

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 26, 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 July 12, 2022
- 2. Findings of Fact & Conclusions of Law
 - A. Case No. 21-15-AN (Annexation) 2500 S Rock Falls Lane
 - B. Case No. 22-06-An (Annexation) 14375 S Cole Road
 - C. Case No. 22-01-SUP (Special Use Permit) 11118 N Cambrick In-Home Group Daycare

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

- A. Case Nos. 22-03-AN (Annexation) & 22-04-S (Preliminary Plat) for Braeburn Creek Subdivision – Troy Behunin, Planner III

Toll Southwest, LLC requests approval for Annexation of approximately 41.50 acres with an R-6 (Medium Density Residential) zone. Applicant also requests Preliminary Plat approval to subdivide the 41.50 acres into a total of 129 lots. The subject site is located at the southeast corner of the Mason Creek Street and School Avenue alignment (APN: S1311427800); Section 11, Township 2 North, Range 1 West.

4. BUSINESS ITEMS:

- A. *Tabled from July 12, 2022* 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.

B. Case No. 22-19-DR (Design Review) for Paloma Ridge Pool House, Pavilion & Entry Monument Signage – Jessica Reid, Planner II

Toll Brothers requests Design Review approval for a multi-faceted project. The first portion is a Pool House which includes two (2) restrooms, pool equipment, shower & storage; tot lot; pickle ball court; covered mailbox structure; open-air pavilion; landscaping; and parking lot. The second portion is the subdivision entry monument signage with decorative wall and pillar. The project is intended to be phased over two (2) years and is located at 8430 S Linder Road (APN: S1312223000); Section 12, Township 2 North, Range 1 West. Staff notes a Final Plat for Paloma Ridge Subdivision has yet to be submitted, however, the Preliminary Plat was approved by City Council April 20, 2021.

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 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:

(Timestamp 00:00:26)

COMMISSION MEMBERS PRESENT:

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

CITY STAFF PRESENT:

Andrea Nielsen, City Attorney
Doug Hanson, Planning & Zoning Director
Morgan Treasure, Economic Development Director
Troy Behunin, Planner III
Jessica Reid, Planner II

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

(Timestamp 00:00:44)

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

(Timestamp 00:00:50)

Motion To: Approve the Consent Agenda.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 4-1-0

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

(Timestamp 00:01:08)

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

(Timestamp 00:01:10)

Planner II Jessica Reid asked the Commission for a few moments as attendees were completing signing in for public testimony; it was granted.

(Timestamp 00:03:00)

Planner III Troy Behunin presented an overview of the Applicants request then stood for questions; there were none.

(Timestamp 00:05:46)

Applicant Sid Anderson provided additional information regarding his request then stood for questions; there were none.

(Timestamp 00:06:35)

Chairman Young opened the Public Hearing.

Support

Sid Anderson, Applicant, 2500 S Rock Falls Lane, Kuna, ID 83634 – Testified

Alvina Unser, 300 S Stroebel Road, Kuna, ID 83634 – Not Testify

Neutral:

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

Against:

None

(Timestamp 00:06:50)

Robbie Reno of the Kuna School District provided neutral testimony and expressed that if the property developed in the future, that the developer would work with Kuna School District on any needed mitigation(s) as that moment, KSD could not serve it if developed.

(Timestamp 00:08:22)

Chairman Young closed the Public Hearing and the Commission proceeded into deliberation.

(Timestamp 00:08:47)

Commissioner Main had no concerns and felt the requested zoning designation was attractive for its location.

(Timestamp 00:09:04)

Vice Chairman Hennis had no concerns either and noted a correction that needed made within the Case file; Lots and Blocks for the request needed verified as they were not consistent throughout the paperwork.

(Timestamp 00:09:42)

Mr. Behunin stated the corrections would be verified and made.

(Timestamp 00:10:06)

Vice Chairman Hennis expressed no additional concerns.

(Timestamp 00:10:14)

Chairman Young agreed with Commissioner Main and stated it would be a desirable location.

(Timestamp 00:10:28)

Motion To: Recommend Approval to City Council of Case No. 21-15-AN (Annexation) 2500 S Rock Falls Lane with the Conditions as outlined in staffs report.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Main

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 4-1-0

(Timestamp 00:10:58)

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

(Timestamp 00:11:15)

Planning and Zoning Director Doug Hanson presented an overview of the Annexation request to the East Kuna Industrial area.

(Timestamp 00:12:38)

Tamra Thompson of The Land Group, presented a quick overview of the request, stated they were in agreement with the Conditions listed in staffs report, then stood for any questions.

(Timestamp 00:14:03)

Chairman Young opened the Public Hearing.

Support

None

Neutral:

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

Raymond Charters, 1179 S Rumney, Kuna, ID 83634 – Testified

Against:

None

(Timestamp 00:14:22)

Robbie Reno of the Kuna School District provided neutral testimony and expressed support of Industrial and Commercial Annexations as they assisted in shifting the tax base from citizens.

(Timestamp 00:16:07)

Raymond Charters provided testimony regarding his concerns of semi-truck access into the city's Industrial areas, as well as substandard railroad crossings and tight turns in busy intersections.

Mr. Charters requested the Commission keep this information in mind for all future projects.

(Timestamp 00:17:33)

Chairman Young closed the Public Hearing and the Commission proceeded into deliberation.

(Timestamp 00:18:06)

Vice Chairman believed the request was appropriate and briefly commented on the future infrastructure that would be developed for the area; he also expressed agreement with Mr. Charters regarding adequate truck access being addressed when a future development application for the site was received.

(Timestamp 00:19:06)

Chairman Young also agreed the location was appropriate and the requested followed the Comprehensive Plan.

(Timestamp 00:19:20)

Commissioner Main agreed with both Vice Chairman Hennis and Chairman Young.

(Timestamp 00:19:40)

Commissioner Greger agreed with her fellow Commissioners.

(Timestamp 00:19:45)

Motion To: Recommend Approval to City Council of Case No. 22-06-AN (Annexation) 14375 S Cole Road with the Conditions as outlined in staffs report.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Main

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 4-1-0

(Timestamp 00:20:28)

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

(Timestamp 00:20:41)

Planner II Jessica Reid presented an overview of the Special Use Permit Request then stood for questions. Ms. Reid also stated the Applicant did not wish to speak.

(Timestamp 00:22:07)

Chairman Young opened the Public Hearing.

Support

None

Neutral:

None

Against:

None

(Timestamp 00:22:20)

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

(Timestamp 00:22:45)

Vice Chairman Hennis felt the request was straight forward. He expressed childcare was lacking in the community and it was greatly needed; he also expressed his appreciation that the Applicant was providing childcare seven (7) days per week as it offered parents more options that fit their schedules.

(Timestamp 00:23:18)

Chairman Young agreed and had no issues with the request, neither did Commissioner Main.

(Timestamp 00:23:34)

Commissioner Greger expressed her appreciation to the Applicant that they have made the effort to work with the city and become properly licensed, as well as offering childcare on a wider schedule.

(Timestamp 00:23:43)

Motion To: Approve Case No. 22-01-SUP (Special Use Permit) 1118 N Cambrick In-Home Group Daycare with the Conditions as outlined in staffs report.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 4-1-0

4. **BUSINESS ITEMS:**

(Timestamp 00:24:50)

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

(Timestamp 00:25:06)

Planner II Jessica Reid presented an overview of the proposed project then stood for questions.

(Timestamp 00:28:08)

Jessica Petty of 12.15 Design presented a general overview of the project and stated they had already been receiving calls regarding future rental opportunities for the Commercial space; she then stood for questions.

(Timestamp 00:28:44)

Commissioner Main expressed concern regarding the parking layout and asked if they had considered traffic flow; he did note it appeared that fire apparatus turn radius had been considered.

(Timestamp 00:29:24)

Mrs. Petty explained that the parking layout had been approved by the Kuna Rural Fire District (KRFD); she also explained they intended to have signage for traffic.

(Timestamp 00:29:39)

Commissioner Main stated he had no doubt it met Code; however, it did not seem to be a practical layout and as a driver, he would not enter the parking lot by choice due to its layout, especially moving north.

(Timestamp 00:30:18)

Vice Chairman Hennis agreed then asked a few questions regarding the mentioned signage; Mrs. Petty answered.

(Timestamp 00:31:12)

Commissioner Greger specifically referenced the design of Café Rio to the north and how many issues it created; on the plans and in reality, were two different things. She then asked if it would be possible for the Applicant to come forward in the future to request additional drive-thru's; Chairman Young stated they would not.

(Timestamp 00:32:12)

Ms. Reid addressed Commissioner Greger and agreed the design for the Café Rio drive-thru did not transfer well to reality and it ended up having to be redesigned.

(Timestamp 00:32:42)

Chairman Young agreed with the comments on the Café Rio drive-thru, however, he felt there may be enough relief for the proposed northern driveway as it was not immediately adjacent to the primary ingress/egress.

(Timestamp 00:33:00)

Vice Chairman Hennis expressed more concerns regarding the proposed northern driveway and stated, if the Commission chose to allow the northern drive-thru without any substantial changes, there would need to be substantial Conditions (of approval) to address the concerns that had been voiced. Vice Chairman was in support of everything else that was proposed but traffic flow was a sticking point.

(Timestamp 00:34:33)

The Commission continued to discuss traffic flow concerns, delivery truck access, alternative options and more. Mrs. Petty offered a handful of alternatives which were not unanimously supported by the Commission; general discussion regarding alternatives continued between the Commissioners.

(Timestamp 00:40:55)

Ms. Reid recommended to the Commission that if they were moving toward requesting a revision that they table the case to a date certain pending those revisions and then make an official Motion.

(Timestamp 00:41:48)

Motion To: Table Case No. 22-09-DR (Design Review) for 1159 & 1221 N Jacksonmill Commercial Shells to a date certain of July 26, 2022, pending review of a revised site plan.

Motion By: Vice Chairman Hennis

(Timestamp 00:42:20)

Chairman Young asked the Applicant if they would be able to provide a revised site plan within that timeframe before asking for a Second to the Motion made by Vice Chairman Hennis. Mrs. Petty proposed an additional option which would still allow the building to be as large as possible; would it be possible to provide an additional 12-feet on the north instead of a full 24-feet?

(Timestamp 00:43:30)

Chairman Young asked the Commission if there was a Second to Vice Chairman Hennis' Motion; as there was not, the Commission proceeded back into discussion regarding the northern area of the site plan.

(Timestamp 00:49:12)

Commissioner Main asked Planning and Zoning Director Doug Hanson if the drive aisle was required to be 24-feet; Mr. Hanson stated a drive aisle cannot be any less than 22-foot wide in order to accommodate 11-foot travel lanes, however, 24-feet was preferred.

(Timestamp 00:50:00)

The Commission discussed further and wanted to make sure the design was right the first time.

(Timestamp 00:50:20)

Mrs. Petty asked the Commission if it would be possible to combine the two proposed buildings into one to maintain as much square footage as possible as well as provide enough space for an increase in drive aisle to the north. Vice Chairman Hennis stated they would need to adjust the location of one of their trash enclosures but was not against reviewing the revision; Commissioner Main agreed and noted the Applicant would need to be sure they did not exceed the allowable building area.

(Timestamp 00:52:52)

Motion To: Table Case No. 22-09-DR (Design Review) for 1159 & 1221 N Jacksonmill Commercial Shells to a date certain of July 26, 2022, pending review of a revised site plan.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Main

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 4-1-0

5. **ADJOURNMENT:**

(Timestamp 00:53:47)

Motion To: Adjourn.

Motion By: Commissioner Main

Motion Seconded: Vice Chairman Hennis

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 4-1-0

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Doug Hanson, Planning and Zoning Director
Kuna Planning and Zoning Department



CITY OF KUNA

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

SIGN-UP SHEET

July 12, 2022 – P&Z Commission Public Hearing

Case Name: 1118 N Cambrick In-Home Group Daycare

Case No.: 22-01-SUP (Special Use Permit)

Case Description: Khadija Mberwa requests Special Use Permit approval to operate an In-Home Group Daycare for up to 12 children, Monday through Sunday, 7:00 AM to 6:00 PM.

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

mistake - move to Case No. 21-15-AN

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
Aldina Unser Print Name		_____ Print Name		_____ Print Name	
300 STROBEL Rd Print Address		_____ Print Address		_____ Print Address	
Kuna	TD 83634	_____ City	_____ State, Zip	_____ City	_____ State, Zip
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_____ City	_____ State, Zip	_____ City	_____ State, Zip	_____ City	_____ State, Zip

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

1.2 Hearings

1.2.1 Planning and Zoning Commission heard this on July 12, 2022. The FCO’s have been requested to go to the Planning and Zoning Commission on July 26, 2022. A Neighborhood Meeting was held September 7, 2021; one (1) resident attended the meeting. A legal notice as published in the Kuna Melba Newspaper on June 22, 2022. The applicant posted sign on the property on June 28, 2022. Neighborhood Notices were mailed to land owners within 300-FT of the proposed project site on June 23, 2022.

1.3 Witness Testimony

1.3.1 Those who testified at the Commission’s July 12, 2022, hearing are as follows, to-wit:

1.3.1.1 **City Staff:**
Troy Behunin, Planner III

1.3.1.2 **Appearing for the Applicant:**
Sid Anderson, 2500 E Rockfalls Ln., Kuna, ID 83634 - Testified

1.3.1.3 **Appearing In Favor:** None

1.3.1.4 **Appearing Neutral:**
Robbie Reno, Kuna School District No. 3, 711 E Porter St., Kuna, ID 83634 – Testified

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

**III
FINDINGS OF FACT**

3.1 Findings Regarding Notice

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

3.1.2 Notice Provided

3.1.2.1 Notice was published for the July 12, 2022, hearing for the 2500 E Rockfalls Lane Annexation 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>Dates Published</i>
<i>Kuna Melba News</i>	June 2, 2022

3.1.2.2 Notice for the July 12, 2022, hearing containing the description of the property proposed to be developed, was mailed on June 28, 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 July 12, 2022, hearing was posted on a sign in accordance with Kuna City Code (KCC) 5-1A-8 on June 28, 2022. A Proof of Property Posting was provided to staff on June 29, 2022.

3.1.2.4 Notice for the July 12, 2022, hearing was posted in conspicuous places within City Hall on the Foyer’s Bulletin Boards and City Website.

3.2 Findings Regarding Annexation

3.2.1 The land proposed for Annexation is comprised of two (2) parcels totaling approximately (approx.) 8.43 acres. The parcels involved are listed below:

Property Owner	Parcel Size:	Current Zone	Parcel Number
Sid and Laura Anderson	3.45 ac	RR	R0615250410
Sid and Laura Anderson	4.98 ac	RR	R0615250402

- 3.2.2 The proposal is for annexation into Kuna City limits for approx. 8.43 acres using two residential zones, R-2 Low Density Residential (LDR) and R-4 Medium Density Residential (MDR).
- 3.2.3 The existing land uses and zoning district classifications for lands surrounding the subject parcels are as follows:

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

- 3.2.4 All technical requirements listed in KCC Chapters 5 were provided for the Annexation, application and the landowners at issue support the Annexation.
- 3.2.5 The subject site is located at 2500 E Rockfalls Lane, near the southeast corner of Stroebel and Kuna Roads.
- 3.2.6 The proposed project site has one (1) residence and multiple outbuildings and the second lot is 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.
- 3.2.7 Staff is not aware of any environmental issues, health or safety conflicts. However, the property is adjacent to the Nitrate Priority Area
- 3.2.8 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.
- 3.2.9 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.
- 3.2.10 Future applications for the site will require review and comment from ACHD and subject to ACHD policies at time of a future application.
- 3.2.11 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.
- 3.2.12 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.

3.3 Testimony of the City Planner

3.3.1 Conclusions: The City Planner, in a staff report to the Planning and Zoning Commission dated July 12, 2022, confirmed 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 requests Annexation of approx. 8.43-acres into the City of Kuna using two zones; approx. 7.43 acres as R-2 LDR, and 1.00 acre as R-4 MDR. The lands are currently in Ada County, zoned RR (Rural Residential) and if 300 S Stroebel Road is approved by City Council for Annexation, these lands will be adjacent to Kuna City Limits across Indian Creek on the north side.

3.3.1.2 This application involves Lots 1 & 2, Block 3 of Avalon Orchard Tracts Amended Subdivision.

3.3.1.3 The Applicant is only requesting Annexation into the City of Kuna at this time; the Applicant is reminded of all City of Kuna development standards if development is proposed in the future.

3.3.1.4 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.

3.3.1.5 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 3.3.2 of this report, as well as any additional conditions requested by the Planning and Zoning Commission as applicable.

3.3.2 Staff Recommendations: As a result of the review, Planner III, Troy Behunin, recommended if the Planning and Zoning Commission recommends approval of Case No. 21-15-AN (Annexation) to City Council, the Applicant be subject to the following Conditions of Approval:

3.3.2.1 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:

- 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, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
- 3.3.2.4** 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 Pressure Irrigation System of the City (KMIS).
- 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 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 The Owner/Applicant/Developer, 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/Applicant/Developer shall follow staff, City Engineers and other agency recommended requirements as applicable.
- 3.3.2.10 Owner/Applicant/Developer shall comply with all local, state and federal laws.

3.4 Other Testimony

- 3.4.1 7/12/2022 Public Hearing – Sid Anderson, 2500 E Rockfalls Lane, Kuna, ID presented an overview of the proposed project and some of the site history. Sid stated they are proposing this application simply to get in the City, because they can't accomplish what they want to do in the County. He stated the application before the Commission was only for Annexation with the R-2 and R-4 zones. He agreed with the Conditions of Approval listed in the staff report.
- 3.4.2 7/12/2022 Public Hearing - Robbie Reno, Kuna School District No.3 (KSD), 711 E Porter Road, Kuna, ID., stated the KSD can't serve this development without a bond, and hope when it comes in for development in the future they will work with them for services.

IV

CONCLUSIONS OF LAW

RE: POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION

- 4.1 City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50, Idaho Code.
- 4.2 The power of the City of Kuna lies in the Planning and Zoning Commission to hear this matter as provided in Idaho Code §50-222, and Kuna City Code 1-14-3.

V

CONCLUSIONS OF LAW

RE: APPLICATION FOR ANNEXATION

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

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

(emphasis added).

- 5.3 The proposed Annexation is a Category A Annexation as described in I.C. § 50-222(3)(a), because all private landowners of the parcels at issue have consented to the proposed Annexation.
- 5.4 The annexation, proposed by the Annexation Application in Case No. 21-15-AN, would constitute an orderly development and would not contribute to urban sprawl of the city.

VI

ORDER OF RECOMMENDING APPROVAL OF APPLICATION FOR ANNEXATION

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

- 6.1 Recommend Approval to City Council of the Annexation Application (Case No 21-15-AN).

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna at its regular meeting held on the 26th day of July, 2022.

Lee Young, Chairman

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

1.2 Hearings

1.2.1 The Planning and Zoning Commission heard this on July 12, 2022. The FCO's have been requested to go to the Planning and Zoning Commission on July 26, 2022.

1.3 Witness Testimony

1.3.1 Those who testified at the Planning and Zoning Commission's March 22, 2022 hearing are as follows, to-wit:

1.3.1.1 City Staff:

Doug Hanson, Planning & 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

1.3.2.3 Appearing in Favor:

None

1.3.2.4 Appearing Neutral:

Robbie Reno, Kuna School District, 711 E Porter Street, Kuna, ID 83634 – Testified

Raymond Charters, 1179 S Rumney Avenue, Kuna, ID 83634 - Testified

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 July 12, 2022, hearing on the 14375 S Cole Road Annexation 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>	<i>June 22, 2022</i>

3.1.2.2 Notice for the July 12, 2022, hearing containing the legal description of the property proposed to be Annexed was mailed on June 22, 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 July 12, 2022, hearing was posted on a sign in accordance with Kuna City Code 5-1A-8 on July 1, 2022. A Proof of Property Posting was provided to staff on July 5, 2022.

3.1.2.4 Notice for the July 12, 2022, hearing was posted on the City Website.

3.2 Findings Regarding Annexation

3.2.1 The land for proposed Annexation is comprised of one (1) parcel totaling approximately 42.46 acres. The parcel is as follows:

Property Owner	Parcel Size:	Current Zone	Parcel Number
Thomas Nicholson	42.46	RP (Rural Preservation)	S1531222400

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 parcels is as follows:

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

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 KCC Title 5.

3.2.5 The Applicant held a Neighborhood Meeting on April 20, 2022; five (5) 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.

3.2.6 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.

3.2.7 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.

3.2.8 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.

3.2.9 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 City Staff

3.3.1 Conclusions: Planning and Zoning Director, Doug Hanson, in a staff report to the Planning and Zoning Commission dated July 12, 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 April 20, 2022; there were five (5) attendees. Meeting minutes from the Neighborhood Meeting have been provided as a part of this packet.

3.3.1.2 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 (APN: S1531222400).

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 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.

3.3.1.5 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.

3.3.1.6 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 “3.3.2” of this report.

3.3.2 Staff Recommendations: As a result of the review, Planning and Zoning Director, Doug Hanson, recommended if the Planning and Zoning Commission recommends Approval of Case No. 22-06-AN (Annexation), the Applicant be subject to the following Conditions of Approval:

3.3.2.1 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:

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

3.4 Other Testimony

- 3.4.1** 7/12/2022 Public Hearing – Tamara Thompson, The Land Group, 462 E Shore Drive Suite 100, Eagle, ID 83616, testified that their property is contiguous to Kuna City Limits, is approximately 42.26 acres and proposed an M-1 zone for the Annexation. She agreed with the staff report and all recommended Conditions of approval from staff.
- 3.4.2** 7/12/2022 Public Hearing – Robbie Reno, Kuna School District, 711 E Porter Street, Kuna, ID 83634, testified that the Kuna School District is in support of all

commercial and industrial projects as they lessen the burden of the residential tax payers.

- 3.4.3** 7/12/2022 Public Hearing – Raymond Charters, 1179 S Rumney Avenue, Kuna, ID 83634, testified that semi-truck access is limited to a majority of roads in Kuna, and would like the Planning and Zoning Commission and City Council to look at project intersections and site design with commercial vehicles in mind when reviewing applications.

IV

CONCLUSIONS OF LAW

RE: POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION

- 4.1** City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50, Idaho Code.
- 4.2** The power of the City of Kuna lies in the Planning and Zoning Commission to hear this matter as provided in Idaho Code §50-222 and Kuna City Code 1-14-3.

V

CONCLUSIONS OF LAW

RE: APPLICATION FOR ANNEXATION

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

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

(emphasis added).

- 5.3** The proposed Annexation is a Category A Annexation as described in I.C. §50-222(3)(a), because the private landowner of the parcel at issue has consented to the proposed Annexation.
- 5.4** The Annexation, proposed by the application for Case No. 22-06-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. 22-06-AN).

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna at its regular meeting held on the 26th 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-SUP (Special Use Permit)**
))
KHADIJA MBERWA))
)) **FINDINGS OF FACT, CONCLUSIONS**
)) **OF LAW & ORDER OF DECISION**
For a Special Use Permit for an In-Home) **FOR IN-HOME GROUP DAYCARE**
Group Daycare at 1118 N Cambrick Drive.) **APPLICATION.**

THESE MATTERS came before the Planning and Zoning Commission for review and Approval or Denial on July 12, 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 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

1.2 Hearings

1.2.1 The Planning and Zoning Commission heard this on July 12, 2022. The FCO’s have been requested to go to the Planning and Zoning Commission on July 26, 2022.

1.3 Witness Testimony

1.3.1 Those who testified at the Planning and Zoning Commission’s July 12, 2022, hearing are as follows, to-wit:

1.3.1.1 City Staff:
Jessica Reid, Planner II

1.3.1.2 Appearing for the Applicant:
None

1.3.1.3 Appearing in Favor:
None

1.3.1.4 Appearing Neutral:
None

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 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 Statues.

3.1.2 Notice Provided:

3.1.2.1 Notice was published for the July 12, 2022, hearing on the Special Use Permit for 1118 N Cambrick Drive In-Home Group Daycare, in the *Kuna Melba News Newspaper*, 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 22, 2022

3.1.2.2 Notice for the July 12, 2022, hearing containing the description of the proposed use of the property was mailed June 22, 2022, to all know and affected property owners within 300-ft of the boundaries of the area described in the application.

3.1.2.3 Notice for the July 12, 2022, hearing was posted on a sign in accordance with Kuna City Code (KCC) 5-1A-8 on July 1, 2022; a Proof of Property Posting form and photos were provided to staff on July 1, 2022.

3.2 Findings Regarding Special Use Permit

- 3.2.1** 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.
- 3.2.2** 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.
- 3.2.3** According to the KCC 5-3-2, an In-home Daycare requires a Special Use Permit for all permitted zoning districts.
- 3.2.4** 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 sign on the property on July 01, 2022 and a Proof of Property Posting form was submitted to staff July 01, 2022.

3.3 Testimony of the City Planner

3.3.1 Conclusions: The City Planner, in a staff report to the Planning and Zoning Commission dated July 12, 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** 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.
- 3.3.1.2** 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.
- 3.3.1.3** 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.
- 3.3.1.4** Kuna Public Works, in Exhibit 2.22, states they can support approval for this Special Use Permit request.

3.3.1.5 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 3.3.2 of this report.

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

3.3.2.1 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.

3.3.2.2 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.

3.3.2.3 The Applicant shall provide protection or supervision for less than 24-hours per day, per Kuna City Code (KCC) 5-1-6.

3.3.2.4 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.

3.3.2.5 Applicant shall provide off-street parking and/or off-street drop off/pick up area for all patrons.

3.3.2.6 Applicant shall maintain an approved fire extinguisher on site at all times.

3.3.2.7 Applicant shall install safety locks on doors and cabinets where chemicals are stored.

3.3.2.8 Applicant shall install safety devices on all electrical outlets accessible to children.

3.3.2.9 Applicant shall install a door chime on the front door to indicate opening.

3.3.2.10 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.

3.3.2.11 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.

3.3.2.12 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.

- 3.3.2.13** 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.
- 3.3.2.14** 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.
- 3.3.2.15** The Special Use Permit is not transferable from one parcel to another.
- 3.3.2.16** The Applicant shall follow all staff and agency recommendations.
- 3.3.2.17** The Applicant shall comply with all local, state and federal laws.
- 3.3.2.18** 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.
- 3.3.2.19** 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.

IV CONCLUSIONS OF LAW

- 4.1** City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50, Idaho Code.
- 4.2** The Kuna Planning and Zoning Commission has the decision-making authority over all Legislative Special Use Permit applications as provided in Kuna City Code 1-14-3.
- 4.3** Kuna City Code 5-6 provides that:

It is recognized that an increasing number of new kinds of uses appearing daily, and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size, method of operation, circulation and public facilities that each specific use must be considered individually.

The Planning and Zoning Commission shall hold a Public Hearing on each Special Use Permit application as specified in the Official Schedule of District Regulations. The Commission may Approve, Conditionally Approve or Deny a Special Use Permit under the Conditions as herein specified and considering such additional safeguards as will uphold the intent of this Title.

V

ORDER OF APPROVAL OF APPLICATION FOR SPECIAL USE PERMIT

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

- 5.1** Case No. 22-01-SUP (Special Use Permit) for the 118 N Cambrick Drive In-Home Group Daycare for up to twelve (12) children.

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna, at its regular meeting held on the 26th day of July, 2022.

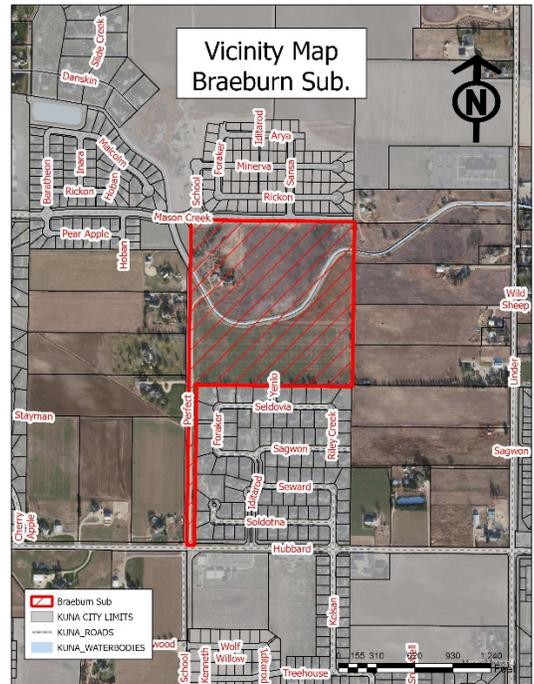
Lee Young, Chairman

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

IN THE MATTER OF THE APPLICATIONS OF) **Case Nos. 22-03-AN (Annexation), 22-04-**
) **S (Preliminary Plat), & 22-25-DR (Design**
) **Review).**
TOLL SOUTHWEST, LLC)
)
) **STAFF REPORT FOR THE**
) **BRAEBURN SUBDIVISION**
For an Annexation, Preliminary Plat, and) **APPLICATIONS.**
Design Review Request.)

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**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	PnZ Application Coversheet			X
2.2	Annexation Application			X
2.3	Preliminary Plat Application			X
2.4	Design Review Application			X
2.5	Narrative			X
2.6	Vicinity Map – 1/2 mile radius			X
2.7	Aerial Map			X
2.8	Annexation and R-6 Legal Description			X
2.9	Warranty Deed			X
2.10	Affidavit of Legal Interest			X
2.11	Neighborhood Meeting Certification			X
2.12	Subdivision Name Reservation			X
2.13	Preliminary Plat			X
2.14	Landscape Plan COLOR RENDERING			X
2.15	Landscape Plan			X
2.16	Phasing Plan			X
2.17	Open Space Plan			X
2.18	Common Lots Maintenance Agreement (CC&R's)			X
2.19	Commitment to Post Property			X
2.20	Preliminary Storm Water Prevention Plan			X
2.21	TIS Executive Summary			X
2.22	Agency Transmittal			X
2.23	City Engineer's Memo <8.31.2021>			X
2.24	Ada County Highway District			X
2.25	Ada County Development Services			X
2.26	Boise Project Board of Control			X
2.27	Central District Health Department			X
2.28	COMPASS			X
2.29	Department of Environmental Quality			X
2.30	Kuna Rural Fire District			X
2.31	Nampa Meridian Irrigation District			X
2.32	PnZ Commission Kuna Melba News			X
2.33	PnZ Commission 300' Mailer			X
2.34	PnZ Commission Proof of Website Post			X
2.35	PnZ Commission Proof of Property Posting			X
2.36	Narrative Design Review			X
2.37	Landscape Plan & Rendering			X

2.38	Lighting Plan			X
2.39	Colored Site Plan Close Up			X
2.40	Hobson, Amy Email			X
2.41	Adams, Jeff and Sharlene Letter			X
2.42	Foutz, Katy Email			X

II PROCESS AND NOTICING

2.1 Kuna City Code (KCC), Title 1, Chapter 14, Section 3 states that and Design Reviews are designated as Public Meetings, with the Planning and Zoning Commission as the decision-making body, while Annexations, and Preliminary Plats are designated as Public Hearings, with the Planning and Zoning Commission as a recommending body and City Council as the decision-making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Land Use Planning Act (LLUPA).

2.1.1 Notifications

- 2.1.1.1** Neighborhood Meeting: January 20, 2022 (15 Attendees)
- 2.1.1.2** Agency Comments Request: May 5, 2022
- 2.1.1.3** 300 FT Legal Mailer Notice: July 11, 2022
- 2.1.1.4** Kuna Melba News Newspaper: July 6, 2022
- 2.1.1.5** Site Posted: July 15, 2022

III APPLICANTS REQUEST

3.1 Toll Southwest, LLC requests Annexation approval for approximately 41.50 acres, using the R-6 (Medium Density Residential) zoning district. The Applicant also seeks Preliminary Plat approval in order to subdivide the same lands into 129 total lots. The subject site is located at the southeast corner of Mason Creek St. and the alignment of School Ave., and is within Section 11, Township 2 North, Range 1 West; (APN: S1311427800).

IV GENERAL PROJECT FACTS

4.1 Site History

4.1.1 The property (APN; S1311427800) is located within unincorporated Ada County. Historically the subject site has been used for agricultural purposes with a single-family residence.

4.2 Surrounding Land Uses

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

4.3 Parcel Number, Owner, Parcel Size and Current Zoning

4.3.1 S1311427800

4.3.1.1 Ted L. & Sharon L. Wimer

4.3.1.2 Approximately 41.51 acres

4.3.1.3 RR (Rural Residential)

4.4 Services

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

4.5 Existing Structures, Vegetation, and Natural Features

4.5.1 The proposed project site currently has a single-family home and vegetation on site is consistent with that of crop fields. The site has an estimated average slope of 1.0% to 1.4%. According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be between 20 inches to greater than 60 inches.

4.6 Environmental Issues

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

4.7 Comprehensive Plan Future Land Use Map

4.7.1 The Future Land Use Map (FLUM) is intended to serve as a *guide* for the decision-making body for the city. The FLUM indicates land use designations generally speaking, it is not the actual zone. The Future Land Use Map identifies the proposed project site a Medium Density Residential.

4.8 Recreation and Pathways Map

4.8.1 The Recreation and Pathways Master Plan Map indicates a future trail or pathway through the proposed project site adjacent the Kuna Canal. Future bike routes are planned along the

future Mid-Mile Collectors, Mason Creek Street and School Avenue, Internal pathways throughout the proposed subdivision provide pedestrian connectivity and lead to larger open greenspaces and other subdivisions.

4.9 Agency Responses

Agency	Exhibit No.
City Engineer Memo's	2.23
Ada County Highway District - Final Report	2.24
Ada County Development Services	2.25
Boise Project Board of Control	2.26
Central District Health Department	2.27
COMPASS	2.28
Department of Environmental Quality	2.29
Kuna Rural Fire District	2.30
Nampa & Meridian Irrigation District	2.31

V

TRANSPORTATION AND CONNECTIVITY

- 5.1 According to the Ada County Highway District (ACHD) report and submitted Traffic Impact Study (TIS), the proposed development includes 1.6 centerline miles of new public road. There are no roadways, bridges or intersections in the general vicinity of the project that are in the Integrated Five-Year Work Plan (IFYWP) or the District's Capital Improvement Plan (CIP). Ten Mile Road is scheduled in the IFYWP to be widened to 5-lanes from Hubbard Road to Columbia Road in the future. The intersection of Ten Mile Road and Hubbard Road is scheduled in the IFYWP to be reconstructed as a single lane roundabout in the future.

ACHD states at a minimum, each roadway segment and intersection that does not meet the minimum acceptable level of service planning threshold or (v/c) ratio, the Applicant must apply feasible measures to avoid or reduce the impact to the (ACHD traffic) system. To be considered adequate, measures should be specific and feasible. Mitigation may also include: Revision to the Phasing Plan to coincide with the District's planning Capital Projects, OR, Reducing the scope and/or scale of the project.

The Bikeways Master Plan (BMP), identifies Hubbard Road as a Level 2 facility that will be constructed as part of a future ACHD project. The BMP also identifies Level 1 facilities on the new collector roadways within the site (Mason Creek St. and School Ave.). The applicant proposes to construct the new collectors consistent with the Master Street Map (MSM) and the Roadways to the BMP.

The TIS recommends a dedicated northbound right-turn lane be constructed at the intersection of Linder and Hubbard Roads to mitigate existing traffic conditions. The TIS notes the site traffic is approximately 2% of the total traffic entering the Linder Road/Hubbard Road intersection. ACHD Policy states Policy states that a proposed development with site traffic less than 10% of the existing downstream roadway or intersection peak hour traffic shall not be required to provide mitigation, therefore, no improvements are required at this intersection at this time. According to ACHD, all other study intersections/roadway segments meet ACHD's Level of Service (LOS) planning thresholds for 2025 total traffic conditions.

Two new roundabouts were identified for the intersections of School Avenue/Mason Creek Street and for Hubbard Road/School Avenue on the Master Street Map (MSM), and to accommodate the future construction of the two single-lane roundabouts the applicant should be required dedicate additional right-of-way in accordance with an approved AHCD template.

ACHD states the Applicant's proposal to construct School Avenue as half of a 36-foot wide collector street section with vertical curb, gutter, and 8-foot wide attached concrete sidewalk within 60-feet of right of way meets District policy and should be approved as proposed. *However, this does not meet Kuna City Code (KCC) which states eight foot (8) detached sidewalk along Collectors.*

ACHD states the Applicant's proposal to construct School Avenue to intersect Mason Creek Street in alignment with the existing portion of School Avenue north of Mason Creek Street meets District policy and should be approved as proposed.

Mason Creek Street abutting the (north side of the) site is fully improved, therefore no additional roadway improvements or right-of-way dedication is required with this application.

The applicant has proposed to extend existing Yenlo Avenue in Denali Heights into the site and construct all internal streets as 36-foot wide local street sections with curb, gutter, and 5-foot wide detached concrete sidewalk within 50-feet of right-of-way and it should be approved as proposed.

ACHD recommends the Applicant be conditioned to construct all proposed cul-de-sacs with a minimum turning radius of 50- feet.

The applicant's proposal to construct eight (8) striped parking stalls on Pear Apple Street does not meet ACHD policy and should not be approved. Street sections proposed at 36-foot wide already allow for on-street parking, and on-street parking cannot be dedicated to HOA facilities. If additional parking is needed, then on-site parking lots should be constructed.

The applicant was required to relocate the intersection of Pear Apple Street and School Avenue to provide adequate offset from the future roundabout at the School Ave./Mason Creek intersection. The updated location meets ACHD Offset Policy and provides adequate sight distance.

The applicant has proposed to construct Pear Apple Street and Road D with straight segments in excess of 750-feet without traffic calming. The applicant should be required to redesign Pear Apple Street and Road D or install ACHD approved traffic calming measures.

Hubbard Road, School Avenue and Mason Creek Street are classified roadways. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways and should be noted on the final plat.

A license agreement and compliance with the ACHD's Tree Planter policy is required for all landscaping proposed within ACHD Right(s)-Of-Way or easement areas.

VI STAFF ANALYSIS

- 6.1** A pre-application meeting was held between the Applicant and the City on January 13, 2022. Representatives from the Planning and Zoning, Public Works, and Kuna Parks and Recreation

Departments were in attendance. The Applicant held a neighborhood meeting with residents within 300-ft of the proposed project area on January 20, 2022, with 15 residents in attendance. Neighborhood Meeting Minutes, as well as mailed materials have been provided as a part of this application.

Toll Southwest, LLC, the Applicant, requests approval to annex approximately (approx.) 41.50 acres into the City of Kuna using the R-6 zone. The Applicant also requests Preliminary Plat approval in order to subdivide the approx. 41.50 acres into 129 total lots (114 single family, and 15 common).

The overall gross density of the project is proposed to be 2.75 Dwelling Units per Acre (DUA), overall net density for the project is proposed at 3.51 DUA. The proposed net density of the R-6 zone is in compliance with KCC.

The Applicant has proposed 5.30 acres, or 12.9.% of the total project as qualified open space; this area does not include required landscape buffers in accordance with KCC 5-17-12. Staff views the proposed open space to be compliant with KCC. The Applicant proposes alternative compliance for their landscape plan citing KCC 5-17-12-C-3. Their request proposes a reduction of the number of substitution trees required at a 2:1 rate. Within their Design Review Narrative, the applicant states the reasons for this request. Among those reasons, is that their proposal exceeds the minimum requirement of open space required by KCC. According to KCC 5-17-12-D, this development is required to provide a minimum of 8% (3.29 acres) open space, and the applicant proposes 12.9% (5.34 acres).

The installation of streetlights is a required public improvement listed under KCC 6-4-2. The Applicant shall be required to work with staff in order to comply with KCC and install street lights a maximum spacing of 250-ft.; the final location of street lights will be approved at the time of construction document review. Staff notes that these streetlights must be designed and installed according to “Dark Sky” standards and are required to be LED streetlights.

A Design Review application for common areas was included with this application. Staff notes the northern boundary is in alignment with the existing Mason Creek Street Collector; a common lot(s) will be required along the northern frontage for the Mid-Mile Collector Mason Creek Street, providing adequate space for a 20 to 30-foot landscape buffer. Staff notes sidewalks along classified roads (Collectors/Arterials) shall be a minimum of eight (8) feet wide detached and be located within the public Rights-of-Way. The Applicant shall comply with KCC 5-5-5-F and install “see-through” fencing along all residential buildable lot property lines abutting pathways and greenbelts. Staff finds the proposed landscaping, buffers and common space to be in compliance with Kuna City Code. Additionally, staff notes if this project is approved, at the time of civil plan development, landscaping cannot be placed within ten (10) feet of any meter pits, pressurized irrigation valves, or ACHD underground facilities. In the event that locations of landscaping elements are within the locations listed above, those trees must be moved to an alternate location, and an updated landscape plan must be provided to staff prior to scheduling a landscape inspection. Staff recommends the proposed sidewalk adjacent the Kuna Canal be placed on the easement line in order to provide more landscaping between fence and sidewalk. All landscaping shall be installed in accordance with the Landscape Plan and Preliminary Plat (dated 2.15.22 and 2.14.22).

Per Exhibit 2.23 the Braeburn Subdivision is located within the Danskin Lift Station Basin which currently does not have capacity. Public Works staff is able to support approval of this project contingent that a development agreement acknowledges the City is currently unable to service this

project until capacity in the Danskin Lift Station is relieved by either the operating 18” Danskin force main project or the operating Mason Creek Trunkline. The Planning and Zoning Department is also able to support this application and recommends a development agreement be recorded to stating the recommended Public Works conditions.

Staff has reviewed the proposed Annexation for qualification, the proposed Preliminary Plat for technical compliance with KCC, and the Design Review for compliance with Title 5 and Title 6 of Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan. If recommended for approval, the Applicant will be required to work with Kuna’s staff, ACHD, the Kuna Rural Fire District (KRFD) and any other applicable agencies to ensure conformance to each agency’s requirements. If the Planning and Zoning Commission recommends approval of Case Nos. 22-03-AN, 22-04-S (Preliminary Plat), and approves Case No. 22-25-DR the Applicant shall be subject to the Conditions of Approval listed in section “IX” (9) of this report, and additional conditions recommended 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 FLUM.

6.2.4 Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

VII PROPOSED FINDINGS OF FACT

Based upon the record contained in Case Nos. 22-03-AN, 22-04-S, and 22-25-DR, including the Comprehensive Plan, Kuna City Code, Staff’s Memorandums, including the exhibits, and the testimony during the Public Hearing, the Kuna Planning and Zoning Commission hereby (*recommends approval/conditional approval/denial*) of Case Nos. 22-03-AN and 22-04-S, and (*approves/conditionally approves/denies*) Case No. 22-25-DR, a request from Toll Southwest, LLC for Annexation for approx. 41.50 acres, R-6 (Medium Density Residential), and requests Pre-Plat approval in order to subdivide the approximate 41.50 acres into 129 total lots (114 single family, 15 common).

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

7.1 Based on the evidence contained in Case Nos. 22-03-AN, 22-04-S, and 22-25-DR, this proposal *does/does not* generally comply with the City Code.

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

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

Staff Finding: The Applicant held a Neighborhood Meeting on January 20, 2022, and 15 residents attended the meeting. Neighborhood Notices were mailed out to residents within 300-FT of the proposed project site on July 11, 2022, and a legal notice was published in the Kuna Melba Newspaper on July 6, 2022. The Applicant posted a sign on the property on July 15, 2022.

- 7.3 Based on the evidence on file for Case Nos. 22-03-AN, 22-04-S, and 22-25-DR 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. Applicant proposes the R-6 zoning district; The Comp Plan Map designates the property as Medium Density Residential.

- 7.4 The contents of the proposed Annexation, Preliminary Plat, and Design Review applications **do/do not** contain the necessary requirements as listed in KCC 5-13-9, 6-2-3, 5-13, 5-6, and KCC 5-4:

Staff Finding: Review by Staff of the proposed Annexation, Preliminary Plat and Design Review confirms all applicable technical requirements listed in KCC were provided.

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

Staff Finding: According to Exhibit 2.23 the Braeburn Subdivision is located within the Danskin Lift Station Basin which currently does not have capacity. Public Works is able to support approval of this project contingent that a development agreement acknowledges the City is currently unable to service this project until capacity in the Danskin Lift Station is relieved by either the operating 18" Danskin force main project or the operating Mason Creek Trunkline.

- 7.6 The proposed development **is/is not** in compliance with the City of Kuna, Master Utility Plans (Sewer/Water/Pressurized Irrigation).

Staff Finding: Correspondence from Kuna Public Works states that Public Works staff can support approval of the Braeburn Subdivision contingent that a development agreement acknowledges the City is unable to service this project until capacity in the Danskin Lift Station is relieved by either the operating 18" Danskin force main project or the operating Mason Creek Trunkline

- 7.7 The public **does/does not** have the financial capability to provide supporting services to the proposed development.

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

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

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

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

Staff Finding: A six-foot (6') vinyl fence is proposed around the perimeter of the subdivision where permitted. A Common lot(s) will be required along the northern property line that fronts the Mid-Mile Collector, Mason Creek Street and one on the west property line which will become School Avenue, also a Mid-Mile Collector. Landscape Buffers will be provided along all classified roadways in accordance with KCC 5 -17.

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

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

VIII PROPOSED COMPREHENSIVE PLAN ANALYSIS

The Kuna Planning and Zoning Commission may **accept/reject** the Comprehensive Plan components, and shall determine if the proposed Annexation, Preliminary Plat and Design Review requests for the site **are/are not** consistent with the following Comprehensive Plan components:

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

- Goal 2.A.: Maintain and expand parks and public gathering spaces.
 - Objective 2.A.2.: Maintain and expand the pathway and trail network with a focus on building connectivity to key activity and population centers that serve all areas of Kuna.
 - Policy 2.A.2.a: Ensure the trails and pathways system promotes bike and pedestrian connectivity to key activity centers such as schools, parks, retail centers and downtown.
 - Policy 2.A.2.d: Work with private developers and land Owners to direct expansion of the trails and pathways system throughout Kuna.
- Goal 2.B.: Maintain and expand parks and public gathering spaces.
 - Objective 2.B.1.: Maintain and expand the parks system.
 - Policy 2.B.1.b: Continue to require neighborhood park development through the subdivision development process.

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

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

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

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

- Goal 4.B.: Increase sidewalk coverage and connectivity and invest in pedestrian facilities to increase walkability.
 - Objective 4.B.2.: Maintain/expand sidewalks/pedestrian facilities within the community.
 - Policy 4.B.2.b: Install detached sidewalks and/or protected pedestrian routes/facilities along high trafficked roads as development occurs.
 - Policy 4.B.2.c: Promote the installation of off-system pedestrian pathways to create neighborhood connections and reduce the length of non-motorized transportation routes.
 - Policy 4.B.2.g: Coordinate with developers to connect and/or enhance pedestrian facilities, including on and off-system pathways, footbridges (across canals, etc.), road bridges, sidewalks, pedestrian crossings and wayfinding signage.

8.4 Goal 4.C.: Increase pathway, trail and on-street bicycle facilities.

- Objective 4.C.1.: Maintain/enhance existing pathways/trails/on-street bicycle facilities.
 - Policy 4.C.1.a: Expand the bicycle network as identified in the Kuna Pathways Master Plan and ACHD Roadways to Bikeways Plans through land use developments and capital improvement projects.
 - Policy 4.C.1.e: Coordinate with developers to connect to and/or enhance bicycle facility connections, including pathways, non-motorized canal crossings, road bridges and wayfinding signage.
- Objective 4.C.2.: Ensure expansion of pathways, trails and on-street bicycle routes.
 - Policy 4.C.2.b: Promote the installation of off-system bicycle pathways to create neighborhood connections and reduce non-motorized transportation route lengths.

8.5 Goal 4.D.: Promote a connected street network that incorporates mid-mile collectors and crossing for improved neighborhood connectivity.

- Objective 4.D.2.: Ensure the continued expansion/development of Mid-Mile Collector system throughout the community.
 - Policy 4.D.2.a: Extend and expand Mid-Mile Roads as growth occurs.
 - Policy 4.D.2.b: Preserve adequate Rights-of-Way along all Mid-Mile roads or other approved alternative locations to align roads.

IX COMMISSION’S RECCOMENDATION

Note: These motions are for the approval, conditional approval or denial of the Design Review application and the recommendation of approval, conditional approval or denial of the Annexation, Preliminary Plat to the City Council. However, if the Planning and Zoning Commission wishes to approve or deny specific parts of these requests as detailed in the report, those changes must be specified.

Based on the facts outlined in staff’s report and public testimony as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby **recommends (approval/conditional approval/denial)** for Case Nos. 22-03-AN and 22-04-S, and **(approves/conditionally approves/denies)** Case No. 22-25-DR, a request from Toll Southwest, LLC for Annexation for approx. 41.50 acres, R-6 (Medium Density Residential), and to subdivide the approximate 41.50 acres into 129 total lots (114 single family, 15 common).

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

- 9.1.1** The City Engineer shall approve all sewer hook-ups.
- 9.1.2** The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received approval of the drainage plan.
- 9.1.3** Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, “Catalog for Best Management Practices for Idaho Cities and Counties”.
- 9.1.4** The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District are required.
- 9.1.5** The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
- 9.1.6** Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permit(s).
- 9.1.7** All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.

- 9.2 Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see KCC 6-4-2.
- 9.3 Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
- 9.4 When required, submit a petition to the City (as necessary, confirmed with the City Engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation System of the City (KMIS).
- 9.5 Connection to City Services (Sewer, Water, Pressurized Irrigation) is required. The Applicant shall conform to all corresponding City of Kuna Master Plans.
- 9.6 The Developer/Owner/Applicant shall be required to participate, as determined by the City Engineer, in the development of additional Lift Station capacity.
- 9.7 The Developer/Owner/Applicant shall not submit an application for Final Plat until the City's Public Works Director issues a Will-Serve Letter to the Applicant stating that the City's Crimson Point Lift Station or any other City appurtenance has capacity to accept the wastewater discharged from the proposed development.
- 9.8 In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a Final Plat, the Applicant shall have good cause and be eligible to receive, pursuant to KCC § 6-2-3 (J), a Time Extension to file a Final Plat up to and until a Will-Serve Letter has been issued.
- 9.9 Buffers, curb, gutter and sidewalk (attached and detached) shall be installed in accordance with Kuna City Code Title 5 Chapter 17 and Title 6 Chapter 4.
- 9.10 Developer/Owner/Applicant shall work with Ada County Highway District and the City of Kuna to complete all required traffic mitigation improvements to the surrounding roadways and intersections as detailed in the Ada County Highway District staff report.
- 9.11 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.
- 9.12 Developer/Owner/Applicant shall follow ACHD's site specific Conditions of Approval, unless the City of Kuna's standards are stricter.
- 9.13 Developer/Owner/Applicant shall install a sign at the terminus of every proposed stub street stating "these roads will continue in the future". Developer/Owner/Applicant shall obtain proper language from Ada County Highway District.
- 9.14 Developer/Owner/Applicant shall work with staff in order to provide final locations of street lights as required by Kuna City Code.
- 9.15 Street lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.
- 9.16 Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted).

- 9.17 All required landscaping shall be permanently maintained in a healthy growing condition. The property Owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting in public Rights-of-Way shall be with approval from ACHD.
- 9.18 Landscaping shall not be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles.
- 9.19 All signage within/for the project shall comply with Kuna City Code, and shall be approved through the applicable sign approval process listed in KCC 5-10.
- 9.20 If any revisions are made, the Applicant shall provide the Planning and Zoning Staff with a revised copy of the Preliminary Plat.
- 9.21 Any revisions of the plat are subject to Administrative Determination to rule if the revision is substantial.
- 9.22 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 City Council, or seek amending them through Public Hearing processes.
- 9.23 Developer/Owner/Applicant shall not request Final Plat approval until the City's Public Works Director issues the Will-Serve Letter to the Applicant that states the City's Lift Station, future regional lift station or other City appurtenance has capacity to accept the wastewater generated and discharged from the proposed subdivision.
- 9.24 Developer/Owner/Applicant shall measure all front building setbacks from back of sidewalk on all internal local roads.
- 9.25 Developer/Owner/Applicant shall provide common lot(s) along the northern property line that fronts the planned alignment for the future segment of a Mid-Mile Collector known as Mason Creek Street, to preserve adequate space for a 20-to-30-foot landscape buffer.
- 9.26 Applicant shall work with the City Engineer for proper easement widths for the project as a whole.
- 9.27 It is the responsibility of the Developer to ensure any anticipated residential buildings fit any given buildable lot.
- 9.28 Developer/Owner/Applicant/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.
- 9.29 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 twelve (12) inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout all seasons.
- 9.30 The Landscape Plan (dated 2.15.22) and Preliminary Plat (dated 2.14.22) will be considered binding site plans.
- 9.31 Downstream and upstream water users' rights shall not be impeded. At their expense,

Developers/Owners/Applicants, are all responsible to maintain and honor all historic flows, rights, and access.

- 9.32** Developer, Owner/Applicant is hereby notified that this project is subject to Design Review inspection fees. Required inspections (post construction), are to verify landscaping compliance prior to requesting signature on the final plat.
- 9.33** Developer/Owner/Applicant shall follow staff, City Engineers, and other agency recommended requirements as applicable.
- 9.34** Developer/Owner/Applicant and all successors shall comply with all Local, State and Federal Laws.

DATED this _____, day of August, 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): 22-03-AN, 22-04-S 22-25-DR

Project Name: Braeburn Creek

Date Received: 02.16.2022

Date Accepted as Complete: _____

Type of review requested (check all that apply):

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

Owner of Record

Name: Ted L. Wimer

Address: 2400 W Hubbard Rd. Kuna, ID 83634

Phone: _____ Email: teddy6w@gmail.com

Applicant (Developer) Information

Name: Toll Southwest, LLC - Adam Capell

Address: 3103 W. Sheryl Drive, Suite 100 Meridian, ID 83642

Phone: 208-780-6726 Email: acapell@tollbrothers.com

Engineer/Representative Information

Name: Givens Pursley, LLP - Jeff Bower

Address: 601 W. Bannock St, Boise, ID 83702

Phone: 208-388-1260 Email: jeffbower@givenspursley.com

Subject Property Information

Site Address: 2400 W Hubbard Rd. Kuna, ID 83634

Nearest Major Cross Streets: W. Hubbard Rd and S. Linder Rd

Parcel No.(s): S1311427800

Section, Township, Range: Section: 11, Township: 2N, Range: 1W

Property Size: 41.5 acres

Current Land Use: Residential Proposed Land Use: Residential

Current Zoning: RR (Ada County) Proposed Zoning: R-6 (medium density residential)

Project Description

Project Name: Braeburn Creek Subdivision

General Description of Project: Single family subdivision with 114 homes and 15 common lots.

Development is planned over 2 phases and will result in gross density of ~ 2.75 DU / acre.

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: Amenities include playground equipment, a shade pavilion area, landscaped pathways for walking and biking, and a regional pathway along canal.

Residential Project Summary (If Applicable)

Are there existing buildings? YES NO

If YES, please describe: There is an existing single family residence that will be removed as part of the Braeburn Creek Project.

Will any existing buildings remain? YES NO

No. of Residential Units: 114 No. of Building Lots: 114

No. of Common Lots: 15 No. of Other Lots: 0

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

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

Minimum square footage of structure(s): 1500 sf

Gross Density (Dwelling Units ÷ Total Acreage): 2.75 DU / Acre

Net Density (Dwelling Units ÷ Total Acreage not including Roads): 3.51 DU/ Acre

Percentage of Open Space provided: 12.9% qualified Acreage of Open Space: 5.3 acres qualified

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

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: 2/15/22
By signing, you are confirming you have provided all required items listed on this application.

Upon completion of this form, please email to pzapplications@kunaaid.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).: 22-03-AN, 22-04-S, 22-25-DR

Project Name: Braeburn Creek Sub

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

Date Received: _____

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:  Date: 2/15/22
By signing, you are confirming you have provided all required items listed on this application.



Preliminary Plat Application



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

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

****Office Use Only****

Case No(s): 22-03-AN, 22-04-S, 22-25-DR

Project Name: Braeburn Creek Sub

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

Date Received: _____

Date Accepted as Complete: _____

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

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

- Phasing Plan
- Landscape Plan for subdivision entrances, buffers, common areas, etc.
- Homeowners Maintenance Agreement for the care of landscaped common areas.

IF THE PRELIMINARY PLAT INCLUDES 100 LOTS OR MORE,
A TRAFFIC IMPACT STUDY IS REQUIRED.

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

Information to Note:

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

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

Applicant Signature: _____



Date: 2/15/22

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

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): 22-25-DR

Project Name: Braeburn Creek Sub

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

Date Received: 7.20.22

Date Accepted as Complete: _____

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

Design Review includes, but is not limited to:

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

Application shall contain one (1) copy of the following (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: 7/19/22

Additional Information

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

Annexation and Zoning Application

Toll Brothers requests annexation of the Property with an R-6 (medium density residential) zoning designation. The Property is annexable because it is in Kuna's Area of City Impact and the Property is contiguous to the Kuna city limits on its northern, southern, and a portion of its



Figure 2

western boundary (see Figure 1). Kuna has annexed land in all directions around the Property.

R-6 zoning is harmonious with the Comprehensive Plan and future land use map ("FLUM"), which designates the Property as Medium Density Residential (see Figure 2).

Within the Medium Density Residential FLUM designation, the R-6 Zone, one of the City's three medium density residential zones is appropriate.¹ Zoning the Property as R-6 to allow the Braeburn Creek project also supports many of the Comprehensive Plan's policies and objectives, including:

1. Fulfilling the intent of the FLUM's Medium Density Residential designation for the Property;
2. Satisfying Goal Area 3 by providing mixed housing types in strong neighborhoods with active open space and strong regional connectivity;
3. Meeting Objective 2.A.2 by expanding the City's regional pathway and trail network and increasing connectivity, including to schools; and
4. Meeting Policy 2.B.1.b by constructing neighborhood parks throughout the Project.

R-6 zoning is compatible with existing and planned surrounding uses. Adjacent land to the north, south, east, and west are all designated for residential use on the FLUM (see Figure 2).

Properties to the north and south have already been developed as residential communities with similar densities. Figure 3 below shows the Braeburn Creek project overlaid on the Property with the City's annexed and approved projects in the area.

¹ Kuna City Code § 5-2-2(B).



Figure 3

The uses and FLUM designations surrounding the Property include:

1. **North:** The Silver Trail subdivision is to the north. This is an R-6 zoned project that is partially built out and allows 477 residential lots on approximately 130 acres with an expected gross density of 3.65 units per acre. Braeburn Creek and the Silver Trail project will be buffered by Mason Creek Street.
2. **South:** Denali Heights is a completed R-4 zoned project with 75 residential lots on approximately 38.5 acres. Braeburn Creek has been designed with larger lots buffering up to Denali Heights to provide a transition in density.
3. **East:** To the east are four large lots in Ada County zoned Rural Residential. This land is designated Medium Density Residential on the FLUM. The project includes open space and larger lots on this boundary to transition and buffer these County parcels.
4. **West:** Prairie Clover Estates, a 1995 Ada County Rural Residential subdivision is to the west. School Avenue, a mid-mile collector, will buffer Prairie Clover Estates from Braeburn Creek. The FLUM designates this area Low Density Residential.

Northwest of the Property is Toll Brother’s ongoing Paloma Ridge West project, which is moving forward as planned.

Preliminary Plat Application

Braeburn Creek is a residential community with 114 single-family residential lots and 15 common lots. The dimensions of the project meet all City code standards set forth in Title 5 and Title 6 of the Kuna City Code. The details of the preliminary plat are:

General Project Overview	
Single-family residential lots	114
Common lots	15
Single-family residential area	22.03 Acres
Common lot area	10.49 Acres
Gross Density	2.75 DU/Acre
Minimum residential lot size	6,536 SF
Average residential lot size	8,420 SF

The Project will be built in two phases. Phase 1 will be north of the Kuna Canal and Phase 2 will be south of the Kuna Canal. Both Phases are expected to be final platted in 2023 and built out by 2025.

Access and Transportation

Kittelson & Associates prepared a traffic impact study (“TIS”) to analyze access to the Project and the impact of the Project on area roads and intersections. Braeburn Creek’s primary access will be from Hubbard on the future mid-mile collector School Avenue. The Project will also take access from Ten Mile via Mason Creek Road and, as Silver Trail and Paloma Ridge West are built out, from Linder. The conclusion of the TIS is that a no off-site mitigation is required by the Project except for payment of ACHD’s standard impact fees.

The Project will be a positive addition to the roadway network by providing missing connectivity between Ten Mile, Hubbard, and Linder. The Project will also contribute significant right-of-way and pay to construct a half street section for School Avenue, a mid-mile collector, that will benefit all of the property and the homes in the area.

Services

Toll Brothers has worked with the City’s engineering and public works departments to ensure the Project is served with all public services and utilities.

1. **Sewer:** The Project will be served by the Danskin lift station, which is currently being upgraded and will have capacity to serve the Project. Toll Brothers has been in contact with the City’s public works department on this upgrade over the past year and has offered to contribute the Project’s proportionate share. Toll Brothers remains ready committed to paying the Project’s proportionate share to upgrade the lift station.

2. **Domestic Water:** Water service is available in Mason Creek Street to the north and in Hubbard to the south. Toll Brothers will install a 12” water main in School Avenue completing the water loop between Mason Creek Street and Hubbard, which will increase pressure and create redundancy in the system.

3. **Irrigation:** The Property has surface water rights to serve the Project, which will be conveyed to the Kuna Municipal Pressure Irrigation Service. Toll Brothers will install a 12” main in School Avenue looping the pressure irrigation system between Mason Creek Street and Hubbard.

4. **Schools:** The Project is in the Kuna School District. Toll Brothers has been discussing the Braeburn Creek project with district leadership for several months and is working closely with the District to identify the project’s impacts and acceptable mitigation. School children from Braeburn Creek will attend Silver Trail Elementary, less than 1/4 mile away. Kuna Middle School and Kuna High School also serve the Property.

Open Space and Amenities

Braeburn Creek includes 5.34 acres of qualified open space, approximately 12.9% of the Property. Amenities in the main central park area include playground equipment, a shade pavilion picnic area, and landscaped pathways. Amenities in the three pocket parks throughout the Project include seating, landscaping, and landscaped pathways providing communal green space near all residents and also providing buffering and reduced density adjacent to neighboring County property. The development includes a regional pathway along the Kuna Canal and pathways throughout providing safe bike and pedestrian connectivity off of the local streets. As part of the Project, Toll Brothers intends to construct a pedestrian bridge over the Kuna Canal to make the community cohesive.

Architecture and Housing Types

Braeburn Creek will offer 2 distinct architectural styles. The Garden Collection and Woodland Collection. Each style offers a unique selection of floor plans and elevation styles for residents to choose from. The Garden Collection offers homes in the 1,500 to 2,400 square foot range on lots averaging 7,100 square feet. Photos of Garden Collection homes are below.



The Woodland Collection offers larger homes, in the 1,900 to 3,100 square foot range on larger lots averaging 10,200 square feet. These homes will be provided on the southern boundary of the Property to transition to the Denial Heights homes.



Conclusion

Toll Brothers has a track record of planning and constructing high quality residential communities. We have designed Braeburn Creek in compliance with City Code and the City's Comprehensive Plan and to complement and transition with surrounding property. Braeburn Creek's quality amenities and open space, fused with the attractive first-class Garden and Woodland Collection homes, offer excellent housing opportunities for both current and future residents of the City of Kuna.

Thank you for your time in considering the Braeburn Creek applications. Please do not hesitate to contact us regarding any questions you may have.

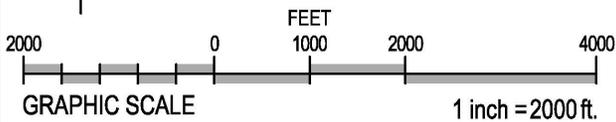
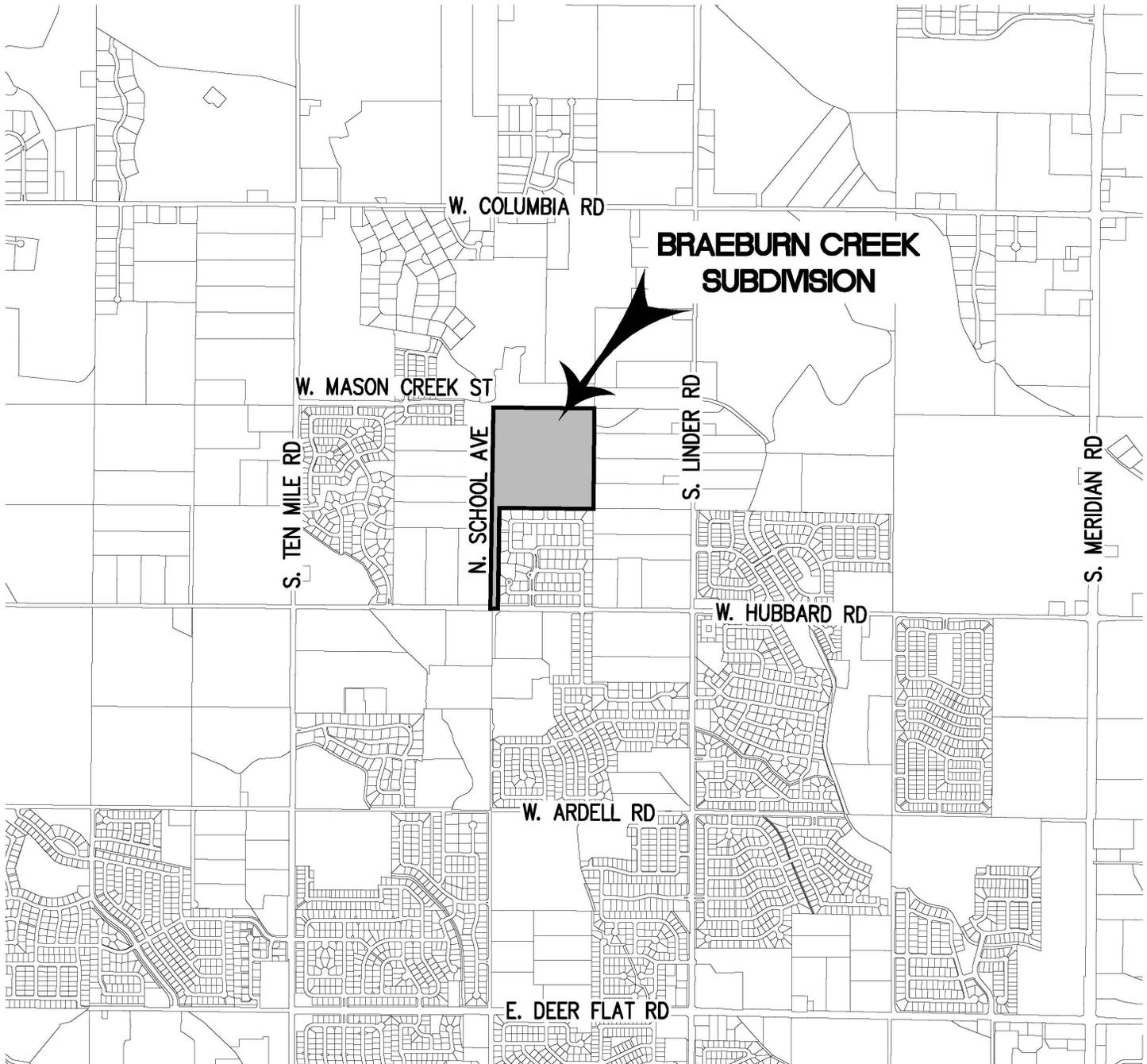
Sincerely,

Handwritten signature of Adam Capell in blue ink.

Adam Capell

BRAEBURN CREEK SUBDIVISION VICINITY MAP

February 14, 2022 - Kuna, Idaho



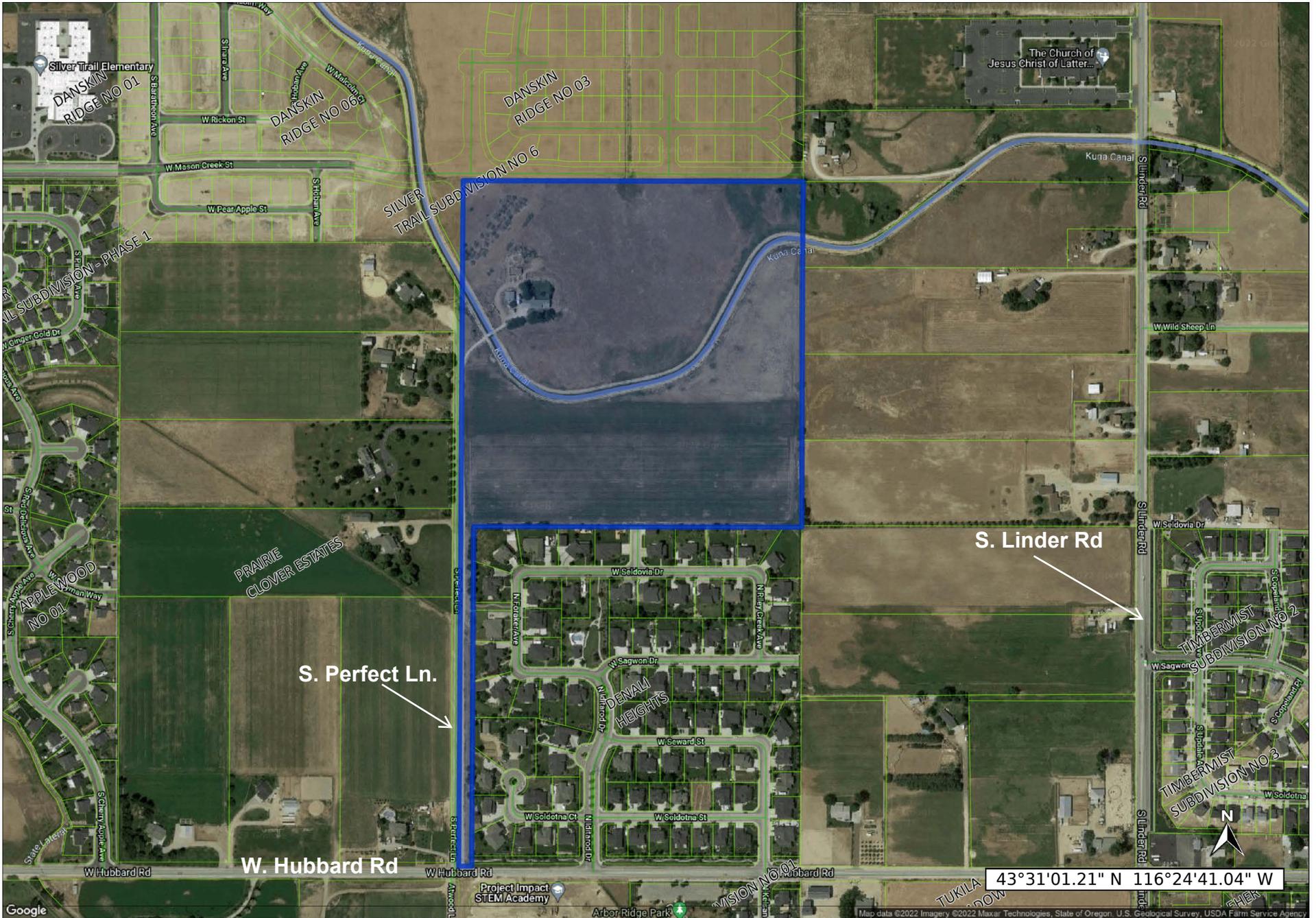
ESE CONSULTANTS
ENGINEERING • PLANNING • SURVEYING • ENVIRONMENTAL

ESE Consultants, Inc.
3103 W. Sheryl Drive • Suite 100 • Meridian, ID 83642
T: 208-424-0020

Toll Brothers
AMERICA'S LUXURY HOME BUILDER®

Braeburn Creek Subdivision

Vicinity Map



Annexation Description for
Braeburn Creek Subdivision
January 18, 2022

A portion of the West 1/2 of the Southeast 1/4 of Section 11, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

BEGINNING at the South 1/4 corner of said Section 11, from which the Southeast corner of said Section 11, bears S89°27'02"E, 2634.33 feet;

thence N00°48'17"E, 2654.53 feet to the Center 1/4 corner of said Section 11, being coincident with the east boundary line of Prairie Clover Estates Subdivision as filed in Book 69 of Plats at Pages 7074 and 7075 and the east boundary line of Silver Trail Subdivision No. 5 as filed in Book 120 of Plats at Pages 18742 through 18745, records of Ada County, Idaho;

thence S89°24'20"E, 1309.94 feet to the Center-East 1/16 corner of said Section 11, being coincident with the south boundary line of said Silver Trail Subdivision No. 5;

thence leaving said south boundary line, S00°39'06"W, 1326.57 feet to the Southeast 1/16 corner of said Section 11, being coincident with the Northeast corner of Denali Heights Subdivision as filed in Book 96 of Plats at Pages 11856 through 11858, records of Ada County, Idaho;

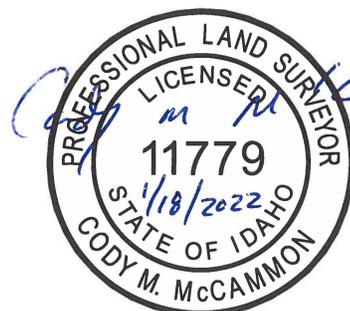
thence on the exterior boundary line of said Denali Heights Subdivision the following two courses and distances:

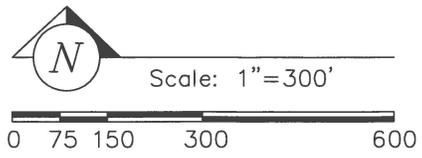
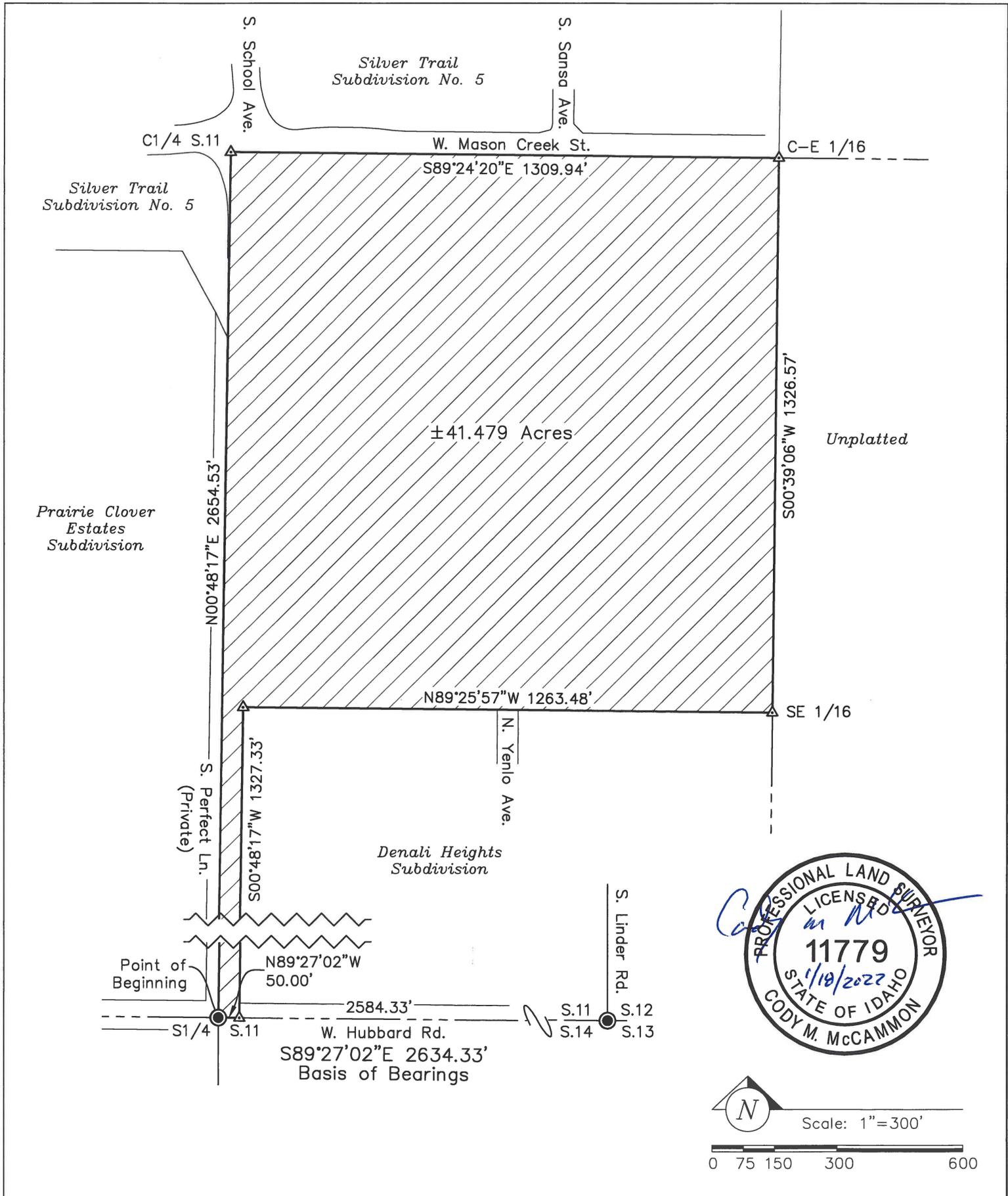
N89°25'57"W, 1263.48 feet;

S00°48'17"W, 1327.33 feet to the south boundary line of said Section 11;

thence on said south boundary line, N89°27'02"W, 50.00 feet to the **POINT OF BEGINNING**.

