KUNA PLANNING AND ZONING COMMISSION
Agenda for January 24, 2017

Kuna City Hall ▪ Council Chambers ▪ 751 W. 4th St. ▪ Kuna, Idaho

1. **CALL TO ORDER AND ROLL CALL**
   Chairman Lee Young
   Vice Chairman Dana Hennis
   Commissioner Cathy Gealy
   Commissioner Ron Herther
   Commissioner Stephen Damron

2. **CONSENT AGENDA**
   a) Planning and Zoning Commission meeting minutes for January 10, 2016

3. **PUBLIC HEARING**
   a) 16-09-AN (Annexation); A request by **Michael Robinson** to annex approximately one (1) acre with an R-2 zoning designation. The site is contiguous to the city limits and is located at 1420 West Hubbard Road.

   b) **15-05-S** (Subdivision) and **15-08-DR** (Design Review) – **Silvertrail Addition Subdivision;** [*The public hearing is being re-opened to remedy a noticing infraction for the public hearing on December 13, 2016, to solicit public testimony for those who did not have an opportunity to testify at the December 13th public hearing*] A request from Viper Investments, LLC for preliminary plat approval and design review for a new residential subdivision. Applicant proposes 421 single family homes and 56 common lots (approximately 8.68 ac.) on 130.55 acres already zoned R-6 in Kuna City.

   c) 16-03-CPM (Comprehensive Plan Map Amend) and 16-10-AN (Annexation) ***Ashton Estates Subdivision;*** Applicant, SDN, LLC, , requests approval to amend the Comprehensive Plan (Comp Plan) Map, from Medium Density Residential to Mixed-Use General over approximately 50.6 acres. The site is contiguous to Kuna City limits and the applicant requests approval to annex the same parcel into Kuna City with the following zones; C-1 (Neighborhood Commercial), R-6 (Medium Density Residential) and R-20 (High Density Residential). The subject site is located on the south east corner (SEC) of Meridian and Deer Flat Roads.

   d) 16-12-AN (Annexation) – ***Renascence Farm and Mason Creek Farms***; Applicants, Renascence Farm, LLC, Spaulding and Anderson and Mason Creek Farm, LLC , requests approval to annex approximately 165 +/- acres into the City of Kuna. Applicant requests the R-6 (Medium Density Residential) for all properties. 139 acres of the application are located between Ten Mile and Black Cat Roads, south of Amity Road. Approximately 26 acres are located near the NEC of Ten Mile and Lake Hazel Roads, east of Ten Mile and north of Lake Hazel. All parcels are contiguous to Kuna City limits.

4. **ADJOURNMENT**

Kuna City Codes, Comprehensive Plan, and Maps are available on the City web site:
http://www.kunacity.id.gov

CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, January 10, 2017

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Commissioner Dana Hennis	Absent	Troy Behunin, Senior Planner III	X
Commissioner Cathy Gealy	X	Trevor Kesner, Planner II	
Commissioner Ron Herther	X	Nancy Stauffer, Planning Technician	
Commissioner Stephen Damron	X		

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Call to Order and Roll Call

Chairman Young called the meeting to order at **6:00 pm**.

1. **CONSENT AGENDA**

a. Planning and Zoning Commission meeting minutes for December 13, 2016
Commissioner Hennis motions to approve the consent agenda; Commissioner Herther Seconds, all aye and motion carried 3-0.

b. 16-03-CPM (Comprehensive Plan Map Amend) and 16-10-AN (Annexation) ***Ashton Estates Subdivision;*** Applicant, SDN, LLC, requests approval to amend the Comprehensive Plan (Comp Plan) Map, from Medium Density Residential to Mixed-Use General over approximately 50.6 acres. The site is contiguous to Kuna City limits and the applicant requests approval to annex the same parcel into Kuna City with the following zones; C-1 (Neighborhood Commercial), R-6 (Medium Density Residential) and R-20 (High Density Residential). The subject site is located on the south-east corner (SEC) of Meridian and Deer Flat Roads.

- ***Staff Requests that this item be tabled until January 24, 2017, so that the ACHD staff report can be included with the packet for the Commissioners consideration.***

Commissioner Gealy motions to table 16-03-CPM and 16-10-AN Ashton Estates Subdivision to January 24, 2017; Commissioner Herther Seconds, all aye and motion carried 3-0.

1. **NEW BUSINESS**

Planning and Zoning Commission Elections for Chairman and Vice Chairman for 2017

Chairman Young: Are there any nominations?
Commissioner Gealy: Mr. Chairman, I would like to nominate Chairman Lee Young to continue as Chairman for 2017.
Commissioner Herther: I second that.
Chairman Young: Are there any other nominations? No?, Ok, then all in favor of nominating Lee Young as Chairman- All aye- motion carries.

Chairman Young: That opens up nominations for Vice Chairman.
Commissioner Gealy: Mr. Chairman, I would like to nominate Dana Hennis to continue as Vice Chairman for 2017.
Commissioner Herther: I second
Chairman Young: Are there any other nominations? No? Ok. All in favor of Dana Hennis for Vice Chairman, all aye.

2. ADJOURNMENT:

Commissioner Gealy motions to adjourn at 6:08 ***pm****; Commissioner Herther Seconds, all aye and motion carried 3-0.*

_____
Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

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

City of Kuna

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

Staff Report

To:	**P&Z Commission**
Case Number(s):	**16-09-AN** (Annexation)
Location:	1420 W. Hubbard Rd. Kuna, ID 83634
Planner:	Nancy Stauffer, Planner Technician
Hearing Date:	January 24, 2017
Owner/Applicant:	Michael Robinson 1420 W. Hubbard Rd Kuna, ID 83634

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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	August 19, 2016
ii. Agencies Notified	November 23, 2016
iii. 300' Property Owners	January 3, 2017
iv. Kuna, Melba Newspaper	January 10, 2017
v. Site Posted	January 3, 2017

B. Applicant Request:

Exhibit
A-1

1. The applicant is requesting approval to annex an approximately 1. acre parcel located at 1420 W. Hubbard Road. into the City of Kuna with an 'R-2' (Low Density Residential) zoning designation.

C. History: The parcel is contiguous to City limits and is currently zoned R1 (Estate Residential) in Ada County. The current home of the Robinson'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	C-1	Commercial Residential (Kuna)
West	R-6	Medium Density Residential (Kuna)

3. **Parcel Sizes, Current Zoning, Parcel Numbers:**
   - Approx. 1. total acres
   - R1, (Estate Residential) (Ada County)
   - Parcel # S1312336075

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 Hubbard road. Ada County Highway District (ACHD) has provided conditions for future development of the site (reference Exhibit B-5)

7. **Agency Responses:** The following agencies returned comments which are included as exhibits with this case file:
   Exhibit B-3: Central District Health Department (CDHD)
   Exhibit B-4: Kuna City Engineer

E. Staff Analysis:

The applicant requests to annex the 1. acre parcel into Kuna City limits with an R-2 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 # 16-09-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. 16-09-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 16-09-AN, the Kuna Planning and Zoning Commission finds Case No. 16-09-AN complies with Kuna City Code.
2. Based on the evidence contained in Case No 16-09-AN, the Kuna Planning and Zoning Commission finds Case No. 16-09-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 City Council:

Note: This proposed motion is for approval or denial of this request. However, if the Council 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 City Council of Kuna, Idaho, hereby recommends *approval/denial* of Case No. 16-09-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 _____, 2017.

_____
Joe Stear, Mayor

ATTEST:

_____
Nancy Stauffer, Planning 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: Robinson Annex **Applicant:** Michael Robinson

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 **and** Affidavit of Legal Interest (All parties involved)	
N/A	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.

Exhibit A-2

RECEIVED 9.8.16

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

For Office Use Only	
File Number (s)	16-09-AN
Project name	Robinson Annexation
Date Received	9-2-16
Date Accepted/ Complete	11-1-16
Cross Reference Files	
Commission Hearing Date	1-24-17
City Council Hearing Date	

Type of Review (check all that apply):

- [x] 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

Contact/Applicant Information

Owners of Record: Michael Robinson	Phone Number: (530) 333-7891
Address: 1420 W hubbard Rd	E-Mail: michael@gemstaletrading.com
City, State, Zip: Meridian, ID 83642	Fax #:
Applicant (Developer):	Phone Number:
Address:	E-Mail:
City, State, Zip:	Fax #:
Engineer/Representative:	Phone Number:
Address:	E-Mail:
City, State, Zip:	Fax #:

Subject Property Information

Site Address: 1420 W hubbard Rd, Meridian ID 83642

Site Location (Cross Streets): Linder Rd.

Parcel Number (s): S1312336075

Section, Township, Range: 12, 2 North, 1 West

Property size: 1 Acre

Current land use: Residential — Proposed land use: Residential

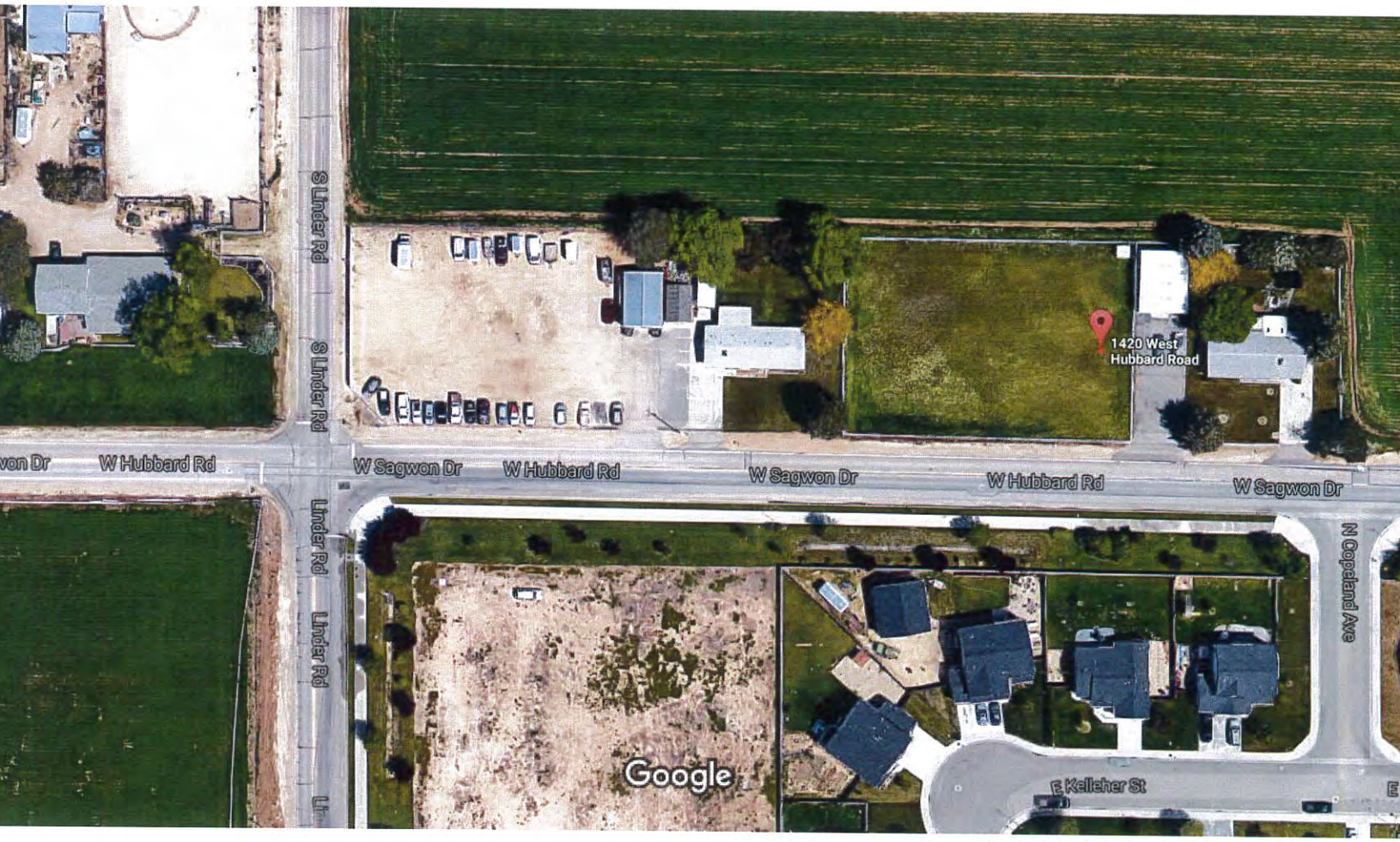
Current zoning district: R1 — Proposed zoning district: R2

Exhibit A-2-a

Maps

1420 W Hubbard Rd

Robinson Annex



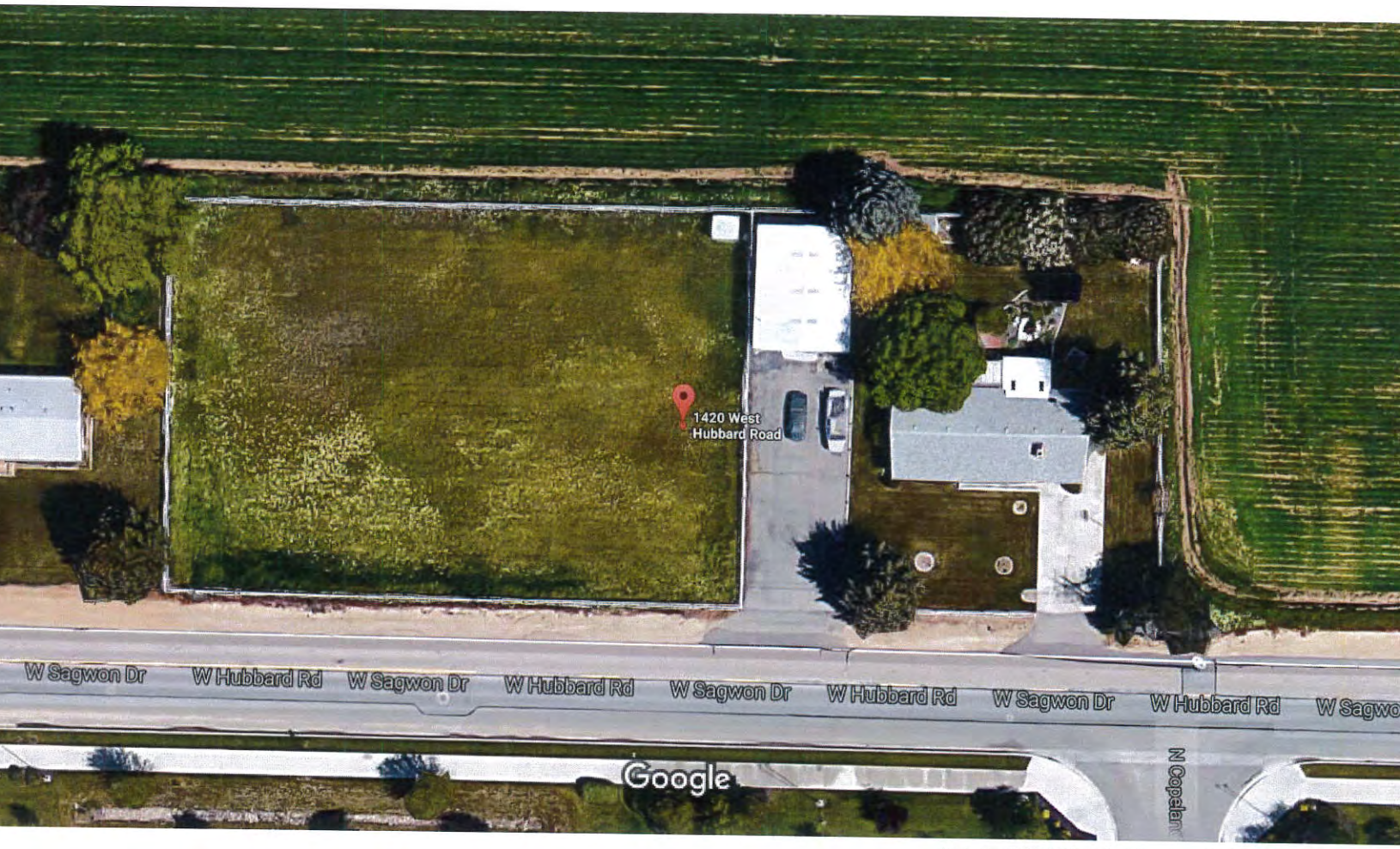
Imagery ©2016 Google, Map data ©2016 Google 50 ft

Exhibit A2.C

Maps

1420 W Hubbard Rd

Robinson Annex

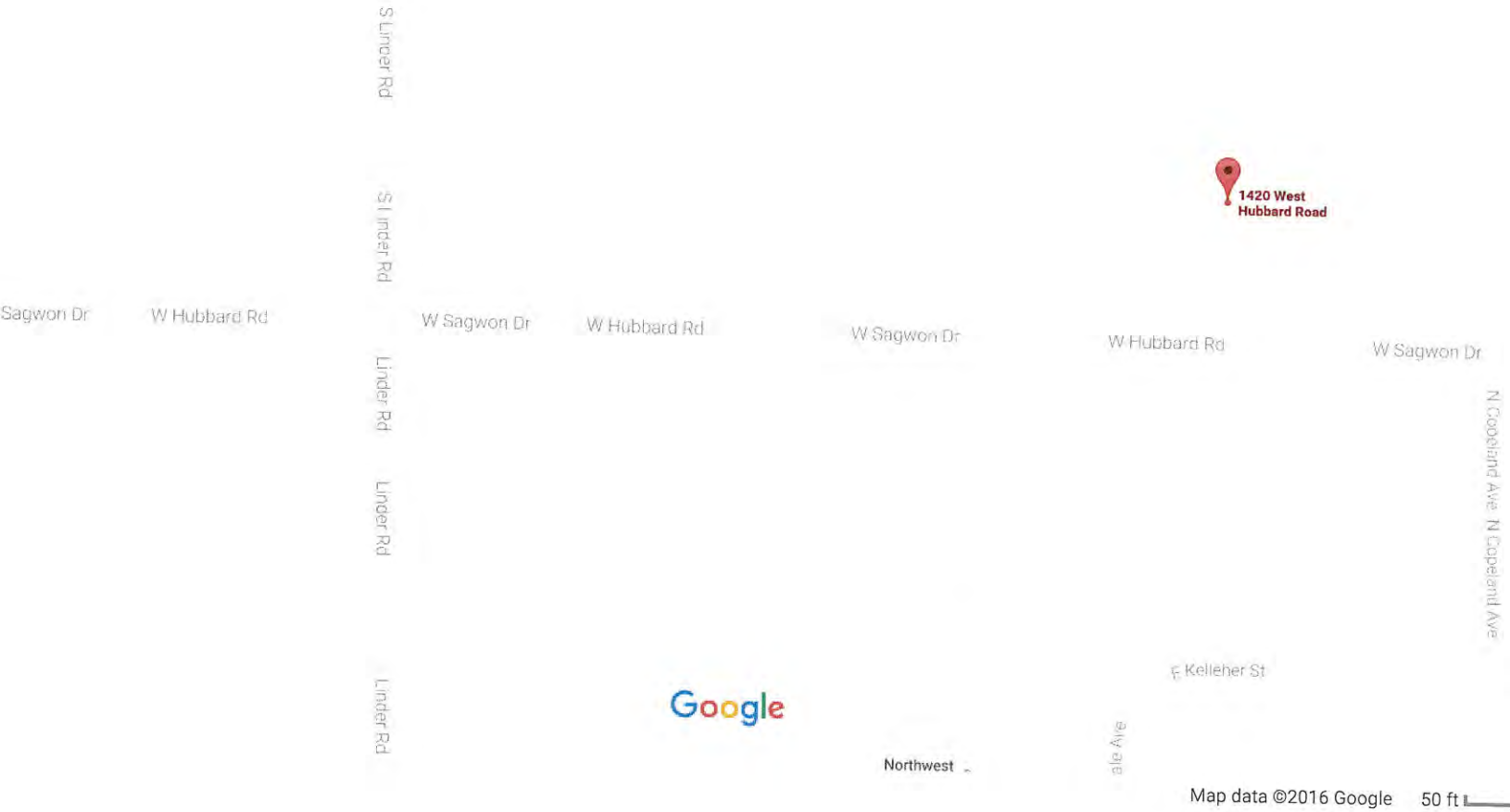


Imagery ©2016 Google, Map data ©2016 Google 20 ft

Maps

1420 W Hubbard Rd

Robinson Annex



For value received,

Geneva B. Post , an unmarried person

the grantor, does hereby grant, bargain, sell, and convey unto

Michael Jordan Robinson and Kathyrn Alene Robinson, husband and wife

whose current address is 1420 W Hubbard Rd Meridian, ID 83642

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

the grantee, the following described premises, in Ada County, Idaho, to wit:

Part of the Southwest Quarter of the Southwest Quarter of Section 12, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, described as follows:

Beginning at the Southwest corner of Section 12, Township 2 North, Range 1 West, Boise Meridian; thence
North 25 feet; thence
East 25 feet; thence
East along the North right of way of the County Road, 330 feet to the Point of Beginning; thence continue
East along the right of way of the County Road, 330 feet; thence
North 132 feet; thence
West 330 feet; thence
South 132 feet to the Point of Beginning.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: March 2, 2016

Geneva B. Post by Royce Melvyn Post, her attorney in fact
Geneva B. Post by Royce Melvyn Post, her attorney in fact

State of Idaho
County of Ada

On this 3rd day of March, in the year of 2016, before me, the undersigned notary public, personally appeared Royce Melvyn Post, who being by me duly sworn (affirmed), did say that he is the attorney-in-fact of Geneva B. Post, and that said instrument was signed on behalf of said Geneva B. Post, by authority, and said Royce Melvyn Post acknowledged to me that he as such attorney-in-fact, executed the same.

Notary
Residing in: _____
Expires: _____

SARAH HARPER
RESIDING IN CALDWELL, IDAHO
MY COMMISSION EXPIRES 12/29/2017

SARAH HARPER
NOTARY PUBLIC
STATE OF IDAHO

Exhibit
A-2-e

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, Michael Robinson, 1420 W Hubbard Rd
Name **Address**

Meridian, ID 83642
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 8-26th day of August, 2016

Signature

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

Ellen Hampton
Notary Public for Idaho

Residing at: Boise, ID Ada Cty

My commission expires: 11-2-17

ELLEN HAMPTON NOTARY PUBLIC STATE OF IDAHO

Exhibit A.2.f

RECEIVED 9.8.16

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: Robinson Annex

Date and time of neighborhood meeting: 8-19-16

Location of neighborhood meeting: 1420 W Hubbard Rd

SITE INFORMATION:

Location: Quarter: ____ Section: 12 Township: 2 Range: 1 Total Acres: 1.0

Subdivision Name: ____ Lot: ____ Block: ____

Site Address: 1420 W Hubbard Rd Tax Parcel Number(s): ____

Meridian, ID 83642

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

CURRENT PROPERTY OWNER:

Name: Michael Robinson

Address: 1420 W hubbard Rd City: Meridian State: ID Zip: 83642

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

Name: Michael Robinson Business (if applicable): ____

Address: 1420 W hubbard Rd City: Meridian State: ID Zip: 83642

Exhibit A-2-h

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	1 acre. Annex. for R2 Zone. Purpose to obtain pros. Irrigation Services and other City Services in the future.
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: Michael Robinson

Address: 1420 W hubbard Rd

City: Meridian State: ID Zip: 83642

Telephone: (530) 333-7891 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 8/19/16

SIGN IN SHEET

PROJECT NAME: Robinson Annex

Date: 8-19-16 7pm

	Name	Address	Zip	Phone
1	Michael Robinson	1420 W Hubbard Rd	83642	(530)333-7891
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Michael & Katie Robinson
1420 W Hubbard Rd
Meridian, Id 83642
michael@gemstatetrading.com

August 2, 2016

Dear Neighbor,

We are submitting an application for the property at 1420 W Hubbard Rd to be Annexed into the city of Kuna. All adjoining properties have already been annexed into Kuna.

The reason for annexation is for the ability to be linked to city services. Specifically, pressurized irrigation for the 1-acre parcel, in place of the gravity feed irrigation. We are asking for the property to be zoned as R2. The annexation will not change the use of the property and will maintain the residential purpose. The property will be utilized as a primary residence, which will maintain some livestock, primarily for 4-H and FFA purposes.

We will be holding a neighborhood meeting to answer any questions regarding the proposed annexation on August 19, 2016 at 7:00pm at the subject property, 1420 W Hubbard Rd. Thank you for your time.

Sincerely,

Michael & Katie Robinson

RECEIVED
9-8-16

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

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

City of Kuna

COMMITMENT TO PROPERTY POSTING

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

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

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

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

Applicant/agent signature

9-1-16
Date

Exhibit
A-2-8

RECEIVED
9.8.16

ber: 114046371 County: Ada Sum owing on the obligation: as of December 8, 2016: $134,542.12 Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For further information write or call the Successor Trustee at the address or telephone number provided above. Basis of default: failure to make payments when due. Please take notice that the Successor Trustee will sell at public auction to the highest bidder for certified funds or equivalent the property described above. The property address is identified to comply with IC 60-113 but is not warranted to be correct. The property's legal description is: Lot 6 in Block 2 of Tapestry Subdivision, according to the official plat thereof, filed in Book 99 of Plats at Page(s) 12606 through 12608, records of Ada County, Idaho. The sale is subject to conditions, rules and procedures as described at the sale and which can be reviewed at www.northwest-trustee.com or USA-Foreclosure.com. The sale is made without representation, warranty or covenant of any kind. Pace, Tyler and Ray (TS# 8852.20365) 1002.289656-File No.

December 21, 28, 2016
January 4, 11, 2017

1557882

LEGAL NOTICE

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

Case # 16-09-AN

(Annexation)

NOTICE IS HEREBY GIVEN, the Kuna City Council will hold a public hearing, Tuesday, January 24, 2017, at 6:00 pm, or as soon as can be heard at Kuna City Hall, 751 W 4th Ave, Kuna, ID; in connection with a request from Michael Robinson to annex approximately 1 acres into the Kuna City limits with an "R-2" (Residential) zoning designation. The assigned address is 1420 W Hubbard Rd, Kuna, Idaho (APN #: S1312336075).

All persons wishing to testify must state his/her name and residential address for the record. No person shall speak until recognized by the Mayor. 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 testimony must be received by 5:00 pm, January 20th, 2017, 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 anyone who would be involved in this decision making process, which would include City Council Members, or the Mayor prior to the hearing. Private conversations outside of the public hearing would be considered ex parte (one sided) and could jeopardize due process.

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

Kuna Planning & Zoning Department

January 11, 2017

1565351

LEGAL NOTICE

Exhibit
A-3

IDAHO PRESS TRIBUNE
MERIDIAN PRESS, KUNA MELBA NEWS
C/O ISJ PAYMENT PROCESSING CENTER
PO BOX 1570
POCATELLO ID 83204
(208)467-9251

ORDER CONFIRMATION (CONTINUED)

Salesperson: LEGALS Printed at 01/04/17 10:06 by sje14

Acct #: 345222 Ad #: 1565351 Status: N

LEGAL NOTICE

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

Case # 16-09-AN
(Annexation)

NOTICE IS HEREBY GIVEN, the Kuna City Council will hold a public hearing, Tuesday, January 24, 2017, at 6:00 pm, or as soon as can be heard at Kuna City Hall, 751 W 4th Ave, Kuna, ID; in connection with a request from Michael Robinson to annex approximately 1 acres into the Kuna City limits with an "R-2" (Residential) zoning designation. The assigned address is 1420 W Hubbard Rd, Kuna, Idaho (APN #: S1312336075).

All persons wishing to testify must state his/her name and residential address for the record. No person shall speak until recognized by the Mayor. 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 testimony must be received by 5:00 pm, January 20th, 2017, 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 anyone who would be involved in this decision making process, which would include City Council Members, or the Mayor prior to the hearing. Private conversations outside of the public hearing would be considered ex parte (one sided) and could jeopardize due process.

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

Kuna Planning & Zoning
Department

January 11, 2017

1565351

PO #5104

IDAHO PRESS TRIBUNE
MERIDIAN PRESS, KUNA MELBA NEWS
C/O ISJ PAYMENT PROCESSING CENTER
PO BOX 1570
POCATELLO ID 83204
(208)467-9251

ORDER CONFIRMATION

Salesperson: LEGALS Printed at 01/04/17 10:06 by sje14

Acct #: 345222 Ad #: 1565351 Status: N

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

Start: 01/11/2017 Stop: 01/11/2017
Times Ord: 1 Times Run: ***
LEG 1.00 X 68.00 Words: 255
Total LEG 68.00
Class: 0006 GOVERNMENT NOTICES
Rate: LG Cost: 55.32
Affidavits: 1

Contact: CHRIS ENGLES
Phone: (208)387-7727
Fax#:
Email: awelker@kunaid.gov; gsmith@k
Agency:

Ad Descrpt: 16-09-AN
Given by: NANCY STAUFFER
Created: sje14 01/04/17 10:00
Last Changed: sje14 01/04/17 10:06

PUB	ZONE	EDT	TP	START	INS	STOP	SMTWTFS
KMN	A	96	S	01/11			

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type) Name (signature)

(CONTINUED ON NEXT PAGE)

CITY OF KUNA
PLANNING & ZONING DEPARTMENT
PO Box 13 • 751 W 4th St • Kuna, Idaho • 83634
Phone (208) 922-5274 • Fax: (208) 922-5989
www.kunacity.id.gov

Exhibit 4-4

Dear Property Owner:

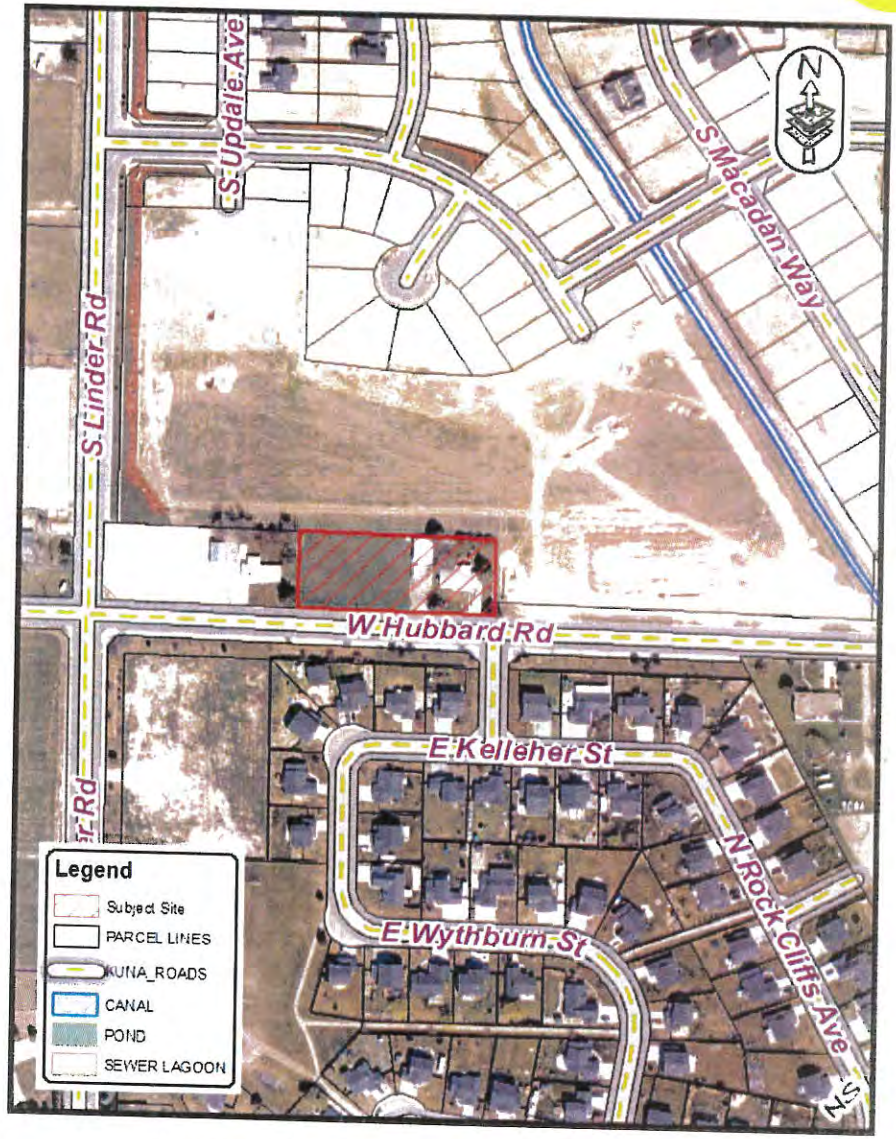
NOTICE IS HEREBY GIVEN that the Kuna Planning and Zoning Commission is scheduled to hold a public hearing on **January 24, 2017** beginning at 6:00 pm on the following case: 16-09-AN (Annexation); an annexation request with an 'R-2'zoning designation by Michael Robinson

The site is located at 1420 West Hubbard Rd (refer to adjacent map).

