



KUNA PLANNING AND ZONING COMMISSION

Agenda for July 12, 2016

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

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. Planning and Zoning Commission meeting minutes for June 28, 2016.
- b. Finding of Fact and Conclusions of Law for 16-01-AN (Annexation) and 16-01-CPM (Comprehensive Plan Map Amendment).
- c. Findings of Fact and Conclusions of Law for 16-05-AN (Annexation).

3. PUBLIC HEARING

- a. Case no. 16-04-AN (Annexation); Jose and Irma Garcia requests approval to annex an approximately 1.21 acre parcel located at 930 W. Deer Flat Road, into the City of Kuna with an 'R-6' (Medium Density Residential) zoning designation.
- b. Case no. 16-01-ZC (Rezone), 16-02-CPM (Comp Plan Map amendment), 16-01-S (Subdivision); Steve Arnold, (A-Team Consultants) requests to amend the Comprehensive Plan Map (Comp Plan Map) *designation* from Medium Density to High Density Residential for approximately (6.18 +/- acre), and to rezone the same property from R-6 (Medium Density Residential) to R-12 (High Density). The applicant also proposes to subdivide the parcel into 21 lots, in preparations to develop the site as a multi-family project. The site is located near the southeast corner (SEC) of School Avenue and the alignment for Sunbeam Street.

4. ADJOURNMENT

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, June 28, 2016**

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Vice-Chairman Stephanie Wierschem	X	Troy Behunin, Senior Planner	Absent
Commissioner Dana Hennis	X	Trevor Kesner, Planner II	X
Commissioner Cathy Gealy	X	Nancy Stauffer, Planning Technician	Absent
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. Approval of the Planning and Zoning Commission meeting minutes for **June 14, 2016**.

Commissioner Hennis motions to approve the consent agenda; Commissioner Wierschem Seconds, all aye and motion carried 5-0.

2. PUBLIC HEARING

- a. **16-05-AN (Annexation) David Austad** – The applicant requests approval to annex an approximately 10 acre parcel located west of Deserthawk Estates Subdivision; south of W. Sunbeam Street at the western terminus of W. Stony Desert Street into the City of Kuna with an ‘R-6’ (Medium Density Residential) zoning designation.

Don Boyer: Thank you for the opportunity, my name is Don Boyer and I live at 3710 E Kuna Mora Rd. This is not my piece of property, it belongs to a friend of mine and they live in Redmond Oregon. They moved there about 8 months ago. They want to put this piece of property , they have no plans for it, themselves, but they want to put this piece of property into the city so when the time comes it will be prepared for whoever wants it to build homes on it, or whatever, because it’s contiguous to a subdivision already. I don’t know if I can answer any questions, I’m the guy walking around with the post hole digger and whatever, but the ...

Chairman Young: Are there any questions for the applicant? No?, Ok, thank you.

Chairman Young: Can staff come forward?

Trevor Kesner: Good evening Chairman Young, commissioners, for the record, Trevor Kesner City Planner for Kuna, 763 West Avalon. The application before you tonight, the application for annexation from David Austad is pretty straight forward. It’s approximately 10 acres. He is wanting to bring it into the city with an R-6 zoning designation, which is compatible with the surrounding land uses with the exception of those to the west and to

CITY OF KUNA REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES

Tuesday, June 28, 2016

the south. The applicant's representative, Don Boyer, has been in contact with me frequently throughout the process and he has provided all of the necessary application materials. He held a neighborhood meeting on May 24th. Agencies were notified of this application on June 1st. Property owners within 300' of the designated subject site were notified of this hearing on June 15th. The hearing tonight was published in the Kuna Melba News on June 15th and the site was posted the next day on June 16th. As I have said, the applicant and his representative have followed all staff requests for information and staff views this annexation application to be compliant with the Kuna Comprehensive Plan and surrounding land uses. I would just like to provide for you a late entry comment letter from the Boise Project Control Board. You will find this ...Pretty much standard language that you would find from Boise Project Board of Control on any annexation into the city. And again with the other agency comments on this, they are mostly related to the future development of the site and this is just the annexation at this time, so obviously any future development would trigger a lot of those conditions, but at this time they are simply recommendations for future development. If you have any questions for me, I will stand for those at this time.

Commissioner Gealy: I have no questions.

Commissioner Herther: I have no questions.

Chairman Young: Would any one like to testify that has not signed the sheet? Ok, seeing none, I will go ahead and close the public testimony at 6:07 and that leads us to our discussion. Does anybody have any comment?

Commissioners: No

Commissioner Hennis motions to approve the Annexation of 16-05-AN; Commissioner Wierschem Seconds, all aye and motion carried 5-0.

- b. **16-01-ZC** (Rezone), **16-02-CPM** (Comp Plan Map amendment) and **16-01-S** (Subdivision) – **A Team Land Consultant – Steve Arnold**: Applicant requests to rezone the subject property (6.18 +/- acres) and amend the Comprehensive Plan Map (Comp Plan Map) designation from Medium Density to High Density Residential. The applicant requests to change the zone from R-6 (Medium Density Residential) to R-12 (High Density) and subdivide the parcel into 21 lots for future development. The site is located near the southeast corner of School Avenue and Sunbeam Street (alignment). **–Applicant is requesting this item be table.**

Commissioner Gealy motions to table 16-01-ZC, 16-02-CPM and 16-01-S to the July 14th Planning and Zoning Commission meeting; Commissioner Wierschem Seconds, all aye and motion carried 5-0.

-The Commission has tabled this item to the July 12, 2016 regularly scheduled Planning and Zoning meeting as requested by the applicant.

No Commission discussion

2. ADJOURNMENT:

Commissioner Hennis motions to adjourn at 6:21 pm; Commissioner Gealy Seconds, all aye and motion carried 5-0.

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, June 28, 2016**

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

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



City of Kuna

P & Z Findings of Fact and Conclusions of Law

P.O. Box 13
Phone: (208) 922-5274
Fax: (208) 922-5989
Kunacity.id.gov

To: Planning and Zoning Commission

Case Number(s): 16-05-AN (Annexation) Austad Annexation

Location: West of Deserthawk Estates Subdivision; south of W. Sunbeam St. at the western terminus of W. Stony Desert St., Kuna, Idaho 83634

Planner: Trevor Kesner, Planner II

Hearing Date: June 28, 2016

Findings: July 12, 2016

Owner: David Austad
1365 NW 35th St.
Redmond, OR 97756

**Applicant/
Representative:** Don Boyer
2100 W. King Rd.
Kuna, ID 83634

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- D. History
- E. General Project Facts
- F. Staff Analysis
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- H. Comprehensive Plan Analysis
- I. Proposed Findings of Fact
- J. Proposed Conclusions of Law
- K. Proposed 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).

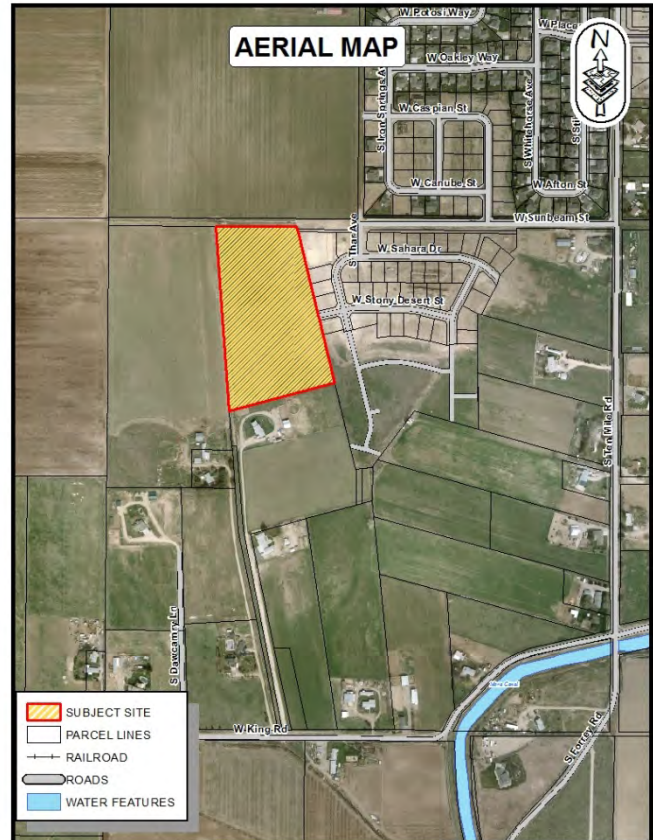
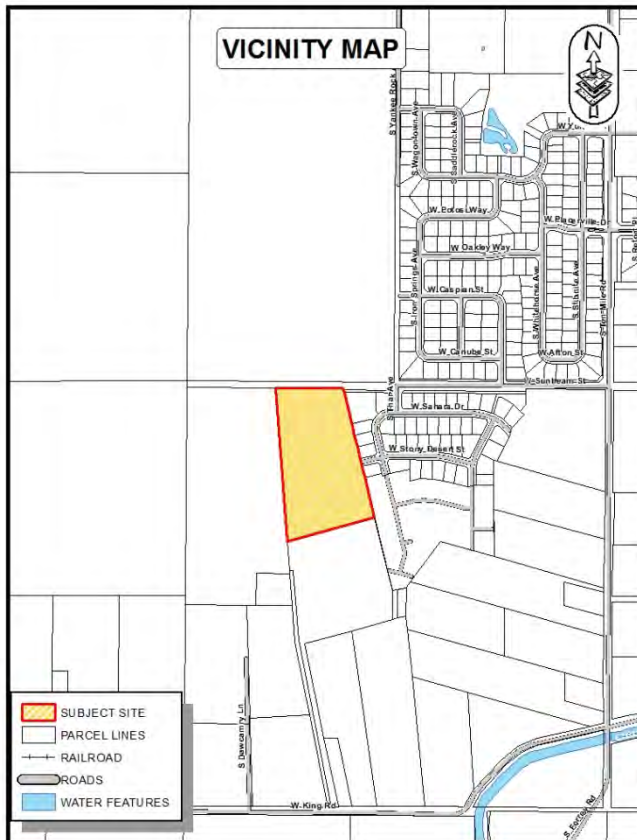
a. Notifications

- | | |
|---------------------------|---------------|
| i. Neighborhood Meeting | May 24, 2016 |
| ii. Agencies Notified | June 1, 2016 |
| iii. 300' Property Owners | June 15, 2016 |
| iv. Kuna, Melba Newspaper | June 15, 2016 |
| v. Site Posted | June 16, 2016 |

B. Applicant Request:

1. The applicant requests approval to annex an approximately 10 acre parcel located west of Deserthawk Estates Subdivision; south of W. Sunbeam St. at the western terminus of W. Stony Desert St. into the City of Kuna with an 'R-6' (Medium Density Residential) zoning designation for potential future development.

C. Vicinity and Aerial Maps:



D. History: The parcel is contiguous to City limits and is currently zoned RUT (Rural-Urban Transitional) in Ada County. The site is currently vacant and contains no structures. This parcel has historically been farmed.

E. General Projects Facts:

1. **Comprehensive Plan Designation:** The Future Land Use Map identifies this site as 'Medium Density Residential'. Staff views this annexation request to be consistent with the approved Future Land Use Map.
2. **Surrounding Land Uses:**

North	RUT	Rural Urban Transitional – Ada County
South	RUT	Rural Urban Transitional – Ada County
East	R-6	Medium Density Residential (Kuna)
West	RUT	Rural Urban Transitional – Ada County

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

- Approx. 10 +/- total acres
- RUT, Rural Urban Transitional (Ada County)
- Parcel # - R7321000916

4. **Services:**

Future Sanitary Sewer –City of Kuna
Future Potable Water – City of Kuna
Irrigation District –New York 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 – J&M Sanitation Services

5. **Existing Structures, Vegetation and Natural Features:** The subject site is currently vacant land containing no improvements. The site has historically been used for agricultural purposes (farmed). The applicant has not indicated any intention to develop the property at this time.

6. **Transportation / Connectivity:** The parcel is currently not improved with any pavement, curb, gutter, sidewalks. The site can be accessed from the western terminus of West Sunbeam Street and West Stony Desert Street; however barricades have been placed at both locations to prevent public access. Ada County Highway District (ACHD) has provided conditions for future development of the site (reference Exhibit B-4).

7. **Environmental Issues:** The subject site lies within the designated 'Nitrate Priority Area' (NPA) for groundwater monitoring. Beyond the NPA, staff is not aware of any additional environmental issues, health or safety conflicts resulting from this application. The site's topography is generally flat with a potential 0-3% slope in certain areas.

8. **Agency Responses:** The following agencies returned comments which are included as exhibits with this case file:

Exhibit B-1: Kuna City Engineer;
Exhibit B-2: Idaho Transportation Department (ITD);
Exhibit B-3: Central District Health Department (CDHD)
Exhibit B-4; Ada County Highway District (ACHD).

F. Staff Analysis:

The subject site is located directly west of Deserthawk Estates Subdivision; south of West Sunbeam Street and the western terminus of West Stony Desert Street. The applicant requests to annex the 10 +/- acre parcel into Kuna City limits with an R-6 zoning designation. Future development of the site or any portions thereof shall be in accordance with the provisions set forth in Kuna City Code (KCC). This includes the possibility that the applicant may sell the subject property to another party, who may intend to develop the site consistent with the adjacent developments.

Staff has determined this annexation application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case # 16-05-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 proposed 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 proposed 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 current use; however, any future site improvements as determined by the City Engineer and 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. 16-05-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 16-05-AN, the Kuna Planning and Zoning Commission finds Case No. 16-05-AN complies with Kuna City Code.
2. Based on the evidence contained in Case No 16-05-AN, the Kuna Planning and Zoning Commission finds Case No. 16-05-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 to recommend approval of this request to City Council. 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. 16-05-AN, a request for annexation from David Austad to the Kuna City Council, 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).
 - b. The City Engineer shall approve the future sewer, water and irrigation and drainage construction plans.
 - c. The Kuna Fire District shall approve all site development and building plans.
 - d. The *New York* Irrigation District shall approval any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District (ACHD) 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. 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 shall require the property owner to comply with the provisions set forth in Kuna City Code (KCC)
6. At the time of development, 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).
7. Applicant shall follow all staff, City engineer and any other agency recommended requirements as applicable.
8. Applicant shall abide by all applicable federal, state and local laws and ordinances.

DATED: This _____ day of _____, 2016.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Trevor Kesner, Planner II
Kuna Planning and Zoning Department



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

Annexation Checklist

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

Project name:

16-05-AN

Applicant:

David Austad

All applications are required to contain one copy of the following:

Applicant (✓)	Description	Staff (✓)
✓	Completed and signed Commission & Council Review Application.	✓
✓	Letter of Intent indicating reasons for proposed annexation and the availability of public services. If reason for annexation is development, also submit a conceptual plan.	✓
✓	Vicinity map drawn to scale, showing the location of the subject property. Map shall contain the following information: Shaded area showing the annexation property, Street names and names of surrounding subdivisions.	✓
	Legal description of the annexation area: Include a metes & bounds description to the section line of all adjacent roadways stamped & signed by a registered professional land surveyor with a calculated closure sheet & a map showing the boundaries of the legal description.	
✓	Recorded warranty deed for the property.	✓
✓	Proof of ownership—A copy of your deed <u>and</u> Affidavit of Legal Interest (All parties involved)	✓
	Development Agreement & Development Agreement Checklist	
✓	Neighborhood meeting certification (certification & neighborhood meeting list forms shall accompany this application).	✓
✓	Commitment of Property Posting form signed by the applicant/agent.	✓

Note: Only one copy of the above items need to be submitted when applying for multiple applications.

This application shall not be considered complete (nor will a Public Hearing be set) until staff has received all required information. Once the application is deemed complete, staff will notify the applicant of the scheduled hearing date, fees due, additional copies needed, etc.



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)	16-05-AN
Project name	David Austad Annex
Date Received	RECEIVED 5-23-16
Date Accepted/ Complete	May 30, 2016
Cross Reference Files	
Commission Hearing Date	June 28, 2016
City Council Hearing Date	

Contact/Applicant Information

Owners of Record: DAVID M AUSTAD	Phone Number: 541-213-5872
Address: 1365 NW 35th St.	E-Mail: _____
City, State, Zip: Redmond OR 97756	Fax #: _____
Applicant (Developer): _____	Phone Number: _____
Address: _____	E-Mail: _____
City, State, Zip: _____	Fax #: _____
Engineer/Representative: Don Bayer	Phone Number: 861-6616
Address: _____	E-Mail: _____
City, State, Zip: Kuna, Id 83634	Fax #: _____

Subject Property Information

Site Address: NO Address	
Site Location (Cross Streets): Ten Mile / Sunbeam	
Parcel Number (s): APN # R7321000916	
Section, Township, Range: _____	
Property size: 10 acres +/-	
Current land use: Farming	Proposed land use: Farming
Current zoning district: _____	Proposed zoning district: _____

Project Description

Project / subdivision name: _____
General description of proposed project / request: _____
Type of use proposed (check all that apply):
☐ Residential _____
☐ Commercial _____
☐ Office _____
☐ Industrial _____
☒ Other <u>None</u>
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): _____
Hours of operation (days & hours): _____	Building height: _____
Total number of employees: _____	Max. number of employees at one time: _____
Number and ages of students/children: _____	Seating capacity: _____
Fencing type, size & location (proposed or existing to remain): _____	
Proposed Parking:	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.): _____	

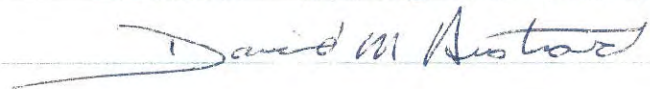
Applicant's Signature: David M. Austad Date: 5.15.16

City of Kuna

5-15-16

This is a letter of Intent for annexation of property parcel: APN R 7321000916 / case # 16-05-AN. The reason for annexation is to make the property more desirable to any protential buyers.

