



KUNA PLANNING AND ZONING COMMISSION Agenda for October 23, 2018

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

1. CALL TO ORDER AND ROLL CALL

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

2. CONSENT AGENDA: *All Listed Consent Agenda Items are Action Items*

- a. Meeting Minutes for October 9, 2018.
- b. **Findings of Fact and Conclusions of Law** for 18-04-AN & 18-03-S; Lugarno Terra Subdivision.
- c. **Findings of Fact and Conclusions of Law** for 18-01-S; Whisper Meadows Subdivision.
- d. **Findings of Fact and Conclusions of Law** for 18-11-SUP; Pinson's Muffler Shop.

3. PUBLIC HEARING

- a. **18-03-AN (Annexation), 18-01-CPM (Comprehensive Map Change), 18-04-ZC (Rezoning), 18-02-PUD (Planned Unit Development), 18-04-S (Preliminary Plat) & 18-20-DR (Design Review)** – Falcon Crest Subdivision; Scott Wonders with JUB Engineers, on behalf of M3 Companies- Mark Tate (Owner), requests approval to Annex approximately 996 acres into Kuna City limits, Change the Comprehensive Plan Map (CPM) from Agriculture to Mixed-Use for approximately 163 acres, for a Planned Unit Development (PUD) for approx. 1,028 acres, to rezone approx. 20 acres and subdivide approx. 132 acres into 409 residential lots, 51 common lots, four common driveway lots, two well lots and one private road. This site is located at the NEC of Cloverdale and Kuna Roads, Kuna, Idaho. Please see the application for a list of parcel numbers affected by this application.

ACTION ITEM.

***Staff requests this case be tabled to November 27, 2018.**

4. NEW BUSINESS

- a. **18-29-DR (Design Review)** – Arbor Ridge Villas; The applicant, Tim Eck, requests Design Review approval for eight four plex buildings (32 total units), accompanying open space and landscaping, lighting and parking lot on approximately 2.10 acres. The site is located on the northwest corner of West Ardell Road and North School Avenue, Kuna, ID 83634 (APN# S1314244201). **ACTION ITEM.**

5. ADJOURNMENT

**CITY OF KUNA
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**MEETING MINUTES
Tuesday, October 9, 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	Absent	Sam Weiger, Planner I	X
Commissioner John Laraway	Absent		

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 September 25, 2018.

Commissioner Gealy Motions to approve the consent agenda; Commissioner Hennis Seconds, all aye and motion carried 2-0.

2. PUBLIC HEARING

18-03-AN (Annexation), 18-01-CPM (Comprehensive Map Change), 18-04-ZC (Rezone), 18-02-PUD (Planned Unit Development), 18-04-S (Preliminary Plat) & 18-20-DR (Design Review) – Falcon Crest Subdivision; Scott Wonders with JUB Engineers, on behalf of M3 Companies- Mark Tate (Owner), requests approval to Annex approximately 996 acres into Kuna City limits, Change the Comprehensive Plan Map (CPM) from Agriculture to Mixed-Use for approximately 163 acres, for a Planned Unit Development (PUD) for approx. 1,028 acres, to rezone approx. 20 acres and subdivide approx. 132 acres into 409 residential lots, 51 common lots, four common driveway lots, two well lots and one private road. This site is located at the NEC of Cloverdale and Kuna Roads, Kuna, Idaho. Please see the application for a list of parcel numbers affected by this application.

- **Staff requests this case be tabled until October 23, 2018 – a date certain, to confer with legal counsel.**

Commissioner Gealy motions to table Case No. 18-03-AN, 18-01-CPM, 18-04-ZC, 18-02-PUD, 18-04-S & 18-20-DR to October 23, 2018; Commissioner Hennis Seconds, all aye and motion carried 2-0.

18-01-S (Preliminary Plat) & 18-07-DR (Design Review) – Whisper Meadows Subdivision; Katie Miller, with Bailey Engineers, on behalf of Thistle Farm, and Vanderkooy Farm, LLC’s (Owner), requests approval to subdivide approximately 73.50 acres (previously zoned R-6 and four lots within Chisum Valley Subdivision No. 1 and 2) into 310 single home lots, an additional 38 common lots, following the Comprehensive Plan of MDR and the Council approved conditions of approval from the recent rezone. This site is located at the NWC Linder and Columbia Roads. APN No’s; R1393850100, R1693860010, R1693860290, R1693860280.

Katie Miller: Katie Miller with Bailey Engineers, 4242 N. Brookside Ln, Boise, Idaho 83714. Before you tonight, we have the preliminary plat for Whisper Meadows Subdivision, and here is a vicinity map. The site consists of 73.17 acres, which was rezoned on June 5 from agriculture to R-6, medium density residential. The site is located on South Linder Road, North of Columbia Road and South of Lake Hazel. Surrounding land uses to the north are agriculture and rural residential in the county. To the south is Chisum Valley Subdivision, which is rural residential and in the

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county. To the west is the new high school site. There is a proposed total of 348 lots. 309 are buildable, and 39 are common lots. Dwelling units per acre is 4.22, and our minimum buildable lot size is 5,527 square feet. Our maximum is 20,430 square feet, and the average size is 6,965. Per the order of decision by City Council on June 5, we had conditions set upon us not to exceed 4.25 units per acre. We are to provide a max of two dwelling units per gross acre on the south boundary bordering the existing homes in the Chisum Valley Subdivision. We have met that condition. There will be two accesses, one on Linder Road to the north which will be a mid-mile collector. 820 feet south, off of Linder Road, there will be another access into the development. We've got two streets to the north that access the site and one to the west, should Durant Lane ever be improved. We have two proposed to the south and the neighbors are strongly opposed. We've gone back and forth about this. We put it in the waiver to ACHD to only connect one, which was the westernmost connection point. Staff was in support of only doing a connection. We did go to ACHD Commission on September 26 and we were denied. We have to do both points per ACHD. The open space for this site is 5.56 acres for a total of 7.59 percent. We've got two acres of this dedicated to the park as you can see in the northeast there. It's got meandering sidewalks all the way around it. We've got the capability to put one U-6 or U-8 regulation-sized soccer fields in there, or one U-12 field there. Remaining open space consists of street buffers and connectivity in pathways throughout the development. On Linder Road, we have a 20-foot landscape buffer with a five-foot detached sidewalk. On the north boundary, we have a 25-foot landscape buffer and five-foot detached sidewalk. We have meandering pathways making connectivity and accessibility throughout the development very user-friendly. Should Durant Lane ever be improved, per ACHD's staff report, the applicant is required to dedicate the district with an additional right-of-way easement for future improvements along with the road trust deposit. This will be to do construction of four feet of pavement, again if and when that north-south collector ever gets improved. That is part of our conditions of approval. Our phasing plan has changed a little bit. We initially looked at five phases, but now we have the ability to do six. We're proposing an assumed start date of phase one for 2019 sometime. Phase one will occur at the northeast corner, and phase two will be to the west and will consist of 54 lots. Phase three will continue south below the park and will consist of 52 lots. Phase four will have 55 lots and go back up to the northwest and will finish the second connection on the northern collector street. Phase five will be the southeastern corner with 48 lots. We are saving phase six, because of the neighbors' position on this, to around 2027. Sewer and water connections will come from Linder Road. Our pressure irrigation will be via pressure irrigation line from our site to the Spring Hill pressure irrigation station, which is already up and operational. With that, I will stand for any questions. **C/Gealy:** What was your percentage of open space? **Katie Miller:** 7.56 percent. **C/Gealy:** What's the size of the park? **Katie Miller:** Two acres. **Troy Behunin:** Good evening Commissioners, for the record, Troy Behunin, Planner III, Kuna Planning and Zoning, 751 W 4th Street. The application before you tonight is presented for your vote to recommend approval, conditional approval or denial to the City Council for the Preliminary Plat and your decision for the Design Review. Staff just received today three letters from Ann Durrant, Richard Durrant and Joel and Michelle Van Lithe. Those three letters have been submitted for the Commission to read tonight. Staff has also passed out the updated preliminary plat the reflects the connection to the two stub streets and Chisum Valley Subdivision. I believe there's been a reduction in the overall lot count, so there's 310 buildable lots and 38 common lots. All of the noticing procedures have been followed. The subject site has recently been rezoned to residential. The four lots involved with this application are in Chisum Valley No. 1 and No. 2 Subdivision. The request does match the Comprehensive Plan Map, which is Medium Density Residential. On the east half as Mixed-Use General, as this application conforms to. The project is located at the Northwest Corner of Linder and Columbia Roads here in Kuna. The project has significant Frontage already on Linder Road. They do propose a half-mile collector from the north for at least their proportionate share. Dedication for a segment on the west side of the project has the ACHD report details. Staff does agree with the ACHD report and the conditions that are proposed for that west side collector. This application does pattern with the rezone that did take place earlier this year, 18-01-ZC. They are limited to a specific density of 4.35 dwelling units per acre and 2 dwelling units per gross acre. The applicant initially proposed just one connection to Chisum Valley, and staff was torn on how we support that. Code actually says that developers are to provide and continue stub streets that are provided. It is a little irrelevant at this point, however. The applicant went before the ACHD Commission through a variance process

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and they were denied. ACHD then required they connect to both stub streets. I'm not saying the city would have agreed to only one connection, but it really doesn't matter at this point. The applicant was trying to be a good neighbor. The Chisum Valley Subdivision is not in our jurisdiction, so the matter is not ours to decide. Since the request does follow the Comprehensive Plan, staff forwards a recommendation of approval to the Commission for the preliminary plat. Staff has also reviewed the Design Review component of the subdivision, and we do find that the applicant has proposed a significantly compliant plan. We would just like to maintain that the buffers on Linder Road, Butterfly Road, and the west side for the future collector follow the patterns that have been set forth. We know that there is some discussion on water rights, and that's what the letters are detailed about. Staff would stand for any questions you may have. **C/Young:** Regarding the letter from the Van Lithe's, have they had any contact with Bailey Engineers regarding the delivery of water. Currently, what we're talking about with the subdivision that will become Whisper Meadows, is there any current agreements between the adjacent property owners and with this subdivision in terms of water rights? **Troy Behunin:** Staff did have a conversation with Richard Durrant. In regards to the pivot that is on Whisper Meadows right now, at least according to Richard Durrant, the pivot does service the Van Lithe and Connelly property. I don't know if there's any agreement for that, but according to Richard, the pivot swings and provides water for those lands. **C/Young:** Neither the Durrants or Van Lithe's own the property that the pivot sits on. **C/Hennis:** I read that there was a pre-existing ditch that the pivot replaced. They want to make sure that was continued if the pivot was taken away. If I remember right, isn't there a note from the Control Board that says that those have to be maintained. Isn't that a condition they have to follow anyhow? **Troy Behunin:** There's state law. State law requires that valid water rights for delivery and waste have to be maintained and honored. The developer is aware of that law, and is prepared to have his engineer prepare those requirements. I had that discussion with the developer today, and he's prepared to follow state law and follow whatever is required by law. **C/Hennis:** The phasing plan that you handed out is not the current one with phase six, so is this not the current one? **Troy Behunin:** Katie will hand out her most updated version to the Commission. **C/Gealy:** I had read that staff was requesting a condition to be code compliant. **Troy Behunin:** In the past five months or so, some projects have not found it necessary to run substitutions through staff, not numbers or sizes but types. They're still code compliant but they're not what was presented. They were minor changes, because it's substituting one plant for another. We want them to know that the Design Review approval is what they need to live by, not something that your landscaper tells you. A lot of times, availability becomes an issue. This developer is not one of those who had the landscaping change on them. We just want to make sure everyone understands that this is the approved landscape plan. If it is a major issue, then Wendy will say that they need to bring it back to this decision-making body. **C/Gealy:** The plan they submitted was code compliant, but staff would like to review the changes? **Troy Behunin:** We need to see the changes and the substitutions. **C/Hennis:** We wouldn't want to word it as such that they need to abide by the landscape plan, we don't want to just state it being code compliant. We want the actual review document to be established. **Troy Behunin:** You'll notice that we said that the landscaping plan would be a binding site plan. **C/Hennis:** That was in the staff report. **Troy Behunin:** Yes, item 13. This developer does not have the problem, but if you apply to one you have to apply to all. **C/Gealy:** It would seem to me that condition 13 addresses that concern. I don't see the additional need for code compliant. **Troy Behunin:** They're coming to us saying we didn't know, and we'll say you saw the staff report. **C/Young:** We will open the public testimony. Drew Wright: Drew Wright, 7828 South McClintock Place. Kuna City Ordinance 6-1-3 provides that the purpose of subdivision regulation is for the Commission to consider whether the subdivision provides safety and welfare among other things. The harmonious development is not existing in this proposal. The Comprehensive Plan says that Kuna should continue to grow at a slow living pace as it expands. The is interest in retaining agriculture and large lot residential development. Staff should not recommend clustered larger lot rural residential developments if services can be provided to developments in an efficient and cost-effective manner. Larger lot are provided to keep a harmoniousness of the area. Page 13 in the Comprehensive Plan said a goal for the people is to cluster the development of other city residential development. Page 63 says Kuna needs to preserve a high quality of life. Page 64 Goal 3 says to ensure that new residential development is sustainable. Provide a variety of housing for Kuna residents. This is straight from the minutes of City Council. Briana Buban Vonder Haar moved to approve 18-01-ZC with the conditions of approval

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as listed in the packet, as well as ensuring the actual density would not exceed 4.25 dwellings per acre. In other words, no lot in the subdivision should be 10,249 square feet. The application that Tim Eck submitted should not be approved and should be reworked. **Jenna Vonderay:** Jenna Vonderay, 7601 S Chisum Place, Meridian. We're a neighborhood of only 30 homes. This new subdivision will threaten our safety, because the subdivision is very large. With the traffic report they did, they are estimating 2,973 trips that will generate, and 292 during the peak hour. Mr. Eck stated that he would be a good neighbor. Mr. Eck, what are your plans to mitigate accidents? Mr. Eck, could you please give the square footage of each lot? It's hard to see in the plan the square footage of those south side lots. They say they're meeting code, but we have yet to see that. Why would there be no south side buffer for our neighborhood? With phase six, is there any you can cede road development for phase six with regard to connection to stub streets in Chisum Valley? As a mom of four kids down there, the traffic going on our street onto Columbia is a major concern for me. Given sixty cars are probably in our neighborhood now, we're talking about going up to 292 cars when development is in full operation. **Sharon Luckey:** Sharon Luckey, 7741 S McClintock. My concerns like my neighbors are regarding easements needed and safety concerns of the increased traffic. Kuna City Ordinance 6-1-3 says the subdivision must promote general welfare and provide a harmonious environment. The proposed subdivision does not do so. It causes safety concerns, because there are no sidewalks in Chisum Valley. Our neighborhood consists of many families with small children to play along the road. There's no relief, and the streets are lined with steep barrow pits. At times, these barrow pits have water in them due to rain or snow melt or the irrigation runoff. It's a straight shot on Chisum Valley. It seems too high already and the ACHD report states the plan was to extend McClintock as a pedestrian walkway. Chisum would be the through street. The ACHD staff agreed with this proposal, but the ACHD board stated that McClintock and Chisum Valley needed to go in as streets. The traffic study included an estimate of the total of 2,938 daily net new trips from the new development. They're projecting 140 daily vehicles from Chisum. The traffic study did not include projections from McClintock, but you could assume another 140 would come off McClintock. The bus stop for our children is at the corner of Chisum Place and Columbia, and right at that intersection, we also have a berm divider there. It narrows that roadway more significantly and there's barrow pits on the sides. That's where our kids catch the bus. There could be potential of an additional 280 cars. **Stephanie Kennedy:** Stephanie Kennedy, 7638 S McClintock, thank you for hearing our testimony and our concerns. We were disappointed to learn that Tim Eck has no common easement area between his proposed subdivision and our existing property line. In our last meeting, Tim stated that Chisum Valley would be financially responsible for our water line, which at this point will lie on the parameter of and underneath the property of those homeowners, whose property will back up against our existing fence lines. The pipe, which has many upright valves, the homeowners will be planting and digging outbuildings on and sprinkler systems. When this line ruptures again, Tim said that Chisum Valley will be responsible for taking out the fences, sod, outbuildings, and the sprinkler systems. We will be responsible, because it's our line, we're stating that we'll be grandfathered in for fifteen years. Our original plat shows that there is an easement which is still in place. Those costs would bankrupt the subdivision, therefore I object to Tim's proposed plat. I'm asking that my questions be documented in your books as to how to have a community easement or common area that can be mandated. Also, the proposed subdivision would be held financially responsible if they rupture our waterlines. Also, there has been no discussion between Tim and ourselves as to that waterway. He said that we would be financially responsible for our irrigation line. Is there a grandfather act? We've been there for 15 years. We are also concerned about the safety of our children. There are no sidewalks at this point. With the proposed additional cars, we would ask that you would help us with the children and anyone who walks on the street at that point. **Virginia Jepsen:** 7901 South Chisum Way. I'd like to start by saying that I'm not opposed to growth. I think we all realize that it's coming. I'm opposed to the density of the subdivision, and I respectfully request that you not approve this preliminary plat application. As a resident who walks, bikes and jogs, and is a mother of two kids, I have major safety concerns with the amount of traffic that Whisper Meadows will bring. The Chisum Valley Subdivision was not designed for sidewalks. Therefore, when we walk and bike, we do so with the 300 homes of Whisper Meadows, I will not feel safe doing these anymore. I previously recommended at the previous meeting that the subdivision be a lower density. Kuna is a rural community, and most of us moved here for that reason. I'd like to reference Kuna's Comprehensive Plan that specifies that Kuna should grow at a slower

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living pace as the city expands. There is interest in preserving agricultural land within the city, not for a clustered, large lot, residential development. I would like for the City Council to address whether the Whisper Meadows Subdivision is adhering to the Kuna Comprehensive Plan. I would also like to know how the Whisper Meadows Subdivision plans to address the safety concerns of the existing Chisum Valley Subdivision. Since ACHD has already determined that both roads will connect, when will the developer be releasing detailed plans for the exponential growth and traffic that will be coming through our preexisting subdivision? I again respectfully request that until these issues have been addressed that the pre-plat not be approved. **Rick Willis:** I live at 2345 West Cogburn Street. The last time we met, it was a long discussion about small lots versus large lots. Obviously, the developer wanted the small lots. Part of his argument was that the City of Kuna spent millions of dollars designing and planning a sewer system. He stated that one of the engineers had informed him that in order for this line to function properly, a lot of rooftops would be necessary for sufficient flow. I suspect that if the system is designed properly, then that's probably the case. Shortly after the last meeting in a couple weeks, there was an article in the Kuna Melba News. The article stated that there were problems on the south side of Kuna. There were too many houses. My question is about all of these subdivisions going up in a two to three-mile radius in your treatment plant. What assurances do you have that the problems that you're experiencing in south Kuna don't migrate to north Kuna? **Jeff Henrickson:** I live at 7636 South Chisum Place. I was the irrigation manager of our subdivision for quite a bit of time, so I have some experience with these things. If you look at the first concern, it regards our pressurized irrigation (PI) system where the piping is actually on the outside of the fence. This would put it on the new property. I just want to know what provisions will be made to ensure that we have access for the mains and the operation of that system. Also, is there a possibility that the new pressurized irrigation system would tie into our mains and it would be fed all through the city? The second part of my handout outlines the problems from a gravity irrigation system that was mentioned earlier. I believe that ditch did used to go across the field, with the addition of the pivot. It just falls into a drain area that is called the ACHD easement on our plat. I attached some pictures of what that turns into doesn't hurt anything right now. Our concerns are if it is built up, it could back up and cause problems in our subdivision or somewhere else. If it's allowed to stay there, then it could be a problem for the new subdivision. The last part refers to the ACHD easement that's at the north end of our property. I'm one of the original owners, and it was explained to me that in conjunction with our barrow ditches, provide storm drainage. It's not really on our property, is it or isn't it and, where is the water going to go? I know that our developer has engineers, but again I'd like to see specific action before our plat is approved. **Alana Ellison:** I live at 7790 South McClintock Way. I would like to have the subdivision reconsidered that is by our backyards. I wanted to reiterate a few things per Kuna City Ordinance 6-1-3. The purpose of the regulations is to provide public health, safety and general welfare for the public. Safety is a big concern for our subdivision. The development for our area is not harmonious, it will be impacting our streets. It will be impacting through ways that will increase traffic. Not only do we not have sidewalks, but the streets are very narrow as it is. When you're driving through there, you can barely get two cars to pass side by side. For adding sidewalks later on, impacting the way that people move around. The irrigation is a huge concern of mine. Done the road, with the potential of having a catastrophic event, it could very well bankrupt our subdivision. There are only 30 homes that we can pass that cost along to. I really feel that a win-win situation would be if we could tie our irrigation into the new subdivision, this would eliminate the need for any kind of easements for Tim Eck. It would eliminate any issues for us as far as when there is a main break, or if something happens then we're not responsible for it. It's not going to be an effective solution to have us try to fix something. **Jared Allen:** I live at 7980 South Chisum Way in Meridian. For good reason, an R-1 shouldn't be connected to an R-6, because we don't have the infrastructure that puts the safety concerns in mind. We're putting money over the importance of safety in some of these situations. With our comprehensive plan set in place, we wanted this growth and it's happened. At some point we have to readjust it and make some better decisions on how this can be sustained long term. We need better lots and nicer homes in there, acquire money into our system. The roads were originally designed for the Chisum Valley Subdivision No. 2. There was going to be less traffic, so with this change to our new plat, we need to get going on those roads as well. We know they made their decision, but I'm the first house in that subdivision and there's a lot of safety concerns. We have kids getting off the bus, and I'm only 66 feet off that Chisum Road. A car going 30 miles per hour will have

