



KUNA PLANNING AND ZONING COMMISSION
Agenda for November 11, 2013

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

REGULAR MEETING

6:00 pm

1. CALL TO ORDER AND ROLL CALL

Chairman Lee Young
Vice Chairman Stephanie Wierschem
Commissioner Dana Hennis
Commissioner Cathy Gealy
Commissioner Mike Bundy

2. CONSENT AGENDA

- a. Meeting Minutes for October 8, 2013
- b. Findings of Fact, Conclusions of Law and Order
13-02-RZ Boise Project Board of Control – Rezone

3. OLD BUSINESS:

4. PUBLIC MEETING

5. PUBLIC HEARING

- A. **13-02-AN** (Annexation) and **13-01-DA** (Development Agreement) **Sharron L. Fisher Annexation**; represented by **SLN Planning** (Shawn Nickel) - The applicant is requesting that their 1.14 acre lot be annexed into the City of Kuna with a C-1 (Neighbor Business District) designation from its current Ada County zoning of RUT (Rural Urban Transitional). Also requested is a Development Agreement to guide future development.
- B. **13-01-PUD** (Planned Unit Development), **13-03-ZC** (Rezone), **13-03-DA** (Development Agreement), **13-05-S** (Preliminary Plat) - Sorrel Residential Subdivision, **13-04-DR** (Design Review); **Randy VanderWerff** represented by **ULC Management (Bob Unger)** - Applicant is requesting the following:
 - a. PUD approval for a Lot totaling 2.07 total acres,
 - b. Approval to change the current zoning from M-1 to R-8,
 - c. Approval of a Development Agreement to guide development,
 - d. Preliminary plat approval for 16 connected-townhome lots,
 - e. Design Review approval for the Townhomes & Landscaping.

6. DEPARTMENT REPORTS

7. CHAIRMAN / COMMISSIONER DISCUSSION

8. ADJOURNMENT

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

**MEETING MINUTES
Tuesday, October 8, 2013**

NOTE: *These minutes are an unofficial record of this Planning & Zoning meeting until reviewed, corrected (if deemed appropriate), and formally approved by the Kuna Planning & Zoning Commission at a subsequent Planning & Zoning meeting.*

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	x	Wendy Howell, Planning Director	x
Vice-Chairman Stephanie Wierschem	<i>Absent</i>	Troy Behunin, Planner II	<i>Absent</i>
Commissioner Dana Hennis	<i>Absent</i>	Travis Jeffers, Planning Technician	x
Commissioner Cathy Gealy	x		
Commissioner Mike Bundy	x		

6:00 P.M. –COMMISSION MEETING & PUBLIC HEARING

Call to Order and Roll Call

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

1. CONSENT AGENDA

- a. Meeting Minutes – September 24, 2013

Commissioner Gealy motioned to approve consent agenda; Commissioner Bundy seconds, all aye and motioned carried 3-0.

Commissioner’s Wierschem and Hennis were absent from the meeting.

2. OLD BUSINESS:

None

3. PUBLIC MEETING

None

4. PUBLIC HEARING

- a. **13-02-ZC; Boise Project Board of Control**– Bob Carter, - Applicant is requesting a rezone of approximately 1.4 acres located at the northwest corner of North School Road and West Avalon Street. The rezone would change the current zoning from R-6 (Medium-Low Density Residential) in the City, to C-1 (Neighbor Business District).

For the record Travis Jeffers, Planning Technician with the City of Kuna located at 763 W. Avalon St. Tonight’s application before the Planning and Zoning Commission is a request by Boise Project Board of Control to

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

**MEETING MINUTES
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rezone approximately 1.4 acres located at the northwest corner of North School Road and West Avalon Street. The applicant is asking to change the current zoning from R-6 (Medium-Low Density Residential) to C-1 (Neighbor Business District).

The property is located within the city limits. The parcel currently has five existing buildings: two office buildings, one residence used for personnel and two accessory storage buildings. The buildings are used as the Kuna Division office and Boise-Kuna Irrigation office. Boise Project Board of Control was created in 1926 and has used the Kuna located since that time. Staff understands that the overall land use remains unaffected by the change and that the new zoning better suits the current use and surrounding neighborhood.

Staff concludes that:

- The site is physically suitable for a commercial use.
- The use appears to be in compliance with all ordinances and laws of the City.
- The use appears to not be detrimental to the present and potential surrounding uses.
- The required neighborhood meeting was held and all notice requirements have been met. Zero people attended the neighborhood meeting.
- Staff views this proposed land use request to be consistent with the Comprehensive Future Land Use map.

The Planning and Zoning Commission has the authority to recommend that this case be approved or denied, to the City Council.

No further questions for staff.

Bob Carter with Boise Project Board of Control located at 2465 Overland Road in Boise is the applicant representative in this case. Overall, Boise Project felt that the new zoning would better fit the current/future neighborhood and correctly reflect its current usage. Nothing physically is going to change on the site. They wish to continue to invest in the property and be a part of all the improvements Kuna is experiencing or has planned in the future.

No further question for representative, Bob Carter.

Commissioner Gealy motioned to approve 13-02-ZC; Boise Project Board of Control with the recommended conditions as outlined in the staff report; Commissioner Bundy seconds, all aye and motioned carried 3-0.

3. DEPARTMENT REPORTS:

None

4. CHAIRMAN / COMMISSIONER DISCUSSION:

None

5. ADJOURNMENT:

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

**MEETING MINUTES
Tuesday, October 8, 2013**

- *Commissioner Gealy motions to adjourn at 6:12pm; Commissioner Bundy seconds, all aye and motion carried 3-0.*

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Travis Jeffers, Planning Technician
Kuna Planning and Zoning Department



City of Kuna

Findings of Fact, and Conclusions 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: 13-01-ZC (Zone Change)

Location: 129 N. School Avenue, Kuna, Idaho

Planner: Travis Jeffers, Planning Technician

Hearing date: October 8, 2013

Finding of Fact: November 12, 2013

Applicant: Boise Project Board of Control
2465 Overland Rd.
Boise, ID 83705
(208) 344.1141
bcarter@boiseproject.org

Representative: Boise Project
Bob Carter
2465 Overland Rd.
Boise, ID 83705
(208) 344.1141
bcarter@boiseproject.org

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- K. Proposed Decision by the Commission

A. Course of Proceedings:

1. A rezone is designated in Kuna City Code 1-14-3 (KCC), as a public hearing, with the City Council as the decision making body. This land use was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

a. Notifications

- i. Neighborhood Meeting July 30, 2013 (Zero Attendees)
- ii. Agencies August 30, 2013

- iii. 300' Property Owners
- iv. Kuna, Melba Newspaper
- v. Site Posted

- September 11, 2013
- September 18, 2013
- September 27, 2013

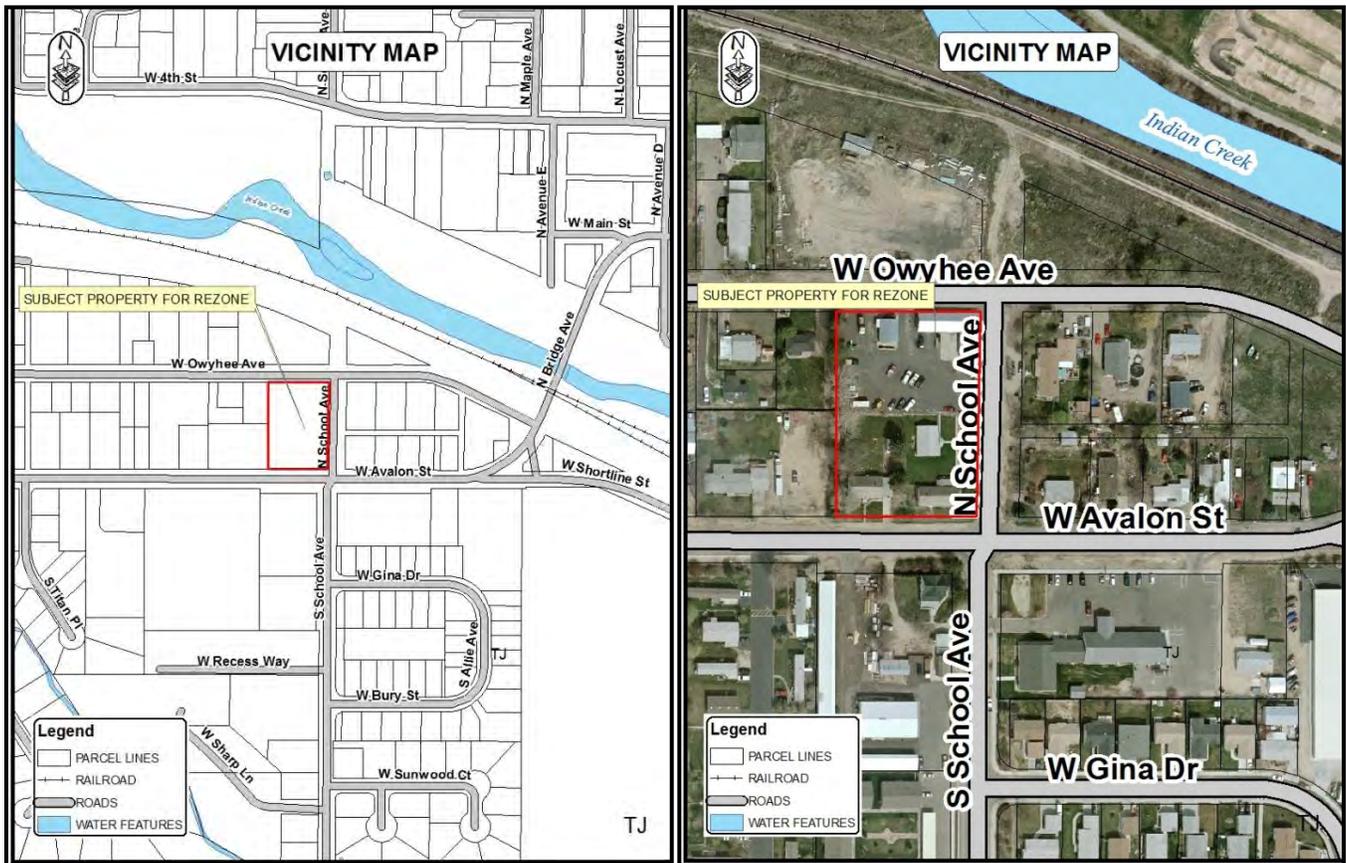
2. Case No. (13-02-ZC – Boise Project Board of Control Rezone), and the supplementary documents for this application are available for review in the Planning and Zoning Department. The public is invited to make arrangements for copies by calling (208) 922-5274, or visiting Planning and Zoning located at 763 W. Avalon Street, Kuna, Idaho, during normal business hours.

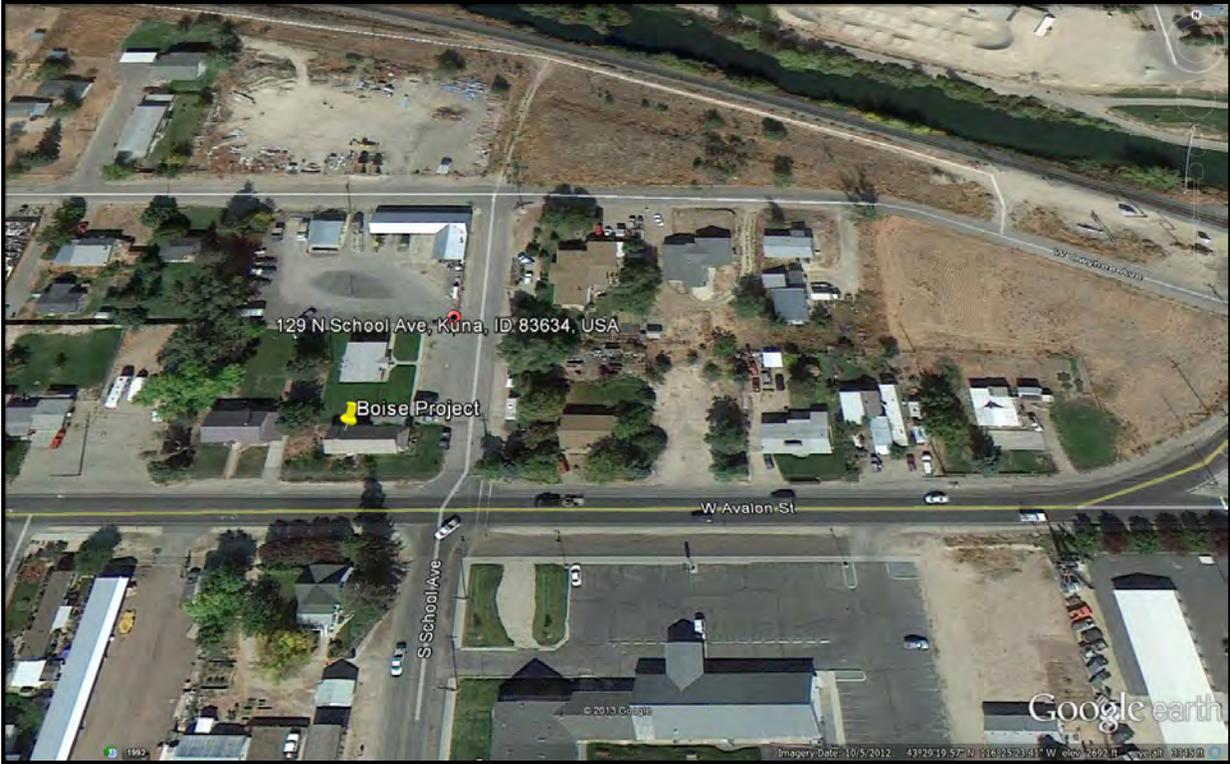
B. Applicants Request:

1. Request:

- 1. Request by Boise Project Board of Control, for a rezone of approximately 1.4 acres located at the northwest corner of North School Road and West Avalon Street.
- 2. Change the current zone from R-6 (Medium-Low Density Residential) in the City, to C-1 (Neighbor Business District).

C. Vicinity and Aerial Maps:





D. History:

Boise Project Board of Control is the operating agent for five irrigation districts including the Boise-Kuna Irrigation District. Its purpose is to manage the irrigation facilities and other works transferred by the United States Bureau of Reclamation to these five irrigation districts and to deliver water to their landowners.

The property is located within city limits. The parcel currently has five existing buildings (two office buildings, two accessory storage buildings and one residence) being used as the Kuna Division office and Boise-Kuna Irrigation office. Boise Project Board of Control was created in 1926 and has used the Kuna location since that time. The overall land use remains unaffected and the zoning change would better suit the current use and surrounding neighborhood.

E. General Projects Facts:

1. **Legal Description:** A legal description was included with the submitted request.
2. **Comprehensive Plan Designation:** The Future Land Use Map (FLU) identifies this site as Medium Density Residential.
3. **Surrounding Land Uses:**

North	R-6	Medium-Low Density Residential – Kuna City
South	C-2	Area Business District - Kuna City
East	C-1	Neighbor Business District - Kuna City
West	R-6	Medium-Low Density Residential – Kuna City

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

- Parcel Size: 1.4 acres

- Zoning: Medium-Low Density Residential (R-6)
- Parcel #: R5070002110

5. **Services:**

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

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

The site currently has five existing buildings: Two office buildings used by Boise Project Board of Control and Boise-Kuna Irrigation, two accessory storage buildings/shops and one residence.

7. **Transportation / Connectivity:**

The site has frontage along Avalon Street on the south side of the parcel, and North School Avenue on the east side of the parcel.

8. **Environmental Issues:**

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

9. **Comprehensive Future Land Use Map:**

The site is identified as Medium-Low Density Residential on Kuna’s Future Land Use Map (FLU). Staff views this proposed land use request to be consistent with the surrounding and approved FLU map designations.

10. **Agency Responses:**

The following agencies returned comments: City Engineer (Gordon Law, P.E.), Central District Health Department, Ada County Highway District (ACHD) and the Department of Environmental Quality. The responding agency comments are included with this case file.

The following agencies were notified, but did not comment: Ada County Development Services, Ada County Assessor, Idaho Power, Intermountain Gas, J&M Sanitation, Kuna Rural Fire & Ambulance, U.S. Post Office, Kuna Police Department, City Forrester (Natalie Purkey) and City Attorney (Richard Roats).

Staff Analysis:

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case # 13-02-ZC, subject to the recommended conditions of approval.

F. Applicable Standards:

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

G. Comprehensive Plan Analysis:

The Kuna planning commission accepts the Comprehensive Plan components as described below:

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

GOALS AND POLICIES – Property Rights

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

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

GOALS AND POLICIES – Economic Development

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

Policy 1.3: The City will develop a policy to provide incentives and/or assistance in order to competitively attract firms.

GOALS AND POLICIES – 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 2.3: 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.

Findings of Fact:

1. The site is physically suitable for a commercial use.
2. The commercial use is not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
3. The commercial use is not likely to cause adverse public health problems.
4. The commercial use appears to be in compliance with all ordinances and laws of the City.
5. The commercial use appears to not be detrimental to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.
6. The existing and proposed street and utility services in proximity to the site are suitable and adequate for commercial purposes.
7. The Kuna Planning Commission accepts the facts as outlined in the staff report, public testimony and the supporting evidence list as presented.
8. The Planning and Zoning Commission of Kuna, Idaho, has the authority to recommend that this case be approved or denied, to City Council.
9. The neighborhood meeting was held and the notice requirements were met.
10. The public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

Conclusions of Law:

1. Based on the evidence contained in Case No. 13-02-ZC, Kuna Planning and Zoning Commission finds Case No. 13-02-ZC, complies with Kuna City Code.
2. Based on the evidence contained in Case No. 13-02-ZC, Kuna Planning and Zoning Commission finds Case No. 13-02-ZC, are 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.

H. Decision by the Commission:

On October 8, 2013, the Kuna Planning and Zoning Commission voted 3-0, recommending **approval** for Case No. **13-02-ZC**. Based on the Findings of Fact and Conclusions of Law, the Planning and Zoning Commission of Kuna, Idaho, hereby recommends approval for **Case No. 13-02-ZC**, a rezone request by Boise Project Board of Control subject to the following conditions of approval:

1. Lighting within the site shall comply with Kuna City Code.
2. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
3. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted).
4. Signage within the site shall comply with Kuna City Code.
5. All landscaping shall be permanently maintained in a healthy growing condition. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
6. 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.
7. This development will be subject to landscaping and building design reviews, among other land use applications as applicable, at time of any future development.
8. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
9. Developer/Owner/Applicant shall comply with all local, state and federal laws.

DATED this ____ day of _____, 2013

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST

Travis Jeffers, Planning Technician
Kuna Planning and Zoning Department



City of Kuna

P.O. Box 13
Kuna, ID 83634
Staff Report

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

To: Kuna Planning and Zoning Commission

File Numbers: 13-02-AN (Annexation) and 13-01-DA (Development Agreement)
Sharron L. Fisher Annexation

Location: 450 E. Deer Flat Road

Planner: Travis Jeffers, Planning Technician

Hearing date: **November 12, 2013**

Applicant: Sharron L. Fisher
1432 W. Heartland Drive
Kuna, ID 83634

Representative: Shawn L. Nickel
1589 N. Estancia Place
Eagle, ID 83616
(208) 794.3013
shawn@slnplanning.com

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- F. Staff Analysis
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- H. Comprehensive Plan Analysis
- I. Proposed Findings of Fact
- J. Proposed Conclusions of Law
- K. Recommendation from Planning and Zoning

A. Course of Proceedings:

1. A rezone and a development agreement are designated in Kuna City Code 1-14-3 (KCC), as a public hearing, with the City Council as the decision making body. This land use was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

a. Notifications

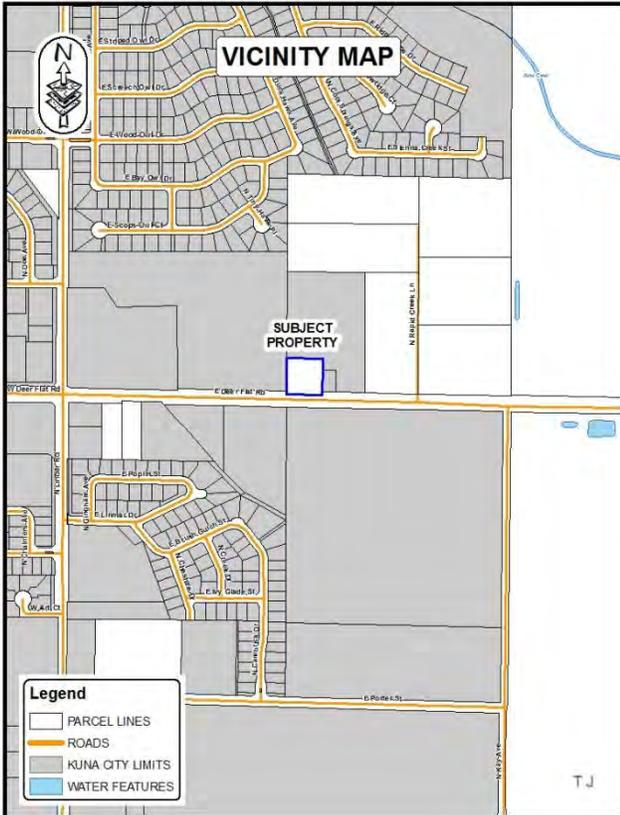
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|----------------------------|--------------------|
| i. Agencies | September 23, 2013 |
| ii. 300' Property Owners | October 17, 2013 |
| iii. Kuna, Melba Newspaper | October 17, 2013 |
| iv. Site Posted | November 1, 2013 |

B. Applicants Request:

1. Request:

- The applicant is requesting that their 1.14 acre lot be annexed into the City of Kuna with a C-1 (Neighbor Business District) designation from its current Ada County zoning of RUT (Rural Urban Transitional). The applicant is relying on the category A annexation process as noted in Idaho Statute §50-222. The category “A” annexation is available for annexations where all private landowners, subject to annexation, raise no objection to the annexation process.
- Requesting a development agreement to guide future development.

C. Vicinity and Aerial Maps:



D. History: The property is contiguous to City limits on all sides of the property; and noting that the lands need to be contiguous (touching) in order to be annexed. The applicant is subject to a development agreement which is included with this application and contains the initial conditions of approval. The applicant currently has an existing residence on the property, which is being used as a rental.

E. General Projects Facts:

1. **Legal Description:** A legal description was included with the submitted request.
2. **Comprehensive Plan Designation:** The Future Land Use Map (FLU) identifies this site as Commercial. Staff views this request to be consistent with the approved FLU map.

3. **Surrounding Land Uses:**

North	R-2	Low Density Residential – City of Kuna
South	Public	Public – City of Kuna
East	R-2	Low Density Residential – City of Kuna
West	R-6	Medium-Low Density Residential – City of Kuna

4. **Parcel Size and Parcel Number:** 1.14 Acres; Rural Urban Transitional; S1313347025.

5. **Services:**

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

6. **Existing Structures, Vegetation and Natural Features:** The site contains an existing residential dwelling, which is being used as rental. The property also has several accessory storage buildings. The applicant would like to continue using the property as a rental until the property is sold at a future date uncertain.

7. **Transportation / Connectivity:** The site has frontage along Deer Flat Road on the south side of the parcel.

8. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts. The site’s topography is generally flat.

9. **Comprehensive Future Land Use Map:** The site is identified as Commercial on Kuna’s FLU map. The site is within the City’s proposed Area of City Impact boundary. Staff views this zone request to be in accordance with the adopted Comprehensive Plan Map.

10. **Agency Responses:** The following agencies returned comments: City Engineer (Gordon Law, P.E.), Boise Project Board of Control, Central District Health Department, Boise-Kuna Irrigation District, Kuna City Police and Ada County Highway District.

The following agencies did not return comments: Ada County Development Services, Ada County Assessor, Department of Environmental Quality (DEQ), Idaho Power, Intermountain Gas, J&M Sanitation, Kuna Rural

Fire & Ambulance, Kuna School District, U.S. Post Office, City Forester Natalie Reeder and City Attorney Richard Roats.

F. Staff Analysis:

The applicant intends to rezone the property with a C-1, Commercial designation to allow for future development opportunities. Until future development occurs, the Applicant wishes to continue its current usage as a residential rental property. Staff does not view this use as a health or safety issue and/or an impact to the surrounding properties, any more than it has to date. At any point in the future, should the property, and/or the uses expand or enlarge the building or use – any nonconforming uses shall cease and the property will be subject to the necessary land use processes to bring the property into conforming status according to Kuna City code. Staff would recommend that site access is limited to its historic access points, until the site further develops.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Cases #13-02-AN and 13-01-DA, subject to the recommended conditions of approval.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance, Title 5 Zoning Regulations
2. City of Kuna Subdivision Ordinance, Title 6 Subdivision Regulations
3. City of Kuna Development Agreement Ordinance, Title 5 Zoning Regulations, Chapter 14 Development Agreements
4. City of Kuna Comprehensive Plan
5. Idaho Code, Title 50, Chapter 222, Annexation by Cities
6. Idaho Code, Title 67, Chapter 6511(A), Development Agreement
7. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act

H. Comprehensive Plan Analysis:

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

1. The proposed rezone for the site is consistent with the following Comprehensive Plan components:

GOALS AND POLICIES – Property Rights

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

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

GOALS AND POLICIES – Economic Development

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

Policy 1.3: The City will develop a policy to provide incentives and/or assistance in order to competitively attract firms.

GOALS AND POLICIES – 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 2.3: 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. Proposed Findings of Fact:

1. The Kuna Planning and Zoning Commission, accepts the facts outlined in the staff report, public testimony and the supporting evidence.
2. These conditions apply to the property owner to the extent the land is being developed. Several of the conditions will not apply initially to the property, rather only when it is developed in the future. A more specific list of development conditions is found in the accompanying development agreement.

J. Proposed Conclusions of Law:

- Based on the evidence contained in **Case No. 13-02-AN** and **13-01-DA**, Kuna Planning and Zoning finds **Case No. 13-02-AN** and **13-01-DA**, complies with Kuna City Code.
- Based on the evidence contained in **Case No. 13-02-AN** and **13-01-DA**, Kuna Planning and Zoning finds **Case No. 13-02-AN** and **13-01-DA**, are consistent with Kuna Comprehensive Plan.
- The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

K. Recommendation Conditions of Approval:

- L.** Based on the facts outlined in staff's report and the public testimony as presented at the public hearing, the Planning and Zoning Commission of Kuna, Idaho, hereby (*approves / denies*) Case No. **13-02-ZC** and **13-01-DA**, a rezone and development agreement request from Sharron Fisher represented by Shawn L. Nickel of SLN Planning, (with or without) the following conditions of approval:
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 shall be obtained and Impact Fees must be paid prior to issuance of a building permit.
 2. 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 be commenced without the approval and a permit from Ada County Highway District.
 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.
 4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required.

5. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of Boise Project Board of Control is required.
6. Lighting within the site shall comply with Kuna City Code.
7. Parking within the site shall comply with Kuna City Code. (Except as specifically approved otherwise).
8. The applicant shall apply for a fence permit prior to fence construction.
9. The applicant shall obtain a sign permit prior to construction.
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. At time of development, the applicant shall comply with the designated Comprehensive Plan, use or submit for a Comprehensive Plan Map amendment.
12. Water rights are still currently owned by the property owner. Prior to hooking into City Pressurized Irrigation services, all water rights must be transferred to Kuna City through the adoption of a water rights annexation ordinance.
13. The land owner/applicant/developer, and any future assigned owner as well as any other person acquiring an interest in or acting as developer of the property shall fully comply with all conditions of development as approved by the City Council.
14. The time of future development, the applicant may amend the development agreement as necessary.
15. Applicant shall follow staff and City engineers recommended requirements.
16. The land owner/applicant/developer and any future assigned owner at the time of development shall comply with all current Kuna City Codes.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Travis Jeffers, Planning Technician
Kuna Planning and Zoning Department

SEP 13 2013

CITY OF KUNA



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

Commission & Council Review Application

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

*Please submit the appropriate checklist (s) with application

For Office Use Only	
File Number (s)	13-02 AN 13-02 DA (?)
Project name	Fisher Annex
Date Received	9.13.2013
Date Accepted/Complete	9.23.2013
Cross Reference Files	
Commission Hearing Date	NOV. 12, 2013
City Council Hearing Date	

Type of Review (check all that apply):

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

Contact/Applicant Information

Owners of Record: <u>Sharon L. Fisher</u>	Phone Number: _____
Address: <u>1432 W. Heartland Drive</u>	E-Mail: _____
City, State, Zip: <u>Kuna ID 83634</u>	Fax #: _____
Applicant (Developer): <u>Sharon L. Fisher</u>	Phone Number: _____
Address: <u>1432 W. Heartland Drive</u>	E-Mail: _____
City, State, Zip: <u>Kuna, ID 83634</u>	Fax #: _____
Engineer/Representative: <u>Shawn L. Nickel</u>	Phone Number: <u>794-3013</u>
Address: <u>1589 N. Estancia Place</u>	E-Mail: <u>shawn@slnplanning.com</u>
City, State, Zip: <u>Eagle, ID 83616</u>	Fax #: _____

Subject Property Information

Site Address: <u>450 E. Deer Flat Road</u>
Site Location (Cross Streets): <u>North side Deer Flat Road, between Linder & Hwy 69</u>
Parcel Number (s): <u>S1313347025</u>
Section, Township, Range: <u>Sec 13, T2N R1W</u>
Property size : <u>1.14 acres</u>
Current land use: <u>Single Family Dwelling</u> Proposed land use: <u>Future Mixed Use</u>
Current zoning district: <u>RUT (Ada County)</u> Proposed zoning district: <u>C-1</u>

Project Description

Project / subdivision name: Sharon Fisher Annexation

General description of proposed project / request: Annexation of enclave property with future mixed use development options

Type of use proposed (check all that apply): TBD

Residential _____

Commercial _____

Office _____

Industrial _____

Other _____

Amenities provided with this development (if applicable): N/A

Residential Project Summary (if applicable)

Are there existing buildings? Yes No

Please describe the existing buildings: Single Family Dwelling, Shop, Out-buildings

Any existing buildings to remain? Yes No

Number of residential units: TBD Number of building lots: TBD

Number of common and/or other lots: TBD

Type of dwellings proposed:

Single-Family _____

Townhouses _____

Duplexes _____

Multi-Family _____

Other _____

Minimum Square footage of structure (s): TBD

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

Percentage of open space provided: TBD Acreage of open space: TBD

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

Non-Residential Project Summary (if applicable) TBD

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: N/A

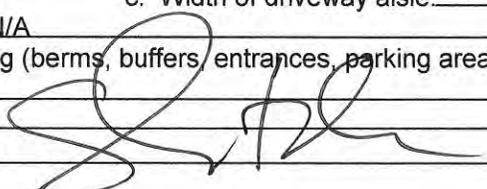
a. Handicapped spaces: _____ Dimensions: _____

b. Total Parking spaces: _____ Dimensions: _____

c. Width of driveway aisle: _____

Proposed Lighting: N/A

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

Applicant's Signature:  Date: 9/12/13



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

Annexation Checklist

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

Project name:	Applicant: Sharon Fisher
Sharon Fisher Annexation	

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

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

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

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

SEP 13 2013

CITY OF KUNA



City of Kuna

COMMITMENT TO PROPERTY POSTING

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

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

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

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

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

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

Shen J. N...

Applicant/agent signature

9-8-13

Date

SEP 13 2013

CITY OF KUNA

SLN PLANNING

RESIDENTIAL & COMMERCIAL LAND USE PLANNING, CONSULTING, ENTITLEMENTS, DUE DILIGENCE
1589 N. Estancia ♦ Eagle, Idaho 83616 ♦ 208.794-3013 ♦ shawn@slnplanning.com

September 13, 2013

Honorable Mayor and City Council
City of Kuna
763 W. Avalon
Kuna, ID 83634

Dear Mayor and Council:

RE: Sharon Fisher Property Annexation – Letter of Intent

As representative for Sharon Fisher, please accept this request for annexation of her property, located at 450 E. Deer Flat Road, into the City of Kuna. The property is approximately 1.14 acres in size and is a County enclave surrounded by schools and churches in the City. The intent is to zone the property with a C-1 Neighborhood Commercial zoning designation to allow for future mixed use development opportunities. The property is currently being used as a residential rental.