owner - DAVID M AUSTAD

David M Austad

Exhibit

A-2b

AERIAL MAP



S Yankee Rock Ave

S Wagon Town Ave

S Saddlerock Ave

W Yukon

W Potosi Way

W Placerville Dr

W Oakley Way

S Iron Springs Ave

W Caspian St

S Whitehorse Ave

S Stibnite Ave

S Ten Mile Rd

W Canby St

W Afton St

W Sunbeam St

S Thar Ave

W Sahara Dr

W Stony Desert St

-  SUBJECT SITE
-  PARCEL LINES
-  ROADS

VICINITY MAP

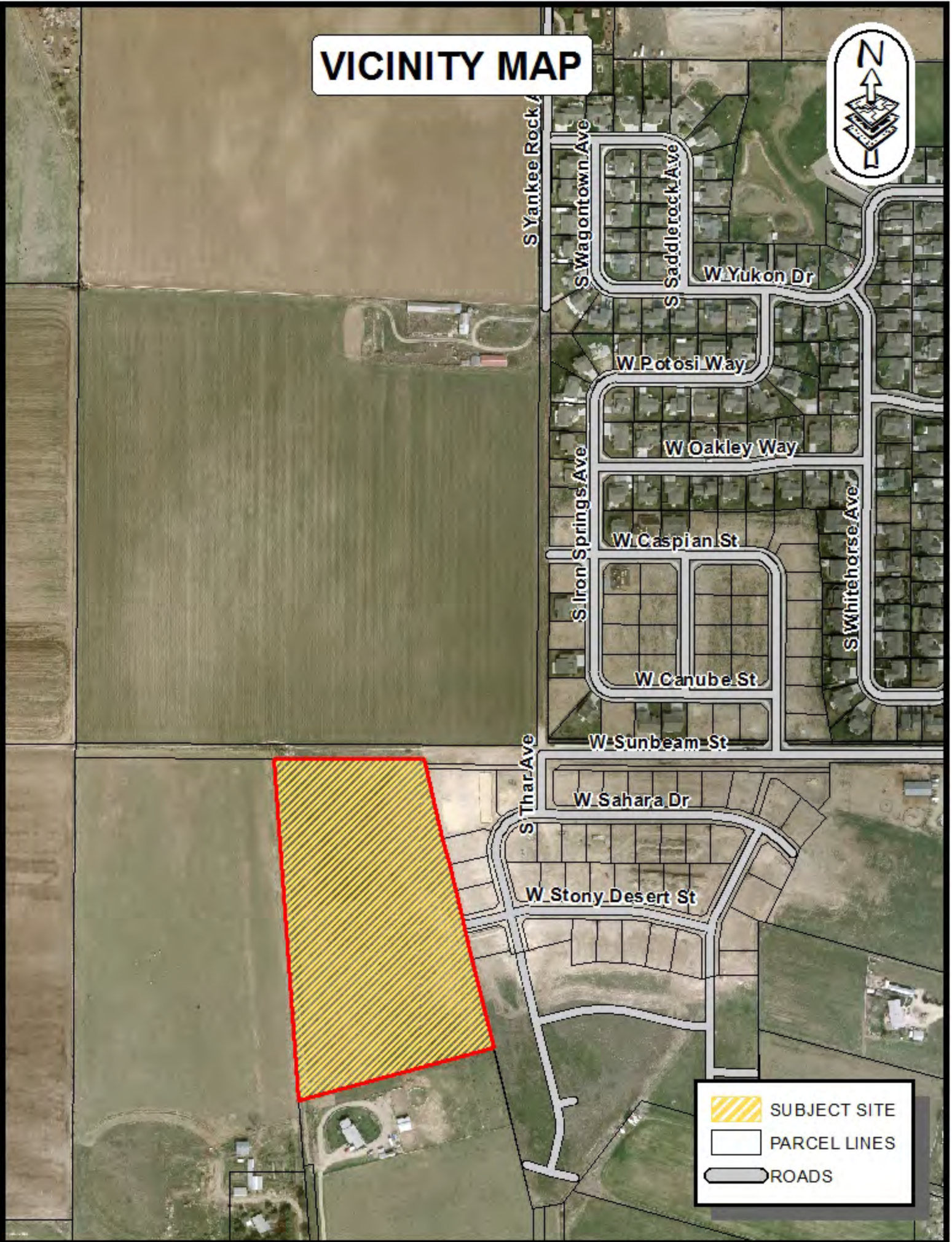


EXHIBIT "A"

The land referred to in this commitment is located in the County of Ada, State of Idaho and described as follows:

C
O
P
Y
A parcel of land being a portion of Lots 21 through 23 of Rader and Kroeger's Subdivision as filed for record in the office of the Ada County Recorder, Boise, Idaho in Book 5 of Plats at page 205, all lying in the SE 1/4 of Section 27, T.2N., R.1W., B.M. and more particularly described as follows:

Beginning at an iron pin marking the Northeast corner of said SE 1/4; thence North 89°33'03" West along the Northerly boundary of said SE 1/4 1679.87 feet (formerly S 89°49'47" W 1678.58) to a point; thence continuing along said Northerly boundary of the SE 1/4 North 89°33'03" West 409.13 feet (formerly S 89°49'47" W 409.20 feet) to an iron pin; thence leaving said Northerly boundary of the SE 1/4 South 03°55'03" East 21.06 feet (formerly S 04°30'30" E) to an iron pin marking the REAL POINT OF BEGINNING;

thence continuing South 03°55'03" East 968.46 feet (formerly S 04°30'30" E) to an iron pin;

thence North 74°45'35" East 563.96 feet to an iron pin on the Westerly boundary of Lot 4 of Desert Edge Estates, a subdivision as filed for record in the office of the Ada County Recorder, Boise, Idaho in Short Plat Book A at page 22;

thence North 13°37'39" West 838.31 feet (formerly N 14°10'30" W) along said Westerly boundary of Lot 4 of Desert Edge Estates to an iron pin lying 21.00 feet Southerly of said Northerly boundary of the SE 1/4;

thence North 89°33'03" West 412.79 feet along a line parallel to and 21.00 feet Southerly of said Northerly boundary of the SE 1/4 to the point of beginning, comprising 10.00 acres, more or less.

TOGETHER WITH:

An Ingress-Egress easement located in the SE 1/4 of Section 27, T.2N., R.1W., B.M., and more particularly described as follows: Beginning at an iron pin marking the Northeast corner of said SE 1/4; thence North 89°33'03" West along the Northerly boundary of said SE 1/4 1679.87 feet (formerly S 89°49'47" W 1678.58) to a point; thence continuing along said Northerly boundary of the SE 1/4 North 89°33'03" West 409.13 feet (formerly S 89°49'47" W 409.20 feet) to an iron pin; thence leaving said Northerly boundary of the SE 1/4 South 03°55'03" East 989.52 feet (formerly S 04°30'30" E) to an iron pin marking the Southwest corner of the above described Parcel 1, also said iron pin being the REAL POINT OF BEGINNING;

Exhibit

A-2d

C
O
P
Y

thence continuing South 03°55'03" East 65.31 feet (formerly S 04°30'30" E) to an iron pin;

thence South 04°13'21" East 153.64 feet (formerly S 04°47'30" E) to an iron pin;

thence North 85°46'39" East 25.00 feet (formerly N 85°12'30" E) to an iron pin;

thence South 04°13'21" East 426.98 feet (formerly N 04°47'30" W 448.47 feet) to an iron pin;

thence South 10°59'10" East 778.63 feet (formerly S 11°35'30" E 780.40 feet) to a point;

thence South 11°42'54" East 291.65 feet (formerly N 12°16'30" W 306.18 feet) to a point on the Southerly boundary of said SE 1/4, said point bears South 89°46'57" East 937.01 feet from a brass cap marking the Southwest corner of said SE 1/4;

thence South 89°46'57" East 25.55 feet (formerly S 89°51'30" W 25.14 feet) along said Southerly boundary of said SE 1/4 to a point, said point bears North 89°46'57" West 1700.28 feet from a brass cap marking the Southeast corner of said SE 1/4;

thence leaving said Southerly boundary of the SE 1/4 North 11°42'54" West 296.78 feet (formerly S 12°16'30" E 306.18 feet) to a point;

thence North 10°59'10" West 783.67 feet (formerly S 11°35'30" E 780.40 feet) to an iron pin marking the Northwest corner of Lot 7 of the Amended Plat of Ten Mile Acres Subdivision, as filed for record in the office of the Ada County Recorder, Boise, Idaho, in Book 27 of Plats at page 1670;

thence North 04°13'56" West 423.73 feet to a point;

thence North 08°48'23" West 220.87 feet to a point on the Southerly boundary of the above described Parcel 1;

thence South 74°45'35" West 31.72 feet to the point of beginning of the above described Ingress-Egress easement.

SUBJECT TO:

All existing easements and road rights-of-way of record or appearing on the above described parcel of land.

Prepared by:

J-U-B ENGINEERS, Inc.



John T. Eddy, P.L.S.

C

O

JTE/DGB

P

Y

WARRANTY DEED

For Value Received HARLOW D. AUSTAD AND BONNIE J. AUSTAD, husband and wife,

the grantor s, do hereby grant, bargain, sell and convey unto DAVID M. AUSTAD, a single person,

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

That certain real property more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

Bonnie Austad
IDA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

1998 MAY 18 PM 12:13

RECORDED - REQUEST OF

FEE *12⁰⁰* DEPUTY *[Signature]*

98047305

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee , his heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee , that he is the owner in fee simple of said premises; that said premises are free from all incumbrances except easements, rights-of-way, covenants, and restrictions currently of record, or appearing on the land,

and that he will warrant and defend the same from all lawful claims whatsoever.
Dated: effective the 1st day of November, 1994.

Harlow D. Austad
Bonnie J. Austad

STATE OF IDAHO, COUNTY OF

On this 10 day of November 1994, before me, a notary public in and for said State, personally appeared

Harlow D. Austad
Bonnie J. Austad

known to me to be the person s who subscribed to the within instrument, and acknowledged to me that they executed the same.

Mary M. Joyce
Notary Public

Residing at Meridian, Idaho
Comm. Expires 4-26-2006



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

Deputy.

INSTRUMENT NO.

Exhibit

A-2e



City of Kuna

AFFIDAVIT OF LEGAL INTEREST

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

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

State of ~~Idaho~~ ^{Oregon})
County of ~~Ada~~ ^{Deschutes}) ss.

I, DAVID M AUSTAD, 210 1365 NW 35th St
Name Address
Redmond, OR 97756
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 DON BOYER 3710 E KUNA MORA KUNA ID 83634
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 11th day of April, 2016

David M Austad
Signature

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



OFFICIAL STAMP
LINDSEY JANE BROWN
NOTARY PUBLIC-OREGON
COMMISSION NO. 939518
MY COMMISSION EXPIRES JUNE 1, 2019

Notary Public for Idaho ^{Oregon}

Residing at: 915 SW Rimrock Way Ste 201, Redmond, OR 97756

My commission expires: June 1, 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: Austad Annexation
Date and time of neighborhood meeting: May 24, 2016 / 6:30 pm - 8:00 pm
Location of neighborhood meeting: Kuna Public Library

SITE INFORMATION:

Location: Quarter: — Section: 27 Township: 2N Range: 1W Total Acres: 10
Subdivision Name: Rader & Kroegers Sub Lot: 21, 22, 23 Block: —
Site Address: Parcel 0916 Tax Parcel Number(s): —
(No Address) R7321000916

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

CURRENT PROPERTY OWNER:

Name: David Austad
Address: 2100 W. King Rd City: Kuna State: Id Zip: 83634

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

Name: Don Boyer Business (if applicable): —
Address: 3710 E. Kuna-Mora City: Kuna State: Id Zip: 83634

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 of Extension of a Nonconforming Use

Zoning Ordinance Map Amendment

Brief Description**APPLICANT:**

Name: Don Boyer

Address: 3710 E. Kuna-Mora Rd

City: Kuna State: Id Zip: 83634

Telephone: 867-6616 Fax: _____

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)

Date 5-26-16

Date 4-30-16

Dear Neighbor:

My name is David Austad and I am the owner of the property shown on the map (reverse side). I would like to annex my property into the City of Kuna. This property has no true address; however, the parcel number is APN# R7321000916.

As part of the annexation process, I am required to hold a meeting with neighbors who also own property within 300 feet of my parcel. This meeting will be held on **May 24, 2016** in the conference room at the **Kuna Public Library**, from **6:30 pm to 8:00 pm**. The library is located at **457 N. Locust, Kuna, Idaho**.

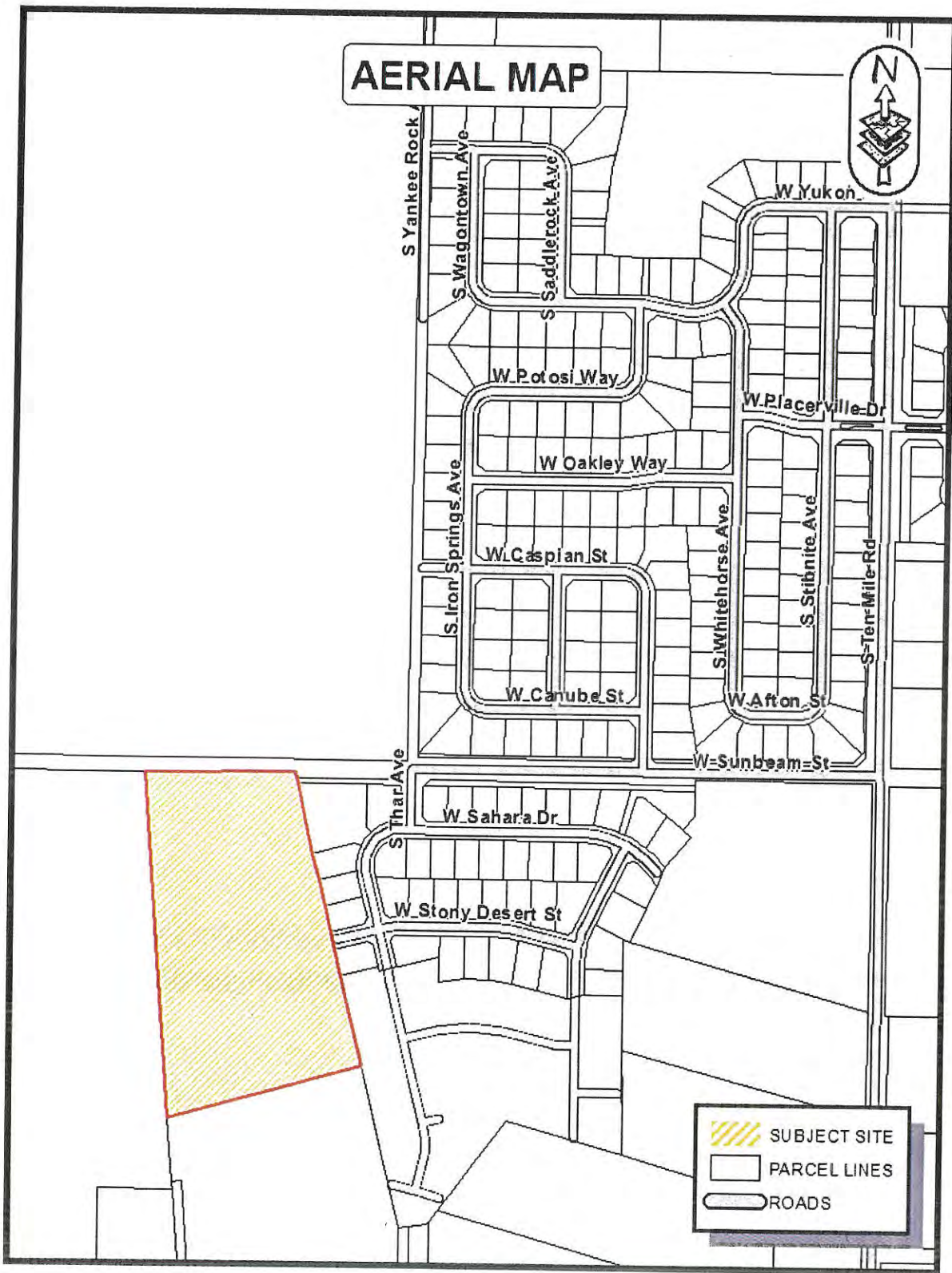
At this time, I do not have any plans to do anything with the property. I am only annexing it into the city.

Please plan on attending this meeting if you have any questions or concerns about the annexation; or you may also send your concerns or questions to me via US mail (see return address).

Thank you.

-David Austad

AERIAL MAP





Earl Tuman Allen
2200 W King Rd
Kuna, ID 83634

Gary & Catherine Cameron
2198 W King Rd
Kuna, ID 83634

Amber & Donald Cockrum
2020 W Stony Desert St
Kuna, ID 83634

Martin & Christina Cyrway
2032 W Sahara Dr
Kuna, ID 83634

Jay & Gail Davis
875 S Kalahari Ave
Kuna, ID 83634

Desert Hawk Estates
6152 W Half Moon Ln
Kuna, ID 83634

Tracey Dunn
1999 W Sahara Dr
Kuna, ID 83634

Jason & Elizabeth Ford
2031 W Sahara Dr
Kuna, ID 83634

John Hein
PO Box 1349
Meridian, ID 83680

Steven Rowell
901 S Kalahari Ave
Kuna, ID 83634

Marcos & Estephania Urza
1923 167th Ave SE
Bellevue, WA 98008

710 E Kuna Mora Rd
Kuna, ID 83634

Chrys & Edna Oldenburg
1965 W Stony Desert St
Kuna, ID 83634

E Kuna Mora Rd
ID 83634

DB Development LLC
2228 W Piazza St
Meridian ID 83646

E Kuna Mora Rd
ID 83634

Muriel Elmquist
1976 W Stony Desert St
Kuna, ID 83634

O E Kuna Mora Rd
na, ID 83634

Corey Barton Homes
1977 E Overland Rd
Meridian, ID 83642

SIGN IN SHEET

PROJECT NAME: Austad Annexation

Date: 5-24-16

	Name	Address	Zip	Phone
1	<u>Baz PGM-E (Resced)</u>	<u>North West Amerem</u>	<u>EXEMPT</u>	<u>208-412-4607</u>
2				
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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

Applicant/agent signature

4-25-16
Date





CITY OF KUNA
PLANNING & ZONING DEPARTMENT
PO Box 13 • 763 W Avalon St • Kuna, Idaho • 83634
Phone (208) 922-5274 • Fax: (208) 922-5989
www.kunacity.id.gov

Dear Property Owner:

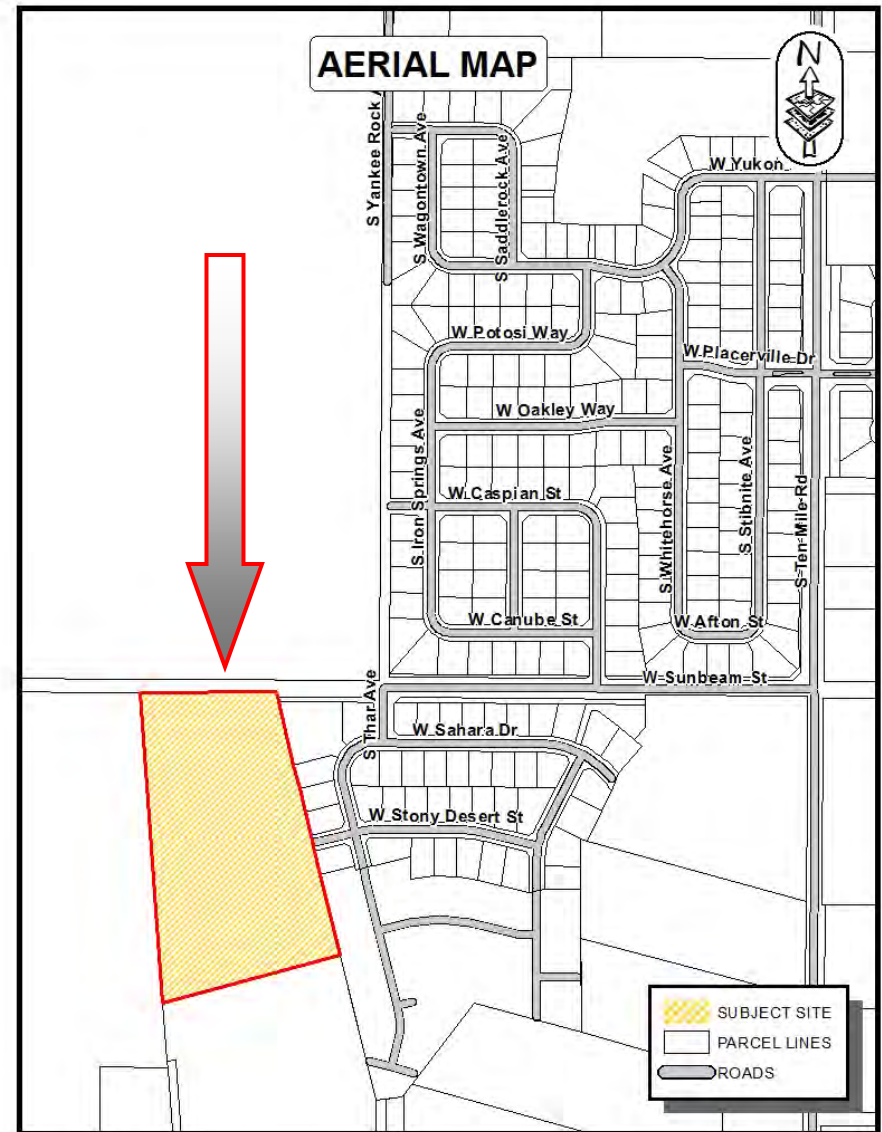
NOTICE IS HEREBY GIVEN that the Kuna Planning and Zoning Commission will hold a public hearing on **June 28, 2016** beginning at **6:00 pm** on the following case: 16-05-AN (Annexation); an Annexation request by David Austad to annex approximately 10 +/- acres into the Kuna city limits with an 'R-6' Residential zoning designation.