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to stop going around that corner. As we watch traffic, people are going in over that speed. With neighborhood kids coming to visit us, I don't want to see an accident happen, because the infrastructure isn't in place. Let's postpone and change this plat until we can actually take care of the things we need to keep our community safe. **Brian Luckey:** I live at 7714 South McClintock. I want to agree with all of the neighbors in here, but I really want to emphasize when my last neighbor, Jared, was talking. For the structure of the streets, there is no center divider to keep people going in the opposite directions of their own side of the road. As you enter the subdivision, it's 55 miles per hour on Columbia Road. He's the first house on the right. He's got two young girls, and a lot of kids in this neighborhood like to conglomerate around this area. They're taking that corner pretty fast. We're talking about a lot of teenagers from this subdivision coming in this way and leaving this way. We don't have sidewalks. When you get to McClintock, you get a big "S" turn. Chisum is a straight line. We struggle with speed already with the existing neighbors, and we have over the last 19 years. When you hit South McClintock, you're going to take that big "S" turn. You have big trees that make it hard to see around that corner. You don't realize how much caution it takes when you come around the corner with oncoming traffic, because you have no divider or sidewalks. These kids are going to be in the streets. We have no speed control, no speed bumps and no sidewalks for our kids to at least get off the street and get a safe zone. I know ACHD, and we've watched Meridian Road come in to a five-lane highway. As I raised my kids, I forbid them from going down Columbia Road. I made them go down to Amity and get on Meridian Road because of the stoplight. ACHD tends to be reactive to a lot of stuff for putting in four-way intersections. I do not want to see that in our subdivision. What would you do to keep your kids safe from that incoming traffic? **Tim Eck:** I live at 6152 W Half Moon Lane. The Comprehensive Plan gave us a land use designation of medium density residential and mixed-use general. Mixed-use general dictates up to 20 units per acre. Maximum density on these two parcels would be 1152 lots. We're at 310, and we've always been at 310. The general density is 4.25 per gross acre. I don't believe Kuna has any provisions requiring density calculations to be done per acre. We did agree to limit the density contiguous to the northernmost lot. We got it down to two units per gross acre, and we can provide that calculation. We have gone through our traffic study and the ACHD process. We fought long and hard to try to achieve a single connection. Knowing that the ACHD policy and the city code requires these developments to have stub streets. They are stubbed through them to provide connectivity to the adjoining properties. When we come in later, we're required to connect to those. It's not an option not to connect. We agreed to try and mitigate that and went through the process of getting a variance. The city was neutral on it, and I was able to convince ACHD staff to agree. Then it went to a public hearing at ACHD Commission, and voted against granting the variance. For approving the project, they have to connect to both streets. They are a signing body on the plat. If we don't comply with their requirements, they don't sign the plat. The traffic and back study to Columbia. That connection is currently an LOSA. At total buildout, that connection is an LOSA. Additional traffic counts on Chisum Way is well over the ACHD monument thresholds. There's a lot of concern about easements and water conveyance, and drainage. We can't take any of that away. Through the platting process, we have to ensure the delivery of water plats to properties with water rights delivered from a diversion. We can reroute it, but we have to preserve it. It's very easy to reroute the gravity waters. Around, through under or over our plat to get to the Van Lithe property to get to the Linder Farms property. The same goes for the drainage. You don't do that until you're doing your construction drawings. Once you've surveyed the whole property and designed all the infrastructure, you're engineering the sewer and water and the surface irrigation supply. All of that is done at that time. We can't get our construction plans approved by preserving that. We have pipelines that run around their property and along the boundary of their property. I don't know if there's an easement there or not. It's their pipeline, just like when it's in the city's pipeline and it bursts in someone's backyard. There are risers on there that provided irrigation connections that we will remove, because we will not be needing them. I don't want four-inch PI risers coming from their system that I can't use. I'm in the city, so I have to connect the city's PI system. I have no choice, I cannot connect to theirs. The wires are unused, so we'll remove them to avoid potential damage. They are all required to have a 10-foot PI easement on the back of every lot. If their PI main breaks, then they have to go through those backyards. They need to remove the fence, fix the problem, and put everything back in the position it was when they entered. They're not losing their PI facility, but they could connect the city's pressurized irrigation system. They can only do that if they annex. Irrigation water cannot be

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shared between the city and non-annexed property. It's illegal. If their septic tanks all fail and they can't get permits to fix it, they'll be able to connect to our sewer. Our domestic water will be stubbed there. If they have failures in their domestic water wells. They're a lot of benefits for the improvements that they're putting in. He talked about the seven million-dollar wastewater treatment plant. The developments that were around it and the comp plan. We have an R-6 zone with an additional restriction. That limits us to 310 gross lots. Right now, we're at 309 because we lost one to accommodate the two gross layer density in Chisum Valley. We're playing with an in-depth sewer setting right now, and there's a possibility that we might not need a lift station. We want to gravity back to the 2100-unit sewer lift station right now. If we can do that, we can reclaim the one lot that we lost because we don't need a lot for our lift station. As a result of ACHD's decision to grant the variance, we've come out with the phasing that you see now. Phase six, our very last phase, will get the connections to Chisum Valley. We will not connect to them until our very last phase. If we do one a year that six years, and if we have a slow down it could be 10 years. It's right now in the very last phase. The stormwater that comes off the end of that street, the easement, is an ACHD easement that will contain stormwater that will come off of the ACHD approved streets in their subdivision. Those are ACHD streets, they're not private. Stormwater that comes off of that comes into the easement. We have to design to take it, our system will all be sub-terrain. Their stormwater in that street will go right into drop inlets and go right into our storm drain systems. The roads in their subdivision are standard ACHD approved local roads. The trees in the sight triangle have to be preserved when you're coming around the intersection. It's the property owner's responsibility to maintain that sight triangle. If the trees are blocking their view, then the trees need to be trimmed to maintain them. If somebody complained to the highway district, then they would come and enforce that. We're consistent with the Comprehensive Plan. We're exactly 100% compliant with the zoning that was granted by the Planning and Zoning and City Council. Our density is exactly what we proposed at both of those meetings. We had a couple trees that were planted and were different species. The neighbors go out to buy them and they can't get the right trees, so we have to go through the process of getting them approved. We're trying to make sure that our landscapers stay further enough ahead it, so that if they can't meet the plan exactly, then we're coming in for a request for our modification well in advance. I'll stand for any questions that the Commission may have. **C/Young:** Just to try and adjust another one of their concerns, all of the runoff has to be designed to stay within the subdivision? **Tim Eck:** All of our stormwater has to be contained on site, because they have an easement on our property. We have to take care of that. I have a very rough grading layout that I can leave with you that shows a corridor right around the boundary where the gravity irrigation is. Normally you don't do this stuff until you're engineering for construction. I've just done a rough layout of what the grades will be. We can easily run the gravity irrigation all the way around the property, however Charlie takes all of his off of Ten Mile. **C/Young:** I'll close the public testimony at 7:16. **C/Hennis:** The pre-plat conforms to what the City Council has required. **C/Young:** Unfortunately, ACHD did not want to do what City Council was requesting, but they do have to sign off on the final plat as well. **C/Hennis:** I do like the fact that at least phase it into the last absolute time frame to keep it at least out of there. **C/Gealy:** The primary concerns that I hear about are about traffic and safety. The second one is basically water, discussion about the drainage. If they choose to annex, they can hook up to the city irrigation. If they choose not to, they can still access the pipe they have that's on an easement, the subdivision property, if they need to repair it. In terms of drainage, their drainage drains into the subdivision property and the subdivision will handle it. I don't see an issue with drainage. **C/Young:** If there is an easement, then it has to be maintained and the new property owners have to encroach on that, the buildings and things like that. **C/Hennis:** It's also any of the water rights with regards to the easement they have to maintain. **C/Gealy:** That will be indicated on the plat and the new owners would be aware that there is a new easement that has to go across their property. **C/Hennis:** That takes a couple of issues presented by Mr. Henricksen, and they're going to have to be designed inside the stormwater issues. If they're not farming those fields, then they're not going to have a lot of water flowing that way. They still have to maintain the gravity drains. I think that if these construction documents are presented, then they'll answer those questions a little more specifically. **C/Young:** In regards to design review, I think that the landscape has presented in the required buffers streets that all meet city code. I don't see any issues with what's been presented. The landscaping goes with the Design Review side of things. **C/Gealy:** As far as the traffic and the safety, I appreciate your efforts to try to limit

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it to one access point. I do know that ACHD is concerned with connectivity between and among development. I wonder if there would be some traffic mitigation that would be possible to encourage people to leave the subdivision by another route. I do know that often winding streets will slow down speed as opposed to straight streets. Somebody tonight mentioned speed bumps. I had the opportunity to live overseas for a while. When traffic got too bad, they would just put a concrete planter in there and that slowed people down. **C/Hennis:** I think we tried that, and ACHD shot us down. I'm looking for someone with more experience and more creativity to look at what kinds of things could be done in Chisum. What kinds of things could be done in Whisper Meadows to mitigate the traffic concerns. **C/Young:** That's something that ACHD provides. It's not something that we condition. **Troy Behunin:** It's true. It's not something that we have jurisdiction over, but I do know that speed bumps will not be entertained by ACHD. **C/Hennis:** How do we see this in today's streets somewhere else, like over in Boise? ACHD has it in their jurisdiction, but we have it in several streets that I know of up along Mitchell. **Troy Behunin:** Standards vary from year to year. Stuff from five years ago is not allowed today. The actual way that a grandfathered right works is you put it in place legally and then code changes after it's been placed. Then it gets to remain as it was designed and built. You can't change it, you can't alter it, you can't move it. You can't do anything with it. If there were speed bumps in subdivisions in other cities, then they were probably legal at that time. They don't do that anymore. It's unrealistic to expect a developer who doesn't own property to extend sidewalks through a subdivision that's not even in the city. That's an unrealistic expectation. **C/Hennis:** We were just looking to see if there was a possible idea of mitigating the connection between the two, seeing how ACHD has overruled us. **C/Young:** I think that will temporarily help some of that. The connection point, as the last phases are being built out. The first five phases as people go through or tried to hit the lower south connections up to the north and the east. It's not available in the beginning. You kind of get drained going in the direction. **C/Hennis:** Who knows, policy might change by then. It's obviously changed before. This conforms to the zoning and policy set forth by the City Council. The developer has done the best he can to beat the traffic. Water rights need to be maintained legally, state requires it.

Commissioner Hennis motions to approve Case No. 18-01-S and 18-07-DR with the conditions as outlined in the staff report. Commissioner Gealy Seconds; Motion carried 2-0.

18-04-AN (Annexation), 18-03-S (Preliminary Plat) & 18-23-DR (Design Review) – Lugarno Terra Subdivision; Billy Edwards, with Select Development and Contracting, LLC., requests to annex a 40-acre parcel on East Deer Flat Road into Kuna City Limits with an R-4 zoning designation and to subdivide the 40-acres into 134 total lots, consisting of 114 single family buildable lots, and 20 Common lots. The subject site is located at East Deer Flat Road, Kuna, ID 83634, within Section 18, Township 2 North, Range 1 East; (APN# S1418346600). Additionally, the applicant also requests to annex a 1.725-acre parcel into Kuna City Limits with an R-6 zoning designation. The subject site is located at 1919 East Deer Flat Road, Kuna, ID 83634, within Section 19, Township 2 North, Range 1 East; (APN# S1419223000).

Jonathan Steele: I'm representing Select Development and our address is 2501 State Avenue, Meridian. The application shows two parcels. To the south of this side of Deer Flat is a triangular piece which is about 1.75 acres. That's the path for annexation for this application. Right now, for that particular parcel, there are no plans for the development of it. It's simply an annexation. In the future, if the applicant knows what he wants to submit with it, it would be a separate application for that. We just wanted to clarify. The one we're focused on is right here, and this is referred to as Lugarno Subdivision. In the center of the plan, there is an irrigation ditch. That irrigation ditch goes basically in a north-south direction. We submitted applications to both the Bureau of Reclamation and Boise Projects to relocate that. We submitted that application back in June. We were told sometimes that the process could take a year. We were optimistic in talking with him and working with him. Hopefully we will get approval by the end of this year or possibly January of next year. If we do, that project will be completed in one phase. If we're not successful with that, then we'll complete it in two phases. The first phase would be the easterly half with the westerly half done, once the irrigation ditches get piled. As I mentioned, it's 40 acres. It has 114 single family homes. They average

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from 8,000 to 13,000 square feet. The price range for the homes on these lots will be around \$340,000. The common area totals 1.6, and we'll get to that in a few minutes. Dedicated landscaping is approximately 11 percent of the area. The plan is to tile that ditch, and right now, you can see the center south direction, a pathway. We would love to put a pathway in there. They're pushing for that to basically be a maintenance road. I want to clarify that right now, this shows up as a pathway. It's highly unlikely, but I wanted to make sure that I was clear on that. There will be strong CC&Rs with this, and we think that this project is well maintained. As far as Deer Flat, Deer Flat will remain as two lanes. We will put in a curb and gutter to the property lines for the single-family homes. There will be a detached sidewalk that is 10 feet in width. On Strobel, that will also be improved along with 12 feet of asphalt. There will be curb and gutter on the west side, a 25-foot landscape buffer and an eight-foot sidewalk. We have two options with ACHD. We think that we can take the road which takes that stub to Strobel midway up. We could stop it there and do a road trust to ensure that the balance of that road is complete once development continues to the north. I think that the reality is that we would do a road trust on that. All of the streets on that would be local streets constructed at ACHD standards. The entrance off of Deer Flat is here, and this shows 1.6 acres of common area. Below that is a 1700 square foot clubhouse. It'll have a dedicated sales office and a community room. It'll also have 850 feet of outdoor covered seating area. To the north of that will be a pool with a patio seating area. To the left will be a basketball court, and to the west there is a climbing play area. There will be a series of amenities here for this. The applicant feels that this is very important. One of the reasons I am addressing this is because the parking off of both of those streets is perpendicular to those streets. We are proposing parking to accommodate residents or people who want to come in and meet with them. We understand that staff says it's not within your policy. We're asking simply for a variance. The other option if we have to put it on there is we have to lose open space. I think like any city in this state, you want to preserve as much common area for your residents. This is maybe counter to the code, but we believe that it should not be a huge issue. We're hopeful that it's not. We've talked to ACHD about it, and ACHD accepts it. What they'll do is take the sidewalk around the parking, so it will be where the cars park into the front. We would ask for a variance in this one, so we can provide parking. We can preserve or maximize as much open area as possible. Another thing that we think is very attractive is that we use a select group for maybe four, five or six builders. We want to ensure that we have quality builders who build houses with quality construction and diversity of design, and we go through a project that's going well, we talk it all the way through. It's probably going to look like a subdivision where each one looks differently. We've done that in the past, and we think it's very successful. We intend to do it in this one. We will also do six-foot vinyl fencing around the entire perimeter within, as well as people in the surrounding area. As far as the staff report, we're in agreement with the staff with the exception that we get a variance for the parking, so that we can do it as designed here. We think this can be beneficial and again we can maximize providing 1.6 acres of common area. In closing, the applicant Select Management is here to go beyond what is just the requirement. It's easy to satisfy the city and call it good. I think here with the common areas and the pathways and added landscaping, hopefully they're demonstrating to you that they want to build a quality project that you'll feel proud about. We are here to represent Kuna. I will stand for any questions you might have. **Jace Hellman:** Jace Hellman, Kuna Planning and Zoning Staff, 751 W 4th Street. As stated previously, the application before you this morning is for preliminary plat, annexation and design review. The applicant has requested to annex a 40-acre site into Kuna City Limits with an R-4 medium density residential zoning. The applicant proposes to subdivide that 40 acres into 134 total lots. There are 114 single-family buildable lots and 20 common lots. There density breaker is supposed to be approximately 2.8 residential units per acre, with lot sizes ranging from 8,000 square feet to 13,000 square feet. Applicant proposes to build on Strobel Road along the east property line. It is listed as a north-south collector in the City of Kuna Street Circulation Map. Staff would recommend that the applicant work with the staff and ACHD to ensure that the streets get constructed to standards. There are several stub streets that have been provided in this project. There are two to the west and two to the north. This includes the future stub of Strobel Road as well. The applicant will be required to install a sign that states the roads will continue in the future. Staff would defer the comments to ACHD for the language for those signs. In your application packet there is a Design Review Application packet with landscaping and open space. The applicant has proposed and dedicated the landscaping strips and buffers throughout the project that actually make about 12 percent of the

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entire project. Staff would find that the proposed landscaping requirements comply with Kuna City Code. There is the 1.6-acre common area that was proposed. As he stated, those were the amenities that are anticipated. Staff would like to make the applicant aware that after bringing forth those amenities such as the pool and the clubhouse, they will need to go for design review approval. Our series of lots along the west side, according to Kuna City 5-9-2-G, which is standards for parking states that parking shall be designed in such a manner that any vehicle leaving or entering the area onto a public or private street shall be traveling in a forward motion. This does not comply with Kuna City Code. Staff would recommend that the applicant work with staff to provide a parking area that is code compliant. Additionally, to create their path of annexation, they are requesting to annex a 1.25-acre parcel into Kuna City Limits which was on the southwest corner of the property that would give them their touch to annex the larger property. That property is contiguous to city limits to the western side of the property, which is Ashton Estates. The applicant of the representative stated that there is no development that is proposed for the area at this time. Staff would determine the preliminary plat and annexation comply with the goals and policies of Kuna City. Kuna City Code Title 5 and 6, Idaho Statute 67-65, the Land Use Planning Act, and the Kuna Comprehensive Plan. Staff would forward a recommendation for a recommendation of approval for Case No. 18-04-AN and 18-03-S. Staff would also recommend approval for 18-23-DR subject to any conditions of approval outlined by Kuna's Planning and Zoning Commission and any additional conditions added by the Commission as well. I'll stand for any questions you may have. **C/Young:** We'll open the public testimony at 7:46. **Shirley Grothouse:** 2404 East Deer Flat Road, we own approximately 3 acres and it borders the east boundary of this proposed subdivision. We have several concerns, one is the water rights. We get our irrigation from a ditch on the north and the south side of this property. I was talking to Mr. Edwards, and he assured me that our irrigation wouldn't be impeded with the tile ditches, so we could still do our gravity irrigation. I just wanted to reiterate that hopefully that will be done. My other concern is with the lights on the subdivision. That pole mounted night-lighting, are they going to be pointed downward or upward? The proposed Strobel Road will come right down beside our driveway. I heard him say that there is a sidewalk and some barriers along the east side of the road and the west side of Strobel. What will be on the west side, can we get a fence between our property, because it just borders all the way down our place. I'm looking at our driveway and Strobel Road, with nothing in between. I know the fence is going to be on the other side of Strobel Road. We have huge cottonwood trees that the red-tailed hawks nest in. I believe that would be on the border between this subdivision and us. This is where Strobel Road is going to go, I just wondered if they could move the road a little bit. I have these big trees, they're about 90 years old and the hawks do nest in there every year. I was concerned with the traffic also. Also, if this is annexed into the city, will this be pressurized city water or will they dig more wells? **David Anders:** I live at 1920 East Deer Flat Road, it borders the west side of this property as well. The boundary to this property will be within 30 feet of my house. I've lived in Kuna for 25 years on five acres, and I'm not thrilled about it going in right next to us. The next concern is about property, lighting, and it's quite a bit lower than my property. A six-foot fence between my property and this property will be equivalent to about three feet. This is not enough privacy at all. There are no trees or anything between the two properties. The edge of my property and the back fence and the homes behind me. Another concern that I have is about stub of this subdivision. I don't want it coming in my backyard. There's also water runoff between our two properties. On the west side of my property is the high point canal that runs between the Ashton Estates that they talked about. There are 124 homes coming in. The low-point is between our two properties, which is on the east side of me. I don't know about that water runoff, I don't know how that's being handled. I just have a concern about that, as well as the well. I'm curious which way that the sewer is running on this. Is it running east or is it running north? Is it running downhill? Is it running uphill on or between the west side of property. I'm not concerned about the Comprehensive Plan, but I'm not concerned about that. I'm not concerned about the traffic. There are already 144 homes being built that are coming in on the Ashton Estates coming into Deer Flat. There are 114 that are coming in to dwell. The traffic really hasn't mattered a lot. My main concerns are lighting and the privacy to my property and the fence privacy, I'd like to avoid weeds and plants encroaching on my property. **Jonathan Steele:** I'm with Select Development, my first regard is to what Shirley said with respect to the tree. As you can appreciate, that's going to be right of way. I like to keep trees, but I think this call goes on ACHD and not us. This goes back to the last project you heard. If the tree can be preserved, they will

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do it, but we just don't have any control over that. We don't want to impede the vision triangle. It will be determined at another point, until the east is developed. As far as the road goes, we're improving half of it plus a 12-foot section. On our side, there's a 25-foot buffer from the curb and gutter. As far as privacy goes, I think this should accomplish it. As far as lighting, I've now done something within the City of Kuna. I know photometrics is typically required. These street lights will be downcast on any other subdivision. We're all sensitive to that obviously. This is not just for the surrounding community, but for this community itself. With respect to the gentleman on the side, I can respect his concern. We don't have a lot of control over the height of the property. We will maintain an irrigation ditch to ensure that the water does not flow into his property. All water rights will be maintained that are existing, that's a state law. As far as traffic goes, every project creates traffic. This is not a high density, this is 2.8 units per acre. This could have been zoned as office, which would have created for more traffic than any residential. I appreciate the fact that it creates traffic, but there's not a development in the world that doesn't. With that I'll stand for any questions you may have. **C/Young:** As far as the stub streets go, the stub stops at the property line. If you sell that land at some point, and that land gets subdivided and the street goes through, that's when that would happen. It then stops at the property line. **Jonathan Steele:** As long as he lives in that house, that stub street will not impact you. It's when you sell it, ACHD will then extend the road. Right now, it stops and doesn't go beyond that. **C/Young:** Do we have any graphic that shows where the stub street is in relation to his house? **Derek Kerner:** 270 North 27th Street, Boise, Rock Solid Civil Engineering. I would look at some of these. It looks at 350 feet, we'll see how far north that stub street is going to be. **C/Hennis:** It looks like it's going to be in his rear field. **Jonathan Steele:** That street will not be extended until something to that parcel happens. **C/Hennis:** It appears that it's on the northern side of that backyard. **Jonathan Steele:** This is where his property is, and this is where the stub street will be. It's about 350 feet. **C/Gealy:** There was a request from the school district for a place to students to wait for the bus and when they're dropped off. **Jonathan Steele:** I'm not personally aware of that, but I suspect that we can work with the school district on that. **Wendy Howell:** Typically, the school district will pick them up at the common areas. **C/Gealy:** It would be inside the subdivision? **Wendy Howell:** It would, in this case. **C/Gealy:** ACHD was talking about Deer Flat in the report. I assumed there was some curb and gutter off Deer Flat? **Jonathan Steele:** Yes, it is two lane asphalt as you know with just gravel on the edges. ACHD wants us to put curb and gutter in that existing asphalt. What we can do is either dedicate the right of way or do it through an easement. We have approximately 30 feet from the curb and gutter. If you're going towards the subdivision, 30 feet from the curb and gutter to the sidewalk which is 10 feet. There is a 35-foot landscape buffer behind that. We'll landscape that entire thing someday, not now. It's not in the five-year capital plans. Realistically they're saying 20 years, but who knows. Then they'll come in and take that right-of-way. They will potentially construct a five-lane road. You will go down it now, or you will go down it. It will be entirely landscaped. **C/Gealy:** There was some discussion of an existing driveway? **Jonathan Steele:** There is an existing driveway with a 1.75-acre parcel which is on the south side, the triangle. Right now, there is an existing driveway. What ACHD is saying in the staff report is that's fine, we can make improvements over there but we the driveway to line up with the gentlemen's house across the street. We want to get rid of one of the driveways and simply keep one. We'll go from two to one. That's with you seeing the staff report. One more thing that I'd like to say and emphasize is if the City of Kuna can work with us on the parking and the common area. We think that's very important. You can imagine if you look at that amenity area, which is 1.6 acres. You have to go in and put parking within it. You're going to lose so much open area. I don't think it is a safety factor, in fact if you think about it, it's a little bit different. We all walk behind cars all the time. We all have cars backing perpendicular to the drive. We're hoping here that there's a degree of flexibility so we can keep it out there, divide the parking, but also maximize the amount of open area that I think is more important than putting parking in the project itself. We sincerely ask for that. **C/Young:** I'll close the public testimony at 8:06. **C/Hennis:** I think it's a really nice subdivision. They're putting some amenities in that we request for a lot of subdivisions. I like the large lots, the low density. It's something that we've been trying to balance everything with. **C/Young:** You also addressed someone's question our there that the subdivision does tie into city water. There won't be any new wells dug for the subdivision. They tie into city water. **C/Hennis:** I think everything's provided well and the irrigation's going to have to be maintained for the neighbors. Obviously state law. **C/Gealy:** What about the parking for the common area? **C/Hennis:** I personally don't see too

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much of a trouble with it. I would think that we just condition them to work with the city to resolve what they want. I would prefer an open area. I think they will configure that parking lot like that, it's going to be difficult. **C/Gealy:** ACHD, I don't know if they recommend it, but they have adjusted moving the sidewalk behind the stalls. But then there would have to be a drive lane. **C/Hennis:** Maybe it can be brought in a little bit more, so instead of backing into the street, they back into another area. Instead of bringing it straight into the public, they can back into here and pull out onto the street. You'll have parking stalls, and let's say that's the street. We actually move these in slightly so that you have a thing that you can pull. **C/Young:** With people pulling in and out, I'd almost be wanting to side with staff a little bit. Just because I'm not sure what this would be, if any. **C/Gealy:** I think Commissioner Hennis means moving the parking into the common area enough so that people could back out without people backing into the street. Instead of having a sidewalk behind. **C/Hennis:** Well I like the idea of having a sidewalk behind, because then you've got people have to walk between cars pulling out and people driving by. I don't think that's at all any safer. **C/Young:** I kind of agree with staff to mandate a more traditional code. **C/Hennis:** Well I think the city's trying to do something where they have to pull in and pull back out into traffic. You'd have a whole separate parking lot that is off-street. That's going to take out a whole common area versus just a length of the street. There has to be an easier way to do it than that. As city code mandates, you have to pull people in and then pull out front-wise into traffic. That means you'd have a parking lot coming off of right of way. **C/Young:** You're potentially suggesting moving the parking lot and the walkway west about 20 feet to create a drive aisle right along that walkway. I don't know if that's legal, but that's what I'm thinking. We're seeing it in different places, that's why an open area there as opposed to a whole parking lot on each side. You're going to have to do the same over here too. We see this all the time. It's not a public area, this isn't a city park. You're going to have limited traffic. **C/Young:** You're suggesting a recommendation of approval as a variance to council. That's not necessarily a full drive aisle to work with. **Wendy Howell:** Just for clarification, a variance was not requested. There's not a variance application in procedure. It's just a deviation from code. **C/Hennis:** Essentially, you're saying that it just needs to get done? **Wendy Howell:** If that's what you're choosing to do, just condition it as such. It will go with the recommendations to council for final decision. **C/Young:** I think the size of the lots and what they're wanting to do would be a good asset.

