

OFFICIALS

Lee Young, Chairman
Dana Hennis, Vice Chairman
Tyson Garten, Commissioner
Ginny Greger, Commissioner
Jim Main, Commissioner



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

Planning & Zoning Commission Meeting

AGENDA

Tuesday July 12, 2022

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 June 28, 2022
- 2. Findings of Fact & Conclusions of Law
 - A. Case No. 22-04-AN (Annexation) 300 S Stroebel Road
 - B. Case No. 22-01-CPF (Combination Preliminary & Final Plat) Novak Industrial
 - C. Case No. 21-34-DR (Design Review) Changed Life Church
 - D. Case No. 22-20-DR (Design Review) Trilogy Valor Social Club

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

- A. Case No. 21-15-AN (Annexation) 2500 S Rock Falls Lane – Troy Behunin, Planner III

Applicants request Annexation of two (2) lots (Lots 2 and 3, Block 3) within the Amended Avalon Orchard Tracts Subdivision, totaling approximately 8.43 total acres zoned RR (Rural Residential). Applicants propose to zone 7.4 acres R-2 (Low Density Residential), and one (1) acre as R-4 (Medium Density Residential). The subject site is located at 2500 E Rock Falls Lane, Kuna, ID 83642, (APN's: R0615250410 and R0615250402) within Section 30, Township 2 North, Range 1 East.

- B. Case No. 22-06-AN (Annexation) 14375 S Cole Road – Doug Hanson, Planning & Zoning Director

The Land Group, Inc, requests approval to annex approximately 42.46 acres into Kuna City Limits with an M-1 (Light Industrial/Manufacturing) zoning district classification. The subject site is located at 14375 S Cole Road, Kuna, ID 83634 (APNs: S1531222400).

- C. Case No. 22-01-SUP (Special Use Permit) 1118 N Cambrick In-Home Group Daycare – Jessica Reid, Planner II

Khadija Mberwa requests Special Use Permit approval to operate an In-Home Group Childcare for 7 – 12 children, Monday through Sunday from 7:00 AM to 6:00 PM. The subject site is located at 1118 N Cambrick Drive within the Calico Creek Subdivision (APN: R1245320220); Section 24, Township 2 North, Range 1 West.

4. BUSINESS ITEMS:

- A. Case No. 22-09-DR (Design Review) 1159 & 1221 N Jacksonmill Avenue Commercial Shells – Jessica Reid, Planner II

Applicants request Design Review approval for two (2) commercial shell buildings, one (1) portion of which is intended to be occupied a portion with a dental practice. Building No. 1, located at 1159 N Jacksonmill Ave, is proposed to be 6,921 SF and have a drive-thru on its southern end, while Building No. 2, located at 1221 N Jacksonmill Ave, is proposed to be 7,456 SF and has a drive-thru on its northern end. As stated, the subject sites are located at 1159 & 1221 N Jacksonmill, total approx. 2.33-acres, are zoned C-1 (Neighborhood Commercial, and are lots 1 & 2 of block 12 within the Asthon Estates No. 2 Subdivision (APNs: R0539771320 & R0539771300); Township 2N, Range 1 East, Section 19.

5. ADJOURNMENT:

OFFICIALS

Lee Young, Chairman
Dana Hennis, Vice Chairman
Tyson Garten, Commissioner
Ginny Greger, Commissioner
Jim Main, Commissioner



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

Planning & Zoning Commission Meeting
MINUTES
Tuesday June 28, 2022

6:00 PM REGULAR MEETING

Meeting recorded in two (2) parts due to a recess during the meeting.

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

1. CALL TO ORDER & ROLL CALL:

(Part 1 Timestamp 00:00:03)

COMMISSION MEMBERS PRESENT:

Chairman Lee Young
Vice Chairman Dana Hennis – Absent
Commissioner Tyson Garten – Absent
Commissioner Ginny Greger
Commissioner Jim Main

CITY STAFF PRESENT:

Andrea Nielsen, City Attorney
Chris Engels, City Clerk
Doug Hanson, Planning & Zoning Director
Morgan Treasure, Economic Development Director
Troy Behunin, Planner III

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

(Part 1 Timestamp 00:00:50)

1. Regular Planning and Zoning Commission Meeting Minutes Dated June 14, 2022
2. Findings of Fact & Conclusions of Law
 - A. 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), 21-26-DR (Design Review) for Sabino’s Rocky Ridge Subdivision
 - B. Case No. 22-07-DR (Design Review) for the Vineyards at Merlin Pointe Subdivision – Jessica Reid, Planner I
 - C. Case No. 22-23-DR (Design Review) for Water Operations Building

(Part 1 Timestamp 00:01:09)

Motion To: Approve the Consent Agenda.

Motion By: Commissioner Main

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-2-0

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

(Part 1 Timestamp 00:01:42)

A. 2022 Capital Improvement Plan & Impact Fee Ordinance Amendment – Chris Engels, City Clerk

(Part 1 Timestamp 00:01:53)

City Clerk Chris Engels presented an overview of the Ordinance Amendment request and then stood for questions.

(Part 1 Timestamp 00:02:58)

Chairman Young addressed the Commission asking if there were any questions for Ms. Engels; there were none.

(Part 1 Timestamp 00:03:16)

Chairman Young opened the public hearing.

Support

Robbie Reno, Kuna Joint school District No. 3, 711 E Porter Road, Kuna, ID, 83634 – Testified

Neutral:

None

Against:

None

(Part 1 Timestamp 00:03:32)

Robbie Reno voiced his support of raising impact fees due to the city's growth, and asked for continued support of the School District as well.

(Part 1 Timestamp 00:05:30)

As there were no other individuals signed up to testify, Chairman Young closed the Public Hearing and proceeded into deliberation.

(Part 1 Timestamp 00:05:53)

Commissioners Main and Greger had no questions or concerns with the proposal.

(Part 1 Timestamp 00:06:015)

Motion To: Recommend Approval to the City Council for the 2022 Capital Improvement Plan & Impact Fee Ordinance Amendment.

Motion By: Commissioner Main

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-2-0

(Part 1 Timestamp 00:07:06)

City Attorney Andrea Nielsen recommended to the Commission that a Motion be made to amend the agenda to proceed to Business Items as the Public Hearing items were more visually intensive and Chairman Young was traveling to the meeting.

(Timestamp 00:07:48)

Motion To: Proceed to Agenda item No. 4A.

Motion By: Commissioner Main

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-2-0

4. BUSINESS ITEMS:

(Part I Timestamp 00:08:28)

A. Case No. 21-34-DR (Design Review) for Changed Life Church – Jessica Reid, Planner II

(Part I Timestamp 00:08:46)

Planning and Zoning Director Doug Hanson, standing in for Planner II Jessica Reid, presented an overview of the proposed Design Review and stood for questions.

(Part I Timestamp 00:10:31)

Chairman Young asked the Commission if there were any questions for staff; as there were none, the Chairman Young called the Applicant forward.

(Part I Timestamp 00:10:47)

Pastor Stan Johnson presented a history of Changed Life Church, including their after-school program and community softball fields. Pastor Johnson also discussed the sewer connection issue which was resolved by working with the city then explained the intensity of use for the current and future sanctuary; he then stood for questions.

(Part I Timestamp 00:15:00)

Commissioner Main asked about the occupant load; Pastor Johnson stated it was estimated at 499. Commissioner Main asked if they intended to use chairs and Pastor Johnson answered yes. Commissioner Main then stated he liked the design of the building but was concerned of the large grey expanses on the elevations and asked if they were willing to provide some relief for that. Pastor Johnson deferred to the project architect.

(Part I Timestamp 00:16:19)

Rick Bugatsch of RBA Architects stated that yes, they could provide an updated color scheme and/or material changes to satisfy the request.

(Part I Timestamp 00:17:17)

Commissioner Main continued by stating he felt the project was a good design but was concerned with that much traffic using one (1) ingress/egress. Mr. Bugatsch answered that as of this time, the Ada County Highway District did not require an additional ingress/egress.

(Part I Timestamp 00:18:00)

Commissioner Greger did not have any questions; Chairman Young agreed with Commissioner Main's comments and questions.

(Part 1 Timestamp 00:18:24)

Planning and Zoning Director Doug Hanson requested the Commission add their change in elevations request as an additional Condition when making their Motion.

(Part 1 Timestamp 00:18:53)

Motion To: Approve Case No. 21-34-DR (Design Review) for Changed Life Church with the Conditions as outlined in staffs report, and the additional Condition that the Applicant add wainscoting to the south, east and west elevations, and vertical relief on the north elevation to be reviewed by staff.

Motion By: Commissioner Main

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-2-0

(Part 1 Timestamp 00:19:57)

B. Case No. 22-20-DR (Design Review) for Trilogy Valor Social Club – Jessica Reid, Planner II

(Part 1 Timestamp 00:20:10)

Planning and Zoning Director Doug Hanson, standing in for Planner II Jessica Reid, presented an overview of the proposed project.

(Part 1 Timestamp 00:21:51)

Chairman Young asked the Commission if there were any questions for staff; there were none.

(Part 1 Timestamp 00:22:13)

Wendy Shrief presented a PowerPoint presentation and overview of the project. Dan Southworth of Shea Homes then introduced himself and explained this was their first project in Idaho and they were developing the active adult side of the overall Falcon Crest community. Brian Oswood also introduced himself and explained he was a project manager with Shea Homes. Ms. Shrief completed her presentation of the project and stood for questions.

(Part 1 Timestamp 00:34:48)

Commissioner Main asked if the pool was part of the project, Ms. Shrief confirmed.

Commissioner Main then commented that the elevations seemed dark and did not quite match the material samples provided. Mr. Southworth answered that Shea Homes was diligent in making sure the actual structure matches their renderings/elevations.

(Part 1 Timestamp 00:37:33)

The Commission proceeded into deliberation with Chairman Young agreeing with Commissioner Main's previous comments and expressed he did not have any issues with the proposal.

(Part 1 Timestamp 00:38:37)

Motion To: Approve Case No. 22-20-DR (Design Review) for Trilogy Valor Social Club with the Conditions as outlined in staffs report, and the additional Condition that the color palette shall match closer to the models of the submitted elevations.

Motion By: Commissioner Main

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-2-0

(Part 1 Timestamp 00:39:30)

City Attorney Andrea Nielsen proposed the Commission Motion to have a five (5) minute recess prior to proceeding back to the Public Hearing items so they may determine the ETA on having a quorum in person.

(Part 1 Timestamp 00:40:08)

Motion To: Have a five (5) minute recess in order to establish an in-person quorum.

Motion By: Commissioner Main

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-2-0

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

(Part 2 Timestamp 00:00:30)

B. Case No. 22-04-AN (Annexation) 300 S Stroebel Road – Jessica Reid, Planner II

(Part 2 Timestamp 00:00:38)

Planning and Zoning Director Doug Hanson, standing in for Planner II Jessica Reid, presented an overview of the Annexation request; he then stood for questions.

(Part 2 Timestamp 00:02:08)

Commissioner Main confirmed that the entire project was to be an R-4, Mr. Hanson answered yes. Commissioner Main then asked if there was a diagram for the layout of the future Lot Split request; Mr. Hanson explained there was not as a Lot Split request goes directly before City Council.

(Timestamp 00:02:39)

Commissioner Greger asked if and when staff and the Commission would discuss future extension of the Kuna Greenbelt. Mr. Hansons explained that a Greenbelt is indicated (in the 2019 Pathways Master Plan) on the southern property boundary along Indian Creek, and when an actual development application was received, the Applicant would be required to dedicate right-of-way or create a common lot for that future expansion.

(Timestamp 00:03:32)

Chairman Young opened the Public Hearing.

Support:

Alvina Unser (Applicant), 300 S Stroebel Road, Kuna, ID 83634 – Testified
Sid Anderson, 2500 Rock Falls Lane, Kuna, ID 83634 – Testified

Neutral:

Robbie Reno, Kuna Joint school District No. 3, 711 E Porter Road, Kuna, ID, 83634 – Did Not Testify

Against:

None

(Part 2 Timestamp 00:04:20)

Sid Anderson, speaking on behalf of Applicant Alvina Unser, explaining he was her neighbor. Mr. Anderson reiterated that there was no development proposed and was simply proceeding through a process allowed by the city as splitting her property was not allowed by Ada County; Mrs. Unser, who has lived on the property for 60 years, intended to maintain ownership of the future parcel her home sat on and sell the remaining two (2) future parcels in order to pay off debts. Mr. Anderson then requested that Conditions 9.8 and 9.11 be removed as they were left over from other applications; he also asked that if Conditions 9.4 and 9.10 did not specifically apply to the Annexation request that they also be removed.

(Part 2 Timestamp 00:06:54)

Chairman Young responded that Conditions 9.4 and 9.10 appeared to be general Conditions. Mr. Hanson confirmed that yes, there were all standard Conditions of approval.

(Part 2 Timestamp 00:08:02)

As there were no others who were signed up to testify, Chairman Young closed the Public Hearing and the Commission proceeded into deliberation.

(Part 2 Timestamp 00:08:40)

Commissioner Main felt the request was appropriate; Chairman Young agreed and felt it was the best process to move toward what the Applicant wished to do.

(Part 2 Timestamp 00:09:30)

Motion To: Recommend Approval to City Council of Case No. 22-04-AN (Annexation), striking incorrect Conditions 9.8 and 9.11, and with the Applicant being subject to the remaining Conditions in staffs report.

Motion By: Commissioner Main

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-2-0

(Part 2 Timestamp 00:11:48)

C. Case No. 22-01-CPF (Combination Plat) Novak Industrial Subdivision – Doug Hanson, Planning & Zoning Director

(Part 2 Timestamp 00:12:01)

Planning and Zoning Director Doug Hanson presented an overview of the project.

(Part 2 Timestamp 00:13:16)

Tamra Thompson of the Land Group presented a brief explanation of the request and the overall size of the parcels that result from the request; she then stood for questions.

(Part 2 Timestamp 00:14:37)

Commissioner Main asked if the Applicant had an idea of what would eventually be in the location. Ms. Thompson answered that more details would be available in the future for development.

(Part 2 Timestamp 00:15:29)

Chairman Young opened the Public Hearing but as none of the individuals signed up wished to testify, he closed the Public Hearing and the Commission moved into deliberation.

(Part 2 Timestamp 00:16:20)

None of the Commissioners held any concerns with the request.

(Part 2 Timestamp 00:17:10)

Motion To: Recommend Approval to City Council of Case No. 22-01-CPF (Combination Preliminary and Final Plat) with the Conditions as outlined in staffs report.

Motion By: Commissioner Main

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-2-0

5. ADJOURNMENT:

(Part 2 Timestamp 00:17:50)

Chairman Young ensured there were no other items on the agenda then requested a Motion for adjournment.

(Part 2 Timestamp 00:18:10)

Motion To: Adjourn.

Motion By: Commissioner Main

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 2

Motion Passed: 3-2-0



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

June 28, 2022 – Planning and Zoning Commission Public Hearing

Case Name: 300 S Stroebel Road

Case No: 22-04-AN (Annexation)

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
<input checked="" type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> <u>Alvina Unser</u> Print Name <u>300 S STROEBEL</u> Print Address <u>Kuna Id 83634</u> City State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip
<input checked="" type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> <u>Sid Anderson</u> Print Name <u>2500 Rock Falls Lane</u> Print Address <u>Kuna ID 83634</u> City State, Zip	<input checked="" type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> <u>Robbie Reno</u> Print Name <u>711 E Porter</u> Print Address <u>Kuna ID 83634</u> City State, Zip <i>→ Did not testify</i>	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip
<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip
<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip	<input type="checkbox"/> <u>Testify</u> <input type="checkbox"/> <u>Not Testify</u> _____ Print Name _____ Print Address _____ City State, Zip



CITY OF KUNA

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SIGN-UP SHEET

June 28, 2022 – Planning and Zoning Commission Public Hearing

Case Name: Novak Industrial Subdivision

Case No: 22-01-CPF (Combination Preliminary and Final Plat)

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	
<input type="checkbox"/> Testify	<input checked="" type="checkbox"/> Not Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify
<u>Preston Rutter</u>		_____		_____	
Print Name		Print Name		Print Name	
<u>251 E Front St.</u>		_____		_____	
Print Address		Print Address		Print Address	
<u>Boise</u>	<u>ID 83702</u>	_____		_____	
City	State, Zip	City	State, Zip	City	State, Zip
<input type="checkbox"/> Testify	<input checked="" type="checkbox"/> Not Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify
<u>David...</u>		_____		_____	
Print Name		Print Name		Print Name	
<u>4909 W. MOUNTAIN...</u>		_____		_____	
Print Address		Print Address		Print Address	
<u>Boise</u>	<u>ID 83702</u>	_____		_____	
City	State, Zip	City	State, Zip	City	State, Zip
<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify
_____		_____		_____	
Print Name		Print Name		Print Name	
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Print Address		Print Address		Print Address	
_____		_____		_____	
City	State, Zip	City	State, Zip	City	State, Zip
<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify
_____		_____		_____	
Print Name		Print Name		Print Name	
_____		_____		_____	
Print Address		Print Address		Print Address	
_____		_____		_____	
City	State, Zip	City	State, Zip	City	State, Zip

2.15	Agency Transmittal			X
2.17	Kuna Rural Fire District (KRFD)			X
2.18	Ada County Highway District (ACHD)			X
2.19	Boise Project Board of Control			X
2.22	Public Works			X
2.16	KMN Legal Notice			X
2.20	Proof of Property Posting			X
2.21	300-ft Legal Mailer			X

1.2 Hearings

1.2.1 The Planning and Zoning Commission heard this on June 28, 2022. The FCO’s have been requested to go to the Planning and Zoning Commission on July 12, 2022.

1.3 Witness Testimony

1.3.1 Those who testified at the Planning and Zoning Commission’s June 28, 2022, hearing are as follows, to-wit:

1.3.1.1 City Staff:

Doug Hanson, Planning and Zoning Director (standing in for Jessica Reid, Planner II)

1.3.1.2 Appearing for the Applicant:

Alvina Unser, 300 S Stroebel Road, Kuna, ID 83634 – Not Testify
 Arthur “Sid” Anderson, 2500 Rock Falls Lane, Kuna, ID 83634 – Testified

1.3.1.3 Appearing in Favor:

None

1.3.1.4 Appearing Neutral:

Robbie reno, Kuna Joint School District No. 3, 711 E Porter Road, Kuna, ID 83634 – Did not Testify

1.3.1.5 Appearing in Opposition:

None

**II
DECISION**

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

III FINDINGS OF FACT

3.1 Findings Regarding Notice

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

3.1.2 Notice Provided

3.1.2.1 Notice was published for the June 28, 2022, hearing on the 300 S Stroebel Road Annexation in the Kuna Melba News, the official City of Kuna Newspaper, which has general circulation within the boundaries of the city, Ada and Canyon County.

Newspaper	Date Published
Kuna Melba News	June 8, 2022

3.1.2.2 Notice for the June 28, 2022, hearing containing the legal description of the property proposed to be Annexed was mailed June 20, 2022, to all known and affected property owners within 300-feet of the boundaries of the area described in the application.

3.1.2.3 Notice for the June 28, 2022, hearing was posted on a sign in accordance with Kuna City Code 5-1A-8 on June 17, 2022. A Proof of Property Posting was provided to staff on June 17, 2022.

3.2 Findings Regarding Annexation

3.2.1 The land for proposed Annexation is comprised of one (1) parcel totaling approximately 9.22 acres. The parcel is as follows:

Property Owner	Parcel Size	Current Zone	Parcel No.
Alvina Unser	9.22 acres	RR (Rural Residential)	R0615250160

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

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

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

3.2.4 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.

- 3.2.5 The Applicant held a Neighborhood Meeting on July 23, 2021; there were no attendees. Neighborhood Notices were mailed to residents within 300-feet of the proposed Annexation site on June 20, 2022, and a legal notice was published in the Kuna Melba Newspaper on June 8, 2022. The Applicant posted a sign on the property June 17, 2022.
- 3.2.6 The Comprehensive Plan Future Land Use Map (FLUM) designates the subject site as Mixed Use; however, as the property is approximately 0.12 miles from the E Kuna Road and S Stroebel Road intersection, and that the previously approved Rising Sun Subdivision immediately adjacent to the subject site is zoned R-4 (Medium Density Residential), staff finds annexing the site with only an R-4 (Medium Density Residential) zone to be more appropriate land use transition.
- 3.2.7 The subject site is accessed via an existing 18-foot-wide unimproved driveway from S Stroebel Road, approximately 130-feet north of the sites southwest property line; any future development application will be subject to Ada County Highway District Policy for driveway improvements.
- 3.2.8 The parcel to be Annexed has a contiguous touch to Kuna City Limits immediately west (Rising Sun Subdivision).
- 3.2.9 Pursuant to Idaho Code §67-8003, the owner of private property that is subject of such action may submit a regulatory taking analysis with the City Clerk. Not more than 28 days after the final decision concerning the matter at issue, the City shall prepare a written taking analysis concerning the action, if requested.

3.3 Testimony of City Staff

- 3.3.1 **Conclusions:** Planner II Jessica Reid, in a staff report to the Planning and Zoning Commission dated June 28, 2022, confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:
 - 3.3.1.1 The Applicant held a Neighborhood Meeting with neighboring land owners within 300 ft of the proposed project area on July 23, 2021; there were no attendees. The meeting minutes have been included as a part of this application.
 - 3.3.1.2 Alvina Unser requests approval to annex approximately 9.22 acres into Kuna City Limits with an R-4 zoning designation; current Kuna City Limits Applicant also intends to split the property into three (3) parcels, each with the R-4 zoning designation, in the near future. The subject site is located at 300 S Stroebel Road (APN: R0615250160); Section 30, Township 2 North, Range 1 East. If Lot Split approval is granted by the City Council, the Applicant intends to maintain ownership of the parcel where her current home resides, and sell the remaining two (2) parcels.
 - 3.3.1.3 Kuna's Comprehensive Plan designates the subject site as Mixed Use, however, as the property is approximately 0.12 miles from the E Kuna Road and S Stroebel Road intersection, and that the previously approved Rising Sun Subdivision immediately adjacent to the subject site is zoned R-4 (Medium Density Residential), staff finds annexing the site with only an R-4 (Medium Density Residential) zone to be more appropriate land use transition.

- 3.3.1.4 In Exhibit 2.17, the Kuna Rural Fire District (KRFD) states they can support the request. In addition, KRFD states any future residential structures shall be designed and constructed under the International Residential Code; Idaho Code in regard to firefighting water supply, emergency services and premise identification as required in Section 102.5 of Idaho Fire Code. A separate and more detailed report will be provided in the future if or when development may occur.
- 3.3.1.5 Ada County Highway District (ACHD) has provided potential findings for consideration, in Exhibit 2.18, which may be identified if or when a future development application may be received. Upon receipt of a development application, Applicant shall be required to adhere to ACHD policies and Kuna City Ordinances.
- 3.3.1.6 The Boise Project Board of Control asserts a 25-foot Federal Easement from edge of bank of Indian Creek, to the south, in Exhibit 2.19; no encroachment of any type will be allowed within this easement.
- 3.3.1.7 Public Works staff is able to support the proposed Annexation and has provided additional comments in regards to future development of the subject site (Exhibit 2.22). Per Kuna City Code 5-16-3-B.2, city services shall be extended to each parcel when sewer is available within 300-vft; the closest connection point for city services can be found on the west side of S Stroebel Road from the subject site. Should a development application be submitted in the future, flow modeling will be used to determine if adequate water pressure is available; any and all development will be contingent on meeting adequate water pressure.
- 3.3.1.8 This request is limited to the Annexation of the of the property, no development is associated with this application or forthcoming Lot Split request. If in the future a development application to divide the lots any further than what the Lot Split would yield is received, the Applicant will be required to submit a Preliminary Plat application and progress through the Public Hearing process.
- 3.3.1.9 Staff has determined the Applicant's Annexation request is in technical compliance with Idaho Statute §50-222, Title 5 of Kuna City Code, and the goals and policies set forth in Kuna's Comprehensive Plan. Staff recommends that if the Commission recommends Approval of the Annexation to the City Council, the Applicant be subject to the Conditions of Approval listed in Section 3.3.2 of this report, as well as any additional Conditions designated by the Planning and Zoning Commission.

3.3.2 Staff Recommendations: As a result of the review, Planner II Jessica Reid, recommended if the Planning and Zoning Commission recommends Approval of Case No. 20-04-AN (Annexation), the Applicant be subject to the following Conditions of Approval:

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

- 3.3.2.1.1** The City Engineer shall approve the sewer connections.
- 3.3.2.1.2** The City Engineer shall approve all Civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received approval of the drainage plan.
- 3.3.2.1.3** Central District Health Department recommend the plan be designed and constructed in conformance with standards contained in, “Catalog for Best Management Practices for Idaho Cities and Counties”.
- 3.3.2.1.4** The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District are required.
- 3.3.2.1.5** The Kuna Municipal Irrigation System (KMIS) and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
- 3.3.2.1.6** Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permit(s).
- 3.3.2.1.7** All public rights-of-way shall be dedicated and constructed to standards of the City of Kuna and Ada County Highway District.
- 3.3.2.2** Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see Kuna City Code 6-4-2.
- 3.3.2.3** Compliance with Idaho Code §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the Boise Project Board of Control is required.
- 3.3.2.4** When required, submit a petition to the city (as necessary, confirmed with the City Engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the KMIS of the city.
- 3.3.2.5** The Applicant/Developer/Owner, 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.
- 3.3.2.6** The Applicant/Developer/Owner shall follow staff, City Engineers and other agency recommended requirements as applicable.
- 3.3.2.7** The Applicant/Developer/Owner shall comply with all local, state and federal laws.
- 3.3.2.8** The Applicant/Developer/Owner 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 twelve (12) inches in height shall be

continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout all seasons.

- 3.3.2.9** The Applicant/Developer/Owner/Contractors are all hereby notified of Kuna's working hours. Construction of any kind shall only be conducted within the hours specified in KCC. Noises and other public nuisances/distractions outside of this time frame are subject to lawful penalties.

3.4 Other Testimony

- 3.4.1** 06/28/2022 Public Hearing – Sid Anderson, 2500 S Rock Falls, Kuna, ID 83634 speaking on behalf of Applicant, testified Mrs. Unser was pursuing Annexation and a future Lot Split in order to maintain a smaller parcel for her home and to sell the remaining two (2) to assist in paying off debts.

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

V

CONCLUSIONS OF LAW

RE: APPLICATION FOR ANNEXATION

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

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

(emphasis added).

- 5.3** The proposed Annexation is a Category A Annexation as described in I.C. §50-222(3)(a), because the private landowner of the parcel at issue has consented to the proposed Annexation.
- 5.4** The Annexation, proposed by the application for Case No. 22-04-AN, would constitute an orderly development and would not contribute to urban sprawl of the City of Kuna.

VI

ORDER OF RECOMMENDING APPROVAL OF APPLICATION FOR ANNEXATION

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

6.1 Recommend Approval to City Council of the Annexation application (Case No. 22-04-AN).

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna at its regular meeting held on the 12th day of July 2022.

Lee Young, Chairman
Kuna Planning and Zoning Commission

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

IN THE MATTER OF THE APPLICATION OF) **Case No. 22-01-CPF (Combination Plat)**
))
) **FINDINGS OF FACT,**
GC KUNA LAND LC) **CONCLUSIONS OF LAW, AND**
) **ORDER OF RECCOMENDED**
) **APPROVAL OF COMBINATION PLAT**
For a Combination Plat at W Cole Road.) **APPLICATION.**

THESE MATTERS came before the Planning and Zoning Commission for Public Hearing on June 28, 2022 for the receipt and consideration by the Planning and Zoning Commission of these Findings of Fact, Conclusions of Law and Order of Decision for the above referenced Application. The Planning and Zoning Commission does now hereby make and set forth the Record of Proceedings, and these 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:

<i>DESCRIPTION OF EVIDENCE</i>		Withdrawn	Refused	Admitted
1.1	Staff Report			X
2.1	P&Z Application Coversheet			X
2.2	Combination Plat Application			X
2.3	Narrative			X
2.4	Vicinity Map			X
2.5	Legal Description			X
2.6	Warranty Deed			X
2.7	Affidavit of Legal Interest			X
2.8	Neighborhood Meeting Certification			X
2.9	Commitment to property Posting			X
2.10	Subdivision Name Reservation			X

2.11	Preliminary Plat			X
2.12	Final Plat			X
2.13	Agency Transmittal			X
2.14	Idaho Transportation Department			X
2.15	Boise Project Board of Control			X
2.16	Central District Health Department			X
2.17	Department of Environmental Quality			X
2.18	Nampa & Meridian Irrigation District			X
2.19	COMPASS			X
2.20	Idaho Transportation Department			X
2.24	Public Works			X
2.21	P&Z Kuna Melba News			X
2.22	P&Z Mailer			X
2.23	P&Z Proof of Property Posting			X

1.2 Hearings

1.2.1 The Planning and Zoning Commission heard this on June 28, 2022. The FCO's have been requested to go to the Planning and Zoning Commission on July 12, 2022.

1.3 Witness Testimony

1.3.1 Those who testified at the Planning and Zoning Commission's June 28, 2022 hearing are as follows, to-wit:

1.3.1.1 City Staff:
Doug Hanson, Planner & Zoning Director

1.3.1.2 Appearing for the Applicant:
Tamara Thompson, The Land Group, Inc, 462 E Shore Drive, Suite 100, Eagle, ID 83616 – Testified

1.3.2.3 Appearing in Favor:
Preston Rutter, 251 E Front Street, Boise, ID 83702 – Did not testify
David Wali, 4904 N Mountainside Lane, Boise, ID 83702 – Did not testify

1.3.2.4 Appearing Neutral:
None

1.3.2.5 Appearing Against:
None

**II
DECISION**

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

**III
FINDINGS OF FACT**

3.1 Findings Regarding Notice

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

3.1.2 Notice Provided

3.1.2.1 Notice was published for the June 28, 2022 hearing on the Novak Industrial Subdivision Combination Plat 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.

<i>Newspaper</i>	<i>Date Published</i>
<i>Kuna Melba News</i>	June 8, 2022

3.1.2.2 Notice for the June 28, 2022 hearing containing the legal description of the property proposed to be subdivided was mailed on June 8, 2022 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 June 28, 2022 hearing was posted on a sign in accordance with Kuna City Code 5-1A-8 on June 16, 2022. A Proof of Property Posting was provided to staff on June 16, 2022.

3.1.2.4 Notice for the June 28, 2022 hearing was posted on the City Website.

3.2 Findings Regarding Combination Plat

3.2.1 The land for proposed to be subdivided is comprised of one (1) parcel totaling approximately 479 acres. The parcel is as follows:

Property Owner	Parcel Size:	Current Zone	Parcel Number
GC KUNA LAND LC	479 acres	M-2 (Heavy Industrial/Manufacturing)	S2007111102

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

North	RP M-1	Rural Preservation – Ada County Light Industrial/Manufacturing – Kuna City
South	RP	Rural Preservation – Ada County
East	RP	Rural Preservation – Ada County
West	RP	Rural Preservation – Ada County

3.2.4 The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in technical compliance with Kuna City Code (KCC) Title 5.

3.2.5 The Applicant held a Neighborhood Meeting on March 31, 2022; fourteen residents attended the meeting. A legal notice was published in the Kuna Melba Newspaper on June 8, 2022. The Applicant posted a sign on the property on June 16, 2022. Neighbor Notices were mailed to land owners within 300-FT of the proposed project site on June 8, 2022.

3.2.6 Review by Staff of the proposed Combination Plat confirms all technical requirements listed in KCC 6-2-3 were provided.

3.2.7 The application proposes no new development at this time, therefore existing public services and infrastructure will be unaffected. Per Exhibit 2.24, Public Works can support approval of this application.

3.2.8 The Combo Plat is zoned M-2 (Heavy Industrial/Manufacturing), the Comp Plan Map designates the property as Industrial.

3.2.9 The property owner has signed an Affidavit of Legal Interest to allow The Land Group, Inc to submit an application request to the City of Kuna on their behalf.

3.2.10 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.

3.3 Testimony of the City Planner

3.3.1 Conclusions: The Planning & Zoning Director, in a staff report to the Planning and Zoning Commission dated June 28, 2022 confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:

3.3.1.1 The Applicant held a Neighborhood Meeting on March 31, 2022; there were fourteen (14) attendees. Meeting minutes from the Neighborhood Meeting have been provided as a part of this packet.

3.3.1.2 The Land Group, Inc., on behalf of GC Kuna Land LC, requests approval for a Combination Preliminary and Final Plat to subdivide approximately 479 acres, zoned M-2 (Heavy Industrial/Manufacturing), into two (2) lots. The subject site is located on the SEC of S Cole Road and W Barker Road, Kuna, ID 83634 (APN: S2007111102).

3.3.1.3 There are no new buildings, new street or street widening, or utility improvements proposed at this time. Should the Applicant develop the property in the future they will be required to return for the appropriate approvals from the Planning and Zoning Commission and City Council.

3.3.1.4 Per Exhibit 2.24, Public Works can support approval of this application.

3.3.1.5 Staff has reviewed the proposed Combo Plat for compliance with Title 5 and Title 6 of Kuna City Code; Idaho Statutes § 50-13 and § 67-65; and the Kuna Comprehensive Plan. 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 No. 22-01-CPF (Combination Plat), the Applicant shall be subject to the Conditions of Approval listed in Section 3.3.2 of this staff report, as well as any additional Conditions requested by the Planning and Zoning Commission.

3.3.2 Staff Recommendations: As a result of the review, Planning & Zoning Director, Doug Hanson, recommended if the Planning and Zoning Commission recommended approval of Case No. 22-01-CPF (Combination Plat), the Applicant shall be subject to the following Conditions of Approval:

3.3.2.1 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:

- 3.3.2.1.1** The City Engineer shall approve the sewer connections.
- 3.3.2.1.2** The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
- 3.3.2.1.3** Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, “Catalog for Best Management Practices for Idaho Cities and Counties”.
- 3.3.2.1.4** The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District are required.
- 3.3.2.1.5** The Kuna Municipal Irrigation System (KMIS) and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
- 3.3.2.1.6** Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid *prior to issuance* of any building permit(s).
- 3.3.2.1.7** All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
- 3.3.2.2** Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see KCC 6-4-2.
- 3.3.2.3** Compliance with Idaho Code §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
- 3.3.2.4** When required, submit a petition to the City (as necessary, confirmed with the City Engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Irrigation System (KMIS) of the City.

- 3.3.2.5** 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.
- 3.3.2.6** 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.
- 3.3.2.7** 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.
- 3.3.2.8** 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
- 3.3.2.9** Owner/Developer/Applicant shall follow staff, City Engineers and other agency recommended requirements as applicable.
- 3.3.2.10** Owner/Developer/Applicant shall comply with all local, state and federal laws.

3.4 Other Testimony

- 3.4.1** 6/28/2022 Public Hearing – Tamara Thompson, The Land Group, Inc, 462 E Shore Drive, Suite 100, Eagle, ID 83616, testified that they are requesting to subdivide the subject parcel into one 157-acre parcel, and one (1) 308-acre parcel, through the Combination Preliminary and Final Plat process. She stated that the Applicant was in agreement with the staff report and Conditions of Approval.

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 COMBINATION PLAT

- 5.1 The City of Kuna has authority to approve Preliminary Plats within its boundaries pursuant to I.C. §50-13 & §67-65.
- 5.2 Kuna City Code, Title 1, Chapter 14, Section 3, states that Combination Preliminary and Final Plats 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 Subdivision regulations as defined in Kuna City Code Title 6 are authorized by I.C. §50-13 & §67-65 and Article 12, section 2.

VI
ORDER OF RECCOMENDING APPROVAL OF APPLICATION FOR
COMBINATION PRELIMINARY AND FINAL 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:

- 6.1 Recommend Approval to City Council of the Combination Plat application (Case No. 22-01-CPF).

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna at its regular meeting held on the 12th day of July 2022.

Lee Young, Chairman
Kuna Planning and Zoning Commission

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

IN THE MATTER OF THE APPLICATION OF) **Case No. 21-34-DR (DESIGN REVIEW)**
)
BIG D BUILDERS)
)
For a Design Review for the new Changed) **FINDINGS OF FACT,**
Life Church Sanctuary, Landscaping, and) **CONCLUSIONS OF LAW AND**
Parking Lot.) **ORDER OF APPROVAL OF**
DESIGN REVIEW APPLICATION.

THESE MATTERS came before the Planning and Zoning Commission for review and Approval or Denial on June 28, 2022, for receipt and consideration by the Planning and Zoning Commission of these Findings of Fact, Conclusions of Law and Order of Decision for the above referenced application. The Planning and Zoning Commission does now hereby make and set forth the Record of Proceedings, and these 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 following, to-wit:

2.1 Exhibits:

<i>DESCRIPTION OF EVIDENCE</i>		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	Aerial Map			X
2.6	Corporate Warranty Deed			X
2.7	Affidavit of Legal Interest			X
2.8	Elevations, Materials & Site Plan			X
2.9	Photometrics & Lighting Cutsheets			X
2.10	Landscape Plan			X
2.11	Conceptual Drainage Plan			X
2.12	Record of Survey			X
2.13	Updated Site Plan			X
2.14	Parking Explanation Letter from Pastor Stan Johnson			X
2.15	Public Works Memo			X
2.16	Public Works Addendum			

1.2 Public Meeting

1.2.1 The Planning and Zoning Commission heard this June 28, 2022; these Findings have been requested to go before the Commission on July 12, 2022.

1.3 Testimony

1.3.1 Those who testified at the Commissions June 28, 2022, meeting are as follows, to-wit:

1.3.1.1 City Staff:

Doug Hanson, Planning and Zoning Director standing in for Jessica Reid,
Planner II

1.3.1.2 Appearing for the Applicant:

Pastor Stan Johnson, Changed Life Church, 500 E Deer Flat Road, Kuna, ID
83634 - Testified
Rick Bugatsch, RBA Architects, 508 S Pine Street, Nampa, ID 83686 –
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 FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

III FINDINGS OF FACT

3.1 Findings Regarding Design Review

- 3.1.1** The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with the design requirements listed in Kuna City Code Title 5.
- 3.1.2** Review by Staff and the Commission of the proposed Design Review confirms the proposed building, its orientation, materials and relationship of openings is appropriate for the subject site.
- 3.1.3** The Comprehensive Plan Future Land Use Map designates the subject as Public; however, the current zone is R-2 (Low Density Residential) which Staff views as appropriate due to the zone(s) of the surrounding properties as well as the previously approved Special Use Permit (Case Nos. 06-12-SUP, 07-01-DR; Approved February 2007).
- 3.1.4** Upon review, staff finds the proposed facility is an appropriate fit for the property's use.
- 3.1.5** The buildings placement and orientation, building façade and colors, parking lot, and landscaping all provide adequate mitigation of the impact on adjacent properties.
- 3.1.6** The proposed parking lot and the amount of regular and ADA parking spaces provided meets KCC 5-9 and safe pedestrian access is provided via sidewalks surrounding the proposed new sanctuary.

3.2 Testimony of City Staff:

- 3.2.1 Conclusions:** Planner II Jessica Reid, in a staff report to the Planning and Zoning Commission dated June 28, 2022, confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:
- 3.2.1.1** Rick Bugatsch of RBA Architects, on behalf of Big D Builders, requests Design Review Approval for an approximately 24,754 square foot pre-engineered metal building to be used as the primary sanctuary for Changed Life Church, as well as the associated parking lot and landscaping. This further development of the site is the second portion of their previously approved Special Use Permit and Design Review (Case Nos. 06-12-SUP, 07-01-DR; Approved February 2007). The approximately 6.23-acre subject site is located at 500 E Deer Flat Road (APN: R7702700502) with an R-2 (Low Density Residential) zone.
 - 3.2.1.2** The subject site is located approximately 1/3-mile East of the N Linder and E Deer Flat Roads intersection, and is currently zoned R-2 (Low Density Residential). The subject site has historically been used as a church, with ballfields open to local coed ball clubs, and has an approximate bedrock depth of greater than 60-inches, and an average slope of 0 – 0.9%.
 - 3.2.1.3** The Comprehensive Plan Future Land Use Map (FLUM) serves as a development *guide* and is not the actual zone. The subject site is designated as Public; however, the current zone is R-2 (Low Density Residential) which Staff views as appropriate due to the zone(s) of the surrounding properties.
 - 3.2.1.4** The subject site is accessed via a fully developed ingress/egress on the southeast corner, onto E Deer Flat Road; there is also an undeveloped gravel drive at the southwest corner, providing ingress/egress to the single-family residence. There are no other ingress/egress proposed with this application.
 - 3.2.1.5** The subject site currently serves as an active community church with ballfields used by community coed leagues. This Design Review application is for the second Phase of a previously approved Special Use Permit in which a new, larger church sanctuary and associated parking lot is to be developed.
 - 3.2.1.6** The proposed new church is an approximately 24,754 square foot, pre-engineered metal building offering wall panels in multiple colors and textures, architectural outcroppings and multi-leveled rooflines which result in the structure being aesthetically pleasing. The proposed building maxes out at a height of just over 27-feet & 7-inches.
 - 3.2.1.7** The proposed North Elevation, which faces the ballfields, is a broad expanse of 24-gauge vertical metal panels in grey and is visually broken up with 6 windows, two (2) sets of double doors in dark grey, and an equipment platform with an 8-foot by 10-foot rollup door in dark grey. The white roof slants back towards this elevation. In regards to the ball fields, the dugouts are planned to be removed during construction and to be replaced later.
 - 3.2.1.8** The proposed East Elevation reflects the colors and materials of the North Elevation, and has one (1) double door and four (4) windows, as wells as a man-door and ladder providing access to the dual level roof. Additionally, there is an approximately 10-foot by 16.5-foot outcropping which is a storage space;

this portion of the elevation has smooth white panels in Opal and panels which look like medium-dark vintage wood.

- 3.2.1.9** The proposed West Elevation has the vertical metal panels on approximately 2/3, along with a man-door, double door and a roll-up door. The remaining approximately 1/3 transitions into smooth white panels and accent panels in vintage wood; this portion also has black storefront windows topped with metal awnings of the same color.
- 3.2.1.10** The proposed South Elevation and focal point offers a modern look with black storefront windows with metal awnings and roll-up doors, as well as vertical grey metal panels, smooth white panels and vintage wood panels. Additionally, there is a proposed outdoor space between the two sets of main entry doors, with possible outdoor firepits; the proposed roll-up doors facilitate an indoors/outdoors effect between the two spaces for some of the events the church holds.
- 3.2.1.11** The accompanying mechanical units are proposed to be placed on the lower side of the main sloped roof and have prefinished wall screens, ensuring they are not visible from the ground. An existing trash enclosure is on the West side of the existing sanctuary and will be utilized by both buildings.
- 3.2.1.12** Currently, there are 23 existing standard stalls, three (3) ADA stalls and a gravel overflow lot surrounding the original sanctuary. The new proposed parking lot provides an additional 117 standard stalls and five (5) ADA accessible stalls; staff finds this amount generally complies with Kuna City Code (KCC) 5-9-3. The parking lot is to be fully paved and striped with additional ADA paint indicators and signage. Five (5) new streetlights are proposed to be installed in the landscape islands within the main parking area on the West.
- 3.2.1.13** The proposed landscaping for the site includes sod, black and tan topsoil and a variety of deciduous and coniferous trees as well as shrubs, grasses and perennials. The proposed new parking lot is ringed in fully landscaped planting beds and has multiple landscaped parking islands. Furthermore, five (5) planting beds, some with sod, are proposed at the main entrance, wrapping around to the East side. The proposed new building provides pedestrian sidewalks for safe entrance into multiple access points around the building.
- 3.2.1.14** The proposed project was originally set to go before the Planning and Zoning Commission on March 22, 2022, and was tabled to a date certain of April 12, 2022, pending additional review of serviceability issues. On April 12, 2022, the project was again tabled to a date certain of April 26, 2022, pending Public Works comments; the case was not heard at that time as Planning and Zoning and Public Works Staff reviewed serviceability issues more in depth.
- 3.2.1.15** Initially, Public Works was unable to support the Design Review request as the Danskin Lift Station was at capacity until the 18-inch force main project could be completed (Exhibit 2.15). In an effort to move forward with a successful project, the Applicant chose to wait to move forward with their request until favorable bids were received on the 18-inch force main project. Per Public Works Addendum (Exhibit 2.16), City Council approved (June 21, 2022) the 18-inch force main project for construction; the force main project and

Changed Life Church construction timelines are anticipated to align. Overall, the future sanctuary is estimated to create a sewer demand of 5.25 EDUs at build-out, with the sewer flows normally occurring outside of peak-hour flows. Therefore, Public Works *can* support this proposed project now moving forward.