The site has no address; it is located at the western terminus of W. Stony Desert Street and W. Sunbeam Street; Lot 21 through 23; Rader & Kroeger's Subdivision, Kuna, Idaho (see adjacent map).
Ada County APN #R7321000916

The public hearing will be held in the City Council Chambers at Kuna City Hall located at 763 West Avalon Street, Kuna, Idaho.

All documents concerning public hearing items may be reviewed at Kuna City Hall, 763 West Avalon Street, Kuna, Idaho, 83634. Office hours are 8:00 am to 5:00 pm, Monday through Friday, except holidays. If you have questions or would like additional information, please contact the Planning and Zoning Department at (208) 922-5274.

You are invited to provide oral or written comments to the Commission at the hearing. Please note that all comments made to the Commission during the public hearing will be restricted to three (3) minutes per person. Prior to the hearing, written comments may be submitted to the appropriate governing body at least seven (7) days prior to the hearing. These comments will be forwarded to the Planning and Zoning Commission and read into record.



Please refer to the case name: **16-05-AN (Austad Annexation)**
in all correspondence concerning this case

Suggestions For Testifying at the Public Hearing:

Be informed . . .

Review the proposal, the staff report, applicable provisions of the ordinance and comprehensive plan.

Be on time . . .

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

Speak to the point . . .

The governing body appreciates pertinent, well organized, and concise comments. Redundant testimony is prohibited and **each individual is given three (3) minutes to comment.** Long stories, abstract complaints, or generalities may not be the best use of time. Neighborhood groups are encouraged to organize testimony and have one (1) person speak on behalf of the group -- "opposition representative," like the applicant's representative, receives 10 minutes to make comments. Applicant has five (5) minutes to rebut or discuss issues raised by any opposition.

If you don't wish to speak, write . . .

At most hearings, previously submitted written testimony may be reviewed by the governing body before the meeting. It is unreasonable to submit extensive written comments or information at the hearing and expect them to be reviewed prior to a decision. All documents or written comments should be submitted to the City of Kuna at least one (1) week **prior** to the hearing.

City of Kuna
Planning and Zoning
PO Box 13
Kuna, ID 83634

LEGAL NOTICE



RECEIVED
6-16-16

City of Kuna PROOF OF PROPERTY POSTING

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

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

This notice shall confirm that the Public Hearing Notice for R7321000916 (AUSTAD)
(NAME OF SUBDIVISION OR ADDRESS) was posted as required per Kuna City Ordinance
5-1-5B. Sign posted 6-16-16 (DAY OF THE WEEK, MONTH,
DATE AND YEAR). This form is required to be returned three (3) calendar days
subsequent to posting and signs are to be removed from the site three (3) calendar
days after the hearing.

DATED this 16th day of JUNE, 2016

Signature,

Owner/Developer / REPRESENTATIVE

STATE OF IDAHO

County of ADA

)
): ss
)

On this 16th day of JUNE, 2016, before me the
undersigned, a Notary Public in and for said State, personally appeared before me
(Owner, Developer).

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

Troy Behunin
Notary Public
Residing at 763 W. ANKON, KUNA, ID
Commission Expires 4 NOV. 2020





CITY OF KUNA PUBLIC HEARING NOTICE

KUNA PLANNING AND ZONING COMMISSION

WHEN: The City of Kuna will hold a public hearing on June 28, 2016 at Kuna City Hall at 6:00pm

PURPOSE: Annexation and Zoning - Lots 21-23, Rader & Kroegers Subdivision. Zoning R-6, Approximately 10 +/- acres

LOCATION: S. Ten Mile Rd. / W. Sunbeam St.

APPLICATION BY: David Austad, Kuna, Idaho

CONTACT: City of Kuna Senior Planner
Troy Behunin 208-922-5274

CITY OF KUNA
PUBLIC HEARING NOTICE
KUNA PLANNING &
ZONING COMMISSION
THE CITY OF KUNA will hold a public
hearing on June 28th, 2016 at Kuna
City Hall, at 6:00 pm.
Annexation: Lots 21-23 Rader &
Kreger's Subdivision.
APN # R7321000915 Zoning: R-6
LOCATION: S. Ten Mile Rd. / W.
Sunbeam
APPLICANT: David Aultad, Kuna,
Idaho



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clerk's Office, Kuna City Hall,
763 W. Avalon Street, Kuna,
Idaho.

THE FOREGOING SUM-
MARY IS APPROVED for
publication this 7th day of
June, 2016 by the City Coun-
cil of the City of Kuna.

CITY OF KUNA,
a Municipal Corporation of
Idaho
Joe L. Stear, Mayor

ATTEST:
Chris Engels, City Clerk

I have reviewed the forego-
ing summary and believe that
it provides a true and com-
plete summary of Ordinance
No. 2016-15 and that the
summary provides adequate
notice to the public of the
contents of this ordinance.

DATED this 7th day of
June, 2016.

Richard T. Roats,
City Attorney

June 15, 2016

1473535

LEGAL NOTICE

ORDINANCE 2016-16

AN ORDINANCE OF THE
CITY COUNCIL FOR KUNA,
IDAHO AMENDING KCC 5-1-
6-2 "COMMENCEMENT OF
CONSTRUCTION" TO IN-
CLUDE THE PREPAYMENT
OF PREPAID SEWER HOOK
UPS OR LID EDU'S;
AMENDING KCC 6-2-3 ENTI-
TLED "PRELIMINARY PLAT"
TO CLARIFY CERTAIN SEC-
TIONS REGARDING THE
APPROVAL PERIOD FOR A
PRELIMINARY PLAT, RE-
MOVING LANGUAGE RE-
GARDING CONSTRUCTION
PHASING AND THE RE-
QUIREMENT THAT THE DE-
VELOPER PROVIDE A TIME
SCHEDULE WITH START
AND COMPLETION DATES,
ADDING LANGUAGE TO
REQUIRE SIXTY (60) DAYS
NOTICE PRIOR TO A PLAT
EXPIRING, ADDING LAN-
GUAGE THAT A DEVELOP-
ER MAY RECEIVE A PRE-
LIMINARY PLAT REIN-
STATEMENT IF THERE HAS

CITY OF KUNA
P.O. Box 13
Kuna, ID 83634
Phone: 922-5274
Fax: 922-5989

Case # 16-05-AN (Annexation)

NOTICE IS HEREBY GIV-
EN, the Kuna Planning and
Zoning Commission will hold
a public hearing, Tuesday,
June 28, 2016, at 6:00 pm, or
as soon as can be heard at
Kuna City Hall, 763 W. Aval-
on, Kuna, ID; in connection
with a request from David
Austad to annex approxi-
mately 10 acres into the Kuna
City limits with an "R-6" (Resi-
dential) zoning designation.
The parcel has no assigned
address and is located at the
western terminus of W. Stony
Desert St., Kuna, Idaho (APN
#: R7321000916).

All persons wishing to testi-
fy must state his/her name
and residential address for
the record. No person shall
speak until recognized by the
Chairman. A three (3) minute
time limit may be placed on
all testimony.

The public is invited to
present written and/or oral
comments. Any written testi-
mony must be received by
5:00 pm, June 27th, 2016, or
it may not be considered.
Please mail any comments to
P.O. Box 13 Kuna, ID 83634,
or drop off at City Hall 763 W.
Avalon.

Please do not contact any-
one who would be involved in
this decision making process,
which would include the Plan-
ning & Zoning Commission-
ers, City Council Members, or
the Mayor. Such private con-
versations would be consid-
ered ex parte (one sided) and
could jeopardize the public
hearing process.

If you have any questions
or require special accommo-
dations, please contact the
Kuna Planning & Zoning De-
partment prior to the meeting
at 922-5274.

Kuna Planning & Zoning
Department

June 15, 2016

1473157



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@kunaid.gov

MEMORANDUM

TO: Director of Kuna Planning and Zoning

FROM: Gordon N. Law
Kuna City Engineer

RE: Dave Austad
Annexation
16-05-AN

DATE: June 6, 2016

The City Engineer has reviewed the annexation request of the above applicant dated May 30, 2016. It is noted that specific development plans are not provided except those implied as allowed or permitted in an "R-6" zone. It is understood, however, the applicant intends to develop portions of this property which it owns under terms of future land-use actions. This understanding includes the possibility the applicant will sell these properties to a third party having the same intent. The applicant desires City services for these future developments and the City Engineer has affirmed that the City could include all of the applicant's aforementioned property in its service area.

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 agricultural 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 existing City facilities.
- b) Wastewater from the applicant's property has the option of being treated in the South Treatment Plant, which presently has sufficient capacity to serve this site. 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 agricultural purposes and does not require City services. As developed property, it will require municipal water

service for potable and fire protection needs. The City Engineer recommends ultimate connection to existing City facilities.

- b) The nearest point of connection for the Austad project is at the east property line of the project. 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 local canals from surface water rights. The city has pressure irrigation facilities adjacent to this property. The City Engineer recommends ultimate connection to existing City facilities.
- b) The nearest point of connection for the Austad project is at the east property line of the project. When connecting to the pressure irrigation system, the applicant will need to abide by any relevant water reimbursement policies and agreements and any relevant connection fees

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 north side on quarter-section line local collector street (Sunbeam). 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.



IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028
Boise, ID 83707-2028

(208) 334-8300
itd.idaho.gov

June 8, 2016

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

VIA EMAIL

RE: 16-05-AN DAVID AUSTAD

The Idaho Transportation Department has reviewed the referenced annexation application for David Austad located west of South Ten Mile Road and South of West Sunbeam Street southwest of SH-69. ITD has the following comments:

1. ITD has no objection to the annexation of this property into the City of Kuna.
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
D3 Property Manager
jim.morrison@itd.idaho.gov



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:

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

Rezone # 16-05-AM
Conditional Use # _____
Preliminary / Final / Short Plat _____

RECEIVED City of Kuna

JUN 20 2016

CITY OF KUNA

- ☒ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
 - ☐ high seasonal ground water
 - ☐ waste flow characteristics
 - ☐ bedrock from original grade
 - ☐ other _____
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☐ 8. After written 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. _____ Reviewed By: Lowrey
Date: 6/14/16

Exhibit

B-3

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

- The intersection of Linder Avenue and Main Street and 3rd Street is scheduled in the IFYWP to be constructed as a single-lane roundabout in 2016.
- 4th Street and #326 is scheduled in the IFYWP to be replaced in 2018.
- Avalon is listed in the CIP to be widened to 3-lanes from Linder Road to Orchard Street between 2022 and 2026.
- Deer Flat is listed in the CIP to be widened to 5-lanes from Linder Road to SH-69/ Meridian Rd between 2027 and 2031.

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 10 additional vehicle trips per day per single-family dwelling (0 existing); 1 additional vehicle trips per hour in the PM peak hour per single-family dwelling (0 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 9th edition.

2. **Condition of Area Roadways**

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Existing Plus Project
Ten Mile Road	0-feet	Arterial	116	Better than "D"	Better than "D"
Sunbeam Street	425-feet	Collector	76	Better than "D"	Better than "D"

* Acceptable level of service for a two-lane minor arterial is "D" (550 VPH).

* Acceptable level of service for a two-lane collector is "D" (425 VPH).

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

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

- The average daily traffic count for Ten Mile Road south of Avalon was 1,885 on 1/20/2016.
- The average daily traffic count for Sunbeam Street west of Swan Falls Road was 1,002 on 10/14/2015.

C. Findings for Consideration

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

1. **Sunbeam Street**

- a. **Existing Conditions:** Sunbeam Street is a collector street stubbed at the site's east property line.

b. **Policy:**

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

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

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

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

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

Half Street Policy: District Policy 7206.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

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

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

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

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. A new collector roadway was identified on the MSM with the street typology of Residential Collector. The new collector roadway should align with Sunbeam Street on the east side of Ten Mile Road and continue through the property stubbing to the west. The Residential Collector typology as depicted in the Livable Street Design Guide recommends a 2-lane roadway with bike lanes, and on street parking, a 47-foot street section within 69-feet of right-of-way.

- c. **Staff Comments/Recommendations:** Consistent with the approval of Desert Hawk Subdivision directly east of the site; the applicant should be required to match existing conditions and construct Sunbeam Street as one-half of a residential collector street with a 36-foot street section, curb, gutter, and either 7-foot wide attached sidewalk or 5-foot wide detached sidewalk with minimum 6-foot wide planter strip abutting the site; plus 12-feet of

additional pavement widening and 3-foot wide gravel shoulder and borrow ditch, when the property develops.

2. Internal Streets

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

b. **Policy:**

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

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 50-feet wide and that the standard street section shall be 36-feet (back-of-curb to back-of-curb). The District will consider the utilization of a street width less than 36-feet with written fire department approval.

Standard Urban Local Street—36-foot to 33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 50-feet of right-of-way.

The District will also consider the utilization of a street width less than 36-feet with written fire department approval. Most often this width is a 33-foot street section (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size.

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

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

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

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

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

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

Cul-de-sac Streets Policy: District policy 7207.5.8 requires cul-de-sacs to be constructed to provide a minimum turning radius of 45-feet; in rural areas or for temporary cul-de-sacs the emergency service providers may require a greater radius. Landscape and parking islands may be constructed in turnarounds if a minimum 29-foot street section is constructed around the island. The pavement width shall be sufficient to allow the turning around of a standard AASHTO SU design vehicle without backing. The developer shall provide written approval from the appropriate fire department for this design element.

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

- c. **Staff Comments/Recommendations:** The applicant should be required to construct all internal streets as 36-foot street sections with curb, gutter, and 5-foot wide sidewalks, when the property develops.

3. Stub Streets

- a. **Existing Conditions:** There is an existing stub street, Stony Desert Street at the site's east property line.

- b. **Policy:**

Stub Street Policy: District policy 7207.2.4 (local) states that stub streets will be required to provide circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7207.2.5.4 (local), except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign shall be installed at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

In addition, stub streets must meet the following conditions:

- A stub street shall be designed to slope towards the nearest street intersection within the proposed development and drain surface water towards that intersection; unless an alternative storm drain system is approved by the District.
- The District may require appropriate covenants guaranteeing that the stub street will remain free of obstructions.

Temporary Dead End Streets Policy: District policy 7207.2.4 (local) requires that the design and construction for cul-de-sac streets shall apply to temporary dead end streets. The temporary cul-de-sac shall be paved and shall be the dimensional requirements of a standard cul-de-sac. The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends onto a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

- c. **Staff Comments/Recommendations:** The applicant should be required to extend Desert Street into the site. The applicant should be required to provide a stub street to the west and to the south when the property is developed. Until the stub streets are extended the applicant should be required to construct a temporary cul-de-sac turnaround at the terminus of the stub streets and install signage that "THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS

STREET WILL BE EXTENDED AND WIDENED IN THE FUTURE.” or, “THIS ROADWAY WILL BE EXTENDED IN THE FUTURE.”.

4. Tree Planters

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

5. Landscaping

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

6. Other Access

Sunbeam Street is classified as collector roadway. Other than the access specifically approved with this application, direct lot access is prohibited to this roadway.

D. Site Specific Conditions of Approval

This application is for annexation and rezone only. The District may add additional findings for consideration when it reviews a specific development application. Site Specific Conditions will be established at that time.

E. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant’s engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District’s Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.

8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

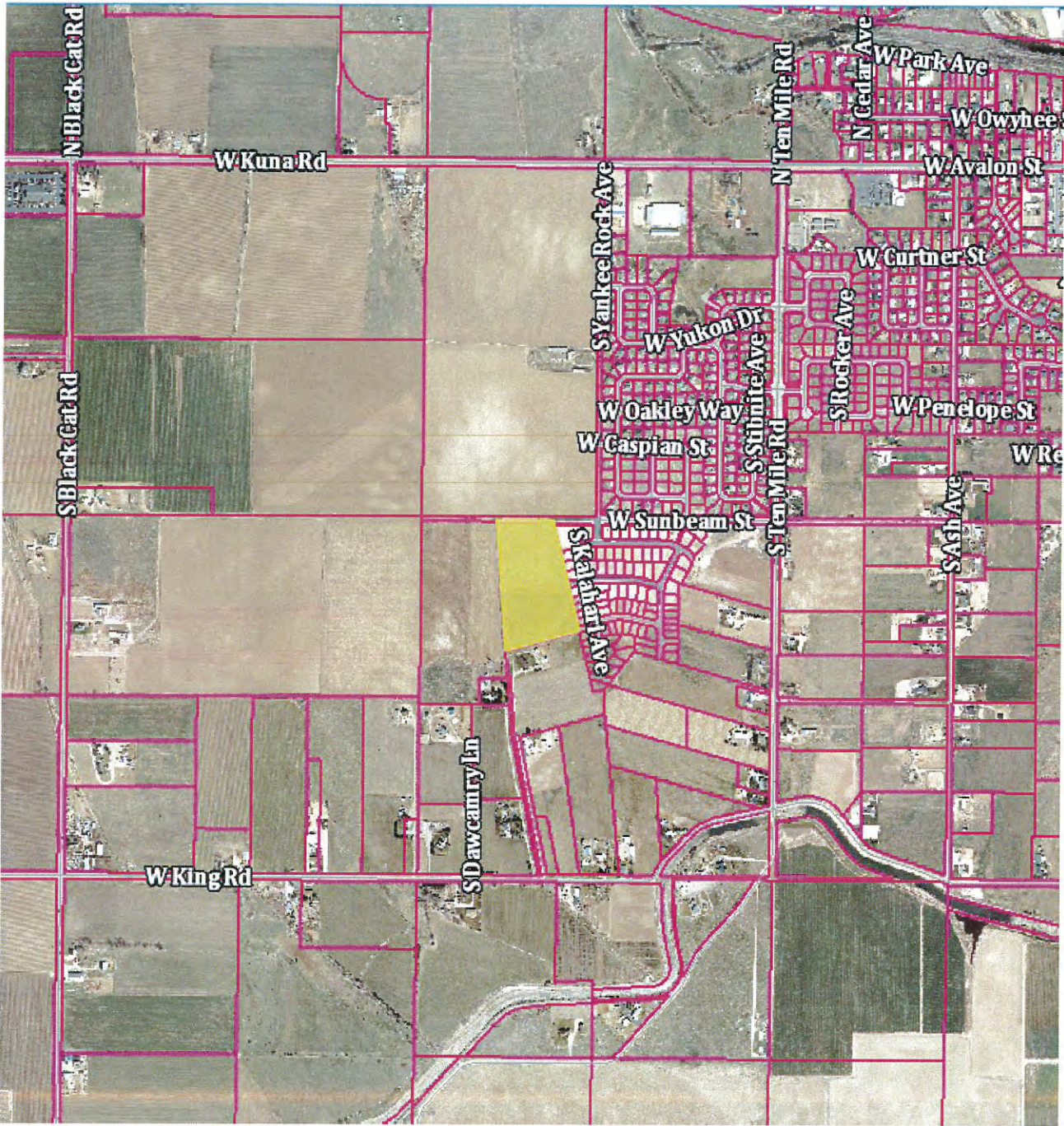
F. Conclusions of Law

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

G. Attachments

1. Vicinity Map
2. Utility Coordinating Council
3. Development Process Checklist
4. Request for Reconsideration Guidelines

VICINITY MAP



Ada County Utility Coordinating Council

Developer/Local Improvement District Right of Way Improvements Guideline Request

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

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

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

Development Process Checklist

Items Completed to Date:

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

Items to be completed by Applicant:

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

DID YOU REMEMBER:

Construction (Non-Subdivisions)

☐ **Driveway or Property Approach(s)**

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

☐ **Working in the ACHD Right-of-Way**

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

Construction (Subdivisions)

☐ **Sediment & Erosion Submittal**

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

☐ **Idaho Power Company**

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

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

Request for Appeal of Staff Decision

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



City of Kuna

Findings of Fact & Conclusions of Law – P & Z Comm.