The Kuna Comprehensive Plan designates this property as Mixed Use on its Future Land Use Map. Given the property's close proximity to the schools, churches and residential developments, the Neighborhood Commercial zoning appears to be appropriate for the immediate area. This zone would also allow the owner the most flexibility for future uses which could include office, commercial, multi-family residential or a mixture of uses.

Services, including sewer and water, are readily available to the property. The applicant is hereby requesting that connection to these services not be a required condition of annexation at this time, and that connection be part of the future development of the property. The site also has an existing center turn lane on Deer Flat, and when the property does re-development, additional right of way and road improvements, including sidewalk extension, will be constructed

Thank you for your consideration on this application. We look forward to working with you and your staff and would request approval of this annexation. Please contact me if you should have any questions regarding this request.

Sincerely,



Shawn L. Nickel
Land Planning & Entitlement Consultant
Representing Sharon Fisher

220835 KC



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

8151 W. Rifleman Ave. / Boise, Idaho 83704
(208) 377-2700

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 12/10/02 04:04 PM
DEPUTY Jamie Parsons
RECORDED - REQUEST OF
Pioneer Title Company
AMOUNT 6.00

2



RECEIVED
SEP 13 2013
CITY OF KUNA

WARRANTY DEED

For Value Received STEPHANIE BACON , an unmarried woman

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

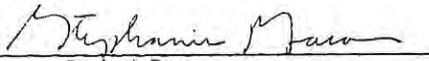
Sharon L. Fisher, an unmarried woman

hereinafter referred to as Grantee, whose current address is 450 East Deer Flat Road, Kuna, Id 83634
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: December 5, 2002


Stephanie Bacon

STATE OF Id. County of Ada, ss.

On this 6th day of December, in the year of 2002, before me the undersigned, notary public personally appeared Stephanie Bacon known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



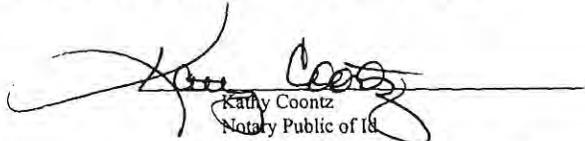

Kathy Coontz
Notary Public of Id
Residing at Boise
Commission expires: August 15, 2003

EXHIBIT A

A parcel of land being a portion of the Southeast quarter of the Southwest quarter of Section 13, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at a found brass cap marking the centerline intersection of Linder Road and Deer Flat Road and also marking the Southwest corner of said Section 13, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho; thence

South 88 degrees 48'47" East 1315.34 feet along the centerline of said Deer Flat Road which is also the South boundary of the said Southwest quarter of Section 13 to a found 5/8" iron pin marking the West 1/16 corner common to said Section 13 and Section 24, said pin bears North 88 degrees 48'47" West 1315.34 feet from a found 5/8" iron pin marking the South quarter corner of said Section 13; thence

North 0 degrees 04'07" East (formerly North 0 degrees 03'47" East) 25.00 feet along the West boundary of the said Southeast quarter of the Southwest quarter of Section 13 to a set 5/8" iron pin marking a point on the Northerly right-of-way of said Deer Flat Road, said pin also marking the REAL POINT OF BEGINNING; thence continuing along said West boundary of the Southeast quarter of the Southwest quarter of Section 13

North 0 degrees 04'07" East (formerly North 0 degrees 03'47" East) 213.04 feet to a set 5/8" iron pin; thence

South 88 degrees 48'47" East 210.78 feet to a set 5/8" iron pin; thence

South 1 degrees 11'13" West 213.00 feet to a set 5/8" iron pin marking a point on the said Northerly right of way of Deer Flat Road; thence

North 88 degrees 48'47" West 206.62 feet along said Northerly right of way of Deer Flat Road to the POINT OF BEGINNING.

PROPOSED USE:

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

Application Type

Brief Description

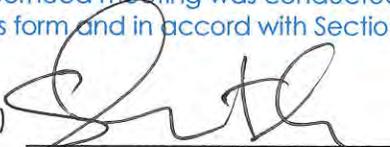
- Annexation
- Re-zone
- Subdivision (Sketch Plat and/or Prelim. Plat)
- Special Use
- Variance
- Expansion of Extension of a Nonconforming Use
- Zoning Ordinance Map Amendment

Annexation of existing property

APPLICANT:

Name: Sharon L. Fisher
Address: 1432 W. Heartland Dr.
City: Kuna State: Id Zip: 83634
Telephone: _____ Fax: _____

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

Signature: (Applicant)  Date 9/12/13

SIGN IN SHEET

PROJECT NAME: Fisher Annexation

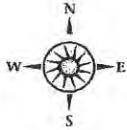
Date: 8-5-13

	<u>Name</u>	<u>Address</u>	<u>Zip</u>	<u>Phone</u>
1	<u>SEE Attached</u>			
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RECEIVED

SEP 13 2013

CITY OF KUNA



DTP SURVEYING, LLC
Professional Land Surveyor

208.860.3442
dtp@msn.com
1506 E. Prohaska Ct.
Eagle, ID 83616

August 19, 2013

**FISHER PROPERTY ANNEXATION DESCRIPTION
RUT TO C-1**

A parcel of land being a portion of the SE1/4 of the SW1/4 of Section 13, T.2N., R.1W., B.M., Ada County, Idaho, more particularly described as follows: Commencing at a Brass Cap marking the Southwest corner of said Section 13; Thence South 88°48'47" East, 1315.84 feet to the West 1/16th corner common to Section 24 and the said Section 13, said point being the **REAL POINT OF BEGINNING**.

Thence along the West line of said SE1/4 of the SW1/4 North 00°04'07" East, 238.04 feet;

Thence South 88°48'47" East, 210.78 feet;

Thence South 1°11'13" West, 238.00 feet to a point on the South line of said Section 13;

Thence North 88°48'47" West, 206.13 feet to the Point of Beginning. Containing 1.14 acres, more or less.

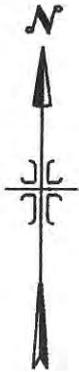
Written from data of record by DTP Surveying from ROS No. 3684.



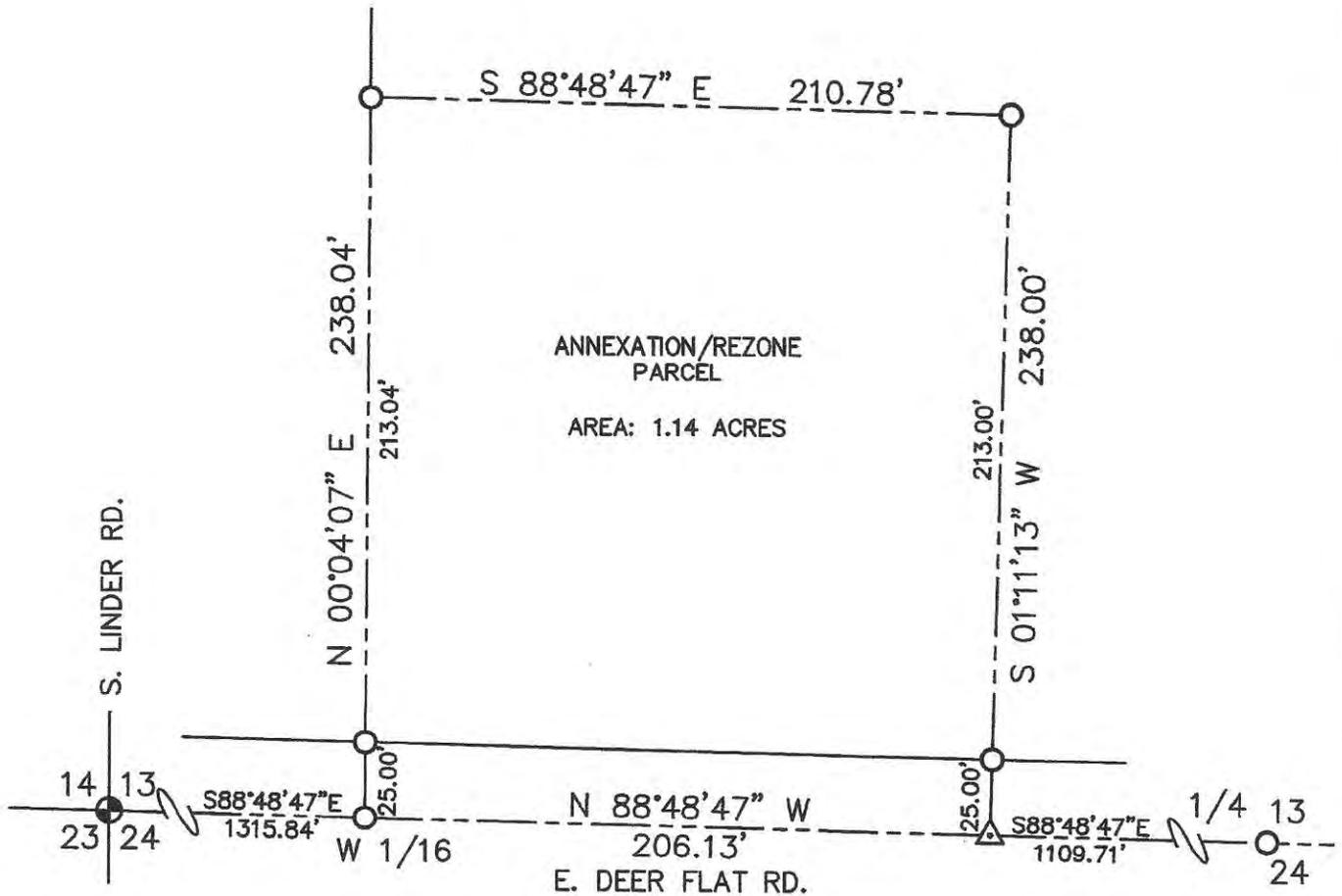
RECEIVED

SEP 13 2013

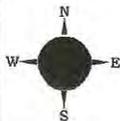
CITY OF KUNA



SCALE: 1" = 60'



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DTF SURVEYING, LLC
Professional Land Surveyor

208.860.3442
dtpeugh@msn.com
1506 E. Prohaska Ct.
Eagle, ID 83616

FISHER PROPERTY ANNEXATION
RUT TO C-1

A PORTION OF THE SE 1/4 OF THE SW
1/4 OF SECTION 13, T.2N., R.1W., B.M.,
ADA COUNTY, IDAHO

JOB NO.

SHEET NO.

1

DWG. DATE
08-16-13



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

GORDON N. LAW
CITY ENGINEER

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

MEMORANDUM

TO: Director of Kuna Planning and Zoning

FROM: Gordon N. Law
Kuna City Engineer

RE: Sharon Fisher – 450 E. Deer Flat Rd.
Annexation and Rezone
13-02-AN, 13-01-DA

DATE: September 30, 2013

The City Engineer has reviewed the annexation, rezone and development agreement request of the above applicant dated September 23, 2013. It is noted that specific development plans are not provided except those implied as allowed or permitted in a C-1 zone. It is therefore the recommendation of the City Engineer that the development agreement and other conditions be crafted in a manner to preserve the ability of both the applicant and City to reopen the agreement at a later date to provide and allow for more specific development possibilities in the future. Accordingly, the City Engineer provides the following comments:

1. Sanitary Sewer Needs

- a) The existing homestead appears to be served by its own septic tank and drain field but the city does have a sewer main adjacent to the property. Accordingly, the City Engineer recommends the continued utilization of the site facilities as long as the existing use is maintained and the site system remains viable. If the site system fails or the use of the property is changed or expanded, the City Engineer recommends connection to City facilities.
- b) The adjacent sewer main discharges to the North Sewer Treatment Plant which has sufficient capacity to serve this site. When connecting to the sewer system, the applicant will need to abide by any relevant sewer reimbursement policies and agreements and any relevant connection fees.
- c) For assistance in locating existing facilities and understanding issues associated with connection, please contact the City Engineer at 287-1727.

2. Potable Water Needs

- a) The existing homestead appears to be served by its own well but the city does have water distribution facilities in Deer Flat adjacent to the property. Accordingly, the City Engineer recommends the continued utilization of the site facilities as long as the existing use is maintained and the site system remains viable. If the site system fails or the use of the property is changed or expanded, the City Engineer recommends connection to City facilities.
- b) A water trunk line exists in Deer Flat Road fronting the property, and there is sufficient capacity to serve the site. When connecting to the water system, the applicant will need to abide by any relevant water reimbursement policies and agreements and any relevant connection fees.
- c) Improvements necessary to provide adequate fire protection as required by Kuna Fire District will be required of the development.
- d) For assistance in locating existing facilities, please contact the City Engineer at 287-1727.
- e) The City Engineer concludes redundancy of water source to the development site is provided by existing facilities.

3. Pressure Irrigation

- a) The property's irrigation needs are presently served by its own well and the Boise-Kuna Irrigation District. The city does not have pressure irrigation facilities in the vicinity. The existing uses do not seem to be of a nature to justify the costly extension of City facilities to the site at this time. Accordingly, the City Engineer recommends the continued utilization of the site facilities except as noted in 3(b) below.
- b) While no pressure irrigation mains or pump stations exist in the near vicinity of the property, the adopted Irrigation Master Plan has defined the major pressure main layout for this area, including a trunk line in Deer Flat Road. It is recommended this application be conditioned to conform to the master plan and connect to the City system at such time in the future as the pressure irrigation system is within 300 feet of the site. Further, when connecting to the pressure irrigation system, the applicant will need to abide by the Master Plan, any relevant reimbursement policies and agreements and any relevant connection fees.
- c) Ten foot easements for irrigation lines are required at the time the condition in paragraph 3(b) is triggered to facilitate extension and operation of the city's pressure irrigation system.
- d) As a condition related to paragraph 3(b), connection to pressure irrigation shall constitute an automatic petition for inclusion in the municipal irrigation system and an agreement to the pooling of this property's water rights for delivery purposes.

4. Grading and Storm Drainage

The following is required only if alteration of surface features is proposed (such as grading or paving) in connection with this application:

- a) Please provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.
- b) If impervious area is increased, please provide a storm water disposal plan acceptable to the City Engineer which accounts for the increased storm water drainage. Please provide detail drawings of drainage facilities for review.

- c) Any increase in quantity or rate of runoff or decrease in quality of runoff from the site compared to historical conditions must be detained, treated and released at rates no greater than historical amounts.
- d) If offsite disposal of storm water in excess of historical rates or conditions is proposed, or disposed at locations different than provided historically, the approval of the affected entities is required.

5. General

- a) With the addition of this property into the corporate limits of Kuna and its potential connection to water and irrigation services, this property will be placing demand not only on constructed facilities but on water rights provided by others. It is the reasonable expectation, in return, that this property transfer to the City at time of connection any conveyable water rights by deed and "Change of Ownership" form from IDWR. The domestic water right associated solely with a residence and ½ acre or less is not conveyable. The water right held in trust by an irrigation district is also not conveyable.
- b) A plan approval letter will be required if this project affects any local irrigation districts.
- c) Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties.
- d) State the vertical datum used for elevations on all drawings.
- e) Provide engineering certification on all final engineering drawings.

6. Inspection Fees

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

7. Right-of-Way

The subject property fronts on its south side on a section line arterial street (Deer Flat). The following conditions are related to these classified streets:

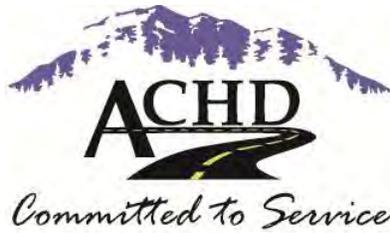
- a) Sufficient half right-of-way on the quarter line and section line for the classified streets should be provided pursuant to City and ACHD standards.
- b) It is recommended approaches onto the classified street complies with ACHD approach policies.
- c) It is recommended sidewalk, curb and gutter,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

8. As-Built Drawings

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

9. Property Description

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



Sara M. Baker, President
John S. Franden, Vice President
Rebecca W. Arnold, Commissioner
Mitchell A. Jaurena, Commissioner
Jim Hansen, Commissioner

Date: October 14, 2013

To: Sharon L. Fisher
1432 W. Heartland Dr.
Kuna, ID 83634

Subject: K13-02-AN & K13-01-DA
450 E. Deer Flat Road
The applicant is requesting annexation and development agreement approvals.

In response to your request for comment, the Ada County Highway District (ACHD) staff has reviewed the submitted application for the item referenced above. This application is for an annexation and development agreement. Listed below are some of the findings for consideration that the District may identify when it reviews a future development application. The District may add additional findings for consideration when it reviews a specific redevelopment application.

- Dedicate 48 feet of right-of-way from centerline for Deer Flat Road abutting the site. As this section of Deer Flat Road is listed in the Capital Improvements Plan, the District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way.
- Construct 5 foot wide detached concrete sidewalk on Deer Flat Road located a minimum of 41 feet from centerline.
- Direct access onto Deer Flat Road is discouraged as Deer Flat Road is classified as a minor arterial. As identified under the Cross Access Easements/Shared Access Policy, staff is supportive of developments providing cross access to adjoining parcels. Any future redevelopment of the site will be subject to the current access policy in effect at the time an application is submitted to the District.

The applicant shall be required to meet all of the ACHD Standard Conditions of Approval as well as all ACHD Policies and requirements that may apply as noted below.

Please review the Applicant's Responsibilities and Development Process Checklist below.

If you have any questions, please feel free to contact me at (208) 387-6171.

Sincerely,

Lauren Watsek
Planner I
Development Services

CC: Project file,
City of Kuna (via email),
Shawn L. Nickel (via email)

Traffic Information

The specific uses of this development are unknown at this time, based on the general proposed uses of this site, the trip generation would be calculated as follows: General Office produces 11.03 daily trips and 1.49 trips in the PM peak hour per 1,000 square feet; Specialty Retail Center produces 44.32 daily trips and 2.71 trips in the PM peak hour per 1,000 square feet, based on the Institute of Transportation Engineers Trip Generation Manual, 9th edition.

Condition of Area Roadways:

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Deer Flat Road	207 feet	Minor Arterial	459	Better than "D"
Linder Road	None	Minor Arterial	262	Better than "D"
Kay Avenue	None	Collector	232	Better than "D"

- * Acceptable level of service for a two-lane minor arterial is "D" (550 VPH).
- * Acceptable level of service for a three-lane minor arterial is "D" (720 VPH)
- * Acceptable level of service for a two-lane collector is "D" (425 VPH).

Average Daily Traffic Count (VDT):

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

- The average daily traffic count for Deer Flat Road east of Linder Road was 7,871 on January 19, 2012.
- The average daily traffic count for Linder Road south of Deer Flat Road was 5,112 on January 19, 2012.
- The average daily traffic count for Linder Road south of Deer Flat Road was 3,959 on May 23, 2012.

Applicant's Responsibilities

- Prior to final approval the applicant will be required to submit construction plans to the ACHD Development Review Section for review and approval and to ensure compliance with the conditions identified above and/or for traffic impact fee assessment. This is a separate review process that requires direct plans submittal to the Development Review staff at the Highway District. The Plan Submittal Checklist can be found on the ACHD website at <http://www.achdidaho.org/Forms>.
- A traffic impact fee will be assessed by ACHD after plans have been submitted and approved, and will be due prior to the issuance of a building permit.

For questions regarding the submittal of your construction plans and impact fee assessment please contact Development Review staff at 208-387-6170.

- Prior to the construction or installation of any roadway improvements (curb, gutter, sidewalk, pavement widening, driveways, culverts, etc), a permit must be obtained from ACHD.

Development Process Checklist

Items Completed to Date:

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

Items to be completed by Applicant:

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

DID YOU REMEMBER:

Construction (Non-Subdivisions)

Driveway or Property Approach(s)

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

Working in the ACHD Right-of-Way

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

Construction (Subdivisions)

Sediment & Erosion Submittal

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

Idaho Power Company

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

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

Request for Appeal of Staff Decision

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

Troy Behunin

From: Lauren Boehlke [laurenboehlke@yahoo.com]
Sent: Tuesday, September 24, 2013 8:27 AM
To: Troy Behunin
Subject: Re: Sharon Fisher Annexation Request 13-02-AN

Troy, This property is under Boise-Kuna Irrigation District with 1.02 acres of Water Right. It is current owing for the 2013 Spring assessment. It appears that the annexation will not take place until November. If this is correct, there will also be the 2013 Fall/2014 Spring assessments as well. If annexed before November the new charges will be assessed to the City of Kuna. If you have any questions or comments, please let me know.

Thank you,

Lauren S Boehlke
Sec.-Treasurer
Boise-Kuna Irrigation District
Phone# 922-5608
Fax# 922-5659

From: Troy Behunin <troy@cityofkuna.com>
To:
Sent: Monday, 23 September 2013, 14:44
Subject: Sharon Fisher Annexation Request 13-02-AN

Good afternoon all,

Please review the packet sent with this email and provide comments as appropriate. If you have questions please notify our office. 922.5274.

Thanks,

Troy

Troy Behunin
Senior Planner
City of Kuna
763 W. Avalon
Kuna, ID 83634
208-922-5274
Troy@cityofkuna.com

[Check out our new web site!](#) Kunacity.id.gov

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RICHARD MURGOITIO
CHAIRMAN OF THE BOARD

KENNETH COLE
VICE CHAIRMAN OF THE BOARD

TIMOTHY M. PAGE
PROJECT MANAGER

ROBERT D. CARTER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

JERRI FLOYD
ASSISTANT SECRETARY-
TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

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

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

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

01 October 2013

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

RE: Shawn L. Nickel **13-02-AN, 13-01-DA**
450 E. Deer Flat Rd.
Boise-Kuna Irrigation District BK-1232A
Badley Lateral 46+50 Rot.
Sec. 13, T2N, R1W, BM.

Troy Behunin, Senior Planner:

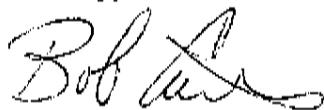
The Boise Project Board of Control has no objection to the Annexation or Development Agreement as there are no project facilities located on the above-mentioned property, however, it does in fact possess a valid water right.

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

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

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

Sincerely,



Bob Carter
Assistant Project Manager- BPBC

bdc/bc

cc: Phil Comegys Watermaster, Div; 2 BPBC
Lauren Boehlke Secretary - Treasurer, BKID
File

Troy Behunin

Subject: KPD Address

From: Kiesha Smith [<mailto:ktsmith@adaweb.net>]

Sent: Tuesday, September 24, 2013 11:25 AM

To: Troy Behunin

Subject: FW: KPD Address

Here is what Chief Dusseau responded...

Kiesha Smith

Kuna City Police

Admin. Assistant

(Ph) 208.577.3860

(Fax) 208.577.3859

From: Justin Dusseau

Sent: Tuesday, September 24, 2013 11:20 AM

To: Kiesha Smith

Subject: RE: KPD Address

I have no problem receiving these via e-mail for review if that is easier.

As for this application it seems to fall in line with the type of development we are seeing in that area. I have no issue with the annexation and proposed development with mixed use options but I can see that the area we are speaking of has increasingly become more congested with traffic especially right before and after school. Depending on what sort of development occurred in the future there could be an issue with backed up traffic and those who become impatient therefore causing safety issues for students and the public in general. Like I said though, it all depends on what sort of development occurred and what sort of road improvements take place to account for the growth.

Chief Justin Dusseau

Kuna City Police

Office: 577-3850

Cell: 573-0973

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

City Clerk
City of Kuna
P.O. Box 13
Kuna, ID 83634

OCTOBER 22, 2013 (DATE OF LAST REVISION)

For Recording Purposes
Do Not Write Above This Line

**SHARRON FISHER ANNEXATION
DEVELOPMENT AGREEMENT
(CAR06-00054)**

RECITALS

THIS DEVELOPMENT AGREEMENT ("**Agreement**") is entered into this _____ day of _____, _____, by and between the **City of Kuna**, an Idaho municipal corporation ("**City**"), and **Sharon Fisher, 1432 W. Heartland Drive, Kuna, Idaho 83634** ("**Owner/Applicant**").

- A. Owner owns certain property ("**Property**") located in Ada County, particularly, an approximately 1.14 acre parcel of land (S1313347025) located at 450 E. Deer Flat Road (North side of Deer Flat Road, between Linder Road and Highway 69/Meridian Road) in Kuna, and more particularly described on Exhibit A, attached hereto.
- B. The Applicant has submitted an application (**Case No. 13-02-AN**) to annex and zone the parcel from RUT (Rural Urban Transitional) zone (Ada County Zone Designation), to C-1 (Neighbor Business District) zone. This Agreement concerns the zoning of said Property and will be used to guide future development.
- C. City and Developer desire to enter into this Agreement, which shall be recorded in the Office of the Ada County Recorder and shall take effect on the date last executed below.
- D. City, pursuant to Idaho Code Section 67-6511A and Kuna City Code, Title 5, Chapter 14, has the authority to zone the Property and to enter into a Development Agreement for the purpose of allowing, by Agreement, a development to proceed in a specific area and for a specific purpose or use which is appropriate in the area, and this Agreement contains the conditions required by the City. This Agreement supersedes any conflicting terms and/or conditions in prior agreements or staff reports concerning the land as to obligations between the parties to this Agreement. This Agreement complies with all Kuna Idaho Municipal Code Title 5 Zoning Regulations and Title 6 Subdivision Regulations as they are applicable to these land use actions.
- E. The Kuna Planning and Zoning Commission and City Council have independently held public hearings on these land use matters as prescribed by law and have approved the application in accordance with the findings of fact, conclusions of law and conditions of approval set forth in the approval, and all such conditions are included in this Agreement. This

Agreement is made pursuant to and in accordance with the provisions of Idaho Code Section 67-6511A and Kuna City Code Title 5 and Title 6.

- F. The uses(s) allowed through this annexation are those that are permitted or specially permitted, by way of a special use permit, in the C-1 (Neighbor Business District) zone; or those agreed to, provided they are not in conflict with City code. In the event the property, and/or the uses on it, expands or enlarges - any nonconforming uses shall cease; thus, triggering necessary land use processes to bring the property into conforming status under Kuna City code. At time of future development, the City and Developer shall amend this agreement to provide and allow for more aggressive development possibilities if necessary.
- G. The Order of Decision for the zone classification, including all conditions of approval, is hereby made a part of this Agreement. In the event there is a discrepancy or conflict, the stricter condition shall apply unless specifically stated otherwise in this development agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises, covenants, and agreements stated herein, and for other consideration, the sufficiency of which is hereby acknowledged, City and Developer agree as follows:

1. ZONING ORDINANCE AMENDMENT.

- 1.1: The City will adopt an ordinance amending the Kuna Zoning Map and designate the Property to C-1 (Neighbor Business District). The Ordinance will become effective after its passage, approval, and publication and the execution and recordation of the Agreement. It is possible this Agreement could be modified to accommodate the Developer's future land use plans when they are known, based on the uses and development plans at that time. The Ordinance will become effective after its passage, approval, publication and the execution and recordation of this Agreement.

2. PERMITTED USES.

- 2.1: **Uses.** The Property is approved for the uses typically associated with a C-1 zone.
- 2.2: **Modification of Allowed Uses.** The uses permitted within this Agreement shall not be modified without complying with the notice and hearing provisions of Idaho Code § 67-6509, provided, however, any specially permitted use in the C-1 may be permitted on the Property through issuance of a special use permit.

3. CONDITIONS ON DEVELOPMENT.

The following conditions shall apply to the Property:

- 3.2: **Building Permits.** Developer shall acquire a building permit before construction of the any facility. Developer shall comply with the C-1 zone's height and area performance standards found in Kuna City Code (KCC) 5-3-3. Specifically, they shall comply with the following C-1 zone standards:

Maximum Height-	35-feet
Minimum Lot Width	0*
Front Setback (Arterial)	0
Rear Setback	5
Interior Setback	0
Street Side	0
Maximum Lot Coverage	100% <i>(if permitted by other applicable obligations pursuant to this Agreement and the Kuna City Code) Design review will be required for all commercial buildings on site.</i>
Minimum Lot Area	2,000 square feet.

* The commercial lot width shall be wide enough to accommodate a commercial driveway for the lot frontage accessing the public street where direct driveway access is permitted.

- 3.3: **Construction Etiquette.** Developer shall post and maintain a “rules and regulation sign” at the entryways to the site until construction is complete. The signs are intended for the subcontractors performing the work and should include: (1) no dogs permitted; (2) no loud music permitted; (3) no alcohol or drugs permitted; (4) no abusive language permitted; (5) dispose of personal trash and site debris; (6) clean up any mud and/or dirt that is deposited from the construction site onto the public street; (7) install temporary construction fence to keep debris from blowing off site; (8) no burning of construction or other debris on the property; (9) keep a watering truck on site and employed as necessary to keep dust under control; (10) Site construction shall be limited to the hours of **7:00** am to **7:00** pm daily.

- 3.4: **Curbs, Gutters, Sidewalks and Storm-Water Conveyances.** The use of drainage swales for storm water conveyance in lieu of curb and gutter is prohibited unless it’s necessary to preserve a historical drainage right that would be impeded by the swale’s removal and such action is determined by the City engineer. There shall be no mixing of irrigation drainage water and road runoff water. All construction shall be in accordance with Idaho Standards for Public Construction Work (ISPCW) or other standards established by the City engineer.

- 3.5: **Design Review.**
 - 3.5.1: Development proposed on the Property is subject to the City’s design review process.
 - 3.5.2: Design review is required for any proposed new building(s), landscaping, parking, entrance, monument, common area and/or signage use.
 - 3.5.3: Buildings and their compositions are subject to design review pursuant to requirements in the Kuna City Code relative to usage of materials, woods, entrances, window arrangement and other considerations.

- 3.5.4: Any materials employed in the construction of fencing, wall and trash enclosures are subject to design review and/or review by the contracted trash removal service.
- 3.5.5: Any fencing and/or wall materials employed in the development are subject to design review pursuant to requirements in the Kuna City Code.
- 3.6: **Driveways and other Approaches.**
 - 3.6.1: Developer agrees the entrances to the site are subject to the Design Review Standards pursuant to requirements in the Kuna City Code.
 - 3.6.2: All curb returns throughout the project shall be constructed with **28-foot minimum curb return radius.**
- 3.7: **Engineering Calculations/Drawings/Plans/Reports.**
 - 3.7.1: At the time of construction, Developer shall obtain a letter from the City engineer recommending engineering approval of construction drawings, drainage and storm-water plans.
 - 3.7.2: At the time of construction plan submittal, Developer shall provide the City engineer with fire flow, water distribution and wastewater calculations and acquire all necessary permits and pay all associated fees. The City engineer will review the water modeling results and provide comments or corrections.
 - 3.7.3: At the time of construction plan submittal, a geotechnical report (if required) is subject to the City engineer's review and corrections.
- 3.8: **Federal, State, Local and Special Purpose Standards.** Developer shall comply with all applicable federal, state, local and special purpose standards as they apply to the Property's development.
- 3.9: **Fencing.**
 - 3.9.1: Developer shall construct and place fencing on-site according to the City's zoning standards. Developer shall use the approved type of fencing allowed by City code and design review.
- 3.10: **Fire.**
 - 3.10.1: **Hydrants and Water Mains.** Adequate fire protection shall be required in accordance with the appropriate fire district standards. Developer shall meet the requirements of the Kuna Rural Fire District.
 - 3.10.2: **Fire Safety.** Developer shall address fire safety compliance to the Kuna Fire District and City building inspector's satisfaction. The site landscaping shall be designed and maintained to provide fire protection around the building perimeters. The internal roads shall be designed to allow Kuna Rural Fire District

access to each building. Developer will place fire hydrants on the property in locations determined by the Kuna Fire Marshall. Fire related signage shall be installed with guidance from the Kuna Fire Marshall. The water model results are to be reviewed and approved by the Kuna Rural Fire District.

3.11: **Grading Plan.** Developer shall provide the City a grading plan identifying how the subject property will be graded and contoured. The grading plan shall be reviewed and approved by the City engineer for its compliance with City standards.

3.12: **Irrigation.**

3.12.1: Developer shall comply with Idaho Code §31-3805 relating to irrigation water use. Irrigation/drainage waters shall not be impeded by on-site construction. Developer shall comply with lawful requirements of the Boise Project Board of Control.

3.12.2: At the time of construction plan submittal, Developer shall provide the City engineer an irrigation plan for review and approval; if Developer uses the City water utility, Developer shall acquire all permits and inspections necessary to connect the commercial facility's irrigation system to the City water utility; construct the irrigation system to the City's pressurized irrigation standards; and construct any off-site improvements necessary to connect into the City's water utility.

