



KUNA PLANNING AND ZONING COMMISSION

Agenda for August 25, 2015

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 Joan Gay

2. CONSENT AGENDA

- a. Meeting Minutes for August 11, 2015
- b. **15-02-AN** (Annexation) **15-02-ZC** (Zone Change), **15-01-S** (Preliminary Plat) and **15-04-DRC** (Design Review): Trilogy Development - Applicant requests approval to annex approximately 10 acres into City limits and rezone an additional (approximate) 121 acres from A (Agriculture) to R-6 (Medium Density Residential) to develop a 262 lot residential subdivision (Memory Ranch). The applicant seeks an R-6 (Medium Density Residential) zone for the subdivision as a whole.
– *Findings of Fact and Conclusions of Law*

3. OLD BUSINESS:

- a. **15-04-SUP** (Special Use Permit) **15-05-DR** (Design Review) - Idaho Solar 1, LLC / Origis Energy USA, Inc: Applicant requests SUP approval for a 40 MWac solar photovoltaic project totaling 180 acres over 3 parcels, totaling 220 overall acres. Applicant proposes development of a commercial photovoltaic solar project, access from Barker Road, and design review approval for the accompanying landscaping in the required buffers.
– *This item was tabled from the August 11th, 2015 regular Planning and Zoning meeting*

4. PUBLIC HEARING

- a. **15-04-S** (Subdivision) and **15-07-DR** (Design Review): – Ardell Estates Preliminary Plat: A request for preliminary plat approval for a 261 (residential) lot subdivision in a R-6 (Medium Density Residential) zone. The applicant also proposes to develop 27 additional lots into common lots. Applicant is proposing a minimum of seven (7) phases of development to be driven by the market.

5. DEPARTMENT REPORTS

- a. To Be Determined

6. CHAIRMAN / COMMISSIONER DISCUSSION

7. ADJOURNMENT

Kuna City Codes, Comprehensive Plan, and Maps are available on the City web site:

<http://www.kunacity.id.gov>

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PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Vice-Chairman Stephanie Wierschem	X	Troy Behunin, Senior Planner	X
Commissioner Dana Hennis	X	Trevor Kesner, Planner I	X
Commissioner Cathy Gealy	X		
Commissioner Joan Gay	X		

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Call to Order and Roll Call

Chairman Young called the meeting to order at **6:04 pm**.

1. CONSENT AGENDA

- a. Planning and Zoning Commission **Meeting Minutes for July 28, 2015**
- b. **15-02-SUP** (Special Use Permit): Shayla Menard (Shayla’s PawFection); SUP to operate an in-home pet grooming service business located at 226 E. Chapparosa Drive - *Findings of Fact and Conclusions of Law*.
- c. **15-01-AN** (Annexation): ‘A’ Team Land Consultants; annexation of approximately 287.17+/- acres near the intersection of Kuna and Cloverdale Roads (Falcon Crest Golf Course) into the City of Kuna and designated as A (Agriculture District) – *Findings of Fact and Conclusions of Law*.

*Commissioner Gealy motioned to approve consent agenda;
Commissioner Hennis seconds, all aye and motioned carried 5-0.*

*Commissioner Wierschem motioned to modify the meeting agenda to move ‘item 3 – Old Business’ to after the ‘item 5 – Public Hearing’;
Commissioner Gealy seconds, all aye and motioned carried 5-0.*

Chairman Young asked if there were any individuals in the audience that was here to testify for ‘Linder Farms’ No one indicated that they were.

2. PUBLIC MEETING:

- a. **15-05-SN** (Sign): **Coleman Homes, LLC**– Chris Taylor - Applicant has applied for four (two at each entry) subdivision entry monument signs for the Timbermist Subdivision (for phases one and two); there will be four signs total.

Troy Behunin: Chairman Young and Commission members, for the record; Troy Behunin, Kuna Planning and Zoning staff, Senior Planner. The application you have before you at this time; 15-05-SN is a sign permit request for approval for a subdivision sign. Kuna City code requires that all entry signs and all entry monuments in the subdivision go through Design Review and that is the purpose for tonight. Hopefully you have had a chance to review all of the

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materials for this application. The only thing that I don't have is a secondary location map that is quite like this one. It does show the locations of two signs on this page, but it doesn't have it quite in this manner, but locations for all four signs; it is located in the maps and staff would stand for any questions you might have relative to this application.

C/Young: Ok.

C/Gealy: I have no questions

C/Hennis: No

C/Wierschem: I have none

C/Young: Ok, is there anyone here for the applicant or anyone that would like to add anything to what Troy had? Ok, that brings us to our discussion, and I think the entrance signage looks really good. I think it has more character than a lot of the ones that we have seen lately so I think it fits in with what the city's goals are. It is within the height requirements, it's... I don't have any objection to this.

C/Hennis: No? Ok then.

*Commissioner Hennis motioned to approve **15-05-SN** sign application for Timbermist Subdivision entrance signs;
Commissioner Wierschem seconds, all aye and motioned carried 5-0.*

3. PUBLIC HEARING

C/Young: Before I call the first case, I will just remind everybody of the way we run the public hearings and the rules that we have: 1) we will ask the applicant to come forward and present their project; staff will come forward and present their staff report, at that point we'll open the public hearing for public testimony; 2) everybody will have three (3) minutes to tell us whatever you would like; in favor, opposed, neutral, but when that three minutes is up, we ask that you stop and we let the next person in line go and at that point, the applicant will have a chance to rebut any of the public testimony that is given; that they cannot introduce any new information. It is just responding to questions or comments by the public. With that said, we will move on.

- a. **15-02-AN** (Annexation) **15-02-ZC** (Zone Change), **15-01-S** (Preliminary Plat) and **15-04-DRC** (Design Review): Trilogy Development - Applicant requests approval to annex approximately 10 acres into City limits and rezone an additional (approximate) 121 acres from A (Agriculture) to R-6 (Medium Density Residential to develop a 262 lot residential subdivision (Memory Ranch). The applicant also seeks an R-6 (Medium Density Residential) zone for the subdivision as a whole.

Jane Suggs: Thank you very much Commissioners and Chairman Lee, Mr. Young. My name is Jane Suggs and I am here representing Trilogy development and Memory Ranch, and I just want to start off by letting you know so you can relax a little bit; we have designed Memory Ranch to meet all the policies of the comprehensive plan. The annexation and the rezone of property meets the future land use map for Kuna. The subdivision also meets all of the subdivision code requirements without any conditional use requests or exceptions and we agree with all of the conditions of approval

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that are in the staff report so this could be over soon. In fact, I think we want to add a condition and I will talk about that a little later. Trevor, will you put up my vicinity map for me? Thanks.

C/Young: I think that is the wrong slide; the fun part about technology.

Jane Suggs: There we go. So, you can see according to the vicinity map that we are requesting an annexation of ten acres into Kuna; and that is the ten acres that are highlighted in the center of the property. We are requesting that the entire colored area, which is 135 acres, which includes the ten acre annexation, be rezoned from Ag (agriculture) zoning to R-6. Can you put up our preliminary plat please?

We are subdividing the eastern portion of the property into 261...oh that didn't come out as clear as I was hoping, 261 building lots and one future building lot for a total of 262 lots on 67.4 acres. So this is the eastern portion of the 135 acres. The density will be 3.87 dwelling units per acre. We are requesting the R-6 zone so that we can meet the lot size and frontage requirements including the setbacks. Setbacks for R-4 and R-6 are very similar on the lot sizes and the frontage requirements are a little different so we are certainly not going to build up to the R-6 zone which is up to six units to an acre, but we are going to use those dimensional standards, so we are asking to rezone to R-6.

The lot sizes will range from 4,500 square feet, which is the minimum lot size in R-6, and that is along the north boundary and they face an open park of about two acres. The other lots which are along the canal, which is along the western border of the property, and they will range in size from 8,000-10,000 square feet so those are larger lots along the west side of the property. Could you put up our landscape plan please?

Along with the mix of lot sizes, Memory Ranch features parks and pathways, as mentioned before the northern park is about two acres and it will be kind of an open space area and lined with trees around the street and it will be a great area for open play and maybe lounging under the trees while the kids kick a soccer ball around. There is another park located more centrally in the Memory Ranch, near the center, and it is one and three quarter acres, and it's including a pool with changing rooms, a tot lot and parking spaces. The park and the landscaping will be the first thing you see when you come into Memory Ranch from Ten Mile, so you can see the northern entrance on Ten Mile and you can see when you drive through, there will be a tree lined street and you will see the landscaping and the pool area.

We have also added as you can see several pathways to provide easy access to the parks, so you can walk to the park. And this also provides great pedestrian connection between the blocks and in the neighborhood. The pathway lots are twenty feet wide with a meandering sidewalk and landscaping. The pathways will be bound by four foot tall wrought iron fence, not the six foot vinyl fence that surrounds the property. We have also; and this is kind of a nice treat, we've also planned the entire length of that Harris lateral, it runs along the west and south side, we are going to put a pathway along that entire lateral. It is outside of the easement. It is on private property, but that would go along the entire boundary of the property and you can see that it's accessible by the stub street and a couple of pathways connections.

So the extra lot that I mentioned, that we went from 261 to 262 in our request, is the southern entrance off of Ten Mile Road, and we talked to ACHD, and they thought that it would be best that when the mid-mile collector on Ten Mile, which would be south of our property, when that ever develops and the mid mile collector is put in; that street, the southern entrance into our property would be a little too close. So when that occurs, we can close that street because there would be connections from the southern property into our property as well, and then we can turn that into a building lot.

As noted in our letter of intent, all utilities and urban services will be provided to the subdivision. Thompson Engineers prepared a traffic study that was reviewed and approved by ACHD, and all the streets within the subdivision are designed to Kuna standards and ACHD standards, and Ten Mile and Lake Hazel will handle the traffic, which you probably already know, that there are some planned improvements on Ten Mile and Lake Hazel including a roundabout at the intersection.

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We had a very well attended neighborhood meeting on April 22nd, and it was held at the north Kuna treatment plant, which is right across the street to the east from this property across Ten Mile. The main concern from the neighbors was the density of the project so I explained of course, that we were following the comprehensive plan that did propose this area to be medium-density residential, which is what we are building.

The mix of lot sizes is also one of the features of your comprehensive plan, to make sure that there is a mix of smaller lots and larger lots and we are meeting that as well. The lots in Memory Ranch also utilize the significant investment that has been made in this treatment plant that is just across the street so this is just the beginning of that opportunity to provide sewage treatment for all of those lots that are to be developed in the north part of Kuna. We also want to point out that the lots across from the treatment plant that kind of back up to Ten Mile, range in size from 5,200 square feet to over 8,000 square feet. So they're not the smallest lots, but they are also not the largest; even larger lots are located along the canal. Of course we are doing this because of the market, that you are backing up to one day, a five mile arterial, and also you are across the street from the sewage treatment facility, which, I have to say is very attractive because we had the meeting there.

We have prepared a phasing plan and I think that is in our list too; and it is kind of a rough drawing, but it shows that we are going to start our project down in the southeast corner of the property, so the southernmost area. It will include both of the entrances off of Ten Mile and you can see we will progress up towards the canal and then go to the center and do the park, then work our way around. Now, there is some complications sometimes by the fact that utilities might be available from the north, so we might want to make that change; so because of that, we are asking that any changes to the phasing plan due to the availability of utilities or to market conditions, must be approved by Kuna staff. So we won't do this without going to the staff and getting approval, so we would like to add that condition to our conditions of approval.

So we have designed Memory Ranch to meet the comp plan, the zoning ordinance and the subdivision codes and I believe Memory Ranch will be a great asset to Kuna, so I will stand for any questions you have.

C/Young: Ok. I don't see any elevations or anything which are shown for the pool house or that facility. Do you know what those materials are going to be at this point?

Jane Suggs: We have not designed that yet and not submitted anything for that. That is one of the things that is allowable; a community center in a subdivision, but we haven't progressed with any kind of design documents at this time for that. And I have to apologize, I actually had a couple of homes to show you but I didn't bring them with me on my jump drive so I can submit those as well.

C/Young: Ok, and also, you might have mentioned it, but the fencing around the pool site?

Jane Suggs: Anytime that you have to have a great view where you back up to a park, we are putting in the wrought iron fencing so you don't want to be closed in with the six foot vinyl fence if you're going by a pathway so in places where we have paths and along the big pathway we'll have the four foot wrought iron fence which is a really nice amenity.

C/Young: Ok.

C/Wierschem: I just had a quick question in regard to the lighting near the pool and around the park area. I didn't see anything.

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Jane Suggs: You know, we actually haven't prepared a lighting plan at this point. We'll come with that in the other phase; we can submit that to you then. I know that you're interested in making sure that there is not glare on the other properties so we certainly take that into account making sure there is light enough so you can see what's going on; but not so much that it will sort of shine on other neighbors. That will be important to us as well.

C/Wierschem: Thank you. I have nothing further.

Jane Suggs: I just realized there is one thing for those of you that follow the sewer; because the big lift station is not yet built on the corner at Lake Hazel and Ten Mile, our most northeast lot will be a lift station that will carry and then pump the sewage to the treatment facility, so I know some of you are following how that works and that process; so we can't gravity flow to the sewage treatment right now, we'll pump. But when that new lift station goes in which is the city's lift station, we'll gravity flow to that.

C/Hennis: Ok.

C/Young: Thank you.

Troy Behunin: Good evening Commissioners, once again for the record, Troy Behunin, senior planner with Kuna Planning and Zoning. This application for the Memory Ranch Subdivision includes 15-02-AN annexation; 15-02-ZC zone change; 15-01-S pre plat and 15-04-DRC which is design review and I am here to talk to you about the technical merits of the project and I can tell you that the applicant has submitted all of the materials for the application and they have held their neighborhood meeting with the property owners within 300 feet of the project notifying them of tonight's public hearing and it's also been published in the Kuna Melba News so statutorily, all of the notification processes; oh and the site was also posted, so all of the notification processes have taken place the way that they should. Technically speaking, this application follows all of the requirements within the Kuna city subdivision and design review, landscape and annexation codes and what the applicant has proposed seems to be a good fit for the area and it does conform to the future land use map which does indicate that the site is designated as medium density residential. R-6 falls squarely within that and the proposed density is actually under what they are requesting. The only thing that staff would add is that it be considered that phase one of the subdivision include the pool and the clubhouse for the subdivision in phase one rather than phase three. That is what I was conferencing with the applicant about just a moment ago. They would like to make one clarification as to why it is not in phase one. Other than that, staff would hold true to the recommended conditions of approval and staff would stand for any questions you might have relevant to this application.

C/Young: Any questions for staff?

C/Gealy: I have one; could you clarify which ten acres are being annexed and is everything else, is it in city limits?

Troy Behunin: Absolutely; so if you'll look on the map that is behind you, there is an outlying smaller piece basically in the center of the project. I will come up and point it out; this piece right here.

C/Gealy: Oh, that piece there. So, everything else is in the city limits?

Troy Behunin: Everything else is in the city limits. In fact, it was in the city limits and it was part of the Local Improvement District program.

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C/Gealy: Thank you.

C/Hennis: Within the packet here, I didn't see any of the listing for that neighborhood meeting attendance. Is that... did I just miss it in here?

C/Wierschem: I didn't have it.

C/Hennis: So, were there any objections or anything brought out during the neighborhood meeting?

Troy Behunin: I apologize for ... I thought it was in there. I apologize. Jane? The applicant will address that.

C/Hennis: Ok, I don't have anything else for Troy.

C/Young: Any other questions for Troy at this point?

C/Gealy: Not at this time.

C/Young: Ok. Thanks Troy. Will the applicant please come back up for a moment and just clarify?

Jane Suggs: Again, for the record, Jane Suggs Memory Ranch. Let's talk about the suggestion from the staff about making the ...do you want me to rebut that now or just clarify the neighborhood meeting?

C/Young: Actually, if you could just clarify the phasing, and then we can talk about the other.

Jane Suggs: Yeah, the phasing... we have put in a lift station for the subdivision and we also have a mile and a half of off-site irrigation line that we have to build, so we are doing quite a bit of that off-site. We have two entrances on Ten Mile that are built in the first phase. We also have to build sidewalk as the phases go on Ten Mile. We have to pave some of Ten Mile. Of course, we have to build the pathway as we go through each phase. I have chatted with the developer and he's respectfully requesting that we continue to add the pool in the third phase just mostly because of all the other work that has to be done off-site in preparation of just getting the first phase, so we would ask that we continue to put that in phase three. We will do the entrance but it will stop and then the pool will come in the third phase when there is development around the pool so it won't be stuck out in a place that is undeveloped sort of adjacent to undeveloped.

I thought that I had sent that neighborhood list in; we had a really good meeting. I don't have it with me but.... Oh good, look there we are. The Edmonds who live on Lake Hazel; of course the Johnson family that owns the property now; we had a really good response from the Durrant family that lives across the street and Dan who is here and lives on that piece that is right on the corner of Lake Hazel and Ten Mile so I need he is very concerned and wants to make sure that he gets his irrigation water because that's always what people are concerned about when something happens to them. It is state law that we have to continue to maintain his irrigation water as we go through, we know that. I would say from the Connelly's who live a little further east on sort of a ten acre horse property; like the Durrants, they are mostly concerned with the density but again, you heard from the staff and you know from your own comprehensive plan, medium-density residential is anywhere from four to six units an acre and we are actually just below four so we aren't as dense as the comprehensive plan calls for.

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And again, one of the concerns of course, is to utilize that investment made in that wastewater treatment plant. We need to get some homes and get some flow through that. Does that answer the questions? I'd be happy to clarify even more, but again we respectfully request to keep that pool in phase three just because of those expenditures that do have to occur early in the first phase just to kick off the project.

C/Wierschem: I have an additional question. You mentioned three phases; do you have a timeline for each phase?

Jane Suggs: Actually, there are six phases, as you look on the map back here. We think that we could probably build it out in seven to nine years. It really depends on the market. Its 261 lots so we think that seven to nine is appropriate for that many lots. Again, we will see how the market reacts to interest rates and those types of things.

C/Wierschem: I was just mostly concerned; if the pool is not coming in until the third phase, what timeline is that?

Jane Suggs: Maybe four to five years from now, probably more like four.

C/Wierschem: Ok, thank you.

C/Young: Ok, I do have one additional question as well. The landscaping that is associated with the pathway along the lateral; you mentioned that is on private property; is it going to be listed in with the HOA (Homeowners Association) that the HOA is responsible for that?

Jane Suggs: The HOA would take care of it. And the landscaping and such would be more natural. We would probably not do... we would probably get started with an irrigation system that would get grasses to grow, but most of that area because it is next to the canal would be more natural landscaping, so it wouldn't be flowers planted and that type of thing because it's just not appropriate to put by that canal there. In other places we'll have trees and shrubs and flowers but in a lot of that area, there will be more natural grasses that are maintained at first, but they start to lose the need for maintenance over time.

C/Young: Thank you. Ok, so we'll go ahead and open the public testimony at 6:32. Do we have a signup sheet Troy?

Troy Behunin: Yes, sir.

C/Young: Ok, I will start with those who are in opposition, and I have first listed, Richard Durrant. Please state your name and address for the record please.

Richard Durrant: Thanks. Richard Durrant; 7590 S. Ten Mile Road, Meridian, Idaho. Mr. Chairman, members of the committee, I am here to express my concerns as Jane talked about, at the neighborhood meeting our major concern is the density. We live in an area where there are a lot of one acre lots developed and I mean, as somebody that has lived here for 50+ years, I do have to let you know that I am kind of anti-growth but I do appreciate the regulations as we go through to accomplish this. My biggest concern as a taxpayer is the burden that it puts on the school districts due to the increased density and the amount of people that we put into the school system. Every year my school levy was considerably large. We own quite a bit of ground just across the road from the proposed property so I just see more levies coming down the road that is paying for this growth. I still have a concern that growth should be paying for its own way and I understand, this is probably an argument for the school boards to be presenting, but I know the land is currently zoned R-3 and I think that an R-3 is a doable number that we can live with. I also engage in agriculture and

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farming and I am still concerned about; even with the one acre tracts that I have, I have people calling me when my irrigation equipment, mainly my center pivots are blocking their view of bogus and different things, and I just cringe at the thought of all the small lots being presented right along Ten Mile corridor and the amount of calls that it will generate to me. As well as my agricultural equipment is large and slow and definitely creates a burden on the roadways, I understand and I really think that we need to definitely have some wider roads and some things to accommodate the proposed increased traffic and I am still trying to figure the math of 262 lots on 64 acres; that's R-4 or smaller but do the math; looking at 4500 square foot lots. To me, I do the math, take out the roadways and say 'ok, you're actually looking at six, seven, eight houses per acre', I know they get to figure the corridors and the right of ways and the parks and everything in there, but definitely in my opinion, is a very high density for the area that we have dealing with a lot of one acre lots on the back. Thank you for your time.

****All Commissioners thanked Mr. Durrant for his testimony****

C/Young: Ok, and next, I have listed... I am not going to say this correctly, but I have a Joe Guido; hopefully I didn't mispronounce your name.

Joe Guido: My name is Joe Guido and I reside at 7744 S. Bella Terra Lane, Meridian, Idaho. I want to start by bringing up a letter that was received and mailed out by Megan Leatherman of Ada County Services on August 4th, just a few days ago. Their clear displeasure at the City of Kuna's encroaching on a plan and agreed upon by Idaho Code, into the City of Meridian's adopted city of impact. This development clearly encroaches on that and it's going to create a lot of legal issues. I'm sure that you have all read this letter; if not, I can give it to you.

C/Young: I have not seen it.

C/Wierschem: I have not seen it.

Joe Guido: Do you need it?

C/Young: Actually, what we should do is; while you finish, if we could have Troy make a copy of that for each of us.

Joe Guido: I've got lots of copies you can have.

C/Young: Well I need one for each of us is what I am saying so, if you could do that. Mr. Guido?

**** Mr. Guido introduces a letter to the City of Kuna from Ada County Development services (shown as Exhibit C.2 the Planning and Zoning Commissioners**

Joe Guido: My recommendation right off the bat is for the city to deny this application and hold off until the city gets a master plan; a total comprehensive plan. If I was a twenty year old person, twenty-something; coming to the city of Kuna and I wanted to ask: 'what is your vision? What am I going to be encumbered with in twenty years if I live here and raise a family?' Is it all these little pockets of islands within the county? Hop-scotching over ground, creating all these incompatible subdivisions when zero services, like this development, the only service that is available is a water and a sewer main. There is no services. Condensed housing; six to the acre and apartments and condos need to be near the city center. That's what city businesses want. There is nothing in the core city of downtown Kuna being; I don't know why a business would want to come there, where all of the development is at the farthest outreaches in

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the webs of Meridian. Not, you know, near the downtown so I know that with manufacturing and industrial and jobs, all of the people that make money are employed there with the city, if the city actually wants to have these companies come in and attract them, they're going to have weight scales of various different types. They're going to have from the executive pay scale, all the way down to the low income and the housing should be commensurate with that. Right now, it seems like all of this being, I see, is low income housing. I know it's called affordable housing.

C/Young: Ok. Ok.

Joe Guido: ...and I like the politically correct version of affordable housing, but when you really net it out, it is low income housing.

C/Young: Ok, thank you.

Joe Guido: There's no way to slice it or dice it; and the stigma that the city is creating...

C/Young: Alright. Thank you. Thank you, Mr. Guido for your testimony. You're time frame is up.

Joe Guido: Pardon me?

C/Young: As I stated in the rules just prior to the hearing starting, there is a time frame, and the alarm has gone off.

Joe Guido: I didn't get the... I didn't hear you.

C/Young: The time frame that was given at the beginning of the hearing for public testimony has expired. I'm sorry; I'm not speaking up very well. The time frame for testimony; your time has expired. So, we're going to get a copy of that letter, but we do thank you for your testimony.

Joe Guido: Ok. Thank you.

C/Young: Yes. Thank you very much.

Joe Guido: I would just like to see a more orderly way of doing things. This is very disorderly.

C/Young: Thank you. Ok, is there anybody here that has not signed up that would like to? Ok, with that, then we will also have the applicant please come up and rebuttal.

Jane Suggs: So sorry to interrupt in that way. Again, Jane Suggs, representing Memory Ranch. I just wanted to make sure that we had the comments and I can comment on the two speakers; and certainly Mr. Durrant who is a neighbor and is very concerned with the changes that are happening in the neighborhood. I think that one of the ways; and I can't really speak to this with any numbers because I haven't done an analysis of the school levies, but I do know that when we start looking at these larger subdivisions, we have to do an analysis of how much money goes into those levies and into those tax coffers from the new building and the way that it looks is that the taxes that will be paid from the subdivision will well be much higher than the cost of services. There was some discussion about how this is a burden on the tax payer when, in fact; all the services that have to be taken to that subdivision are built by the developer. We're not going to be asking the city to build anything, just like that off site irrigation will be a piece of the

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infrastructure for the city that we'll build so that we can tie into the Kuna irrigation system. Mr. Durrant said this was zoned R-3, but it is zoned agriculture, and so we're zoning it because it is in the city and it is zoned agriculture, so we are re-zoning it to R-6. And I understand what he is talking about; you can take a block and take the roads out and come up with different densities, just like the larger lots; if you took two or three larger lots, you would have a much lower density, but the way we calculate density and the density according to your code is a gross density that includes all of the land and improvements. So that is what we're coming up with; the 3.87.

About Mr. Guido; I am unaware of that letter, but this property is already in the city so it should not be a conflict with the city of Meridian, and I think I know that north of Lake Hazel, up to Amity Road, is the conflict area, because I've worked on projects there, where in fact they're in the city of Meridian's impact area, but city of Meridian can't necessarily sewer it. So I was involved in some projects that were in that area, that we were trying to work out a way for Kuna to sewer some land that might have ended up eventually in the city of Meridian, so this property is not part of that controversy.

Also, as I've said, we build services and we have done... because we've had to do for our larger lot subdivisions, over 50 lots, we had to do an analysis of the fiscal impacts. We did start looking at what the home prices would look like and my analysis, according to the developer's information that he has provided; some of the houses may be as inexpensive as \$157,000. That would be one of the cheapest.

But they also go up to over \$300,000. That is not low income housing. That is the range that we like to provide so we can have a whole mix of people that want to come in with a smaller home; someone like me, because I am ready to downsize a little bit and come in with a smaller one-story home. I don't need a lot of yard, just me and my little dog and that's it. I like the idea of living possibly across the street from a park but then there are still families, and so they require some of those larger homes so again, I don't believe this is low income and we are not in that controversial area unless somebody else has more information about that since we are in the city. Thank you.

****The Commissioners thanked Jane Suggs****

C/Young: Ok, then with that in mind, I shall close the public testimony at 6:44 pm and that brings us to our discussion.

C/Hennis: As far as I know, I agree with that; that is not the area that is being disputed between the cities at this point. Like she said, it is already within the city so I think that is kind of regardless. I don't think this looks low income at all. It definitely has got a lot of houses in here.

C/Young: I know. I'm...

C/Hennis: I am concerned about two things: 1) both parks are going to be built out in late phases; we are talking four to five years according to the applicant including the pool; 2) and the other is responding back to a couple of the incidents that we have had in phased subdivisions before with landscaping, and who is in control of the landscaping along the roads in different phases. So, if they build out phases one, two and three and then sold off four and five; who gets those landscaping areas along the street -like we have run into? Those are the two things that I came up with.

C/Young: Well, in my mind, I understand staff's want and the cities want to have a major piece of the project in place; which would be the pool house. I also understand that the applicant wants to recoup some of their investment before, you know, as they go through their stages so I would almost be in favor of even putting it in phase two and kind of coming somewhere in the middle.

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C/Hennis: It would be tough considering it is not anywhere near the construction. The only thing I could say is maybe the even ground is maybe not put the pool and community house in but add the park, because that gives them a play area. It gives people open space. It doesn't require all that much capital outlay because right now, I mean, they don't have any real open space which is what they're trying to show. .. You know, one of their selling points in other words.

C/Young: True; any other thoughts?

C/Gealy: Well, I agree; I am sure the applicant has every intention of following through and developing as beautiful a subdivision as we see here with the parks and pool and landscaping, but we have had several experiences in the recent past where the promises have not been kept and homeowners in the subdivision are left kind of holding the bag when property changes hands. So I am not sure that I would necessarily say that we need to require that you put in a park or pool in the first phase, but I would like for us to investigate the possibility of some sort of a condition that the park and the pool are attached to this property and to this subdivision regardless of the owner or developer; or if that should change hands, the park and the pool should still be there. I also have the same concern about the maintenance of the pathways; that over time, the pathway along the canal and the pathways along Ten Mile and Lake Hazel would continue to be maintained regardless of the developer or how many times that property changes hands. Does staff have any suggestions for us?

C/Young: Actually, I think we can just make the conditions, as phasing goes, for the landscaping to be installed and make sure that's on.

C/Gealy: But what we have encountered is when property changes hands, it seems like those conditions are forgotten and no longer apply.

Troy Behunin: So, to address the easy one first; the pathways and the open spaces will be under the control of the HOA so that really is not a concern for staff. An HOA will be established when this does get developed.

C/Gealy: So the concern I have is I have heard that before, and as subdivisions; as phases changed among developers within a subdivision, current and existing homeowners and the homeowners associations, but a new developer will determine that new homeowners and the existing homeowner association are exempt from the dues, so...

Troy Behunin: Are you referring to the subdivision on Ten Mile?

C/Gealy: I'm not referring to any particular subdivision. I'm not naming any names, but I am trying to avoid the mistakes that have been made in the past.

Troy Behunin: Yes, and staff is acutely aware of your concern, although that was a little different; in that part of a platted common lot was landscaped; the entire common lot was platted in the past, [and I am not going to name any subdivision], but I think we are talking about the same one. An entire common lot was platted when the final plat was recorded; however, only about a third of it was landscaped. We have mechanisms in place now that whatever you are bringing forward for consideration for the final plat by a developer, it will be landscaped 100%. So, if they are only platting half of the common lot, they only have to install the landscaping for that half that they are putting forth on the final plat. The rest of the common lots would be added to when the next phases adjoining that gets recorded and then it would progress in that fashion. Just for example; the Harris Lateral, it runs from the center top down to the lower right hand corner. That is actually going to be broken into several different pieces or at least two different pieces. They

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don't have to landscape all of it unless they plat that lot. If they don't plat that lot, meaning it doesn't get recorded, then they don't have to install. They only have to install the landscaping as they progress.

C/Gealy: And that is the same case with the pool and the park. They don't have to install that until they plat that phase.

Troy Behunin: That would be correct.

C/Gealy: So, what sorts of mechanisms do we have to assure homeowners that are in phase one, that eventually there will be a park and a pool?

Troy Behunin: That is a very good question. If you will turn to the very last page of the staff report; condition number eleven, it states: 'the land owner/applicant/developer and any future assigns having an interest in the subject property'

C/Gealy: Thank you Troy.

Troy Behunin: That which you are looking for: 'shall fully comply with all the conditions of development as approved by the Commission or Council' or they have to seek amending them through the public hearing process. So there is a catch all here.

C/Gealy: Thank you.

C/Hennis: Perfect.

Troy Behunin: Does that alleviate your concerns Commissioner Gealy?

C/Gealy: So is there then also a condition with respect to the landscaping and maintenance of the common areas?

C/Hennis: Yeah, I saw that in there.

C/Young: Correct me if I am wrong, but as these are developed the HOA takes over as each phase is completed so the HOA is then responsible for that and then it transfers from the developer to the HOA.

Troy Behunin: Yes, they just have to demonstrate that they are establishing a homeowner's association and that they provide a method for its care and maintenance in perpetuity; and they have done that so far.

C/Gealy: So condition nine says 'maintenance and planting within public rights of way shall be with approval from the public entities owning the property'. Is that the HOA?

Troy Behunin: You could throw in HOA just to cover the base.

C/Gealy: Because that makes it sound like it is reverting back to the city to maintain those areas, by referring to a public entity. So, we could say homeowners association?

Troy Behunin: Or you could simply sum it up by saying 'lot owner'.

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C/Gealy: The other thought that I had was that on that southern access to Ten Mile that they intend to close when they open the mid-mile?

Troy Behunin: When they open the mid-mile collector?

C/Gealy: Is there a condition that that would be noticed on that property that that is a temporary access and will be closing?

Troy Behunin: You can certainly condition that; that the neighborhood is... so that homeowners in the vicinity are made aware as they purchase, to make that available.

C/Gealy: The applicant did suggest another condition of approval; that any changes to the phases would be subject to the approval of Kuna city staff. At what point would staff determine that perhaps another public hearing would be in order?

Troy Behunin: If the request was not in balance with the conditions because that really is a utilities drive and a market driven...

C/Gealy: So they are not talking about significant changes, they are just talking about timing?

Troy Behunin: No, I think they are talking about timing, perhaps scheduling, maybe phase three become phase two or maybe phase five becomes phase six. Or maybe the alignment between the phases does change a little bit. You know, in yesteryear, people used to plat about forty five to sixty five lots per phase. We are seeing quite a reduction in that for the most part. Usually they are platting between thirty five and forty house per phase. I don't believe that they are anticipating adding phases; they just want to know if they can maybe change the schedule or alter the lines slightly.

C/Gealy: Thank you.

C/Young: Thanks Troy.

C/Hennis: I don't think I have got any other concerns outside of any that Troy has already addressed as far as what we've run into in the past.

C/Young: Does anyone have any other points then? Then I guess I would stand for a motion.

C/Gealy: In the interest of full disclosure; I do know Don and Mary Johnson. We go to the same church.

Commissioner Gealy motioned to recommend approval of 15-02-A, 15-02-ZC, and 15-01-S to the City Council for Memory Ranch Subdivision with the conditions of approval as outlined in the staff report and additional conditions that:

- 1) Changes to the phases will be subject to the approval of the Kuna City staff;*
- 2) The southern access will be noticed as a temporary access on Ten Mile; and*
- 3) That in condition 9. –Common area maintenance and plantings will be the responsibility of the lot owner;*

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Commissioner Hennis seconds, all aye and motioned carried 5-0.

*Commissioner Hennis motioned to approve **15-04-DRC** for Memory Ranch Subdivision with the conditions as outlined in the staff report;*

Commissioner Wierschem seconds, all aye and motioned carried 5-0.

C/Young: Ok, before I call the next item on the agenda, I will just remind everybody of the public hearings rules and the time frames for testimony. With that, I need to disclose that the company I work for has a contractual relationship with the forthcoming applicant; therefore, I am going to have to recuse myself and turn this piece of the public hearing over to the vice chair.

C/Wierschem: Thank you. Before we get started, I wanted to ask if there was anyone here that has not signed up that would like to do so at this time. Could I have a staff member to take a signup sheet?

C/Hennis: This gentleman needs to sign up.

C/Wierschem: And while they are taking care of that matter, I just wanted to kind of reiterate that tonight for our meeting, I am going to ask everyone who would like to testify, to hold their testimony to three minutes. However, if the buzzer goes off while you are speaking, you may finish your sentence, but when you take your next breath, I am going to ask you to stop at that time.

If you do not hear the buzzer, I will interrupt you. I want to make sure that we have adequate time so everyone has their chance to speak tonight. Do I have an applicant that would like to come up and present?

- b. **15-04-SUP** (Special Use Permit) **15-05-DR** (Design Review) - Idaho Solar 1, LLC / Origis Energy USA, Inc: Applicant requests SUP approval for a 40 MWac solar photovoltaic project totaling 180 acres over 3 parcels, totaling 220 overall acres. Applicant proposes development of a commercial photovoltaic solar project, access from Barker Road, and design review approval for the accompanying landscaping in the required buffers.

Michael Chestone: Ladies and gentlemen, members of the Commission; my name is Michael Chestone. I am the director of development for Origis Energy, here to present the ID Solar One application. So I wanted to start out by giving you a little back ground on our company but I very quickly want to move through that to address the project itself as well as the concerns of the neighbors and make sure that we can address everybody's concerns and talk to them adequately.

Slides full screen please: Control L. Thanks. So I represent Origis group which is a group of companies that specializes in the development, construction and long term ownership of solar photovoltaic projects and solar PV projects alone. We have a long track record in owning and operating as well as developing and constructing these projects and we are truly experts in the field.

We are the long term operator of this plant and I would ask that you kindly remember that as we move forward and that our wealth of experience in owning and operating over 100 of these types of projects has brought a great deal of knowledge and information to bare, and comes into play in our design. So a fully comprehensive approach through the siting, developing, financing, engineering, the procurement of the equipment, the construction and the operations are all done at a world class level and with tier I players only. We have financed

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over three hundred million dollars of these types of projects in over five countries around the world with some leading banks you'll see and recognize there. I raise this issue so that you can appreciate that these projects are very well thought out; they go through deep levels of committee and due diligence, both in independent engineering as well as the financial aspects and the viability of them. This is just an overview of some of the places where we have some of our projects. I should note that my personal experience is more in the western U.S. and rocky mountain area as well and I have been in this industry for over twelve years.

While we are a larger multi-national company, we do pride ourselves on taking a localized approach and that really works its way all the way down through the chain as well; our local contractors, our local land owners, our neighbors and our communities in which we work and we feel that these projects truly bring a great deal of benefit both in the short term and the long term in the communities in which we work.

Solar is a recently, relatively new and I will use that loosely; in the last ten years, we have only seen these types of large projects, but the technology has been around since Bell labs in 1953 so this is a very well known technology; however, the cost of the capital cost of these projects has come down so significantly in the past few years due to the scale of their deployment worldwide that we have been able to compete on the level of fossil fuel generation. It is important to note again, that the technology is widely proven; it is widely accepted that these plants are in existence all over the western United States and have been operational for many, many years in quiet cooperation with the neighboring communities. Again, all of the materials in this plant; there are no hazardous materials or chemicals used and that includes the operational phase. We don't use any hazardous chemicals or sterilants contrary to some misconceptions. The development itself provides a significant tax revenue base, both short and long term jobs over the construction. There could be over 350 jobs created and in long term job creation, we are looking at about five full time equivalents when you take into consideration all of the vegetation management, the electrical and ongoing operations that you do to make sure that these facilities are operating correctly and safely. The community itself; every community that I have ever worked in has walked away very happy from these types of projects and have all experienced a great deal of benefit both from local hotels, gas stations, hardware stores, you name it. It certainly brings a large degree of benefit to the community.

So, I want to get right into the project itself; and I appreciate you having reviewed our packet. I know it's a little bit long. The application itself; we believe is fully consistent with all of the long term planning and zoning so from a code and legal perspective, we believe that the project is fully compliant as noted in the staff report.

A little bit more on the development status; we have a fully signed and executed power purchase agreement with Idaho Power. We are in the advanced stages of the interconnection process; we are finalizing the engineering and the financing of this project. This is rounding out and coming to a mature stage where it is ready to be shovel ready and built. The technology is a very inert, multi-crystalline panel that directly converts photons into electrons using the photovoltaic process. The modules themselves; the panels if you will, are put on a single access tracking system that stands about this high with the panel at the highest point and tracks from east to west to maximize your energy density and your energy production per acre so it's a very important piece is we try to maximize our efficiency and density per acre for this project.

There are no large reflective mirrors that cast glare or kill birds. Very important to note; the plants are nearly silent once they are in operation. In this case, we are proposing a series of types of fences is what we would ultimately end up with. One of the things, a concern has been raised by the citizens and the neighbors and we want to work closely with them to help appease some of their concerns, so if there is things that we can do to help be a good neighbor and be a good steward of the community, it is not that big of a deal and we would like to do that. At this point, we do need to have a six foot fence with some type of security feature around the top because of safety reasons, is the primary concern there. So what we propose as we go down further, perhaps we can mask that fence with some other natural feature like a berm or landscaping such that it won't be visible.

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So through the application process, we have tried to dot all of our 'I's' and cross all of our 'T's' with the neighborhood meeting, we voluntarily extended the diameter in which we sent neighborhood letters out. We had our public agency notification; generally not very many comments, certainly noting substantive there. We had not major objections from public agencies. I've been working very closely with Kuna Fire to show them the plans throughout the stage and help them understand their requirements and what they would see. We have gone through our site posting process; there are currently two signs out there; one on Barker and one on Cloverdale. I would like to note that we are outside the Birds of Prey conservation area and we do sit outside of that border. We believe that our impact to the actual birds in the area is going to be minimal; however, we have received some concerns about that so we would also like to voluntarily implement an avian monitoring and survey protocol as part of our plan so we want to recognize that concern and address it. But I should also note that these types of projects are well understood and well deployed in particular in California which is perhaps the most arduous permitting process that you can go through in particular for a power plant and they have the highest density of these plants. We are agriculturally zoned private property; all of the property is private and we are very clearly labeled a public service facility which is a designated special use as part of agriculturally zoned land.