P.O. Box 13
Phone: (208) 922-5274
Fax: (208) 922-5989
www.kunacity.id.gov

To: **Planning and Zoning Commission**

File Numbers: **16-01-AN** (Annexation)
16-01-CPM (Comp Plan Map amendment)

Location: NEC of Deer Flat Rd. and School Avenue
Kuna, Idaho

Planner: Troy Behunin, Senior Planner

Hearing date: April 28, 2016 (*Special Meeting*)
Findings of Fact: **July 12, 2016**

Applicant: **Scott Stanfield**
2964 Stewart Rd.
Kuna, ID, 83634
208.870.8907
sstanfield@mseng.us

Owner: **Margie L. King**
4321 Blaine
New Plymouth, ID 83655

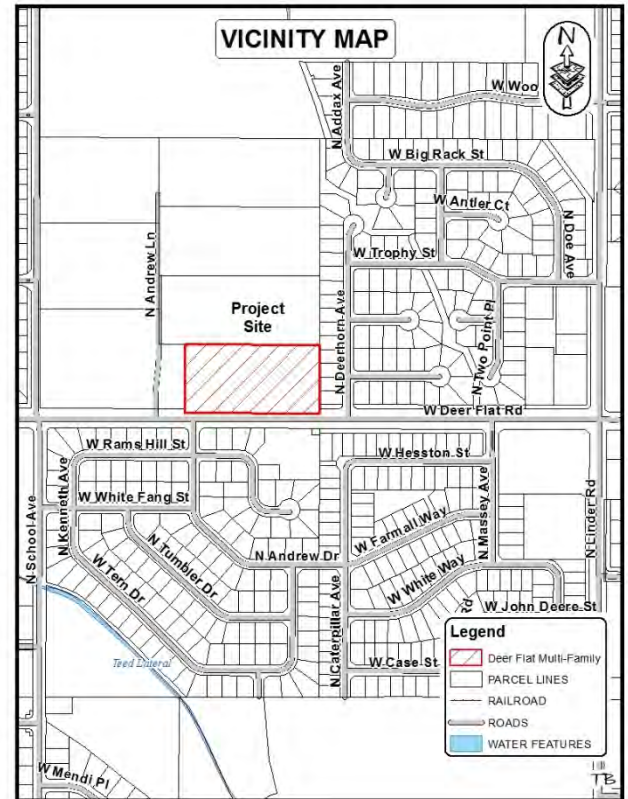


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A. Process and Noticing:

1. Kuna City Code 1-14-3 (KCC), states that Annexations and Comprehensive Plan Map Modifications are designated as a public hearing, with the Commission as a recommending body and the City Council as the decision making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

- | | |
|----------------------------|---|
| i. Neighborhood Meeting | October 14, 2015 (seven persons attended) |
| ii. Agency Comment Request | January 28, 2016 |
| iii. 300' Property Owners | April 14, 2016 |
| iv. Kuna, Melba Newspaper | April 13, 2016 |
| v. Site Posted | April 16, 2016 |

B. Applicants Request:

1. Request:

The applicant, Scott Stanfield requests to annex the subject property (4.70 +/- acre) into the City limits and amend the Comprehensive Plan Map (Comp Plan Map) *designation* from Medium Density Residential to High Density Residential. The applicant requests to change the zone from RUT (Rural Urban Transition) in the County to R-12 (High Density Residential) in the City, in preparations to develop the site as a multi-family project. The site is located near the northeast corner (NEC) of Deer Flat Road and School Avenue.

C. Aerial Map:



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D. Site History:

This site is a County parcel and used for small agricultural purposes and has been a rental property for many years. The site is surrounded by both City and County platted subdivisions.

E. General Projects Facts:

1. **Comprehensive Plan Map:** The Future Land Use Map (Comp Plan Map) is intended to serve as a guide for the decision making body for the City. This map indicates a land use designation, it is not actual zoning. The Comp Plan Map identifies this site as Medium Density Residential.

2. Surrounding Land Uses:

North	RUT	Rural Urban Transition – Ada County
South	R-6	Medium Density Residential – Kuna City
East	R-6	Medium Density Residential – Kuna City
West	RUT	Rural Urban Transition – Ada County

3. **Parcel Sizes, Current Zoning, Parcel Number(s):**

- Parcel Size: 4.70 acres (approximately)
- Zoning: Rural Residential – Ada County (RUT).
- Parcel #: S1314438920

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 Rural Fire District
Police Protection – Kuna Police (Ada County Sheriff's office)
Sanitation Services – J&M Sanitation

5. **Existing Structures, Vegetation and Natural Features:**

There are several structures on site, including a home, large accessory building, trailers, and old sheds. The remaining site has vegetation that is generally associated with an open field.

6. **Transportation / Connectivity:**

The site is near the north east corner (NEC) of Deer Flat Road and School Avenue. Ingress / Egress is proposed to and from Deer Flat Road.

7. **Environmental Issues:**

Staff is not aware of any environmental issues, health or safety conflicts. The site's topography is generally flat.

8. **Agency Responses:**

The following agencies returned comments: City Engineer (Gordon Law, P.E.) page 20, ACHD (Dawn Battles) page 24, Boise-Kuna Irrigation Dist. (Lauren Boehlke) page 29, Boise Project Board of Control (Bob Carter) page 31, Central Dist. Health Dept. CDHD) page 32, Idaho Transportation Department (ITD) page 33. The responding agency comments are included with this case file and are included with this report.

F. **Staff Analysis:**

This annexation and Comp Plan Map amendment application involves a County parcel that is surrounded by Kuna City limits and platted City and County subdivisions. The parcel is adjacent to a minor arterial (Deer Flat Road) and all public utilities are near this site.

The applicant seeks annexation and a Comp Plan Map amendment for this parcel in order to permit development of the property for multi-family housing.

The applicant has expressed that some of the neighbors may be concerned about the project, and the applicant has responded with a written commitment to mitigate adjacent property impact associated with this request. The applicant will enhance landscaping, add berms, and place dwelling units at a maximum distance from neighboring subs, following the setback and other site design requirements.

Staff is aware this request differs from the Comp Plan Map designation. If approved, this map amendment request (from Medium Density (*up to 8 units/acre*) to High density (*12 units/acre*)), would result in an overall difference in the number of units allowed per acre, by four (4) units.

In accordance with the requirements of the Fair Housing Act, staff has reviewed the comprehensive plan. Kuna's comprehensive plan calls for and encourages a variety of housing types and income levels numerous

times. The sections of the comprehensive plan that address multi-family are included below, in Section K (comp plan analysis) of this report. The City attempts to balance all of the housing types in the City. The City believes dense development brings vitality and life to specific areas which benefit the community as a whole.

The dominant housing type for Kuna and the Treasure Valley, is single-family housing. In Kuna, single-family homes comprise more than 97% of all housing types. From 2008 until April 15, 2016 there have been zero new multi-family building permits issued, while the city has grown from roughly 13,750 residents to a recent estimate at 18,430 (from COMPASS). This indicates that while single family home sales have increased dramatically, the multi-family market has fallen considerably behind and goals of the Comp Plan are not being met.

Most multi-family projects are typically more-dense than single-family projects and do not require the same acreage in terms of overall land used. Often times, multi-family units are placed in remnant lands, or left-over lands, which is typical for in-fill style development. This helps explain why there are typically pockets of multi-family units scattered throughout the City rather than placing all of them in one or two locations with the same land mass that most single-family projects occupy. As this site is surrounded by platted subdivisions or otherwise developed land, this application should be considered a candidate for infill development.

While it is not the standard or an absolute, multi-family units are known for being closer to daily service providers and/or schools. When staff evaluates the number of existing multi-family units in Kuna, and this sites proximity to daily service providers and schools coupled with the Comprehensive Plan goals, staff supports this project and notes that it complies with a number of goals and policies listed in the Comprehensive Plan.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No's 16-01-AN and 16-01-CPM subject to the recommended conditions of approval listed in Section 'N' of this report.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance No. 230
2. City of Kuna Comprehensive Plan
3. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act

H. Proposed Procedural Background:

On April 28, 2016, Commission considered the project, including the application, agency comments, staff's report, application exhibits and public testimony presented or given.

I. Findings of Fact for Commissions Consideration:

1. **16-01-AN and 16-01-CPM:** Based on the record contained in Case No's 16-01-AN and 16-01-CPM, including the exhibits, staff's report and the public testimony at the public hearing, the City Council of Kuna, Idaho, hereby *approves/denies* the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 16-01-AN and 16-01-CPM, Annexation and Comp Plan Map Amendment.
2. The Kuna Commission accepts the facts as outlined in the staff report, the public testimony and the supporting evidence list presented.

Comment: *The Kuna Commission held a special public hearing on the subject applications on April 28, 2016, to hear from the City staff and the applicant and to accept public testimony. The decision by the Commission is based on the application, staff report and public testimony, both oral and written.*

3. Based on the evidence contained in Case No's 16-01-AN and 16-01-CPM, this proposal appears to *generally* comply with the Comprehensive Plan and Comp Plan Map.

Comment: *The Comp Plan has listed numerous goals for providing multi-family housing in Kuna. The Comp Plan Map designates this property as Medium Density. As this is a proposed residential use the project generally follows the goals of the Comp Plan and the Comp Plan Map.*

4. The Kuna Commission has the authority to recommend approval or denial for these applications.

Comment: *On April 28, 2016, Kuna Commission will vote to recommend approval or denial of applications 16-01-AN and 16-01-CPM.*

5. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

Comment: *As noted in the process and noticing section, notice requirements were met to hold a special public hearing on April 28, 2016.*

J. Factual Summary:

This site is located near the north east corner (NEC) of Deer Flat Road and School Avenue. Applicant proposes annexation for approximately 4.7 acres into City limits with an R-12 zone. Applicant proposes and a Comprehensive Plan Map amendment for the site, from Medium Density to High Density Residential.

The site will take access from existing Deer Flat Road.

K. Comprehensive Plan Analysis:

The Kuna Commission accepts the Comprehensive Plan components as described below:

The proposed zone change for the site is consistent with the following Comprehensive Plan components:

Community Vision Statement:

Residents hoped for the creation of business and light commercial use centers within neighborhoods. These centers would include restaurants, gas stations, churches, *multi-family* use facilities, and other mixed-use developments. Citizens anticipated the manufacturing area moving south and eastward between the Union Pacific Railroad Line and Kuna Mora Road (Page 21).

Housing:

Residents envisioned higher densities in the City's core to include opportunities for mixed residential and light commercial activity. They expressed interest in a mix of residential type dwellings applications; including single-family, *multi-family*, apartments and condominiums. They were receptive to a greater mix of lot sizes and house prices to appeal to a variety of people. A goal expressed by many was the preservation of large lots and rural cluster development in appropriate balance with a complement of other types of residential development (Page 21).

Comment: *The proposal follows the community vision and housing goals as stated and adopted.*

Private Property Rights Goals and Objectives - Section 2 - Summary:

Ensure the City land use policies, restrictions, conditions and fees do not violate private property rights and ensure that land use actions, decisions, and regulations do not effectively eliminate all economic value of the subject property. Ensure that City land use actions, decisions, and regulations do not prevent a private property owner from taking advantage of a fundamental property right and 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.

Comment: Utilizing the Idaho Attorney General's criteria, and a review by the City Attorney, the proposed project does not constitute a "takings" and the economic value is intact.

Economic Development Goals and Objectives - Section 5 - Summary:

Ensure an adequate supply of housing for all income levels and facilitate pedestrian connections, both visually and physically, to enhance pedestrian movement.

Comment: The proposed application complies with these elements of the comprehensive plan by providing a non-standard housing type meeting this goal.

Land Use Goals and Objectives - Section 6 - Summary:

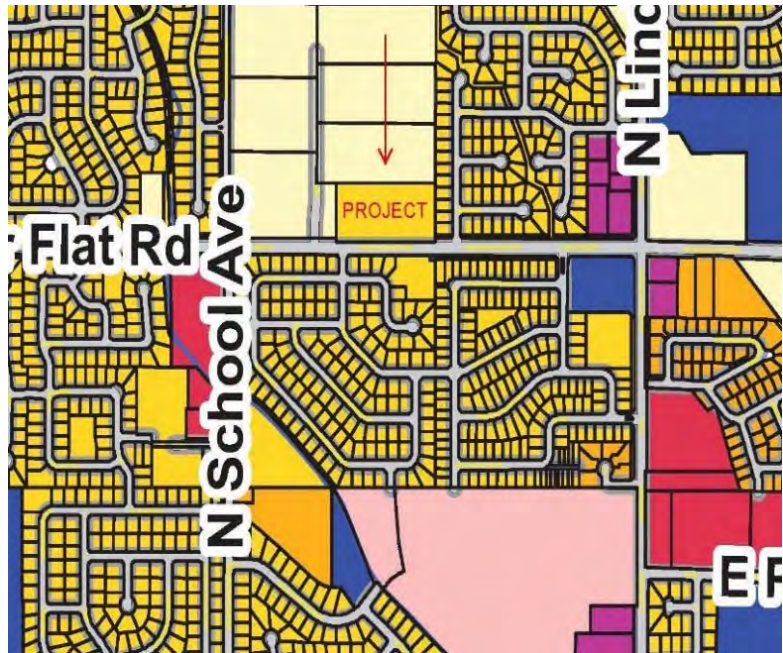
Adopt a future land use plan and map that includes natural and developed open spaces, while providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups. Protect existing neighborhoods and ensure new development is sustainable and keeps Kuna desirable. Develop cohesive neighborhoods with character and quality while incorporating a variety of densities and styles.

Neighborhood Core Concept:

The character of residential housing surrounding and within the core of a Neighbor Center is that of a close-knit, mixed-density community. The Neighborhood District provides close access to community services located within the core. The highest density housing should be located near the core service areas (schools, churches, parks, neighborhood commercial). Housing types may include multi-family dwellings, duplexes, town houses, row homes, and single-family residences (Page 81).

Medium Density Residential:

This designation describes areas where residential development densities generally range from four to seven units per acre. These areas will be made up of single-family homes, but may include townhomes, row houses duplexes and other types of multi-family land uses. Areas featuring these densities are generally located within the City Center and around Neighborhood Centers (Page 88).



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

Legend

Neighborhood District:

The Neighborhood District can be characterized as residential housing within the core of a close-knit, mixed-density community. The Neighborhood District provides close access to the community services located within the core. The highest density housing should be located near the core service areas (schools, churches, parks, neighborhood commercial). Housing types may include *multi-family* dwellings, duplexes, town houses, row homes, and single-family residences (Page 93).

Comment: *The proposal complies with the land use plan as adopted by Kuna, by incorporating the following; non-typical housing densities and types in or near a neighborhood core while promoting in-fill methodologies and a quality housing project.*

Housing Goals and Objectives - Section 12 - Summary:

Encourage developers to provide high-quality development with a variety of lot sizes, dwelling types, densities and price points to meet the needs of current and future population while creating safe and aesthetically-pleasing neighborhoods. Ensure housing is available throughout the community for all income levels and those with special needs. Encourage logical and orderly residential development while discouraging developers from developing land divisions greater than one half acre because large lot subdivisions increase municipal costs, require public subsidy and create sprawl.

Encourage mixed-use development that includes town centers, single-family, *multi-family*, accessory units, and other types of residential development. – Policy 1.1.2, Section 12, Housing.

Comment: *Applicant proposes high density residential which will contribute to availability of varied types and home sizes in a logical and orderly manner with an infill style of development.*

Community Design Goals and Objectives - Section 13 - Summary:

Strengthen Kuna's Image through good community and urban design principles that create self-sufficient neighborhoods. Foster good community design concepts that incorporate landscape features to serve as buffers between incompatible uses while reducing scale and creates a sense of place.

Neighborhoods:

Kuna's updated Plan is an advocate for the development of self-sufficient neighborhoods. These neighborhoods are intended to be connected by transit and other non-motorized methods of transportation. Each neighborhood will have a center, a core and an edge. The Neighborhood Center will be the core of the neighborhoods churches, schools, and public facilities. The neighborhood centers will feature denser developments and *multi-family* residential development.

Existing Residential Subdivisions:

Residential placement is intended to increase social interactions at various times of the day. *Multi-family* residential uses should be located closer to the neighborhood cores and be interspersed with mixed-uses (Page 178).

Neighborhoods:

Kuna's updated Plan is an advocate for the development of self-sufficient neighborhoods. These neighborhoods are intended to be connected by transit and other non-motorized methods of transportation. Each neighborhood will have a center, a core and an edge. The Neighborhood Center will be the core of the neighborhoods churches, schools, and public facilities. The neighborhood centers will feature denser developments and multi-family residential development.

Comment: *This application promotes sound community and urban design principles.*

L. Kuna City Code Analysis:

1. This request appears to be consistent and in compliance with all Kuna City Code (KCC).

Comment: *The proposed project meets the land use and area standards in Chapter 3, Title 5 of the Kuna City Code (KCC). Staff also finds that the proposed project meets all applicable requirements of Title 6 of the KCC*

2. The site is physically suitable for a subdivision.

Comment: *The 4.7 acre (approximate) project includes a request for an R-12 zone. The site appears to be compatible with the proposal.*

3. The rezone and subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

Comment: *The land to be annexed is not used as wildlife habitat. Roads, driveways, family units and open spaces are planned for construction according the City requirements and best practices and will therefore not cause environmental damage or loss of habitat.*

4. The Annexation and Comp Plan Map amendment applications are not likely to cause adverse public health problems.

Comment: *The annexation and Comp Plan Map amendment for the property requires a zoning designation per Kuna Code 5-13-9. The high density land use designation requires connection to public sewer and potable water systems, therefore eliminating the occurrence of 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.

Comment: *The annexation and Comprehensive Plan Map amendment did consider the location of the property and adjacent uses. The subject property is surrounded by existing City and Ada County subdivisions and will be connected to the Kuna City central sewer and potable and pressure irrigation water systems. The current adjacent uses are both small farms and residential uses and an minor arterial road.*

6. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.