3.13: **Land Use Requirements.**

3.13.1: Developer shall comply with the City's land use requirements for development or, as modified by this agreement.

3.13.2: Uses other than those existing or permitted, or specially permitted in the C-1 (Neighbor Business District) zone shall not be introduced on the property without further land use review or approvals.

3.13.3: Developer shall meet all requirements set forth in the City's zoning ordinance or, as modified by this Agreement.

3.14: **Landscape.**

3.14.1: Future site improvements will be subject to the City's landscape ordinance and design review processes depending on scope (note: the design review standards may differ from the City's landscape ordinance). The irrigation plan is subject to City engineer review and approval. An underground irrigation source shall be required for all of the site's landscape elements in accordance with the provisions of **KCC 5-17-11**. The use of potable water for landscape irrigation purposes is prohibited.

3.14.2: At time of development, Developer shall prepare for City review, a detailed landscape plan using native or suitable plants. The landscape plan is subject to the City's design review process. The landscape plan shall call out the method(s)

of re-vegetating common open space and the periphery areas disturbed during any construction activities. The property's entire landscape scheme shall consist of organic materials. Accordingly, no hard-scape (*or gravel or rock*) materials shall be used for landscape purposes.

3.14.3: Employ vegetative buffers and landscape berming techniques along the property boundaries to minimize adverse land use impacts [compatibility issues] with the adjoining neighbors. The landscape and buffer techniques shall be detailed in a landscape plan.

3.14.4: At time of future development, Developer shall submit landscape plans to the City forester for review and approval.

3.14.5: The future landscape plan shall follow the landscape requirements and guidelines contained within **KCC 5-17-1 through 25**, which will be considered a binding site plan.

3.14.6: At time of future development, Developer shall place a landscape buffer along Deer Flat Road a minimum width of 20 feet from the property line in accordance with **KCC 5-17-13-B, 3**.

3.15: **Outdoor Lighting.**

3.15.1: On-site lighting shall be designed and installed to minimize fugitive light and glare and installed so it does not unduly intrude on adjoining properties pursuant to requirements in the Kuna City Code.

3.15.2: A lighting plan shall be submitted to the City director of planning services for review and approval in accordance with **KCC 6-4-2-T and 5-9-5-B**

3.16: **Parking and Loading Standards.**

3.16.1: The Property's parking areas shall be installed in accordance with City parking standards (**KCC 5-9-1 through 5**).

3.16.2: At time of development, Developer shall design and construct the parking area(s) according to the approved plans. The parking lot circulation pattern shall be designed so the patrons enter and exit the parking lot in a forward motion consistent with the provisions of **KCC 5-9-2(G)**.

3.16.3: The Developer shall pave the area allocated for parking purposes with an approved asphalt material. The parking lot construction and methods of storm drainage mitigation are subject to the City engineer's review and approval. Parking spaces shall be designed where the motorist can enter and exit the spaces without obstruction.

3.16.4: Developer shall provide a site plan graphically demonstrating the method of onsite traffic circulation, parking lot placement and loading facility location and satisfy onsite parking space requirements for design review.

- 3.17: **Permits and Applicable Fees.** Developer shall acquire all permits and pay all applicable fees.
- 3.18: **Plat Map/Deed.** In the event of a lot line adjustment lot split, or subdivision, Developer shall provide City a recorded record of survey and deed, or recorded plat for the property changes.
- 3.19: **Roads/Ada County Highway District.**
- 3.19.1: Developer shall comply with City and ACHD road improvement requirements.
- 3.19.2: Developer shall provide additional rights-of-way and/or easements necessary for utility and road widening purposes as required by the City and other agencies with jurisdiction. Developer shall record these easements with the Ada County Recorder's Office.
- 3.19.3: Developer shall dedicate additional rights-of-way along Deer Flat Road (in the amount of 48 total feet from centerline), in accordance with ACHD recommendation in their staff report dated Oct. 14, 2013. This section of Deer Flat Road is listed in the Capital Improvements Plan.
- 3.20: **Sanitary Sewer.**
- 3.20.1: Developer shall connect the Property to the City's sanitary sewer system according to City standards; provide the development's sanitary sewer design to the City engineer for review and approval; acquire all of the permits and inspections necessary to connect to the City's sewer utility; construct the sewer system to City standards and construct offsite improvements necessary to connect to the City's sewer utility.
- 3.20.2: Developer shall abandon and dismantle any onsite septic tank system and its component parts, according to City and Central District Health standards. The dismantling of a septic system requires collapsing and removing the lid, backfilling and compaction of the fill area.
- 3.21: **Sidewalks and Pathways.**
- 3.21.1: In accordance with **KCC 6-4-2-Q** and in the spirit of integrating ACHD's recommendation, Developer shall provide five-foot (5') wide detached concrete sidewalk on Deer Flat Road located a minimum of 41 feet from centerline. See ACHD final report (dated October 14, 2013). All sidewalks shall be built in accordance with the American with Disabilities Act (**ADA**) accessibility guidelines, as well as to ACHD and City engineer standards and specifications. Direct access onto Deer Flat Road is discouraged as Deer Flat Road is classified as a minor arterial. As identified under the Cross Access Easement/Shared Access Policy, ACHD staff is supportive of development providing cross access to adjoining parcels. Any future redevelopment of the site will be subject to current access policy in effect at the time an application is submitted to the District.

3.21.2: Developer shall be responsible for snow removal along the sidewalks and pathways so they are pedestrian accessible within 24 hours of a snow event.

3.22: Signage.

3.22.1: No signs shall be placed on fences, buildings, or other structures unless approved through the City's design review process. Developer shall be in compliance with all signage requirements in place at the time Developer seeks a sign permit.

3.22.2: All site signage and monument placement is subject to the City's design review process to include building identification signage. If site signage or monuments are lighted, they must be designed according to the City's outdoor lighting standards.

3.22.3: Temporary signage placed on the Property's fences, buildings, or other structures for advertising or promotion purposes shall be according to the City's signage placement provisions.

3.23: Site Plans. At the time Developer applies for a building permit, Developer shall provide an overall site/landscape plan, which shall be considered a binding site plan for purposes of the land use application.

3.24: Storm-water and Drainage.

3.24.1: The Property is subject to the City's storm-water and drainage standards at time of development. Stormwater impacts resultant from the development shall be mitigated in accordance with the City's storm water management policy. The engineer of record shall provide storm-water calculations, which comply with the City's storm-water policy requirements. The discharge of storm-water or drainage offsite requires written approval from the City and other agencies responsible for receiving the fugitive storm-waters.

3.24.2: Developer shall provide the City engineer with a storm-water management plan and a drainage design plan showing how drainage flows from impervious surfaces will be addressed in compliance with the City's drainage management guidelines. The drainage design plan shall also provide an erosion control plan for a 100-year event and shall depict all proposed site grading.

3.24.3: The City engineer shall approve a surface drainage run-off plan, which has been recommended by Central District Health Department (CDHD). The plan should be designed and constructed in conformance with standards contained in "Catalog for Best Management Practices for Idaho Cities and Counties".

3.24.4: Developer shall not construct, grade, fill, clear or excavate the Property until the City engineer approves the storm water management plan and the drainage design plan. The drainage design plan shall include all proposed site grading.

3.24.5: Storm drainage and/or street runoff must be retained onsite.

- 3.24.6: Design the surface drainage system to minimize “ponding” issues to reduce mosquito breeding problems.
- 3.25: **Street and Alleys.**
- 3.25.1: All streets and alleys shall be constructed in accordance with the standards and specifications adopted by the City and ACHD. Street functionality shall be determined according to the City’s Functional Classified Road Map. Widths for rights-of-way shall be according to the street typologies identified in **KCC 6-3-4-A through D**, or ACHD’s standards, whichever standard is more stringent.
- 3.25.2: Developer shall enter into a license agreement with the transportation authority for landscape maintenance within the public rights-of-way, where applicable.
- 3.26: **Street Name and Other Street Traffic Signs.** Traffic signage shall be constructed and installed at appropriate street locations in accordance with ACHD and City standards as applicable.
- 3.27: **Trash Enclosures/Solid Waste.** The site’s solid waste disposal strategy is subject to design review. Developer shall provide an enclosed or a sight obscuring structure(s) for all trash collection containers. The design shall be approved by the City and J&M Sanitation services.
- 3.28: **Trees.**
- 3.28.1: Developer shall retain mature trees with diameters exceeding six-inches (6”) (if any exist), unless their removal is approved by City staff prior to their removal.
- 3.28.2: Developer shall provide a tree replacement strategy to compensate for tree removal, which provides no net tree loss (in terms of overall tree diameter reductions). Developer’s tree removal and replanting strategy is subject to the City arborist and Design Review Committee’s approval. Developer shall show the tree planting strategy and method of planting on the landscape plan(s) and provide for a year-round variety of trees that are compatible with the area.
- 3.29: **Underground Storage Tanks, Utilities, Wells or Septic Systems.**
- 3.29.1: Developer shall disconnect any onsite well(s) and septic systems and cap or remove them according to City and Health District standards.
- 3.29.2: If discontinued or impaired underground storage tanks are discovered during construction, they shall be removed or abandoned in accordance with federal, state and local agency requirements.
- 3.30: **Underground Utilities.**
- 3.30.1: Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services.

3.30.2: All public utilities shall be placed underground if possible. A utility easement of sufficient width as determined by the City engineer shall be placed around the exterior subdivision boundary for utility and drainage easement purpose. Utilities that cannot be placed underground are subject to the City's design review process.

3.31: **Water.**

3.31.1: Developer shall connect the property to the City's water system at time of development. Developer shall provide the development's potable water design to the City engineer for review and possible corrections. Developer shall acquire all permits and inspections necessary to connect into the City's water utility.

3.31.2: The water lines, meter locations and waterline valves shall be reviewed by the City public works staff and constructed and placed according to City standards. Water lines are to be looped through the property. Developer is responsible for constructing any off-site improvements necessary to connect into the City's water utility.

3.32: **Water Rights.** Water rights appurtenant to a tract of land shall be dedicated to the City in sufficient water quantities to offset the development's potential water demands as determined by the City engineer. The land's water rights shall not be sold, abandoned or transferred outside the City or Area of City Impact (ACI). All water rights must be transferred to Kuna City through the adoption of a water rights annexation ordinance.

3.33: **Weeds.** Developer assumes responsibility for the control and removal of noxious weeds if present on the property until the development of the site is complete and ownership has transferred.

4. DEFAULT, REMEDIES.

4.1: **Default.** If Developer fails to comply with the terms of this Agreement within forty-five (45) days after written notice from the other party specifying the particulars of such failure, the complaining party may, without prejudice to any other rights or remedies, cure such default, enjoin such violation or otherwise enforce the commitments contained in this Agreement in any manner allowed by law; provided, however, if any failure to comply cannot with diligence be cured within such forty-five (45) day period, if the defaulting party shall commence to cure the same within such forty-five (45) day period and thereafter shall pursue the curing of same with diligence and continuity, then the time allowed to cure such failure may be extended for a period not to exceed 180 days.

4.2: **Consent to Rezone on Uncured Default.** In addition to other remedies set forth herein, if Developer fails to cure any material default within 120 days after written notice from City specifying the particulars of such material default, such failure shall be deemed consent to City to rezone the use to the preexisting zone of Parcel One and the preexisting zone of Parcel Two pursuant to the requirements of applicable law.

- 4.3: **Waiver; Forbearance.** A waiver or forbearance by one party of any default by the other party of any one or more of the covenants or conditions hereof shall apply solely to the breach and breaches waived and shall not bar any other rights or remedies of the party or apply to any subsequent breach of other or future covenants and conditions.

5. ATTORNEY FEES.

- 5.1: In the event of any controversy, claim or legal action being filed or instituted between the parties to this Agreement to enforce the terms and conditions of this Agreement or arising from the breach of any provision hereof, the prevailing party will be entitled to receive from the other party reasonable attorney fees, expenses, and costs incurred by the prevailing party, including fees and costs on any appeal. This provision shall be deemed to be a separate contract between the parties and shall survive any default, termination or forfeiture of this Agreement.

6. RECORDATION, EFFECTIVE DATE, AND BINDING EFFECT.

- 6.1: **Recordation.** After approval and execution by City through its authorized agents, Developer shall record this Agreement, including all exhibits, against the Property in the real property records of Ada County, Idaho and provide City with a recorded copy of this Agreement.
- 6.2: **Effective Date.** This Agreement shall become effective upon the formal adoption and final publication of the zoning.
- 6.3: **Binding Effect; Assignment.** This Agreement shall be binding upon and inure to the benefit of the parties' respective heirs, successors, assigns and personal representatives, including the City's governing authority and their successors in office. This Agreement shall run with the land and be binding on the owner of the Property, each subsequent owner as well as any other person acquiring an interest in or acting as a developer of the property. Nothing herein shall in any way prevent sale or alienation of the Property, except that any sale or alienation shall be subject to the provisions hereof and any successor owner or owners shall be both benefited and bound by the conditions and restrictions herein expressed.
- 6.4: **Recordation of Termination.** Upon Developer's completion of all of its obligations under this Agreement, City shall provide Developer, upon request, recordable evidence of City's concurrence that Developer's obligations under this Agreement have been completed.

7. GENERAL PROVISIONS.

- 7.1: **Incorporation of Recitals.** The recitals above and the exhibits referred to in this Agreement and attached hereto are incorporated into the Agreement as if set out in full in the body of the Agreement. In the event of a conflict between any exhibit and the body of this Agreement, the Agreement shall control unless otherwise noted.

7.2: **Amendments.** Any alteration or change to this Agreement shall be made only after complying with the notice and hearing provision of Idaho Code Section §67-6509, as required by Kuna City Code, Title 5, Chapter 14.

7.2.1 It is anticipated this Agreement will be amended for time to time to accommodate the Developers development pursuits.

7.3: **Interpretation.** In construing this Agreement, feminine or neuter pronouns shall be substituted for those masculine in form and vice versa, plural terms shall be substituted for singular and singular for plural in any place in which the context so requires, and the word “including” shall be construed as if the words “but not limited to” appear immediately thereafter. The headings contained in this Agreement are for reference purposes only and shall not be construed or interpreted so as to limit or define the intent or the scope of any part of this Agreement. This Agreement shall not be construed more strictly against one party than against another merely by virtue of the fact that it may have been prepared by one of the parties, it being acknowledged that both parties have substantially and materially contributed to the preparation thereof. This Agreement and all rights and obligations of the parties shall be governed, construed, and interpreted under and pursuant to the laws of the state of Idaho.

7.4: **Final Agreement; Modifications.** This Agreement sets forth all promises, inducements, agreements, conditions and understandings between Developer and City relative to the subject matter hereof and there are no promises, agreements, conditions or understanding, oral or written, express or implied, between Developer and City, other than as are stated herein. This Agreement contains all conditions required by the City and supersedes conditions specified in City staff reports and any conflicting terms and conditions in prior development agreements concerning the land as to obligations between the parties to this Agreement. Except as herein otherwise provided, no subsequent alteration, amendment, changes or additions to this Agreement shall be binding upon the parties hereto unless reduced to writing and signed by them or their successors in interest or their assigns, and pursuant, with respect to City, to a duly adopted ordinance or resolution of City.

7.5: **Notices.** All notice between the parties shall be deemed received when personally delivered or when deposited in the United States mail postage prepaid, registered or certified, with return receipt requested, or sent by telegram or mail-o-gram or by recognized courier delivery (e.g., Federal Express, Airborne, Burlington), addressed to the parties, as the case may be, at the address set forth below or at such other addresses as the parties may subsequently designate by written notice given in the manner provided in this Section:

To City: City of Kuna
Attn: Mayor of the City of Kuna
P.O. Box 13
Kuna, ID 83634

To Applicant: Sharron Fisher
1432 W. Heartland Dr.
Kuna, ID 83634

Either party shall give notice to the other party of any change of such party's address for the purpose of this section by giving written notice of such change to the other party in the manner herein provided.

- 7.5: **Time of the Essence.** The parties hereto acknowledge and agree that time is strictly of the essence with respect to each and every term, condition and provision hereof, and that the failure to timely perform any of the obligations hereunder shall constitute a breach of and a default under this Agreement by the party so failing to perform.
- 7.6: **Severability.** If any term or provision of this Agreement shall, to any extent be determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and each term and provision of this Agreement shall be valid and be enforceable to the fullest extent permitted by law; and it is the intention of the parties hereto that if any provision of this Agreement is capable of two constructions, one of which would render the provision void and the other of which would render the provision valid, the provision shall have the meaning which renders it valid.

End of text; signatures to follow

The parties have executed this Agreement as of the date first set forth above.

"City" CITY OF KUNA, an Idaho municipal corporation

By: _____

Date: _____

ATTEST:

City Clerk

Date: _____

"Owner" Sharron Fisher

By: _____

Its: _____

State of Idaho)
 : ss
County of Ada)

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 2013.

And who personally appeared before me

(SEAL)

Notary Public: _____

My Commission Expires on: _____



City of Kuna

Staff Report

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

To: Planning and Zoning Commission

File Numbers: 13-01-PUD (Planned Unit Development)
13-03-ZC (Rezone)
13-03-DA (Development Agreement)
13-05-S (Preliminary Plat) - Sorrel Residential Subdivision
13-04-DR (Design Review)

Location: 700 South Luker Road, Kuna, Idaho

Planner: Troy Behunin, Senior Planner

Hearing date: November 12, 2013

Applicant: **Randy VanderWerff**
36101 Bob Hope Dr., E5-125
Rancho Mirage, CA 92270
760.333.0980
Randyqc777@gmail.com

Representative: **ULC Management**
Bob Unger
6104 N. Gary Lane
Boise, ID 83714
208.861.5220
bunger@ulcmanagement.com

Table of Contents:

- A. Course Proceedings
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- E. General Project Facts
- F. Staff Analysis
- G. Applicable Standards
- H. Comprehensive Plan Analysis
- I. Proposed Findings of Fact
- J. Proposed Conclusions of Law
- K. Proposed recommendation by the Planning and Zoning Commission

A. Course of Proceedings:

1. A rezone and a development agreement is designated in Kuna City Code 1-14-3 (KCC), as a public hearing, with the City Council as the decision making body. This land use was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

a. Notifications

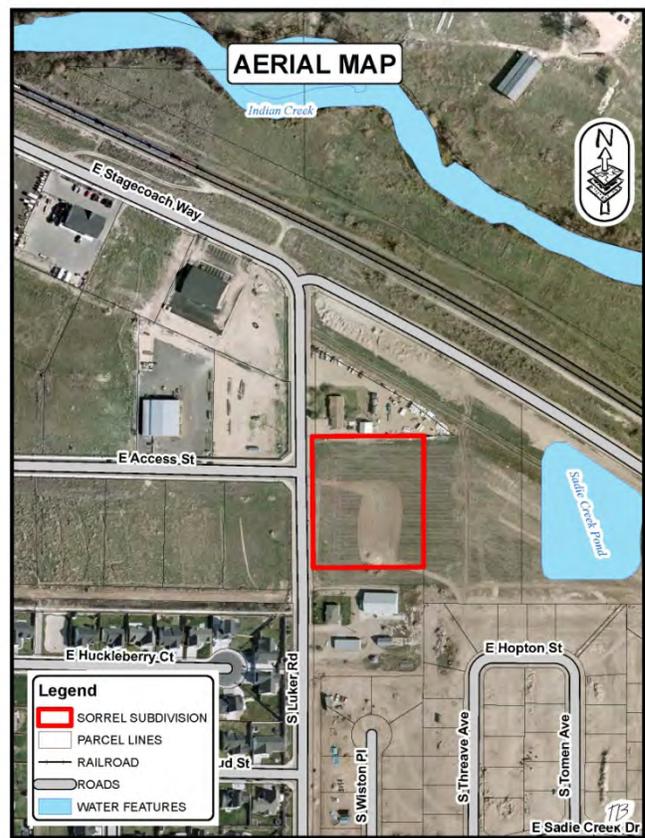
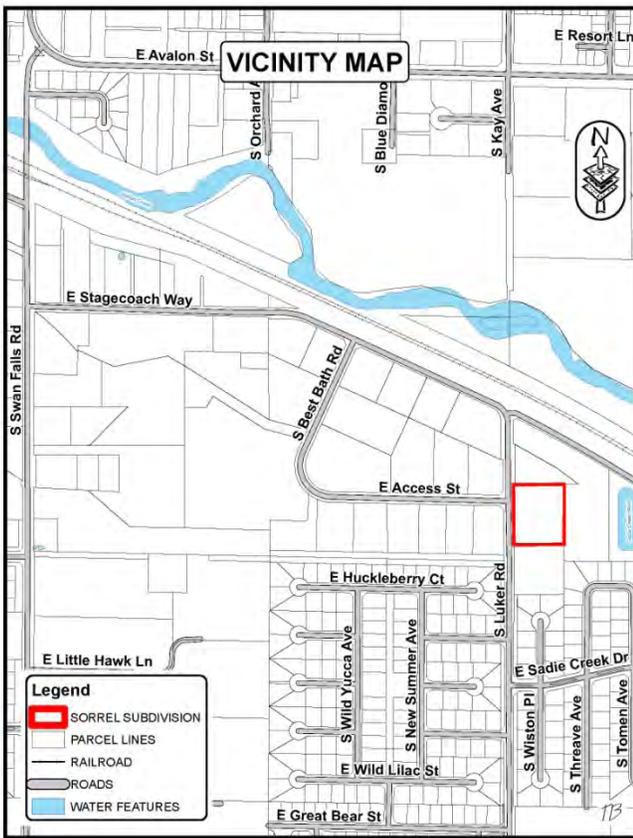
- | | |
|---------------------------|--|
| i. Neighborhood Meeting | September 12, 2013 (One person attended) |
| ii. Agencies | September 24, 2013 |
| iii. 300' Property Owners | October 10, 2013 |
| iv. Kuna, Melba Newspaper | October 23, 2013 |
| v. Site Posted | October 29, 2013 |

B. Applicants Request:

1. Request:

1. PUD approval for a previously platted lot totaling 2.07 total acres,
2. Approval to change the current zoning from M-1 to R-8,
3. Approval of a development agreement to guide development,
4. Preliminary plat approval for 16 connected-townhome (groups of two),
5. Approval for minimum lot size to be 3,000 SF.,
6. Approval for minimum lot frontage to be 29.30 feet,
7. Design review approval for the Townhomes and Landscaping.

C. Vicinity and Aerial Maps:



D. History: The property is legally known as Lot 3, Block 1 of Sadie Creek Subdivision, a recorded plat. The property is in the City and is currently zoned M-1 (Light Industrial) and is vacant, bare ground.

E. General Projects Facts:

1. **Legal Description:** Lot 3, Block 1 of the Sadie Creek Subdivision (Book 100, Page 12931). Inst. #. 108006027 - 2008.

2. **Comprehensive Plan Designation:** The Future Land Use Map (FLU) identifies this site as Medium Density Residential. Staff views this land use request to be consistent with the approved FLU map.

3. **Surrounding Land Uses:**

North	RUT, M-1	Rural Urban Transition – Ada County, Light Industrial – Kuna City
South	M-1, R-6	Light Industrial and Medium Residential - Kuna City
East	M-1	Light Industrial – Kuna City
West	M-1	Light Industrial – Kuna City

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

2.07 Acres; Light Industrial; R7686320030

5. **Services:**

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

6. **Existing Structures, Vegetation and Natural Features:** The site has no existing buildings or structures.

7. **Transportation / Connectivity:** The site has frontage along South Luker Road and is on the east side of Luker road.

8. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts. This site’s topography is generally flat.

9. **Agency Responses:** The following agencies returned comments: City Engineer (Gordon Law, P.E.), Boise Project Board of Control, Central District Health Department, the Idaho Transportation Department (ITD), Ada County Highway District (ACHD) and the Kuna Police Department. The responding agency comments are included as exhibits with this case file. The following agencies reported they had no comments, Kuna School District, Ada County Planning and Zoning, Idaho Power, J&M Sanitation, and the Post Office.

F. Staff Analysis:

This site is a lot within the Sadie Creek Subdivision No 1, a residential subdivision. The applicant proposes to change the current zoning from M-1 to R-6, which is consistent with the FLU Map and with the existing development in the vicinity.

Kuna City Code (KCC), Title 5, Chapter 7, Section 5, of the Planned Unit Development (PUD) Section states that a PUD must be at least two (2) acres in size in order to qualify for PUD status/approval. Staff views this request to be valid as this site exceeds that requirement - it is 2.07 acres.

The applicant is utilizing the PUD process to request the minimum lot sizes and lot frontages to be reduced. The application proposes to reduce the minimum lot size to 3,000 SF, and the minimum lot frontage to be 29.30 feet. The flexibility of the PUD process allows the Commission to reduce these design standards

based on the planning director's recommendation. The opportunity to modify these standards is offered to developers in exchange for additional amenities in Kuna neighborhoods. This project proposes up to 9,100 SF of open space, which reflects approximately 10% of the overall project.

Staff has determined this application complies with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan; and forwards a recommendation of approval for Case #'s 13-01-PUD, 13-03-ZC, 13-01-DA, 13-05-S and 13-04-DR, subject to the recommended conditions of approval.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance No. 230,
2. City of Kuna Subdivision Ordinance No. 2010-15, Title 6 Subdivision Regulations,
3. City of Kuna Development Agreement Ordinance No. 525,
4. City of Kuna Planned Unit Development ordinance, Title 5, Chapter 7,
5. City of Kuna Comprehensive Plan,
6. Idaho Code, Title 67, Chapter 6511(A), Development Agreement,
7. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

H. Comprehensive Plan Analysis:

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

1. The proposed PUD and zone change and preliminary plat for the site is consistent with the following Comprehensive Plan components:

GOALS AND POLICIES – Property Rights

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

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

GOALS AND POLICIES – Economic Development

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

Policy 1.3: The City will develop a policy to provide incentives and/or assistance in order to competitively attract firms.

GOALS AND POLICIES – 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 2.3: 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. Proposed Findings of Fact:

1. This planned unit development (PUD) and the preliminary plat uses are consistent with Kuna City Code (KCC).
2. The PUD and preliminary plat uses appear to meet the general objectives of Kuna's Comprehensive Plan.
3. The site is physically suitable for PUD and preliminary plat uses.
4. The PUD and preliminary plat uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
5. The PUD and preliminary plat are not likely to cause adverse public health problems.
6. The PUD and preliminary plat appear to be in compliance with all ordinances and laws of the City.
7. The preliminary plat 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.
8. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.
9. The Kuna Planning and Zoning Commission accepts the facts as outlined in the staff report, any public testimony and the supporting evidence list as presented.
10. Based on evidence contained in Case No. 13-01-PUD, 13-03-ZC, 13-01-DA, 13-05-S and 13-04-DR, this proposal appears to comply with KCC Titles 5 and 6.
11. Based on the evidence contained in Case No. 13-01-PUD, 13-03-ZC, 13-01-DA, 13-05-S and 13-04-DR, this proposal appears to comply with Section 6.0 of the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map.
12. The Planning and Zoning Commission has the authority to recommend approval or denial for this planned unit development and preliminary plat application.
13. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

J. Proposed Conclusions of Law:

1. Based on the evidence contained in Case No. 13-01-PUD, 13-03-ZC, 13-01-DA, 13-05-S and 13-04-DR, the Kuna Planning and Zoning Commission finds Case No. 13-01-PUD, 13-03-ZC, 13-01-DA, 13-05-S and 13-04-DR, comply with Kuna City Code.
2. Based on the evidence contained in Case No. 13-01-PUD, 13-03-ZC, 13-01-DA, 13-05-S and 13-04-DR, the Kuna Planning and Zoning Commission finds Case No. 13-01-PUD, 13-03-ZC, 13-01-DA, 13-05-S and 13-04-DR, are 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.

K. Proposed Recommendation by the Planning and Zoning Commission:

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

Based on the facts outlined in staff's report and the public testimony as presented at the public hearing, the Planning and Zoning Commission of Kuna, Idaho, hereby recommends (*approves / denies*) Case No.s 13-01-PUD, 13-03-ZC, 13-01-DA, 13-05-S and 13-04-DR – a planned unit development, a rezone, development agreement, preliminary plat and design review request from Randy VanderWerff, (with or without) the following conditions of approval:

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 shall be obtained and Impact Fees must be paid prior to issuance of a building permit.
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 be commenced without the approval and permit from Ada County Highway District and/or Idaho Transportation Department.
 - 2.1- Dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
 - 2.2- The following streets need rights-of-way to be dedicated at 51'; East Access St, East South Wiston Pl.
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. Lighting within the site shall comply with Kuna City Code.
6. Parking within the site shall comply with Kuna City Code. (Unless specifically approved otherwise).
7. Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise).
8. Signage within the site shall comply with Kuna City Code (A sign permit is required prior to sign construction).
9. 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.
10. Submit a petition before final platting to the City consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID).
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. The applicant's preliminary plat (date stamped 10.29.2013) and landscape and lighting plan, (date stamped 10.29.2013) shall be considered binding site plans, or as modified by Council.
13. This development is subject to landscaping and building design reviews, among other land use applications as applicable, at time of development.
14. Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
15. Developer shall comply with all local, state and federal laws.



RECEIVED

SEP 20 2013

CITY OF KUNA

TO: Kuna City Council
Kuna City Planning & Zoning Commission
P.O. Box 13
Kuna, Idaho 83634

DATE: September 16, 2013

RE: Sorrel Subdivision

Dear Council & Commission:

On behalf of Randy Vanderwerff, we are submitting Planned Unit Development, Rezone, and Subdivision Applications for Sorrel Subdivision. The site is 2.06 acres in size and located at 700 S. Luker Road, Kuna, Kuna, Idaho.

We are proposing to subdivide the property into 16 Townhouse lots. The property is currently zoned M-1 and we are proposing R-8 for the project. The gross density for the project is 7.76 dwelling units per acre. We requesting a reduction of the required minimum lot area to 3,000 square feet and reduced frontage to 29.30 feet in the R-8 zoning as provided in PUD process. Uses and zoning surrounding the site are vacant pasture land (M-1) to the east, single family residential (RUT) to the North, single family residential (M-1) and Sadie Creek Subdivision to the south, and Shortline Park (M-1) to the west.

All utilities are available to the site from Luker Road. All proposed streets are to be public under the jurisdiction of ACHD. We are proposing a stub street to the east to meet the needs of future development and the Kuna Fire Department for access. The property does have access to Kuna City pressure irrigation and a pressurized irrigation to all lots will be provided.

We are proposing .20 acres of useable open space (lot 8, block 2) within the project, which includes numerous amenities (picnic table, park bench and a children's recreation area with equipment).

Drainage for the project will be retained on site with the use of drainage trenches. Design and locations will be submitted to the City Engineer for final approval prior to construction.

Rezone

We are requesting a change in the zoning from M-1 to R-8 which is compatible with the area and in compliance with the Comprehensive Plan Map designating this are for medium density residential. Development to the south and southwest of the site is R-6 with single family lots.

Planned Unit Development

Our proposed development of townhouse lots is designed for younger professional residents with one or two children and empty nesters looking for smaller lots with upgraded homes and reduced maintenance. Our request is for smaller lots to accommodate these needs while providing quality housing. We believe that the product we are proposing will be an asset to the community and City while providing a new architectural appearance from the standard home styles in the area.

We look forward to working with you and your staff on this project and request your approval. If you have any questions or concerns please contact me at (208) 472-9219.