This is an overview of the project. There are two jurisdictions involved; you as well as the Ada County Planning and Zoning for which we have filed a conditional use permit as well. This is not showing up all that clearly but essentially, what you can see is the top left portion which the northwest portion which would fall within the city limits of Kuna.

These are pictures of the technology itself. These are again, seventy two cell multi-crystalline panels sitting on a single axis tracker. We don't have to do extensive grading at this site. All of the natural drainage will flow as it flowed for decades and millennia perhaps before. We don't disturb the ground nearly at all except for these vibratory driven posts that go into the ground and then a series of twenty 'poured-in-place' concrete pads where the inverters sit.

So, community letters; this is very important to Origis that we work closely with our neighbors and I want to spend the majority of our time here to address those concerns if we could.

Again, health and safety, I wanted to dispel any misconception that there are any hazardous materials or chemicals being used. This is again, inert materials, and from an environmental perspective, solar P.V. is arguable the least impactful form of electricity generation. In terms of construction, we always strive for zero incidents during construction. That is a goal that we pay very close attention to.

The glare concerns: all of our modules use anti-reflective coatings and I have the independent engineering reports that validate that so it's a widely used practice; it's low-tempered, iron glass that I believe is 3.2 millimeters with an anti-reflective coating on the inside. These panels are designed to capture light. They are designed to maximize their efficiency and use light trapping techniques so that light does not escape. Further, we have had communication with the Idaho Army National Guard who runs their Orchard combat training center in the area who initially contacted us to discuss the project, and after a couple emails exchanged, they have expressed their support for the project and have not concerns for their flight operations which will be low flying over the project.

And again, from the neighborhood perspective, we are looking at a solid fence or essentially whatever we can do that will be within compliance with code and be most visually appealing. We'll work with staff to develop that.

Impacts to wildlife: again, this is not a lot of the solar plants which you have seen in the news which are the solar thermal reflective mirrors where they are roasting birds. This is photo-voltaic technology and we have intentionally stayed out of any sensitive areas and we sited and chose this property specifically for those reasons. We spent extensive time and money researching this area with our consultants and researching all of

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the study data that is available both at the state and county and different agency levels and have chosen the least impactful ground as we can. But again, recognize that it is within proximately to the conservation area and we would like to voluntarily deploy avian monitoring protocol.

So there are a couple of other things; I have talked about the visual impact and I think my message is loud and clear that we would like to develop a strategy in coordination with staff that will be visually appealing. We have attempted to adopt the landscape ordinances that the city has and wherever possible...you know, we will extend those or move things around materially and we have spoken to some neighbors that have contacted us directly. Anybody that has reached out, I have contacted them back within a matter of hours so I have tried to be as responsive as I could to anybody that has reached out directly.

A letter came in this morning from a gentlemen; Mr. Russ Fulcher, I believe? I may not be pronouncing that correctly, but I have provided a response letter to that hopefully, you have received. But some of the key elements that I would like to take away from that.

This project does not rely on subsidies. Much like any business, there are tax credits. Any semiconductor, aerospace facility; they are going to get some form of tax credit, but there are no ongoing subsidies that we rely on. This is not a facility that is going to need incoming money from the government nor do we receive a single dime from the taxpayers. This project in and of itself is adding to the tax base, both at the local level, the state level and the federal level. Without this project, the tax base would be less.

The technology: this area that we sit in is a summer afternoon peaking demand profile so air conditioners run in the hot summer months and the solar generation matches that very nicely so our pricing that we receive from Idaho Power; there is no impact to the rates that is an increase in the rates for local rate payers. If anything, this project is going to stabilize the rate and it provides a long term surety on a twenty year, pre-defined pricing with one of the most predictable sources of fuel that you can find in the world. Sunlight is far more predictable than the price of gas and so knowing the price of this fuel and the cost of electricity is going to stabilize this rate base. There were a couple of other statements in here that I have just found to be factually untrue, and so I have rebutted those in my response letter. Just from a technical perspective, they're simply not true and the primary one being that for every new megawatt of solar, that you would need to add another additional firm or base load conventional power plant to back up that intermittency; and that is just not the way that the system works. So I believe I have covered most of what I'd like to present, but again, I really appreciate the opportunity to present this and welcome the forum and any comments that we could have and look forward to working with the Commission, the staff and the community. Thank you.

C/Hennis: Thank you. Could I ask one quick question on your presentation? So, on your single axis tracking system? Your picture that you showed up here; you showed it basically an up to down tracking system. How does this one differ by doing an east to west? It doesn't seem similar to what you show up there.

Michael Chestone: So the rows are oriented north to south so if you are looking right down that row, you can see if the panel was here...

C/Hennis: Ok, so this would be like north on the right hand picture?

Michael Chestone: Yeah, that's correct.

C/Hennis: So it rotates that way? Ok. I understand.

C/Wierschem: Any further questions? Thank you.

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C/Gealy: No questions.

Troy Behunin: Vice Chairwoman Wierschem, fellow Commissioners, for the record, my name is Troy Behunin; Kuna Planning and Zoning staff, senior planner. The application that you have before you this evening; 15-04-SUP, special use permit and 15-05-DR design review; staff is here to notify you that the technical merits of the application. The applicant has submitted all of the materials that are required on our applications and they have been assembled in the packet for you. Hopefully you have had a chance to review them. I know there was a lot. Somewhere in the neighborhood of 110 pages and I can also tell you that in the packet, it does indicate the neighborhood meeting was held and a list of notes and the names of those who attended that meeting along with that, the other procedural items for notification for this project have also been followed according to the Kuna city code. The site has been posted properly. The applicant held a neighborhood meeting properly. Instead of sending out letters to landowners within 300 feet, notifying them of this project; the notification radius was actually closer to 1000 feet and this project was also advertised in the Kuna Melba News for this public hearing tonight. Along with the application for the special use permit for the 220 acres at the southeast corner of Cloverdale and Barker Road, there is also a design review application for the landscaping along Barker and Cloverdale Roads. The applicant has complied completely, 100% with the design review requirements for a landscape buffer for the immediate corner adjacent to Cloverdale and Barker for what will become the substation where the power will be collected and then transferred to Idaho Power Company; but because of the length of the project down Cloverdale and Barker, it has been requested that the standards be relaxed a little bit and it is the authority of the Planning and Zoning Commission to relax those somewhat so staff would also be seeking some kind of an approval from you on what kind of negotiations we can reach with the applicant on that. The applicant did mention putting up a fence in between their project and immediately adjacent properties and staff could certainly work with them on that and it would be allowed. They have provided all of the materials that we have requested, they have followed all of the notification procedures so I would stand for any questions that you have; but before you do that, I would like to read into record two letters. The applicant did mention Russ Fulcher sent in a letter this morning because he couldn't be here tonight to testify and for the benefit of the public that is here, I would like to read that into record so that all might hear his letter. So this is the letter:

Honorable Chairman Young, Vice Chair Wierschem, and Commissioners Gay, Gealy, and Hennis:

Thank you for your service. As a life-long resident of Idaho's Treasure Valley and someone who served the same constituency as you for ten years, I understand your service and your sacrifice; and I am thankful for you and what you do.

It is my understanding that you are considering a special use permit (SUP) for a solar generation facility in southeast Kuna. During my years in the Senate I had the privilege of working closely with the energy industry and have an appreciation for its' importance, along with the need to balance wise environmental management with fiscal stewardship. Specifically on this issue, I spent two years completing the legislative energy horizons institute (LEHI) program for gov't. Leaders (administered by the U of I). What follows may be information you already know, but I respectfully request you review these comments and insert them into the record as my testimony on this issue:

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1. As much as we all may desire, the current cost of transmission and inability to economically ‘store’ produced energy (of any type) prevents solar generation technology from being independently viable on a broad-scale. In short, taxpayer subsidies must be demanded for a large solar source to be competitive.

2. Solar energy is a “peak” energy source, which means it is not dependable 24-7 (ie: the sun does not shine all the time). Every time more “peak” energy supply is inserted into the power grid, an equal or more amount of “base” power (coming from the likes of coal, natural gas, or nuclear) must be made available to that grid. This is to guarantee the overall power source always to be stable. If you’ve ever been posed the question: “What type of power do you want supplying the operating room when you go into surgery”, you recognize that the analogy favors “base” power sources as the most appropriate answer. Put another way, every time a “peak” source is inserted into the grid, the overall utility rate must increase in order to provide for an equal amount of “base” power.

Prior to your decision I encourage you to consider these points, and the incremental utility rate increase that approval of this facility will possibly necessitate, along with the following: How will the city of Kuna mitigate the cost of an inoperable solar facility if and when the necessary and affiliated government subsidies go away (which I believe to be an inevitable reality)? At a minimum, it appears reasonable to demand the developer provide up front for the fiscal needs of demolition and removal should it be necessary.

Again, I thank you for your service and also for the consideration of my testimony.

Sincerely,
Russ Fulcher

Troy Behunin: And then the response letter from the applicant was sent late this afternoon. It reads:

Honorable Chairman Young, Vice Chair Wierschem, Commissioners Gay, Gealy, and Hennis:

Origis Energy USA, Inc. (“Origis”) is pleased to respond to the letter submitted by Mr. Russ Fulcher. Origis very much appreciates community input on our project as well as the community service that Mr. Fulcher provided in his various positions. With that said, we are compelled to response to some points that were made that are fundamentally and factually incorrect.

1. This project is not reliant on any subsidies and does not receive any money from any local, state or federal government(s). Like most industries, the solar industry does benefit from a tax credit (the Investment Tax Credit). A subsidy by definition is when dollars are paid to an entity from government funds, whereby tax credits are a mechanism provided to most industries to encourage growth and relieve tax burden over a pre-determined and short period of time (including conventional energy generation, wind, semiconductors, aerospace, film, defense, automotive, etc.).

2. This project significantly adds to the state, local and federal tax base with dollars that would otherwise never be realized without its existence.

3. The rates that our project is paid by Idaho Power for electricity are based on avoided cost. That is, these rates represent the replacement cost of electricity paid to any type of generation that they provided Megawatt Hours (MWh) during the same hours that we do. Our project is approved by the Idaho Public Utility Commission and will only serve to stabilize rates in the region. By having a project with long-term pre-determined rates and a fuel source as reliable as the sun, Idaho Power will be able to rely on a generator that affords some of the highest levels of cost predictability in their fleet.

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4. The statement below is misleading and we would be happy to discuss this in greater detail:

“Every time more “peak” energy supply is inserted into the power grid, an equal or more amount of “base” power (coming from the likes of coal, natural gas, or nuclear) must be made available to that grid.”

-While true that our generation source is an intermittent resource, it off-sets existing conventional resources and does not necessarily require additional generation capacity. This is particularly true given that Idaho Power’s generation mix primarily consists of hydro.

5. The Treasure Valley has a summer and afternoon peaking demand profile and does not currently have adequate supply during these peak hours. This is due to a number of factors, including transmission constraints to wholesale markets during peak times. In fact, many local farmers are forced to stop irrigating and curtail their electricity consumption due to inadequate supply during the time when solar is at its best.

6. To reiterate, this project does not require any money from tax payers (either initially or on-going) to maintain its economic viability. Like any other commercial enterprise, the continued viability is based on the underlying business plan. Our business plan is scrutinized to a much higher degree than nearly any other type of debt financing, with its assumptions validated before construction. The City of Kuna is not responsible for the eventual removal of this facility as this will be located on private land (similar to the City of Kuna not being liable for the removal of any equipment from any other private landowner’s property).

I thank you for your community service as well as for the opportunity to correct some of the many common misconceptions that the solar industry faces. We are willing to discuss this further in a follow-up meeting with Mr. Russ Fulcher.

Sincerely,
Michael Chestone
Origis Energy, Inc.

C/Wierschem: Does anyone have any questions?

C/Hennis: I don’t for him at this time.

C/Gealy: I do have one question: You said that you would like us to consider relaxing the standards due to the length of transmission along Barker and Cloverdale Roads?

Troy Behunin: The landscaping along those long, long stretches; some of which are more than a thousand feet.

C/Gealy: I missed the ‘for landscaping’ part. Thank you.

C/Wierschem: Thank you.

C/Hennis: One thing Troy; clarify for me what exactly is within the city boundaries given the site plan that they have, because there is only a portion of this that is in the city, is that correct?

Troy Behunin: That’s true.

C/Hennis: So it is just the areas bounded by Cloverdale and Chiefs Farm Lane?

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Troy Behunin: ... and Chiefs Farm Lane, yes.

C/Hennis: ...and up to Barker, so just this area? Ok. So all of this down here is Ada County?

Troy Behunin: Everything south of Chiefs Farm Lane would be in the Ada County application which we have no jurisdiction over.

C/Hennis: Ok. Thank you.

C/Gealy: But what we're looking at in your report is all within our jurisdiction?

Troy Behunin: It is all within our jurisdiction, yes, but not anything within the Ada County jurisdiction.

C/Hennis: Hopefully anything we require; they'll help to follow up with. They have not heard their application yet?

Troy Behunin: No sir, they have not.

C/Hennis: Ok. Thank you.

C/Wierschem: Thank you. So at this time, I am going to open up the public hearing at 7:42 pm. And I am going to start with Sid Anderson; in favor. Sid, you did not mark if you wanted to testify or not.

Sid Anderson: Madam Chair, members of the Commission; my name is Sid Anderson, 4110 Rose Hill, Boise, Idaho. I do currently reside in Boise although I am a long time resident to this location. My family acquired this property in 1971 so I spent most of my life there. In addition to that, later tonight we have an ordinance regarding lot splits, which if it goes through, we will probably annex some additional property and build my future home there. Just a couple of items to kind of speak in favor of it; most of my neighbors that are there went in after I acquired this property and we wouldn't object to them changing the landscape of what we enjoyed out there from natural landscaping to residential. In fact, many of them we helped. In fact we are also retaining our current residence there. My parents are remaining there which is immediately adjacent to this project and we are excited to have this as a neighbor. We also still have a farming project that is surrounding most of this and we anticipate them probably being better neighbors in the long term than other residential projects so just kind of speaking to what happens in the future. As far as...you know, it is kind of a great opportunity that we have; cheap power that is produced without hazardous materials that doesn't have a major impact to the ecosystem or changes in the ecosystem and it is within our community. We are strongly in favor of that and it is also within our taxing districts so I think that is a great benefit to us as a community. I know that we have a tendency to move into a community and feel like it is going to be static and it has to remain that way forever; but the reality is that our communities have to be dynamic and have to continue to change and I know that changes is hard. No one likes to see it, but it is a great thing as well and that is all I have. I will stand for questions.

The Commission thanked Mr. Anderson

C/Wierschem: The next person in favor is Robert Paul.

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Robert Paul: Thank you. My name is Robert Paul; I am a solar developer.

C/Wierschem: Could I stop you right there? Would you state your address for the record?

Robert Paul: Of course. 149 E. Mallard Dr., Boise, Idaho.

C/Wierschem: Thank you. You may proceed.

Robert Paul: So I am a solar developer who recently had a project approved down in Elmore County. I am familiar with this industry. I have been in the renewable business for thirty five years as a developer and contrary to public opinion, developers don't get rich quick as I am sixty-six years old so ... maybe some do, but I haven't seen it so ... I appreciate your patience tonight. It is a long evening and what I wanted to thank you for is listening to all of the different stories because, as a fact, the solar projects that are in place and operating like this are very good neighbors. They don't require police support, they don't require fire departments, compared to a residential housing project, and it's far less intensive on the services provided by the city. I have been familiar with Mr. Chestone for some years and I have always been impressed with his ability. He is one of the few engineering geeks that is actually able to convey concepts like this across the table to folks like you and I believe that their company is going to do a very good job with the project. So that is all I have to say tonight. Thank you very much.

The Commission thanked Mr. Paul

C/Wierschem: And the next person in favor, you did not mark testify or not, so I am not sure... Dustin Shively?

Dustin Shively: Shively, yes I meant to sorry.

C/Wierschem: No, you're fine.

Dustin Shively: My name is Dustin Shively. My address is 2216 White Pine, Boise, Idaho. I am a mechanical engineer here in the valley and I have also worked in renewable energy for several years beyond my normal day job; I also teach renewable energy at Boise State University in the mechanical engineering department and I would like to express my support for this project. On a few different points, I guess the first is; I was raised in the Treasure Valley and grew up here and I remember –and kind of to echo what Mr. Anderson said, the times when between Boise and Meridian and Caldwell, Star wasn't even anything and everywhere else, there was nothing in between and slowly we are seeing it fill up with subdivisions and some people might say that is unfortunate and others don't because they see growth in the Treasure Valley. Those subdivisions had to abide by local codes and ordinances to be permitted and to be built and to be operated and continue on; and this solar project is doing the exact same thing. They are following all of the necessary steps, taking the necessary precautions to be permitted, to operate it, taking in feedback from the community as much as possible and following all of the steps. That is development and growth in the area, but I consider this to be just as good as those subdivisions that have grown up between the towns that used to be very distinct. Another point that I would like to make is; I don't know if it is this Commission or this hearing to necessarily debate the viability of a solar project and when they should be built and when the shouldn't and where the power goes and how much should you pay...?

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The fact of the matter is that if we do need to speak to that, I think it is important to keep in mind like Mr. Chestone said that these are long term contracts that don't receive money from the local taxpayers or taxpayers at all. I have no idea what gas is going to cost in the year 2035 but I do know how much Idaho Power is going to be spending on energy from this solar facility and that is set. I can look it up at say... at 1:00 in the afternoon on Thursday, they are going to be spending ninety five dollars per megawatt hour or whatever it is. If anybody in the room could tell me what we are going to be spending for natural gas in 2035, then let's go outside and chat because I would sure like to know. So they're very concrete and the third; and I am running out of time, is mechanical engineering students that I teach graduate, have a passion for renewable energy and they are going to Houston, they are going to Portland, they are going to San Diego because there is no renewable energy in Idaho and so many of them want to stay here, so many want to work here and yes, this is one development; but Idaho is a great place for solar and wind and geothermal; and the more that we get here, the more we can keep our students here and continue on in renewable energy in general so on those three points, I am definitely in favor of this project. Thank you.

The Commission thanked Mr. Shively.

C/Wierschem: And then, for neutral: Sherrie Derr does not want to testify, is that correct? Ok, thank you. And then, in opposition; I have Victoria Fredrick did not indicate if you wanted to testify or not.

**From the audience: "That would be me".

C/Wierschem: Would you like to testify.

**From the audience: "We are still thinking about it. We have a lot to say but we're kind of upset at the moment".

C/Wierschem: Ok, I'll go through the list and then I will come back. Next is Marie Champie; would you like to come up? Would you state your name and address for the record please?

Marie Champie: Sure. My name is Marie Champie, I live at 18802 S. Cloverdale Road. My property is adjacent to the Ada County part. We share a fence line for this project. I am south of Chiefs Farm Lane so I do not share a fence line with the Kuna part of the project, but since it is part of the entire project, I think that I have a say about this. This almost six hundred acres, is a solar enterprise, it is not a farm. It's listed as a solar farm, but there is no ag (agriculture), there is not horticulture, there are multiple commercial structures with an unknown long term environmental impact on a residential area that is adjacent to such a project. And this power will not benefit Kuna residents directly in any way. Unless someone, of course, stands to gain financially from selling land for the project or working on the project. Because of the present law; federal laws, alternative energy generated by small generation companies and individuals must be purchased by Idaho Power. Idaho Power would like that to change and they are working on getting that to change; but at this time, they have to purchase back power generated by alternate energy companies. Idaho Power is a subsidiary of Bonneville Power. I worked for Bonneville Power as a technical writer and I was the office manager for their Boise office until they closed that. Idaho Power generated power goes into the Bonneville system and then we draw back power from that system. When there is extra power, they sell it to places that don't have enough power like California or the ... um, I'm sorry, I am a little nervous... the Midwest or wherever the power is needed and they can then market it. So there is no power benefit to residents adjacent to this company or to Kuna residents

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whatsoever. Now if some of the people working on this project come in and buy things from the store, then yes there might be some benefits, but there are none at this point and there are 13 residents that are severely impacted, as I can see, by this because our property values; I don't see any way that our property values are going to go up because of being adjacent to a normal six hundred acre power plant. I respectfully ask for one second more... I really think that you should consider requiring an environmental impact for a ten, twenty-five and fifty year impact for the residents. It is also adjacent and adjoining to Birds of Prey.

C/Wierschem: Thank you. Next I have Curtis Derr.

Curtis Derr: Hello, my name is Curtis Derr. I live at 18710 S. Cloverdale Road. My wife Sherry and I have lived at that property since the year 2000 and similar to what you just heard from Marie, our property adjoins the Ada County portion of this proposed project and we share a boundary. While we have lived here for the last fifteen years, we've made a lot of improvements to our property, we've enjoyed the quality of life, we've enjoyed the views, we also understand what it means to be in an agricultural neighborhood and we are understanding of what it means to have Ag land as our neighbors and I grew up in Iowa so I have a long standing understanding of that and that is what we expected when we moved here and that is what we've experienced. So, with this request for the special use permit, I'd like to ask that the Commission deny that request. This is a commercial project that is not appropriate to adjoin with residential subdivision. This project has acres, and acres and acres of these solar panels. There needs to be a significant buffer zone between that expanse of solar panels, a buffer zone with Ag land, a wild space open area, whatever... this is more appropriate in a commercial or an industrial area. Further, there is a process concern that I have and a number of the neighbors have as well. This site was long expected to be at the Boise City farm, father south on Cloverdale and recently, very recently apparently; the site has changed and it has really taken the neighborhood by surprise and shock. So the neighborhood meeting notice that you heard about, did not indicate that the site had changed. So there was pretty poor attendance for many of the directly affected neighbors. Because of that, I feel as though there has been inadequate time for me to understand this project, for the neighbors to understand this project and request that it requires more thorough vetting and review. So, what I would request is that you please consider my request, and the neighbor's request. This massive solar farm is not right for our neighborhood. This should not be fast-tracked or approved for this site. It should not be sited adjacent to subdivisions. It's much more appropriate for a commercial or industrial area. Thank you very much for your consideration. I appreciate that.

C/Wierschem: Thank you. Next, I have Jennifer... and I am not going to attempt...Schmeckpeper? I apologize.

Jennifer Schmeckpeper: Schmeckpeper, yes. No problem at all. I am very used to that. I was here on behalf of Russ Fulcher.

C/Wierschem: Could I get you to state your address?

Jennifer Schmeckpeper: 18205 S. Cloverdale Road. We live on the west side of the proposed site and just for my own clarification, we understood that it is 800 acres so I would like that terminology, because what you guys are seeing is proposed 200 to... then we've heard a total 600 and I have been told a total of 800. So that is a clarification that I have no idea. And again, I was here to speak on behalf of Russ Fulcher but I so graciously want to thank the staff for doing that for him and so I am just here basically on a totally emotional part now. I agree with all of our neighbors and I am not here to say that.... private land – you should be able to do whatever you want on it. I totally believe that. But again, like Mr. Derr said, it is... I think it should not be in agricultural, not

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across from or adjacent to our neighbors and the west side of Cloverdale, we live up on the hill so a fence would do nothing for us. We see the top of everything, as far as the eye can see, clear to the packing plant... that is what we see. So what we would see is nothing but solar panels. Nothing else. And I would really, really think that you should just take a moment; go out there, come up onto the hill, look across... go down to their houses. Look and see the impact that it is going to be. And on the asking for consideration on the landscaping. The landscaping, if you note, on Cloverdale is like one tree per however many feet. Why put up anything at all? That is just another telephone pole. It should be a big huge berm, tree, tree, tree, tree, tree; shrub, shrub, shrub, shrub all the way around. And still, the people on the west side of Cloverdale; that would not even help because I can look right over my neighbors trees. And that's all. Thank you for your time and consideration.

The Commission thanked Ms. Schmeckpeper.

C/Wierschem: Brandon Schmeckpeper?

Brandon Schmeckpeper: Do you want to try it again? It's Schmeckpeper and I live with her, 18205 S. Cloverdale so pet simply on me. Just kidding honey.

I just have some questions on the whole project and things I have heard. So I am just, if you don't mind, go through my ragged notes and throw them out. Michael mentioned that they were going to do some kind of a cataloging protocol for the...

C/Hennis: Avian. The Avian protocol. Yes.

Brandon Schmeckpeper: Yes, what does that entail? And maybe it's not appropriate to look for response at this point, so I will just continue. I think he also said that they weren't going to use any chemicals to sterilize the ground. I might have heard that wrong, but I am curious what they will be using. We do have some goats across the street if you would like to rent them but it would take a lot. So I am just curious what you use in Idaho to sterilize ground without using chemicals? Has this project been discussed with the Birds of Prey? I just would be curious to see where they would weigh-in; either pro or con? What will the Planning and Zoning be requiring of the SUP of the applicant if it is approved? Are there going to be any conditions? i.e.: will one of the conditions be that the 800 acres will not be lit at night? We already see the prison. Anybody that lives anywhere close knows that that is definitely light pollution and if that site is dark, that will be something that is a lot more palatable to me. 800 acres is a lot of ground. It is like a section and a third so I would think ... I think I know the answer to this; that they're not going to want to light it because it costs money and electricity, but I would like to know. There was discussion on what... no monies transfer or change hands from either the feds or for anybody local. I think that subsidies were used more in a broad term. A tax credit is in my mind; and my definition is a subsidy. I don't get a tax credit for whatever I may do, so in essence, it is a subsidy and rather than argue that topic, what is the particular tax credit that is offered to these types of projects? It would be interesting to know. Will this project be viable to the applicant without the tax credit and without county property tax relief? Now, I heard the buzzer, but it's important to me to know that if Ada County says 'no, we're not going to give any tax credit' – does it still work for them? And I understand that has to go away after five years if they do, so after five years, if they rely on that tax credit today, it won't be there in five years; will it still work? Thank you for your time.

The Commission thanked Mr. Schmeckpeper.

C/Wierschem: Next, I have Crista Vessel.

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Crista Vessel: Crista Vessel. 18110 S. Cloverdale Road. To give you an idea of how close I am to the city project, if I were standing on my property, the city project would be at that wall, across Chiefs Farm Lane and I know that they mentioned doing the landscaping around Barker and Cloverdale Road, but Chiefs Farm Lane is also there and it abuts... it's right between the solar project and my house; and so having landscaping that is reasonable would help us a lot. I'd like to mention that there was a lot of confusion about that letter that came out for the meeting. I know that they held a neighborhood meeting, but that letter only said: "to discuss the latest plans our solar project located off of Cloverdale Road near Kuna, Idaho". It did not give the address, which previously, in February had been four miles south of our neighborhood out in an area that there are not houses. In fact, there is a sewer treatment area, but there are no houses out there. Many of us are not opposed to a solar project. We are opposed to a solar project in a neighborhood that affects us or anyone else. There is a definite rushed timeline for this project. The letter was one example. Also, there are many studies that have not been done. Idaho Fish and Game said in their packet: "the department staff are unable to conduct a thorough environmental review and provide appropriate recommendations at this time due to the compressed timeline for application to Ada County. The relatively large scale of the project and the staff's unfamiliarity with solar energy projects and potential affects to wildlife". Origis itself says that there are no long term studies of the impacts of a solar farm to their knowledge. Our neighborhood abuts directly to Birds of Prey. The end of the neighborhood is the beginning of Birds of Prey, so we are in an impact zone for that. I'd also like to find out; I've been told that there is minimal sound from these solar panels but that seems to be subjective measurement and as the neighbor closest to this project, I would like to know how loud that sound is? So, I hope that you please listen to our comments and realize that we are people. We are neighborhood that has been there since the early nineties or even before that and our lives are dependent on this project not taking place. We don't want to look out and see a literal sea of solar panels, where previously, there was agricultural land that provided food for cows and then food for us. Thank you.

The Commission thanked Ms. Vessel.

C/Wierschem: Next, I have Sarah Perdue.

Sarah Purdue: My name is Sarah Perdue. 18589 S. Cloverdale Road, Kuna, 83634. I live directly across from... sorry, I am a little emotional about this because my husband and I; we originally moved there and we put everything into our property. We love the place. From our view, a buffer is not going to help anything or a fence. Our view, we will see a giant sea of solar panels and I invite anybody to come out to our place and take a look at how this is going to affect us directly. I am also a licensed realtor in the state of Idaho so I do know that this will drastically affect our property values too having this big, industrial project directly behind and adjacent to our property and then Birds of Prey adjacent to the project. I had a lot to say, but I think I just let it all go. Anyway, I just wanted to address the fact that we are definitely against this project going in and I've been a little upset about the notifications and how it has all taken place and it's just all of a sudden; we don't even really have time to think about it. They are literally going to start this next month. I think that is all I have so thank you.

The Commission thanked Mrs. Perdue.

C/Wierschem: So at this time, I am going to go back to Victoria Frederick. Ok thank you. Seeing no others that have signed up, I will ask one last time; is there anyone in the audience that has not signed up, that would like to

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do so? Ok. At this time, I am going to close the public testimony for the hearing at 8:05 pm. Is the applicant still here? Would you like to come back up?

Michael Chestone: Ladies and gentlemen, thank you for the opportunity to respond to the issues that were raised. First and foremost, I would like to express a genuine sentiment that there was not intent to mislead or rush this process through and that our intent has always been true and open and honest. We have tried to work with staff and respond to anybody that has responded or contacted us including some of the folks that are in the audience and us going out of our way and incurring additional costs on our projects to potentially increase buffer zones when not mandated by code; and we still continue to wish to do that and we will voluntarily do that.

A couple of the other items just that came up. On the long term impact side of things, that was maybe taken a bit out of context. The long term impacts from a health and safety standpoint are well known. And these are very safe facilities. The long term impacts was in reference to property valuations and there have not been very detailed studies specific to large scale solar plants because the data set has not been statistically relevant to this point. There have been studies on wind projects that have been around for much longer and in fact, the most recent wind impact studies have shown that there is no conclusive impact to property valuation and we genuinely believe that.

As far as Idaho Power being required to purchase our power; that is true. There was a series of federal deregulations in 1978 that tried to essentially reduce the monopolization of the energy industry and allow private, small businesses to enter and compete on a voided cost basis and compete and sell power that way, so that is true.

The power is not shipped to the mid-west. The power is absorbed locally and any engineer at a transmission company will tell you that the siting location on the transmission system is actually technically, a real benefit to their system. It is very close to the load center. It is acting at a time when the load is the greatest and it complements that very well.

On the acreage question; the city of Kuna area of actual panel area is roughly 180 acres. Within Ada County, it is roughly 200 acres, so the entire area that is covered in panels per se, is about 380-390 acres roughly, give or take. And then there are access roads and we have also secured a larger area of land so when you see those increased acreage numbers, it is due to the parcel sizes being bigger, but we are not actually using all of the entire parcels.

We don't sterilize the ground using chemicals or otherwise; it's a mechanical vegetation control. So if that's mechanical from a goat or from a weed whacker, there are no chemicals put down to kill weeds. It's just not something that we do as part of our vegetation management.

We do not light at night. In fact, the only light that the facility will have is in an emergency situation. So there would be an alarmed lighting plan which is still under development that we will work through with staff, but the light would only come on in an alarm situation, which would be rare and very infrequently and could be remotely controlled and remotely shut off.

We have discussed the project with BLM (Bureau of Land Management) extensively and they support it. You know, unofficial level, we don't have a letter from them, but I've got to be a little careful there but they had no opposition to it.

As far as taxes to the County, to the city; in total, we anticipate about 3.3 million dollars being added to the tax base here in the County. 1.8 million of that from the Ada County side and 1.5 million on the Kuna side.

Idaho Fish and Game had subsequently responded back after their initial letter that was in the application and that was part of the public agency notification for the Ada County application so I just received that letter within the last couple of days and they requested as a condition of approval that we implement an Avian monitoring

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and survey plan during construction and operation and that we coordinate with US Fish and Wildlife so we are prepared to do that and it is part of our Avian survey and monitoring plan.

As far as the panels and the sound level on the panels; the panels themselves don't make any sound; they are similar to a t.v. screen; it's a piece of glass with semi conductors and transparent conductive oxides on it except there is no power electronics actually on the panels. Any noise that would come would be from small fans similar to a computer fan that run in the inverters and that is out in the central location or perhaps the primary transformer at the substation but it's a very low sound. I can come up with the DB levels, but it's certainly within the realm of the public service facility substation as clearly defined so other than that, I am happy to leave business cards with my contact information as I have throughout this process and maintain an open-door policy and welcome anybody that wants to come and talk with us. We'd be happy to try and work with our neighbors and as much as reasonably possible, try to address their concerns.

C/Gealy: I have a quick question on the sound. Would the pivot cause any sound?

Michael Chestone: I am sure that the tracker has some sound. I have stood next to them many, many times. I mean everything will emit sound, you know even something like this. The sound levels are barely audible to the human ear.

C/Hennis: One quick question if you can answer it at all. The previous location that they were speaking of to the south... why the change?

Michael Chestone: Sure. The primary change driver was... so Origis purchased this development asset from an original developer. The original developer had located the project down at the city farm site. Upon further due diligence, we were of the mind that the transmission line that would have to run up Cloverdale Road was both inappropriate in the way that it was trying to be permitted so we thought that there was some conflicts there as well as the pathway for the transmission line would have actually gone right in front of these folks' homes and I said, just because we could and we have right of way there; doesn't mean that we should. So that was another big concern because we didn't want to put a big transmission line in front of people's homes.

C/Hennis: Thank you.

C/Wierschem: I have a couple of questions. I think that it was brought up in the testimony; in regards to the landscaping on Chiefs Farm Lane, would you like to address that or?

Michael Chestone: Sure. So perhaps if we had the site layout up on the screen, I could maybe graphically show it, or I could draw it, but as you enter down west Chief's Farm Lane which is a privately owned road as part of our property, we would propose that...I suppose we landscape down along until the edge of their property. We are happy to do that. To the extent possible, we would increase the setback, but we do have certain limitations with the system design and what we can do; but we are certainly happy to provide additional landscaping there. Of if there are other things; I know there is a concern about the chain link fence. If we can do a natural colored chain link fence in brown or a green fence so that it's not the silver color, we are happy to do that, or a berm.

C/Hennis: Would you do the berm in front of the chain link.

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Michael Chestone: Yeah. So the chain link is really for safety and so we do stand firm that we need the chain link fence.

C/Hennis: Because we do have a city code that says chain link is not acceptable fencing material here. So that would have to be something you would work with staff to figure out because I understand the safety reasons, but it is also a city code item.

Troy Behunin: I'm sorry, what was the question?

C/Hennis: With regards to the chain link fence not being acceptable in the city code. That would be something that they would need to work out with you.

Troy Behunin: Actually, chain link fence is an appropriate fence.

C/Hennis: For this property?

Troy Behunin: For the zone that it is, chain link is acceptable.

C/Hennis: Ok, just not in a residential?

Troy Behunin: Well, it can be used for residential perimeter fence, but it can be used between homes, in front of homes and there are other zones where commercial projects actually have and do use chain link fence. Ag zone is not one that prohibits it.

C/Wierschem: I think one of the conditions, if they could use the slats.

Michael Chestone: The slatted fence; we would lean away from that because it can be detrimental to the panels themselves and we feel that I could create litter when those slats break, they can fly all over the field and they can also hit the under-skin of the panels which is a sensitive UVA back skin, and when it nicks the back of that panel, it can create damage. We could look at like ... a fabric or something like that as an alternate, but just the hard shards of plastic flying around the site, we think it's not a good way to go.

C/Hennis: Ok.

C/Wierschem: Does anyone else have any questions?

C/Hennis: Not at this point, no.

C/Wierschem: Thank you.

Michael Chestone: Thank you. I appreciate your time.

C/Wierschem: So this brings us to our discussion and I guess I would kind of like to direct the Commission to consider; because we are doing a design review and then a special use permit – to look at them in two different areas and make your recommendations accordingly. And, I know this project is of a large scale and lots of

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material to read and investigate and research. I know that I have spent several nights researching it myself because I do live in this community and I want to be a good steward to everyone within our city and our county. So I do take this project to heart and I understand the concerns that were brought up tonight within the testimonies that were given. I would just like us to keep those in mind and see what the rest of the Commission feels.

C/Hennis: I agree with you. You know, I myself, as a property owner here in the area have dealt with something similar; where a development going in adjacent to an agricultural/rural property so I look at this as very similar to what I would want. Would I want this? Would I not want this? Unfortunately, I do not think with some of the opinions tonight would agree with me, some of the alternatives that I have faced; I would prefer this over a couple of the alternatives that I have been dealing with because it is a silent neighbor. It's a very easy neighbor to deal with. It is not very sightly, but it is better than a six lane road. So, I do feel for you. I have literally sat there and said: 'if I were in your position, how would I deal with this?' –Because, I have done it. So- we don't take this lightly. We do take all of your considerations to heart, but again, it is a fairly silent neighbor. It is dark at night. It is silent. It is not affecting the habitat that we are aware of. They can live in amongst this as well as anything. You know, if the applicant is in agreement with the monitoring of wildlife, then that is good. And it is especially beneficial to the farmers in the area that have had the effects of the 'peak' energy times with their irrigation, I think it would be beneficial and I think it would directly affect the neighbors –to their benefit; to the agricultural and everybody else that is affected by the power outages and such. Because we have had some unstable grids out here.

We do need to work on the landscaping though and the buffers, I agree.

C/Wierschem: So I guess I would just like to ask the Commission; do you feel that you need some additional time for this consideration because of the large scale? Or can you make a recommendation tonight?

C/Gealy: Question for staff; is this an accelerated timeline?

Troy Behunin: This was not an accelerated timeline. It followed all the protocol for noticing including public agency notifications which is actually quite strict.

C/Gealy: Thank you.

C/Wierschem: So, Troy would you kind of just clarify the timeline on public notice and go through that whole process one more time?

Troy Behunin: Sure. When an application comes in, an applicant must have held a neighborhood meeting, which was done, prior to application. The application must be reviewed; and the material that is submitted is then sent to public agencies for their review and while it is not inclusive, we do not request comment from FEMA, the National Guard, or Coast Guard or other such agencies. We have the protocol for the applications here for the Treasure Valley and locally; in Kuna, and those were followed. The public agencies have fifteen business days to respond and comments from those agencies were included with your packets. There was a late entry; Boise Project Board of Control, it did come on Thursday afternoon but they have no relevant comments to the project because there is not a valid water right; they have no facilities in the area and this applicant is not requesting anything from the Boise Project Board of Control which is the irrigation authority for the valley. Letters were sent out and were received within ten days of the public hearing tonight. Code requires seven days. The paper

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publishing requests was sent in as you can see in your packet; it was published in the newspaper on July 22nd, which is more than the time that is actually required.

C/Hennis: Thank you.

C/Gealy: Do you know where the Birds of Prey boundary is?

Troy Behunin: I understand that it is very close. It is not something that I monitor because it is outside of city limits.

C/Gealy: And the property, four acres to the south; that was the city's property?

Troy Behunin: When people have referenced this evening, the city's farm property; that is not a City of Kuna property, it is a City of Boise property.

C/Gealy: Is that in the Birds of Prey?

Troy Behunin: I cannot answer that. I don't know. I do know that it is a considerable distance further south.

C/Wierschem: Thank you.

C/Hennis: Do we think it would be beneficial to spend a little more time looking at this and table this to our next meeting to give us adequate time?

*Commissioner Hennis motioned to table **15-04-SUP** (Special Use Permit) **15-05-DR** (Design Review) to the August 25th, 2015 regularly scheduled Planning and Zoning Commission meeting for further research; Commissioner Gay seconds; Three Commissioners aye and one opposed; motioned carried 3-1.*

C/Hennis thanked all citizens in the audience and said the Commission would take more time to review the case and make sure that everything is addressed.

C/Wierschem expressed to both sides of the project that because the Commissioners want to be good stewards for future generations, they wanted to make sure that they get this right for everyone and thanked all for their patience on that.

