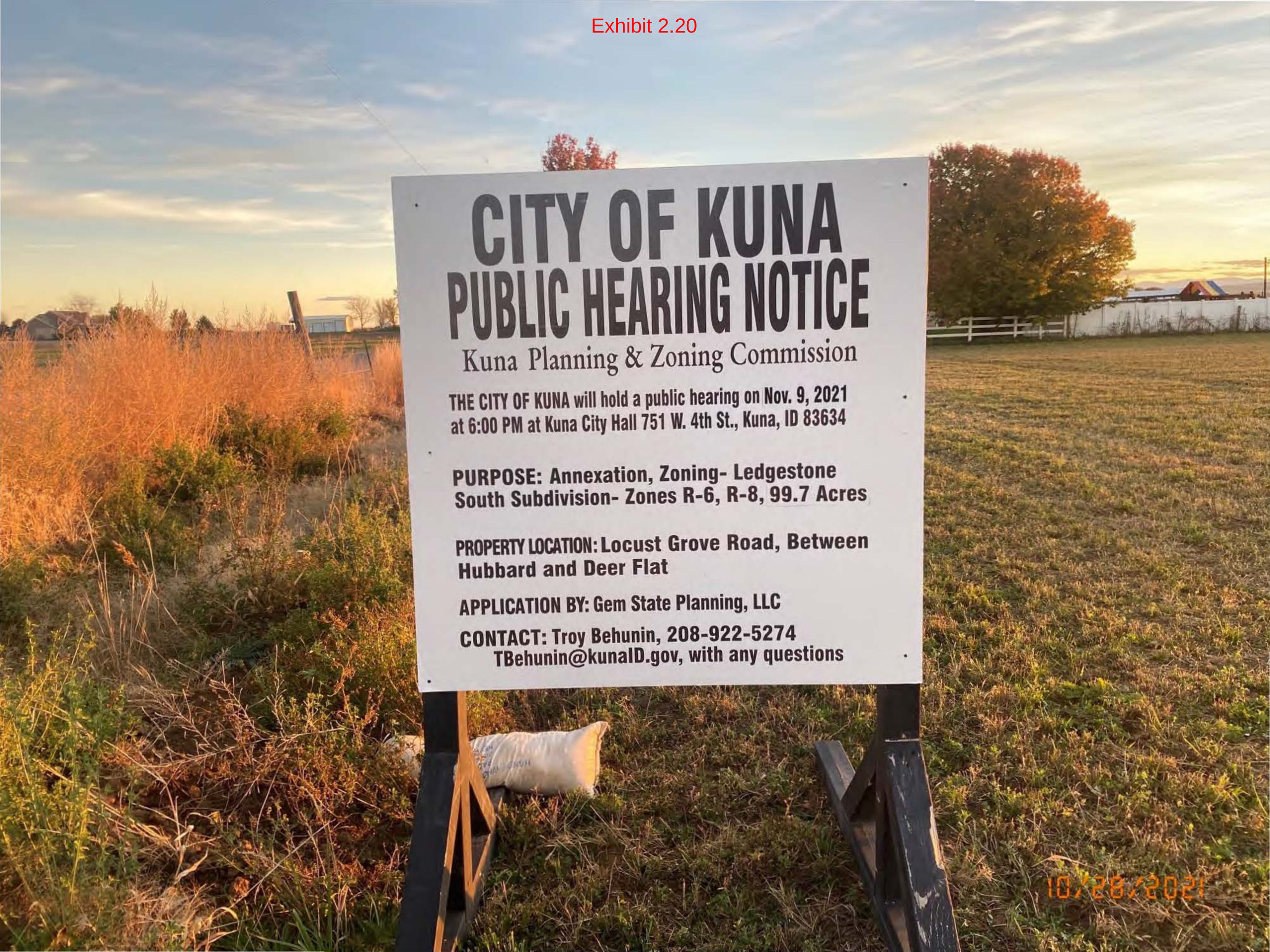
APPLICATION BY: Gem State Planning, LLC
CONTACT: Troy Behunin, 208-922-5274
TBehunin@kunaID.gov, with any questions

Exhibit 2.20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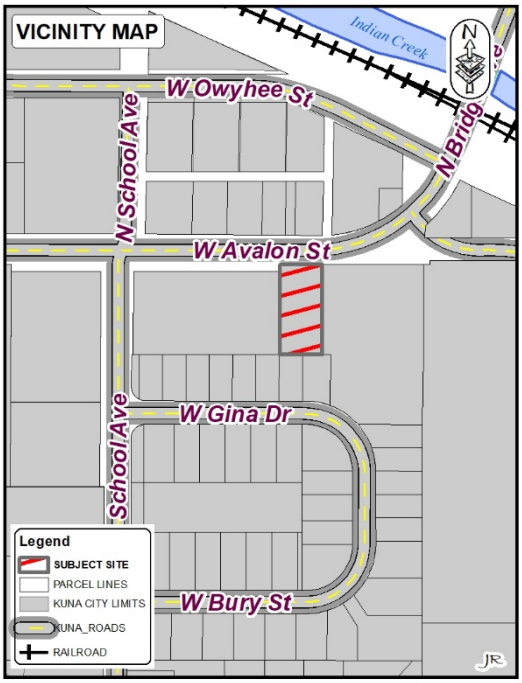
Hubbard and Deer Flat
APPLICATION BY: Gem State Planning, LLC
CONTACT: Troy Behunin, 208-922-5274
TBehunin@kunaID.gov, with any questions
10/28/2021

BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATIONS OF	)	**Case No. 21-25-DR (DESIGN REVIEW)**
TLM LLC	)	
For a Design Review for the Americool Building, Parking Lot & Landscaping.	)	**STAFF REPORT FOR THE AMERICOOL DESIGN REVIEW 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. Commission's Recommendation



I
EXHIBIT LIST

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

1.1 Exhibits:

	DESCRIPTION OF EVIDENCE	*Withdrawn*	*Refused*	*Admitted*
1.1	Staff Report			X
2.1	P&Z Application Coversheet			X
2.2	Design Review Application			X
2.3	Narrative			X
2.4	Vicinity Map			X

2.5	Ada County Assessor Map			X
2.6	Warranty Deed			X
2.7	Affidavit of Legal Interest			X
2.8	Color Elevations with Floor Plan			X
2.10	Site Plan			X
2.11	Landscape Plan			X
2.12	Public Works Comments			X
2.13	Ada County Highway District Staff Letter			X

II
PROCESS AND NOTICING

2.1 In accordance with Kuna City Code (KCC) 5-4-2: Design Review; all new commercial projects, landscaping and parking lots are required to submit an application for review by the Planning and Zoning Commission. As a Public Meeting item, this action requires no formal public noticing actions.

2.2 Notifications

2.2.1 Completeness Letter: September 24, 2021

2.2.2 Agency Notifications: September 24, 2021

2.2.3 Agenda: November 9, 2021

III
APPLICANTS REQUEST

3.1 Rick Bugatsch, on behalf of TLM, LLC, requests Design Review approval for a 3,300 SF metal building with office & warehouse space, associated parking lot and landscaping. The subject site is located at 707 W Avalon (APN: S1326120800) with an M-1 (Light Industrial/Manufacturing) zoning designation; Section 26, Township 2 North, Range 1 West.

IV
GENERAL PROJECT FACTS

4.1 Site History

4.1.1 The property is currently zoned M-1 (Light Industrial/Manufacturing), and had historically been used as a single-family residential home with a detached garage/shop.

4.2 Surrounding Land Uses

North	C-1 R-6	Neighborhood Commercial – Kuna City Medium Density Residential – Kuna City
South	R-8	Medium Density Residential – Kuna City
East	M-1	Light Industrial/Manufacturing – Kuna City
West	C-1	Neighborhood Commercial – Kuna City

4.3 Parcel Size, Current Zoning and Parcel Number

4.3.1 Approximately 0.47 acres

4.3.2 M-1 (Light Industrial/Manufacturing)

4.3.3 S1326120800

4.4 Services

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

4.5 Existing Structures, Vegetation, and Natural Features

4.5.1 There is an existing single-family home and detached single car garage/shop which will be removed before new construction begins; vegetation consists of general weeds.

4.6 Environmental Issues

4.6.1 Apart from being within the Nitrate Priority Area, staff is not aware of any environmental issues, health or safety conflicts at this time.

4.7 Comprehensive Plan Future Land Use Map

4.7.1 The Future Land Use Map (FLUM) identifies the subject site as Light Industrial/Manufacturing, which is its current zone. Staff views this proposed Design Review request to be consistent with the current land use designation, and with the proposed buffering, will not negatively impact the neighboring residential zone to the south and north.

4.8 Agency Responses

Agency	Exhibit No.
Engineering Tech., Brady Barroso – Kuna City Public Works	2.12
Ada County Highway District (ACHD) Staff Letter – Kelly Bruner	2.13

V
TRANSPORTATION AND CONNECTIVITY

5.1 The subject site is approximately 300 feet west of the W Shortline and W Avalon intersection, and takes parcel access directly from W Avalon. Avalon is currently improved with two (2) travel lanes, 45 feet of pavement, and no curb, gutter or sidewalk. 63 feet of right-of-way exists for Avalon (measured 30-feet from centerline).

The Applicant proposes to construct an eight (8) foot planter strip and five (5) foot detached sidewalk within the W Avalon right-of-way along the parcel's frontage. Though Kuna City Code (KCC) 5-17-13(5) requires an eight (8) foot detached sidewalk, Staff supports the reduced width in order to match the existing sidewalk of the neighboring parcel directly to the west; this meets

ACHD Policy. ACHD Staff request the Applicant dedicate additional right-of-way to total two (2) feet behind the back of sidewalk.

Access to the subject site is to be taken directly from W Avalon via a proposed 25-foot-wide paved driveway; this also aligns with an existing driveway on the north of W Avalon. Typically, ACHD policy prohibits direct access to Minor Arterial roadways, however, as the subject sites only frontage is along W Avalon, it is allowed. ACHD requires this driveway be constructed as a curb-return type; all other direct access to Avalon is prohibited.

ACHD estimates this development to generate an additional 16 vehicle trips per day and two (2) additional PM peak hour trips. Per the average daily traffic count for Avalon west of Shortline (conducted 11.17.2020), Avalon's PM peak hour level of service is better than "E", with "E" being the classification for an acceptable level of service for a two-lane Minor Arterial.

VI
STAFF ANALYSIS

6.1 The proposed 3,300 Square Foot one-story, 26-gauge metal building will be used as an office and warehouse space for Americool HVAC. The floor plan proposes two (2) offices, a conference room, restroom and warehouse area. The building will be finished in neutral colors with the wainscot being Charcoal Gray, walls being Ash Gray, man doors and overhead doors in White, and a Tan roof.

The building is oriented with the office entrance facing north towards W Avalon. This north elevation will consist of two (2) anodized metal framed storefront windows and man door to the office, with a rod supported canopy over the entry, two (2) clerestory vinyl windows, and space for future business signage near the peak of the roof. The south and west elevations will have two (2) clerestory vinyl windows, a man door and one (1) overhead door. The east elevation will have two (2) clerestory vinyl windows, man door and three (3) HVAC louvers, these louvres will be below the existing fence height.

The proposed building is accessed via a 25-foot driveway and is surrounded by a paved and striped, one-way traffic circulation drive. The western drive aisle measures 20 feet, the southern measures 18 feet, and the eastern measures 15 foot eight inches. Nine (9) standard parking stalls have been provided, three (3) on the north at the storefront, and five (5) on the south, as well as one (1) ADA accessible standard parking stall with ramp at the storefront; all parking stalls measure 9 feet by 20 feet. Additionally, Public Works will require the Applicant to install one (1) streetlight at the entrance to the site.

A smooth and split face CMU trash enclosure with gate, is proposed to be located on the southwest corner of the site. The gate will be 16-gauge galvanized metal finished in the aforementioned color palette, and be mounted to a 2 ½ inch tube steel frame, and have cane bolt post holes to keep gate closed. J&M Sanitation will be able to approach the trash enclosure in a forward motion then reverse, the 24-foot parking area at the storefront, then exiting the site onto W Avalon.

The landscape plan proposes an 8-foot planter strip along the edge of W Avalon Road, then a 5-foot detached sidewalk matching the sidewalk of the neighboring property to the west; said planter strip will be planted with sod and two (2) Streetspire Oak trees. Moving south into the subject site, a 20-foot landscape buffer has been provided, with perennial grasses and flowers, sod, and one (1) Streetspire Oak tree. In addition, a five (5) foot walkway provides business access for pedestrians directly from the sidewalk; a crosshatch pedestrian crossing across the

parking lot is also provided. A 9-foot parking lot island will provide a buffer between the active driveway and the storefront parking spaces. This island is proposed to be planted with perennial grasses and flowers, sod and one (1) Streetspire Oak tree. In order to buffer the Industrial/Manufacturing use from the neighboring Residential use on the south of the subject site, Applicant proposes a 10-foot buffer, tapering out to approximately 20-feet as it moves northwest towards the trash enclosure. Three (3) inches of one (1) inch bark mulch over topsoil and weed barrier cloth will cover the area while increased plantings of two (2) Medora Junipers; two (2) Ivory Halo Dogwood; three (3) Bacheri Spruce; and three (3) River Birch will provide an ample barrier.

Per Kuna Public Works, connection fees have already been paid, however additional costs may be incurred at the time of Building Permit application (dependent on fixture counts). Additionally, Applicant will be required to submit a utility site layout to Public Works showing the proposed modifications for bringing the existing water/sewer to the proposed new building, prior to applying for a Building Permit. Currently, the subject site is not connected to Pressurized Irrigation; the closest connection is a 12-inch line which lies within S School Ave, south of W Avalon Street. Staff notes that potable water shall not be used for irrigation purposes per Kuna City Code (KCC) 6-4-2-B(9). The City relies upon the ACHD Stormwater Policy Manual; Applicant will be required to provide a stormwater disposal and treatment plan to account for increased runoff volumes by providing a drainage and treatment facility plan with supporting applications for review and approval. Fire suppression must also be shown and approved by Kuna Rural Fire District; please note that additional fire flow and/or sprinkler connection may be required to provide adequate fire suppression.

Upon complete review, staff finds the application generally complies with Title 5 of Kuna City Code; Comprehensive Plan Future Land Use Map (FLUM); and Idaho Code. Staff would recommend the Planning and Zoning Commission Approve Case No. 21-25-DR, with the Applicant being subject to the recommended Conditions of Approval listed in Section VIII (8) of this report.

6.2 Applicable Standards

6.2.1 City of Kuna Zoning Ordinance, Title 5
6.2.2 City of Kuna Comprehensive Plan FLUM
6.2.3 Idaho Code, Title 67, Chapter 65 – Local Land Use Planning Act

VII
PROPOSED FINDINGS OF FACT

Based upon the record contained in Case No. 21-25-DR (Design Review), including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, exhibits and discussion at the public meeting; the Kuna Planning and Zoning Commission hereby ***Approves/Denies*** the Findings of Fact and Conclusions of Law, and Conditions of Approval for Case No. 21-25-DR, a request from Rick Bugatsch, on behalf of TLM, LLC, for a 3,300 SF metal building with office & warehouse space, associated parking lot & landscaping, located at 707 W Avalon (APN: S1326120800), with an M-1 (Light Industrial/Manufacturing) zoning designation; Section 26, Township 2 North, Range 1 West.

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 No. 21-25-DR, the building design, including building mass, proportion of the building, relationship of exterior materials, and relationship of openings in the building, this proposal generally ***does/does not*** comply with Kuna City Code.

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

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

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

7.3 Based on the evidence contained in Case No. 21-25-DR, this proposal ***does/does*** not generally comply with the Comprehensive Plan.

The Comprehensive Plan designates the future land use designation of the proposed subject site as M-1 (Light Industrial/Manufacturing); the subject site is currently dedicated as such and is to be developed following the designations permitted uses.

7.4 The overall proposed project ***is/is not*** appropriate for the proposed site selection.

Staff Finding: *Upon review, staff finds the proposed facility is an appropriate fit for the property's zoning designation and use.*

7.5 The orientation of the building and its site design ***does/does not*** minimize the impact on adjacent properties.

Staff Finding: *The buildings placement and orientation, building façade and colors, fencing materials, and landscaping all provide adequate mitigation of the impact on adjacent properties.*

7.6 The associated parking lot ***does/does not*** provide adequate parking for the proposed facility and its design ***does/does*** not provide safe access for pedestrians.

Staff Finding: *The proposed parking lot and the amount of regular and ADA parking spaces provided meets KCC 5-9. Safe pedestrian access is provided by a sidewalk along W Avalon and pedestrian crossing striping within the parking lot itself, providing safe passage from said sidewalk to the storefront.*

VIII
COMMISSIONS ORDER OF DECISION

Note: The motion is for the Approval, Conditional Approval, or Denial of the Design Review application. However, if the Planning and Zoning Commission wishes to Approve/Deny specific parts of the requests as detailed in the report, those changes must be specified.

Based on the facts outlined in staff's report, case file, and discussion at the public meeting, the Planning and Zoning Commission of Kuna, Idaho (acting as Design Review Committee), hereby ***Approves/Conditionally Approves/Denies*** of Case No. 21-25-DR (Design Review), a request from Rick Bugatsch, on behalf of TLM, LLC, for a 3,300 SF metal building with office & warehouse space, associated parking lot & landscaping, located at 707 W Avalon (APN: S1326120800), with an M-1 (Light Industrial/Manufacturing) zoning designation; Section 26, Township 2 North, Range 1 West.
subject to the following Conditions of Approval:

8.1 The Applicant shall follow all requirements for sanitary sewer, potable water, irrigation system connections, and all other requirements of the Kuna Public Works Department. Potable/drinking water shall not be used for irrigation purposes per Kuna City Code 6-4-2-B(9).

8.2 The Applicant shall obtain written approval of the construction plans from the agencies noted below; the approval may be either on agency letterhead referring to the approved use, or may be written or stamped upon a copy of the approved plans. All site improvements are prohibited prior to approval of these agencies and the issuance of a building permit:

a. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received approval of the Civil Plan.
b. The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by the Kuna Rural Fire District is required.
c. The city shall approve any modifications to the existing irrigation system.
d. Approval from Ada County Highway District (impact fees), if any, shall be paid *prior to issuance* of building permits.

