OFFICIALS
Lee Young, Chairman
Dana Hennis, Vice Chairman
Tyson Garten, Commissioner
Ginny Greger, Commissioner
Jim Main, Commissioner

CITY OF KUNA
Kuna City Hall Council Chambers, 751 W 4th Street, Kuna, Idaho 83634

Planning & Zoning Commission Meeting
AGENDA
Tuesday December 13, 2022

6:00 PM REGULAR MEETING

For questions, please call the Kuna Planning and Zoning Department at (208) 922-5274.

1. CALL TO ORDER & ROLL CALL:

2. CONSENT AGENDA: ALL OF THE ITEMS LISTED ARE ACTION ITEMS

All items listed under the Consent Agenda are considered to be routine and are acted on with one (1) Motion by the Commission. There will be no separate discussion on these items unless the Chairman, Commissioner, or City Staff requests an item to be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda under Business or as instructed by the Commission.

1. Regular Planning and Zoning Commission Meeting Minutes Dated November 22, 2022

2. Findings of Fact & Conclusions of Law
- ***A.*** Case No. 22-15-SUP (Special Use Permit) 2857 N Kenneth Avenue In-home Group Daycare
- ***B.*** Case No. 22-08-AN (Annexation) 5625 W Barker Road
- ***C.*** Case Nos. 22-14-S (Preliminary Plat) & 22-31-DR (Design Review) Griffons Point Subdivision

3. PUBLIC HEARINGS: ALL OF THE ITEMS LISTED ARE ACTION ITEMS

A. *Rescheduled from November 9, 2022, due to lack of quorum* Case No. 22-12-SUP (Special Use Permit) for 6810 S Nordean In-home Group Daycare – Jessica Reid, Associate Planner

Alain & Chloe Lemesse request approval to operate an in-home group daycare for up to 12 children, from 6:00 AM to 6:00 PM, Monday through Friday. Applicants have already passed their Fire Safety Inspection. The subject site is located at 6810 S Nordean Ave (R5665670180); Section 3, Township 2 North, Range 1 West.

B. *Rescheduled from November 9, 2022, due to lack of quorum* Case Nos. 22-13-S (Preliminary Plat) & 22-30-DR (Design Review) for Paul Bunyan Plaza – Troy Behunin, Senior Planner

Bill Hicks, and CRMM, LLC requests Preliminary Plat approval in order to subdivide approximately 16.26 acres into 12 commercial lots. The site was previously Annexed and Zoned as C-2. A Design Review application for the landscaping accompanies this request. The site is located at the NWC of Meridian Rd. and Deer Flat Rd., APN S1313449910.

C. Case No. 22-04-CPF (Combo Plat) for Single Lot Subdivision – Jessica Reid, Associate Planner

Applicant requests Combo Plat approval to combine Lots 4 & 5, Block 5, of Merlin Pointe Subdivision No. 1, in order to resolve an easement issue and provide one (1) parcel on which to build the previously approved Vineyards Senior Housing. The subject sites are located at 150 &

200 N Sailer Ave (APNs: R5672431260, R56722431280); Section 24, township 2 North, Range 1 West.

D. Case Nos. 22-07-ZC (Rezone), 22-15-S (Preliminary Plat), 22-05-PUD (Planned Unit Development), 22-08-SUP (Special Use Permit) & 22-34-DR (Design Review) for Gallica Heights Subdivision – Troy Behunin, Senior Planner

Thistle Farm, LLC requests Planned Unit Development and Special Use Permit approval for approximately 132.26 acres, and to Rezone the properties from A (Agriculture) to R-6 (Medium Density Residential), R-12 (High Density Residential), and C-1 (Neighborhood Commercial) zones. Applicant also requests Preliminary Plat approval in order to subdivide the lands into 615 residential, 86 common lots and 1 Commercial lot. The site is located within Section 10, Township 2 North, Range 1 West, APN's S1310223100, S1310233700, and S1310233610.

Staff requests this item be tabled to a date certain of January 10, 2023, pending critical agency comments.

E. Case No. 22-09-ZC (Rezone) for Rising Sun Subdivision No. 3 – Jessica Reid, Associate Planner

Due to an incorrect legal description, a portion of Rising Sun Subdivision No. 3 (FKA Rising Sun Commons) was left with an incorrect zone of R-4 (Medium Density Residential). Applicant requests to Rezone this portion so the parcels reflect the correct R-6 (Medium Density Residential) zone. The subject site is located approx. 650-feet south of the E Kuna Road & S Easter Ave intersection (APN: R0615250651); Section 30, Township 2 North, Range 1 East.

Staff requests this item be tabled to a date certain of January 10, 2023, due to incorrect site posting.

5. BUSINESS ITEMS:

A. Case No. 22-41-DR (Design Review) for the Hawk Substation – Doug Hanson, Director

Idaho Power Company requests Design Review approval to for the Hawk Substation site design, fence and landscaping. The subject site is located at 15450 S Cloverdale Road, Kuna ID, 83634 (APN: S1434336150) within Section 34, Township 2 North, Range 1 East.

6. EXECUTIVE SESSION:

A. Executive Session under Idaho Code 74-206(d) & (f) – Andrea Nielsen, City Attorney

(d) To consider records that are exempt from disclosure as provided int Chapter 1, Title 74 Idaho Code.

(f) To communicate with legal counsel to discuss legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but immediately likely to be litigated.

7. ADJOURNMENT:

OFFICIALS
Lee Young, Chairman
Dana Hennis, Vice Chairman
Tyson Garten, Commissioner
Ginny Greger, Commissioner
Jim Main, Commissioner

CITY OF KUNA
Kuna City Hall Council Chambers, 751 W 4th Street, Kuna, Idaho 83634

Planning & Zoning Commission Meeting
MINUTES
Tuesday November 22, 2022

6:00 PM REGULAR MEETING

Meeting recording was corrupt; Minutes created by meeting Clerk and staff notes.

For questions, please call the Kuna Planning and Zoning Department at (208) 922-5274.

1. CALL TO ORDER & ROLL CALL:

COMMISSION MEMBERS PRESENT:
Chairman Lee Young – Absent
Vice Chairman Dana Hennis
Commissioner Tyson Garten
Commissioner Ginny Greger
Commissioner Jim Main – Absent

CITY STAFF PRESENT:
Doug Hanson, Planning & Zoning Director
Morgan Treasure, Economic Development Director
Andrea Nielsen, City Attorney
Troy Behunin, Senior Planner
Jessica Reid, Associate Planner

2. CONSENT AGENDA: ALL OF THE ITEMS LISTED ARE ACTION ITEMS

1. Regular Planning and Zoning Commission Meeting Minutes Dated October 25, 2022

2. Findings of Fact & Conclusions of Law
   - *A.* Case No. 22-13- SUP (Special Use Permit) for Idaho Power Bowmont to Hubbard Transmission Line Upgrade
   - *B.* Case No. 22-35-DR (Design Review) for the Kuna Police Station

Motion To: Approve the Consent Agenda.
Motion By: Commissioner Garten
Motion Seconded: Commissioner Greger
Further Discussion: None
Voting No: None
Absent: 2
Motion Passed: 3-2-0

3. PUBLIC HEARINGS: ALL OF THE ITEMS LISTED ARE ACTION ITEMS

A. Case No. 22-15-SUP (Special Use Permit) 2857 N Kenneth Avenue In-home Group Daycare– Jessica Reid, Associate Planner

Associate Planner Jessica Reid presented an overview of the application, then stood for questions; there were none.

Applicant Florence Rukundo was present; however, the Commission had no questions.
Vice Chairman Hennis opened the Public Hearing.

Support:
Florence Rukundo, Applicant, 2857 N Kenneth Avenue, Kuna, ID, 83634 – Not Testify

Neutral:
None

Against:
None

As there were no individuals signed in to testify, Vice Chairman Hennis provided additional opportunity to sign in; seeing none, he closed the Public Hearing and the Commission proceeded into deliberation.

The Commission discussed how the Applicants were simply updating their previously approved Special Use Permit since they had moved; overall, the Commission had no additional questions or concerns.

Motion To: Approve Case No. 22-15-SUP (Special Use Permit) for 2857 N Kenneth Avenue In-home Group Daycare, with the Conditions as outlined in staffs report.
Motion By: Commissioner Garten
Motion Seconded: Commissioner Greger
Further Discussion: None
Voting No: None
Absent: 2
Motion Passed: 3-2-0

B. Case No. 22-08-AN (Annexation) 5625 W Barker Road – Jessica Reid, Associate Planner

Associate Planner Jessica Reid presented an overview of the application and stood for questions.

Applicant Representative Billy Edwards, presented an overview of the application explaining that annexation was to lay the ground work so the Developer could begin pursuing users for the M-1 (Light Industrial/Manufacturing) zone. Mr. Edwards stated there was no development associated with the request and when the time came, additional applications would be submitted for Preliminary Plat, Final Plat, and Design Review; he then stood for questions.

Vice Chairman Hennis opened the Public Hearing.

Support:
Brian Frost, Developer, 10400 W Overland Road, Suite #316, Boise, ID, 83709 – Testified

Neutral:
None

Against:
Adrian Barker, 5005 W Barker Road, Kuna, ID, 83634 – Testified
Jenn Barker, 5005 W Barker Road, Kuna, ID, 83634 – Testified
Elver Miller, 16900 S Curtis Road, Kuna, ID, 83634 – Testified

Brian Storey, 5434 W Barker Road, Kuna, ID, 83634 – Testified
William Shelman, 18593 S Pleasant Valley Road, Kuna, ID, 83634 – Testified

Adrian Barker testified that current development in the area has attributed to it feeling like City of Kuna vs Pleasant Valley, and explained he would prefer development that supported the residents in the area. Mr. Barker stated that he had questioned the types of Industrial that would be developed but had not received an answer.

Jenn Barker testified how development of the area would cause light pollution, Industrial/Commercial development did not consider residents in the area. Mrs. Barker also testified to her concerns development would have on the Birds of Prey area, how the existing lifestyle of residents and their peace would be affected. She continued by testifying to her concerns of increased traffic and theft, the loss of habitat, and increase of the mosquito population due to the nearby Meta project.

Elver Miller testified to the resident's intent to live away from the city and how the lifestyle was now being affected. Mr. Miller expressed concerns with light pollution due to development, as well as deep concerns regarding how area development has already begun to affect his well which was spitting out debris. He stated that after conversation with Ada County (agency/department not specified), he discovered they were unaware the roadway was torn up. Mr. Miller discussed the number of jobs currently open in the Treasure Valley that could not be filled due to lack of people, and did not believe bringing additional jobs would be appropriate. Mr. Miller concluded with his concerns regarding the loss of open range and farm land.

Brian Storey echoed his neighbors' concerns and testified to his reasons for living in the area. Mr. Storey commented on how construction of the Meta project was greatly affecting the area already by tearing up roadways. Mr. Storey concluded by testifying to his concerns with the labor force already dropping off and the number of open jobs already, then asked if additional Industrial/Manufacturing was really what was needed.

Applicant Brian Frost testified that additional Industrial/Manufacturing locations were needed as development of one of his previous Industrial projects was fully leased before construction was even complete.

Billy Edwards rebutted that the Applicant was currently only requesting Annexation and Zoning so the foundation would be laid and they could pursue actual users; that is when they would have an idea of what type of uses could potentially be in the future development. Mr. Edwards stated development of the site would be done in full compliance with Kuna City Code and explained there would be future opportunities for residents to comment when a Preliminary Plat application was brought forward.

An additional individual asked if he could still sign-in to testify; after procedural direction from City Attorney Andrea Nielsen, Vice Chairman Hennis allowed them to do so.

William Shelman testified that all development occurring within the area has negatively affected the residents, and specifically referenced the feed lot for CS Beef and the L&R Treatment Plant; Mr. Shelman stated the smells were horrible and greatly affected the lifestyle of the residents.

Applicant Brian Frost provided additional rebuttal by explaining the requested zone did not allow those types of uses which residents were concerned about, and reiterated the request was for Annexation so the groundwork could be laid and users could be found.

Vice Chairman Hennis closed the Public Hearing and the Commission proceeded into deliberation.

Commissioner Greger stated she was concerned with the affect development could have on residents' wells.

Vice Chairman Hennis commented that the Industrial area had been part of the Comprehensive Plan for some time and it was the intend to consolidate Industrial into one area. He then stated that Annexation applications were where decision-making bodies had the power to deny additional development; Vice Chairman Hennis also pointed out that even if the city denied the application, the Applicant could submit a development application to Ada County where it could gain approvals.

Commissioner Greger responded that though the Commission nor Council could stop growth overall, it was their job to do the best they could.

Motion To: Recommend Approval to City Council of Case No. 22-08-AN (Annexation) for 5625 W Barker Road, with the Conditions as outlined in staffs report.
Motion By: Commissioner Garten
Motion Seconded: Commissioner Greger
Further Discussion: None
Voting No: None
Absent: 2
Motion Passed: 3-2-0

C. Case Nos. 22-14-S (Preliminary Plat) & 22-31-DR (Design Review) Griffons Point Subdivision – Troy Behunin, Senior Planner

Senior Planner Troy Behunin presented an overview of the application, then stood for questions.

Applicant Chase Craig of Boise Basin Development presented a slideshow, providing an overview of the proposed project. Mr. Craig provided Annexation history, and commented that the project was only for the 22-acres owned by Boise Basin Development; the neighboring parcel would come forward with a development application separately. He commented on the affordable housing issue within the Treasure Valley which resulted on a lack of inventory, and that they were hoping to alleviate a portion of that with this project. Mr. Craig then requested that Condition of Approval 9.12 be revised to provide the Developer the option for alternative fencing types; he then stood for questions.

Commissioner Garten asked if emergency access had been addressed; Mr. Craig answered that it had per Kuna Rural Fire District (KRFD) standards. Commissioner Garten then asked about the potentially required potable water booster station and if they were willing to construct it. Mr. Craig stated they had already been in conversation with the Public Works Department on potential solutions for the pressure issue, that overall, it was a massive coordination effort with multiple agencies; if it was determined a booster station was the ultimate solution, they were willing to do so.

Vice Chairman Hennis asked if the emergency access solution was supported by KRFD; Mr. Chase stated it was and that there were three (3) other projects in the area where they had the same solution. He continued by explaining that Ada County Highway District (ACHD) would not allow another ingress/egress point from E Kuna Road, so this was a temporary solution; the ultimate solution would be when the neighboring parcel developed and their project connected to it.

With the Commissions questions answered, Vice Chairman Hennis opened the Public Hearing.

Support:
None

Neutral:
Dani Ostolasa-Mendiola, 226 S Eagle Road, Kuna, ID, 83634 – Testified
Kathryn Rainwater, 145 S Marko Lane, Kuna, ID, 83634
Dennis Rainwater, 145 S Marko Lane, Kuna, ID, 83634
John Vehlow, 330 N Eagle Road, Kuna ID, 83634 – Testified
Brett Hatfield, 4600 Flying Horse Lane, Kuna, ID, 83634 – Testified

Against:
Jon Mendiola, 226 S Eagle Road, Kuna, ID, 83634 – Testified

Dani Ostolasa-Mendiola testified to her concerns that a majority of the project was along the Mora and New York Canals, and that she would like to see some kind of fencing installed for safety. She commented on a discussion she had with the irrigation district in which she requested the footbridge between the project and her property was removed, unfortunately it could not be; she was concerned with people and/or pets coming across. Ultimately, Mrs. Ostolasa-Mendiola stressed that safety was her greatest concern.

John Vehlow commented that he had lived near the project and operated a horse stable on his property since the 60's, further explaining that a majority of homes within the area were larger acreages like his and were used as Agriculture. Mr. Vehlow asked the Commission to consider the increased density of the project vs the surrounding Agriculture uses, the increased traffic and lack of fire services. He expressed he felt the project was too dense for the area and that the infrastructure was not up to it.

Brett Hatfield testified that he was not opposed to growth and admitted his personal business profited from that growth, but would like to see a development with a lower density as he believed this higher density belonged closer to town. Mr. Hatfield also expressed concerns with fire services and the increased traffic that would result.

Having forgotten to ask a question during his testimony, Vice Chairman Hennis gave permission to Mr. Vehlow to return to the podium.

Mr. Vehlow asked if the proposed development would be serviced by a well or if it would be connected to city services.

Jon Mendiola asked how the Developer reached the density they were stating as the project have 600-ft of canal frontage and a 60-ft easement from said canal.

Mr. Craig rebutted that they fully supported fencing for safety and would install what was permitted per the irrigation district and city. He further explained that the project was on the lower end of the allowable density as they were developing at an R-4 instead of the R-6 or even R-8 permitted within Medium Density Residential zoning district. Mr. Chase commented that the City of Kuna had not grown in a perfectly centric way and additional development along E Kuna Road would come in the future. He explained that 25% of the sites developable acreage had been lost to roads, easements, etc., and that they would not be constructing anything within the canal's Federal easement. Mr. Craig also explained the proposed project would be connected to city services, and that KRFD had reviewed the proposed project with no additional comments.

Vice Chairman Hennis then closed the Public Hearing and the Commission proceeded into deliberation.

Commissioner Garten expressed concerns on the comments provided by Kuna Police in which it talked about longer response times. He was also concerned that a solid water solution had not yet been decided, nor had Kuna Joint School District No. 3 (KSD) provided any comments.

Vice Chairman Hennis asked what type of fencing was permitted along the canal. Senior Planner Troy Behunin explained that no fencing was permitted on the canal easement in any form, but that any fencing installed for safety would be required to meet Kuna City Code, as well as be installed on the Applicants property. Vice Chairman Hennis reiterated that safety along the canal was a major concern. In reference to Commissioner Garten's comments, the Vice Chairman stated that whether this project was approved or not, growth within the city warranted additional Kuna Police Department staff. He concluded that he too was interested in what comments KSD had regarding the development.

Commissioner Greger commented that she liked the R-4, especially due to its location and the surrounding properties; she also commented that the pathway was a great amenity if it was safe.

Motion To: Recommend Approval to City Council of Case No. 22-14-S (Preliminary Plat) for Griffons Point Subdivision, with the Conditions as outlined in staffs report.
Motion By: Commissioner Garten
Motion Seconded: Commissioner Greger
Further Discussion: None
Voting No: None
Absent: 2
Motion Passed: 3-2-0

Motion To: Approve Case No. 22-31-DR (Design Review) for Griffons Point Subdivision, with the Conditions as outlined in staffs report, and the additional Condition that fencing be installed between the pathway and canal for safety.
Motion By: Commissioner Garten
Motion Seconded: Commissioner Greger
Further Discussion: None
Voting No: None
Absent: 2
Motion Passed: 3-2-0

5. BUSINESS ITEMS:

A. Case No. 22-41-DR (Design Review) for the Hawk Substation – Doug Hanson, Director

Due to the Case information not being present within the meeting packet, staff requested the item be tabled to December 13, 2022.

Motion To: Table Case No. 22-41-DR (Design Review) for Hawk Substation to a date certain of December 13, 2022.
Motion By: Commissioner Garten
Motion Seconded: Commissioner Greger
Further Discussion: None
Voting No: None
Absent: 2
Motion Passed: 3-2-0

6. ADJOURNMENT:

Motion To: Adjourn.
Motion By: Commissioner Garten
Motion Seconded: Commissioner Greger
Further Discussion: None
Voting No: None
Absent: 2
Motion Passed: 3-2-0

_____
Lee Young, Chairman
Kuna Planning & Zoning Commission

ATTEST:

_____
Doug Hanson, Director
Kuna Planning & Zoning

CITY OF KUNA

751 W 4th Street • Kuna, ID 83634
(208) 922-5274 • www.kunacity.id.gov

Planning & Zoning Commission Public Hearing Sign-In Sheet
November 22, 2022

Case No.: 22-15-SUP (Special Use Permit)

Case Name: 2857 N Kenneth Avenue In-home Group Daycare

Please print your name below & indicate if you would like to Testify or NOT Testify regarding this item.

IN FAVOR	NEUTRAL	IN OPPOSITION
☐ Testify ☐ NOT Testify	☐ Testify ☐ NOT Testify	☐ Testify ☒ NOT Testify
		Griffons Point → NORM & LINDA KRUEGER
Name	Name	Name
		41 S MARKO LN. KUNA
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
☒ Testify ☐ NOT Testify	☐ Testify ☐ NOT Testify	☐ Testify ☐ NOT Testify
GRIFFONS PT. Chase Crudy		
Name	Name	Name
Address 5055 E Kuna Rd	Address	Address
City, State, ZIP Kuna 83634	City, State, ZIP	City, State, ZIP
☐ Testify ☐ NOT Testify	☐ Testify ☐ NOT Testify	☐ Testify ☐ NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
☐ Testify ☐ NOT Testify	☐ Testify ☐ NOT Testify	☐ Testify ☐ NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP

CITY OF KUNA

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Planning & Zoning Commission Public Hearing Sign-In Sheet
November 22, 2022

Case No.: 22-08-AN (Annexation)

Case Name: 5625 W Barker Road

Please print your name below & indicate if you would like to Testify or NOT Testify regarding this item.

IN FAVOR	NEUTRAL	IN OPPOSITION
☒ Testify ☐ NOT Testify	☐ Testify ☐ NOT Testify	☒ Testify ☐ NOT Testify
Name: BRIAN FROST	Name	Name: Elver Miller
Address: 10400 W Overland #316	Address	Address: 16900 S. Curtis Kuna Id 83634
City, State, ZIP: Boise 83709	City, State, ZIP	City, State, ZIP
☐ Testify ☐ NOT Testify	☐ Testify ☐ NOT Testify	☑ Testify ☐ NOT Testify
Name: Adriant Jenn Barker	Name	Name: Brian Storey
Address: 5005 W. Barker Rd. Kuna 83634	Address	Address: 5434 W. Barker Rd Kuna ID 83634
City, State, ZIP	City, State, ZIP	City, State, ZIP
☒ Testify ☐ NOT Testify	☐ Testify ☐ NOT Testify	☒ Testify ☐ NOT Testify
Name	Name	Name: Ian Shelman
Address	Address	Address: 18593 S. Pleasant Valley Rd Kuna, ID 83634
City, State, ZIP	City, State, ZIP	City, State, ZIP
☐ Testify ☐ NOT Testify	☐ Testify ☐ NOT Testify	☐ Testify ☐ NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP

Testified Independantly IN OPPOSITION BOTH

CITY OF KUNA

751 W. 4th Street • Kuna, Idaho • 83634 • Phone (208) 922-5274
Fax: (208) 922-5989 • www.Kunacity.Id.gov

SIGN-UP SHEET

November 22, 2022 – P & Z Commission, Public Hearing

Case Name: ***Griffon's Point Subdivision Request:***
Case Type:, Subdivision and Design Review Request.

Case Nos.: **22-14-S (Pre Plat), and 22-31-DR (Design Review).**

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Council/**Commission**.

IN FAVOR	NEUTRAL	IN OPPOSITION
☐ Testify ☑ Not Testify	☒ Testify ☐ Not Testify	☒ Testify ☐ Not Testify
Print Name	Dani Ostolasa-Mendiola	Print Name
Print Address	2210 S. Eagle Rd.	Print Address Jon Mendiola
City State, Zip	Kuna Id 83634	City 226 S. Eagle Kuna 83634 State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☑ Not Testify	☐ Testify ☐ Not Testify
Print Name	KATHRYN RAINWATER	Print Name
Print Address	145 S. Marko LN	Print Address
City State, Zip	KUNA ID 83634	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☑ Not Testify	☐ Testify ☐ Not Testify
Print Name	DENNIS RAINWATER	Print Name
Print Address	145 S. Marko LN	Print Address
City State, Zip	KUNA ID 83634	City State, Zip
☐ Testify ☐ Not Testify	☒ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	JOHN VEHLOW	Print Name
Print Address	330 N. Eagle Rd	Print Address
City State, Zip	KUNA ID 83634	City State, Zi

IN FAVOR	NEUTRAL	IN OPPOSITION
☐ Testify ☐ Not Testify	☑ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name: Brett Hatch	Print Name
Print Address	Print Address: 4600 Flying Hills Ln	Print Address
City State, Zip	City State, Zip: Kuna ID 83634	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip
☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify	☐ Testify ☐ Not Testify
Print Name	Print Name	Print Name
Print Address	Print Address	Print Address
City State, Zip	City State, Zip	City State, Zip

BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATION OF **FLORENCE & ZION RUKUNDO** For Special Use Permit to operate an In-Home Group Daycare at 2857 N Kenneth Avenue.	)	**Case No. 22-15-SUP (Special Use Permit)** **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF APPROVAL FOR DAYCARE SPECIAL USE PERMIT.**

THESE MATTERS came before the Planning and Zoning Commission for review and Approval or Denial on November 22, 2022, for receipt and consideration by the Planning and Zoning Commission of these Findings of Fact, Conclusions of Law and Order of Decision for the above referenced application. The Planning and Zoning Commission does hereby make and set forth the Record of Proceedings and these Findings of Fact, Conclusions of Law and Order of Decision.

I
EXHIBIT LIST

The exhibits of the above-referenced matter consist of the following, to-wit:

1.1 Exhibits:

	DESCRIPTION OF EVIDENCE	*Withdrawn*	*Refused*	*Admitted*
1.1	Staff Report			X
2.1	P&Z Application Coversheet			X
2.2	In-Home Child Care Special Use Permit Application			X
2.3	Narrative			X
2.4	Aerial Map			X
2.5	Vicinity Map			X
2.6	Deed			X
2.7	Proof of Pending State Daycare License			X
2.8	Site Plan			X
2.9	CPR & First Aid Certification			X
2.10	Sick Child Policy			X
2.11	Evacuation Plan			X
2.12	Neighborhood Meeting Certification			X
2.13	Commitment to Property Posting			X
2.14	Proof of Background Check Clearance			X
2.15	Central District Health Inspection – Passed 10.05.2022			X

2.16	Fire Safety Inspection – Passed 10.18.2022			X
2.17	Agency Transmittal			X
2.18	KMN Proof of Publication			X
2.19	Proof of Property Posting			X
2.20	City Engineer's Memo			X

1.2 Public Hearing

1.2.1 The Planning and Zoning Commission heard this on November 22, 2022. The FCO's have been requested to go before the Commission on December 13, 2022.

1.3 Witness Testimony

1.3.1 Those who testified at the Commissions November 22, 2022, hearing are as follow, to-wit:

1.3.1.1 City Staff:
Jessica Reid, Associate Planner

1.3.1.2 Appearing for the Applicant:
Florence Rukundo, 2857 N Kenneth Avenue, Kuna, ID, 83634 – Not Testify

1.3.1.3 Appearing in Favor:
None

1.3.1.4 Appearing Neutral:
None

1.3.1.5 Appearing in Opposition:
None

II
DECISION

WHEREUPON THE PLANNING AND ZONING COMMISSION being duly informed upon the premises and having reviewed the record, evidence, and testimony received and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

III
FINDINGS OF FACT

3.1 Findings Regarding Notice

3.1.1 Notice Required: Notice has been given in accordance with City Code and Idaho Statutes.

3.1.2 Notice Provided

3.1.2.1 In accordance with Kuna City Code (KCC) 5-3-2: Zoning District Regulations, and 5-6: Special Uses, operating an In-home Daycare requires a Special Use Permit. In addition, it states Special Use Permits are designated as

Public Hearings, with the Planning and Zoning Commission as the decision-making body. This application was given proper public notice and followed the requirements set forth in Idaho Code §65, Local Land Use Planning Act.

3.1.2.2 Notice was published for the November 22, 2022, hearing on the 2857 N Kenneth Avenue In-home Group Daycare in the Kuna Melba News, official City of Kuna Newspaper, which has general circulation within the boundaries of the city, Ada and Canyon County, on November 2, 2022.

3.1.2.3 Notice for the November 22, 2022, hearing was posted on a sign in accordance with Kuna City Code 5-1A-8, on November 15, 2022. A Proof of Property Posting Form was provided to staff November 15, 2022.

3.2 Findings Regarding Special Use Permit

3.2.1 The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with Kuna City Code (KCC) Title 5.

3.2.2 The Comprehensive Plan designates the future land use designation of the proposed subject site as Medium Density Residential; the subject site is currently zoned R-4 (Medium Density Residential).

3.2.3 According to KCC 5-3-2, an In-home Group Daycare requires a Special Use Permit for all permitted zoning districts.

3.2.4 A Neighborhood Meeting was held on October 27, 2022; there were no attendees. A Legal Notice was published in the Kuna Melba News Newspaper on November 2, 2022. The Applicant posted a sign on the property on November 15, 2022, and a Proof of Property Posting Form was submitted to staff November 15, 2022.

3.3 Testimony of the Associate Planner

3.3.1 Florence and Zion Rukundo were originally approved August 9, 2022, for an In-home Group Daycare but have since had the opportunity to purchase a larger home. As such, the Applicants request Special Use Permit approval to operate an In-home Group Daycare for up to twelve (12) children, Monday through Friday, from 7:00 AM to 6:00 PM, located at 2857 N Kenneth Ave (APN: R0501730280); Section 14, Township 2 North, Range 1 West.

3.3.2 The property is currently zoned R-4 (Medium Density Residential), and contains an approximately 2,756 SF single-family residence with fully fenced backyard; landscaping is consistent with that of a residential use.

3.3.3 Apart from being within the Nitrate Priority Area, staff is not aware of any environmental issues, health or safety conflicts at this time.

3.3.4 The Future Land Use Map (FLUM) identifies the subject site as Medium Density Residential; the subject site is currently zoned R-4 (Medium Density Residential) and is consistent with the FLUM.

3.3.5 The subject site is at the intersection of N Kenneth Avenue and W Treehouse Way, within Arbor Ridge Subdivision No. 7. The subject site provides a driveway the width of a 3-car garage for parking, as well as community sidewalks for pedestrian connectivity.

3.3.6 In order to operate an In-Home Childcare Facility, a Special Use Permit (SUP) is required per Kuna City Code (KCC) 5-3-1: Zoning Districts and Definitions. In-home Group Childcare allows for up to twelve (12) children to be cared for throughout the day, with the appropriate staff to child ratio according to Idaho Code §39-1109(4)(a) & (b), which includes the Applicants children. The Childcare Facility proposes to operate Monday through Friday, from 7:00 AM to 6:00 PM.

3.3.7 The subject site contains a two-story home with a 3-car garage and fully fenced back yard with patio and landscaping. A covered entry is accessed via a walkway from the driveway; the driveway provides at least three (3) parking spaces for child drop-off/pick-up. Childcare facilities require a minimum of 40 Square Feet of useable indoor space per child, and 80 Square Feet of useable outdoor space per child. The Applicant will be required to comply with Idaho Code §39-1109.

3.3.8 The Applicant has passed the required inspections for their new home; Central District Health and Safety Inspection (Exhibit 2.15) on October 5, 2022, and Fire Safety Inspection for State Daycare Licensing Inspection (Exhibit 2.16) on October 18, 2022

3.3.9 Kuna Public Works, in Exhibit 2.21, states they can support approval for this Special Use Permit request.

3.3.10 Upon complete review, staff has no concerns and has determined this application complies with Title 5 of Kuna City Code; Comprehensive Plan Future Land Use Map; and Idaho Code. Staff would recommend the Planning and Zoning Commission Approve Case No. 22-15-SUP, with the Applicant subject to the Conditions of Approval listed in Section 3.4 of this report.

3.4 Conditions of Approval: As a result of the review, the Planning and Zoning Commission Approved the application with the following Conditions:

3.4.1 As requested by the Applicant, the In-Home Group Daycare shall be permitted to operate between the hours of 7:00 AM to 6:00 PM, Monday through Friday.

3.4.2 Applicant shall provide care the number of children determined appropriate after Fire Marshall inspection, as based upon the staff to child ratio provided in Idaho Code §39-1109(4)(a), but no more than twelve (12) children total; the number of children determined will include proprietors' children.

3.4.3 The Applicant shall provide protection or supervision for less than 24-hours per day, per Kuna City Code (KCC) 5-1-6.

3.4.4 The Applicant shall not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to any persons, property or general welfare by reason of excessive production of traffic or noise per KCC 5-6-3:G.

3.4.5 Applicant shall provide off-street parking and/or off-street drop off/pick up area for all patrons.

3.4.6 Applicant shall maintain an approved fire extinguisher on site at all times.

3.4.7 Applicant shall install safety locks on doors and cabinets where chemicals are stored.

3.4.8 Applicant shall install safety devices on all electrical outlets accessible to children.

3.4.9 Applicant shall install a door chime on the front door to indicate opening.

3.4.10 Fire District and Central District Health Department inspections are required for final sign off; Applicant shall provide Kuna Planning and Zoning with copies of said inspections before applying for their Kuna City Home Occupation Business License.

3.4.11 In the event the uses or the building located on this parcel is enlarged, expanded upon or altered in anyway (even for temporary purposes), the Applicant and any future assigns having interest in the subject property, shall seek an amendment to the approvals of this Special Use Permit through the Kuna Planning and Zoning Department.

3.4.12 This Special Use Permit is valid only if the Conditions of Approval are adhered to continuously. In the event the conditions are not followed, the Special Use Permit approval may be revoked.

3.4.13 The Special Use Permit shall follow the proposed intent provided on the application and divest when the Applicant no longer operates an In-Home Daycare and/or no longer has any interest in the property, or the business is discontinued for more than one (1) year. The Applicant is obligated to advise the city of any changes in ownership or leasing agreements which would affect business operation.

3.4.14 The Applicant shall acquire a Kuna Childcare Business License in accordance with KCC 3-10, through the Kuna City Clerk's office once all Conditions of the Special Use Permit are met, and shall maintain said license through the renewal process during the entirety of the time business is in operation.

3.4.15 The Special Use Permit is not transferable from one parcel to another.

3.4.16 The Applicant shall follow all staff and agency recommendations.

3.4.17 The Applicant shall comply with all local, state and federal laws.

3.4.18 The Applicant shall provide the City with a copy of the Childcare License issued by the State of Idaho Health and Welfare Department within 30 days after approval and signing of the City's Findings of Fact and Conclusions of Law for the Special Use Permit or the approvals may be revoked.

3.4.19 The Applicant shall provide a copy of all subsequent license renewals, Central District Health Department and Fire inspections to the Kuna Planning and Zoning Department.

IV
CONCLUSIONS OF LAW
RE: POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION

4.1 City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Idaho Code §50-1.

4.2 The Kuna Planning and Zoning Commission has decision-making authority over all Legislative Special Use Permit applications as provided in Kuna City Code 1-14-3.

4.3 Kuna City Code 5-6 provides that:

It is recognized that an increasing number of new kinds of uses are appearing daily, and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size, method of operation, circulation and public facilities that each specific use must be considered individually.

The Planning and Zoning Commission shall hold a Public Hearing on each Special Use Permit application as specified in the Official Schedule of District Regulations. The Commission may Approve, Conditionally Approve or Deny a Special Use Permit under the Conditions as herein specified and considering such additional safeguards as will uphold the intent of this Title.

V
ORDER OF APPROVAL FOR SPECIAL USE PERMIT

The Kuna Planning and Zoning Commission, having reviewed the above-entitled record, having listened to the arguments and presentations at the hearing, and being fully informed in the premises and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, and DO HEREBY ORDER AND THIS DOES ORDER:

5.1 The Special Use Permit (Case No. 22-15-SUP) is *Approved*.

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna at its regular meeting held on the 13th day of October 2022.

_____
Lee Young, Chairman

BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATION OF	)	**Case No. 22-08-AN (Annexation)**
	)	
	)	
STAR ACRES PROPERTIES, LLC	)	**FINDINGS OF FACT, CONCLUSIONS**
	)	**OF LAW AND ORDER OF DECISION**
For Annexation of 5625 W Barker Road.	)	**FOR ANNEXATION APPLICATION.**

THESE MATTERS came before the Planning and Zoning Commission for Public Hearing on November 22, 2022, for the receipt and consideration by the Planning and Zoning Commission of these Findings of Fact, Conclusions of Law and Order of Decision for the above referenced application. The Planning and Zoning Commission does now hereby make and set forth the Record of Proceedings, and these Findings of Fact, Conclusions of Law, and Recommended Order of Decision.

I
EXHIBIT LIST

The exhibits of the above-referenced matter consist of the following, to-wit:

1.1 Exhibits:

	DESCRIPTION OF EVIDENCE	*Withdrawn*	*Refused*	*Admitted*
1.1	Staff Report			X
2.1	P&Z Application Coversheet			X
2.2	Annexation & Zoning Application			X
2.3	Narrative			X
2.4	Warranty Deed & Legal Description			X
2.5	Vicinity Map			X
2.6	Neighborhood Meeting Certification			X
2.7	Commitment to Property Posting			X
2.8	Agency Transmittal			X
2.10	Kuna Police			X
2.12	COMPASS			X
2.13	Ada County Development Services			X
2.14	City Engineer's Memo			X
2.15	Ada County Highway District			X
2.16	KMN Publication Proof			X
2.17	Website Notice			X
2.18	300-ft Property Owners Mailer			X
2.19	Proof of Property Posting			X

1.2 Hearings

1.2.1 The Planning and Zoning Commission heard this on November 22, 2022. The FCO's have been requested to go before the Planning and Zoning Commission on December 13, 2022.

1.3 Witness Testimony

1.3.1 Those who testified at the Planning and Zoning Commission's November 22, 2022, hearing are as follows, to-wit:

1.3.1.1 City Staff:
Jessica Reid, Associate Planner

1.3.1.2 Appearing for the Applicant:
Billy Edwards, 10400 W Overland Road, Suite #316, Boise, ID, 83709 – Testified

1.3.1.3 Appearing in Favor:
Brian Frost, Developer, 10400 W Overland Road, Suite #316, Boise, ID 83709 – Testified

1.3.1.4 Appearing Neutral:
None

1.3.1.5 Appearing in Opposition:
Adrian Barker, 5005 W Barker Road, Kuna, ID, 83634 – Testified
Jenn Barker, 5005 W Barker Road, Kuna, ID, 83634 – Testified
Elver Miller, 16900 S Curtis Road, Kuna, ID, 83634 – Testified
Brian Storey, 5434 W Barker Road, Kuna, ID, 83634 – Testified

II
DECISION

WHEREUPON THE PLANNING AND ZONING COMMISSION being duly informed upon the premises and having reviewed the record, evidence, and testimony received and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING RECOMMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

III
FINDINGS OF FACT

3.1 Findings Regarding Notice

3.1.1 **Notice Required:** Notice have been given in accordance with Kuna City Code and Idaho Statutes.

3.1.2 Notice Provided

3.1.2.1 Notice was published for the November 22, 2022, hearing on the 5625 W Barker Road Annexation in the Kuna Melba News, the official City of Kuna newspaper, which has general circulation within the boundaries of the city, Ada

and Canyon County, on October 26, 2022. Notice was also published on the City of Kuna website October 24, 2022.

3.1.2.2 Notice for the November 22, 2022, hearing containing the legal description of the property proposed to be Annexed was mailed on October 26, 2022, to all know and affected property owners within three-hundred (300) feet of the boundaries of the area described in the application.

3.1.2.3 Notice for the November 22, 2022, hearing was posted on a sign in accordance with Kuna City Code 51A-8 on November 11, 2022. A Proof of Property Posting Form was provided to staff on November 11, 2022.

3.2 Findings Regarding Annexation

3.2.1 The land proposed for Annexation is comprised of one (1) parcel totaling approximately 65.5 acres. The parcel is as follows:

Owner	Parcel No.	Size	Current Zone
Star Acres Properties, LLC	S2008223010	65.5 acres	RP (Rural Preservation)

3.2.2 The landowner of the parcel at issue did not oppose Annexation.

3.2.3 The existing land uses and zoning districts for lands surrounding the subject site are as follows:

North	RP	Rural Preservation – Ada County
South	RP	Rural Preservation – Ada County
East	RP	Rural Preservation – Ada County
West	M-2	Heavy Industrial/Manufacturing – Kuna City

3.2.4 Based on the evidence contained in Case No. 22-08-AN, this proposal does/does not generally comply with Kuna City Code.

3.2.5 The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with Idaho Code §50-222, Title 5 of Kuna City Code, and the Kuna Comprehensive Plan.

3.2.6 The public notice requirements have/have not been met and the Neighborhood Meeting was/was not conducted within the guidelines of applicable Idaho Code and City Ordinances.

3.2.7 The Applicant held a Neighborhood Meeting on April 26, 2021; there were six (6) attendees. A legal notice was published in the Kuna Melba Newspaper on October 26, 2022. Neighborhood Notices were mailed out to residents within 300-FT of the proposed project site on October 26, 2022, and the Applicant posted sign on the property November 11, 2022.

3.2.8 Based on the evidence contained in Case No. 22-08-AN, this proposal does/does not generally comply with the Comprehensive Plan.

3.2.9 The Comprehensive Plan Future Land Use Map (FLUM) designates the future land use designation of the subject site as Industrial/Manufacturing; the Applicant is requesting an M-1 (Light Industrial/Manufacturing) thus being in compliance.

3.2.10 Per Ada County Highway District (ACHD) comments in Exhibit 2.14, a list of potential findings for consideration have been identified should a development application be received in the future; if and/or when a development application has been received, Applicant shall be required to adhere to ACHD policies and Kuna City Code. Public Works (Exhibit 2.22) states city services are not currently adequate to service this property as they have yet to be installed, however, the Applicant shall coordinate with the Public Works Department to determine the best and most efficient way(s) to service their property.

3.2.11 The subject site has a contiguous touch to Kuna City Limits directly west and is therefore eligible for annexation.

3.2.12 Pursuant to Idaho Code §67-8003, the owner of private property that is subject of such action may submit a written request for a regulatory taking analysis with the City Clerk. Not more that twenty-eight (28) days after the final decision concerning the matter at issue, the City shall prepare a written taking analysis concerning the action if requested.

3.3 Testimony of City Staff

3.3.1 **Conclusions:** Associate Planner Jessica Reid, in a staff report to the Planning and Zoning Commission dated November 22, 2022, confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:

3.3.1.1 The subject site currently has no dedicated ingress/egress; the north property line has approximately 870-feet of frontage on W Barker Road, while the west property line is in alignment with S Curtis Road. In Exhibit 2.16, Ada County Highway District (ACHD) provides information on District Policies which will need to be considered and/or followed upon future development of the subject site. ACHD requests that when the property should develop, civil plans be submitted for review and approval.

3.3.1.2 The Applicant held a Neighborhood Meeting with neighboring land owners within 300 ft of the proposed project area on April 26, 2022; there were six (6) attendees. The meeting minutes have been included as a part of this application. After submission of the Annexation application and conversations with staff, the Applicant determined to hold their application until they had worked through a few internal items. The Planning and Zoning Commission recommended approval of the updated FLUM on September 27, 2022, and City Council approved the updated FLUM on November 1, 2022.

3.3.1.3 Brian Frost of Star Acres Properties, LLC, requests approval to annex approximately 65.5-acres into Kuna City Limits with an M-1 (Light Industrial/Manufacturing) zoning district classification; this requested zone matches the updated FLUM and is therefore in compliance with the Comprehensive Plan. The subject site is immediately adjacent to Kuna City Limits on the west, known as the East Kuna Industrial area, which was annexed October 19, 2021. Currently, there is no development associated with this application, however, the Applicant intends to come forward with a development application in the future.

3.3.1.4 COMPASS addresses the proposed annexation and its conformance with the goals of the Communities in Motion 2050 plan (Exhibit 2.13); overall, the proposed annexation provides a positive Net Fiscal Impact but does not improve

public transportation services. Staff would note there are not any alternative transportation options currently available, however, these services will eventually follow development of this overall Industrial area.

3.3.1.5 Ada County Development Services has also reviewed this annexation request and is in support of the application as the requested zoning designation is compatible to surrounding uses which includes feed lots, meat packing facilities, a solar farm and gravel/rock pits (see Exhibit 2.14)

3.3.1.6 Public Works staff provides their support of this application in Exhibit 2.15, given the Applicant can provide alternative to sewer and water capacity issues. Staff notes that there are currently water and sewer projects in the works which will serve the East Kuna Industrial area; the Applicant shall be required to coordinate with Public Works to address their water and sewer needs.

3.3.1.7 Again, staff notes there is no development associated with this application. If and/or when the Applicant wishes to develop the subject site, additional land use applications and Design Review applications shall be required.

3.3.1.8 Staff has determined the Applicant's annexation request is within technical compliance with Idaho Statute §50-222, Title 5 of Kuna City Code, and the goals and policies set forth in Kuna's Comprehensive Plan. Staff recommends that if the Commission recommends Approval of the Annexation to the City Council, the Applicant be subject to the Conditions of Approval listed in section 3.3.2 of this report, as well as any additional Conditions designated by the Planning and Zoning Commission.