Troy Behunin asked the City Attorney; Richard Roats if this item at the next meeting needed to be identified as a public hearing.

Richard Roats reiterated that the public hearing for **15-04-SUP** (Special Use Permit) **15-05-DR** (Design Review) is closed.

C/Gealy asked when the Ada County Planning and Zoning Commission would hear this project. Troy Behunin replied that he believed their hearing was on September 9th, 2015.

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Vice Chair Wierschem returned presiding duties back to Commission Chairman Young for the remainder of the meeting.

4. OLD BUSINESS:

- a. **15-01A-ZOA** - (Lot Split Ordinance Amendment): A request to amend Kuna City Code (KCC), Title 5, Chapter 16, Section 3 entitled, "Lot Split" to amend the requirements of sidewalk construction; modify the sewer, water, and storm drainage requirements; deletion of septic tanks and private well placement requirement; and provide an effective date.

-This item was tabled from the July 28th regular Planning and Zoning Commission meeting

C/Young: Is Troy going to speak on this matter? No? Ok, then could you give us a brief run through of the revisions from our last meeting?

Richard Roats: Good evening Chairman; for the record, Richard Roats, Kuna City attorney. I believe that towards the conclusion of the last meeting, I was tasked with a couple of clarifications; 1) the Commission had asked for a policy statement that existing systems that were not failing, would not have to comply with the change-out so under 5-16-4.A, I have put a paragraph in there that says that if they are operating in compliance with the applicable laws, they can continue their existence; 2) a big change in the clarification in the four paragraphs about the hook up period of time. We changed it from 90 to 180 days; and then made it clear about half way through that paragraph; the first one would be under B.1, D.1: 'It is expected that the day for dismantling the existing septic system and connecting to the public sewer may be greater than 180 days. The actual date shall be determined on a case by case basis upon a factual determination of the city engineer, specific to the property affected' –that is the change I think that covers the concern. You'll see in those four paragraphs highlighted at the very end in italics what criteria or facts have bearing on the engineer's decision; that is our engineer's notes there. I need to meet with him because the thought I am having along with my suggestion would be that we move this up to Council and I will weigh out some criteria: distance, costs, and the timeframe in which the system was put in, those types of things; but the initial thought was it may not be applicable to all properties. Somebody may have just put a new system in, and should they be tasked with having to hook up right away? Somebody might be two or three feet away and the system is coming in four years, so why have them do something?

So anyway, the city engineer; Mr. Law wanted some specific facts and so we need an opportunity to sit down and do that before it gets to Council. I will stand for any questions.

C/Hennis: I don't have any at this time.

C/Wierschem: I have none.

C/Young: Thank you. Looking through the rest of the ordinance, it seems like most everything has been addressed. I know that looking at Ada County; the size of the lot for a lot split... let me make sure I am looking at the right one; because if the parcel wouldn't have to be five acres which what we have listed here is what Ada County's requirement is, from what I could find anyway.

C/Hennis: Well, and also the way I read that after that being pointed out is it should be limited to a single family lot, tract or parcel and not part of a subdivision unless the subdivision was platted prior; then the lot tract or

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parcel is five acres or greater. Is that referring to the subdivision and/or the single family lot? Or both or neither? Because I can read that both ways. You can ask Mr. Anderson to come up to by the way to respond.

C/Young: Well, let's see if Mr. Roats can verify.

C/Wierschem: Could you please clarify this?

C/Gealy: Can we stop for just a minute?

*****Chairman Young placed the Commission meeting in recess at 8:33 p.m.

*****Chairman Young called the meeting back to order at 8:39 p.m.

C/Hennis: I had a question for Mr. Roats. Is it 5-16-4... Oh geez...4C? A.2.C ? Yeah, so the septic tank installation shall be limited to a single family lot, tract or parcel and not part of a subdivision unless the subdivision was platted prior to December 7, 1977 and the lot, tract or parcel of five acres or greater. – Is that just meaning the subdivision that was platted prior to December 7, 1977 or?

Richard Roats: That means that the lot has to be five acres.

C/Hennis: Ok. So the single family lot has to be five acres or more?

Richard Roats: Yes. It should either have a comma or a semi-colon there.

C/Hennis: And Mr. Anderson, you had a comment on that in an email?

Sid Anderson: I do. Would you like me to speak to that?

C/Hennis: Would you mind? Because I don't have the email in front of me.

Sid Anderson: Sure. And to clarify, Ada County; and that is once you have an area of impact that is established with them, and so I know that is kind of a process that has been ongoing for some years. Lands within that, they rezoned to RUT (rural-urban transitional) and RUT is a five acre minimum lot size so anything this is in the area of impact that is not annexed yet, becomes and RUT zone. So ultimately you are going to end up with the same allowable lot size in the county is what we are going to allow with this ordinance. I'm not saying that that is not the way to do it; it just turns out that the lot that we own is five acres so for me to say 'I am going to annex it in' and have higher taxes and have to potentially have to put in curb, gutter and sidewalk to get the same thing that I already have in the county is of no benefit to me.

Ultimately, what I am trying to do is capitalize on being able to do a one time division (lot split) and probably create a couple of 1.5 acre lots and still put them on septic because it is a distance from any existing sewer. It is across the Indian Creek from the existing sewer. And also, I did go back and look at the lot split ordinance that was recently passed by the City Council, and it does talk about ...and this is just an idea for language...let me flip to it really quick: For utilities placed underground; it requires utilities be placed underground except for parcels that are over one acre, it is on a case by case basis. The same thing goes for storm water drainage; parcels greater than one acre is on a case by case basis. And then also with curb, gutter and sidewalk; I think it is actually anything over 1.5 acres is on a case by case basis. So I am just suggesting that maybe we do something

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similar with this as well. I am not saying that every lot that is an acre should be allowed to do this, but it seems reasonable that there be a threshold different than what is already allowed in the county because we really are not benefitting from this. There is no driver for people to annex or to take advantage of this split ordinance if it is as restrictive, or more restrictive than what the county would allow.

C/Hennis: Ok.

Sid Anderson: ...and I understand that the county does not provide services, and the city does and so there is a need to try and feed those; but I don't know that this is going to get you there because you are just going to get less people to annex. So I guess one point; I didn't put that much into that because I didn't realize that the public hearing was closed...you know Kuna is a great place for people to move to and start a family, but the problem there is right now is there is not a lot of opportunity for people to move up in housing when they want to. What we're looking to do is creating a number of sites where there will be 1.5 acre lots; we're going to require a minimum of 3500 square foot floor plans on them. I think that it's going to allow for a little bit of that, I mean, it's not a huge amount but it is some and I hope the city does look to be able to allow for things like that because right now, ultimately, we are either going to stay in the county at five acres or we would have to run city sewer to it. If we ran city sewer to it, we are not going to do 1.5 acre lots.

C/Hennis: Ok.

The Commission thanked Mr. Anderson

Richard Roats: To address the lot split; so what we are looking at in this particular situation is dealing with the sewer and septic and trying to avoid those situations where we are dealing with a septic systems and those lots and trying to avoid, as I discussed last time, creating those pockets where a number of homes are on septic and then we have the inability to provide services because it essentially blocks it because if you are downstream, and you want sewer but a half a mile between you and where the services are; they are all on septic, then who is going to share the costs to do that? So that is what the five acre intent is. I think we may be able to work around this in a different situation if, in fact, you said you were on the opposite side of Indian Creek?

Roats' question was directed at Sid Anderson

Sid Anderson: On the other side of Indian Creek from where it services currently.

Richard Roats: Ok, and I am not sure at what time, how many residences are south of Indian Creek? Is it just you?

Sid Anderson: There is currently one, but you know, we are looking at putting some additional ones in. That is basically...

Richard Roats: And that is where I am going with that is...it maybe will meet under number two on here: 'The physical constraints affecting the development of the property'... that is one of the examples of an extraordinary physical constraint.

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Sid Anderson: It is, but it also has to be at least five acres. So that is what I am saying; to me, to say it has to be five acres and has to be these other businesses is you know... even if it was next to the city services, I still wouldn't do it because... ***inaudible***

Richard Roats: Ok. Well maybe we will run through some scenarios but...

C/Hennis: Well, would it be as simple as; like he spoke of, just adding something in there, some verbiage that talks about the five acres or greater or addressed on a case by case basis by the city engineer or due to location, or something of that nature to where ... you know, if we're in the city, or up where the sewer is already headed to, it's not going to be as effective as what you said; where there is some physical constraints so...it would definitely be on a more case by case basis.

Richard Roats: Yeah

C/Young: It is a tough line because we are between where we need to try and go and then what everybody wants to be able to do with their property. It's a tough line.

C/Hennis: Right. Well, I think this... I agree. But if we are already under the heading where its physical constraints are affecting the properties, then we kind of already state that if it's something trying to make ten houses into 1.5 acre areas, that is one thing. But if it is just one or two, it is not going to affect as Mr. Roats was indicating on diverting some services going in. That is why I am thinking maybe there is just some verbiage we can add in there, because I don't necessarily want to take it down to a 1.5 acre level.

C/Young: Right.

C/Hennis: But we could state something to where it is on a geographic location on a case by case basis or something.

C/Young: Well, I think something as simple as that, we can address it without putting that small number in there with it. I think some verbiage like that would be applicable.

Richard Roats: 'Or as approved by the city engineer? Is that what you were thinking?

C/Hennis: Yeah, or 'as approved by the city engineer on a case be case basis' kind of goes with some of the verbiage you already have in there.

C/Young: Other than that, I think that everything has been...

C/Hennis: Well, he had another concern in there regarding just down from there... item 2; where 'the property owner agrees to participate in the L.I.D.' -do we have a concern with that even though that L.I.D. might not be defined at that time?

C/Young: But the L.I.D. is a voluntary thing. It is not mandatory. You know, we are saying: 'if it comes here, thou shalt sign up with the L.I.D.' It is voluntary for the homeowner to be able to defer and make payments.

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C/Gealy: But this is making it mandatory.

C/Hennis: Well, it says 'or other statutory or common law funding mechanism to finance infrastructure extension costs and the city sewer connection fees, and provide for any easements'. So I guess it doesn't necessarily state that you have to participate in it, but somehow that is one of the options, right?

C/Young: Yeah, I think the intent of that is to give the landowner the ability to be able to do it. It is not a mandate by the city that the landowner would have to enter into an agreement.

Richard Roats: The L.I.D. has its own section in state code. It has its own requirements so obviously it benefits that property, but the city is not going to mandate that the property owner form it's L.I.D. It has got to be that the property owner's want to form the L.I.D. to seek the funding mechanisms available to the L.I.D. financing process that is typically a low interest rate spread out over twenty years. So if somebody in one of those pockets decides they want to develop the property and the city says: 'well, we don't have the funds to run the lines down there'; perhaps you form an L.I.D. or some other funding mechanism to do that and then in that case, you'd engage the funding mechanisms; which is again, a very low interest rate over time because of the sale of the bonds. The other common law financing schemes or statutory schemes are that if the city runs lines down the road and the person can't afford the hook-up, but they want to hook-up and we want to try to get them off the septic. For example on our pressure irrigation hook-ups, we've extended those over a period of time too. So I'm just trying to keep this open enough or broad enough so that there is a mechanism available, if at some point in time, we need to get them off the septic and either one or more than one property owner try to do some sort of funding mechanism. The L.I.D. is really more beneficial to property owners instead of simply trying to go out and go to the bank and borrow thirty thousand dollars. A bank may say 10% interest in five years, versus, whatever the L.I.D rate is. I know during the infamous Kuna L.I.D., when we were looking at the bond amounts, at some point, they were in the 3% range so...

C/Young: Well, what if on page 6 of 12, item 2 at the bottom, in lieu of saying 'the property owner agrees to participate', we can change that entry into a sentence to say something like: 'there is the ability to enter into an agreement' because it does almost read with that first part that it is a mandate, versus, 'this is something that is available to the land owner'.

C/Hennis: I have the verbiage here possibly: 'the property owner has the option to participate in the L.I.D. or other statutory or common law funding'.

C/Young: Yeah, I think that something along those lines, because it does almost read like a mandate there, where if we changed just a small tweak to that, which...

C/Gealy: Or, 'the property owner may participate', so that same sentence occurs in each section?

C/Hennis: Yes.

C/Young: Which would have to be...yeah.

C/Hennis: Would that be under the same intention of what the city is trying to...?

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Richard Roats: So, yes: "may". The property owner may participate in an L.I.D. that benefits the property owner or ... that would give it a permissive read.

C/Gealy: I think so. 'Agrees' sounds like they have to.

C/Hennis: No, I like that better. Ok. Other than that; that is my four cents worth.

The Commission thanked Mr. Roats

C/Young: Ok, any other thoughts?

C/Hennis: No. Just looking for my agenda.

Commissioner Gealy motions to recommend approval to the City Council of the amendment to Kuna City Code: 15-01-ZOA, with the two changes that were discussed; Commissioner Hennis seconds, all aye, motion carried 5-0.

4. ADJOURNMENT:

Commissioner Gealy motions to adjourn at 8:52 pm; Commissioner Hennis Seconds, all aye and motion carried 5-0.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

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



City of Kuna

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P&Z Findings of Fact and Conclusions of Law

To: Planning and Zoning Commission

Case Number(s): 15-02-AN (Annexation) 15-02-ZC (Zone Change), 15-01-S (Preliminary Plat) and 15-04-DRC (Design Review) **Memory Ranch Subdivision**

Location: Southwest Corner (SWC) Ten Mile and Lake Hazel Roads, Kuna, Idaho 83634

Planner: Troy Behunin, Senior Planner

Hearing Date: August 11, 2015
Findings of Fact: August 25, 2015

Applicant: **Trilogy Development; Shawn Brownlee**
2358 S. Titanium Plc
Meridian, ID, 83642
208.895.8858
shawn@trilogvidaho.com

Engineer: **Suggs Community Solutions, Jane Suggs**
200 Louisa St.
Boise, ID 83712
208.939.91358
jbsuggs@cablone.net

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A. Course of Proceedings

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states annexation, zone changes and subdivisions are designated as public hearings, with the City Council as the decision making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Planning Act.

a. Notifications

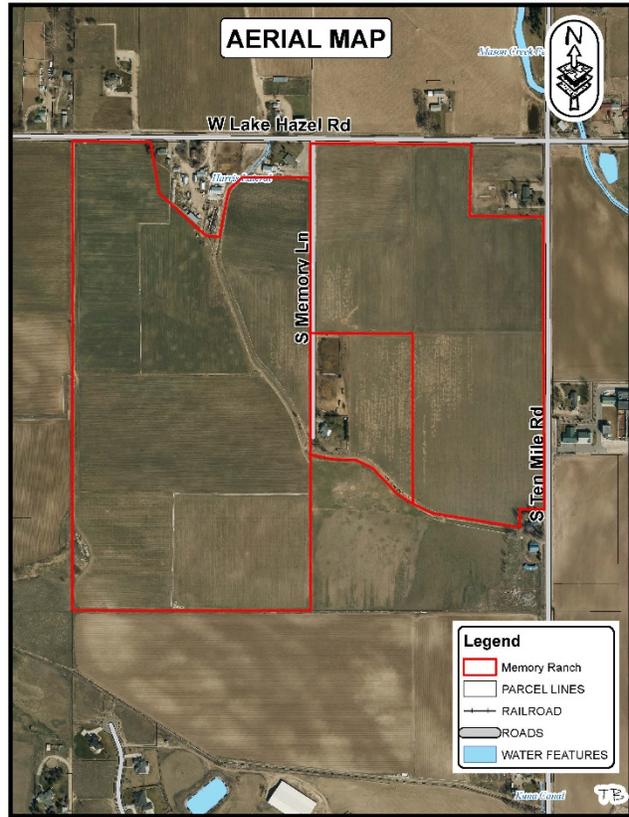
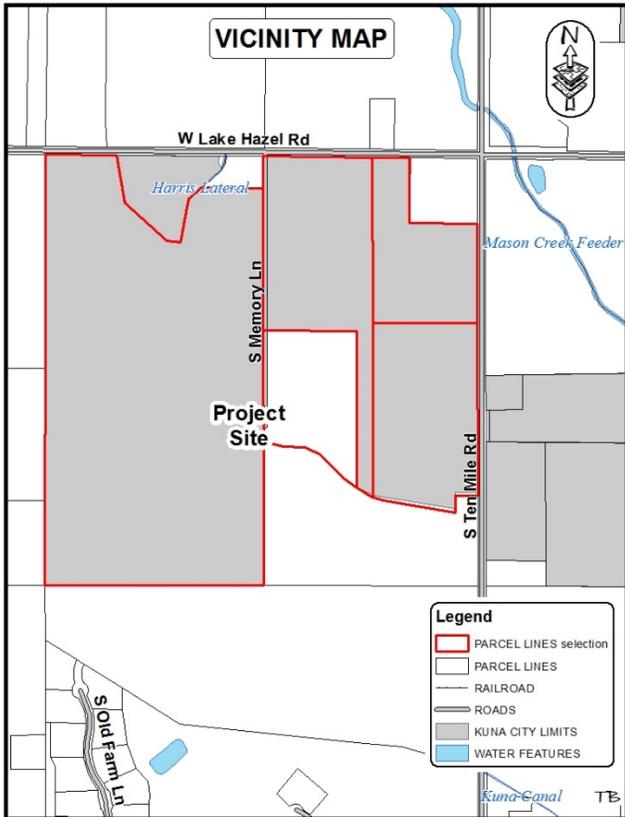
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|---------------------------|----------------|
| i. Neighborhood Meeting | April 22, 2015 |
| ii. Agencies | June 23, 2015 |
| iii. 300' Property Owners | July 27, 2015 |
| iv. Kuna, Melba Newspaper | July 22, 2015 |
| v. Site Posted | July 26, 2015 |

B. Applicants Request:

1. Request:

Applicant requests approval to annex approximately 10 acres into the City limits and rezone an additional (approximate) 125 acres from A (Agriculture) to R-6 (Medium Density Residential in order to create a 262 lot residential subdivision (Memory Ranch). The applicant also proposes to develop 20 additional lots into common lots for the use by residents. These common lots will make up 11.1% of the site, or 7.47 acres. The common lots will be developed as large parks, with a tot-lot, gazebo and a swimming pool facility. Others will be developed into a large open common lots including a large greenbelt that runs through the project on a southeast to north central axis (adjacent the Harris Lateral). The applicant seeks an R-6 (Medium Density Residential) zone for the subdivision as a whole. Applicant is proposing a minimum of seven (7) phases of development which will be driven by the consumer market. Applicant proposes to develop the east half of the overall site in six (6) phases and return in the future to develop the west half. The Harris lateral is the natural dividing line for the project. Applicant proposes to return and navigate the subdivision process as the market dictates. Applicant is aware this will require the public hearing process for a preliminary plat & final plat.

C. Vicinity and Aerial Maps:

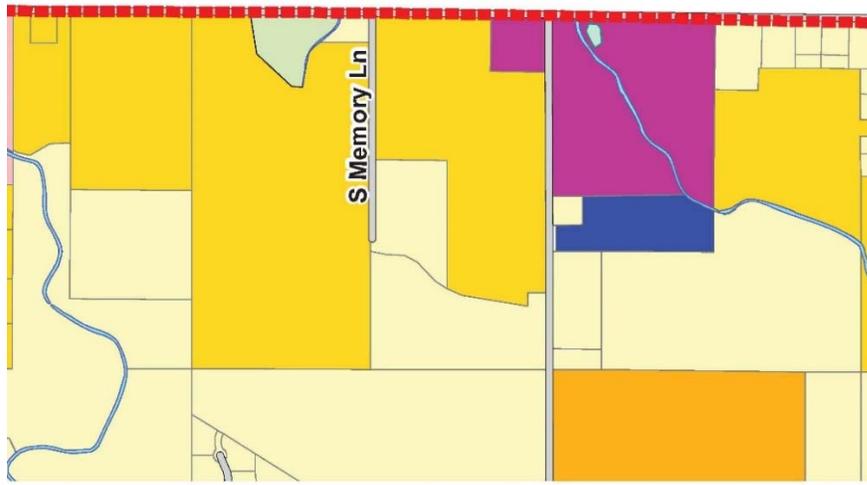




D. History: The subject parcel is partially in Ada County and Kuna City limits. The 10 acres currently situated in Ada County are adjacent to Kuna City limits and are zoned RR (Rural Residential). The 121 acres already in Kuna are zoned A (Agriculture). This property has historically been used for Agriculture purposes and farmed.

E. General Projects Facts:

- 1. Comprehensive Plan Designation:** The Future Land Use Map (FLU) identifies the majority of this site as Medium Density Residential. The 10 acre parcel requiring annexation is designated as Low Density. Staff generally views this land use request to be consistent with the approved FLU map.



2. Surrounding Land Uses:

North	RUT	Rural Urban Transition – Ada County
South	RR	Rural Residential – Ada County
East	A, RR	Ag. – Kuna City, Rural Residential – Ada County
West	RR	Rural Residential – Ada County

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

- Approx. 135 total acres
- A, (Agriculture) and RR, (Rural Residential)
- Parcel #'s - S1303120820 (73 ac.), S1303110115 (33.5 ac.), and S1303111635 (10 ac.)

4. **Services:**

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

5. **Existing Structures, Vegetation and Natural Features:** Currently there is a home on the 10 acre parcel, the remaining land is being used for agricultural purposes. It is anticipated it will continue its historic uses on the remaining lands until development occurs. This site slopes from northeast to southwest, generally.

6. **Transportation / Connectivity:** The applicant proposes two access points on Ten Mile Road and one access on the north side of the project, from Lake Hazel Road. When the west half develops, there will be additional points of access on Lake Hazel along with access points on the west side when a mid-mile road will be constructed with improvements to the west half of the project.

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

8. **Agency Responses:** The following agencies returned comments: City Engineer (Gordon Law, P.E.), Ada County Highway District (ACHD), Central District Health Department and the Idaho Transportation Department (ITD). The responding agency comments are included as exhibits with this case file. The following agencies did not send in comments; Boise Project Board of Control, DEQ, Kuna Police Department, Kuna School District, Ada County Planning and Zoning, Idaho Power, J&M Sanitation, or the US Post Office.

F. **Staff Analysis:**

This site is located near the southwest corner (SWC) of Ten Mile & Lake Hazel Roads. The applicant proposes to annex 10 acres into the City and rezone approximately 125 acres from Ag. to R-6 (Med. Density Residential) in order to create a 262 buildable lot subdivision. Applicant proposes to develop 20 additional lots into common lots for the use by future residents. These common lots will make up 11.1% of the site, or 7.47 acres. The developed common lots will include amenities such as large parks, a tot-lot, gazebo and a swimming pool facility (with changing rooms), and a large greenbelt that runs through the project on a southeast to north central axis (adjacent the Harris Lateral). There are multiple connections (using pathways) through blocks to encourage a pedestrian friendly environment. An HOA will be established for the care and maintenance of the common lots. This application includes Design Review for the common spaces and buffers.

Applicant seeks an R-6 (Medium Density Residential) zone for the subdivision as a whole (all 135 acres). Applicant is proposing a minimum of seven (7) phases of development which will be driven by the consumer market. The Harris lateral is the natural dividing line for the project. The total number of phases will be determined when the west half returns for development and re-enters the public hearing process. Applicant proposes to develop the east half of the site in six phases and return in the future and navigate the

subdivision process. Applicant is aware the future preliminary & final plats will require the public hearing process.

Public services will be extended by the developer to the property from the existing facilities east of the project. The Kuna Waste Water Treatment Plant is directly (east) adjacent to the property. This project anticipates a new temporary lift station to serve this 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 Case No.'s 15-02-AN, 15-02-ZC, 15-01-Sub and 15-04-DRC, to the Commission with recommended conditions of approval.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance No. 230, 546 and 570,
2. City of Kuna Subdivision Ordinance No. 2012-18, Title 5 Zoning Regulations,
3. City of Kuna Comprehensive Plan and Future Land Use Map,
4. City of Kuna Landscape Regulations, Title 5, Chapter 17, Section 1 thru 26,
5. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

H. Comprehensive Plan Analysis:

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

1. The proposed applications for this site are consistent with the following Comprehensive Plan components:

GOALS AND POLICY – Property Rights

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

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

GOALS AND POLICY – 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 POLICY – Land Use

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

Objective 2.2: Plan for areas designed to accommodate a diverse range of businesses and commercial activity – within both the community-scale and neighborhood-scale centers – to strengthen the local economy and to provide more opportunities for social interaction.

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. Findings of Fact:

1. This request appears to be consistent and in compliance with all Kuna City Code (KCC).
2. The use appears to meet the general objectives of Kuna's Comprehensive Plan.
3. The site is physically suitable for a subdivision.
4. The annexation and subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
5. The annexation application is not likely to cause adverse public health problems.
6. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.
7. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.
8. 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.
9. Based on the evidence contained in Case No.s 15-02-AN, 15-02-ZC, 15-01-Sub and 15-04-DRC, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map (FLU).
10. The Planning and Zoning Commission has the authority to recommend approval or denial for these applications.
11. The public notice requirements were met and the public hearing was conducted within the guidelines of applicable Idaho Code and City Ordinances.

J. Conclusions of Law:

1. Based on the evidence contained in Case No's 15-02-AN, 15-02-ZC, 15-01-Sub and 15-04-DRC, the Kuna Planning and Zoning Commission finds Case No's 15-02-AN, 15-02-ZC, 15-01-Sub and 15-04-DRC, complies with Kuna City Code.
2. Based on the evidence contained in Case No's 15-02-AN, 15-02-ZC, 15-01-Sub and 15-04-DRC., the Kuna Planning and Zoning Commission finds Case No's 15-02-AN, 15-02-ZC, 15-01-Sub and 15-04-DRC, 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. Recommendation to the Commission:

15-02-AN, 15-02-ZC and 15-01-Sub, Note: *This proposed motion is to recommend approval, conditional approval, or denial for this request to City Council. If the Commission wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

15-04-DRC--Design Review Note: *The proposed motion is also to approve or deny the design review request. If the Planning and Zoning Commission wishes to approve or deny specific parts of the requests as detailed in the report, those changes must be specified.*

On August 11, 2015, the Planning and Zoning Commission voted 5-0, to recommend approval for Case No's 15-02-AN, 15-02-ZC and 15-01- based on the facts outlined in staff's report and the public testimony at the public hearing the Planning and Zoning Commission of Kuna, Idaho, hereby recommends *approval* of Case No's 15-02-AN, 15-02-ZC, 15-01-Sub and 15-04-DRC, annexation, rezone, preliminary plat and Design Review *with* the following conditions of approval:

- Follow all Staff recommended conditions outlined in staff report,
- Approve request for changes in phasing as proposed by applicant (order of phases may change with Staffs prior concurrence due to current utilities and other site related constraints),

- Make future homeowners/purchasers clearly aware the southern entry may turn into a buildable lot in the future,
 - Condition of approval # 9 shall read "... rights-of-way shall be with the approval from the lot Owner."
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 Project and Board of Control* 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 any 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 – With future development and as necessary, dedicate right-of-way in sufficient amounts to follow Kuna City and ACHD standards and widths.
 3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
 4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
 5. Street lighting shall use LED lights, with spacing and wattages meeting the approval of the City; Applicant shall coordinate a street light plan for P&Z approval in concert with the prepared construction drawings for the project.
 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 to the City (if necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID) prior to requesting final plat signature from the City Engineer.
 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 Commission and/or Council, or seek amending them through public hearing processes.
 12. The applicant's proposed preliminary plat (dated 05.22.15) and landscape plan (dated 05.22.2015) shall be considered a binding site plans, or as modified and approved through the public hearing process.

13. Applicant shall follow all staff, city engineer and other agency recommended requirements as applicable.
14. Developer shall comply with all local, state and federal laws.

DATED: This 25th day of August, 2015.

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Troy Behunin, Senior Planner
Kuna Planning and Zoning Department



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; acting as P&Z and Design Review Committee

Case Number(s): 15-04-SUP (Special Use Permit) 15-05-DR (Design Review)

Location: 927 N. Linder Road
Kuna, Idaho 83634

Planner: Troy Behunin, Senior Planner

Meeting Date: August 11, 2015

Applicant: Michael Chestone
Idaho Solar 1, LLC / Origis Energy USA, Inc,
1200 Brickell Ave. Ste. 1800
Miami, FL 33131
305.560.7539
Michael.chestone@origisenergy.com

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- K. Proposed Decision by the Commission

A. Course of Proceedings

1. Kuna City Code (KCC), Title 5, Chapter 3, Section 2, of the *official schedule of district regulations* Section states a Public Service Facility in the Agriculture Zone requires that an applicant obtain a Special Use Permit (SUP). It is staffs view, that this request is valid, thus making the site eligible for an SUP. Proposed new commercial landscaping and commercial signage within Kuna requires development designs to be evaluated by the Design Review Committee (DRC) in an effort *"to specify desirable building and landscape architectural styles and materials to create a sustainable and pleasing environment for residents and visitors alike"*.

a. Notifications

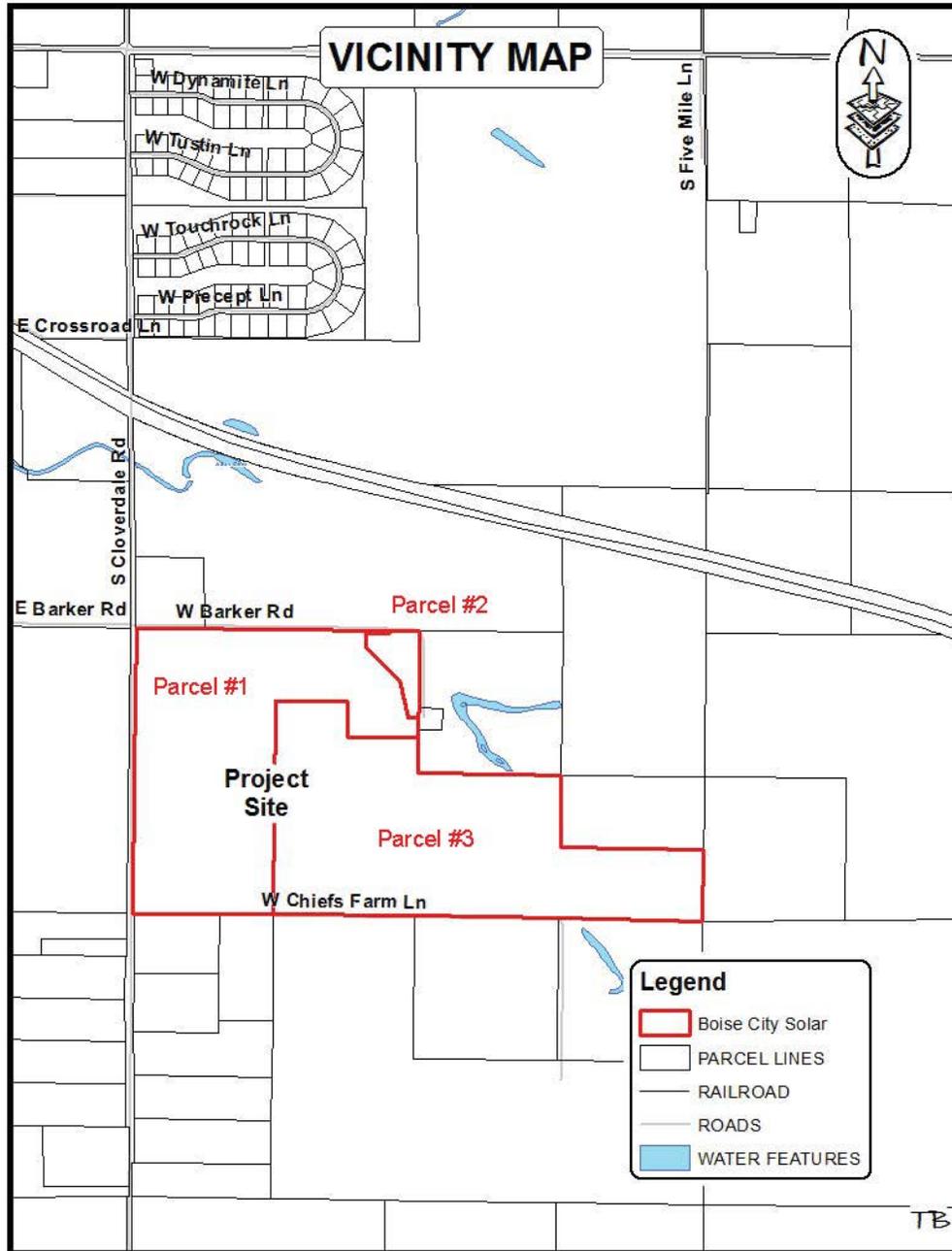
- | | |
|---------------------------|-----------------------------------|
| i. Neighborhood Meeting | July 8, 2015 (14 people attended) |
| ii. Agencies | July 20, 2015 |
| iii. 300' Property Owners | July 30, 2015 |
| iv. Kuna, Melba Newspaper | July 22, 2015 |
| v. Site Posted | July 28, 2015 |

B. Applicants Request:

1. Request:

Applicant requests SUP approval for a 40 MWac solar photovoltaic project totaling 180 acres over 3 parcels, totaling 220 overall acres. This application proposes a commercial photovoltaic solar project for the purposes of generating a source of clean energy. Applicant requests access from Barker Road. Applicant seeks design review approval for the accompanying landscaping in the required buffers.

C. Vicinity and Aerial Maps:





D. History: The properties are in the City limits and are currently zoned A (Agriculture). This is active farm ground. This parcel has historically been farmed and used for other typical Ag purposes.

E. General Projects Facts:

1. **Comprehensive Plan Designation:** The Future Land Use Map (FLU) identifies this site as Mixed-Use General. The applicant is not proposing a change in zoning and as such, staff views this land use request to be consistent with approved Comp plan map and current zoning for the parcels.

2. **Surrounding Land Uses:**

North	Ag, RP	Agriculture – Kuna City / Rural Preservation –Ada County
South	RR, RP	Rural Residential / Rural Preservation –Ada County
East	Ag	Medium Density Residential – Kuna City
West	Ag	Medium Density Residential – Kuna City

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

- 220 total acres (Approximately)
- A, Agriculture
- 3 Parcels: **#1** S2110223000 (99.83 ac.), **#2** S2110212400 (5.17 ac.), **#3** S2110130600 (115 ac.) (Approximately)

4. **Services:**

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

5. **Existing Structures, Vegetation and Natural Features:** Currently the property is used for Ag. purposes and is actively being farmed. The site has items and equipment generally associated with farming activities.
6. **Transportation / Connectivity:** The applicant proposes driveway access from Barker Road.
7. **Environmental Issues:** Staff is not aware of any environmental issues, health or safety conflicts. This site's topography is generally flat and currently has a pivot on it.
8. **Agency Responses:** The following agencies returned comments: City Engineer (Gordon Law, P.E.), Ada County Highway District (ACHD – Austin Miller), Central District Health Department (CDHD – Lori Badigian) and Department of Environmental Quality (DEQ – Danielle Robbins). The responding agency comments are included as exhibits with this case file. The following agencies did not send in comments; Kuna Police Department, Kuna School District, Ada County Planning and Zoning, Idaho Power, J&M Sanitation, and the US Post Office.

F. Staff Analysis:

This site is located near the southeast corner (SEC) of Cloverdale and Barker Roads. The applicant proposes a 40 MWac solar photovoltaic project (solar farm) to generate clean electricity for purposes of selling the power exclusively to Idaho Power Company. The applicant will control 220 acres, however, the solar farm will occupy approximately 180 acres for energy generation. This overage will allow for proper spacing and room for needed ancillary equipment and internal private-access roads, among other site restraints.

Applicant is requesting design review for the supporting structures/equipment and landscaping for the project. The landscaping request is submitted in two parts. Current code (K.C.C. 5-17-15) states applicants shall place two shade trees, three evergreen trees and 12 shrubs every 100 linear feet of actual frontage for the project. The applicant has proposed full compliance for the approximately one acre sub-station parcel in the northwest corner of the project. However, due to the sheer length and area of the proposed project along Cloverdale and Barker, the applicant requests consideration of a reduction in the required landscaping (in terms of numbers) for both frontages. Staff would generally support this action. The Design Review Committee (DRC) may negotiate this element with the applicant to strike a balance between full compliance and a set requirement that is less than full compliance. The DRC has the ability to modify landscaping standards, based on the merits of a given project (K.C.C. 5-17-19-A).

This project meets the criteria for PUBLIC SERVICE FACILITY; *Buildings, power plants and substations, water treatment plants and pumping stations, sewage disposal and pumping plants, and other structures, except public utility structures erected, constructed, altered, operated by municipal or other governmental agency, for the purpose of furnishing electrical, gas, rail transport, communication, public water and sewage services.*

According to staffs review of the application this proposed 220 acre project is within the Kuna city, Ag Zone. According to Kuna City Code (K.C.C.) 5-3-2, (the Land Use Matrix relied upon by staff) a Public Service Facility in the Agricultural Zone requires a Special Use Permit. This Application seeks that SUP approval along with approval for supporting structures for the solar project, and approval for site landscaping.

Staff has determined this application appears to comply with Title 5 of the Kuna City Code; Idaho Statute §50-222; and the Kuna Comprehensive Plan; and forwards Case No.'s 15-04-SUP and 15-05-DR, to the Commission for their decision with accompanying recommended conditions of approval.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance No. 230, 546 and 570,
2. City of Kuna Special Uses, Ordinance 570 as amended,
3. City of Kuna Landscaping Requirements, Ordinance 2012-22, as amended,
4. City of Kuna Comprehensive Plan and Future Land Use Map,
5. 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 SUP for the site is consistent with the following Comprehensive Plan components:

GOALS AND POLICY – *Property Rights*

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

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

GOALS AND POLICY – *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 POLICY – *Land Use*

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

Objective 2.2: Plan for areas designed to accommodate a diverse range of businesses and commercial activity – within both the community-scale and neighborhood-scale centers – to strengthen the local economy and to provide more opportunities for social interaction.

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 SUP request appears to be in compliance with all ordinances and laws of the City and appears to be consistent with Kuna City Code (KCC).
2. The SUP use appears to meet the general objectives of Kuna’s Comprehensive Plan.
3. The site appears to be physically suitable for Solar Energy generation.
4. It appears the proposed SUP uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
5. It appears the SUP is not likely to cause adverse public health problems.
6. The SUP 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.
7. The existing and proposed street and utility services in proximity to the site appear to be suitable and adequate for solar farm purposes.

8. 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.
9. Based on the evidence contained in Case No. 15-04-SUP and 15-05-DR, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map (FLU).
10. The Planning and Zoning Commission has the authority to approve or deny this SUP application.
11. The public notice requirements appear to have been 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.s 15-04-SUP and 15-05-DR, the Kuna Planning and Zoning Commission finds Case No.s 15-04-SUP and 15-05-DR, appear to comply with Kuna City Code.
2. Based on the evidence contained in Case No.s 15-04-SUP and 15-05-DR, the Kuna Planning and Zoning Commission finds Case No.s 15-04-SUP and 15-05-DR appear to be consistent with Kuna's Comprehensive Plan.
3. The public notice requirements appear to have been met and the neighborhood meeting appears to have been conducted within the guidelines of applicable City Ordinances.

K. Proposed Decision by the Planning and Zoning Commission:

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

Based on the facts outlined in staff's report, agency comments and the public testimony as presented at the public hearing, the Planning and Zoning Commission of Kuna, Idaho, hereby (*approves / denies*) Case No.s 15-04-SUP and 15-05-DR, a special use permit and design review request from Michael Chestone (Idaho Solar 1, LLC / Origis Energy USA, Inc.), (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 future 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- With future development and as necessary, dedicate right-of-way in sufficient amounts to follow City and ACHD standards and widths.
3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.

4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
5. Lighting for the entire site shall comply with Kuna City Code and follow accepted dark skies practices and use of LED lights project wide.
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 to the City (if necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID).
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 Commission, or seek amending them through public hearing processes.
12. The applicant's landscape plan (date stamped 7.7.2015) shall be considered a binding site plan, or as modified and negotiated with the Commission. The applicant shall work with staff and the City forester for a negotiated number of trees and shrubs for the frontages along Barker and Cloverdale Roads beyond the substation.
13. This development is subject to landscaping and building design reviews, among other land use applications as applicable, at time of future development. All remaining parts of the site will also be subject to the same.
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.

