



KUNA PLANNING AND ZONING COMMISSION
Agenda for May 10, 2016

Kuna City Hall ▪ Council Chambers ▪ 763 W. Avalon ▪ Kuna, Idaho

SPECIAL MEETING

6:00 pm

1. CALL TO ORDER AND ROLL CALL

Chairman Lee Young
Vice Chair Stephanie Wierschem
Commissioner Dana Hennis
Commissioner Cathy Gealy
Commissioner Ron Herther

2. CONSENT AGENDA

- a. Approval of the Planning and Zoning Commission meeting minutes for April 26, 2016.
- b. **16-02-AN** (Annexation) –**Gerald & Evelyn Butler (Jayme Butler)**: Applicant is requesting approval to annex an approximately 1.145 acres parcel located at 7945 S. Linder Road into the City of Kuna with a 'C-1' (Commercial) zoning designation.
– *Findings of Fact and Conclusions of Law*
- c. **16-02-ZOA** (Subdivision Ordinance Amendment) – An amendment of the Subdivision Ordinance of the City Council for Kuna, Idaho.
– *Findings of Fact and Conclusions of Law*

3. NEW BUSINESS

- a. **16-04-DR** (Design Review) – **Tractor Supply Company Stout C/o Stout Building Contractors, Kelly Kallahaer**: Applicant requests approval from the Planning and Zoning Commission (acting as Design Review Committee) for a 21,999 square foot commercial building to house the new Tractor Supply Company (TSC) store and accompanying landscaping and parking lot.

4. COMMISSION DISCUSSION

5. ADJOURNMENT

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| PZ COMMISSION MEMBER | PRESENT | CITY STAFF PRESENT: | PRESENT |
|-----------------------------------|---------|---------------------------------|---------|
| Chairman Lee Young | X | Wendy Howell, Planning Director | X |
| Vice-Chairman Stephanie Wierschem | Absent | Troy Behunin, Senior Planner | Absent |
| Commissioner Dana Hennis | X | Trevor Kesner, Planner II | X |
| Commissioner Cathy Gealy | X | | |
| Commissioner Ron Herther | X | | |

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Call to Order and Roll Call

Chairman Young called the meeting to order at **6:01 pm**.

1. CONSENT AGENDA

- a. Planning and Zoning Commission meeting minutes for **March 8, 2016**

*Commissioner Hennis motions to approve the consent agenda at **6:02 pm**; Commissioner Herther Seconds, all aye and motion carried 4-0.*

2. NEW BUSINESS:

- a. Fair Housing Practices Presentation – Richard Roats, City Attorney

Richard Roats submitted a printed version of a power point presentation into the record for the Commission. Mr. Roats traced the historical roots of the Fair Housing Act and exactly what it does. It is unlawful to make a dwelling unavailable to any person because of race, color, religion, sex, familial status, national origin or handicap. It is also unlawful to discriminate against any person in a real estate related transaction, terms or conditions because they are a member of a protected class. Land use applications are that congress intended that municipal land use as well as health and safety regulations comply with the provisions of the Fair Housing Act stating: *“the act is intended to prohibit the application of special requirements to land use regulations restrictive covenants and conditions or special use permits that have the effect of limiting the ability of such individuals to live in the residence of their choice in the community”*. There is one of three ways to bring a cause of action: 1) disparate treatment – which is discriminatory intent 2) disparate impact –which is a discriminatory effect and 3) discriminatory accommodations instead of reasonable accommodations. Most litigation revolves around disparate impact because the standard is a bit less. A member of a protected class applies for a permit that they would normally qualify to receive, but the permit is denied despite being qualified. Mr. Roats provided examples of case law where disparate treatment or discriminatory effect has occurred. Disparate impact would show no prima fascia discriminatory intent; however, the effect creates a disproportionate

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discriminatory effect against a protected class. The courts look for these 4 factors: 1) strength of the showing of the effect 2) if there is evidence of intent 3) the cities professed interest in taking the action and 4) whether the party that is injured seeks to compel the defendant (or city) to affirmatively provide housing or if someone wants to provide it and they don't seek interference from the city. These would be procedural and substantive departures from the norm shown in the legislative and administrative history of the decision.

Cathy Gealy: When you talk about a handicap; could we substitute in the word 'a person with disabilities'? Would you say...?

Richard Roats: Well, definitions of a disability have been expanded. There are a couple of cases where it shows that an alcohol addiction is now considered a disability. It's quite broad; meaning it isn't just the person in the wheelchair that you have to consider.

Cathy Gealy: Any sort of disability?

Richard Roats: It is, yes. "An outwardly neutral practice actually or predictably has significant adverse or disproportionate impact on minorities or perpetuates segregation" ...and so by minorities, that is anyone in the protected classes. Our policies and actions must be legitimate, a bona fide governmental interest and there is no alternative that would serve an interest that is less discriminatory.

Last fall, the Supreme Court came out with a decision that showed disparate effects -even though the intent was not discriminatory on the face of it.

Even if our city has a neutral-based policy, but in application, it discriminates against a certain protected class, that forces us to look at the effect of such applications.

Mr. Roats referred to the Supreme Court's ruling that reaffirmed the 5th Circuit Court's decision in *Texas Department of Housing and Community Affairs v. The Inclusive Communities Project, Inc.*

A lot of times, the halls are stacked with opponents to certain proposed developments and citizens are screaming and yelling "not in my back yard!" and that type of thing. We've got to remove that and focus on 'what am I really doing here'...'how am I analyzing this'? Because they typically don't come forward with a legal analysis of the Fair Housing issues; what they come forward with is "I don't want it in my back yard, because it will economically depress my neighborhood" and all of these other things that for the most part are unfounded in the studies that have been done. So, you need to remove these types of pleas from your decision making process and decide based upon 'what is the goal of the city' and 'how do I meet that goal'?

Group homes are also subject the same ways in which action could be brought: 1) disparate treatment/discriminatory intent 2) disparate impact -which is a discriminatory effect and 3) discriminatory accommodations instead of reasonable accommodations. You may have a 'half-way house' type of thing that wants to move in and if you are a family, you can have unlimited amounts of people living in the home, but then you say 'no' on the numbers in this group home and limit it to five (5) or you don't allow it in that zone or neighborhood'. Essentially, we need to look at those things

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differently; we can't just base it on the familial status. So, if we get an application, we are going to have to go through some additional steps, because we can't just say...' you can have 20 kids in your house because you are all a connected family, but you can only have 5 if you are a group home' -if we intend to look at those, then it is better to look at the overall picture. If we are concerned about occupancy limits or the provision of the number of bathrooms in the home for health and sanitary reasons, then that is legitimate. But if we look the number of people under one roof, whether they are related or not or whatever, that could be a violation.

Mr. Roats referenced *City of Edmonds v. Oxford House, Inc. (1995)*

If conditions are imposed on group homes that haven't been imposed on other types of residences, courts rarely uphold denials of such permits or the imposition of the burden of those conditions. So if you impose special use permit conditions, you want to make sure that on every single one, that you are doing it across the board regardless of whether it is a group home or a single-family residence. So, caution on those.

When it comes to neighborhood responses and neighborhood opposition to a proposed location of group homes or any land use action for that matter; there is always a record, and it is always recorded, so if somebody wants to obtain a transcription, that is going to come up. Meetings and hearings can be marked with many bigoted remarks, so we need to make sure that testimonies being given are appropriate and that they apply only to the merits of the applications under consideration.

Zoning or multi-family codes that limit density can also be a sticky point.

Mr. Roats referenced *City of Huntington, N.Y. v. Huntington Branch, NAACP. (1988)*

Mr. Roats also referenced *Home Builders Association of Austin v. City of Kyle, TX. (2009)*

The challenge in considering these, 'is what we are considering a legitimate, bona fide governmental interest?' 'Is it discriminatory or is it legitimate?' and 'If we make that decision, is there then something that we could do that has a less discriminatory effect?' That is really the important thing.

If you walk away from one thing on this today, it is 'what is my job as a Planning and Zoning Commissioner to do during these hearings?' ...well it's to consider the legitimate bona fide government interest and then weight it with any alternative that has any less discriminatory effect. -Any questions?

Dana Hennis: This is probably a vague one, but more or less, how we can deal with it type of question. But legitimately, we are going to have some opposition due to perceived safety concerns with certain ...like group homes, let's say for instance; how do we as commission balance safety concerns versus possible prejudices. I mean, there are some of these homes that could be perceived as a safety issue for the public around them, but yet, how do we establish whether they are or not?

Richard Roats: For any case really, what could the city do if it were just an individual that wanted to apply for a specific or special use? We couldn't just say 'Move out'. Now, there are some exceptions like sex offender homes that can be regulated. That's a big one, but a lot of the drug or alcohol treatment facilities are protected. It is difficult to say 'no' and that is where you need to be careful. Keep it in the back of your mind, that if I am applying this condition on this case, would I evenly apply it to any standard single family residence? If you are going to impose them, they need to be evenly applied.

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Dana Hennis: Now, does it get into something where you can regulate... because a lot of these subdivisions have ...you know, you have limited space and whereas you have a family with a bunch of children...well I guess I was thinking more about a bunch of teenagers and parking situations where you have twelve individuals in a recovery home, you would conceivably have twelve cars, where you may not have the same with a single family, it could create more of a traffic hazard. I mean, is that something that we can even consider?

Richard Roats: You can certainly consider it if there is off-street parking available. That would fall under the reasonable accommodations ok. If you've made a decision that this group home can go here, but you are raising a concern because there is too many cars.

Dana Hennis: Like, if it is on a cul-de-sac in an older part of town on a narrow street or something, then that would be a legitimate concern to regulate that.

Richard Roats: Yes. So then we would move to 'what reasonable accommodations can we make? Is there off-street parking? If there is only space in the driveway for two cars, then what options are available for the developer to come forward to say 'here is how I will deal with that'... 'Maybe I will buy the lot next door or across the street or whatever'. That's the part that is reasonable accommodations that we would have to consider. If you reach a conclusion that there is no option, it has nothing to do with the protected class, it's because of a standard that would apply across the board to everyone regardless.

Lee Young: So, just some high level kinds of things for us to watch out for is to be consistent in our conditions across the board with those types of applications and I guess that's the biggest thing is just to make sure we are consistent.

Richard Roats: Yeah, consistent considering those factors, but yeah, you don't want to get into those situations where you are putting all these onerous conditions on this particular application, but you didn't do it on this one. Or you put these owners conditions on that probably wouldn't have been on otherwise because it's possible that is going to cause it to be unbuildable or unpermitted.

Dana Hennis: Well then we will have to put every condition possible on everyone. Just kidding! Thank you. This was really helpful. There is a lot of good information available there and that we would rather have it ahead of time rather than defending ourselves in court down the road.

Cathy Gealy: Are we reviewing our special use permit requirements then? Are we looking at special use permits in Kuna just to make sure that we aren't imposing undue burdens with that potentially discriminatory effect?

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Richard Roats: Yes, we are looking through special use permit codes and requirements to ensure that they are not discriminatory in fact.

Wendy Howell: It's not. We're good.

Richard Roats: Ok. Wendy says they couldn't get any better.

Cathy Gealy: Oh good. Thank you very much. This was very helpful.

3. PUBLIC HEARING:

- a. **16-02-AN** (Annexation) –Gerald & Evelyn Butler (Jayme Butler): Applicant is requesting approval to annex an approximately 1.145 acres parcel located at 7945 S. Linder Road into the City of Kuna with a 'C' (Commercial) zoning designation.

Jayme Butler: My name is Jayme Butler and I am representing the owners. They are in attendance. My address is 7945 S. Linder Road. Same address as the location. I intend to run my heating company out of there, which is pretty much a dispatch center. I really don't do any work there. I have a secretary there most of the time. Trucks come in the morning. I have three trucks. We have on install truck that stays there all the time. My service techs come by and get their tickets and I don't see them for the rest of the day, I don't see them until the next day. So, that is pretty much it in a nutshell.

Lee Young: Ok, any questions for the applicant? None? Ok, I will ask; have you had a chance to read a copy of the staff report and seen the conditions that are inside that?

Jayme Butler: No, I have seen the staff report on it, no. I don't believe so. I don't know if my gal gave it to me, or if it wasn't.

Planning Staff provided Mr. Butler with a copy of the staff report contained in the hearing packet.

Jayme Butler: ***reading** Yeah*, that's all fine. I mean we aren't doing anything with the property other than just cleaning it up. So, we're using the existing house and like I said, I only have two trucks park there typically. Unless somebody loses a job and then there might be another truck parked there.

Lee Young: Ok, any questions for the applicant? None? Ok, thank you. Ok, we will have Trevor come forward.

Trevor Kesner: Good evening Commissioners, for the record Trevor Kesner, Kuna city planner; 763 W. Avalon. The application before you is an annexation request from Jayme Butler whose parents Gerald and Evelyn Butler are here tonight. They are the owners of the property so the owner and applicant come as one and the same. This annexation application was given proper notice; they applicants held a neighborhood meeting on March 12th and there were no attendees. Agencies were notified on March 30th, 2016 providing plenty of time for them to respond. I did get a response from Central District Health Department (CDHD), Idaho Transportation Department (ITD) and the Boise Project Board of Control (BPBOC) and none of them

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indicated that they had any issues. CDHD originally said that they wanted a conditional use application based on a misunderstanding that the applicant was going to start his business after this application was approved, but once they understood that this was an existing business running on the septic system, they had no issues and no further requirements. Property owners within 300 feet of the subject site were sent letters on April 1st, 2016 about this hearing and that included maybe six or seven folks because there is quite a large parcel that surrounds it which is also owned the owners/applicant. The site was posted on April 15th, 2016 and all of these notices were included as exhibits with the case file. Within the staff report, the applicant has stated that he wants a commercial zoning designation. Whether that would be a C-1 or C-2, the applicant has indicated a C-1 but we haven't arrived at that yet so... we will get something from the applicant in writing stating what his desired zoning designation would be whether it be C-1 or C-2. The use within both the C-1 and C-2 are allowable as far as what the applicant intends to continue doing. As you can see, the recommended conditions are basically subject to any future improvements or expansion of the existing use that would in effect trigger quite a few requirements to bring that up to code. But as stated, the applicant has no intention of doing anything with the site further, other than continue to run his business dispatch center and as long as that continues. Staff believes this application is in substantial conformance with the comprehensive plan. This site was designated as 'Commercial' in our future land use map and so we would forward a recommendation of approval to the Commission. I will stand for any additional questions you might have.

Oh, I'm getting an indication from the Director that we need to designate that zone right now, so ... the applicant.

Jayme Butler: I don't know the difference between a C-1 or C-2 I guess is the issue. C-2 probably?

Trevor Kesner: C-2? C-1? Either is appropriate.

Jayme Butler: Ok, C-1.

Trevor Kesner: I mean you could continue your business in both C-1 or C-2.

Jayme Butler: Ok. C-1 it is.

Lee Young: Is C-1 being a neighborhood business designation?

Trevor Kesner: Yes, it is.

Dana Hennis: I don't have any questions.

Ron Herther: I don't have any questions either.

Trevor Kesner: Ok, thank you.

Lee Young: Ok, then I will open the public hearing at 6:53 pm, and seeing no one is signed up to testify, I will go ahead and close it at 6:53 pm.

Dana Hennis: Long meeting already.

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Lee Young: No wonder I am so tired. That brings up our discussion. The application itself seems pretty straight forward, the only thing that I would say is ...you know, if they are coming in and they are already running a business there, so maybe just condition that as long as the staff on site doesn't expand past what they have for any possible ADA (Americans with Disabilities Act) modifications that may come up, because they are a commercial business; as long as those levels are maintained, but if it changes there could be something that maybe they have to deal with the building department for any ADA issues... or to work with them at that point.

Dana Hennis: Yeah, good point.

Lee Young: And I guess the only other thing that would be just looking at some of the photos is just that the property owners work with the city code enforcement on any issues that may arise on the properties that they own out there. Those are my only thoughts but otherwise it seems pretty straight forward. Any other thoughts?

Dana Hennis: I don't have any right now.

Lee Young: Ok. Then, I will stand for a motion if there is one. Would you like to venture into that?

Dana Hennis: I'm trying to figure out how to address that. Any ideas? ****laughter****

*Commissioner Hennis motions to approve 16-02-AN, Annexation request by Gerald and Evelyn Butler as represented by Jayme Butler with the **proposed conditions as stated in the staff report** with an additional condition that **the applicant's business staff remains at current levels or at such time that any future expansions warrant, that the applicant meet current ADA requirements for a commercial use; also that this site will have a designated C-1 Commercial zone as requested by the applicant; and that any site issues will be addressed and enforced by the Planning and Zoning and/or Building Department, Commissioner Herther Seconds, all aye and motion carried 4-0.***

- b. **16-02-ZOA** (Subdivision Ordinance Amendment) – An amendment of the Subdivision Ordinance of the City Council for Kuna, Idaho amending KCC 5-1-6-2 “Commencement of Construction” to include the prepayment of prepaid sewer hook ups or LID EDU's; amending KCC 6-2-3 entitled “Preliminary Plat” to clarify certain sections regarding the approval period for a preliminary plat, removing language regarding construction phasing and the requirement that the developer provide a time schedule with start and completion dates, adding language to require sixty (60) days' notice prior to a plat expiring, adding language that a developer may receive a preliminary plat reinstatement if there has been commencement of construction, setting forth conditions for making application for a preliminary plat extension application including payment of past due fees, requiring preliminary plats that have been extended where the developer also request a change in phasing to receive City Council approval if the phasing has a requirement such as a swimming pool or other amenity; amending KCC 6-2-4 entitled “Final Plat” to make certain changes to clarifying the approval process, adding a requirement that all easements be shown on all lot lines, and adding to the plat notes that HOA common lots irrigation assessments are fractionally assessed to the individual improved lots; and providing an effective date.

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Wendy Howell: Wendy Howell, Planning & Zoning Director. What I have done is provided you with a very brief staff report for the purpose of this amendment to the ordinance. I really don't have anything additional to add so I will stand for questions or recommendations.

Dana Hennis: Is this technically a public hearing?

Cathy Gealy: Yes, it is.

Dana Hennis: I don't really have any questions.

Cathy Gealy: I don't have any questions.

Wendy Howell: No corrections? Did you read the actual ordinance?

Cathy Gealy: I just read this.

Dana Hennis: The ordinance wasn't attached. We have the Parks and Rec one.

Wendy Howell: Apparently staff ... missed that.

Dana Hennis: We assumed it was just contained within that.

Wendy Howell: I wish someone would have said something. Apparently staff made an error.

Lee Young: I think it's in here. The staff report for the ordinance, yeah.

Wendy Howell: But is the actual ordinance in there?

Dana Hennis: No. I don't have that.

Wendy Howell: We can do this one of two ways; we can postpone this and I will go make copies for you, or table this until the next meeting.

Cathy Gealy: Is it different than what is here?

Wendy Howell: Well, no it is the correct staff report for the proposed ordinance, but the redlines for the current ordinance are helpful.

Cathy Gealy: Oh, Ok.

Wendy Howell: Or we could table it.

Lee Young: Is there a timeline for trying to put it in front of City Council?

Wendy Howell: Yeah, our attorney wanted to get it done as soon as possible.

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Cathy Gealy: Well, we're meeting Thursday.

Wendy Howell: We could certainly table it to Thursday. That would work.

Dana Hennis: Is that something that you could... could you pass that around while he is giving his presentation?

Wendy Howell: I can go make copies while he is doing his presentation.

Dana Hennis: Why don't we do that?

Cathy Gealy: So we can just move it on the agenda?

Wendy Howell: Yeah, I would just need a motion to do that then.

Cathy Gealy: Do you want to move it to Thursday?

Lee Young: No, if it is just the redline then I think we could probably hash through I pretty quick after that.

Cathy Gealy: So how about we just move it on the agenda to after the Parks and Rec presentation?

Commissioner Hennis motions to move item 16-02-ZOA public hearing to after the review of the parks development impact fee presentation on the agenda; Commissioner Gealy Seconds, all aye and motion carried 4-0.

c. Review of Development Impact Fee/Park Impact Fee Draft Ordinance and Standards

Bobby Withrow: Good evening Commissioners, Bobby Withrow; City of Kuna Parks Director. Before you are the Park Standards and Requirements we are trying to get passed. We are open for comments, suggestions or anything that you guys can help out with.

Dana Hennis: Is this an original draft or has there been anything in the current ordinances of this nature?

Bobby Withrow: No.

Dana Hennis: I didn't think there had been.

Bobby Withrow: The purpose of this is get away from smaller parks and trying to set actual standards so when developers come in and they want to donate parks to the city, we will have standards as to what we will accept and what we won't.

Dana Hennis: What will be included and what won't be included?

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Bobby Withrow: Right. Correct. And then things like amenities that we will accept and the specifications for such amenities; pathways and all of that. We are trying to make it so we can get away from smaller tot lots to bigger parks with more amenities.

Cathy Gealy: Well, I have some comments, of course. But it's not... I love parks so I think this is great, so it's not like that at all. It's more like the structure of this, so don't take it personally. ***laughter***

But before I say that, the Commissioner discussion says review of Development Impact Fee/Park Impact Fee Draft Ordinance and Standards so we aren't really discussing impact fees tonight, we are discussing standards and requirements for parks, is that right? Ok, I just want to make sure.

Bobby Withrow: So I will expand a little bit more on this. We are working on a park impact fee for new developments that come in and this is also going to set the parameters for that as well. So anything new that we do with park impact fees, this is going to be the guidelines. So this all kind of mixes together and relates to each other.

Dana Hennis: Where do we establish where the park impact fees would be required?

Bobby Withrow: We are drafting up the ordinance now. It is all of the new development that is coming in so after it is passed, when someone comes in to obtain a building permit, the park impact fee will be applied there as well. It will be kept in an account that just keeps revolving.

Dana Hennis: Ok.

Cathy Gealy: Can I talk about my structural stuff or do you just want my mark-ups?

Bobby Withrow: Whatever you wish Commissioner Gealy.

Cathy Gealy: So I'm going to start at the back, because I think that..well right away you are talking about specifications, so I figured out there, that you had everything in their alphabetical; Baseball fields, basketball courts, benches, bike racks and I think that is great. But what was not included in that list was 'splash pad' so you might want to include splash pad.

Bobby Withrow: Ok. Splash Pad and then I also didn't include Bocce ball courts. There were a few things that after I sent it out..

Cathy Gealy: Right and that is just going to happen. Ok, next; sometimes you talk about soccer fields and then sometimes you talk about multi-purpose fields so you'll probably want to have both. And I kind of considered this specification more as the standard delimitations. Good catch on the Bocce ball. Oh, and because there is a difference between multi-purpose and soccer fields. And then specifically in that section, I didn't really have much except 1.08.06 –on page 7, is pet waste disposal station and I think that is probably another paragraph under 'dog parks'. I don't think you really want that as a separate numbered section. And then I wondered...

Bobby Withrow: Well, we do have those like along the greenbelt as well.

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Cathy Gealy: Ok, well then you'll probably want to move it to where it is alphabetical. And then just in that sentence right above that: 'drinking fountains with dual pet fountains shall be provided at a frequency of one per Dog park'? And I wondered if you just wanted to say 'one per acre of Dog Park'? I don't know, maybe you don't want one per acre, but maybe you want to consider the size of the Dog park?

Bobby Withrow: Right, no that is a very good catch.

Dana Hennis: Well, and if you're under the 1.08.06 and you're moving that to something like the greenbelt area, then that has the one acre of Dog Park in that section too, so you just need to clarify that.

Cathy Gealy: Right, so you want to maybe take out or include something about the other parks or whatever.

Bobby Withrow: So in the pet waste disposal, we should make it under another...? Ok.

Lee Young: I guess maybe with the waste disposal, as far as those, we say one station. But has the parks department or anybody picked specific stations so that they are consistent throughout the city parks or is that...?

Bobby Withrow: We are kind of getting there. Last year, I think we were at one per every park and then I had two or three on the greenbelt, but right now, I think we have four on the old section and two on the new section. So we are adding more as we see them being used more frequently, so I can correlate that with what we've got going on right now because there are a couple of parks that dogs go more than others.

Lee Young: I just wasn't sure if we ... do we want the same stations so when the ordinance is passed or when specifications are approved, here is XYZ model and this is the city standard type process as we go on with those, then if the developer is paying for those, he knows well, I can get those from this company and I know what my costs would be on that.

Bobby Withrow: Actually, we just make all of those in-house so...

Cathy Gealy: And on page 8, where you have the chart there with your parking guidelines? And actually I would say with all of the charts, I would suggest that you think about making that alphabetical as well, so that if you see skate park one place then you can always find skate park; and then I think it would be easier to check your parking guidelines and your grading requirements and your other charts against the list of types of facilities and then we can be sure that we are addressing everything. I mean, you can group it or however you think, but if you just use the same format throughout the whole thing, then I think it is easier to cross-reference and check. On page 9 where you talk about pathways, under primary, it says 'provide major circulation routes for pedestrian traffic' ... is there any time when we're talking about bike paths?

Bobby Withrow: Well, we don't address it specifically; I think we bunch it up with the primary. We kind of bunch it up and put it under the primary.

Cathy Gealy: So maybe you would want to say pedestrian and bicycle traffic? Because when I read pathways, I thought it was pedestrian and that was my question; is it pedestrian only or is it pedestrian and bicycle? So maybe you want to say that under the main pathways part that it is for both.

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On page 10; and this was a question I had. Under planting beds, it says planting beds 'shall not impede sight triangles'? What is a sight triangle?

Bobby Withrow: The easiest way to explain it is, when you come up to an intersection, there is actually places where you cannot plant anything within a certain distance of the road because you cannot see oncoming traffic.

Cathy Gealy: So, should it be sight like 'line of sight' instead of site like...?

Bobby Withrow: Yes.

Cathy Gealy: Ok, good because I didn't know what a site triangle was, sorry.

Lee Young: They aren't necessarily zones that you can't plant, but you can't

Cathy Gealy: Right, because you want to be able to see. And then, down at the very bottom, it says minimum equipment on a playground; 'shall include swings, jungle-gym and sides'... there is all kinds of playground equipment now, so are we limiting ourselves to swings, jungle-gyms and slides or are we just suggesting that it include these, but are not limited to these?

Dana Hennis: I think it is just a minimum.

Bobby Withrow: Yes, that is just a minimum set of amenities, so I don't know... kind of like when I think of the jungle-gyms, I don't think of the old fashioned ones, I think of the new stuff that is coming out with climbing equipment.

Cathy Gealy: Like the climbing structures.

Bobby Withrow: Right, so I might need to change jungle-gym to climbing structures. That might help out.

Wendy Howell: Look for a code reference and see what is cited in that ordinance.

Cathy Gealy: I hope someone else will jump in.

Dana Hennis: Oh, I think you've got it covered. ***laughter***

Cathy Gealy: On page 13 at the very bottom underneath trash receptacles...I mean I think you have it covered, but I just wondered if ...I would like to suggest that we have trash receptacles at the parking areas because sometimes people will come back to their car or clean out their car, so I don't know how you want to put that in there, but I would just suggest that.