Containing 41.479 acres, more or less.



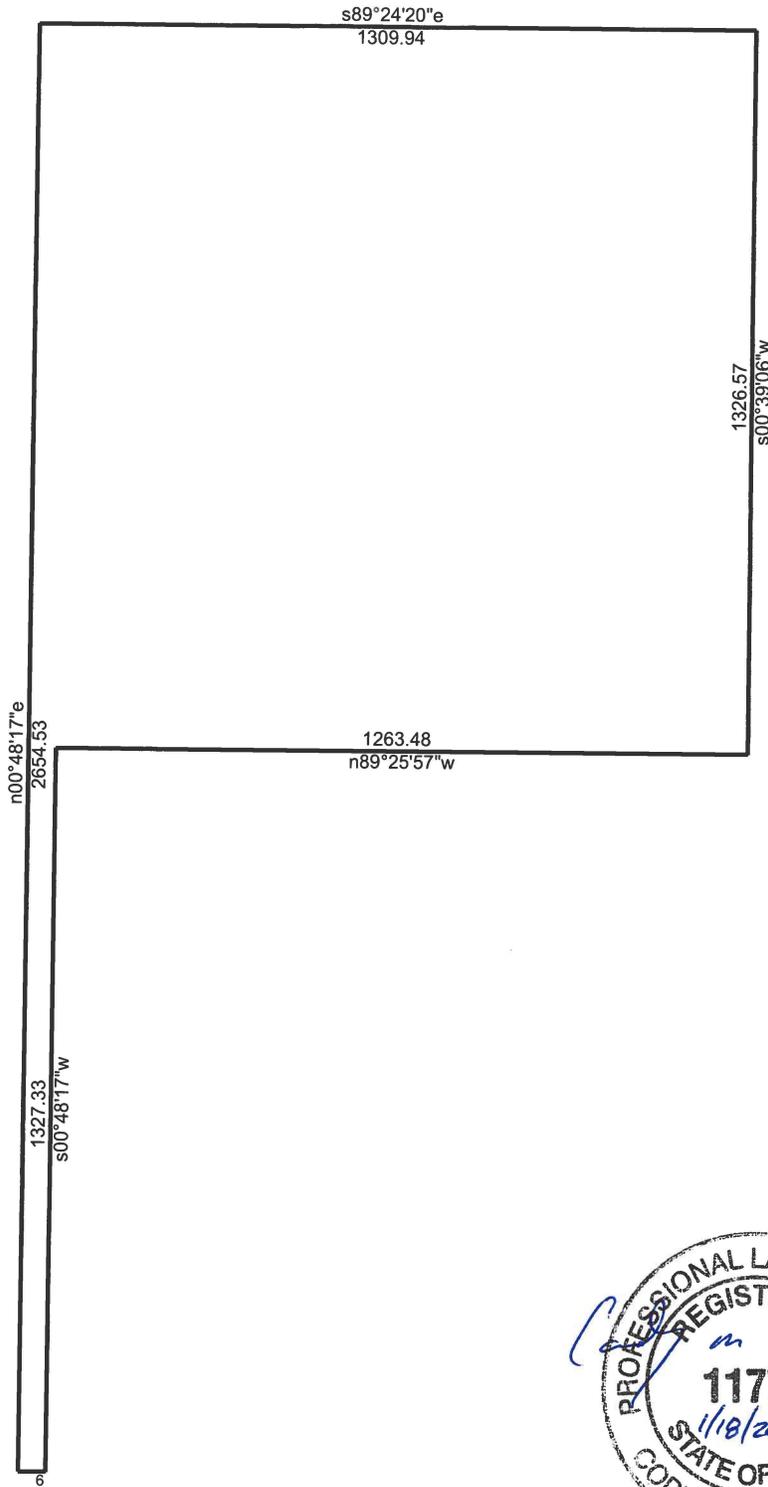


P:\Denali North 21-346\dwg\Denali North Annex Exhibit.dwg 1/18/2022 12:28:02 PM

 IDAHO SURVEY GROUP, LLC	9955 W. EMERALD ST. BOISE, IDAHO 83704 (208) 846-8570
	Annexion Exhibit Drawing for Braeburn Creek Subdivision

Job No. 21-346
 Sheet No. 1
 Dwg. Date 1/18/2022

Located in the W1/2 of the SE1/4 of Section 11,
 T.2N., R.1W., B.M., Ada County, Idaho



1/18/2022

Scale: 1 inch= 350 feet

File: Braeburn Creek Subdivision Annexation.ndp

Tract 1: 41.4794 Acres, Closure: n27.0616w 0.01 ft. (1/599062), Perimeter=7932 ft.

- 01 n00.4817e 2654.53
- 02 s89.2420e 1309.94
- 03 s00.3906w 1326.57
- 04 n89.2557w 1263.48
- 05 s00.4817w 1327.33
- 06 n89.2702w 50

Description for
R-6 Zone
January 18, 2022

A portion of the West 1/2 of the Southeast 1/4 of Section 11, Township 2 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho, and being more particularly described as follows:

BEGINNING at the South 1/4 corner of said Section 11, from which the Southeast corner of said Section 11, bears S89°27'02"E, 2634.33 feet;

thence N00°48'17"E, 2654.53 feet to the Center 1/4 corner of said Section 11, being coincident with the east boundary line of Prairie Clover Estates Subdivision as filed in Book 69 of Plats at Pages 7074 and 7075 and the east boundary line of Silver Trail Subdivision No. 5 as filed in Book 120 of Plats at Pages 18742 through 18745, records of Ada County, Idaho;

thence S89°24'20"E, 1309.94 feet to the Center-East 1/16 corner of said Section 11, being coincident with the south boundary line of said Silver Trail Subdivision No. 5;

thence leaving said south boundary line, S00°39'06"W, 1326.57 feet to the Southeast 1/16 corner of said Section 11, being coincident with the Northeast corner of Denali Heights Subdivision as filed in Book 96 of Plats at Pages 11856 through 11858, records of Ada County, Idaho;

thence on the exterior boundary line of said Denali Heights Subdivision the following two courses and distances:

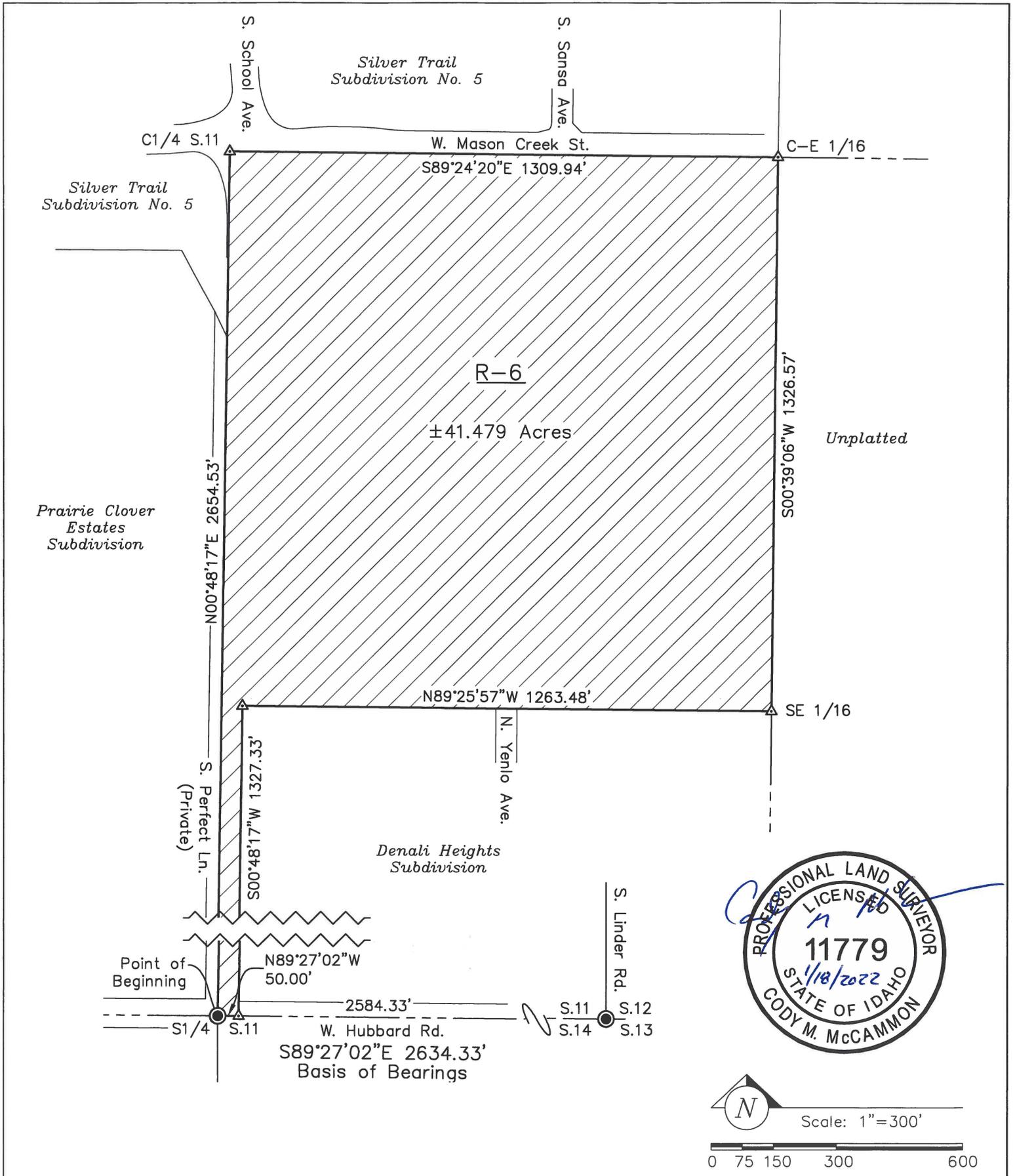
N89°25'57"W, 1263.48 feet;

S00°48'17"W, 1327.33 feet to the south boundary line of said Section 11;

thence on said south boundary line, N89°27'02"W, 50.00 feet to the **POINT OF BEGINNING**.

Containing 41.479 acres, more or less.





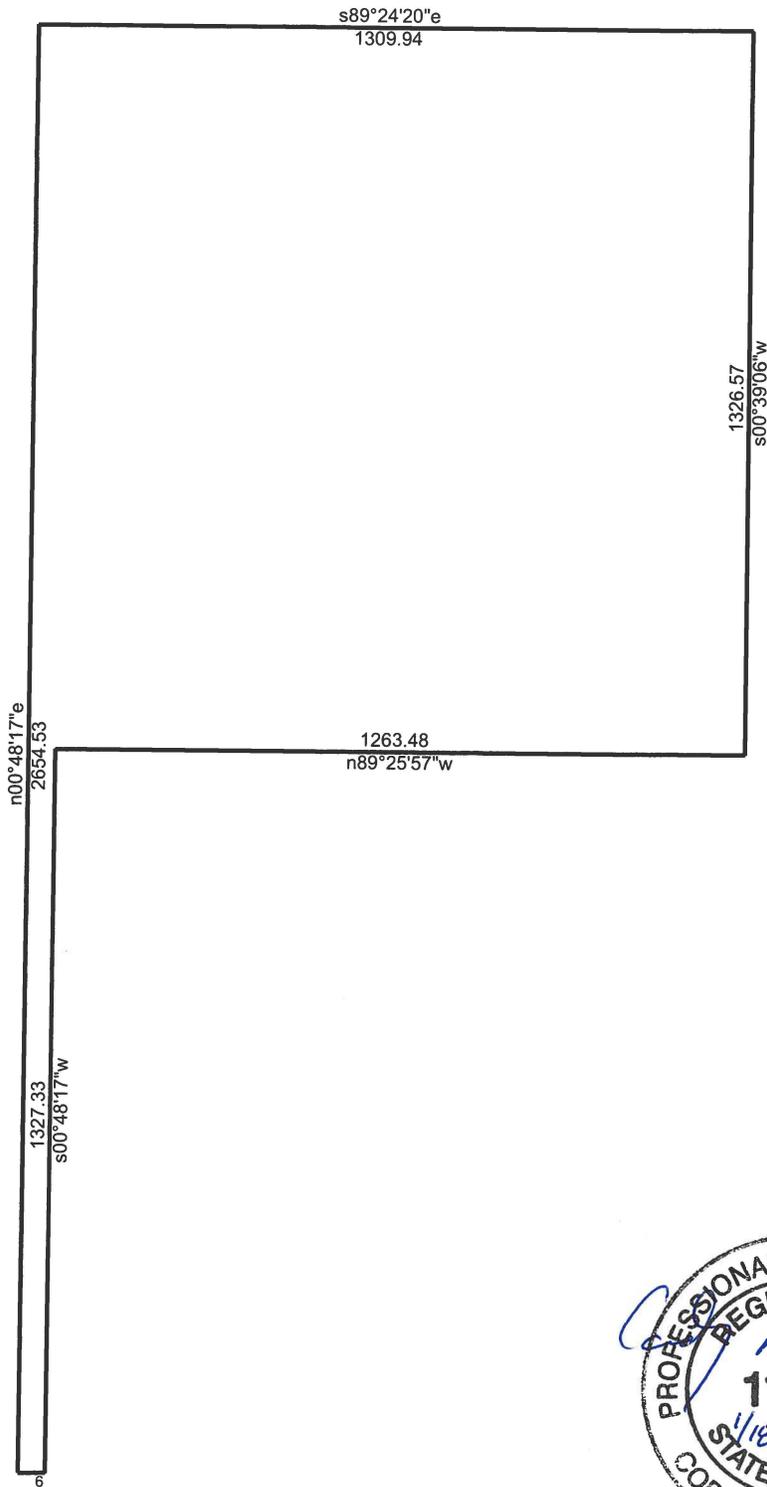
P:\Denali North 21-346\dwg\Denali North Annex Exhibit.dwg 1/18/2022 12:28:13 PM

 IDAHO SURVEY GROUP, LLC	9955 W. EMERALD ST. BOISE, IDAHO 83704 (208) 846-8570
	Exhibit Drawing for R-6 Zone Braeburn Creek Subdivision

Job No. 21-346
Sheet No. 1
Dwg. Date 1/18/2022

Located in the W1/2 of the SE1/4 of Section 11,
 T.2N., R.1W., B.M., City of Kuna, Ada County, Idaho

Job No. 21-346
Sheet No. 1
Dwg. Date 1/18/2022



1/18/2022

Scale: 1 inch= 350 feet

File: R-6 Zone.ndp

Tract 1: 41.4794 Acres, Closure: n27.0616w 0.01 ft. (1/599062), Perimeter=7932 ft.

- 01 n00.4817e 2654.53
- 02 s89.2420e 1309.94
- 03 s00.3906w 1326.57
- 04 n89.2557w 1263.48
- 05 s00.4817w 1327.33
- 06 n89.2702w 50

21042

7944502 **WARRANTY DEED** 465 1522

FOR VALUE RECEIVED, KENNETH HAWKES AND JEANNE HAWKES, HUSBAND AND WIFE

the grantor^S, do hereby grant, bargain, sell and convey unto TED L. WIMER AND SHARON L. WIMER, HUSBAND AND WIFE

whose current address is 2400 Hubbard Rd., Rt 2, Kuna, Idaho 83634

the grantee^S, the following described premises, in ADA County Idaho, to wit:

THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE-MERIDIAN, ADA COUNTY, IDAHO, AND THE WEST 50 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE-MERIDIAN.

SUBJECT TO:

GENERAL TAXES FOR 1979 AND SUBSEQUENT YEARS, AN ACCRUING LIEN.

LIENS, LEVIES AND ASSESSMENTS OF THE BOISE-KUNA IRRIGATION DISTRICT.

STATE OF IDAHO, COUNTY OF ADA, ss.
Filed for record at the request of Lawyers Title
50 Min past 10 o'clock A.M. this 13 day of Aug 19 79
JOHN BASTIDA, Recorder
By Gene Clark Notary
\$2.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, THEIR heirs and assigns forever. And the said Grantor^S do hereby covenant to and with the said Grantee^S, that they ARE the owner^S in fee simple of said premises; that they are free from all incumbrances, EXCEPT THOSE OF PUBLIC RECORD.

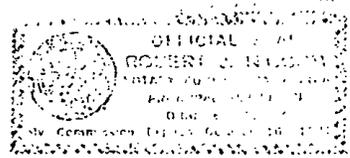
and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: JULY 30, 1979

Kenneth Hawkes
KENNETH HAWKES

Jeanne Hawkes
JEANNE HAWKES

STATE OF IDAHO, COUNTY OF ADA
On this 5th day of August, 1979,
before me, a notary public in and for said State,
personally appeared KENNETH HAWKES AND
JEANNE HAWKES
known to me to be the persons whose name^S ARE
subscribed to the within instrument, and acknowledged
to me that THEY executed the same.
Notary Public
Residing at BOISE, Idaho
Comm. Expires



STATE OF IDAHO, COUNTY OF ADA
On this 5th day of August, 1979, before me
a notary public in and for said State, per-
sonally appeared KENNETH HAWKES known to me
to be the person whose name is, subscribed
to the within instrument, and acknowledged
to me that he executed the same.

LAWYERS TITLE C

Subby T. ...



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: Single-Family residential development on approximately 41.5 acres located at 2400 W Hubbard Rd in Ada County, ID. NW of intersection of W Hubbard Road and S Linder Road. Proposed residential uses on property include traditional accessory residential amenities (pool, playground, parks, etc.). 114 residential units are planned with a gross density of approximately 2.7 units per acre.

Date of Meeting: 01/20/2022 Time: 6:00 PM

Meeting Location: Kuna Library, 457 N Locust Ave., Kuna, ID 83634

Site Information

Location: Section 2N Township 1W Range 11 Total Acres 41.48

Subdivision Name: Braeburn Creek Subdivision Lot Block

Address: 2400 W Hubbard Rd., Kuna, ID 83634

Parcel No(s): S1311427800

Include ALL addresses and parcel numbers for your application.

Current Property Owner

Name: Ted Wimer

Address: 2400 W Hubbard Rd., Kuna, ID 83634

Contact Person

Name: Adam Capell

Business Name (if applicable): Toll Southwest, LLC

Address: 3103 W Sheryl Dr., Suite 100, Meridian, ID 83642

Phone: (208) 780-6726 Email: acapell@tollbrothers.com

Applicant

Name: Kyle Prewett

Address: 3103 W Sheryl Dr., Suite 100, Meridian, ID 83642

Phone: (208) 576-3625 Email: kprewett@tollbrothers.com

I, Kyle Prewett, 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: 1/26/22

SIGN-IN SHEET

Project Name: Denali North/Braeburn Creek Subdivision

	Name	Address	Phone
1	CRAIG & ANN POTCHER	8957 S. PERFECT LN	208-830-3917
2	JEFF & SHARLENE ADAMS	9155 S. PERFECT LN	208-859-6185
3	Jon Deim	2528 W. Hubbard Rd	406 702 9069
4	Judith Deim	" "	" "
5	Harvey & Dawn Angell	2265 W. Seldovia St.	208-870-6958
6	STEVE HURD	2299 W. SAGWON DR.	208 571-4181
7	TERRY & SANDY WILSON	2274 W. Seldovia	208-922-5327
8	Bryan & Army Hobson	2089 W Seldovia St	(208) 420-3315
9	Norman Wild	9261 E. Foraker Ave	(208) 249-7735
10	Bruce Salmon	9251 S Perfect Lane	(425) 443-9231
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NEIGHBORHOOD MEETING MINUTES

Meeting Date: 1/20/2022 Number of Attendees: 10

Location: Kuna Library, 457 N Locust Ave., Kuna, ID 83634

Project Description: Single-Family residential development on approximately 41.5 acres located at 2400 W Hubbard Rd In Ada County, ID, NW of intersection of W Hubbard

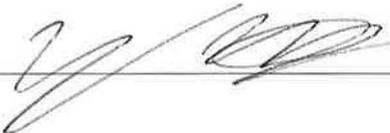
Road and S Linder Road, Proposed uses on property include traditional residential amenities (pool, playground, parks, etc.). 114 residential units are planned with a gross density of approximately 2.7 units per acre.

Attendee Comments or Concerns: _____

- Traffic concerns.

- Adverse impacts of development on existing residents.

I, Kyle Prewett, 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: 1/26/22

Jeff & Sharlene Adams

9155 S. Perfect LN

Kuna, ID 83634

adams3286@msn.com

January 20th, 2022

Toll Brothers
Adam Capell, Toll Brothers Land Development Director

Regarding the land development at 2400 W. Hubbard Rd Kuna, Idaho. We Jeff and Sharlene Adams being in close proximity to this development and will experience a large impact due to this development, would like to propose the following considerations during this process:

Our Private Lane, Perfect Lane to remain a private lane for the sole use of the residents of Perfect Lane.

Toll Brothers land Development to install a 6 foot or taller solid fence along the west boundary for 2400 W. Hubbard Rd. This fence would be along the east side of Perfect Lane with no access in any form from 2400 W. Hubbard Rd. on to Perfect Lane.

We would like for Toll Brothers Development to consider placing the park area for the development along the west property line. This would be east of Perfect Lane.

Our right to perform all farming operations on our property will not be disturbed in any form from this development or its future property owners.

Our access to our irrigation head gate and water systems will not be disturbed at any time.

We request that any city services that are installed in this development, also be made available as a stub out for the residents on Perfect Lane for future hook ups.

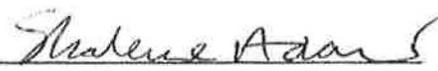
All development trash must be kept off our Perfect Lane Road and our properties at all times. The trash also needs to be cleaned up within the development to prevent the wind from spreading it.

Access to our private lane, Perfect Lane, will not be blocked or disrupted at any time, except to install city services to Perfect Lane residents, due to this development.

No loud music at any time during the development of this property.

We request to be notified when there will be blasting going on. We also request to be notified when changes are made to the Plat and copies given to us.


Jeff Adams 208-869-4675


Sharlene Adams 208-859-6185

Notice of Neighborhood Meeting

January 7, 2022

Dear Neighbor,

We invite you to meet and review a proposal for a single-family residential development on approximately 41.5 acres located at 2400 W Hubbard Road in Ada County, Idaho, which is northwest of the intersection of W Hubbard Road and S Linder Road. A map of the property at issue is on the following page. The area of the proposed project is outlined in red. You are receiving this notice because you own property within 300 feet of the proposed project. This is a neighborhood meeting, not a public hearing and public officials will not be present.

Purpose of Neighborhood Meeting:

The purpose of this neighborhood meeting is to review the applicant's proposed plans for the development and to discuss the specific applications that will be sought by the applicant. At this time, the applications being sought include annexation, Medium Density Residential (R-4) zoning, and a subdivision of the property.

Meeting Time: January 20th at 6:00 PM

Meeting Location: The meeting will be held at the Kuna Library, located at 457 N Locust Ave, Kuna, ID.

Project Description:

This project is located at 2400 W Hubbard Road. This project proposes residential uses on the property including traditional accessory residential amenities (pool, playgrounds, parks, etc.). In total, 114 residential units are currently planned with a gross density of approximately 2.7 units per acre.

If you have any questions about the meeting or proposed development project, please contact Adam Capell at acapell@tollbrothers.com. Please note, to track attendance and certify that a meeting was held, a sign-in sheet will be present at this meeting. The applicant will submit this sign-in sheet with their application.

Sincerely,
s/Adam Capell
Toll Brothers, Land Development Director

Kristen McNeill

Subject: FW: Braeburn Creek / Denali North Subdivision Name Reservation Change [IWOV-GPDMS.FID1095188]

From: Sub Name Mail <subnamemail@adacounty.id.gov>
Sent: Tuesday, January 4, 2022 12:38 PM
To: Kyle Prewett <kprewett@tollbrothers.com>
Cc: 'codym@idahosurvey.com' <codym@idahosurvey.com>
Subject: RE: Braeburn Creek / Denali North Subdivision Name Reservation Change

RE: Subdivision Name Reservation: **BRAEBURN CREEK SUBDIVISION**

At your request, I will change the previously reserved name Denali North Subdivision for parcel S1311427800 to the requested name **Braeburn Creek Subdivision** for your project. I can honor this reservation only as long as your project is in the approval process. Final approval can only take place when the final plat is recorded.

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

Sincerely,



Glen Smallwood
Surveying Technician

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

From: Kyle Prewett <kprewett@tollbrothers.com>
Sent: Tuesday, January 4, 2022 11:19 AM
To: Sub Name Mail
Subject: [EXTERNAL] Denali North Subdivision Name Reservation - Change Request

CAUTION: This email originated from outside Ada County email servers. Do not click on links or open attachments unless you recognize the sender and know the content is safe. Verify the sender by mouse-hovering over their display name in order to see the sender's full email address and confirm it is not suspicious. If you are unsure an email is safe, please report the email by using the 'Phish Alert' button in Outlook.

Hello,

I previously reserved the name Denali North for a proposed subdivision with a parcel number of S1311427800. I would like to change the name reservation of this subdivision to Braeburn Creek.

Further required information is below:

- * Current Owners:
 - * Ted L. Wimer
 - * 2400 Hubbard Rd, Kuna, ID 83634
 - * teddy6w@gmail.com <<mailto:teddy6w@gmail.com>>
 - * Future Owners:
 - * Toll Southwest LLC
 - * 3103 W Sheryl Dr, Suite 100, Meridian, ID 83642
 - * Adam Capell, acapell@tollbrothers.com <<mailto:acapell@tollbrothers.com>> ,
- 208.780.6726
- * Developer:
 - * Toll Southwest LLC
 - * 3103 W Sheryl Dr, Suite 100, Meridian, ID 83642
 - * Adam Capell, acapell@tollbrothers.com <<mailto:acapell@tollbrothers.com>> ,
- 208.780.6726
- * Professional Land Surveyor:
 - * Idaho Survey Group LLC
 - * 9955 W Emerald St, Boise, ID 83704
 - * Cody McCammon, codym@idahosurvey.com <<mailto:codym@idahosurvey.com>> ,
- 208.846.8570

Please let me know if you require any further information from me or have any questions.

Thank you,

Kyle Prewett
Assistant Land Entitlement Manager
Toll Brothers
3103 W. Sheryl Dr, Suite 100, Meridian, ID 83642
Office: (208) 576-3625 | Cell: (831) 801-9724

December 17, 2021

Cody McCammon, Idaho Survey Group
Kyle Prewett, Toll Brothers

RE: Subdivision Name Reservation: **DENALI NORTH SUBDIVISION**

At your request, I will reserve the name **Denali North Subdivision** for your project. This name is reserved with the following restriction.

Idaho Code 50-1307 requires that the Signer of this plat must be the same entity that signed and recorded the 2006 plat of Denali Heights Subdivision (Denali Development Co. / by Burke H. Scholer, as President), or a Permission to Use the Subdivision Name must be signed and recorded from Denali Development Co. granting the new Owner the right to use the Subdivision Name.

Since it appears from Ada County records and other sources that Denali Development was Administratively Dissolved in 2016 and Mr. Scholer is deceased (2021) the Ada County Surveyor will waive this requirement.

I can honor this reservation only as long as your project is in the approval process. Final approval can only take place when the final plat is recorded. This reservation is available for the project as long as it is in the approval process unless the project is terminated by the client, the jurisdiction or the conditions of approval have not been met, in which case the name can be re-used by someone else.

Sincerely,



Glen Smallwood
Surveying Technician
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7926 office
(208) 287-7909 fax

From: Kyle Prewett <kprewett@tollbrothers.com>
Sent: Friday, December 17, 2021 8:39 AM
To: Sub Name Mail <subnamemail@adacounty.id.gov>
Subject: [EXTERNAL] RE: Denali North Subdivision Name Reservation

Thank you for getting back to me Glen,

Here is the information that you require:

- Current Owners:
 - Ted L. Wimer
 - 2400 Hubbard Rd, Kuna, ID 83634
 - teddy6w@gmail.com
- Future Owners:
 - Toll Southwest LLC
 - 3103 W Sheryl Dr, Suite 100, Meridian, ID 83642
 - Adam Capell, acapell@tollbrothers.com, 208.780.6726
- Developer:
 - Toll Southwest LLC
 - 3103 W Sheryl Dr, Suite 100, Meridian, ID 83642
 - Adam Capell, acapell@tollbrothers.com, 208.780.6726
- Professional Land Surveyor:
 - Idaho Survey Group LLC
 - 9955 W Emerald St, Boise, ID 83704
 - Cody McCammon, codym@idahosurvey.com, 208.846.8570

Please let me know if you need anything further from me.

Thank you,

Kyle Prewett
Assistant Land Entitlement Manager

Toll Brothers
3103 W. Sheryl Dr, Suite 100, Meridian, ID
83642
Office: (208) 576-3625 | Cell: (831) 801-9724



**10TH YEAR ON FORTUNE WORLD'S
MOST ADMIRABLE COMPANIES LIST**

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From: Sub Name Mail <subnamemail@adacounty.id.gov>
Sent: Wednesday, December 15, 2021 2:21 PM
To: Kyle Prewett <kprewett@tollbrothers.com>
Subject: RE: Denali North Subdivision Name Reservation

[\[parsintl.com\]](http://parsintl.com)

EXTERNAL EMAIL : Use caution with links and attachments

With restrictions the name is approvable, however the following information is also required prior to reserving a name;

- The name and contact information for the Owner
- The name and contact information for the Developer
- The name of the Professional Land Surveyor and firm that will be in responsible charge of the plat



Glen Smallwood
Surveying Technician
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7926 office
(208) 287-7909 fax

From: Kyle Prewett <kprewett@tollbrothers.com>
Sent: Wednesday, December 15, 2021 1:14 PM
To: Sub Name Mail <subnamemail@adacounty.id.gov>
Cc: Adam Capell <acapell@tollbrothers.com>; Lyle Dennison-Swisse <ldennison-swisse@tollbrothers.com>
Subject: [EXTERNAL] Denali North Subdivision Name Reservation

CAUTION: This email originated from outside Ada County email servers. Do not click on links or open attachments unless you recognize the sender and know the content is safe. Verify the sender by mouse-hovering over their display name in order to see the sender's full email address and confirm it is not suspicious. If you are unsure an email is safe, please report the email by using the 'Phish Alert' button in Outlook.

Hello,

I would like to please reserve the name, Denali North, for a proposed subdivision whose current parcel number is S1311427800. Please let me know if you require any further information or have any questions.

Thank you,

Kyle Prewett
Assistant Land Entitlement Manager
Toll Brothers
3103 W. Sheryl Dr, Suite 100, Meridian, ID

83642

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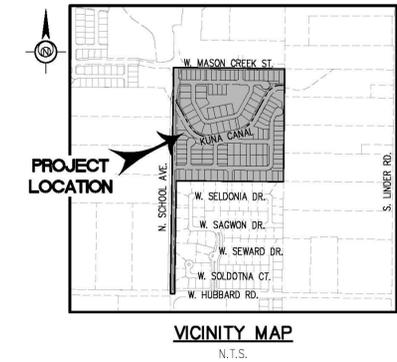
**10TH YEAR ON FORTUNE WORLD'S
MOST ADMIRABLE COMPANIES LIST**

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PRELIMINARY PLAT FOR BRAEBURN CREEK SUBDIVISION

PROPERTY LOCATED IN THE W 1/2 OF THE SE 1/4 OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN
ADA COUNTY, IDAHO



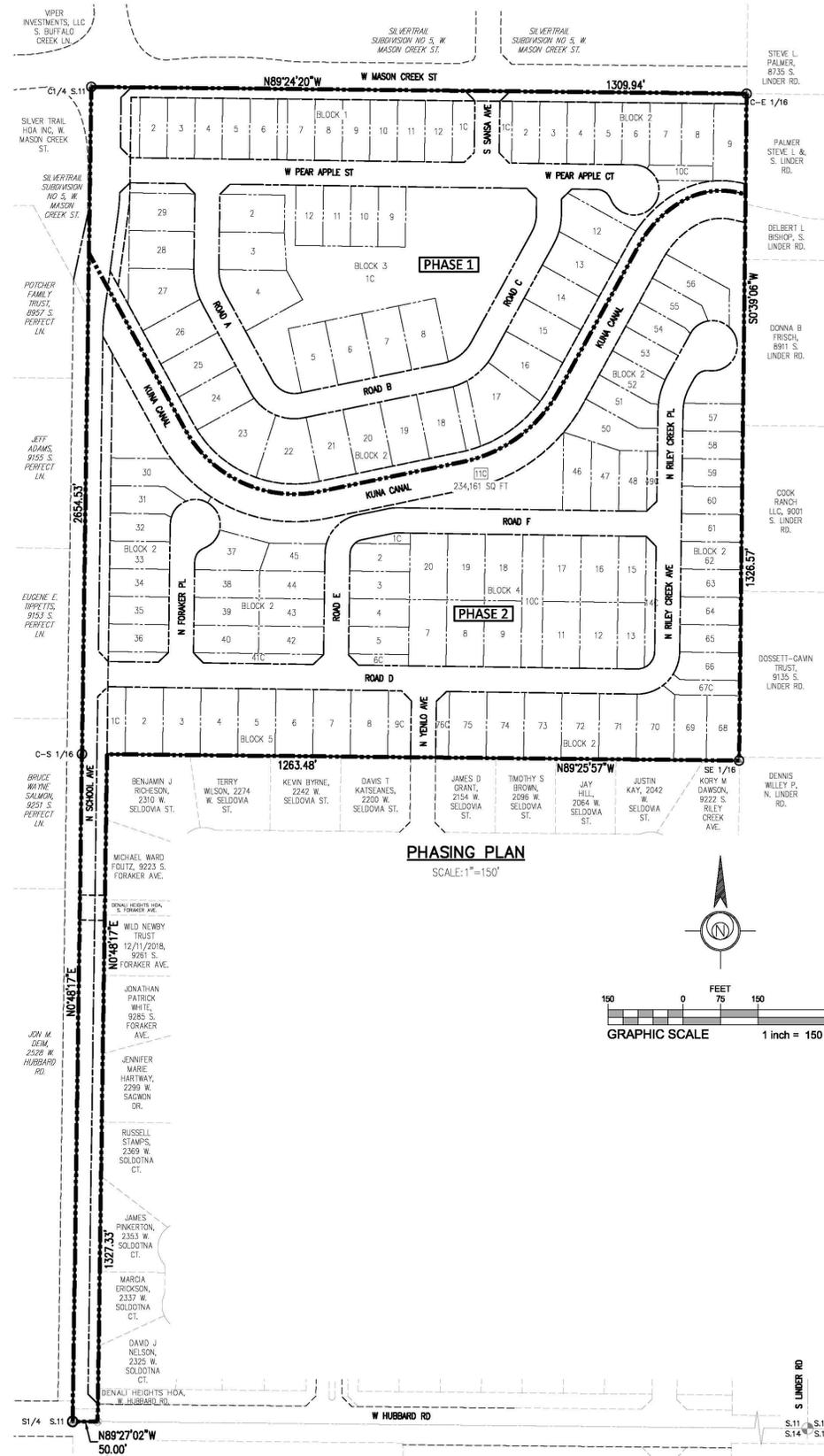
PHASING SUMMARY	
PHASE	LOTS
1	48
2	66
TOTAL	114

PRELIMINARY PLAT NOTES

- ANY RE-SUBDIVISION OF THIS PLAT SHALL CONFORM WITH THE APPLICABLE CITY OF KUNA ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
- ALL STREETS PROPOSED WITHIN THIS DEVELOPMENT ARE PUBLIC STREETS AND SHALL BE CONSTRUCTED IN ACCORDANCE WITH ADA COUNTY HIGHWAY DISTRICT STANDARDS (AHD).
- DIRECT LOT ACCESS TO N. SCHOOL AVE. AND W. MASON CREEK ST. IS PROHIBITED.
- LOT 1, BLOCK 1; LOTS 1, 10, 11, 41, 49, 67, AND 76, BLOCK 2; LOT 1, BLOCK 3; LOTS 1, 6, 10, AND 14, BLOCK 4; AND LOTS 1 AND 9, BLOCK 5 ARE COMMON LOTS AND SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
- THIS DEVELOPMENT RECOGNIZES IDAHO CODE SECTION 22-4503, RIGHT TO FARM ACT, WHICH STATES, "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION, AGRICULTURAL FACILITY, OR EXPANSION THEREOF."
- SANITARY SEWER SERVICE, DOMESTIC WATER SERVICE, AND FIRE PROTECTION WATER SHALL BE PROVIDED BY THE CITY OF KUNA.
- IRRIGATION WATER SERVICE IS PROVIDED TO THIS PROPERTY BY THE EXISTING KUNA CANAL.
- BUILDING SETBACKS AND DIMENSIONAL STANDARDS SHALL BE IN ACCORDANCE WITH THE CITY OF KUNA STANDARDS, AS SHOWN ON THIS PLAN.
- STORMWATER RUNOFF GENERATED ON THIS SITE SHALL BE COLLECTED AND CONVEYED TO STORMWATER FACILITIES IN ACCORDANCE WITH AHD AND CITY OF KUNA REQUIREMENTS.

LEGEND

	PROPERTY BOUNDARY LINE		PROPOSED GRAVITY IRRIGATION
	EXISTING LOT LINE		PROPOSED PRESSURE IRRIGATION
	EXISTING EASEMENT LINE		PROPOSED EDGE OF PAVEMENT
	EXISTING BARB WIRE FENCE LINE		PROPOSED STORM PIPE
	EXISTING IRRIGATION		PROPOSED PHASE BOUNDARY
	EXISTING POWER LINE		PROPOSED SEEPAGE BED
	EXISTING SANITARY SEWER LINE		PROPOSED SAND AND GREASE TRAP
	EXISTING CABLE TV PER UTILITY MAP		PROPOSED STORM MANHOLE
	EXISTING WATER LINE		PROPOSED STORM CATCH BASIN
	EXISTING EDGE OF PAVEMENT		PROPOSED GRAVITY IRRIGATION BOX
	EXISTING EDGE OF GRAVEL		PROPOSED GRAVITY IRRIGATION MANHOLE
	EXISTING STORM PIPE		PROPOSED FIRE HYDRANT
	PROPOSED LOT LINE		PROPOSED SANITARY MANHOLE
	PROPOSED RIGHT-OF-WAY		STREET NAME
	PROPOSED ROAD CENTERLINE		PROPOSED STREET LIGHT
	PROPOSED 3" ROLLED CURB		TEST PIT/MONITORING WELL
	PROPOSED 6" VERTICAL CURB & GUTTER		MAILBOX
	PROPOSED 6" VERTICAL CURB (NOT CUTTER)		SIGN
	PROPOSED SIDEWALK		BLOCK NUMBER
	PROPOSED 8" SANITARY SEWER		SINGLE-FAMILY LOT NUMBER
	PROPOSED 8" POTABLE WATER		COMMON LOT NUMBER
			MONUMENTS



SHEET INDEX	
SHEET	SHEET TITLE
1	COVER SHEET
2	NOTES AND SECTIONS
3	NATURAL FEATURES MAP
4	PRELIMINARY PLAT
5	PRELIMINARY PLAT
6	PRELIMINARY ENGINEERING PLAN
7	PRELIMINARY ENGINEERING PLAN
8	PRELIMINARY GRADING AND DRAINAGE PLAN

LAND USE SUMMARY	
OVERALL PROJECT DATA	
CURRENT ZONING	RR (RURAL RESIDENTIAL)
PROPOSED ZONING	R-6 (MEDIUM DENSITY RESIDENTIAL)
TOTAL PARCEL AREA	41.48 ACRES
COLLECTOR RIGHT OF WAY N. SCHOOL AVE.	3.72 ACRES
RESIDENTIAL RIGHT OF WAY	5.24 ACRES
SINGLE FAMILY RESIDENTIAL LOTS	114
COMMON LOTS	15
SINGLE FAMILY RESIDENTIAL LOT AREA	22.03 ACRES
COMMON LOT AREA	10.49 ACRES
RESIDENTIAL GROSS DENSITY	2.75 UNITS/ACRE
RESIDENTIAL NET DENSITY	3.51 UNITS/ACRE
MINIMUM RESIDENTIAL LOT AREA	6,536 SF
AVERAGE RESIDENTIAL LOT SIZE	8,420 SF

OPEN SPACE SUMMARY	
QUALIFIED OPEN SPACE AREA:	5.34 ACRES
PERCENT QUALIFIED OPEN SPACE:	12.9%

BUILDING SETBACKS	
R-6 ZONE SETBACKS	
FRONT:	20 FT.
REAR:	15 FT.
INTERIOR SIDE:	5 FT.
MINIMUM LOT SIZE:	4,500 SF
MAXIMUM LOT COVERAGE:	40%

DEVELOPER

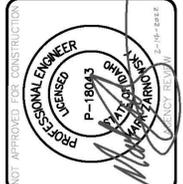
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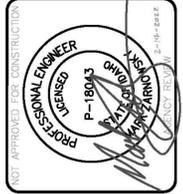
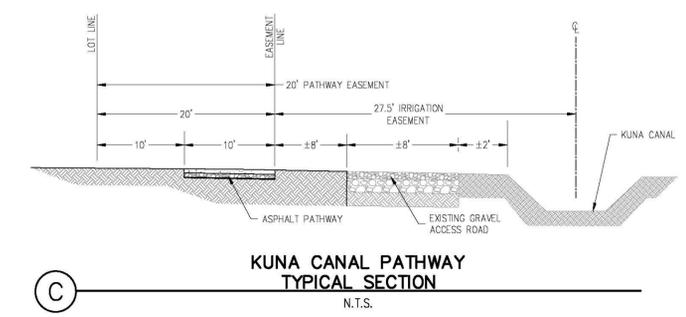
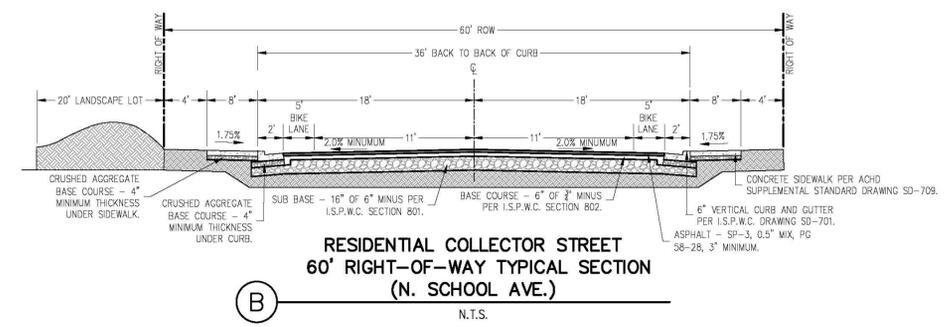
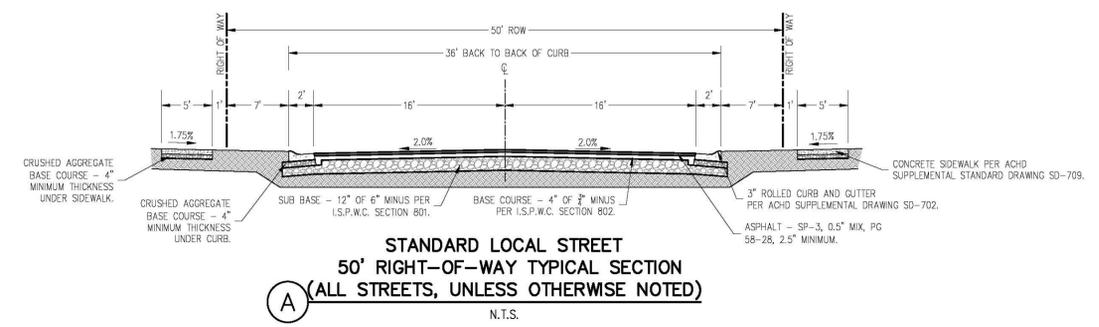
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REV.	DATE	DESCRIPTION
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COVER SHEET
PRELIMINARY PLAT FOR
BRAEBURN CREEK SUBDIVISION
CITY OF KUNA, ADA COUNTY, IDAHO

DATE:	02/14/22	SCALE:	AS NOTED
DESIGN:	MRZ	DRAWN:	JBS
JOB NO.:	8179	FILE NAME:	8179-COVER-PP
REF. NO.:			
SHEET NO.:	1	OF	8

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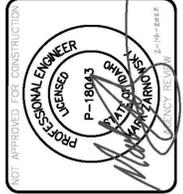
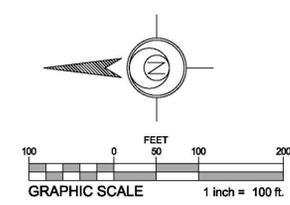
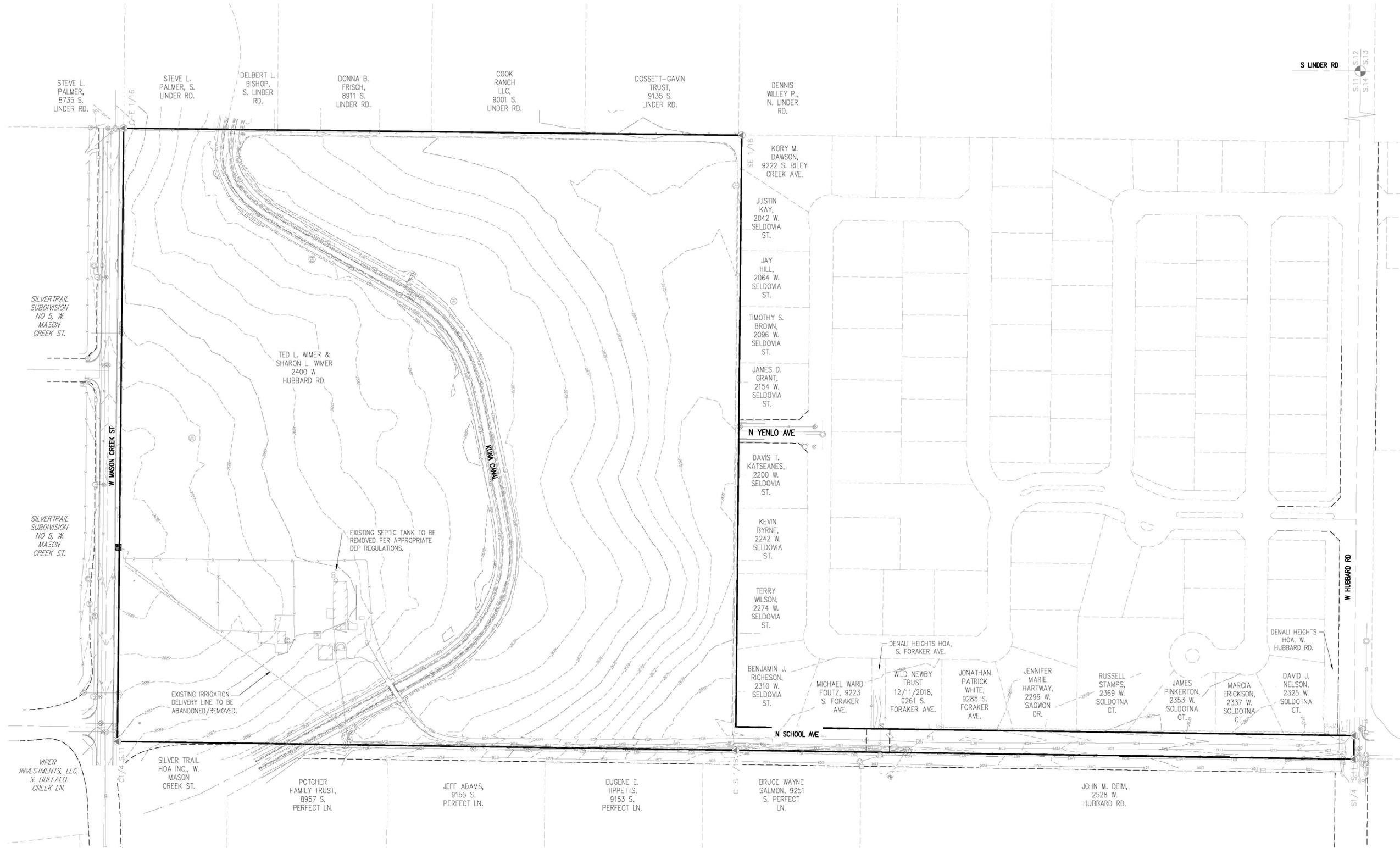
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REV.	DATE	AGENCY SUBMITTAL	DESCRIPTION
A.	02/14/22		

NOTES AND SECTIONS
**PRELIMINARY PLAT FOR
BRAEBURN CREEK SUBDIVISION**
CITY OF KUNA, ADA COUNTY, IDAHO

DATE:	02/14/22	SCALE:	AS NOTED
DESIGN:	MRZ	DRAWN:	JBS
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REF. NO.:	PP-1.2		
SHEET NO.:	2	OF	8

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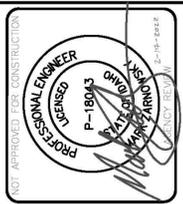
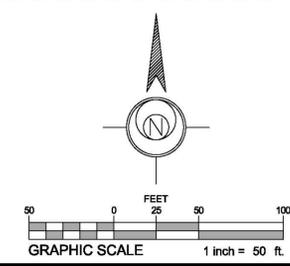
NATURAL FEATURES MAP
PRELIMINARY PLAT FOR
BRAEBURN CREEK SUBDIVISION
 CITY OF KUNA, ADA COUNTY, IDAHO

DATE:	02/14/22	SCALE:	AS NOTED
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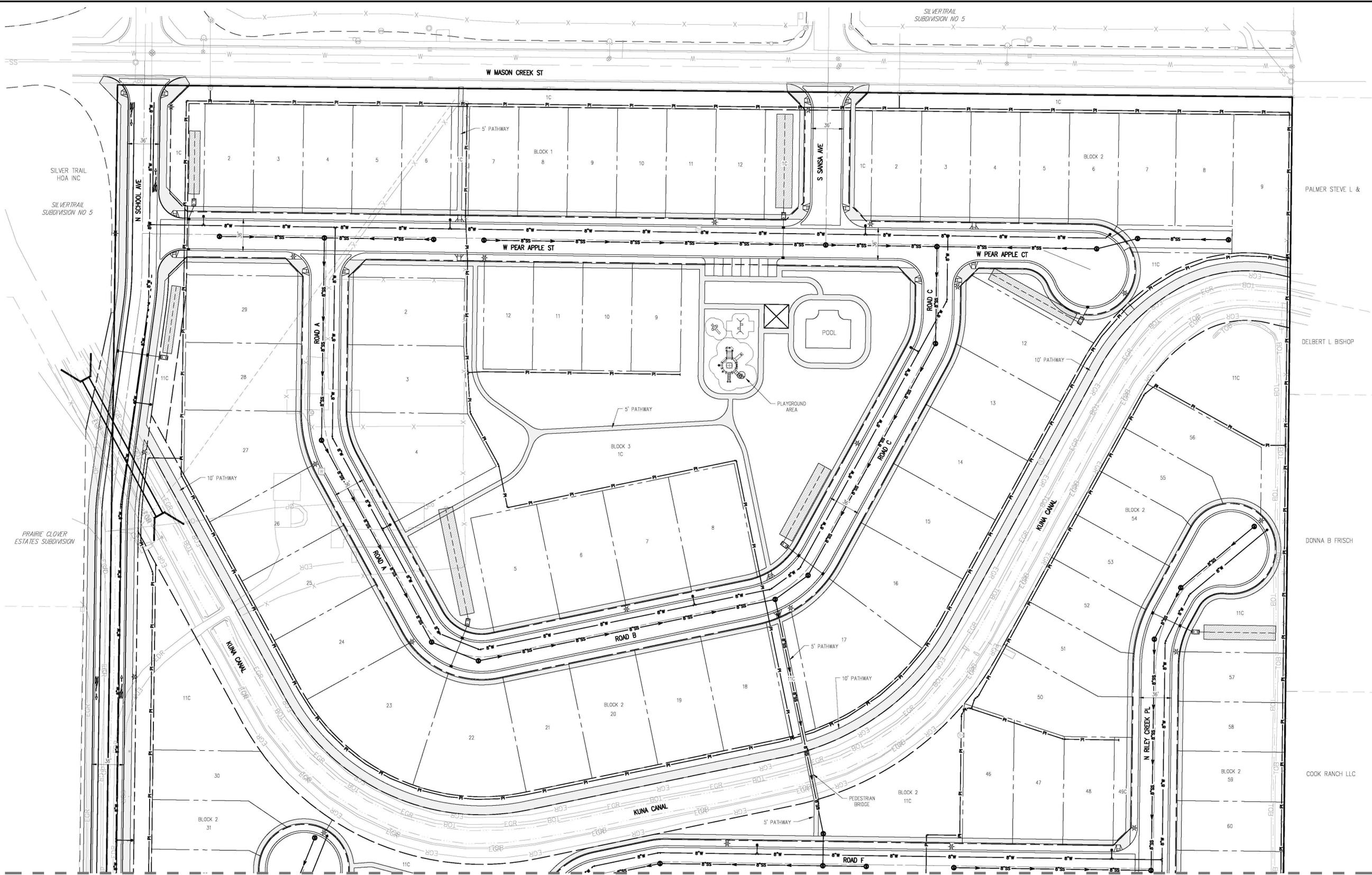
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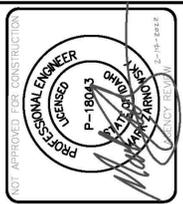
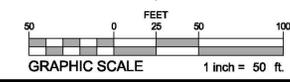
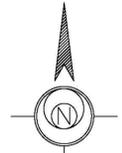
PRELIMINARY PLAT
 PRELIMINARY PLAT FOR
 BRAEBURN CREEK SUBDIVISION
 CITY OF KUNA, ADA COUNTY, IDAHO

DATE:	02/14/22	SCALE:	1"=50'
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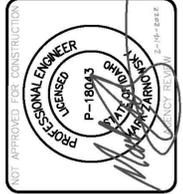
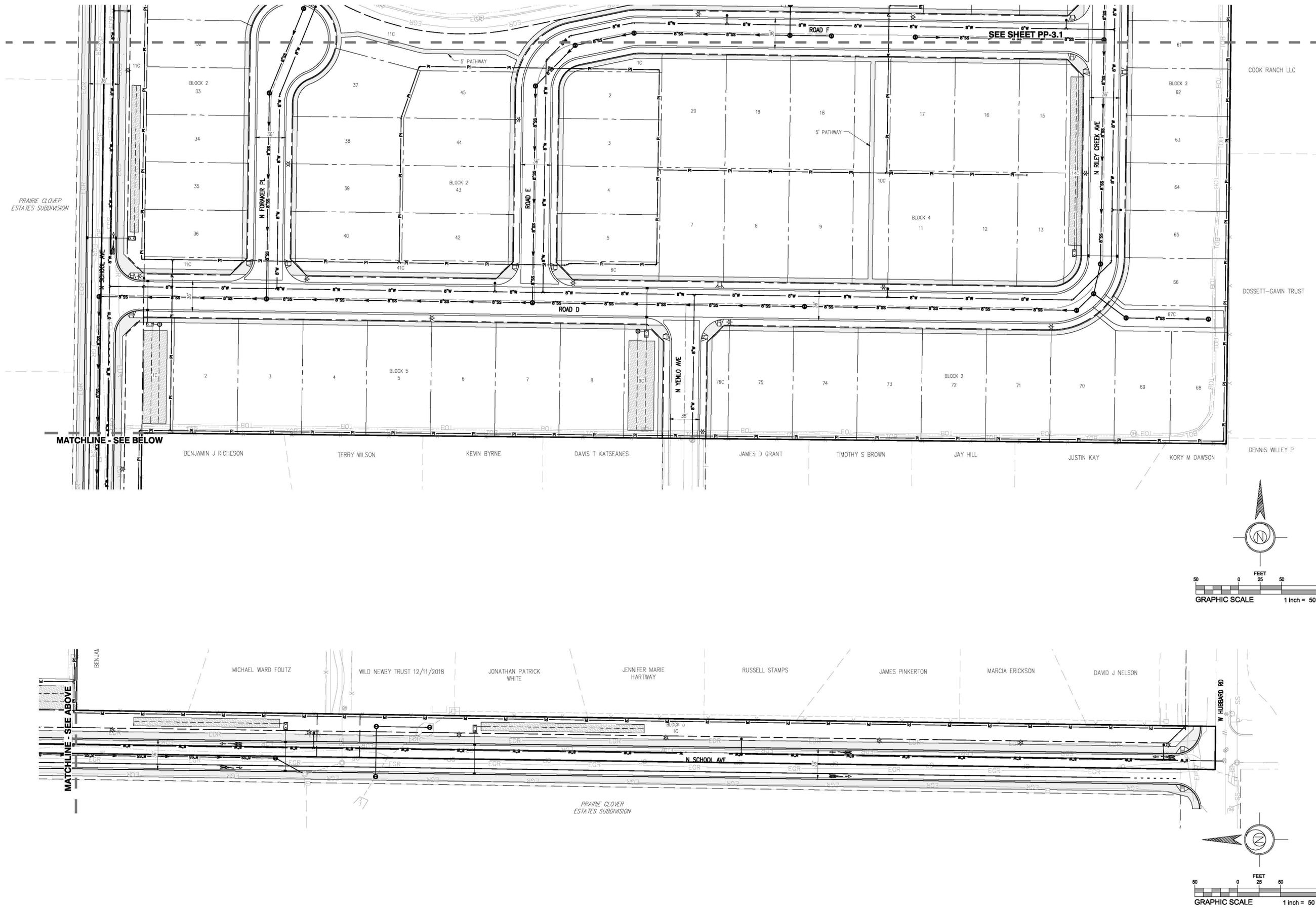
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REV.	DATE	AGENCY SUBMITTAL	DESCRIPTION	DRAWN
A.	02/14/22			

PRELIMINARY ENGINEERING PLAN
PRELIMINARY PLAT FOR
BRAEBURN CREEK SUBDIVISION
CITY OF KUNA, ADA COUNTY, IDAHO

DATE:	02/14/22	SCALE:	1"=50'
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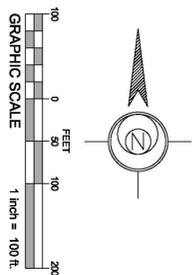
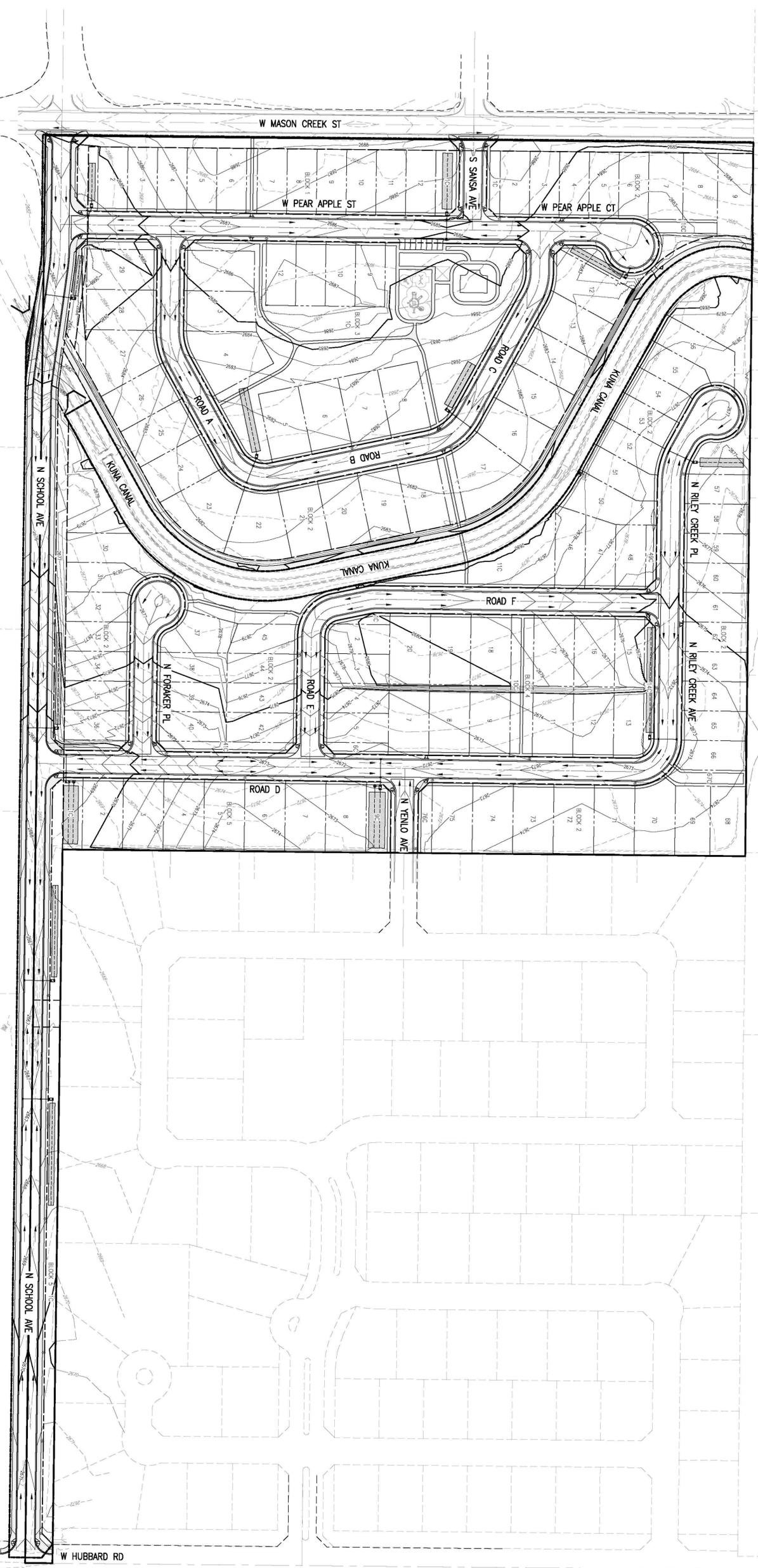
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PRELIMINARY ENGINEERING PLAN

**PRELIMINARY PLAT FOR
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CITY OF KUNA, ADA COUNTY, IDAHO

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JOB NO.:	8179	FILE NAME:	8179-S-PRE ENG-PP
REF. NO.:		PP-4.2	
SHEET NO.:	7	OF 8	



PRELIMINARY GRADING AND DRAINAGE PLAN

PRELIMINARY PLAT FOR BRAEBURN CREEK SUBDIVISION
CITY OF KUNA, ADA COUNTY, IDAHO

REV.	DATE	DESCRIPTION	MRZ/BS
A	02/14/22	AGENCY SUBMITTAL	MRZ/BS
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DATE: 02/14/22
SCALE: 1" = 100'
DESIGNER: MRZ
DRAWN: JES
JOB NO.: 8179
FILE NAME: 8179-S-GRADING-PP
REF: PP-5.1
SHEET 8 OF 8

PLANT PALETTE

SYM	COMMON NAME	BOTANICAL NAME	SIZE
EVERGREEN TREES			
	AUSTRIAN PINE	PINUS NIGRA	6-8' HT B4B
	BLACK HILLS SPRUCE	PICEA GLAUGA 'DENSATA'	6-8' HT B4B
	FAT ALBERT BLUE SPRUCE	PICEA PULGENS 'FAT ALBERT'	6-8' HT B4B
	MOON GLOW JUNIPER	JUNIPERUS SCOPULORUM 'MOON GLOW'	6-8' HT B4B
	NORWAY SPRUCE	PICEA ABIES	6-8' HT B4B
	VANDERWOLFS PINE	PINUS FLEXILIS 'VANDERWOLFS'	6-8' HT B4B
SHADE TREES (CLASS II)			
	BLOODGOOD LONDON PLANETREE	PLATANUS x ACERIFOLIA 'BLOODGOOD'	2" CAL B4B
	SWAMP OAK	QUERCUS BICOLOR	2" CAL B4B
SHADE/STREET TREES (CLASS II)			
	CRIMSON SPIRE OAK	QUERCUS ROBUR x Q. ALBA 'GRIMSCHMIDT'	2" CAL B4B
	CHANTICLEER PEAR	PYRUS CALLERYANA 'GLEN'S FORM'	2" CAL B4B
	SKYLINE HONEYLOCUST	GLEDITSIA TRIACANTHOS 'INERMIS' 'SKYCOLE'	2" CAL B4B
	GREENSPIRE LINDEN	TILIA GORDATA 'GREENSPIRE'	2" CAL B4B
	TULIP TREE	LIRIODENDRON TULIPIFERA	2" CAL B4B
	GREEN VASE ZELKOVA	ZELKOVA SERRATA 'GREEN VASE'	2" CAL B4B
ORNAMENTAL TREES (CLASS I)			
	FLAME AMUR MAPLE	ACER GINNALA 'FLAME'	6-8' HT, MULTI-STEM
	CANADA RED CHOKECHERRY	PRUNUS VIRGINIANA 'CANADA RED'	6-8' HT, MULTI-STEM
	CRUZAN CRUSADER HAWTHORN	CRATAEGUS CRUS-GALLI 'CRUZAN'	2" CAL B4B
	HOTWINGS MAPLE	ACER TATARICUM 'GARANN'	6-8' HT, MULTI-STEM
	ROYAL RAINDROPS CRABAPPLE	MALUS x 'JFS-KCB'	2" CAL B4B
	SPRING SNOW CRABAPPLE	MALUS 'SPRINGSNOW'	2" CAL B4B
SHRUBS/ORNAMENTAL GRASSES/PERENNIALS			
	ARIZONA SUN GAILLARDIA	GAILLARDIA x 'ARIZONA SUN'	1 GAL
	BLACK EYED SUSAN	RUDBECKIA FULGIDA 'GOLDSTRUM'	1 GAL
	BLUE GRAMMA GRASS	BOUTELOUA GRACILIS 'BLONDE AMBITION'	1 GAL
	BLUE MIST SPIREA	CARYOPTERIS x CLANDONENSIS 'BLUE MIST'	2 GAL
	BLUE OAT GRASS	HELICTOTRICHON SEMPERVIRENS	1 GAL
	BLUE RUG JUNIPER	JUNIPERUS HORIZONTALIS 'MILITON'	3 GAL
	PURPLE CONEFLOWER	ECHINACEA PURPUREA	1 GAL
	RED FLOWER CARPET- NOARE	ROSA 'FLOWER CARPET- NOARE'	2 GAL
	DARTS GOLD NINEBARK	PHYSOCARPUS OPULIFOLIUS 'DARTS GOLD'	3 GAL
	STELLA DE ORO DAYLILY	HEMEROCALLIS 'STELLA D'ORO'	1 GAL
	FINE LINE BUCKTHORN	RHAMNUS FRAGULA 'RON WILLIAMS'	5 GAL
	GRO-LOW SUMAC	RHUS AROMATICA 'GRO-LOW'	3 GAL
	RED HOT POKER	KNIPHOFIA UVARIA 'FLAMENCO'	1 GAL
	HUSKER RED PENSTEMON	PENSTEMON DIGITALIS 'HUSKER RED'	1 GAL
	IVORY HALO DOGWOOD	CORNUS ALBA 'BALHALO'	5 GAL
	KARL FOERSTER REED GRASS	CALAMAGROSTIS ARUNDINACEA 'K.F.'	1 GAL
	LITTLE DEVIL NINEBARK	PHYSOCARPUS OPULIFOLIUS 'DONNA MAY'	3 GAL
	HIDCOTE BLUE ENGLISH LAVENDER	LAVANDULA ANGUSTIFOLIA 'HIDCOTE BLUE'	1 GAL
	IVORY TOWER YUCCA	YUCCA FILAMENTOSA 'IVORY TOWER'	3 GAL
	MAIDEN GRASS	MISCANTHUS SINENSIS 'GRACILLIMUS'	1 GAL
	BRAKELIGHTS RED YUCCA	HESPERALOE PARVIFLORA 'PERPA'	3 GAL
	SUMMERWINE NINEBARK	PHYSOCARPUS OPULIFOLIA 'SEWARD'	5 GAL
	TIGER EYE SUMAC	RHUS TYPHINA 'BALTIGER'	5 GAL
	LAWN SOD		
	6" VINYL FENCE ADJACENT TO COMMON AREAS & ALONG PERIMETER PROPERTY LINES (TYP).		
	5" BLACK IRON FENCE AT BACK OF LOTS ADJACENT TO KUNA CANAL (TYP).		

NOTES

- ALL LANDSCAPE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF KUNA ORDINANCE REQUIREMENTS.
- ALL PLANTING AREAS TO BE WATERED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.
- TREES SHALL NOT BE PLANTED WITHIN THE 10-FOOT CLEAR ZONE OF ALL ACHD STORM DRAIN PIPE, STRUCTURES, OR FACILITIES IN PARKSTRIPS. SEEPAGE BEDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM. ALL SHRUBS PLANTED OVER OR ADJACENT TO SEEPAGE BEDS TO HAVE A ROOT BALL THAT DOES NOT EXCEED 18" IN DIAMETER. NO LAWN SOD TO BE PLACED OVER DRAINAGE SHALE SAND WINDOWS, ACHD STORMWATER BASINS AND SHALES SHALL BE LANDSCAPED ACCORDING TO THE 'ADA COUNTY HIGHWAY DISTRICT STORMWATER MANAGEMENT BASIN VEGETATION GUIDANCE MANUAL' (OCTOBER 2017) IN APPENDIX D.
- NO TREES SHALL IMPEDE THE 40' VISION TRIANGLES AT ALL INTERSECTIONS. NO CONIFEROUS TREES OR SHRUBS OVER 3' HIGH AT MATURITY WILL BE LOCATED WITHIN VISION TRIANGLE OR ACHD ROW. AS TREES MATURE, THE OWNER SHALL BE RESPONSIBLE FOR PRUNING TREE CANOPIES TO MEET ACHD REQUIREMENTS FOR MAINTAINING CLEAR VISIBILITY WITHIN 40' STREET AND DEPARTURE VISION TRIANGLE. TREES SHALL BE PLANTED NO CLOSER THAN 50' FROM INTERSECTION STOP SIGNS.
- CLASS II TREES AND LANDSCAPE IN FRONT OF BUILDING LOTS ON INTERIOR STREETS TO BE COMPLETED DURING CONSTRUCTION ON THESE LOTS. TREE LOCATIONS MAY BE ALTERED TO ACCOMMODATE DRIVEWAYS AND UTILITIES. TREES MUST BE CLASS II AND SHALL NOT BE PLANTED WITHIN 5' OF WATER METERS OR UNDERGROUND UTILITY LINES.
- PLAYGROUND, PICNIC STRUCTURE, AND AMENITIES ARE SHOWN SCHEMATICALLY. AMENITIES MAY VARY SLIGHTLY IN FINAL DESIGN FOR AMENITY CONFIGURATIONS AND ADA COMPLIANCE.
- PLANT LIST IS REPRESENTATIVE AND SUBJECT TO ADDITIONS AND/OR SUBSTITUTIONS OF SIMILAR SPECIES THAT ARE SUBJECT TO CITY FORESTER'S PRE-APPROVAL. PLANTING BED DESIGN AND QUANTITIES MAY BE ALTERED DURING FINAL PLAT LANDSCAPE PLAN DESIGN. BURLAP AND WIRE BASKETS TO BE REMOVED FROM ROOT BALL AS MUCH AS POSSIBLE, AT LEAST HALFWAY DOWN THE BALL OF THE TREE. ALL NYLON ROPES TO BE COMPLETELY REMOVED FROM TREES.
- THERE ARE NO EXISTING TREES ON SITE. NO MITIGATION IS REQUIRED.

LANDSCAPE CALCULATIONS

RESIDENTIAL LANDSCAPE BUFFERS ARE REQUIRED TO BE PLANTED WITH THE FOLLOWING PLANTS PER 100 LINEAR FEET: TWO (2) SHADE TREES, THREE (3) EVERGREEN TREES, AND TWELVE (12) SHRUBS.

LOCATION	BUFFER WIDTH	LENGTH	REQUIRED	PROVIDED
W. MASON CREEK ST.	20'	1,180' / 100' =	24 TREES	24 TREES (2) SHADE TREES + 6 ORNAMENTAL TREES)
			36 EVERGREENS	40 EVERGREENS
			144 SHRUBS	144+ SHRUBS
SCHOOL AVE.	20'	2,340' / 100' =	46 TREES	47 TREES (43 SHADE TREES + 4 ORNAMENTAL TREES)
			64 EVERGREENS	71 EVERGREENS
			276 SHRUBS	276+ SHRUBS
COMMON AREA		247,465' / 800' =	309 TREES	201 COMMON LOT TREES (SHADE, ORNAMENTAL & EVERGREEN TREES) 110 RESIDENTIAL PARKSTRIP TREES
				311 TREES

TOTAL NUMBER OF BUFFER TREES:	175 TREES	184 TREES
TOTAL NUMBER OF COMMON AREA TREES:		201 TREES
RESIDENTIAL PARKSTRIP TREES:		110 TREES
RESIDENTIAL LOTS (1 TREE PER LOT):		114 TREES
TOTAL NUMBER OF TREES		614 TREES

DEVELOPMENT DATA

TOTAL AREA	41.48 ACRES
RESIDENTIAL LOTS	114
COMMON LOTS	15
TOTAL LOTS	129
QUALIFIED OPEN SPACE	5.34 AC (12.9%)
EXISTING ZONING	RR
PROPOSED ZONING	R-6



BRAEBURN CREEK SUBDIVISION

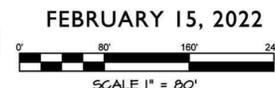
KUNA, ID

PRELIMINARY PLAT LANDSCAPE PLAN



DEVELOPER
TOLL SOUTHWEST LLC
ADAM CAPELL
3103 W. SHERYL DR., STE 100
MERIDIAN, ID 83642

CIVIL ENGINEER
ESE CONSULTANTS, INC.
MARK ZARNOWSKY, P.E.
3103 W. SHERYL DR., STE 100
MERIDIAN, ID 83642



FEBRUARY 15, 2022

PLANT PALETTE

SYM	COMMON NAME	BOTANICAL NAME	SIZE
EVERGREEN TREES			
	AUSTRIAN PINE	PINUS NIGRA	6-8' HT B4B
	BLACK HILLS SPRUCE	PICEA GLAUCA 'DENSATA'	6-8' HT B4B
	FAT ALBERT BLUE SPRUCE	PICEA FUNGENS 'FAT ALBERT'	6-8' HT B4B
	MOONGLOW JUNIPER	JUNIPERUS SCOPULORUM 'MOONGLOW'	6-8' HT B4B
	NORWAY SPRUCE	PICEA ABIES	6-8' HT B4B
	VANDERWOLFS PINE	PINUS FLEXILIS 'VANDERWOLFS'	6-8' HT B4B
SHADE TREES (CLASS III)			
	BLOODGOOD LONDON PLANETREE	PLATANUS x AGERIFOLIA 'BLOODGOOD'	2' CAL B4B
	SHAMP OAK	QUERCUS BICOLOR	2' CAL B4B
SHADE/STREET TREES (CLASS II)			
	CRIMSON SPIRE OAK	QUERCUS ROBUR x Q. ALBA 'GRIMSCHMIDT'	2' CAL B4B
	CHANTICLEER PEAR	PYRUS CALLERYANA 'GLEN'S FORM'	2' CAL B4B
	SKYLINE HONEYLOCUST	GLEDITSIA TRIACANTHOS 'INERMIS SKYCOLE'	2' CAL B4B
	GREENSPIRE LINDEN	TILIA CORDATA 'GREENSPIRE'	2' CAL B4B
	TULIP TREE	LIRIODENDRON TULIPIFERA	2' CAL B4B
	GREEN VASE ZELKOVA	ZELKOVA SERRATA 'GREEN VASE'	2' CAL B4B
ORNAMENTAL TREES (CLASS I)			
	FLAME AMUR MAPLE	ACER GINNALA 'FLAME'	6-8' HT. MULTI-STEM
	CANADA RED CHOKECHERRY	PRUNUS VIRGINIANA 'CANADA RED'	6-8' HT. MULTI-STEM
	CRUZAN CRUSADER HAWTHORN	CRATAEGUS CRUS-GALLI 'CRUZAN'	2' CAL B4B
	HOTWINGS MAPLE	ACER TATARICUM 'GARANN'	6-8' HT. MULTI-STEM
	ROYAL RAINDROPS CRABAPPLE	MALUS x 'JFS-KK5'	2' CAL B4B
	SPRING SNOW CRABAPPLE	MALUS 'SPRINGSNOW'	2' CAL B4B
SHRUBS/ORNAMENTAL GRASSES/PERENNIALS			
	ARIZONA SUN GAILLARDIA	GAILLARDIA x 'ARIZONA SUN'	1 GAL
	BLACK EYED SUSAN	RUBICEKIA FULGIDA 'GOLDSTRUM'	1 GAL
	BLUE GRAMMA GRASS	BOUTELOUA GRACILIS 'BLONDE AMBITION'	1 GAL
	BLUE MIST SPIREA	CARYOPTERIS x CLANDONENSIS 'BLUE MIST'	2 GAL
	BLUE OAT GRASS	HELICTOTRICHON SEMPERVIRENS	1 GAL
	BLUE RUG JUNIPER	JUNIPERUS HORIZONTALIS 'WILTONI'	3 GAL
	PURPLE CONEFLOWER	ECHINACEA PURPUREA	1 GAL
	RED FLOWER CARPET ROSE	ROSA 'FLOWER CARPET- NOARE'	2 GAL
	DARTS GOLD NINEBARK	PHYSOCARPUS OPULIFOLIUS 'DARTS GOLD'	3 GAL
	STELLA DE ORO DAYLILLY	HEMEROCALLIS 'STELLA D'ORO'	1 GAL
	FINE LINE BUCKTHORN	RHAMNUS FRAGILIS 'RON WILLIAMS'	5 GAL
	GRO-LOW SUMAC	RHUS AROMATICA 'GRO-LOW'	3 GAL
	RED HOT POKER	KNIPHOFIA UVARIA 'FLAMENCO'	1 GAL
	HUSKER RED PENSTEMON	PENSTEMON DIGITALIS 'HUSKER RED'	1 GAL
	IVORY HALO DOGWOOD	CORNUS ALBA 'BAILHALO'	5 GAL
	KARL FOERSTER REED GRASS	CALAMAGROSTIS ARUNDINACEA 'K.F.'	1 GAL
	LITTLE DEVIL NINEBARK	PHYSOCARPUS OPULIFOLIUS 'DONNA MAY'	3 GAL
	HIDCOTE BLUE ENGLISH LAVENDER	LAVANDULA ANGUSTIFOLIA 'HIDCOTE BLUE'	1 GAL
	IVORY TOWER YUCCA	YUCCA FILAMENTOSA 'IVORY TOWER'	3 GAL
	MAIDEN GRASS	MISCANTHUS SINENSIS 'GRACILLINUS'	1 GAL
	BRAKELIGHTS RED YUCCA	HESPERALOE PARVIFLORA 'PERFA'	3 GAL
	SUMMERWINE NINEBARK	PHYSOCARPUS OPULIFOLIA 'SEWARD'	5 GAL
	TIGER EYE SUMAC	RHUS TYPHINA 'BAILTIGER'	5 GAL



NOTES

- ALL LANDSCAPE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF KUNA ORDINANCE REQUIREMENTS.
- ALL PLANTING AREAS TO BE WATERED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.
- TREES SHALL NOT BE PLANTED WITHIN THE 10-FOOT CLEAR ZONE OF ALL ACHD STORM DRAIN PIPE, STRUCTURES, OR FACILITIES IN PARKSTRIPS. SEEPAGE BEDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM. ALL SHRUBS PLANTED OVER OR ADJACENT TO SEEPAGE BEDS TO HAVE A ROOT BALL THAT DOES NOT EXCEED 18" IN DIAMETER. NO LAWN SOD TO BE PLACED OVER DRAINAGE SWALE SAND WINDOWS. ACHD STORMWATER BASINS AND SWALES SHALL BE LANDSCAPED ACCORDING TO THE 'ADA COUNTY HIGHWAY DISTRICT STORMWATER MANAGEMENT BASIN REVEGETATION GUIDANCE MANUAL' (OCTOBER 2017) IN APPENDIX D.
- NO TREES SHALL IMPEDE THE 40' VISION TRIANGLES AT ALL INTERSECTIONS. NO CONIFEROUS TREES OR SHRUBS OVER 3' HIGH AT MATURITY WILL BE LOCATED WITHIN VISION TRIANGLE OR ACHD ROW. AS TREES MATURE, THE OWNER SHALL BE RESPONSIBLE FOR PRUNING TREE CANOPIES TO MEET ACHD REQUIREMENTS FOR MAINTAINING CLEAR VISIBILITY WITHIN 40' STREET AND DEPARTURE VISION TRIANGLE. TREES SHALL BE PLANTED NO CLOSER THAN 50' FROM INTERSECTION STOP SIGNS.
- CLASS II TREES AND LANDSCAPE IN FRONT OF BUILDING LOTS ON INTERIOR STREETS TO BE COMPLETED DURING CONSTRUCTION ON THESE LOTS. TREE LOCATIONS MAY BE ALTERED TO ACCOMMODATE DRIVEWAYS AND UTILITIES. TREES MUST BE CLASS II AND SHALL NOT BE PLANTED WITHIN 5' OF WATER METERS OR UNDERGROUND UTILITY LINES.
- PLAYGROUND, PICNIC STRUCTURE, AND AMENITIES ARE SHOWN SCHEMATICALLY. AMENITIES MAY VARY SLIGHTLY IN FINAL DESIGN FOR AMENITY CONFIGURATIONS AND ADA COMPLIANCE.
- PLANT LIST IS REPRESENTATIVE AND SUBJECT TO ADDITIONS AND/OR SUBSTITUTIONS OF SIMILAR SPECIES THAT ARE SUBJECT TO CITY FORESTER'S PRE-APPROVAL. PLANTING BED DESIGN AND QUANTITIES MAY BE ALTERED DURING FINAL PLAT LANDSCAPE PLAN DESIGN. BURLAP AND WIRE BASKETS TO BE REMOVED FROM ROOT BALL AS MUCH AS POSSIBLE, AT LEAST HALFWAY DOWN THE BALL OF THE TREE. ALL NYLON ROPES TO BE COMPLETELY REMOVED FROM TREES.
- THERE ARE NO EXISTING TREES ON SITE. NO MITIGATION IS REQUIRED.