The public hearing will be held in the City Council Chambers at Kuna City Hall located at 751 West 4th Street, Kuna, Idaho.

All documents concerning public hearing items may be reviewed at Kuna City Hall, 751 West 4th 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 Council 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 City Council and read into the record.



Please refer to the case name: **16-09-AN (Robinson Annexation)** in all correspondence concerning this case

Mailed 1/4/17

CITY OF KUNA

PLANNING & ZONING DEPARTMENT

751 W. 4th Street
P.O. Box 13
Kuna, ID 83634
Phone: 208-922-5274
Fax: 208-922-5989
www.kunacity.id.gov

January 10, 2017

Michael Robinson
1420 W. Hubbard Rd.
Kuna, ID 83634

Completeness Letter

RE: 16-09-AN; Robinson Property Annexation: 1420 W. Hubbard Rd. (APN #S1312336075)

Dear Mr. Robinson:

After receiving the neighborhood meeting certification documents from Mr. Robinson on August 19, 2016, Kuna Planning and Zoning staff has reviewed the submitted annexation application for the parcel referenced above, and has determined the application to be complete upon receipt of the fees. The Planning and Zoning public hearing date for your case is tentatively set for **January 24, 2017**.

Fees

The following application fees are due:

Annexation Fees:	$1,200.00 + $30 per acre
	$30.00
	$100.00 Engineering fees
Total Due:	**$1,330.00**

In order to keep this tentative hearing date, please ensure that the property is properly posted at least ten (10) days prior to the scheduled hearing date, and all fees are paid. Please feel free to contact me if you have any questions.

Thank you,

Nancy Stauffer
City of Kuna
Planning Technician

Exhibit
A-5

CITY OF KUNA

PLANNING & ZONING DEPARTMENT

751 W. 4th Street
P.O. Box 13
Kuna, ID 83634
Phone: 208-922-5274
Fax: 208-922-5989
www.kunacity.id.gov

FILE NUMBER	**16-09-AN** (Annexation) by Michael Robinson
PROJECT DESCRIPTION	The applicant is requesting approvals for annexation of an approximately **1** acre +/- parcel into the City of Kuna with an 'R-2' (Residential) zoning designation.
SITE LOCATION	1420 W. Hubbard Rd. Kuna, ID 83634
Owner	Michael Robinson 1420 W. Hubbard Rd. Kuna, ID 83634
Representative	Michael Robinson
SCHEDULED HEARING DATE	**Tuesday, December 24, 2016** **6:00 P.m.**
STAFF CONTACT	Nancy Stauffer, Planning Technician Phone: 639-5342 Fax: 922.5989

We have enclosed information to assist you with your consideration and responses. The public hearing is at 6:00 p.m. or as soon as it may be heard located at Kuna City Hall 751 W 4th St. Kuna, ID 83634. **No response within 15 business days will indicate you have no objection or concerns with this proposed action.** We would appreciate any information you can supply us as to how this action would affect the services your agency provides.

Exhibit B-1

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: Michael Robinson
1420 West Hubbard Road
Annexation
16-09-AN

DATE: November 30, 2016

The City Engineer has reviewed the annexation request of the above applicant dated November 23, 2016. It is noted that specific development plans are not provided except those implied as allowed or permitted in a "R-2" zone.

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. With additional development, 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 Robinson property is in Hubbard Road fronting the site, is within 50 feet and is considered "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.

Exhibit
B-2

2. **Potable Water Needs**

a) The applicant's property to be annexed is presently used for residential purposes, has its own private water system and does not require City service. With additional development, it will require municipal water 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) The nearest point of connection for the Robinson property is in Hubbard Road fronting the site, is within 50 feet and is considered "reasonably available". 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) 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 private potable water. The city does have pressure irrigation facilities in the vicinity. Accordingly, the City Engineer recommends connection to City pressure irrigation facilities at the owner's option.
b) As a condition related to paragraph 3(a), connection to pressure irrigation shall constitute an automatic petition for inclusion in the municipal irrigation system and an agreement to the pooling of this property's water rights for delivery purposes.
c) The nearest point of connection for the Robinson property is adjacent to the property in Timbermist Subdivision No. 3, is within 50 feet and is considered "reasonably available". 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 (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 (Hubbard Road). The following conditions are related to these classified streets and future quarter line classified streets and apply at the time of additional 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.

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

(208) 334-8300
itd.idaho.gov

December 7, 2016

Nancy Stauffer
City of Kuna, Planning and Zoning Department
P.O. Box 13
Kuna, ID 83634

VIA EMAIL

RE: 16-09-AN MICHAEL ROBINSON

The Idaho Transportation Department has reviewed the referenced annexation application for Michael Robinson at 1420 West Hubbard Road west of SH-69 milepost 4.20. ITD has the following comments:

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

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

Sincerely,

Ken Couch
Development Services Coordinator
Ken.Couch@itd.idaho.gov

Exhibit
B-3

CENTRAL DISTRICT HEALTH DEPARTMENT

CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:
- ☐ ACZ
- ☐ Boise
- ☐ Eagle
- ☐ Garden City
- ☒ Kuna
- ☐ Meridian
- ☐ Star

RECEIVED 12-5-16

Rezone # 16-09-AN

Conditional Use # _____

Preliminary / Final / Short Plat _____

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

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

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

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

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

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

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

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

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

☐ 14. _____

Reviewed By: Lori Badger

Date: 11/29/16

Exhibit B-4

City of Kuna

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

P & Z Staff Memo

To: Planning and Zoning Commission **(P & Z)**

Case Numbers: 16-03-CPM (Comprehensive Plan Map Amend) and 16-10-AN (Annexation)
Ashton Estates Subdivision

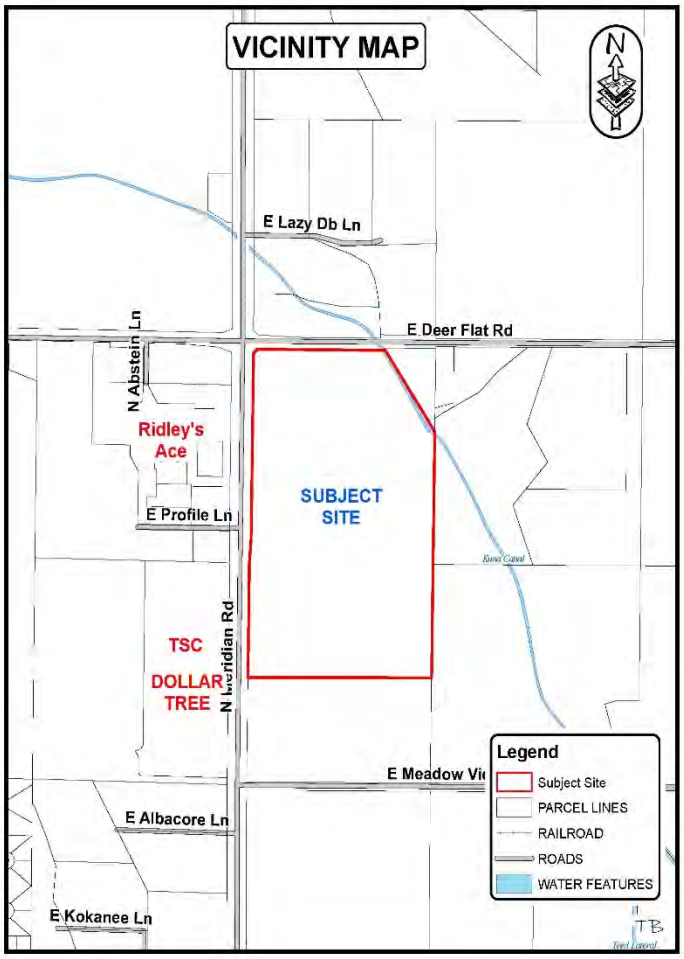
Location: Southeast Corner (SEC) Meridian and Deer Flat Roads, Kuna, Idaho 83634

Planner: Troy Behunin, Planner III

Hearing Date: *January 10, 2017*
Tabled Until: *January 24, 2017*

Owner: **SDN, LLC,**
Don Newell
P.O. Box 1939
Eagle, ID 83616
208.404.2161
Ashton.home@hotmail.com

Engineer: **KM Engineering**
Kirsti Grabo
9233 W. State St,
Boise, ID 83714
208.639.6930
KGrabo@kmengllp.com



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A. Process and Noticing
B. Applicants Request
C. Aerial map
D. Site History
E. General Project Facts
F. Staff Analysis
G. Applicable Standards
H. Procedural Background
I. Factual Summary
J. Proposed Findings of Fact
K. Proposed Comprehensive Plan Analysis
L. Idaho Code Analysis
M. Proposed Conclusions of Law
N. Recommended Conditions of Approval

A. Process and Noticing:

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that Comprehensive Plan Map Amendments and Annexations are designated as public hearings, with the P & Z Commission as a recommending body and City

Council as the decision making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

a. Notifications

i.	Neighborhood Meeting	October 6, 2016 (13 people attended)
ii.	Agency Comment Request	November 14, 2016
iii.	315' Property Owners Notice	December 14, 2016
iv.	Kuna, Melba Newspaper	December 14, 2016
v.	Site Posted	December 28, 2016

B. Applicant's Request:

On behalf of SDN, LLC, the applicant, Kirsti Grabo with KM Engineering, requests approval to amend the Comprehensive Plan (Comp Plan) Map designation for the site, from Medium Density Residential to Mixed-Use General over approximately 51 acres. The site is contiguous to Kuna City limits and the applicant requests approval to annex the same parcel into Kuna City with the following zones throughout the site; C-1 (Neighborhood Commercial), R-6 (Medium Density Residential) and R-20 (High Density Residential). The subject site is located on the southeast corner (SEC) of Meridian and Deer Flat Roads.

C. Aerial Map:

©Copyrighted

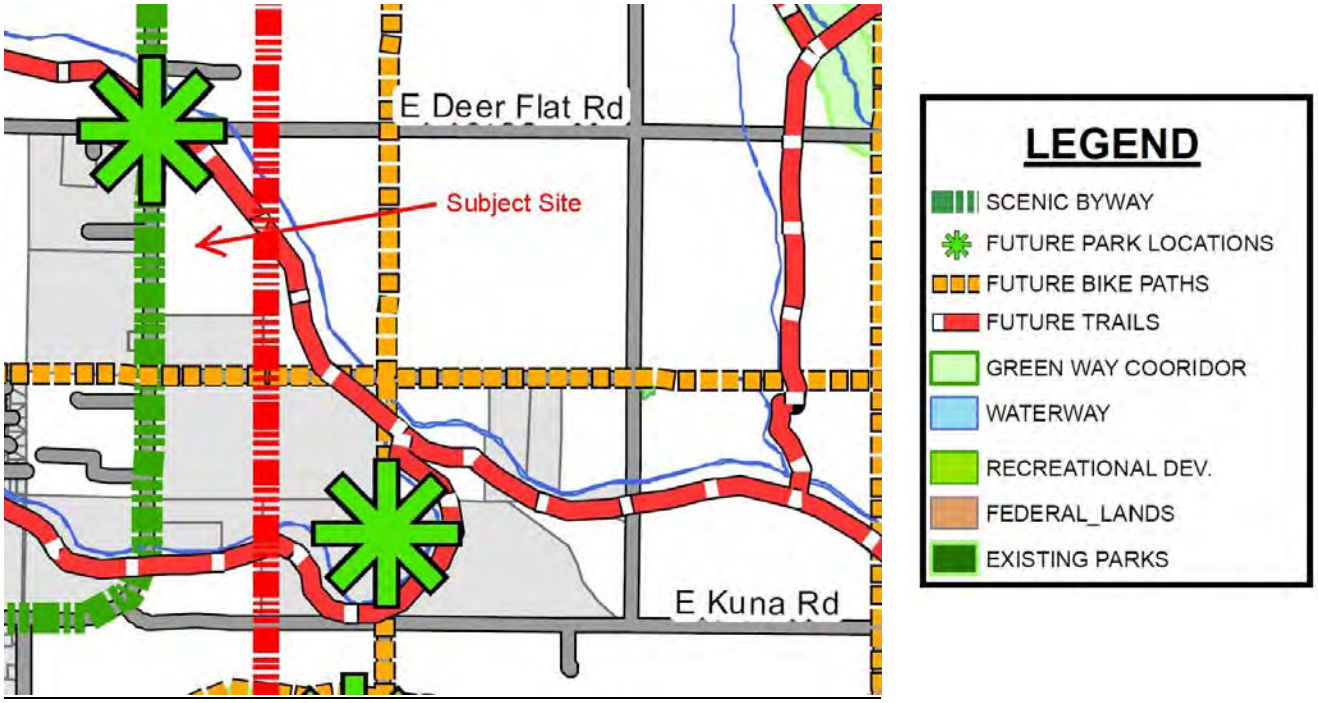
D. Site History:

This site is currently in the County, and historically has been farmed. It is directly east of two Kuna City commercial subdivisions – the Merrell Family Center and Ensign Subdivisions.

E. General Projects Facts:

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

2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map indicates a future trail through the northeast corner (NEC) of the site, situated along the Kuna Canal. Accordingly, it is the City's goal and desire to increase the number of trails and pathways in Kuna. It is necessary for each parcel to develop trails and pathways along frontages of their canals and ditches to comply with the Master Plan goals by either starting a pathway, or extending one in that area.



3. **Surrounding Land Uses:**

North	RUT	Rural Urban Transition – Ada County
South	A	Agriculture – Kuna City
East	RR	Rural Residential – Ada County
West	C-1	Neighborhood Commercial – Kuna City

4. **Parcel Sizes, Current Zoning, Parcel Number(s):**
   - Parcel Size: 51 acres (approximately).
   - Zoning: RUT; Rural Urban Transition, (Ada County).
   - Parcel #: S1419223151.

5. **Services:**

   Sanitary Sewer– City of Kuna (Nearby and required to connect)
   Potable Water – City of Kuna (Nearby and required to connect)
   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

6. **Existing Structures, Vegetation and Natural Features:**
The land is currently being used for agricultural purposes. Applicant anticipates that the land will continue the historic agricultural uses on the lands until development occurs. This site is generally flat, with a slight slope from the north end to the center of the site, and a slight slope from the south end toward the center of the site. The site has a slight "V" shape. The soils appear to be a Hydrologic Group D for the majority of the site with a general slope of less than 2%.

7. **Transportation / Connectivity:**
The applicant proposes four access points for the site. Two access points on Meridian Road, to include one full public road access on the south and a Right-in/Right-out (RIRO) driveway on the north. The applicant has proposed two access points on Deer Flat Road, including one full public access on the east side, and a second RIRO (driveway) on the west side. Staff notes that the Highway Overlay District standards state that connection to Meridian Road shall be at the full and/or mid-mile alignment.

8. **Environmental Issues:**
Staff is not aware of any environmental, health or safety conflicts.

9. **Agency Responses:**
The following agencies returned comments: City Engineer (Gordon Law, P.E.) *Exhibit B 1*, Ada County Highway District (Stacey Yarrington) *Exhibit B 2*, Boise Project Board of Control (Bob Carter) *Exhibit B 3*, Central Dist. Health Dept. (Lori Badigian), *Exhibit B 3*, Department of Environmental Quality (DEQ) *Exhibit B 5*, which are included with this case file and are included with this report.

F. Staff Analysis:

This project will be required to submit a subdivision application, and a Planned Unit Development (PUD) application in the future to introduce mixed-uses along with a design review application as uses are identified. The property abuts Kuna City limits on the west (Profile Ridge). This project is adjacent to a principle arterial (Meridian Rd./Highway 69) and minor arterial (Deer Flat Rd.). All major public utilities are within 300 feet, or adjacent to this site. Applicant intends to prepare the site for a mixed-use development to include commercial pads, new single-family and multi-family housing options. It is anticipated this development will take a number of phases for complete build-out.

This project proposes a mixed-use development. The project size is approximately 51 acres in size and proposes three different zones. The C-1 (Neighborhood Commercial) is approximately 14.28 acres or 28 % of the overall site. The R-6 (Medium Density Residential) is approximately 27.26 acres or 53.8% of the overall site. The R-20 (High Density Residential) is approximately 9.09 acres or 17.9 % of the overall site. The proposed Commercial will front Meridian and Deer Flat Roads in compliance with recommendations from the Comprehensive Plan. The medium residential provides a buffer between the proposed commercial and current uses on the east and southern sides of the site and complies with mixed-use design principles. The high density residential is centrally located (and surrounded by medium density residential and the commercial uses) and maintains the good design principles for mixed-uses and is the smallest use for the project.

Staff has reviewed Kuna's Comprehensive Plan (Comp Plan), which encourages commercial developments, and a variety of housing types for all income levels numerous times throughout the Comp Plan. The sections of the Comp Plan that address new commercial and various housing types are included below, in Section K (Comp Plan analysis) of this report. The City attempts to balance new commercial uses as well as all housing types within the City. Staff will work with the applicant for future preliminary plat and PUD applications to assure technical compliance with Kuna City Code (KCC), as required. Staff recommends the applicant work with Kuna Rural Fire District (KRFD) to conform to the secondary access limits of the KRFD, for the number of homes utilizing access points for all proposed access and circulation at time of development.

Staff has determined this application complies with Title 5 and 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No's 16-03 –CPM and 16-10-AN, subject to the conditions of approval by Kuna's Commission and Council.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5, Chapter 13
2. City of Kuna Comprehensive Plan, adopted September 1, 2009
3. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

H. Procedural Background:

On January 24, 2017, the Planning and Zoning Commission considered the applications, including agency comments, staff's report, application exhibits and public testimony presented or given.

I. Factual Summary:

This site is located on the southeast corner of Meridian and Deer Flat Roads. The project consists of 51 (approx.) acres that are adjacent to City limits and currently zoned RUT (Rural Urban Transition – Ada County). Applicant requests amending the Comp Plan Map designation from Medium Density Residential to Mixed-Use General; to annex the same parcel into Kuna City with the following zones throughout the site; C-1 (Neighborhood Commercial - approximately 14.28 acres), R-6 (Medium Density Residential - approximately 27.26 acres), and R-20 (High Density Residential; approximately 9.09 acres). If approved, this project will take access from Meridian Road (principle arterial) in two places, and from Deer Flat Road (minor arterial) in two places. Both roads are classified roadways.

J. Proposed Findings of Fact:

Based upon the record contained in Case No's **16-03-CPM and 16-10-AN,** including the Comprehensive Plan, Kuna City Code, staff's memorandums, the exhibits, and the testimony during the public hearing, Kuna Commission hereby recommends *approves/denies* the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 16-03-CPM and 16-10-AN, a request for Comprehensive Plan Map amendment and annexation into Kuna City limits request by the applicant follows:

The Commission concludes that the applications do/do not comply with the City of Kuna's Zoning regulations (Title 5) of KCC.

1. The Kuna Commission accepts the facts as outlined in the staff memo, the public testimony and the supporting evidence list presented.

Comment: *The Kuna* Commission *held a public hearing on the subject applications on January 24, 2017, to hear from City staff, 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.*

2. Based on the evidence contained in Case No's 16-03-CPM and 16-10-AN, this proposal appears to *generally* comply with the Comprehensive Plan and Comp Plan Map.

Comment: *The Comp Plan has listed numerous goals for providing commercial, single-family and multi-family housing in Kuna. The Comp Plan Map designates this property as Medium Density. As this project proposes to accommodate commercial and residential uses the project generally follows the goals of the Comp Plan and the Comp Plan Map.*

3. The Kuna Commission has the authority to recommend approval or denial of these applications.

Comment: *On January 24, 2017, Kuna's Commission voted to recommend approval/denial of case No's* 16-03-CPM and 16-10-AN.

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

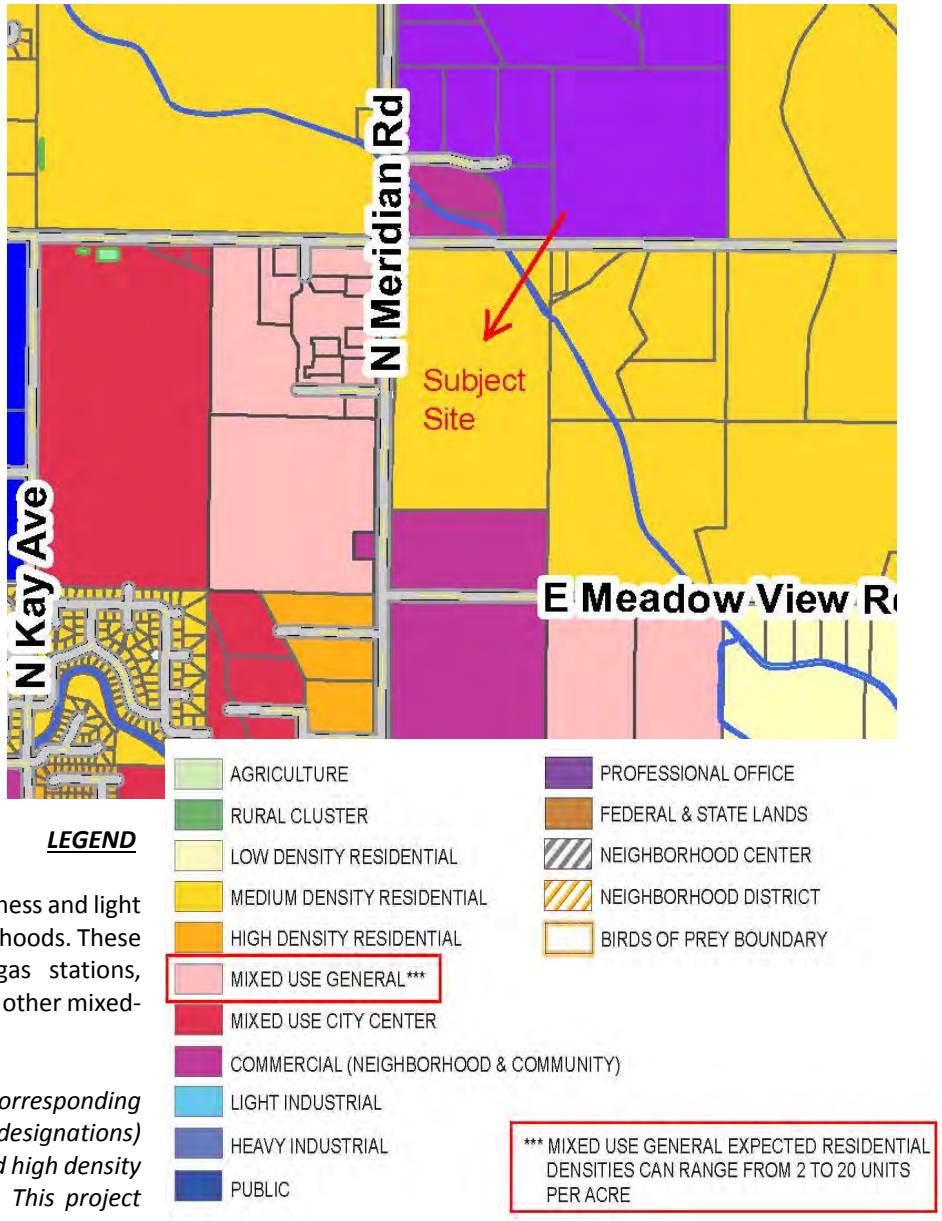
Comment: *As noted in the process and noticing sections, notice requirements were met to hold a public hearing on January 24, 2017.*

K. <u>Commissions Comprehensive Plan Analysis:</u>

Commission determines the proposed subdivision for the *site is/is not* consistent with the following Comp Plan components:

<u>Housing:</u>

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 price 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 [Comprehensive Plan –**CP**]).



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 (Page 13 - CP).

***Comment**: The Comp Plan and the corresponding Future Land Use Map (with land use designations) provides for a mix of medium density and high density residential uses and commercial uses. This project has proposed a variety of densities mixed with commercial, <u>therefore</u> it generally conforms to the Comp Plan and the Future Land Use Map.*

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:
Promote and support a diverse and sustainable economy that will allow more Kuna residents to work in their community, and develop policies to provide incentives and assistance to attract companies. Ensure an adequate supply of housing for all income levels and facilitate pedestrian connections, both visually and physically, to enhance pedestrian movement (Pg. 42 – 1.5, Pg. 43 – 3.1 and Pg. 41 – 1 & 1.3 [CP]).

Comment: *The Comp Plan encourages a mix of commercial uses and adequate housing for all income levels and calls for increasing pedestrian connections. This project supplies a number of additional housing types to Kuna's inventory and provides opportunities for quality housing. This development should add to the City's pedestrian network for non-motorized transportation, by proposing pathway connections for development to connect to in the future.*

Land Use Goals and Objectives - Section 6 - Summary:
Encourage and support mixed uses to accommodate a diverse range of business and commercial activity balanced with residential uses. Provide a broad mix of services within walking distances while strengthening the economy and providing opportunity for social interactions. Encourage commercial development on transportation corridors. 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 (Pg. 63 – 1.1, Pg. 64 – 2.1, 2.2, 2.2.1, 3.1 & Goal 3, Pg. 65 – 4.3 and 6.4.1 Def. Pg. 89 [CP]).

Comment: *This project adds a number of quality commercial opportunities and multiple housing varieties to the City's inventory for all types of lifestyles, ages and economic groups.*

Transportation - Section 9: Encourage developers to create mixed-use developments that will reduce travel demand through trip capture. Increase Kuna's employment opportunities as a means of reducing commuter trips (Page 119 – Obj. 3.2 Policy 1 and 2 [CP]).

Comment: *Applicant proposes a mixed-use development adding to employment opportunities and may reduce commuter trips, therefore, it complies with the comp plan goals and policies*

Housing Goals and Objectives - Section 12 - Summary:
Adopt mixed-use land strategies which assure the self-sufficiency of neighborhoods 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 mixed-use 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 (Pg. 155 – Obj. 1.1, Pg. 163 12.4 and Pg. 165 – 2.1 [CP]).

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 (Page 155 [CP]).

Comment: *Applicant proposes a high-quality development for commercial development along with a variety of dwelling types, densities, and price points for all income levels in this part of Kuna as encouraged by the Comp Plan. This project significantly adds to the City's overall network of commercial uses, utilities, sidewalks and roadways, therefore it complies with logical, orderly development and discourages land divisions and development greater than one half acre, and avoids increased municipal services costs and sprawl.*

Community Design Goals and Objectives - Section 13 - Summary:
Strengthen Kuna's Image through good community and urban design principles that create mixed-uses and 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 (Pg.167 – Goal 1 and Pg. 168 – 1.2 and 2.1[CP]).

Comment: *Applicant proposes good community and urban design principles through creation of Mixed-Uses and a self-sustaining development, adding to the pedestrian pathway network and adding to the City's sidewalk network. Applicant also proposes improving Deer Flat Road, which adds to the roadway system thereby complying with the adopted Master Street Plan of Kuna (Functional Classified Road Map). This development should also incorporate landscape buffers creating a sense of place for citizens. Therefore, this project fosters sound community design concepts and complies with the Comp Plan goals and strengthens Kuna's image.*

Neighborhoods:
Kuna's updated Plan is an advocate for the development of self-sufficient and mixed-use 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 (Page 179 [CP]).

Comment: *Applicant proposes an extension of the sidewalk and roadway system which complies with the Master Street Plan adopted by Kuna. Applicant should also propose connections to adjacent parcels by adding stub streets, pathways and sidewalks for pedestrian and non-motorized transportation. Applicant proposes R-6, and R-20 housing densities thereby complying with call for a variety of housing types outlined within the Comp Plan and Comp Plan Map.*

L. City Council's Idaho State Code Analysis:

1. **IC §67-6511 (2) C** requires that the Commission analyze the proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, ***or*** would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction.

2. **IC §67-6513** provides that the City provide for mitigation of the effects of subdivision development on the ability of political subdivisions of the state, including school districts, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision.

3. Through discussions and comments submitted by public service providers, the project would not create demonstrable adverse impact to quality of emergency service and/or delivery of said services, or impose substantial additional costs to current residents.

M. The Commission's Conclusions of Law:

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

1. The Commission feels the site *is/is not* physically suitable for subdivision and development into a single-family subdivision, as proposed.

   Comment: *The 51 acre (approximate) project does/does not appear to be suitable for subdivision and development as a mixed-use subdivision, as proposed.*

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

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

3. The Comprehensive Plan Map amendment and annexation applications are not likely to cause adverse public health problems.

   Comment: *The subdivision of the property would generally comply with the Comp Plan. The project would connect to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

4. 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*: Through correspondence with public service providers and application evaluation, this project appears to avoid detriment to surrounding uses. Commission did consider the subdivision and the location of the property with adjacent uses.*

5. The existing and proposed street and utility services in proximity to the site are suitable *or* adequate for commercial and 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.*

6. Based on the evidence contained in Case No's 16-03-CPM and 16-10-AN, Commission finds Case No's 16-03-CPM and 16-10-AN do/do not adequately comply with Kuna City Code.

7. Based on the evidence contained in Case No's 16-03-CPM and 16-10-AN, Council finds Case No's 16-03-CPM and 16-10-AN generally do/do not comply with Kuna's zoning Code.

N. Recommended Conditions of Approval:

Based upon the Comp Plan, Kuna City Code, the record before the Commission, the applicant's presentation and testimony at the January 24, 2017, and discussion at the public hearing, the Kuna Commission votes to recommend approval/denial for Case No's 16-03-CPM and 16-10-AN with the following conditions of approval *at time of development in the future*:

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– With 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 request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
6. Street lights and parking lights 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 and shall be approved in the design review process with all new commercial and multi-family.
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. Applicant shall be conditioned to add appropriate and necessary pathways along water bodies to comply with the Master Recreation and Pathways Map at time of development.
12. The land owner/applicant/developer, and/or any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
13. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
14. Developer/owner/applicant shall comply with all local, state and federal laws.

DATED: This _____ day of _____, 2017.