Comment: *Correspondence from ACHD and Kuna Public Works confirms that the streets and utility services are suitable and adequate for the residential project.*

M. Conclusions of Law:

1. Based on the evidence contained in Case No's 16-01-AN and 16-01-CPM, Commission finds Case No's 16-01-AN and 16-01-CPM generally comply with Kuna City Code.
2. Based on the evidence contained in Case No's 16-01-AN and 16-01-CPM, Commission finds Case No's 16-01-AN and 16-01-CPM are generally 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 City Ordinances.

N. Recommended Conditions of Approval:

16-01-AN and 16-01-CPM; *Note: This proposed motion is to approve, conditionally approve, or deny these requests. If the Commission wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

On April 28, 2016, the Planning and Zoning Commission voted to recommend *approval* for Case No's 16-01-AN and 16-01-CPM, based on the facts outlined in staff's report and the public testimony during the public hearing by the Planning and Zoning Commission of Kuna, Idaho, the Commission hereby recommends approval for Case No's 16-01-AN and 16-01-CPM, an Annexation and Comp Plan Map amendment request from Scott Stanfield, with the following conditions of approval to Council:

- Applicant shall follow all conditions outlined in the staff report.
 - During Design Review process, have discussions with staff to provide amenities that will not disturb neighbors unreasonably.
1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve the sewer hook-ups.
 - b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
 - d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
 2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
 - 2.1- At time of development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
 3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-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. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
 6. All street lighting within and for the site shall be LED lighting and must comply with Kuna City Code and established Dark Skies practices.
 7. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
 8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
 9. All signage within/for the project shall comply with Kuna City Code.

10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
11. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
12. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
13. Developer/owner/applicant shall comply with all local, state and federal laws.

DATED this 24, day of May, 2016,

Lee Young - Chairman
Planning & Zoning Commission

ATTEST:

Troy Behunin
Senior Planner
Kuna Planning and Zoning Dept.



City of Kuna

P.O. Box 13
Phone: (208) 922-5274
Fax: (208) 922-5989
Kunacity.id.gov

P&Z Staff Report

To: P & Z Commission

Case Number(s): 16-04-AN (Annexation)

Location: 930 W. Deer Flat Road Kuna, ID 83634

Planner: Nancy Stauffer, Planner Technician

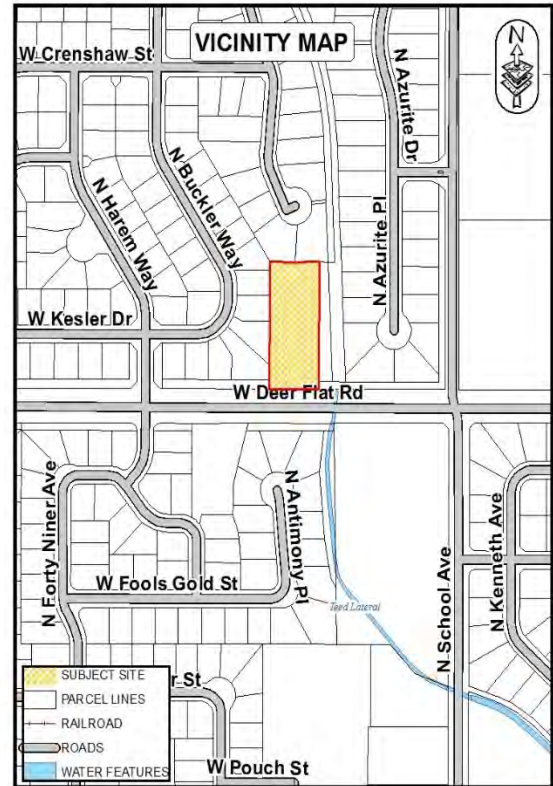
Hearing Date: July 12, 2016

Owner: Jose or Irma Garcia
930 W. Deer Flat Road
Kuna, ID 83634

**Applicant/
Representative:** Jahil Vehar
942 N. School Ave.
Kuna, ID 83634

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- B. Applicant Request
- C. Vicinity and Aerial Maps
- D. History
- E. General Project Facts
- F. Staff Analysis
- G. Applicable Standards
- H. Comprehensive Plan Analysis
- I. Proposed Findings of Fact
- J. Proposed Conclusions of Law
- K. Proposed 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 | June 13, 2016 |
| ii. Agencies Notified | June 21, 2016 |
| iii. 300' Property Owners | June 27, 2016 |
| iv. Kuna, Melba Newspaper | June 29, 2016 |
| v. Site Posted | June 30, 2016 |

B. Applicant Request:

1. The applicant is requesting approval to annex an approximately 1.21 acre parcel located at 930 W. Deer Flat Road. into the City of Kuna with an 'R-6' (Medium Density Residential) zoning designation.

C. History: The parcel is contiguous to City limits and is currently zoned RUT (Rural-Urban Transition) in Ada County. The current home of the Garcia's is located on the site.

D. General Projects Facts:

1. **Comprehensive Plan Designation:** The Future Land Use Map identifies this site as 'Medium Density Residential'. Staff views this annexation request to be consistent with the approved Future Land Use Map.

2. **Surrounding Land Uses:**

North	R-6	Medium Density Residential (Kuna)
South	R-6	Medium Density Residential (Kuna)
East	R-6	Medium Density Residential (Kuna)
West	R-6	Medium Density Residential (Kuna)

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

- Approx. 1.21 total acres
- RUT, (Rural Urban Transition) (Ada County)
- Parcel # S1314346791

4. **Services:**

Future Sanitary Sewer –City of Kuna
Future Potable Water – City of Kuna
Irrigation District –New York 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 – J&M Sanitation Services

5. **Existing Structures, Vegetation and Natural Features:** The subject site is currently used as a primary residence. The applicant has not indicated any intention to develop the property at this time.

6. **Transportation / Connectivity:** The parcel is currently not improved with any pavement, curb, gutter, sidewalks. The site can be accessed directly off of Deer Flat road. Ada County Highway District (ACHD) has provided conditions for future development of the site (reference Exhibit B-5).

7. **Environmental Issues:** The subject site lies within the designated 'Nitrate Priority Area' (NPA) for groundwater monitoring. Beyond the NPA, staff is not aware of any additional environmental issues, health or safety conflicts resulting from this application. The site's topography is generally flat with a potential 0-3% slope in certain areas.

8. **Agency Responses:** The following agencies returned comments which are included as exhibits with this case file:

Exhibit B-1: Boise Project Board
Exhibit B-2: Idaho Transportation Department (ITD)
Exhibit B-3: Central District Health Department (CDHD)
Exhibit B-4: Kuna City Engineer
Exhibit B-5: Ada County Highway District (ACHD)
Exhibit B-6: Boise-Kuna Irrigation District (BKID)

E. Staff Analysis:

The applicant requests to annex the 1.21 acre parcel into Kuna City limits with an R-6 zoning designation. Future development of the site or any portions thereof shall be in accordance with the provisions set forth in Kuna City Code (KCC). This includes the possibility that the applicant may sell the subject property to another party, who may intend to develop the site consistent with the adjacent developments.

Staff has determined this annexation application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case # 16-04-AN, subject to the recommended conditions of approval.

F. 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.

G. Comprehensive Plan Analysis:

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

1. The proposed 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 proposed 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.

H. Proposed 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 current use; however, any future site improvements as determined by the City Engineer and 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. 16-04-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.

I. Proposed Conclusions of Law:

1. Based on the evidence contained in Case No 16-04-AN, the Kuna Planning and Zoning Commission finds Case No. 16-04-AN complies with Kuna City Code.
2. Based on the evidence contained in Case No 16-04-AN, the Kuna Planning and Zoning Commission finds Case No. 16-04-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.

J. Proposed Decision by the Planning and Zoning Commission:

Note: This proposed motion is for approval or denial 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/denial* of Case No. 16-04-AN, a request for annexation from Jose and Irma Garcia with/without 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).
 - b. The City Engineer shall approve the future sewer, water and irrigation and drainage construction plans.
 - c. The Kuna Fire District shall approve all site development and building plans.
 - d. The *New York* Irrigation District shall approval any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District (ACHD) 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. 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 shall require the property owner to comply with the provisions set forth in Kuna City Code (KCC)
6. At the time of development, 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).
7. Applicant shall follow all staff, City engineer and any other agency recommended requirements as applicable.
8. Applicant shall abide by all applicable federal, state and local laws and ordinances.

DATED: This _____ day of _____, 2016.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Nancy Stauffer, Planner Technician
Kuna Planning and Zoning Department



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

Annexation Checklist

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

Project name: 16-04-AN (Annexation)	Applicant: JOSE & IRMA GARCIA
---	---

All applications are required to contain one copy of the following:

Applicant (✓)	Description	Staff (✓)
✓	Completed and signed Commission & Council Review Application.	✓
	Letter of Intent indicating reasons for proposed annexation and the availability of public services. If reason for annexation is development, also submit a conceptual plan.	
✓	Vicinity map drawn to scale, showing the location of the subject property. Map shall contain the following information: Shaded area showing the annexation property, Street names and names of surrounding subdivisions.	✓
✓	Legal description of the annexation area: Include a metes & bounds description to the section line of all adjacent roadways stamped & signed by a registered professional land surveyor with a calculated closure sheet & a map showing the boundaries of the legal description.	✓
✓	Recorded warranty deed for the property.	✓
✓	Proof of ownership — A copy of your deed <u>and</u> Affidavit of Legal Interest (All parties involved)	✓
N/A	Development Agreement & Development Agreement Checklist	N/A
*	Neighborhood meeting certification (certification & neighborhood meeting list forms shall accompany this application).	
✓	Commitment of Property Posting form signed by the applicant/agent.	✓

Note: Only one copy of the above items need to be submitted when applying for multiple applications.

This application shall not be considered complete (nor will a Public Hearing be set) until staff has received all required information. Once the application is deemed complete, staff will notify the applicant of the scheduled hearing date, fees due, additional copies needed, etc.



City of Kuna
Planning & Zoning
Department
P.O. Box 13
Kuna, Idaho 83634
208.922.5274
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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)	16-04-AN
Project name	GARCIA ANNEXATION
Date Received	5-23-16
Date Accepted/Complete	6-14-16
Cross Reference Files	NA
Commission Hearing Date	
City Council Hearing Date	

Contact/Applicant Information

Owners of Record:	Phone Number: 208 866-7576
Address: 930 W Deer Flat Rd	E-Mail: josagarcia610@gmail.com
City, State, Zip: Kuna, ID, 83634	Fax #: 208 922 5989
Applicant (Developer): Sahil Vejar	Phone Number:
Address: 942 N. Kuna School Ave	E-Mail:
City, State, Zip: Kuna ID 83634	Fax #:
Engineer/Representative:	Phone Number:
Address:	E-Mail:
City, State, Zip:	Fax #:

Subject Property Information

Site Address:	930 W DEER FLAT RD
Site Location (Cross Streets):	W DEER FLAT RD & N SCHOOL AVE
Parcel Number (s):	51314346791
Section, Township, Range:	SEC 14 T2N R1W
Property size:	1.212
Current land use:	RESIDENTIAL
Proposed land use:	
Current zoning district:	RUT
Proposed zoning district:	



Project Description

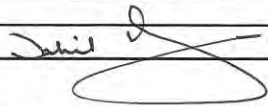
Project / subdivision name: _____
General description of proposed project / request: _____
Type of use proposed (check all that apply):
☐ Residential _____
☐ Commercial _____
☐ Office _____
☐ Industrial _____
☐ Other _____
Amenities provided with this development (if applicable): _____

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): _____
Hours of operation (days & hours): _____	Building height: _____
Total number of employees: _____	Max. number of employees at one time: _____
Number and ages of students/children: _____	Seating capacity: _____
Fencing type, size & location (proposed or existing to remain): _____	
Proposed Parking:	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:  Date: 6/13/16

To whom it may concern;

My parents, Jose and Irma Garcia, wish to annex their property at 930 W Deer Flat Rd, into the City of Kuna. We have no plans to do anything with the property at this time.

Jahil Vejar

A handwritten signature in blue ink, appearing to read "Jahil", followed by a large, stylized loop that extends to the right and then curves back down.

VICINITY MAP



W Crenshaw St

N Azurite Dr

N Harem Way

N Buckler Way

N Azurite Pl

W Kesler Dr

W Deer Flat Rd

N Forty-Niner Ave

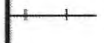
W Fools Gold St

N Antimony Pl

Feed Lateral

N School Ave

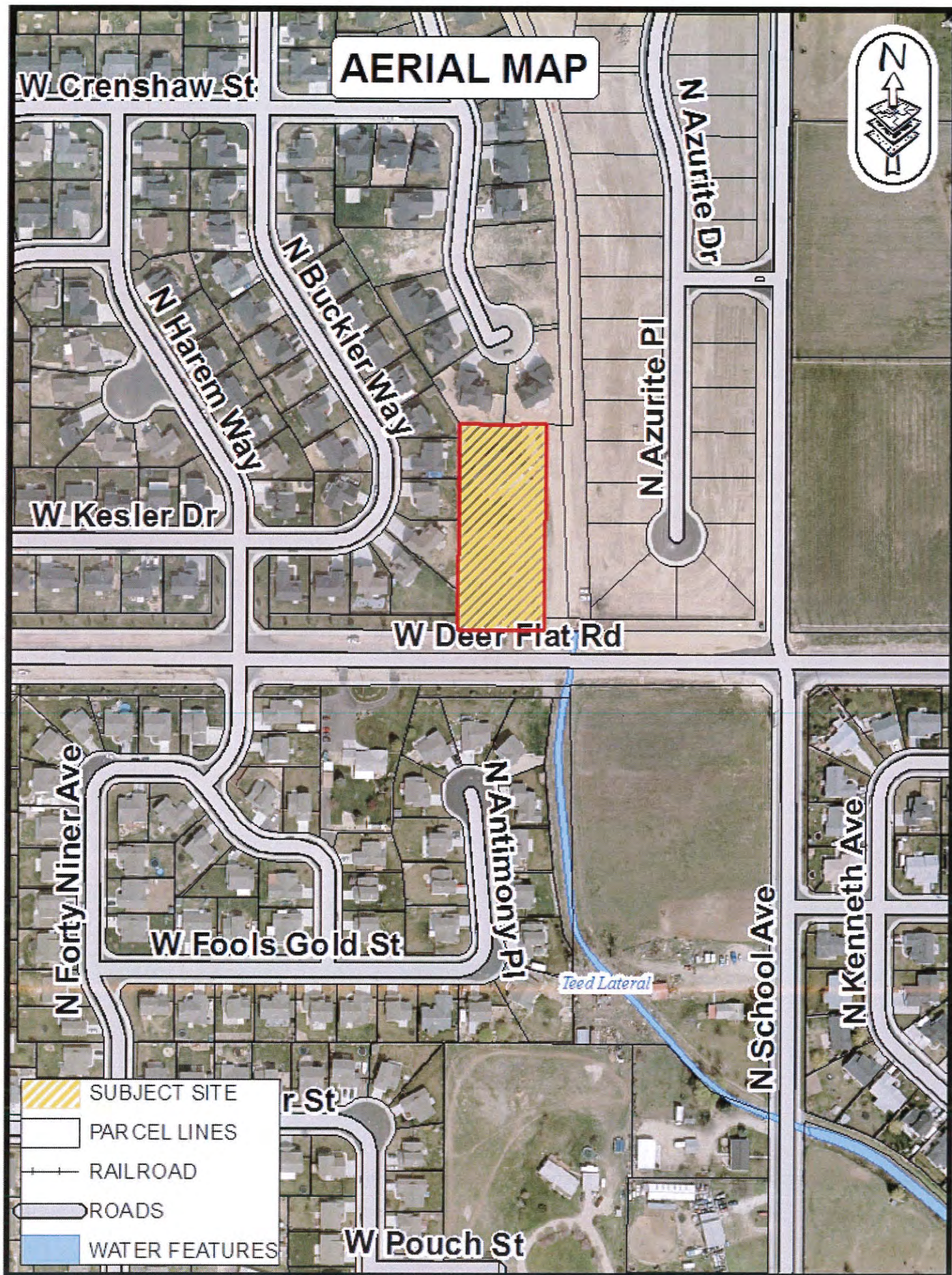
N Kenneth Ave

-  SUBJECT SITE
-  PARCEL LINES
-  RAILROAD
-  ROADS
-  WATER FEATURES

r-St

W Pouch St

Exhibit
A-2-C



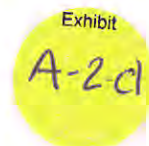


LEGAL DESCRIPTION (continued)

EXHIBIT "A"

A portion of the Southeast quarter of the Southwest quarter of said Section 14, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 14; thence
East 900 feet along the Southerly boundary of the Southeast quarter of the Southwest quarter of said Section 14 to the REAL POINT OF BEGINNING; thence
North 400 feet; thence
West 150 feet; thence
South 400 feet to the Southerly boundary of the Southeast quarter of the Southwest quarter of Section 14; thence
East 150 feet along the Southerly boundary of the Southeast quarter of the Southwest quarter of said Section 14 to the REAL POINT OF BEGINNING.



4
ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 04/06/07 02:40 PM
DEPUTY Gail Garrett
RECORDED - REQUEST OF
Pioneer

AMOUNT 12.00

4



255832 KCHH

Project Name: Deer Flat Road, (Ten Mile to Meridian Road)
Project No.: 505053
R/W Parcel No.: 2
Township/Range/Section: SE1/4 SW1/4 T.2N., R.1W., SEC 14

(Reserved for Ada County Recorder)

WARRANTY DEED

THIS INDENTURE, made this 19th day of August, 2006, Jose Garcia and Irma D. Garcia, husband and Wife, the "GRANTOR" and ADA COUNTY HIGHWAY DISTRICT, a body politic and corporate of the State of Idaho, the "GRANTEE";

WITNESSETH:

FOR VALUE RECEIVED, the GRANTOR has granted, conveyed, bargained and sold, and does hereby grant, bargain, sell, convey and confirm to the GRANTEE and its successors and assigns forever, that certain real property situated in the COUNTY OF ADA, STATE OF IDAHO, more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof,

TOGETHER with all and singular the buildings, structures, improvements and fixtures thereto, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, and rents, issues and profits thereof (the "Premises").

Subject to those exceptions to GRANTOR's title as are set forth on Exhibit "B" attached hereto and by this reference made a part hereof.

SUBJECT TO those exceptions to title to which this conveyance is expressly made subject and those made, suffered or done by the GRANTEE: (a) the GRANTOR covenants to the GRANTEE, its successors and assigns, that the GRANTEE shall enjoy the quiet and peaceful possession of the Premises; and (b) GRANTOR warrants to the GRANTEE, its successors and assigns, that GRANTOR is the owner of said Premises in fee simple and has the right and authority to convey the same to GRANTEE, and GRANTOR will defend the GRANTEE's title from all lawful claims whatsoever.

The current address of the GRANTEE is:

Ada County Highway District
3775 Adams Street
Garden City, Idaho 83714-6499

IN WITNESS WHEREOF, this WARRANTY DEED has been duly executed by the GRANTOR, the day, month and year herein first above written.

Jose Garcia
Jose Garcia

Irma D. Garcia
Irma D. Garcia

STATE OF IDAHO)
CALIFORNIA) ss.
County of Ada)
LOS ANGELES

On this 19 day of AUGUST, 2006, before me, a Notary Public in and for the State of Idaho, personally appeared Jose Garcia and Irma D. Garcia, known or proved to me to be the person(s) who executed the foregoing instrument, and acknowledged to me that they executed the same.