Commissioner Hennis motions to recommend approval of Case No. 18-04-AN and 18-03-S and to approve 18-23-DR with the conditions as outlined in the staff report; With a condition that the applicant request a deviation from code; And a condition that the applicant work with staff to come to an agreement; Commissioner Gealy Seconds; Motion carried 2-0.

18-11-SUP (Special Use Permit) & 18-27-DR (Design Review) – Pinson's Muffler Shop; Applicant Darrell Pinson, requests special use permit approval in order to operate an automobile maintenance shop within the Central Business District. The subject sites are located at 156 and 120 West Main Street, Kuna, ID 83634, within Section 23, Township 2 North, Range 1 West; (APN# R5070000315 and R5070000350).

Marcellus Clark: I am a project manager for BRS Architects at 1010 South Allante Place, Boise, Idaho. I am representing Darrell Pinson, who is the developer as he is looking to purchase the property for this use. I would like to start out by saying that Pinson and myself both live in Kuna. I know a lot of developers come in from outside the city and try to develop what they want. We both drive through that roundabout in downtown quite a bit and anybody who drive through it sees this big concrete box right on the corner. We're planning to repurpose that to an auto maintenance shop. The overall purpose is to extend the bays and the roof a little bit. We want the bays to be long enough to enclose that front area. That would allow the business developer to operate that building. With that proposed design for the building, it's a tightly designed site plan. One of the constraints that led to the design was the fire apparatus access path of travel that you might be able to see on the site plan. This is coming into the front entry and out of the back alley. That kind of limited the use of the site and the extension of the building. With some design, we found that it would be able to work and we have the ability to keep the 10-foot

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landscaping buffer along the Linder and Main Street intersection. The proposed landscaping falls within the required landscaping requirements with the proper planting and trees. With the building itself, we will not leave it grey. We would like to spiff it up with some added color, texture and materials. The front entry will be clad with even storefront material. The back entrance will be built with a CMU block, split face with access to tie in the existing smooth face structure. We're trying to keep it attractive and keep the existing structure there and utilize it. We feel that it's an appropriate use for that existing facility. We feel that it's an attractive accent for the city and for that corner lot. With that I can answer any questions you may have. **Jace Hellman:** Good evening Chairman and Commissioners, Jace Hellman, Planning and Zoning Staff, 751 West Fourth Street. According to Kuna City Code, in order to operate an automobile shop within the Central Business District (CBD), a Special Use Permit and Design Review are required. The subject site is located in Downtown Kuna on the northwest corner of the roundabout. At the intersection of North Main and Linder Road, street lights, curb gutter and sidewalk we're installed in that part of this project in 2016. Staff would note that these parcels are included in phase two of Kuna's revitalization project. As a result of the overall revitalization, there has been a specific list of plants that's been created to be used within the Downtown area. The applicant does have a 10-foot landscape buffer along Linder Road and an additional landscape island on the side. There is an ingress and egress from Main Street. The applicant provides one shade tree and five shrubs for every 35 feet of street frontage. This project does conform with Kuna City Code. However, as part of this Downtown revitalization is requiring the applicant to work with staff to make some changes to the landscape plan. As far as the detail for what kind of plants come in, they are in conformance with the plant list for the revitalization project. According to the site plan dated August 23, 2018, there are 14 parking spaces. This does exceed Kuna City Code, which requires two spaces for each service bay. In a CBD, off-street parking is required where physically possible to get it behind the structure. The majority of proposed parking is in the rear, and staff would just recommend that the applicant keep the project cars working in the back of the lot. Also, it is important to reserve those for parking customers. J&M Sanitation commented, saying that the proposed location of the site does meet the needs, however, staff would require that the applicant work with J&M Sanitation to lower that enclosure to their standards. Staff would note that the applicant included a new site plan. Originally, they showed one that had vinyl fencing. They were made aware that this wasn't ok. They have submitted once a CMU that shows the brick enclosure with the steel gates. Staff has determined that this application does comply with Kuna City Code. I can answer any questions you may have. **C/Gealy:** I'm vaguely aware that automobile repair needs specific requirements for a disposal of waste. Is that something that is required by another agency? **Jace Hellman:** Department of Environmental Quality does have a list of comments. There is also existing drainage at the bottom, and thank you for bringing this up. There is existing drainage that is under this car wash. I'll add as a recommendation that the applicant be recommended to work with the Public Works Department staff on how to cap that drainage. Sludge and things do not drain into the water system. **C/Young:** I'll open the public testimony at 8:27 and I will close the public testimony at 8:28. They did a nice job fitting it into the location, but I think the redress of the building will be useful. I agree that the change-up of materials is appropriate. **C/Hennis:** It sounds like the drainage systems and recommendations will work with staff and the engineer. **Jace Hellman:** I was going to add that there is a condition to get drainage plans approved through the City Engineer, but if we want to add additional restriction, then I guess that it would probably be beneficial.

Commissioner Hennis motions to approve Case No. 18-11-SUP and 18-27-DR with the conditions as outlined in the staff report and a condition to work with staff to make sure that the landscape buffer complies with the revitalization effort and work with the City Engineer to make sure the appropriate existing drainage system is capped or relocated. Commissioner Gealy Seconds; Motion carried 2-0.

3. COMMISSION REPORTS

4. ADJOURNMENT

**CITY OF KUNA
PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, October 9, 2018**

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

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

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



City of Kuna

Planning and Zoning Commission
Findings of Fact and Conclusions of Law

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www.Kunacity.id.gov

To: Planning and Zoning Commission

Case Numbers: 18-04-AN (Annexation), 18-03-S (Preliminary Plat) & 18-23-DR (Design Review) **Lugarno Terra Subdivision**

Site Location: 1919 E. Deer Flat Road & E. Deer Flat Road, Kuna, ID 83634

Planner: Jace Hellman, Planner II

Hearing Date: October 9, 2018
Findings: **October 23, 2018**

Owner/Applicant: **Select Development & Contracting, LLC.**
PO Box 1030
Meridian, ID 83680
208.288.0700
randy@selectmanagement.com

Representative: Billy Edwards
P.O. Box 1030
Meridian, ID 83680
208-288-0700
wedwards@selectdev.com

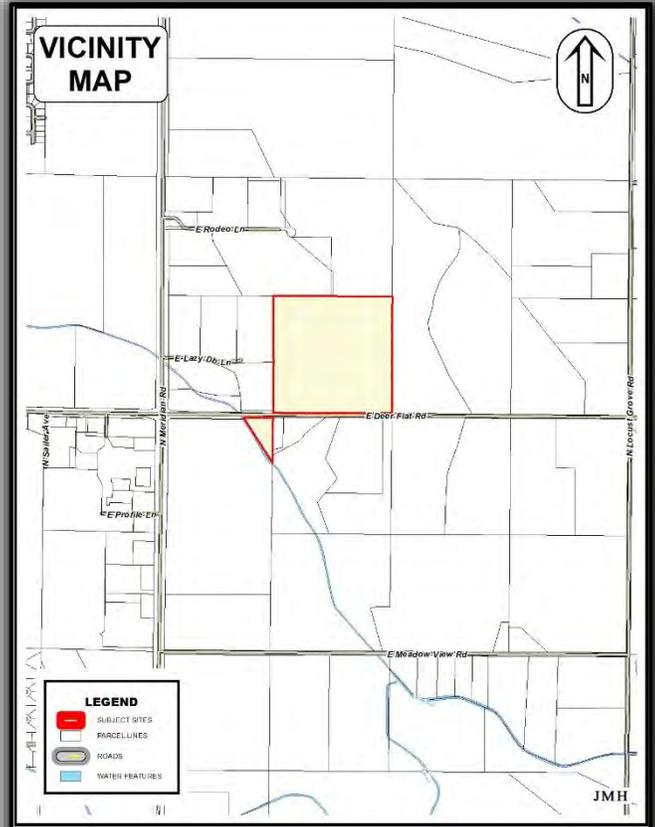


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A. Process and Noticing:

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that design reviews are designated as *public meetings*, with the Planning and Zoning Commission (acting as the Design Review Board) as the decision-making body; and that preliminary plats and annexations are designated as public hearings, with the Planning and Zoning Commission as a recommending body and City Council as the decision-making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

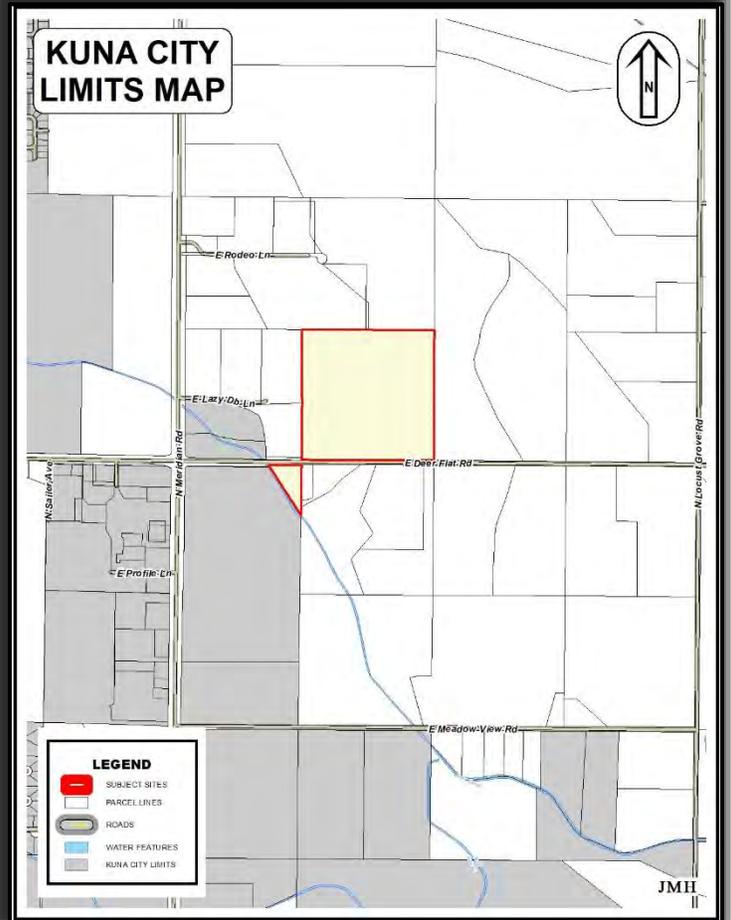
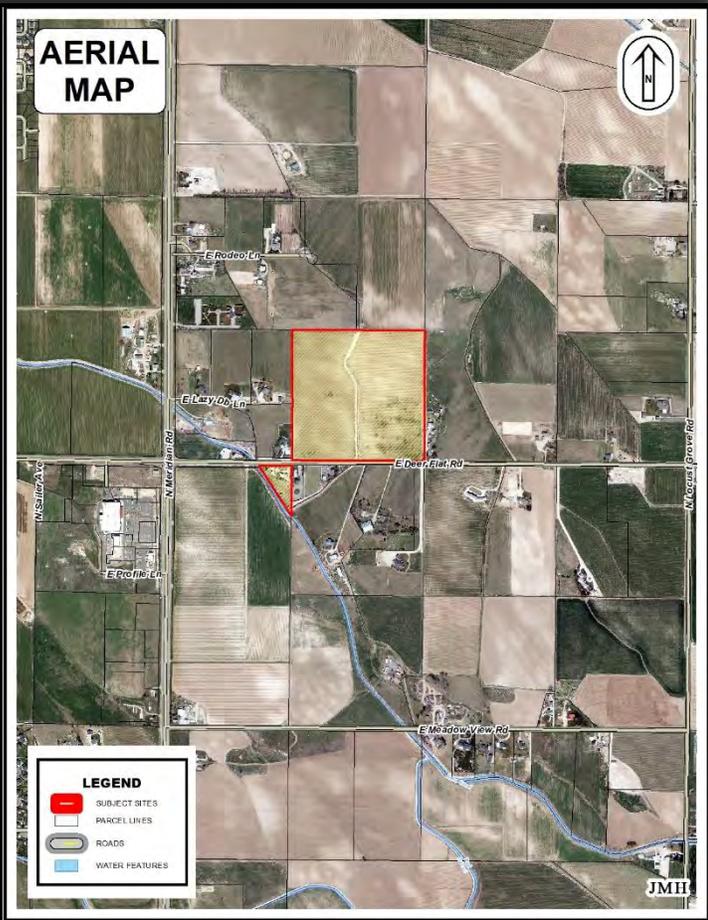
a. Notifications

- | | |
|----------------------------------|----------------------------------|
| i. Neighborhood Meeting | May 30, 2018 (9 people attended) |
| ii. Agency Comment Request | August 17, 2018 |
| iii. 350' Property Owners Notice | September 19, 2018 |
| iv. Kuna, Melba Newspaper | September 19, 2018 |
| v. Site Posted | September 28, 2018 |
| vi. Public Hearing | October 9, 2018 |

B. Applicant's Request:

Billy Edwards, with Steel Development and Contracting, LLC., requests to annex a 40-acre parcel on East Deer Flat Road into Kuna City Limits with an R-4 zoning designation and to subdivide the 40-acres into 134 total lots, consisting of 114 single family buildable lots, and 20 Common lots. The subject site is located at East Deer Flat Road, Kuna, ID 83634, within Section 18, Township 2 North, Range 1 East; (APN# S1418346600). Additionally, the applicant also requests to annex a 1.725-acre parcel into Kuna City Limits with an R-6 zoning designation. The subject site is located at 1919 East Deer Flat Road, Kuna, ID 83634, within Section 19, Township 2 North, Range 1 East; (APN# S1419223000).

C. Exhibit Maps:

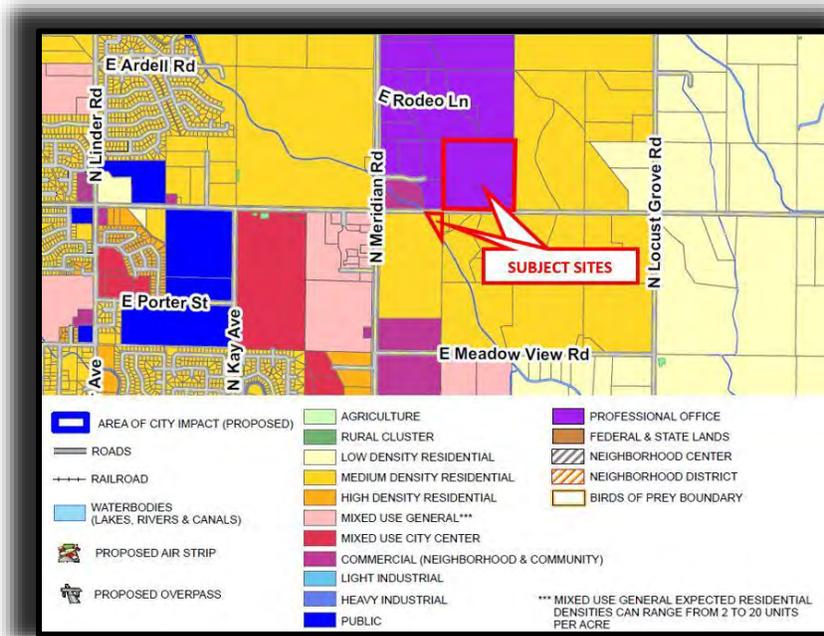


D. Site History:

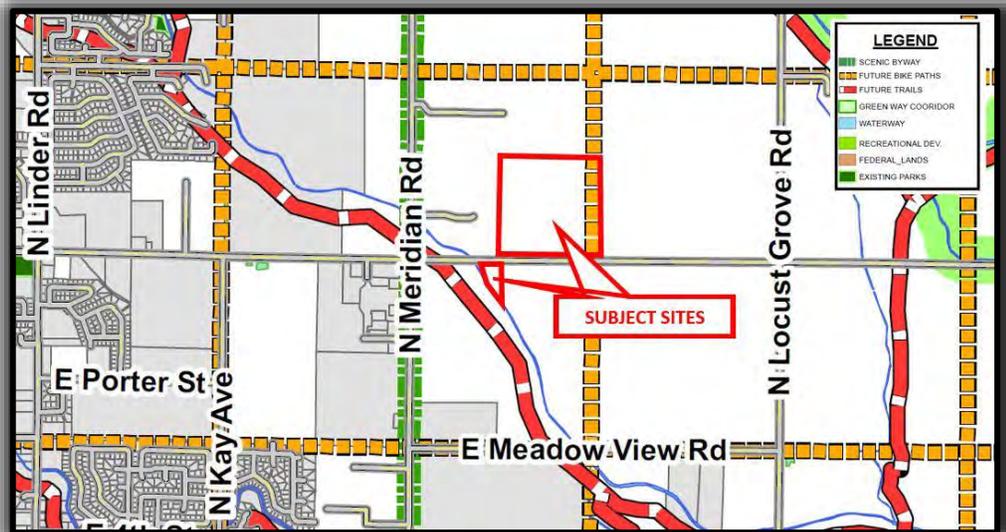
These parcels are currently within Ada County. The approximately 1.725-acre property has served as residential property and the approximately 40-acre parcel has historically been considered agricultural land.

E. General Projects Facts:

1. **Comprehensive Plan Map:** The Future Land Use Map (Comp Plan Map) is intended to serve as a *guide* for the decision-making body for the City. The Comp Plan map indicates land use designations, it is not the actual zone. The Future Land Use Map identifies the 40-acre site as professional office and the 1.725-acre site as medium density residential.



2. **Recreation and Pathways Map:** The Recreation and Pathways Master Plan Map does not indicate a future trail through either site. However, a future bike path is shown along the future extension of Stroebel Road. Accordingly, it is the City’s goal and desire to increase the number of trails and pathways in Kuna. Staff highly recommends that developers design and construct trails and pathways, or work with Ada County Highway District to pay their proportionate share to comply with the Master Plan’s goals by either starting a pathway, or extending current ones at time of development.



3. **Surrounding Land Uses:**

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

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

Property Owner	Parcel Size	Current Zone:	Parcel Number
Select Development & Contracting, LLC	40.00 acres	RR, Ada County	S1418346600
Select Development & Contracting, LLC	1.725 acres	RUT, Ada County	S1419223000
Total Acres 41.725			

5. **Services:**

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

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

The 1.725-acre parcel contains one manufactured home and several outbuildings. The front of the site contains landscaping typically associated with a residential lot (i.e. grass, trees and shrubs). The 40-acre parcel historically has been farmed and contains features associated with agricultural land. A Boise Project Board of Control irrigation access easements divides the subject site. The site is relatively flat with an estimated average slope of 0% to 2% towards the Mason Creek Feeder. Bedrock depth is estimated to be between twenty and forty inches according to the USDA Soil Survey for Ada County.

7. **Transportation / Connectivity:**

The applicant has proposed connections to public streets in two locations, including a new section of the mid mile collector Stroebel Road. All proposed access points will need to follow design standards according to City and ACHD (Ada County Highway Dist.) codes. Internal pathways and sidewalks have been proposed for pedestrian connectivity.

8. **Environmental Issues:**

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

9. **Agency Responses:** The following responding agency comments are included as exhibits with this case file:

- Kuna School District Exhibit C-2
- Kuna City Engineer Exhibit C-3
- Idaho Transportation Department (ITD) Exhibit C-4
- Department of Environmental Equality (DEQ) Exhibit C-5
- Central District Health Department (CDHD) Exhibit C-6
- Community Planning Association of Southwest Idaho (Compass) Exhibit C-7
- Nampa & Meridian Irrigation District Exhibit C-8
- Ada County Highway District (ACHD) Exhibit C-9

- Boise Project Board of Control Exhibit C-11

F. Staff Analysis:

The applicant requests to annex an approximately 40-acre site into Kuna City limits with an R-4 (Medium Density Residential) zoning designation. The applicant proposes to subdivide the 40-acre site into 134 total lots, consisting of 114 single family buildable lots, and 20 Common lots. Density per acre for the site is proposed to be approximately 2.8 residential units per acre with lot sizes ranging from approximately 8,100 square feet to 13, 100 square feet.

This project is adjacent to Deer Flat Road. All major public utilities are located approximately within 300 feet of the subject site within East Deer Flat Road. Applicant is aware that development of these parcels will require connection to all city services and associated connection fees at time of building permit submittal. Full build out is estimated to be built out by 2025 and may require up to two (2) phases.

Applicant is constructing a new section of Stroebel Road along the east property line. Stroebel Road is listed as a north-south collector according to the City of Kuna’s Street Circulation Map. Staff would recommend the applicant work with Staff and Ada County Highway District to ensure the new collector street is constructed to each agency’s standards. Several stub streets have been provided as a part of this project, two (2) to the west and two (2) the north, including the stub of future collector Stroebel Road. The applicant will be required to install a sign at the terminus of each of the roads stating these roads will continue in the future. Staff will defer the applicant to comments provided by ACHD for preferred language.

Kuna’s Comprehensive Plan (Comp Plan), encourages a variety of housing types for all income levels numerous times throughout the document. Pertinent sections of the Comp Plan that address housing types are included below, in Section K (Comp Plan Analysis) of this report. The City attempts to balance all housing types within the City. Staff has reviewed the proposed preliminary plat for technical compliance with Kuna City Code (KCC), and finds the pre plat and landscape plan is in compliance with applicable codes. Staff would recommend that the applicant work with Kuna’s staff, ACHD, and Kuna Rural Fire District (KRFD) to conform to each agency’s requirements.