Sincerely,



Robert C. Unger

VICINITY MAP

E Resort Ln

E Avalon St

S Orchard A

S Blue Diamo

S Kay Ave



Indian Creek

E Stagecoach Way

S Swan Falls Rd

S Best Bath Rd

E Access St

Sadie Creek Pond

E Huckleberry Ct

S Luker Rd

E Little Hawk Ln

S Wild Yucca Ave

S New Summer Ave

E Sadie Creek Dr

Legend



SORREL SUBDIVISION



PARCEL LINES



RAILROAD



ROADS



WATER FEATURES

E Wild Lilac St

E Great Bear St

S Wiston Pl

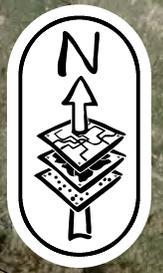
S Threave Ave

S Tomen Ave

TB

AERIAL MAP

Indian Creek



E Stagecoach Way

E Access St



Sadie Creek Pond



E Huckleberry Ct

S Luker Rd

E Hopton St

Legend

-  SORREL SUBDIVISION
-  PARCEL LINES
-  RAILROAD
-  ROADS
-  WATER FEATURES

ud St

S Wiston Pl

S Threave Ave

S Tomen Ave

TB

E Sadie Creek Dr



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

Commission & Council Review Application

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

*Please submit the appropriate checklist (s) with application

Only For Office Use Only	
File Number (s)	13-04-DR 13-05-S 13-03-2C 13-01-PUO 13-03-DA
Project name	
Date Received	SEPT. 20, 2013
Date Accepted/Complete	
Cross Reference Files	
Commission Hearing Date	NOV. 12, 2013
City Council Hearing Date	

- Type of Review (check all that apply):**
- Annexation
 - Appeal
 - Comprehensive Plan Amendment
 - Design Review
 - Development Agreement
 - Final Planned Unit Development
 - Final Plat
 - Lot Line Adjustment
 - Lot Split
 - Planned Unit Development
 - Preliminary Plat
 - Rezone
 - Special Use
 - Temporary Business
 - Vacation
 - Variance

Contact/Applicant Information

Owners of Record: <u>Randy VanderWerff</u>	Phone Number: <u>(760) 333-0980</u>
Address: <u>36101 Bob Hope Dr., E5-125</u>	E-Mail: <u>randyqc777@gmail.com</u>
City, State, Zip: <u>Rancho Mirage, CA 9227</u>	Fax #: _____
Applicant (Developer): <u>Same as above</u>	Phone Number: _____
Address: _____	E-Mail: _____
City, State, Zip: _____	Fax #: _____
Engineer/Representative: <u>Bob Unger, ULC Management</u>	Phone Number: <u>(208) 861-5220</u>
Address: <u>6104 N Gary Lane</u>	E-Mail: <u>bunger@ulcmanagement.com</u>
City, State, Zip: <u>Boise, ID 83714</u>	Fax #: <u>(208) 577-6493</u>

Subject Property Information

Site Address: <u>700 S Luker Road, Kuna, Idaho</u>
Site Location (Cross Streets): <u>E Shortline Road & S Luker Road</u>
Parcel Number (s): _____ R7686320030
Section, Township, Range: <u>2N, 1W, Section 25</u>
Property size : <u>2.07 acres</u>
Current land use: <u>Vacant</u> Proposed land use: <u>Townhouses</u>
Current zoning district: <u>M-1</u> Proposed zoning district: <u>R-8</u>

Project Description

Project / subdivision name: Sorrel Subdivision

General description of proposed project / request: 16 townhouse lots

Type of use proposed (check all that apply):

- Residential
- Commercial
- Office
- Industrial
- Other

Amenities provided with this development (if applicable): Playground equipment, picnic table, park bench

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: 16 Number of building lots: 16

Number of common and/or other lots: _____

Type of dwellings proposed:

- Single-Family
- Townhouses
- Duplexes
- Multi-Family
- Other

Minimum Square footage of structure (s): 1,500

Gross density (DU/acre-total property): 7.76 Net density (DU/acre-excluding roads): _____

Percentage of open space provided: 10 % Acreage of open space: .20 Acres

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

Non-Residential Project Summary (if applicable)

Number of building lots: _____ Other lots: _____

Gross floor area square footage: _____ Existing (if applicable): _____

Hours of operation (days & hours): _____ Building height: _____

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

Number and ages of students/children: _____ Seating capacity: _____

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

Proposed Parking: a. Handicapped spaces: _____ Dimensions: _____

b. Total Parking spaces: _____ Dimensions: _____

c. Width of driveway aisle: _____

Proposed Lighting: _____

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

Applicant's Signature:  Date: 9/16/2013



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

Preliminary Plat Checklist

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

Project name: Sofra SUB. **Applicant:** RANDY VANDERWERFF

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

Applicant (v)	Description	Staff (v)
<input checked="" type="checkbox"/>	Completed and signed Commission & Council Review Application.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Vicinity map showing relationship of the proposed plat to the surrounding area with a 2-mile radius.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Homeowner's maintenance agreement for the care of landscaped common areas. CC&Rs	<input checked="" type="checkbox"/> ?
<input checked="" type="checkbox"/>	Legal description of the preliminary plat area: Include a metes & bounds description to the section line of all adjacent roadways stamped & signed by a registered professional land surveyor with a calculated closure sheet & a map showing the boundaries of the legal description.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Proof of ownership—A copy of your deed and Affidavit of Legal Interest (for all interested parties involved).	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Letter of intent indicating reasons and details for preliminary plat.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Commitment of Property Posting form signed by the applicant/agent.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	If preliminary plat includes 100 lots or more, please submit a traffic impact study. If preliminary plat includes 50 lots or more, please submit an estimate of tax revenue generation and an estimate of the public service costs to provide adequate service to the development.	<input type="checkbox"/> N/A.
<input checked="" type="checkbox"/>	A letter from Ada County Engineer with the Subdivision Name reservation. A name change needs to be submitted and approved by the Planning & Zoning Director and Ada County Engineer.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Phasing Plan	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Include Large Scale Development Requirements. 6-5-4	<input type="checkbox"/> N/A.
<input checked="" type="checkbox"/>	Landscape plan for subdivision entrances, buffers, common areas, etc.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Neighborhood meeting certification (certification & neighborhood meeting list forms shall accompany this application).	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	8 1/2 x 11 proposed preliminary plat.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Preliminary plat drawing on 24x36 quality paper drawn to scale of 1 to 100' or more. The following information shall be contained on the preliminary plat: ◇ Topography at two foot (2') intervals ◇ Land uses (location, layout, types & dimensions): residential, commercial & industrial land uses. ◇ Street right-of-ways: dimensions of right-of-way dedication for all roadways, street sections, improvements, etc. ◇ Easements/common space: utility easements, parks, community spaces ◇ Lots: layout and dimensions of lots ◇ Preliminary improvement drawing: show water, sewer, drainage, electricity, irrigation, telephone, natural gas, proposed street lighting, proposed street names, proposed subdivision name, fire hydrant placement, storm water disposal, underground utilities, and sidewalks.	<input checked="" type="checkbox"/>

Note: Only one copy of the above items need to be submitted when applying for multiple applications. This application shall not be considered complete (nor will a Public Hearing be set) until staff has received all required information. Once the application is deemed complete, staff will notify the applicant of the scheduled hearing date, fees due, additional copies needed, etc.



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

Rezone Checklist

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

Project name: Sorrel Subdivision	Applicant: Randy Vanderwerff Bob Unger, Representative
--	---

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

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

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

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

SEP 20 2013



City of Kuna

Planned Unit Development (PUD) Application

CITY OF KUNA P.O. Box 13
 Kuna, Id 83634
 (208) 922-5274
 Fax: (208) 922-5989
 Website: www.cityofkuna.com

File No. :	<u>13-03-ZC, 13-03-DA, 13-01-PUD, 13-04-DR</u>
Cross Ref. :	_____
File Name:	<u>SORREL SUBDIVISION</u>

The City of Kuna has adopted a Planned Unit Development (PUD) process whose purpose is to make Kuna a pleasant and comfortable place to live and work. This PUD process is based on standards and guidelines found in PUD Ordinance No. 2008-15. This document can be found online (www.cityofkuna.com) or can be 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 Planned Unit Development application applies to the following land use actions:

- ▶ Multi- family dwellings (3 or more)
- ▶ Commercial
- ▶ Technical Uses
- ▶ Office
- ▶ Common Area
- ▶ Subdivision
- ▶ Variety of Building Types and Densities
- ▶ Common Open Space Variations
- ▶ Clustered Development and Recreational Facilities

Application Submittal Requirements

Applicant Use		Staff Use
<input checked="" type="checkbox"/> Date of pre-application meeting: <u>9/06/2013</u>	<i>Note: Pre-Applications are valid for a period of three (3) months.</i>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> A complete Planned Unit Development Application form	<i>Note: It is the applicant's responsibility to use a current application.</i>	<input checked="" 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 the Planned Unit Development.		<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> One (1) Vicinity Map (8 1/2" x 11") at 1" = 300' scale (or similar), label the location of the property and adjacent streets. Show all relevant current conditions (no older than one (1) year)		<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> One 8 1/2" x 11" colored aerial photo depicting proposed site, street names, and surrounding area within five-hundred feet (500'). The purpose of this photo is to view the site for existing features and adjacent sites.		<input checked="" 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 stating the applicant is authorized to submit this application.		<input checked="" type="checkbox"/>



Preliminary Development Plan; which shall include drawings and supplementary written narrative materials to include:



- Sketches or illustrations portraying the proposed character of the development; and sketches or illustrations of items subject to design review
- Description of how the PUD relates to surrounding land uses
- Vicinity map identifying neighborhood features within 1/2 mile of the location
- The nature of other land use actions requested
- If the PUD involves a preliminary plat, **include the number of phases and a description of each one**
- A narrative identifying and addressing the following:
 - Land use allocation by type
 - Percentage
 - Density
 - Open Space
 - Roads
 - Parking
 - Housing
 - Commercial
 - Services provided and public or private ownership and other information that may be pertinent and or material.



Preliminary Drawings; at a minimum scale of 1" = 100' displaying the following:



- The name of the proposed PUD
- Date, north point and scale of drawing and identity of the person(s) preparing the drawing
- A boundary survey legal description of the PUD
- Names, addresses and telephone numbers of the controller and any of the following involved in the project: architect, landscape architect, designer, engineer, planner and nurseryman
- Date of survey and name of surveyor
- Appropriate identification of the drawing(s) as a preliminary plan

Natural Features Map; showing an inventory of existing site features including:

N/A

- Ground elevation shown by contour lines at two foot (2') intervals or less – five foot (5') intervals may be accepted for slopes greater than ten percent (10%)
- General soil types as documented by a soils engineer or engineering geologist
- Hydrology;** Analysis of natural drainage patterns and water resources including an analysis of streams, natural drainage swales, wetlands, floodplain areas or other areas subject to flooding, poorly drained areas, permanent high ground water areas and seasonally high ground water areas as they may be located on site or be affected by on-site activity:
 - Proposed and existing storm water facilities
 - Water conveyance facilities
 - Water features, such as ponds, wetlands and permanent or intermittent watercourses
 - Areas subject to flooding
- Natural features, such as trees, vegetation and ground cover, historic sites, major rock outcroppings, and similar type amenities.
- Sanitary sewer, storm drainage and water supply facilities. **If such facilities are not on or abutting the site, indicate the direction and distance to the nearest such facilities.**
- Width, location and purpose of all existing easements of record on/and abutting the site.
- A map describing land areas contiguous within three hundred feet (300') and adjacent to the proposed PUD, including zoning classifications, land uses, densities, circulation systems, public facilities, unique natural features, and approximate locations of nearby structures.

**Site Plan;** which shall include:

- North arrow
- To scale drawing (minimum 1" = 100')
- All drawings need to be signed and stamped by a licensed engineer; and dated with contact information. *With the exception of concept drawings and residential structures that do not require a licensed engineer's review.*
- Name of project
- The locations of all existing and proposed dwelling units and/or individual lots
- Location of major streets
- The proposed yard requirements or locations of single family homes for individual lots
- The existing and proposed traffic circulation system serving the PUD including:
 - Off-street parking and maneuvering
 - Points of access to existing public rights-of-way
 - A plan notation or description narrative outlining ownership of streets
 - Parking areas
- The existing and proposed pedestrian and bicycle circulation system
- Conceptual plans for all services including their location and whether the services will be publicly or privately owned and maintained including location of utility connections. *Note: Any services intended to be privately owned (sewer, water, street, etc.) requires the City Engineer's prior review and approval*
- Proposed location and treatment of any public or private common areas or structures including open spaces, park or recreation areas, and school sites
- The general landscape treatment proposed along the site's periphery and in accordance with provisions of the City's landscape ordinance
- The approximate amount, location and type of buffering and/or landscaping
- Proposed architectural styles
- The subdivider may be required to submit proposed restrictive covenants, in outline form



Environmental assessment, traffic study, grading plan or other studies as may be appropriate for the proposed site as determined by the Commission or Director.



If the applicant is requesting preliminary subdivision plat approval concurrent with the preliminary PUD approval, a **Preliminary Subdivision Plat** shall be submitted along with the PUD conceptual site plan.



Development Schedule: A development schedule indicating the approximate date on which construction of all phases of the entire project can be expected to begin. If the schedule is approved by the Commission it shall become a part of the final development plan.



Additional Information as may be required by City staff or Commission.



Planned Unit Development Application

Applicant: Randy Vanderwerff Phone: (760) 333-0980

Owner

Purchaser

Lessee

Fax/Email: randyqc777@gmail.com

Applicant's Address: 36101 Bob Hope Dr., ES-125

Rancho Mirage, CA Zip: 92270

Owner: Same as Above Phone: _____

Owner's Address: _____ Email: _____

Zip: _____

Represented By: *(if different from above)* Bob Unger - ULC Management, LLC Phone: (208) 861-5220

Address: 6104 N Gary Lane Email: bunger@ulcmanagement.com

Boise, Idaho Zip: 83714

Address of Property: 700 S Luker Road, Kuna, Idaho

Distance from Major Cross Street: 1/2 Mile Street Name(s): Swan Falls Road

Please Check the box that reflects the amenities used :

Active recreational amenities such as playgrounds; basketball or tennis courts; baseball, soccer or rugby fields; swimming pools; natatoriums; walking/running paths; clubhouse; school sites; etc.

Pedestrian and bicycle pathway systems within and through the project (exclusive of required sidewalks adjacent to public right-of-way) and designed to connect into existing or planned pedestrian or bicycle routes outside the PUD.

Other amenities appropriate to the size and uses intended in the PUD

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CITY OF KUNA

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

Creation of townhouse lots in an R-8 Zone requesting reduced lot sizes (3,000 sf) and reduced frontage (29') to accommodate the townhouses.

1. Dimension of Property: 285' x 327' - 2.06 acres

2. Current Land Use(s): Vacant

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

North: Single family residence - Zoned RUT

South: Single family residence - Zoned M-1

East: Short Line Park - Zoned M-1

West: Vacant pasture - Zoned M-1

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

5. Are there any irrigation ditches/canals on or adjacent to the property? No
If yes, do you know the name of the irrigation or drainage provider?

6. Fencing: *(Please provide information about new fencing material as well as any existing fencing material)*
No fencing on North, South, West - Wire fencing on the East.

Type: Cedar fencing Proposed

Size: 6' in height

Location: North, South and East boundary of property

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

7. Storm Drainage:
Proposed Method of On-site Drainage Retention/Detention:
Add street drainage will be subsurface as approved by ACHD

8. Percentage of Site Devoted to Building Coverage: 13%
% of Site Devoted to Landscaping: 16 % Square Footage: 14,788

% of Site that is hard Surfaces
(paving, driveways, walkways, etc.): 28% Square Footage: 25,400

% of Site Devoted to Other Uses: None
Describe: _____

% of landscaping within the parking lot (landscaped islands, etc.): *(Please see Kuna City Ordinance 2006-100)*
N/A

9. For details, please provide dimensions of landscaped areas within public right-of-way:
None

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

11. Pedestrian Amenities: *(bike racks, receptacles, drinking fountains, benches, etc.)*
None

12. Parking requirements:
Total Number of Parking Spaces: N/A Width and Length of Spaces: _____
Total Number of Compact Spaces (8'x17'): _____

13. Is any portion of the property subject to flooding conditions? Yes _____ No _____
(If yes, you must submit a Floodplain Development Permit Application with this Design Review application.)

IF THE PLANNING DIRECTOR OR DESIGNEE, THE COMMISSION 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 RESCHEDULED BY THE CITY. APPLICANT/REPRESENTATIVE MUST ATTEND ALL SCHEDULED MEETINGS.

SADIE CREEK SUBDIVISION NO. 1

A RESUBDIVISION OF A PORTION OF BLOCK 11, AMENDED PLAT OF PART OF THE AVALON ORCHARD TRACTS AND A PORTION OF THE NORTH 1/2 OF THE SE 1/4, LOCATED IN SECTION 25, T.2N., R.1W., B.M., CITY OF KUNA, ADA COUNTY, IDAHO

2008

STANLEY CONSULTANTS
MERIDIAN, IDAHO

LEGEND

- PROPERTY BOUNDARY
- EASEMENT LINE (SEE NOTE 1, 2 & 3)
- ACID STORM DRAIN EASEMENT
- CENTERLINE
- LOT LINE
- RIGHT-OF-WAY LINE
- SECTION LINE
- LOT NUMBER
- FOUND BRASS OR ALUMINUM CAP MONUMENT, AS SHOWN
- SET 5/8" x 30" REBAR WITH PLASTIC CAP, PLS 4998
- SET 1/2" x 24" REBAR WITH PLASTIC CAP, PLS 4998
- FOUND 5/8" REBAR WITH PLASTIC CAP
- FOUND 1/2" REBAR WITH PLASTIC CAP
- CALCULATED POINT (NOT SET)

NOTES:

1. UNLESS OTHERWISE DESIGNATED OR DIMENSIONED, THERE SHALL BE A PERMANENT TEN (10) FOOT PROPERTY DRAINAGE, PUBLIC UTILITY, KUNA CITY STREET LIGHT, SEWER AND IRRIGATION EASEMENT ADJACENT TO ANY PUBLIC STREET. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO EACH LOT.
2. UNLESS OTHERWISE DESIGNATED OR DIMENSIONED, THERE SHALL BE A FIVE (5) FOOT PROPERTY DRAINAGE, PUBLIC UTILITY AND IRRIGATION EASEMENT ADJACENT TO ALL SIDE LOT LINES INSIDE THIS SUBDIVISION WHICH DO NOT FRONT A PUBLIC STREET.
3. UNLESS OTHERWISE DESIGNATED OR DIMENSIONED, THERE SHALL BE A TEN (10) FOOT PROPERTY DRAINAGE, PUBLIC UTILITY AND IRRIGATION EASEMENT ADJACENT TO ALL REAR LOT LINES INSIDE THIS SUBDIVISION.
4. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
5. IRRIGATION WATER HAS BEEN PROVIDED FROM THE BOISE-KUNA IRRIGATION DISTRICT, IN COMPLIANCE WITH IDAHO CODE 31-3805(b). LOTS WITHIN THE SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS, AND WILL BE OBLIGATED FOR ASSESSMENTS FROM THE BOISE-KUNA IRRIGATION DISTRICT.
6. MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY OF KUNA APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF INDIVIDUAL BUILDING PERMITS OR AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAT.
7. THE SADIE CREEK HOME OWNER'S ASSOCIATION, OWNERSHIP AND/OR MAINTENANCE COMMITMENT MAY NOT BE ELIMINATED OR ASSIGNED TO OTHERS WITHOUT THE EXPRESS CONSENT OF THE CITY OF KUNA.
8. SEE RECORD OF SURVEY NOS. 6733 AND 7243, ADA COUNTY RECORDER'S OFFICE, FOR ADDITIONAL DATA OF RECORD.
9. ALL LOTS SHOWN ON THIS PLAT ARE RESIDENTIAL LOTS EXCEPT LOT 1, BLOCK 1, WHICH SHALL BE OWNED AND MAINTAINED BY THE CITY OF KUNA FOR A PARK AND IRRIGATION POND; LOTS 2, 3 AND 4, BLOCK 1, WHICH ARE INDUSTRIAL LOTS; LOTS 5, 27, 41 AND 52, BLOCK 1; LOT 1, BLOCK 2; LOT 21, BLOCK 3; LOTS 3 AND 10, BLOCK 7; AND LOTS 1 OF BLOCKS 8, 9, 10, 11, 12 AND 13 WHICH ARE COMMON LOTS TO BE OWNED AND MAINTAINED BY THE SADIE CREEK HOME OWNER'S ASSOCIATION AND ARE COVERED BY A PUBLIC UTILITY EASEMENT.
10. EXCEPT LOTS 3 AND 4, BLOCK 1; DIRECT LOT ACCESS TO S. LUKER ROAD IS HEREBY PROHIBITED AND DIRECT LOT ACCESS TO E. SADIE CREEK DRIVE IS HEREBY PROHIBITED.
11. LOT 20, BLOCK 2 AND LOT 34, BLOCK 3, ARE SUBJECT TO A TEMPORARY TURNAROUND EASEMENT IN FAVOR OF THE ADA COUNTY HIGHWAY DISTRICT AND CANNOT BE DEVELOPED UNTIL THE STREETS ARE EXTENDED.
12. THIS DEVELOPMENT RECOGNIZES IDAHO CODES 22-4503, RIGHT TO FARM ACT, WHICH STATES "NO AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NON AGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME THE OPERATION BEGAN, PROVIDED THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."
13. A PORTION OF LOTS 1, 2, 3, 4, 5, 6, 7, 29, 30 AND 31 OF BLOCK 1; LOTS 1, 2, 3, AND 4, OF BLOCK 2; LOTS 1, 2, 7, 8, 24, 25, 26, 27, 28, 29, 33, 34 AND 35 OF BLOCK 3; LOTS 1, 2 AND 10 OF BLOCK 4; LOTS 3, 4, 5, AND 8 OF BLOCK 5; LOTS 4, 5, 6, 7, AND 8 OF BLOCK 6; LOT 1 OF BLOCK 7; ARE SERVIENT TO AND CONTAIN THE ACID STORM WATER DRAINAGE SYSTEM. THESE LOTS ARE ENCLUMBERED BY THAT CERTAIN MASTER PERPETUAL STORM WATER DRAINAGE EASEMENT RECORDED ON JUNE 1, 2004 AS INSTRUMENT NO. 104088411, OFFICIAL RECORDS OF ADA COUNTY, AND INCORPORATED HEREIN BY THIS REFERENCE AS IF SET FORTH IN FULL (THE "MASTER EASEMENT"). THE MASTER EASEMENT AND THE STORM WATER DRAINAGE SYSTEM ARE DEDICATED TO ACID PURSUANT TO SECTION 40-2302 IDAHO CODE. THE MASTER EASEMENT IS FOR THE OPERATION AND MAINTENANCE OF THE STORM WATER DRAINAGE SYSTEM.
14. THE SADIE CREEK HOMEOWNER'S ASSOCIATION SHALL BE RESPONSIBLE TO MAINTAIN THE 20' LANDSCAPING EASEMENT IN LOTS 2 AND 3, BLOCK 1 ALONG S. LUKER ROAD.
15. SEE AMENDED PLAT OF PART OF THE AVALON ORCHARD TRACTS AS RECORDED IN BOOK 6 OF PLATS AT PAGE 254, ADA COUNTY RECORDER'S OFFICE FOR ADDITIONAL DATA OF RECORD.

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE NOT BEEN SATISFIED AND ARE IN FORCE FOR ALL RESIDENTIAL AND COMMERCIAL LOTS IN THIS SUBDIVISION.

LOTS 1 THROUGH 4, 6 THROUGH 26, 28 THROUGH 40, 42 THROUGH 51, BLOCK 1; LOTS 2 THROUGH 21, BLOCK 2; LOTS 1 THROUGH 20, 22 THROUGH 35, BLOCK 3; LOTS 1 THROUGH 10, BLOCK 4; LOTS 1 THROUGH 12, BLOCK 5; LOTS 1 THROUGH 10, BLOCK 6; AND LOTS 1 AND 2 AND 4 THROUGH 8, BLOCK 7.

NO OWNER SHALL CONSTRUCT ANY BUILDING, DWELLING OR SHELTER WHICH NECESSITATES THE SUPPLYING OF WATER OR SEWAGE FACILITIES FOR PERSONS USING SUCH PREMISES UNTIL SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED AND LIFTED.

CENTRAL DISTRICT HEALTH DEPARTMENT
ADA COUNTY
HEALTH DEPARTMENT

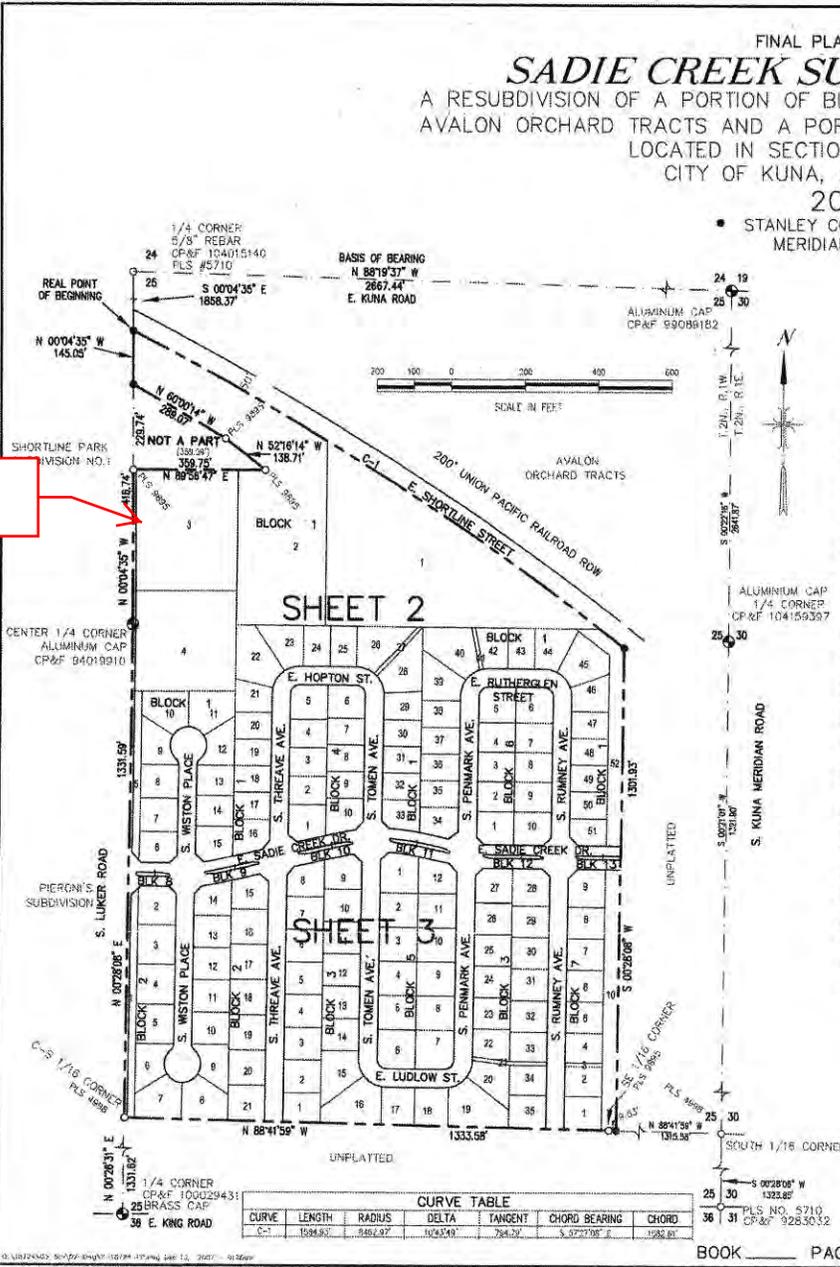


DEVELOPER:
RED CLIFF DEVELOPMENT
MERIDIAN, IDAHO

SHEET 1 OF 5

Lot 3 Block 1 -
Sadie Creek Sub

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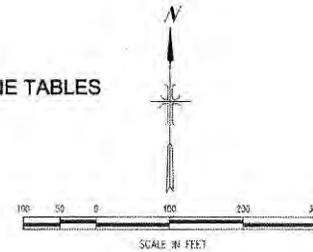
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD BEARING	CHORD
C-1	1594.93'	5482.07'	104°34'	784.32'	S. 67°27'08" W	1582.81'

BOOK _____ PAGE _____

FINAL PLAT SHOWING
SADIE CREEK SUBDIVISION NO. 1
A RESUBDIVISION OF A PORTION OF BLOCK 11, AMENDED PLAT OF PART OF THE
AVALON ORCHARD TRACTS AND A PORTION OF THE NORTH 1/2 OF THE SE 1/4,
LOCATED IN SECTION 25, T.2N., R.1W., B.M.,
CITY OF KUNA, ADA COUNTY, IDAHO

2008
• STANLEY CONSULTANTS •
MERIDIAN, IDAHO

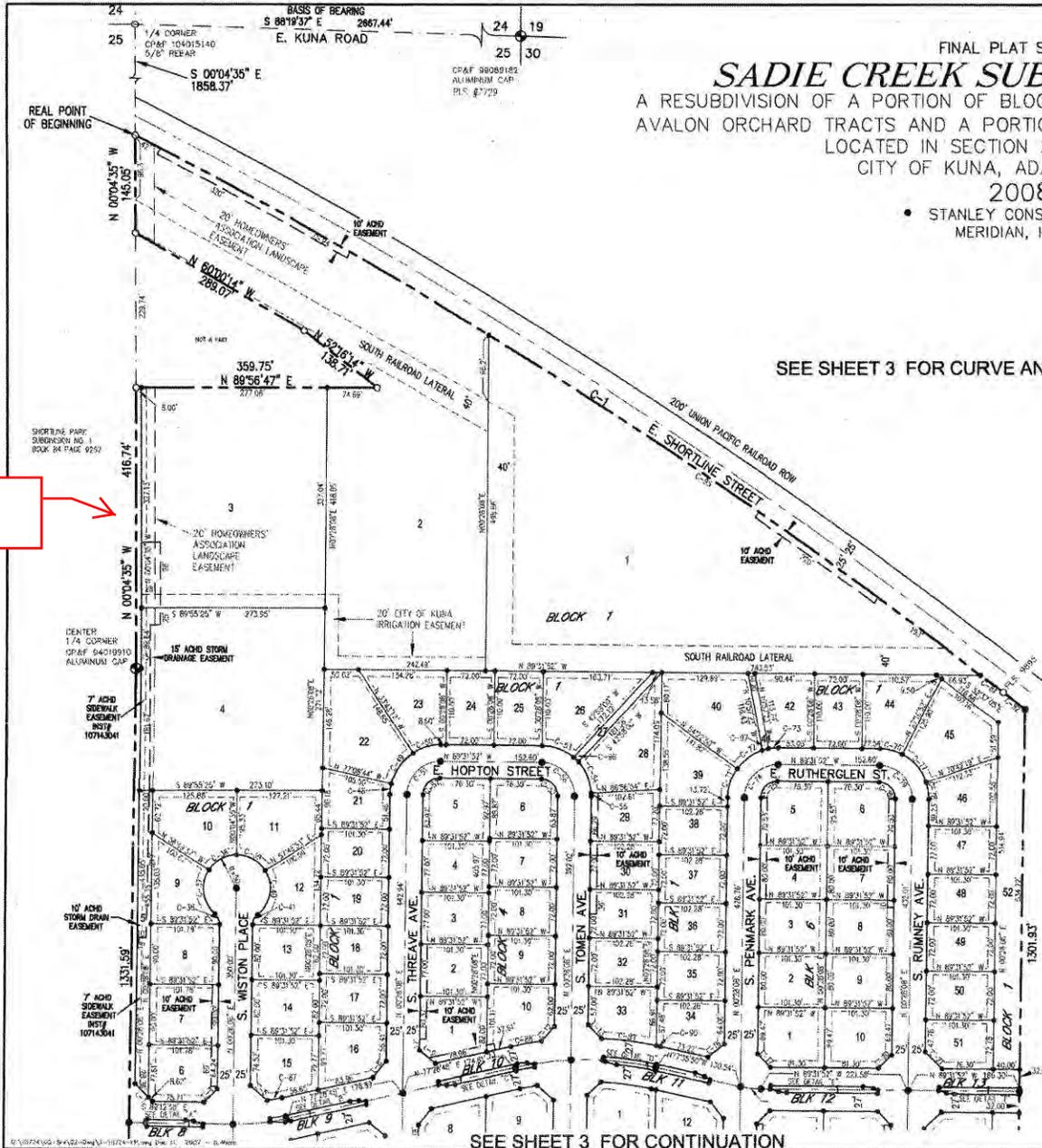
SEE SHEET 3 FOR CURVE AND LINE TABLES



LEGEND

- FOUND BRASS OR ALUMINUM CAP MONUMENT, AS SHOWN
- SET 5/8" X 30" REBAR WITH PLASTIC CAP, PLS 4996
- SET 1/2" X 24" REBAR WITH PLASTIC CAP, PLS 4996
- FOUND 5/8" REBAR WITH PLASTIC CAP
- FOUND 1/2" REBAR WITH PLASTIC CAP
- ▲ CALCULATED POINT (NOT SET)
- PROPERTY BOUNDARY
- - - EASEMENT LINE (SEE NOTE 1, 7 & 8)
- - - ADD STORM DRAIN EASEMENT LINE
- CENTERLINE
- LOT LINE
- - - RIGHT-OF-WAY LINE
- - - SECTION LINE
- 1 LOT NUMBER