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

Amelia Espinoza
Notary Public for Idaho CALIFORNIA
Residing at LOS ANGELES, Idaho CALIFORNIA
My commission expires MAY 8, 2007





ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 05/14/04 04:49 PM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Transnation Title
AMOUNT 9.00



3

3

56.

I.D. 6

Escrow No. 0400019615 CAU

WARRANTY DEED

FOR VALUE RECEIVED

Jamie J. Stiner, a single person

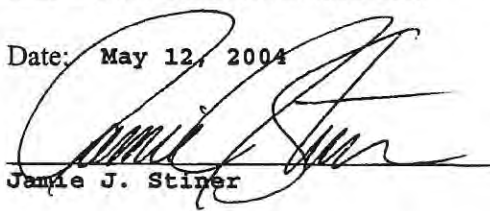
GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL AND CONVEY unto: Jose Garcia and Irma D. Garcia, husband and wife

GRANTEES(s), whose current address is: 930 West Deer Flat Road, Kuna, Idaho 83634
the following described real property in Ada County, State of Idaho,
more particularly described as follows, to wit:

SEE EXHIBIT "A" ATTACHED
(Continued)

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

Date: May 12, 2004



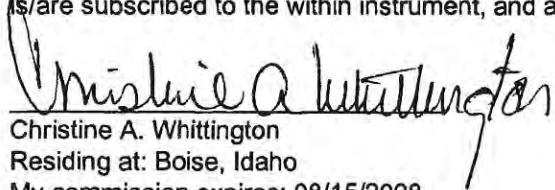
Jamie J. Stiner

Notary Acknowledgment - see page 2

WARRANTY DEED - NOTARY ACKNOWLEDGMENT(S):

State of Idaho, County of Ada, ss.

On this 12th day of May in the year of 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Jamie J. Stiner known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Christine A. Whittington

Residing at: Boise, Idaho

My commission expires: 08/15/2008

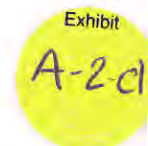


LEGAL DESCRIPTION (continued)

EXHIBIT "A"

A portion of the Southeast quarter of the Southwest quarter of said Section 14, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 14; thence
East 900 feet along the Southerly boundary of the Southeast quarter of the Southwest quarter of said Section 14 to the REAL POINT OF BEGINNING; thence
North 400 feet; thence
West 150 feet; thence
South 400 feet to the Southerly boundary of the Southeast quarter of the Southwest quarter of Section 14; thence
East 150 feet along the Southerly boundary of the Southeast quarter of the Southwest quarter of said Section 14 to the REAL POINT OF BEGINNING.





City of Kuna
**AFFIDAVIT OF
LEGAL INTEREST**

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

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

State of Idaho)
) ss.
County of Ada)

I, Jose & Irma Garcia, 930 W Deer Flat Rd.
Name Address
Kuna Idaho 83634
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 _____
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 13 day of April, 2016

Jose & Irma D. Garcia
Signature

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



Notary Public for Idaho

Residing at: Meridian, Idaho

My commission expires: 12/10/2018



City of Kuna

AFFIDAVIT OF LEGAL INTEREST

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

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

State of Idaho)

County of Ada)

I, Josaf Irma Garcia, 930 W Deer Flat Rd
Name Address
Kuna, Idaho 83634
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 Shari Vajar 942 N. School Ave. Kuna ID 83634
Name Address
Shari Vajar
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 18 day of April, 2016

[Signature]
Signature

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



[Signature]
Notary Public for Idaho

Residing at: 763 W. Avalon, Kuna ID

My commission expires: 4 NOV. 2020



Neighborhood Meeting List Request

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

GENERAL INFORMATION:

If you are applying for one of the uses listed below, you must conduct a Neighborhood Meeting. This meeting allows neighbors to learn more about your project before the public hearing (Kuna Planning & Zoning will notify surrounding property owners of the hearing). All involved property owners within *300 feet of the subject property boundary need to be invited to your meeting.

According to Kuna City Code, 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 6 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.

Please fill out the supplied certification form and include it with your application so we have written record of your meeting. Contacting and/or meeting individually with residents will not fulfill Neighborhood Meeting requirements.

*PLEASE NOTE: A \$20.00 FEE IS REQUIRED FOR THIS SERVICE (CITY OF KUNA PROVIDES MAILING LABELS)

PROPOSED USE:

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

APPLICATION TYPE

BRIEF DESCRIPTION

- ☐ Subdivision (Sketch Plat and/or Prelim. Plat)
- ☐ Conditional Use
- ☐ Variance
- ☐ Expansion of Extension of a Nonconforming Use
- ☐ Zoning Ordinance Map Amendment

Annexation

SITE INFORMATION:

Location: Quarter: SW Section: 14 Township: 2N Range: 1W Total Acres: 1.212

Subdivision Name: N/A

Lot(s): _____ Block(s): _____

Site Address: 930 W DEER FLAT RD

Tax Parcel Number(s): 51314346791

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

CURRENT PROPERTY OWNER:

Name: JOSE GARCIA Jose & Irma Garcia

Address: 930 W DEER FLAT RD City: KUNA State: ID Zip: 83634

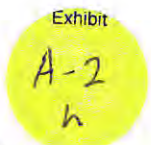
CONTACT PERSON (Mail recipient and person to call with questions):

Name: Jose & Irma Garcia Business (if applicable): _____

Address: 930 W Deer Flat Rd City: Kuna State: ID Zip: 83634

Fax: _____ Phone: _____ Cell: 208 866-7976

Jose & Irma Garcia



OFFICE USE ONLY			
File No.:	Received By:	Date:	Stamped:

PROPOSED USE:

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

Application Type**Brief Description**

Annexation

Re-zone

Subdivision (Sketch Plat and/or Prelim. Plat)

Special Use

Variance

Expansion of Extension of a Nonconforming Use

Zoning Ordinance Map Amendment

APPLICANT:

Name: Josée Irma García

Address: 930 W. Deer Flat Rd.

City: Kona State: HI Zip: 96740

Telephone: 208 866-7576 Fax: _____

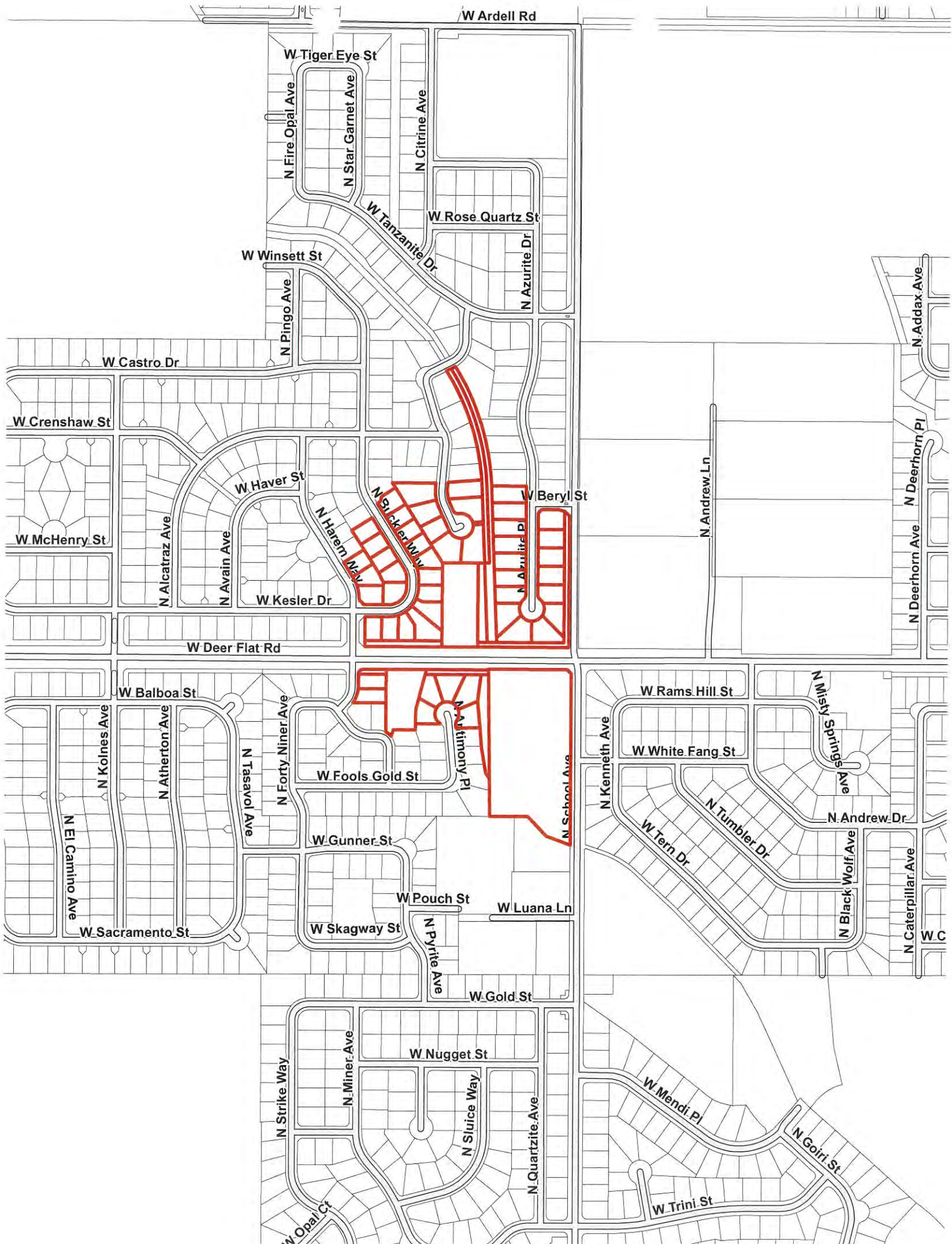
I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 8-7A-3 of the Kona City Code

Signature: (Applicant)

Date

12/4/2016

Josée Irma D. García





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Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160

BACHMAN BOB D & LISA M
1677 N CALAVERAS PL
KUNA, ID 83634-0000

BELCOURT MICHAEL T
684 N FRANKLIN AVE
KUNA, ID 83634-0000

CALHOUN LARRY
1425 N SCHOOL AVE
KUNA, ID 83634-1215

CHRISTENSEN JAMES M & TAWNA S
1554 N HAREM WAY
KUNA, ID 83634-0000

CLELAND LIVING TRUST
37 HIGHLAND CT
UKIAH, CA 95482-0000

COOK GARY & MELANIE
1574 N AZURITE PL
KUNA, ID 83634-0000

COULTER MELVIN & BRENDA
1569 N BUCKLER WAY
KUNA, ID 83634-0000

CRNKOVICH TYLER D
3314 N KELLY WAY
BOISE, ID 83704-0000

DAY ROBERT E SR & ELIZABETH
1466 N HAREM WAY
KUNA, ID 83634-0000

DIAZ JOEL A & JESSICA
1693 N AZURITE PL
KUNA, ID 83634-0000

DOOLEY PATRICK & JODI
1622 N CALAVERAS PL
KUNA, ID 83634-0000

FEASTER RANDALL ALAN
1637 N CALAVERAS PL
KUNA, ID 83634-0000

FLEDDERJOHANN DEAN & VICKIE
391 E SCOPS OWL DR
KUNA, ID 83634-0000

FRENCH SEAN M
1584 N HAREM WAY
KUNA, ID 83634-0000

GOLDCREEK HOMEOWNERS ASSN
6223 DISCOVERY WAY, STE 1000
BOISE, ID 83713-0000

GOLDMAN JAY & CAROL
1678 N AZURITE PL
KUNA, ID 83634-0000

GOSSETT MINDY M
2149 N CARMEN WAY
BOISE, ID 83704-0000

HALLETT ROY & KARINA GWEN
1552 N AZURITE PL
KUNA, ID 83634-0000

HARDIN TY & JANICA
1562 N BUCKLER WAY
KUNA, ID 83634-0000

HEINRICH MARK& BONNIE
1672 N CALAVERAS PL
KUNA, ID 83634-0000

HUBBLE HOMES LLC
701 S ALLEN ST STE 104
MERIDIAN, ID 83642-0000

KOEPPEN MARGITTA D
1611 N CALAVERAS PL
KUNA, ID 83634-0000

KRAMER GERALD & DARLENE
1573 N AZURITE PL
KUNA, ID 83634-0000

LASHAWAY JOEL & KARA
1620 N BUCKLER WAY
KUNA, ID 83634-0000

LEIKVOLD JERRY & SHELLEY
1576 N BUCKLER WAY
KUNA, ID 83634-0000

MCCONNELL KENNETH & REBECCA
1590 N BUCKLER WAY
KUNA, ID 83634-0000

MCCULLOCH LAWRENCE & DONNA
1721 N AZURITE DR
KUNA, ID 83634-0000

MILLER DAVID E
1604 N BUCKLER WAY
KUNA, ID 83634-0000

MINERAL SPRINGS HOA INC
3585 W STATE ST
EAGLE, ID 83616-0000

MURPHY WILLIAM R JR & KATRINA
1655 N AZURITE PL
KUNA, ID 83634-0000



label size 1" x 2 5/8" compatible with Avery®5160/8160
Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160



label size 1" x 2 5/8" compatible with Avery®5160/8160
Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160

PALOMAR HEIGHTS HOA INC
2180 W SR 434 STE 5000
LONGWOOD, FL 32779-0000

PENSCO TRUST CO IRA
PO BOX 173859
DENVER, CO 80217-0000

PERA DAVID & MARY
4546 W DAPHNE ST
MERIDIAN, ID 83646-0000

PERKINS BRAD B
1438 N ANTIMONY PL
KUNA, ID 83634-0000

PROCTOR LIVING TRUST
1650 N CALAVERAS PL
KUNA, ID 83634-0000

RAWLES MATTHEW BRIAN & JENNIFER
1427 N ANTIMONY PL
KUNA, ID 83634-7906

RAWLINSON JOSEPH & AIMEE
1633 N AZURITE PL
KUNA, ID 83634-0000

REEVE REX ARTHUR & CARLA JO
1651 N CALAVERAS PL
KUNA, ID 83634-0000

RUPERT BRANDON & AMANDA
1612 N AZURITE PL
KUNA, ID 83634-0000

S R JENKINS INC
10753 W AMITY RD
BOISE, ID 83709-0000

SMITH PETER
1444 N HAREM WAY
KUNA, ID 83634-0000

SMITH STEPHEN DANIEL
1544 N BUCKLER WAY
KUNA, ID 83634-0000

STEVENS TODD & CRYSTAL
1432 N ANTIMONY PL
KUNA, ID 83634-3390

STEWART SARI
1103 W KESLER DR
KUNA, ID 83634-0000

STRED JAROD & KELLY
1551 N AZURITE PL
KUNA, ID 83634-0000

THOMPSON ROBERT WAYNE
1677 N AZURITE PL
KUNA, ID 83634-0000

THON SUSAN BAKER & DALE H
PO BOX 1175
MERIDIAN, ID 83680-0000

THORNTON KAREN L
1656 N AZURITE PL
KUNA, ID 83634-0000

WEIGHALL RICK & MIRANDA
1572 N HAREM WAY
KUNA, ID 83634-0000

WILLIS KELLEN & ERIN
1650 N BUCKLER WAY
KUNA, ID 83634-0000

WOODS THOMAS & KAREN
1439 N ANTIMONY PL
KUNA, ID 83634-0000

YOUNCE ROSEMARY J
1632 N BUCKLER WAY
KUNA, ID 83634-0000

ARNOLD RON
1585 N BUCKLER WAY
KUNA, ID 83634



label size 1" x 2 5/8" compatible with Avery®5160/8160
Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160

SIGN IN SHEET

PROJECT NAME: GARCIA ANNEXATION

Date: 6/13/16

	Name	Address	Zip	Phone
1	Koepen	1611 N Calaveras	83634	362-1123
2	Shelly Leikvold	1576 N Buckhorn	83634	859-9293
3	JERRY KRAMER	1573 N AZURITE PL	83634	407-5106
4	DARLENE KRAMER	✓	✓	✓
5				
6				
7				
8				
9				
10				
11		CONCERNS ABOUT ANY FUTURE		
12		Development		
13		Zoning Designation?		
14		Density		
15				
16				
17				
18				
19				
20				
21				
22		Helen Proctor - In Favor		
23		1650 N Calaveras Pl		
24		922-5161		
25		Adjoins the Garcia property		
26		in the rear		
27				
28				
29				
30				



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
Date and time of neighborhood meeting: 6/13/2016 6:00 pm.
Location of neighborhood meeting: Kuna City Hall - Planning & Zoning Dept.

SITE INFORMATION:

Location: Quarter: SW Section: 14 Township: 2N Range: 1W Total Acres: 1.212
Subdivision Name: N/A Lot: N/A Block: N/A
Site Address: 930 W DEER FLAT RD Tax Parcel Number(s): S1314346791

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

CURRENT PROPERTY OWNER:

Name: JOSE GARCIA JOSE & Irma Garcia
Address: 930 W DEERFLAT RD City: KUNA State: ID Zip: 83634

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

Name: Irma D. Garcia Business (if applicable):
Address: _____ City: _____ State: _____ Zip: _____



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

Sam D. Garcia
Applicant/agent signature

13/4/2016
Date

EXHIBIT "A"

Owner of Record: Jose and Irma Garcia

Parcel No.: SI314346790

ACHD Project: Deer Flat Road (Ten Mile to SH69) Project No.: 50503

Parcel 2 Right-of-Way Description

A parcel of land situated in the SE1/4 SW1/4 of Section 14, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, and being part of that Warranty Deed, filed as instrument number 104060085, and said parcel also being a portion of that Record of Survey No. 3547, filed as instrument number 96041736, records of Ada County, Idaho, being more particularly described as follows:

Commencing at the southwest corner of said SE1/4 SW1/4 (West 1/16 corner) of Section 14 from which the southwest corner of said Section 14 bears N 89°58'07" W, 1321.27 feet as shown on said Record of Survey, thence S 89°58'23" E, 900.00 feet along the south boundary of said SE1/4 SW1/4 to the southeast corner of said Warranty Deed and Record of Survey, said point being the POINT OF BEGINNING.

Thence N 0°03 '25" E, 48.00 feet along the east boundary of said Record of Survey to a point;

Thence N 89°58'23" W, 150.00 feet parallel to the south boundary of said SE1/4 SW1/4 to a point on the west boundary of said Record of Survey;

Thence S 0°03 '25" W, 48.00 feet along said west boundary to a point on the south boundary of said SE1/4 SW1/4;

Thence S 89°58'23" E, 150.00 feet along the south boundary of said SE1/4 SW1/4 to the Point of Beginning.

Said described parcel contains 7,200 square feet or 0.17 acres and includes 3,750 square feet or 0.09 acres of prescriptive use right-of-way..

Said parcel is subject to easements of record or in use.

This legal description was prepared by the ACHD Survey Section from record data .



Exhibit

A-3

Project Name: Deer Flat Road, (Ten Mile to Meridian Road)
Project No.: 505053
R/W Parcel No.: 2
Township/Range/Section: SE1/4 SW1/4 T.2N., R.1W., SEC 14

Special Exceptions

- ~~1. General taxes for the year 2006, which are liens, are not yet due and payable.~~
2. Sewerage charges and special assessment powers of the City of Kuna.
3. Liens, fees and charges for trash services as provided by Ada County Ordinance No. 467 amending Title 5, Chapter 2, Section 4 of Ada County Code (208-287-6800).
4. Liens and assessments of the following district and the rights and powers thereof as provided by law.
District: Boise Kuna Irrigation District-(922-5608)
5. Rights of way for ditches, tunnels and telephone and transmission lines constructed by Authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code 1947.
6. Rights and claims in and to that portion of said premises lying within the right of way of Deer Flat Road.