Lee Young: Well, and on that one as well, we specify the poly trash can but if the developers pay for them, do we have to specify an anchoring system so the trash cans don't walk away? Or is there ...just all those things that if we tell Mr. Developer 'you have to provide this' he knows.

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Dana Hennis: I mean we could probably easily put it in there as 'anchor the trash receptacles down in a fashion in a manner that prevents their unauthorized removal'.

Lee Young: And on those, maybe we can find a producer for those and then make that a city standard.

Dana Hennis: More than that, just to establishing a consistency throughout the city. I know that is what you were going for with the dog waste stations was just to provide a consistency. Whether it be something that you have designated and built already, if we are trying to establish an ordinance here, then we want to establish that consistency is what we're suggesting.

Cathy Gealy: And on the last page, it says 'no evergreen trees are allowed' ...I was just curious as to why?

Bobby Withrow: Hmm, that is a very good question.

Cathy Gealy: Because we have got deciduous shade trees, ornamental trees and NO evergreen trees.

Dana Hennis: And like Gordon says, in the winter time, we kind of want something out there.

Bobby Withrow: Yeah, that needs to be taken out.

Cathy Gealy: So you might want to include ...if you're going to have evergreen trees then you might want to include them in your minimum planting size. That was kind of discriminatory.

Dana Hennis: Now, you can't be that way. ***laughter***

Cathy Gealy: I know, and we just learned how important it is not to be that way. Ok, so that is all I had for the back part –which was just ...what was that called?

Dana Hennis: The specifications, yes.

Cathy Gealy: Yes, so just a couple of comments and it seemed like it would be easier to start back there. On page 2; it's curious that ...on the bottom of the first paragraph, it says there are drinking fountains and then trees... do you see the two bulleted items that I am talking about?

Bobby Withrow: Ok, yeah.

Cathy Gealy: So there are drinking fountains and it talks about drinking fountains and then it says trees, grass, mow strips and ...blah, blah drinking fountains. So I would just scratch drinking fountains there because you've made them their own topic and heading; which I think you should, but then you go into community parks and you have a lot of the same stuff, except in community parks we have stuck in... this is going to be difficult for me to talk about ...so drinking fountains and...

Bobby Withrow: I've got the horse shoe pits, the ball field, the basketball courts and stuff like that ...

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Cathy Gealy: Right, but before we do that, so the very last one, you have drinking fountains and trees and then drinking fountains again. So right before drinking fountains is bike rack and I thought you might want to have bike rack in your neighborhood park as well, so I would put that bike rack in there.

Lee Young: Right, and I guess if we are putting one in a neighborhood park given the size of a community park being larger and it would want to specify more than one, you know because you are going to have the restroom area and then you will have the covered areas where people are going to congregate so...

Cathy Gealy: And here you have like... a minimum of one bike rack located near the parking lot, but maybe you want to say near each parking lot. And then you've got multiple opportunities for bike racks. Think about how you could provide for more bike racks. And then I kind of thought the same thing about the drinking fountains there... a minimum of a two with one being located at the restroom facility but in a community park you are going to have more than one restroom facility so maybe a drinking fountain at each facility instead of the restroom facility. Do you see where I am?

Bobby Withrow: Yes. Ok.

Lee Young: As well as on the neighborhood parks... I saw it in the community parks but I did not see beltway station listed in the neighborhood parks?

Cathy Gealy: I don't know, maybe you want pet waste station with grass, trees, mow strips, planting beds, lighting and trash receptacles... you know, put it in... it would fit better in there than in ...but then where was pet waste stations?

Dana Hennis: I didn't see in the neighborhood parks or the community parks.

Lee Young: I think it was in the community parks.

Cathy Gealy: But I think it would fit in with trees and trash receptacles. I didn't have anything substantive, just some structural stuff. But then I had a question and that is; under community parks you have basketball courts, baseball or softball fields and horse shoe pits, but then you say in addition for the following amenities should be included and I wondered why those three weren't included with the amenities? You know? Why would you require... because my kids played soccer so... why would you require a baseball field and not soccer? So my question is ... would you put basket ball, baseball and horseshoe pits down here with these other amenities like tennis courts, volley ball and soccer and then ask them to provide five of them or ...something. Or is there a reason?

Bobby Withrow: Probably the biggest reason is because soccer fields, you can probably put a soccer field in a bigger open space and that is why it is listed down there...

Cathy Gealy: I don't mean to pick on baseball and soccer, I was just saying as an example.

Bobby Withrow: No, that's perfect, because that is the stuff that I need.

Cathy Gealy: Yeah, so like you specify horseshoe pit but Frisbee golf is optional, so...

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Lee Young: Not necessarily optional... it says 'this is what you provide in a community park and then down below, in addition you pick from the menu of amenities.

Cathy Gealy: Well, right... pick four and so why not include basket ball, baseball and horseshoe pits in the menu so basically, you have a neighborhood park and a community park has all the amenities of a neighborhood park plus ...pick these.

Dana Hennis: Well, the one problem that I could see with that is in most communities I have ever talked to, there is always a shortage of baseball fields. That there is never enough of them for little league, softball, etc. and they are also one of the more costly ones to put together. So if you make a choice of a horseshoe pit or a baseball field, they're going to pick the horseshoe pit every time so I can see the point on making it more of a mandatory one so that we can get more put in, whereas like you say, a soccer field can also be an open area that can be...

Cathy Gealy: Right, it can be a multi-use field then.

Dana Hennis: Exactly. So I see the point on that one, I think it is probably ok to leave it there just because if we don't we will never get them built.

Cathy Gealy: But then what about tennis courts and volley ball courts and skate parks and Frisbee golf courses and dog parks and pickle ball and Bocce ball and splash pads...

Dana Hennis: Quite frankly, there is never enough baseball fields out there for kids and there is not a lot of them playing tennis. I coached little league for a number of years and it was always very, very hard to find a field because during the season, it's every night of the week ... you've got games two nights a week and generally practice a couple of nights a week so that one is going to legitimately probably have a lot more use than some of the others so that would be something that we would specify or require.

Lee Young: I think too that as far as tennis courts go, between the middle school and the high school, I see people using those all the time, but I never see them beyond capacity. So through the school system and what the school provides, I think if someone wanted to put an additional one in a park that would be great.

Cathy Gealy: Well it's an option, but do you think that what we are doing here is suggesting to developers that they could pick the cheapest of the alternatives then?

Dana Hennis: I think ultimately that is what they are going to do. But that is why I think the more expensive ones, the more readily used like a basketball court is always used, baseball fields are always used, but you don't see a lot of people in horseshoe pits all the time or like you said, the capacity for tennis courts –from that point, they can take these others and they can pick either the cheaper route or if they have a particular interest in mind, but none of those are all that drastic if we don't necessarily get one in; whereas, if you were trying to put in a baseball field or a basketball court, it's a very well-used amenity.

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Cathy Gealy: I guess really the question I have is how do we really make sure ... I like this so that is not what I am saying at all, but how do we make sure that we get a variety of amenities in all of these great parks that we are going to have?

Bobby Withrow: There is a sentence underneath the additional four, that the selected amenities shall be approved by the city based on existing facilities.

Cathy Gealy: Oh, perfect! That is exactly how we take care of that. Awesome.

Bobby Withrow: Well, one of the questions I had for Wendy was in the neighborhood parks, do you think we should include maybe a baseball field or other things seeing how they are going to be five to ten acres?

Cathy Gealy: I think that is a great idea. I mean, maybe you could put the same wording there. Maybe ...'one additional amenity shall be included or approved by the city based on existing facilities and then you have all of these. And I would include basketball courts, baseball fields, and horseshoe pits in this list of amenities in a neighborhood park and then they could pick the one that they want to do by working with you.

Bobby Withrow: Ok. So do we want just one or do we want two?

Dana Hennis: Yeah, I would say probably one.

Cathy Gealy: And the neighborhood park, what is that? Five to ten acres?

Bobby Withrow: Yes.

Lee Young: Which sounds like a lot, but...

Cathy Gealy: But I have twenty acres and I know that ten isn't very much. So, I think one.

Bobby Withrow: To put it in perspective, if we do a baseball field, it takes roughly two and a half to three acres so...

Cathy Gealy: Right. That would be big.

Dana Hennis: And then three acres of parking once the parents show up.

Cathy Gealy: And I wonder if we wanted to add 'other' because what if somebody had another idea? What if there is something that we don't have on our list or that we didn't think of or next week, there is some new great activity or sport that explodes in popularity?

Dana Hennis: Well you could put in here, these amenities or others as approved by the Parks Director?

Cathy Gealy: Right. What if someone wanted to come in and put in a pool?

Bobby Withrow: I wouldn't say no.

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adding a requirement that all easements be shown on all lot lines, and adding to the plat notes that HOA common lots irrigation assessments are fractionally assessed to the individual improved lots; and providing an effective date.

Wendy Howell: Again for the record, Wendy Howell, Planning & Zoning Director. There is really nothing more that I have other than the ordinance and the staff report.

Lee Young: Ok, then do we have any questions for staff?

Cathy Gealy: I have a few things. Shall I?

Wendy Howell: Would you like to open the public hearing first?

Lee Young: Ok, then I will open the public hearing at **7:42 pm**. Seeing that no one has signed up to testify, I will close the public hearing at **7:43 pm**. Ok, questions?

Cathy Gealy: Yes, not very much though. There is some questions and maybe just one typo. Let's see; page numbers I don't have but on the third page; 6B –'Sub divider shall pay... required fees or past due balances'; I think that should probably be 'owed to the city'.

Lee Young: So I kind of circled a little something on that too. So if a plat goes away and there is still monies owed by whatever fees were there; if a new plat comes in for that, is it saying that a new developer has to pick up the tab for anything the old LLC left behind?

Wendy Howell: Typically, the preliminary plat application is going to be taken care of because we get the monies before it is ever processed. City engineering fees sometimes those get left behind and are not paid. In that case, those would have to be paid if they are using the same plat. If they don't make any changes and they are just picking it up where it was left off, then yes, they would have to pay those fees. Irrigation fees; a lot of times if they are going belly-up, those will go by the wayside and then yes, those will have get paid. One way or the other, those need to be shored up before we will issue any building permits. And we actually process them that way now; however, this way it is in the ordinance and it puts some teeth behind it.

Lee Young: Just a general question, but on page five...page six I am sorry; item B1: Final Plat checkoff list and if 'landscaping has not been completed, the final guarantee may be provided pursuant to' ... so the final, if they haven't completed landscaping, then ...

Wendy Howell: It should be 'shall be provided'

Lee Young: Then it means that they have to either bond for an amount or something until that is finished?

Wendy Howell: Exactly. And I think we probably want to change the 'may' to 'shall'. Because if it is not done, then it needs to be. It is not an option.

Dana Hennis: I just had a quick one on the previous page? Under Final Plat: 'the city engineer shall not sign the final plat mylar'... are you guys still using mylar or has it not gone to a digital format?

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Wendy Howell: Oh, yeah. It is still mylar. The Ada County recorder's office requires mylar.

Dana Hennis: Wow that is old school. That is before me. Ok, I just wanted to make sure. I'm not in that part of the industry, but everything we do is now on digital format anymore, so I just... wow. Because down on number A3, you are talking about digital copies of the final plat so I was just making sure.

Wendy Howell: Right and that is for our office files. Once it gets to final plat and the signature page, it has to be mylar. Any more questions Cathy?

Cathy Gealy: Well, a couple but I don't know that they are really important. I am still back on page three, but I really don't have anything else, but back on page 3; 6H; I'm just not sure about the wording: 'the Planning and Zoning staff or Director or Department ...may require additional conditions of approval for the extension including changes or amendments to the Kuna City Code or other requirements of any regulatory body'. So, we're not requiring changes or amendments, we are requiring that the conditions would bring the plat into compliance with?

Wendy Howell: Yes and then again, no. The reason why is if the plat has expired or fallen down and for whatever reason let's say they completed a substantial amount of construction on-site; therefore we have deemed it substantially 'commenced' so that they can start building. If they do that, and then someone else picks it up say... five years down the road and the ordinance has changed within those five years, and some additional requirements would be needed, the purpose of that is so those additional regulatory requirements will be adhered to and we don't have the old standards, whatever those may be, for that plat. And we have that option of doing that, so maybe just a rewording to get there?

Dana Hennis: Because right now, it sounds like you are talking about ...'may require any additional conditions of approval for the extension, including changes'... so maybe 'based on any changes or amendments to the city code'...

Lee Young: 'subsequent to the original plat approval'?

Dana Hennis: Yeah. That is my thought, thank you for iterating what I was reaching for there.

Cathy Gealy: Because I was looking at like E on the same page, it said 'if there was an ordinance ...since it was approved and it would require significant alteration, the city engineer may recommend the regulatory provision be set aside' right? But that is for ... so those two are sort of related because on D 'the resubmitted plat shall be subject to all rules and regulations that have been adopted since the preliminary plat' ... but if it is significant then the City Council could put it aside.

Wendy Howell: Ok. So the other part, you said the engineer and where is the one with engineer in it?

Cathy Gealy: The engineer statement is on E on that same page, but on D which is right above, it says 'be subject to all the rules and regulations since the plat was initially approved.

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Wendy Howell: Ok, so I will just put a note here: D, E, and H are similar. Ok, we'll take a look at that and I will talk to the attorney about it because there are certain things that he wanted in here specifically and sometimes it is redundant.

Dana Hennis: Well, and really, all you need to do is add on H something that is talking about the things that have been adopted since.

Wendy Howell: Right, and that is what I was writing; I had that verbiage so, yes. Thank you.

Cathy Gealy: And then, this is just a comment, and I don't know if you care or not, but sometimes you talk about Planning and Zoning Director and sometimes it talks about the staff and sometimes it talks about the department.

Wendy Howell: Ok, so consistency.

Cathy Gealy: Maybe the department? Think about it, but I wouldn't go through and change everything, but I would be consistent in the changes that you are making. Make senses? Because I wouldn't go back and change any of the black, but I would be consistent in the red.

Lee Young: Probably the Director because she will make those decisions. I mean she has the authority and staff is pretty broad.

Cathy Gealy: She is probably the one. Or something ...as long as it... and maybe there is good reason why sometimes it is different. That is all I had. I didn't know what a mylar was anyway. But I like this being on the Homeowners Association. Yay. That's all I had.

Lee Young: That's all I had too.

Wendy Howell: Ron, did you have anything?

Ron Herther: No.

Wendy Howell: Ok, thank you.

Commissioner Hennis motions to recommend approval of item 16-02-ZOA (Zoning Ordinance Amendment) to City Council of the Subdivision Ordinance with the corrections as presented and with the corrections as discussed with regard to item 6H, 6B and B1 on page 6; Commissioner Gealy Seconds, all aye and motion carried 4-0.

Wendy Howell informed the Commission that Vice Chair Wierschem had been in an auto accident and will keep them informed of any further information that comes in.

4. ADJOURNMENT:

*Commissioner Hennis motions to adjourn at **8:08 pm**; Commissioner Gealy Seconds, all aye and motion carried 4-0.*

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Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Wendy I. Howell, Planning and Zoning Director
Kuna Planning and Zoning Department



City of Kuna

P&Z Findings of Fact and Conclusions of Law

P.O. Box 13
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Kunacity.id.gov

To: Planning and Zoning Commission

Case Number(s): 16-02-AN (Annexation) *Gerald & Evelyn Butler Annexation*

Location: 7945 S. Linder Rd.
Kuna, Idaho 83634

Planner: Trevor Kesner, Planner II

Hearing Date: April 26, 2016
Findings of Fact: **May 10, 2016**

Applicant: Gerald & Evelyn Butler
C/o Jayme Butler
7945 S. Linder Rd.
Kuna, Idaho 83634
butlerheating_hvac@hotmail.com

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- E. General Project Facts
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- H. Comprehensive Plan Analysis
- I. Findings of Fact
- J. Conclusions of Law
- K. Decision by the Commission

A. Course of Proceedings

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states annexation is designated as a public hearing with the Planning and Zoning Commission as the recommending body and City Council as the decision-making body. This land use was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Land Use Planning Act (LLUPA).

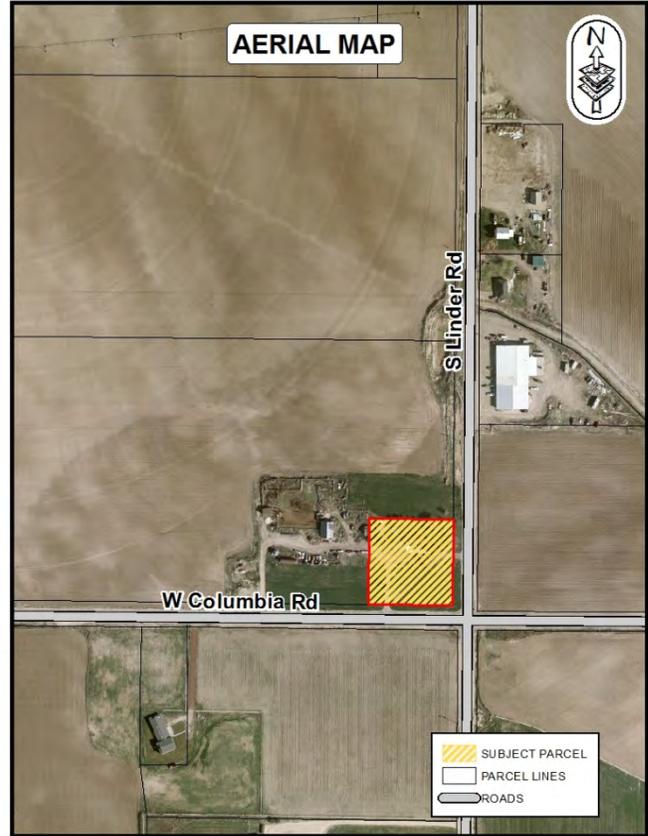
a. Notifications

- | | |
|---------------------------|-------------------------------|
| i. Neighborhood Meeting | March 12, 2016 (No attendees) |
| ii. Agencies Notified | March 30, 2016 |
| iii. 300' Property Owners | April 1, 2016 |
| iv. Kuna, Melba Newspaper | April 6, 2016 |
| v. Site Posted | April 15, 2016 |

B. Applicant Request:

1. The applicant is requesting approval to annex an approximately 1.145 acres parcel located at 7945 S. Linder Road into the City of Kuna with a 'C-1' (Commercial) zoning designation. The applicant intends to operate an existing commercial service business at this location.

C. Vicinity and Aerial Maps:



D. History: The parcel is contiguous to City limits and is currently zoned RR (Rural Residential) in Ada County. A residence and one (1) accessory structure are currently situated on the subject parcel. The majority of the surrounding ground has historically been farmed.

E. General Projects Facts:

1. **Comprehensive Plan Designation:** The Future Land Use Map identifies this site as Commercial. Staff views this land use request to be consistent with the approved Future Land Use Map.

2. **Surrounding Land Uses:**

| | | |
|--------------|----|--------------------------------|
| North | RR | Rural Residential – Ada County |
| South | A | Agricultural – Kuna City |
| East | A | Agricultural – Kuna City |
| West | RR | Rural Residential – Ada County |

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

- Approx. 1.145 total acres
- RR, Rural Residential (Ada County)
- Parcel # - R1693860270

4. **Services:**

Sanitary Sewer – Existing Private Septic System
 Potable Water – Existing Domestic Source (well)

Irrigation District – Boise-Kuna Irrigation District
Future Pressurized Irrigation – City of Kuna (KMID)
Fire Protection – Kuna Fire District
Police Protection – Kuna City Police (Ada County Sheriff’s office)
Sanitation Services – Republic Sanitation Services

5. **Existing Structures, Vegetation and Natural Features:** Currently there is a home on the existing parcel which the applicant uses to operate a commercial Heating, Ventilation, Air Conditioning (HVAC) business office with no on-site customer facilities. There is currently one additional outbuilding (accessory structure). The site has historically been used as the primary residential dwelling for the surrounding farm lands to the north and west of the subject site, which is also owned by the applicant’s family. The applicant has not indicated an intention to make any structural or site improvements to accommodate existing business operations at this location.
6. **Transportation / Connectivity:** The parcel is not currently improved with any curb, gutter, sidewalks, or surface drainage facilities. The site currently takes primary access from W. Columbia Road and will remain the primary access for the current owner’s business. An additional driveway access is located along S. Linder Road. Ada County Highway District (ACHD) shall provide direction and ultimate approvals for any future street frontage improvements or approaches or site access modifications.
7. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts resulting from this application. This site’s topography is generally flat.
8. **Agency Responses:** The following agencies returned comments: Central District Health Department (CDHD) Boise Project Board of Control (BPBOC), Idaho Transportation Department (ITD). The responding agency comments are included as exhibits with this case file.

F. Staff Analysis:

The subject site is located on the northwest corner of S. Linder and W. Columbia Roads. The applicant requests to annex the 1.145 parcel into Kuna City limits as a ‘C-1’ (Commercial Neighborhood Business District) zoning designation. The applicant will continue to utilize the existing septic system and private domestic well until such time as Kuna City water and/or sewer services are within 300’ feet of the subject site; at which time the property owner will be required to abandon the septic system and hook up to city services.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and Kuna Comprehensive Plan; and forwards a recommendation of approval for Case # 16-02-AN, subject to the recommended conditions of approval.

G. Applicable Standards:

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

H. Comprehensive Plan Analysis:

The Kuna Planning and Zoning Commission, accepts the Comprehensive Plan components as described below.

1. The applications for this site are consistent with the following Comprehensive Plan components:

GOALS AND POLICY – *Property Rights*

Goal 1: Ensure that the City of Kuna land use policies, restrictions, conditions and fees do not violate private property rights. Establish an orderly, consistent review process for the City of Kuna to evaluate whether actions may result in private property “takings”.

Policy 1: As part of a land use action review, the staff shall evaluate with guidance from the City’s attorney; The Idaho Attorney General’s six criterion established to determine the potential for property taking.

Policy 3.1: Promote developments with a variety of lot sizes.

GOALS AND POLICY – Land Use

Goal 2: Encourage a balance of land uses to ensure that Kuna remains a desirable, stable, and self-sufficient community.

Objective 2.2: Plan for areas designed to accommodate a diverse range of businesses and commercial activity – within both the community-scale and neighborhood-scale centers – to strengthen the local economy and to provide more opportunities for social interaction.

I. Findings of Fact:

1. This request appears to be in compliance with all ordinances and laws of the City, including Kuna City Code (KCC).
2. The site is physically suitable for annexation.
3. The annexation is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
4. The annexation application is not likely to cause adverse public health problems.
5. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.
6. The existing street and utility services in proximity to the site appear to be adequate for the commercial uses; however, any site development improvements (excluding, but not exclusively limited to electrical, plumbing, HVAC/mechanical or fencing and landscape) as determined by the Planning and Zoning Director, shall comply with the provisions set forth in Kuna City Code (KCC)
7. The Kuna Planning and Zoning Commission accepts the facts as outlined in the staff report, any public testimony and the supporting evidence as presented.
8. Based on the evidence contained in Case No. 16-02-AN, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map.
9. The Planning and Zoning Commission has the authority to recommend approval or denial for the annexation application.
10. The public notice requirements were adhered to and the public hearing was conducted within the guidelines of applicable Idaho Code and Kuna City Ordinances.

J. Conclusions of Law:

1. Based on the evidence contained in Case No 16-02-AN, the Kuna Planning and Zoning Commission finds Case No. 16-02-AN complies with Kuna City Code.
2. Based on the evidence contained in Case No 16-02-AN, the Kuna Planning and Zoning Commission finds Case No. 16-02-AN is consistent with Kuna’s Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and Kuna City Ordinances.

K. Decision by the Planning and Zoning Commission:

Note: This motion is for approval of this request. However, if the Commission wishes to approve or deny specific parts of the request as detailed in this report, they must be specified.

Based on the facts outlined in staff's report and any public testimony at the public hearing, the Planning and Zoning Commission of Kuna, Idaho, hereby recommends *approval* of Case No. 16-02-AN to City Council, a request for annexation from Gerald and Evelyn Butler as represented by Jayme Butler, with the following conditions of approval:

1. All development submittals are required to include the lighting, landscaping, drainage and development plans as required by Planning and Zoning. All site improvements are prohibited prior to approval of the following agencies. The applicant/owner shall obtain written approval on letterhead or may be written/stamped on the approved construction plans from the agencies noted
 - a. Central District Health Department (CDHD); furnish a copy of Central District Health Department (CDHD) approval for the *non-residential accessory use* of the existing septic system prior to annexation approval.
 - b. The City Engineer shall approve the future sewer hook-ups.
 - c. The Kuna Fire District shall approve the commercial use and all building plans.
 - d. The *Boise-Kuna* Irrigation District shall approve any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District shall be obtained and Impact Fees must be paid prior to issuance of any building permits.
2. All public rights-of-way shall be dedicated to the City and/or Ada County Highway District. No public street construction may be commenced without the approval and permit from Ada County Highway District:
 - 2.1- With future development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
3. With the exception of existing facilities, all utilities shall be installed underground (see KCC 6-4-2-W).
4. 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.
5. Any site improvements other than mechanical, electrical, plumbing or fencing which alters, modifies or expands upon the existing use shall require the applicant/owner to comply with the provisions set forth in Kuna City Code (KCC).
6. The applicant's on-site business staff shall remain at current levels or at such time that any future on-site staff expansions warrant, the applicant shall meet all current ADA requirements for a commercial use.
7. The site will have a designated C-1 Commercial zone as requested by the applicant.
8. Any site issues will be addressed and enforced by the Planning and Zoning and/or Building Department.
9. Submit a petition to the City (as necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID).
10. Applicant shall follow all staff, City engineer and other agency recommended requirements as applicable.
11. Applicant shall abide by all applicable federal, state and local laws and ordinances.