3.3.2 Staff Recommendations: As a result of the review, Associate Planner Jessica Reid, recommended if the Planning and Zoning Commission recommended Approval of Case No. 22-08-AN (Annexation), the Applicant be subject to the following Conditions of Approval:

3.3.2.1 Upon development 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:

3.3.2.1.1 The City Engineer shall approve the sewer connections.

3.3.2.1.2 The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.

3.3.2.1.3 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".

3.3.2.1.4 The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District are required.

3.3.2.1.5 The Kuna Municipal Irrigation System (KMIS) and Boise Project Board of Control shall approve any modifications to the existing irrigation system.

3.3.2.1.6 Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permit(s).

3.3.2.1.7 All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.

3.3.2.2 Applicant/Owner/Developer shall coordinate with the Public Works Department and City Engineer, to address water/sewer needs of any future development. 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.

3.3.2.3 Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.

3.3.2.4 When required, submit a petition to the City (as necessary, confirmed with the City Engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the KMIS of the City.

3.3.2.5 The Applicant/Developer/Owner, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.

3.3.2.6 The Applicant/Developer/Owner shall follow staff, City Engineers and other agency recommended requirements as applicable.

3.3.2.7 The Applicant/Developer/Owner shall comply with all local, state and federal laws.

3.2.2.8 The Applicant/Developer/Owner is hereby notified of Kuna's weed control policies and requirements (KCC 8-1-3). Weeds, grasses, vines or other growth which endanger property or are over twelve (12) inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout all seasons.

3.2.2.9 The Applicant/Developer/Owner/Contractors are all hereby notified of Kuna's working hours. Construction of any kind shall only be conducted within the hours specified in KCC. Noises and other public nuisances/distractions outside of this time frame are subject to lawful penalties.

3.4 Other Testimony

3.4.1 11/22/2022 Public Hearing – Adrian Barker, 5005 W Barker Road, Kuna, ID, 83634, testified that current development in the area has attributed to it feeling like City of Kuna vs Pleasant Valley, and explained he would prefer development that supported the residents in the area. Mr. Barker stated that he had questioned the types of Industrial that would be developed but had not received an answer.

3.4.2 11/22/2022 Public Hearing – Jenn Barker, 5005 W Barker Road, Kuna, ID, 83634, testified how development of the area would cause light pollution, Industrial/Commercial development did not consider residents in the area. Mrs. Barker also testified to her concerns development would have on the Birds of Prey area, how the existing lifestyle of residents and their peace would be affected. She continued by testifying to her concerns

of increased traffic and theft, the loss of habitat, and increase of the mosquito population due to the nearby Meta project.

3.4.3 11/22/2022 Public Hearing – Elver Miller, 16900 S Curtis Road, Kuna, ID, 83634, testified to the resident's intent to live away from the city and how the lifestyle was now being affected. Mr. Miller expressed concerns with light pollution due to development, as well as deep concerns regarding how area development has already begun to affect his well which was spitting out debris. He stated that after conversation with Ada County (agency/department not specified), he discovered they were unaware the roadway was torn up. Mr. Miller discussed the number of jobs currently open in the Treasure Valley that could not be filled due to lack of people, and did not believe bringing additional jobs would be appropriate. Mr. Miller concluded with his concerns regarding the loss of open range and farm land.

3.4.4 11/22/2022 Public Hearing – Brian Storey, 5434 W Barker Road, Kuna, ID, 83634, echoed his neighbors' concerns and testified to his reasons for living in the area. Mr. Storey commented on how construction of the Meta project was greatly affecting the area already by tearing up roadways. Mr. Storey concluded by testifying to his concerns with the labor force already dropping off and the number of open jobs already, then asked if additional Industrial/Manufacturing was really what was needed.

3.4.5 11/22/2022 Public Hearing – Brian Frost, 10400 W Overland Road, Suite #316, Boise, ID, 83709, testified that additional Industrial/Manufacturing locations were needed as development of one of his previous Industrial projects was fully leased before construction was even complete.

3.4.6 11/22/2022 Public Hearing – Billy Edwards, 10400 W Overland Road, Suite #316, Boise, ID, 83709, rebutted that the Applicant was currently only requesting Annexation and Zoning so the foundation would be laid and they could pursue actual users; that is when they would have an idea of what type of uses could potentially be in the future development. Mr. Edwards stated development of the site would be done in full compliance with Kuna City Code and explained there would be future opportunities for residents to comment when a Preliminary Plat application was brought forward.

3.4.7 11/22/2022 Public Hearing – William Shelman, 18593 S Pleasant Valley Road, Kuna, ID, 83634, testified that all development occurring within the area has negatively affected the residents, and specifically referenced the feed lot for CS Beef and the L&R Treatment Plant; Mr. Shelman stated the smells were horrible and greatly affected the lifestyle of the residents.

3.4.8 11/22/2022 Public Hearing – Brain Frost, 10400 W Overland Road, Suite #316, Boise, ID, 83709, provided additional rebuttal by explaining the requested zone did not allow those types of uses which residents were concerned about, and reiterated the request was for Annexation so the groundwork could be laid and users could be found.

IV
CONCLUSIONS OF LAW
RE: POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION

4.1 City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho is organized, existing and functioning pursuant to Code §50-1.

4.2 The power of the City of Kuna lies in the Planning and Zoning Commission to hear this matter as provided in Idaho Code §50-222 and Kuna City Code 1-14-3.

V
CONCLUSIONS OF LAW
RE: APPLICATION FOR ANNEXATION

5.1 The City of Kuna has authority to annex lands into its boundaries pursuant to Idaho Code §50-22.

5.2 Idaho Code §50-222(1) provides that:

> [C]ities of the stat should be able to annex lands which are reasonably necessary to assure the orderly development of Idaho's cities in order to allow efficient and economically viable provisions of tax-supported and fee-supported municipal services, *to enable the orderly development of private lands* which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocated the costs of public services in management of development on the urban fringe.

(emphasis added).

5.3 The proposed Annexation is a Category A Annexation as described in Idaho Code §50-222(3)(a), because the private landowner of the parcel at issue has consented to the proposed Annexation.

5.4 The Annexation proposed by the application for Case No. 22-08-AN, would constitute an orderly development and would not contribute to urban sprawl of the City of Kuna.

VI
ORDER OF RECOMMENDING APPROVAL OF APPLICATION FOR ANNEXATION

The Kuna Planning and Zoning Commission, having reviewed the above-entitled record, having listened to the arguments and presentations at the hearing, and being fully informed in the premises and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, DO HEREBY ORDER AND THIS DOES ORDER:

6.1 The Annexation application (Case No. 22-08-AN) is recommended Approval to the City Council.

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna at its regular meeting held on the 13th of December 2022.

_____

Lee Young, Chairman

BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATIONS OF **BOISE BASIN DEVELOPMENT, LLC** *For a Preliminary Plat and Design Review Request for Griffons Point Subdivision.*	)	**Case Nos. 22-14-S (Preliminary Plat) and 22-31-DR (Design Review).** **FINDINGS OF FACT CONCLUSIONS OF LAW AND RECOMMENDED APPROVAL FOR PRELIMINARY PLAT, AND APPROVAL FOR DESIGN REVIEW.**

THESE MATTERS came before the Planning and Zoning Commission for Public Hearing on November 22, 2022, for receipt and consideration by the Commission of these Findings of Fact, Conclusions of Law and Order of Decision for the above referenced application. The Commission does now hereby make and set forth the Record of Proceedings, and these Findings of Fact, Conclusions of Law, and their recommended Findings of Fact and Conclusions of Law (FCO's).

I
RECORD OF PROCEEDINGS

The record of proceedings of the above-referenced matter consists of the follow, to-wit:

1.1 Exhibits:

	DESCRIPTION OF EVIDENCE	*Withdrawn*	*Refused*	*Admitted*
1.1	Staff Report			X
2.1	P&Z Application Coversheet			X
2.2	Preliminary Plat Application			X
2.3	Design Review Application			X
2.4	Narrative			X
2.5	Vicinity Map			X
2.6	Legal Description			X
2.7	Warranty Deed			X
2.8	Affidavit of Legal Interest			X

2.9	Neighborhood Meeting Certification			X
2.10	Commitment to Property Posting			X
2.11	Subdivision Name Reservation			X
2.12	Preliminary Plat AND Phasing Map			X
2.13	Landscape Plan			X
2.14	Maintenance for Common Lots – CC&R's			X
2.15	Agency Comments Transmittal			X
2.16	City Engineer's Memo			X
2.17	Ada County Highway District (ACHD)			X
2.18	Ada County Planning Dept.			X
2.19	Boise Kuna Irrig. Dist.			X
2.20	Boise Project Board of Control			X
2.21	Central District Health Department			X
2.22	COMPASS			X
2.23	Kuna Police Dept. (Ada County Sheriff's Office)			X
2.24	Kuna Rural Fire Dist.			X
2.25	Commission Kuna Melba News Proof			X
2.26	Commission 300' Mailer			X
2.27	Commission Proof of Property Posting			X
2.28	Commission Website Notice			X

1.2 Hearings

1.2.1 The Planning and Zoning Commission heard this application November 22, 2022. The FCO's have been requested to go to the Planning and Zoning Commission on December 13, 2022. A Neighborhood Meeting was held May 24, 2022, and eight (8) residents attended. A legal notice was published in the Kuna Melba Newspaper on November 2, 2022. The Applicant posted a sign on the property November 11, 2022. Neighborhood Notices were mailed to land owners within 300-FT of the proposed project site on November 1, 2022.

1.3 Witness Testimony

1.3.1 Those who testified at the Commissions' November 22, 2022, hearing are as follows, to-wit:

1.3.1.1 City Staff:
Troy Behunin, Planner III

1.3.1.2 Appearing for the Applicant:
Chase Craig, Boise Basin Development, LLC, 1065 S Allante Pl., Boise, ID 83709 - Testified

1.3.1.3 Appearing in Favor:
None

1.3.1.4 Appearing Neutral:
Dani Ostolasa-Mendiola, 226 S Eagle Road, Kuna, ID, 83634 – Testified
Kathryn Rainwater, 145 S Marko Lane, Kuna, ID, 83634 – Did Not Testify
Dennis Rainwater, 145 S Marko Lane, Kuna, ID, 83634 – Did Not Testify
John Vehlow, 330 N Eagle Road, Kuna ID, 83634 – Testified
Brett Hatfield, 4600 Flying Horse Lane, Kuna, ID, 83634 – Testified

1.3.1.5 Appearing in Opposition:
Jon Mendiola, 226 S Eagle Road, Kuna, ID, 83634 – Testified

II
DECISION

WHEREUPON THE PLANNING AND ZONING COMMISSION being duly informed upon the premises and having reviewed the record, evidence, and testimony received and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING RECOMMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

III
FINDINGS OF FACT

3.1 Findings Regarding Notice

3.1.1 Notice Required: Notice has been given in accordance with the City Code and Idaho Statutes.

3.1.2 Notice Provided

3.1.2.1 Notice was published for the November 22, 2022, hearing for the Griffon's Point Subdivision in the *Kuna Melba News*, the official City of Kuna newspaper, which has general circulation within the boundaries of the city, Ada County and Canyon County.

Newspaper	***Dates Published***
Kuna Melba News	November 2, 2022

3.1.2.2 Notice for the November 22, 2022, hearing containing the description of the proposed applications, was mailed on November 1, 2022, to all known and affected property owners within at least 300 feet of the boundaries of the area described in the application.

3.1.2.3 Notice for the November 22, 2022, hearing was posted on signs in accordance with Kuna City Code (KCC) 5-1A-8, on November 11, 2022. A Proof of Property Posting was provided to staff on November 11, 2022.

3.1.2.4 Notice for the November 22, 2022, hearing was posted on the City Website.

3.2 Findings Regarding Preliminary Plat, and Design Review

3.2.1 The land proposed for Subdivision, and Design Review is on one (1) parcel *approximately* (approx.) 22.28 acres. The parcel information is listed below:

APN	Owner	Size	Zone
S1428223050	Boise Basin Development, LLC	22.28 ac.	R-4 (Medium Density Residential)

3.2.2 The existing land uses and zoning district classifications for lands surrounding the subject parcels are as follows:

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

3.2.3 All technical requirements listed in Kuna City Code (KCC) 6-2-3 have been provided.

3.2.4 The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with the design requirements, public improvement requirements, objectives and considerations listed in Kuna City Code Title 5 and Title 6. Public Works' support is contingent on adequate water pressures and fire flows will be met.

3.2.5 The Applicant held a Neighborhood Meeting May 24, 2022; eight (8) residents attended. Landowner Legal Notices were mailed out to residents within 300-feet of the proposed project site on November 1, 2022, and a legal notice was published in the Kuna Melba Newspaper on November 2, 2022. The Applicant posted a sign on the property on November 11, 2022.

3.2.6 The Comp Plan has listed numerous goals for providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups in Kuna, as well as the installation of pathways and open space. The existing zoning district is R-4; the FLUM designates the property as Medium Density Residential.

3.2.7 Review by Staff of the proposed Preliminary Plat confirms all applicable technical requirements listed in KCC were provided.

3.2.8 According to Exhibit 2.16, Public Works staff conditionally supports the Griffons Point Subdivision development with conditions of that support listed in the Engineers Memo. The site does not have adequate potable water pressures in this area and has been in communication with the Public Works Department. A potential solution would be to

construct a potable water booster station with a tank near the intersection of E Kuna Rd and N Locust Grove Rd. Public Works can support approval of this application contingent that adequate water pressures and fire flows will be met. According to Exhibit 2.17 in the ACHD report, it states Cloverdale Road is listed in the CIP to be widened to 5-lanes from Kuna Road to Deer Flat Road between 2036 and 2040 and, the intersection of Kuna Road and Cloverdale Road is listed in the CIP to be reconstructed as a multi-lane roundabout with 4-lanes on the north leg, 4-lanes on the south, 2-lanes east, and 2-lanes on the west leg, and signalized between 2036 and 2040.

3.2.9 Throughout the development of the project and beyond, connection fees, impact fees (Fire, Police, Park and Ada County Highway District), and property taxes will be collected, therefore satisfying the financial capability to provide supporting services.

3.2.10 Connection to City services, as well as other public improvements such as streetlights, fire hydrants, sidewalks, etc. are required to be implemented as a part of this project. No major wildlife habitats will be impacted by the proposed development.

3.2.11 A six-foot vinyl fence and perimeter landscape buffering is proposed around the perimeter of the subdivision where permitted, unless otherwise approved.

3.2.12 Pursuant to Idaho Code 67-8003, the Owner of private property that is subject of such action may submit a written request for a regulatory taking analysis with the City Clerk, not more that twenty-eight (28) days after the final decision concerning the matter at issue. The City shall prepare a written taking analysis concerning the action if requested.

3.3 Testimony of the City Planner

3.3.1 **Conclusions**: The City Planner in a staff report to the Planning and Zoning Commission dated November 22, 2022, confirmed a review of the site plan and records on file at the City of Kuna has been completed with the following conclusions:

3.3.1.1 A Pre-Application Meeting was held between the Applicant and the City May 5, 2022. The Applicant held a Neighborhood Meeting with residents within 300-ft of the proposed project area on May 24, 2022; there were eight (8) attendees. Neighborhood Meeting Minutes, as well as mailed materials have been provided as a part of this application.

3.3.1.2 This parcel was Annexed into Kuna City limits on April 19, 2022, with an R-4 (Medium Density Residential) Zone. The Applicant requests Preliminary Plat (Pre-Plat) approval to subdivide approximately (approx.) 22.28 acres into 72 single-family lots, 14 common lots and two (2) shared driveway lots.

3.3.1.3 The overall gross density of the project is proposed to be 3.23 dwelling units per acre (DUA), and the overall net density is proposed to be 3.75 DUA. The Applicant proposes 3.42 acres, or 15.35% of the total project as open space. Staff finds the proposed usable open space to be compliant with KCC 5-17-12-D.

3.3.1.4 According to Exhibit 2.16, Public Works staff conditionally supports the Griffons Point Subdivision development with conditions of that support listed

in the Engineers Memo. The site does not have adequate potable water pressures in this area and has been in communication with the Public Works Department. A potential solution would be to construct a potable water booster station with a tank near the intersection of E Kuna Rd and N Locust Grove Rd. Public Works can support approval of this application contingent that adequate water pressures and fire flows will be met.

3.3.1.5 Staff recommends a pedestrian pathway be provided on the east side, in proposed Phase 1, Block 1, near Lots 14-16 (mid-block). Staff also recommends a pedestrian pathway near Phase 2, Block 3, Lots 10-11 (to line up with the pathway across the street), for continuous pedestrian and non-motorized traffic through the project.

3.3.1.6 The Applicant proposes two (2) private driveways. Staff recommends the Applicant be conditioned to work with the City Engineer for proper easement widths for the project as a whole, and in particular the clustered homes near the private driveways. If this project is approved, it is the responsibility of the Developer to ensure any anticipated buildings fit all buildable lots.

3.3.1.7 The installation of streetlights is a required public improvement listed under KCC 6-4-2. The Applicant shall be required to work with staff in order to comply with KCC and install street lights a maximum spacing of 250-ft.; the final location of street lights will be approved at the time of construction document review. Staff notes that these streetlights must be designed and installed according to "Dark Sky" standards and shall be LED streetlights.

3.3.1.8 A Design Review application for common areas was included with this application. Staff notes the Applicant shall comply with KCC 5-5-5-F and install "see-through" fencing along all residential buildable lot property lines abutting pathways and greenbelts unless otherwise approved. Staff finds the proposed landscaping, buffers and common space to be in compliance with Kuna City Code. It is the responsibility of the Developer to ensure the landscape buffer widths follow KCC. Additionally, staff notes if this project is approved, at the time of civil plan development, landscaping cannot be placed within ten (10) feet of any meter pits, pressurized irrigation valves, or ACHD underground facilities. In the event that locations of landscaping elements are within the locations listed above, those trees must be moved to an alternate location, and an updated landscape plan must be provided to staff prior to scheduling a landscape inspection. Staff notes on landscape plan a note for tree plantings says "Fold burlap back 1/3 of the way", the note shall state "burlap to be removed at least 1/2 way down the root ball. Developer shall correct the note and submit a corrected Landscape Plan.

3.3.1.9 The Developer/Owner/Applicant is hereby notified that this project is subject to Design Review inspection fees. Required inspections (post construction), are to verify landscaping compliance prior to requesting signature on the Final Plat.

3.3.1.10 The Applicant will be required to work with Kuna's staff, ACHD, the Kuna Rural Fire District (KRFD) and any other applicable agencies to ensure conformance to each agency's requirements.

3.3.2 Conditions of Approval: As a result of the review, Senior Planner Troy Behunin, recommended the Planning and Zoning Commission Approves Case No. 22-31-DR, and recommends Approval to City Council for Case No. 22-14-S, the Applicant be subject to the following Conditions of Approval:

3.3.2.1 The Developer/Owner/Applicant 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:

3.3.2.1.1 The City Engineer shall approve all sewer connections.

3.3.2.1.2 The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.

3.3.2.1.3 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".

3.3.2.1.4 The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District are required.

3.3.2.1.5 The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.

3.3.2.1.6 Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid *prior* to issuance of any building permit(s).

3.3.2.1.7 All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.

3.3.2.2 Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see KCC 6-4-2

3.3.2.3 Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.

3.3.2.4 Connection to City Services (Sewer and Domestic Water) is required; the Applicant shall conform to all corresponding City of Kuna Master Plans.

3.3.2.5 The Developer/Owner/Applicant shall be required to participate, as determined by the City Engineer, in the development of additional Lift Station capacity, and or Water Booster Station.

3.3.2.6 The Developer/Owner/Applicant shall not submit an application for Final Plat until the City's Public Works Director issues a Will-Serve Letter stating that the City's appurtenance has capacity to service the proposed development with domestic water, and accept the wastewater discharged from the proposed development.

3.3.2.7 In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a Final Plat, the Applicant shall have good cause and may be eligible to receive, pursuant to KCC § 6-2-3 (J), a Time Extension to file a Final Plat up to and until a Will-Serve Letter has been issued.

3.3.2.8 Buffers, curb, gutter and sidewalk (attached and detached) shall be installed in accordance with Kuna City Code Title 5 Chapter 17 and Title 6 Chapter 4.

3.3.2.9 Developer/Owner/Applicant shall work with Ada County Highway District and the City of Kuna to complete all required traffic mitigation improvements to the surrounding roadways and intersections as detailed in the Ada County Highway District staff report.

3.3.2.10 It is the responsibility of the Developer or their engineer to coordinate, design *and* construct to the stricter requirement between outside agencies and the City of Kuna standards for the entire development.

3.3.2.11 Developer/Owner/Applicant shall work with staff in order to provide final locations of streetlights as required by Kuna City Code. Streetlights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.

3.3.2.12 Fencing within and around the site shall comply with Kuna City Code (unless specifically approved otherwise and permitted).

3.3.2.13 For the life of the project, 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 in public Rights-of-Way shall be approved by ACHD.

3.3.2.14 Landscaping shall not be placed within *ten (10) feet* of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles.

3.3.2.15 All signage within/for the project shall comply with Kuna City Code, and shall be approved through the applicable sign approval process listed in KCC 5-10.

3.3.2.16 If any revisions are made, the Applicant shall provide the Planning and Zoning Staff with a revised copy of the Preliminary Plat.

3.3.2.17 Any revisions of the plat are subject to Administrative Determination to rule if the revision is substantial.

3.3.2.18 The Developer/Owner/Applicant, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through Public Hearing processes.

3.3.2.19 Developer/Owner/Applicant shall measure all front building setbacks from back of sidewalk on all internal local roads.

3.3.2.20 Applicant shall work with the City Engineer for proper easement widths for the entire project, in particular the lots accessed via private driveways.

3.3.2.21 It is the responsibility of the Developer to ensure any anticipated residential buildings fit any given buildable lot.

3.3.2.22 It is the responsibility of the Developer to create and provide fully functional lots for all future users.

3.3.2.23 Developer/Owner/Applicant/Contractors are all hereby notified of Kuna's working hours. Construction of any kind shall only be conducted within the hours specified in KCC. Noises and other public nuisances/distractions outside of this time frame are subject to lawful penalties.

3.3.2.24 Developer/Owner/Applicant is hereby notified of Kuna's weed control policies and requirements (KCC 8-1-3). Weeds, grasses, vines or other growth which endanger property or are over twelve (12) inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout all seasons.

3.3.2.25 No final plats will not be sent to Council for approval if the property has an active code enforcement issue(s) for the property, until the code enforcement is resolved.

3.3.2.26 Developer/Owner/Applicant is hereby notified that this project is subject to Design Review inspection fees. Required inspections (post construction), are to verify landscaping compliance prior to requesting signature on the Final Plat.

3.3.2.27 The Landscape Plan (dated 6.20.22) and Preliminary Plat (dated 6.20.22) will be considered binding site plans as amended and/or approved.

3.3.2.28 Developers/Owners/Applicants shall not impede downstream and/or upstream water users' rights.

3.3.2.29 Developer/Owner/Applicant is hereby notified that this project is subject to Design Review inspection fees. Required inspections (post construction), are to verify landscaping compliance prior to requesting signature on the final plat.

3.3.2.30 Developer, Owner/Applicant is hereby notified that this project is subject to Design Review inspection fees. Required inspections (post construction), are to verify landscaping compliance prior to requesting signature on the final plat.

3.3.2.31 Developer/Owner/Applicant shall install a pedestrian pathway on the east side, in proposed Phase 1, Block 1, near Lots 14-16 (mid-block) for continuous pedestrian and non-motorized traffic through the project.

3.3.2.32 Developer/Owner/Applicant shall install a pedestrian pathway in-line with the pathway across the street near Phase 2, Block 3, Lots 10-11 for continuous pedestrian and non-motorized traffic through the project.

3.3.2.33 Developer/Owner/Applicant shall follow staff, the City Engineer's, and other agency recommended requirements as applicable.

3.3.2.34 Developer/Owner/Applicant and all successors shall comply with all Local, State and Federal Laws.

3.4 Other Testimony

3.4.1 11/22/2022 Public Hearing – Chase Craig, Boise Basin Development, LLC, 1065 S Allante Pl., Boise, ID 83709, shared a power point presentation of the project. He explained there has been good coordination with the neighbors and little negative feelings between the groups. They are willing to work with the neighbors and the City on stated issues/items, they want to be good neighbors. Mr. Conor presented a letter to their neighbor (Session) and how they are willing to add additional screening and a fence on a mound at a specific place.

3.4.2 11/22/2022 Public Hearing – Dani Ostolasa-Mendiola, 226 S Eagle Road, Kuna, ID, 83634, testified of her concerns about the project being adjacent to the Mora and New York Canals and a need for fencing installed for kids' safety. Dani commented about being nervous when she hears "single family, and affordable housing". She mentioned a discussion she had with the irrigation district where she requested the footbridge between the project and her property was removed; she was concerned with people and/or pets coming across. Ultimately, Mrs. Ostolasa-Mendiola stressed that safety was her greatest concern and commented that vinyl fencing would keep kids in/out.

3.4.3 11/22/2022 Public Hearing – John Vehlow, 330 N Eagle Road, Kuna ID, 83634, John mentioned his 45 year history living near the project site and operated a horse stable on his property since he moved there. John explained a majority of homes in the area are on acreage similar to his and used as Agriculture. John asked the Commission to consider the 'great' density of the project vs the surrounding Agriculture uses, the increased traffic and lack of fire services. He expressed he felt the project was too dense for the area and that the infrastructure was not up to it. John was granted one more question by the Commission, John asked if the proposed development would be serviced by a well or if it would be connected to city services.

3.4.4 11/22/2022 Public Hearing – Brett Hatfield, 4600 Flying Horse Lane, Kuna, ID, 83634, Brett Hatfield testified that he was not opposed to growth and admitted his personal business profited from that growth, but would like to see a development with a lower density as he believed this higher density belonged closer to town. Brett also expressed

concerns with fire services and the increased traffic that would result and requested a little less density.

3.4.5 11/22/2022 Public Hearing – Jon Mendiola, 226 S Eagle Road, Kuna, ID, 83634, Jon asked how the Developer reached the density they were stating as the project has 600-ft of canal frontage and a 60-ft easement from said canal.

3.4.6 11/22/2022 Public Hearing REBUTTAL – Chase Craig, Boise Basin Development, LLC, 1065 S Allante Pl., Boise, ID 83709, Mr. Craig rebutted that they fully supported fencing for safety and would install what was permitted per the irrigation district and city. He further explained that the project was on the lower end of the allowable density as they were developing at an R-4 instead of the R-6 or even R-8 permitted within Medium Density Residential zoning district. Mr. Chase commented that the City of Kuna had not grown in a perfectly centric way and additional development along E Kuna Road would come in the future. He explained that 25% of the sites developable acreage had been lost to roads, easements, etc., and that they would not be constructing anything within the canal's Federal easement. Mr. Craig also explained the proposed project would be connected to city services, and that KRFD had reviewed the proposed project with no additional comments.

IV
CONCLUSIONS OF LAW
RE: POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION

4.1 City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50, Idaho Code.

4.2 The power of the City of Kuna lies in the Planning and Zoning Commission to hear this matter as provided in Idaho Code §67-65, and Kuna City Code 1-14-3.

V
CONCLUSIONS OF LAW
RE: APPLICATION FOR PRELIMINARY PLAT

5.1 The City of Kuna has authority to approve Preliminary Plats within its boundaries pursuant to I.C. §50-13 & 67-65.

5.2 In Kuna City Code, Title 1, Chapter 14, Section 3, states that Preliminary Plats are designated as Public Hearings, with the Planning and Zoning Commission as a recommending body and the City Council as the decision-making body.

5.3 Subdivision regulations as defined in Kuna City Code Title 6 are authorized by I.C. §§ 50-13 & 67-65 and Article 12, section 2.

VI
CONCLUSIONS OF LAW
RE: APPLICATION FOR DESIGN REVIEW

6.1 The Kuna Planning and Zoning Commission has the decision-making authority over all Legislative Design Review applications as provided in Kuna City Code 1-14-3.

6.2 Kuna City Code 5-4-2 provides that:

> "This chapter applies to all proposed development located within the Design Review Overlay District which shall include the entire City Limits, and any land annexed into the city after the date of adoption hereof. Such development includes, but is not limited to, new commercial, industrial, institutional, office, multi-family residential projects, common areas, subdivision signage, proposed conversions, proposed changes in land use and/or building use, or exterior remodeling, exterior restoration, and enlargement or expansion of existing buildings, signs or sites, and requires the submittal of a Design Review application pursuant to this Chapter and fee as prescribed from time to time by the City Council."

VII
ORDER OF RECOMMENDED APPROVAL OF APPLICATION FOR PRELIMINARY PLAT

The Kuna Planning and Zoning Commission, having reviewed the above-entitled record, having listened to the arguments and presentations at the hearing, and being fully informed in the premises and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, DO HEREBY ORDER AND THIS DOES ORDER:

7.1 That the Preliminary Plat Application (Case No. 22-14-S) is recommended for *Approval*.

VIII
ORDER OF APPROVAL OF APPLICATION FOR DESIGN REVIEW

8.1 That the Design Review Application (22-31-DR) is hereby Approved.

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna at its regular meeting held on the 13th day of December 2022.

_____
Chairman, Lee Young

BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATION OF	)	**Case No. 22-12-SUP (Special Use Permit)**
	)	
ALAIN & CHLOE LEMESSE	)	
	)	
For Special Use Permit for an In-Home Group Daycare at 6810 S Nordean Ave.	)	**STAFF REPORT FOR SPECIAL USE PERMITAPPLICATION.**

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6. Staff Analysis
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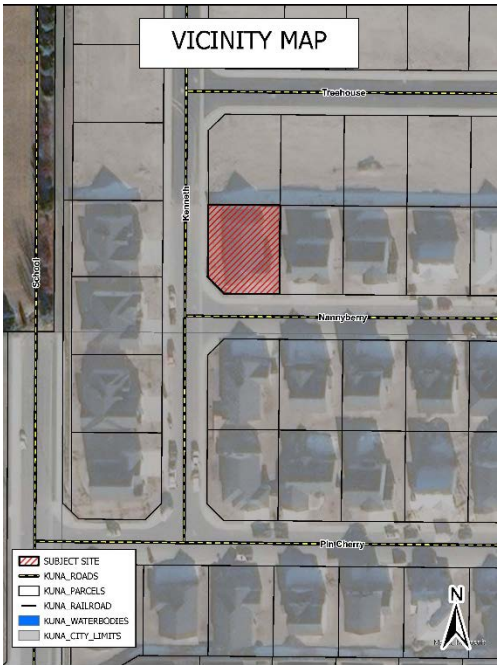
8. Proposed Comprehensive Plan Analysis
9. Commission's Recommendation



I
EXHIBIT LIST

The exhibits of the above-referenced matter consist of the following, to-wit:

1.1 Exhibits:

	DESCRIPTION OF EVIDENCE	*Withdrawn*	*Refused*	*Admitted*
1.1	Staff Report			X
2.1	P&Z Application Coversheet			X
2.2	Daycare Application			X
2.3	Narrative			X
2.4	Aerial Map			X

2.5	Vicinity Map			X
2.6	Deed			X
2.7	Proof State License Begun			X
2.8	Site Plan			X
2.9	CPR & First Aid Certification			X
2.10	Sick Child Plan			X
2.11	Emergency Evacuation Plan			X
2.12	Neighborhood Meeting Certification			X
2.13	Commitment to Property Posting			X
2.14	Enhanced Background Checks – Passed			X
2.15	Fire Safety Inspection – Passed 09.06.2022			X
2.16	Agency Transmittal			X
2.17	Ada County Highway District			X
2.18	City Engineer's Memo			X
2.19	KMN Proof of Publication			X
2.20	300-ft Property Owners Notice			X
2.21	Proof of Property Posting			X

II
PROCESS AND NOTICING

2.1 In accordance with Kuna City Code (KCC) 5-3-2: Zoning District Regulations, and 5-6: Special Uses, operating an In-home Daycare requires a Special Use Permit. In addition, it states Special Use Permits are designated as Public Hearings, with the Planning and Zoning Commission 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 Land Use Planning Act.

2.2 In accordance with KCC 5-3-6, the Applicant seeks approval of a Special Use Permit (SUP) for an In-Home Daycare at the subject site which allows for no more than twelve (12) children at any one time, on a regularly scheduled basis; staff notes the total number of children permitted will be determined upon inspection performed by the Fire Marshall. SUP applications require a Public Hearing be held in front of the Planning and Zoning Commission with formal notification and site posting required.

2.2.1 Notifications

2.2.1.1 Neighborhood Meeting: July 18, 2022

2.2.1.2 Agency Transmittal: October 13, 2022

2.2.1.3 Kuna Melba News Newspaper: October 19, 2022

2.2.1.4 300 FT Property Owners Notice: October 19, 2022

2.2.1.5 Site Posted: October 30, 2022

III
APPLICANTS REQUEST

3.1 Alain and Chloe Lemesse request approval to operate an in-home group daycare for up to 12 children, from 6:00 AM to 6:00 PM, Monday through Friday, at 6810 S Nordean Avenue (APN: R5665670180); Section 3, Township 2 North, Range 1 West.

IV
GENERAL PROJECT FACTS

4.1 Site History

4.1.1 The property is zoned R-6 (Medium Density Residential) and the existing dwelling has been used as a single-family residence since its construction.

4.2 Surrounding Land Uses

North	R-6	Medium Density Residential – Kuna City
South	R-6	Medium Density Residential – Kuna City
East	R-6	Medium Density Residential – Kuna City
West	R-6	Medium Density Residential – Kuna City

4.5 Parcel Number, Owner, Zoning and Size

4.5.1 Alain & Chloe Lemesse
4.5.2 R5665670180
4.5.3 R-6 (Medium Density Residential)
4.5.4 0.175-acres

4.6 Services

Sanitary Sewer – City of Kuna
Potable Water – City of Kuna
Fire Protection – Kuna Rural Fire District
Police Protection – Kuna Police (Ada County Sheriff's Office)
Sanitation Services – J&M Sanitation

4.7 Existing Structures, Vegetation, and Natural Features

4.7.1 An approximately 1,845 SF, one-story, single-family residence with a fully fenced backyard is onsite; landscaping is consistent with that of a residential use.

4.8 Environmental Issues

4.8.1 Apart from being within the Nitrate Priority Area, staff is not aware of any environmental issues, health or safety conflicts at this time.

4.9 Comprehensive Plan Future Land Use Map

4.9.1 The Future Land Use Map (FLUM) identifies the subject site as Medium Density Residential; the subject site is currently zoned R-6 (Medium Density Residential) and is consistent with the FLUM.

V
TRANSPORTATION AND CONNECTIVITY

5.1 The subject site is on the southeast corner of the W Tribute Street and S Nordean Avenue intersection within Memory Ranch Subdivision No.1. A 21-foot-wide or more driveway provides off-street parking for patrons of the daycare. The Ada County Highway District (Exhibit 2.17) expressed no concerns with this Special Use Permit Request.

VI
STAFF ANALYSIS

6.1 In order to operate an In-Home Childcare Facility, a Special Use Permit (SUP) is required per Kuna City Code (KCC) 5-3-1: Zoning Districts and Definitions. In-home Group Childcare allows for up to twelve (12) children to be cared for throughout the day, with the appropriate staff to child ratio according to Idaho Code §39-1109(4)(a) & (b), which includes the Applicants children. The Childcare Facility proposes to operate Monday through Friday, from 6:00 AM to 6:00 PM; one (1) additional family member who lives on the premises is to be employed at the daycare.

The subject site contains a one-story, single-family home with a 2-car garage, paved side yard and fully fenced back yard with patio; landscaping is well established. A covered entry is accessed via a walkway from the driveway which provides at least three (3) parking spaces for child drop-off/pick-up. Childcare facilities require a minimum of 40 Square Feet of useable indoor space per child, and 80 Square Feet of useable outdoor space per child. The Applicants will be required to comply with Idaho Code §39-1109.

The Applicants passed their Fire Safety Inspection (Exhibit 2.15) on September 6, 2022; Applicants and employee passed have all passed their Enhanced Background Checks.

In Exhibit 2.18, the City Engineer states they can support approval for this Special Use Permit request as it proposes no changes to public works infrastructure.

Upon complete review, staff has no concerns and has determined this application complies with Title 5 of Kuna City Code; Comprehensive Plan Future Land Use Map; and Idaho Code. Staff would recommend the Planning and Zoning Commission Approve Case No. 22-12-SUP, with the Applicant subject to the recommended Conditions of Approval listed in Section X (10) of this report.

6.2 Applicable Standards

6.2.1 City of Kuna Zoning Ordinance, Title 5
6.2.2 City of Kuna Comprehensive Plan FLUM
6.2.3 Idaho Code, Title 67, Chapter 65 – Local Land Use Planning Act
6.2.5 Idaho Code, Title 39, Chapter 11 – Health and Safety

VII
PROPOSED FINDINGS OF FACT

Based upon the record contained in Case No. 22-12-SUP (Special Use Permit), including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, the exhibits, and the testimony during the Public Hearing; the Kuna Planning and Zoning Commission hereby *Approves/Conditionally Approves/Denies* the Findings of Fact and Conclusions of Law, and Conditions of Approval for Case No.

22-12-SUP, a request from Alain and Chloe Lemesse to operate an in-home group daycare for up to 12 children, from 6:00 AM to 6:00 PM, Monday through Friday, at 6810 S Nordean Avenue:
If the Planning and Zoning Commission wishes to Approve, Deny or modify specific parts of the Findings of Fact and Conclusions of Law as detailed below, those changes must be specified.

7.1 Based on the evidence contained in Case No. 22-12-SUP, this proposal *does/does* not generally comply with Kuna City Code.

Staff Finding: *The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with Kuna City Code (KCC) Title 5.*

7.2 Based on the evidence contained in Case No. 22-12-SUP, this proposal *does/does* not generally comply with the Comprehensive Plan.

Staff Finding: *The Comprehensive Plan designates the future land use designation of the proposed subject site as Medium Density Residential; the subject site is currently zoned R-6 (Medium Density Residential).*

7.3 The In-Home Group Daycare *does/does not* constitute a special use as established in the Official Schedule of District Regulations for the zoning district involved.

Staff Finding: *According to KCC 5-3-2, an In-home Group Daycare requires a Special Use Permit for all permitted zoning districts.*

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

Staff Finding: *A Neighborhood Meeting was held on July 18, 2022; there were no attendees. A Legal Notice was published in the Kuna Melba News Newspaper on October 19, 2022, as well as a Legal Notice being mailed to residents within 300 feet, on October 19, 2022. The Applicants posted a sign on the property October 30, 2022, and a Proof of Property Posting form was submitted to staff October 31, 2022.*

VIII
PROPOSED COMPREHENSIVE PLAN ANALYSIS

The Kuna Planning and Zoning Commission may *accept/reject* the Comprehensive Plan components, and shall determine if the proposed Special Use Permit request for the site *is/is not* consistent with the following Comprehensive Plan components:

8.1 Goal Area 1: Kuna will be economically diverse and vibrant.

8.1.1 Goal 1.C: Attract and encourage new and existing businesses.

8.1.1.1 Objective 1.C.2: Create an environment that is friendly to business creation, expansion and relocation.

8.2 Goal 3: Kuna's land uses will support a desirable, distinctive and well-designed community.

8.2.1.1 Objective 3.G.1: Ensure land use policies, restrictions, and fees do not violate private property rights.

8.2.1.1.1 Policy 3.G.1.c: Ensure City land use actions, decisions and regulations do not prevent a private property owner from taking advantage of a fundamental

property right. Ensure City actions do not impose a substantial and significant limitation on the use of the property.

IX
COMMISSIONS ORDER OF DECISION

Note: The motion is for the Approval, Conditional Approval, or Denial of the Special Use Permit application. However, if the planning and Zoning Commission wishes to Approve/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 public testimony as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby *Approves/Conditionally Approves/Denies* Case No. 22-12-SUP, a request from Alain and Chloe Lemesse to operate an in-home group daycare for up to 12 children, from 6:00 AM to 6:00 PM, Monday through Friday, at 6810 S Nordean Avenue, subject to the following Conditions of Approval:

9.1 As requested by the Applicant, the In-Home Group Daycare shall be permitted to operate between the hours of 6:00 AM to 6:00 PM, Monday through Friday.

9.2 Applicant shall provide care for no more than 12 children as determined by the Fire Authority during inspection, as based upon the staff to child ratio provided in Idaho Code §39-1109(4)(a); the allowable 12 children shall include proprietors' children.

9.3 The Applicant shall provide protection or supervision for less than 24-hours per day, per Kuna City Code (KCC) 5-1-6.

9.4 The Applicant shall not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to any persons, property or general welfare by reason of excessive production of traffic or noise per KCC 5-6-3:G.

9.5 Applicant shall provide off-street parking and/or off-street drop off/pick up area for all patrons.

9.6 Applicant shall maintain an approved fire extinguisher on site at all times.

9.7 Applicant shall install safety locks on doors and cabinets where chemicals are stored.

9.8 Applicant shall install safety devices on all electrical outlets accessible to children.

9.9 Applicant shall install a door chime on the front door to indicate opening.

9.10 A Central District Health Department inspection is required for final sign off; Applicant shall provide Kuna Planning and Zoning with copy of said inspection *prior* to applying for their Kuna City Home Occupation Business License.

9.11 In the event the uses or the building located on this parcel is enlarged, expanded upon or altered in anyway (even for temporary purposes), the Applicant and any future assigns having interest in the subject property, shall seek an amendment to the approved Special Use Permit through the Kuna Planning and Zoning Department.

9.12 This Special Use Permit is valid only if the Conditions of Approval are adhered to continuously. In the event the Conditions are not followed, the Special Use Permit approval may be revoked.

9.13 The Special Use Permit shall follow the proposed intent provided on the application and divest when the Applicants no longer operate an In-Home Daycare and/or no longer have any interest in the property, or the business is discontinued for more than one (1) year. The Applicants are obligated to advise the city of any changes in ownership or leasing agreements which would affect

business operation.

9.14 The Applicant shall acquire a Kuna Childcare Business License in accordance with KCC 3-10, through the Kuna City Clerk's office once all Conditions of the Special Use Permit are met, and shall maintain said license through the renewal process during the entirety of the time business is in operation.

9.15 The Special Use Permit is not transferable from one parcel to another.

9.16 The Applicant shall follow all staff and agency recommendations.

9.17 The Applicant shall comply with all local, state and federal laws.

9.18 The Applicant shall provide the City with a copy of the Childcare License issued by the State of Idaho Health and Welfare Department within 30 days after approval and signing of the City's Findings of Fact and Conclusions of Law for the Special Use Permit or the approvals may be revoked.

9.19 The Applicant shall provide a copy of all subsequent license renewals, Central District Health Department and Fire inspections to the Kuna Planning and Zoning Department.

DATED this 9th day of November, 2022.

Planning & Zoning Application Coversheet

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

****Office Use Only****

File No.(s): 22-12-SUP

Project Name: 6810 S Nordean In-Home Group Daycare

Date Received: 7.20.22 ; REMAINING DOCS 09.26.2022

Date Accepted as Complete: 10.13.2022

Type of review requested (check all that apply):

	Annexation & Zoning		Appeal
	Comp. Plan Map Amendment		Combination Pre & Final Plat
	Design Review		Development Agreement
	Final Planned Unit Development		Final Plat
	Lot Line Adjustment		Lot Split
	Ordinance Amendment		Planned Unit Development
	Preliminary Plat		Rezone
X	Special Use Permit		Temporary Business
	Vacation		Variance

Owner of Record

Name: Alain & Chloe Lemesse

Address: 6810 S Nordean Ave, Kuna

Phone: 363-9709/971-5619 Email: lemessealain@yahoo.com

Applicant (Developer) Information

Name: same

Address:

Phone: Email:

~~Engineer~~/Representative Information

Name: same

Address:

Phone: Email:

Subject Property Information

Site Address: 6810 S Nordean Ave

Nearest Major Cross Streets: S Nordean & Tribute

Parcel No.(s): R5665670180

Section, Township, Range: Sect. 3, Town 2 North, Range 1 west

Property Size: 0.175 acres

Current Land Use: Residential Proposed Land Use: same

Current Zoning: R-6 Proposed Zoning: same

Project Description

Project Name: 6810 S Nordean In-home Group Daycare

General Description of Project: operate in-home daycare for up to 12 children, Monday to Friday, 6 am to 6 pm

Type of proposed use (check all that apply and provide specific density/zoning):

☒ Residential: R-2 R-4 (R-6) R-8 R-12 R-20 ☐ Commercial: C-1 C-2 C-3 ☐ CBD

☐ Office ☐ Industrial: M-1 M-2 ☐ Other:

Type(s) of amenities provided with development: N/A

Residential Project Summary (If Applicable)

Are there existing buildings? YES NO

If YES, please describe:

Will any existing buildings remain? YES NO

No. of Residential Units: No. of Building Lots:

No. of Common Lots: No. of Other Lots:

Type of dwelling(s) proposed (check all that apply):

☐ Single-Family ☐ Townhomes ☐ Duplexes ☐ Multi-Family

☐ Other:

Minimum square footage of structure(s):

Gross Density (Dwelling Units ÷ Total Acreage):

Net Density (Dwelling Units ÷ Total Acreage not including Roads):

Percentage of Open Space provided: _____ Acreage of Open Space: _____

Type of Open Space provided (i.e. public, common, landscaping): _____

_____

_____

Non-Residential Project Summary (If Applicable)

Number of building lots: _____ Other lots: _____

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

Building height: _____ Hours of Operation: _____

Total No. of Employees: _____ Max No. of Employees at one time: _____

No. of and ages of students: _____ Seating capacity: _____

Proposed Parking

ADA accessible spaces: _____ Dimensions: _____

Regular parking spaces: _____ Dimensions: _____

Width of driveway aisle: _____

Proposed lighting: _____

Is lighting "Dark Sky" compliant? YES NO

Proposed landscaping (i.e. berms, buffers, entrances, parking areas, etc.):

_____

_____

_____

_____

Applicant Signature: _____ Date: 7/20/22.