8.3 Developer/Owner/Applicant shall provide engineering certification on all final engineering drawings, as applicable.

8.4 Developer/Owner/Applicant shall provide a utility site layout showing proposed modifications to the water/sewer lines and how they connect to the proposed building, to Public Works prior to construction or Building Permit application.

8.5 On-site stormwater retention shall be reviewed in conjunction with this Design Review and Applicant/Developer shall be required to provide a stormwater disposal and treatment plan which accounts for increased on-site storm water runoff volumes; detailed drawings of drainage and treatment facilities with supporting calculations for review and approval.

8.6 Per Public Works, Applicant shall install a streetlight at the entrance of the subject site.

8.7 If applicable, Fire Suppression shall be shown on all plans and approved by the Kuna Rural Fire District (KRFD).

8.8 The Kuna Rural Fire District, or KRFD representative, must approve fire access to the project before, during, and after construction.

8.9 Developer/Owner/Applicant shall 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.

8.10 This development is subject to Architectural and Landscape compliance Design Review inspections *prior* to receiving a Certificate of Occupancy. Design Review inspection fees shall be paid *prior* to requesting staff inspection.

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

8.12 All required landscaping shall be permanently maintained in healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within three (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.

8.13 Landscaping shall not be placed within 10 feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities, and must honor all vision triangles.

8.14 Per Ada County Highway District (ACHD), Developer/Owner/Applicant shall dedicate additional right-of-way to total two (2) feet behind back of sidewalk.

8.15 As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the Applicant engineer. As-built drawings shall be provided before occupancy or Final Plat approval is granted.

8.16 Developer/Owner/Applicant is hereby notified of Kuna's weed control policies and requirements (KCC 8-1-3). Weeds, grasses, vines or other growth which endanger property or are over 12-inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout the seasons.

8.17 Developer/Owner/Applicant is hereby notified of Kuna's working hours. Construction of any kind shall only be conducted between 7:00 AM to 11:00 PM; noises and other public nuisances/distractions outside of this time frame are subject to lawful penalties.

8.18 Developer/Owner/Applicant shall follow staff, City Engineer and other agency recommended requirements, as applicable.

8.19 Developer/Owner/Applicant shall comply with all local, state and federal laws.

DATED this 9th day of November, 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): 21-25-DR

Project Name: Americool Building

Date Received: 09.01.2021

Date Accepted as Complete: 09.23.2021

Type of review requested (check all that apply):

	Annexation		Appeal
	Comp. Plan Map Amendment		Combination Pre & Final Plat
X	Design Review		Development Agreement
	Final Planned Unit Development		Final Plat
	Lot Line Adjustment		Lot Split
	Ordinance Amendment		Planned Unit Development
	Preliminary Plat		Rezone
	Special Use Permit		Temporary Business
	Vacation		Variance

Owner of Record

Name: TLM LLC

Address: 3602 E. Mardig St. Meridian Id. 83642

Phone: 208 371-4308 Email: tmart965@gmail.com

Applicant (Developer) Information

Name: Tony Martarano

Address: 3602 E Mardig St. Meridian Idaho 83642

Phone: 208 371-4308 Email: tmart965@gmail.com.

Engineer/Representative Information

Name: Rick. Bugatsch

Address: 1307 34th st Nampa Id. 83687.

Phone: 208 465-3419 Email: rbugatsch@rbarchitecture.com.

rick@rbaoffice.com; skip@rbaoffice.com

Subject Property Information

Site Address: 707 W. Avalon St Kuna Id.

Nearest Major Cross Streets: Shortline Ave. School Ave

Parcel No.(s): S 13261208 00

Section, Township, Range: Parcel # 0800 NW4NE4 2N 1W 26

Property Size: _____

Current Land Use: Residential Proposed Land Use: Industrial Commercial

Current Zoning: M-1 Proposed Zoning: M-1

Project Description

Project Name: Americool Building

General Description of Project: Red Iron, Metal Building.
To house Americool Heating & Cooling.
3300 Sq Ft Building with, Landscape, Parking + TRASH Enc.

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: an old House + shop That will Be Removed.

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: 1 Other lots: _____

Gross floor area square footage: 3300 Existing (if applicable): _____

Building height: 23' Hours of Operation: Mon-Sat, 8-5

Total No. of Employees: 4 Max No. of Employees at one time: 4

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

Proposed Parking

ADA accessible spaces: 1 Dimensions: 9'-0" x 20'-0"

Regular parking spaces: 9 Dimensions: 9'-0" x 20'-0"

Width of driveway aisle: 20'

Proposed lighting: Exterior Motion on Building

Is lighting "Dark Sky" compliant? (YES) NO

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

See submitted Landscape Plan and Site Plan

_____

_____

_____

Applicant Signature: Tony Mele Date: 7/20/21

By signing, you are confirming you have provided all required items listed on this application.

Upon completion of this form, please email to pzapplications@kunaid.gov. A link will be provided for application attachments to be uploaded to the cloud.

DESIGN REVIEW APPLICATION

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

KUNA Planning & Zoning

****Office Use Only****

Case No(s).: 21-25-DR

Project Name: Americool Building

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

Date Received: 09.01.2021

Date Accepted as Complete: 09.23.2021

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 <u>all</u> 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, fencings, 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: TLM LLC. (Tony Martarano)
Address: 3602 E. Mardia St.
Meridian Idaho 83642
Phone: 208 371-4308 Email: tmart965@gmail.com

Applicant Information

Name: TLM LLC. Tony Marteranno

Address: 3607 E. ~~Marteranno~~ Mardia St.
Meridian Idaho 83642

Phone: 208 371-4308 Email: Tmart965@gmail.com

Engineer/Representative

Name: Rick Bugatsch

Address: 1307 N. 39th St.
Nampa Id. 83687.

Phone: 208 465-3419 Email: rbugatsch@rbarchitecture.com
rick@rbaoffice.com; skip@rbaoffice.com

Property Information

Address: 707 W. AVALON Kuna.

Parcel No(s).: S 1376120800

Closest Major Cross Streets: Avalon St.

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): Residential Home to Be Removed

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

North: Avalon Street C-1 South: Subdivision R-8

East: Storage units M-1 West: Daycare C-1

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

NO.

6. Number and use(s) of all structures: 1 building, HVAC Shop

7. Building Height: 23'

8. Number of Stories: 1

(The height and width relationship of new structures shall be compatible and consistent with the architectural character of the area and proposed use. 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: 17% of building space on lot

Exterior Building Materials and Colors

	Material	Color
Roof:		
Walls: (include percentage of wall coverage of each material)	100% 26 gauge metal	Ash Grey Blends wainscot charcoal grey
% of Wood Application:	0	
% EIFS: (Exterior Insulation Finish System)	0	
% Masonry:	0	
% Face Block:	0	
% Stucco:	0	
Other:	Store Front All Glass Doors.	
Windows/Doors:	Vinyl windows / Door steel Fra e meta	
Soffits and Fascia:		
Trim, etc.:	metal	

Mechanical Units

Please identify mechanical unit(s) size and placement: T.B.D. - No exterior condensing units

Proposed screening method? No exterior condensing units

Trash Enclosures

Please identify trash enclosure location, size, and construction materials: See Site Plan

Irrigation Ditches/Canals

Are there any irrigation ditches/canals on or adjacent to the property? (YES) NO Drain ditch in Front

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

What is the proposed method of on-site drainage retention/detention? Sub-Surface, see Site Plan Site consideration notes

Fencing

Is there any existing fencing that will remain? YES NO Chain Link on West Line on South + partial EAST.

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 but 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: See Site Plan

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? 9 Dimensions? 9'-0" x 20'-0"

Total number of ADA accessible spaces? 1 Dimensions? 9'-0" x 20'-0"

Total number of compact spaces (8' x 17')? N/A

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: Per code Rear: 10' Side: Per code Side: Per code

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: 7/20/21

Additional Information

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

_____

_____

_____

_____

_____

_____

HOUSTON • BUGATSCH
ARCHITECTS, CHARTERED

August 18th, 2021

Kuna Planning & Zoning
751 W. 4th Street, P.O. Box 13
Kuna, Idaho 83634

Subject: Detailed Narrative – 707 W. Avalon St.

To Whom It May Concern:

The following is a narrative describing the proposed use and function of a new pre-engineered building to be built on the existing site of 707 W. Avalon Street.

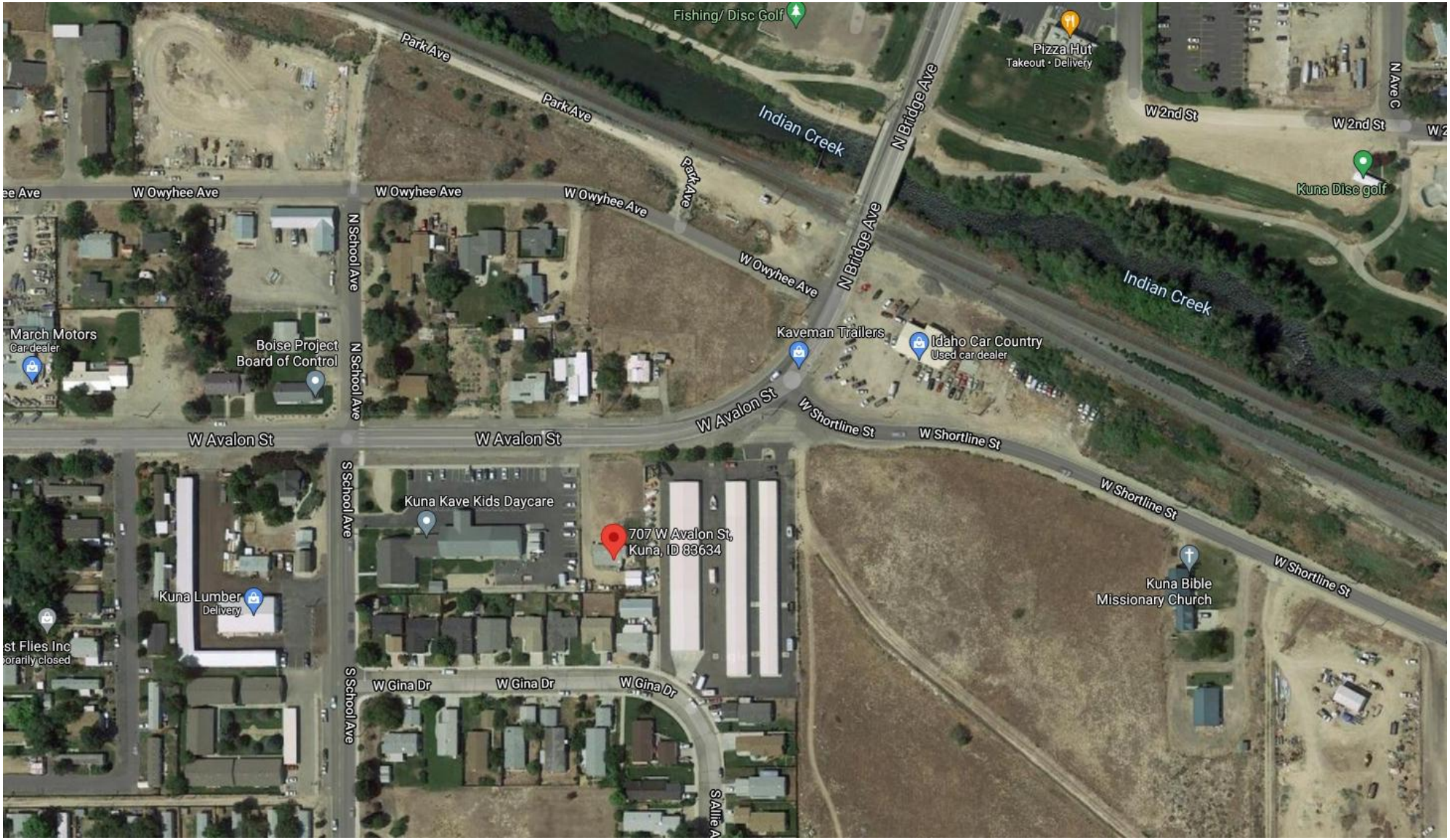
The location is already existing except for new sidewalks, asphalt parking, and landscaping that will be encompassed around the new building. An existing building and shop will be removed for the new pre-engineered building. Access and parking will be completed along with trash enclosure, utility services, curbing, sidewalks, parking, lighting, and landscaping.

The building itself will be approximately 3,330 square feet to be used for new HVAC shop. The shell of the building is to be built to closely match the finishes of the adjacent existing buildings. The approximate height of the building is 23'-0" high and 55'-0" x 60'-0" that will face W. Avalon St. Finishes for the proposed building will 'Ash gray' color metal walls with 'Charcoal Gray' color for the wainscot; including galvanized standing seam roof with a storefront entrance and windows. The location of the new building will be approximately centered on the lot and new landscaping will be provided per the submitted landscape plan.

Sincerely,

Rick Bugatsch / Skip Young

1307 N. 39TH Street, Suite 103
PH: (208) 465-3419
NAMPA, IDAHO 83687
FX: (208) 442-3942

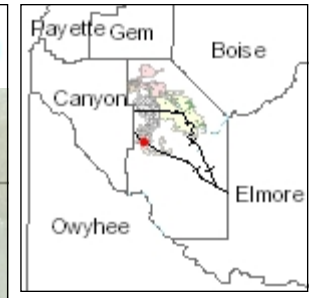


Vicinity Map

707 Avalon St., Kuna

Ada County Assessor

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION OR LEGAL PURPOSES.



Legend

- Railroad
- Roads (<2,000 scale)
  - <all other values>
  - Interstate
  - Ramp
  - Principal Arterial
  - Collector
  - Minor Arterial
  - Local
  - Parks
  - Alley
  - Driveway
- Parks
- Water
- Address
- Record of Survey
- Subdivisions
- Townships
- Sections
- Zoning
  - <all other values>
  - <Null>
  - A
  - A-1
  - A-1/DA
  - A-1C
  - A-1DD

8/18/2021

PioneerTitleCo.
GOING BEYOND

100 10th Avenue South
Nampa, ID 83651

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

File No. 759336 CH/DG

WARRANTY DEED

For Value Received James E. Short, Jr. and Sandra Short, husband and wife

hereinafter referred to as Grantors do hereby grant, bargain, sell, warrant and convey unto

TLM LLC, an Idaho Limited Liability Company

hereinafter referred to as Grantee, whose current address is 3602 E. Mardia St., Meridian, ID 83642

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

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

Dated: March 22, 2021

James E. Short Jr.

Sandra Short

State of IDAHO, County of CANYON

This record was acknowledged before me on March 22, 2021 by James E. Short Jr. and Sandra Short.

Signature of notary public
Commission Expires: 11/2/2021 2025 or

CARI HECK
COMMISSION #37142
NOTARY PUBLIC
STATE OF IDAHO

EXHIBIT A

A part of the Northwest quarter Northeast quarter, Section 26, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of said Northwest quarter Northeast quarter, (North quarter corner), which is an Ada County brass tablet set in concrete;
Thence North 89 degrees 55'55" East 350.65 feet along the North boundary of said Northwest quarter Northeast quarter to the point of beginning;
Thence continuing North 89 degrees 55'55" East 90.42 feet along the North boundary of said Northwest quarter Northeast quarter;
Thence South 0 degrees 08'05" West 226.36 feet;
Thence South 89 degrees 55'55" West 90.45 feet parallel with the North boundary of said Northwest quarter Northeast quarter;
Thence North 0 degrees 08'32" East 226.36 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying within W. Avalon St.

KUNA
Planning & Zoning

AFFIDAVIT OF LEGAL INTEREST

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

State of Idaho)
) ss
County of Ada)

I, Anthony Frank Martarano,
3602 E Mardian St Meridian Id. 83642

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
Rick Bugatsch
1307 39th Street Nampa ID 83687
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 19 day of August, 20 21

Anthony Frank Mr
Signature

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

Kelly Adamson

Residing at: 3847 Sumter Way
Boise ID 83709

My Commission expires: 9/20/23

Kelly Adamson
Signature

KELLY ADAMSON
NOTARY PUBLIC
My Commission Expires 09/26/2023
Comm No. 44837
STATE OF IDAHO

KEYNOTES

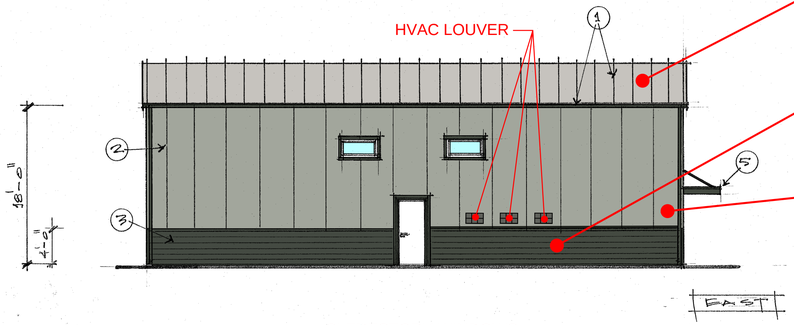
1. PRE-FINISHED METAL ROOFING, FASCIAS, & TRIMS.
2. PRE-FINISHED METAL SIDING & RELATED TRIMS.
3. PRE-FINISHED METAL SIDING (ACCENT COLOR / PROFILE) & RELATED TRIMS.
4. PRE-FINISHED METAL RAIN GUTTERS & DOWNSPOUTS (TYP.)
5. ROD SUSPENDED METAL CANOPY - PAINT FINISH.
6. FUTURE SIGN LOCATION (SIGN BY OTHERS I.A.W. CITY STDS.)