3.2.1.16 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. 21-34-DR, with the Applicant being subject to the Conditions of Approval listed in Section 3.2.2 of this report, as well as any additional Conditions designated by the Planning and Zoning Commission.

3.2.2 Staff Recommendations: As a result of the review, Planner II Jessica Reid recommended Approval of the application with the following Conditions of Approval:

3.2.2.1 The Applicant shall obtain written approval of the construction plans from the agencies noted below; the approval may be either on agency letterhead referring to the 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:

3.2.2.2.1 No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received approval of the Civil Plan.

3.2.2.2.2 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.

3.2.2.2.3 The city shall approve any modifications to the existing irrigation system.

3.2.2.2.4 Approval from Ada County Highway District (impact fees), if any, shall be paid *prior to issuance* of building permits.

3.2.2.2 Developer/Owner/Applicant shall provide engineering certification on all final engineering drawings, as applicable.

3.2.2.3 Developer/Owner/Applicant shall provide a utility site layout showing proposed modifications to the water/sewer/pressurized irrigation lines and how they connect to the proposed building, to Public Works prior to construction or Building Permit application.

3.2.2.4 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.

3.2.2.5 Applicant/Owner/Developer shall submit civil design drawings to Public Works at pwoffice@kunaid.gov for review.

- 3.2.2.6** If applicable, Fire Suppression shall be shown on all plans and approved by the Kuna Rural Fire District (KRFD).
- 3.2.2.7** The Kuna Rural Fire District, or KRFD representative, must approve fire access to the project before, during, and after construction.
- 3.2.2.8** 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.
- 3.2.2.9** 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).
- 3.2.2.10** 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.
- 3.2.2.11** 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.
- 3.2.2.12** 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.
- 3.2.2.13** 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.
- 3.2.2.14** As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the Applicants Engineer.
- 3.2.2.15** 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.
- 3.2.2.16** 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.
- 3.2.2.17** Developer/Owner/Applicant shall follow staff, City Engineer and other agency recommended requirements, as applicable.
- 3.2.2.18** Developer/Owner/Applicant shall comply with all local, state and federal laws.

3.2.2.19 Applicant shall add wainscoting to the south, east and west elevations, and vertical relief on the north elevation.

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 Kuna Planning and Zoning Commission has the decision-making authority over all Legislative Design Review applications as provided in Kuna City Code Title 1, Section 12, Section 3.
- 4.3** Kuna City Code Title 5, Chapter 4, Section 2 provides that:

This Chapter applies to all proposed development located within the Design Review Overlay District which shall include the entire City Limits, and any land annexed into the city after the date of adoption hereof. Such development includes, but is not limited to, new Commercial, Industrial, Institutional, Office, Multi-Family Residential projects, common areas, subdivision signage, proposed conversions, proposed changes in land use and/or building use, or exterior remodeling, exterior restoration, and enlargement or expansion of existing buildings, sign or sites, requires the submittal of a Design Review application pursuant to this Chapter and fee as prescribed from time to time by the City Council.

V

ORDER OF APPROVAL OF APPLICATION FOR DESIGN REVIEW

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

- 5.1** Case No. 21-34-DR for Changed Life Church is Approved.

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna at its regular meeting held on the 12th of July, 2022.

Lee Young
Kuna Planning and Zoning Commission

2.15	Final Plat			X
2.16	Agency Transmittal			X
2.17	Confirmation of Structure Square Footages			X
2.18	Public Works			X

1.2 Public Meeting

1.2.1 The Planning and Zoning Commission heard this June 28, 2022; these Findings have been requested to go before the Commission on July 12, 2022.

1.3 Testimony

1.3.1 Those who testified at the Commission June 28, 2022, meeting are as follows, to-wit:

1.3.1.1 City Staff:

Doug Hanson, Planning and Zoning Director standing in for Jessica Reid,
Planner II

1.3.1.2 Appearing for the Applicant:

Wendy Shrief, JUB Engineers, 2760 W Excursion Lane, Suite 400, Meridian, ID
83642

**II
DECISION**

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

**III
FINDINGS OF FACT**

3.1 Findings Regarding Design Review

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

3.1.2 Review by Staff and the Commission of the proposed Design Review confirms the proposed building is appropriate for the subject site.

3.1.3 The Comprehensive Plan designates the proposed subject site as Mixed Use; the subject site is currently zoned R-12 (High Density Residential). Based on the Development Agreement for the Falcon Crest Community, the Developer may reallocate any unused residential density originally allocated in the event that the Preliminary or Final Plat of a Village results in unused residential density, which results in the subject sites current R-12 designation.

3.1.4 Upon review, staff finds the proposed project is an appropriate fit for the subject site.

- 3.1.5 The buildings placement and orientation, building façade and colors, parking lot, and landscaping all provide adequate mitigation of the impact on adjacent properties.
- 3.1.6 The number of standard and ADA accessible stalls provided in the proposed parking lot exceeds the requirements listed in KCC 5-9. Safe pedestrian access is provided via sidewalks and walkways throughout the project.

3.2 Testimony of City Staff

3.2.1 Conclusions: Planner II Jessica Reid, in a staff report to the Planning and Zoning Commission dated June 28, 2022, confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:

- 3.2.1.1 Shea Homes requests Design Review approval for the Trilogy Valor Social Club within the Falcon Crest community. The project will be Phased with Phase No. 1 consisting of a 452 SF Welcome Center; 7,573 SF Fitness Club with resort style pool, lap pool & spa; 6,647 SF K&M (Co-Op) building with café; 6 pickle ball courts, bocce ball court, associated parking lot, fencing & landscaping. The subject site is located between S Courage Lane & Tiercel Lane, just East of S Cloverdale Road (APN: S1422244200); Section 22, Township 2 North, Range 1 East.
- 3.2.1.2 The Future Land Use Map (FLUM) identifies the subject site as Mixed Use; the subject site is zoned as R-12 (High Density Residential). As part of the approved Falcon Crest Community, staff finds the subject site complies with the FLUM.
- 3.2.1.3 The subject site is accessed via S Courage Lane which is a private road.
- 3.2.1.4 The proposed Trilogy Valor Social Club is a two (2) Phased project, located within the Falcon Crest community. Phase No. 1 of this project will consist of three (3) buildings, pickle ball courts, bocce ball court, associated parking lot and landscaping; the future Phase No. 2 area will be turf until a future Design Review application is received.
- 3.2.1.5 The first proposed structure is a 452 SF Welcome Center that will be located on Courage Lane (Private). The elevation looking North will have a water wheel feature set in front of the structure, while the elevation as a whole provides a variety of materials, colors and textures. The structure begins with a thin stone veneer façade in Willard Rubble, then moves into an aluminum storefront mandors and windows in Black, set into a recessed area. A covered area is proposed to go over the drive lane and will be composed of structural wood beam, steel column and have stone veneer around the concrete base where the column is set. The elevation looking south is proposed to be composed of stone veneer, board on board wood siding, have metal fascia and flush seam metal panels. The covered drive section will mirror the same materials as the elevation looking North. The elevation looking East is proposed to have ribbed metal roof and wall panels, prefinished metal coping, thin stone veneer, flush seam metal panels and an aluminum storefront. A steel water flume continues the water feature from the other side and water will drain into a basin. The elevation looking West is proposed to have ribbed metal roof and wall panels, flush seam metal panels, thin stone veneer and an aluminum storefront.

3.2.1.6 The second proposed structure is an approximately 7,573 square foot Fitness Center (5,278 SF conditioned, 2,295 SF non-conditioned). The North elevation, moving left to right, begins with a stained timber covered area, then moves into the building mass. Wood board on board siding in Ranchwood Greenhorn, is proposed for a majority of the elevation, with accents of Charwood Sage. The remaining portions of the elevation have wide flange steel columns, ribbed metal wall panels, and wood lap siding, then is topped by a standing seam metal roof in Slate Grey. A large bank of windows is near center while an aluminum storefront double man-door in Black, is to the left. The proposed South elevation continues these same materials. The stained timber covered area wraps around this side of the structure, and there are two (2) sets of aluminum storefront windows and a double man-door. The proposed East elevation again has the same materials but adds wood lap siding, metal downspouts, tube steel slats, two (2) overhead doors, and multiple aluminum storefront windows. The stained timber covered area wraps to the elevation as well and ends near the center. Finally, the proposed West elevation makes use of the same materials with the main materials being wood lap siding and ribbed metal wall panels. The stained timber covered portion ends on this elevation, and another covered area on the left has tube steel slats as its covering. Two (2) large aluminum storefront windows are centered on the elevation and a folding partition panel is on the left.

3.2.1.7 The final proposed structure is the 6,647 square foot K&M or Co-Op building (4,228 SF conditioned and 2,419 SF non-conditioned). The proposed North elevation materials are board on board wood siding, board form concrete panels, and thin stone veneer while the roof is metal standing seam. An aluminum storefront ingress/egress is to the right, while additional aluminum windows and hollow metal man-doors are spread across the remaining elevation. The South elevation reflects the same materials but also has a covered area the length of the building. An aluminum storefront ingress/egress is to the left, and three (3) stacking/folding door systems are from center to the right. The proposed East elevation is primarily wood board on board siding and the covered area wraps around to just past center; a stacking/folding door system is near center as well. The proposed West elevation has wood board on board siding, board form concrete and thin stone veneer; an aluminum ingress/egress is near center. An approximately 1,808 square foot CMU pool equipment yard is proposed near the Fitness Building and will be an uncovered structure. Upon review of the three (3) proposed buildings, their mass, orientation, materials, and architectural aesthetic, staff finds the proposed structures to generally comply with Kuna City Code Title 5.

3.2.1.8 The proposed landscape plan for Phase No. 1 incorporates multiple proposed amenities which include six (6) pickle ball courts, bocce ball court, main pool, lap pool, spa, pathways, sitting areas, trellis, dock, raised planter walls, and outdoor shower, spread throughout the area. Proposed plantings for the subject site consist of ornamental, shade and conifer trees; ornamental and evergreen shrubs; various groundcovers; perennials; grasses; and vines. The remaining area which will become Phase No. 2 of the project will be installed with sod to provide a large open green area. Two (2) large raised planters are proposed, one (1) within the southern corner of the parking lot, and the second directly adjacent to the K&M Building. The raised planter within the parking lot is

proposed to be approximately 15-feet x 40 feet, and the raised planter adjacent to the K&M building is proposed to be approximately 15-feet x 35-feet; planters are proposed to be constructed of CMU with a stone veneer, and be three (3) feet tall. Staff would note that KCC 5-17-6 states that wire baskets, burlap, twine or rope must be removed from the top half of the root ball after being placed in the ground. Per review of the proposed landscape plan, staff finds the proposed plantings and landscape areas provided are above and beyond the requirements set forth in KCC Title 5.

- 3.2.1.9** Proposed fencing surrounding the pool areas is to be six (6) foot tall wrought iron while the entry gates are proposed to be six (6) foot tall, perforated 22-gauge steel, and have three (3) heavy duty hinges. Fencing along the pond edge of the pool deck is proposed to be six (6) feet tall, begin with wrought iron, change to perforated 22-gauge steel, then to what appears to be solid metal over the water's edge; staff assumes this is to provide for public safety. The proposed fencing for the pickle ball courts is to be four (4) foot tall, 10-gauge chain link that has been finished in Black PVC, and will have a green mesh windscreen installed on the interior; the gates will be four (4) feet wide. Staff was unable to locate the remaining perimeter fencing details within the provided documents and notes the perimeter fencing will be required to meet the requirements listed in KCC 5-5-5.
- 3.2.1.10** The proposed parking lot provides 116 standard stalls and four (4) ADA accessible stalls. Street lights have been provided approximately every 60-feet and will be installed within the landscaped islands. A trash enclosure is proposed within the southeast corner of the parking lot, is set into the landscaping, and is to be covered by a trellis. The enclosure is to be approximately 12-feet by 12-feet, has CMU walls with 4-inch by 4-inch tube steel trellis posts at each corner, and have a 6-foot-high double steel gate with cane bolts to hold the doors opened/closed. The proposed trellis cover will have 4-inch by 6-inch steel headers set onto the corner posts, then 4-inch by 4-inch steel trellis lattice on top; colors for the proposed trellis have not been provided. Upon review, staff views the proposed trash enclosure meets the design requirements set forth in KCC 5-4.
- 3.2.1.11** The proposed pickle ball courts will be lit with street lights, while the bocce ball courts will be lit with recessed lighting. A majority of the trees within the parking lot, landscape buffers/islands, and along pathways are proposed to have up lights and down lights. Recessed wall lights, step lights and trellis down lights will also be spread throughout the subject site. Upon review, staff finds the proposed lighting sufficient to provide areas safe for drivers and pedestrians.
- 3.2.1.12** Per Exhibit 2.16, Public Works has already reviewed and stamped the civil drawings and can support this application. Public Works staff also notes a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as the presently exist for the property. Additionally, Applicant must provide a storm water disposal and treatment plan which accounts for increased onsite storm water runoff volumes; drawings must be detailed drawings of drainage and treatment facilities with supporting calculations for review and approval.

3.2.1.13 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. 22-20-DR, with the Applicant being subject to the recommended Conditions of Approval listed in Section 3.2.2 of this report, as well as any additional Conditions designated by the Planning and Zoning Commission.

3.2.2 Staff Recommendations: As a result of the review, Planner II Jessica Reid, recommended Approval of the application with the following Conditions of Approval:

3.2.2.1 The Applicant shall follow all requirements for sanitary sewer, potable water and pressurized irrigation 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).

3.2.2.2 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:

3.2.2.2.1 No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received approval of the Civil Plan.

3.2.2.2.2 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.

3.2.2.2.3 The city shall approve any modifications to the existing water, sewer or irrigation system.

3.2.2.2.4 Approval from Ada County Highway District (impact fees), if any, shall be paid *prior to issuance* of building permits.

3.2.2.3 Developer/Owner/Applicant shall provide engineering certification on all final engineering drawings, as applicable.

3.2.2.4 Developer/Owner/Applicant shall provide a utility site layout showing existing/proposed water/sewer/pressurized irrigation lines and how they connect to the proposed building, to Public Works prior to construction or Building Permit application.

3.2.2.5 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.

3.2.2.6 If applicable, Fire Suppression shall be shown on all plans and approved by the Kuna Rural Fire District (KRFD).

- 3.2.2.7** The Kuna Rural Fire District (KRFD), or their representative, must approve fire access to the project before, during, and after construction.
- 3.2.2.8** 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.
- 3.2.2.9** Developer/Owner/Applicant shall 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 the property.
- 3.2.2.10** Developer/Owner/Applicant shall provide a storm water disposal and treatment plan which accounts for increased onsite storm water runoff volumes; detained drawings of drainage and treatment facilities with supporting calculations for review and approval.
- 3.2.2.11** Kuna Rural Fire District or their representative shall approve fire access to the project before, during, and after construction.
- 3.2.2.12** 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.
- 3.2.2.13** 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.
- 3.2.2.14** 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.
- 3.2.2.15** 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.
- 3.2.2.16** As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the Applicants Engineer.
- 3.2.2.17** Pursuant to Kuna City Code 5-4-13, Design Review approvals shall become null and void twelve (12) months following the date Approvals were given, unless prior to the expiration date, construction or development is commenced and diligently pursued toward completion on the subject site.
- 3.2.2.18** 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.

- 3.2.2.19 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.
- 3.2.2.20 Developer/Owner/Applicant shall follow staff, City Engineer and other agency recommended requirements, as applicable.
- 3.2.2.21 Developer/Owner/Applicant shall comply with all local, state and federal laws.
- 3.2.2.22 Color Palette shall match closer to the models of the submitted Applicant presentation.

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 Kuna Planning and Zoning Commission has the decision-making authority over all Legislative Design Review applications as provided in Kuna City Code Title 1, Section 12, Section 3.
- 4.3 Kuna City Code Title 5, Chapter 4, Section 2 provides that:

This Chapter applies to all proposed development located within the Design Review Overlay District which shall include the entire City Limits, and any land annexed into the city after the date of adoption hereof. Such development includes, but is not limited to, new Commercial, Industrial, Institutional, Office, Multi Family Residential projects, common areas, subdivision signage, proposed conversions, proposed changes in land use and/or building use, or exterior remodeling, exterior restoration, and enlargement or expansion of existing buildings, sign or sites, requires the submittal of a Design Review application pursuant to this Chapter and fee as prescribed from time to time by the City Council.

V

ORDER OF APPROVAL OF APPLICATION FOR DESIGN REVIEW

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

- 5.1 Case No. 22-20-DR (Design Review) for the Trilogy Valor Social Club is Approved.

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna at its regular meeting held on the 12th of July 2022.

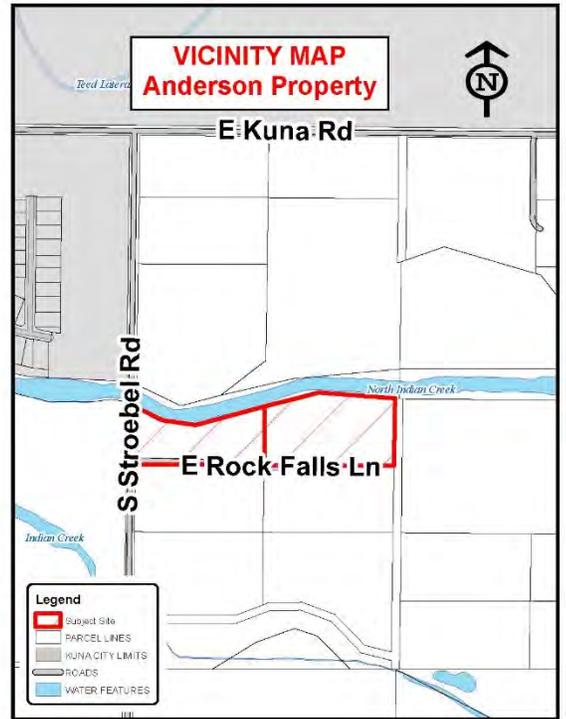
Lee Young
Kuna Planning and Zoning Commission

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

IN THE MATTER OF THE APPLICATION OF) **Case No. 21-15-AN (Annexation)**
)
ARTHUR SIDNEY & LAURA ANDERSON)
) **STAFF REPORT- ROCK FALLS**
 For Annexation of 2500 E Rock Falls,) **SUBDIVISION ANNEXATION**
 Kuna, ID) **REQUEST.**

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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:

<i>DESCRIPTION OF EVIDENCE</i>		Withdrawn	Refused	Admitted
1.1	Staff Report			X
2.1	Application Coversheet			X
2.3	Letter of Intent			X

2.4	R-2 and R-4 Zones and OVERALL Legal Description(s)			X
2.5	Vicinity Map			X
2.6	Vicinity Map With City Limits			X
2.7	Warranty Deeds			X
2.8	Affidavit of Legal Interest			X
2.10	Neighborhood Meeting Certification			X
2.11	Neighborhood Meeting Certification (<i>Excluded for Commission</i>)			X
2.12	Lot Lay Out			X
2.13	Proposed Lot Splits (<i>Excluded for Commission</i>)			X
2.14	City Engineer's Memo – Public Works			X
2.15	Ada County Highway District Comments (ACHD)			X
2.16	Ada County Development Services			X
2.17	Boise Project Board of Control Comments			X
2.18	Central District Health Comments			X
2.19	Nampa Meridian Irrigation Dist.			X
2.20	Agency Comments Request			X
2.21	P&Z Kuna Melba News Tear Sheet (KMN)			X
2.22	P&Z Proof of Publication KMN			X
2.23	P&Z Legal Notice Mailer			X
2.24	P&Z Proof of Property Posting			X
2.25	Web Site Notice			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: September 7, 2021 (One attendee)
- 2.1.2.2 Agency Comments Request: May 20, 2022
- 2.1.2.3 300 FT Property Owners Notice: June 23, 2022
- 2.1.2.4 Kuna Melba News Newspaper: June 22, 2022
- 2.1.2.5 Site Posted: June 28, 2022

**III
APPLICANTS REQUEST**

3.1 Arthur Sidney (Sid) and Laura Anderson request Annexation of two (2) lots within the Amended Avalon Orchard Tracts Subdivision, Lots 2 and 3, Block 3, totaling approximately 8.43 total acres into the City of Kuna with two (2) zones. Approximately 7.4 acres will be zoned R-2 (LDR) and one (1) acre as R-4 (MDR). The Applicants have submitted a proposal for a Lot Split to turn two (2) lots into six (6) total lots; that application will go to Council after the Commission makes a recommendation on this application. If approved, the 300S Stroebel Road Annexation request directly to the north, and across Indian Creek will provide the subject site a touch to Kuna City limits. Both parcels are currently zoned RR (Rural Residential) in Ada County. The subject site is located at 2500 E Rock Falls Lane, Kuna, ID 83642, (APN's: R0615250410 and R0615250402) within Section 30, Township 2 North, Range 1 East.

**IV
GENERAL PROJECT FACTS**

4.1 Site History

4.1.1 These parcels are currently in unincorporated Ada County and zoned RR (Rural Residential). Historically Lot 2 has served as a single residence with multiple out buildings, Lot 3 is a bare Agricultural Lot.

4.2 Surrounding Land Uses

North	RR	Rural Residential – Ada County (<i>application in for Annexation</i>)
South	RR	Rural Residential – Ada County
East	RR	Rural Residential – Ada County
West	RR	Rural Residential – Ada County

4.3 Parcel Numbers, Owner, Parcel Sizes, and Current Zoning

4.3.1 R0615250410

- 4.3.1.1** Sid and Laura Anderson
- 4.3.1.2** Approx. 3.45 ac.
- 4.3.1.3** RR (Rural Residential)

4.3.2 R0615250402

- 4.3.2.1** Sid and Laura Anderson
- 4.3.2.2** Approx. 4.98 ac.
- 4.3.2.3** RR (Rural Residential)

4.4 Services

- Sanitary Sewer – City of Kuna (*Future*)
- Potable Water – City of Kuna (*Future*)
- Pressurized Irrigation – City of Kuna (KMIS - *Future*)
- 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 0.9% to 1.9%. According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be greater than 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. However, the property is adjacent to the nitrate priority area.

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 8.4 acres as Mixed-Uses. Staff believes proposing Low Density and Medium Density is a better fit for this area and a better transition of land uses based upon surrounding existing and proposed developments and considering how narrow this proposal is on the south side of Indian Creek with its limited frontage.

4.9 Recreation and Pathways Map

4.9.1 The Recreation and Pathways Master Plan Map does not indicate a future pathway/trail on site, rather one on the north side of Indian Creek adjacent to 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
Nampa Meridian Irr. Dist.	2.20

V

TRANSPORTATION AND CONNECTIVITY

5.1 The applicant is proposing 0 (zero) new centerline miles of public road with this application. The project is in a rural setting, and has only 289 feet of Stroebel Road frontage, and Stroebel Road is an improved roadway with 24 feet of pavement with 3 foot gravel shoulders, inside a 47 foot Rights-of Way (ROW), ACHD staff does not recommend additional street improvements or ROW dedication with this application.

Future applications for the site will require review and comment at that time from ACHD and subject to ACHD policies in place at time of a future application.

ACHD policy requires the private lane should be designed; to discourage through traffic between two public streets, and graded to drain away from the public street intersection, 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.

If approved by the City, Applicant shall pave the private road a minimum of 20-24 feet wide and at least 30 feet into the site beyond the edge of pavement with 15 foot radii tapers. City of Kuna requires a minimum of 28 foot width for private roads.

VI STAFF ANALYSIS

- 6.1** The applicant held a neighborhood meeting on September 7, 2021; there was one attendee. Meeting minutes have been provided as a part of this packet.

The Applicant requests Annexation of Lot 2 and 3, Block 3 of Amended Avalon Orchard Tracts, totaling approximately 8.43 acres into the City of Kuna using two zones; approx. 7.40 acres as R-2 LDR, and 1 acre as R-4 MDR. The lands are currently in unincorporated Ada County, zoned RR (Rural Residential). If the 300 S Stroebel Road annexation request is granted by Council, this property will be adjacent to Kuna City Limits on the north side of Indian Creek.

The Applicant's request is limited to annexation of the property. Should the application be recommended for approval by the Commission and approved by Council, it is the intent of the applicant to Lot Split the two (2) parcels into six (6) new lots.

Public Works staff is able to support the proposed Annexation and has provided additional comments in regards to future development of the subject site (Exhibit 2.15). Per Kuna City Code 5-16-3-B.2, city services shall be extended (by the land owner) to each parcel when sewer is available within 300 lineal ft; the closest connection point for city services are located on the west side of Stroebel Road and on the north side of Indian Creek. Should a development application be submitted in the future, flow modeling will be used to determine if adequate water pressure is available; any and all development will be contingent on meeting adequate water pressure. Staff recommends the Applicant be conditioned to follow the City Engineers recommendations stated in the memo.

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. 21-15-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
- 6.2.2 Idaho Code, Title 50, Chapter 222
- 6.2.3 Kuna City Code, Title 5

VII

PROPOSED FINDINGS OF FACT

Based upon the record contained in Case No. 21-15-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. 21-15-AN, to City Council; a request by Arthur Sidney (Sid) and Laura Anderson, for annexation of approx. 8.43 acres into Kuna City with two (2) zones, approx. 7.43 acres as R-2 LDR and approx. 1 acre as R-4 MDR.

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. 21-15-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 September 7, 2021; One resident attended the meeting. A legal notice was published in the Kuna Melba Newspaper on June 22, 2022. The applicant posted sign on the property on June 28, 2022. Neighbor Notices were mailed to land owners within 300-FT of the proposed project site on June 23, 2022.

- 7.3 Based on the evidence contained in Case No. 21-15-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-2 (LDR) and R-4 (MDR), the Comp Plan Map designates the properties as Mixed-Use. Staff believes proposing Low Density and Medium Density is a better fit for this area and a better transition of land uses based upon surrounding existing and proposed developments and considering how narrow this proposal is on the south side of Indian Creek with its limited frontage.

- 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 Arthur Sidney (Sid) and Laura Anderson to submit an Annexation application request to the City of Kuna.

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

Staff Finding: The lands proposed for Annexation will have a contiguous touch on the north side of the site if 300 S Stroebel Road is successfully annexed into Kuna City.

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

VIII PROPOSED COMPREHENSIVE PLAN ANALYSIS

The Kuna Planning and Zoning 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.
 - 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.
 - 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 21-15-AN (Annexation) a request from 'Sid' and Laura Anderson, to annex Lot 2 and 3, Block 3 of Amended Avalon Orchard Tracts, approx. 8.43 acres into the City of Kuna and zone approx. 7.43 acres as R-2 LDR, 1 acre as R-4 MDR subject to the following conditions of approval:

- 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 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 12th, day of July, 2022.



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

received
 25 APR '22



****Office Use Only****

File No.(s): 21-15-AN, 21-D16-LS

Project Name: 2500 Rock Falls

Date Received: 11-4-21

Date Accepted as Complete: _____

Type of review requested (check all that apply):

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

Owner of Record

Name: Arthur Sidney and Laura Anderson & Jody Zilk

Address: 2500 Rock Fall Lane

Phone: 208-570-5531 Email: asiderson@gmail.com

Applicant (Developer) Information

Name: SAME

Address: _____

Phone: _____ Email: _____

Engineer/Representative Information

Name: CIVIL SURVEY CONSULTANTS

Address: 2813 S Meridian

Phone: 208-888-4362 Email: _____

Subject Property Information

Site Address: ~~CIVIL SURVEY CONSULTANTS~~ 2500 Rock Fall Ln

Nearest Major Cross Streets: Kuna & St Coebel

Parcel No.(s): R0615250410, R0615250402, R0615250404

Section, Township, Range: SEC. 30, 2N, 1E

Property Size: 11.4 AC 8.43 AC

Current Land Use: Residential AG Proposed Land Use: Residential AG

Current Zoning: RR Proposed Zoning: R2 and Commercial R4 if required

Project Description

Project Name: 2500 Rock Falls

General Description of Project: ANNEX 3 PARCELS and SPLIT 2 OF the PARCELS

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

Residential: R2 R4 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: Road, Power, Creek,

Residential Project Summary (If Applicable)

Are there existing buildings? YES NO

If YES, please describe: Residential and Storage BARNES

Will any existing buildings remain? YES NO

No. of Residential Units: 2 No. of Building Lots: 6

No. of Common Lots: 0 No. of Other Lots: 1

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

Single-Family Townhomes Duplexes Multi-Family
 Other: _____

Minimum square footage of structure(s): 4,000

Gross Density (Dwelling Units ÷ Total Acreage): .52

Net Density (Dwelling Units ÷ Total Acreage not including Roads): 1.52

Percentage of Open Space provided: 27% Acreage of Open Space: 3.1

Type of Open Space provided (i.e. public, common, landscaping): 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: [Signature] Date: 11/3/21
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 to you for application attachments to be uploaded to the cloud.

Annexation Application

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



received
11-4-2021

Annexation requires public hearings with both the Planning & Zoning Commission and City Council. Public hearing signs will be required to be posted by the applicant for both meetings. Sign posting regulations are available online in Kuna City Code 5-1A-8.

****Office Use Only****

Case No(s): 21-15-AN, 21-D10-LS

Project Name: 2500 ROCK FALLS

Date of Pre-Application Meeting: Valid for three (3) months, unless otherwise determined by Staff

Date Received: 11.4.21

Date Accepted as Complete: _____

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

- ✍ Complete Planning & Zoning Application Coversheet.
- ✍ Complete Annexation 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, serviceability, amenities, and how the project complies with the requirements found within Kuna City Code 5-13 and Idaho Code §50-222.
- Legal Description of Annexation Area: Include metes & bounds description to the section line of all adjacent roadways; stamped & signed by a registered professional Land Surveyor; calculated closure sheet; and a map showing the boundaries of the legal description.
- 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.
- ✍ 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.

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

Information to Note:

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

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

Applicant Signature: [Signature] Date: 11/3/21
By signing, you are confirming you have provided all required items listed on this application.

received
25 APR. '22

November 3, 2021

Kuna City
Development Services
751 W 4th Street
Kuna, ID 83634

Re: Letter of Application for annexation of Lots 1 & 3, Block 3, in Avalon Orchard Tracts Amended Plat and lot splits

To Whom it May Concern,

We request the annexation of our parcels, Lots 1, and 3, Block 3, in the Amended Avalon Orchard Tracts (Parcels)) into the city of Kuna and to split Lot, 1 and Lot, 3, block 3, into 3 lots each. As part of the annexation we request to be zoned R4 for one new parcel and R2 for the rest, which complies with the mixed use designation of the Comprehensive Plan for the area.

Our desire to annex these Lots is contingent on being able to split Lots 1 and 3 into three lots each.

This letter addresses requirements for the Annexation, and Lot Split Applications in each section below:

Annexation and Rezone:

We request the annexation because the city code allows additional opportunities not allowed in the county including lot splits of our lots of record.

Additionally the city code allows for us to create upto 6 parcels from these contiguous original tracts under related ownership. We would like to take advantage of this opportunity allowed by code.

The property is currently serviced by E Rock Falls Lane and Stroebel Rd. The property is also bordered by Indian Creek and contains facilities for accessing the creek. The lots will be served with onsite septic and well systems.

See attached Site Plan for a concept plan of the lot splits.

Lot 5 Block 2 Amended Avalon Orchard Tracts is in the process of being annexed and will make this property contiguous with city limits.

The Amended Avalon Orchard Tracts plat was recorded in 1913 which modified some of the lots and blocks of the Avalon Orchard Tracts plat which was recorded in 1909. All of the

Northeast quarter of Section 30 including the right of way areas of the plat were owned by the Avalon Orchard Tracts Company in 1909 and 1913 when these plats were recorded.

Lot Splits

Pursuant to Kuna code 5-16-3 we request to split Lot 1 and Lot 3, Block 3 into 3 lots each for a total of 6 lots. Currently the subject properties are 3.5 and 5 acres in size. The lot splits are designed to create four, 1 acre parcels which are large enough to accommodate onsite services, one parcel that is 1.5 acres and one 3 acre lot, which is large enough to encourage future development that will bring services to all of the lots that would otherwise not happen. This design creates a situation where services will be run to all of the lots when services are run to the larger interior lots for redevelopment.

These larger single family lots will attract a different buyer than the majority of the lands being developed within Kuna City Limits. The covenants and restrictions for the community will require a minimum 3,500 sq foot residence with a 3 car garage. This development will increase the size and diversity of housing inventory offered within the city of Kuna.

We thank you for your time and consideration of our request.

A handwritten signature in black ink, appearing to read 'Sid Anderson', with a stylized flourish at the end.

Sid Anderson

ANNEXATION DESCRIPTION

FOR THE

CITY OF KUNA, IDAHO

LOT 2 OF BLOCK 3 OF AVALON ORCHARD TRACTS (AMENDED)

A parcel located in the W 1/2 of the NE 1/4 of Section 30 Township 2 North, Range 1 East, Boise Meridian, and being all of Lot 2 of Block 3 of the amended plat of *AVALON ORCHARD TRACTS* as shown in Book 6 of plats at Page 254 in the office of the Recorder, Ada County, Idaho, more particularly described as follows:

Commencing at an aluminum cap monument marking the northwesterly corner of said W 1/2 of the NE 1/4, from which an aluminum cap monument marking the southwesterly corner of said W 1/2 of the NE 1/4 bears S 0°38'54" W a distance of 2666.60 feet;

Thence S 0°38'54" W along the westerly boundary of said W 1/2 of the NE 1/4 a distance of 1367.28 feet to a point on the extension of the northerly boundary of said Lot 2;

Thence leaving said westerly boundary S 62°34'37" E along said extension a distance of 28.00 feet to a point marking the northwesterly corner of said Lot 2, said point being the POINT OF BEGINNING;

Thence leaving said extension and along the northerly boundary of said Lot 2 the following described courses:

Thence continuing S 62°34'37" E a distance of 144.19 feet to a point;

Thence S 81°49'04" E a distance of 168.18 feet to a point;

Thence N 75°01'55" E a distance of 354.54 feet to a point marking the northeasterly corner of said Lot 2;

Thence S 0°41'42" W along the easterly boundary of said Lot 2 a distance of 289.58 feet to a 1/2 inch diameter iron pin marking the southeasterly corner of said Lot 2;

Thence N 89°50'14" W along the southerly boundary of said Lot 2 a distance of 636.70 feet to a point marking the southwesterly corner of said Lot 2, said point being on the easterly right-of-way of S. Stroebel Road;

Thence N 0°38'54" E along the westerly boundary of said Lot 2 and said easterly right-of-way a distance of 286.54 feet to the POINT OF BEGINNING.

This parcel contains 3.455 acres.

Prepared by: Kyle A. Koomler, PLS
Civil Survey Consultants, Incorporated
March 17, 2022



ANNEXATION DESCRIPTION

FOR THE

CITY OF KUNA, IDAHO

INDIAN CREEK OF AVALON ORCHARD TRACTS (AMENDED)

A parcel located in the W 1/2 of the NE 1/4 of Section 30 Township 2 North, Range 1 East, Boise Meridian, and being that portion of Indian Creek between Lots 1 and 2 of Block 3 and Lots 5 and 6 of Block 2 as shown on the amended plat of *AVALON ORCHARD TRACTS* as shown in Book 6 of plats at Page 254 in the office of the Recorder, Ada County, Idaho, more particularly described as follows:

Commencing at an aluminum cap monument marking the northwesterly corner of said W 1/2 of the NE 1/4, from which an aluminum cap monument marking the southwesterly corner of said W 1/2 of the NE 1/4 bears S 0°38'54" W a distance of 2666.60 feet;

Thence S 0°38'54" W along the westerly boundary of said W 1/2 of the NE 1/4 a distance of 1367.28 feet to a point on the extension of the northerly boundary of Lot 2 of Block 3 of said *AVALON ORCHARD TRACTS*;

Thence leaving said westerly boundary S 62°34'37" E along said extension a distance of 28.00 feet to a point marking the northwesterly corner of said Lot 2, said point being the POINT OF BEGINNING;

Thence leaving said extension and along the northerly boundary of said Lot 2 the following described courses:

Thence continuing S 62°34'37" E a distance of 144.19 feet to a point;

Thence S 81°49'04" E a distance of 168.18 feet to a point;

Thence N 75°01'55" E a distance of 354.54 feet to a point marking the northeasterly corner of said Lot 2, said point being the northwesterly corner of said Lot 1;

Thence along the northerly boundary of said Lot 1 the following described courses:

Thence continuing N 75°01'55" E a distance of 274.51 feet to a point;

Thence S 85°24'50" E a distance of 378.49 feet to a point marking the northeasterly corner of said Lot 1, said point being on the southerly boundary of the NW 1/4 of the NE 1/4;

Thence S 89°46'51" E along said southerly boundary a distance of 20.00 feet to a point marking the southeasterly corner of said NW 1/4 of the NE 1/4;

Thence N 0°44'30" E along the easterly boundary of said NW 1/4 of the NE 1/4 a distance of 116.09 feet to a point marking the southeasterly corner of said Lot 6, said point being on the northerly top of bank of said Indian Creek;

Thence along the southerly boundary of said Lot 6 and said northerly top of bank the following described courses:

Thence N 87°54'21" W a distance of 457.29 feet to a point;

Thence S 74°38'54" W a distance of 428.11 feet to a point marking the southwesterly corner of said Lot 6, said point being the southeasterly corner of said Lot 5;

Thence along the southerly boundary of said Lot 5 and continuing along said northerly top of bank the following described courses:

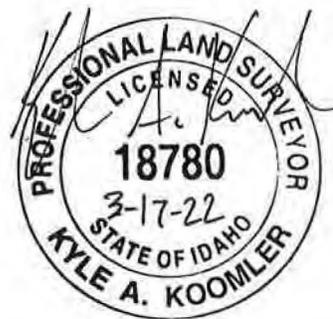
Thence continuing S 74°38'54" W a distance of 216.95 feet to a point;

Thence N 64°21'06" W a distance of 244.80 feet to a point marking the southwesterly corner of said Lot 5, said point being on the easterly right-of-way of S. Stroebel Road;

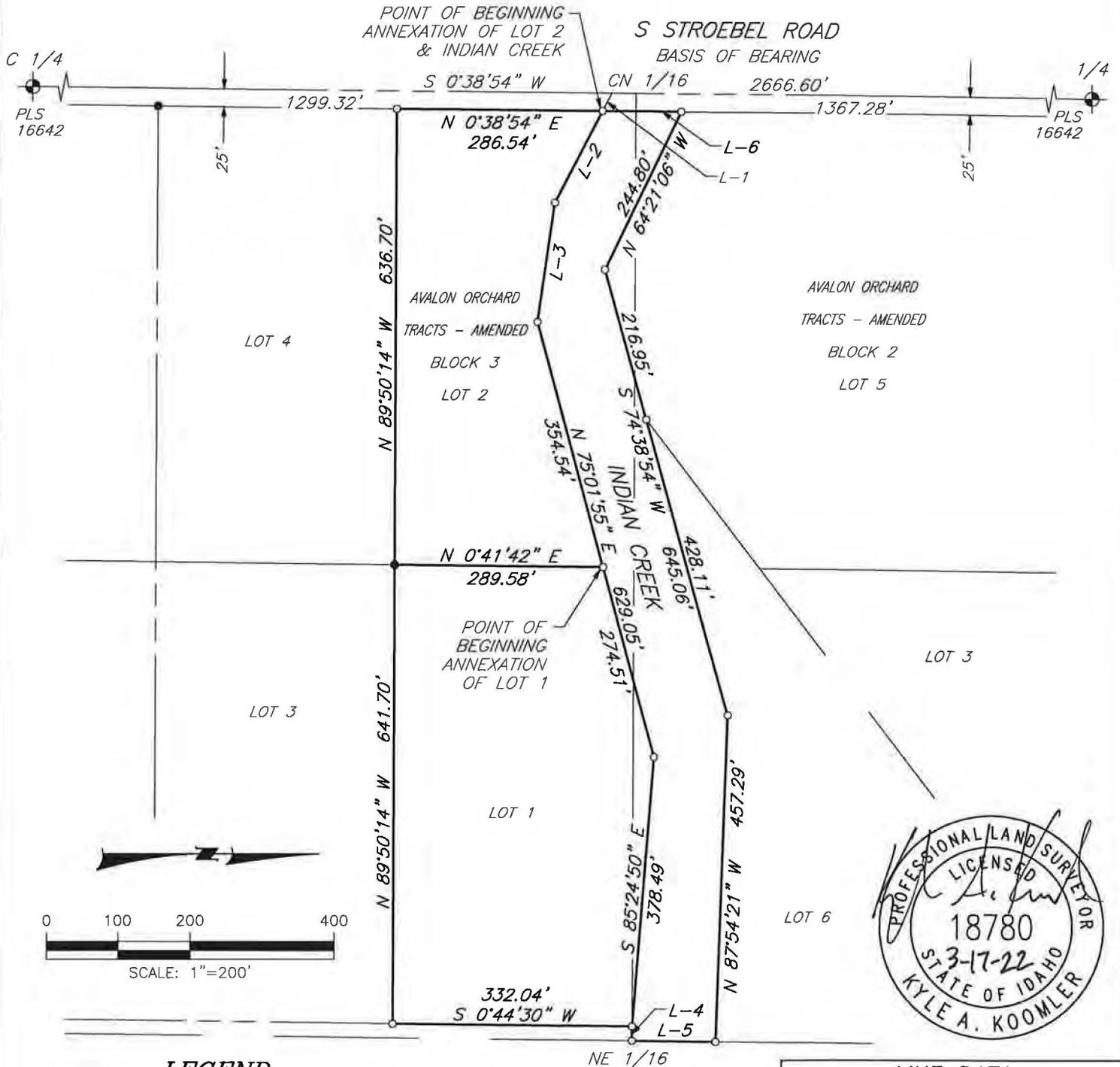
Thence leaving said northerly top of bank S 0°38'54" W along said easterly right-of-way a distance of 109.77 feet to the POINT OF BEGINNING.

This parcel contains 3.315 acres.