Exhibit A 2 c

VICINITY MAP

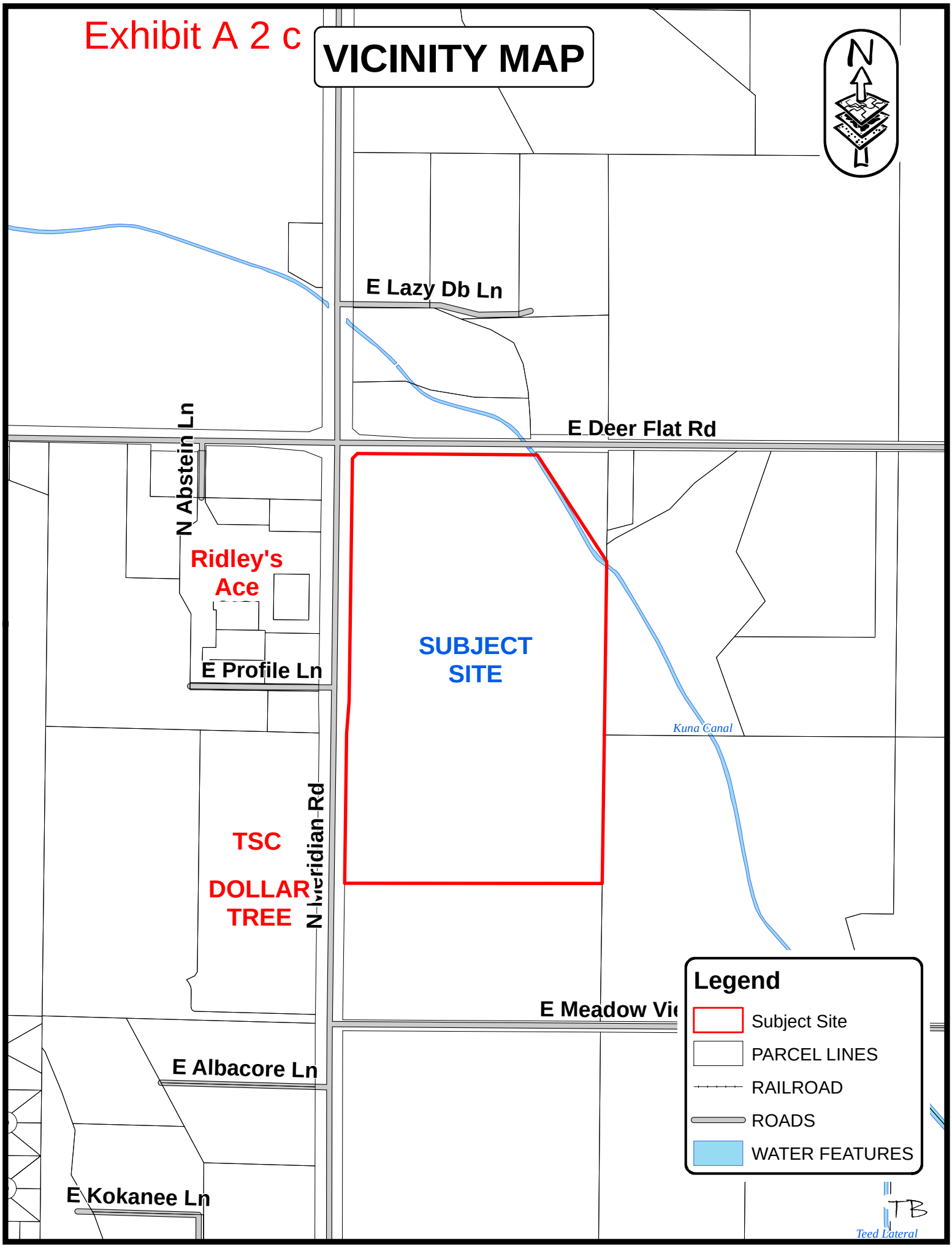


Exhibit A 2 c

AERIAL MAP

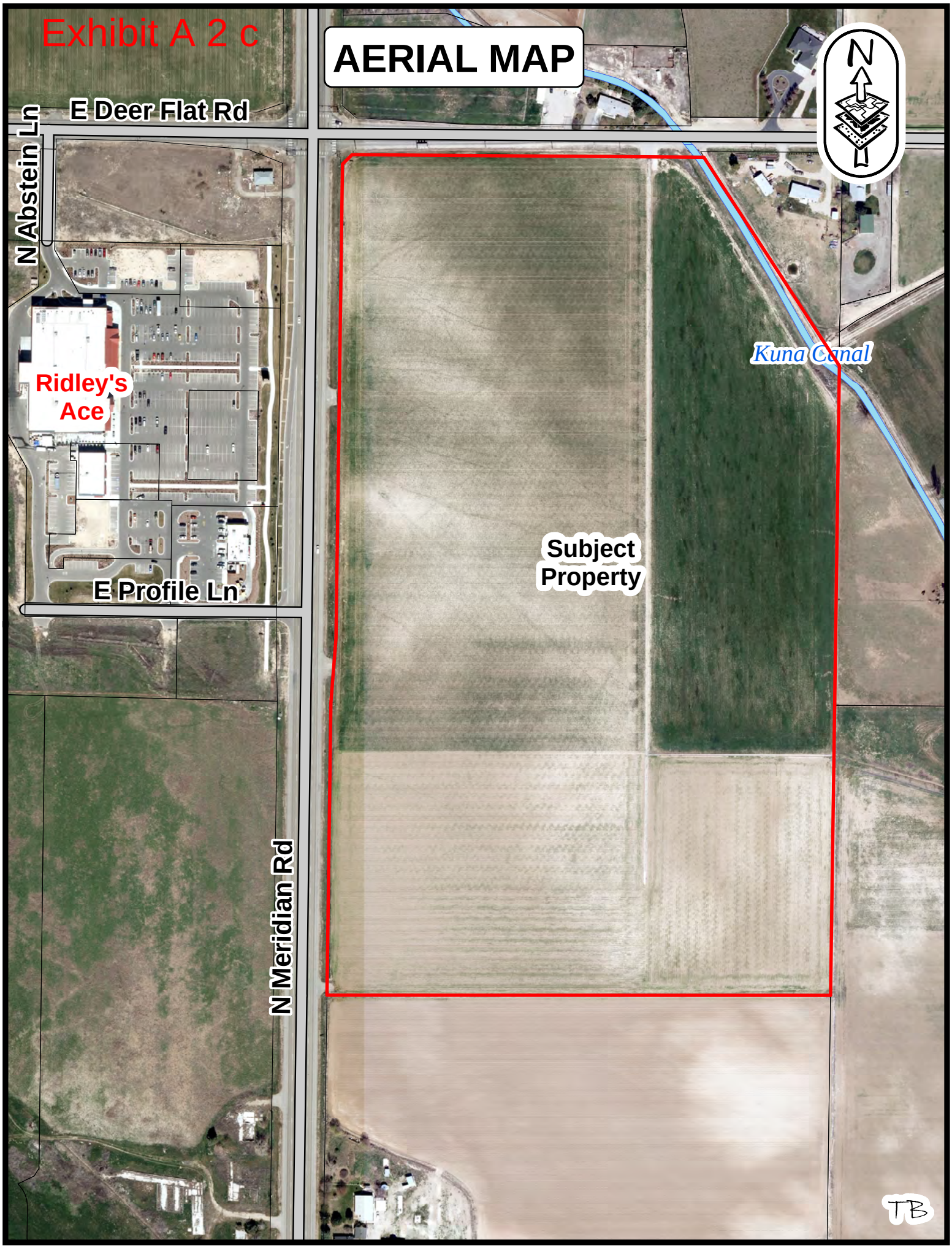


Exhibit A 2 c

69
N Meridian Rd
E Deer Flat Rd
Meadow View Rd
© 2016 Google
Google earth

Exhibit A 2 b

km ENGINEERING

9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

October 21, 2016
Project No.: 16-083

Mr. Troy Behunin
Planning & Zoning Department
City of Kuna
751 West 4th Street
Kuna, ID 83634

RE: Ashton Estates – Ada County, ID
Annexation & Comprehensive Plan Amendment Applications

Dear Mr. Behunin:

On behalf of SDN, LLC, we are pleased to submit the attached applications and required supplements for an annexation and comprehensive plan amendment for the project referenced above.

The subject property is approximately 50.6 acres of agricultural ground and is located at the southeast corner of East Deer Flat and North Meridian Roads. It is presently located in Ada County, but is contiguous to City limits on the south and across Meridian Road on the west. The site is currently zoned RUT in the County with a comprehensive plan designation of Medium-Density Residential. As a part of this application, we are requesting to amend the comprehensive plan to the Mixed Use General designation and annex the property into the City of Kuna with a zoning mix of C-1, R-6, and R-20.

Comprehensive Plan Amendment

With the existing comprehensive plan designation of Medium-Density Residential, the subject property is limited to single-family residential uses, which are not ideally located adjacent to busy thoroughfares. The future vision for the site includes a mix of commercial, multi-family, and single-family residential uses with commercial and multi-family being contemplated along the roadways. The area designated for single-family use will allow homes to be set back from Meridian and Deer Flat Roads while also providing transition areas and buffering between commercial uses at the northwest corner and agricultural uses to the east and south. To accommodate this proposed blend of uses, we are requesting the Mixed Use General comprehensive plan designation across the site. This is compatible with the area, as the surrounding Comprehensive Plan designations are Commercial and Professional Office to the north, Commercial to the south, and Mixed Use General to the west.

Annexation and Zoning

As previously stated, the subject property is contiguous to City limits on both the west and south. Annexation into the City will provide enhanced development opportunities while furthering the City's goals of not only expanding commercial development in the area, but providing multi-family and single-family components to support the commercial growth.

In conjunction with annexation, we are requesting to zone the site with three separate designations to accommodate a mix of uses, which are depicted on the attached Zoning Exhibit. The proposed designations and uses are as follows:

- C-1: We are proposing the C-1 zone for 14.28 acres adjacent to Deer Flat and Meridian Roads for future commercial and/or multi-family development.

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- R-20: As a transition area, we are proposing the R-20 zone for 9.09 acres of future high-density residential development east and south of the commercial area. This zone will allow future flexibility to develop this area as multi-family or single-family homes as the market dictates.
- R-6: For the balance of the site (27.26 acres), we are proposing the R-6 zone to accommodate single-family residences and a 3.0-acre City park, which will be centrally located and easily accessible by both residents of Ashton Estates and the community at large. The single-family area is intended to include a mix of lot sizes and will provide a buffer between the busy commercial components along Meridian and Deer Flat Roads and the agricultural uses to the east and south.

Access

As a part of this project, we are requesting four points of access along the existing public roads as follows. The distances below are measured from the intersection of Meridian and Deer Flat Roads, and the accesses have been placed to meet ACHD and ITD spacing requirements.

East Deer Flat Road

- Full access 660' east of the intersection
- Right-in/Right-out access 330' east of the intersection

North Meridian Road / SH 69

- Full access 1,120' south of the intersection in alignment with existing approach across the road
- Right-in/Right-out access 600' south of the intersection

At this time we anticipate that both full access points will be utilized for future public streets and distribution of traffic through the entirety of the project. Further, these streets will be stubbed to the neighboring properties on the south and east for future connectivity.

The right-in/right-out approaches will provide direct access to the commercial component of this project. Adequate access is critical to the success of commercial development, and the addition of these access points aids in the flow of traffic not only to/from Meridian and Deer Flat Roads, but across the various commercial properties, as well. All the commercial properties will be subject to reciprocal access easements to protect access to the approaches for all parties.

These access points will be subject to review and approval by ACHD and ITD based on a traffic analysis that is presently underway.

Public Utilities

We have conducted multiple meetings with Kuna's City Engineer to understand sewer, water, and pressure irrigation facilities, all of which are available for connection across Meridian Road with development of this site. As the project progresses, we will also work with the remaining public utilities including power, gas, phone, and cable to ensure that adequate utilities are provided.

Timing

It is our intention to follow this application package with a preliminary plat submittal in the coming months. Before expending resources to prepare the full preliminary plat, we felt it prudent to obtain the City's feedback on the vision for the project so that any alterations can be incorporated into the layout.

Exhibit A 2 b

Conclusion

With the proposals discussed herein, we feel that the new Ashton Estates project complements the City's vision for commercial uses along major roadways while also providing a blend of housing opportunities for this growing area. We look forward to working with staff to accomplish this great addition to the City of Kuna.

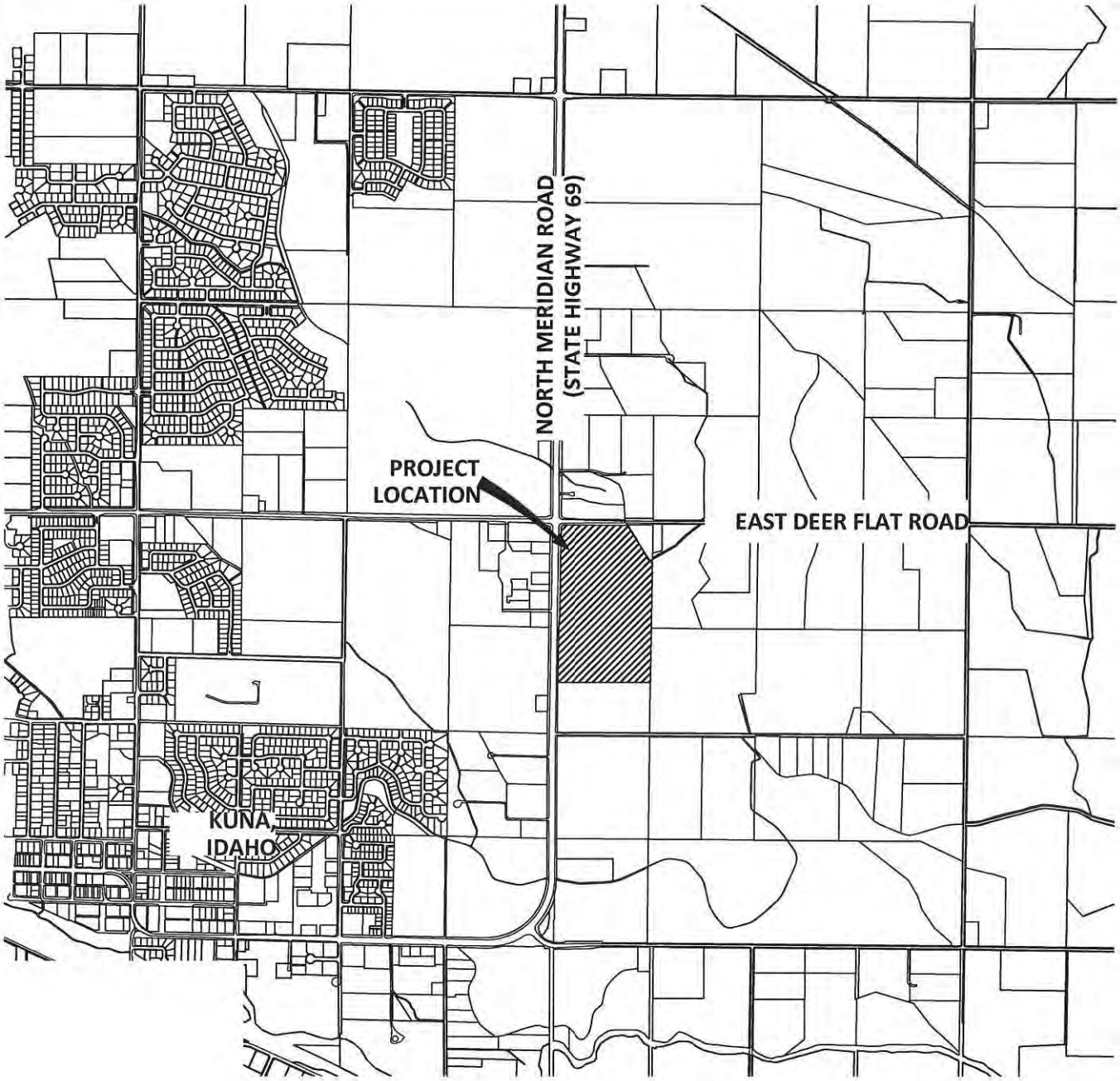
Should you have questions or require further information in order to process these applications, please feel free to contact me.

Sincerely,
KM Engineering, LLP

Kirsti Grabo
Development Coordinator

cc: SDN, LLC

Exhibit A 2 c



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Plan Scale

km ENGINEERING
ENGINEERS . SURVEYORS . PLANNERS
9233 WEST STATE STREET
BOISE, IDAHO 83714
PHONE (208) 639-6939
FAX (208) 639-6930

DATE:	10/21/2016
PROJECT:	16-083
SHEET:	1 OF 1

ASHTON ESTATES
VICINITY MAP

SITUATED IN THE NORTHWEST 1/4 OF SECTION 19, T3N, R1E, BM,
SOUTHEAST CORNER OF MERIDIAN ROAD AND DEER FLAT ROAD, KUNA, ID

P:\16-083\CAD\EXHIBITS\VICINITY MAP.DWG, JAMES HANLEY, 10/21/2016, KYOCERA TASKALFA 4550CI KX.PC3, ----

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Exhibit A 2 a

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

For Office Use Only	
File Number (s)	16-10-AN 16-03-CPM
Project name	
Date Received	10.21.16
Date Accepted/ Complete	
Cross Reference Files	
Commission Hearing Date	
City Council Hearing Date	

Type of Review (check all that apply):

- [x] Annexation
- [ ] Appeal
- [x] 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

Contact/Applicant Information

Owners of Record: SDN, LLC
Address: PO Box 1939
City, State, Zip: Eagle, ID 83616
Phone Number: 208.404.2161
E-Mail: ashton.homes@hotmail.com
Fax #:

Applicant (Developer): same
Address:
City, State, Zip:
Phone Number:
E-Mail:
Fax #:

Engineer/Representative: KM Engineering
Address: 9233 West State Street
City, State, Zip: Boise, ID 83714
Phone Number: 208.639.6939
E-Mail: kgrabo@kmengllp.com
Fax #: 208.639.6930

Subject Property Information

Site Address: North Meridian Road
Site Location (Cross Streets): Southeast Corner of Meridian & Deer Flat
Parcel Number (s): S1419223151
Section, Township, Range: Section 19, T2N, R1E
Property size : 50.6 acres
Current land use: ag
Proposed land use: mixed use
Current zoning district: Ada County RUT
Proposed zoning district: C1, R6, R20

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Exhibit A 2 a

Project Description

Project / subdivision name: Ashton Estates

General description of proposed project / request: annexation and comp plan amendment for future mixed use project

Type of use proposed (check all that apply):

- [x] Residential single-family and possible multi-family
- [x] Commercial
- [ ] Office
- [ ] Industrial
- [ ] Other

Amenities provided with this development (if applicable): 3-acre park

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:

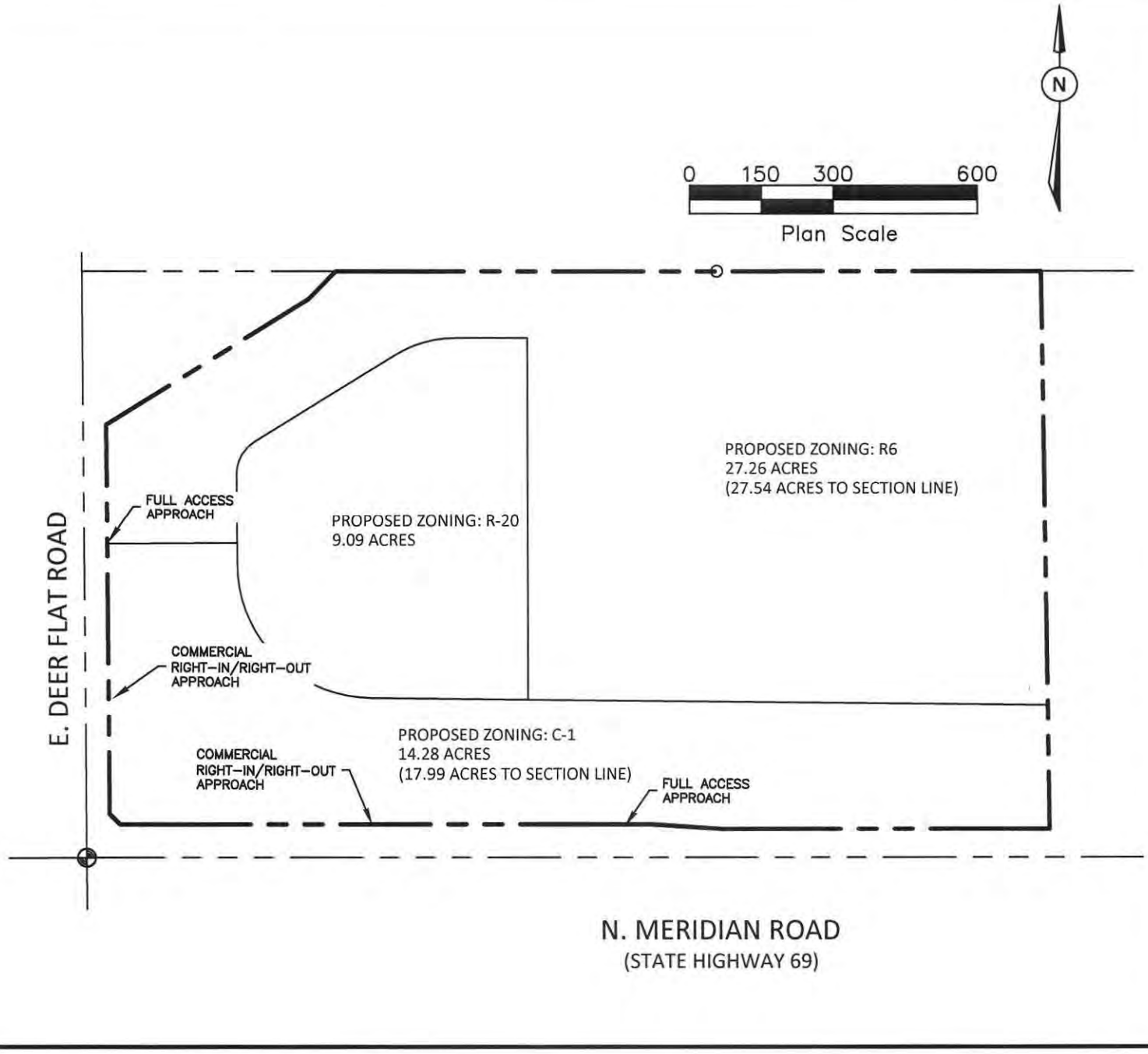
a. Handicapped spaces: _____ Dimensions: _____
b. Total Parking spaces: _____ Dimensions: _____
c. Width of driveway aisle: _____

Proposed Lighting: _____

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

Applicant's Signature: _____ Date: 10.21.16

Exhibit E 1



ASHTON ESTATES
KUNA, IDAHO

ZONING EXHIBIT

DATE:	10/20/2016
PROJECT:	16-083

SHEET:
1 OF 1

km ENGINEERING
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RECEIVED 10.21.16

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Exhibit B 1

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.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: Ashton Hills
Annexation
16-10-AN, 16-03-CPM

DATE: November 17, 2016

The City Engineer has reviewed the annexation request and associated Comprehensive Plan Map change of the above applicant dated November 14, 2016. It is noted that while the application outlines the applicant's general development intent, specific development plans are not provided except those implied as allowed or permitted in an "R-6", "R-20" or "C-1" zone. It is understood, however, the applicant intends to develop portions of this property under terms of future land-use actions. The applicant desires City services for these future developments and the City Engineer affirms herein 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 consistent with the enclosed comments but to keep in mind that these comments may be expanded or refined 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, is not connected to City services and would be subject to connection fees for the demand of the ultimate connected load as provided in the City's Standard Table. City Code (6-4-2O) requires connection to the City sewer system for all sanitary sewer needs.
   b) The property is located within the Profile Ridge sewer shed which discharges to the Danskin Lift Station and thence to the North Wastewater Treatment Plant.
   c) This property was not included in Local Improvement District 2006-1, and consequently, has no connection fee credits and reserved treatment capacity. Nevertheless, there are adequate connection credits available for purchase from others. 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.

d) For any connected load, it is recommended this application be conditioned to conform to the sewer master plan, particularly to the providing of sewer mains and trunk lines in the master plan.
e) The nearest Sewer Main capable of serving this property lies on the opposite side of Highway 69 approximately 200 feet distant. It will require the applicant to bore an oversized line across the Highway for which he will be eligible for oversizing reimbursement consistent with City policies.
f) At all reasonable locations where sewer service could be extended to adjoining properties, sewer mains should be stubbed to the property line or extended in right-of-way in or adjacent to the project – both at useable depths. This applies to a sewer main with easements to be extended north and south along the Highway 69 frontage.
g) 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, is not connected to City water service and would be subject to connection fees for the demand of the ultimate connected load as provided in the City's Standard Table. City Code (6-4-2X) requires connection to the City water system for all potable water needs. The City has sufficient potable water supply to serve this site.
b) The nearest point of water connection for the property lies on the opposite side of Highway 69 approximately 200 feet distant. It will require the applicant to bore an oversized line across the Highway for which he will be eligible for oversizing reimbursement consistent with City policies.
c) Improvements necessary to provide adequate fire protection as required by Kuna Fire District will be required of the development.
d) For any connected load, it is recommended this application be conditioned to conform to the water master plan. Specifically, 12-inch water mains are required in the portions of the project fronting the Highway 69 and Deer Flat Road.
e) 8-inch water mains should be installed by developer in internal subdivision streets.
f) At least 8-inch water mains are to be extended and connected by developer to water trunk lines and mains through all entryway streets to Deer Flat Road and Highway 69 and in stub streets to adjacent properties.
g) The City Engineer concludes redundancy of water transmission route to the development site is not provided by existing facilities. This matter will be evaluated further in comments related to later applications.
h) The City Engineer has evaluated the distribution of supply wells and available supply in the vicinity of the project and concludes there may be need for a well site within the bounds of the project. This matter will be evaluated further in comments related to later applications.
i) 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 applicant's property is not connected to the City pressure irrigation system. Relying on drinking water for irrigation purposes is contrary to City Code (6-4-2I) and

the public interest, is not accounted for in the approved Water Master Plan and the City Engineer recommends connection to existing City pressurized irrigation facilities. When connecting to the pressure irrigation system, the applicant will need to abide by any relevant irrigation reimbursement policies and agreements and any relevant connection fees.

b) It is recommended this project be conditioned to require connection and annexation to the City Pressure Irrigation system at the time of development. It is further recommended that annexation into the municipal irrigation district and pooling of water rights is a requirement at the time of final platting.
c) The development is subject to connection fees based on number of dwellings and lot size for the residential area and based on ultimate landscaped area and lot size for the commercial area and common lots, as provided in City Resolutions.
d) The nearest point of connection for the Ashton Hills project is on the opposite side of Highway 69 approximately 200 feet distant. It will require the applicant to bore an oversized line across the Highway for which the applicant will be eligible for oversizing reimbursement consistent with City policies.
e) For any connected load, it is recommended this application be conditioned to conform to the Pressure Irrigation Master Plan. The Master Plan designates the providing of trunk lines in the Highway 69 and Deer Flat frontages.
f) The property's irrigation needs are presently served by the Boise-Kuna Irrigation District. The City Engineer has evaluated the distribution of irrigation pump stations and available supply in the vicinity of the project and concludes there is not need for a pump station and reservoir within the bounds of the project.
g) It is recommended that conformity with approved City PI standards is required, including the providing of adequately sized internal and boundary loop lines.
h) For assistance in locating existing facilities, please contact the City Engineer at 287-1727.

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) Runoff from public right-of-way is regulated by ACHD or ITD, depending on the agency responsible for the right-of-way. Plans are required to conform to the appropriate agency standards.
c) Exclusive of public right-of-way, any increase in quantity or rate of runoff or decrease in quality of runoff compared to historical conditions must be detained, treated and released at rates no greater than historical amounts. In the alternative, offsite disposal of storm water in excess of historical rates or conditions of disposal at locations different than provided historically, approval of the operating entity is required. The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for design of any private disposal system.
d) 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.

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.

7. **Right-of-Way**
   The subject property fronts on its north side by a section line principal arterial street (Deer Flat - ACHD) and on its west by a section line principal arterial highway (Highway 69 – ITD) and truck route. 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, ACHD and ITD standards.
   b) It is recommended approaches onto the classified streets comply with ACHD and ITD 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 in connection with property development.
   d) This application proposes two full approaches and two right in/right out approaches to the classified streets. It is not appropriate to comment on this aspect of the application without the results of a traffic study or the input of the operating agencies. Comments on this item will be provided in connection with later applications.
   e) This development must provide stub streets to adjoining properties to the south and east. Comments on this item will be provided in connection with later applications.

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.

9. Property Description

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

Exhibit B 2

Project/File: **Ashton Estates/ KUNA16-0020/ 16-10-AN/ 16-03-CPM**
This is an annexation with rezone from RUT to C-1, R-6, and R-20 throughout the site; and a Comprehensive Map amendment from Medium density residential to Mixed-use. The site is located on 50.6-acres.

Lead Agency: City of Kuna

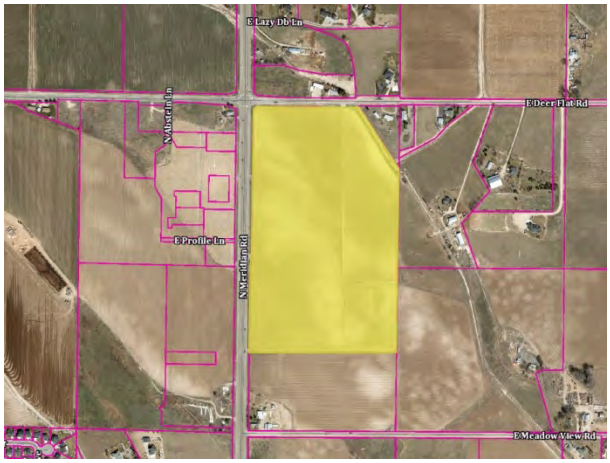
Site address: SEC of Deer Flat Road & SH-69

Staff Approval: January 13, 2017

Applicant: SDN, LLC
PO Box 1939
Eagle, ID 83616

Representative: KM Engineering
Kirsti Grabo
9233 W State Street
Boise, ID 83714

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



A. Findings of Fact

1. **Description of Application:** The applicant is requesting approval of an annexation application with rezone from RUT (Rural Urban Transition) to C-1 (Neighborhood Commercial), R-6 (Medium density residential), and R-20 (High density residential); and a Comprehensive Map amendment from Medium density residential to Mixed-use.

   The site is located on 50.6-acres with the applicant proposing 14.3-acres of the site to be C-1, 9-acres to be R-20, and the remaining 20.3-acres to be R-6.

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

Direction	Land Use	Zoning
North	Rural Urban Transition (Ada County)	RUT
South	Rural Residential (Ada County)	RR
East	Rural Urban Transition, Rural Residential (Ada County)	RUT, RR
West	Neighborhood Commercial, Medium density residential	C-1, R-6

3. **Site History:** ACHD has not previously reviewed this site for a development application.

4. **Adjacent Development:** The following developments are pending or underway in the vicinity of the site:

   - *Profile Ridge, a mixed use development, located directly west of the site is in various phases of development and was approved by ACHD on November 7, 2007.*

- *Winfield Subdivision, located on the NWC of Deer Flat & SH-69, consisting of 348 single residential lots, is currently under review by ACHD.*

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

6. **New Center Lane Miles:** There are no new centerline miles of public roadway associated with this application.

7. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.

8. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
There are currently no roadways, bridges or intersections in the general vicinity of the project that are currently in the Integrated Five Year Work Plan (IFYWP).

- The intersection of Linder Road and Deer Flat Road is scheduled in the IFYWP to be widened to 5-lanes on the north leg, 4-lanes on the south, 5-lanes east, and 5-lanes on the west leg, and reconstructed/signalized in 2020.
- Deer Flat Road is listed in the CIP to be widened to 5-lanes from Linder Road to SH-69/ Meridian Road between 2026 and 2030.
- The intersection of Deer Flat Road and SH-69/ Meridian Road is listed in the CIP to be widened to 6-lanes on the north leg, 6-lanes on the south, 6-lanes east, and 6-lanes on the west leg, and signalized between 2031 and 2035.

B. Traffic Findings for Consideration

1. **Trip Generation:** A Traffic Impact Study has been submitted for the forthcoming preliminary plat and is currently being reviewed. Possible traffic generators that may be located within the site are listed below.

Use (1,000 sf)	Average Daily Trips (ADT)	PM Peak Hour
General Office Building	11.03	1.49
Medical/ Dental Office Building	36.13	3.57
Restaurant	89.95	7.49
Single Tenant Office Building	11.65	1.74
Specialty Retail Center	44.32	2.71
Apartment (unit)	6.65	0.62
Townhouse (unit)	5.81	0.52
Single Family Detached (unit)	9.52	1.00
Senior Adult Housing-Attached (unit)	3.44	0.25

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
**SH-69/ Meridian Road	1,960-feet	Principal Arterial	951	N/A	N/A

Deer Flat Road	842-feet	Minor Arterial	192	Better than "E"	N/A

* Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).

** ACHD does not set level of service thresholds for State Highways.

3. Average Daily Traffic Count (VDT)

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

- The average daily traffic count for SH-69/ Meridian Road south of Deer Flat Road was 16,411 on 7/20/2016.
- The average daily traffic count for Deer Flat Road west of Locust Grove Road was 1,613 on 10/28/2015.

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. SH-69/Meridian Road

SH-69/Meridian Road is under the jurisdiction of the Idaho Transportation Department (ITD). The applicant, City of Kuna, and ITD should work together to determine if additional right-of-way or improvements are necessary on SH-69/ Meridian Road.

2. Deer Flat Road

a. Existing Conditions: Deer Flat Road is improved with 2-travel lanes, and no curb, gutter or sidewalk abutting the site. Existing right-of-way varies between 86 to 73 feet for Deer Flat Road (48-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.

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Deer Flat Road is designated in the MSM as a Transitional/ Commercial Arterial with 5-lanes and on-street bike lanes, a 69-foot street section within 87-feet of right-of-way.

c. Staff Comments/Recommendations: The Deer Flat Road/SH-69 intersection shown in the CIP to be widened/reconstructed in 2031-2035. Therefore the applicant should be required to dedicate 6-feet of additional right-of-way to total 54-feet of right-of-way along Deer Flat Road abutting the site. The additional right-of-way is impact fee eligible for reimbursement.