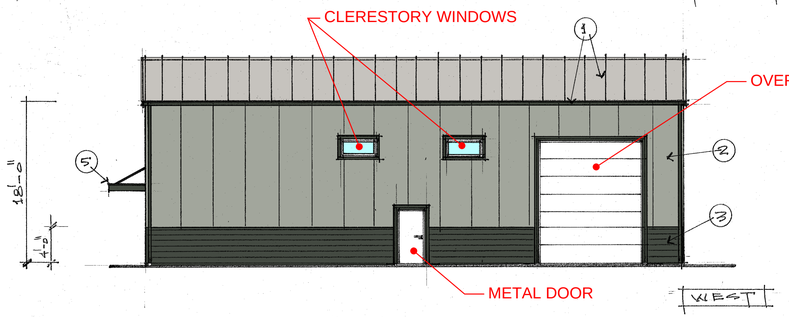
26 GA. METAL ROOF, WALLS, & WAINSCOT

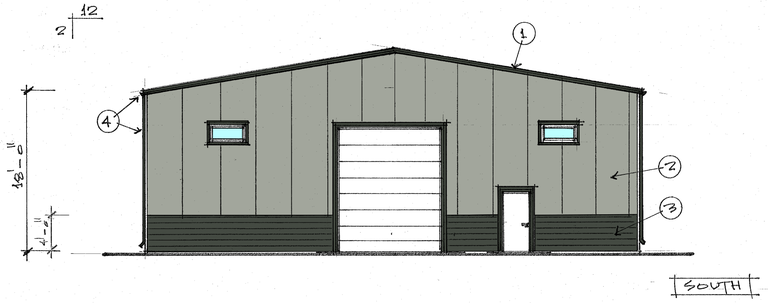
PBR 36
36" Coverage
12"
1 1/4"
GALVALUME PLUS®
• ROOF

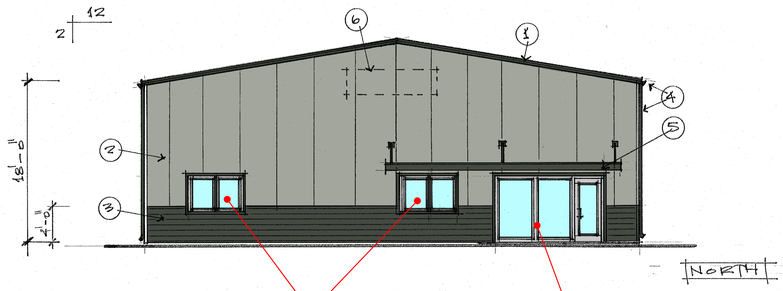
PBR 36
36" Coverage
12"
1 1/4"
CHARCOAL GRAY
• WAINSCOT
• FRAMES
• BLDG. TRIM

PBR 36
36" Coverage
12"
1 1/4"
ASH GRAY
• WALLS



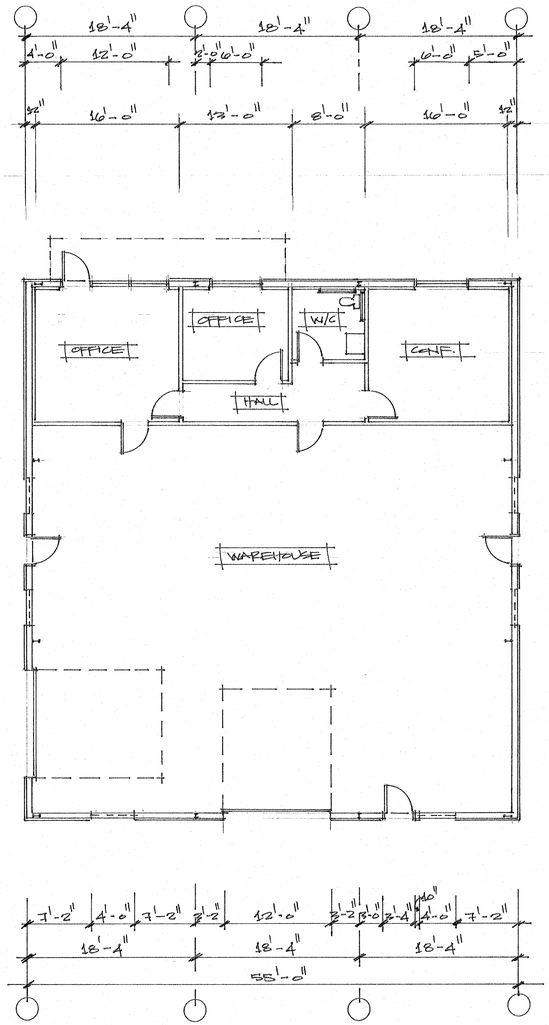






ELEVATIONS

1/8" = 1'-0"



FLOOR PLAN

1/8" = 1'-0"

stamp

revisions:

NO.	DESCRIPTION	DATE

707 W. AVALON

KUNA, ID

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HOUSTON ■ BUGATSCH
ARCHITECTS, CHARTERED
1307 N. 39TH. STREET
SUITE 103
BOISE, IDAHO 83687
PH: (208) 485-3419 FAX (208) 442-3942

checked	
date	
drawn	
job no.	
issued for	

sheet title:

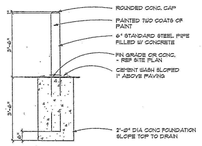
sheet number:

KEYNOTES

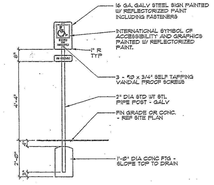
1. NEW BUILDING
2. 5'-0" CONC. SIDEWALK.
3. ACCESSIBLE PARKING SIGN - MOUNT TO BUILDING.
4. LANDSCAPING (TYP.)
5. ASPHALT DRIVES/SURFACING (TYP.)
6. 4" PAINT STRIPING / PARKING.
7. ACCESSIBLE PARKING & PAINT STRIPING / SYMBOLS.
8. 5'-0" WIDE PAINT STRIPING @ PEDESTRIAN "CROSSWALK".
9. 5'-0" CONC. SIDEWALK - SEE CIVIL FOR RAMPS, ETC...
10. NEW SIDEWALK - ALIGN W/ EXISTING ON ADJACENT SITES.
11. 25'-0" WIDE ASPHALT APPROACH.
12. EDGE OF EXISTING ROAD.
13. TRASH ENCLOSURE (SEE DETAILS).
14. VISION TRIANGLES TO BE MAINTAINED & PROTECTED.
15. EXISTING CHAIN LINK FENCING.
16. 'ONE-WAY' PAINT STRIPING.
17. EXTEND UTILITY SERVICES FROM EXISTING IN R.O.W. (WATER, SEWER, GAS, ELECT, TELECOM...) COORD W/ CIVIL PLANS & UTILITY PROVIDER.

SITE CONSIDERATIONS:

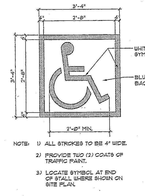
- STORM WATER TO BE RETAINED ON-SITE W/ SUB-SURFACE FACILITIES PER BMP's.
- ALL BUILDING MOUNTED LIGHTING (& SITE LIGHTING) TO BE 'CUT-OFF' STYLE & COMPLY W/ CITY 'DARK SKY' POLICY.
- HVAC TO BE SPLIT SYSTEM TYPE W/ EXT. LOUVERS ON EAST SIDE OF BLDG, BELOW FENCE HEIGHT.



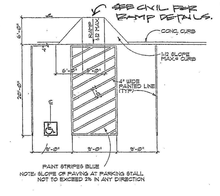
BOLLARD DETAIL



ACCESSIBLE VAN SIGN



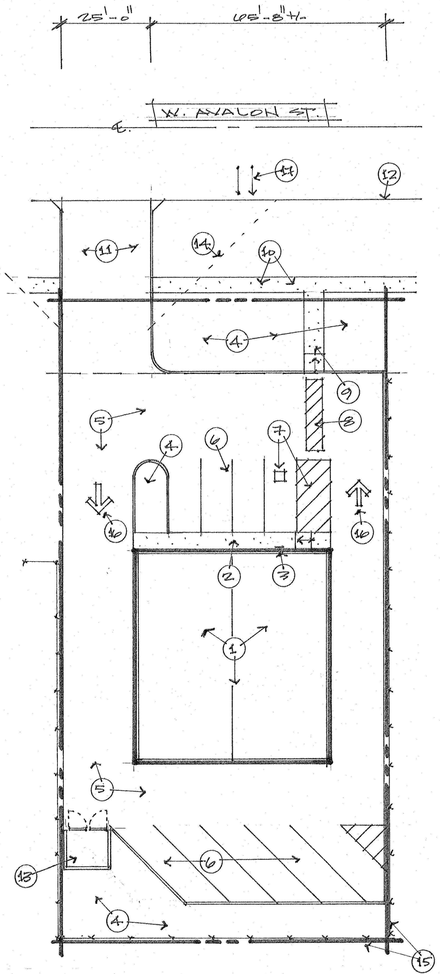
PARKING SYMBOL

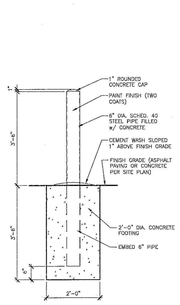


PARKING STALLS

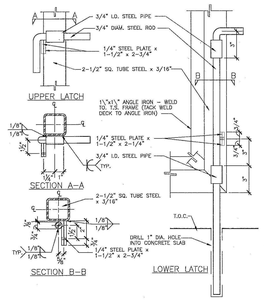
TYPICAL SITE DETAILS

N.T.S.

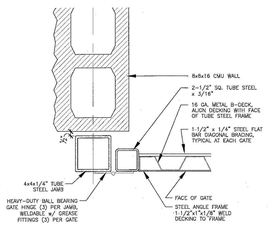




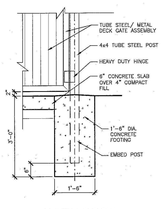
PIPE BOLLARD



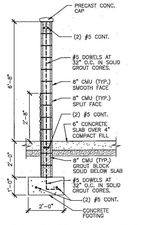
CANE BOLT DETAIL



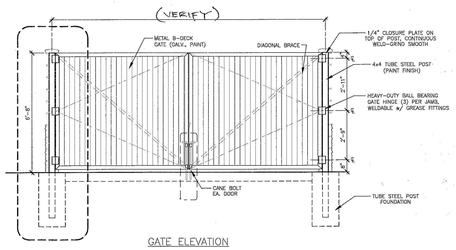
SECTION @ STEEL POST



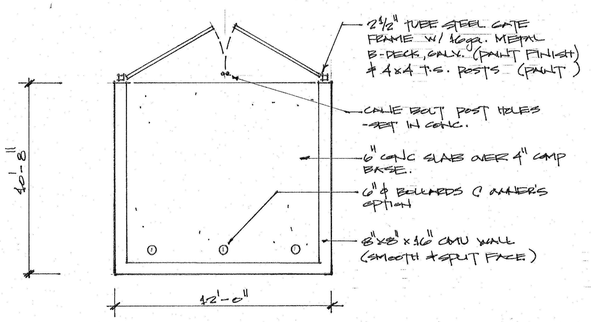
GATE POST



TYP. ENCLOSURE WALL



GATE ELEVATION



TRASH ENCLOSURE 3D PERSPECTIVE

TYP. TRASH ENCLOSURE DETAILS

N.T.S.

SITE PLAN

1" = 20'-0"

stamp

revisions:

NO.	DESCRIPTION	DATE

707 W. AVALON
KUNA, ID

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SUITE 103
BOISE, IDAHO 83687
PH: (208) 465-3419 FAX (208) 442-3942

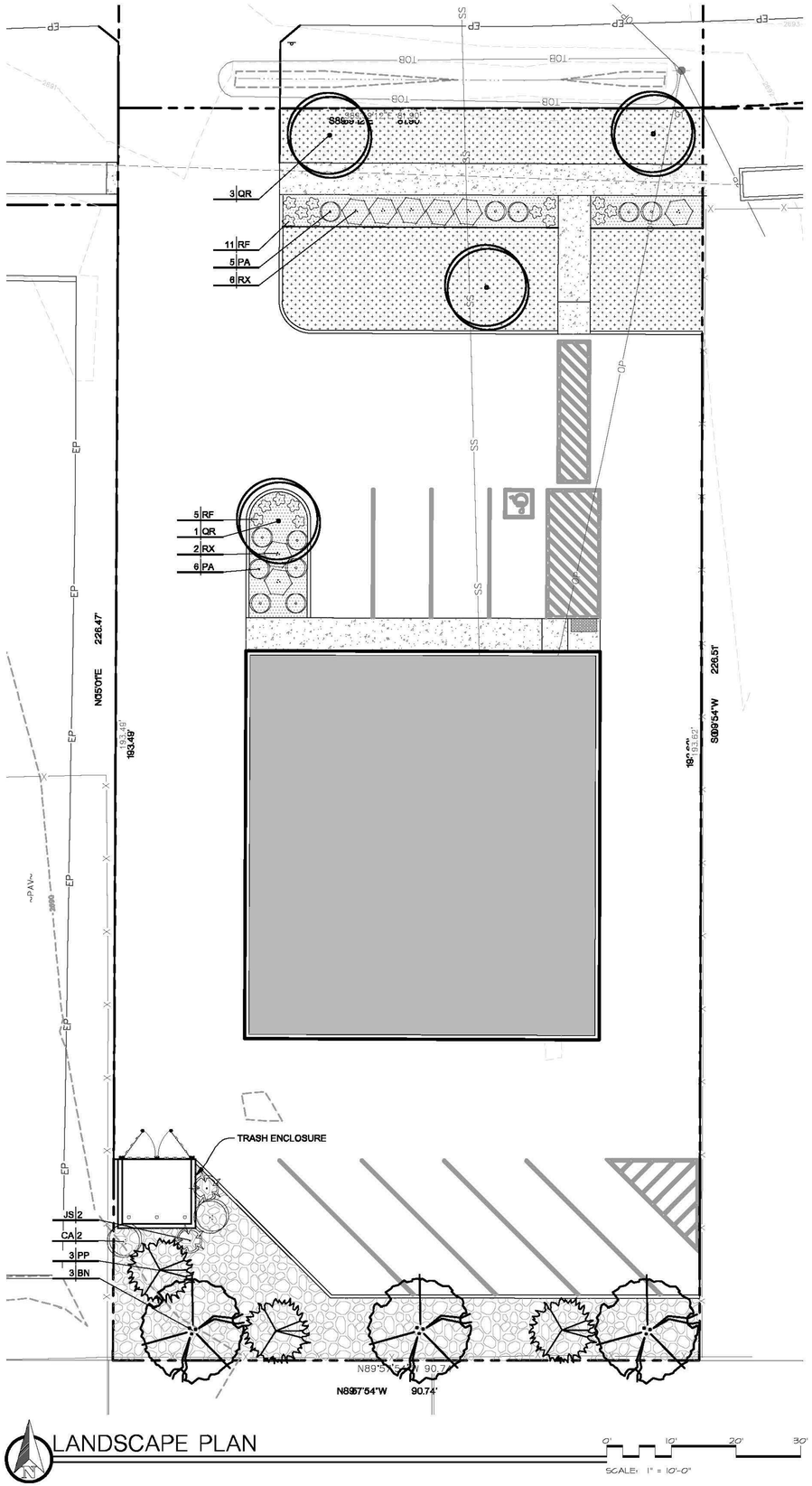
checked	
date	
drawn	
job no.	
issued for	

sheet title: SITE

sheet number:

IRRIGATION NOTES:

1. 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.
2. PLANTER BEDS AND LAWN AREAS ARE TO HAVE SEPARATE HYDRO-ZONES.
3. POP-UP SPRINKLER HEADS SHALL HAVE A MINIMUM RISER HEIGHT OF 4 INCHES AT LAWN AREAS AND 18" AT PLANTER BEDS.
4. PLANTER BEDS ARE TO HAVE DRIP IRRIGATION SYSTEM OR POP-UP SPRAY SYSTEM.
5. ELECTRONIC WATER DISTRIBUTION/ TIMING CONTROLLERS ARE TO BE PROVIDED. MINIMUM CONTROLLER REQUIREMENTS ARE AS FOLLOWS:
   a. PRECISE INDIVIDUAL STATION TIMING
   b. RUN TIME CAPABILITIES FOR EXTREMES IN PRECIPITATION RATES
   c. AT LEAST ONE PROGRAM FOR EACH HYDROZONE
   d. SUFFICIENT MULTIPLE CYCLES TO AVOID WATER RUN-OFF
   e. POWER FAILURE BACKUP FOR ALL PROGRAMED INDIVIDUAL VALVED WATERING STATIONS WILL BE DESIGNED AND INSTALLED TO PROVIDE WATER TO RESPECTIVE HYDRO-ZONES.
6. INDIVIDUAL VALVED WATERING STATIONS WILL BE DESIGNED AND INSTALLED TO PROVIDE WATER TO RESPECTIVE HYDRO-ZONES.
7. THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE 100% HEAD TO HEAD COVERAGE WITH TRIANGULAR SPACING.
8. SPRINKLER HEADS SHALL BE ADJUSTED TO REDUCE OVERSPRAY ONTO IMPERVIOUS SURFACES (BUILDINGS, SIDEWALKS, DRIVEWAYS, AND ASPHALT AREAS).
9. PROVIDE MINIMUM (1) QUICK COUPLER VALVE PER EACH (6) AUTOMATIC VALVE ZONES. APPROVE Q.C.V. LOCATIONS WITH LANDSCAPE ARCHITECT.
10. POINT OF CONNECTION TO BE APPROVED BY JURISDICTION PROVIDING WATER SOURCE.