Lot 3 Block 1 -
Sadie Creek Sub

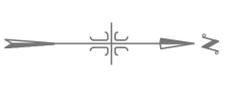


SEE SHEET 3 FOR CONTINUATION

BOOK _____ PAGE _____



DEVELOPER:
RED CLIFF DEVELOPMENT

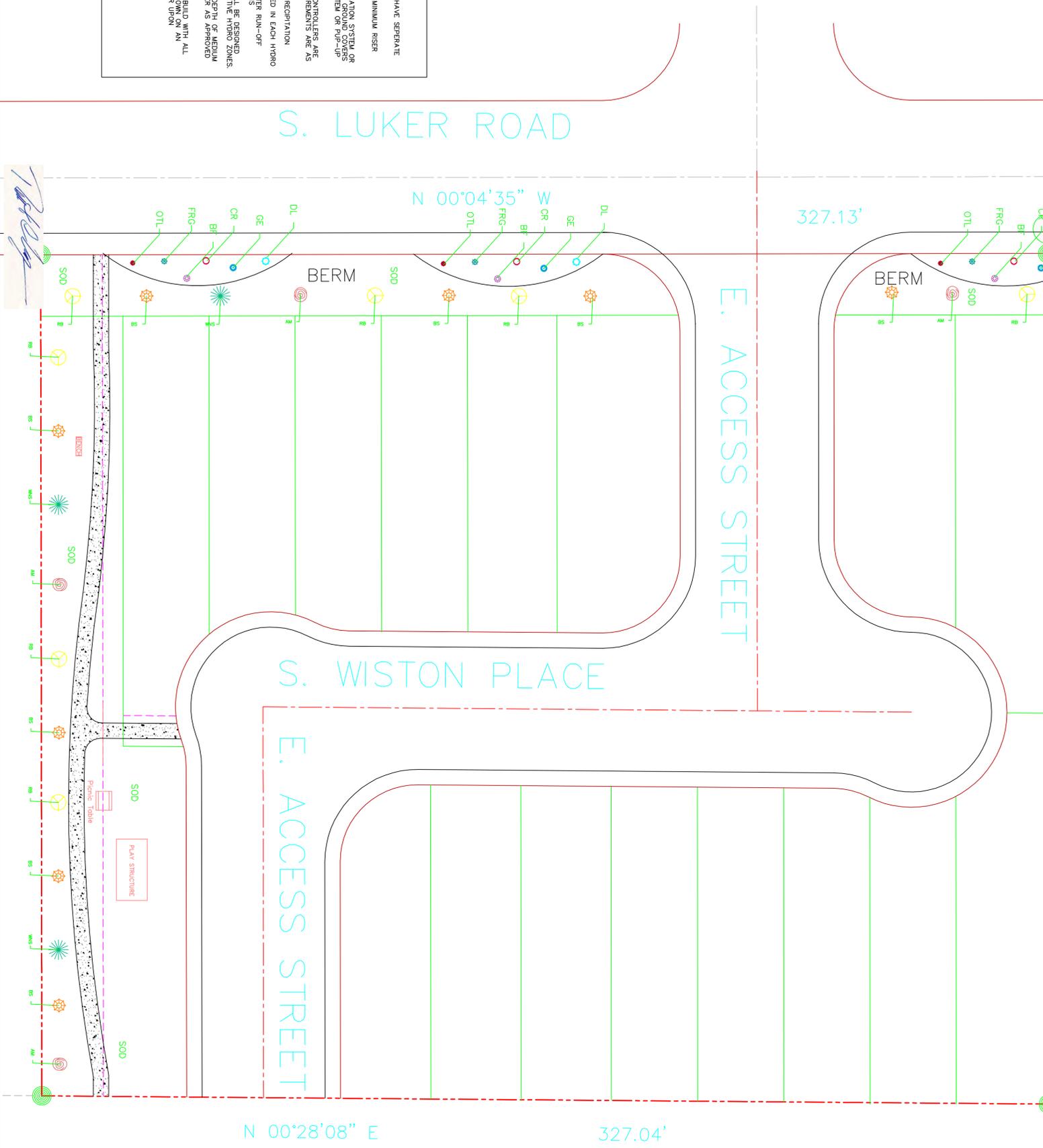


PLANT SCHEDULE

SYM	COMMON NAME	SIZE AT PLANTING	QTY
BTS	BLUE TOTEM SPRUCE	8-10'	0
CAM	CLUMP ACER MAPLE	15 GAL	0
WMS	WEeping NORWAY SPRUCE	8-10'	3
CP	CAPITOL PEAR	2" CALIPER	0
AM	ARMSTRONG MAPLE	2" CALIPER	5
BS	BLUE SPRUCE	8-10'	7
RB	RIVER BIRCH	2" CALIPER	6
DL	STELLA DAY LILLIE	1 GAL	2
GE	GOLDEN EUONYMUS	5 GAL	3
CR	RED CARPET ROSE	5 GAL	3
BF	BLUE FISQUE	1 GAL	3
FRG	FEATHER REED GRASS	1 GAL	3
OTL	OTTO LUYKEN LAUREL	5 GAL	3

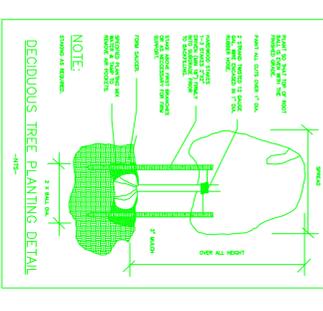
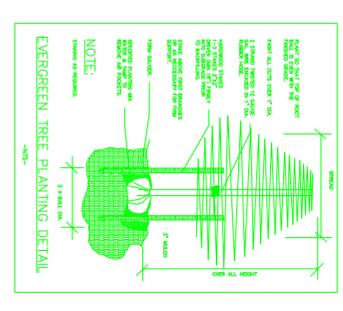
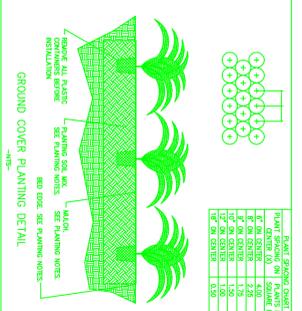
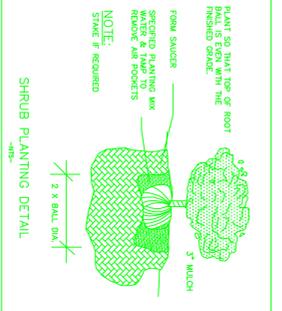
- GENERAL NOTES:**
- LANDSCAPE CONTRACTOR TO FIELD VERIFY LOCATIONS OF ALL UTILITIES PRIOR TO MINOR OR ANY DEMOLITION OR CONSTRUCTION. CONTRACTOR SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
 - ALL PLANT MATERIAL SHALL CONFORM TO THE CURRENT AMERICAN ASSOCIATION OF UNIVERSITIES NATIONAL STANDARD SPECIFICATIONS.
 - THE LANDSCAPE CONTRACTOR SHALL COORDINATE ALL PLANTINGS WITH REGULATION CONTRACTOR TO INSURE PROPER COVERAGE.
 - NO SUBSTITUTIONS WILL BE PERMITTED WITHOUT THE WRITTEN CONSENT OF THE OWNER AND CITY OF MERIDIAN.
 - ALL PLANT AREAS SHOULD BE MAINTAINED FREE AND CLEAR OF UNDERGROWTH.
 - ALL TREES, SHRUBS, AND SPERMATOPHYTES SHOULD BE REPLACED IF THEY BE OR BECOME UNHEALTHY.
 - ALL PLANTINGS SHOULD BE FERTILIZED AND IRRIGATED AT 7500 INTERVALS NECESSARY TO PROMOTE OPTIMUM GROWTH.
 - AS PART OF THE TREE PRESERVATION PERMIT, TREES THAT THE DRAWING WILL BE DEEMED NECESSARY TO REMOVE PRIOR TO CONSTRUCTION PERIOD. NO GRADING WILL BE PERMITTED WITHIN THE TREE'S DRAINAGE.
 - ALL LANDSCAPED AREAS SHALL HAVE AN AUTOMATIC UNDERGROUND SPRINKLER SYSTEM WHICH INSURES COMPLETE EACH HYDRO ZONE IS TO BE IRRIGATED WITH SEPARATE INDIVIDUAL STATIONS.
 - PLANTER BEDS AND LAWN AREAS ARE TO HAVE SEPARATE HYDRO ZONES.
 - POP UP SPRINKLER HEADS SHALL HAVE A MINIMUM RISER HEIGHT OF 4".
 - PLANTER BEDS ARE TO HAVE A DRIP IRRIGATION SYSTEM OR OTHER SYSTEMS AS APPROVED BY THE OWNER. SPRINKLER SYSTEMS OR SHURB SYSTEMS SHALL HAVE A DRIP SYSTEM OR PUMP-UP SPRAY SYSTEM.
 - ELECTRONIC WATER DISTRIBUTION/TIMING CONTROLLERS ARE TO BE PROVIDED. MINIMUM CONTROLLER REQUIREMENTS ARE AS FOLLOWS: INDIVIDUAL STATION TIMING CAPABILITY FOR EACH HYDRO ZONE. AT LEAST ONE PROGRAM SHALL BE PROVIDED IN EACH HYDRO ZONE. NIGHT WATERING CAPABILITY FOR ALL PROGRAMS. POWER FAILURE BACKUP FOR ALL PROGRAMS.
 - INDIVIDUAL VALVED WATERING STATIONS WILL BE DESIGNED AND INSTALLED TO PROVIDE WATER TO RESPECTIVE HYDRO ZONES.
 - ALL PLANTING BEDS SHALL RECEIVE A 2" DEPTH OF MEDIUM TO SOFTENED SOIL OVER WEED CONTROL BARRIERS AS APPROVED BY THE OWNER.
 - THE IRRIGATION DESIGN SHALL BE DESIGN-BUILD WITH ALL ZONES AND APPROXIMATE HEAD LOCATIONS SHOWN ON AN AS-BUILT PLAN AND SUBMITTED TO THE OWNER UPON COMPLETION.

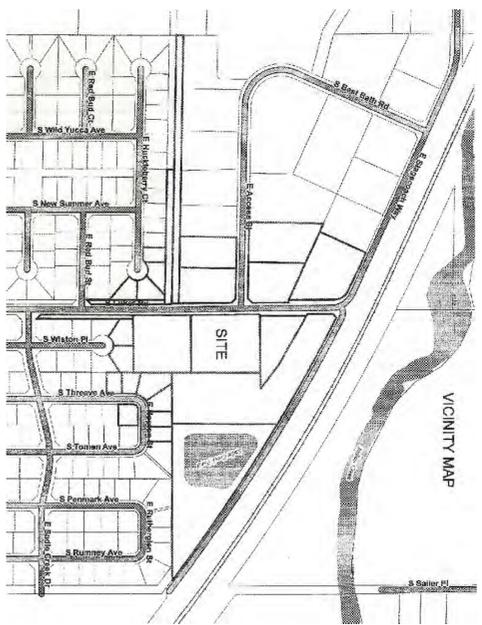
SOREL SUBDIVISION
 A RESUBDIVISION OF LOT 3, BLOCK 1,
 SADIE CREEK SUBDIVISION #1
 LOCATED IN THE NW 1/4, OF SECTION 18,
 T.2N., R.1W., B.M.
 ADA COUNTY, IDAHO
 285.06'
 2013



OWNER/DEVELOPER
 RANDY VANDERWERFF
 36101 BOB HOPE DRIVE, ES-125
 RANCHO MIRAGE, CA 92270
 (760) 333-0980

CONTACT
 BOB UNGER
 ULC MANAGEMENT, LLC
 6104 N GARY LANE
 BOISE, IDAHO 83714
 (208) 861-5220





SHORTLINE PARK
ZONED M-1
VACANT

E. ACCESS STREET

NOTES:

- 1) ALL LOT LINES COMMON TO A PUBLIC RIGHT-OF-WAY HAVE A 10' UTILITY EASEMENT. ALL SIDE YARD LOT LINES NOT COMMON TO TOWNHOUSES HAVE A 5' PROPERTY DRAINAGE & IRRIGATION EASEMENT.
- 2) ALL LOTS ARE SINGLE FAMILY RESIDENTIAL EXCEPT, LOT 20 (PRIVATE ROADS), AND LOTS 1, 13, AND 19 WHICH ARE COMMON/OPEN SPACE LOTS AND SHALL BE OWNED AND MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION.
- 3) ALL SANITARY SEWER MAINS SHALL BE 8" Ø UNLESS OTHERWISE SHOWN.
- 4) ALL WATER MAINS SHALL BE 8" Ø UNLESS OTHERWISE SHOWN.
- 5) DRAINAGE SHALL BE REMOVED VIA SUBSURFACE FACILITIES AS APPROVED BY ACHD, AND/OR DISCHARGING RUNOFF INTO EXISTING DRAINS AT HISTORIC RATES.
- 6) THIS SUBDIVISION IS SUBJECT TO COMPLIANCE WITH THE IDAHO CODE SECTION 31-3805 CONCERNING IRRIGATION WATER.
- 7) SANITARY SEWER SERVICE PROVIDED BY MERIDIAN CITY.
- 8) THIS DEVELOPMENT RECOGNIZES IDAHO CODE 22-4503, RIGHT TO FARM ACT, WHICH STATES "NO AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NON AGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION BEGAN; PROVIDED THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."
- 9) ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RESUBDIVISION.
- 10) FIRE PROTECTION WILL BE PROVIDED IN ACCORDANCE WITH THE MERIDIAN FIRE DEPARTMENT.
- 11) PRESSURIZED IRRIGATION SHALL BE PROVIDED TO ALL LOTS BY A PRESSURE SYSTEM WITH WATER SUPPLIED BY THE SETTLERS IRRIGATION DISTRICT.
- 12) THIS PROPERTY FALLS OUTSIDE OF THE 500 YR. AND 100 YR. FLOODPLAIN. SEE FLOOD INSURANCE RATE MAP (FIRM) ADA COUNTY, IDAHO PANEL 165 OF 875, COMMUNITY-PANEL NUMBER 16001C0165H, FEB 19, 2003.
- 13) ALL PRIVATE STREETS WILL BE OWNED AND MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION.
- 14) ALL PRIVATE STREETS ARE ON A LOT WHICH INCLUDES A PUBLIC UTILITIES AND ACCESS EASEMENT.

SHORTLINE PARK
ZONED M-1
VACANT

S. LUKER ROAD

N 00°04'35" W

327.13'

E. ACCESS STREET

PRELIMINARY PLAT SHOWING
SORREL SUBDIVISION
A RESUBDIVISION OF LOT 3, BLOCK 1, SADIE CREEK SUBDIVISION #1
LOCATED IN THE NW 1/4, OF SECTION 18,
T.2N., R.1W., B.M.
ADA COUNTY, IDAHO
2013

N 89°56'47" E 285.06'

ZONED RUT
SFR

S. WISTON PLACE

N 00°28'08" E

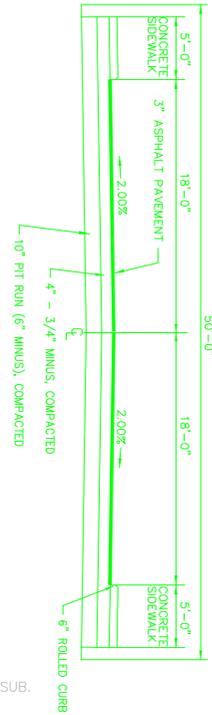
327.04'

E. ACCESS STREET

LEGEND

- PROPERTY BOUNDARY
- RIGHT OF WAY LINE
- LOT LINE
- SIDEWALK
- CENTERLINE
- PARCEL LINE
- NEW WATER
- NEW SEWER
- EASEMENT
- ☼ LIGHT
- ☼ FIRE HYDRANT
- PICNIC TABLE
- ▨ REC ARENITIES
- 1 LOT NUMBER

1" = 20'



PRIVATE STREET SECTION

NO.	REVISIONS AS PER ACHD	DATE	BY	REV. CODE FILE
1		8/02/13	RU	
2			RU	
3			RU	
4			RU	
5			RU	

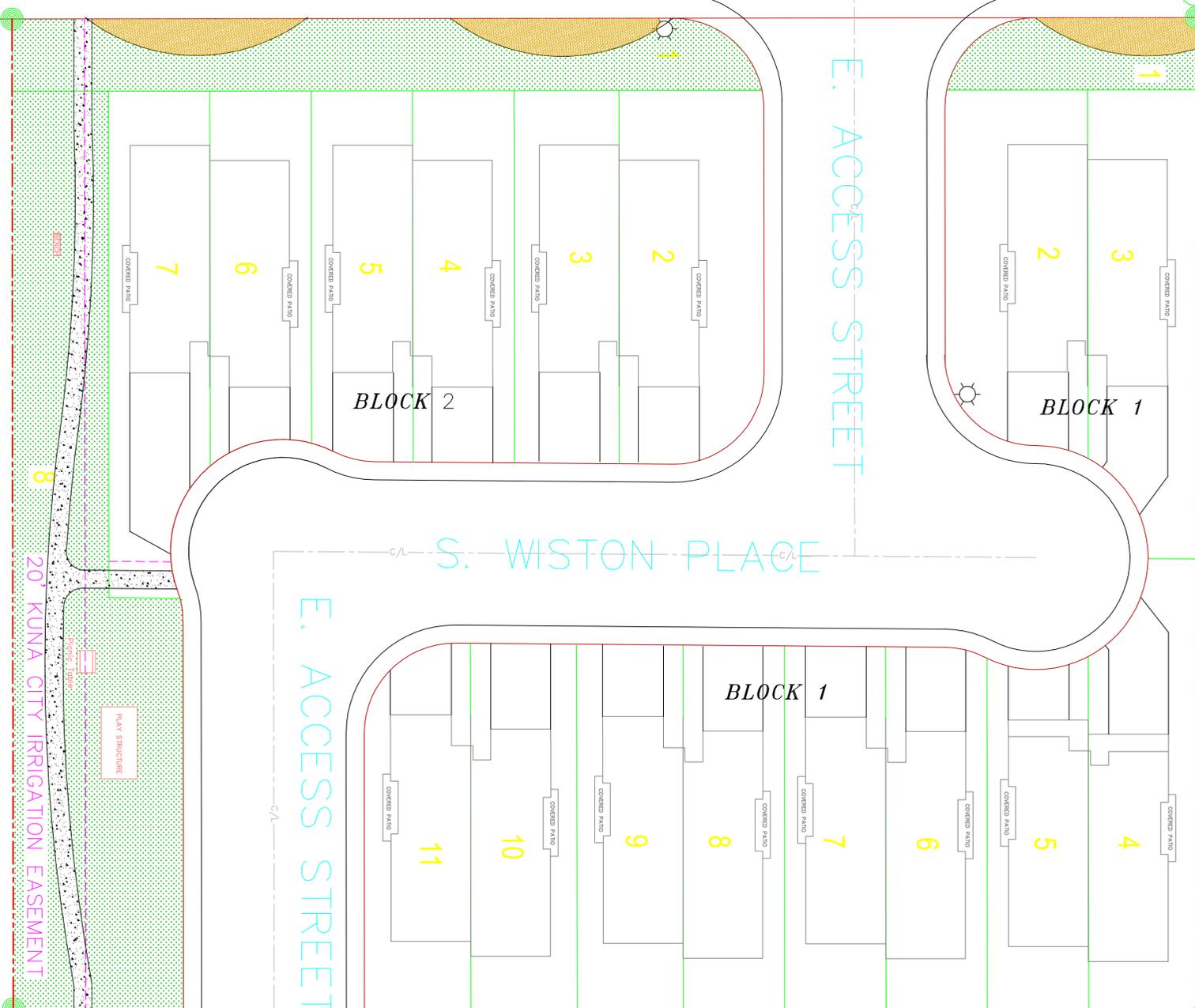
DATE	DESIGNED BY	DATE	CHECKED BY	DATE	APPROVED BY
8/02/13	RU		RU		

DATE	DESIGNED BY	DATE	CHECKED BY	DATE	APPROVED BY
8/02/13	RU		RU		

DATE	DESIGNED BY	DATE	CHECKED BY	DATE	APPROVED BY
8/02/13	RU		RU		

6104 N. GARY LANE, BOISE, IDAHO, 83714
bunger@ulcmanagement.com
208-861-5220 FAX 208-577-6493

JOB NO. 13-105
SHEET NO. 1



PRELIMINARY PLAT DEVELOPMENT FEATURES

TOTAL ACRES.....	2.06 ACRES
TOTAL LOTS.....	19
SINGLE FAMILY TOWNHOUSE LOTS.....	16
COMMON LOTS.....	3
TOTAL SINGLE FAMILY DENSITY.....	8 UNITS/AC.
TOTAL OPEN SPACE.....	20 ACRES
EXISTING ZONING.....	M-1
PROPOSED ZONING.....	R-8

DEVELOPER
RANDY VANDERWERFF
36101 BOB HOPE DRIVE, E5-125
RANCHO MIRAGE, CA 92270
(760) 333-0980

CONTACT
BOB LUNGER
ULC MANAGEMENT, LLC
6104 N. GARY LANE
BOISE, IDAHO 83714
(208) 861-5220

AGREEMENT
2.06 ACRES

ZONING
EXISTING M-1
PROPOSED R-8

SETBACKS R-8 ZONE
FRONT 20'
REAR 15'
SIDE 5'
STREET SIDE 20'

SEWAGE DISPOSAL
CITY OF KUNA

WATER SUPPLY
CITY OF KUNA

FIRE DISTRICT
KUNA FIRE DEPARTMENT
SCHOOL DISTRICT
KUNA

IRRIGATION DISTRICT
CITY OF KUNA

RANDY VANDER WERFF
MASTER PLAN

THESE DRAWINGS OR ANY PORTION THEREOF SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH ULC MANAGEMENT.

SORREL SUBDIVISION

ULC MANAGEMENT













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

GORDON N. LAW
CITY ENGINEER

Telephone (208) 287-1727; Fax (208) 287-1731

Email: gordon@cityofkuna.com

MEMORANDUM

TO: Director of Kuna Planning and Zoning

FROM: Gordon N. Law
Kuna City Engineer

RE: Sorrell Subdivision
PUD; Rezone; Preliminary Plat; Development Agreement
13-01-PUD, 13-03-ZC; 13-01-S, 13-02-DA

DATE: September 30, 2013

The City Engineer has reviewed the Planned Unit Development, Zone Change, Preliminary Plat and Development Agreement request of the above applicant dated September 24, 2013. The parcel is a platted lot in Sadie Creek Subdivision No. 1 (recorded January 17, 2008). It is noted that the request and application do provide a detailed narrative description or plan for development of the site and comments will be structured accordingly.

1. Sanitary Sewer System

- a) The City has sufficient sewer treatment capacity to serve this site. The wastewater from this area presently is treated in the south treatment facility. This site is not connected to the city system and would be subject to connection fees for the demand of 16 dwelling units as provided in the City's Standard Table.
- b) This property was included in Local Improvement District 2006-1 and has paid for one EDU and is entitled to a credit against the cost for connection fees associated with that one EDU. Treatment capacity may be secured for the remaining demand from this site only from those who have reserved capacity or from capacity not reserved and upon payment of appropriate fees.
- c) The nearest gravity main (8-inch) is located in Luker Road near the southern boundary of the site. Specific recommendations of note are as follows:
 - 1) City Code (6-4-20) requires connection to the City sewer system for all sanitary sewer needs.
 - 2) Extend the 8-inch sewer main from the manhole in Luker, just south of the property, north to the Access Street entrance, set a new manhole and stub 8-inch mains north and east.

- 3) Extend the 8-inch sewer main into and through the subdivision to the east boundary of the property on Access Street, set a manhole and stub the manhole to the east.
- 4) For any connected load, it is recommended this application be conditioned to conform to the sewer master plan.
- d) For assistance in locating existing facilities and understanding issues associated with the Master Plan and connection, please contact the City Engineer.

2. Potable Water System

- a) The City has sufficient potable water supply to serve this site. This site is not connected to the city system and would be subject to connection fees for the demand of 16 dwelling units as provided in the City's Standard Table.
- b) Water supply capacity is available for this site upon payment of appropriate fees. Specific recommendations of note are as follows:
 - 1) City Code (6-4-2X) requires connection to the City water system for all potable water needs.
 - 2) For any connected load, it is recommended this application be conditioned to conform to the water master plan.
 - 3) A 10-inch water main is installed in Luker Road. An 8-inch water main is to be extended into the project on Access Street.
 - 4) At least 8-inch water mains are to be stubbed by developer to the east property boundary on Access Street and terminated with a blow-off.
- c) Improvements necessary to provide adequate fire protection as required by Kuna Fire District will be required of the development.
- d) For assistance in locating existing facilities and understanding issues associated with connection, please contact the City Engineer.
- e) Please verify there is adequate separation between potable water service lines and all non-potable water lines (storm drains, sewer services, etc.).

3. Pressure Irrigation

- a) The applicant's property is not connected to the City pressure irrigation system. The nearest pressure main is located along the south boundary of the property.
- b) The development is subject to connection fees based on number of dwellings for the residential area and based on ultimate landscaped area for the commercial portion, as provided in City Resolutions.
- c) Irrigation supply capacity is available for this site upon payment of appropriate fees. Specific recommendations of note are as follows:
 1. Relying on drinking water for irrigation purposes is contrary to City Code (6-4-2I) and the public interest and is not accounted for in the approved Water Master Plan. It is recommended this project be conditioned to require connection and annexation to the City Pressure Irrigation system at the time of development.
 2. For any connected load, it is recommended this application be conditioned to conform to the Pressure Irrigation Master Plan. No PI trunk line is indicated in the Master Plan for the Luker frontage of this property.
 3. It is further recommended that annexation into the municipal irrigation district and pooling of water rights is a requirement at the time of final platting.
 4. It is recommended that conformity with approved City PI standards is required.

4. Grading, Gravity Irrigation, Drainage

- a) Runoff from public right-of-way is regulated by ACHD. Plans are required to conform to agency standards.
- b) Exclusive of public right-of-way, any increase in quantity or rate of runoff or decrease in quality of runoff compared to historical conditions must be detained, treated and released at rates no greater than historical amounts. In the alternative, offsite disposal of storm water in excess of historical rates or conditions of disposal at locations different than provided historically, approval of the operating entity is required. The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for design of the private disposal system.
- c) The city is now requiring with every new development, a documentation map that illustrates the surface and sub-surface water irrigation supply as well as drainage ways that exist in the applicant's property and in the right-of-way adjacent to the proposed development to be submitted with construction plans. The map must include 2-foot contours, a layout and essential features of existing irrigation ditches, drainage ditches and pipelines within and adjacent to the proposed development. Open and piped facilities should be noted. The map should include any proposed changes to the systems.
- d) **All upstream drainage rights and downstream water delivery rights are to be preserved as a condition of development.**

5. General

At the time of, or prior to redevelopment:

- a) Plan approvals and license agreements from any affected irrigation District will be required.
- b) The City reserves the right of prior approval to all agreements involving the applicant (or its successors) and the irrigation or drainage district related to the property of this application and any attempt to abandon surface water rights.
- c) Verify that existing and proposed elevations match sufficiently at property boundaries to not impose a slope burden on adjacent properties.
- d) State the vertical datum used for elevations.
- e) Provide engineering certification on all final engineering drawings.

6. Inspection Fees

An inspection fee will be required for any **public** water, sewer and irrigation construction work associated with this development. The developer will still require a qualified responsible engineer to do sufficient inspection to justly certify to DEQ the project was completed in accordance with approved plans and specifications and to provide accurate as-built drawings to the City. The developer's engineer and the City's inspector are permitted to coordinate inspections as much as possible. The current inspection fee is \$1.00 per lineal foot of sewer, water and pressure irrigation pipe and payment is due and payable prior to City's scheduling of a pre-construction conference.

7. Right-of-Way

Sufficient full and half right-of-way on section and quarter lines for arterial and collector streets shall be provided and developed pursuant to City, ITD and ACHD standards. In this instance, the site fronts on one classified street (Luker). The recommendations of the City Engineer are as follows:

- a) The right-of-way for public streets is recommended to match the city's adopted typology standard for "local residential" of 51' instead of 50' for Access Street and Wiston Place. The right-of-way width for Luker Road was established when Sadie Creek Subdivision No. 1 was platted.
- b) Residential Easements – City Code (6-3-8) requires the providing of 10-foot front and back lot line easements and side-lot easements, as necessary. The documents submitted with the application do not address residential area easements and the City Engineer recommends the City Code is observed except along zero lot-line side-lot boundaries.
- c) An approach to Luker is already provided. If it is to be relocated, it is recommended approaches onto local, section line and quarter line streets comply with ACHD approach policies and generally are coincident with or as far as practical from the intersection.
- d) Curb and Gutter – **City Code (6-4-2C) requires the installation of curb and gutter:** vertical curb on classified streets (Luker) and either rolled or vertical elsewhere. The City Engineer recommends compliance with City Code.
- e) Street Drainage – The application properly includes facilities for handling storm drainage from local streets. The City Engineer recommends compliance with ACHD policies.
- f) Sidewalk - **City Code (6-4-2Q) requires the installation of sidewalk** on all local and classified streets. The documents submitted with the application do not address this issue. The City Engineer recommends compliance with City Code.

8. As-Built Drawings

As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the developer's engineer. The city may help track changes, but will not be responsible for the finished product. As-built drawings will be required as a condition of final platting.

9. Property Description

- a) A metes and bounds description prepared by a licensed surveyor is provided from the recorded plat of Sadie Creek Subdivision No. 1.



City of Kuna
Planning & Zoning Department

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

October 3, 2013

Subject: City Forester Comments on Sorrel Landscape Plan.

To interested parties,

It is the recommendation of the City Forester to use fewer Pear Trees in Kuna since they are susceptible to fire-blight among other health related issues here in Kuna. Additionally, there is an over abundance of Pears here in Kuna. It is the recommendation of the City Forester to replace the Pear Trees with either Eastern Red bud, Kwanza Cherry or Kentucky Red Bud Trees.

There is no reason to label the "Clump Acer Maple" in this way. Acer is the Genus name for Maple and Clump is the way the tree grows. What kind of Maple will this be?

Follow all of the landscape requirements listed in Kuna City Code Title 5 and Chapter 17.

If you have any questions, please contact our office.

Thanks,

Natalie Purkey
City Forester –Certified Arborist
208.880.0953

Cc: Wendy Howell, Director of Planning Services



Project/File: **Sorrel/K13-01-PUD/K13-03-ZC/K13-02-DA/K13-05-S**
This is a Planned Unit Development, Rezone, and Subdivision application to construct 16 Townhouse lots on 2.06 acres. The site is located at 700 S Luker Road in Kuna, Idaho.

Lead Agency: City of Kuna

Site address: 700 S Luker Road

Staff Approval: October 29, 2013

Applicant: Bob Unger
 6104 N Gary Lane
 Boise, ID 83634

Representative: Bob Unger
 6104 N Gary Lane
 Boise, ID 83634

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



A. Findings of Fact

1. **Description of Application:** The applicant is requesting approval for a Planned Unit Development, Rezone from M-1 (Light Manufacturing/Industrial) to R-8 (Medium to High Density Residential), and subdivision to construct 16 Townhouses on 2.06 acres. The proposed use is consistent with the City of Kuna's Comprehensive Plan as their plan calls for Medium Residential Density in this area. Transit services are not available to the site. The site is located at 700 S Luker Road in Kuna, Idaho.

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

Direction	Land Use	Zoning
North	Single Family Residence (Rural Urban Transition)	RUT
South	Single Family Residence (Light Manufacturing/Industrial)	M-1
East	Bare ground (Light Manufacturing/Industrial)	M-1
West	Bare ground (Light Manufacturing/Industrial)	M-1

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

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

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

6. **Capital Improvements Plan (CIP)/Five Year Work Plan (FYWP):**

There are currently no roadways, bridges or intersections in the general vicinity of the project that are currently in the Five Year Work Program or the District’s Capital Improvement Plan (CIP).

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 93 additional vehicle trips per day (0 existing); 8 additional vehicle trips per hour in the PM peak hour (0 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 9th edition.