LANDSCAPE CALCULATIONS

RESIDENTIAL LANDSCAPE BUFFERS ARE REQUIRED TO BE PLANTED WITH THE FOLLOWING PLANTS PER 100 LINEAR FEET: TWO (2) SHADE TREES, THREE (3) EVERGREEN TREES, AND TWELVE (12) SHRUBS.

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			64 EVERGREENS 276 SHRUBS	71 EVERGREENS 276+ SHRUBS
COMMON AREA		247,465' / 800' =	304 TREES	201 COMMON LOT TREES (SHADE, ORNAMENTAL & EVERGREEN TREES) 110 RESIDENTIAL PARKSTRIP TREES 311 TREES

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BRAEBURN CREEK SUBDIVISION

KUNA, ID

PRELIMINARY PLAT LANDSCAPE PLAN

DEVELOPER
TOLL SOUTHWEST LLC
ADAM CAPELL
3103 W. SHERYL DR., STE 100
MERIDIAN, ID 83642

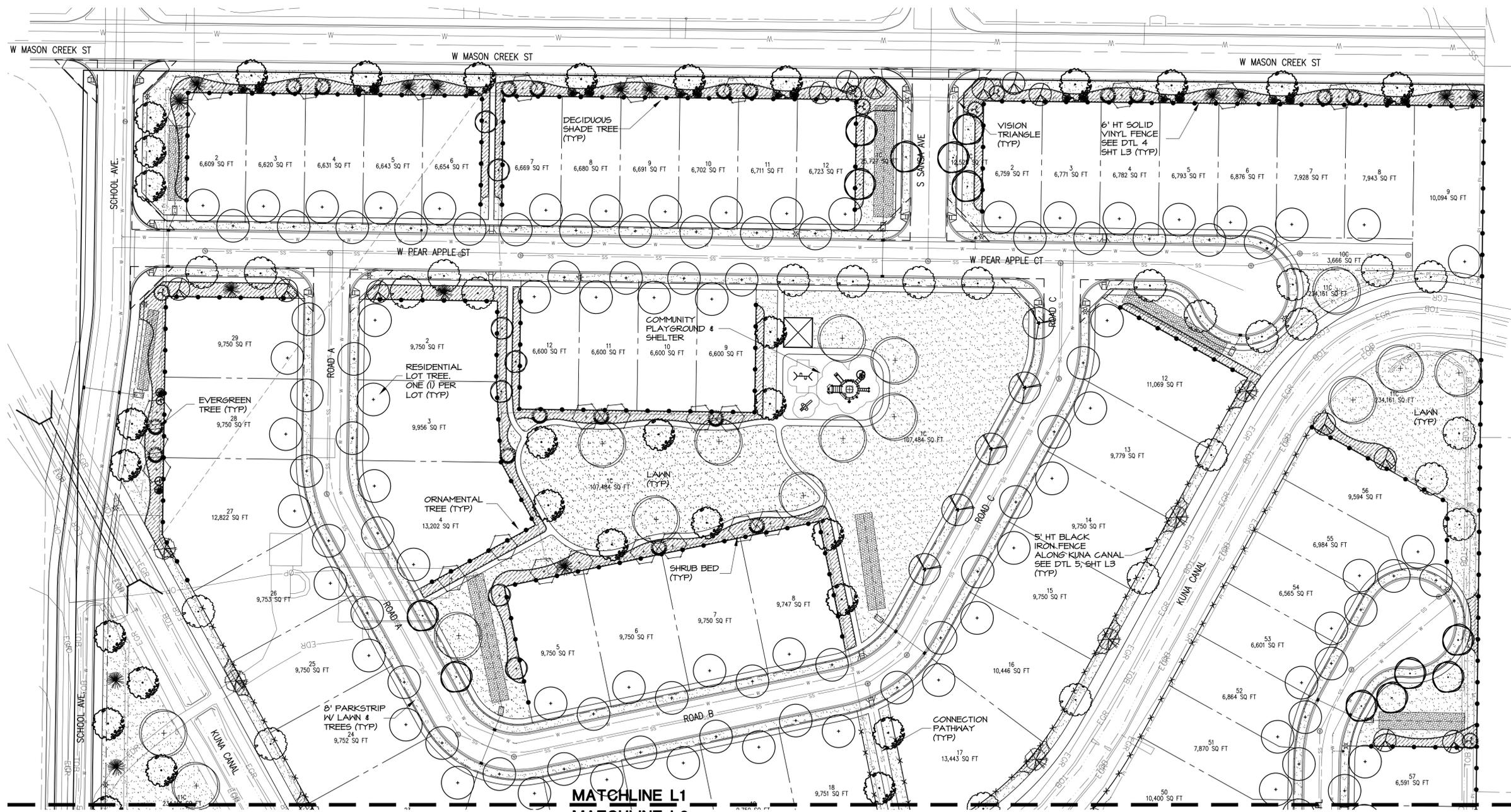
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FEBRUARY 15, 2022



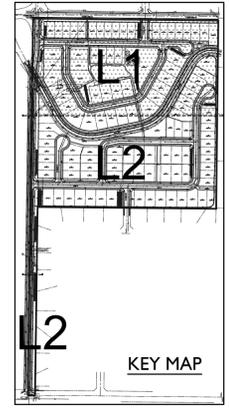
PLANT PALETTE

(REFERENCE SHT L3)

SYM	COMMON NAME	SYM	COMMON NAME	SYM	DESCRIPTION
EVERGREEN TREES			SHRUBS/ORNAMENTAL GRASSES/PERENNIALS		
	AUSTRIAN PINE		ARIZONA SUN GAILLARDIA		LAWN SOD
	BLACK HILLS SPRUCE		BLACK EYED SUSAN		6' VINYL FENCE ADJACENT TO COMMON AREAS AND ALONG PERIMETER PROPERTY LINES (TYP). SEE DTL 4, SHT L3.
	FAT ALBERT BLUE SPRUCE		BLUE GRAMMA GRASS		5' BLACK IRON FENCE AT BACK OF LOTS ADJACENT TO KUNA CANAL (TYP). SEE DTL 5, SHT L3.
	MOON GLOW JUNIPER		BLUE MIST SPIREA		
	NORWAY SPRUCE		BLUE OAT GRASS		
	VANDERWOLF'S PINE		BLUE RUG JUNIPER		
SHADE TREES (CLASS III)				PURPLE CONEFLOWER	
	BLOODGOOD LONDON PLANETREE		RED FLOWER CARPET ROSE		
	SWAMP OAK		DARTS GOLD NINEBARK		
SHADE/STREET TREES (CLASS II)				STELLA DE ORO DAYLILLY	
	CRIMSON SPIRE OAK		FINE LINE BUCKTHORN		
	CHANTICLEER PEAR		GRO-LOW SUMAC		
	SKYLINE HONEYLOCUST		RED HOT POKER		
	GREENSPIRE LINDEN		HUSKER RED PENSTEMON		
	TULIP TREE		IVORY HALO DOGWOOD		
	GREEN VASE ZELKOVA		KARL FOERSTER REED GRASS		
ORNAMENTAL TREES (CLASS I)				LITTLE DEVIL NINEBARK	
	FLAME AMUR MAPLE		HIDCOTE BLUE ENGLISH LAVENDER		
	CANADA RED CHOKECHERRY		IVORY TOWER YUCCA		
	CRUZAN CRUSADER HAWTHORN		MAIDEN GRASS		
	HOTWINGS MAPLE		BRAKELIGHTS RED YUCCA		
	ROYAL RAINDROPS CRABAPPLE		SUMMERWINE NINEBARK		
	SPRING SNOW CRABAPPLE		TIGER EYE SUMAC		

NOTES

1. REFER TO SHEET L3 FOR PLANT PALETTE, DEVELOPMENT DATA, LANDSCAPE CALCULATIONS, LANDSCAPE DETAILS.



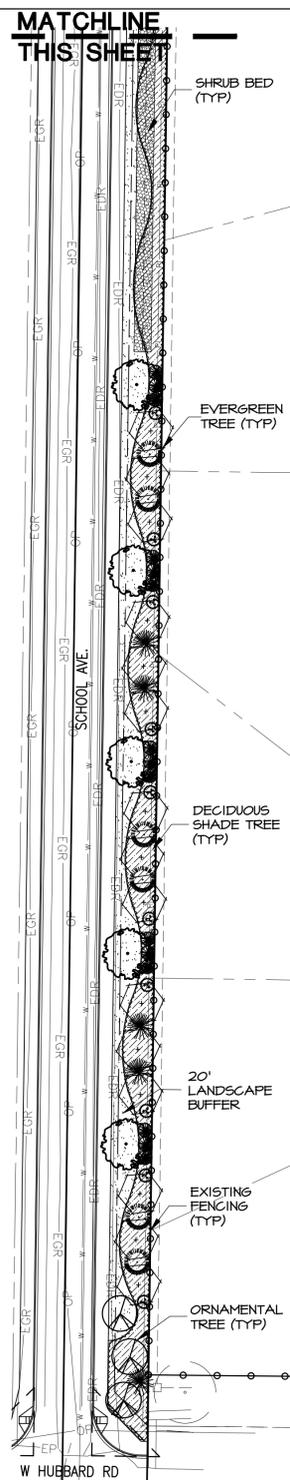
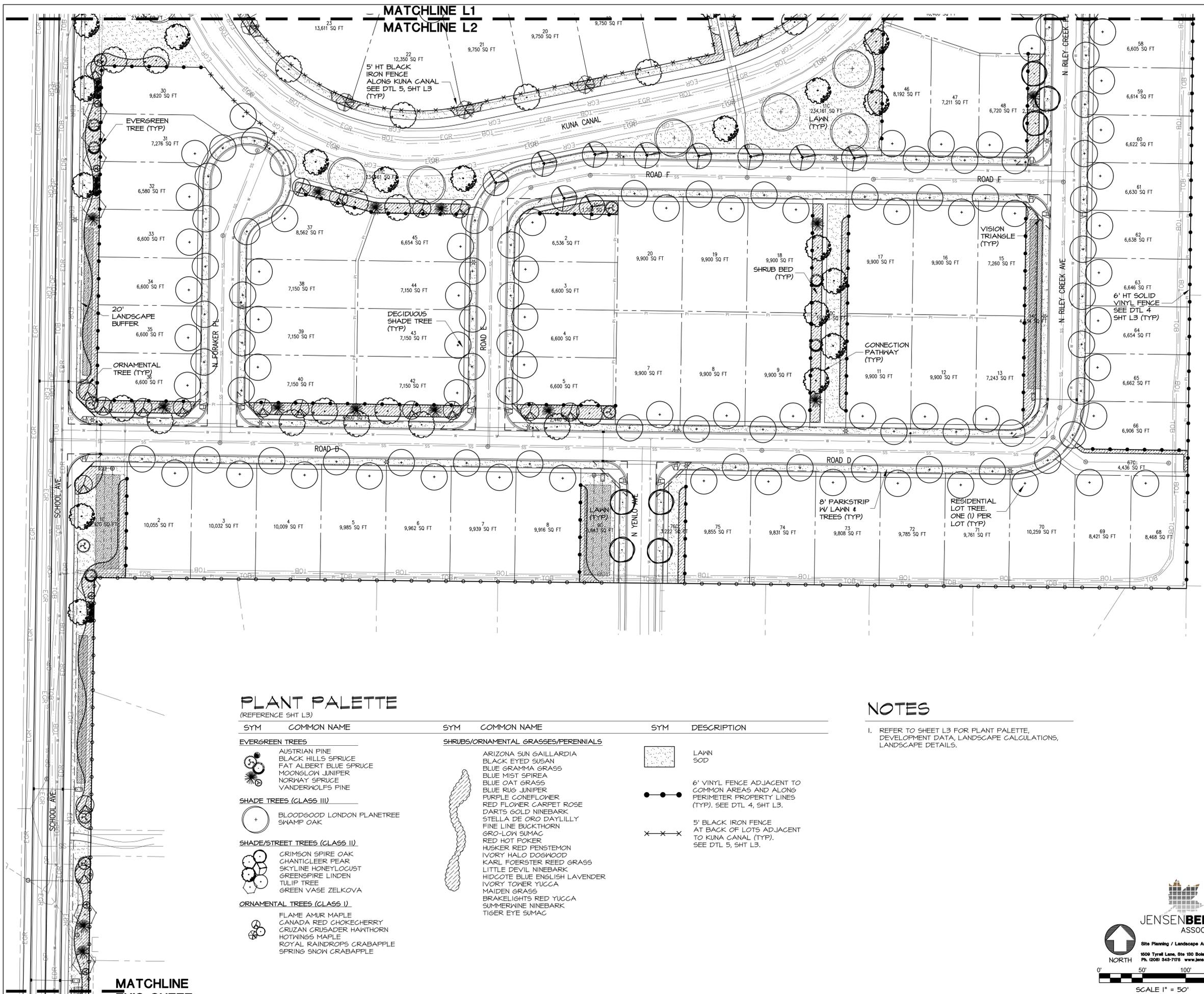
Issue Description	Date
ISSUE	2-15-22



JENSENBELTS ASSOCIATES
 Site Planning
 Landscape Architecture
 1509 Tyrell Lane, Ste 130
 Boise, Idaho 83708
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 www.jensenbelts.com

BRAEBURN CREEK SUBDIVISION
 KUNA, ID
PRELIMINARY PLAT LANDSCAPE PLAN

Job Number	2160
Drawn	Checked
JUN	KCS
Scale	AS SHOWN
Sheet Title	LANDSCAPE PLAN
Sheet Number	L1
	2 of 4 Sheets



PLANT PALETTE
(REFERENCE SHT L3)

SYM	COMMON NAME	SYM	COMMON NAME	SYM	DESCRIPTION
EVERGREEN TREES			SHRUBS/ORNAMENTAL GRASSES/PERENNIALS		
	AUSTRIAN PINE BLACK HILLS SPRUCE FAT ALBERT BLUE SPRUCE MOONGLOW JUNIPER NORWAY SPRUCE VANDERWOLFS PINE		ARIZONA SUN GAILLARDIA BLACK EYED SUSAN BLUE GRAMA GRASS BLUE MIST SPIREA BLUE OAT GRASS BLUE RUG JUNIPER PURPLE CONEFLOWER RED FLOWER CARPET ROSE DARTS GOLD NINEBARK STELLA DE ORO DAYLILLY FINE LINE BUCKTHORN GRO-LOW SUMAC RED HOT POKER HUSKER RED PENSTEMON IVORY HALO DOGWOOD KARL FOERSTER REED GRASS LITTLE DEVIL NINEBARK HIDCOTE BLUE ENGLISH LAVENDER IVORY TOWER YUCCA MAIDEN GRASS BRAKELIGHTS RED YUCCA SUMMERWINE NINEBARK TIGER EYE SUMAC		LAWN SOD
	SHADE TREES (CLASS III) BLOODGOOD LONDON PLANETREE SWAMP OAK		6" VINYL FENCE ADJACENT TO COMMON AREAS AND ALONG PERIMETER PROPERTY LINES (TYP). SEE DTL 4, SHT L3.		5' BLACK IRON FENCE AT BACK OF LOTS ADJACENT TO KUNA CANAL (TYP). SEE DTL 5, SHT L3.
	SHADE/STREET TREES (CLASS II) CRIMSON SPIRE OAK CHANTICLEER PEAR SKYLINE HONEYLOCUST GREENSPIRE LINDEN TULIP TREE GREEN VASE ZELKOVA				
	ORNAMENTAL TREES (CLASS I) FLAME AMUR MAPLE CANADA RED CHOKECHERRY CRUZAN CRUSADER HAWTHORN HOTWINGS MAPLE ROYAL RAINDROPS CRABAPPLE SPRING SNOW CRABAPPLE				

NOTES

1. REFER TO SHEET L3 FOR PLANT PALETTE, DEVELOPMENT DATA, LANDSCAPE CALCULATIONS, LANDSCAPE DETAILS.

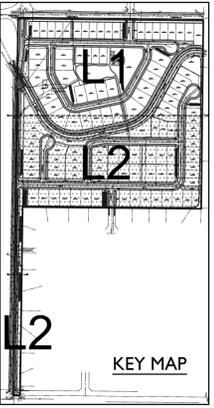
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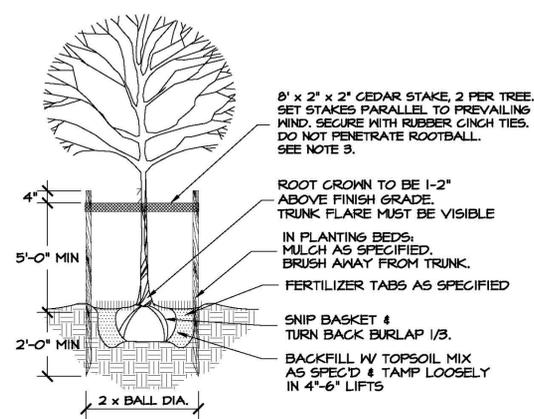
BRAEBURN CREEK SUBDIVISION
KUNA, ID
PRELIMINARY PLAT LANDSCAPE PLAN

Job Number 2160	
Drawn JJN	Checked KCS
Scale AS SHOWN	
Sheet Title	
LANDSCAPE PLAN	
Sheet Number	
L2	
3 of 4 Sheets	



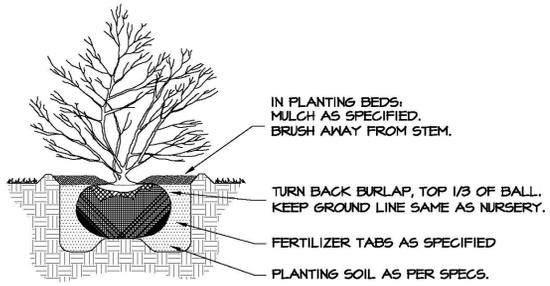
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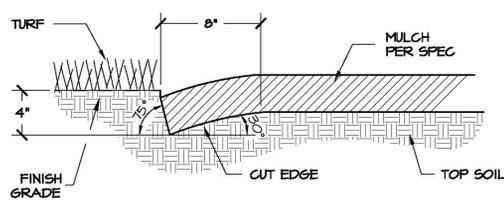
NOTES:
 1. REMOVE ALL TWINE, ROPE, OR BINDINGS FROM ALL TRUNKS.
 2. REMOVE BURLAP AND WIRE BASKETS FROM THE TOP 1/3 OF ALL ROOT BALLS AFTER PLANTING. IF SYNTHETIC WRAP/BURLAP IS USED, IT MUST BE COMPLETELY REMOVED.
 3. STAKING OF TREES TO BE THE CONTRACTOR'S OPTION; HOWEVER, THE CONTRACTOR IS RESPONSIBLE TO INSURE THAT ALL TREES ARE PLANTED STRAIGHT AND REMAIN STRAIGHT FOR A MIN OF 1 YEAR. ALL STAKING SHALL BE REMOVED AT THE END OF THE 1 YEAR WARRANTY PERIOD.
 4. TREES PLANTED IN TURF AREAS: REMOVE TURF 3' DIA. FROM TREE TRUNK.

1 TREE PLANTING/STAKING
 NOT TO SCALE

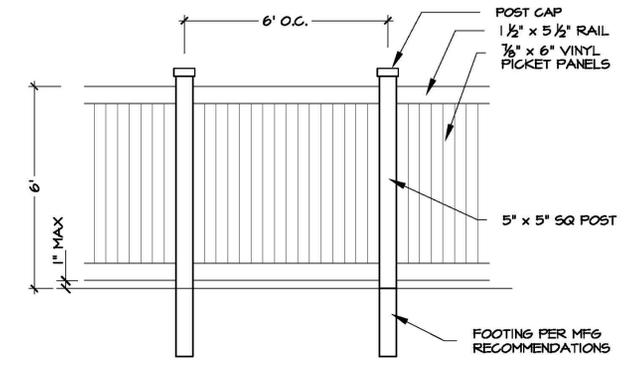


NOTE: DIG HOLE TWICE THE SIZE OF ROOTBALL.

2 SHRUB PLANTING
 NOT TO SCALE

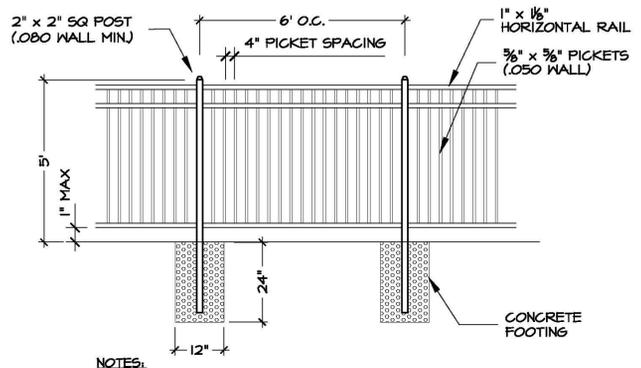


3 PLANTER CUT BED EDGE
 NOT TO SCALE



NOTES:
 1. FENCE TO STEP DOWN TO 3' HEIGHT 20' FROM ROW.
 2. VINYL FENCE STYLE MAY VARY SLIGHTLY.

4 VINYL PRIVACY FENCE
 NOT TO SCALE

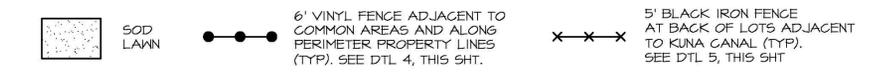


NOTES:
 1. IRON FENCE STYLE MAY VARY SLIGHTLY. ALL GALVANIZED & POWDERCOATED BLACK.

5 IRON FENCE
 NOT TO SCALE

PLANT PALETTE

SYM	COMMON NAME	BOTANICAL NAME	SIZE
EVERGREEN TREES			
●	AUSTRIAN PINE	PINUS NIGRA	6-8' HT B4B
●	BLACK HILLS SPRUCE	PICEA GLAUCA 'DENSATA'	6-8' HT B4B
●	FAT ALBERT BLUE SPRUCE	PICEA FURGENS 'FAT ALBERT'	6-8' HT B4B
●	MOONGLOW JUNIPER	JUNIPERUS SCOPULORUM 'MOONGLOW'	6-8' HT B4B
●	NORWAY SPRUCE	PICEA ABIES	6-8' HT B4B
●	VANDERWOLFS PINE	PINUS FLEXILIS 'VANDERWOLFS'	6-8' HT B4B
SHADE TREES (CLASS III)			
○	BLOODGOOD LONDON PLANETREE	PLATANUS x ACERIFOLIA 'BLOODGOOD'	2" CAL B4B
○	SWAMP OAK	QUERCUS BICOLOR	2" CAL B4B
SHADE/STREET TREES (CLASS II)			
○	CRIMSON SPIRE OAK	QUERCUS ROBUR x Q. ALBA 'GRIMSCHMIDT'	2" CAL B4B
○	CHANTICLEER PEAR	PYRUS CALLERYANA 'GLEN'S FORM'	2" CAL B4B
○	SKYLINE HONEYLOCUST	GLEDITSIA TRIACANTHOS INERMIS 'SKYCOLE'	2" CAL B4B
○	GREENSPIRE LINDEN	TILIA CORDATA 'GREENSPIRE'	2" CAL B4B
○	TULIP TREE	LIRIODENDRON TULIPIFERA	2" CAL B4B
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○	CRUZAN CRUSADER HAWTHORN	CRATAEGUS GRUS-GALLI 'CRUZAM'	2" CAL B4B
○	HOTTINGERS MAPLE	ACER TATARICUM 'GARANN'	6-8' HT, MULTI-STEM
○	ROYAL RAINDROPS CRABAPPLE	MALUS x 'JES-KAB'	2" CAL B4B
○	SPRING SNOW CRABAPPLE	MALUS 'SPRINGSNOW'	2" CAL B4B
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○	RED FLOWER CARPET ROSE	ROSA 'FLOWER CARPET- NOARE'	2 GAL
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○	FINE LINE BUCKTHORN	RHAMNUS FRAGULA 'IRON WILLIAMS'	5 GAL
○	GRO-LOW SUMAC	RHUS AROMATICA 'GRO-LOW'	3 GAL
○	RED HOT POKER	KNIPHOFIA UVARIA 'FLAMENCO'	1 GAL
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○	IVORY TOWER YUCCA	YUCCA FILAMENTOSA 'IVORY TOWER'	3 GAL
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○	BRAKELIGHTS RED YUCCA	HESPERALOE PARVIFLORA 'PERPA'	3 GAL
○	SUMMERWINE NINEBARK	PHYSOCARPUS OPULIFOLIA 'SEWARD'	5 GAL
○	TIGER EYE SUMAC	RHUS TYPHINA 'BAILTIGER'	5 GAL



NOTES

- ALL LANDSCAPE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF KUNA ORDINANCE REQUIREMENTS.
- ALL PLANTING AREAS TO BE WATERED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.
- TREES SHALL NOT BE PLANTED WITHIN THE 10-FOOT CLEAR ZONE OF ALL ACHD STORM DRAIN PIPE, STRUCTURES, OR FACILITIES IN PARKSTRIPS. SEE PAGE BEDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM. ALL SHRUBS PLANTED OVER OR ADJACENT TO SEEPAGE BEDS TO HAVE A ROOT BALL THAT DOES NOT EXCEED 18" IN DIAMETER. NO LAWN SOD TO BE PLACED OVER DRAINAGE SHALE SAND WINDOWS, ACHD STORMWATER BASINS AND SWALES SHALL BE LANDSCAPED ACCORDING TO THE 'ADA COUNTY HIGHWAY DISTRICT STORMWATER MANAGEMENT BASIN REVEGETATION GUIDANCE MANUAL' (OCTOBER 2017) IN APPENDIX D.
- NO TREES SHALL IMPEDE THE 40' VISION TRIANGLES AT ALL INTERSECTIONS. NO CONIFEROUS TREES OR SHRUBS OVER 3' HIGH AT MATURITY WILL BE LOCATED WITHIN VISION TRIANGLE OR ACHD ROW. AS TREES MATURE, THE OWNER SHALL BE RESPONSIBLE FOR PRUNING TREE CANOPIES TO MEET ACHD REQUIREMENTS FOR MAINTAINING CLEAR VISIBILITY WITHIN 40' STREET AND DEPARTURE VISION TRIANGLE. TREES SHALL BE PLANTED NO CLOSER THAN 50' FROM INTERSECTION STOP SIGNS.
- CLASS II TREES AND LANDSCAPE IN FRONT OF BUILDING LOTS ON INTERIOR STREETS TO BE COMPLETED DURING CONSTRUCTION ON THESE LOTS. TREE LOCATIONS MAY BE ALTERED TO ACCOMMODATE DRIVENWAYS AND UTILITIES. TREES MUST BE CLASS II AND SHALL NOT BE PLANTED WITHIN 5' OF WATER METERS OR UNDERGROUND UTILITY LINES.
- PLAYGROUND, PICNIC STRUCTURE, AND AMENITIES ARE SHOWN SCHEMATICALLY. AMENITIES MAY VARY SLIGHTLY IN FINAL DESIGN FOR AMENITY CONFIGURATIONS AND ADA COMPLIANCE.
- PLANT LIST IS REPRESENTATIVE AND SUBJECT TO ADDITIONS AND/OR SUBSTITUTIONS OF SIMILAR SPECIES THAT ARE SUBJECT TO CITY FORESTER'S PRE-APPROVAL. PLANTING BED DESIGN AND QUANTITIES MAY BE ALTERED DURING FINAL PLANT LANDSCAPE PLAN DESIGN. BURLAP AND WIRE BASKETS TO BE REMOVED FROM ROOT BALL AS MUCH AS POSSIBLE, AT LEAST HALF-WAY DOWN THE BALL OF THE TREE. ALL NYLON ROPES TO BE COMPLETELY REMOVED FROM TREES.
- THERE ARE NO EXISTING TREES ON SITE. NO MITIGATION IS REQUIRED.

LANDSCAPE CALCULATIONS

RESIDENTIAL LANDSCAPE BUFFERS ARE REQUIRED TO BE PLANTED WITH THE FOLLOWING PLANTS PER 100 LINEAR FEET: TWO (2) SHADE TREES, THREE (3) EVERGREEN TREES, AND TWELVE (12) SHRUBS.

LOCATION	BUFFER WIDTH	LENGTH	REQUIRED	PROVIDED
W. MASON CREEK ST.	20'	1,180' / 100' =	24 TREES	24 TREES (21 SHADE TREES + 6 ORNAMENTAL TREES)
			36 EVERGREENS 144 SHRUBS	40 EVERGREENS 144+ SHRUBS
SCHOOL AVE.	20'	2,340' / 100' =	46 TREES	47 TREES (43 SHADE TREES + 8 ORNAMENTAL TREES)
			64 EVERGREENS 276 SHRUBS	71 EVERGREENS 276+ SHRUBS
COMMON AREA		247,465' / 800' =	309 TREES	201 COMMON LOT TREES (SHADE, ORNAMENTAL & EVERGREEN TREES) 110 RESIDENTIAL PARKSTRIP TREES 311 TREES

TOTAL NUMBER OF BUFFER TREES:	175 TREES	184 TREES
TOTAL NUMBER OF COMMON AREA TREES:		201 TREES
RESIDENTIAL PARKSTRIP TREES:		110 TREES
RESIDENTIAL LOTS (1 TREE PER LOT):		114 TREES
TOTAL NUMBER OF LOTS OF TREES		614 TREES

DEVELOPMENT DATA

TOTAL AREA	41.48 ACRES
RESIDENTIAL LOTS	114
COMMON LOTS	15
TOTAL LOTS	129
QUALIFIED OPEN SPACE	5.34 AC (12.9%)
EXISTING ZONING	RR
PROPOSED ZONING	RR-6

DEVELOPER
 TOLL SOUTHWEST LLC
 ADAM CAPELL
 3103 W. SHERYL DR., STE. 100
 MERIDIAN, ID 83642

CIVIL ENGINEER
 ESE CONSULTANTS, INC.
 MARK ZARNOWSKY, P.E.
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JENSENBELTS ASSOCIATES
 Site Planning / Landscape Architecture
 1509 Tyrrell Lane, Ste 150 Boise, ID 83706
 Ph: (208) 348-7176 www.jensenbelts.com

Issue	Description	Date
ISSUE		2-15-22



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BRAEBURN CREEK SUBDIVISION
 KUNA, ID
PRELIMINARY PLAT LANDSCAPE PLAN

Job Number 2160

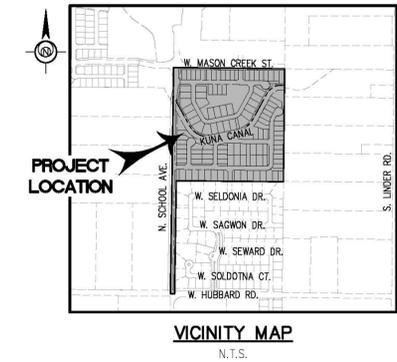
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LANDSCAPE PLAN

Sheet Number
L3
 4 of 4 Sheets

PRELIMINARY PLAT FOR BRAEBURN CREEK SUBDIVISION

PROPERTY LOCATED IN THE W 1/2 OF THE SE 1/4 OF SECTION 11, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN
ADA COUNTY, IDAHO



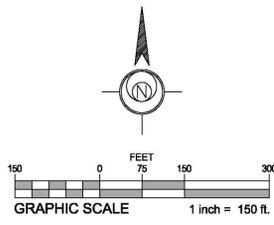
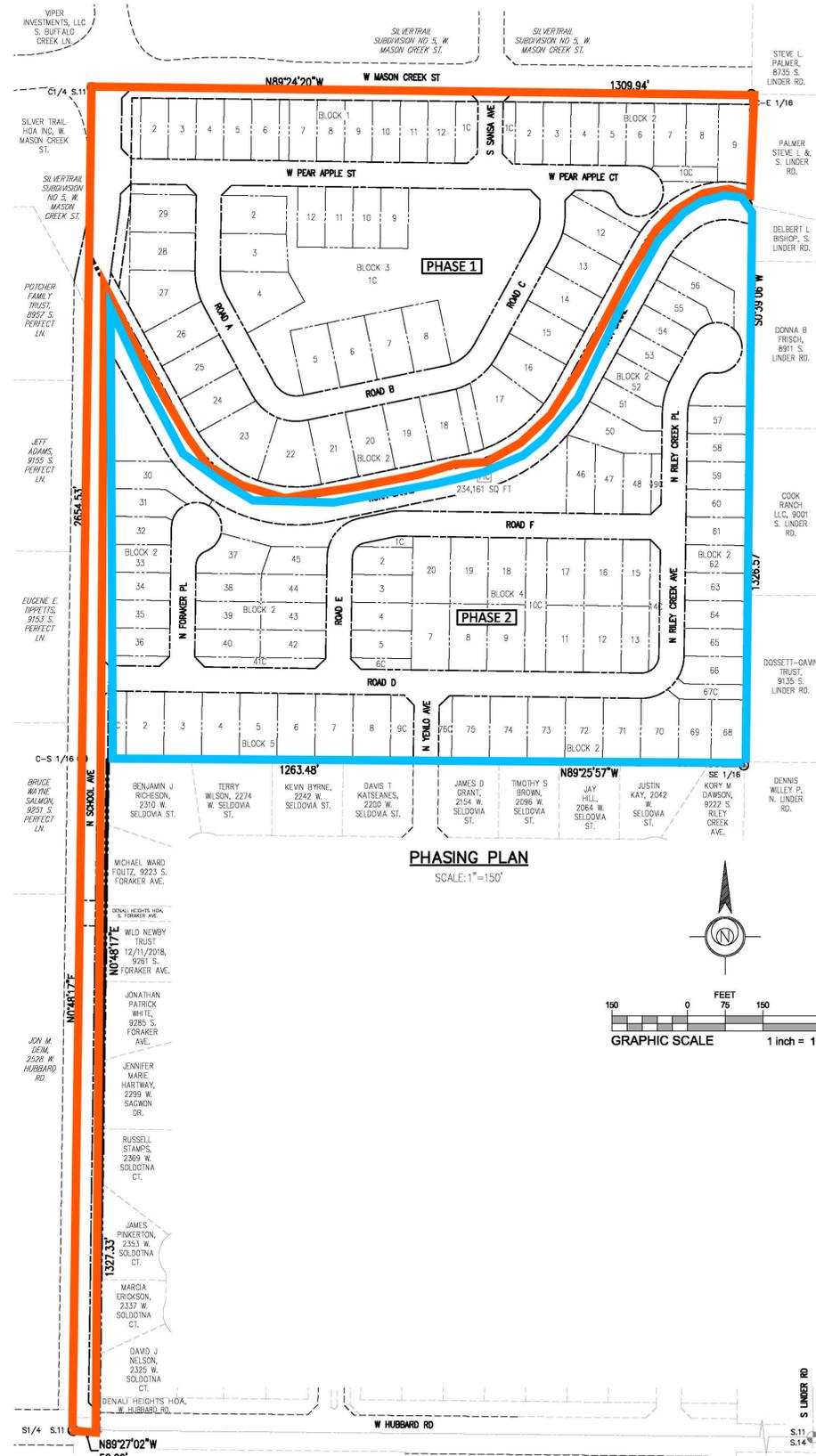
PHASING SUMMARY	
PHASE	LOTS
1	48
2	66
TOTAL	114

PRELIMINARY PLAT NOTES

- ANY RE-SUBDIVISION OF THIS PLAT SHALL CONFORM WITH THE APPLICABLE CITY OF KUNA ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
- ALL STREETS PROPOSED WITHIN THIS DEVELOPMENT ARE PUBLIC STREETS AND SHALL BE CONSTRUCTED IN ACCORDANCE WITH ADA COUNTY HIGHWAY DISTRICT STANDARDS (AChD).
- DIRECT LOT ACCESS TO N. SCHOOL AVE. AND W. MASON CREEK ST. IS PROHIBITED.
- LOT 1, BLOCK 1; LOTS 1, 10, 11, 41, 49, 67, AND 76, BLOCK 2; LOT 1, BLOCK 3; LOTS 1, 6, 10, AND 14, BLOCK 4; AND LOTS 1 AND 9, BLOCK 5 ARE COMMON LOTS AND SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
- THIS DEVELOPMENT RECOGNIZES IDAHO CODE SECTION 22-4503, RIGHT TO FARM ACT, WHICH STATES, "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION, AGRICULTURAL FACILITY, OR EXPANSION THEREOF."
- SANITARY SEWER SERVICE, DOMESTIC WATER SERVICE, AND FIRE PROTECTION WATER SHALL BE PROVIDED BY THE CITY OF KUNA.
- IRRIGATION WATER SERVICE IS PROVIDED TO THIS PROPERTY BY THE EXISTING KUNA CANAL.
- BUILDING SETBACKS AND DIMENSIONAL STANDARDS SHALL BE IN ACCORDANCE WITH THE CITY OF KUNA STANDARDS, AS SHOWN ON THIS PLAN.
- STORMWATER RUNOFF GENERATED ON THIS SITE SHALL BE COLLECTED AND CONVEYED TO STORMWATER FACILITIES IN ACCORDANCE WITH AChD AND CITY OF KUNA REQUIREMENTS.

LEGEND

	PROPERTY BOUNDARY LINE		PROPOSED GRAVITY IRRIGATION
	EXISTING LOT LINE		PROPOSED PRESSURE IRRIGATION
	EXISTING EASEMENT LINE		PROPOSED EDGE OF PAVEMENT
	EXISTING BARB WIRE FENCE LINE		PROPOSED STORM PIPE
	EXISTING IRRIGATION		PROPOSED PHASE BOUNDARY
	EXISTING POWER LINE		PROPOSED SEEPAGE BED
	EXISTING SANITARY SEWER LINE		PROPOSED SAND AND GREASE TRAP
	EXISTING CABLE TV PER UTILITY MAP		PROPOSED STORM MANHOLE
	EXISTING WATER LINE		PROPOSED STORM CATCH BASIN
	EXISTING EDGE OF PAVEMENT		PROPOSED GRAVITY IRRIGATION BOX
	EXISTING EDGE OF GRAVEL		PROPOSED GRAVITY IRRIGATION MANHOLE
	EXISTING STORM PIPE		PROPOSED FIRE HYDRANT
	PROPOSED LOT LINE		PROPOSED SANITARY MANHOLE
	PROPOSED RIGHT-OF-WAY		STREET NAME
	PROPOSED ROAD CENTERLINE		PROPOSED STREET LIGHT
	PROPOSED 3" ROLLED CURB		TEST PIT/MONITORING WELL
	PROPOSED 6" VERTICAL CURB & CUTTER		MAILBOX
	PROPOSED 6" VERTICAL CURB (NOT CUTTER)		SIGN
	PROPOSED SIDEWALK		BLOCK NUMBER
	PROPOSED 8" SANITARY SEWER		SINGLE-FAMILY LOT NUMBER
	PROPOSED 8" POTABLE WATER		COMMON LOT NUMBER
			MONUMENTS



SHEET INDEX	
SHEET	SHEET TITLE
1	COVER SHEET
2	NOTES AND SECTIONS
3	NATURAL FEATURES MAP
4	PRELIMINARY PLAT
5	PRELIMINARY PLAT
6	PRELIMINARY ENGINEERING PLAN
7	PRELIMINARY ENGINEERING PLAN
8	PRELIMINARY GRADING AND DRAINAGE PLAN

LAND USE SUMMARY	
OVERALL PROJECT DATA	
CURRENT ZONING	RR (RURAL RESIDENTIAL)
PROPOSED ZONING	R-6 (MEDIUM DENSITY RESIDENTIAL)
TOTAL PARCEL AREA	41.48 ACRES
COLLECTOR RIGHT OF WAY N. SCHOOL AVE.	3.72 ACRES
RESIDENTIAL RIGHT OF WAY	5.24 ACRES
SINGLE FAMILY RESIDENTIAL LOTS	114
COMMON LOTS	15
SINGLE FAMILY RESIDENTIAL LOT AREA	22.03 ACRES
COMMON LOT AREA	10.49 ACRES
RESIDENTIAL GROSS DENSITY	2.75 UNITS/ACRE
RESIDENTIAL NET DENSITY	3.51 UNITS/ACRE
MINIMUM RESIDENTIAL LOT AREA	6,536 SF
AVERAGE RESIDENTIAL LOT SIZE	8,420 SF

OPEN SPACE SUMMARY	
QUALIFIED OPEN SPACE AREA:	5.34 ACRES
PERCENT QUALIFIED OPEN SPACE:	12.9%

BUILDING SETBACKS	
R-6 ZONE SETBACKS	
FRONT:	20 FT.
REAR:	15 FT.
INTERIOR SIDE:	5 FT.
MINIMUM LOT SIZE:	4,500 SF
MAXIMUM LOT COVERAGE:	40%

DEVELOPER

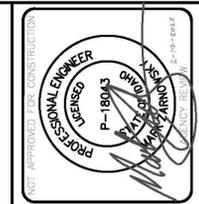
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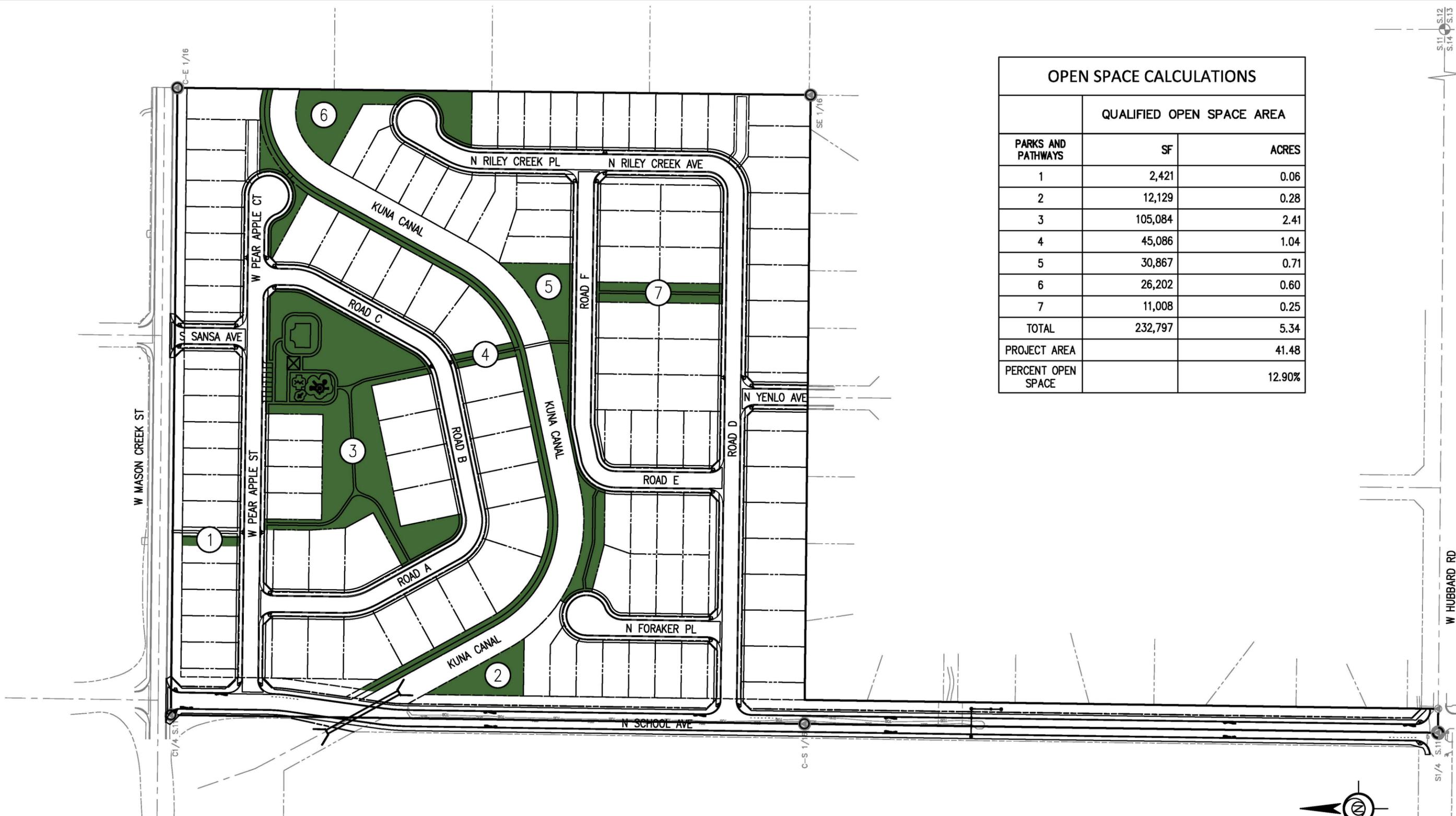
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3103 W. Sheryl Drive • Suite 100 • Meridian, ID 83642
T: 208-424-0020

REV.	DATE	DESCRIPTION
A.	02/14/22	AGENCY SUBMITTAL
B.	02/14/22	AGENCY SUBMITTAL
C.	02/14/22	AGENCY SUBMITTAL
D.	02/14/22	AGENCY SUBMITTAL
E.	02/14/22	AGENCY SUBMITTAL
F.	02/14/22	AGENCY SUBMITTAL
G.	02/14/22	AGENCY SUBMITTAL
H.	02/14/22	AGENCY SUBMITTAL
I.	02/14/22	AGENCY SUBMITTAL
J.	02/14/22	AGENCY SUBMITTAL
K.	02/14/22	AGENCY SUBMITTAL
L.	02/14/22	AGENCY SUBMITTAL
M.	02/14/22	AGENCY SUBMITTAL
N.	02/14/22	AGENCY SUBMITTAL
O.	02/14/22	AGENCY SUBMITTAL
P.	02/14/22	AGENCY SUBMITTAL
Q.	02/14/22	AGENCY SUBMITTAL
R.	02/14/22	AGENCY SUBMITTAL
S.	02/14/22	AGENCY SUBMITTAL
T.	02/14/22	AGENCY SUBMITTAL
U.	02/14/22	AGENCY SUBMITTAL
V.	02/14/22	AGENCY SUBMITTAL
W.	02/14/22	AGENCY SUBMITTAL
X.	02/14/22	AGENCY SUBMITTAL
Y.	02/14/22	AGENCY SUBMITTAL
Z.	02/14/22	AGENCY SUBMITTAL

COVER SHEET
PRELIMINARY PLAT FOR
BRAEBURN CREEK SUBDIVISION
CITY OF KUNA, ADA COUNTY, IDAHO

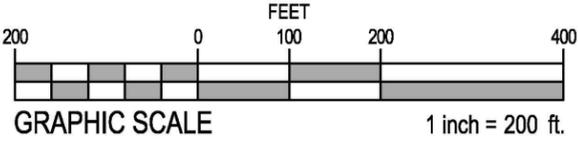
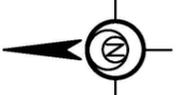
DATE:	02/14/22	SCALE:	AS NOTED
DESIGN:	MRZ	DRAWN:	JBS
JOB NO.:	8179	FILE NAME:	8179-COVER-PP
REF. NO.:			
SHEET NO.:	1	OF	8

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OPEN SPACE CALCULATIONS

PARKS AND PATHWAYS	QUALIFIED OPEN SPACE AREA	
	SF	ACRES
1	2,421	0.06
2	12,129	0.28
3	105,084	2.41
4	45,086	1.04
5	30,867	0.71
6	26,202	0.60
7	11,008	0.25
TOTAL	232,797	5.34
PROJECT AREA		41.48
PERCENT OPEN SPACE		12.90%



**DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS AND
EASEMENTS
FOR THE
BRAEBURN CREEK COMMUNITY**

Toll Brothers
AMERICA'S LUXURY HOME BUILDER®

3103 W. Sheryl Drive, Suite 100
Meridian, Idaho 83642
208-424-0020
Www.Tollbrothers.Com

WELCOME!

We are pleased that you have decided to join the Braeburn Creek Community!

Wonderful amenities and a great location make this community the perfect place to call home. Discover an inviting blend of small-town warmth and natural beauty. This peaceful Kuna enclave feels far removed from busy streets, yet it's still close to the comforts that keep life convenient. A rural environment with countless shopping, dining, and entertainment options abound in nearby Meridian and Boise. Exceptional amenities like a community pool and pool house, serene walking paths, and lush, open green spaces invite relaxation and an active lifestyle. You'll love this community, and we are happy to have you and your family as a part of it.

The following document is the Declaration of Covenants, Conditions, Restrictions and Easements that will govern the Community. The purpose of the Declaration is to:

- Set forth basic residential use restrictions to protect residences of the Community from undesirable or noxious activities.
- Provide the Community will govern itself through the Braeburn Creek Community Association, Inc.
- Provide the procedure for budgets and assessments for Community expenses.
- Provide for the maintenance and improvement of the Community common areas.
- Provide for an environment that is safe, fun and welcoming for the entire family.
- Set forth the rules by which the Community will resolve problems and disputes in a fair, impartial and expeditious manner.

Please read this entire Declaration carefully. It sets forth the rights and obligations of you and the other Community members. We make no representations of any kind (express or implied) through any agent, realtor, employee or other person regarding the Community except as set forth in this Declaration. We expressly disclaim any representations, warranties, statements, or information about the Community not set forth herein.

The following are highlight a few key provisions that may be of interest to you.

Assessments: Owners and Lots are subject to Regular Assessments, Special Assessments, Limited Assessments and Transfer Assessments. The amount of the Assessments will be set by the Association.

You won't get surprise increases in your Regular Assessments!

Regular Assessments will not increase by more than 10% per year unless the Association gives each Owner prior notice and an opportunity to object at an Association meeting. See [Article 5](#).

Association: The Association will be controlled by Developer during the Development Period, as Owners would find the management of the Association during

the Development Period to be unduly burdensome. See Section 10.1. Thereafter, the Association is governed by the Owners. See Article 2.

- Leasing: Owners may always lease to the Owner's family. Owners may also lease to others provided that the initial term lease term is a least one (1) year. **Short-term or vacation rentals are not permitted.** See Section 3.2.
- Flags: The American flag, Idaho flag, POW/MIA flag, any armed forces flags and any police flags are permitted. All other flags are restricted. See Section 3.15.
- Yard Signs: Customary "For Sale", open house, construction and political signs are permitted, but with strict limitations. **No other signs are permitted.** See Section 3.13.
- Holiday Lights: Permitted from November 15 to January 15. See Section 3.18.
- Trash Cans: Trash receptacles, including recycling receptacles, must not be visible from any street except between 8:00 PM on the day before, and 8:00 PM on the day of, the date selected by the trash collector for trash and recycling pick-up. See Section 3.19.
- Irrigation: The Association will provide pressurized irrigation water to each Lot.
- Architectural Review: Each Lot is subject to architectural review approval, to ensure that the quality of the homes in the Community meet the Community's design requirements. See Article 4.
- Pets: Household pets are welcome in the Community. Other animals are prohibited. See Section 3.6.
- Marijuana: No Lot may be used for the sale, cultivation, manufacture, distribution, or marketing of marijuana, whether or not marijuana is otherwise legal. See Section 3.20.
- No Harassment: Community members are prohibited from engaging in any conduct or behavior that constitutes harassment toward any person on the Common Area. See Section 3.21.

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**DECLARATION OF
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR THE
BRAEBURN CREEK COMMUNITY**

This Declaration of Covenants, Conditions, Restrictions and Easements for the Braeburn Creek Community (this “**Declaration**”) is made effective as of the date this Declaration is recorded in the real property records of Ada County, Idaho (the “**Effective Date**”) by Toll Southwest LLC, a Delaware limited liability company (“**Developer**”). Capitalized terms not otherwise defined in the text hereof are defined in Article 1.

WHEREAS, Developer own that certain real property legally described as follows (collectively, the “**Community**”):

All of Braeburn Creek Subdivision, according to the official plat thereof recorded in the real property records of Ada County, Idaho as Instrument No. 2022-_____, a copy of which is attached hereto as Exhibit A (the “**Initial Plat**”).

WHEREAS, Developer desires to record this Declaration to set forth the basic restrictions, covenants, conditions, restrictions, easements and equitable servitudes that will apply to the Community, all of which are designed to protect, enhance and preserve the value, desirability and attractiveness of the Community, and to ensure that the Community is developed in a well-integrated and high-quality manner.

NOW, THEREFORE, Developer hereby declares that the Community, and each Lot and portion thereof, will be held, sold, conveyed, encumbered, hypothecated, leased, used, occupied, and improved in accordance with this Declaration. This Declaration: (a) runs with the land; (b) is binding upon, and inures to the benefit of, any person or entity having or acquiring any right, title or interest in any Lot or portion of the Community; and (c) inures to the benefit of and is binding upon Developer.

ARTICLE 1 SELECT DEFINITIONS

In addition to the terms defined elsewhere in this Declaration, the following terms have the following meanings. Words not defined in this Declaration will have their ordinary meanings, except that words that have well-known real estate industry meanings will have the real estate industry meanings.

“**Articles**” means the current Articles of Incorporation of the Association (which are on file with the Idaho Secretary of State).

“**Assessments**” means the Regular Assessments, Special Assessments, Limited Assessments and Transfer Assessments, and for each together with any late charges, interest and costs incurred in collecting the same, including attorneys’ fees.

“**Association**” means Braeburn Creek Community Association, Inc., an Idaho nonprofit corporation. In the Community Documents and elsewhere, the Association may sometimes be called the “Braeburn Creek Homeowners Association” or words of similar import.

“**Board**” means the Board of Directors of the Association.

“**Community Member**” has the meaning set forth in Section 9.1.

“**Budget**” has the meaning set forth in Section 5.6.

“**Building Envelope**” means the area within a Lot where a residential structure and accessory structures may be located. Unless otherwise designated on the Community Documents, the Building Envelope is that portion of the Lot that is not located within easements or setbacks.

“**Bylaws**” means the Bylaws of the Association.

“**Claims**” has the meaning set forth in Section 9.1.

“**Common Area**” means each of the following real property interests:

- (a) Lots ___ in Block _ of the Initial Plat;
- (b) Lots ___ in Block _ of the Initial Plat;
- (c) Lots ___ in Block _ of the Initial Plat;
- (d) any real property interest designated as Common Area by Developer on any Supplemental Declaration (provided that Developer then owns the real property interest);
- (e) any real property interest conveyed to, and accepted by, the Association as Common Area; and
- (f) any lease, license or other right for amenities or facilities held by the Association.

“**Common Expenses**” has the meaning set forth in Section 5.2.

“**Common Improvements**” means any Improvements owned, maintained or managed by Association, whether or not the Improvements are located in Common Area.

“**Community**” has the meaning set forth in the opening recitals of this Declaration.

“**Community Documents**” means this Declaration, any Plat, the Articles, the Bylaws, the Community Rules and the Design Requirements.

“**Community Rules**” has the meaning set forth in Section 2.6.2.

“**Declaration**” has the meaning set forth in the opening preamble of this Declaration.

“**Design Requirements**” has the meaning set forth in Section 4.1.

“**Developer**” has the meaning set forth in the opening preamble of this Declaration.

“**Developer Member**” has the meaning set forth in Section 2.32.2.

“**Development Period**” means the period expiring on the date Developer informs the Board, in a writing recorded in the real property records of Ada County, Idaho, that Developer no longer wishes to exercise its rights as Developer Member.

“**Effective Date**” has the meaning set forth in the opening preamble of this Declaration.

“**Home Occupation**” has the meaning set forth in Section 3.1.

“**Household Pets**” has the meaning set forth in Section 3.6.

“Improvement” means any structure, facility, system or object, whether permanent or temporary, which is installed, constructed, placed upon or allowed on, under or over any portion of the Community, including residential structures, club houses, pump or lift stations, fences, streets, drives, driveways, parking areas, sidewalks, bridges, bicycle paths, curbs, landscaping, walls, hedges, plantings, trees, wildlife habitat improvements, vegetation, rocks, signs, lights, mailboxes, electrical lines, pipes, pumps, ditches, recreational facilities, grading, road construction and utilities.

“Initial Plat” has the meaning set forth in the Recitals.

“Irrigation System” means the system for delivering seasonal irrigation water to the Community that exists separate and apart from the potable water system. The Irrigation System includes the pump, pump station and related facilities, and includes all pipes, lines, sprinklers, controls and other irrigation equipment located in the Common Area. The Irrigation System does not include the pipes, lines, sprinklers, controls and other irrigation equipment located on each Lot to serve that Lot.

“Levy Meeting” has the meaning set forth in Section 2.6.5.

“Limited Assessment” means a charge against a particular Owner for an expense directly attributable to the Owner, equal to the cost incurred or estimated to be incurred by the Association in connection with corrective action or maintenance, repair, replacement and operation activities performed pursuant to the provisions of this Declaration, including correcting damage to or maintenance, repair, replacement and operation activities performed for any Common Area for the failure of an Owner to keep the Owner’s Lot in proper repair, and including interest thereon as provided in this Declaration or for any goods or services provided by the Association benefiting less than all Owners.

“Lot” means any lot depicted on any Plat.

“Member” means each Owner holding a membership in the Association, including Developer.

“Mortgage” means any mortgage, deed of trust, or other document pledging any portion of the Community or interest therein as security for the payment of a debt or obligation.

“Occupant” means any person that occupies a dwelling structure located on a Lot.

“Owner” means the record owner, whether one or more persons or entities, holding fee simple interest of record to a Lot, and buyers under executory contracts of sale, but excluding those persons or entities having the interest merely as security for the performance of an obligation, unless and until the person or entity has acquired fee simple title pursuant to foreclosure or other proceedings.

“Owner Parties” means, for each Owner, all of the Owner (including all persons or entities that comprise Owner), its Occupants, and the guests of any of them, and the Owner’s contractors and invitees.

“Plat” means the Initial Plat and any future subdivision plat covering any portion of the Community that is lawfully recorded in the Ada County Recorder’s Office.

“Regular Assessments” means assessments that are regularly levied against each Owner and each Lot by the Association to fund the Common Expenses.

“Released Party” has the meaning set forth in Section 2.8.

“**Remedial Period**” has the meaning set forth in Section 2.6.5.

“**Special Assessment**” means an assessment that are levied against each Owner and each Lot by the Association to fund capital expenses (such as capital improvements or equipment purchases, or major repairs or replacements to Common Improvements) or shortages in Regular Assessments.

“**Supplemental Declaration**” has the meaning set forth in Article 12.

“**Transfer Assessment**” has the meaning set forth in Section 5.5.

“**Violation**” has the meaning set forth in Section 2.6.5.

ARTICLE 2 BRAEBURN CREEK COMMUNITY ASSOCIATION

2.1 **Organization of the Association.** Developer has organized the Association to manage the business and affairs of the Community in accordance with applicable law and the Community Documents.

2.2 **Membership.** The Association will have two (2) classes of membership as follows:

2.2.1 *Regular Members.* Each Owner, by virtue of being an Owner and for so long as the ownership is maintained, will be a regular member of the Association. No Owner will have more than one (1) membership in the Association for each Lot owned by the Owner. When more than one (1) person or entity holds an ownership interest in any Lot, all of them will be members. Memberships in the Association will be appurtenant to the Lot or other portion of the Property owned by the Owner. The memberships in the Association must not be transferred, pledged, assigned or alienated in any way except upon the transfer of Owner’s title and then only to the transferee of title. Any prohibited transfer or attempt to make a prohibited membership transfer will be void and will not be reflected on the books of the Association.

2.2.2 *Developer Member.* During the Development Period, Developer will be the “**Developer Member**” of the Association with the sole voting power of the Association. Developer Member will cease to exist on expiration of the Development Period.

2.3 **Membership Meetings; Voting.** The Association will hold an annual meeting of the members and periodic special meetings of the members as set forth in the Bylaws. Prior to expiration of the Development Period, the regular members are not entitled to vote. Upon the expiration of the Development Period, each regular member will be entitled to one (1) vote for each Lot owned by the regular member; provided, however, the vote for any Lot with common ownership will be exercised as the Owners of the Lot determine, but in no event will more than one (1) vote be cast with respect to any Lot.

2.4 **Board of Directors.** The business and affairs of the Association will be managed by the Board. The Board will consist of not less than three (3) directors and no more than five (5) directors. Directors need not be Owners. During the Development Period, Developer Member has the exclusive right to appoint, remove and replace directors at any time and from time-to-time in Developer Member’s sole discretion. After the Development Period, the Owners have the right to elect, remove and replace directors as provided in the Bylaws; provided, however, any vacancies on the Board will be filled by a plurality vote of the remaining directors through a special election at any meeting of the Board.

- 2.5 **Delegation of Authority.** The Board may delegate all or any portion of its powers and duties to committees, officers, employees or agents. The Association may employ or contract for the services of a professional manager or management company to manage its day-to-day affairs; provided, however, the employment or contract must not have a term of not more than two (2) years (with automatically renewable terms acceptable). If the manager is Developer or Developer's affiliate, then the contract must be subject to cancellation by the Association with or without cause, and without payment of a termination fee (but including all fees incurred through the date of termination), so long as the Association provides at least thirty (30) days' prior notice of termination.
- 2.6 **Powers of the Association.** The Association has all the powers of a nonprofit corporation organized under Idaho law and all of the powers and duties set forth in the Community Documents, including the power to perform any and all acts which may be necessary to, proper for, or incidental to the foregoing powers. The powers of the Association include, by way of illustration and not limitation:
- 2.6.1 Assessments. The power to levy Assessments against each Lot (except Common Area) and Owner thereof pursuant to the restrictions enunciated in this Declaration, and to enforce payment of the Assessments, all in accordance with the provisions of this Declaration. This power includes the right of the Association to levy Assessments against the Lots and the Owners thereof to cover the operation and maintenance costs of Common Area.
- 2.6.2 Community Rules. The power to adopt, amend and repeal any rules as the Board deems reasonable and appropriate to govern the Community (the "**Community Rules**"), including rules regarding the use of the Common Area, the Common Improvements and the Irrigation System, and rules regarding the conduct of the business and affairs of the Association. Except when inconsistent with this Declaration, the Community Rules have the same force and effect as if they were set forth in this Declaration. Promptly after adoption of the Community Rules (or any amendment thereto or repeal thereof), the Association will publish the same to the Owners.
- 2.6.3 Common Area and Common Improvements. The power to acquire, construct, improve, modify and dispose of, and the duty to manage, operate, maintain, repair and replace, the Common Area and Common Improvements for the benefit of the Community (including the Irrigation System); provided, however, except as permitted under Section 2.6.6 hereof, no interest in the Common Area will be disposed of without the approval by the vote or written consent of Owners representing more than sixty-five percent (65%) of the total voting power in the Association.
- 2.6.4 Entry onto Lots. The power to enter upon any Lot (but not inside any building constructed thereon) in the event of any emergency involving potential danger to life or property or when necessary in connection with any maintenance or construction for which the Association is responsible. The entry will be made with as little inconvenience to the Owner of the Lot as practical under the circumstances, and any damage caused thereby will be repaired by and at the expense of the Association.
- 2.6.5 Fines. The power to impose reasonable monetary fines that will constitute a lien upon the Lot owned or occupied by the Owner or Occupant determined by the Board to be in violation of the Community Documents (individually, a "**Violation**"). Provided, however, pursuant to the provisions of Idaho Code Section 55-115, the Association will not impose a fine on an Owner for a Violation unless: (a) the Board votes to impose the fine at any

regular or special meeting of the Board or the Association (individually, a “**Levy Meeting**”); (b) the Owner is provided at least thirty (30) days advance written notice of the Levy Meeting by personal service or certified mail at the last known address of the Owner as shown in the records of the Association; and (c) the Owner is given a reasonable opportunity to respond to the Violation during the Levy Meeting. Provided further, the Association will not impose a fine on an Owner if the Owner, prior to the Levy Meeting, begins resolving the Violation and continues to address the Violation in good faith until the Violation is fully resolved (the “**Remedial Period**”). For purposes of this Section, the phrase “address the violation in good faith until the Violation is fully resolved” means the Owner must resolve the Violation within thirty (30) calendar days after the Notice; provided, however, if the nature of the Violation is such that more than thirty (30) calendar days are required for its resolution, then the Owner must diligently prosecute the same to completion as promptly as practical. All fines will be part of the Assessments to which the Owner’s Lot is subject under this Declaration. In all events, no portion of the fines may be used to increase the compensation to the Board or agent thereof.

- 2.6.6 Licenses, Easements and Rights-of-Way. The power to convey any easements and licenses to use the Common Area as may be necessary or appropriate for the maintenance, preservation, and enjoyment of the Common Area or Common Improvements, or for the preservation of the health, safety, convenience and the welfare of the Community, or for the purpose of constructing, erecting, operating or maintaining any of the following:
- 2.6.6.1 Underground lines, cables, wires, conduits, or other devices for the transmission of electricity or electronic signals for lighting, heating, power, telephone, television, or other purposes, and the above-ground lighting stanchions, meters, and other facilities associated with the provision of lighting and services;
 - 2.6.6.2 Public and other sewers, storm drains, water drains and pipes, water supply systems, sprinkling systems, heating and gas lines or pipes, and any similar public or quasi-public improvements or facilities; and
 - 2.6.6.3 Mailboxes and sidewalk abutments around mailboxes or any service facility, berm, fencing, and landscaping abutting Common Areas, public and private streets or land conveyed for any public or quasi-public purpose including pedestrian and bicycle pathways.
- 2.6.7 Amenity Agreements. The power to enter into any lease, license, use or other agreements as the Board deems proper or convenient to secure the use of off-site amenities or facilities for the benefit of the Community. Without limiting the generality of the foregoing, and only by way of example, the Association may enter into agreements with others for the use of any recreational amenities or facilities by the Owners on any terms as the Association deems reasonable or prudent. Any costs incurred by the Association related thereto will be Common Expenses, and the Common Expenses will be included in the Regular Assessments.
- 2.6.8 Reserves. The power to fund operating reserves and capital reserves as the Board deems necessary or prudent.
- 2.6.9 Taxes. The power to pay all real and personal property taxes and assessments (if any) levied against the Common Area, the Association, or any other property owned by the

Association. In addition, the Association will pay all taxes, including income, revenue, corporate or other taxes (if any) levied against the Association.

2.6.10 *Enforcement.* The power at any time and from time-to-time, on its own behalf or on behalf of any consenting Owners, to take any action, including any legal action, to prevent, restrain, enjoin, enforce or remedy any breach or threatened breach of the Community Documents. The power of enforcement includes:

2.6.10.1 The right to enter upon any Lot (but not inside any building constructed thereon) for the purpose of removing, altering, reconstructing, or restoring any Improvements constructed, reconstructed, refinished, added, altered, or maintained in violation of the Community Documents. If the Improvements are located on a Lot, then Association will first provide the Owner thereof with a notice specifying the default and a reasonable period to cure (no less than ten (10) days and no more than thirty (30) days), and if the Owner does not cure the default to the reasonable satisfaction of the Association within the cure period, the Owner of the Improvements will immediately reimburse the Association for all expenses incurred by the Association in connection with its removal, alteration, reconstruction, or restoration of the Improvements.

2.6.10.2 The right to enforce the obligations of the Owners to pay each and every Assessment or charge provided for in the Community Documents.

2.6.10.3 The right to perform any obligation of an Owner under the Community Documents if the obligation is not timely performed by the Owner. In that event, the defaulting Owner will immediately reimburse the Association for all costs reasonably incurred by the Association in performing the obligation. Except in the event of an emergency, the Association will provide the defaulting Owner with a notice specifying the default and a reasonable period to cure (no less than ten (10) days and no more than thirty (30) days) prior to exercising its power hereunder.

If the Association employs attorneys to collect any Assessment or charge, whether by suit or otherwise, or to otherwise enforce compliance with the Community Documents, the Association is entitled to recover its reasonable attorneys' fees in addition to any other relief or remedy obtained.

2.6.11 *Insurance.* The power to obtain any bonds and insurance required by applicable law and any further insurance as the Board deems necessary or prudent, including casualty insurance for any Common Area or Common Improvements, public liability insurance related to the Association's operations and the use of the Common Area, directors and officers liability coverage, automobile insurance, worker's compensation insurance and fidelity bonds. Unless otherwise authorized by Developer, the Association will procure at least the following insurance policies to the extent the policies are available on commercially reasonable terms:

2.6.11.1 Casualty insurance on all insurable real and personal property for which the Association bears risk of loss, which insurance will be for the full replacement cost thereof without optional deductibles;

2.6.11.2 Worker's compensation and employer's liability coverage as required by law;

- 2.6.11.3 Broad form comprehensive public liability insurance insuring the Association, the Board, and their respective agents and employees against any liability incident to the ownership or use of the Common Area; which insurance will be for not less than One Million Dollars (\$1,000,000) per occurrence with respect to personal injury/sickness/death and One Million Dollars (\$1,000,000) per occurrence with respect to property damage; and
- 2.6.11.4 Full coverage directors' and officers' liability insurance with a limit of at least Two Hundred Fifty Thousand Dollars (\$250,000).
- 2.6.12 Entitlement Obligations. The power to fulfill any duties imposed by any governmental or other quasi-governmental agencies as part of the entitlements for the development of Community, including any requirements or obligations identified in the entitlements as the responsibility of community association (aka homeowners association), such as plat notes, development agreements or conditions of approval.
- 2.6.13 Financing. The power to enter into any agreements necessary or convenient to allow Owners to take full advantage of, or secure the full availability of, any financing programs offered or supported by the Federal National Mortgage Association (FNMA), the Government National Mortgage Association (GNMA), the Federal Housing Administration (FHA), the Veterans Administration (VA), the Federal Home Loan Mortgage Corporation (FHLMC) or any similar entity.
- 2.6.14 Estoppel Certificates. The power to execute a written statement stating (a) whether or not, to the knowledge of the Association, a particular Owner or Owner's Lot is in default of this Declaration; (b) the dates to which any Assessments have been paid by a particular Owner; and (c) any other matters as the Board deems reasonable. Any estoppel certificate may be relied upon by a bona-fide prospective purchaser or mortgagee of the Owner's Lot, but only to the extent the prospective purchaser or mortgagee has no knowledge to the contrary. The Association may charge a reasonable fee for the statements.
- 2.6.15 Improvements in the Public Right-of-Way. The power to enter into (or assume) any license and easement agreements with the applicable highway authority (or assume the obligations under any license and easement agreements entered into by Developer) to install, maintain, improve, irrigate, trim, repair and replace improvements and landscaping in the public rights-of-way (including sidewalk easements and planter strips); provided, however, nothing herein limits, or requires the Association to assume, each Owner's obligations with respect to improvements and landscaping in the right-of-way adjacent to the Owner's Lot.
- 2.6.16 Open Space Corridors. The power to enter into agreements to improve, operate, maintain, repair or replace any corridor, open space, recreation facility, greenbelt or trail spaces, either for the benefit of the Community or the general public.
- 2.6.17 Variances for Persons with Disabilities. The right to authorize variances from the requirements of the Community Documents when required by applicable law (such as the Fair Housing Act) or when needed to prevent the requirements would impose an undue hardship on an Owner that would be inequitable for the Owner to bear. The granting of a variance does not waive any element of the Community Documents for any purpose except as to the particular person, the particular Lot and the particular provision covered by the variance. Approval of a variance does not affect the Owner's obligation to comply with the other elements of the Community Documents or applicable law.

- 2.6.18 *Other.* Any other powers as the Association may have consistent with the Community Documents and applicable law.
- 2.7 **Association Records; Owner Inspection.** The Association will keep records of its business and affairs as is customary for community associations, including a membership register, accounting records, financial statements, operating budgets, balance sheets and minutes of meetings of the Board, the Members and committees. The records will be available at the Association's regular offices for inspection and copying by any Owner at the Owner's expense. The Board may establish reasonable rules with respect to (a) notice to be given to the custodians of the records by persons desiring to make the inspection; (b) hours and days of the week when an inspection may be made; and (c) payment of the cost of reproducing copies of documents requested pursuant to this Section 2.7. The Association's obligations hereunder may be fulfilled by making the records available to an Owner electronically, including delivery by electronic mail or by the posting the records on the Association's website. No Owner may request the inspection of records more than two times during any calendar year (and for this limitation, all persons or entities that own a Lot will be considered to be one Owner).
- 2.8 **Immunity; Indemnification.** Each Owner understands and agrees that Developer, the Association, the Association's manager (if any), and the directors, officers, agents, employees of any of them (each individually a "**Released Party**") are immune from personal liability to the Owner or any other person, and the Owner hereby knowingly and voluntarily waives and releases each Released Party, for the Released Party's actions or failure to act with respect to the Community Documents that does not constitute gross negligence or willful misconduct on the part of the Released Party. The Association will indemnify, defend and hold each Released Party harmless from any action, expense, loss or damage caused by or resulting from the Released Party's actions or failure to act with respect to the Community Documents; provided, however, the Association is not obligated to indemnify, defend and hold harmless any Released Party for their own gross negligence or willful misconduct.
- 2.9 **Waiver of Consequential Damages.** Neither Developer nor the Association is liable to any Owner for, and each Owner releases Developer and the Association from, any form of indirect, special, punitive, exemplary, incidental or consequential or similar costs, expenses, damages or losses arising from or related to the Community.