A design review application for landscaping and open space was included as a part of the overall application. Applicant proposes several dedicated landscaping and buffer areas through out the project representing approximately 12% of the total project. Staff finds the proposed follows the landscaping requirements set by City code. A 1.6-acre common area has been proposed, it is anticipated this lot will feature a clubhouse, pool, sports courts and playground equipment. The applicant will be required to bring common lot amenities, such as the pool and pool house, through the design review process prior to receiving building permits. Parking for the common area is proposed as a series of parking stalls along the east and west sides of the lots. The parking stalls are oriented in a way that vehicles backing from the space will back directly into public right-of-way. Kuna City Code 5-9-2-G: - Standards, states “any parking area shall be designed in such a manner that any vehicle leaving or entering the parking area from or onto a public or private street shall be traveling in a forward motion.” The applicant has been made aware of Staff’s preference and City Code, and it is for the Commission to decide if a new parking area design will be required.

All monument signage shall go to the Commission for review and approval. No application for signage was submitted with this application, and shall be approved through the design review process prior to installation.

The Recreation and Pathways Master Plan Map does not indicate a future trail through either site. However, a future bike path is shown along the future extension of Stroebel Road. Staff will require the applicant to work with ACHD and follow the American Association of State Highway and Transportation Officials (AASHTO) standards and guidelines for the development of bicycle facilities. Internal pathways and sidewalks have been proposed throughout the project site in order to provide a pedestrian connectivity component to the project.

Additionally, the applicant proposes to annex an approximately 1.725-acre parcel into Kuna City limits with an R-6 zoning designation. This parcel will serve as a path of annexation for the overall proposed project. City limits are contiguous to the western property line. No development is proposed for this parcel at this time.

Staff has determined the annexations and the preliminary plat comply with the goals and policies for Kuna City, Title 5 and Title 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No's 18-04-AN (Annexation), 18-03-S (Preliminary Plat) and 18-23-DR (Design Review), subject to any conditions of approval outlined by Kuna's Planning and Zoning Commission and City Council.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5.
2. City of Kuna Subdivision Ordinance Title 6.
3. City of Kuna Public Ways and Property Ordinance Title 7.
4. City of Kuna Comprehensive Plan.
5. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

H. Factual Summary:

These parcels on Deer Flat Road just east of Meridian Road. The project consists annexation of two parcels into Kuna City limits and to subdivide one of the two parcels. The first parcel is 1.725 acres and proposed to be zoned R-6. No development is proposed at this time. The purpose of annexing this parcel is to create a path of annexation. The second parcel is approximately 40.00 acres and proposed. The applicant requests preliminary plat approval on the 40.00-acre lot for 114 single family residential lots and 20 common lots. Density per acre for the site is proposed to be approximately 2.8 residential units per acre with lot sizes ranging from approximately 8,100 square feet to 13,100 square feet.

I. Findings of Fact:

Based upon the record contained in Case No's 18-04-AN, 18-03-S and 18-23-DR including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the public hearing, the Kuna Commission hereby recommends *approval of* the Findings of Fact and Conclusions of Law, and conditions of approval for Case No's 18-04-AN, 18-03-S and 18-23-DR, a request for annexation, preliminary plat and design review approval by the applicant:

1. *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 Planning and Zoning Commission held a public hearing on the subject applications on October 9, 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.*

2. *Based on the evidence contained in Case Nos. 18-04-AN, 18-03-S and 18-23-DR, this proposal does generally comply with the Comprehensive Plan and City Code.*

Comment: *The Comp Plan has listed numerous goals for providing a variety of housing densities and types to accommodate various lifestyles, ages and economic group in Kuna.*

3. *The Kuna Planning and Zoning Commission has the authority to approve or deny Case No. 18-23-DR and to recommend approval or denial of case nos. 18-04-AN and 18-03-S.*

Comment: *On July 25, 2018, the Commission voted to approve Case No. 18-12-DR and recommend approval of case no. 18-01-CPF.*

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

Comment: *As noted in the process and noticing sections, notice requirements were met to hold a public hearing on October 9, 2018.*

J. Comprehensive Plan Analysis:

The Kuna Planning and Zoning Commission may accept or reject the Comprehensive Plan components, and has determined the proposed combination preliminary and final plat request for the site is consistent with the following Comprehensive Plan components as described below:

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 a 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.

6.0 – Land Use

Policy: Provide a variety of housing densities and types to accommodate various lifestyles, ages and economic groups.

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

Goal 3: *Protect the quality of existing residential neighborhoods and ensure new residential development is sustainable. Provide a variety of housing opportunities to meet the needs of all Kuna residents.*

Objective 3.1: Encourage and plan for the development of cohesive neighborhood units that incorporate a variety of housing densities and styles.

9.0 – Transportation

Goal 1: *Promote and encourage bicycling and walking as transportation modes.*

10.0 – Recreation

Goal 2: *Integrate trails, pathways, bike lanes and greenway corridor systems into community life and development patterns.*

Objective 2.1: Ensure that neighborhoods have easy access to open green space, pathways, trails and bike lanes.

12.0 – Housing

Goal 1: *Provide a wide-range of housing to meet the needs of the current and future population. Ensure that housing is available throughout the community for people of all income levels and for those with special needs.*

Objective 1.1: Encourage the construction of housing that is safe, affordable and designed to accommodate a range of income levels and lifestyles.

Policy: encourage the development community to provide a variety of lot sizes, dwelling types, densities and price points.

Goal 3: Encourage high-quality residential development.

K. 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 and Title 6 of KCC. The Planning and Zoning Commission made a recommendation for a deviation from Kuna City Code Title 5 Chapter 9 Section 2 Sub-Section G: "Off Street Parking and Loading Facilities Standards". Additionally, the Commission added a condition to have the applicant work with staff to come to agreement for the Subdivision's primary common area parking configuration.

2. The Planning and Zoning Commission feels the site is physically suitable for the proposed development.

Comment: The 40.00-acre (approximate) site does appear to be suitable for the proposed development.

3. The annexation and preliminary plat request are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

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

4. These applications are not likely to cause adverse public health problems.

Comment: The project would connect to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.

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

Comment: The preliminary plat request considers the location of the property and adjacent uses. The adjacent uses are residential and agricultural.

6. The existing and proposed street and utility services in proximity to the site are suitable or adequate for single family homes.

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

L. Conclusions of Law:

1. Based on the evidence contained in Case Nos. 18-04-AN, 18-03-S and 18-23-DR, Commission finds Case Nos. 18-04-AN, 18-03-S and 18-23-DR do adequately comply with Kuna City Code.
2. Based on the evidence contained in Case Nos. 18-04-AN, 18-03-S and 18-23-DR, Commission finds Case Nos. 18-04-AN, 18-03-S and 18-23-DR generally does with Kuna City Codes.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

M. Commission’s Recommendation:

Note: This motion is for the recommendation of approval, conditional approval or denial of the annexation and preliminary plat applications to the City Council.

Based on the facts outlined in staff’s report and public testimony as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby recommends approval of Case No. 18-04-AN (Annexation) & 18-03-S (Preliminary Plat) to the City Council subject to the conditions of approval listed in section O of this staff report.

N. Commission’s Order of Decision:

Note: This motion is for the approval, conditional approval or denial of the design review application.

Based on the facts outlined in staff’s report and materials as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby approves Case No. 18-23-DR (Design Review) subject to the conditions of approval listed in section O of this staff report.

O. Recommended Conditions of Approval:

- *Applicant shall work with staff in order to come to an agreement on the parking configuration for common area.*

- 1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve the sewer hook-ups.
 - b. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. 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”.
 - d. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District are required.
 - e. The Kuna Municipal Irrigation District and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
 - f. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
 - g. All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
- 2. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
- 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. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
- 5. Curb, gutter and sidewalk shall be installed throughout the proposed project site and along the site’s frontages on Deer Flat Road and Stroebel Road.

6. Applicant shall work with ACHD and follow the American Association of State Highway and Transportation Officials (AASHTO) standards and guidelines for the development of bicycle facilities.
7. Street lights and parking lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Skies practices.
8. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
9. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
10. All signage within/for the project shall comply with Kuna City Code and shall be approved through the design review process.
11. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
12. All proposed amenities shall comply with Kuna City Code and shall be approved through the design review process prior to receiving building permits.
13. If any revisions are made, the applicant shall provide the Planning and Zoning Staff with a revised copy of the preliminary plat.
14. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
15. Developer/owner/applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
16. Developer/owner/applicant shall comply with all local, state and federal laws.

DATED: This 23rd day of October, 2018.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Jace Hellman, Planner II
Kuna Planning and Zoning Department



City of Kuna

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

P & Z Findings of Fact & Conclusions of Law

To: **P & Z Commission**

File Numbers: **18-01-S (Preliminary Plat) and 18-07-DR (Sub Design Review)**

Location: Northwest corner; Linder and Columbia Roads, Meridian, ID

Planner: Troy Behunin, Planner III

Hearing date: October 9, 2018
Findings of Fact: October 23, 2018

Owner: **Thistle Farm, LLC, and Vanderkooy Farm LLC's**,
6152 W. Half Moon Ln.
Eagle, ID, 83616
208.850.0591
Timothyeck@me.com

Engineer: **Bailey Engineers**,
Katie Miller
4242 Brookside Ln.
Boise, ID, 83713
208. 938.0013
KMiller@baileyengineers.com



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| E. General Project Facts | M. Conclusions of Law |
| F. Staff Analysis | N. Recommendation to City Council |
| G. Applicable Standards | |
| H. Procedural Background | |

A. Process and Noticing:

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

a. Notifications

- i. Neighborhood Meeting August 8, 2018 (fourteen (14) persons attended)

- | | |
|--------------------------------|------------------------|
| ii. Agency Comment Request | February 12, 2018 |
| iii. 350' Property Owners | August 31, 2018 |
| <i>COURTESY MAILING NOTICE</i> | <i>October 1, 2018</i> |
| iv. Kuna, Melba Newspaper | August 16, 2018 |
| v. Site Posted | August 31, 2018 |

B. Applicants Request:

1. Request:

Applicant, Katie Miller, with Bailey Engineers, on behalf of Thistle Farm, and Vanderkooy Farm, LLC's (Owner), requests approval to subdivide approximately 73.50 acres (previously zoned R-6 and four lots within Chisum Valley Subdivision No. 1 and 2) into 310 single home lots, an additional 38 common lots, following the Comprehensive Plan of MDR and the Council approved conditions of approval from the recent rezone. This site is located at the NWC Linder and Columbia Roads. APN No's; R1393850100, R1693860010, R1693860290, R1693860280.

C. Aerial Map:



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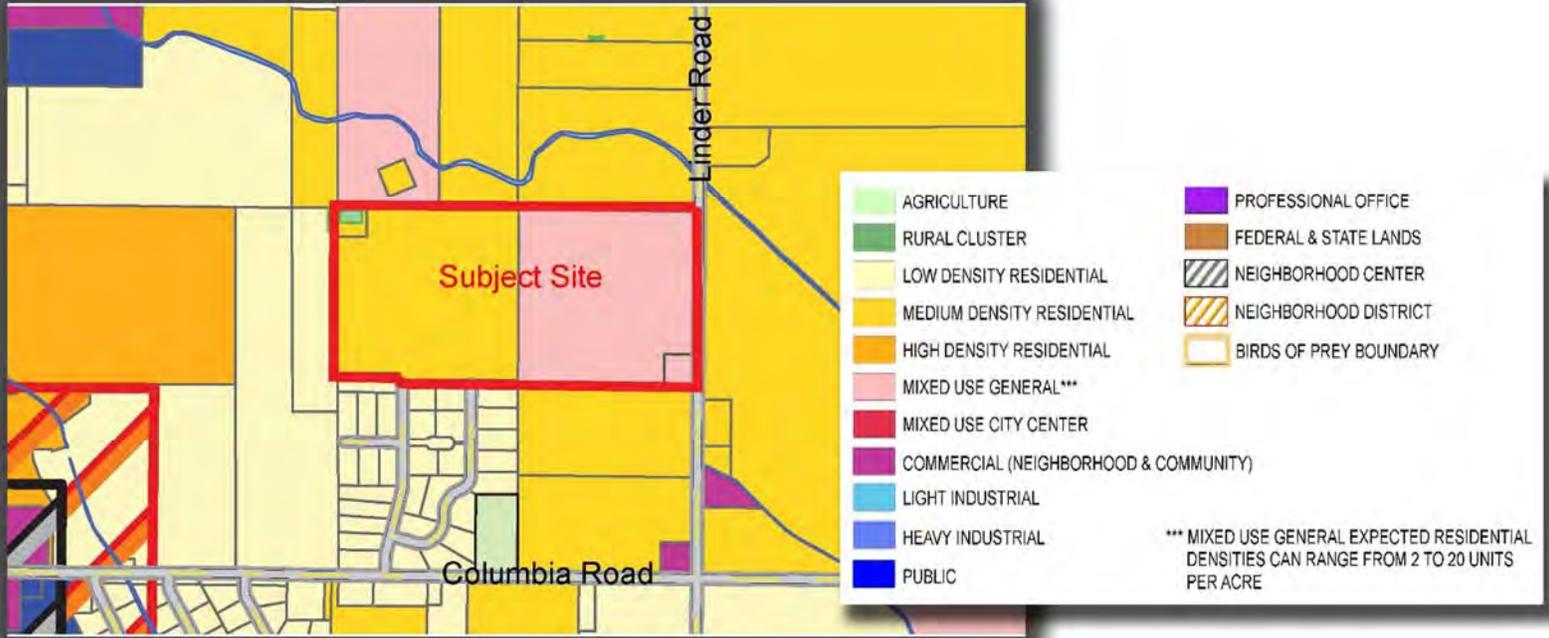
D. Site History:

These lots historically have been used for agricultural purposes and were rezoned from Agriculture (Ag.) to R-6 MDR (Medium Density Residential) on June 5, 2018, (18-04-ZC).

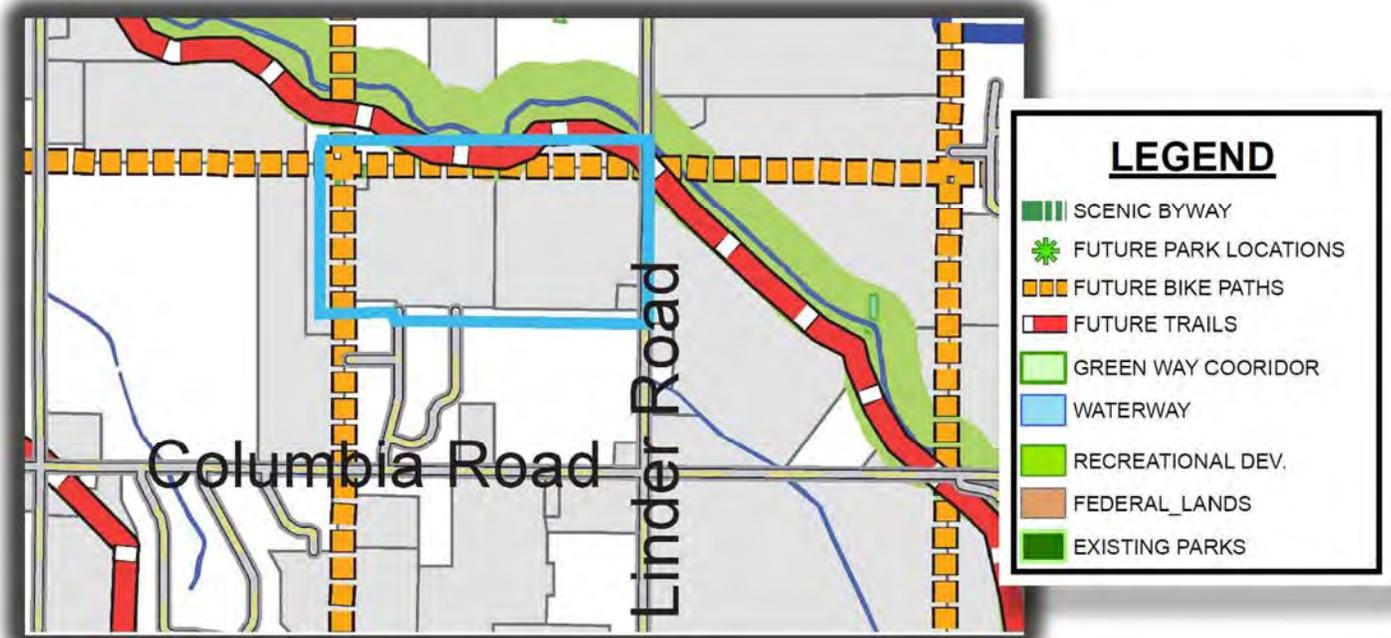
E. General Projects Facts:

- 1. Comprehensive Plan Map:** The Comp Plan Map designation for this site is Medium Density Residential (MDR) for the west half, and Mixed-Use for the east half. Both uses encourage residential uses. The Future

Land Use Map (Comprehensive Plan Map) is intended to serve as a guide for the decision making body. This map indicates land use designations, it is not actual zoning. These land use designations have been in place since 2009, and were contemplated as such in early 2008.



2. **Recreation and Pathways Map:** The Rec. & Path Master Plan Map indicates a future trail along the Mason Creek, which is off-site. With this application, staff recommends that the applicant incorporate green and open spaces and should be considered a binding site plan.



3. **Surrounding Land Uses:**

North	AG, RR	Agriculture & Rural Residential – Kuna City & Ada County
South	RR	Rural Residential – Ada County
East	AG	Agriculture – Kuna City
West	AG	Agriculture – Kuna City

4. **Lot Sizes, Current Zoning, Parcel No's, and L & B No's:**

Lot Size (Approximately)	Current Zone: (Ag.)	Parcel Number(s)	Chisum Valley Sub., Lot & Block Numbers
1.00 acre	R-6	R1393850100	Lot 1, Block 1, Sub No. 1
35.77 acres	R-6	R1693860010	Lot 2, Block 1, Sub No. 2
35.38 acres	R-6	R1693860290	Lot 30, Block 1, Sub No. 2
1.00 acre	R-6	R1693860280	Lot 29, Block 1, Sub No. 2

5. **Services (at time of development):**

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

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

There are no structures on site. The site has vegetation that is generally associated with an Agricultural field.

7. **Transportation / Connectivity:**

The site has significant Linder Road frontage. The applicant proposes two points of ingress/egress on Linder Road; one at the mid-mile between Columbia and Lake Hazel, and a second access approx. 820 feet south of that mid-mile. Applicant has proposed two points of ingress/egress along the future east-west mid-mile on the north side of the site and a single ingress/egress on the west side of the site. All points of access must follow City & ACHD standards.

8. **Environmental Issues:**

Staff is not aware of any environmental issues, health or safety conflicts. The site's topography is generally flat with less than 3 percent slope. This site is within the Nitrate Priority Area (NPA), and will be required to connect to Kuna City sanitary sewer, potable water and pressurized Irrigation services.

9. **Agency Responses:**

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

- *Ada County Highway District (ACHD)* *Exhibit B 2*
- *Boise Project Board of Control* *Exhibit B 3*
- *Central Dist. Health Dept. (CDHD)* *Exhibit B 4*
- *COMPASS* *Exhibit B 5*
- *Dept. of Environmental Quality (DEQ)* *Exhibit B 6*
- *ID Transportation Dept. (ITD)* *Exhibit B 7*

F. Staff Analysis:

The applicant rezoned four lots within Chisum Valley Subdivisions 1 and 2, as part of a previous application (18-01-ZC), and now submits an application for preliminary plat and subdivision design review approvals and entitlements.

These four lots were rezoned last spring from Agriculture to the R-6 (MDR) zone. During the public hearings for said rezone, certain density and layout conditions were approved by City Council; "...actual density [shall] not exceed 4.25 DUA (dwelling units/acres), and provide a max 2 DUGA (Dwelling units/gross acre) along [the] border of existing homes in Chisum Valley Subdivision". Staff finds that this proposed subdivision conforms to said condition as outlined in the Findings of Fact and Conclusions of Law as ordered by Council.

In July of 2006 (06-14-AN), when these lots were annexed into Kuna city limits, all four lots were already in the Chisum Valley Subdivision with an Agriculture zone. Furthermore, these lots were annexed into Kuna with the Local Improvement District (LID). The applicant seeks approval for a preliminary plat for approximately 73.50 acre site to include 310 buildable lots and 38 common lots. The project is adjacent to Linder Road (a major arterial) and all public utilities are near, or adjacent to the site. Applicant has been made aware that development of these lots will require connection to all city services and will be subject to connection fees for that purpose. It is anticipated that it will require five (5) phases for complete build-out and applicant has provided a phasing plan illustrating the order.

Applicant proposes connection to only one of the two existing Chisum Valley stub streets even though Kuna City Code (KCC) 6-3-3-C, requires connections to all provided stub streets. The applicant also petitioned ACHD through a variance request to allow connection to only one of the two existing stub streets. However, the ACHD Commissioners voted to deny the variance request and conditioned a connection with both existing stub streets.

Kuna Classified Road Map states that a minor collector road be placed on the west side of this site. Due to the reasons stated within the ACHD report (Dated 9.26.2018; Item C. 4 pg. 7), staff supports the alignment and offset nature of the north/south minor collector. Staff agrees with the 'Site Specific Condition of Approval' D. 8 in the same ACHD report.

Based on the review Comprehensive Plan Map (CPM), staff views this request to be in concert with the CPM approved by Council. This request reflects the goals of the City leaders and its Citizens.

This application includes a request for subdivision landscape design review. Staff finds the proposed landscaping for common areas appears to be in substantial conformance with KCC Title 5 chapter 17, Kuna's Landscaping Ordinance (KCC 5-17). Staff recommends that the applicant be conditioned to provide a code compliant scheme. Staff would like to highlight that this landscape plan (if approved), will be considered a binding plan, and shall be followed as presented and not changed or substitutions made without *prior* approval, except to bring it into conformance. Design Review for a subdivision monument(s) was not applied for, with this project, however, if a monument sign(s) is/are desired, Design Review is required.

Staff has determined this application generally complies, or as conditioned, will follow Idaho Statutes §50-222 (Annex) and §65-67 (LLUPA-Subs); Title 5 of the Kuna City Code; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No. 18-01-S and 18-07-DR subject to the recommended conditions of approval listed in Section 'N' of this report.

G. Applicable Standards:

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

H. Procedural Background:

On October 9, 2018, the Commission considered Case No. 18-01-S and 18-07-DR, including the applications, agency comments, staff's report, application exhibits and public testimony presented or given.

I. Findings of Fact for Councils Consideration:

Based on the record contained in Case No. 18-01-S and 18-07-DR, including the exhibits, staff's report and the public testimony at the public hearing, the Commission of Kuna, Idaho, hereby recommends *approval* of the proposed Findings of Fact and Conclusions of Law, and Conditions of Approval for Case No's 18-01-S and 18-07-DR, for the *Thistle and Vanderkooy, Farm, LLC*, rezone request.

The Commission concludes that the Application does comply with the City of Kuna's Zoning regulations (Title 5) of KCC and/or regulations outlined in title 5 of KCC.

1. In making a decision regarding the Subdivision application, the Council is to consider Idaho Code §67-6535 (2), which states the following:

The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.

In addition, Idaho Code §67-6535(2)(a), provides that:

Failure to identify the nature of compliance or noncompliance with express approval standards or failure to explain compliance or noncompliance with relevant decision criteria shall be grounds for invalidation of an approved permit or site-specific authorization, or denial of same, on appeal.

2. The Commission has the authority to recommend approval or denial for Case No. 18-01-ZC and approve or deny Case No. 18-7-DR. On October 9, 2018, Kuna's Commission voted to recommend *approval* for Case No. 18-01-S; and voted to *approve* Case No. 18-07-DR.

