



KUNA PLANNING AND ZONING COMMISSION  
Agenda for May 8, 2018

Kuna City Hall ■ Council Chambers ■ 751 W. 4<sup>th</sup> St. ■ Kuna, Idaho

**1. CALL TO ORDER AND ROLL CALL**

Chairman Lee Young  
Vice Chairman Dana Hennis  
Commissioner Cathy Gealy  
Commissioner Stephen Damron  
Commissioner John Laraway

**2. CONSENT AGENDA**

- a. Meeting Minutes for April 24, 2018.
- b. **Findings of Fact and Conclusions of Law** for 18-07-SUP; A Touch of Home Daycare.
- c. **Findings of Fact and Conclusions of Law** for 18-11-DR; 6,000 Square Foot Accessory Building.

**3. NEW BUSINESS**

- a. **18-10-DR (Design Review)** – Indian Creek Sports; The applicant, Troy Todd with Indian Creek Sports, seeks Design Review approval from the Planning and Zoning Commission (acting as Design Review Committee) for a new 5,000 square foot showroom, shop, boat lot and an accessory recreational vehicle storage area, accompanying landscaping, lighting and parking lot along South Meridian Road. The approximately 5.49-acre site is located at 8797 South Meridian Road, Kuna, Idaho 83634 (APN# S1312142304). – **Tabled from April 24, 2018.**

**4. PUBLIC HEARING**

- a. **18-04-ZOA (Zoning Ordinance Amendment)** – Final Plat Bonding; An ordinance of the City Council for Kuna, Idaho amending Title 6, Chapter 2, Section 4 Kuna City Code titled Final Plats to allow for the City Engineer to sign the Final Plat prior to certain subdivision improvements and conditions being completed and set forth the procedure for the City to accept a financial guarantee to insure the completion, inspection and acceptance of the improvements and conditions that are deferred; and providing an effective date.

**5. COMMISSION REPORTS**

**6. ADJOURNMENT**

**CITY OF KUNA  
PLANNING & ZONING COMMISSION**

**MEETING MINUTES  
Tuesday, April 24, 2018**

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Commissioner Dana Hennis	X	Troy Behunin, Senior Planner	X
Commissioner Cathy Gealy	X	Jace Hellman, Planner II	X
Commissioner Stephen Damron	X		
Commissioner John Laraway	X		

**6:00 pm – COMMISSION MEETING & PUBLIC HEARING**

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

**Call to Order and Roll Call**

**1. CONSENT AGENDA**

- a. Meeting Minutes for April 10, 2018.
- b. **Findings of Fact and Conclusions of Law** for 18-01-ZC; Rezone of approximately 73.50 acres of four lots within Chisum Valley Subdivision No. 1 and 2.

*Commissioner Hennis Motions to approve the consent agenda; Commissioner Laraway Seconds, all aye and motion carried 4-0.*

**2. NEW BUSINESS**

- a. **18-10-DR (Design Review)** – Indian Creek Sports; The applicant, Troy Todd with Indian Creek Sports, seeks Design Review approval from the Planning and Zoning Commission (acting as Design Review Committee) for a new 5,000 square foot showroom, shop, boat lot and an accessory recreational vehicle storage area, accompanying landscaping, lighting and parking lot along South Meridian Road. The approximately 5.49-acre site is located at 8797 South Meridian Road, Kuna, Idaho 83634 (APN# S1312142304).
  - **Staff request the item be tabled to the next Planning and Zoning Commission Meeting on May 8, 2018.**

Commissioner Gealy Motions to table Case No. 18-10-DR to the next regularly scheduled Planning and Zoning Commission meeting on May 8, 2018; Commissioner Hennis Seconds, all aye and motion carried 4-0.

- b. **18-11-DR (Design Review)** – Accessory Building; 18-11-DR: Applicant requests approval from the Planning and Zoning Commission for a project consisting of a single new 6,000 Square Foot (SF) building, to be built next to the existing building on the lot. The purpose is to provide spaces for start-up business that require between 1,500 and 6,000 SF.

**Mike Smith:** 3521 E King Road. I have recently purchased the old Best Bath building and I moved my office in there and rented different little spaces to some start up businesses, we have three or four companies in there right now. When Best Bath built the place, they put in a ton of infrastructure. They put in all the fire hydrants sewer, water and storm drains for a huge complex, what I would like to start doing is adding some smaller buildings that are approximately 6,000 square feet. This is the first phase of that, those will be space for rent and my vision is to maybe pull in some these people that are operating maybe a body shop out of their home

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in a subdivision. I think some of those people throughout Kuna have outgrown their garage space. We advertise very minimally, and we already have the first building full times about four of people looking for that type industrial space. I think after we get the first one done and we fill it up, we will shoot for a second and third one and move on down the line. They are premade pre-engineered steel structural buildings, the same as what is already there, and once we are done it will pretty much a business park. **C/Young:** Okay, any questions for the applicant at this time? **C/Gealy:** No questions at this time. **Troy Behunin:** Good evening Commissioners, for the record Troy Behunin, senior planner, 751 W 4<sup>th</sup> St. So, the application as Mike Smith just describe 18-11-DR is for a 6,000 square foot new building to house possibly some new start up company's. Staff would just like to follow up with just a few things, the Best Bath approvals for that lot, they were actually a lot greater than what is actually on site now. The building is roughly only a quarter of what it was designed to be. In an effort to bring some newer smaller businesses, he wants to provide a space to do that, so those who are enterprising individuals can come to Kuna. As he said, he did purchase the lot and building and that was developed in a time when many of you were not in place so some of the standards that were followed for the landscaping and things like that, but because this lot within a subdivision staff is willing to work with the applicant as he adds additional buildings to the complex that additional parking will be added and some of the landscaping up front will be upgraded. Right now, the buffer up front doesn't necessarily meet City Code, and we are willing to work with him. I believe everyone has their packet, staff included the building sections, it looks like a framed building that looks like a 6000 square foot garage area that can be improved any where from 1500 feet to 6000 feet for an adventurist that wants to do something there, and then they would be responsible for the tenant improvement, with that staff would stand for any questions that you may have. **C/Damron:** Troy do we know if these, internally, are going to built as needed or are they going to built and then rented out. **Troy Behunin:** I understand when this is first built this is going to be a large shell, and then as tenants come on, they can rent anywhere from 1500 all the way up to 6000, and then that space can be improved by them, and I don't believe this is a rent to own situation, it is just a rent situation. **C/Gealy:** The property is zoned M1, what safeguards do we have to ensure the tenants fall within the M1 designation. **Troy Behunin:** So, there is actually a couple of safeguards that we do have, one we have Mike, and I suspect he will remind them in you want to rent the space, you have to improve it, which will send them to us for a building permit, that is one. The second is they have to get a business license, so there are two opportunities for staff to review it and make sure that it is allowed or special use allowed, and then we can let them know, or Mike know thumbs up or thumbs down or if a special use permit is involved. **C/Young:** Any other questions for Troy? Okay, thanks. For me, I think it fits with what is there and I think it is a great location. **C/Hennis:** I think it provides for what our City is lacking right now which is small industrial and business areas. **C/Young:** I think aesthetically, it fits with everything and landscape wise it fits with the City. **Troy Behunin:** Staff would just like to make sure the applicant is okay with progressive type improvements, with the parking lot, and landscaping, as it goes on, it will not be all at once, but a proportional share. **Mike Smith:** Yes, we would like to make a nice business park with paved parking and roads in between. We would like to be a nice good-looking place.

*Commissioner Gealy motions to approve case no. 18-11-DR with the conditions as stated in the staff report; Commissioner Hennis Seconds, all aye and motion carried 4-0.*

**3. PUBLIC HEARING**

- a. **18-07-SUP (Special Use Permit)** – A Touch of Home Daycare; Applicant, Arisa McRoberts, seeks Special Use Permit approval in order to operate a childcare center (childcare for 13 plus children, ages 0-12) in an existing residential structure. The site is located at 302 E. Avalon St., Kuna, ID 83634.

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## MEETING MINUTES Tuesday, April 24, 2018

**Arisa McRoberts:** 1205 N Black Cat, I have had a daycare in Kuna for 21 years, and I would like to expand to a small center to keep up with Kuna's Growth. I have a CDA in child development, the building is a little house over on Avalon between the pet clinic and the church. The owner Ralph Mellin has been very good to work with, as far as doing things we need to do to get it ready. We have the health inspection set for May 7<sup>th</sup> and the fire inspection set for May 2<sup>nd</sup>. **C/Hennis:** So, you are renting that house? **Arisa McRoberts:** Yes, I will be leasing it in one-year increments. **C/Young:** Have you read the staff report and the conditions inside. **Arisa McRoberts:** Yes, I have, Ralph has been working with ACHD for the driveway, and the rest of it is pretty cut and dry. **C/Young:** In the application I see two different parking layouts. **Arisa McRoberts:** Oh, I think that was two different ideas that would both meet the requirements, I think that is what Ralph has been talking to ACHD about. **C/Hennis:** Do you currently operate out of your house? **Arisa McRoberts:** Yes. **C/Hennis:** So, you are just trying to find a bigger space. Are you going to put a sign up? **Arisa McRoberts:** With everything else going on, I haven't really thought about the sign. **C/Hennis:** Yeah, just work with the City, and they will let you know what the regulations are. **C/Gealy:** About the parking, will you have six parking spaces? **Arisa McRoberts:** Yes, we plan to put six in. **C/Laraway:** Typically, people are going to pull in, but I am wondering how they are going to be able to back out. **C/Hennis:** I think we have looked in the past at this site before and I remembered right they came up the driveway and kind of turned in toward the house and had some 90 degrees along the house and then you can almost back out and pull out, but that is an option too. **Jace Hellman:** Maybe we could just condition that the applicant work with staff with regards to parking. Another note, Gravel is not permitted in the City of Kuna, so we could add another condition that the applicant work with the City Engineer to find an approved durable dust free surface. **C/Young:** Are there any other questions for the applicant at this time? **C/Gealy:** None at this time. **Jace Hellman:** Chairman, commissioners for the record my name is Jace Hellman, Planner II for the City of Kuna 751 W 4th ST. The application before you this evening is seeking special use permit approval in order to operate a childcare center within an R-6 zone located at 302 E Avalon St. The classification of Childcare center allows the applicant to provide childcare for more 13 children at any one time, on a regularly scheduled basis. The applicant will be required to KCC, which states childcare facilities require a minimum of forty (40) square feet of usable indoor door space per child and eighty (80) square feet of usable outdoor space per child. Due to the nature of this application being a childcare facility, Idaho State code title 39, chapter 11: basic daycare license, is an applicable standard, and the applicant shall adhere to its standards. Current access to the site exists along the subject sites frontage on east Avalon via an existing u-shaped or pull through driveway which will serve as the primary location for child drop off and pick up and parking. The current driveway is gravel, Kuna City Code 5-9-2-D requires all parking lots, driveways, aisles and other circulation areas shall be improved with a city engineer approved material to provide a durable dust-free surface. Due to the change of use, and in accordance with ACHD policy and Kuna City Code, Staff would suggest to the commission that the applicant be conditioned to work with the City engineer to in order to improve the current driveway with a durable and dust free surface. All plans will be required to be submitted to Central District Health, Kuna Fire District and the building department for review and inspection. The applicant will permit with the city to make any recommended modifications. Property owners within 300 feet of the property were notified, a notice was printed in the Kuna Melba news and the subject property was posted with a sign. Staff has determined that this application complies with chapter 3, title 5 of Kuna City Code for childcare centers and zoning regulations, the goals and objectives of the Kuna Comprehensive plan and Idaho State Code. Staff would forward a recommendation of approval. I will now stand for any questions. **C/Damron:** Is there a way we can work with the church and possible build an entry way, maybe they can drop some kids off over there and walk them over? **Jace Hellman:** I believe you would run into private property issue, and we would be having a whole other issue as far as getting another property involved. **C/Gealy:** I have a question about the fencing, the diagram we have shows an existing vinyl fence, and a proposed gate, is the entire playground going to be fenced in? **Jace Hellman:** It will all be fenced in, and I believe there are some gaps in the fence that will

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be required to be fixed prior to the business license being issued. **C/Gealy:** So, we don't have to include it as a condition? **Jace Hellman:** It is included in the staff report as a blanket condition that the applicant shall keep the fence in safe condition, but it is an Idaho State requirement that the play area be fully fenced, so that will have to be adhered to before the operation begins. **C/Young:** Then that opens up the public hearing at 6:29, I don't see anybody signed in to testify, if there is anyone who would like to testify who hasn't gotten the chance to sign in? **Chad Queen:** 368 E Avalon, Kuna Idaho. I have some concerns with this application, primarily the parking and the traffic and what that is going to do on a two-lane road. As we know Ada County owns the property 16 feet off of the property line so that is not useable for parking area, therefore the small gravel turn around isn't the proper surface, and I don't see anyway they can get six parking spots and that would be ten feet by twenty feet with a 22 foot aisle and there is just not enough real-estate for that, so I am confident the neighboring properties would bare the front of that traffic and I don't want my businesses that rent from me to have to deal with that. The City Plan is for that to be Central Business District and that was the City plan for a long time, and I am concerned that if we issue a conditional use permit in R-6 without any development agreements, no sidewalks, no street improvements, that we are going to end up with a long term tenant, in an old house, that has no capital improvements, that improve the value and the look of the street, and as an owner of a property that has done those improvements, I don't think we should grant a conditional use permit. If we have a question about that we can look next door to me at the veterinary clinic that has been there for twenty years now with no sidewalk and no capital improvements and a very unsafe walking path, it gets a lot of traffic, I know we have all been there when and watch cars come around, I cant imagine what will happen when cars start stacking on that road to drop people off. I do know in front of my property there would be hazard and danger there, so I urge you to not issue a conditional use permit and require the owner to go through the proper zoning techniques, the proper process, do a development agreement, build something that fits the City's plan and rezone that to CBD as it is the City's plan. If we talk about the zoning codes in chapter three, this conditional use permit is subject to design review and requires adequate parking, which physically the real-estate isn't there to do that, unless they park behind the building, and if we go into chapter four of the city plan it speaks directly to establishing parking in developing areas on main avenues behind buildings, and that was planned for aesthetics, and for street front through the middle of Kuna, and match the existing part and the new CBD east of the Mormon Church to match the old town area. If you issue a conditional use permit, we are then allowing somebody to become grandfathered and never, in the foreseeable future meet that design criteria. I think it would be a horrible mistake for the development of Kuna, and the increasing aesthetics of the main avenue through town to establish a business that can be grandfathered in and not meet those design requirements. **C/Young:** Okay, is there anything the applicant would like to say in rebuttal to that? **Ralph Mellin:** We will get legal parking for six spaces, whatever it takes, we will do it. **Arisa McRoberts:** I did just want to say most the parents come at different times to pick up and drop off. I don't think there is more than three at a time, so I think the six parking spaces would be more than adequate, even if we doubled in size, it doesn't mean six parking spaces wouldn't be enough. **C/Young:** With that we will close the public testimony at 6:35, which would bring up our discussion. **C/Hennis:** One thing I will say with respect to the gentleman's point with regards to having CBD have front facing businesses and rear parking, that is what Meridian tried to do with their Downtown corridor along mains street, and they chased so many businesses out, because they would effectively force businesses to demo the building and start over again, which drove many businesses out, so I don't think that is an effective method here. **Jace Hellman:** Staff would just comment that the future land use map shows this specific parcel as R-6 there is no CBD designation for this parcel. **C/Hennis:** I know parking is an issue and traffic is an issue, as I have been a patron of the vet clinic next door and it is rather trying to get in and out of there, but I agree with the applicant this is not going to be one where traffic is stacking up like a school, and I think as long as they can work with the parking in there, I think it is an adequate use. **C/Young:** I think for me the parking was the biggest issue and as long as they can work with staff to come up with

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something that meets code and I don't know if that means losing a little bit of grass north of the ADA ramp to accommodate that, but if the applicant can work with staff to make sure the required parking does meet code, I think we are alright because it will have to be paved. That will work well for the handicap stall as well, because you can't have that on gravel either. **C/Hennis:** But I think it is a service that is needed. **C/Young:** It is not uncommon for older houses in a downtown for businesses to go into those. Any other thoughts? **C/Gealy:** Just a thought I don't think we can deny a special use because there may be some future plan use for a parcel, when there is an existing structure, and an applicant proposing a business. It would seem to me that we would be hold a property owner hostage. **Jace Hellman:** Just to answer your question a little more Commissioner Gealy, a special use permit within an R-6 zone for a daycare center is completely allowable, so the highest and best use in this case would be anything allowed in an R-6 zone.