LANDSCAPE PLAN

SCALE: 1" = 10'-0"

LANDSCAPE LEGEND

- PLANTS TO BE INSTALLED
- CONCRETE EDGING AS DETAILED
- CUT EDGE AS DETAILED
- PROPERTY LINE (VERIFY)
- SIGN LOCATION
- 10 JB — QUANTITY / PLANT IDENTIFICATION KEY
- RTF TURF TYPE TALL FESCUE SOD OVER APPROVED TOPSOIL AS SPECIFIED
- 3" DEPTH OF 1" MINUS BARK MULCH OVER DEWITT 5 PRO WEED BARRIER FABRIC AND TOPSOIL AS SPECIFIED OR APPROVED EQUAL
- 3" DEPTH OF 1" MINUS BARK MULCH OVER DEWITT 5 PRO WEED BARRIER FABRIC AND TOPSOIL AS SPECIFIED OR APPROVED EQUAL
- PROPOSED BUILDING

PLANT SCHEDULE

(*NOTE: ALL TREES TO BE GRADE #1)

KEY	BOTANICAL NAME / COMMON NAME	PLANTING SIZE	MATURE SIZE	CLASS
DECIDUOUS TREES				
BN	Betula nigra River Birch	2" B&B	35' hgt. 25' w	CLASS II
QR	Quercus robur x alba Streetspire Oak	2" B&B	35' hgt. 15' w	CLASS II
CONIFEROUS TREES				
PP	Picea pungens 'Bacheri' Bacheri Spruce	6' B&B	15' hgt. 8' w	CONIF.
SHRUBS				
CA	Cornus alba 'Bailhalo' Ivory Halo Dogwood	5 Gal.	6' hgt. x 6' wide	
JS	Juniperus scopulorum 'Medora' Medora Juniper	5 Gal.	10' hgt. x 4' wide	
RX	Rosa x 'Flower Carpet' Meriot Flower Carpet Rose	2 Gal.	3' hgt. x 4' wide	
GROUND COVERS/ GRASSES/ PERENNIALS				
PA	Pennisetum alopecuroides 'Little Bunny' Little Bunny Dwarf Fountain Grass	1 Gal.	2' hgt. x 3' wide	
RF	Rudbeckia fulgida 'Goldstrum' Goldsturm Black-Eyed Susan	1 Gal.	2' hgt. x 2' wide	

LANDSCAPE NOTES

1. 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 PLANT MATERIAL SHALL BE GRADE #1 OR BETTER.
2. ALL PLANTING BEDS AND TREE WELLS IN LAWN AREAS (WELLS TO BE 3' IN DIAMETER) SHALL BE COVERED WITH A MINIMUM OF 3" DEPTH OF 1" BARK MULCH. SUBMIT SAMPLE FOR APPROVAL BY OWNER.
3. ALL LAWN AREAS SHALL BE SODDED WITH 100% TURF TYPE TALL FESCUE (FESTUCA ARUNDINACIA). CONTRACTOR SHALL VERIFY AND MATCH THE VARIETY EXISTING IN THE ADJACENT DEVELOPMENT.
4. 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.
5. PLANTING BACKFILL FOR TREES AND PLANTING BEDS SHALL BE 5 PARTS TOPSOIL AND 1 PART COMPOST WITH STRAW. STAKE ALL TREES PER DETAILS.
6. ALL LAWN AREAS SHALL HAVE 6" OF TOPSOIL AND ALL PLANTING BEDS SHALL HAVE 12" OF TOPSOIL (MINIMUM). TOPSOIL SHALL BE A LOOSE, FRIABLE, SANDY LOAM, CLEAN AND FREE OF TOXIC MATERIALS, NOXIOUS WEEDS, WEED SEEDS, ROCKS, GRASS, OR OTHER FOREIGN MATERIAL LARGER THAN 1" IN ANY DIMENSION, A PH FROM 5.5 TO 7.0. TOP SOIL FROM SITE SHALL BE USED, IF MEETING THESE STANDARDS. PLACE 1/2" COMPOST OVER ALL LANDSCAPED AREAS AND ROTOTILL INTO TOP 4". SPREAD, COMPACT, AND FINE GRADE TOPSOIL TO A SMOOTH AND UNIFORM GRADE, 1" BELOW SURFACE OF WALKS AND CURBS IN AREAS TO BE SODDED AND 3" IN PLANTING BED AREAS.
7. FERTILIZE ALL TREES AND SHRUBS WITH 'AGRIFORM' PLANTING TABLETS, 21 GRAM. QUANTITY PER MANUFACTURER'S RECOMMENDATION.
8. PLANT MATERIAL SHALL NOT BE SUBSTITUTED WITHOUT THE WRITTEN PERMISSION OF OWNER. SUBMIT NAMES OF THREE SUPPLIERS CONTACTED IF SUBSTITUTION IS REQUESTED AND PLANT MATERIAL SPECIFIED IS NOT AVAILABLE.
9. SHRUB PLANTING BEDS SHALL BE SHOVEL EDGED TO CREATE A DISTINCT SEPARATION OF LANDSCAPE TYPES.
10. IMMEDIATELY CLEAN UP ANY TOPSOIL, OR OTHER DEBRIS ON SITE CREATED FROM LANDSCAPE OPERATION AND DISPOSE OF PROPERLY OFF SITE.
11. ALL LANDSCAPE AREAS SHALL HAVE AN STATE OF THE ART AUTOMATIC UNDERGROUND SPRINKLER SYSTEM WHICH INSURES COMPLETE COVERAGE AND IS PROPERLY ZONED FOR REQUIRED WATER USES AND HAS A WEATHER STATION CAPABLE OF TURNING OFF FOR RAIN/FREEZE EVENTS. ALL SHRUB ZONES, SPRAY ZONES AND GEAR DRIVEN ZONES SHALL BE PLACED ON SEPARATE ZONES. DO NOT EXCEED A MAXIMUM OF 5 FPS IN ALL MAINLINE AND LATERAL LINES.
12. COORDINATE ALL DRAINAGE AREAS AND UTILITIES WITH TREE LOCATIONS AND ADJUST PER FIELD CONDITIONS.
13. ALL EXISTING TREES SHOWN TO REMAIN SHALL BE RETAINED AND PROTECTED THROUGH OUT CONSTRUCTION.
14. NO TREES SHALL BE PLANTED WITHIN THE 10 FOOT CLEAR ZONE OF ALL ACHD STORM DRAIN PIPE, STRUCTURES, OR FACILITIES.
15. STORM PONDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM.
16. ALL TREES TO BE LOCATED A MINIMUM OF 5 FEET OR GREATER FROM THE BACK OF ANY SIDEWALK..
17. TRIM ALL TREES WITHIN VISION TRIANGLES TO 8' ABOVE FINISH GRADE TO MEET ACHD STANDARDS.

SOUTH BECK & BAIRD
2002 S. Vista Ave.
Boise, ID 83705
208.342.2999 Office
info@sblgc.com
www.sblgc.com
South Landscape Architecture P.C.
Dba South Beck & Baird Landscape Architecture P.C.

CALL 2 BUSINESS DAYS BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES

stamp

STATE OF IDAHO
TIM G. MUNN
PRELIMINARY
NOT FOR CONSTRUCTION
8/13/2021
LANDSCAPE ARCHITECT

revisions:

NEW BUILDING & SITE WORK @ 707 W Avalon Street Kuna, Idaho 83634

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checked	JGM
date	8/13/2021
drawn	AWJ
job no.	21-101
issued for	PERMIT

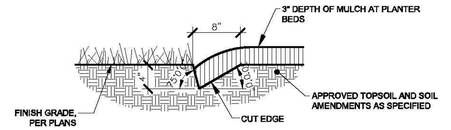
sheet title:

LANDSCAPE PLAN

sheet number:

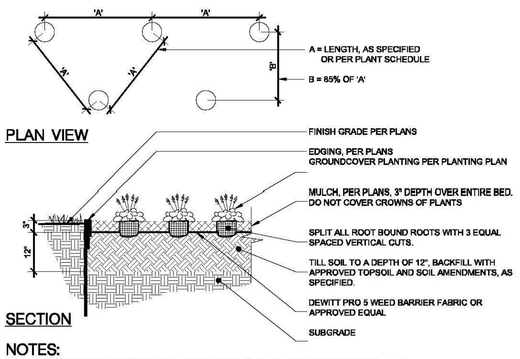
L1.1

C:\USERS\AWJ\DESKTOP\LOCATION\21-101\PROJECT\21-101 ARCHITECTURE.RVT - AVALON 21-101 SHEET.RVT - AVALON 21-101 LANDSCAPE PLAN.DWG PRINT DATE: 8/13/2021 3:31 PM



1 PLANTER BED CUT EDGE
(TYPICAL AT TREES IN TURF AREAS)

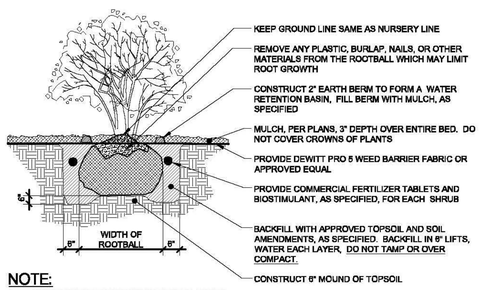
NOT TO SCALE



NOTES:
1. ALL GROUNDCOVER PLANTS TO BE PLANTED ON CENTER AND IN A TRIANGULAR PATTERN.
2. APPLY SPECIFIED PRE-EMERGENT PER MANUFACTURER'S RECOMMENDATIONS TO ALL GROUNDCOVER BEDS.

2 PERENNIAL & GROUNDCOVER PLANTING

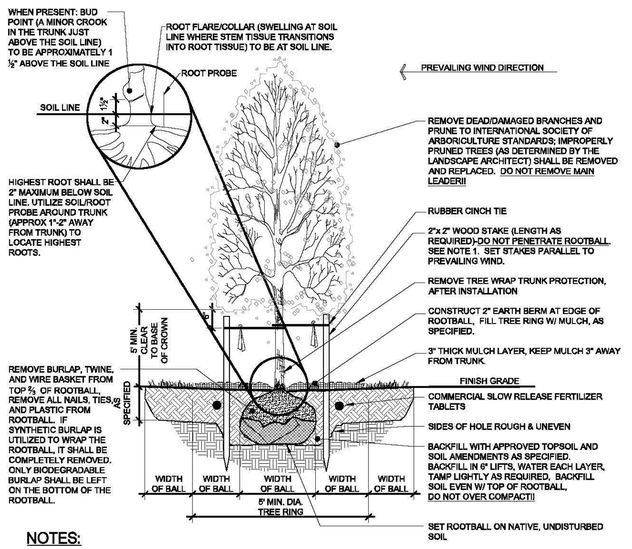
NOT TO SCALE



NOTE:
1. WATER SHRUB TWICE WITHIN FIRST 24 HOURS.
2. APPLY SPECIFIED PRE-EMERGENT PER MANUFACTURER'S RECOMMENDATIONS TO ALL GROUNDCOVER BEDS.

3 SHRUB PLANTING

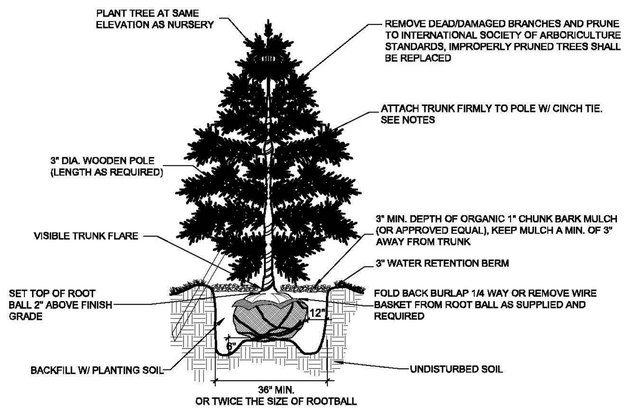
NOT TO SCALE



NOTES:
1. 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 LENGTH OF WARRANTY PERIOD OR 1 YEAR AFTER SUBSTANTIAL COMPLETION WHICHEVER IS GREATER. ALL STAKING SHALL BE REMOVED AT THE END OF THE WARRANTY PERIOD.
2. IN THE EVENT OF A QUESTION OR LACK OF CLARITY ON THE DRAWINGS, THE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT BEFORE PROCEEDING.
3. LANDSCAPE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT AND OWNER PRIOR TO INSTALLATION OF PLANT MATERIAL.
4. 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.
5. WATER TREE TWICE WITHIN THE FIRST 24 HOURS.
6. IN THE EVENT HARDPAN SOILS PREVENT TREE PLANTING AS DETAILED, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY.
7. FOR TREES LOCATED WITHIN ROADSIDE PLANTERS LESS THAN 8'-0" IN WIDTH, PROVIDE TREE ROOT BARRIER (DEEPROOT #24-2 OR APPROVED EQUAL). LOCATE ROOT BARRIER AT BACK OF CURB AND EDGE OF SIDEWALK. EXTEND ROOT BARRIER TO 60% OF MATURE TREE CANOPY. ALL TREE INSTALLATIONS SHALL CONFORM TO ALL AGENCY APPROVAL REQUIREMENTS. CONTRACTOR SHALL VERIFY PRIOR TO ANY INSTALLATIONS.

4 DECIDUOUS TREE PLANTING

NOT TO SCALE



NOTES:
1. 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 THE TERM OF THE WARRANTY.
2. WRAP RUBBER CINCH TIE (OR APPROVED EQUAL) AROUND THE TREE TRUNKS AND STAKES USING EITHER THE STANDARD OR FIGURE EIGHT METHOD. SECURE THE TIES TO THE STAKES WITH GALVANIZED NAILS TO PREVENT MOVEMENT.
3. WATER IN BACKFILL BELOW THE ROOT BALL PRIOR TO SETTING TREE (TO INSURE NO SETTLING WILL OCCUR).
4. DEEP SOAK TREE TWICE WITHIN THE FIRST 48 HOURS.

5 CONIFEROUS TREE PLANTING

NOT TO SCALE

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208.342.2999 Office
info@sbaga.com
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South Landscape Architecture P.C.
Dba South Beck & Baird Landscape Architecture P.C.

Know what's below. Call before you dig.
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES

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checked	JGM
date	8/13/2021
drawn	AWJ
job no.	21-101
issued for	PERMIT

sheet title:

LANDSCAPE DETAILS

sheet number:

L1.2

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

Catherine Feistner, E.I.T.
Asst. Kuna City Engineer

Brady Barroso
Engineering Technician I

DESIGN REVIEW MEMORANDUM

TO:	**Jace Hellman**	**- Planning and Zoning Director**
FROM:	**Brady Barroso**	**- Engineering Technician I**
	Catherine Feistner, E.I.T.	**- Assistant Kuna City Engineer**
RE:	**Public Works Comments**	
	21-25-DR (Design Review) Americool Building	
DATE:	**8 October 2021**	

The Americool Building is located at 707 Avalon St. The associated Design Review with Planning and Zoning acceptance date of September 24, 2021 has been reviewed. The applicant's proposed development is zoned with City of Kuna (City) M-1 zone requirements. These comments apply to the application as they affect public works infrastructure. Review of civil design drawings is accomplished separately, when received.

1. **Fees**
   a. Public Works connection fees have already been paid. Additional costs may be incurred at the time of the building permit dependent on a fixture count analysis.

2. **General**
   a. Add a street light at the entrance of the property.
   b. Provide a utility site layout to the Public Works Department prior to applying for a building permit.
   c. Provide engineering certification on all final engineering drawings as applicable.
   d. Fire suppression must be shown and approved by Kuna Rural Fire District (KRFD). Additional fire flow and/or a sprinkler connection may be required to provide adequate fire suppression.
   e. City's building official must review and approve all building plans.

3. **Right-of-Way**
   a. The Design Review does not affect existing Right-of-Way.

4. **Sanitary Sewer**
   a. The applicant is already connected to City sewer facilities. The applicant plans to extend current sewer service to the proposed building. Provide a plan showing proposed modifications to the Public Works Department prior to construction and building permit.

5. **Potable Water**
    a. The applicant is already connected to City water facilities. The applicant plans to extend current water service to the proposed building. Provide a plan showing proposed modifications to the Public Works department prior to construction and building permit.
    b. The KRFD Deputy Fire Marshal, or KRFD representative, must approve fire access to the project before, during, and after construction.
    c. Fire suppression shall be approved by KRFD.

6. **Pressurized Irrigation**
    a. The applicant is not connected to City pressurized irrigation facilities. It is unclear if the applicant plans to connect to City pressurized irrigation facilities.
    b. The closest possible connection point is a 12 in. pressurized irrigation line located on S School Ave south of the intersection at W Avalon St.
    c. Relying on drinking water for irrigation purposes is contrary to City Code 6-4-2-B.9.

7. **Grading and Storm Drainage**
    a. 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.
    b. Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties.
    c. Private stormwater disposal systems are reviewed by the City. The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for the design of private storm water disposal systems. If applicable, on-site stormwater retention shall be reviewed in conjunction with the City's Design Review of the associated project. Provide a stormwater disposal & treatment plan which accounts for increased on-site storm water runoff volumes. Provide detailed drawings of drainage & treatment facilities with supporting calculations for review and approval.

8. **As-Built Drawings**
    a. As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the applicant'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.*

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

October 14th, 2021

To: Tony Martarano
TLM, LLC
3602 E Mardia Street
Meridian, ID 83642

Subject: KUNA21-0008/ 21-25-DR
707 W Avalon Street
Americool Building

The applicant is requesting approval of a design review to construct a 3,300 sq ft HVAC shop on 0.47 acres.

A. Findings of Fact

1. Avalon Street

a. Existing Conditions: Avalon Street is improved with 2-travel lanes, 45-feet of pavement, and no curb, gutter, or sidewalk abutting the site. There is 63-feet of right-of-way for Avalon Street (30-feet from centerline).

b. Policy:

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

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

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

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

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

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

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

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

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

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

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.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Avalon Street is designated in the MSM as a Transitional/Commercial Arterial 3-lanes and on-street bike lanes, a 46-foot street section within 74-feet of right-of-way.

c. **Applicant's Proposal:** The applicant has proposed to construct 5-foot wide detached concrete sidewalk abutting the site and aligning with the existing sidewalk to the west.

d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved as proposed. The applicant should be required to dedicate additional right-of-way to total 2-feet behind the back of sidewalk. For detached sidewalk located outside of the right-of-way, the applicant may provide a permanent right-of-way easement that extends from the right-of-way line to 2-feet behind the back of sidewalk.

2. Driveways – Avalon Street

a. **Existing Conditions:** There is an existing 12-foot wide unpaved driveway from the site onto Avalon Street abutting the site's west property line.

b. **Policy:**

Access Points Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points

may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

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

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

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

Successive Driveways: District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 25 MPH to align or offset a minimum of 330-feet from any existing or proposed driveway.

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

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

c. Applicant's Proposal: The applicant has proposed to construct a 25-foot wide paved driveway from the site on to Avalon Street abutting the site's west property line and aligning with an existing driveway on the north side of Avalon Street.

d. Staff Comments/Recommendations: The applicant's proposal meets District policy and should be approved as proposed. The applicant should be required to construct the driveway as a curb-return type driveway.

The driveway should be paved at least 30-feet into the site from the edge of pavement of Avalon Street.