DATED: This ____ day of _____, 2015.



City of Kuna

P&Z Staff Report

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

To: Planning and Zoning Commission

Case Number(s): 15-04-S (Preliminary Plat) and 15-07-DRC (Design Review) **Ardell Estates Subdivision**

Site Location: Southwest Corner (SWC) Linder and Ardell Roads,
Kuna, Idaho 83634

Planner: Troy Behunin, Senior Planner

Hearing Date: August 25, 2015

Applicant: **DBTV Waters Edge Farm, LLC; Tim Eck**
6152 W. Half Moon Ln.
Eagle, ID, 83616
208.850.0591
timothyeck@me.com

Representative: **B&A Engineers, Inc., David Crawford**
5505 W. Franklin Rd.
Boise, ID 83705
208.342.5792
dacrawford@baengineers.com

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- K. Proposed Recommendation by the Commission

A. Course of Proceedings

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states that subdivisions are designated as public hearings, with the City Council as the decision making body. This land use application was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65 Local Planning Act.

a. Notifications

- | | |
|---------------------------|---------------|
| i. Neighborhood Meeting | April 2, 2015 |
| ii. Agencies | July 1, 2015 |
| iii. 300' Property Owners | July 28, 2015 |

- iv. Kuna, Melba Newspaper
- v. Site Posted

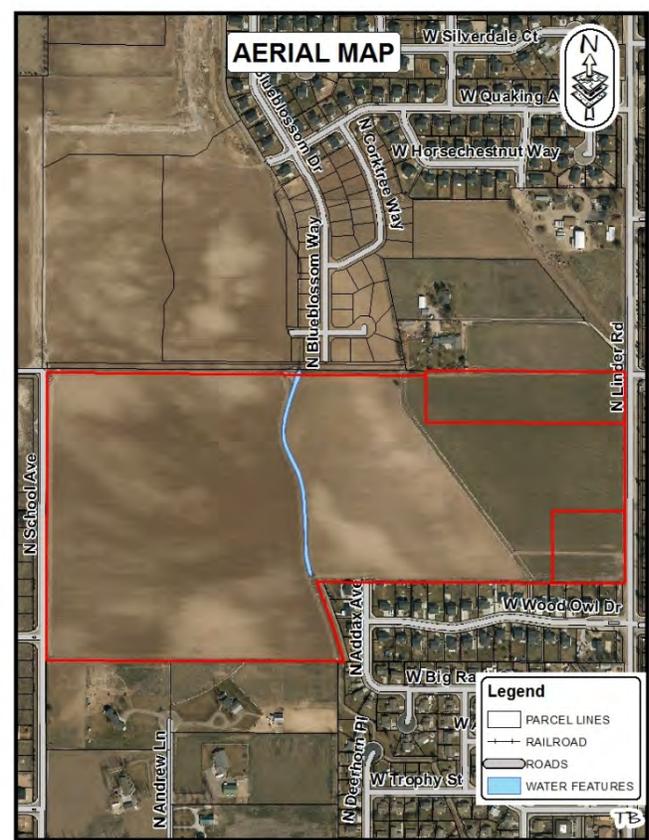
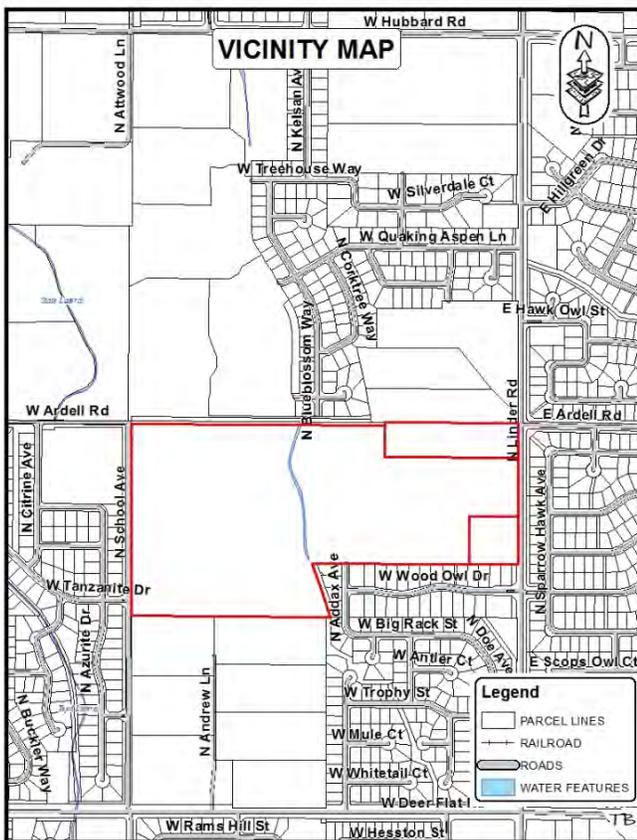
August 5, 2015
 August 14, 2015

B. Applicants Request:

1. Request:

Applicant requests preliminary plat approval in order to create a 261 lot residential subdivision (Ardell Estates Subdivision) in an R-6 (Medium Density Residential) zone. The applicant proposes to develop 27 additional lots into common lots for use by residents. These common lots will make up 7.87% of the site, or approximately 5.4 acres. Applicant is proposing a minimum of seven (7) phases of development; the timing of which will be driven by the consumer market.

C. Vicinity and Aerial Maps:

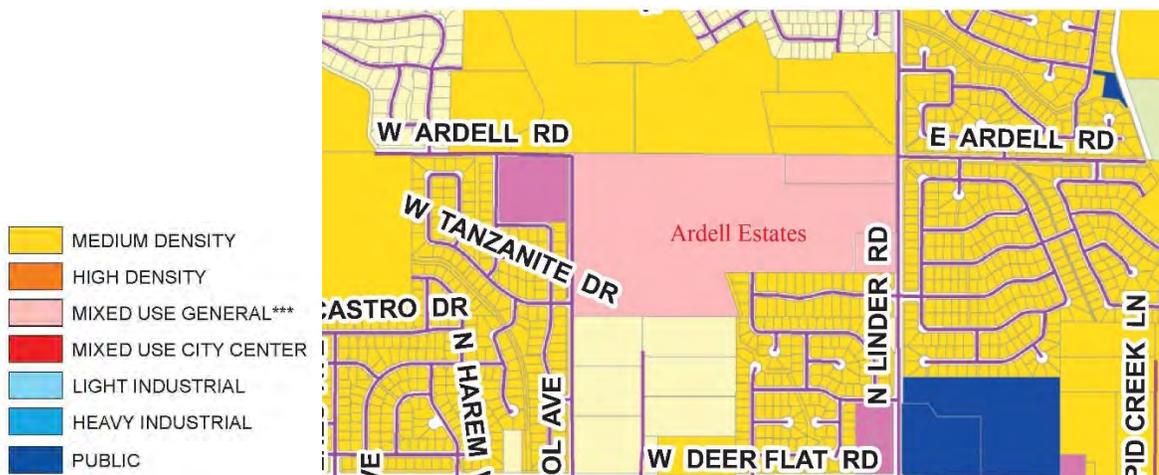




D. History: The subject parcel is in Kuna City limits and is currently zoned R-6 (Medium Density Residential). This property has historically been used for Agriculture purposes and farmed.

E. General Project Facts:

- 1. Comprehensive Plan Designation:** The Future Land Use Map (FLU) identifies this site as Mixed-Use General, which is an overlay for mixing residential and commercial if the owner wishes, but it is not required. Staff views this land use request to be consistent with the approved FLU map.



2. Surrounding Land Uses:

North	R-4, RR	Medium Density Residential – Kuna City, Rural Residential – Ada County
South	R-5, RUT	Medium Density Residential – Kuna City, Rural Urban Transition – Ada County
East	R-6	Medium Density Residential - Kuna City
West	C-1, R-6	Neighborhood Commercial, Med. Den. Residential – Kuna City

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

- Approx. 68.58 total acres
- R-6, (Medium Density Residential)
- Parcels: 1 = S1314417200 (4.8 ac.), 2 = S1314417415 (60.4 ac.), and 3 = S1314417970 (2.4 ac.)

4. **Services:**

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

5. **Existing Structures, Vegetation and Natural Features:** Currently there are no structures and the land is being used for agricultural purposes. It is anticipated that will continue its historic uses on the remaining lands until development occurs.

6. **Transportation / Connectivity:** The applicant proposes a single access from Linder Road, one on future West Ardell Road and two access points on School Road for a total of four new access points. Applicant proposes to connect to the North Addax Avenue to the south.

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

8. **Agency Responses:** The following agencies returned comments: City Engineer (Gordon Law, P.E.) (Exhibit B 1), Ada County Highway District (ACHD) (Exhibits B 2 & 3), Boise Project Board of Control (BPBC) (Exhibit B 4), Central District Health Department and the Idaho Transportation Department (ITD) (Exhibit B 5). The responding agency comments are included as exhibits with this case file. The following agencies did not send in comments; DEQ, Kuna Police Department, Kuna School District, Ada County Planning and Zoning, Idaho Power, J&M Sanitation, or the US Post Office.

F. **Staff Analysis:**

This site is located at the southwest corner of Linder & Ardell Roads. The applicant proposes to develop the land into 261 residential lots in an R-6 (Medium Density Residential) zone. Applicant proposes 27 additional common lots for use by future residents; including a central pedestrian pathway that will add to the City’s overall master pathway system. This pathway will extend an existing pathway south of this project connecting pedestrians to and through Arbor Ridge (north of this site) and ultimately to a City Park within Arbor Ridge. The Hubbard Beal Drain is generally centered within the project and it is anticipated that this drain will be piped through the site. The central pathway will follow this natural feature. An HOA will be established for the care and maintenance of the common lots. This application includes Design Review for the common spaces and all landscape buffers. Applicant proposes a minimum of seven (7) phases of development which will be driven by the consumer market.

Public services will be extended by the developer to the property from the existing facilities offsite. This project anticipates providing a location for a new regional irrigation pump station in the southeastern part of the site.

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 Case No.'s 15-04-Sub and 15-07-DRC, to the Commission with general staff support and recommended conditions of approval.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance No. 230, 546 and 570,
2. City of Kuna Subdivision Ordinance No. 2012-18, Title 5 Zoning Regulations,
3. City of Kuna Comprehensive Plan and Future Land Use Map,
4. City of Kuna Landscape Regulations, Title 5, Chapter 17, Section 1 thru 26,
5. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

H. Comprehensive Plan Analysis:

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

1. The proposed applications for this site are consistent with the following Comprehensive Plan components:

GOALS AND POLICY – Property Rights

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

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

GOALS AND POLICY – 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 POLICY – Land Use

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

Objective 2.2: Plan for areas designed to accommodate a diverse range of businesses and commercial activity – within both the community-scale and neighborhood-scale centers – to strengthen the local economy and to provide more opportunities for social interaction.

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 request appears to be consistent and in compliance with all Kuna City Code (KCC).
2. The use appears to meet the general objectives of Kuna’s Comprehensive Plan.
3. The site is physically suitable for a subdivision.
4. The subdivision uses are not likely to cause substantial environmental damage or avoidable injury to wildlife or their habitat.
5. The subdivision application is not likely to cause adverse public health problems.

6. The application appears to avoid detriment to the present and potential surrounding uses; to the health, safety, and general welfare of the public taking into account the physical features of the site, public facilities and existing adjacent uses.
7. The existing and proposed street and utility services in proximity to the site are suitable and adequate for residential purposes.
8. 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.
9. Based on the evidence contained in Case No's 15-04-Sub and 15-07-DRC, this proposal appears to comply with the Comprehensive Plan and the Kuna Comprehensive Future Land Use Map (FLU).
10. The Planning and Zoning Commission has the authority to recommend approval or denial for these applications.
11. 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's 15-04-S and 15-07-DRC, the Kuna Planning and Zoning Commission finds Case No's 15-04-S and 15-07-DRC, complies with Kuna City Code.
2. Based on the evidence contained in Case No's 15-04-S and 15-07-DRC, the Kuna Planning and Zoning Commission finds Case No's 15-04-S and 15-07-DRC, 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 Commission:

15-04-Sub, Note: *This proposed motion is to recommend approval, conditional approval, or denial for this request to City Council. If the Commission wishes to approve or deny specific parts of the requests as detailed in this report, those changes must be specified.*

15-07-DRC--Design Review Note: *The proposed motion is to approve or deny the design review request. If the Planning and Zoning Commission wishes to approve or deny specific parts of the requests as detailed in the report, those changes must be specified.*

Based on the facts outlined in staff's report and the public testimony at the public hearing the Planning and Zoning Commission of Kuna, Idaho, hereby recommends (*approval/conditional approval/denial*) of Case No's 15-04-S and 15-07-DRC, a request for Preliminary Plat and Design Review by DBTV Waters Edge Farms, LLC and B&A Engineers, Inc. (*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 potable water and 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 Project and Board of Control* shall approval any modifications to the existing irrigation and drainage systems.

- e. Approval from Ada County Highway District shall be obtained and Impact Fees must be paid prior to issuance of any 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- With future development and as necessary, dedicate right-of-way in sufficient amounts to follow Kuna City and ACHD standards and widths.
3. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see **KCC 6-4-2-W**.
4. Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
5. Street lighting shall use LED lights, with spacing and wattages meeting the approval of the City; Applicant shall coordinate a street light plan for planning department approval in concert with the prepared construction drawings for the project.
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. All site signage (including entry monuments) must obtain design review approval and building permits for their 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, and may include a license agreement for their care.
10. Submit a petition to the City (if necessary and confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and requesting to annex the irrigation surface water rights appurtenant to the property to the Kuna Municipal Pressure Irrigation system of the City (KMID) prior to requesting final plat signature from the City Engineer.
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 Commission and/or Council, or seek amending them through public hearing processes.
12. The applicant's proposed preliminary plat (dated 04.2.15) and landscape plan (dated 04.14.2015) shall be considered a binding site plans, or as modified and approved through the public hearing process.
13. Applicant's landscape plan does not indicate any trees or shrubs within the central pathway. Applicant shall follow the landscape requirements as noted in KCC 5-17-12-C for open spaces.
14. Applicant shall follow all staff, city engineer and other agency recommended requirements as applicable.
15. Developer shall comply with all local, state and federal laws.

DATED: This ____ day of _____, 2015,

B & A Engineers, Inc.

Consulting Engineers & Surveyors
5505 W. Franklin Rd. Boise, Id. 83705
Ph. 208-343-3381 Fax 208-342-5792

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CITY OF KUNA

April 15, 2015

City of Kuna

763 W. Avalon St.
Kuna, Idaho 83634

Subject: **Preliminary Plat Approval Request for the for Ardell Estates Subdivision**

Council, and Staff:

We are pleased to present this request for approval of a Preliminary Plat of Ardell Estates Subdivision on behalf of the land owner, Waters Edge Farm, LLC. It is located west of Linder Road, south of Hubbard Road and north of Deer Flat Road, in Kuna City, Idaho. The address is generally listed as 2111 N. Linder Rd.

The site consists of 68.56 acres of land. It is located within the Kuna City Limits, Zoned R-6, and is included within the City of Kuna Sanitary Sewer Local Improvement District.

Site Information

The property consists of several parcels of land. The Ada County Assessor lists the parcel numbers as follows:

S1314417410
S1314417970
S1314417200

Containing 68.56 Acres Total

The lands are currently utilized for agricultural activities.

General Site Features

The property has several special elements which are to be considered. These elements are generally described with some discussion as follows:

Existing Public Streets

N. Linder Road on the project's east boundary
W. Ardell Road on the project's north boundary
N. School Street on the project's west boundary

Each of the roadways noted are considered collector roads. Each is unique in their situation and current improvements. Each is presented in a manner consistent with the required improvements for their classification. A detailed description of all the nuances necessary for development of

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these roads is not being presented with this letter.

The attached plan is representative of communication with the City, the Ada County Highway District (ACHD) and the developer, to ensure proper alignment, width and construction of the roadways that is consistent with the City's and ACHD's vision. We will continue to work with and provide for the required improvements on these roadways.

Sanitary Sewer

The project has an existing sanitary sewer trunk line recently installed from Addax Ave. through to the southerly boundary of the adjoining development of Arbor Ridge Subdivision No. 2, which has recently been platted. This will allow the decommissioning of the existing Deerhorn lift station south of the development. The sanitary sewer lines within the development are to be installed as development occurs to provide service to the lots within the subdivision.

Water

The development will provide main line extensions as necessary, in accordance with the City's master plan, to provide water service to all the lots in the subdivision. This will include oversized mainlines, as required by the City's master plan.

Pressure Irrigation

The development will provide main line extensions as necessary, in accordance with the City's master plan, to provide pressure irrigation service to all the lots in the subdivision. This will include oversized mainlines, as required by the City's master plan.

This development anticipates providing a location for a regional pump station along the southerly boundary of the development. Additionally this development will provide a storage location for surface irrigation waters to be introduced and expand the City's pressure irrigation system.

Gravity Irrigation

There are several surface irrigation ditches that exist on the property. These are anticipated to be piped through the development to ensure continued delivery of surface irrigation waters to downstream users.

Gravity Irrigation Drain

The Hubbard Beal Drain exists near the center of the property; this drain currently accepts the surface irrigation waste water from agricultural activities on the property. This drain is anticipated to be piped through the development.

We are pleased to present this portion of the development, an opportunity to continue a paved pedestrian access from the southerly boundary through to its connection with Arbor Ridge Subdivision to the north. This ultimately connects to the City of Kuna Park located in Arbor Ridge off Hubbard Rd. We believe this to be an attractive addition to the City and its residents.

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Site History

These lands were previously part of an approved planned unit development which was called Waters Edge Subdivision. The previously approved development provided a much denser development strategy through the PUD process, closer to 500 homes.

Ardell Estates Subdivision has been proposed with a commensurate development strategy, fitting with the adjoining lands already developed in the area. The development anticipates a total of 261 single family homes.

Pre-Application Meeting

A pre-application meeting was held for the project with City Staff on Tuesday February 24, 2015. During this meeting it was identified that the project does consist of more than 50 lots and is considered a Large Scale Subdivision.

Kuna Fire Chief John Tillman indicated that all public roadways shall be constructed to public road standards which shall act as fire access roads. He also indicated a secondary access would be required for any development beyond 30 lots. Additionally, dead end fire apparatus access roads in excess of 150 feet shall be provided with turnarounds.

The City Engineer Gordon Law indicated that the project will need to provide an oversized mainline through the development to Linder Road which will remove the need for the Birds of Prey lift station located on the east side of Linder Road near the projects northeast corner. Additional indications were to continue water, sewer and pressure irrigation mainlines as required to service the development in accordance with the City's master plan. Lastly, to provide a location for a booster station and irrigation water pond for expansion of the City's system.

Neighborhood Meeting

A neighborhood meeting was held for the proposed project on Thursday April 2, 2015 at 6:00PM at the project Site. The neighborhood sign in sheet has been included within the application. Several questions were brought up during the meeting from individual land owners. These were as follows:

- Question:** Will the project be phased? When and where will the project start construction?
Answer: We do anticipate approximately 7 total phases, starting with phase one adjacent to Linder Road. Construction of the development may realistically commence within 12-18 months and is dependent on many factors.
- Question:** Will all the roads be built at the same time?
Answer: The infrastructure for the development will be built to service the lots within each consecutive phase of development.
- Question:** Will the development rebuild the fence along the existing Stonegate Subdivision?
Answer: Fencing will be installed as required by Kuna City Code. It is unlikely that the

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development of Ardell Estates will rebuild an existing fence owned by adjacent landowners.

Question: What are the home sizes?

Answer: Home sizes will be similar to those being built in the area. Home sizes may range from 1,400 – 2,800 Square Feet, more or less. Depending on what future homeowners may want and market conditions at the time of home construction.

Question: Will additional surface irrigation water delivery be made to lands outside of the development area?

Answer: Surface irrigation water delivery will be continued to existing delivery points throughout the subdivision. No expansion of the existing system to service users offsite is planned. Kuna City Code requires that prior to final plat, the surface irrigation water rights for the property are dedicated to the City for inclusion into the City provided pressure irrigation system.

Question: Will the development provide an economic benefit for schools?

Answer: The large scale development application requirements of the City of Kuna do require that an economic study is provided. The economic study will be made available as a public record when the application is submitted.

The lands comprising Ardell Estates Subdivision are currently being taxed at an agricultural rate. Development will increase the land values and commensurately benefit schools based on taxes generated from the improvements to the land.

Adjoining Land Use

The properties that surround the subject lands are not all within Kuna's city limits. However all adjoining properties are located within of the city of Kuna's impact area and surrounded by the City Limits.

The following list generally identifies adjoining land uses:

North:	Single Family Residential - R-4 and Agricultural - RR
South:	Single Family Residential - R6, R5, RUT
East:	Single Family Residential - R6
West:	Single Family Residential - R6 and Commercial - C1

Zoning

Kuna City Code 5-2-2 indicates the following:

Medium density residential district (R-6): The purpose of the R-6 district is to promote the development of medium density living areas, not to exceed six (6) dwelling units per net acre. A district requirement is connection to public sewer and water. The zone is intended to accommodate single-family dwellings, duplexes, manufactured homes and group living arrangements. There is an opportunity to initiate mixed-use activity in this zone through the PUD process.

The following identifies the specific items related to Ardell Estates Subdivision as follows:

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Ph. 208-343-3381 Fax 208-342-5792

- **Density**

Density has been calculated as 3.81 residential homes per acre, far under the maximum listed as 6 dwelling units per acre. We believe that this is consistent with surrounding land uses and previous developments adjacent to the project.

- **Public Utility Connections sewer and water**

The development will provide utility connections for water, sewer, and pressure irrigation service to each lot in the development through necessary and required extensions of the City services. The project is located within the City of Kuna Sanitary Sewer Local Improvement District.

- **Zone**

This development anticipates providing lots for single family homes. No mixed use activity is being provided with this development.

Economic Study

An economic analysis has been attached with the application for the City's review.

Traffic Analysis

A traffic analysis has been provided with this application for the city's review.

Utilities

Extensions of existing city infrastructure will provide the necessary utilities to develop the property. This will include the extension of sanitary sewer, potable water and pressure irrigation as discussed earlier in this letter.

Public utilities such as power, phone, etceteras will be provided to the extent necessary to serve the appropriate elements within the project.

Though the specifics of these utility extensions have not been designed for every area of the property, specific information for the design elements have been provided on the preliminary plat indicating the water services, sanitary sewer lines and pressure irrigation lines to service the entire property and provide for extensions to adjoining development areas adjacent to Arbor Ridge Subdivision boundary.

With the development of Ardell Estates Subdivision, the necessary infrastructure of public utilities, such as gas, phone, and power have been coordinated for extension throughout Ardell Estates Subdivision. These utilities will also be provided to the remaining lots within Ardell Estates via specific plans as they are required for construction.

Storm Drainage

Each Phase of Ardell Estates Subdivision requires the installation of public roads meeting the

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Ada County Highway District's policy construction standards to be accepted into the public street system. Each phase of development is anticipated to retain all storm drainage on site in the form of underground seepage facilities.

Specific plans for the additional phases of the development are anticipated to be consistent with this development strategy and mitigation of stormwater as required.

Hazardous Areas

This property is not located within a flood hazard area.
The property does not have any slopes in excess of 15%.
There are not rock outcroppings on the site.

Summary

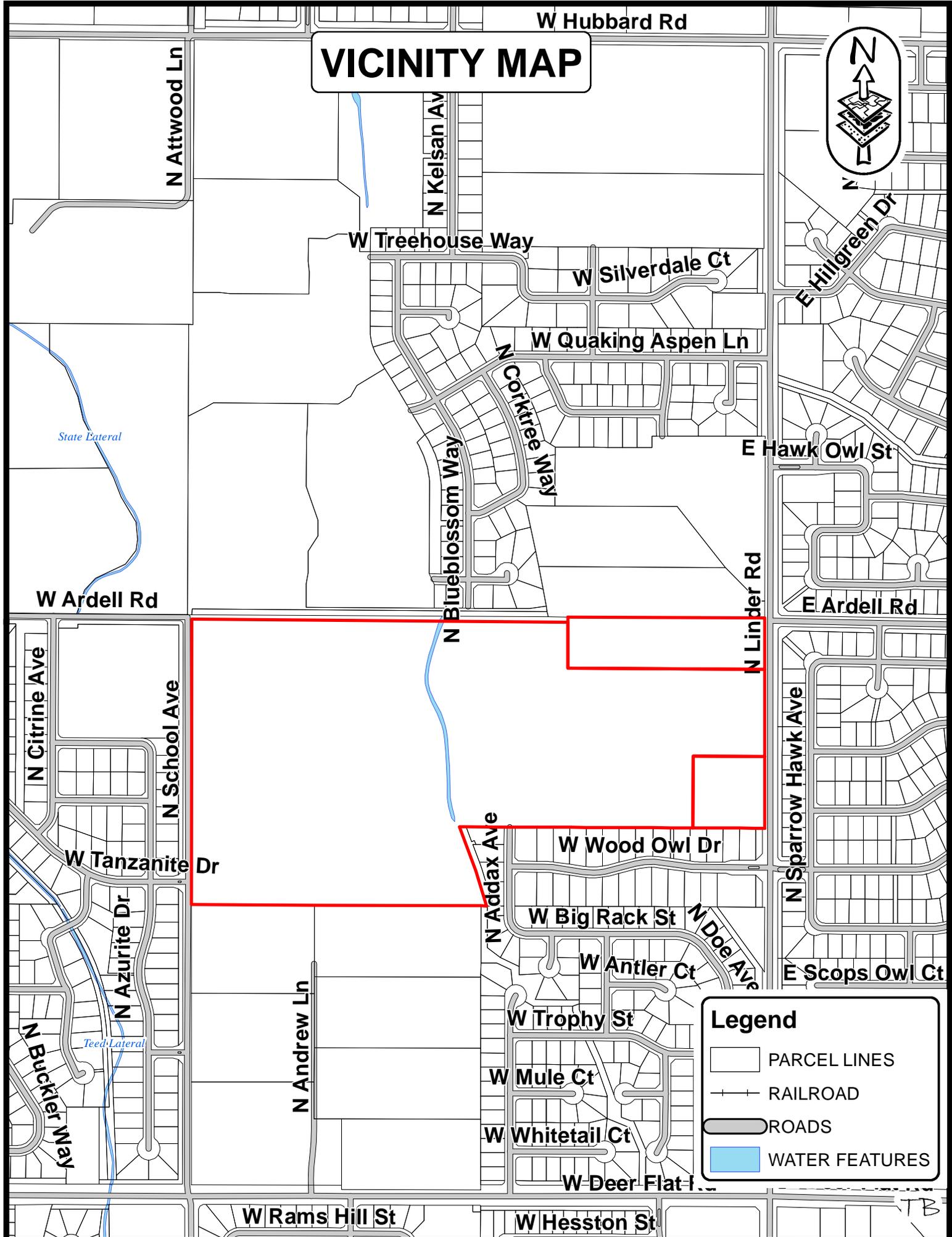
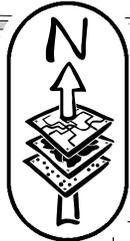
We look forward to continue working with the city of Kuna throughout this process and ultimately to the completion of this development. The goal is to provide an attractive economic asset for the city. The proposed development is intended to reasonably blend into the fabric of the existing neighborhood with proposed land uses that comply with the uses proposed in the comprehensive plan. A reasonable development is being presented that has considered the area, projected land uses and economic viability.

On behalf of the applicant, as their representative, we respectfully request approval for the preliminary plat of Ardell Estates Subdivision.

Sincerely,

David Crawford
B&A Engineers, Inc.

VICINITY MAP

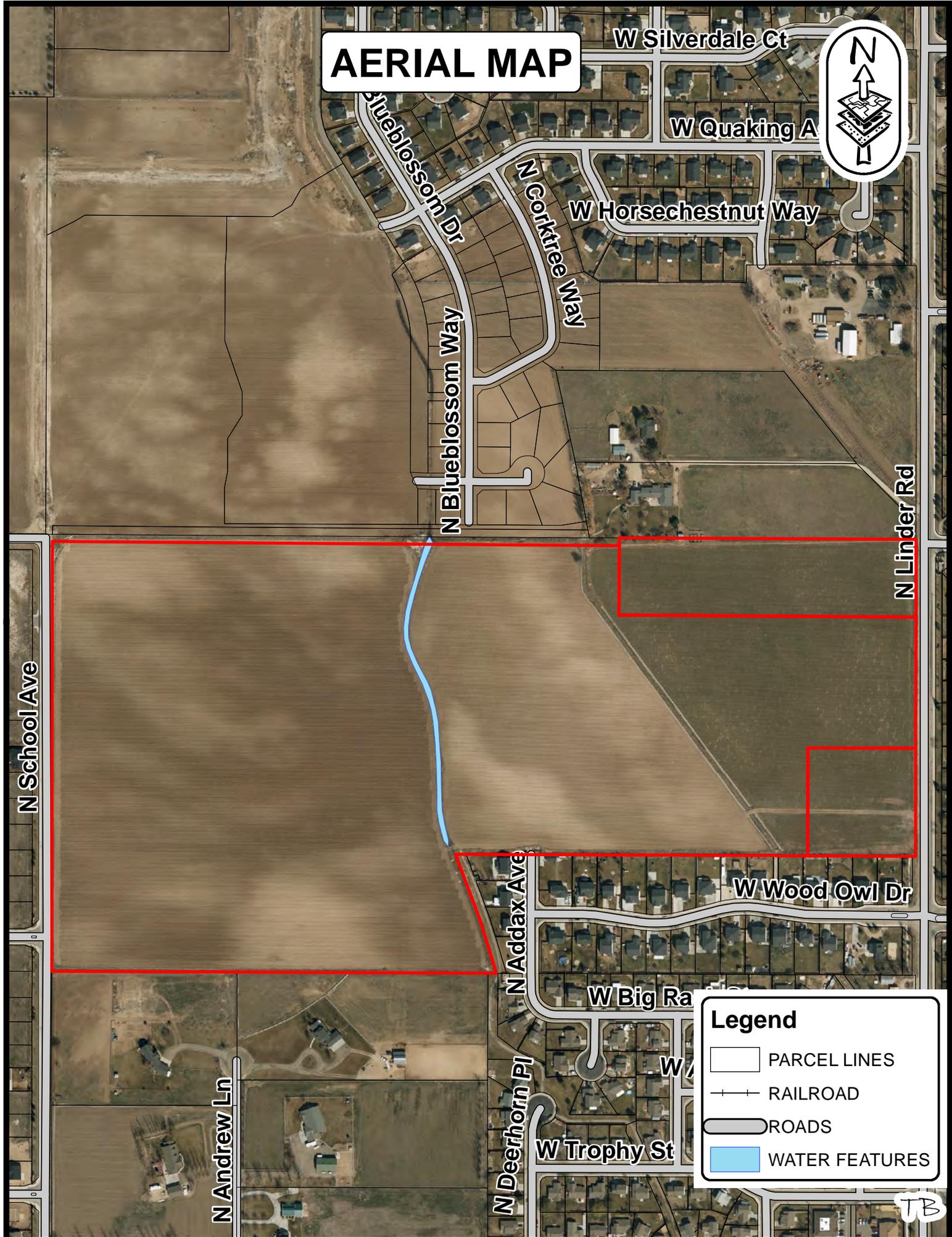
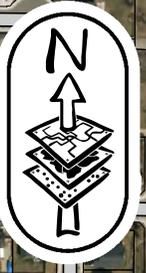


Legend

- PARCEL LINES
- RAILROAD
- ROADS
- WATER FEATURES

TB

AERIAL MAP



N School Ave

N Andrew Ln

N Deerhorn Pl

N Addax Ave

N Blueblossom Way

Blueblossom Dr

N Corktree Way

W Horsechestnut Way

W Silverdale Ct

W Quaking A

N Linder Rd

W Wood Owl Dr

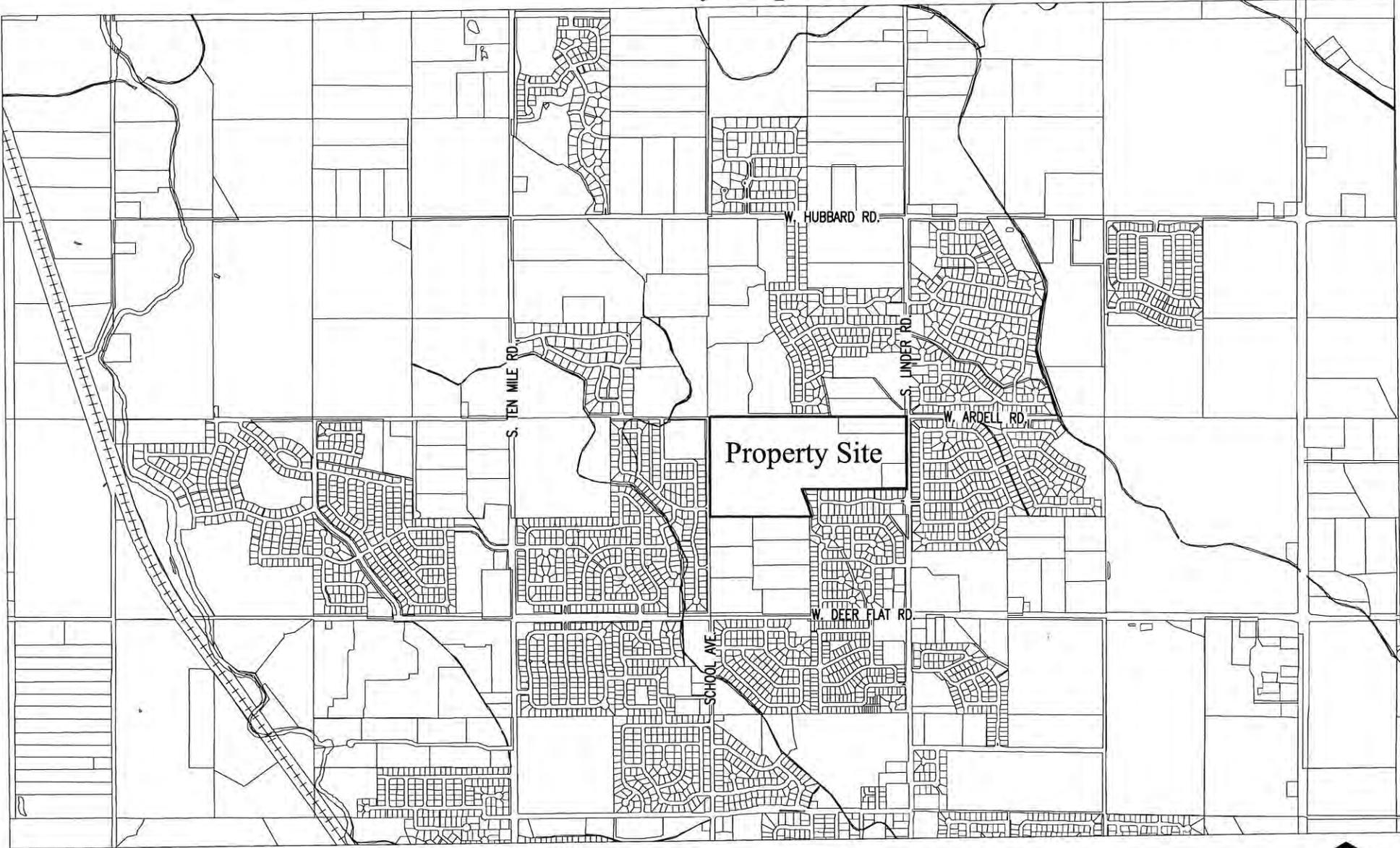
W Big Ra

W Trophy St

Legend

- PARCEL LINES
- RAILROAD
- ROADS
- WATER FEATURES

Ardell Estates Subdivision Vicinity Map



B&A Engineers, Inc.

Consulting Engineers, Surveyors & Planners
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(208) 343-3381



NORTH
NOT TO SCALE

Ardell Estates
Kuna, Idaho

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Google earth



JUN 03 2015

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

Type of Review (check all that apply):

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

For Office Use Only	
File Number (s)	15-04-SUB
Project name	ARDELL ESTATES
Date Received	6.3.2015
Date Accepted/Complete	6.30.2015
Cross Reference Files	—
Commission Hearing Date	8.25.2015
City Council Hearing Date	

Contact/Applicant Information

Owners of Record: <u>Waters Edge Farm, LLC</u>	Phone Number: _____
Address: <u>401 W. Front St. Ste. 401</u>	E-Mail: _____
City, State, Zip: <u>Boise, ID 83702</u>	Fax #: _____
Applicant (Developer): <u>Timothy Eck</u>	Phone Number: <u>208.850.0591</u>
Address: <u>6152 W. Half Moon Lane.</u>	E-Mail: <u>timothyeck@me.com</u>
City, State, Zip: <u>Eagle, Id. 83616</u>	Fax #: _____
Engineer/Representative: <u>David Crawford B&A Engineers, Inc.</u>	Phone Number: <u>208.343.3381</u>
Address: <u>5505 W. Franklin Rd.</u>	E-Mail: <u>dacrawford@baengineers.com</u>
City, State, Zip: <u>Boise, Id. 83705</u>	Fax #: <u>208.342.5792</u>

Subject Property Information

Site Address: <u>2111 N. Linder Rd.</u>	
Site Location (Cross Streets): <u>west side of Linder Rd., South of Hubbard Road and North of DeerFlat Rd</u>	
Parcel Number (s): <u>S1314417410, S1314417970, S1314417200</u>	
Section, Township, Range: <u>Section 14, Township 2 North, Range 1, West</u>	
Property size : <u>68.56 Acres</u>	
Current land use: <u>Agricultural</u>	Proposed land use: <u>Single Family Residential</u>
Current zoning district: <u>R6</u>	Proposed zoning district: <u>No change</u>

Project Description

Project / subdivision name: Ardell Estates Subdivision

General description of proposed project / request: Preliminary Plat approval request

Type of use proposed (check all that apply):

Residential _____

Commercial _____

Office _____

Industrial _____

Other _____

Amenities provided with this development (if applicable): _____

Residential Project Summary (if applicable)

Are there existing buildings? Yes No

Please describe the existing buildings: _____

Any existing buildings to remain? Yes No

Number of residential units: 261 Number of building lots: 261

Number of common and/or other lots: 27

Type of dwellings proposed:

Single-Family _____

Townhouses _____

Duplexes _____

Multi-Family _____

Other _____

Minimum Square footage of structure (s): 1,400 SF

Gross density (DU/acre-total property): 3.81 Net density (DU/acre-excluding roads): 5.07

Percentage of open space provided: 7.87% Acreage of open space: 5.40

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

Non-Residential Project Summary (if applicable) Not 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: 5/29/15

15-04-SUB

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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

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: ARDELL ESTATES Applicant: DAVID Cranford

/TIM
ECK

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

Applicant (✓)	Description	Staff (✓)
X	Completed and signed Commission & Council Review Application.	✓
X	Vicinity map showing relationship of the proposed plat to the surrounding area with a 2-mile radius.	✓
X	Homeowner's maintenance agreement for the care of landscaped common areas.	✓
X	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.	✓
X	Proof of ownership—A copy of your deed and Affidavit of Legal Interest (for all interested parties involved).	✓
X	Letter of Intent indicating reasons and details for preliminary plat.	✓
X	Commitment of Property Posting form signed by the applicant/agent.	✓
X	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.	✓
X	A letter from Ada County Engineer with the Subdivision Name reservation. ANY name change(s) needs to be submitted and approved by the Planning & Zoning Director and Ada County Engineer.	✓
X	Phasing Plan	
X	Include Large Scale Development Requirements. KCC 6-5-4	✓
X	Landscape Plan— (in color)	
X	Neighborhood meeting certification (certification & neighborhood meeting list forms shall accompany this application).	✓
X	8 1/2 x 11 proposed preliminary plat.	✓
X	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: <ul style="list-style-type: none"> ◇ 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.. 	✓

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

GORDON N. LAW
CITY ENGINEER

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

MEMORANDUM

TO: Director of Kuna Planning and Zoning

FROM: Gordon N. Law
Kuna City Engineer

RE: Ardell Estates Project
Preliminary Plat
15-04-S

DATE: July 2, 2015

The City Engineer has reviewed the Preliminary Plat request of the above applicant dated June 30, 2015. It is noted that specific development plans are provided, which includes 261 firm buildable residential lots and 27 common lots. Accordingly, the City Engineer provides the following comments:

1. Sanitary Sewer Needs

- a) The City has sufficient sewer treatment capacity to serve this site. The Sewer Master Plan for disposal of wastewater from this area proposes discharge to the Deerhorn sewer trunk main (under construction) and Danskin regional lift station. Preliminary investigations have concluded that all wastewater flows from this project would receive treatment at the North Wastewater Treatment facility. This site is not presently connected to the city system and would be subject to connection fees for the demand of the ultimate connected load as provided in the City's Standard Table.
- b) This property was included in Local Improvement District 2006-1, satisfied its obligations to the District and consequently has connection fee credits and reserved treatment capacity. 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) City Code (6-4-20) requires connection to the City sewer system for all sanitary sewer needs.
- d) For any connected load, it is recommended this application be conditioned to conform to the sewer master plan, particularly to the providing of sewer mains and trunk lines in the master plan.