*Commissioner Hennis Motions to approve case no. 18-07-SUP, A Touch of Home Daycare, with the conditions as stated in the staff report, and with the additional condition that the applicant work with the City to maintain the parking requirements per Kuna City Code prior to operation; Commissioner Damron Seconds, all aye and motion carried 4-0.*

**4. COMMISSION REPORTS**

**5. ADJOURNMENT**

*Commissioner Gealy motions to adjourn; Commissioner Hennis Seconds, all aye and motion carried 4-0.*

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Lee Young, Chairman  
Kuna Planning and Zoning Commission

ATTEST:

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



# City of Kuna

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## P&Z Commission – Findings of Fact & Conclusions of Law

**To:** Kuna Planning and Zoning Commission.

**File Numbers:** 18-07-SUP (Special Use Permit); A Touch of Home Daycare

**Location:** 302 E. Avalon St, Kuna, Idaho 83634

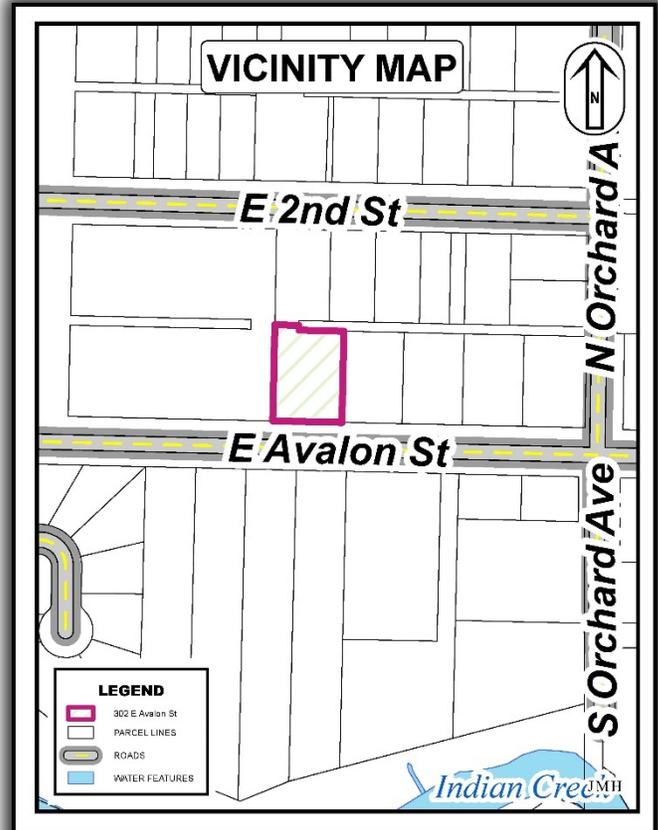
**Planner:** Jace Hellman, Planner II

**Hearing date:** April 24, 2018

**Findings of fact:** May 8, 2018

**Owner:** Ralph Mellin  
10100 W Franklin Rd.  
Boise, ID 83709

**Applicant:** Arisa McRoberts  
1205 N Black Cat Rd.  
Kuna, ID 83634  
208-695-7502  
[Arisamc7@hotmail.com](mailto:Arisamc7@hotmail.com)



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### A. Course of Proceedings:

1. The applicant is proposing to operate a Childcare Center within an existing residence located at 302 E. Avalon Street. In accordance with Titles 5-3 and 5-6 (Zoning Districts and Definitions) of Kuna City Code (KCC); this use requires approval of a Special Use Permit (SUP).
2. In accordance with KCC Title 5, Chapters 3 and 6, the applicant seeks approval of a Special Use Permit (SUP) for a Childcare Center at the subject site which allows for more than 13 children at any one time, on a regularly scheduled basis.

#### a. Notifications

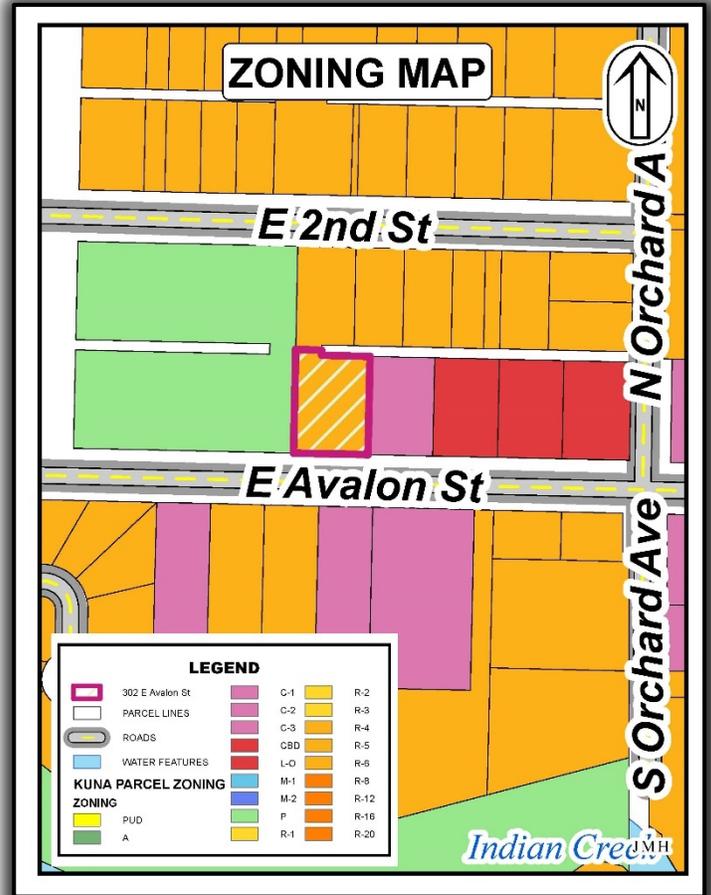
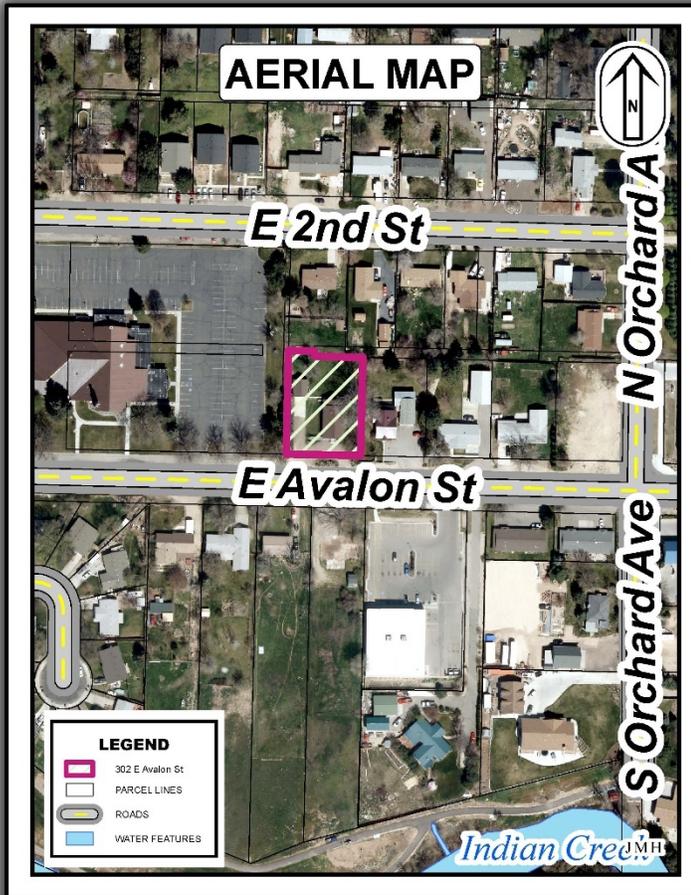
- |                         |                                 |
|-------------------------|---------------------------------|
| i. Neighborhood Meeting | March 10, 2018 (four attendees) |
| ii. Agencies            | March 29, 2018                  |

- iii. 300' Notice to Property Owners      April 4, 2018
- iv. Kuna, Melba Newspaper                  April 4, 2018
- v. Site Posted                                      April 13, 2018

**B. Applicants Request:**

Applicant, Arisa McRoberts, seeks Special Use Permit approval in order to operate a childcare center in an existing residential structure. The site is located at 302 E. Avalon St., Kuna, ID 83634.

**C. Aerial & Zoning Map:**



**D. History:** The property is within City limits and is currently zoned R-6 (Medium Density Residential). The current home on the property was previously used as a residential rental unit.

**E. General Projects Facts:**

**1. Surrounding Land Uses:**

<b>North</b>	R-6	Medium-Low Density Residential – Kuna City
<b>South</b>	C-2	Area Commercial District – Kuna City
<b>East</b>	C-2	Area Commercial District – Kuna City
<b>West</b>	P	Public – Kuna City

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

- Parcel Size: Approximately 0.40 acres
- Zoning: R-6 (Medium Density Residential)
- Parcel #: R0615001031

3. **Services:**

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

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

There is currently a single family residential home onsite, estimated to be approximately 1,700 square feet, and a detached two-car garage, estimated to be approximately 572 square feet. Landscaping on site is generally associated with an existing residential lot, including several mature trees.

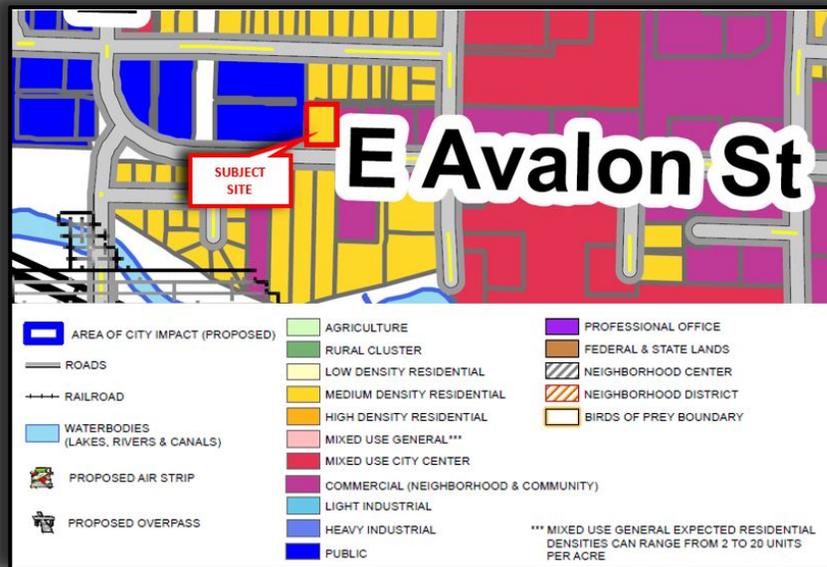
5. **Transportation / Connectivity:**

Current access to the site exists along the subject sites frontage on East Avalon Street via an existing pull through U-shaped gravel driveway. A marked crosswalk is located approximately 1,200 feet east of the subject site at the intersection of East Avalon Street and South Blue Diamond Lane. There are no sidewalks along the subject sites frontage.

6. **Environmental Issues:**

Apart from being in the nitrate priority area, staff is not aware of any environmental issues, health or safety conflicts at this time. This site’s topography is generally flat.

7. **Comprehensive Future Land Use Map:** The Future Land Use Map (FLU) identifies this site as Medium-Density Residential. Staff views this proposed Special Use Permit request to be consistent with the surrounding zoning designations as designated in the Future Land Use Map.



**8. Agency Responses:**

The following agencies returned comments which are included as exhibits with this case file:

- Kuna School District (April 2, 2018) .....Exhibit B1
- Department of Environmental Quality (April 6, 2018) .....Exhibit B2
- Idaho Transportation Department (April 10, 2018).....Exhibit B3
- Central District Health Department (April 12, 2018).....Exhibit B4
- Nampa & Meridian Irrigation District (April 16, 2018).....Exhibit B5
- Ada County Highway District (April 17, 2018).....Exhibit B6

**F. Staff Analysis:**

In order to operate a childcare center within a residential zone, a Special Use Permit is required per Kuna City Code 5-3 and 5-6 (Zoning Districts and Definitions). With a childcare center, the applicant is allowed to provide childcare for 13 plus children, ages 0-12, on regularly scheduled basis, with the appropriate child to staff ratio according to Idaho Code 39-1109(4)(a). The Childcare Center hours of operation will be Monday through Friday from approximately 6:00 am to 6:00 pm with some variation for special circumstances. The applicant proposed a total of 6-10 employees with a maximum of 3-4 employees working onsite at one time.

Per Kuna City Code 5-9-3: - Parking Space requirements, the applicant is required to have a minimum of six marked parking stalls for the building including a minimum of one handicapped accessible parking stall. Staff would note that per Kuna City Code 5-9-2-D: - Standards, all parking lots, driveways, aisles and other circulation areas, shall be improved with such material to provide a durable and dust-free surface and approved by the City Engineer. Gravel or dirt surfaces shall not be permitted for any parking or loading/unloading areas within R-2, R-4, R-6, R-8, R-12, R-20, C-1, C-2, C-3, CBD, O or P zones. Staff would suggest that the applicant be required to pave the existing driveway and proposed parking area in order to provide a durable and dust-free surface.

Childcare facilities require a minimum of forty (40) square feet of usable indoor space per child and eighty (80) square feet of usable outdoor space per child. The applicant will be required to comply with Idaho Code Title 39, Chapter 11.

Staff has determined that this application complies with Title 5 of Kuna City Code; Idaho Statute §67-6512; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No. 18-07-SUP to the Planning and Zoning Commission, subject to the recommended conditions of approval.

**G. Applicable Standards:**

1. Kuna City Code, Title 5, Zoning Regulations
2. City of Kuna Comprehensive Plan
3. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act
4. Idaho Code, Title 39, Chapter 11, Health and Safety

**H. Comprehensive Plan Analysis:**

The Kuna Planning and Zoning Commission may accept or reject the Comprehensive Plan components as described below:

1. The proposed Special Use Permit application for the site are consistent with the following comprehensive plan components:

**2.0 – 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: 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 criteria established to determine the potential for property taking.

#### **5.0 – Economic Development**

**Goal 1: Promote and support a diverse and sustainable economy that will allow more Kuna residents to work in their community**

Objective 1.2:

Strengthen existing business enterprises and promote their expansion.

#### **6.0 – 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.

Policy: Retail and residential land uses should be appropriately mixed and balanced with professional offices and service facilities to provide residents with a broader mix of services within walking distance from their homes.

### **I. Findings of Fact:**

1. Based on the record contained in Case No. 18-07-SUP, including the exhibits, staff's report and any public testimony at the public hearing, the Planning and Zoning Commission of Kuna, Idaho, hereby *approves* the Findings of Fact and Conclusions of Law, and the conditions of approval for Case No. 18-07-SUP.
2. The Kuna Planning and Zoning Commission approves the facts as outlined in the staff report, the public testimony and the supporting evidence list presented.

**Comment:** *The Kuna Commission held a public hearing on the subject application on April 24, 2018 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*

3. Based on the evidence contained in Case No. 18-07-SUP, this proposal appears to generally comply with the Comprehensive Plan and Future Land Use Map.

**Comment:** *The Comprehensive Plan Future Land Use Map designates the approximately 0.40 acres (project site) as Medium-Density Residential. The childcare center is permitted in this zone with a special use permit.*

4. The Kuna Planning and Zoning Commission has the authority to approve or deny this application.

**Comment:** *On April 24, 2018, Kuna's Planning and Zoning Commission voted to approve 18-07-SUP.*

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

**Comment:** *As noted in the process and noticing section, notice requirements were met to hold a public hearing on April 24, 2018.*

**J. Kuna City Code Analysis:**

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

**Comment:** *The proposed application adheres to the applicable requirements of Title 5 of the KCC.*

2. The site is physically suitable for the proposed project.

**Comment:** *The 0.40-acre project site is suitable for a childcare center.*

3. The special use permit is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat

**Comment:** *The land to be built on is not used as wildlife habitat. Roads, structures and open space already exist and will therefore not cause environmental damage or loss of habitat.*

4. The special use permit application is not likely to cause adverse public health problems.

**Comment:** *The proposed childcare center is connected to Kuna public sewer and water therefore eliminating the occurrence of adverse public health problems.*

5. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.