B. Site Specific Conditions of Approval

1. Construct 5-foot wide detached concrete sidewalk on Avalon Street abutting the site and aligning with existing improvements to the west.
2. Dedicated additional right-of-way to total 2-feet behind the back of sidewalk. For detached sidewalk located outside of the right-of-way, the applicant may provide a permanent right-of-way easement that extends from the right-of-way line to 2-feet behind the back of sidewalk.

3. Construct a 25-foot paved curb-return type driveway abutting the site's west property line and aligning with the existing driveway on the north side of Avalon Street.
4. Pave all access at least 30-feet into the site.
5. Other than access approved with this application, direct lot access to Avalon Street is prohibited.
6. A Traffic Impact Fee will be assessed by ACHD and will be due prior to issuance of a building permit. Please contact the ACHD Planner (see below) for information regarding impact fees.
7. 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.
8. Comply with the Standard Conditions of Approval as noted below.

C. Traffic Information

Trip Generation

This development is estimated to generate 16 additional vehicle trips per day and 2 additional vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 10th edition.

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

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Avalon Street	90-feet	Minor Arterial	440	Better than "E"

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

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

- The average daily traffic count for Avalon Street west of Shortline Street was 8,110 on 11/17/20.

D. Attachments

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

If you have any questions, please feel free to contact me at (208) 387-6132.

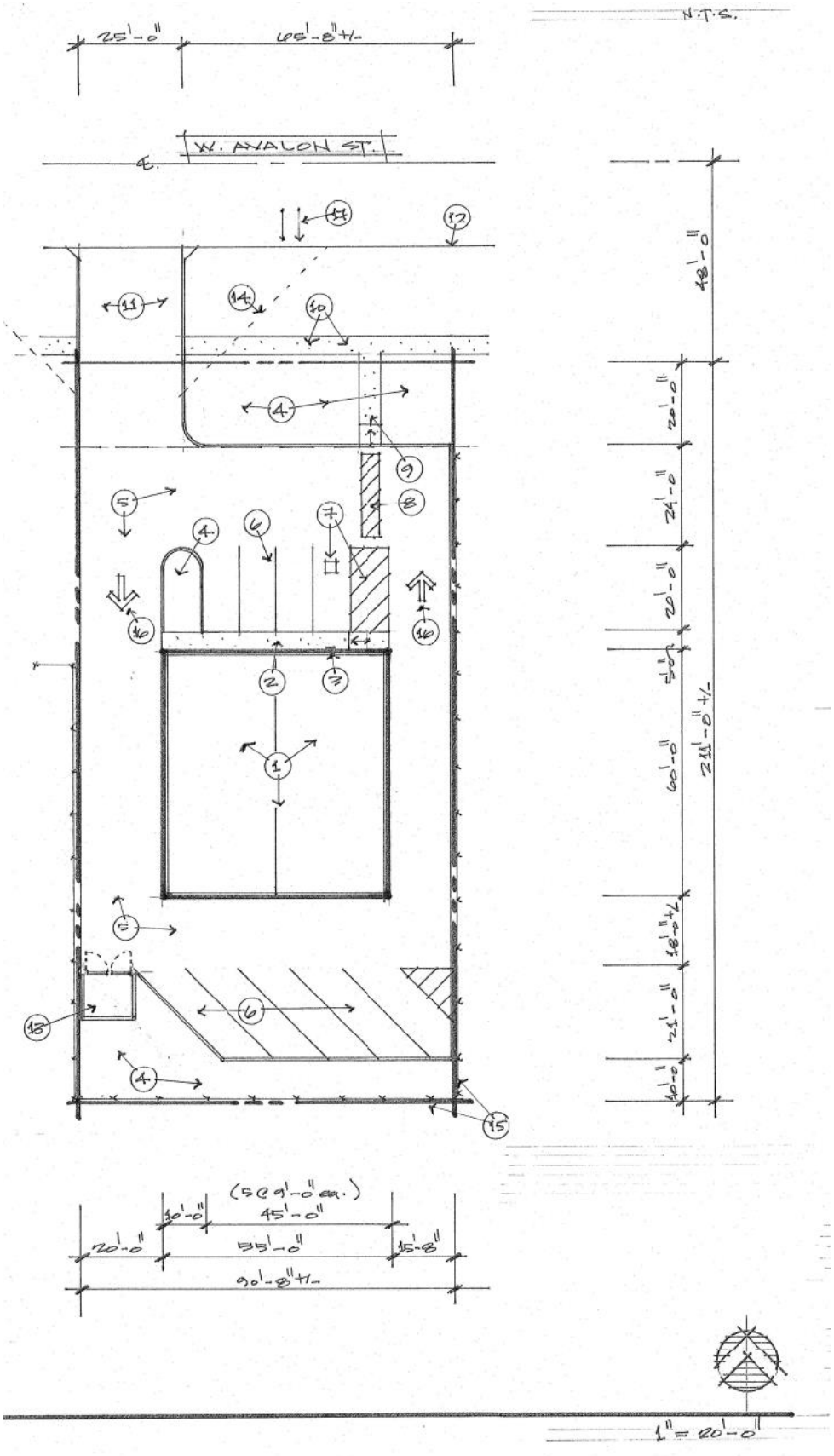
Sincerely,

Kelly Bruner
Planner
Development Services

cc: City of Kuna (Jessica Reid, via email)
TLM, LLC
Rick Bugatsch

VICINITY MAP

SITE PLAN


25'-0"
95'-8"+/-
N.T.S.
W. AVALON ST.
48'-0"
20'-0"
24'-0"
20'-0"
5'-0"
211'-8"+/-
60'-0"
18'-0"+/-
21'-0"
10'-0"
(5 @ 9'-0" eq.)
10'-0"
45'-0"
20'-0"
35'-0"
15'-8"
90'-8"+/-
1" = 20'-0"

Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.6, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.

    a. Filing Fee: The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.

    b. Initiation: An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.

    c. Time to Reply: The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.

    d. Notice of Hearing: Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.

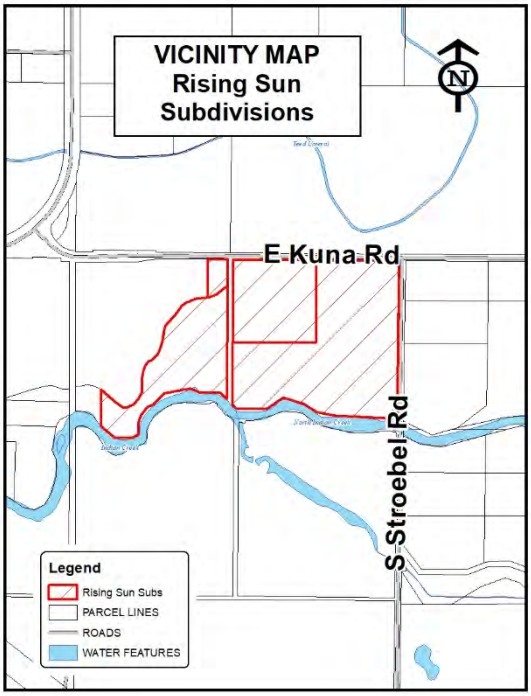
    e. Action by Commission: Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.

BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATION OF	)	**Case No. 21-27-DR (DESIGN REVIEW)**
	)	
M3 Companies, LLC.	)	**STAFF REPORT FOR FENCING**
	)	**ALTERNATIVE COMPLIANCE**
For Design Review for the *Rising Sun*	)	**FOR RISING SUN ESTATES**
Estates Fencing Alternative Compliance.	)	**DESIGN REVIEW APPLICATION**

TABLE OF CONTENTS

1. Exhibit List
2. Process and Noticing
3. Applicants Request
4. Proposed General Project Facts
5. Staff Analysis
6. Proposed Findings of Fact and Conclusions of Law
7. Proposed Commission's Order of Decision



I
EXHIBIT LIST

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

1.1 Exhibits:

	DESCRIPTION OF EVIDENCE	*Withdrawn*	*Refused*	*Admitted*
1.1	Staff Report			X
2.1	Design Review Application			X
2.3	Letter of Intent (LOI)			X
2.4	Vicinity Map			X

2.5	Aerial Map			X
2.6	Warranty Deed No. 1			X
2.7	Warranty Deed No. 2			X
2.8	Alt Fence Comp. Renderings, Photos, Fence Locations			X

II
PROCESS AND NOTICING

2.1 In accordance with Kuna City Code (KCC) 5-4-2: Design Review; all new commercial projects, landscaping and parking lots are required to submit an application for review by the Planning and Zoning Commission. As a public meeting item, this action requires no formal public noticing actions.

2.2 Notifications

2.2.1 Completeness Letter: October 11, 2021

2.2.2 Agenda: November 9, 2021

III
APPLICANTS REQUEST

3.1 M3 Companies, LLC requests Design Review (Alternative Compliance) approval for perimeter fencing for the subdivisions known as the Rising Sun Estates and Rising Sun Commons. The Applicant desires to install a consistent and unique fence throughout each of their multiple phases, as described in *KCC 5-4-6-B-3-g-2*. This project is located on the Southwest Corner (SWC) of Kuna Road and Stroebel Road, Kuna, ID..

IV
GENERAL PROJECT FACTS

4.1 Site History

4.1.1 The property is currently zoned R-6 Medium Density Residential (MDR), and is currently under site development.

4.2 Surrounding Land Uses

North	Ag RUT	Agriculture – City of Kuna Rural Urban Transition - Ada County
South	RR	Rural Residential – Ada County
East	RR	Rural Residential – Ada County
West	RUT	Rural Urban Transition – Ada County

4.3 Parcel Number(s), Parcel Size(s), Zoning

4.3.1 R0615250650

4.3.1.1 35.60 acres

4.3.1.2 R-4, MDR

4.3.2 R0615250700

4.3.2.1 9.34 acres

4.3.2.2 R-4, MDR

4.3.3 R0615250525

4.3.3.1 1.06 acres

4.3.3.2 R-6, MDR

4.4 Services

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

4.5 Existing Structures, Vegetation, and Natural Features

4.5.1 There are no existing structures. The site is currently under development; streets and internal sidewalks are paved, street signs and street lights have been installed.

4.6 Transportation/Connectivity

4.6.1 The subject site is adjacent to Kuna Road on the north with approx. 1,496 feet of frontage; and adjacent to Stroebel Road on the east with approx. 1,245 feet of frontage. The developing subdivision will have one ingress/egress for the Subdivision on Kuna Road and one on Stroebel Road.

4.7 Environmental Issues

4.7.1 Apart from being within the Nitrate Priority Area, staff is not aware of any environmental issues, health or safety conflicts at this time.

V
STAFF ANALYSIS

5.1 The subject site is comprised of two subdivisions, being combined and known as Rising Sun Estates and Rising Sun Commons (*Rising Sun Subdivision*). The goal of this request is to create a unique community within Kuna showcasing specialized features.

The applicant is requesting three (3) types of alternative fencing compliance throughout the phases as each develops. With this request, the applicant seeks consistent fencing throughout the community using a style of fencing that will last through the extended development timeline of the overall project, and will not be subject to variations in manufacturing or other proprietary constraints.

The applicant proposes to use these three (3) alternative types/materials to construct the fencing for the project, which is allowed with Commission's approval (through the DRC process), in sub-section 3-f: *Other fence building materials may be utilized on a case-by-case basis.*

Staff has reviewed the request for Alternative Compliance, and after review of the proposal, the materials and developers ongoing commitment to regular maintenance of the fence by the HOA, staff would recommend approval of the applicants' request.

Staff has determined that this application appears to comply with Kuna City Code as presented; Comprehensive Plan; Future Land Use Map; and Idaho Code. Staff recommends if the Planning and Zoning Commission approves Case No. 21-27-DR, the Applicant be subject to the Conditions of Approval listed in section "VII" (Seven) of this report, as well as any additional conditions requested by the Planning and Zoning Commission.

5.2 Applicable Standards

5.2.1 Kuna City Code, Title 5, Chapter 4 Design Review Overlay District;
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 & CONCLUSIONS OF LAW

Based upon the record contained in Case No. 21-27-DR (Design Review), including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, and the exhibits, the Planning and Zoning Commission hereby (***Approves/ Conditionally Approves /Denies)*** the Findings of Fact and Conclusions of Law, and Conditions of Approval for Case No. 21-27-DR (Design Review), a request by M3 Companies for Fencing Alternative Compliance approval for Rising Sun Subdivision.

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.

6.1 The contents of the proposed Design Review application contain all of the necessary requirements as listed in KCC 5-4-9: - Design Review Application Required.

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

6.2 Based on the evidence contained in Case No. 21-27-DR, the design and relationship of exterior materials generally complies with Kuna City Code and is appropriate for the subject site.

Staff Finding: *The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with the design requirements listed in KCC Title 5, Chapter 4 and is an appropriate fit for the properties residential zoning designation.*

VII
PROPOSED COMMISSIONS ORDER OF DECISION

*Note: The motion is for the **Approval, Conditional Approval, or Denial** of the Alternative Fence Compliance application. However, if the Planning and Zoning Commission wishes to **Approve/Deny** specific parts of the requests as detailed in the report, those changes must be specified.*

Based on the facts outlined in staff's report, case file, and discussion at the public meeting, the Planning and Zoning Commission of Kuna, Idaho (acting as Design Review Committee), hereby ***Approves/Conditionally Approves/Denies*** Case No. 21-27-DR (Design Review), a request from M3 Companies, LLC, for Alternative Compliance for three (3) types of fencing for Rising Sun Subdivision, subject to the following Conditions of Approval:

7.1 This Design Review is subject to a Landscape Design Review Inspection(s); Design review inspection fees shall be paid *prior to* requesting staff inspection.

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

7.3 Applicant shall record their commitment to ongoing, perpetual maintenance by the H.O.A. for all fences affected by this alternative compliance within the recorded Covenants, Codes and Restrictions (CC&R's) for all subdivisions within this project; and shall provide a recorded copy of the CC&R's to the City.

7.4 Applicant shall work with the City and Ada County Highway District (ACHD) in maintaining all Vision Triangle requirements for safe intersections.

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

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

DATED this _____ day of November, 2021.

Exhibit 2.1

KUNA Planning & Zoning

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): 21-27-DR

Project Name: Rising Sun Fencing Alternative Compliance

Date Received: 08.30.2021

Date Accepted as Complete: _____

Type of review requested (check all that apply):

	Annexation		Appeal
	Comp. Plan Map Amendment		Combination Pre & Final Plat
✓	Design Review		Development Agreement
	Final Planned Unit Development		Final Plat
	Lot Line Adjustment		Lot Split
	Ordinance Amendment		Planned Unit Development
	Preliminary Plat		Rezone
	Special Use Permit		Temporary Business
	Vacation		Variance

Owner of Record

Name: M3 Companies

Address: 1087 W. River Street Suite 310 Boise, ID 83702

Phone: 208-939-6263 Email: tjeffers@m3companiesllc.com

Applicant (Developer) Information

Name: See above

Address: _____

Phone: _____ Email: _____

Engineer/Representative Information

Name: JUB Engineering - Wendy Shrief

Address: 2760 W. Excursion Ln. Suite 400 Meridian, ID 83642

Phone: 208-376-7330 Email: wshrief@jub.com

Subject Property Information

Site Address: E. Kuna Road - Rising Sun Sub

Nearest Major Cross Streets: Kuna Rd/Stroebel Rd

received 8.30.21

Exhibit 2.1

Parcel No.(s): Multiple: R0615250650, R0615250700

Section, Township, Range: _____

Property Size: ~45 Acres

Current Land Use: Residential Proposed Land Use: _____

Current Zoning: R-4, M2 Proposed Zoning: R4, R8

Project Description

Project Name: Rising Sun Subdivision

General Description of Project: Single and Multi-Family Development with commercial near Meridian Road.

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: Two City Parks, Private Pool and Playground Multi-Use pathways/greenbelt extension along Indian Creek.

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: TBD No. of Building Lots: _____

No. of Common Lots: TBD 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): _____

Exhibit 2.1

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

Type of Open Space provided (i.e. public, common, landscaping): Rising Sun Sub will provide above and beyond ample open space to exceed City of Kuna requirements throughout the project including public and private parks, common areas and 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.):

See Rising Sun 1 and 2 approved landscape plans previously submitted to City. Buffers, berms along Kuna Rd, parking lot for City park, heavily landscaped entrances and common areas and an extension of the multi-use greenbelt and sidewalk connections.

Applicant Signature: Travis Jeffers Digitally signed by Travis Jeffers DN: C=US, E=tjeffers@m3companies3c.com, O=M3 Companies, LLC, CN=Travis Jeffers Reason: I am approving this document Date: 2021.08.19 10:16:10-06'00' Date: 8/19/2021

By signing, you are confirming you have provided all required items listed on this application.

Upon completion of this form, please email to pzapplications@kunaid.gov. A link will be provided for application attachments to be uploaded to the cloud.

Exhibit 2.1

DESIGN REVIEW APPLICATION

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

KUNA Planning & Zoning

****Office Use Only****

Case No(s).: 21-27-Dr

Project Name: Rising Sun Fencing Alternative Compliance

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

Date Received: 08.30.2021

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*)

Exhibit 2.1

- 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, fencings, 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: M3 Companies

Address: 1087 W River Street Suite 310

Boise, ID 83702

Phone: 208-939-6263 Email: tjeffers@m3companiesllc.com

Exhibit 2.1

Applicant Information

Name: M3 Companies

Address: 1087 W River Street Suite 310

Boise, ID 83702

Phone: 208-939-6263 Email: tjeffers@m3companiesllc.com

Engineer/Representative

Name: JUB Engineering - Wendy Shrief

Address: 2760 W. Excursion Ln. Suite 400

Meridian, ID 83642

Phone: _____ Email: wshrief@jub.com

Property Information

Address: E. Kuna Road - Rising Sun Subivision

Parcel No(s).: R0615250650, R0615250700

Closest Major Cross Streets: Kuna Rd /Stroebel Rd

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: Requesting approval of fencing materials for the Rising Sun Master Planned Community. Kuna City Code prohibits use of wood fencing, however, we are proposing an alternate compliance to use a combination metal and wood paneling that will be much nicer than typical vinyl fencing. See attached narrative for details.