Prepared by: Kyle A. Koomler, PLS
Civil Survey Consultants, Incorporated
March 17, 2022



SKETCH TO ACCOMPANY ANNEXATION DESCRIPTIONS FOR THE CITY OF KUNA LOCATED IN THE W 1/2 OF THE NE 1/4 OF SECTION 30, TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO



LEGEND

- FOUND ALUMINUM CAP MONUMENT
- FOUND 1/2" IRON PIN
- ANNEXATION BOUNDARY
- SECTION LINE
- PROPERTY LINE
- TIE LINE
- PLATTED LINE

CIVIL SURVEY CONSULTANTS, INC.
2893 SOUTH MERIDIAN ROAD
MERIDIAN, IDAHO 83642
(208)888-4312

LINE DATA		
LINE	BEARING	DISTANCE
L-1	S 62°34'37" E	28.00'
L-2	S 62°34'37" E	144.19'
L-3	S 81°49'04" E	168.18'
L-4	S 89°46'51" E	20.00'
L-5	N 0°44'30" E	116.09'
L-6	S 0°38'54" W	109.77'

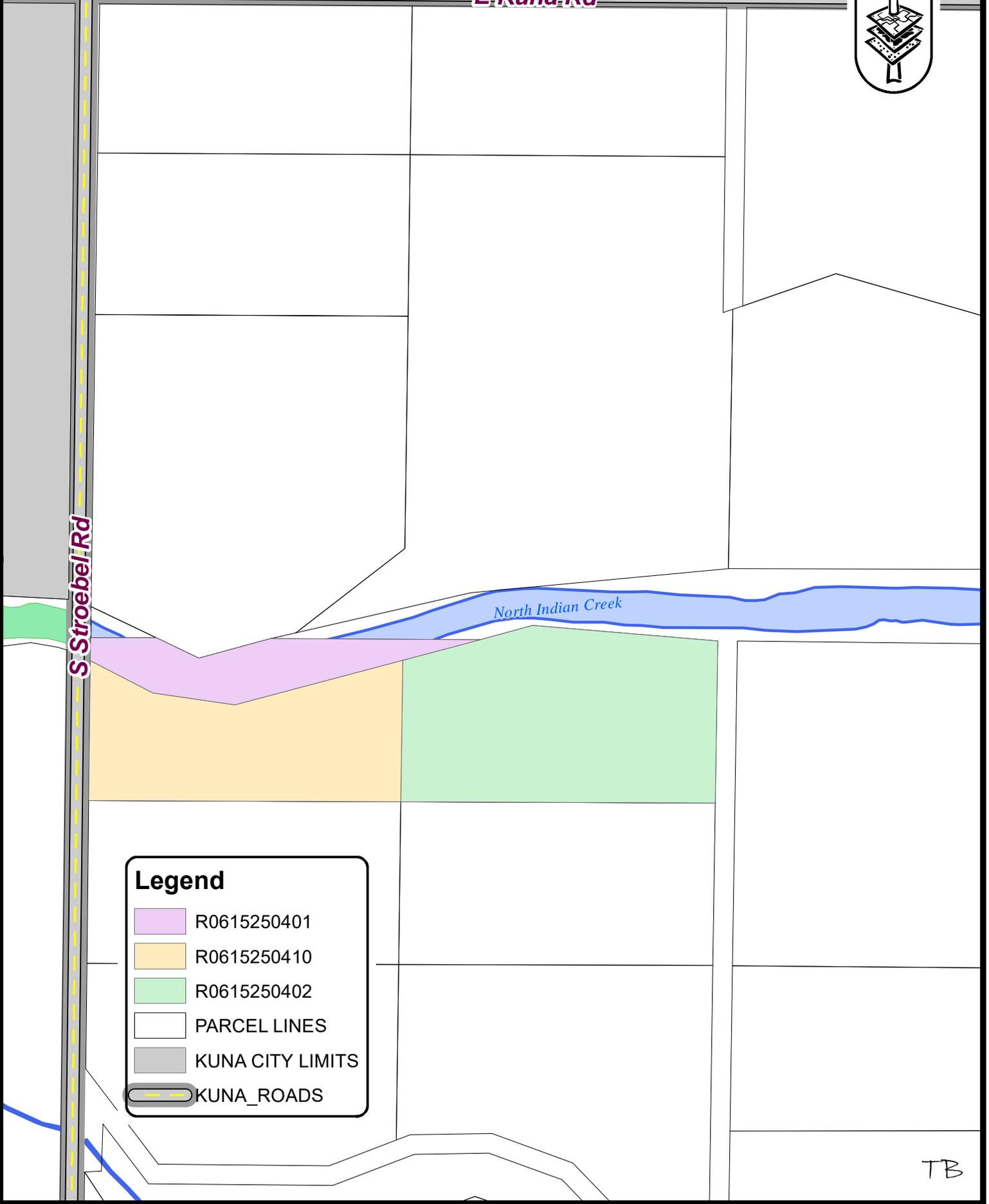
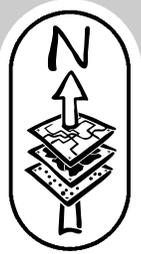
TAXING DISTRICT OF KUNA (CITY)
ORDINANCE #: _____

Exhibit A

Annexation area - - - -

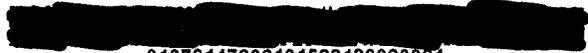


Original Parcel



Legend

-  R0615250401
-  R0615250410
-  R0615250402
-  PARCEL LINES
-  KUNA CITY LIMITS
-  KUNA_ROADS



01079147202101588180020024



01094028202101727830020025

*Rerecord to correct legal description
Re-Rerecord to correct legal*

WARRANTY DEED

THIS INDENTURE, made this 3rd day of November, 2021 by and between **ARTHUR SIDNEY ANDERSON** and **LAURA ANDERSON** husband and wife whose current address is 474 Stroebel Road, Kuna, Idaho, 83634 and **ROCK FALLS LLC** an Idaho Limited Liability Company, whose addresses 474 Stroebel, Kuna, Idaho, 83634 collectively hereinafter ("Grantor") and **JOTY 3 LLC** an Idaho Limited Liability Company, whos addresses 2500 Rock Falls Lane, Kuna, Idaho, 83634 hereinafter ("Grantee").

WITNESSETH:

FOR VALUE RECEIVED GRANTOR, the receipt whereof is hereby acknowledged, does by these premises remise, release and forever **WARRANT** any and all interest, unto the said Grantee all right, title and interest Grantor may own in that certain lot, piece or parcel of land, situate, lying and being in, County of Ada, State of Idaho, bounded and particularly described as follows, to-wit:

That land identified as the Indian Creek Side Canal, Indian Creek Main South Side Canal, Indian Creek South Side Canal, south of Lots ~~4~~ and 5 of Block 2, and north of lots 1 and 2 of Block 3, in the Amended Plat of the Avalon Orchard Tracts in the S 1/2, of the NW 1/4, and in the N 1/2, of the SW 1/4, of the NE 1/4, of Section 30, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho.

OF THE NE 1/4

EXCEPTING THEREFROM all lots identified in the Amended Plat of the Avalon Orchard Tracts and Avalon Orchard Tracts plat.

ALSO RESERVING THEREFROM, a right of way for ditches constructed by authority of the United States as identified in Idaho Code § 58-604.

TOGETHER WITH and all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the revision and reversions, remainder and remainders, rents, issues and profits thereof.

SUBJECT TO easements and other matters of record or enforceable at law or in equity on the date hereof

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, and unto the Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, The said Grantor has hereunto set its hand and seal the day and year first above written.



01097723202101762290020026

Grantor:

Arthur Sidney Anderson

Laura Anderson

Arthur Sidney Anderson

Laura Anderson

State of Idaho

ss.

County of Ada

On this 3 day of November, 2021 before me the undersigned, a Notary Public, in and for said State, personally appeared Arthur Sidney Anderson and Laura Anderson, Known to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that executed the same.

WITNESS MY HAND AND OFFICIAL SEAL,

Stephanie Bergland
Notary Public

Residing at: 1550 N. Meridian Rd, Kuna, ID 83034
Commission Expires: 09/17/2027



Grantor:

Rock Falls LLC

Arthur Sidney Anderson

By: Arthur Sidney Anderson, Owner

State of Idaho

ss.

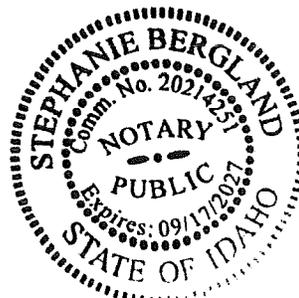
County of Ada

On this 3 day of November, 2021 before me the undersigned, a Notary Public, in and for said State, personally appeared Arthur Sidney Anderson, Known to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that executed the same.

WITNESS MY HAND AND OFFICIAL SEAL,

Stephanie Bergland
Notary Public

Residing at: 1550 N. Meridian Rd, Kuna, ID 83034
Commission Expires: 09/17/2027



owner of Rock Falls LLC



01079147202101588180020024

WARRANTY DEED

THIS INDENTURE, made this 3rd day of November, 2021 by and between **ARTHUR SIDNEY ANDERSON** and **LAURA ANDERSON** husband and wife whose current address is 474 Stroebel Road, Kuna, Idaho, 83634 and **ROCK FALLS LLC** an Idaho Limited Liability Company, whose addresses 474 Stroebel, Kuna, Idaho, 83634 collectively hereinafter ("Grantor") and **JOTY 3 LLC** an Idaho Limited Liability Company, whos addresses 2500 Rock Falls Lane, Kuna, Idaho, 83634 hereinafter ("Grantee").

WITNESSETH:

FOR VALUE RECEIVED GRANTOR, the receipt whereof is hereby acknowledged, does by these premises remise, release and forever WARRANT any and all interest, unto the said Grantee all right, title and interest Grantor may own in that certain lot, piece or parcel of land, situate, lying and being in, County of Ada, State of Idaho, bounded and particularly described as follows, to-wit:

That land identified as the Indian Creek Side Canal, Indian Creek Main South Side Canal, Indian Creek South Side Canal, south of Lots 4 and 5 of Block 2, and north of lots 1 and 2 of Block 3, in the Amended Plat of the Avalon Orchard Tracts in the S ½, of the NW ¼, and in the N ½, of the SW ¼, of the NE ¼, of Section 30, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho.

EXCEPTING THEREFROM all lots identified in the Amended Plat of the Avalon Orchard Tracts and Avalon Orchard Tracts plat.

ALSO RESERVING THEREFROM, a right of way for ditches constructed by authority of the United States as identified in Idaho Code § 58-604.

TOGETHER WITH and all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the revision and reversions, remainder and remainders, rents, issues and profits thereof.

SUBJECT TO easements and other matters of record or enforceable at law or in equity on the date hereof

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, and unto the Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, The said Grantor has hereunto set its hand and seal the day and year first above written.

Grantor:

Arthur Sidney Anderson

Laura Anderson

[Signature]

[Signature]

State of Idaho

ss.

County of Ada

On this 3 day of November, 2021 before me the undersigned, a Notary Public, in and for said State, personally appeared Arthur Sidney Anderson and Laura Anderson, Known to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that executed the same.

WITNESS MY HAND AND OFFICIAL SEAL,

[Signature]

Notary Public

Residing at: 1550 N. Mendham Rd, Kuna, ID 83034
Commission Expires: 09/17/2027



Grantor:

Rock Falls LLC

[Signature]

By: Arthur Sidney Anderson, Owner

State of Idaho

ss.

County of Ada

On this 3 day of November, 2021 before me the undersigned, a Notary Public, in and for said State, personally appeared Arthur Sidney Anderson, Known to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that executed the same.

WITNESS MY HAND AND OFFICIAL SEAL,

[Signature]

Notary Public

Residing at: 1550 N. Mendham Rd, Kuna, ID 83034
Commission Expires: 09/17/2017

owner of Rock Falls LLC





Fidelity National Title

Order No.: 1082874-ch

WARRANTY DEED

FOR VALUE RECEIVED

**The Hodges Family Trust A as to Parcels I, II and III.
The Hodges Family Trust A as to Parcel IV as to their 51% undivided interest therein.**

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

**Arthur Sidney Anderson and Laura Anderson, husband and wife, as community property with right of survivorship, as to Parcel I whose mailing address is: 4110 Rose Hill St, Boise ID 83705
Anderson Enterprises, An Idaho General Partnership, as to Parcel II, Parcel III, and as to Parcel IV as to their 51% undivided interest therein.**

GRANTEES(s), whose current address is: **17220 S Cloverdale, Kuna, ID 83634**
the following described real property in Ada County, State of Idaho, more particularly described as follows, to wit:

SEE ATTACHED EXHIBIT "A"

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

Effective this 6 day of May, 2015

The Hodges Family Trust A


By Sandra A Stone fka Sandra A Hodges
Its: Surviving Trustee

State of Idaho

County of Ada

On this 6 day of May, 2015, before me the undersigned, a Notary Public in and for said state, personally appeared Sandra A Stone known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as the Trustee of The Hodges Family Trust A and acknowledged to me that Sandra A Stone executed the same as such Trustee.

SA Surviving

Cynthia Henscheid
Notary Public Name: Cynthia Henscheid

Residing at _____

My Commission Expires: Residing at: Boise, Idaho
Commission Expires: 10/07/2016

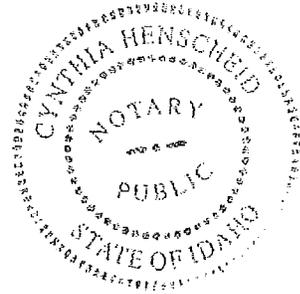


EXHIBIT "A"

Parcel I:

A Parcel of land situate in the Southwest quarter of the Northeast quarter of Section 30, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Lots 2, 3 and 7, Block 3, of Avalon Orchard Tracts Amended Plat, in Section 30, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho.

Together with all easements and other rights appurtenant to said real property, including without limitation all water rights and ditch rights, if any, associated irrigation equipment located on the property, all mineral rights (including but not limited to sand and gravel, geothermal, oil and gas), all improvements and structures.

Parcel II:

A Parcel of land situate in the Southwest quarter of the Northeast quarter of Section 30, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Lot 1, Block 3, of Avalon Orchard Tracts Amended Plat, in Section 30, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho.

Together with all easements and other rights appurtenant to said real property, including without limitation all water rights and ditch rights, if any, associated irrigation equipment located on the property, all mineral rights (including but not limited to sand and gravel, geothermal, oil and gas), all improvements and structures.

Parcel III:

A Parcel of land situate in the Southeast quarter of the Northeast quarter of Section 30, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Lots 1, 2, 3, and Lot 4, Block 4, Avalon Orchard Tracts Plat, in Southeast quarter of the Northeast quarter, Section 30, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho.

Together with all easements and other rights appurtenant to said real property, including without limitation all water rights and ditch rights, if any, associated irrigation equipment located on the property, all mineral rights (including but not limited to sand and gravel, geothermal, oil and gas), all improvements and structures.

Parcel IV:

A Parcel of land situate in the Southeast quarter of the Northeast quarter of Section 30, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Lot 5, Block 4, Avalon Orchard Tracts Plat, in Southeast quarter of the Northeast quarter, Section 30, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho.

Together with all easements and other rights appurtenant to said real property, including without limitation all water rights and ditch rights, if any, associated irrigation equipment located on the property, all mineral rights (including but not limited to sand and gravel, geothermal, oil and gas), all improvements and structures.

Initials SS

Initials _____



WARRANTY DEED

THIS INDENTURE, made this 18th day of April, 2019 by and between ANDERSON ENTERPRISES an Idaho general partnership whose current address is 2188 S Riverview Road, Hammett, Idaho, 83627 hereinafter ("Grantors") and ARTHUR SIDNEY ANDERSON and LAURA ANDERSON husband and wife whose current address is 474 Stroebel Road, Kuna, Idaho, 83634 hereinafter ("Grantee").

WITNESSETH:

FOR VALUE RECEIVED GRANTOR, the receipt whereof is hereby acknowledged, does hereby Grant, Bargain, Sell and Convey, unto the said Grantee any and all right, title and interest in that certain lot, piece or parcel of land, situate, lying and being in, the Southwest quarter, of the Northeast quarter, in Section 30, Township 2 North, Range 1 East, Boise Meridian, County of Ada, State of Idaho, bounded and particularly described as follows, to-wit:

Lot 1, Block 3, Avalon Orchard Tracts Amended Plat, in Section 30, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho.

Together With and all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the revision and reversions, remainder and remainders, rents, issues and profits thereof.

SUBJECT TO easements and other matters of record or enforceable at law or in equity on the date hereof TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, and unto the Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, The said Grantor has hereunto set its hand and seal the day and year first above written.

Anderson Enterprises

Boyd W Anderson
By: Boyd W Anderson, Managing Partner

State of Idaho

ss.

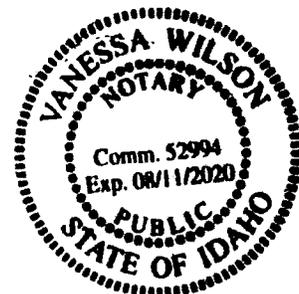
County of Ada

On this 18th day of April, 2019 before me the undersigned, a

Notary Public, in and for said State, personally appeared Boyd Anderson, Known to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that executed the same as managing partner of Anderson Enterprises.

WITNESS MY HAND AND OFFICIAL SEAL,

Vanessa Wilson
Notary Public
Residing at: Boise, Id
Commission Expires: 8-11-2020





Neighborhood Meeting Certification

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



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: ANNEXATION OF APPROXIMATELY
11.5 ACRES

Date of Meeting: SEP, 7, 2021 Time: 6:30-7 PM

Meeting Location: 2500 ROCK FALLS

Site Information

Location: Quarter NE Section 30 Township 1N Range 2E Total Acres 11.5

Subdivision Name: AMENDED AVLEN OSCHER TRACTS Lot 102 Block 3

Address: 2500 Rock Falls Ln

Parcel No(s): R061520410, R061520402, R061520401

Include ALL addresses and parcel numbers for your application.

Current Property Owner

Name: Arthur Sidney Anderson And Soty LLC

Address: _____

Contact Person

Name: Sid Anderson

Business Name (if applicable): _____

Address: 2500 Rock Falls Ln

Phone: 208-570-5531 Email: asiderson@gmail.com

Applicant

Name: same

Address: _____

Phone: _____ Email: _____

I, Sid Anderson, 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: [Signature] Date: 9/10/21

NEIGHBORHOOD MEETING MINUTES

Meeting Date: SEP 7, 2021 Number of Attendees: 1

Location: 474 STROEBEL

Project Description: ANNEXATION OF 474 STROEBEL AND
2846 ROCK FALLS

Attendee Comments or Concerns: _____

NONE, DONT TEAR THE RED BARN DOWN

I, Sid Anderson, 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:  Date: 9/7/21

SIGN-IN SHEET

9/7/21

Project Name: Rock Falls Annex Area Lot SPLITS

	Name	Address	Phone
1	Alvin Unser	300 Strickland	208-977-5988
2			
3			
4			
5			
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34			
35			



COMMITMENT TO PROPERTY POSTING

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



Per Kuna City Code (KCC) 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 on the property under consideration; all posting must be in substantial compliance.

The Applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the Planning and Zoning Department *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 to the next available date, as scheduling permits.

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

Print Name: Sid Anderson

Signature: [Handwritten Signature] Date: 11/4/21

Lot Split Application

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



received
11-4-2021

****Office Use Only****

Case No(s): 21-15-AN, 21-06-LS

Project Name: 2500 Rock Falls

Date of Pre-Application Meeting: Valid for three (3) months, unless otherwise determined by staff

Date Received: 11-4-21

Date Accepted as Complete: _____

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

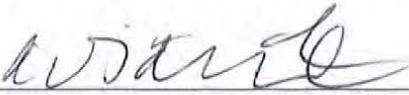
- ✓ Complete Planning & Zoning Application Coversheet
- ✓ Complete Lot Split Application (*It is the applicant's responsibility to use the most current application.*)
 - Detailed narrative or justification for the application, describing the project, how the project enhances and beautifies the community, and how the project complies with the requirements found within Kuna City Code 5-16-3.
 - Vicinity Map 8.5" x 11": Drawn to scale of 1" = 300' (or similar), showing surrounding streets, driveways property lines, etc.
 - Legal description of property: Include a metes & bounds description to the section line of all adjacent roadways stamped & signed by a registered professional land surveyor, with a calculated closure sheet & a map showing the boundaries and legal description.
 - Recorded Warranty Deed for property.
 - Affidavit of Legal Interest if the individual submitting this application is not the legal property owner. (*One Affidavit required for each party involved. Originals must be submitted to the Planning & Zoning Department.*)
 - Documentation demonstrating an original lot, tract or parcel of land has been split no more than two times as of the City of Kuna's date of origination (December 7, 1977). (*KCC 5-16-3: A states a Lot Split shall create no more than three (3) parcels from an original tract of land.*)
 - Sketch of proposed Lot Split, including: Current lot size dimensions, square footage and street frontage; proposed Lot Split with new lot lines, dimensions, square footage and street frontages; streets, surrounding land uses, etc.; and existing & proposed public improvements including sidewalk, streets, lighting, landscaping, natural features, etc.

This application shall not be considered complete nor will a hearing date be set, until staff has received all required information. Once application is deemed complete, staff will notify the applicant of the scheduled hearing date, fees due & any other necessary information via a Letter of Completeness.

Information to Note:

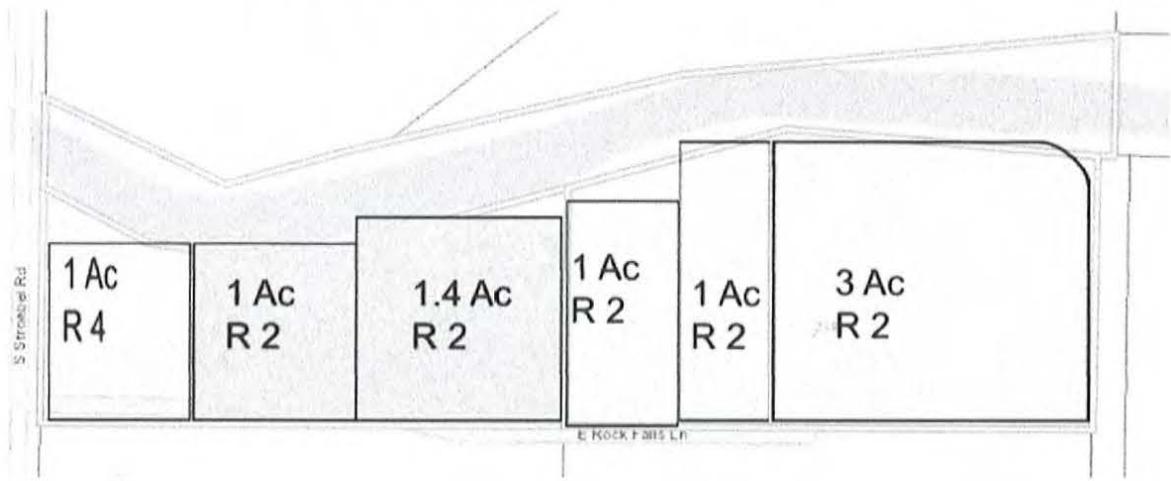
The date of application acceptance shall be the date the applicant submits the final required information to the Planning & Zoning Department, including the application fee (*KCC 5-1A-2C*).

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

Applicant Signature:  Date: 11/3/21
By signing, you are confirming you have provided all required items listed on this application.

received
25 APR. '22

Annexation area and proposed lot splits





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

MEMORANDUM

To: Doug Hanson - Planning and Zoning Director
From: Brady Barroso - Engineering Technician I
Catherine Feistner - Assistant City Engineer
Date: 6 July 2022
RE: Public Works Comments
Rock Falls Subdivision, 21-15-AN (Annexation), 21-06-LS (Lot Split)

The Rock Falls Subdivision, 21-15-AN and 21-06-LS, annexation and lot split request dated 19 May 2022 has been reviewed. The applicant wishes to annex with City of Kuna (City) R-2 (Low Density Residential) and R-4 (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 approval of this application. Flow modeling will be used to determine if adequate water pressure is available for a future development. Any future development shall be contingent on meeting adequate water pressure. Onsite septic and well systems will service this property until the future development of the larger interior lots.

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) All applicable utility inspection and utility flow modeling fees shall be paid by the developer in accordance with City of Kuna Resolution R57-2021. *Payment is due and payable prior to the pre-construction meeting.*
- d) The Kuna Rural Fire District's fees can be found on their website. *Payment is due and payable prior to the preconstruction meeting.*

2) General

- a) The applicant requests approximately 8 acres to be annexed into the City.

- b) Equivalent Dwelling Units (EDUs) are reckoned at approximately 3.18 people per household. The resultant projected population for this subdivision is approximately 60.
- c) 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.
- d) A plan approval letter will be required if this project affects any local irrigation districts.
- e) Elevations shall be actual NAVD 88 datum elevations. A localized elevation system is not acceptable.
- f) All positional information shall be from the most recent state plane coordinate system.
- g) Provide engineering certification on all final engineering drawings.
- h) The City of Kuna requires streetlights in all subdivisions. Streetlights are required along arterial roads bordering the subdivision, at the entrances of the subdivision, at intersections, and at every 250' interval. Streetlights should be coincident with Fire Hydrants whenever possible.
- i) Fire suppression shall be available and approved by KRFD.
- j) No building permits will be issued and no construction can begin without adequate fire protection.
- k) Fiber shall be designed and constructed on all mile and mid-mile roads or as otherwise noted.

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. The closest possible connection to gravity sewer is located approximately 350 feet to the north in S Stroebel Rd.
- b) 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.
- c) When the larger interior lots develop and the adjacent parcels plan to connect to City services, 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.
- d) Sewer must provide connectivity for surrounding developments.
- e) No cleanouts are permitted at the end of runs in lieu of manholes per Kuna City Code 6-4-2-B.14.
- f) All sewer infrastructure must meet or exceed City of Kuna requirements.
- g) Sewer flow models will be required to verify and accommodate pipe sizes. The associated costs shall be paid by the developer.
- h) Sewer connection fees apply to each lot containing a home or other facility.

- 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. The closest possible connection to water is located approximately 250 feet to the north in S Stroebel Rd.
- b) Flow modeling will be used to determine if adequate water pressure is available for a future development.
- c) Water flow models will be required to verify and accommodate adequate water supply and fire suppression. The associated costs shall be paid by the developer.
- d) 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.
- e) When the larger interior lots develop and the adjacent parcels plan to connect to City services, 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.
- f) All water infrastructure must meet or exceed City of Kuna requirements.
- g) Water connection fees apply to each lot containing a home or other facility.
- h) 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. The closest possible connection to pressurized irrigation is located approximately 250 feet to the north on the west side of S Stroebel Rd.
- b) Relying on municipal drinking water for irrigation purposes is contrary to City Code 6-4-2-B.9.
- c) All pressurized irrigation infrastructure shall meet or exceed City of Kuna standards.
- d) Existing irrigation ditches (supply & drain) must be relocated as needed and as approved by the irrigation ditch company/users.
- e) Pressurized irrigation flow model will be required to verify and accommodate adequate pressurized irrigation supply. All associated costs shall be paid by the developer.
- f) Surface water rights shall be transferred to the City prior to the completion of the final plat.

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 as-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.



Project/File: **Rock Falls Subdivision/KUNA22-0012/21-15-AN & 21-16-LS**
 This is an annexation, rezone, and lot split for an 8.4 acre site.

Lead Agency: City of Kuna

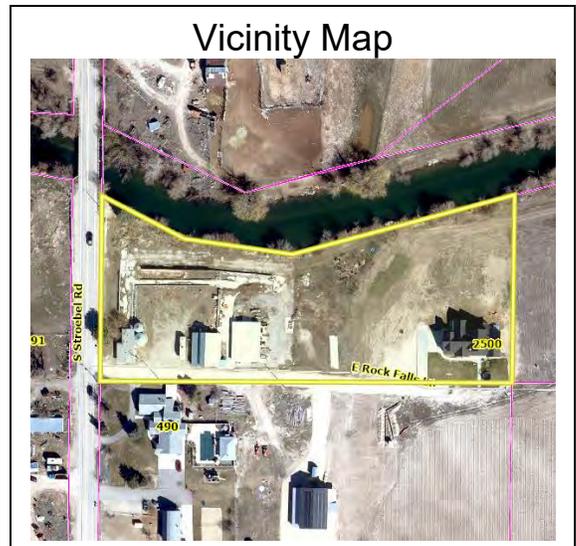
Site address: 2500 Rock Falls Lane

Staff Approval: June 13, 2022

Applicant: Arthur Sidney and Laura Anderson
 2500 Rock Falls Lane
 Kuna, ID 83634

Representative: Civil Survey Consultants
 2843 S Meridian Road
 Meridian, ID 83642

Staff Contact: Margaret Szeles
 Phone: 387-6294
 E-mail: mszeles@achdidaho.org



A. Findings of Fact

1. **Description of Application:** The applicant is requesting approval for a lot split, annexation, and rezone from RR (Rural Residential) to R-2 (Low Density Residential) and R-4 (Low Density Residential) on 8.43 acres. The applicant's proposal is consistent with Kuna's Future Land Use map which designates this area as Mixed Use.

2. **Description of Adjacent Surrounding Area:**

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

3. **Site History:** ACHD staff previously reviewed this site as ADA17-0045/ 201701771-PR for a private road in September 2017. The requirements of this staff report are 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 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):

- King Road is listed in the CIP to be widened to 3-lanes from Meridian Road to Locust Grove Road between 2036-2040.
- Meridian Road Extension is listed in the CIP to be widened to 3-lanes from King Road to Kuna Road between 236-2040.

8. 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 Stroebel Road as Level 2 facility that will be constructed as part of a future ACHD project.

B. Traffic Findings for Consideration

1. Trip Generation: This development is not estimated to generate additional vehicle trips per day (24 existing); or additional vehicle trips per hour in the PM peak hour (3 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 11th edition.

2. Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
**Stroebel	289-feet	Local	N/A	N/A

** ACHD does not set level of service thresholds for Local Roadways.

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 Stroebel Road south of Kuna Road was 1,127 on 04//25/2018.

C. Findings for Consideration

1. Stroebel Road

a. Existing Conditions: Stroebel Road is improved with 24-feet of pavement, 3-foot gravel shoulders, and no curb, gutter or sidewalk abutting the site. There is 47-feet of right-of-way for Stroebel Road (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).

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.

Rural Street Section: District policy 7207.5.2 requires rural developments with lot sizes of 5-acres or greater per dwelling provide a minimum 24-foot pavement width, with additional 3-foot gravel shoulders and borrow ditches on each side. This street section does not require the construction of curbs, gutters, or sidewalks.

- c. **Applicant's Proposal:** The applicant is not proposing any additional street improvements for Stroebel Road abutting the site.
- d. **Staff Comments/Recommendations:** Stroebel Road is improved with 24-feet of pavement and 3-foot gravel shoulders within 47-feet of right-of-way abutting the site. Therefore, staff does not recommend additional street improvements or right-of-way dedication as part of a future development application.

As part of a future development application, if these parcels develop into lots less than 5 acres, than the applicant will be required to provide standard street improvements including pavement widening and the construction of curb, gutter, and sidewalk consistent with ACHD policies in affect at the time of development.

2. Driveways

2.1 Stroebel Road

- a. **Existing Conditions:** There are no existing driveways from the site onto Stroebel 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 not proposing any driveway improvements for the existing 25-foot wide private road/driveway from the site onto Stroebel Road abutting the site.
- d. **Staff Comments/Recommendations:** If the applicant intends to move forward with a driveway proposal from the site onto Stroebel Road, the future development application will be subject to the District policies listed above.

If the applicant intends to move forward with any additional driveway proposals from the site onto Stroebel Road, the applicant will be required to submit a Driveway Approach Request for review and approval prior to construction. District Driveway Width and Paving Policy restricts new residential driveways to a maximum of 20-foot wide and requires the proposed driveway to be paved its full width and at least 30-feet into the site beyond the edge of pavement of Stroebel Road.

Visit: <http://www.achdidaho.org/Documents/Forms/mostDocs/DrivewayApproachRequest.pdf>

3. Private Roads

- a. **Existing Conditions:** There is an existing paved 25-foot wide private road, Rock Falls Creek, from the site onto Stroebel Road located 1,640-feet south of Kuna Road (measured centerline to centerline).
- b. **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.
- c. **Applicant Proposal:** The applicant is not proposing any private roads from the site onto Stroebel Road.
- d. **Staff Comments/Recommendations:** As part of a future development application, if the City Of Kuna approves the private road, the applicant shall be required to pave the private roadway a minimum of 20 to 24-feet wide and at least 30-feet into the site beyond the edge of pavement of all public streets and install pavement tapers with 15-foot curb radii abutting the existing roadway edge. If private roads are not approved by the City of Kuna, the applicant will be required to revise and resubmit the preliminary plat to provide public standard local streets in these locations.

Street name and stop signs are required for 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

4. **Tree Planters**

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

5. **Landscaping**

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

D. Site Specific Conditions of Approval

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

1. 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.
2. Payment of impact fees is due prior to issuance of a building permit.
3. 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

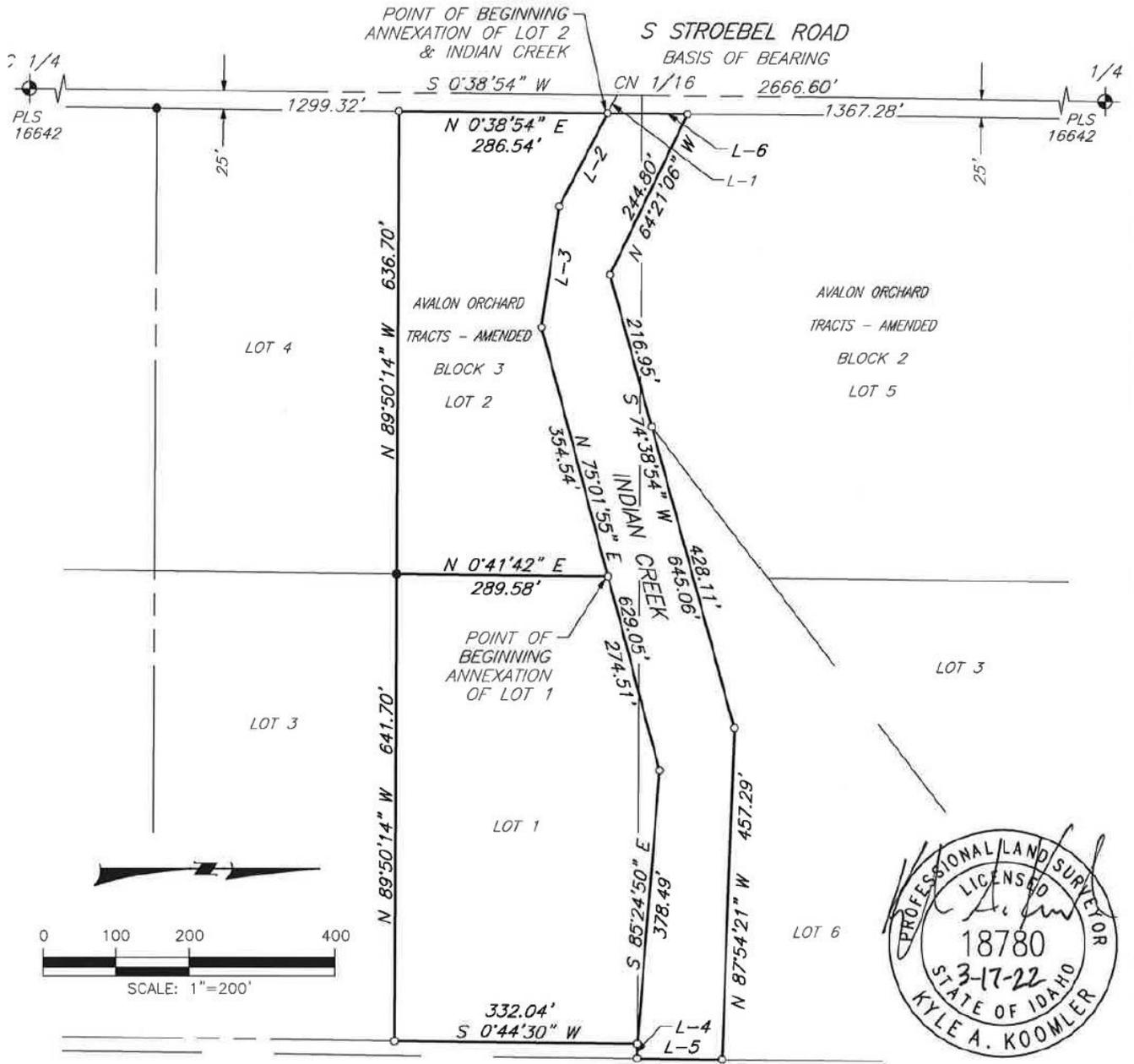
1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted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

G. Attachments

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



SITE PLAN



Ada County Utility Coordinating Council

Developer/Local Improvement District Right of Way Improvements Guideline Request

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

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

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

Development Process Checklist

Items Completed to Date:

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

Items to be completed by Applicant:

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

DID YOU REMEMBER:

Construction (Non-Subdivisions)

Driveway or Property Approach(s)

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

Working in the ACHD Right-of-Way

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

Construction (Subdivisions)

Sediment & Erosion Submittal

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

Idaho Power Company

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

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

Request for Appeal of Staff Decision

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

Request for Reconsideration of Commission Action

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

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

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

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



ADA COUNTY DEVELOPMENT SERVICES

200 W. FRONT STREET, BOISE, IDAHO 83702-7300
<https://adacounty.id.gov/developmentservices>

PHONE (208) 287-7900
FAX (208) 287-7909

BUILDING • COMMUNITY PLANNING • ENGINEERING & SURVEYING • PERMITTING

June 1, 2022

Troy Behunin
Kuna City Planning Department
PO Box 13
Kuna, ID 83634

RE: 21-15-AN / 21-06-LS / 2500 E Rock Falls Lane / Rock Falls Subdivision

Feedback has been requested regarding a proposed annexation with rezone to R-2 (Low density Residential) and R-4 (Medium density Residential) and lot splits on 8.43-acres, which will consist of six residential lots between 1-acre to 3-acres in size for the Rock Falls Subdivision, located near the NEC of Stroebel Road and Rock Falls Lane (Parcels #R0615250410 & R061520402).

Land Use

Ada County is supportive of the application as the proposed zoning is compatible with adjacent zoning of R-4 (Medium density Residential) northeast of the site within the city limits of Kuna; and the proposed lot sizes, between 1-acre and 3-acres, is consistent with surrounding properties that consist of large lots to the north, south, east, and west of the site.

Comprehensive Plan Goals and Policies

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. As other residences on similarly sized properties are located in the surrounding area, the proposal to construct single-family homes on large lots would be compatible with the following goals of the City's Comprehensive Plan, which encourages development of housing opportunities for all citizens.

Goal 3.D.1.a: Encourage preservation and development of housing that meets demand for household sizes, lifestyles, and settings.

Goal 3.D.1.f: Evaluate the housing demand and supply and adjust policies and regulations, as needed, to encourage development of diverse housing types and densities to accommodate Kuna's economic groups, lifestyles, and ages.

Please feel free to contact me with any questions.

Sincerely,

Stacey Yarrington

Stacey Yarrington
Senior Community & Regional Planner
Ada County Development Services

RECEIVED

MAY 25 2022

CITY OF KUNA

BOISE PROJECT BOARD OF CONTROL

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

DAVID REYNOLDS
CHAIRMAN OF THE BOARD

DONALD BARKSDALE
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

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

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

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

23 May 2022

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

RE: Rock Falls Subdivision, Sidney Anderson
Strobel Rd. and Rock Falls Ln., Kuna, ID
Boise-Kuna Irrigation District
Ellis Lateral 107+90B
Sec. 30, T2N, R1E, BM.

21-15-AN, 21-06-LS

BK-1218

Troy Behunin, Senior Planner:

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

The Boise Project Board of Control is contracted to operate and maintain this canal/creek. We assert the federal easement of 25 feet out and parallel from the outer bank of the canal/creek on both the north and south side. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

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

Fencing/pathways (as may be required) must be constructed just off the canal/creek easement, to ensure public safety and prevent encroachments. No permanent concrete/wood structures will be allowed in the easement with no exceptions.

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

Per Idaho Statutes, Title 42, local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement by the landowner, developer, and contractors.

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

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

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

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

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

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

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

NO DISCHARGE into any live irrigation system is permitted.

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

Whereas this property lies within the Boise-Kuna Irrigation District it is important that representatives of this development contact the BKID office as soon as possible to discuss the pressure system prior to any costly design work. If applicable, the irrigation system will have to be built to specific specifications as set by the District / Project.

Boise Project Board of Control must receive a written response from the Boise-Kuna Irrigation District as to who will own and operate the pressure irrigation system prior to review and approval of an irrigation plan by Boise Project Board of Control.

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

Prior to any construction being done next to or within the easements listed previously the contractor and/or developer must contact our division 3 watermaster at 208-922-5541.

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

Sincerely,



Thomas Ritthaler
Assistant Project Manager, BPBC

tbr/tr

cc: Ray Moore Watermaster, Div. 3 BPBC
Alicia Flavel Secretary – Treasurer, BKID
File



Ada County Transmittal
Division of Community and Environmental Health

Return to:

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

Rezone/OTD # _____

Conditional/Accessory Use # _____

Preliminary / Final / Short Plat 21-06-LS

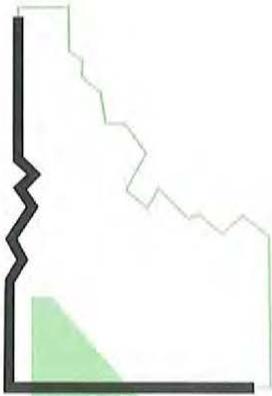
Development Name/Section Rock Falls

- 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. 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 _____

must monitor weekly - February - May + potentially through October
- 5. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- 6. 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
- 7. 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
- 8. Infiltration beds for storm water disposal are considered shallow injection wells. If they are not in the City of Boise or ACHD right-of-way, an application and fee per well, vicinity map and construction plans must be submitted to CDH.
- 9. If restroom or plumbing facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 10. An accessory use application, fee, detailed site plan and floor plans must be submitted to CDH for review.
- 11. Land development application, fee per lot, test holes and full engineering report is required.
- 12. CDH makes no guarantee a septic permit will be issued on the split off lot. A speculative site evaluation is recommended.
- 13. 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
- 14. _____

Reviewed By: [Signature] Date: 6/7/22

RECEIVED
JUN 17 2022
CITY OF KUNA



ORGANIZED 1904

Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH
FAX #208-463-0092

NAMPA, IDAHO 83651-4395
nmid.org

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

June 13, 2022

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

RE: 21-15-AN & 21-06-LS / Rock Falls Subdivision; Stroebel Rd & Rock Falls Ln

Dear Troy:

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/ eol

Cc:

Office/ file
T. Ritthaler, Board of Control



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



Planning & Zoning Department

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

Agency Notification

May 19, 2022

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

File Numbers & Case Name:	21-15-AN (Annexation) & 21-06-LS (Lot Split) – <i>Rock Falls Subdivision.</i>
Project Description	Applicant requests to annex Lots 1 and 3, Block 3 within the Amended Avalon Orchard Tracts Sub, into the City of Kuna, and are requesting the R-2 (Low Density Residential) and R-4 (Medium Density Residential) zones. Applicant also desires to split the two (2) lots, into three (3) new lots each, for a total of six (6) new lots. <i>The Parcel adjacent to the north will provide a touch. That application is already underway.</i>
Site Location	Near the NEC of Stroebel Rd. and Rock Falls Ln., Kuna, ID 83634.
Applicant	Arthur Sidney and Laura Anderson 2500 Rock Falls Ln. Kuna, ID, 83634 208.570.5531 asiderson@gmail.com
Representative	Civil Survey Consultants 2843 S Meridian Road Meridian, ID, 83642 208.888.4312
Tentative Public Hearing Date	Tuesday, July 12, 2022 6:00 PM Council Chambers at Kuna City Hall, 751 W. 4 th Street, Kuna, ID 83634
Staff Contact	Troy Behunin, Senior Planner Kuna Planning and Zoning 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 comment's 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. <i>No response within 15 business days will indicate you have no objection or comments for this project.</i>	



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:
06/17/22	21880

LEGAL NOTICE

**Case No. 21-15-AN
 (Annexation) for
 Rock Falls Subdivision**

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

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission is scheduled to hold a public hearing on **Tuesday, July 12, 2022, 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 a request for Annexation (AN) of Lots 1 and 3, Block 3 within the Amended Avalon Orchard Tracts Sub, into the City of Kuna, approx. 8.43 total acres, and are requesting the R-2 (Low Density Residential) and R-4 (Medium Density Residential) zones. Applicant also desires to split the two (2) lots, into three (3) new lots each, for a total of six (6) new lots. The subject site is located at 2500 E Rock Falls Ln., Kuna, ID 83634, within Section 30, Township 2 North, Range 1 East; (APNs: R0615250410, & R0615250402).