Comment: *On October 9, 2018, Commission voted to recommend approval for Case No. 18-01-S, to Council and approved Case No. 18-07-DR.*

3. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances to hold a public hearing on October 9, 2018, with the Commission.
4. The Kuna Commission accepts the facts as outlined in the staff report, the public testimony and the supporting evidence list presented.

Comment: *The Commission held a public hearing on the subject application on October 9, 2018, to hear from the 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.*

5. Based on the evidence contained in Case No. 18-01-S and 18-07-DR, this proposal appears to *generally* comply with the Comprehensive Plan and Comp Plan Map as amended.

Comment: *The Comp Plan has listed numerous goals for providing a variety in housing options in Kuna. The Kuna Planning Map designates this property as Medium Density Residential and Mixed-Uses. As this request proposes MDR, the proposal follows the goals of the Comp Plan and the Comp Plan Map.*

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

Comment: *As noted in the process and noticing sections, notice requirements were met to hold a public hearing on October 9, 2018.*

J. Factual Summary:

This approximately 73.50 acre site, is in Kuna City limits, zoned R-6, (MDR), with varying historical Ag. uses and is located at the northwest corner (NWC) of Linder and Columbia Roads. These lands are lots within the Chisum Valley Subdivision. These lands were included in the Local Improvement District (LID); whereby they were obligated to satisfy a sewer connection fee equivalent to 3 Dwelling Units an Acre (DUA) at a minimum. Applicant proposes a preliminary plat for these approximately 73.50 acre, to subdivide said property into 310 boilable lots and 38 common lots. This property is adjacent to Linder Road, a principle arterial road.

K. Comprehensive Plan Analysis:

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

The designations of Medium Density Residential and Mixed-Use shown on the Planning Map (See Map above) for these lots were approved by Council. The proposed subdivision for the site is consistent with the following Comprehensive Plan components:

Community Vision Statement:

Residents hoped for the creation of business and light commercial use centers within neighborhoods. These centers would include restaurants, gas stations, churches, *multi-family* use facilities, and other mixed-use developments. (Page 21).

Housing:

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

Comment: *The proposed rezone follows the community vision and provides a way to achieve the housing goals as stated and adopted, by supplementing other existing large lot subdivisions nearby.*

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

Ensure the City land use policies, restrictions, conditions and fees do not violate private property rights and ensure that land use actions, decisions, and regulations do not effectively eliminate all economic value of the subject property. Ensure that City land use actions, decisions, and regulations do not prevent a private property owner from taking advantage of a fundamental property right and staff shall evaluate with guidance from the City's attorney; the Idaho Attorney General's six criterion established to determine the potential for property taking.

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

Economic Development Goals and Objectives - Section 5 - Summary:

Ensure an adequate supply of housing for all income levels and facilitate pedestrian connections, both visually and physically, to enhance pedestrian movement (Pg. 42 – 1.5 and Pg. 43 – 3.1).

Comment: *The proposed application complies with these elements of the comprehensive plan by providing an opportunity to supply varied housing types and provide pedestrian connections, thereby meeting this goal.*

Land Use Goals and Objectives - Section 6 - Summary:

Adopt a future land use plan and map that includes natural and developed open spaces, while providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups. Protect existing neighborhoods and ensure new development is sustainable and keeps Kuna desirable. Develop cohesive neighborhoods with character and quality while incorporating a variety of densities and styles (Pg. 64 – 3.1 & Goal 3 and Pg. 65 – 4.3).

Medium Density Residential:

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

Comment: *The proposed rezone requests an R-6 zone, for residential uses, conforming to the Comprehensive Plan and Planning Map approved by Council in August of 2015.*

Mixed-Uses:

The mixed use general land use designation pertains to a land parcel or combination of parcels that are planned and developed together. This comprehensive land use category may contain residential, commercial, office and technical uses, a variety of building types and densities, common open space variations, clustered development and recreational facilities (Page 105).

Comment: *The proposed rezone requests an R-6 zone, for residential uses, conforming to the Comprehensive Plan and Planning Map approved by Council in August of 2015.*

Housing Goals and Objectives - Section 12 - Summary:

Encourage developers to provide high-quality development with a variety of lot sizes, dwelling types, densities and price points to meet the needs of current and future population while creating safe and aesthetically-pleasing neighborhoods. Ensure housing is available throughout the community for all income levels and those with special needs. *Encourage logical and orderly residential development while discouraging developers from developing land divisions greater than one half acre because large lot subdivisions increase municipal costs, require public subsidy and create sprawl (Pg. 155 – 1.2, Pg. 163 12.4 and Pg. 165 – 2.1).*

Encourage mixed-use development that includes town centers, single-family, *multi-family*, accessory units, and other types of residential development. – Policy 1.1.2, Section 12, Housing (Page 155).

Comment: *Applicant proposes medium density residential which will contribute to availability of varied types and home sizes in a logical and orderly manner with an opportunity to provide a quality development.*

Community Design Goals and Objectives - Section 13 - Summary:

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

Neighborhoods:

Kuna's updated Plan is an advocate for the development of self-sufficient neighborhoods. These neighborhoods are intended to be connected by transit and other non-motorized methods of transportation. Each neighborhood will have a center, a core and an edge. (Page 179).

Comment: *With this development, the applicant will provide an extension of the sidewalk and roadway system which must comply with the Master Street Plan adopted by Kuna. Applicant has proposed connections to existing and future neighborhoods by adding pathways, sidewalks for pedestrian and non-motorized transportation, and*

adding and connecting to stub streets. Applicant appears prepared to propose a variety of housing densities thereby complying with approved land use designation outlined within the Comp Plan and Planning Map.

L. Kuna City Code Analysis:

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

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

2. The site is physically suitable for the proposed R-6 new subdivision.

Comment: *The 73.50 acre (approximate) project includes a request for subdividing the lands in 310 buildable lots and 38 common lots. The site appears to be compatible with the proposal.*

3. The Preliminary Plat is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.

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

4. The Preliminary Plat proposal is not likely to cause adverse public health problems.

Comment: *The proposed subdivision of the property appears to follows Kuna City Codes. All development requires connection to public sewer and potable water systems, therefore eliminating the occurrence of adverse public health problems.*

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

Comment: *The Commission did consider the location of the property and adjacent uses. The subject property is in Kuna City and will be connected to the Kuna City central sewer and potable and pressure irrigation water systems. The current adjacent uses are agriculture in nature uses and the site it adjacent to an arterial road.*

6. Based on the evidence contained in Case No's 18-01-S and 18-07-DR, Commission finds Case No's 18-01-S 18-07-DR adequately comply with Kuna City Code.

7. Based on the evidence contained in Case No's 18-01-S and 18-07-DR, Commission finds Case No's 18-01-S and 18-07-DR, generally comply with Kuna's Zoning Code.

M. Conclusions of Law:

1. Based on the evidence contained in Case No's 18-01-S and 18-07-DR, Commission finds Case No's 18-01-S and 18-07-DR generally does comply with Kuna City Code.
2. Based on the evidence contained in Case No's 18-01-S and 18-07-DR, Commission finds Case No's 18-01-S and 18-07-DR, generally are consistent with Kuna's Comprehensive Plan and Comprehensive Plan Map.

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

N. Recommendation of the Commission to City Council:

18-01-S (Preliminary Plat), *Note: This proposed motion is to recommend approval, conditional approval, or denial for this request to City Council. If the Commission wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

18-07-DR (Design Review), *Note: The proposed motion is to approve or deny the design review request. If the Planning and Zoning Commission wishes to approve or deny specific parts of the requests as detailed in the report, those changes must be specified.*

On October 9, 2018, the Commission voted to recommend approval for Case No. 18-01-S to City Council, based on the facts outlined in staff's report, the Comp Plan, City Code, the record before the Commission, the applicant's presentation, public testimony and discussion during the public hearing by the Planning and Zoning Commission of Kuna, Idaho. Therefore, the Commission hereby recommends *approval* to Council for Case No. 18-01-S, a Preliminary Plat request, and voted to *approve Case No. 18-07-DR, a Design Review request* by Katie Miller (Bailey Engineers) on behalf of Thistle Farm, LLC and Vanderkooy Farm, LLC, with the following conditions of approval:

- - Applicant shall follow the conditions stated in the staff report and related agency reports.
1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - a. The City Engineer shall approve the sewer hook-ups.
 - b. The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
 - d. The *Boise-Kuna* Irrigation District shall approval any modifications to the existing irrigation system.
 - e. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
 2. All public rights-of-way shall be dedicated and constructed to standards of the City, Ada County Highway District and Idaho Transportation Department. No public street construction may commence without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
 - 2.1- At time of development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
 3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
 4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
 5. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation system of the City (KMID).
 6. All street lighting within and for the site shall be LED lighting and must comply with Kuna City Code.

7. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
8. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted). Perimeter fencing (and permit) is required prior to requesting final plat signatures from Kuna City Clerk and Engineer.
9. All signage within/for the project shall comply with Kuna City Code.
10. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
11. The land owner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
12. Applicant is conditioned to follow the these planting notes for all trees on site:
 - 12.1 – *Landscape contractor shall remove all twine/ropes and burlap from root balls.*
 - 12.2 – *Landscape contractor shall remove the wire basket from the top 1/2 of the root ball.*
13. The applicant’s proposed landscape plan (dated 01/11&12/2018) shall be considered binding site plans, or as modified and approved through the public process.
14. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
15. Developer/owner/applicant shall comply with all local, state and federal laws.

DATED this 23rd, day of October, 2018.

Lee Young, Chairman
Kuna Planning and Zoning Commission

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



City of Kuna

Planning and Zoning Commission
Findings of Fact and Conclusion of Law

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

To: Kuna Planning and Zoning Commission

File Numbers: 18-11-SUP (Special Use Permit)
& 18-27-DR (Design Review)

Location: 156 & 120 W. Main Street
Kuna, Idaho 83634

Planner: Jace Hellman, Planner II

Hearing date: October 9, 2018

Findings: **October 23, 2018**

Owner: ACHD – Paul Daigle
3775 Adams St.
Garden City, ID 83714

Applicant: Pinson’s LLC. – Darrell Pinson
356 Chapparosa Dr
Kuna, ID 83634
208-901-1632
Darrellwpinson@gmail.com

Representative: BRS Architects – Marcellus Clark
1010 S. Allante Pl.
Boise, ID 83709
208-336-8370
Marcellus@brsarchitects.com

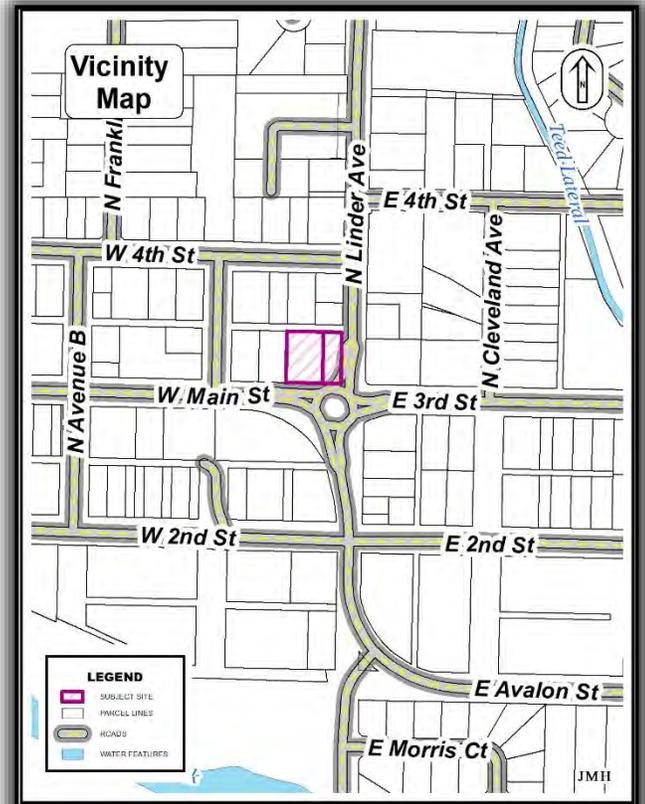


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| D. History | K. Conclusions of Law |
| E. General Project Facts | L. Commission’s Order of Decision |
| F. Staff Analysis | M. Conditions of approval |
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A. Course of Proceedings:

1. Applicant is proposing an automobile maintenance shop as described in Kuna City Code 5-3-2 and 5-1-6-2 (Zoning District Regulations; Definitions). Kuna City Code (KCC) requires obtaining a Special Use Permit (SUP) and Design Review (DR) approval within the Central Business District.
2. In accordance with KCC Title 5, Chapters 1 and 3, this application seeks SUP and Design Review approval for an automobile maintenance shop.

a. Notifications

- | | |
|-------------------------------------|-------------------------------|
| i. Neighborhood Meeting | August 7, 2018 (No attendees) |
| ii. Agencies | August 27, 2018 |
| iii. 300' Notice to Property Owners | August 19, 2018 |
| iv. Kuna, Melba Newspaper | August 19, 2018 |
| v. Site Posted | September 28, 2018 |
| vi. Public Hearing | October 9, 2018 |

B. Applicants Request:

Applicant Darrell Pinson, requests special use permit approval in order to operate an automobile maintenance shop within the Central Business District. The subject sites are located at 156 and 120 West Main Street, Kuna, ID 83634, within Section 23, Township 2 North, Range 1 West; (APN# R5070000315 and R5070000350).

C. Aerial Map:



D. History:

This site is part of Kuna’s Central Business District, and has served as a self-serve carwash, owned and operated by Ada County Highway District, for the last few years.

E. General Projects Facts:

1. Surrounding Land Uses:

North	CBD	Central Business District – Kuna City
South	P	Public – Kuna City
East	CBD	Central Business District – Kuna City
West	CBD	Central Business District – Kuna City

2. Parcel Sizes, Current Zoning, Parcel Numbers:

- Parcel Size: 0.481 acres
- Zoning: Commercial Business District (CBD)
- Parcel #: R5070000350 & R5070000315

3. **Services:**

- Sanitary Sewer– City of Kuna
- Potable Water – City of Kuna
- Irrigation District – 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:**

Currently a self-serve carwash exists on the property. A large portion of the subject site is improved with pavement. The remaining section exists as an unimproved dirt lot.

5. **Transportation / Connectivity:**

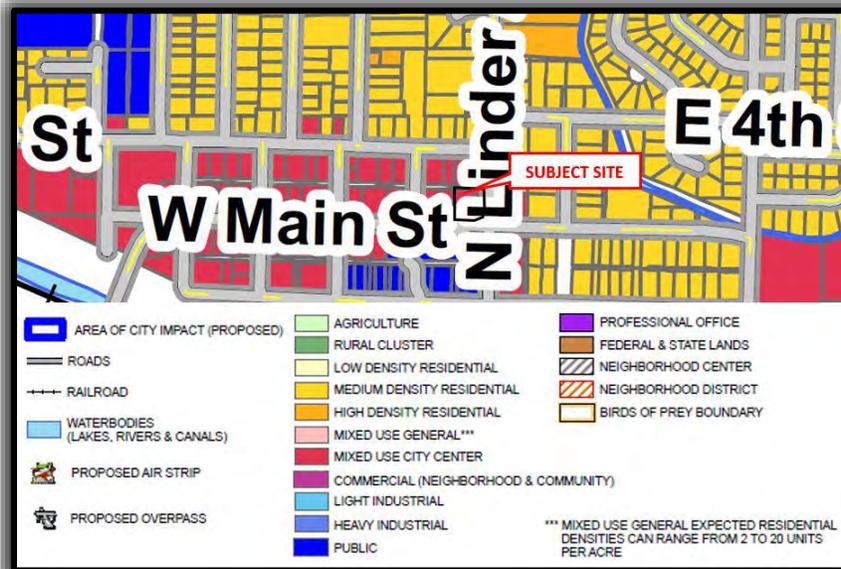
An existing improved right-in/right-out ingress/egress serves as the subject site’s main access point. An alternative access point exists at the rear of the lot via an existing alley way. Curb, gutter and sidewalk around the site have previously been installed with the installation of the roundabout at the intersection of West Main Street and North Linder Road.

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 mixed-use city center.



8. **Agency Responses:**

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

- Department of Environmental Quality (August 31, 2018) – Exhibit B4
- Nampa Meridian Irrigation District (September 4, 2018) – Exhibit B5
- J&M Sanitation (September 6, 2018) – Exhibit B6
- Idaho Transportation Department (September 6, 2018) – Exhibit B7

F. Staff Analysis:

The applicant proposes to remodel the existing 2,301 square foot self-serve car wash by adding a 1,217 square foot addition in order to operate an automobile maintenance shop within the Central Business District. Per Kuna City Code, in order to operate an automobile maintenance shop within the Central Business District, special use permit and design review approval are required.

The subject site is located on the main entrance into Downtown Kuna on the northwest corner of the roundabout at the intersection of West Main Street and North Linder Road. Street lights, curb, gutter and sidewalk were installed around the site as apart of the roundabout project in 2016.\

Kuna City Code 5-4-6 encourages earthen tones with flat or low gloss finishes. The applicant has indicated that he intends to match the existing roof. Split face CMU will be used for the construction of the proposed addition and added as an accent throughout the exterior of the buildings. A band of smooth face CMU is proposed to wrap around the building as an accent. Existing concrete walls will be painted to match the corresponding CMU. Staff finds that the proposed commercial building for the automobile maintenance shop to be in general conformance with the Design Review Ordinance (Kuna City Code [KCC] Title 5, Chapter 4).

Staff would note these parcels are included in phase two of Kuna's downtown revitalization project. As a result of the overall revitalization effort, a specific list of plants has been created and approved to be used within the downtown area. The applicant has proposed a ten-foot landscape buffer along Linder Road and an additional landscape island on the east side of the main ingress/egress on Main Street. The applicant has proposed one shade tree and five shrubs every 35 feet of street frontage. Staff finds the proposed Landscaping to be in conformance with the KCC Title 5 Chapter 17, the Landscaping Ordinance, however as a part of the downtown revitalization effort staff the applicant will be required to work with staff in order to provide a landscape plan that conforms to the approved plant list for the downtown revitalization project.

According to the site plan dated August 23, 2018, 14 parking spaces, one of which will be designated handicapped parking, has been proposed. KCC Title 5, Chapter 9 specifies that for this type of use, two parking spaces are required for each service bay. The applicant has proposed to have four service bays on site. Staff would note that KCC 5-4-6-2 requires, within the CBD, off street parking to be located behind buildings where physically possible. A majority of the proposed parking spots located in the rear of the lot, staff would recommend that the applicant be required to keep all "project" vehicles in the parking space proposed behind the building.

Comments received from J&M sanitation indicates that the proposed location of the enclosure meets their needs. However, staff will require the applicant to work with J&M sanitation in order to build the enclosure to their standards. Staff would note the applicant has submitted a new site plan illustrating CMU with steel gates as the proposed construction materials for the enclosure.

Applicant is subject to design review inspections and fees (post construction), for compliance verification of the building, parking lot, landscaping and signage, prior to the Certificate of Occupancy being issued.

Staff has determined that this application complies with Title 5 of Kuna City Code and the Kuna Comprehensive Plan; Staff will rely on the Commission's determination as to whether or not to approve or deny Case No. 18-11-SUP (Special Use Permit) and 18-27-DR (Design Review), 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

H. Comprehensive Plan Analysis:

The Kuna Planning and Zoning Commission has accepted the Comprehensive Plan components as described below:

1. The proposed Special Use Permit and Design Review applications 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.*

Policy: The City will develop a policy to provide incentives and/or assistance in order to competitively attract firms.

Goal 2: *Expand Kuna’s shopping and entertainment opportunities.*

Objective 2.1:

Assist in retaining or expanding sales opportunities in entertainment, sit-down restaurants, and neighborhood/convenience shopping categories. Encourage neighborhood and community-scale retail

Objective 2.2:

Promote the development of neighborhood retail centers throughout the City.

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’s 18-11-SUP and 18-27-DR, 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’s 18-11-SUP and 18-27-DR.

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 applications on October 9, 2018, to hear from the 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's 18-11-SUP and 18-27-DR, this proposal does appear to generally comply with the Comprehensive Plan and Future Land Use Map.

Comment: *The Comp Plan Future Land Use Map designates the approximately 0.481 acres (project site) as Mixed-Use City Center. The proposed automobile maintenance shop is allowed in this zone after obtaining a Special Use Permit.*

4. The Kuna Planning and Zoning Commission has the authority to approve or deny these applications.

Comment: *On October 9, 2018, Kuna's Planning and Zoning Commission has voted to approve Case No's 18-11-SUP and 18-27-DR.*

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 October 9, 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, Chapters 4 and 6, of the KCC.*

2. The site is physically suitable for the proposed automobile maintenance shop.

Comment: *The approximately 0.481-acre project site remains suitable for an automobile maintenance shop.*

3. The Special Use Permit is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat

Comment: *The subject site 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 automobile maintenance shop is hereby required to connect to Kuna public sewer and water 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 Commercial – as referenced in the Kuna Comprehensive Plan Future Land Use Map.*

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

Comment: *Utility services are available to the automobile maintenance shop and adequate for this use.*

K. Conclusions of Law:

1. Based on the evidence contained in Case No's 18-11-SUP and 18-27-DR, Commission finds Case No's 18-11-SUP and 18-27-DR, generally do comply with Kuna City Code.
2. Based on the evidence contained in Case No's 18-11-SUP and 18-27-DR, Commission finds Case No's 18-11-SUP and 18-27-DR are generally consistent with Kuna's Comprehensive Plan.
3. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

L. Commission's Order of Decision:

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. 18-11-SUP, a Special Use Permit and 18-27-DR, a Design Review request by Darrell Pinson, with the following conditions of approval listed in section M of this staff report.

M. Conditions of Approval:

- *Applicant shall work with staff to ensure landscape plan conforms with the plan set for phase two of the downtown revitalization project.*
 - *Applicant shall work with Kuna City Engineer to cap existing drainage.*
1. The applicant shall obtain a building permit for required building modifications, remodeling, or additions to the existing structure, prior to construction.
 2. In the event the uses or the building on this parcel are enlarged, expanded upon or altered in anyway (even for temporary purposes), the applicant shall seek an amendment to the approvals of this Special Use Permit through the public hearing process.
 3. 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 special 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 the sewer hook-ups.
 - b.) The City Engineer shall approve the drainage and grading plans. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties". No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - c.) The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
 - d.) The KMID Irrigation District shall approval any modifications to the existing irrigation system.
 - e.) Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to *issuance* of any building permit(s).
 4. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground.
 5. 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.
 6. Lighting on site shall comply with current Kuna City Code. All street lighting within and for the site shall be LED lighting and establish dark skies practices.
 7. Landscaping on site shall comply with KCC Title 5 Chapter 17.

8. Applicant shall work with staff in order to provide a landscape plan that conforms to the approved plant list for the downtown revitalization project.
9. 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, as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public and/or private entities owning the property.
10. Parking on site shall comply with Kuna City Code.
11. Applicant shall construct onsite trash enclosure with CMU brick wall and with steel gates on the front.
12. Applicant shall work with J&M Sanitation to build the trash enclosure to their standards.
13. This development is subject to building and landscaping design review inspections. Inspections shall be completed prior to receiving a Certificate of Occupancy.
14. 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 by the Planning and Zoning Commission.
15. The special use permit is not transferable from one parcel of land to another.
16. A separate design review will be required for all signage.
17. Applicant shall follow staff, City Engineer and other agency recommended requirements, as applicable.
18. Applicant shall comply with all local, state and federal laws.