2. Dimension of property: ~45 Acres

3. Current land use(s): Subdivision Dev. and Ag

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

North: Residential / Ag South: Residential

East: Residential West: Residential

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

Yes, the community will be built over 5+ years

Exhibit 2.1

6. Number and use(s) of all structures: N/A

7. Building Height: N/A

8. Number of Stories: N/A

(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:
N/A

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? Boise Kuna Irrigation Dist.

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

_____

Exhibit 2.1

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? Combination of Metal and Wood - See Narrative

The City has regulations for fences, walls, and hedges (see Kuna City Code 5-5-5). A fence permit must but 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: The project will be constructed in multiple phases and landscaped areas will vary. The project will exceed the requirements under Kuna City Code.

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? _____

Exhibit 2.1

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: N/A - Covered by DA and subdivision approvals

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: 8-30-21

Additional Information

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

Exhibit 2.3

August 30, 2021

Jace Hellman
Planning & Zoning Director
751 W 4th Street
Kuna, ID 83634

Re: Rising Sun Fence Design Review & Alternate Compliance

Dear Mr. Hellman

The following is a summary of our proposal for alternative fencing standards for the project known as Rising Sun Subdivision. The first three phases consist of 45 Acres of single-family residential development. The project is located near the intersection of Kuna Road and Stroebel Road. In the first two phases of development, M3 will be constructing and dedicating a new City Park and extending the greenbelt multi-use path system along Indian Creek.

It is our desire to have consistent, high quality fencing throughout the community. To accomplish this over the life of a development, it is important to use a fence that can be re-produced and one that is not proprietary. Most synthetic fences are proprietary and also have a tendency to fade and discolor over time. Replacement of sections of fence results in panels that may not match the color exactly or may become unavailable.

Regarding fencing, Kuna City Code is as follows:

> **KCC 5-4-6-B-3:**
> *B. Architectural requirements, building materials, fence and deck/patio materials, colors, and architectural appurtenance height limitation: If a material proposed for construction is not listed in this section it shall be upon the discretion of the approving authority to determine the appropriateness of such material.*
>
> *3. Fences:*
> *a. Vinyl;*
> *b. Block masonry and stucco products;*
> *c. Brick;*
> *d. Wrought iron: Aluminum or steel;*
> *e. Reserved.*
> *f. Other fence building materials may be utilized on a case by case basis.*
> *g. Alternative methods of compliance:*
> *(1) Conditions:* ***The design review committee shall have authority to vary on a case-by-case basis the required fencing standards where an alternative requirement would address unique site conditions and allow design flexibility while still serving the intent of the design review ordinance.*** *Request for use of alternative fencing material schemes are justified only when one (1) or more of the following conditions apply:*
> *(a) The site was subject to the conversion process of a residential dwelling becoming a commercial use;*
> *(b) The site involves space limitations or unusually shaped parcels;*
> *(c) Topography, vegetation or other site conditions are such that full compliance is impossible or impractical; or*
> *(d) Safety considerations are involved.*

Exhibit 2.3

(2) Request for alternative method of compliance: The applicant must provide the design review committee with a written request if an alternative method of compliance is proposed. The request shall state which requirement as set forth within this section is to be modified, what project conditions stated within the subsection 3.g.(1) of this section justify using the proposed alternative, and how the proposed alternative equals or exceeds said requirement.
Fence construction and fence design features are subject to design and building inspection reviews to address strength and compatibility issues. Fences are subject to height limitations, location placement requirements and a building permit stated within KCC 5-5-5. Constantine or razor wire fencing is prohibited in Kuna except to accommodate demonstrated industrial or commercial security fencing needs.

Kuna City Code provides for a process for an alternative method of compliance. To receive this approval, code asks which condition applies to the situation to justify an alternative method of compliance.

(c) Topography, vegetation or other site conditions are such that full compliance is impossible or impractical; or

Given the multi-year build-out of Rising Sun that will include both residential and future commercial land uses, it is our belief that this creates a site condition that is impractical and undesirable to use a synthetic fence that will be consistent throughout the community. By using a fence that is replicable and custom made for the community, we will be able to maintain a consistent look and replace fencing as it ages or becomes damaged and have it match the rest of the community.

We are proposing multiple variants of a similar fence that would all be used in different circumstances. There is a wrought iron fence that is powder coated, there is a demi-screen fence that has metal posts and frame with a solid lower fence and wrought iron upper fence to allow views, but with some privacy, and then there is a screen fence that utilizes metal posts and wood frame with wood slats.

The attached description, pictures and specifications show the fencing details along with images of the fence and where it has been constructed in other communities built by M3 that are all very high-end communities. Where the fence is along the perimeter of the community or adjacent to a common area, the community side of the fence will be maintained by the homeowners association. That means it will be stained regularly, maintained as well as replaced on a predetermined schedule.

Code also asks how what we are proposing will meet or exceed the Kuna requirements. While some wood fences could be considered inferior to synthetic fences if those fences go without maintenance. Synthetic fences require less maintenance, however, when they need replaced as mentioned above, they may not match. Tan and white vinyl fences are ubiquitous throughout the valley because they are inexpensive and easy to maintain. While aesthetics can be subjective, when properly maintained, this fence that has a combination of both powder-coated metal and wood panels will improve the look of the community and allow for consistency throughout. From a cost standpoint, this fence will range from 50-100% more expensive than the vinyl fence that would meet city code. The problem with wood fence can be maintenance, but with proper planning and regular HOA maintenance, this will not be an issue.

We respectfully submit the attached fence specifications for design review approval.

Regards,

Travis Jeffers
M3 Companies

Exhibit 2.4

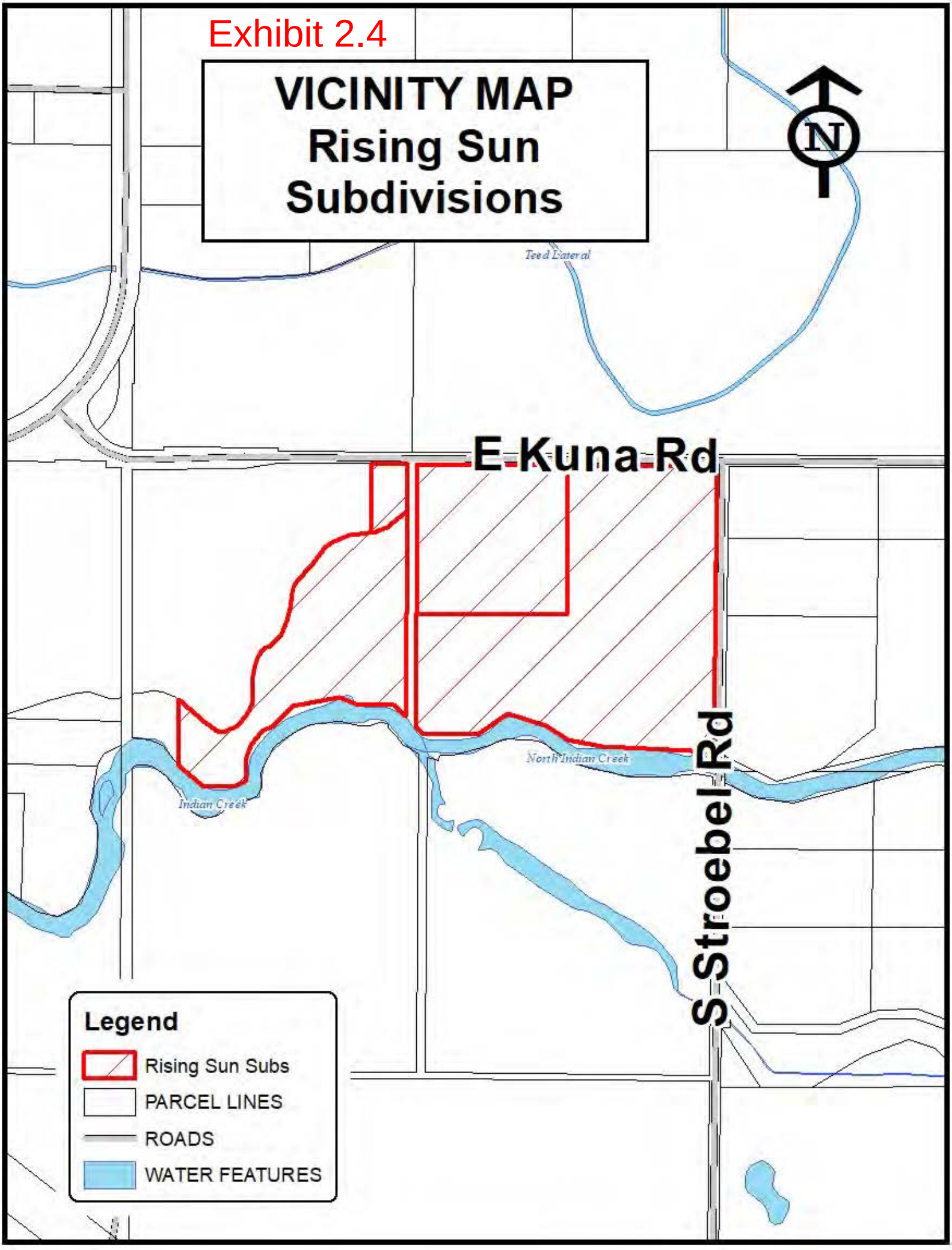
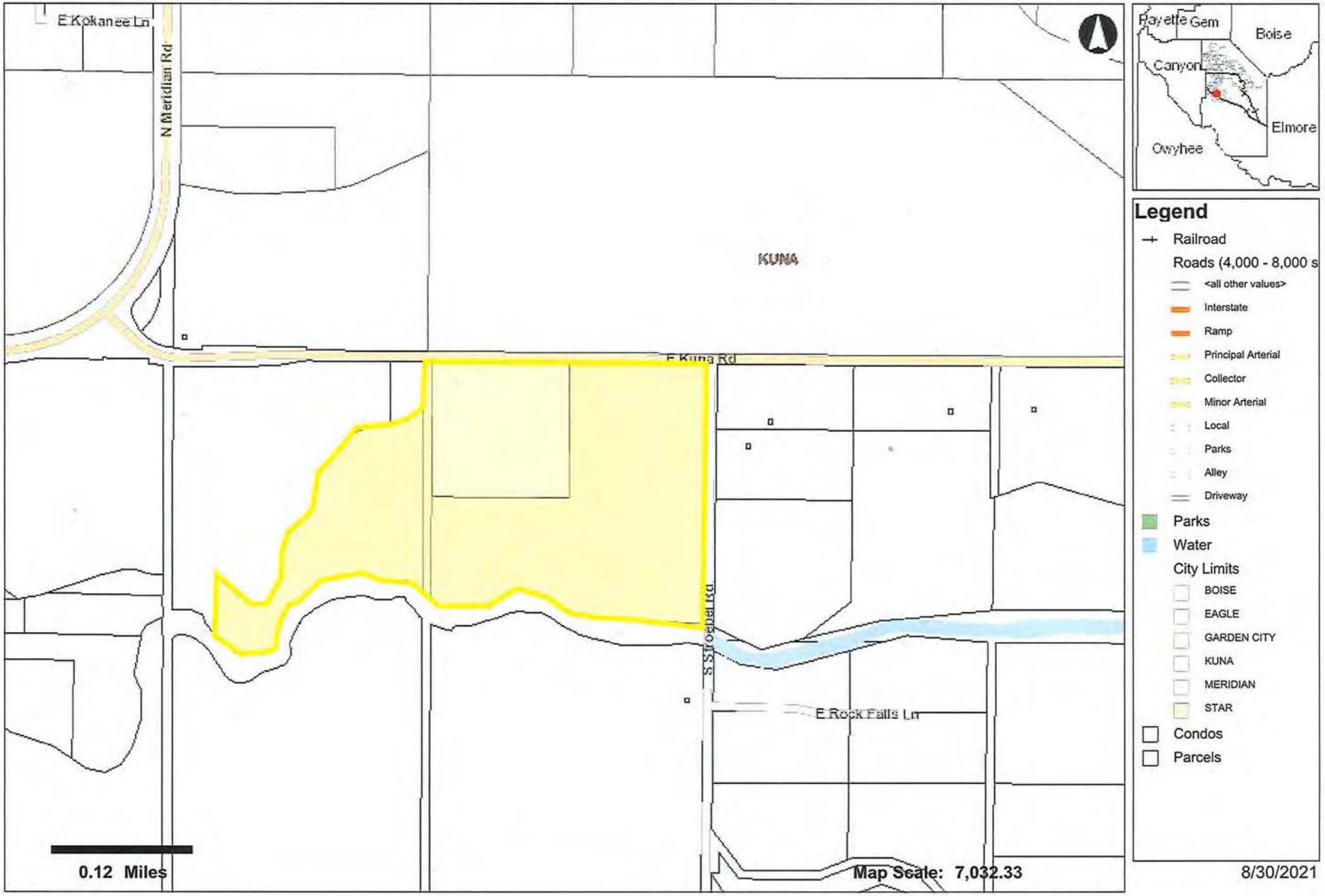

VICINITY MAP
Rising Sun
Subdivisions
N
Teed Lateral
E Kuna Rd
North Indian Creek
Indian Creek
S Stroebel Rd
Legend
Rising Sun Subs
PARCEL LINES
ROADS
WATER FEATURES

Exhibit 2.3

Ada County Assessor

RISING SUN SUBDIVISION - VICINITY MAP



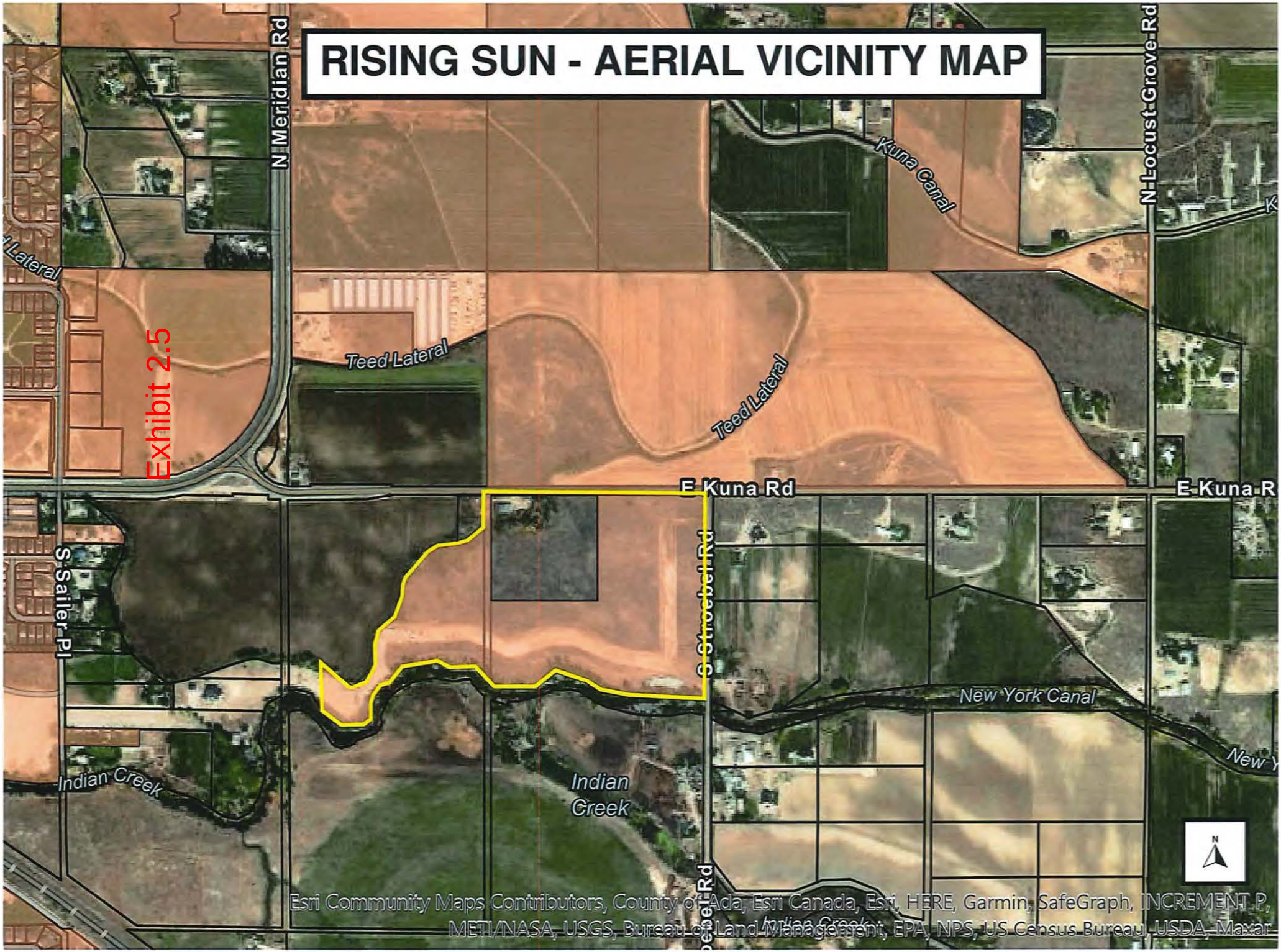

RISING SUN - AERIAL VICINITY MAP
Exhibit 2.5
N Meridian Rd
N Locust Grove Rd
Kuna Canal
Teed Lateral
Teed Lateral
Teed Lateral
E Kuna Rd
E Kuna R
S Stoebel Rd
S Sailer Pl
New York Canal
Indian Creek
Indian Creek
Indian Creek
N
Esri Community Maps Contributors, County of Ada, Esri Canada, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, Maxar

Exhibit 2.6

ADA COUNTY RECORDER Phil McGrane
BOISE IDAHO Pgs=6 CHE FOWLER
ALLIANCE TITLE - BOISE PRODUCTION CENTER

2020-147825
10/30/2020 01:17 PM
$15.00

WARRANTY DEED

Alliance Title & Escrow, LLC Order No.:474350

FOR VALUE RECEIVED

Idaho Land Holding LLC, an Idaho Limited Liability Company

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

M3 ID Rising Sun, LLC, an Arizona limited liability company

whose current address is 7033 E. Greenway Parkway, Ste. 100, Scottsdale, AZ 85254

the grantee(s), the following described premises, in Ada County, Idaho, TO WIT:

SEE ATTACHED EXHIBIT A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 10/28/2020

Exhibit 2.6

Idaho Land Holding LLC

By: Dennis R. Hourany, Manager

By: Ottilia Ballo, Manager

State of Wyoming } ss
County of Lincoln }

On this 28 day of October, 2020, before me, the undersigned, a Notary Public in and for said state, personally appeared **Dennis R. Hourany,** known or identified to me to be the Manager in the Limited Liability Company known as **Idaho Land Holding LLC** who executed the foregoing instrument in said LLC name.