**Comment:** *The special use permit request considers the location of the property and adjacent uses. The adjacent uses are residential, commercial and public – as referenced in the Kuna Comprehensive Plan Future Land Use Map.*

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

**Comment:** *Utility services are suitable and adequate for a childcare center.*

**K. Conclusions of Law:**

1. Based on the evidence contained in Case No. 18-07-SUP, Commission finds Case No. 18-07-SUP generally *complies* with Kuna City Code.
2. Based on the evidence contained in Case No. 18-07-SUP, Commission finds Case No. 18-07-SUP is generally *consistent* with Kuna's Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

**L. Decision by the Commission:**

*Note: This motion is for approval, conditional approval or denial of these requests. However, if the Planning and Zoning Commission wishes to approve or deny specific parts of these requests as detailed in the report, those changes must be specified.*

Based on the facts outlined in staff's report and public testimony as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby approves Case No. 18-07-SUP, a Special Use Permit request by Arisa McRoberts with the following conditions of approval:

- Applicant shall work with City staff with regards to meeting Kuna City Code parking standards prior to issuance of a business license.
- 1. As requested by the applicant, the childcare center facility is allowed to be open Monday through Friday from 6:00 am to 6:00 pm, with some variation to accommodate special circumstances.
- 2. Signs, banners, flags or other means to attract attention onsite are allowed, with a permit, in accordance with KCC 5-10-4. A sign permit must be obtained prior to installing any new, or modifying any existing, signage.
- 3. Applicant shall ensure that fencing around the outside play area is in safe condition and complies with Idaho Code 39-1109.
- 4. The applicant shall provide the City with a copy of the Childcare License from the State of Idaho "Health and Welfare" Department within 30 days after approval and signing of the City's Findings of Fact, Conclusions of Law for the Special Use Permit or the approvals may be revoked.
- 5. The applicant shall provide a copy of all subsequent license renewals to Kuna's Planning and Zoning Department for the childcare center.
- 6. Applicant shall install a door chime on the front door to indicate any opening.
- 7. Applicant shall install safety locks on doors and cabinets where chemicals are stored.
- 8. Applicant shall install a fire extinguisher with the correct class rating (5lb ABC) for a kitchen.
- 9. All electrical outlets shall be covered with safety devices.
- 10. In the event the uses or the building on this parcel are enlarged, expanded upon or altered in anyway (even for temporary purposes), the landowner/applicant/developer, and any future assigns having interest in the subject property, shall seek an amendment to the approvals of this Special Use Permit through the Planning and Zoning Department.
- 11. This Special Use Permit is valid if the conditions of approval are adhered to continuously. In the event the conditions are not continuously followed; the special use permit approval may be revoked.
- 12. The applicant shall maintain a Kuna City Business License through Kuna City Clerk's office once the Special Use Permit is acquired.
- 13. The Fire District, Building Inspector and Central District Health Department must perform their necessary inspections for final sign-off. The applicant shall provide the City with copies.
- 14. The Special Use Permit shall follow the proposed intent provided on the SUP application and divest when the applicant no longer operates a Childcare Center on the property and/or no longer has any interest in the property or the business is discontinued for more than one (1) year. The applicant is obligated to advise the City of any changes in ownership or leasing agreements which would affect business operations.
- 15. The special use permit is not transferable from one parcel to another.
- 16. The applicant shall follow all staff and agency recommendations.
- 17. The applicant shall comply with all local, state and federal laws.

**DATED: this 8<sup>th</sup> day of May, 2018.**

\_\_\_\_\_  
Lee Young, Chairman  
Kuna Planning and Zoning Commission

ATTEST:

\_\_\_\_\_  
Jace Hellman, Planner II  
Kuna Planning and Zoning Department



# City of Kuna

## Design Review Order of Decision

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

**To:** Planning and Zoning Commission;  
Acting as Design Review Committee

**Case Numbers:** 18-11-DR (Design Review)  
SPI Transport

**Location:** 679 S. Best Business Avenue  
Kuna, Idaho 83634

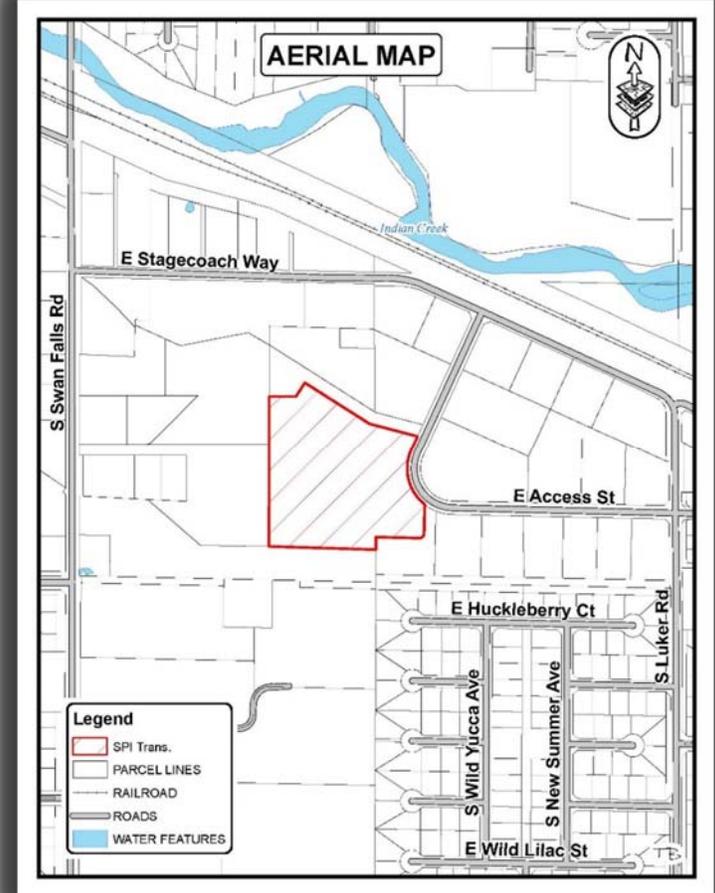
**Planner:** Troy Behunin, Planner III

**Meeting Date:** April 18, 2018  
**Order of Decision:** May 7, 2018

**Owner:** **Mike Smith**  
SPI Transportation  
PO Box100  
Kuna, ID 8364  
208.922.5771  
[Mikes@spiidaho.com](mailto:Mikes@spiidaho.com)

### Table of Contents:

- A. Course Proceedings
- B. Applicant Request
- C. Aerial Maps
- D. History
- E. General Project Facts
- F. Staff Analysis
- G. Applicable Standards
- H. Proposed Decision by the Commission



### A. Course of Proceedings:

1. According to Kuna City Code (KCC) Title 5, Chapter 4, Section 2 (Design Review); all new commercial buildings, landscaping, parking lots and signage are required to submit an application for review by the Design Review Committee (DRC). As a public meeting item, this action requires no formal public noticing actions.

#### a. Notifications

- i. Agenda

April 27, 2018

2. In accordance with KCC 5-4-2 and KCC 5-10-4-Q, this application seeks DRC approval for a new building, minimal landscaping, and parking for a new project in Kuna in the Shortline Business Park.

### B. Applicant Request:

1. Applicant requests approval from the Planning and Zoning Commission (acting as Design Review Committee - DRC) for a project consisting of a single new 6,000 Square Foot (SF) building, to be built next to the existing

building on the lot. The purpose is to provide spaces for start-up business that require between 1,500 and 6,000 SF. The building will be just a shell, and the tenants will improve to suit their needs, including electrical and plumbing needs.

C. **Aerial Map:**



©COPYRIGHTED

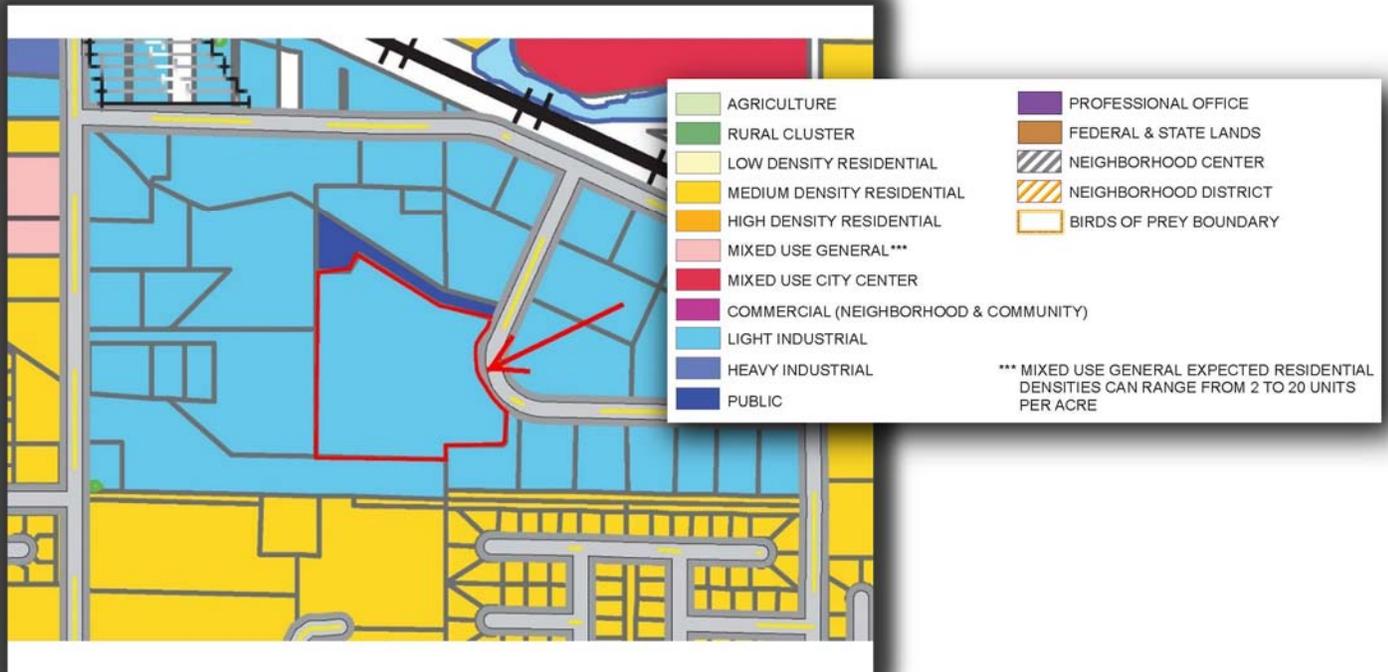
D. **History:**

The property is in City limits and is zoned M-1 (Light Industrial). This parcel had been used as an office/ business in an industrial zone since 2003. The original business was built in approximately 2005 and has only had one building on it since that time. Originally, the site was approved to house a single, larger building for a larger workforce.

E. **General Project Facts:** This land is approximately 8.65 acres in size, and is Lot 4, Block 2 within Shortline Park No.1 which was platted in 2002. The lot has sewer and potable water out front, but does *not* have pressure irrigation. The Lot has significant frontage on Best Business Avenue.

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

*See Illustration below on next page.*



**2. Surrounding Land Uses:**

<b>North</b>	M-1	Light industrial– Kuna City
<b>South</b>	M-1	Light industrial– Kuna City
<b>East</b>	M-1	Light industrial– Kuna City
<b>West</b>	M-1	Light industrial– Kuna City

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

- Approximately 8.66 acres, M-1; Light Industrial and Parcel No.: S1325233897

**4. Services:**

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

**5. Existing Structures, Vegetation and Natural Features:** The property has one existing building, and a partial parking lot, the remaining land exists as a vacant lot with clear ground waiting for expansion and more buildings.

**6. Transportation / Connectivity:** Proposed driveway access (ingress/egress) is from best Business Avenue

**7. Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts. This site’s topography is very flat with less than 2% slope.

**F. Staff Analysis:**

Staff has reviewed the application and finds the proposed building, landscaping and parking *generally* satisfies the intent of Kuna’s Codes and generally fits into the overall vision and existing M-1 Zone uses. The

proposed building generally conforms to the 'Industrial' guidelines and parking standards. Staff views this proposal to be *generally* consistent with its surrounding development.

The applicant has not proposed additional landscaping along Best Business Ave. frontage at this time. Applicant intends to continue adding additional buildings as the market requires which will continue to fill out the remaining vacant portions of the lot. With future expansion, applicant will add additional paved parking, and code compliant landscaping next to and around future buildings and along the frontage for Best Business Ave. as the parcel adds additional buildings.

The applicant has not proposed a trash collection area for the new building. Staff recommends that the applicant work with Chad Gordon at J & M Sanitation for their services.

Applicant is subject to design review inspections and fees for inspections (post construction), for DRC compliance verification of the buildings, landscaping and possible signage in the future prior to the C. of O. for the buildings being issued.

Staff views the proposed new commercial building, proposed landscaping, parking lot to be *generally* consistent with the goals and vision of the Industrial zone and Kuna city goals. Staff forwards a recommendation of approval for case No. 18-11-DRC to the Design Review Committee.

**G. Applicable Standards:**

1. City of Kuna Zoning Ordinance No. 230.
2. City of Kuna Design Review Ordinance, 2011-08.
3. City of Kuna Comprehensive Plan.
4. City of Kuna Landscaping Ordinance, 2012-22

**H. Order of Decision by the Commission:**

*Note: This proposed motion is for approval or denial of this request. However, if the Design Review Committee wishes to approve or deny specific parts of the requests as detailed in the report, those changes must be specified.*

Based on the facts outlined in staff's report, the case file and discussion at the public meeting. The Design Review Committee of Kuna, Idaho, hereby **approves** Case No. 18-11-DRC, a Design Review request by Mike Smith with SPI Transportation with the following conditions of approval:

1. All monument signage for the site shall comply with current Kuna City Code, go through the Design Review process, and *obtain a sign and building permit prior to construction.*
2. Lighting within the site shall be LED lighting and comply with the Kuna City Code.
3. Landscaping shall be installed and kept in a healthy condition as required in KCC 5-17.
4. Applicant shall add paved parking to the Lot as additional buildings are proposed.
5. Applicant shall add code compliant landscaping to the Lot frontage (Best Business Ave.) as additional buildings are proposed.
6. The applicant shall follow all applicable staff and agency recommendations.
7. Applicant shall proportionately add paved parking and landscaping with each new building added after this approval, and work with staff to ensure it complies with KCC as much as possible.
8. The applicant shall comply with all federal, state and local laws.

**DATED:** This 8th day of May, 2018.

---

Lee Young, Chairman  
Kuna Planning and Zoning Commission

ATTEST: \_\_\_\_\_  
Troy Behunin, Planner III,  
Kuna Planning and Zoning Department



# City of Kuna

## Design Review Staff Report

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

**To:** Planning and Zoning Commission  
(acting as Design Review Committee)

**Case Numbers:** 18-10-DR (Design Review) – Indian Creek Sports

**Location:** 8797 S. Meridian Rd., Kuna, ID 83634

**Planner:** Jace Hellman, Planner II

**Meeting Date:** April 24, 2018  
**Tabled To:** May 8, 2018

**Applicant:** Troy Todd  
6029 Sunrise Ave  
Kuna, ID 83634  
208-794-2806  
[troy@indiancreeksports.com](mailto:troy@indiancreeksports.com)



### Table of Contents:

- A. Course Proceedings
- B. Applicant Request
- C. Aerial Map
- D. History
- E. General Project Facts
- F. Staff Analysis
- G. Applicable Standards
- H. Decision by the Commission

### A. Course of Proceedings:

1. According to Kuna City Code (KCC) Title 5, Chapter 4, Section 2 (Design Review); all new commercial buildings, landscaping, parking lots and signage are required to submit an application for review by the Design Review Committee (DRC). As a public meeting item, this action requires no formal public noticing actions.
2. According to Kuna City Code (KCC) Title 5, Chapter 3, Section 2 (Official Schedule of District Regulations); an accessory use is permitted in a C-1 zone and is subject review by the Design Review Committee (DRC).