DATED this 23rd day of October, 2018

Lee Young, Chairman
Planning and Zoning Commission

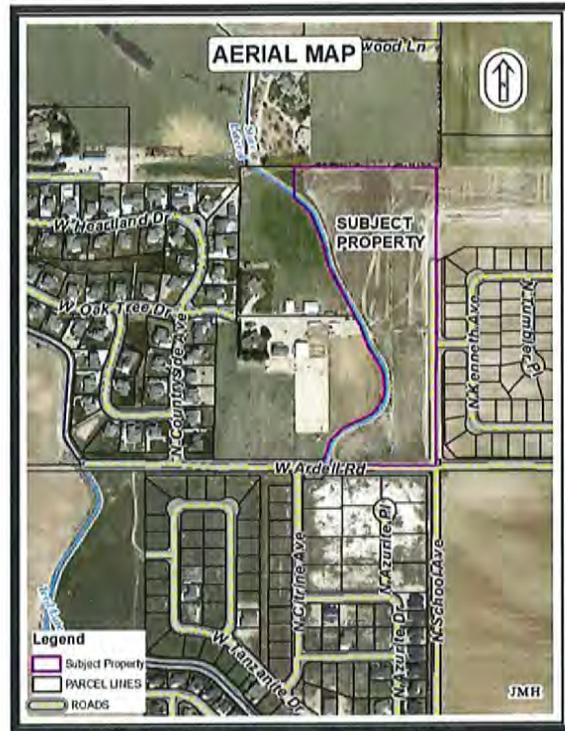
ATTEST:

Jace Hellman, Planner II
Kuna Planning and Zoning Department

B. Applicants Request:

The applicant, Tim Eck, requests Design Review (DR) approval to construct eight fourplexes (32 total units), accompanying open space and landscaping, lighting and parking lots on three lots totaling approximately 2.10 acres. The site is located on West Ardell Road, Kuna, Idaho 83634.

C. Aerial Map:



D. History: The property is within City limits and is currently zoned Neighborhood Commercial District (C-1). The subject site was rezoned from residential to commercial on November 25, 2002. A Development Agreement on this parcel was signed on April 28, 2003.

E. General Projects Facts:

1. Surrounding Land Uses:

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

2. Parcel Sizes, Current Zoning, Parcel Numbers:

- Approximately 2.10 acres
- Zoning: R-4 (Medium Density Residential)
- Parcel S1314244201

3. Services:

- Sanitary Sewer – City of Kuna
- Potable Water – City of Kuna
- Irrigation District – Kuna Municipal District (KMID)
- Fire Protection – Kuna Rural Fire District

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

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

The property has no existing buildings and consists of low vegetation.

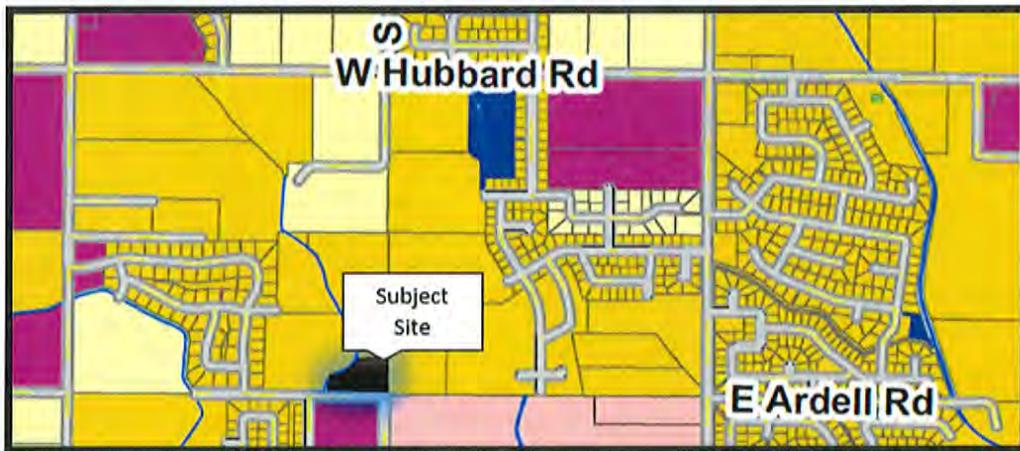
5. **Transportation / Connectivity:**

The applicant proposes driveway access onto West Ardell Road and onto North School Avenue.

6. **Environmental Issues:**

The subject sites lie within the designated Nitrate Priority Area (NPA). Beyond the NPA, staff is not aware of any additional environmental issues, health or safety conflicts. The site's topography is very flat with less than 2% slope.

7. **Comprehensive Future Land Use Map:** The Future Land Use Map (FLU) identifies this site as Medium Density Residential.



F. **Staff Analysis:**

The 32-unit multi-family residential project is planned for Arbor Ridge Subdivision. The applicant is proposing four two-bedroom buildings and four three-bedroom buildings. Staff has reviewed the application and finds that the proposed multi-family buildings, landscaping, lighting and parking lot satisfies the intent of Kuna's Codes and conforms to the Kuna architecture guidelines and parking standards.

The applicant proposes 64 total parking stalls. The applicant proposes 29 standard open stalls, 2 accessible open stalls, 32 standard carport stalls, and one accessible carport stall. Staff finds that the proposed number of parking spaces exceeds the requirement of 1.5 spaces per unit as specified in Kuna City Code (KCC) Title 5, Chapter 9, Off-Street Parking and Loading Facilities. Staff would note that the applicant will be required to have all drainage and storm water retention plans for the parking lot reviewed and approved by the City Engineer.

Staff finds that the proposed two-inch caliper shade and ornamental trees comply with Title 5, Chapter 17, Landscaping Requirements.

Applicant has *not* proposed a monument sign which will require a separate design review application, and shall be submitted in conformance with KCC 5-10-4-B, 5-10-4-G, and 5-10-4-I, if such signs are desired. A building permit will be required for the monument sign.

The applicant is hereby notified that this project is subject to a Design Review inspection and fees. Required inspections, post construction, are to verify Design Review compliance for the buildings, parking lots, and landscaping prior to issuance of the Certificate of Occupancy for the buildings.

Staff finds that the proposed zoning is consistent with the current zoning.

Staff has determined that the application complies with Title 5 of Kuna City Code and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case No. 18-29-DR to the Planning and Zoning Commission, subject to the recommended conditions of approval.

1. Site Design Objectives: Does the site plan design minimize the impact of traffic on adjacent streets; provide for safe pedestrian access and use; and provide appropriate, safe vehicle parking?
2. Site Landscaping: Does the site landscaping minimize the impact on adjacent properties through the proper use of screening with sound and sight buffers?
3. Site Landscaping: Are unsightly areas concealed and/or screened?
4. Building Design:
 - 4.1. Building mass: The mass of the building shall be reviewed for its relationship with existing development in the immediate surrounding area and with the allowed use proposed by the applicant.
 - 4.2. Proportion of building: The height to width relationship of new structures shall be compatible and consistent with the architectural character of the area and proposed use.
 - 4.3. Relationship of openings in the buildings: Openings in the building shall provide interest through the use of such features as balconies, bays, porches, covered entries, overhead structures, awnings, changes in building facade and roofline alignment, to provide shadow relief. Avoid monotonous flat planes.
 - 4.4. Relationship of exterior materials: The approving authority shall determine the appropriateness of materials as they relate to building mass, shadow relief, and existing area development and use of color to provide blending of materials with the surrounding area and building use. The functional appropriateness of the proposed building design shall be considered as it relates to the proposed use.

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

H. Proposed Findings of Fact: Case No. 18-29-DR (Arbor Ridge Villas):

1. *Does the site plan design minimize the impact of traffic on adjacent streets; provide for safe pedestrian access and use; and provide appropriate, safe vehicle parking?*

Comment: *The site development plan minimizes the impact of traffic on adjacent streets by providing an appropriate number of dwelling units for the parcel. The parcel is zoned R-4, which allows for a maximum of four dwelling units per net acre. The applicant proposes three accessible parking spaces out of 64 total parking spaces, which meets City Code. The applicant proposes a driveway aisle width of 24 feet for all parking spaces, and Kuna City Code requires a driveway aisle width of 22 feet for 90-degree parking spaces. Therefore, the proposed number of accessible parking spaces and driveway aisle width comply with Kuna City Code Title 5 Chapter 9, Off-Street Parking and Loading Facilities. The applicant proposes sidewalks for safe pedestrian access and includes the location and designation of the sidewalks in the site plan, which complies with Kuna City Code Title 5, Chapter 4, Design Review Overlay Standards.*

2. *Does the site landscaping minimize the impact on adjacent properties through the proper use of screening with sound and sight buffers?*

Comment: *The applicant proposes a six-foot vinyl privacy fence for screening along the west side of the lot. According to Kuna City Code, the only prohibited fencing types for screening are chain-link fencing with slats*

and cedar fencing. Therefore, the screening complies with Kuna City Code, Title 5 Chapter 17, Landscaping Requirements. Kuna City Code also state that a landscape buffer strip shall be provided between all building development and public rights-of-way. The applicant proposes a 20-foot landscape buffer for both public rights-of-way adjacent to the subject site to comply with Kuna City Code.

3. *Is the overall building design (building mass, proportion of building, relationship of openings in the buildings, relationship of exterior materials) appropriate for the proposed site selection?*

Comment: *The applicant proposes dark grey asphalt shingle roofing for the eight proposed buildings. Kuna City Code states that architectural grade textured composition shingle roofing is appropriate. Code also states that earthen tones are encouraged for buildings. The proposed roof complies with Kuna City Code Title 5 Chapter 4, Design Review Overlay District. The applicant proposes stone veneer siding for each of the buildings. Kuna City Code states that natural stone is an acceptable building material. The applicant proposes a color named "Sherwin Williams Wool Skein" for the building soffits. This color is considered a light neutral tan. Because tan is an earthen tone color, the applicant complies with Kuna City Code.*

I. Proposed Decision by the Commission:

Note: This proposed motion is for approval, conditional approval, or denial of this request. However, if the Planning and Zoning Commission wishes to change specific parts of the request as detailed in the report, those changes must be specified.

The decision is based on the facts outlined in staff's report, the case file, and the discussion at the public meeting. The Planning and Zoning Commission (acting as Design Review Committee) of Kuna, Idaho, hereby (approves/denies) Case No. 18-29-DR, a Design Review request by Tim Eck to construct eight fourplexes (32 total units), accompanying open space and landscaping, lighting and parking lots, 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 the Kuna 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 review and approve all civil plans and sewer hook-ups. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the civil plan.
 - b. The Kuna Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
 - c. The KMID Irrigation District shall approve any modifications to the existing irrigation system.
 - d. Approval from Ada County Highway District / Impact Fees, if any shall be paid prior to building permit approval.
3. All parking lot drainage and storm water retention plans shall be reviewed and approved by the City Engineer.
4. 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.*
5. 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 or as the planting season permits, as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public and/or private entities owning the property.
6. Lighting within the sites shall comply with current Kuna City Code. All street lighting within and for the sites shall be LED lighting and establish dark skies practices.
7. This development is subject to building and landscaping design review inspections prior to receiving a certificate of occupancy. Inspection fees shall be paid prior to requesting staff inspection.

8. 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 Planning and Zoning Commission, or seek amending them through the Design Review process.
9. Applicant shall follow staff, City engineer and other agency recommended requirements, as applicable.
10. Applicant shall comply with all local, state and federal laws.

DATED: this 23th day of October, 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

Type of Review (check all that apply):

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

For Office Use Only	
File Number (s)	18-29-DR
Project name	Arbor Ridge Villas
Date Received	7.30.18
Date Accepted/Complete	
Cross Reference Files	
Commission Hearing Date	
City Council Hearing Date	

Contact/Applicant Information

Owners of Record: <u>Endurance Holdings LLC</u>	Phone Number: <u>(208) 288-5560</u>
Address: <u>1977 E. Overland Rd.</u>	E-Mail: <u>cbarton@cbhhomes.com</u>
City, State, Zip: <u>Meridian, ID 83642</u>	Fax #: <u>(208) 288-5561</u>
Applicant (Developer): <u>Tim Eck</u>	Phone Number: <u>(208) 286-0520</u>
Address: <u>6152 W. Half Moon Ln.</u>	E-Mail: <u>timothyeck@me.com</u>
City, State, Zip: <u>Eagle, ID 83616</u>	Fax #: _____
Engineer/Representative: <u>Matthew Rhees</u>	Phone Number: <u>(208) 343-2931</u>
Address: <u>499 W. Main St.</u>	E-Mail: <u>matt@taoidaho.com</u>
City, State, Zip: <u>Boise, ID 83702</u>	Fax #: <u>(208) 343-1306</u>

Subject Property Information

Site Address: <u>NW corner of N. School Ave. and W. Ardell Rd.</u>	
Site Location (Cross Streets): <u>NW corner of N. School Ave. and W. Ardell Rd.</u>	
Parcel Number (s): <u>(S1314244201)</u>	
Section, Township, Range: <u>14, 2N, 1W</u>	
Property size : <u>91,357 S.F., 2.10 Acres</u>	
Current land use: <u>Agriculture</u>	Proposed land use: <u>Multi-Family Residential</u>
Current zoning district: <u>C-1</u>	Proposed zoning district: <u>C-1</u>

Exhibit
B1

Project Description

Project / subdivision name: Arbor Ridge
General description of proposed project / request: Construct (8) 4-unit multi-family apartment buildings. 32 units total. 64 parking stalls.
Type of use proposed (check all that apply):
 Residential (8) 4-unit multi-family apartment buildings.
 Commercial _____
 Office _____
 Industrial _____
 Other 64 stall parking lot.
Amenities provided with this development (if applicable): (2) open common areas.

Residential Project Summary (if applicable)

Are there existing buildings? Yes No
Please describe the existing buildings: _____
Any existing buildings to remain? Yes No
Number of residential units: 32 Number of building lots: 3
Number of common and/or other lots: 1 To be 8 building lots in future
Type of dwellings proposed:
 Single-Family _____
 Townhouses _____
 Duplexes _____
 Multi-Family (8) 4-unit buildings
 Other _____
Minimum Square footage of structure (s): 1,000 s.f. - 1,200 s.f. units; 4,418 s.f. - 5,138 s.f. buildings.
Gross density (DU/acre-total property): 15.23 Net density (DU/acre-excluding roads): 15.23
Percentage of open space provided: 47% Acreage of open space: 0.99 Acre
Type of open space provided (i.e. landscaping, public, common, etc.): Landscapping, Common Area

Non-Residential Project Summary (if applicable)

Number of building lots: _____ Other lots: _____
Gross floor area square footage: _____ Existing (if applicable): _____
Hours of operation (days & hours): _____ Building height: _____
Total number of employees: _____ Max. number of employees at one time: _____
Number and ages of students/children: _____ Seating capacity: _____
Fencing type, size & location (proposed or existing to remain): _____
Proposed Parking: a. Handicapped spaces: _____ Dimensions: _____
b. Total Parking spaces: _____ Dimensions: _____
c. Width of driveway aisle: _____
Proposed Lighting: _____
Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): _____

Applicant's Signature: Matthew Phos Date: 4-2-18



City of Kuna Design Review Application

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

FILE NO.: 18-29-DR

CROSS REF.: _____

FILES: _____

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

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

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

Application Submittal Requirements

Applicant Use		Staff Use
<input checked="" type="checkbox"/>	Date of pre- application meeting : <u>3-21-18</u> <i>Note: Pre-Applications are valid for a period of three (3) months.</i>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	A complete Design Review Application form <i>Note: It is the applicant's responsibility to use a current application.</i>	<input type="checkbox"/>
<input 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 type="checkbox"/>
<input checked="" type="checkbox"/>	One (1) Vicinity Map (8 ½" x 11") at 1" = 300' scale (or similar), label the location of the property and adjacent streets.	<input type="checkbox"/>
<input checked="" type="checkbox"/>	One 8 ½" x 11" colored aerial photo depicting proposed site, street names, and surrounding area within five-hundred feet (500').	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Copy of Deed; and, if the applicant is not the owner, an original notarized statement (affidavit of legal interest) from the owner (and all interested parties) stating the applicant is authorized to submit this application.	<input type="checkbox"/>



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 type="checkbox"/>
<input checked="" type="checkbox"/>	To scale drawings	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Boundaries, property lines and dimensions	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Name of "Plan Preparer" with contact information	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Name of project and date	<input 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"/>
NA <input type="checkbox"/>	Existing vegetation identified by specific size. Identify those which are proposed to be relocated or removed.	<input 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"/>
<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 type="checkbox"/>
<input checked="" type="checkbox"/>	Sign locations <i>Note: A separate sign application must be submitted with this application</i>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Locations and uses for open spaces	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Parking layout including spaces, driveways, curb cuts, circulation patterns, pedestrian walks and vision triangle	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Illustration that demonstrates adequate sight distance is provided for motor vehicles, pedestrians and bicycles	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Location and designations of all sidewalks	<input 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 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 type="checkbox"/>
<input checked="" type="checkbox"/>	Identify the elevations as to north, south, east, and west orientation	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Colored copies of all proposed building materials and indication where each material and color application is to be located <i>Note: Submit as 11"x17" reductions</i>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Screening/treatment of mechanical equipment	<input type="checkbox"/>
NA <input type="checkbox"/>	Provide a cross-section of the building showing any roof top mechanical units and their roof placement	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Detailed elevation plans showing the materials to be used in construction of trash enclosures	<input type="checkbox"/>

Lighting Plan

Applicant Use		Staff Use
<input checked="" type="checkbox"/>	Exterior lighting including detained cut sheets and photometric plan (pedestrian, vehicle, security, decoration)	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Types and wattage of all light fixtures <i>Note: The City encourages use of "dark sky" lighting fixtures</i>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Placement of all light fixtures shown on elevations and landscaping plans	<input type="checkbox"/>

Roof Plans

Applicant Use		Staff Use
NA <input type="checkbox"/>	Size and location of all roof top mechanical units	<input type="checkbox"/>

Design Review Application

Applicant: Matthew Rhees, The Architects Office, PLLC Phone: (208) 343-2931

Owner

Representative

Fax/Email: (208) 343-1306

Applicant's Address: 499 Main St.

Boise, Idaho Zip: 83702

Owner: Corey Barton / Endurance Holdings, LLC / Challenger Development Phone: (208) 288-5560

Owner's Address: 1977 E. Overland Rd. Email: cbarton@cbhhomes.com

Meridian, Idaho Zip: 83642

Represented By: *(if different from above)* Tim Eck, Arbor Ridge Estates Phone: (208) 286-0520

Address: 6152 W. Half Moon Ln. Email: timothyeck@me.com

Eagle, Idaho Zip: 83616

Address of Property: NW corner of N. School Ave. and W. Ardell Rd.

Kuna, ID Zip: 83634

Distance from Major Cross Street: _____ Street Name(s): _____

Please check the box that reflects the intent of the application

BUILDING DESIGN REVIEW
 SUBDIVISION / COMMON AREA LANDSCAPE

DESIGN REVIEW MODIFICATION
 STAFF LEVEL APPLICATION

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

Construct (8) two-story 4-unit residential apartment buildings. 32 units total. 64 parking stalls total.

1. Dimension of Property: 2.10 Acres (440' x 298')

2. Current Land Use(s): Agriculture

3. What are the land uses of the adjoining properties?

North: Agriculture / Residential

South: Residential

East: Future Residential

West: Agriculture / Residential

4. Is the project intended to be phased, if so what is the phasing time period? No.

Please explain: _____

5. The number and use(s) of all structures: (8) 4-unit residential apartment buildings.

6. Building heights: 30 ft. Number of stories: 2

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? 22%

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

MATERIAL

COLOR

Roof: Asphalt Shingle / Dark Grey

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: 90% / Varies

% EIFS: 0% / _____
(Exterior Insulation Finish System)

% Masonry: 10% / Varies

% Face Block: 0% / _____

% Stucco: 0% / _____

& other material(s): _____ / _____

List all other materials: Steel Railing Black

Windows/Doors: 20% / White Vinyl, Painted Doors - Varies
(Type of window frames & styles / doors & styles, material)

Soffits and fascia material: Hardboard / Off-White

Trim, etc.: Hardboard / Off-White

Other: _____ / _____

9. Please identify Mechanical Units: Ground mounted heat pump / air conditioner
Type/Height: 3 ft.
Proposed Screening Method: _____

10. Please identify trash enclosure: *(size, location, screening & construction materials)* Integral Color Concrete Block
with painted steel gates.

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? State Lateral

12. Fencing: *(Please provide information about new fencing material as well as any existing fencing material)*
Solid vinyl along n
Type: Solid Vinyl
Size: 6 ft.
Location: North Property Line
(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:
Drainage Swale

14. Percentage of Site Devoted to Building Coverage:	<u>22%</u>		<u>9,968 sq. ft.</u>
% of Site Devoted to Landscaping: <i>(Including landscaped rights-of-way)</i>	<u>47%</u>	Square Footage:	<u>43,048 sq. ft.</u>
% of Site that is Hard Surface: <i>(Paving, driveways, walkways, etc.)</i>	<u>31%</u>	Square Footage:	<u>28,341 sq. ft.</u>
% of Site Devoted to other uses:	_____		_____

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:
20 ft. landscape setback along W. Ardell Rd. and N. School Ave.

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

17. Dock Loading Facilities:
Number of docking facilities and their location: 0
Method of screening: _____

18. Pedestrian Amenities: *(bike racks, receptacles, drinking fountains, benches, etc.)* (2) open common areas.

19. Setbacks of the proposed building from property lines: 20 ft' from street, 2 ft. from drainage lot, 10ft. all other sides.

Front 20 -feet Rear 10 -feet Side 10 -feet Side 10 -feet

20. Parking requirements: 48

Total Number of Parking Spaces: 64 Width and Length of Spaces: 9 ft. wide x 18 ft. deep + 2 ft. overhang
Total Number of Compact Spaces (8'x17'): 0

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

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

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

Signature of Applicant *Matthew Rhee* Date 4-2-18

City staff comments:

Signature of receipt by City Staff _____ Date _____

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



PROJECT LETTER

499 Main Street
Boise, Idaho 83702
(208) 343-2931
www.taoidaho.com

Date: June 25, 2018

To: Planning Department
City of Kuna
P.O. Box 13
Kuna, Idaho 83634

Project: Arbor Ridge Villas

Subject: Design Review Application

Please accept this Design Review Application for Arbor Ridge Villas located on the northwest corner of W. Ardell Road and N. School Ave. This application is for a 32 unit multi-family residential project. The project consists of the following:

- Proposed Buildings:..... 8
 - 4-Unit Two-Story Buildings
 - Apartment Building Floor Plan Types / Elevation Types3 / 6
 - (4) 2-Bedroom Buildings (16 Units Total):2 / 4
 - (4) 3-Bedroom Buildings (16 Units Total):1 / 2

Each apartment building floor plan type has two elevation types with different roof line styles and with material and color variation. There are four paint color pallets that are equally applied to the entire project. There are 64 parking stalls proposed (48 required) with the potential to make 33 parking stalls into carports stalls. The project also includes two common open areas as a site amenity.

The current subdivision has the 8 buildings and parking lot within 3 lots. A future lot subdivision will place each building on a separate lot and a separate common lot for the parking and open areas. Buildings have been places to comply with planning & zoning and building code required setbacks for the 3-lot configuration and the 9-lot configuration.

Thank-you for your consideration and please call with any questions or concerns, 343-2931 ext. 5.