2. **Condition of Area Roadways**
Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Existing Plus Project
Luker Road	0-feet	Collector	17	Better than “D”	Better than “D”

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

3. **Average Daily Traffic Count (VDT)**
Average daily traffic counts are based on ACHD’s most current traffic counts.

- The average daily traffic count for Luker Road north of King Road was 213 on 11/29/2005.

C. Findings for Consideration

1. **Luker Road**

a. **Existing Conditions:** Luker Road is fully improved with 2-travel lanes, vertical curb, gutter, and 7-foot wide attached concrete sidewalk abutting the site. There is 55-feet of right-of-way for Luker Road (27.5-feet from centerline).

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

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

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

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

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

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

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

- c. **Applicant Proposal:** The applicant is not proposing any improvements to Luker Road abutting the site.
- d. **Staff Comments/Recommendations:** Luker Road is fully improved; therefore staff recommends no additional requirements or right-of-way dedication with this application.

The applicant should be required to replace any deteriorated or deficient sidewalk, curb, gutter or pedestrian facilities along Luker Road abutting the site, consistent with ACHD's Minor Improvement Policy 7203.3.

2. Internal Streets

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

- b. **Policy:**

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

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

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

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

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

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

parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

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

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

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

- c. **Applicant's Proposal:** The applicant is proposing to construct the internal streets as 36-foot street sections with curb, gutter, and 5-foot wide concrete sidewalk within 50-feet of right-of-way. The applicant is proposing 2 knuckles at each end of Wiston Place, which intersects Access Street.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed.

The applicant should be required to construct the proposed knuckles to meet the District's dimensional standards of a minimum 26 foot inside curb radius and 15 foot outside curb radius.

3. Roadway Offsets

- a. **Existing Conditions:** There is an existing 50-foot wide roadway approach, Access Street, onto Luker Road from the site. The street is located approximately 485-feet south of Stagecoach Way.
- b. **Policy:**
 - Local Offset Policy:** District policy 7206.4.5, requires local roadways to align or offset a minimum of 330-feet from a collector roadway (measured centerline to centerline).
 - District policy 7207.4.2, requires local roadways to align or provide a minimum offset of 125-feet from any other street (measured centerline to centerline).
- c. **Applicant's Proposal:** The applicant is not proposing any changes to the existing proposed street.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed.

4. Stub Streets

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

In addition, stub streets must meet the following conditions:

- A stub street shall be designed to slope towards the nearest street intersection within the proposed development and drain surface water towards that intersection; unless an alternative storm drain system is approved by the District.
 - The District may require appropriate covenants guaranteeing that the stub street will remain free of obstructions.
- c. **Applicant Proposal:** The applicant is proposing to construct a stub street, Access Street, to the east property line. The stub street is approximately 125-feet long and located approximately 502-feet south of Stagecoach Way.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed.

The applicant should be required to install a sign at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

5. Tree Planters

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

6. Landscaping

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

7. Other Access

Luker Road is classified as a collector roadway. Other than the access specifically approved with this application, direct lot access is prohibited to this roadway and should be noted on the final plat.

D. Site Specific Conditions of Approval

1. Replace any deteriorated or deficient sidewalk, curb, gutter or pedestrian facilities along Luker Road abutting the site, consistent with ACHD's Minor Improvement Policy 7203.3.
2. Construct the internal streets as 36-foot street sections with curb, gutter, and 5-foot wide concrete sidewalk within 50-feet of right-of-way.
3. Construct the 2 knuckles to meet the District's dimensional standards of a minimum 26 foot inside curb radius and 15 foot outside curb radius.
4. Construct the 125-foot long stub street, Access Street, to the east property line, located approximately 502-feet south of Stagecoach Way. Install a sign at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."
5. Direct lot access to Luker Road is prohibited and shall be noted on the final plat.
6. Payment of impacts fees are due prior to issuance of a building permit.
7. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

1. All irrigation facilities shall be relocated outside of the ACHD right-of-way.
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

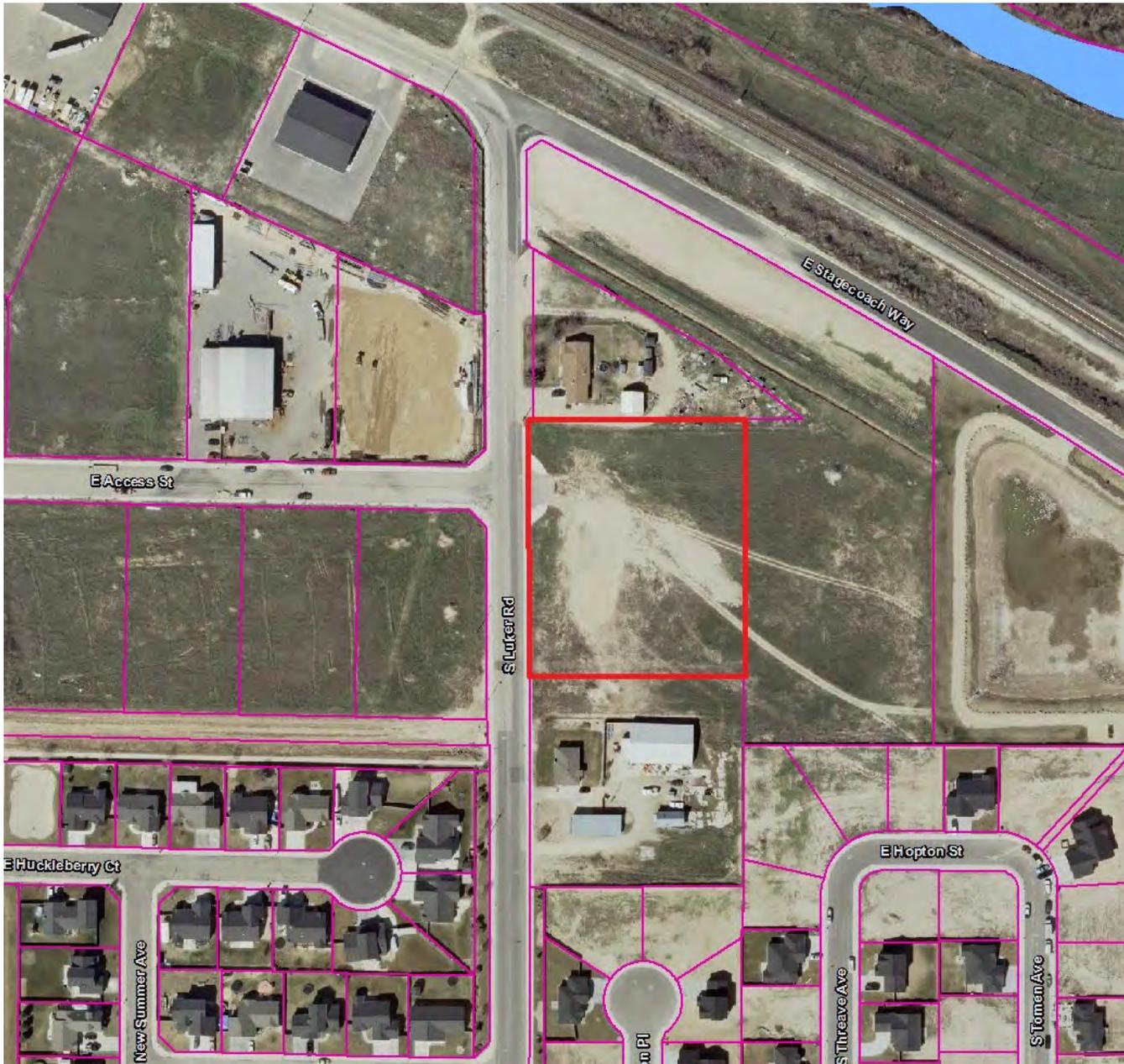
F. Conclusions of Law

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

G. Attachments

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

VICINITY MAP



Ada County Utility Coordinating Council

Developer/Local Improvement District Right of Way Improvements Guideline Request

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

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

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

Development Process Checklist

Items Completed to Date:

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

Items to be completed by Applicant:

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

DID YOU REMEMBER:

Construction (Non-Subdivisions)

Driveway or Property Approach(s)

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

Working in the ACHD Right-of-Way

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

Construction (Subdivisions)

Sediment & Erosion Submittal

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

Idaho Power Company

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

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

Request for Appeal of Staff Decision

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

RICHARD MURGOITIO
CHAIRMAN OF THE BOARD

KENNETH COLE
VICE CHAIRMAN OF THE BOARD

TIMOTHY M. PAGE
PROJECT MANAGER

ROBERT D. CARTER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

JERRI FLOYD
ASSISTANT SECRETARY-TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

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

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

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

07 October 2013

RECEIVED

OCT 09 2013

KUNA CITY CLERK

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

RE: Bob Unger
700 S. Luker Rd.
Boise-Kuna Irrigation District
South Railroad Lateral 115+60
Sec. 23, T2N, R1W, BM.

13-01-PUD/13-03-ZC/13-02-DA/13-05-S

BK-392 C

Troy Behunin:

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

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

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

NO DISCHARGE into any live irrigation system is permitted.

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Bob Carter".

Bob Carter
Assistant Project Manager- BPBC

bdc/bc

cc: Dan Sheirbon Watermaster, Div; 3 BPBC
 Lauren Boehlke Secretary – Treasurer, BKID
 File



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:

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

Rezone # 13-03-ZC / 13-02-DA

Conditional Use # _____

Preliminary / Final / Short Plat B-01-PUD

RECEIVED

OCT 03 2013

KUNA CITY CLERK

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

Date: 9/30/13



IDAHO TRANSPORTATION DEPARTMENT

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

(208) 334-8300
itd.idaho.gov

September 25, 2013

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

VIA EMAIL

Re: **13-01-PUD, 13-03-ZC, 13-02-DA, 13-05-S for the Sorrel Subdivision**

The Idaho Transportation Department has reviewed the referenced planned unit development, zone change, development agreement and subdivision applications for the Sorrel Subdivision on South Luker Road. ITD has the following comments:

- 1) ITD has no objection to the requested applications. The project does not generate any more trips than anticipated under the Comprehensive Plan and this site does not require access to the State Highway System.

If you have any questions, you may contact MS Shona Cheever at 334.8341 or me at 334-8377.

Sincerely,

A handwritten signature in blue ink that reads "Dave Szplett". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Dave Szplett
Development Services Manager
dave.szplett@itd.idaho.gov

Troy Behunin

From: Justin Dusseau [SO4335@adaweb.net]
Sent: Tuesday, September 24, 2013 7:35 PM
To: Troy Behunin
Subject: Re: Sorrel Subdivision - Agency Review Packets

Thank you for providing me with this information. I see no foreseeable issue with the proposed development.

Thank you

Chief Justin Dusseau
Kuna Police

Sent from my iPad

On Sep 24, 2013, at 3:39 PM, "Troy Behunin" <troy@cityofkuna.com> wrote:

> Good afternoon,
> A PDF containing materials for an upcoming land use action is included with this email for your agencies review. Please review the material and provide our office with comments relating to this request.
> Thank you,
> Troy Behunin
> Senior Planner
> City of Kuna
> 763 W. Avalon
> Kuna, ID 83634
> 208-922-5274
> Troy@cityofkuna.com<<mailto:Troy@cityofkuna.com>>
>
> Check out our new web site! Kunacity.id.gov
>
> CONFIDENTIALITY NOTICE
> This e-mail and any attachments may contain confidential or privileged information. If you are not the intended recipient, you are not authorized to use or distribute any information included in this e-mail or its attachments. If you receive this e-mail in error, please delete it from your system and contact the sender.
>
> <Agency Transmittal Packet 9.24.13.pdf>

RECEIVED

SEP 20 2013

CITY OF KUNA

September 13, 2013

Bob Unger
ULC Management

RE: Subdivision Name Reservation: "**Sorrel Subdivision**"

Dear Bob,

At your request I have reserved the name of "**Sorrel Subdivision**" for your project. I can honor this reservation only as long as your project is in the approval process. Final approval can only take place when the final plat is recorded.

This reservation is available for the next ten (10) years unless the project is terminated by the client or the jurisdiction or the conditions of approval have not been met. In which case the name can be re-used by someone else.

Sincerely,
Jerry Hastings, P.L.S.
County Surveyor
Ada County, Idaho
208-287-7912
208-287-7909 Fax
jhastings@adaweb.net

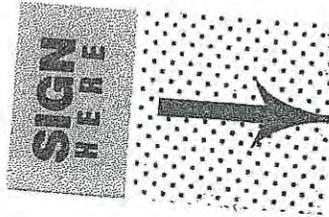


PioneerTitleCo.

GOING BEYOND

1414 West Bannock Street
Boise, ID 83702

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



RECEIVED

SEP 20 2013

CITY OF KUNA

REVIEWED & APPROVED

BY: RVW
Jay

File No. 537553/JB/MA

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

Bank of the Cascades

a corporation duly organized and existing under the laws of the State of _____, Grantor, does hereby Grant, Bargain, Sell and Convey unto

Randolph Vanderwerff and Tricia Yeckley, husband and wife

Grantee, whose address is: 36101 Bob Hope Dr. Ste. D5 #125 Rancho Mirage, CA 9227, the following described real estate, to-wit:

Lot 3 in Block 1 of Sadie Creek Subdivision No. 1, according to the plat thereof, filed in Book 100 of Plats at page(s) 12931-12935, records of Ada County, Idaho.

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision, restrictions, U.S. patent reservations, easements of record and easements visible upon the said premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that they are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its officers this September 4, 2013.

Bank of the Cascades

By: _____
Justin Snyder, V.P. Assistant Credit Administrator

IN WITNESS WHEREOF, Trustor has executed this Deed of Trust as of the day and year set forth above.

"Trustor"

Randolph Vanderwerff and Tricia Yeckley, husband and wife

By: *Randolph Vanderwerff*
Randolph Vanderwerff

By: *Tricia Yeckley*
Tricia Yeckley

State of California
County of San Bernardino

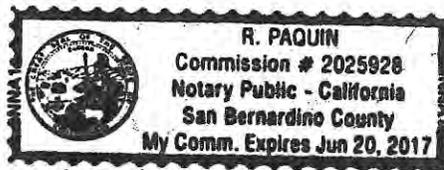
On Sept. 9 2013 before me, R. Paquin Notary Public
(insert name and title of the officer)

personally appeared Randolph Vanderwerff and Tricia Yeckley, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *R. Paquin* (Seal)



SEP 20 2013

CITY OF KUNA



Neighborhood Meeting Certification

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

GENERAL INFORMATION:

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

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

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

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

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

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

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

Description of proposed project: Subdivision, PUD, Rezone

Date and time of neighborhood meeting: 9/12/2013 - 6:30 PM

Location of neighborhood meeting: 700 S Luker Road - Project Site

SITE INFORMATION:

Location: Quarter: NW Section: 18 Township: 2N Range: 1W Total Acres: 2.06

Subdivision Name: Sadie Creek Subdivision Lot: 3 Block: 1

Site Address: 700 S Luker Road Tax Parcel Number(s): R7686320030

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

CURRENT PROPERTY OWNER:

Name: Randolph Vanderwerff & Tricia Yeckley

Address: 36101 Bob Hope Dr, D5 125 City: Rancho Mi State: CA Zip: 92270

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

Name: Bob Unger Business (if applicable): ULC Management

Address: 6104 N Gary Lane City: Boise State: ID Zip: 83714

PROPOSED USE:

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

Application Type

Brief Description

Annexation

Re-zone

Subdivision (Sketch Plat and/or Prelim. Plat)

Special Use

Variance

Expansion of Extension of a Nonconforming Use

Zoning Ordinance Map Amendment

M-1 Zone to R-8 Zone
Sorrel Subdivision - 16 townhouse lots

APPLICANT:

Name: Robert C Unger, ULC Management, LLC

Address: 6104 N Gary Lane

City: Boise State: ID Zip: 93714

Telephone: 208-861-5220 Fax: 208-577-6493

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

Signature: (Applicant)  Date 8/16/13

RECEIVED
SEP 20 2013
CITY OF KUNA

NAME

ADDRESS

Glen McBride

4420 W Deer Flat Rd.



RECEIVED
SEP 20 2013
CITY OF KUNA

September 5, 2013

FROM: Bob Unger
ULC Management, LLC

TO: Interested Neighbors

RE: Sadie Creek Townhouses Subdivision

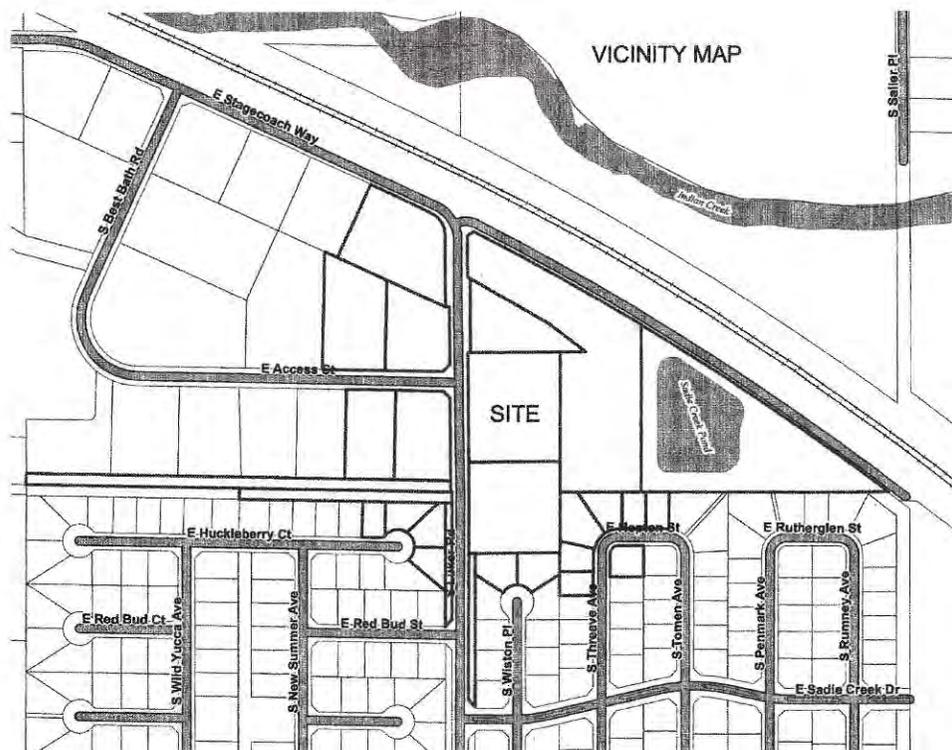
I am writing to invite you to attend a meeting of interested neighbors to provide your input on our project plan. We are proposing 14 townhouse lots and 2 future commercial lots on approx. 2.07 acres.

The meeting will be held at 6:30 p.m., Thursday, September 12, 2013, at the site on the east side of S Luker Road, directly across from E Access Drive. I have attached a vicinity map and a copy of the Preliminary Plan for your review.

If you have any questions or need information prior to the meeting, please contact me at (208) 861-5220.

Sincerely,

Robert C. Unger
Manager



ULC MANAGEMENT · 6104 N. GARY LANE · BOISE, IDAHO 83714
(208) 861-5220 · BUNGER@ULCMANAGEMENT.COM

RECEIVED

SEP 20 2013



CITY OF KUNA

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

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

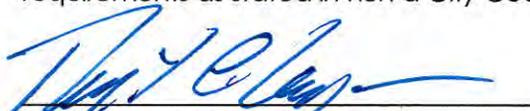
City of Kuna
**COMMITMENT TO
PROPERTY POSTING**

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

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

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

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


Applicant/agent signature:

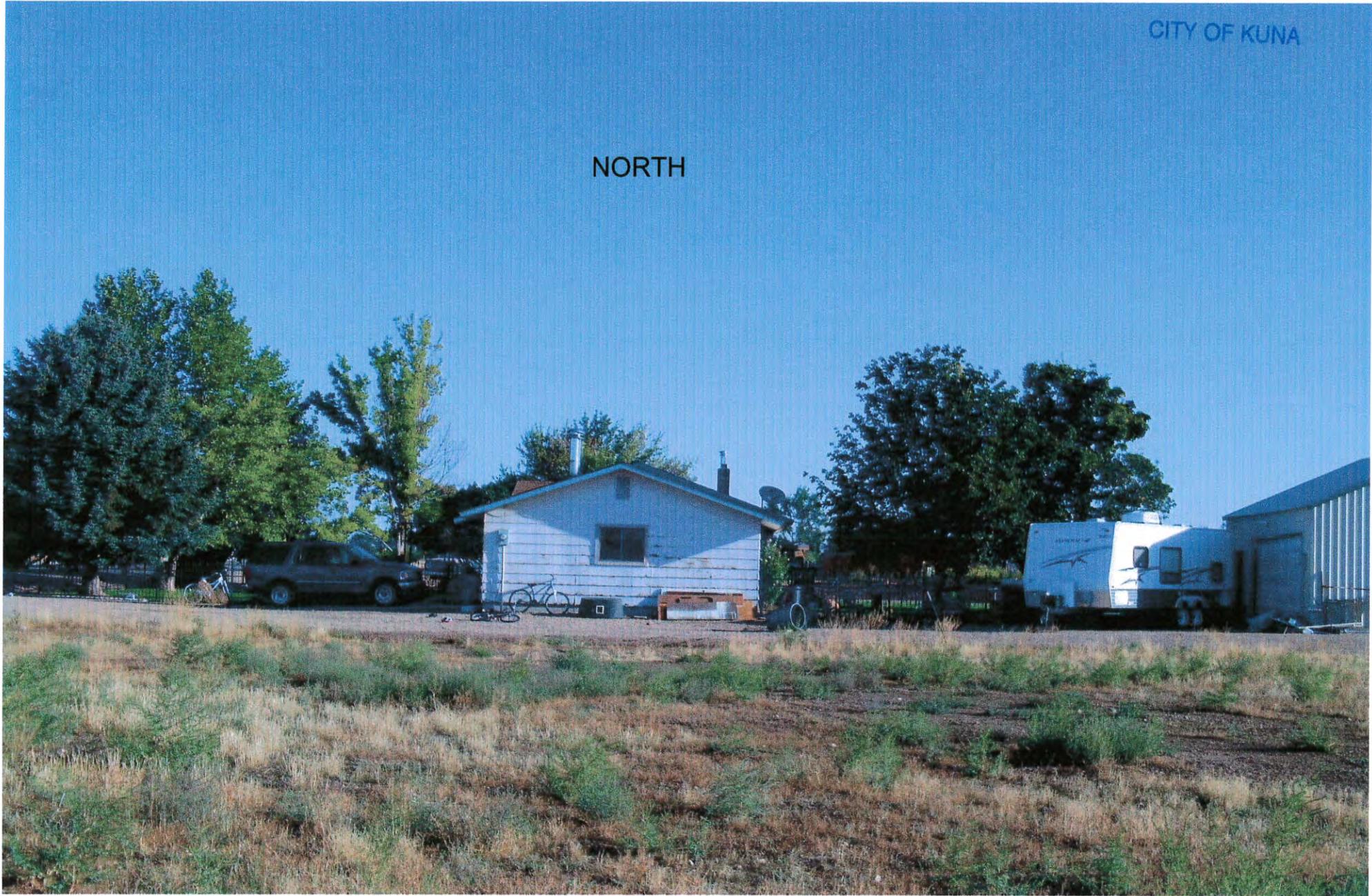

Date:

RECEIVED

SEP 20 2013

CITY OF KUNA

NORTH

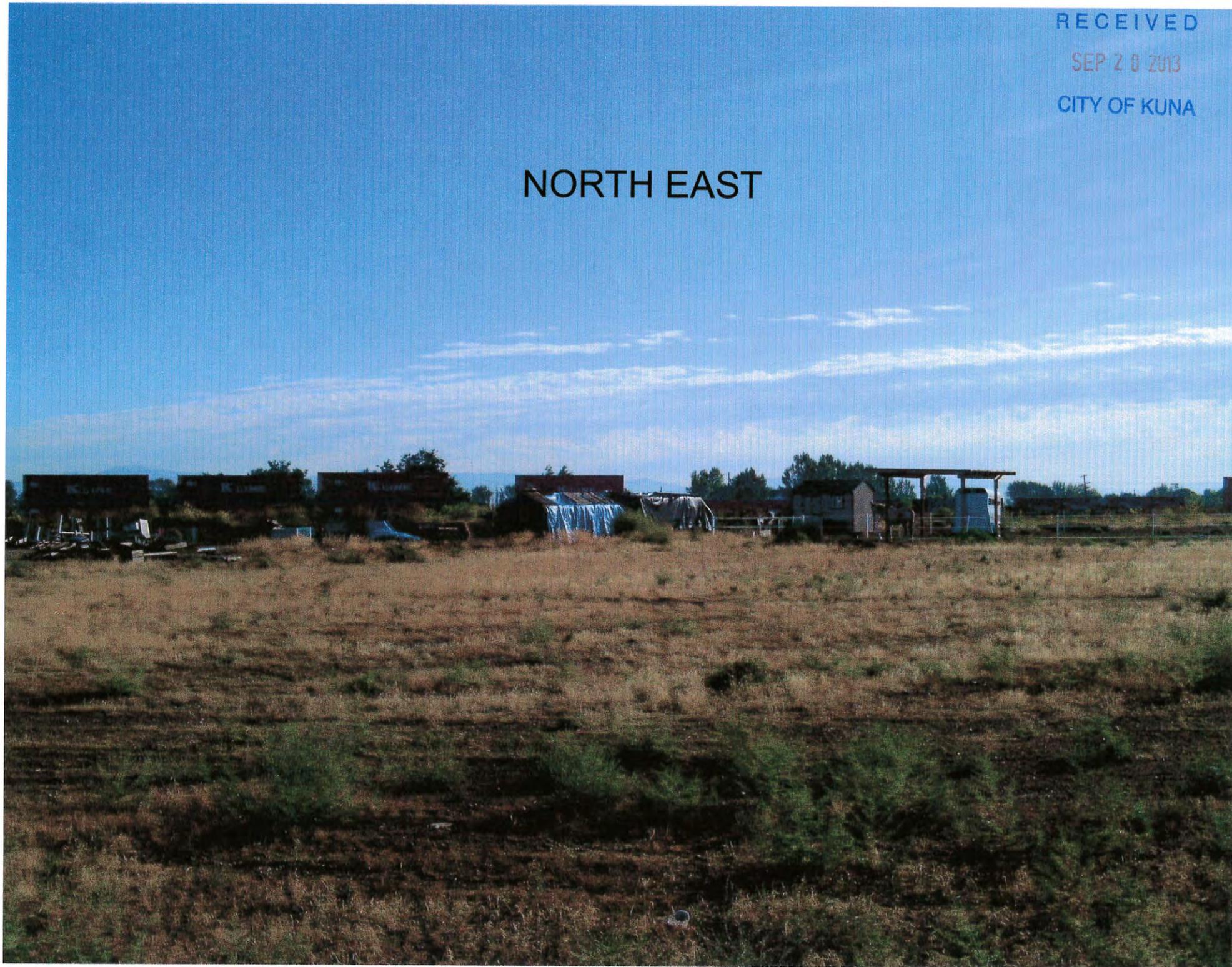


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SEP 20 2013

CITY OF KUNA

NORTH EAST



RECEIVED
SEP 26 2013
CITY OF KUNA

EAST



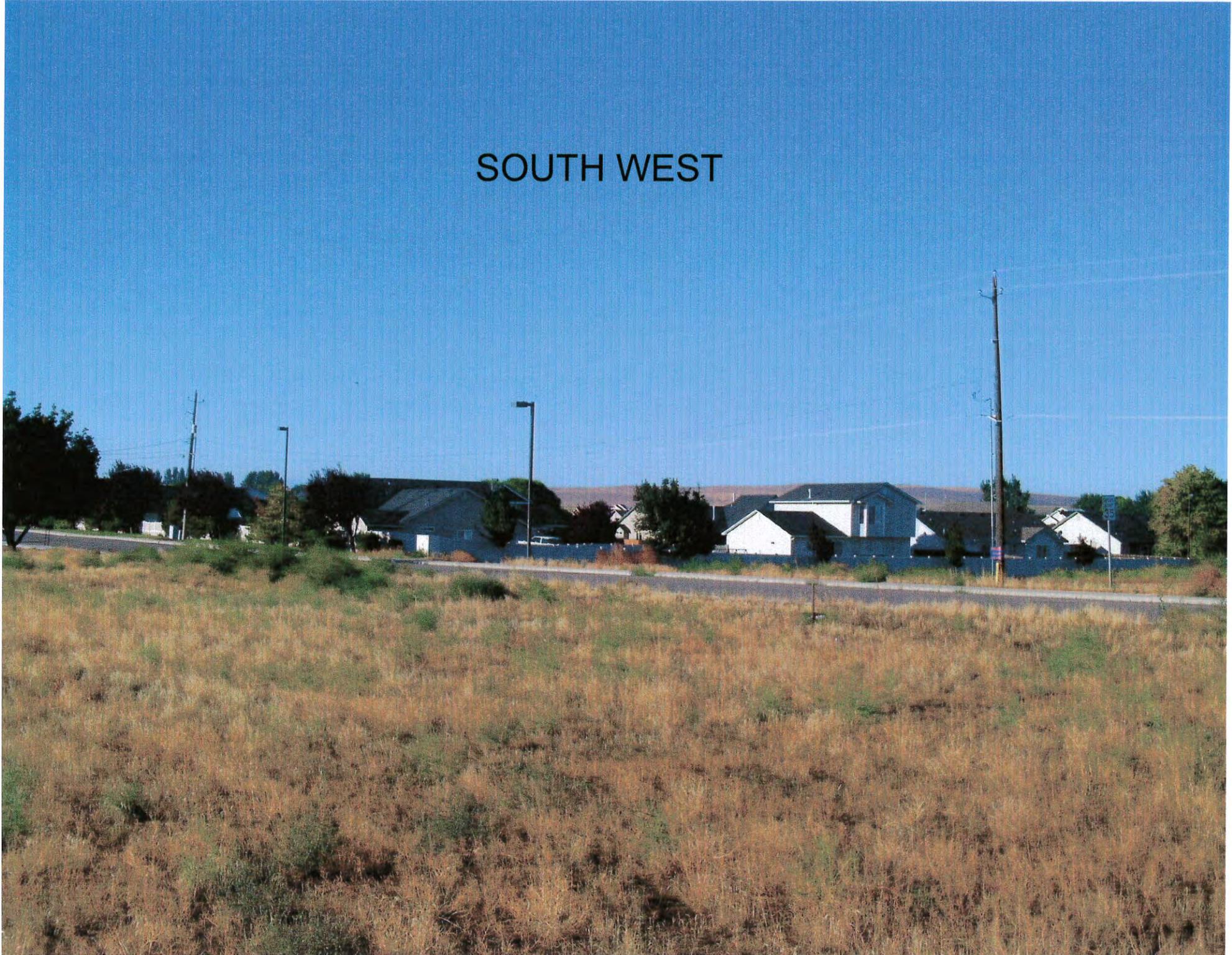
SOUTH EAST



SOUTH

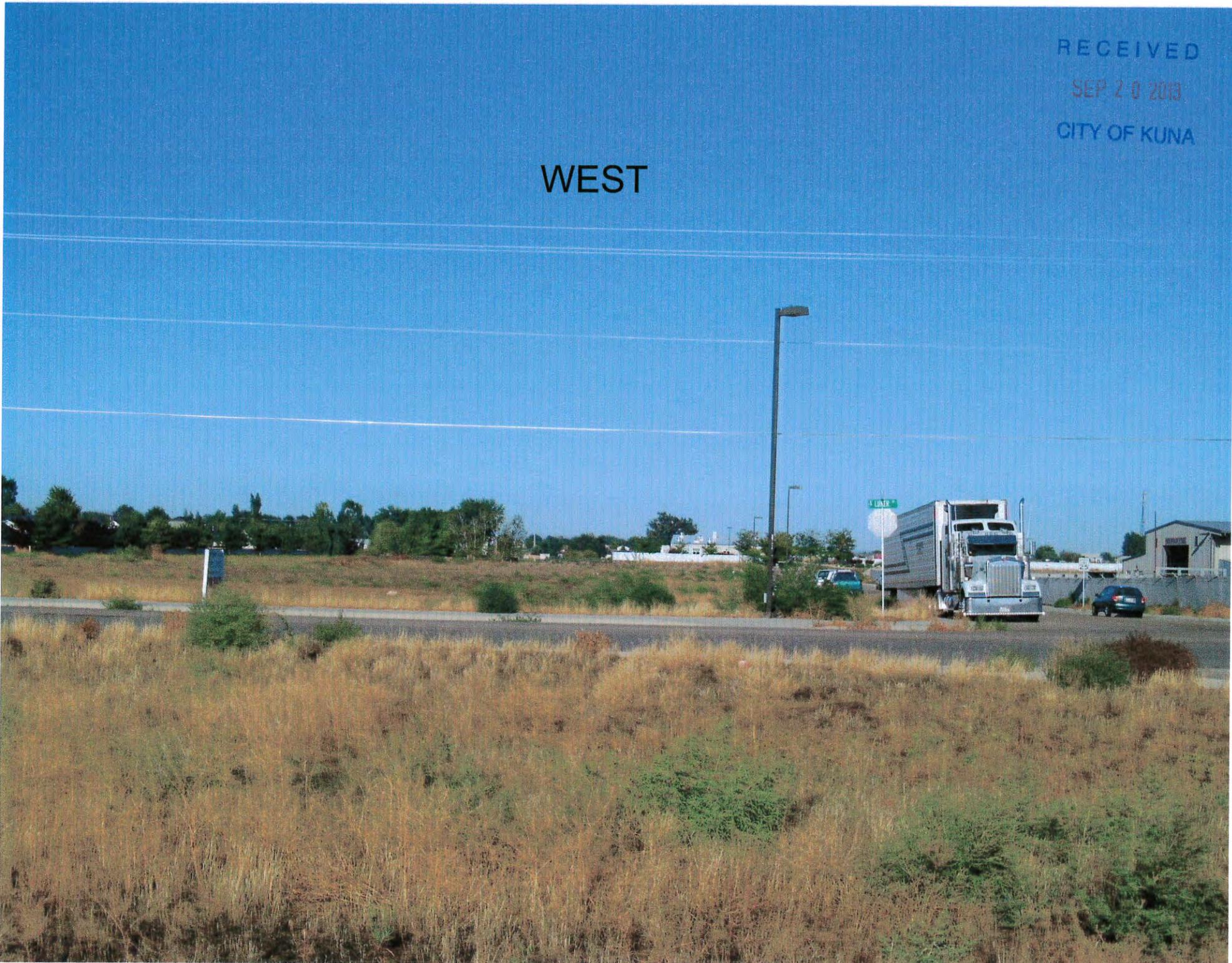


SOUTH WEST



RECEIVED
SEP 20 2013
CITY OF KUNA

WEST



NORTH WEST



**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

City Clerk
City of Kuna
P.O. Box 13
Kuna, ID 83634

OCTOBER 3, 2013

For Recording Purposes
Do Not Write Above This Line

**RANDY VANDERWERFF REZONE
(SORREL SUBDIVISION)**

**DEVELOPMENT AGREEMENT
RECITALS**

THIS DEVELOPMENT AGREEMENT ("**Agreement**") is entered into this ____ day of _____, 2014, by and between the **City of Kuna**, an Idaho municipal corporation "**City**", and **Randy VanderWerff**, whose address is **36101 Bob Hope Dr., E5-125, Rancho Mirage, Ca 92270**, as "**Applicant**", the owner of the property described herein: R7686320030, hereafter referred to as "**Developer**".