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

Sloane Farnsworth
Notary Public for the State of Wy
Residing at: Lincoln County
Commission Expires: 2/17/23

SLOANE FARNSWORTH - NOTARY PUBLIC
COUNTY OF LINCOLN STATE OF WYOMING
COMMISSION EXPIRES 02/17/2023

State of _____ } ss
County of _____ }

On this ____ day of October, 2020, before me, the undersigned, a Notary Public in and for said state, personally appeared **Ottilia Ballo,** known or identified to me to be the Manager in the Limited Liability Company known as **Idaho Land Holding LLC** who executed the foregoing instrument in said LLC name.

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

Notary Public for the State of _____
Residing at: _____
Commission Expires: _____

Exhibit 2.6

Idaho Land Holding LLC

By: Dennis R. Hourany, Manager

By: Ottilia Ballo, Manager

State of _____} ss
County of _____}

On this ____ day of October, 2020, before me, the undersigned, a Notary Public in and for said state, personally appeared **Dennis R. Hourany,** known or identified to me to be the Manager in the Limited Liability Company known as **Idaho Land Holding LLC** who executed the foregoing instrument in said LLC name.

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

_____
Notary Public for the State of _____
Residing at: _____
Commission Expires: _____

State of Arizona } ss
County of Maricopa }

On this 28 day of October, 2020, before me, the undersigned, a Notary Public in and for said state, personally appeared **Ottilia Ballo,** known or identified to me to be the Manager in the Limited Liability Company known as **Idaho Land Holding LLC** who executed the foregoing instrument in said LLC name.

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

Natalie Garcia
Notary Public for the State of Arizona
Residing at: Maricopa
Commission Expires: 03/14/2024

NATALIE GARCIA
Notary Public - Arizona
Maricopa County
Commission # 578616
My Commission Expires March 14, 2024

File No. 474350

Exhibit 2.6

Exhibit 'A'

Parcel 1:

The following describes a parcel of land being a portion of Lots 1, 3, 5 and 6, Block 6 of the Amended Plat of Avalon Orchard Tracts Subdivision as filed for Record at Page 254 of Plats, Records of Ada County, Idaho and as shown on Record of Survey Number 10925, Records of Ada County, Idaho and lying in a portion of the Northwest Quarter Northwest Quarter of Section 30, Township 2 North, Range 1 East, Boise Meridian, Kuna, Ada County Idaho, and more particularly described as follows:

Commencing at the Northwest Corner of Section 30 Township 2 North, Range 1 East, Boise Meridian which is being marked by found brass cap. From which, the North Quarter Corner of said Section 30 bears, South 89°33'02" East, 2542.47 feet (formerly 2529.2 feet) which is being marked by a found aluminum cap;
Thence along the Northerly boundary line of the Northwest Quarter of said Section 30, North 89°33'02" East, 1218.27 feet (formerly 1209.2') to the West 1/16th Corner of said Section 30;
Thence leaving said Northerly boundary line, South 39°03'57" West, 32.00 feet to the intersection of the Southerly right of way line of East Kuna Road and the Westerly platted right of way line of said Amended Plat of Avalon Orchard Tracts Subdivision being marked by a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence leaving the Southerly right of way line of East Kuna Road, and along Westerly platted right of way line of said Amended Plat of Avalon Orchard Tracts Subdivision South 00°22'41" West, 202.27 feet to the Point of Beginning;
Thence continuing along the Westerly platted right of way line of said Amended Plat of Avalon Orchard Tracts Subdivision, South 00°22'41" West, 873.73 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251" on the North top of bank of Indian Creek (South Side Canal);
Thence leaving said Westerly right of way line, and along the North top of bank of Indian Creek (South Side Canal), North 45°19'05" West, 68.34 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, North 89°06'33" West, 153.27 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, North 69°19'34" West, 91.26 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, South 78°51'30" West, 201.10 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, South 43°04'06" West, 114.28 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, South 66°46'52" West, 55.20 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, South 37°04'11" West, 79.52 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, South 20°11'11" West, 54.91 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, South 03°24'44" West, 100.21 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, South 62°07'09" West, 42.84 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, South 87°46'26" West, 134.59 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, North 51°43'01" West, 70.13 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, North 47°20'08" West, 72.74 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence leaving said North top of bank, North 00°47'55" West, 281.59 feet to a point on the centerline of the Teed 346 Rotation Sub-Lateral;
Thence along the centerline of the Teed 346 Rotation Sub-Lateral the following courses and distances:
1. Southeasterly 12.35 feet along the arc of a non-tangent curve to the right having a radius of 197.19 feet, a central angle of 03°35'18" and a long chord which bears, South 52°34'51" East, 12.35 feet to a point;
2. South 48°50'32" East, 141.03 feet to a point;
3. South 54°24'31" East, 55.42 feet to a point;
4. Southeasterly 33.43 feet along the arc of a non-tangent curve to the left having a radius of 38.03 feet, a central angle of 50°21'32" and a long chord which bears, South 79°34'54" East, 32.36 feet to a point;
5. Northeasterly 66.12 feet along the arc of a non-tangent curve to the left having a radius of 198.51 feet, a central angle of 19°04'58" and a long chord which bears, North 65°42'15" East, 65.81 feet to a point;
6. Northeasterly 116.76 feet along the arc of a non-tangent curve to the left having a radius of 277.85 feet, a central angle of 24°04'36" and a long chord which bears, North 33°39'54" East, 115.90 feet to a point;
7. Northeasterly 20.01 feet along the arc of a non-tangent curve to the left having a radius of 45.42 a central angle of 25°14'38" and a long chord which bears, North 09°00'08" East, 19.85 feet to a point;

8. North 00°27'36" East, 91.98 feet to a point;
9. Northeasterly 91.59 feet along the arc of a non-tangent curve to the right having a radius of 192.42 feet a central angle of 27°16'22" and a long chord which bears, North 14°05'46" East, 90.73 feet to a point;
10. Northeasterly 56.46 feet along the arc of a non-tangent curve to the right having a radius of 95.00 feet, a central angle of 34°03'00" and a long chord which bears, North 44°45'33" East, 55.63 feet to a point;
11. North 51°08'47" East, 67.26 feet to a point;
12. Northeasterly 73.93 feet along the arc of a curve to the left having a radius of 215.91 feet, a central angle of 19°37'08" and a long chord which bears, North 21°44'37" East, 73.57 feet to a point;
13. North 15°27'33" East, 54.66 feet to a point;
14. North 08°29'03" East, 64.63 feet to a point:
15. Northeasterly 53.06 feet along the arc of a non-tangent curve to the right having a radius of 105.54 feet, a central angle of 28°48'13" and a long chord which bears, North 22°53'56" East, 52.50 feet to a point;
16. North 40°39'46" East, 102.55 feet to a point;
17. North 36°40'07" East, 72.95 feet to a point;
18. Northeasterly 144.55 feet along the arc of a non-tangent curve to the right having a radius of 214.67 feet, a central angle of 38°34'46" and a long chord which bears, North 63°14'57" East, 141.83 feet to a point;
19. North 81°53'51" East, 100.21 feet to a point;
20. North 67°54'02" East, 53.20 feet to a point;
21. North 52°46'16" East, 63.95 feet to a point;
22. North 49°59'10" East, 44.25 feet to the Point of Beginning.

Parcel 2:

The following describes a parcel of land being a portion of Lots 1 & 3, and a portion of Lots 5 through 10, Block 5 of the Amended Plat of Avalon Orchard Tracts Subdivision as filed for Record at Page 254 of Plats, Records of Ada County, Idaho and as shown on Record of Survey Number 10925, Records of Ada County, Idaho and lying in a portion of the Northeast Quarter Northwest Quarter of Section 30, Township 2 North, Range 1 East, Boise Meridian, Kuna, Ada County Idaho, and more particularly described as follows:

Commencing at the Northwest Corner of Section 30 Township 2 North, Range 1 East, Boise Meridian which is being marked by found brass cap. From which, the North Quarter Corner of said Section 30 bears, South 89°33'02" East, 2542.47 feet (formerly 2529.2 feet) which is being marked by a found Aluminum Cap;
Thence along the Northerly boundary line of the Northwest Quarter of said Section 30, North 89°33'02" East, 1218.27 feet (formerly 1209.2 feet) to the West 1/16th Corner of said Section 30;
Thence leaving said Northerly boundary line, South 38°15'14" East, 32.04 feet to the intersection of the Southerly right of way line of East Kuna Road and the Easterly platted right of way line of said Amended Plat of Avalon Orchard Tracts Subdivision being marked by a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence leaving said intersection, and along the Southerly right of way line of East Kuna Road, South 89°33'02" East, 642.05 feet (formerly 640 feet) to a set 5/8" iron pin with plastic cap "Koerner PLS 8251", the Point of Beginning;
Thence continuing along the Southerly right of way line of East Kuna Road, South 89°33'02" East, 637.03 feet (formerly 635 feet) to a set 5/8" iron pin with plastic cap "Koerner PLS 8251" on the Westerly Right of way line of South Stroebel Road;
Thence leaving said Southerly right of way line, and along the Westerly right of way line of South Stroebel Road, South 00°39'08" West, 1218.80 feet (formerly 1210.6 feet) to a set 5/8" iron pin with plastic cap "Koerner PLS 8251" on the North top of bank of Indian Creek (South Side Canal);
Thence leaving said Westerly right of way line, and along the North top of bank of Indian Creek (South Side Canal), North 87°06'53" West, 480.36 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, North 78°58'51" West, 144.70 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, North 56°46'55" West, 110.79 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, North 72°16'58" West, 169.65 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, South 55°44'02" West, 157.47 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, South 89°56'46" West, 227.37 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence continuing, North 45°19'05" West, 54.78 feet to a set 5/8" iron pin with plastic cap "Koerner PLS 8251" being on the Easterly platted right of way line of said Amended Plat of Avalon Orchard Tracts Subdivision;

Thence leaving said North top of bank, and along the Easterly platted right of way line of said Amended Plat of Avalon Orchard Tracts Subdivision, North 00°22'41" East, 479.18 feet (formerly 414.5 feet) to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence leaving said Easterly platted right of way line, South 89°33'14" East, 642.05 feet (formerly 640 feet) to a set 5/8" iron pin with plastic cap "Koerner PLS 8251";
Thence, North 00°22'41" East, 635.80 feet (formerly 635.8 feet) to the Point of Beginning.

Exhibit 2.7

ADA COUNTY RECORDER Phil McGrane	**2021-039873**
BOISE IDAHO Pgs=3 CHE FOWLER	03/12/2021 11:29 AM
FIRST AMERICAN TITLE INSURANCE COMPANY	$15.00

After Recording
Return to:

M3 ID Rising Sun, LLC
7033 E. Greenway Parkway, Suite 100
Scottsdale, AZ 85254

FOR RECORDING INFORMATION

WARRANTY DEED

FOR VALUE RECEIVED, Debra Young, as "**Grantor**," does hereby grant, bargain, sell and convey unto M3 ID Rising Sun, LLC an Arizona limited liability company, as "**Grantee**," whose current address is 7033 E. Greenway Parkway, Suite 100, Scottsdale, Arizona 85254, the premises located in Ada County, Idaho, more specifically described on **Exhibit A** attached hereto and made a part hereof (the "**Property**").

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

Dated: 03-08, 2021

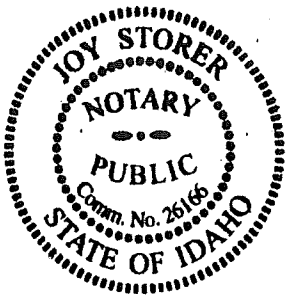
GRANTOR:

DEBRA YOUNG

Exhibit 2.7

STATE OF IDAHO)
County of Bonneville) ss.

This record was acknowledged before me on this 8th day of March, 2021, by Debra Young.



Joy Storer
Notary Public for Idaho
Residing at Idaho Falls, ID
My commission expires: 7/25/2026

Exhibit 2.7

EXHIBIT A
Legal Description of the Property

PARCEL I:

LOTS 2 AND 4 OF THE NORTHEAST QUARTER NORTHWEST QUARTER OF AVALON ORCHARD TRACTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN BOOK 4 OF PLATS AT PAGE 189, RECORDS OF ADA COUNTY, IDAHO.

PARCEL II:

THE NORTHEASTERN PORTION OF LOT 1, BLOCK 6, AVALON ORCHARD TRACTS, LYING IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO, BETWEEN THE NORTH BOUNDARY OF LOT 1 AND THE TEED SUB LATERAL, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT 25 FEET SOUTH OF THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE MERIDIAN; THENCE
EAST PARALLEL TO THE NORTHERN BOUNDARY OF SECTION 30 COINCIDENT WITH THE NORTHERN BOUNDARY OF LOT 1, BLOCK 6, 1037.6 FEET TO THE REAL POINT OF BEGINNING; THENCE CONTINUING
EAST 151.6 FEET TO THE EASTERN BOUNDARY OF LOT 1, BLOCK 6; THENCE
SOUTH 201.5 FEET ALONG THE EASTERN BOUNDARY OF LOT 1, BLOCK 6 TO THE TEED SUB LATERAL; THENCE WESTERLY
SOUTH 58°20' WEST, 185 FEET FOLLOWING THE TEED SUB-LATERAL; THENCE
NORTH 297.5 FEET TO THE REAL POINT OF BEGINNING.

Exhibit 2.8

Rising Sun (aka Indian Creek Ranch) - Proposed Hybrid Fence Style

The fence styles proposed for the Rising Sun project include metal view fence as well as metal and wood screen fence or demi-screen fence, as shown below. Metal view fence is planned along lot boundaries adjacent to the river and will be maintained by the respective lot owner. The screen and demi-screen fence styles are planned along lot boundaries adjacent to common areas, other lots, and along frontage. The Indian Creek Ranch Homeowners' Association (the "**HOA**") will maintain the exterior side of developer installed fencing around lots in order to keep the appearance consistent and maintain the aesthetic of the community. The attached map shows the fence locations where the HOA will maintain the exterior side of such metal and wood fence.

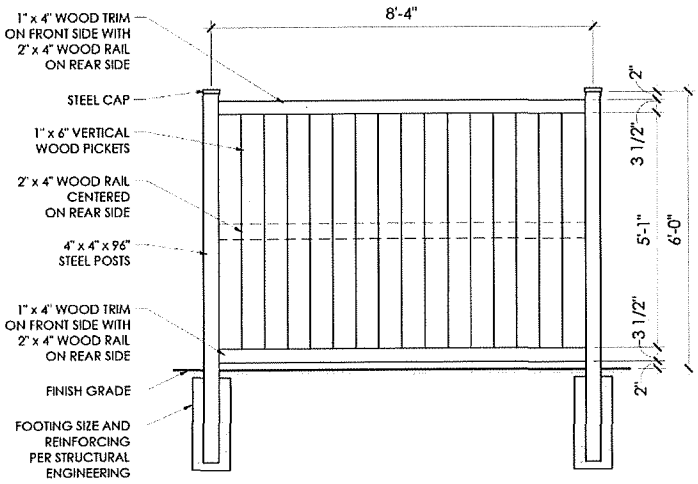
Accordingly, the HOA build-out budget forecast will provide for both annual maintenance expenses as well as replacement reserves for any screen and demi-screen fence it will maintain. The exterior side of the wood fence is planned to be restained every 3-years and the fence is estimated to require full replacement approximately every 25 years. All other fencing not maintained by the HOA is required to be maintained by the respective lot owner.

The wood and metal fence style proposed for Rising Sun is shown in the images seen below.

Below is an image of the fence installed in another community:

Exhibit 2.8

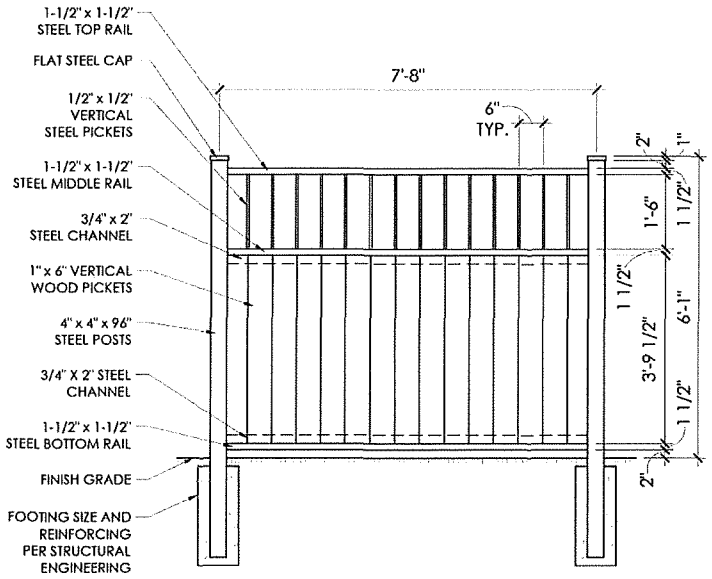
SCREEN FENCE STYLE



NOTES:
1. ALL METAL TO BE FINISHED WITH POWDER COAT COLOR "RUST TEXTURE 1091-BR47" BY CARDINAL.
2. ALL WOOD TO BE STAINED WITH STAIN COLOR "PECAN" BY READY-SEAL.