Sincerely,

Matthew Rhees, Architect
The Architects Office, PLLC

Exhibit
B3



B & A Engineers, Inc.
Consulting Engineers & Surveyors
5505 W. Franklin Rd. Boise, Id. 83705
Phone. 208-343-3381 Facsimile 208-342-5792

EXHIBIT "A"
Parcel I

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

Commencing at the northeast corner of said Section 14; thence $S00^{\circ}19'50''E$, 2,643.85 feet along the centerline of Linder Road and the easterly boundary of the northeast quarter of said Section 14 to the southeast corner of the northeast quarter of said Section 14; thence $S89^{\circ}56'20''W$, 1,015.00 feet along the southerly boundary of the northeast quarter of said Section 14; thence $N10^{\circ}49'45''W$, 28.50 feet to the **Point of Beginning**:

Thence $S89^{\circ}56'20''W$, 1,641.84 feet;

Thence $N00^{\circ}09'48''W$, 879.90 feet;

Thence $N62^{\circ}24'45''E$, 89.87 feet;

Thence $N59^{\circ}26'54''E$, 40.84 feet;

Thence $S89^{\circ}53'45''E$, 429.41 feet;

Thence $S00^{\circ}06'15''W$, 100.00 feet;

Thence $S04^{\circ}20'40''W$, 50.14 feet;

Thence $S00^{\circ}09'48''E$, 228.00 feet;

Thence $S19^{\circ}19'17''E$, 163.06 feet;

Thence $S00^{\circ}03'40''E$, 72.00 feet;

Thence $S31^{\circ}39'14''W$, 82.29 feet;

Thence $S00^{\circ}03'40''E$, 100.00 feet;

Thence $S09^{\circ}51'21''W$, 50.76 feet;

Thence $S00^{\circ}03'40''E$, 108.00 feet;

Thence $N89^{\circ}56'20''E$, 1,022.11 feet;

Thence $N80^{\circ}54'11''E$, 75.91 feet;

Thence $S10^{\circ}49'45''E$, 21.29 feet to the **Point of Beginning**.

Comprising 12.10 acres more or less



B & A Engineers, Inc.
Consulting Engineers & Surveyors
5505 W. Franklin Rd. Boise, Id. 83705
Phone. 208-343-3381 Facsimile 208-342-5792

Parcel II

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

Commencing at the northeast corner of said Section 14, thence $S00^{\circ}19'50''E$, 2,643.85 feet along the centerline of Linder Road and the easterly boundary of the northeast quarter of said Section 14 to the southeast corner of the northeast quarter of said Section 14; thence $S89^{\circ}56'20''W$, 2,642.11 feet along the southerly boundary of the northeast quarter of said Section 14 to the southwest corner of the northeast quarter of said Section 14; thence $S89^{\circ}56'43''W$, 20.00 feet along the southerly boundary of the northwest quarter of said Section 14 which is the Point of Beginning:

Thence continuing $S89^{\circ}56'43''W$, 505.48 feet along the southerly boundary of the northwest quarter of said Section 14;

Thence $N18^{\circ}56'15''E$, 112.81 feet;

Thence $N40^{\circ}53'15''E$, 75.00 feet;

Thence $N64^{\circ}08'15''E$, 150.00 feet;

Thence $N36^{\circ}55'15''E$, 80.00 feet;

Thence $N09^{\circ}16'15''E$, 49.70 feet;

Thence $N06^{\circ}05'45''W$, 79.60 feet;

Thence $N30^{\circ}39'45''W$, 134.10 feet;

Thence $N22^{\circ}13'45''W$, 94.40 feet;

Thence $N27^{\circ}59'45''W$, 297.91 feet;

Thence $N13^{\circ}23'45''W$, 109.40 feet;

Thence $N23^{\circ}51'45''W$, 149.50 feet;

Thence $N48^{\circ}45'45''W$, 94.20 feet;

Thence $N00^{\circ}27'52''W$, 135.99 feet;



B & A Engineers, Inc.
Consulting Engineers & Surveyors
5505 W. Franklin Rd. Boise, Id. 83705
Phone. 208-343-3381 Facsimile 208-342-5792

Parcel III

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

Commencing at the northeast corner of said Section 14; thence $S00^{\circ}19'50''E$, 2,643.85 feet along the centerline of Linder Road and the easterly boundary of the northeast quarter of said Section 14 to the southeast corner of the northeast quarter of said Section 14; thence $S89^{\circ}56'20''W$, 2,642.11 feet along the southerly boundary of the northeast quarter of said Section 14 to the southwest corner of the northeast quarter of said Section 14; thence $S89^{\circ}56'43''W$, 20.00 feet along the southerly boundary of the northwest quarter of said Section 14; thence $N00^{\circ}09'48''W$, 907.90 feet to the Point of Beginning:

Thence continuing $N00^{\circ}09'48''W$, 419.07 feet;

Thence $S89^{\circ}56'56''E$, 20.00 feet;

Thence $N00^{\circ}09'48''W$, 146.95 feet;

Thence $N89^{\circ}50'12''E$, 120.00 feet;

Thence $S85^{\circ}19'37''E$, 50.18 feet;

Thence $S89^{\circ}53'45''E$, 360.00 feet;

Thence $N00^{\circ}06'15''E$, 101.01 feet;

Thence $N05^{\circ}35'07''W$, 50.00 feet;

Thence $N00^{\circ}06'15''E$, 104.23 feet;

Thence $S89^{\circ}53'45''E$, 83.00 feet;

Thence $N67^{\circ}47'21''E$, 53.90 feet;

Thence $N89^{\circ}42'40''E$, 100.00 feet to the westerly boundary of Arbor Ridge Subdivision No. 1 as shown in Book 96 of Plats Pages 10269 through 12074 Records, Ada County, Idaho;

Thence the following courses and distances along said westerly boundary of Arbor Ridge Subdivision No. 1:



B & A Engineers, Inc.
Consulting Engineers & Surveyors
5505 W. Franklin Rd. Boise, Id. 83705
Phone. 208-343-3381 Facsimile 208-342-5792

Thence S00°17'20"E, 80.00 feet;
Thence N89°42'40"E, 50.00 feet;
Thence S00°17'20"E, 367.63 feet;
Thence 109.24 feet along a curve deflecting to the left, having a radius of 200.00 feet, a central angle of 31°17'42", a long chord bearing of S15°56'11"E, and a long chord distance of 107.89 feet;
Thence S31°35'02"E, 71.92 feet;

Thence leaving said southerly boundary of Arbor Ridge Subdivision No. 1 S58°24'58"W, 150.00 feet;

Thence S28°55'27"W, 57.44 feet;

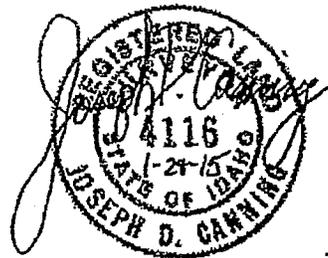
Thence S58°24'58"W, 66.38 feet;

Thence N89°53'45"W, 569.41 feet;

Thence S59°26'54"W, 40.84 feet;

Thence S62°24'45"W, 89.87 feet to the Point of Beginning.

Comprising 11.42 acres more or less





B & A Engineers, Inc.
Consulting Engineers & Surveyors
5505 W. Franklin Rd. Boise, Id. 83705
Phone. 208-343-3381 Facsimile 208-342-5792

Parcel IV

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

Commencing at the northeast corner of said Section 14; thence S00°19'50"E, 2,643.85 feet along the centerline of Linder Road and the easterly boundary of the northeast quarter of said Section 14 to the southeast corner of the northeast quarter of said Section 14; thence S89°56'20"W, 2,642.11 feet along the southerly boundary of the northeast quarter of said Section 14 to the southwest corner of the northeast quarter of said Section 14; thence S89°56'43"W, 20.00 feet along the southerly boundary of the northwest quarter of said Section 14; thence N00°09'48"W, 1,326.97 feet; thence S89°56'56"E, 20.00 feet; thence N00°09'48"W, 146.95 feet to the Point of Beginning;

Thence continuing N00°09'48"W, 520.03 feet to the southwest corner of land described in Instrument Number 103022913, records of the Ada County, Idaho, Recorder;

Thence S89°50'28"E, 660.11 feet along a line parallel to the northerly boundary of the northeast quarter of said Section 14 and along the southerly boundary of land described in said Instrument Number 103022913 to the westerly boundary of Arbor Ridge Subdivision No. 1 as shown in Book 96 of Plats Pages 10269 through 12074 Records, Ada County, Idaho;

Thence the following courses and distances along said westerly boundary of Arbor Ridge Subdivision No. 1:
S00°09'48"E, 2.83 feet;
S53°07'39"E, 123.65 feet;
S00°17'20"E, 169.84 feet;

Thence leaving said southerly boundary of Arbor Ridge Subdivision No. 1 S89°42'40"W, 100.00 feet;

Thence S67°47'21"W, 53.90 feet;

Thence N89°53'45"W, 83.00 feet;

Thence S00°06'15"W, 104.23 feet;

Thence S05°35'07"E, 50.00 feet;

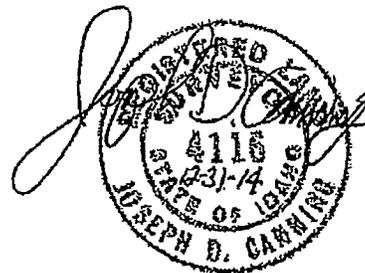
Thence S00°06'15"W, 101.01 feet;

Thence N89°53'45"W, 360.00 feet;

Thence N85°19'37"W, 50.18 feet;

Thence S89°50'12"W, 120.00 feet to the Point of Beginning.

Comprising 7.60 acres more or less.



This Correction Warranty Deed is being recorded to correct the grantor in the original deed recorded 11/29/2016 as Instrument No. 2016-115035 and to attach the correct legal description

Correction Warranty Deed

For value received,

Corey Barton, a married man as his sole and separate property AND Corey Barton Homes, Inc. an Idaho Corporation dba CBH Homes

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

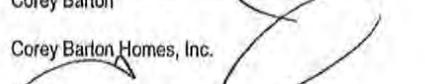
ENDURANCE HOLDINGS, LLC, an Idaho Limited Liability Company

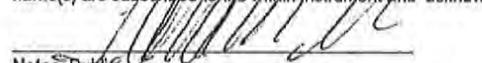
whose current address is 1977 E. Overland Rd, Meridian, ID 83642

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

See attached Exhibit "A"

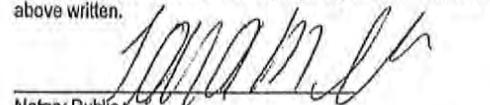
To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those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


Corey Barton
Corey Barton Homes, Inc.
By: 
Corey Barton, President

State of Idaho, County of Ada
On this 14th day of Feb, 2017, before me, the undersigned, a notary public, personally appeared Corey Barton, known to me or proven to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Notary Public
Residing in: Eagle, Idaho
Expires: Commission Expires: 6/18/2022



State of Idaho, County of Ada
On this 14th day of Feb, 2017, before me, the undersigned, a notary public in and for said state, personally appeared Corey Barton, known to me to be the President of the Corporation that executed this instrument and the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.
In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public
Residing in: Eagle, Idaho
Expires: Commission Expires: 6/18/2022



This Correction Warranty Deed is being recorded to correct the grantor in the original deed recorded 11/29/2016 as Instrument No. 2016-115035 and to attach the correct legal description

Correction Warranty Deed

For value received,

Corey Barton, a married man as his sole and separate property AND Corey Barton Homes, Inc. an Idaho Corporation dba CBH Homes

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

ENDURANCE HOLDINGS, LLC, an Idaho Limited Liability Company

whose current address is 1977 E. Overland Rd, Meridian, ID 83642

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

See attached Exhibit "A"

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

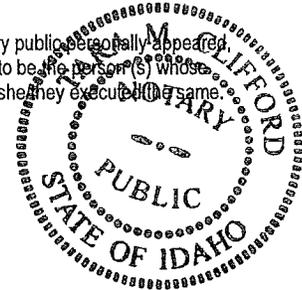
Corey Barton

Corey Barton Homes, Inc.

By: _____
Corey Barton, Resident

State of Idaho County of Ada
On this 17th day of July, 2017, before me, the undersigned, a notary public personally appeared Corey Barton, known to me or proven to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

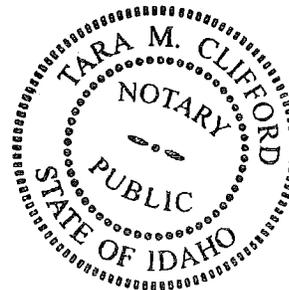
Notary Public
Residing in: Residing: Eagle, Idaho
Expires: Commission Expires: 6/18/2022



State of Idaho County of Ada
On this 17th day of July, 2017, before me, the undersigned, a notary public in and for said state, personally appeared Corey Barton, known to me to be the President of the Corporation that executed this instrument and the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.

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

Notary Public
Residing in: Residing: Eagle, Idaho
Expires: Commission Expires: 6/18/2022





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

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

City of Kuna AFFIDAVIT OF LEGAL INTEREST

State of Idaho)
) ss
County of Ada)

I, Corey Barton 1977 E. Overland Rd
Name Address
Meridian ID 83642
City State Zip Code

being first duly sworn upon oath, depose and say:

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

A. That I am the record owner of the property described on the attached, and I grant my

Permission to Matthew Rhees, The Architects Office, PLLC 499 W. Main St., Boise, Idaho 83702 Name Address
to submit the accompanying application pertaining to that property.

B. I agree to indemnify, defend and hold City of Kuna and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

C. I hereby grant permission to the City of Kuna staff to enter the subject property for the purpose of site inspections related to processing said application(s).

Dated this 22nd day of June, 20 18

[Signature]
Signature

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

Adair Koltes
Notary Public for Idaho

Residing at: Nampa, ID

My commission expires: 6-05-22

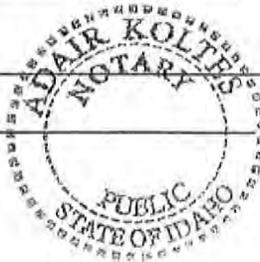


Exhibit
86

Ada County Assessor

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION OR LEGAL PURPOSES.



Exhibit
B7

Ada County Assessor

This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION OR LEGAL PURPOSES.





PARKING

PARKING REQUIRED:	48
PARKING PATIO:	15 STALLS PER UNIT
TOTAL PARKING STALLS PROPOSED:	48
STANDARD OPEN STALLS:	30
ACCESSIBLE OPEN STALLS:	18
STANDARD CARPORT STALLS:	30
ACCESSIBLE CARPORT STALLS:	18
PROPORTION OF AN OWNER'S UNIT:	15% STALLS PER UNIT
PARKING PATIO:	15 STALLS PER UNIT

BUILDING DEVELOPMENT

PROPOSED BUILDINGS:	2
PROPOSED STORIES:	4
PROPOSED RESIDENTIAL UNIT PER BUILDING:	24
PROPOSED NUMBER OF RESIDENTIAL UNITS:	48
2-BEDROOM / 2 BATHROOM UNITS:	18
3-BEDROOM / 2 BATHROOM UNITS:	18
14.25 UNITS PER ACRE:	100%
BUILDING FOOTPRINT:	15,848 S.F. 22%
PARKING LOT:	28,241 S.F. 37%
LANDSCAPING:	4,211 S.F. 4%

ZONING

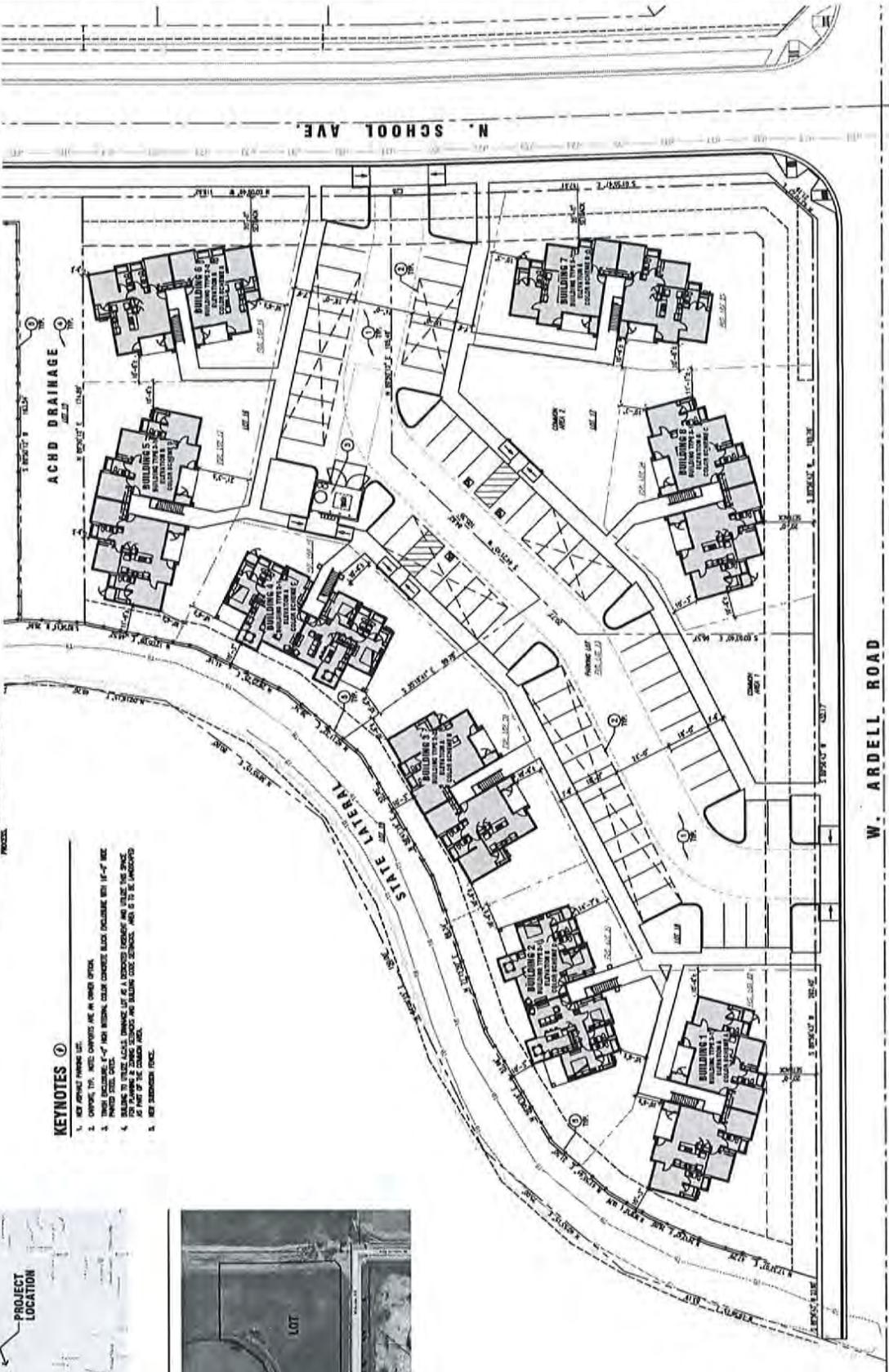
PROPOSED ZONING:	R-10
MAXIMUM HEIGHT:	35 FT.
STREET FRONTAGE:	1,200 FT.
MINIMUM SETBACK - SIDE YARD:	5 FT.
MINIMUM SETBACK - REAR YARD:	5 FT.
MINIMUM SETBACK - FRONT YARD:	5 FT.
MINIMUM SETBACK - CORNER:	10 FT.
MINIMUM LOT COVERAGE:	100%
MINIMUM LOT SIZE:	2,000 S.F.

SITE DEVELOPMENT

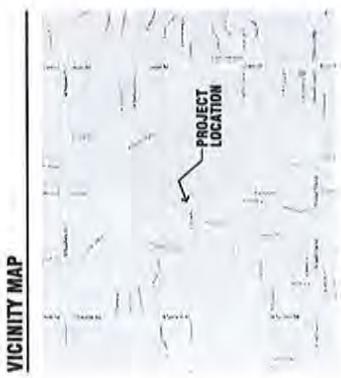
PROPOSED FUTURE (P.F.T.) LOT AREA:	6,400 S.F. 0.15 ACRE
LOT 17:	6,288 S.F. 0.15 ACRE
LOT 18:	5,720 S.F. 0.13 ACRE
LOT 19:	6,400 S.F. 0.15 ACRE
LOT 20:	6,400 S.F. 0.15 ACRE
LOT 21 (COMMON):	35,200 S.F. 0.81 ACRE
LOT 22:	27,716 S.F. 0.64 ACRE
LOT 23:	27,716 S.F. 0.64 ACRE
LOT 24:	27,716 S.F. 0.64 ACRE

SITE DATA

LOT 16-18 GROSS AREA:	81,548 S.F. 1.87 ACRES
LOT 16 GROSS AREA:	27,716 S.F. 0.64 ACRES
LOT 17 GROSS AREA:	29,388 S.F. 0.67 ACRES
LOT 18 GROSS AREA:	24,444 S.F. 0.56 ACRES



- KEYNOTES**
- SEE SPECIAL PERMITS LIST.
 - CONCRETE, TYP. NOTED CHANGES ARE IN SHOWN OPTION.
 - THICK INCLUDES 4" OF HIGH STRENGTH CLEAR CONCRETE SLABS INCLUDING 8" OF 4" REINFORCING STEEL ON TOP.
 - SLABING IS TO BE DONE AS A SEQUENCE WORKING FROM THE EXISTING SIDEWALK AND TO BE COMPLETED BY THE EXISTING SIDEWALK.
 - SEE DIMENSIONS PER PLAN.



1 SITE PLAN
SCALE 1" = 200'

Exhibit
D1

- KEYNOTES**
1. EXHIBIT SINGLE COAT / UP COAT. SEE BOSS PLAN FOR LOCATION AND TYPES OF BOSS JOINT WORKING.
 2. ARCHITECTURAL UNPAINTED THERMOPLASTIC ROOF SHINGLES.
 3. 1/2" x 1/2" PAINTED WOOD CORBEL.
 4. FLOOR, 2 1/4" x 1/4" PAINTED HORIZONTALS. AT CORNER ENDS AND CORNER INTERIOR CORNER PROVIDE PAINTED 2 1/4" x 1/4" HORIZONTALS SPACED 32" ON CENTER.
 5. PRE-PANDED METAL SIDING AND CORNERPOST FOR ROOF PLAN. FINAL LOCATION AND HEIGHT DETERMINED BY THE GENERAL CONTRACTOR. PROVIDE CORNERPOSTS AT CORNER ENDS.
 6. 2 1/4" x 1/4" PAINTED HORIZONTALS. PROVIDE INTERIOR 2" FLASING AT TOP.
 7. 1 1/4" x 1/4" PAINTED HORIZONTALS. PROVIDE INTERIOR 2" FLASING AT TOP.
 8. VERTICAL BOARD & BATTEN SHALL CORNER FINISHES 4" x 1/4" x 1/4" HORIZONTAL PANELS WITH PAINTED 1 1/2" HORIZONTAL SIDING AT 12" O.C. OR FINISHES 1 1/2" x 1/4" HORIZONTAL SIDING AT 12" O.C.
 9. HORIZONTAL 1/4" BOARD NEEDED HORIZONTAL SIDING.
 10. PROVIDE CORNERPOSTS AT CORNER ENDS AND CORNERPOSTS FOR SHIPMENT NEEDED HORIZONTAL UP SIDING.
 11. HORIZONTAL SIDING TO BE PAINTED.
 12. HORIZONTAL SIDING TO BE PAINTED.
 13. 2" x 4" WOOD STUDS.
 14. DOUBLE GAZED WOOD FINISH WOOD FOR WINDOW SCHEDULE WITH 1" x 4" PAINTED HORIZONTALS. SEE WINDOW SCHEDULE SCHEDULES FOR FINISHES RECOMMENDATIONS.
 15. HORIZONTAL SIDING TO BE PAINTED.
 16. HORIZONTAL SIDING TO BE PAINTED.
 17. HORIZONTAL SIDING TO BE PAINTED.
 18. HORIZONTAL SIDING TO BE PAINTED.
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 21. HORIZONTAL SIDING TO BE PAINTED.
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 23. HORIZONTAL SIDING TO BE PAINTED.
 24. HORIZONTAL SIDING TO BE PAINTED.