- e) At all reasonable locations where sewer service could be extended to adjoining properties, sewer mains should be stubbed to the property line or extended in right-of-way in or adjacent to the project – both at useable depths. This applies to a sewer trunk main extended to Birds of Prey Lift Station. The City Engineer requests that the developer facilitate the City’s construction of the Birds of Prey trunk line ahead of the project by providing easements if it is in the City’s interest to do it.
- f) 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 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 the ultimate connected load as provided in the City’s Standard Table.
- b) The nearest available water main (12-inch) is located in the Ardell right-of-way on the north boundary of the project. A second water main (12-inch) is located in Linder Road near the southeast corner of the project.
- c) City Code (6-4-2X) requires connection to the City water system for all potable water needs.
- d) For any connected load, it is recommended this application be conditioned to conform to the water master plan. Specifically, 12-inch water mains are required in the portions of Ardell, Linder and School Street fronting the project.
- e) 8-inch water mains should be installed by developer in internal subdivision streets.
- f) At least 8-inch water mains are to be extended and connected by developer to water trunk lines and mains through all entryway streets to Ardell Road, Linder Road, Addax Avenue and School Street.
- g) Improvements necessary to provide adequate fire protection as required by Kuna Fire District will be required of the development.
- h) For assistance in locating existing facilities, please contact the City Engineer at 287-1727.
- i) The City Engineer concludes redundancy of water transmission route to the development site is provided by existing facilities.
- j) The City Engineer has evaluated the distribution of supply wells and available supply in the vicinity of the project and concludes there is not a need for a well site within the bounds of the project.

3. Pressure Irrigation

- a) The applicant’s property is not connected to the City pressure irrigation system. The nearest pressure main (12-inch) is located in Ardell Road right-of-way on the north boundary of the project and the west side of School Street on the west boundary of the project.
- b) The property’s irrigation needs are presently served by the Boise-Kuna Irrigation District. The City Engineer has evaluated the distribution of irrigation pump stations and available supply in the vicinity of the project and concludes there is need for a pump station and reservoir within the bounds of the project. It is the City Engineer’s recommendation that the City construct the pump station and reservoir on suitable project land as proposed in the application (location, size and configuration) in a manner similar to the Sadie Creek Pump Station.

- c) 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.
- d) The development is subject to connection fees based on number of dwellings and lot size for the residential area and based on ultimate landscaped area for the common lots, as provided in City Resolutions.
- e) For any connected load, it is recommended this application be conditioned to conform to the Pressure Irrigation Master Plan. The Master Plan designates the providing of trunk lines in the Linder, Ardell and School Street frontages where they don't presently exist. It also designates the providing of a trunk line from the pump station to the City trunk line network.
- f) 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.
- g) It is recommended that conformity with approved City PI standards is required, including the providing of adequately sized internal and boundary loop lines.

4. Grading and Storm Drainage

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

- a) Runoff from public right-of-way is regulated by ACHD or ITD, depending on the agency responsible for the right-of-way. Plans are required to conform to the appropriate agency standards.
- 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 any 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. Constructed facilities to preserve these rights must be designed by a licensed professional engineer, plans provided with the project plan set for review by the City Engineer and constructed in a manner and with materials acceptable to the City Engineer. Facilities provided must be accessible for continued maintenance, and if necessary, replacement. The City Engineer notes there are multiple facilities within the project to which this condition applies.
- e) The developer proposes to pipe Hubbard-Beal Drain and construct a pathway amenity with it. The City Engineer supports this proposal as a condition of development and consistent with 4.d above.

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 or its facilities. The Badley Lateral and Hubbard-Beal Drain may be two of those facilities.
- c) 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.
- d) Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties.
- e) State the vertical datum used for elevations on all drawings.
- f) Provide engineering certification on all final engineering drawings.
- g) The submittals attached to the application include some alignments for City infrastructure. This information is helpful but has not been reviewed in detail and has not received final approval. The applicant is advised that detailed review and plan approval occurs at the time of approval of the official improvement plans.

6. Inspection Fees

An inspection fee will be required for City inspection of the construction of any public or community 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 City inspection fee is \$1.00 per lineal foot of sewer, water and irrigation related pipe and payment is due and payable prior to City’s scheduling of a pre-construction conference.

7. Right-of-Way

The subject property fronts on its east side a section line arterial or collector street (Linder) and on its north and west sides mid-mile collectors (Ardell and School). 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) 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 City Engineer recommends the following:
 - a. 10-foot minimum subdivision boundary easement;

- b. 10-foot minimum street frontage easement;
 - c. 10-foot back lot line easement as required in code;
 - d. 5-foot side lot line easement;
 - e. Additional easements as needed for facilities not in right-of-way of width and alignment acceptable to the City Engineer.
- c) It is recommended approaches onto classified streets comply with ACHD approach policies.
- d) 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, development 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.

9. Phasing of Development

- a) Any phasing plan, to be acceptable, must extend city services, extend transportation facilities and extend other utilities in a manner to maintain reliable service to the buildable lots in the subdivision and not disrupt service to neighboring properties.
- b) A phasing plan, to be acceptable, must not delay expenditures for infrastructure to burden with expenses in a disproportionate manner the later phases of a project.
- c) Irrespective of compliance with the above conditions, the City Engineer in general does not approve or reject phasing plans without the advice and consent of the Planning and Zoning Director.

10. Property Description

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



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

April 2, 2015

Dan Thompson
Thompson Engineers
181 East 50th Street
Garden City, ID 83714

Subject: Ardell Estates Subdivision Traffic Impact Study

The Ada County Highway District (ACHD) staff has completed a review of the submitted traffic impact study (TIS) for the proposed Ardell Estates Subdivision. Comments/recommendations provided by District Traffic Services and Planning Review staff are listed below:

1. The percentages in shown in Figure 7 don't add up to 100. Please revise the Figure and resubmit for review.
2. Based on the traffic counts in the appendix, on Linder Road, the PM peak hour peak direction count should be 237 and the AM count should be 251. Figure 5 should be revised to reflect the appropriate peak hour counts.
3. It appears that the language on page 14 – Site Circulation, has been copied and pasted from a different report. This should be revised and resubmitted for review.

Please let me know if you have any questions.

Sincerely,

Mindy Wallace, AICP
Planner III
Development Services

CC: City of Kuna
Tim Eck



Project/File: **Ardell Estates/ KPP15-0004/ 15-04-S**

This is a preliminary plat application to construct 261 buildable lots and 27 common lots on 68.56-acres. The site is located at the southwest corner of Linder Road and Ardell Road in Kuna, Idaho.

Lead Agency: City of Kuna

Site address: SWC of Linder Road & Ardell Road

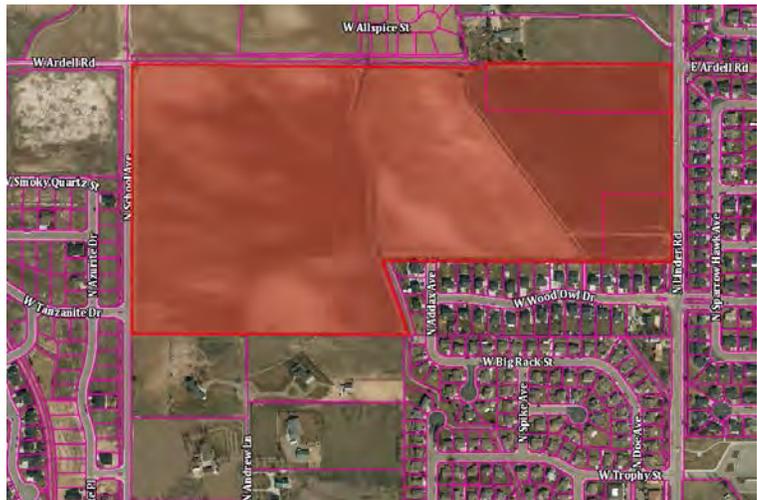
Commission Hearing: *Consent Agenda*
XXXX, 2015

Commission Approval:

Applicant: Tim Eck
6152 W Half Moon Ln
Eagle, ID 83616

Representative: B & A Engineers, Inc.
David Crawford
5505 W Franklin Road
Boise, ID 83705

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 to construct 261 single family residential lots and 27 common lots on 68.56-acres. The property is currently zoned R-6 (Medium density residential) and the applicant’s proposal is consistent with the City of Kuna’s comprehensive plan.

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

Direction	Land Use	Zoning
North	Low Density Residential	R-4
South	Rural Urban Transition (Ada County)	RUT
East	Medium Density Residential/ Neighborhood Business District	R-6/ C-1
West	Medium Density Residential	R-6

3. **Site History:** ACHD has previously reviewed this site as Waters Edge Subdivision in October 2003. The requirements of this staff report are consistent with those of the prior action.

4. **Adjacent Development:** The following developments are pending or underway in the vicinity of the site:
 - Arbor Ridge is in various phases of development directly north of the site.
 - Crimson Point is in various phases of development west of the site.
 - Mineral Springs is in various phases of development directly west of the site.
 - Greyhawk is in various phases of development east of the site.
 - Profile Ridge is in various phases of development west of the site.
5. **Transit:** Transit services are not available to serve this site.
6. **New Center Lane Miles:**
7. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.
8. **Capital Improvements Plan/ Integrated Five Year Work Plan:**

The following projects are currently listed in the Integrated Five Year Work Plan (IFYWP) or the District's Capital Improvement Plan (CIP).

 - The intersection of Linder Road and Deer Flat Road is part of a Federal aid project to rebuild the intersection to alleviate peak hour congestions and improve safety. Options are currently being evaluated.
 - Deer Flat Road is listed in the CIP to be widened to 5-lanes from Linder Road to SH-69/ Meridian Road between 2027 and 2031.

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 2,475 additional vehicle trips per day (0 existing); 260 additional vehicle trips per hour in the PM peak hour (0 existing), based on the traffic impact study.
2. **Traffic Impact Study**

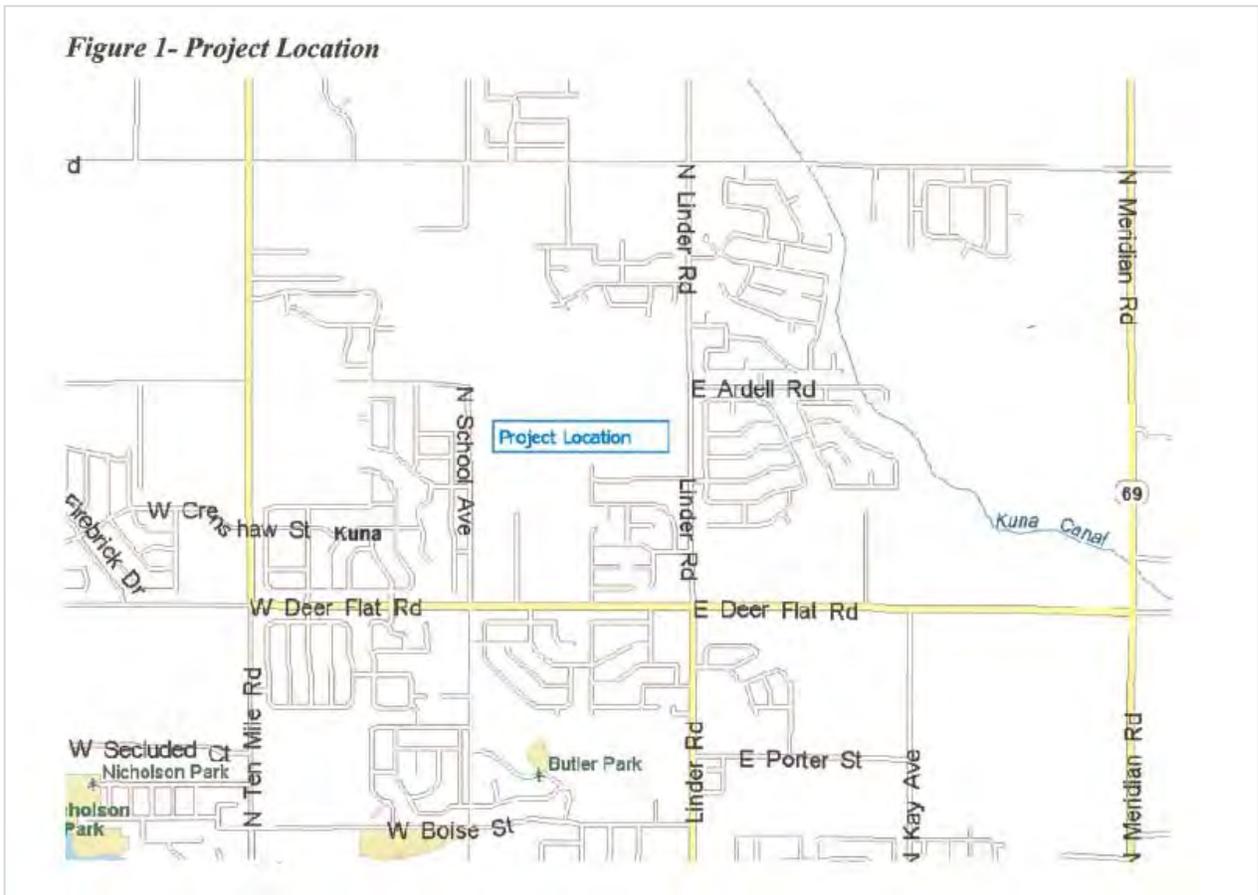
Thompson Engineers, Inc. prepared a traffic impact study for the proposed Ardell Estates. Below is an executive summary of the findings **as presented by Thompson Engineers, Inc.** The following executive summary is **not the opinion of ACHD staff**. ACHD has reviewed the submitted traffic impact study for consistency with ACHD policies and practices, and may have additional requirements beyond what is noted in the summary. ACHD Staff comments on the submitted traffic impact study can be found below under staff comments.

Executive Summary:

Proposed Development: The project is a residential development of approximately 260 single family dwelling units. The site is expected to access the transportation system via Linder Road, Ardell Road and School Avenue. There is also connectivity to the existing subdivision to the south.

Study Area: The area of influence is anticipated to be southwest Ada County, Idaho, including the City of Kuna. The primary impacts will be along Linder Road, and School Avenue, with secondary impacts along Ten Mile road. The study area will include the intersections of Linder Road and Hubbard Road, Ten Mile Road and Hubbard Road, Linder Road and Ardell Road, and School Avenue and Ardell Road, as determined by a model run of the COMPASS transportation model.

Figure 1- Project Location



Conclusions/ Findings: Below are the findings of this report.

- Based on the trip generation methods recommended in the Trip Generation Manual, the site will generate 2,475 trips per day of which 195 trips will occur during the AM peak hour and 260 trips will occur during the PM peak hour.
- The site will access the transportation system via Linder Road, Ardell Road, and School Avenue. Most of the site will access the site via Linder Road and Ardell Road.
- The intersection of Hubbard Road and Linder Road will operate at acceptable levels of service under background and total traffic conditions in build out year. The critical peak hour is in the PM peak hour.
- The intersection of Hubbard Road and Ten Mile Road will operate at acceptable levels of service under background and total traffic conditions in the build out year. The critical peak hour is in the PM peak hour.
- The intersection of Ardell Road and Linder Road will operate at acceptable levels of service under background and total traffic conditions in the build out year. The critical peak hour is in the PM peak hour.
- This development will construct ½ of Ardell Road along the north front of the project. Ardell Road is anticipated to be extended through to Ten Mile Road as development occurs. For analysis purposes, this report assumes that Ardell Road will be extended through to Ten Mile Road.
- The site access point on Linder is anticipated to operate at acceptable levels of service.
- The proposed site plan provides good internal circulation via Ardell Road, a collector road abutting the northern boundary.

Staff Comments/ Recommendations: ACHD District Traffic Services and Planning Review staff has completed a review of the required traffic impact study and has found it to be in compliance with ACHD policy and standards.

As identified in the traffic impact study, the intersections and roadways will operate at acceptable levels of service in the build out year with the addition of site generated traffic.

Staff agrees with the findings and recommendations of the traffic impact study.

3. 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
Linder Road	960-feet	Minor Arterial	237	Better than "D"	Better than "D"
Ten Mile Road	0-feet	Minor Arterial	318	Better than "D"	Better than "D"
School Avenue	1,326-feet	Collector	90	Better than "D"	Better than "D"

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

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

4. Average Daily Traffic Count (VDT)

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

- The average daily traffic count for Linder Road south of Ardell Road was 2,792 on 01/20/15.
- The average daily traffic count for Ten Mile Road north of Hubbard Road was 5,814 on 01/17/14.
- The average daily traffic count for School Avenue north of Boise Street was 2,068 on 10/02/13.

C. Findings for Consideration

1. Linder Road

a. Existing Conditions: Linder Road is improved with 2-travel lanes, 28-feet of pavement, and no curb, gutter or sidewalk abutting the site. There is 60-feet of right-of-way for Linder Road (25-feet from centerline).

b. Policy:

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

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

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

continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial.

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

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

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

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

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

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

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

- c. **Applicant Proposal:** The applicant is proposing to dedicate 40-feet of right-of-way from centerline of Linder Road abutting the site. The applicant is proposing to construct an 8-foot wide detached sidewalk approximately 30-feet from centerline to face of sidewalk of Linder Road abutting the site.
- d. **Staff Comments/Recommendations:** The applicant's proposal does not meet District policy as Linder Road is proposed to be a 5-lane minor arterial. The applicant should be required to dedicate 48-feet of right-of-way from centerline of Linder Road, widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site,, and construct a minimum 5-foot wide concrete sidewalk located 41-feet from centerline; **OR** dedicate 40-feet of right-of-way from centerline of Linder Road, widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site, and provide a permanent right-of-way easement for any sidewalk placed outside of the dedicated right-of-way. The easement should encompass the entire area between the right-of-way line and 2-feet behind the back edge of sidewalk.

2. Ardell Road

a. **Existing Conditions:** Ardell Road is currently stubbed to the site's west property line.

b. **Policy:**

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

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

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

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

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

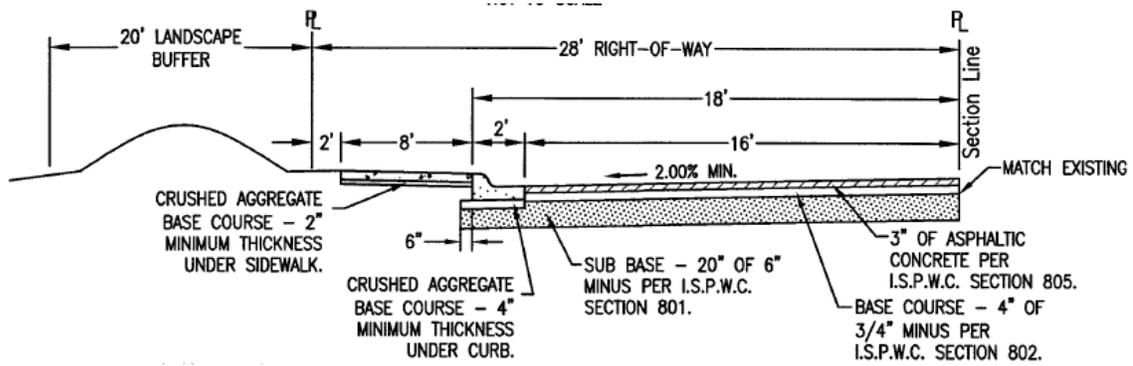
Half Street Policy: District Policy 7207.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

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

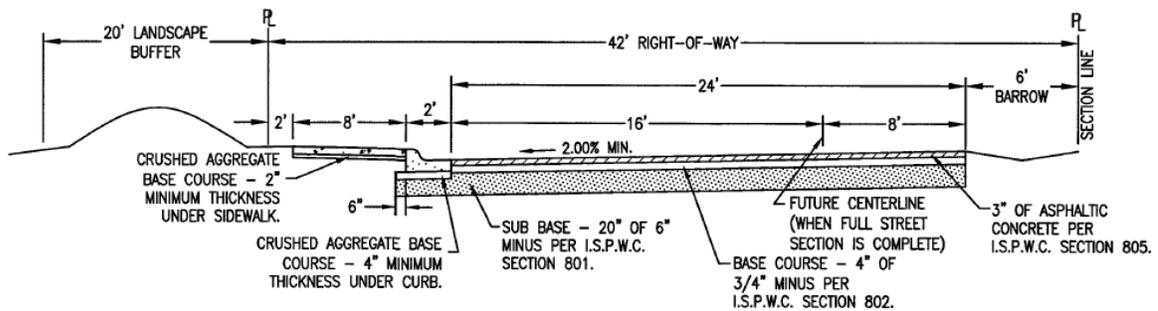
Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

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

- c. **Applicant Proposal:** The applicant is proposing to construct the western portion of Ardell Road, approximately 1,558-feet, as one-half of a 36-foot street section (16-feet of pavement) with vertical curb, gutter, and 8-foot wide sidewalk on the south side within 28-feet of right-of-way at the section line.



The applicant is proposing to construct the eastern portion of Ardell Road from the east property line, west for approximately 1,060-feet, as one-half of a 36-foot street section with vertical curb, gutter, and 8-foot wide sidewalk on the south side, and 6-foot wide barrow ditch on the north side, plus 8-feet of additional pavement to total 24-feet of pavement, within 42-feet of right-of-way abutting the site.



- d. Staff Comments/Recommendations:** On March 5, 2014, ACHD entered into a Development Agreement with Cory Barton Homes, Inc., the developer of Arbor Ridge Subdivision (*north of the site*) and the adjoining property owner to the south, DBTV Waters Edge Farm, LLC, the developer for Ardell Estates, for dedication of right-of-way and the future construction of Ardell Road. Specific to Ardell Street, the agreement states that, “a. Developer and DBTV dedicate the full required width of right-of-way (48 feet) for Ardell Road the full length of the Subdivision (approximately 1,622 feet) prior to signature of the final plat for Phase 2 of the Subdivision. b. ACHD accepts the dedication of right-of-way for Ardell Road as an unopened right-of-way. c. Developer agrees to construct the full length of Ardell Road abutting Phases 2, 3, and 4 of the Subdivision (approximately 1,622 feet) to the full required 36 foot street section with curb and gutter on both sides plus an 8 foot attached sidewalk on the north side with Phase 4 of the Subdivision.”

The applicant has submitted a phasing plan for Ardell Estates. The applicant is proposing to construct Phases 1 and 2 to take access onto Linder Road from the site. Arbor Ridge continues to be developed to the north and as stated in the above agreement, will be required to construct Ardell Road as a full 36-foot street section with Phases 2, 3, and 4, which abuts the western portion of Ardell Road in this application. However, in order to ensure the construction of Ardell Road in the event that the western section of Ardell Road is not constructed, staff recommends that the applicant be required to construct Ardell Road as a full 36-foot street section with vertical curb, and gutter on both sides, plus an 8-foot wide attached sidewalk on the south side with Phases 6 and 7 as shown in Exhibit 3 below (phasing plan) of the development.

The applicant's proposal to construct the eastern portion of Ardell Road does not meet District Half-street policy because the applicant is only proposing 24-feet of pavement. However, staff recommends a modification of policy due to the fact that Ardell Road, east of Linder Road was constructed on the section line and the applicant's proposal will align the new section of Ardell Road, which will extend west to School Avenue, to align with the existing street east of Linder Road.

3. School Avenue

a. **Existing Conditions:** School Avenue is improved with 30-feet of pavement, and no curb, gutter or sidewalk abutting the site. There is 40-feet of right-of-way for School Avenue (14-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.

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

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

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

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

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

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

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

c. **Applicant Proposal:** The applicant is proposing to dedicate 28-feet of right-of-way from centerline of School Avenue abutting the site. The applicant is proposing to construct School Avenue as one-half of a 36-foot street section with vertical curb, gutter, and 8-foot wide sidewalk within 54-feet of right-of-way abutting the site.

- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed.

4. Internal Local Streets

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

b. **Policy:**

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

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

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

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

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

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

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

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

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

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

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

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

- c. **Applicant's Proposal:** The applicant is proposing to continue 2 stub streets, Blueblossom Way and Addax Avenue into the site; and to construct all internal streets as 36-foot street sections with curb, gutter, and 5-foot wide attached sidewalks within 50-feet of right-of-way.

The applicant is proposing to construct Tanzanite Court as a cul-de-sac street with curb, gutter, and 5-foot wide attached sidewalk within 104-feet of right-of-way.

- 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 cul-de-sac with minimum 45-foot turning radius, consistent with District policy.

The applicant should be required to provide a permanent right-of-way easement for any public sidewalks 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.

5. Roadway Offsets

- a. **Existing Conditions:** There are no roadways constructed within the site.

- b. **Policy:**

Local Street Intersection Spacing on Minor Arterials: District policy 7205.4.3 states that new local streets should not typically intersect arterials. Local streets should typically intersect collectors. If it is necessary, as determined by ACHD, for a local street to intersect an arterial, the minimum allowable offset shall be 660-feet as measured from all other existing roadways as identified in Table 1a (7205.4.6).

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

District policy 7206.4.2 states that the preferred spacing for new collectors intersecting existing collectors is ¼ mile to allow for adequate signal spacing and alignment.

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 proposing to construct a local road, Helvick Street, approximately 566-feet south of Ardell Road and 574-feet north of Wood Owl Drive onto Linder Road from the site.

The applicant is proposing to construct a new collector, Ardell Road, at the ½ mile onto Linder Road from the site.

The applicant is proposing to construct 2 local roads to intersect School Street from the site. Tanzanite Drive, approximately 1,220-feet south of Ardell Road and 780-feet north of Beryl Street, and Parish Way, approximately 190-feet south of Ardell Road and 1,032-feet north of Tanzanite Drive.

The applicant is proposing to construct all internal local streets to provide a minimum offset of 125-feet from any other local street and a minimum offset of 330-feet from any collector roadway.

- d. **Staff Comments/Recommendations:** The applicant's proposal to construct a local road to intersect Linder Road 566-feet south of Ardell Road and 574-feet north of Wood Owl Drive does not meet District minimum offset policy, however, staff recommends a modification of policy due to the fact that Linder Road is currently operating at acceptable levels of service and will continue to operate at acceptable levels of service at buildout and is needed to serve the site. This modification of policy is approved by staff at the discretion of the Manager.

The applicant's proposal to construct a new collector, Ardell Road, at the ½ mile onto Linder Road, meets District policy and should be approved as proposed.

The applicant's proposal to construct all internal streets to provide a minimum offset of 125-feet from any other local street meets District policy and should be approved as proposed.

6. 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.

7. 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.

8. Other Access

Linder Road is classified as a minor arterial roadway; Ardell Road and School Avenue are classified as collector roadways. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways and should be noted on the final plat.

D. Site Specific Conditions of Approval

1. Dedicate 48-feet of right-of-way from centerline of Linder Road, widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site, and construct a minimum 5-foot wide concrete sidewalk located 41-feet from centerline; **OR** dedicate 40-feet of right-of-way from centerline of Linder Road, widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site, and

provide a permanent right-of-way easement for any sidewalk placed outside of the dedicated right-of-way. The easement should encompass the entire area between the right-of-way line and 2-feet behind the back edge of sidewalk.

2. Construct the eastern portion of Ardell Road from the east property line, west for approximately 1,060-feet, as one-half of a 36-foot street section with vertical curb, gutter, and 8-foot wide sidewalk on the south side, and 6-foot wide barrow ditch on the north side, plus 8-feet of additional pavement to total 24-feet of pavement, within 42-feet of right-of-way abutting the site.
3. Construct Ardell Road as a full 36-foot street section with vertical curb, and gutter on both sides, plus an 8-foot wide attached sidewalk on the south side within 56-feet of right-of-way with Phase 6 and 7 of the development as shown in Exhibit 3 (phasing plan) IF not constructed as part of the Arbor Ridge Development Agreement.
4. Dedicate 28-feet of right-of-way from centerline of School Avenue abutting the site.
5. Construct School Avenue as one-half of a 36-foot street section with vertical curb, gutter, and 8-foot wide sidewalk within 54-feet of right-of-way abutting the site.
6. Construct all internal streets as 36-foot street sections with curb, gutter, and 5-foot wide attached sidewalks within 50-feet of right-of-way.
7. Construct Tanzanite Court as a cul-de-sac street with a minimum 45-foot turning radius, curb, gutter, and 5-foot wide attached sidewalk within 104-feet of right-of-way.
8. Provide a permanent right-of-way easement for any public sidewalks placed outside of the dedicated right-of-way.
9. Construct a local road, Helvick Street, approximately 566-feet south of Ardell Road and 574-feet north of Wood Owl Drive onto Linder Road from the site.
10. Construct a new collector, Ardell Road, at the ½ mile onto Linder Road from the site.
11. Construct 2 local roads to intersect School Street from the site. Tanzanite Drive, approximately 1,220-feet south of Ardell Road and 780-feet north of Beryl Street, and Parish Way, approximately 190-feet south of Ardell Road and 1,032-feet north of Tanzanite Drive.
12. Construct all internal local streets to provide a minimum offset of 125-feet from any other local street and a minimum offset of 330-feet from any collector roadway.
13. Payment of impacts fees are due prior to issuance of a building permit.
14. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.

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

F. Conclusions of Law

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

G. Attachments

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

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 Reconsideration of Commission Action

1. **Request for Reconsideration of Commission Action:** A Commissioner, a member of ACHD staff or any other person objecting to any final action taken by the Commission may request reconsideration of that action, provided the request is not for a reconsideration of an action previously requested to be reconsidered, an action whose provisions have been partly and materially carried out, or an action that has created a contractual relationship with third parties.

- a. Only a Commission member who voted with the prevailing side can move for reconsideration, but the motion may be seconded by any Commissioner and is voted on by all Commissioners present.

If a motion to reconsider is made and seconded it is subject to a motion to postpone to a certain time.

- b. The request must be in writing and delivered to the Secretary of the Highway District no later than 3:00 p.m. on the day prior to the Commission's next scheduled regular meeting following the meeting at which the action to be reconsidered was taken. Upon receipt of the request, the Secretary shall cause the same to be placed on the agenda for that next scheduled regular Commission meeting.
- c. The request for reconsideration must be supported by written documentation setting forth new facts and information not presented at the earlier meeting, or a changed situation that has developed since the taking of the earlier vote, or information establishing an error of fact or law in the earlier action. The request may also be supported by oral testimony at the meeting.
- d. If a motion to reconsider passes, the effect is the original matter is in the exact position it occupied the moment before it was voted on originally. It will normally be returned to ACHD staff for further review. The Commission may set the date of the meeting at which the matter is to be returned. The Commission shall only take action on the original matter at a meeting where the agenda notice so provides.
- e. At the meeting where the original matter is again on the agenda for Commission action, interested persons and ACHD staff may present such written and oral testimony as the President of the Commission determines to be appropriate, and the Commission may take any action the majority of the Commission deems advisable.
- f. If a motion to reconsider passes, the applicant may be charged a reasonable fee, to cover administrative costs, as established by the Commission.

WILL PATTERSON
CHAIRMAN OF THE BOARD

MAX SVATY
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)

2485 OVERLAND ROAD
BOISE, IDAHO 83706-3155

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 August 2015

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

RE: Ardell Estates
SWC Linder & Ardell Roads
Boise-Kuna Irrigation District
Badley Lateral 70+80
State Lateral 14+90
Sec. 14, T2N, R1W, BM.

File No. 15-04-S

BK-277

City of Kuna:

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

The Boise Project Board of Control is contracted to operate and maintain this lateral. We assert this federal easement 21 feet east and 18 feet west of the lateral's centerline and that is to include the delivery structure. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

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

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

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

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

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

Exhibit B 4

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

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

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

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

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

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

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

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

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

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

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

Sincerely,



Bob Carter

Assistant Project Manager, BPBC

bdc/bc

cc: Clint McCormick Watermaster, Div; 2 BPBC
Velta Harwood Secretary – Treasurer, NYID
File



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:

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

Rezone # _____

Conditional Use # _____

Preliminary / Final / Short Plat 15-04-S

Ardell Estates

- 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.

RECEIVED

JUL 16 2015

Reviewed By:

Sri Badri

Date: 7/10/15

CITY OF KUNA

Exhibit B 5

Review Sheet



IDAHO TRANSPORTATION DEPARTMENT

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

(208) 334-8300
itd.idaho.gov

July 2, 2015

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

VIA EMAIL

RE: 15-04-S ARDELL ESTATES

The Idaho Transportation Department has reviewed the referenced subdivision application for the Ardell Estates on the southwest corner of Linder and Ardell Roads west of SH-69. ITD has the following comments:

1. ITD has no objection to the requested application. 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 Shona Tonkin at 334-8341 or me at 332-7191.

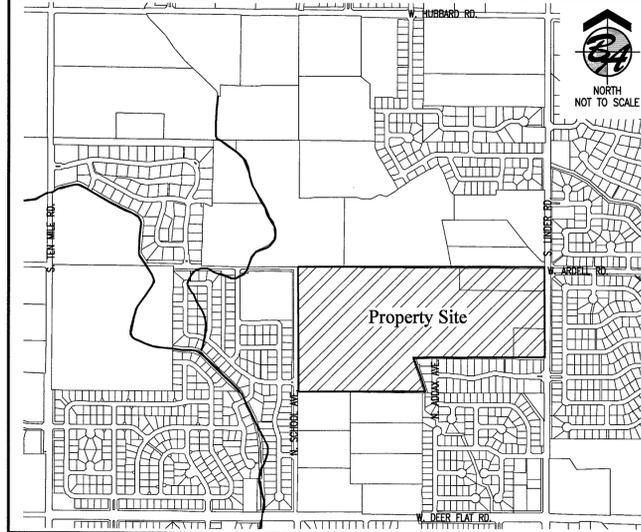
Sincerely,

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

James K. Morrison
Development Services Manager
jim.morrison@itd.idaho.gov



Vicinity Map



Underground Utility Note

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. DEVIATIONS MAY EXIST BETWEEN THE LOCATIONS SHOWN HEREON AND THEIR ACTUAL LOCATION(S).

Legend

- PROJECT / PROPERTY BOUNDARY
- LOT LINE
- SECTION LINE
- STREET CENTERLINE
- ADJOINING PROPERTY LINE
- PROPOSED 10' WIDE DITCH EASEMENT
- EXISTING PRESSURE IRRIGATION LINE
- PROPOSED PRESSURE IRRIGATION LINE
- EXISTING FENCE
- EXISTING EDGE OF PAVEMENT
- EXISTING SANITARY SEWER MAIN LINE
- PROPOSED SANITARY SEWER MAIN LINE
- EXISTING WATER MAIN LINE
- PROPOSED 8" WATER MAIN LINE
- EXISTING CURB AND GUTTER
- PROPOSED CURB & GUTTER
- LOT NUMBER
- EXISTING SANITARY SEWER MANHOLE
- PROPOSED SANITARY SEWER MANHOLE
- FOUND BRASS CAP
- FOUND 1/2" PIN
- FOUND 5/8" PIN
- SET 1/2"x24" IRON PIN WITH PLASTIC CAP LABELED "B&A LS 4116"
- SET 5/8"x30" IRON PIN WITH PLASTIC CAP LABELED "B&A LS 4116"
- PROPOSED STREET LIGHT
- EXISTING STREET LIGHT
- EXISTING DITCH

Setback/Zoning Table

EXISTING ZONE	R-6
MINIMUM PROPERTY SIZE	4,500 SF
FRONT YARD SETBACK	20 FEET
REAR YARD SETBACK	15 FEET
STREET SIDE YARD SETBACK	20 FEET
INTERIOR SIDE YARD SETBACK	5 FEET
MAXIMUM LOT COVERAGE	40%
MAXIMUM BUILDING HEIGHT	35 FEET
MINIMUM STREET FRONTAGE	45 FEET

Land Use Calculations

DESCRIPTION	AREA (ACRES)	PERCENTAGE
PROJECT	66.56	100%
RESIDENTIAL LOTS (261)	46.05	67.16%
OPEN SPACE AREA LOTS (27)	5.40	7.87%
RIGHT-OF-WAY	17.12	24.97%

RESIDENTIAL LOTS	261
OPEN SPACE AREA LOTS	27
RESIDENTIAL DENSITY	3.81/Acre

Notes

1. THERE ARE NO POTENTIALLY HAZARDOUS AREAS.
2. THERE ARE NO STREAMS, PONDS, LAKES, OR WETLANDS ON THIS PROPERTY.
3. THERE ARE NO NATURAL DRAINAGE SWALES ON THIS PROPERTY.
4. THERE ARE NO PERMANENT AND/OR SEASONAL HIGH GROUNDWATER AREAS ON THIS PROPERTY.
5. THIS PROPERTY IS NOT IN A FLOOD PLAIN AREA.
6. THERE ARE NO IDENTIFIED SHALLOW BEDROCK AREAS, UNSTABLE ROCK FORMATIONS, OR LANDSLIDE AREAS ON THIS PROPERTY.
7. THIS PROPERTY IS NOT IN AN AQUIFER RECHARGE AREA.
8. NO UNSTABLE SOILS SUSCEPTIBLE TO EROSION EXIST ON THIS PROPERTY. ALL AREAS ARE SUITABLE FOR DEVELOPMENT.
9. SANITARY SEWER SERVICE IS TO BE PROVIDED BY THE CITY OF KUNA.
10. POTABLE WATER IS TO BE PROVIDED BY THE CITY OF KUNA.
11. EXISTING IRRIGATION FACILITIES TO BE CONTINUED TO THEIR HISTORIC DISCHARGE POINTS.
12. THIS PROPERTY IS CURRENTLY ZONED R-6.
13. EXISTING USE: AGRICULTURAL.
14. CONTOUR INTERVAL: 2 FOOT DATUM: NAVD 88
15. COMMON AREAS SHOWN HEREON SHALL BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION.
16. THIS DEVELOPMENT ANTICIPATES USING SUBSURFACE STORM WATER DISPOSAL OF STORM WATER GENERATED FROM THE LOCAL ROAD SYSTEM AND LANDS TRIBUTARY TO THE SYSTEM.
17. PUBLIC UTILITIES ARE TO BE PROVIDED FROM THE PUBLIC UTILITY PROVIDERS FROM JOINT TRENCH ADJACENT TO THE PUBLIC ROADS. SPECIFIC DESIGN CRITERIA WILL BE MET DURING THE CONSTRUCTION APPROVAL PHASE OF THIS DEVELOPMENT.
18. POTABLE WATER AND SANITARY SEWER ARE AVAILABLE TO THIS SITE WITH THE EXTENSION OF SERVICES FROM ARBOR RIDGE SUBDIVISION NO. 2.
19. THIS PARCEL LIES WITHIN THE "ZONE X" FLOODWAY PER FEMA MAP #16001C02504, PANEL 250 OF 875, DATED FEBRUARY 19, 2003.
20. THE FOLLOWING TAX PARCEL NUMBERS ARE INCLUDED WITHIN THIS SUBDIVISION: S1314417410, S1314417200, AND S1314417970.