#### a. Notifications

- |                        |                |
|------------------------|----------------|
| i. Completeness Letter | April 9, 2018  |
| ii. Agenda (tabled)    | April 24, 2018 |
| iii. Agenda            | May 8, 2018    |

### B. Applicants Request:

#### 1. Request:

The applicant, Troy Todd with Indian Creek Sports, seeks Design Review approval from the Planning and Zoning Commission (acting as Design Review Committee) for a new 5,000 square foot showroom, shop, boat lot and an accessory recreational vehicle storage area, accompanying landscaping, lighting and parking lot along South

Meridian Road. The approximately 5.49-acre site is located at 8797 South Meridian Road, Kuna, Idaho 83634 (APN# S1312142304).

**C. Aerial Map**



**D. History:**

The property was recently annexed into city limits in 2017 with a C-1 (Neighborhood Commercial) zoning designation in 2017. The site has been vacant for several years. The site was previously zoned Rural Residential within the County.

**E. General Projects Facts:**

1. **Comprehensive Plan Designation:** The Future Land Use Map identifies this project location as High-Density Residential. In 2017, the applicant applied for, and was granted, a Comprehensive Plan Map Amendment to a commercial designation. Staff views this request to be consistent with the approved Comprehensive Plan Map Amendment.

2. **Surrounding Land Uses:**

<b>North</b>	RR	Rural Residential – Ada County
<b>South</b>	PUD	Planned Unit Development – Kuna City
<b>East</b>	RR	Rural Residential – Ada County
<b>West</b>	RR	Rural Residential – Ada County

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

- 5.49 (approximate) acres
- C-1 (Neighborhood Commercial)
- Parcel No. S1312142304

4. **Services:**

- Sanitary Sewer- Individual Septic
- Potable Water – Private Well
- Irrigation District – New York Irrigation District
- Pressurized Irrigation – Private System
- Fire Protection – Kuna Rural Fire District
- Police Protection – Kuna City Police (Ada County Sheriff’s office)

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

The property contains an existing pumphouse on the northeast border of the property. The property has vegetation associated with an unimproved commercial building site, including existing trees along the front half of the northern property line and the southeast corner of the property.

**6. Transportation / Connectivity:**

Access to the site currently exists via an approximately 30-foot-wide unimproved driveway access. The applicant proposes to improve the driveway as a paved 30-foot wide, curb return type driveway. The applicant also proposes to construct a 10-foot wide sidewalk along the properties frontage on South Meridian Road.

**7. Environmental Issues:**

The subject site lies within the designated Nitrate Priority Area (NPA). Beyond the NPA, staff is not aware of any additional environmental issues, health or safety conflicts.

**F. Staff Analysis:**

The applicant has proposed to keep all existing trees on site. However, the applicant has proposed no other landscaping within the required 30-foot landscape buffer. Staff will require the applicant to be in compliance with Kuna City Code 5-17: - Landscaping Requirements and provide staff with a complete landscape plan, including the type and location of all plant materials and ground covers, prior to the issuance of a certificate of occupancy. Staff will require the applicant to enter into a Memorandum of Understanding with the City, in which the applicant will be required to have all landscaping installed and inspected within one year of design review approval.

The applicant has identified the location of potential signage on site. Staff would note there was no sign application submitted with the Design Review application, Staff will require the applicant to have all signage administratively approved prior to obtaining a sign permit.

The applicant has not identified the location of a trash enclosure. Staff would recommend the applicant be conditioned to work with J&M Sanitation with regards to the location of the trash enclosure. Staff would also recommend the applicant be conditioned to construct the trash enclosure with a CMU brick frame and steel gates.

The applicant has proposed to install a 10-foot wide sidewalk along the site's frontage within the 30-foot wide landscape buffer. Based on East Kuna Road's roadway classification of principal arterial, staff finds the proposed sidewalk to be in conformance with Kuna City Code. Additionally, staff will require the applicant to install curb and gutter along the property's frontage on Meridian Road.

The applicant proposes to have an accessory storage area onsite for recreational type vehicles (i.e. Boats, RV's and Campers). The accessory storage area is expected to be covered with a pole barn type structure, which will be constructed out of the same materials as the boat shop and show room and will be accessible only during business hours via key lock access. Kuna City Code 5-3-2 allows for accessory uses within the C-1 neighborhood commercial zone as long as the proposed accessory use is clearly subordinate to the primary use of the parcel.

According to the submitted site plan, the applicant proposes an additional set of buildings on site to be constructed in future development. The uses of these buildings are unknown at this time. Staff will require the applicant to have any additional buildings and their uses be approved through proper Planning and Zoning processes.

Currently, City Services are not within 300 feet of the subject property. The applicant will be required to connect to City sewer, potable water and pressurized irrigation when the availability of those services are within 300 feet of the property line.

Applicant is hereby notified that this project is subject to design review inspections and fees. Required inspections (post construction), are to verify Design Review compliance for building, parking lot and streetlights, prior to issuance of the certificate of occupancy for the building.

Staff views the proposed new commercial building, landscaping, parking lot and lighting to be generally consistent with the goals and vision of the overlay district for the City of Kuna. Staff forwards a recommendation of approval for case no. 18-10-DR to the Design Review Committee.

**G. Applicable Standards:**

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

**H. Proposed Decision by the Planning and Zoning Commission:**

*Note: This proposed motion is for approval, or denial of this request. However, if the Design Review Committee wishes to approve, conditionally approve or deny specific parts of the requests as detailed in the report, those changes must be specified.*

Based on the facts outlined in staff's report, the case file and discussion at the public meeting. The Design Review Committee of Kuna, Idaho, hereby (approves/denies) Case No. 18-10-DR, a Design Review request by Troy Todd, with the following conditions of approval:

1. The applicant shall follow all requirements for sanitary sewer, potable water, irrigation system connections, and all other requirements of Kuna's Public Works Department.
2. The applicant shall obtain written approval of the construction plans from the agencies noted below. The approval may be either on agency letterhead referring to the approved use or may be written or stamped upon a copy of the approved plans. All site improvements are prohibited prior to approval of these agencies and the issuance of a building permit:
  - a. The City Engineer shall approve all civil plans, including the parking lot drainage plan. 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 or excavation of any kind shall be initiated until the applicant has received approval of the civil plan.
  - b. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities per Kuna Fire District are required.
  - c. Impact Fees from Ada County Highway District, if any, shall be paid prior to building permit approval.
  - d. Approval from Idaho Transportation Department shall be obtained prior to commencement of construction.
3. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
4. Applicant shall connect to all City services when the availability of those services are within 300 feet of the property lines.
5. When required, the applicant shall 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.
6. All parking on site shall comply with Kuna City Code 5-9. A minimum of 16 parking spaces, including a minimum of one handicap accessible spaces shall be installed.
7. Per Kuna City Code 5-9-2-D, all parking lots, driveways, aisles, and other circulation areas shall be paved.

8. Applicant shall improve the proposed accessory storage area with a durable and dust free surface. The City Engineer shall approve the material.
9. Applicant shall install curb, gutter and a minimum 10-foot-wide detached sidewalk.
10. Landscaping on site shall comply with Kuna City Code 5-17. A complete landscape plan, including the type and location of all plant materials and ground covers, shall be submitted to the Planning and Zoning Department to be approved prior to the issuance of certificate of occupancy.
11. Applicant shall enter into a Memorandum of Understanding with City of Kuna, in which the applicant shall be required to have all landscaping installed and inspected within one year of design review approval.
12. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace any unhealthy or dead plant material immediately (within 3 days as weather permits) or as the planting season permits. Maintenance and planting within public rights-of-way shall be approved by Idaho Transportation Department.
13. All lighting within the site shall be LED and comply with Kuna City Code 5-9-5-B and 6-4-2-T.
14. This development is subject to building, landscaping and lighting design review inspections. Inspection fees shall be paid prior to staff inspection.
15. All signage shall be administratively approved by the Planning and Zoning Department.
16. The location of any trash enclosures shall be administratively approved by the Planning and Zoning Department.
17. 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 Commission, or seek amending them through the Design Review process.
18. Any future plans, buildings and their uses shall be approved through the proper Planning and Zoning processes.
19. Applicant shall follow staff, City engineer and other agency recommended requirements, as applicable.
20. Applicant shall comply with all local, state and federal laws.

**DATED: This 24th day of April, 2018.**



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)	18-10-DR
Project name	Indian Creek Sports
Date Received	4/4/18
Date Accepted/Complete	4/9/18
Cross Reference Files	
Commission Hearing Date	4/24/18
City Council Hearing Date	

### Type of Review (check all that apply):

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

### Contact/Applicant Information

Owners of Record: <u>Trey Todd</u>	Phone Number: <u>208-794-2806</u>
Address: <u>6029 Sunrise</u>	E-Mail: <u>Trey@indiancreekSports.com</u>
City, State, Zip: <u>Kuna Id 83634</u>	Fax #: _____
Applicant (Developer): _____	Phone Number: _____
Address: <u>Same</u>	E-Mail: _____
City, State, Zip: _____	Fax #: _____
Engineer/Representative: _____	Phone Number: _____
Address: <u>Same</u>	E-Mail: _____
City, State, Zip: _____	Fax #: _____

### Subject Property Information

Site Address: <u>8797 S Meridian Rd</u>	
Site Location (Cross Streets): <u>N.W. Corner of Mason Creek</u>	
Parcel Number (s): <u>Meridian Rd 51312142304</u>	
Section, Township, Range: <u>2N1W12</u>	
Property size: <u>5.489</u>	
Current land use: <u>Ag</u>	Proposed land use: <u>Commercial</u>
Current zoning district: <u>C-1</u>	Proposed zoning district: <u>C-1</u>



**Project Description**

Project / subdivision name: \_\_\_\_\_  
General description of proposed project / request: INDIAN Creek Sports  
new location

Type of use proposed (check all that apply):

Residential \_\_\_\_\_  
 Commercial \_\_\_\_\_  
 Office \_\_\_\_\_  
 Industrial \_\_\_\_\_  
 Other \_\_\_\_\_

Amenities provided with this development (if applicable): \_\_\_\_\_

**Residential Project Summary (if applicable)**

Are there existing buildings?  Yes  No  
Please describe the existing buildings: Pump House  
Any existing buildings to remain?  Yes  No  
Number of residential units: 0 Number of building lots: \_\_\_\_\_  
Number of common and/or other lots: 1

Type of dwellings proposed:

Single-Family \_\_\_\_\_  
 Townhouses \_\_\_\_\_  
 Duplexes \_\_\_\_\_  
 Multi-Family \_\_\_\_\_  
 Other BOAT LOT

Minimum Square footage of structure (s): 2500  
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: 1 Other lots: \_\_\_\_\_  
Gross floor area square footage: 5000 Existing (if applicable): \_\_\_\_\_  
Hours of operation (days & hours): \_\_\_\_\_ Building height: \_\_\_\_\_  
Total number of employees: 5 Max. number of employees at one time: \_\_\_\_\_  
Number and ages of students/children: \_\_\_\_\_ Seating capacity: \_\_\_\_\_  
Fencing type, size & location (proposed or existing to remain): Wrought IRON on  
Front metal horizontal roof on back

Proposed Parking:

a. Handicapped spaces: 1 Dimensions: 10x20  
b. Total Parking spaces: 10 Dimensions: 20x20  
c. Width of driveway aisle: 25'

Proposed Lighting: 6 Pole lights  
Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.):  
GROSS & EXISTING PINE TREES

Applicant's Signature: [Signature] Date: 7/1/18



# City of Kuna Design Review Application

**received**  
4/4/2018

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

FILE NO.: 18-10-DR (Design Review)

CROSS REF.: \_\_\_\_\_

FILES: 18-10-DR (Design Review)

The City of Kuna has adopted a Design Review process whose purpose is to make Kuna a pleasant and comfortable place to live and work. This Design Review process is based on standards and guidelines found in the Design Review Ordinance No. 2007-02 and the Architecture and Site Design Booklet. Both documents can be found online ([www.cityofkuna.com](http://www.cityofkuna.com)) or are picked up in the City's Planning and zoning department is located at 751 W 4<sup>th</sup> Street, Kuna ID.

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

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

### Application Submittal Requirements

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

Exhibit  
B2



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



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

- (2) 24" x 36" LARGE FORMAT PLANS
- (1) 11" X 17" PLAN REDUCTIONS
- (1) 8 1/2" x 11" PLAN REDUCTIONS



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



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

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

### Site Plan

Applicant Use		Staff Use
<input checked="" type="checkbox"/>	North Arrow	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	To scale drawings	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Property lines	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Name of "Plan Preparer" with contact information	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Name of project and date	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Existing structures, identify those which are to be relocated or removed	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	On-site and adjoining streets, alleys, private drives and rights-of-way	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Drainage location and method of on-site retention / detention	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Location of public restrooms	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Existing / proposed utility service and any above-ground utility structures and their location	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Location and width of easements, canals and drainage ditches	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Location and dimension of off-street parking	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Locations and sizes of any loading area, docks, ramps and vehicle storage or service areas	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Trash storage areas and exterior mechanical equipment, with proposed method of screening	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Sign locations <i>(a separate sign application must be submitted with this application)</i>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	On-site transportation circulation plan for motor vehicles, pedestrians and bicycles	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Locations and uses of ALL open spaces	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Locations, types and sizes of sound and visual buffers <i>(Note: all buffers must be located outside the public right-of-way)</i>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Parking layout including spaces, driveways, curb cuts, circulation patterns, pedestrian walks and vision triangle	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Locations of subdivision lines <i>(if applicable)</i>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Illustration that demonstrates adequate sight distance is provided for motor vehicles, pedestrians and bicycles	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Location of walls and fences and indication of their height and material of construction	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Roofline and foundation plan of building, location on the site	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Location and designations of all sidewalks	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Location and designation of all rights-of-way and property lines	<input checked="" type="checkbox"/>

## Landscape and Streetscape Plan

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

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

## Building Elevations

Applicant Use		Staff Use
<input checked="" type="checkbox"/>	Detailed elevation plans of each side of any proposed building(s) or additions(s) <i>Note: Four (4) elevations to include all sides of development and must be in color</i>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Identify the elevations as to north, south, east, and west orientation	<input checked="" type="checkbox"/>

- Colored copies of all proposed building materials and indication where each material and color application is to be located  
*Note: Submit as 11"x17" reductions*
- Screening/treatment of mechanical equipment
- Provide a cross-section of the building showing any roof top mechanical units and their roof placement
- Detailed elevation plans showing the materials to be used in construction of trash enclosures

- 
- 
- 
- needed*

**Lighting Plan**

- Applicant Use  Exterior lighting including detailed cut sheets and photometric plan (pedestrian, vehicle, security, decoration)
- Types and wattage of all light fixtures  
*Note: The City encourages use of "dark sky" lighting fixtures*
- Placement of all light fixtures shown on elevations and landscaping plans

- Staff Use
- 
- 

**Roof Plans**

- Applicant Use  Size and location of all roof top mechanical units

- Staff Use

# Design Review Application

Applicant: Troy & Vicki Todd Phone: 208-794-2806  
 Owner  Representative Fax/Email: \_\_\_\_\_

Applicant's Address: 6029 SUNRISE AVE  
RUNA Id Zip: 83634

Owner: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Owner's Address: \_\_\_\_\_ Email: \_\_\_\_\_  
 \_\_\_\_\_ Zip: \_\_\_\_\_

Represented By: *(if different from above)* \_\_\_\_\_ Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_ Email: \_\_\_\_\_  
 \_\_\_\_\_ Zip: \_\_\_\_\_

Address of Property: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Distance from Major Cross Street: \_\_\_\_\_ Street Name(s): \_\_\_\_\_

*Please check the box that reflects the intent of the application*

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

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

Changing 8797 S. MERIDIAN Rd From Bare  
GROUND TO THE NEW INDIAN CREEK SPORTS

1. Dimension of Property: \_\_\_\_\_
2. Current Land Use(s): C-1
3. What are the land uses of the adjoining properties?  
 North: A7  
 South: A9  
 East: A9  
 West: A6

4. Is the project intended to be phased, if so what is the phasing time period? NO, 1ST ROUND

Please explain: To Be Completed in 3 months

5. The number and use(s) of all structures: 1- Show Room / shop 1- poss. STORAGE

6. Building heights: 14' EAVES Number of stories: 1  
The height and width relationship of new structures shall be compatible and consistent with the architectural character of the area and proposed use.