- A. Developer owns certain property ("**Property**") located in Ada County, particularly, approximately 2.07 acres (R7686320030), a lot located at or near 700 South Luker Road, Kuna, Idaho and more particularly described on Exhibit A, attached hereto.
- B. The Developer has applied with the City to rezone the above mentioned lot, which is within City corporate limits.
- C. In particular, Developer has submitted applications (Case No.s **13-01-PUD, 13-03-ZC, 13-01-DA, 13-05-S and 13-04-DR**) to rezone the previously listed parcel within the corporate limits of the city of Kuna from *M-1* (Light Industrial) to *R-8* (Medium Density Residential). This Agreement concerns the rezone of said property.
- D. City and Developer desire to enter into this Agreement, which shall be recorded in the Office of the Ada County Recorder and shall take effect on the date last executed below.
- E. City, pursuant to Idaho Code Section 67-6511A and Kuna City Code, Title 5, Chapter 14, has the authority to conditionally rezone the property and to enter into a Development Agreement for the purpose of allowing, by Agreement, a rezone of said parcel for a specific purpose or use which is appropriate in the area, and this Agreement contains the conditions required by the City. This Agreement supersedes any conflicting terms and/or conditions in prior agreements or staff reports concerning the land as to obligations between the parties to this Agreement. This Agreement complies with all Kuna Idaho Municipal Code Title 5 Zoning Regulations and Title 6 Subdivision Regulations as they are applicable to these land use actions.
- F. The Kuna Planning and Zoning Commission and City Council have independently held public hearings on these land use matters as prescribed by law and have approved the application in

accordance with the findings of fact, conclusions of law and conditions of approval set forth in its approval, and all such conditions are included in this Agreement. This Agreement is made pursuant to and in accordance with the provisions of Idaho Code Section 67-6511A and Kuna City Code Title 5 and Title 6.

- G. The uses(s) allowed through this conditional rezone are those which are permitted or specially permitted, by way of a special use permit, in the R-8 (Medium Density Residential) zone; or those agreed to, provided they are not in conflict with City code. In the future, the City and Developer shall amend this agreement to provide and allow for more aggressive development possibilities if necessary.
- H. The Councils Order of Decision for the zone classification, including all conditions of approval, is hereby made a part of this Agreement. In the event there is a discrepancy or conflict, the stricter condition shall apply unless specifically stated otherwise in this Development Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises, covenants, and agreements stated herein, and for other consideration, the sufficiency of which is hereby acknowledged, City and Developer agree as follows:

1. ZONING ORDINANCE AMENDMENT.

- 1.1: The City will adopt an ordinance amending the Kuna Zoning Ordinance to rezone the property to R-8 (Medium Density Residential). The Ordinance will become effective after its passage, approval, publication, the execution and recordation of the Agreement. It is possible this Agreement could be modified to accommodate the Developer's future land use plans if necessary, based on the uses and development plans at that time. The Ordinance will become effective after its passage, approval, publication and the execution and recordation of this Agreement.

2. PERMITTED USES.

- 2.1: **Development According to the Conceptual Site Plan.** Developer agrees to modify this development agreement through public hearing processes and follow City code if necessary in the future. The developer has provided a preliminary plat, landscape plan and master plan (plans are dated 10.29.2013) and shall be relied upon and considered binding site plans - *see Exhibit B*. Substantial (as determined by the Director of planning services) modifications to either plan shall require the approval of the Kuna Planning and Zoning Commission and City Council through public hearing processes. However, minor site plan modifications may be approved administratively. The Director of planning services will determine if a change is of minor significance or necessitates legislative review.
- 2.2: **Uses.** Generally speaking, the property is approved for the uses typically associated with an R-8 zone.
- 2.3: **Modification of Allowed Uses.** The uses permitted within this Agreement shall not be modified without complying with the notice and hearing provisions of Idaho Code § 67-

6509, provided, however, any specially permitted use(s) in the R-8 may be permitted on the property through issuance of a special use permit.

3. CONDITIONS ON DEVELOPMENT.

The following conditions shall apply to the property with its future development, expansion or enlargement, as determined by the Director of planning services:

- 3.1: **Bicycle Spaces.** Developer shall provide a minimum of 5 bicycle parking spaces within the common space of the project.
- 3.2: **Building Permits.** Developer shall acquire a building permit before construction of the facility. Developer shall comply with the R-8 zone’s height and area performance standards found in Kuna City Code (KCC) 5-3-3. Specifically, they shall comply with the following R-8 zone standards:

Maximum Height-	35-feet
Minimum Lot Width	40’ *
Front Setback (Local)	20’
Front Setback (Arterial)	30’
Rear Setback	15’
Interior Setback	5’
Street Side	20’
Maximum Lot Coverage	40%
Minimum Lot Area	3,300 square feet *

* The PUD application and process may reduce design standards according to City Councils decision on the application(s).

- 3.3: **Construction Etiquette.** Developer shall post and maintain a “rules and regulation sign” at the entryways to the site until construction is complete. The signs are intended for the subcontractors performing the work and should include: (1) no dogs permitted; (2) no loud music permitted; (3) no alcohol or drugs permitted; (4) no abusive language permitted; (5) dispose of personal trash and site debris; (6) clean up any mud and/or dirt that is deposited from the construction site onto the public street; (7) install temporary construction fence to keep debris from blowing off-site; (8) no burning of construction or other debris on the property; (9) keep a watering truck on-site and employed as necessary to keep dust under control; (10) Site construction shall be limited to the hours of **7:00** am to **7:00** pm daily.
- 3.4: **Curbs, Gutters, Sidewalks and Storm-Water Conveyances.** The use of drainage swales for storm water conveyance in lieu of curb and gutter is prohibited unless it’s necessary to preserve a historical drainage right that would be impeded by the swale’s removal and such action is determined by the City engineer. There shall be no mixing of irrigation drainage water and road runoff water. All construction shall be in accordance with Idaho Standards for Public Construction Work (ISPCW) or other standards established by the City engineer.

3.5: **Design Review.**

- 3.5.1: Design review is required for all proposed new Multi-Family building(s), landscaping, parking lots, entrances, monuments, common areas and/or signage uses.
- 3.5.2: New Multi-Family buildings and their compositions are subject to design review pursuant to requirements in the Kuna City Code relative to usage of materials, woods, entrances, window arrangement and other considerations.
- 3.5.3: Any materials employed in the construction of fencing, wall and trash enclosures are subject to design review and/or J&M Sanitations review.
- 3.5.4: Any fencing and/or wall materials employed in the development are subject to design review pursuant to requirements in the Kuna City Code. See KCC 5-4- 1 thru 17.

3.6: **Driveways and other Approaches.**

- 3.6.1: All curb returns throughout this development shall be constructed with **28-foot minimum curb return radius.**
- 3.6.2: Applicant shall line up the center line of their access point (on East Access St.), within ten (10) feet of the center line of East Access Street on the west side of Luker Rd.

3.7: **Engineering Calculations/Drawings/Plans/Reports.**

- 3.7.1: At the time of construction, developer shall obtain a letter from the City engineer recommending engineering approval of construction drawings, drainage and storm-water plans.
- 3.7.2: At the time of construction plan submittal, developer shall provide the City engineer with fire flow, water distribution and wastewater calculations and acquire all necessary permits and pay all associated fees. The City engineer will review the water modeling results and provide comments or corrections.
- 3.7.3: At the time of construction plan submittal, a geotechnical report (if required) is subject to the City engineer's review and comments.
- 3.7.4: Developer shall comply with the approved recommendations of the City Engineer as noted in the submitted memorandum dated *September 30, 2013*.

3.8: **Federal, State, Local and Special Purpose Standards.** Developer shall comply with all applicable federal, state, local and special interest district standards as they apply to the property's development.

- 3.9: **Fencing.** Developer shall construct and place fencing on-site according to the City's zoning standards. Developer shall use the approved type of fencing allowed by City code and obtain a fence permit as outlined in City code.
- 3.10: **Fire.**
- 3.10.1: **Hydrants and Water Mains.** Adequate fire protection shall be required in accordance with the appropriate fire district standards. Developer shall meet the requirements of the Kuna Rural Fire District (KFD).
- 3.10.2: **Fire Safety.** Developer shall address fire safety compliance to the Kuna Fire District and City building inspector's satisfaction. The site landscaping shall be designed and maintained to provide fire protection around the building perimeters. The internal roads shall be designed to allow Kuna Rural Fire District access to each building. Developer will place fire hydrants on the property in locations determined by the Kuna Fire Marshall. Fire related signage shall be installed with guidance from the Kuna Fire Marshall. The water model results are to be reviewed and approved by the KFD.
- 3.10.3: Developer shall work with the City & KFD to provide an acceptable turn-around for streets longer than 250', which do not have an approved turn-around.
- 3.11: **Grading Plan.** Developer shall provide a grading plan identifying how the subject property will be graded and contoured. The grading plan shall be reviewed and approved by the City engineer for its compliance with City standards.
- 3.12: **Irrigation.**
- 3.12.1: Developer shall comply with Idaho Code §31-3805 relating to irrigation water use. Irrigation/drainage waters shall not be impeded by on-site construction. Developer shall comply with lawful requirements of the Boise Project Board of Control.
- 3.12.2: At the time of construction plan submittal, developer shall provide the City engineer an pressurized irrigation (PI) plan for review and approval; Developer shall acquire all permits and inspections necessary to connect the projects irrigation system to the City PI utility; construct the irrigation system to the City's PI standards; and construct any off-site improvements necessary to connect into the City's PI utility.
- 3.12.3: The use of potable water from the City utility shall not be employed for landscape irrigation purposes. The subdivision shall have an irrigation system reliant upon a non-potable water source.
- 3.12.4: Submit a petition prior to final platting to the City consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City.

3.13: **Land Use Requirements.**

3.13.1: Developer shall comply with the City's land use requirements, in effect at the time of development or, as modified by this Agreement.

3.13.2: Uses other than those existing at time of rezone, permitted, or specially permitted in the R-8 zone shall not be introduced on the property without further land use review, approvals or modification of the approvals and this Development Agreement.

3.14: **Landscape.**

3.14.1: Site improvements will be subject to the City's landscape ordinance and design review processes depending on scope (note: the design review standards may differ from the City's landscape ordinance). An underground irrigation source shall be required for all of the site's landscape elements in accordance with the provisions of **KCC 5-17-11**.

3.14.2: Developer has prepared for City review, a detailed landscape plan. The landscape plan is subject to the City's design review process. The landscape plan shall call out the method(s) of re-vegetating common open space and the periphery areas disturbed during any construction activities. The property's entire landscape scheme shall consist of organic materials. Accordingly, no hard-scape (*or gravel or rock*) materials shall be used for landscape purposes.

3.14.3: Employ vegetative buffers and landscape berming techniques along the property boundaries to minimize adverse land use impacts [compatibility issues] with the adjoining neighbors. The landscape and buffer techniques shall be detailed in a landscape plan.

3.14.4: Developer has submitted a landscape plan to the City forester for review and approval and will be considered a binding plan (date stamped 10.29.2013).

3.14.5: The landscape plan shall follow the landscape requirements and guidelines contained within **KCC 5-17-1 through 25**.

3.14.6: 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.

3.15: **Outdoor Lighting.**

3.15.1: On-site lighting shall be designed and installed to minimize fugitive light and glare and installed so it does not unduly intrude on adjoining properties pursuant to requirements in the Kuna City Code.

3.15.2: A lighting plan shall be submitted to the City director of planning services for review and approval in accordance with **KCC 6-4-2-T**. The lighting plan shall follow the provisions of **KCC 6-4-2-T, and 5-9-5-B**.

3.16: Parking and Loading Standards.

3.16.1: The Property's parking areas shall be installed in accordance with City parking standards (**KCC 5-9-1 through 5**).

3.16.2: Developer shall provide a site plan graphically demonstrating the method of onsite traffic circulation.

3.16.3: The site's traffic circulation pattern and parking placement are subject to the Director of planning services review, consistent with the other provisions of this Agreement.

3.17: Permits and Applicable Fees. Developer shall acquire all permits and pay all applicable fees.

3.18: Plats/Deed.

3.18.1: In the event of a lot line adjustment, lot split, or subdivision, developer shall provide City a recorded record of survey and deed, or recorded plat for the property changes.

3.18.2: The applicant's preliminary plat and landscape plans (date stamped 10.29.2013) shall be considered binding site plan, or as modified by Council.

3.19: Sanitary Sewer.

3.19.1: Developer shall connect the property to the City's sanitary sewer system according to City standards; provide the development's sanitary sewer design to the City engineer for review and approval; acquire all of the permits and inspections necessary to connect to the City's sewer utility; construct the sewer system to City standards and construct offsite improvements necessary to connect to the City's sewer utility.

3.19.2: Developer shall abandon and dismantle any onsite septic tank system and its component parts, according to City and Central District Health standards. The dismantling of a septic system requires collapsing and removing the lid, backfilling and compaction of the fill area.

3.20: Sidewalks and Pathways.

3.20.1: In accordance with **KCC 6-4-2-Q**, developer shall provide eight-foot (8'), detached concrete sidewalks along Luke Road frontage. All sidewalks shall be built in accordance with the American with Disabilities Act (**ADA**) accessibility guidelines, as well as to City engineer and ACHD standards and specifications. The accompanying landscape strip shall have an irrigation system and be reliant

upon a non-potable water source. The landscaping elements shall consist solely of organic materials. Developer shall provide a public easement for any sidewalk placed outside public rights-of-way. The placement of the sidewalk outside the public rights-of-way requires City approval. Sidewalks constructed as part of a curb cut installation shall be designed to accommodate the additional loading impacts placed upon it by the weight of the vehicle.

3.20.2: Developer shall be responsible for snow removal along the sidewalks so they are pedestrian accessible within 24 hours of a snow event.

3.21: **Signage.**

3.21.1: No signs shall be placed on fences, buildings, or other structures unless approved through the City's design review process. Developer shall be in compliance with all signage requirements in place at the time developer seeks a sign permit. See KCC 5-10-1 thru 8.

3.21.2: All site signage and monument placement is subject to the City's design review process to include building identification signage. If site signage or monuments are lighted, they must be designed according to the City's outdoor lighting standards.

3.21.3: Temporary signage placed on the property's fences, buildings, or other structures for advertising or promotion purposes shall be according to the City's signage placement provisions.

3.22: **Site Plans.** Developer has provided an overall site and landscape plans (date stamped 10.29.2013), and shall be considered binding plans for purposes of these land use applications.

3.23: **Storm-water and Drainage.**

3.23.1: The property is subject to the City's storm-water and drainage standards at time of development. Stormwater impacts resultant from the development shall be mitigated in accordance with the City's storm water management policy. The engineer of record shall provide storm-water calculations, which comply with the City's storm-water policy requirements. The discharge of storm-water or drainage offsite requires written approval from the City and other agencies responsible for receiving the fugitive storm-waters.

3.23.2: Developer shall provide the City engineer with a storm-water management plan and a drainage design plan showing how drainage flows from impervious surfaces will be addressed in compliance with the City's drainage management guidelines. The drainage design plan shall also provide an erosion control plan for a 100-year event and shall depict all proposed site grading.

3.23.3: The City engineer shall approve a surface drainage run-off plan, which has been recommended by Central District Health Department (CDHD). The plan should

be designed and constructed in conformance with standards contained in "Catalog for Best Management Practices for Idaho Cities and Counties".

3.23.4: Developer shall not construct, grade, fill, clear or excavate the Property until the City engineer approves the storm water management plan and the drainage design plan. The drainage design plan shall include all proposed site grading.

3.23.5: Storm drainage and/or street runoff must be retained onsite.

3.23.6: Design the surface drainage system to minimize "ponding" issues to reduce mosquito breeding problems.

3.24: Street and Alleys.

3.24.1: All streets, driveways and alleys shall be constructed in accordance with the standards and specifications adopted by the City, ACHD and ITD. Street functionality shall be determined according to the City's Functional Classified Road Map. Widths for rights-of-way shall be according to the street typologies identified in **KCC 6-3-4-A through D**, or ACHD's standards, which ever standard is more stringent.

3.24.2: Developer shall enter into a license agreement with the transportation authority for landscape maintenance within the public rights-of-way, where applicable.

3.24.3: The following streets need rights-of-way to be dedicated at 51'; East Access Street and South Wiston Place.

3.24.4: Developer shall comply with City and ACHD road improvement requirements, the stricter standard shall apply.

3.24.5: Developer shall provide additional rights-of-way and/or easements necessary for utility and road widening purposes as required by the City and other agencies with jurisdiction. Developer shall record these easements with the Ada County Recorder's Office.

3.25: Street Name and Other Street Traffic Signs. Traffic signage shall be constructed and installed at appropriate street locations in accordance with City and ACHD standards as applicable.

3.27: Trees.

3.27.1: Developer shall retain mature trees with diameters exceeding six-inches (6") (if any exist), unless their removal is approved by City staff prior to their removal.

3.27.2: Developer shall provide a tree replacement strategy to compensate for tree removal, which provides no net tree loss (in terms of overall tree diameter reductions). Developer's tree removal and replanting strategy is subject to the City arborist and Design Review Committee's approval. Developer shall show

the tree planting strategy and method of planting on the landscape plan(s) and provide for a year-round variety of trees that are compatible with the area.

3.28: Underground Storage Tanks, Utilities, Wells or Septic Systems.

3.28.1: Developer shall disconnect any onsite well(s) and septic systems and cap or remove them according to City and Health District standards.

3.28.2: If discontinued or impaired underground storage tanks are discovered during construction, they shall be removed or abandoned in accordance with federal, state and local agency requirements.

3.29: Underground Utilities.

3.29.1: Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services.

3.29.2: All public utilities shall be placed underground if possible, see **KCC 6-4-2-W**. A utility easement of sufficient width as determined by the City engineer shall be placed around the exterior subdivision boundary for utility and drainage easement purpose. Utilities that cannot be placed underground are subject to the City's design review process.

3.30: Water.

3.30.1: Developer shall connect the property to the City's water system at time of development. Developer shall provide the development's potable water design to the City engineer for review and possible corrections. Developer shall acquire all permits and inspections necessary to connect into the City's water utility.

3.30.2: The water lines, meter locations and waterline valves shall be reviewed by the City public works staff and constructed and placed according to City standards. Water lines are to be looped through the property. Developer is responsible for constructing any off-site improvements necessary to connect into the City's water utility.

3.31: **Water Rights.** Water rights appurtenant to a tract of land shall be dedicated to the City in sufficient water quantities to offset the development's potential water demands as determined by the City engineer. The land's water rights shall not be sold, abandoned or transferred outside the City or Area of City Impact (ACI). All water rights must be transferred to Kuna City through the adoption of a water rights annexation ordinance.

3.31.2: It shall be the responsibility of the developer to secure irrigation water rights prior to the KMID allowing you to connect to the PI system.

3.32: **Weeds.** Developer assumes responsibility for the control and removal of noxious weeds if present on the property until the development of the site is complete.

3.33: Miscellaneous.

3.33.1: Applicant shall follow the Zoning (KCC Title 5) and Subdivision (KCC Title 6) Regulations as listed in City code.

3.33.2: Owner/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.

3.33.3: Developer shall comply with all current local state and federal laws.

4. DEFAULT, REMEDIES.

4.1: **Default.** If Developer fails to comply with the terms of this Agreement within forty-five (45) days after written notice from the other party specifying the particulars of such failure, the complaining party may, without prejudice to any other rights or remedies, cure such default, enjoin such violation or otherwise enforce the commitments contained in this Agreement in any manner allowed by law; provided, however, if any failure to comply cannot with diligence be cured within such forty-five (45) day period, if the defaulting party shall commence to cure the same within such forty-five (45) day period and thereafter shall pursue the curing of same with diligence and continuity, then the time allowed to cure such failure may be extended for a period not to exceed 180 days.

4.2: **Consent to Rezone on Uncured Default.** In addition to other remedies set forth herein, if Developer fails to cure any material default within 120 days after written notice from City specifying the particulars of such material default, such failure shall be deemed consent to City to rezone the use to a suitable zone as determined by the City Council, pursuant to the requirements of applicable law.

4.3: **Waiver; Forbearance.** A waiver or forbearance by one party of any default by the other party of any one or more of the covenants or conditions hereof shall apply solely to the breach and breaches waived and shall not bar any other rights or remedies of the party or apply to any subsequent breach of other or future covenants and conditions.

5. ATTORNEY FEES.

5.1: In the event of any controversy, claim or legal action (etc.) being filed or instituted between the parties to this Agreement to enforce the terms and conditions of this Agreement or arising from the breach of any provision hereof, the prevailing party will be entitled to receive from the other party reasonable attorney fees, expenses, and costs incurred by the prevailing party, including fees and costs on any appeal. This provision shall be deemed to be a separate contract between the parties and shall survive any default, termination or forfeiture of this Agreement.

6. RECORDATION, EFFECTIVE DATE, AND BINDING EFFECT.

6.1: **Recordation.** After approval and execution by City through its authorized agents, developer shall record this Agreement, including all exhibits, against the Property in the real property records of Ada County, Idaho and provide City with a recorded copy of this Agreement.

- 6.2: **Effective Date.** This Agreement shall become effective upon the formal adoption and final publication of the zoning.
- 6.3: **Binding Effect; Assignment.** This Agreement shall be binding upon and inure to the benefit of the parties' respective heirs, successors, assigns and personal representatives, including the City's governing authority and their successors in office. This Agreement shall run with the land and be binding on the owner of the Property, each subsequent owner and each other person acquiring an interest in the Property. Nothing herein shall in any way prevent sale or alienation of the Property, except that any sale or alienation shall be subject to the provisions hereof and any successor owner or owners shall be both benefited and bound by the conditions and restrictions herein expressed.
- 6.4: **Recordation of Termination.** Upon developer's completion of all of its obligations under this Agreement, City shall provide developer, upon request, recordable evidence of City's concurrence that Developer's obligations under this Agreement have been completed.

7. GENERAL PROVISIONS.

- 7.1: **Incorporation of Recitals.** The recitals above and the exhibits referenced in this Agreement and attached hereto are incorporated into the Agreement as if set out in full in the body of the Agreement. In the event of a conflict between any exhibit and the body of this Agreement, the Agreement shall control unless otherwise noted.
- 7.2: **Amendments.** Any alteration or change to this Agreement shall be made only after complying with the notice and hearing provision of Idaho Code Section §67-6509, as required by Kuna City Code, Title 5, Chapter 14.
- 7.3: **Interpretation.** In construing this Agreement, feminine or neuter pronouns shall be substituted for those masculine in form and vice versa, plural terms shall be substituted for singular and singular for plural in any place in which the context so requires, and the word "including" shall be construed as if the words "but not limited to" appear immediately thereafter. The headings contained in this Agreement are for reference purposes only and shall not be construed or interpreted so as to limit or define the intent or the scope of any part of this Agreement. This Agreement shall not be construed more strictly against one party than against another merely by virtue of the fact that it may have been prepared by one of the parties, it being acknowledged that both parties have substantially and materially contributed to the preparation thereof. This Agreement and all rights and obligations of the parties shall be governed, construed, and interpreted under and pursuant to the laws of the state of Idaho.
- 7.4: **Final Agreement; Modifications.** This Agreement sets forth all promises, inducements, agreements, conditions and understandings between developer and City relative to the subject matter hereof and there are no promises, agreements, conditions or understanding, oral or written, express or implied, between developer and City, other than as are stated herein. This Agreement contains all conditions required by the City and supersedes conditions specified in City staff reports and any conflicting terms and conditions in prior development agreements concerning the land as to obligations between the parties to this Agreement. Except as herein otherwise provided, no

subsequent alteration, amendment, changes or additions to this Agreement shall be binding upon the parties hereto unless reduced to writing and signed by them or their successors in interest or their assigns, and pursuant, with respect to City, to a duly adopted ordinance or resolution of City.

7.5: **Notices.** All notice between the parties shall be deemed received when personally delivered or when deposited in the United States mail postage prepaid, registered or certified, with return receipt requested, or sent by telegram or mail-o-gram or by recognized courier delivery (e.g., Federal Express, Airborne, Burlington), addressed to the parties, as the case may be, at the address set forth below or at such other addresses as the parties may subsequently designate by written notice given in the manner provided in this Section:

To City: **City of Kuna**
P.O. Box 13
Kuna, ID 83634

To Applicant / Developer: **Randy VanderWerff**
36101 Bob Hope Dr., E5-125
Rancho Mirage, CA 92270
760.333.0980

Either party shall give notice to the other party of any change of such party's address for the purpose of this section by giving written notice of such change to the other party in the manner herein provided.

7.5: **Time of the Essence.** The parties hereto acknowledge and agree that time is strictly of the essence with respect to each and every term, condition and provision hereof, and that the failure to timely perform any of the obligations hereunder shall constitute a breach of and a default under this Agreement by the party so failing to perform.

7.6: **Severability.** If any term or provision of this Agreement shall, to any extent be determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and each term and provision of this Agreement shall be valid and be enforceable to the fullest extent permitted by law; and it is the intention of the parties hereto that if any provision of this Agreement is capable of two constructions, one of which would render the provision void and the other of which would render the provision valid, the provision shall have the meaning which renders it valid.

[end of text; signatures to follow]

The parties have executed this Agreement as of the date first set forth above.

"City"

CITY OF KUNA, an Idaho municipal corporation

By: _____

Date: _____

ATTEST:

City Clerk: _____

Date: _____

"Applicant / Developer"

Randy VanderWerff

By: _____

Date: _____

State of Idaho)

: ss

County of Ada)

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 2014.

And who personally appeared before me

(SEAL)

Notary Public: _____

My Commission Expires on: _____

State of Idaho)
 : ss
County of Ada)

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 2014.