ARTICLE 3 GENERAL AND SPECIFIC OBLIGATIONS AND RESTRICTIONS

- 3.1 **Residential Use.** All Lots (except Common Area) will be used exclusively for residential purposes and other uses incidental thereto as permitted by this Declaration and applicable law. Except for Home Occupations permitted pursuant to this Section, no Lot will be used at any time for commercial or business activity. A "**Home Occupation**" is any lawful, gainful occupation conducted on a Lot by an Occupant of the Lot. A Lot may be used for a Home Occupation provided that the home office or studio related thereto is not more than five hundred (500) square feet in size and located entirely within a dwelling. The Home Occupation must be conducted in accordance with the other terms and limitations of the Community Documents and applicable law. A Lot may be used for other Home Occupations only upon the specific approval of the Association, which approval may be subject to any conditions as the Association deems appropriate, and which Home Occupation must be conducted in accordance with the other terms and limitations of the Community Documents and applicable law. No Home Occupation may (a) involve highly combustible materials; (b) involve retail operations; (c) use equipment or tools where the dimensions, weight or power rating are beyond normal household equipment or tools; (d) cause abnormal automotive or pedestrian traffic in the Community; (e) be, in the reasonable opinion of the Board, objectionable due to unsightliness, odor, dust, smoke, noise, glare, heat, vibration or similar disturbances; (f)

involve dispatch activities where employees meet in the Community and are sent to other locations; or (g) involve other uses that, in the reasonable opinion of the Association, would detract from the residential character of the Community, including vacation rentals. It is not a violation of this Section for an Owner to lease its Lot and the Improvements thereon in accordance with Section 3.2.

- 3.2 **Leasing.** Each Owner may lease its entire Lot to any tenant so long as the lease with that tenant is for a term of one (1) year or longer; provided, however, if the tenant is a member of the Owner's family, then the one (1) year limitation will be one (1) month. Except as provided in the preceding sentence, no Owner may lease the Owner's Lot or the primary residential dwelling located thereon to any person or entity. For this Section 3.2, the term "lease" as applied to a Lot will be deemed to include any lease, rental or occupancy agreement of any kind, and the term a "member of the Owner's family" will be any person who is related to the Owner by blood, legal marriage or legal adoption. An Owner who leases a Lot is fully responsible for the conduct and activities of the Owner's tenant as if the Owner were the tenant. Any Owner who leases a Lot will comply with the Fair Housing Act, as applicable. If any Owner or the Owner's spouse is on military deployment or has had a change of station, then the one (1) year limitation in this Section 3.2 will be reduced to one (1) month for the duration of the deployment (if a deployment) or for one (1) year (if a change of station).
- 3.3 **Exterior Maintenance Obligations.** Each Owner agrees to keep all Improvements on the Owner's Lot in good, safe condition and repair. Without limiting the generality of the foregoing, each Lot must be kept in a neat, orderly, weed-free condition at all times, including the period prior to the Owner constructing any Improvements thereon. In the event that any Owner permits any Improvement on the Owner's Lot to: (a) fall into disrepair such that it, in the judgment of the Board, creates an unsafe, unsightly, unattractive, or inoperable condition; or (b) be constructed, reconstructed, refinished, removed, added, altered, or maintained in violation of this Declaration, the Association may exercise its power hereunder to enter upon the Owner's Lot and take any action as the Association deems necessary or appropriate to correct the condition or violation. In that event, the defaulting Owner will immediately reimburse the Association for all costs reasonably incurred by the Association in correcting the condition or violation. Except in the event of an emergency, the Association will provide the defaulting Owner with a notice specifying the default and a reasonable period to cure (no less than ten (10) days and no more than thirty (30) days) prior to exercising its power hereunder. Each Owner hereby designates the Association as the Owner's agent for purposes of Idaho's mechanic's lien statute (i.e., Idaho Code § 45-501), and each laborer, material supplier or other person who performs work on the Owner's Lot at the direction of the Association will have a mechanic's lien against the Owner's Lot for the work.
- 3.4 **Nuisances.** No rubbish or debris of any kind will be placed or permitted to accumulate anywhere upon the Community, including the Common Area or vacant Lots, so as to render the Community or any portion thereof unsanitary, unsightly, offensive or detrimental to the Community, or to any other property in the vicinity of the Community. No Owner will allow any odor to arise from the Community so as to render the Community or any portion thereof unsanitary, offensive or detrimental to the Community, or to any other property in the vicinity of the Community. No business or Home Occupation, no noise, no exterior fires, no obstructions of pedestrian walkways, no unsightliness or other nuisance will be permitted to exist or operate upon any portion of the Community so as to be offensive or detrimental to the Community or its Occupants or to other property in the vicinity or to its occupants or residents, as determined by the Board, in its reasonable judgment, or in violation of any federal, state or local law, rule, regulation or ordinance. Without limiting the generality of any of the foregoing, no whistles, bells or other sound devices (other than security devices used exclusively for security purposes which have been approved by the Board), flashing lights or search lights will be located, used or placed on the Community without the

Board's approval. No unsightly objects will be permitted to remain on any Lot so as to be visible from any other portion of the Community. Without limiting the generality of the foregoing, refuse, garbage, trash, equipment, gas canisters, propane gas tanks, barbecue equipment, heat pumps, compressors, containers, lumber, firewood, grass, shrub or tree clippings, plant waste, metals, bulk material and scrap will be kept at all times in containers and in areas approved by the Board. No clothing or fabric will be hung, dried or aired in a way that is visible to any other portion of the Community. No major appliances (such as clothes washers, dryers, refrigerators or freezers) may be kept, stored or operated on any balcony, patio, porch or other exterior area of any Improvement. Window air-conditioning units are not allowed. Windows will be covered only by drapes, shades or shutters that are white or muted earth tone in color, and will not be painted or covered by foil, cardboard, sheets or similar materials.

- 3.5 **Vehicles and Equipment.** On-street parking on public roads will be limited to those specific areas where on-street parking is expressly permitted by the highway authority responsible for the public road; provided, however, no vehicles may be parked on public streets for more than forty-eight (48) hours in any given seven (7) day period. Vehicles must not extend or otherwise be permitted on or into any sidewalk, bicycle path or pedestrian path unless the vehicle is engaged in an emergency procedure, or as provided elsewhere in the Community Documents. Except as expressly permitted by this Section 3.5, none of the following items may be placed in any part of the Community (including streets, parking areas and driveways), unless the item is located entirely within a garage such that the item is concealed from the view of any person standing outside the garage, except when the garage is open to facilitate ingress and egress: (a) motor homes, motor coaches, campers, trailers, snowmobiles, aircraft, boats, recreational vehicles, all-terrain vehicles; (b) abandoned or inoperable vehicles, defined as any vehicle which has not been driven under its own propulsion for a period of forty-eight (48) hours or longer; (c) oversized vehicles, defined as vehicles which are too high or too wide to clear the entrance of a standard residential garage door opening; (d) dilapidated or unrepaired and unsightly vehicles; (e) snow removal equipment, garden maintenance equipment or similar equipment; and/or (f) any other unsightly equipment or machinery. To the extent possible, garage doors will remain closed at all times. Gardening, yard and snow removal machines (electric, gas or other power source) may only be used from 8:00 am to 9:00 pm. One (1) item described in subpart (a) of this Section 3.5 will be permitted in to be stored in the rear yard of a Lot in a manner that is visible, so long as the item is stored on an all-weather surface.
- 3.6 **Animals/Pets.** Except as provided in Section 3.7, no animals, livestock or poultry of any kind will be raised, bred or kept on any Lot except that Household Pets (defined below) may be kept for an Owner's personal use provided that (a) the Household Pets are not bred or maintained for any commercial purpose; (b) no more than three (3) of any combination of domesticated dogs or domesticated cats may be kept on a Lot; and (c) any Household Pets will be properly restrained and controlled at any time they are within the Community. "**Household Pets**" means generally recognized household pets that are customarily kept as indoor pets, such as domesticated dogs, domesticated cats, fish, birds (excluding hens and chickens), rodents and non-poisonous reptiles. Household Pets will not include livestock, poultry (including hens and chickens), swine or waterfowl. Household Pets will not be kept which unreasonably bother or constitute a nuisance to other Owners. Any noisy animal (defined below), any vicious animal, any non-domestic household pet or any animal which damages or destroys property will be deemed a nuisance. Excessive or untimely barking, molesting passersby, chasing vehicles, pursuing or attacking other animals, including wildlife, and trespassing upon private property in a manner that may damage the Community will also be deemed a nuisance. A "noisy animal" means any animal which habitually or frequently disturbs the sleep, peace or quiet of any Occupant. Owners will contact the local animal control agency regarding noisy animals prior to complaining to the Board about the animals. Any costs associated with responding to complaints of a noisy animal or nuisance pet may be levied

against an Owner as a Limited Assessment. The Owner of a Lot where a Household Pet is kept, as well as the legal owner of the Household Pet (if not the Owner), will be jointly and severally liable for any and all damage and destruction caused by the Household Pet, and for any clean-up of any Common Area, roads or other property necessitated by the Household Pet.

- 3.7 **Assistance Animals.** Assistance animals are welcome in the Community in accordance with the Fair Housing Act (42 U.S.C. § 3601 et. seq., as amended), the Idaho Human Rights Act, and any other applicable law.
- 3.8 **Construction and Temporary Structures.** During the course of construction, no trailer houses or similar mobile units designed for overnight accommodations will be parked on any street. No trailer, tent, shack, garage, barn or other unattached structure erected on a Lot will, at any time, be used as a residence, temporarily or permanently, nor will any residence of a temporary character be permitted. No building of any kind will be erected or maintained on a Lot prior to the construction of the Improvements thereon. The construction of Improvements will be prosecuted diligently and continuously from the time of commencement thereof until the Improvements are fully completed and painted. The construction site will be cleaned of trash and debris nightly and maintained in a non-nuisance condition.
- 3.9 **Drainage.** No Owner will interfere with the established drainage pattern over any portion of the Community, unless adequate alternative provisions for proper drainage have first been approved by the Board and properly installed. For the purposes hereof, “established” drainage is defined as the system of drainage, whether natural or otherwise, which exists at the time the overall grading of any portion of the Community is completed by Developer, or that drainage which is shown on any plans approved by the Board, which may include drainage from Common Area over any Lot in the Community.
- 3.10 **Grading.** Except as provided in Section 3.9, no Lot will drain onto, over, across or under the Common Area or an adjacent Lot. The Owner of any Lot within the Community in which grading or other work has been performed pursuant to a grading plan approved by any public agency, or by the Board, will maintain and repair all graded surfaces and erosion prevention devices, retaining walls, drainage structures, means or devices which are not the responsibility of any public agency, and plantings and ground cover installed or completed thereon.
- 3.11 **Irrigation District Assessments.** The Community may be located in an irrigation district or lateral association and, if so, the irrigation district may assess the Association or the Owners. If the irrigation district or lateral association assesses the Association, then the Association will pay the assessment and the assessments will be part of the Common Expenses. If the irrigation district or lateral association directly assesses the Owners, then the Owners will pay the assessments directly to the irrigation district.
- 3.12 **Energy Devices.** Solar panels and solar collectors (“**Solar Devices**”) are permitted on the rooftop of any structure on any Lot if the rooftop is owned, controlled and maintained by the Owner; provided however, the Board will have the right to determine the specific location where the Solar Devices may be installed on the roof as long as installation is permitted within an orientation to the south or within forty-five (45) degrees east or west of due south. The Association may adopt reasonable rules for the installation of Solar Devices consistent with an applicable building code or to require that panels or collectors of the Solar Devices be parallel to a roof line, conform to the slope of the roof, and that any frame, support bracket, or visible piping or wiring be painted to coordinate with the roofing material. No other energy production devices or generators of any kind

(e.g., windmills) will be permitted in the Community without the Board's approval of the device and the installation thereof.

- 3.13 **General Signs.** No more than one (1) sign will be allowed on any Lot at the same time to advertise the Lot for sale or to advertise the Lot during the course of construction, and all signs must be removed within fifteen (15) days of occupancy or closing of sale. Directional and open house signs may be used during open house time period only. No sign of any kind will be displayed to the public view more than six (6) square feet in size and not more than three (3) feet above grade. The Association may erect and maintain identification signs, street signs and other appropriate informational signs upon the Common Area or upon utility easements of a size and design approved by the Board. No other signs will be placed or maintained upon the Common Area. Signs advertising a Lot for rent or lease are not allowed anywhere within the Community. An Owner may place political signs for an upcoming election on any Lot owned by that Owner, but only during the prior that is thirty (30) days prior to the applicable election, and the signs will be removed within two (2) days after any the election.
- 3.14 **Political Signs.** A "political sign" is limited to any fixed, ground-mounted display in support of or in opposition to a candidate for office or a ballot measure. An Owner may place political signs for an upcoming election on any Lot owned by that Owner, but only during the prior that is thirty (30) days prior to the applicable election, and the signs will be removed within three (3) days after any the election. The Association may adopt reasonable rules, subject to any applicable laws, regarding the time, size, place, number, and manner of display of political signs. The Association may remove political signs that violate this Declaration or the Association's rules, so long as the removal is not prohibited by applicable law (e.g., Idaho Code § 55-115(5) or its successor).
- 3.15 **Flags.** No flags, banners, windsocks or similar items are permitted within the Community except for the flag of the United States of America, the flag of the state of Idaho, the POW/MIA flag, an official or replica flag of any branch of the United States armed forces, and an official or replica flag of any police organization (the "**Permitted Flags**"). The Association may adopt reasonable rules that regulate the display of Permitted Flags as permitted by applicable law (e.g., Idaho Code § 55-115(6) or its successor).
- 3.16 **Antenna; Satellite Dishes.** The following restrictions will apply to direct broadcast satellite dishes that are less than one meter in diameter and antenna for receipt of video programming (each, a "**Device**") except where the restrictions would (a) unreasonably delay or prevent installation, maintenance or use of the Device; (2) unreasonably increase the cost of installation, maintenance or use of the Device; or (b) preclude reception of an acceptable quality signal to the Device. The Device must be installed on the rear of the residential structure on the Lot, or within four (4) feet of the rear of the structure on any of the structure's side walls. The Device must be screened by a fence, landscaping or similar structures in accordance with the Design Requirements, or as otherwise required to ensure the safety of the residents of the Community. No Device may be installed until after an Owner has received Board approval for construction of residential Improvements on the Owner's Lot. Satellite dishes that are one meter or larger in diameter, and any antenna other than an antenna for the receipt of video programming, will not be a Device and are prohibited unless the Device and its installation are expressly approved by the Board.
- 3.17 **No Further Subdivision.** No Lot may be further subdivided unless the subdivision is approved by the Board, and then only in accordance with applicable law.
- 3.18 **Holiday Lights.** Winter holiday decorations and lighting displays are permitted starting on November 15 of each year and must be removed by January 15 of the following year. Any other

holiday decorations or lighting displays (such as Halloween) are permitted up to fifteen (15) days prior to the holiday and must be removed within three (3) days after the holiday.

- 3.19 **Trash Cans.** Trash cans and other trash receptacles, including recycling cans and receptacles, must not be visible from any street except between 8:00 PM on the day before, and 8:00 PM on the day of, the date selected by the trash collector for trash and recycling pick-up.
- 3.20 **Marijuana.** No Owner, Occupant or guest may use any Lot (or any portion thereof) for the sale, cultivation, manufacture, distribution, or marketing of any substance containing any amount of marijuana, cannabis, or tetrahydrocannabinol, whether or not the activities are lawful under applicable law.
- 3.21 **Harassment Prohibited.** Each Owner covenants that its Owner Parties will not engage in any conduct or behavior that constitutes harassment toward any person lawfully on the Common Area. “**Harassment**” means any verbal, written or physical conduct (or conduct using technology) that limits or denies a Community member’s ability to enjoy the benefits of the Common Area. To constitute harassment, the conduct must be severe, persistent or pervasive such that it has the purpose or effect of unreasonably interfering with an individual’s use of the Common Area, or that it creates an intimidating, hostile, or offensive environment on the Common Area. To rise to the level of Harassment, the behavior must be subjectively and objectively unreasonable, taking into consideration the characteristics of the victim. If the Association finds (in its discretion) that any Owner Party violates the covenant in this Section, then the Association may (a) temporarily ban the Owner Party from access to, or use of, any Common Area for any period the Association deems appropriate; (b) place any restrictions on the Owner Party’s access to, or use of, any Common Area for any period the Association deems appropriate. The terms of this Section will be interpreted broadly to effectuate its purpose. The Association’s decisions pursuant to this Section will be binding on the affected Owner Parties, unless the Association’s decision violates applicable law or unless there is clear and convincing evidence that the Association acted in bad faith.

ARTICLE 4 ARCHITECTURAL REVIEW

- 4.1 **Design Requirements.** The Board has the power to adopt, amend and repeal any rules that the Board deems reasonable to ensure that all Improvements in the Community meet the minimum requirements for external design, quality and type of construction, architectural character, materials, color, location in the Building Envelope, height, grade and finish ground elevation, natural conditions, landscaping and other design or aesthetic considerations (the “**Design Requirements**”). The Design Requirements may include rules and regulations: (a) to protect the special qualities of the Community; (b) to encourage creative design; (c) to provide general architectural, design and construction guidelines; (d) that provide landscape guidelines (including a description of existing, natural conditions and vegetation); (e) that provide submittal and review procedures; (f) establishing fees and charges for review; and (g) establishing penalties for noncompliance. The Design Requirements must conform to this Declaration, and if the Design Requirements conflict with this Declaration, this Declaration will govern. If any provision of the Design Requirements are deemed ambiguous on any matter, the Board’s interpretation of the provision will be given deference so long as the interpretation is a reasonable.
- 4.2 **Design Review Required.** No Owner will construct, reconstruct, alter, install or remove any Improvements or landscaping except with the Board’s approval. The Board will review, study and either approve or reject the proposed Improvements or landscaping, all in compliance with the Declaration and the Design Requirements. The Board is authorized to retain the services of one or more consulting architects, landscape architects, engineers, designers and other consultants to

advise and assist the Board on a single project, on a number of projects or on a continuing basis. The Board's action in the exercise of its discretion by its approval or disapproval of the proposed Improvements or landscaping, or with respect to any other matter before it, will be conclusive and binding on all interested parties. The Board will not direct or control the interior layout or interior design of residential structures except to the extent incidentally necessitated by use, size and height restrictions.

- 4.3 **Board Expenses.** All expenses of the Board will be Common Expenses paid by the Association. The Board will have the right to charge reasonable fees for applications submitted to it for review, in amounts which may be established by the Board from time-to-time, and the fees will be collected by the Board and remitted to the Association to help defray the expenses of the Board's operation, including reasonable payment to each member of the Board for their services as provided herein. Each Owner, by submitting a design review application to the Board, agrees to pay any additional reasonable fees based on costs incurred by the Board in retaining consultants for the review and approval of the Owner's application(s).
- 4.4 **Variations.** The Board may authorize variations from any of the Design Requirements when the Board deems it desirable to address special circumstances, such as unusual topography, natural obstructions, hardship, aesthetic considerations or other circumstances. The granting of a variance will not waive any element of the Design Requirements for any purpose except as to the particular property and particular provision covered by the variance. Approval of a variance will not affect the Owner's obligation to comply with this Declaration or applicable law.
- 4.5 **Board Approvals.** The Board's approval of any Improvement does not mean the Improvements will be permitted by applicable law, approved by the applicable governmental authorities or others. The Board will not be responsible in any way for any defects or errors in any plans or specifications submitted, revised or approved, nor for any structural or other defects in any work done according to the plans and specifications.
- 4.6 **Immunity; Indemnification.** The Board's members, agents and employees will be immune from liability and entitled to indemnification as set forth in Section 2.8.

ARTICLE 5 ASSESSMENTS

- 5.1 **Covenant to Pay Assessments.** Each Owner covenants and agrees to pay when due (without deduction, setoff, abatement of counterclaim of any kind whatsoever) all Assessments or charges made against the Owner or the Owner's Lot pursuant to the Community Documents. Assessments against a Lot will be a continuing lien on the Lot until paid, whether or not ownership of the Lot is transferred. Assessments against a Lot are also the personal obligation of the Owner of the Lot when the Assessment becomes due and payable. The personal obligation will remain with the Owner regardless of whether the Owner remains the owner of the Lot. Delinquent Assessments related to a Lot will not pass to the Owner's successors in title unless expressly assumed by them. The Assessments and charges, together with interest, costs and reasonable attorneys' fees, which may be incurred in collecting the same, will be a charge on the land and will be a continuing lien upon the Community against which each the Assessment or charge is made.
- 5.2 **Regular Assessments.** Regular Assessments are to be used to pay for all costs and expenses incurred by the Association for the conduct of its affairs or the exercise of any of the Association's powers, obligations under the Community Documents (collectively, the "**Common Expenses**"). Without limiting the generality of the foregoing, the Common Expenses will include:

- 5.2.1 The cost and expenses incurred by the Association for professional management of its business and affairs;
 - 5.2.2 The costs and expenses incurred by the Association in the exercise of any of its powers under Section 2.6;
 - 5.2.3 The costs and expenses of construction, improvement, protection, insurance, maintenance, repair, management and operation of the Common Area and any Improvements located in other areas that are owned, managed or maintained by the Association; and
 - 5.2.4 An amount to fund adequate reserves for extraordinary operating expenses, contingent risks or liabilities (such as indemnification and defense expenses), capital repairs, capital replacements and any other expenses for which the Board deems prudent to fund a reserve.
- 5.3 **Special Assessments.** If the Board determines that the Regular Assessment for a given calendar year is or will be inadequate to meet the Common Expenses for the calendar year for any reason, the Board may levy a Special Assessment to collect the additional funds needed to meet the Common Expenses for the calendar year. Special Assessments will be levied and paid upon the same basis as Regular Assessments; provided, however, the Association will, in the Board's reasonable discretion, set the schedule under which the Special Assessment will be paid, which schedule may be different than Regular Assessments.
- 5.4 **Limited Assessments.** Notwithstanding the above provisions with respect to Regular Assessments and Special Assessments, the Association may levy a Limited Assessment against an Owner (a) for any fines, fees or charges levied against the Owner under the Community Documents; (b) to reimburse the Association for any costs incurred to bring the Owner's Lot or any Improvements thereon into compliance with the Community Documents; (c) to reimburse the Association for any damages caused by an Owner or any of its Owner Parties to any Common Area or Common Improvements; and (d) for the cost of providing any goods or services under the Community Documents that benefit the Owner or Owner's Lot, but less than all Owners or all Owners' Lots.
- 5.5 **Transfer Assessments.** Upon any transfer of fee simple title to a Lot to any Owner from time to time, the transferee will pay the then current transfer assessment to the Association (the "**Transfer Assessment**"). The Association may use the Transfer Assessments for any purpose that is not prohibited by law. The Association may waive the Transfer Assessment if the Association concludes that the transfer was from a grantor to a party related to the grantor for less than market value.
- 5.6 **Assessment Procedures.** Unless otherwise determined by the Board, the Association will compute and forecast the total amount of Common Expenses on an annual basis (the "**Budget**"). The computation of the Budget will take place not less than thirty (30) nor more than ninety (90) days before the beginning of each fiscal year of the Association, unless a change in Owners or other circumstance makes it impracticable to compute the Budget in that time frame, in which event the Budget will be computed as soon as reasonably practicable. In all events, the computation of the Budget will be completed in good faith and is valid upon completion. Each Owner's Regular Assessment will be computed by multiplying the Budget by the fraction produced by dividing the number of Lots owned by the Owner by the total number of Lots not then exempt from Assessment. The Association may, in its discretion or as provided in the Community Documents, require payment of Regular Assessments in monthly, quarterly, semi-annual, or annual installments. The Association will provide Owners with not less than fifteen (15) days and no more than thirty (30) days of prior notice before any Board meeting for the purpose of levying a Special Assessment or

increasing the Regular Assessment by more than ten percent (10%). Assessments are due and payable within thirty (30) days after the Association provides an invoice therefor to each Owner. If all or any part of an Assessment is not paid when due, then: (a) the delinquent Owner will pay to the Association a late payment charge equal to five percent (5%) of the delinquent amount; and (b) interest accrues on the delinquent amount at the rate of twelve percent (12%) per annum until paid in full. In the event an Owner's payment is returned for any reason, the Owner will pay to the Association an administrative fee in an amount set by the Board and thereafter the Association has the right to require future Assessments due from the Owner to be paid in the form of a cashier's check, certified check, or other form of immediately collectible funds acceptable to the Association in the Board's discretion. Each Owner agrees that the late payment charge and administrative fee are reasonable compensation to the Association for additional administrative costs and expenses caused by any late payment or returned check.

5.7 **Assessment Liens.**

5.7.1 *Creation.* There is hereby created a continuing claim of lien with power of sale on each and every Lot to secure payment of any and all Assessments levied against the Lot pursuant to the Community Documents, together with interest thereon at the rate described in Section 5.6 and all collection costs and attorneys' fees which may be paid or incurred by the Association in connection therewith. Upon default of any Owner in the payment of any Assessment related to a Lot, the Association may record a claim of lien against the Lot in accordance with applicable law (currently, Idaho Code § 45-810). Each delinquency will constitute a separate basis for a claim of lien, but any number of defaults may be included within a single claim of lien. The claim of lien may be foreclosed in any manner permitted by applicable law. Upon payment of the lien in full, the Association will record a release of the claim of lien.

5.7.2 *Subordination to First Mortgages.* Upon recordation of a claim of lien for delinquent Assessments in accordance with applicable law, the lien will be prior and superior to all other liens or claims created subsequent to the recordation of the claim of lien except for (a) liens which, by law, would be superior thereto and (b) the lien of a first Mortgage given and made in good faith and for value that is of record as an encumbrance against the Lot prior to the recordation of a claim of lien for the Assessments. Except as expressly provided in this Section 5.7.2, the sale or transfer of any Lot will not affect the Assessment lien provided for herein, nor the creation thereof by the recordation of a claim of lien, on account of the Assessments becoming due whether before, on, or after the date of the sale or transfer, nor will the sale or transfer diminish or defeat the personal obligation of any Owner for delinquent Assessments as provided for in this Declaration.

5.8 **Exemptions.** All Common Area and any Lots owned by the Association will be exempt from Assessments. Developer will be exempt from Assessments as set forth in Section 10.4.

ARTICLE 6 **RIGHTS TO COMMON AREAS**

6.1 **Use of Common Area.** Every Owner will have a right to use the Common Area as set forth in this Declaration subject to:

6.1.1 The Community Documents;

6.1.2 The right of the Association to suspend the right of an Owner to use the Common Area (or any designated portion of Common Area) for any period during which any Assessment or

charge against the Owner's Lot remains unpaid and for a period not to exceed sixty (60) days for any infraction of the Community Rules; and

- 6.1.3 The right of the Association to dedicate or transfer all or any part of the Common Area to any public agency, authority or utility or other party for any purposes and subject to any conditions as may be permitted by the Community Documents.
- 6.2 **Delegation of Right to Use.** An Owner may delegate its right to use the Common Area to any Owner Parties; provided, however, each Owner will be liable to the Association for any damage to any Common Area or Common Improvements caused by the negligence or misconduct of any Owner Parties. The cost of correcting the damage will be a Limited Assessment against the Lot.
- 6.3 **Association's Responsibility.** The Association will maintain, repair and replace the Common Area and Common Improvements so as to keep the same in good operating condition.

ARTICLE 7 EASEMENTS

- 7.1 **Easements of Encroachment.** There will be reciprocal appurtenant easements of encroachment as between adjacent Lots and between Lots and adjacent portions of the Common Area due to the placement or settling or shifting of the Improvements constructed, reconstructed or altered in accordance with the Community Documents. Easements of encroachment will be valid only so long as they exist, and the rights and obligations of Owners will not be altered in any way because of the settling or shifting of the Improvements; provided, however, that in no event will a valid easement for encroachment occur due to an Owner's willful or bad faith acts. If an Improvement is partially or totally destroyed, the Improvement may be repaired or rebuilt within the minor encroachments that existed prior to the encroachment and may be reconstructed pursuant to the easement granted by this Section 7.1.
- 7.2 **Easements of Access.** There will be reciprocal appurtenant easements of ingress and egress for all Owners to and from their respective Lots for installation and repair of utility services and for necessary maintenance and repair of any Improvement, such as fencing, retaining walls, lighting facilities, mailboxes and sidewalk abutments, trees and landscaping.
- 7.3 **Improvements in Drainage and Utility Easements.** No Owner will construct or alter any Improvements in any drainage or utility easement areas which would interfere with the easement being used for its intended purpose. The Owners may install and maintain Improvements on the easement areas as permitted by the Community Documents so long as the Improvements are permitted by the terms of the easement and the Improvements will not interfere with or prevent the easement areas from being used for their intended purposes. No lawful user of the easement will incur any liability to the Owner for the damage or destruction of the Improvements.
- 7.4 **Easements Deemed Created.** All conveyances of Lots made after the date of the recording of the Declaration, whether by Developer or otherwise, will be construed to grant and reserve the easements contained in this Article 7 and elsewhere in this Declaration, even though no specific reference to the easements appear in the conveyance instrument.
- 7.5 **Emergency Easement.** A general easement is hereby granted to all police, sheriff, fire protection, ambulance and all other similar emergency agencies to enter upon the Community in the proper performance of their duties.

- 7.6 **Maintenance Easement.** A non-exclusive easement is hereby reserved to Developer and the Association upon, across, over, in, and under all portions of all Lots that are not improved with an occupied structure. Developer and the Association may use the easement reserved herein as Developer or the Association may deem necessary, appropriate, or convenient to perform any of their respective rights or obligations identified in the Community Documents, to perform their respective duties and functions to which they are obligated or permitted to perform pursuant to the Community Documents, and to make emergency repairs. Nothing herein relieves each Owner's obligation to maintain Improvements on the Owner's Lot.
- 7.7 **Developer's Rights Incident to Construction.** Developer retains a right and easement of ingress and egress over, in, upon, under, and across the Community and the right to store materials thereon and to make any other use thereof as may be reasonably necessary or incident to the construction of the Improvements in the Community on those portions owned by Developer or the Association; provided, however, that Developer will not exercise the rights in a way that will unreasonably interfere with the occupancy, use, enjoyment, or access to an Owner's Lot by that Owner or its Owner Parties.

ARTICLE 8 STORM WATER DRAINAGE AND RETENTION SYSTEM

This Association will be responsible for maintaining the storm drainage and retention system in accordance with that certain Storm Drainage Operation and Maintenance Plan for Braeburn Creek Subdivision dated [_____] and prepared by [_____] as the same is amended from time to time (the "O&M Manual"). A true and correct copy of the current O&M Manual is recorded in the real property records as Instrument No. _____.

ARTICLE 9 RESOLUTION OF DISPUTES

- 9.1 **Agreement to Avoid Litigation.** All claims, grievances or disputes between Community Members arising out of or relating to the interpretation, application or enforcement of the Community Documents or the rights or obligations thereunder ("**Claims**") will be subject to Section 9.3 unless exempt under Section 9.2. All Claims will be subject to resolution pursuant to this Article 9 as a condition precedent to the institution or continuation of any legal or equitable proceeding; provided, however, any Community Member may proceed in accordance with applicable law to comply with any notice or filing deadlines prior to resolution of the Claim.
- 9.2 **Exemptions.** The following Claims will not be subject to this Article 9:
- 9.2.1 Any Claim by the Association against any Community Member to enforce the obligation to pay any Assessment under the Community Documents;
- 9.2.2 Any Claim by Developer or Association to seek injunctive relief to enforce the Community Documents;
- 9.2.3 Any Claim between Owners where Developer or the Association are not a party thereto, which Claim would constitute a cause of action independent of the Community Documents;
- 9.2.4 Any Claim in which any indispensable party is not a Community Member;
- 9.2.5 Any Claim against a Released Party that would be barred by Section 2.8;

- 9.2.6 Any Claim which otherwise would be barred by any applicable law (such as, for example, the applicable statute of limitations); and
- 9.2.7 Any Claim arising out of or relating to the interpretation, application or enforcement of any purchase, sale or construction agreement with Developer or any builder related to the construction of Improvements within the Community, or the rights and obligations of any Community Member under the agreements, it being understood that applicable law and the provisions of the agreements will control the resolution of any claims or disputes related thereto.

9.3 **Dispute Resolution**

- 9.3.1 *Direct Discussions.* Any Community Member having a Claim against any other Community Member will notify the party(ies) of the Claim in writing, stating plainly and concisely the following: (a) the nature of the Claim; (b) the legal basis of the Claim (i.e., the specific authority out of which the Claim arises); (c) the basic facts supporting the allegations in the Claim; (d) the other persons involved in the Claim or with personal knowledge of the facts alleged; and (e) the claimant's proposed remedy, including the specific monetary amounts (if any) demanded. The Community Members to the Claim will make reasonable efforts to meet in person to resolve the Claim by good faith – it being understood that the best opportunity to achieve a fair and satisfactory resolution to a Claim is ordinarily through early discussions held in good faith.
- 9.3.2 *Dispute Resolution.* If the Community Members to a Claim are unable to resolve the Claim through direct discussions within a reasonable time, either Community Member may submit the Claim to the Board for assistance in resolving the Claim. In that event, the Board may, by notice to each Community Member to the Claim within thirty (30) days of its receipt of a request for assistance:
 - 9.3.2.1 Order the Community Members to continue direct discussions and negotiations for a period of up to thirty (30) days. If the Claim is not resolved in the period, any Community Member may request the Board's assistance to resolve the Claim;
 - 9.3.2.2 Order the Community Members to mediate the Claim with a mediator selected by the Association. The mediator will set the rules, location and schedule for the mediation; provided, however, unless otherwise agreed, the mediation will be held within thirty (30) days of the order for mediation. If the mediation does not resolve the Claim, the Community Members may proceed to litigation of the Claim in any court of competent jurisdiction;
 - 9.3.2.3 If the Claim is within the jurisdiction of the Small Claims Department of the Magistrate Division (currently, monetary claims for \$5,000 or less), order a Community Members to resolve the Claim exclusively therein; or
 - 9.3.2.4 Order the Community Members to resolve the Claim through an individual arbitration by a single arbitrator conducted in accordance with the Idaho Uniform Arbitration Act (Idaho Code, Title 7, Chapter 9) with a arbitrator selected by the Association. The arbitrator will set the rules, location and schedule for the arbitration, with the intent that the rules will be as simple and expedient as the nature of the dispute allows. The parties will bear their own attorneys' fees (if any) and share the arbitrator's fees equally; provided, however, the arbitrator may award

costs, arbitrator's fees and attorneys' fees to the substantially prevailing party. The arbitrator's award will be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof; or

9.3.2.5 Elect to exempt the Claim from this Article 9, at which time the Community Members are free to exercise any right or remedy in accordance with applicable law.

If the Board fails to notify the Community Members within thirty (30) days of its receipt of a request for assistance, the Board will be deemed to have elected to exempt the Claim from this Article 9.

9.3.3 If the Community Members resolve any Claim through mediation or arbitration pursuant to this Article 9 and any Community Member thereafter fails to abide by the terms of the resolution (i.e., settlement agreement or arbitrator's award), then any other Community Member may take any legal or other action to enforce the settlement agreement or arbitrator's award without the need to comply again with the procedures set forth in this Article 9. In that event, the Community Member taking action to enforce the resolution will be entitled to recover from any non-complying Community Member all costs and attorneys' fees reasonably incurred in the enforcement.

9.4 **Jury Trial Waiver.** EVERY COMMUNITY MEMBER WAIVES ANY RIGHT TO TRIAL BY JURY OR TO HAVE A JURY PARTICIPATE IN RESOLVING ANY DISPUTE, WHETHER SOUNDING IN CONTRACT, TORT, OR OTHERWISE, BETWEEN COMMUNITY MEMBERS ARISING OUT OF THE COMMUNITY DOCUMENTS.

ARTICLE 10 INITIAL DEVELOPMENT PERIOD

10.1 **Community Management.** Each Owner recognizes that the Community will require a high level of knowledge, effort, judgment, diligence and attention during the Development Period, and that level is beyond what can reasonably be expected from Community volunteers. Accordingly, each Owner agrees that it is in the best interest of the Community for Developer to have full management authority for the Community during the Development Period, including the sole and exclusive right to appoint remove and replace directors of the Board at any time and from time-to-time in Developer's sole discretion.

10.2 **General Exemptions.** Developer may take any of the following actions as Developer deems appropriate without the approval of the Board:

10.2.1 Make modifications or Improvements on any Lot or the Common Area;

10.2.2 Place or authorize signs of any size, design and number as Developer for the initial development of the Community, including signs to identify the Community, display information pertaining to the Community, display information or instructions to builders, to advertise Lots and homes for sale (including sale events and open houses), and to advertise of Community elements or events;

10.2.3 Authorize any developer or contractor to use any Lot as a model home, sales office, construction office or construction storage yard; and

10.2.4 Place or authorize temporary structures upon any Lot or the Common Area.

- 10.3 **Water Rights Appurtenant to Community Lands.** Developer owns certain water and water rights which are appurtenant to the Community (which may be in the form of irrigation company shares). Developer hereby reserves unto itself any and all the water and water rights appurtenant to the Community, and consequently Owners will not have any right, title or interest in the water rights. Developer will convey the portion of the water rights needed for the operation of the Irrigation System to the Association, for the Association to hold for the benefit of the Community. Any fees or assessments for the water rights will be Common Expenses.
- 10.4 **Developer's Exception from Assessments.** Developer will not be assessed any Regular Assessments or Special Assessments for any Lots owned by Developer. If Developer owns at least one (1) Lot during the period, Developer will pay the shortfall, if any, in the operating Common Expenses of the Association; provided, however, the obligation will not exceed the amount that the Regular Assessments and Special Assessments that Developer would otherwise be assessed as an Owner multiplied by the total number of Lots owned by Developer on the date Regular Assessments or Special Assessments are assessed against the Owners of Lots. After the foregoing period, Developer will be assessed Regular Assessments and Special Assessments for each Lot owned by Developer.
- 10.5 **Assignment of Developer's Rights.** Developer may assign any or all of its rights under the Community Documents to any person or entity in a written instrument that contains the assignee's acceptance of the assignment and agreement to assume any of Developer's obligations pertaining to the rights assigned, which acceptance and assumption will be effective upon the recordation of the written instrument recorded in the real property records of Ada County, Idaho. Developer will promptly provide a copy of the recorded instrument to the Association and, thereupon, be released from Developer's obligations pertaining to the rights assigned.

ARTICLE 11 TERM

The easements created hereunder are perpetual, subject only to extinguishment by the holders of the easements as provided by law. The remainder of this Declaration runs until December 31, 2071 and thereafter will be automatically extended for successive periods of ten (10) years each, unless earlier amended or terminated in accordance with [Article 13](#).

ARTICLE 12 ANNEXATION AND DE-ANNEXATION

Developer may annex additional lands into the Community from time-to-time by recording a supplement to this Declaration declaring such additional lands to be part of the Community and subject to this Declaration (each a "**Supplemental Declaration**"). The Supplemental Declaration may add or delete covenants, conditions, restrictions, and easements applicable to the annexed lands as Developer may deem appropriate. Upon annexation, Owners within the annexed lands will become Owners in the Community on equal footing with the then current Owners in the Community, and will have the same rights, privileges and obligations (except as may otherwise be set forth in the annexing Supplemental Declaration). Developer will have the right to de-annex any property owned by Developer from the Community upon Developer's recordation of a Supplemental Declaration identifying the de-annexed lands and declaring that such lands will no longer be subject to this Declaration. In order to be valid, all Supplemental Declarations must refer to this Declaration and be recorded in the real property records of Ada County, Idaho.

ARTICLE 13 AMENDMENTS

- 13.1 **Amendment.** From and after the recordation of this Declaration until the expiration or earlier termination of the Development Period, Developer will have the exclusive right to amend, or

terminate, this Declaration by executing a written instrument setting forth the amendment, or termination, and the same will be effective upon the recordation thereof with the Ada County Recorder's Office. After the expiration or earlier termination of the Development Period, any amendment to this Declaration, or termination hereof, will be by a written instrument setting forth the amendment or termination, signed and acknowledged by the president and secretary of the Association certifying and attesting that the amendment or termination has been approved by the vote or written consent of Members representing more than sixty-five percent (65%) of the total voting power in the Association, and the same will be effective upon the recordation thereof with the Ada County Recorder's Office.

- 13.2 **Financing Amendments.** Developer and the Association will each have the independent power and authority, acting individually or collectively, to amend to this Declaration by a written instrument setting forth such amendment, if the amendment is necessary or convenient (in the reasonable opinion of Developer or the Association) to allow Owners to take full advantage of, or secure the full availability of, any financing programs offered or supported by the Federal Housing Finance Agency ("FHFA"), Federal National Mortgage Association ("FNMA" or "Fannie Mae"), the Federal Home Loan Mortgage Corp ("FMCC" or "Freddie Mac"), the Government National Mortgage Association ("GNMA" or "Ginnie Mae"), the Federal Housing Administration ("FHA"), the Veterans Administration ("VA"), Idaho Housing and Finance Association ("IHFA") or any similar federal, state or local governmental or quasi-governmental program.
- 13.3 **Effect of Amendment; Mortgagee Protection.** Any Supplemental Declaration or amendment or termination of this Declaration will be effective upon its recordation with the Ada County Recorder's Office and will be binding on and effective as to all Owners, whether or not the Owners voted for or consented to the amendment or termination. Any amendment to this Declaration may add to, delete, and/or otherwise change the covenants, conditions, restrictions, and easements applicable to the Community; provided, however, no amendment will operate to defeat or render invalid the rights of the beneficiary under any Mortgage made in good faith and for value, and recorded prior to the recordation of the amendment, provided that after foreclosure of any Mortgage, the Lot will remain subject to this Declaration as supplemented or amended.
- 13.4 **No Amendment of Required Provisions.** Subject to Section 13.2, except with the express written of the City of Kuna ("**City**"), which consent must be recorded in the real property records of Ada County, Idaho, this Declaration may not be terminated or amended to cause any provision required by City in its approval of the Community to be contrary the applicable requirements of the approval.

ARTICLE 14 NOTICES

Any notices, invoices, consents, approvals or other communications required or permitted by this Declaration will be in writing and may be delivered personally, by electronic mail or by U.S. mail. Each Owner will be responsible for ensuring that the Association has the Owner's then current mailing address, physical address, electronic mail address and telephone numbers. Each Owner will be deemed to have received any notice when the notice is actually received by the Owner (regardless of the method of delivery) or when the notice is delivered to any of the addresses then currently on file with the Association. Notices delivered by U.S. Mail will not be deemed received until three (3) business after posting. The Association will provide the notice addresses of all Owners to Developer or any other Owner promptly upon request (and Developer may use the addresses for sending marketing, promotional and other materials to Owners).

ARTICLE 15 MISCELLANEOUS

- 15.1 **Interpretation.** This Declaration will be liberally construed to effectuate its purpose of creating a uniform plan for the development and operation of the Community. As used herein, the word “including” will be deemed to be followed by “but not limited to” unless otherwise indicated. Unless the context requires a contrary construction, the singular will include the plural and the plural the singular; and the masculine, feminine or neuter will each include the masculine, feminine and neuter. All captions and titles used in this Declaration are intended solely for convenience of reference and will not affect that which is set forth in any of the provisions hereof. As used herein the terms “shall,” “will,” and “must” may be used interchangeably and are mandatory, while the term “may” is permissive. Any reference to a provision or document means the provision or document as it may be amended and supplemented from time to time. *In the event that any provision of this Declaration is deemed ambiguous on any matter, the Board’s interpretation of the provision will be given deference so long as the interpretation is reasonable.*
- 15.2 **Governing Law.** This Declaration will be governed by the laws of the State of Idaho without regard to its conflicts of law principles. Any legal action to interpret or enforce this Declaration will be filed exclusively in the state or federal courts situated in Ada County, Idaho.
- 15.3 **Severability.** Each provision of this Declaration will be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion thereof will not affect the validity or enforceability of any other provision herein.
- 15.4 **Entire Agreement.** This Declaration and the documents referenced herein constitute the sole agreement of Developer and the Owners with respect to the subject matter herein and supersedes all prior understandings and agreements with respect to the subject matter hereof.
- 15.5 **No Third Party Beneficiaries.** Except as otherwise set forth herein, this Declaration and each and every provision herein is for the exclusive benefit of Developer, the Association and the Owners and not for the benefit of any third party.
- 15.6 **No Waiver.** No waiver by the Association hereunder may be oral. No waiver, forbearance, delay, indulgence or failure by the Association to enforce any of the provisions of this Declaration will in any way prejudice or limit the Association’s right thereafter to enforce or compel strict compliance with the provision hereof, any course of dealing or custom of the trade notwithstanding. No delay or omission on the part of the Association will operate as a waiver thereof, nor will any waiver by the Association of any breach of this Declaration operate as a waiver of any subsequent or continuing breach of this Declaration.
- 15.7 **Enforcement; Remedies.** The failure of any Owner or Occupant to comply with applicable law pertaining to the ownership, use or occupancy of any Lot or the Community, or to comply with any provision of the Community Documents, is hereby declared a nuisance and gives rise to a cause of action (subject to Article 9) in Developer, the Association (on its own and/or on behalf of any consenting Owners) and any affected Owner for recovery of damages or for negative or affirmative injunctive relief or both enforce the provisions hereof only as set forth in this Declaration. Each remedy provided herein is cumulative and not exclusive. If any party initiates or defends any legal action or proceeding to interpret or enforce any of the terms of this Declaration, the substantially prevailing party will be entitled to recover any costs and attorneys’ fees reasonably incurred therein.
- 15.8 **Consents and Approvals.** Subject to Developer’s rights as Developer Member (sole voting Member) during the Development Period, any consents or approvals required or contemplated herein must be in a writing executed by the party whose consent or approval is required or

contemplated. No Owner unreasonably withhold, condition or delay its consent or approval of any matter requested by Developer, the Association or another Owner.

- 15.9 **Recitals and Exhibits.** All recitals and exhibits to this Declaration are true, correct, material, and are hereby incorporated as if set forth herein in full.

[end of text; signature page follows]

SIGNATURE PAGE

Developer has executed this Declaration effective as of the Effective Date.

“Developer” TOLL SOUTHWEST LLC, a Delaware limited liability company

By: _____
Susan Stanley, Division President

STATE OF IDAHO)
) ss.
County of Ada)

This record was acknowledged before me on _____ 2022 by Susan Stanley as Division President of Toll Southwest LLC, a Delaware limited liability company.

Signature of Notary Public

EXHIBIT A

PLAT

[attached; _____ () pages]



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: Adam Capell

Signature:  Date: 2/15/22

ESE CONSULTANTS

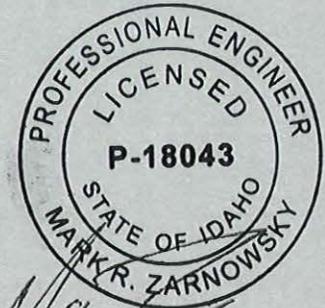
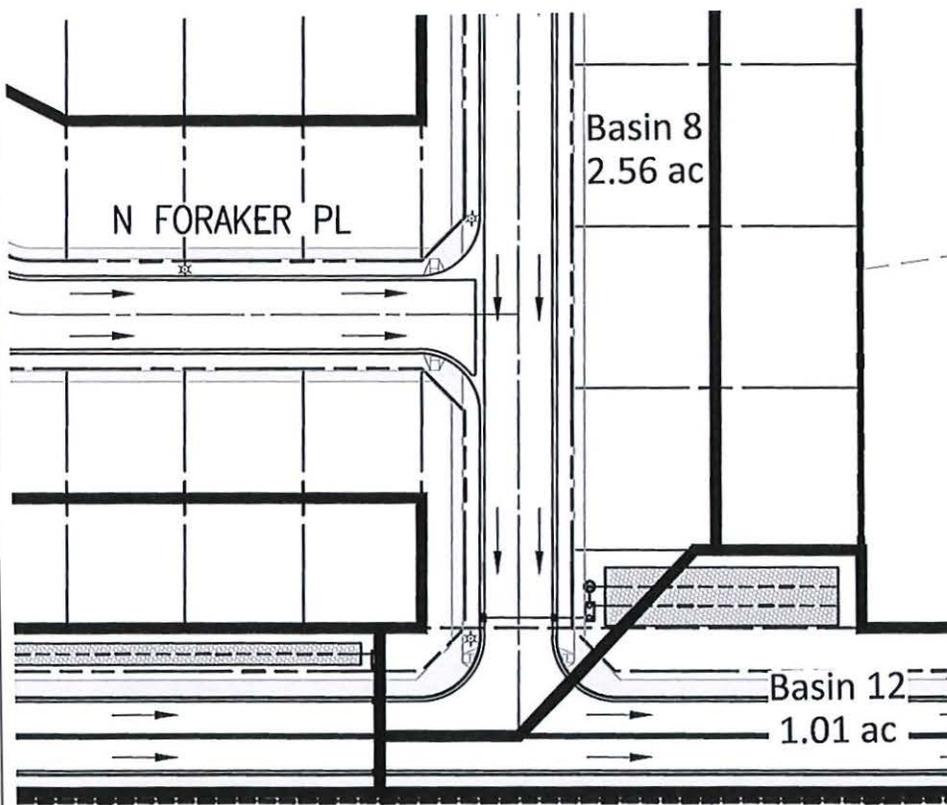
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ESE Consultants, Inc.
3103 W. Sheryl Drive
Meridian, Idaho 83642
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PRELIMINARY STORMWATER MANAGEMENT PLAN

FOR

BRAEBURN CREEK SUBDIVISION



Mark R. Zarnowsky
Professional Engineer
Idaho License No. 18043

February 2022

LOCATED IN:

CITY OF KUNA, ADA COUNTY, IDAHO

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SUBJECT

SECTION

Narrative and Project Information

1

- Site Information
- Stormwater Management Design

Stormwater Facility Design

2

- Seepage Bed Design
- Drainage Plan

SECTION 1
Narrative and Project Information
(Site Information, Stormwater Management Design)

Site Information

Project Location

The project site is situated in the City of Kuna, Ada County, Idaho. The site is bounded by N. School Ave. to the west and W. Mason Creek St. to the north. The site is primarily comprised of open agricultural fields and the Kuna Canal.

Project Scope

The applicant proposes to construct one hundred and fourteen (114) single family residential homes on subdivided lots within the approximately 41.5-acre property. The development includes the construction of homes, support roads, sidewalks, stormwater management facilities, and other infrastructure improvements typical of residential construction.

Report Scope

This report presents the preliminary stormwater management plan for the Braeburn Creek Subdivision. Included within this report are all the calculations to verify that the stormwater management plan meets the regulations listed in the *Ada County Highway Department Section 8200 – Drainage and Stormwater Management Policy Manual*.

Stormwater Management Design

Design Criteria

The Stormwater Management Plan described herein has been designed according to the following publications and criterion:

- *Ada County Highway Department Section 8200 – Drainage and Stormwater Management Policy Manual.*

The proposed Stormwater Management Design has been prepared to meet the following requirements:

- ◆ The Rational Method ($Q=ciA$) has been utilized to calculate peak flows. The ‘c’ coefficients for the calculations were based on Appendix B of the stormwater management manual. Areas with mainly residential lots were assumed at this time to have a c of 0.50 and areas with predominantly roadway (collector roads) assumed a 0.75 c value. Rainfall intensities were determined from the Ada County IDF Curve in Appendix A of the stormwater management manual.
- ◆ Seepage beds have been designed to store and infiltrate the 100-year storm event. Design calculations can be found in Section 2 of this report.
- ◆ Infiltration rates for the design of the seepage beds were taken from a report titled, “Geotechnical Evaluation for Denali North”, prepared by Geotek Inc., dated August 2, 2021. Only the bottom of the seepage beds was considered for the available infiltration area.
- ◆ Preliminary site grading was designed to direct all residential lot area and open space areas in such a way as to be fully captured within the site and accounted for in the stormwater facilities.
- ◆ Sand and grease traps were not designed at this time. The appropriate sand and grease trap size, either 1,000 gallons or 1,500 gallons, will be determined and specified in future design submittals to provide adequate water quality treatment within the required design parameters.

SECTION 2
Stormwater Facility Design
(Seepage Beds and Drainage Map)

BASIN CATCHMENT AREA 1

BASIN CHARACTERISTICS

Basin Area, A: 0.66 Acres
Runoff Coefficient, C: 0.50
Rainfall Intensity, i: 0.96 in/hr
Infiltration Rate, r: 1.0 in/hr

STORAGE VOLUME

Seepage Bed

Req'd Volume, V_{100-YR} (ft ³)	L_1 (ft)	W_1 (ft)	d_1 (ft)	Pipe Volume, V_{P1} (ft ³)	Rock Void Volume, V_{R1} (ft ³)	Storage Volume, V_1 (ft ³)	Time to Drain 90% (hrs)
1,140	70	12	4	122	1,295	1,417	14.66

BASIN CATCHMENT AREA 2

BASIN CHARACTERISTICS

Basin Area, A: 1.91 Acres
Runoff Coefficient, C: 0.50
Rainfall Intensity, i: 0.96 in/hr
Infiltration Rate, r: 1.0 in/hr

STORAGE VOLUME

Seepage Bed

Req'd Volume, V_{100-YR} (ft ³)	L_1 (ft)	W_1 (ft)	d_1 (ft)	Pipe Volume, V_{P1} (ft ³)	Rock Void Volume, V_{R1} (ft ³)	Storage Volume, V_1 (ft ³)	Time to Drain 90% (hrs)
3,300	104	18	5	182	3,671	3,853	19.04

BASIN CATCHMENT AREA 3

BASIN CHARACTERISTICS

Basin Area, A: 1.24 Acres
Runoff Coefficient, C: 0.50
Rainfall Intensity, i: 0.96 in/hr
Infiltration Rate, r: 1.0 in/hr

STORAGE VOLUME

Seepage Bed

Req'd Volume, V_{100-YR} (ft ³)	L_1 (ft)	W_1 (ft)	d_1 (ft)	Pipe Volume, V_{P1} (ft ³)	Rock Void Volume, V_{R1} (ft ³)	Storage Volume, V_1 (ft ³)	Time to Drain 90% (hrs)
2,143	105	14	4	184	2,279	2,462	15.74

BASIN CATCHMENT AREA 4

BASIN CHARACTERISTICS

Basin Area, A: 1.92 Acres
Runoff Coefficient, C: 0.50
Rainfall Intensity, i: 0.96 in/hr
Infiltration Rate, r: 1.0 in/hr

STORAGE VOLUME

Seepage Bed

Req'd Volume, V_{100-YR} (ft ³)	L_1 (ft)	W_1 (ft)	d_1 (ft)	Pipe Volume, V_{P1} (ft ³)	Rock Void Volume, V_{R1} (ft ³)	Storage Volume, V_1 (ft ³)	Time to Drain 90% (hrs)
3,318	90	16	6	157	3,393	3,550	24.88

BASIN CATCHMENT AREA 5

BASIN CHARACTERISTICS

Basin Area, A: 2.6 Acres
Runoff Coefficient, C: 0.50
Rainfall Intensity, i: 0.96 in/hr
Infiltration Rate, r: 1.0 in/hr

STORAGE VOLUME

Seepage Bed

Req'd Volume, V_{100-YR} (ft ³)	L_1 (ft)	W_1 (ft)	d_1 (ft)	Pipe Volume, V_{P1} (ft ³)	Rock Void Volume, V_{R1} (ft ³)	Storage Volume, V_1 (ft ³)	Time to Drain 90% (hrs)
4,493	120	16	6	210	4,524	4,734	25.27

BASIN CATCHMENT AREA 6

BASIN CHARACTERISTICS

Basin Area, A: 0.71 Acres
Runoff Coefficient, C: 0.75
Rainfall Intensity, i: 0.96 in/hr
Infiltration Rate, r: 1.0 in/hr

STORAGE VOLUME

Seepage Bed

Req'd Volume, V_{100-YR} (ft ³)	L_1 (ft)	W_1 (ft)	d_1 (ft)	Pipe Volume, V_{P1} (ft ³)	Rock Void Volume, V_{R1} (ft ³)	Storage Volume, V_1 (ft ³)	Time to Drain 90% (hrs)
1,840	75	10	6.5	131	1,898	2,028	26.50

BASIN CATCHMENT AREA 7

BASIN CHARACTERISTICS

Basin Area, A: 1.2 Acres
Runoff Coefficient, C: 0.75
Rainfall Intensity, i: 0.96 in/hr
Infiltration Rate, r: 1.0 in/hr

STORAGE VOLUME

Seepage Bed

Req'd Volume, V_{100-YR} (ft ³)	L_1 (ft)	W_1 (ft)	d_1 (ft)	Pipe Volume, V_{P1} (ft ³)	Rock Void Volume, V_{R1} (ft ³)	Storage Volume, V_1 (ft ³)	Time to Drain 90% (hrs)
3,110	170	10	5	298	3,281	3,579	19.76

BASIN CATCHMENT AREA 8

BASIN CHARACTERISTICS

Basin Area, A: 2.56 Acres
Runoff Coefficient, C: 0.50
Rainfall Intensity, i: 0.96 in/hr
Infiltration Rate, r: 1.0 in/hr

STORAGE VOLUME

Seepage Bed

Req'd Volume, V_{100-YR} (ft ³)	L_1 (ft)	W_1 (ft)	d_1 (ft)	Pipe Volume, V_{P1} (ft ³)	Rock Void Volume, V_{R1} (ft ³)	Storage Volume, V_1 (ft ³)	Time to Drain 90% (hrs)
4,424	108	27	4	189	4,590	4,779	16.38

BASIN CATCHMENT AREA 9

BASIN CHARACTERISTICS

Basin Area, A: 3.69 Acres
Runoff Coefficient, C: 0.50
Rainfall Intensity, i: 0.96 in/hr
Infiltration Rate, r: 1.0 in/hr

STORAGE VOLUME

Seepage Bed

Req'd Volume, V_{100-YR} (ft ³)	L_1 (ft)	W_1 (ft)	d_1 (ft)	Pipe Volume, V_{P1} (ft ³)	Rock Void Volume, V_{R1} (ft ³)	Storage Volume, V_1 (ft ³)	Time to Drain 90% (hrs)
6,376	104	30	5.5	182	6,791	6,973	22.07

BASIN CATCHMENT AREA 10

BASIN CHARACTERISTICS

Basin Area, A: 4.2 Acres
Runoff Coefficient, C: 0.50
Rainfall Intensity, i: 0.96 in/hr
Infiltration Rate, r: 1.0 in/hr

STORAGE VOLUME

Seepage Bed

Req'd Volume, V_{100-YR} (ft ³)	L_1 (ft)	W_1 (ft)	d_1 (ft)	Pipe Volume, V_{P1} (ft ³)	Rock Void Volume, V_{R1} (ft ³)	Storage Volume, V_1 (ft ³)	Time to Drain 90% (hrs)
7,258	195	15	6.5	343	7,468	7,811	26.80

BASIN CATCHMENT AREA 11

BASIN CHARACTERISTICS

Basin Area, A: 1.31 Acres
Runoff Coefficient, C: 0.50
Rainfall Intensity, i: 0.96 in/hr
Infiltration Rate, r: 1.0 in/hr

STORAGE VOLUME

Seepage Bed

Req'd Volume, V_{100-YR} (ft ³)	L_1 (ft)	W_1 (ft)	d_1 (ft)	Pipe Volume, V_{P1} (ft ³)	Rock Void Volume, V_{R1} (ft ³)	Storage Volume, V_1 (ft ³)	Time to Drain 90% (hrs)
2,264	80	16	5	140	2,504	2,644	19.10

BASIN CATCHMENT AREA 12

BASIN CHARACTERISTICS

Basin Area, A: 1.01 Acres
Runoff Coefficient, C: 0.75
Rainfall Intensity, i: 0.96 in/hr
Infiltration Rate, r: 1.0 in/hr

STORAGE VOLUME

Seepage Bed

Req'd Volume, V_{100-YR} (ft ³)	L_1 (ft)	W_1 (ft)	d_1 (ft)	Pipe Volume, V_{P1} (ft ³)	Rock Void Volume, V_{R1} (ft ³)	Storage Volume, V_1 (ft ³)	Time to Drain 90% (hrs)
2,618	170	10	4	298	2,601	2,899	16.63

BASIN CATCHMENT AREA 13

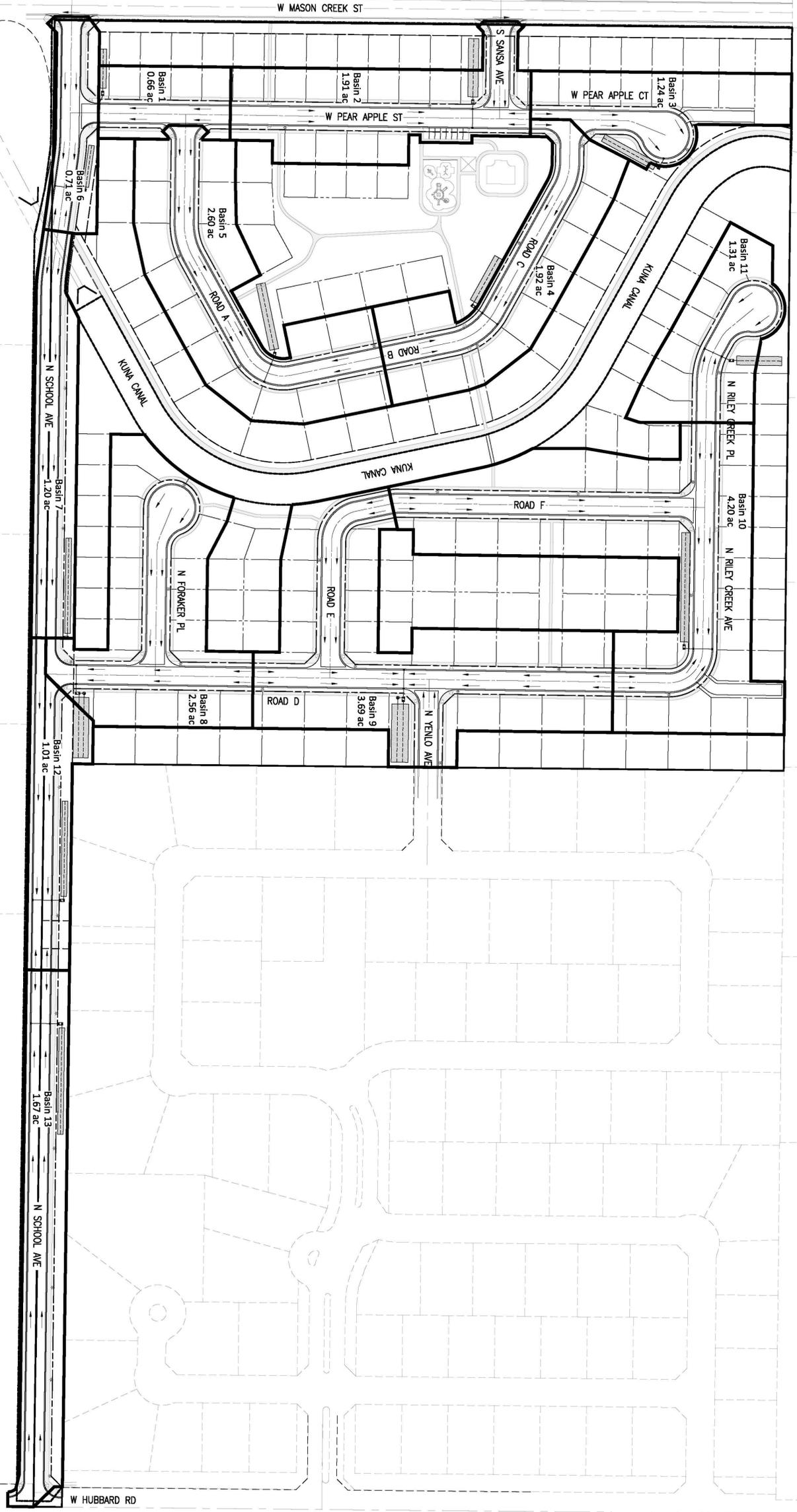
BASIN CHARACTERISTICS

Basin Area, A: 1.67 Acres
Runoff Coefficient, C: 0.75
Rainfall Intensity, i: 0.96 in/hr
Infiltration Rate, r: 1.0 in/hr

STORAGE VOLUME

Seepage Bed

Req'd Volume, V_{100-YR} (ft ³)	L_1 (ft)	W_1 (ft)	d_1 (ft)	Pipe Volume, V_{P1} (ft ³)	Rock Void Volume, V_{R1} (ft ³)	Storage Volume, V_1 (ft ³)	Time to Drain 90% (hrs)
4,329	190	10	6	334	4,426	4,760	24.60



DRAINAGE CATCHMENT PLAN

PRELIMINARY PLAT FOR
BRAEBURN CREEK SUBDIVISION
CITY OF KUNA, ADA COUNTY, IDAHO

REV.	DATE	DESCRIPTION	DRAWN
A	02/14/22	AGENCY SUBMITTAL	MRZ/BS

ESE CONSULTANTS
ENGINEERING • PLANNING • SURVEYING • ENVIRONMENTAL

ESE Consultants, Inc.
3103 W. Sheryl Drive • Suite 100 • Meridian, ID 83642
T: 208-424-0020



DATE:	02/14/22	SCALE:	1" = 100'
DESIGNER:	MRZ	DRAWN:	JBS
CDS NO.:	8179	FILE NAME:	8179-S-SWM-PP
REF. SHEET:	DR-1.1	SHEET:	1 OF 1

TRANSPORTATION IMPACT STUDY

Braeburn Creek Subdivision

January 2022

PREPARED FOR
TOLL BROTHERS
3103 W. Sheryl Dr., Suite 100
Meridian, ID 83642

PREPARED BY
KITTELSON & ASSOCIATES, INC.
101 S Capitol Boulevard, Suite 600
Boise, ID 83702
208.338.2683

Transportation Impact Study

Braeburn Creek Subdivision TIS

Kuna, Idaho

Prepared For:
Toll Brothers
3103 W. Sheryl Drive, Suite 100
Meridian, ID 83642

Prepared By:
Kittelson & Associates, Inc.
101 South Capitol Boulevard, Suite 600
Boise, ID 83702
(208) 338-2683

Project Principal: Sonia Daleiden, PE, PTOE
Project Manager: Lauren Nuxoll, PE, PTOE
Project Analyst: Daniel Bowers

Project No. 26729

January 2022



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Section 1
Executive Summary

EXECUTIVE SUMMARY

Kittelson & Associates, Inc. (Kittelson) has prepared a Transportation Impact Study (TIS) for the Braeburn Creek Subdivision. The Braeburn Creek Subdivision is located in the northwest quadrant of the intersection of Hubbard Road and Linder Road, within the City of Kuna's Impact Area. The proposed site is currently vacant farmland and consists of approximately 42 acres. The development will be annexed into the City of Kuna. The development plan proposes to build approximately 114 single-family homes. The anticipated buildout year is 2025.

The TIS resulted in the following findings and recommendations.

FINDINGS

Existing Conditions

- All study intersections were found to operate at acceptable operating standards during the existing weekday AM and PM peak hours except for the Linder Road/Hubbard Road intersection in the weekday AM peak hour.
 - The northbound approach at the intersection operates over capacity and at LOS F under existing traffic conditions in the AM peak hour exceeding ACHD's policy.
 - A suitable mitigation for this intersection for existing conditions is the addition of a northbound right turn lane. With this mitigation, the intersection operates within ACHD standard.
- All study roadway segments operate within the ACHD volume threshold under existing conditions.

Year 2025 Background Traffic Conditions

- Year 2025 background traffic volumes were forecast using a 7% compounded annual growth rate on Hubbard Road and a 4% compounded annual growth rate on all other roadways.
- Year 2025 background traffic analysis (without inclusion of site-generated traffic) found that all study intersections are expected to operate at acceptable operating standards during the weekday AM and PM peak hours, except for the Linder Road/Hubbard Road intersection in both the weekday AM and PM peak hour.
 - The northbound approach at the intersection operates over capacity and at LOS F under existing traffic conditions in the AM peak hour exceeding ACHD's policy.
 - A suitable mitigation for this intersection for existing conditions is the addition of a northbound right turn lane. With this mitigation, the intersection operates within ACHD standard.

- All study roadway segments operate within the ACHD volume threshold under Year 2025 background traffic conditions.

Trip Generation

- The development plan proposes to build approximately 114 single-family houses.
- The development is estimated to generate a total of 1,173 daily net new trip ends, of these 84 are estimated to occur in the weekday AM peak hour (22 inbound / 62 outbound), and 112 are estimated to occur in the weekday PM peak hour (70 inbound / 42 outbound).

Year 2025 Total Traffic Conditions

- Year 2025 total traffic conditions found that the site generated trips did not impact any additional intersections not previously identified in the background traffic conditions.
- The new mitigation options for intersection of Linder Road/Hubbard Road include an interim 3x3 traffic signal or a single lane roundabout.
 - This intersection is not on ACHD's IFYWP or CIP. These improvements are infeasible at this time and there is not enough right-of-way. This project is 2% of the total traffic at the intersection. Therefore, consistent with ACHD's Level of Service Planning Threshold policy where proposed developments with site traffic less than 10% of the intersection peak hour traffic shall not be required to provide mitigation for an intersection that currently exceeds minimum acceptable level of service planning threshold or v/c ratio.
- All study roadway segments operate within the ACHD volume threshold under total conditions.

Site Access Evaluation

- The turn lane analysis using ACHD procedures resulted in turn lane warrants at no site access streets or Perfect Lane.
- The intersection sight distance evaluation identified that intersection sight distance can be achieved at all the site intersections.

RECOMMENDATIONS

Based on the report's analyses and evaluation findings, recommendations were developed accordingly for time scenario's conditions.

Additional Year 2025 Total Traffic Mitigations Needed with the Braeburn Creek Subdivision

All Site Accesses

Construct all accesses to the development with the following designations:

- All local streets within the development should be constructed with one travel lane in each direction.
- Site driveways with access to public streets should provide sufficient stacking distance for four vehicles (100 feet) to ensure acceptable operation and accommodate larger vehicles, including utility service and delivery vehicles.
- Site accesses along Mason Creek Street and Perfect Lane should match the existing grade or be higher at the intersection to ensure the best possible sight distance.
- All accesses and internal streets should be designed to provide adequate intersection site distance. Shrubbery and landscaping near the intersection and site access point should be maintained to ensure adequate sight distance is maintained.
- Site accesses are assumed to match the existing grade of the connected roadway at the intersection and back at least one car length. Significant changes to the approach grade could impact the sight distances.
- Shrubbery, weeds, and landscaping near the internal intersections and site access points should be maintained to ensure adequate sight distance.
- If widening occurs along any of the site access road, care should be taken to ensure adequate grades and intersection sight distance is maintained.



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 5, 2022

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

File Numbers & Case Name:	22-03-AN (Annexation) & 22-04-S (Preliminary Plat) – <i>Braeburn Subdivision.</i>
Project Description	Adam Capell with Toll Southwest, LLC, requests approval to Annex of approx. 41.50 ac. into Kuna City and is proposing the R-6, Medium Density Residential zone; and requests Preliminary Plat approval to subdivide the same lands into 115 single-family lots, and 15 common lots. The site is in Section 11, Township 2 North, Range 1 West (Parcel number; S1311427800).
Site Location	The SEC of School Ave. and Mason Creek St., Kuna, ID 83634.
Applicant	Adam Capell Toll Southwest, LLC 3103 W Sheryl Dr. Ste 100, Meridian, ID 83642 208.780.6726 Acapell@tollbrothers.com
Representative	Jeff Bower Givens Pursley, LLP 601 W Bannock St. Boise, ID, 83702 208.388.1260 jeffbower@givenspursley.com
Tentative Public Hearing Date	PnZ Commission: On Tuesday, July 26, 2022 (<i>Tentative</i>) 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>	



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

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

Brady Barroso
Engineering Technician I

MEMORANDUM

To: Doug Hanson - Planning and Zoning Director
From: Brady Barroso - Engineering Technician I
Catherine Feistner - Assistant City Engineer
Date: 21 July 2022
RE: Public Works Comments
Braeburn Subdivision, 22-03-AN (Annexation), 22-04-S (Preliminary Plat)

The Braeburn Subdivision, 22-03-AN, 22-04-S, annexation, and preliminary plat request dated 5 May 2022 has been reviewed. The applicant wishes to annex with a City of Kuna (City) R-6 (medium density residential) zone. These comments apply to the application as they affect public works infrastructure. Review of civil design drawings is accomplished separately, when received.

This project is located within the Danskin lift station basin which currently does not have capacity. Public Works can support approval of this project contingent that a development agreement acknowledges that the City is currently unable to service this project until capacity in the Danskin lift station is relieved by either the operating 18" Danskin force main project or the operating Mason Creek Trunkline.

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) Equivalent Dwelling Units (EDUs) are reckoned at approximately 3.18 people per household. The resultant projected population for this subdivision is approximately 366.
- 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 city is unable to service this development until capacity in the Danskin lift station is relieved by either the operating 18" Danskin force main project or the operating Mason Creek Trunkline.
- b) The applicant's property is not connected to City services. The closest possible connection to gravity sewer is located directly north and south of the proposed project.
- c) City code 5-16-3-B.2 states public sewer utilities shall be extended to each parcel when sewer is available within three hundred (300) feet of the parcels.
- d) 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.
- e) Sewer must provide connectivity for surrounding developments.
- f) No cleanouts are permitted at the end of runs in lieu of manholes per Kuna City Code 6-4-2-B.14.
- g) All sewer infrastructure must meet or exceed City of Kuna requirements.

- h) Sewer flow models will be required to verify and accommodate pipe sizes. The associated costs shall be paid by the developer.
- i) Sewer connection fees apply to each lot containing a home or other facility.
- j) This application shall conform to the sewer masterplan as applicable. The sewer master plan specifies minimum pipe sizes and supports the “to and through” utility policy.

5) Potable Water Connection

- a) The applicant’s property is not connected to City services. The closest possible connection to water is located directly north and south of the proposed project.
- b) The applicant shall design and construct 12-in. water line along the western mid-mile road.
- c) Flow modeling will be used to determine if adequate water pressure is available for a future development.
- d) 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.
- e) 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.
- f) All existing wells shall be abandoned in accordance with Idaho Department of Water Resources (IDWR) requirements. Documentation shall be provided to the City of Kuna.
- g) All water infrastructure must meet or exceed City of Kuna requirements.
- h) Water connection fees apply to each lot containing a home or other facility.
- i) 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 directly north and south of the proposed project.
- b) The applicant shall design and construct 12-in. PI along the western mid-mile road.
- c) Relying on municipal drinking water for irrigation purposes is contrary to City Code 6-4-2-B.9.
- d) All pressurized irrigation infrastructure shall meet or exceed City of Kuna standards.
- e) Existing irrigation ditches (supply & drain) must be relocated as needed and as approved by the irrigation ditch company/users.
- f) Pressurized irrigation flow model will be required to verify and accommodate adequate pressurized irrigation supply. All associated costs shall be paid by the developer.
- g) 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: Braeburn Creek Subdivision/ KPP22-0004/ 22-03-AN/ 22-04-S
 This is an annexation and rezone application to annex 41.5 acres into the City of Kuna and a preliminary plat application to develop 130 lots.

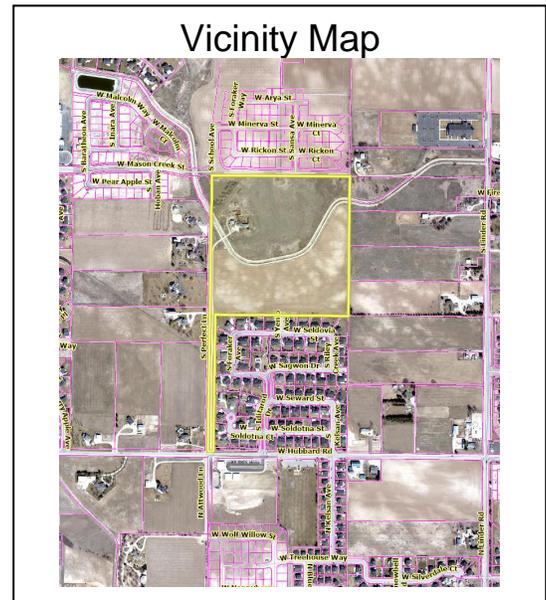
Lead Agency: City of Kuna
Site address: 2400 W Hubbard Road

Staff Approval: July 6th, 2022

Applicant: Adam Capell
 Toll Southwest LLC
 3103 W Sheryl Drive, Suite 100
 Meridian, ID 83642

Representative: Jeff Bower
 Givens Pursley LLP
 601 W Bannock Street
 Boise, ID 83702

Staff Contact: Kelly Bruner
 Phone: 387-6132
 E-mail: kbruner@achdidaho.org



A. Findings of Fact

- Description of Application:** This is an annexation and rezone application to annex 41.5 acres into the City of Kuna with R-6 zoning, and a preliminary plat application to develop 115 single-family lots and 15 common lots.