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

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

7. What is the percentage of building space on the lot when compared to the total lot area? 15%

8. Exterior building materials & colors: (Note: This section must be completed in compliance with the City of Kuna Ordinance No. 2007-21A (as amended); found online at [www.cityofkuna.com](http://www.cityofkuna.com)) under the City Code.

	MATERIAL	COLOR
Roof:	<u>metal</u>	<u>UNKNOWN</u>

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

% of Wood application: STICK FRAME / \_\_\_\_\_  
% EIFS: NO / \_\_\_\_\_  
(Exterior Insulation Finish System)  
% Masonry: 0 / \_\_\_\_\_  
% Face Block: 0 / \_\_\_\_\_  
% Stucco: 0 / \_\_\_\_\_  
& other material(s): metal / \_\_\_\_\_  
List all other materials: Sheet Rock, Doors, Windows,  
Windows/Doors: Windows Vinyl / Doors steel  
(Type of window frames & styles / doors & styles, material)  
Soffits and fascia material: metal / \_\_\_\_\_  
Trim, etc.: metal / \_\_\_\_\_  
Other: \_\_\_\_\_ / \_\_\_\_\_

9. Please identify Mechanical Units: To BE installed inside Show Room  
Type/Height: Shop To BE waste oil heat  
Proposed Screening Method: \_\_\_\_\_

10. Please identify trash enclosure: (size, location, screening & construction materials) in Back Behind 6' Fence

11. Are there any irrigation ditches/canals on or adjacent to the property? yes  
If yes, what is the name of the irrigation or drainage provider? MASON Creek

12. Fencing: (Please provide information about new fencing material as well as any existing fencing material)  
Wrought Iron style in front metal in back

Type: 6" metal solid in Back  
 Size: 48" wrought iron look in Front  
 Location: \_\_\_\_\_

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

13. Proposed method of On-site Drainage Retention/Detention:  
Engineered

14. Percentage of Site Devoted to Building Coverage: 30%

% of Site Devoted to Landscaping: 10% Square Footage: 12000 + 14720 + 4000 = 30720  
*(Including landscaped rights-of-way)*

% of Site that is Hard Surface: 30% Square Footage: \_\_\_\_\_  
*(Paving, driveways, walkways, etc.)*

% of Site Devoted to other uses: 90%

Describe: \_\_\_\_\_

% of landscaping within the parking lot (landscaped islands, etc.): 5%

15. For details, please provide dimensions of landscaped areas within public rights-of-way:  
 \_\_\_\_\_

16. Are there any existing trees of 4" or greater in caliper on the property? *(Please provide the information on the site plans.)*

If yes, what type, size and the general location? *(The City's goal is to preserve existing trees with a four inch (4") or greater caliper whenever possible):*

yes

17. Dock Loading Facilities:

Number of docking facilities and their location: NO

Method of screening: metal Post with ~~FEW~~ STEEL Roofing 6" High in Back 3/4 OF LOT

18. Pedestrian Amenities: *(bike racks, receptacles, drinking fountains, benches, etc.)* Ø

19. Setbacks of the proposed building from property lines:

Front 120 -feet      Rear \_\_\_\_\_ -feet      Side 120 -feet      Side \_\_\_\_\_ -feet

20. Parking requirements:

Total Number of Parking Spaces: 12      Width and Length of Spaces: 12x20

Total Number of Compact Spaces 8'x17': Ø

21. Is any portion of the property subject to flooding conditions?      Yes \_\_\_\_\_      No Ø

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

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

Signature of Applicant Seoy Sood Date 3/14/18  
City staff comments:  
\_\_\_\_\_  
\_\_\_\_\_

Signature of receipt by City Staff [Signature] Date 4/16/18

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

\_\_\_\_\_  
\_\_\_\_\_  
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April 4, 2018

# CITY OF KUNA

DESIGN REVIEW  
P O BOX 13  
KUNA, IDAHO 83634

Indian Creek Sports, LLC has outgrown our current location and is moving from 958 W Avalon St to 8797 Meridian Rd to expand our business.

8797 Meridian Rd has been rezoned to C1 and we have been annexed into the City of Kuna. We will be building a showroom with a storefront and a full service shop in the back.

Indian Creek Sports has been talking to Kuna Planning and Zoning about all of the requirements needed to complete this project. We here at Indian Creek Sports would like your approval so that we can begin building our new facility.

Sincerely,

Troy & Vicki Todd

208-922-9353

Indian Creek Sports

958 W Avalon St Kuna, Idaho 83634

958 W Avalon St. Kuna, Idaho 83634



LEGAL DESCRIPTION  
FOR  
8797 S. MERIDIAN ROAD

A tract of land located in the Southeast Quarter of the Northeast Quarter of Section 12, Township 2 North, Range 1 West of the Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the East Quarter Corner common to Section 7, Township 2 North, Range 1 East and Section 12, Township 2 North, Range 1 West of the Boise Meridian, marked with an Aluminum Cap Monument, at the center-line of State Highway 69; thence N.89°25'31"W. a distance of 65.00 feet to a 5/8" rebar with plastic cap at the West Right-of-Way Line of State Highway 69, the Real Point of Beginning.

Thence N.89°25'31"W. a distance of 195.55 feet along the South Boundary of the Southeast ¼ of the Northeast ¼ of said Section 12 to a point at the Center-Line of the Mason Creek Feeder Canal; thence N.63°37'21"W. a distance of 108.12 feet along said Canal Center-Line; thence N.68°11'10"W. a distance of 272.40 feet along said Canal Center-Line; thence N.58°55'38"W. a distance of 443.50 feet along said Canal Center-Line; N.58°27'16"W. a distance of 48.82 feet along said Canal Center-Line; thence S.88°59'45"E. a distance of 40.00 feet to a point; thence S.88°59'45"E. a distance of 929.54 feet to 5/8" rebar with plastic cap; thence S.00°23'11"W. a distance of 388.74 feet along the Westerly Right-of-Way Line of Highway 69 to a 5/8" rebar with plastic cap, The Real Point of Beginning.

Said parcel contains 5.4892 Acres, more or less, and is subject to the following easements:

An Exclusive United States Mason Creek Feeder Canal Easement 37.00 feet to the right of the Mason Creek Feeder Canal Center-Line and also the following described easement:

Commencing at the East Quarter Corner of Section 12, T. 2 N., R. 1 W., B. M.; thence N.89°25'31"W. a distance of 260.55 feet to a point on the Center-Line of the Mason Creek Feeder; thence N.63°37'21"W. a distance of 108.12 feet along said Canal Center-Line; thence N.68°11'10"W. a distance of 272.40 feet along said Canal Center-Line; thence N.21°48'48"E. a distance of 37.12 feet to the Radius point and the Initial Point of the Easement; said Easement is 50.00 feet in diameter;

And, a 30.00 feet Ingress and Egress Easement, lying adjacent to and parallel with the South Property Boundary where the South Boundary intersects the Center-Line of the Mason Creek Feeder Canal;

And, subject to a 16 feet wide Ingress and Egress Easement in the Southeast Quarter of the Northeast Quarter of Section 12, T. 2 N., R. 1 W. of the Boise Meridian lying 8 feet each side of the following described line:

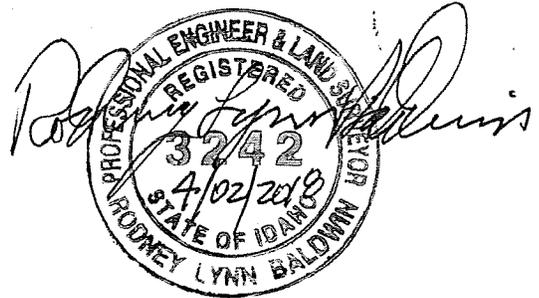
Exhibit

B4

Commencing at the East Quarter Corner of said Section 12, thence along the East Section Line of said Section 12 N.00°23'11"E. (formerly N.00°23'34"W.) a distance of 380.25 feet to a point on said East Section Line; thence N.89°13'00"W. (formerly N.89°59'45"W.) a distance of 65.00 feet to a point on the West Right-of-Way Line of State Highway 69 as shown on Federal Aid Project No. STP-3782(101), said point being the Point of Beginning.

Thence N.89°13'00"W. (formerly N.89°59'45"W.) a distance of 987.97 feet to the end point, said point bearing N.69°24'25"W. (formerly N.70°11'10"W.) a distance of 1,122.00 feet from the East Quarter Corner of Section 12, T. 2 N., R. 1 W. of the Boise Meridian.

Prepared by: Rodney L. Baldwin, PE/LS  
Consulting Engineer/Land Surveyor  
4066 Hawthorne Way  
Boise, Idaho 83703-3923  
Phone No. (208) 343-4135  
Cell Phone (208) 484-4450  
Fax No. (208) 344-3596  
Email: rodbaldwinpels@cableone.net





5680 E. Franklin Rd., Ste. 150  
Nampa, ID 83687

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

File No. 593576 KC/PP

### WARRANTY DEED

For Value Received Dan W. Richards and Angela G. Richards, husband and wife  
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Troy V Todd and Vicki J Todd, husband and wife  
hereinafter referred to as Grantee, whose current address is 958 W Avalon St. Kuna, Id 83634

The following described premises, to-wit:

A tract of land located in the Southeast quarter of the Northeast quarter of Section 12, Township 2 North, Range 1 West of the Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Southeast corner of the Southeast quarter of the Northeast quarter of Section 12; thence

North 89°25'31" West 33.00 feet to a point on the Westerly right-of-way line of Idaho State Highway No. 69 and the Initial Point of this description; thence

North 89°25'31" West 227.55 feet along the South boundary of the Southeast quarter of the Northeast quarter to a point in the centerline of the Mason Creek Feeder Canal; thence

North 63°37'21" West 108.12 feet along said centerline; thence

North 68°11'10" West 272.40 feet along said centerline; thence

North 58°55'38" West 443.50 feet along said centerline; thence

North 58°27'16" West 48.82 feet along said centerline; thence

South 88°59'45" East 1001.53 feet to a point on the Westerly right-of-way of Idaho State Highway No. 69; thence

South 00°23'11" West 388.50 feet along said right-of-way to the initial Point of this description.

EXCEPTING THEREFROM that portion conveyed to the State of Idaho, Idaho Transportation Department by Warranty Deed recorded February 5, 1996 as Instrument No. 96009895 and more particularly described as follows:

A parcel of land on the West side of the centerline of State Highway No. 69 Project No. STP-3782(101) KUNA HWY, as shown on the plans now on file in the office of the Idaho Transportation Department, and being a portion of the SE1/4 NE1/4, of Section 12, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho.



Commencing at the East Quarter corner: of Section 12 of T2N R1W, BM., said point being station 195+34.43;

Thence North 88°58'05" West (Formerly North 89 °25'31" West), a distance of 33.00 feet to a point for the Place of Beginning, said point lying 33.00 feet left of Station 195+34.81;

Thence North 88°58'05" west (Formerly North 89 °25'31" West), a distance of 32.00 feet to a point, said point lying 65.00 feet left of Station 195+35.17;

Thence North 0°22'55" East, a distance of 388.16 feet to a point, said point lying 65.00 feet left of Station 199+23.33;

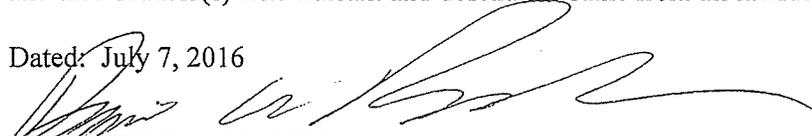
Thence South 88°59'29" East, a distance of 32.00 feet to a point, said point lying 33.00 feet left of station 199+22.98;

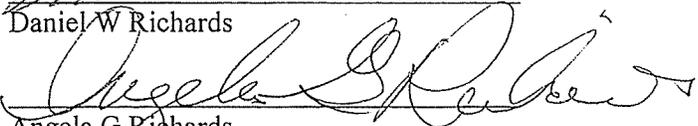
Thence South 0°22'55" West, a distance of 388.18 feet (Formerly South 0°23'11" West, 388.50 feet) to the Place of Beginning;

Highway Station Reference: 195+35 to 199+23.53

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

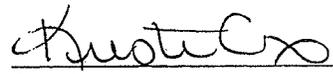
Dated: July 7, 2016

  
Daniel W Richards

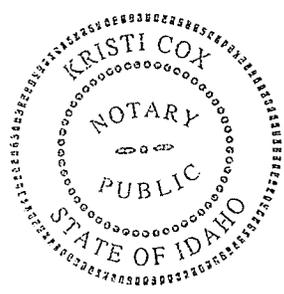
  
Angela G Richards

State of Idaho, County of Canyon

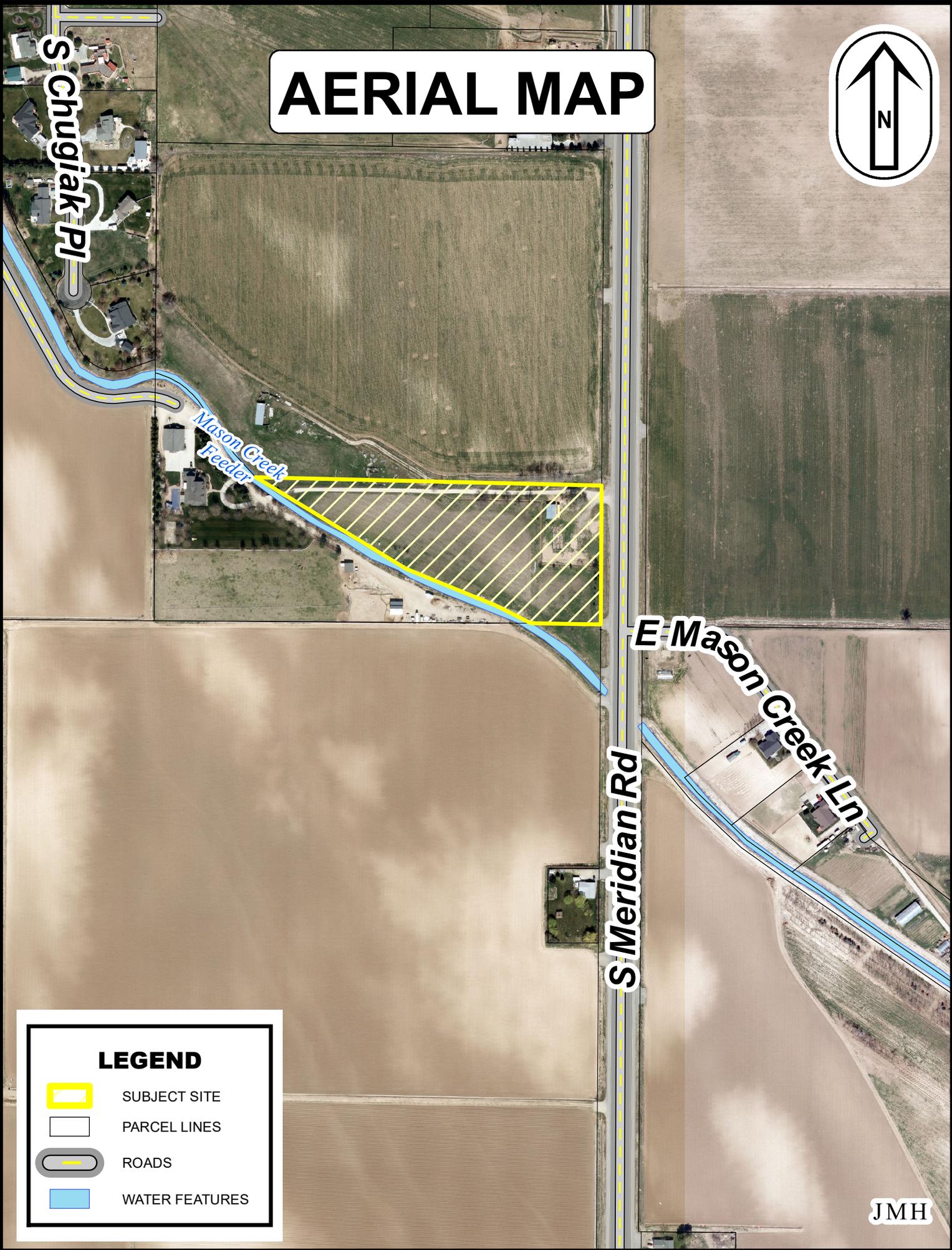
On this 8<sup>th</sup> day of July in the year of 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Daniel W Richards and Angela G Richards known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