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

June 22, 2022 250242

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
250242	PH 7/12/2022 - ROCK	06/22/22	06/22/22	1	\$53.66

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount:	\$0.00	Gross:	\$53.66
Surcharge:	\$0.00	Paid Amount:	\$0.00
Credits:	\$0.00		

Amount Due: \$53.66

We Appreciate Your Business!

**AFFIDAVIT OF PUBLICATION
STATE OF IDAHO**

County of Ada

21880 250242
1 KUNA, CITY OF

P.O. BOX 13
KUNA, ID 83634

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

LEGAL NOTICE

**Case No. 21-15-AN
(Annexation) for
Rock Falls Subdivision**

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission is scheduled to hold a public hearing on **Tuesday, July 12, 2022, 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 a request for Annexation (AN) of Lots 1 and 3, Block 3 within the Amended Avalon Orchard Tracts Sub, into the City of Kuna, approx. 8.43 total acres, and are requesting the R-2 (Low Density Residential) and R-4 (Medium Density Residential) zones. Applicant also desires to split the two (2) lots, into three (3) new lots each, for a total of six (6) new lots. The subject site is located at 2500 E Rock Falls Ln., Kuna, ID 83634, within Section 30, Township 2 North, Range 1 East; (APNs: R0615250410, & R0615250402).

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Kuna Planning & Zoning
Department

June 22, 2022 250242

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

That said notice was published the following: 06/22/2022

Sharon Jessen

SHARON JESSEN
STATE OF IDAHO

On this 23rd day of June, in the year of 2022 before me a Notary Public, personally appeared. SHARON JESSEN, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

Angela Sammons

Notary Public of Idaho
My commission expires



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



TB 6.23.2022
6.23.22 JK

Dear Property Owner: NOTICE IS HEREBY GIVEN the **Planning & Zoning Commission** is scheduled to hold a Public Hearing on **Tuesday, July 12, 2022 at 6:00 PM** (or as soon as can be heard), in City Council Chambers, 751 W 4th Street, Kuna, ID, 83634, on the following case:

Case No. 21-15-AN (Annexation) & Lot Splits, for Rock Falls Subdivision

Sid Anderson requests approval for Annexation (AN) of Lots 1 and 3, Block 3 within the Approved Avalon Orchard Tracts Sub, into the City of Kuna, approx. 8.43 total acres, and are requesting the R-2 (Low Density Residential) and R-4 (Medium Density Residential) zones. Applicant also desires to split the two (2) lots, into three (3) new lots each, for a total of six (6) new lots. The subject site is located at 2500 E Rock Falls Ln., Kuna, ID 83634, within Section 30, Township 2 North, Range 1 East; (APNs: R0615250410, & R0615250402).

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 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 **July 6, 2022** 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 6.23.2022

LEGAL NOTICE



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NEOPOST

FIRST-CLASS MAIL

KUNA

06/23/2022

POSTAGE

\$000.53⁰⁰

Planning & Zoning
PO BOX 13
Kuna, ID 83634



ZIP 83634
041M11460992

JOTY 3 LLC
2500 ROCK FALLS LN
KUNA, ID 83634-0000

Suggestions for Testifying at Public Hearings:

Be Informed...

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NEOPOST

FIRST-CLASS MAIL

KUNA

06/23/2022

POSTAGE

\$000.53⁰⁰

Planning & Zoning
PO BOX 13
Kuna, ID 83634



ZIP 83634
041M11460992

ANDERSON ARTHUR SIDNEY
ANDERSON LAURA
2500 E ROCK FALLS LN
KUNA, ID 83634-0000

Suggestions for Testifying at Public Hearings:

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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.

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M3 ID RISING SUN LLC
7033 E GREENWAY PKWY STE 100
SCOTTSDALE, AZ 85254-0000

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DECKER BENJAMIN
DECKER TERRI
490 S STROEBEL RD
KUNA, ID 83634-0000

Proof of Property Posting

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



This form shall confirm that the Public Hearing Notice for 21-15-AN Case No. _____
Rock Falls Annexation was posted, as required per Kuna City Code
5-1A-8, on 6/28/22 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 29 day of June, 2022.

Signature: [Signature] Owner/Developer

Oregon
State of ~~Idaho~~)
Lincoln) SS
County of ~~Ada~~)



On this 29th day of June, 2022, before me, the

Undersigned, a Notary Public in and for said State, personally appeared before me

(Owner/Developer). Sid Anderson

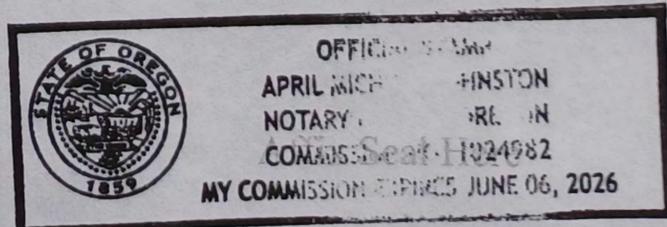
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and
year in this certificate first above written. Subscribed and sworn to before me the day and year
first above written.

April Michele Johnston (Print Name)

Residing at: 928 SW 5th St

Lincoln city OR 97367

My Commission expires: 6-6-2026



[Signature]
Signature

**CITY OF KUNA
PUBLIC HEARING NOTICE**
Kuna Planning & Zoning Commission
THE CITY OF KUNA will hold a public hearing
on July 12, 2022, at Kuna City Hall,
751 W. 4th Street, at 6:00 PM
PURPOSE: ANNEXATION & ZONING - Annex approx.
8.43 acres into Kuna City Limits with an
R-2 & R-4 Medium Density Residential Zone
LOCATION: 2500 Rock Falls Ln.
Parcels R0615250402 & R061520410
APPLICATION BY: Sid Anderson



**CITY OF KUNA
PUBLIC HEARING NOTICE**
Kuna Planning & Zoning Commission
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on July 12, 2022, at Kuna City Hall,
751 W. 4th Street, at 6:00 PM
PURPOSE: ANNEXATION & ZONING - Annex approx.
0.43 acres into Kuna City Limits with an
R-2 & R-4 Medium Density Residential Zone
LOCATION: 2500 Rock Falls Ln.
Parcels R0615250402 & R061520410
APPLICATION BY: Sid Anderson



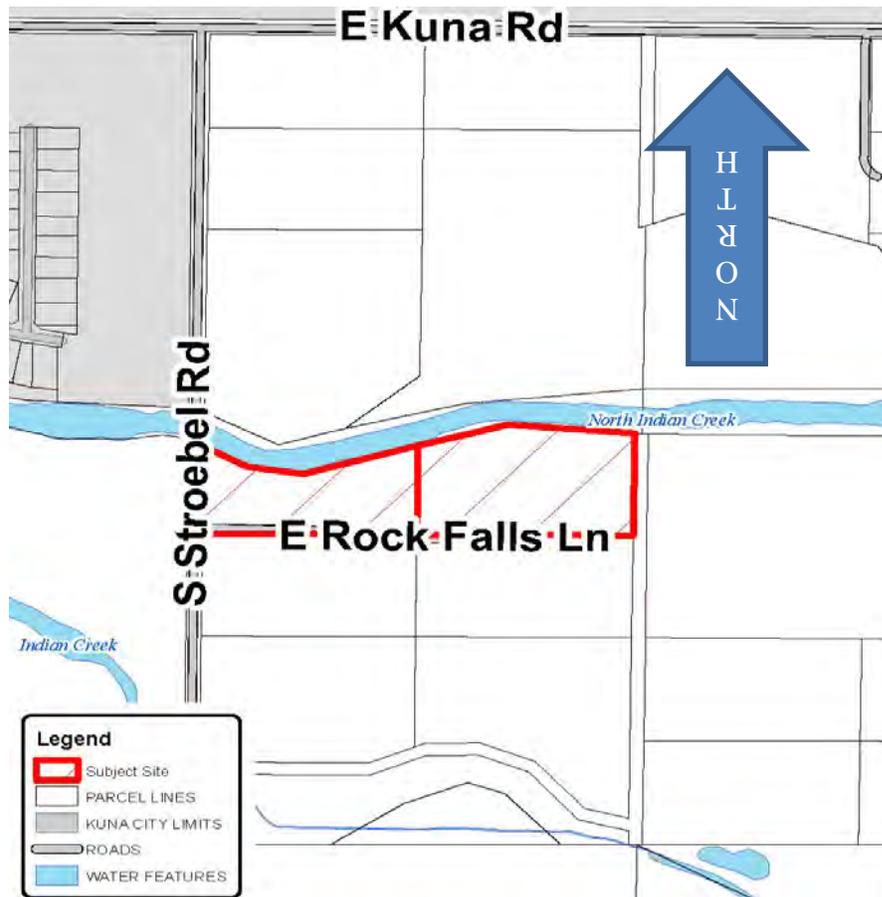
CITY OF KUNA
PO Box 13 - Kuna, ID 83634
Phone: 208.922.5274 - Fax: 208.922.5989

**Case No. 21-15-AN (Annexation) for
Rock Falls Subdivision**

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission is scheduled to hold a public hearing on **Tuesday, July 12, 2022, 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 a request for **Annexation (AN)** of Lots 1 and 3, Block 3 within the Amended Avalon Orchard Tracts Sub, into the City of Kuna, approx. 8.43 total acres, and are requesting the R-2 (Low Density Residential) and R-4 (Medium Density Residential) zones. Applicant also desires to split the two (2) lots, into three (3) new lots each, for a total of six (6) new lots. The subject site is located at 2500 E Rock Falls Ln., Kuna, ID 83634, within Section 30, Township 2 North, Range 1 East; (APNs: R0615250410, & R0615250402).

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.

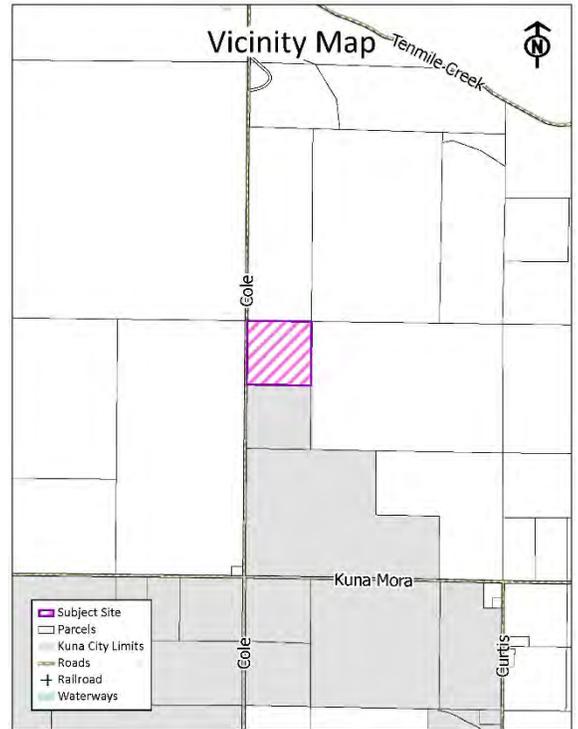


**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF KUNA**

IN THE MATTER OF THE APPLICATIONS OF) **Case No. 22-06-AN (Annexation)**
)
THOMAS NICHOLSON)
) **STAFF REPORT FOR 14375 S COLE**
For Annexation of 14375 S Cole Road.) **ROAD.**

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:

<i>DESCRIPTION OF EVIDENCE</i>		Withdraw	Refused	Admitted
1.1	Staff Report			X
2.1	P&Z Application Coversheet			X
2.2	Annexation & Zoning Application			X
2.3	Narrative			X

2.4	Legal Description			X
2.5	Vicinity Map			X
2.6	Deed			X
2.7	Affidavit of Legal Interest			X
2.8	Neighborhood Meeting Certification			X
2.9	Commitment to property Posting			X
2.10	Agency Transmittal			X
2.11	Central District Health Department			X
2.12	Ada County Development Services			X
2.13	Nampa & Meridian Irrigation District			X
2.14	COMPASS			X
2.15	Ada County Highway District			X
2.19	Public Works			X
2.16	P&Z Kuna Melba News			X
2.17	P&Z Mailer			X
2.18	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, it 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: April 20, 2022 (5 attendees)
- 2.1.2.2** Agency Comments Request: May 13, 2022
- 2.1.2.3** 300 FT Property Owners Notice: June 22, 2022
- 2.1.2.4** Kuna Melba News Newspaper: June 22, 2022
- 2.1.2.5** Site Posted: July 1, 2022

III APPLICANTS REQUEST

3.1 The Land Group, Inc, requests approval to annex approximately 42.46 acres into Kuna City Limits

with an M-1 (Light Industrial/Manufacturing) zoning district classification. The subject site is located at 14375 S Cole Road, Kuna, ID 83634 (APNs: S1531222400).

**IV
GENERAL PROJECT FACTS**

4.1 Site History

4.1.1 The parcel is currently zoned RP (Rural Preservation) within unincorporated Ada County. Historically the site has served as a residence and farmland.

4.2 Surrounding Land Uses

North	RP	Rural Preservation – Ada County
South	M-1	Light Industrial/Manufacturing – Kuna City
East	RP	Rural Preservation – Ada County
West	RP	Rural Preservation – Ada County

4.3 Parcel Number, Owner, Current Size and Zoning

4.3.1 S1531222400

4.3.1.1 Thomas Nicholson

4.3.1.2 Approximately 42.46 acres

4.3.1.3 RP (Rural Preservation)

4.4 Services

Sanitary Sewer – City of Kuna (Future)
Potable Water – City of Kuna (Future)
Fire Protection – Kuna Rural Fire District or Service Agreement
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 subject site contains one (1) single family residence and two (2) outbuildings; vegetation on-site is consistent with that of crop fields. The site has an estimated average slope of 0% to 4%. According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be 20 to 40 inches.

4.6 Environmental Issues

4.6.1 Staff is not aware of any environmental issues, health or safety conflicts.

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 42.46 acres as Agriculture.

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.
Central District Health Department	2.11
Ada County Development Services	2.12
Nampa & Meridian Irrigation District	2.13
COMPASS	2.14
Ada County Highway District	2.15
Public Works	2.19

V TRANSPORTATION AND CONNECTIVITY

5.1 The subject site is currently accessed via a driveway from S Cole Road. The Applicant is not proposing right-of-way improvements with this application. In Exhibit 2.15 the Ada County Highway District has provided findings for consideration when it reviews a redevelopment application in the future.

VI STAFF ANALYSIS

6.1 The Applicant held a Neighborhood Meeting on April 20, 2022; there were five (5) attendees. Meeting minutes from the Neighborhood Meeting have been provided as a part of this packet.

The Land Group, Inc, requests approval to annex approximately 42.46 acres into Kuna City Limits with an M-1 (Light Industrial/Manufacturing) zoning district classification. The subject site is located at 14375 S Cole Road, Kuna, ID 83634 (APNs: S1531222400).

There are no new buildings, new street or street widening, or utility improvements proposed at this time. Should the Applicant develop the property in the future they will be required to return for the appropriate approvals from the Planning and Zoning Commission and City Council.

The East Kuna Industrial Annexation, Case Nos. 21-11-AN and 21-03-DA, approved by City Council on November 3, 2021 allows for the acquirement of “additional property” outside of the initial industrial annexation area that was proposed if the “additional property” meets certain requirements in Section 4 and Exhibit C of the development agreement. 14375 S Cole Road is a parcel that meets those requirements.

Per Exhibit 2.19, Public Works can support approval of this application, comments may be expanded or refined in connection with the future land-use actions.

Staff has reviewed the proposed Annexation for compliance with Title 5 and Title 6 of Kuna City Code; Idaho Statutes § 50-222 and the Kuna Comprehensive Plan. 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 No. 22-06-AN (Annexation), the Applicant shall 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.

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 50, Chapter 222 – Annexation by Cities

VII PROPOSED FINDINGS OF FACT

Based upon the record contained in Case No. 22-06-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. 22-06-AN, a request from the Land Group, Inc to annex approximately 42.46 acres into Kuna City Limits with an M-1 (Light Industrial/Manufacturing) zoning district classification.

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. 22-06-AN, this proposal *does/does not* generally comply with Kuna City Code (KCC) for technical compliance with KCC Title 5.

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

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

Staff Finding: *The Applicant held a Neighborhood Meeting on April 20, 2022; five residents attended the meeting. A legal notice was published in the Kuna Melba Newspaper on June 22, 2022. The Applicant posted a sign on the property on July 1, 2022. Neighbor Notices were mailed to land owners within 300-FT of the proposed project site on June 22, 2022.*

- 7.3 The availability of existing and proposed public services and infrastructure *can/cannot* accommodate the proposed Annexation.

Staff Finding: *The application proposes no new development at this time, therefore existing public services and infrastructure will be unaffected. In Exhibit 2.15 the Ada County Highway District has provided findings for consideration when it reviews a redevelopment application in the future.*

Per Exhibit 2.19, Public Works can support approval of this application, comments may be expanded or refined in connection with the future land-use actions.

- 7.4** Based on the evidence contained in Case No. 22-06-AN, this proposal *does/does not* generally comply with the Comprehensive Plan.

Staff Finding: *The Annexation proposes to be zoned M-1 (Light Industrial/Manufacturing), the Comp Plan Map designates the property as Agriculture. However, the East Kuna Industrial Annexation, Case Nos. 21-11-AN and 21-03-DA, approved by City Council on November 3, 2021 allows for the acquirement of “additional property” outside of the initial industrial annexation area that was proposed if the “additional property” meets certain requirements in Section 4 and Exhibit C of the development agreement; 14375 S Cole Road is a parcel that meets those requirements.*

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

Staff Finding: *The property owner has signed an Affidavit of Legal Interest to allow The Land Group, Inc to submit an application request to the City of Kuna on their behalf.*

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

VIII PROPOSED COMPREHENSIVE PLAN ANALYSIS

The Kuna Planning and Zoning 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:

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

- Goal 1.A: Ensure land use in Kuna will support economic development.
 - Objective 1.A.3.: Utilize industrial land use designations to encourage development and expansion of industrial businesses in key locations.
 - Policy 1.A.3.a.: Designate a sufficient quantity of land on the Future Land Use Map for industrial use.
 - Policy 1.A.3.b.: Identify a large tract of land in proximity to the Union Pacific Railroad Line that is sufficient in size and scope to accommodate a variety of light and heavy industrial land uses that will also have adequate access to Meridian Road/ Highway 69 and Kuna-Mora Road and I-84.

- 1.A.3.f.: Inventory and identify other key parcels for industrial development and poise them to be shovel-ready for development, with access to the City’s public facilities, utilities and services.
- 1.A.3.h.: Inventory and identify key parcels for industrial development/use and pose them to be shovel ready for agritourism, agritainment, healthcare, technology and manufacturing development, with access to the City’s public facilities, utilities and services.

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

- Goal 3.A.: Ensure community design directs growth and implements sustainable land use patterns
 - Objective 3.A.1.: Use the Future Land Use Map and land use regulations to direct development, encourage complementary and compatible land uses, and achieve good community design.
- Goal 3.G.: Respect and protect private property rights.
 - Objective 3.G.1.: Ensure land use policies, restrictions, and fees do not violate private property rights.
 - Policy 3.G.1.b: Ensure City land use actions, decision, and regulations will not cause an unconstitutional regulatory taking of private property; and do not effectively eliminate all economic value of the subject property.
 - Policy 3.G.1.c: Ensure 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
COMMISSIONS PROPOSED 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. 22-06-AN (Annexation), a request from the Land Group, Inc to annex approximately 42.46 acres into Kuna City Limits with an M-1 (Light Industrial/Manufacturing) zoning district classification subject to the following Conditions of approval:

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 or alternate fire authority shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District or alternate fire authority 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 12th day of July, 2022.

Aerial Map

Tenmile Creek



Cole



Kuna Mora

Cole

Curtis

-  Subject Site
-  Parcels
-  Roads
-  Railroad
-  Waterways



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): 22-06-AN

Project Name: 14375 S Cole

Date Received: 04.28.2022, Revised Legal Desc. 05.06.2022

Date Accepted as Complete: _____

Type of review requested (check all that apply):

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

Owner of Record

Name: Thomas Nicholson

Address: 14375 S Cole Road Kuna, ID

Phone: _____ Email: _____

Applicant (Developer) Information

Name: Gardner Company

Address: 201 S. Main Street #2000, Salt Lake City, UT 84111

Phone: 208 246 8909 Email: weston@gardnercompany.net

Engineer/Representative Information

Name: The Land Group, Inc

Address: 462 E Shore Drive Ste 100, Eagle, ID 83616

Phone: 208 939 4041 Email: tamara@thelandgroupinc.com

Subject Property Information

Site Address: 14375 S Cole Road, Kuna ID 83634

Nearest Major Cross Streets: Kuna Mora Rd

Parcel No.(s): S1531222400

Section, Township, Range: SEC 31 2N 2E

Property Size: 40 acres

Current Land Use: RP Proposed Land Use: Industrial

Current Zoning: RP Proposed Zoning: M1

Project Description

Project Name: Nicholson Annexation

General Description of Project: Annex approximately 40 aces to the City of Kuna.

The proposed zoning is M-1.

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

- Residential: R-2 R-4 R-6 R-8 R-12 R-20 Commercial: C-1 C-2 C-3 CBD
 Office Industrial: M-1 M-2 Other: _____

Type(s) of amenities provided with development: _____

Residential Project Summary (If Applicable)

Are there existing buildings? YES NO

If YES, please describe: _____

Will any existing buildings remain? YES NO

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

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

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

- Single-Family Townhomes Duplexes Multi-Family
 Other: _____

Minimum square footage of structure(s): _____

Gross Density (Dwelling Units ÷ Total Acreage): _____

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

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

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

Non-Residential Project Summary (If Applicable)

Number of building lots: TBD Other lots: _____

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

Building height: _____ Hours of Operation: _____

Total No. of Employees: _____ Max No. of Employees at one time: _____

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

Proposed Parking

ADA accessible spaces: _____ Dimensions: _____

Regular parking spaces: _____ Dimensions: _____

Width of driveway aisle: _____

Proposed lighting: _____

Is lighting "Dark Sky" compliant? YES NO

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

Applicant Signature:  Date: 4/22/2022

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 to you for application attachments to be uploaded to the cloud.



Annexation & Zoning Application



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

Annexation requires public hearings with both the Planning & Zoning Commission and City Council. Public hearing signs will be required to be posted by the applicant for both meetings. Sign posting regulations are available online in Kuna City Code 5-1A-8.

****Office Use Only****

Case No(s): 22-06-AN

Project Name: 14375 S Cole

Date of Pre-Application Meeting: Valid for three (3) months, unless otherwise determined by Staff

Date Received: 04.28.2022, Revises Legal Desc. 05.06.2022

Date Accepted as Complete: 05.06.2022

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

- Complete Planning & Zoning Application Coversheet.
- Complete Annexation 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, serviceability, amenities, and how the project complies with the requirements found within Kuna City Code 5-13 and Idaho Code §50-222.
- Legal Description of Annexation Area: Include metes & bounds description to the section line of all adjacent roadways; stamped & signed by a registered professional Land Surveyor; calculated closure sheet; and a map showing the boundaries of the legal description.
- 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.
- 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.

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

Information to Note:

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

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

Applicant Signature:  Date: 4/22/2022

By signing, you are confirming you have provided all required items listed on this application.



April 27, 2022

Doug Hanson
Kuna Planning & Zoning Department
751 W 4th St
Kuna, ID 83634

**Re: East Kuna Industrial | Kuna
Annexation and Zoning**

Dear Mr. Hanson,

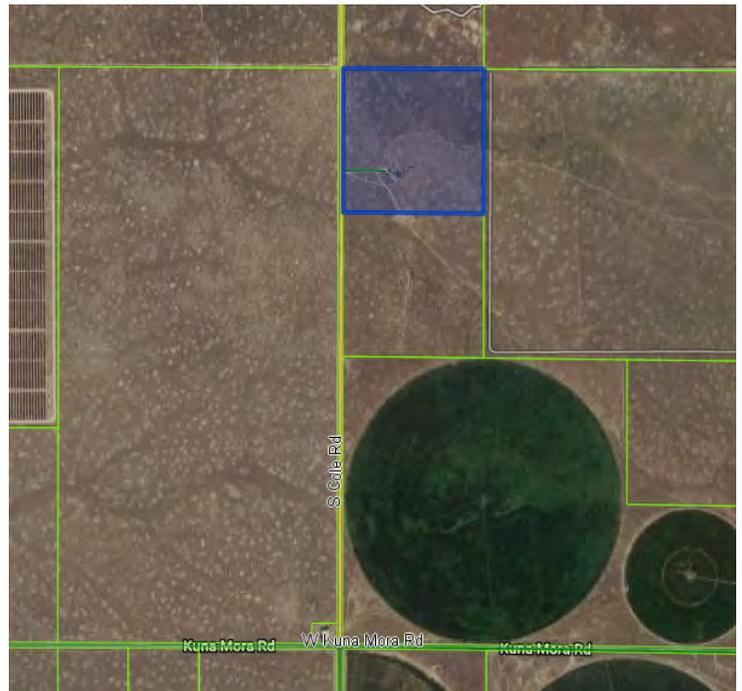
On behalf of Gardner Company, we are pleased to submit the enclosed Annexation and Zoning application. The subject properties are located generally north and south of Kuna Mora Road, east of Cole Road. The properties are highlighted in blue on the vicinity map below.

The parcels are in the Kuna Area of City Impact and are contiguous to Kuna city limits.

The annexation area consists of approximately 40 acres.

The parcels are currently zoned RP in Ada County. The proposed zoning upon annexation is M-1. This change will extend the existing zoning from the adjacent parcels to the south.

The parcels are currently designated as Light Industrial in the City of Kuna's 2019 Future Land Use Map.



Vicinity Map

The annexation and zoning requested is consistent with the Comprehensive Plan's goals and objectives to support industrial development and provide diverse economic opportunities within the city, including the following:

- "1.A.3.g. Proactively focus on future planning around public infrastructure to increase the chances of new industrial projects locating to the City of Kuna."
- "3.E.1.b. Provide adequate space for industrial developments, so they may benefit from economies of scale and proximity to one another."
- "3.E.1.c. Encourage the development of industrial land uses in areas that are not averse to neighboring areas."

Annexation of the parcels to the City of Kuna will support the orderly development of the city and will enable the orderly development of private lands. The request is a Category A Annexation (owners have consented to annexation). The annexation is pursuant to Idaho Code 50-222, 67-6508, and 67-6511; and Kuna City Code.

A neighborhood meeting was held on April 20, 2022.

Please do not hesitate to let me know if we can provide any additional information. I can be reached via email to tamara@thelandgroupinc.com or at 208-939-4041.

Sincerely,



Tamara Thompson
Director of Client Services



May 3, 2022
Project No.: 120121

GOVERNMENT LOT 1, SECTION 31
GARDNER COMPANY

A parcel of land being Government Lot 1 of Section 31, Township 2 North, Range 2 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

BEGINNING at the Northwest corner of said Section 31, (from which the West One Quarter corner of said Section 31 bears, South 00° 27' 08" West, 2640.23 feet, distant);
Thence on the north section line of said Section 31, South 89° 15' 26" East, 1400.95 feet, to the West One Sixteenth corner of said Section 31;
Thence leaving said north section line, South 00° 35' 28" West, 1323.56 feet; to the Northwest One Sixteenth corner of said Section 31;
Thence North 89° 06' 57" West, 1397.77 feet, to the North One Sixteenth corner of said Section 31;
Thence on the west line of said Section 31, North 00° 27' 08" East, 1320.12 feet, to the **POINT OF BEGINNING**.

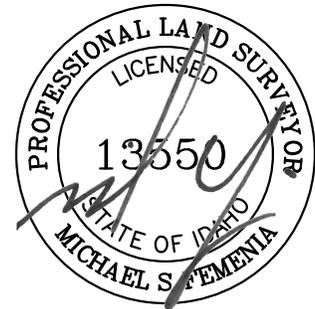
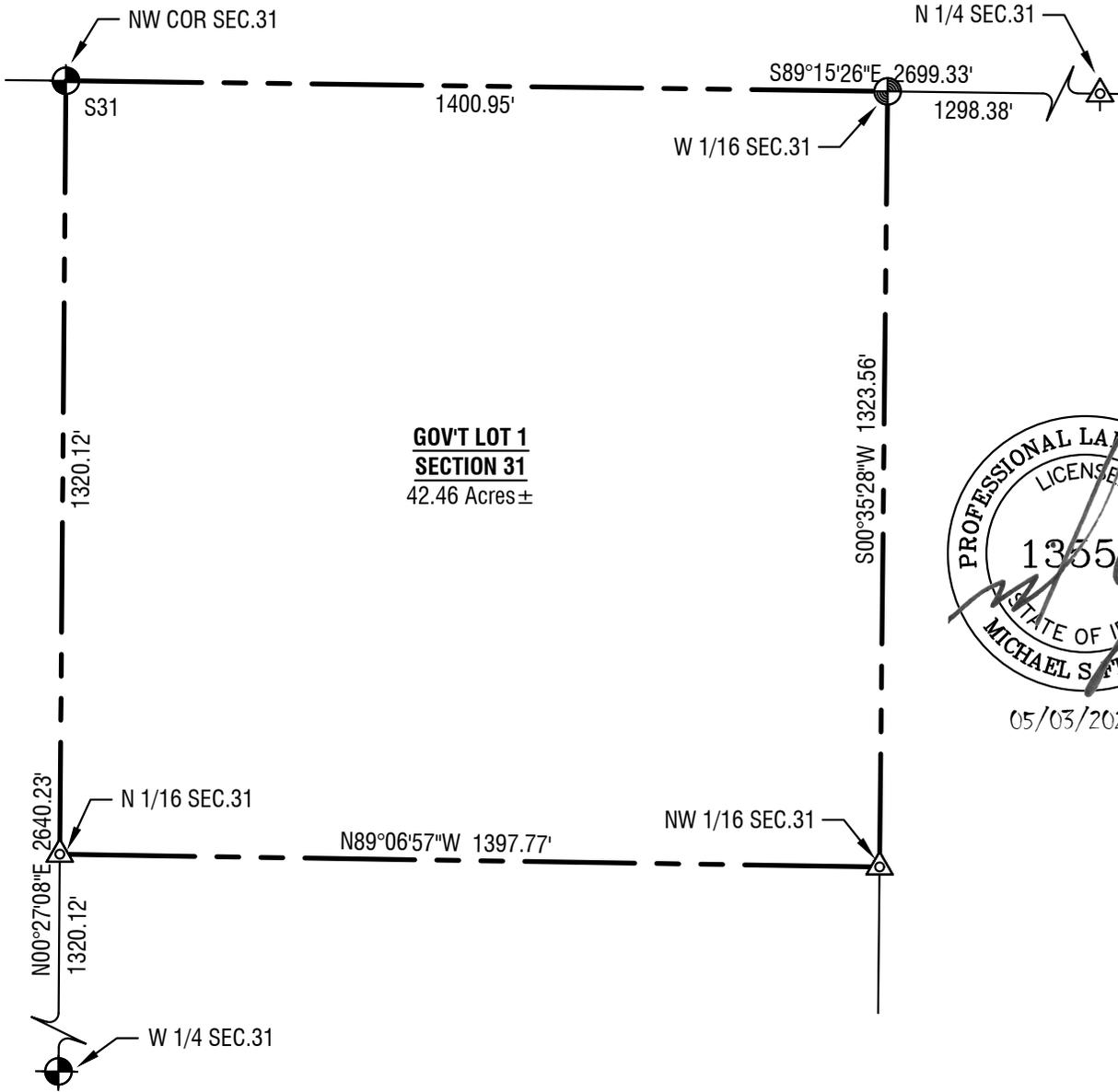
The above-described parcel of land contains 42.46 acres, more or less.

PREPARED BY:
The Land Group, Inc.
Michael Femenia, PLS



Gov't Lot 1

Section 31,
Township 2 North, Range 2 East, Boise Meridian
Ada County, Idaho
2022



05/03/2022

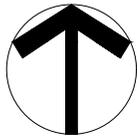


Exhibit "B"

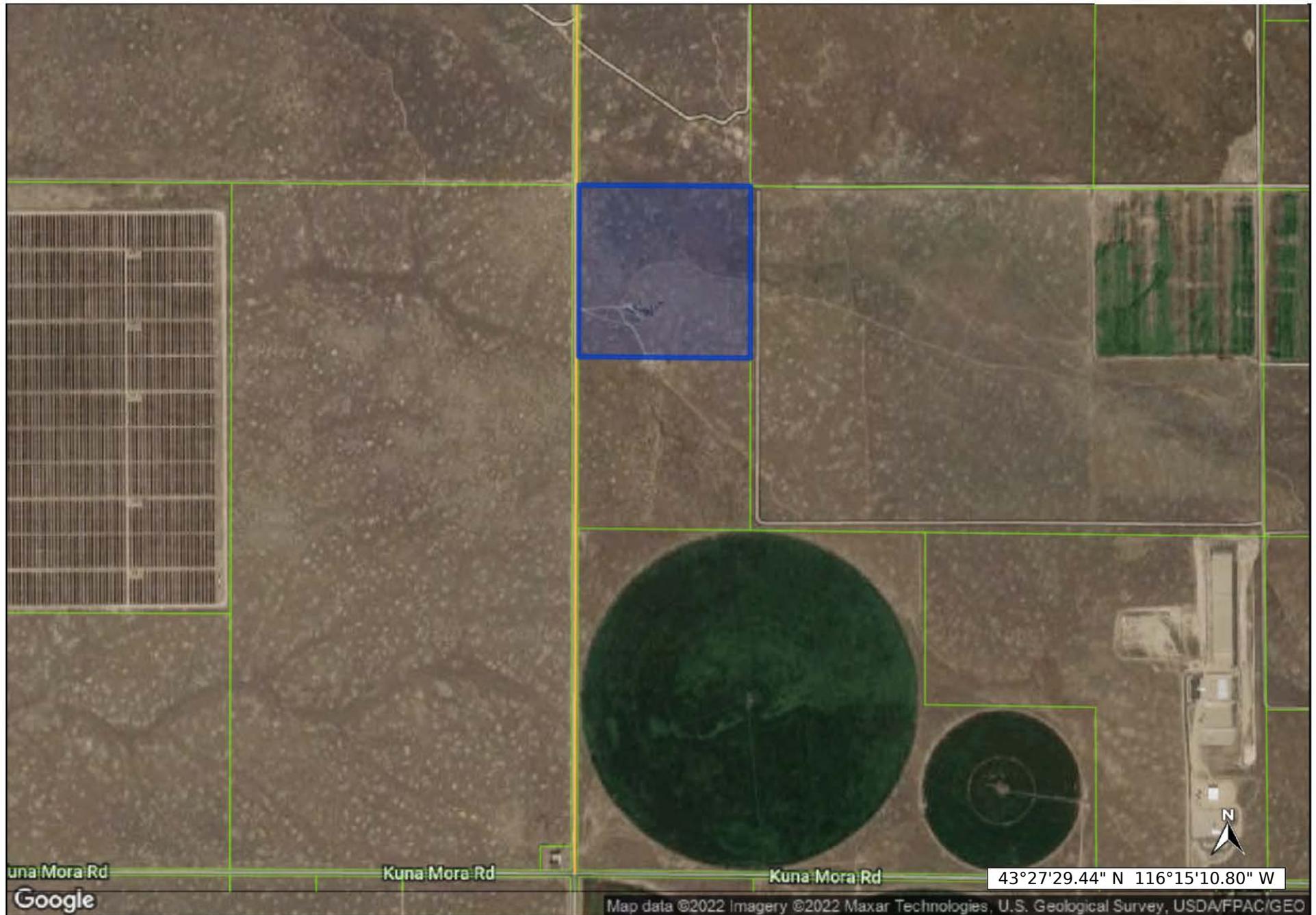
Horizontal Scale: 1" = 300'



Project No.: 120121
Date of Issuance: May 3, 2022



Government Lot 1
Thomas Nicholson Property
Gardner Company





8151 W. Rifleman Street
Boise, ID 83704

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

File No. 682643 SRM/GL

ADA COUNTY RECORDER Phil McGrane
BOISE IDAHO Pgs=1 VICTORIA BAILEY
PIONEER TITLE COMPANY OF ADA COUNTY

2019-074406
08/14/2019 01:39 PM
\$15.00

WARRANTY DEED

For Value Received Ray Montierth and Susan Montierth, husband and wife hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Thomas Emil Nicholson, an unmarried man hereinafter referred to as Grantee, whose current address is 14375 South Cole Road Kuna, ID 83634

The following described premises, to-wit:

Government Lot 1, Section 31, Township 2 North, Range 2 East, Boise Meridian, Ada County, Idaho.

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: July 24, 2019

Ray Montierth

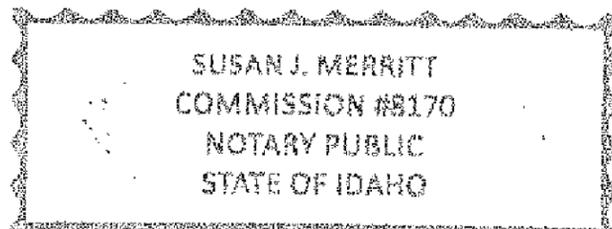
Susan Montierth

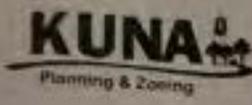
State of Idaho, County of Ada

This record was acknowledged before me on 8-8-19 by Ray Montierth and Susan Montierth

Signature of notary public
Commission Expires:

Residing at Caldwell, ID
My Commission Expires: 05-05-2023





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, Thomas E. Nicholson
14375 S Cole RD Kuna, ID 83634

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
The Land Group, Inc
462 E Shore Drive, Ste 100 Eagle, ID 83616
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 4th day of April, 2022

Thomas E. Nicholson
Signature

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

Kyle Manning
Residing at: 1577 N Linder Rd
Kuna ID 83634

KYLE MANNING
Notary Public - State of Idaho
Commission Number 20202907
My Commission Expires 08-08-2026

My Commission expires: 08/08/2026
[Signature]
Signature



Neighborhood Meeting Certification

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



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: _____

Date of Meeting: _____ Time: _____

Meeting Location: _____

Site Information

Location: Section _____ Township _____ Range _____ Total Acres _____

Subdivision Name: _____ Lot _____ Block _____

Address: _____

Parcel No(s): _____

Include ALL addresses and parcel numbers for your application.

Current Property Owner

Name: _____

Address: _____

Contact Person

Name: _____

Business Name (if applicable): _____

Address: _____

Phone: _____ Email: _____

Applicant

Name: _____

Address: _____

Phone: _____ Email: _____

I, _____, 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: _____  _____ Date: _____



SIGN-IN SHEET

Project Name: 14375 Cole Rd. Annex

	Name	Address	Phone
1	Tamara Thompson	462 E. Shore Dr	208-939-4041
2	Davis Swartz	4904 N. MOUNTAINSIDE LN	208-284-5078
3	Weston Arnell	609 S. Brentbrook Ln	801-201-2853
4	Thomas Nicholas	14375 S Cole Rd	(208) 296-5094
5	Andrea Phre	14375 S. cole rd	208-565-1401
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COMMITMENT TO PROPERTY POSTING

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



Per Kuna City Code (KCC) 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 on the property under consideration; all posting must be in substantial compliance.

The Applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the Planning and Zoning Department *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 to the next available date, as scheduling permits.

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

Print Name: _____

Signature: _____ *Jamara Simpson* _____ Date: _____

Doug Hanson

From: Doug Hanson
Sent: Friday, May 13, 2022 11:02 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'; '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'; 'Leon Letson (Ada County)'; 'Marc Boyer (Kuna Postmaster)'; 'Megan Leatherman'; 'Nampa Meridian Irrigation District'; 'New York Irrigation'; 'Paris Dickerson'; 'Public Works'; 'Robbie Reno'; 'Sarah Arjona ITD'; 'Scott Arellano (KRFD)'; 'Stacey Yarrington (Ada County)'; 'TJ Lawrence (Interim KRFD Chief)'
Subject: 22-06-AN 14375 S Cole Road City of Kuna Request for Comment
Attachments: 22-06-AN 14375 S Cole Road Agency Transmittal Packet.pdf

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

File Number & Case Name:	22-06-AN (Annexation) – 14375 S Cole Road
Project Description	The Land Group, Inc, requests approval to annex approximately 42.46 acres into Kuna City Limits with an M-1 (Light Industrial/Manufacturing) zoning district classification. The subject site is located at 14375 S Cole Road, Kuna, ID 83634 (APNs: S1531222400)
Applicant	The Land Group, Inc 462 E Shore Drive Suite 100 Eagle, ID 83616 208-939-4041 tamara@thelandgroupinc.com
Tentative Public Hearing Date	Tuesday, July 12, 2022 6:00 pm Kuna City Hall is located at 751 W. 4 th Street, Kuna, ID 83634
Staff Contact	Doug Hanson dhanson@kunaid.gov Phone: 208.287.1771 Fax: 208.922.5989
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. <i>No response within 15 business days will indicate you have no objection or comments for this project.</i>	

Best,

Doug Hanson
Planning and Zoning Director
City of Kuna
751 W 4th St
Kuna, ID 83634
dhanson@kunaid.gov
208.287.1771





Ada County Transmittal
Division of Community and Environmental Health

Return to:

Rezone/OTD # 22-06-AN
 Conditional/Accessory Use # _____
 Preliminary / Final / Short Plat _____
 Development Name/Section Sect. 31

- 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. 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 _____
- 5. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- 6. After written approvals from appropriate entities are submitted, we can approve this proposal for:
 - central sewage
 - community sewage system
 - interim sewage
 - central water
 - individual sewage
 - individual water
 - community water well
- 7. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - central sewage
 - community sewage system
 - sewage dry lines
 - central water
 - community water
- 8. Infiltration beds for storm water disposal are considered shallow injection wells. If they are not in the City of Boise or ACHD right-of-way, an application and fee per well, vicinity map and construction plans must be submitted to CDH.
- 9. If restroom or plumbing facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 10. An accessory use application, fee, detailed site plan and floor plans must be submitted to CDH for review.
- 11. Land development application, fee per lot, test holes and full engineering report is required.
- 12. CDH makes no guarantee a septic permit will be issued on the split off lot. A speculative site evaluation is recommended.
- 13. We will require plans be submitted for a plan review for any:
 - food establishment
 - swimming pools or spas
 - beverage establishment
 - grocery store
 - child care center
- 14. _____

Reviewed By: How Berg Date: 5/13/2022



ADA COUNTY DEVELOPMENT SERVICES

200 W. FRONT STREET, BOISE, IDAHO 83702-7300
<https://adacounty.id.gov/developmentservices>

PHONE (208) 287-7900
FAX (208) 287-7909

BUILDING • COMMUNITY PLANNING • ENGINEERING & SURVEYING • PERMITTING

May 19, 2022

Doug Hanson
Kuna City Planning Department
PO Box 13
Kuna, ID 83634

RE: 22-06-AN / 14375 S Cole Road / Annexation

Doug,

The City of Kuna has requested feedback regarding the proposed annexation of 40.0-acres general located north Kuna Mora Road and east of Cole Road with a M-1 (Light Manufacturing/Industrial District) zoning to allow for future industrial uses.

Ada County is supportive of the application due to the compatibility of the proposed zoning with the surrounding area, which includes such uses as feed lots, meat packing facilities, solar farm, and gravel/rock pits.

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. The City of Kuna included this site, as a future industrial site, as part of a development agreement with the annexation (21-11-AN) of properties directly south of the site. Therefore, the application complies with the following Comprehensive Plan goals regarding development within Areas of City Impact and Regional Economic Growth.

Goal 2.2a: Support the land-use and development policies expressed in adopted comprehensive plans for the Areas of City Impact.