Dated this 10th day of May, 2016

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST

Wendy I. Howell, PCED
Kuna Planning and Zoning Director



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

Commission & Council Review Application

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

*Please submit the appropriate checklist (s) with application

Type of Review (check all that apply):

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

| For Office Use Only | |
|------------------------------|-----------------|
| File Number (s) | 16-02-AN |
| Project name | Butler ANNEX |
| Date Received | RECEIVED |
| Date Accepted/ Complete | 3-22-16 |
| Cross Reference Files | — |
| Commission Hearing Date | 04/26/16 |
| City Council Hearing Date | 05/17/16 |

Contact/Applicant Information

| | |
|---|---|
| Owners of Record: <u>Gerald + Evelyn Butler</u> | Phone Number: <u>208-362-5697</u> |
| Address: <u>2731 Copeland Rd.</u> | E-Mail: <u>ButlerHeating-HVAC@Hotmail</u> |
| City, State, Zip: <u>Harper, OR 97906</u> | Fax #: <u>208-362-7953</u> |
| Applicant (Developer): <u>Jayme Butler</u> | Phone Number: <u>208-861-9986</u> |
| Address: <u>7945 S. Linder Rd.</u> | E-Mail: <u>ButlerHeating-HVAC@Hotmail</u> |
| City, State, Zip: <u>Meridian, ID 83642</u> | Fax #: <u>208-362-7953</u> |
| Engineer/Representative: <u>None Existing</u> | Phone Number: <u>N/A</u> |
| Address: <u>Already</u> | E-Mail: <u>N/A</u> |
| City, State, Zip: <u>Already</u> | Fax #: <u>N/A</u> |

Subject Property Information

| | |
|---|---|
| Site Address: <u>7945 S. Linder Meridian, ID 83642</u> | |
| Site Location (Cross Streets): <u>Corner of Linder + Columbia</u> | |
| Parcel Number (s): <u>R1693860270</u> | |
| Section, Township, Range: <u>2N1W02</u> | |
| Property size: <u>1.145</u> | |
| Current land use: <u>BUTLER Heating Office</u> | Proposed land use: <u>BUTLER Heating Office</u> |
| Current zoning district: <u>RR</u> | Proposed zoning district: <u>RR</u> |

Project Description

Project / subdivision name: Annexation of Lot 28 Birk Chisum Valley SUB #2

General description of proposed project / request: Annexation of this 1.145 Acreage

Type of use proposed (check all that apply):

Residential

Commercial

Office

Industrial

Other

Amenities provided with this development (if applicable):

Residential Project Summary (if applicable)

Are there existing buildings? Yes No

Please describe the existing buildings:

Any existing buildings to remain? Yes No

Number of residential units: Number of building lots:

Number of common and/or other lots:

Type of dwellings proposed:

Single-Family

Townhouses

Duplexes

Multi-Family

Other

Minimum Square footage of structure (s):

Gross density (DU/acre-total property): Net density (DU/acre-excluding roads):

Percentage of open space provided: Acreage of open space:

Type of open space provided (i.e. landscaping, public, common, etc.):

Non-Residential Project Summary (if applicable)

Number of building lots: Other lots:

Gross floor area square footage: Existing (if applicable): X 1100 MA

Hours of operation (days & hours): 8-5 (No Public Use) Building height:

Total number of employees: 6 Max. number of employees at one time: 6

Number and ages of students/children: Seating capacity:

Fencing type, size & location (proposed or existing to remain): Existing to Remain

Proposed Parking: Existing Not for Public Use a. Handicapped spaces: Dimensions:

b. Total Parking spaces: Dimensions:

c. Width of driveway aisle:

Proposed Lighting:

Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.):

Applicant's Signature: Erue M. Butler

Date: 3/15/14

Erue M. Butler

3/15/2016

Dear Kuna City of Kuna .

We are wanting the Annexation of 7945 S Linder Rd. Meridian ID 83642 Lot 28 Blk 01 Chisum Valley Sub #2 to be able to operate our business Butler Heating Inc. The hours of operation are 8-5 for the office use, using the existing building and no use by public.

Thanks

Gerald Butler

Exhibit
A-2b

VICINITY MAP



S-Linder-Rd

W-Columbia-Rd



Exhibit
A-2
c

| | |
|---|----------------|
|  | SUBJECT PARCEL |
|  | PARCEL LINES |
|  | ROADS |

AERIAL MAP



S Linder Rd

W Columbia Rd



Exhibit
A-2
C

| | |
|---|----------------|
|  | SUBJECT PARCEL |
|  | PARCEL LINES |
|  | ROADS |



General Information

Parcel #: R1693860270
Sub Division/Addition: CHISUM VALLEY SUB NO 02
Primary Owner: BUTLER GERALD N
Secondary Owner: BUTLER EVELYN K
Site Address: 7945 S LINDER RD
Mailing Address: PO BOX 356
Legal Description: LOT 28 BLK 01 CHISUM VALLEY SUB #2



Tax & Financial Information:

Table with 5 columns: Year, Assd Val, HO Exmpt, Tax Val, Est Tax. Rows for years 2012-2015.

**values are not finalized until June of current year

Last Published Levy: 0.012875877
Code Area: 239
Rural Residential Subdivisions: \$86,200.00
Improvements. Residential in nature, located on 15: \$57,500.00

Residential Characteristics

Table with 6 columns: Dwelling Type, Year Built, Property Type, Design, No. Bedrooms, No. Bathrooms, No. Kitchens, No. Fireplaces, Heating Method?, Air Conditioning?, Ground Floor SqFt, Upper Floor SqFt, Low Flr SqFt Fin, Low Flr SqFt Un-Fin, Basement SqFt Fin, Basement SqFt Un-Fin, Attic SqFt Fin, Attic SqFt Un-Fin, Car 1 Storage SqFt, Car 1 Storage Type, Car 2 Storage Type, Car 2 Storage SqFt, Porch SqFt, Deck 1 SqFt, Deck 1 Covered?, Deck 2 SqFt, Deck 2 Covered?, Patio 1 SqFt, Patio 1 Covered?, Patio 2 SqFt, Patio 2 Covered?, Pool SqFt, Gen. Purpose Bldg SqFt.



13720C0361

WARRANTY DEED

For Value Received NERI L. BUTLER and GEORGENA E. BUTLER,
husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto
GERALD N. BUTLER and EVELYN K. BUTLER, husband and wife,
Address: Route 2, Kuna, Idaho

the grantees, the following described premises, to-wit:

The SE $\frac{1}{4}$ of Section 2, Township 2 North, Range 1 West,
Boise Meridian, in Ada County, State of Idaho.

Subject to that certain mortgage in favor of the Federal
Land Bank, which the Grantees agree to assume and to pay
in full.

Subject to all taxes and assessments for the year 1974 and
all subsequent years.

9204368

Gerald N. Butler
ADA COUNTY, ID. FOR
J. DAVID NAVARRO
RECORDER BY *J. Navarro*

'92 JAN 23 AM 11 41

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantees, that they are the owners in fee simple of said premises; that said
premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: August 23, 1974

George E. Butler

STATE OF IDAHO, COUNTY OF CANYON: SS.
On this 7th day of November, 1974,
before me, a notary public in and for said State, personally
appeared NERI L. BUTLER and GEORGENA
E. BUTLER, husband and wife,

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

[Signature]
Notary Public
Residing at Nampa, Idaho
Comm. Expires

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to:

INSTRUMENT No.

ADA COUNTY RECORDER J. DAVID NAVARRO AMOUNT 18.00 6
BOISE IDAHO 10/07/09 04:43PM
DEPUTY Kathie Acree
RECORDED-REQUEST OF
ALLIANCE TITLE - PRODUCT



5000949051 SL

SPACE ABOVE THIS LINE FOR RECORDER'S USE

DEED OF TRUST

THIS DEED OF TRUST is made this **1ST** day of **October 2009**, among the Grantor, **Gerald N. Butler and Evelyn K. Butler, Husband and wife** (herein "Borrower"), **ALLIANCE Title and Escrow, Corp.** (herein "Trustee"), and the Beneficiary, **Malheur Federal Credit Union**, a corporation organized and existing under the laws of United States Federal Credit Union Act, whose address is P.O. Box 520, Ontario, Oregon 97914 (herein "Lender").

BORROWER, in consideration of the indebtedness herein recited and the trust herein created, irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the County of **Ada**, State of Idaho:

Lot 28 in Block 1 of Chisum Valley Subdivision No. 2, according to the official plat thereof, filed in Book 78 of Plats at Page(s) 8195 and 8196, Official Records of Ada County, Idaho.

which has the address of **7945 S. Linder Road, Meridian, Idaho 83642** (herein "Property Address");

TOGETHER with all the improvements now or hereafter erected on the property, and all easements, rights, appurtenances and rents (subject however to the rights and authorities given herein to Lender to collect and apply such rents), all of which shall be deemed to be and remain a part of the property covered by this Deed of Trust; and all of the foregoing, together with said property (or the leasehold estate if this Deed of Trust is on a leasehold) are hereinafter referred to as the "Property";

TO SECURE to Lender the repayment of the indebtedness evidenced by Borrower's note dated **10/01/2009** and extensions and renewals thereof (herein "Note"), in the principal sum of U.S. \$ **120,000.00** with interest thereon, providing for monthly installments of principal and interest, with the balance of the indebtedness, if not sooner paid, due and payable on **10/06/2019**; the payment of all other sums, with interest thereon, advanced in accordance herewith to protect the security of this Deed of Trust; and the performance of the covenants and agreements of Borrower herein contained.

Borrower covenants that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property, and that the Property is unencumbered, except for encumbrances of record.

Borrower covenants that Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to encumbrances of record.

UNIFORM COVENANTS. Borrower and Lender covenant and agree as follows:

1. Payment of Principal and Interest. Borrower shall promptly pay when due the principal and interest indebtedness evidenced by the Note and late charges as provided in the Note.

2. Funds for Taxes and Insurance. Subject to applicable law or a written waiver by Lender, Borrower shall pay to Lender on the day monthly payments of principal and interest are payable under the Note, until the Note is paid in full, a sum (herein "Funds") equal to one-twelfth of the yearly taxes and assessments (including condominium and planned unit development assessments, if any) which may attain priority over this Deed of Trust, and ground rents on the Property, if any, plus one-twelfth of yearly premium installments for hazard insurance, plus one-twelfth of yearly premium installments for mortgage insurance, if any, all as reasonably estimated initially and from time to time by Lender on the basis of assessments and bills and reasonable estimates thereof. Borrower shall not be obligated to make such payments of Funds to Lender to the extent that Borrower makes such payments to the holder of a prior mortgage or deed of trust if such holder is an institutional lender.

If Borrower pays Funds to Lender, the Funds shall be held in an institution the deposits or accounts of which are insured or guaranteed by a Federal or state agency (including Lender if Lender is such an institution). Lender shall apply the Funds to pay said taxes, assessments, insurance premiums and ground rents. Lender may not charge for so holding and applying the Funds, analyzing said account or verifying and compiling said assessments and bills, unless Lender pays Borrower interest on the Funds and applicable law permits Lender to make such a charge. Borrower and Lender may agree in writing at the time of execution of this Deed of Trust that interest on the Funds shall be paid to Borrower, and unless such agreement is made or applicable law requires such interest to be paid, Lender shall not be required to pay Borrower any interest or earnings on the Funds. Lender shall give to Borrower, without charge, an annual accounting of the Funds showing credits and debits to the Funds and the purpose for which each debit to the Funds was made. The Funds are pledged as additional security for the sums secured by this Deed of Trust.

If the amount of the Funds held by Lender, together with the future monthly installments of Funds payable prior to the due dates of taxes, assessments, insurance premiums and ground rents, shall exceed the amount required to pay said taxes, assessments, insurance premiums and ground rents as they fall due, such excess shall be, at Borrower's option, either promptly repaid to Borrower or credited to Borrower on monthly installments of Funds. If the amount of the Funds held by Lender shall not be sufficient to pay taxes, assessments, insurance premiums and ground rents as they fall due, Borrower shall pay to Lender any amount necessary to make up the deficiency in one or more payments as Lender may require.

Upon payment in full of all sums secured by this Deed of Trust, Lender shall promptly refund to Borrower any Funds held by Lender. If under paragraph 17 hereof the Property is sold or the Property is otherwise acquired by Lender, Lender shall apply, no later than immediately prior to the sale of the Property or its acquisition by Lender, any Funds held by Lender at the time of application as a credit against the sums secured by this Deed of Trust.

3. Application of Payments. Unless applicable law provides otherwise, all payments received by Lender under the Note and paragraphs 1 and 2 hereof shall be applied by Lender first in payment of amounts payable to Lender by Borrower under paragraph 2 hereof, then to interest payable on the Note, and then to the principal of the Note.

4. Prior Mortgages and Deeds of Trust; Charges; Liens. Borrower shall perform all of Borrower's obligations under any mortgage, deed of trust or other security agreement with a lien which has priority over this Deed of Trust, including Borrower's covenants to make payments when due. Borrower shall pay or cause to be paid

all taxes, assessments and other charges, fines and impositions attributable to the Property which may attain a priority over this Deed of Trust, and leasehold payments or ground rents, if any.

5. Hazard Insurance. Borrower shall keep the improvements now existing or hereafter erected on the Property insured against loss by fire, hazards included within the term "extended coverage", flood and such other hazards as Lender may require and in such amounts and for such periods as Lender may require.

The insurance carrier providing the insurance shall be chosen by Borrower subject to approval by Lender; provided, that such approval shall not be unreasonably withheld. All insurance policies and renewals thereof shall be in a form acceptable to Lender and shall include a standard mortgage clause in favor of and in a form acceptable to Lender. Lender shall have the right to hold the policies and renewals thereof, subject to the terms of any mortgage, deed of trust or other security agreement with a lien which has priority over this Deed of Trust.

In the event of loss, Borrower shall give prompt notice to the insurance carrier and Lender. Lender may make proof of loss if not made promptly by Borrower.

If the Property is abandoned by Borrower, or if Borrower fails to respond to Lender within 30 days from the

date notice is mailed by Lender to Borrower that the insurance carrier offers to settle a claim for insurance benefits, Lender is authorized to collect and apply the insurance proceeds at Lender's option either to restoration or repair of the Property or to the sums secured by this Deed of Trust.

6. Preservation and Maintenance of Property; Leaseholds; Condominiums; Planned Unit Developments.

Borrower shall keep the Property in good repair and shall not commit waste or permit impairment or deterioration of the Property and shall comply with the provisions of any lease if this Deed of Trust is on a leasehold. If this Deed of Trust is on a unit in a condominium or a planned unit development, Borrower shall perform all of Borrower's obligations under the declaration or covenants creating or governing the condominium or planned unit development, the by-laws and regulations of the condominium or planned unit development, and constituent documents.

7. Protection of Lender's Security. If Borrower fails to perform the covenants and agreements contained in this Deed of Trust, or if any action or proceeding is commenced which materially affects Lender's interest in the Property, then Lender, at Lender's option, upon notice to Borrower, may make such appearances, disburse such sums, including reasonable attorneys' fees, and take such action as is necessary to protect Lender's interest. If Lender required mortgage insurance as a condition of making the loan secured by this Deed of Trust, Borrower shall pay the premiums required to maintain such insurance in effect until such time as the requirement for such insurance terminates in accordance with Borrower's and Lender's written agreement or applicable law.

Any amounts disbursed by Lender pursuant to this paragraph 7, with interest thereon, at the Note rate, shall become additional indebtedness of Borrower secured by this Deed of Trust. Unless Borrower and Lender agree to other terms of payment, such amounts shall be payable upon notice from Lender to Borrower requesting payment thereof. Nothing contained in this paragraph 7 shall require Lender to incur any expense or take any action hereunder.

8. Inspection. Lender may make or cause to be made reasonable entries upon and inspections of the Property, provided that Lender shall give Borrower notice prior to any such inspection specifying reasonable cause related to Lender's interest in the Property.

9. Condemnation. The proceeds of any award or claim for damages, direct or consequential, in connection with any condemnation or other taking of the Property, or part thereof, or for conveyance in lieu of condemnation, are hereby assigned and shall be paid to Lender, subject to the terms of any mortgage, deed of trust or other security agreement with a lien which has priority over this Deed of Trust.

10. Borrower Not Released; Forbearance By Lender Not a Waiver. Extension of the time for payment or modification of amortization of the sums secured by this Deed of Trust granted by Lender to any successor in interest of Borrower shall not operate to release, in any manner, the liability of the original Borrower and Borrower's successors in interest. Lender shall not be required to commence proceedings against such successor or refuse to extend time for payment or otherwise modify amortization of the sums secured by this Deed of Trust by reason of any demand made by the original Borrower and Borrower's successors in interest. Any forbearance by Lender in exercising any right or remedy hereunder, or otherwise afforded by applicable law, shall not be a waiver of or preclude the exercise of any such right or remedy.

11. Successors and Assigns Bound; Joint and Several Liability; Co-signers. The covenants and agreements herein contained shall bind, and the rights hereunder shall inure to, the respective successors and assigns of Lender and Borrower, subject to the provisions of paragraph 16 hereof. All covenants and agreements of Borrower shall be joint and several. Any Borrower who co-signs this Deed of Trust, but does not execute the Note, (a) is co-signing this Deed of Trust only to grant and convey that Borrower's interest in the Property to Trustee under the terms of this Deed of Trust, (b) is not personally liable on the Note or under this Deed of Trust, and (c) agrees that Lender and any other Borrower hereunder may agree to extend, modify, forbear, or make any other accommodations with regard to the terms of this Deed of Trust or the Note, without that Borrower's consent and without releasing that Borrower or modifying this Deed of Trust as to that Borrower's interest in the Property.

12. Notice. Except for any notice required under applicable law to be given in another manner, (a) any notice to Borrower provided for in this Deed of Trust shall be given by delivering it or by mailing such notice by certified mail addressed to Borrower at the Property Address or at such other address as Borrower may designate by notice to Lender as provided herein, and (b) any notice to Lender shall be given by certified mail to Lender's address stated herein or to such other address as Lender may designate by notice to Borrower as provided herein. Any notice provided for in this Deed of Trust shall be deemed to have been given to Borrower or Lender when given in the manner designated herein.

13. Governing Law; Severability. The state and local laws applicable to this Deed of Trust shall be the laws of the jurisdiction in which the Property is located. The foregoing sentence shall not limit the applicability of Federal law to this Deed of Trust. In the event that any provision or clause of this Deed of Trust or the Note conflicts

with applicable law, such conflict shall not affect other provisions of this Deed of Trust or the Note which can be given effect without the conflicting provision, and to this end the provisions of this Deed of Trust and the Note are declared to be severable. As used herein, "costs", "expenses" and "attorneys' fees" include all sums to the extent not prohibited by applicable law or limited herein.

14. Borrower's Copy. Borrower shall be furnished a conformed copy of the Note and of this Deed of Trust at the time of execution or after recordation hereof.

15. Rehabilitation Loan Agreement. Borrower shall fulfill all of Borrower's obligations under any home rehabilitation, improvement, repair, or other loan agreement which Borrower enters into with Lender. Lender, at Lender's option, may require Borrower to execute and deliver to Lender, in a form acceptable to Lender, an assignment of any rights, claims or defenses which Borrower may have against parties who supply labor, materials or services in connection with improvements made to the Property.

16. Transfer of Property or a Beneficial Interest in Borrower. If all or any part of the Property or any interest in it is sold or transferred (or if a beneficial interest in Borrower is sold or transferred and Borrower is not a natural person) without Lender's prior written consent, Lender may, at its option, require immediate payment in full of all sums secured by this Deed of Trust. However, this option shall not be exercised by Lender if exercise is prohibited by federal law as of the date of this Deed of Trust.

If Lender exercises this option, Lender shall give Borrower notice of acceleration. The notice shall provide a period of not less than 30 days from the date the notice is delivered or mailed within which Borrower must pay all sums secured by this Deed of Trust. If Borrower fails to pay these sums prior to the expiration of this period, Lender may invoke any remedies permitted by this Deed of Trust without further notice or demand on Borrower.

NON-UNIFORM COVENANTS. Borrower and Lender further covenant and agree as follows:

17. Acceleration; Remedies. Except as provided in paragraph 16 hereof, upon Borrower's breach of any covenant or agreement of Borrower in this Deed of Trust, including the covenants to pay when due any sums secured by this Deed of Trust, Lender prior to acceleration shall give notice to Borrower as provided in paragraph 12 hereof specifying: (1) the breach; (2) the action required to cure such breach; (3) a date, not less than 10 days from the date the notice is mailed to Borrower, by which such breach must be cured; and (4) that failure to cure such breach on or before the date specified in the notice may result in acceleration of the sums secured by this Deed of Trust and sale of the Property. The notice shall further inform Borrower of the right to reinstate after acceleration and the right to bring a court action to assert the nonexistence of a default or any other defense of Borrower to acceleration and sale. If the breach is not cured on or before the date specified in the notice, Lender, at Lender's option, may declare all of the sums secured by this Deed of Trust to be immediately due and payable without further demand and may invoke the power of sale and any other remedies permitted by applicable law. Lender shall be entitled to collect all reasonable costs and expenses incurred in pursuing the remedies provided in this paragraph 17, including, but not limited to, reasonable attorneys' fees.

If Lender invokes the power of sale, Lender shall execute or cause Trustee to execute a written notice of the occurrence of an event of default and of Lender's election to cause the Property to be sold and shall cause such notice to be recorded in each county in which the Property or some part thereof is located. Lender or Trustee shall give notice of sale in the manner prescribed by applicable law, Trustee, without demand on Borrower, shall sell the Property at public auction to the highest bidder at the time and place and under the terms designated in the notice of sale in one or more parcels and in such order as Trustee may determine. Trustee may postpone sale of all or any parcel of the Property by public announcement at the time and place of any previously scheduled sale. Lender or Lender's designee may purchase the Property at any sale.

Trustee shall deliver to the purchaser Trustee's deed conveying the Property so sold without any covenant or warranty, expressed or implied. The recitals in the Trustee's deed shall be prima facie evidence of the truth of the statements made therein. Trustee shall apply the proceeds of the sale in the following order: (a) to all reasonable costs and expenses of the sale, including, but not limited to, reasonable Trustee's and attorneys' fees and costs of title evidence; (b) to all sums secured by this Deed of Trust; and (c) the excess, if any, to the person or persons legally entitled thereto.

18. Borrower's Right to Reinstate. Notwithstanding Lender's acceleration of the sums secured by this Deed of Trust due to Borrower's breach, Borrower shall have the right to have any proceedings begun by Lender to enforce this Deed of Trust discontinued at any time prior to the earlier to occur of (i) the fifth day before sale of the Property pursuant to the power of sale contained in this Deed of Trust or (ii) entry of a judgment enforcing this Deed of Trust if: (a) Borrower pays Lender all sums which would be then due under this Deed of Trust and the Note had no acceleration occurred; (b) Borrower cures all breaches of any other covenants or agreements of Borrower contained in this Deed of Trust; (c) Borrower pays all reasonable expenses incurred by Lender and Trustee in enforcing the covenants and agreements of Borrower contained in this Deed of Trust, and in enforcing Lender's

and Trustee's remedies as provided in paragraph 17 hereof, including, but not limited to, reasonable attorneys' fees; and (d) Borrower takes such action as Lender may reasonably require to assure that the lien of this Deed of Trust, Lender's interest in the Property and Borrower's obligation to pay the sums secured by this Deed of Trust shall continue unimpaired. Upon such payment and cure by Borrower, this Deed of Trust and the obligations secured hereby shall remain in full force and effect as if no acceleration had occurred.

19. Assignment of Rents; Appointment of Receiver; Lender in Possession. As additional security hereunder, Borrower hereby assigns to Lender the rents of the Property, provided that Borrower shall, prior to acceleration under paragraph 17 hereof or abandonment of the Property, have the right to collect and retain such rents as they become due and payable.

Upon acceleration under paragraph 17 hereof or abandonment of the Property, Lender, in person, by agent or by judicially appointed receiver shall be entitled to enter upon, take possession of and manage the Property and to collect the rents of the Property including those past due. All rents collected by Lender or the receiver shall be applied first to payment of the costs of management of the Property and collection of rents, including, but not limited to, receiver's fees, premiums on receiver's bonds and reasonable attorneys' fees, and then to the sums secured by this Deed of Trust. Lender and the receiver shall be liable to account only for those rents actually received.

20. Reconveyance. Upon payment of all sums secured by this Deed of Trust, Lender shall request Trustee to reconvey the Property and shall surrender this Deed of Trust and all notes evidencing indebtedness secured by this Deed of Trust to Trustee. Trustee shall reconvey the Property without warranty and without charge to the person or persons legally entitled thereto. Such person or persons shall pay all costs of recordation, if any.

21. Substitute Trustee. In accordance with applicable law, Lender may from time to time remove Trustee and appoint a successor trustee to any Trustee appointed hereunder. Without conveyance of the Property, the successor trustee shall succeed to all the title, power and duties conferred upon the Trustee herein and by applicable law.

22. Use of Property. The Property is not currently used for agricultural, timber or grazing purposes.

23. Attorneys' Fees. As used in this Deed of Trust and in the Note, "attorneys' fees" shall include attorneys' fees, if any, which shall be awarded by an appellate court.

REQUEST FOR NOTICE OF DEFAULT AND FORECLOSURE
UNDER SUPERIOR MORTGAGES OR DEEDS OF TRUST

Borrower and Lender request the holder of any mortgage, deed of trust or other encumbrance with a lien which has priority over this Deed of Trust to give Notice to Lender, at Lender's address set forth on page one of this Deed of Trust, of any default under the superior encumbrance and of any sale or other foreclosure action.

Gerald N. Butler _____
-Borrower

Evelyn K. Butler _____
-Borrower

STATE OF OREGON, Malheur County ss:

On this 1st day of **October, 2009**

Acknowledged, before me, Lynda Eden, a Notary Public in and for said county and state, personally appeared **Gerald N. Butler and Evelyn K. Butler, Husband and wife**; known or proved to me to be the person(s) executed the foregoing instrument, and acknowledged to me that **they** executed the same.

In witness whereof I hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Lynda Eden _____
Notary Public

REQUEST FOR RECONVEYANCE

TO TRUSTEE:

The undersigned is the holder of the note or notes secured by this Deed of Trust. Said note or notes, together with all other indebtedness secured by this Deed of Trust, have been paid in full. You are hereby directed to cancel said note or notes and this Deed of Trust, which are delivered hereby, and to reconvey, without warranty, all the estate now held by you under this Deed of Trust to the person or persons legally entitled thereto.

Date: _____

13720C0361

WARRANTY DEED

For Value Received NERI L. BUTLER and GEORGENA E. BUTLER, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto GERALD N. BUTLER and EVELYN K. BUTLER, husband and wife, Address: Route 2, Kuna, Idaho the grantees, the following described premises, to-wit:

The SE 1/4 of Section 2, Township 2 North, Range 1 West, Boise Meridian, in Ada County, State of Idaho.

Subject to that certain mortgage in favor of the Federal Land Bank, which the Grantees agree to assume and to pay in full.

Subject to all taxes and assessments for the year 1974 and all subsequent years.

9204368
Gerald N. Butler
ADA COUNTY, ID. FOR
J. DAVID HAVARRO
RECORDER BY Jackson
300
'92 JAN 23 AM 11 41

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee s, that t he y are the owner s in fee simple of said premises; that said premises are free from all incumbrances

and that the y will warrant and defend the same from all lawful claims whatsoever. Dated: August 23, 1974

Handwritten signatures of Neri L. Butler and Georgena E. Butler

STATE OF IDAHO, COUNTY OF CANYON: ss. On this 7th day of November, 1974, before me, a notary public in and for said State, personally appeared NERI L. BUTLER and GEORGENA E. BUTLER, husband and wife,

known to me to be the person s who se names are subscribed to the within instrument, and acknowledged to me that they executed the same. Notary Public Residing at Nampa, Idaho Comm. Expires

STATE OF IDAHO, COUNTY OF I hereby certify that this instrument was filed for record at the request of at minutes past o'clock m., this day of 19, in my office, and duly recorded in Book of Deeds at page

Ex-Officio Recorder By Deputy. Fees \$ Mail to:

INSTRUMENT No.



City of Kuna AFFIDAVIT OF LEGAL INTEREST

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

State of Idaho)
) ss
County of Ada)

I, Gerald Butler , 2731 Copeland Rd.
Name Address
Harper , OR 97906
City State Zip Code

being first duly sworn upon oath, depose and say:

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

- A. That I am the record owner of the property described on the attached, and I grant my Permission to Jayne Butler 7945 S. Linder Meridian, ID 83642
Name Address to submit the accompanying application pertaining to that property.
- B. I agree to indemnify, defend and hold City of Kuna and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.
- C. I hereby grant permission to the City of Kuna staff to enter the subject property for the purpose of site inspections related to processing said application(s).