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

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

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2485 OVERLAND ROAD
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 187,000
ACRES FOR THE FOLLOWING
IRRIGATION DISTRICTS

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

23 June 2016

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

RE: Jose and Irma Garcia
930 W. Deer Flat Rd. Kuna
Boise-Kuna Irrigation District
Teed Lateral 182+10
Sec. 14, T2N, R1W, BM.

16-04-AN

BK-1401

City of Kuna, Trevor Kesner, Planner II:

Boise Project Board of Control finds the annexation of the above mentioned property acceptable with the following being noted.

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

The Boise Project Board of Control is contracted to operate and maintain this Canal. We assert this federal easement of 20 feet west and 20 feet east of the lateral's centerline. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

The Boise Project does not approve landscaping including trees and/or shrubs (other than grass) within its easements, as this will certainly increase our cost of maintenance.

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

If the irrigation system will be incorporated into the City of Kuna's pressure system, we will require confirmation from both the City of Kuna and the Boise-Kuna Irrigation District.

Exhibit

B-1

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas Ritthaler', with a long horizontal flourish extending to the right.

Thomas Ritthaler
Management / GIS

tbr/tr

cc: Clint McCormick
Lauren Boehlke
File

Watermaster, Div; 2 BPBC
Secretary – Treasurer, BKID



IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028
Boise, ID 83707-2028

(208) 334-8300
itd.idaho.gov

June 24, 2016

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

VIA EMAIL

RE: 16-04-AN JOSE AND IRMA GARCIA

The Idaho Transportation Department has reviewed the referenced annexation application for Jose and Irma Garcia located at 930 West Deer Flat Road west of SH-69. ITD has the following comments:

1. ITD has no objection to the annexation of this property into the City of Kuna.
2. This property does not abut the State highway system.

If you have any questions, you may contact Ken Couch at 332-7190 or Shona Tonkin at 334-8341.

Sincerely,

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

James K. Morrison
D3 Property Manager
jim.morrison@itd.idaho.gov



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:

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

Rezone # 16-04-AN

Conditional Use # _____

Preliminary / Final / Short Plat _____

City of Kuna

RECEIVED

JUN 30 2016

CITY OF KUNA

- ☒ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
☐ high seasonal ground water ☐ waste flow characteristics
☐ bedrock from original grade ☐ other _____
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☐ 8. After written 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. _____ Reviewed By: Low Body
Date: 6/27/16

Exhibit

B-3



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

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731
Email: glaw@kunaid.gov

MEMORANDUM

TO: Director of Kuna Planning and Zoning

FROM: Gordon N. Law
Kuna City Engineer

RE: Jose and Irma Garcia
Annexation
16-04-AN

DATE: June 27, 2016

The City Engineer has reviewed the annexation request of the above applicant dated June 14, 2016. It is noted that specific development plans are not provided except those implied as allowed or permitted in a "R-6" zone. The applicant desires to continue their residential use at the site and is annexing to qualify for connection to pressurized irrigation.

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 purposes, has its own private sewer system and does not require City service. As developed property, it will require municipal sewer service. The City Engineer recommends ultimate connection to City facilities at such time as their existing system fails or in connection with future development.
- 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 Garcia property is beyond 300 feet 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 purposes and is connected to City service at present.
- b) 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 City potable water. The city does have pressure irrigation facilities in the vicinity. Accordingly, the City Engineer recommends connection to City pressure irrigation facilities.

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 (The following issues are not relevant to this application.)

- 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 side on an existing section line arterial street (Deer Flat Road). The following conditions are related to these classified streets and future quarter line classified streets and apply at the time of development:

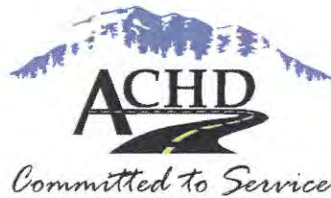
- a) Sufficient half right-of-way on the quarter line and section line for existing and future classified streets should be provided pursuant to City and ACHD standards.
- b) It is recommended new approaches onto the classified streets comply with ACHD approach policies.
- c) It is recommended sidewalk, 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.

**Project/File:** Garcia Annexation/ KUNA16-0014/ 16-04-AN

This is an annexation application with proposed zoning of R-6 (medium density residential) located on 1.2-acres into the City of Kuna

Lead Agency: City of Kuna**Site address:** 930 W Deer Flat Road**Staff Approval:** July 1, 2016

Applicant: Jose & Irma Garcia
930 W Deer Flat Road
Kuna, ID 83634

Representative: Jahil Vejar
942 S School Avenue
Kuna, ID 83634

Staff Contact: Stacey Yarrington
Phone: 387-6171
E-mail: syarrington@achdidaho.org



A. Findings of Fact

- Description of Application:** The applicant is requesting approval of an annexation application of 1.2-acres with a proposed rezone from RUT to R-6 into the City of Kuna.

The property is currently zoned RUT (Rural Urban Transition) and the property is located within the City of Kuna's Impact area and is therefore consistent with the City's comprehensive plan.

- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Medium Density Residential	R-6
South	Medium Density Residential	R-6
East	Medium Density Residential	R-6
West	Medium Density Residential	R-6

- Site History:** ACHD previously reviewed this site as K05-06-AN in August 2005. The requirements of this staff report are consistent with those of the prior action.
- Transit:** Transit services are not available to serve this site.
- New Center Lane Miles:** There are no new centerline miles of public roadway associated with this project.
- Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.

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

- The intersection of Linder Avenue and Main Street and 3rd Street is scheduled in the IFYWP to be constructed as a single-lane roundabout in 2016.
- 4th Street and #326 is scheduled in the IFYWP to be replaced in 2018.
- Avalon is listed in the CIP to be widened to 3-lanes from Linder Road to Orchard Street between 2022 and 2026.
- Deer Flat is listed in the CIP to be widened to 5-lanes from Linder Road to SH-69/ Meridian Rd between 2027 and 2031.

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 0 additional vehicle trips per day (10 existing); 0 additional vehicle trips per hour in the PM peak hour (1 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 9th edition. Additional trips will be determined when a development application has been received.

2. **Condition of Area Roadways**

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Existing Plus Project
Deer Flat Road	150-feet	Minor Arterial	228	Better than "D"	Better than "D"
Ten Mile Road	0-feet	Minor Arterial	251	Better than "D"	Better than "D"
Linder Road	0-feet	Minor Arterial	283	Better than "D"	Better than "D"

* Acceptable level of service for a two-lane minor arterial is "D" (550 VPH).

* Acceptable level of service for a three-lane minor arterial is "D" (720 VPH).

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

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

- The average daily traffic count for Deer Flat Road east of Ten Mile Road was 4,373 on 3/8/2016.
- The average daily traffic count for Ten Mile Road north of Deer Flat Road was 4,462 on 3/8/2016.
- The average daily traffic count for Linder Road north of Deer Flat Road was 4,548 on 7/31/2014.

C. Findings for Consideration

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

1. **Deer Flat Road**

- a. **Existing Conditions:** Deer Flat Road is improved with 3-travel lanes, and no curb, gutter or sidewalk abutting the site. There is 96-feet of right-of-way for Deer Flat Road (53-feet from centerline).

b. Policy:

Arterial Roadway Policy: District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Master Street Map and Typology Policy: District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

Street Section and Right-of-Way Width Policy: District Policies 7205.2.1 & 7205.5.2 state that the standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within 96-feet of right-of-way. This width typically accommodates two travel lanes in each direction, a continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial.

Right-of-Way Dedication: District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

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

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

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

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Deer Flat Road is designated in the MSM as a Residential Arterial with 5-lanes and on-street bike lanes, a 71-foot street section within 97-feet of right-of-way.

c. Staff Comments/Recommendations: No other right-of-way dedication will be required with this application. As this application is not creating any new vehicle trips per day, no street improvements will be required with this application. However, the applicant will be required to

construct minimum 5-foot wide concrete sidewalk along Deer Flat Road, located a minimum of 41-feet from the centerline of the right-of-way, when the site is further developed.

2. Driveways

2.1 Deer Flat Road

- a. **Existing Conditions:** There is one existing residential driveway onto Deer Flat Road from the site.

- b. **Policy**

Access Points Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

Access Policy: District policy 7205.4.6 states that direct access to minor arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.

Driveway Location Policy: District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a single left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 660-feet from the intersection for a full-movement driveway.

Successive Driveways: District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 40 MPH to align or offset a minimum of 330-feet from any existing or proposed driveway.

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

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

- c. **Staff Comments/Recommendations:** District Access Management, Successive Driveway, and Driveway Location policies, requires driveways located on arterial roadways to be located a minimum of 330-feet from any existing or proposed driveway.

The existing driveway meets District policy. Any change to the existing driveway location will be evaluated with a future development application.

3. Tree Planters

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

4. Landscaping

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

5. Other Access

Deer Flat Road is classified as a minor arterial roadway. Other than the access specifically approved with this application, direct lot access is prohibited to this roadway.

D. Site Specific Conditions of Approval

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

1. Payment of impacts fees are due prior to issuance of a building permit.
2. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.

9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

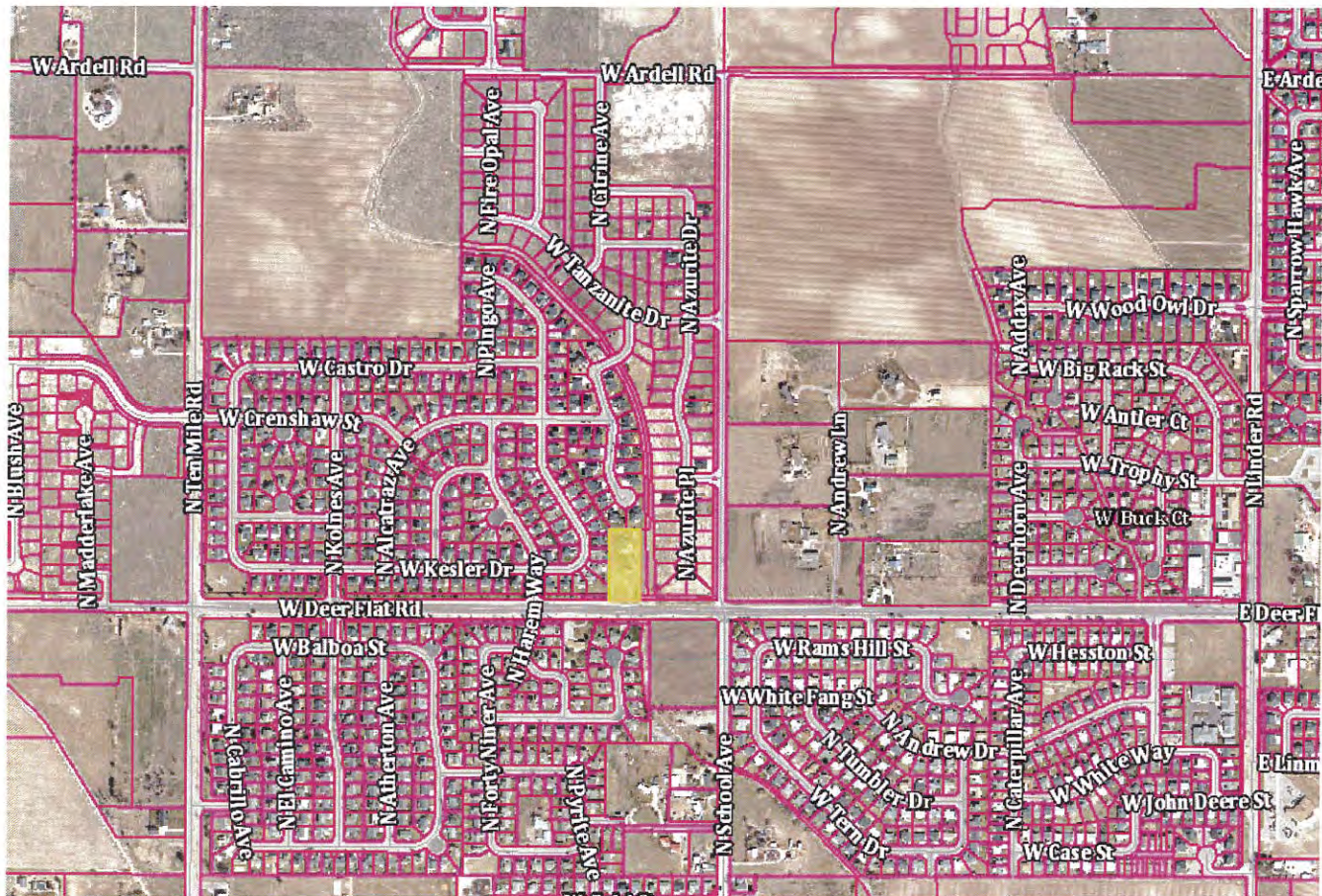
F. Conclusions of Law

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

G. Attachments

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

VICINITY MAP



Ada County Utility Coordinating Council

Developer/Local Improvement District Right of Way Improvements Guideline Request

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

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

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

Development Process Checklist

Items Completed to Date:

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

Items to be completed by Applicant:

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

☐ Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

DID YOU REMEMBER:

Construction (Non-Subdivisions)

☐ **Driveway or Property Approach(s)**

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

☐ **Working in the ACHD Right-of-Way**

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

Construction (Subdivisions)

☐ **Sediment & Erosion Submittal**

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

☐ **Idaho Power Company**

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

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

Request for Appeal of Staff Decision

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

Boise-Kuna Irrigation District

129 N. School Ave-P.O. Box 330

Directors

Ronald I. Blickenstaff

Duane Yamamoto

Mike D. Kukla

Kuna, ID 83634-0330

Telephone (208) 922-5608

Fax (208) 922-565

Staff

Lauren S. Boehlke

Sec. -Treasurer

Rochelle Proesch

Asst. Sec.-Treasurer

COPY

March 1, 2007

To Whom It May Concern:

This is just a reminder that the water tax on the enclosed property has not been paid.

This a water right that goes with the land and must be paid whether the water is used or not.

Once the bill has been paid, water right may be given back to the District if no means of delivery is available, or you chose not to use it.

If you have any questions about this bill, please contact the Boise-Kuna Irrigation District office at 922-5608.

Your prompt attention to this matter is appreciated.

Thank you.

Sincerely



Lauren S Boehlke

Secretary/Treasurer

I do wish to relinquish the water rights
from my property here to I can get the water
in my property



Communities in Motion 2040 Development Checklist

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this checklist as a tool for local governments to evaluate whether land developments are consistent with the goals of *Communities in Motion 2040* (CIM 2040), the regional long-range transportation plan for Ada and Canyon Counties. CIM 2040 was developed through a collaborative approach with COMPASS member agencies and adopted by the COMPASS Board on **July 21, 2014**.

This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2040 goals, objectives, and performance measures. A checklist user guide is available [here](#); and more information about the CIM 2040 goals can be found [here](#); and information on the CIM 2040 Vision can be found [here](#).



[Click to view enlarged map](#)

Name of Development: Garcia Annexation - Annexation of 1.2 acres with R-6 zoning.

Summary: Located about 400 feet to the west of School Ave off the north side of Deer Flat Rd the proposed annexation and zoning designation would allow for up to 7 residences. There are 3 other active developments in this area that are anticipated to add 451 residential units (on 451 lots) and 3 commercial units. The proposal supports 7 CIM 2040 checklist items and does not support 13 CIM2040 checklist items.

Land Use

In which of the [CIM 2040 Vision Areas](#) is the proposed development? (**Goal 2.1**)?

- ☐ Downtown ☐ Employment Center ☒ Existing Neighborhood ☐ Foothills
☐ Future Neighborhood ☐ Mixed Use ☐ Prime Farmland ☐ Rural
☐ Small Town ☐ Transit Oriented Development

☐ Yes ☒ No ☐ N/A The proposal is within a CIM 2040 Major Activity Center. (**Goal 2.3**)

Neighborhood (Transportation Analysis Zone) Demographics

TAZ: 1193

Existing		Existing TAZ + Proposal		2040 Forecast	
Households	Jobs	Households	Jobs	Households	Jobs
260	31	267	31	407	70

☒ Yes ☐ No ☐ N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this neighborhood. (**Goal 2.1**)

Area (Adjacent Transportation Analysis Zone) Demographics

TAZs: 1194, 1195, 1196, 1197, 1203, 1204, 1277, 1278, 1279

Existing		Existing TAZs + Net Proposed		2040 Forecast	
Households	Jobs	Households	Jobs	Households	Jobs
1,784	408	2,242	408	3,994	1,008

☒ Yes ☐ No ☐ N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this area. (**Goal 2.1**)



More information on COMPASS and *Communities in Motion 2040* can be found at:

www.compassidaho.org

Email: info@compassidaho.org

Telephone: (208) 475-2239



Communities in Motion 2040 Development Checklist

Transportation

- ☐ **Attached** ☒ **N/A** An Area of Influence Travel Demand Model Run is attached.
☒ **Yes** ☐ **No** ☐ **N/A** There are relevant projects in the current Regional [Transportation Improvement Projects](#) (TIP) within one mile of the development.

Comments: In FY2020 ACHD plans to improve the intersection at Linder and Deer Flat Roads in Kuna.

- ☐ **Yes** ☐ **No** ☒ **N/A** The proposal uses appropriate access management techniques as described in the [COMPASS Access Management Toolkit](#).

Comments: _____

- ☐ **Yes** ☐ **No** ☒ **N/A** This proposal supports Valley Regional Transit's [valleyconnect](#) plan. See [Valley Regional Transit Amenities Development Guidelines](#) for additional detail.

Comments: Future demand response services are proposed near the development. See valleyconnect for details

The **Complete Streets Level of Service (LOS) scoring** based on the proposed development will be provided on an separate worksheet (**Goals [1.1](#), [1.2](#), [1.3](#), [1.4](#), [2.4](#)**):

- ☒ **Attached** ☐ **N/A** Complete Streets LOS scorecard is attached.
☐ **Yes** ☐ **No** ☒ **N/A** The proposal maintains or improves current automobile LOS.
☐ **Yes** ☐ **No** ☒ **N/A** The proposal maintains or improves current bicycle LOS.
☐ **Yes** ☐ **No** ☒ **N/A** The proposal maintains or improves current pedestrian LOS.
☐ **Yes** ☐ **No** ☒ **N/A** The proposal maintains or improves current transit LOS.

☐ **Yes** ☒ **No** ☐ **N/A** The proposal is in an area with a [Walkscore](#) over 50.