Deer Flat Road is improved with between 50 to 24 feet of pavement and 3-foot wide gravel shoulders abutting the site. The applicant should be required to widen Deer Flat Road with 17-feet of pavement from centerline of Deer Flat Road abutting the site, plus a 3-foot wide gravel shoulder.

The applicant should be required to construct 5-foot wide concrete sidewalk located a minimum 41-feet from centerline of Deer Flat Road, abutting the site. The applicant should provide a permanent right-of-way easement for any public sidewalk placed outside of the dedicated right-of-way.

3. Internal Collector Roadway

a. Existing Conditions: There are no existing streets internal to the site.

b. Policy:

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

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

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

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

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

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

Sidewalk Policy: District policy 7206.5.6 requires a concrete 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.

c. Staff Comments/Recommendations: The Traffic Impact Study submitted for this development includes a concept plan with an internal loop road. Staff recommends that this loop road be constructed as a collector street to accommodate the potential vehicle trips generated within the site.

4. Internal Local Streets

a. Existing Conditions: There are no existing streets internal to 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.

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

c. **Staff Comments/Recommendations:** Staff recommends that the applicant construct the internal local streets as either a 33-foot street section or 36-foot street section with curb, gutter, and 5-foot wide concrete sidewalk within 50-feet of right-of-way.

5. Roadway Offsets

a. **Existing Conditions:** There are no existing streets onto Deer Flat Road from the site.

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

Local Offset Policy: District policy 7206.4.5, requires local roadways to align or offset a minimum of 330-feet from a collector roadway (measured centerline to centerline).

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

c. **Staff Comments/Recommendations:** The applicant's concept plan shows a full access roadway approach onto Deer Flat Road, located 660-feet east of SH-69/Meridian Road (measured centerline to centerline). The applicant's proposal does not meet District Collector Offset policy because it does not meet the one-half mile minimum offset. However, staff recommends a modification of policy due to the fact that the site has limited frontage along Deer Flat Road. This is a 40% modification to the dimension standard and is approved at the Manager's discretion.

The applicant should be required to construct all internal streets with minimum 125-foot offsets.

6. Stub Streets

a. **Existing Conditions:** There are no existing stub streets to the site.

b. **Policy:**
Stub Street Policy: District policy 7205.2 (arterials)/ 7207.2.4 (local)/ 7208.2.4 (commercial) 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 7205.2.5.4

(arterials)/ 7207.2.5.4 (local)/ 7208.2.5.4 (commercial), 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 7205.2 (arterials)/ 7207.2.4 (local)/ 7208.2.4 (commercial) 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: Staff recommends that stub streets be provided to the 2 large parcels to the east and the large parcel to the south, to provide connectivity to this area.

7. Driveways

7.1 Deer Flat Road

a. Existing Conditions: There is an existing 40-foot wide paved driveway, located approximately 785-feet east of SH-69/Meridian Road, 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 dual left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 710-feet from the intersection for a full-movement driveway.

Successive Driveways: District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 50 MPH to align or offset a minimum of 425-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.

c. **Staff Comments/Recommendations:** The applicant's concept plan shows a commercial driveway located approximately 330-feet east of SH-69/Meridian Road, onto Deer Flat Road from the site. Staff recommends that the proposed driveway be a maximum of 30-feet in width and restricted to right-in/right-out. The driveway should be constructed as a curb return type driveway and minimum 30-foot radii.

7.2 Future Collector Street

a. **Existing Conditions:** There are no driveways internal to the site.

b. **Policy:**

Access 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.

District Policy 7206.1 states that the primary function of a collector is to intercept traffic from the local street system and carry that traffic to the nearest arterial. A secondary function is to service adjacent property. Access will be limited or controlled. Collectors may also be designated at bicycle and bus routes.

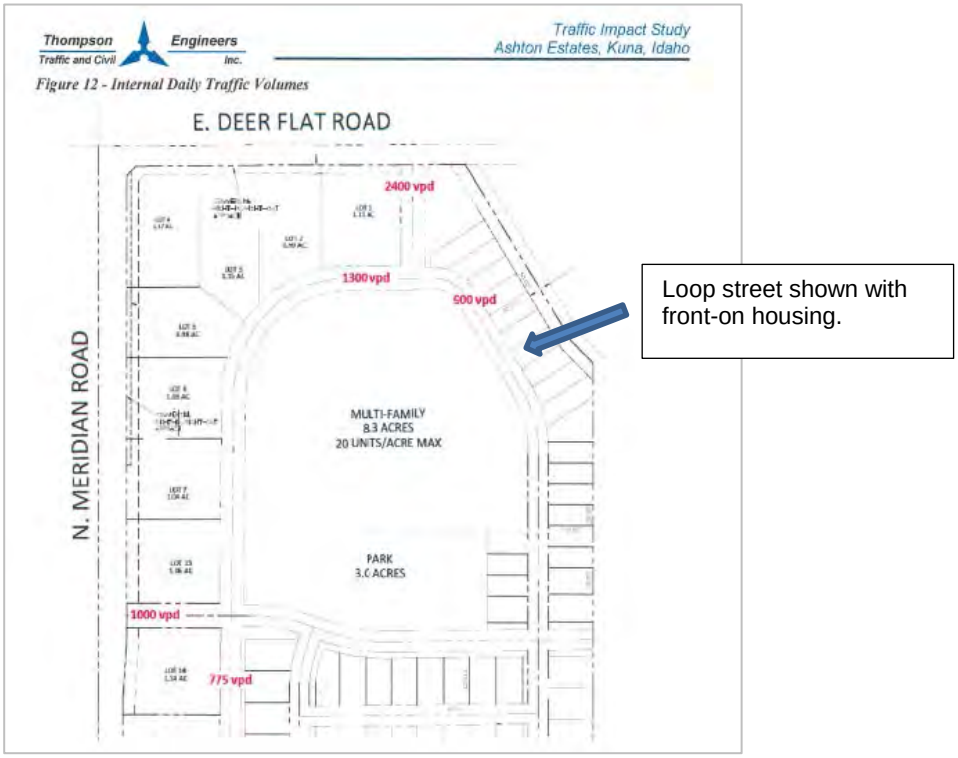
Driveway Location Policy (Stop Controlled Intersection): District policy 7206.4.4 requires driveways located on collector roadways near a STOP controlled intersection to be located outside of the area of influence; OR a minimum of 150-feet from the intersection, whichever is greater. Dimensions shall be measured from the centerline of the intersection to the centerline of the driveway.

Successive Driveways: District policy 7206.4.5 Table 1, requires driveways located on collector roadways with a speed limit of 20 MPH and daily traffic volumes greater than 200 VTD to align or offset a minimum of 245-feet from any existing or proposed driveway.

Driveway Width Policy: District policy 7206.4.6 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, 7206.4.6, 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 7206.4.6.

c. Staff Comments/Recommendations: As stated in 3.c. above, staff recommends that the potential internal loop road be constructed as a collector street. However, future access to the internal streets will be reviewed when the site redevelops in the future. It should be noted that access for residential front-on housing is restricted on collector streets. Therefore, front-on residential housing should be located only on local streets within the site.



8. 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.

9. 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.

10. Other Access

SH-69/Meridian Road and Deer Flat Road are classified as principal and minor arterial roadways. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways.

Exhibit B 2

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.

Exhibit B 2

F. Conclusions of Law

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

G. Attachments

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

Exhibit B 2

VICINITY MAP

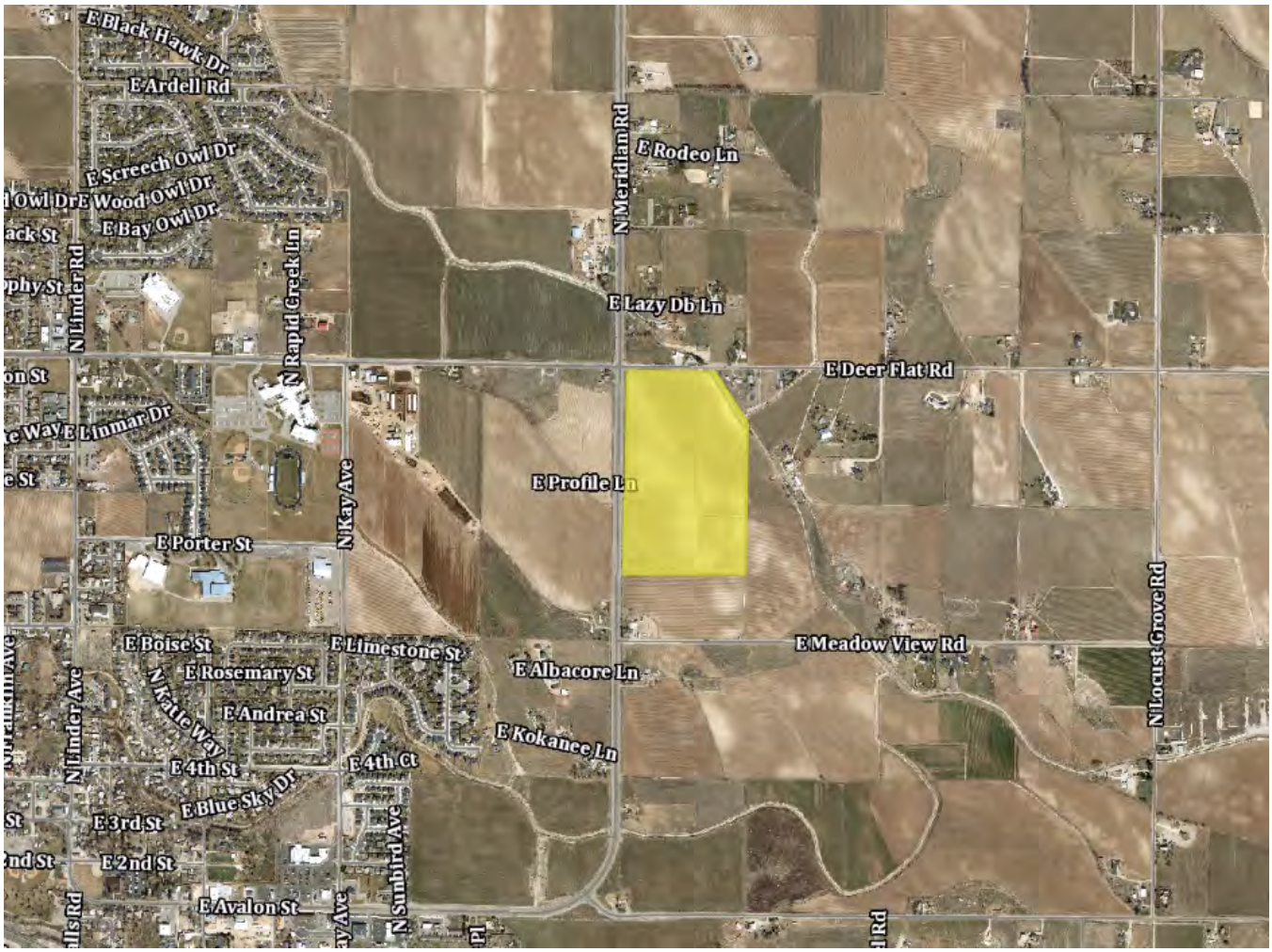
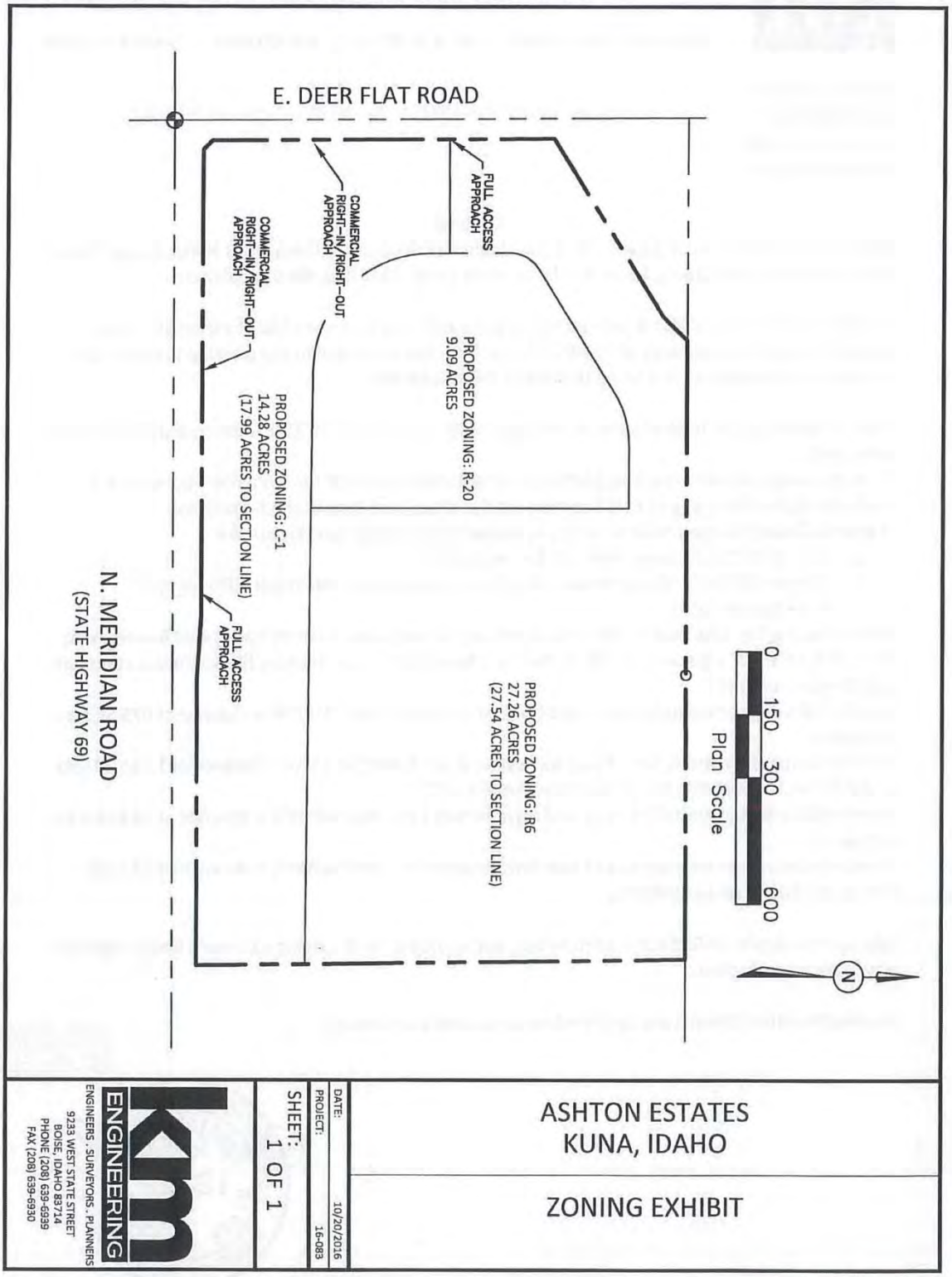


Exhibit B 2

SITE PLAN

P:\16-083\CAD\EXHIBITS\16-083 PRELIM SITE 3.2.DWG, JAMES HANLEY, 10/21/2016, KYOCERA TASKALFA 4550CI KX.PC3, ----



RECEIVED 10.21.16

Exhibit B 2

Ada County Utility Coordinating Council

Developer/Local Improvement District
Right of Way Improvements Guideline Request

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

1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.

2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.

3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.

4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

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

Exhibit B 2

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.

Exhibit B 2

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.

Exhibit B 3

RON PLATT
CHAIRMAN OF THE BOARD

RICHARD MURGOITIO
VICE CHAIRMAN OF THE BOARD

TIMOTHY M. PAGE
PROJECT MANAGER

ROBERT D. CARTER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

JERRI FLOYD
ASSISTANT SECRETARY-TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

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

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

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

21 November 2016

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

RE: KM Engineering- Ashton Estates **File No. 16-03-CPM, 16-10-AN**
SEC Meridian Rd.& Deer Flat Rd.
Boise-Kuna Irrigation District BK-1209B
Kuna Lateral 110+00
Sec. 19, T3N, R1E, BM.

RECEIVED
NOV 28 2016
CITY OF KUNA

Troy Behunin:

The United States' Kuna 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 lateral. We assert this federal easement 28 feet northeast and 25 feet southwest 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.

Project easements must be called out on any future preliminary and final plats.

Fencing (as may be required) must be constructed just off the lateral easement.

The Boise Project does not approve landscaping (other than grass) within its easements.

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

The construction of any roadway crossings must be conducted only during the non-irrigation season when the lateral is dewatered. In any case no work shall take place

Exhibit B 3

within the easement before the proper crossing agreements have been secured through the Bureau of Reclamation and the Boise Project Board of Control.

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

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

Whereas this property lies within the Boise-Kuna Irrigation District it is important that representatives of this development contact the BKID office as soon as possible to discuss the pressure system prior to any costly design work

If 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.

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

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

Boise Project Board of Control requests a full set of plans for our review and approval when applicable.

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

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

Sincerely,

Bob Carter
Assistant Project Manager, BPBC

bdc/bc

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

Exhibit B 4

CENTRAL DISTRICT HEALTH DEPARTMENT

CENTRAL DISTRICT HEALTH DEPARTMENT

Environmental Health Division

RECEIVED 12-5-16

Return to:
- ☐ ACZ
- ☐ Boise
- ☐ Eagle
- ☐ Garden City
- ☒ Kuna
- ☐ Meridian
- ☐ Star

Rezone # 16-03-CPM / 16-10-AM

Conditional Use #

Preliminary / Final / Short Plat

Ashton Estates CityLot Kuna

RECEIVED DEC 05 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: Rob Bandy

Date: 11/29/16

Exhibit B 5

STATE OF IDAHO
DEPARTMENT OF ENVIRONMENTAL QUALITY
BOISE REGIONAL OFFICE
1445 North Orchard Street•Boise, ID 83706-2239•(208) 373-0550

DEQ Response to Request for Environmental Comment

Date:	*11/23/2016*
Agency Requesting Comments:	*City of Kuna*
Date Request Received:	*11/15/2016*
Applicant/Description:	*16-03-CPM Comp Plan MAP Change* *16-10-AN Annexation* *Ashton Estates Commercial & Residential Subdivision*

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at http://www.deq.idaho.gov/ieg/.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. Air Quality

- *Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).*

  For questions, contact David Luft, Air Quality Manager, at 373-0550.

- *IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.*

  For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

2. Wastewater and Recycled Water

- *DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.*

- *IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.*

All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.

- *DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.*
- *DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

For questions, contact Todd Crutcher, Engineering Manager, at 373-0550.

3. Drinking Water

- *DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.*
- *IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.*

  All projects for construction or modification of public drinking water systems require preconstruction approval.

- *DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at http://www.deq.idaho.gov/water-quality/drinking-water.aspx). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.*
- *If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.*
- *DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.*
- *DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.*

For questions, contact Todd Crutcher, Engineering Manager at 373-0550.

4. Surface Water

- *A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.*

- *Please contact DEQ to determine whether this project will require a National Pollution Discharge Elimination System (NPDES) Permit. If this project disturbs more than one acre, a stormwater permit from EPA may be required.*

- *If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.*

- *The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call 208-334-2190 for more information. Information is also available on the IDWR website at:* http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm

- *The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.*

  For questions, contact Lance Holloway, Surface Water Manager, at 373-0550.

5. Hazardous Waste And Ground Water Contamination

- ***Hazardous Waste.*** *The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.*

- *No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.*

- ***Water Quality Standards.*** *Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).*

Exhibit B 3

Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

- ***Ground Water Contamination.*** *DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."*

  For questions, contact Dean Ehlert, Waste & Remediation Manager, at 373-0550.

6. <u>Additional Notes</u>

- *If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at 373-0550, or visit the DEQ website (http://www.deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx) for assistance.*

- *If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.*

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

Sincerely,

Aaron Scheff
aaron.scheff@deq.idaho.gov
Regional Administrator
Boise Regional Office
Idaho Department of Environmental Quality

ec: TRIM 2016AEK111
File # 2232

Exhibit A 2 d

km ENGINEERING

9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

October 21, 2016
Ashton Estates
Project No. 16-083
Annexation Legal

Exhibit A

A parcel of land situated in Government Lots 1 and 2 of Section 19, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at a found aluminum cap marking the northwest corner of said Section 19, which bears S00°46'08"W a distance of 2,649.32 feet from a found aluminum cap marking the West 1/4 corner of said Section 19 and being the **POINT OF BEGINNING.**

Thence following the northerly line of said Government Lot 1, S89°35'35"E a distance of 912.43 feet to a point;
Thence leaving said northerly line, S00°24'25"W a distance of 48.00 feet to a point being on the southerly right-of-way line of East Deer Flat road and the East Bank of the Kuna Canal;
Thence following the East bank of said Kuna Canal the following two (2) courses:

1. S31°15'35"E a distance of 497.97 feet to a point;
2. Thence S45°04'05"E a distance of 82.21 feet to a point on the easterly line of said Government Lot 1;

Thence leaving the East Bank of the Kuna Canal and following the easterly line of said Government Lot 1, S00°45'15"W a distance of 795.44 feet to a found 1/2" rebar marking the southeast corner of said Government Lot 1;
Thence following the easterly line of said Government Lot 2, S00°45'15"W a distance of 675.51 feet to a point;
Thence leaving the easterly line of said Government Lot 2, N89°58'53"W a distance of 1,236.27 feet to a point on the westerly line of said Government Lot 2;
Thence following the westerly line of said Government Lot 2, N00°46'08"E a distance of 684.16 feet to a point;
Thence following the westerly line of said Government Lot 1, N00°46'08"E a distance of 1324.66 feet to the **POINT OF BEGINNING**.

Said parcel contains 54.623 acres more or less, and is subject to all existing easement and/or rights-of-way of record or implied.

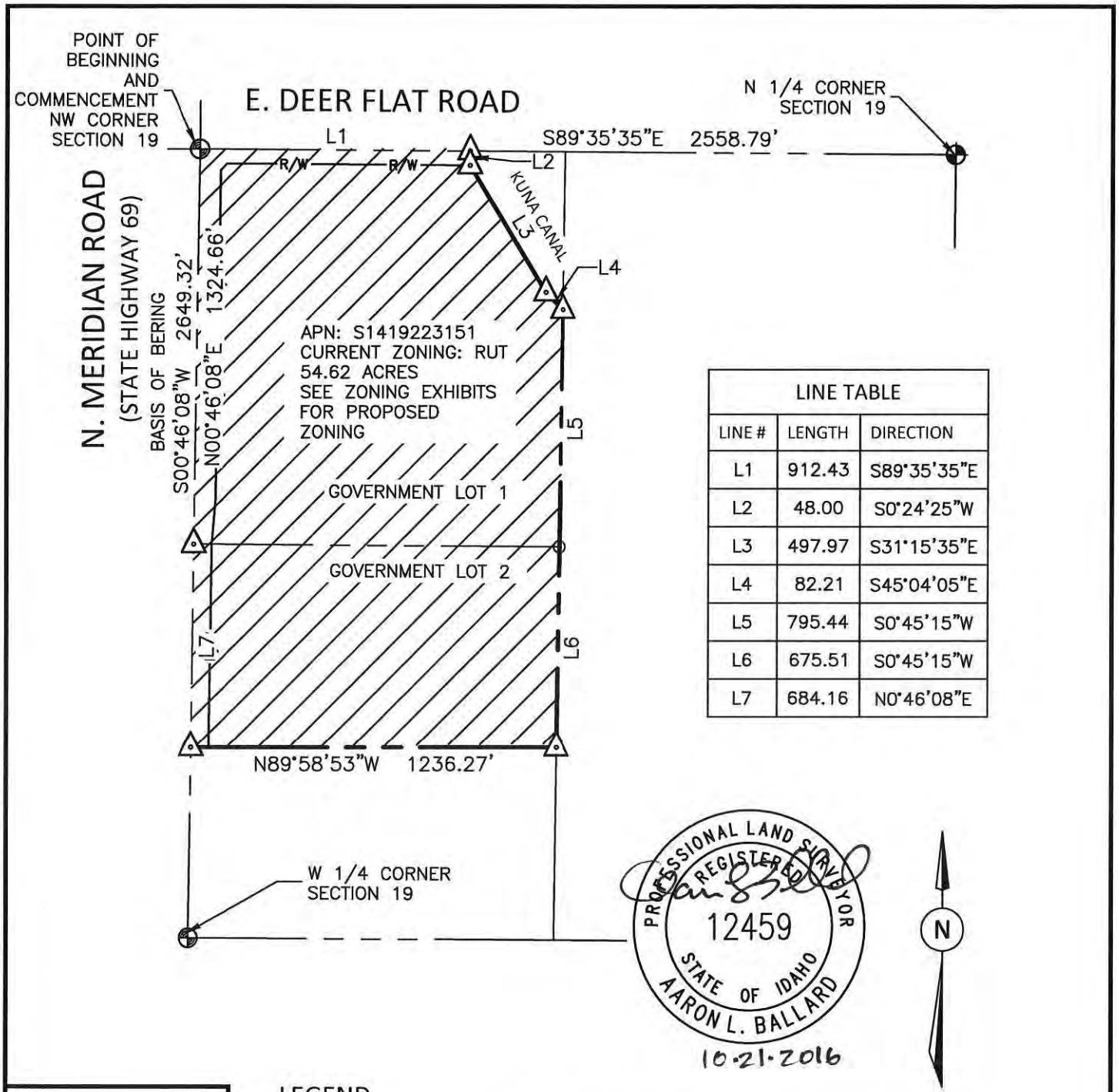
Attached hereto is Exhibit B and by this reference is made a part hereof.

RECEIVED 10.21.16

PROFESSIONAL LAND SURVEYOR REGISTERED 12459 STATE OF IDAHO AARON L. BALLARD

10-21-2016

Exhibit A 2 d



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	912.43	S89°35'35"E
L2	48.00	S0°24'25"W
L3	497.97	S31°15'35"E
L4	82.21	S45°04'05"E
L5	795.44	S0°45'15"W
L6	675.51	S0°45'15"W
L7	684.16	N0°46'08"E

LEGEND

- PARCEL BOUNDARY LINE
- R/W — RIGHT-OF-WAY LINE
- SECTION LINE
- CALCULATED POINT
- FOUND ALUMINUM CAP MONUMENT
- FOUND 5/8" REBAR MONUMENT
- PARCEL AREA

0 250 500 1000

Plan Scale

km ENGINEERING

ENGINEERS . SURVEYORS . PLANNERS

9233 WEST STATE STREET
BOISE, IDAHO 83714
PHONE (208) 639-6939
FAX (208) 639-6930

DATE:	10/21/2016
PROJECT:	16-083
SHEET:	1 OF 1

ASHTON ESTATES ANNEXATION
EXHIBIT B

SITUATED IN GOVERMENT LOTS 1 AND 2 OF SECTION 19, T3N, R1E, BM, SE CORNER OF MERIDIAN ROAD AND DEER FLAT ROAD,ADA COUNTY, ID

P:\16-083\CAD\EXHIBITS\16-083 BOUNDARY EXHIBIT.DWG, JAMES HANLEY, 10/21/2016, KYOCERA TASKALFA 4550CI KX.PC3, ----

Exhibit A 2 d

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9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

October 21, 2016
Ashton Estates
Project No. 16-083
C-1 Rezone Legal

Exhibit A

A parcel of land situated in Government Lots 1 and 2 of Section 19, Township 3 North, Range 1 East, Boise Meridian, City of Kuna, Ada County, Idaho and being more particularly described as follows:

Beginning at a found aluminum cap marking the northwest corner of said Section 19, which bears S00°46'08"W a distance of 2,649.32 feet from a found aluminum cap marking the West 1/4 corner of said Section 19;

Thence following the northerly line of said Government Lot 1, S89°35'35"E a distance of 660.00 feet to a point;
Thence leaving said northerly line, S00°24'11"W a distance of 319.13 feet to a point;
Thence N89°35'28"W a distance of 47.84 feet to a point;
Thence 434.89 feet along the arc of a circular curve to the left, said curve having a radius of 280.00 feet, a delta angle of 88°59'25", a chord bearing of S45°54'26"W and a chord distance of 392.48 feet to a point;
Thence S01°24'43"W a distance of 1,412.61 feet to a point;
Thence N89°58'53"W a distance of 320.17 feet to a point on the westerly line of said Government Lot 2;
Thence following the westerly line of said Government Lot 2, N00°46'08"E a distance of 684.16 feet to a point being the northwest corner of said Government Lot 2;
Thence leaving said westerly line of said Government Lot 2 and following the westerly line of said Government Lot 1, N00°46'08"E a distance of 1324.66 feet to the **POINT OF BEGINNING**.

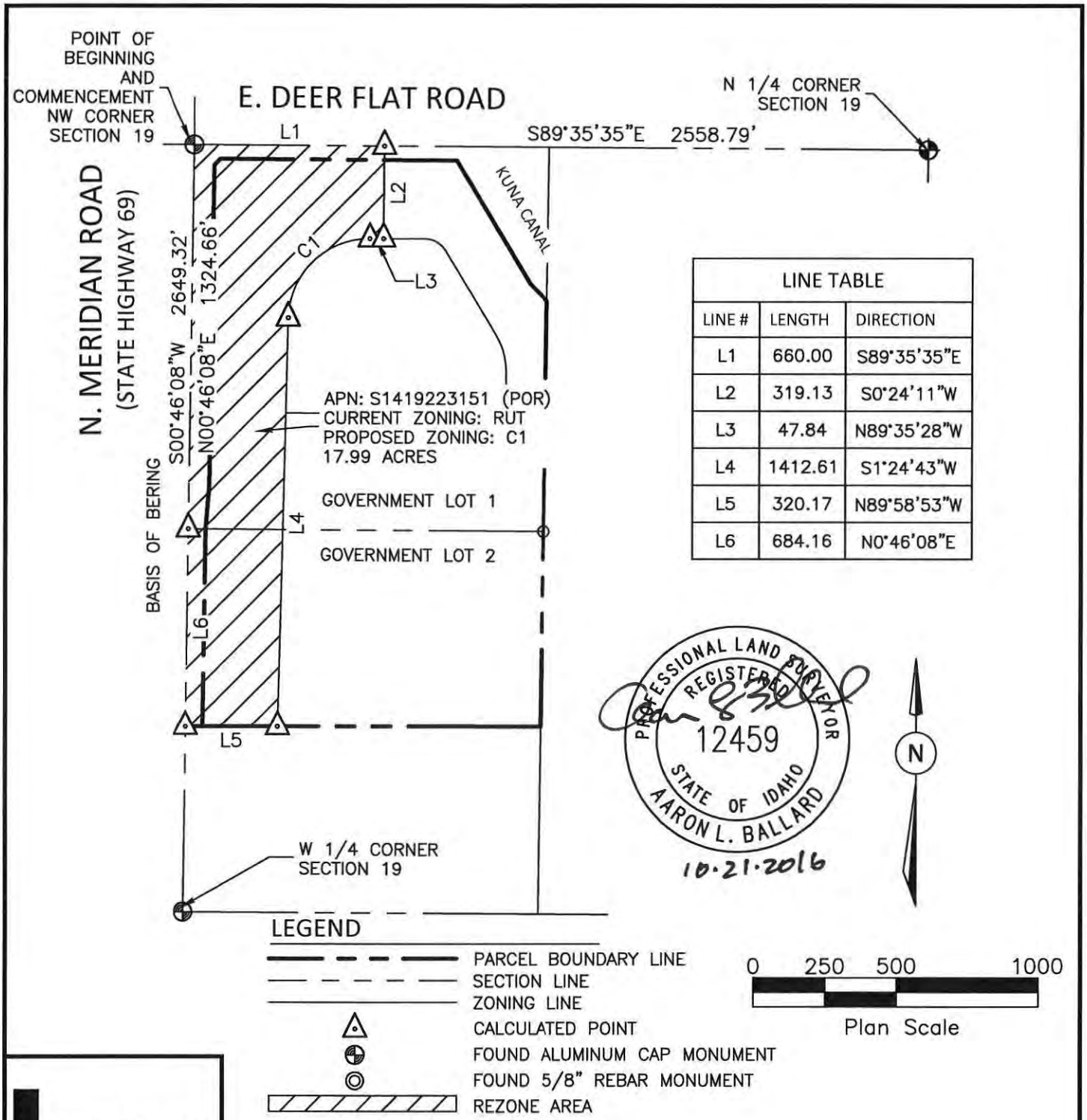
Said parcel contains 17.99 acres more or less, and is subject to all existing easement and/or rights-of-way of record or implied.

Attached hereto is Exhibit B and by this reference is made a part hereof.