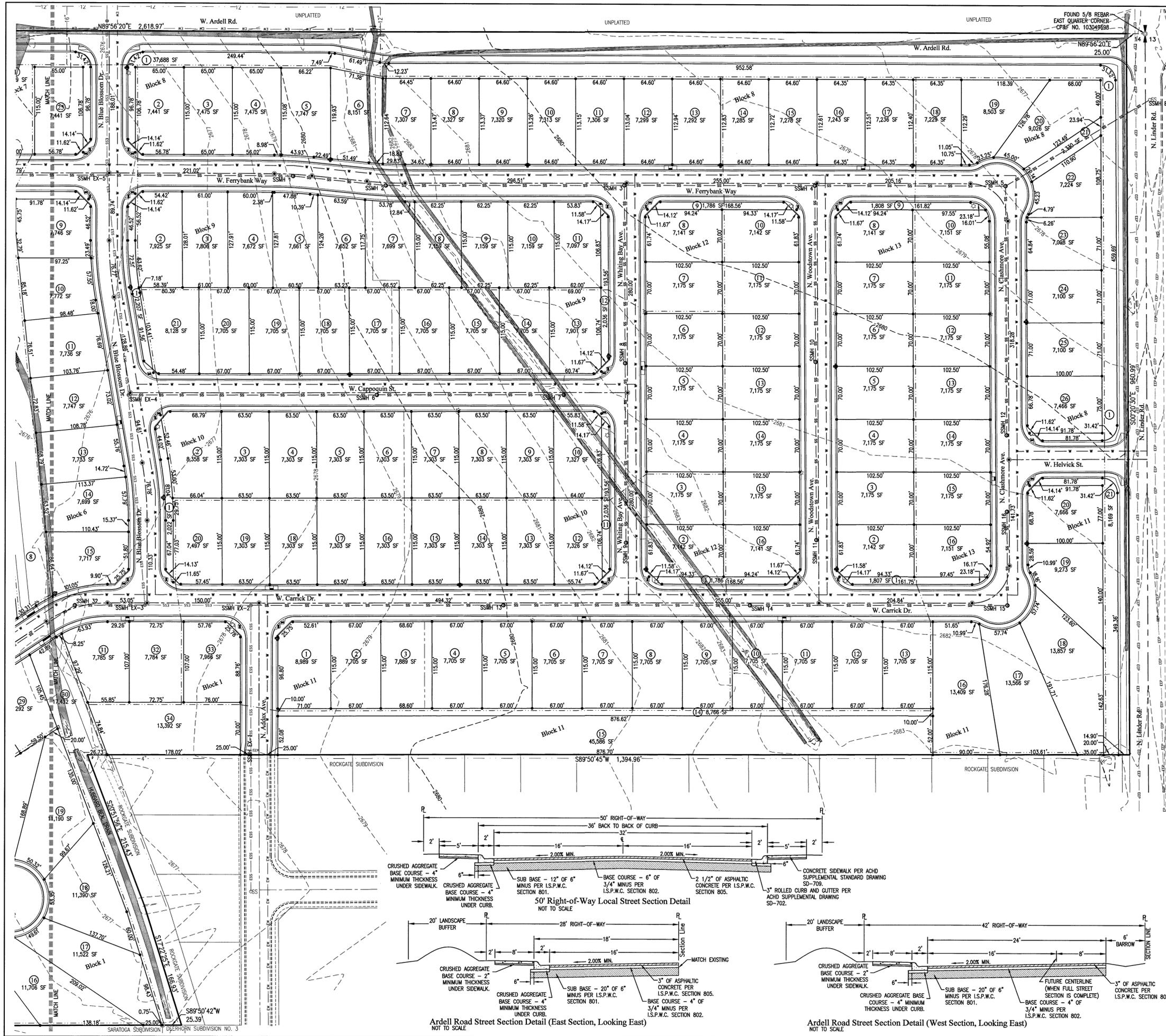
B&A Engineers, Inc.
 Consulting Engineers, Surveyors & Planners
 5505 W. Franklin Rd., Boise, Id. 83705
 (208) 343-3381



Ardell Estates Subdivision
 A PARCEL OF LAND SITUATE IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF KUNA, ADA COUNTY, IDAHO.

Preliminary Plat

DATE:	APRIL 2, 2015
HORIZ. SCALE:	AS NOTED
VERT. SCALE:	AS NOTED
DRAWN BY:	J.L. HALL
CHECKED BY:	J.D. CANNING
FILE:	E:\05\Waters Edge Preliminary Plat.dwg
SHEET NO.:	1

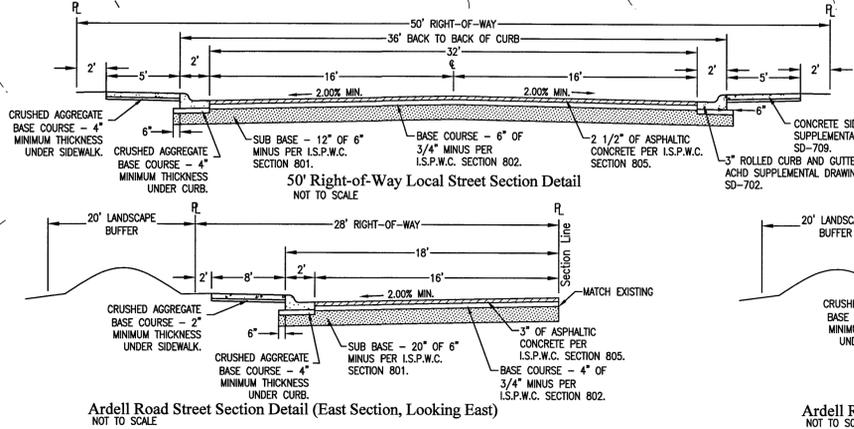


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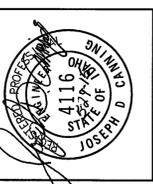
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- EXISTING STREET LIGHT
- EXISTING DITCH

Sewer Manhole Invert Table

SSMH NUMBER	SIZE (IN)	INVERT IN			INVERT OUT		
		ELEV	DIR	SIZE (IN)	ELEV	DIR	
EX-1	12	2665.88	S	12	2665.88	N	
EX-2	12	2665.25	S	15	2665.00	W	
EX-3	8	2665.66	E	15	2664.79	N	
EX-4	15	2664.79	E	15	2664.79	N	
EX-5	8	2665.48	W	15	2664.37	N	
EX-6	15	2664.37	S	15	2664.37	N	
EX-7	8	2664.95	EAS	15	2663.68	N	
EX-8	8	2664.07	E	15	2666.46	SW	
EX-9	8	2674.54	S	8	2674.44	N	
EX-10	8	2675.71	S	8	2675.61	N	
EX-11	8	2676.96	W	8	2676.86	N	
1	15	2664.30	W	15	2664.30	E	
2	15	2664.48	W	15	2664.48	E	
3	8	2664.95	W	15	2664.95	E	
4	15	2665.33	W	15	2665.33	E	
5	8	2665.91	S	15	2665.71	E	
6	8	2666.29	S	15	2666.29	E	
7	8	2674.10	E	8	2674.00	W	
8	8	2676.10	S	8	2676.00	W	
9	8	2675.10	S	8	2675.00	N	
10	8	2675.10	S	8	2675.00	N	
11	8	2676.50	N	8	2676.50	N	
12	8	2672.89	E	8	2672.79	W	
13	8	2674.29	E	8	2674.19	W	
14	8	2675.75	N	8	2675.65	W	
15	8	2675.75	N	8	2675.65	W	
16	8	2669.40	S	8	2669.30	E	
17	8	2670.50	S	8	2670.40	N	
18	8	2672.50	N	8	2672.50	N	
19	8	2672.00	N	8	2672.00	N	
20	8	2673.15	N/SW	8	2673.05	E	
21	8	2673.15	W	8	2673.05	N	
22	8	2674.45	W	8	2674.35	E	
23	8	2675.75	N/S	8	2675.65	E	
24	8	2675.75	N	8	2675.65	E	
25	8	2677.25	N	8	2677.25	N	
26	8	2676.10	W	8	2676.00	E	
27	8	2677.30	N	8	2677.20	E	
28	8	2678.00	S	8	2678.00	S	
29	8	2675.00	W	8	2674.90	S	
30	8	2676.90	W	8	2676.80	E	
31	8	2677.75	N	8	2677.65	E	
32	8	2666.58	SW	8	2666.48	E	
33	8	2670.60	W	8	2670.50	E	
34	8	2670.60	W/S	8	2670.50	E	
35	8	2675.40	W	8	2675.30	E	
36	8	2676.75	N	8	2676.65	E	
37	8	2673.25	SW	8	2673.15	W	
38	8	2672.55	NE	8	2672.45	W	
39	8	2671.71	WE	8	2671.61	N	
40	8	2674.40	W	8	2674.30	E	
41	8	2677.00	W	8	2676.90	E	
42	8	2678.00	E	8	2678.00	E	



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Preliminary Plat

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 VERT. SCALE: AS NOTED
 DRAWN BY: J.L. HALL
 CHECKED BY: J.D. CANNING
 FILE: ETOS\dwg\Waters Edge Preliminary Plat.dwg
 SHEET NO.: 2



NOTES

- ALL LANDSCAPE SHALL BE INSTALLED IN ACCORDANCE WITH KUNA CITY ORDINANCE REQUIREMENTS. ALL LOTS WILL COMPLY WITH KUNA CITY ORDINANCE REQUIRING ONE (1) TREE PER LOT (PROVIDED BY BUILDER AND/OR DEVELOPER).
- ALL PLANTING AREAS TO BE WATERED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.
- ALL COMMON SPACE LANDSCAPING SHALL BE OWNED AND MAINTAINED BY A HOMEOWNER'S ASSOCIATION.
- TREES SHALL NOT BE PLANTED WITHIN THE 10'-CLEAR ZONE OF ALL ACHD STORM DRAIN PIPE, STRUCTURES, OR FACILITIES. SEE PAGE BEDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM.
- NO TREES SHALL IMPEDE THE 40' STREET AND DEPARTURE VISION TRIANGLES AT ALL INTERSECTIONS. NO CONIFEROUS TREES OR SHRUBS OVER 3' HIGH AT MATURITY WILL BE LOCATED WITHIN VISION TRIANGLE OR ACHD ROW. AS TREES MATURE, THE OWNER SHALL BE RESPONSIBLE FOR PRUNING TREE CANOPIES TO MEET ACHD REQUIREMENTS FOR MAINTAINING CLEAR VISIBILITY WITHIN 40' STREET AND DEPARTURE VISION TRIANGLE. TREES SHALL BE PLANTED NO CLOSER THAN 50' FROM STOP SIGNS.
- LANDSCAPE AND TREES IN FRONT OF BUILDING LOTS ON INTERIOR STREETS TO BE COMPLETED DURING CONSTRUCTION OF THESE LOTS. TREE LOCATIONS MAY BE ALTERED TO ACCOMMODATE DRIVEWAYS AND UTILITIES. TREES SHALL NOT BE PLANTED WITHIN 5' OF WATER METERS OR UTILITY LINES.
- PLANT LIST IS REPRESENTATIVE AND SUBJECT TO SUBSTITUTIONS OF SIMILAR SPECIES BY OWNER, SUBJECT TO CITY FORESTER'S PRE-APPROVAL. BURLAP AND WIRE BASKETS TO BE REMOVED FROM ROOT BALL AS MUCH AS POSSIBLE, AT LEAST HALFWAY DOWN THE BALL OF THE TREE. ALL NYLON ROPES TO BE COMPLETELY REMOVED FROM TREES.

NUMBER OF TREES PROVIDED ON COMMON LOTS: 73
 NUMBER OF TREES PROVIDED ON BUFFERS: 275
 TOTAL NUMBER OF TREES: 348

ONE (1) EXISTING TREE IS LOCATED ON-SITE ADJACENT TO CANAL. EXISTING TREE TO BE REMOVED AND MITIGATED FOR WITH TREES PROVIDED BEYOND LANDSCAPE BUFFER REQUIREMENTS.

DEVELOPMENT FEATURES

TOTAL AREA	68.56 ACRES
RESIDENTIAL LOTS	261 46.10 ACRES (67.23%)
OPEN SPACE LOTS	27 5.34 ACRES (7.80%)
RIGHT-OF-WAY	17.12 ACRES (24.97%)
EXISTING ZONING	R-6

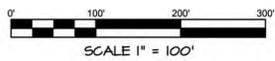
LANDSCAPE CALCULATIONS

LOCATION	BUFFER WIDTH	LENGTH	REQUIRED	PROVIDED
N. SCHOOL AVE.	20'	1180' / 100' =	24 TREES 36 EVERGREENS 142 SHRUBS	29 TREES (20 SHADE TREES + 18 ORNAMENTAL TREES) 37 EVERGREENS 222 SHRUBS
W. ARDELL RD.	20'	2540' / 100' =	51 TREES 76 EVERGREENS 305 SHRUBS	57 TREES (41 SHADE TREES + 32 ORNAMENTAL TREES) 76 EVERGREENS 400 SHRUBS
N. LINDER RD.	20'	850' / 100' =	17 TREES 26 EVERGREENS 102 SHRUBS	19 TREES (13 SHADE TREES + 12 ORNAMENTAL TREES) 26 EVERGREENS 134 SHRUBS

PLANT PALETTE

SYM	COMMON NAME	BOTANICAL NAME	SYM	COMMON NAME	BOTANICAL NAME
EVERGREEN TREES			SHRUBS/ORNAMENTAL GRASSES		
	BLACK HILLS SPRUCE FAT ALBERT COLORADO BLUE SPRUCE VANDERWOLFS PINE	PICEA ABIES PICEA PUNGENS 'FAT ALBERT' PINUS FLEXILIS 'VANDERWOLFS'		BLACK EYED SUSAN BLUE RUG JUNIFER CREEPING MAHONIA RED FLOWER CARPET ROSE DWARF FOUNTAIN GRASS DARTS GOLD NINEBARK STELLA D'ORO DAYLILY EMERALD N' GOLD EUONYMUS ENDLESS SUMMER HYDRANGEA FINE LINE BUCKTHORN GRO-LOW SUMAC IVORY HALO DOGWOOD KARL FOERSTER REED GRASS LITTLE DEVIL NINEBARK HIDCOTE BLUE ENGLISH LAVENDER OTTO LUYKEN LAUREL PJM RHODODENDRON SKY HIGH JUNIFER SUMMERLINE NINEBARK MAIDEN GRASS	RUDBECKIA FULGIDA 'GOLDSTRUM' JUNIPERUS HORIZONTALIS 'WILTON' MAHONIA REPPENS ROSA 'FLOWER CARPET- NOARE' PENNISETUM ALOPECUROIDES 'HAMELIN' PHYSCARPUS OPULIFOLIUS 'DART'S GOLD' HEMEROCALLIS 'STELLA D'ORO' EUONYMUS FORTUNEI 'EMERALD N' GOLD' HYDRANGEA ARBORESCENS 'PIIHM-I' RHAMNUS FRAGULA 'RON WILLIAMS' RHUS AROMATICA 'GRO-LOW' CORNUS ALBA 'BAILHALO' CALAMAGROSTIS ARUNDINACEA 'K.F.' PHYSCARPUS OPULIFOLIUS 'DONNA MAY' FRUNUS LAUROGERSASUS 'OTTO LUYKEN' RHODODENDRON 'PJM' JUNIPERUS SCOPULORUM 'BAILIGH' PHYSCARPUS OPULIFOLIA 'SEWARD' MISCANTHUS SINENSIS 'GRACILLIMUS'
STREET TREES (CLASS II)			LAWN		
	AUTUMN PURPLE ASH SKYLINE HONEYLOCUST LITTLELEAF LINDEN TULIP TREE	FRAXINUS AMERICANA 'AUTUMN PURPLE' GLEDITSIA TRIACANTHOS 'INERMIS 'SKYCOLE' TILIA CORDATA LIRIODENDRON TULIPIFERA			
ORNAMENTAL TREES (CLASS I)					
	AMUR MAPLE CHANTICLEER PEAR ROYAL RAINDROPS CRABAPPLE	ACER GINNALA 'FLAME' PYRUS CALLERYANA 'GLEN'S FORM' MALUS x 'JFS-KW'			

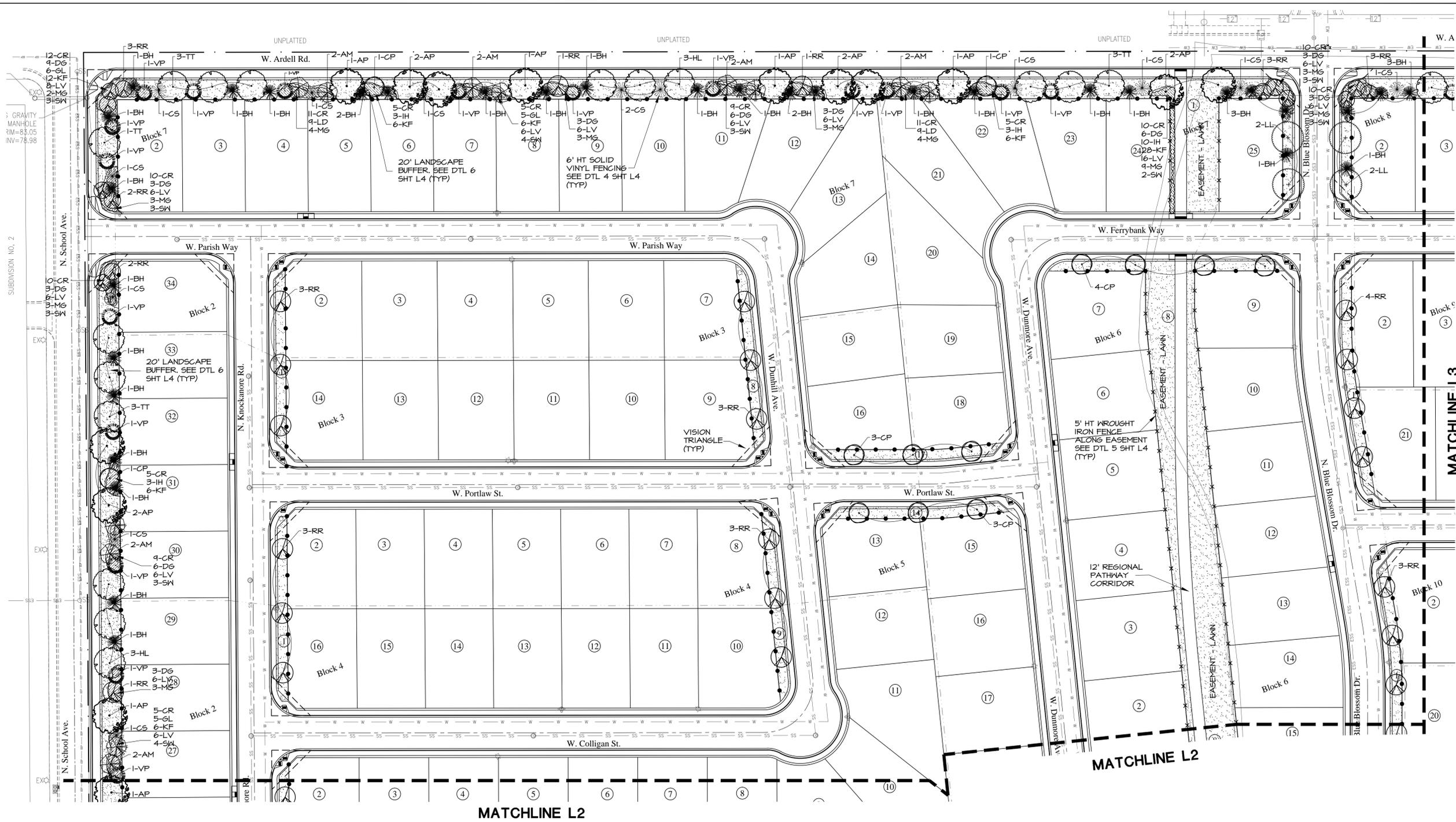
ARDELL ESTATES SUBDIVISION
 KUNA, ID PRELIMINARY PLAT LANDSCAPE PLAN



APRIL 14, 2015
 SHEET 1.0 OF 5

B & A Engineers, Inc.
 Consulting Engineers, Surveyors & Planners
 5505 West Franklin Road Boise, ID 83705
 Voice: 208.343.3091 Fax: 208.342.5792
 Web: http://www.baengineers.com





PLANT PALETTE

(REFERENCE SHEET L4)

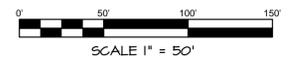
SYM	COMMON NAME	SYM	COMMON NAME
EVERGREEN TREES			
BH	BLACK HILLS SPRUCE	CR	RED FLOWER CARPET ROSE
CS	FAT ALBERT COLORADO BLUE SPRUCE	DG	STELLA D'ORO DAYLILY
VP	VANDERWOLFS PINE	IH	IVORY HALO DOGWOOD
STREET TREES (CLASS II)			
AP	AUTUMN PURPLE ASH	KF	KARL FOERSTER REED GRASS
HL	SKYLINE HONEYLOCUST	LD	LITTLE DEVIL NINEBARK
LL	LITTLELEAF LINDEN	LV	HIDCOTE BLUE ENGLISH LAVENDER
TT	TULIP TREE	OT	OTTO LUYKEN LAUREL
ORNAMENTAL TREES (CLASS I)			
AM	AMUR MAPLE	PJ	PJM RHODODENDRON
CP	CHANTICLEER PEAR	SK	SKY HIGH JUNIPER
RR	ROYAL RAINDROPS CRABAPPLE	MA	MAIDEN GRASS
		SN	SUMMERTINE NINEBARK

NOTES

1. REFER TO SHEET L4 FOR PLANT PALETTE, LANDSCAPE NOTES, LANDSCAPE & FENCING DETAILS, AND CALCULATIONS.

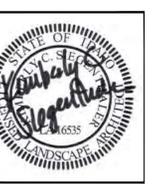
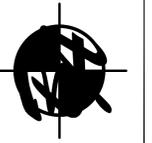
- LAWN
- 6' VINYL FENCE ALONG PERIMETER PROPERTY LINES AND SIDE LOTS (TYP) SEE DTL 4, SHT L4
- 5' WROUGHT IRON FENCE ALONG EASEMENT (TYP). SEE DTL 5, SHT L4

KEY MAP



JENSEN BELTS ASSOCIATES
 Site Planning / Landscape Architecture
 405 Main Street, Boise, Idaho 83702
 Ph: (208) 548-7775, Fax: (208) 548-7776

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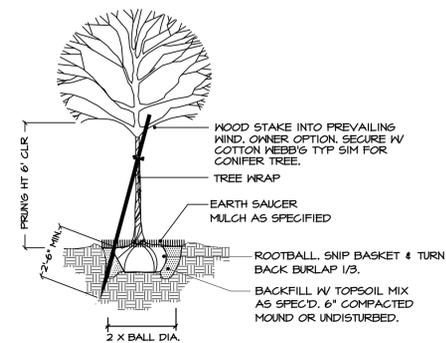


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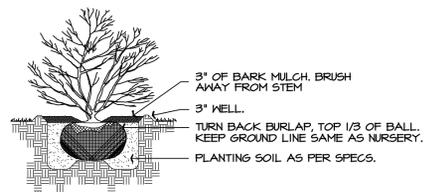
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FILE:	

SHEET NUMBER: 1 of 4
L 1

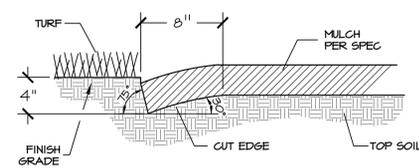


1 TREE PLANTING/STAKING
NOT TO SCALE

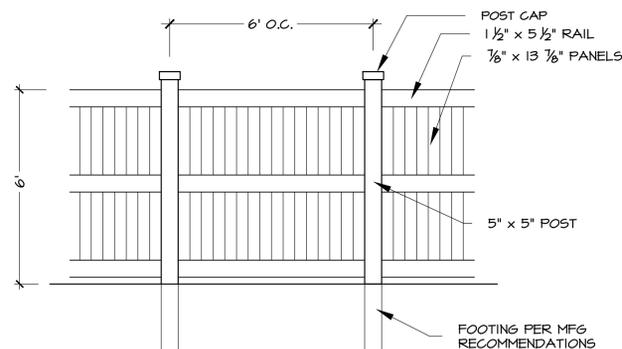


NOTE: DIG HOLE TWICE THE SIZE OF ROOTBALL.

2 SHRUB PLANTING
NOT TO SCALE

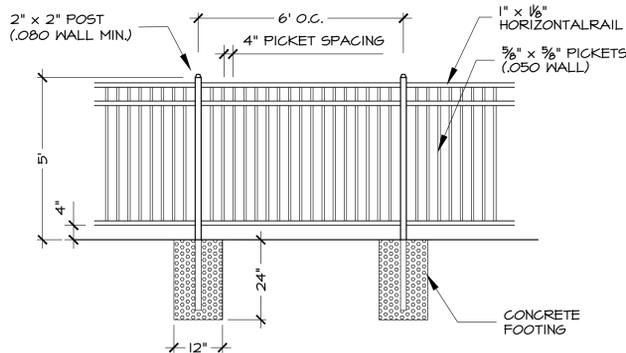


3 PLANTER CUT BED EDGE
NOT TO SCALE



NOTES:
1. FENCE TO STEP DOWN TO 3' HEIGHT 20' FROM ROW.

4 VINYL PRIVACY FENCE
NOT TO SCALE



NOTES:
1. WROUGHT IRON FENCE STYLE MAY VARY SLIGHTLY.
2. FENCE TO STEP DOWN TO 3' HEIGHT 20' FROM ROW.

5 WROUGHT IRON FENCE
NOT TO SCALE

PLANT PALETTE

SYM	COMMON NAME	BOTANICAL NAME	SIZE	MATURE SIZE	QUANTITY
EVERGREEN TREES					
BH	BLACK HILLS SPRUCE	PICEA ABIES	6-8' HT B&B	25' HT x 12' W	64
CS	FAT ALBERT COLORADO BLUE SPRUCE	PICEA PUNGENS 'FAT ALBERT'	6-8' HT B&B	15' HT x 15' W	28
VP	VANDERWOLFS PINE	PINUS FLEXILIS 'VANDERWOLFS'	6-8' HT B&B	30' HT x 15' W	46
STREET TREES (CLASS II)					
AP	AUTUMN PURPLE ASH	FRAXINUS AMERICANA 'AUTUMN PURPLE'	2\"/>		

6\"/>

5\"/>



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- NO TREES SHALL IMPEDE THE 40' STREET AND DEPARTURE VISION TRIANGLES AT ALL INTERSECTIONS. NO CONIFEROUS TREES OR SHRUBS OVER 3' HIGH AT MATURITY WILL BE LOCATED WITHIN VISION TRIANGLE OR ACHD ROW. AS TREES MATURE, THE OWNER SHALL BE RESPONSIBLE FOR PRUNING TREE CANOPIES TO MEET ACHD REQUIREMENTS FOR MAINTAINING CLEAR VISIBILITY WITHIN 40' STREET AND DEPARTURE VISION TRIANGLE. TREES SHALL BE PLANTED NO CLOSER THAN 50' FROM STOP SIGNS.
- LANDSCAPE AND TREES IN FRONT OF BUILDING LOTS ON INTERIOR STREETS TO BE COMPLETED DURING CONSTRUCTION OF THESE LOTS. TREE LOCATIONS MAY BE ALTERED TO ACCOMMODATE DRIVENAYS AND UTILITIES. TREES SHALL NOT BE PLANTED WITHIN 5' OF WATER METERS OR UTILITY LINES.
- PLANT LIST IS REPRESENTATIVE AND SUBJECT TO SUBSTITUTIONS OF SIMILAR SPECIES BY OWNER, SUBJECT TO CITY FORESTER'S PRE-APPROVAL. BURLAP AND WIRE BASKETS TO BE REMOVED FROM ROOT BALL AS MUCH AS POSSIBLE, AT LEAST HALFWAY DOWN THE BALL OF THE TREE. ALL NYLON ROPES TO BE COMPLETELY REMOVED FROM TREES.

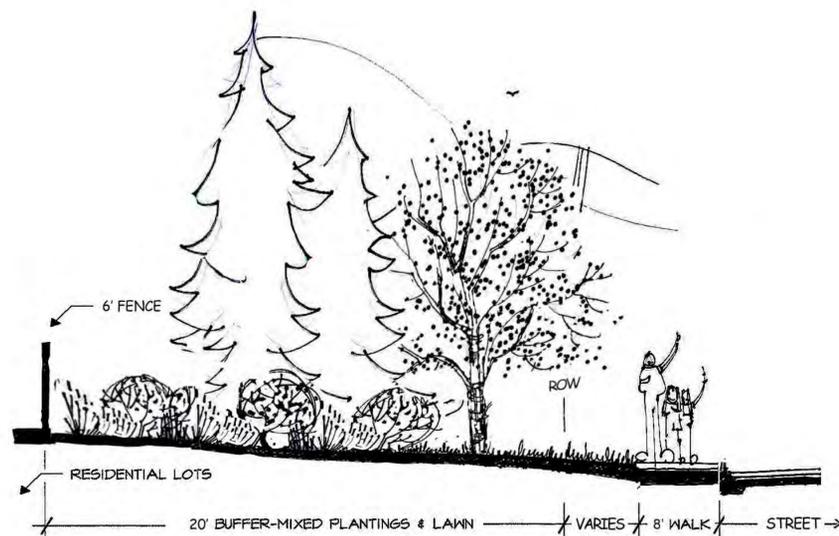
LANDSCAPE CALCULATIONS

LANDSCAPE BUFFER ARE REQUIRED TO BE PLANTED WITH THE FOLLOWING PLANTS PER 100 LINEAR FEET: TWO (2) SHADE TREES, THREE (3) EVERGREEN TREES, AND TWELVE (12) SHRUBS. EACH REQUIRED SHADE TREE MAY BE SUBSTITUTED FOR TWO (2) FLOWERING/ORNAMENTAL TREES.

LOCATION	BUFFER WIDTH	LENGTH	REQUIRED	PROVIDED
N. SCHOOL AVE.	20'	1180' / 100' =	24 TREES 36 EVERGREENS 142 SHRUBS	24 TREES (20 SHADE TREES + 18 ORNAMENTAL TREES) 31 EVERGREENS 222 SHRUBS
W. ARDELL RD.	20'	2540' / 100' =	51 TREES 76 EVERGREENS 305 SHRUBS	57 TREES (41 SHADE TREES + 32 ORNAMENTAL TREES) 76 EVERGREENS 400 SHRUBS
N. LINDER RD.	20'	850' / 100' =	17 TREES 26 EVERGREENS 102 SHRUBS	19 TREES (13 SHADE TREES + 12 ORNAMENTAL TREES) 26 EVERGREENS 134 SHRUBS

NUMBER OF TREES PROVIDED ON COMMON LOTS: 73
NUMBER OF TREES PROVIDED ON BUFFERS: 275
TOTAL NUMBER OF TREES: 348

ONE (1) EXISTING TREE IS LOCATED ON-SITE ADJACENT TO CANAL. EXISTING TREE TO BE REMOVED AND MITIGATED FOR WITH TREES PROVIDED BEYOND LANDSCAPE BUFFER REQUIREMENTS.



6 20' LANDSCAPE BUFFER SECTION
NOT TO SCALE

B&A Engineers, Inc.
Consulting Engineers, Surveyors & Planners
5505 W. Franklin Rd. Boise, Id. 83705
(208) 343-3381



Ardell Estates Subdivision
A PARCEL OF LAND SITUATE IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 14N, RANGE 11E, BOISE MERIDIAN, CITY OF KUNA, ADA COUNTY, IDAHO.

Preliminary Plat

DATE: APRIL 14, 2015
HORIZ. SCALE: AS NOTED
VERT. SCALE: AS NOTED
DRAWN BY: J. NEILL
CHECKED BY: K. SIEGENTHALER
FILE:

SHEET NUMBER: 4 of 4

L 4



Site Planning / Landscape Architecture
405 Main Street, Boise, Idaho 83702
Ph: (208) 549-7175, Fax: (208) 343-7178



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

Ardell Estates Subdivision Boundary Description

May 28, 2015

A parcel of land situate in the north half of the southeast quarter of Section 14, Township 2 North, Range 1 West, Boise Meridian, Kuna City, Ada County, Idaho, and being more particularly described as follows:

Commencing at the northeast corner of the southeast quarter of said Section 14; thence S89°56'29"W, 25.00 feet along the northerly boundary of the southeast quarter of said Section 14 to the **Point of Beginning**;

Thence S00°20'30"E, 960.99 feet along a line 25.00 feet west of and parallel to the easterly boundary of the southeast quarter of said Section 14 to the northerly boundary extended of Rockgate Subdivision, as shown in Book 88 of Plats at Page 10118 records Ada County, Idaho;

Thence S89°50'45"W, 1,394.96 feet along the northerly boundary of said Rockgate Subdivision;

Thence S20°51'56"E, 215.43 feet along the westerly boundary of said Rockgate Subdivision;

Thence S17°22'25"E, 166.93 feet along the westerly boundary of said Rockgate Subdivision to the southerly boundary of the northeast quarter of the southeast quarter of said Section 14;

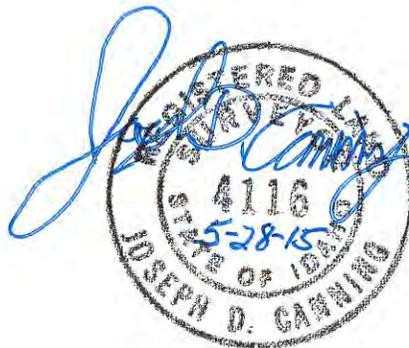
Thence S89°50'42"W, 25.39 feet along the southerly boundary of the northeast quarter of the southeast quarter to the northeast corner of Saratoga Subdivision as shown in Book 76 of Plats at Page 7878 records Ada County, Idaho;

Thence continuing S89°50'42"W, 1,321.37 feet along the northerly boundary of said Saratoga Subdivision to the northwest corner of said Saratoga Subdivision, to the southwest corner of the northwest quarter of the southeast corner of said 14 and the easterly boundary of Mineral Springs Subdivision No. 2 as shown in Book 97 of Plats at Page 12332 records Ada County, Idaho;

Thence N00°24'48"W, 1,326.23 feet along the westerly boundary of the southeast quarter of said Section 14 and the easterly boundary of said Mineral Springs Subdivision No. 2 to the northwest corner of the southeast quarter of said Section 14, which is the centerline of West Ardell Road;

Thence N89°56'20"E, 2,618.97 feet along the northerly boundary of the southeast quarter of said Section 14 and the centerline of W. Ardell Road to the **Point of Beginning**.

Comprising 68.56 acres, more or less



Jennell L. Hall

From: Jerry Hastings <jhastings@adaweb.net>
Sent: Friday, February 06, 2015 1:22 PM
To: David A. Crawford
Cc: Joseph D. Canning
Subject: Ardell Estates Subdivision Name Reservation Ada County, Kuna, Idaho

February 6, 2015

David Crawford
Joe Canning
B & A Engineers, Inc.

RE: Subdivision Name Reservation: "**Ardell Estates Subdivision**" SE 1/4 SECTION 14, T2N, R1W, BM.

Dear David and Joe,

At your request, I will reserve the name "**Ardell Estates 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 project as long as it is in the approval process 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 L. Hastings, PLS 5359
County Surveyor
Ex Officio Recorder
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7912 *office*
(208) 287-7909 *fax*

From: David A. Crawford [<mailto:dacrawford@baengineers.com>]
Sent: Friday, February 06, 2015 10:47 AM
To: Jerry Hastings
Subject: Subdivision Name Request Ada County, Kuna, Idaho

Jerry,

We are working on a new subdivision in Ada County, Kuna, Idaho.
The parcel number of the land proposed for the new development is:

S1314417410

The property is located in the southeast quarter of Section 14, Township 2N, Range 1 West

No specific address is listed for the property.

Estimate of Revenue Generation

Ardell Estates Subdivision

Kuna, Idaho

February 10, 2015

**Submitted by:
Mr. Timothy Eck
DBTV Waters Edge Farms, LLC
2228 West Piazza Street
Meridian, Idaho 83634
(208) 286-0520**

**Prepared by:
Development Planning & Financing Group
950 W. Bannock Street, 11th Floor
Boise, Idaho 83702
(208) 340-5146**



**Ardell Estates Subdivision
Estimate of Revenue Generation
February 10, 2015**

Assumptions ⁽¹⁾	
Number of Acres	68.56
Number of Residential Lots	260
Number of phases	6
Estimated Average Assessed Property Value	\$ 190,000
Average Square Feet/house	1,700

ONE TIME FEES		
Item	Per Lot	Total
Building Permit-Application Fee	\$ 30	\$ 7,800
ACHD Impact Fee ⁽²⁾	\$ 3,071	\$ 798,460
Building Permit-Average SF Fee	\$ 1,142	\$ 296,946
Building Permit-Zoning Fee	\$ 40	\$ 10,400
Building Permit-Residential Fee	\$ 25	\$ 6,500
Irrigation Hook-up Fee ⁽³⁾	\$ 1,520	\$ 395,200
Water Hook-up Fees ⁽⁴⁾	\$ 2,709	\$ 704,340
Sewer Hook-up Fee ⁽⁵⁾	\$ 5,155	\$ 1,340,300
Mechanical Fee w/o Gas Fireplace - 75%	\$ 93	\$ 18,135
Mechanical Fee with Gas Fireplace - 25%	\$ 128	\$ 8,320
Administrative Determination Fee	N/A	\$ 150
Preliminary Plat Base Fee	N/A	\$ 1,276
Preliminary Plat Per Lot Fee	\$ 20	\$ 5,200
Final Plat	N/A	\$ 200
Streetlight Inspection Fee	N/A	\$ 35
Landscape Inspection Fee	N/A	\$ 150
Drawing Review Fee/Phase ⁽⁶⁾	\$ 10	\$ 3,800
Record Drawing Fee/Phase ⁽⁷⁾	N/A	\$ 1,200
TOTAL ONE-TIME FEES		<u>\$ 3,598,412</u>

ANNUAL TAXES AND FEES		
Annual Fees	Per Lot	Total
Annual Water Fee	\$ 227	\$ 58,968
Annual Sewer Fee	\$ 296	\$ 76,908
TOTAL ANNUAL FEES	<u>\$ 523</u>	<u>\$ 135,876</u>

Annual Taxes by Taxing District	Levy ⁽⁸⁾	Per Lot	Total
Ada County	0.003024432	\$ 575	\$ 149,407
Emergency Medical	0.000157028	\$ 30	\$ 7,757
Ada County Highway District	0.001083315	\$ 206	\$ 53,516
School District No. 3	0.006651477	\$ 1,264	\$ 328,583
Kuna Library	0.000652119	\$ 124	\$ 32,215
Kuna City	0.003197657	\$ 608	\$ 157,964
Kuna Cemetery	0.000137394	\$ 26	\$ 6,787
Kuna Fire	0.001443226	\$ 274	\$ 71,295
Mosquito Abatement	0.000030348	\$ 6	\$ 1,499
College of Western Idaho	0.000166280	\$ 32	\$ 8,214
Total Annual Tax Levy	<u>0.0165432760</u>	<u>\$ 3,143</u>	<u>\$ 817,238</u>

Source: City of Kuna unless otherwise noted.

Footnotes

(1) Source: Client

(2) Source: ACHD website for 2014-15 impact fees.

(3) Assumes 7,735 sf /lot.

(4) Includes water supply, trunk, water meter and well mitigation/water source capacity fee.

(5) Includes sewer treatment connection and sewer trunk connection.

(6) The fee for the drawing review by the City Engineer is \$200 plus \$10 per lot and is charged at the beginning of the project.

(7) Record Drawing fee is \$200 per phase charged by the City Engineer at the end of each phase.

(8) Source: Ada County Clerk 2014 L-1 report and Ada County Assessor website.