The applicant's proposal is consistent with the City of Kuna's future land use map, which designates this area as Medium Density Residential.

- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Medium Density Residential	R-6 Medium Density Residential (City of Kuna)
South	Medium Density Residential	R-4 Medium Density Residential (City of Kuna)
East	Medium Density Residential	RR Rural Residential (Ada County)
West	Low Density Residential	RR Rural Residential (Ada County)

- Site History:** ACHD has not previously reviewed this site for a development application.
- Adjacent Development:** The following developments are pending or underway in the vicinity of the site:

- Paloma Ridge East Subdivision, mixed-use development for 388 lots on 113 acres northeast of the site was approved by ACHD on January 25th, 2021.
- Paloma Ridge West Subdivision, residential development for 90 lots on 22 acres north of the site was approved by ACHD on January 29th, 2021.

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

6. **New Center Lane Miles:** The proposed development includes 1.6 centerline miles of new public road.

7. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time. The impact fee assessment will not be released until the civil plans are approved by ACHD.

8. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**

There are no roadways, bridges or intersections in the general vicinity of the project that are in the Integrated Five Year Work Plan (IFYWP) or the District’s Capital Improvement Plan (CIP).

- Ten Mile Road is scheduled in the IFYWP to be widened to 5-lanes from Hubbard Road to Columbia Road in the future.
- The intersection of Ten Mile Road and Hubbard Road is scheduled in the IFYWP to be reconstructed as a single lane roundabout in the future.

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

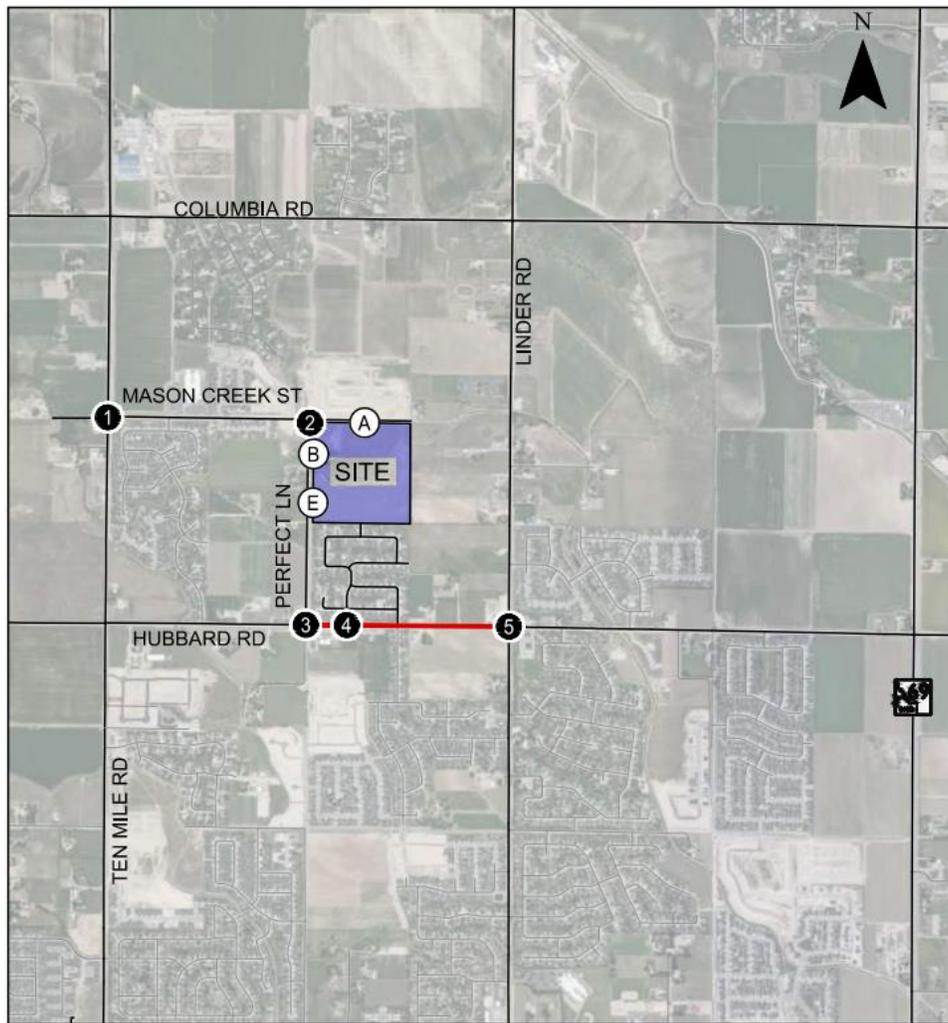
The BMP identifies Hubbard Road as a Level 2 facility that will be constructed as part of a future ACHD project. The BMP also identifies level 1 facilities on the new collector roadways within the site. The applicant will construct the new collectors consistent with the MSM and the Roadways to Bikeways Master plan.

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 1,138 vehicle trips per day and 112 vehicle trips per hour in the PM peak hour based on the traffic impact study.

2. **Traffic Impact Study**

Kittelson & Associates, Inc. prepared a traffic impact study for the proposed Braeburn Creek. Below is an executive summary of the findings **as presented by Kittelson & Associates, Inc.** The following executive summary is **not the opinion of ACHD staff**. ACHD has reviewed the submitted traffic impact study for consistency with ACHD policies and practices and may have additional requirements beyond what is noted in the summary. ACHD Staff comments on the submitted traffic impact study can be found below under staff comments.



Staff Comments/Recommendations: Staff comments are provided by District Traffic Services and Development Review staff.

a. Policy

Mitigation Proposals: Mitigation recommendations shall be provided within the report. At a minimum, for each roadway segment and intersection that does not meet the minimum acceptable level of service planning threshold or v/c ratio, the report must discuss feasible measures to avoid or reduce the impact to the system. To be considered adequate, measures should be specific and feasible. Mitigation may also include:

- Revision to the Phasing Plan to coincide with the District’s planning Capital Projects.
- Reducing the scope and/or scale of the project.

Alternative Mitigation Measures: 7106.7.3 states that if traditional mitigation measures such as roadway widening and intersection improvements are infeasible as determined by ACHD, the TIS may recommend alternative mitigation measures. Alternative mitigation measures shall demonstrate that impacts from the project will be offset.

- If the impacted roadway segments and/or intersections are programmed as funded in the Integrated Five Year Work Plan (IFYWP) or the Capital Improvements Plan (CIP); no alternative mitigation is required.

- If the impacted roadway segments and/or intersections are not programmed in either the IFYWP or the CIP; the applicant may (i) analyze the shoulder hour and (ii) provide a safety analysis to determine alternative mitigation requirements.
 - If the impacted roadway segments and intersections meet the minimum acceptable level of service planning thresholds in the shoulder hour the applicant may suggest feasible alternative mitigation such as: sidewalks, bike facilities, connectivity, safety improvements, etc. within 1.5 miles of the proposed development.
 - If the shoulder hour planning thresholds are exceeded the applicant may request to enter into a Development Agreement and pay into the Priority Corridor Fund an amount determined by the ACHD to offset impacts from the project.
- Alternative Mitigation may also include:
 - Revision to the Phasing Plan to coincide with the District's future Capital Projects.
 - Reducing the scope and/or scale of the project.

Level of Service Planning Thresholds: District Policy 7206.4.1 states that, Level of Service Planning Thresholds have been established for principal arterials and minor arterials within ACHD's Capital Improvement Plan and are also listed in section 7106. Unless otherwise required to provide a Traffic Impact Study under section 7106, a proposed development with site traffic less than 10% of the existing downstream roadway or intersection peak hour traffic shall not be required to provide mitigation for a roadway or intersection that currently exceeds the minimum acceptable level of service planning threshold or V/C ratio.

Average Daily Traffic (ADT): District Policy 7207.3.1 states that ADT on new and existing local streets should typically be less than 2,000. This ADT applies to both existing and new streets. For new streets that are stubbed to connect to adjacent land that is not fully developed, the allowable ADT for the new street will typically be no more than 1,000 ADT, to accommodate future additional traffic from the adjacent land, depending on the location and type of the stub street and the location and size of the adjacent undeveloped land. When stub streets are connected and properties fully developed, local streets should not exceed 2,000 ADT.

- b. Staff Comments/Recommendations:** Staff has reviewed the submitted traffic impact study (TIS) and generally agrees with the findings and recommendations. The following sections list the recommended improvements required by ACHD with this development based on the study and District policy.

Linder Road/ Hubbard Road Intersection: The northbound approach at the intersection of Linder Road and Hubbard Road exceeds ACHD's acceptable level of service planning thresholds during the AM peak hour, operating with a V/C ratio of 1.04 under existing traffic conditions. The TIS recommends that a dedicated northbound right-turn lane be constructed at this intersection to mitigate existing traffic conditions.

The traffic impact study notes that the site traffic is approximately 2% of the total traffic entering the Linder Road/Hubbard Road intersection. District Level of Service Planning Threshold Policy 7205.3.1 states that a proposed development with site traffic less than 10% of the existing downstream roadway or intersection peak hour traffic shall not be required to provide mitigation, therefore no improvements are required at this intersection.

All other study intersections/roadway segments meet ACHD's LOS planning thresholds for 2025 total traffic conditions.

3. Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Hubbard Road	50-feet	Minor Arterial	124	Better than "E"
Mason Creek Street	1,310-feet	Local	N/A	N/A

* Acceptable level of service for a two-lane principal arterial is "E" (690 VPH).

4. Average Daily Traffic Count (VDT)

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

- The average daily traffic count for Hubbard Road east of Ten Mile Road was 2,506 on 1/19/21.
- There are no traffic counts for Mason Creek Street.

C. Findings for Consideration

1. School Avenue/Mason Creek Street Roundabout

a. Policy:

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, roundabout requirements, and specific roadway features required through development. A new roundabout was identified on the MSM. The new single-lane roundabout is planned at the School Avenue/Mason Creek Street intersection.

- #### b. Staff Comments/Recommendations:
- To accommodate the future construction of the single-lane roundabout the applicant should be required dedicate additional right-of-way at the School Avenue/Mason Creek Street intersection in accordance with the template in Attachment 4. Compensation will not be provided for this right-of-way dedication, as this improvement is not listed in ACHD's CIP or IFYWP.

2. Hubbard Road/School Avenue Roundabout

a. Policy:

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, roundabout requirements, and specific roadway features required through development. A new roundabout was identified on the MSM. The new single-lane roundabout is planned at the Hubbard Road/School Avenue intersection.

- #### b. Staff Comments/Recommendations:
- To accommodate the future construction of the single-lane roundabout the applicant should be required dedicate additional right-of-way at the Hubbard Road/School Avenue intersection in accordance with the template in Attachment 4. Compensation will not be provided for this right-of-way dedication, as this improvement is not listed in ACHD's CIP or IFYWP.

3. School Avenue

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

b. Policy:

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

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

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

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

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

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

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

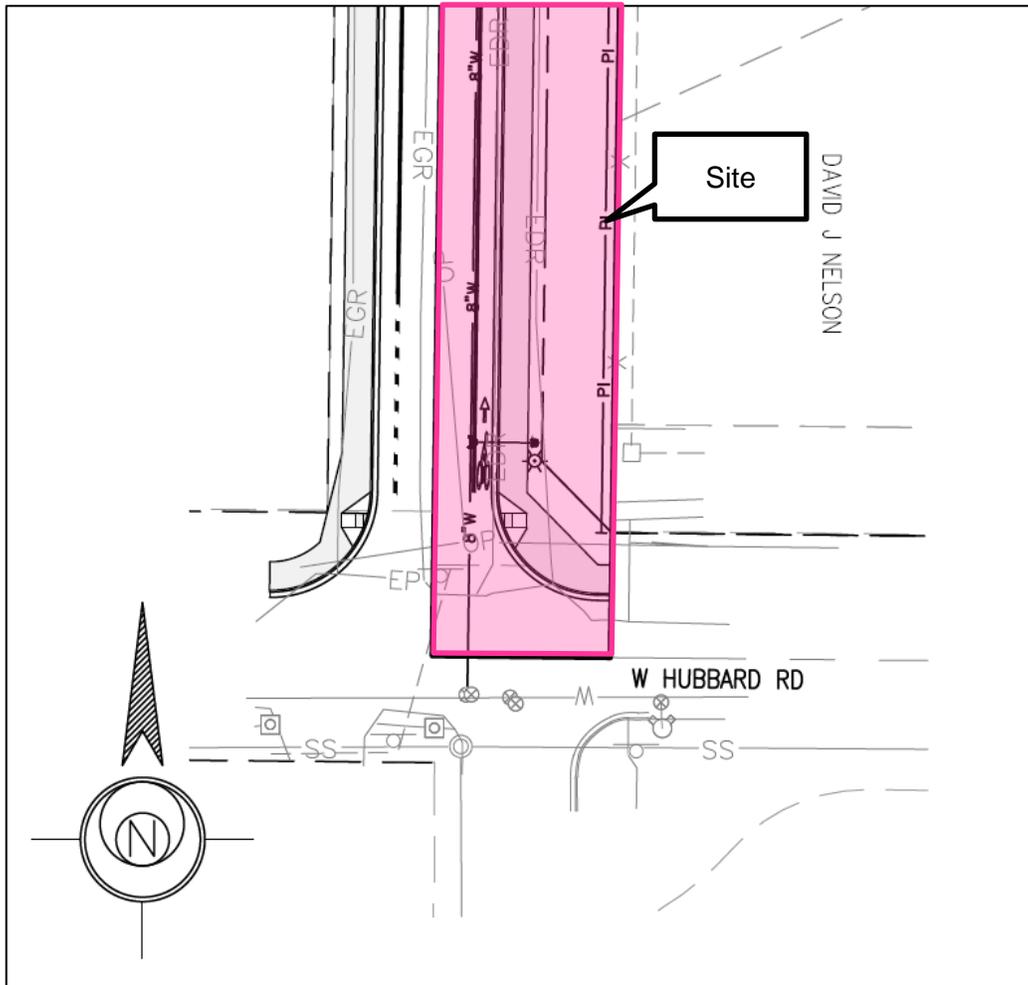
A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public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

Half Street Policy: District Policy 7207.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. A new collector roadway was identified on the MSM with the street typology of Residential Collector. The new collector roadway should align with School Avenue on the north side of Mason Creek Street and continue through the property intersecting Hubbard Road to the south. The Residential Collector typology as depicted in the Livable Street Design Guide recommends a 2-lane roadway with bike lanes, a 36-foot street section within 60-feet of right-of-way.

- c. **Applicant Proposal:** The applicant has proposed to construct School Avenue as ½ of a 36-foot wide collector street section with vertical curb, gutter, and 8-foot wide attached concrete sidewalk within 60-feet of right of way. The proposed section of School Avenue will align with School Avenue on the north side of Mason Creek Street and will intersect Hubbard Road to the

south approximately 495-feet west of Iditarod Drive, with the proposed centerline of School Avenue aligning with the site's west property line (see image below).



d. Staff Comments/Recommendations: The applicant's proposal to construct School Avenue as ½ of a 36-foot wide collector street section meets District policy and should be approved as proposed. The applicant should be required to construct School Avenue as ½ of a 36-foot wide collector street section with vertical curb and gutter on the east side of the roadway plus an additional 12-feet of pavement beyond centerline and a 3-foot wide gravel shoulder and borrow ditch sized to accommodate roadway storm runoff on the west side of the roadway.

The applicant's proposal to construct an 8-foot wide attached concrete sidewalk on the east side of School Avenue, exceeds District policy, which requires the construction of a 7-foot wide attached concrete sidewalk and should be approved as proposed. At minimum, a 7-foot wide attached concrete sidewalk should be constructed on east side of School Street.

The applicant should be required to dedicate right-of-way to extend 2-feet behind the back of sidewalk on the east side of School Avenue and 2-feet behind the borrow ditch on the west side.

The applicant should be required to construct School Avenue to align curb line to curb line with the existing portion of School Avenue on the south side of Hubbard Road and construct the entirety of the street section within the existing 50-feet of property (see below image) or coordinate with the property owners to the west to dedicate additional right-of-way for School Avenue.

The applicant's proposal to construct School Avenue to intersect Mason Creek Street in alignment with the existing portion of School Avenue north of Mason Creek Street meets District policy and should be approved as proposed.



4. Mason Creek Street

a. **Existing Conditions:** Mason Creek Street is improved with 2-travel lanes, on-street bike lanes, vertical curb, gutter, and 7-foot wide attached concrete sidewalk abutting the site. There is 54-feet of right-of-way for Mason Creek Street (27-feet from centerline).

b. **Policy:**

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

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

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

District will require a minimum right-of-way width that extends 2-feet behind the back-of-curb on each side.

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

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

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

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

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

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

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. This segment of Mason Creek Street is designated in the MSM as a Residential Collector with 2-lanes and on-street bike lanes, a 36-foot street section within 54-feet of right-of-way.

- c. **Applicant's Proposal:** The applicant has not proposed any improvements to Mason Creek Street abutting the site.
- d. **Staff Comments/Recommendations:** Mason Creek Street abutting the site is fully improved, therefore no additional roadway improvements or right-of-way dedication is required with this application.

Consistent with the District's Minor Improvements Policy, the applicant should be required to repair or replace any broken or deteriorated segments of curb, gutter, and sidewalk on Mason Creek Street abutting the site.

5. Internal Local Roads

- a. **Existing Conditions:** There are no existing roadways within the site. There is one existing stub street, Yenlo Avenue, at the site's south property line.

b. Policy:

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

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

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy:

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

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

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

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

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

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

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

Cul-de-sac Streets Policy: District policy 7207.5.8 requires cul-de-sacs to be constructed to provide a minimum turning radius of 50-feet; in rural areas or for temporary cul-de-sacs the emergency service providers may require a greater radius. Landscape and parking islands may

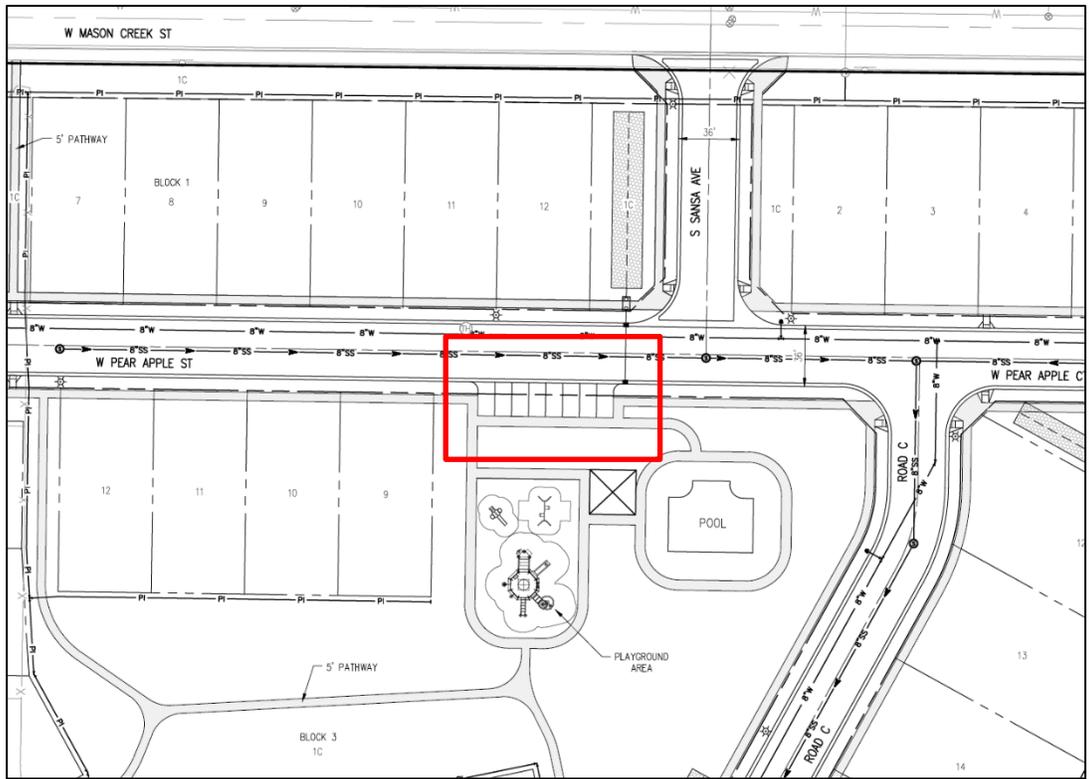
be constructed in turnarounds if a minimum 29-foot street section is constructed around the island. The pavement width shall be sufficient to allow the turning around of a standard AASHTO SU design vehicle without backing. The developer shall provide written approval from the appropriate fire department for this design element.

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

- c. **Applicant's Proposal:** The applicant has proposed to extend Yenlo Avenue into the site and construct all internal streets as 36-foot wide local street sections with curb, gutter, and 5-foot wide detached concrete sidewalk within 50-feet of right-of-way.

The applicant has proposed to construct a cul-de-sac with a 43-foot turning radius at the terminus of Pear Apple Street, Riley Creek Place, and Foraker Place.

The applicant has proposed to construct 8 striped parking stalls on Pear Apple Street offset 20-feet beyond the curb line into the adjacent parcel.



- d. **Staff Comments/Recommendations:** The applicant's proposal to extend Yenlo Avenue into the site and construct all internal roads as 36-foot wide local street sections meets District policy and should be approved as proposed.

If street trees are desired, an 8-foot wide planter strip is required. The applicant should be required to dedicate additional right-of-way to total 2-feet behind the back of sidewalk or provide a permanent right-of-way easement for sidewalk located outside of the right-of-way.

The applicant's proposal to construct cul-de-sacs with a 43-foot turning radius does not meet District Cul-de-sac policy, which requires a minimum 50-foot turning radius. The applicant

should be required to construct the proposed cul-de-sacs with a minimum turning radius of 50-feet.

The applicant's proposal to construct 8 striped parking stalls on Pear Apple Street does not meet District policy and should not be approved. 36-foot wide street sections already allow for on-street parking, and on-street parking cannot be dedicated to HOA facilities. If additional parking is needed, then on-site parking lots should be constructed.

6. Roadway Offsets

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

b. **Policy:**

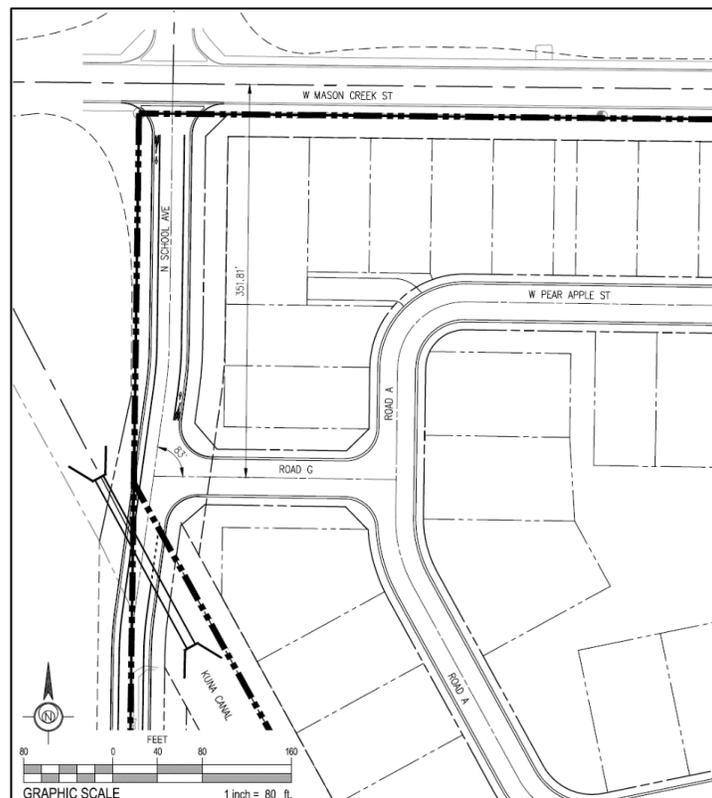
Collector Offset Policy: District policy 7205.4.2 states that the optimum spacing for new signalized collector roadways intersecting minor arterials is one half-mile.

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

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

c. **Applicant's Proposal:** The applicant has proposed to construct a new collector roadway, School Avenue to intersect Hubbard Road approximately 2,630-feet west of Linder Road and to intersect Mason Creek Street approximately 2,665-feet east of Ten Mile Road.

As part of the TIS review, the applicant was required to relocate the intersection of Pear Apple Street and School Avenue to provide adequate offset from the future roundabout at the School Avenue/ Mason Creek Street intersection. The updated location meets District Offset Policy and provides adequate sight distance. The updated location of the intersection is shown below:



The applicant has proposed a local road, Road G, to intersect School Avenue 350-feet south of Mason Creek Street.

The applicant has proposed a local road, Road D, to intersect School Avenue 840-feet south of Road G.

The applicant has proposed to construct a new local road, Sansa Avenue, to intersect Mason Creek Street 760-feet east of School Avenue and aligned centerline to centerline with Sansa Avenue north of Mason Creek Street across from the site.

All internal local roads are proposed to align or offset a minimum of 125-feet.

- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved as proposed.

7. Driveways

7.1 Hubbard Road

- a. **Existing Conditions:** There is an existing unimproved driveway from the site on to Hubbard Road located 495-feet west of Iditarod Avenue.
- 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.
- c. **Applicant's Proposal:** The applicant has proposed to construct School Avenue at the location of the existing driveway.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets district policy and should be approved as proposed.

8. Traffic Calming

- a. **Speed Control and Traffic Calming Policy:** District policy 7207.3.7 states that the design of local street systems should discourage excessive speeds by using passive design elements. If the design or layout of a development is anticipated to necessitate future traffic calming implementation by the District, then the District will require changes to the layout and/or the addition of passive design elements such as horizontal curves, bulb-outs, chokers, etc. The District will also consider texture changes to the roadway surface (i.e. stamped concrete) as a passive design element. These alternative methods may require maintenance and/or license agreement.
- b. **Staff Comments/Recommendations:** The applicant has proposed to construct Pear Apple Street and Road D with straight segments in excess of 750-feet without proposed traffic calming. The applicant should be required to redesign Pear Apple Street and Road D or install District approved traffic calming measures.

9. Bridge for Kuna Canal Crossing

The District will require that the applicant submit the bridge plans for the crossing of the Kuna Canal (School Avenue) for review and approval prior to the pre-construction meeting and final plat approval. Note: all plan submittals for bridges or pipe crossings of irrigation facilities should be submitted to ACHD for review no later than December 15th for construction in the following year prior to irrigation season.

10. 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.

11. 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.

12. Other Access

Hubbard Road is classified as a minor arterial roadway and School Avenue and Mason Creek Street are classified as collector roadways. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways and should be noted on the final plat.

D. Site Specific Conditions of Approval

1. Dedicate right-of-way to accommodate the construction of a single-lane roundabout at the School Avenue/Mason Creek Street intersection consistent with the template in Attachment 3. Compensation will not be provided for this right-of-way dedication.
2. Dedicate right-of-way to accommodate the construction of a single-lane roundabout at the Hubbard Road/School Avenue intersection consistent with the template in Attachment 3. Compensation will not be provided for this right-of-way dedication.
3. Construct School Avenue as ½ of a 36-foot collector street section with vertical curb, gutter, and 8-foot wide attached concrete sidewalk on the east side of the roadway, an additional 12-feet of pavement beyond centerline, and a 3-foot wide gravel shoulder and borrow ditch on the west side of the roadway.
4. Construct School Avenue at the intersection of Hubbard Road to align with the curb line of the existing portion of School Avenue to the south of Hubbard Road and construct the entirety of the street section within the existing 50-foot property section or coordinate with the property owners to the west about right-of-way dedication.
5. Repair or replace any broken or deteriorated segments of curb, gutter, and sidewalk on Mason Creek Street abutting the site, consistent with the District's Minor Improvements Policy.
6. Extend Yenlo Avenue into the site, as proposed.
7. Construct all internal local roads as 36-foot street sections with curb, gutter, and 5-foot wide detached concrete sidewalks, as proposed. For detached sidewalk located outside of the right-of-way, the applicant may provide a permanent right-of-way easement that extends from the right-of-way line to 2-feet behind the back of sidewalk. If street trees are desired, an 8-foot wide planter strip is required.
8. Construct cul-de-sacs at the terminuses of Pear Apple Street, Riley Creek Place, and Foraker Place with a minimum turning radius of 50-feet.
9. Striped on-street parking dedicated to HOA facilities is not approved as part of this application. If parking to accommodate HOA facilities is necessary to serve the site, then an off street parking lot shall be provided.

10. Construct a new collector roadway, School Avenue, to intersect Mason Creek Street approximately 2,665-feet east of Ten Mile Road and in alignment with the existing portion of School Avenue to the north of Mason Creek Street, as proposed
11. Construct a new local road, Road G, to intersect the proposed School Avenue 350-feet south of Mason Creek Street, as proposed.
12. Construct a new local road, Road D, to intersect School Avenue 840-feet south of Road G, as proposed.
13. Construct a new local road, Sansa Avenue, to intersect Mason Creek Street 760-feet east of School Avenue and in alignment with the existing portion Sansa Avenue to the north of Mason Creek Street, as proposed
14. Construct all internal local roads to align or offset a minimum of 125-feet from all other roadways, as proposed.
15. Close the existing driveway from the site on to Hubbard Road with the construction of School Avenue, as proposed.
16. Redesign Pear Apple Street and Road D or install District approved traffic calming measures.
17. Direct lot access to Hubbard Road, Mason Creek, and School Avenue is prohibited other than the access specifically approved with this site and should be noted on the final plat.
18. 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.
19. Payment of impact fees is due prior to issuance of a building permit.
20. 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.

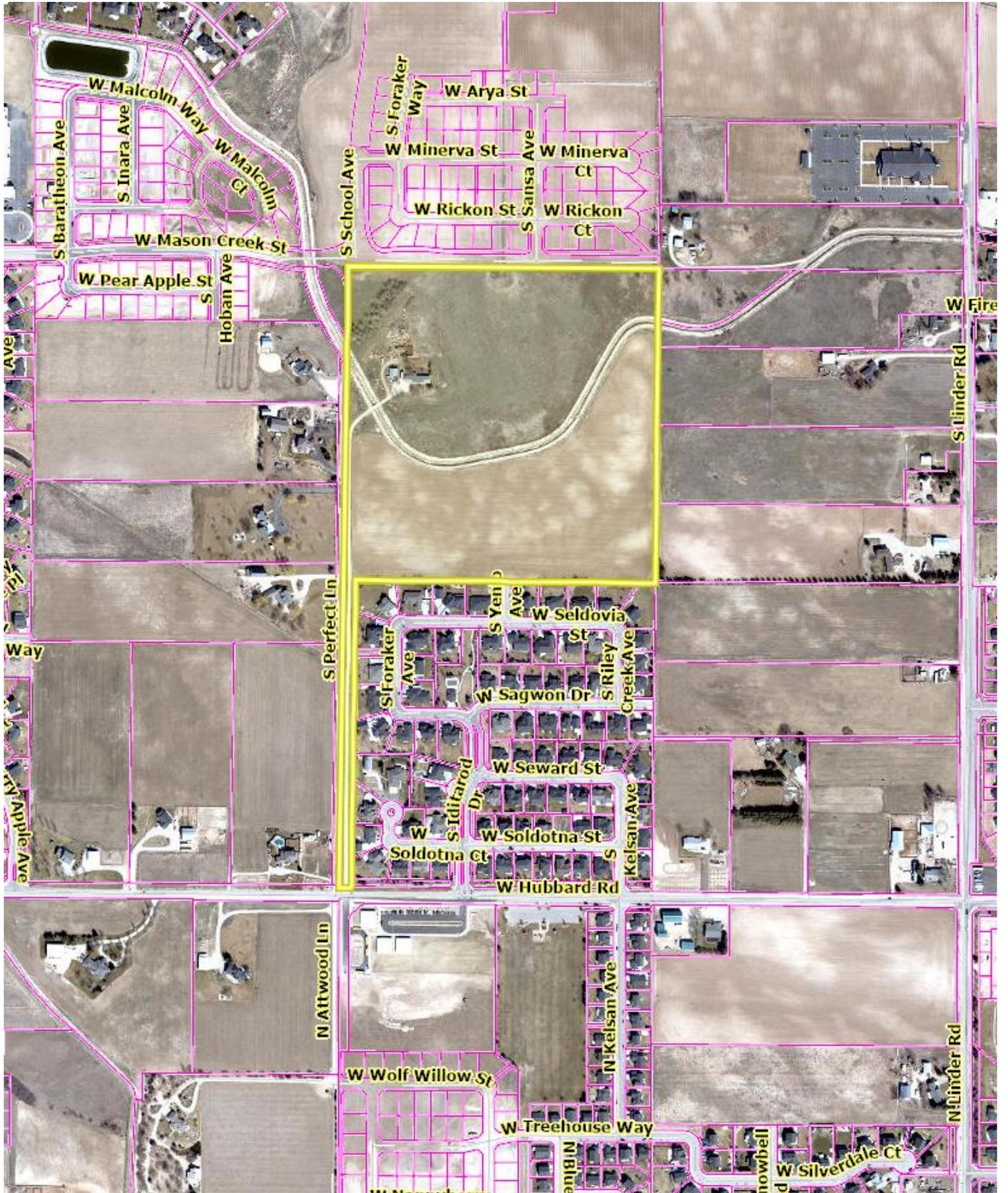
F. Conclusions of Law

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.

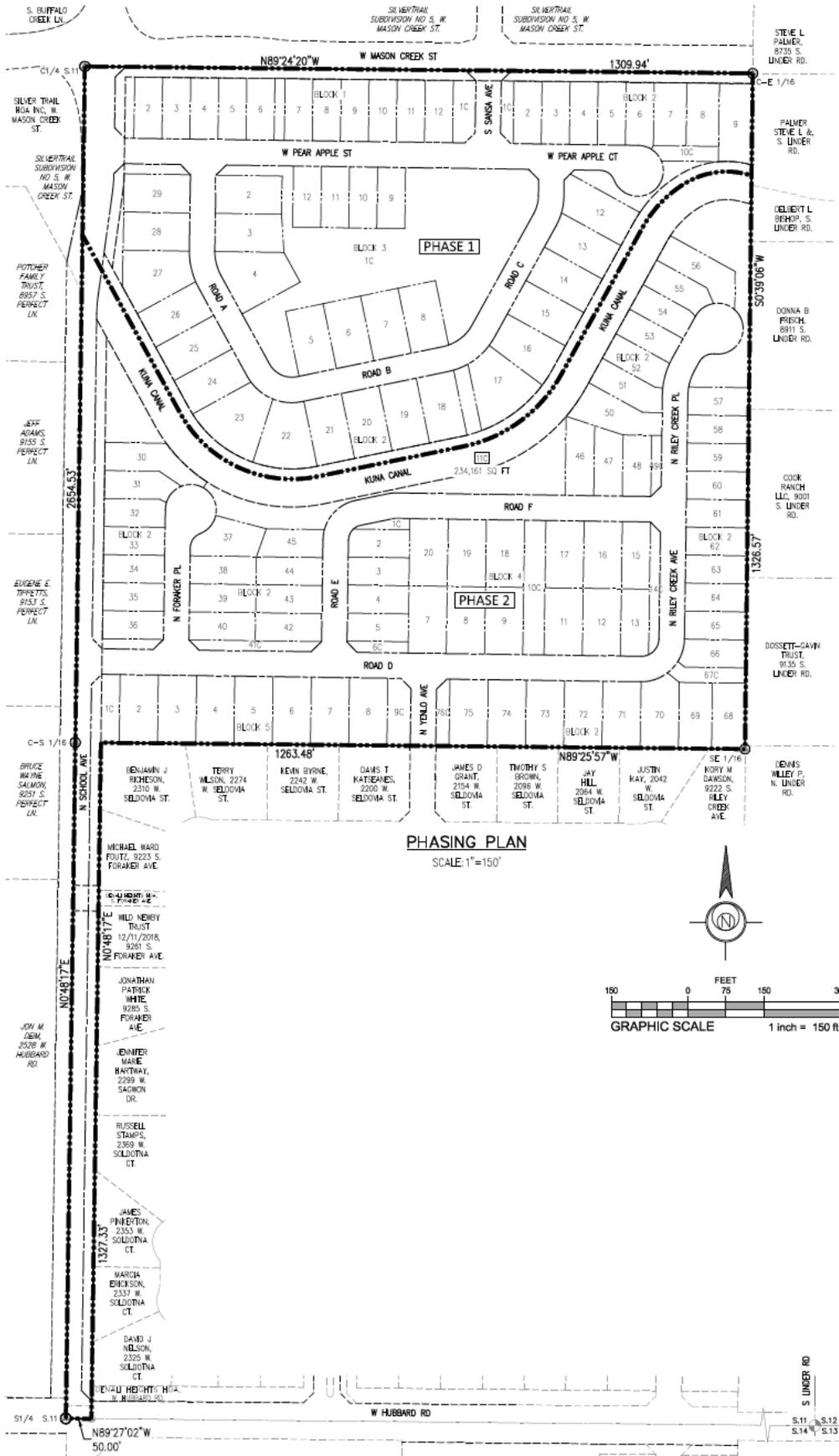
G. Attachments

1. Vicinity Map
2. Site Plan
3. TIS Executive Summary
4. Single-Lane Roundabout Template
5. Utility Coordinating Council
6. Development Process Checklist
7. Appeal Guidelines

VICINITY MAP



SITE PLAN



TIS EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

Kittelson & Associates, Inc. (Kittelson) has prepared a Transportation Impact Study (TIS) for the Braeburn Creek Subdivision. The Braeburn Creek Subdivision is located in the northwest quadrant of the intersection of Hubbard Road and Linder Road, within the City of Kuna's Impact Area. The proposed site is currently vacant farmland and consists of approximately 42 acres. The development will be annexed into the City of Kuna. The development plan proposes to build approximately 114 single-family homes. The anticipated buildout year is 2025.

The TIS resulted in the following findings and recommendations.

FINDINGS

Existing Conditions

- All study intersections were found to operate at acceptable operating standards during the existing weekday AM and PM peak hours except for the Linder Road/Hubbard Road intersection in the weekday AM peak hour.
 - The northbound approach at the intersection operates over capacity and at LOS F under existing traffic conditions in the AM peak hour exceeding ACHD's policy.
 - A suitable mitigation for this intersection for existing conditions is the addition of a northbound right turn lane. With this mitigation, the intersection operates within ACHD standard.
- All study roadway segments operate within the ACHD volume threshold under existing conditions.

Year 2025 Background Traffic Conditions

- Year 2025 background traffic volumes were forecast using a 7% compounded annual growth rate on Hubbard Road and a 4% compounded annual growth rate on all other roadways.
- Year 2025 background traffic analysis (without inclusion of site-generated traffic) found that all study intersections are expected to operate at acceptable operating standards during the weekday AM and PM peak hours, except for the Linder Road/Hubbard Road intersection in both the weekday AM and PM peak hour.
 - The northbound approach at the intersection operates over capacity and at LOS F under existing traffic conditions in the AM peak hour exceeding ACHD's policy.
 - A suitable mitigation for this intersection for existing conditions is the addition of a northbound right turn lane. With this mitigation, the intersection operates within ACHD standard.



- All study roadway segments operate within the ACHD volume threshold under Year 2025 background traffic conditions.

Trip Generation

- The development plan proposes to build approximately 114 single-family houses.
- The development is estimated to generate a total of 1,173 daily net new trip ends, of these 84 are estimated to occur in the weekday AM peak hour (22 inbound / 62 outbound), and 112 are estimated to occur in the weekday PM peak hour (70 inbound / 42 outbound).

Year 2025 Total Traffic Conditions

- Year 2025 total traffic conditions found that the site generated trips did not impact any additional intersections not previously identified in the background traffic conditions.
- The new mitigation options for intersection of Linder Road/Hubbard Road include an interim 3x3 traffic signal or a single lane roundabout.
 - This intersection is not on ACHD's IFYWP or CIP. These improvements are infeasible at this time and there is not enough right-of-way. This project is 2% of the total traffic at the intersection. Therefore, consistent with ACHD's Level of Service Planning Threshold policy where proposed developments with site traffic less than 10% of the intersection peak hour traffic shall not be required to provide mitigation for an intersection that currently exceeds minimum acceptable level of service planning threshold or v/c ratio.
- All study roadway segments operate within the ACHD volume threshold under total conditions.

Site Access Evaluation

- The turn lane analysis using ACHD procedures resulted in turn lane warrants at no site access streets or Perfect Lane.
- The intersection sight distance evaluation identified that intersection sight distance can be achieved at all the site intersections.



RECOMMENDATIONS

Based on the report's analyses and evaluation findings, recommendations were developed accordingly for time scenario's conditions.

Additional Year 2025 Total Traffic Mitigations Needed with the Braeburn Creek Subdivision

All Site Accesses

Construct all accesses to the development with the following designations:

- All local streets within the development should be constructed with one travel lane in each direction.
- Site driveways with access to public streets should provide sufficient stacking distance for four vehicles (100 feet) to ensure acceptable operation and accommodate larger vehicles, including utility service and delivery vehicles.
- Site accesses along Mason Creek Street and Perfect Lane should match the existing grade or be higher at the intersection to ensure the best possible sight distance.
- All accesses and internal streets should be designed to provide adequate intersection site distance. Shrubbery and landscaping near the intersection and site access point should be maintained to ensure adequate sight distance is maintained.
- Site accesses are assumed to match the existing grade of the connected roadway at the intersection and back at least one car length. Significant changes to the approach grade could impact the sight distances.
- Shrubbery, weeds, and landscaping near the internal intersections and site access points should be maintained to ensure adequate sight distance.
- If widening occurs along any of the site access road, care should be taken to ensure adequate grades and intersection sight distance is maintained.

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.



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 24, 2022

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

RE: 22-03-AN, 22-04-S / SEC of School Avenue and Mason Creek Street / Braeburn Subdivision

Troy,

The City of Kuna has requested feedback regarding the proposed annexation and preliminary plat for the Braeburn Subdivision, which will consist of 114 detached single-family lots, and 15 common lots on 41.48-acres located on the SEC of School Avenue and Mason Creek Street (Parcel #S1311427800).

Ada County is supportive of the application due to the proximity of the site to existing public services. *Goal 2.2f* of the Ada County Comprehensive Plan encourages residential development to occur at urban densities within Areas of City Impact where public facilities are available.

The layout of the subdivision complies with many of the goals of the Ada County Comprehensive Plan. The proposal to set aside over 12% of the site as usable open space, with a playground, a shade pavilion, pedestrian pathways throughout, including a regional pathway along Mason Creek is compatible with *Goal 1.3*: which calls for the development of recreational areas and programs for the use and enjoyment of residents of all ages and abilities.

The proposed access points to Hubbard Road to the south, School Avenue to the west, and Mason Creek Street to the north, as well as the proposed continuation of a stub street into the subdivision from the south, are supported by *Goal 4.3* of the Ada County Comprehensive Plan which supports the development of local transportation systems that are well-connected both internally and to the regional transportation system. The proposed completion of the north/ south collector street, is supported by *Goal 4.3a*: which promotes the design of continuous collector streets that discourages cut-through traffic on local streets.

Regarding the land use, the proposal is for detached single family lots with a proposed zoning of R-6 (Medium density Residential), which allows for 6 units per acre. The site is adjacent to R-6 (Medium density Residential) zoning to the north, and R-4 (Medium density Residential) zoning to the south. Therefore, the site is contiguous to City of Kuna limits; and the proposed development is compatible with other development in the area.

Thank you for the opportunity to provide comments. Please feel free to contact me with any questions.

Sincerely,

Stacey Yarrington

Stacey Yarrington
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: Adam Capell, Toll Southwest, LLC 22-03-AN, 22-04-S
Braeburn Subdivision
School Ave. and Mason Creek St., Kuna 83634
Boise-Kuna Irrigation District **BK 267-A**
Kuna Canal 269+00
Sec. 11, T2N, R1W, BM.

Troy Behunin, Senior Planner

The United States' Kuna Canal lies within the boundary of the above-mentioned location. The easement for this lateral 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 lateral. We assert the federal easement 35 feet north, northeasterly and 35 feet south, southwesterly of the lateral's centerline. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

Fencing/pathways (as may be required) must be constructed just off the canal easement, to ensure public safety and prevent encroachments. No exceptions will be made.

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

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

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

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.

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 hard copy of all plans including the irrigation and drainage plans.

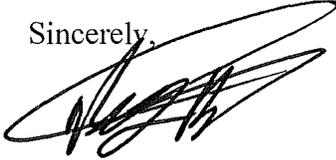
Whereas this property lies within the Boise-Kuna Irrigation District it is important that representatives of this development contact the BKID office as soon as possible to discuss the pressure system prior to any costly design work. If applicable, the irrigation system will have to be built to specific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

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

Sincerely,



Thomas Ritthaler
Assistant Project Manager, BPBC

tbr/tr

cc: Clint McCormick Watermaster, Div; 2 BPBC
Alicia Flavel Secretary – Treasurer, BKID
File



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 22-04-S

Development Name/Section Braeburn

- 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
 - interim sewage
 - individual sewage
 - community sewage system
 - central water
 - 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
 - sewage dry lines
 - community sewage system
 - 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
 - beverage establishment
 - swimming pools or spas
 - grocery store
 - child care center
- 14. _____

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

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



Bicycle and Pedestrian Infrastructure

An individual's trip is the entire journey from beginning to end. In many cases, a trip may combine a number of modes. While motorized vehicles will provide longer trips, users complete the first and last portion on their own. For example, almost every vehicle trip includes a walk or bike trip to the parking lot or transit stop. Good street connectivity increase the number of travel options and reduces the distances traveled to reach destinations. One way to measure route directness is take the ratio of the route distance to the straight line-distance. The closer the ratio is to 1, the better for connectivity of the area.

Some steps that can be taken to improve walk/bike infrastructure include:

- ✓ Providing sidewalks, crosswalks, and micropaths to connect destinations
- ✓ Providing an improved pathway along a canal as a transportation and recreational option
- Siting pathways and sidewalks as directly as conditions allow or provide wayfinding signs
- Reducing street lengths to discourage speeding on local roads
- Providing sufficient and covered bike parking near destinations



A disconnected system means more trips onto arterial roads, resulting in fewer cyclists and pedestrians and less efficiency for vehicles.



A connected system provides options, including walking, cycling, or driving. More trips can be taken on local roads, avoiding busier arterials.

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:



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

Brad Little, Governor
Jess Byrne, Director

June 3, 2022

By e-mail: TBehunin@Kunald.Gov

City of Kuna
751 W. 4th Street
Kuna, ID 83634

Subject: Braeburn Subdivision, 22-03-AN/22-04-S

Dear Mr. Behunin:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at:
<https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

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

1. AIR QUALITY

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

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

2. WASTEWATER AND RECYCLED WATER

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

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

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.

- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

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

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Construction General Permit from DEQ may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
- For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: <https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

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

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

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

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> for assistance.

Response to Request for Comment

June 3, 2022

Page 5

- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

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

Sincerely,

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

Aaron Scheff
Regional Administrator
DEQ-Boise Regional Office

EDMS#: 2022AEK119



KUNA RURAL FIRE DISTRICT

EST. 1951

150 W BOISE ST
PO Box 607
Kuna, ID 83634
PHONE: (208) 922-1144
FAX: (208) 922-1982

Date: 5/26/2022
From: Kuna Rural Fire District

Regarding: Braeburn Creek Subdivision
W Mason Creek & N School Ave,
Kuna, ID

The Fire District can support approval for Braeburn residential subdivision with the following conditions.

- **Fire Apparatus Access:**

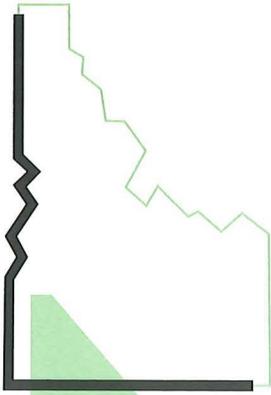
Plans indicate service roadway connections at W Mason Creek and N School Avenue for phase 1. These service roadways shall be maintained unobstructed with approved cul-de-sacs available for fire apparatus turn around. Roadway widths shall comply with the Idaho Fire Code appendix "D" 103. No Parking Fire Lane signs shall be installed in areas determined to have significant potential to obstruct emergency access and firefighting operations.

- **Fire Hydrants:**

At least one fire hydrant shall be available along approved service roadways and within 600 lineal feet of the furthest exterior portion of each future residential building. Hydrants and fire flow shall be designed to meet the minimum requirements of IFC appendix B105 for one- and two-family dwellings.

Regards,

Kuna Rural Fire District
Kuna, ID 83634
1.208.922.1144 (main)



RECEIVED

JUN 17 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

June 13, 2022

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

RE: 22-03-AN & 22-04-S / Braeburn Subdivision; School Ave & Mason Creek St

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.

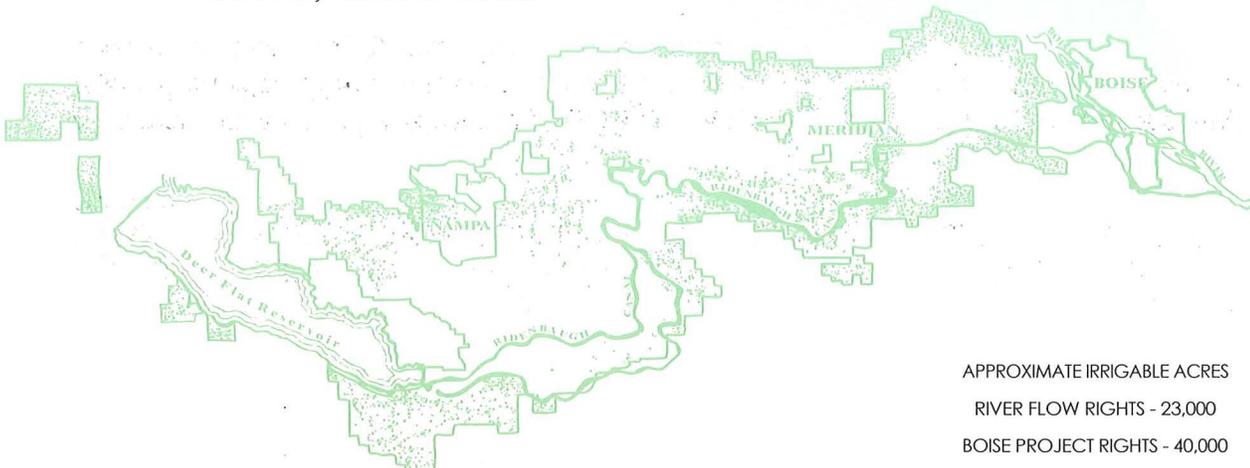
All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site NMID must review drainage plans. Developers must comply with Idaho Code 31-3805.

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



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:
07/01/22	21880

LEGAL NOTICE

Case Nos. 22-03-AN (Annexation), 22-04-S (Preliminary Plat), for Braeburn 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 26, 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 Braeburn Subdivision. Toll Southwest, LLC, requests Annexation approval for approximately 41.50 acres, and requests the R-6 (Medium Density Residential) zoning district. Applicant seeks Preliminary Plat approval in order to subdivide the same lands into 130 total lots. The subject site is located at the southeast corner of Mason Creek St. and the alignment of School Ave., and is within Section 11, Township 2 North, Range 1 West; (APN: S1311427800).

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

July 6, 2022 256065

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
256065	22-03-AN, 22-04-S -	07/06/22	07/06/22	1	\$52.92

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount:	\$0.00	Gross:	\$52.92
Surcharge:	\$0.00	Paid Amount:	\$0.00
Credits:	\$0.00		

Amount Due: \$52.92

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

Dear Property Owner: NOTICE IS HEREBY GIVEN the **Planning & Zoning Commission** is scheduled to hold a Public Hearing on **Tuesday, July 26, 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. 22-03-AN (Annexation), 22-04-S (Preliminary Plat), for Braeburn Subdivision

Toll Southwest, LLC requests approval for Annexation of approximately 41.50 acres, and requests the R-6 (Medium Density Residential) zoning district. Applicant seeks Preliminary Plat approval in order to subdivide the same lands into 130 total lots. The subject site is located at the southeast corner of Mason Creek St. and the alignment of School Ave., and is within Section 11, Township 2 North, Range 1 West; (APN: S1311427800).

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 20, 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 7.11.2022

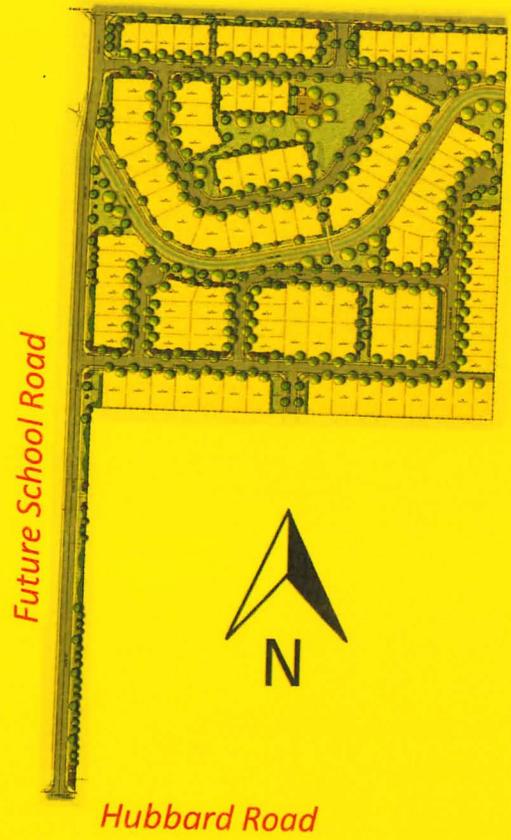
KUNA NEOPOST FIRST-CLASS MAIL
 07/11/2022
 PAYS POSTAGE \$000.00⁰⁰
 Planning & Zoning
 PO BOX 13
 Kuna, ID 83634
 ZIP 83634
 041M11460992

JR 7/11/22

CITY OF KUNA
PROOF OF MAILER
PNZ BRAEBURN

7.26.22

LEGAL NOTICE



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.

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.

Representative is given to minutes for public testimony; minutes per individual is provided for select a community 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.

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POTCHER FAMILY TRUST 02/26/2020
POTCHER CRAIG STEVEN TRUSTEE
8957 S PERFECT LN
KUNA, ID 83634-0000

ANGELL FAMILY TRUST 11/13/2019
ANGELL LARRY TRUSTEE
2265 W SELDOVIA ST
KUNA, ID 83634-0000

RICHESON BENJAMIN J
RICHESON MIKELLE
2310 W SELDOVIA ST
KUNA, ID 83634-0000

ADAMS JEFF
ADAMS SHARLENE
9155 S PERFECT LN
KUNA, ID 83634-0000

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

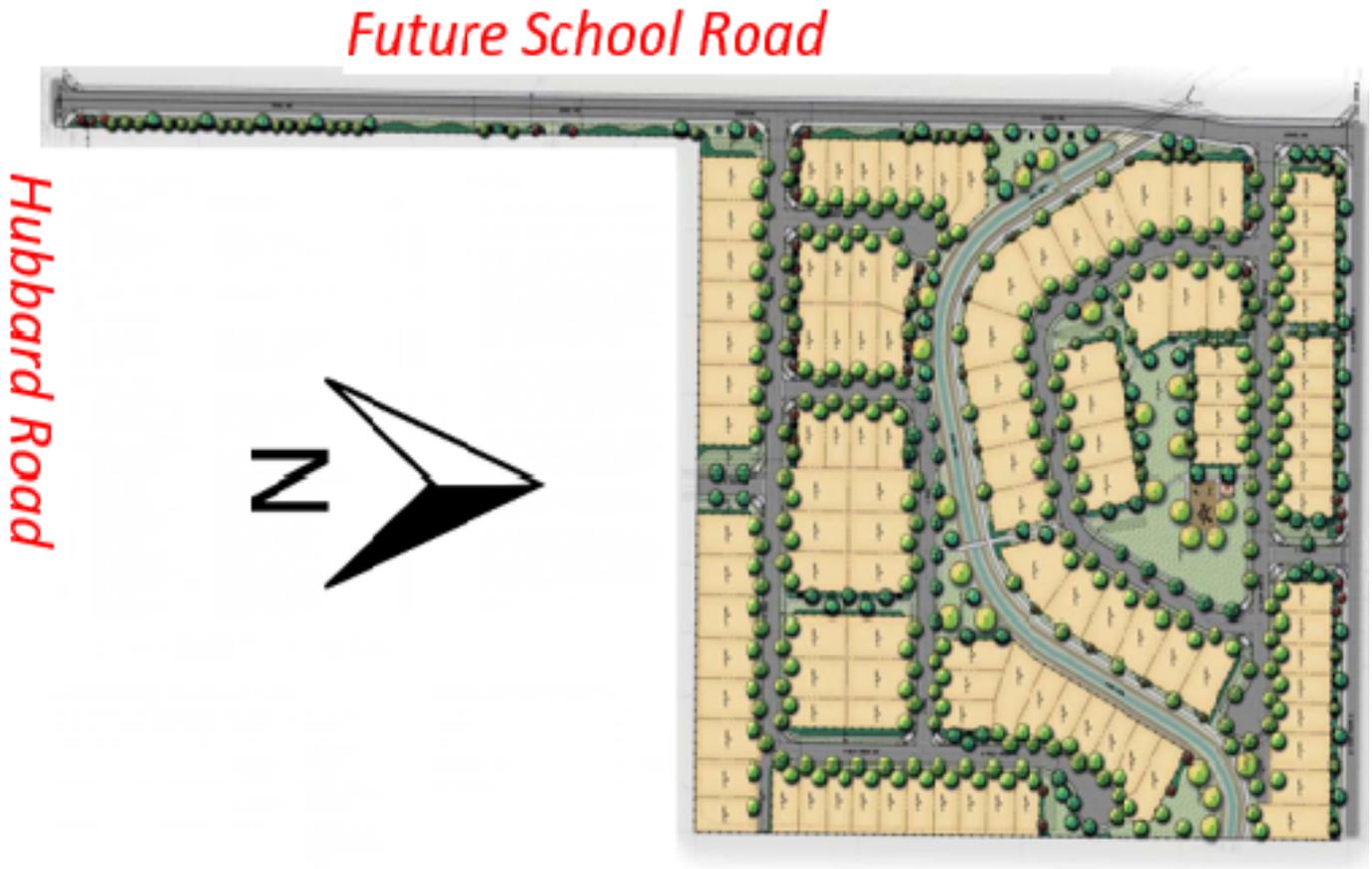
**Case Nos. 22-03-AN (Annexation), 22-04-S (Preliminary Plat), for
Braeburn Subdivision**

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission is scheduled to hold a public hearing on **Tuesday, July 26, 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 *Braeburn Subdivision*. Toll Southwest, LLC, requests Annexation approval for approximately 41.50 acres, and requests the R-6 (Medium Density Residential) zoning district. Applicant seeks Preliminary Plat approval in order to subdivide the same lands into 130 total lots. The subject site is located at the southeast corner of Mason Creek St. and the alignment of School Ave., and is within Section 11, Township 2 North, Range 1 West; (APN: S1311427800).

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



Troy Behunin

From: Kristen McNeill <kristenmcneill@givenspursley.com>
Sent: Friday, July 15, 2022 2:08 PM
To: Troy Behunin
Cc: Jeffrey W. Bower
Subject: RE: Site Posting: 22-03-AN and 22-04-S Braeburn Subdivision [IWOV-GPDMS.FID1095188]
Attachments: 16313485_1_Site Posting Affidavit - 7.15.22 Signed.PDF; 16313484_1_Site Posting Photo 1.JPEG; 16313483_1_Site Posting Photo 2.JPEG; 16313482_1_Site Posting Photo 3.JPEG; 16313481_1_Site Posting Photo 4.JPEG

Categories: KMN Publishing

Good afternoon, Troy.

Please see the attached site posting affidavit and photos of posting for Braeburn Subdivision.

Please let me know if you have any questions.

Best
Kristen

KRISTEN MCNEILL, PARALEGAL
GIVENS PURSLEY LLP
208-388-1276
kristenmcneill@givenspursley.com

From: Troy Behunin <tbehunin@kunaid.gov>
Sent: Tuesday, July 12, 2022 10:58 AM
To: Kristen McNeill <kristenmcneill@givenspursley.com>
Subject: Site Posting: 22-03-AN and 22-04-S Braeburn Subdivision [IWOV-GPDMS.FID1069075]

EXTERNAL

Looks good to me, all bases looked covered. Two thumbs up.
Troy

From: Kristen McNeill <kristenmcneill@givenspursley.com>
Sent: Tuesday, July 12, 2022 10:01 AM
To: Troy Behunin <tbehunin@kunaid.gov>
Subject: RE: Confirm details for Site Posting: 22-03-AN and 22-04-S Braeburn Subdivision [IWOV-GPDMS.FID1069075]

Thank you Troy. We'll post (2) 4x4 double sided signs in the general locations marked with red X on the map below. And will revise the text to read as follows:

Best,

CITY OF KUNA PUBLIC HEARING NOTICE
Kuna Planning and Zoning Commission
THE CITY OF KUNA will hold a public hearing on July 26, 2022 at the Kuna City Hall, at 6:00pm
PURPOSE: Braeburn Subdivision, Case No's: 22-03-AN, 22-04-S. Request for Annexation of 41.5 acres in to the City of Kuna using the R-6 (Medium Density Residential) Zone. And a Preliminary Plat request to create 114 single-family residential lots and 15 common lots, including 5.00+ acres of open space.
LOCATION: North side of E. Hubbard Rd, West of S Linder Rd.
APPLICATION BY: Toll Brothers
CITY CONTACT: Troy Behunin, 208.922.5274



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 22-03-AN and 22-04-S
Braeburn Subdivision was posted, as required per Kuna City Code
5-1A-8, on 7/15/2022. 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 15th day of July, 2022.

Signature: *Shan Strain*
Owner/Developer

State of Idaho)
) ss
County of Ada)

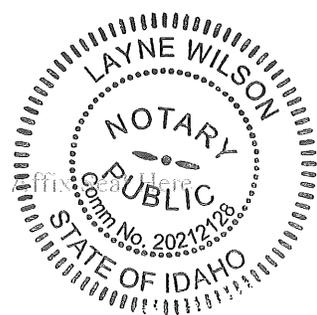
On this 15th day of July, 2022, before me, the
Undersigned, a Notary Public in and for said State, personally appeared before me
(Owner/Developer).

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

Layne Wilson
Residing at: 6205 W Overland rd
Boise ID 83709

My Commission expires: 4-28-27

Layne Wilson
Signature



CITY OF KUNA PUBLIC HEARING NOTICE

Kuna Planning and Zoning Commission

THE CITY OF KUNA will hold a public hearing on July 26, 2022 at 6:00pm the Kuna City Hall - 751 W. 4th St. Kuna, Id 83634

PURPOSE: Braeburn Subdivision, Case No's: 22-03-AN, 22-04-S. Request for Annexation of 41.5 acres in to the City of Kuna using the R-6 (Medium Density Residential) Zone. And a Preliminary Plat request to create 114 single-family residential lots and 15 common lots, including 5.00+ acres of open space.

LOCATION: North side of E. Hubbard Rd, West of S Linder Rd

APPLICATION BY: Toll Brothers

CONTACT: Troy Behunin, 208.922.5274

CITY OF KUNA PUBLIC HEARING NOTICE

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PURPOSE: Braeburn Subdivision, Case No's: 22-03-AN, 22-04-S. Request for Annexation of 41.5 acres in to the City of Kuna using the R-6 (Medium Density Residential) Zone. And a Preliminary Plat request to create 114 single-family residential lots and 15 common lots, including 5.00+ acres of open space.

LOCATION: North side of E. Hubbard Rd, West of S Linder Rd

APPLICATION BY: Toll Brothers

CONTACT: Troy Behunin, 208.922.5274

CITY OF KUNA PUBLIC HEARING NOTICE

Kuna Planning and Zoning Commission

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LOCATION: North side of E. Hubbard Rd, West of S Linder Rd

APPLICATION BY: Toll Brothers

CONTACT: Troy Behunin, 208.922.5274

CITY OF KUNA PUBLIC HEARING NOTICE

Kuna Planning and Zoning Commission

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PURPOSE: Braeburn Subdivision, Case No's: 22-03-AN, 22-04-S. Request for Annexation of 41.5 acres in to the City of Kuna using the R-6 (Medium Density Residential) Zone. And a Preliminary Plat request to create 114 single-family residential lots and 15 common lots, including 5.00+ acres of open space.

LOCATION: North side of E. Hubbard Rd, West of S Linder Rd

APPLICATION BY: Toll Brothers

CONTACT: Troy Behunin, 208.922.5274

Toll Brothers[®]

LAND DEVELOPMENT

PAVING THE WAY FOR AMERICA'S LUXURY HOMEBUILDER

July 19, 2022

City of Kuna
Planning and Zoning Department
751 W 4th St
Kuna, ID 83634

RE: Braeburn Creek Subdivision – Common & Open Space Design Review, Alternative Compliance Request

Dear Planning Staff, Planning and Zoning Commission, Mayor and City Council,

Toll Brothers is excited to present this design review application for the Braeburn Creek Subdivision's common area landscaping. With this design review application Toll Brothers requests approval of the project's landscape and common area open space plan and also seeks alternative compliance approval from the tree planting requirements in Kuna City Code 5-17-12C.

Property Overview

The Braeburn Creek property is a 41.5-acre property located northwest of the intersection of Linder and Hubbard (the "**Property**"). The Property is zoned Rural Residential in unincorporated Ada County, with proposed zoning in the City of Kuna of R-6, one of the City's three medium density residential zones. The Property is a flag lot with frontage and access from Hubbard. There is a single residence on the Property that will be removed as part of the Braeburn Creek project. The Kuna Canal runs through the Property in a horseshoe configuration. Braeburn Creek Subdivision will be a single-family residential community with 114 homes constructed by Toll Brothers.

Common & Open Space, and Amenities

For residential projects like Braeburn Creek with 101-150 units, Section 5-17-12(D) of the Kuna City Code requires a minimum 8% open space. Braeburn Creek will far exceed the minimum and proposes 12.9% (5.34 acres) qualified open space. Amenities in the main central park area include playground equipment, a shade pavilion picnic area, and landscaped pathways. Amenities in the three pocket parks throughout the community include seating, landscaping, and landscaped pathways providing communal green space near all residents and also providing buffering and reduced density adjacent to neighboring County property. The development includes a regional pathway along the Kuna Canal and pathways throughout providing safe bike and pedestrian connectivity off the local streets. As part of the Project, Toll Brothers intends to construct a pedestrian bridge over the Kuna Canal to increase bike and pedestrian connectivity and make the community cohesive.

Toll Brothers[®]

LAND DEVELOPMENT

PAVING THE WAY FOR AMERICA'S LUXURY HOMEBUILDER

Landscape Design Elements

With the exception of the request for alternative compliance from tree planting requirements discussed below, the project's landscape plan complies with all of the City of Kuna ordinance requirements. Throughout the Property, site design, and landscaping shall provide a desirable environment for residents and neighbors, and provide safe pedestrian access and use of amenities.

In total, Toll Brothers plans to plant 614 trees throughout the Braeburn Creek project. Within the W. Mason Creek St. landscape buffer, 64 trees and more than 144 shrubs will be planted. Within the School Ave. landscape buffer 118 trees and over 276 shrubs will be planted. Overall, in landscape buffers throughout the Property, 189 trees and over 420 shrubs will be planted. There will be 201 trees planted in common lots, 110 in parkstrips, and 114 on residential lots.

Vinyl privacy fencing and iron fence is proposed throughout Braeburn Creek. Six-foot vinyl fencing will be installed adjacent to common areas and along perimeter property lines. Five-foot black iron fencing will be installed at the back of lots adjacent to the Kuna Canal.

Alternative Compliance Request

As part of the Braeburn Creek project we are seeking alternative compliance from 5-17-12-C, which states:

- "A minimum of one (1) deciduous shade tree per eight hundred (800) square feet of common area is required; and
- "...half of the required shade trees may be substituted on a two to one (2:1) basis with ornamental and evergreen trees."

Based on the project's 247,465 square feet of open common area, 309 shade trees are required under Kuna City Code 5-17-12-C. In Braeburn Creek's common areas, 247 shade trees are proposed in the project's landscape plan, meaning that under the 2:1 shade tree to ornamental and evergreen tree substitution ratio, 124 ornamental and evergreen trees would be required. Toll Brothers requests alternative compliance from adhering to the (2:1) shade tree to ornamental and evergreen tree substitution allowed by Kuna City Code 5-17-12-C(3). Specifically, of the 124 required ornamental and evergreen trees under the substitution ratio, Toll Brothers will be planting 64 ornamental and evergreen trees. Alternative compliance is warranted for the following reasons: (i) Toll Brothers is providing far more than the minimum number of trees that would be required if we provided the minimum 8% open space instead of the 12.9% proposed (5.34 acres versus 3.29 acres); (ii) with the increased open space percentage in the project, adhering to the (2:1) ornamental and evergreen tree substitution will result in overcrowding and an excessive number of trees overall that will need to be thinned as they mature; (iii) in lieu of crowding shade trees and ornamental and evergreen trees into common areas, the project's landscape plan includes over ten percent (10%) more trees throughout Braeburn Creek than what is required by Kuna City Code.

Toll Brothers®

LAND DEVELOPMENT

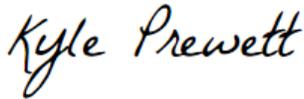
PAVING THE WAY FOR AMERICA'S LUXURY HOMEBUILDER

Finally, alternative compliance is warranted because evergreen and ornamental trees are vital to the health of the landscape, with some evergreen and ornamental trees maturing to sizes as big or nearly as big as shade trees. Because ornamental trees provide flowers and fruit for pollinators in the area, they are beneficial to both the overall landscape design and wildlife interest of the Property. Toll Brothers feels the inclusion of evergreen and ornamental trees should therefore not be penalized by a substitution factor of (2:1). This substitution basis will lead to an overall reduction in evergreen and ornamental tree type selections, due to the increase in number of trees required throughout a development.

Toll Brothers is committed to providing a variety of shade, evergreen and ornamental trees, and, as outlined in the Landscape Design Elements section above. The inclusion of trees planted in the parkstrips throughout the Property, pushes the total amount of trees provided well past the required amount of 544 trees.

For the reasons outlined above, we respectfully request approval of the Braeburn Creek common area design review application and the related request for alternative compliance. I thank you for your time and consideration. If you have any questions or need further information, please don't hesitate to reach out to me at 208-576-3625 or my email at kprewett@tollbrothers.com.

Sincerely,



Kyle Prewett
Asst. Land Entitlement Manager
Toll Brothers

PLANT PALETTE

SYM	COMMON NAME	BOTANICAL NAME	SIZE
EVERGREEN TREES			
	AUSTRIAN PINE	PINUS NIGRA	6'-8' HT B4B
	BLACK HILLS SPRUCE	PICEA GLAUGA 'DENSATA'	6'-8' HT B4B
	FAT ALBERT BLUE SPRUCE	PICEA PUNGENS 'FAT ALBERT'	6'-8' HT B4B
	MOONGLOW JUNIPER	JUNIPERUS SCOPULORUM 'MOONGLOW'	6'-8' HT B4B
	NORWAY SPRUCE	PICEA ABIES	6'-8' HT B4B
	VANDERWOLFS PINE	PINUS FLEXILIS 'VANDERWOLFS'	6'-8' HT B4B
SHADE TREES (CLASS III)			
	BLOODGOOD LONDON PLANETREE	PLATANUS x ACERIFOLIA 'BLOODGOOD'	2" CAL B4B
	SWAMP OAK	QUERCUS BICOLOR	2" CAL B4B
SHADE/STREET TREES (CLASS II)			
	CRIMSON SPIRE OAK	QUERCUS ROBUR x Q. ALBA 'GRIMSCHMIDT'	2" CAL B4B
	CHANTICLEER PEAR	PYRUS CALLERYANA 'GLEN'S FORM'	2" CAL B4B
	SKYLINE HONEYLOCUST	GLEDITSIA TRIACANTHOS INERMIS 'SKYCOLE'	2" CAL B4B
	GREENSPICE LINDEN	TILIA GORDATA 'GREENSPICE'	2" CAL B4B
	TULIP TREE	LIRIODENDRON TULIPIFERA	2" CAL B4B
	GREEN VASE ZELKOVA	ZELKOVA SERRATA 'GREEN VASE'	2" CAL B4B
ORNAMENTAL TREES (CLASS I)			
	FLAME AMUR MAPLE	ACER GINNALA 'FLAME'	6'-8' HT, MULTI-STEM
	CANADA RED CHOKECHERRY	PRUNUS VIRGINIANA 'CANADA RED'	6'-8' HT, MULTI-STEM
	CRUZAN CRUSADER HAWTHORN	CRATAEGUS CRUS-GALLI 'CRUZAN'	2" CAL B4B
	HOTWINGS MAPLE	ACER TATARICUM 'GARANN'	6'-8' HT, MULTI-STEM
	ROYAL RAINDROPS CRABAPPLE	MALUS x 'JFS-KCB'	2" CAL B4B
	SPRING SNOW CRABAPPLE	MALUS 'SPRINGSNOW'	2" CAL B4B
SHRUBS/ORNAMENTAL GRASSES/PERENNIALS			
	ARIZONA SUN GAILLARDIA	GAILLARDIA x 'ARIZONA SUN'	1 GAL
	BLACK EYED SUSAN	RUDBECKIA FULGIDA 'GOLDSTRUM'	1 GAL
	BLUE GRAMMA GRASS	BOUTELOUA GRACILIS 'BLONDE AMBITION'	1 GAL
	BLUE MIST SPIREA	CARYOPTERIS x CLANDONENSIS 'BLUE MIST'	2 GAL
	BLUE OAT GRASS	HELICTOTRICHON SEMPERVIRENS	1 GAL
	BLUE RUG JUNIPER	JUNIPERUS HORIZONTALIS 'MILTONI'	3 GAL
	PURPLE CONEFLOWER	ECHINACEA PURPUREA	1 GAL
	RED FLOWER CARPET ROSE	ROSA 'FLOWER CARPET- NOARE'	2 GAL
	DARTS GOLD NINEBARK	PHYSCARPUS OPULIFOLIUS 'DARTS GOLD'	3 GAL
	STELLA DE ORO DAYLILLY	HEMEROCALLIS 'STELLA D'ORO'	1 GAL
	FINE LINE BUCKTHORN	RHAMNUS FRAGULA 'RON WILLIAMS'	5 GAL
	GRO-LOW SUMAC	RHUS AROMATICA 'GRO-LOW'	3 GAL
	RED HOT POKER	KNIPHOFIA UVARIA 'FLAMENCO'	1 GAL
	HUSKER RED FENSTEMON	FENSTEMON DIGITALIS 'HUSKER RED'	1 GAL
	IVORY HALO DOGWOOD	CORNUS ALBA 'BALHALO'	5 GAL
	KARL FOERSTER REED GRASS	CALAMAGROSTIS ARUNDINACEA 'K.F.'	1 GAL
	LITTLE DEVIL NINEBARK	PHYSCARPUS OPULIFOLIUS 'DONNA MAY'	3 GAL
	HIDCOTE BLUE ENGLISH LAVENDER	LAVANDULA ANGUSTIFOLIA 'HIDCOTE BLUE'	1 GAL
	IVORY TOWER YUCCA	YUCCA FILAMENTOSA 'IVORY TOWER'	3 GAL
	MAIDEN GRASS	MISCANTHUS SINENSIS 'GRACILLIMUS'	1 GAL
	BRAKELIGHTS RED YUCCA	HESPERALOE PARVIFLORA 'FERPA'	3 GAL
	SUMMERWINE NINEBARK	PHYSCARPUS OPULIFOLIA 'SEWARD'	5 GAL
	TIGER EYE SUMAC	RHUS TYPHINA 'BALTIGER'	5 GAL
	LAWN SOD		
	6" VINYL FENCE ADJACENT TO COMMON AREAS & ALONG PERIMETER PROPERTY LINES (TYP).	5' BLACK IRON FENCE AT BACK OF LOTS ADJACENT TO KUNA CANAL (TYP).	