PROFESSIONAL LAND SURVEYOR
REGISTERED
12459
STATE OF IDAHO
AARON L. BALLARD
10-21-2016

RECEIVED 10.21.16

Exhibit A 2 d



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	660.00	S89°35'35"E
L2	319.13	S0°24'11"W
L3	47.84	N89°35'28"W
L4	1412.61	S1°24'43"W
L5	320.17	N89°58'53"W
L6	684.16	N0°46'08"E

LEGEND

- PARCEL BOUNDARY LINE
- SECTION LINE
- ZONING LINE
- CALCULATED POINT
- FOUND ALUMINUM CAP MONUMENT
- FOUND 5/8" REBAR MONUMENT
- REZONE AREA

0 250 500 1000

Plan Scale

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	280.00'	434.89'	88°59'25"	S45°54'26"W	392.48'

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9233 WEST STATE STREET
BOISE, IDAHO 83714
PHONE (208) 639-6939
FAX (208) 639-6930

DATE: 10/21/2016
PROJECT: 16-083
SHEET: 1 OF 1

ASHTON ESTATES REZONE
EXHIBIT B

SITUATED IN GOVERNMENT LOTS 1 AND 2 OF SECTION 19, T3N, R1E, BM, SOUTHEAST CORNER OF MERIDIAN ROAD AND DEER FLAT ROAD, KUNA, ID

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Exhibit A 2 d

km ENGINEERING

9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

October 21, 2016
Ashton Estates
Project No. 16-083
R-6 Rezone Legal

Exhibit A

A parcel of land situated in Government Lots 1 and 2 of Section 19, Township 3 North, Range 1 East, Boise Meridian, City of Kuna, Ada County, Idaho and being more particularly described as follows:

Commencing at a found aluminum cap marking the northwest corner of said Section 19, which bears S00°46'08"W a distance of 2,649.32 feet from a found aluminum cap marking the West 1/4 corner of said Section 19; Thence following the northerly line of said Government Lot 1, S89°35'35"E a distance of 660.00 feet to the **POINT OF BEGINNING.**

Thence following the northerly line of said Government Lot 1, S89°35'35"E a distance of 252.43 feet to a point;
Thence leaving said northerly line, S00°24'25"W a distance of 48.00 feet to a point being on the southerly right-of-way line of East Deer Flat road and the East Bank of the Kuna Canal;
Thence following the East bank of said Kuna Canal the following two (2) courses:

1. S31°15'35"E a distance of 497.97 feet to a point;
2. Thence S45°04'05"E a distance of 82.21 feet to a point on the easterly line of said Government Lot 1;

Thence leaving the East Bank of the Kuna Canal and following the easterly line of said Government Lot 1, S00°45'15"W a distance of 795.44 feet to a found 1/2" rebar marking the southeast corner of said Government Lot 1;
Thence leaving said easterly line of said Government Lot 1 and following the easterly line of said Government Lot 2, S00°45'15"W a distance of 675.51 feet to a point;
Thence leaving the easterly line of said Government Lot 2, N89°58'53"W a distance of 916.10 feet to a point;
Thence N01°24'43"E a distance of 1,084.31 feet to a point;
Thence S89°12'37"E a distance of 762.83 feet to a point;
Thence N00°47'23"E a distance of 150.22 feet to a point;
Thence 134.27 feet along the arc of a circular curve to the left, said curve having a radius of 240.00 feet, a delta angle of 32°03'15", a chord bearing of N15°14'14"W and a chord distance of 132.52 feet to a point;
Thence N31°15'52"W a distance of 343.83 feet to a point;
Thence 81.45 feet along the arc of a circular curve to the left, said curve having a radius of 80.00 feet, a delta angle of 58°20'08", a chord bearing of N60°25'56"W and a chord distance of 77.98 feet to a point;
Thence N89°36'00"W a distance of 145.93 feet to a point;
Thence N00°24'11"E a distance of 319.13 feet to the **POINT OF BEGINNING**.

RECEIVED 10.21.16

Exhibit A 2 d

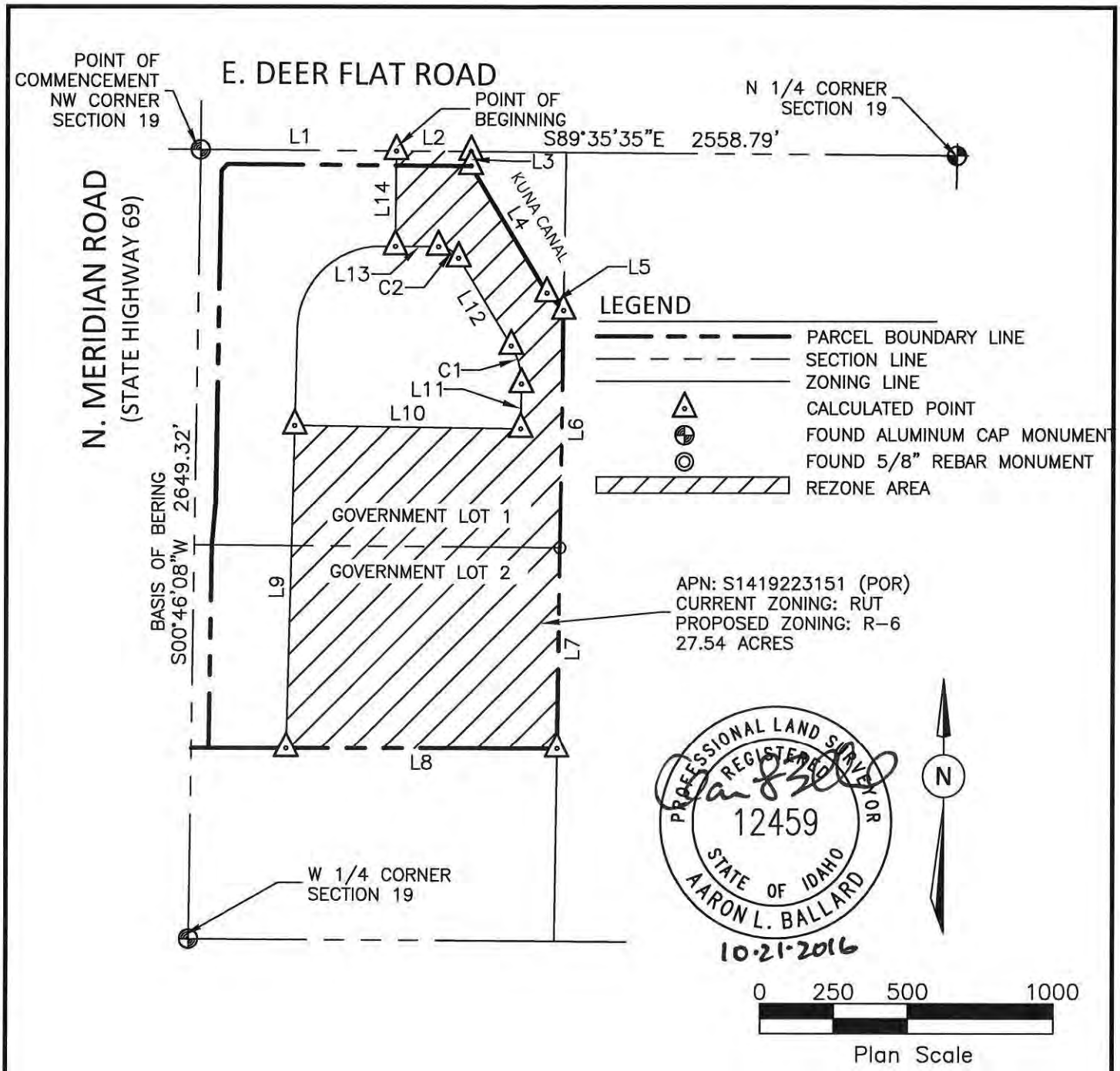
Said parcel contains 27.54 acres more or less, and is subject to all existing easement and/or rights-of-way of record or implied.

Attached hereto is Exhibit B and by this reference is made a part hereof.

PROFESSIONAL LAND SURVEYOR
REGISTERED
12459
STATE OF IDAHO
AARON L. BALLARD

10-21-2016

Exhibit A 2 d



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	240.00'	134.27'	32°03'15"	N15°14'14"W	132.52'
C2	80.00'	81.45'	58°20'08"	N60°25'56"W	77.98'

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9233 WEST STATE STREET
BOISE, IDAHO 83714
PHONE (208) 639-6939
FAX (208) 639-6930

DATE: 10/21/2016
PROJECT: 16-083
SHEET: 1 OF 2

ASHTON ESTATES REZONE
EXHIBIT B

SITUATED IN GOVERNMENT LOTS 1 AND 2 OF SECTION 19, T3N, R1E, BM, SOUTHEAST CORNER OF MERIDIAN ROAD AND DEER FLAT ROAD, KUNA, ID

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Exhibit A 2 d

km ENGINEERING

9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

October 21, 2016
Ashton Estates
Project No. 16-083
R-20 Rezone Legal

Exhibit A

A parcel of land situated in Government Lot 1 of Section 19, Township 3 North, Range 1 East, Boise Meridian, City of Kuna, Ada County, Idaho and being more particularly described as follows:

Commencing at a found aluminum cap marking the northwest corner of said Section 19, which bears S00°46'08"W a distance of 2,649.32 feet from a found aluminum cap marking the West 1/4 corner of said Section 19; Thence following the northerly line of said Government Lot 1, S89°35'35"E a distance of 660.00 feet to point; Thence leaving said northerly line, S00°24'11"W a distance of 319.13 feet to the **POINT OF BEGINNING.**

Thence S89°36'00"E a distance of 145.93 feet to a point;
Thence 81.45 feet along the arc of a circular curve to the right, said curve having a radius of 80.00 feet, a delta angle of 58°20'08", a chord bearing of S60°25'56"E and a chord distance of 77.98 feet to a point;
Thence S31°15'52"E a distance of 343.83 feet to a point;
Thence 134.27 feet along the arc of a circular curve to the right, said curve having a radius of 240.00 feet, a delta angle of 32°03'15", a chord bearing of S15°14'14"E and a chord distance of 132.52 feet to a point;
Thence S00°47'23"W a distance of 150.22 feet to a point;
Thence N89°12'37"W a distance of 762.83 feet to a point;
Thence N01°24'43"E a distance of 328.31 feet to a point;
Thence 434.89 feet along the arc of a circular curve to the right, said curve having a radius of 280.00 feet, a delta angle of 88°59'25", a chord bearing of N45°54'26"E and a chord distance of 392.48 feet to a point;
Thence S89°35'28"E a distance of 47.84 feet to the **POINT OF BEGINNING**.

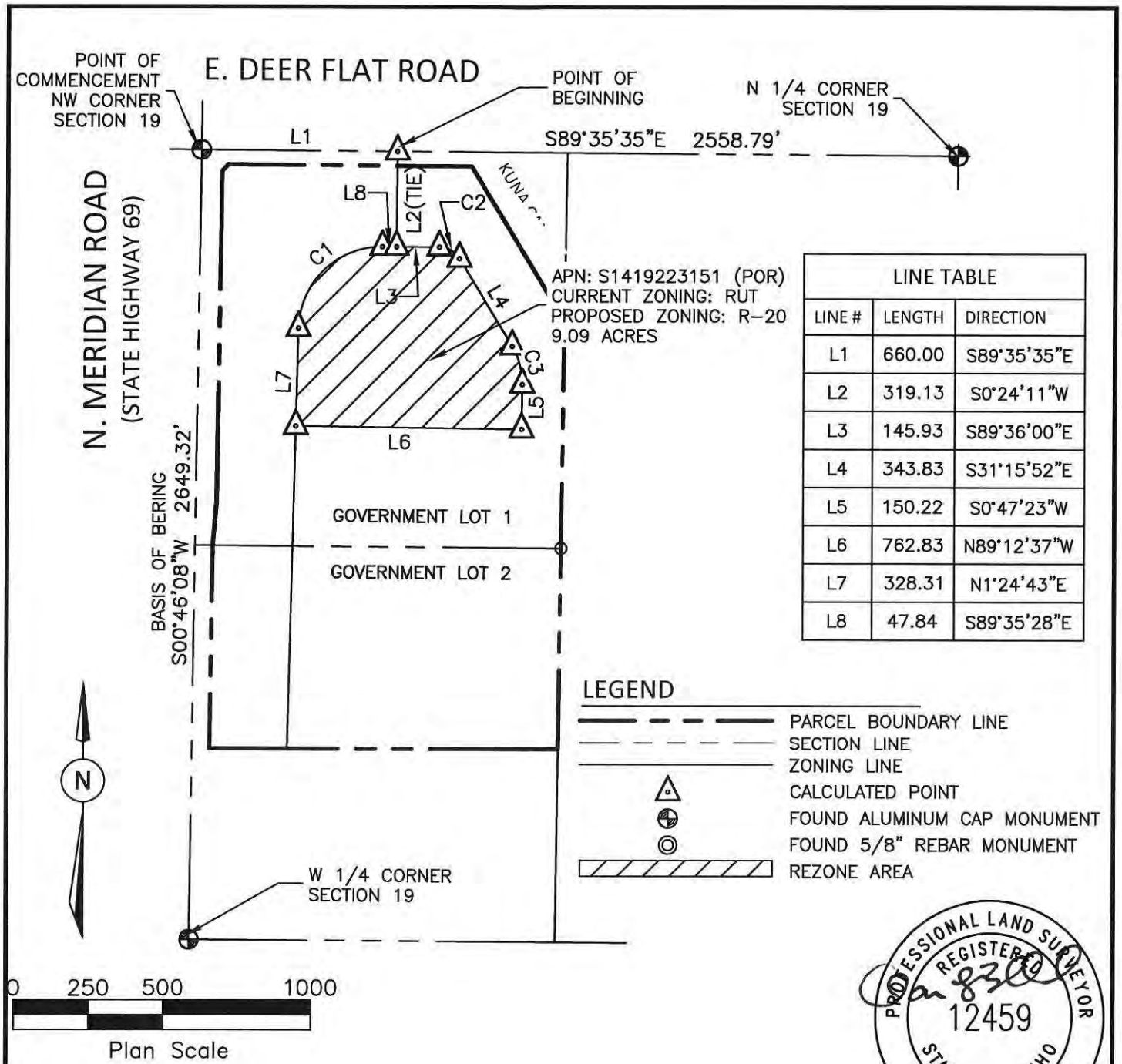
Said parcel contains 9.09 acres more or less, and is subject to all existing easement and/or rights-of-way of record or implied.

Attached hereto is Exhibit B and by this reference is made a part hereof.

PROFESSIONAL LAND SURVEYOR
REGISTERED
12459
STATE OF IDAHO
AARON L. BALLARD
10-21-2016

RECEIVED 10.21.16

Exhibit A 2 d



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	660.00	S89°35'35"E
L2	319.13	S0°24'11"W
L3	145.93	S89°36'00"E
L4	343.83	S31°15'52"E
L5	150.22	S0°47'23"W
L6	762.83	N89°12'37"W
L7	328.31	N1°24'43"E
L8	47.84	S89°35'28"E

PROFESSIONAL LAND SURVEYOR
REGISTERED
12459
STATE OF IDAHO
AARON L. BALLARD
10·21·2016

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	280.00'	434.89'	88°59'25"	N45°54'26"E	392.48'
C2	80.00'	81.45'	58°20'08"	S60°25'56"E	77.98'
C3	240.00'	134.27'	32°03'15"	S15°14'14"E	132.52'

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9233 WEST STATE STREET
BOISE, IDAHO 83714
PHONE (208) 639-6939
FAX (208) 639-6930

DATE: 10/21/2016
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SHEET: 1 OF 1

ASHTON ESTATES REZONE
EXHIBIT B

SITUATED IN GOVERMENT LOT 1 OF SECTION 19, T3N, R1E, BM,
SOUTHEAST CORNER OF MERIDIAN ROAD AND DEER FLAT ROAD, KUNA, ID

P:\16-083\CAD\EXHIBITS\16-083 R-20 REZONE EXHIBIT.DWG, JAMES HANLEY, 10/21/2016, KYOCERA TASKALFA 4550CI KX.PC3, ----

City of Kuna

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

P & Z Staff Memo

To: Planning and Zoning Commission **(P & Z)**

Case Numbers: 16-12-AN (Annexation) ***Renascence Farms and Mason Creek Farms***

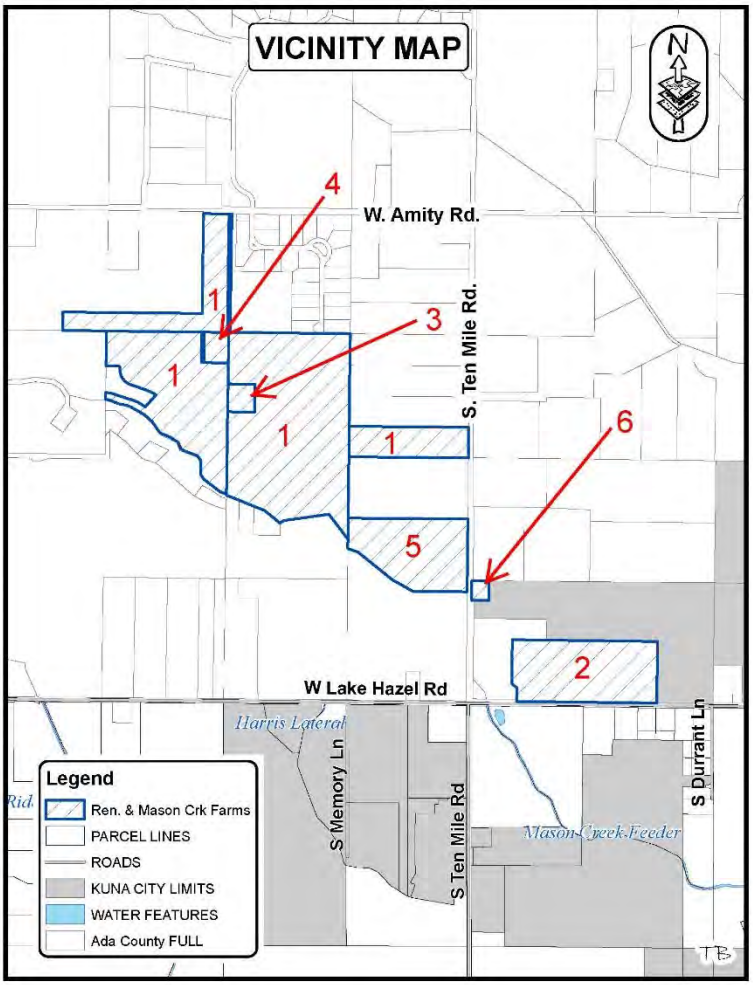
Location: Near the northwest and northeast Corner of Ten Mile and Lake Hazel Roads, Meridian, Idaho 83642

Planner: Troy Behunin, Planner III

Hearing Date: *January 24, 2017*

Engineer: **KM Engineering**
Kirsti Grabo
9233 W. State St,
Boise, ID 83714
208.639.6930
KGrabo@kmengllp.com

Owners (6): 1-*Renascence Farm, LLC*
and
2-*Mason Creek Farm, LLC,*
6152 W. Half Moon Ln.
Eagle, ID, 83616



3-*Roy & Jeanne Spaulding*
3975 W. Amity Rd.
Meridian, ID 83642

4-*Brent & Leslie Anderson*
3985 W. Amity Rd.
Meridian, ID 83642

5-*Alan & Kathryn Colson*
5975 S. Ten Mile Rd.
Meridian, ID 83642

6-*Doug & Susan Roberts*
6020 S. Ten Mile Rd.
Meridian, ID 83642

Table of Contents:

A. Process and Noticing
B. Applicants Request
C. Aerial map
D. Site History
E. General Project Facts
F. Staff Analysis
G. Applicable Standards
H. Procedural Background
I. Factual Summary
J. Proposed Findings of Fact
K. Proposed Comprehensive Plan Analysis
L. Idaho Code Analysis
M. Proposed Conclusions of Law
N. Recommended Conditions of Approval

A. Process and Noticing:

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that annexations are designated as public hearings, with the P & Z Commission as a recommending body and City Council as the decision making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

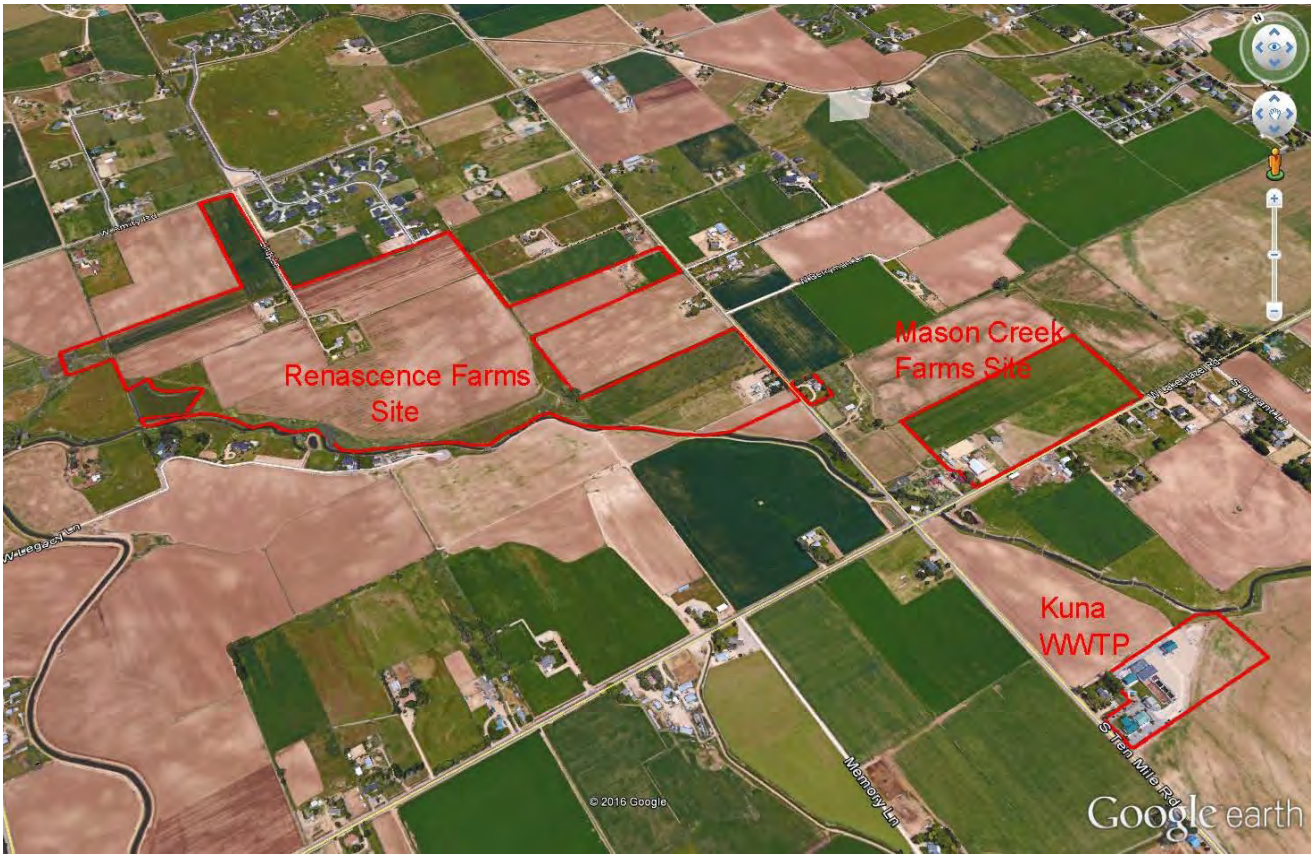
a. Notifications

i.	Neighborhood Meeting	October 19, 2016 (13 persons attended)
		January 4, 2017 (2 persons attended)
ii.	Agency Comment Request	December 15, 2016
iii.	315' Property Owners Notice	January 6, 2017
iv.	Kuna, Melba Newspaper	January 4, 2017
v.	Site Posted	January 13, 2017

B. Applicant's Request:

On behalf of Renascence Farm, LLC, Mason Creek Farm, LLC, Melvin and Jeanne Spaulding, Brent and Leslie Anderson, Alan and Kathryn Colson and Doug and Susan Roberts, the applicant Kirsti Grabo with KM Engineering, requests approval to annex approximately 165 acres into Kuna City with an R-6 (Medium Density Residential) zone. Approximately 139 acres of the application are located between Ten Mile and Black Cat Roads, south of Amity Road. Approximately 26 acres are located east of Ten Mile and north of Lake Hazel near the NEC of Ten Mile and Lake Hazel Roads. *These lands are not seeking development entitlements at this time.*

C. Aerial Map:



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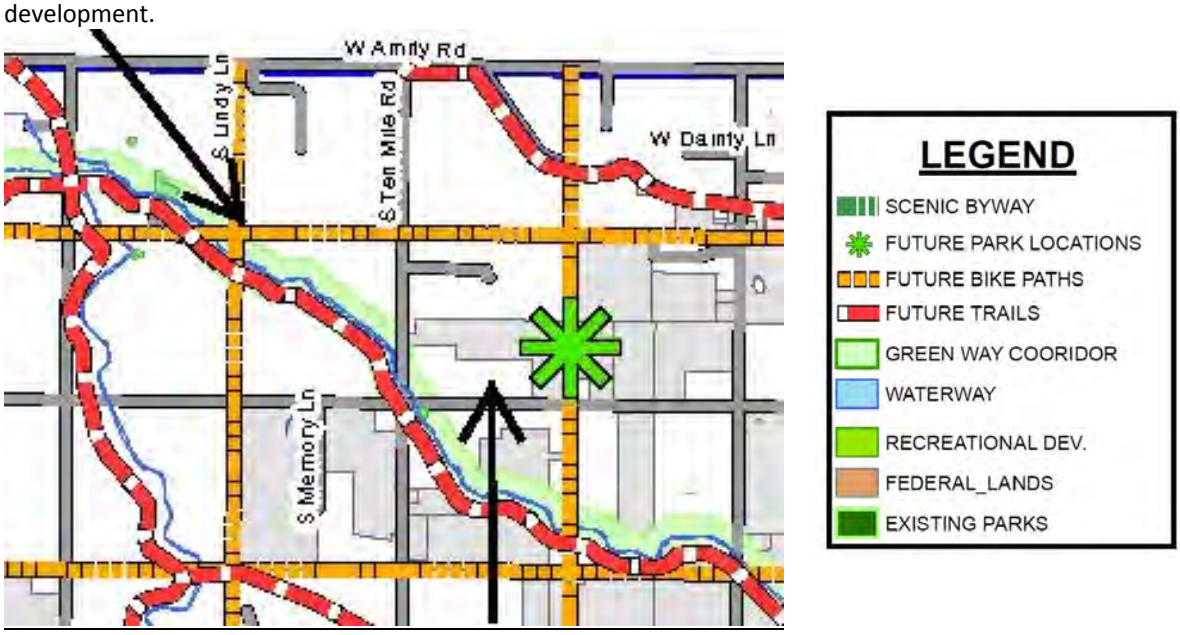
D. Site History:

These parcels are currently in the County, with varying historical uses, ranging from residential to farming.

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. The Comp Plan map indicates land use designations generally speaking, it is not the actual zone. In January of 2017, Kuna received approval for an Area of City Impact Boundary line (ACI) expansion by Ada County Board of County Commissioners. With that approval, the new ACI boundary has been extended to Lake Hazel Road. The Comprehensive Plan Map guides development for lands within the City limits and lands within the ACI. This application is for lands north of Lake Hazel and as such, this project has no Comprehensive Plan Map designations for these lands.

2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map indicates a future trail through the NEC of the site, situated along the Mason Creek feeder among other water bodies in the area. Accordingly, it is the City's goal and desire to increase the number of trails and pathways in Kuna. It is necessary for each parcel to develop trails and pathways along frontages of their canals and ditches to comply with the Master Plan's goals by either starting a pathway, or extending one in that area at time of development.



3. **Surrounding Land Uses:**

North	RUT	Rural Urban Transition – Ada County
South	A	Agriculture – Kuna City
East	RR	Rural Residential – Ada County
West	C-1	Neighborhood Commercial – Kuna City

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

Property Owner	**Parcel Size** (Approximately)	**Current Zone: (RUT)** Rural Urban Transition	**Parcel Number**
Mason Creek Farms, LLC	24.61 acres	RUT – Ada County	S1235347051
Renascence Farms, LLC	14.96 acres	RUT – Ada County	S1234212935
Renascence Farms, LLC	0.44 acres	RUT – Ada County	S1234212405

Renascence Farms, LLC	0.44 acres	RUT – Ada County	S1234121105
Renascence Farms, LLC	0.20 acres	RUT – Ada County	R0967660151
Renascence Farms, LLC	30.38 acres	RUT – Ada County	R0967660155
Renascence Farms, LLC	57.12 acres	RUT – Ada County	R0967660156
Renascence Farms, LLC	10 acres	RUT – Ada County	S1234142350
Anderson, Brent & Leslie	2 acres	RUT – Ada County	S1234244200
Spaulding, Melvin & Jeanne	2 acres	RUT – Ada County	S1234131300
Colson, Alan & Kathryn	20.07 acres	RUT – Ada County	S1234417520
Roberts, Doug & Susan	1 acre	RUT – Ada County	S1235336450

5. **Services:**

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

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

Approximately 154 acres of the land is being used for agricultural purposes. The remaining lands are being used as residential. Applicant anticipates that the land will continue the historic agricultural uses on the lands until development occurs. The current residences will remain as residential uses.

7. **Transportation / Connectivity:**

The applicant has not proposed connection to public streets at this time, as the application is solely for annexation into Kuna City limits. At the time of future development, access points will need to follow design standards according to City and ACHD (Ada County Highway Dist.) codes in place at that time. Current legal points of access being used at this time by any of these land owners may remain until development requires a change.

8. **Environmental Issues:**

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

9. **Agency Responses:**

The following agencies returned comments: City Engineer (Gordon Law, P.E.) *Exhibit B 1*, Ada County Highway District (Stacey Yarrington) *Exhibits B 2 & 3*, Boise Project Board of Control (Bob Carter) *Exhibit B 4*, Central Dist. Health Dept. (Lori Badigian), *Exhibit B 5*, COMPASS Idaho, (Carl Miller) *Exhibit B 6*, and Nampa & Meridian Irrigation Dist. (Greg Curtis), *Exhibit B 7* which are included with this case file and are included with this report.

F. Staff Analysis:

The applicant is only interested in annexation of the Renascence Farms and Mason Creek Farms sites, however, in the future when development is desired, the project will be required to submit for subdivision and design review approvals and follow the public hearing process for that entitlement.

The properties are adjacent to Kuna City limits as demonstrated within *Exhibit C 3*. This project is adjacent to three principle arterials, Ten Mile, Amity and Lake Hazel Roads. All major public utilities are approximately 700 feet south of Lake Hazel Road. Applicant has been made aware that development of the Renascence and Mason Creek Farm parcels will require connection to city services and require connection fees for that

purpose. It is anticipated when Renascence Farms and Mason Creek Farms lands move forward with development *in the future,* it will require a number of phases for complete build-out.

Among the Category 'A' annexation requirements for annexing lands into the city, a land owner must submit an request for annexation. Furthermore, it requires that parcels must touch current city limits. The following land owners have submitted a "consent to annex" letter, which has been recorded with Ada County records and these consent letters are included as exhibits with this memo.

Roy & Jeanne Spaulding 3975 W. Amity Rd. Meridian, ID 83642 *APN - S1234131300*	*Brent & Leslie Anderson* 3985 W. Amity Rd Meridian, ID 83642 *APN - S1234244200*
Alan & Kathryn Colson 5975 S. Ten Mile Rd. Meridian, ID 83642 *APN - S1234417520*	*Doug & Susan Roberts* 6020 S. Ten Mile Rd. Meridian, ID 83642 *APN - S1235336450*

It is important to state the annexation pathway relied upon for this application. The Roberts' property touches current city limits. The Coulson property touches the Roberts' property (across Ten Mile Road – public Rights-Of-Way do not block a touch). The Renascence Farm, LLC, property touches the Coulson property. The Anderson and Spaulding properties are completely surrounded by the Renascence Farm properties. The Mason Creek Farm property touches the City limits on its north and east side. The pathway is depicted on the map of page one of this memo.

These lands are north of Lake Hazel Road and Kuna's recently approved ACI boundary. However, it is noted that Tim Eck (Renascence and Mason Creek Farms, LLC's), met with the City of Meridian and notably, Mayor de Weerd, about this annexation request prior to application submittal. The City of Meridian has agreed to support the annexation of these properties (See *Exhibit C 1*).