And who personally appeared before me

(SEAL)

Notary Public: _____

My Commission Expires on: _____

FINAL PLAT SHOWING SADIE CREEK SUBDIVISION NO. 1

A RESUBDIVISION OF A PORTION OF BLOCK 11, AMENDED PLAT OF PART OF THE AVALON ORCHARD TRACTS AND A PORTION OF THE NORTH 1/2 OF THE SE 1/4, LOCATED IN SECTION 25, T.2N., R.1W., B.M., CITY OF KUNA, ADA COUNTY, IDAHO

2008

STANLEY CONSULTANTS
MERIDIAN, IDAHO

LEGEND

- PROPERTY BOUNDARY
- - - EASEMENT LINE (SEE NOTE 1, 2 & 3)
- - - ACHD STORM DRAIN EASEMENT
- CENTERLINE
- LOT LINE
- - - RIGHT-OF-WAY LINE
- - - SECTION LINE
- 1 LOT NUMBER
- FOUND BRASS OR ALUMINUM CAP MONUMENT, AS SHOWN
- SET 5/8" x 30" REBAR WITH PLASTIC CAP, PLS 4998
- SET 1/2" x 24" REBAR WITH PLASTIC CAP, PLS 4998
- FOUND 5/8" REBAR WITH PLASTIC CAP
- FOUND 1/2" REBAR WITH PLASTIC CAP
- ▲ CALCULATED POINT (NOT SET)

NOTES:

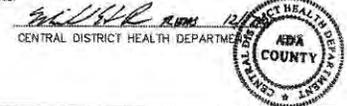
1. UNLESS OTHERWISE DESIGNATED OR DIMENSIONED, THERE SHALL BE A PERMANENT TEN (10) FOOT PROPERTY DRAINAGE, PUBLIC UTILITY, KUNA CITY STREET LIGHT, SEWER AND IRRIGATION EASEMENT ADJACENT TO ANY PUBLIC STREET. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO EACH LOT.
2. UNLESS OTHERWISE DESIGNATED OR DIMENSIONED, THERE SHALL BE A FIVE (5) FOOT PROPERTY DRAINAGE, PUBLIC UTILITY AND IRRIGATION EASEMENT ADJACENT TO ALL SIDE LOT LINES INSIDE THIS SUBDIVISION WHICH DO NOT FRONT A PUBLIC STREET.
3. UNLESS OTHERWISE DESIGNATED OR DIMENSIONED, THERE SHALL BE A TEN (10) FOOT PROPERTY DRAINAGE, PUBLIC UTILITY AND IRRIGATION EASEMENT ADJACENT TO ALL REAR LOT LINES INSIDE THIS SUBDIVISION.
4. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
5. IRRIGATION WATER HAS BEEN PROVIDED FROM THE BOISE-KUNA IRRIGATION DISTRICT, IN COMPLIANCE WITH IDAHO CODE 31-3805(b). LOTS WITHIN THE SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS, AND WILL BE OBLIGATED FOR ASSESSMENTS FROM THE BOISE-KUNA IRRIGATION DISTRICT.
6. MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY OF KUNA APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF INDIVIDUAL BUILDING PERMITS OR AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAT.
7. THE SADIE CREEK HOME OWNER'S ASSOCIATION, OWNERSHIP AND/OR MAINTENANCE COMMITMENT MAY NOT BE ELIMINATED OR ASSIGNED TO OTHERS WITHOUT THE EXPRESS CONSENT OF THE CITY OF KUNA.
8. SEE RECORD OF SURVEY NOS. 6733 AND 7243, ADA COUNTY RECORDER'S OFFICE, FOR ADDITIONAL DATA OF RECORD.
9. ALL LOTS SHOWN ON THIS PLAT ARE RESIDENTIAL LOTS EXCEPT LOT 1, BLOCK 1, WHICH SHALL BE OWNED AND MAINTAINED BY THE CITY OF KUNA FOR A PARK AND IRRIGATION POND; LOTS 2, 3 AND 4, BLOCK 1, WHICH ARE INDUSTRIAL LOTS; LOTS 5, 27, 41 AND 52, BLOCK 1; LOT 1, BLOCK 2; LOT 21, BLOCK 3; LOTS 3 AND 10, BLOCK 7; AND LOTS 1 OF BLOCKS 8, 9, 10, 11, 12 AND 13 WHICH ARE COMMON LOTS TO BE OWNED AND MAINTAINED BY THE SADIE CREEK HOME OWNER'S ASSOCIATION AND ARE COVERED BY A PUBLIC UTILITY EASEMENT.
10. EXCEPT LOTS 3 AND 4, BLOCK 1; DIRECT LOT ACCESS TO S. LUKER ROAD IS HEREBY PROHIBITED AND DIRECT LOT ACCESS TO E. SADIE CREEK DRIVE IS HEREBY PROHIBITED.
11. LOT 20, BLOCK 2 AND LOT 34, BLOCK 3, ARE SUBJECT TO A TEMPORARY TURNAROUND EASEMENT IN FAVOR OF THE ADA COUNTY HIGHWAY DISTRICT AND CANNOT BE DEVELOPED UNTIL THE STREETS ARE EXTENDED.
12. THIS DEVELOPMENT RECOGNIZES IDAHO CODES 22-4503, RIGHT TO FARM ACT, WHICH STATES "NO AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NON AGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME THE OPERATION BEGAN, PROVIDED THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."
13. A PORTION OF LOTS 1, 2, 3, 4, 5, 6, 7, 29, 30 AND 31 OF BLOCK 1; LOTS 1, 2, 3, AND 4 OF BLOCK 2; LOTS 1, 2, 7, 8, 24, 25, 26, 27, 28, 29, 33, 34 AND 35 OF BLOCK 3; LOTS 1, 2 AND 10 OF BLOCK 4; LOTS 3, 4, 5, AND 8 OF BLOCK 5; LOTS 4, 5, 6, 7, AND 8 OF BLOCK 6; LOT 1 OF BLOCK 8; ARE SERVIENT TO AND CONTAIN THE ACID STORM WATER DRAINAGE SYSTEM. THESE LOTS ARE ENCLUMBERED BY THAT CERTAIN MASTER PERPETUAL STORM WATER DRAINAGE EASEMENT RECORDED ON JUNE 1, 2004 AS INSTRUMENT NO. 10408841, OFFICIAL RECORDS OF ADA COUNTY, AND INCORPORATED HEREIN BY THIS REFERENCE AS IF SET FORTH IN FULL (THE "MASTER EASEMENT"). THE MASTER EASEMENT AND THE STORM WATER DRAINAGE SYSTEM ARE DEDICATED TO ACID PURSUANT TO SECTION 40-2302 IDAHO CODE. THE MASTER EASEMENT IS FOR THE OPERATION AND MAINTENANCE OF THE STORM WATER DRAINAGE SYSTEM.
14. THE SADIE CREEK HOMEOWNER'S ASSOCIATION SHALL BE RESPONSIBLE TO MAINTAIN THE 20' LANDSCAPING EASEMENT IN LOTS 2 AND 3, BLOCK 1 ALONG S. LUKER ROAD.
15. SEE AMENDED PLAT OF PART OF THE AVALON ORCHARD TRACTS AS RECORDED IN BOOK 6 OF PLATS AT PAGE 254, ADA COUNTY RECORDER'S OFFICE FOR ADDITIONAL DATA OF RECORD.

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE NOT BEEN SATISFIED AND ARE IN FORCE FOR ALL RESIDENTIAL AND COMMERCIAL LOTS IN THIS SUBDIVISION.

LOTS 1 THROUGH 4, 8 THROUGH 26, 28 THROUGH 40, 42 THROUGH 51, BLOCK 1; LOTS 2 THROUGH 21, BLOCK 2; LOTS 1 THROUGH 20, 22 THROUGH 35, BLOCK 3; LOTS 1 THROUGH 10, BLOCK 4; LOTS 1 THROUGH 12, BLOCK 5; LOTS 1 THROUGH 10, BLOCK 6; AND LOTS 1 AND 2 AND 4 THROUGH 8, BLOCK 7.

NO OWNER SHALL CONSTRUCT ANY BUILDING, DWELLING OR SHELTER WHICH NECESSITATES THE SUPPLYING OF WATER OR SEWAGE FACILITIES FOR PERSONS USING SUCH PREMISES UNTIL SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED AND LIFTED.

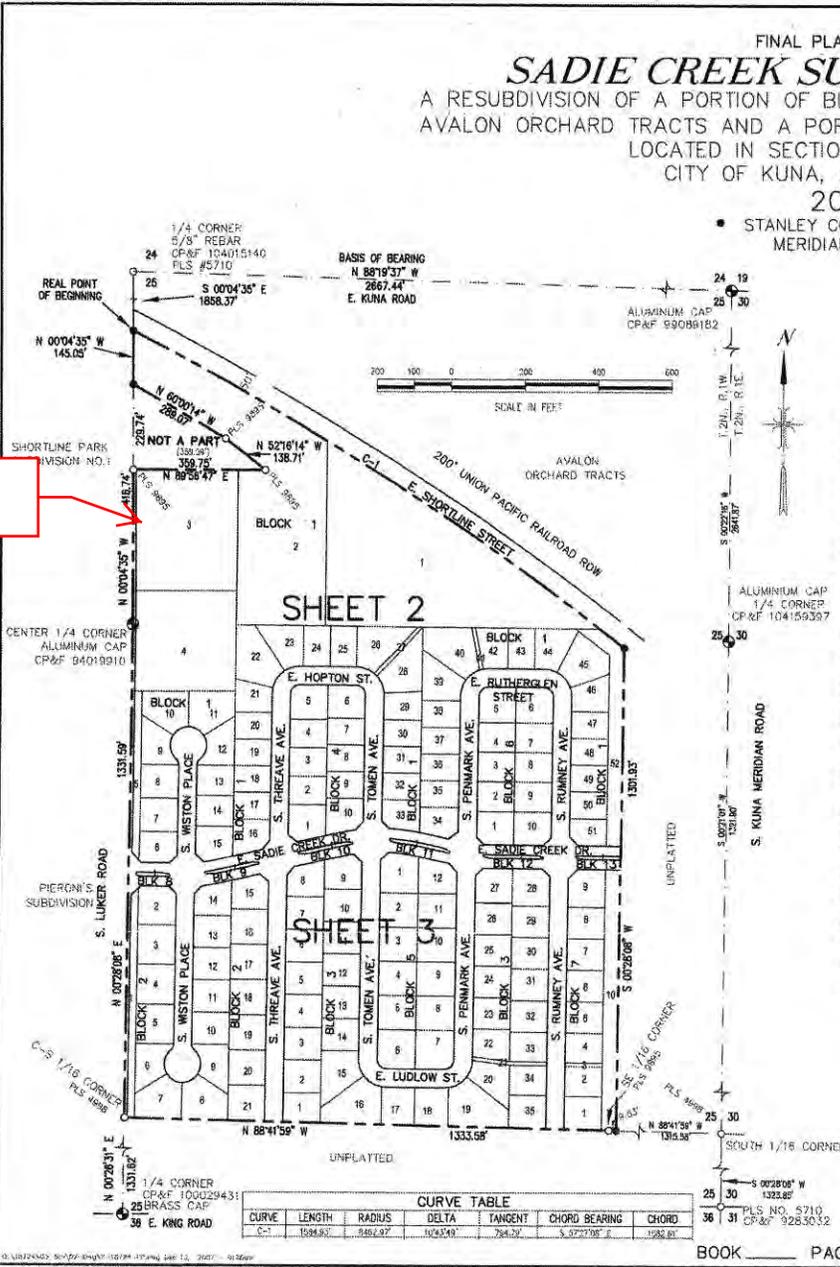


DEVELOPER:
RED CLIFF DEVELOPMENT
MERIDIAN, IDAHO

SHEET 1 OF 5

Lot 3 Block 1 -
Sadie Creek Sub

RECEIVED
SEP 20 2008
CITY OF KUNA



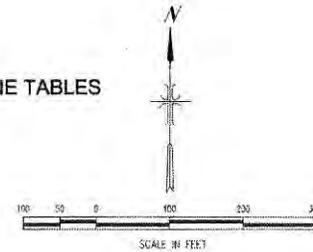
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD BEARING	CHORD
C-1	1598.93'	5482.07'	104°34'	784.32'	S. 67°27'08" W	1582.81'

BOOK _____ PAGE _____

FINAL PLAT SHOWING
SADIE CREEK SUBDIVISION NO. 1
 A RESUBDIVISION OF A PORTION OF BLOCK 11, AMENDED PLAT OF PART OF THE
 AVALON ORCHARD TRACTS AND A PORTION OF THE NORTH 1/2 OF THE SE 1/4,
 LOCATED IN SECTION 25, T.2N., R.1W., B.M.,
 CITY OF KUNA, ADA COUNTY, IDAHO

2008
 • STANLEY CONSULTANTS •
 MERIDIAN, IDAHO

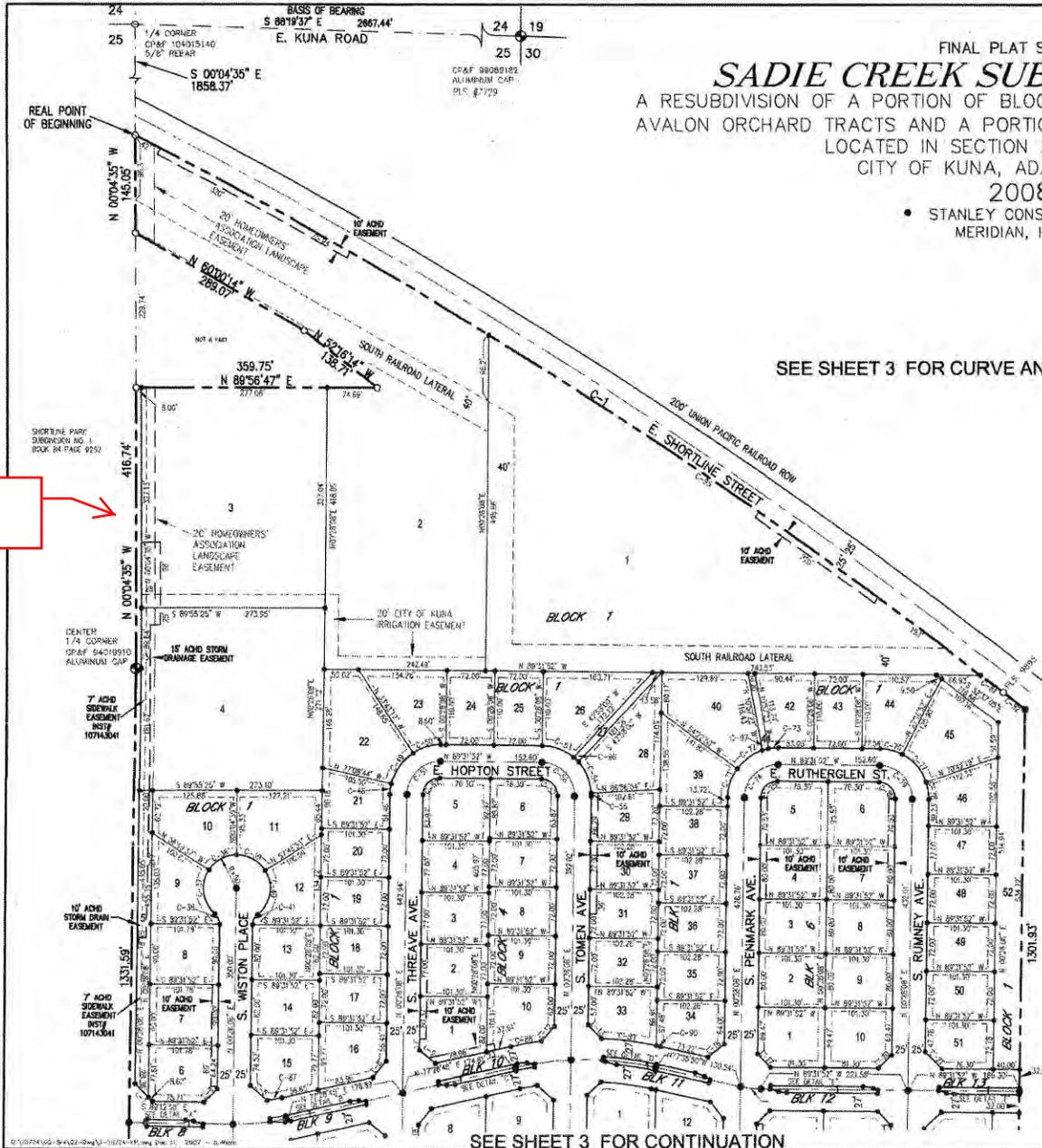
SEE SHEET 3 FOR CURVE AND LINE TABLES



LEGEND

- FOUND BRASS OR ALUMINUM CAP MONUMENT, AS SHOWN
- SET 5/8" X 30" REBAR WITH PLASTIC CAP, PLS 4996
- SET 1/2" X 24" REBAR WITH PLASTIC CAP, PLS 4996
- FOUND 5/8" REBAR WITH PLASTIC CAP
- FOUND 1/2" REBAR WITH PLASTIC CAP
- ▲ CALCULATED POINT (NOT SET)
- PROPERTY BOUNDARY
- - - EASEMENT LINE (SEE NOTE 1, 7 & 8)
- - - ADDD STORM DRAIN EASEMENT LINE
- CENTERLINE
- LOT LINE
- - - RIGHT-OF-WAY LINE
- - - SECTION LINE
- 1 LOT NUMBER

Lot 3 Block 1 -
Sadie Creek Sub



SEE SHEET 3 FOR CONTINUATION



DEVELOPER:
RED CLIFF DEVELOPMENT

BOOK _____ PAGE _____

SHEET 2 OF 5
18/12 12/07/07

Exhibit A

SADIE CREEK SUBDIVISION NO. 1

CERTIFICATE OF OWNERS

KNOWN ALL MEN BY THESE PRESENTS:

THAT GLEN MCBRIDE AND VIRGINIA MCBRIDE, HUSBAND AND WIFE, AND MIKE URWIN ENTERPRISES, INC., AND RED CLIFF DEVELOPMENT, INC., BOTH IDAHO CORPORATIONS, DO HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE REAL PROPERTY AS DESCRIBED BELOW AND IT IS THEIR INTENTION TO INCLUDE SAID REAL PROPERTY IN THIS SUBDIVISION PLAT. THE OWNERS ALSO HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH IDAHO CODE 50-1334 (2); ALL LOTS IN THIS SUBDIVISION WILL RECEIVE DOMESTIC WATER FROM AN EXISTING WATER SYSTEM AND THE CITY OF KUNA HAS AGREED IN WRITING TO SERVE THE LOTS IN THIS SUBDIVISION.

A PARCEL OF LAND BEING A PORTION OF BLOCK 11, AMENDED PLAT OF PART OF THE AVALON ORCHARD TRACTS AND A PORTION OF THE NORTH 1/2 OF THE SE 1/4 OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 1 WEST OF THE BOISE MERIDIAN, CITY OF KUNA, ADA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 25, T-2 N., R-1 W., B.M., THENCE N 88°19'37" W 2667.44 FEET TO THE NORTHWEST CORNER OF THE NE 1/4 (NORTH 1/4 CORNER) OF SAID SECTION 25;

THENCE S 00°04'35" E 1858.37 FEET ALONG THE WEST LINE OF SAID NE 1/4 TO THE REAL POINT OF BEGINNING OF THIS SUBDIVISION;
THENCE 1594.93 FEET ALONG THE SOUTHERLY LINE OF A PLATTED RIGHT OF WAY ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 8462.97 FEET, A DELTA ANGLE OF 10°43'49", A TANGENT OF 794.79 FEET AND A CHORD BEARING S 57°27'08" E 1582.61 FEET TO A POINT ON A CURVE;
THENCE S 00°28'08" W 1301.93 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF THE SE 1/4;

THENCE N 88°11'58" W 1333.58 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2 OF THE SE 1/4;
THENCE N 00°28'08" E 1331.59 FEET TO THE NORTHWEST CORNER OF SAID NORTH 1/2 OF THE SE 1/4 (CENTER 1/4 CORNER);
THENCE N 00°04'35" W 416.74 FEET ALONG THE WEST LINE OF THE NE 1/4 OF SAID SECTION 25 TO A POINT;

THENCE N 89°56'47" E 359.75 FEET TO A POINT;
THENCE N 52°18'14" W 138.71 FEET TO A POINT;
THENCE N 60°00'14" W 289.07 FEET TO A POINT ON THE ON THE WEST LINE OF THE NE 1/4 OF SAID SECTION 25;
THENCE N 00°04'35" W 145.05 FEET TO THE REAL POINT OF BEGINNING OF THIS SUBDIVISION, CONTAINING 52.31 ACRES, MORE OR LESS.

THE PUBLIC STREETS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC AND THE EASEMENTS INDICATED ON SAID PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES AND FOR ANY OTHER USES AS DESIGNATED HEREON, AND NO PERMANENT STRUCTURES ARE TO BE ERRECTED WITHIN THE LINES OF SAID EASEMENTS.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS 22 DAY OF June, 2007.

GLEN MCBRIDE AND VIRGINIA MCBRIDE, HUSBAND AND WIFE
Glen McBride Virginia McBride
GLEN MCBRIDE VIRGINIA MCBRIDE

MIKE URWIN ENTERPRISES, INC. RED CLIFF DEVELOPMENT, INC.
Michael Urwin Cory Swain
MICHAEL URWIN, PRESIDENT CORY SWAIN, PRESIDENT

ACKNOWLEDGMENTS

STATE OF IDAHO) SS

COUNTY OF ADA)
ON THIS 22 DAY OF June, 2007 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED GLEN MCBRIDE AND VIRGINIA MCBRIDE, KNOWN OR IDENTIFIED TO ME TO BE THE PERSONS THAT EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.



Cathy Parton
NOTARY PUBLIC FOR IDAHO
RESIDING AT Meridian, Idaho
MY COMMISSION EXPIRES: September 18, 2012

ACKNOWLEDGMENTS

STATE OF IDAHO) SS

COUNTY OF ADA)
ON THIS 22 DAY OF June, 2007 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED MICHAEL URWIN, KNOWN OR IDENTIFIED TO ME TO BE THE PRESIDENT OF MIKE URWIN ENTERPRISES, INC., THAT EXECUTED THE INSTRUMENT OR 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 SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.



Cathy Parton
NOTARY PUBLIC FOR IDAHO
RESIDING AT Meridian, Idaho
MY COMMISSION EXPIRES: September 18, 2012

STATE OF IDAHO) SS

COUNTY OF ADA)
ON THIS 15 DAY OF June, 2007 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED CORY SWAIN, KNOWN OR IDENTIFIED TO ME TO BE THE PRESIDENT OF RED CLIFF DEVELOPMENT, INC., THAT EXECUTED THE INSTRUMENT OR 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 SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.



Cathy Parton
NOTARY PUBLIC FOR IDAHO
RESIDING AT Meridian, Idaho
MY COMMISSION EXPIRES: September 18, 2012

APPROVAL OF CITY ENGINEER

I, THE UNDERSIGNED, REPRESENTATIVE OF KELLER ASSOCIATES, CITY ENGINEER IN AND FOR THE CITY OF KUNA, ADA COUNTY, IDAHO, ON THIS 22 DAY OF August, 2007, HEREBY APPROVE THIS PLAT.

Asta Uhlen
CITY ENGINEER

CERTIFICATE OF COUNTY SURVEYOR

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR FOR ADA COUNTY, IDAHO, HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND FIND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

John L. Harting
COUNTY SURVEYOR
PLS 5357 12-13-2007



CERTIFICATE OF SURVEY

I, MICHAEL E. MARKS, P.L.S., DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT, AS DESCRIBED IN THE CERTIFICATE OF OWNERS AND THE ATTACHED PLAT, WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON IN CONFORMITY WITH THE STATE OF IDAHO CODES RELATING TO PLATS, SURVEYS AND THE CORNER PERPETUATION AND FILING ACT, IDAHO CODE 55-1601 THROUGH 55-1612.

MICHAEL E. MARKS, P.L.S. NO. 4998



ACCEPTANCE OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE 17 DAY OF October, 2007.



John Howard
CHAIRMAN
ADA COUNTY HIGHWAY DISTRICT

APPROVAL OF CITY COUNCIL

I, THE UNDERSIGNED, CITY CLERK IN AND FOR THE CITY OF KUNA, ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE DAY OF November, 2006, THIS PLAT WAS DULY ACCEPTED AND APPROVED.



Bonda Burgess
CITY CLERK, KUNA, IDAHO

CERTIFICATE OF COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF IDAHO CODE 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

Cecil Ingram by Donnie Robinson 1/14/08
COUNTY TREASURER DATE



COUNTY RECORDERS CERTIFICATE

INSTRUMENT NO. 108006027

STATE OF IDAHO) SS
COUNTY OF ADA)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED AT THE REQUEST OF Mike Urwin Enterprises AT 32 MINUTES PAST 12 O'CLOCK P.M., THIS 17 DAY OF Jan, 2008, IN MY OFFICE AND WAS DULY RECORDED IN BOOK 100 OF PLATS AT PAGES 12831 THROUGH 12835.

X Ansa
DEPUTY
Fee: \$26.00

J. David Manner
EX-OFFICIO RECORDER



1" = 20'

PLANT SCHEDULE

SYM	COMMON NAME	SIZE AT PLANTING	QTY
BTS	BLUE TOTEM SPRUCE	8-10'	0
CAM	CLUMP ACER MAPLE	15 GAL	0
WMS	WEeping NORWAY SPRUCE	8-10'	3
CP	CAPITOL PEAR	2" CALIPER	0
AM	ARMSTRONG MAPLE	2" CALIPER	5
BS	BLUE SPRUCE	8-10'	7
RB	RIVER BIRCH	2" CALIPER	6
DL	STELLA DAY LILLIE	1 GAL	2
GE	GOLDEN EUONYMUS	5 GAL	3
CR	RED CARPET ROSE	5 GAL	3
BF	BLUE FISQUE	1 GAL	3
FRG	FEATHER REED GRASS	1 GAL	3
OTL	OTTO LUYKEN LAUREL	5 GAL	3

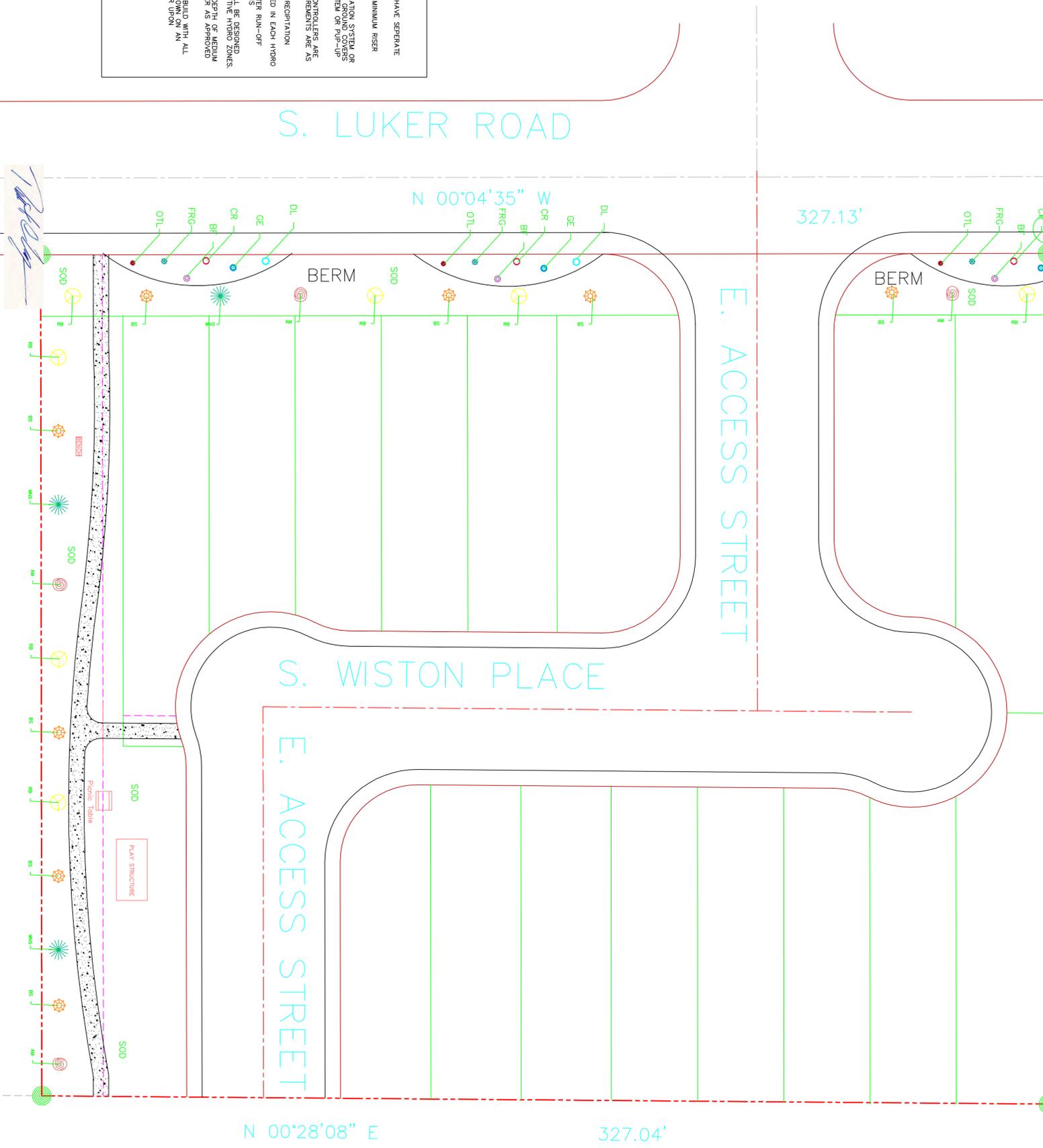
GENERAL NOTES:

- LANDSCAPE CONTRACTOR TO FIELD VERIFY LOCATIONS OF ALL UTILITIES PRIOR TO MINOR OR ANY DEMOLITION OR CONSTRUCTION. CONTRACTOR SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
- ALL PLANT MATERIAL SHALL CONFORM TO THE CURRENT AMERICAN ASSOCIATION OF UNIVERSITIES NATIONAL STANDARD SPECIFICATIONS.
- THE LANDSCAPE CONTRACTOR SHALL COORDINATE ALL PLANTINGS WITH REGULATION CONTRACTOR TO ENSURE PROPER COVERAGE.
- NO SUBSTITUTIONS WILL BE PERMITTED WITHOUT THE WRITTEN CONSENT OF THE OWNER AND CITY OF MERIDIAN.
- ALL PLANT AREAS SHOULD BE MAINTAINED FREE AND CLEAR OF UNDERGROWTH.
- ALL TREES, SHRUBS, AND SPERMATOPHYTES SHOULD BE REPLACED IF THEY BE OR BECOME UNHEALTHY.
- ALL PLANTINGS SHOULD BE FERTILIZED AND IRRIGATED AT 750# INTERVALS NECESSARY TO PROMOTE OPTIMUM GROWTH.
- AS PART OF THE TREE PRESERVATION PERMIT, TREES THAT ARE BEING REMOVED SHALL BE REPLACED WITH A TREE OF EQUAL OR GREATER CALIBER AND SPECIES. NO GRADING WILL BE PERMITTED WITHIN THE TREE'S DRAINAGE.
- ALL LANDSCAPED AREAS SHALL HAVE AN AUTOMATIC UNDERGROUND SPRINKLER SYSTEM WHICH INSURES COMPLETE COVERAGE OF EACH HYDRO ZONE. EACH HYDRO ZONE IS TO BE IRRIGATED WITH SEPARATE INDIVIDUAL STATIONS.

- PLANTER BEDS AND LAWN AREAS ARE TO HAVE SEPARATE HYDRO ZONES.
- POP UP SPRINKLER HEADS SHALL HAVE A MINIMUM RISER HEIGHT OF 4".
- PLANTER BEDS ARE TO HAVE A DRIP IRRIGATION SYSTEM OR OTHER WATERING SYSTEM. PERSONS PROVIDING SODS OR SPRINKLER SYSTEMS SHALL HAVE A DRIP SYSTEM OR POP-UP SPRAY SYSTEM.
- ELECTRONIC WATER DISTRIBUTION/TIMING CONTROLLERS ARE TO BE PROVIDED. MINIMUM CONTROLLER REQUIREMENTS ARE AS FOLLOWS: INDIVIDUAL STATION TIMING CAPABILITY FOR EACH HYDRO ZONE. AT LEAST ONE PROGRAM SHALL BE PROVIDED IN EACH HYDRO ZONE. NIGHT WATERING CAPABILITY FOR ALL PROGRAMS. POWER FAILURE BACKUP FOR ALL PROGRAMS.
- INDIVIDUAL VALVED WATERING STATIONS WILL BE DESIGNED AND INSTALLED TO PROVIDE WATER TO RESPECTIVE HYDRO ZONES.
- ALL PLANTING BEDS SHALL RECEIVE A 2" DEPTH OF MEDIUM TO FINE SAND OVER WEED CONTROL BARRIER AS APPROVED BY THE OWNER.
- THE IRRIGATION DESIGN SHALL BE DESIGN-BUILD WITH ALL ZONES AND APPROXIMATE HEAD LOCATIONS SHOWN ON AN AS-BUILT PLAN AND SUBMITTED TO THE OWNER UPON COMPLETION.

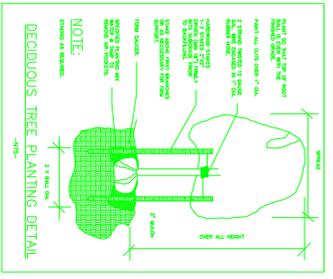
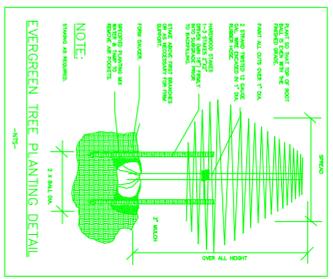
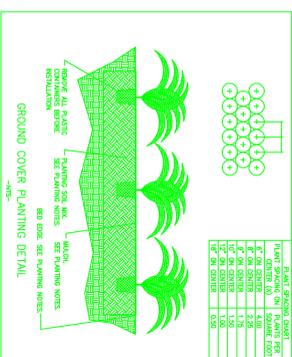
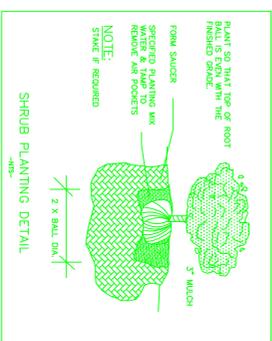
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DRAWN BY:	RCU	DATE:	12/5/12
CHECKED BY:		DATE:	
APPROVED:	RU	DATE:	
COORD FILE:		DATE:	
REV. CODE FILE:		DATE:	
REVISED AS PER ACHD REQUIREMENTS		DATE:	

SOREL SUBDIVISION
 A RESUBDIVISION OF LOT 3, BLOCK 1,
 SADIE CREEK SUBDIVISION #1
 LOCATED IN THE NW 1/4, OF SECTION 18,
 T.2N., R.1W., B.M.
 ADA COUNTY, IDAHO 285.06'
 2013



OWNER/DEVELOPER
 RANDY VANDERWERFF
 36101 BOB HOPE DRIVE, ES-125
 RANCHO MIRAGE, CA 92270
 (760) 333-0980

CONTACT
 BOB UNGER
 ULC MANAGEMENT, LLC
 6104 N GARY LANE
 BOISE, IDAHO 83714
 (208) 861-5220



6104 N. GARY LANE, BOISE, IDAHO, 83714
 bunger@ulcmanagement.com
 208-861-5220 FAX 208-577-6493

SOREL SUBDIVISION

RANDY VANDERWERFF
 LANDSCAPE PLAN

JOB NO. 12-101
 SHEET NO. 1