By signing, you are confirming you have provided all required items listed on this application.

Upon completion of this form, please email to pzapplications@kunaid.gov. A link will be provided to you for application attachments to be uploaded to the cloud.

In-Home/Child Care Facility Special Use Permit Application

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

FEE: $330.00 – In-Home/Group Care; $800.00 -Center

Kuna City Code (KCC) 5-1-6 defines Child Care Facilities as: Any home, structure, or place where nonmedical care, protection or supervision is regularly provided to children under twelve (12) years of age, for periods less than twenty-four (24) hours per day, while the parents or guardians are not on the premises. Any facility providing child care is required to have a Special Use Permit and a State of Idaho basic day care license. There are three (3) types of facilities:

A. **Home Child Care:** A child care facility which provides care for six (6) or fewer children throughout the day.
B. **Group Child Care:** A child care facility which provides care for seven (7) to twelve (12) children throughout the day.
C. **Child Care Center:** A child care facility which provides care for more than thirteen (13) children throughout the day. It should be noted that, in determining the type of child care facility that is being operated, the total number of children cared for during the day and not the number of children at the facility at any one time, is determinative. (*NOTE: Child Care Centers are subject to the Design Review process*).

It should be noted that in determining the type of Child Care Facility that is being operated, the total number of children cared for during the day and not the number of children at the facility at any one time is determinative.

KCC 5-6-4 Supplementary Conditions and Safeguards:
In granting any Special Use, the Planning and Zoning Commission may prescribe appropriate conditions, bonds and safeguards in conformity with this title. Violations of such conditions, bonds or safeguards, when made a part of the terms under which the Special Use is granted, shall be deemed a violation of this title.

KCC 5-6-5 Procedure for Hearing Notice:
Prior to granting a Special Use Permit, at least one (1) Public Hearing in which interested persons shall have an opportunity to be heard shall be held. At least fifteen (15) days prior to the hearing, notice of time and place and a summary of the proposal shall be published in the official newspaper of general circulation within the jurisdiction. Notice may also be made available to other newspapers, radio and television stations serving the jurisdiction for use as a public service announcement. Notice shall also be provided to property owners and residents within three hundred (300) feet of the external boundaries of the land being considered, and any additional area that may be substantially impacted by the proposed Special Use as determined by the Commission. When notice is required to two hundred (200) or more property owners or residents, in lieu of mailing notice, two (2) additional hearing notices shall be provided.

KCC 5-1A-8 Sign Posting Procedures:
A:1: Posting of a hearing notice on property: Not less than ten (10) days prior to the hearing, the applicant shall post a copy of said notice of hearing of the application on the property under consideration; except as noted herein, posting of the property must be in substantial compliance.

KCC 5-6-6 Action by Commission:
Withing thirty (30) days after the Public Hearing, the Planning and Zoning Commission shall either Approve; Conditionally Approve; or Deny the application as presented. If the application is Approved or Approved with modifications, the Commission shall direct the Planning and Zoning Director to issue a Special Use Permit, listing the specific conditions specified by the Commission for approval.

Application Submittal Requirements

(This application will not be accepted unless the following items are submitted in full.)

Application shall contain one (1) copy of the following (digital documents preferred):

- Complete Special Use Permit application form. *(It is the applicant's responsibility to use the most current application.)*
- Detailed letter of explanation, describing the project, reasons for wishing to open a daycare, any training and/or certifications you may have, etc.
- One (1) Vicinity Map: 8.5" x 11" at a 1" = 300' scale (or similar). Label the location of the property and adjacent streets.
- One (1) Aerial Photo: 8.5" x 11" depicting proposed site, street names, and surrounding parcels within five-hundred (500) feet. *(The purpose of the aerial map is to view the site for existing features and adjacent sites.)*
- Copy of Deed; **and**, if the applicant is not the owner, an *original* Affidavit of Legal Interest from the owner (and ALL interested parties) stating the applicant is authorized to submit the application.
- Provide proof that you have begun the daycare license application process with Idaho Health & Welfare.
- Detailed Site Plan 8.5" x 11" or larger:
    - Size of Parcel (acres or square feet)
    - Indicate existing structures (i.e. home, buildings, storage sheds, etc.)
        - Indicate existing and proposed uses (i.e. play areas, kitchen, etc.)
    - Indicate existing and proposed lighting
    - Indicate existing and proposed landscaping
    - Indicate sidewalks, fencing (include type, height, gates), retaining walls or berms. *(NOTE: All gates are required to be locked during business hours.)*
    - Indicate off-street child drop-off/pick-up location and circulation, driveway location, and garage door width(s)
    - Existing and proposed landscaping
    - Dimensions of useable outdoor and indoor play areas
- Copy of CPR & First Aid training Certification for applicant & all employees
- Sick Child Plan/Policy
- Emergency Evacuation Plan and diagram
- Neighborhood Meeting Certification
- Commitment of Property Posting form signed by the Applicant/Agent

Indicate type of Child Care Facility which you are applying for:

☐ Child Care In-Home (0 – 6 Children)

☒ Group Child Care In-Home (7 – 12 Children)

☐ Child Care Center (13 or more Children)

Applicant Information

Name: Alain & Chloe Lemesse

Address: 6810 S Nordean Avenue

Phone: 2083539709 / 2089715619 Email: lemessealain@yahoo.com.

Owner Information

If same as above, skip this section.

Name: Same

Address: _____

Phone: _____ Email: _____

Representative

If same as Applicant, skip this section.

Name: Same

Address: _____

Phone: _____ Email: _____

Subject Property Information

Site Address: 6810 S Nordean Ave

Nearest Cross Streets: Nordean & Tribute

Parcel #(s): R5606567018O

Current Zoning: R-6

Gross Square Footage: 1,800 SF single Story

Livable Square Footage (not for Child Care use): _____

Is this address your principal residence? (YES) NO

(KCC 5-5-4:3b requires that a person(s) must reside within the premises in order to be considered an In-Home child care facility.)

Will you be hiring and employees who will NOT reside on the premises? YES (NO)

If Yes, how many? _____

Are there smoke detectors in every living area, except the bedrooms and bathrooms? (YES) NO

Are locks installed on all doors to the outside? (YES) NO

Are door chimes installed on the front door to indicate any opening? YES NO

Is a fire extinguisher installed in the kitchen? YES NO

Is the child care facility located on an Arterial or Collector street? YES (NO)

If Yes, there must be an on-site pick-up area designed to prevent vehicles from backing into the roadway; include a diagram.

Are there any indoor and/or outdoor pools? YES (NO)

If Yes, what measures have been taken to protect children from the pool area? Attach plan to your application.

Additional Information

Days and hours of operation – Provide the hours of operation for each day you will be open.

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours	6:00am – 6:00 pm					X	X

(24-hour childcare facilities are not permitted per Kuna City Code 5-1-6-2.)

Do you have an Emergency Evacuation Plan? YES NO
An Emergency Evacuation Plan is required, attach plan to application.

Do you have a "Sick Child" Plan/Policy? YES NO
A "Sick Child" Plan/Policy is required, please attach plan to application.

Are there stairs inside/outside of your site? YES (NO)
If Yes, is a barrier/gate installed? YES NO

Are electrical outlets covered with safety devices? (YES) NO

Standard Conditions for In-Home & Group Child Care Only

The following conditions must be met as a minimum, additional conditions may be required by Staff, Kuna Rural Fire District, Central District Health or the Planning and Zoning Commission.

- Site shall meet International Fire Code (IFC). (*NOTE: If you are uncertain about a particular code and its utilization, it is the Applicant's responsibility to seek that knowledge.*)
- Site shall maintain fire safety standards and Kuna City Code (KCC) standards.
- Smoke detectors shall be installed on ceilings of each story of site; in front of doors; to stairways; and separated by a maximum of 30-feet in corridors or at other distances required by IFC.
- Flame source utilities shall not be accessible to children.
- A carbon monoxide detector shall be located within proximity of the flame source and shall remain operable at all times.
- Storage areas shall be inaccessible to children and free of excessive combustibles or highly flammable materials.
- At least two (2) unblocked, outside exits that remain unimpeded at all times shall be provided. Exits shall be marked appropriately; staff and parents shall be advised where these exits are located.
- Shall provide corridors, stairs and entryways/exits that are a minimum of 36" wide.
- Shall provide gates at stairs so children cannot access them.
- Bathroom and closet doors shall be designed as to be unlocked from the outside.
- Site address shall be numbered; illuminated; mounted on the street frontage side; and be readily visible from the street.
- A flashlight and other emergency supplies shall be provided on-site in anticipation of a power outage; supplies shall be readily accessible and maintained in good/working order.
- All dishes; utensils; serving items; storage areas; and equipment shall be properly cleaned, rinsed, sanitized and air dried.
- All food preparation; serving items; storage areas; equipment; and utensils shall be kept in good repair and kept out of reach of children.

- All perishable foods shall be stored in a covered container, in an operating refrigerator, at a maximum of 40 degrees.
- All deep freezers or other refrigeration type units shall not be able to be opened from the outside and shall be locked or stored in a locked room.
- Home-canned foods shall not be served to children.
- A minimum of 40-square feet of habitable indoor dwelling area shall be provided for each child; city staff shall review and determine which areas of the building are considered habitable.
- A minimum of 80-square feet of outdoor play space shall be provided for each child; city staff shall review and determine which areas meet this requirement.
- All cleaning agents and other poisonous substances that pose a danger to children, shall be kept in locked storage or preferably removed from premises.
- Storage of chemicals underneath/over/near a sink shall be avoided as many chemicals are affected by moisture and may become hazardous through chemical change.
- Child care rooms shall be kept clean and dry.
- All floors, walls, ceilings, and furniture shall be kept in good repair.
- All floors shall be swept and mopped daily with a sanitizing solution.
- Carpeted areas shall be vacuumed daily.
- Facility shall be free of exposed, lead-based paint surfaces that are chipped, flaking or peeling. If the residence has lead-based paint, the applicant shall advise city staff of this fact.
- A telephone shall be maintained onsite at all times and remain in operable condition.
- Emergency contact information including Fire, Rescue, Police (or 911 or local equivalent), Poison Control Center, as well as the City of Kuna Planning and Zoning Department (208-922-5274) shall be displayed in a prominent location.
- All play materials; equipment; furnishings; and toys shall be kept in good repair; sturdy; stable; free of hazards and shall not possess any sharp edges/surfaces; lead-based paint; protrusions; and pinch or crush points.
- Outdoor play areas shall be fenced with safe, sight obstructing, sturdy fencing and shall not possess any sharp or jagged edges/surfaces. Fence shall be constructed of approved building materials to a minimum of five (5) feet but not to exceed six (6) feet; fence shall include a minimum of two (2) operating exits; and fences shall not have openings exceeding 1 ¾" in width.
- Children shall not be permitted to play on outdoor equipment that is hot to the touch; stationary outdoor equipment greater than eighteen (18) inches shall be installed over a protective service; play equipment shall be placed at least six (6) feet away from buildings, fences and trees; swing sets shall be made of plastic, soft, or flexible materials; and outdoor play areas shall adjoin or be safely accessible to indoor areas.
- All upright angles shall be greater than 55 degrees as to prevent child entrapment or entanglement.
- All doors opening to the outside shall be self-closing (except for sliding glass doors), and all ventilating windows shall have locking screens.
- All heating, ventilating and lighting facilities shall meet KCC/International Building Code (IBC)/IFC.
- All child accessible electrical outlets shall be covered with safety caps and have ground fault interrupters or have safety outlets installed that meet KCC/IBC/IFC.
- All refuse shall be collected, stored and disposed of in appropriate containers that do not attract rodents/insects; containers shall be placed in a City approved location; and refuse shall be collected with a minimum weekly solid waste pickup or disposal service.
- Site grounds shall be kept neat and clean and free from rodents; hazards; and other perils.
- Smoking shall be prohibited in all areas of the facility during its hours of operation.

- Any ill children shall be excluded from the general population and sent home as soon as possible in order to minimize exposure to other children. Any health-related concerns (i.e. COVID-19, Hand/Foot/Mouth, etc.) shall be reported to Idaho Health and Welfare.
- All sleeping areas, play areas, and fixtures shall be maintained in sanitary condition. Children shall not share bedding and all bedding shall be washed at least once a week or after soiling.
- Exterior balconies, porches and stairs shall be of stable construction and any space under porches shall be closed off in such a manner as to guard against children's curiosity.
- Vertical offsets such as outside basement window wells, stairways or retaining walls shall have guardrails or approved screening.
- Wells, tool sheds, and other hazards shall be fenced or closed off.
- Areas inhabited by children shall be kept free of animal waste and debris and any poisonous plants, berries or mushrooms shall be removed.
- Sandbox or sand play areas shall be completely covered when not in use.
- Outdoor water features, including but not limited to pools, spas, ponds, fountains, and cisterns, shall not be accessible to children.
- Child care facilities shall not be permitted next to an open body of water without City approved fencing.
- The child care owner/operator shall ensure that firearms, other types of weapons, weapon accessories and ammunition are kept in locked storage. Firearms shall be kept unloaded at all times and ammunition shall be stored separately from the firearm(s). Parents and Guardians shall be notified of weapons kept on premises and advised of how they are secured.
- All child care facilities are required to be inspected by the Central District Health Department for compliance with Idaho Code §39-1110. The child care owner/operator shall practice acceptable public health practices in order to curtail the spread of communicable diseases and maintain sanitary conditions.

I, Alain + Chloe Lemesse, understand and agree to the above listed Standard Conditions and am aware that additional conditions of approval may be required.

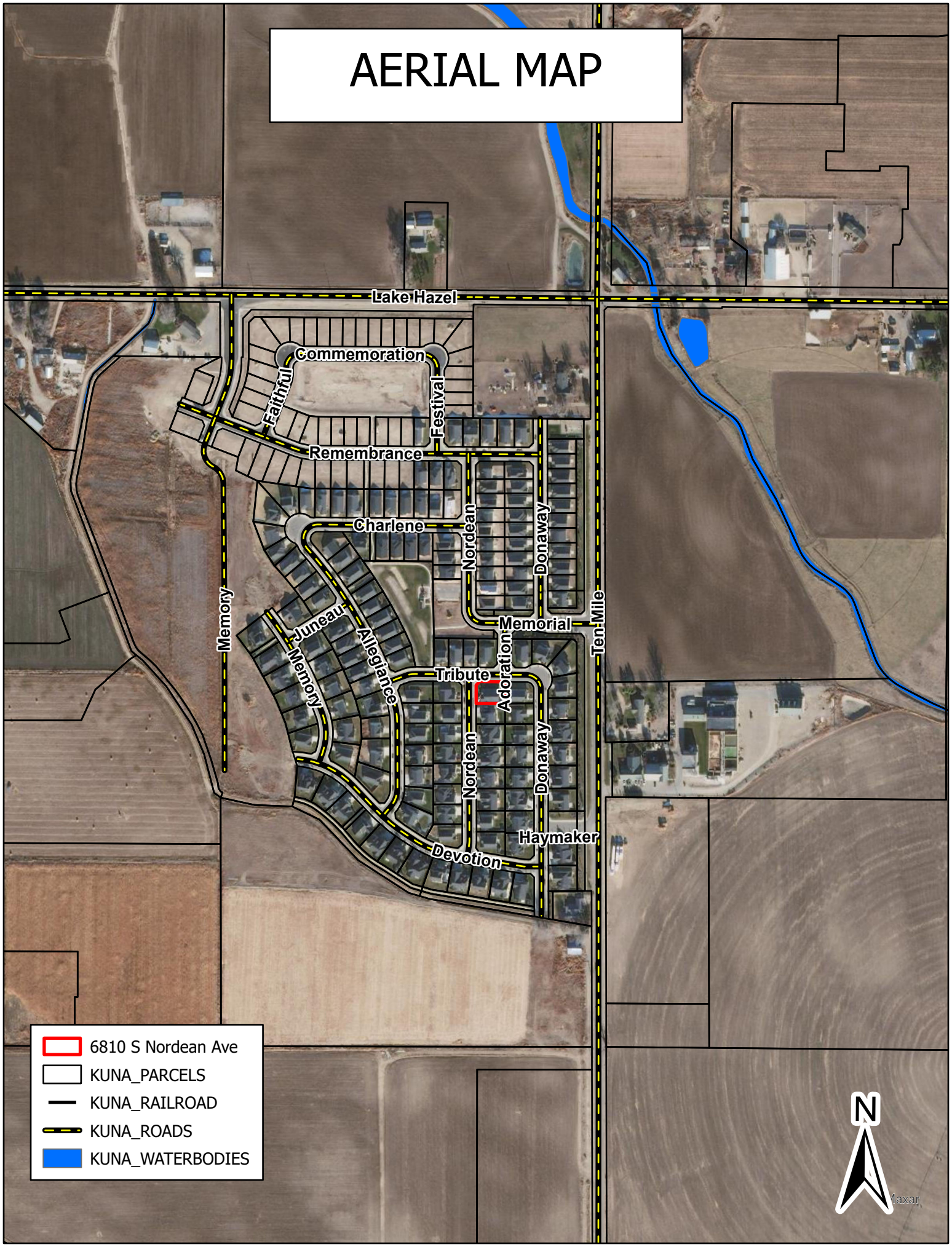
Applicant Signature: _____ Date: 7/20/22

We are Chloe & Alain Lemesse, and we request approval to operate an In-Home Daycare for up to 12 children at 6810 S. Nordean Ave. This number may reduce after completing Fire and Health Department inspections. We intend to operate five days per week from 6:00 am to 6:00 pm; this offers parents options that will fit their work schedules.

We plan on having parents pull into our driveway to drop off their children and escort them to the front door. It will be the same process during pickup time. Outside playtime will be offered within the backyard throughout the day, and children will have equipment and toys to plan on.

Sincerely,

Chloe & Alain Lemesse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Commemoration
Faithful
Festival
Remembrance
Charlene
Nordean
Donaway
Memorial
Memory
Juneau
Allegiance
Memory
Tribute
Adoration
Ten Mile
Nordean
Donaway
Haymaker
Devotion
6810 S Nordean Ave
KUNA_PARCELS
KUNA_RAILROAD
KUNA_ROADS
KUNA_WATERBODIES
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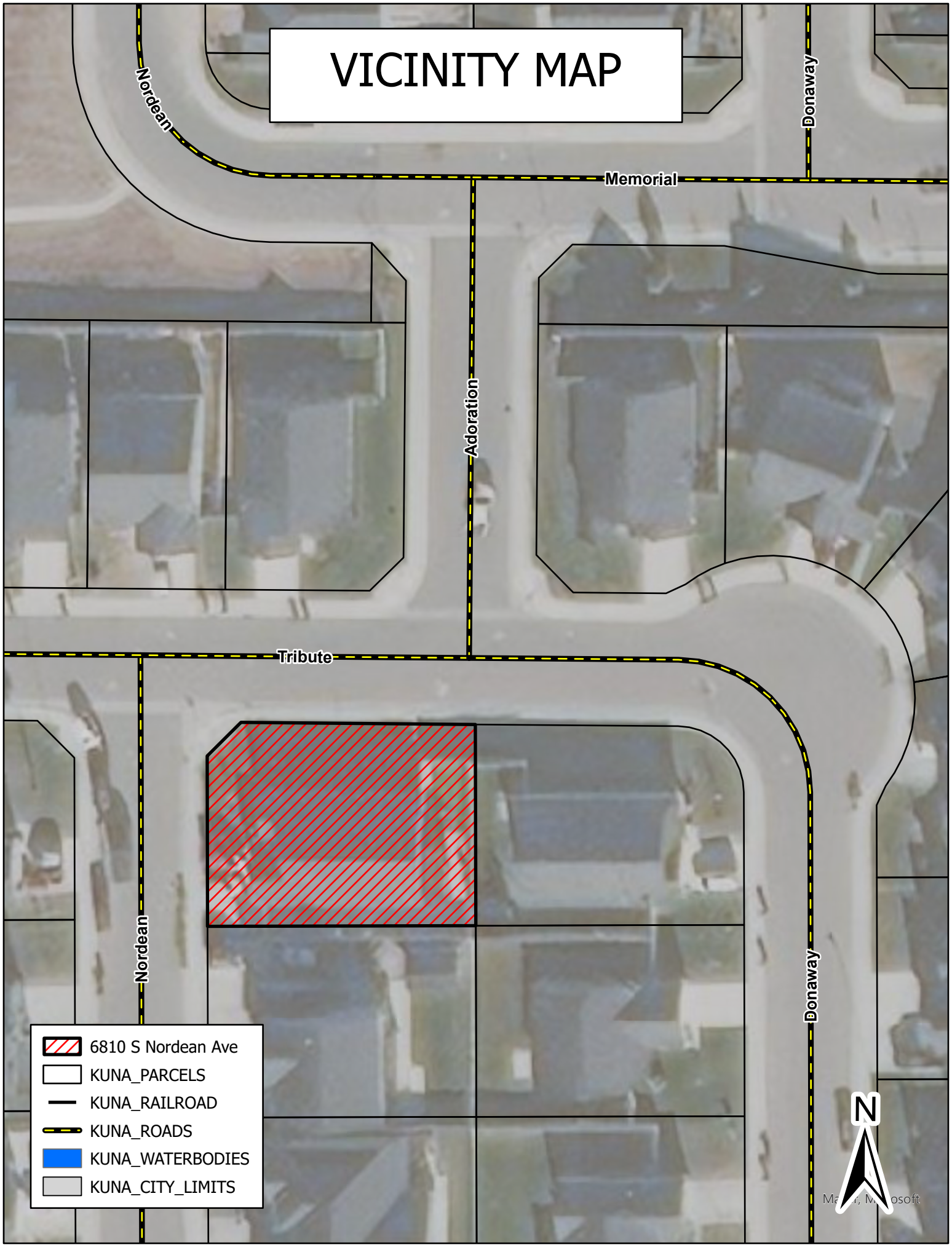

VICINITY MAP
Nordean
Donaway
Memorial
Adoration
Tribute
Nordean
Donaway
6810 S Nordean Ave
KUNA_PARCELS
KUNA_RAILROAD
KUNA_ROADS
KUNA_WATERBODIES
KUNA_CITY_LIMITS
N

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=1 CHE FOWLER
NEXTITLE - IDAHO

2018-048383
05/25/2018 04:13 PM
$15.00

NYID-029126-TP

(Space above this line for Recorder's use)

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, **Corey Barton Homes, Inc., an Idaho Corporation dba CBH Homes,** whose address is 1977 E Overland Rd, Meridian ID 83642, (the "Grantor"), does hereby grant, bargain, sell and convey to, Alain Lemesse and Chloe Lemesse, husband and wife, whose address 6810 S Nordean Ave, Meridian, ID 83642 (the "Grantee"), the following described premises (the "Premises"):

Lot 1 in Block 2 of Memory Ranch Subdivision No. 1, according to the official plat thereof, filed in Book 111 of Plats at Page(s) 16180-16182, and amended by Affidavit recorded July 19, 2017 as Instrument No. 2017065993, official records of Ada County, Idaho.

TO HAVE AND TO HOLD the Premises, with their appurtenances unto the Grantee, and its successors and assigns forever.

TOGETHER WITH all and singular the improvements, hereditaments, and appurtenances thereon and thereunto belonging or in anywise appertaining, and the reversion or reversions, remainders, rents, issues and profits thereof; and all of the estate, title, interest, claim and demand whatsoever of the Grantor, either in law or in equity, of, in and to the above-described Premises with said improvements, hereditaments and appurtenances.

Grantor makes no covenants or warranties with respect to title, express or implied, other than as expressly stated hereinafter. Grantor is the owner of the Premises and has not conveyed the same estate to any person other than Grantee and that such estate is at the time of the execution of this instrument free from encumbrances caused, created, or suffered directly by Grantor.

Effective Date: 5/24/18

GRANTOR

Corey Barton Homes, Inc., an Idaho Corporation dba CBH Homes

BY: _____
Tanya Hoffman-Lampman
CCO

STATE OF IDAHO)
): ss.
County of Ada)

On this 24 day of May in the year of 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared **Tanya Hoffman-Lampman** known or identified to me to be the **CCO** of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

_____
Notary Public
Residing at:
My Commission Expires:
Residing: Nampa, ID
Commission Expires: 2/23/19

ANGELA D. WOLFKIEL
NOTARY
PUBLIC
STATE OF IDAHO

Facility Management : Borah's Childcare

Home > Facility Management > Borah's Childcare

Facility | STAFF | Documents | STAFF STATUS | State Licensing | ICCP | STEPS TO QUALITY | CLASSROOMS | QUALITY

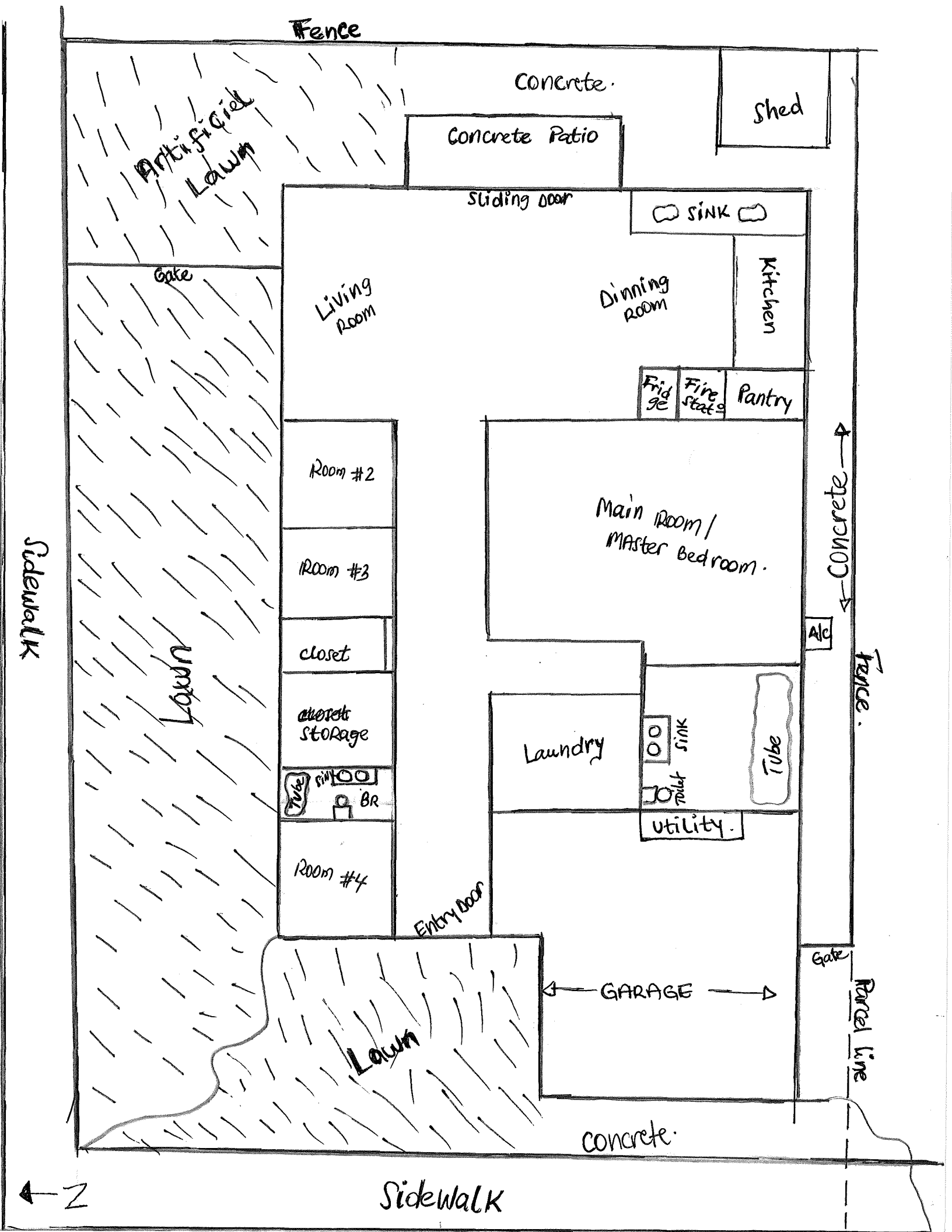
State Licensing Checklist

Facility Profile Complete	✓
Training Compliance	✓
Background Check	✓
PD CPR & PD FA	✓
Local Compliance	○
Proof of Liability and fire Insurance	✓
Approved Fire Inspection	✓
Licensing Fee referral	✓
Health Inspection	○
Basic Day Care License	○

Applied Date : 07/27/2022 | **Status : Pending Licensing**

Learn More

Close Application


Fence
Concrete.
Shed
Concrete Patio
Artificial Lawn
Sliding door
SINK
Gate
Living Room
Dinning Room
Kitchen
Fridge
Fire stage
Pantry
Room #2
Main Room / Master Bedroom.
Concrete
Room #3
Sidewalk
closet
A/C
Lawn
closet storage
Fence.
Laundry
SINK
Tube
Toilet
TV
sink
BR
Utility.
Room #4
Entry Door
Gate
GARAGE
Parcel Line
Lawn
concrete.
Sidewalk

BASIC LIFE SUPPORT

BLS Provider

American Heart Association.

Chloe Lemesse

has successfully completed the cognitive and skills evaluations in accordance with the curriculum of the American Heart Association Basic Life Support (CPR and AED) Program.

Issue Date	Renew By
8/21/2021	08/2023

Training Center Name

Minidoka Memorial Hospital

Training Center ID

ID15134

Training Center City, State

Rupert, ID

Training Center Phone Number

(208) 436-0481

Instructor Name

Chris Seagrave

Instructor ID

04170566892

eCard Code

215415200319

QR Code

To view or verify authenticity, students and employers should scan this QR code with their mobile device or go to www.heart.org/cpr/mycards.

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BASIC LIFE SUPPORT

BLS Provider

American Heart Association.

ALAIN LEMESSE

has successfully completed the cognitive and skills evaluations in accordance with the curriculum of the American Heart Association Basic Life Support (CPR and AED) Program.

Issue Date	Renew By	eCard Code
8/29/2020	08/2022	205505304007

To view or verify authenticity, students and employers should scan this QR code with their mobile device or go to www.heart.org/cpr/mycards.

BASIC LIFE SUPPORT

Training Center Name	St. Luke's Regional Medical Center
Training Center ID	ID05749
TC City, State	Boise, ID
TC Phone	(208) 381-7199
Instructor Name	Charissa Phelps
Instructor ID	09190818193

© 2020 American Heart Association 15-3001 R3/20

Borah's Childcare sick policy

Fever policy:

Typically, a temperature of 100 degrees may indicate that the body is fighting off an infection. Without medication, the fever must stay down on its own for 24 hours to be readmitted at Little Sprouts. Due to the COVID recommendations, it must be 72 hours per our state health department.

Vomiting policy:

If the child has vomited within 24 hours, they must be kept out of daycare. Every time in the past 25 years, I have made an exception thinking the child wasn't sick; they were. And I regretted it.

Diarrhea policy:

This is a tough one. If the child has had diarrhea in the past 24 hours, they should be kept home. Parents often say it's teething, but nine times out of 10, it ends up being something else and other kids end up with it. Everyone can't get teeth at once, but 5 or 7 kids with diarrhea is quite the nightmare for a provider.

Runny nose policy:

Runny noses are commonplace at daycare. There are allergies and all kinds of reasons a child will have a runny nose. Generally, I don't exclude from care for only a running nose. But, with our COVID recommendations from the health department I am following, we need to exclude if the mucus is dark or green/yellow during this time.

Cough policy:

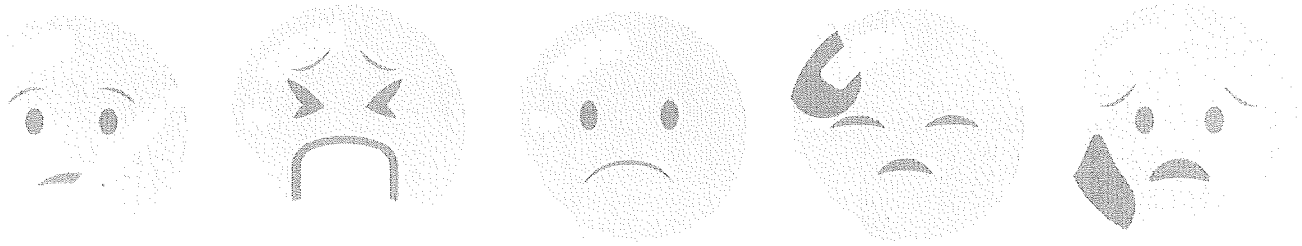
If a child is coughing, typically, we don't exclude them from care if it's the only symptom. Like a runny nose, this can be allergy-related. But during COVID, we recommend excluding a child from care for any cough since it's the top indicator that someone may have it. Coughs spread illness quickly because it's in the air. So be very cautious about accepting a child or taking your child to daycare with a cough.

COVID-19 Policy

If the child is known as a COVID-19 virus recipient or has any signs and symptoms, that child should stay home and seek medical attention until the issue is resolved according to their doctor's order.

ILLNESS POLICY

Kids must be kept at home if:



Fever of 100 in the last 24 hours without medicine

Vomit or diarrhea in the last 24 hours

Un-Identified Rash

Lice or nits in hair

Red eyes or mucus draining from eye

Please help us keep everyone well by

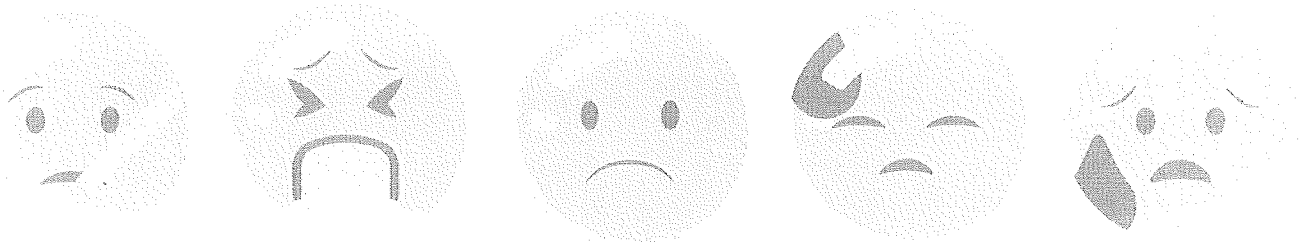
KEEPING KIDS AT HOME WHEN THEY DON'T FEEL GOOD.

THANK YOU FOR UNDERSTANDING!

COVID

ILLNESS POLICY

Kids must be kept at home if:



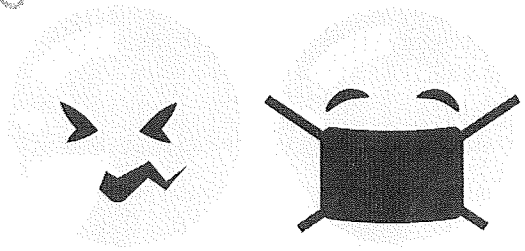
Fever of 100 in the last 72 hours without medicine

Vomit or diarrhea in the last 24 hours

Un-Identified Rash

Lice or nits in hair

Red eyes or mucus draining from eye



Runny nose with dark mucus

Coughing of any kind

Please help us keep everyone well by

KEEPING KIDS AT HOME WHEN THEY DON'T FEEL GOOD.

THANK YOU FOR UNDERSTANDING!

Appendix B Emergency/Disaster Plan

Program Information	
Facility Name	BORAH'S CHILDCARE
Facility Address	6810 S. NORDEAN AVE, MERIDIAN, ID 83642
Hours of Operations	6am — 630pm
Days of Operation	Monday → Friday
Landline Tel. Number	N/A
Mobile Tel. Number	(208) 353-9709 & (208) 971-5619
Alternate Emergency Contact	
Tel. Number	
Capacity (enter number)	Employees: 2 Children: 12
Age Range of Children (choose all that apply)	☐ Infants ☒ Preschoolers ☒ Toddlers ☒ School Age
Emergency Warning System	☐ Intercom. ☒ Loud buzzer, whistle, or bell. ☒ Flashing lights for persons with hearing impairment. ☒ Loud alarms for persons with vision impairment. ☐ Vibrating alarm system for persons with hearing and vision impairment. ☐ Other:
Emergency Communications System	Radio station(s) *(enter call letters)*: TV station(s) *(enter call letters)*: Website *(enter URL)*: 1-800- Automatic dialing to out-of-town emergency contacts.

Emergency Contact	Contact Information
Fire, Police, and Ambulance	Fire & Police 911 or (208) 888-6678 Fire department (208) 888-1234.
Poison Control	1 800 222 1222
Hospital	St. Luke's Hospital (208) 706 5000
Oil Company	1 800 424 8802
Gas Company	1 800 767 1689 OR (208) 377-6840 OR 911
Electric Company	1 800 488 6151 OR (208) 388-2323 OR 911
Water Company	(208) 888 5242
Electrician	1877 565 1638 OR (208) 343 4445
Plumber	(208) 888 7555 OR (208) 922-6686
Snow Removal	(208) 506 5654
Child Protective Services	1855 552 5437 OR (208) 465 8452
Stress Counselor	(208) 314 1876 OR (208) 514 4475

Evacuation Plans/Procedures	
Routes/Exits	✓ Diagram of evacuation route(s) and exit(s) posted in each room.
Meeting Location	Children will be taken to an anterior room, front & back yard.
Evacuating Infants and Toddlers	Take all infants in the inner room or take them through the front or the back yard.
Notification/ Communication (with emergency responders and families)	Parents / Guardians will be notified once Immediate threat has passed and where to meet with their kids.
Emergency Go-Kit Location(s)	Emergency go-kits are located the nearest fridge in the living room.

Relocation Sites

Neighborhood Site ☒ This location is wheelchair-accessible. ☐ Signed and dated memorandum of agreement with this site is filed with, or attached to, this summary.	Address: 6810 S. MERIDIAN AVE MERIDIAN, ID 83642 NEIGHBORHOOD PARK Contact Name: Alani & Chloe Lemesse OR CBH office Phone: (208) 353 9709 & (208) 971 5619 Access Information:
Out-of-Neighborhood Site ☒ This location is wheelchair-accessible. ☐ Signed and dated memorandum of agreement with this site is filed with, or attached to, this summary.	Address: RIVER CITY CHURCH 7540 W. NORTHVIEW St, BOISE ID. Contact Name: PASTOR CROWN OVER Phone: (208) 375 1328. Access Information:
Transportation to Relocation Site	Brahi: childcare van OR Personal car.

Safe-Place/Lock-Down Plans/Procedures

Safe Place from Intruder	All kids will be placed in the same inner room that is locked with security surveillance.
Safe Place from Severe Weather	All kids will be locked down in the inner room with providers until the weather is resolved
Location of Emergency Supplies	Emergency supply are located in the Living room close the Refridgirator and in kids' room.
Considerations for Infants and Toddlers	Infants & toddlers will remain with their providers until the situation is resolved.
Notification/ Communication with Emergency Responders and Families	Police department, fire department, and family members will be contacted at once and keep them update until the issue is resolved.

Emergency Closing Plan

Before Opening Procedure

How I will make the decision to close:

Decision will be made immediately whenever the emergency event takes place.

I will make the decision to close by:

I will make a decision as soon as any emergency event or incident present itself.

How I will let staff know:

To take action immediately for the best interest of the kids. Keep them safe and initiate the evacuation plan.

How I will let parents know:

I will contact the parents immediately as well as the Police the nature of the incident / update them as well.

How I will make the decision when to re-open:

the decision will be made as soon as the threat is gone and all kids are safe.

After Opening Procedure

How I will make the decision to close:

As long as the threat or the event still present around the location where kids are.

I will make the decision to close by:

Telling staff members to lockdown the place or to evacuate kids from the site.

How I will let staff know:

staff will communicate by close loop communication in a calmly manner.

How I will let parents know:

By calling them through the contacts information given.

How I will make the decision when to re-open:

As long as the threat is not longer present.

Children/Staff with Access or Functional Needs

Name: Staff Member Responsible: Alain & chloe	Emergency Supplies: - fire extinguisher - fire blankets. Alternative Evacuation Plan: - Through the window Additional Information: - More initiative & precautions will be made in place accordingly.
Name: Staff Member Responsible: Alain & chloe	Emergency Supplies: - first aid kits - medications - food / drink. Alternative Evacuation Plan: - Through the back doors / back yard. Additional Information: - Addition method and precautions will be develop according to the nature of the event.
Name: Staff Member Responsible: Alain & chloe	Emergency Supplies: - flash lights - masks. - wistles Alternative Evacuation Plan: - Through the garage / front yard. Additional Information: - During the process, more measures and good instinct will kick into motion.

Drill Schedule		
Procedure	**Frequency**	**Date/Time**
Evacuation	Twice/ year	January 1st & July 1st each year
Shelter-in-Place	Twice/ year	January 1st & July 1st each year
Safe-Place	Twice / year	January 1st & July 1st each year
Relocation	Twice / year	January 1st & July 1st each year.

Plan Review and Update

"Details in the Emergency/Disaster Plan should be reviewed and updated bi-annually and immediately after any relevant event to incorporate any best practices or lessons learned into the document." - CFOC Standard 9.2.4.3

Signature	Review Date

Neighborhood Meeting Certification

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

You **must** conduct a Neighborhood Meeting **prior** to submission of an application for Annexation; Rezone; Special Use Permit; Subdivision; and Variance. Please see Kuna City Code 5-1A-2 for more information or contact the Planning & Zoning Department at (208) 922-5274.

The Neighborhood Meeting Certification packet includes the following:

- Neighborhood Meeting Certification – This acts as quick reference information regarding your project.
- Sign-in Sheet – This provides written record of who attended your Neighborhood Meeting.
- Neighborhood Meeting Minutes – Provides space in which to record the items discussed and any concerns attendees may have.

A Neighborhood Meeting cannot take place more than two (2) months prior to acceptance of the application and an application will not be accepted before the meeting is conducted. You are required to mail written notification of your meeting, allowing at least fourteen (14) days before your meeting for property owners to plan to attend. **Contacting and/or meeting individually with property owners will not fulfill Neighborhood Meeting requirements.** You may request a 300' property owners mailing list by completing the Neighborhood Meeting Mailing List Request form located under Forms & Applications on the City of Kuna website.

Neighborhood Meetings must be held on either a weekend between 10:00 Am & 7:00 PM, or a weekday between 6:00 PM & 8:00 PM. The meeting **cannot** be conducted on holidays, holiday weekends, or the day before/after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- Subject property;
- Nearest available public meeting place (i.e. Libraries, Community Centers, etc.); or
- An office space within a one (1) mile radius of the subject property.

Once you have held your Neighborhood Meeting, please complete this certification form and include with your application along with the Sign-in Sheet, Neighborhood Meeting Minutes & a copy of the notification mailed to attendees.

Description of proposed project: In-Home Group Daycare

Date of Meeting: 7/18/22 Time: 7:00 PM

Meeting Location: MEMORY RANCH's NEIGHBORHOOD PARK.

Site Information

Location: Section 3 Township 2N Range 1W Total Acres 0.175

Subdivision Name: Memory Ranch No. 1 Lot 1 Block 2

Address: 6810 S Nordean Ave, Kuna, ID 83634

Parcel No(s).: R5666700180

Include ALL addresses and parcel numbers for your application.