Staff has reviewed Kuna's Comprehensive Plan (Comp Plan), which encourages a variety of housing types for all income levels numerous times throughout the document. Pertinent sections of the Comp Plan that address housing types are included below, in Section K (Comp Plan Analysis) of this report. The City attempts to balance all housing types within the City. Staff will work with the applicant as future applications come forward for a preliminary plat to ensure technical compliance with Kuna City Code (KCC), as required. Staff would recommend that the applicant work with Kuna City, ACHD, and Kuna Rural Fire District (KRFD) to conform to each agency's requirements.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan document; and forwards a recommendation of approval for Case No's 16-12-AN, subject to any conditions of approval outlined by Kuna's Commission and City Council.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5, Chapter 13.
2. City of Kuna Comprehensive Plan, adopted September 1, 2009.
3. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

H. Procedural Background:

On January 24, 2017, the Planning and Zoning Commission considered the case, including the application, agency comments, staff's memo, the application exhibits and public testimony presented or given.

I. Factual Summary:

This parcels are located near the northeast and northwest corners of Ten Mile and Lake Hazel Roads. The project consists of 165 (approx.) acres that are adjacent to City limits and all parcels are currently zoned RUT (Rural Urban Transition – County). Applicant requests to annex the same parcels into Kuna City with the R-6 (Medium Density Residential) zone for each parcel. All parcels in this application are adjacent to either Ten Mile Road, Lake Hazel Road or Amity Road; all roads are classified as principle arterials.

J. Proposed Findings of Fact:

Based upon the record contained in Case No. **16-12-AN,** including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the public hearing, the Kuna Commission hereby recommends *approves/denies* the Findings of Fact and Conclusions of Law, and conditions of approval for Case No. 16-12-AN, a request for Comp Plan Map amendment and annexation into Kuna City limits request by the applicant follows:

The Commission concludes that the applications do/do not comply with the City of Kuna's Zoning regulations (Title 5) of KCC and/or the Subdivision regulations outlined in title 6 of KCC.

1. The Kuna Commission accepts the facts as outlined in the staff memo, the public testimony and the supporting evidence list presented.

Comment: *The Kuna* Commission *held a public hearing on the subject applications on January 24, 2017, to hear from City staff, 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.*

2. Based on the evidence contained in Case No. 16-12-AN, this proposal appears to *generally* comply with the Comprehensive Plan and Comp Plan Map.

Comment: *The Comp Plan has listed numerous goals for providing commercial, single-family and multi-family housing in Kuna. The Comp Plan Map designates this property as Medium Density. As this project proposes to accommodate commercial and residential uses the project generally follows the goals of the Comp Plan and the Comp Plan Map.*

3. The Kuna Commission has the authority to recommend approval or denial of these applications.

Comment: *On January 24, 2017 Kuna's Commission voted to recommend approval/denial of case No.* 16-12-AN.

4. 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 sections, notice requirements were met to hold a public hearing on January 24, 2017.*

K. City Commissions Comprehensive Plan Analysis:

Commission determines the proposed annexation and zoning request for the *site is/is not* consistent with the following Comp Plan components:

Housing:

Residents expressed interest in a mix of residential type dwellings applications; including a variety of housing. They were receptive to a greater mix of lot sizes and house price 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 Comprehensive Plan [CP]).

***Comment**: The Comp Plan provides for a mix of residential uses. This project has proposed a zone that provides an opportunity for a variety of densities, <u>therefore</u> it generally conforms to the Comp Plan goals and policies.*

<u>Private Property Rights Goals and Objectives - Section 2 - Summary:</u>
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 <u>does not</u> constitute a "takings" and the Economic value is intact.*

<u>Economic Development Goals and Objectives - Section 5 - Summary:</u>
Promote and ensure an adequate supply of housing for all income levels and facilitate pedestrian connections, both visually and physically, to enhance pedestrian movement (Pg. 42 – 1.5 and Pg. 43 – 3.1 [CP]).

***Comment:** The Comp Plan encourages an adequate mix of housing for all income levels and calls for increasing pedestrian connections. The requested zoning for this project provides an opportunity for a number of additional housing types to Kuna's inventory and quality housing. At time of development, this project should be conditioned to add to the City's pedestrian network for non-motorized transportation, by proposing pathway connections for development to connect to in the future.*

<u>Land Use Goals and Objectives - Section 6 - Summary</u>:
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 (Pg. 64 – 3.1 & Goal 3, and Pg. 65 – 4.3 [CP]).

Comment: *The requested zoning provides for quality housing opportunities and multiple housing varieties to the City's inventory for all types of lifestyles, ages and economic groups.*

<u>Housing Goals and Objectives - Section 12 - Summary:</u>
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 development while discouraging development of land divisions greater than one half acre because large lot subdivisions increase municipal costs, require public subsidy and create sprawl (Pg. 155 – Obj. 1.1, Pg. 163 12.4 and Pg. 165 – 2.1 [CP]).

***Comment:** With the requested zoning, applicant proposes a future high quality development with a variety of dwelling types, densities, and price points for all income levels Kuna as encouraged by the Comp Plan. In the future, this project could significantly add to the City's overall network of, utilities, sidewalks and roadways, therefore it complies with logical, orderly development and discourages land divisions and development greater than one half acre, and could avoid increased municipal services costs and sprawl.*

<u>Community Design Goals and Objectives - Section 13 - Summary:</u>
Strengthen Kuna's Image through good community and urban design principles that create well planned 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 (Pg.167 – Goal 1 and Pg. 168 – 1.2 and 2.1[CP]).

Comment: *Applicant should be conditioned to offer good community and urban design principles through creation of greenspaces, add to the pedestrian pathway network and add to the City's sidewalk network. At time of future development, applicant shall improve classified roadways, which add to the roadway system thereby complying with the adopted Master Street Plan of Kuna (Functional Classified Road Map). At time of development, the applicant should be conditioned to incorporate landscape buffers creating a sense of place for citizens. In the future, applicant should be conditioned to follow sound community design concepts and comply with the Comp Plan goals and help strengthen Kuna's image.*

L. City Council's Idaho State Code Analysis:

1. **IC §67-6511 (2) C** requires that the Commission analyze the proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, ***or*** would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction.

2. **IC §67-6513** provides that the City provide for mitigation of the effects of subdivision development on the ability of political subdivisions of the state, including school districts, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision.

3. Through discussions and comments submitted by public service providers, the project would not create demonstrable adverse impact to quality of emergency service and/or delivery of said services, or impose substantial additional costs to current residents.

M. The Commission's Conclusions of Law:

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

1. The Commission feels the site *is/is not* physically suitable for development in the future.
   Comment: *The 51 acre (approximate) project does/does not appear to be suitable for annexation, as proposed.*

2. The zoning requests 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 and ACHD requirements and best practices and will therefore not cause environmental damage or loss of habitat.*

3. The annexation application is not likely to cause adverse public health problems.

   Comment: *The annexation of the property would generally comply with the Comp Plan. In the future, the project would connect to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

4. 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*: Through correspondence with public service providers and application evaluation, this annexation request appears to avoid detriment to surrounding uses. Commission did consider the annexation and the location of the property with adjacent uses.*

5. The existing and proposed street and utility services in proximity to the site are suitable *or* adequate for future residential purposes.

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

6. Based on the evidence contained in Case No. 16-12-AN, Commission finds Case No. 16-12-AN does/does not adequately comply with Kuna City Code.

7. Based on the evidence contained in Case No. 16-12-AN, Council finds Case No. 16-12-AN generally does/does not comply with Kuna's Zoning Code.

N. Recommended Conditions of Approval:

Based upon the Comp Plan, Kuna City Code, the record before the Commission, the applicant's presentation and testimony at the January 24, 2017, and discussion at the public hearing, the Kuna Commission votes to recommend approval/denial for Case No. 16-12-AN with the following conditions of approval *at time of development in the future*:

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– With 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 request to annex the irrigation surface

water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).

6. Street lights and parking lights 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 and shall be approved in the design review process with all new commercial and multi-family.
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 _____ day of _____, 2017.

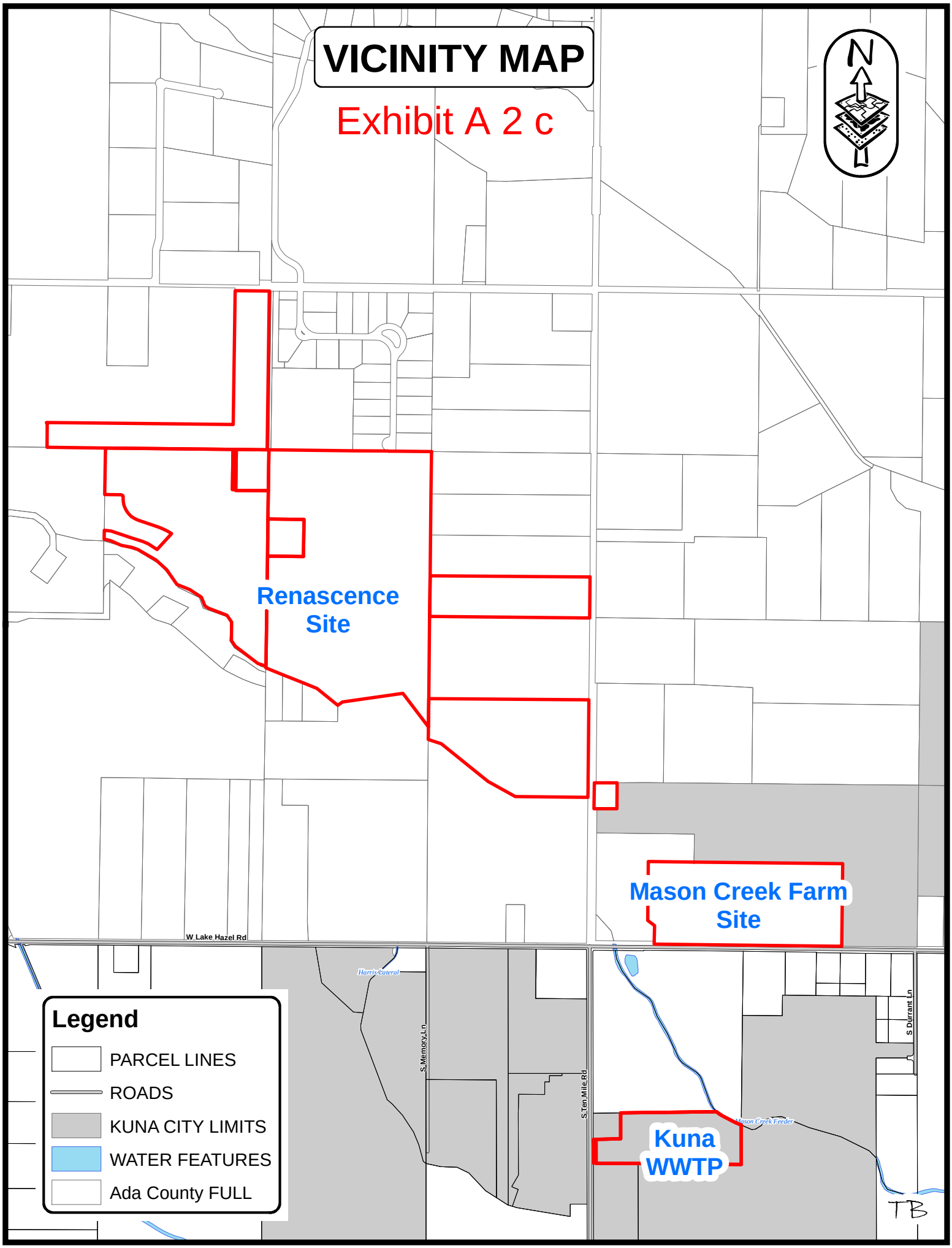

VICINITY MAP
Exhibit A 2 c
N
Renascence Site
Mason Creek Farm Site
Kuna WWTP
W Lake Hazel Rd
Harris Lateral
S Memory Ln
S Ten Mile Rd
Mason Creek Feeder
S Durrant Ln
Legend
PARCEL LINES
ROADS
KUNA CITY LIMITS
WATER FEATURES
Ada County FULL
TB

Exhibit A 2 c
Subject Parcels
Subject Parcels
Kuna WWTP
Legacy Ln
Memory
S Ten Mile Rd
S Durant Ln

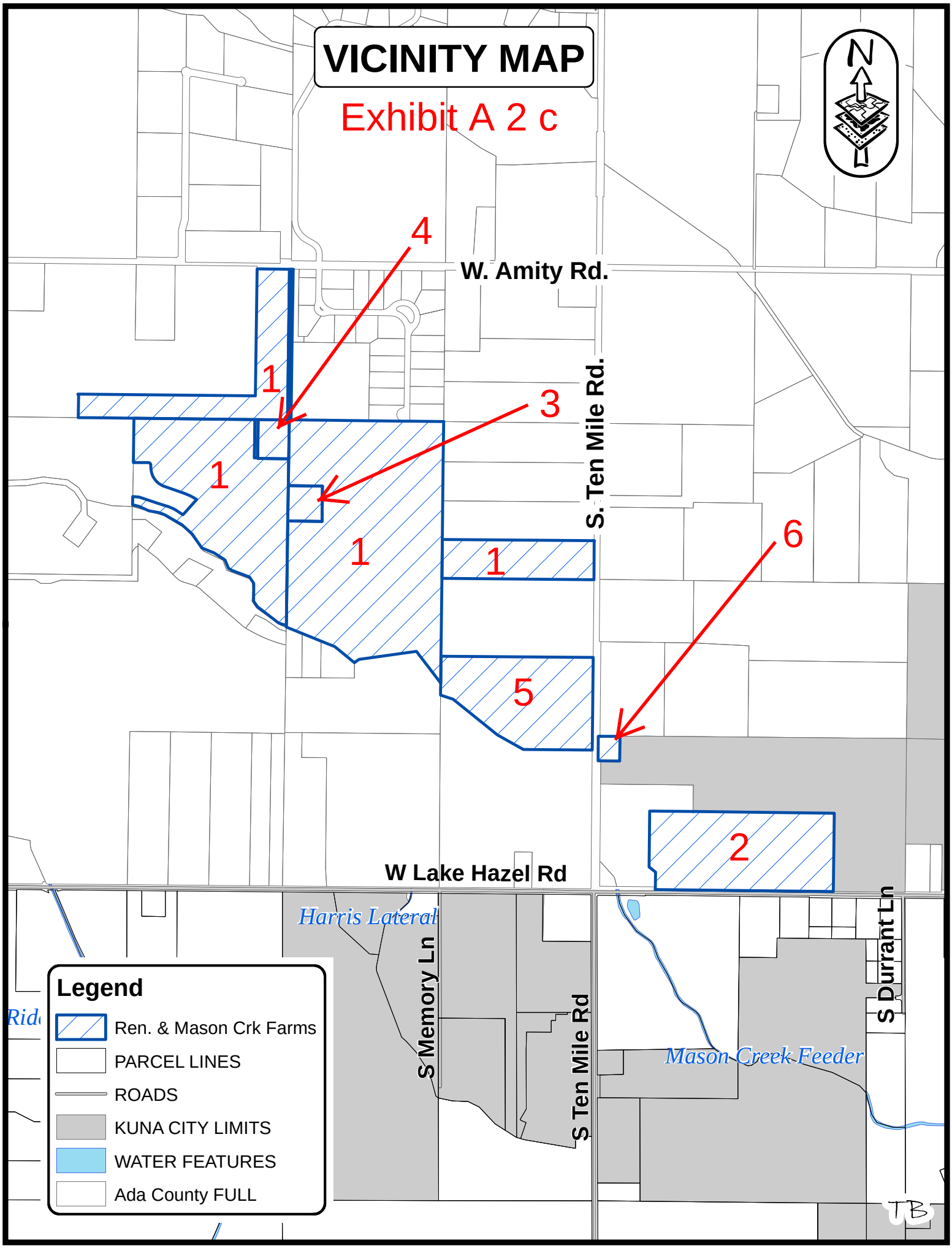

VICINITY MAP
Exhibit A 2 c
N
W. Amity Rd.
S. Ten Mile Rd.
W Lake Hazel Rd
S Memory Ln
S Ten Mile Rd
S Durrant Ln
Harris Lateral
Mason Creek Feeder
1
1
1
1
2
3
4
5
6
Legend
Ren. & Mason Crk Farms
PARCEL LINES
ROADS
KUNA CITY LIMITS
WATER FEATURES
Ada County FULL

Exhibit C 2

Troy Behunin

From: Timothy Eck <timothyeck@me.com>
Sent: Friday, January 20, 2017 12:54 PM
To: Troy Behunin
Subject: Meridian Support of Annexation into Kuna

Troy:

There is significant history behind the pending annexation application that must be understood.
Bitter creek Meadows was developed into 24 residential lots. This development was approved in the county with a sole, stand alone, domestic water supply system, a stand alone pressure irrigation system and a temporary waste water treatment system, to serve for what was anticipated to be a short term. The Approval required the developer to bring domestic water from Meridian to the site and connect it into the sole stand alone system. The city of Meridian was going to build a lift staton and force main to service the homes taking the entire temporary system off line and decommission it.
As a result of the economic downturn and revised growth patterns the developer determined it was not in his financial best interest to proceed with the domestic water extension. Without the domestic water extension from Meridian to Bittercreek and including to the anticipated lift station the lift station could not be built. After some intense negotiation between the developer and Meridian it was determined to be prudent to scrap the plans for the domestic water extension and the lift station.
This left the owners at Bittercreek with a sole stand alone domestic water system and a temporary waste water treatment facility with no ability to permanently address the wastewater. As a result the homeowners filed suit against Meridian and the developer. Their temporary wastewater treatment facility would some day become unacceptable and they would have no way to dispose of or treat their wastewater.
Owning the majority of the property in the current annexation application and having been intensely involved in the Kuna LID i was aware of the fact that Kuna had entered an agreement with Key Bank to allow wastewater connections from outside the annexed city limits. I proposed and worked closely with the cities of Meridian and Kuna to facilitate a wastewater connection for the Bittercreek homes to the Kuna Wastewater treatment facility. Of course the only way to accomplish this is to allow their connection into a lift station that we will build that will pump to Kuna. The only viable way to develop this property, build the lift station connected to Kuna and connect the Bittercreek homes is through a City of Kuna Annexed plat. Extensive negotiation took place and it was understood by Meridian that the development of the property, construction of the lift station, connection of the Bittercreek homes to Kuna sewer and settlement of the litigation between the Bittercreek HOA and Meridian required annexation of our property into Kuna and in addition to our properties there would be a couple additional properties that would require annexation to obtain our annexation corridor (Coulson & Roberts).
It has taken several years to secure the annexation corridor by recorded consents to annexation on the Coulson and Roberts properties. Shortly after we obtained the annexation corridor I suggested a meeting with Meridian Mayor to bring her up to date. The meeting was conducted in chambers on October 4, 2016 at 3:15. Present was Mayor DeWeerd, City Attorney. a couple council members and I believe their facilities director. I explained that I had obtained my annexation corridor and was preparing to proceed with application. I proposed that there were some additional properties that I would like to include in the application and several other property owners that had expressed in annexing with our application.
The 2 properties that I wanted to include were Anderson's and Spaulding's. These are both 2 acre parcels that are fully within the boundaries of our property and application. Since they would be fully surrounded by property annexed into Kuna it made sense for them to be included. Mayor DeWeerd and all present at the meeting supported my annexation into Kuna and in addition had no opposition to Anderson and Spaulding annexing. They recognized the needed annexation corridor and supported the annexation of the Coulson and Roberts properties.
At the time of that meeting they could not voice an opinion on weather they would support annexation of the neighboring properties that wanted to annex with us. They indicated that there had already been considerable

Exhibit C 2

discussion with city council about our annexation that was supported as the means to settle their litigation with the Bittercreek homeowners but that they would have to have meetings with their long term facilities planner and city council members to develop a position on the additional surrounding properties.
It is my understanding the Meridian fully supports the annexation application of the Reanscence properties including the addition of Anderson, Spaulding, Coulson and Roberts.

The Mason Creek parcel included in this application is a parcel we also own through another entity. It is predominantly surrounded by Kuna annexed land and is currently in the process of being Platted as part of the Caspian Sub. Layouts for Caspian have been completed and pre-application meetings have been held with Kuna P&Z and ACHD. Modifications the the Caspian plat have been completed to meet all recommendations of Kuna P&Z and ACHD. The traffic impact study has been completed and submitted to agencies. The Preliminary Plat application is in process and we hope to see it in front of P&Z commission within the next few weeks. Since this parcel is the only parcel Owned by Mason Creek Farms LLC that owns all of the parcels within Caspian that is not annexed it made sense to include the annexation of this parcel with this application.

Sincerely

Timothy W Eck
Member of Manager of
Renascence Farm LLC and
Mason Creek Farm LLC

Exhibit A 2 b

km ENGINEERING

9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

November 7, 2016
Project No.: 16-152

Mr. Troy Behunin
Planning & Zoning Department
City of Kuna
751 West 4th Street
Kuna, ID 83634

RE: Renascence Farm and Mason Creek Farm Parcels – Ada County, ID
Annexation Application

Dear Mr. Behunin:

On behalf of Renascence Farm, LLC, and Mason Creek Farm, LLC, we are pleased to submit the attached application and required supplements for an annexation of the parcels referenced above.

Renascence Farm Parcels

The majority of the subject property is approximately 114 acres of agricultural ground located south of Amity Road between Ten Mile and Black Cat Roads. The parcels are presently located in Ada County, but a path of annexation is available via two properties, the owners of which have recorded annexation consent forms on file with the City. The site is currently zoned RUT in the County with a comprehensive plan designation of Medium-Density Residential. As a part of this application, we are requesting to annex the property into the City of Kuna with the R-6 zone, which is consistent with the comprehensive plan. The table below outlines the information for the Renascence Farm parcels, including the parcels providing the path for annexation.

Parcel Number	Address	Owner	Approximate Acreage
R0967660156	S. Bittercreek Ave.	Renascence Farm, LLC	57.12
R0967660155	S. Bittercreek Ave.	Renascence Farm, LLC	30.38
S1234142351	5561 S. Ten Mile Rd.	Renascence Farm, LLC	9.64
R0967660151	S. Bittercreek Ave	Renascence Farm, LLC	0.20
S1234212935	W. Amity Rd.	Renascence Farm, LLC	14.97
S1234244310	S. Bittercreek Ave.	Renascence Farm, LLC	0.42
S1234121105	W. Amity Rd.	Renascence Farm, LLC	0.44
S1234212405	W. Amity Rd.	Renascence Farm, LLC	0.44
			113.61
S1234417520	5975 S. Ten Mile Rd.	Colson (Consent)	20.07
S1235336450	6020 S. Ten Mile Rd.	Roberts (Consent)	1.0

The majority of these parcels have been contemplated for development in the past. With the economic downturn, the ownership group elected to postpone further entitlements until market conditions recovered and availability of utility services was better understood. With this property's location between Meridian and Kuna, it was unknown until now which municipality could provide services. With Kuna's extension of sewer and water facilities in Ten Mile Road, annexation into Kuna makes the most sense. This will not only provide enhanced

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Exhibit A 2 b

development opportunities for the property, but will also aid the City in expanding vital infrastructure for its growing population.

Mason Creek Parcel

The remainder of the subject property is approximately 23 acres of agricultural ground located north of Lake Hazel Road east of Ten Mile Road. This parcel is also presently located in Ada County, but is contiguous to City limits on the north and east. This parcel is also currently zoned RUT in the County with a comprehensive plan designation of Medium-Density Residential. As a part of this application, we are requesting to annex this property into the City of Kuna with the R-6 zone, which is consistent with the comprehensive plan. Information for this parcel is as follows.

Parcel Number	Address	Owner	Approximate Acreage
S1235347051	3068 W. Lake Hazel Rd.	Mason Creek Farm, LLC	22.87

This parcel is intended to become part of the neighboring Mason Creek Subdivision project currently under development.

Public Utilities

The owner has conducted multiple meetings with Kuna's City Engineer to understand sewer, water, and pressure irrigation facilities, all of which are available for connection in Ten Mile Road with development of this site. As the project progresses, we will also work with the remaining public utilities including power, gas, phone, and cable to ensure that adequate utilities are provided.

Schedule

It is our intention to follow this application package with a preliminary plat submittal in the coming months. Before expending resources to prepare the full preliminary plat, we felt it prudent to obtain the City's feedback on the zoning for the Renascence project.

Should you have questions or require further information in order to process this application, please feel free to contact me.

Sincerely,
KM Engineering, LLP

Kirsti Grabo
Development Coordinator

cc: Renascence Farm, LLC
Mason Creek Farm, LLC

Exhibit A 2 a

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

For Office Use Only	
File Number (s)	16-12-AN
Project name	RENASCENCE FARMS
Date Received	11.8.16
Date Accepted/ Complete	12.2.16
Cross Reference Files	—
Commission Hearing Date	1.24.17
City Council Hearing Date	

Type of Review (check all that apply):

- [x] 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

Contact/Applicant Information

Owners of Record: Renascence Farm, LLC and Mason Creek Farm, LLC
Address: 6152 West Half Moon Lane
City, State, Zip: Eagle, ID 83616
~~Phone Number:~~
E-Mail:
Fax #:

Applicant (Developer): same
Address:
City, State, Zip:
Phone Number:
E-Mail:
Fax #:

Engineer/Representative: KM Engineering
Address: 9233 West State Street
City, State, Zip: Boise, ID 83714
Phone Number: 208.639.6939
E-Mail: kgrabo@kmengllp.com
Fax #: 208.693.6930

Subject Property Information

Site Address: West Amity, South Ten Mile, & 3068 West Lake Hazel
Site Location (Cross Streets): South of Amity between Ten Mile & Black Cat and North of Lake Hazel east of Ten Mile
Parcel Number (s): see letter
Section, Township, Range: Section 34 & 35, T3N, R1W
Property size : +/- 114.4 acres (Renascence) and +/- 24.6 acres (Mason Creek)
Current land use: Agricultural
Proposed land use: Residential
Current zoning district: Ada County RUT
Proposed zoning district: R6

RECEIVED 11.8.16

Exhibit A 2 a

Project Description

Project / subdivision name: Renascence Subdivision and Mason Creek Subdivision

General description of proposed project / request: annexation and zoning for future residential development

Type of use proposed (check all that apply):

- [x] 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: 11.7.16

Exhibit C 5

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=5 DAWN TRIVOLIS
KUNA CITY

2016-116603
12/01/2016 03:02 PM
NO FEE

00304759201601166030050050

CONSENT TO ANNEXATION
INTO THE CITY OF KUNA, IDAHO

Idaho Code §50-222

WHEREAS, the city limits of the city of Kuna, Idaho are contiguous to the real property as described herein, however said real property is not within the city limits of the City of Kuna, Idaho.

NOW THEREFORE, Brent and Leslie Anderson, being first duly sworn upon oath, deposes and states:

1. I am the record owner of the property described below, and I hereby consent (agree) to the annexation of said property into the City of Kuna, Idaho, pursuant to Idaho Code §50-222(3)(a) Category A Annexation.

   Physical Address: 3985 W Amity Rd Meridian ID 83642

   Legal Description: See attached

   Location Map: See attached **Exhibit A**.

2. I understand and agree that the City of Kuna has a right under Idaho Law to annex lands that are reasonably necessary to assure the orderly development of the City in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable orderly development of private lands that benefit from the cost-effective availability of municipal services in urbanizing areas, and to equitably allocate the costs of public services in management of development on the urban fringe.

3. I understand and agree that this annexation is a Category A Annexation and I do not have a right to have it judicially reviewed by any court.

signature page follows

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Exhibit C 5

Dated this 16th day of November, 2016

Signature

STATE OF IDAHO)
) ss.
County of Ada)

I, Ariana Welker, a Notary Public in and for said State of Idaho, do hereby certify that on this 16th day of November, 2016, before me, personally appeared Brent Anderson and Leslie Anderson known or identified to me, who, being by me, first duly sworn, declared under oath that the statements contained with the foregoing document are true and correct, and acknowledged to me that he/she executed the same as such.

S
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A
L

ARIANA WELKER
NOTARY
PUBLIC
STATE OF IDAHO

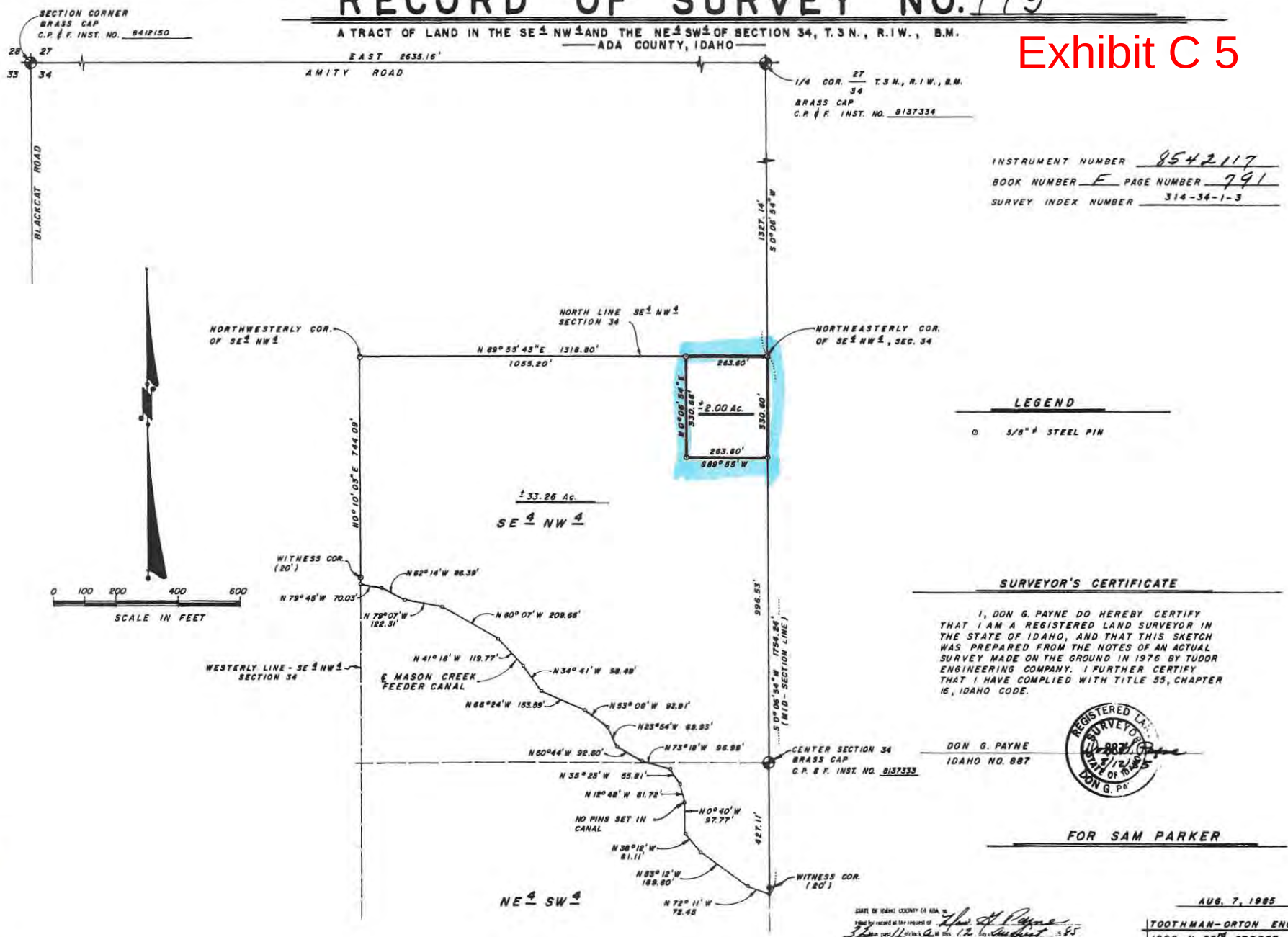
Notary Public for Ada County
My commission expires on July 7, 2022

BOOK # p 791

RECORD OF SURVEY NO. 779

A TRACT OF LAND IN THE SE¼ NW¼ AND THE NE¼ SW¼ OF SECTION 34, T. 3 N., R. 1 W., B.M.
ADA COUNTY, IDAHO

Exhibit C 5



INSTRUMENT NUMBER 8542117
BOOK NUMBER E PAGE NUMBER 791
SURVEY INDEX NUMBER 314-34-1-3

LEGEND

⊙ 5/8" ϕ STEEL PIN

SURVEYOR'S CERTIFICATE

I, DON G. PAYNE DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF IDAHO, AND THAT THIS SKETCH WAS PREPARED FROM THE NOTES OF AN ACTUAL SURVEY MADE ON THE GROUND IN 1976 BY TUDOR ENGINEERING COMPANY. I FURTHER CERTIFY THAT I HAVE COMPLIED WITH TITLE 55, CHAPTER 16, IDAHO CODE.