Dated this 15th day of March, 2016

Gerald G. Butler
Signature

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

Misty Ann Evans
Notary Public for Idaho

Residing at: 1042 Stonehenge Way Meridian ID 83642
My commission expires: January 11, 2019





Neighborhood Meeting Certification

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

GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 8-7A-3 of the Kuna City Code or ask one of our planners for more information on neighborhood meetings.

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

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

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

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

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

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

Description of proposed project: Annexation of this Property
 Date and time of neighborhood meeting: 3/12/16 at 11:00 a.m.
 Location of neighborhood meeting: Kuna Library 457 N. Logust St Kuna ID

SITE INFORMATION:

Location: Quarter: SE 1/4 Section: 2 Township: 2 Range: 1 Total Acres: 1.145
 Subdivision Name: Chisum Valley Sub 2 Lot: 28 Block: 01
 Site Address: 7945 S. Linder Rd. Meridian, ID 83642 Tax Parcel Number(s): R1693860270

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

CURRENT PROPERTY OWNER:

Name: Gerald N Butler & Evelyn K. Butler
 Address: 2731 Copeland Rd. Harper OR 97906

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

Name: Jayme Butler Business (if applicable): _____
 Address: 7945 S. Linder Rd. Meridian ID 83642



PROPOSED USE:

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

Application Type

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

Brief Description

X of The 1.145 at 7945 S. Linder Rd

APPLICANT:

Name: Cerald Butler
Address: 2731 Copeland Rd
City: Harper State: OR Zip: 97906
Telephone: 208-362-5697 Fax: 208-362-7953

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 8-7A-3 of the Kuna City Code

Signature: (Applicant) Cerald H. Butler Date 3/15/16
Evelyn K. Butler

3/4/2016

Dear Property Owner,

Per Kuna City Code of Section 8-7A-3, on Saturday March 12, 2016 at 11:00am at the Kuna Library located at 457 N Logust St Kuna ID 83634, in the conference room. Gerald and Kay Butler will be holding a Neighborhood Meeting Concerning the Annexation of 1 Acer Parcel on the corner of 7945 S Linder Rd Meridian Id 83642 Legal Description Lot 28 BLK 01 Chisum Valley Sub #2
The SE $\frac{1}{4}$ of Section 2, Township 2 North, Range 1 West, Boise Meridian, in Ada County, State of Idaho.
into Kuna City. Any questions contact Jayme Butler at 208-362-5697.

Thanks

Jerry and Kay Butler

| PRIMARY OWNER | SECONDARY WNER | ADDRESS | STATE/ZIP |
|--|---------------------------|-----------------------|-------------------------|
| DURRANT C RUSSELL & MARIE B LIVING TRUST | DURRANT MARIE B TRUSTEE | 8397 S OLD FARM PL | MERIDIAN, ID 83642-0000 |
| PATTERSON FAMILY ENTERPRISES LLC | | 2664 W 5200 S | REXBURG, ID 83440-4302 |
| BUTLER GERALD N | BUTLER EVELYN K | PO BOX 356 | KUNA, ID 83634-0000 |
| BUTLER GERALD N | BUTLER EVELYN K | PO BOX 356 | KUNA, ID 83634-0000 |
| DURRANT C RUSSELL & MARIE B LIVING TRUST | DURRANT C RUSSELL TRUSTEE | 8397 S OLD FARM PL | MERIDIAN, ID 83642-0000 |
| MILLER CHARLOTTE | | 5171 N BLACK SAND AVE | MERIDIAN, ID 83646-0000 |

SIGN IN SHEET

PROJECT NAME:

Annexation of Property 7945 S Linder
Meridian, ID 83642 1.145 Acres

Date: 3/12/14

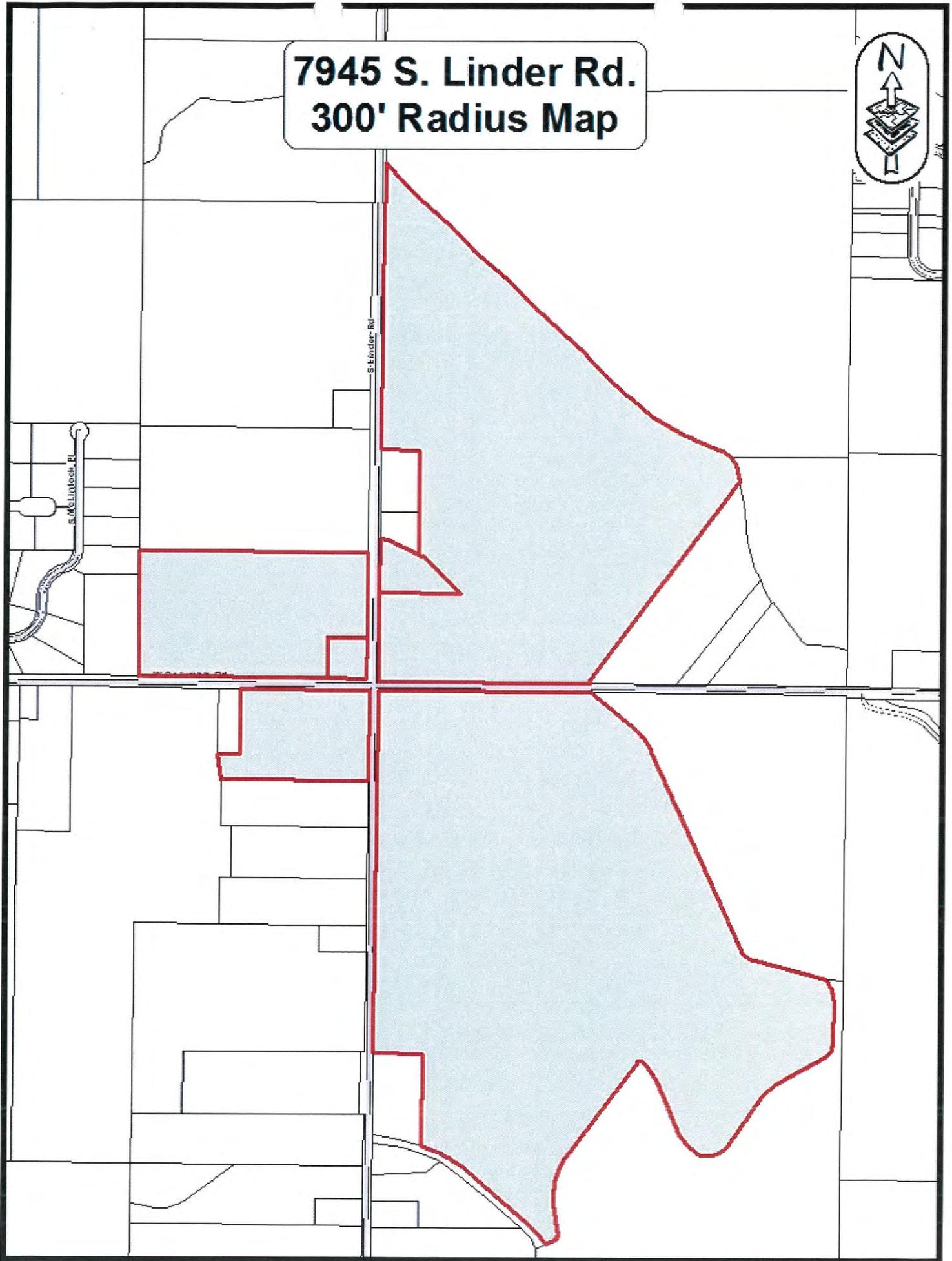
| | <u>Name</u> | <u>Address</u> | <u>Zip</u> | <u>Phone</u> |
|----|--------------|------------------|------------|--------------|
| 1 | Jayme Butler | 7945 S Linder Rd | 83642 | 208-861-9986 |
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**7945 S. Linder Rd.
300' Radius Map**



S Linder Rd

S. McMillan Pl





City of Kuna
**COMMITMENT TO
PROPERTY POSTING**

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

Phone: (208) 922-5274
Fax: (208) 922-5989
Web: www.cityofkuna.com

Per City Code 5-1A-8, the applicant for all applications requiring a public hearing shall post the subject property not less than ten (10) days prior to the hearing. The applicant shall post a copy of the public hearing notice or the application (s) on the property under consideration.

The applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the City no later than seven (7) days prior to the public hearing attesting to where and when the sign (s) were posted. Unless such Certificate is received by the required date, the hearing will be continued.

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

I am aware of the above requirements and will comply with the posting requirements as stated in Kuna City Code 5-1A-8

Merald M. Butte

Applicant/agent signature

3/5/16

Date



208-362-5697

The Scope of Business:

We are just a dispatch center. The employees meet in the mornings at 8:00am and turn in their paperwork and get their calls for the day. There is a secretary there from 8-5. The 2 service techs drive their vans home every evening and there are 2 install trucks that come back to the office and are parked here. We are not open to the public. We have no walking in traffic. Also no equipment or hazardous materials are stored on location.

Thanks

Jayne Butler

Exhibit

A-5



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:

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

Rezone # 16-02-AN

Conditional Use # _____

Preliminary / Final / Short Plat _____

*Chisum Valley No.2
Lot 28 JBLK1*

RECEIVED
 APR 05 2016
 CITY OF KUNA

- 1. We have No Objections to this Proposal. *- to annexation*
- 2. We recommend Denial of this Proposal.
- 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
 - high seasonal ground water
 - waste flow characteristics
 - bedrock from original grade
 - other _____
- 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
 - central sewage
 - community sewage system
 - community water well
 - interim sewage
 - central water
 - individual sewage
 - individual water
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - central sewage
 - community sewage system
 - community water
 - sewage dry lines
 - central water
- 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 12. We will require plans be submitted for a plan review for any:
 - food establishment
 - swimming pools or spas
 - child care center
 - beverage establishment
 - grocery store
- 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

14. If property is connected to existing
septic system & will remain connected
an accessory use will be required to
operate the business.

Reviewed By:

Lori Brady

Date: 3/31/16

EXHIBIT B-1

Review Sheet

From: [Lori Badigian](#)
To: [Trevor Kesner](#)
Subject: RE: City of Kuna: Planning and Zoning - Agency Notification of item under consideration
Date: Wednesday, April 20, 2016 4:19:02 PM
Attachments: [6321a3.png](#)
[37bf9e.png](#)

Trevor,

Misty with Butler Heating contacted me to clarify their intentions with the annexation. She stated they are asking to annex this property into the City of Kuna but will stay connected to the existing septic system since City sewer is not available. In reading the application I was under the impression that they wished to start a new business. Misty explained that business has been in operation for several years and is service oriented therefore the residence is used as a dispatch only with the homeowner as the primary employee on-site. Given this information, CDHD has not objections to this request.

Lori Badigian, REHS | Sr. Environmental Health Specialist
Central District Health
707 N. Armstrong Place | Boise, ID 83704
P: (208) 327-8517 | F: (208) 327-8553 | C: (208) 869-9118



[Twitter](#)



[Facebook](#) | W: cdhd.idaho.gov

CDHD: Healthy People in Healthy Communities

IMPORTANT: The information contained in this email may be privileged, confidential or otherwise protected from disclosure. All persons are advised that they may face penalties under state and federal law for sharing this information with unauthorized individuals. If you received this email in error, please reply to the sender that you have received this information in error. Also, please delete this email after replying to the sender.

From: Trevor Kesner [mailto:TKesner@cityofkuna.com]
Sent: Wednesday, March 30, 2016 9:12 AM
To: ACHD; ACHD; Ada County Development Services (Mark Perfect); Ada County Engineer; Ada County Street Namin; Attorney Icloud; Boise Project Board of Control; Boise Project Board of Control; Boise-Kuna Irrigation Distr.; Cable One t.v.; Lori Badigian; COMPASS; DEQ; Gordon Law; Idaho Power; Idaho Power; Idaho Transportation Dept. ITD; Intermountain Gas; Intermountain Gas; J&M Sanitation; Kuna Fire & EMS; Kuna Police; Kuna School District; Kuna School District; Kuna School District; Natalie Purkey; Tony Davila
Cc: christopher.s.nation@usps.com
Subject: City of Kuna: Planning and Zoning - Agency Notification of item under consideration

March 30, 2016

Notice is hereby given by the City of Kuna that the following action is under consideration for:

| | |
|----------------------------|--|
| FILE NUMBER | 16-02-AN (Annexation) by Jayme Butler |
| PROJECT DESCRIPTION | The applicant is requesting approvals for Annexation of a one (1) acre parcel into the City of Kuna. |
| SITE LOCATION | The subject site is located at 7945 S. Linder Road Kuna, |

| | |
|---|--|
| | Idaho |
| APPLICANT/ REPRESENTATIVE | Jayne Butler 7945 S. Linder Road Kuna, Idaho 83634 butlerheating_hvac@hotmail.com |
| SCHEDULED HEARING DATE | Tuesday, April 26, 2016 6:00 P.m. |
| STAFF CONTACT | Trevor Kesner, Planner II Tkesner@kunaid.gov Phone: 387-7731 Fax: 922.5989 |
| We have enclosed information to assist you with your consideration and responses. The public hearing is at 6:00 p.m. or as soon as it may be heard located at Kuna City Hall 763 W. Avalon Kuna, ID 83634. No response within 15 business days will indicate you have no objection or concerns with this project. We would appreciate any information you can supply us as to how this action would affect the services you provide. | |

Attachments: Application and supplemental documentation

Trevor Kesner

Planner II

KUNA PLANNING & ZONING DEPT.

(208) 387-7731

trevor@cityofkuna.com



City of Kuna
763 W. Avalon
Kuna, ID 83634

CONFIDENTIALITY NOTICE

This e-mail and any attachments may contain confidential or privileged information. If you are not the intended recipient, you are not authorized to use or distribute any information included in this e-mail or its attachments. If you receive this e-mail in error, please delete it from your system and contact the sender.



IDAHO TRANSPORTATION DEPARTMENT

P.O. Box 8028
Boise, ID 83707-2028

(208) 334-8300
itd.idaho.gov

April 7, 2016

Trevor Kesner
City of Kuna, Planning and Zoning Department
P.O. Box 13
Kuna, ID 83634

VIA EMAIL

RE: 16-02-AN BUTLER HEATING INC.

The Idaho Transportation Department has reviewed the referenced annexation application for Butler Heating Inc. located at 7945 South Linder Road west of SH-69. ITD has the following comments:

1. ITD has no objection to the annexation and does not require any mitigation.
2. This property does not abut the State highway system.

If you have any questions, you may contact Ken Couch at 332-7190 or me at 332-7191.

Sincerely,

A handwritten signature in blue ink that reads "James K. Morrison".

James K. Morrison
Development Services Manager
jim.morrison@itd.idaho.gov

RON PLATT
CHAIRMAN OF THE BOARD

RICHARD MURGOITIO
VICE CHAIRMAN OF THE BOARD

TIMOTHY M. PAGE
PROJECT MANAGER

ROBERT D. CARTER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

JERRI FLOYD
ASSISTANT SECRETARY-TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2455 OVERLAND ROAD
BOISE, IDAHO 83705-3155

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

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

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

07 April 2016

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

RE: Jayme Butler **16-02-AN**
7945 S. Linder Rd.
Boise-Kuna Irrigation District **BK-247 A**
Painter Lateral 71+10
Sec. 02, T2N, R1W, BM.

Trevor Kesner, Planner II:

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

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

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

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

Sincerely,



Bob Carter
Assistant Project Manager, BPBC

bdc/bc

cc: Clint McCormick Watermaster, Div; 2 BPBC
Lauren Boehlke Secretary - Treasurer, BKID
File

Exhibit
B-3



CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.cityofkuna.com

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@cityofkuna.com

MEMORANDUM

TO: Director of Kuna Planning and Zoning

FROM: Gordon N. Law
Kuna City Engineer

RE: Jayme Butler
Annexation
16-02-AN

DATE: April 11, 2016

The City Engineer has reviewed the annexation request of the above applicant dated March 30, 2016. It is noted that specific development plans are not provided except those implied as allowed or permitted in a "C-1" zone. The applicant desires to operate their business, Butler Heating, Inc., at the site. The applicant does not mention the need for City services and these comments will assume that the applicant intends to rely on the existing water and sewer facilities for its business operation.

The recommendation of the City Engineer is to proceed with this annexation and address the issues of extending the City service area in connection with the future land-use actions. Accordingly, the City Engineer provides the following comments:

1. Sanitary Sewer Needs

- a) The applicant's property to be annexed is presently used for residential and farmstead purposes and does not require City services. As developed property, it will require municipal or community sewer service. The City Engineer recommends ultimate connection to City facilities but does not preclude the implementation of an interim treatment and disposal option.
- b) Wastewater from the applicant's property has the future option of being treated at the North Treatment Plant which has sufficient capacity to serve this site. The nearest point of connection for the Butler Heating project is in Ten Mile Road and is considered "not reasonably available". When connecting to the sewer system, the applicant will need to abide by any relevant sewer reimbursement policies and agreements and any relevant connection fees.
- c) For assistance in locating existing facilities and understanding issues associated with connection, please contact the City Engineer at 287-1727.

2. Potable Water Needs

- a) The applicant's property to be annexed is presently used for residential and farmstead purposes and does not require City services at present. As more highly developed property in the future, it will require municipal water service for potable and fire protection needs.
- b) The nearest point of connection for the Butler Heating project is in the Columbia Road frontage. When connecting to the water system, the applicant will need to abide by any relevant water reimbursement policies and agreements and any relevant connection fees.
- c) Improvements necessary to provide adequate fire protection as required by Kuna Fire District will be required of the development.
- d) For assistance in locating existing facilities, please contact the City Engineer at 287-1727.

3. Pressure Irrigation

- a) The property's irrigation needs are presently served by its own well and from surface rights in the canal system. The city does not have pressure irrigation facilities in the vicinity and the costly extension of City facilities to the site for this project alone does not seem justified. Accordingly, the City Engineer recommends reliance for the present on either the canals or utilization of the existing well of the applicant for irrigation needs.

4. Grading and Storm Drainage

The following is not required for annexation but will be required when alteration of surface features is proposed (such as grading or paving) in connection with future land use applications:

- a) Please 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) If impervious area is increased, please provide a storm water disposal plan acceptable to the City Engineer which accounts for the increased storm water drainage. Please provide detail drawings of drainage facilities for review.
- c) Any increase in quantity or rate of runoff or decrease in quality of runoff from the site compared to historical conditions must be detained, treated and released at rates no greater than historical amounts.
- d) If offsite disposal of storm water in excess of historical rates or conditions is proposed, or disposed at locations different than provided historically, the approval of the affected entities is required.

5. General

- a) With the addition of this property into the corporate limits of Kuna and its potential connection to water (and perhaps irrigation) services, this property will be placing demand not only on constructed facilities but on water rights provided by others. It is the reasonable expectation, in return, that this property transfer to the City at time of connection (ie development) any conveyable water rights by deed and "Change of Ownership" form from IDWR that are presently associated with the property. The

- domestic water right associated solely with a residence and ½ acre or less is not conveyable. The water right held in trust by an irrigation district is also not conveyable.
- b) A plan approval letter will be required if this project affects any local irrigation districts.
 - c) Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties.
 - d) State the vertical datum used for elevations on all drawings.
 - e) Provide engineering certification on all final engineering drawings.

6. Inspection Fees

An inspection fee will be required for City inspection of the construction of any **public** water, sewer and irrigation facility associated with this development. The developer will still require a qualified responsible engineer to do sufficient inspection to justly certify to DEQ the project was completed in accordance with approved plans and specifications and to provide accurate as-built drawings to the City. The developer's engineer and the City's inspector are permitted to coordinate inspections as much as possible. The current inspection fee is \$1.00 per lineal foot of sewer, water and pressure irrigation pipe and payment is due and payable prior to City's approval of final construction plans. **If no public water, sewer and irrigation construction work is done (such as with a stand-alone annexation), no fees are required.**

7. Right-of-Way

The subject property fronts on its south and east sides on existing section line arterial streets (Columbia Road and Linder Road). The following conditions are related to these classified streets and future quarter line classified streets and apply at the time of development:

- a) Sufficient half right-of-way on the quarter line and section line for existing and future classified streets should be provided pursuant to City and ACHD standards.
- b) It is recommended approaches onto the classified streets comply with ACHD approach policies.
- c) It is recommended sidewalk, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, are provided at the time of land-use change or re-development.

8. As-Built Drawings

As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the developer's engineer. The city may help track changes, but will not be responsible for the finished product. As-built drawings will be required before occupancy or final plat approval is granted. **If no public facilities are constructed (such as with a stand-alone annexation), no as-built drawings are required.**

9. Property Description

- a) The applicant provided a metes and bounds property description of the subject parcel.

ORDINANCE 2016-__

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING KCC 5-1-6-2 “COMMENCEMENT OF CONSTRUCTION” TO INCLUDE THE PREPAYMENT OF PREPAID SEWER HOOK UPS OR LID EDU’S; AMENDING KCC 6-2-3 ENTITLED “PRELIMINARY PLAT” TO CLARIFY CERTAIN SECTIONS REGARDING THE APPROVAL PERIOD FOR A PRELIMINARY PLAT, REMOVING LANGUAGE REGARDING CONSTRUCTION PHASING AND THE REQUIREMENT THAT THE DEVELOPER PROVIDE A TIME SCHEDULE WITH START AND COMPLETION DATES, ADDING LANGUAGE TO REQUIRE SIXTY (60) DAYS NOTICE PRIOR TO A PLAT EXPIRING, ADDING LANGUAGE THAT A DEVELOPER MAY RECEIVE A PRELIMINARY PLAT REINSTATEMENT IF THERE HAS BEEN COMMENCEMENT OF CONSTRUCTION, SETTING FORTH CONDITIONS FOR MAKING APPLICATION FOR A PRELIMINARY PLAT EXTENSION APPLICATION INCLUDING PAYMENT OF PAST DUE FEES, REQUIRING PRELIMINARY PLATS THAT HAVE BEEN EXTENDED WHERE THE DEVELOPER ALSO REQUEST A CHANGE IN PHASING TO RECEIVE CITY COUNCIL APPROVAL IF THE PHASING HAS A REQUIREMENT SUCH AS A SWIMMING POOL OR OTHER AMENITY; AMENDING KCC 6-2-4 ENTITLED “FINAL PLAT” TO MAKE CERTAIN CHANGES TO CLARIFY THE APPROVAL PROCESS, ADDING A REQUIREMENT THAT ALL EASEMENTS BE SHOWN ON ALL LOT LINES, AND ADDING TO THE PLAT NOTES THAT HOA COMMON LOTS IRRIGATION ASSESSMENTS ARE FRACTIONALLY ASSESSED TO THE INDIVIDUAL IMPROVED LOTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, this text amendment is in agreement with the spirit and intent of Kuna’s Comprehensive Land Use Plan (Plan); and

WHEREAS, it is deemed to be in the best interest of the city of Kuna to amend certain sections of Chapter 1, Title 5, and certain sections of Chapter 2 of Title 6; and

WHEREAS, this zoning amendment is pursued in accordance with KCC 5-13, “ZONING AMENDMENTS”.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, IDAHO that:

Ordinance Section 1. Title 5, Chapter -1, Section -6, Part -2: MEANINGS OF TERMS OR WORDS is amended to add the following term to the list of definitions:

COMMENCEMENT OF CONSTRUCTION: The construction of the first permanent structure on a site as approved or offsite improvements intended to primarily benefit said site. Onsite improvements include such things as: the pouring of slab or footings, the installation of pilings, the construction of columns or any other work beyond excavation. Offsite improvements include such things as: installing major infrastructure improvements, [payment of prepaid sewer hook up or LID EDUs](#), sewer lines, water lines, pressurized irrigation lines, well stations, lift stations, pump stations, roads, and other utilities intended to serve the site. Permanent construction does not include land preparation, such as clearing, grading, and filling or excavation for a basement, footings, piers, or foundations or the erection of temporary forms.

Ordinance Section 2. Title 6, Chapter 2, Section 3 entitled, “PRELIMINARY PLAT” is amended as follows:

CHAPTER 2
SUBDIVISION APPROVAL PROCEDURE

6-2-3: PRELIMINARY PLAT

Note: Sub-divider and developer are intended to be interchangeable terms.

J. Approval period, time extension, phased development and expiration:

1. [A preliminary plat approval shall be valid for two \(2\) years from the date of approval of the findings of facts and conclusions of law by City Council, unless extended as provided for herein.](#)

~~Failure of the subdivider to obtain a final plat acceptance letter within two (2) years after city council action to approve the preliminary plat's findings of fact shall cause it to become invalid. Unless, a preliminary time extension has been filed with the planning department, along with the refiling fees, prior to the two year approval time period sunseting.~~

[2. In the event that the preliminary plat is approved in construction phases \(more than one \(1\) phase\), the subdivider shall have two \(2\) years to complete the plat's first phase from the time the council approves the plat's findings of fact. When the preliminary plat includes construction phases, the subdivider shall provide the council, at time of preliminary plat approval, a time schedule that shows the start and completion date for each of the preliminary plat's successive phases. The schedule shall identify that each successive phase is to be completed within one \(1\) year of the preceding phase's recording date. The order of the phases shall not change without the city's expressed consent.](#)

[3. A subdivider shall, sixty \(60\) days prior to the expiration of the two \(2\) year approval period or any extension thereof, notify the Planning and Zoning Department that they are requesting an extension of the preliminary plat approval by filing an Application for preliminary plat Time Extension as provided for in section 6, or the City's approvals for the preliminary plat shall automatically expire.](#)

4. On the date of passage of this Ordinance, if a subdivider has Commenced Construction, as defined in KCC 5-1-6-2, the preliminary plat approval may only be reinstated by formal action of the Planning and Zoning Director. The reinstatement process shall follow the same process as the Preliminary Plat Time Extension, as provided for in Section 6.

5. A preliminary plat approval that has expired shall not be granted a renewal or extension.

6. Application for pPreliminary pPlat Time Extension.

a. Subdivider shall file an application with the Planning and Zoning Department on the form provided by the Planning and Zoning Department and pay the applicable fee.

b. Subdivider shall pay any balance due on the original preliminary plat application, including City engineering fees, inspection fees, irrigation fees, or other required fees or past due balances owed to the City that are due from a predecessor in interest to the development.

c. As required by the application, provide an updated preliminary plat.

d. The resubmitted plat shall be subject to all rules or regulations that have been adopted since the preliminary plat was initially approved.

e. ~~subdivider~~If a City Ordinance or regulation has been adopted since the original preliminary plat was approved and that Ordinance or regulatory change would require significant alteration, as determined by the City Engineer, to improvements previously installed and approved, the City Engineer may recommend to the City Council that the regulatory provision be set aside. The City Council has the discretion to set them aside, provided they do not affect public health or safety.

f. As required by the application, provide a basis for the extension request. The Planning and Zoning Director shall determine if there is a good cause/basis for the granting of the extension, which decision shall be appealable to the City Council.

g. The application may also require any additional information that the Planning and Zoning Department deems necessary.

h. The Planning and Zoning Director may require ~~any~~ additional conditions of approval for the extension, including changes or amendments to the Kuna City Code or other requirements of any other regulatory body.

i. The application, when deemed complete by the Planning and Zoning Director, shall be set before the City Council for formal action to approve or deny the request for time extension.