Current Property Owner

Name: Alain + Chloe Lemesse

Address: 6810 S Nordean, Ave Kuna, ID 83634

Contact Person

Name: Alain + Chloe Lemesse

Business Name (if applicable): _____

Address: 6810 S Nordean Ave, Kuna, ID 83634

Phone: (208) 353 9709 / 2089715619 Email: lemessealain@yahoo.com

Applicant

Name: Same

Address: _____

Phone: _____ Email: _____

I, Alain + Chloe Lemesse, *certify that a Neighborhood Meeting was conducted at the time and location noted on this form in accordance with Kuna City Code 5-1A-2.*

Applicant Signature: _____ Date: 7/20/22

SIGN-IN SHEET

Project Name: 6810 S Nordean In-home Group Daycare

	Name	Address	Phone
1			
2			
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35			

NEIGHBORHOOD MEETING MINUTES

Meeting Date: 7-18-22 Number of Attendees: 0

Location: Memory Ranch Park

Project Description: 6810 S Nordean In-Home Group Daycare

Attendee Comments or Concerns:

I, Alain+Chloe Lemesse *, hereby certify the above information and the information provided within these forms is true, complete and correct to the best of my knowledge.*

Applicant Signature: See Page 2 Date: 7-18-22

COMMITMENT TO PROPERTY POSTING

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

Per Kuna City Code (KCC) 5-1A-8, the Applicant, for all applications requiring a Public Hearing, shall post the subject property *not less than ten (10) days prior to the hearing*. The Applicant shall post a copy of the Public Hearing notice on the property under consideration; all posting must be in substantial compliance.

The Applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the Planning and Zoning Department *no later than seven (7) days* prior to the Public Hearing, attesting to where and when the sign(s) were posted. Unless such certificate is received by the required date, the hearing will be continued to the next available date, as scheduling permits.

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

Print Name: CHLOE & ALAIN LEMESSE

Signature: _____ Date: 7/20/22

IDAHO DEPARTMENT OF
HEALTH & WELFARE

BRAD LITTLE – Governor
DAVE JEPPESEN – Director

Criminal History Unit
1720 N. Westgate Dr., Ste B
Boise, ID 83704
PHONE 208-332-7990
TOLL FREE 1-800-340-1246

09/15/2022

Alain Lemesse
6810 S NORDEAN AVE
MERIDIAN, ID 83642

NOTICE OF CLEARANCE- ENHANCED

Applicant: Alain Lemesse **Verification Number: 134489**

The Department has completed its criminal history and background check. No disqualifying crimes or relevant records were revealed during this process. Effective 8/23/2022. you are cleared for employment as per IDAPA 16.05.06 and other applicable criteria. Your employer has been notified of your eligibility status as well. Please note that this clearance is not a guarantee of employment. Your employer retains its discretion as to whether you can be employed with them or not.

NO RECORDS FOUND

The Department's background check is fingerprint based and includes information obtained from the state and national criminal databases, Idaho Driving Records, state and national Child Abuse Registries, Idaho Adult Protection Registry, Sex Offender Registries, Idaho Nurse Aide Registry and state and national Medicare/Medicaid Provider Exclusion Lists.

If there are any questions about the process or results, contact the criminal history unit at (208)332-7990, or toll free at 1-800-340-1246. Additional information about the criminal history background check process and applicant status is available at the web site. https://chu.dhw.idaho.gov.

Sincerely,

Sutton, Tia

Sutton, Tia

IDAHO DEPARTMENT OF
HEALTH & WELFARE

BRAD LITTLE – Governor
DAVE JEPPESEN – Director

Criminal History Unit
1720 N. Westgate Dr., Ste B
Boise, ID 83704
PHONE 208-332-7990
TOLL FREE 1-800-340-1246

09/15/2022

Chloe Lemesse
6810 S Nordean Ave
MERIDIAN, ID 83642

NOTICE OF CLEARANCE- ENHANCED

Applicant: Chloe Lemesse **Verification Number: 233225**

The Department has completed its criminal history and background check. No disqualifying crimes or relevant records were revealed during this process. Effective 8/23/2022. you are cleared for employment as per IDAPA 16.05.06 and other applicable criteria. Your employer has been notified of your eligibility status as well. Please note that this clearance is not a guarantee of employment. Your employer retains its discretion as to whether you can be employed with them or not.

NO RECORDS FOUND

The Department's background check is fingerprint based and includes information obtained from the state and national criminal databases, Idaho Driving Records, state and national Child Abuse Registries, Idaho Adult Protection Registry, Sex Offender Registries, Idaho Nurse Aide Registry and state and national Medicare/Medicaid Provider Exclusion Lists.

If there are any questions about the process or results, contact the criminal history unit at (208)332-7990, or toll free at 1-800-340-1246. Additional information about the criminal history background check process and applicant status is available at the web site. https://chu.dhw.idaho.gov.

Sincerely,

Flores, Jacey

Flores, Jacey

IDAHO DEPARTMENT OF
HEALTH & WELFARE

BRAD LITTLE – Governor
DAVE JEPPESEN – Director

Criminal History Unit
1720 N. Westgate Dr., Ste B
Boise, ID 83704
PHONE 208-332-7990
TOLL FREE 1-800-340-1246

09/15/2022

BRUNO LEMESSE
6810 S NORDEAN AVE
MERIDIAN, ID 83642

NOTICE OF CLEARANCE- ENHANCED

Applicant: BRUNO LEMESSE **Verification Number: 407623**

The Department has completed its criminal history and background check. No disqualifying crimes or relevant records were revealed during this process. Effective 8/23/2022. you are cleared for employment as per IDAPA 16.05.06 and other applicable criteria. Your employer has been notified of your eligibility status as well. Please note that this clearance is not a guarantee of employment. Your employer retains its discretion as to whether you can be employed with them or not.

NO RECORDS FOUND

The Department's background check is fingerprint based and includes information obtained from the state and national criminal databases, Idaho Driving Records, state and national Child Abuse Registries, Idaho Adult Protection Registry, Sex Offender Registries, Idaho Nurse Aide Registry and state and national Medicare/Medicaid Provider Exclusion Lists.

If there are any questions about the process or results, contact the criminal history unit at (208)332-7990, or toll free at 1-800-340-1246. Additional information about the criminal history background check process and applicant status is available at the web site. https://chu.dhw.idaho.gov.

Sincerely,

Flores, Jacey

Flores, Jacey

IDAHO DEPARTMENT OF
HEALTH & WELFARE

Fire Safety Inspection for State Daycare Licensing

☒ New Daycare License Applicant ☐ Daycare License Renewal Applicant

Date 9-6-2022 Operator _____ Owner Chloe Lemesse, Alain Lemesse

Name of Facility Baah's child Care

Address 6810 S. nordean AVE

City Meridian State ID Zip 83642

Facility Phone Number (208)353-97[redacted]09, 971.561.9 Land Line or Cellular Phone

Note: The licensing authority is the Idaho Department of Health and Welfare. The minimum standards as outlined in the state daycare licensing act will not preempt any local ordinance that is more stringent.

This inspection form was drafted within the confines of the legislated fire safety standards for daycare facilities and does not mean to infer that the provisions within provide for a level of fire safety that would meet nationally recognized standards. Nor does it mean that it would provide a level of fire safety that would meet our own adopted fire safety standards for other occupancies in Idaho.

II. GENERAL REQUIREMENTS FOR ALL DAYCARE OCCUPANCIES

Lemessealain@yahoo.com

Standard	Facility Meets Standard (Yes)	Facility does Not Meet Standard (No)
Exiting Requirements		
Are the required exits located to provide an unobstructed path outside the building to a public way or area of refuge?	X	
Can exit doors be opened from the inside without the use of a key or any special knowledge or effort?	✓	
Are there at least two exits (travel distance between not to exceed 75 feet) located a distance apart, not less than one-half the diagonal dimension of the building or portion used for daycare? ***Exception: In buildings with automatic fire sprinkler systems, the distance may be increased to 110 feet.***	X	
Are the required exits not less than 32 inches of clear exit width and not less than six feet, eight inches (6'8") in height? ***Exception: Sliding patio doors will be accepted as a required second exit in "Family and Group Daycare Facilities" only.***	X	

Standard	Facility Meets Standard (Yes)	Facility does Not Meet Standard (No)
Exiting Requirements (cont.)		
Are sleeping rooms provided with at least one emergency egress window having at least a minimum single net clear opening of 5.7 square feet, minimum height 24 inches, minimum width 20 inches, and maximum finished sill height not over 44 inches? ***Note: An approved exit door is acceptable in lieu of egress windows. Also, an approved piece of furniture or platform, if anchored in place, can be approved to sit in front of a window, if the sill height is over 44 inches***	X	
Are approved egress windows from sleeping areas operable from the inside without the use of separate tools?	X	
Where children are located on a story below the level of exit discharge (basement), are there at least two exits provided, one of which is directly to the outside? ***Note: More than one exit from the basement opening directly to the outside may be required, depending on the structure of the building.***	N/A	
Daycare is prohibited on any upper floor beyond the first floor. ***Exception: Daycare is permitted at the second floor level, provided that the building has two (2) exits, one (1) of which must open directly to the outside and be in compliance with building codes.*** ***Is the facility in compliance?***	N/A	
Fire Extinguishers		
For *DAYCARE CENTERS*: Is there a portable fire extinguisher (minimum 2A-10BC) mounted securely in the kitchen area ***and*** one other approved location that is visible, does not exceed five (5) feet from the floor to the top of the extinguisher, and not more than seventy five (75) feet travel distance, and is it maintained properly? ***Note: Fire extinguishers shall be maintained properly.***	N/A	
For *GROUP DAYCARE FACILITIES* and *FAMILY DAYCARE HOMES*: Is there a portable fire extinguisher (minimum 2A-10BC) mounted securely in the kitchen area that is visible, does not exceed five (5) feet from the floor to the top of the extinguisher, and not more than seventy five (75) feet travel distance, and is it maintained properly? ***Note: Fire extinguishers shall be maintained properly.***	X	
Is there a hood-type fire suppression system installed in the kitchen area, if required?	N/A	
In facilities over three thousand (3,000) square feet are additional fire extinguishers present and approved by local fire official or designee?	N/A	
In Facilities greater then twenty thousand (20,000) square feet in area or when the number of children under the age of eighteen (18) month exceeds one hundred (100) is there an automatic sprinkler system?	N/A	

Standard	Facility Meets Standard (Yes)	Facility does Not Meet Standard (No)
Telephone		
Is there an operable telephone on the premises?	Y	
Smoke Detectors		
Is there a smoke detector installed in the basement having a stairway which opens from the basement into the facility (such detector shall be connected to a sounding device or other detector to provide an alarm which will be audible in the sleeping area)?	N/A	
Are approved smoke detectors provided on the ceiling or wall outside each separate sleeping area or in the immediate vicinity of bedrooms?	X	
Is there a smoke detector in each room used for sleeping purposes?	X	
Is there a smoke detector in each story within the facility including the basement?	X	
Fire Safety and Evacuation Plan *Note: Each daycare center, group daycare facility or family daycare home voluntarily licensed by the Department, must have an approved fire safety and evacuation plan prepared. Fire evacuation and safety plans must include the elements listed below.*		
Procedures and policies that accounts for all employees and children after an evacuation is completed.		
Identifies evacuation routes, locations of facility exits, and assembly point for an evacuation.		
Includes location of smoke detectors, fire alarm appliances and fire extinguishers.		
A schedule of fire and emergency evacuation drills and annual reviews that all employees and children participate in with records of those drills available for reference and review.		
For Facilities with an Occupancy Load of Fifty or More ***Note: In addition to the requirements above, those facilities with an occupancy load of fifty (50) or more occupants must also meet the criteria outlined below.***		
Do exit doors swing in the direction of egress?	N/A	
Do exit doors from rooms having an occupant load to fifty (50) or more, if provided with a latch, have panic hardware?	N/A	
Are Exit signs installed at required exit doorways and where otherwise necessary to clearly indicate the direction of egress?	N/A	
For facilities with over fifty (50) children, is an approved fire alarm system installed?	N/A	

Standard	Facility Meets Standard (Yes)	Facility does Not Meet Standard (No)
Occupant Load ***Note: Occupant load is determined by the local fire official or designee. Only those areas used for daycare purposes will be used when determining occupant load.***		
To determine occupant load, calculate the square footage of the space between the interior face of the exterior walls, assigned to daycare use, and divide by the occupant load factor of 35. Allowances for interior walls or partitions and furnishings have been taken into account in the occupant load factor, except fixed seating. The occupant load for fixed seating is determined by counting the seats. Enter Occupant Load: 12		
Is the facility in compliance?		

Note: *This inspection is for the purpose of meeting only the requirements of the Department of Health and Welfare. The operator/owner may also be required to meet; zoning, building code, fire code or other agency regulations within their local jurisdiction to conduct this type of business. In addition, a separate Health and Safety inspection is required on all facilities that are required to be licensed.*

REMARKS: _____

Facility passes fire inspection: (Yes) No Occupant Load: 12

☒ Residential ☐ Commercial

INSPECTION MADE BY: T.J. Lawrence

TITLE AND AGENCY: Fire Chief

Signature of Inspector: _____ **Date:** 9-6-2022

Name of facility operator/owner (please print): Chloe Lemesse

Signature of facility operator/owner: _____ **Date:** 9/6/2022

From: Jessica Reid
To: PWoffice; Catherine Feistner; TLawrence Kuna Fire; ACHD; Scott FCCNWI
Cc: Doug Hanson
Subject: 22-12-SUP 6810 S Nordean In-home Group Daycare Agency Transmittal
Date: Thursday, October 13, 2022 4:50:39 PM
Attachments: image001.png

Agency Transmittal – October 13, 2022

Notice is hereby given by the City of Kuna the following actions are under consideration**:**

CASE NUMBER(S):	Case No. 22-12-SUP (Special Use Permit) 6810 S Nordean Ave In-home Group Daycare
PROJECT DESCRIPTION	Alain & Chloe Lemesse request approval to operate an in-home group daycare for up to 12 children, from 6:00 AM to 6:00 PM, Monday through Friday. Applicants have already passed their Fire Safety Inspection. The subject site is located at 6810 S Nordean Ave (R5665670180); Section 3, Township 2 North, Range 1 West.
SITE LOCATION(S)	6810 S Nordean Ave Meridian, Id 83642
REPRESENTATIVE	Alain & Chloe Lemesse 208-353-9709
SCHEDULED HEARING DATE	Tuesday, **November 9, 2022**, at 6:00 PM, Kuna City Hall Council Chambers, 751 W 4th Street, Kuna, ID 83634
STAFF CONTACT	Jessica Reid Associate Planner jreid@kunaid.gov
PROJECT PACKET LINK	https://www.kunacity.id.gov/DocumentCenter/View/8226/6810-S-Nordean-Inhome-Group-Daycare-Agency-Transmittal

- The above referenced Case may have potential impacts on which your agency may wish to comment.
- *Please provide comments within 15 days; if more time is needed, please inform our offices.* We would appreciate any information as to how this action would affect the service(s) your agency provides.
- If your agency requires additional information in order for you to complete your review, please notify our office and we will do our best to provide it.
- If you have received this notification in error or if a different individual should be receiving this transmittal, please notify our office who future packets should be sent to, including their email address.
- *If your agency needs additional time for review, please notify our office ASAP.*

Jessica Reid
Associate Planner
751 W 4th Street • Kuna, ID 83634
jreid@kunaid.gov • Ph: (208) 387-7731
KUNA
Planning & Zoning

Mary May, President
Alexis Pickering, Vice-President
Jim D. Hansen, 2nd Vice President
Kent Goldthorpe, Commissioner
Dave McKinney, Commissioner

October 14, 2022

To: Alain & Chloe Lemesse
6810 S Nordean Avenue
Kuna, ID 83642

Subject: KUNA22-0024/ 22-12-SUP
6810 S Nordean Avenue
In-home Group Daycare

The Ada County Highway District (ACHD) has reviewed the submitted application for the application referenced above and has determined that there are no improvements required to the adjacent street(s).

The applicant shall be required to:

1. Pay a traffic impact fee. If applicable, a traffic impact fee may be assessed by ACHD and will be due prior to the issuance of a building permit by the lead agency. This is a separate review process and it is the applicant's responsibility to submit plans directly to ACHD.
2. Comply with all ACHD Policies and ACHD Standard Conditions of Approval for any improvements or work in the right-of-way.
3. Obtain a permit for any work in the right-of-way prior to the construction, repair, or installation of any roadway improvements (curb, gutter, sidewalk, pavement widening, driveways, culverts, etc.).

Traffic Information

This development is estimated to generate 49 additional vehicle trips per day; and 9 additional vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 11th edition.

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

Roadway	Frontage	Functional Classification
Nordean Avenue	82-feet	Local
Tribute Street	88-feet	Local

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

- There are no current average daily traffic counts for Nordean Avenue and Tribute Street.

If you have any questions, please feel free to contact me at (208) 387-6329.

Sincerely,

Carbella Loise Medina
Planning Review Intern
Development Services

cc: City of Kuna – Jessica Reid

Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.6, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

Catherine Feistner, E.I.T.
Assistant Kuna City Engineer

Brady Barroso
Engineering Technician I

MEMORANDUM

To:	**Doug Hanson**	**- Planning and Zoning Director**
From:	**Brady Barroso**	**- Engineering Technician I**
	Catherine Feistner	**- Assistant City Engineer**
Date:	**31 October 2022**	
RE:	**Public Works Comments**	
	6810 S Nordean In-Home Group Daycare – 22-12-SUP (Special Use Permit)	

The 6810 S Nordean In-Home Group Daycare property, 22-12-SUP, special use permit request dated 13 October 2022 has been reviewed. These comments apply to the application as they affect public works infrastructure. Review of civil design drawings is accomplished separately, when received by PWoffice@kunaid.gov.

Public Works staff can support approval for this special use permit. The applicant does not propose any changes to public works infrastructure.

Comments may be expanded or refined in connection with the future land-use actions.

ADVERTISING PROOF

c/o ISj Payment Processing Center
PO Box 1570,
Pocatello,ID 83204
Ph. (208) 465-8129 **Fax:** (907) 452-5054

BILLING DATE:	ACCOUNT NO:
10/14/22	21880

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

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
293887	22-12-sup - 6810 s.	10/19/22	10/19/22	1	$41.08

LEGAL NOTICE

Case No. 22-12-SUP
(Special Use Permit) for
6810 S Nordean Ave
In-Home Group Daycare

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission will hold a Public Hearing Tuesday, November 9, 2022, at 6:00 PM, or as soon as can be heard; in connection with a Special Use Permit (SUP) request from Alain & Chloe Lemesse to operate an in-home group daycare for up to twelve (12) children, Monday through Friday, from 6:00 AM to 6:00 PM, located at 6810 S Nordean Ave (R5665670180); Section 3, Township 2 North, Range 1 West.

Please do not contact the Commission, City Council and/or Mayor as it is considered ex parte. If you have questions on how to submit public testimony, or if you require special accommodations, please contact Kuna Planning & Zoning Department prior to the meeting at (208) 922-5274.

Kuna Planning & Zoning Department

October 19, 2022 293887

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount

Discount: **$0.00**
Surcharge: **$0.00**
Credits: **$0.00**

Gross:**$41.08**
Paid Amount:**$0.00**

Amount Due:**$41.08**

We Appreciate Your Business!

AD# 293887

Suggestions for Testifying at Public Hearings:

Be Informed…
Review the proposal, Staff Report, applicable Ordinance(s), Comprehensive Plan & Idaho Code §67-65. All items pertaining to the application can be found online the Friday prior to the hearing at www.kunacity.id.gov >City Government >Agendas & Minutes.

Be on time…
Although the item you are interested in may not be first on the agenda, you never know when it will be heard; the governing body has authority to adjust the schedule according to its discretion, thus, anticipate attending from the beginning.

Speak to the Point…
The governing body appreciates pertinent, well organized, factual & concise comments. The Developer or their Representative is given 10 minutes to present their project; 3 minutes per individual is provided for public testimony; neighborhood groups are encouraged to select a community representative & the representative is provided 10 minutes (please inform staff). The Developer/Representative is given additional time for rebuttal.

If you do not wish to speak, write…
Written testimony received by close of business the Wednesday before the hearing will be included in the meeting packet; late submissions will be provided to the governing body at time of hearing. As a reminder, it is unreasonable to submit extensive written comments/info at the hearing and expect it to be reviewed prior to a decision.

KUNA

Planning & Zoning
PO BOX 13
Kuna, ID 83634

POST FIRST-CLASS MAIL
10/19/2022
US POSTAGE $000.00⁰
ZIP 83634
041M11460992

City of Kuna

UB 10.19.22

LEGAL NOTICE

Dear Property Owner: NOTICE IS HEREBY GIVEN the **Planning and Zoning Commission** is scheduled to hold a Public Hearing on **November 9, 2022 at 6:00 PM** (or as soon as can be heard), in City Hall Council Chambers, 751 W 4th Street, Kuna, ID, 83634, on the following case:

Case No. 22-12-SUP (Special Use Permit) for an In-home Group Daycare at 6810 S Nordean Ave

Alain & Chloe Lemesse request Special Use Permit (SUP) approval to operate an In-Home Group Daycare for up to 12 children, Monday through Sunday from 6:00 AM to 6:00 PM. The subject site is located at 6810 S Nordean Avenue; Section 24, Township 2 North, Range 1 West.

The public is invited to provide testimony; if you require additional information or require special accommodations, please contact the Kuna Planning & Zoning Department at (208) 922-5274.

Written testimony received by close of business on **November 2, 2022**, and will be included with the meeting packet.

MAILED 10.19.2022

KUNA
Planning & Zoning

Proof of Property Posting

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

This form shall confirm that the Public Hearing Notice for 22-12-SUP (Case No.)
6810 S Nordean Ave in-home Group Daycare (Project Name) was posted, as required per Kuna City Code 5-1A-8, on October 30, 2022 (Date). This form and associated photos shall be returned to the Planning & Zoning department no later than seven (7) days prior to the Public Hearing.

Signs shall be removed from the site within three (3) days after the Public Hearing.

DATED this 30th day of October, 2022.

Signature: _____ Owner/Developer

State of Idaho)
) ss
County of Ada)

On this 30th day of October, 2022, before me, the Undersigned, a Notary Public in and for said State, personally appeared before me (Owner/Developer).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written. Subscribed and sworn to before me the day and year first above written.

Kelsie Rook (Print Name)

Residing at: 1577 N. Linder Rd. (Address)
Kuna (City) ID (State) 83634 (ZIP)

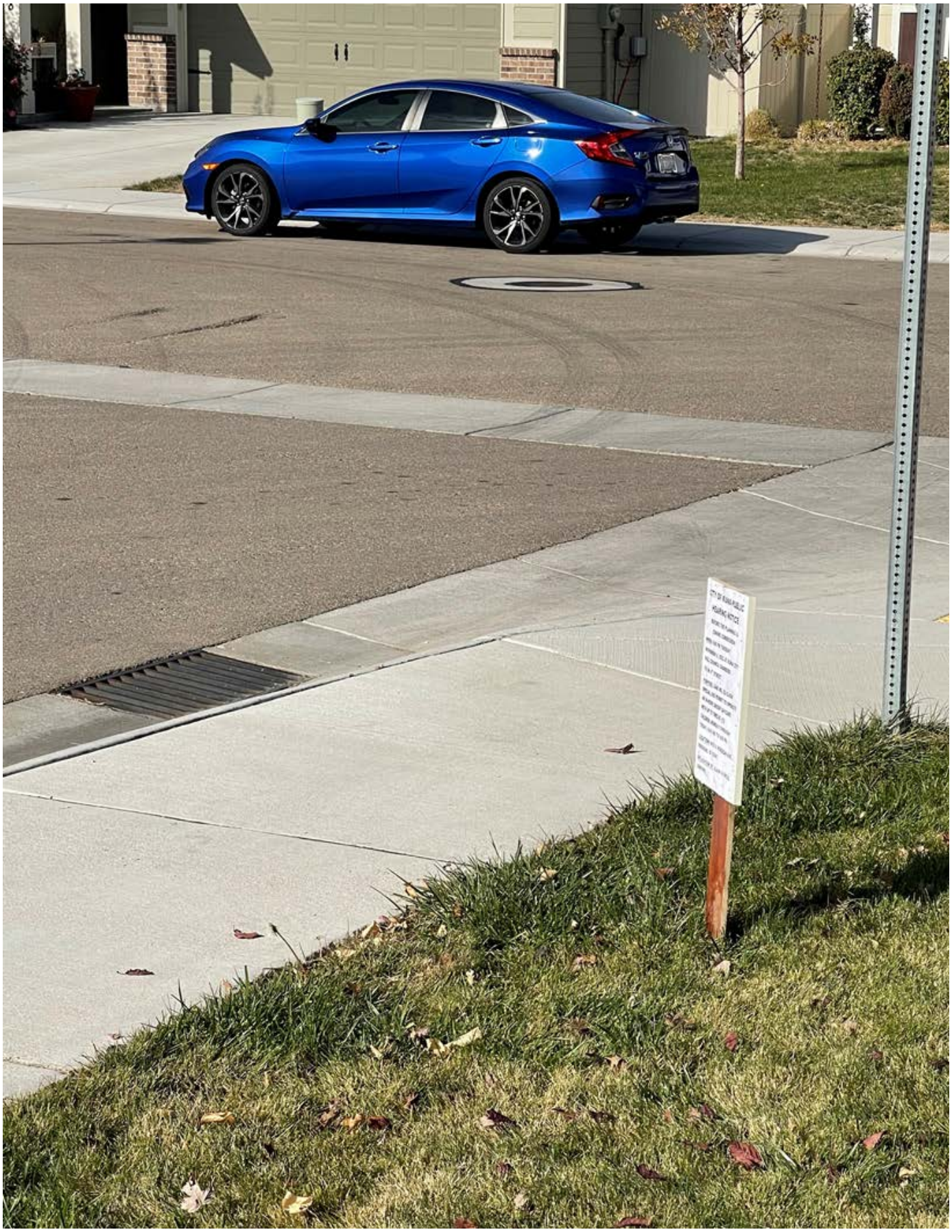
Affix Seal Here

My Commission expires: 05/24/2027 (Date)

KELSIE ROOK
Notary Public - State of Idaho
Commission Number 20212274
My Commission Expires 05-24-2027

_____
Signature

CITY OF KUNA PUBLIC HEARING NOTICE
BEFORE THE PLANNING & ZONING COMMISSION
WHEN: 6:00 PM TUESDAY NOVEMBER 9, 2022 AT KUNA CITY HALL COUNCIL CHAMBERS
751 W 4TH STREET
PURPOSE: CASE NO. 22-12-SUP SPECIAL USE PERMIT TO OPERATE AN IN-HOME GROUP DAYCARE WITH UP TO TWELVE (12) CHILDREN, MONDAY THROUGH FRIDAY, 6:00 AM TO 6:00 PM
LOCATION: 6810 S NORDEAN AVE, MERIDIAN, ID 83642
APPLICATION BY: ALAIN & CHLOE LEMESSE



CITY OF KUNA PUBLIC HEARING NOTICE
BEFORE THE PLANNING & ZONING COMMISSION
WHEN: 6:00 PM TUESDAY NOVEMBER 9, 2022 AT KUNA CITY HALL COUNCIL CHAMBERS 751 W 4TH STREET
PURPOSE: CASE NO. 22-12-SUP SPECIAL USE PERMIT TO OPERATE AN IN-HOME GROUP DAYCARE WITH UP TO TWELVE (12) CHILDREN, MONDAY THROUGH FRIDAY, 6:00 AM TO 6:00 PM
LOCATION: 6810 S NORDEAN AVE, MERIDIAN, ID 83642
APPLICATION BY: ALAIN & CHLOE LEMESSE

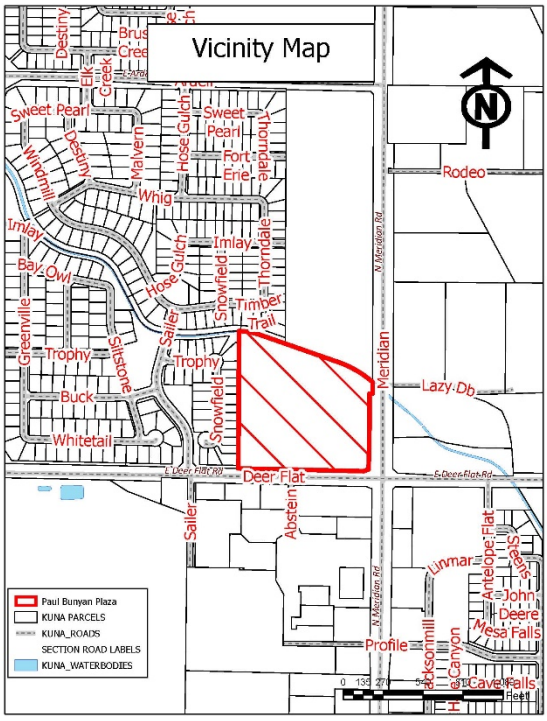
CITY OF KUNA PUBLIC HEARING NOTICE
BEFORE THE PLANNING & ZONING COMMISSION
WHEN: 6:00 PM TUESDAY NOVEMBER 9, 2022 AT KUNA CITY HALL COUNCIL CHAMBERS
751 W 4TH STREET
PURPOSE: CASE NO. 22-12-SUP SPECIAL USE PERMIT TO OPERATE AN IN-HOME GROUP DAYCARE WITH UP TO TWELVE (12) CHILDREN, MONDAY THROUGH FRIDAY, 6:00 AM TO 6:00 PM
LOCATION: 6810 S NORDEAN AVE, MERIDIAN, ID 83642
APPLICATION BY: ALAIN & CHLOE LEMESSE

BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATIONS OF	)	**Case Nos. 22-13-S (Preliminary Plat) and 22-30-DR (Design Review).**
BILL HICKS, AND CRMM, LLC	)	
For a Preliminary Plat and Design Review Request for Paul Bunyan Plaza.	)	**STAFF REPORT FOR SUBDIVISION AND DESIGN REVIEWAPPLICATION.**

TABLE OF CONTENTS

1. Exhibit List
2. Process and Noticing
3. Applicants Request
4. General Project Facts
5. Transportation and Connectivity
6. Staff Analysis
7. Proposed Findings of Fact and Conclusions of Law
8. Proposed Comprehensive Plan Analysis
9. Commission's Recommendation



I
EXHIBIT LIST

The exhibits of the above-referenced matter consist of the following, to-wit:

1.1 Exhibits:

	DESCRIPTION OF EVIDENCE	*Withdrawn*	*Refused*	*Admitted*
1.1	Staff Report			X
2.1	Application Coversheet			X

2.2	Preliminary Plat Application			X
2.3	Narrative			X
2.4	Vicinity Map			X
2.5	Legal Description			X
2.6	Warranty Deed			X
2.7	Affidavit of Legal Interest			X
2.8	Neighborhood Meeting Certification			X
2.9	Commitment to Post Site			X
2.10	Subdivision Name Reservation			X
2.11	Preliminary Plat			X
2.12	Landscape Plan			X
2.13	TIS Executive Summary			X
2.14	Design Review Application			X
2.15	Landscape Plan COLOR RENDERING			X
2.16	CC&R's			X
2.17	Agency Transmittal Letter			X
2.18	City Engineer			X
2.19	ACHD (Ada County Highway District)			X
2.20	Boise Project Board of Control			X
2.21	CDHD (Central District Health Department)			X
2.22	COMPASS			X
2.23	Nampa Meridian Irr. Dist.			X
2.24	Kuna Melba News (11.9.22)			X
2.25	Proof of Site Posting (11.9.22)			X
2.26	300 Ft. Legal Mailer (11.9.22)			X
2.27	Website Notice (11.9.22)			X
2.28	Kuna Melba News (12.13.22)			X
2.29	Proof of Site Posting (12.13.22)			X
2.30	300 Ft. Legal Mailer (12.13.22)			X
2.31	Website Notice (12.13.22)			X

II
PROCESS AND NOTICING

2.1 Kuna City Code (KCC), Title 1, Chapter 14, Section 3 states that Design Reviews are designated as Public Meetings with the Planning and Zoning Commission (acting as Design Review Commission), as the decision-making body, while Preliminary Plats are designated as Public Hearings, with the Planning and Zoning Commission as a recommending body and City Council

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

2.1.1 Notifications

2.1.1.1 Neighborhood Meeting: May 18, 2022 (3 Attendees)

2.1.1.2 Agency Comments Request: August 17, 2022

2.1.1.3 300 FT Legal Mailer Notice: November 22, 2022

2.1.1.4 Kuna Melba News Newspaper: November 23, 2022

2.1.1.5 Site Posted: November 22, 2022

III
APPLICANTS REQUEST

3.1 Bill Hicks, and CRMM, LLC requests Preliminary Plat approval in order to subdivide approximately 16.26 acres into 12 commercial lots. The site was previously Annexed and Zoned as C-2. A Design Review application for the landscaping accompanies this request. The site is located within Section 13 Township 2 north, Range 1 west, Accessor Parcel Number S1313449910.

IV
GENERAL PROJECT FACTS

4.1 Site History

4.1.1 The site was annexed into Kuna City Limits August 20, 2019. Historically the subject site has been used for agricultural purposes.

4.2 Surrounding Land Uses

North	C-2 R-20	Area Commercial - Kuna City High Density Residential - Kuna City
South	C-1	Neighborhood Commercial - Kuna City
East	C-1	Neighborhood Commercial - Kuna City
West	R-6	Neighborhood Commercial - Kuna City

4.3 Parcel Number, Owner, Parcel Size and Current Zoning

4.3.1 S1313449910
4.3.1.1 CRMM, LLC
4.3.1.2 Approximately 16.26 acres
4.3.1.3 C- 2 (Area Commercial)

4.4 Services

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

4.5 Existing Structures, Vegetation, and Natural Features

4.5.1 The proposed project site currently has vegetation consistent with that of an agricultural fields. The site has an estimated average slope of 1.0% to 1.4%. According to the USDA Soil Survey for Ada County, bedrock depth is estimated between 40 inches up to greater than 60 inches.

4.6 Environmental Issues

4.6.1 Staff is not aware of any environmental issues, health or safety conflicts and the subject site is well outside the boundary of the Nitrate Priority Area. Idaho Department of Environmental Quality (DEQ) has recommendations for surface and groundwater protection practices and requirements for development of all sites.

4.7 Comprehensive Plan Future Land Use Map

4.7.1 The Future Land Use Map (FLUM) is intended to serve as a *guide* for the decision-making body for the city. The FLUM indicates land use designations, generally speaking, it is not the actual zone. The Future Land Use Map identifies the proposed project site as Mixed-Use.

4.8 Recreation and Pathways Map

4.8.1 The Pathways Master Plan Map indicates a future trail or pathway along the Kuna Canal which runs through the north boundary of the site. Internal pathways and other connections within the site shall provide pedestrian and biking connectivity and connect to adjacent regional greenspaces and pathways, while providing a connection for adjacent properties in the future.

4.9 Agency Responses

Agency	Exhibit No.
City Engineer's Memo	2.21
ACHD – Ada County Highway District	2.22
Boise Project Board of Control	2.23
Central Dist. Health Dept.	2.24
COMPASS	2.25
Nampa Meridian Irrigation District	2.26

V
TRANSPORTATION AND CONNECTIVITY

5.1 According to the ACHD report (*Exhibit 2.22*) Deer Flat Road is listed in the Capital Improvement Plan (CIP)/Integrated five-year work plan (IFYWP) to be widened to 5-lanes from Linder Road to Meridian Road, between 2031 and 2035.

The intersection of Deer Flat Road and Meridian Road is scheduled in the CIP to be widened to 6-lanes on the north leg, 6-lanes on the south leg, 7-lanes on the east leg and 6-lanes on the west leg and reconstructed between 2031 and 2035. The intersection of Deer Flat and Meridian Road is programmed and funded as part of the CIP, therefore no mitigation is required.
ACHD recommends the Applicant construct a temporary full access discussed on page two (2) of their report, as 'Access D' and would later be restricted to a right-in/right-out with an ACHD future intersection and widening project, or as traffic conditions warrant, determined by ACHD.

The Bikeways Master Plan (BMP) identifies Deer Flat as a level 3 facility. The BMP also identified level facilities on Ardell Road, the northern collector roadway.

ACHD recommends the Applicant construct curb returns for high-volume driveways to be 30 radii.

Staff notes sidewalks along classified roads (Collector and Arterials) are required to be a minimum of eight (8) feet wide. Staff recommends sidewalks on classified roads be detached and located within the ROW.

Staff highlights that *KCC 6-3-3-C* requires developers to provide and connect to stub streets. According to the ACHD report, benefits of interconnectivity through use of stub streets includes, but is not limited to, reduction in miles traveled, increased pedestrian and bicycle connectivity, increased access for EMS, reduced need for additional access points to Arterial systems, promotes efficient delivery of daily services/deliveries, promotes intra-neighborhood traffic circulation to schools, parks, etc., and promotes orderly development.

VI
STAFF ANALYSIS

6.1 A Pre-Application Meeting was held March 10, 2022. The Applicant held a Neighborhood Meeting with residents within 300-ft of the proposed project area on May 18, 2022, there were three (3) attendees. Neighborhood Meeting Minutes, as well as mailed materials have been provided as a part of this application.

The Applicant requests approval to subdivide approx. 16.26 acres into 12 total commercial lots. The FLUM calls for Mixed-Use for the site and coupled with R-6 Medium Density to the west, the recently approved R-20 High Density Residential and Commercial directly north of this site, staff believes this proposal follows the intent of the FLUM.

According to Public Works comments in Exhibit 2.21, this project is located within the Danskin Lift Station basin which currently does not have capacity to provide sewer service for Paul Bunyan Plaza. Sewer service for the Paul Bunyan Plaza Phase 1 will be contingent on the successful completion of the 18" Danskin sewer force main project. Sewer capacity (equivalent dwelling units [EDU's]) that become available upon completion of the 18" Danskin force main will be distributed

on a first come first serve basis. EDU's will be soft reserved once the civil construction drawings are received and issuance of the QLPE will hard reserve the EDU's needed for each phase. Public Works staff cannot support approval of this application until the 18" Danskin force main project is complete.

The installation of streetlights is a required public improvement listed under KCC 6-4-2. The Applicant shall be required to work with staff in order to comply with KCC and install streetlights a maximum spacing of 250-ft.; the final location of streetlights will be approved at the time of construction document review. Staff notes that these streetlights must be designed and installed according to "Dark Sky" standards and shall be LED streetlights.

A Design Review application for landscape buffers along Deer Flat and Meridian Road was included with this application. Staff finds the proposed landscaping to be in compliance with Kuna City Code. It is the responsibility of the Developer to ensure the landscape buffer widths follow KCC. Staff notes the applicant proposes to combine the Pressure Irrigation, Sewer, Water and Gravity Irrigation within the first 30 feet along Meridian Road, and the first 20 feet along Deer Flat. Staff notes the Applicant has not proposed a common lot along the adjacent frontages. If the Applicant intends to place all said utilities within the stated utility widths, staff recommends additional area be preserved for landscaping; staff recommends an additional 15 feet along Meridian Road and an additional 10 feet be dedicated for a landscape easement along Deer Flat Road. Trees, and large shrubs must be at least 10 feet clear of all critical utility connections, and it will be difficult to combine so many uses within the proposed landscape buffers. Staff recommends a common lot be dedicated along classified roadways to avoid maintenance questions and issues after build-out. Staff also highlights a note on the landscape plan calling for perimeter landscaping to be developed by individual lots. Staff *may* support that approach for the western boundary, however, along the east, north and south boundaries staff recommends landscaping be installed adjacent to the stated frontages in connection with a Final Plat following KCC.

Staff notes if this project is approved, at the time of civil plan development, landscaping cannot be placed within ten (10) feet of any meter pits, pressurized irrigation valves, or ACHD underground facilities. In the event that locations of landscaping elements are within the locations listed above, those trees must be moved to an alternate location, and an updated landscape plan must be provided to staff prior to scheduling a landscape compliance inspection. Any elements that must be moved to another spot, may not simply be removed. Staff notes the landscape plan shall have a note for trees stating "Remove all tags, twine or other non-biodegradable materials attached to plant or root mass". Staff notes KCC calls for all twine, burlap and wire baskets to be removed at least 1/2 way down the root ball *after* being placed in the hole. Developer shall correct the note *and re-submit* the Landscape Plan prior to landscape plan approval.

The Developer/Owner/Applicant is hereby notified that this project is subject to Design Review inspection fees. Required inspections (post construction), verify landscaping compliance prior to requesting signature on the Final Plat.

Staff has reviewed the proposed Preliminary Plat for technical compliance with KCC, and the Design Review for compliance with Title 5 and Title 6 of Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan. The Applicant will be required to work with Kuna's staff, ACHD, the Kuna Rural Fire District and any other applicable agencies to ensure conformance to each agency's requirements where the stricter rule shall be followed. If the Planning and Zoning Commission recommends Approval of Case No. 22-13-S and Approves Case No. 22-30-DR the Applicant shall be subject to the Conditions of Approval listed in section "IX" (9) of this report, and any additional Conditions recommended by the Planning and Zoning Commission.

6.2 Applicable Standards

6.2.1 City of Kuna Zoning Ordinance, Title 5.

6.2.2 City of Kuna Subdivision Ordinance Title 6.

6.2.3 City of Kuna Comprehensive Plan FLUM.

6.2.4 Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

VII
PROPOSED FINDINGS OF FACT

Based upon the record contained in Case Nos. 22-13-S, and 22-30-DR, including the Comprehensive Plan, Kuna City Code, Staff's report, including the exhibits, and testimony during the Public Hearing, the Kuna Planning and Zoning Commission hereby (***Recommends Approval/Conditional Approval/Denial)*** of Case No. 22-13-S and (***Approves/Conditionally Approves/Denies)*** Case No. 22-30-DR.

If the Commission wishes to approve, deny or modify specific parts of the Findings of Fact and Conclusions of Law as detailed below, those changes must be specified.

7.1 Based on the evidence contained in Case Nos. 22-13-S and 22-30-DR this proposal ***does/does not*** generally comply with the City Code.

Staff Finding: *The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with the design requirements, public improvement requirements, objectives and considerations listed in Kuna City Code Title 5 and Title 6. According to Exhibit 2.21, Public Works state, Sewer service for Paul Bunyan Plaza, Phase 1 will be contingent on the successful completion of the 18" Danskin sewer force main project. Sewer capacity EDU's that become available upon completion of the 18" Danskin force main will be distributed on a first come first serve basis. Public Works staff cannot support approval of this application until the 18" Danskin force main project is complete.*

7.2 The public notice requirements ***have/have not*** been met and the Neighborhood Meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

Staff Finding: *Applicant held a Neighborhood Meeting May 18, 2022; three (3) residents attended. Neighborhood Notices were mailed out to residents within 300-feet of the proposed project site on October 19, 2022, and a legal notice was published in the Kuna Melba Newspaper on October 19, 2022. The Applicant posted a sign on the property on October 27, 2022.*

7.3 Based on the evidence for Case Nos. 22-13-S and 22-30-DR, this proposal ***does/does not*** generally comply with the Comprehensive Plan.

Staff Finding: *The Comp Plan has listed numerous goals for providing a variety of commercial uses throughout Kuna, as well as the installation of pathways and open space. The existing zone district is C-2, and the Comp Plan Map designates the property as Mixed-Use.*

7.4 The contents of the proposed Preliminary Plat, and Design Review applications ***do/do not*** contain the necessary requirements as listed in KCC 5-13-9, KCC 5-7, KCC 6-2-3, KCC 5-13, KCC 5-6, and KCC 5-4.:

Staff Finding: *Review by Staff of the proposed Preliminary Plat and Design Review confirms all applicable technical requirements listed in KCC were provided.*

7.5 The availability of existing and proposed public services and streets ***can/cannot*** accommodate the proposed development.

Staff Finding: *According to Exhibit 2.21 Public Works state, Sewer service for Paul Bunyan Plaza Phase 1 will be contingent on the successful completion of the 18" Danskin sewer force main project. Sewer capacity EDU's that become available upon completion of the 18" Danskin force main will be distributed on a first come first serve basis. Public Works staff cannot support approval of this application until the 18" Danskin force main project is complete.*

7.6 The proposed development ***is/is not*** in compliance with the City of Kuna Master Utility Plans (Sewer/Water/Pressurized Irrigation).

Staff Finding: *Correspondence from Kuna Public Works recommends the Applicant be required to conform to the Master Sewer Plan, Master Water Plan and Master Pressurized Irrigation Plan, therefore satisfying this requirement.*

7.7 The public ***does/does not*** have the financial capability to provide supporting services to the proposed development.

Staff Finding: *Throughout the development of the project and beyond, connection fees, impact fees (Fire, Police, Park and Ada County Highway District), and property taxes will be collected, therefore satisfying the financial capability to provide supporting services.*

7.8 The proposed project ***does/ does not*** consider health and safety of the public and the surrounding area's environment.