Goal 3.2a: Incorporated areas/Areas of City Impact. Direct industrial and employment uses within the cities and ACIs consistent with the goals and policies of the applicable comprehensive plan.

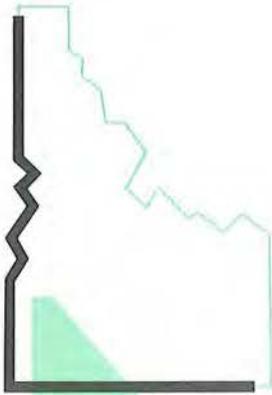
The site is contiguous to City of Kuna limits and Ada County looks forward to working with city staff in the renegotiation and adoption of the updated comprehensive plan.

Please feel free to contact me with any questions.

Sincerely,

Stacey Yarrington

Stacey Yarrington
Community & Regional Planner
Ada County Development Services



RECEIVED

MAY 26 2022

ORGANIZED 1904

CITY OF KUNA

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

May 23, 2022

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

RE: 22-06-AN/ 14375 S. Cole Road

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

Communities in Motion 2050 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 2050* (CIM 2050), 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 2050 goals.

Development Name:

CIM Vision Category:

New Jobs:

CIM Corridor:

New Households:



Safety

Level of Stress measures how safe and comfortable a bicyclist or pedestrian would feel on a corridor and considers multimodal infrastructure number of vehicle lanes, and travel speeds.

- Pedestrian level of stress
- Bicycle level of stress



Economic Vitality

These tools evaluate whether the location of the proposal supports economic vitality by growing near existing public services.

- Activity Center Access
- Farmland Preservation
- Net Fiscal Impact
- Within CIM Forecast



Convenience

Residents who live or work less than 1/2 mile from critical services have more transportation choices, especially for vulnerable populations.

- Nearest bus stop
- Nearest public school
- Nearest public park



Quality of Life

Checked boxes indicate that additional information is attached.

Active Transportation

- Automobile Transportation
- Public Transportation
- Roadway Capacity



Improves performance



Does not improve or reduce performance



Reduces performance

Comments:

Communities in Motion 2050
[2020 Change in Motion Report](#)
[Development Review Process](#)

Web: www.compassidaho.org
 Email: info@compassidaho.org



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:



Mary May, President
Alexis Pickering, Vice-President
Jim D. Hansen, 2nd Vice President
Kent Goldthorpe, Commissioner
Dave McKinney, Commissioner

June 13th, 2022

To: Tamara Thompson
The Land Group, Inc
462 E Shore Drive, Suite 1000
Eagle, ID 83616

Subject: KUNA22-0010/ 22-06-AN
14375 S Cole Road
Kuna Industrial Annexation and Rezone

This is an annexation and rezone application to annex 43 acres into the City of Kuna with M-1 zoning.

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

A. Findings of Fact

1. Cole Road

a. **Existing Conditions:** Cole Road is improved with 2-travel lanes, 26-feet of pavement and no curb, gutter, or sidewalk abutting the site. There is 50-feet of right-of-way for Cole Road (24-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 Cole Road is designated in the MSM as a Residential Arterial with 2-lanes and on-street bike lanes, a 46-foot street section within 70-feet of right-of-way.

- c. **Staff Comments/Recommendations:** As part of a future development application, the applicant should be required to improve Cole Road abutting the site with pavement widening to total 17-feet from centerline, 3-foot wide gravel shoulders, and 5-foot wide concrete sidewalk located a minimum of 31-feet from centerline.

As part of a future development application, the applicant should be required to dedicate additional right-of-way to total 35-feet from the centerline of Cole Road abutting the site.

2. New Industrial Roads

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

b. **Policy:**

Industrial Roadway Policy: District Policy 7209.2.1 states that the developer is responsible for improving all industrial 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 7209.5 states that right-of-way widths for new industrial roadways shall be 50-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 40-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and a center turn lane.
- A 52-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and a center turn lane and on-street parking.

Continuation of Streets Policy: District Policy 7209.2.4 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 7209.5.6 requires concrete sidewalks at least 5-feet wide to be constructed on one side of all industrial 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.

Cul-de-sac Streets Policy: District policy 7209.5.7 states that the minimum radius permitted for a turnaround is 55-feet to back-of-curb.

Landscape Medians Policy: District policy 7209.5.15 states that landscape medians are permissible where adequate pavement width is provided on each side of the median to accommodate the travel lanes and where the following is provided:

- The median is platted as right-of-way owned by ACHD.
- The width of an island near an intersection is 12-feet maximum for a minimum distance of 150-feet. Beyond the 150-feet, the island may increase to a maximum width of 30-feet.
- At an intersection that is signalized or is to be signalized in the future, the median width shall be reduced to accommodate the necessary turn lane storage and tapers.
- The Developer or Homeowners Association shall apply for a license agreement if landscaping is to be placed within these medians.
- The license agreement shall contain the District's requirements of the developer including, but not limited to, a "hold harmless" clause; requirements for maintenance by the developer; liability insurance requirements; and restrictions.
- Vertical curbs are required around the perimeter of any raised median. Gutters shall slope away from the curb to prevent ponding.

- c. **Staff Comments/Recommendations:** As part of a future development application the applicant should be required to design and construct any internal industrial streets to meet the District policies above.

3. Driveways – Cole Road

- a. **Existing Conditions:** There is an existing 12-foot wide unimproved driveway located 365-feet north of the site's south 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 7205.4.7 states that direct access to principal 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 1b under District policy 7205.4.7, unless a waiver for the access point has been approved by the District Commission. Driveways, when approved on a principal arterial shall operate as a right-in/right-out only, and the District will require the construction of a raised median to restrict the left turning movements.

Driveway Location Policy: District policy 7205.4.7 requires driveways located on principal arterial roadways to be located a minimum of 355-feet from the nearest intersection for a right-in/right-out only driveway. Full-access driveways are not allowed on principal arterial roadways.

Successive Driveways: District policy 7205.4.7 Table 1b, requires driveways located on principal arterial roadways with a speed limit of 20 MPH to align or offset a minimum of 355-feet from any existing or proposed driveway.

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

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

Temporary Access Policy: District Policy 7202.4.2 identifies a temporary access as that which "is permitted for use until appropriate alternative access becomes available". Temporary access may be granted through a development agreement or similar method, and the developer shall be responsible for providing a financial guarantee for the future closure of the driveway.

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

c. Staff Comments/Recommendations: As part of a future development application, the applicant should be required to design and construct any driveways from the site on to Cole Road to meet the District policies above.

Multiple access points on Cole Road are not guaranteed to be allowed by ACHD as part of a future development application. If access is requested on Cole Road,

an access analysis may be required to be submitted to ACHD for review prior to the submittal of the development application.

4. Tree Planters

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

5. Landscaping

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

6. Other Access

Cole Road is classified as a principal arterial roadway. Other than the access specifically approved with future applications, direct lot access is prohibited to these roadways.

B. Site Specific Conditions of Approval

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

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

C. 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.

D. Traffic Information

Trip Generation: Below is a chart with the land use and estimated trip generation rates for the use that may be included within the site. Trip generation rates are based on the Institute of Transportation Engineers Trip Generation Manual, 11th edition.

Use	Avg. Daily Trips	Avg. PM Peak Hour
General Light Industrial (1,000 sf)	4.87	0.65
Industrial Park (1,000 sf)	3.37	0.34

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
Cole Road	1,320-feet	Principal Arterial	27	Better than "E"

* Acceptable level of service for a two-lane principal arterial is "E" (690 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 Cole Road north of Kuna Mora Road was 203 on 03/01/22.

E. 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.

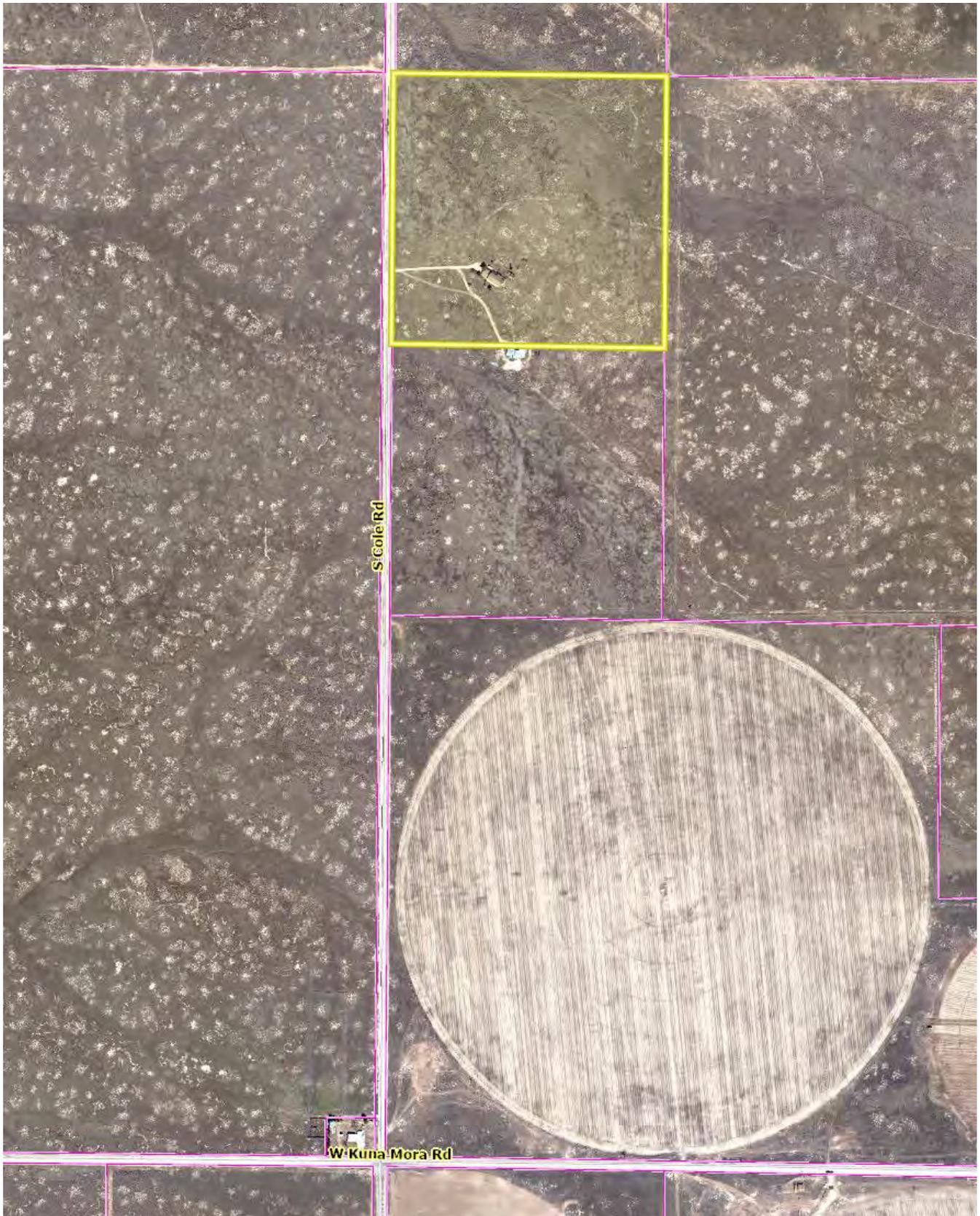
Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Bruner". The signature is fluid and cursive, with the first name "Kelly" and the last name "Bruner" clearly distinguishable.

Kelly Bruner
Planner
Development Services

cc: City of Kuna (Doug Hanson, via email)

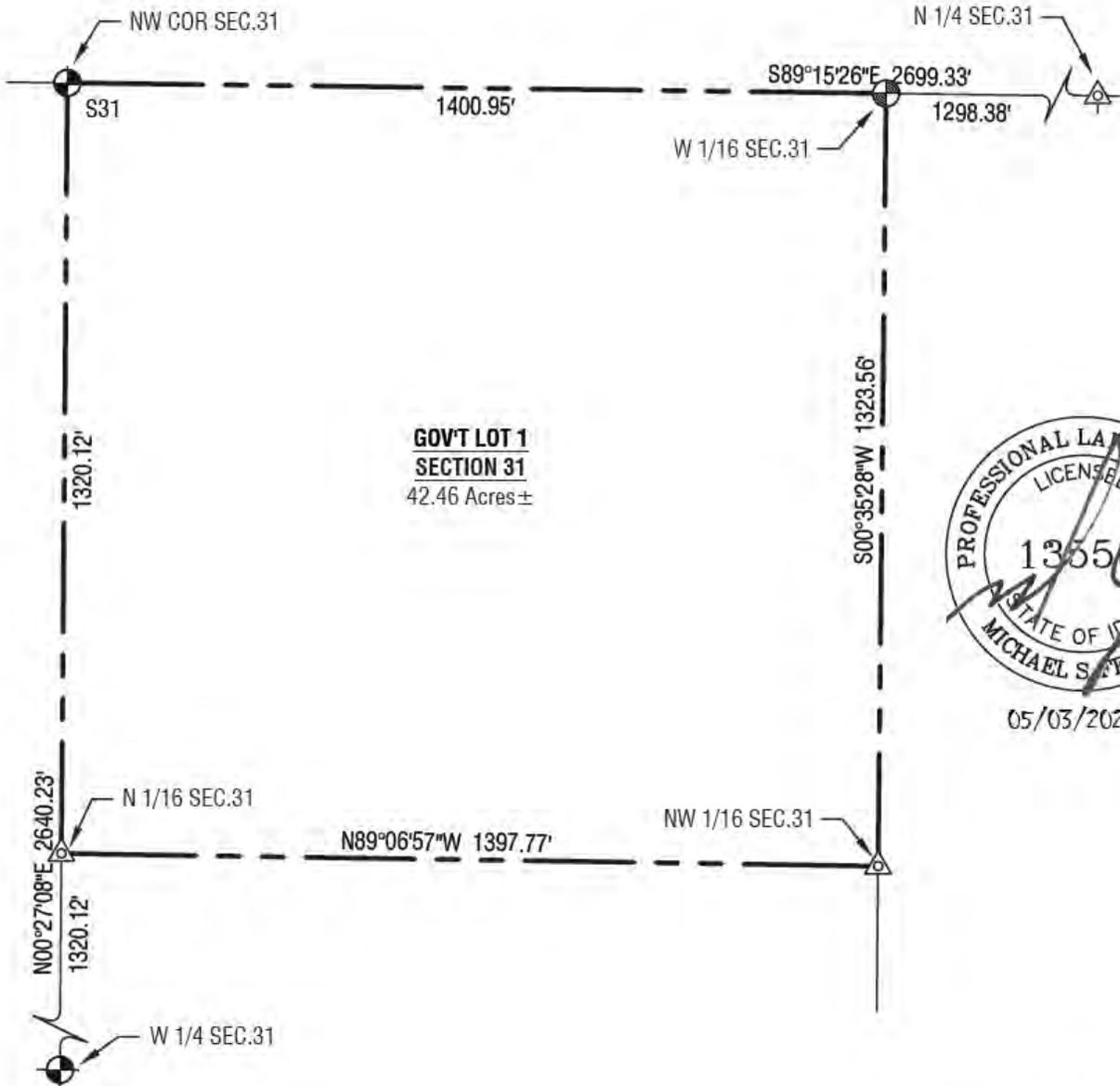
VICINITY MAP



SITE PLAN

Gov't Lot 1

Section 31,
Township 2 North, Range 2 East, Boise Meridian
Ada County, Idaho
2022



05/03/2022



Exhibit "B"

Horizontal Scale: 1" = 300'



Project No.: 120121
Date of Issuance: May 3, 2022

Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.6, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

Request for Appeal of Staff Decision

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



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

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

Brady Barroso
Engineering Technician I

MEMORANDUM

To: Doug Hanson - Planning and Zoning Director
From: Brady Barroso - Engineering Technician I
Catherine Feistner - Assistant City Engineer
Date: 6 July 2022
RE: Public Works Comments
14375 S Cole Road, 22-06-AN (Annexation)

The 14375 S Cole Road property, 22-06-AN, annexation request dated 13 May 2022 has been reviewed. The applicant wishes to annex with City of Kuna (City) M-1 (light industrial/manufacturing) zone. 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 approval of this application.

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) All applicable utility inspection and utility flow modeling fees shall be paid by the developer in accordance with City of Kuna Resolution R57-2021. *Payment is due and payable prior to the pre-construction meeting.*
- d) The Kuna Rural Fire District's fees can be found on their website. *Payment is due and payable prior to the preconstruction meeting.*

2) General

- a) The applicant requests approximately 42 acres to be annexed into the City.
- b) 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.
- c) A plan approval letter will be required if this project affects any local irrigation districts.

- d) Elevations shall be actual NAVD 88 datum elevations. A localized elevation system is not acceptable.
- e) All positional information shall be from the most recent state plane coordinate system.
- f) Provide engineering certification on all final engineering drawings.
- g) 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.
- h) Fire suppression shall be available and approved by KRFD.
- i) No building permits will be issued and no construction can begin without adequate fire protection.
- j) Fiber shall be designed and constructed on all mile and mid-mile roads or as otherwise noted.

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. It is unclear if the applicant plans to connect. The closest possible connection to gravity sewer will be located approximately a mile away in E Kuna Mora Road.
- b) 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.
- c) 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.
- d) Sewer must provide connectivity for surrounding developments.
- e) No cleanouts are permitted at the end of runs in lieu of manholes per Kuna City Code 6-4-2-B.14.
- f) All sewer infrastructure must meet or exceed City of Kuna requirements.
- g) Sewer flow models will be required to verify and accommodate pipe sizes. The associated costs shall be paid by the developer.
- h) Sewer connection fees apply to each lot containing a home or other facility.
- 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. It is unclear if the applicant plans to connect. The closest possible connection to water will be located directly to the south in S Cole Rd.
- b) Water flow models will be required to verify and accommodate adequate water supply and fire suppression. The associated costs shall be paid by the developer.
- c) 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.
- d) 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.
- e) All water infrastructure must meet or exceed City of Kuna requirements.
- 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 services are unavailable in this area.
- b) Relying on drinking water for irrigation purposes is contrary to City Code 6-4-2-B.9.
- c) All pressurized irrigation infrastructure shall meet or exceed City of Kuna standards.
- d) Existing irrigation ditches (supply & drain) must be relocated as needed and as approved by the irrigation ditch company/users.

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 as-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.



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:
06/17/22	21880

LEGAL NOTICE

**Case No. 22-06-AN
 (Annexation):
 14375 S Cole Road**

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

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission will hold a Public Hearing **Tuesday, July 12, 2022, at 6:00 PM**, or as soon as can be heard; with an Annexation (AN) request for approximately 42.46 acres into Kuna City Limits with an M-1 (Light Industrial/Manufacturing) zoning district classification. The subject site is located at 14375 S Cole Road, Kuna, ID 83634 (APNs: S1531222400).

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

June 22, 2022 250238

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
250238	ph 7/12/2022	06/22/22	06/22/22	1	\$44.04

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount:	\$0.00	Gross:	\$44.04
Surcharge:	\$0.00	Paid Amount:	\$0.00
Credits:	\$0.00		

Amount Due: \$44.04

We Appreciate Your Business!

Suggestions for Testifying at Public Hearings:

Be Informed...

Review the proposal, Staff Report, applicable Ordinance(s), Comprehensive Plan & Idaho Code §67-65. All items pertaining to the application can be found online the Friday prior to the hearing at www.kunacity.id.gov >City Government >Agendas & Minutes.

Be on time...

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

Speak to the Point...

The governing body appreciates pertinent, well organized, factual & concise comments. The Developer or their Representative is given 10 minutes to present their project; 3 minutes per individual is provided for public testimony; neighborhood groups are encouraged to select a community representative & the representative is provided 10 minutes (please inform staff). The Developer/Representative is given additional time for rebuttal.

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

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



JR 6.22.22

CITY OF
KUNA

LEGAL NOTICE

Dear Property Owner: NOTICE IS HEREBY GIVEN the **Planning and Zoning Commission** is scheduled to hold a Public Hearing on **July 12, 2022 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:

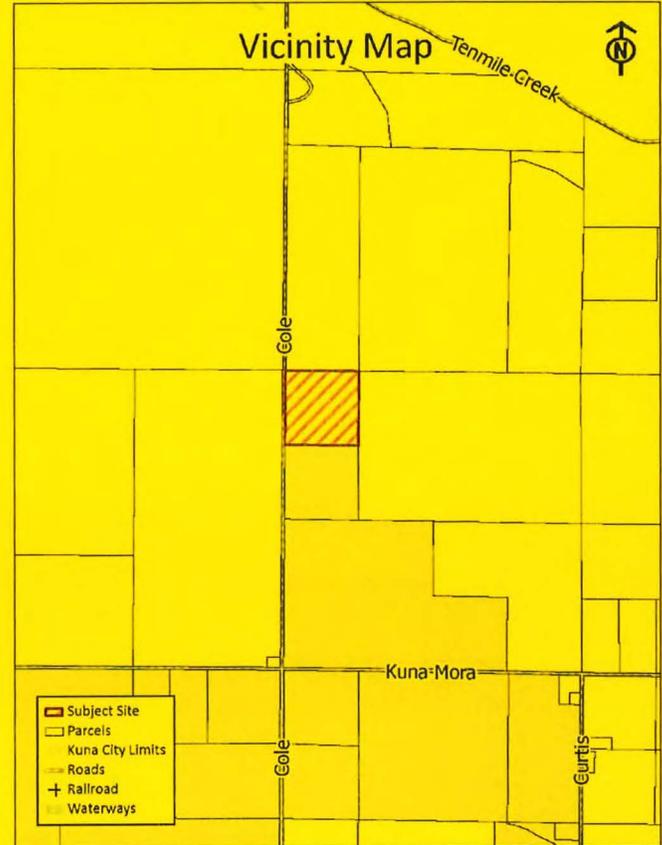
**Case Nos. 22-06-AN (Annexation)
14375 S Cole Road**

The Land Group, Inc, requests approval to annex approximately 42.46 acres into Kuna City Limits with an M-1 (Light Industrial/Manufacturing) zoning district classification. The subject site is located at 14375 S Cole Road, Kuna, ID 83634 (APNs: S1531222400).

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 **July 6, 2022** 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 06.22.2022



CITY OF KUNA PUBLIC HEARING NOTICE

Kuna Planning and Zoning Commission

THE CITY OF KUNA will hold a public hearing on
July 12, 2022 at the Kuna City Hall, at 6:00 p.m.

PURPOSE: Annexation and Rezone - Zoning M-1 -
Approximately 43 acres.

LOCATION: 14375 S. Cole Rd - 51531222400

APPLICATION BY: KC Gardner Company, LLC



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

IN THE MATTER OF THE APPLICATION OF) **Case No. 22-01-SUP (Special Use Permit)**
)
KHADIJA MBERWA)
)
 For a Special Use Permit for an In-Home) **STAFF REPORT FOR IN-HOME**
 Group Daycare at 1118 N Cambrick Drive.) **GROUP DAYCARE APPLICATION.**

TABLE OF CONTENTS

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



**I
EXHIBIT LIST**

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

1.1 Exhibits:

<i>DESCRIPTION OF EVIDENCE</i>		Withdrawn	Refused	Admitted
1.1	Staff Report			X
2.1	P&Z Application Coversheet			X
2.2	In-Home Childcare Application			X
2.3	Narrative			X
2.4	Aerial & Vicinity Maps			X
2.5	Deed			X

2.6	Proof of State License Application			X
2.7	Site Plan			X
2.8	CPR & First Aid Certification			X
2.9	Sick Child Policy			X
2.10	Evacuation Plan			X
2.11	Neighborhood Meeting Certification			X
2.12	Commitment to Property Posting			X
2.13	Agency Transmittal			X
2.14	KMN Legal Publication			X
2.15	300-ft Neighbor Mailer			X
2.16	Proof of Property Posting			X
2.17	KMN Affidavit of Publication on 06.22.2022			X
2.18	Public Works			X

II PROCESS AND NOTICING

- 2.1** In accordance with Kuna City Code (KCC) 5-3-2: Zoning District Regulations, and 5-6: Special Uses, operating an In-home Group Daycare requires a Special Use Permit. In addition, it states Special Use Permits are designated as Public Hearings, with the Planning and Zoning Commission 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 Land Use Planning Act.
- 2.2** In accordance with KCC 5-3-6, the Applicant seeks approval of a Special Use Permit (SUP) for an In-Home Group Daycare which allows for no more than twelve (12) children at any one time, on a regularly scheduled basis; staff notes the total number of children permitted will be determined upon inspection performed by the Fire Official. SUP applications require a Public Hearing be held in front of the Planning and Zoning Commission with formal notification and site posting required.
- 2.2.1 Notifications**
- 2.2.1.1** Neighborhood Meeting: April 09, 2022
- 2.2.1.2** Agency Transmittal: June 03, 2022
- 2.2.1.3** Kuna Melba News Newspaper: June 22, 2022
- 2.2.1.4** 300 FT Property Owners Notice: June 22, 2022
- 2.2.1.5** Site Posted: July 01, 2022

III APPLICANTS REQUEST

- 3.1** Khadija Mberwa requests Special Use Permit approval to operate an In-Home Group Daycare for up to twelve (12) children, from 7:00 AM – 6:00 PM, Monday through Sunday, at 1118 N Cambrick Drive.

**IV
GENERAL PROJECT FACTS**

4.1 Site History

4.1.1 The property is currently zoned R-8 (Medium Density Residential), the existing dwelling has been used as a single-family residence since its construction.

4.2 Surrounding Land Uses

North	R-8	Medium Density Residential – Kuna City
South	R-8	Medium Density Residential – Kuna City
East	P	Public – Kuna City
West	R-8	Medium Density Residential – Kuna City

4.3 Parcel Sizes, Current Zoning and Parcel Numbers

- 4.3.1** Approximately 0.146 acres
- 4.3.2** R-8 (Medium Density Residential)
- 4.3.3** R1245320220

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 A two-story single-family residence totaling 3,600 SF; 1,578 SF on main level and 2,022 SF on upper level sits on site; landscaping is consistent with that of a single-family residence.

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 Medium Density Residential; the subject site is currently zoned R-8 (Medium Density Residential) and is consistent with the FLUM.

**V
TRANSPORTATION AND CONNECTIVITY**

5.1 The subject site is approximately 350-feet north of the N Cambrick Drive and E Porter Street intersection. The residence is accessed via a developed driveway which offers space for daycare patron parking. There are also fully developed sidewalks for pedestrian safety and connectivity.

VI STAFF ANALYSIS

- 6.1** In order to operate an In-Home Childcare Facility, a Special Use Permit (SUP) is required per Kuna City Code (KCC) 5-3-1: Zoning Districts and Definitions. In-home Group Childcare allows for up to twelve (12) children to be cared for throughout the day, with the appropriate staff to child ratio according to Idaho Code §39-1109(4)(a) & (b). The Childcare Facility proposes to operate Monday through Sunday, from 7:00 AM to 6:00 PM.

The subject site contains a single-family home with a fully fenced back yard with patio; landscaping within the subject site is well established. A covered porch at the entry is accessed via a walkway from the driveway. This driveway provides at least two (2) parking spaces for child drop-off/pick-up. Childcare facilities require a minimum of 40 Square Feet of useable indoor space per child, and 80 Square Feet of useable outdoor space per child. In addition, only the main floor may be used for childcare, the second floor is not permitted. The Applicant will be required to comply with Idaho Code §39-1109.

Kuna Public Works, in Exhibit 2.22, states they can support approval for this Special Use Permit request.

Upon complete review, staff has no concerns and has determined this application complies with Title 5 of Kuna City Code; Comprehensive Plan Future Land Use Map; and Idaho Code. Staff would recommend the Planning and Zoning Commission Approve Case No. 22-01-SUP, with the Applicant being subject to the recommended Conditions of Approval listed in Section “IX” (9) 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
- 6.2.5** Idaho Code, Title 39, Chapter 11 – Health and Safety

VII PROPOSED FINDINGS OF FACT

Based upon the record contained in Case No. 22-01-SUP (Special Use Permit), including the Comprehensive Plan, Kuna City Code, Staff’s Memorandums, the exhibits, and the testimony during the Public Hearing; the Kuna Planning and Zoning Commission hereby ***Approves/Conditionally Approves/Denies*** the Findings of Fact and Conclusions of Law, and Conditions of Approval for Case No. 22-01-SUP, a request from Khadija Mberwa to operate an In-Home Group Daycare for up to twelve (12) children, from 7:00 AM – 6:00 PM, Monday through Sunday, at 1118 N Cambrick Drive.

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. 22-01-SUP, this proposal ***does/does*** not generally 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 Kuna City Code Title 5.*

7.2 Based on the evidence contained in Case No. 22-01-SUP, this proposal *does/does* not generally comply with the Comprehensive Plan.

Staff Finding: *The Comprehensive Plan designates the future land use designation of the proposed subject site as R-8 (Medium Density Residential); the subject site is currently zoned as such.*

7.3 The In-Home Daycare *does/does not* constitute a special use as established in the Official Schedule of District Regulations for the zoning district involved.

Staff Finding: *According to the KCC 5-3-2, an In-home Daycare requires a Special Use Permit for all permitted zoning districts.*

7.4 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: *A Neighborhood Meeting was held on April 09, 2022; there were no attendees. A Legal Notice was published in the Kuna Melba News Newspaper on June 22, 2022 as well as a Legal Notice being mailed to residents within 300 feet, on June 22, 2022. The Applicant posted a sign on the property on July 01, 2022 and a Proof of Property Posting form was submitted to staff July 01, 2022.*

VIII PROPOSED COMPREHENSIVE PLAN ANALYSIS

The Kuna Planning and Zoning Commission may *accept/reject* the Comprehensive Plan components, and shall determine if the proposed Special Use Permit request for the site *is/is not* consistent with the following Comprehensive Plan components:

8.1 Goal Area 1: Kuna will be economically diverse and vibrant.

8.1.1 Goal 1.C: Attract and encourage new and existing businesses.

8.1.1.1 Objective 1.C.2: Create an environment that is friendly to business creation, expansion and relocation.

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

8.2.1.1 Objective 3.G.1: Ensure land use policies, restrictions, and fees do not violate private property rights.

8.2.1.1.1 Policy 3.G.1.c: Ensure City land use actions, decisions and regulations do not prevent a private property owner from taking advantage of a fundamental property right. Ensure City actions do not impose a substantial and significant limitation on the use of the property.

IX COMMISSIONS ORDER OF DECISION

Note: The motion is for the Approval, Conditional Approval, or Denial of the Special Use Permit 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 and public testimony as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby **Approves/Conditionally Approves/Denies** Case No. 22-01-SUP, a request from Khadija Mberwa to operate an In-Home Group Daycare for up to twelve (12) children, from

7:00 AM – 6:00 PM, Monday through Sunday, at 1118 N Cambrick Drive, subject to the following Conditions of Approval:

- 9.1** As requested by the Applicant, the In-Home Group Daycare shall be permitted to operate between the hours of 7:00 AM to 6:00 PM, Monday through Sunday.
- 9.2** Applicant shall provide care for the number of children determined appropriate after Fire Official inspection, as based upon the staff to child ratio provided in Idaho Code §39-1109(4)(a), but no more than twelve (12) children total; the number of children determined will include proprietors' children.
- 9.3** The Applicant shall provide protection or supervision for less than 24-hours per day, per Kuna City Code (KCC) 5-1-6.
- 9.4** The Applicant shall not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to any persons, property or general welfare by reason of excessive production of traffic or noise per KCC 5-6-3:G.
- 9.5** Applicant shall provide off-street parking and/or off-street drop off/pick up area for all patrons.
- 9.6** Applicant shall maintain an approved fire extinguisher on site at all times.
- 9.7** Applicant shall install safety locks on doors and cabinets where chemicals are stored.
- 9.8** Applicant shall install safety devices on all electrical outlets accessible to children.
- 9.9** Applicant shall install a door chime on the front door to indicate opening.
- 9.10** Kuna Rural Fire District and Central District Health Department inspections are required for final sign off; Applicant shall provide Kuna Planning and Zoning with copies of said inspections before applying for their Kuna City Childcare Business License.
- 9.11** In the event the uses or the building located on this parcel is enlarged, expanded upon or altered in anyway (even for temporary purposes), the Applicant and any future assigns having interest in the subject property, shall seek an amendment to the approvals of this Special Use Permit through the Kuna Planning and Zoning Department.
- 9.12** This Special Use Permit is valid only if the Conditions of Approval are adhered to continuously. In the event the conditions are not followed, the Special Use Permit approval may be revoked.
- 9.13** The Special Use Permit shall follow the proposed intent provided on the application and divest when the Applicant no longer operates an In-Home Daycare and/or no longer has any interest in the property, or the business is discontinued for more than one (1) year. The Applicant is obligated to advise the city of any changes in ownership or leasing agreements which would affect business operation.
- 9.14** The Applicant shall acquire a Kuna Childcare Business License in accordance with KCC 3-10, through the Kuna City Clerk's office once all Conditions of the Special Use Permit are met, and shall maintain said license through the renewal process during the entirety of the time business is in operation.
- 9.15** The Special Use Permit is not transferable from one parcel to another.
- 9.16** The Applicant shall follow all staff and agency recommendations.

- 9.17** The Applicant shall comply with all local, state and federal laws.
- 9.18** The Applicant shall provide the City with a copy of the Childcare License issued by the State of Idaho Health and Welfare Department within 30 days after approval and signing of the City's Findings of Fact and Conclusions of Law for the Special Use Permit or the approvals may be revoked.
- 9.19** The Applicant shall provide a copy of all subsequent license renewals, Central District Health Department and Fire inspections to the Kuna Planning and Zoning Department.

DATED this 12th day of July, 2022.



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): 22-01-SUP
Project Name: 1118 N Cambrick In-Home Group Childcare
Date Received: 4-11-22, remaining docs 04.27.2022
Date Accepted as Complete: _____

Type of review requested (check all that apply):

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

Owner of Record

Name: Khadija Mberwa
Address: 1118 N Cambrick Drive, Kuna
Phone: 208-807-6817 Email: khadijamberwa80@gmail.com

Applicant (Developer) Information

Name: Same
Address: _____
Phone: _____ Email: _____

Engineer/Representative Information

Name: _____
Address: _____
Phone: _____ Email: _____

Subject Property Information

Site Address: 1118 N Cambrick Drive
Nearest Major Cross Streets: Cambrick & Porter

Parcel No.(s): R1245320220

Section, Township, Range: 2N1W24

Property Size: 0.146

Current Land Use: Residential Proposed Land Use: Same

Current Zoning: R-8 Proposed Zoning: same

Project Description

Project Name: In-Home Daycare with up to 12 children

General Description of Project: _____

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

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

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

Type(s) of amenities provided with development: _____

Residential Project Summary (If Applicable)

Are there existing buildings? YES NO

If YES, please describe: _____

Will any existing buildings remain? YES NO

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

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

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

Single-Family Townhomes Duplexes Multi-Family

Other: _____

Minimum square footage of structure(s): _____

Gross Density (Dwelling Units ÷ Total Acreage): _____

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

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

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

Non-Residential Project Summary (If Applicable)

Number of building lots: _____ Other lots: _____

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

Building height: _____ Hours of Operation: _____

Total No. of Employees: _____ Max No. of Employees at one time: _____

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

Proposed Parking

ADA accessible spaces: _____ Dimensions: _____

Regular parking spaces: _____ Dimensions: _____

Width of driveway aisle: _____

Proposed lighting: _____

Is lighting "Dark Sky" compliant? YES NO

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

Applicant Signature:  _____ Date: 3-21-22

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 to you for application attachments to be uploaded to the cloud.

In-Home/Child Care Facility Special Use Permit Application



PO Box 13 | 751 W 4th Street | Kuna, ID 83634

(208) 922-5274 | www.KunaCity.ID.gov

FEE: \$330.00 – In-Home/Group Care; \$800.00 -Center

Kuna City Code (KCC) 5-1-6 defines Child Care Facilities as: Any home, structure, or place where nonmedical care, protection or supervision is regularly provided to children under twelve (12) years of age, for periods less than twenty-four (24) hours per day, while the parents or guardians are not on the premises. Any facility providing child care is required to have a Special Use Permit and a State of Idaho basic day care license. There are three (3) types of facilities:

- A. **Home Child Care:** A child care facility which provides care for six (6) or fewer children throughout the day.
- B. **Group Child Care:** A child care facility which provides care for seven (7) to twelve (12) children throughout the day.
- C. **Child Care Center:** A child care facility which provides care for more than thirteen (13) children throughout the day. It should be noted that, in determining the type of child care facility that is being operated, the total number of children cared for during the day and not the number of children at the facility at any one time, is determinative. (*NOTE: Child Care Centers are subject to the Design Review process*).

It should be noted that in determining the type of Child Care Facility that is being operated, the total number of children cared for during the day and not the number of children at the facility at any one time is determinative.

KCC 5-6-4 Supplementary Conditions and Safeguards:

In granting any Special Use, the Planning and Zoning Commission may prescribe appropriate conditions, bonds and safeguards in conformity with this title. Violations of such conditions, bonds or safeguards, when made a part of the terms under which the Special Use is granted, shall be deemed a violation of this title.

KCC 5-6-5 Procedure for Hearing Notice:

Prior to granting a Special Use Permit, at least one (1) Public Hearing in which interested persons shall have an opportunity to be heard shall be held. At least fifteen (15) days prior to the hearing, notice of time and place and a summary of the proposal shall be published in the official newspaper of general circulation within the jurisdiction. Notice may also be made available to other newspapers, radio and television stations serving the jurisdiction for use as a public service announcement. Notice shall also be provided to property owners and residents within three hundred (300) feet of the external boundaries of the land being considered, and any additional area that may be substantially impacted by the proposed Special Use as determined by the Commission. When notice is required to two hundred (200) or more property owners or residents, in lieu of mailing notice, two (2) additional hearing notices shall be provided.

KCC 5-1A-8 Sign Posting Procedures:

A:1: Posting of a hearing notice on property: Not less than ten (10) days prior to the hearing, the applicant shall post a copy of said notice of hearing of the application on the property under consideration; except as noted herein, posting of the property must be in substantial compliance.

KCC 5-6-6 Action by Commission:

Withing thirty (30) days after the Public Hearing, the Planning and Zoning Commission shall either Approve; Conditionally Approve; or Deny the application as presented. If the application is Approved or Approved with modifications, the Commission shall direct the Planning and Zoning Director to issue a Special Use Permit, listing the specific conditions specified by the Commission for approval.

Application Submittal Requirements

(This application will not be accepted unless the following items are submitted in full.)

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

- ✓ • Complete Special Use Permit application form. (It is the applicant's responsibility to use the most current application.)
- ✗ • Detailed letter of explanation, describing the project, reasons for wishing to open a daycare, any training and/or certifications you may have, etc.
- ✗ • One (1) Vicinity Map: 8.5" x 11" at a 1" = 300' scale (or similar). Label the location of the property and adjacent streets.
- ✓ ✗ • One (1) Aerial Photo: 8.5" x 11" depicting proposed site, street names, and surrounding parcels within five-hundred (500) feet. (The purpose of the aerial map is to view the site for existing features and adjacent sites.)
- ✓ • Copy of Deed; **and**, if the 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.
- Provide proof that you have begun the daycare license application process with Idaho Health & Welfare.
- ✓ • Detailed Site Plan 8.5" x 11" or larger:
 - Size of Parcel (acres or square feet)
 - Indicate existing structures (i.e. home, buildings, storage sheds, etc.)
 - Indicate existing and proposed uses (i.e. play areas, kitchen, etc.)
 - Indicate existing and proposed lighting
 - Indicate existing and proposed landscaping
 - Indicate sidewalks, fencing (include type, height, gates), retaining walls or berms. (NOTE: All gates are required to be locked during business hours.)
 - Indicate off-street child drop-off/pick-up location and circulation, driveway location, and garage door width(s)
 - Existing and proposed landscaping
 - Dimensions of useable outdoor and indoor play areas
- ✓ • Copy of CPR & First Aid training Certification for applicant & all employees
- Sick Child Plan/Policy
- Emergency Evacuation Plan and diagram
- ✓ • Neighborhood Meeting Certification
- ✓ • Commitment of Property Posting form signed by the Applicant/Agent

Indicate type of Child Care Facility which you are applying for:

- Child Care In-Home (0 – 6 Children)
- Group Child Care In-Home (7 – 12 Children)
- Child Care Center (13 or more Children)

Applicant Information

Name: Khadija Mberwa

Address: 1118 N Cambrick Drive

Phone: 208-807-6817 Email: khadijamberwa80@gmail.com

Additional Information

Days and hours of operation – Provide the hours of operation for each day you will be open.

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours	7:00am — 6:00pm	→					

(24-hour childcare facilities are not permitted per Kuna City Code 5-1-6-2.)

Do you have an Emergency Evacuation Plan? YES NO
An Emergency Evacuation Plan is required, attach plan to application.

Do you have a “Sick Child” Plan/Policy? YES NO
A “Sick Child” Plan/Policy is required, please attach plan to application.

Are there stairs inside/outside of your site? YES NO
If Yes, is a barrier/gate installed? YES NO

Are electrical outlets covered with safety devices? YES NO

Standard Conditions for In-Home & Group Child Care Only

The following conditions must be met as a minimum, additional conditions may be required by Staff, Kuna Rural Fire District, Central District Health or the Planning and Zoning Commission.

- Site shall meet International Fire Code (IFC). (NOTE: If you are uncertain about a particular code and its utilization, it is the Applicant's responsibility to seek that knowledge.)
- Site shall maintain fire safety standards and Kuna City Code (KCC) standards.
- Smoke detectors shall be installed on ceilings of each story of site; in front of doors; to stairways; and separated by a maximum of 30-feet in corridors or at other distances required by IFC.
- Flame source utilities shall not be accessible to children.
- A carbon monoxide detector shall be located within proximity of the flame source and shall remain operable at all times.
- Storage areas shall be inaccessible to children and free of excessive combustibles or highly flammable materials.
- At least two (2) unblocked, outside exits that remain unimpeded at all times shall be provided. Exits shall be marked appropriately; staff and parents shall be advised where these exits are located.
- Shall provide corridors, stairs and entryways/exits that are a minimum of 36” wide.
- Shall provide gates at stairs so children cannot access them.
- Bathroom and closet doors shall be designed as to be unlocked from the outside.
- Site address shall be numbered; illuminated; mounted on the street frontage side; and be readily visible from the street.
- A flashlight and other emergency supplies shall be provided on-site in anticipation of a power outage; supplies shall be readily accessible and maintained in good/working order.
- All dishes; utensils; serving items; storage areas; and equipment shall be properly cleaned, rinsed, sanitized and air dried.
- All food preparation; serving items; storage areas; equipment; and utensils shall be kept in good repair and kept out of reach of children.

Owner Information

If same as above, skip this section.

Name: Same

Address: _____

Phone: _____ Email: _____

Representative

If same as Applicant, skip this section.

Name: _____

Address: _____

Phone: _____ Email: _____

Subject Property Information

Site Address: 1118 N Cambrick Drive

Nearest Cross Streets: Cambrick & Porter

Parcel #(s): R1245320220

Current Zoning: R-8

Gross Square Footage: 3,600

Livable Square Footage (not for Child Care use): 1,578

Is this address your principal residence? YES NO

(KCC 5-5-4.3b requires that a person(s) must reside within the premises in order to be considered an In-Home child care facility.)

Will you be hiring and employees who will NOT reside on the premises? YES NO

If Yes, how many? _____

Are there smoke detectors in every living area, except the bedrooms and bathrooms? YES NO

Are locks installed on all doors to the outside? YES NO

Are door chimes installed on the front door to indicate any opening? YES NO

Is a fire extinguisher installed in the kitchen? YES NO

Is the child care facility located on an Arterial or Collector street? YES NO

If Yes, there must be an on-site pick-up area designed to prevent vehicles from backing into the roadway; include a diagram.