7. The City Council is under no obligation to grant a time extension; however consideration should be given to whether the subdivider has Commenced Construction.

In addition to approving or denying the request for time extension, the City Council may add ~~any~~ additional conditions to its approval of the request for time extension.

8. If a Preliminary Plat extension also includes phasing, the granting of the extension shall also reset the time schedule for all remaining phases. However, if the proposal is to modify or change the order of the phasing that contains any phasing requirement, such as a swimming pool or other amenities, the change may only be approved by the City Council.

9. A preliminary plat time extension shall be valid for two (2) years from the date of approval of the findings of fact and conclusions of law of the extension by City Council.

~~A preliminary plat time extension is heard by the city council. The subdivider shall provide the city council sufficient reason(s) for continuing the preliminary plat application as a basis for the granting of a time extension. The city council reserves the right to add additional conditions of approval to the preliminary plat as part of a time extension. The city council is under no obligation to grant a time extension. A preliminary plat time extension shall be good for one (1) year from the time the city council approves it based on the initial two year time period established at the signing of the findings of fact.~~

~~2. In the event that the preliminary plat is approved in construction phases (more than one (1) phase), the subdivider shall have two (2) years to complete the plat's first phase from the time the council approves the plat's findings of fact. When the preliminary plat includes construction phases, the subdivider shall provide the council, at time of preliminary plat approval, a time schedule that shows the start and completion date for each of the preliminary plat's successive phases. The schedule shall identify that each successive phase is to be completed within one (1) year of the preceding phase. The order of the phases shall not change without the city's expressed consent.~~

~~In the event a preliminary plat phase cannot be completed within the scheduled time, the subdivider shall apply for a time extension on the subject phase prior to its scheduled completion date. A preliminary plat phase time extension is heard by the city council. The subdivider shall provide the city council sufficient reason(s) for continuing the preliminary plat application as a basis for the granting of a plat phase time extension. The city council is under no obligation to grant a time extension. The city council reserves the right to add additional conditions of approval to the preliminary plat phase as part of a time extension. A preliminary plat phase time extension shall be good for one (1) year from the time the city council approves it based on the initial one year time period established at the signing of the findings of fact.~~

~~In the event the city council approves a phase time extension, it shall also amend the time schedule for all remaining phases, thereby resetting the starting and completion date of all remaining phases in accordance with the initial one year time period established at the signing of the findings of fact. The maximum number of time extensions that may be granted by the city council is two (2). If preliminary plat phases are constructed~~

~~according to the phasing schedule, or as it may be amended by the city council, they may be considered for final approval without resubmission for preliminary plat approval.~~

~~3. — An approved preliminary plat remains approved as long as the time lines as noted in subsections J.1. and J.2. of this section are met. In the event a preliminary plat expires and the subdivider determines to reactivate it, they shall pay the current preliminary plat fees and furnish staff an updated preliminary plat. The resubmitted plat shall be subject to all rules or regulations that have been instituted since the preliminary plat was initially approved. The subdivider shall receive credit for any previous preliminary plat development work completed and approved. If a city rule or regulation has been instituted since the preliminary plat was initially approved and that regulatory change would require significant alteration to improvements previously installed and approved, the city engineer may recommend to the city council the regulatory provision be set aside. The city council has the discretion to set them aside, provided they do not affect public health or safety.~~

~~In the event an approved final plat expires, application would need to be made for a new preliminary plat in accordance with the provisions noted above.~~

Ordinance Section 32. Title 6 Chapter 2 Section 4 entitled, “FINAL PLAT” is amended to read:

6-2-4: FINAL PLAT

The City engineer shall not sign the final plat ~~M~~mylar if any City Code violations exist on the subject property at the time of requested signature.

The following procedures shall apply to the filing for final plat approval of any city of Kuna subdivision:

- A. *Application:* After the approval or conditional approval of the preliminary plat by the City Council, the subdivider may cause the subdivision, or any part thereof, to be surveyed and a final plat prepared in accordance with the approved preliminary plat. The subdivider shall submit to the planning staff the following:
1. Final plat application along with a title report that is less than six (6) months old, warranty deed or other acceptable evidence demonstrating the subdivider's ownership or legal interest in the land included in the final plat.
 2. Payment of fees equivalent to the amount of material and labors expended by City staff for plat review. Fees shall be paid for all costs associated with the review of the preliminary plat, final plat and construction drawings. The subdivider will be notified of the amount owed and the basis for the fees charged. All plat related fees shall be paid prior to city approval.
 3. Three (3) paper copies and a digital copy in a PDF format of the final plat and signature page.
 4. Three (3) paper copies and a digital copy in a PDF format of the final engineering

construction drawings for streets, water, sewer, sidewalk, pressure irrigation and other public improvements.

5. Other items as specified, and required by the City during the planning application process.

B. *Content of final plat:* The final plat shall be in compliance with all items required in Idaho Code Title. 50, Chapter 13; the final plat shall include the following:

1. Final plat check-off list with all items completed. If the landscaping has not been completed, a financial guarantee ~~may~~shall be provided pursuant to KCC 6-4-3;
2. Proof of current ownership of the real property and written consent of the final plat owners of record;
3. All easements shall be shown on all lot lines for ~~all~~ lots in the subdivision;
4. All subdivisions that contain a Home-owners' Association shall have the following language: "The Home-owners' Association (HOA), its ownership and maintenance commitments can not be dissolved without the express written consent of the City of Kuna, Idaho. All improved individual lots are subject to a fractional share of the irrigation assessment for each HOA common lot(s) that receive(s) municipal irrigation. If the assessment is not paid by the HOA, the individual improved lots are subject to a lien for non-payment";
43. Other information the Planning and Zoning Director, City Engineer or ~~City Attorney Council~~ deem necessary to establish ownership and signing authority;
54. A statement and other supporting evidence demonstrating the final plat conform to the approved preliminary plat;
65. A statement of compliance with provisions of this title;
76. A statement the final plat meets established engineering practices and local standards.

C. *Planning staff review:*

1. The Planning and Zoning Director shall certify and date stamp the application for purpose of establishing its completeness relative to all noted final plat requirements.
2. The Planning and Zoning Director shall review the final plat for compliance with the approved or conditionally approved preliminary plat. If the Planning and Zoning Director or assigned person determines there are substantial differences between the preliminary and final plat, the subdivider may be required to submit the final plat to the City Council as it was portrayed at time of the preliminary plat process.

3. After the Planning and Zoning Director's determination that the final plat is in compliance with the preliminary plat and all conditional requirements have been met, the Planning and Zoning Director or assigned person shall place the final plat on the Council agenda within forty-five (45) days from its receipt and acceptance. Acknowledgement of final plat acceptance shall be conveyed by way of written confirmation.

D. *Agency review:* The Planning and Zoning Director or assigned person shall transmit final plat documents to other reviewing City staff and agencies for evaluation and comment. The reviewer shall evaluate the final plat improvements for consistency with construction standards, health protocols, cost estimates and legal requirements. The subdivider shall not rely upon a surety for performance bonding purpose.

E. *Council action:* At the public meeting scheduled for the final plat review the City Council shall consider comments from ~~concerned persons and~~ agencies. The City Council shall approve, approve conditionally, disapprove the final plat or table it for purposes of acquiring and reviewing additional information and then approve, approve conditionally or disapprove the final plat after review of this supplementary information within thirty (30) days of the date of the regular meeting at which the plat is first considered. A copy of the approved plat shall be filed with the Planning and Zoning ~~planning and~~ Department. Upon granting or denying the final plat, the City Council shall specify:

1. The ordinance and standards relied upon to evaluate the application;
2. The reasons for approval or denial; and
3. The action(s), if any, the applicant could take to obtain a permit.

F. *Approval period:*

1. The final subdivision plat shall be filed with the County Recorder within two (2) years after the City Council's signing of the findings of fact; otherwise, the plat approval shall become null and void unless prior to the two (2)-year expiration date the subdivider applies for a time extension. A final plat time extension is heard by the City Council. The subdivider shall provide the City Council sufficient reason(s) for continuing the final plat application as a basis for the granting of a time extension. The City Council is under no obligation to approve a final plat time extension. The City Council reserves the right to add additional conditions of approval to the final plat as part of a time extension.
2. In the event the City Council does not approve a time extension request, the plat shall become null and void. If the plat becomes null and void ~~invalid~~ the subdivider shall resubmit the plat for preliminary plat approval. The subdivider will receive credit for improvements previously installed and approved. The

subdivider shall pay the current preliminary plat application fees and furnish staff an updated preliminary plat.

3. The resubmitted plat shall be subject to rules or regulations in place at time of reapplication. If a City rule or regulation has been instituted since the preliminary plat was initially approved and that regulatory change would require significant alteration to improvements previously installed and approved, the City Engineer may recommend to the City Council the regulatory provision be set aside. The City Council has the discretion to set them aside, provided they do not affect public health or safety. Time extensions are valid for one (1) year from the City Council's approval based on the initial one-year time period established at the signing of the preliminary findings of fact.

G. *Prior to requesting the city engineer's signature on the final plat Mylar:*

Either:

- a. All required improvements, infrastructure, public utilities, public improvements, etcetera have been installed and conditions of approval have been met and inspected and approved by the City; including all record drawing requirements, submittal of engineer or record inspection logs, submittal of the engineer of record certification and receipt of the dedication request, and memorandum from the City engineer has been issued stating as much;

Or:

- b. The City engineer has approved the amount of the financial guarantee as outlined in section 6-4-3 of this Chapter for required improvements and conditions of approval that have yet to be completed. The City engineer shall not sign, nor release the final plat for recording until the City has received the financial guarantee in compliance with the provisions of this Chapter and the City Council has approved the final plat.

Additionally:

The following items shall be completed by the subdivider, and inspected and approved by the City engineer and/or their designee and other approving agencies, prior to the subdivider submitting for final plat approval; said items are not eligible for financial guarantees as provided for in KCC 6-4-3. The City engineer's approval shall be in the form of a memorandum confirming completion of the following:

1. Construction of the domestic water system, including successful pressure and bacteria tests followed by city of Kuna inspections and approvals;
2. Installation of fire hydrants according to the current International Fire Code standards and supporting fire flows according to standards established by the

Kuna Fire District;

3. Construction of the sanitary sewer system, including successful pressure test, television camera inspection, evidence of acceptable pipe sloping, completion of all work within the base of the manholes followed by city of Kuna inspections and approvals.
4. Construction of an all around weather road system subject to the Kuna Fire Chief and Ada County Highway District (ACHD) inspections and approvals.
5. Installation of street signs followed by City engineer, Kuna Fire District and ACHD inspections and approvals.
6. The subdivider shall dedicate all sanitary sewer and domestic water facilities and provide all applicable documentation as required by the city engineer.
7. Construction of that portion of the pressure irrigation system that will be dedicated to the City by the subdivider. Said system shall be tested by the subdivider, and inspected and approved by the City's engineering staff. Under the discretion of the City engineer, the construction of said system, or a portion thereof, may be deferred to a date certain, but in no event, not later than the issuance of the first building permit. Any deferral shall be agreed to by the subdivider and the City, and recorded against the property. Upon completion of the deferred pressurized irrigation system or portion thereof, it shall be inspected and approved by the City engineering staff before the building permit is issued. Under circumstances where seasonal restrictions prevent the total completion of the irrigation system, the City engineer may allow, at his/her sole discretion, those portions of the system under the purview of seasonal restriction to be deferred. Any portion of the irrigation system that is deferred shall be included in the financial guarantee. The City must receive documentation requesting that the system be annexed into the Kuna Municipal Irrigation District if annexation is applicable. All applicable fees must be submitted with the annexation request.
8. Dedicate water rights to the City in sufficient quantities to offset the subdivisions potential water demands as determined by the city engineer.
9. Provide permanent approved perimeter fencing along the subdivisions outer perimeter, [which shall require a building permit.](#)

H. *Method of recording:* After the City Council grants final plat approval and subject to the prepayment of recording fees, posting an acceptable irrevocable guarantee and the inclusion of the following signatures on the final plat, the applicant shall submit the final plat to the County Recorder for recording:

1. Certification and signature of the City Council verifying that the subdivision has been approved;

2. Certification and signature of the City clerk, if required, and the City engineer verifying that the subdivision meets the city requirements and has been approved by the City Council; and
3. Certification of the sanitation restrictions on the face of the plat pursuant to Idaho Code §50-1326.

Ordinance Section 3. Severability. If some provision of the law or certain application of these provisions are found to be unconstitutional. The remaining provisions, or the remaining applications of these provisions, will, nonetheless continue in force as law.

Ordinance Section 4. Full Force and Effect. This Ordinance shall be in full force and effective from and after its passage, approval and publication as required by law.



City of Kuna

P.O. Box 13
Kuna, ID 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
www.Kunacity.Id.gov

Design Review Staff Report

To: Planning and Zoning Commission; acting as Design Review Committee

Case Numbers: 16-04-DR (Design Review) – Tractor Supply Company – Ensign Subdivision (Forthcoming)

Location: 817 South Meridian Road - South of Ridley's Market – SWC of Meridian & Deer Flat.

Planner: Troy Behunin, Senior Planner

Meeting Date: May 10, 2016

Applicant: Stout Building Contractors, Kelly Kallaher
1380 W. 50 S.
Centerville, Utah 84014
385.272.0877
kellyk@stoutbc.com

Owner: Emmett Partners, LLC, Jeremy Terry
2694 N. 920 E.
Logan, Utah 84341
801.322.2040
jeremy@ensigndevelopmentgroup.com

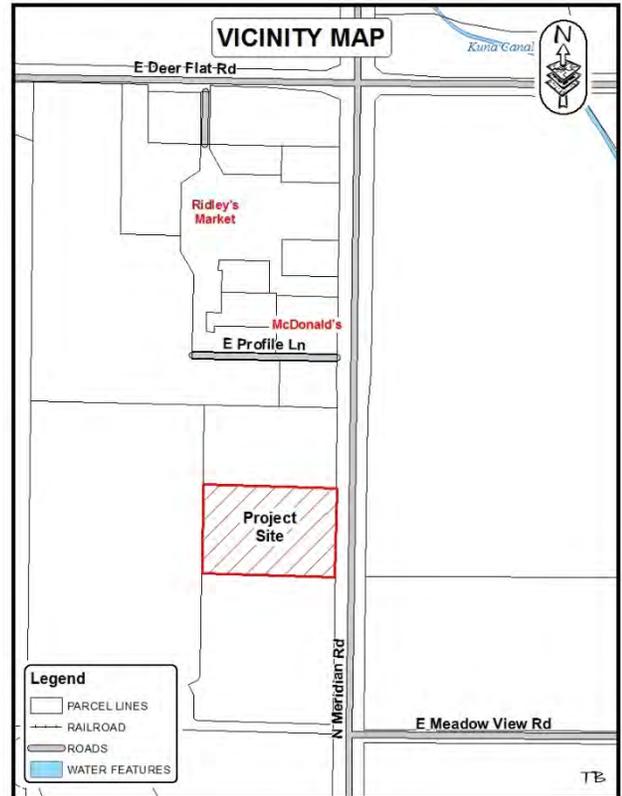


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- A. Course Proceedings
- B. Applicant Request
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- E. General Project Facts
- F. Staff Analysis
- G. Applicable Standards
- H. General Requirements of Code
- I. Proposed Decision by the Commission

A. Course of Proceedings:

1. According to Kuna City Code (KCC) Title 5, Chapter 4, Section 2 (Design Review) and Title 5, Chapter 10 (Signs) Section 4-G-10; all exterior and new commercial monument signs are required to submit an application for review by the Design Review Committee (DRC). As a public meeting item, this action requires no formal public noticing actions.

a. Notifications

- i. Agenda

May 10, 2016

2. In accordance with KCC 5-4-2 and KCC 5-10-4-G-10, this application seeks DRC approval for building, landscaping and parking lot design for a new Tractor Supply Company, store in Kuna.

B. Applicant Request:

1. Applicant requests approval from the Planning and Zoning Commission (acting as Design Review Committee) for a 21,999 square foot commercial building to house the new Tractor Supply Company (TSC) store and accompanying landscaping and parking lot, within the future Ensign Commercial subdivision.

C. Aerial Map:



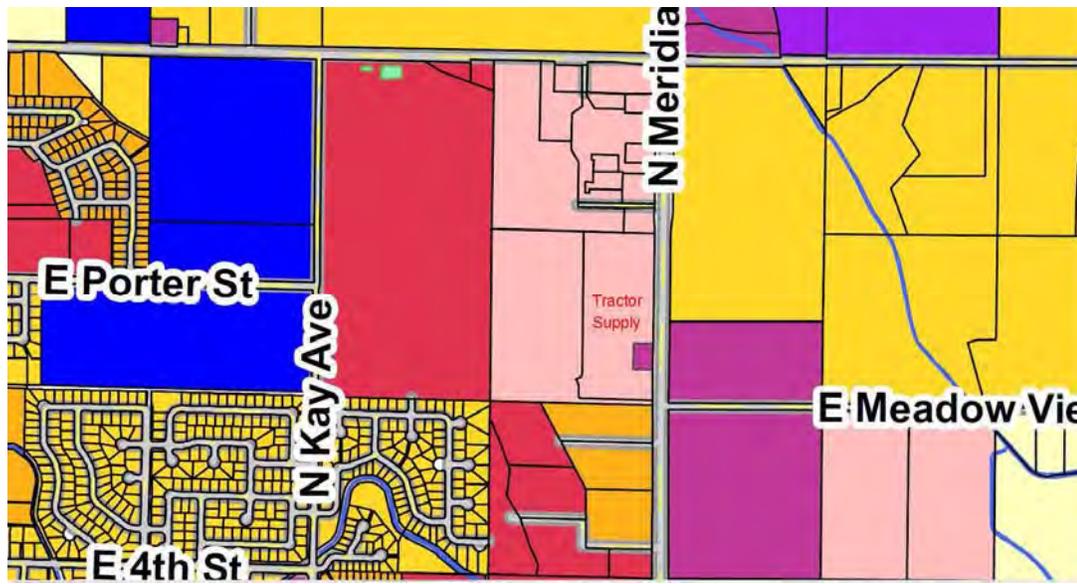
©COPYRIGHTED

D. History:

The property is in the City limits and is zoned C-1 (Neighborhood Commercial District). This parcel has historically been farmed.

- E. General Project Facts:** This parcel is just south of the Ridley's and Ace stores – Kuna, Idaho. Tractor Supply Company (TSC) will be approximately 21,999 square feet in size and will have a patio and an outdoor display area for selling certain goods, including but not limited to propane, welding gas, trailers, various smaller motorized vehicles, farm equipment, general feed, and gardening/farm related items.

1. **Comprehensive Plan Designation:** The Comprehensive Plan Map (CPM) identifies this site as Neighborhood Commercial District. Staff views this request to be consistent with the approved CPM map.



Legend

| | |
|-----------------------|--|
| AGRICULTURAL | PROFESSIONAL OFFICE |
| RURAL CLUSTER | FEDERAL LAND |
| LOW DENSITY | NEIGHBORHOOD CENTER |
| MEDIUM DENSITY | NEIGHBORHOOD DISTRICT |
| HIGH DENSITY | WWTF |
| MIXED USE GENERAL*** | CITY INTEREST |
| MIXED USE CITY CENTER | MIXED USE GENERAL WITH A MINIMUM EQUIVALENCE OF 3 UNITS PER ACRE |
| LIGHT INDUSTRIAL | GREEN WAY WATERWAYS |
| HEAVY INDUSTRIAL | GREENBELT OVERLAY |
| PUBLIC | |
| COMMERCIAL | |

*** MIXED USE GENERAL EXPECTED RESIDENTIAL DENSITIES CAN RANGE FROM 2 TO 20 UNITS PER ACRE

2. Surrounding Land Uses:

| | | |
|--------------|---------|---|
| North | C-1 | Neighborhood Commercial – Kuna City |
| South | RUT | Rural Urban Transition – Ada County |
| East | RUT, AG | Rural Urban Transition & Agricultural– Ada County |
| West | R-6 | Medium Density Residential – Kuna City |

3. Parcel Sizes, Current Zoning, Parcel Numbers:

- Approximately 3.15 acres.
- C-1, Neighborhood Commercial
- Parcel No. S1324142250 (until Commercial Subdivision Records)

4. Services:

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

5. **Existing Structures, Vegetation and Natural Features:** The property has no existing buildings and has vegetation associated with a farm field.
6. **Transportation / Connectivity:** Approved driveway access ingress/egress from East Profile Lane, south of McDonalds. Applicant will also seek another ingress/egress in the near future.
7. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts. This site's topography is generally flat.

F. Staff Analysis:

Staff has reviewed the application and with a few minor concerns, finds the proposed building, landscaping and parking lot generally satisfies the intent of Kuna's Codes and fits into the overall vision of the C-1 District and generally conforms to the 'Kuna Architecture' guidelines and parking standards.

Staff finds that the proposed commercial building for TSC is in general conformance with the Design Review Ordinance (Kuna City Code [KCC] Title 5, Chapter 4). The submitted plans make note of the proposed rooftop mechanical equipment, however, staff seeks clarification from the applicant about screening methods, and how the applicant will address KCC 5-4-6-C-i.

The applicant has proposed 88 parking spaces and staff finds the parking lot is in substantial conformance with KCC Title 5 Chapter 9.

Staff finds the proposed landscaping is *not* in conformance with KCC Title 5 chapter 17, the Landscaping Ordinance. KCC does not allow for gravel to be used as a ground cover in the C-1 zone and should be switched out with an appropriate cover as found in KCC. Additionally, a 20' (min.) wide landscape buffer is required for the west side of the site (see KCC 5-17-13-B-5 and 5-17-14-D). Commercial and residential uses are generally not viewed as compatible. When non-compatible uses are directly adjacent to each other, a buffer is required to be placed between them. Applicant shall install a ten foot (min.) buffer along the west property between the C-1 and R-6 zones, thereby providing half of the required buffer. Staff requests clarification about the proposed landscaping along Meridian Road. If this application intends to place landscaping along the frontage, staff recommends the applicant follow the landscape requirements for the overlay district listed in KCC 5-2A-7-C and 5-17-15.

The dumpster gates are proposed to have wooden gates. Wood and chain-link fencing are *not* an acceptable materials for screening in Kuna's commercial districts (KCC 5-17-12-A-4). Applicant shall work with J&M Sanitation to bring the dumpster into compliance with J&M standards.

The proposed wall signs (and other signage) will require a separate design review application as they were not a part of this application and shall be submitted in conformance with KCC 5-10-4-G and Q.

Applicant is proposing two outdoor areas for displaying and selling of merchandise. These areas will include (but are not limited to) the sale of bulk propane, welding gas, trailers, pedal boats and motorized vehicles, including mini-bikes, dirt bikes, scooters, UTVs, trailers & equipment along with hay and forage. The sale of merchandise and displays within these areas are allowed so long as the following conditions are met – No merchandise blocks fire access/entrances, fire hydrant access (six-foot radius (Min.)), entry to stores (public or private), or constrict walkways below acceptable ADA standards. Proof of permits and inspections verifying State of Idaho compliance (If necessary) will be required for propane and welding gas (explosives) sales/displays.

Applicant will be subject to design review inspections and fees for the inspections (post construction), for compliance verification of the building, parking lot, landscaping and eventually signage, prior to certificate of occupancy will be issued.

With the staff suggested changes to the landscaping scheme along the west side of the project, and proper screening for the mechanical equipment, staff views the proposed new commercial building, landscaping and parking lot to be generally consistent with the goals and vision of the overlay district and Kuna city. Staff forwards a recommendation of approval for case No. 16-04-DRC to the Design Review Committee.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance No. 230.
2. City of Kuna Design Review Ordinance, 2011-08.
3. City of Kuna Comprehensive Plan.
4. City of Kuna Overlay District Ordinance, 2011-06
5. City of Kuna Landscaping Ordinance, 2012-22
6. City of Kuna Parking Lot Ordinance, 2011-12

H. Proposed Decision by the Commission:

Note: This proposed motion is for approval or denial of this request. However, if the Design Review Committee wishes to approve or 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, the case file and discussion at the public meeting the Design Review Committee of Kuna, Idaho, hereby (approves/denies) Case No. 16-04-DRC, a Design Review request by Kelly Kallaher with Stout Building Contractors (on behalf of Jeremy Terry (Emmett Partners, LLC and Tractor Supply Co), with the following conditions of approval:

Conditions of Approval:

1. Signage for the site shall comply with current Kuna City Code, go through the Design Review Process, and *obtain a sign permit prior to construction.*
2. Lighting within the site shall comply with the Kuna City Code.
3. Landscaping shall be modified to reflect a Ten Foot Min. buffer on the west side of the site along the shared boundary with the residential zone, and replace ground cover with acceptable materials.
4. Address rooftop mechanical equipment screening according to code.
5. The applicant shall follow all staff and agency recommendations.
6. The applicant shall comply with all federal, state and local laws.