NOTES

- ALL LANDSCAPE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF KUNA ORDINANCE REQUIREMENTS.
- ALL PLANTING AREAS TO BE WATERED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.
- TREES SHALL NOT BE PLANTED WITHIN THE 10-FOOT CLEAR ZONE OF ALL ACHD STORM DRAIN PIPE, STRUCTURES, OR FACILITIES IN PARKSTRIPS. SEEPAGE BEDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM. ALL SHRUBS PLANTED OVER OR ADJACENT TO SEEPAGE BEDS TO HAVE A ROOT BALL THAT DOES NOT EXCEED 18" IN DIAMETER. NO LAWN SOD TO BE PLACED OVER DRAINAGE SHALE SAND WINDOWS. ACHD STORMWATER BASINS AND SHALES SHALL BE LANDSCAPED ACCORDING TO THE 'ADA COUNTY HIGHWAY DISTRICT STORMWATER MANAGEMENT BASIN VEGETATION GUIDANCE MANUAL' (OCTOBER 2017) IN APPENDIX D.
- NO TREES SHALL IMPEDE THE 40' VISION TRIANGLES AT ALL INTERSECTIONS. NO CONIFEROUS TREES OR SHRUBS OVER 3' HIGH AT MATURITY WILL BE LOCATED WITHIN VISION TRIANGLE OR ACHD ROW. AS TREES MATURE, THE OWNER SHALL BE RESPONSIBLE FOR PRUNING TREE CANOPIES TO MEET ACHD REQUIREMENTS FOR MAINTAINING CLEAR VISIBILITY WITHIN 40' STREET AND DEPARTURE VISION TRIANGLE. TREES SHALL BE PLANTED NO CLOSER THAN 50' FROM INTERSECTION STOP SIGNS.
- CLASS II TREES AND LANDSCAPE IN FRONT OF BUILDING LOTS ON INTERIOR STREETS TO BE COMPLETED DURING CONSTRUCTION ON THESE LOTS. TREE LOCATIONS MAY BE ALTERED TO ACCOMMODATE DRIVEWAYS AND UTILITIES. TREES MUST BE CLASS II AND SHALL NOT BE PLANTED WITHIN 5' OF WATER METERS OR UNDERGROUND UTILITY LINES.
- PLAYGROUND, PICNIC STRUCTURE, AND AMENITIES ARE SHOWN SCHEMATICALLY. AMENITIES MAY VARY SLIGHTLY IN FINAL DESIGN FOR AMENITY CONFIGURATIONS AND ADA COMPLIANCE.
- PLANT LIST IS REPRESENTATIVE AND SUBJECT TO ADDITIONS AND/OR SUBSTITUTIONS OF SIMILAR SPECIES THAT ARE SUBJECT TO CITY FORESTER'S PRE-APPROVAL. PLANTING BED DESIGN AND QUANTITIES MAY BE ALTERED DURING FINAL FLAT LANDSCAPE PLAN DESIGN. BURLAP AND WIRE BASKETS TO BE REMOVED FROM ROOT BALL AS MUCH AS POSSIBLE, AT LEAST HALFWAY DOWN THE BALL OF THE TREE. ALL NYLON ROPES TO BE COMPLETELY REMOVED FROM TREES.
- THERE ARE NO EXISTING TREES ON SITE. NO MITIGATION IS REQUIRED.



LANDSCAPE CALCULATIONS

RESIDENTIAL LANDSCAPE BUFFERS ARE REQUIRED TO BE PLANTED WITH THE FOLLOWING PLANTS PER 100 LINEAR FEET: TWO (2) SHADE TREES, THREE (3) EVERGREEN TREES, AND TWELVE (12) SHRUBS.

LOCATION	BUFFER WIDTH	LENGTH	REQUIRED	PROVIDED
W. MASON CREEK ST.	20'	1,180' / 100' =	24 TREES	24 TREES (2) SHADE TREES + 6 ORNAMENTAL TREES)
			36 EVERGREENS	40 EVERGREENS
			144 SHRUBS	144+ SHRUBS
SCHOOL AVE.	20'	2,340' / 100' =	46 TREES	47 TREES (43 SHADE TREES + 4 ORNAMENTAL TREES)
			64 EVERGREENS	71 EVERGREENS
			276 SHRUBS	276+ SHRUBS
COMMON AREA		247,465' / 800' =	309 TREES	201 COMMON LOT TREES (137 SHADE, 37 ORNAMENTAL + 27 EVERGREEN TREES) 110 RESIDENTIAL PARKSTRIP TREES
			311 TREES	

TOTAL NUMBER OF BUFFER TREES:	175 TREES	184 TREES
TOTAL NUMBER OF COMMON AREA TREES:		201 TREES
RESIDENTIAL PARKSTRIP TREES:		110 TREES
RESIDENTIAL LOTS (1 TREE PER LOT):		114 TREES
TOTAL NUMBER OF TREES		614 TREES

DEVELOPMENT DATA

TOTAL AREA	41.48 ACRES
RESIDENTIAL LOTS	114
COMMON LOTS	15
TOTAL LOTS	129
QUALIFIED OPEN SPACE	5.34 AC (12.9%)
EXISTING ZONING	RR
PROPOSED ZONING	R-6

BRAEBURN CREEK SUBDIVISION

KUNA, ID

PRELIMINARY PLAT LANDSCAPE PLAN

DEVELOPER
TOLL SOUTHWEST LLC
ADAM CAPELL
3103 W. SHERYL DR., STE 100
MERIDIAN, ID 83642

CIVIL ENGINEER
ESE CONSULTANTS, INC.
MARK ZARNOWSKY, P.E.
3103 W. SHERYL DR., STE 100
MERIDIAN, ID 83642



JENSENBELTS ASSOCIATES
Site Planning / Landscape Architecture
900 Tyrrel Lane, Ste 150 Boise, ID 83708
Ph: (208) 849-7776 www.jensenbelts.com



MAY 2, 2022

PLANT PALETTE

SYM	COMMON NAME	BOTANICAL NAME	SIZE
EVERGREEN TREES			
	AUSTRIAN PINE	PINUS NIGRA	6'-8" HT B4B
	BLACK HILLS SPRUCE	PICEA GLAUCA 'DENSATA'	6'-8" HT B4B
	FAT ALBERT BLUE SPRUCE	PICEA FUNGENS 'FAT ALBERT'	6'-8" HT B4B
	MOONGLOW JUNIPER	JUNIPERUS SCOPULORUM 'MOONGLOW'	6'-8" HT B4B
	NORWAY SPRUCE	PICEA ABIES	6'-8" HT B4B
	VANDERWOLFS PINE	PINUS FLEXILIS 'VANDERWOLFS'	6'-8" HT B4B
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	BLOODGOOD LONDON PLANETREE	PLATANUS x AGERIFOLIA 'BLOODGOOD'	2' CAL B4B
	SHAMP OAK	QUERCUS BICOLOR	2' CAL B4B
SHADE/STREET TREES (CLASS II)			
	CRIMSON SPIRE OAK	QUERCUS ROBUR x Q. ALBA 'GRIMSCHMIDT'	2' CAL B4B
	CHANTICLEER PEAR	PYRUS CALLERYANA 'GLEN'S FORM'	2' CAL B4B
	SKYLINE HONEYLOCUST	GLEDITSIA TRIACANTHOS 'INERMIS SKYCOLE'	2' CAL B4B
	GREENSPIRE LINDEN	TILIA CORDATA 'GREENSPIRE'	2' CAL B4B
	TULIP TREE	LIRIODENDRON TULIPIFERA	2' CAL B4B
	GREEN VASE ZELKOVA	ZELKOVA SERRATA 'GREEN VASE'	2' CAL B4B
ORNAMENTAL TREES (CLASS I)			
	FLAME AMUR MAPLE	ACER GINNALA 'FLAME'	6'-8" HT. MULTI-STEM
	CANADA RED CHOKECHERRY	PRUNUS VIRGINIANA 'CANADA RED'	6'-8" HT. MULTI-STEM
	CRUZAN CRUSADER HAWTHORN	CRATAEGUS CRUS-GALLI 'CRUZAN'	2' CAL B4B
	HOTWINGS MAPLE	ACER TATARICUM 'GARANN'	6'-8" HT. MULTI-STEM
	ROYAL RAINDROPS CRABAPPLE	MALUS x 'JFS-KM'	2' CAL B4B
	SPRING SNOW CRABAPPLE	MALUS 'SPRINGSNOW'	2' CAL B4B
SHRUBS/ORNAMENTAL GRASSES/PERENNIALS			
	ARIZONA SUN GAILLARDIA	GAILLARDIA x 'ARIZONA SUN'	1 GAL
	BLACK EYED SUSAN	RUBICEKIA FULGIDA 'GOLDSTRUM'	1 GAL
	BLUE GRAMMA GRASS	BOUTELOUA GRACILIS 'BLONDE AMBITION'	1 GAL
	BLUE MIST SPIREA	CARYOPTERIS x CLANDONENSIS 'BLUE MIST'	2 GAL
	BLUE OAT GRASS	HELICTOTRICHON SEMPERVIRENS	1 GAL
	BLUE RUG JUNIPER	JUNIPERUS HORIZONTALIS 'WILTON'	3 GAL
	PURPLE CONEFLOWER	ECHINACEA PURPUREA	1 GAL
	RED FLOWER CARPET ROSE	ROSA 'FLOWER CARPET- NOARE'	2 GAL
	DARTS GOLD NINEBARK	PHYSOCARPUS OPULIFOLIUS 'DARTS GOLD'	3 GAL
	STELLA DE ORO DAYLILLY	HEMEROCALLIS 'STELLA D'ORO'	1 GAL
	FINE LINE BUCKTHORN	RHAMNUS FRAGILIS 'RON WILLIAMS'	5 GAL
	GRO-LOW SUMAC	RHUS AROMATICA 'GRO-LOW'	3 GAL
	RED HOT POKER	KNIPHOFIA UVARIA 'FLAMENCO'	1 GAL
	HUSKER RED PENSTEMON	PENSTEMON DIGITALIS 'HUSKER RED'	1 GAL
	IVORY HALO DOGWOOD	CORNUS ALBA 'BAILHALO'	5 GAL
	KARL FOERSTER REED GRASS	CALAMAGROSTIS ARUNDINACEA 'K.F.'	1 GAL
	LITTLE DEVIL NINEBARK	PHYSOCARPUS OPULIFOLIUS 'DONNA MAY'	3 GAL
	HIDCOTE BLUE ENGLISH LAVENDER	LAVANDULA ANGUSTIFOLIA 'HIDCOTE BLUE'	1 GAL
	IVORY TOWER YUCCA	YUCCA FILAMENTOSA 'IVORY TOWER'	3 GAL
	MAIDEN GRASS	MISCANTHUS SINENSIS 'GRACILLINUS'	1 GAL
	BRAKELIGHTS RED YUCCA	HESPERALOE PARVIFLORA 'PERFA'	3 GAL
	SUMMERWINE NINEBARK	PHYSOCARPUS OPULIFOLIA 'SEWARD'	5 GAL
	TIGER EYE SUMAC	RHUS TYPHINA 'BAILTIGER'	5 GAL



NOTES

- ALL LANDSCAPE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF KUNA ORDINANCE REQUIREMENTS.
- ALL PLANTING AREAS TO BE WATERED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.
- TREES SHALL NOT BE PLANTED WITHIN THE 10-FOOT CLEAR ZONE OF ALL ACHD STORM DRAIN PIPE, STRUCTURES, OR FACILITIES IN PARKSTRIPS. SEEPAGE BEDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM. ALL SHRUBS PLANTED OVER OR ADJACENT TO SEEPAGE BEDS TO HAVE A ROOT BALL THAT DOES NOT EXCEED 18" IN DIAMETER. NO LAWN SOD TO BE PLACED OVER DRAINAGE SWALE SAND WINDOWS. ACHD STORMWATER BASINS AND SWALES SHALL BE LANDSCAPED ACCORDING TO THE 'ADA COUNTY HIGHWAY DISTRICT STORMWATER MANAGEMENT BASIN REVEGETATION GUIDANCE MANUAL' (OCTOBER 2017) IN APPENDIX D.
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LANDSCAPE CALCULATIONS

RESIDENTIAL LANDSCAPE BUFFERS ARE REQUIRED TO BE PLANTED WITH THE FOLLOWING PLANTS PER 100 LINEAR FEET: TWO (2) SHADE TREES, THREE (3) EVERGREEN TREES, AND TWELVE (12) SHRUBS.

LOCATION	BUFFER WIDTH	LENGTH	REQUIRED	PROVIDED
W. MASON CREEK ST.	20'	1,180' / 100' =	24 TREES	24 TREES (21 SHADE TREES + 6 ORNAMENTAL TREES)
			36 EVERGREENS 144 SHRUBS	40 EVERGREENS 144+ SHRUBS
SCHOOL AVE.	20'	2,340' / 100' =	46 TREES	47 TREES (43 SHADE TREES + 8 ORNAMENTAL TREES)
			64 EVERGREENS 276 SHRUBS	71 EVERGREENS 276+ SHRUBS
COMMON AREA		247,465' / 800' =	304 TREES	201 COMMON LOT TREES (137 SHADE, 37 ORNAMENTAL & 27 EVERGREEN TREES) 110 RESIDENTIAL PARKSTRIP TREES 311 TREES
TOTAL NUMBER OF BUFFER TREES:		175 TREES		184 TREES
TOTAL NUMBER OF COMMON AREA TREES:				201 TREES
RESIDENTIAL PARKSTRIP TREES:				110 TREES
RESIDENTIAL LOTS (1 TREE PER LOT):				114 TREES
TOTAL NUMBER OF TREES				614 TREES

DEVELOPMENT DATA

TOTAL AREA	41.48 ACRES
RESIDENTIAL LOTS	114
COMMON LOTS	15
TOTAL LOTS	129
QUALIFIED OPEN SPACE	5.34 AC (12.9%)
EXISTING ZONING	RR
PROPOSED ZONING	R-6

BRAEBURN CREEK SUBDIVISION

KUNA, ID

PRELIMINARY PLAT LANDSCAPE PLAN

DEVELOPER
TOLL SOUTHWEST LLC
ADAM CAPELL
3103 W. SHERYL DR., STE 100
MERIDIAN, ID 83642

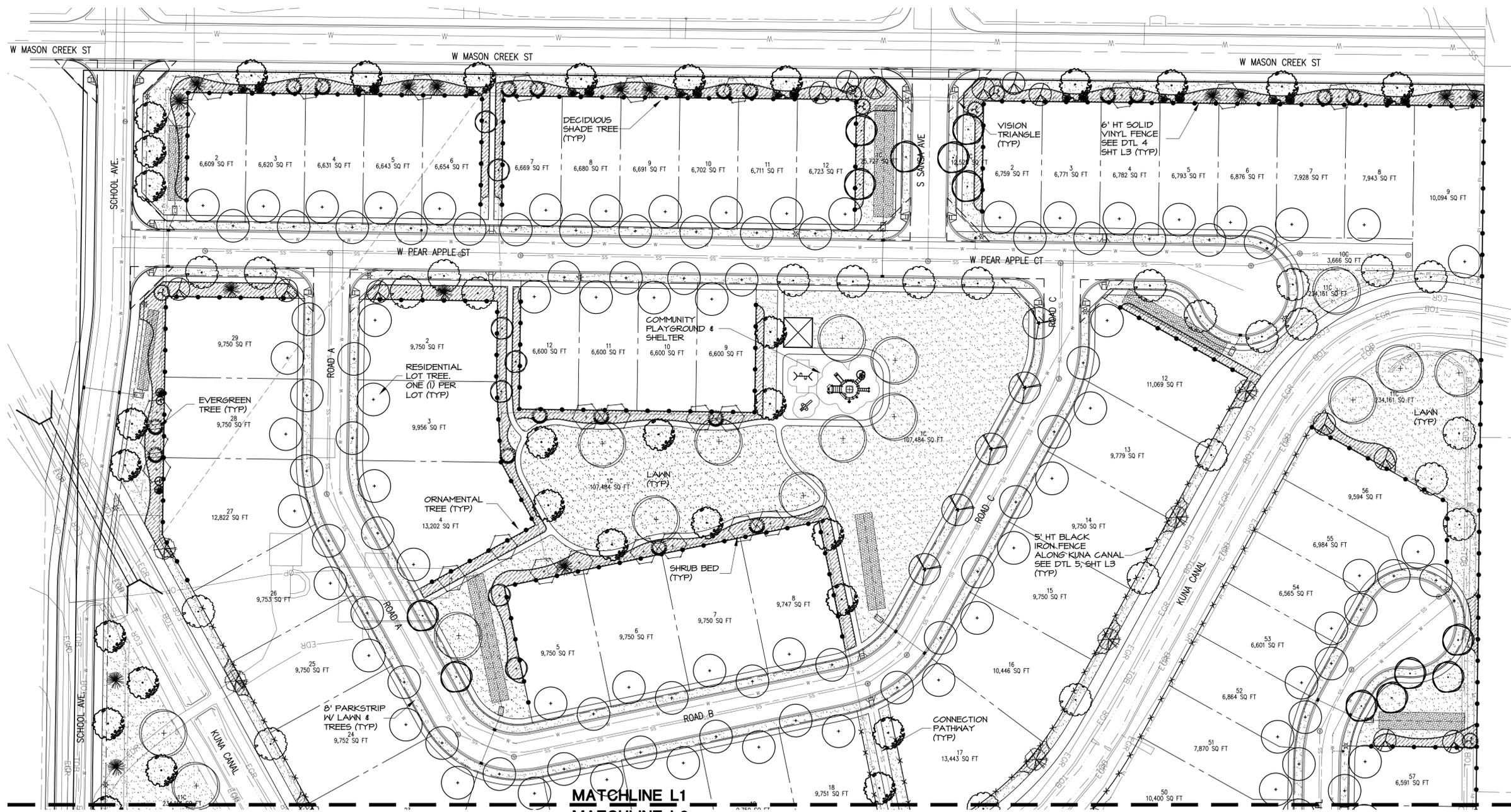
CIVIL ENGINEER
ESE CONSULTANTS, INC.
MARK ZARNOWSKY, P.E.
3103 W. SHERYL DR., STE 100
MERIDIAN, ID 83642



JENSEN BELTS ASSOCIATES
Site Planning / Landscape Architecture
1500 Terra Lane, Ste 150 Boise, ID 83708
PH: (208) 548-7775 www.jensensbelts.com



MAY 2, 2022



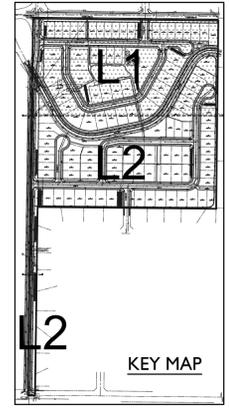
PLANT PALETTE

(REFERENCE SHT L3)

SYM	COMMON NAME	SYM	COMMON NAME	SYM	DESCRIPTION
EVERGREEN TREES			SHRUBS/ORNAMENTAL GRASSES/PERENNIALS		
	AUSTRIAN PINE		ARIZONA SUN GAILLARDIA		LAWN SOD
	BLACK HILLS SPRUCE		BLACK EYED SUSAN		6' VINYL FENCE ADJACENT TO COMMON AREAS AND ALONG PERIMETER PROPERTY LINES (TYP). SEE DTL 4, SHT L3.
	FAT ALBERT BLUE SPRUCE		BLUE GRAMMA GRASS		5' BLACK IRON FENCE AT BACK OF LOTS ADJACENT TO KUNA CANAL (TYP). SEE DTL 5, SHT L3.
	MOON GLOW JUNIPER		BLUE MIST SPIREA		
	NORWAY SPRUCE		BLUE OAT GRASS		
	VANDERWOLF'S PINE		BLUE RUG JUNIPER		
SHADE TREES (CLASS III)				PURPLE CONEFLOWER	
	BLOODGOOD LONDON PLANETREE		RED FLOWER CARPET ROSE		
	SWAMP OAK		DARTS GOLD NINEBARK		
SHADE/STREET TREES (CLASS II)				STELLA DE ORO DAYLILY	
	CRIMSON SPIRE OAK		FINE LINE BUCKTHORN		
	CHANTICLEER PEAR		GRO-LOW SUMAC		
	SKYLINE HONEYLOCUST		RED HOT POKER		
	GREENSPIRE LINDEN		HUSKER RED PENSTEMON		
	TULIP TREE		IVORY HALO DOGWOOD		
	GREEN VASE ZELKOVA		KARL FOERSTER REED GRASS		
ORNAMENTAL TREES (CLASS I)				LITTLE DEVIL NINEBARK	
	FLAME AMUR MAPLE		HIDCOTE BLUE ENGLISH LAVENDER		
	CANADA RED CHOKECHERRY		IVORY TOWER YUCCA		
	CRUZAN CRUSADER HAWTHORN		MAIDEN GRASS		
	HOTWINGS MAPLE		BRAKELIGHTS RED YUCCA		
	ROYAL RAINDROPS CRABAPPLE		SUMMERWINE NINEBARK		
	SPRING SNOW CRABAPPLE		TIGER EYE SUMAC		

NOTES

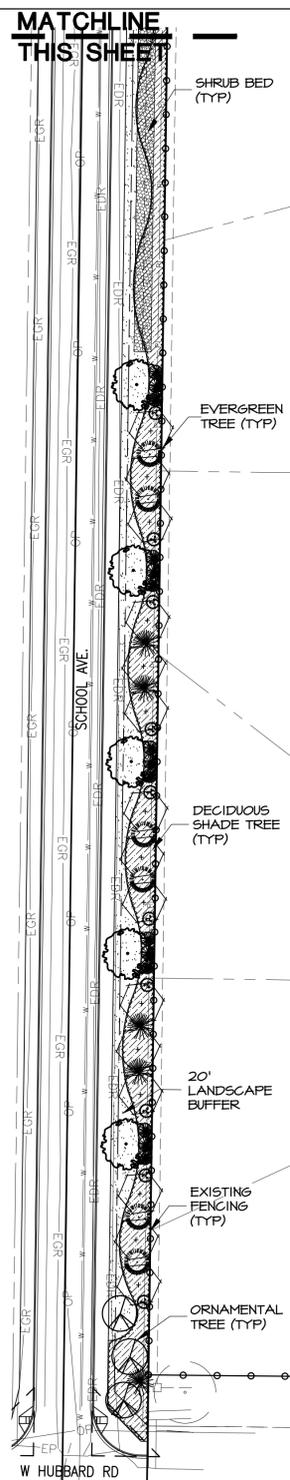
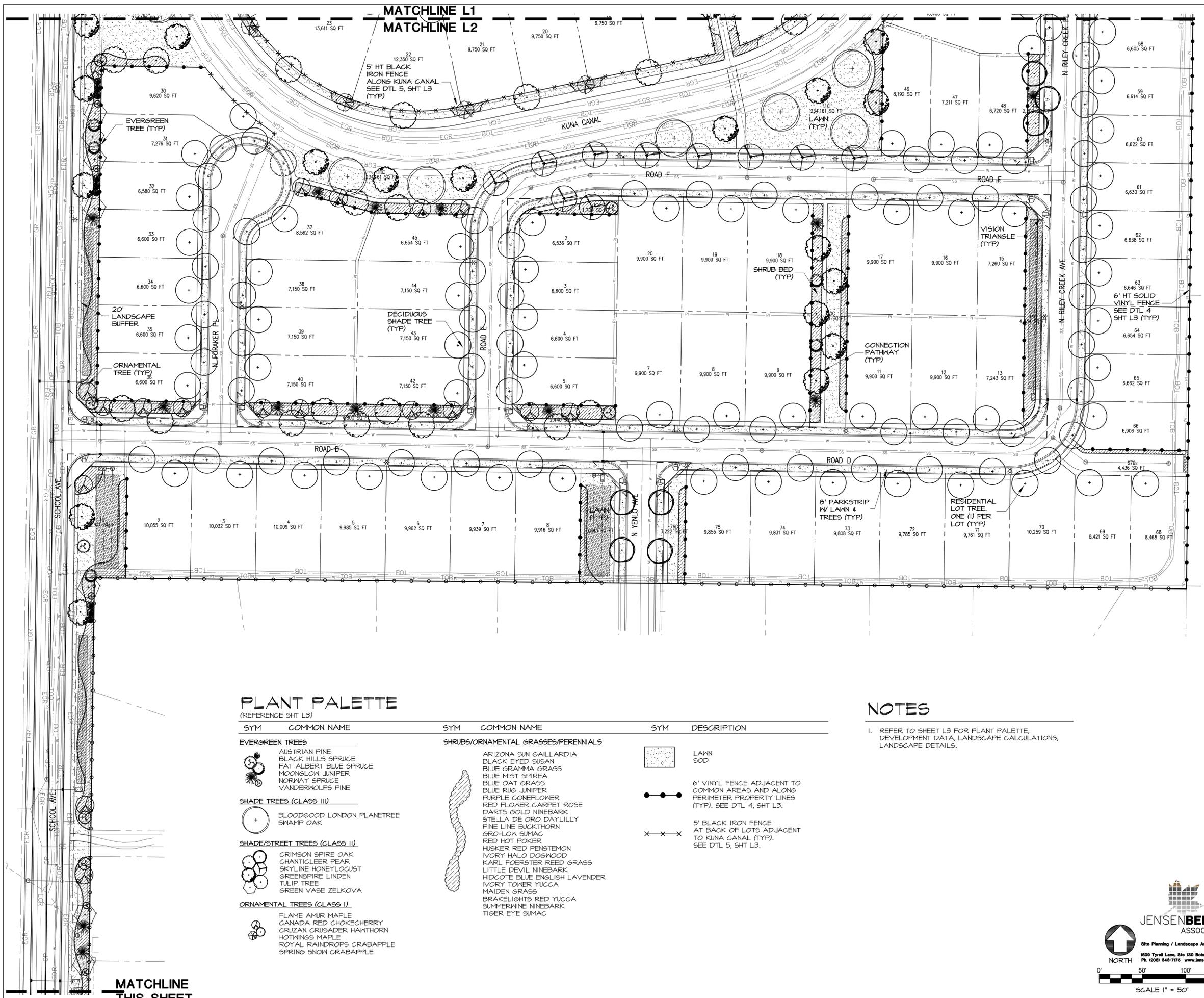
1. REFER TO SHEET L3 FOR PLANT PALETTE, DEVELOPMENT DATA, LANDSCAPE CALCULATIONS, LANDSCAPE DETAILS.



Issue	Description	Date
ISSUE	TREE CALC.	2-15-22
		5-2-22

BRAEBURN CREEK SUBDIVISION
KUNA, ID
PRELIMINARY PLAT LANDSCAPE PLAN

Job Number	2160
Drawn	JUN
Checked	KCS
Scale	AS SHOWN
Sheet Title	LANDSCAPE PLAN
Sheet Number	L1
	2 of 4 Sheets



PLANT PALETTE
(REFERENCE SHT L3)

SYM	COMMON NAME	SYM	COMMON NAME	SYM	DESCRIPTION
EVERGREEN TREES			SHRUBS/ORNAMENTAL GRASSES/PERENNIALS		
	AUSTRIAN PINE BLACK HILLS SPRUCE FAT ALBERT BLUE SPRUCE MOONGLOW JUNIPER NORWAY SPRUCE VANDERWOLFS PINE		ARIZONA SUN GAILLARDIA BLACK EYED SUSAN BLUE GRAMA GRASS BLUE MIST SPIREA BLUE OAT GRASS BLUE RUG JUNIPER PURPLE CONEFLOWER RED FLOWER CARPET ROSE DARTS GOLD NINEBARK STELLA DE ORO DAYLILLY FINE LINE BUCKTHORN GRO-LOW SUMAC RED HOT POKER HUSKER RED PENSTEMON IVORY HALO DOGWOOD KARL FOERSTER REED GRASS LITTLE DEVIL NINEBARK HIDCOTE BLUE ENGLISH LAVENDER IVORY TOWER YUCCA MAIDEN GRASS BRAKELIGHTS RED YUCCA SUMMERWINE NINEBARK TIGER EYE SUMAC		LAWN SOD
	SHADE TREES (CLASS III) BLOODGOOD LONDON PLANETREE SNAMP OAK		6" VINYL FENCE ADJACENT TO COMMON AREAS AND ALONG PERIMETER PROPERTY LINES (TYP). SEE DTL 4, SHT L3.		5' BLACK IRON FENCE AT BACK OF LOTS ADJACENT TO KUNA CANAL (TYP). SEE DTL 5, SHT L3.
	SHADE/STREET TREES (CLASS II) CRIMSON SPIRE OAK CHANTICLEER PEAR SKYLINE HONEYLOCUST GREENSPIRE LINDEN TULIP TREE GREEN VASE ZELKOVA				
	ORNAMENTAL TREES (CLASS I) FLAME AMUR MAPLE CANADA RED CHOKECHERRY CRUZAN CRUSADER HAWTHORN HOTWINGS MAPLE ROYAL RAINDROPS CRABAPPLE SPRING SNOW CRABAPPLE				

NOTES

1. REFER TO SHEET L3 FOR PLANT PALETTE, DEVELOPMENT DATA, LANDSCAPE CALCULATIONS, LANDSCAPE DETAILS.

Issue	Description	Date
ISSUE	TREE CALC.	2-15-22
		5-2-22



Site Planning
Landscape Architecture
1509 Tyrell Lane, Ste 130
Boise, Idaho 83706
Ph. (208) 343-7175
www.jensenbelts.com

BRAEBURN CREEK SUBDIVISION
KUNA, ID
PRELIMINARY PLAT LANDSCAPE PLAN

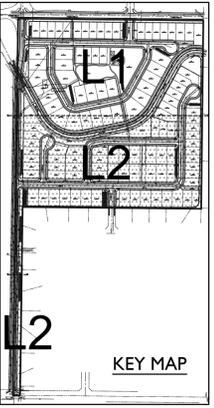
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Drawn JJJ Checked KCS
Scale AS SHOWN
Sheet Title

LANDSCAPE PLAN

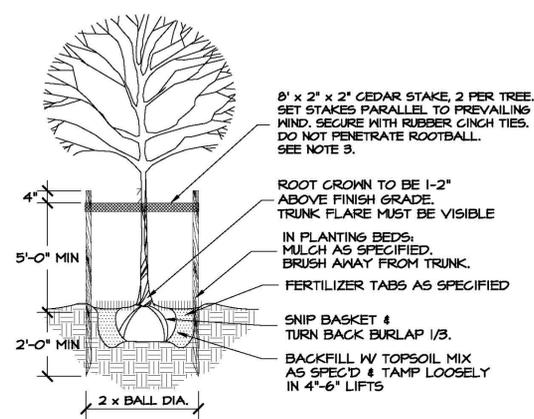
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L2
3 of 4 Sheets



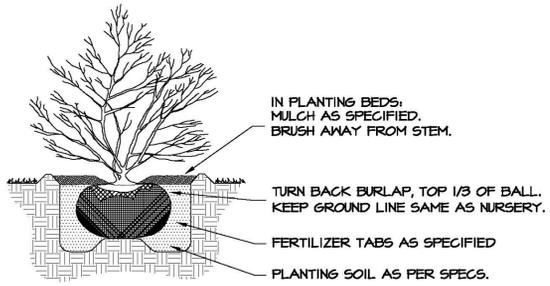
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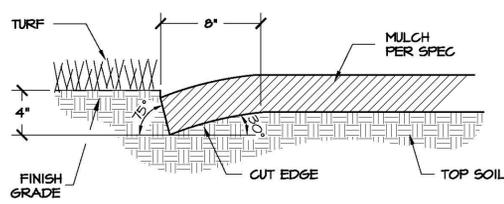
NOTES:
 1. REMOVE ALL TWINE, ROPE, OR BINDINGS FROM ALL TRUNKS.
 2. REMOVE BURLAP AND WIRE BASKETS FROM THE TOP 1/3 OF ALL ROOT BALLS AFTER PLANTING. IF SYNTHETIC WRAP/BURLAP IS USED, IT MUST BE COMPLETELY REMOVED.
 3. STAKING OF TREES TO BE THE CONTRACTOR'S OPTION; HOWEVER, THE CONTRACTOR IS RESPONSIBLE TO INSURE THAT ALL TREES ARE PLANTED STRAIGHT AND REMAIN STRAIGHT FOR A MIN OF 1 YEAR. ALL STAKING SHALL BE REMOVED AT THE END OF THE 1 YEAR WARRANTY PERIOD.
 4. TREES PLANTED IN TURF AREAS: REMOVE TURF 3' DIA. FROM TREE TRUNK.

1 TREE PLANTING/STAKING
 NOT TO SCALE

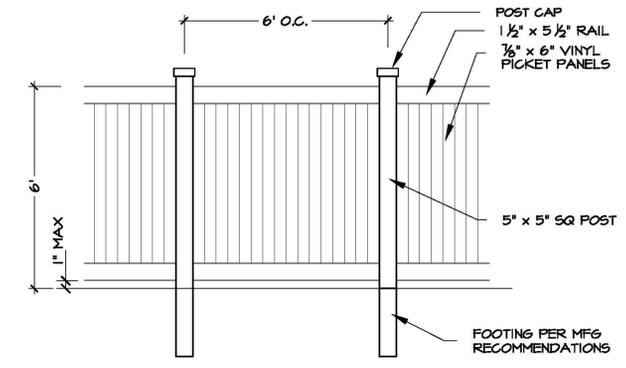


NOTE: DIG HOLE TWICE THE SIZE OF ROOTBALL.

2 SHRUB PLANTING
 NOT TO SCALE

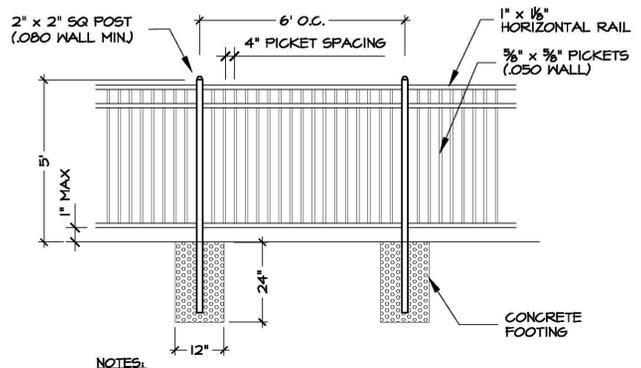


3 PLANTER CUT BED EDGE
 NOT TO SCALE



NOTES:
 1. FENCE TO STEP DOWN TO 3' HEIGHT 20' FROM ROW.
 2. VINYL FENCE STYLE MAY VARY SLIGHTLY.

4 VINYL PRIVACY FENCE
 NOT TO SCALE

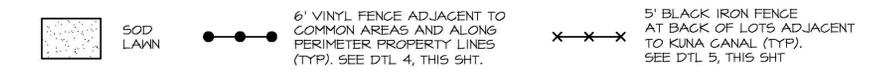


NOTES:
 1. IRON FENCE STYLE MAY VARY SLIGHTLY. ALL GALVANIZED & POWDERCOATED BLACK.

5 IRON FENCE
 NOT TO SCALE

PLANT PALETTE

SYM	COMMON NAME	BOTANICAL NAME	SIZE
EVERGREEN TREES			
●	AUSTRIAN PINE	PINUS NIGRA	6-8' HT B4B
●	BLACK HILLS SPRUCE	PICEA GLAUGA 'DENSATA'	6-8' HT B4B
●	FAT ALBERT BLUE SPRUCE	PICEA FURGENS 'FAT ALBERT'	6-8' HT B4B
●	MOONGLOW JUNIPER	JUNIPERUS SCOPULORUM 'MOONGLOW'	6-8' HT B4B
●	NORWAY SPRUCE	PICEA ABIES	6-8' HT B4B
●	VANDERWOLFS PINE	PINUS FLEXILIS 'VANDERWOLFS'	6-8' HT B4B
SHADE TREES (CLASS III)			
○	BLOODGOOD LONDON PLANETREE	PLATANUS x ACERIFOLIA 'BLOODGOOD'	2" CAL B4B
○	SWAMP OAK	QUERCUS BICOLOR	2" CAL B4B
SHADE/STREET TREES (CLASS II)			
○	CRIMSON SPIRE OAK	QUERCUS ROBUR x Q. ALBA 'GRIMSCHMIDT'	2" CAL B4B
○	CHANTICLEER PEAR	PYRUS CALLERYANA 'GLEN'S FORM'	2" CAL B4B
○	SKYLINE HONEYLOCUST	GLEDITSIA TRIACANTHOS INERMIS 'SKYCOLE'	2" CAL B4B
○	GREENSPIRE LINDEN	TILIA CORDATA 'GREENSPIRE'	2" CAL B4B
○	TULIP TREE	LIRIODENDRON TULIPIFERA	2" CAL B4B
○	GREEN VASE ZELKOVA	ZELKOVA SERRATA 'GREEN VASE'	2" CAL B4B
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○	CANADA RED CHOKECHERRY	PRUNUS VIRGINIANA 'CANADA RED'	6-8' HT, MULTI-STEM
○	CRUZAN CRUSADER HAWTHORN	CRATAEGUS GRUS-GALLI 'CRUZAM'	2" CAL B4B
○	HOTTINGGS MAPLE	ACER TATARICUM 'GARANN'	6-8' HT, MULTI-STEM
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○	BRAKELIGHTS RED YUCCA	HESPERALOE PARVIFLORA 'PERPA'	3 GAL
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QUALIFIED OPEN SPACE	5.34 AC (12.9%)
EXISTING ZONING	RR
PROPOSED ZONING	R-6

DEVELOPER
 TOLL SOUTHWEST LLC
 ADAM CAPELL
 3103 W. SHERYL DR., STE. 100
 MERIDIAN, ID 83642

CIVIL ENGINEER
 ESE CONSULTANTS, INC.
 MARK ZARNOWSKY, P.E.
 3103 W. SHERYL DR., STE. 100
 MERIDIAN, ID 83642

JENSENBELTS ASSOCIATES
 Site Planning / Landscape Architecture
 1509 Tyrrell Lane, Ste 150 Boise, ID 83706
 Ph: (208) 348-7176 www.jensenbelts.com

Issue	Description	Date
ISSUE	TREE CALC.	2-15-22
		5-2-22



JENSENBELTS ASSOCIATES

Site Planning
 Landscape Architecture
 1509 Tyrrell Lane, Ste 150
 Boise, Idaho 83706
 Ph. (208) 343-7175
 www.jensenbelts.com

BRAEBURN CREEK SUBDIVISION
 KUNA, ID
PRELIMINARY PLAT LANDSCAPE PLAN

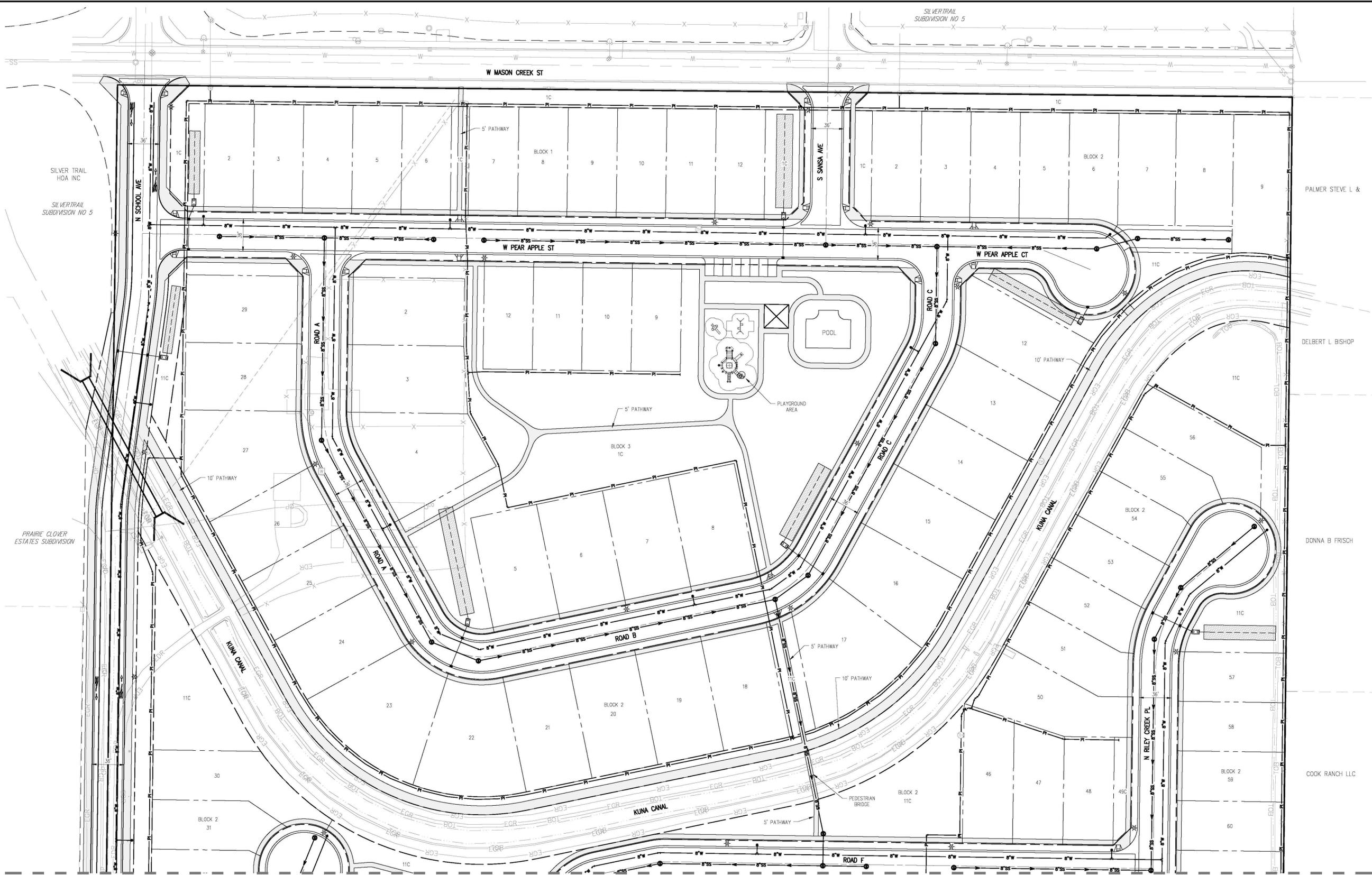
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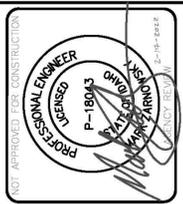
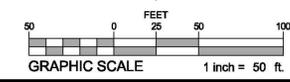
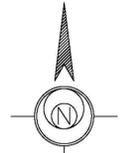
Sheet Title
LANDSCAPE PLAN

Sheet Number
L3
 4 of 4 Sheets

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SEE SHEET PP-3.2



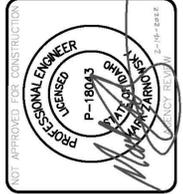
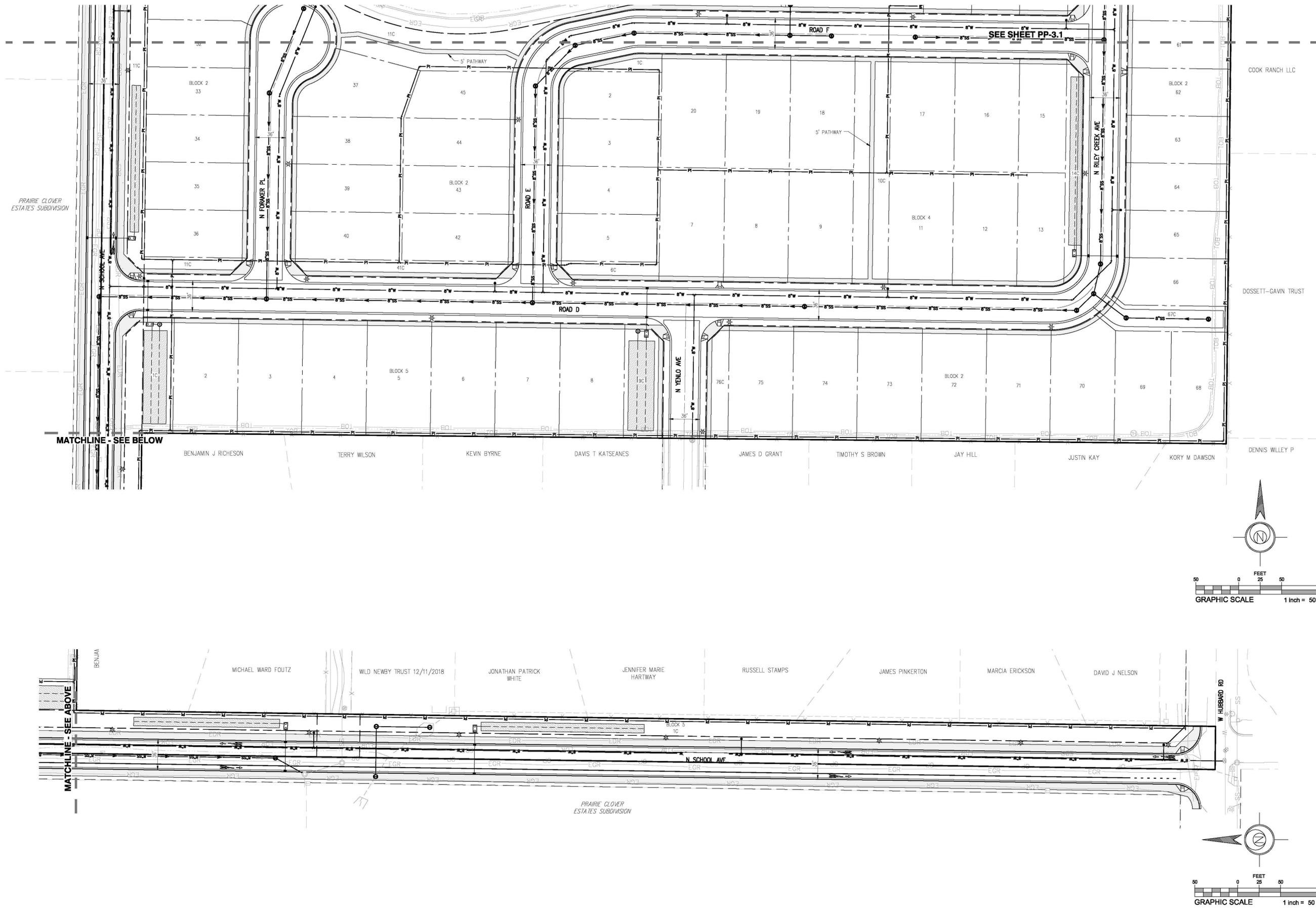
ESE CONSULTANTS
ENGINEERING • PLANNING • SURVEYING • ENVIRONMENTAL
ESE Consultants, Inc.
3103 W. Sheryl Drive • Suite 100 • Meridian, ID 83642
T: 208-424-0020

REV.	DATE	AGENCY SUBMITTAL	DESCRIPTION	DRAWN
A.	02/14/22			

PRELIMINARY ENGINEERING PLAN
PRELIMINARY PLAT FOR
BRAEBURN CREEK SUBDIVISION
CITY OF KUNA, ADA COUNTY, IDAHO

DATE:	02/14/22	SCALE:	1"=50'
DESIGN:	MRZ	DRAWN:	JBS
JOB NO.:	8179	FILE NAME:	8179-S-PRE ENG-PP
REF. NO.:		PP-4.1	
SHEET NO.:	6	OF 8	

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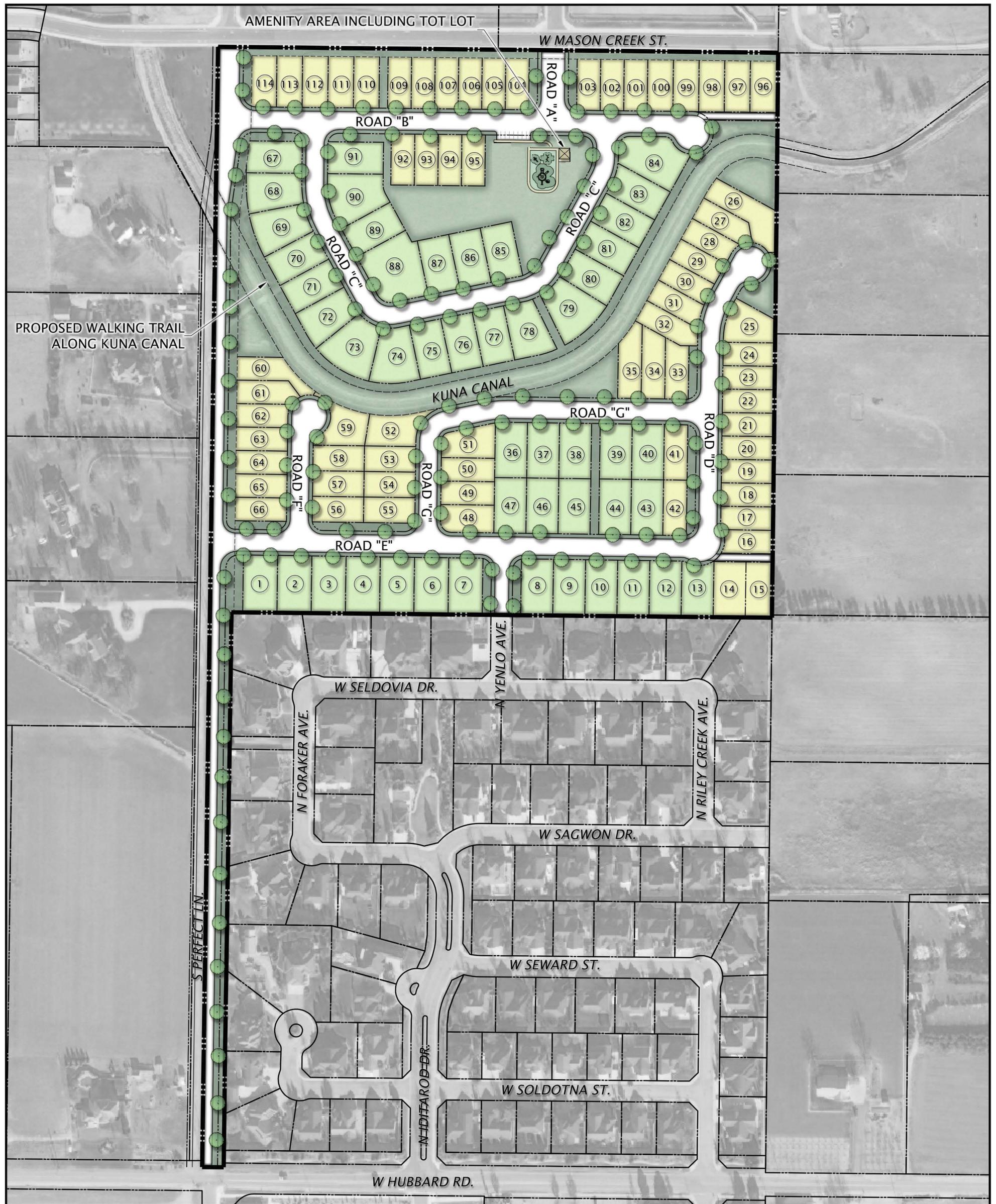
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REV.	DATE	AGENCY SUBMITTAL	DESCRIPTION
A.	02/14/22		

PRELIMINARY ENGINEERING PLAN

**PRELIMINARY PLAT FOR
 BRAEBURN CREEK SUBDIVISION**
 CITY OF KUNA, ADA COUNTY, IDAHO

DATE:	02/14/22	SCALE:	1"=50'
DESIGN:	MRZ	DRAWN:	JBS
JOB NO.:	8179	FILE NAME:	8179-S-PRE ENG-PP
REF. NO.:		PP-4.2	
SHEET NO.:	7	OF	8

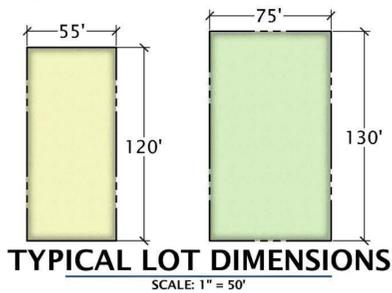


PROPERTY DATA:

PARCEL S1311427800: ±41.5 AC
 PROPOSED DENSITY: 2.7 DU/AC (114 SFD LOTS)

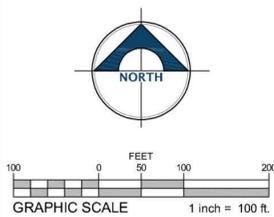
SITE ASSUMPTIONS:

1. ZONING REVIEW HAS NOT BEEN COMPLETED. THIS CONCEPT ASSUMES NEW ZONING CODE PER LAYOUT TO BE WRITTEN.
2. CONCEPT PROPOSES 60' ROW WITH DETACHED SIDEWALKS.
3. CONCEPT PROPOSES AMENITY AREA WITH TOT LOT, RESTROOMS, AND A SMALL POOL.
4. CONCEPT PROPOSES WALKING TRAIL ALONG NORTHERN KUNA CANAL BOUNDARY.



SOURCES:

1. THIS PLAN IS THE EXCLUSIVE PROPERTY OF ESE CONSULTANTS INC., AND TOLL BROTHERS INC. ALL RIGHTS AND REMEDIES ARE HEREBY RESERVED. THIS PLAN MAY NOT BE REPRODUCED OR DISTRIBUTED IN ANY WAY WITHOUT THE WRITTEN CONSENT OF ESE CONSULTANTS INC., AND TOLL BROTHERS INC.
2. AERIAL PHOTOGRAPH TAKEN FROM: METRO MAXAR WORLD IMAGERY DATED: DECEMBER 8, 2020.
3. NO FLOODPLAIN ON SITE, INFORMATION TAKEN FROM FEMA COMMUNITY PANEL: 0250J ADA COUNTY, IDAHO DATED: OCTOBER 2, 2003.
4. PARCEL INFORMATION TAKEN FROM: IDAHO PUBLIC PARCEL SHAPEFILE DATA DATED: 2019.
5. ALL BASE INFORMATION IS CONSIDERED PRELIMINARY AND SUBJECT TO FIELD VERIFICATION AND SURVEY. SITE PLAN MAY VARY PENDING MORE ACCURATE INFORMATION.



CONCEPT "C" 114 SINGLE FAMILY LOTS
66 GARDEN LOTS + 48 WOODLAND LOTS
BRAEBURN CREEK SUBDIVISION
 CITY OF KUNA, ADA COUNTY, IDAHO

PLAN SUMMARY:

(66) GARDEN LOTS (58%)
 (48) WOODLAND LOTS (42%)
 (114) TOTAL HOMES
 ±5,400 LF 60' ROW
 ±2,630 LF MID-MILE COLLECTOR

SITE DATA:

ADDRESS: 2400 W HUBBARD RD
 KUNA, ID 83634
 PARCEL(S): S1311427800
 SITE AREA: ± 41.5 AC
 CURRENT ZONING: TO BE WRITTEN
OFFICE DATA:
 PROJECT NUMBER: 8179
 DATE: 2021.10.08
 SCALE: 1" = 100'
 DRAWN BY: EED

Braeburn Creek Subdivision

Kuna Planning and Zoning Commission (July 26, 2022)



Toll Brothers

- Award winning, FORTUNE 500 company
- Founded in 1967
- The nation's luxury home builder
- Idaho Division headquartered in the Treasure Valley
- Over 180 employees



Toll Brothers®

#1 HOME BUILDER

**FORTUNE WORLD'S MOST
ADMIRABLE COMPANIES
2022**

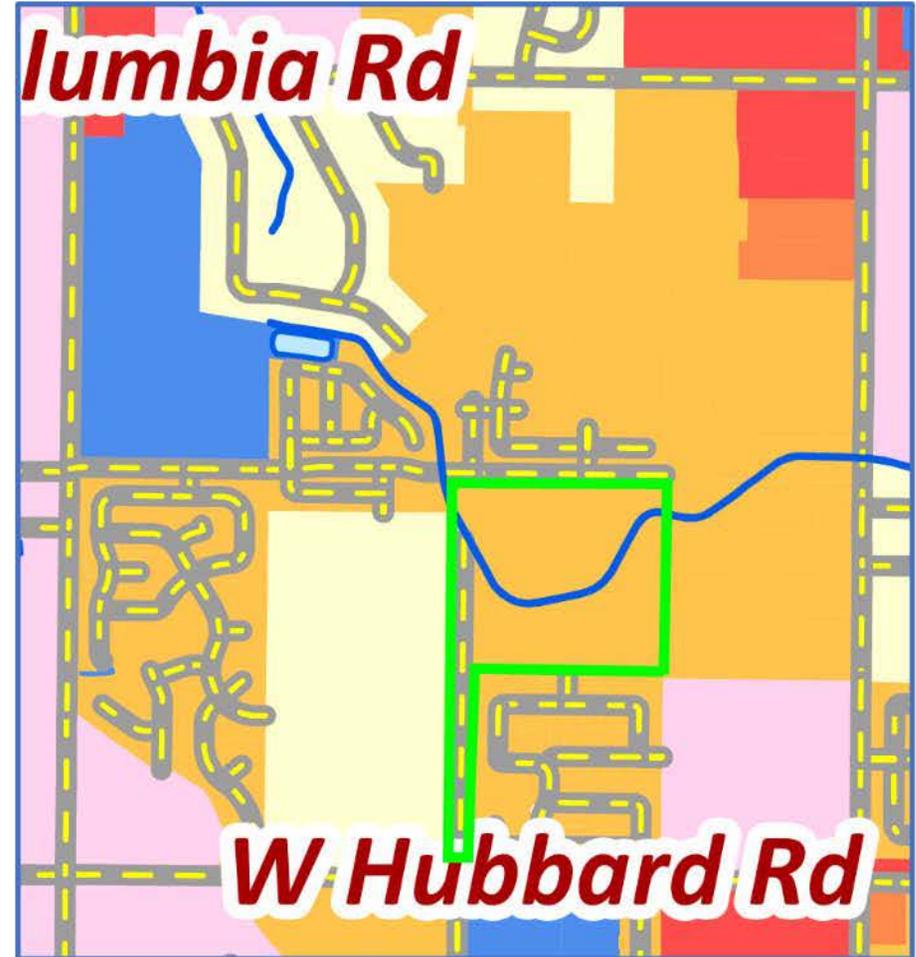
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Annexation and Zoning

City Limits



FLUM



- High Density Residential
- Low Density Residential
- Medium Density Residential
- Mixed-Use
- Public

Braeburn Creek Subdivision



Overall Project Data	
Single Family Residential Lots	114
Common Lots	15
Single-Family Residential Area	22.03 acres
Common Lot Area	10.49 acres
Gross Density	2.75 units/acre
Minimum Residential Lot Size	6,536 s.f.
Average Residential Lot Size	8,420 s.f.

Braeburn Creek Subdivision



Qualified Open Space



OPEN SPACE CALCULATIONS		
PARKS AND PATHWAYS	QUALIFIED OPEN SPACE AREA	
	SF	ACRES
1	2,421	0.06
2	12,129	0.28
3	105,084	2.41
4	45,086	1.04
5	30,867	0.71
6	26,202	0.60
7	11,008	0.25
TOTAL	232,797	5.34
PROJECT AREA		41.48
PERCENT OPEN SPACE		12.90%

Braeburn Creek Amenities

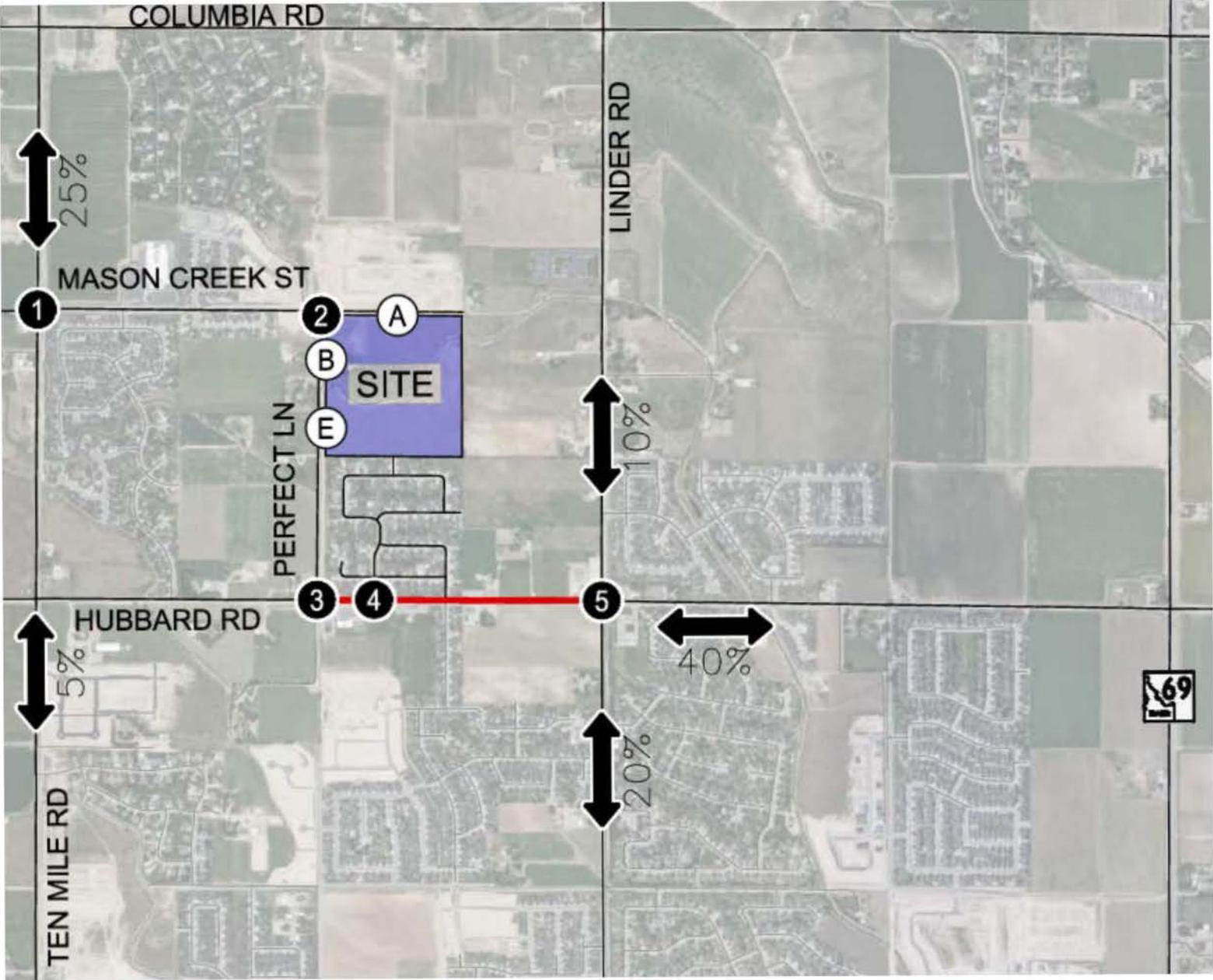
- 2.5 acre central park playground, shade pavilion and picnic area.
- Kuna Canal Pathway
- Three pocket parks



Braeburn Creek Amenities



Braeburn Access and Connectivity



Braeburn Creek Utilities

- Domestic Water

- Water service is available in Mason Creek Street to the north and Hubbard to the south
- Toll Brothers will install a 12” water main in School Avenue creating loop between Mason Creek Street and Hubbard

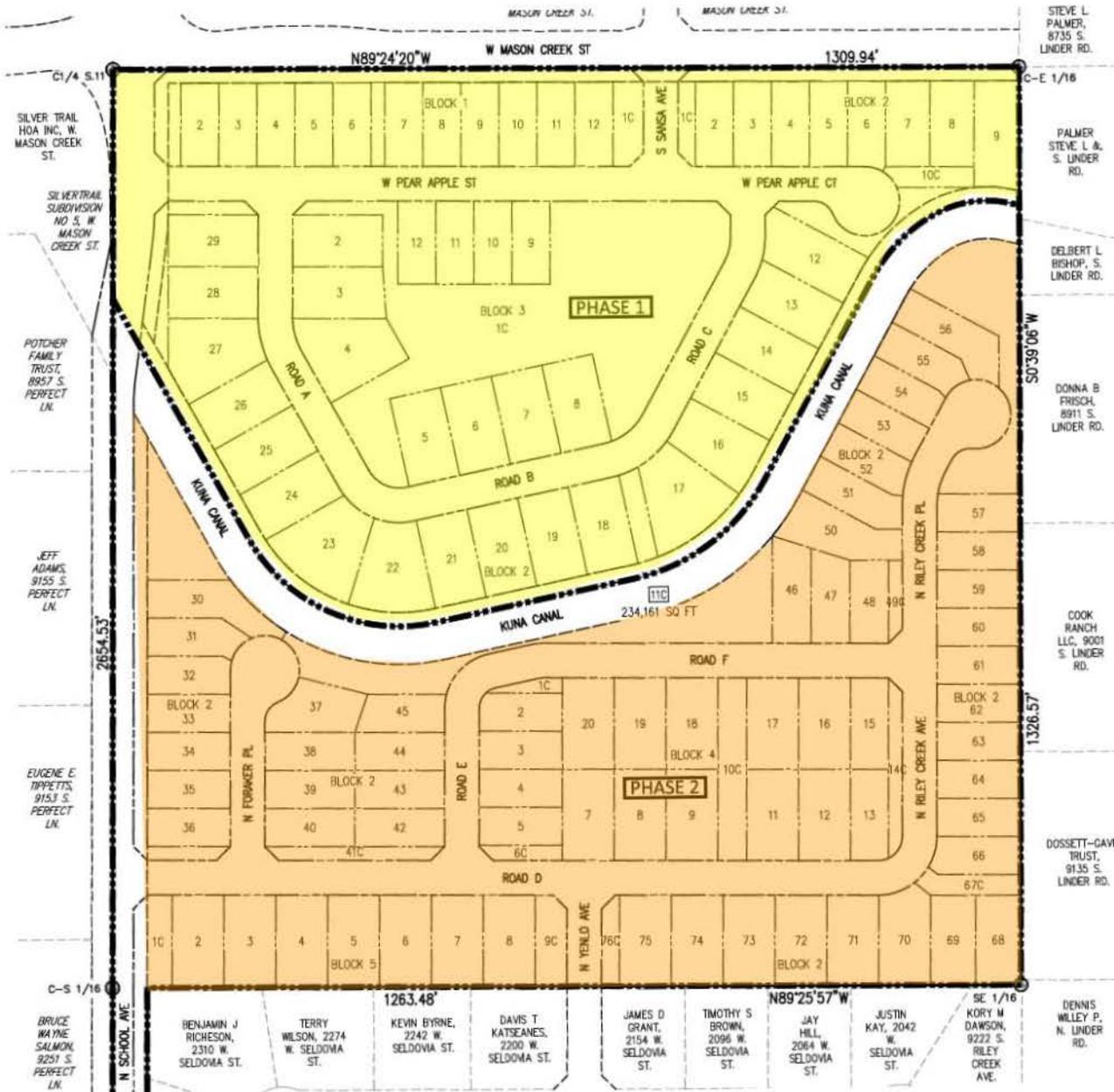
- Pressure Irrigation

- Property will annex into Kuna Municipal Pressure Irrigation and contribute property’s surface water rights
- Toll Brothers will install a 12” PI main in School Avenue creating PI loop between Mason Creek Street and Hubbard

- Sewer

- Danskin lift station will serve the project
- Current planned upgrades to Danskin lift station will create capacity for Braeburn Creek

Braeburn Creek Phasing Plan



Phase	Anticipated Construction
1	2024
2	2024

Garden Collection



Woodland Collection



**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
2.15	Revised Site Plan per P&Z Commission Request			X
2.16	Kuna Rural Fire District Comments on Revision			X
2.17	J&M Sanitation Comments on Revision			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; tabled to July 26, 2022, pending site plan revision as requested by Planning and Zoning Commission

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.
- 3.2** Based on a site plan revision requested by the Planning and Zoning Commission, Applicant requests Design Review approval for two (2) commercial shell buildings; Building No. 1 (1221 N Jacksonmill Ave) is proposed to be approximately 6,133 square feet and will have a drive-thru on its northern end, and Building No. 2 (1159 N Jacksonmill Ave) is proposed to be approximately 8,148 square feet, and will have a drive-through on its southern end.

**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
Kuna Rural Fire District (KRFD)	2.16
J&M Sanitation	2.17

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** Originally, the Applicant proposed two (2) commercial shell buildings totaling approximately 14,377 square feet, which were separated by a 24 foot drive aisle, and had two (2) drive-thru locations; one (1) on the southern end of the building located at 1159 N Jacksonmill Avenue, and the other on the norther end of the building located at 1221 N Jacksonmill Avenue. Upon review of the Applicants proposal, the Planning and Zoning Commission expressed traffic and safety concerns with the drive-thru at 1221 N Jacksonmill Avenue; though the Commission and the Applicant discussed alternative traffic options and traffic signage, the Commission requested the Applicant revise the site plan to reflect a full 24 foot drive aisle north of the drive-thru. The Applicant agreed to the change and provided a revised site plan (Exhibit 2.15).

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 as 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 (1221 N Jacksonmill Avenue), approximately 6,133 square feet, appears to provide space for up to six (6) suites, and has a drive through on its northern end, while Building No. 2 (1159 N Jacksonmill avenue), approximately 8,148 square feet, appears to provide space for up to seven (7) suites, and has a drive-thru on its southern end. 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 14,281, 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 123 standard stalls, three (3) compact stalls, and five (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.

The Kuna Rural Fire District (KRFD) has reviewed the revised site plan and had no concerns or additional comments to provide (Exhibit 2.16). In Exhibit 2.17, J&M Sanitation states that based on the square footage of the buildings and the two (2) drive-thru's, they would prefer two (2) dumpsters be provided for each trash enclosure; it is also stated the trash enclosures will need to be constructed as 18 feet wide by 12 feet deep, will need bollards set one (1) foot off the back of the enclosure, and drop pin holes drilled in order to hold the gates in the open position.

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 Jacksomill 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 Jacksomill 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.
- 8.18** Developer/Owner/Applicant shall construct two (2) trash enclosures 18 feet wide by 12 feet deep, shall install bollards one (1) foot from the rear of the enclosure, shall provide two (2) dumpsters per enclosure, and shall drill drop pin holes in order for the gates to be held in the open position

DATED this 26th 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@kunaid.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.

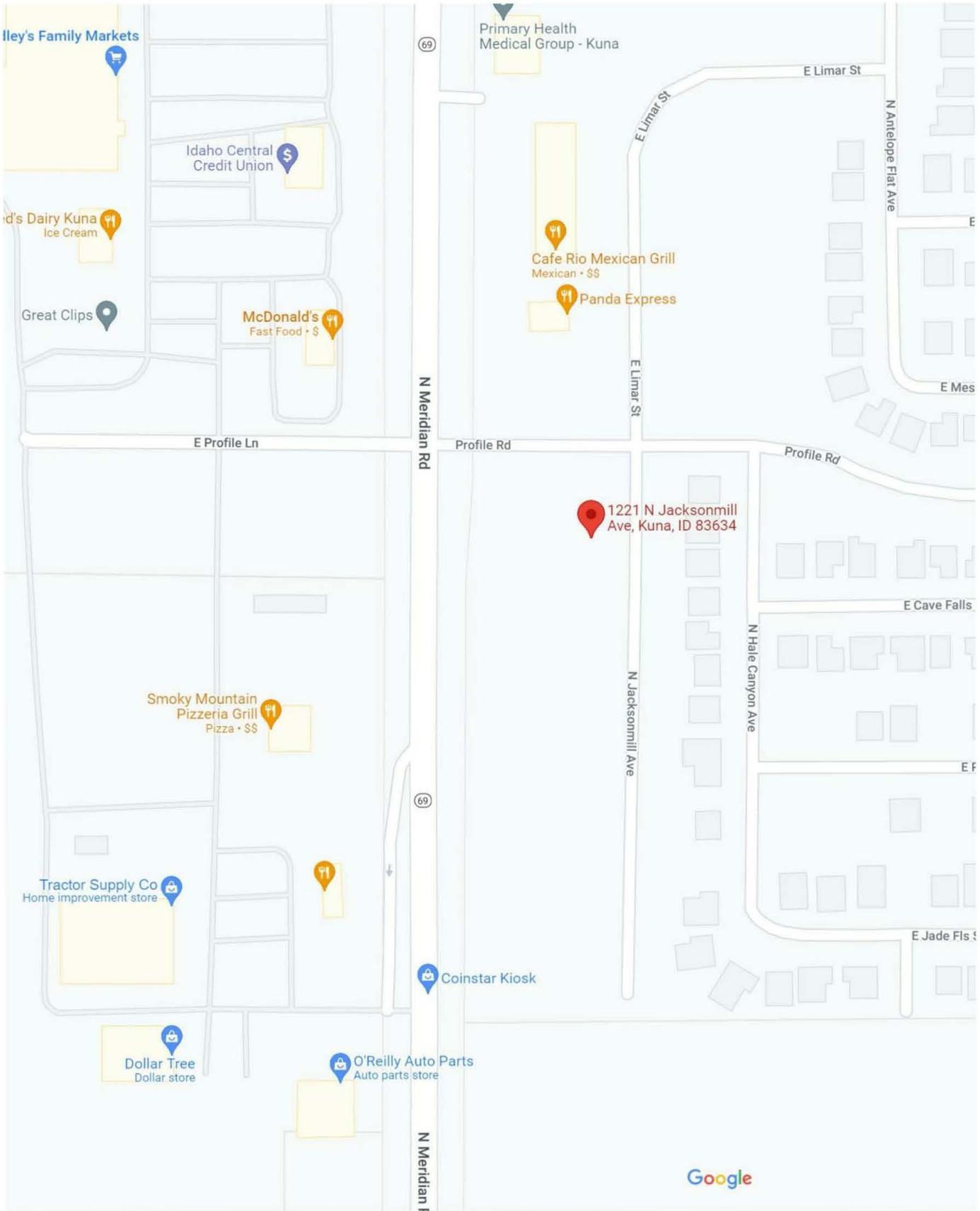
The exterior will be off-white & beige stucco with woodstone, copper and brown stucco accents, dark awnings on the entrance pieces, and architectural windows & bronze fascia trim. The size and scale of the building are similar to the other nearby commercial buildings. The front elevation features a large 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.

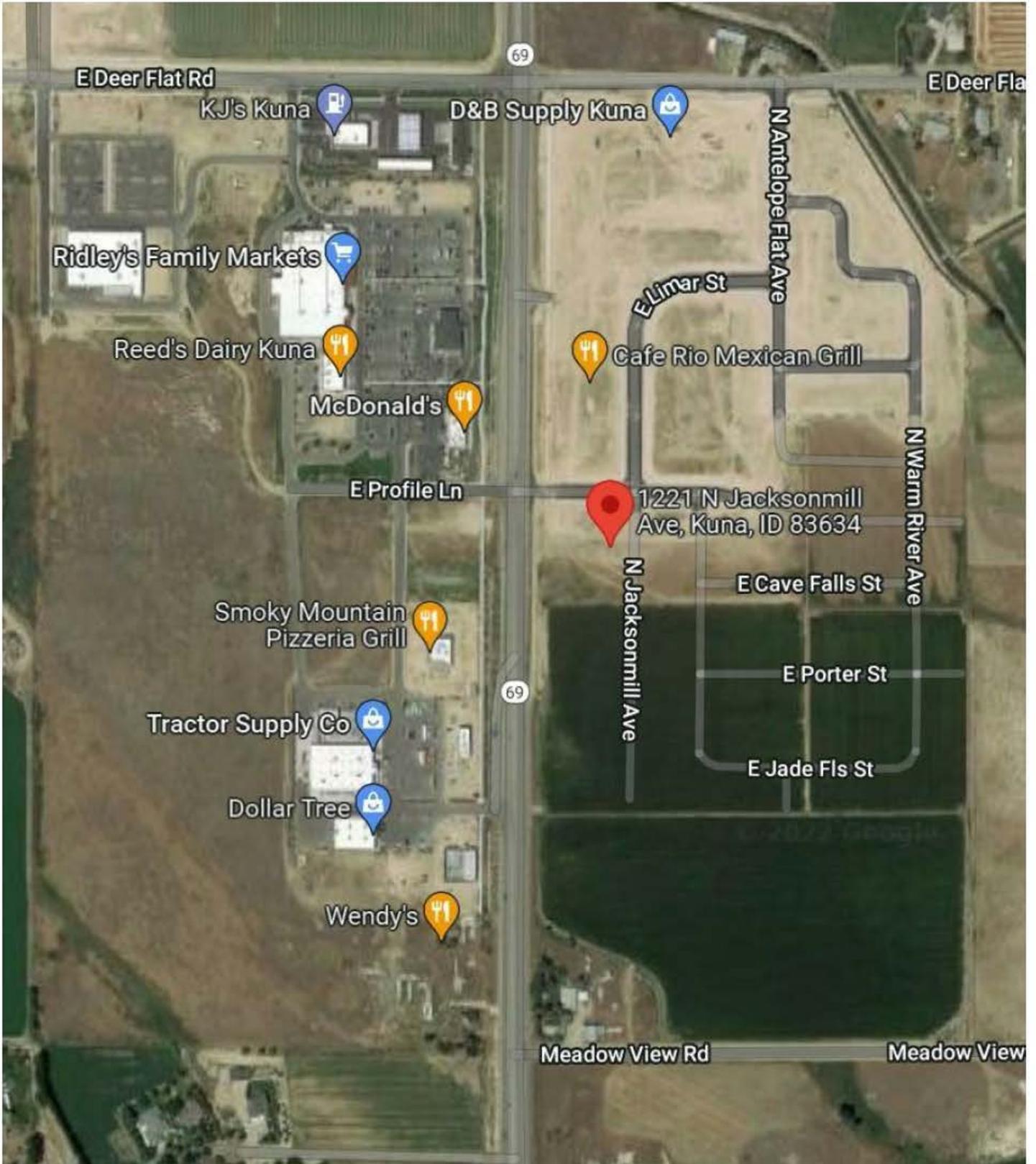
Thank you,

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

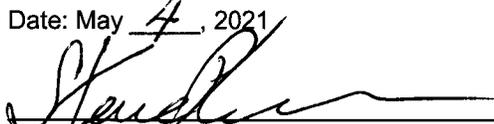
whose current address is **53020 La Trobe Lane, La Quinta, CA 92253**, the following described premises, to-wit:

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.