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: SINGLE FAMILY RESIDENTIAL SUBDIVISION
 Date and time of neighborhood meeting: April 2, 2015 6:00 p.m.
 Location of neighborhood meeting: Subject Site

SITE INFORMATION:

Location: Quarter: SE Section: 14 Township: 2N Range: 1W Total Acres: 68.56
 Subdivision Name: ARDELL ESTATES (proposed) Lot: _____ Block: _____
 Site Address: 2111 N. LINDER RD. Tax Parcel Number(s): 51314417410, 51314417970
51314417200

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

CURRENT PROPERTY OWNER:

Name: DBTV WATERS EDGE FARM, LLC
 Address: 6152 W. HALF MOON LANE City: EAGLE State: ID Zip: 83616

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

Name: DAVID CRAWFORD Business (if applicable): B&A ENGINEERS, INC.
 Address: 5505 W. FRANKLIN RD. City: BOISE State: ID. Zip: 83705

PROPOSED USE:

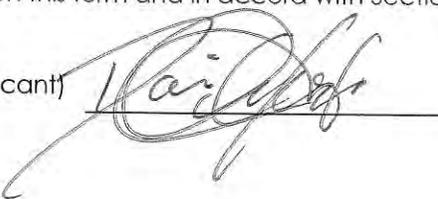
I request a neighborhood meeting list for the following proposed use of my property (check all that apply):

Application Type	Brief Description
Annexation	
Re-zone	
Subdivision (Sketch Plat and/or Prelim. Plat)	261 lots, 65+ Acres of land.
Special Use	
Variance	
Expansion of Extension of a Nonconforming Use	
Zoning Ordinance Map Amendment	

APPLICANT:

Name: DAVID CRAWFORD - B&A ENGINEERS, INC.
Address: 5505 W. FRANKLIN RD.
City: BOISE State: ID Zip: 83705
Telephone: 343-3381 Fax: 342-5792

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 4/9/15

RECEIVED
JUN 03 2015
CITY OF KUNA

Traffic Impact Study
Ardeil Estates
Subdivision
Kuna, Idaho



Prepared For:
Tim Eck
6152 W. Half Moon Lane
Eagle, ID. 83616

February 11, 2015

Thompson
Traffic and Civil
Engineers
Inc.
181 East 50th St
Garden City, ID 83714
(208) 484-4410



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EXECUTIVE SUMMARY

Introduction

Thompson Engineers, Inc. has been retained to prepare a traffic impact study for the proposed Ardell Estates Subdivision in Kuna, Idaho, approximately as shown in **Figure 1**. The purpose of this study is to evaluate the potential traffic impacts resulting from the project and make recommendations for mitigation of the impacts. The study is prepared in accordance with the requirements of the Ada County Highway District.

Proposed Development

The project is residential development of approximately 260 single family dwelling units. The final site plan was not finalized at the time of this report. A preliminary site plan is shown in **Figure 2**.

The site is expected to access the transportation system via Linder Road, Ardell Road and School Avenue. There is also connectivity to the existing subdivision to the south.

Study Area

The area of influence is anticipated to be southwest Ada County, Idaho, including the City of Kuna. The primary impacts will be along Linder Road, and School Avenue, with secondary impacts along Ten Mile Road. The study area will include the intersections of Linder Road and Hubbard Rd., Ten Mile Road and Hubbard Road, Linder Road and Ardell Road, and School Avenue and Ardell Road, as determined by a model run of the COMPASS transportation model.

Conclusions

Below are the findings of this report:

- Based on the trip generation methods recommended in the Trip Generation Manual, the site will generate 2475 trips per day of which 195 trips will occur during the AM peak hour and 260 trips will occur during the PM peak hour.
- The site will access the transportation system via Linder Road, Ardell Road and School Avenue. Most of the site will access the site via Linder Road and Ardell Road.
- The intersection of Hubbard Road and Linder Road will operate at acceptable levels of service under background and total traffic conditions in build out year. The critical peak hour is in the PM peak hour.
- The intersection of Hubbard Road and Ten Mile Road will operate at acceptable levels of service under background and total traffic conditions in the build out year. The critical peak hour is in the PM peak hour.

The intersection of Ardell Road and Linder Road will operate at acceptable levels of service under background and total traffic conditions in the build out year. The critical peak hour is in the PM peak hour.

This development will construct $\frac{1}{2}$ of Ardell Road along the north front of the project. Ardell Road is anticipated to be extended through to Ten Mile Road as development occurs. For analysis purposes, this report assumes that Ardell Road will be extended through to Ten Mile Road.

The site access point on Linder is anticipated to operate at acceptable levels of service.

The proposed site plan provides good internal circulation via Ardell Road, a collector road abutting the northern boundary.

INTRODUCTION

Thompson Engineers, Inc. has been retained to prepare a traffic impact study for the proposed Ardell Estates Subdivision in Kuna, Idaho, approximately as shown in **Figure 1**. The purpose of this study is to evaluate the potential traffic impacts resulting from the project and make recommendations for mitigation of the impacts. In particular, the scope of the study includes the following:

- Trip Generation of the proposed development
- Trip distribution and traffic assignment of the site generated traffic
- The capacity of the transportation system to support the development.
- Intersection treatment of the site access points.

Figure 1- Project Location

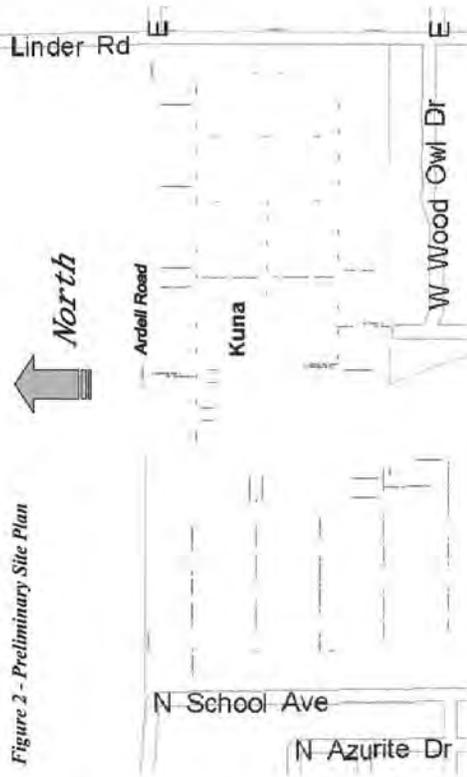


PROPOSED DEVELOPMENT

The project is residential development of approximately 260 single family dwelling units. The final site plan was not finalized at the time of this report. A preliminary site plan is shown in **Figure 2**.

The site is expected to access the transportation system via Linder Road, Ardell Road and School Avenue. There is also connectivity to the existing subdivision to the south.

Figure 2 - Preliminary Site Plan



STUDY AREA CONDITIONS

Study Area

The area of influence is anticipated to be southwest Ada County, Idaho, including the City of Kuna. The primary impacts will be along Linder Road, and School Avenue, with secondary impacts along Ten Mile Road. The study area will include the intersections of Linder Road and Hubbard Rd., Ten Mile Road and Hubbard Road, Linder Road and Ardell Road, and School Avenue and Ardell Road, as determined by a model run of the COMPASS transportation model.

Land Use

The site is within the Kuna city limits and is currently vacant. Existing zoning and land uses are for residential uses. No zoning change is proposed.

STUDY PERIOD

Build Out Year

The Build out Year for this project is assumed to be 2017 to correspond with COMPASS data. The actual build out of the site will depend on market conditions and project implementation.

Horizon Year

2030 was selected as the horizon year, in accordance with the requirements of the Ada County Highway District.

EXISTING CONDITIONS

Road System

Linder Road is classified as an arterial road by ACHD. In the vicinity of this project, it has one through lanes in each direction, and narrow shoulders. Lanes are approximately 12 feet wide. It does not have curb and gutter on either side of the roadway. There are multiple driveways on both sides of the highway. It has a posted speed of 35 MPH in front of the project.

Hubbard Road is classified as an arterial road by ACHD. In the vicinity of this project, it has one through lanes in each direction, and narrow shoulders. Lanes are approximately 12 feet wide. It does not have curb and gutter on either side of the roadway. There are multiple driveways on both sides of the highway. It has a posted speed of 45 MPH in the vicinity of the project.

Ten Mile Road is classified as an arterial road by ACHD. In the vicinity of this project, it has one through lanes in each direction, and narrow shoulders. Lanes are approximately 12 feet wide. It does not have curb and gutter on either side of the roadway. There are multiple driveways on both sides of the highway. It has a posted speed of 45 MPH in the vicinity of the project.

Ardell Road is classified as a collector road by ACHD. Adjacent to the project, the road does not yet exist. East and west of the project, it is a two lane road.

Traffic Volumes

AM and PM Traffic counts were obtained at the intersections in the study area the week of November 19, 2014. Existing AM Peak Hour traffic volumes are shown in Figure 3. Existing PM Peak Hour traffic volumes are shown in Figure 4.

Figure 3- Existing AM Peak Hour Conditions



Figure 4 - Existing PM Peak Hour Conditions



System Improvements

The ACHD Five Year Capital Improvement Plan includes intersection improvements at Linder and Deer Flat Road, Linder and Main Street, and SH69 and Hubbard Road. These proposed improvements may have a minor impact on traffic patterns in the vicinity of this project.

Ardell Road is anticipated to be constructed through to Ten Mile Road by developers as development occurs. This development will construct one half of Ardell Road for the frontage of the project.

PROJECTED TRAFFIC

Background Traffic

Future traffic is obtained by expanding the existing traffic volumes by a growth factor. Growth rates in Ada County have been very low or even negative for the past seven years. ITD records indicate that traffic has decreased on SH 69 steadily for the past 7 years. Growth rates are expected to be very low in the next few years, so a low growth rate should be assumed. A growth factor of 1.5% per year is used. Background AM Peak Hour traffic for build out year is shown in Figure 5. Background PM Peak Hour traffic for the build out year is shown in Figure 6.

Horizon year traffic projections should be viewed with caution. Due to the effects of a compounding growth rate over time, even low growth rates can have significant impacts. Review of horizon year analysis should be limited to future right-of-way preservation, and additional planning issues.

Off Site Traffic

There are no major developments that are approved or are under construction in the vicinity of the project at this time. Traffic from minor developments is assumed to be included in the growth factor.

Daily Traffic

Daily counts on Linder Road were obtained by I.2 Data Collection on January 20, 2015. Linder Road is the only roadway fronting the project. Ten Mile Road data was obtained from the ACHD web site.

Table 1- Average Daily Traffic

Roadway Segment	Location	Count	Date
Ten Mile Road	N. of Deer Flat	4032	1/23/14
Linder	South of Deer Flat	4252	1/20/15

Figure 5- 2017 AM Peak Hour Background Traffic



Figure 6- 2017 PM Peak Hour Background Traffic



Trip Generation

Site trip generation is estimated using the procedures recommended in the latest edition of the Trip Generation Manual (9th edition), published by the Institute of Transportation Engineers, in the absence of site-specific data. The site trip generation is obtained by applying the trips generation rates obtained from the Manual for each category of land use within the development. Table 2 shows the trip generation of the site. Pass by rates are estimated from data published by the Institute of Transportation Engineers.

Table 2- Trip Generation

ITE Code	Land Use	Time Period	Units	24 hr 2-Way Rate	Total		
					Rate	Total	
210	Single Family Dwellings	Daily	260 DU	9.52	2475	2475	
					Enter	Exit	
				Rate	Total	Rate	Total
210	Single Family Dwellings	AM Peak Hour	260 DU	0.19	49	0.56	146
210	Single Family Dwellings	PM Peak Hour	260 DU	0.75	195	0.25	65

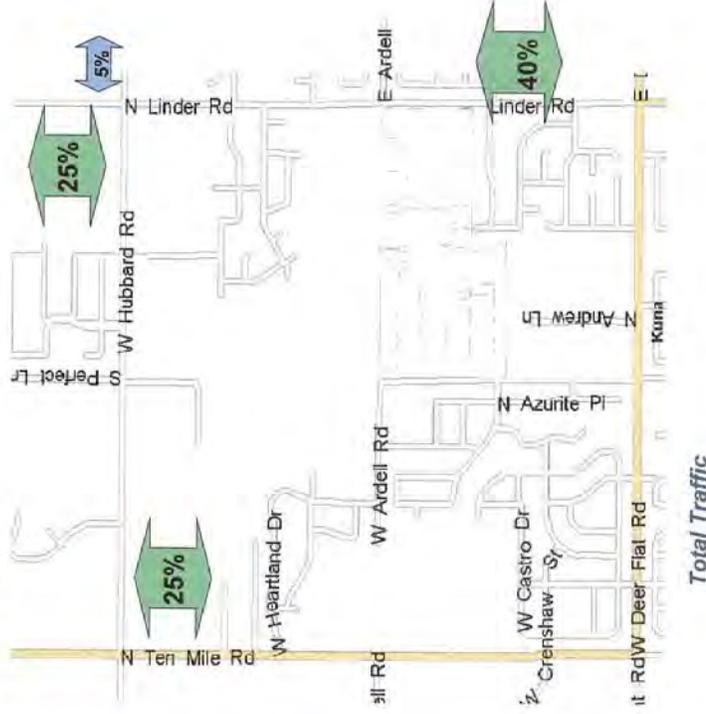
Trip Distribution

In order to determine impacts, the trips generated by the site must be distributed to destinations throughout Ada County and assigned to the transportation system. Based on current travel patterns, the modal split is negligible, so all trips are assigned to vehicles, and the vehicles are assigned to the roadway system. The distribution for this development is based on information obtained from COMPASS and current travel patterns. The site traffic distribution for the development is shown in Figure 7.

Site Traffic

Site traffic is distributed at each intersection in accordance with this distribution and assignment. Figure 8 shows the distribution of site generated traffic for AM peak hour traffic condition. Figure 9 shows the distribution of site generated traffic for PM peak hour conditions. This study will assume that Ardell Rd. will be completed through to Ten Mile Road and traffic will be assigned to Ardell Rd.

Figure 7- Trip Distribution



Total Traffic

The site traffic is then added to the background traffic as determined above. Figure 10 shows the total traffic at each intersection for AM peak hour conditions. Figure 11 shows the total traffic at each intersection for PM peak hour traffic conditions for the build out year of 2017.

TRAFFIC ANALYSIS

Capacity Analysis and Level of Service

Capacity analysis was performed using the Highway Capacity Software (HCS2010), based on the 2010 edition of the Highway Capacity Manual. Level of service for stop controlled intersections is based on the average delay of vehicles traveling through the intersection. Copies of the calculations are included in the appendix of this report. Table 3 shows the AM peak hour intersection. Table 4 shows the PM peak intersection.

Figure 8 - AM Peak Hour Site Traffic



Figure 9 - PM Peak Hour Site Traffic

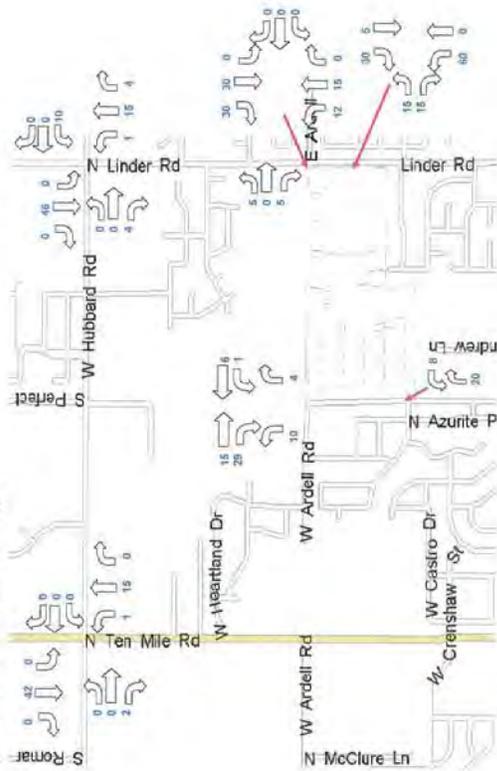


Figure 10 - 2017 Total AM Peak Hour Traffic

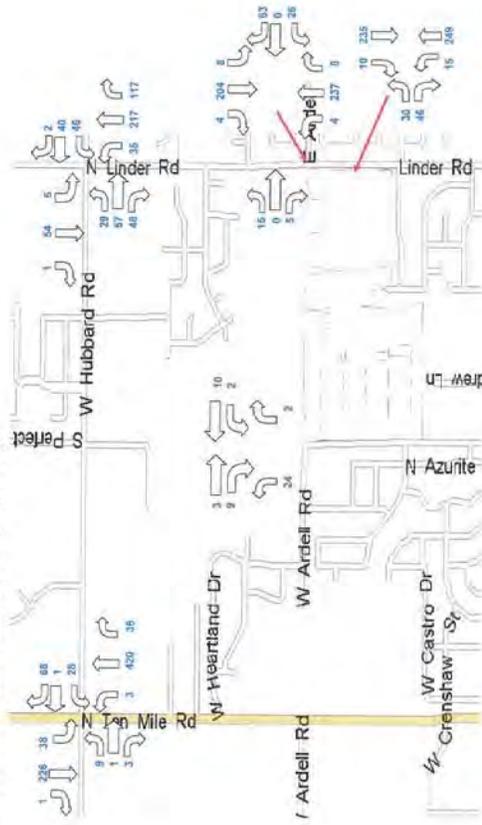


Figure 11- 2017 Total PM Peak Hour Traffic

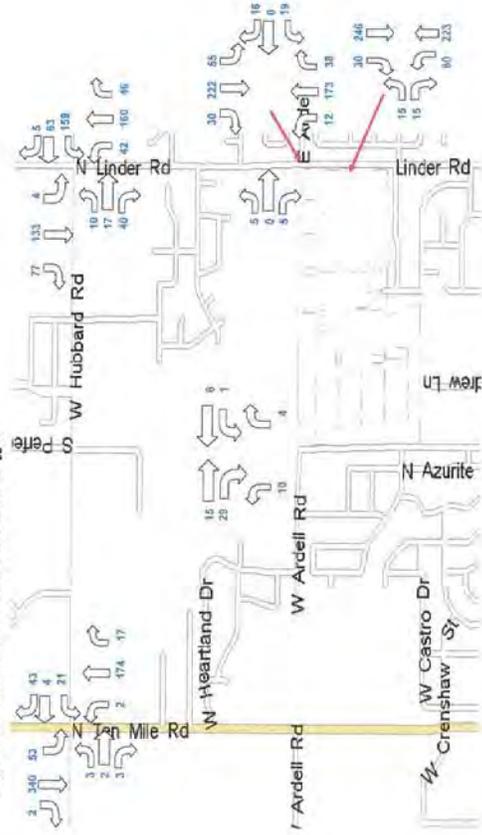


Table 3- AM Peak Hour Intersection Summary

LOS Summary AM Peak Hour Conditions	2014 Existing		2017		Total v/c	LOS
	Delay s/v	v/c	Background Delay s/v	Background v/c		
Linder and Hubbard NB Approach	9.5	A	9.95	A	10.8	B
SB Approach	10.2	B	10.82	B	12.0	B
EB Approach	8.2	A	8.4	A	8.6	A
WB Approach	8.7	A	8.0	A	9.3	A
Ten Mile and Hubbard NB Approach	8.8	A	8.98	A	9.3	A
SB Approach	14.1	B	15.2	C	16.1	C
EB Approach	7.7	A	7.7	A	7.7	A
WB Approach	8.3	A	8.4	A	8.5	A
Linder and Ardell NB Approach	16.7	C	18.6	C	19.3	C
SB Approach	14.1	B	15.2	C	16.1	C
EB Approach	11.1	B	11.5	B	13.4	B
WB Approach	7.8	A	7.8	A	7.8	A
Site Entrance NB Approach	7.7	A	7.8	A	7.8	A
SB Approach	11.1	B	11.5	B	13.4	B
EB Approach					11.7	B
					11.2	A
					7.8	A
					0.0	A
					11.8	B
					12.3	B
					8.0	A
					12.3	B
					0.2	B

Table 4 - PM Peak Hour Intersection Analysis Summary

LOS Summary PM Peak Hour Conditions	2014 Existing		2017		Total v/c	LOS
	Delay s/v	v/c	Background Delay s/v	Background v/c		
Linder and Hubbard NB Approach	9.8	B	10.2	B	11.0	B
SB Approach	10.0	A	10.5	B	11.3	B
EB Approach	9.0	A	9.4	B	10.5	B
WB Approach	8.4	A	8.6	A	9.0	A
Ten Mile and Hubbard NB Approach	10.4	B	11	B	11.8	B
SB Approach	13.8	B	14.5	B	13.3	B
EB Approach	7.8	A	7.9	A	8.0	A
WB Approach	7.7	A	7.7	A	7.7	A
Linder and Ardell NB Approach	13.8	B	14.5	B	13.3	B
SB Approach	11.6	B	12.1	B	12.8	B
EB Approach	11.5	B	11.9	B	13.0	B
WB Approach	7.6	A	7.6	A	7.8	A
Site Entrance NB Approach	7.7	A	7.8	A	7.8	A
SB Approach	11.5	B	11.9	B	12.6	B
EB Approach					13.0	B
					12.3	B
					8.0	A
					12.3	B
					0.05	A
					0.07	B

Intersection Analysis

All of the intersections under study are anticipated to function at an acceptable LOS through total AM and total PM peak hour traffic conditions in the build out year of 2017.

Roadway Analysis

Roadway segments are analyzed under horizon year peak hour traffic in accordance with Table 2 of the ACHD Development Policy Manual. The results are shown in Table 5.

Table 5- Roadway Segment Analysis

Roadway	Existing	Background	Off Site	Site	Total	LOS
Linder Road	173	280	0	45	325	>D
Ten Mile Road	251	400	0	60	480	>D
	298	430	0	34	464	>D
	206	330	0	42	372	>D

Linder Road is expected to operate at better than LOS D. Ten Mile Road is also anticipated to operate at better than LOS D.

Site Access

The developer is proposing access from several locations including a full access on Linder, a full access on Ardell, which will be partially constructed as part of this project, and on School Avenue. All access approaches are in conformance with the ACHD Access Policy.

Site Circulation

The site plan provides an internal circulation road which will serve all of the commercial lots. This roadway should be designed as a local commercial roadway.

The residential portion of the development has a circular roadway and connects to the commercial portion of the site and to an existing roadway. Traffic on this road should not exceed 1,000 vpd.

Figure 12- Internal Daily Traffic Volumes



Turn Lanes

Left turn lanes are not warranted on Linder Road at Ardell Road or the main site entrance based on the ACHD turn lane requirements. Analysis is shown in **Figure 13**

Right turn lanes are not warranted on Linder Road at Ardell Road or the main site entrance based on the ACHD turn lane requirements. Analysis is shown in **Figure 14**.

Figure 13 - Left Turn Lane Analysis

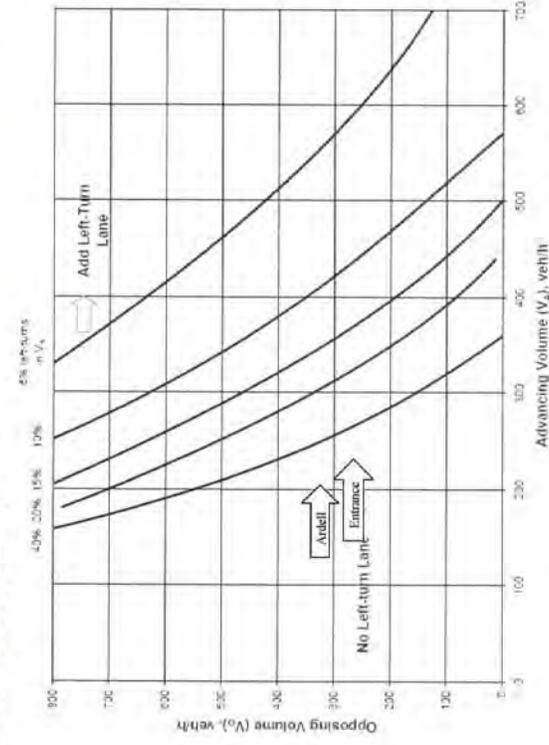
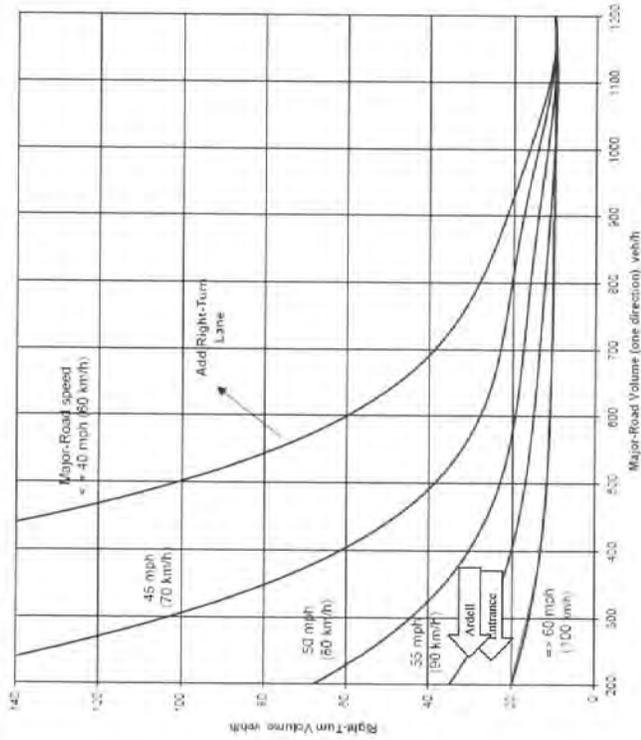


Figure 14 - Right Turn Lane Analysis



Signal Warrant Analysis

All of the intersections under study operate at acceptable levels of service and therefore would not be candidates for signalization. No signal analysis is done for this study.

DISCUSSIONS

Roadway Improvements

Required Due to Existing Traffic Conditions

All intersections and roadways function at an acceptable level of service under existing traffic conditions. No improvements are required.

Required Due to Background Traffic Conditions

All of the intersections and roadways function at an acceptable level of service under background traffic conditions. No improvements are required.

Required Due to Total Traffic Conditions

Under total AM and total PM peak hour traffic conditions in the build out year of 2017, all intersections under study will continue to operate at an acceptable level of service without capacity improvements.

Preservation of Right-of-Way

Horizon year traffic analysis should be reviewed for preservation of right-of-way.

Based on this analysis, Linder Road will not require additional lanes for future capacity. Additional ROW should not be required from the site.

On-site Traffic

The internal roadway system of will allow good site circulation. None of the roadways will exceed a daily volume of 1,000 vpd

CONCLUSIONS

This study identifies transportation impacts associated with the proposed Ardell Estates Subdivision in Kuna, Idaho. The development is a residential development. Below are the findings of this report:

- Based on the trip generation methods recommended in the Trip Generation Manual, the site will generate 2475 trips per day of which 195 trips will occur during the AM peak hour and 260 trips will occur during the PM peak hour.
- The site will access the transportation system via Linder Road, Ardell Road and School Avenue. Most of the site will access the site via Linder Road and Ardell Road.
- The intersection of Hubbard Road and Linder Road will operate at acceptable levels of service under background and total traffic conditions in build out year. The critical peak hour is in the PM peak hour.
- The intersection of Hubbard Road and Tem Mile Road will operate at acceptable levels of service under background and total traffic conditions in the build out year. The critical peak hour is in the PM peak hour.



■ The intersection of Ardell Road and Linder Road will operate at acceptable levels of service under background and total traffic conditions in the build out year. The critical peak hour is in the PM peak hour.

■ This development will construct 1/2 of Ardell Road along the front of the project. Ardell Road is anticipated to be extended through to Ten Mile Road as development occurs. For analysis purposes, this report assumes that Ardell Road will be extended through to Ten Mile Road.

■ The site access point on Linder is anticipated to operate at acceptable levels of service.

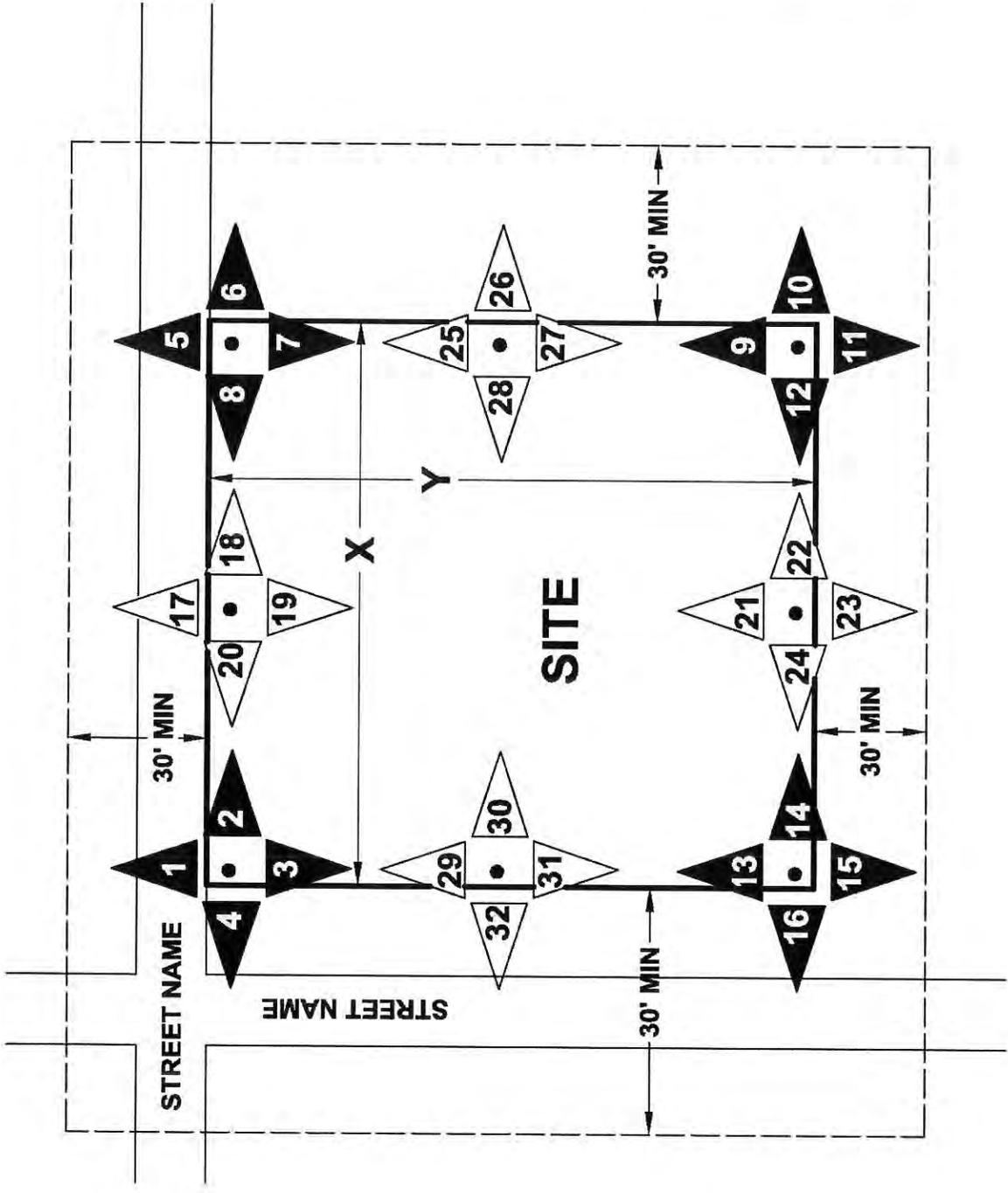
■ The proposed site plan provides good internal circulation via Ardell Road, a collector road abutting the northern boundary.



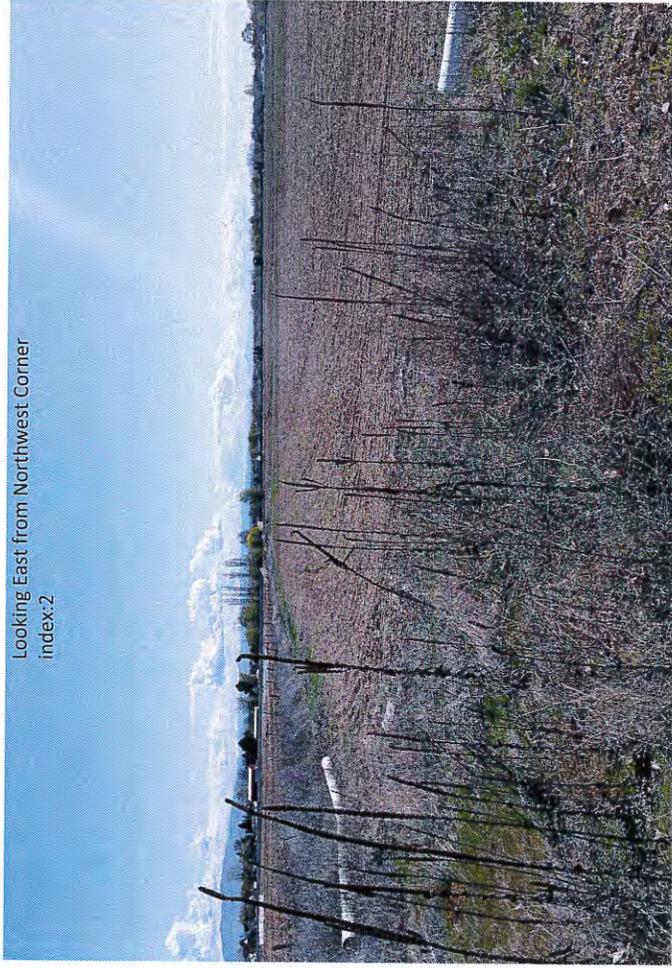
APPENDIX

Project Information:
 Name:
 Project:
 Gross Acre:

NOTE:
 Provide Site Plan on an 8 1/2" x 11" paper—indicating placement of photo orientation.
 All applicants are expected to provide COLOR photographs at a 1-16 minimum.
 If Distance 'X' is GREATER than 500-feet, also take photos 17-24.
 If Distance 'Y' is GREATER than 500-feet, also take photos 17-24.



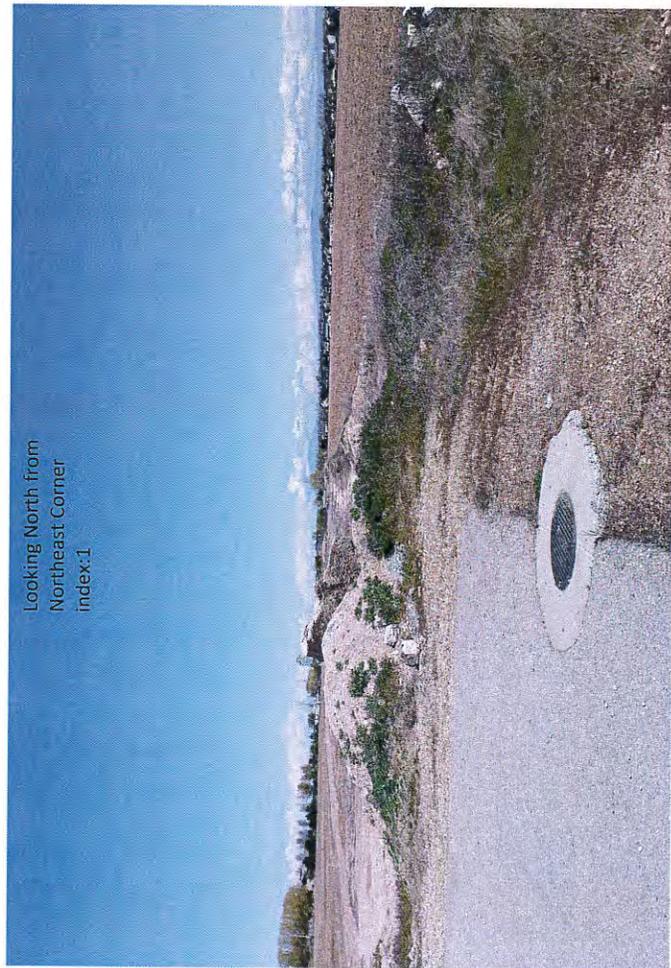
Looking East from Northwest Corner
index:2



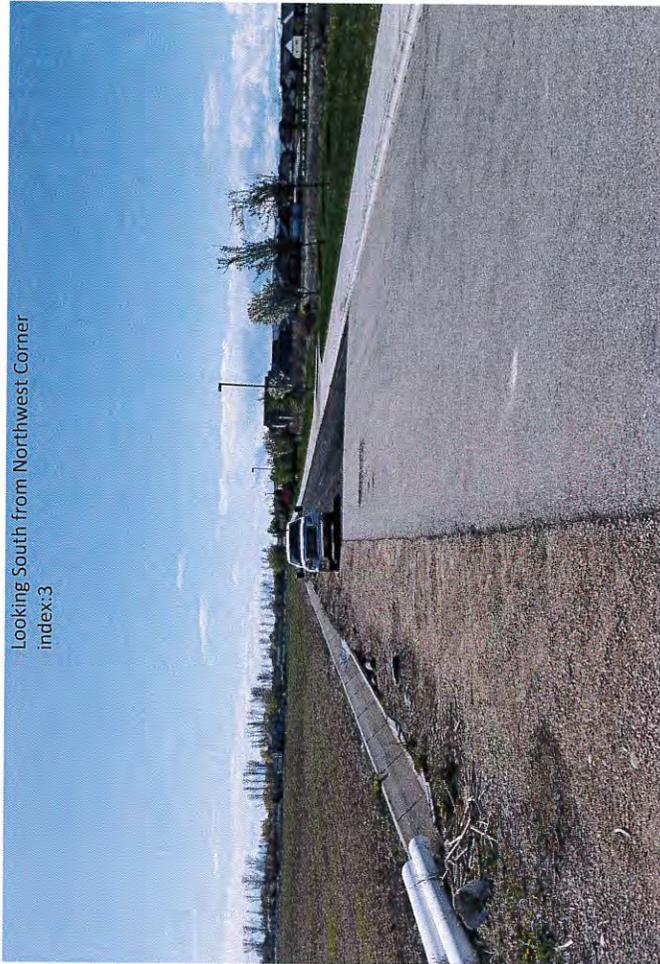
Looking West from Northwest Corner
index:4



Looking North from
Northeast Corner
index:1



Looking South from Northwest Corner
index:3



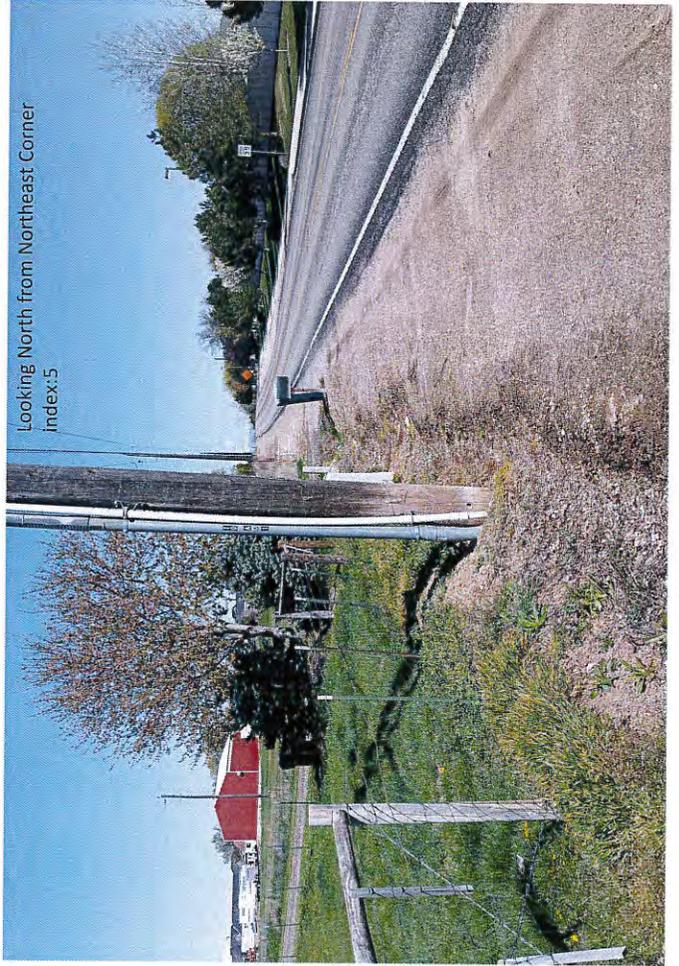
Looking East from Northeast Corner
index:6