Are there any indoor and/or outdoor pools? YES NO

If Yes, what measures have been taken to protect children from the pool area? Attach plan to your application.

- All perishable foods shall be stored in a covered container, in an operating refrigerator, at a maximum of 40 degrees.
- All deep freezers or other refrigeration type units shall not be able to be opened from the outside and shall be locked or stored in a locked room.
- Home-canned foods shall not be served to children.
- A minimum of 40-square feet of habitable indoor dwelling area shall be provided for each child; city staff shall review and determine which areas of the building are considered habitable.
- A minimum of 80-square feet of outdoor play space shall be provided for each child; city staff shall review and determine which areas meet this requirement.
- All cleaning agents and other poisonous substances that pose a danger to children, shall be kept in locked storage or preferably removed from premises.
- Storage of chemicals underneath/over/near a sink shall be avoided as many chemicals are affected by moisture and may become hazardous through chemical change.
- Child care rooms shall be kept clean and dry.
- All floors, walls, ceilings, and furniture shall be kept in good repair.
- All floors shall be swept and mopped daily with a sanitizing solution.
- Carpeted areas shall be vacuumed daily.
- Facility shall be free of exposed, lead-based paint surfaces that are chipped, flaking or peeling. If the residence has lead-based paint, the applicant shall advise city staff of this fact.
- A telephone shall be maintained onsite at all times and remain in operable condition.
- Emergency contact information including Fire, Rescue, Police (or 911 or local equivalent), Poison Control Center, as well as the City of Kuna Planning and Zoning Department (208-922-5274) shall be displayed in a prominent location.
- All play materials; equipment; furnishings; and toys shall be kept in good repair; sturdy; stable; free of hazards and shall not possess any sharp edges/surfaces; lead-based paint; protrusions; and pinch or crush points.
- Outdoor play areas shall be fenced with safe, sight obstructing, sturdy fencing and shall not possess any sharp or jagged edges/surfaces. Fence shall be constructed of approved building materials to a minimum of five (5) feet but not to exceed six (6) feet; fence shall include a minimum of two (2) operating exits; and fences shall not have openings exceeding 1 ¾" in width.
- Children shall not be permitted to play on outdoor equipment that is hot to the touch; stationary outdoor equipment greater than eighteen (18) inches shall be installed over a protective service; play equipment shall be placed at least six (6) feet away from buildings, fences and trees; swing sets shall be made of plastic, soft, or flexible materials; and outdoor play areas shall adjoin or be safely accessible to indoor areas.
- All upright angles shall be greater than 55 degrees as to prevent child entrapment or entanglement.
- All doors opening to the outside shall be self-closing (except for sliding glass doors), and all ventilating windows shall have locking screens.
- All heating, ventilating and lighting facilities shall meet KCC/International Building Code (IBC)/IFC.
- All child accessible electrical outlets shall be covered with safety caps and have ground fault interrupters or have safety outlets installed that meet KCC/IBC/IFC.
- All refuse shall be collected, stored and disposed of in appropriate containers that do not attract rodents/insects; containers shall be placed in a City approved location; and refuse shall be collected with a minimum weekly solid waste pickup or disposal service.
- Site grounds shall be kept neat and clean and free from rodents; hazards; and other perils.
- Smoking shall be prohibited in all areas of the facility during its hours of operation.

- Any ill children shall be excluded from the general population and sent home as soon as possible in order to minimize exposure to other children. Any health-related concerns (i.e. COVID-19, Hand/Foot/Mouth, etc.) shall be reported to Idaho Health and Welfare.
- All sleeping areas, play areas, and fixtures shall be maintained in sanitary condition. Children shall not share bedding and all bedding shall be washed at least once a week or after soiling.
- Exterior balconies, porches and stairs shall be of stable construction and any space under porches shall be closed off in such a manner as to guard against children's curiosity.
- Vertical offsets such as outside basement window wells, stairways or retaining walls shall have guardrails or approved screening.
- Wells, tool sheds, and other hazards shall be fenced or closed off.
- Areas inhabited by children shall be kept free of animal waste and debris and any poisonous plants, berries or mushrooms shall be removed.
- Sandbox or sand play areas shall be completely covered when not in use.
- Outdoor water features, including but not limited to pools, spas, ponds, fountains, and cisterns, shall not be accessible to children.
- Child care facilities shall not be permitted next to an open body of water without City approved fencing.
- The child care owner/operator shall ensure that firearms, other types of weapons, weapon accessories and ammunition are kept in locked storage. Firearms shall be kept unloaded at all times and ammunition shall be stored separately from the firearm(s). Parents and Guardians shall be notified of weapons kept on premises and advised of how they are secured.
- All child care facilities are required to be inspected by the Central District Health Department for compliance with Idaho Code §39-1110. The child care owner/operator shall practice acceptable public health practices in order to curtail the spread of communicable diseases and maintain sanitary conditions.

I, Khadija Mberwa, understand and agree to the above listed Standard Conditions and am aware that additional conditions of approval may be required.

Applicant Signature:  Date: 03-21-2022

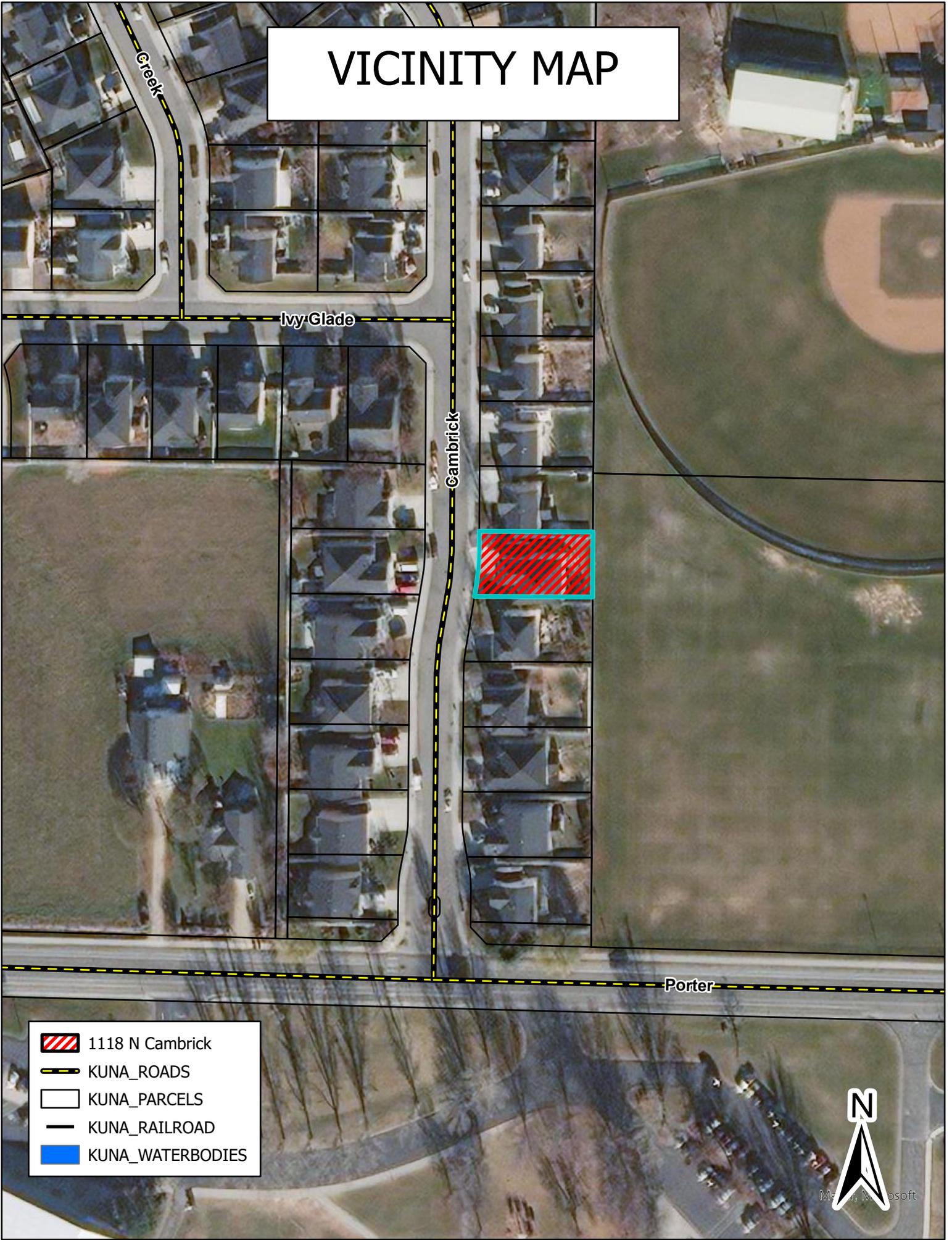
My name is Khadija Mberwa and I am requesting approval to operate an In-Home Daycare for up to 12 children, at 1118 N Cambrick Drive. This number may reduce after completing my Fire and Health Department inspections. I intend to operate 7 days per week from 7:00 am to 6:00 pm, this offers parents options that will fit their work schedules.

I plan on having parents pull into our driveway to drop off their children and escort them to the front door. It will be the same process during pickup time. Outside playtime will be offered within the backyard throughout the day and children will have equipment and toys to play on.

Sincerely,

Khadija Mberwa

VICINITY MAP



-  1118 N Cambrick
-  KUNA_ROADS
-  KUNA_PARCELS
-  KUNA_RAILROAD
-  KUNA_WATERBODIES





5680 E. Franklin Rd., Ste. 150
Nampa, ID 83687

ADA COUNTY RECORDER Phil McGrane
BOISE IDAHO Pgs=1 CHE FOWLER
PIONEER TITLE COMPANY OF ADA COUNTY

2021-161926
11/10/2021 12:41 PM
\$15.00

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

File No. 783760 JR/SK

WARRANTY DEED

For Value Received James E. Parle and Hope Parle, husband and wife
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Abdikadir Mberwa and Khadija Mberwa, husband and wife
hereinafter referred to as Grantee, whose current address is 1118 N. Cambrick Dr. Kuna, ID 83634

The following described premises, to-wit:

Lot 45, Block 1, Calico Creek Subdivision No. 2, according to the plat thereof, filed in Book 93 of
Plats at page(s) 11218-11220, and amended by Affidavit recorded February 7, 2006 as Instrument
No. 106019379, records of Ada County, Idaho.

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: November 9, 2021

James E. Parle

Hope Parle

State of Idaho, County of Canyon

This record was acknowledged before me on 11/9/21 by James E. Parle and Hope Parle

Signature of notary public
Commission Expires:

MARCEY R KIEBERT
COMMISSION #60131
NOTARY PUBLIC
STATE OF IDAHO

MARCEY R KIEBERT
Residing in: Middleton, ID
Commission Expires: 08/16/2024

Receipt: 52115
Reference No:
Authorization No: 51026662

Payment Date: 03/15/2022
Central District Health

707 N. Armstrong Pl.
Boise, ID 83704
(208)375-5211



Khadija Mberwa
3480 W Magnolia Street
Boise ID 83703

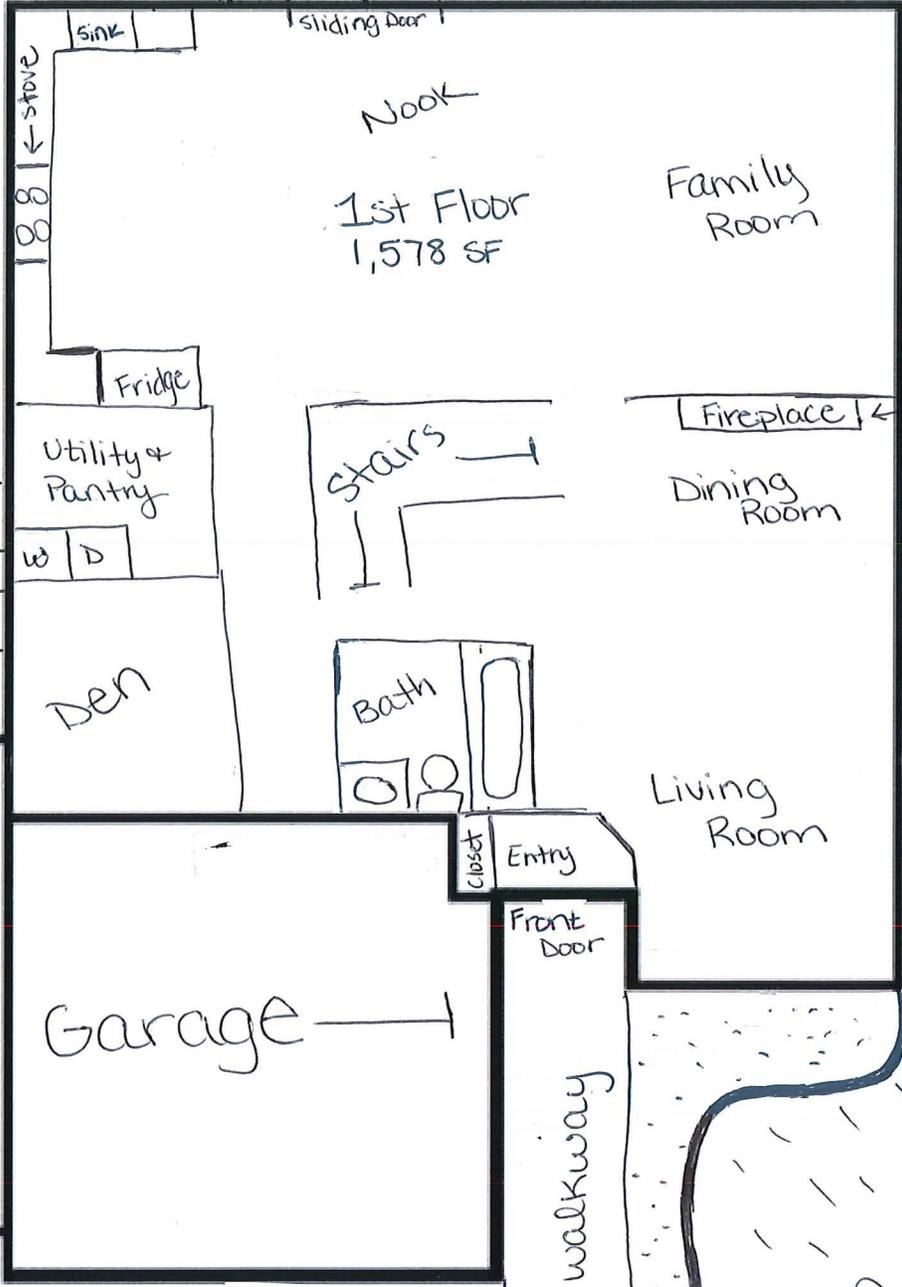
Fee Code	Description	Service Date	Amount Charged	Amount Paid	Transaction Balance
0111	0111 - Child Care - Group (7-12) : Est No 44428	03/15/2022	\$100.00	\$100.00	
			\$100.00	\$100.00	

Refund Policy: Requests for refunds must be made within one year of date of payment. Refunds will be made for the amount of fee received less the cost of staff time spent on the application up to the date of request for refund. If the cost of staff time exceeds the amount of fee paid, no refund will be made.

Fence

Lawn

Concrete Patio
170 SF



Fence

Fence

Outdoor storage

Parcel Line

Driveway

walkway

Lawn

Parcel Line

Bush

Bush

Bush

Bush

sidewalk

Pediatric

CPR, AED, and First Aid

Khadira Maszuahas successfully completed and competently performed
the required knowledge and skill objectives for this program. Child, Infant, and Adult Child and Infant

Card is void if more than one box is checked.

**Jonnie Woods**

Authorized Instructor (Print Name)

6157

Registry No.

3/12/22

Class Completion Date

3/12/24

Expiration Date

939.5624

Training Center Phone No.

CPR113

Training Center I.D.

This card certifies the above named individual has successfully completed the required knowledge and hands-on skill objectives to the satisfaction of a currently authorized ASHI Instructor. This program meets national standards for pediatric first aid and CPR training by conforming with *Caring for Our Children: National Health and Safety Performance Standards; Guidelines for Early Care and Education Programs*, the 2015 AHA Guidelines Update for CPR and ECC and the 2015 AHA and ARC Guidelines Update for First Aid. Expiration date may not exceed two years from month of class completion.

Keep Me Home If...



Seattle-King County
Department of Public Health

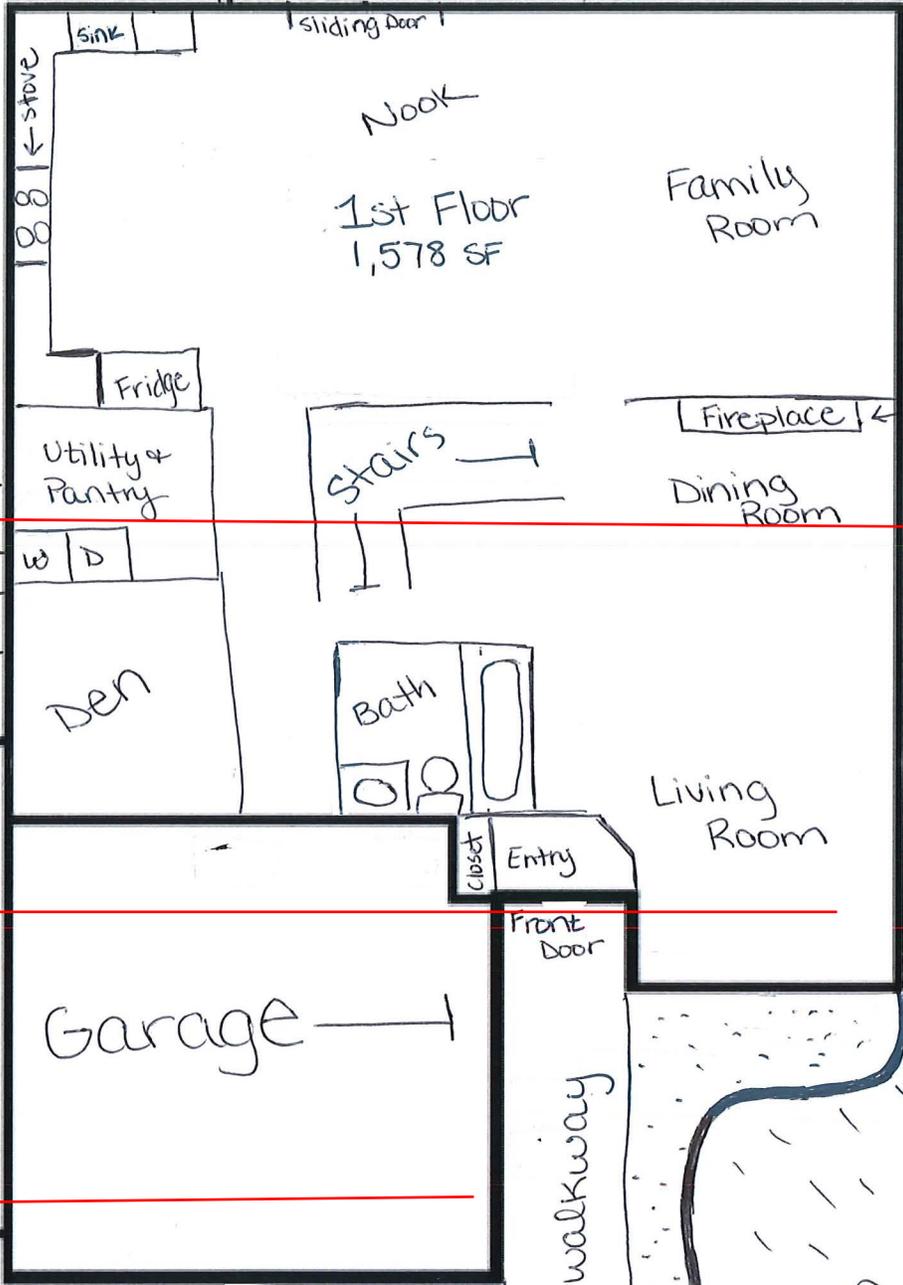
When Your Child is Sick:

1. Have plans for back up child care.
2. Tell your caregiver what is wrong with your child, even if your child stays home.

Fence

Concrete Patio
170 SF

Lawn



Fence

Fence

Parcel Line

Parcel Line

Driveway

Sidewalk

Dear Neighbor,

My name is Khadija Mberwa and I am requesting approval to operate an In-Home Daycare for up to 12 children, at 1118 N Cambrick Drive. This number may reduce after completing my Fire and Health Department inspections. I intend to operate 7 days per week from 7:00 am to 6:00 pm, this offers parents options that will fit their work schedules.

I plan on having parents pull into our driveway to drop off their children and escort them to the front door. It will be the same process during pickup time. Outside playtime will be offered within the backyard throughout the day and children will have equipment and toys to play on.

I invite you to a Neighborhood Meeting where you can share any feelings or concerns regarding my request.

When: Saturday April 9th at 11:30 AM

Where: Kuna Library Conference Room

Address: 457 Locust Ave, Kuna

Sincerely,

Khadija Mberwa



Neighborhood Meeting Certification

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



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: In-Home Daycare for up to 12 children

Date of Meeting: April 9, 2022 Time: 11:30 am

Meeting Location: Kuna Library

Site Information

Location: Section 24 Township 2N Range 7W Total Acres 0.146

Subdivision Name: Calico Creek No. 2 Lot 45 Block 1

Address: 1118 N Cambrick Drive

Parcel No(s): R1245320220

Include ALL addresses and parcel numbers for your application.

Current Property Owner

Name: Khadija mberwa

Address: 1118 N Cambrick Drive

Contact Person

Name: same

Business Name (if applicable): _____

Address: _____

Phone: _____ Email: _____

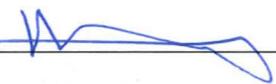
Applicant

Name: same

Address: _____

Phone: _____ Email: _____

I, Khadija mberwa, 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:  Date: 04-9-22

SIGN-IN SHEET

Project Name: 1118 N CambriCK In-Home DayCare

	Name	Address	Phone
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NEIGHBORHOOD MEETING MINUTES

Meeting Date: April 9, 2022 Number of Attendees: 0

Location: Kuna Library

Project Description: 1118 N Cambrock In-Home Daycare

Attendee Comments or Concerns: No meeting attendees

I, Khadija mberwa, 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:  Date: 04-09-22



COMMITMENT TO PROPERTY POSTING

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



Per Kuna City Code (KCC) 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 on the property under consideration; all posting must be in substantial compliance.

The Applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the Planning and Zoning Department *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 to the next available date, as scheduling permits.

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

Print Name: Khadija Mberua

Signature: [Handwritten Signature]

Date: 03-21-2022

From: [Jessica Reid](#)
To: [Catherine Feistner](#); [Brady Barroso](#); [Scott FCCNWI](#); [TLawrence Kuna Fire](#); [Chief Fratusco](#); [J&M Sanitation](#)
Cc: [Doug Hanson](#)
Subject: 22-01-SUP 1118 N Cambrick Drive Agency Transmittal
Date: Friday, June 3, 2022 2:54:57 PM
Attachments: [22-01-SUP 1118 N Cambrick In-Home Group Daycare Agency Transmittal Packet.pdf](#)
[image001.png](#)

Agency Transmittal – June 03, 2022

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

FILE NUMBER:	22-01-SUP (Special Use Permit) 1118 N Cambrick Drive In-Home Group Daycare
PROJECT DESCRIPTION	Khadija Mberwa requests Special Use Permit approval to operate an In-Home Group Childcare for 7 – 12 children, Monday through Sunday from 7:00 AM to 6:00 PM. The subject site is located at 1118 N Cambrick Drive within the Calico Creek Subdivision (APN: R1245320220); Section 24, Township 2 North, Range 1 West.
SITE LOCATION	1118 N Cambrick Drive Kuna, ID 83634
REPRESENTATIVE	Khadija Mberwa Khadijamberwa80@gmail.com
SCHEDULED HEARING DATE	Tuesday, July 12, 2022 at 6:00 PM, Kuna City Hall Council Chambers, 751 W 4 th Street, Kuna, ID 83634
STAFF CONTACT	Jessica Reid 208.387.7731 jreid@kunaid.gov
<p><i>Please provide comments within 15 days; if more time is needed, please inform our offices. We would appreciate any information as to how this action would affect the service(s) your agency provides.</i> The hearing is scheduled to begin at 6:00 p.m. or as soon as it may be heard. Kuna City Hall is located at 751 W. 4th Street, Kuna, ID 83634. If your agency needs different plans or paper copies to review, notify our office know and we will send them. Please notify our office who future packets should be sent to, including their email address. If your agency needs additional time for review, please let our office know ASAP.</p>	

Jessica Reid

Planner I

751 W 4th Street • Kuna, ID 83634

jreid@kunaid.gov • Ph: (208) 387-7731





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:
06/17/22	21880

LEGAL NOTICE

**Case No. 22-01-SUP
 (Special Use Permit) for
 1118 N Cambrick Drive
 In-Home Daycare**

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

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission will hold a Public Hearing Tuesday, July 12, 2022, at 6:00 PM, or as soon as can be heard; in connection with a Special Use Permit (SUP) request for an In-Home Group Daycare for 7 – 12 children, Monday through Sunday from 7:00 AM to 6:00 PM. The subject site is located at 1118 N Cambrick Drive within the Calico Creek Subdivision (APN: R1245320220); Section 24, Township 2 North, Range 1 West.

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

The public is invited to provide written or oral testimony. Due to current health precautions associated with the Coronavirus, the City of Kuna is providing alternative ways for the community to submit comments at public hearings, please contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

Kuna Planning & Zoning
 Department

June 22, 2022 250239

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
250239	PH 7/12/2022	06/22/22	06/22/22	1	\$47.74

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount:	\$0.00	Gross:	\$47.74
Surcharge:	\$0.00	Paid Amount:	\$0.00
Credits:	\$0.00		

Amount Due: \$47.74

We Appreciate Your Business!

Suggestions for Testifying at Public Hearings:

Be Informed...

Review the proposal, Staff Report, applicable Ordinance(s), Comprehensive Plan & Idaho Code §67-65. All items pertaining to the application can be found online the Friday prior to the hearing at www.kunacity.id.gov >City Government >Agendas & Minutes.

Be on time...

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

Speak to the Point...

The governing body appreciates pertinent, well organized, factual & concise comments. The Developer or their Representative is given 10 minutes to present their project; 3 minutes per individual is provided for public testimony; neighborhood groups are encouraged to select a community representative & the representative is provided 10 minutes (please inform staff). The Developer/Representative is given additional time for rebuttal.

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

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

KUNA



Planning & Zoning

PO BOX 13

Kuna, ID 83634

POST

FIRST-CLASS MAIL

06/22/2022

US POSTAGE \$000.00⁰⁰



ZIP 83634
041M11460992

DA 6-22-22

City of Kuna

LEGAL NOTICE

Dear Property Owner: NOTICE IS HEREBY GIVEN the **Planning and Zoning Commission** is scheduled to hold a Public Hearing on **July 12, 2022 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. 22-01-SUP (Special Use Permit) for 1118 N Cambrick Drive In-Home Group Daycare

Applicant requests Special Use Permit (SUP) approval to operate an In-Home Group Daycare for 7 – 12 children, Monday through Sunday from 7:00 AM to 6:00 PM. The subject site is located at 1118 N Cambrick Drive within the Calico Creek Subdivision (APN: R1245320220); Section 24, Township 2 North, Range 1 West.

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 **July 6, 2022** 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 06.22.2022



ROY'S ROOFING RCT-31633

208-573-8065

Roof 1
Inst

Repairs
alist

**CITY OF KUNA
PUBLIC HEARING
NOTICE**

Before the Planning & Zoning
Commission

WHEN: July 12, 2022 at 6:00 PM in the
City Hall Council Chambers,
751 W 4th Street

PURPOSE: Special Use Permit request to
operate an In-Home Group
Daycare for 7-12 children,
Monday through Sunday, from
7:00 AM to 6:00 PM

LOCATION: 1118 N Cambrick Drive

APPLICANT: Kdahija-Maerwa

**AFFIDAVIT OF PUBLICATION
STATE OF IDAHO**

County of Ada

21880 250239
1 KUNA, CITY OF

P.O. BOX 13
KUNA, ID 83634

SHARON JESSEN

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

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

LEGAL NOTICE

**Case No. 22-01-SUP
(Special Use Permit) for
1118 N Cambrick Drive
In-Home Daycare**

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission will hold a Public Hearing Tuesday, July 12, 2022, at 6:00 PM, or as soon as can be heard; in connection with a Special Use Permit (SUP) request for an In-Home Group Daycare for 7 – 12 children, Monday through Sunday from 7:00 AM to 6:00 PM. The subject site is located at 1118 N Cambrick Drive within the Calico Creek Subdivision (APN: R1245320220); Section 24, Township 2 North, Range 1 West.

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

The public is invited to provide written or oral testimony. Due to current health precautions associated with the Coronavirus, the City of Kuna is providing alternative ways for the community to submit comments at public hearings, please contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

Kuna Planning & Zoning
Department

June 22, 2022 250239

That said notice was published the following: 06/22/2022

Sharon Jessen

SHARON JESSEN
STATE OF IDAHO

On this 23rd day of June, in the year of 2022 before me a Notary Public, personally appeared. SHARON JESSEN, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

Angela Sammons

Notary Public of Idaho
My commission expires





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

MEMORANDUM

To: Doug Hanson - Planning and Zoning Director
From: Brady Barroso - Engineering Technician I
Catherine Feistner - Assistant City Engineer
Date: 28 June 2022
RE: Public Works Comments
1118 N Cambrick Drive In-Home Group Daycare – 22-01-SUP (Special Use Permit)

The 1118 N Cambrick Drive property, 22-01-SUP, special use permit request dated 3 June 2022 has been reviewed. These comments apply to the application as they affect public works infrastructure. Review of civil design drawings is accomplished separately, when received by PWoffice@kunaid.gov.

Public Works staff can support approval for this special use permit.

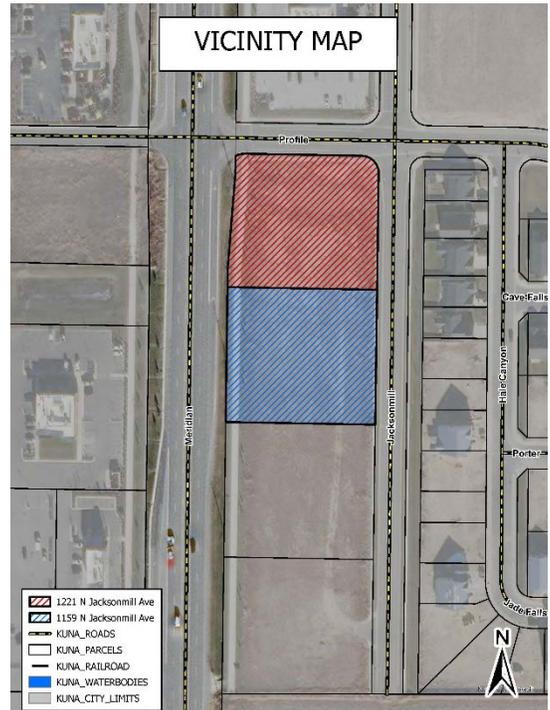
Comments may be expanded or refined in connection with the future land-use actions.

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

IN THE MATTER OF THE APPLICATION OF) **Case No. 22-09-DR (DESIGN REVIEW)**
)
MERIDIAN SUNRISE PROPERTIES LLC)
& DR. PHAN)
) **STAFF REPORT FOR THE 1159 &**
 For a Design Review of the 1159 and 1221 N) **1221 N JACKSONMILL AVENUE**
 Jacksonmill Avenue Commercial Shells,) **COMMERCIAL SHELLS DESIGN**
 associated parking lot and landscaping.) **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 Proposed Decision



**I
EXHIBIT LIST**

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

1.1 Exhibits:

<i>DESCRIPTION OF EVIDENCE</i>		Withdrawn	Refused	Admitted
1.1	Staff Report			X
2.1	P&Z Application Coversheet			X
2.2	Design Review Application			X
2.3	Narrative			X

2.4	Vicinity Map			X
2.5	Aerial Map			X
2.6	Warranty Deed			X
2.7	Affidavit of Legal Interest			X
2.8	Site Plan			X
2.9	Elevations & Renderings			X
2.10	Lighting Cutsheets			X
2.11	Landscape Plan			X
2.12	Agency Transmittal			X
2.13	Ada County Highway District (ACHD)			X
2.14	Public Works			X

**II
PROCESS AND NOTICING**

2.1 In accordance with Kuna City Code (KCC) 5-4-2: Design Review; all new 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.

2.2 Notifications

- 2.2.1** Completeness Letter: May 25, 2022
- 2.2.2** Agency Notifications: May 25, 2022
- 2.2.3** Agenda: July 12, 2022

**III
APPLICANTS REQUEST**

3.1 The Applicant requests Design Review approval for two (2) commercial shell buildings; Building No. 1 (1159 N Jacksomill Ave) is proposed to be approximately 6,921 square feet and have a drive-thru on its southern end, and Building No. 2 (1221 N Jacksonmill Ave) is proposed to be approximately 7,456 square feet and have a drive-thru on its northern end. Dr. Phan intends to occupy a portion of one of the buildings with his dental practice while the remaining suites will be occupied with commercial tenants. The approximately 2.23 acre combined subject sites are located at 1159 & 1221 N Jacksomill Avenue (APNs: R053771320, R0539771300), with a C-1 (Neighborhood Commercial) zone, within Ashton Estates Subdivision No. 2 (Lots 1 & 2 of Block 12); Section 19, Township 2 North, Range 1 East.

**IV
GENERAL PROJECT FACTS**

4.1 Site History

4.1.1 The subject sites are Lots 1 & 2 of Block 12, within Ashton Estates Subdivision No. 2, currently zoned C-1 (Neighborhood Commercial). The subject sites have remained undeveloped, have an average bedrock depth of greater than 60 inches, and an average slope of 1.5 – 1.9%.

4.2 Surrounding Land Uses

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

4.3 Parcel Size, Current Zoning and Parcel Number

4.3.1 1159 N Jackson Mill Avenue

4.3.1.1 1.184 acres

4.3.1.2 C-1 (Neighborhood Commercial)

4.3.1.3 R0539771320

4.3.2 1221 N Jacksonmill Avenue

4.3.2.1 1.144 acres

4.3.2.2 C-1 (Neighborhood Commercial)

4.3.2.3 R0539771300

4.4 Services

Sanitary Sewer – City of Kuna

Potable Water – City of Kuna

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 The subject site contains no structures and is covered with general weeds/grasses.

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 sites as Commercial; the subject sites are currently zoned as such.

4.8 Agency Responses

Agency	Exhibit No.
Ada County Highway District (ACHD)	2.12
Public Works	2.13

V TRANSPORTATION AND CONNECTIVITY

- 5.1** The subject sites are located on the southwest corner of the E Profile Road and N Jacksonmill Avenue intersection and are proposed to be accessed via one (1) fully improved driveway from N Jacksonmill Avenue, at the middle of the subject sites. A cross access to 1097 N Jacksonmill Avenue immediately to the south, is also proposed, thus providing connectivity between Commercial sites. The subject sites have a combined 415-feet (approximate) of frontage along Highway 69/N Meridian Road, which is classified as a Principal Arterial.

Per ACHD in Exhibit 2.12, no roadway improvements are required to the adjacent street(s). If applicable, the Applicant will be required to pay a traffic impact fee, including compliance with ACHD policies and standard Conditions of Approval for any improvements or work performed within the right-of-way, and obtain a permit for that work prior to commencement.

VI STAFF ANALYSIS

- 6.1** The two (2) proposed commercial shells are to be oriented with the business entrances and signage facing west towards Meridian Road, and offer changes in façade by using stucco, stone, doors and windows, fascia and awnings, and metal lap siding in neutral colors. Each buildings elevations reflect each other as you move across the façade. The structures begin with metal lap siding in Copper Penny, then moves to stucco in Accessible Beige, continues with stucco in Griffin, then moves to the center of the structures with stucco in Taupe Tone; the elevations proceed back through the material and color variations in reverse a you move north. Fascia and awnings in Desert Brown, storefront windows and doors in Bronze, and vertical stone in Saddlewood all provide additional accents and variation.

Building No. 1 (1159 N Jacksonmill Avenue), approximately 6,921 square feet, appears to provide space for up to six (6) suites, while Building No. 2 (1221 N Jacksonmill avenue), approximately 7,456 square feet, appears to provide space for up to seven (7) suites. Upon review, staff finds the proposed structures and their design generally complies with KCC 5-4.

Proposed landscaping for the site consists of ornamental trees, shrubs, perennials and grasses running the perimeter of the two properties. Landscaped parking lot islands, a 30-foot landscape buffer along N Meridian Road with 10-foot sidewalk, and a 10-foot buffer with 5-foot sidewalk along N Jacksonmill Avenue. The interior landscape buffers on the east and west property lines are proposed to be 10-feet, while the north and south buffers appear to be 5-feet. Two (2) trash enclosures are proposed to serve the buildings and sit on the 1159 N Jacksonmill Avenue parcel; one (1) enclosure is proposed on the southeast corner and the other on the northwest corner. The CMU trash enclosures are proposed to be 10-feet x 14-feet with double gate, and will be 6-feet tall; the proposed gate is proposed to be 20-gauge metal and will have a ½-inch drop in cane bolt. Upon review, staff finds the proposed landscaping and trash enclosure generally complies with KCC 5-4 and 5-17.

Parking requirements provided in Kuna City Code (KCC) 5-9-3(c) articulate that one (1) parking stall shall be provided per every 400 square feet; the combined square footage of the two (2) buildings is 14,377, thus resulting in 36 parking stalls being required. Per KCC 5-9-2(P), for every 26 -50 standard stalls, a minimum of two (2) shall be ADA accessible. Overall, this proposed project affords a total of 111 standard stalls, five (5) compact stalls, and 5 ADA accessible stalls; staff finds the number of stalls to be in compliance with KCC 5-9.

Proposed lighting for the site includes six (6) LED streetlights set into eastern landscape islands, which supports the two (2) pre-existing streetlights along the subject sites N Meridian Road frontage. Staff notes no wall mounted lighting has been indicated in the elevation for the two structures. The Applicant shall be required to provide a complete Lighting Plan during civil drawing review by Public Works, to determine if any wall mounted lighting will be required; all lighting must adhere to Dark Sky practices.

Per comments provided in Exhibit 2.13, Public Works can support approval of this application. The subject sites will be connected to city water, sewer and pressurized irrigation with all infrastructure being constructed to City of Kuna standards.

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. 22-09-DR, with the Applicant being subject to the recommended Conditions of Approval listed in Section VIII (8) of this report and any additional Condition the Commission may wish to impose.

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. 22-09-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. 22-09-DR, a request from Dr. Phan for two (2) commercial shell buildings; Building No. 1 (1159 N Jacksonmill Ave) is 6,921 square feet with a drive-thru on its southern end, and Building No. 2 (1221 N Jacksonmill Ave) is 7,456 square feet with a drive-thru on its northern end; the approximately 2.23 acre combined subject sites are located at 1159 & 1221 N Jacksonmill Avenue (APNs: R053771320, R0539771300), with a C-1 (Neighborhood Commercial) zone, within Ashton Estates Subdivision No. 2 (Lots 1 & 2 of Block 12).

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 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: 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 Based on the evidence contained in Case No. 22-09-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: Review by Staff and the Commission of the proposed Design Review confirms the proposed buildings are appropriate for the subject site.

- 7.3 Based on the evidence contained in Case No. 22-09-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 Commercial; the subject site is currently zoned C-1 (Neighborhood Commercial) and is to be developed following the C-1 (neighborhood Commercial) zones 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 project is an appropriate fit for the property's C-1 (Neighborhood Commercial) zone 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, parking lot, 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 number of standard and ADA accessible stalls provided in the proposed parking lot meets and exceed KCC 5-9. Safe pedestrian access is provided via sidewalks immediately adjacent to the building, as well along N Meridian Road and N Jacksonmill Avenue.*

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** Case No. 22-09-DR (Design Review), , a request from Dr. Phan for two (2) commercial shell buildings; Building No. 1 (1159 N Jacksonmill Ave) is 6,921 square feet with a drive-thru on its southern end, and Building No. 2 (1221 N Jacksonmill Ave) is 7,456 square feet with a drive-thru on its northern end; the approximately 2.23 acre combined subject sites are located at 1159 & 1221 N Jacksonmill Avenue (APNs: R053771320, R0539771300), with a C-1 (Neighborhood Commercial) zone, within Ashton Estates Subdivision No. 2 (Lots 1 & 2 of Block 12), subject to the following Conditions of Approval:

- 8.1 The Applicant shall follow all requirements for sanitary sewer, potable water and pressurized irrigation 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 water, sewer or 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 submit Civil plans to pwoffice@kunaid.gov for review and receive formal Civil plan approvals *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** If applicable, Fire Suppression shall be shown on all plans and approved by the Kuna Rural Fire District (KRFD).
- 8.7** The Kuna Rural Fire District, or KRFD representative, must approve fire access to the project before, during, and after construction.
- 8.8** 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.
- 8.9** 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.
- 8.10** 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.
- 8.11** 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.
- 8.12** 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.
- 8.13** As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the Applicants Engineer.
- 8.14** 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.

- 8.15** 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.
- 8.16** Developer/Owner/Applicant shall follow staff, City Engineer and other agency recommended requirements, as applicable.
- 8.17** Developer/Owner/Applicant shall comply with all local, state and federal laws.

DATED this 12th day of July, 2022.



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): 22-09-DR

Project Name: 1159 & 1221 N Jacksonmill

Date Received: 03.31.2022

Date Accepted as Complete: 05.25.2022

Type of review requested (check all that apply):

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

Owner of Record

Name: Steve Phan

Address: 4660 N Penngrove Way, Meridian ID

Phone: 760-880-7223 Email: steve92840@gmail.com

Applicant (Developer) Information

Name: McCarter-Moorhouse

Address: 4660 N Penngrove Way, Meridian ID

Phone: 208-908-1332 Email: david@mccarter-moorhouse.com

Engineer/Representative Information

Name: Jessica Petty, 12.15 Design LLC

Address: 1897 S. Satellite Way, Boise ID

Phone: 208-867-0294 Email: jessica@1215design.com

Subject Property Information

Site Address: 1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO

Nearest Major Cross Streets: Meridian Rd & Jacksonmill Rd

Parcel No.(s): R0539771320 R0539771300

Section, Township, Range: 2N1E19

Property Size: 1.184 1.144

Current Land Use: Commercial Proposed Land Use: Commercial

Current Zoning: C-1 Proposed Zoning: C-1

Project Description

Project Name: Dr. Phan

General Description of Project: Site development and construction for two commercial shell buildings. (6,921 & 7,456 sq ft)

Eacj building will face Meridian Rd with drive-through lanes on each end and space for multiple tenants within.

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: Parking, landscaping, trash, lighting, bicycle parking

Residential Project Summary (If Applicable)

Are there existing buildings? YES NO

If YES, please describe: _____

Will any existing buildings remain? YES NO

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

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

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

- Single-Family Townhomes Duplexes Multi-Family
 Other: _____

Minimum square footage of structure(s): _____

Gross Density (Dwelling Units ÷ Total Acreage): _____

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

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

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

Non-Residential Project Summary (If Applicable)

Number of building lots: 2 Other lots: na

Gross floor area square footage: 14,377 Existing (if applicable): na

Building height: 26ft Hours of Operation: Varies

Total No. of Employees: TBD Max No. of Employees at one time: TBD

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

Proposed Parking

ADA accessible spaces: 5 Dimensions: 9 X 20

Regular parking spaces: 112 Dimensions: 9 X 20

Width of driveway aisle: 24'

Proposed lighting: _____

Is lighting "Dark Sky" compliant? YES NO

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

Landscaping will be provided along the perimeter & in the parking islands

Applicant Signature: _____ Date: 03.31.2022

By signing, you are confirming you have provided all required items listed on this application.