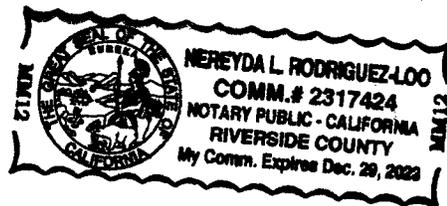
State of California
County of Riverside

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

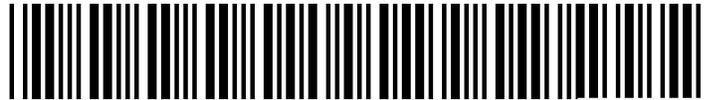
Continued, Page 2

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: none;"> <tr> <td style="border: none;">Address</td> <td style="border: none;">City</td> <td style="border: none;">State</td> <td style="border: none;">Zip code</td> </tr> <tr> <td style="border: none;">Country</td> <td colspan="3" style="border: none;"></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: none;"> <tr> <td style="border: none;">Address</td> <td style="border: none;">City</td> <td style="border: none;">State</td> <td style="border: none;">Zip code</td> </tr> <tr> <td style="border: none;">Country</td> <td colspan="3" style="border: none;"></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>*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.</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: none;"> <tr> <td style="border: 1px solid black; padding: 2px;">Shannon L. Evans</td> <td style="border: 1px solid black; padding: 2px;">United States</td> </tr> <tr> <td style="border: none;">Name</td> <td style="border: none;">Country</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px;">2400 S. Cimarron Road - Suite 140</td> <td style="border: 1px solid black; padding: 2px;">Las Vegas</td> <td style="border: 1px solid black; padding: 2px;">NV</td> <td style="border: 1px solid black; padding: 2px;">89117</td> </tr> <tr> <td style="border: none;">Address</td> <td style="border: none;">City</td> <td style="border: none;">State</td> <td style="border: none;">Zip/Postal Code</td> </tr> </table> <p>X <u>Shannon L. Evans</u> (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.

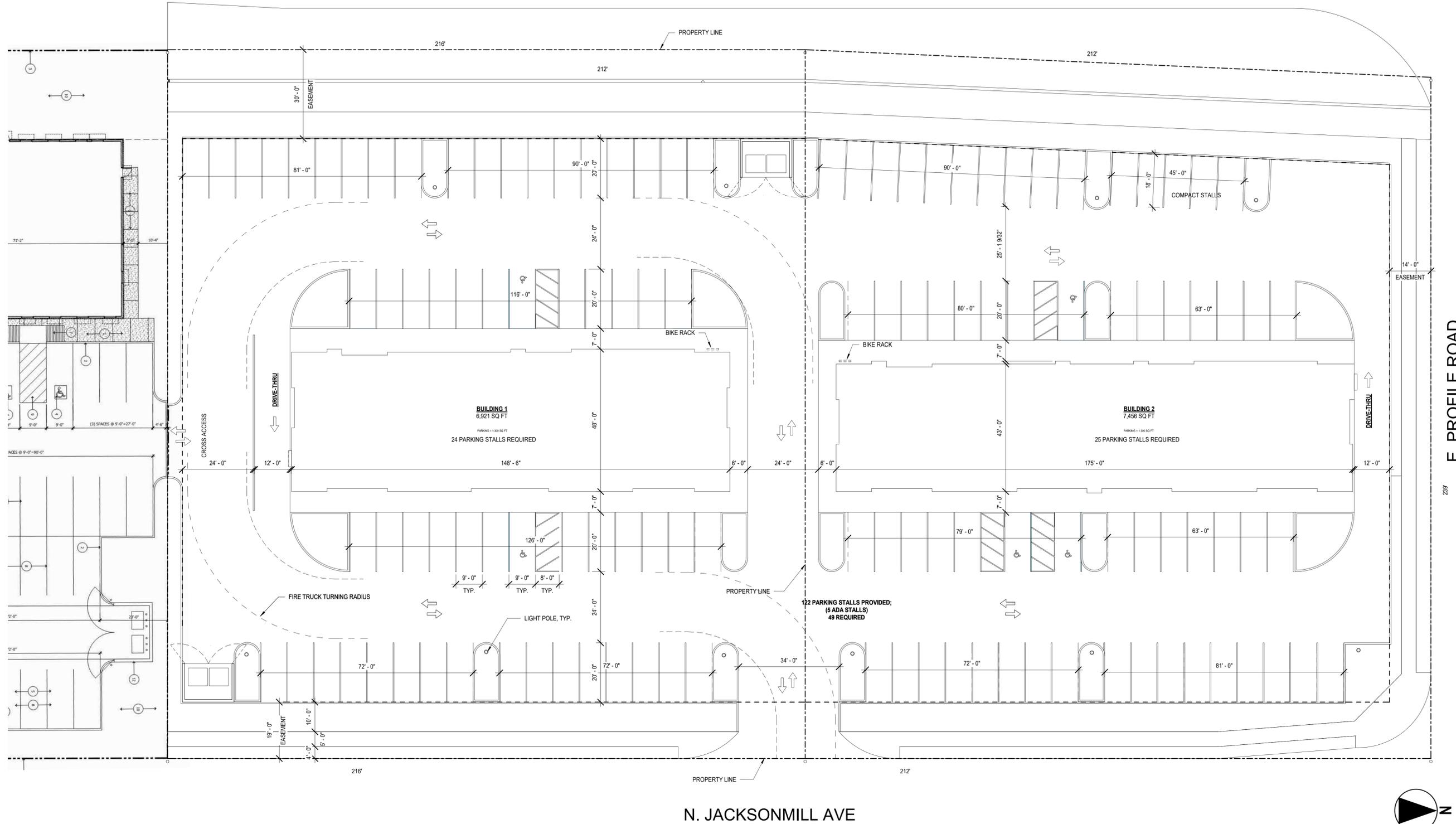
Barbara K. Cegavske

BARBARA K. CEGAVSKE
Secretary of State

Certificate Number: B202104151595266

You may verify this certificate
online at <http://www.nvsos.gov>

N. MERIDIAN ROAD



1 SITE PLAN
1/16" = 1'-0"

McCarter-Moorhouse

12.15 Design

ARCHITECT STAMP

DR. PHAN
1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO

SITE 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

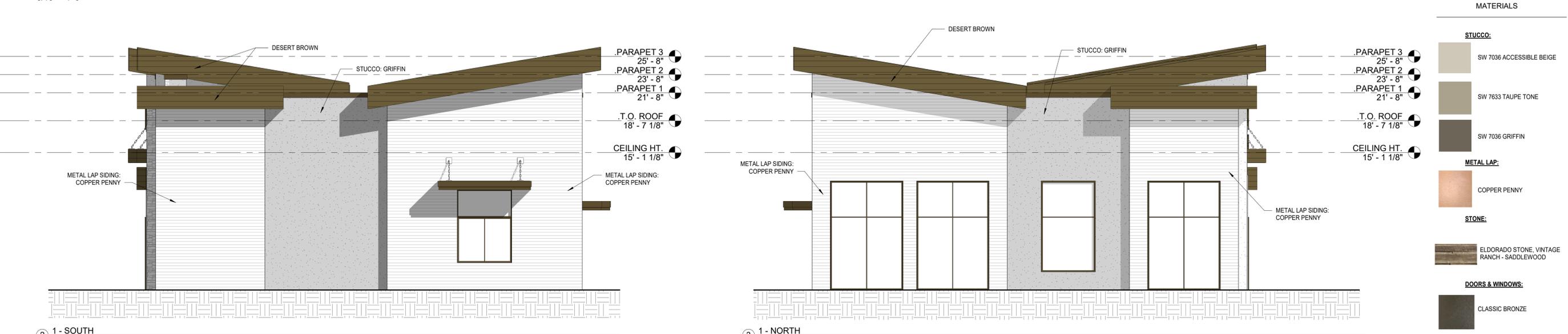
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A0.1

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1159 N Jacksonmill Avenue



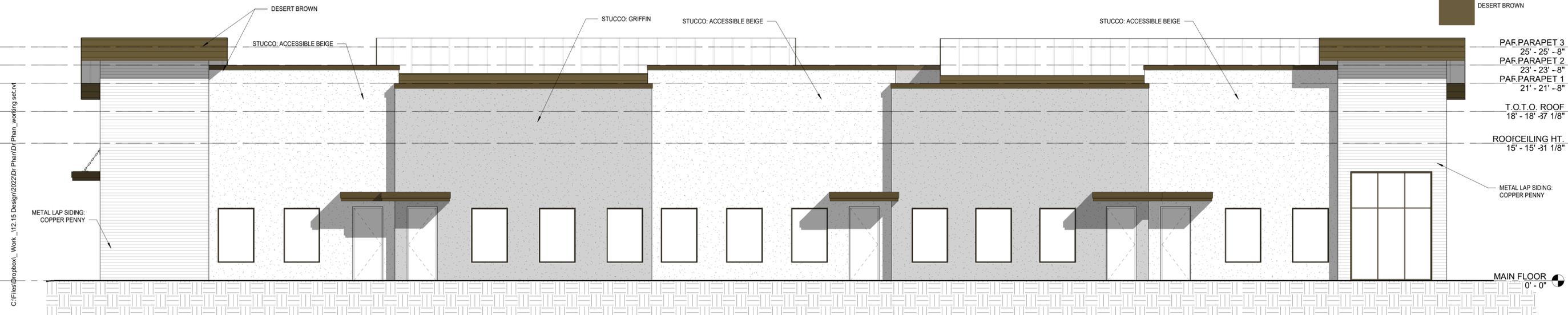
1 - WEST
3/16" = 1'-0"



2 - SOUTH
3/16" = 1'-0"

3 - NORTH
3/16" = 1'-0"

MATERIALS	
STUCCO:	
SW 7036 ACCESSIBLE BEIGE	STUCCO: ACCESSIBLE BEIGE
SW 7633 TAUPE TONE	STUCCO: GRIFFIN
SW 7036 GRIFFIN	DESERT BROWN
METAL LAP:	
COPPER PENNY	METAL LAP SIDING: COPPER PENNY
STONE:	
ELDORADO STONE, VINTAGE RANCH - SADDLEWOOD	STONE: VINTAGE RANCH
DOORS & WINDOWS:	
CLASSIC BRONZE	DOOR & WINDOW FRAMES: BRONZE
FASCIA & AWNINGS:	
DESERT BROWN	DESERT BROWN



4 - EAST
3/16" = 1'-0"

McCarter-Moorhouse

12.15

Design

ARCHITECT STAMP

DR. PHAN

1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO

BUILDING 1 - ELEVATIONS

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DATE	02.06.2017
DRAWN	JESSICA
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SHEET NUMBER	A1.2
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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



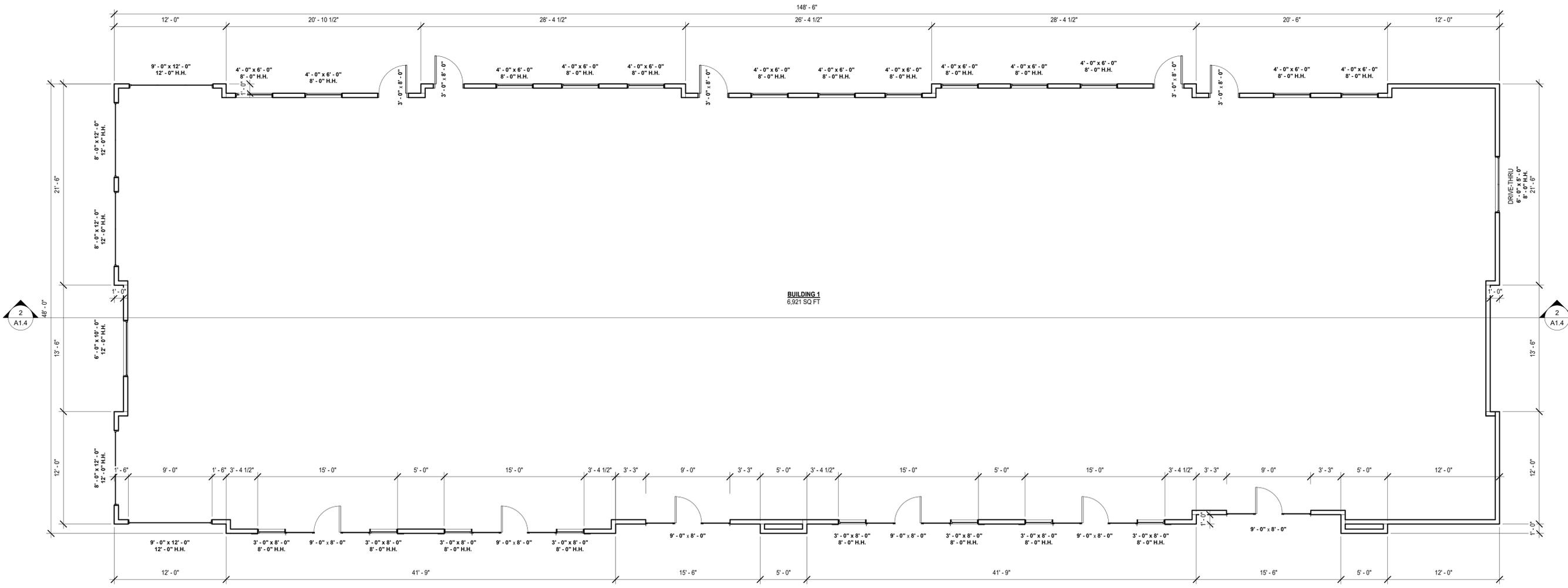
DR. PHAN
1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO

BUILDING 1 - RENDERING & MATERIALS

VERIFY SCALES
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DATE	02.06.2017
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JOB NO.	001

SHEET NUMBER
A1.3



1- BUILDING 1 FLOOR PLAN
3/16" = 1'-0"



12.15
Design

ARCHITECT STAMP

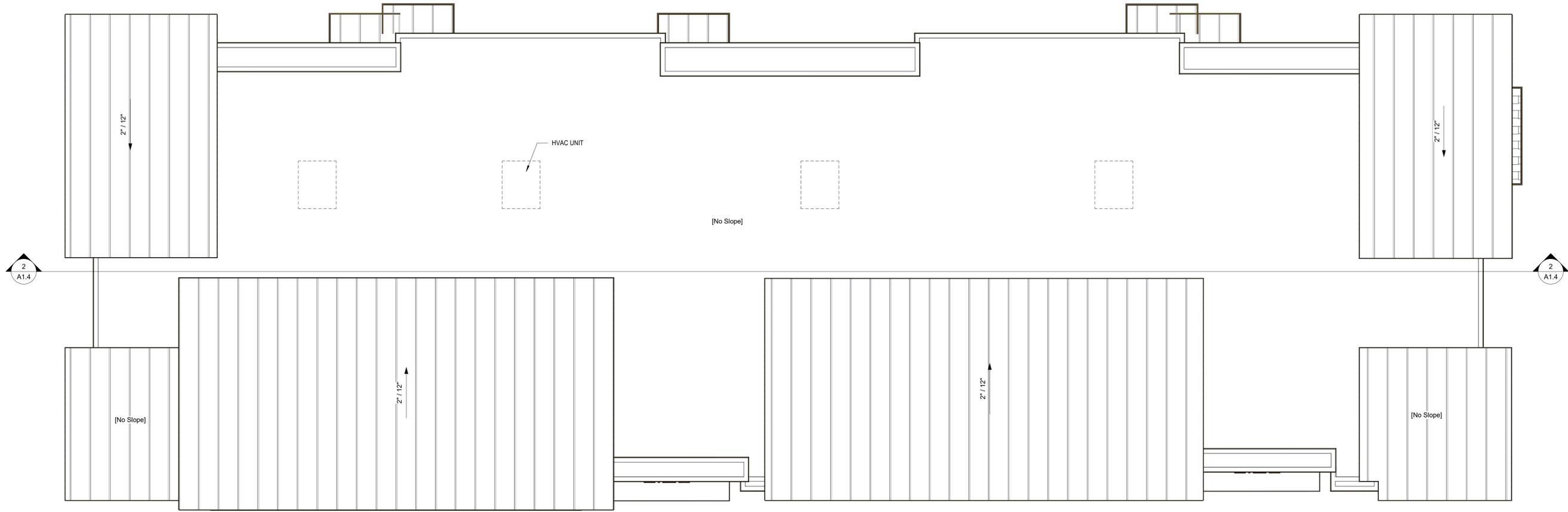
DR. PHAN
1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO

BUILDING 1 - FLOOR PLAN

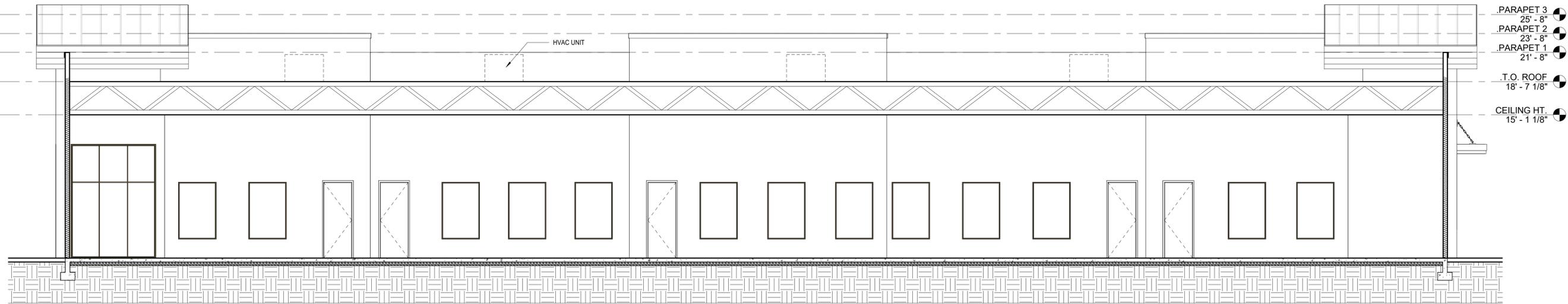
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0 1"
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DATE	02.06.2017
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JOB NO.	001

SHEET NUMBER
A1.0



1 - BUILDING 1 ROOF PLAN
3/16" = 1'-0"



- .PARAPET 3
25' - 8"
- .PARAPET 2
23' - 8"
- .PARAPET 1
21' - 8"
- .T.O. ROOF
18' - 7 1/8"
- CEILING HT.
15' - 1 1/8"

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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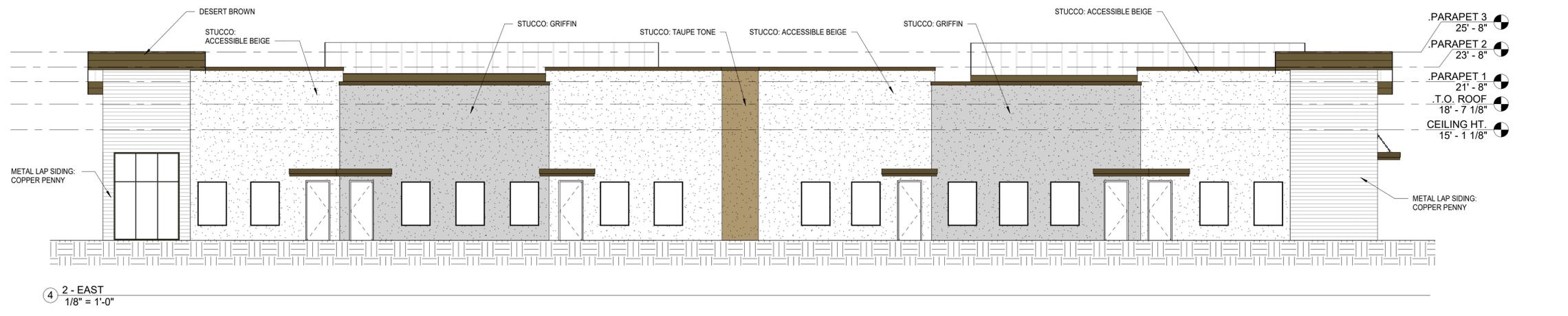
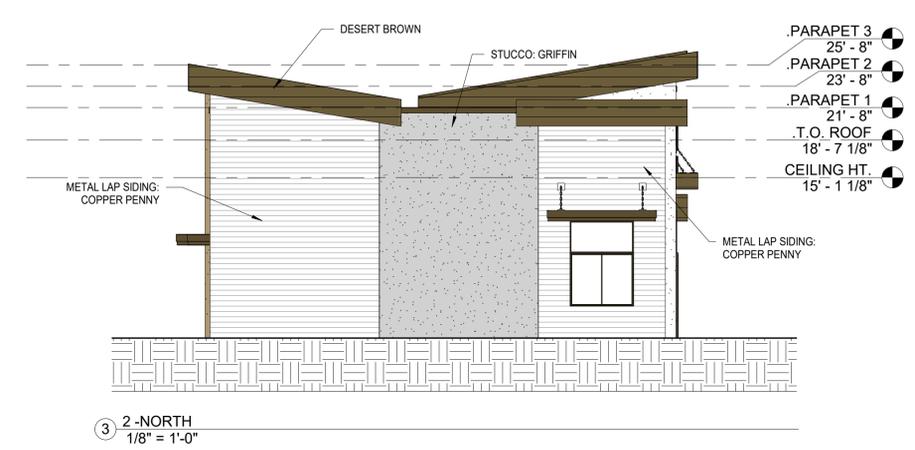
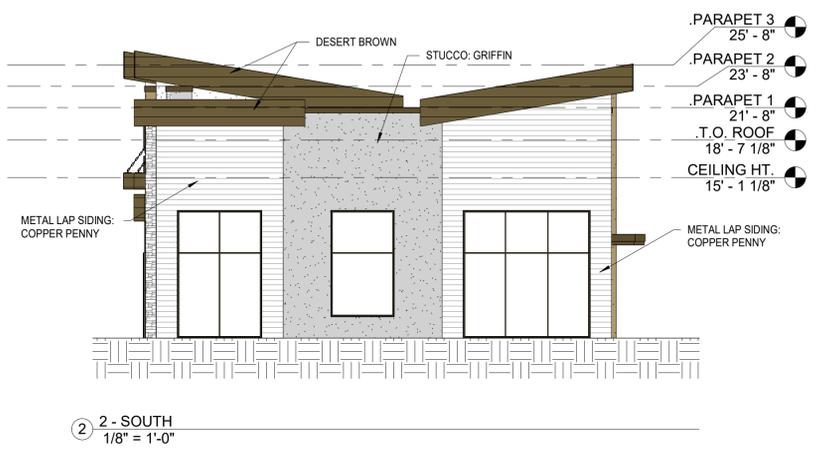


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DATE	02.06.2017
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JOB NO.	001

SHEET NUMBER
A1.4

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
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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

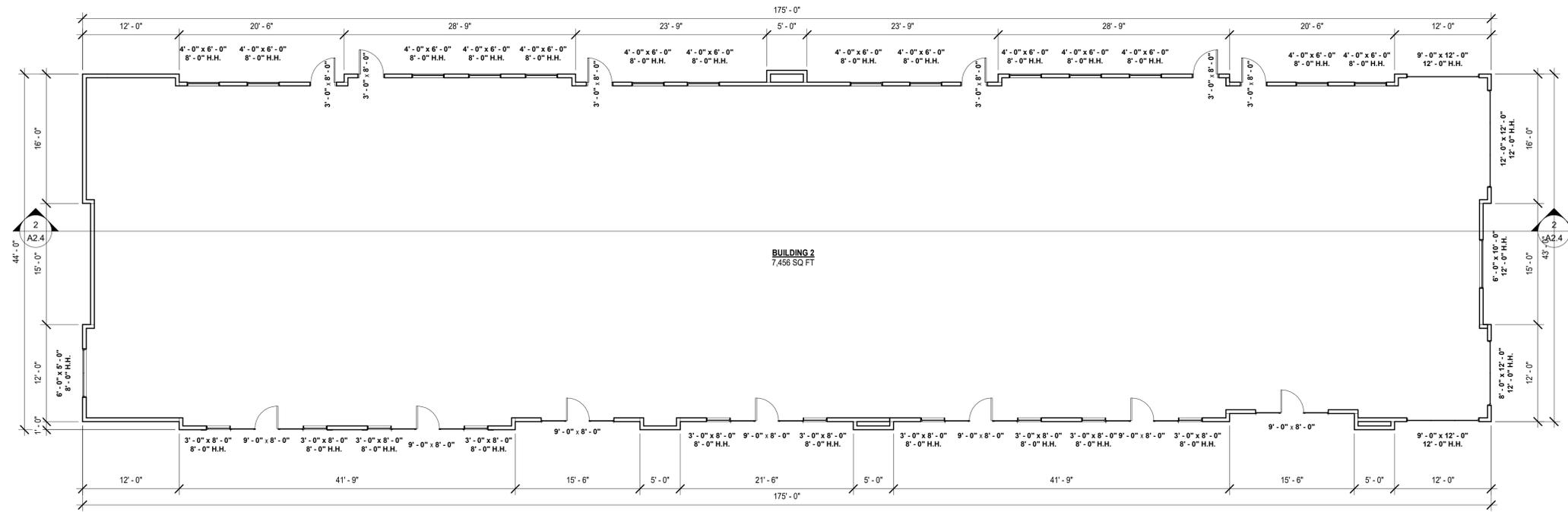
ARCHITECT STAMP

DR. PHAN
 1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO
 BUILDING 2 - RENDERING & MATERIALS

VERIFY SCALES
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 0 1"
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JOB NO.	001

SHEET NUMBER
A2.3



1 2-BUILDING 2 FLOOR PLAN
1/8" = 1'-0"

ARCHITECT STAMP

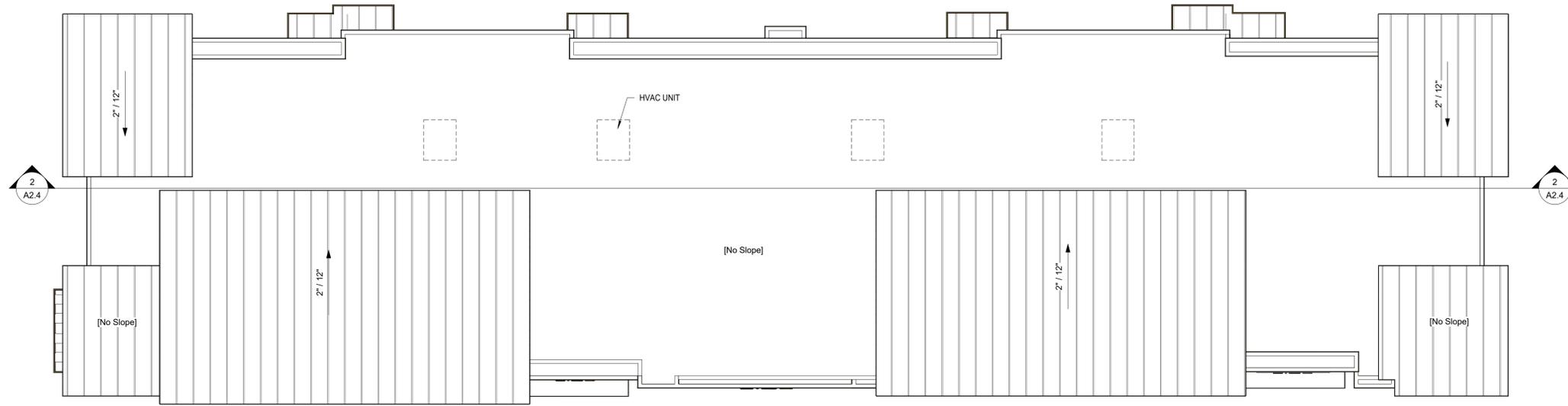
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BUILDING 2 - FLOOR PLAN

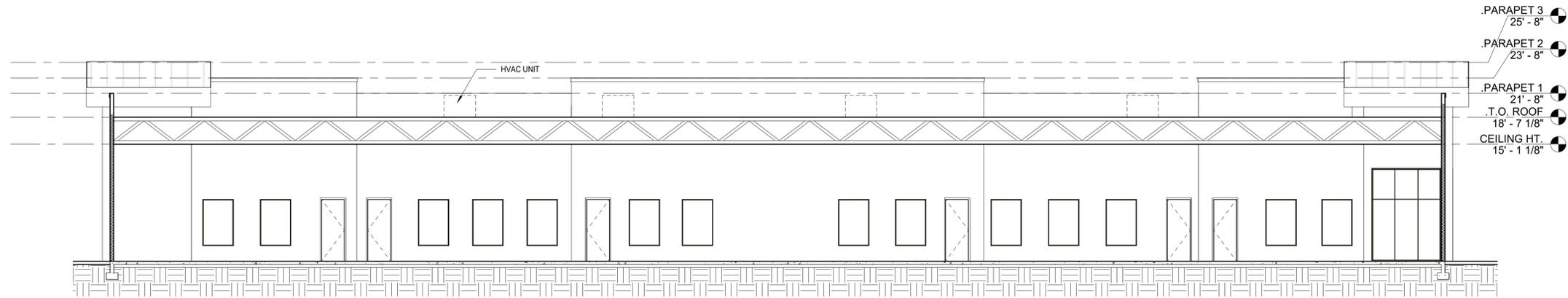
VERIFY SCALES
THIS BAR IS 1 INCH
ON ORIGINAL DRAWING
0 1"
IF NOT 1 INCH ON
THIS SHEET, ADJUST
SCALES
ACCORDINGLY

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DATE	02.06.2017
DRAWN	JESSICA
JOB NO.	001

SHEET
NUMBER
A2.0



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
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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

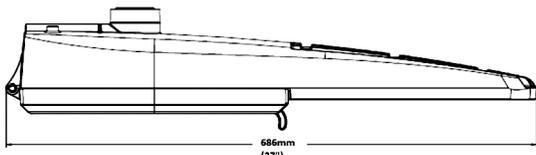
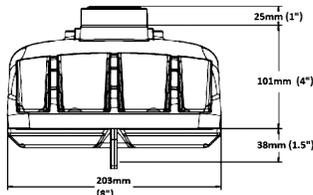
PRODUCT OVERVIEW



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	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
<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		



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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
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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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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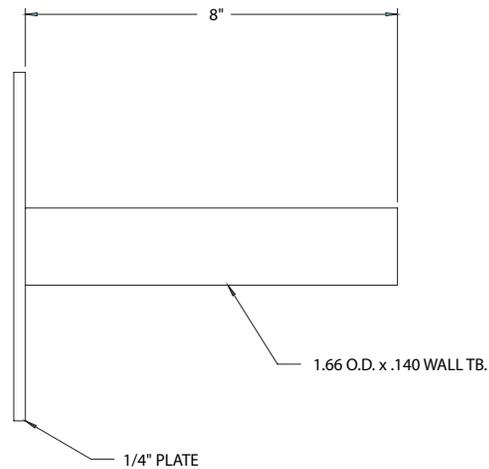
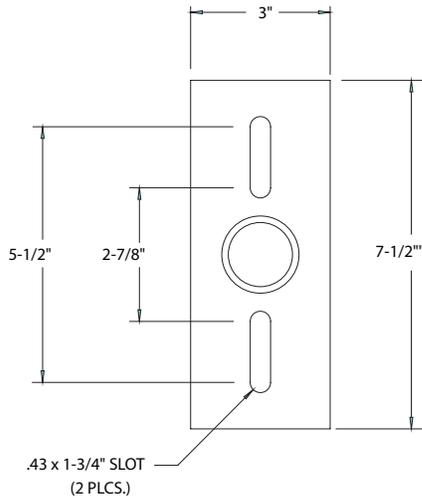
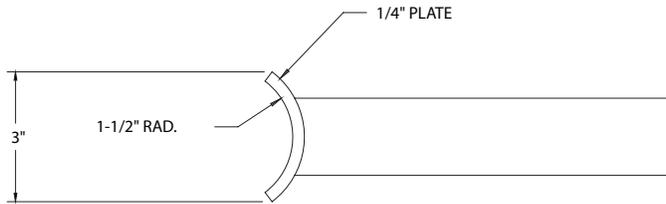
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Autobahn Series ATB0

Roadway Lighting

UMR POLE ADAPTOR

RECOMMENDED FOR USE WITH POLES OF 4" DIAMETER OR SMALLER



UMS POLE ADAPTOR



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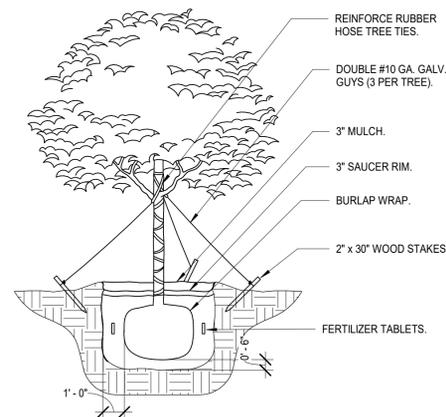
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PLANT SCHEDULE				
TREE SYMBOL	COMMON NAME	BOTANICAL NAME	QTY.	PLANTING SIZE
	SWEET GUM	LIQUID AMBER STYRACIFLOA	3	2" CAL.
	MAPLE OCTOBER GLORY	ACER RUBRUM	5	2" CAL.
	FLOWERING CHERRY	PRUNUS OKAME	3	2" CAL.
	CARPET ROSE	ROSEA NOARE RED	28	2.5 GAL.
	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

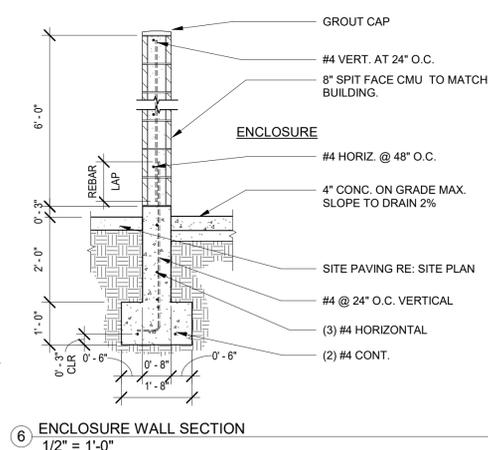


TYPICAL TREE AND SHRUB PLANTING NOTES:

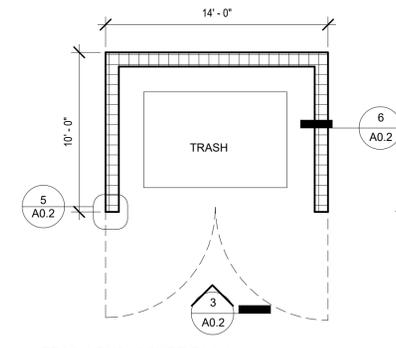
- ALL TREES TO BE BALLED AND BURLAPPED. SEE DETAIL THIS SHEET TREE STAKING.
- 2" MINIMUM OF REGULAR GRIND SOIL AID TO BE PLACED ON SHRUB PLANTING AREAS.
- PROVIDE AND INSTALL (3) 2 x 2 STAKES EVENLY SPACED AT EACH TREE. TIE ALL STAKES WITH COTTON WEBBING OR OTHER APPROVED METHOD.
- PROVIDE AND INSTALL 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"

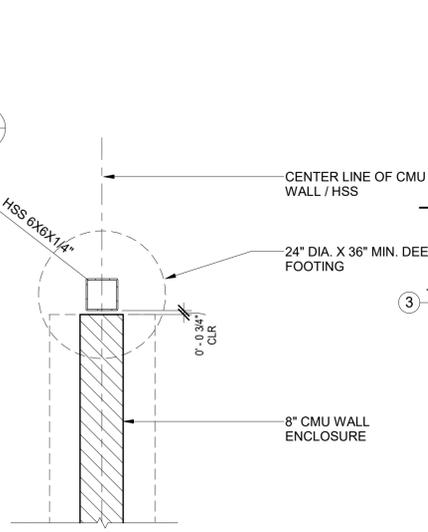
1 LANDSCAPE PLAN
1" = 20'-0"



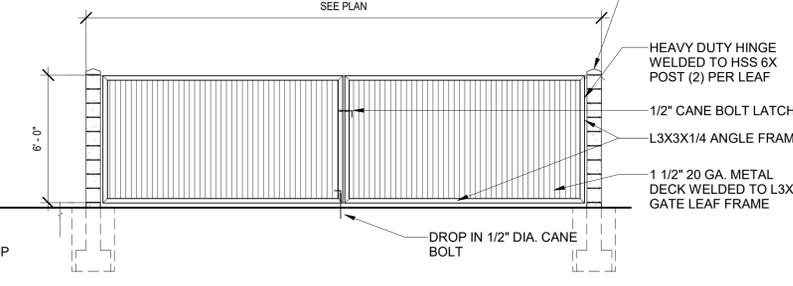
6 ENCLOSURE WALL SECTION
1/2" = 1'-0"



4 TRASH ENCLOSURE PLAN
3/16" = 1'-0"



5 TRASH ENCLOSURE DETAIL
3/4" = 1'-0"



3 TRASH ENCLOSURE ELEVATION
1/4" = 1'-0"

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 PWorkoffice@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 (PWorkoffice@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.*

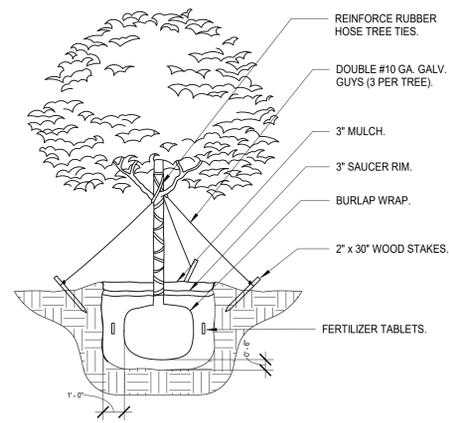
9) Exhibits

- a) No maps are included to support Public Works comments.

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



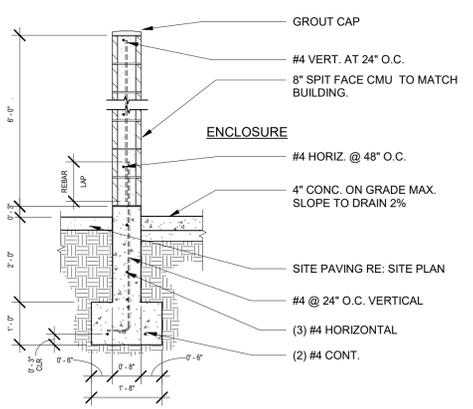
TYPICAL TREE AND SHRUB PLANTING NOTES:

- 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.

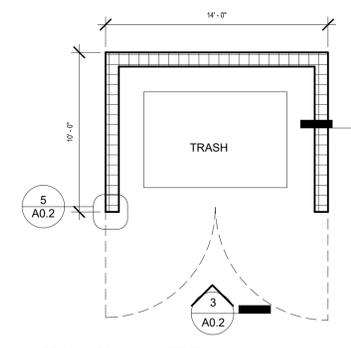
2 TREE PLANTING
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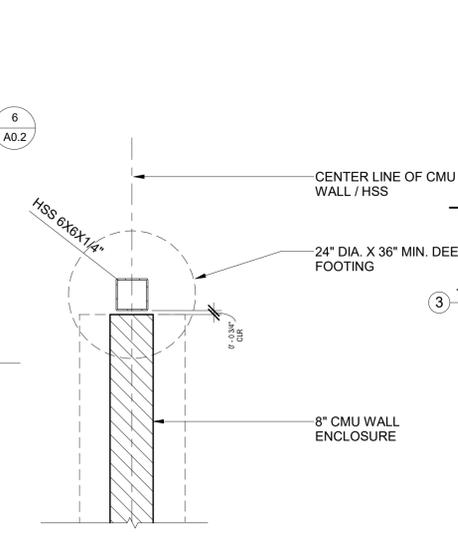
1 SITE & LANDSCAPE PLAN
 1" = 20'-0"



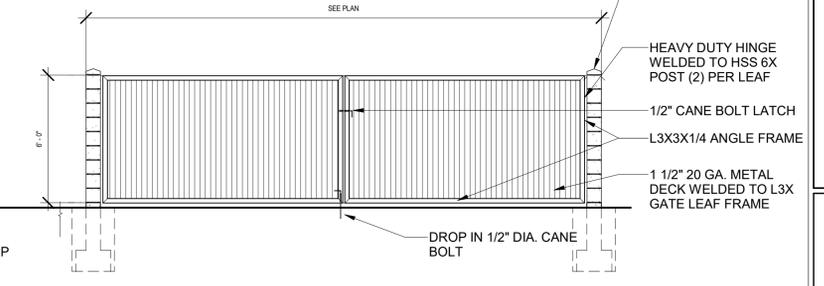
6 ENCLOSURE WALL SECTION
 1/2" = 1'-0"



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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 THESE PLANS MAY NOT BE USED BY ANY OTHER ENTITY THAN McCARTER-MOORHOUSE & 12.15 DESIGN, LLC. WITHOUT PRIOR WRITTEN CONSENT.

McCarter-Moorhouse

12.15 Design

ARCHITECT STAMP

DR. PHAN
 1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO

LANDSCAPE PLAN & DETAILS

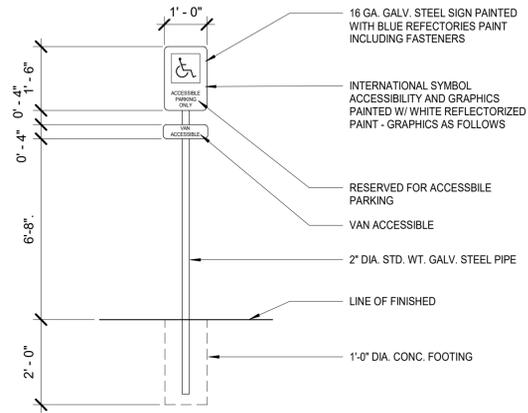
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DATE	02.06.2017
DRAWN	JESSICA
JOB NO.	001

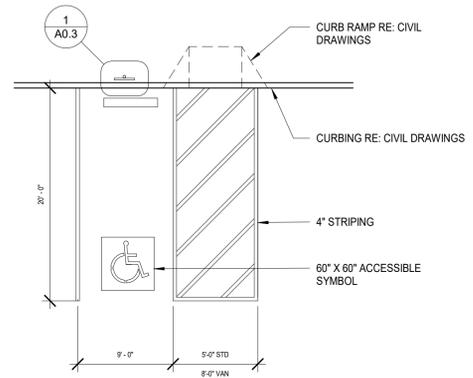
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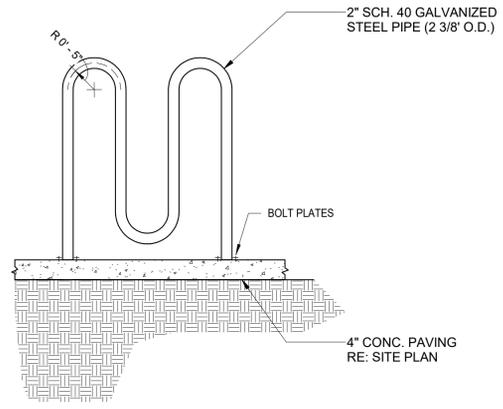
07.14.2022



① ACCESSIBLE PARKING SIGN
1/2" = 1'-0"



② ACCESSIBLE PARKING
1/8" = 1'-0"



③ BIKE RACK DETAIL
3/4" = 1'-0"



McCarter-Moorhouse

12.15
Design

ARCHITECT STAMP

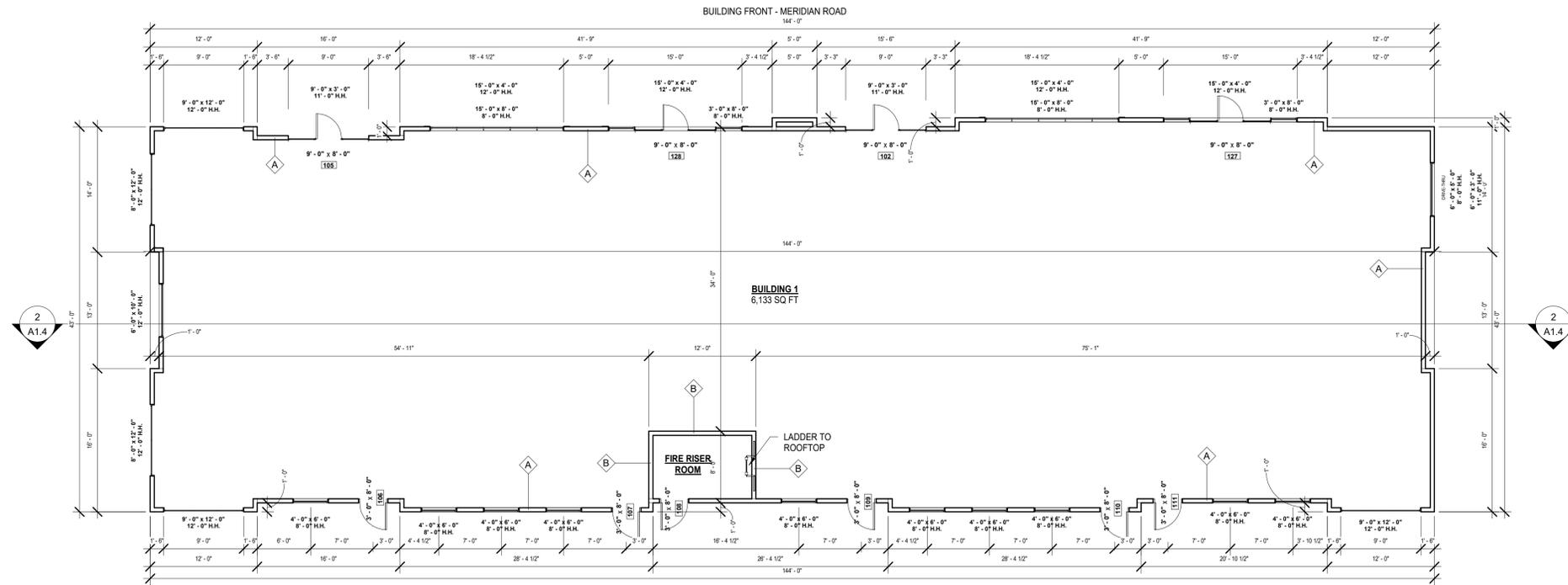
DR. PHAN
1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO

SITE DETAILS

VERIFY SCALES
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IF NOT 1 INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

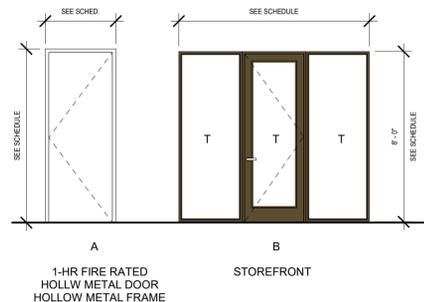
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1- BUILDING 1 FLOOR PLAN
1/8" = 1'-0"

DOOR SCHEDULE						
NUMBER	HEIGHT	WIDTH	LOCK TYPE	HANDLE	TYPE	NOTES
102	8' - 0"	9' - 0"	EXIT	PANIC BAR	B	
105	8' - 0"	9' - 0"	EXIT	PANIC BAR	B	
106	8' - 0"	3' - 0"	EXIT	PANIC BAR	A	
107	8' - 0"	3' - 0"	EXIT	PANIC BAR	A	
108	8' - 0"	3' - 0"	EXIT	PANIC BAR	A	
109	8' - 0"	3' - 0"	EXIT	PANIC BAR	A	
110	8' - 0"	3' - 0"	EXIT	PANIC BAR	A	
111	8' - 0"	3' - 0"	EXIT	PANIC BAR	A	



DOOR HARDWARE NOTES:
ALL DOOR HARDWARE MUST:
- ALLOW ONE-HAND OPERATION
- NOT REQUIRE TIGHT GRASPING, PINCHING, OR TWISTING OF THE WRIST
- OPERATE WITH 5 LBF MAXIMUM
- BE LOCATED 34" TO 48" ABOVE THE FLOOR OR GROUND

EXTERIOR/FIRE DOOR HARDWARE:
HINGES
WEATHER STRIPPING
CLOSER
PANIC BAR (INTERIOR SIDE)
LEVER HANDLE
EGRESS LOCK

GENERAL NOTES:

- EXTERIOR WALLS 2x6, INTERIOR WALLS 2x4 UNLESS NOTED. DOUBLE TOP PLATE AND SINGLE BOTTOM PLATE.
- FIELD VERIFY ALL DIMENSIONS.
- VERIFY ALL WINDOW AND DOOR HEADER HEIGHTS WITH GENERAL CONTRACTOR.
- WINDOW AND DOOR HEADERS TO BE 4x8 DF w/ 2x6 TOP AND BOTTOM PLATES UNDER 5'-0" SPAN. USE 4x10 w/ 2x6 TOP AND BOTTOM PLATE AS HEADERS UP TO 7'-0" SPAN w/ DOUBLE CRIPPLES. ALL LARGER SPAN HEADERS WILL BE CALLED OUT ON PLAN.
- SHEAR PANELS ARE TO BE 7/16" OSB SHEATHING w/ MIN. 6d NAILS OR MIN 1 3/4" GAUGE STAPLES 12 o.c. FIELD NAILING AND 3" PERIMETER NAILINGS. SEE FOUNDATION PLAN FOR STD#14 STRAP LOCATIONS.
- ROOF SYSTEM TO BE PRE-ENGINEERED MANUFACTURED WOOD TRUSSES. SEE TRUSS MANUFACTURER LAYOUTS AND SPECIFICATIONS FOR INSTALLATION.
- USE TEMPERED GLAZING IN DOORS, SLIDING PATIO DOORS, STORM DOORS, SHOWER & BATH ENCLOSURES, WINDOWS WHERE NEAREST EXPOSED EDGE OF THE GLAZING IS WITHIN 48" OF A VERTICAL EDGE OF AN ACTIVE DOOR AND FIXED PANELS GREATER THAN 9 SQ FT WITH THE LOWEST EDGE LESS THAN 18" ABOVE FLOOR.
- IN COMBUSTIBLE CONSTRUCTION, FIRE BLOCKING SHALL BE PROVIDED TO CUT OFF ALL CONCEALED DRAFT OPENINGS - BOTH VERTICAL AND HORIZONTAL - AND TO FORM AN EFFECTIVE FIRE BARRIER BETWEEN STORIES, AND BETWEEN A TOP STORY & THE ROOF SPACE.
- IN COMBUSTIBLE CONSTRUCTION WHERE THERE IS UNUSABLE SPACE BOTH ABOVE AND BELOW THE CONCEALED SPACE OF A FLOOR/CEILING ASSEMBLY, DRAFTSTOPS SHALL BE INSTALLED SO THAT THE AREA OF THE CONCEALED SPACE DOES NOT EXCEED 1,000 SQ. FT.
- PORTABLE FIRE EXTINGUISHERS TO BE INSTALLED IN ACCORDANCE TO NFPA 10 AND IBC SECTION 906.

WALL TYPES

EXTERIOR	SEE: ELEVATIONS FOR FINISH COLORS
A 2 X 6 WOOD STUDS	TYP. EXTERIOR WALL: FIBER CEMENT SIDING (REFER TO ELEVATIONS AND SECTIONS) OVER BLDG. WRAP & EXTERIOR SHEATHING ATTACHED TO 2X6 WD. STUDS @ 16" O.C. W/ (1) LAYER 5/8" GYP. BD. AT EXPOSED INTERIOR FACES. PROVIDE MIN. R-21 BATT CAVITY INSUL.
B 2 X4 WOOD STUDS (UL U 305)	1-HR FIRE WALL: 2X4 WOOD STUDS AT 16" O.C. WITH 5/8" TYPE "X" GYPSUM BOARD EACH SIDE



12.15 Design

ARCHITECT STAMP

DR. PHAN
1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO

BUILDING 1 - FLOOR PLAN

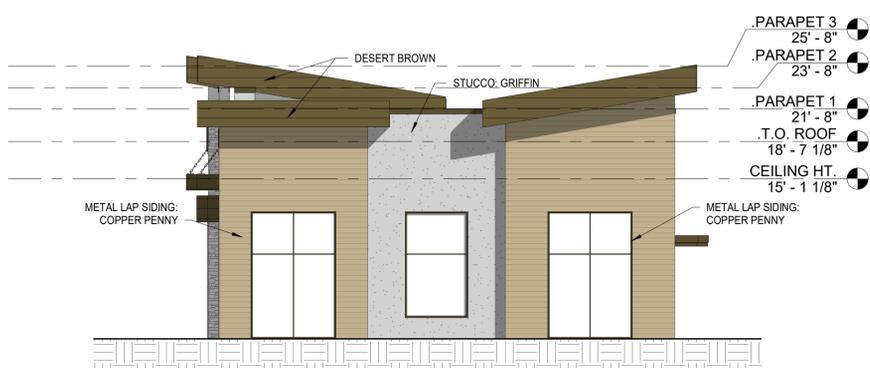
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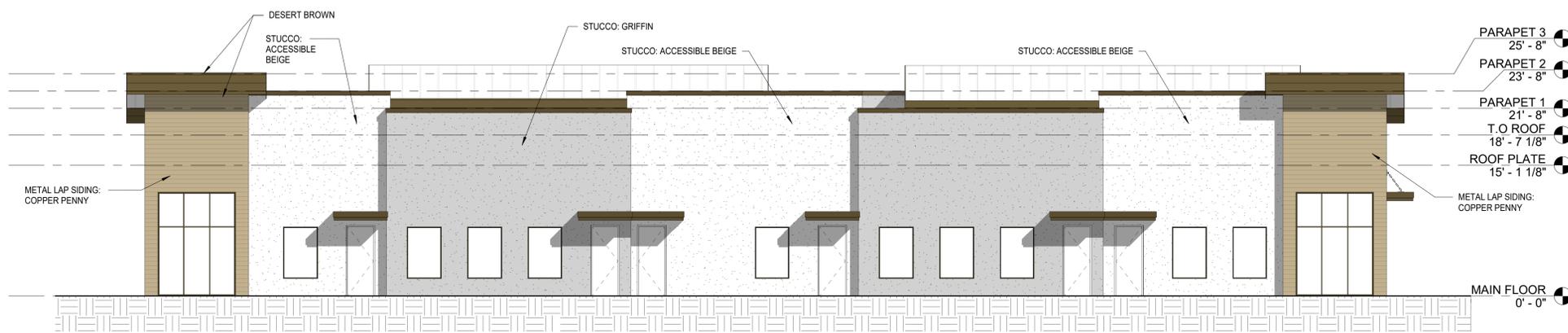
1 - WEST
1/8" = 1'-0"



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



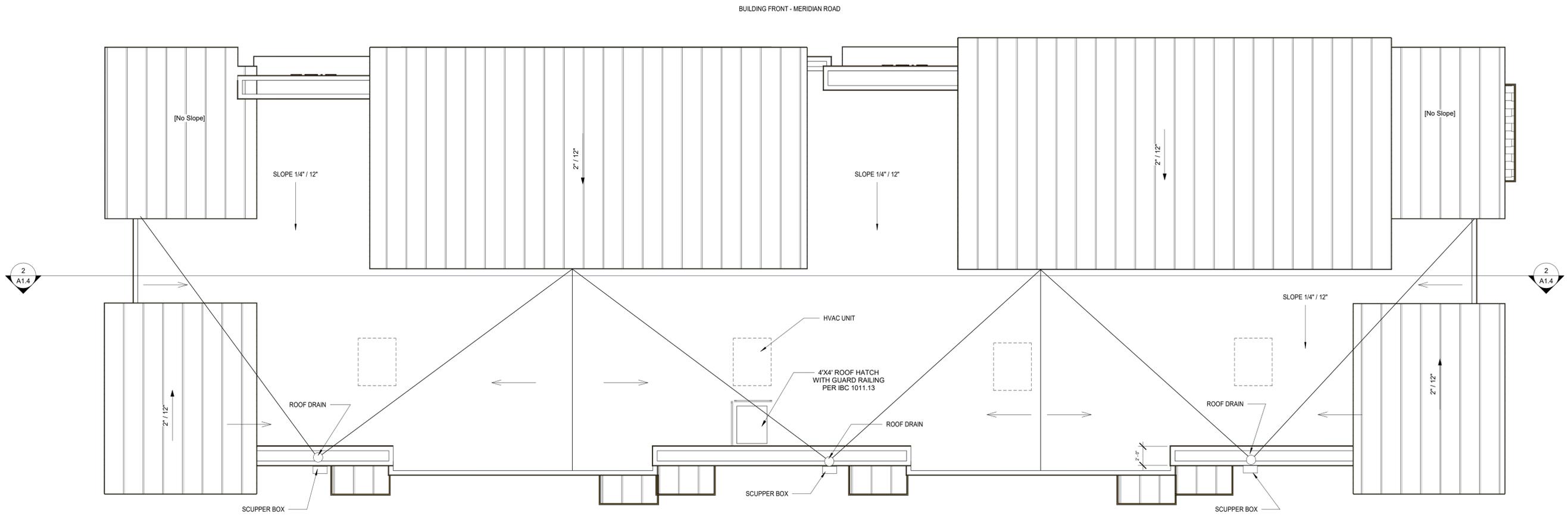
3 - NORTH
1/8" = 1'-0"



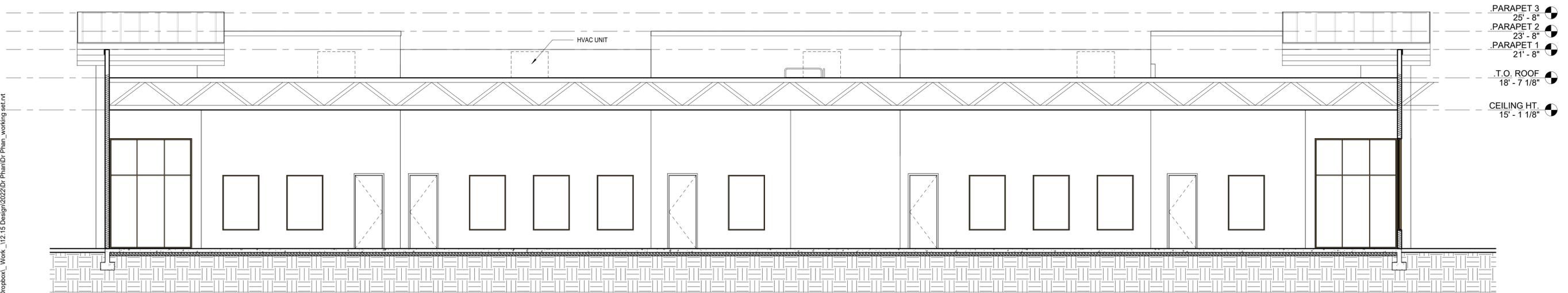
4 - EAST
1/8" = 1'-0"

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	



1 - BUILDING 1 ROOF PLAN
3/16" = 1'-0"

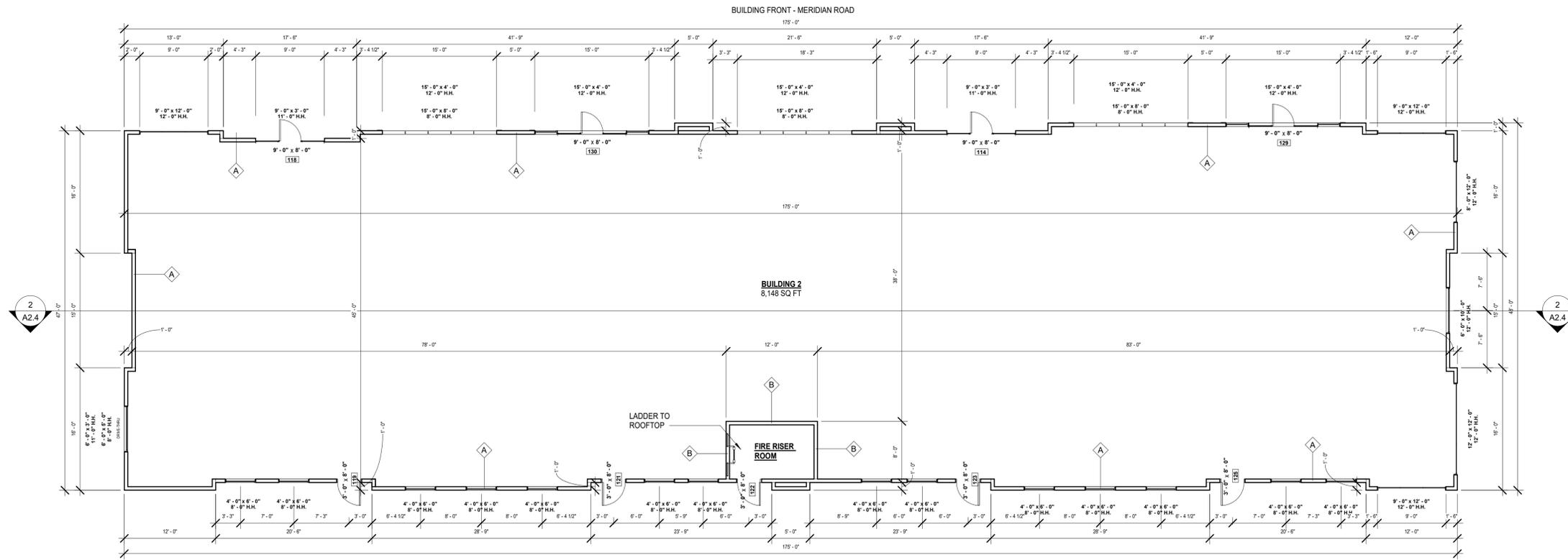


2 - BUILDING 1 SECTION
3/16" = 1'-0"

VERIFY SCALES
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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
A1.4



2-BUILDING 2 FLOOR PLAN
1/8" = 1'-0"

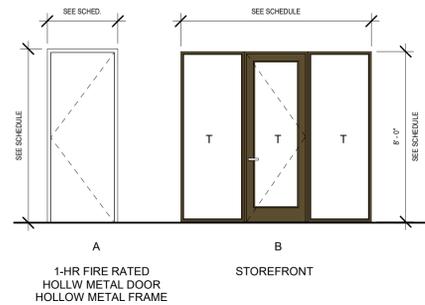
GENERAL NOTES:

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- FIELD VERIFY ALL DIMENSIONS.
- VERIFY ALL WINDOW AND DOOR HEADER HEIGHTS WITH GENERAL CONTRACTOR.
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- USE TEMPERED GLAZING IN DOORS, SLIDING PATIO DOORS, STORM DOORS, SHOWER & BATH ENCLOSURES, WINDOWS WHERE NEAREST EXPOSED EDGE OF THE GLAZING IS WITHIN 48" OF A VERTICAL EDGE OF AN ACTIVE DOOR AND FIXED PANELS GREATER THAN 9 SQ. FT WITH THE LOWEST EDGE LESS THAN 18" ABOVE FLOOR.
- IN COMBUSTIBLE CONSTRUCTION, FIRE BLOCKING SHALL BE PROVIDED TO CUT OFF ALL CONCEALED DRAFT OPENINGS - BOTH VERTICAL AND HORIZONTAL - AND TO FORM AN EFFECTIVE FIRE BARRIER BETWEEN STORIES, AND BETWEEN A TOP STORY & THE ROOF SPACE.
- IN COMBUSTIBLE CONSTRUCTION WHERE THERE IS UNUSABLE SPACE BOTH ABOVE AND BELOW THE CONCEALED SPACE OF A FLOOR/CEILING ASSEMBLY, DRAFTSTOPS SHALL BE INSTALLED SO THAT THE AREA OF THE CONCEALED SPACE DOES NOT EXCEED 1,000 SQ.FT.
- PORTABLE FIRE EXTINGUISHERS TO BE INSTALLED IN ACCORDANCE TO NFPA 10 AND IBC SECTION 906.

WALL TYPES

EXTERIOR	SEE: ELEVATIONS FOR FINISH COLORS
A	TYP. EXTERIOR WALL: FIBER CEMENT SIDING (REFER TO ELEVATIONS AND SECTIONS) OVER BLDG. WRAP & EXTERIOR SHEATHING ATTACHED TO 2X6 WD. STUDS @ 16" O.C. W/ (1) LAYER 5/8" GYP. BD. AT EXPOSED INTERIOR FACES. PROVIDE MIN. R-21 BATT CAVITY INSUL.
B	1-HR FIRE WALL: 2X4 WOOD STUDS AT 16" O.C. WITH 5/8" TYPE "X" GYPSUM BOARD EACH SIDE

NUMBER	HEIGHT	WIDTH	LOCK TYPE	HANDLE	TYPE	NOTES
114	8' - 0"	9' - 0"	EXIT	PANIC BAR	B	
118	8' - 0"	9' - 0"	EXIT	PANIC BAR	B	
119	8' - 0"	3' - 0"	EXIT	PANIC BAR	A	
121	8' - 0"	3' - 0"	EXIT	PANIC BAR	A	
122	8' - 0"	3' - 0"	EXIT	PANIC BAR	A	
123	8' - 0"	3' - 0"	EXIT	PANIC BAR	A	
125	8' - 0"	3' - 0"	EXIT	PANIC BAR	A	
127	8' - 0"	9' - 0"				
128	8' - 0"	9' - 0"				
129	8' - 0"	9' - 0"				
130	8' - 0"	9' - 0"				



DOOR HARDWARE NOTES:

ALL DOOR HARDWARE MUST:

- ALLOW ONE-HAND OPERATION
- NOT REQUIRE TIGHT GRASPING, PINCHING, OR TWISTING OF THE WRIST
- OPERATE WITH 5 LBF MAXIMUM
- BE LOCATED 34" TO 48" ABOVE THE FLOOR OR GROUND

EXTERIOR/FIRE DOOR HARDWARE:

HINGES
WEATHER STRIPPING
CLOSER
PANIC BAR (INTERIOR SIDE)
LEVER HANDLE
EGRESS LOCK

ARCHITECT STAMP

DR. PHAN
1159 & 1221 N JACKSONMILL AVE, KUNA, IDAHO

BUILDING 2 - FLOOR 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
A2.0



① 2 - WEST
1/8" = 1'-0"



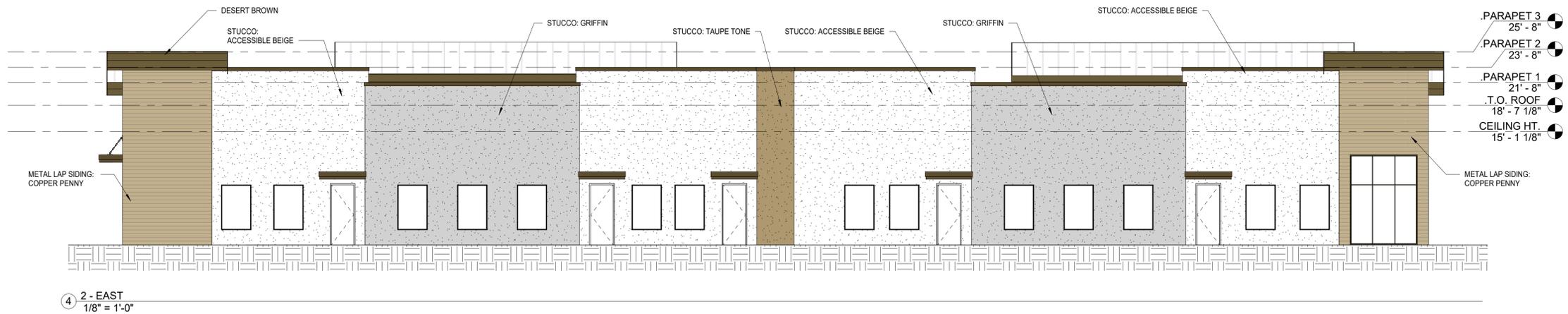
② 2 - SOUTH
1/8" = 1'-0"



③ 2 - NORTH
1/8" = 1'-0"

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

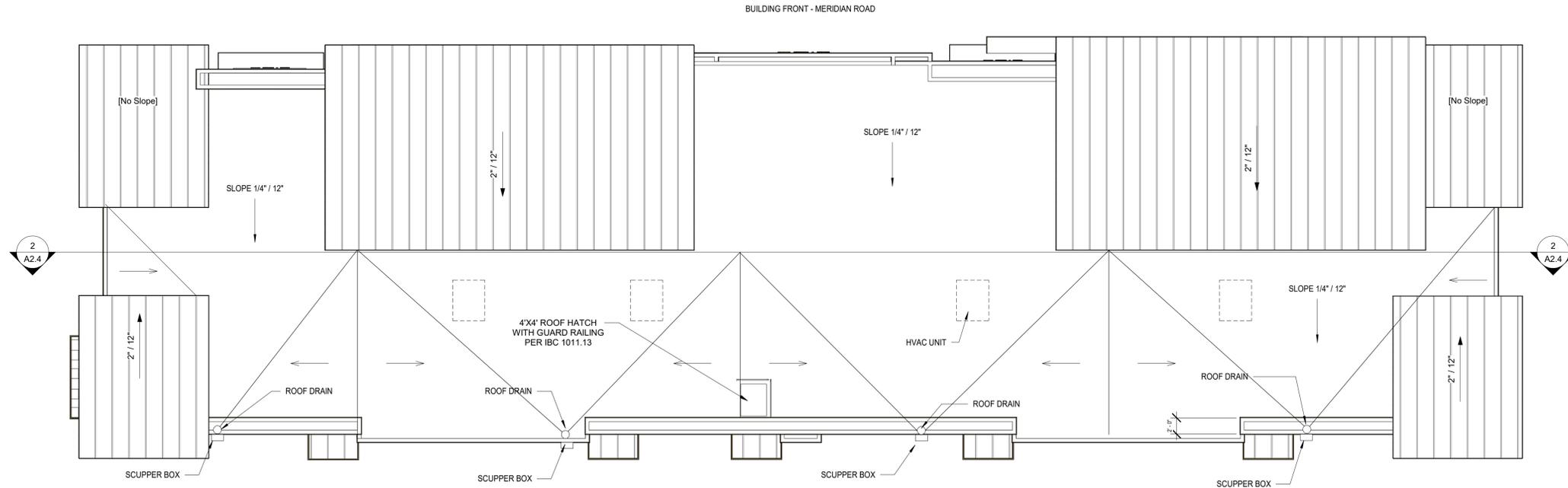


④ 2 - EAST
1/8" = 1'-0"

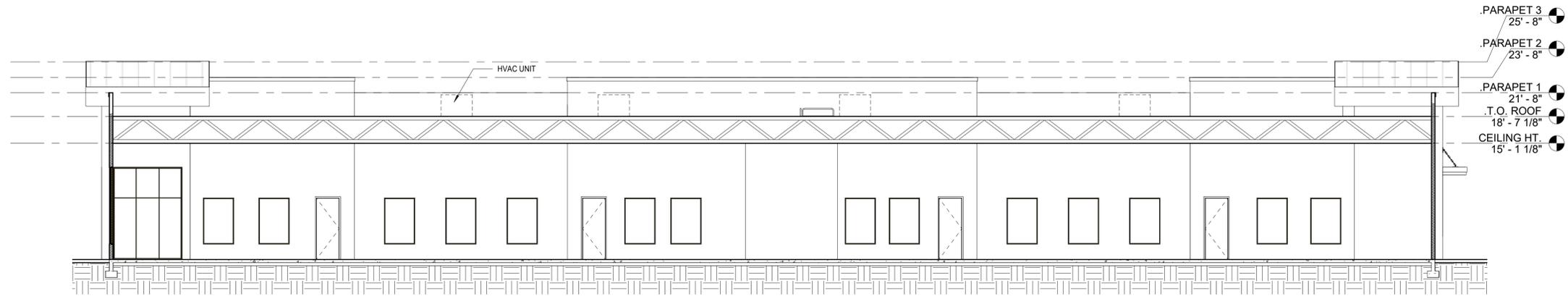
VERIFY SCALES
THIS BAR IS 1 INCH ON ORIGINAL DRAWING
IF NOT 1 INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

CHECKED	
DATE	02.06.2017
DRAWN	JESSICA
JOB NO.	001

SHEET NUMBER
A2.2



① 2 - BUILDING 2 ROOF PLAN
1/8" = 1'-0"



② BUILDING 2 SECTION
1/8" = 1'-0"

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

From: [Scott Arellano](#)
To: [Jessica Reid](#); [Kuna Fire Office](#); [TLawrence Kuna Fire](#)
Subject: Re: REVISED Site Plan - 1159 & 1221 N Jacksonmill Ave
Date: Monday, July 18, 2022 10:48:08 AM
Attachments: [image001.png](#)

Hi Jessica,

The Fire District can support the revised site plan for this proposed commercial development.

No additional comments are attached.

Scott Arellano, CFM
Kuna Rural Fire District
935 Linder Road #15
Kuna, ID 83634
208.922.1144
office@kunafire.com

On Thu, Jul 14, 2022 at 3:55 PM Jessica Reid <jreid@kunaid.gov> wrote:

Good Afternoon,

Per the Planning & Zoning Commission's comments at the July 12th meeting, the Applicant has submitted a revised Site Plan for Case No. 22-09-DR (Design Review). Could you please review & provide updated comments? This is set to go back in front of the Commission on July 26th for final Approval or Denial. Feel free to let me know if you have any questions.

Sincerely,

Jessica Reid

Planner II

751 W 4th Street • Kuna, ID 83634

jreid@kunaid.gov • Ph: (208) 387-7731



From: [Chad Gordon](#)
To: [Jessica Reid](#)
Subject: Re: FW: FW: REVISED Site Plan - 1159 & 1221 N Jacksonmill Ave
Date: Tuesday, July 19, 2022 4:26:44 PM
Attachments: [image001.png](#)

I would say let's stay with the 2 dumpsters per enclosure so we can have enough space to accomodate all of their needs.

Thanks,

On Tue, Jul 19, 2022 at 4:22 PM Jessica Reid <jreid@kunaid.gov> wrote:

They don't have users figured out yet but the buildings do have one drive-thru each. Thoughts?

Jessica Reid

Planner II

751 W 4th Street • Kuna, ID 83634

jreid@kunaid.gov • Ph: (208) 387-7731



From: Chad Gordon <chad.gordon@jmsanitation.com>
Sent: Tuesday, July 19, 2022 4:02 PM
To: Jessica Reid <jreid@kunaid.gov>
Subject: Re: FW: FW: REVISED Site Plan - 1159 & 1221 N Jacksonmill Ave

With the square footage of the building it would be our preference to have 2 dumpsters per enclosure. Do they know who will be occupying the space? If they were all food type tenants it would definitely need a total of 4 containers.

Thanks,

On Fri, Jul 15, 2022 at 1:16 PM Jessica Reid <jreid@kunaid.gov> wrote:

Hi Chad,

Please see the question below.

Thanks!

Jessica Reid

Planner II

751 W 4th Street • Kuna, ID 83634

jreid@kunaid.gov • Ph: (208) 387-7731



From: Jessica Petty <jessica@1215design.com>

Sent: Friday, July 15, 2022 12:21 PM

To: Jessica Reid <jreid@kunaid.gov>

Subject: Re: FW: REVISED Site Plan - 1159 & 1221 N Jacksonmill Ave

Jessica,

Thank you! Do you know if it needs to be that large if there are two dumpsters on the site?

Thanks,

Jessica

On Fri, Jul 15, 2022 at 10:17 AM Jessica Reid <jreid@kunaid.gov> wrote:

Good Morning Jessica,

Please see below for updated comments from J&M Sanitation; I will be adding this to the Conditions of Approval in the staff report.

Sincerely,

Jessica Reid

Planner II

751 W 4th Street • Kuna, ID 83634

jreid@kunaid.gov • Ph: (208) 387-7731



From: Chad Gordon <chad.gordon@jmsanitation.com>

Sent: Thursday, July 14, 2022 4:07 PM

To: Jessica Reid <jreid@kunaid.gov>

Subject: Re: REVISED Site Plan - 1159 & 1221 N Jacksonmill Ave

Jessica,

The dimensions for a 2 dumpster enclosure need to be 18' wide and 12' deep as well there needs to be bollards set 1 foot off of the back of the enclosure. We will also need drop pin holes drilled in the ground to hold the doors in the open position.

Thanks,

On Thu, Jul 14, 2022 at 3:55 PM Jessica Reid <jreid@kunaid.gov> wrote:

Good Afternoon,

Per the Planning & Zoning Commission's comments at the July 12th meeting, the Applicant has submitted a revised Site Plan for Case No. 22-09-DR (Design Review). Could you please review & provide updated comments? This is set to go back in front of the Commission on July 26th for final Approval or Denial. Feel free to let me know if you have any questions.