DON G. PAYNE
IDAHO NO. 887

REGISTERED LAND SURVEYOR 887 8/12/85 STATE OF IDAHO DON G. PAYNE

FOR SAM PARKER

STATE OF IDAHO, COUNTY OF ADA, ss.
Filed for record at the request of Don G. Payne
This day of August A.D. 19 85 at 10 o'clock A.M. and duly recorded
JOHN BASTIDA, Recorder
By Lorraine Miller Deputy
$5.00 fee

AUG. 7, 1985

TOOTHMAN-ORTON ENGINEERING CO.
1802 N. 33RD STREET
BOISE, IDAHO-83703
PHONE: 208-342-5511

Ex A

Exhibit C 8

CONSENT TO ANNEXATION
INTO THE CITY OF KUNA, IDAHO
Idaho Code §50-222

WHEREAS, the city limits of the city of Kuna, Idaho are contiguous to the real property as described herein, however said real property is not within the city limits of the City of Kuna, Idaho.

NOW THEREFORE, Jeanne Spaulding, being first duly sworn upon oath, deposes and states:

1. I am the record owner of the property described below, and I hereby consent (agree) to the annexation of said property into the City of Kuna, Idaho, pursuant to Idaho Code §50-222(3)(a) Category A Annexation.

   Physical Address: 3975 W. Amity Rd. Meridian, ID 83642

   Legal Description: PAR # 1300 of NE4 - Sec. 34 3N 1W # 2725R

   Location Map: See attached **Exhibit A**.

2. I understand and agree that the City of Kuna has a right under Idaho Law to annex lands that are reasonably necessary to assure the orderly development of the City in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable orderly development of private lands that benefit from the cost-effective availability of municipal services in urbanizing areas, and to equitably allocate the costs of public services in management of development on the urban fringe.

3. I understand and agree that this annexation is a Category A Annexation and I do not have a right to have it judicially reviewed by any court.

signature page follows

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ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=5 BONNIE OBERBILLIG
KUNA CITY
2016-121896
12/16/2016 09:18 AM
NO FEE
00310294201601218960050052

Exhibit C 8

Dated this 28 day of November, 20 16

Jeanne Spaulding
Signature

STATE OF IDAHO)
) ss.
County of ~~Ada~~ Canyon)

I, Jose M Ruiz, a Notary Public in and for said State of Idaho, do hereby certify that on this 28 day of November, 2016, before me, personally appeared Jeanne Spaulding, known or identified to me, who, being by me, first duly sworn, declared under oath that the statements contained with the foregoing document are true and correct, and acknowledged to me that he/she executed the same as such.

S
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JOSE M RUIZ
NOTARY
PUBLIC
STATE OF IDAHO

Notary Public for Canyon County
My commission expires on 9/26/2017

Exhibit C 8

CONSENT TO ANNEXATION
INTO THE CITY OF KUNA, IDAHO
Idaho Code §50-222

WHEREAS, the city limits of the city of Kuna, Idaho are contiguous to the real property as described herein, however said real property is not within the city limits of the City of Kuna, Idaho.

NOW THEREFORE, Melvin A Spaulding, being first duly sworn upon oath, deposes and states:

1. I am the record owner of the property described below, and I hereby consent (agree) to the annexation of said property into the City of Kuna, Idaho, pursuant to Idaho Code §50-222(3)(a) Category A Annexation.

   Physical Address: 3975 W. Amity Rd. Meridian, ID 83642

   Legal Description: PAR # 1300 of NE4-Sec 34 3N 1W #2725R

   Location Map: See attached **Exhibit A**.

2. I understand and agree that the City of Kuna has a right under Idaho Law to annex lands that are reasonably necessary to assure the orderly development of the City in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable orderly development of private lands that benefit from the cost-effective availability of municipal services in urbanizing areas, and to equitably allocate the costs of public services in management of development on the urban fringe.

3. I understand and agree that this annexation is a Category A Annexation and I do not have a right to have it judicially reviewed by any court.

signature page follows

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Exhibit C 8

EXHIBIT A
LOCATION MAP

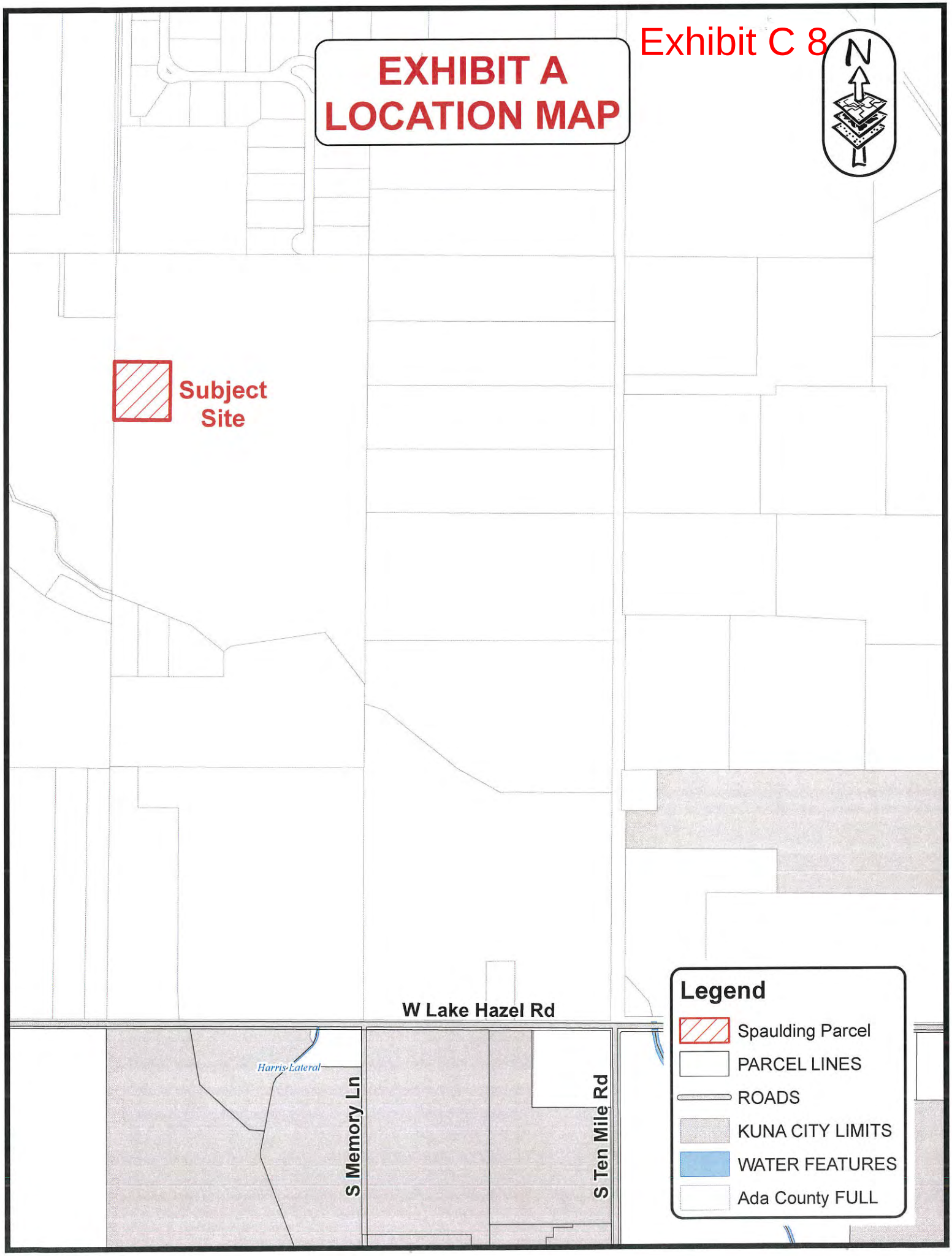

Exhibit C 7

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=4 BONNIE OBERBILLIG
KUNA CITY

2016-086049
09/12/2016 03:27 PM
NO FEE

0027272220160086049004 0049

CONSENT TO ANNEXATION INTO THE CITY OF KUNA, IDAHO

Idaho Code §50-222

WHEREAS, We are the record of owners of the real property as described herein; and

WHEREAS, said real property is not currently within the city limits of the City of Kuna, Idaho; and

WHEREAS, as the record owners of said real property, it is our desire to annex the same into the City of Kuna, Idaho; and

WHEREAS, said real property is contiguous to the city limits of the City of Kuna, Idaho upon the City Council for the City of Kuna, Idaho approving the annexation of several parcels of property, including ours; and

WHEREAS, upon these several parcels of properties making application to the City of Kuna, Idaho for annexation, we agree to make or join in the consolidated application to annex into the City of Kuna, Idaho, at the same time; and

WHEREAS, it is our desire to annex into the City of Kuna, Idaho.

NOW THEREFORE, Douglas H. Roberts, an unmarried man and Susan Hickman, an unmarried woman, being first duly sworn upon oath, depose and state:

1. We are the record owners of the property described below, and we hereby consent (agree) to the annexation of said property into the City of Kuna, Idaho, pursuant to Idaho Code §50-222(3)(a) Category A Annexation.

   Physical Address: 6020 South Ten Mile Road, Meridian, Idaho 83642

   Legal Description: See attached **Exhibit A**.

   Location Map: See attached **Exhibit B**.

2. We understand and agree that the City of Kuna has a right under Idaho Law to annex lands that are reasonably necessary to assure the orderly development of the City in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable orderly development of private lands that benefit from the cost-effective availability of municipal services in urbanizing areas, and to equitably allocate the costs of public services in management of development on the urban fringe.

3. We understand and agree that our decision to annex into the City of Kuna, Idaho is voluntary on my part; no promises or threats have been made to induce me into signing this Consent to Annex agreement, and the decision to sign is of our own free will.

4. We understand and agree that this annexation is a Category A Annexation and we do not have a right to have it judicially reviewed by any court.

Exhibit C 7

Dated this 31 day of August, 2016

Douglas H. Roberts

Dated this 31 day of August, 2016

Susan Hickman

STATE OF IDAHO)
) ss.
County of Ada)

I, Rochelle L. Williams, a Notary Public in and for said State of Idaho, do hereby certify that on this 31st day of August, 2016, before me, personally appeared Douglas H. Roberts, known or identified to me, who, being by me, first duly sworn, declared under oath that the statements contained with the foregoing document are true and correct, and acknowledged to me that he/she executed the same as such.

S
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ROCHELLE L. WILLIAMS
Notary Public
State of Idaho

Rochelle L. Williams
Notary Public for State of Idaho
My commission expires on 2-12-20

STATE OF IDAHO)
) ss.
County of Ada)

I, Rochelle L. Williams, a Notary Public in and for said State of Idaho, do hereby certify that on this 31st day of August, 2016, before me, personally appeared Susan Hickman, known or identified to me, who, being by me, first duly sworn, declared under oath that the statements contained with the foregoing document are true and correct, and acknowledged to me that he/she executed the same as such.

S
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ROCHELLE L. WILLIAMS
Notary Public
State of Idaho

Rochelle L. Williams
Notary Public for State of Idaho
My commission expires on 2-12-20

Exhibit C 7

EXHIBIT B
LOCATION MAP

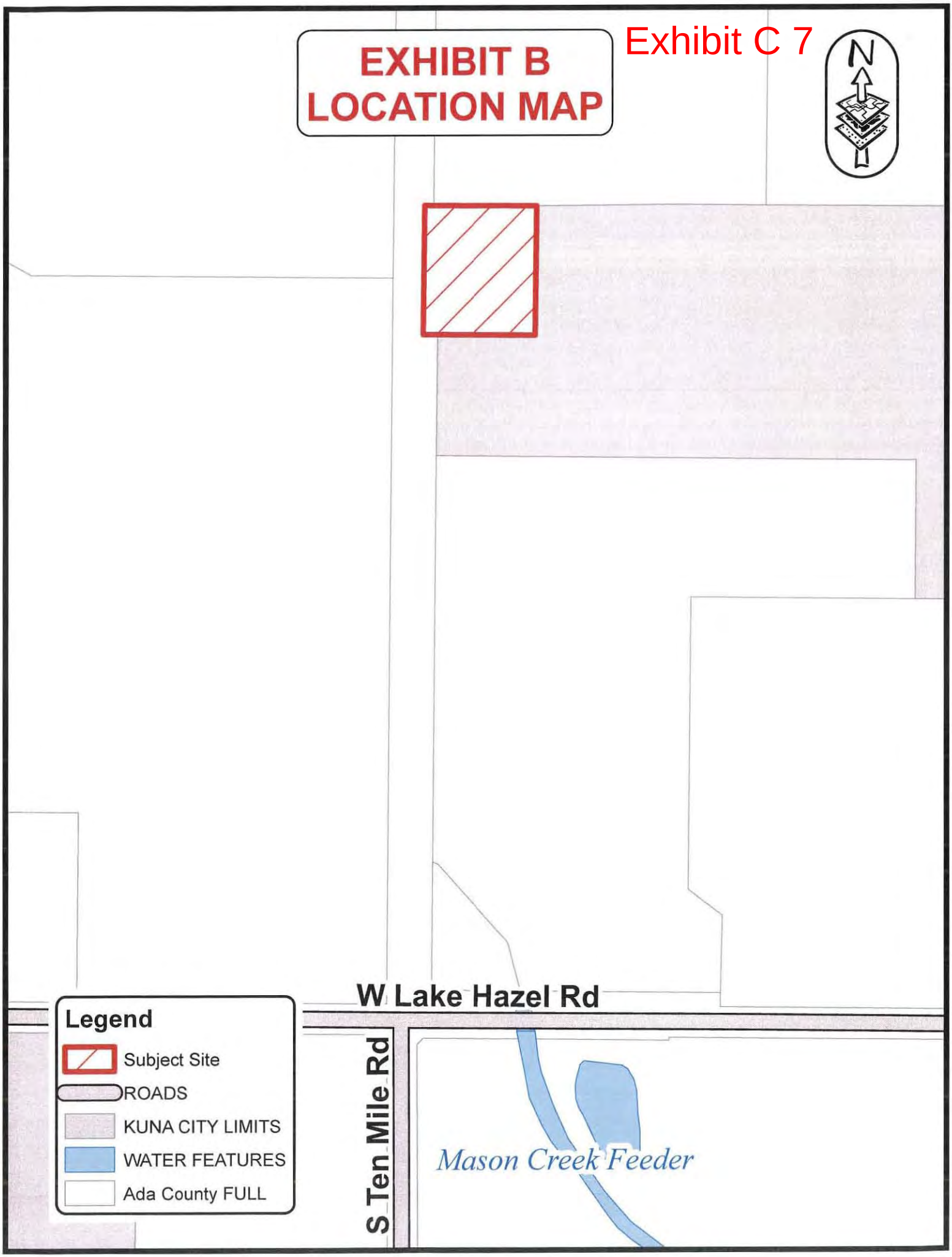

Exhibit C 6

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=4 BONNIE OBERBILLIG
KUNA CITY

2016-091483
09/26/2016 04:49 PM
NO FEE

00278497201600914830040043

CONSENT TO ANNEXATION INTO THE CITY OF KUNA, IDAHO

Idaho Code §50-222

WHEREAS, We are the record of owners of the real property as described herein; and

WHEREAS, said real property is not currently within the city limits of the City of Kuna, Idaho; and

WHEREAS, as the record owners of said real property, it is our desire to annex the same into the City of Kuna, Idaho; and

WHEREAS, said real property will be contiguous to the city limits of the City of Kuna, Idaho upon the City Council for the City of Kuna, Idaho approving the annexation of several parcels of property, including ours; and

WHEREAS, upon these several parcels of properties making application to the City of Kuna, Idaho for annexation, we agree to make or join in the consolidated application to annex into the City of Kuna, Idaho, at the same time; and

WHEREAS, it is our desire to annex into the City of Kuna, Idaho.

NOW THEREFORE, G. Alan Colson and Kathryn A. Colson, husband and wife, being first duly sworn upon oath, depose and state:

1. We are the record owners of the property described below, and we hereby consent (agree) to the annexation of said property into the City of Kuna, Idaho, pursuant to Idaho Code §50-222(3)(a) Category A Annexation.

   Physical Address: 5975 S. Ten Mile Road, Meridian, Idaho 83642

   Legal Description: See attached **Exhibit A**.

   Location Map: See attached **Exhibit B**.

2. We understand and agree that the City of Kuna has a right under Idaho Law to annex lands that are reasonably necessary to assure the orderly development of the City in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable orderly development of private lands that benefit from the cost-effective availability of municipal services in urbanizing areas, and to equitably allocate the costs of public services in management of development on the urban fringe.

3. We understand and agree that our decision to annex into the City of Kuna, Idaho is voluntary on my part; no promises or threats have been made to induce me into signing this Consent to Annex agreement, and the decision to sign is of our own free will.

4. We understand and agree that this annexation is a Category A Annexation and we do not have a right to have it judicially reviewed by any court.

Exhibit C 6

Dated this 10 day of Sept, 2016

G. Alan Colson

Dated this 10 day of Sept, 2016

Kathryn A. Colson

STATE OF IDAHO)
) ss.
County of Ada)

I, Tina Scotton, a Notary Public in and for said State of Idaho, do hereby certify that on this 10 day of September, 2016, ~~2015~~, before me, personally appeared G. Alan Colson, known or identified to me, who, being by me, first duly sworn, declared under oath that the statements contained with the foregoing document are true and correct, and acknowledged to me that he/she executed the same as such.

SEAL

TINA SCOTTON
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for Idaho
My commission expires on 8-6-2019

STATE OF IDAHO)
) ss.
County of Ada)

I, Tina Scotton, a Notary Public in and for said State of Idaho, do hereby certify that on this 10 day of September, 2016, ~~2015~~, before me, personally appeared Kathryn A. Colson, known or identified to me, who, being by me, first duly sworn, declared under oath that the statements contained with the foregoing document are true and correct, and acknowledged to me that he/she executed the same as such.

SEAL

TINA SCOTTON
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for Idaho
My commission expires on 8-6-2019

Exhibit C 6

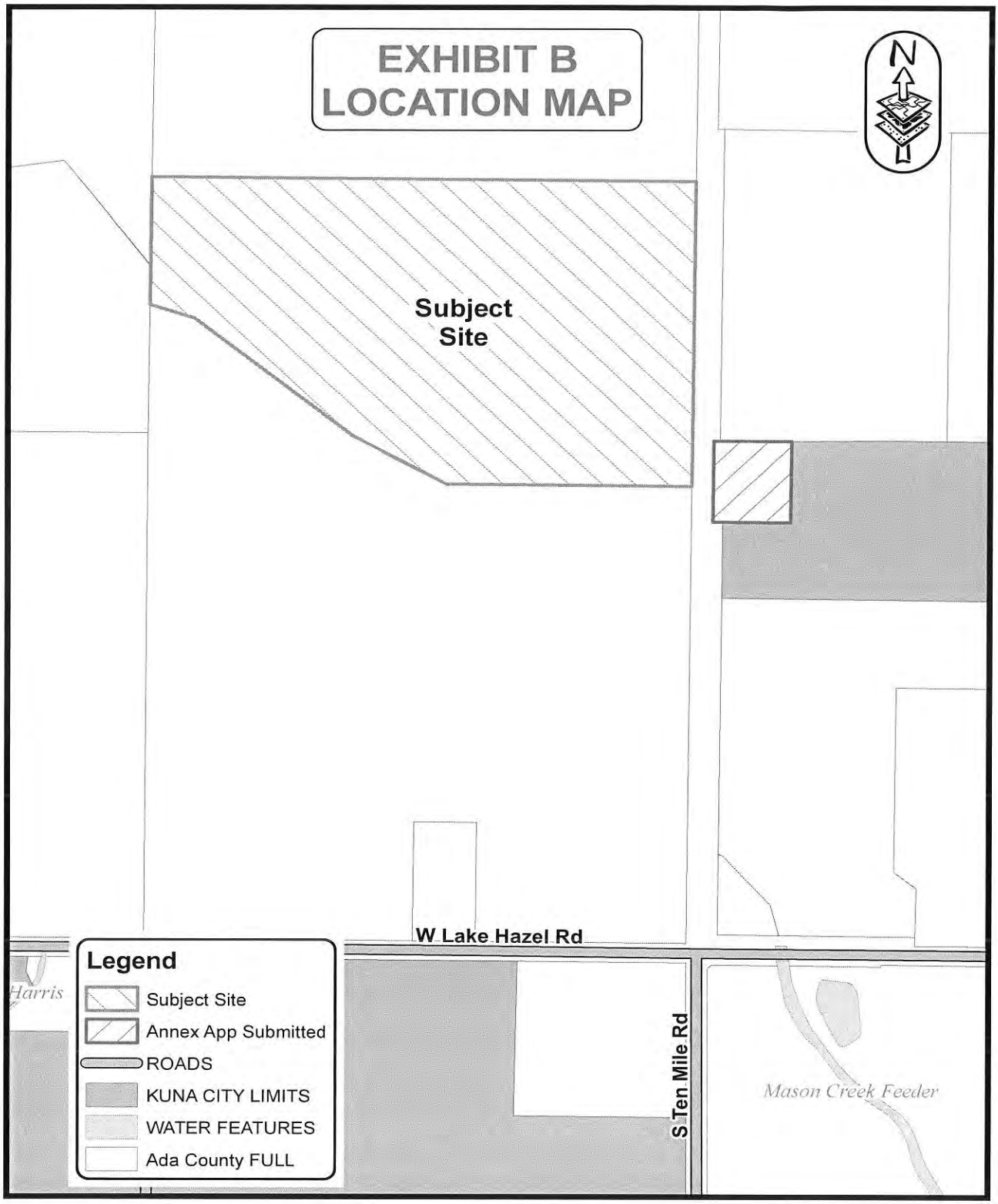
EXHIBIT B
LOCATION MAP
N
Subject
Site
W Lake Hazel Rd
S Ten Mile Rd
Harris
Mason Creek Feeder
Legend
Subject Site
Annex App Submitted
ROADS
KUNA CITY LIMITS
WATER FEATURES
Ada County FULL

Exhibit B 1

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: Renascence Farms
North of Lake Hazel, East and West of Ten Mile Roads
Annexation
16-12-AN

DATE: December 16, 2016

The City Engineer has reviewed the annexation request of the above applicant dated December 9, 2016. It is noted that specific development plans are not provided except those implied as allowed or permitted in a "R-6" zone.

The recommendation of the City Engineer is to proceed with this annexation and address the more specific issues of extending the City services 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 and scattered residential purposes, has multiple private sewer systems and does not require immediate City service. With additional development, it will require municipal sewer service. The City Engineer recommends ultimate connection to City facilities at such time as existing systems fail 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 Renascence property is in the Memory Lift Station adjacent to Ten Mile Road approximately 400 feet south of Lake Hazel Road. The Lift Station and associated pipelines are presently under construction. 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 and scattered residential purposes, has multiple private water system and does not require immediate City service. With additional development, it will require municipal water service. The City Engineer recommends ultimate connection to City facilities at such time as existing systems fail or in connection with future development.
b) The nearest point of connection for the Renascence property is in Ten Mile Road approximately 700 feet south of Lake Hazel Road. 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) 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 from surface water rights delivered through local canals and from private wells and does not require immediate City service. With additional urban development, it will require municipal pressure irrigation service. The City Engineer recommends ultimate connection to City facilities in connection with future development.
b) The nearest point of connection for the Renascence property is in Ten Mile Road approximately 700 feet south of Lake Hazel Road. When connecting to the pressure irrigation system, the applicant will need to abide by any relevant pressure irrigation reimbursement policies and agreements and any relevant connection fees.
c) As a condition related to paragraph 3(a), connection to pressure irrigation shall constitute an automatic petition for inclusion in the municipal irrigation system and an agreement to the pooling of this property's water rights for delivery purposes.
d) For assistance in locating existing facilities, please contact the City Engineer at 287-1727.

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 existing section line arterial streets (Lake Hazel and Ten Mile Roads). The following conditions are related to these classified streets and future quarter line classified streets and apply at the time of additional 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.

Exhibit B 2

Paul Woods, President
Rebecca W. Arnold, Vice President
Kent Goldthorpe, Commissioner
Sara M. Baker, Commissioner
Jim D. Hansen, Commissioner

January 12, 2017

To: Tim Eck
DB Development, LLC
6152 W. Half Moon Lane
Eagle, ID 83616

Subject: KUNA16-0021/ 16-12-AN
Lake Hazel Road east of Ten Mile Road
Annexation & Rezone for Mason Creek Farm

This application is for annexation & rezone only. Listed below are some of the relevant policies that the District may administer when it reviews a future development application (additional policies may be considered with a specific redevelopment application):

A. Findings of Fact

1. Lake Hazel Road

a. 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.

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. The segment of Amity and Ten Mile Roads abutting the site is designated in the MSM as a Residential Arterial with 5-lanes and on-street bike lanes, a 72-foot street section within 96-feet of right-of-way.

b. Staff Comments/Recommendations: The applicant should be required to dedicate right-of-way to total 48-feet from the centerline of Lake Hazel Road abutting the site.

The applicant should be required to construct a 5-foot wide detached concrete sidewalk located a minimum of 42-feet from the centerline of Lake Hazel Road abutting the site.

Additionally, the applicant should be required to widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site on Lake Hazel Road.

2. Access

a. Policy

Collector Street Intersection Spacing on Princial Arterials: District policy 7205.4.2 states that the optimum spacing for new signalized collector roadways intersecting principal arterials is one half-mile.

Local Street Intersection Spacing on Principal Arterials: District policy 7205.4.3 states that new local streets should not typically intersect arterials. Local streets should typically intersect collectors. If it is necessary, as determined by ACHD, for a local street to intersect an arterial, the minimum allowable offset shall be 1,320-feet as measured from all other existing roadways as identified in Table 1b (7205.4.7).

Local Offset Policy: District policy 7206.4.5, requires local roadways to align or offset a minimum of 330-feet from a collector roadway (measured centerline to centerline).

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

b. Staff Comments/Recommendations: All access and roadway offsets within the site should comply with the policies listed above.

Exhibit B 2

3. Traffic Impact Study
   a. Policy
      Traffic Impact Study: District policy 7106.1 requires a traffic imact study for developments which generate 100 or more PM peak hour trips. This equates to 100 single family dwelling units.

   b. Staff Comments/Recommendations: A traffic impact study will be required for this application. The applicant's engineer should schedule a scoping meeting with ACHD staff prior to starting the study.

B. Traffic Information

Trip Generation

A single family dwelling unit is estimated to generate 9.52 vehicle trips per daybased, with 1 trip in the PM peak hour based on the Institute of Transportation Engineers Trip Generation Manual, 9th edition.

Condition of Area Roadways: Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Lake Hazel Road	1,500-feet	Principal Arterial	76	Better than "E"

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

Average Daily Traffic Count (VDT): ***Average daily traffic counts are based on ACHD's most current traffic counts***

- The average daily traffic count for Lake Hazel Road east of 1,031 on 2/29/12.

C. Attachments

1. Vicinity Map
2. Standard Conditions of Approval
3. Request for Appeal of Staff Decision

If you have any questions, please feel free to contact me at (208) 387-6178.

Sincerely,

Mindy Wallace, AICP
Planner III
Development Services

cc: City of Kuna

Exhibit B 2

VICINITY MAP

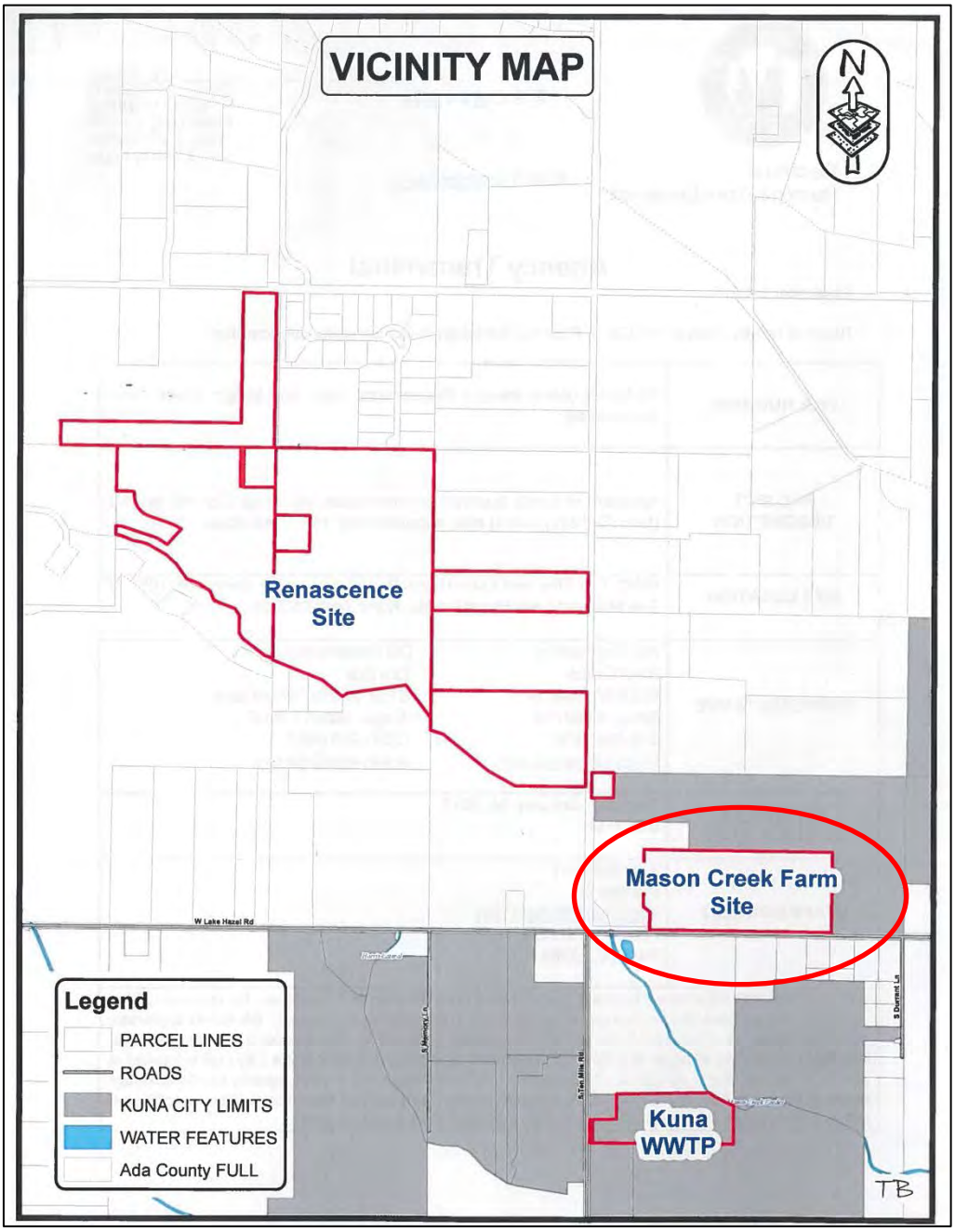

Exhibit B 2

Standard Conditions of Approval

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

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

3. In accordance with District policy, 7203.6, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.

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

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

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

7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.

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

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

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

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

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

Exhibit B 2

Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.

    a. Filing Fee: The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.

    b. Initiation: An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.

    c. Time to Reply: The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.

    d. Notice of Hearing: Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.

    e. Action by Commission: Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.

Exhibit B 3

Paul Woods, President
Rebecca W. Arnold, Vice President
Kent Goldthorpe, Commissioner
Sara M. Baker, Commissioner
Jim D. Hansen, Commissioner

January 12, 2017

To: Tim Eck
DB Development, LLC
6152 W. Half Moon Lane
Eagle, ID 83616

Subject: KUNA16-0021/ 16-12-AN
South of Amity Road and west of Ten Mile Road
Annexation & Rezone for Renascence Farm

This application is for annexation & rezone only. Listed below are some of the relevant policies that the District may administer when it reviews a future development application (additional policies may be considered with a specific redevelopment application):

A. Findings of Fact

1. Amity & Ten Mile Roads

a. 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.