Staff Finding: *Connection to City services, as well as other public improvements such as streetlights, fire hydrants, sidewalks, etc. are required to be implemented as a part of this project. No major wildlife habitats will be impacted by the proposed development.*

7.9 The site landscaping ***does/does not*** minimize the impact on adjacent properties through the use of screening.

Staff Finding: *Landscaping is proposed around the perimeter of the subdivision where permitted, unless otherwise approved.*

7.10 The Applicant and/or Owner of the property have the right to request a written regulatory taking analysis.

Staff Finding: *Pursuant to Idaho Code 67-8003, the Owner of private property that is subject of such action may submit a written request for a regulatory taking analysis with the City Clerk, not more that twenty-eight (28) days after the final decision concerning the matter at issue. The City shall prepare a written taking analysis concerning the action if requested.*

VIII
PROPOSED COMPREHENSIVE PLAN ANALYSIS

The Planning and Zoning Commission may ***accept/reject*** the Comprehensive Plan components, and shall determine if the proposed Preliminary Plat, and Design Review requests for the site ***are/are not*** consistent with the following Comprehensive Plan components:

8.1 Goal Area 1: Kuna will be Economically Diverse and Vibrant.

- Goal 1.A: Ensure Land Use in Kuna will support economic development.
- Goal 1.C: Attract and Encourage new and existing businesses.
  - Objective 1.C.2: Create an environment that is friendly to business creation, expansion and relocation.
    - Policy 1.C.2.d: Ensure infrastructure and public facilities are in place and parcels identified for commercial or industrial are shovel ready.

8.2 Goal Area 2: Kuna will be a healthy, safe community.

- Goal 2.A: Maintain and expand parks and public gathering spaces.
  - Objective 2.A.2: Maintain and expand the pathway and trail network with a focus on building connectivity to key activity and population centers that serve all areas of Kuna.
    - Policy 2.A.2.a: Ensure the trails and pathways system promotes bike and pedestrian connectivity to key activity centers such as schools, parks, retail centers and downtown.
    - Policy 2.A.2.d: Work with private developers and landowners to direct expansion of the trails and pathways system throughout Kuna.
- Goal 2.B.: Maintain and expand parks and public gathering spaces.
  - Objective 2.B.1: Maintain and expand the parks system.
    - Policy 2.B.1.b: Continue to require neighborhood park development through the subdivision development process.

8.4 Goal Area 4: Kuna will be a connected community through strong transportation and infrastructure systems.

- Goal 4.B.: Increase sidewalk coverage and connectivity and invest in pedestrian facilities to increase walkability.
  - Objective 4.B.2: Maintain/expand sidewalks/pedestrian facilities within the community.
    - Policy 4.B.2.b: Install detached sidewalks and/or protected pedestrian routes/facilities along high trafficked roads as development occurs.
    - Policy 4.B.2.c: Promote the installation of off-system pedestrian pathways to create neighborhood connections and reduce the length of non-motorized transportation routes.
    - Policy 4.B.2.g: Coordinate with developers to connect and/or enhance pedestrian facilities, including on and off-system pathways, footbridges (across canals, etc.), road bridges, sidewalks, pedestrian crossings and wayfinding signage.

8.5 Goal 4.C.: Increase pathway, trail and on-street bicycle facilities.

- Objective 4.C.1: Maintain/enhance existing pathways/trails/on-street bicycle facilities.

- Policy 4.C.1.a: Expand the bicycle network as identified in the Kuna Pathways Master Plan and ACHD Roadways to Bikeways Plans through land use developments and capital improvement projects.
- Policy 4.C.1.e: Coordinate with developers to connect to and/or enhance bicycle facility connections, including pathways, non-motorized canal crossings, road bridges and wayfinding signage.

- Objective 4.C.2: Ensure expansion of pathways, trails and on-street bicycle routes.

  - Policy 4.C.2.b: Promote the installation of off-system bicycle pathways to create neighborhood connections and reduce non-motorized transportation route lengths.

8.6 Goal 4.D.: Promote a connected street network that incorporates mid-mile collectors and crossing for improved neighborhood connectivity.

- Objective 4.D.2: Ensure the continued expansion/development of a classified roads system throughout the community.
  - Policy 4.D.2a: Extend and expand Mid-Mile Roads as growth occurs.

  - Policy 4.D.2b: Preserve adequate Rights-Of-Way along all classified roads or other approved alternative locations to align roads.

IX
COMMISSION'S RECCOMENDATION

*Note: These motions are for the **Approval, Conditional Approval or Denial** of the Design Review application and the recommendation of **Approval, Conditional Approval or Denial** of the Preliminary Plat to the City Council. However, if the Planning and Zoning Commission wishes to approve or deny specific parts of these requests as detailed in the report, those changes must be specified.*

Based upon the record contained in Case Nos. 22-13-S, and 22-30-DR, including the Comprehensive Plan, Kuna City Code, Staff's report, including the exhibits, and testimony during the Public Hearing, the Kuna Planning and Zoning Commission hereby (***Recommends Approval/Conditional Approval/Denial)*** of Case No. 22-13-S and (***Approves/Conditionally Approves/Denies)*** Case No. 22-30-DR, subject to the following Conditions:

9.1 The Developer/Owner/Applicant 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:

9.1.1 The City Engineer shall approve all sewer connections.

9.1.2 The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received approval of the drainage plan.

9.1.3 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".

9.1.4 The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District are required.

9.1.5 The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.

9.1.6 Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permit(s).

9.1.7 All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.

9.2 Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see KCC 6-4-2.

9.3 Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.

9.4 Connection to City Services (Sewer and Domestic Water) is required; the Applicant shall conform to all corresponding City of Kuna Master Plans.

9.5 The Developer/Owner/Applicant shall not submit an application for Final Plat until the City's Public Works Director issues a Will-Serve Letter stating that the City's appurtenance has capacity to service the proposed development with domestic water, and accept the wastewater discharged from the proposed development.

9.6 In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a Final Plat, the Applicant shall have good cause and may be eligible to receive, pursuant to KCC § 6-2-3 (J), a Time Extension to file a Final Plat up to and until a Will-Serve Letter has been issued.

9.7 Landscape buffers, curb, gutter and sidewalk (attached and detached) shall be installed in accordance with Kuna City Code Title 5 Chapter 17 and Title 6 Chapter 4.

9.8 Developer/Owner/Applicant shall work with Ada County Highway District and the City of Kuna to complete all required traffic mitigation improvements to the surrounding roadways and intersections as detailed in the Ada County Highway District staff report.

9.9 It is the responsibility of the Developer or their engineer to coordinate *and* design for the stricter requirement between agencies and City of Kuna standards for the entire development.

9.10 Developer/Owner/Applicant shall work with staff in order to provide final locations of streetlights as required by Kuna City Code. Streetlights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.

9.11 Fencing within and around the site shall comply with Kuna City Code (unless specifically approved otherwise and permitted).

9.12 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 in public Rights-of-Way shall be with approval from ACHD.

9.13 Landscaping shall not be placed within ten (10) feet of all meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles.

9.14 All signage within/for the project shall comply with Kuna City Code and shall be approved through the applicable sign approval process listed in KCC 5-10.

9.15 If any revisions are made, the Applicant shall provide the Planning and Zoning Staff with a revised copy of the Preliminary Plat.

9.16 Any revisions of the plat are subject to Administrative Determination to rule if the revision is substantial.

9.17 The Developer/Owner/Applicant, and any future assigns having an interest in the subject property, shall fully comply with all Conditions of development as approved by the City Council, or seek amending them through Public Hearing processes.

9.18 Developer shall ensure any anticipated buildings fit any given buildable lot.

9.19 Developer/Owner/Applicant/Contractors are hereby notified of Kuna's working hours. Construction of any kind shall only be conducted within the hours specified in KCC. Noises and other public nuisances/distractions outside of this time frame are subject to lawful penalties.

9.20 Developer/Owner/Applicant is hereby notified of Kuna's weed control policies and requirements (KCC 8-1-3). Weeds, grasses, vines or other growth which endanger property or are over twelve (12) inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout all seasons.

9.21 Develop/Owner/Applicant is hereby notified that this project is subject to Design Review inspection fees. Required inspections (post construction), are to verify landscaping compliance prior to requesting signature on the Final Plat.

9.22 The Landscape Plan (dated 6.7.22) and Preliminary Plat (dated 4.8.22) will be considered binding site plans as amended and/or approved.

9.23 Downstream and upstream water users' rights shall not be impeded. At their expense, Developers/Owners/Applicants, are all responsible to maintain and honor all historic flows, rights, and access.

9.24 Equivalent Dwelling Units (EDU's) will be issued on a Phase-by-Phase basis (per Final Plat).

9.25 Developer/Owner/Applicant shall follow staff, the City Engineer's, and other agency recommended requirements as applicable.

9.26 Developer/Owner/Applicant and all successors shall comply with all Local, State and Federal Laws.

DATED this 13th day of December 2022.

KUNA
Planning & Zoning

Planning & Zoning Application Coversheet

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

****Office Use Only****

File No.(s): 22-13-S, 22-30-DR

Project Name: Paul Bunyan Plaza

Date Received: 06.13.2022

Date Accepted as Complete: 8.9.22

Type of review requested (check all that apply):

	Annexation		Appeal
	Comp. Plan Map Amendment		Combination Pre & Final Plat
X	Design Review		Development Agreement
	Final Planned Unit Development		Final Plat
	Lot Line Adjustment		Lot Split
	Ordinance Amendment		Planned Unit Development
X	Preliminary Plat		Rezone
	Special Use Permit		Temporary Business
	Vacation		Variance

Owner of Record

Name: CRMM, LLC

Address: 8942 Spanish Ridge Ave., Las Vegas, NV 89145

Phone: (702) 221-2500 Email: bhicks@newmarketadvisors.com

Applicant (Developer) Information

Name: Bill Hicks

Address: 8942 Spanish Ridge Ave., Las Vegas, NV 89145

Phone: (702) 221-2500 Email: bhicks@newmarketadvisors.com

Engineer/Representative Information

Name: Civil Innovations, PLLC

Address: 1043 E. Park Blvd. Ste. 101, Boise, ID, 83712

Phone: (208) 884-8181 Email: ben@civil-innovations.com

Subject Property Information

Site Address: N. Meridian Road

Nearest Major Cross Streets: Deer Flat Road

Parcel No.(s): S1313449910

Section, Township, Range: Sec. 13, T.2N, R.1W

Property Size: 16.26 Acres

Current Land Use: Vacant Proposed Land Use: Commercial

Current Zoning: C-2 Proposed Zoning: _____

Project Description

Project Name: Paul Bunyan Plaza - Preliminary Plat

General Description of Project: 12 commercial lots on approximately 16.26 acres at the NW corner of Meridian and Deer Flat Roads.

Type of proposed use (check all that apply and provide specific density/zoning):
☐ Residential: R-2 R-4 R-6 R-8 R-12 R-20 ☒ Commercial: C-1 (C-2) C-3 ☐ CBD
☐ Office ☐ Industrial: M-1 M-2 ☐ Other: _____

Type(s) of amenities provided with development: Pathway along the south side of the Kuna Canal and sidewalks along Meridian and Deer Flat Roads.

Residential Project Summary (If Applicable)

Are there existing buildings? YES NO

If YES, please describe: _____

Will any existing buildings remain? YES NO

No. of Residential Units: _____ No. of Building Lots: _____

No. of Common Lots: _____ No. of Other Lots: _____

Type of dwelling(s) proposed (check all that apply):
☐ Single-Family ☐ Townhomes ☐ Duplexes ☐ Multi-Family
☐ Other: _____

Minimum square footage of structure(s): _____

Gross Density (Dwelling Units ÷ Total Acreage): _____

Net Density (Dwelling Units ÷ Total Acreage not including Roads): _____

Percentage of Open Space provided: _____ Acreage of Open Space: _____

Type of Open Space provided (i.e. public, common, landscaping): _____

_____

_____

Non-Residential Project Summary (If Applicable)

Number of building lots: 12 Other lots: 0

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

Building height: _____ Hours of Operation: _____

Total No. of Employees: _____ Max No. of Employees at one time: _____

No. of and ages of students: _____ Seating capacity: _____

Proposed Parking

ADA accessible spaces: _____ Dimensions: _____

Regular parking spaces: _____ Dimensions: _____

Width of driveway aisle: _____

Proposed lighting: _____

Is lighting "Dark Sky" compliant? YES NO

Proposed landscaping (i.e. berms, buffers, entrances, parking areas, etc.):

_____

_____

_____

_____

Applicant Signature: _____ Date: 6/13/22

By signing, you are confirming you have provided all required items listed on this application.

Upon completion of this form, please email to pzapplications@kunaid.gov. A link will be provided for application attachments to be uploaded to the cloud.

KUNA
Planning & Zoning

Preliminary Plat Application

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

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.

****Office Use Only****

Case No(s).: 22-13-S, 22-30-DR

Project Name: Paul Bunyan Plaza

Date of Pre-Application Meeting: 3.10.22 Valid for three (3) months, unless otherwise determined by staff

Date Received: 06.13.2022

Date Accepted as Complete: 8.9.22

Application shall contain one (1) copy of the following (digital documents preferred):

- Complete Planning & Zoning Application Coversheet
- Complete Preliminary Plat Application
- Detailed narrative or justification for the application, describing the project, design elements, serviceability, amenities, and how the project complies with the requirements found within Kuna City Code.
- Vicinity Map 8.5" x 11": Drawn to scale of 1" = 300' (or similar), showing the location of subject property. Map shall contain a shaded area showing the annexation property; surrounding street names; and name(s) of surrounding subdivisions.
- Legal Description of Preliminary Plat Area: Include metes & bounds description to the section line of all adjacent roadways; stamped & signed by a registered professional Land Surveyor; calculated closure sheet; and a map showing the boundaries of the legal description.
- Recorded Warranty Deed for property.
- Affidavit of Legal Interest if the individual submitting this application is not the legal property owner. (*One Affidavit required for each party involved. Originals must be submitted to the Planning & Zoning Department.)*
- Neighborhood Meeting Certification.
- Commitment of Property Posting form signed by the applicant/agent.
- A letter or email from the Ada County Engineer showing the subdivision name reservation. (*A name change needs to be submitted and approved by the Planning & Zoning Director & Ada County Engineer.*)
- Preliminary Plat (24" x 36"): Drawn to a scale of 1" = 100' (or similar), showing
    - Topography at 2' intervals
    - Land uses (location, layout, types & dimensions) of Residential, Commercial & Industrial
    - Street right-of-way (ROW) including dimensions of ROW dedication for all roadways, street sections, improvements, etc.
    - Easements/common space such as utility easements, parks, community spaces, etc.
    - Layout & dimensions of lots
    - Improvements drawing showing water, sewer, drainage, electricity, irrigation, telephone, gas, proposed street lighting, proposed street names, fire hydrant placement, storm water disposal, underground utilities, and sidewalks.
- Preliminary Plat (8.5" x 11"): Drawn to a scale of 1" = 100' (or similar), with the same items as listed in the "Preliminary Plat".

- Phasing Plan
- Landscape Plan for subdivision entrances, buffers, common areas, etc.
- Homeowners Maintenance Agreement for the care of landscaped common areas.

IF THE PRELIMINARY PLAT INCLUDES 100 LOTS OR MORE,

A TRAFFIC IMPACT STUDY IS REQUIRED.

This application shall not be considered complete (nor will a Public Hearing be scheduled) 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, and any additional items via a Letter of Completeness.

Information to Note:
The date of application acceptance shall be the date the applicant submits the final required information to the Planning & Zoning Department, including the application fee *(KCC 5-1A-2C)*.

Complete applications shall be reviewed within sixty (60) days of date of acceptance *(KCC 5-1A-5A)*.

Applicant Signature: Ben Hume Date: 6/14/22

By signing, you are confirming you have provided all required items listed on this application.

CIVIL INNOVATIONS, PLLC
PROFESSIONAL ENGINEERING

1043 E. Park Blvd. Ste. 101
Boise, ID 83712
Phone: (208) 884-8181
www.civil-innovations.com

June 14, 2022

City of Kuna
Planning & Zoning Department
751 W. 4th Street
Kuna, ID 83634

Re: Paul Bunyan Plaza – Preliminary Plat Application

Please find enclosed preliminary plat application for the proposed Paul Bunyan Plaza. This 16.26 acre property is located at the northwest corner of Meridian and Deer Flat Roads. The property was previously annexed into the City with a C-2 zoning designation. Current land use is agricultural with no existing structures.

The applicant is proposing to subdivide the property into 12 commercial building lots to be served by City water, sewer, and pressurized irrigation utilities. New sidewalks are proposed along the frontage of Meridian and Deer Flat Roads along with an extension of the existing pathway located on the south side of the Kuna Canal.

Landscaping is proposed along the road frontages and also adjacent to the existing single family housing directly west of this property.

Thank you for your consideration of this application. If you have questions, or need any additional information, please let us know.

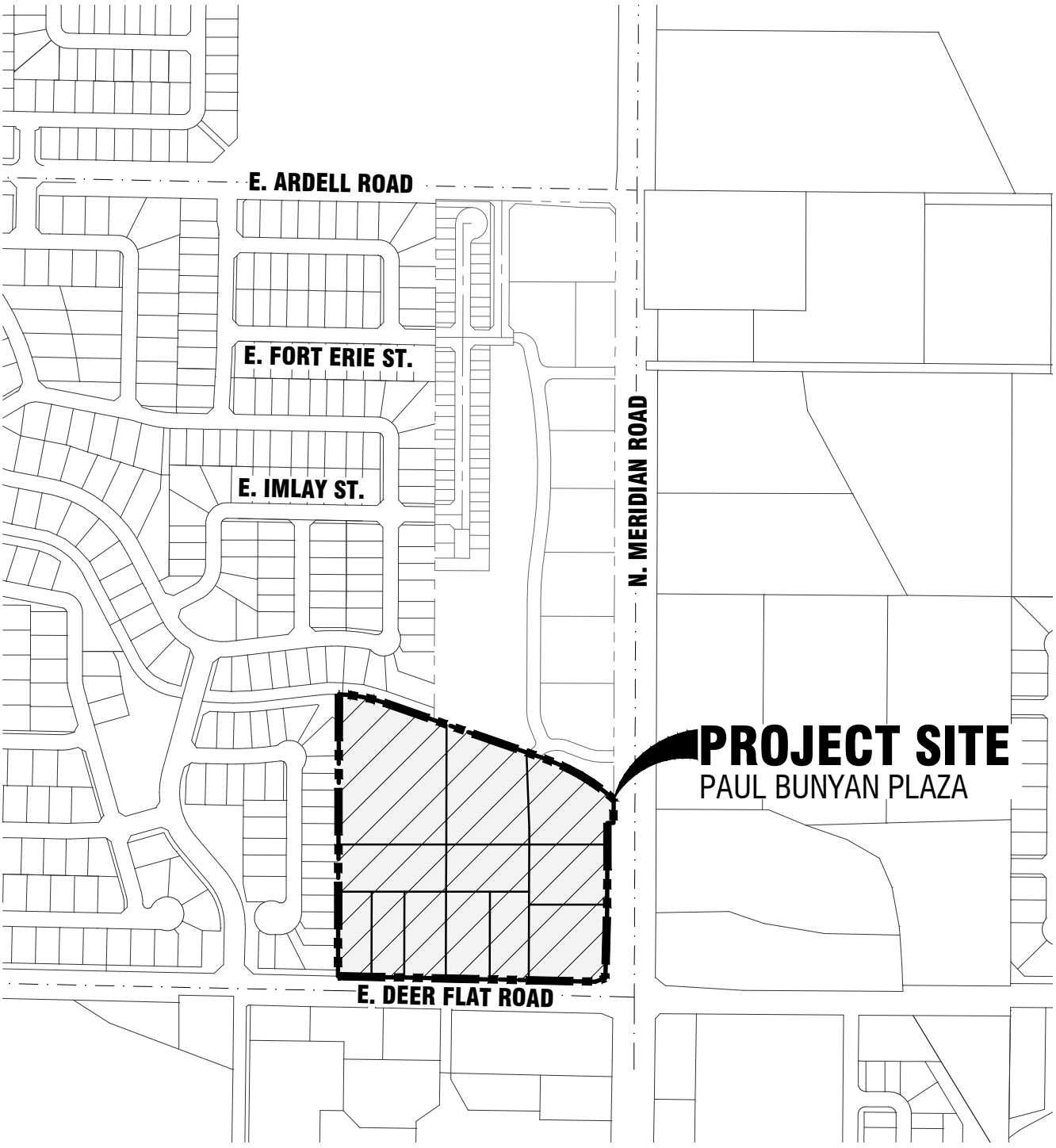
Sincerely,

Ben Thomas

Ben Thomas, PE

PAUL BUNYAN PLAZA

KUNA, IDAHO - 2022



500 250 0 500

HORIZONTAL SCALE IN FEET

PROJECT NO.	22-0128-KRC
DWG FILE	VICINITY MAP
DESIGNED BY	BT
DRAWN BY	BT
CHECKED BY	BT
ISSUE DATE	06/14/2022
SCALE	AS SHOWN
SHEET	1 OF 1

PAUL BUNYAN PLAZA
KUNA, IDAHO

VICINITY MAP

CIVIL INNOVATIONS, PLLC
1043 E. PARK BLVD STE 101
BOISE, ID 83712
PHONE: (208) 884-8181
www.civil-innovations.com

DESCRIPTION FOR
SOUTH PARCEL
BLACKROCK MARKET PLACE

A parcel of land located in the E 1/2 of the SE 1/4 of Section 13, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho being more particularly described as follows:

Commencing at the SE corner of said Section 13 from which the S 1/4 corner of said Section 13 bears North 88°45'38" West, 2,630.90 feet;

thence along the South boundary line of said Section 13 North 88°45'38" West, 973.49 feet;

thence leaving said South boundary line North 00°11'35" East, 48.01 feet to a point on the North right-of-way line of E. Deer Flat Road, said point also being the **REAL POINT OF BEGINNING;**

thence continuing North 00°11'35" East, 925.33 feet to a point on the centerline of the Kuna Canal;

thence along the centerline of the Kuna Canal the following 3 courses and distances:

thence 151.82 feet along the arc of a non-tangent curve to the right, said curve having a radius of 500.00 feet, a central angle of 17°23'51" and a long chord which bears South 79°28'45" East, 151.24 feet;

thence South 70°46'49" East, 554.68 feet

thence 267.30 feet along the arc of a non-tangent curve to the right, said curve having a radius of 700.00 feet, a central angle of 21°52'45" and a long chord which bears South 59°50'27" East, 265.68 feet to a point on the East right-of-way line of N. Meridian Road (SH 69);

thence along said East right-of-way line the following 4 courses and distances:

thence South 00°11'35" West, 78.47 feet;

thence North 89°48'25" West, 20.00 feet;

thence South 00°11'35" West, 290.00 feet;

thence South 01°33'25" West, 219.77 feet to a point on the North right-of-way line of E. Deer Flat Road;

thence along said North right-of-way line the following 2 courses and distances:

thence South 70°33'25" West, 35.49 feet;

thence North 88°45'38" West, 844.81 feet to the **REAL POINT OF BEGINNING**. Containing 16.255 acres, more or less.

PioneerTitleCo.
GOING BEYOND

ADA COUNTY RECORDER Phil McGrane
BOISE IDAHO Pgs=3 CHE FOWLER
PIONEER TITLE COMPANY OF ADA COUNTY

2021-153040
10/21/2021 03:55 PM
$15.00

1211 W Myrtle Street, Plaza II Suite 100
Boise, ID 83702

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

File No. 770799 JS/JO

WARRANTY DEED

For Value Received SH69 Holdings, LLC, an Idaho Limited Liability Company hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

CRMM, LLC, a Nevada limited liability company

hereinafter referred to as Grantee, whose current address is 8942 Spanish Ridge Ave. Las Vegas, 89145

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

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

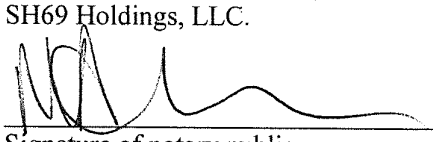
Dated: October 13, 2021

SH69 Holdings, LLC, an Idaho limited liability company

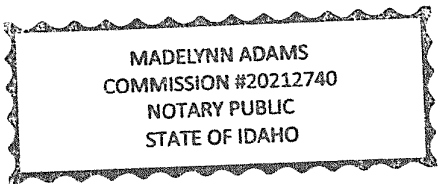
By: _____
David Gronbeck, Manager

State of IDAHO, County of ADA

This record was acknowledged before me on October 21, 2021 by David Gronbeck, as Manager of SH69 Holdings, LLC.



Signature of notary public
Commission Expires:



MADELYNN ADAMS
Residing in: Nampa, ID
Commission Expires: 06/22/2027

EXHIBIT A

A parcel of land located in the E 1/2 of the SE1/4 of Section 13, Township 2 North, Range 1 West Boise-Meridian, Ada County, Idaho being more particularly described as follows:

Commencing at the SE corner of said Section 13 from which the S 1/4 corner of said Section 13 bears North 88°45'38" West, 2630.90 feet;
thence along the South boundary line of said Section 13 North 88°45'38" West, 973.49 feet
thence leaving said South boundary line North 00'11'35" East, 48.01 feet to a point on the North right-of-way line of E. Deer Flat Road, said point being the Real Point of Beginning;
thence continuing North 00°11'35" East, 925.33 feet to a point on the centerline of the Kuna Canal;
then along the centerline of the Kuna Canal the following 3 courses and distances:
thence 151.82 feet along the arc of a non-tangent curve to the right, said curve having a radius of 500.00 feet, a central angle of 17°23'51" and a long chord which bears South 79°28'45" East, 151.24 feet;
thence South 70°46'49" East 554.68 feet;
thence 267.30 feet along the arc of a non-tangent curve to the right, said curve having a radius of 700.00 feet, central angle of 21°52'45" and a long chord which bears South 59°50'27" East, 265.68 feet to a point on the East right-of-way line of N. Meridian Road (SH 69);
thence along said East right-of-way line the following 4 courses and distances:
thence South 00°11'35" West, 78.47 feet;
thence North 89°48'25" West, 20.00 feet;
thence South 00°11'35" West, 290.00 feet;
thence South 01°33'25" West, 219.77 feet to a point on the North right-of-way line of E. Deer Flat Road;
thence along said North right-of-way line the following 2 courses and distances:
thence South 70°33'25" West, 35.49 feet;
thence North 88°45'38" West, 844.81 feet to the Real Point of Beginning.

KUNA
Planning & Zoning

AFFIDAVIT OF LEGAL INTEREST

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

State of Idaho)
) ss
County of Ada)

I, Margo Chernyshova for CRMM LLC,
8942 Spanish Ridge Ave, LV, NV 89147

Being first duly sworn upon oath, depose and say: (If Applicant is also Owner of Record, skip to B)

A. That I am the record owner of the property described on the attached, and I grant my permission to
Bill Hicks
5245 S. Durango Dr., Las Vegas, Nevada 89113
to submit the accompanying application pertaining to that property.

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

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

Dated this 02 day of May, 20 22

Signature

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

Julissa Magaña

Residing at: Lone Mountain
Breeze Ct. Las Vegas NV 89108

My Commission expires: 05/17/2025

Julissa Magaña
Signature

JULISSA MAGANA
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 05-17-25
Certificate No: 21-9761-01

KUNA
Planning & Zoning

Neighborhood Meeting Certification

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

You **must** conduct a Neighborhood Meeting **prior** to submission of an application for Annexation; Rezone; Special Use Permit; Subdivision; and Variance. Please see Kuna City Code 5-1A-2 for more information or contact the Planning & Zoning Department at (208) 922-5274.

The Neighborhood Meeting Certification packet includes the following:

- Neighborhood Meeting Certification – This acts as quick reference information regarding your project.
- Sign-in Sheet – This provides written record of who attended your Neighborhood Meeting.
- Neighborhood Meeting Minutes – Provides space in which to record the items discussed and any concerns attendees may have.

A Neighborhood Meeting cannot take place more than two (2) months prior to acceptance of the application and an application will not be accepted before the meeting is conducted. You are required to mail written notification of your meeting, allowing at least fourteen (14) days before your meeting for property owners to plan to attend. **Contacting and/or meeting individually with property owners will not fulfill Neighborhood Meeting requirements.** You may request a 300' property owners mailing list by completing the Neighborhood Meeting Mailing List Request form located under Forms & Applications on the City of Kuna website.

Neighborhood Meetings must be held on either a weekend between 10:00 Am & 7:00 PM, or a weekday between 6:00 PM & 8:00 PM. The meeting **cannot** be conducted on holidays, holiday weekends, or the day before/after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- Subject property;
- Nearest available public meeting place (i.e. Libraries, Community Centers, etc.); or
- An office space within a one (1) mile radius of the subject property.

Once you have held your Neighborhood Meeting, please complete this certification form and include with your application along with the Sign-in Sheet, Neighborhood Meeting Minutes & a copy of the notification mailed to attendees.

Description of proposed project: Preliminary plat consisting of 12 commercial lots on approximately 16.26 acres at the NW corner of Meridian and Deer Flat Roads.

Date of Meeting: 5/18/22 Time: 6:00 PM

Meeting Location: Kuna Public Library, 457 N. Locust Ave.

Site Information

Location: Section 13 Township 2N Range 1W Total Acres 16.26

Subdivision Name: Paul Bunyan Plaza Lot ____ Block ____

Address: N. Meridian Rd.

Parcel No(s).: S1313449910

Include ALL addresses and parcel numbers for your application.

Current Property Owner

Name: CRMM, LLC

Address: 8942 Spanish Ridge Ave., Las Vegas, NV 89145

Contact Person

Name: Bill Hicks

Business Name (if applicable): _____

Address: 8942 Spanish Ridge, Ave., Las Vegas, NV 89145

Phone: (702) 221-2500 Email: bhicks@newmarketadvisors.com

Applicant

Name: Bill Hicks

Address: 8942 Spanish Ridge Ave., Las Vegas, NV 89145

Phone: (702) 221-2500 Email: bhicks@newmarketadvisors.com

I, Ben Thomas *, certify that a Neighborhood Meeting was conducted at the time and location noted on this form in accordance with Kuna City Code 5-1A-2.*

Applicant Signature: _____ Date: 6/14/22

SIGN-IN SHEET

Project Name: Paul Bunyan Plaza

	Name	Address	Phone
1	Bill Hayes	80 Pastime	702 501 8001
2	Fred Harbin	4111 N Barney	702-374-3580
3	Ken LeDuc	Sterling Ranch	—
4	Armen Sarkisian		702-267-7371
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NEIGHBORHOOD MEETING MINUTES

Meeting Date: 5/18/22 Number of Attendees: 5

Location: Kuna City Library

Project Description: Commercial subdivision at the NW corner of Meridian & Deer Flat

Attendee Comments or Concerns:

One question about the increased traffic on Deer Flat. We agreed to share the traffic study which identifies the estimated traffic flows.

I, _____, hereby certify the above information and the information provided within these forms is true, complete and correct to the best of my knowledge.

Applicant Signature: _____ Date: _____

KUNA
Planning & Zoning

COMMITMENT TO PROPERTY POSTING

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

Per Kuna City Code (KCC) 5-1A-8, the Applicant, for all applications requiring a Public Hearing, shall post the subject property *not less than ten (10) days prior to the hearing.* The Applicant shall post a copy of the Public Hearing notice on the property under consideration; all posting must be in substantial compliance.

The Applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the Planning and Zoning Department *no later than seven (7) days* prior to the Public Hearing, attesting to where and when the sign(s) were posted. Unless such certificate is received by the required date, the hearing will be continued to the next available date, as scheduling permits.

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

Print Name: Ben Thomas

Signature: Ben Thomas Date: 6/14/22

Ben Thomas

From: Sub Name Mail <subnamemail@adacounty.id.gov> on behalf of Sub Name Mail
Sent: Tuesday, May 24, 2022 12:05 PM
To: Ben Thomas
Cc: Gregory Carter (gcarter@idahosurvey.com)
Subject: RE: Paul Bunyan Plaza Subdivision Name Reservation

May 24, 2022

Greg Carter, Idaho Survey Group
Ben Thomas, Civil Innovations

RE: Subdivision Name Reservation: **PAUL BUNYAN PLAZA SUBDIVISION**

At your request, I will reserve the name **Paul Bunyan Plaza 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, the jurisdiction or the conditions of approval have not been met, in which case the name can be re-used by someone else.

Sincerely,

Glen Smallwood
Surveying Technician
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7926 *office*
(208) 287-7909 *fax*

PAUL BUNYAN PLAZA - PRELIMINARY PLAT

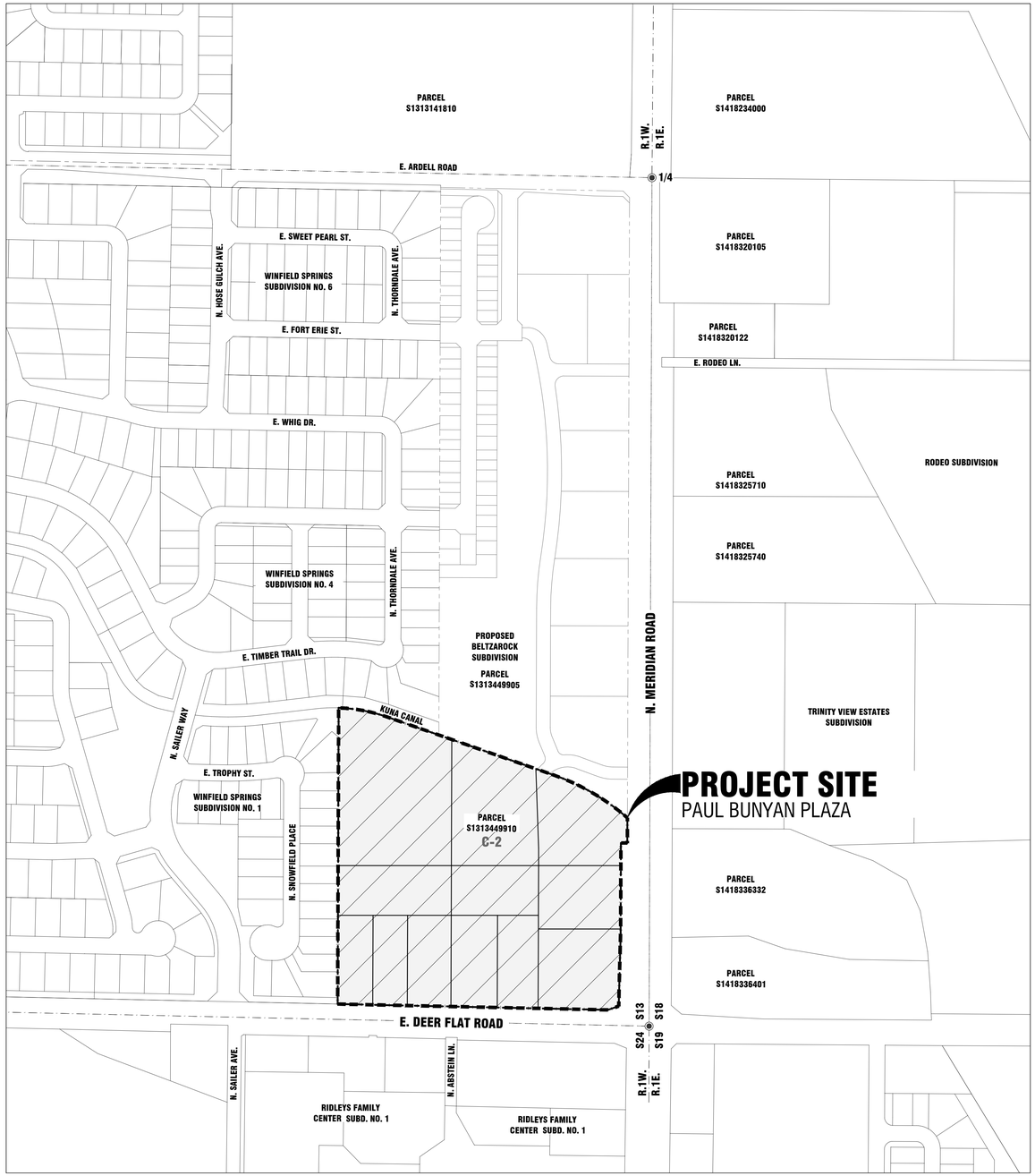
KUNA, IDAHO - 2022

PROPOSED LEGEND

- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- CENTERLINE
- PROPERTY LOT LINE
- ZERO PROPERTY LOT LINE
- ZONE BOUNDARY
- C-2 — ZONE DESIGNATION
- PROPOSED VERTICAL CURB
- PROPOSED ROLLED CURB
- PROPOSED VERTICAL TO ROLLED CURB TRANSITION SECTION
- PROPOSED STREET LIGHT
- DIRECTION OF SURFACE FLOW
- PROPOSED SEEPAGE BED WITH MONITORING WELLS
- PROPOSED DROP INLET
- SD — PROPOSED STORM DRAIN LINE AND MANHOLE
- GIRR — PROPOSED GRAVITY IRRIGATION LINE AND BOX
- PIRR — PROPOSED PRESSURE IRRIGATION LINE AND VALVE
- W — PROPOSED WATER LINE AND VALVE
- PROPOSED FIRE HYDRANT
- SS — PROPOSED SANITARY SEWER LINE AND MANHOLE

EXISTING LEGEND

- EXISTING PROPERTY LOT LINE
- EG — EXISTING EDGE OF GRAVEL
- TOB — EXISTING TOP OF BANK
- TOE — EXISTING TOE OF BANK
- EXISTING DITCH FLOW LINE
- OHP — EXISTING OVERHEAD POWER W/ POLE
- GAS — EXISTING UNDERGROUND GAS
- UGT — EXISTING UNDERGROUND TELEPHONE
- EXISTING FENCE
- EXISTING VERTICAL CURB
- EXISTING ROLLED CURB
- 2750 — EXISTING 5' CONTOUR
- 2749 — EXISTING 1' CONTOUR
- EXISTING DROP INLET
- SD — EXISTING STORM DRAIN LINE AND MANHOLE
- GIRR — EXISTING GRAVITY IRRIGATION LINE
- PIRR — EXISTING PRESSURE IRRIGATION LINE AND VALVE
- W — EXISTING WATER LINE AND VALVE
- EXISTING FIRE HYDRANT
- SS — EXISTING SEWER LINE AND MANHOLE
- EXISTING STREET LIGHT
- EXISTING ROAD SIGN
- EXISTING SPRINKLER BOX
- EXISTING POWER JUNCTION BOX
- EXISTING TELEPHONE RISER
- EXISTING DECIDUOUS TREE
- EXISTING EVERGREEN TREE
- EXISTING GAS MARKER
- EXISTING GAS VALVE



1 VICINITY MAP

SCALE: 1" = 200'

2 SHEET INDEX

1 OF 3	C.100	TITLE SHEET
2 OF 3	C.200	PRELIMINARY PLAT
3 OF 3	C.300	PRELIMINARY SITE PLAN

3 SITE DATA

BUILDABLE LOTS	12
TOTAL AREA	16.255 AC
MINIMUM LOT SIZE	30,297 S.F.
AVERAGE LOT SIZE	59,006 S.F.

4 CONSTRUCTION CONTACT INFORMATION

ENGINEER
CIVIL INNOVATIONS, PLLC
CONTACT: BEN THOMAS
1043 E. PARK BLVD. STE 101
BOISE, ID 83712
PHONE: (208) 884-8181

DEVELOPER
BILL HICKS
5245 S. DURANGO DR.
LAS VEGAS, NV 89113
PHONE: (702) 221-2500

SURVEYOR
IDAHO SURVEY GROUP
CONTACT: GREG CARTER, PLS
9955 W. EMERALD ST.
BOISE, ID 83704
PHONE: (208) 846-8570

5 BENCH MARK AND DATUM DATA

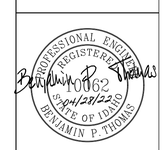
DATUM DATA
HORIZONTAL: NAD 83 (ADJUSTED TO THE ADA COUNTY H.A.R.N SURVEY)
VERTICAL: NAVD 88

6 PRELIMINARY PLAT NOTES

1. MINIMUM BUILDING SETBACK LINES SHALL CONFORM TO THE APPLICABLE ZONING REGULATIONS OF THE CITY OF KUNA AT THE TIME OF ISSUANCE OF A BUILDING PERMIT.
2. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF KUNA IN EFFECT AT THE TIME OF RE-SUBDIVISION.
3. IRRIGATION WATER WILL BE PROVIDED BY THE CITY OF KUNA IN COMPLIANCE WITH IDAHO CODE SECTION 31-3805(1)(B). ALL LOTS WITHIN THIS SUBDIVISION WILL BE ENTITLED TO IRRIGATION RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS FROM CITY OF KUNA.
4. MAINTENANCE OF ANY IRRIGATION, DRAINAGE PIPE OR DITCHES CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ASSUMED BY AN IRRIGATION/DRAINAGE ENTITY. SUCH LOTS MUST REMAIN FREE OF ENCROACHMENTS AND OBSTRUCTIONS TO SAID IRRIGATION/DRAINAGE FACILITIES.
5. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF".
6. ALL LOT LINES COMMON TO THE PUBLIC RIGHTS-OF-WAY CONTAIN A 14.00 FOOT WIDE EASEMENT, UNLESS OTHERWISE DIMENSIONED, FOR PUBLIC UTILITIES, CITY OF KUNA IRRIGATION AND LOT DRAINAGE. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO EACH LOT.
7. UNLESS OTHERWISE DIMENSIONED, ALL LOT LINES COMMON TO THE SUBDIVISION BOUNDARY AND ALL REAR LOT LINES CONTAIN A 10.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES, CITY OF KUNA IRRIGATION AND LOT DRAINAGE.
8. LOTS SHALL NOT BE REDUCED IN SIZE WITHOUT PRIOR APPROVAL FROM THE HEALTH AUTHORITY AND THE CITY OF KUNA.
9. THIS SUBDIVISION WILL BE SUBJECT TO THE COVENANTS, CONDITIONS AND RESTRICTIONS THAT ARE TO BE FILED FOR RECORD AT THE ADA COUNTY RECORDER'S OFFICE.
10. A PORTION OF LOTS 1, 2 AND 3, BLOCK 1 AS SHOWN HEREON ARE SUBJECT TO AN EXISTING BOISE PROJECT BOARD OF CONTROL EASEMENT FOR OPERATION AND MAINTENANCE OF THE KUNA CANAL.
11. NO LOTS WITHIN THIS SUBDIVISION SHALL BE ALLOWED TO TAKE DIRECT ACCESS FROM N. MERIDIAN ROAD.