DATED: This 10th day of May, 2016.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Troy Behunin, Senior Planner
Kuna Planning and Zoning Department

VICINITY MAP

E Deer Flat Rd

Kuna Canal



**Ridley's
Market**

McDonald's

E Profile Ln



**Project
Site**

N Meridian Rd

E Meadow View Rd

Legend

 PARCEL LINES

 RAILROAD

 ROADS

 WATER FEATURES



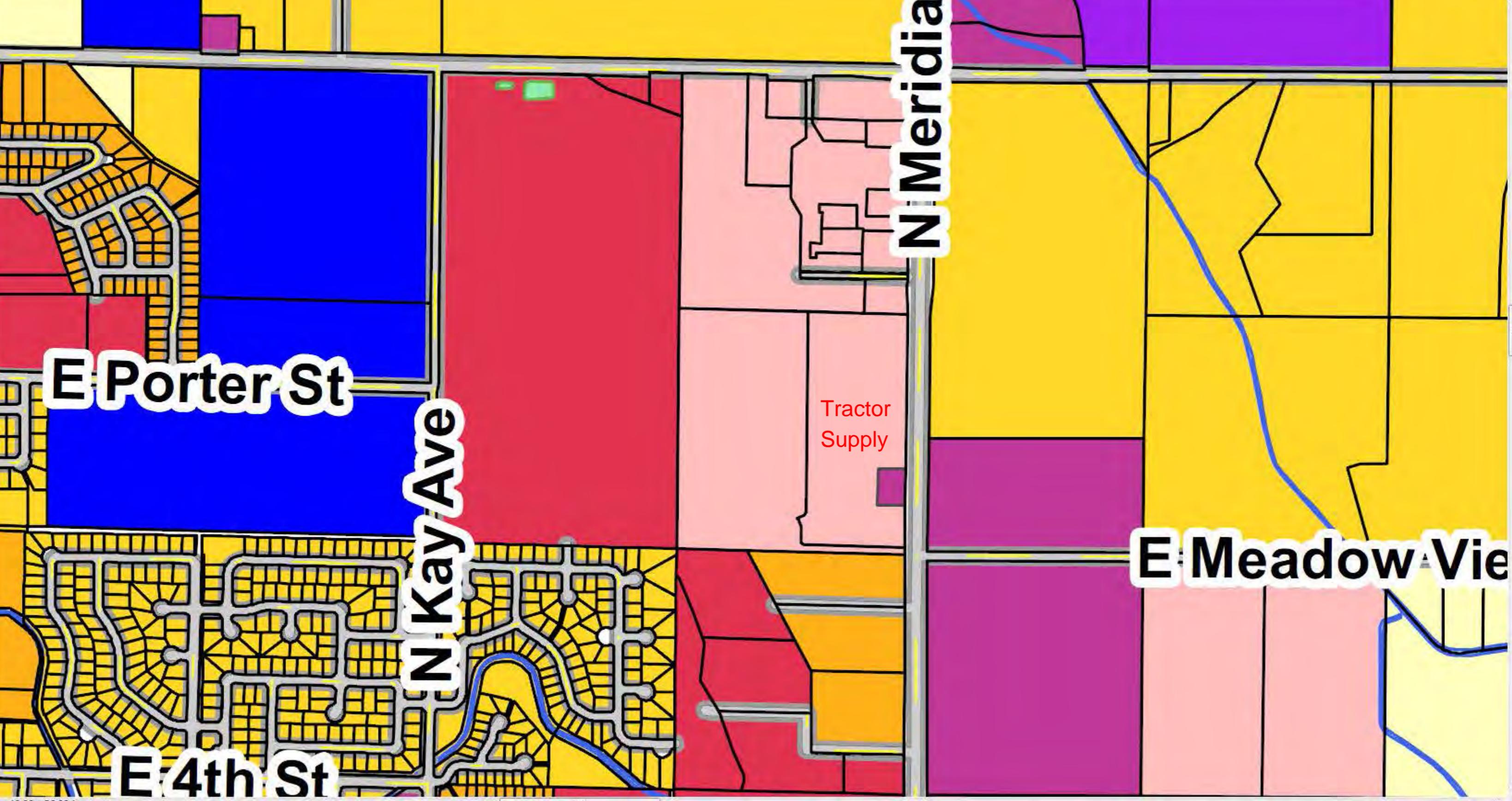
Ridley's

Mc D's

69

NW Meridian Rd

Tractor Supply Comp.



E Porter St

N Kay Ave

E 4th St

N Meridia

E Meadow Vie

Tractor
Supply



April 13, 2016

**Mr. Troy Behunin
City of Kuna
763 West Avalon St,
Kuna, Idaho 83634**

**RE: Letter of Intent
Tractor Supply Center
817 North Meridian Road
Kuna, ID 83634**

Dear Troy,

Stout Building Contractors, LLS. Is submitting this letter along with plans for Design review application for the Tractor Supply center project. The project is located at 817 North Meridian Road on the west side of Meridian Road; approximately .1/8 miles south of the intersection Meridian Road and East Deer Flat Road, The property is currently zoned C2-D.

This submittal outlines the intentions of Stout Building Contractors for this project. This project calls for the construction of a 21,999 Sqft building to be constructed with in a commercial development of Emmett Partners Properties on lot #3. The building will be constructed of cinder block, Colored metal trim, metal awning with a storefront covered metal facade. There will be a chain link fenced in outside storage area on the North side of the building with a cover storage shed. Loading dock to be a portable ramp at the rear of the building. The site will have (88) parking stalls including four (4) handicap-parking stalls to meet ADA standards. Site utilities will be pipe and connected to existing site services with in a commercial development. Storm water run off will be controlled by site storm drain lines and maintained in an onsite detention pond. As well the site will have adequate landscape (trees, plants, vegetation) for site beautification.

The proposed project will promote the intent of the City of Kuna and will have a significant investment in community appearance, and as well provide growth to its neighbors.

Sincerely,

**Kelly Kallaher
Project Manager**



**City of Kuna
Planning & Zoning
Department**

P.O. Box 13
Kuna, Idaho 83634
208.922.5274
Fax: 208.922.5989
Website: www.kunacity.id.gov

Commission & Council Review Application

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

*Please submit the appropriate checklist (s) with application

Type of Review (check all that apply):

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

| For Office Use Only | |
|---------------------------|--------------|
| File Number (s) | 16-09-DRC |
| Project name | TSC |
| Date Received | 9.16.16 |
| Date Accepted/Complete | 5.2.16 |
| Cross Reference Files | |
| Commission Hearing Date | MAY 10. 2016 |
| City Council Hearing Date | NIA. |

Contact/Applicant Information

| | |
|--|---|
| Owners of Record: <u>EMMETT PARTNERS, LLC</u> | Phone Number: <u>801-671-9349</u> |
| Address: <u>2694 NORTH 920 EAST</u> | E-Mail: <u>JEREMY@JENSIGNDEVELOPMENTGROUP.COM</u> |
| City, State, Zip: <u>NORTH LOGAN, UTAH 84341</u> | Fax #: <u>801-322-2040</u> |
| Applicant (Developer): <u>STOUT BUILDING CONTRACTORS</u> | Phone Number: <u>385-272-0877</u> |
| Address: <u>1380 WEST 50 SOUTH</u> | E-Mail: <u>KELLYK@STOUTBC.COM</u> |
| City, State, Zip: <u>CENTERVILLE, UT 84014</u> | Fax #: _____ |
| Engineer/Representative: <u>OXFORD ARCHITECTURE</u> | Phone Number: <u>615-256-3455 x12</u> |
| Address: <u>1205 PARIS AVE, SUITE 205</u> | E-Mail: <u>LEE@OXFORDARCHITECTURE.COM</u> |
| City, State, Zip: <u>NASHVILLE, TX 37212</u> | Fax #: _____ |

Subject Property Information

| | |
|---|---|
| Site Address: <u>817 NORTH MERIDIAN ROAD KUNA, IDAHO 83634</u> | |
| Site Location (Cross Streets): <u>MEADOW VIEW ROAD</u> | |
| Parcel Number (s): _____ | |
| Section, Township, Range: <u>SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 WEST</u> | |
| Property size : _____ | |
| Current land use: <u>FARMING/AGRICULTURE</u> | Proposed land use: <u>COMMERCIAL/RETAIL</u> |
| Current zoning district: <u>C2-D</u> | Proposed zoning district: <u>C2-D</u> |

Project Description

Project / subdivision name: TRACTOR SUPPLY
 General description of proposed project / request: NEW BUILDING (TRACTOR SUPPLY CENTER) WITH OUTSIDE STORAGE BUILDING/SHED WITHIN A FENCED AREA
 Type of use proposed (check all that apply):
 Residential _____
 Commercial RETAIL
 Office _____
 Industrial _____
 Other _____
 Amenities provided with this development (if applicable): _____

Residential Project Summary (if applicable)

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

Non-Residential Project Summary (if applicable)

Number of building lots: ONE (1) Other lots: OUTSIDE STORAGE SHED
 Gross floor area square footage: 21,999' Existing (if applicable): _____
 Hours of operation (days & hours): 7 DAYS / 8:AM / 8:PM Building height: 30' 4" / 21' 4"
 Total number of employees: 15 Max. number of employees at one time: 5
 Number and ages of students/children: NONE Seating capacity: NONE
 Fencing type, size & location (proposed or existing to remain): CHAIN LINK, 8' HIGH, NORTH SIDE OF BUILDING AROUND OUTSIDE STORAGE AREA
 Proposed Parking:
 a. Handicapped spaces: 4 Dimensions: 10' X 20'
 b. Total Parking spaces: 88 Dimensions: 10' X 20'
 c. Width of driveway aisle: 35'
 Proposed Lighting: _____
 Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): _____

Applicant's Signature: Kelly Kelle Date: 04-13-16



City of Kuna Design Review Application

P.O. Box 13
Kuna, Idaho 83634
(208) 922.5274
Fax: (208) 922.5989
Website: www.kunacity.id.gov

| | | |
|-------------|--------------------|-----------|
| FILE NO.: | TRACTOR Supply Co. | 16-01-DRE |
| CROSS REF.: | | |
| FILES: | | |

The City of Kuna has adopted a Design Review process 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 the Design Review Ordinance No. 2007-02 and the Architecture and Site Design Booklet. Both of these documents can be found online (www.cityofkuna.com) or are picked up in the City's Planning and zoning department is located at 763 W Avalon, Kuna ID. Staff is glad to assist you with your application form.

The Design Review application applies to the following land use actions:

- ▶ Multi- family dwellings (3 or more)
- ▶ Commercial
- ▶ Industrial
- ▶ Institutional
- ▶ Office
- ▶ Common Area
- ▶ Subdivision Signage
- ▶ Proposed Conversions
- ▶ Proposed changes in land use and/or building use or exterior remodeling
- ▶ Exterior restoration, and enlargement or expansion of existing buildings, signs or sites.

Application Submittal Requirements

| Applicant Use | | Staff Use |
|-------------------------------------|--|--------------------------|
| <input checked="" type="checkbox"/> | Date of pre- application meeting : _____ <i>Note: Pre-Applications are valid for a period of three (3) months.</i> | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | A complete Design Review Application form <i>Note: It is the applicant's responsibility to use a current application.</i> | <input type="checkbox"/> |
| <input type="checkbox"/> | Detailed letter of explanation or justification for the application, describing the project and design elements, and how the project complies with Design Review standards. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | One (1) Vicinity Map (8 ½" x 11") at 1" = 300' scale (or similar), label the location of the property and adjacent streets. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | One 8 ½" x 11" colored aerial photo depicting proposed site, street names, and surrounding area within five-hundred feet (500'). | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | Copy of Deed; and, if the applicant is not the owner, an original notarized statement (affidavit of legal interest) from the owner (and all interested parties) stating the applicant is authorized to submit this application. | <input type="checkbox"/> |

Detailed site, landscape, drainage plan, elevation and to scale. (No smaller than 1"=30', unless otherwise approved.)

One of each plan (site, landscape, drainage plan and elevations) is required to be submitted in the following plan sizes:

(1) 24" X 36" TO SCALE COPIES

(1) 11" X 17" REDUCTIONS

(1) 8 1/2" X 11" REDUCTIONS

Provide a color rendering and material sample board specifically noting where each color and material is to be located on the structure.

Note: Provide photo of the colored rendering and material samples board to City Staff electronically in a JPG or PDF format.

The Applicant is obligated to provide a site plan that graphically portrays the site and includes the following features:

Site Plan

Applicant Use

North Arrow

To scale drawings

Property lines

Name of "Plan Preparer" with contact information

Name of project and date

Existing structures, identify those which are to be 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 / proposed utility service and any above-ground utility structures and their location

Location and width of easements, canals and drainage ditches

Location and dimension of off-street parking

Locations and sizes of any loading area, docks, ramps and vehicle storage or service areas

Trash storage areas and exterior mechanical equipment, with proposed method of screening

Sign locations (a separate sign application must be submitted with this application)

On-site transportation circulation plan for motor vehicles, pedestrians and bicycles

Locations and uses of ALL open spaces

Locations, types and sizes of sound and visual buffers (Note: all buffers must be located outside the public right-of-way)

Parking layout including spaces, driveways, curb cuts, circulation patterns, pedestrian walks and vision triangle

Locations of subdivision lines (if applicable)

Illustration that demonstrates adequate sight distance is provided for motor vehicles, pedestrians and bicycles

Location of walls and fences and indication of their height and material of construction

Roofline and foundation plan of building, location on the site

Location and designations of all sidewalks

Location and designation of all rights-of-way and property lines

Staff Use

Landscape and Streetscape Plan

The landscape and streetscape plans need to be drawn by the project architect, professional landscape architect, landscape designer, or qualified nurseryman for development's possessing more than twelve thousand (12,000) square feet of private land. The landscaped and streetscape plans must be colored. The Planning Director or City Forester may require the preparation of a landscape plan for smaller developments by one of the noted individuals if the lot(s) have unique attributes.

| Applicant Use | | Staff Use |
|--------------------------|--|--------------------------|
| <input type="checkbox"/> | North Arrow | <input type="checkbox"/> |
| <input type="checkbox"/> | To scale drawings | <input type="checkbox"/> |
| <input type="checkbox"/> | Boundaries, property lines and dimensions | <input type="checkbox"/> |
| <input type="checkbox"/> | Name of "Plan Preparer" with contact information | <input type="checkbox"/> |
| <input type="checkbox"/> | Name of project and date | <input type="checkbox"/> |
| <input type="checkbox"/> | Type and location of all plant materials and other ground covers. <i>Please review the City's plant list and rely upon it to identify the site's planting strategy. Include botanical and common name, quantity, spacing and sizes of all proposed landscape materials at the time of planting, and at maturity. A list of acceptable trees is available upon request from City Planning Staff. If there are any questions, please contact the City Forester, Natalie Reeder, at 208.880.0953</i> | <input type="checkbox"/> |
| <input type="checkbox"/> | Existing vegetation identified by specific size. Identify those which are proposed to be relocated or removed. | <input type="checkbox"/> |
| <input type="checkbox"/> | Method of irrigation. <i>Note: All plant materials, except existing native plants not damaged during construction or xeriscape species shown not to require regular watering, shall be irrigated by underground sprinkler systems set on a timer in order to obtain proper watering duration and ease of maintenance.</i> | <input type="checkbox"/> |
| <input type="checkbox"/> | Location, description, materials, and cross-sections of special features, including berming, retaining walls, hedges, fences, fountains street/pathway furniture (benches, etc.), etc. | <input type="checkbox"/> |
| <input type="checkbox"/> | Sign locations <i>Note: A separate sign application must be submitted with this application</i> | <input type="checkbox"/> |
| <input type="checkbox"/> | Locations and uses for open spaces | <input type="checkbox"/> |
| <input type="checkbox"/> | Parking layout including spaces, driveways, curb cuts, circulation patterns, pedestrian walks and vision triangle | <input type="checkbox"/> |
| <input type="checkbox"/> | Illustration that demonstrates adequate sight distance is provided for motor vehicles, pedestrians and bicycles | <input type="checkbox"/> |
| <input type="checkbox"/> | Location and designations of all sidewalks | <input type="checkbox"/> |
| <input type="checkbox"/> | 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. | <input type="checkbox"/> |

Building Elevations

Applicant
Use

Detailed elevation plans of each side of any proposed building(s) or additions(s)
Note: Four (4) elevations to include all sides of development and must be in color

Identify the elevations as to north, south, east, and west orientation

Colored copies of all proposed building materials and indication where each material and color application is to be located
Note: Submit as 11"x17" reductions

Screening/treatment of mechanical equipment

Provide a cross-section of the building showing any roof top mechanical units and their roof placement

Detailed elevation plans showing the materials to be used in construction of trash enclosures

Staff
Use

Lighting Plan

Applicant
Use

Exterior lighting including detained cut sheets and photometric plan (pedestrian, vehicle, security, decoration)

Types and wattage of all light fixtures

Note: The City encourages use of "dark sky" lighting fixtures

Placement of all light fixtures shown on elevations and landscaping plans

Staff
Use

Roof Plans

Applicant
Use

Size and location of all roof top mechanical units

Staff
Use

Design Review Application

Applicant: STOUT BUILDING CONTRACTORS, LLC Phone: 385-272-0877
 Owner Representative Fax/Email: KELLY K @ STOUT BC.COM

Applicant's Address: 1380 WEST 50 SOUTH CENTERVILLE, UTAH

Zip: 84014

Owner: EMMETT PARTERS, LLC Phone: 801-671-9349

Owner's Address: 2694 NORTH 920 EAST Email: _____

NORTH LOGAN, UTAH Zip: 84341

Represented By: (if different from above) _____ Phone: _____

Address: _____ Email: _____

Zip: _____

Address of Property: 817 NORTH MERIDIAN ROAD

KUNA, IDAHO Zip: 83634

Distance from Major Cross Street: 1/8 MILE Street Name(s): E, DEER FLAT RD.

Please check the box that reflects the intent of the application

- | | |
|--|---|
| <input type="checkbox"/> BUILDING DESIGN REVIEW | <input type="checkbox"/> DESIGN REVIEW MODIFICATION |
| <input type="checkbox"/> SUBDIVISION / COMMON AREA LANDSCAPE | <input type="checkbox"/> STAFF LEVEL APPLICATION |

This Design Review application is a request to construct, add or change the following: (Briefly explain the nature of the request.)

CONSTRUCT NEW BUILDING (TRACTOR SUPPLY CENTER) WITH OUTSIDE OUTSIDE STORAGE BUILDING WITHIN A FENCED AREA.

1. Dimension of Property: _____
2. Current Land Use(s): FARMING
3. What are the land uses of the adjoining properties?
 - North: SHOPING CENTER
 - South: FARMING
 - East: NORTH MERIDIAN ROAD, FARMING
 - West: FARMING
4. Is the project intended to be phased, if so what is the phasing time period? No.
Please explain: _____

5. The number and use(s) of all structures: ONE (1)

6. Building heights: 30' 4" / 21' 4" Number of stories: ONE (1)
The height and width relationship of new structures shall be compatible and consistent with the architectural character of the area and proposed use.

Note: The maximum building height for each zoning district is as follows:

| | | | | |
|----------|----------|----------|----------|--------|
| L-O: 35' | C-2: 60' | CBD: 80' | M-2: 60' | P: 60' |
| C-1: 35' | C-3: 60' | M-1: 60' | M-3: 60' | |

7. What is the percentage of building space on the lot when compared to the total lot area? 408
8. Exterior building materials & colors: (Note: This section must be completed in compliance with the City of Kuna Ordinance No. 2007-21A (as amended); found online at (www.cityofkuna.com) under the City Code.

Roof: METAL MATERIAL / SILVER COLOR

Walls: (State percentage of wall coverage for each type of building material below for each frontage wall) If there is not adequate space to identify the various building materials and applications, please list them on the attached sheet of this application. Please attach photos to support application types.

- % of Wood application: 0% / _____
- % EIFS: 0% / _____
(Exterior Insulation Finish System)
- % Masonry: 77% SMOOTH FACE, CMU / SANDERLING, URBAN PUTTY, SAFETY RED
- % Face Block: 13% SPLIT FACE, CMU / SANDERLING, URBAN PUTTY, SAFETY RED
- % Stucco: 0% / _____
- & other material(s): 2% METAL PANEL / ALMOND, -
- List all other materials: CHAIN LINK FENCE, METALSHED,
- Windows/Doors: 2% METAL / ANODIZED ALUMINUM, GRAY
(Type of window frames & styles / doors & styles, material)
- Soffits and fascia material: 5%, METAL / GALVALUME, RED, ALMOND
- Trim, etc.: 1%, METAL / RED

Other: _____ / _____

9. Please identify Mechanical Units: YORK 10 TON, 8.5 TON, 3 TON
Type/Height: MODEL = ZJ120N20, ZJ102N15, ZJ037N07
Proposed Screening Method: NONE, NOT VISIBLE.

10. Please identify trash enclosure: (size, location, screening & construction materials) SMOOTH FACE CMU, WOOD
1 METAL GATES, GALV-HARDWARE.

11. Are there any irrigation ditches/canals on or adjacent to the property? NO
If yes, what is the name of the irrigation or drainage provider? _____

12. Fencing: (Please provide information about new fencing material as well as any existing fencing material)
CHAIN LINK FENCING AROUND OUTSIDE STORAGE.
Type: CHAIN LINK
Size: 8' HIGH
Location: NORTH SIDE OF BUILDING.

(Please note that the City has height limitations of fencing material and requires a fence permit to be obtained prior to installation)

13. Proposed method of On-site Drainage Retention/Detention:
NEW RETENTION POND PROPOSED AT NORTH EAST CORNER OF SITE.

14. Percentage of Site Devoted to Building Coverage: _____
% of Site Devoted to Landscaping: _____ Square Footage: _____
(Including landscaped rights-of-way)
% of Site that is Hard Surface: _____ Square Footage: _____
(Paving, driveways, walkways, etc.)
% of Site Devoted to other uses: _____
Describe: _____
% of landscaping within the parking lot (landscaped islands, etc.): _____

15. For details, please provide dimensions of landscaped areas within public rights-of-way:
38' LANDSCAPE BUFFER @ HWY 69

16. Are there any existing trees of 4" or greater in caliper on the property? (Please provide the information on the site plans.)
If yes, what type, size and the general location? (The City's goal is to preserve existing tree with greater than a four inch (4") caliper whenever possible):
NO

17. Dock Loading Facilities:
Number of docking facilities and their location: ONE (1) PORTABLE RAMP
Method of screening: NONE

18. Pedestrian Amenities: (bike racks, receptacles, drinking fountains, benches, etc.) DRINKING FOUNTAIN INSIDE BUILDING (TSC),

19. Setbacks of the proposed building from property lines: _____

Front 179 -feet Rear 50 -feet N Side 131 -feet S Side 66 -feet

20. Parking requirements: _____

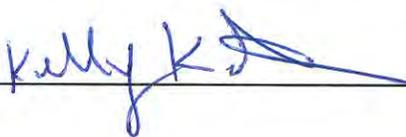
Total Number of Parking Spaces: 88 Width and Length of Spaces: 10' x 20'

Total Number of Compact Spaces 8'x17': NONE

21. Is any portion of the property subject to flooding conditions? Yes _____ No _____

IF THE PLANNING DIRECTOR OR DESIGNEE, THE DESIGN REVIEW BOARD AND/OR THE CITY COUNCIL DETERMINE THAT ADDITIONAL AND/OR REVISED INFORMATION IS NEEDED, AND/OR IF OTHER UNFORESEEN CIRCUMSTANCES ARISE, ANY DATES OUTLINED FOR PROCESSING MAY BE RECHEDULED BY THE CITY. APPLICANT/REPRESENTATIVE MUST ATTEND THE DESIGN REVIEW BOARD MEETING/PLANNING AND ZONING MEETINGS.

The Ada County Highway District may also conduct public meetings regarding this application. If you have questions about the meeting date or the traffic that this development may generate or the impact of that traffic on streets in the area, please contact the Ada County Highway District at 208.387.6170. In order to expedite your request, please have ready the file number indicated in this notice.

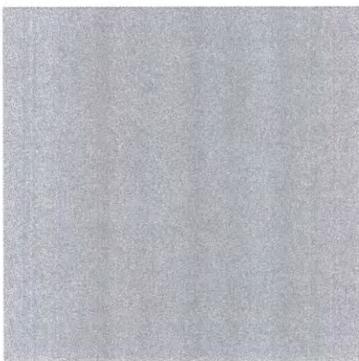
Signature of Applicant  Date 04-13-16

City staff comments:

Signature of receipt by City Staff _____ Date _____

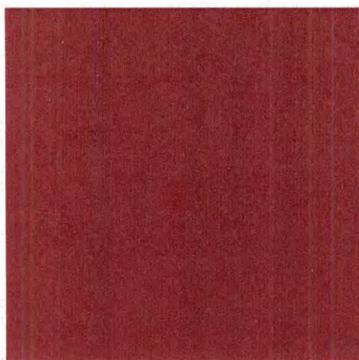
FOR ADDITIONAL INFORMATION:
(Please list page number and item in reference)

STANDING SEAM METAL ROOF AND AWNINGS



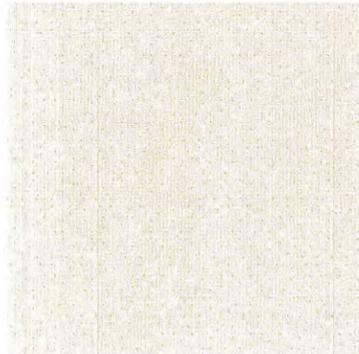
FIRESTONE UNA-CLAD "GALVALUME"

METAL COPING AND BREAK METAL @ FRONT PARAPET WALL AND GABLE FASCIA



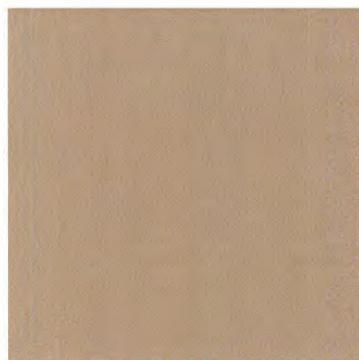
FIRESTONE UNA-CLAD "REGAL RED"

METAL COPING @ SIDE PARAPETS

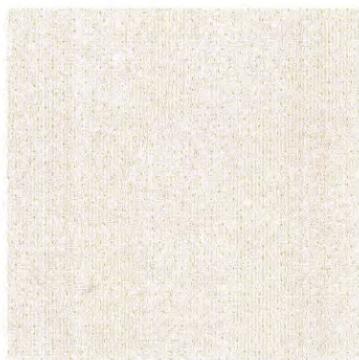


FIRESTONE UNA-CLAD "ALMOND"