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. The segment of Amity and Ten Mile Roads abutting the site is designated in the MSM as a Residential Arterial with 5-lanes and on-street bike lanes, a 72-foot street section within 96-feet of right-of-way.

b. Staff Comments/Recommendations: The applicant should be required to dedicate right-of-way to total 48-feet from the centerline of both Amity Road and Ten Mile Roads abutting the site.

   The applicant should be required to construct a 5-foot wide detached concrete sidewalk located a minimum of 42-feet from the centerline of Amity Road and Ten Mile Roads abutting the site.

   Additionally, the applicant should be required to widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site on Amity Road and Ten Mile Road.

2. Mid-Mile Collectors

a. Policy:
   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.

   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. Two new collector roadways are identified on the MSM with the street typology of Residental Collector. One of he new collectors roadways should intersect Amity Road Road an at the half mile and run north/south to Columbia Road. The second should intersect Ten Mile Road and run east/west to Black Cat Road. The Residential Collector typology as depicted in the Livable Street Design Guide recommends a 2-lane roadway with bike lanes, a 36-foot street section within 54-feet of right-of-way.

b. Staff Comments/Recommendations: The applicant should be required to construct north/south and east/west residential collector roadways through the site as recommended on the MSM. The residential collectors should be constructed as 36-foot street sections with vertical curb, gutter, and 7-foot wide attached (or 5-foot wide detached) concrete sidewalks.

3. Access
   a. Policy
   Collector Street Intersection Spacing on Princial Arterials: District policy 7205.4.2 states that the optimum spacing for new signalized collector roadways intersecting principal arterials is one half-mile.

   Local Street Intersection Spacing on Principal Arterials: District policy 7205.4.3 states that new local streets should not typically intersect arterials. Local streets should typically intersect collectors. If it is necessary, as determined by ACHD, for a local street to intersect an arterial, the minimum allowable offset shall be 1,320-feet as measured from all other existing roadways as identified in Table 1b (7205.4.7).

   Local Offset Policy: District policy 7206.4.5, requires local roadways to align or offset a minimum of 330-feet from a collector roadway (measured centerline to centerline).

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

   b. Staff Comments/Recommendations: All access and roadway offsets within the site should comply with the policies listed above.

4. Traffic Impact Study
   a. Policy
   Traffic Impact Study: District policy 7106.1 requires a traffic imact study for developments which generate 100 or more PM peak hour trips. This equates to 100 single family dwelling units.

   b. Staff Comments/Recommendations: A traffic impact study will be required for this application. The applicant's engineer should schedule a scoping meeting with ACHD staff prior to starting the study.

B. Traffic Information

Trip Generation

A single family dwelling unit is estimated to generate 9.52 vehicle trips per daybased, with 1 trip in the PM peak hour based on the Institute of Transportation Engineers Trip Generation Manual, 9th edition.

Condition of Area Roadways: Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Amity Road	270-feet	Principal Arterial	469	Better than "E"
Ten Mile Road	1,120-feet	Principal Arterial	340	Better than "E"

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

Average Daily Traffic Count (VDT): ***Average daily traffic counts are based on ACHD's most current traffic counts***

- The average daily traffic count for Amity Road east of Black Cat was 6,078 on 6/22/16.

Exhibit B 3

- The average daily traffic count for Ten Mile Road south of Amity Road was 6,203 on 8/16/16.

C. Attachments

1. Vicinity Map
2. Standard Conditions of Approval
3. Request for Appeal of Staff Decision

If you have any questions, please feel free to contact me at (208) 387-6178.

Sincerely,

Mindy Wallace, AICP
Planner III
Development Services

cc: City of Kuna

Exhibit B 3

VICINITY MAP

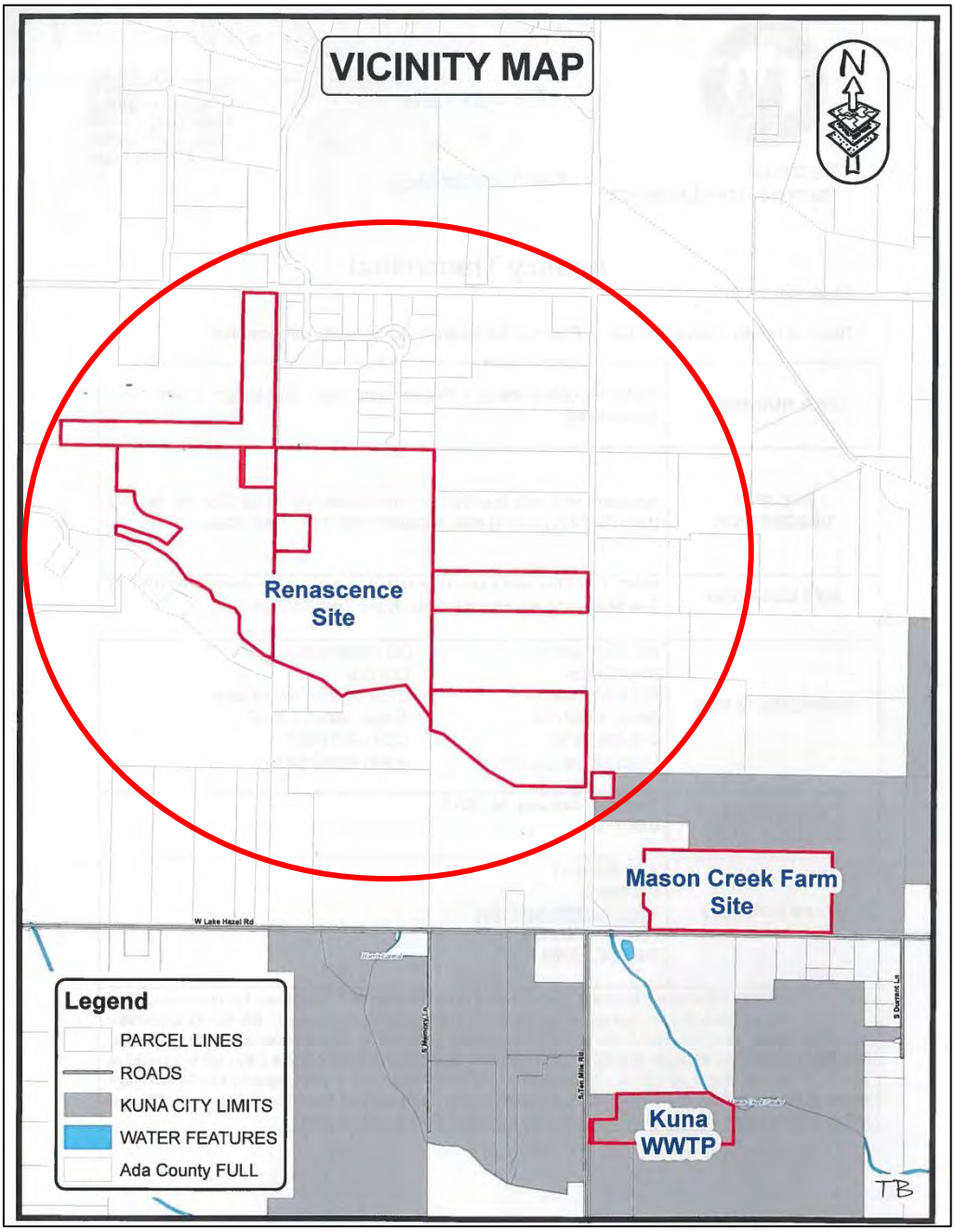

Exhibit B 3

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

3. In accordance with District policy, 7203.6, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.

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

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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.

Exhibit B 3

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    e. Action by Commission: Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.

Exhibit B 4

RON PLATT
CHAIRMAN OF THE BOARD

RICHARD MURGOITIO
VICE CHAIRMAN OF THE BOARD

TIMOTHY M. PAGE
PROJECT MANAGER

ROBERT D. CARTER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

JERRI FLOYD
ASSISTANT SECRETARY-TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

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

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

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

09 January 2017

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

RECEIVED
JAN 13 2017
CITY OF KUNA

RE: Renascence Farm & Mason Creek Farm
N.W. Corner of Ten Mile and Lake Hazel
Nampa-Meridian Irrigation District
Rawson Canal 436+40
Jamison Lateral 23+00,23+10,36+20,36+30
Catherine Lateral 37+00
Sec. 34 & 35, T3N, R1W, BM.

NM-1581-1-15, NM-1583B, NM-1584B, NM-1592A, NM-1597, NM-1597A

Troy Behunin, Planner II:

The United States' Mason Creek Feeder Canal lies within the boundary of the above-mentioned location. The easement for this canal 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 37 feet northerly and 35 feet southerly of the canal's centerline. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

Project easements must be called out on any future preliminary and final plats.

Fencing (as may be required) must be constructed just off the canal easement.

The Boise Project does not approve landscaping (other than grass) within its easements.

The Boise Project Board of Control does not approve of pathways within our easements. We are constantly trying to uphold these federal easements in order to perform our obligation to operate, maintain and deliver surface irrigation water to our patrons. The introduction of pedestrians, cyclists, etc. into our work area, becomes a burden on our personnel trying to perform their duties. The Project maintains its facilities with large vehicles and heavy equipment, to include dump trucks, dozers, graders, backhoes and long booms with counter weights. Although our operators possess the highest regard for

Exhibit B 4

safety, this machinery offers many blind spots that limit visibility. Project work easements are barely wide enough for this equipment. These proposed pathways should be relocated outside of our easements and segregated from canal maintenance operations.

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

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

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

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

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 Nampa-Meridian Irrigation District.

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

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

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

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

Boise Project Board of Control requests a full set of plans for our review and approval when applicable.

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

Exhibit B 4

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

Sincerely,

Bob Carter
Assistant Project Manager, BPBC

bdc/bc

cc:	Clint McCormick	Watermaster, Div; 2 BPBC
	Greg Curtis	Water Superintendent, NMID
	File	

Exhibit B 5

CENTRAL DISTRICT HEALTH DEPARTMENT

CENTRAL DISTRICT HEALTH DEPARTMENT

Environmental Health Division

Return to:
- ☐ ACZ
- ☐ Boise
- ☐ Eagle
- ☐ Garden City
- ☒ Kuna
- ☐ Meridian
- ☐ Star

Rezone # 16-12-AN

Conditional Use #

Preliminary / Final / Short Plat

Sect. 34

☒ 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: Ron Bass

Date: 12/20/16

RECEIVED
DEC 27 2016
CITY OF KUNA

Exhibit B5

Review Sheet

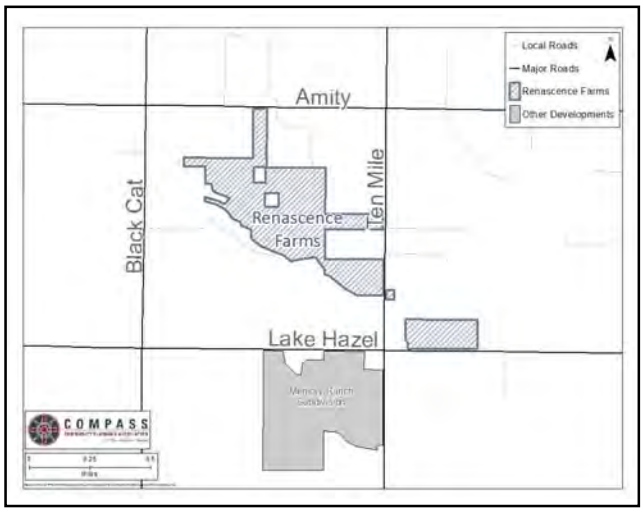
15726-001EH1111

Exhibit B 6

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**.



&OLFN IRU GHWDLOHG P DS

Name of Development: Renascence Farm and Mason Creek Farm Annexations.

Summary: Annexation into Kuna City with an R-6 (Medium Density) zoning over approximately 143.2 total acres fo for up to 834 residential units near the intersection of Ten Mile and Lake Hazel Roads. This proposal exceeds the growth forecasted in the regional transportation plan for this neighborhood. The proposal meets 4 CIM 2040 checklist items and does not meet 15 checklist items. Consider public parks, schools, and pathway requirements when the prop considered for platting. Additional bicycle and pedestrian comments are included on page 3.

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

Existing		Existing TAZ + Proposal		2040 Forecast	
Households	Jobs	Households	Jobs	Households	Jobs
37	20	871	20	275	60

○ **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

Existing		Existing TAZs + Net Proposed		2040 Forecast	
Households	Jobs	Households	Jobs	Households	Jobs
181	197	1,277	197	1,683	390

◉ **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

COMPASS
COMMUNITY PLANNING ASSOCIATION
of Southwest Idaho

Exhibit B 6

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: _____

○ **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 *valley**connect*** plan. See ***Valley Regional Transit Amenities Development Guidelines*** for additional detail.

Comments: The proposed zoning allows less than transit density (7 DU/acre). Future demand response services are proposed for the area.

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)**

Exhibit B 6

Bicycle and Pedestrian Summary

Consider accommodating future pathways along the Mason Creek Feeder and adjacent to W Lake Hazel Road per the2016 City of Kuna Regional Pathway Map and 2015 Meridian Pathways Network Map. Additionally, Ada County Highway District has planned bike lanes along future extensions of S Lindy Lane and W Ballard Lane.

Exhibit B 7

ORGANIZED 1904

Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH
FAX #208-463-0092

NAMPA, IDAHO 83651-4395
nmid.org

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

January 9, 2017

Troy Behunin
City of Kuna
P.O. Box 13
Kuna, ID 83634

RECEIVED
JAN 17 2017
CITY OF KUNA

RE: 16-12-AN/ Renascence Farm & Mason Creek Farm

Dear Troy:

Nampa & Meridian Irrigation District (NMID) has no comment in regards to applicants request to be annexed into the City of Kuna on the above-referenced application. However, before final plats are approved for development, NMID will need to be allowed the opportunity to review plans and comment at the time.

All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site, NMID must review drainage plans. The developer must comply with Idaho Code 31-3805.

Sincerely,

Greg G. Curtis
Water Superintendent
Nampa & Meridian Irrigation District
GGC/gnf

PC: Office/File

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

Exhibit A 2 d

km ENGINEERING

9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

November 4, 2016
Project No.: 16-152

EXHIBIT A
LEGAL DESCRIPTION FOR
ANNEXATION AND REZONE

A parcel of land being a portion of Section 34, Township 3 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho and being more particularly described as follows:

Commencing at an aluminum cap marking the northeast corner of said Section 34, thence following the easterly line of the Northeast 1/4 of said Section 34,S00°27'30"W a distance of 2,648.52 feet to a found aluminum cap marking the east 1/4 corner of said Section 34 and being the **POINT OF BEGINNING.**

Thence leaving said easterly line and following the southerly line of the Southeast 1/4 of the Northeast 1/4, N89°25'56"W a distance of 1,315.48 feet to a found 5/8-inch rebar marking the C-E 1/16 corner;
Thence leaving said southerly line and following the easterly line of the Northwest 1/4 of the Southeast 1/4 of said Section 34, S00°40'58"W a distance of 896.49 feet to a point on the northerly subdivision boundary of DreamCatcher Subdivision (a subdivision on file in Book 80, Pages 8639-8641, records of Ada County, Idaho);
Thence leaving said easterly line and following said northerly subdivision boundary the following courses:

1. N37°01'00"W a distance of 340.72 feet ;
2. S81°55'00"W a distance of 493.00 feet;
3. S54°50'00"W a distance of 47.00 feet;
4. N51°00'00"W a distance of 215.00 feet;
5. N68°00'00"W a distance of 444.99 feet;
6. N74°12'00"W a distance of 43.22 feet;
7. N54°50'00"W a distance of 259.00 feet;
8. N32°48'00"W a distance of 69.00 feet;
9. N07°50'00"E a distance of 88.00 feet;
10. N08°42'00"W a distance of 99.00 feet;
11. N69°52'00"W a distance of 225.00 feet;
12. N20°18'00"W a distance of 90.00 feet;
13. N64°28'00"W a distance of 188.00 feet;
14. N36°46'00"W a distance of 172.00 feet;
15. N44°26'00"W a distance of 77.00 feet;
16. N58°40'00"W a distance of 206.00 feet;
17. N74°06'00"W a distance of 276.82 feet to a point on the westerly line of the Southeast 1/4 of the Northwest 1/4 of said Section 34;

Thence leaving said northerly subdivision boundary and following said westerly line, N00°52'46"E a distance of 86.54 feet;
Thence leaving said westerly line, S83°37'10"E a distance of 55.38 feet;
Thence S71°29'04"E a distance of 173.98 feet;
Thence S72°30'29"E a distance of 94.36 feet;
Thence S66°34'34"E a distance of 48.08 feet;
Thence S57°30'33"E a distance of 85.85 feet;

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Exhibit A 2 d

Thence N42°15'35"E a distance of 174.08 feet;
Thence 132.58 feet along the arc of a circular curve to the left, said curve having a radius of 575.00 feet, a delta angle of 13°12'41", a chord bearing of N64°26'20"W and a chord distance of 132.29 feet;
Thence N71°02'40"W a distance of 161.80 feet;
Thence 217.00 feet along the arc of a circular curve to the right, said curve having a radius of 175.00 feet, a delta angle of 71°02'45", a chord bearing of N35°31'20"W and a chord distance of 203.36 feet;
Thence N00°00'00"E a distance of 18.04 feet;
Thence 31.23 feet along the arc of a circular curve to the left, said curve having a radius of 20.00 feet, a delta angle of 89°27'26", a chord bearing of N44°43'24"W and a chord distance of 28.15 feet;
Thence N89°26'47"W a distance of 128.85 feet to a point on said westerly line of the Southeast 1/4 of the Northwest 1/4;
Thence following said westerly line, N00°52'46"E a distance of 376.45 feet to a found 5/8-inch rebar marking the NW 1/16 corner of said Section 34;
Thence leaving said westerly line and following the southerly line of the Northwest 1/4 of the Northwest 1/4 of said Section 34, N89°21'57"W a distance of 472.05 feet;
Thence leaving said southerly line, N00°55'56"E a distance of 184.17 feet;
Thence N22°14'16"W a distance of 17.20 feet;
Thence S89°21'57"E a distance of 1,507.19 feet;
Thence N00°49'37"E a distance of 1,127.18 feet to a point on the northerly line of the Northwest 1/4 of said Section 34;
Thence following said northerly line, S89°17'12"E a distance of 290.03 feet to a found brass cap marking the north 1/4 corner of said Section 34;
Thence leaving said northerly line and following the northerly line of the Northeast 1/4 of said Section 34, S89°18'18"E a distance of 15.00 feet;
Thence leaving said northerly line, S00°49'37"W a distance of 1,326.79 feet to a point on the southerly line of the Northwest 1/4 of the Northeast 1/4 of said Section 34;
Thence following said southerly line, S89°21'00"E a distance of 1,296.27 feet to a found 5/8-inch rebar marking the NE 1/16 corner of said Section 34;
Thence leaving said southerly line and following the easterly line of said Northwest 1/4 of the Northeast 1/4, S00°37'47"W a distance of 994.24 feet;
Thence leaving said easterly line and following the northerly line of the South 1/2 of the South 1/2 of the Southeast 1/4 of the Northeast 1/4, S89°24'57"E a distance of 1,314.49 feet to a point on the easterly line of the Northeast 1/4 of said Section 34;
Thence following said easterly line, S00°27'30"W a distance of 331.03 feet to the **POINT OF BEGINNING.**

EXCEPTING THEREFROM

A parcel of land being a portion of the Southeast 1/4 of the Northwest 1/4 of Section 34, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at a brass cap marking the north 1/4 corner of said Section 34, thence following the easterly line of said Northwest 1/4, S00°49'37"W a distance of 1,326.80 feet to a found 5/8-inch rebar marking the C-N 1/16 corner of said Section 34 and being the **POINT OF BEGINNING.**

Thence following said easterly line, S00°49'37"W a distance of 330.59 feet;
Thence leaving said easterly line, N89°26'47"W a distance of 263.76 feet;
Thence N00°49'37"E a distance of 330.96 feet to a point on the northerly line of said Southeast 1/4 of the Northwest 1/4;

Exhibit A 2 d

Thence following said northerly line, S89°21'57"E a distance of 263.76 feet to the **POINT OF BEGINNING.**

EXCEPTING THEREFROM

A parcel of land being a portion of the Southwest 1/4 of the Northeast 1/4 of Section 34, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at a brass cap marking the north 1/4 corner of said Section 34, thence following the westerly line of said Northeast 1/4, S00°49'37"W a distance of 1,326.80 feet to a found 5/8-inch rebar marking the C-N 1/16 corner of said Section 34;
Thence following said westerly line S00°49'37"W a distance of 558.00 feet to the **POINT OF BEGINNING.**

Thence leaving said westerly line, S89°10'23"E a distance of 290.40 feet;
Thence S00°49'37"W a distance of 300.00 feet;
Thence N89°10'23"W a distance of 290.40 feet to a point on said westerly line of the Northeast 1/4;
Thence following said westerly line, N00°49'37"E a distance of 300.00 feet to the **POINT OF BEGINNING.**

Said parcel contains 114.394 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

TOGETHER WITH

A parcel of land being a portion of the South 1/2 of the Southwest 1/4 of Section 35, Township 3 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho and being more particularly described as follows:

Commencing at a aluminum cap marking the west 1/ 4 corner of Said Section 35, thence following the westerly line of said Southwest 1/4 of Section 35, S00°04'23"W a distance of 2,652.25 feet to a found aluminum cap marking the southwest corner of said Section 35;
Thence leaving said westerly line and following the southerly line of said Southwest 1/4, S89°47'59"E a distance of 520.09 feet to the **POINT OF BEGINNING.**

Thence leaving said southerly line, N00°54'22"E a distance of 173.77 feet;
Thence N53°21'16"W a distance of 69.90 feet;
Thence N00°04'23"E a distance of 475.26 feet;
Thence S89°47'59"E a distance of 1,568.48 feet;
Thence S00°10'24"W a distance of 690.54 feet to a point on said southerly line of the Southwest 1/4;
Thence following said southerly line, N89°47'59"W a distance of 1,513.66 feet to the **POINT OF BEGINNING.**

Said parcel contains 24.609 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

Attached is **EXHIBIT B** and by this reference made a part of.

PROFESSIONAL LAND SURVEYOR
REGISTERED
12459
STATE OF IDAHO
AARON L. BALLARD
11-4-2016

Exhibit A 2 d

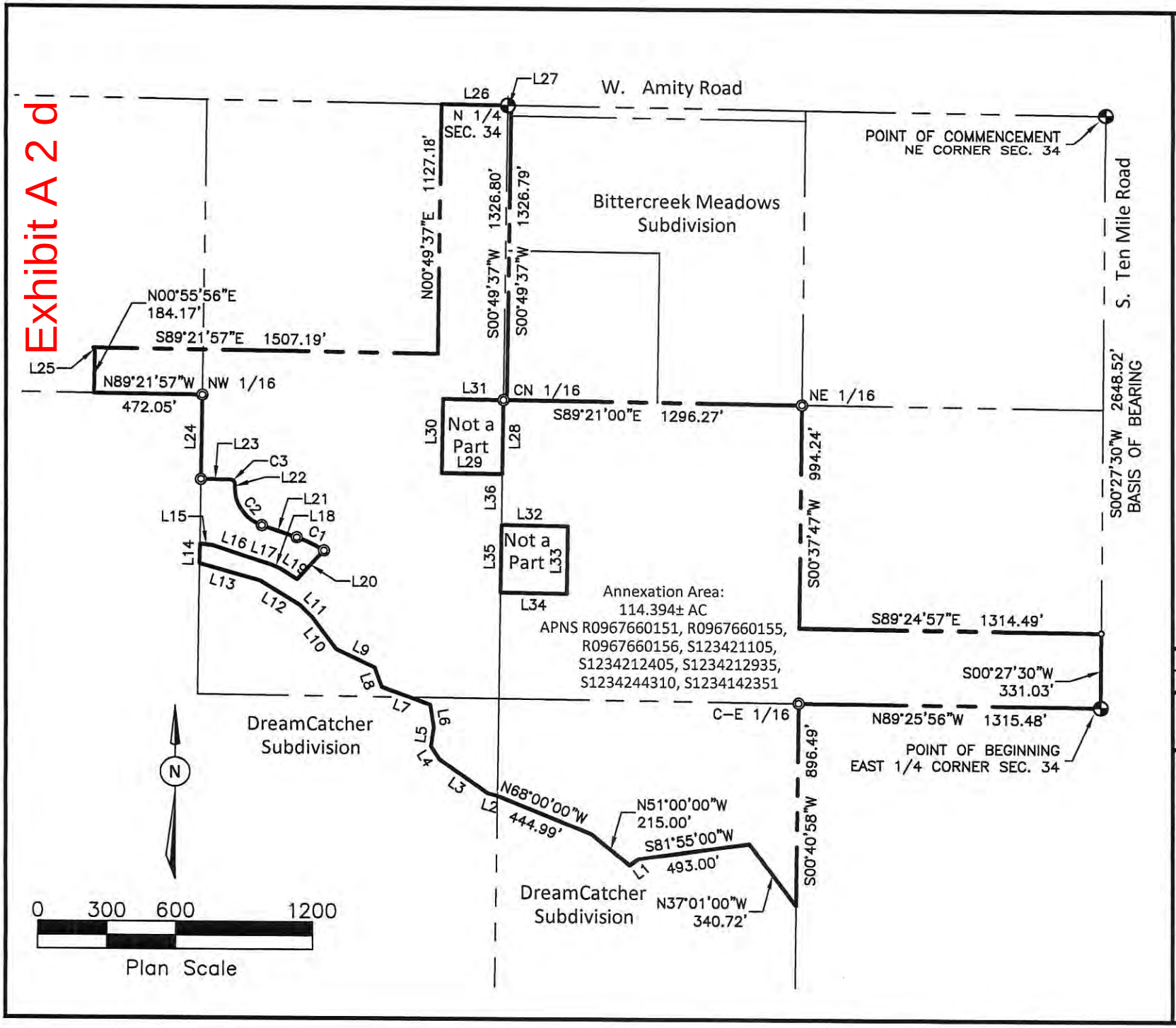

Exhibit B
Annexation and Rezone

A Portion of Section 34, T.3N., R.1W., B.M.
City of Kuna, Ada County, Idaho

DATE:	11/4/2016
PROJECT:	16-152

SHEET: 1 OF 3

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Exhibit A 2 d

LINE TABLE		
Line	Distance	Bearing
L1	47.00	S54°50'00"W
L2	43.22	N74°12'00"W
L3	259.00	N54°50'00"W
L4	69.00	N32°48'00"W
L5	88.00	N7°50'00"E
L6	99.00	N8°42'00"W
L7	225.00	N69°52'00"W
L8	90.00	N20°18'00"W
L9	188.00	N64°28'00"W
L10	172.00	N36°46'00"W
L11	77.00	N44°26'00"W
L12	206.00	N58°40'00"W
L13	276.82	N74°06'00"W
L14	86.54	N0°52'46"E
L15	55.38	S83°37'10"E
L16	173.98	S71°29'04"E
L17	94.36	S72°30'29"E
L18	48.08	S66°34'34"E
L19	85.85	S57°30'33"E
L20	174.08	N42°15'35"E

LINE TABLE		
Line	Distance	Bearing
L21	161.80	N71°02'40"W
L22	18.04	N0°00'00"E
L23	128.85	N89°26'47"W
L24	376.45	N0°52'46"E
L25	17.20	N22°14'16"W
L26	290.03	S89°17'12"E
L27	15.00	S89°18'18"E
L28	330.59	S0°49'37"W
L29	263.76	N89°26'47"W
L30	330.96	N0°49'37"E
L31	248.76	S89°21'57"E
L32	290.40	S89°10'23"E
L33	300.00	S0°49'37"W
L34	290.40	N89°10'23"W
L35	300.00	N0°49'37"E
L36	227.40	N0°49'37"E

CURVE TABLE					
Curve	Radius	Legnth	Delta	Chord Brg	Chord
C1	575.00'	132.58'	13°12'41"	N64°26'20"W	132.29'
C2	175.00'	217.00'	71°02'45"	N35°31'20"W	203.36'
C3	20.00'	31.23'	89°27'26"	N44°43'24"W	28.15'

Exhibit B
Annexation and Rezone

A Portion of Section 34, T.3N., R.1W., B.M.
City of Kuna, Ada County, Idaho

DATE: 11/4/2016
PROJECT: 16-152

SHEET:
2 OF 3

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Exhibit A 2 d

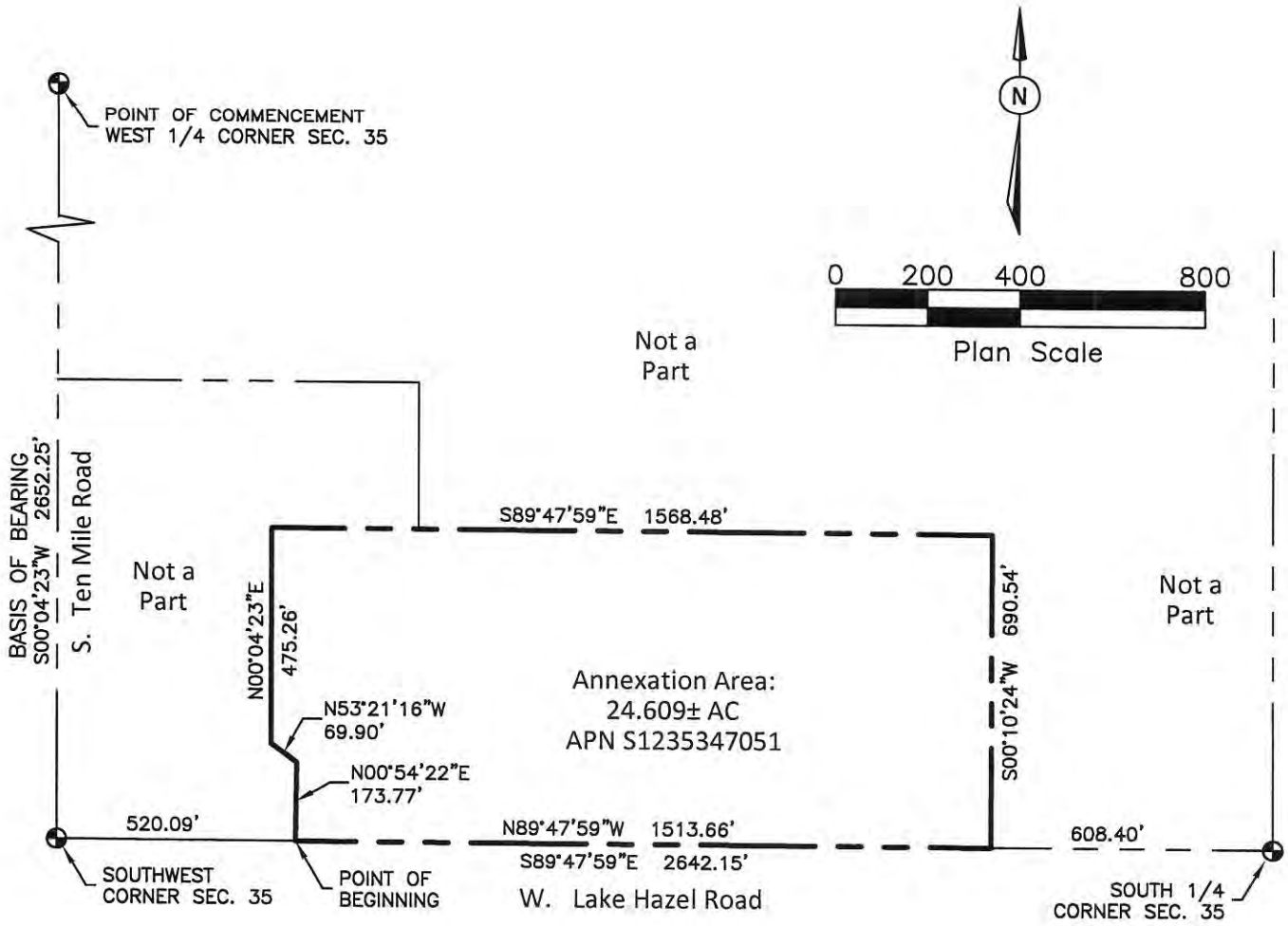

Exhibit B
Annexation and Rezone

A Portion of the South 1/2 of the SW 1/4 of
Section 35, T.3N., R.1W., B.M., City of Kuna, Ada County, Idaho

DATE:	11/4/2016
PROJECT:	16-152

SHEET:
3 OF 3

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