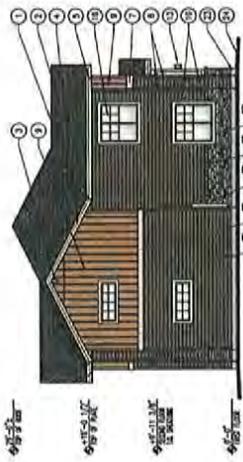
- GENERAL NOTES**
1. ALL NOTES ON ELEVATIONS ARE TYPICAL AND APPLY TO ALL ELEVATIONS.
 2. REFER TO CONSTRUCTION TYPE DETAILS (SECTION 05100 AND 05200) AND SPECIFICATIONS FOR ADDITIONAL INFORMATION.
 3. ALL EXTERIOR SURFACES TO BE PAINTED WITH AN ADVANCED METAL. ALL UNPAINTED SURFACES TO BE PAINTED WITH AN ADVANCED METAL. FINISH COLOR.
 4. VERIFY ALL FINISH MATERIALS, QUANTITIES AND COLORS WITH OWNER PRIOR TO ORDERING AND INSTALLATION.
 5. VERIFY ALL FINISH MATERIALS, QUANTITIES AND COLORS WITH OWNER PRIOR TO ORDERING AND INSTALLATION.
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 10. VERIFY ALL FINISH MATERIALS, QUANTITIES AND COLORS WITH OWNER PRIOR TO ORDERING AND INSTALLATION.

EXTERIOR FINISH SCHEDULE

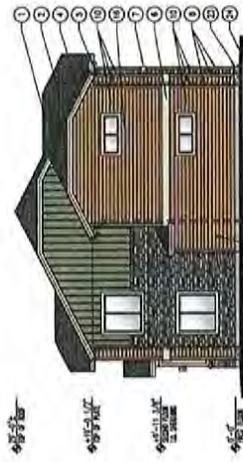
ALL BUILDINGS	WALLS	ROOF	TRIM	FINISH COLOR
APARTMENT BUILDING TYPE 2-2	PRE-PANDED METAL SIDING	ARCHITECTURAL UNPAINTED THERMOPLASTIC ROOF SHINGLES	1/2" x 1/2" PAINTED WOOD CORBEL	UNPAINTED
APARTMENT BUILDING TYPE 2-2	PRE-PANDED METAL SIDING	ARCHITECTURAL UNPAINTED THERMOPLASTIC ROOF SHINGLES	1/2" x 1/2" PAINTED WOOD CORBEL	UNPAINTED
APARTMENT BUILDING TYPE 2-2	PRE-PANDED METAL SIDING	ARCHITECTURAL UNPAINTED THERMOPLASTIC ROOF SHINGLES	1/2" x 1/2" PAINTED WOOD CORBEL	UNPAINTED
APARTMENT BUILDING TYPE 2-2	PRE-PANDED METAL SIDING	ARCHITECTURAL UNPAINTED THERMOPLASTIC ROOF SHINGLES	1/2" x 1/2" PAINTED WOOD CORBEL	UNPAINTED
APARTMENT BUILDING TYPE 2-2	PRE-PANDED METAL SIDING	ARCHITECTURAL UNPAINTED THERMOPLASTIC ROOF SHINGLES	1/2" x 1/2" PAINTED WOOD CORBEL	UNPAINTED
APARTMENT BUILDING TYPE 2-2	PRE-PANDED METAL SIDING	ARCHITECTURAL UNPAINTED THERMOPLASTIC ROOF SHINGLES	1/2" x 1/2" PAINTED WOOD CORBEL	UNPAINTED
APARTMENT BUILDING TYPE 2-2	PRE-PANDED METAL SIDING	ARCHITECTURAL UNPAINTED THERMOPLASTIC ROOF SHINGLES	1/2" x 1/2" PAINTED WOOD CORBEL	UNPAINTED
APARTMENT BUILDING TYPE 2-2	PRE-PANDED METAL SIDING	ARCHITECTURAL UNPAINTED THERMOPLASTIC ROOF SHINGLES	1/2" x 1/2" PAINTED WOOD CORBEL	UNPAINTED
APARTMENT BUILDING TYPE 2-2	PRE-PANDED METAL SIDING	ARCHITECTURAL UNPAINTED THERMOPLASTIC ROOF SHINGLES	1/2" x 1/2" PAINTED WOOD CORBEL	UNPAINTED
APARTMENT BUILDING TYPE 2-2	PRE-PANDED METAL SIDING	ARCHITECTURAL UNPAINTED THERMOPLASTIC ROOF SHINGLES	1/2" x 1/2" PAINTED WOOD CORBEL	UNPAINTED



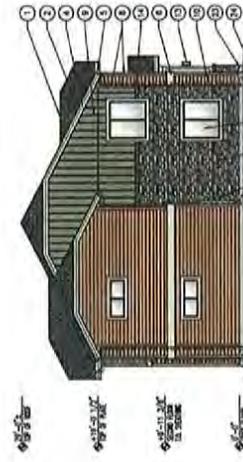
2
BUILDING TYPE 2-2A
RIGHT SIDE ELEVATION
SCALE 1/8" = 1'-0"



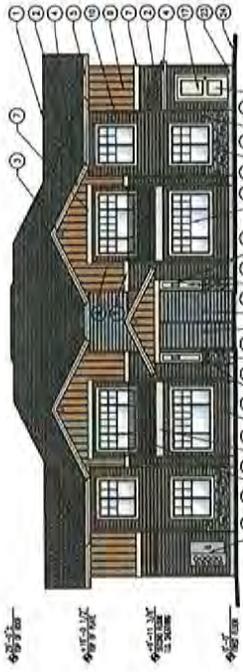
4
BUILDING TYPE 2-2A
LEFT SIDE ELEVATION
SCALE 1/8" = 1'-0"



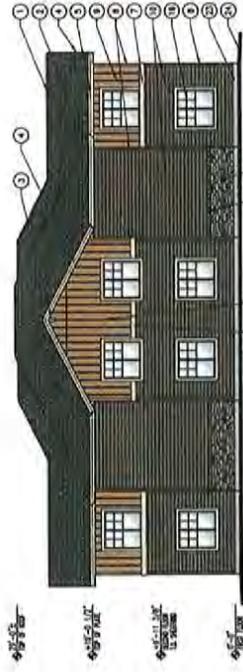
6
BUILDING TYPE 2-2B
RIGHT SIDE ELEVATION
SCALE 1/8" = 1'-0"



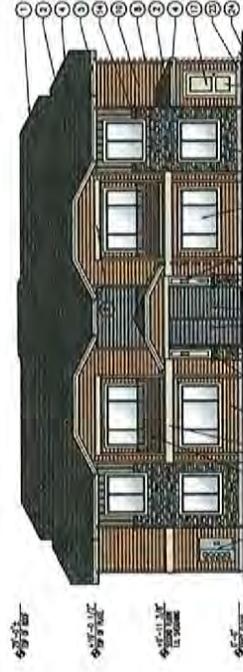
8
BUILDING TYPE 2-2B
LEFT SIDE ELEVATION
SCALE 1/8" = 1'-0"



1
BUILDING TYPE 2-2A
FRONT ELEVATION
SCALE 1/8" = 1'-0"



3
BUILDING TYPE 2-2A
REAR ELEVATION
SCALE 1/8" = 1'-0"



5
BUILDING TYPE 2-2B
FRONT ELEVATION
SCALE 1/8" = 1'-0"



7
BUILDING TYPE 2-2B
REAR ELEVATION
SCALE 1/8" = 1'-0"

ARBOR RIDGE VILLAS KUNA, IDAHO

COLOR PALLET A



ASPHALT SHINGLE
MANUFACTURER: GAF
COLOR: TIMBERLINE NATURAL
SHADOW: BARKWOOD



PAINTED HARDBOARD FASCIA,
SOFFIT, TRIMS
MFR: SHERWIN WILLIAMS
PANT NUMBER: SW6148
COLOR NAME: WOOL SEEN



PAINTED HARDBOARD BOARD
& BATTEN SIDING
MFR: SHERWIN WILLIAMS
PANT NUMBER: SW2845
COLOR NAME: BUNELHOUSE GRAY



PAINTED HARDBOARD LAP
SIDING
MFR: SHERWIN WILLIAMS
PANT NUMBER: SW7680
COLOR NAME: LANTARD



STONE VENEER
MFR: BORAL CULTURED STONE
COUNTRY LEDGESTONE

COLOR PALLET B



ASPHALT SHINGLE
MANUFACTURER: GAF
COLOR: TIMBERLINE NATURAL
SHADOW: BARKWOOD



PAINTED HARDBOARD FASCIA,
SOFFIT, TRIMS
MFR: SHERWIN WILLIAMS
PANT NUMBER: SW6148
COLOR NAME: WOOL SEEN



PAINTED HARDBOARD BOARD
& BATTEN SIDING
MFR: SHERWIN WILLIAMS
PANT NUMBER: SW7718
COLOR NAME: OAK CREEK



PAINTED HARDBOARD LAP
SIDING
MFR: SHERWIN WILLIAMS
PANT NUMBER: SW7509
COLOR NAME: TIKI HUT



STONE VENEER
MFR: BORAL CULTURED STONE
COUNTRY LEDGESTONE

COLOR PALLET C



ASPHALT SHINGLE
MANUFACTURER: GAF
COLOR: TIMBERLINE NATURAL
SHADOW: BARKWOOD



PAINTED HARDBOARD FASCIA,
SOFFIT, TRIMS
MFR: SHERWIN WILLIAMS
PANT NUMBER: SW6148
COLOR NAME: WOOL SEEN



PAINTED HARDBOARD BOARD
& BATTEN SIDING
MFR: SHERWIN WILLIAMS
PANT NUMBER: SW7540
COLOR NAME: ARTISAN TAN



PAINTED HARDBOARD LAP
SIDING
MFR: SHERWIN WILLIAMS
PANT NUMBER: SW6151
COLOR NAME: QUIVER TAN



STONE VENEER
MFR: BORAL CULTURED STONE
COUNTRY LEDGESTONE

COLOR PALLET D



ASPHALT SHINGLE
MANUFACTURER: GAF
COLOR: TIMBERLINE NATURAL
SHADOW: BARKWOOD



PAINTED HARDBOARD FASCIA,
SOFFIT, TRIMS
MFR: SHERWIN WILLIAMS
PANT NUMBER: SW6148
COLOR NAME: WOOL SEEN



PAINTED HARDBOARD BOARD
& BATTEN SIDING
MFR: SHERWIN WILLIAMS
PANT NUMBER: SW7737
COLOR NAME: MEADOW TRAIL



PAINTED HARDBOARD LAP
SIDING
MFR: SHERWIN WILLIAMS
PANT NUMBER: SW7034
COLOR NAME: SQUIS BRONZE



STONE VENEER
MFR: BORAL CULTURED STONE
COUNTRY LEDGESTONE

AREA	Description	Date
104	104	1-18-99



JENSEN BERNTS ARCHITECTS
 The Planning
 Landscape Architecture
 100 S. 1st St., Ste. 104
 P.O. Box 145-278
 Kuna, Idaho 83642
 Phone: 208-333-7111
 Fax: 208-333-7112

ARBOR RIDGE VILLA

KUNA, IDAHO

Job Number 1844
 Drawn: Checked: ACS
 JUN: KCS
 Scale: AS SHOWN
 Sheet Title:
LANDSCAPE PLAN

Sheet Number
L1
 Of 3 Sheets

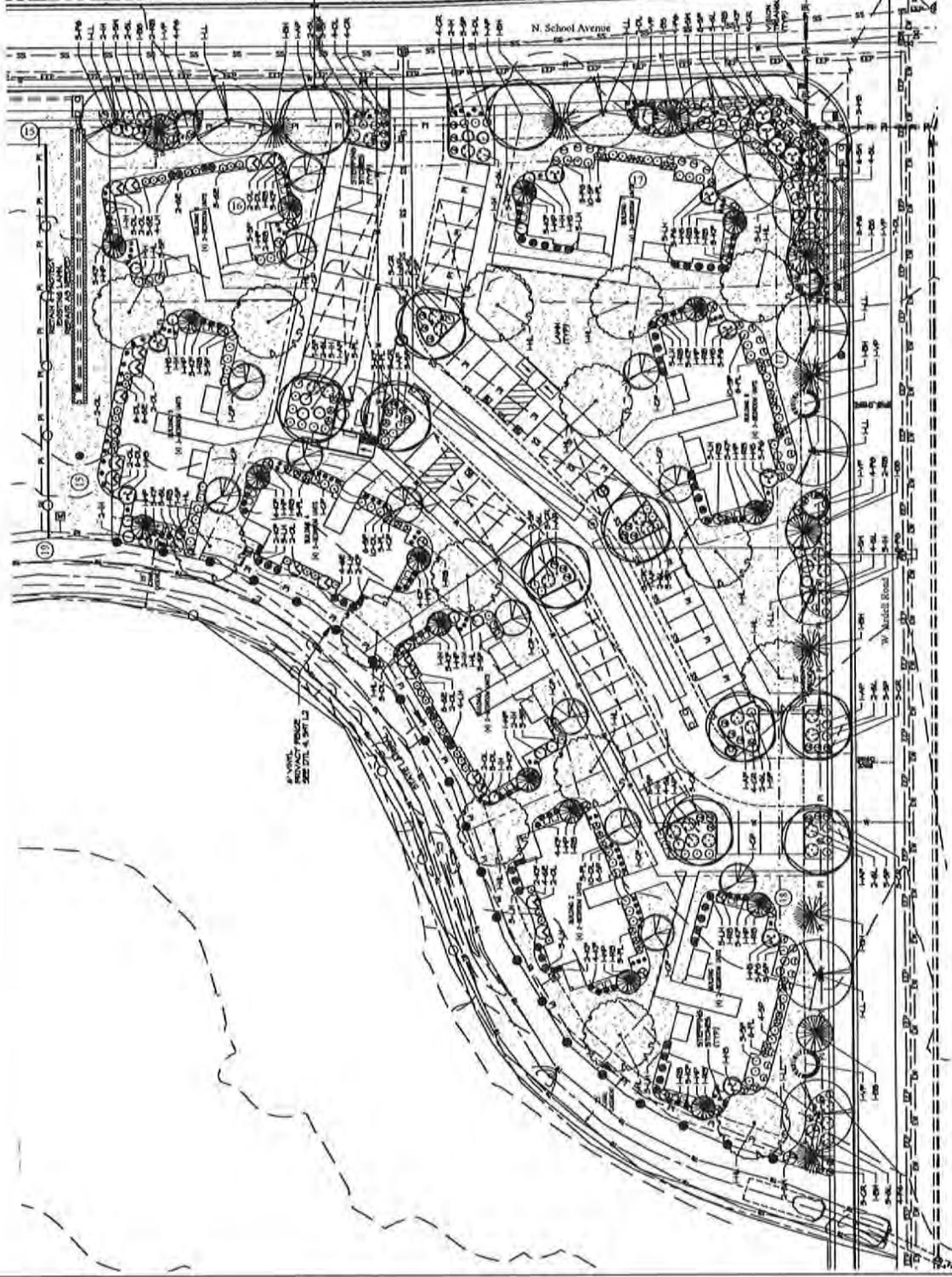
PLANT SCHEDULE

REFERENCE SHEET L3

- SYM. COMMON NAME
- 10 BLACK HILLS SPRUCE
 - 11 MAHOGANY
 - 12 COLONIAL WHITE PINE
 - 13 REDWOOD WHITE SPRUCE
 - 14 SPANISH BROOM
 - 15 LITTLE-LEAF LINDEN
 - 16 COMMERCIAL TREE (GLASS)
 - 17 CHAMCULCULI PEAK
 - 18 PERENNIAL GRASSES
 - 19 FLOWER CANNON ROSE
 - 20 STELLA DORIS DAVILA
 - 21 FINE LINE BUCKINGHAM
 - 22 BRONZE LEAF BRASSICA
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NOTES

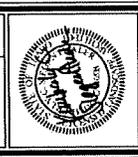
- REFER TO SHEET L3 FOR PLANT SCHEDULE, FINISHES, DETAILS, AND SPECIFICATION REQUIREMENTS.
- REFER TO SHEET L3 FOR ALL LANDSCAPE AND PERFORMANCE REGULATION SPECIFICATION REQUIREMENTS.



ENGINEER
B & A Engineers, Inc.
 100 S. 1st St., Ste. 104
 Kuna, Idaho 83642
 Phone: 208-333-7111
 Fax: 208-333-7112

Exhibit
D4

Issue/Description	Date
1-16-10	



JENSEN BIELLA ARCHITECTS

Site Planning
Landscape Architecture

1000 S. 3rd Ave., Ste. 130
Boise, ID 83721
Ph: (208) 342-7178
Fax: (208) 342-7179
E-mail: jba@jensbiel.com

ARBOR RIDGE VILLA

KUNA, IDAHO

Job Number 1844

Drawn	Checked
JUN	KCS
Scale	AS SHOWN
Sheet Title	
LANDSCAPE PLAN	

Sheet Number
L2
Of 3 Sheets

PLANT SCHEDULE

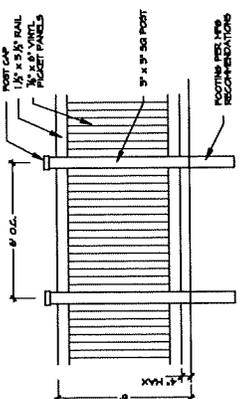
SYM.	COMMON NAME	BOTANICAL NAME	SIZE
EX	EXOTIC TREES		
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EX2	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX3	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX4	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX5	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX6	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX7	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX8	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX9	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX10	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX11	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX12	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX13	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX14	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX15	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX16	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX17	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
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EX24	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX25	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX26	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX27	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX28	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX29	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX30	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX31	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX32	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX33	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX34	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX35	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX36	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX37	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX38	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX39	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX40	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX41	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX42	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX43	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX44	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX45	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX46	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX47	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX48	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX49	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX50	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX51	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX52	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX53	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX54	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX55	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX56	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX57	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX58	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX59	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX60	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX61	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX62	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX63	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX64	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX65	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX66	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX67	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX68	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX69	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX70	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX71	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX72	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX73	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX74	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX75	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX76	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX77	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX78	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX79	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX80	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX81	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX82	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX83	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX84	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX85	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX86	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX87	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX88	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX89	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX90	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX91	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX92	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX93	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX94	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX95	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX96	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX97	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX98	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX99	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB
EX100	PIZZA PLAINA TREESAKI	PIZZA PLAINA TREESAKI	6-8 HT DB

0' SOLID VINYL
6' VINYL PRIVACY FENCE
SEE DETAIL 4, THIS SHEET



NOTES

1. ALL PLANTING AREAS SHALL BE INSTALLED IN ACCORDANCE WITH CITY OF KUNA CODE. REFER TO SHEET 13 - SPEC SECTION 22 40 - LANDSCAPE SPECIFICATIONS.
2. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE IRRIGATION SYSTEMS REGULATION PERFORMANCE SPECIFICATIONS.
3. LOCATE AND PROTECT ALL UTILITIES BEFORE CONSTRUCTION.
4. PREPARE ALL PLANTING AREAS TO BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE. PROTECT ALL PLANTING AREAS FROM ANY AND ALL CONTAMINATION BY PLACING 2" OF 1/2" SAND OVER DRAINAGE SHALE SAND FINISHES.
5. NO TREES SHALL INTERFERE AT ALL INTERSECTIONS, NO OVERHEAD LINES, OR UNDERGROUND UTILITY LINES. TREES SHALL BE PLANTED NO CLOSER THAN 5' FROM INTERSECTION STOP SIGNS.
6. TREES SHALL NOT BE PLANTED WITHIN 3' OF WATER METERS OR UNDERGROUND UTILITY LINES.
7. PLANT SPECIES SHALL BE SUBSTITUTED FOR SIMILAR SPECIES DUE TO PLANT MATERIAL AVAILABILITY, DISEASE, OR OTHER FACTORS. ALL PLANTING SHALL BE REMOVED FROM ROOT BALL AS MUCH AS POSSIBLE AT LEAST HALF WAY DOWN THE BALL OF THE TREE. ALL UTILITY LINES TO BE COMPLETELY REVEALED FROM TREES.
8. THERE ARE NO EXISTING TREES ON SITE. NO MITIGATION IS REQUIRED.



1. SEE MAIN CALCULATIONS FOR TREE SPECIFICATIONS.
2. CHECK TO SEE THAT ALL TREES ARE PLANTED AT THE CORRECT DEPTH AND SPACING.
3. STYLE AND COLOR TO MATCH EXISTING SUBDIVISION 6' VINYL PRIVACY FENCE.

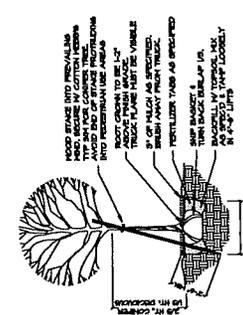
④ 6' VINYL PRIVACY FENCE

NOT TO SCALE

LANDSCAPE CALCULATIONS

LOCATION	BUFFER WIDTH	LENGTH	REQUIRED	PROVIDED
N. SCHOOL AVE.	20'	279' / 100'	9 TREES 4 8" TREES 5 20" TREES	9 8" TREES 4 8" TREES 5 20" TREES
N. ARDELL RD.	20'	429' / 100'	4 TREES 2 8" TREES 2 20" TREES	4 TREES 2 8" TREES 2 20" TREES

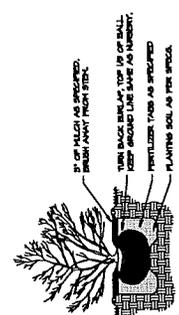
NUMBER OF TREES PROVIDED IN DIFFERENT COMMON AREAS: 40
TOTAL NUMBER OF TREES: 45
THERE ARE NO EXISTING TREES ON SITE. NO MITIGATION IS REQUIRED.



1. REMOVE ALL TREE SOIL OR MULCH FROM ALL TREES.
2. ROOT BALLS AFTER PLANTING.
3. IF STRUCTURAL DEFICIENCIES ARE SEEN, IT MUST BE COMPLETELY REMOVED.

① TREE PLANTING/STAKING

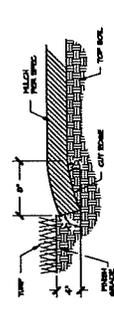
NOT TO SCALE



1. THIS BAGS SHALL BE TOP 10" OF SOIL.
2. KEEP BAGS TOP SOIL AS SPECIFIED.
3. FERTILIZER SHALL BE AS SPECIFIED.
4. PLANTING SOIL AS PER SPEC.

② SHRUB PLANTING

NOT TO SCALE



1. PLANTER CUT BED EDGE

NOT TO SCALE

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