C.M.U. PAINT COLORS



SW7513 SANDERLING
LRV 31



SW7532 URBAN PUTTY
LRV 54

RED ACCENT STRIPE



SW4081 SAFETY RED



**OXFORD
ARCHITECTURE**
*Architecture
Planning
Interior Architecture*

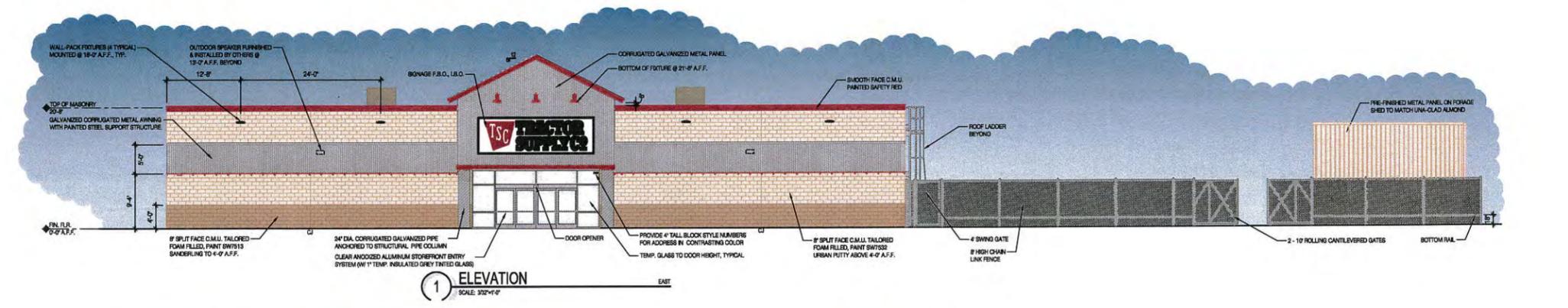
COLOR SAMPLE BOARD

KUNA, IDAHO

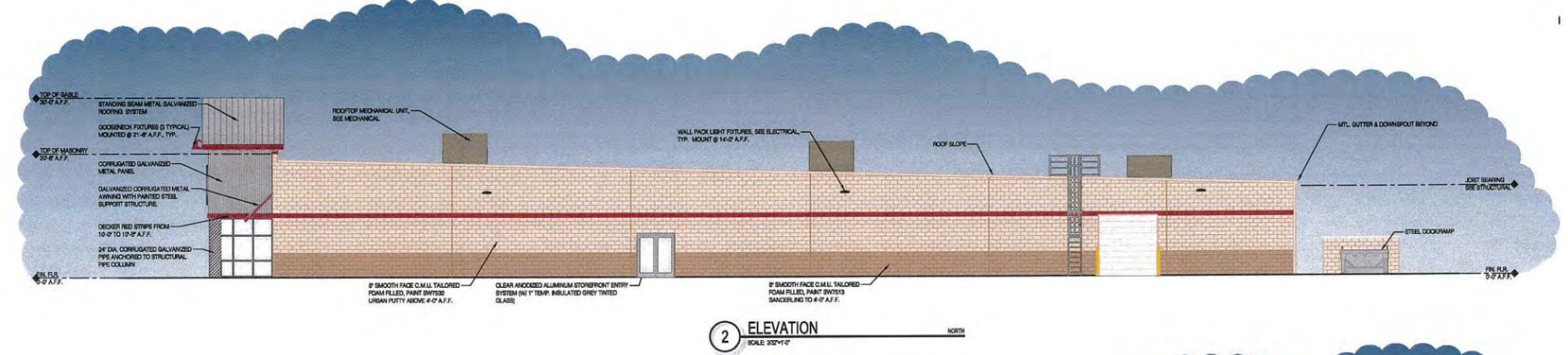
ARCH PROJ NO.
1605

DATE
04.08.2016

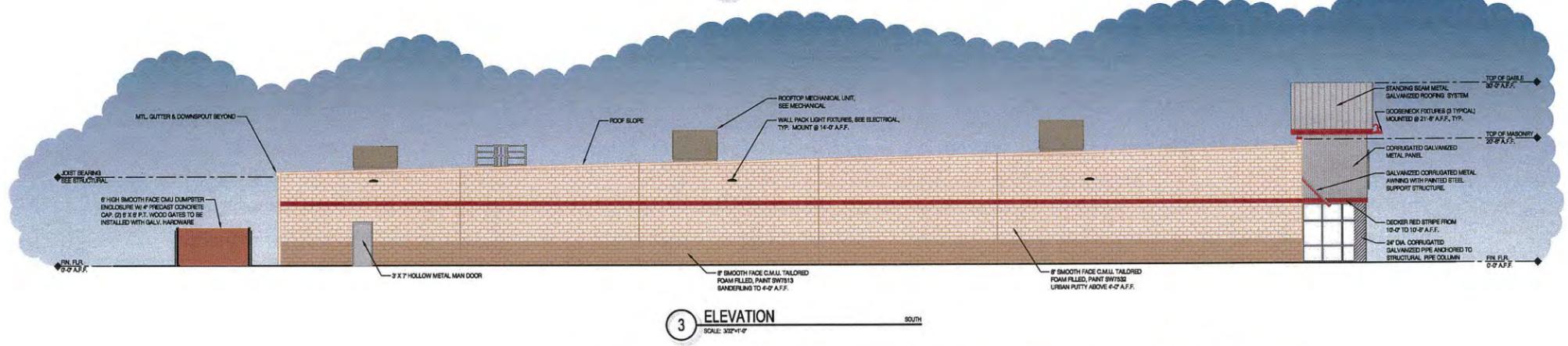
PAINT COLORS
 UPPER - SHERWIN WILLIAMS #SW7532 "URBAN PUTTY"
 LOWER - SHERWIN WILLIAMS #SW7513 "SANDERLING"



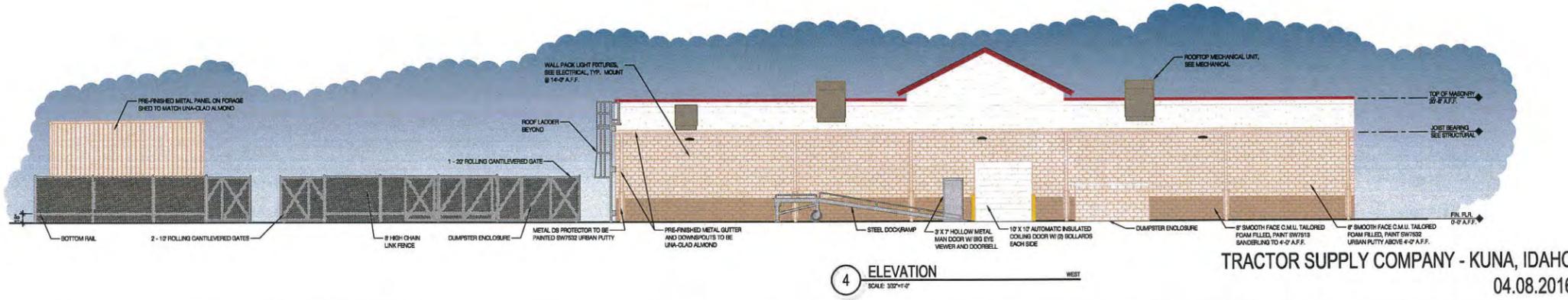
1 ELEVATION
 SCALE: 3/32"=1'-0"
 EAST



2 ELEVATION
 SCALE: 3/32"=1'-0"
 NORTH



3 ELEVATION
 SCALE: 3/32"=1'-0"
 SOUTH



4 ELEVATION
 SCALE: 3/32"=1'-0"
 WEST

TRACTOR SUPPLY COMPANY - KUNA, IDAHO
 04.08.2016



**OXFORD
 ARCHITECTURE**

1205 Paris Avenue
 Suite 205
 Nashville, TN 37212
 Architecture
 Planning
 Interior Architecture



OXFORD ARCHITECTURE

1205 Paris Avenue Suite 205 Nashville, TN 37212 Architecture Planning Interior Architecture



TRACTOR SUPPLY COMPANY

KUNA IDAHO

SITE STRIPING GUIDELINES:

1. STRIPING ON CONCRETE TO BE YELLOW.
2. STRIPING ON ASPHALT TO BE WHITE.

FENCED OUTDOOR DISPLAY AREA FUTURE INSTALLATION GUIDELINES:

1. CONTRACTOR TO VERIFY WITH THE STORE MANAGER THAT ALL RACKS ARE PROPERLY BUILT AND POSITIONED.
2. DRILL HOLES FOR ANCHORING RACKS. GENERALLY THE HOLE IN THE FOOT OF THE RACK IS 1/2" IN DIAMETER. HOWEVER, THIS MAY VARY. GENERAL CONTRACTOR IS TO DETERMINE IN THE FIELD THE MOST APPROPRIATE SIZE REQUIRED TO ANCHOR RACKS.
3. RACKS ARE TO BE SECURELY ANCHORED W/ ANCHOR BOLTS IN EVERY AVAILABLE HOLE.
4. FOLLOWING INSTALLATION, REMOVE ANY RESIDUAL DEBRIS AND CLEAN AREA.

THERMOPLASTIC SITE STRIPING SPECIFICATIONS (80 MILL):

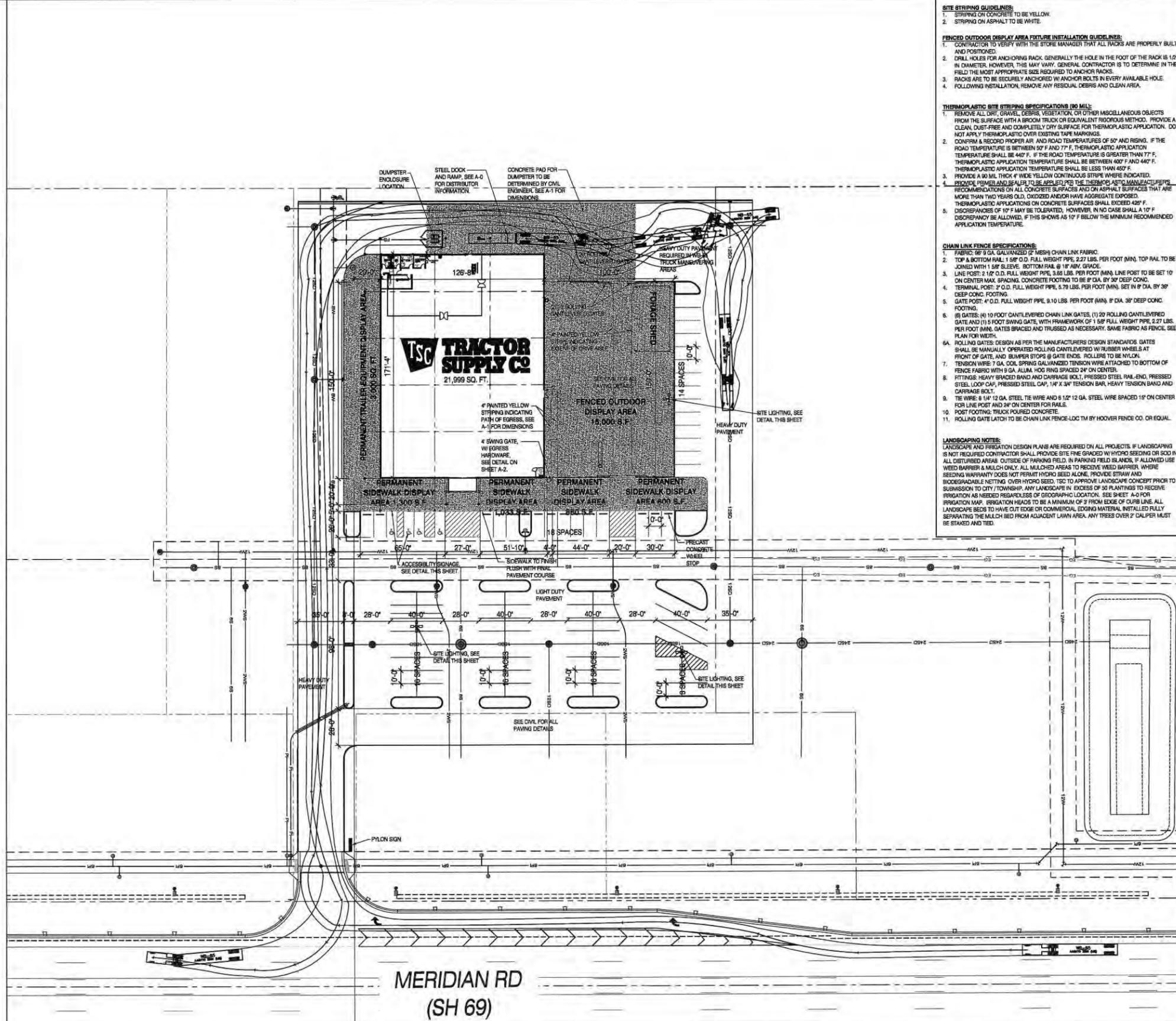
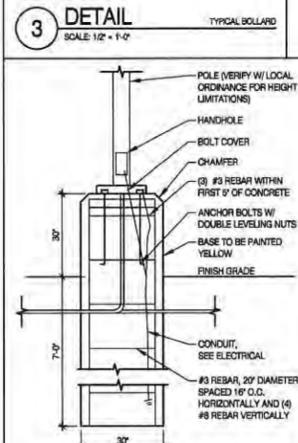
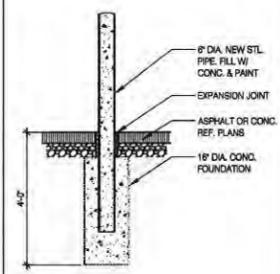
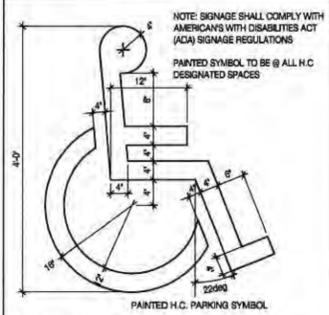
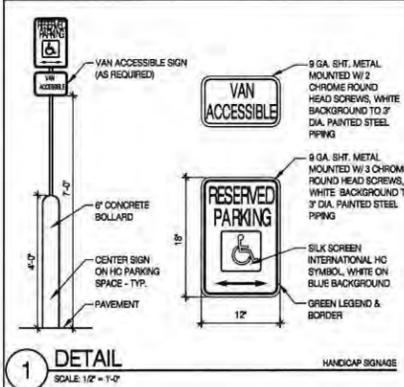
1. REMOVE ALL DIRT, GRAVEL, DEBRIS, VEGETATION, OR OTHER MISCELLANEOUS OBJECTS FROM THE SURFACE WITH A BROOM TRUCK OR EQUIVALENT THOROUGH METHOD. PROVIDE A CLEAN, DUST-FREE AND COMPLETELY DRY SURFACE FOR THERMOPLASTIC APPLICATION. DO NOT APPLY THERMOPLASTIC OVER EXISTING TAPE MARKINGS.
2. CONFIRM & RECORD PROPER AIR AND ROAD TEMPERATURES OF 50° AND 70°. IF THE ROAD TEMPERATURE IS BETWEEN 50° F AND 70° F, THERMOPLASTIC APPLICATION TEMPERATURE SHALL BE 400° F. IF THE ROAD TEMPERATURE IS GREATER THAN 77° F, THERMOPLASTIC APPLICATION TEMPERATURE SHALL BE BETWEEN 400° F AND 440° F. THERMOPLASTIC APPLICATION TEMPERATURE SHALL BE LESS THAN 450° F.
3. PROVIDE A 30 MIL THICK 4" WIDE YELLOW CONTINUOUS STRIPE WHERE INDICATED.
4. PROVIDE PRIMER AND SEALER TO BE APPLIED PER THE THERMOPLASTIC MANUFACTURER'S RECOMMENDATIONS ON ALL CONCRETE SURFACES AND ON ASPHALT SURFACES THAT ARE MORE THAN TWO YEARS OLD, OXIDIZED AND/OR HAVE ADEQUATE EXPOSURE. THERMOPLASTIC APPLICATIONS ON CONCRETE SURFACES SHALL EXCEED 425° F.
5. DISCREPANCIES OF 10° F MAY BE TOLERATED, HOWEVER, IN NO CASE SHALL A 10° F DISCREPANCY BE ALLOWED, IF THIS SHOWS AS 10° F BELOW THE MINIMUM RECOMMENDED APPLICATION TEMPERATURE.

CHAIN LINK FENCE SPECIFICATIONS:

1. FABRIC: 36" 2 GA. GALVANIZED 12" MESH CHAIN LINK FABRIC.
2. TOP & BOTTOM RAIL: 1 5/8" O.D. FULL WEIGHT PIPE, 2.27 LBS. PER FOOT (MIN), TOP RAIL TO BE JOINED WITH 1 5/8" SLEEVE. BOTTOM RAIL @ 18" A.W. GRADE.
3. LINE POST: 2 1/2" O.D. FULL WEIGHT PIPE, 3.65 LBS. PER FOOT (MIN). LINE POST TO BE SET 10" ON CENTER MAX. SPACING. CONCRETE FOOTING TO BE 8" DIA. BY 30" DEEP CONC.
4. TERMINAL POST: 2" O.D. FULL WEIGHT PIPE, 5.70 LBS. PER FOOT (MIN). SET IN 8" DIA. BY 30" DEEP CONC. FOOTING.
5. GATE POST: 4" O.D. FULL WEIGHT PIPE, 9.10 LBS. PER FOOT (MIN). 8" DIA. 30" DEEP CONC. FOOTING.
6. (B) GATES: (A) 10 FOOT CANTILEVERED CHAIN LINK GATES, (1) 20 ROLLING CANTILEVERED GATE AND (1) 8 FOOT SWING GATE, WITH FRAMEWORK OF 1 5/8" FULL WEIGHT PIPE, 2.27 LBS. PER FOOT (MIN). GATES BRACED AND TRUSSED AS NECESSARY. SAME FABRIC AS FENCE. SEE PLAN FOR WIDTH.
7. ROLLING GATES: DESIGN AS PER THE MANUFACTURER'S DESIGN STANDARDS. GATES SHALL BE MANUALLY OPERATED ROLLING CANTILEVERED W/ RUBBER WHEELS AT FRONT OF GATE. AND BUMPER STOPS @ GATE ENDS. ROLLERS TO BE NYLON.
8. TENSION WIRE: 7 GA. COIL SPRING GALVANIZED TENSION WIRE ATTACHED TO BOTTOM OF FENCE FABRIC WITH 9 GA. ALUM. HOG RING SPACED 24" ON CENTER.
9. FITTINGS: HEAVY BRACED BAND AND CARRIAGE BOLT, PRESSED STEEL RAIL END, PRESSED STEEL LOCK CAP, PRESSED STEEL CAP, 1/4" X 3/4" TENSION BAR, HEAVY TENSION BAND AND CARRIAGE BOLT.
10. THE WIRE: 8 1/4" 12 GA. STEEL TIE WIRE AND 8 1/2" 12 GA. STEEL WIRE SPACED 18" ON CENTER FOR LINE POST AND 24" ON CENTER FOR RAILS.
11. POST FOOTING: TRUCK POURED CONCRETE.
12. ROLLING GATE LATCH TO BE CHAIN LINK FENCE-LOC TM BY HOOVER FENCE CO. OR EQUAL.

LANDSCAPING NOTES:

LANDSCAPE AND IRRIGATION DESIGN PLANS ARE REQUIRED ON ALL PROJECTS. IF LANDSCAPING IS NOT REQUIRED CONTRACTOR SHALL PROVIDE SITE FINE GRADED W/ HYDRO SEEDING OR SOO IN ALL DISTURBED AREAS OUTSIDE OF PARKING FIELD. IN PARKING FIELD IS ALLOWED USE WEED BARRIER & MULCH ONLY. ALL MULCHED AREAS TO RECEIVE WEED BARRIER. WHERE SEEDING WARRANTY DOES NOT PERMIT HYDRO SEED ALONE. PROVIDE STRAW AND BIODEGRADABLE NETTING OVER HYDRO SEED. TSC TO APPROVE LANDSCAPE CONCEPT PRIOR TO SUBMISSION TO CITY/TOWNSHIP. ANY LANDSCAPE IN EXCESS OF 50 PLANTINGS TO RECEIVE IRRIGATION AS NEEDED REGARDLESS OF GEOGRAPHIC LOCATION. SEE SHEET A-0 FOR IRRIGATION MAP. IRRIGATION HEADS TO BE A MINIMUM OF 9" FROM EDGE OF CURB LINE. ALL LANDSCAPE BEDS TO HAVE CUT EDGE OR COMMERCIAL EDGING MATERIAL INSTALLED FULLY SEPARATING THE MULCH BED FROM ADJACENT LAWN AREA. ANY TREES OVER 2" CALIPER MUST BE STAKED AND TIED.



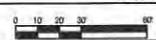
MERIDIAN RD (SH 69)

SITE PLAN

SCALE: 1" = 30'



KUNA, IDAHO



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Job Number: 1605

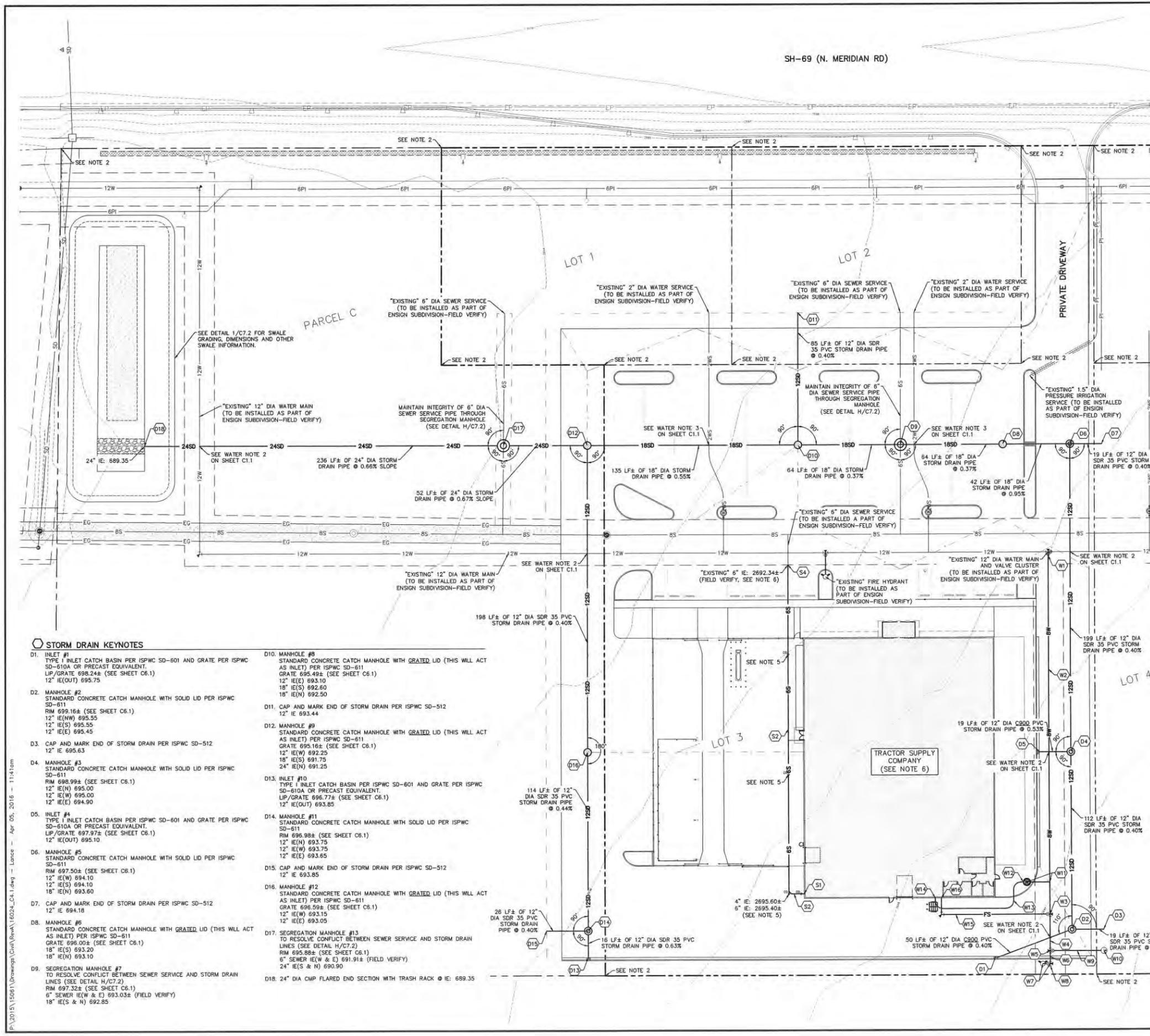
Date: 02.26.2016

Revisions:

Revisions:

Revisions: SITE PLAN

Sheet Number: AS-1



- NOTES**
- SEE SHEET C1.1 FOR ADDITIONAL NOTES AND LEGEND.
 - CONTRACTOR SHALL PROTECT ALL SURVEY MONUMENTS DURING CONSTRUCTION. ANY MONUMENT DISTURBED BY CONSTRUCTION ACTIVITIES SHALL BE REPLACED BY A PROFESSIONAL LAND SURVEYOR AT THE EXPENSE OF THE CONTRACTOR.
 - COORDINATE WITH LANDSCAPERS AND LANDSCAPE PLAN FOR LOCATION OF SLEEVES FOR ONSITE PRESSURE IRRIGATION DISTRIBUTION SYSTEM. CONTRACTOR SHALL INSTALL SLEEVES PRIOR TO PAVING AND CONCRETE.
 - COORDINATE ROUTING OF DRY UTILITIES (POWER, GAS, PHONE, CABLE, ETC) WITH CONTRACTOR AND APPLICABLE UTILITY COMPANIES.
 - ALL CLEANOUTS SHALL HAVE A TRAFFIC RATED COVER SET FLUSH WITH FINISHED GRADE PER ISPPWC SD-506A.
 - THE SEWER SERVICE FOR THIS BUILDING WILL BE CONSTRUCTED AS PART OF PENDING ENSIGN SUBDIVISION. THE CONTRACTOR SHALL FIELD VERIFY THE ELEVATION AT THE END OF THE EXISTING SEWER SERVICE TO CONFIRM THERE IS SUFFICIENT DEPTH AND SLOPE TO SERVE THE BUILDING PRIOR TO BEGINNING CONSTRUCTION. NOTIFY ENGINEER OF ELEVATION PRIOR TO CONTINUING WITH CONSTRUCTION AND FOR FURTHER DIRECTION IF NEEDED.

- WATER KEYNOTES**
- REMOVE CAP AND CONNECT TO EXISTING 8" GATE VALVE (TO BE CONSTRUCTED AS PART OF ENSIGN SUBDIVISION). PROVIDE AND INSTALL FITTINGS AS NEEDED.
 - 238 LF± OF 8" DIA C900 PVC WATER MAIN
 - 1-8"x7" TEE (SIZED PER FIRE SERVICE PLANS)
1-9" GATE VALVE (SIZED PER FIRE SERVICE PLANS)
 - 24 LF± OF 8" DIA C900 PVC WATER MAIN
 - 1-8" TEE
1-8" GATE VALVE (SOUTH)
 - 9 LF± OF 8" DIA C900 PVC WATER MAIN
 - 1-8"x6" TEE
1-6" GATE VALVE (NORTH)
5 LF± OF 8" DIA C900 PVC WATER MAIN
1-FIRE HYDRANT PER CITY STANDARDS (SEE ISPPWC SD-404)
 - 1-8" CAP ON WEST SIDE OF TEE (THIS TEE/WATER STUB IS PROVIDED TO THE WESTERLY BOUNDARY OF THE TRACTOR SUPPLY PARCEL IN THE EVENT THE NEIGHBORING PROPERTY OWNERS TO THE WEST NEED A WATER SUPPLY OR TO PROVIDE AN OPPORTUNITY FOR LOOPING FOR THE CITY).
 - 36 LF± OF 8" C900 PVC WATER MAIN
 - 1-4" DIA BLOWOFF PER ISPPWC SD-405 (THIS WATER STUB IS PROVIDED TO THE SOUTH BOUNDARY OF THE TRACTOR SUPPLY PARCEL IN THE EVENT THE NEIGHBORING PROPERTY OWNERS TO THE SOUTH NEED A WATER SUPPLY)
 - 1" WATER SERVICE SERVICE CONNECTION AND METER BOX PER ISPPWC SD-401.
 - PROVIDE AND INSTALL 1"x1.25" REDUCER AFTER WATER METER VAULT TO INCREASE WATER LINE SIZE TO 1.25" DIAMETER.
 - PROVIDE AND INSTALL 1.25" DIA WATER SERVICE LINE BETWEEN METER AND BUILDING.
 - APPROXIMATE LOCATION OF 1.25" DIA WATER SERVICE ENTERING BUILDING. FIELD VERIFY LOCATION AND COORDINATE WITH PLUMBING PLANS. PROVIDE AND INSTALL A DEQ APPROVED REDUCED PRESSURE BACKFLOW ASSEMBLY AT BUILDING ENTRY PER PLUMBING PLANS.
 - PROVIDE AND INSTALL FIRE SERVICE LINE, FITTINGS AND MATERIALS AS NEEDED PER FIRE PROTECTION PLANS.
 - APPROXIMATE LOCATION OF PROPOSED FIRE SERVICE ENTERING BUILDING. FIELD VERIFY LOCATION AND COORDINATE WITH PLUMBING AND FIRE SERVICE PLANS. PROVIDE AND INSTALL A BACKFLOW ASSEMBLY AT BUILDING ENTRY AS SHOWN ON FIRE SERVICE PLANS. BOTH DOMESTIC AND FIRE SERVICE LINES REQUIRE A DEQ APPROVED BACKFLOW PREVENTION DEVICE AT THE POINT OF ENTRY TO ANY BUILDING. SEE PLUMBING OR ARCHITECTURAL PLANS FOR LOCATION AND SIZE OF BACKFLOW PREVENTION DEVICE INSIDE BUILDING.