GENERAL INFORMATION
IRRIGATION DISTRICT: BOISE KUNA IRRIGATION DISTRICT, NEW YORK IRRIGATION DISTRICT
SCHOOL DISTRICT: KUNA
FIRE DISTRICT: KUNA
SEWER PROVIDER: CITY OF KUNA
WATER PROVIDER: CITY OF KUNA

CIVIL INNOVATIONS, PLLC
1043 E. PARK BLVD, STE 101
BOISE, ID 83712
PHONE: (208) 884-8181
www.civil-innovations.com



THESE DRAWINGS, OR ANY PORTION OR EXTENSION THEREOF, SHALL NOT BE USED OR REPRODUCED ON ANY PROJECT WITHOUT WRITTEN CONSENT FROM CIVIL INNOVATIONS, PLLC

NO.	DESCRIPTION	REVISIONS	BY	DATE

PAUL BUNYAN PLAZA
KUNA, IDAHO

TITLE SHEET

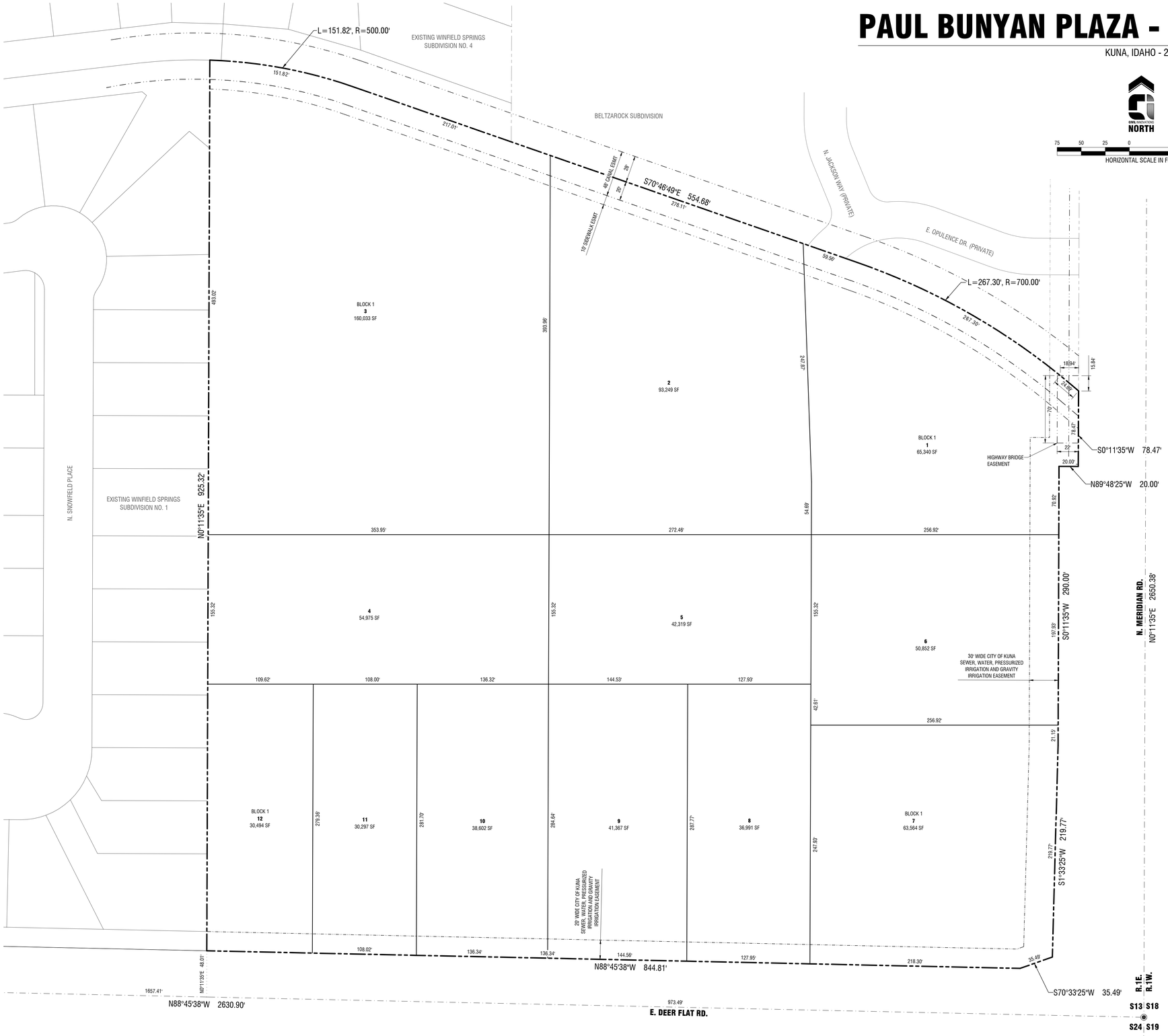
PROJECT NO.	22-0128-KRC
DWG FILE	C.100
DESIGNED BY	BT
DRAWN BY	JTA
CHECKED BY	BT
ISSUE DATE	04/28/22
HORIZ. SCALE	AS SHOWN
VERT. SCALE	AS SHOWN

C.100
SHEET 1 OF 3

D:\Civil Innovations Projects\2022\22-0128-KRC KUNA RETAIL CENTER\200 - Construction Drawings\204 - Preliminary Plat\22-0128-KRC - PRELIMINARY COVER SHEET.dwg

PAUL BUNYAN PLAZA - PRELIMINARY PLAT

KUNA, IDAHO - 2022



CIVIL INNOVATIONS, PLLC
1043 E. PARK BLVD, STE 101
BOISE, ID 83712
PHONE: (208) 884-8181
www.civil-innovations.com

PROFESSIONAL ENGINEER
REGISTERED
STATE OF IDAHO
BENJAMIN P. THOMAS
19062
04/28/2022

THESE DRAWINGS, OR ANY PORTION OR EXTENSION THEREOF, SHALL NOT BE USED OR REPRODUCED ON ANY PROJECT WITHOUT WRITTEN CONSENT FROM CIVIL INNOVATIONS, PLLC

NO.	DESCRIPTION	BY	DATE
	REVISIONS		

PAUL BUNYAN PLAZA
KUNA, IDAHO

PRELIMINARY PLAT

PROJECT NO.	22-0128-KRC
DWG FILE	C.200
DESIGNED BY	BT
DRAWN BY	JTA
CHECKED BY	BT
ISSUE DATE	04/28/22
HORIZ. SCALE	AS SHOWN
VERT. SCALE	AS SHOWN

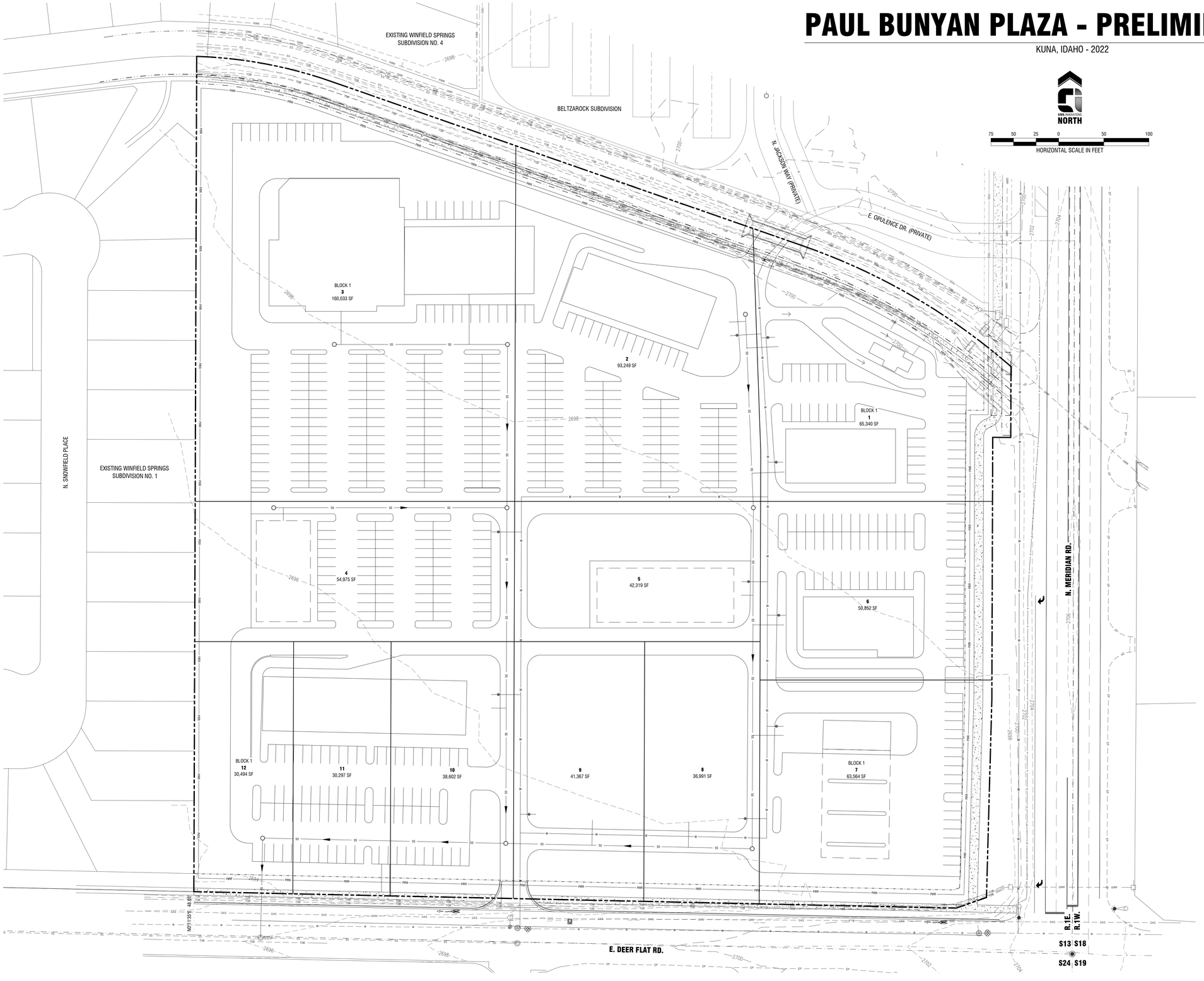
C.200

SHEET 2 OF 3

D:\Civil Innovations Projects\2022\22-0128-KRC KUNA RETAIL CENTER\200 - Construction Drawings\204 - Preliminary Plat\22-0128-KRC - PRELIMINARY PLAT.dwg

PAUL BUNYAN PLAZA - PRELIMINARY PLAT

KUNA, IDAHO - 2022



CIVIL INNOVATIONS, PLLC
1043 E. PARK BLVD, STE 101
BOISE, ID 83712
PHONE: (208) 884-8181
www.civil-innovations.com

PROFESSIONAL ENGINEER REGISTERED STATE OF IDAHO BENJAMIN P. THOMAS 10062 04/28/2022

THESE DRAWINGS, OR ANY PORTION OR EXTENSION THEREOF, SHALL NOT BE USED OR REPRODUCED ON ANY PROJECT WITHOUT WRITTEN CONSENT FROM CIVIL INNOVATIONS, PLLC

NO.	DESCRIPTION	BY	DATE
	REVISIONS		

PAUL BUNYAN PLAZA
KUNA, IDAHO

PRELIMINARY SITE PLAN

PROJECT NO.	22-0128-KRC
DWG FILE	C.300
DESIGNED BY	BT
DRAWN BY	JTA
CHECKED BY	BT
ISSUE DATE	04/28/22
HORIZ. SCALE	AS SHOWN
VERT. SCALE	AS SHOWN

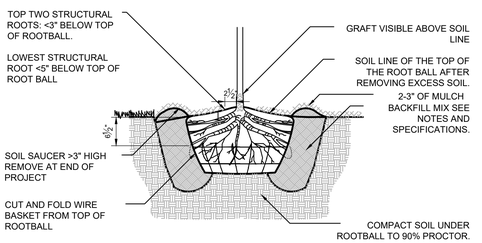
C.300
SHEET 3 OF 3

D:\Civil Innovations Projects\2022\22-0128-KRC KUNA RETAIL CENTER\200 - Construction Drawings\204 - Preliminary Plat\22-0128-KRC - PRELIMINARY SITE PLAN.dwg

LANDSCAPE NOTES:

1. REGULATIONS & STANDARDS
   - 1.1. All contractor work shall be conducted in accordance with ISPWC (Idaho Standard Public Works Construction), 2022 (or most recent published); and City of kUNA, ID codes, standards and state and local regulations.
2. EXISTING CONDITIONS
   - 2.1. All utilities shall be located prior to construction and protected. Any damage to structures, utilities or concrete will be replaced at contractor's expense.
   - 2.2. The site has many existing improvements such as underground utilities, curb and gutter, light poles and sidewalks.
   - 2.3. See Engineer's plans for information about existing features.
   - 2.3.1. Refer to civil plans for all existing and/or proposed drainage pipes & locations, utilities. Protect all drainage at all times, protect all utilities at all times.
3. GRADING & SITE PREPARATION
   - 3.1. Prepare finish grades for planting by grubbing and removing weeds. If necessary apply Round-Up (or equivalent herbicide), using a certified applicator. Remove rocks and other materials over 2".
   - 3.2. All gravel overprep to be removed and disposed of off site.
   - 3.3. Finish grade to be smooth transition to allow for entire site to be a natural flowing space.
   - 3.4. Fine grade lawn areas to elevations set by Engineer's plans with positive drainage away from structures.
   - 3.5. Refer to Engineer's plans for grading information & for all drainage pipes and locations. Protect and retain drainage at all times.
   - 3.6. No pooling or standing water will be accepted per industry standards.
4. SOILS
   - 4.1. Lawn areas shall receive 12" min depth of screened topsoil.
   - 4.2. All planter beds shall receive 18" min depth of screened topsoil.
   - 4.3. Reuse of existing topsoil that has been stockpiled on site is permitted if:
   - 4.3.1. Topsoil is tested and analyzed to ensure a proper growing medium. Provide additional amendments as determined by soil tests.
   - 4.3.2. Topsoil is to be loose, friable sandy loam that is clean and free of toxic materials, noxious weeds, weed seeds, rocks, grass or other foreign materials.
   - 4.3.3. Topsoil shall have a ph of 6.5 to 8.0.
   - 4.3.4. If on site topsoil does not meet these minimum standards contractor is responsible for providing approved imported topsoil or improving onsite topsoil per the approval of the project manager.
   - 4.4. If imported topsoil is used it must be from a local source and be screened free of any debris or foreign matter. Topsoil must not contain rocks, sticks, lumps, or toxic matter and has a pH of 6.5-8.0.
   - 4.5. Smooth, compact, and fine grade topsoil in lawn areas to smooth and uniform grade .5" below adjacent surfaces.
   - 4.6. Amend all new plantings with 2 parts topsoil, 1 part compost.
5. LAWN AREAS
   - 5.1. Sodded lawn to be tall turf-type fescue, or approved other.
   - 5.2. Sodded lawn to be regionally/locally harvested, lay sod within 24 hours of harvesting.
   - 5.3. Lay sod to form a solid mass with offset, tightly fitted joints on even grades.
   - 5.4. Any existing lawn that is damaged shall be replaced with sodded lawn of the same type of existing lawn.
   - 5.5. All lawn areas adjacent to planter beds, gravel areas, or aggregate pathways shall have 4" black steel edging installed per manufacturer recommendations. Other applications to be approved by owner and landscape architect.
   - 5.6. Lawn adjacent to buildings, structures shall be a minimum of 18" away from foundations. Lawn adjacent to fences or other screening elements shall be a minimum of 9" away.
   - 5.6.1. Install ¾" chips or other approved gravel mulch type in mow strip at a depth of 3" over commercial grade weed barrier fabric installed per manufacturer recommendations.
   - 5.7. Provide tree rings with a minimum 3' diameter around all trees located in lawn, mulch type & installation/application to match all other planter beds.
6. PLANTER BED MULCH
   - 6.1. All planter beds to receive 3" depth of black & tan mini rock mulch or approved equal, submit for approval prior to placement. Install over commercial grade weed barrier fabric per manufacturer recommendations.
7. PLANTS
   - 7.1. All plant material shall be installed per industry standards.
   - 7.2. All plant material shall meet or exceed the minimum federal standards as regulated by ANSI z60.1, American Standard for Nursery Stock. Plants not meeting these standards for quality, or plants determined to be unhealthy by Owner's representative, will be rejected.
   - 7.3. All Ball and Burlap trees to be installed per Balled and Burlapped planting detail. All shrubs to be installed per detail.
   - 7.4. Trees and shrubs over 30" shall not be planted within clear vision triangles.
   - 7.5. Fertilize all trees and shrubs with 'Agriform' planting tablets or approved equal. Apply per manufacturers recommendations.
8. IRRIGATION
   - 8.1. Irrigation system shall be built to the following specifications:
   - 8.2. Adhere to city codes when connecting to city water.
   - 8.3. All irrigation material to be new with manufacturers' warranty fully intact.
   - 8.4. Install outdoor rated controller in specified location on plan, in a lock box with 2 keys. Coordinate with project manager and general contractor on exact location.
   - 8.4.1. Controller to have On/Off rain switch or rain shut off device that does not alter program.
   - 8.5. All remote control valves (including master control valve) to have flow control device.
   - 8.6. Irrigation system piping to be minimum class 200 PVC or approved equal, sleeves to be double the size of pipes located within, all wires to be contained in separate sleeves 1-1/2" dia min.
   - 8.7. All pipe above 3" caliper to be gasketed, with approved joint restraints at all 45, TEE, ELL, 22, 11.
   - 8.8. Use common trenching where possible..
   - 8.9. All PVC located under hardscapes to be schedule 40 PVC with same req's as above.
   - 8.10. All wires to be Paige wire 7350 or 7351 direct bury wire at a minimum of 12" below finished grade.
   - 8.11. Connect mainline to point of connection in approximate location shown on plan.
   - 8.12. Contractor is responsible complying with all codes and paying all permits necessary.
   - 8.13. Sprinkler heads shall have matched precipitation within each control circuit. Velocities shall not exceed 5 feet per second.
   - 8.14. All drip irrigation to be buried 2" below finished grade.
   - 8.15. Water schedule to be provided at a min of 80% evapotranspiration as determined by the local ET.
   - 8.16. Install all irrigation per irrigation drawings. utilize material specified or approved equal.
   - 8.17. Contractor shall confirm the static water pressure at least five days before construction begins and to contact the landscape architect in writing if the pressure is below 80 psi.
   - 8.18. If any discrepancies are found, then local codes shall prevail.
9. CONTRACTOR RESPONSIBILITIES
   - 9.1. Estimated quantities are shown for general reference only. Contractor shall be responsible for all quantity estimates.
   - 9.2. All plant material and workmanship shall be guaranteed for a period of one year beginning at the date of Acceptance by Owner. Replace all dead or unhealthy plant material immediately with same type and size at no cost to Owner.
   - 9.3. Landscape contractor to turn in as built drawings at the end of project. Substantial completion will not be granted until 2 copies @ 1"=20' scale are turned in and approved by owner's representative.
10. In the event of a discrepancy, notify the Landscape Architect immediately.

NOTES:
1. DO NOT DAMAGE OR CUT LEADER
2. DO NOT DISTURB ROOT OR DAMAGE ROOT BALL WHEN INSTALLING TREE OR TREE STAKES.
3. TREE STAKING SHALL BE AT THE DISCRETION OF CONTRACTOR. HOWEVER ANY TREES DISTURBED FROM PLUMB DURING THE PLANT WARRANTEE PERIOD WILL BE REPAIRED OR REPLACED AT CONTRACTOR'S EXPENSE.
4. WATER PLANTS THOROUGHLY IMMEDIATELY AFTER INSTILLATION.
5. REMOVE ALL BURLAP, TWINE, ROPE, OR MATERIAL FROM THE TOP ½ OF THE ROOTBALL.
6. 5' DIAMETER PLANTER BED/MULCH RING AROUND THE TRUNK OF THE TREE. 3" OF MULCH MIN. DO NOT PLACE MULCH WITHIN 2" OF TRUNK OF TREE.

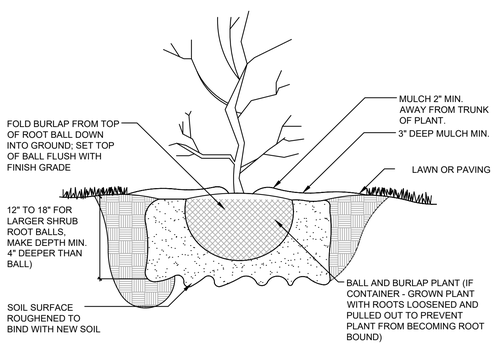


1 BALL & BURLAP TREE PLANTING

3/4" = 1'-0" 3293-01

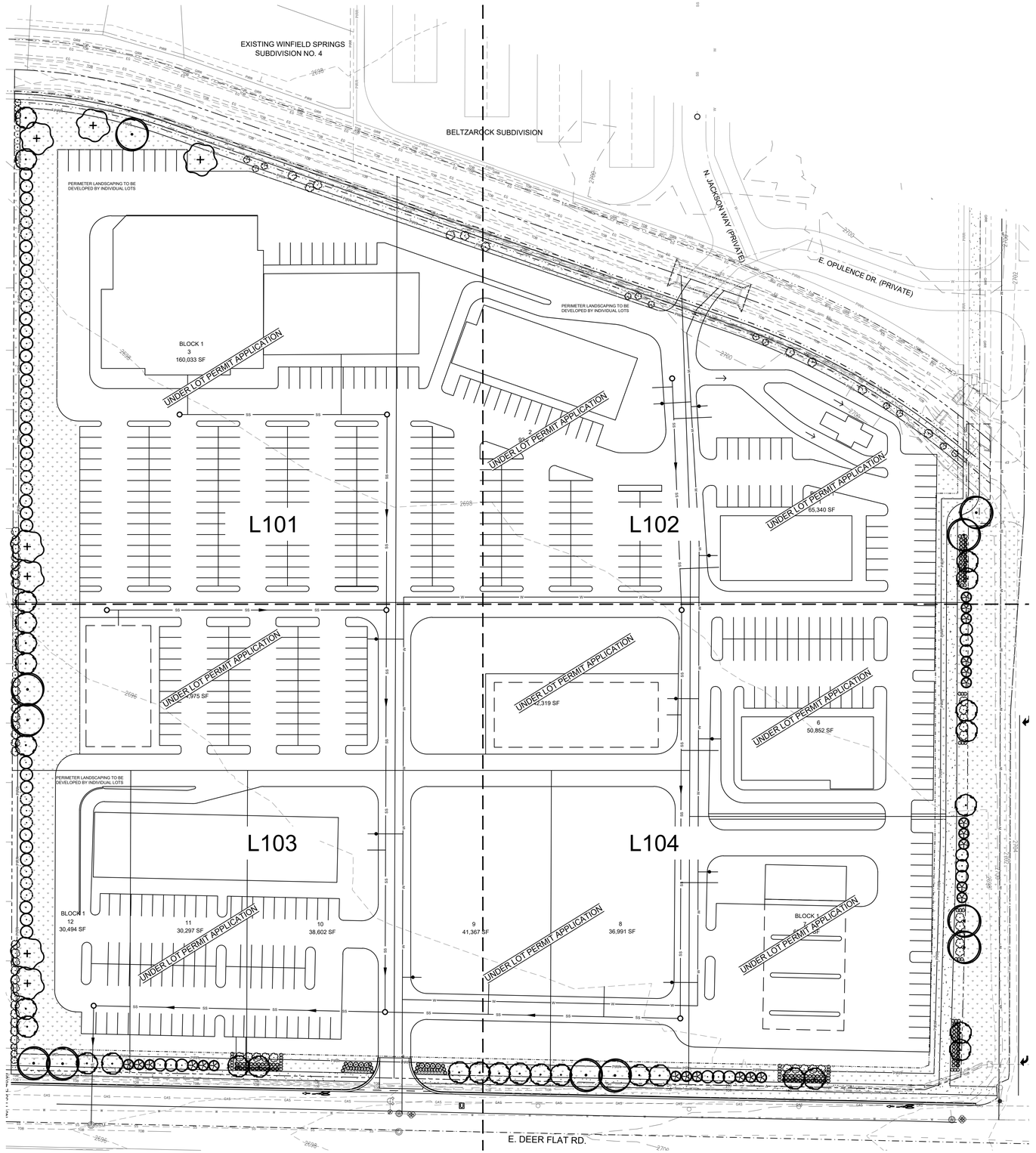
NOTE:
REMOVE ALL TAGS, TWINE OR OTHER NON BIODEGRADABLE MATERIALS ATTACHED TO PLANT OR ROOT MASS.

BACKFILL SHALL BE 100% TOPSOIL. WATER SETTLE ALL PLANTINGS TO ENSURE PLANT ROOTBALL MAINTAINS ¾" HEIGHT ABOVE EXISTING SOILS WHEN COMPLETE.



2 SHRUB PLANTING

1" = 1'-0" 329333-03



STACK ROCK GROUP
LANDSCAPE ARCHITECTURE & MASTER PLANNING

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Boise, ID 83702
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PRELIMINARY

STATE OF IDAHO — WILLET C. HOWARD — LICENSED LANDSCAPE ARCHITECT — LA-16733 — 06.07.22

NOT FOR CONSTRUCTION

PAUL BUNYAN PLAZA
KUNA, IDAHO

REVISIONS

MRK	DATE	Description
1	••	••

JOB NO.:	
DATE:	06.07.22
DRAWN BY:	JB
CHECKED BY:	JB

DRAWING TITLE

LANDSCAPE OVERVIEW

SHEET NUMBER

L100

STACK ROCK GROUP - CITY REVIEW SET

LANDSCAPE REQUIREMENTS:

CODE REQUIREMENTS PER CITY CODE

STREET BUFFER:

*1 STREET TREE PER 35LF OF ROW
*2 SHADE TREES, 3 EVERGREEN TREES, 12 SHRUBS PER 100 LF
**SHD: SHADE
**CON: CONIFER
**SHB: SHRUB

STREET NAME	LENGTH (LF)	SHD/CON/SHB REQ'D	SHD/CON/SHB PROV'D
MERIDIAN RD	569	11 / 17 / 68	11 / 17 / 68+
E DEER FLAT RD	893	18 / 27 / 107	18 / 27 / 107+

FUTURE LOT DEVELOPMENT:
*STREET LANDSCAPE STRIPS (BETWEEN BUILDINGS/ROW): 1 TREE & 5 SHRUBS PER 35LF OF ROW
*PARKING ISLANDS: 1 TREE & SHRUBS OR VEGETATIVE GROUND COVER EACH

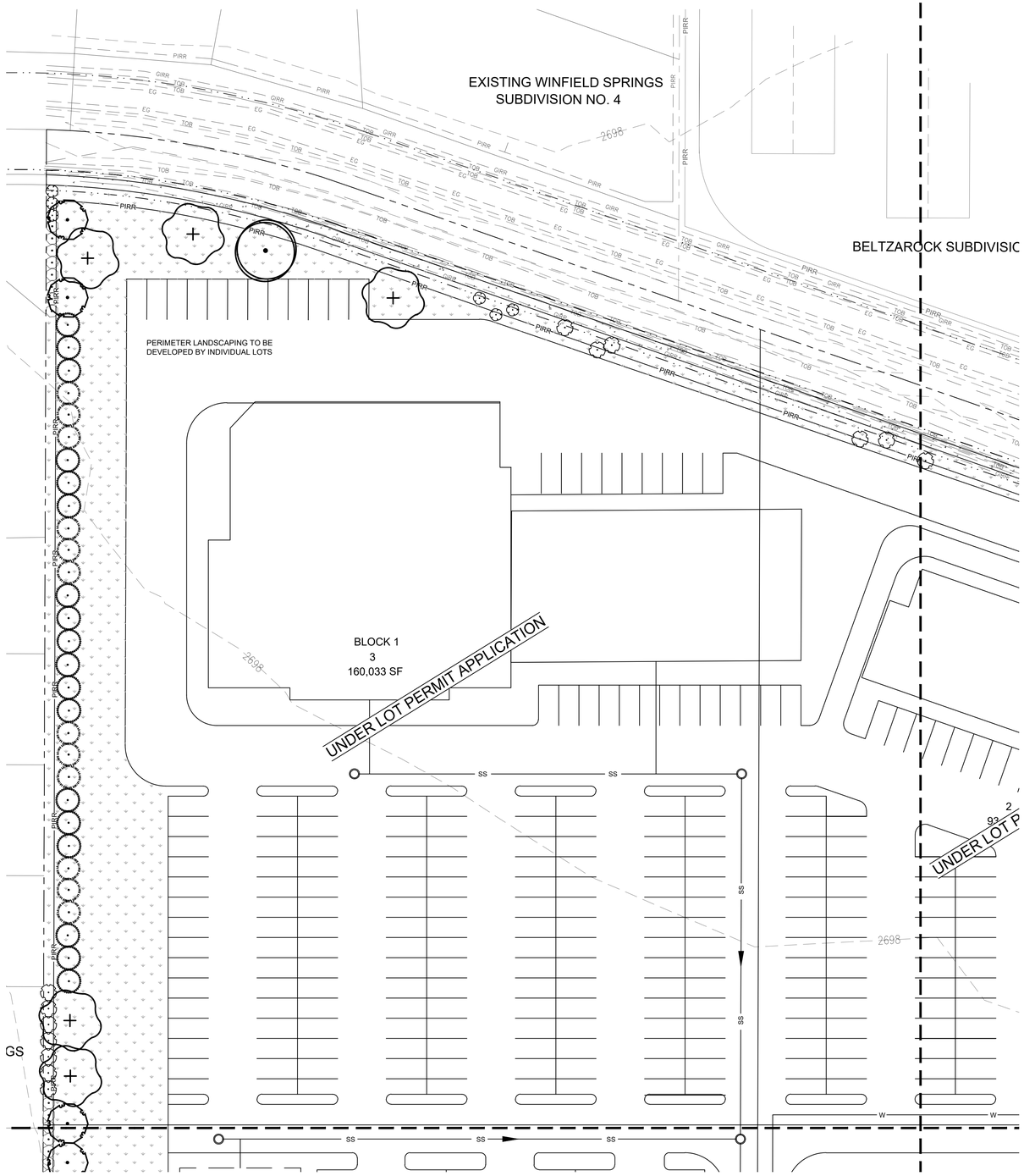
MINIMUM PLANT SIZES:

PLANT TYPE:	MINIMUM SIZE
*EVERGREEN TREES:	6'-0" HT. MIN.
*ORNAMENTAL TREES:	2" CALIPER MIN.
*SHADE TREES:	2" CALIPER MIN.
*WOODY SHRUBS:	2 GAL. MIN.

PLANT SCHEDULE

TREES	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY	REMARKS
	Acer platanoides `Columnar Broad` / Parkway Maple	B & B	2"Cal		30	40`h x 25`w, Class II
	Gleditsia triacanthos inermis `Shademaster` TM / Shademaster Locust	B & B	2"		7	50`h x 30`w Class II
	Picea omorika `Bruns` / Bruns Spruce	B&B		6`-7` H	23	30`h x 10`w
	Pinus flexilis `Vanderwolf`s Pyramid` / Vanderwolf`s Pyramid Pine	B & B		6`-7` H	39	25`h x 12`w
	Pinus nigra `Oregon Green` / Oregon Green Pine	B & B		6`-7` H	18	20`h x 15`w
	Tilia americana `Redmond` / Redmond American Linden	B & B	2"		11	50`h x 30`w Class II
SHRUBS	BOTANICAL / COMMON NAME	CONT	FIELD2	SIZE	QTY	REMARKS
	Forsythia x intermedia `Mindor` TM / Show Off Forsythia	5 gal			18	5`h x 6`w
	Helictotrichon sempervirens `Blue Oats` / Blue Oat Grass	2 gal			60	3`h x 3`w
	Lavandula angustifolia `Hidcote Blue` / Hidcote Blue Lavender	2 gal			16	3`h x 3`w
	Physocarpus opulifolius `Monlo` TM / Diabolo Purple Ninebark	2 gal			58	6`H x 10`W
	Pinus mugo `Mops` / Mops Mugo Pine	5 gal			8	4`h x 5`w
	Prunus laurocerasus `Otto Luyken` / Otto Luykens English Laurel	2 gal			22	3`h x 6`w
	Rosa x `Noare` / Flower Carpet Red Groundcover Rose	2 gal			64	3`h x 3`w
	Yucca filamentosa `Color Guard` / Adam`s Needle	5 gal			44	3`h x 4`w

SODDED LAWN, TALL TURF-TYPE FESCUE



NORTH

0 30 60 90 feet

SCALE: 1" = 30'

STACK ROCK GROUP
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PRELIMINARY

STATE OF IDAHO · WILLET C HOWARD · LA-16733 · 06.07.22 · LICENSED LANDSCAPE ARCHITECT

NOT FOR CONSTRUCTION

PAUL BUNYAN PLAZA
KUNA, IDAHO

REVISIONS

MRK	DATE	Description
1	**	**

JOB NO:	
DATE:	06.07.22
DRAWN BY:	JB
CHECKED BY:	JB

DRAWING TITLE

LANDSCAPE PLAN

SHEET NUMBER

L101

STACK ROCK GROUP - CITY REVIEW SET

LANDSCAPE REQUIREMENTS:

CODE REQUIREMENTS PER CITY CODE

STREET BUFFER:
*1 STREET TREE PER 35LF OF ROW
*2 SHADE TREES, 3 EVERGREEN TREES, 12 SHRUBS PER 100 LF
**SHD: SHADE
**CON: CONIFER
**SHB: SHRUB

STREET NAME	LENGTH (LF)	SHD/CON/SHB REQ'D	SHD/CON/SHB PROV'D
MERIDIAN RD	569	11 / 17 / 68	11 / 17 / 68+
E DEER FLAT RD	893	18 / 27 / 107	18 / 27 / 107+

FUTURE LOT DEVELOPMENT:
*STREET LANDSCAPE STRIPS (BETWEEN BUILDINGS/ROW): 1 TREE & 5 SHRUBS PER 35LF OF ROW
*PARKING ISLANDS: 1 TREE & SHRUBS OR VEGETATIVE GROUND COVER EACH

MINIMUM PLANT SIZES:

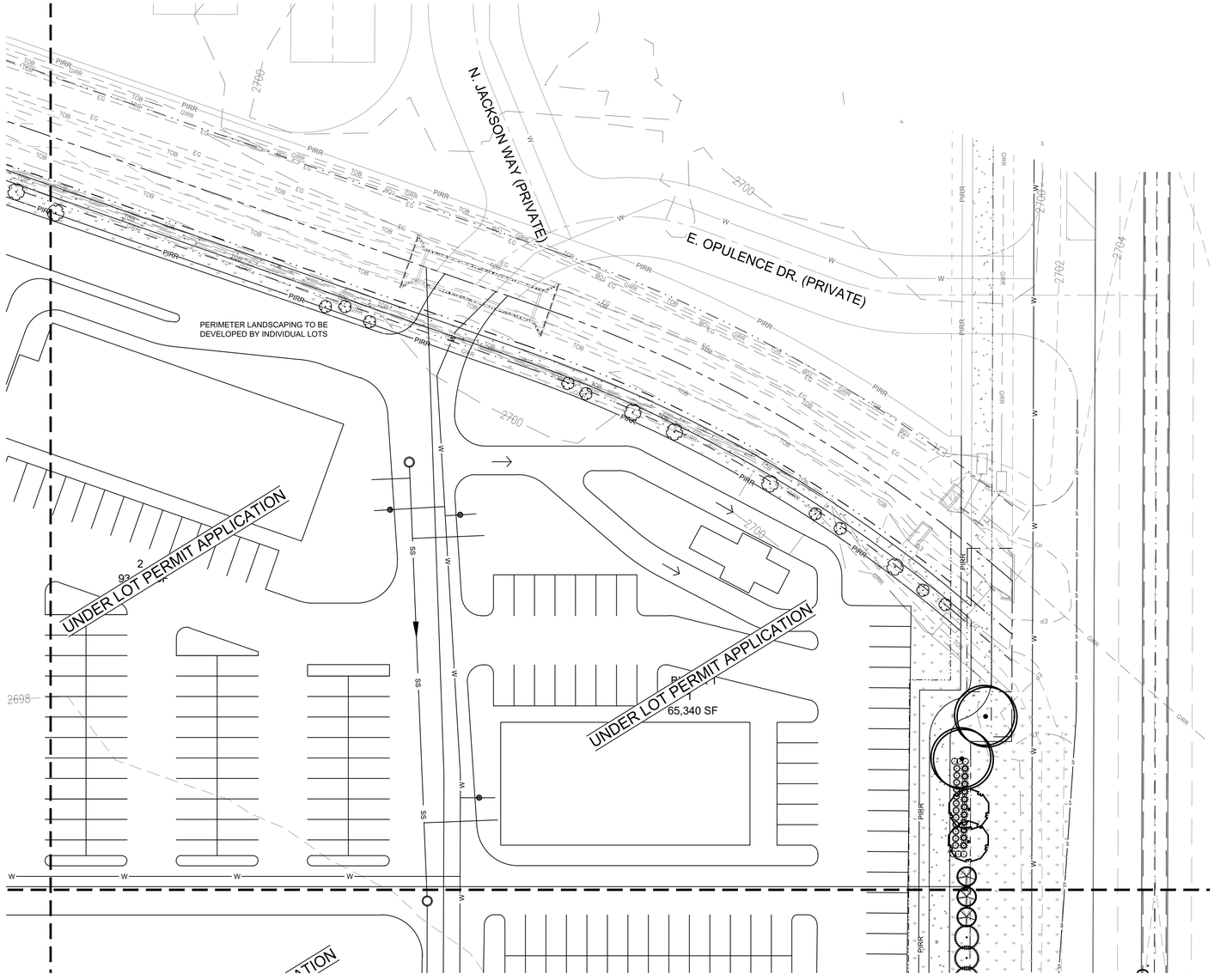
PLANT TYPE:	MINIMUM SIZE
*EVERGREEN TREES:	6'-0" HT. MIN.
*ORNAMENTAL TREES:	2" CALIPER MIN.
*SHADE TREES:	2" CALIPER MIN.
*WOODY SHRUBS:	2 GAL. MIN.

PLANT SCHEDULE

TREES	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY	REMARKS
	Acer platanoides `Columnar Broad` / Parkway Maple	B & B	2"Cal		30	40`h x 25`w, Class II
	Gleditsia triacanthos inermis `Shademaster` TM / Shademaster Locust	B & B	2"		7	50`h x 30`w Class II
	Picea omorika `Bruns` / Bruns Spruce	B&B		6`-7` H	23	30`h x 10`w
	Pinus flexilis `Vanderwolf`s Pyramid` / Vanderwolf`s Pyramid Pine	B & B		6`-7` H	39	25`h x 12`w
	Pinus nigra `Oregon Green` / Oregon Green Pine	B & B		6`-7` H	18	20`h x 15`w
	Tilia americana `Redmond` / Redmond American Linden	B & B	2"		11	50`h x 30`w Class II

SHRUBS	BOTANICAL / COMMON NAME	CONT	FIELD2	SIZE	QTY	REMARKS
	Forsythia x intermedia `Mindor` TM / Show Off Forsythia	5 gal			18	5`h x 6`w
	Helictotrichon sempervirens `Blue Oats` / Blue Oat Grass	2 gal			60	3`h x 3`w
	Lavandula angustifolia `Hidcote Blue` / Hidcote Blue Lavender	2 gal			16	3`h x 3`w
	Physocarpus opulifolius `Monlo` TM / Diabolo Purple Ninebark	2 gal			58	6`H x 10`W
	Pinus mugo `Mops` / Mops Mugo Pine	5 gal			8	4`h x 5`w
	Prunus laurocerasus `Otto Luyken` / Otto Luykens English Laurel	2 gal			22	3`h x 6`w
	Rosa x `Noare` / Flower Carpet Red Groundcover Rose	2 gal			64	3`h x 3`w
	Yucca filamentosa `Color Guard` / Adam`s Needle	5 gal			44	3`h x 4`w

SODDED LAWN, TALL TURF-TYPE FESCUE



NORTH
0 30 60 90 feet
SCALE: 1" = 30'

STACK ROCK GROUP
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PRELIMINARY

STATE OF IDAHO — WILLET C. HOWARD — LA-16733 — 06.07.22 — LICENSED LANDSCAPE ARCHITECT

NOT FOR CONSTRUCTION

PAUL BUNYAN PLAZA

KUNA, IDAHO

REVISIONS

MRK	DATE	Description
1	**	**

JOB NO:	
DATE:	06.07.22
DRAWN BY:	JB
CHECKED BY:	JB

DRAWING TITLE

LANDSCAPE PLAN

SHEET NUMBER

L102

STACK ROCK GROUP - CITY REVIEW SET

LANDSCAPE REQUIREMENTS:

CODE REQUIREMENTS PER CITY CODE

STREET BUFFER:

*1 STREET TREE PER 35LF OF ROW
*2 SHADE TREES, 3 EVERGREEN TREES, 12 SHRUBS PER 100 LF
**SHD: SHADE
**CON: CONIFER
**SHB: SHRUB

STREET NAME	LENGTH (LF)	SHD/CON/SHB REQ'D	SHD/CON/SHB PROV'D
MERIDIAN RD	569	11 / 17 / 68	11 / 17 / 68+
E DEER FLAT RD	893	18 / 27 / 107	18 / 27 / 107+

FUTURE LOT DEVELOPMENT:

*STREET LANDSCAPE STRIPS (BETWEEN BUILDINGS/ROW): 1 TREE & 5 SHRUBS PER 35LF OF ROW
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MINIMUM PLANT SIZES:

PLANT TYPE:	MINIMUM SIZE
*EVERGREEN TREES:	6'-0" HT. MIN.
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*SHADE TREES:	2" CALIPER MIN.
*WOODY SHRUBS:	2 GAL. MIN.