Sincerely,

Jessica Reid

Planner II

751 W 4th Street • Kuna, ID 83634

jreid@kunaid.gov • Ph: (208) 387-7731



--

[Redacted signature]

Chad J. Gordon

J&M Sanitation Inc.
Office # (208) 922-3313
Fax # (208) 922-4033
Cell # (208) 941-6371
E-mail : chad.gordon@jmsanitation.com

--

Jessica Petty, NCARB

Licensed Architect

208.867.0294

www.1215design.com



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Chad J. Gordon
J&M Sanitation Inc.
Office # (208) 922-3313
Fax # (208) 922-4033
Cell # (208) 941-6371
E-mail : chad.gordon@jmsanitation.com

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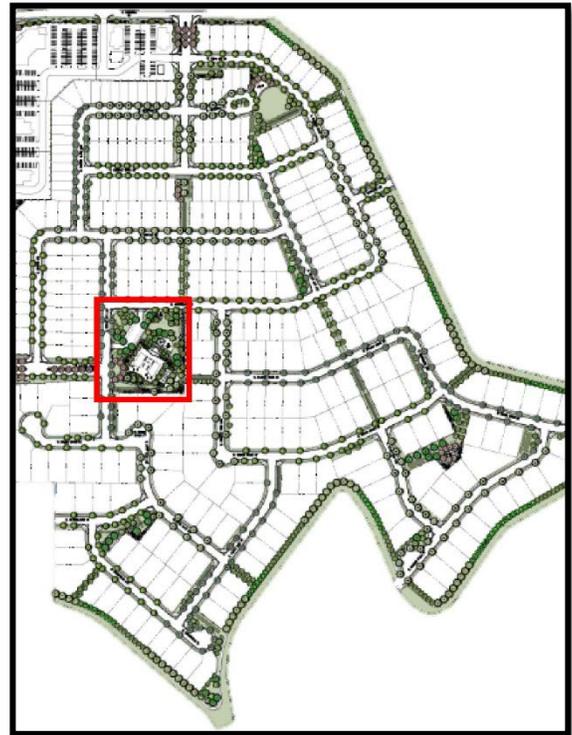
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Cell # (208) 941-6371
E-mail : chad.gordon@jmsanitation.com

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

IN THE MATTER OF THE APPLICATION OF) **Case No. 22-19-DR (DESIGN REVIEW)**
)
TOLL BOTHERS)
)
)
For a Design Review of the Paloma Ridge) **STAFF REPORT FOR THE PALOMA**
Pool House, Pavilion, Mailbox Structure,) **RIDGE AMENITIES DESIGN REVIEW**
landscaping, parking and Subdivision Entry.) **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	Deed			X
2.7	Affidavit of Legal Interest			X
2.8	Site Plan			X
2.9	Paloma Ridge Preliminary Plat			X
2.10	Pool House Elevations & Renderings			X
2.11	Pavilion Elevations			X
2.12	Entry Elevations & Renderings			X
2.16	Mailbox Elevations & Renderings			X
2.13	Landscape Plan			X
2.14	Lighting Plan			X
2.17	Agency Transmittal			X
2.18	Public Works Memo			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: June 13, 2022
- 2.2.2** Agency Notifications: June 13, 2022
- 2.2.3** Agenda: July 26, 2022

III APPLICANTS REQUEST

3.1 Toll Brothers requests Design Review Approval for a multi-faceted project. The first portion is a proposed Pool House which includes two (2) restrooms, pool equipment, shower & storage; tot lot; pickle ball court; covered mailbox structure; open-air pavilion; landscaping; and parking lot. The second portion is the proposed subdivision entry monument signage with decorative wall & pillar. This project is intended to be phased over two (2) years and is located at 8430 S Linder Road (APN: S1312223000); Section 12, Township 2 North, Range 1 West. Staff notes a Final Plat for the Paloma Ridge Subdivision has yet to be submitted, however, the Preliminary Plat was approved by City Council April 20,2021.

IV GENERAL PROJECT FACTS

4.1 Site History

4.1.1 The overall Paloma Ridge Subdivision subject site has historically been used as a single-family residence with outbuilding. The site has an estimated bedrock depth of 20 – 40 inches, and has an average slope of 1 – 1.9 % across the majority across the development area.

4.2 Surrounding Land Uses (Based on Paloma Ridge Preliminary Plat)

North	R-6	Medium Density Residential – Kuna City
	R-8	Medium Density Residential – Kuna City
	C-1	Neighborhood Commercial – Kuna City
South	R-4	Medium Density Residential – Kuna City
East	R-4	Medium Density Residential – Kuna City
	R-6	Medium Density Residential – Kuna City
West	R-4	Medium Density Residential – Kuna City
	R-6	Medium Density Residential – Kuna City

4.3 Parcel Size, and Lot/Block

4.3.1 As a Final Plat has yet to be submitted for Paloma Ridge, staff has provided the Lot and Block information for amenities.

- 4.3.1.1** Pool House & Pavilion
 - 4.3.1.1.1** 120,303 SF
 - 4.3.1.1.2** Lot 1, Block 7
- 4.3.1.2** Entry Monument
 - 4.3.1.2.1** Lot 1, Block 6
 - 4.3.1.2.2** Lot 1, Block 4

4.4 Services

- Sanitary Sewer – City of Kuna
- Potable Water – City of Kuna
- Irrigation – Private System
- 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 a single-family residence and outbuildings; the remaining is covered with vegetation consistent with that of agricultural fields.

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 Mixed Use; the Paloma Ridge Subdivision Preliminary Plat was approved April 20, 2021, with C-1 (Neighborhood Commercial), R-8 (Medium Density Residential), R-6 (Medium Density Residential) and R-4 (Medium Density Residential) zones, thus meeting the intent of a Mixed-Use development.

4.8 Agency Responses

Agency	Exhibit No.
--------	-------------

Public Works	2.18
--------------	------

**V
TRANSPORTATION AND CONNECTIVITY**

- 5.1** The subject site is accessed via two (2) ingress/egress points; one (1) from W Giantsbane Drive and the other on S Cobalt Sky Avenue; both local roads will be fully improved street sections with curb, gutter and sidewalk.

**VI
STAFF ANALYSIS**

- 6.1** The Applicant proposes a multi-faceted project with a pool house, open-air pavilion, entry monument signage and mailboxes; construction will be phased over a two (2) year period.

The proposed pool house, with entry facing northeast, is approximately 882 SF and will house the restrooms, pool equipment, shower and storage. The façade is proposed to be a mix of lap siding, cultured stone brick wainscot, and decorative beams; neutral colors are proposed for the materials. A six (6) foot wrought iron gate is proposed as an access point into the pool area and six (6) foot wrought iron fencing will enclose the pool area thus providing safety. The Applicant states on the Design Review application form that a ground mounted mechanical unit is proposed, however the project narrative states there will be no rooftop or ground mounted mechanical units; staff notes that regardless of mechanical unit placement, the units must be screened. Immediately adjacent on the east of the pool house is a proposed, approximately 1,088 SF open air pavilion with the same materials and colors being reflected.

The additional proposed amenities of a pickleball court and play structure are also adjacent to the pool house and pavilion. A six (6) foot fence is proposed around the pickleball court; staff notes the type of fencing is not specified and the Applicant shall be required to use an approved fencing material.

A fully improved parking lot with 17 standard stalls and two (2) ADA stalls is provided to serve the amenities; upon staff review, this generally complies with Kuna City Code (KCC) 5-9. Sidewalks immediately adjacent to the parking lot and weaving throughout the entire lot, provides safe pedestrian access. Approximately 12 banks of mailboxes to serve the community, are proposed adjacent to the parking lot and will be covered by a shade structure. The proposed pre-manufactured shade structure comprised of aluminum painted in black.

Proposed landscaping for the pool house site includes evergreen, ornamental and shade trees, shrubs, perennials and groundcover. Heavy landscaping in the southeast corner of the future parcel provides an ample buffer between residences and the pickleball court, while the landscaping around the pool area provides privacy. Various trees and plantings are also proposed throughout the open green areas and parking lot. A traditional trash enclosure is not proposed as the pool house should not generate enough trash to warrant one, however trash will be handled via wheeled tipcarts that will be placed on the curb when necessary.

The proposed entry monument signage is five (5) feet tall, and moves into a two (2) foot curved decorative wall, ending with an eight (8) foot decorative column with light in Dark Bronze and small roof appurtenance; cultured handmade brick in the colors Carbon and Canvas will be used. The actual signage lettering appears to be lit in some way; elevation keynote no. 4 states signage will be completed by others. Staff notes that a sign review application for the lettering and applicable electrical shall be submitted prior to installation.

In Exhibit 2.18, Public Works has reviewed the civil site plan and has no changes; Public Works staff can support this application.

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. 22-19-DR, with the Applicant being subject to the recommended Conditions of Approval listed in Section VIII (8) of this report.

6.2 Applicable Standards

6.2.1 City of Kuna Zoning Ordinance, Title 5

6.2.2 City of Kuna Comprehensive Plan FLUM

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

VII PROPOSED FINDINGS OF FACT

Based upon the record contained in Case No. 22-19-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. 22-19-DR, a request from Toll Brothers for a multi-faceted, two (2) Phase project with pool house, open air pavilion, pickle ball court, covered mailbox structure, landscaping, parking lot and entry monument signage within the Paloma Ridge Subdivision, located at 8430 S Linder Road (APN: S1312223000).

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. 22-19-DR, the structure designs, including g mass, proportion, relationship of exterior materials, and relationship of openings, 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 structures appear appropriate for the subject site.

7.3 Based on the evidence contained in Case No. 22-19-DR, this proposal **does/does not** generally comply with the Comprehensive Plan.

The Comprehensive Plan designates the future land use designation of the overall subject area as Mixed-Use; the Paloma Ridge Subdivision was approved by City Council April 20, 2021, with R-4 and R-6 (Medium Density Residential) R-8 (Medium/High Density Residential) and C-1 (Neighborhood Commercial) zones, thus meeting the intent of a Mixed-Use project.

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 future Paloma Ridge Subdivision.

- 7.5** The orientation of the structures and the site design **does/does not** minimize the impact on adjacent properties.

Staff Finding: The placement and orientation of the structures, including 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 proposed parking lot generally complies with KCC 5-9. Safe pedestrian access is provided via sidewalks immediately adjacent to the structures, amenities, and parking lot.

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. 22-19-DR (Design Review), a request from Toll Brothers for a multi-faceted, two (2) Phase project with pool house, open air pavilion, pickle ball court, covered mailbox structure, landscaping, parking lot and entry monument signage within the Paloma Ridge Subdivision, located at 8430 S Linder Road (APN: S1312223000), 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 receive formal Civil plan approvals and the Final Plat shall be recorded 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 (KRFD), 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.

8.18 Developer/Owner/Applicant shall install an approved fencing material around the pickleball court.

DATED this **26th** 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): 22-19-DR

Project Name: Paloma Ridge Pool House & Pavilion

Date Received: 04.15.2022

Date Accepted as Complete: 06.13.2022

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: Toll Brothers - Bill Stanton

Address: 3103 W Sheryl Dr #100, Meridian, ID 83642

Phone: (208) 424-0020 Email: dmillerholmes@tollbrothers.com

Applicant (Developer) Information

Name: Brian Garrett - Archtiect

Address: 472 E. Thurman Mill Street, Garden City, Idaho 83714

Phone: (208) 830 - 7030 Email: brian@bga-d.com

Engineer/Representative Information

Name: ESE - Justin Bozovich

Address: 3103 W Sheryl Dr #100, Meridian, ID 83642

Phone: (208) 424-0020 Email: jbozovich@eseconsultants.com

Subject Property Information

Site Address: 8430 S LINDER RD MERIDIAN , ID 83642

Nearest Major Cross Streets: W. Columbia Roa

Parcel No.(s): S1312223000

Section, Township, Range: sec. 12, T 2N, R1W BM

Property Size: 113.26

Current Land Use: Vacant Proposed Land Use: Residential

Current Zoning: R-4 Proposed Zoning: R-4, R-6 and R-8

Project Description

Project Name: Paloma Ridge - Pool House and Entry

General Description of Project: To build a Pool House, entry and open air pavilion
for an existing residential development.

Pool House Lot 1, Block 7; Subdivision Entry Lot 1, Block 6 & Lot 1, Block 4

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: 04/14/2022

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.

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): 22-19-DR

Project Name: Paloma Ridge Pool House & Pavilion

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

Date Received: 04.15.2022

Date Accepted as Complete: 06.13.2022

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:

April 14, 2022

City of Kuna
Planning and Zoning
751 W. 14th Street
Kuna, ID 83634
208.922.5274

Project: Paloma Ridge – Pool House
File: BGAD #220202
Re: Design Review

Planning Staff;

BGAD is pleased to submit the attached Design Review Application and supporting materials for the Pool House and Entry Monuments located east of Linder Avenue and south of Columbia Road in the new Paloma Ridge residential development in the Paloma Ridge Subdivision.

We are proposing to build a Pool House that will be a part of, and service the adjacent homes in the Paloma Ridge development. The Pool House structure (~882 sq.ft.) that will be the main access point to the pool area and contain the restrooms, pool equipment, shower and storage.

With the Pool House design, we address the Façade Change Elements requirements with a mix of lap siding and brick wainscot and accents.

There will be no ground mounted, or roof top mechanical units. Mechanical vents colors will match the roofing, and have been placed on the rear slope of the building.

All utilities will be available to the site. The best locations for accessing water, sewer, tele/data and locating the transformer are to be fully engineered and are to be determined.

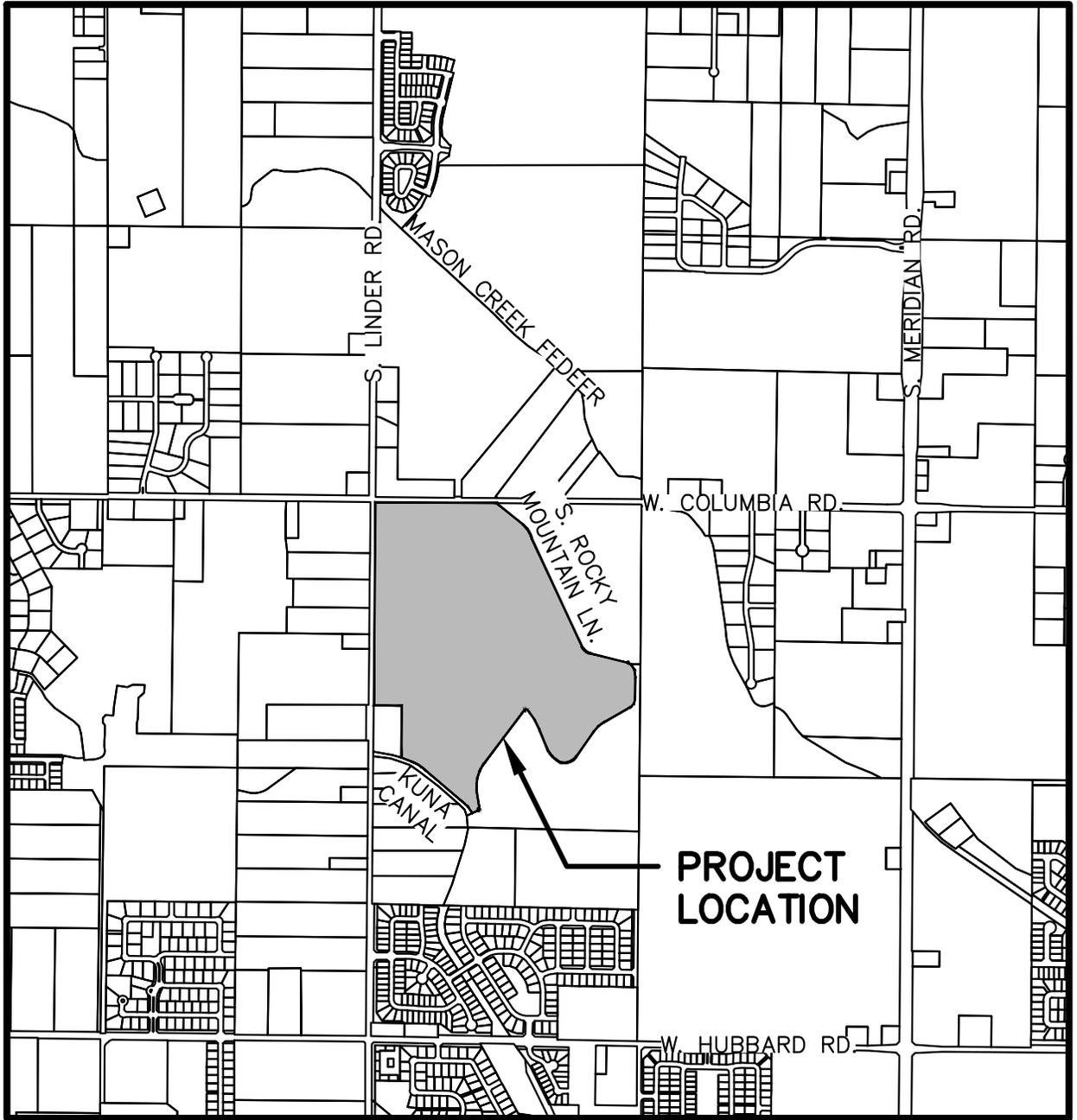
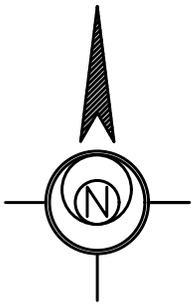
These structures will be maintained by the HOA, as amenities to the adjacent community. As such, homeowners will have access to immediate needs. The trash produced in this area will be minimal. If independent trash pickups are deemed necessary, they will be handled with wheeled carts, and held internally in a storage room.

We appreciate your consideration of this application and look forward to working with Kuna Planning and Zoning Department as the project moves through the approval process. Please do not hesitate to contact me with any questions you may have or if additional materials are required.

Sincerely,



Brian Garrett
Brian Garrett Architecture and Design, PLLC



VICINITY MAP

N.T.S.

Aerial Map:



When recorded, please return to:

ARROYO CAP II-2, LLC
18575 Jamboree Avenue, Suite 350
Irvine, CA 92612
Attention: Leigh Austin

710729

GRANT DEED

FOR VALUE RECEIVED, the sufficiency of which is hereby acknowledged, **PATTERSON FAMILY ENTERPRISES, L.L.C.**, an Idaho limited liability company, having an address of 4051 Mountain Vista Lane, Filer, Idaho 83328-5555. (the "**Grantor**"), does hereby grant unto **ARROYO CAP II-2, LLC**, a Delaware limited liability company, having an address of 18575 Jamboree Avenue, Suite 350, Irvine, CA 92612 (the "**Grantee**"), all of Grantor's right, title, and interest in and to that certain real property more particularly described in Exhibit A hereto (the "**Property**").

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in any way appertaining, to the Property, including, but not limited to, any and all water rights associated therewith.

TO HAVE AND TO HOLD the Property, together with the appurtenances, unto Grantee, and to its successors and assigns forever.

SUBJECT TO any and all matters of record to the extent still valid and enforceable.

[end of text; signature and notary page follow]

When recorded, please return to:

ARROYO CAP II-2, LLC
18575 Jamboree Avenue, Suite 350
Irvine, CA 92612
Attention: Leigh Austin

710729

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SUBJECT TO any and all matters of record to the extent still valid and enforceable.

[end of text; signature and notary page follow]

IN WITNESS WHEREOF, the undersigned has caused Grantor's name to be hereunto subscribed this 19 day of May, 2021.

PATTERSON FAMILY ENTERPRISES, L.L.C.,
an Idaho limited liability company

By: Keith F. Patterson
Name: Keith F. Patterson
Title: Registered Agent

State of IDAHO, County of Canyon

This record was acknowledged before me on May 19, 2021 by Keith F. Patterson
as Registered Agent of Patterson Family Enterprises, L.L.C.

Carrie Homburg
Signature of notary public
Commission Expires:

Residing at: Melba, ID
Commission Expires: 03/10/2027

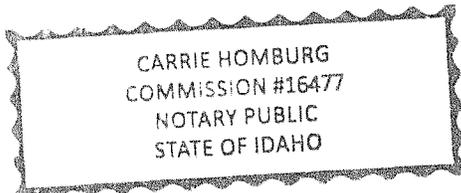


Exhibit A

Legal Description

PARCEL A:

A parcel of land being a portion of the Northwest 1/4 and a portion of the Southwest 1/4 of Section 12, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

BEGINNING at the North west corner of said Section 12, marked by a found Brass Cap Monument, from which the North 1/4 corner of said Section 12, marked by a found Aluminum Cap monument, bears South 89°32'42" East, 2640.54 feet; thence, along the North line of said Section 12, South 89°32'42" East, 1218.68 feet to the centerline of the Painter Lateral, marked by a found 5/8" iron pin tagged PLS 4431; thence, along the centerline of said Painter Lateral the following courses and distances:

South 00°27'18" West, 28.14 feet;

South 50°57'37" East, 340.35 feet;

Along a curve to the right 69.71 feet, said curve having a radius of 150.00 feet, a central angle of 26°37'40", and a long chord bearing

South 37°38'49" East, 69.08 feet;

South 24°20'02" East, 187.48 feet;

South 25°20'02" East, 299.24 feet;

South 25°10'02" East, 494.78 feet;

South 24°30'02" East, 274.53 feet;

Along a curve to the left 109.27 feet, said curve having a radius of 122.00 feet, a central angle of 51°19'00", and a long chord bearing

South 50°09'32" East, 105.65 feet;

South 75°49'02" East, 345.64 feet;

South 75°49'02" East, 39.98 feet;

South 66°37'42" East, 25.41 feet;

South 35°00'00" East, 65.28 feet;

South 07°00'00" East, 80.00 feet;

South 01°00'00" West, 215.00 feet;

South 12°00'00" West, 42.00 feet;

South 42°00'00" West, 44.00 feet;

South 60°15'00" West 315.00 feet;

South 56°00'00" West, 56.00 feet;

South 40°00'00" West, 68.00 feet;

South 35°00'00" West, 300.00 feet;

South 41°42'04" West, 44.95 feet;

South 59°01'54" West, 42.52 feet;

South 69°47'16" West, 34.78 feet;

North 82°00'00" West, 40.00 feet;
North 58°30'00" West, 56.00 feet;
North 45°30'00" West, 67.00 feet;
North 32°30'00" West, 55.00 feet;
North 22°40'00" West, 216.00 feet;
North 26°00'00" West, 104.00 feet;
North 35°45'00" West, 100.00 feet;
North 45°00'00" West, 22.00 feet;
Along a curve to the left 59.86 feet, said curve having a radius of 35.00 feet, a central angle of 98°00'00", and a long chord bearing
South 86°00'00" West, 52.83 feet;
South 37°00'00" West, 674.00 feet;
South 28°05'27" West, 65.12 feet;
South 18°00'00" West, 72.00 feet;
South 05°00'00" West 67.00 feet;
South 02°00'00" West, 50.00 feet;
South 09°00'00" East, 175.00 feet;
Along a curve to the right 40.32 feet, said curve having a radius of 30.00 feet, a central angle of 77°00'00", and a long chord bearing South 29°30'00" West, 37.35 feet;
South 68°00'00" West, 55.21 feet to the Northeasterly line of the Kuna Canal, from which a 1/2" iron pin witness corner bears North 33°55'37" West, 5.00 feet; thence along the Northeasterly and Northerly line of said Kuna Canal the following courses and distances:
North 33°55'37" West, 80.33 feet, to a set 5/8" iron pin tagged PLS 11463;
North 49°27'31" West, 560.33 feet, to a set 5/8" iron pin tagged PLS 11463;
Along a curve to the left 141.27 feet, said curve having a radius of 450.00 feet, a central angle of 17°59'13", and a long chord bearing
North 58°15'57" West, 140.69 feet, to a set 5/8" iron pin tagged PLS 11463;
North 68°52'04" West, 113.97 feet, to a set 5/8" iron pin tagged PLS 11463; thence, leaving said Northerly line of the Kuna Canal, parallel with the West line of said Section 12,
North 00°29'22" East, 509.61 feet, to a set 5/8" iron pin tagged PLS 11463; thence parallel with the East and West centerline of said Section 12,
North 88°31'03" West, 299.99 feet to the West line of said Section 12, from which a set 5/8" iron pin witness corner tagged PLS 11463, bears
South 88°31'03" East, 25.00 feet; thence along the West line of said Section 12,
North 00°29'22" East, 2022.33 feet to the POINT OF BEGINNING.

Said parcel contains 113.26 acres more or less

PARCEL B:

Part of the Southeast Quarter of the Northeast Quarter of Section 11, Township 2 North, Range 1 West of the Boise Meridian, Ada County, Idaho described as:

Commencing at the Northeast corner of Section 11, Township 2 North, Range 1 West of the Boise Meridian, Ada County, Idaho and running thence South 00°00'00" East 1326.21 feet along the East line of said Section to the North 1/16 corner of said Section; thence South 00°00'00" East 150.00 feet to the POINT OF BEGINNING; thence South 00°00'00" East 544.21 feet along said East line; thence North 89°53'06" West 1026.78 feet thence South 00°00'00" East 350.00 feet; thence North 89°53'06" West 282.34 feet; thence North 00°09'26" East 1044.44 feet; thence South 89°52'29" East 1016.25 feet; thence South 00°00'00" East 150.00 feet; thence South 89°52'29" East 290.00 feet to the POINT OF BEGINNING.

Parcel contains 22.10 acres more or less

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**POOL HOUSE
 PALOMA RIDGE
 S. COBALT SKY
 KUNA, IDAHO**

REVISIONS:

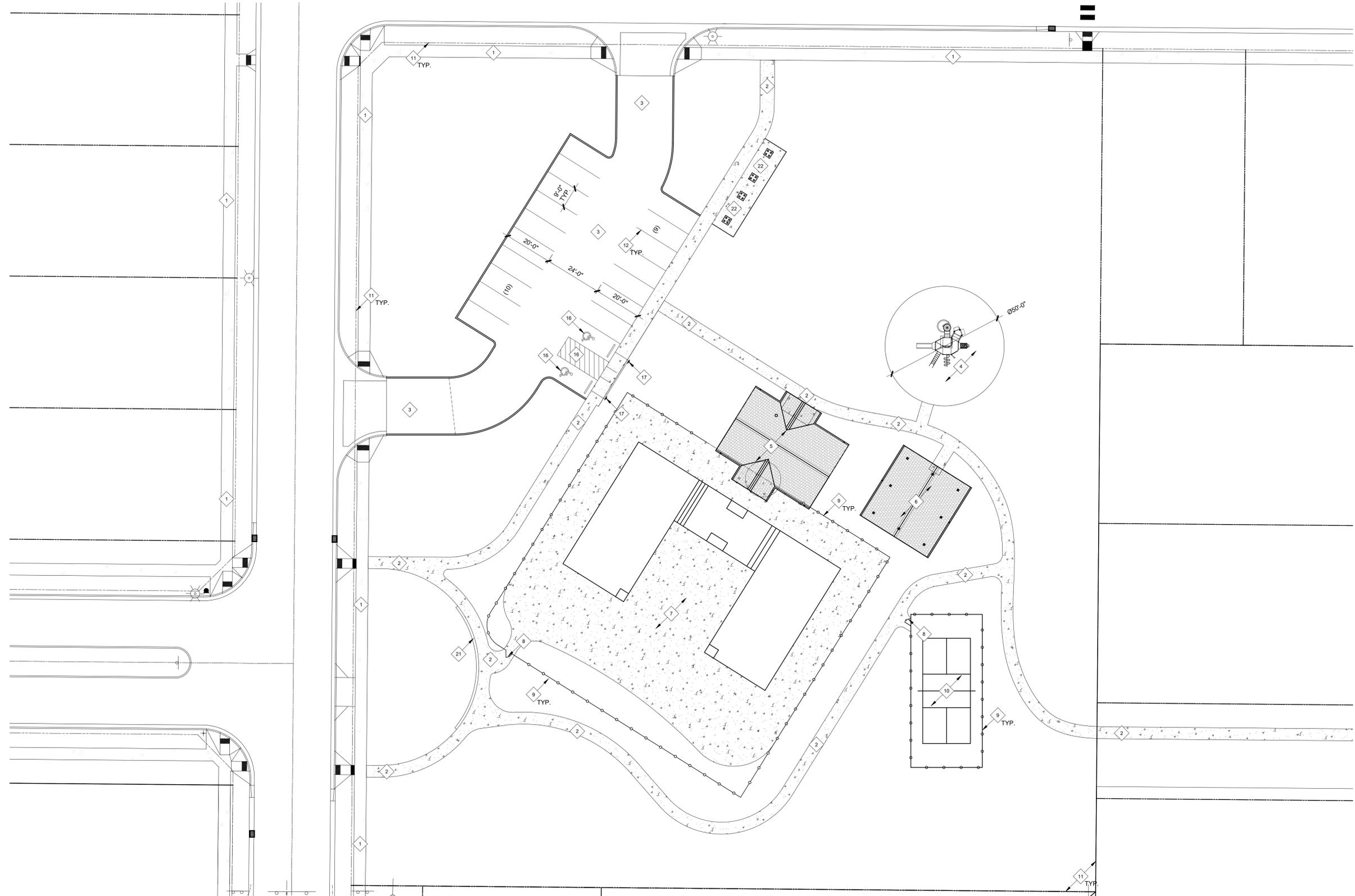
△	date	description

PROJECT: 220202
 DATE: 03.15.2022

**SCHEMATIC
 DESIGN**

SITE PLAN

A111



N
SITE PLAN
 SCALE: 1" = 20'-0"

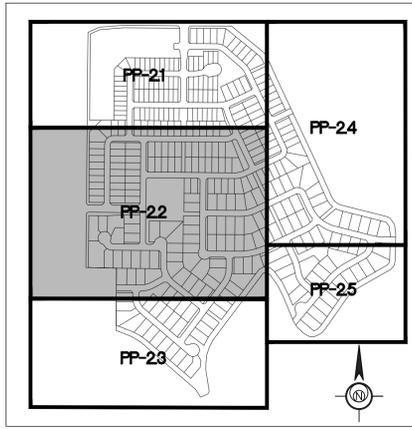
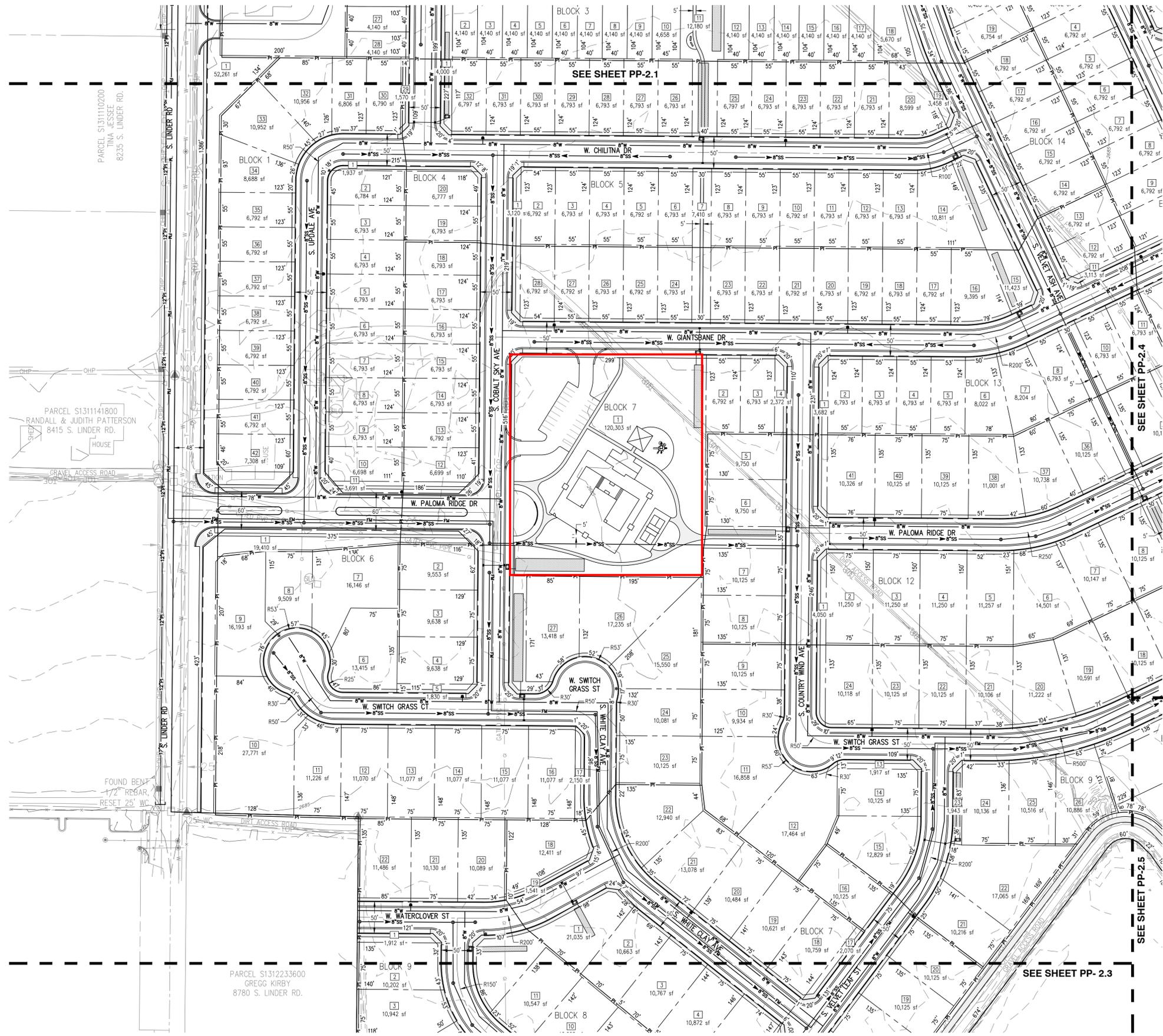
◆ KEYNOTES:

- | | |
|--------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| 1. EXISTING CONCRETE SIDEWALK | 15. CURB STOP. SEE CIVIL |
| 2. NEW CONCRETE SIDEWALK. SEE CIVIL AND LANDSCAPE DRAWINGS | 16. ACCESSIBLE PARKING STRIPING. SEE CIVIL DRAWINGS |
| 3. ASPHALT ENTRY DRIVE AND PARKING LOT. SEE CIVIL DRAWINGS | 17. PROVIDE ACCESSIBLE PARKING SIGN. SEE CIVIL DRAWINGS |
| 4. AREA FOR PLAYGROUND. SEE CIVIL AND LANDSCAPE DRAWINGS. COORDINATE SIZE AND SCOPE WITH OWNERS REP. | 18. ELECTRICAL TRANSFORMER LOCATION. SEE ELECTRICAL DRAWINGS. |
| 5. POOL HOUSE. SEE A211 | 19. EXISTING STREET LIGHT. |
| 6. PAVILION. SEE A212 | 20. STREET LIGHT. SEE ELECTRICAL. |
| 7. POOL AND POOL DECK - BY OTHERS | 21. BRICK WALL. SEE XXXX |
| 8. 42" CLEAR EGRESS GATE PER IBC 1010.1.10 BY OWNER. PROVIDE PANIC HARDWARE AS REQUIRED. SEE OCCUPANT LOAD INFO ON a0.02 | 22. MAIL BOX STRUCTURES. SEE CIVIL. |
| 9. 6' HIGH, PERIMETER POOL FENCE, BY OWNER | |
| 10. PICKLE BALL COURT. SEE CIVIL AND LANDSCAPE | |
| 11. PROPERTY LINE. SEE CIVIL | |
| 12. PARKING STRIPING. SEE CIVIL | |
| 13. MAIL BOX STRUCTURE. | |
| 14. CONCRETE CURB. SEE CIVIL DRAWINGS | |

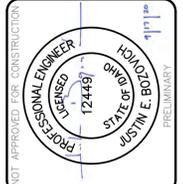
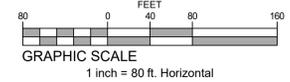
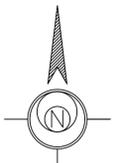
GENERAL NOTES:

- A. THIS SITE PLAN IS PROVIDED FOR GENERAL COORDINATION PURPOSES. REFER TO AND COORDINATE WITH RESPECTIVE CIVIL, LANDSCAPE, MECHANICAL AND ELECTRICAL DRAWINGS FOR ADDITIONAL SPECIFIC INFORMATION.
- B. COORDINATE WITH CIVIL DRAWINGS FOR ALL UTILITY LOCATIONS, FINAL GRADING & DRAINAGE.
- C. CONTRACTOR TO VERIFY ALL LOCATIONS AND DIMENSIONS IN THE FIELD.
- D. RE: GEOTECHNICAL ENGINEERING REPORT FOR SOIL BEARING PRESSURES, EXISTING SOIL CONDITIONS, AND CONSTRUCTION CONSIDERATIONS.
- E. RE: LANDSCAPE DRAWINGS FOR PLANTINGS.
- F. RE: ELEVATIONS FOR BUILDING MOUNTED EXTERIOR LIGHTING.
- G. THE OWNERS WILL USE WHEELED TRASH CARTS IN-LIEU OF A DUMPSTER

N:\PROJECTS\IDAHO\7636 - PATTERSON\ENGINEERING\DRAWINGS\PRELIM\PP-25-PLAN-PP-DWG-Kirby-Lamodra-9/17/2020 11:27 AM



SHEET INDEX
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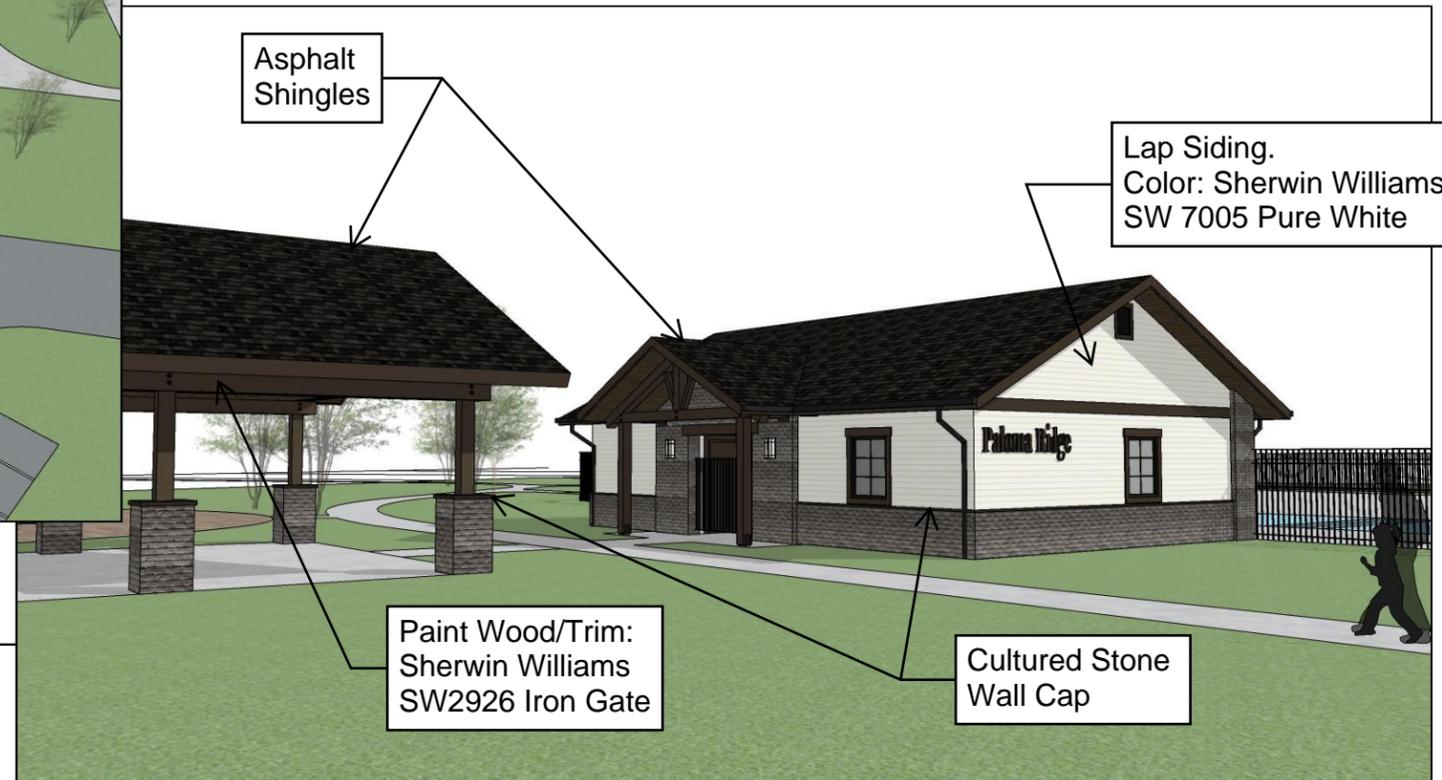
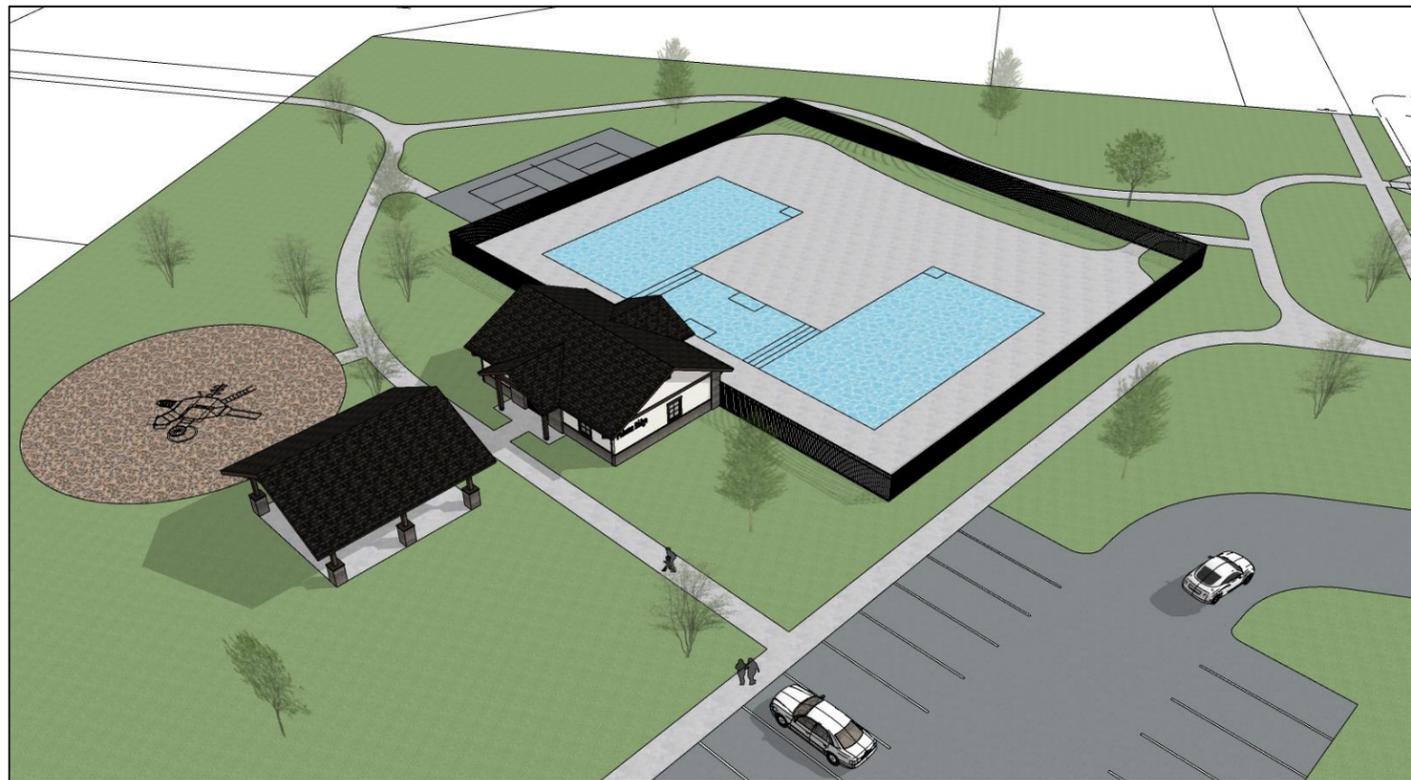


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ESE Consultants, Inc.
3103 W. Sheryl Drive • Suite 100 • Meridian, ID 83642
T: 208-424-0020

REV.	DATE	DESCRIPTION	DRAWN

PRELIMINARY PLAT
**PALOMA RIDGE
SUBDIVISION**
SEC. 12, T. 2N., R. 1W., B.M., KUNA, ADA COUNTY, IDAHO

DATE:	9/17/2020	SCALE:	AS NOTED
DESIGN:	JEB	DRAWN:	MGF/KL
JOB NO.:	7636	FILE NAME:	7636-S-PLAN-PP
REF. NO.:			
SHEET NO.:	4	OF	9



Cultured Stone
Flat Textured Cap Stone
Color: Nightfall

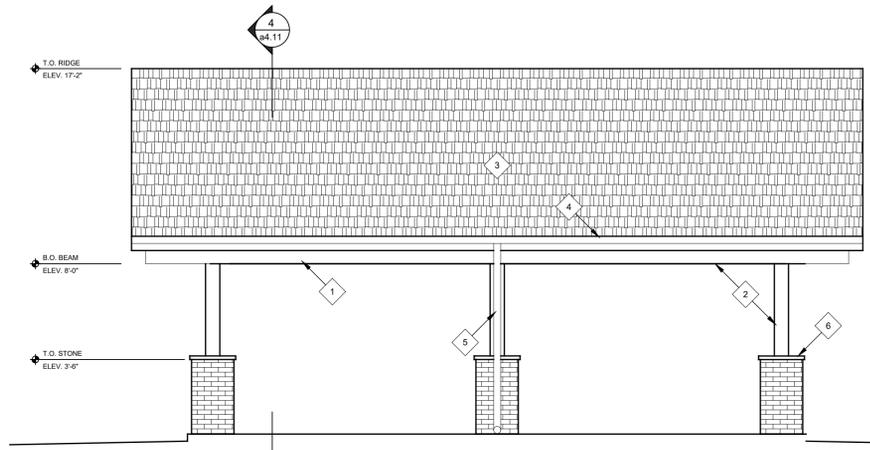


Cultured Stone
Handmade Brick
Color: Carbon

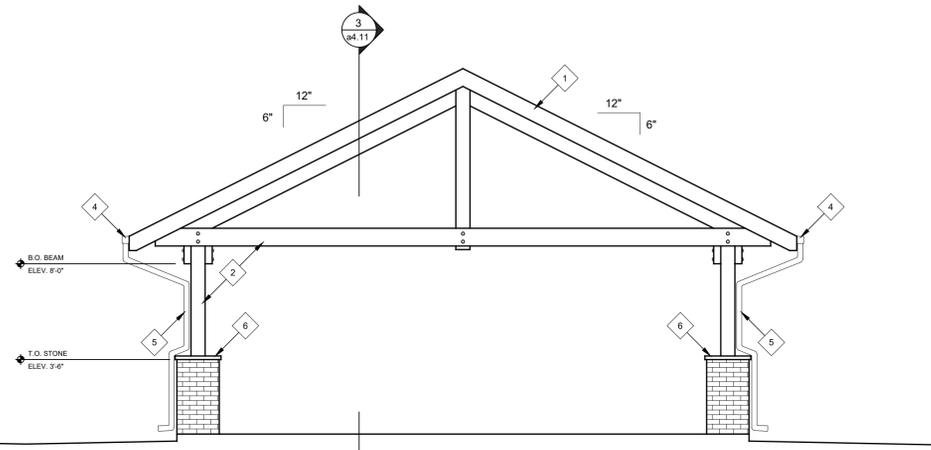
SW 2926
Iron Gate
Interior / Exterior

SW 7005
Pure White
Interior / Exterior
Location Number: 255-C1

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1 ELEVATION - PAVILION
 SCALE: 1/4" = 1'-0"



2 ELEVATION - PAVILION
 SCALE: 1/4" = 1'-0"

POOL HOUSE
PALOMA RIDGE
 S. COBALT SKY
 KUNA, IDAHO

REVISIONS:

△	date	description

PROJECT: 220202
 DATE: 03.15.2022

legend:

-  ROOF: ASPHALT CHINGLES
CONTRACTOR TO PROVIDE COLOR OPTIONS FOR OWNER SELECTION.
-  STONE: CULTURED STONE, HANDMADE BRICK, COLOR: CARBON
- TRIM PAINT: SHERWIN WILLIAMS, SW 2926 IRON GATE

keynotes: ◇

1. PRE-FINISHED 26 GAUGE MIN. ALUMINUM FASCIA. COLOR, TO MATCH METAL ROOF
2. COLUMN AND BEAM. SEE STRUCTURAL DRAWINGS. PAINT SHERWIN WILLIAMS SW 2926 IRON GATE
3. ASPHALT SHINGLE ROOF OVER 30# ASPHALT SATURATED FELT PAPER. SEE LEGEND ON THIS SHEET
4. 26 GAUGE MIN. ASC BOX GUTTER - TO MATCH ROOFING
5. 26 GAUGE MIN. 4" DIA. DOWNSPOUT - TO MATCH ROOFING
6. WAINSCOT. CULTURED STONE, FLAT TEXTURE CAP STONE. COLOR: NIGHTFALL

SCHEMATIC DESIGN

PAVILION ELEVATIONS

A312

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NOT FOR
 CONSTRUCTION

ENTRY FEATURES
 PALOMA RIDGE
 S. COBALT SKY
 KUNA, IDAHO

REVISIONS:

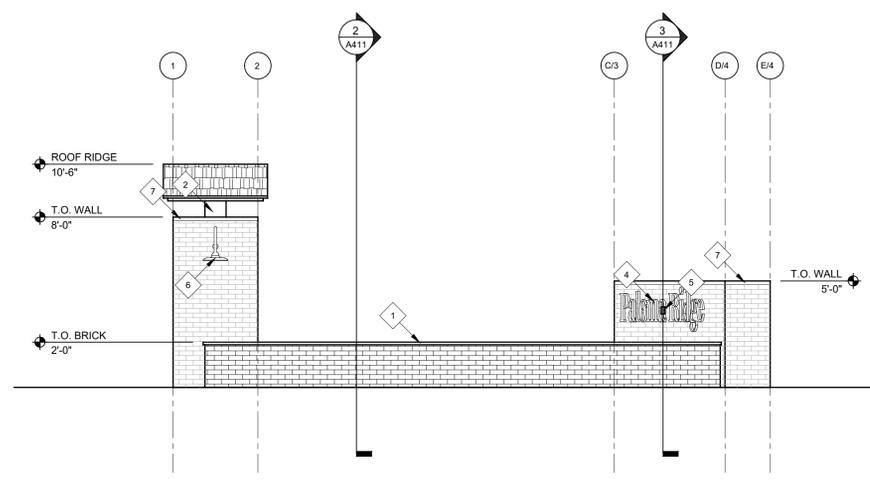
△	date	description

PROJECT: 220202
 DATE: 03.14.2022

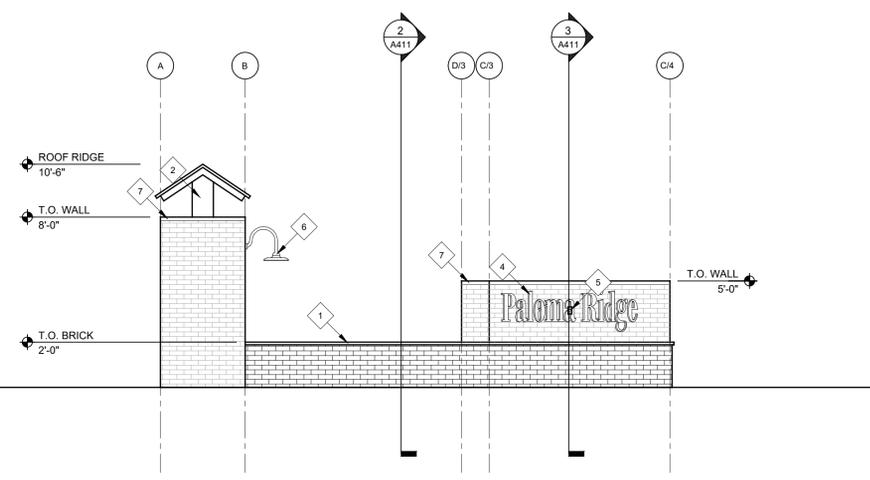
SCHMATIC
 DESIGN

ELEVATIONS

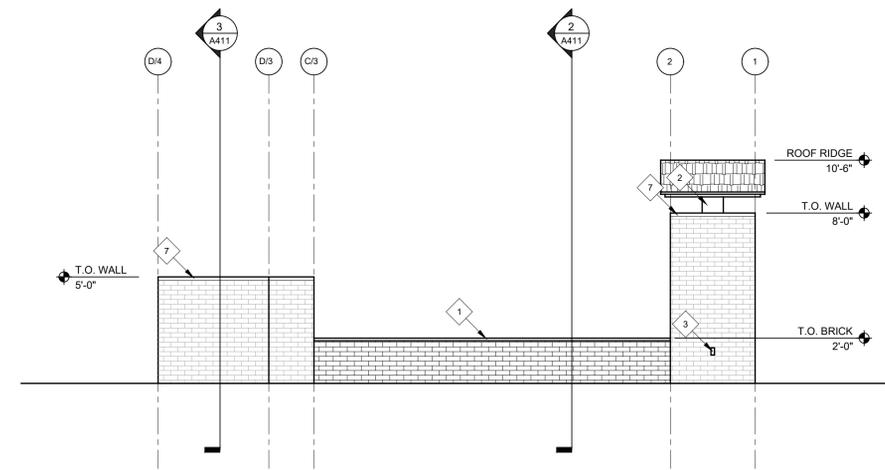
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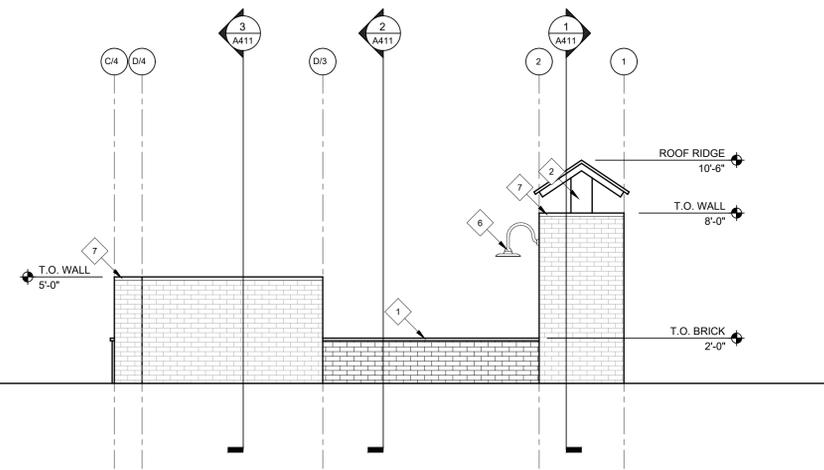
A ELEVATION
 SCALE: 1/4" = 1'-0"



B ELEVATION
 SCALE: 1/4" = 1'-0"



C ELEVATION
 SCALE: 1/4" = 1'-0"



D ELEVATION
 SCALE: 1/4" = 1'-0"

legend:

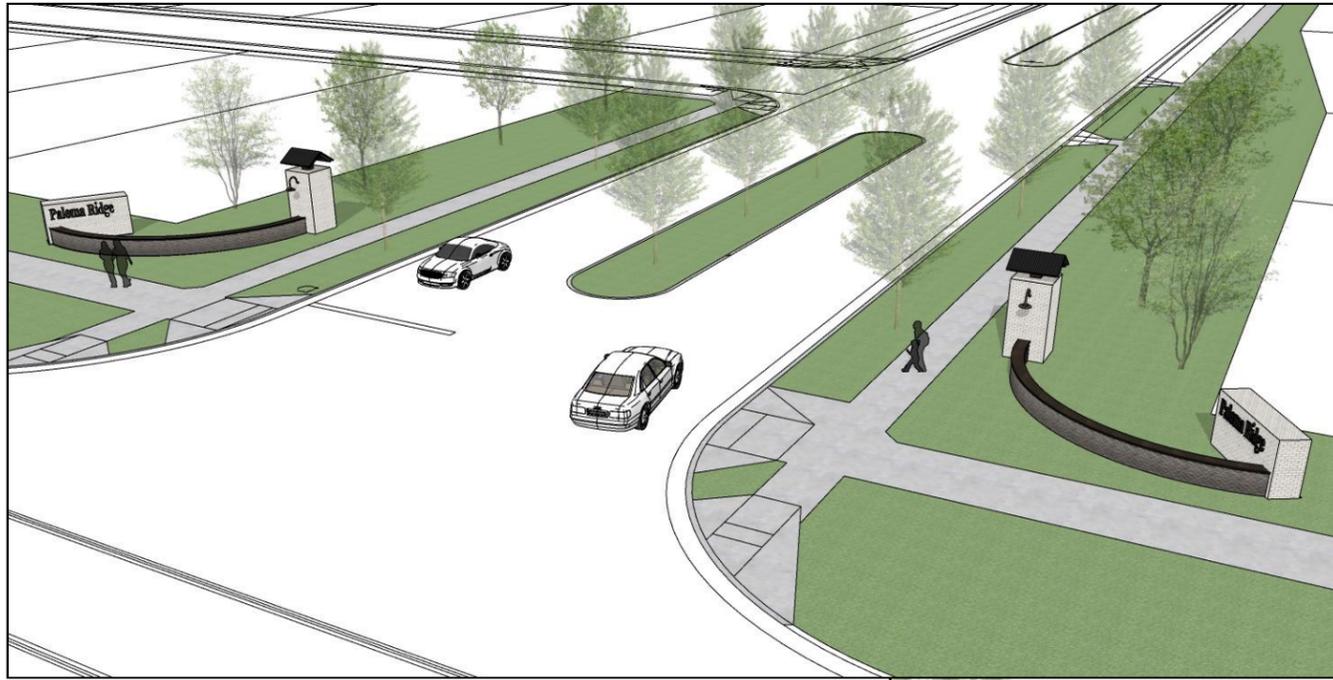
-  CULTURED STONE:
HANDMADE BRICK, COLOR: CARBON
-  CULTURED STONE:
HANDMADE BRICK, COLOR: CANVAS

keynotes:

- 1. CAP STONE, CULTURED STONE: 12"X20". COLOR:NIGHTFALL.
- 2. COLUMN, PAINT SHERWIN WILLIAMS, SW2926 IRON GATE
- 3. "CONVENIENCE OUTLET" @ 12" ABOVE GRADE. SEE ELECTRICAL AND PLANS
- 4. SIGNAGE - BY OTHERS. SHOWN FOR REFERENCE ONLY. SEE ELECTRICAL
- 5. J BOX FOR SIGNAGE ELECTRICAL. SEE ELECTRICAL DRAWINGS.
- 6. DARK BRONZE LIGHT FIXTURE. SEE ELECTRICAL
- 7. DARK BRONZE FLASHING

general notes:

- A. DO NOT SCALE HATCH PATTERNS, THEY ARE REPRESENTATIONAL ONLY AND DO NOT INDICATE SIZE, COURSING, ETC.
- B. SACK ALL EXPOSED FOUNDATION WALL



SW 2926
Iron Gate
 Interior / Exterior



Cultured Stone
 Flat Textured Cap Stone
 Color: Nightfall

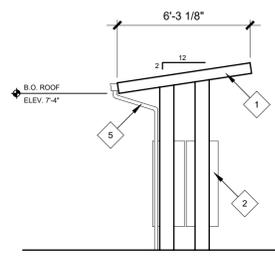


Cultured Stone
 Handmade Brick
 Color: Canvas

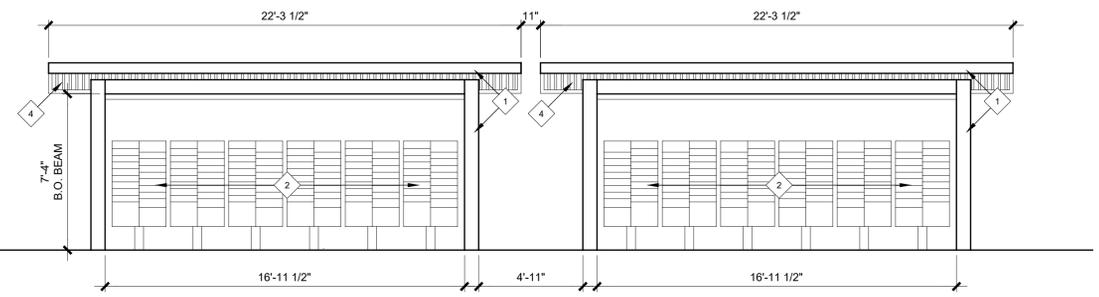


Cultured Stone
 Handmade Brick
 Color: Carbon

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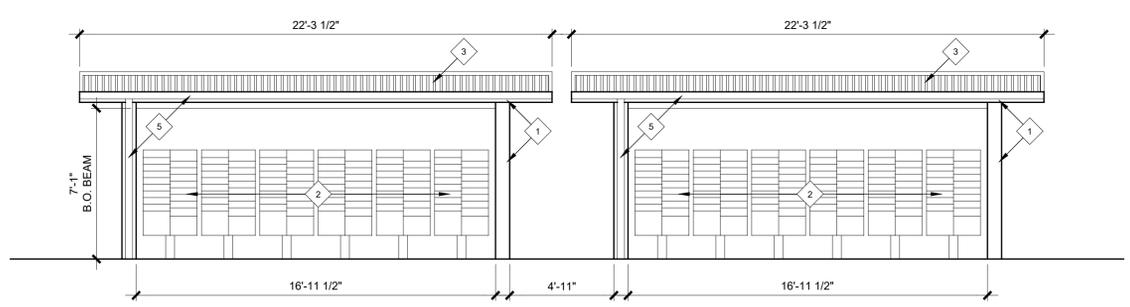
1 MAILBOXES - SIDE
 SCALE: 1/4" = 1'-0"



2 MAILBOXES - FRONT
 SCALE: 1/4" = 1'-0"



4 SAMPLE IMAGE
 NOT TO SCALE



3 MAILBOXES - BACK
 SCALE: 1/4" = 1'-0"

keynotes: ◇

1. PRE-MANUFACTURED MAILBOX COVERS. MATERIAL: ALUMINUM "MOCKWOOD". COLOR: BLACK
2. MAILBOXES, BY OTHERS. COLOR: BLACK
3. CORRUGATED METAL ROOFING. PAINT: BLACK
4. CORRUGATED METAL SOFFIT. PAINT: BLACK
5. GUTTER AND DOWNSPOUT. COLOR: BLACK.

REVISIONS:

△	date	description

PROJECT: 220202
 DATE: 03.15.2022

SCHEMATIC
 DESIGN

PAVILION
 ELEVATIONS



Cultured Stone
Flat Textured Cap Stone
Color: Nightfall



Cultured Stone
Handmade Brick
Color: Carbon

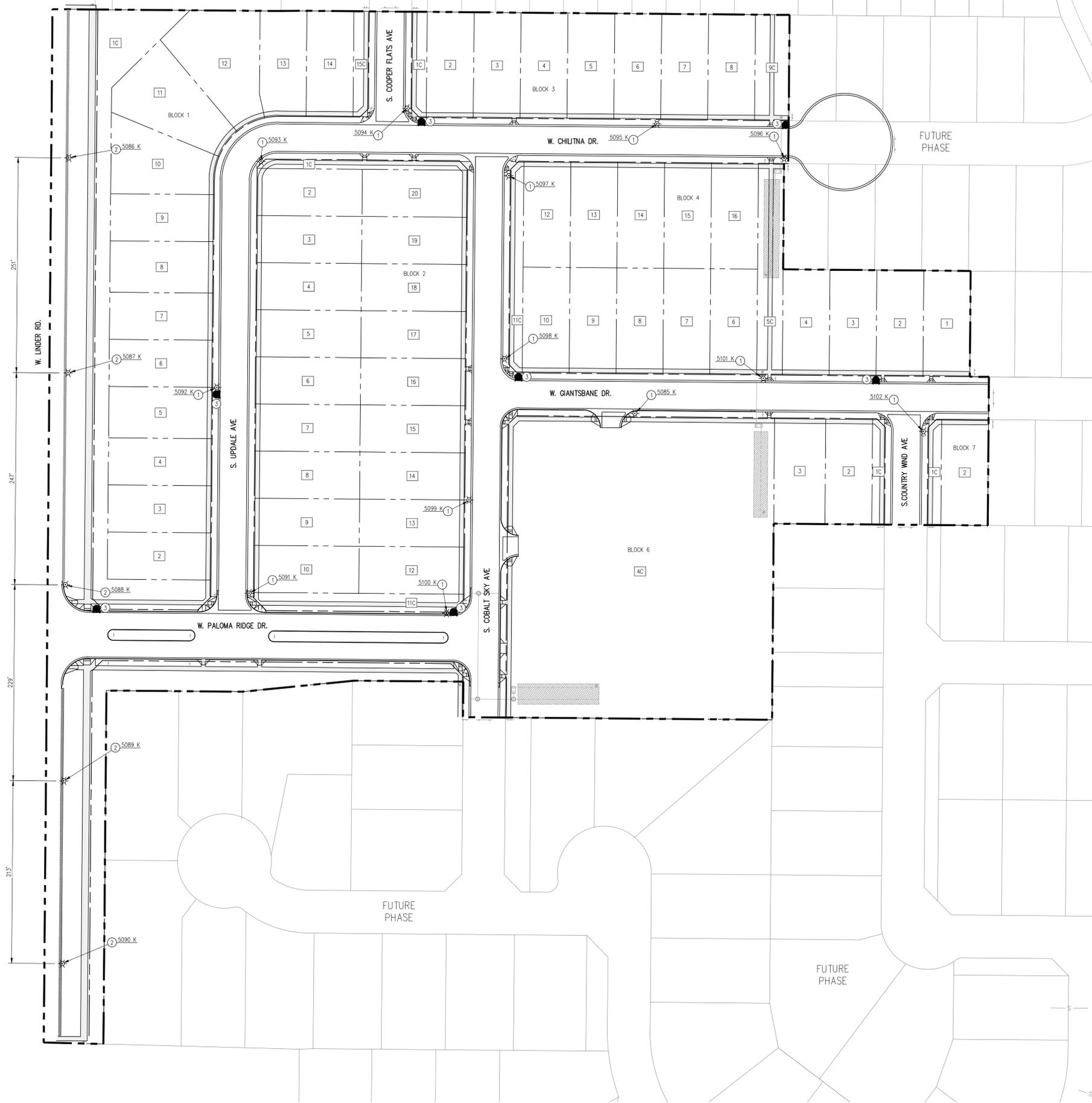
SW 2926
Iron Gate

Interior / Exterior

SW 7005
Pure White

Interior / Exterior
Location Number: 255-C1

\\ESE\DEPT\IS\CADD\PROJECTS\IDAHO\7636 - PATTERSON\ENDDPT\DRAWINGS\EAST PHASE 1\7636-S-LIGHT-PH01.DWG--Daniel Rowett--3/11/2022 12:59 PM



KEYNOTES

- ① 25' STREET LIGHT POLE AND 57 W LED LUMINAIRE (INTERIOR) PER CITY OF KUNA STD. DWG. K-1116.
- ② 30' STREET LIGHT POLE AND 87 W LED LUMINAIRE (EXTERIOR) PER CITY OF KUNA STD. DWG. K-1116.
- ③ FIRE HYDRANT ASSEMBLY PER KUNA STANDARD DWG. K404.

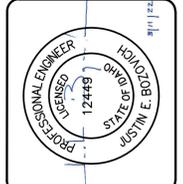
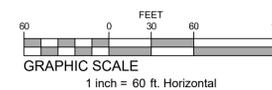
STREET LIGHT NOTES

- 1. STREET LIGHT INSTALLATION SHALL BE IN ACCORDANCE WITH CITY OF KUNA DARK SKIES REQUIREMENTS.
- 2. MODIFICATIONS TO THIS STREET LIGHT PLAN SHALL BE APPROVED BY CITY OF KUNA PUBLIC WORKS DEPARTMENT PRIOR TO INSTALLATION.

Water, sewer, and irrigation plans are approved for construction. The design registered professional engineer's responsibilities and obligations listed in IDAPA 10.01.02 remain in effect.

By: *Paul A. Stevens, P.E.*
Paul A. Stevens, P.E.
Kuna City Engineer

Date: 03/14/2022



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ESE Consultants, Inc.
3103 W. Sheryl Drive • Suite 100 • Meridian, ID 83642
T: 208-424-0020

REV.	DATE	ISSUED FOR CONSTRUCTION	KL/DR	DRAWN
0	3/11/2022			

STREET LIGHTING PLAN
PALOMA RIDGE
SUBDIVISION NO. 1
SEC. 12, T. 2N., R. 1W., B.M., KUNA, ADA COUNTY, IDAHO

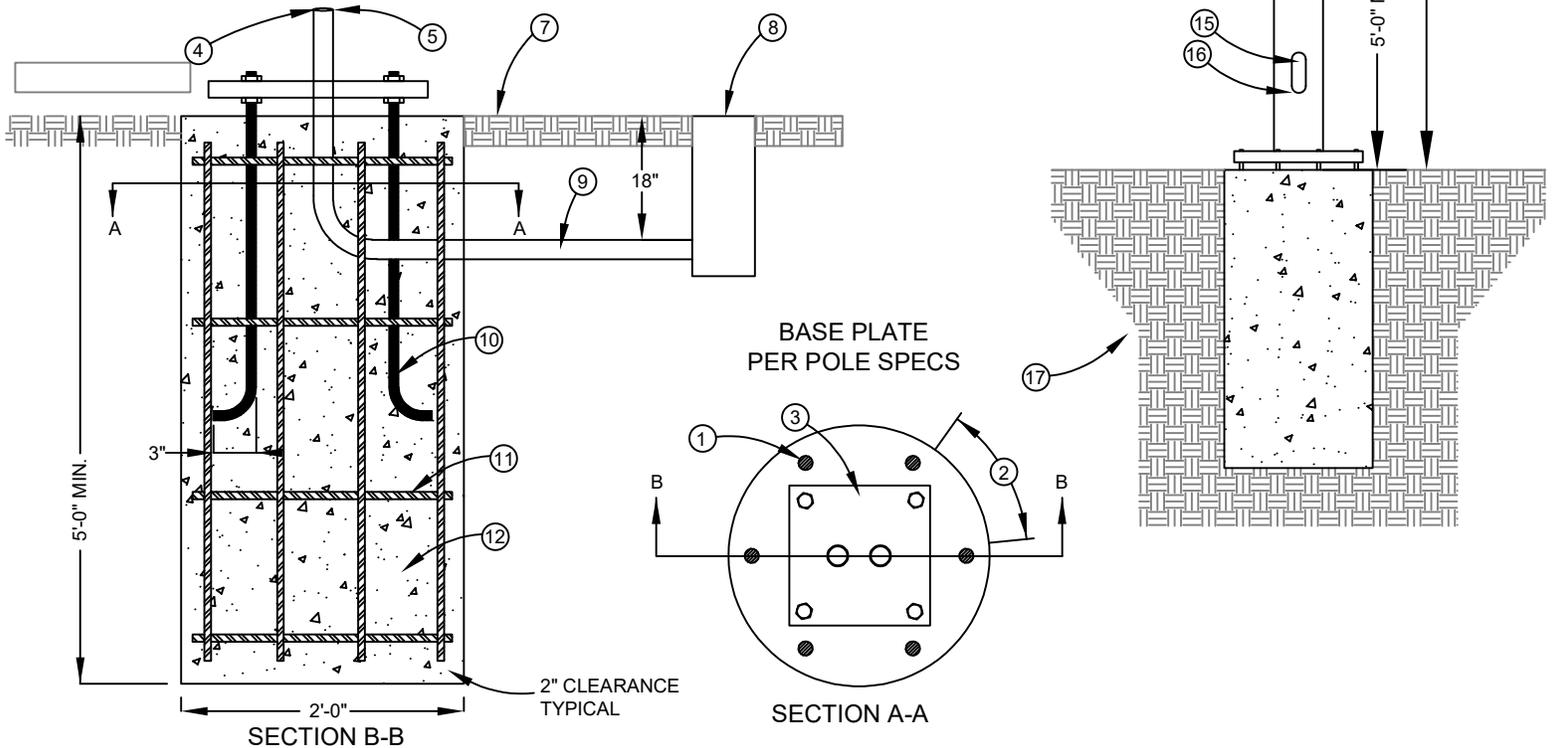
DATE:	3/11/2022	SCALE:	AS SHOWN
DESIGN:	JEB	DRAWN:	KL/DR
JOB NO.:	7636	FILE NAME:	7636-S-LIGHT-PH01
REF. NO.:		C6.1	
SHEET NO.:	27	OF	30

LEGEND:

- ① 6-#4 VERTICAL REBAR
- ② 6" LAP
- ③ ANCHOR BOLT SIZES AND LOCATIONS PER MANUFACTURER'S SPECIFICATIONS
- ④ 4" TO 6" STUBS
- ⑤ INSULATED BUSHING REQUIRED WHEN CONDUIT IS USED PER MANUFACTURER'S SPECIFICATIONS
- ⑥ PER MANUFACTURER'S SPECIFICATIONS
- ⑦ SIDE WALK LINE OR GRADE LINE
- ⑧ J-BOX
- ⑨ 1" MINIMUM DIAMETER
- ⑩ (4) ANCHOR BOLTS WITH DOUBLE NUTS FOR PLUMBING POLE GALVANIZED, WITH AT LEAST (2) GALVANIZED NUTS AND (2) GALVANIZED WASHERS PER BOLT
- ⑪ 4-#4 REBAR HOOPS
- ⑫ C-3000 CONCRETE AS PER SECTION 700 ISPWC
- ⑬ *SUBDIVISION INTERIOR* - 45 - 60 watts
APPROVED EXAMPLES: EATON USSL-C01 OR LEOTEK AR13 N-SERIES
SUBDIVISION EXTERIOR OR R/W LIGHTS - 80 - 90 watts
APPROVED EXAMPLES: EATON USSL-C027 OR LEOTEK AR13 N-SERIES
- ⑭ BLACK COLORED STEEL SQUARE STRAIGHT LIGHTING POLES - VALMONT DS330 - 25' - 4" - 11 GAUGE - INTERIOR SUBDIVISION VALMONT DS330 - 30' - 5" - 11 GAUGE OR APPROVED EQUAL - EXTERIOR R/W LIGHTS
- ⑮ FUSE LOCATION
- ⑯ WATER-TIGHT HANDHOLE
- ⑰ BACKFILL TO BE COMPACTED TO 95% OF ASTM D698
- ⑱ BLACK BACKGROUND WHITE NUMBER VINYL STICKERS 1-1/2" X 2-1/2"
- ⑲ REQUIRED OPERATING TEMPERATURE RANGE: -15°F to 115°F

NOTES:

- Ⓐ SEE ISPWC FOR EXCAVATION, BACKFILLING AND CONSTRUCTION OF POLE FOUNDATION, WIRING, AND ACCEPTANCE OR REJECTION OF THE WORK.
- Ⓑ GROUND POLE TO THE SERVICE POINT VIA #6 AWG BARE WIRE PER NATIONAL ELECTRICAL CODE.
- Ⓒ #10 AWG WIRE FROM LUMINAIRE TO FUSE.
- Ⓓ FOR GROUNDING DETAILS SEE ISPWC SD-1117.
- Ⓔ COLOR TEMPERATURE 3,000K TO 4,000K



ALL PRODUCTS AS LISTED OR APPROVED SUBSTITUTIONS

v.05/18/2021



CITY OF KUNA

(208) 287-1728
www.KunaID.gov

**STANDARD METAL
STREET LIGHT DETAIL**

KUNA STANDARD DRAWING K-1116

From: [Jessica Reid](#)
To: [Catherine Feistner](#); [Brady Barroso](#); [Scott FCCNWI](#); [TLawrence Kuna Fire](#); [J&M Sanitation](#)
Cc: [Doug Hanson](#)
Subject: 22-19-DR Paloma Ridge Pool House, Pavilion & Sub. Entry
Date: Monday, June 13, 2022 3:54:18 PM
Attachments: [22-19-DR Paloma Ridge Pool House, Pavilion & Sub Entry Agency Transmittal Packet.pdf](#)
[image001.png](#)

Agency Transmittal – June 13, 2022

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

FILE NUMBER:	22-19-DR (Design Review) for Paloma Ridge Pool House, Pavilion & Subdivision Entry with Monument Sign
PROJECT DESCRIPTION	Brian Garrett, on behalf of Toll Brothers, requests Design Review approval for a multi-faceted project. The first portion of the project is a proposed Pool House which includes two (2) restrooms, pool equipment, shower & storage; there is also a tot lot, pickle ball court, covered mailbox structures, open-air pavilion, associated parking lot & landscaping. The second portion is proposed subdivision entry monument signage with a decorative wall & pillar. The overall project is intended to be phased over two (2) years; a Final Plat has not yet been submitted for the Paloma Ridge Subdivision. The subject site is located at 8430 S Linder Road (APN: S1312223000); Section 12, Township 2 North, Range 1 West.
SITE LOCATION	8430 S Linder Road Kuna, ID 83634
REPRESENTATIVE	Brian Garrett BGAD (Brian Garrett Architecture & Design, PLLC) brian@bga-d.com
SCHEDULED HEARING DATE	Tuesday, July 26, 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





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: 14 July 2022
RE: Public Works Comments
Paloma Ridge Pool House – 22-19-DR (Design Review)

The Paloma Ridge Pool House, 22-19-DR, design review request dated 13 June 2022 has been reviewed. These comments apply to the application as they affect public works infrastructure. Review of civil construction drawings has been accomplished separately by PWork@kuna.id.gov.

Public Works staff has reviewed the civil site plan and has no changes. 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) Civil construction drawings have been provided to the Public Works Department (PWork@kuna.id.gov).
- 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 has coordinated sewer redlines during the civil construction drawing review process.
- 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 has coordinated water redlines during the civil construction drawing review process.
- 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 has coordinated pressurized irrigation redlines during the civil construction drawing review process.
- 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.