- SEWER KEYNOTES**
- APPROXIMATE LOCATION OF PROPOSED 4" DIA SEWER SERVICE LEAVING BUILDING AT 4" IE: 2695.8± (3.4' BELOW FINISH FLOOR). FIELD VERIFY LOCATION AND ELEVATION AND COORDINATE WITH PLUMBING PLANS.
 - 10 LF± OF 4" DIA SDR 35 PVC SEWER SERVICE PER ISPPWC 504 @ 2.0% SLOPE. PROVIDE AND INSTALL CLEANOUTS OUTSIDE THE BUILDING, EVERY 100', AND AT EVERY CHANGE IN DIRECTION REQUIRED BY PLUMBING CODE (SEE NOTE 5).
 - 216 LF± OF 6" DIA SDR 35 PVC SEWER SERVICE PER ISPPWC 504 @ 1.0% MIN SLOPE. PROVIDE CLEANOUTS EVERY 100' AND AT EVERY CHANGE IN DIRECTION REQUIRED BY PLUMBING CODE (SEE NOTE 5). TYP
 - FIELD LOCATE END OF "EXISTING" 6" DIA EXISTING SEWER SERVICE (TO BE INSTALLED AS PART OF ENSIGN SUBDIVISION). ANTICIPATED ELEVATION 6" IE: 2692.3± (FIELD VERIFY - SEE NOTE 6).

- STORM DRAIN KEYNOTES**
- INLET #1**
TYPE 1 INLET CATCH BASIN PER ISPPWC SD-601 AND GRATE PER ISPPWC SD-610A OR PRECAST EQUIVALENT.
LIP/GRATE 698.2± (SEE SHEET C6.1)
12" IE(OUT) 695.75
 - MANHOLE #2**
STANDARD CONCRETE CATCH MANHOLE WITH SOLID LID PER ISPPWC SD-611
RIM 699.16± (SEE SHEET C6.1)
12" IE(NW) 695.55
12" IE(S) 695.55
12" IE(E) 695.45
 - CAP AND MARK END OF STORM DRAIN PER ISPPWC SD-512**
12" IE 695.63
 - MANHOLE #3**
STANDARD CONCRETE CATCH MANHOLE WITH SOLID LID PER ISPPWC SD-611
RIM 698.99± (SEE SHEET C6.1)
12" IE(N) 695.00
12" IE(W) 695.00
12" IE(E) 694.90
 - INLET #4**
TYPE 1 INLET CATCH BASIN PER ISPPWC SD-601 AND GRATE PER ISPPWC SD-610A OR PRECAST EQUIVALENT.
LIP/GRATE 697.97± (SEE SHEET C6.1)
12" IE(OUT) 695.10
 - MANHOLE #5**
STANDARD CONCRETE CATCH MANHOLE WITH SOLID LID PER ISPPWC SD-611
RIM 697.50± (SEE SHEET C6.1)
12" IE(W) 694.10
12" IE(S) 694.10
18" IE(N) 693.60
 - CAP AND MARK END OF STORM DRAIN PER ISPPWC SD-512**
12" IE 694.18
 - MANHOLE #6**
STANDARD CONCRETE CATCH MANHOLE WITH GRADED LID (THIS WILL ACT AS INLET) PER ISPPWC SD-611
GRATE 696.00± (SEE SHEET C6.1)
18" IE(S) 693.20
18" IE(N) 693.10
 - SEGREGATION MANHOLE #7**
TO RESOLVE CONFLICT BETWEEN SEWER SERVICE AND STORM DRAIN LINES (SEE DETAIL H/C7.2)
RIM 697.32± (SEE SHEET C6.1)
6" SEWER IE(W & E) 693.03± (FIELD VERIFY)
18" IE(S & N) 692.85
 - MANHOLE #8**
STANDARD CONCRETE CATCH MANHOLE WITH GRADED LID (THIS WILL ACT AS INLET) PER ISPPWC SD-611
GRATE 695.49± (SEE SHEET C6.1)
12" IE(E) 693.10
18" IE(S) 692.60
18" IE(N) 692.50
 - CAP AND MARK END OF STORM DRAIN PER ISPPWC SD-512**
12" IE 693.44
 - MANHOLE #9**
STANDARD CONCRETE CATCH MANHOLE WITH GRADED LID (THIS WILL ACT AS INLET) PER ISPPWC SD-611
GRATE 695.16± (SEE SHEET C6.1)
12" IE(W) 692.25
18" IE(S) 691.75
24" IE(N) 691.25
 - INLET #10**
TYPE 1 INLET CATCH BASIN PER ISPPWC SD-601 AND GRATE PER ISPPWC SD-610A OR PRECAST EQUIVALENT.
LIP/GRATE 696.77± (SEE SHEET C6.1)
12" IE(OUT) 693.85
 - MANHOLE #11**
STANDARD CONCRETE CATCH MANHOLE WITH SOLID LID PER ISPPWC SD-611
RIM 696.98± (SEE SHEET C6.1)
12" IE(N) 693.75
12" IE(W) 693.75
12" IE(E) 693.65
 - CAP AND MARK END OF STORM DRAIN PER ISPPWC SD-512**
12" IE 693.85
 - MANHOLE #12**
STANDARD CONCRETE CATCH MANHOLE WITH GRADED LID (THIS WILL ACT AS INLET) PER ISPPWC SD-611
GRATE 696.59± (SEE SHEET C6.1)
12" IE(W) 693.15
12" IE(E) 693.05
 - SEGREGATION MANHOLE #13**
TO RESOLVE CONFLICT BETWEEN SEWER SERVICE AND STORM DRAIN LINES (SEE DETAIL H/C7.2)
RIM 695.88± (SEE SHEET C6.1)
6" SEWER IE(W & E) 691.91± (FIELD VERIFY)
24" IE(S & N) 690.90
 - 24" DIA CMP FLARED END SECTION WITH TRASH RACK @ IE: 689.35**

REVISIONS

| | |
|---|-------------------|
| A | 04/05/16 - REVIEW |
|---|-------------------|

ASPEN ENGINEERS
485 W. Main St. Suite B - PO Box 205 - Kuna, Idaho 83634
Phone: (208) 466-8181 - www.AspenEngineers.com

STOUT BUILDING CONTRACTORS
1380 WEST 50 SOUTH
CENTERVILLE, UTAH 84014
CONTACT: KELLY KALLAHER
(801) 296-2150 EXT 233

TRACTOR SUPPLY COMPANY
Located in Lot 3, Block 1 of
Ensign Subdivision
N. Meridian Rd and E. Meadow View Rd
Kuna, Idaho

TRACTOR SUPPLY COMPANY
CIVIL UTILITY AND STORM DRAIN PLAN

C4.1
2 of 5

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OXFORD ARCHITECTURE

1205 Paris Avenue Suite 205 Nashville, TN 37212
Architecture Planning Interior Architecture



TRACTOR SUPPLY COMPANY

KUNA IDAHO

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Job Number: 1605

Date: 02.26.2016

Revisions:

Revisions:

Revisions: ELECTRICAL SITE PLAN

Sheet Number: ES-1



PARSONS ENGINEERING, INC. NASHVILLE, TENNESSEE PARSONSENGINEERING.COM

PRELIMINARY NOT FOR CONSTRUCTION

PROPOSED LOCATION OF UTILITY COMPANY PAD MOUNTED TRANSFORMER. COORDINATE EXACT LOCATION AND REQUIREMENTS WITH UTILITY COMPANY.

UNDERGROUND SECONDARY. SEE RISER DIAGRAM ON SHEET E-4.

SPURIALIZED SWITCHGEAR

TELEPHONE TERMINAL BOARD

TSC TRACTOR SUPPLY CO

A-25

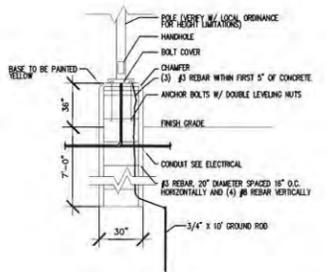
MULTI-TENANT PYLON SIGN

MERIDIAN RD (SH 69)

ELECTRICAL SITE PLAN SCALE: 1" = 30'-0"

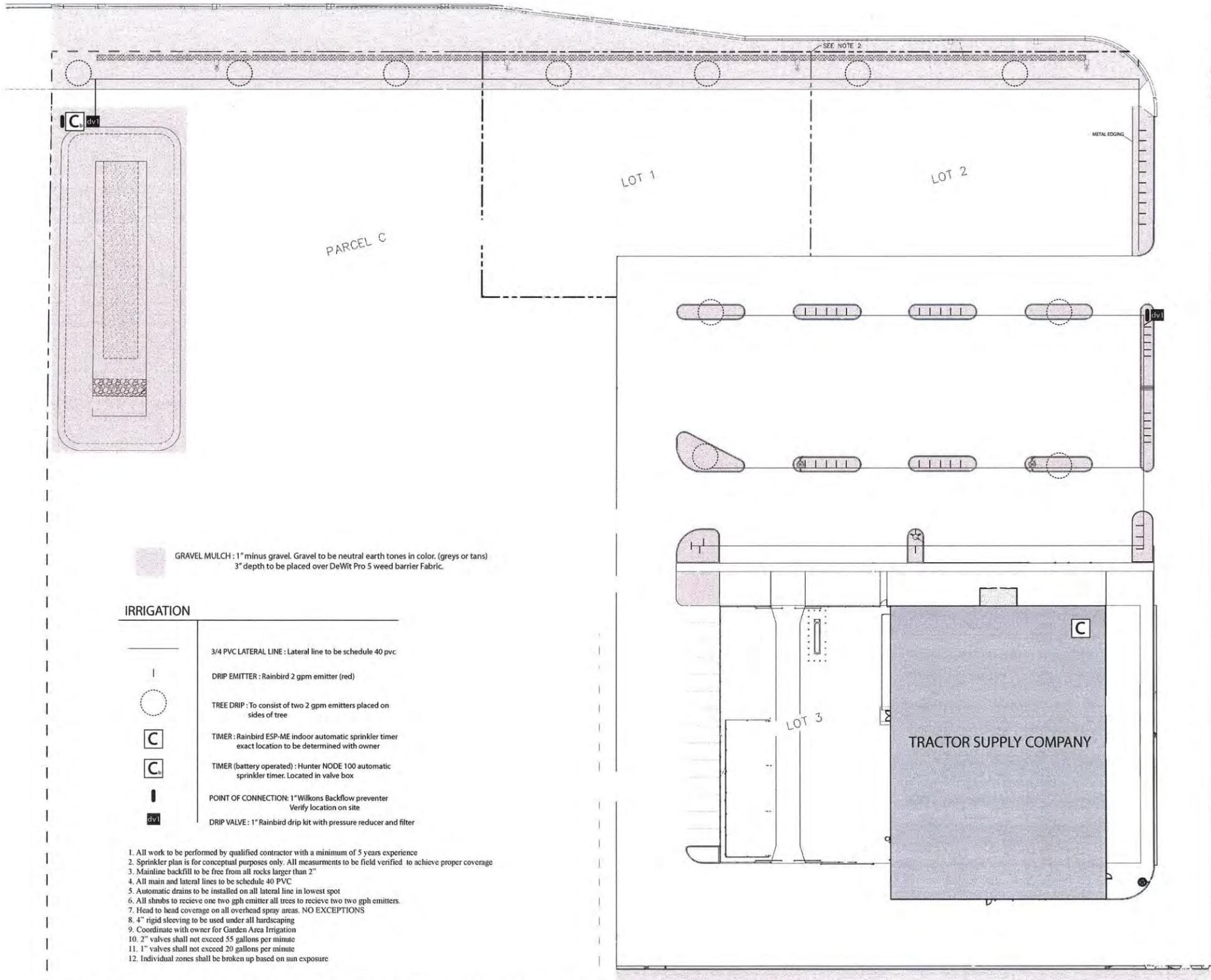
SITE PLAN NOTES

- 1. COORDINATE INSTALLATION OF NEW SERVICE WITH IDAHO POWER (VIC STEELMAN 208-388-6320). PROVIDE TRENCHING, CONDUIT, CONDUCTORS, METER BASE, CT ENCLOSURE, CONCRETE PAD, AND OTHER ITEMS AS REQUIRED. INSTALL SERVICE IN ACCORDANCE WITH CURRENT UTILITY COMPANY REQUIREMENTS. SEE RISER DIAGRAM ON SHEET E-4.
2. COORDINATE INSTALLATION OF TELEPHONE SERVICE CONDUIT WITH LOCAL TELEPHONE COMPANY. INSTALL 4" CONDUIT FROM TELEPHONE SERVICE POINT TO TELEPHONE TERMINAL BOARD.
3. SEPARATELY METERED MULTI-TENANT PYLON SIGN. TSC TO RECEIVE PRO-RATIONAL SHARE OF SIGNAGE. VERIFY EXACT ELECTRICAL REQUIREMENTS WITH VENDOR. PROVIDE CIRCUIT PER VENDOR'S RECOMMENDATIONS. PROVIDE DISCONNECTING MEANS IF NOT PROVIDED WITH SIGN AND LOCATE PER VENDOR'S RECOMMENDATIONS. COORDINATE WITH LANDLORD.
4. 1" CONDUIT WITH PULLSTRING FOR LOW VOLTAGE WIRING FROM FORAGE SHED TO TELEPHONE TERMINAL BOARD. VERIFY WITH TSC REPRESENTATIVE FOR EXACT LOCATION.



POLE BASE DETAIL (TO BE REVIEWED BY CIVIL ENGINEER FOR LOCAL CONDITIONS) NO SCALE

Project: 16040 Drawing: ES-1.dwg

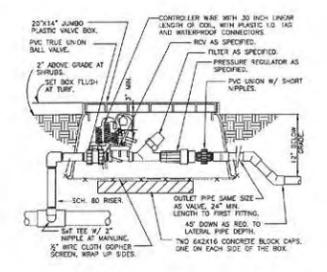


GRAVEL MULCH: 1" minus gravel. Gravel to be neutral earth tones in color. (greys or tans) 3" depth to be placed over DeWit Pro 5 weed barrier fabric.

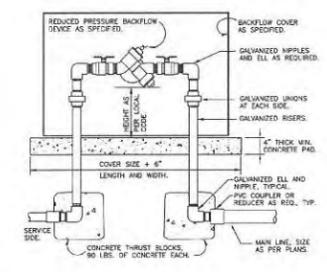
IRRIGATION

- 3/4 PVC LATERAL LINE : Lateral line to be schedule 40 pvc
- DRIP EMITTER : Rainbird 2 gpm emitter (red)
- TREE DRIP : To consist of two 2 gpm emitters placed on sides of tree
- TIMER : Rainbird ESP-ME indoor automatic sprinkler timer exact location to be determined with owner
- TIMER (battery operated) : Hunter NODE 100 automatic sprinkler timer. Located in valve box
- POINT OF CONNECTION: 1" Wilkons Backflow preventer Verify location on site
- DRIP VALVE: 1" Rainbird drip kit with pressure reducer and filter

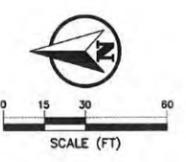
1. All work to be performed by qualified contractor with a minimum of 5 years experience
2. Sprinkler plan is for conceptual purposes only. All measurements to be field verified to achieve proper coverage
3. Mainline backfill to be free from all rocks larger than 2"
4. All main and lateral lines to be schedule 40 PVC
5. Automatic drains to be installed on all lateral line in lowest spot
6. All shrubs to receive one two gph emitter all trees to receive two two gph emitters.
7. Head to head coverage on all overhead spray areas. NO EXCEPTIONS
8. 4" rigid sleeving to be used under all hardscaping
9. Coordinate with owner for Garden Area Irrigation
10. 2" valves shall not exceed 55 gallons per minute
11. 1" valves shall not exceed 20 gallons per minute
12. Individual zones shall be broken up based on sun exposure



6 1" DRIP VALVE/FILTER/REGULATOR
1 1/2" x 1'-0"



1 RP BACKFLOW W/ ENCLOSURE
1' x 1'-0"



TRACTOR SUPPLY AND ENSIGN SUBDIVISION KUNA ID
MERIDIAN ROAD AND MEADOW VIEW ROAD

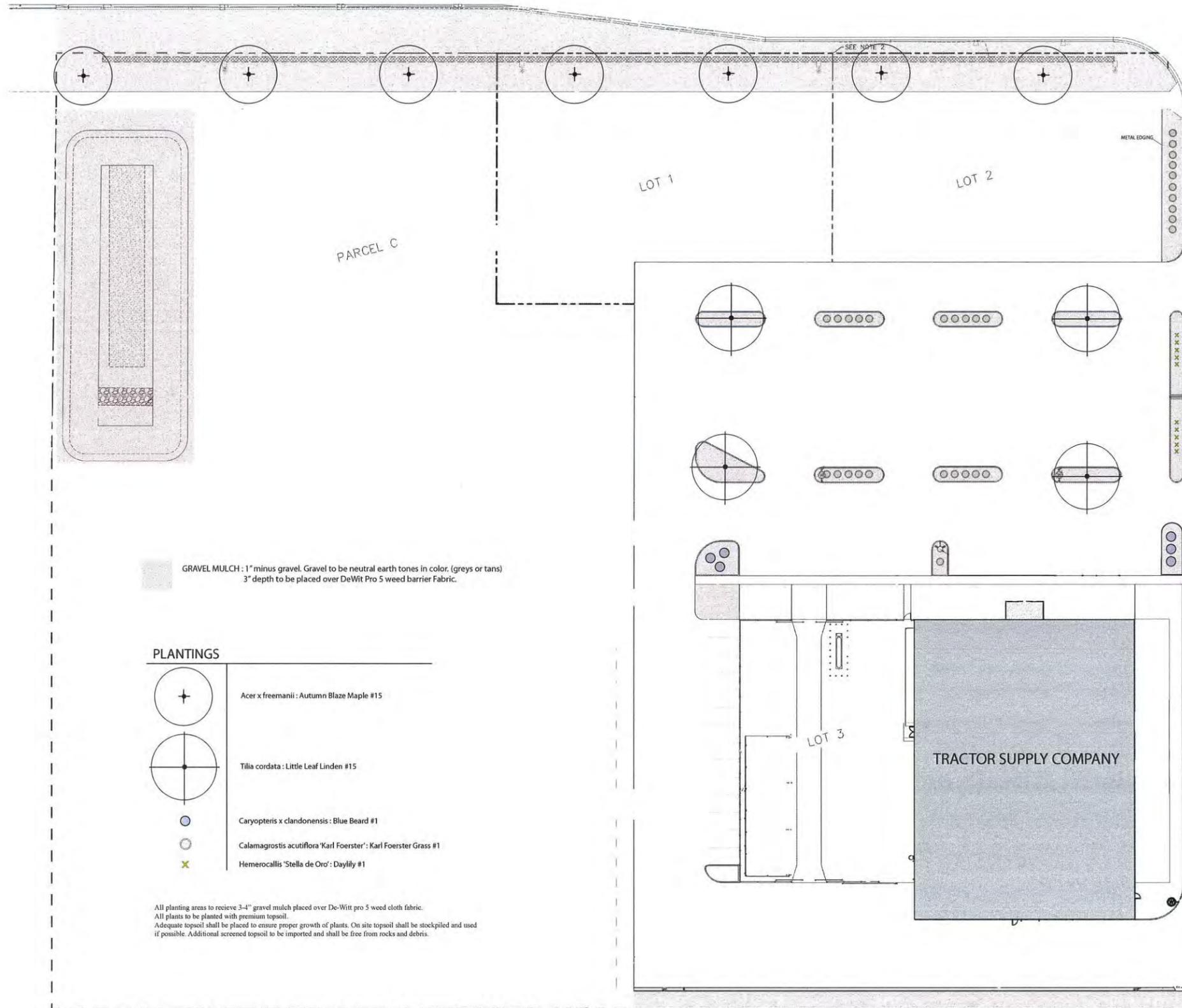


120 SOUTH 200 WEST BOUNTIFUL, UTAH 84010

4-8-16

IRRIGATION

I-101

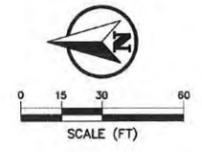
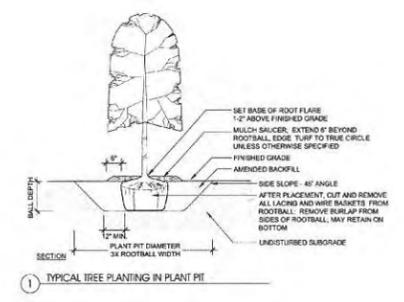
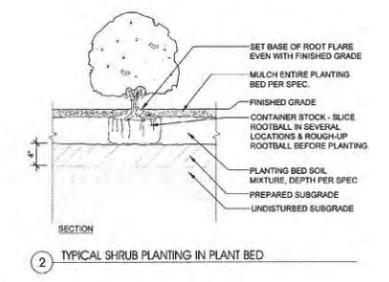
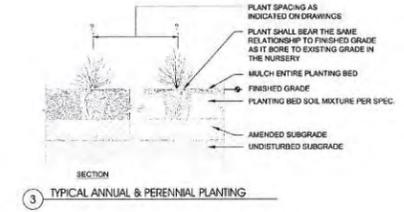


GRAVEL MULCH: 1" minus gravel. Gravel to be neutral earth tones in color, (greys or tans) 3" depth to be placed over DeWitt Pro 5 weed barrier fabric.

PLANTINGS

-  Acer x freemanii : Autumn Blaze Maple #15
-  Tilia cordata : Little Leaf Linden #15
-  Caryopteris x clandonensis : Blue Beard #1
-  Calamagrostis acutiflora 'Karl Foerster' : Karl Foerster Grass #1
-  Hemerocallis 'Stella de Oro' : Daylily #1

All planting areas to receive 3-4" gravel mulch placed over De-Witt pro 5 weed cloth fabric.
 All plants to be planted with premium topsoil.
 Adequate topsoil shall be placed to ensure proper growth of plants. On site topsoil shall be stockpiled and used if possible. Additional screened topsoil to be imported and shall be free from rocks and debris.



TRACTOR SUPPLY AND ENSIGN SUBDIVISION KUNA ID
 MERIDIAN ROAD AND MEADOW VIEW ROAD

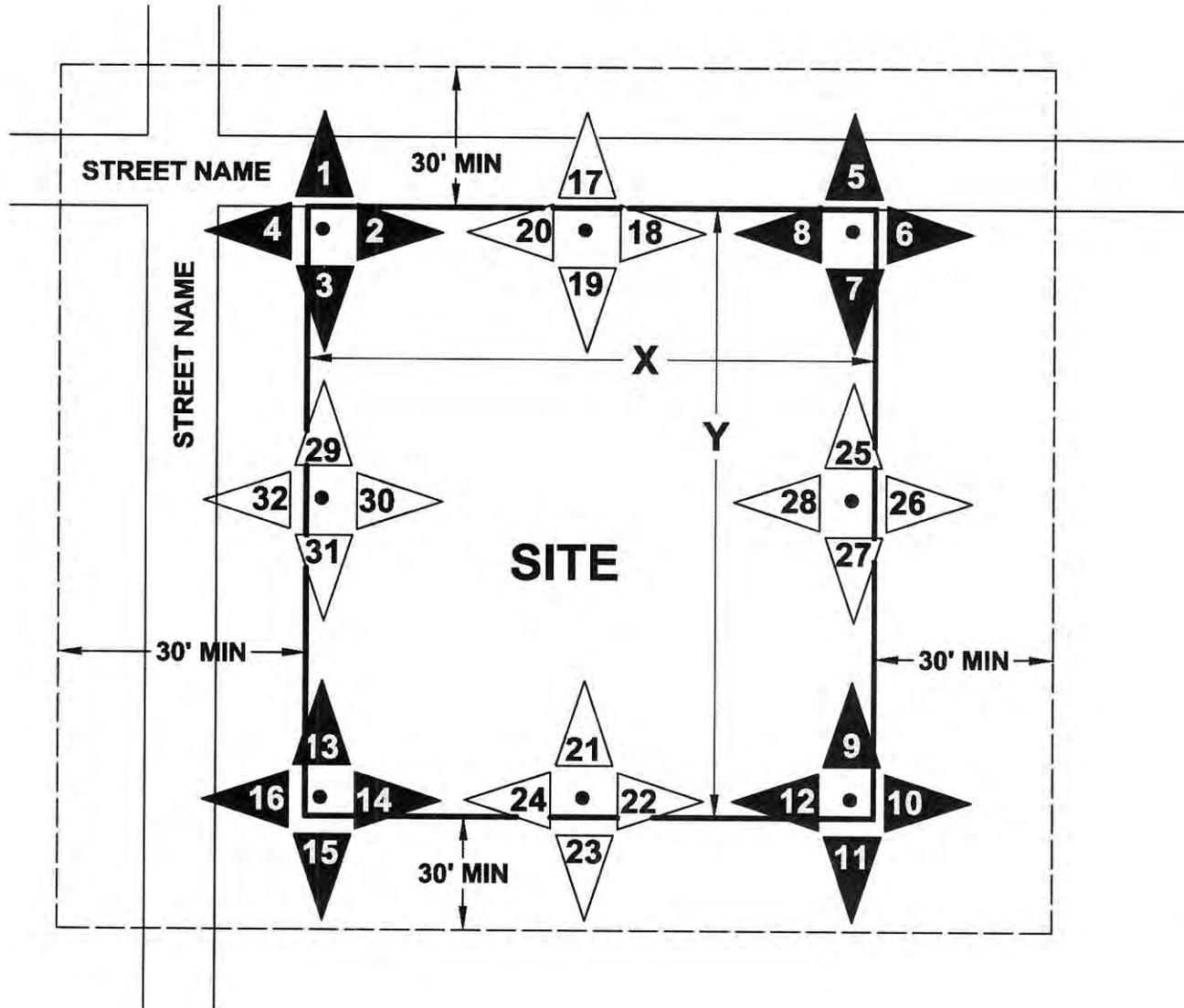


120 SOUTH 200 WEST BOUNTIFUL, UTAH 84010

4-8-16

LAYOUT/PLANTING

L-101



Project Information:
Name: *TSC*
Project:.....
Gross Acre:.....

NOTE:
Provide Site Plan on an 8 1/2" x 11" paper— indicating placement of photo orientation.
All applicants are expected to provide COLOR photographs at a 1-16 minimum.
If Distance 'X' is GREATER than 500-feet, also take photos 17-24.
If Distance 'Y' is GREATER than 500-feet, also take photos 17-24.



4.



2.



3.



4.



5.



6.



7.



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9.



16



11.



12.



13.



14.



15.



16.