Upon completion of this form, please email to pzapplications@kunaaid.gov. A link will be provided to you 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



****Office Use Only****

Case No(s): 22-09-DR

Project Name: 1159 & 1221 N Jacksonmill Ave

Date of Pre-Application Meeting: Valid for three (3) months, unless otherwise determined by Staff

Date Received: 03.31.2022

Date Accepted as Complete: 05.25.2022

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 (digital documents preferred):

- 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): _____

Closest Major Cross Streets: _____

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

Building Design Review Design Review Modification

Staff Level Application Subdivision/Common Area Landscape

1. Briefly explain the nature of the request: _____

2. Dimension of property: _____

3. Current land use(s): _____

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

North: _____ South: _____

East: _____ West: _____

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

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

7. Building Height: _____

8. Number of Stories: _____

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

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

Exterior Building Materials and Colors

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

Mechanical Units

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

Proposed screening method? _____

Trash Enclosures

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

Irrigation Ditches/Canals

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

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

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

Fencing

Is there any existing fencing that will remain? YES NO

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

What is the fencing material for all new fencing? _____

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

Building Coverage

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

Landscaping

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

Are there any existing trees of 4" or greater in caliper on the property? YES **NO**
 If Yes, what type, size and general location? (Please indicate location on site plan. NOTE: It is the city's goal to preserve such trees.)

Dock Loading Facilities

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

No. of dock loading facilities and their location: _____

What is the proposed method of screening? _____

Pedestrian Amenities

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

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

Parking

Total number of parking spaces? _____ Dimensions? _____

Total number of ADA accessible spaces? _____ Dimensions? _____

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

Miscellaneous

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

If YES, please provide setbacks below, in feet:

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

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

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

Applicant Signature: _____ Date: _____

Additional Information

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

March 31, 2022

Dr. Phan
Project Narrative

The proposed buildings at 1159 & 1221 N. Jacksonmill Ave will be commercial shells, with the plan for future business and office tenants to complete the interior. The building is owned and operated by Dr. Phan, who will occupy a portion of the building with his dental practice. The two buildings will be new construction - 14,377 total square feet single-story structures.

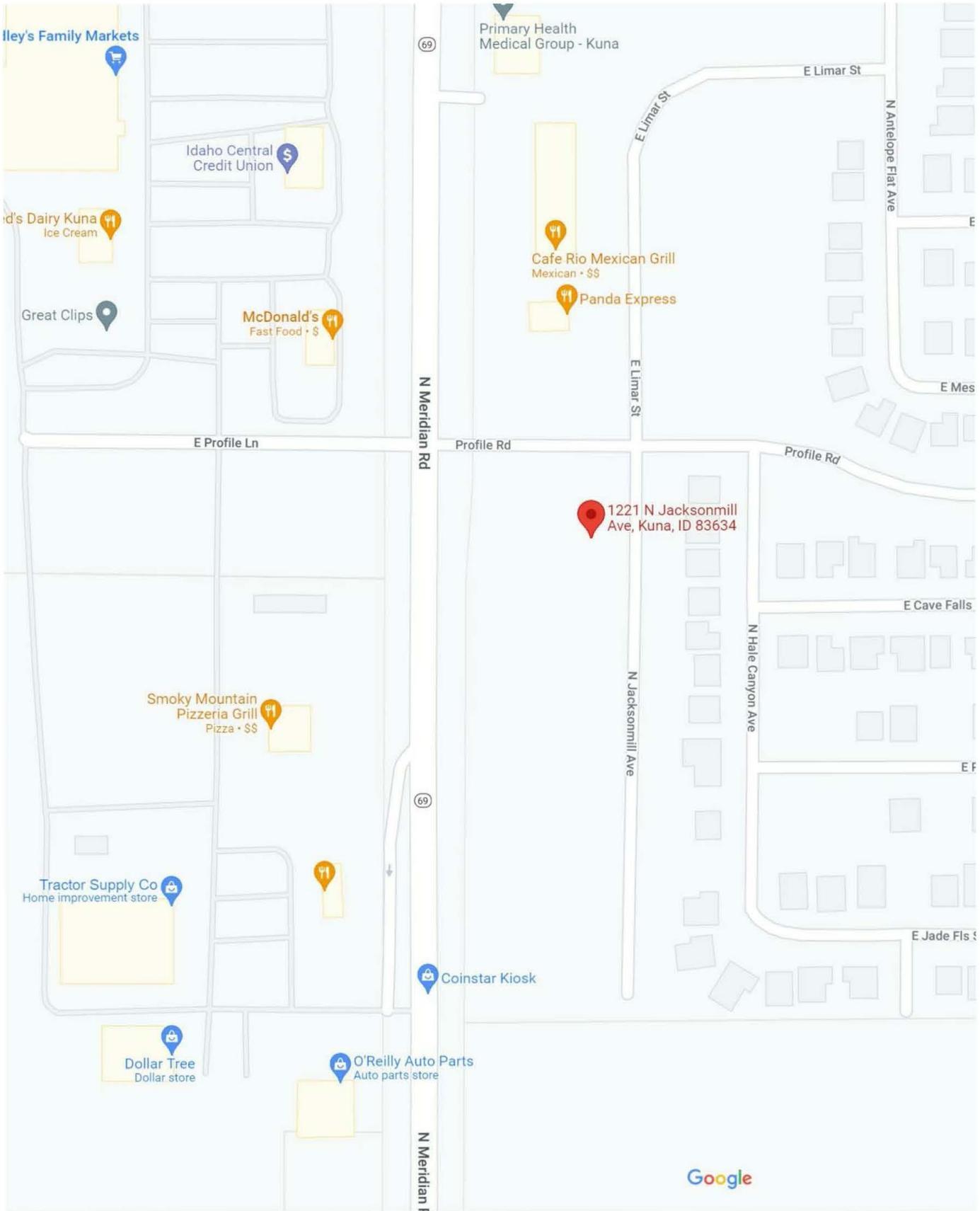
The exterior will be off-white & beige stucco with woodstone, copper and brown stucco accents, dark awnings on the entrance pieces, and architectural windows & bronze fascia trim. The size and scale of the building are similar to the other nearby commercial buildings. The front elevation features a large entrance in the center with other entrances highlighted on either side with awnings & material accents. The storefront windows and awnings help to bring the large size of the building to a more human scale as well as create balance and symmetry across the building.

Complementary landscaping will accent the building, parking stalls and sidewalks. There will be sidewalks on three sides of the building adjacent to the parking for pedestrian access. Along the trash enclosure, sides of building and in parking islands native trees and plants will be planted.

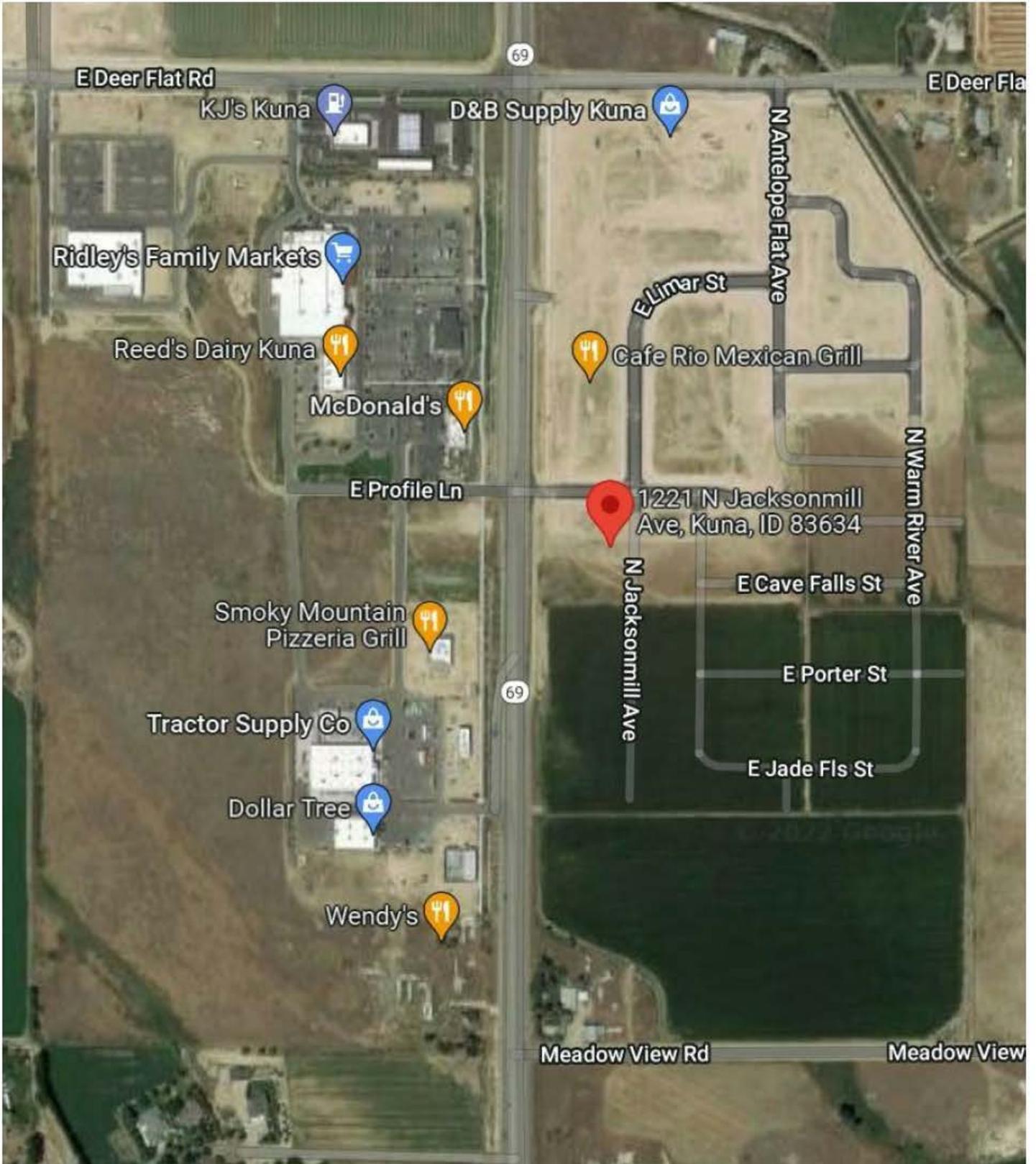
Thank you,

Jessica Petty
Licensed Architect

12.15 Design, LLC



(1) pdf



DR. PHAN



Escrow No.: 34602124632-BB

WARRANTY DEED

FOR VALUE RECEIVED

SDN, LLC, an Idaho Limited Liability Company

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL AND CONVEY unto:

Steve Phan and Kristina Pham, husband and wife

GRANTEE(S), whose current address is: **53020 La Trobe Lane, La Quinta, CA 92253**

the following described real property in Ada County, Idaho, more particularly described as follows, to wit:

For APN/Parcel ID(s): R0539771300 and R0539771320

Lots 1 and 2 in Block 12 of Ashton Estates Subdivision No. 2, according to the official plat thereof, filed in Book 116 of Plats at Page(s) 17575-17578, records of Ada County, Idaho.

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

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.



Escrow No.: **THIS INSTRUMENT FILED FOR RECORD BY FIDELITY NATIONAL TITLE AS AN ACCOMMODATION ONLY. IT HAS NOT BEEN EXAMINED AS TO ITS EXECUTION OR AS TO ITS AFFECT UPON THE TITLE.**

QUITCLAIM DEED

FOR VALUE RECEIVED

Steve Phan and Kristina Pham, husband and wife

do(es) hereby convey, release and forever quitclaim unto:

Meridian Sunrise Properties, LLC, a limited liability company as to an undivided 95% interest and Steve Phan and Kristina Pham, Grantors-Trustees of the SKP Sunrise Management Trust dated April 14, 2021 as to an undivided 5% interest

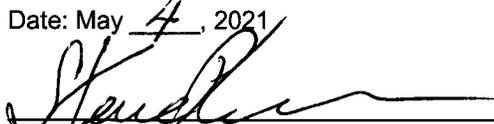
whose current address is **53020 La Trobe Lane, La Quinta, CA 92253**, the following described premises, to-wit:

For APN/Parcel ID(s): R0539771300 and R0539771320

Lots 1 and 2 in Block 12 of Ashton Estates Subdivision No. 2, according to the official plat thereof, filed in Book 116 of Plats at Page(s) 17575-17578, records of Ada County, Idaho.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Date: May 4, 2021



Steve Phan



Kristina Pham

STATE OF _____, COUNTY OF _____, -ss.

On this ____ day of _____, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Steve Phan and Kristina Pham known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Signature: _____
Name: _____
Residing at: _____
My Commission Expires: _____

see attachment.

(SEAL)

This certificate is attached to a 1 page document dealing with/entitled quitclaim deed and dated 5/4/21.

California ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

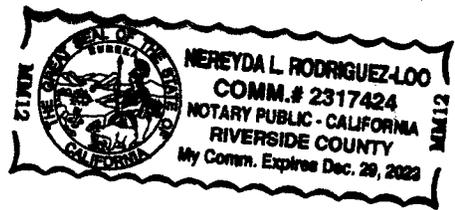
State of California
County of Riverside

On May 4th 2021 before me,
Nereyda L. Rodriguez-Loo (Notary Public) (here insert name and title of the officer),

personally appeared Stephen and Kristina Pham, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature] (Seal)

STATE OF NEVADA

BARBARA K. CEGAVSKE
Secretary of State



Commercial Recordings & Notary Division
202 N. Carson Street
Carson City, NV 89701
Telephone (775) 684-5708
Fax (775) 684-7138
North Las Vegas City Hall
2250 Las Vegas Blvd North, Suite 400
North Las Vegas, NV 89030
Telephone (702) 486-2880
Fax (702) 486-2888

KIMBERLEY PERONDI
Deputy Secretary for
Commercial Recordings

OFFICE OF THE
SECRETARY OF STATE

SHANNON EVANS
2400 S. Cimarron Road Suite #140
Las Vegas, NV 89117, USA

Work Order #: W2021041500305
April 15, 2021
Receipt Version: 1

Special Handling Instructions:

Submitter ID: 5221

Charges

Description	Fee Description	Filing Number	Filing Date/Time	Filing Status	Qty	Price	Amount
Business Entity Filed Documents	Fees	20211386331	4/15/2021 9:08:17 AM	Approved	1	\$34.00	\$34.00
Total							\$34.00

Payments

Type	Description	Payment Status	Amount
Credit Card	6185028836576648303288	Success	\$34.00
Total			\$34.00

Credit Balance: \$0.00

SHANNON EVANS
2400 S. Cimarron Road Suite #140
Las Vegas, NV 89117, USA

BARBARA K. CEGAVSKE
Secretary of State

STATE OF NEVADA



Commercial Recordings Division
202 N. Carson Street
Carson City, NV 89701
Telephone (775) 684-5708
Fax (775) 684-7138
North Las Vegas City Hall
2250 Las Vegas Blvd North, Suite 400
North Las Vegas, NV 89030
Telephone (702) 486-2880
Fax (702) 486-2888

KIMBERLEY PERONDI
Deputy Secretary for
Commercial Recordings

OFFICE OF THE
SECRETARY OF STATE

Certified Copy

04/15/2021 09:08:17 AM

Work Order Number: W2021041500305 - 1266498
Reference Number: 20211386331
Through Date: 04/15/2021 09:08:17 AM
Corporate Name: Meridian Sunrise Properties, LLC

The undersigned filing officer hereby certifies that the attached copies are true and exact copies of all requested statements and related subsequent documentation filed with the Secretary of State's Office, Commercial Recordings Division listed on the attached report.

Document Number	Description	Number of Pages
20211386214	Articles of Organization - 04/15/2021	2



Respectfully,

Handwritten signature of Barbara K. Cegavske in black ink.

BARBARA K. CEGAVSKE
Nevada Secretary of State

Certified By: Electronically Certified
Certificate Number: B202104151595344
You may verify this certificate
online at <http://www.nvsos.gov>



BARBARA K. CEGAUSKE
 Secretary of State
 202 North Carson Street
 Carson City, Nevada 89701-4201
 (775) 684-5708
 Website: www.nvsos.gov
www.nvsilverflume.gov

Filed in the Office of <i>Barbara K. Cegauske</i>	Business Number E13862152021-7
Secretary of State State Of Nevada	Filing Number 20211386214
	Filed On 04/15/2021 08:56:53 AM
	Number of Pages 2

Formation - Limited-Liability Company

- | | |
|---|--|
| <input checked="" type="checkbox"/> NRS 86 - Articles of Organization Limited-Liability Company | <input type="checkbox"/> NRS 86.544 - Registration of Foreign Limited-Liability Company |
| <input type="checkbox"/> NRS 89 - Articles of Organization Professional Limited-Liability Company | <input type="checkbox"/> NRS 86.555 - Registration of Professional Foreign Limited-Liability Company |

1. Name Being Registered in Nevada: <small>(See instructions)</small>	Meridian Sunrise Properties, LLC
2. Foreign Entity Name: <small>(Name in home jurisdiction)</small>	
3. Jurisdiction of Formation: <small>(Foreign Limited-Liability Companies)</small>	3a) Jurisdiction of formation: <input type="text"/> 3b) Date formed: <input type="text"/> 3c) I declare this entity is in good standing in the jurisdiction of its formation. <input type="checkbox"/>
4. Registered Agent for Service of Process*: <small>(check only one box)</small>	<input checked="" type="checkbox"/> Commercial Registered Agent (name only below) <input type="checkbox"/> Noncommercial Registered Agent (name and address below) <input type="checkbox"/> Office or position with Entity (title and address below) <div style="border: 1px solid black; padding: 2px; margin: 5px 0;"> EVANS & ASSOCIATES </div> Name of Registered Agent OR Title of Office or Position with Entity <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="text" value="2400 S CIMARRON RD STE 140"/> <small>Street Address</small> </div> <div style="width: 20%;"> <input type="text" value="LAS VEGAS"/> <small>City</small> </div> <div style="width: 30%;"> <input type="text" value="Nevada 89117"/> <small>State Zip Code</small> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="width: 45%;"> <input type="text"/> <small>Mailing Address (If different from street address)</small> </div> <div style="width: 20%;"> <input type="text"/> <small>City</small> </div> <div style="width: 30%;"> <input type="text" value="Nevada"/> <small>State Zip Code</small> </div> </div> <p style="font-size: small; margin-top: 10px;"><i>I hereby accept appointment as Registered Agent for the above named Entity. If the registered agent is unable to sign the Articles of Incorporation, submit a separate signed Registered Agent Acceptance form.</i></p> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="width: 70%;"> X Shannon L. Evans <small>Authorized Signature of Registered Agent or On Behalf of Registered Agent Entity</small> </div> <div style="width: 25%;"> <input type="text" value="04/15/2021"/> <small>Date</small> </div> </div>
5. Management: <small>(Domestic Limited-Liability Companies only)</small>	Company shall be managed by: (check one box) <input checked="" type="checkbox"/> Manager(s) OR <input type="checkbox"/> Member(s)
6. Name and Address of each Manager(s) or Managing Member(s): <small>(NRS 86 and NRS 86.544, see instructions)</small> Name and Address of the Original Manager(s) and Member(s): <small>(NRS 89, see instructions)</small> IMPORTANT: <small>A certificate from the regulatory board must be submitted showing that each individual is licensed at the time of filing.</small>	1) <input type="text" value="SKP Sunrise Management Trust"/> <small>Name</small> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="width: 45%;"> <input type="text" value="11700 W. Charleston Blvd #170-335"/> <small>Address</small> </div> <div style="width: 20%;"> <input type="text" value="Las Vegas"/> <small>City</small> </div> <div style="width: 30%;"> <input type="text" value="NV"/> <small>State</small> </div> <div style="width: 5%;"> <input type="text" value="89135"/> <small>Zip Code</small> </div> </div>
7. Dissolution Date: <small>(Domestic only)</small>	Latest date upon which the company is to dissolve (if existence is not perpetual): <input type="text"/>



BARBARA K. CEGAVSKE
 Secretary of State
 202 North Carson Street
 Carson City, Nevada 89701-4201
 (775) 684-5708
 Website: www.nvsos.gov
www.nvsilverflume.gov

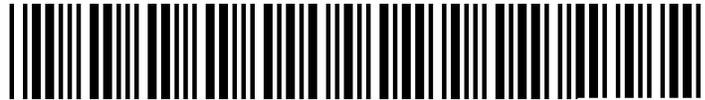
Formation - Limited-Liability Company

Continued, Page 2

8. Profession to be Practiced: (NRS 89 only)													
9. Series and/or Restricted Limited-Liability Company: (Optional)	Check box if a Series Limited-Liability Company <input type="checkbox"/> Domestic Limited-Liability Company's only: The Limited-Liability Company is a Restricted Limited-Liability Company <input type="checkbox"/>												
10. Records Office: (Foreign Limited-Liability Companies)	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black; width: 60%;"></td> <td style="border-bottom: 1px solid black; width: 15%;"></td> <td style="border-bottom: 1px solid black; width: 15%;"></td> <td style="border-bottom: 1px solid black; width: 10%;"></td> </tr> <tr> <td style="font-size: small;">Address</td> <td style="font-size: small;">City</td> <td style="font-size: small;">State</td> <td style="font-size: small;">Zip code</td> </tr> <tr> <td style="border-bottom: 1px solid black; font-size: small;">Country</td> <td colspan="3"></td> </tr> </table>					Address	City	State	Zip code	Country			
Address	City	State	Zip code										
Country													
11. Street Address of Principal Office: (Foreign Limited-Liability Companies)	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black; width: 60%;"></td> <td style="border-bottom: 1px solid black; width: 15%;"></td> <td style="border-bottom: 1px solid black; width: 15%;"></td> <td style="border-bottom: 1px solid black; width: 10%;"></td> </tr> <tr> <td style="font-size: small;">Address</td> <td style="font-size: small;">City</td> <td style="font-size: small;">State</td> <td style="font-size: small;">Zip code</td> </tr> <tr> <td style="border-bottom: 1px solid black; font-size: small;">Country</td> <td colspan="3"></td> </tr> </table>					Address	City	State	Zip code	Country			
Address	City	State	Zip code										
Country													
12. Name, Address and Signature of the Organizer: (NRS 86, NRS 89 - Each Organizer must be a licensed professional.)	<p><i>*Foreign Limited-Liability Company - In the event the designated Agent for Service of Process resigns and is not replaced or the agent's authority has been revoked or the agent cannot be found or served with exercise of reasonable diligence, then the Secretary of State is hereby appointed as the Agent for Service of Process.</i></p> <p>I declare, to the best of my knowledge under penalty of perjury, that the information contained herein is correct and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black; width: 60%;">Shannon L. Evans</td> <td style="border-bottom: 1px solid black; width: 40%;">United States</td> </tr> <tr> <td style="font-size: small;">Name</td> <td style="font-size: small;">Country</td> </tr> <tr> <td style="border-bottom: 1px solid black; width: 30%;">2400 S. Cimarron Road - Suite 140</td> <td style="border-bottom: 1px solid black; width: 20%;">Las Vegas</td> <td style="border-bottom: 1px solid black; width: 10%;">NV</td> <td style="border-bottom: 1px solid black; width: 30%;">89117</td> </tr> <tr> <td style="font-size: small;">Address</td> <td style="font-size: small;">City</td> <td style="font-size: small;">State</td> <td style="font-size: small;">Zip/Postal Code</td> </tr> </table> <p>X Shannon L. Evans _____ (attach additional page if necessary)</p>	Shannon L. Evans	United States	Name	Country	2400 S. Cimarron Road - Suite 140	Las Vegas	NV	89117	Address	City	State	Zip/Postal Code
Shannon L. Evans	United States												
Name	Country												
2400 S. Cimarron Road - Suite 140	Las Vegas	NV	89117										
Address	City	State	Zip/Postal Code										
Name and Signature of Manager or Member: (NRS 86.544 only)													
See instructions													

AN INITIAL LIST OF OFFICERS MUST ACCOMPANY THIS FILING

Please include any required or optional information in space below:
 (attach additional page(s) if necessary)



0004248418



STATE OF IDAHO
Office of the secretary of state, Lawrence Denney
FOREIGN REGISTRATION STATEMENT (LIMITED LIABILITY COMPANY)

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$100.00

For Office Use Only

-FILED-

File #: 0004248418

Date Filed: 4/15/2021 4:58:26 PM

Foreign Registration Statement (Limited Liability Company)
Select one: Standard, Expedited or Same Day Service (see descriptions below) Expedited (+\$40; filing fee \$140)
1. The name this limited liability company will use in Idaho is:
Type of Limited Liability Company Foreign Limited Liability Company
Entity name Meridian Sunrise Properties, LLC
Meridian Sunrise Properties, LLC
2. Home Jurisdiction
The jurisdiction of formation is: NEVADA
3. The street address of its domestic principal office (if required by the laws of the jurisdiction of formation) is:
Street Address 11700 W. CHARLESTON BLVD #170-335
LAS VEGAS, NV 89135
4. The mailing address of its domestic principal office (if required by the laws of the jurisdiction of formation) is:
Mailing Address 11700 W. CHARLESTON BLVD #170-335
LAS VEGAS, NV 89135
5. The complete street address of the principal office is:
Principal Office Address 11700 W. CHARLESTON BLVD #170-335
LAS VEGAS, NV 89135
6. The mailing address of the principal office is:
Mailing Address 11700 W CHARLESTON BLVD # 170-335
LAS VEGAS, NV 89135-1573
7. Registered Agent Name and Address
Registered Agent REGISTERED AGENTS INC
Commercial Registered Agent
Physical Address
784 S CLEARWATER LOOP STE R
POST FALLS, ID 83854
Mailing Address
784 S CLEARWATER LOOP STE R
POST FALLS, ID 83854
[X] I affirm that the registered agent appointed has consented to serve as registered agent for this entity.
8. Governors
Name Title Address
SKP Sunrise Management Trust Manager 11700 W CHARLESTON BLVD # 170-335
LAS VEGAS, NV 89135-1573
Signature of individual authorized by the entity to sign:
SKP Sunrise Management Trust 04/15/2021
Sign Here Date
Job Title: Manager

B0602-2888 04/15/2021 4:54 PM Received by ID Secretary of State Lawrence Denney

SECRETARY OF STATE



CERTIFICATE OF EXISTENCE WITH STATUS IN GOOD STANDING

I, Barbara K. Cegavske, the duly qualified and elected Nevada Secretary of State, do hereby certify that I am, by the laws of said State, the custodian of the records relating to filings by corporations, non-profit corporations, corporations sole, limited-liability companies, limited partnerships, limited-liability partnerships and business trusts pursuant to Title 7 of the Nevada Revised Statutes which are either presently in a status of good standing or were in good standing for a time period subsequent of 1976 and am the proper officer to execute this certificate.

I further certify that the records of the Nevada Secretary of State, at the date of this certificate, evidence, **Meridian Sunrise Properties, LLC**, as a DOMESTIC LIMITED-LIABILITY COMPANY (86) duly organized under the laws of Nevada and existing under and by virtue of the laws of the State of Nevada since 04/15/2021, and is in good standing in this state.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office on 04/15/2021.

Barbara K. Cegavske

BARBARA K. CEGAVSKE
Secretary of State

Certificate Number: B202104151595266

You may verify this certificate
online at <http://www.nvsos.gov>



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, Steve PHAN

47875 Cake Bay Dr. A102 La Quinta CA 92253

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

McCarte - Moorhouse
4660 N. Penngrave Way Meridian ID Idaho 83646
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 03 day of 30, 2022.

[Signature]
Signature

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

Residing at: _____

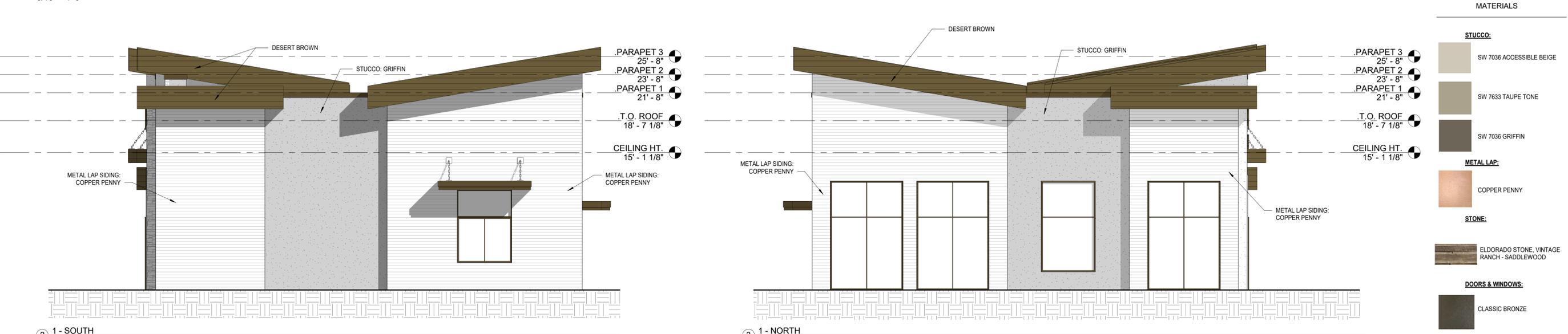
My Commission expires: _____

Signature * See Attached

1159 N Jacksonmill Avenue

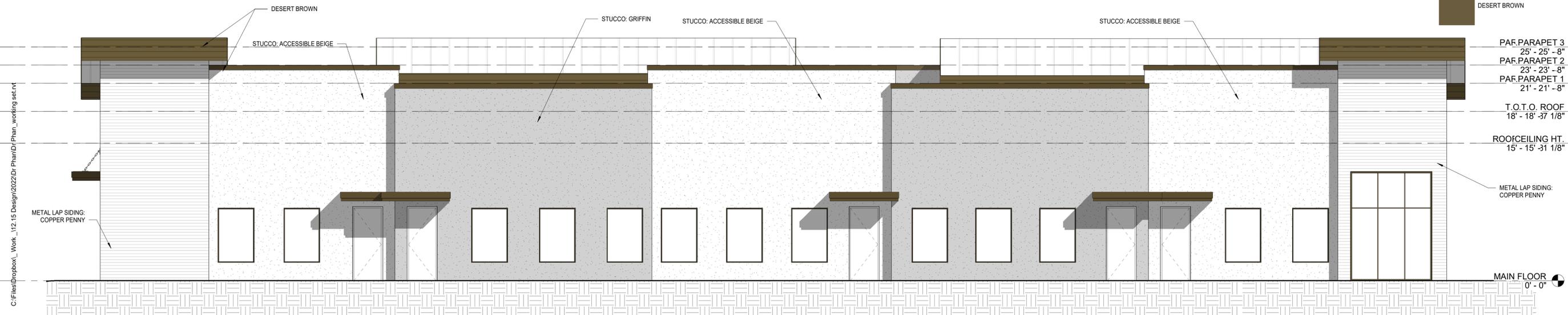


1 - WEST
3/16" = 1'-0"



2 - SOUTH
3/16" = 1'-0"

3 - NORTH
3/16" = 1'-0"



4 - EAST
3/16" = 1'-0"

MATERIALS	
STUCCO:	
.PARAPET 3 25' - 8"	SW 7036 ACCESSIBLE BEIGE
.PARAPET 2 23' - 8"	SW 7633 TAUPE TONE
.PARAPET 1 21' - 8"	SW 7036 GRIFFIN
T.O. ROOF 18' - 7 1/8"	
CEILING HT. 15' - 1 1/8"	
METAL LAP:	
	COPPER PENNY
STONE:	
	ELDORADO STONE, VINTAGE RANCH - SADDLEWOOD
DOORS & WINDOWS:	
	CLASSIC BRONZE
FASCIA & AWNINGS:	
	DESERT BROWN



12.15 Design

ARCHITECT STAMP

DR. PHAN

1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO

BUILDING 1 - ELEVATIONS

VERIFY SCALES
THIS BAR IS 1 INCH ON ORIGINAL DRAWING



IF NOT 1 INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

CHECKED	
DATE	02.06.2017
DRAWN	JESSICA
JOB NO.	001

SHEET NUMBER

A1.2

04.01.2022

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- MATERIALS**
- STUCCO:**
- SW 7036 ACCESSIBLE BEIGE
 - SW 7633 TAUPE TONE
 - SW 7036 GRIFFIN
- METAL LAP:**
- COPPER PENNY
- STONE:**
- ELDORADO STONE, VINTAGE RANCH - SADDLEWOOD
- DOORS & WINDOWS:**
- CLASSIC BRONZE
- FASCIA & AWNINGS:**
- DESERT BROWN



12.15
Design

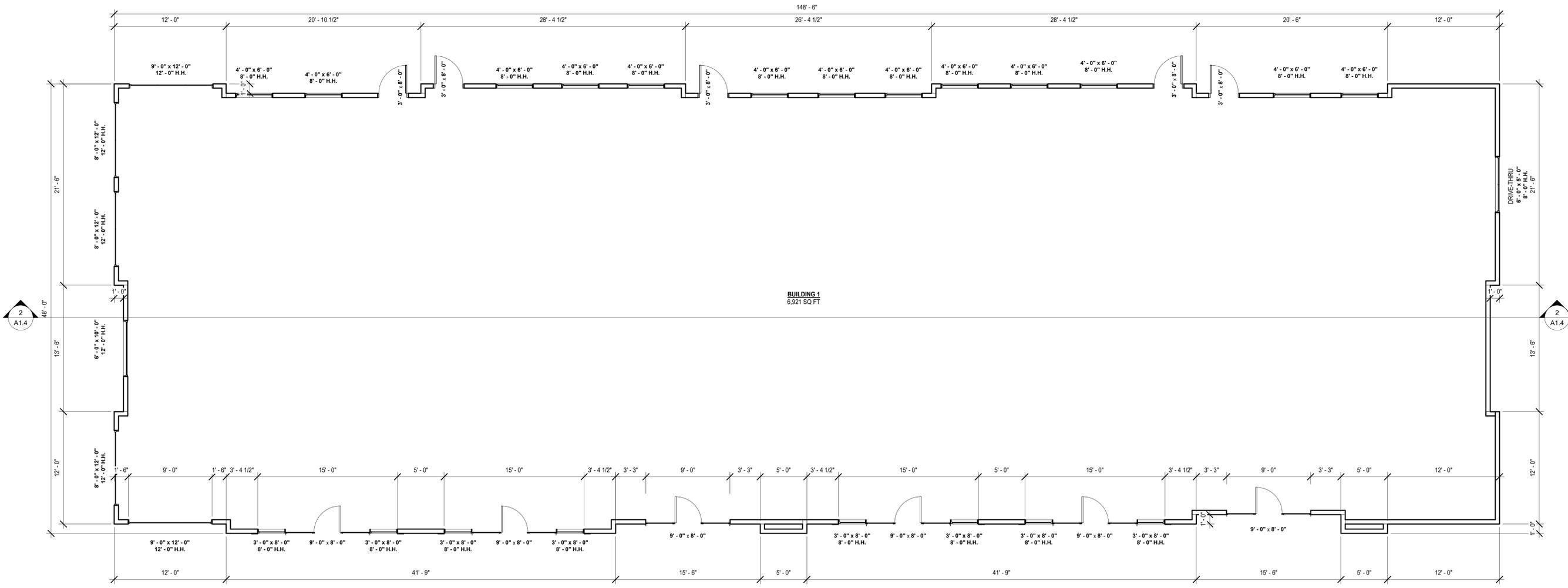
ARCHITECT STAMP

DR. PHAN
1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO
BUILDING 1 - RENDERING & MATERIALS

VERIFY SCALES
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CHECKED	
DATE	02.06.2017
DRAWN	JESSICA
JOB NO.	001

SHEET NUMBER
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1- BUILDING 1 FLOOR PLAN
 3/16" = 1'-0"



12.15
 Design

ARCHITECT STAMP

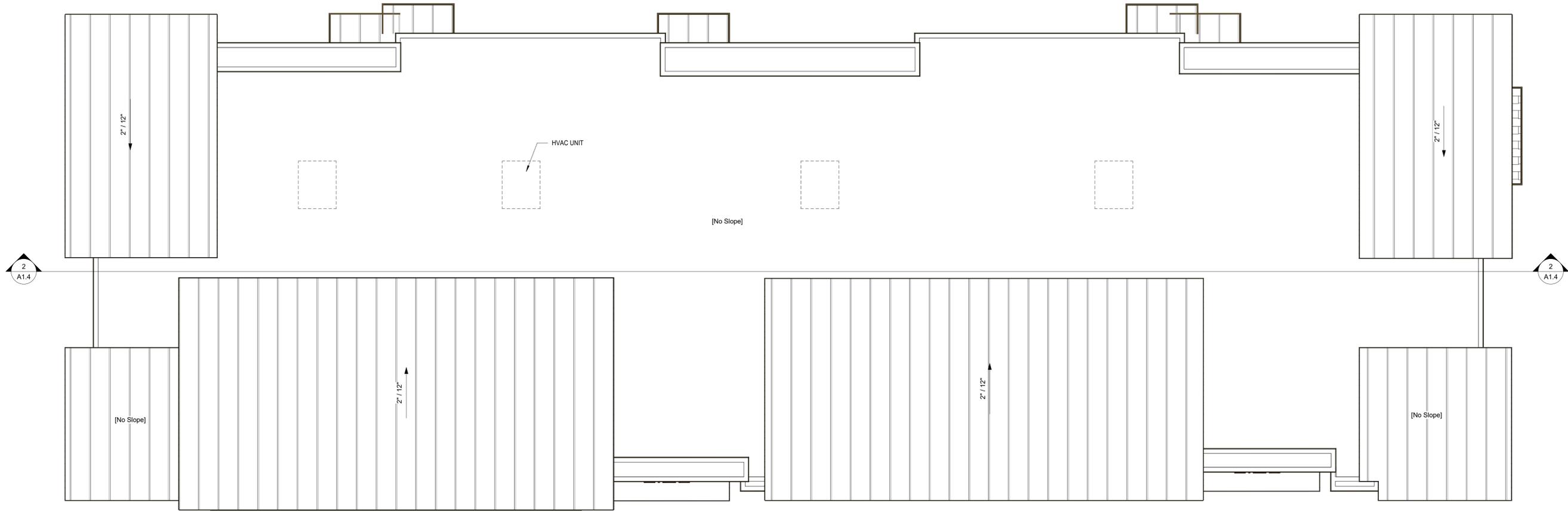
DR. PHAN
 1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO

BUILDING 1 - FLOOR PLAN

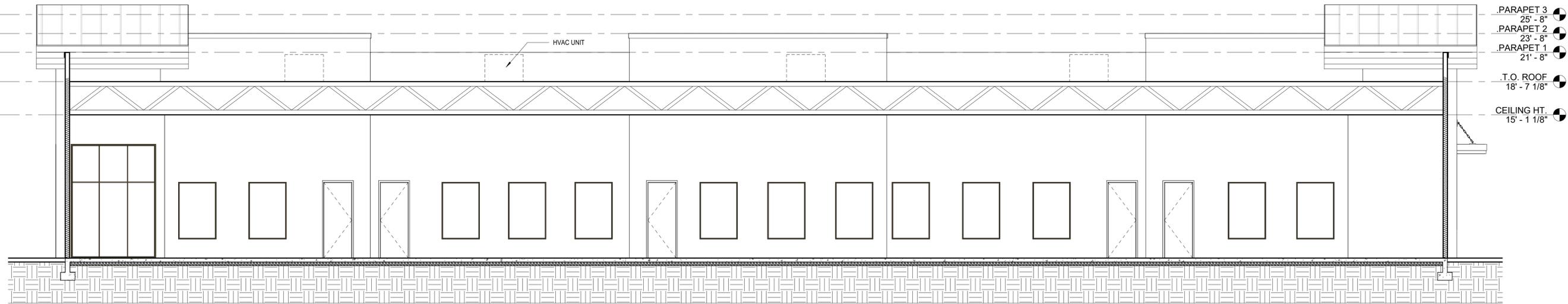
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DRAWN	JESSICA
JOB NO.	001

SHEET NUMBER
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1 - BUILDING 1 ROOF PLAN
3/16" = 1'-0"



2 - BUILDING 1 SECTION
3/16" = 1'-0"



McCarter-Moorhouse

12.15
Design

ARCHITECT STAMP

DR. PHAN

1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO

BUILDING 1 - SECTION & ROOF PLAN

VERIFY SCALES
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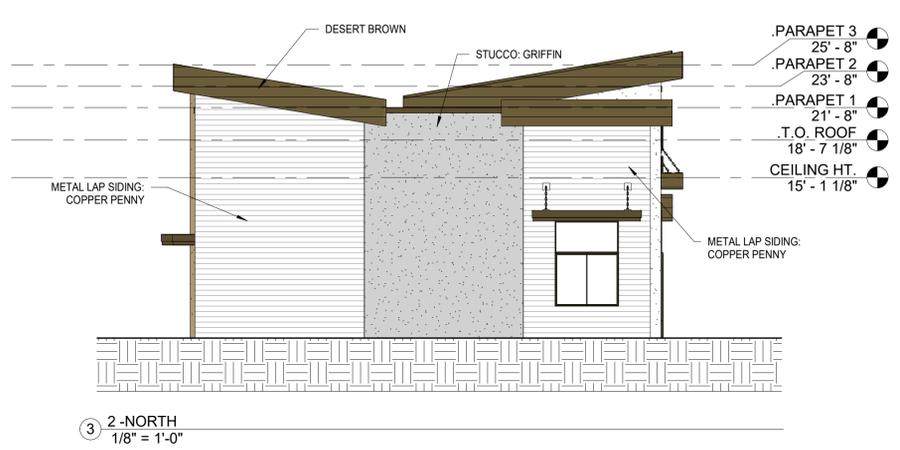
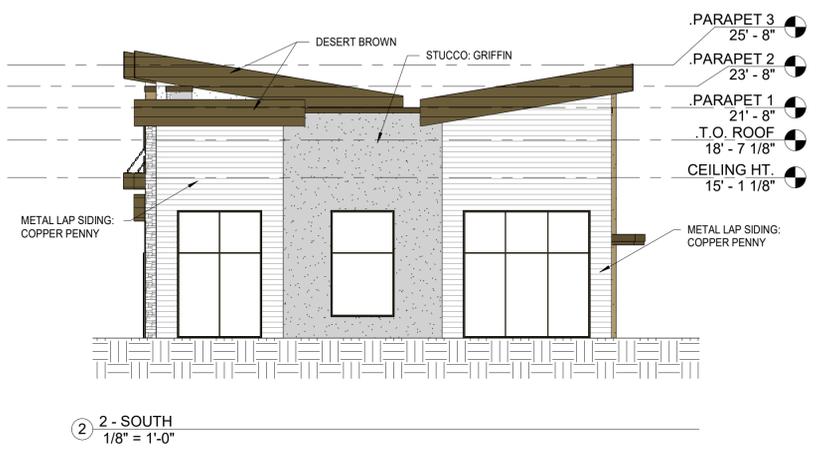
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DATE	02.06.2017
DRAWN	JESSICA
JOB NO.	001