Exhibit 2.8

DEMI-SCREEN FENCE STYLE

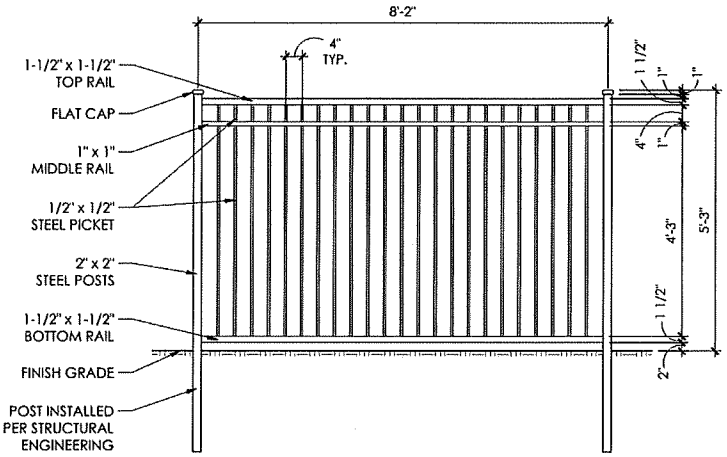


NOTES:

1. ALL METAL TO BE FINISHED WITH POWDER COAT COLOR "RUST TEXTURE T091-BR47" BY CARDINAL.
2. ALL WOOD TO BE STAINED WITH STAIN COLOR "PECAN" BY READY-SEAL.

Exhibit 2.8

WROUGHT IRON VIEW FENCE STYLE



NOTE:
ALL METAL TO BE FINISHED WITH POWDER COAT COLOR "RUST TEXTURE T091-BR47" BY CARDINAL.

Exhibit 2.8

INDIAN CREEK RANCH

ILLUSTRATION OF HYBRID FENCE LOCATIONS FOR EXTERIOR SIDE MAINTENANCE BY HOA

Rising Sun (Indian Creek Ranch)

Fence Proposal

Kuna, ID

m3companies

Master Fence Plan:
Rising Sun Phases 1-3

- # Master Fence Maintenance Plan:

Exterior Side Maintenance by HOA

- Re-stain Every 3 years.

- Replace every 25 years.

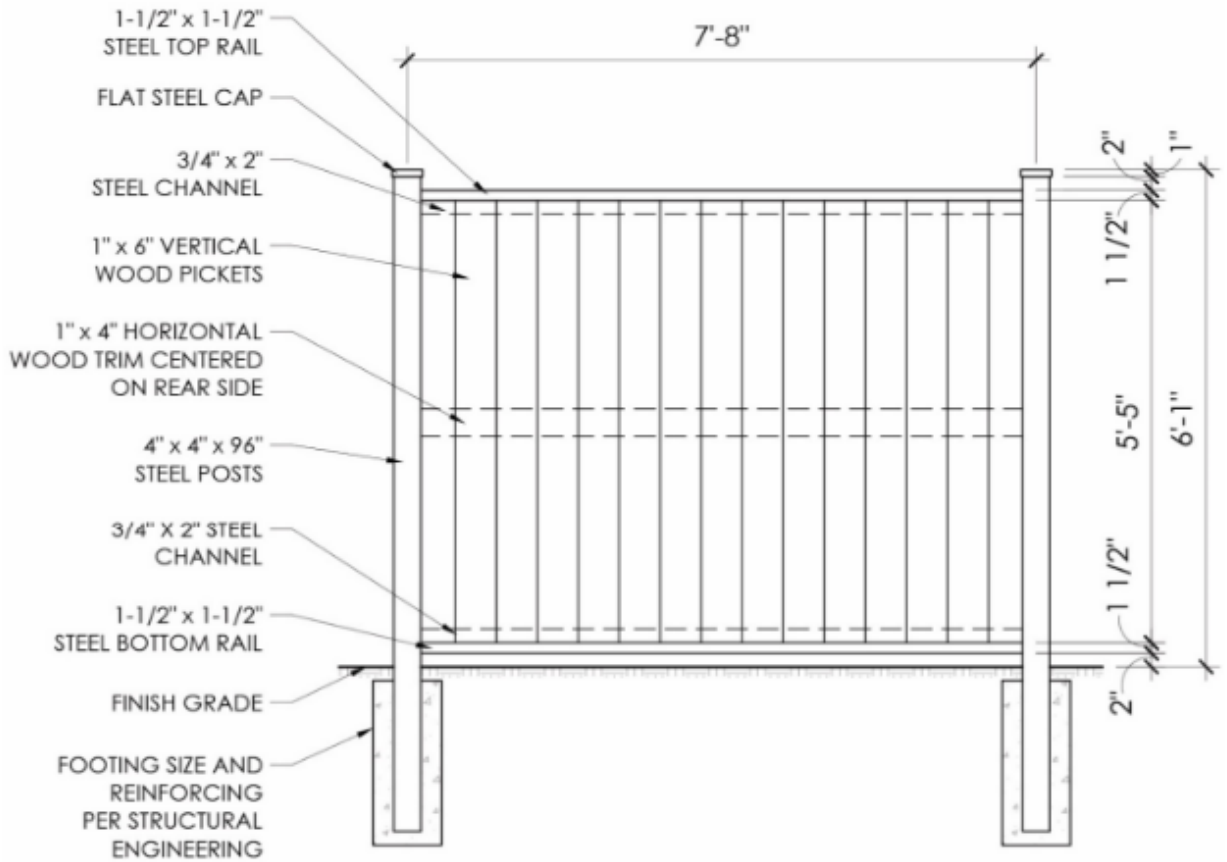
- Repair/replace reserves to address issues as needed.

INDIAN CREEK RANCH

ILLUSTRATION OF HYBRID FENCE LOCATIONS FOR EXTERIOR SIDE MAINTENANCE BY HOA

M3 Fence Specifications

Developer Screen Fence

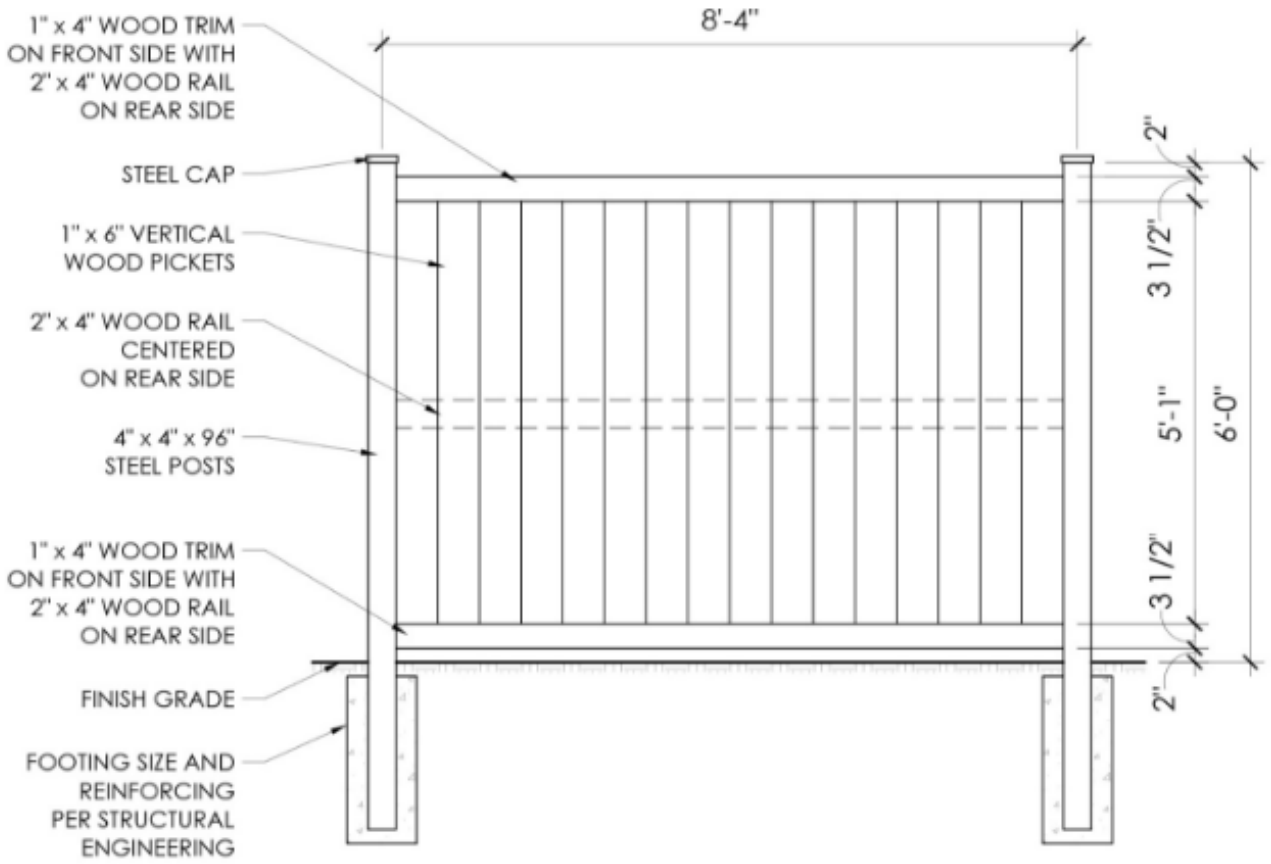


NOTES:

1. ALL METAL TO BE FINISHED WITH POWDER COAT COLOR "RUST TEXTURE T091-BR47" BY CARDINAL.
2. ALL WOOD TO BE STAINED WITH STAIN COLOR "PECAN" BY READY-SEAL.

M3 Fence Specifications

Builder/Owner Screen Fence

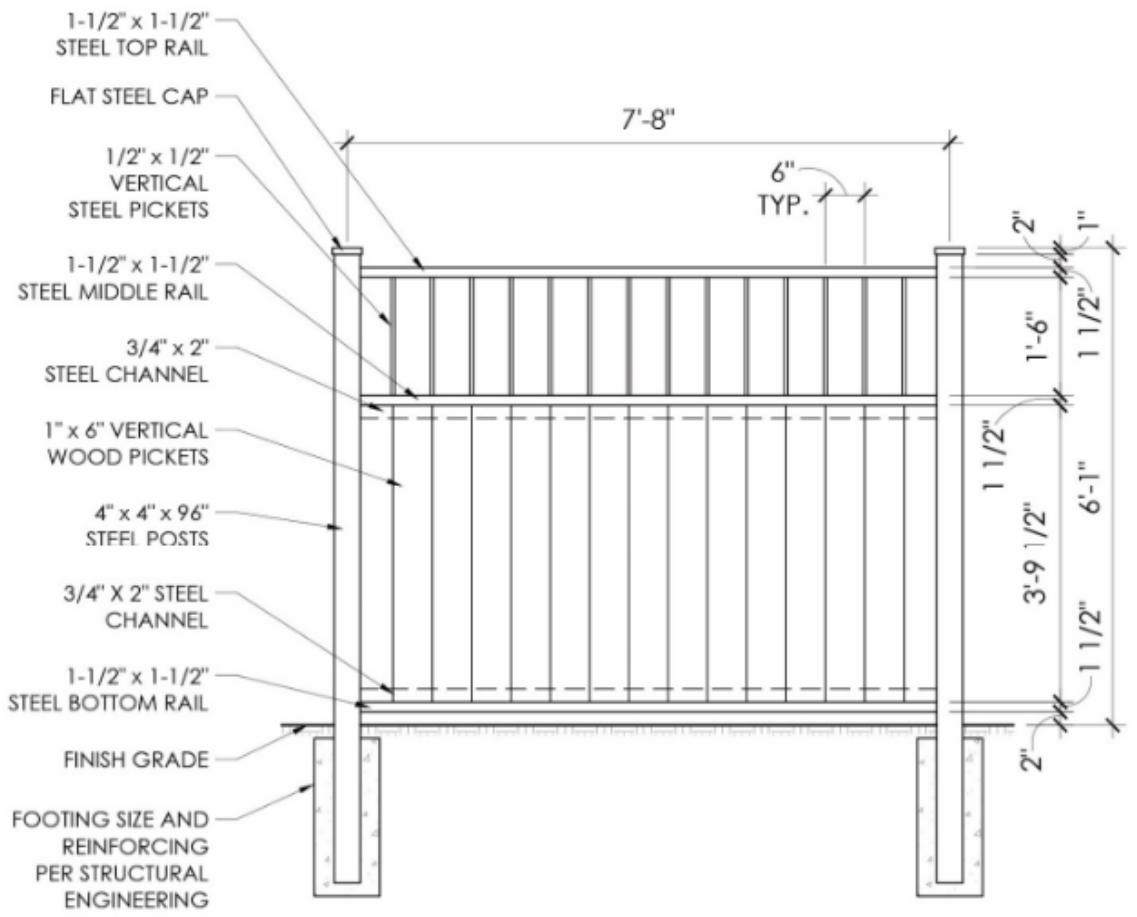


NOTES:

1. ALL METAL TO BE FINISHED WITH POWDER COAT COLOR "RUST TEXTURE T091-BR47" BY CARDINAL.
2. ALL WOOD TO BE STAINED WITH STAIN COLOR "PECAN" BY READY-SEAL.

M3 Fence Specifications

Demi-Screen Fence

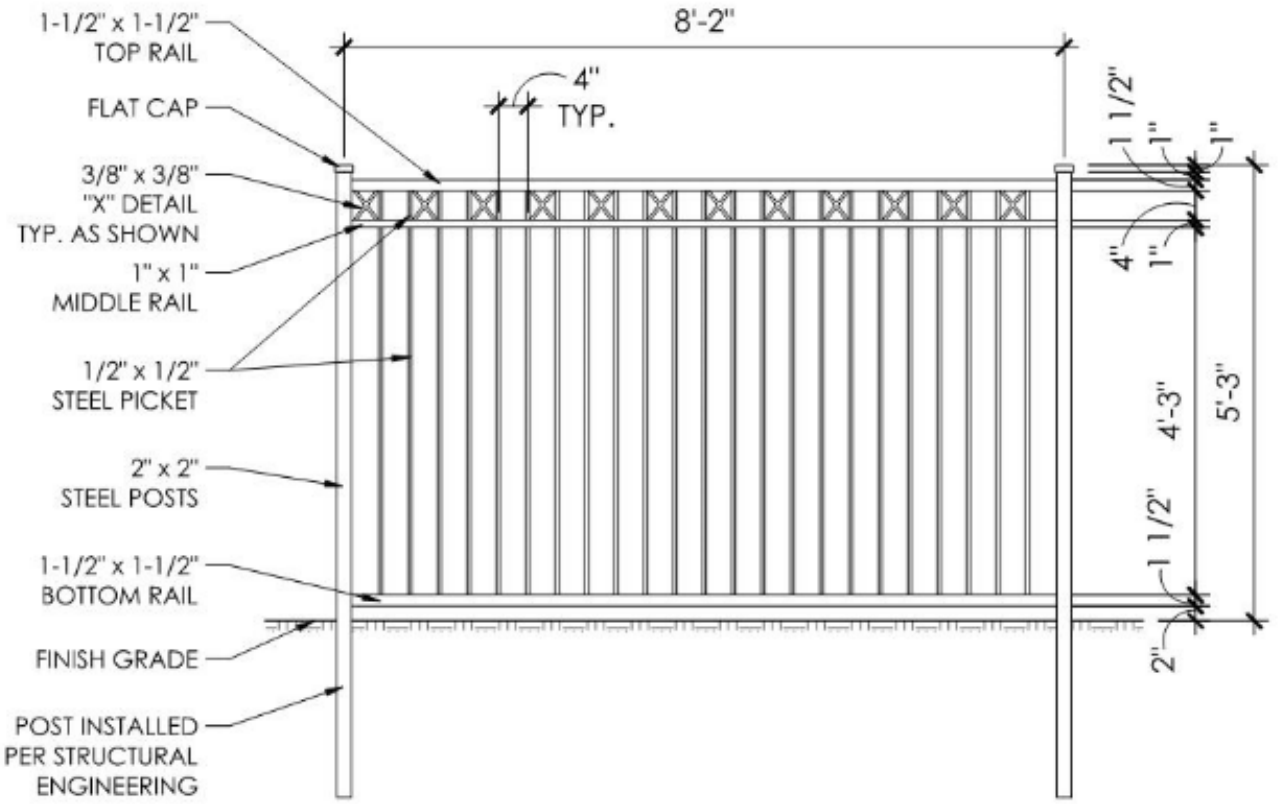


NOTES:

1. ALL METAL TO BE FINISHED WITH POWDER COAT COLOR "RUST TEXTURE T091-BR47" BY CARDINAL.
2. ALL WOOD TO BE STAINED WITH STAIN COLOR "PECAN" BY READY-SEAL.

M3 Fence Specifications

View Fence

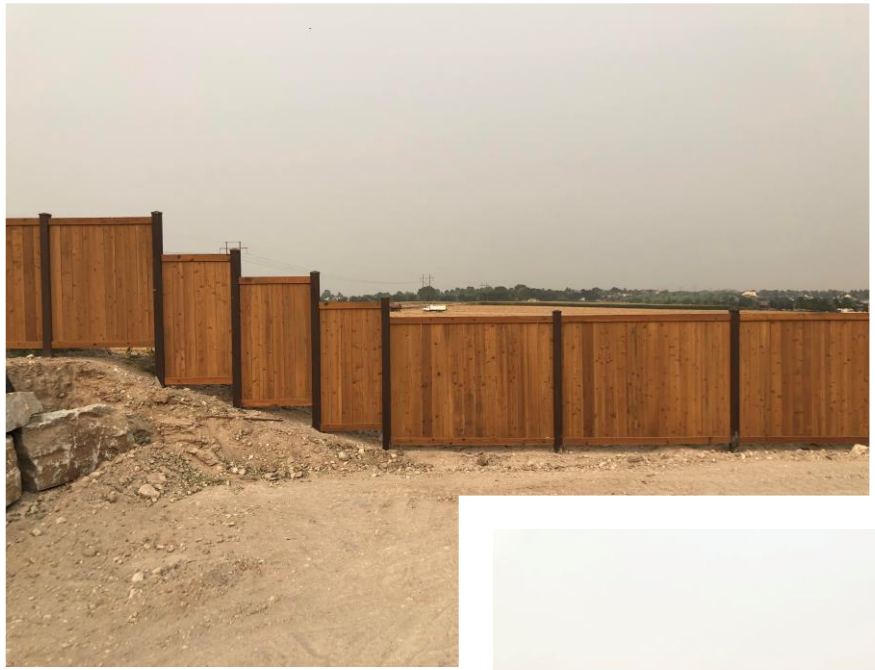


NOTE:
ALL METAL TO BE FINISHED WITH POWDER COAT COLOR "RUST TEXTURE T091-BR47" BY CARDINAL.

Boulder Point

Summit Ridge

Summit Ridge



Summit Ridge

Riverstone