  
Residing at: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

Residing in Middleton, Idaho  
Commission Expires: 03-11-2020



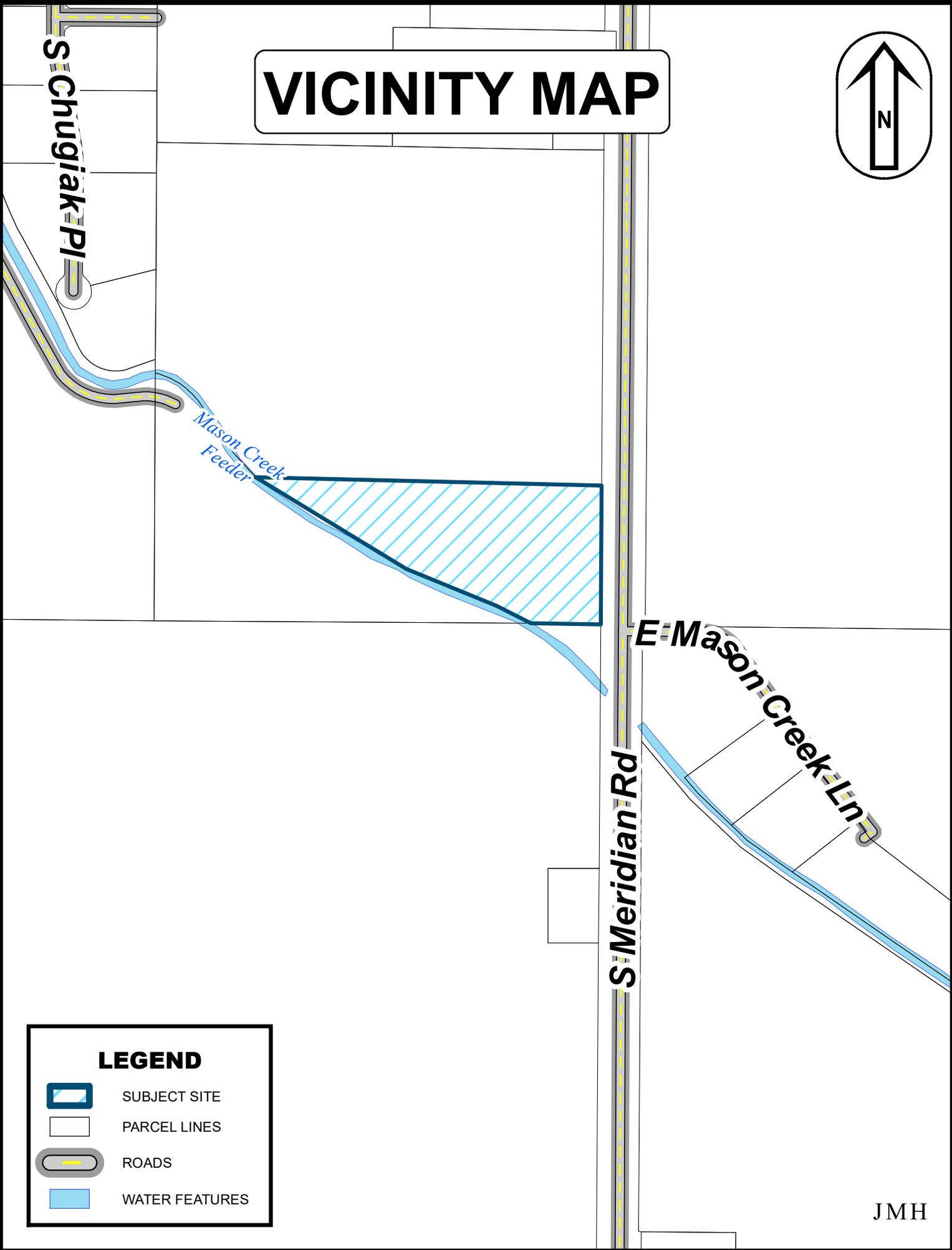
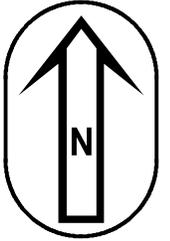
# AERIAL MAP



**LEGEND**

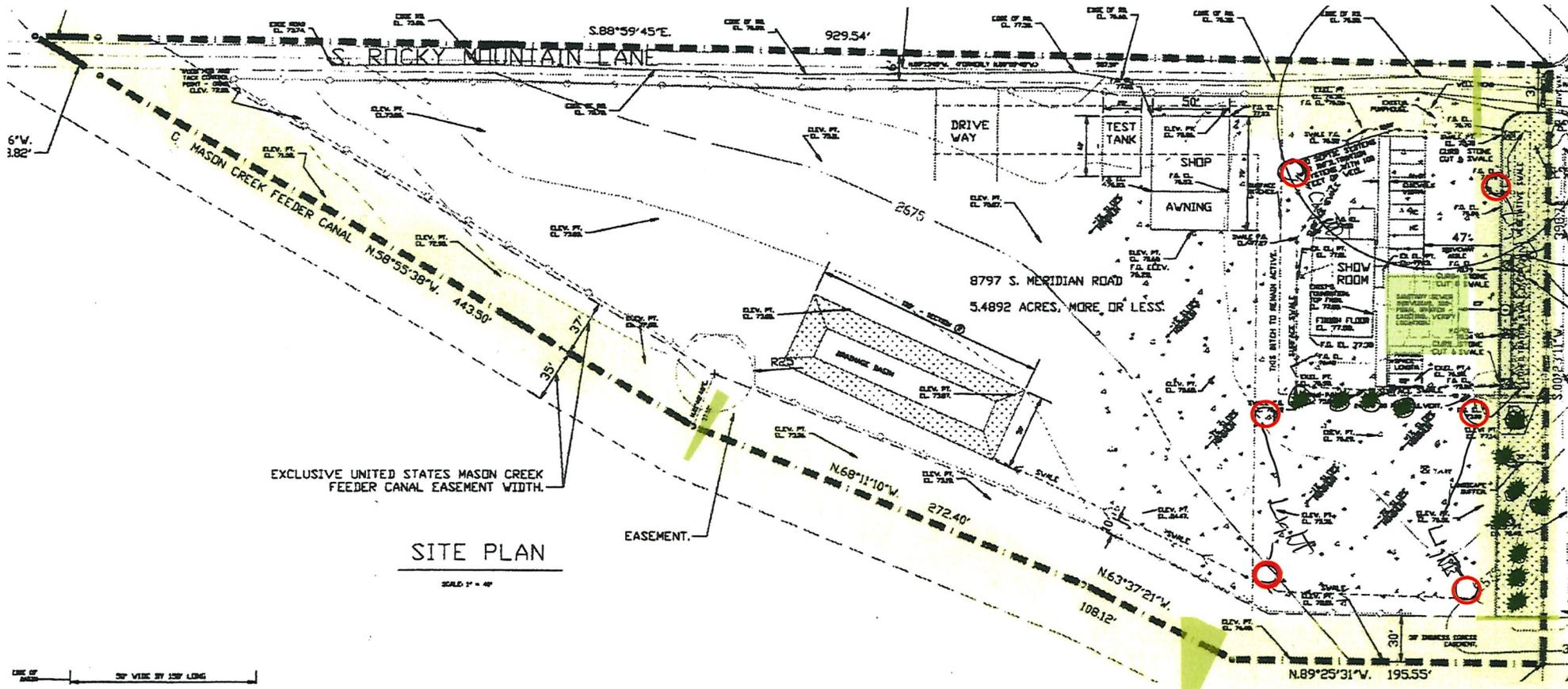
-  SUBJECT SITE
-  PARCEL LINES
-  ROADS
-  WATER FEATURES

# VICINITY MAP



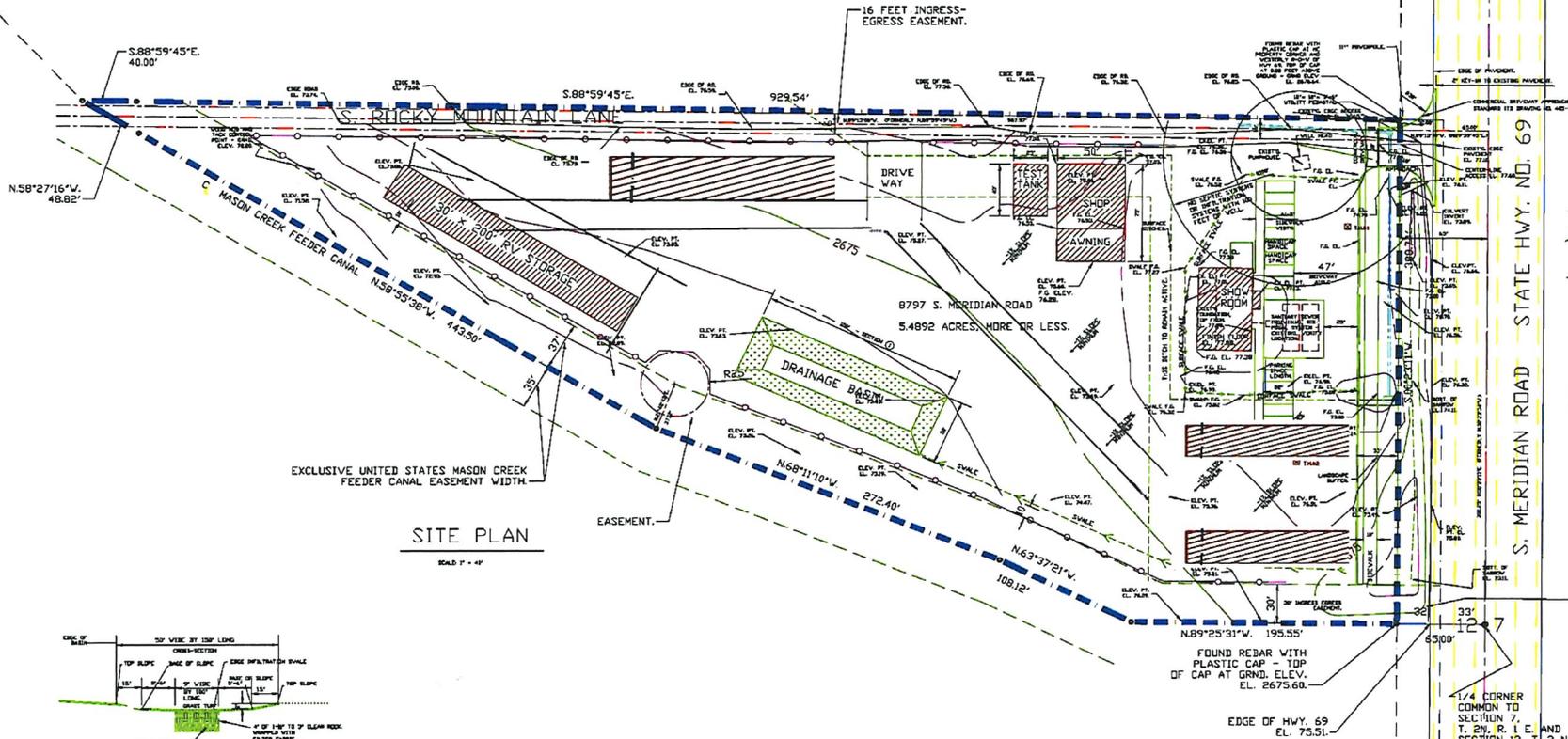
**LEGEND**

-  SUBJECT SITE
-  PARCEL LINES
-  ROADS
-  WATER FEATURES



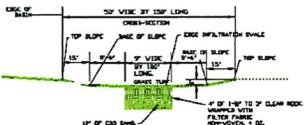
**SITE PLAN**  
SCALE 1" = 40'

All Pine Trees are 3" or bigger and have bark around the base.  
 ○ = Light pole

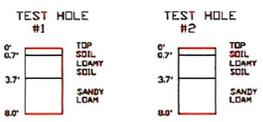


**SITE PLAN**

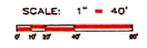
SCALE 1" = 40'



TYPICAL SECONDARY DISPOSAL AREA - (1)



TYPICAL PAVEMENT SECTION  
NOT TO SCALE



**LEGEND**

- ALUMINUM CAP MONUMENT
- FINISH SURFACE STEEL REBAR W/ PLASTIC CAP
- + CORNER POSITION / NO MONUMENT
- (---) RECORD DATA
- PROPERTY BOUNDARY
- ROAD CENTER-LINE
- SURVEYED ELEVATION POINT
- FINISHED GRADE ELEVATION POINT
- ONE-FOOT CONTOUR LINES
- FIVE-FOOT CONTOUR LINES
- CENTER-LINE AND EDGES OF ACCESS EASEMENTS
- ▨ BUILDINGS
- NEW CHAINLINK FENCE WITH PLASTIC STRIPS
- ▭ PAVEMENT AREA
- ▨ LANDSCAPE BUFFER

**NOTES:**

1. ALL CHANGES REQUIRING APPROVAL BY THE BOARD OF HEALTH SHALL BE IN WRITING.
2. ALL STRUCTURAL FACILITIES SHALL BE DESIGNED AND CONSTRUCTED TO MEET THE REQUIREMENTS OF THE IBC AND ALL APPLICABLE LOCAL ORDINANCES. ENGINEERING FACILITIES SHALL COMPLY WITH THE STATE OF IDAHO CODES OF ETHICS AND ALL APPLICABLE PROFESSIONAL STANDARDS.
3. CONTRACTOR SHALL HAVE A STAMPER, PUBLICLY ISSUED APPROVED SET OF PLANS AND VOUCHERS.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND LICENSES FROM THE STATE OF IDAHO. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND LICENSES FROM THE STATE OF IDAHO. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND LICENSES FROM THE STATE OF IDAHO.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND LICENSES FROM THE STATE OF IDAHO. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND LICENSES FROM THE STATE OF IDAHO.
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8. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND LICENSES FROM THE STATE OF IDAHO. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND LICENSES FROM THE STATE OF IDAHO.
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10. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND LICENSES FROM THE STATE OF IDAHO. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND LICENSES FROM THE STATE OF IDAHO.