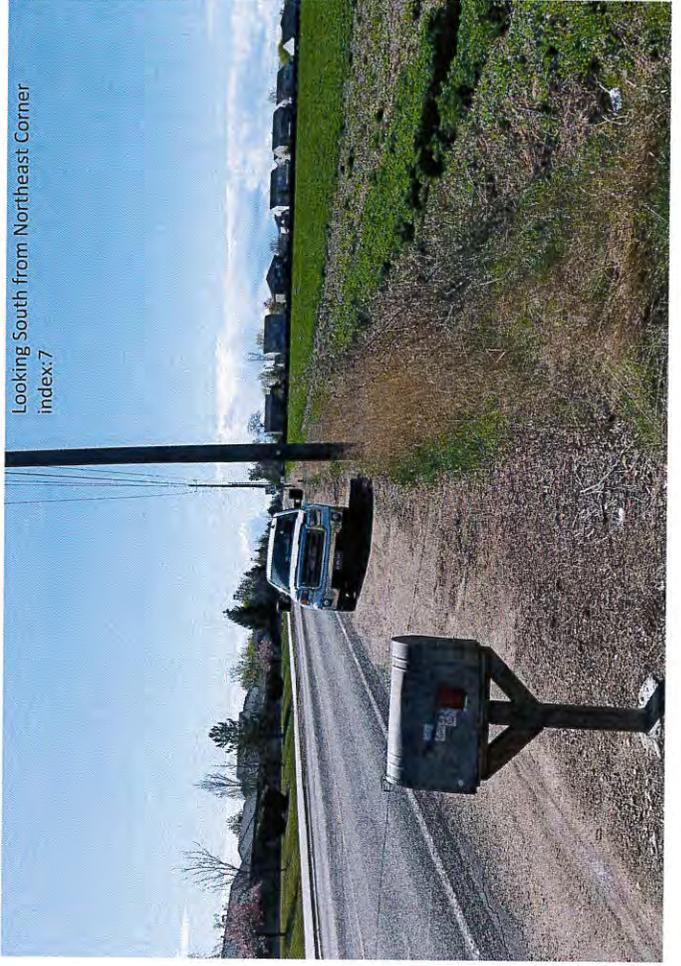
Looking West from Northeast Corner
index:8



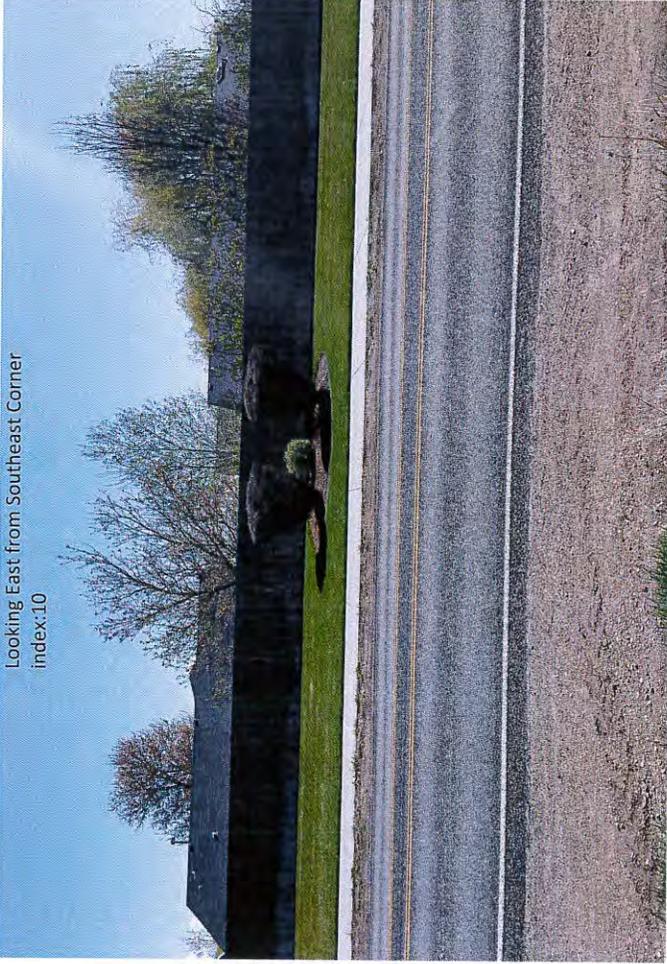
Looking North from Northeast Corner
index:5



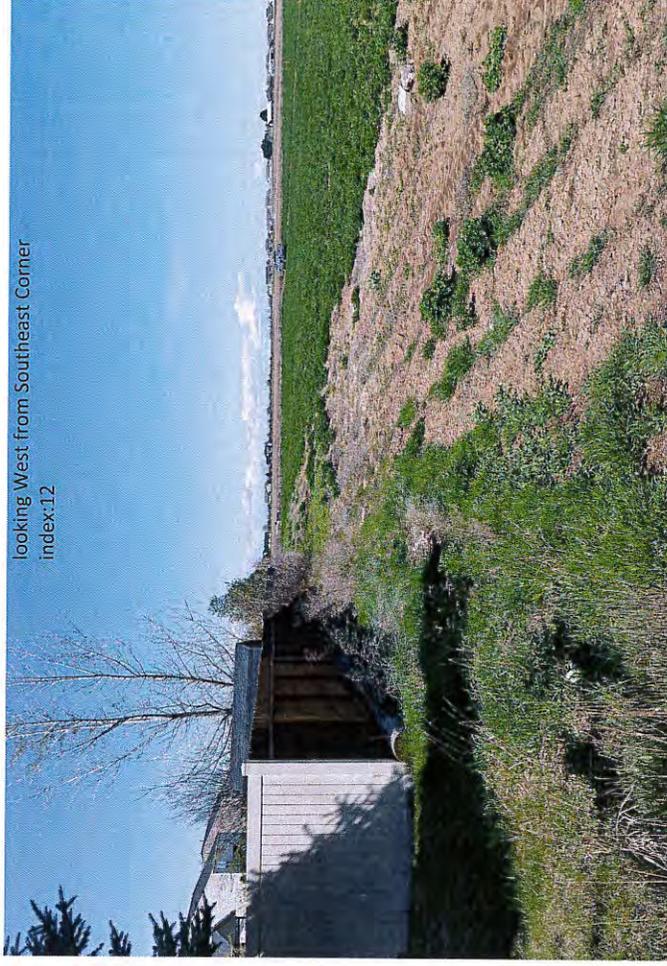
Looking South from Northeast Corner
index:7



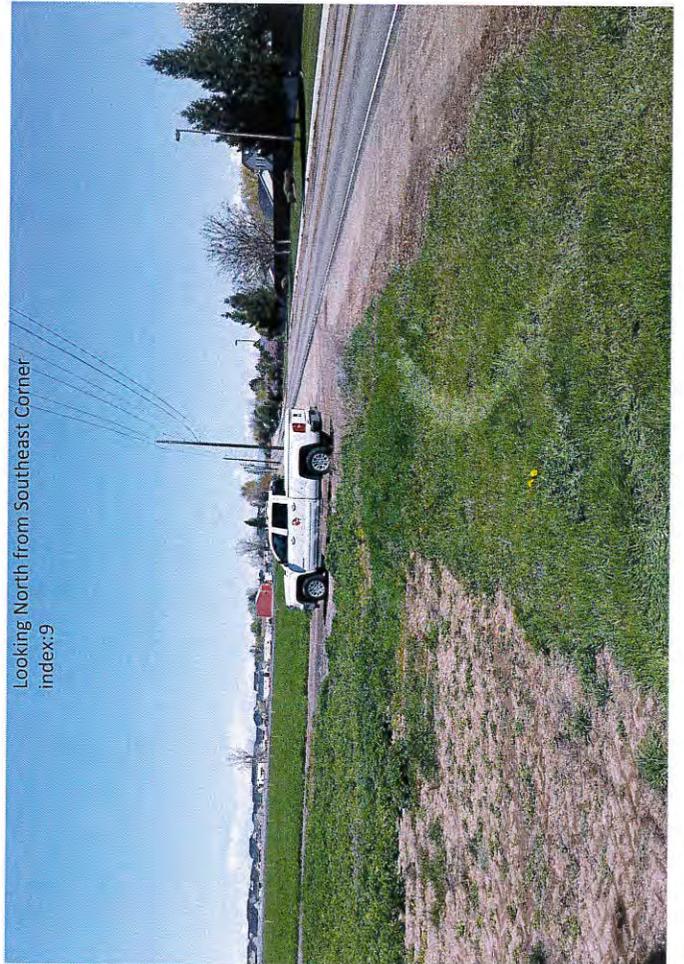
Looking East from Southeast Corner
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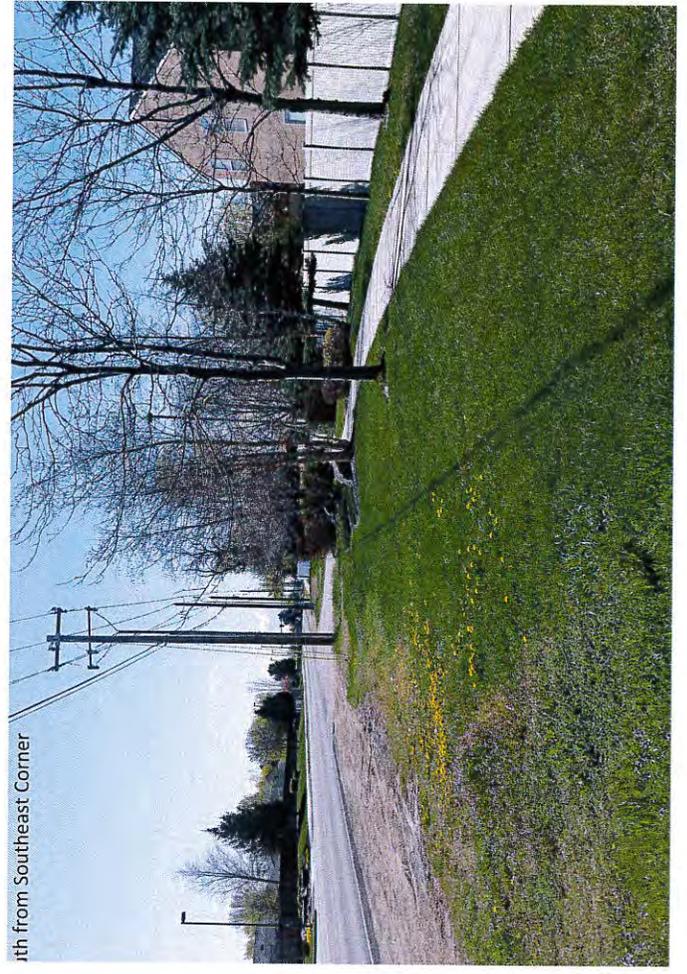
Looking West from Southeast Corner
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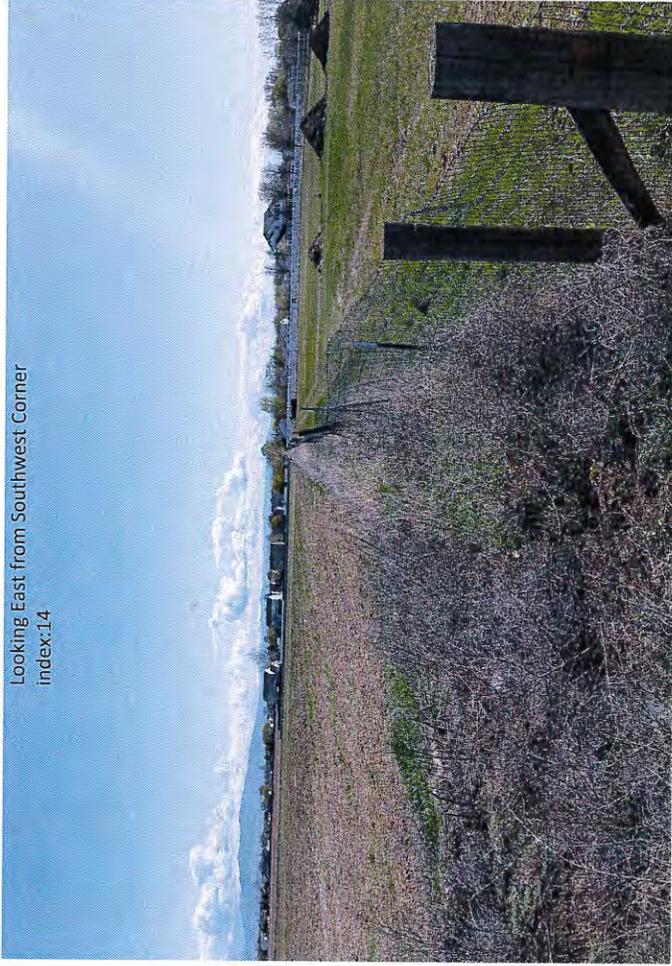
Looking North from Southeast Corner
index:9



View from Southeast Corner



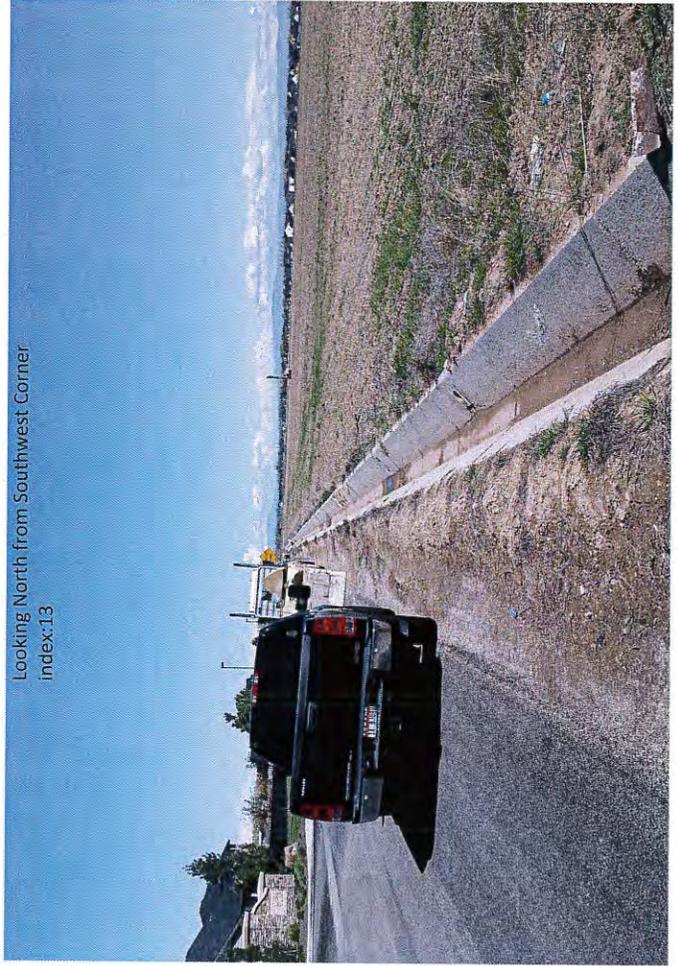
Looking East from Southwest Corner
index:14



Looking West From Southwest Corner
index:16



Looking North from Southwest Corner
index:13



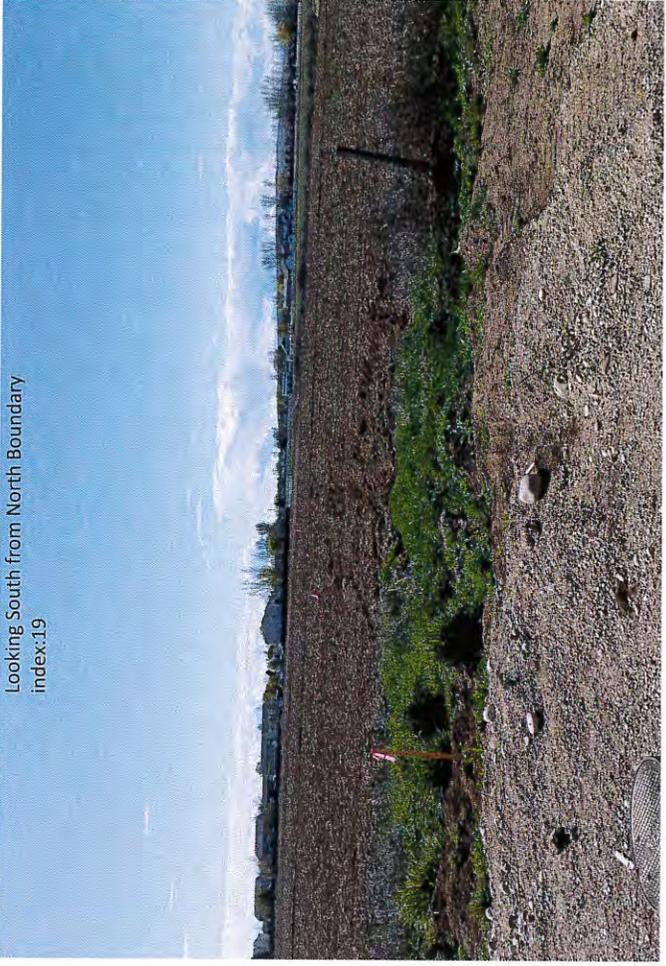
Looking South from Southwest Corner
index:15



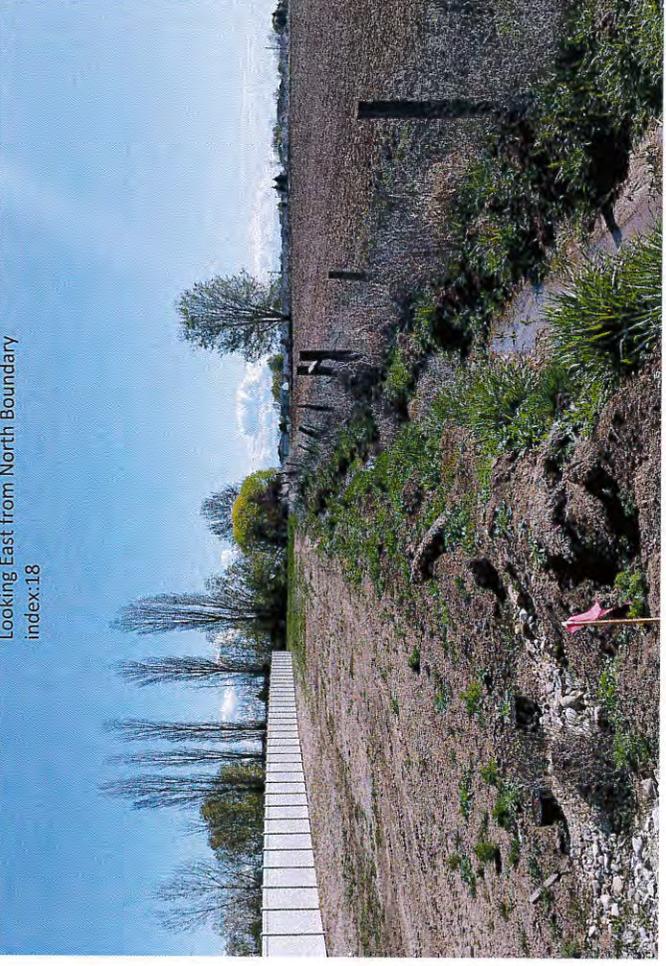
Looking West from North Boundary
index:20



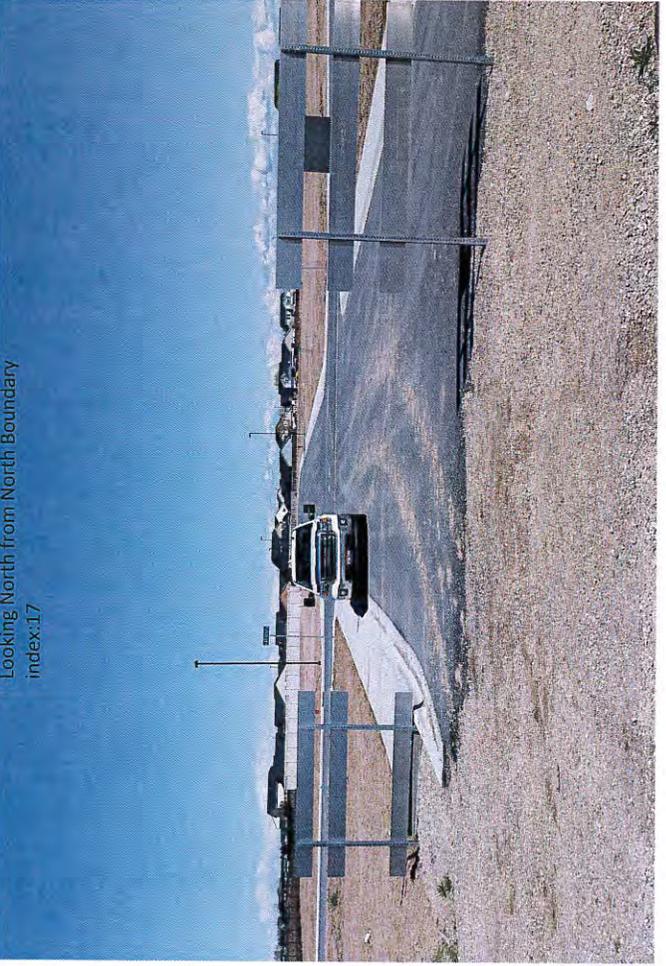
Looking South from North Boundary
index:19



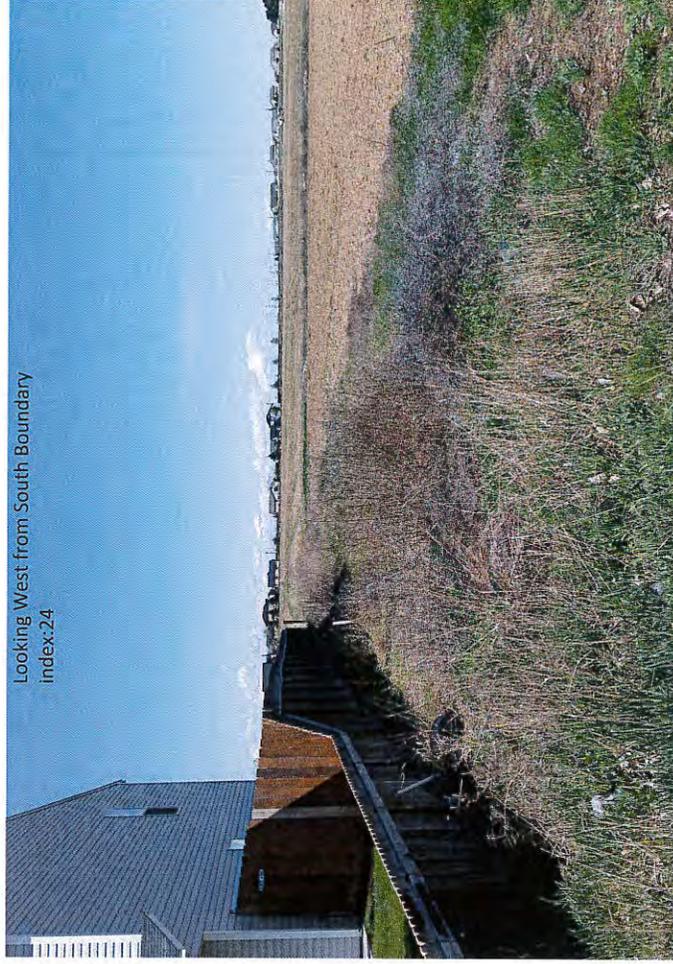
Looking East from North Boundary
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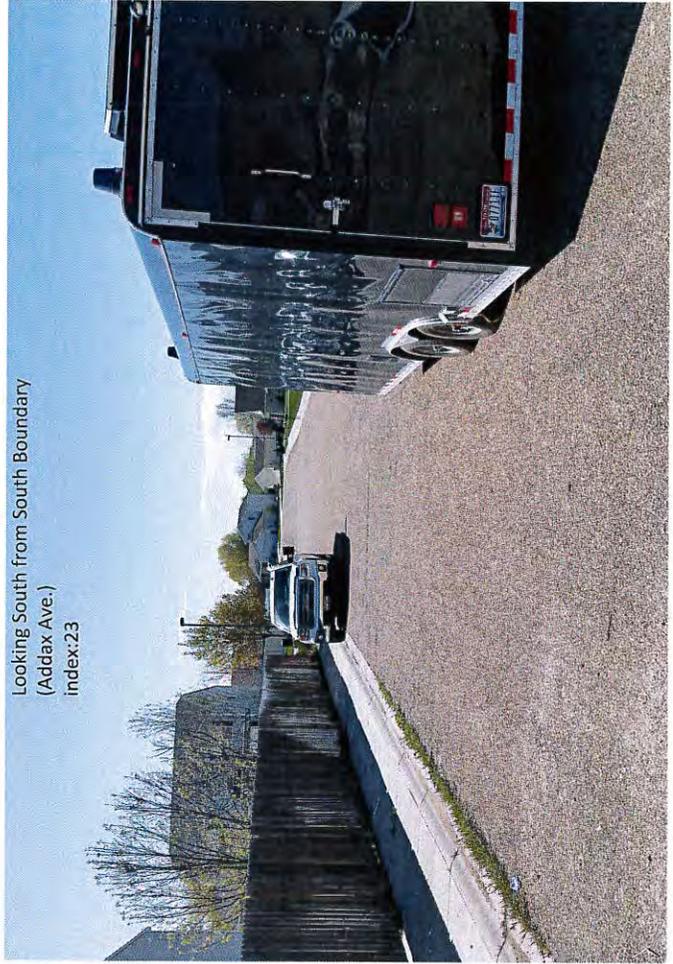
Looking North from North Boundary
index:17



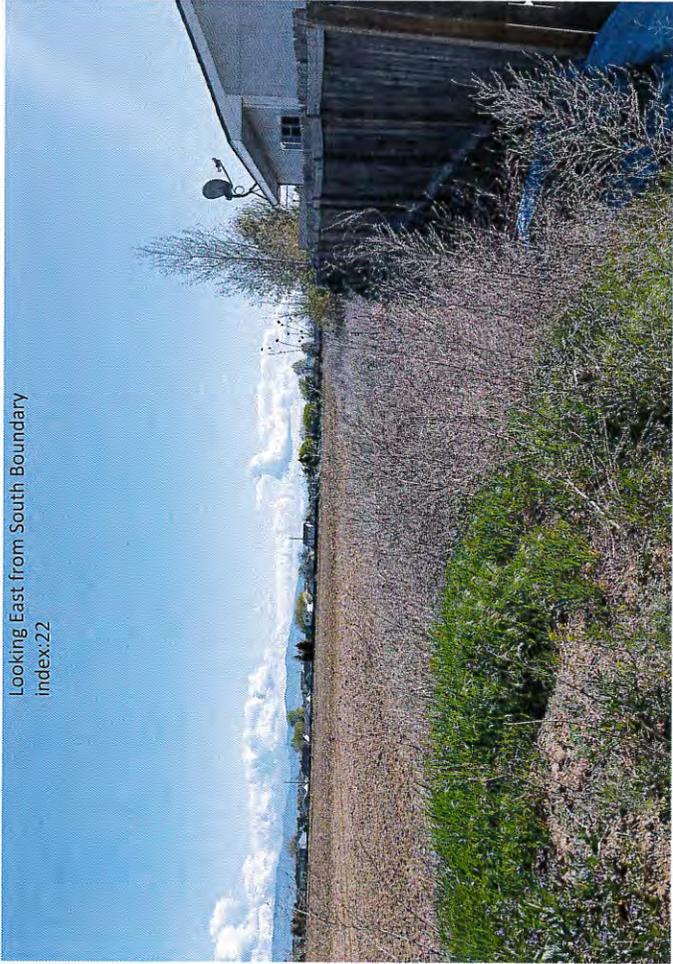
Looking West from South Boundary
index:24



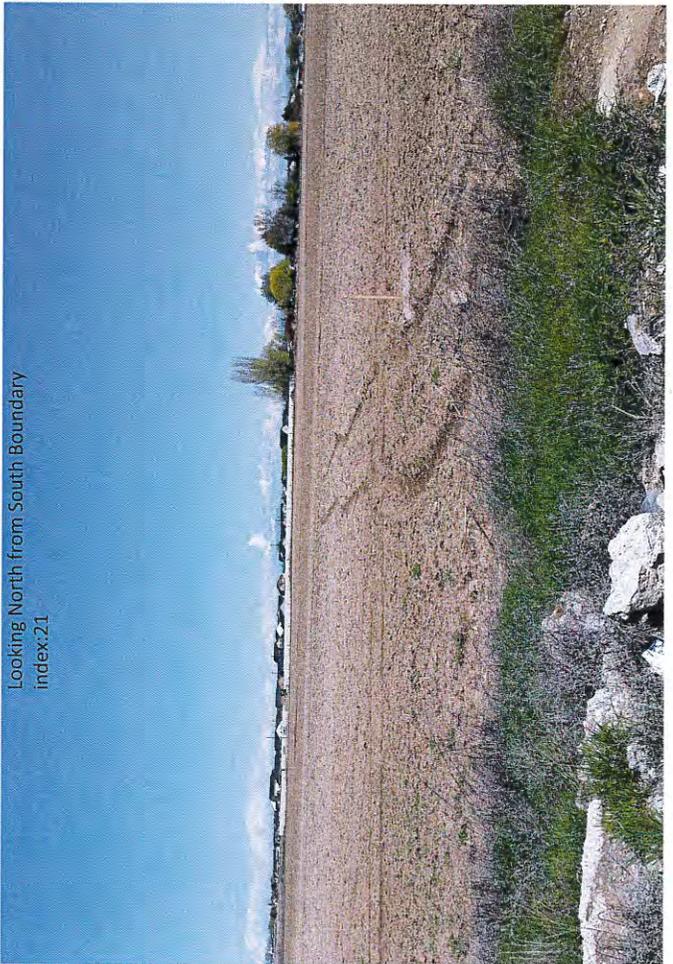
Looking South from South Boundary
(Addax Ave.)
index:23



Looking East from South Boundary
index:22



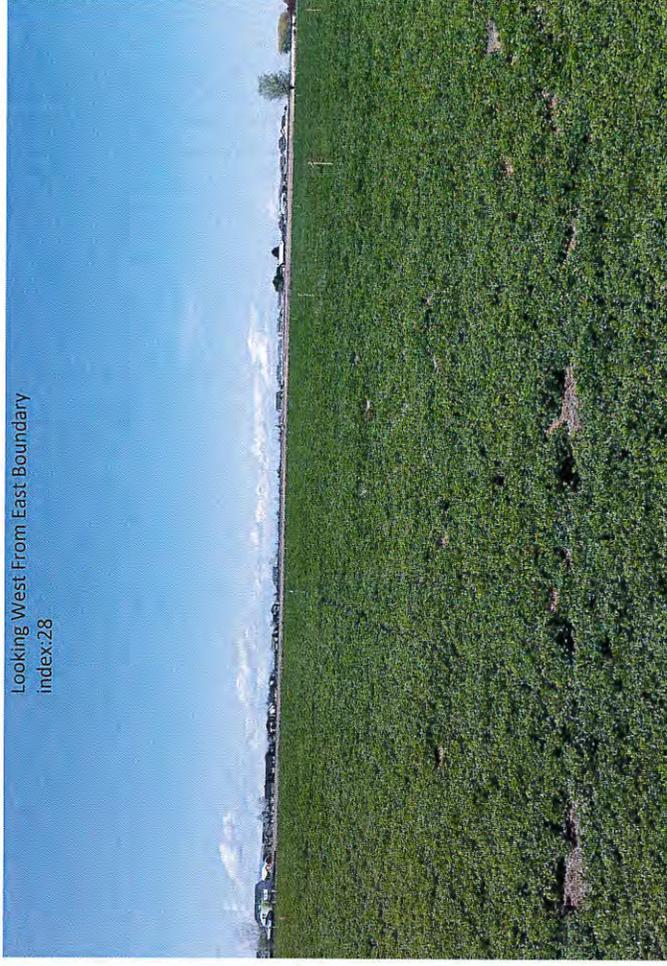
Looking North from South Boundary
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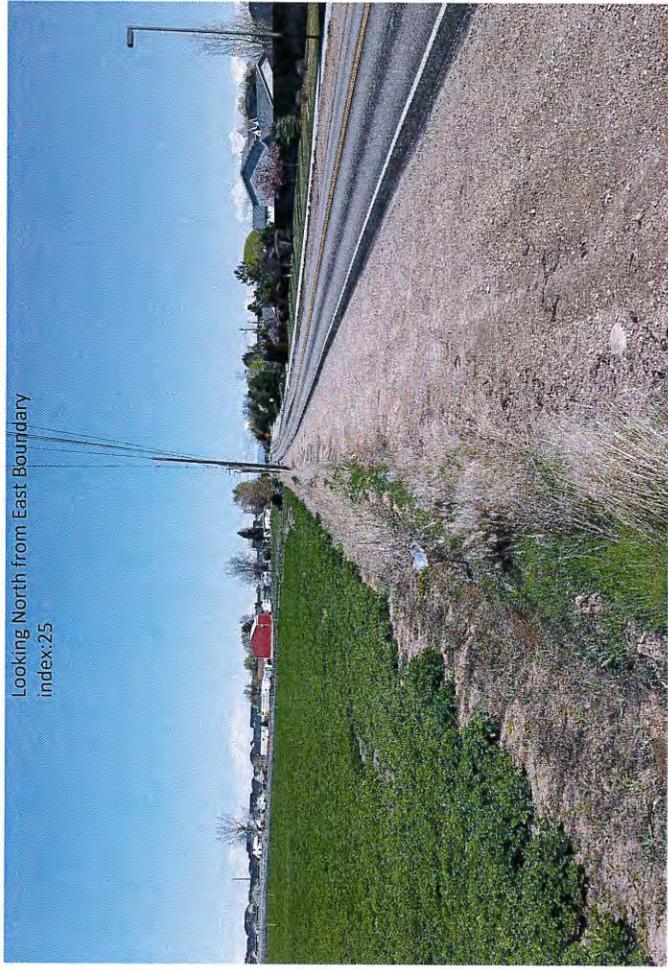
Looking East from East Boundary
index:26



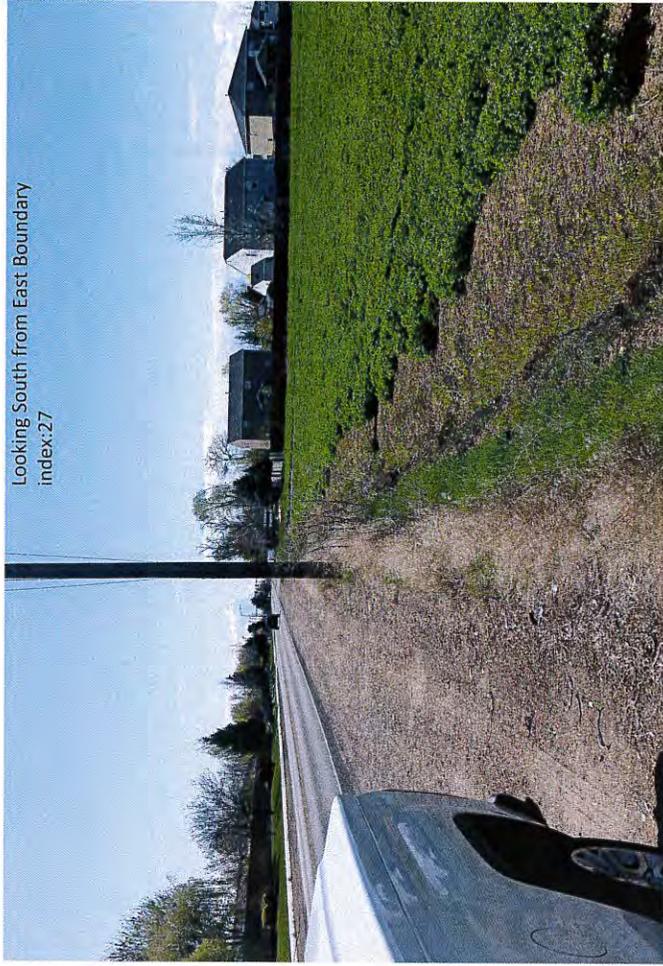
Looking West From East Boundary
index:28



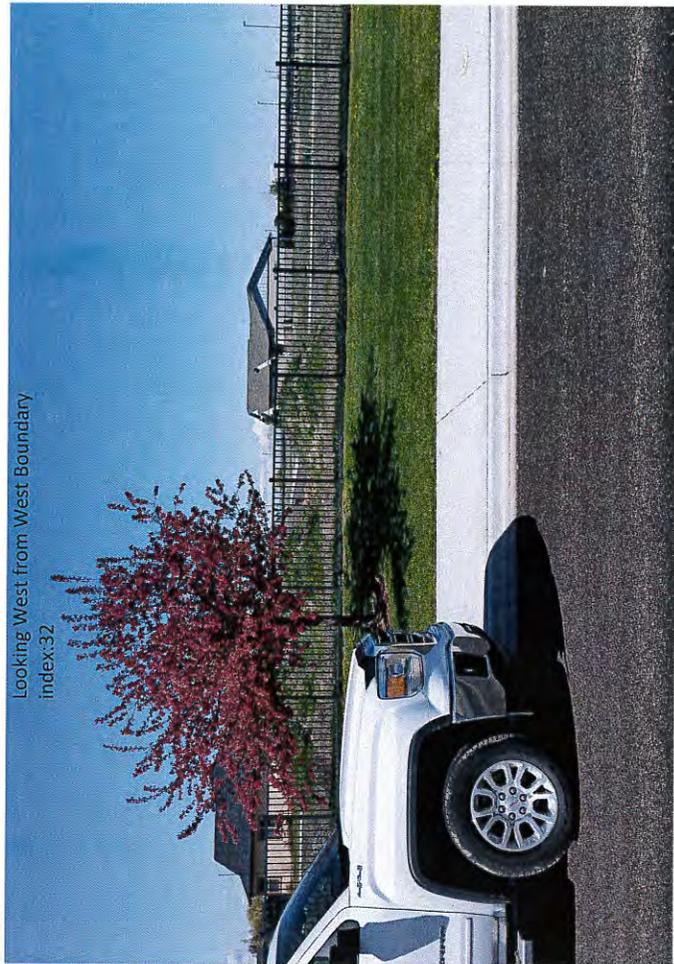
Looking North from East Boundary
index:25



Looking South from East Boundary
index:27



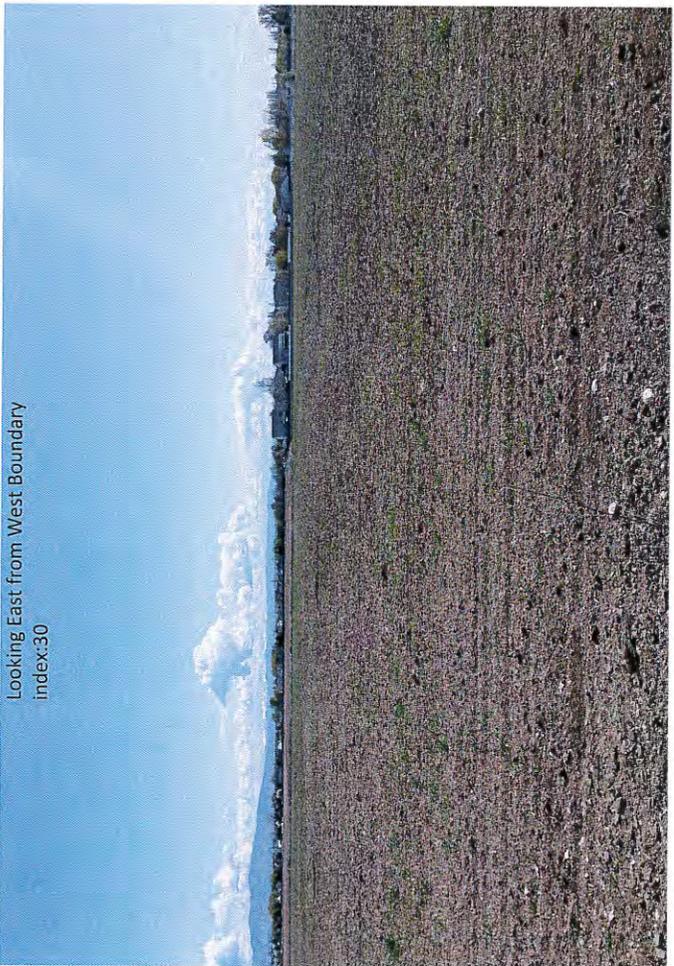
Looking West from West Boundary
index:32



Looking South from West Boundary
index:31



Looking East from West Boundary
index:30



Looking North from West Boundary
index:29