PLANT SCHEDULE

TREES	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY	REMARKS
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	Gleditsia triacanthos inermis `Shademaster` TM / Shademaster Locust	B & B	2"		7	50`h x 30`w Class II
	Picea omorika `Bruns` / Bruns Spruce	B&B		6`-7` H	23	30`h x 10`w
	Pinus flexilis `Vanderwolf`s Pyramid` / Vanderwolf`s Pyramid Pine	B & B		6`-7` H	39	25`h x 12`w
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SHRUBS	BOTANICAL / COMMON NAME	CONT	FIELD2	SIZE	QTY	REMARKS
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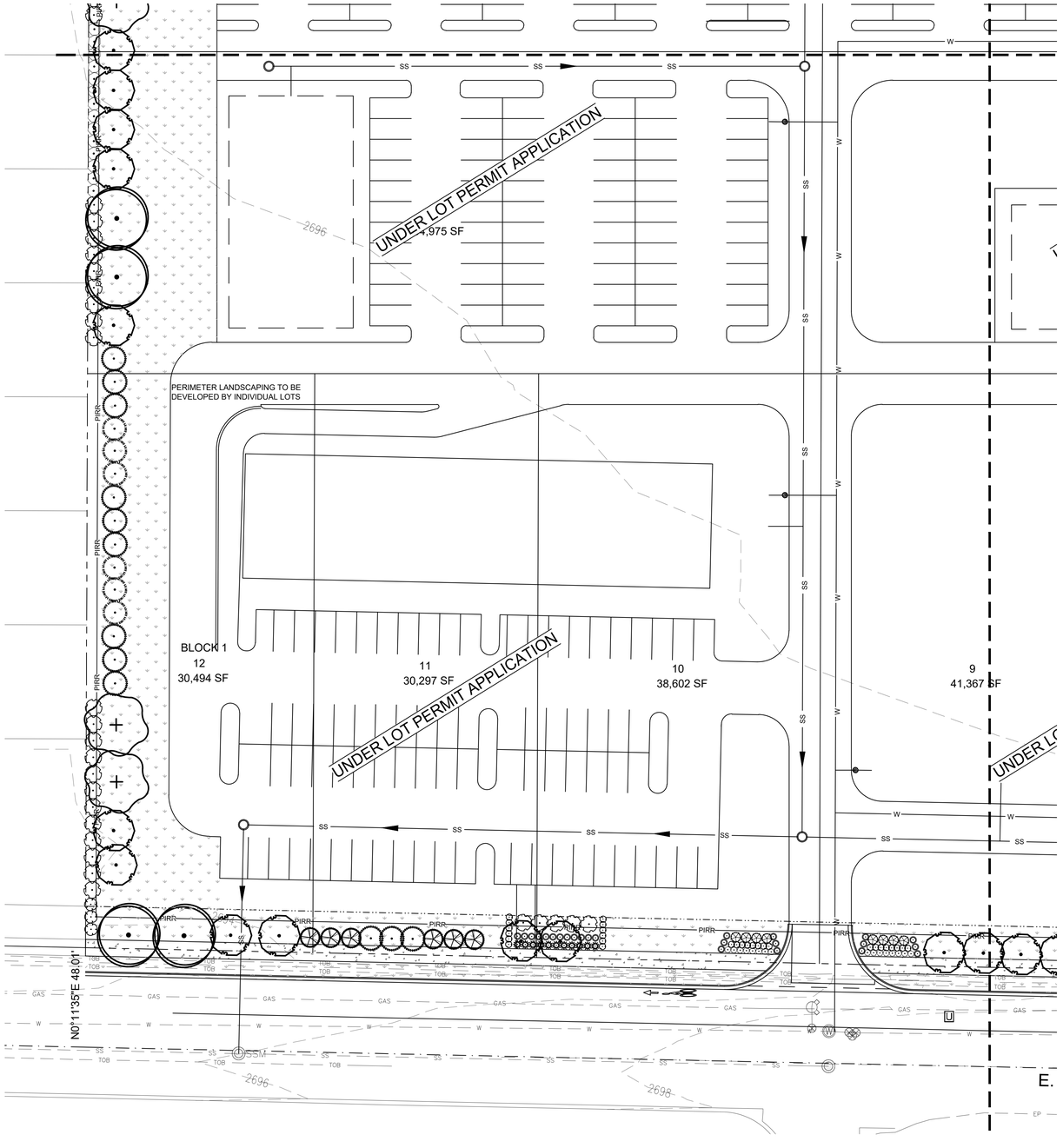
SODDED LAWN, TALL TURF-TYPE FESCUE



NORTH

0 30 60 90 feet

SCALE: 1" = 30'

STACK ROCK GROUP

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PRELIMINARY

STATE OF IDAHO · WILLET C. HOWARD · LA-167.33 · 06.07.22 · LICENSED LANDSCAPE ARCHITECT

NOT FOR CONSTRUCTION

PAUL BUNYAN PLAZA

KUNA, IDAHO

REVISIONS

MRK	DATE	Description
1	**	**

JOB NO:	
DATE:	06.07.22
DRAWN BY:	JB
CHECKED BY:	JB

DRAWING TITLE

LANDSCAPE PLAN

SHEET NUMBER

L103

STACK ROCK GROUP - CITY REVIEW SET

LANDSCAPE REQUIREMENTS:

CODE REQUIREMENTS PER CITY CODE

STREET BUFFER:
*1 STREET TREE PER 35LF OF ROW
*2 SHADE TREES, 3 EVERGREEN TREES, 12 SHRUBS PER 100 LF
**SHD: SHADE
**CON: CONIFER
**SHB: SHRUB

STREET NAME	LENGTH (LF)	SHD/CON/SHB REQ'D	SHD/CON/SHB PROV'D
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FUTURE LOT DEVELOPMENT:
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	Pinus flexilis `Vanderwolf`s Pyramid` / Vanderwolf`s Pyramid Pine	B & B		6`-7` H	39	25`h x 12`w
	Pinus nigra `Oregon Green` / Oregon Green Pine	B & B		6`-7` H	18	20`h x 15`w
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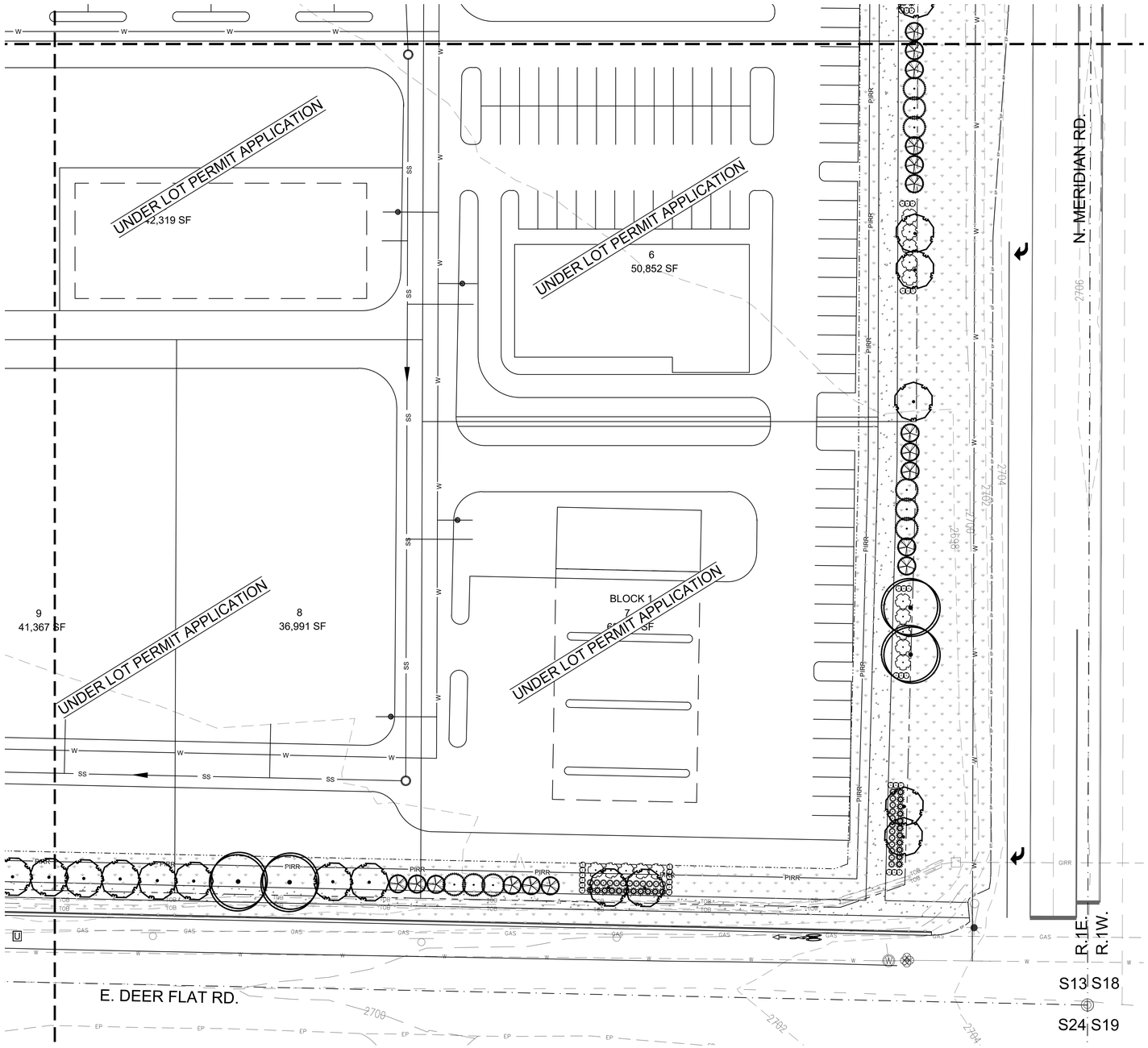
	Yucca filamentosa `Color Guard` / Adam`s Needle	5 gal			44	3`h x 4`w

SODDED LAWN, TALL TURF-TYPE FESCUE



NORTH
0 30 60 90 feet
SCALE: 1" = 30'

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WILLET A. HOWARD
LA-16733
06.07.22
LICENSED LANDSCAPE ARCHITECT

NOT FOR CONSTRUCTION

PAUL BUNYAN PLAZA
KUNA, IDAHO

REVISIONS

MRK	DATE	Description
1	**	**

JOB NO:	
DATE:	06.07.22
DRAWN BY:	JB
CHECKED BY:	JB

DRAWING TITLE

LANDSCAPE PLAN

SHEET NUMBER

L104

STACK ROCK GROUP - CITY REVIEW SET

KITTELSON & ASSOCIATES

TRANSPORTATION IMPACT STUDY

Blackrock Marketplace and Village

February 2022 (updated June 2022)

PREPARED FOR
SH69 North, LLC
199 N. Capitol Boulevard, Suite 200
Boise, ID 83702

PREPARED BY
KITTELSON & ASSOCIATES, INC.
101 S Capitol Boulevard, Suite 600
Boise, ID 83702
208.338.2683

Transportation Impact Study

Blackrock Marketplace and Village

Kuna, Idaho

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Project No. 25746

February 2022 (updated June 2022)

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Section 1
Executive Summary

EXECUTIVE SUMMARY

Kittelson & Associates, Inc. (Kittelson) has prepared a Transportation Impact Study (TIS) for the proposed Blackrock Marketplace and Village, located on the west side of Meridian Road (SH 69) north of Deer Flat Road, in Kuna, Idaho. The proposed development site is bounded on the west by existing development (the Winfield Springs Subdivision), on the north by Ardell Road, on the south by Deer Flat Road, and on the east by Meridian Road. Figure 1 shows the site vicinity.

The purpose of this study is to evaluate the impact of the proposed development on the transportation system. Kittelson prepared this TIS based on conversations with SH69 North, LLC (property developer), Ada County Highway District (ACHD), Idaho Transportation Department (ITD) and Ada County Highway District (ACHD), Community Planning Association of Southwest Idaho (COMPASS), City of Kuna, and our familiarity with the area and with ACHD, City and ITD policies. *Appendix A includes the scope of work and coordination emails with ACHD, ITD and COMPASS and the COMPASS area of influence model run.*

The information presented in this report was developed based on conversations with the developer, a due diligence investigation, and coordination with the Idaho Transportation Department (ITD) and Ada County Highway District (ACHD).

FINDINGS

Existing Conditions

The existing conditions analysis findings are summarized below:

- The study evaluated four existing intersections during the AM and PM peak hours of a typical weekday.
- All study intersections were found to operate at acceptable operating standards during the existing weekday AM and PM peak hours with the exception of:
    - **Deer Flat Road / Meridian Road**: The eastbound left-turn movement was found to be over capacity during both the AM and PM peak hours:
        - Mitigation to acceptable operating standards requires adding a second eastbound left-turn lane creating dual eastbound left-turn lanes.
        - Field observations during the weekday AM peak hour revealed that there is a significant peak in eastbound traffic between approximately 7:20 and 7:40 AM that causes significant eastbound queuing on Deer Flat Road that appears to be partially due to traffic from the nearby high school to the west on Deer Flat Road.
        - This intersection is identified in the ACHD CIP for expansion and reconstruction in the 2031-2035 timeframe.

- The two existing unsignalized intersections that will be across from two of the proposed site driveways have movements that operate at LOS D which ACHD policy requires evaluation of signal warrants. These include:
    - **Site Access B (Future)/ Rodeo Lane / Meridian Road:** The westbound movement operates at LOS D with a V/C ratio of 0.03 during the weekday PM peak hour. The westbound volume was only 1 vehicle in the peak hour and therefore would not meet signal warrants. This intersection is also not planned for a signal by ITD in the draft concepts for the ITD SH-69 corridor plan.
    - **Site Access D (Future) / Ridleys Access / Deer Flat Road:** The northbound movement operates at LOS D with a V/C ratio of 0.68 during the weekday PM peak hour, which meets ACHD V/C thresholds of ≤1.00. Based on discussions with ACHD this intersection is planned to be converted to right-in, right-out (RIRO) and will not be considered for signalization. Therefore, traffic signal warrants were not evaluated. It should be noted that existing queues from Meridian Road currently extend to this intersection for brief periods under existing conditions, these events are not accounted for in the LOS procedures. Therefore, actual operations will be worse than reported during those periods.
- Intersection crash rates at the Ardell Road / Meridian Road intersection and Deer Flat Road / Meridian Road intersection did not indicate an abnormally high number of crashes. More detailed review of the crash characteristics identified the following:
    - **Deer Flat Road / Meridian Road:** A review of the crash data revealed a high percentage of the crashes were between eastbound left-turning traffic and westbound through traffic. This could indicate left-turn drivers may not be yielding to through traffic to the extent they should during the permissive left-turn signal phases.
- All ACHD study roadway segments are projected to operate at acceptable levels of service.

2030 Evaluation Findings

The evaluation included 2030 background and 2030 total traffic conditions. The 2030 findings are summarized below:

2030 Background Conditions

- Year 2030 background traffic volumes were forecasted using a 3.0 percent annual compounded growth rate to the existing traffic volumes for all roadways in the study area, except Ardell Road which a 2.0 percent annual compounded growth rate was applied to existing traffic volumes to account for regional growth in the site vicinity. Additionally,

forecasted trips from the Lee Hubble Development were added on Ardell Road based on the TIS for that development.

- The 2030 analysis evaluated two roadway network scenarios for Ardell Road:
  - **Scenario 1**: Ardell Road remains as in the existing conditions and does not extend across the canal to the west.
  - **Scenario 2:** Ardell Road is connected over the canal to the west by 2030 and provides access to Linder Road.
- The 2030 background traffic analysis (without inclusion of site-generated traffic) found that all study intersections are expected to operate at acceptable operating standards during the weekday AM and PM peak hours, with the exception of the following intersections:
  - **Ardell Road / Meridian Road:** Under Scenario 2 in the PM peak hour, the eastbound approach is over-capacity.
    - ITD has an ongoing corridor study looking at long-term improvements that proposes a Reduced Conflict U-Turn (RCUT) intersection at the Ardell Road / Meridian Road intersection. An RCUT or right-in/right-out/left-in (RIROLI) mitigate this intersection under 2030 background conditions.
    - Improvement of this intersection is projected to be needed in approximately 2025, when approximately 122 additional eastbound PM peak hour trips are added to Ardell Road.
  - **Deer Flat Road / Meridian Road**: In the AM peak hour, the overall intersection V/C exceeds 1.00. The eastbound left turn also exceeds 1.00 in the AM and PM peak hour and the northbound and westbound through movements exceed the ITD V/C ratio threshold of ≤0.90 during the AM peak hour.
    - Similar to existing conditions, mitigation requires adding a second eastbound left-turn lane. But without signal timing changes the eastbound left-turn and westbound through movements have V/C ratios that exceed the ITD threshold of ≤0.90. To mitigate to the ITD V/C threshold requires the following additional improvement:
      - A third eastbound left-turn lane.
  - **Site Access D / Ridley's Access / Deer Flat Road**: The northbound movement exceeds capacity in the PM peak hour.
    - Mitigation requires restricting the intersection to RIROLI.
      - This mitigation is projected to be needed in approximately 2029 with approximately 384 additional PM peak hour trips added to the intersection above existing traffic volume levels.

- Discussion with ACHD has indicated that in the long term, restriction of this intersection to RIRO is planned.

- All ACHD study roadway segments are projected to operate at acceptable levels of service with the exception of the following:
  - **Deer Flat Road (Site Frontage):** During the weekday AM peak hour, the single eastbound lane exceeds the ACHD segment threshold volume.
    - Mitigation requires adding a second eastbound through lane on Deer Flat Road.
    - This widening is projected to be needed in approximately 2024/2025 with approximately 70 additional eastbound trips on Deer Flat Road.
    - The ACHD CIP identifies widening of this section of Deer Flat Road in the 2031-2035 timeframe.

Trip Generation and Distribution

- The development is estimated to generate a total of approximately 18,158 daily trips, 778 weekday AM peak hour net new trips (440 inbound / 338 outbound) and 999 weekday PM peak hour net new trips (500 inbound / 499 outbound).
- The distribution pattern for site-generated trips was developed by reviewing the site plan and roadway system and evaluating a select zone analysis created by the COMPASS regional travel demand model.

2030 Total Traffic Conditions

- Year 2030 total traffic conditions found the same intersections not meeting ACHD and ITD requirements as under existing and 2030 background conditions which include the following:
  - **Ardell Road / Meridian Road**: Similar to 2030 background traffic conditions, the eastbound approach exceeds capacity during the weekday PM peak hour. With the site traffic, the intersection also exceeds capacity during the weekday AM peak hour under both Ardell Road scenarios.
    - Mitigation requires one of the following options:
      - **Option 1:** Signalized RCUT intersection
      - **Option 2:** Signalized RIROLI (similar to an RCUT operationally)
      - **Option 3:** Signalized full access with an eastbound left-turn lane.
    - Options 1 and 2 operate at acceptable levels of service and under capacity, but the V/C ratios for the eastbound right-turn and the southbound

through movements exceed the ITD policy of ≤0.90 during the weekday PM peak hour.

- Option 3 (full access signalized intersection) is the only option that meets ITD District 3 operational policy for LOS D and movement V/C ratios < 0.90.
- The eastbound movement at the intersection is also projected to exceed capacity during the shoulder peak hour.
- With development of the site, mitigation is projected to be needed in approximately 2023-2025 at which time approximately 27 percent (55,900 SF) and 21 percent (43,400 SF) of the development is estimated to be completed for Scenarios 1 and 2, respectively.
- Approximately 122 additional eastbound PM peak hour trips, above existing conditions, can be added to the intersection prior to reaching capacity.
- Site traffic accounts for approximately 18.8 and 19.8 percent of the total entering traffic during the AM and PM peak hours, respectively for Scenario 1 and 17.4 and 18.3 percent during the AM and PM peak hours, respectively for Scenario 2.

o **Deer Flat Road / Meridian Road:** Similar to 2030 background traffic conditions, the eastbound left turn and southbound right turn movements exceed capacity during the weekday AM and PM peak hours.

- Mitigation requires adding a second eastbound left-turn lane (same as existing and background conditions) to meet ACHD policy of LOS E and V/C ratios for movements of ≤ 1.00.
- Further mitigation would be needed to meet ITD policy of LOS D and V/C ratios for movements of ≤ 0.90. Mitigation to ITD policy would require the following:
  - A third eastbound left-turn lane.
  - A third northbound and southbound through lane.
- The median U-turn (MUT) intersection configuration identified in the draft SH-69 corridor plan was found to result operations that are under capacity, but some movements are projected to exceed the ITD V/C policy of ≤0.90.
- The eastbound left-turning movement is also projected to exceed capacity in the shoulder peak hours.
- Site traffic accounts for approximately 13.5 percent of the total entering traffic during both the weekday AM and PM peak hours.

o **Site Access D / Ridley's Access / Deer Flat Road:** The northbound and southbound approaches at the intersection are projected to exceed capacity during both the

weekday AM and PM peak hours. Additionally, projected eastbound queues from the signal at Meridian Road were estimated to impact the ability to have a westbound left-turn lane into the Ridley's Access. The intersection could be mitigated with the following options:

- **Option 1 - Site Access D RIROLI (Ridley's RIRO):** This option operates acceptably but requires southbound left-turning traffic from the site to turn right and make a U-turn at a location to the west, such as Sailer Way, to go east on Deer Flat Road.
- **Option 2 - Site Access D RIRO (Ridley's RIRO):** This option operates acceptably but requires the same re-routing as Option 1, but also requires eastbound left-turns at Site Access D to make turns or left-turns at the Deer Flat Road / Meridian Road intersection to access the site. This option results in the most impact to operations at the Deer Flat Road / Meridian Road intersection. This option may require minor widening and signal modifications at the Deer Flat Road / Meridian Road intersection to accommodate eastbound U-turns.
- With development of the site, mitigation is projected to be needed in approximately 2022/2023 at when approximately 7 percent (14,500 SF) of the development is completed.
- Approximately 75 additional trips can be added to the intersection prior to reaching capacity with the north leg added to the intersection.
- Site traffic accounts for approximately 33.9 percent and 26.8 percent of the total entering traffic during the weekday AM and PM peak hours, respectively.

- All ACHD study roadway segments are projected to operate at acceptable levels of service with the exception of:
  - **Deer Flat Road (Site Frontage):** During the weekday AM peak hour, the single eastbound lane exceeds the ACHD segment threshold volume.
    - The segment meets the ACHD segment thresholds in the shoulder peak hour. Two potential alternative mitigations could include:
      - **Deer Flat Road Sidewalk or Pathway:** A sidewalk or pathway connection along the site frontage to connect to the signal at Meridian Road and the stubbed sidewalk on the west end of the site. This is anticipated to be required by the City but would improve connectivity to the signalized pedestrian crossing on Meridian Road.
      - **Kuna Canal Shared-Use Pathway:** A shared use pathway along the Kuna Canal would provide a convenient connection to the adjacent neighborhood and potentially serve longer trips once other sections are completed by residential subdivisions to the east.

- Mitigation requires adding a second eastbound through lane on Deer Flat Road.
- The ACHD CIP has widening of this section of Deer Flat Road identified for the 2031-2035 timeframe.
- This widening is projected to be needed in approximately 2024 with approximately 70 additional eastbound trips on Deer Flat Road.
- With development of the site, mitigation is projected to be needed in approximately 2024/2025 when approximately 28 percent (55,200 SF) of the development is completed.
- Site traffic accounts for approximately 6.6 percent of the eastbound segment volume during the critical weekday AM peak hour.

Site Access Evaluation

- The turn lane analysis using ACHD and ITD procedures resulted in turn lane warrants at the following external site access streets:
  - Site Access B / Meridian Road:
    - Southbound right-turn lane
    - Northbound left-turn lane (existing center-turn lane)
  - Site Access C / Meridian Road:
    - Southbound right-turn lane
    - Northbound left-turn lane (existing center-turn lane)
  - Site Access D / Ridley's Access / Deer Flat Road:
    - Westbound right-turn lane (RIRO or RIROLI)
    - Eastbound left-turn lane (if RIROLI)
- Impacts to the adjacent local streets where the two street stubs are proposed to be extended into the northern portion of the development are projected to be low and not result in significant cut-through traffic for the following reasons:
  - The two connections to the west at Fort Erie Street and Imlay Street are at the northern portion of the site and therefore are not convenient for a majority of site traffic that is associated with the commercial uses on the south portion of the site.
  - The northern portion of the site has less commercial development than the southern portion of the development.
  - Use of the neighborhood streets would result in significantly longer travel distances to get to both Ardell Road and Deer Flat Road than using the internal site roadways.

- Most of the traffic (approximately 80 percent) is projected to have origins and destinations to the north, south, and east and only approximately 20 percent of the site trips will have destinations to the west on Deer Flat Road and Ardell Road.

- The intersection sight distance review identified that intersection sight distance can be achieved at the site access intersections.
- Daily traffic volumes at the site access locations are projected to remain under 5,000 with the exception of the following:
  - **Site Access A:** Site access A is projected to have a daily volume of 5,010.
  - **Site Access D – RIRO or RIROLI:** Site access D is projected to have a daily volume of 6,680 as a RIROLI and 6,130 as a RIRO.
  - Due to the volumes on these driveways being relatively close to the ACHD 5,000 daily trip threshold, additional driveways were not determined to be needed.
- A review of the site access locations and spacings identified the following:
  - **Site Access A:** The location will meet ACHD access spacing for Ardell Road.
  - **Site Access B:** This driveway will be in place of deeded accesses for the site and will only allow RIROLI movements. This driveway will be approximately opposite Rodeo Lane. The spacing to the north and south exceed the ITD minimum spacing between driveways but is only 550 feet south of Ardell Road which is below the 660 feet required by ITD upstream of the public road intersection.
    - Moving the access south approximately 30 feet may be necessary to accommodate the minimum standard ITD right-turn lane design for 55 mph. Moving the driveway to be offset with Rodeo Lane should not be a significant issue due to the low traffic volumes on Rodeo Lane.

    There are minor driveways on the east side of Meridian Road that will be in the influence area of the RIROLI channelization for this driveway that may be restricted to RIRO depending on the design of the access.
  - **Site Access C:** This driveway will be in place of deeded accesses for the site and will only allow RIROLI movements. The spacing to the north and south exceed the ITD minimum spacing between driveways and spacing to Ardell Road and Deer Flat Road on the west side of Meridian Road. There are minor driveways on the east side of Meridian Road that will be in the influence area of the RIROLI channelization for this driveway that may be restricted to RIRO depending on the design of the access.
  - **Site Access D:** If designed as a RIRO driveway, this access will be aligned with the existing Ridley's driveway and not impact the access spacing of Deer Flat Road. If designed as a RIROLI driveway, this access may need to be shifted west to provide for the taper/gap for the dual left-turn lanes at the Deer Flat Road / Meridian Road.

If such offset is required, it will not create conflicts due to the restricted left-turn movements at both driveways. Additionally, the ACHD access spacing minimums will be met to Meridian Road (assuming the right-in, right-out classification is applied for the distance from Meridian Road) to the east and Sailer Way to the west.

RECOMMENDATIONS

Based on the analyses and findings summarized in this report, the following are the recommendations for the development.

Existing Traffic Condition Mitigations (Without the Proposed Development)

The following mitigations are recommended to accommodate the existing traffic volume and meet ACHD and ITD policies.

- **Deer Flat Road / Meridian Road:** Add a second eastbound left-turn lane to create dual eastbound left-turn lanes. In order to accommodate future traffic growth and the proposed development, a left-turn storage distance of 475 feet is recommended.

Year 2030 Background Traffic Conditions Mitigations (Without the Proposed Development)

The following mitigations are recommended to accommodate the year 2030 background traffic volume and meet ACHD and ITD policies.

2030 Background Traffic – Intersection Improvements

- **Ardell Road / Meridian Road:** Once Ardell Road is connected over the canal to the west (Scenario 2), one of the following mitigations are recommended:
  - **Option 1:** Install an RCUT intersection per the ITD draft corridor plan.
  - **Option 2:** Restrict to RIROLI by closing the eastbound left-turn movement.
  - Signalization could also be considered but is not consistent with the ITD draft corridor plan (see 2030 Total Traffic conditions)
  - Mitigation is estimated to be needed in approximately 2025 once approximately 122 additional eastbound trips are added in the weekday PM peak hour.
- **Deer Flat Road / Meridian Road**: Same improvement identified under existing conditions. It should be noted that two movements will exceed the ITD V/C threshold of 0.90 even with this mitigation and signal timing changes are required for those movements to meet ITD policy.

- **Site Access D / Ridleys Access / Deer Flat Road:** Restrict the existing access to RIRO. RIROLI could be considered if the length of the eastbound left-turn storage at the Deer Flat Road / Meridian Road intersection is not extended as recommended in the existing conditions recommendations and the left-turn lanes can be accommodated back-to-back.
    - This mitigation is projected to be needed in approximately 2029 with approximately 384 additional PM peak hour trips added to the intersection.
    - It should be noted that existing queues from Meridian Road currently extend to this intersection for brief periods under existing conditions which is not accounted for in the LOS procedures. Therefore, actual operations will be worse during those periods.

2030 Background Traffic - Roadway Segment Improvements

- **Deer Flat Road (Site Frontage):** Add an additional eastbound through lane to create two eastbound through lanes.
    - This widening is projected to be needed in approximately 2024 with approximately 70 additional eastbound trips on Deer Flat Road.

Year 2030 Total Traffic Conditions Mitigations (With the Proposed Development)

The following mitigations are recommended to accommodate the year 2030 total traffic volumes and meet ACHD and ITD policies:

2030 Total Traffic - Intersection Improvements

- **Ardell Road / Meridian Road:** Three mitigation options were identified.
    - **Option 1:** Signalized RCUT intersection
    - **Option 2:** Signalized RIROLI (similar to an RCUT operationally)
    - **Option 3:** Signalized full access with an eastbound left-turn lane.
    - Improvement of this intersection is projected to be needed in approximately 2023-2025 at which time approximately 27 percent (55,900 SF) and 21 percent (43,400 SF) of the development is estimated to be completed for Scenarios 1 and 2, respectively.
    - Site traffic accounts for approximately 18.8 and 19.8 percent of the total entering traffic during the AM and PM peak hours, respectively for Scenario 1 and 17.4 and 18.3 percent during the AM and PM peak hours, respectively for Scenario 2.

- **Deer Flat Road / Meridian Road:** Same improvement identified under existing and background 2030 conditions. Queue storage of approximately 475 ft is recommended for the eastbound dual left-turn lanes.

- Site traffic accounts for approximately 13.5 percent of the total entering traffic during both the weekday AM and PM peak hours.

- **Site Access D / Ridley's Access / Deer Flat Road:** Two improvement options were identified, of which Option 1 provides the best operations with respect to the Deer Flat Road / Meridian Road intersection:

  - **Option 1 – Site Access D RIROLI (Ridley's RIRO):** Design the access at RIROLI for the north leg of the intersection a RIRO for the Ridley's Access in order to accommodate the eastbound left-turn queuing from the Deer Flat Road / Meridian Road intersection.

    - Install a westbound right-turn lane
    - Install an eastbound left-turn lane
    - Minor movement of Site Access D west may be needed depending on the design of the eastbound dual left-turn lanes.

  - **Option 2 – Site Access D RIRO (Ridley's RIRO):** Design the intersection as a RIRO for both the north and south legs of the intersection. This option results in the most impact to operations at the Deer Flat Road / Meridian Road intersection.

    - Install a westbound right-turn lane.
    - Review the northwest corner of the Deer Flat Road / Meridian Road intersection to determine if eastbound U-turns can be accommodated and modify the corner design if necessary.

  - Improvement of this intersection is projected to be needed in approximately 2022/2023 when approximately 7 percent (14,500 SF) of the development is completed.

  - Site traffic accounts for approximately 33.9 percent and 26.8 percent of the total entering traffic during the weekday AM and PM peak hours, respectively.

2030 Total Traffic - Roadway Improvements

- **Deer Flat Road (Site Frontage):** Same as background 2030 (add an additional eastbound lane to accommodate AM traffic volumes).

  - With development of the site, mitigation is projected to be needed in approximately 2024/2025 at which time approximately 28 percent (55,200 SF) of the development is completed.

  - Site traffic accounts for approximately 6.6 percent of the eastbound segment volume during the critical weekday AM peak hour.

  - The segment meets the ACHD segment thresholds in the shoulder peak hour. Two potential alternative mitigations could include:

- **Deer Flat Road Sidewalk or Pathway:** A sidewalk or pathway connection along the site frontage to connect to the signal at Meridian Road and the stubbed sidewalk on the west end of the site. This is anticipated to be required by the City but would improve connectivity to the signalized pedestrian crossing on Meridian Road.
- **Kuna Canal Shared Use Pathway:** A shared use pathway along the Kuna Canal would provide a convenient connection to the adjacent neighborhood and potentially serve longer trips once other sections are completed by residential subdivisions to the west.

Site Driveways

- Install the site access driveways with the following configurations:
  - **Site Access A:** Single lane northbound and southbound.
  - **Site Access B:** Channelized RIROLI that may require relocation approximately 30 feet (or more) south to accommodate the ITD right-turn lane design. The following turn lanes are recommended:
    - Northbound left-turn lane with 100 feet of vehicle storage (existing two-way-left-turn (TWLTL) can be used).
    - Southbound right-turn lane per ITD design requirements.
    - Minor movement of the site driveway south may be needed to accommodate the southbound right-turn lane design.
  - **Site Access C:** Channelized RIROLI. The following turn lanes are recommended:
    - Northbound left-turn lane with 100 feet of vehicle storage (existing two-way-left-turn (TWLTL) can be used).
    - Southbound right-turn lane per ITD design requirements.
  - **Site Access D:** Channelized RIROLI or RIRO. The following turn lanes are recommended:
    - RIROLI (provides best operations at Deer Flat Road / Meridian Road):
      - Eastbound left-turn lane with 100 feet of vehicle storage (existing two-way-left-turn (TWLTL) can be used.
      - Westbound right-turn lane with 100 feet of vehicle storage per ACHD requirements.
      - Movement of Site Access D slightly west may be required based on the design of the eastbound dual-left-turn lanes taper/gap for the Deer Flat Road / Meridian Road intersection.

- RIRO:
    - Westbound right-turn lane with 100 feet of vehicle storage.

The following recommendations have been identified to ensure adequate safety and sight distance is provided at the site access points, internal intersections, and roadways:

- Verify adequate intersection sight distance is available during the final design of the access driveways and internal intersections.
- Review placement of fences, walls, monument signs, street trees, and other features that may impact intersection sight distance.
- Site accesses should match the existing grade of the roadways.
- Shrubbery, weeds, and landscaping near the internal intersections and site access points should be maintained or modified to ensure adequate sight distance.
- If future widening occurs along adjacent roadways, care should be taken to ensure adequate intersection sight distance is maintained.

Section 2
Introduction

INTRODUCTION

Kittelson & Associates, Inc. (Kittelson) has conducted a Transportation Impact Study (TIS) for the proposed Blackrock Marketplace and Village in Kuna, Idaho. The study was prepared in accordance with requirements of the Idaho Transportation Department (ITD) *Rules Governing Highway Right-of-Way Encroachment Rights-of-Way* (Reference 1) and Ada County Highway District's (ACHD) *Policy Manual Section 7106* (Reference 2). The TIS examines the current transportation network and addresses the transportation impacts associated with background growth and the proposed development.

PROJECT DESCRIPTION

The proposed Blackrock Marketplace and Village is situated on approximately 41 acres of land in Kuna, Idaho. The proposed development site is bounded on the west by existing residential development (the Winfield Springs Subdivision), north by Ardell Road, south by Deer Flat Road, and east by Meridian Road. Figure 1 shows the site vicinity. The development plan consists of the following land uses:

- Approximately 53 town homes
- Approximately 18,500 square feet of office space
- 189,500 square-feet of commercial/retail space, and
- 600 storage units

The proposed site plan for the development is shown in Figure 2 and the estimated locations for specific land-uses is shown in Exhibit 1. Access to the development is proposed via two right-in, right-out, left-in (RIROLI) accesses on Meridian Road, an access on Ardell Road, an access on Deer Flat Road, and connections to residential stub streets at Fort Erie Street and Imlay Street. As shown in Exhibit 1, the primary retail center uses (shown in blue) are proposed to be located along Deer Flat Road with the residential and other pad uses in the northern portion of the development. It should be noted that the development has existing deeded accesses on Meridian Road which, based on discussions with ITD, will be replaced with the two RIROLI accesses.

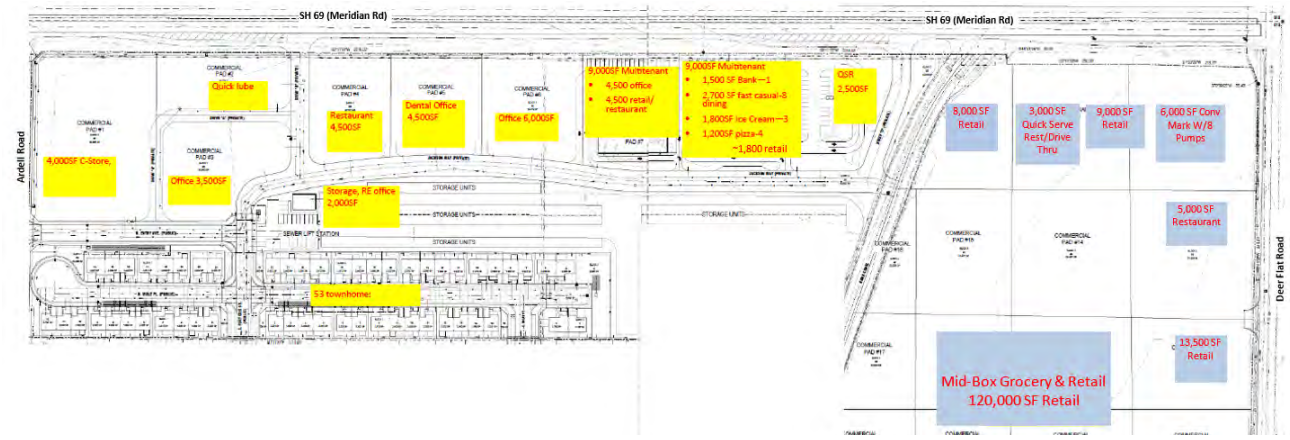


Exhibit 1. Proposed Locations of Land-Uses

KUNA
Planning & Zoning

DESIGN REVIEW APPLICATION

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

****Office Use Only****

Case No(s).: 22-13-S, 22-30-DR

Project Name: Paul Bunyan Plaza

Date of Pre-Application Meeting: 3.10.22 Valid for three (3) months, unless otherwise determined by Staff

Date Received: 8.9.22

Date Accepted as Complete: 8.9.22

The City of Kuna has adopted a Design Review Overlay District whose purpose is to make Kuna a pleasant and comfortable place to live and work. This Design Review process is based on standards and guidelines found in Kuna City Code 5-4. The Design Overlay District includes all of Kuna City Limits.

Design Review includes, but is not limited to:

- Commercial
- Institutional
- Multifamily Residential
- Proposed Conversions
- Exterior Remodel//Restoration
- Industrial
- Office
- Common Areas/Landscaping
- Proposed Changes in Land and/or building use
- Enlargement or Expansion of existing buildings or sites

Application shall contain one (1) copy of the following (digital documents preferred):

- Complete Planning & Zoning Application Coversheet
- Complete Design Review Application *(It is the Applicant's responsibility to use the most current application.)*
- Detailed narrative or justification for the application, describing the project, design elements and how the project complies with Design Review standards.
- Vicinity Map: 8.5" x 11" at 1" = 300' scale (or similar). Label the location of the property and adjacent streets.
- Aerial Map: 8.5" x 11" color photo depicting proposed site, street names, and surrounding area within 500'.
- Recorded Warranty Deed
- Affidavit of Legal Interest if the individual submitting the application is not the property owner. (*One Affidavit required for each party involved. Originals must be submitted to the Planning & Zoning Department.)*
- Elevations for each structure & color rendering with material sample(s) specifically noting where each color and material is to be located on the structure. *(PDF or photo of materials acceptable).*
- Site, Lighting, Landscape & Drainage Plans
- Construction Drawings/Civil Plans

Detailed Site Plan Requirements

- Name of plan preparer with contact information
- Name of project and date
- North arrow
- Property Lines
- Existing structures – Identify those which are relocated or removed
- On-site and adjoining streets, alleys, private drives and rights-of-way
- Drainage location and method of on-site retention/detention
- Location of public restrooms, if applicable
- Existing and/or proposed utility services; any above ground utility structures and provide their location
- Location and width of easements, canals and drainage ditches
- Location and dimensions of off-street parking
- Location and size of any loading areas, docks, ramps and vehicle storage or service areas
- Location of trash storage areas and exterior mechanical equipment; provide proposed method of screening
- Sign locations *(A separate Sign Application must be submitted; this is a Staff level review.)*
- On-site transportation circulation plan for motor vehicles, pedestrians and bicycles
- Locations and uses of <u>all</u> Open Spaces (*if applicable*)
- Location, types and sizes of sound and visual buffers *(all buffers must be located outside the public rights-of-way.)*
- Parking layout including spaces, driveways, curbs, cuts, circulation patterns, pedestrian walks and vision triangles
- Location and designation of subdivision lines *(if applicable)*, property lines, and rights-of-way
- Location of walls and fences; provide their height and material of construction
- Roofline and foundation plan of building and location onsite

Landscape Plan

The Landscape Plan need to be drawn by the Project Architect, Professional Landscape Architect, Landscape Designer, or qualified Nurseryman for developments possessing more than twelve thousand (12,000) square feet of private land. The Landscape Plan must be colored and drawn to a scale no smaller than 1" = 30', unless otherwise approved. The Planning & Zoning Director may require the preparation of a landscape plan for smaller developments by one of the noted individuals, if the lot(s) have unique attributes. (*See Kuna City Code 5-17 Landscaping Requirements*)

- Name of plan preparer with contact information
- Name of project and date
- North arrow
- Boundaries, property lines and dimensions
- Location and design of areas to be landscaped
- Location and labels for all proposed plants
- Existing vegetation identified by species & sizes, and if they are proposed to be relocated or removed (*Retention of existing trees required, see Kuna City Code 5-17-4*)
- Plant lists or schedules with the botanical common name, quantity, and spacing as well as the size of all proposed landscape materials at time of planting
- Location of automatic, underground irrigation systems (*See Kuna City Code 5-17-11*)
- Clearly identify pressurized irrigation lines and underground water storage
- Location, description, materials, and cross-sections of special features, including berming, retaining walls, hedges, fencings, fountains, street/pathway furniture, etc.

- Sign locations (a separate sign application must be submitted)
- Locations of open spaces (*if applicable*)
- Parking areas
- Location and designations of all sidewalks
- Engineered Grading and Drainage Plans: A generalized drainage plan showing direction drainage with proposed on-site retention. Upon submission of building/construction plans for an approved Design Review application, a detailed site grading and drainage plan prepared by a registered professional engineer (PE), shall be submitted to the City for review and approval by the City Engineer.

Building Elevations

- Detailed elevation plans, in color, of each side of any proposed building(s) or addition(s). Label associated elevations with North, South, East, West
- Color renderings of all proposed building materials and indication where each material and color application are to be located, in PDF or JPEG format.
- Screening of mechanical equipment
- Provide a cross-section of the building showing any rooftop mechanical units and their roof placement
- Detailed trash enclosure elevation plans showing the materials to be used in construction

Lighting Plan

- Exterior lighting, including detailed cut sheets and photometric plan *(pedestrian, vehicle, security, decoration, etc.)*
- Types and wattage of all light fixtures. *(NOTE: Lighting fixtures shall comply with "Dark Sky" policies.)*
- Placement of all light fixtures shown on elevations and landscaping plans

Owner Information

Name: CRMM, LLC

Address: 8942 Spanish Ridge Ave., Las Vegas, NV 89145

Phone: (702) 221-2500 Email: bhicks@newmarketadvisors.com

Applicant Information

Name: Bill Hicks

Address: 8942 Spanish Ridge Ave., Las Vegas, NV 89145

Phone: (702) 221-2500 Email: bhicks@newmarketadvisors.com

Engineer/Representative

Name: Civil Innovations, PLLC

Address: 1043 E. Park Blvd. Ste., 100, Boise, ID 83712

Phone: (208) 884-8181 Email: ben@civil-innovations.com

Property Information

Address: N. Meridian Rd.

Parcel No(s).: S1313449910

Closest Major Cross Streets: Meridian & Deer Flat

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

☐ Building Design Review ☐ Design Review Modification

☐ Staff Level Application ■ Subdivision/Common Area Landscape

1. Briefly explain the nature of the request: Common area landscaping for residential and commercial subdivision.

2. Dimension of property: 16.26 Acres

3. Current land use(s): Vacant/Ag.

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

   North: Ag. South: Commercial

   East: Residential West: Commercial

5. Is the project intended to be phased? If so, what is the phasing time period?

   Project will be completed in one phase.

6. Number and use(s) of all structures: 12 commercial lots.

7. Building Height: As allowed by code.

8. Number of Stories: As allowed by code.

   (The height and width relationship of new structures shall be compatible and consistent with the architectural character of the area and proposed use. Height and area standards can be found in Kuna City Code 5-5-3.)

9. What is the percentage of building space on the lot when compared to the total lot area:

   Unknown at this time.

Exterior Building Materials and Colors

	Material	Color
Roof:		
Walls: (include percentage of wall coverage of each material)		
% of Wood Application:		
% EIFS: (Exterior Insulation Finish System)		
% Masonry:		
% Face Block:		
% Stucco:		
Other:		
Windows/Doors:		
Soffits and Fascia:		
Trim, etc.:		

Mechanical Units

Please identify mechanical unit(s) size and placement: _____

_____

Proposed screening method? _____

_____

Trash Enclosures

Please identify trash enclosure location, size, and construction materials: _____

_____

Irrigation Ditches/Canals

Are there any irrigation ditches/canals on or adjacent to the property? YES NO

If Yes, what is the name of the irrigation/drainage provider? Boise-Kuna

What is the proposed method of on-site drainage retention/detention? Ponds and seepage beds.

Fencing

Is there any existing fencing that will remain? ☑ ☐

If Yes, what is the fencing material, size and location? Existing 6' vinyl fencing along the west boundary will remain.

What is the fencing material for all new fencing? _____

The City has regulations for fences, walls, and hedges (see Kuna City Code 5-5-5). A fence permit must but be acquired prior to installation of any fencing; a permit cannot be acquired until Design Review application Approval/Conditional Approval/Denial.

Building Coverage

% of site devoted to building coverage?		
% of site devoted to landscaping? (Include landscaped rights-of-way)		Square Footage:
% of site that is hard surface? (paving, driveways, walkways)		Square Footage:
% of site devoted to other uses:		Describe:

Landscaping

Please provide dimensions of landscaped areas within public rights-of-way: _____

See landscape plans.

_____

_____

Are there any existing trees of 4" or greater in caliper on the property? YES NO
If Yes, what type, size and general location? (*Please indicate location on site plan. NOTE: It is the city's goal to preserve such trees.)*

_____

_____

Dock Loading Facilities

Will there be any dock loading facilities? YES NO *(If Yes, please continue; if No, please skip this section.)*

No. of dock loading facilities and their location: _____

_____

What is the proposed method of screening? _____

Pedestrian Amenities

Are there any proposed pedestrian amenities? (i.e. bike racks, trash receptacles, drinking fountains, benches, etc.) YES NO

If Yes, please indicate type, number of each type: _____

_____

Parking

Total number of parking spaces? _____ Dimensions? _____

Total number of ADA accessible spaces? _____ Dimensions? _____

Total number of compact spaces (8' x 17')? _____

Miscellaneous

Will you be proposing setbacks different than those found in KCC 5-3-3? YES NO

If YES, please provide setbacks below, in feet:
Front: _____ Rear: _____ Side: _____ Side: _____

Is any portion of the property subject to flooding conditions? YES NO

The Ada County Highway District (ACHD) may also conduct a public meeting regarding this application. If you have questions about the meeting date, the traffic that this development may generate or the impact of that traffic on streets in the area, please contact ACHD at (208) 387-6170. In order to expedite your request, please have ready the file number indicated.