**LEGAL DESCRIPTION**

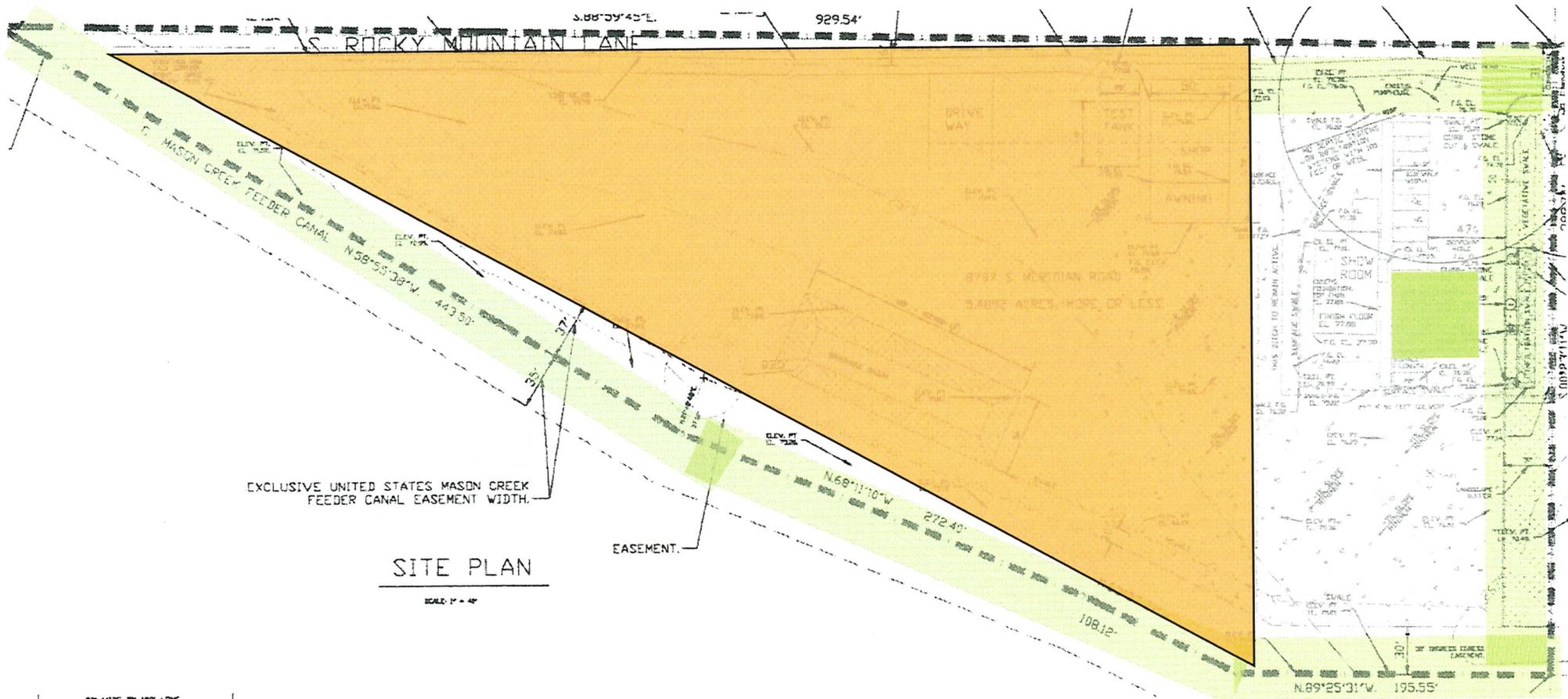
PAR #2304, NE 1/4, SECTION 12, T.2 N, R.1 W, B.M.  
 PARCEL NUMBER: S1312142304  
 REFERENCE RECORD OF SURVEY NO. 3062  
 ZONING: C-1 COMMERCIAL

S. MERIDIAN ROAD STATE HWY. NO. 69

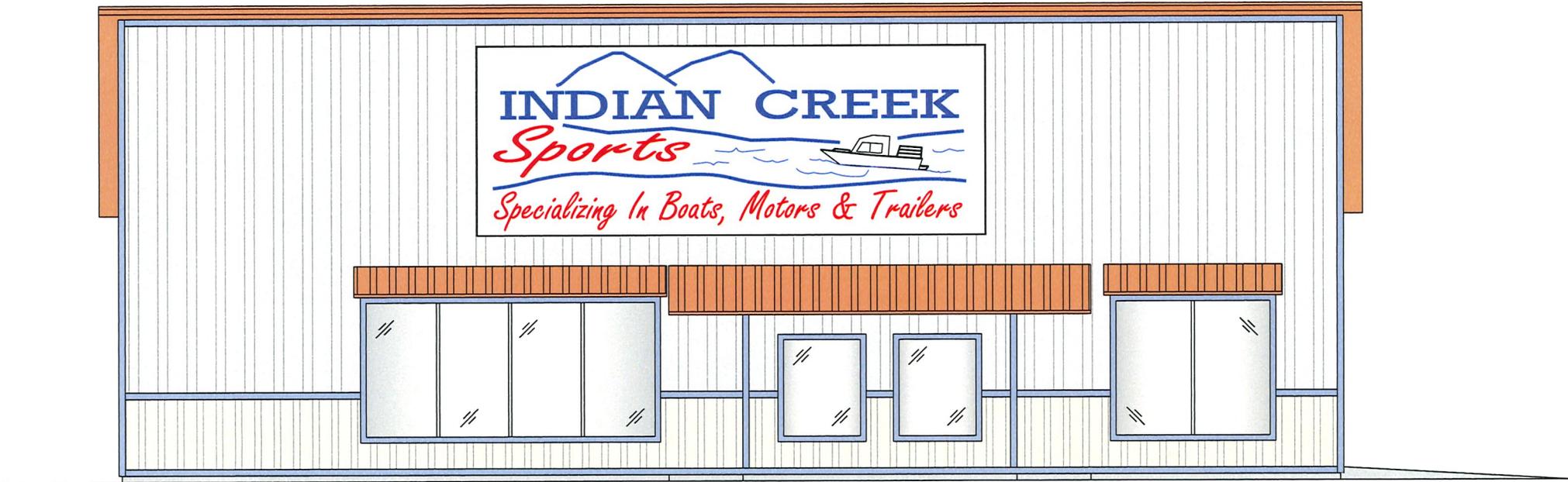
CLIENT: TROY AND VICKI TODD  
 PROJECT: INDIAN CREEK SPORTS  
 LOCATION: 8797 S. MERIDIAN ROAD  
 FEATURE: GRADING & DRAINAGE PLAN

RODNEY L. BALDWIN, PE/LS  
 CONSULTING ENGINEER/LAND SURVEYOR  
 4066 HAWTHORNE WAY  
 BOISE, IDAHO 83703-3923  
 PH. (208) 343-4135 FAX (208) 344-3596

**RLB**  
 DRAWN BY:  
 R. BALDWIN  
 DATE: 7/12/16  
 JOB NO. 2016-08  
 SHEET NO.  
 GRADE-1

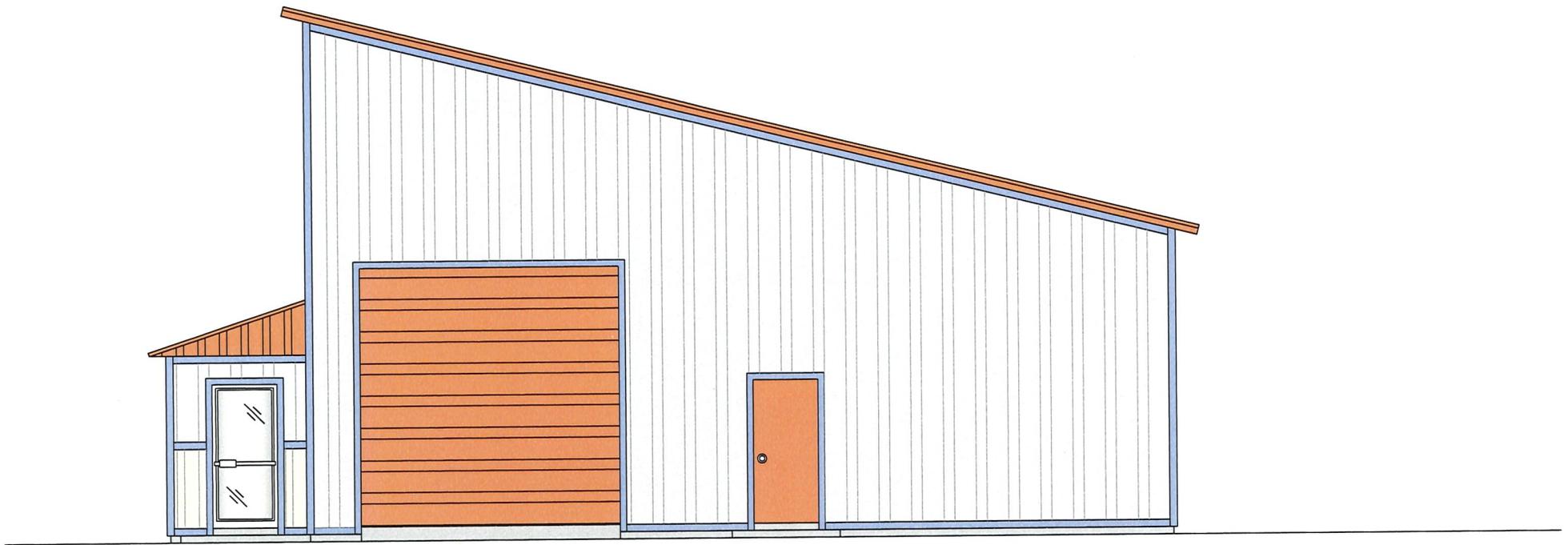


Brown= Pit Run & 3/4 mix  
 Grey= Asphalt



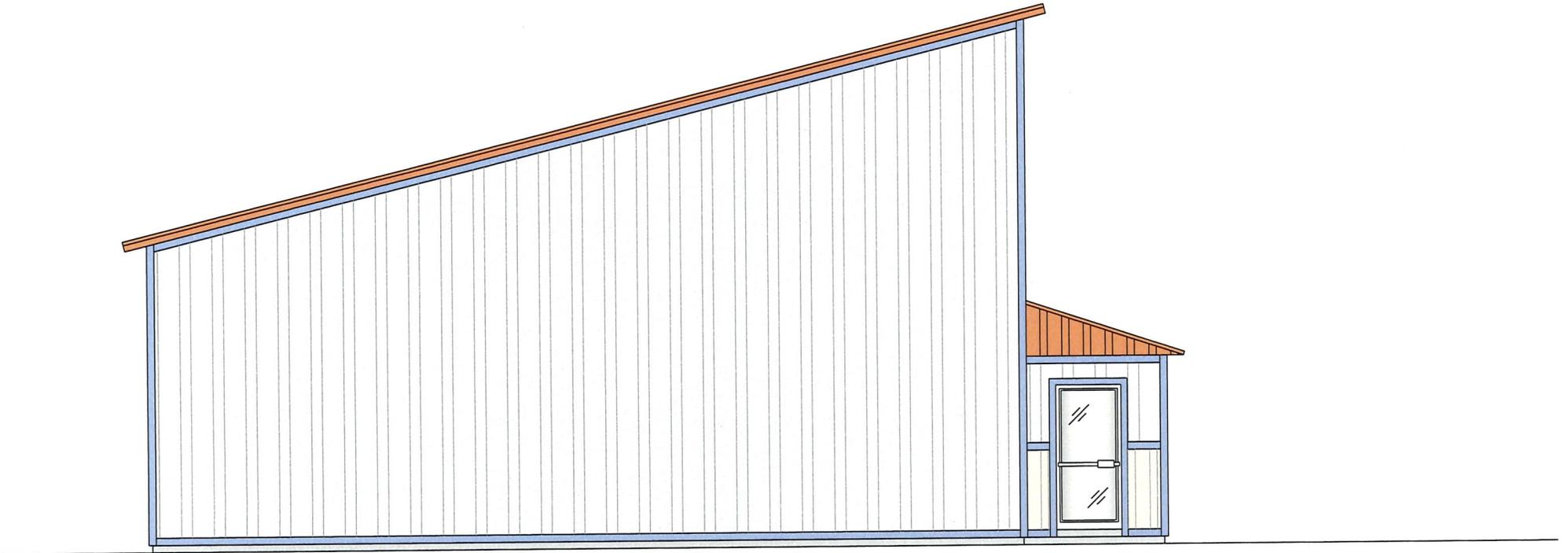
SHOWROOM BUILDING – EAST ELEVATION

INDIAN CREEK SPORTS  
8797 S. MERIDIAN ROAD



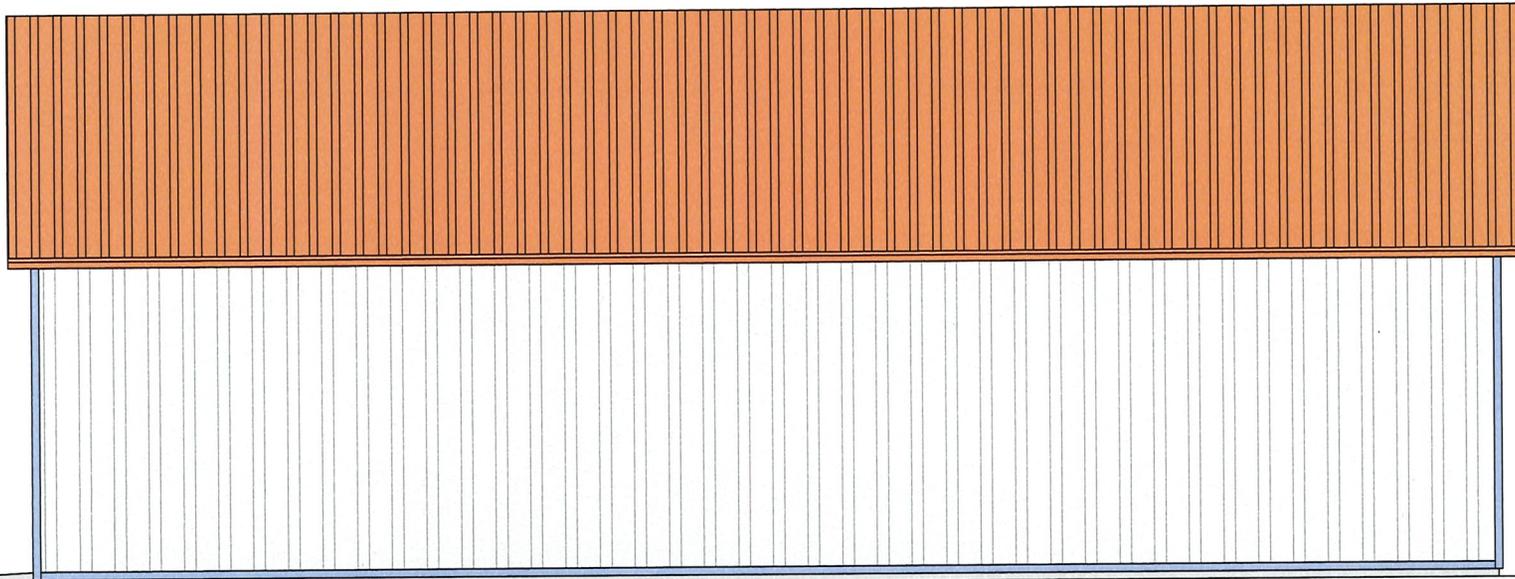
SHOWROOM BUILDING – NORTH ELEVATION

INDIAN CREEK SPORTS  
8797 S. MERIDIAN ROAD



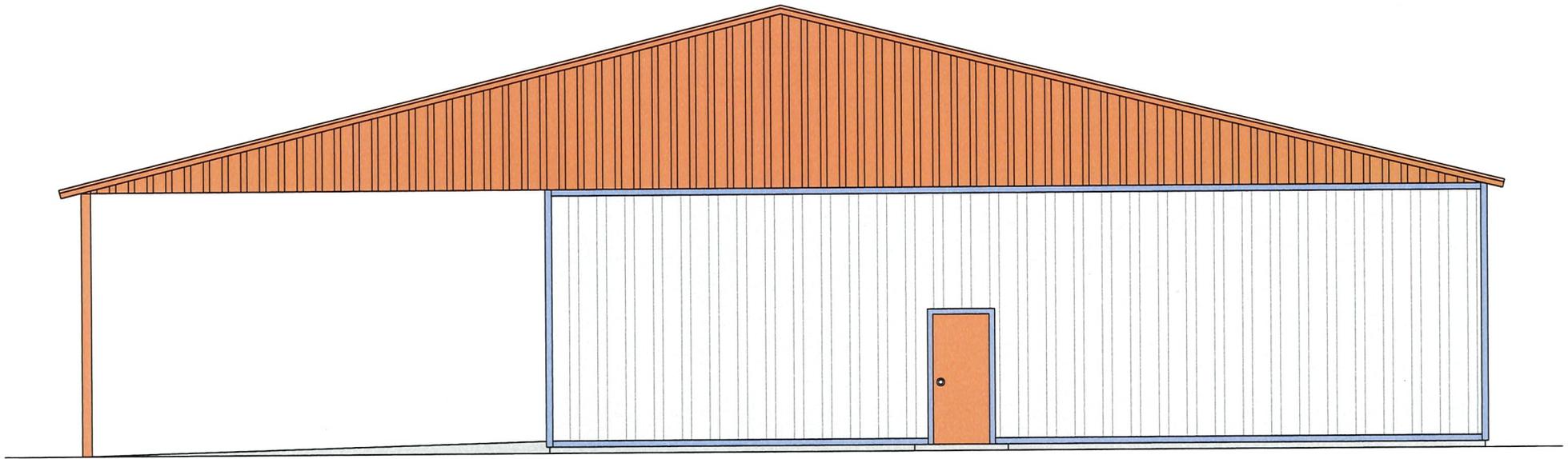
SHOWROOM BUILDING – SOUTH ELEVATION

INDIAN CREEK SPORTS  
8797 S. MERIDIAN ROAD



SHOWROOM BUILDING – WEST ELEVATION

INDIAN CREEK SPORTS  
8797 S. MERIDIAN ROAD



SHOP BUILDING – EAST ELEVATION

INDIAN CREEK SPORTS  
8797 S. MERIDIAN ROAD



City of Kuna  
Planning and Zoning Commission  
Staff Report

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

**To:** Kuna Planning and Zoning Commission

**File Numbers:** 18-04-ZOA (Zoning Ordinance Amendment)  
Title: Subdivision Regulations

- KCC 6-2-4 (Final Plat)

**Planner:** Wendy I. Howell, PCED

**Hearing Date:** May 8, 2018

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**A. Course of Proceedings**

Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states text amendments and ordinance changes are designated as public hearings, with the City Council as the final decision making body. This request was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

**a. Notifications**

- i. Agencies April 4, 2018
- ii. Kuna, Melba Newspaper April 11, 2018 and April 18, 2018

**B. Agency Responses**

- *Jerry Hastings, P.E., Ada County Engineer* responded on April 4, 2018 stating that the plat sized needed to be changed to prevent confusion.
- *Idaho Department of Transportation* responded on April 18, 2018 stating they do not have an objection to the proposed ordinance amendment.