Housing

- ☐ **Yes** ☒ **No** ☐ **N/A** The proposal adds [compact housing](#) over seven residential units per acre. (**Goal [2.3](#)**)
☐ **Yes** ☒ **No** ☐ **N/A** The proposal is a mixed-use development or in a mixed-use area. (**Goal [3.1](#)**)
☐ **Yes** ☒ **No** ☐ **N/A** The proposal is in an area with lower transportation costs than the [regional average](#) of 26% of the median household income. (**Goal [3.1](#)**)
☐ **Yes** ☐ **No** ☒ **N/A** The proposal improves the jobs-housing balance by providing housing in employment-rich areas. (**Goal [3.1](#)**)

Community Infrastructure

- ☐ **Yes** ☒ **No** ☐ **N/A** The proposal is infill development. (**Goals [4.1](#), [4.2](#)**)
☒ **Yes** ☐ **No** ☐ **N/A** The proposal is within or adjacent to city limits. (**Goals [4.1](#), [4.2](#)**)
☒ **Yes** ☐ **No** ☐ **N/A** The proposal is within a city area of impact. (**Goals [4.1](#), [4.2](#)**)

Health

- ☐ **Yes** ☒ **No** ☐ **N/A** The proposal is within 1/4 mile of a transit stop. (**Goal [5.1](#)**)
☐ **Yes** ☒ **No** ☐ **N/A** The proposal is within 1/4 mile of a public school. (**Goal [5.1](#)**)
☐ **Yes** ☒ **No** ☐ **N/A** The proposal is within 1/4 mile of a grocery store. (**Goal [5.1](#)**)
☐ **Yes** ☒ **No** ☐ **N/A** The proposal is within 1 mile of a park and ride location. (**Goal [5.1](#)**)

Economic Development

- ☐ **Yes** ☒ **No** ☐ **N/A** The proposal improves the jobs-housing balance by providing employment in housing-rich areas. (**Goal [3.1](#)**)
☐ **Yes** ☒ **No** ☐ **N/A** The proposal provides grocery stores or other retail options for neighborhoods within 1/2 mile. (**Goal [6.1](#)**)

Open Space

- ☐ **Yes** ☒ **No** ☐ **N/A** The proposal is within a 1/4 mile of a public park. (**Goal [7.1](#)**)
☐ **Yes** ☐ **No** ☒ **N/A** The proposal provides at least 1 acre of parks for every 35 housing units. (**Goal [7.1](#)**)

Farmland

- ☒ **Yes** ☐ **No** ☐ **N/A** The proposal is outside "Prime Farmland" in the CIM 2040 Vision. (**Goals [4.1](#), [8.2](#)**)
☒ **Yes** ☐ **No** ☐ **N/A** The proposal is outside prime farmland. (**Goal [8.2](#)**)

Communities in Motion 2040 Complete Streets Scorecard

The purpose of this checklist is to provide a tool for local governments to evaluate whether land developments are in accordance with the goals of *Communities in Motion 2040* (CIM 2040). Complete Streets Level of Service (LOS) refers to the multimodal (automobile, bicycle, pedestrian, and transit) experience and grades a roadway (A-F) for each mode. COMPASS conducts Complete Streets Level of Service (CSLOS) analysis for developments on arterial roads.

Street	Mode	Existing	With detached sidewalk
		Link LOS	Link LOS
Deer Flat Road School Avenue to Ten Mile Road	Transit	F	F
	Bike	C	C
	Ped	D	B
Highway Capacity Manual 2010 Methodologies			

Walkscore: 24 Car Dependent. Walkscore is a walkability index that assigns a numerical walkability on a scale from 0 - 100 based on walking routes to destinations such as grocery stores, schools, parks, restaurants, and retail. Scores of 50 or higher are considered at least "Somewhat Walkable" while scores less than 50 are "Car-Dependent."

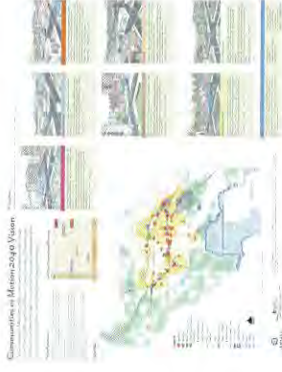
Additional Comments:

Completing the sidewalk at this location would provide complete westbound coverage from School Avenue to Ten Mile Road and would improve pedestrian LOS from a "D" to an "B."

More information on
COMPASS and
Communities in Motion
2040 can be found at:



www.compassidaho.org



Communities in Motion 2040 Checklist User Guide

Communities in Motion 2040 Development Checklist

The Community Planning Association of Southwest Idaho (COMPASS) is a metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this checklist as a tool for local governments to evaluate whether land use development is consistent with the goals of *Communities in Motion 2040* (CIM 2040), the regional long-range transportation plan for Ada and Canyon Counties. CIM 2040 was developed through a collaborative approach with COMPASS member agencies and adopted by the COMPASS Board on July 21, 2014.

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MAP

Name of Development: _____

Summary: _____

Land Use

In which of the following categories does the proposed development fall? (Goal 2.1.1)

☐ Downtown Center ☐ Existing Neighborhood ☐ Foothills

☐ Future Neighborhood ☐ Mixed Use ☐ Prime Farmland ☐ Rural

☐ Small Town ☐ Transit Oriented Development

☐ Yes ☐ No ☐ N/A The proposal is within a CIM 2040 Major Activity Center. (Goal 2.1.2)

Neighborhood (Transportation Analysis Zone) Demographics

	Existing	Proposed	2040 Forecast
Households			
Jobs			
Households			
Jobs			

☐ Yes ☐ No ☐ N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this neighborhood. (Goal 2.1.1)

Area (Adjacent Transportation Analysis Zone) Demographics

	Existing	Proposed	2040 Forecast
Households			
Jobs			
Households			
Jobs			

☐ Yes ☐ No ☐ N/A The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this area. (Goal 2.1.1)

COMPASS

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Email: info@compasidaho.org

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(Page 1 of 2)

Location map highlights the location of the proposed development and the nearby 2040 functionally classified roadways. Functional street classification groups roads into classes according to the character of service they are intended to provide. More information on functional classification can be found [here](#).

CIM 2040 Vision Areas highlight the general vision for how the region will grow. Each typology describes different uses and densities as well as approaches to promoting housing, economic development, open space, farmland, health, and community infrastructure. More information about the CIM 2040 Vision is found [here](#).

Major Activity Centers (MACs) are important trip generators and are logical destinations for public transit service. MACs tend to increase productivity and support economic development, reduce land consumption and sprawl, and provide options for those that are carless. More information about Major Activity Centers can be found [here](#).

Traffic Analysis Zones (or TAZs) are designated areas used for travel demand modeling. CIM 2040 was developed using TAZs at the core unit of geography. "Neighborhood demographics" to the exact TAZs where the development will occur, while "area demographics" refer to the neighborhood TAZs plus TAZs adjacent to the development area to provide an overview of the impact on the broader area. More information about the regional travel demand model can be found [here](#).

COMPASS staff welcome the opportunity to discuss *Communities in Motion*, the checklist, or specific development proposals with stakeholders. Please feel free to contact us at to schedule an appointment using the phone number/email address to the left. More information on the COMPASS member service can be found [here](#).

Community Planning Association of Southwest Idaho (COMPASS) is a forum for regional collaboration that helps maintain a healthy and economically vibrant region, offering people choices in how and where they live, work, play, and travel. COMPASS serves as the metropolitan planning organization (MPO) for Ada and Canyon Counties, Idaho. More information about COMPASS can be found [here](#).

CIM 2040 describes the current transportation system, outlines what is needed to accommodate future growth, explores how to fund future transportation needs, discusses how to maintain a safe and secure transportation system, and examines the environmental issues that have the potential to impact, or be impacted by, transportation investments. More information about the CIM 2040 can be found [here](#).

Highlighted text indicates that there is a hyperlink to a document on the internet that further explains the background, topic, or methodology used to develop the information.

Yes and no answers to each of the 8 CIM 2040 elements have been developed to indicate how well a development aligns with the goals and vision of CIM. More information about the eight CIM 2040 goals, objectives, and tasks can be found [here](#).

QR Codes (or Quick Response Codes) can be scanned with a personal electronic device, such as a cell phone or tablet, top open a web page. The QR code on the CIM 2040 land development checklist will take the user to the COMPASS home page (www.compasidaho.org).

Vision Areas

Vision Areas

Land Use Density and Diversity

Transit-Oriented Development

HIGH

LOW

0 100

UNIVERSITY

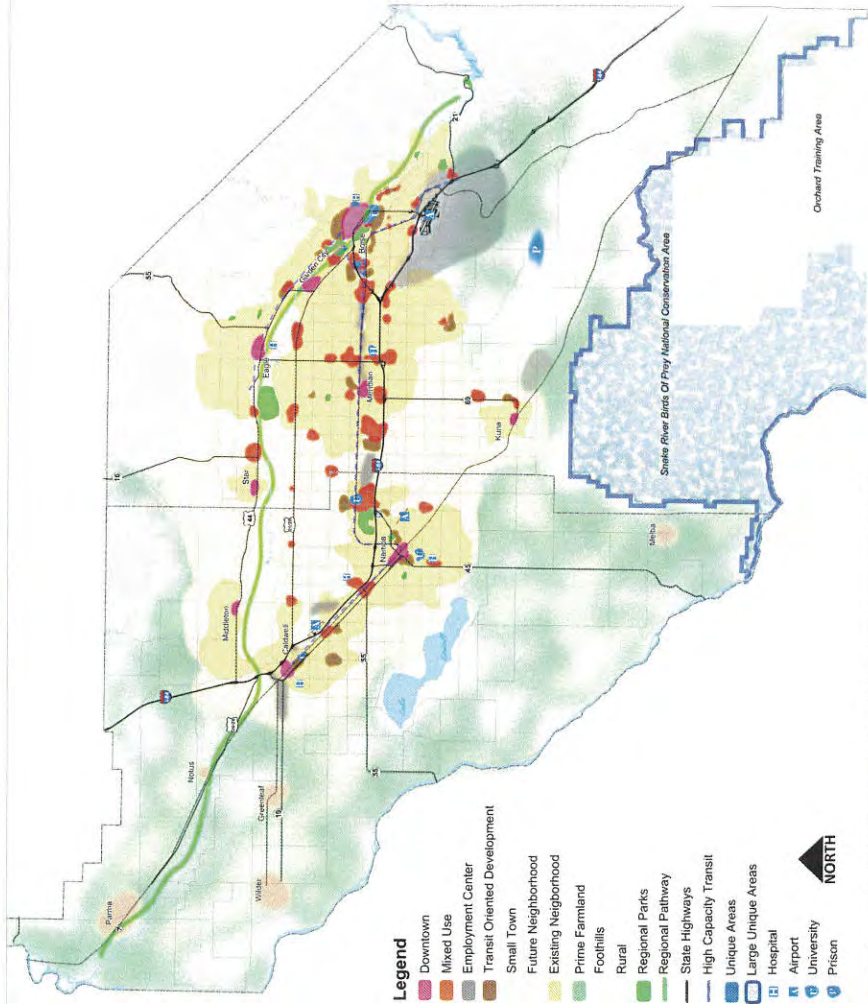
Employment Center

Future Neighborhood

Existing Neighborhood

Water Corridor

LOW LAND DIVERSITY



The Community Planning Association of Southwest Idaho (COMPASS) is an association of local governments working together to plan for the future of the region. COMPASS members consider factors that affect quality of life for area residents when making decisions about transportation and setting priorities for spending federal transportation dollars over the next 25 years.



COMMUNITIES IN MOTION

1

- Boise State University
- College of Idaho
- Northwest Nazarene University
- College of Western Idaho
- St. Alphonsus Medical Center (Boise, Eagle, and Nampa)
- St. Luke's Medical Center (Boise and Meridian)
- Boise International Airport, Nampa Airport, Caldwell Airport

Mixed Use

Horizontal mix o

Employment Center

A center for mostly employed

Small Town

Smaller and curlier

Transit Oriented Development

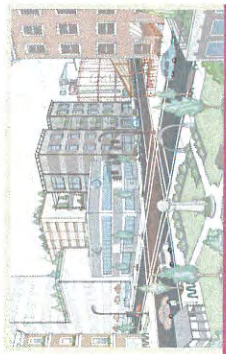
Vertical mix of land uses, including housing a

Future Neighborhood

Neighborhoods projected to be

Existing Neighborhood

Neighborhoods with existing dev



Communities in Motion is the regional long-range transportation plan for Ada and Canyon Counties.

- It offers a vision that addresses:
 - How land use affects transportation
 - How investments in transportation influence growth
 - What the transportation system is supposed to achieve
 - How transportation projects are selected
 - How transportation projects serve regional needs

It is based on:

- Connections:** Providing options for safe, access and expanded mobility choices in a cost-effective manner in the region.
- Coordination:** Achieving better inter-jurisdictional coordination of transportation and land use planning.
- Environment:** Minimizing transportation impacts to people, cultural resources, and the environment.
- Information:** Coordinating data gathering and dispensing better information.

The complete *Communities in Motion 2040* plan is available online at www.compassidaho.org.

Vision Benefits

Economic Development: A 61% increase in composite population near downtowns and other activity centers. Growth in these areas is typically more sustainable than other locations due to the proximity of features.

Housing: Growth in areas with transportation and other infrastructure improve overall affordability by locating housing near transit routes, employment centers, and basic services.

Land Use: Better jobs-housing balance reduces traffic, improves air quality, and increases discretionary time.

Transportation: Strong transportation infrastructure and services promote economic development and quality of life.

Open Space: Access to parks and open space enables citizens to enjoy the natural beauty of the region.

Health: More transportation options and development near services enables physical activity and improves air quality.

Farmland: Almost 80% of farmland can be preserved by developing mill sites and other non-farm areas. This will increase agricultural economic value in the area and preserve food security.

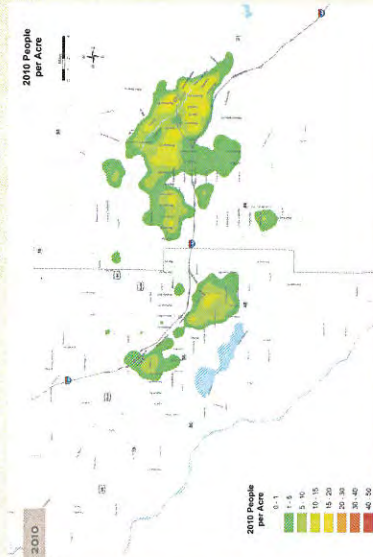
Community Infrastructure: Development in or nearby areas served by infrastructure reduces infrastructure costs and can save municipalities millions of maintenance and operations costs.

Vision Demographics

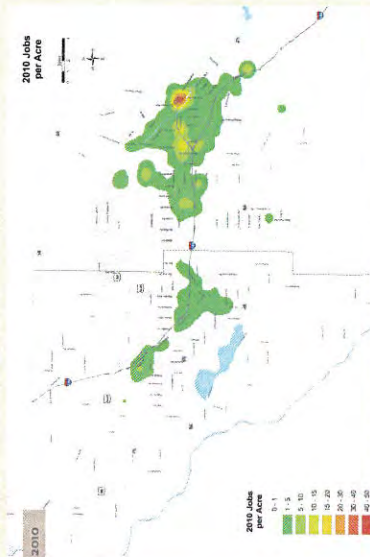
City Area of Impact	2010			2040		
	Population	Households	Jobs	Population	Households	Jobs
Boise	337,241	96,654	141,628	377,192	140,848	234,230
Eagle	23,222	8,971	5,527	52,246	18,823	15,398
Garden City	11,001	4,349	7,049	18,391	8,791	13,794
Kuna	15,339	4,253	1,806	26,991	10,270	4,970
Moran	83,786	28,296	32,772	154,780	57,534	65,444
Sun	6,472	2,177	564	33,644	12,035	3,014
Ada County (outside area of impact)	7,416	3,935	7,648	79,153	33,856	13,166
Ada County Total	392,355	148,445	190,354	674,377	272,944	350,679
Caldwell	50,673	16,540	13,144	109,111	40,098	37,650
Groveland	2,168	989	440	5,947	2,445	977
Melba	845	279	258	2,358	834	559
Middletown	10,348	3,504	1,282	18,475	6,626	1,937
Nampa	95,773	32,829	29,218	150,886	59,886	6,973
Nasau	984	322	134	2,452	832	466
Pine	2,568	905	687	6,811	2,456	1,118
Wildier	1,991	614	676	6,760	2,377	799
Canyon County (outside area of impact)	22,034	7,654	4,739	34,833	12,224	5,593
Canyon County Total	188,933	63,604	50,182	347,683	122,375	110,378
Total Region	581,288	212,049	240,536	1,022,060	399,419	461,057

Note: Totals may not sum due to overlapping areas of impact.

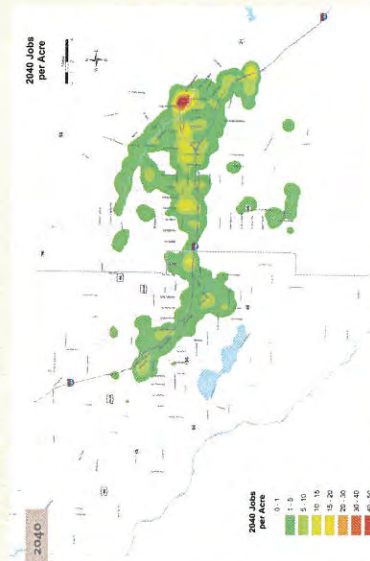
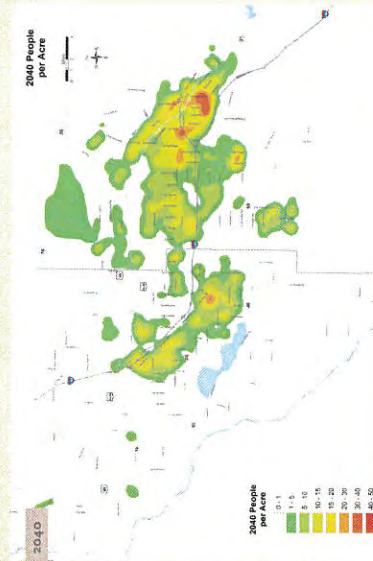
Population Density Maps



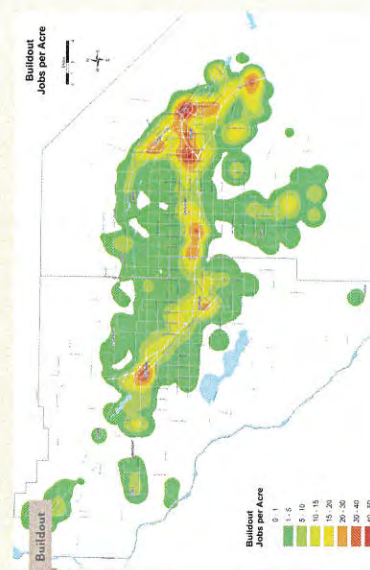
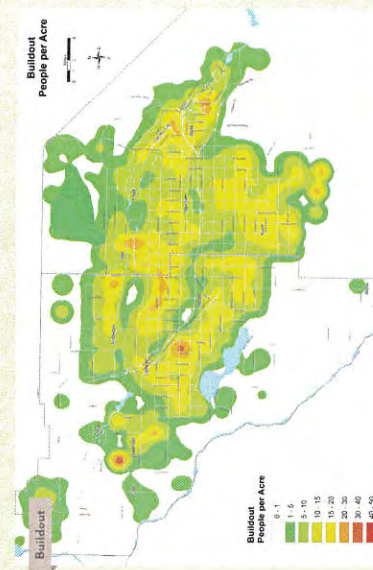
Employment Density Maps



The 2010 maps above were the baseline conditions used in developing the *Communities in Motion 2040* Vision. These maps are based on the 2010 census counts and 2010 Idaho Department of Labor employment data.



The above maps show the generalized densities when the *Communities in Motion 2040* Vision is implemented.



Buildout is the equalization of local land use (comprehensive) plans. It realizes COMPASS's consideration of long-range consideration of potential and is constrained by the 2040 population forecast adopted by the COMPASS Board. It is not an official forecast for air quality conformity.

PLEASE SEE SEPARATELY UPLOADED PACKET FOR THE 16-01-ZC, 16-02-CPM AND
16-01-S; MARTI PIERONI/SCHOOLHOUSE MULTI-FAMILY PUBLIC HEARING