SHEET NUMBER	A1.4
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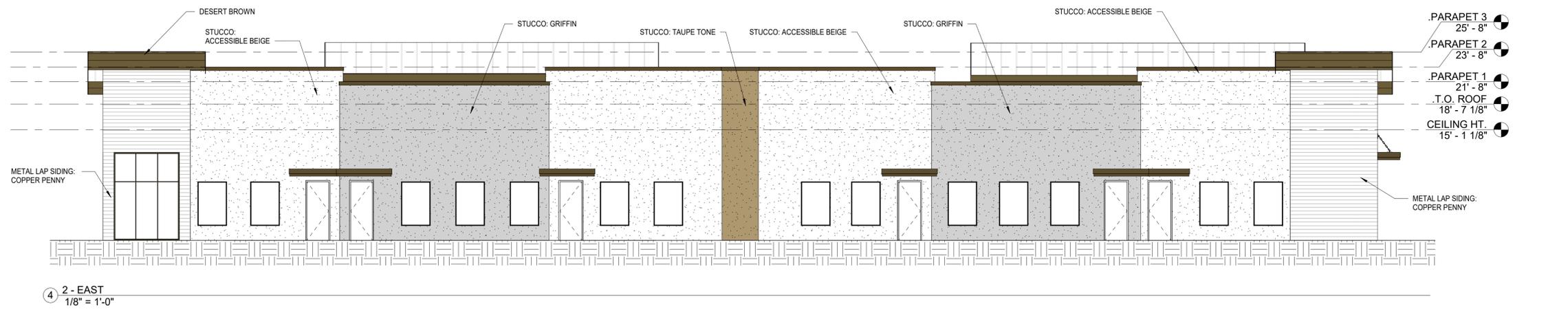
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1221 N Jacksonmill Avenue



- MATERIALS**
- STUCCO:**
 - SW 7036 ACCESSIBLE BEIGE
 - SW 7633 TAUPE TONE
 - SW 7036 GRIFFIN
 - METAL LAP:**
 - COPPER PENNY
 - STONE:**
 - ELDORADO STONE, VINTAGE RANCH - SADDLEWOOD
 - DOORS & WINDOWS:**
 - CLASSIC BRONZE
 - FASCIA & AWNINGS:**
 - DESERT BROWN



McCarter-Moorhouse

12.15 Design

ARCHITECT STAMP

DR. PHAN
1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO
BUILDING 2 - ELEVATIONS

VERIFY SCALES
THIS BAR IS 1 INCH ON ORIGINAL DRAWING
0 1"
IF NOT 1 INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

CHECKED	
DATE	02.06.2017
DRAWN	JESSICA
JOB NO.	001

SHEET NUMBER
A2.2



- MATERIALS**
- STUCCO:**
- SW 7036 ACCESSIBLE BEIGE
 - SW 7633 TAUPE TONE
 - SW 7036 GRIFFIN
- METAL LAP:**
- COPPER PENNY
- STONE:**
- ELDORADO STONE, VINTAGE RANCH - SADDLEWOOD
- DOORS & WINDOWS:**
- CLASSIC BRONZE
- FASCIA & AWNINGS:**
- DESERT BROWN



McCarter-Moorhouse

12.15 Design

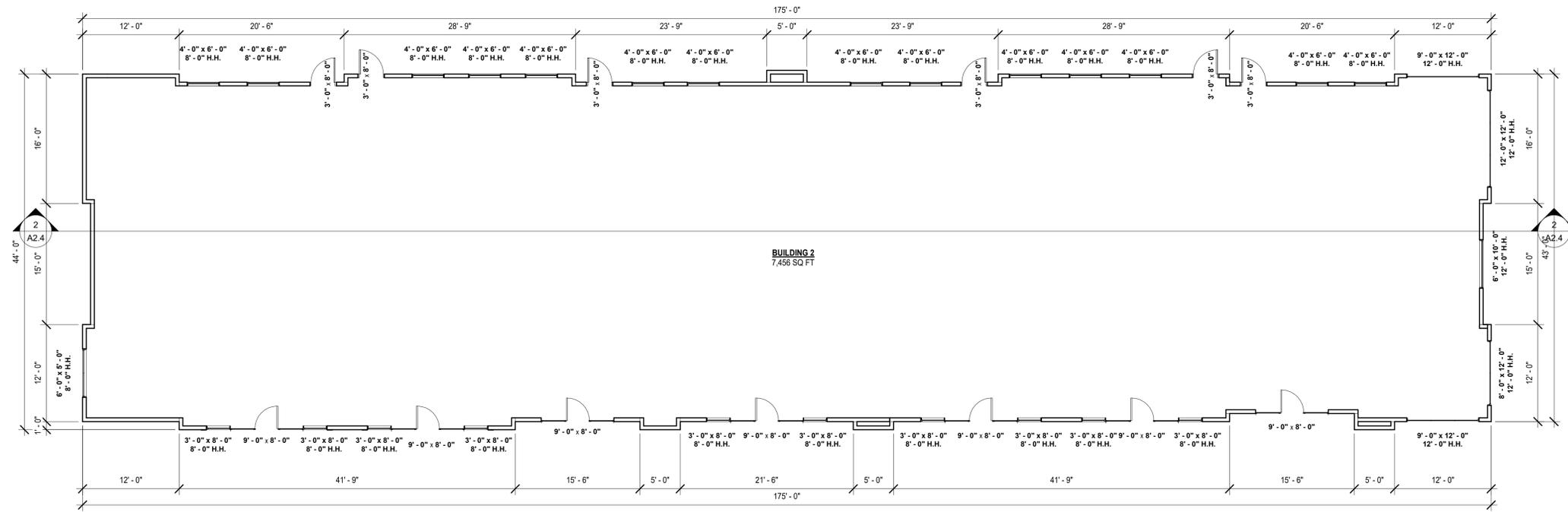
ARCHITECT STAMP

DR. PHAN
 1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO
 BUILDING 2 - RENDERING & MATERIALS

VERIFY SCALES
 THIS BAR IS 1 INCH ON ORIGINAL DRAWING
 0 1"
 IF NOT 1 INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

CHECKED	
DATE	02.06.2017
DRAWN	JESSICA
JOB NO.	001

SHEET NUMBER
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1 2-BUILDING 2 FLOOR PLAN
1/8" = 1'-0"

ARCHITECT STAMP

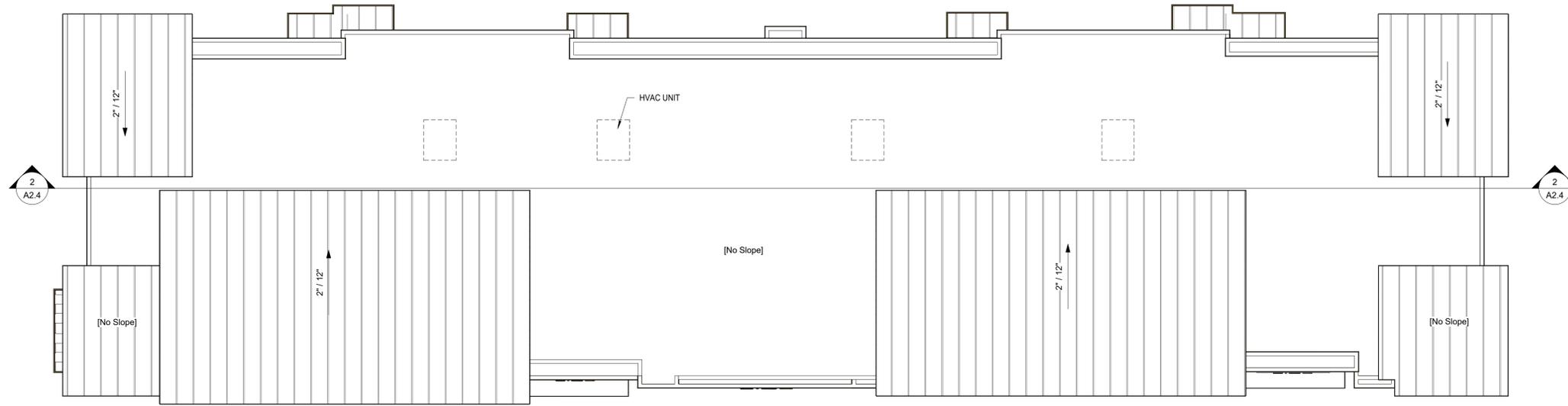
DR. PHAN
1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO

BUILDING 2 - FLOOR PLAN

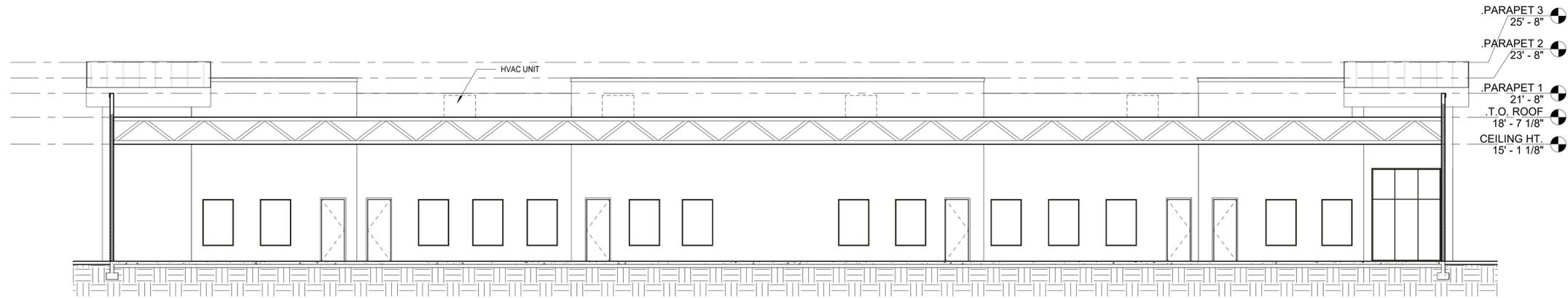
VERIFY SCALES
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ON ORIGINAL DRAWING
0 1"
IF NOT 1 INCH ON
THIS SHEET, ADJUST
SCALES
ACCORDINGLY

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DATE	02.06.2017
DRAWN	JESSICA
JOB NO.	001

SHEET
NUMBER
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1 2 - BUILDING 2 ROOF PLAN
1/8" = 1'-0"



2 BUILDING 2 SECTION
1/8" = 1'-0"

ARCHITECT STAMP

DR. PHAN
1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO

BUILDING 2 - SECTION & ROOF PLAN

VERIFY SCALES
THIS BAR IS 1 INCH
ON ORIGINAL DRAWING
0 1"
IF NOT 1 INCH ON
THIS SHEET, ADJUST
SCALES
ACCORDINGLY

CHECKED	
DATE	02.06.2017
DRAWN	JESSICA
JOB NO.	001

SHEET
NUMBER
A2.4



Consistent with LEED® goals & Green Globes™ criteria for light pollution reduction

Autobahn Series ATB0

Roadway Lighting

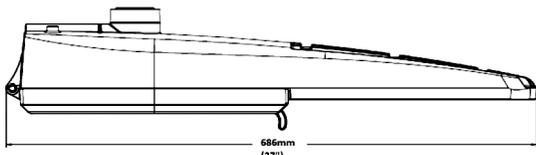
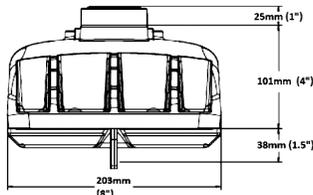
PRODUCT OVERVIEW



Applications:

- Roadways
- Off ramps
- Residential streets
- Parking lots

DIMENSIONS



Effective Projected Area (EPA): The EPA for the ATB0 is 0.76 sq. ft.
Approx. Wt. = 14 lbs.

STANDARDS

DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.

Color temperatures of $\leq 3000\text{K}$ must be specified for International Dark-Sky Association certification.

Rated for -40°C to 40°C ambient

CSA Certified to U.S. and Canadian standards

Complies with ANSI: C136.2, C136.10, C136.14, C136.31, C136.15, C136.37

Features:

OPTICAL

The Autobahn's new molded silicone optics provide exceptional performance. Silicone optics are superior to other polymeric materials in the areas of; optical efficiency, thermal performance, and reduction in dirt accumulation, all of which can lead to long term lumen degradation and a shift in optical distribution. Also, because silicone allows for the molding of fine details as well as thick sections, it produces the most crisp, clean and well-defined lighting distributions available. Silicone optics paired with modern LED's allow the Autobahn to take full advantage of both technologies.

Same Light: Performance is comparable to 100 - 400W HPS roadway luminaires.

White Light: Correlated color temperature - 4000K, or optional 2700K, 3000K or 5000K, all 70 CRI minimum.

Unique IP66 rated LED light engines provided 0% uplight and restrict backlight to within sidewalk depth, providing optimal application coverage and optimal pole spacing. Available in Type II, III, IV, and V roadway distributions.

ELECTRICAL

Expected Life: LED light engines are rated $>100,000$ hours at 25°C , L70. Electronic driver has an expected life of 100,000 hours at a 25°C ambient.

Lower Energy: Saves an expected of 40-60% over comparable HID luminaires.

Robust Surge Protection: Two different surge protection options provide a minimum of ANSI C136.2 10kV/5kA protection. 20kV/10kA protection is also available.

Luminaire ships with a 0-10v dimmable driver. Luminaire is continuous and step dimming capable via A0 option or controls installed on P7 photocontrol receptacle option.

MECHANICAL

Includes standard AEL lineman-friendly features such as tool-less entry, 3 station terminal block and quick disconnects. Bubble level located inside the electrical compartment for easily leveling at installation.

Rugged die-cast aluminum housing and door are polyester powder-coated for durability and corrosion resistance. Rigorous five-stage pre-treating and painting process yields a finish that achieves a scribe creepage rating of 7 (per ASTM D1654) after over 5000 hours exposure to salt fog chamber (operated per ASTM B117).

Mast arm mount is adjustable for arms from 1-1/4" to 2" (1-5/8" to 2-3/8" O.D.) diameter. Provides a 3G vibration rating per ANSI C136.31

Wildlife shield is cast into the housing (not a separate piece).

CONTROLS

NEMA 3 pin photocontrol receptacle is standard, with the Acuity designed ANSI standard 7 pin receptacle optionally available.

Premium solid state locking style photocontrol - PCSS (10 year rated life) Extreme long life solid state locking style photocontrol - PCLL (20 year rated life).

Optional onboard Adjustable Output module allows the light output and input wattage to be modified to meet site specific requirements, and also can allow a single fixture to be flexibly applied in many different applications.

Note: Specifications subject to change without notice. Actual performance may differ as a result of end-user environment and application.

Autobahn Series ATB0

Roadway Lighting

ORDERING INFORMATION

Series	Performance Packages	Voltage	Optics
ATB0 Autobahn LED Roadway	P201 5,369 lumens nominal ⁶ P202 6,943 lumens nominal ⁶ P203 10,056 lumens nominal P204 12,176 lumens nominal P205 13,767 lumens nominal P301 10,367 lumens nominal P302 12,185 lumens nominal P303 15,351 lumens nominal P304 17,714 lumens nominal P305 19,893 lumens nominal P451 16,320 lumens nominal P452 19,087 lumens nominal P453 23,592 lumens nominal P454 25,070 lumens nominal P455 27,091 lumens nominal P456 28,347 lumens nominal P457 29,715 lumens nominal	MVOLT Multi-volt, 120-277V 347 347V ⁵ 480 480V ⁵ XVOLT 277V-480V	R2 Roadway Type II R3 Roadway Type III R4 ³ Roadway Type IV R5 Roadway Type V

Options			
<u>Color Temperature (CCT)</u> (Blank) 4000K CCT, 70 CRI Min. 27K 2700K CCT, 70 CRI Min. 3K 3000K CCT, 70 CRI Min. 5K 5000K CCT, 70 CRI Min.	UMR-XX 8" Horizontal Arm for Round Pole, Painted to match Fixture UMS-XX 8" Horizontal Arm for Square Pole, Painted to match Fixture UMR-GALV 8" Horizontal Arm for Round Pole, Galvanized UMS-GALV 8" Horizontal Arm for Square Pole, Galvanized	<u>Accessories:</u> House Side Shields for field installation ATBOP20XR2/R5HSS for use with P201 - P205, R2 & R5 distributions ATBOP20XR3/R4HSS for use with P201 - P205, R3 & R4 distributions ATBOP30XR2/R5HSS for use with P301 - P305, R2 & R5 distributions ATBOP30XR3HSS for use with P301 - P305, R3 distribution ATBOP30XR4HSS for use with P301 - P305, R4 distribution ATBOP45XR2/R5HSS for use with P451 - P457, R2 & R5 distributions ATBOP45XR3HSS for use with P451 - P457, R3 distribution	
<u>Paint</u> (Blank) Gray (Standard) BK Black BZ Bronze DDB Dark Bronze GI Graphite WH White GN Green	<u>Controls</u> (Blank) 3 Pin NEMA Photocontrol Receptacle (Standard) P7² 7 Pin Photocontrol Receptacle (Dimmable Driver Included) NR No Photocontrol Receptacle AO Field Adjustable Output PCSS¹ Solid State Lighting Photocontrol (120-277V) PCLL Solid State Long Life Photocontrol SH Shorting Cap		
<u>Surge Protection</u> (Blank) Standard 20kV/10kA SPD ⁴ MP MOV Pack 10kV/5kA	<u>Packaging</u> (Blank) Single Unit (Standard) JP Job Pack (42/Pallet)		
<u>Terminal Block</u> (Blank) Terminal Block (Standard) T2 Wired to L1 & L2 Positions			
<u>Misc.</u> BL External Bubble Level HSS House-Side Shield NL Nema Label XL Not CSA Certified			

Notes
 1 Not available in 347 or 480V.
 2 Not available with NR.
 3 Not available with P451 - P457 performance packages
 4 Not available with P201 performance package + 347V or 480V
 5 Not available with P456 or P457 performance package options
 6 Not available with XVOLT option

Autobahn Series ATB0

Roadway Lighting

PERFORMANCE PACKAGE								
ATB0	Distribution	Input Watts	2700K		3000K		4000K/5000K	
			Lumens	LPW	Lumens	LPW	Lumens	LPW
P201	R2	36	4,983	137	5,473	151	5,488	150
	R3		4,952	136	5,107	140	5,553	152
	R4		5,045	139	5,130	141	5,346	147
	R5		5,084	142	5,384	148	5,387	150
P202	R2	49	6,429	132	7,100	147	7,203	148
	R3		6,390	131	6,679	137	7,237	148
	R4		6,517	136	6,749	140	6,906	144
	R5		6,560	137	6,988	146	6,951	146
P203	R2	70	9,005	130	10,050	144	10,150	147
	R3		8,951	129	9,471	134	10,260	148
	R4		9,494	137	9,673	139	10,060	145
	R5		9,188	134	9,784	142	9,736	142
P204	R2	88	11,007	125	11,800	136	12,410	141
	R3		10,940	124	11,490	132	12,470	141
	R4		11,485	132	11,900	136	12,170	139
	R5		11,230	131	11,780	137	11,900	138
P205	R2	102	12,339	121	12,650	125	13,920	137
	R3		12,264	120	13,110	139	14,130	138
	R4		13,051	130	13,680	136	13,830	138
	R5		12,589	127	13,080	132	13,340	135
P301	R2	67	9,527	140	10,450	154	10,460	153
	R3		9,469	139	10,590	158	10,820	158
	R4		9,579	144	10,210	152	10,150	152
	R5		9,720	145	10,370	154	10,300	154
P302	R2	83	11,118	135	11,790	142	12,300	149
	R3		11,050	134	12,290	150	12,520	152
	R4		11,589	140	12,720	153	12,280	148
	R5		11,343	137	12,120	147	12,020	145
P303	R2	106	14,152	130	15,090	140	15,420	141
	R3		14,066	131	15,230	142	15,950	148
	R4		14,514	136	15,720	146	15,380	144
	R5		14,439	136	15,140	142	15,300	144
P304	R2	124	16,705	130	17,180	136	18,010	141
	R3		16,603	131	17,890	141	18,230	144
	R4		16,845	135	18,160	145	17,850	143
	R5		17,043	137	17,670	142	18,060	145
P305	R2	145	18,388	124	19,720	134	20,160	136
	R3		18,276	124	20,070	135	20,440	138
	R4		18,695	129	20,050	138	19,810	137
	R5		18,761	130	19,350	135	19,880	138



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Warranty Five-year limited warranty. Complete warranty terms located at:

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Autobahn Series ATB0

Roadway Lighting

PERFORMANCE PACKAGE								
ATB0	Distribution	Input Watts	2700K		3000K		4000K/5000K	
			Lumens	LPW	Lumens	LPW	Lumens	LPW
P451	R2	105	14,827	138	15,760	148	16,570	154
	R3		14,737	137	16,790	157	16,640	155
	R5		15,128	144	17,150	162	16,030	153
P452	R2	125	18,277	146	18,270	147	19,370	155
	R3		18,166	146	19,420	151	19,470	156
	R5		18,648	148	19,140	151	19,760	157
P453	R2	159	22,227	139	22,570	143	23,900	150
	R3		22,092	139	24,090	151	23,550	148
	R5		22,677	141	23,920	148	24,030	149
P454	R2	170	24,585	144	23,580	139	25,060	147
	R3		24,436	143	25,340	148	25,200	148
	R5		25,084	147	25,360	148	26,580	156
P455	R2	187	25,732	138	25,270	136	26,750	143
	R3		25,576	137	27,430	145	27,020	145
	R5		26,254	143	27,730	149	27,820	152
P456	R2	203	27,277	135	26,560	132	28,230	139
	R3		27,111	134	28,600	142	28,950	143
	R5		27,830	143	28,740	146	29,490	151
P457	R2	211	27,656	131	27,270	130	28,900	137
	R3		27,488	130	29,750	142	29,680	140
	R5		28,217	137	29,790	146	29,900	145

Note: Individual fixture performance may vary.

ATB0	15C	20C	25C	30C	35C	40C
LLD Multiplier	1.02	1.01	1.00	0.99	0.98	0.97

To calculate the LLD for a temperature other than 25°C, multiply the LLD @ 25°C (shown in the performance package table) by the LLD multiplier for the selected temperature.



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Autobahn Series ATB0

Roadway Lighting

PERFORMANCE PACKAGE

LLD @ 25°C

ATB0	R2, R3 Distributions 3000K & 4000K CCT			R2, R3 Distributions 2700K & 5000K CCT*			R4 & R5 Distributions Any CCT		
	50k Hours	75k Hours	100k Hours	50k Hours	75k Hours	100k Hours	50k Hours	75k Hours	100k Hours
P201	0.96	0.95	0.94	0.92	0.88	0.85	0.92	0.88	0.85
P202	0.96	0.95	0.94	0.92	0.88	0.85	0.92	0.88	0.85
P203	0.96	0.95	0.93	0.91	0.88	0.85	0.91	0.88	0.85
P204	0.96	0.95	0.93	0.91	0.88	0.84	0.91	0.88	0.84
P205	0.96	0.95	0.93	0.91	0.87	0.83	0.91	0.87	0.83
P301	0.96	0.95	0.93	0.92	0.88	0.85	0.92	0.88	0.85
P302	0.96	0.95	0.93	0.92	0.88	0.85	0.92	0.88	0.85
P303	0.96	0.95	0.93	0.92	0.88	0.84	0.92	0.88	0.84
P304	0.96	0.95	0.93	0.91	0.87	0.83	0.91	0.87	0.83
P305	0.96	0.95	0.93	0.9	0.86	0.82	0.9	0.86	0.82
P451	0.96	0.94	0.93	0.92	0.88	0.85	0.92	0.88	0.85
P452	0.96	0.94	0.93	0.91	0.88	0.84	0.91	0.88	0.84
P453	0.96	0.94	0.93	0.91	0.87	0.83	0.91	0.87	0.83
P454	0.96	0.94	0.93	0.9	0.86	0.82	0.9	0.86	0.82
P455	0.96	0.94	0.93	0.9	0.85	0.81	0.9	0.85	0.81
P456	0.94	0.93	0.91	0.89	0.84	0.79	0.89	0.84	0.79
P457	0.94	0.93	0.91	0.88	0.83	0.79	0.88	0.83	0.79

* Also includes any custom (non-catalog) CCT



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Autobahn Series ATB0

Roadway Lighting

B.U.G. Ratings										
ATB0	Distribution	2700K			3000K			4000/5000K		
		B	U	G	B	U	G	B	U	G
P201	R2	1	0	1	2	0	2	2	0	2
	R3	1	0	1	1	0	1	1	0	1
	R4	1	0	2	1	0	2	1	0	2
	R5	3	0	1	3	0	1	3	0	1
P202	R2	2	0	2	2	0	2	2	0	2
	R3	1	0	2	1	0	2	1	0	2
	R4	1	0	2	1	0	2	1	0	2
	R5	3	0	1	3	0	2	3	0	2
P203	R2	2	0	2	2	0	2	2	0	2
	R3	2	0	2	2	0	2	2	0	2
	R4	2	0	3	2	0	3	2	0	3
	R5	3	0	2	4	0	2	4	0	2
P204	R2	3	0	3	3	0	3	3	0	3
	R3	2	0	2	2	0	2	2	0	2
	R4	2	0	3	2	0	3	2	0	3
	R5	4	0	2	4	0	2	4	0	2
P205	R2	3	0	3	3	0	3	3	0	3
	R3	2	0	2	2	0	2	2	0	2
	R4	2	0	3	2	0	3	2	0	3
	R5	4	0	2	4	0	2	4	0	2
P301	R2	2	0	2	2	0	2	2	0	2
	R3	2	0	2	2	0	2	2	0	2
	R4	2	0	3	2	0	3	2	0	3
	R5	4	0	2	4	0	2	4	0	2
P302	R2	3	0	3	3	0	3	3	0	3
	R3	2	0	2	2	0	2	2	0	2
	R4	2	0	3	2	0	3	2	0	3
	R5	4	0	2	4	0	2	4	0	2
P303	R2	3	0	3	3	0	3	3	0	3
	R3	2	0	2	2	0	3	2	0	3
	R4	2	0	3	3	0	3	3	0	3
	R5	4	0	2	4	0	2	4	0	2
P304	R2	3	0	3	3	0	3	3	0	3
	R3	2	0	3	3	0	3	3	0	3
	R4	3	0	3	3	0	4	3	0	3
	R5	4	0	2	4	0	2	4	0	2
P305	R2	3	0	3	3	0	3	3	0	3
	R3	3	0	3	3	0	3	3	0	3
	R4	3	0	4	3	0	4	3	0	4
	R5	5	0	3	5	0	3	5	0	3



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Autobahn Series ATB0

Roadway Lighting

B.U.G. Ratings										
ATB0	Distribution	2700K			3000K			4000/5000K		
		B	U	G	B	U	G	B	U	G
P451	R2	3	0	3	3	0	3	3	0	3
	R3	2	0	2	2	0	3	2	0	3
	R5	4	0	2	4	0	2	4	0	2
P452	R2	3	0	3	3	0	3	3	0	3
	R3	3	0	3	3	0	3	3	0	3
	R5	5	0	3	5	0	3	5	0	3
P453	R2	3	0	3	3	0	3	3	0	3
	R3	3	0	3	3	0	3	3	0	3
	R5	5	0	3	5	0	3	5	0	3
P454	R2	3	0	3	3	0	3	3	0	3
	R3	3	0	3	3	0	3	3	0	3
	R5	5	0	3	5	0	3	5	0	3
P455	R2	3	0	3	3	0	3	3	0	3
	R3	3	0	3	3	0	4	3	0	4
	R5	5	0	3	5	0	3	5	0	3
P456	R2	4	0	4	3	0	3	4	0	4
	R3	3	0	4	3	0	4	3	0	4
	R5	5	0	3	5	0	4	5	0	4
P457	R2	4	0	4	4	0	4	4	0	4
	R3	3	0	4	3	0	4	3	0	4
	R5	5	0	4	5	0	4	5	0	4



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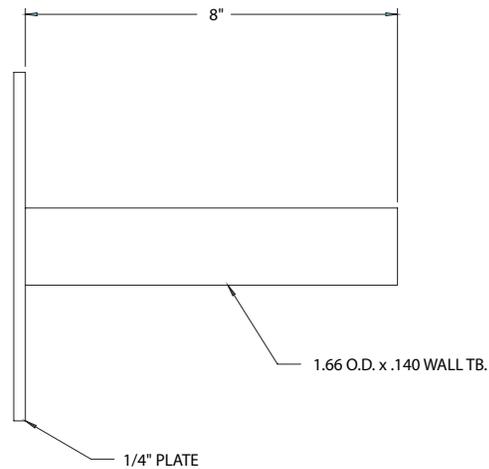
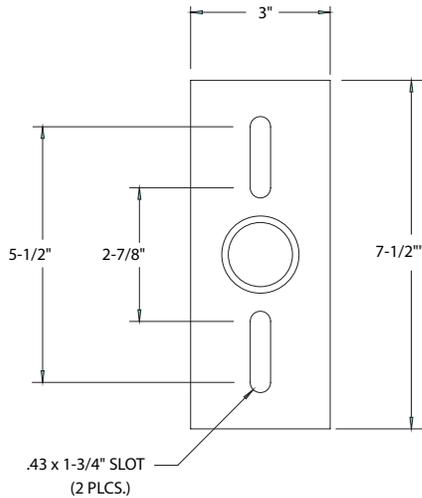
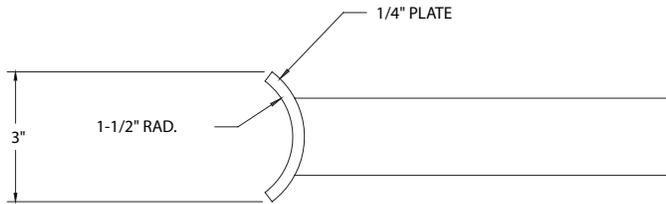
Please contact your sales representative for the latest product information.

Autobahn Series ATB0

Roadway Lighting

UMR POLE ADAPTOR

RECOMMENDED FOR USE WITH POLES OF 4" DIAMETER OR SMALLER



UMS POLE ADAPTOR



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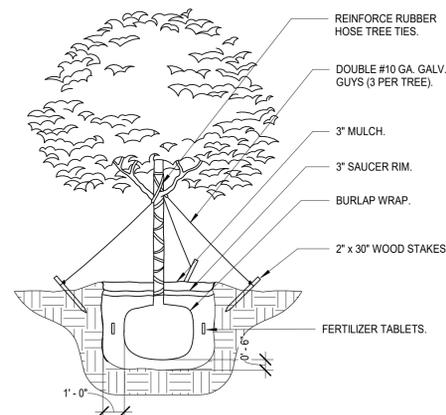
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PLANT SCHEDULE				
TREE SYMBOL	COMMON NAME	BOTANICAL NAME	QTY.	PLANTING SIZE
	SWEET GUM	LIQUID AMBER STYRACIFLOA	3	2" CAL.
	MAPLE OCTOBER GLORY	ACER RUBRUM	5	2" CAL.
	FLOWERING CHERRY	PRUNUS OKAME	3	2" CAL.
	CARPET ROSE	ROSEA NOARE RED	28	2.5 GAL.
	BARBERRY	BERBUS VULGARIS	12	2.5 GAL.
	JUNIPER RUG	JUNIPERUS HORIZONTALIS	17	2.5 GAL.
	BURNING BUSH	EUONYMUS ALATUS	18	2.5 GAL.
	KARL FORESTER GRASS	CALA MAGROSTIS ACUTIFLORA	21	2.5 GAL.

- GROUND COVER: 1" CRUSHED BLACK & TAN SHILE IN ALL PLANTERS
 - PRESSURIZED IRRIGATION

SITE INFORMATION	
SITE AREA:	3.49 ACRES
ZONE:	C-3
SETBACKS:	FRONT & SIDE - 10 FT
	REAR & SIDE - 0 FT



TYPICAL TREE AND SHRUB PLANTING NOTES:

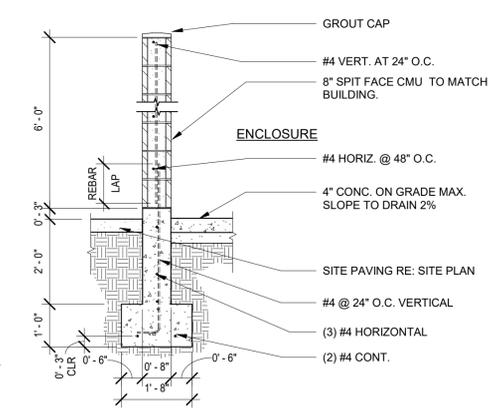
- ALL TREES TO BE BALLED AND BURLAPPED. SEE DETAIL THIS SHEET TREE STAKING.
- 2" MINIMUM OF REGULAR GRIND SOIL AID TO BE PLACED ON SHRUB PLANTING AREAS.
- PROVIDE AND INSTALL (3) 2 x 2 STAKES EVENLY SPACED AT EACH TREE. TIE ALL STAKES WITH COTTON WEBBING OR OTHER APPROVED METHOD.
- PROVIDE AND INSTALL BACKFILL MIX FOR ALL PLANTS. USE 1/2 APPROVED PLANTING MIX AND 1/2 EXISTING SOIL REMOVED FROM PLANTING PITS. DIG ALL PLANT PITS TWICE THE SIZE OF ROOT BALL.
- EXISTING SOIL REMOVED FROM PLANTING PITS. DIG ALL PLANT PITS TWICE THE SIZE OF ROOT BALL.
- FINISH GRADE TOP SOIL TO A UNIFORM AND SMOOTH SURFACE. REMOVE ALL ROCKS AND FOREIGN MATERIAL 1" AND LARGER PRIOR TO LAYING SOD.
- PROVIDE AND INSTALL ONE APPLICATION OF APPROVED PLANTING TABLETS FOR ALL PLANTS. PROVIDE AND INSTALL ONE INITIAL APPLICATION OF STARTER FERTILIZER FOR SOD AREAS. ALL FERTILIZERS TO BE APPROVED BY THE OWNER PRIOR TO APPLICATION AND APPLIED AT MANUFACTURERS RECOMMENDED RATE.
- ALL PLANTS AND LAWN SHALL BE GUARANTEED FOR ONE COMPLETE GROWING SEASON AFTER COMPLETION OF CONTRACT AND FINAL ACCEPTANCE.
- NEW LANDSCAPE AREAS TO BE PROVIDED WITH FULLY AUTOMATIC SPRINKLER SYSTEMS.

2 TREE PLANTING
 1/4" = 1'-0"

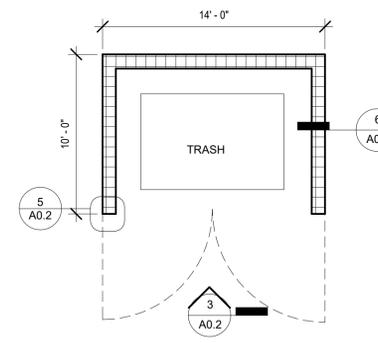
1 LANDSCAPE PLAN
 1" = 20'-0"



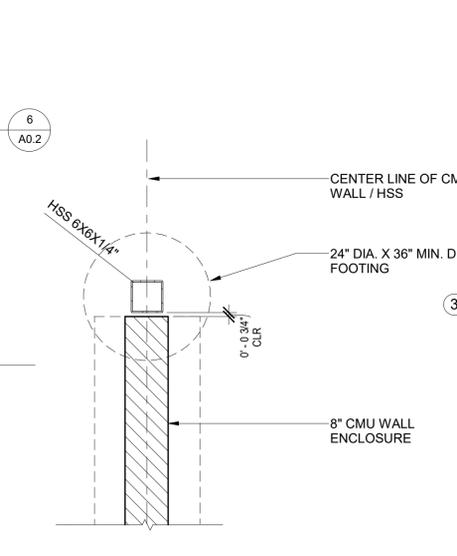
6 ENCLOSURE WALL SECTION
 1/2" = 1'-0"



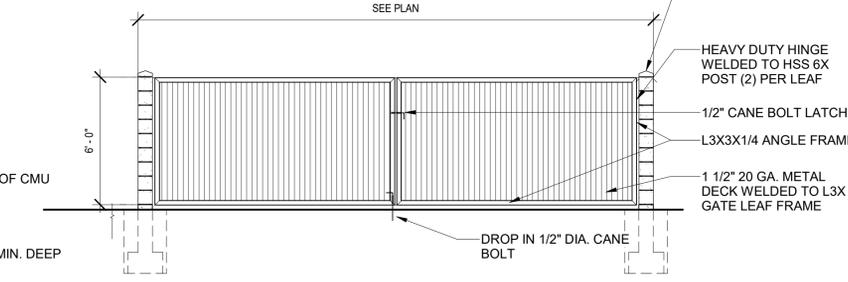
4 TRASH ENCLOSURE PLAN
 3/16" = 1'-0"



5 TRASH ENCLOSURE DETAIL
 3/4" = 1'-0"



3 TRASH ENCLOSURE ELEVATION
 1/4" = 1'-0"



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12.15 Design

ARCHITECT STAMP

DR. PHAN
 1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO

VERIFY SCALES
 THIS BAR IS 1 INCH ON ORIGINAL DRAWING
 0 1"
 IF NOT 1 INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

CHECKED	
DATE	02.06.2017
DRAWN	JESSICA
JOB NO.	001

SHEET NUMBER
A0.2

LANDSCAPE PLAN & DETAILS

04.01.2022

From: [Jessica Reid](#)
To: [Catherine Feistner](#); [Brady Barroso](#); [Morgan Treasure](#); [TLawrence Kuna Fire](#); [Scott FCCNWI](#); [Chief Fratusco](#); [AChD](#)
Cc: [Doug Hanson](#); [Paul Stevens](#)
Subject: 22-09-DR (Design Review) Commercial Shells at 1159 & 1221 N Jacksonmill Ave Agency Transmittal
Date: Wednesday, May 25, 2022 4:19:59 PM
Attachments: [image001.png](#)
[22-09-DR 1159 & 1221 N Jacksonmill Ave Agency Transmittal Packet.pdf](#)

Agency Transmittal – May 25, 2022

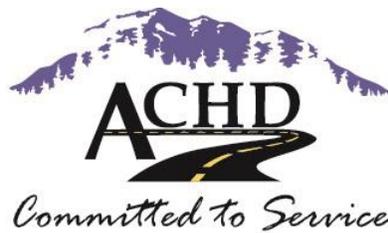
Notice is hereby given by the City of Kuna the following actions are under consideration:

FILE NUMBER:	22-09-DR (Design Review) for Commercial Shells at 1159 & 1221 N Jacksonmill Avenue
PROJECT DESCRIPTION	12.15 Design, LLC, on behalf of Dr. Phan, requests Design Review approval for two (2) commercial shell buildings, one (1) of which he intends to occupy a portion of with his dental practice. Building No. 1, located at 1159 N Jacksonmill Ave, is proposed to be 6,921 SF and have a drive-thru on its southern end, while Building No. 2, located at 1221 N Jacksonmill Ave, is proposed to be 7,456 SF and has a drive-thru on its northern end. Commercial tenants occupying the remaining suites will complete the inside of their suites to suit their needs, via T.I.'s (tenant improvement building permits). As stated, the subject sites are located at 1159 & 1221 N Jacksonmill, total approx. 2.33-acres, are zoned C-1 (Neighborhood Commercial, and are lots 1 & 2 of block 12 within the Asthon Estates No. 2 Subdivision (APNs: R0539771320 & R0539771300); Township 2N, Range 1 East, Section 19.
SITE LOCATION	1159 & 1221 N Jacksonmill Avenue Kuna, ID 83634
REPRESENTATIVE	Jessica Petty 12.15 Design, LLC jessica@1215design.com
SCHEDULED HEARING DATE	Tuesday, July 12, 2022 at 6:00 PM, Kuna City Hall Council Chambers, 751 W 4 th Street, Kuna, ID 83634
STAFF CONTACT	Jessica Reid 208.387.7731 jreid@kunaid.gov
<p><i>Per Kuna City Code 5-4, Design Reviews do not require formal noticing, however, there are potential impacts on which your agency may wish to comment. Please provide comments within 15 days; if more time is needed, please inform our offices. We would appreciate any information as to how this action would affect the service(s) your agency provides.</i> The hearing is scheduled to begin at 6:00 p.m. or as soon as it may be heard. Kuna City Hall is located at 751 W. 4th Street, Kuna, ID 83634. If your agency needs different plans or paper copies to review, notify our office know and we will send them. Please notify our office who future packets should be sent to, including their email address. If your agency needs additional time for review, please let our office know ASAP.</p>	

Jessica Reid

Planner I
 751 W 4th Street • Kuna, ID 83634
jreid@kunaid.gov • Ph: (208) 387-7731





Mary May, President
Alexis Pickering, Vice-President
Jim D. Hansen, 2nd Vice President
Kent Goldthorpe, Commissioner
Dave McKinney, Commissioner

DATE, 202X

To: 12.15 Design LLC
Jessica Petty
1897 S Satellite Way
Boise, ID 83712

Subject: KUNA22-0011/ 22-09-DR
1159 & 1221 N Jacksonmill Ave
Commercial Shells

The Ada County Highway District (ACHD) has reviewed the submitted application for the application referenced above and has determined that there are no improvements required to the adjacent street(s).

The applicant shall be required to:

1. Pay a traffic impact fee. If applicable, a traffic impact fee may be assessed by ACHD and will be due prior to the issuance of a building permit by the lead agency. This is a separate review process and it is the applicant's responsibility to submit plans directly to ACHD.
2. Comply with all ACHD Policies and ACHD Standard Conditions of Approval for any improvements or work in the right-of-way.
3. Obtain a permit for any work in the right-of-way prior to the construction, repair, or installation of any roadway improvements (curb, gutter, sidewalk, pavement widening, driveways, culverts, etc.).

Traffic Information

Condition of Area Roadways:

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification
Meridian Road	216-feet	Principal Arterial

* Acceptable level of service for a five-lane principal arterial is "E" (1,780 VPH).

Average Daily Traffic Count (VDT):

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

- There is no current average daily traffic count for Meridian Road.

If you have any questions, please feel free to contact me at (208) 387-6329.

Sincerely,



Carbella Loise Medina
Planning Review Intern
Development Services

cc: City of Kuna – Jessica Reid
Steve Phan

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.



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

DESIGN REVIEW MEMORANDUM

To: Doug Hanson - Planning and Zoning Director
From: Brady Barroso - Engineering Technician I
Catherine Feistner - Assistant City Engineer
Date: 28 June 2022
RE: Public Works Comments
1159 & 1221 N Jacksonmill Avenue Commercial Shells – 22-09-DR (Design Review)

The 1159 & 1221 N Jacksonmill Avenue properties, 22-09-DR, design review request dated 25 May 2022 has been reviewed. These comments apply to the application as they affect public works infrastructure. Review of civil construction drawings is accomplished separately, when received by PWoffice@kunaid.gov.

Public Works staff must review the civil site plan prior to applying for a building permit. Public Works can support approval for this application.

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

1) Inspection & Fees

- a) Public Works utility connection and inspection fees will need to be paid. Additional costs may be incurred at the time of the building permit dependent on a fixture count analysis.
- 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 Kuna Rural Fire District's fees can be found on their website. *Payment is due and payable prior to certificate of occupancy.*

2) General

- a) Provide civil construction drawings to the Public Works Department (PWoffice@kunaid.gov) prior to applying for a building permit.
- b) Sufficient fire access is required per Kuna Rural Fire District (KRFD).
- c) Provide engineering certification on all final engineering drawings as applicable.
- d) City's building official must review and approve all building plans.
- e) 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.

3) Right-of-Way

- a) The Design Review does not affect existing Right-of-Way.

4) Sanitary Sewer Connection

- a) This project will be connected to City services. Public Works plan review team will coordinate sewer redlines during the civil construction drawing review process, when received by PWOoffice.
- b) All sewer infrastructure must meet or exceed City of Kuna requirements.
- c) Sewer connection fees apply to each lot containing a facility.

5) Potable Water Connection

- a) This project will be connected to City services. Public Works plan review team will coordinate water redlines during the civil construction drawing review process, when received by PWOoffice.
- 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.
- d) All water infrastructure must meet or exceed City of Kuna requirements.
- e) Water connection fees apply to each lot containing a facility.

6) Pressurized Irrigation

- a) This project will be connected to City services. Public Works plan review team will coordinate pressurized irrigation redlines during the civil construction drawing review process, when received by PWOoffice.
- b) Relying on drinking water for irrigation purposes is contrary to City Code 6-4-2-B.9.
- c) All pressurized irrigation infrastructure must meet or exceed City of Kuna requirements.
- d) Pressurized irrigation connection fees apply to each lot containing a facility.

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 as-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.