**C. Staff Comments:**

The proposed ordinance relaxes the need to have streets completely constructed without the option to bond them. ACHD allows bonding on their street requirements, therefore the City is amending our ordinance to reflect the same. Bonding will also be allowed for the perimeter fencing of subdivisions.

Additionally, the proposed ordinance will allow for the developer to construct up to three model homes if the project is 50 acres or less. If the project is more than 50 acres five model homes may be constructed. No Certificate of Occupancy will be issued on any model homes until all improvements and conditions that are subject to financial guarantees are completed, inspected and approved by the appropriate agencies.

All comments received have been incorporated into the said ordinance. The City Attorney, Richard Roats' has reviewed the proposed ordinance without any objections.

**D. Applicable Standards:**

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

**E. Proposed Decision by Planning and Zoning Commission:**

*The Planning and Zoning Commission shall consider and discuss the evidence and testimony presented at the meeting prior to rendering its decision.*

*Note: This proposed motion is for approval or denial of this request. However, if the Planning and Zoning Commission wishes to approve or deny specific parts of the request those areas that differ must be specified.*

Based on the facts outlined in staff's report and public testimony (if any), an ordinance of the City Council for Kuna, Idaho amending Title 6, Chapter 2, Section 4, Kuna City Code, titled Final Plats to allow for the City Engineer to sign the Final Plat prior to certain subdivision improvements and conditions being completed and set forth the procedure for the City to accept a financial guarantee to insure the completion, inspection and acceptance of the improvements and conditions that are being deferred; and providing an effective date.

ORDINANCE NO.  
CITY OF KUNA, IDAHO

AN ORDINANCE OF THE CITY COUNCIL FOR KUNA, IDAHO AMENDING TITLE 6, CHAPTER 2, SECTION 4 KUNA CITY CODE TITLED FINAL PLATS TO ALLOW FOR THE CITY ENGINEER TO SIGN THE FINAL PLAT PRIOR TO CERTAIN SUBDIVISION IMPROVEMENTS AND CONDITIONS BEING COMPLETED AND SET FORTH THE PROCEEDURE FOR THE CITY TO ACCEPT A FINANCIAL GUARANTEE TO INSURE THE COMPLETION, INSPECTION AND ACCEPTANCE OF THE IMPROVEMENTS AND CONDITONS THAT ARE BEING DEFFERED; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KUNA, ADA COUNTY, IDAHO, as follows:

Section 1.

Amending Chapter 2 titled Final Plat to Title 6, of the Kuna City Code.

TITLE 6, CHAPTER 2

6-2-4: - FINAL PLAT:

Note: Subdivider and developer are intended to be interchangeable terms.

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

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

A. Application: After the approval or conditional approval of the preliminary plat by the city council, the subdivider may cause the subdivision, or any part thereof, to be surveyed and a final plat prepared in accordance with the approved preliminary plat. The subdivider shall submit to the planning staff the following:

1. Final plat application along with a title report that is less than six (6) months old, warranty deed or other acceptable evidence, including but not limited to an affidavit that demonstrates ~~ing~~ the subdivider's ownership or legal interest in the land included in the final plat.

2. Payment of fees equivalent to the amount of material and labors expended by city staff for plat review. Fees shall be paid for all costs associated with the review of the preliminary plat, final plat and construction drawings. The subdivider will be notified of the amount owed and the basis for the fees charged. All plat related fees shall be paid prior to city approval.

3. Three (3) paper copies ([24"x36"](#)) and a digital copy in a PDF format of the final plat and signature page.

4. Three (3) paper copies and a digital copy in a PDF format of the final engineering construction drawings for streets, water, sewer, sidewalk, pressure irrigation and other public improvements [as provided for in KCC 6-4-3](#).

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

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

1. Final plat check-off list with all items completed. ~~If the landscaping has not been completed, a financial guarantee shall be provided pursuant to KCC 6-4-3;~~

2. Proof of current ownership of the real property and written consent of the final plat owners of record;

3. All easements shall be shown on all lot lines for lots in the subdivision;

4. All subdivisions that contain a homeowners' association shall have the following language: "The Homeowners' Association (HOA), its ownership and maintenance commitments cannot be dissolved without the express written consent of the City of Kuna, Idaho. All improved individual lots are subject to a fractional share of the irrigation assessment for each HOA common lot(s) that receive(s) municipal irrigation. If the assessment is not paid by the HOA, the individual improved lots are subject to a lien for non-payment";

5. Other information the planning and zoning director, city engineer or city attorney deem necessary to establish ownership and signing authority;

6. A statement and other supporting evidence demonstrating the final plat conform to the approved preliminary plat;

7. A statement of compliance with provisions of this title;

8. A statement [confirming that](#) the final plat meets established engineering practices and local standards.

C. Planning staff review:

1. The planning and zoning director shall certify, and date stamp the application for purpose of establishing its completeness relative to all noted final plat requirements.

2. The planning and zoning director shall review the final plat for compliance with the approved or conditionally approved preliminary plat. If the planning and zoning director

or assigned person determines there are substantial differences between the preliminary and final plat, the subdivider may be required to submit the final plat to the city council as it was portrayed at the time of the preliminary plat process.

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

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

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

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

F. Approval period:

1. The final subdivision plat shall be filed with the county recorder within two (2) years after the city council's signing of the findings of fact; otherwise, the plat approval shall become null and void unless prior to the two-year expiration date the subdivider applies for a time extension. A final plat time extension is heard by the city council. The subdivider shall provide the city council sufficient reason(s) for continuing the final plat application as a basis for the granting of a time extension. The city council is under no obligation to approve a final plat time extension. The city council reserves the right to add additional conditions of approval to the final plat as part of a time extension.

2. In the event the city council does not approve a time extension request, the plat shall become null and void. If the plat becomes null and void the subdivider shall resubmit the plat for preliminary plat approval. The subdivider will receive credit for improvements previously installed and approved. The subdivider shall pay the current preliminary plat application fees and furnish staff an updated preliminary plat.

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

G. Prior to requesting the city engineer's signature on the final plat Mylar, the developer shall either:

1. Provide the necessary documentation to show that  
Either:

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

2. Provide the necessary documentation to show that the required improvements and conditions that have not been completed have approved financial guarantees, as provided for in this section and KCC 6-4-3.

3. The

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

H. Additionally:

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

1. Construction of the domestic water system, including successful pressure testing. Band bacteria tests and final followed by City of Kuna inspections and approvals may be delayed until roadways are completed;

2. Installation of fire hydrants according to the current International Fire Code standards and supporting fire flows according to standards established by the Kuna Fire District;

3. Construction of the sanitary sewer system, with evidence of acceptable pipe sloping and, completion of all work within the base of the manholes. However the including successful pressure test and, television camera inspection, evidence of acceptable pipe sloping, completion of all work within the base of the manholes followed by any additional City of Kuna inspections and approvals must be completed prior to the paving of after the all-weather roadway paving is complete;

4. Construction of permanent roads shall be complete to the extent that all road base is installed such that it provides an temporary all-weather road service to all buildings to be constructed pursuant to subsection G(1) above. These improvements shall be to ACHD and City of Kuna standards and receive Kuna Fire Chief approval. If the permanent roads are not improved to this level of completion then construction of temporary roads with an all-weather road surface shall be installed to service all buildings, subject to approval from the Kuna Fire Department.

5. For items 1 through 4 above, the city engineer's approval shall be in the form of a memorandum confirming the completion of the items.

I. The following items may provide the necessary financial guarantees as provided for in KCC 6-4-3, and as approved by the city engineer, city attorney and city planning and zoning director, and adopted by the City Council. The subdivider shall pay any additional fees associated with the request for financial guarantees, as approved and adopted by the City Council.

1. 4. Completion of the cConstruction of an all-around weather road system built to ACHD specifications, and -subject to the Kuna Fire Chief and Ada County Highway District (ACHD) inspections and approvals. The city shall review the financial guarantees provided for by and between the developer and ACHD, and the city attorney shall determine if the city's interests are adequately protected.

2. \_\_\_\_\_

5. Installation of street signs followed by city engineer, Kuna Fire District and ACHD inspections and approvals.

3. \_\_\_\_\_

6. The subdivider shall dedicate all sanitary sewer and domestic water facilities and provide all applicable documentation as required by the city engineer.

47. Construction of that portion of the pressure irrigation system that will be dedicated to the city by the subdivider. Said system shall be tested by the subdivider, and inspected and approved by the city's engineering staff.

5. Provide permanent approved perimeter fencing along the subdivisions outer perimeter, which shall require a building permit.

6. Under the discretion of the city engineer shall monitor the ,the construction of any improvements or conditions that are being constructed pursuant to the financial guarantees of KCC 6-4-3.

7. If the city attorney determines that it is necessary, any improvement or condition that is being constructed pursuant to the financial guarantees of KCC 6-4-3 shall be recorded against the property in a development agreement, as approved and adopted by the City Council.

8. The developer may construct up to three (3) model homes if the project fifty (50) acres or less, or up to five (5) model homes if the project size is greater than fifty (50) acres. The developer shall be solely responsible for locating the model home within any required City of Kuna setbacks and easements. As provided for in subsection 9, below, no certificate of occupancy shall be issued on any of the model homes until all improvements and conditions that are subject to financial guarantees are completed, inspected and approved by the appropriate agencies.

9. Other than the model homes constructed in subsection 8, no other homes may be constructedconstructed, and no certificate of occupancy shall be issued until all improvements and conditions that are subject to a financial guarantee are completed, inspected and approved by the appropriate agencies.

~~said system, or a portion thereof, may be deferred to a date certain, but in no event, not later than the issuance of the first building permit. Any deferral shall be agreed to by the subdivider and the city, and recorded against the property. Upon completion of the deferred pressurized irrigation system or portion thereof, it shall be inspected and approved by the city engineering staff before the building permit is issued.~~J. Prior to the roads being paved and the sidewalks being constructed, ~~Under circumstances where seasonal restrictions prevent the total completion of the irrigation system, the city engineer may allow, at his/her sole discretion, those portions of the system under the purview of seasonal restriction to be deferred. Any portion of the irrigation system that is deferred shall be included in the financial guarantee. The city must receive documentation requesting that the system be annexed into the Kuna Municipal Irrigation District if annexation is applicable. All applicable fees must be submitted with the annexation request.~~

8. ~~The dDedication of e-annexation of~~ water rights to the city in sufficient quantities to offset the subdivisions potential water demands as determined by the city engineer.

9. ~~Provide permanent approved perimeter fencing along the subdivisions outer perimeter, which shall require a building permit.~~

**KH.** Method of recording: After the city council grants final plat approval and subject to the prepayment of recording fees, posting an acceptable irrevocable guarantee and the inclusion of the following signatures on the final plat, the applicant shall submit the final plat to the county recorder for recording:

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

Section 2.

This ordinance shall become effective upon passage and publication as required by law.

ADOPTED this \_\_\_\_ day of April 2018.

CITY COUNCIL OF THE CITY OF KUNA  
Ada County, Idaho

---

Joe L. Stear, Mayor

ATTEST:

---

Chris Engels, City Clerk

**From:** Jerry Hastings  
**To:** [Jason Boal](#); [Zach Kirk](#); [Jace Hellman](#); [Wendy Howell](#)  
**Cc:** [Megan Leatherman](#)  
**Subject:** RE: Request for Comments, Kuna Planning & Zoning Case No. 18-04-ZOA  
**Date:** Wednesday, April 4, 2018 2:55:43 PM  
**Attachments:** [image002.png](#)  
[image004.png](#)  
[image005.png](#)

---

Hi Wendy and Jace. I have a question for you: on the top of the second page of the ordinance A. 3. Specifies 3 copies (**24"x36"**) and a digital copy in a PDF format of the final plat and signature page. Final plats by Idaho Code are 18" x 27" not 24" x 36". Unless you are talking about the construction plans which are usually 24" x 36", then I would think you want to have 18" x 27" instead of 24" x 36". It could cause some confusion.



**Jerry L. Hastings, PLS 5359**  
**County Surveyor**  
**Deputy Clerk Recorder**  
**Ada County Development Services**  
200 W. Front St., Boise, ID 83702  
(208) 287-7912 *office*  
(208) 287-7909 *fax*

---

**From:** Jason Boal  
**Sent:** Wednesday, April 04, 2018 2:17 PM  
**To:** Zach Kirk; Jerry Hastings  
**Cc:** Megan Leatherman  
**Subject:** FW: Request for Comments, Kuna Planning & Zoning Case No. 18-04-ZOA

All,

I received this notice from Kuna, so you were aware of the proposed changes they are making to their code concerning plats.

Not sure if you want to comment or not, just passing the word along.



**Jason Boal, AICP, CFM**  
**Community Planning Manager**  
**Ada County Development Services**  
200 W. Front St., Boise, ID 83702  
(208) 287-7916 *office*  
(208) 287-7909 *fax*

---

**From:** Jace Hellman [<mailto:jhellman@kunaID.gov>]

**Sent:** Wednesday, April 04, 2018 2:00 PM

**To:** ACHD; Angela Gilman; Adam Ingram; Attorney Icloud; Becky Rone - Kuna USPS Addressing; Bob Bachman; Boise Project Board of Control; Boise Project Board of Control; Boise-Kuna Irrigation Distr.; Cable One t.v.; Central District Health Dept. CDHD; COMPASS; DEQ ([Alicia.martin@deq.idaho.gov](mailto:Alicia.martin@deq.idaho.gov)); Eric Adolfsen; Idaho Power; Idaho Power; Idaho Power Easements 1; Idaho Power Easements 2; Intermountain Gas; Intermountain Gas; J&M Sanitation - Chad Gordon; Jaime Gollither; Julie Stanely - Regional Address Mgmt.; Ken Couch; Idaho Transportation Department; Justin Dusseau; Kuna Postmaster - Marc C. Boyer; Kuna School District; Kuna School District; Kuna School District; Megan Leatherman; Nampa Meridian Irrigation District; New York Irrigation; Paul Stevens; Perry Palmer; Jason Boal; Terry Gammel

**Subject:** [EXTERNAL] Request for Comments, Kuna Planning & Zoning Case No. 18-04-ZOA

Hello, Please see the attached packet regarding an ordinance of the City Council for Kuna. The request for comment has been placed within the attached packet!

Thank you!

**Jace Hellman**

Planner II

City of Kuna

751 W 4<sup>th</sup> Street

Kuna, ID 83634

[jhellman@kunaID.gov](mailto:jhellman@kunaID.gov)





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

(208) 334-8300  
[itd.idaho.gov](http://itd.idaho.gov)

---

April 18, 2018

Wendy I Howell  
City of Kuna, Planning and Zoning Department  
P.O. Box 13  
Kuna, ID 83634

**VIA EMAIL**

**RE: 18-04-ZOA SUBDIVISION ORDINANCE AMENDMENT**

The Idaho Transportation Department (ITD) has reviewed the proposed subdivision ordinance amending Title 6 Chapter 2 Section 4 to allow the Kuna City Engineer to sign the final plat prior to certain subdivision improvements and conditions being completed as described in the proposed amendment. ITD has the following comments:

1. ITD does not object to the proposed zoning subdivision amendment.

If you have any questions, you may contact me at (208) 332-7190.

Sincerely,

A handwritten signature in blue ink that reads 'Ken Couch'.

Ken Couch  
Development Services Coordinator  
[Ken.Couch@itd.idaho.gov](mailto:Ken.Couch@itd.idaho.gov)

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