Applicant Signature: _____ Date: 10/17/22

Additional Information

Please indicate/explain/provide any additional information deemed relevant to this application:

_____

_____

_____

_____

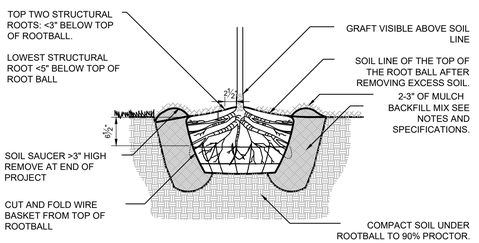
_____

_____

LANDSCAPE NOTES:

1. REGULATIONS & STANDARDS
   - 1.1. All contractor work shall be conducted in accordance with ISPWC (Idaho Standard Public Works Construction), 2022 (or most recent published); and City of kUNA, ID codes, standards and state and local regulations.
2. EXISTING CONDITIONS
   - 2.1. All utilities shall be located prior to construction and protected. Any damage to structures, utilities or concrete will be replaced at contractor's expense.
   - 2.2. The site has many existing improvements such as underground utilities, curb and gutter, light poles and sidewalks.
   - 2.3. See Engineer's plans for information about existing features.
   - 2.3.1. Refer to civil plans for all existing and/or proposed drainage pipes & locations, utilities. Protect all drainage at all times, protect all utilities at all times.
3. GRADING & SITE PREPARATION
   - 3.1. Prepare finish grades for planting by grubbing and removing weeds. If necessary apply Round-Up (or equivalent herbicide), using a certified applicator. Remove rocks and other materials over 2".
   - 3.2. All gravel overprep to be removed and disposed of off site.
   - 3.3. Finish grade to be smooth transition to allow for entire site to be a natural flowing space.
   - 3.4. Fine grade lawn areas to elevations set by Engineer's plans with positive drainage away from structures.
   - 3.5. Refer to Engineer's plans for grading information & for all drainage pipes and locations. Protect and retain drainage at all times.
   - 3.6. No pooling or standing water will be accepted per industry standards.
4. SOILS
   - 4.1. Lawn areas shall receive 12" min depth of screened topsoil.
   - 4.2. All planter beds shall receive 18" min depth of screened topsoil.
   - 4.3. Reuse of existing topsoil that has been stockpiled on site is permitted if:
   - 4.3.1. Topsoil is tested and analyzed to ensure a proper growing medium. Provide additional amendments as determined by soil tests.
   - 4.3.2. Topsoil is to be loose, friable sandy loam that is clean and free of toxic materials, noxious weeds, weed seeds, rocks, grass or other foreign materials.
   - 4.3.3. Topsoil shall have a ph of 6.5 to 8.0.
   - 4.3.4. If on site topsoil does not meet these minimum standards contractor is responsible for providing approved imported topsoil or improving onsite topsoil per the approval of the project manager.
   - 4.4. If imported topsoil is used it must be from a local source and be screened free of any debris or foreign matter. Topsoil must not contain rocks, sticks, lumps, or toxic matter and has a pH of 6.5-8.0.
   - 4.5. Smooth, compact, and fine grade topsoil in lawn areas to smooth and uniform grade .5" below adjacent surfaces.
   - 4.6. Amend all new plantings with 2 parts topsoil, 1 part compost.
5. LAWN AREAS
   - 5.1. Sodded lawn to be tall turf-type fescue, or approved other.
   - 5.2. Sodded lawn to be regionally/locally harvested, lay sod within 24 hours of harvesting.
   - 5.3. Lay sod to form a solid mass with offset, tightly fitted joints on even grades.
   - 5.4. Any existing lawn that is damaged shall be replaced with sodded lawn of the same type of existing lawn.
   - 5.5. All lawn areas adjacent to planter beds, gravel areas, or aggregate pathways shall have 4" black steel edging installed per manufacturer recommendations. Other applications to be approved by owner and landscape architect.
   - 5.6. Lawn adjacent to buildings, structures shall be a minimum of 18" away from foundations. Lawn adjacent to fences or other screening elements shall be a minimum of 9" away.
   - 5.6.1. Install ¾" chips or other approved gravel mulch type in mow strip at a depth of 3" over commercial grade weed barrier fabric installed per manufacturer recommendations.
   - 5.7. Provide tree rings with a minimum 3' diameter around all trees located in lawn, mulch type & installation/application to match all other planter beds.
6. PLANTER BED MULCH
   - 6.1. All planter beds to receive 3" depth of black & tan mini rock mulch or approved equal, submit for approval prior to placement. Install over commercial grade weed barrier fabric per manufacturer recommendations.
7. PLANTS
   - 7.1. All plant material shall be installed per industry standards.
   - 7.2. All plant material shall meet or exceed the minimum federal standards as regulated by ANSI z60.1, American Standard for Nursery Stock. Plants not meeting these standards for quality, or plants determined to be unhealthy by Owner's representative, will be rejected.
   - 7.3. All Ball and Burlap trees to be installed per Balled and Burlapped planting detail. All shrubs to be installed per detail.
   - 7.4. Trees and shrubs over 30" shall not be planted within clear vision triangles.
   - 7.5. Fertilize all trees and shrubs with 'Agriform' planting tablets or approved equal. Apply per manufacturers recommendations.
8. IRRIGATION
   - 8.1. Irrigation system shall be built to the following specifications:
   - 8.2. Adhere to city codes when connecting to city water.
   - 8.3. All irrigation material to be new with manufacturers' warranty fully intact.
   - 8.4. Install outdoor rated controller in specified location on plan, in a lock box with 2 keys. Coordinate with project manager and general contractor on exact location.
   - 8.4.1. Controller to have On/Off rain switch or rain shut off device that does not alter program.
   - 8.5. All remote control valves (including master control valve) to have flow control device.
   - 8.6. Irrigation system piping to be minimum class 200 PVC or approved equal, sleeves to be double the size of pipes located within, all wires to be contained in separate sleeves 1-1/2" dia min.
   - 8.7. All pipe above 3" caliper to be gasketed, with approved joint restraints at all 45, TEE, ELL, 22, 11.
   - 8.8. Use common trenching where possible..
   - 8.9. All PVC located under hardscapes to be schedule 40 PVC with same req's as above.
   - 8.10. All wires to be Paige wire 7350 or 7351 direct bury wire at a minimum of 12" below finished grade.
   - 8.11. Connect mainline to point of connection in approximate location shown on plan.
   - 8.12. Contractor is responsible complying with all codes and paying all permits necessary.
   - 8.13. Sprinkler heads shall have matched precipitation within each control circuit. Velocities shall not exceed 5 feet per second.
   - 8.14. All drip irrigation to be buried 2" below finished grade.
   - 8.15. Water schedule to be provided at a min of 80% evapotranspiration as determined by the local ET.
   - 8.16. Install all irrigation per irrigation drawings. utilize material specified or approved equal.
   - 8.17. Contractor shall confirm the static water pressure at least five days before construction begins and to contact the landscape architect in writing if the pressure is below 80 psi.
   - 8.18. If any discrepancies are found, then local codes shall prevail.
9. CONTRACTOR RESPONSIBILITIES
   - 9.1. Estimated quantities are shown for general reference only. Contractor shall be responsible for all quantity estimates.
   - 9.2. All plant material and workmanship shall be guaranteed for a period of one year beginning at the date of Acceptance by Owner. Replace all dead or unhealthy plant material immediately with same type and size at no cost to Owner.
   - 9.3. Landscape contractor to turn in as built drawings at the end of project. Substantial completion will not be granted until 2 copies @ 1"=20' scale are turned in and approved by owner's representative.
10. In the event of a discrepancy, notify the Landscape Architect immediately.

NOTES:
1. DO NOT DAMAGE OR CUT LEADER
2. DO NOT DISTURB ROOT OR DAMAGE ROOT BALL WHEN INSTALLING TREE OR TREE STAKES.
3. TREE STAKING SHALL BE AT THE DISCRETION OF CONTRACTOR. HOWEVER ANY TREES DISTURBED FROM PLUMB DURING THE PLANT WARRANTEE PERIOD WILL BE REPAIRED OR REPLACED AT CONTRACTOR'S EXPENSE.
4. WATER PLANTS THOROUGHLY IMMEDIATELY AFTER INSTILLATION.
5. REMOVE ALL BURLAP, TWINE, ROPE, OR MATERIAL FROM THE TOP ¼ OF THE ROOTBALL.
6. 5' DIAMETER PLANTER BED/MULCH RING AROUND THE TRUNK OF THE TREE. 3" OF MULCH MIN. DO NOT PLACE MULCH WITHIN 2" OF TRUNK OF TREE.

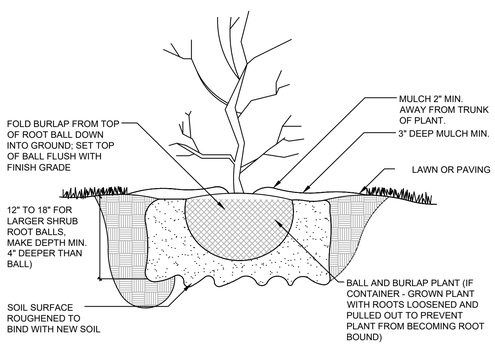


1 BALL & BURLAP TREE PLANTING

3/4" = 1'-0" 3293-01

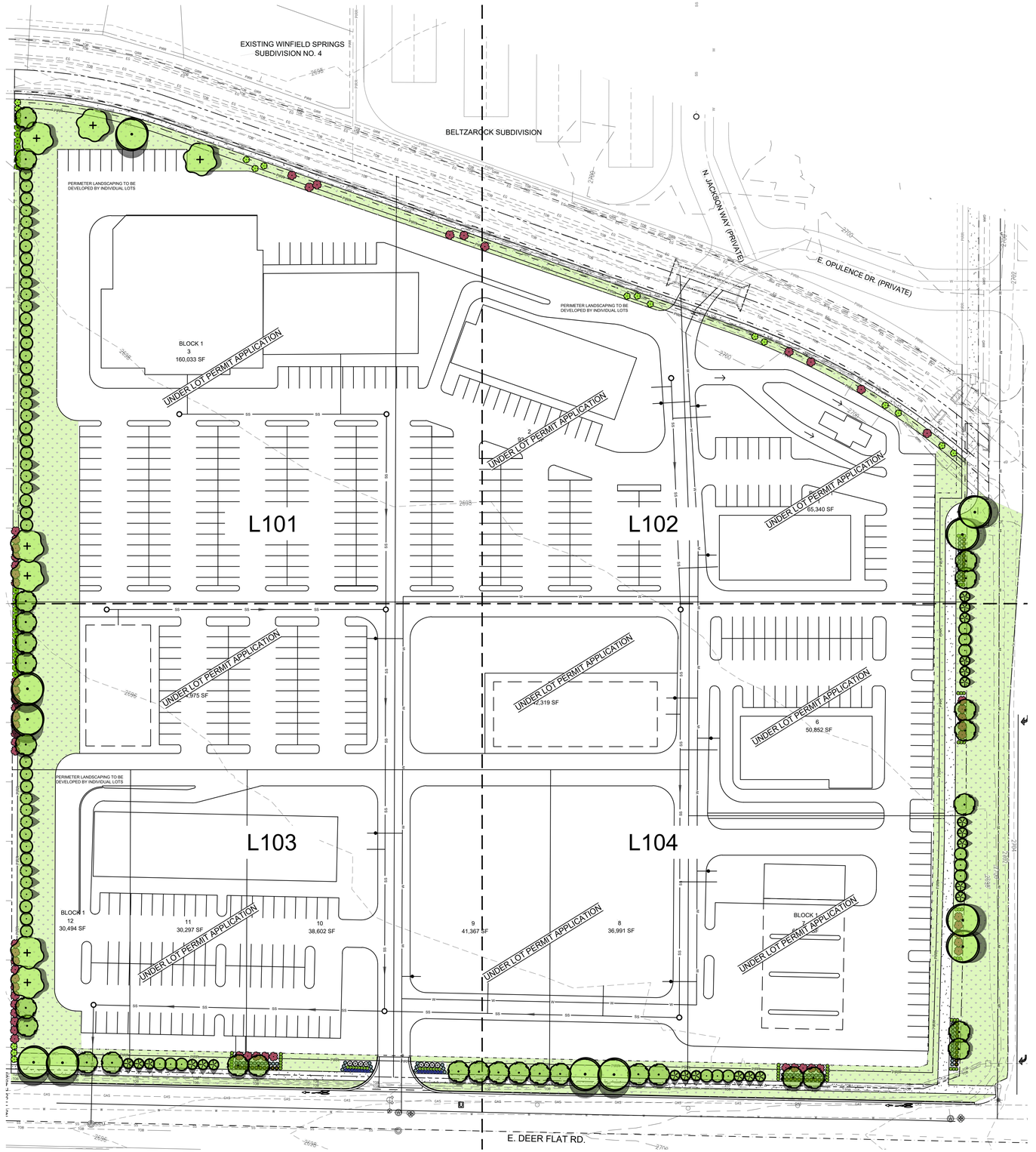
NOTE:
REMOVE ALL TAGS, TWINE OR OTHER NON BIODEGRADABLE MATERIALS ATTACHED TO PLANT OR ROOT MASS.

BACKFILL SHALL BE 100% TOPSOIL. WATER SETTLE ALL PLANTINGS TO ENSURE PLANT ROOTBALL MAINTAINS ¾" HEIGHT ABOVE EXISTING SOILS WHEN COMPLETE.



2 SHRUB PLANTING

1" = 1'-0" 329333-03



STACK ROCK GROUP
LANDSCAPE ARCHITECTURE & MASTER PLANNING
(208) 345-0500
404 S 8th St. #154
Boise, ID 83702
StackRockGroup.com

WILLET C HOWARD, PLA
OFFICE: (208) 345.0500 EMAIL:
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www.STACKROCKGROUP.COM

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Seals

PRELIMINARY

STATE OF IDAHO — WILLET C. HOWARD — LICENSED LANDSCAPE ARCHITECT — LA-16733 — 06.07.22

NOT FOR CONSTRUCTION

PAUL BUNYAN PLAZA

KUNA, IDAHO

REVISIONS

MRK	DATE	Description
1	••	••

JOB NO:	22-2406
DATE:	06.07.22
DRAWN BY:	JB
CHECKED BY:	JB

DRAWING TITLE

LANDSCAPE OVERVIEW

SHEET NUMBER

L100

STACK ROCK GROUP - CITY REVIEW SET

LANDSCAPE REQUIREMENTS:

CODE REQUIREMENTS PER CITY CODE

STREET BUFFER:

*1 STREET TREE PER 35LF OF ROW
*2 SHADE TREES, 3 EVERGREEN TREES, 12 SHRUBS PER 100 LF
**SHD: SHADE
**CON: CONIFER
**SHB: SHRUB

STREET NAME	LENGTH (LF)	SHD/CON/SHB REQ'D	SHD/CON/SHB PROV'D
MERIDIAN RD	569	11 / 17 / 68	11 / 17 / 68+
E DEER FLAT RD	893	18 / 27 / 107	18 / 27 / 107+

FUTURE LOT DEVELOPMENT:
*STREET LANDSCAPE STRIPS (BETWEEN BUILDINGS/ROW): 1 TREE & 5 SHRUBS PER 35LF OF ROW
*PARKING ISLANDS: 1 TREE & SHRUBS OR VEGETATIVE GROUND COVER EACH

MINIMUM PLANT SIZES:

PLANT TYPE:	MINIMUM SIZE
*EVERGREEN TREES:	6'-0" HT. MIN.
*ORNAMENTAL TREES:	2" CALIPER MIN.
*SHADE TREES:	2" CALIPER MIN.
*WOODY SHRUBS:	2 GAL. MIN.

PLANT SCHEDULE

TREES	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY	REMARKS
	Acer platanoides `Columnar Broad` / Parkway Maple	B & B	2"Cal		30	40`h x 25`w, Class II
	Gleditsia triacanthos inermis `Shademaster` TM / Shademaster Locust	B & B	2"		7	50`h x 30`w Class II
	Picea omorika `Bruns` / Bruns Spruce	B&B		6`-7` H	23	30`h x 10`w
	Pinus flexilis `Vanderwolf`s Pyramid` / Vanderwolf`s Pyramid Pine	B & B		6`-7` H	39	25`h x 12`w
	Pinus nigra `Oregon Green` / Oregon Green Pine	B & B		6`-7` H	18	20`h x 15`w
	Tilia americana `Redmond` / Redmond American Linden	B & B	2"		11	50`h x 30`w Class II

SHRUBS	BOTANICAL / COMMON NAME	CONT	FIELD2	SIZE	QTY	REMARKS
	Forsythia x intermedia `Mindor` TM / Show Off Forsythia	5 gal			18	5`h x 6`w
	Helictotrichon sempervirens `Blue Oats` / Blue Oat Grass	2 gal			60	3`h x 3`w
	Lavandula angustifolia `Hidcote Blue` / Hidcote Blue Lavender	2 gal			16	3`h x 3`w
	Physocarpus opulifolius `Monlo` TM / Diabolo Purple Ninebark	2 gal			58	6`H x 10`W
	Pinus mugo `Mops` / Mops Mugo Pine	5 gal			8	4`h x 5`w
	Prunus laurocerasus `Otto Luyken` / Otto Luykens English Laurel	2 gal			22	3`h x 6`w
	Rosa x `Noare` / Flower Carpet Red Groundcover Rose	2 gal			64	3`h x 3`w
	Yucca filamentosa `Color Guard` / Adam`s Needle	5 gal			44	3`h x 4`w

SODDED LAWN, TALL TURF-TYPE FESCUE

NORTH
0 30 60 90 feet
SCALE: 1" = 30'

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KUNA, IDAHO

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DATE:	06.07.22
DRAWN BY:	JB
CHECKED BY:	JB

DRAWING TITLE

LANDSCAPE PLAN

SHEET NUMBER

L101

STACK ROCK GROUP - CITY REVIEW SET

LANDSCAPE REQUIREMENTS:

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SHRUBS	BOTANICAL / COMMON NAME	CONT	FIELD2	SIZE	QTY	REMARKS
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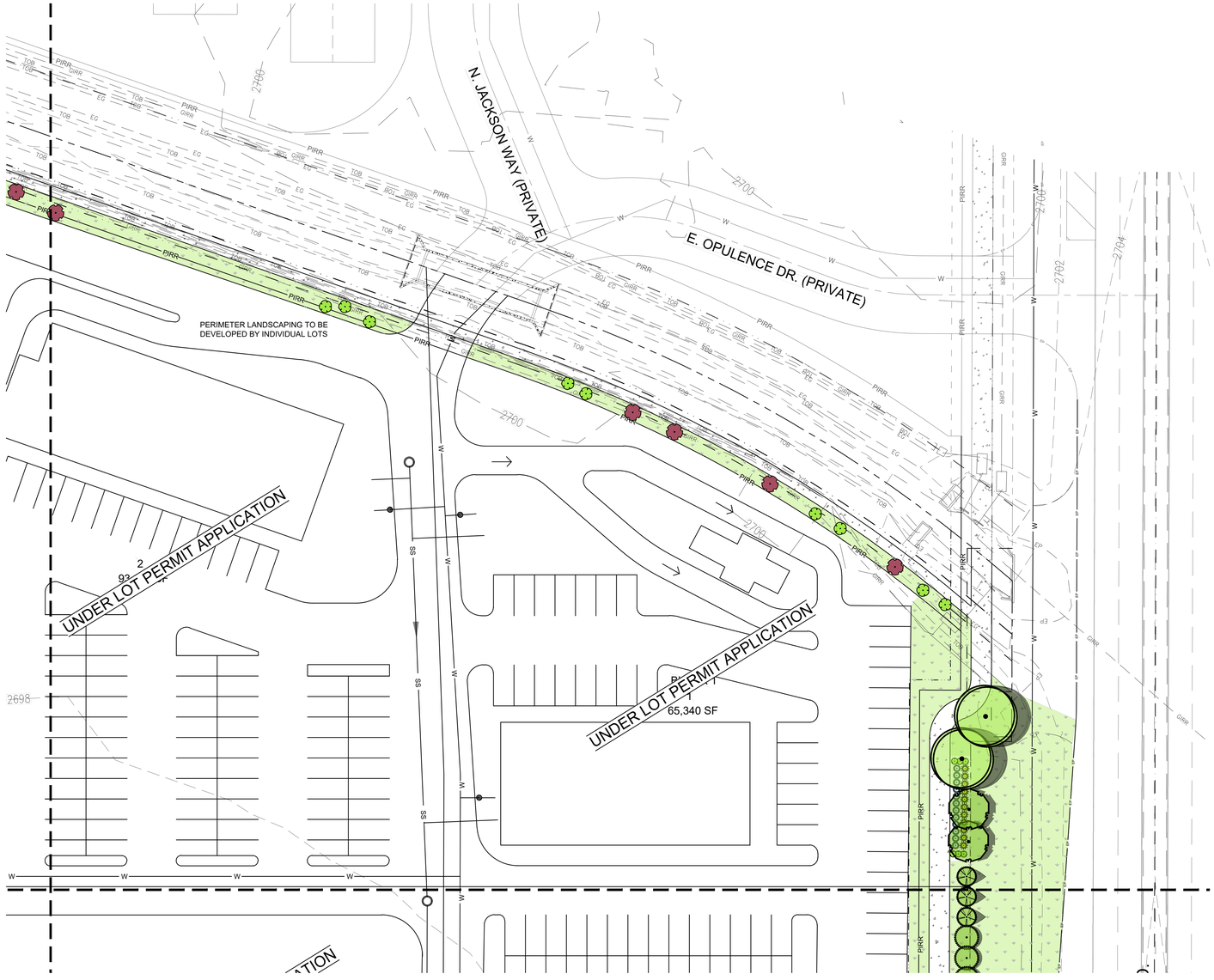
	Helictotrichon sempervirens `Blue Oats` / Blue Oat Grass	2 gal			60	3`h x 3`w
	Lavandula angustifolia `Hidcote Blue` / Hidcote Blue Lavender	2 gal			16	3`h x 3`w
	Physocarpus opulifolius `Monlo` TM / Diabolo Purple Ninebark	2 gal			58	6`H x 10`W
	Pinus mugo `Mops` / Mops Mugo Pine	5 gal			8	4`h x 5`w
	Prunus laurocerasus `Otto Luyken` / Otto Luykens English Laurel	2 gal			22	3`h x 6`w
	Rosa x `Noare` / Flower Carpet Red Groundcover Rose	2 gal			64	3`h x 3`w
	Yucca filamentosa `Color Guard` / Adam`s Needle	5 gal			44	3`h x 4`w

SODDED LAWN, TALL TURF-TYPE FESCUE



NORTH
0 30 60 90 feet
SCALE: 1" = 30'

STACK ROCK GROUP
LANDSCAPE ARCHITECTURE & MASTER PLANNING

(208) 345-0500
404 S 8th St. #154
Boise, ID 83702
StackRockGroup.com

WILLET C HOWARD, PLA
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PRELIMINARY

STATE OF IDAHO — WILLET C. HOWARD — LA-16733 — 06.07.22 — LICENSED LANDSCAPE ARCHITECT

NOT FOR CONSTRUCTION

PAUL BUNYAN PLAZA
KUNA, IDAHO

REVISIONS

MRK	DATE	Description
1	**	**

JOB NO:	22-2406
DATE:	06.07.22
DRAWN BY:	JB
CHECKED BY:	JB

DRAWING TITLE

LANDSCAPE PLAN

SHEET NUMBER

L102

STACK ROCK GROUP - CITY REVIEW SET

LANDSCAPE REQUIREMENTS:

CODE REQUIREMENTS PER CITY CODE

STREET BUFFER:

*1 STREET TREE PER 35LF OF ROW
*2 SHADE TREES, 3 EVERGREEN TREES, 12 SHRUBS PER 100 LF
**SHD: SHADE
**CON: CONIFER
**SHB: SHRUB

STREET NAME	LENGTH (LF)	SHD/CON/SHB REQ'D	SHD/CON/SHB PROV'D
MERIDIAN RD	569	11 / 17 / 68	11 / 17 / 68+
E DEER FLAT RD	893	18 / 27 / 107	18 / 27 / 107+

FUTURE LOT DEVELOPMENT:

*STREET LANDSCAPE STRIPS (BETWEEN BUILDINGS/ROW): 1 TREE & 5 SHRUBS PER 35LF OF ROW
*PARKING ISLANDS: 1 TREE & SHRUBS OR VEGETATIVE GROUND COVER EACH

MINIMUM PLANT SIZES:

PLANT TYPE:	MINIMUM SIZE
*EVERGREEN TREES:	6'-0" HT. MIN.
*ORNAMENTAL TREES:	2" CALIPER MIN.
*SHADE TREES:	2" CALIPER MIN.
*WOODY SHRUBS:	2 GAL. MIN.

PLANT SCHEDULE

TREES	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY	REMARKS
	Acer platanoides `Columnar Broad` / Parkway Maple	B & B	2"Cal		30	40`h x 25`w, Class II
	Gleditsia triacanthos inermis `Shademaster` TM / Shademaster Locust	B & B	2"		7	50`h x 30`w Class II
	Picea omorika `Bruns` / Bruns Spruce	B&B		6`-7` H	23	30`h x 10`w
	Pinus flexilis `Vanderwolf`s Pyramid` / Vanderwolf`s Pyramid Pine	B & B		6`-7` H	39	25`h x 12`w
	Pinus nigra `Oregon Green` / Oregon Green Pine	B & B		6`-7` H	18	20`h x 15`w
	Tilia americana `Redmond` / Redmond American Linden	B & B	2"		11	50`h x 30`w Class II
SHRUBS	BOTANICAL / COMMON NAME	CONT	FIELD2	SIZE	QTY	REMARKS
	Forsythia x intermedia `Mindor` TM / Show Off Forsythia	5 gal			18	5`h x 6`w
	Helictotrichon sempervirens `Blue Oats` / Blue Oat Grass	2 gal			60	3`h x 3`w
	Lavandula angustifolia `Hidcote Blue` / Hidcote Blue Lavender	2 gal			16	3`h x 3`w
	Physocarpus opulifolius `Monlo` TM / Diabolo Purple Ninebark	2 gal			58	6`H x 10`W
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SODDED LAWN, TALL TURF-TYPE FESCUE

NORTH

0 30 60 90 feet

SCALE: 1" = 30'

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PRELIMINARY

STATE OF IDAHO — WILLET C. HOWARD — LA-16733 — 06.07.22 — LICENSED LANDSCAPE ARCHITECT

NOT FOR CONSTRUCTION

PAUL BUNYAN PLAZA

KUNA, IDAHO

REVISIONS

MRK	DATE	Description
1	**	**

JOB NO:	22-2406
DATE:	06.07.22
DRAWN BY:	JB
CHECKED BY:	JB

DRAWING TITLE

LANDSCAPE PLAN

SHEET NUMBER

L103

STACK ROCK GROUP - CITY REVIEW SET

LANDSCAPE REQUIREMENTS:

CODE REQUIREMENTS PER CITY CODE

STREET BUFFER:

*1 STREET TREE PER 35LF OF ROW
*2 SHADE TREES, 3 EVERGREEN TREES, 12 SHRUBS PER 100 LF
**SHD: SHADE
**CON: CONIFER
**SHB: SHRUB

STREET NAME	LENGTH (LF)	SHD/CON/SHB REQ'D	SHD/CON/SHB PROV'D
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PLANT TYPE:	MINIMUM SIZE
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PLANT SCHEDULE

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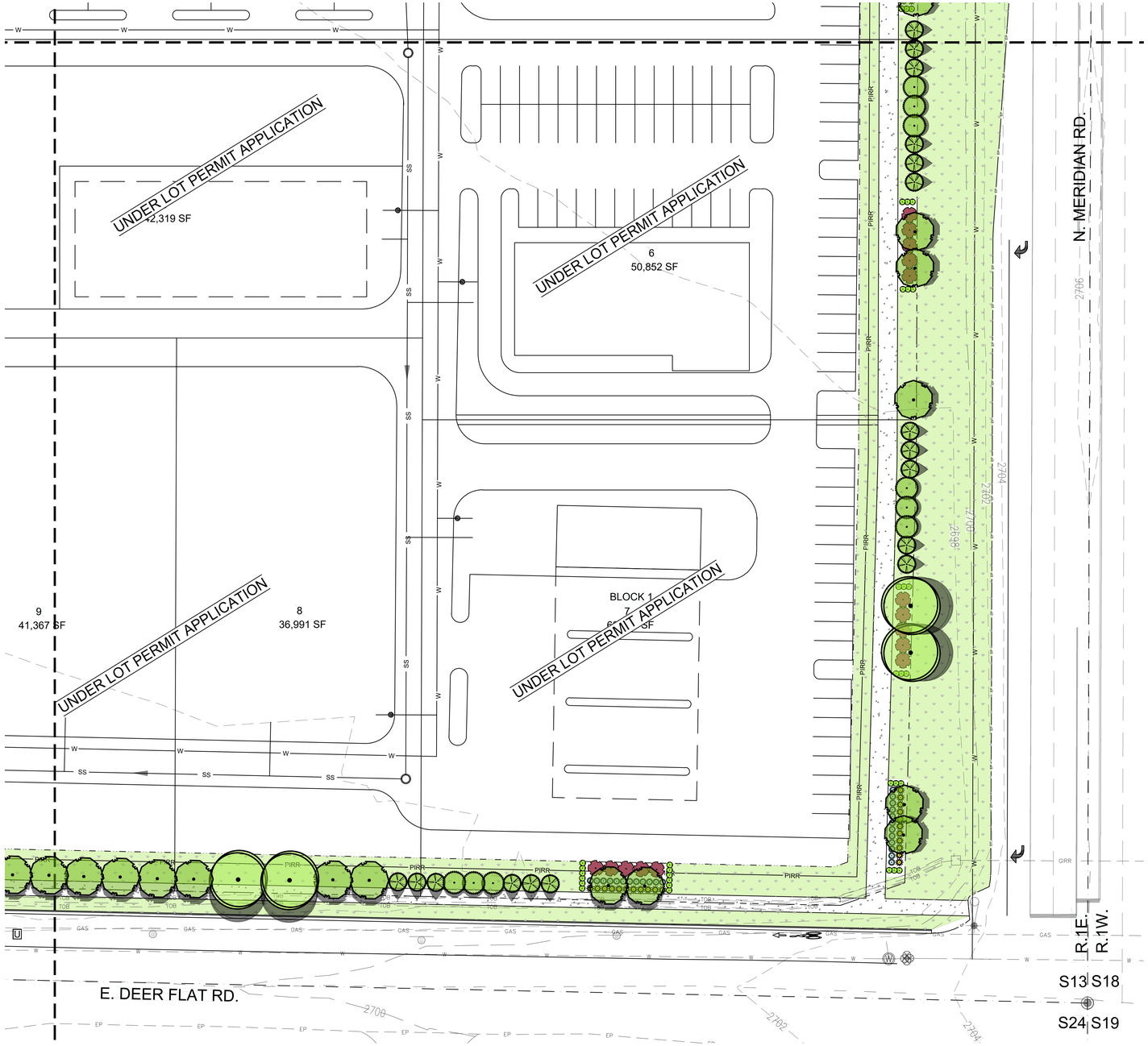
SODDED LAWN, TALL TURF-TYPE FESCUE



NORTH

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SCALE: 1" = 30'

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PRELIMINARY

STATE OF IDAHO · WILLET C. HOWARD · LA-16733 · 06.07.22 · LICENSED LANDSCAPE ARCHITECT

NOT FOR CONSTRUCTION

PAUL BUNYAN PLAZA

KUNA, IDAHO

REVISIONS

MRK	DATE	Description
1	**	**

JOB NO:	22-2406
DATE:	06.07.22
DRAWN BY:	JB
CHECKED BY:	JB

DRAWING TITLE

LANDSCAPE PLAN

SHEET NUMBER

L104

STACK ROCK GROUP - CITY REVIEW SET

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR PAUL BUNYAN PLAZA

This Declaration of Covenants, Conditions, and Restrictions ("**Declaration**") for Paul Bunyan Plaza is made as of the _____ day of October, 2022 by CRMM, LLC, a Nevada limited liability company having an address at 8942 Spanish Ridge Ave, Las Vegas, Nevada 89148 ("**Declarant**").

RECITALS

WHEREAS, Declarant owns certain real property located in Ada County, Idaho, described in the attached Exhibit A (the "**Project**") except for portions that have been: (a) dedicated or conveyed to Governmental Entities (defined below) for public rights-of-way, drainage areas, or other public purposes; or (b) conveyed to other Persons (defined below) as identified on Exhibit B. Declarant desires and intends that the Project be operated as an integrated commercial and/or retail center to be called Paul Bunyan Plaza and to impose upon the Project, mutual and beneficial restrictions, covenants, agreements, easements, conditions and charges as hereinafter set forth, under a general plan for the benefit of all of the Project.

NOW, THEREFORE, Declarant adopts, establishes, and imposes the following covenants, conditions, and restrictions on the Project and declares that the Project and all portions thereof are and shall be held, transferred, sold, conveyed, and occupied subject to such covenants, conditions, restrictions, easements, liens, and charges set forth herein, all of which shall be binding on all parties having any right, title, or interest in the Property or any part thereof.

ARTICLE I
GENERAL

Section 1.01 Defined Terms. For the purposes of this Declaration, the following words or phrases have the meanings as set forth below:

"**Accessibility Law**" means any federal, state or local law, statute, code, ordinance, rule, regulation or requirement relating to accessibility to facilities or properties for disabled, handicapped and/or physically challenged persons, including, without limitation, the Americans with Disabilities Act of 1991, as amended (42 U.S.C. Sections 12101, et seq.) and any similar state statute, as amended.

"**Applicable Law**" means any present or future law, statute, ordinance, regulation (including zoning ordinances and regulations), code, building code, judgment, injunction, arbitration award, order, rule, directive, proclamation, decree, common law, or other requirement, ordinary or extraordinary, foreseen or unforeseen, of the federal or any state or local governmental, or any political subdivision, arbitrator, department, commission, board, bureau, agency, or instrumentality thereof, or of any court or other administrative, judicial or quasi-judicial tribunal or agency of competent jurisdiction, or of any other public or quasi-public authority or group, having jurisdiction over the Property, and any reciprocal easement, covenant,

restriction, or other agreement, restriction, or easement of record affecting the Property as of the date of this Declaration or thereafter.

"**Building**" shall mean any enclosed structure designated for the exclusive use of an Owner or Occupant placed, constructed or located on a Lot, which for the purpose of this Declaration shall include any appurtenant supports, service areas and other outward extensions. "**Building Area**" or "**Building Areas**" shall mean the areas designated on the Site Plan where Buildings and appurtenant improvements, including without limitation attached sidewalks, drive-throughs, patios, may be located on each Lot. Unless otherwise expressly permitted by this Declaration or previously agreed to in writing by the Declarant, its officers, managers, principals, successors or assigns, the Owners have no right to place footings, signs, canopies, roof overhands, cornices, columns, foundation walls and walls or other building features or improvements whether or not attached to a Building which encroach or project beyond the Building Areas. The Building Areas are designated areas where Buildings or Structures may be located, but the entire amount of Building Area does not necessarily have to be used for Buildings, and Declarant shall have the right to restrict the size of any Building located in a Building Area.

"**Common Area**" shall mean all non-Building Areas within the Project, including but not limited to: (a) landscape areas and trail systems, (b) entry signage at the entrance of the Project, if any, and monument signage, if any, (c) lighting facilities for the parking areas and any Common Area signage, (d) common curb cuts, roadways, driveways, parking areas, drive aisles, walkways and sidewalks, (e) water facilities located within the Project (including but not limited to all pipes, submeters and other appurtenances necessary for the delivery of water service to the Lots but not within the Lots), and (f) any similar amenities which may not or hereafter be established by Declarant for the common use and enjoyment of all Lots. Canopies, overhangs, awnings, signage or lighting which extend over the Common Area, together with any columns or posts supporting the same, shall be deemed to be a part of the Building to which they are attached and not a part of the Common Area. The Common Area shall not include any drive-through lanes or service station canopies.

"**Common Area Assessments**" Common Area Expenses shall mean the assessments for Common Expenses described in Section 8.04 below.

"**Common Drives**" shall mean those portions of the Project shown or illustrated on Exhibit "B" attached hereto and incorporated herein by this reference, as the same may be modified from time to tune.

"**Common Expenses**" shall mean all costs and expenses reasonably incurred hereafter in connection with the Common Areas, included without limitation the operating expenses (which shall include without limitation the costs of any management fees under any agreement entered into with a property manager pursuant to Section 10.05 hereof), real and personal property taxes (but not real property taxes for the Project located within any Lot which shall be the responsibility of the Owner of such Lot) and amortized cost of capital improvements for the Common Areas of the Project; insurance; utility costs (including with limitation, water and electricity for the Common Areas); cleaning and maintenance of the Common Areas or any portion thereof; maintenance of Common Area landscaping and trail system and the replacement

of same as necessary; cleaning, striping, sealing and paving of the paved surfaces of the Common Area; the maintenance, repair, replacement of all facilities necessary for the delivery of other utilities or lighting which may exist for the benefit of the Common Areas or all Lots within the Project, specifically including all water facilities and all charges for water services supplied to the Lots; the maintenance of any pipes, submeters or other appurtenances necessary for the delivery of any utility service the Common Areas and the Lots to the extent such maintenance is not the responsibility of a public utility included but not limited to water service; and maintenance of reasonable replacement reserves.

"**Consenting Owner**" shall mean the Declarant and or its assigns pursuant to Section 7.2, or if Declarant and/or its assigns no longer owns any portion of the Project, the Declarant's successor-in-interest to the Property identified as Outlot I.

"**Declarant**" has the meaning set forth in the Preamble, together with its successors and assigns, to whom rights and powers reserved herein to Declarant expressly are conveyed or assigned by operation of law.

"**Default Interest Rate**" means a per annum rate of interest equal to the twelve percent (12%) percent, or the maximum allowable contract rate of interest under law then in effect in the State.

"**Design Standards**" shall mean any rules, regulations, and/or standards that may be adopted by the Owners in conformity with this Declaration pursuant to Section V below, for the development and use of the Lots within the Project, as may be amended, revised and/or supplemented by the Consenting Owner from time to time.

"**Environmental Laws**" means and includes all Applicable Law relating to pollution or protection of human health, wildlife, natural resources, or the environment (including ambient air, surface water, ground water, land surface, or subsurface strata) including such laws governing or regulating the use, generation, storage, removal, remediation, recovery, treatment, handling, transport, disposal, control, release, discharge of, or exposure to, Hazardous Materials. Without limiting the generality of the foregoing, Environmental Laws include the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. Section 9601, *et seq.*; the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901, *et seq.*; the Toxic Substances Control Act, 15 U.S.C. Section 2601, *et seq.*; the Clean Water Act, 33 U.S.C. Section 1251, *et seq.*; the Hazardous Materials Transportation Act, 49 U.S.C. Section 5101, *et seq.*; the Clean Air Act, 42 U.S.C. Sections 7401, *et seq.*; the Safe Drinking Water Act, 42 U.S.C. Section 300f, *et seq.*; the Occupational Safety and Health Act, 29 U.S.C. Chapter 15, *et seq.*; the Federal Water Pollution Control Act, 33 U.S.C. Sections 1251, *et seq.*; the Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. Section 136, *et seq.*; the River and Harbors Appropriation Act, 33 U.S.C. Section 403, *et seq.*; The Emergency Planning and Community Right to Know Act of 1986, 42 U.S.C. Section 110001, *et seq.*; all regulations adopted thereunder; and any similar local, state or federal laws, rules, ordinances or regulations either in existence as of the date hereof, or enacted or promulgated after the date of this Declaration.

"**Hazardous Substances**" means those substances now or hereafter included within (whether as a result of such substance's inclusion on a list, physical characteristics, or otherwise)

any of the definitions of "hazardous substances," "hazardous waste," "hazardous materials," "pollutant," "contaminant," or "toxic substance" under, or otherwise regulated by, any Environmental Laws, including, but not limited to: (i) mixtures containing listed Hazardous Substances and waste generated from the treatment, storage, or disposal of Hazardous Substances; (ii) asbestos; (iii) polychlorinated biphenyls; (iv) radioactive materials; and (v) petroleum (including crude oil or any fraction thereof), natural gas, natural gas liquids, liquified natural gas, and synthetic gas.

"**Lien**" Lien shall mean a lien against any Lot or Lots arising pursuant to this Declaration.

"**Lot**" or "**Lots**" shall mean those Lots described on Exhibit "B" and any legally created parcel of land hereafter created and located within the Project, including without limitation the subsequent division, if any, of any such Lots. No Lot may be created other than by Declarant so long as Declarant owns any portion of the Project, unless prior written approval is obtained from Declarant.

"**Mortgage**" shall mean a mortgage, deed of trust or other security device affecting all or any portion of the Project and which shall have been recorded in the Public Records.

"**Mortgagee**" shall mean and refer to the mortgagee, beneficiary, or other holder of any of a Mortgage, provided the name and address of such mortgagee, beneficiary, or other holder shall appear among the Public Records.

"**Occupant**" shall mean anyone occupying or using a Lot under or through the Owner, including, without limitation, any Owner, lessee, licensee, user or their employees, agents, contractors, licensees, customers, or invitees.

"**Owner**" or "**Owners**" shall mean any Person having any fee simple estate in any Lot, excluding any Person who holds such interest as security for the payment of an obligation, but including any Mortgagee or other security holder in actual possession of any Lot, by foreclosure or otherwise, and any Person taking title from any such security holder.

"**Person**" or "**Persons**" means any individual, corporation, partnership, firm, trustee, or other legal entity, and all respective heirs, successor, and assigns.

"**Project**" has the meaning set forth in the Recitals. The term Project shall include such additional tracts that, from time to time, are subjected to the provisions of this Declaration and shall not include any tracts that, from time to time, are withdrawn as provided under this Declaration.

"**Public Records**" shall mean the Official Records of Ada County, Idaho, or such other public office as may, at the time and according to context, be the repository of records and documents imparting contractive notice under applicable local, state or federal law.

"**Signage Criteria**" shall mean the signage criteria for the Project as established by the Declarant attached hereto as Exhibit "C" and made a part hereof, as amended, modified or supplemented from time to time by the Consenting Owner.

"**Structure**" or "**Structures**" shall mean any thing, device or improvement, the placement of which upon any Lot might affect the physical appearance thereof, including, by way of illustration and not limitation, Buildings, covered patios, canopies, drive-throughs, walkways, driveways, parking areas, trees, shrubbery, paving, curbing, landscaping, fences or walls, satellite dishes, television or radio antennas, and any sign or signboard.

Section 1.02 General Declaration. Declarant hereby declares that all of the Project, is hereby made subject to this Declaration and shall be conveyed, hypothecated, encumbered, leased, occupied, built upon or otherwise used, improved, or transferred, in whole or in part, subject to this Declaration. All of the covenants and provisions of this Declaration are hereby declared to be in furtherance of a general plan for the use, enjoyment, improvement, subdivision, and sale of Lots within the Project, and are established for the purpose of enhancing and perfecting the value, aesthetics, desirability and attractiveness of the Project and the Lots. All of the covenants, conditions, restrictions and easements provided in this Declaration shall run with the land now or hereafter constituting the Project, for all purposes, and shall be binding upon and inure to the benefit of Declarant and all Owners, as well as their respective successors=in-interest and assigns. All of the covenants, conditions, restrictions and easements provided in this Declaration shall also be binding upon all Occupants of the Project, as well as their respective successors-in-interest and assigns.

ARTICLE II
DURATION AND MODIFICATION OF RESTRICTIONS

Section 2.01 Duration. This Declaration shall remain in full force and effect for fifty (50) years after the date of recordation of this Declaration in the Public Records, and may not be terminated prior to such date, unless terminated by instrument recorded in the Public Records and executed by (a) the then record Owner or Owners of seventy-five percent (75%) of the gross acreage of the Project, (b) Declarant (so long as Declarant owns any interest in the Project), and (c) if applicable, any Required Mortgagees as defined in Section 2.03. Thereafter, this Declaration shall be renewed automatically, without further notice and without limitation, for successive renewal periods of ten (10) years each, unless terminated by instrument recorded in the Public Records and executed by the Owners of seventy-five percent 75%) of the gross acreage of the Project and, if applicable, any Required Mortgagees. Provided, however, that any termination of this Declaration shall not operate to terminate the easements granted under Article VI hereof to the extent that such easements are necessary for the continued use of any Lot, unless a separate easement is granted and recorded in connection with the instrument terminating this Declaration.

Section 2.02 Amendment. So long as Declarant owns any portion of the Project, this Declaration may be modified only by the recordation, in the Public Records, of an agreement or document of modification executed by (a) the then record Owner or Owners of at least fifty-one percent (51%) of the gross acreage of the Project, (b) Declarant and (c) if applicable, any Required Mortgagee. At such time as Declarant no longer owns any portion of the Project, this Declaration may be modified only by the recordation, in the Public Records, of an agreement or document of modification executed by the record Owners of at least seventy-five percent (75%) of the gross acreage of the Project and, if applicable, any Required Mortgagee.

Section 2.03 Required Mortgagee Consent. A first Mortgage may by its terms require that a termination or amendment of this Declaration (or certain specified amendments) be approved in writing by the holder of the Mortgage (the Mortgagee under such a first Mortgage is referred to as a "**Required Mortgagee**"). In such event, a termination or amendment (or, if applicable, the specified amendment) shall not be effective as against a Required Mortgagee without its prior written approval or consent.

ARTICLE III
USE OF PROJECT

Section 3.01 No Hazardous Waste. No Lot or any portion thereof shall be utilized for the storage or disposal of Hazardous Substance, nor shall any Owner cause, suffer or permit any Hazardous Substance to be brought upon, kept, stored, disposed of, released, manufactured or used in or about the Project, except to the extent the bringing upon, keeping storage, manufacturing or use of such Hazardous Substance (i) is necessary, consistent with or useful to the conduct of any business lawfully permitted to be operated (under applicable laws and this Declaration) within the Project; (ii) will be in strict compliance with all Laws, including without limitation, all Environmental Laws; (iii) will not result in the breach or default under a Mortgage; (iv) is not harmful to, and will not unreasonably interfere with the business operations of, any other Owner or Occupant, of the Project; (v) will not cause any increase in the amounts of insurance otherwise required to be carried by any other Owner hereunder; and (vi) will not create a nuisance. If an Owner breaches the obligations stated in the preceding sentence, or if, notwithstanding that such presence is permitted under the preceding sentence, the presence of Hazardous Substance within the Project caused, suffered or permitted by an Owner results in contamination of the Project or any part thereof, or if contamination of the Project or any part thereof by Hazardous Substances otherwise occurs for which an Owner is legally liable to any other Owner or Occupant of the Project or Declarant for damage directly resulting therefrom, then such Owner shall protect, indemnify, defend and hold the other Owners and Occupants and Declarant harmless from and against any and all claims (including, without limitation, diminution in value of the Project, damages for the loss or restriction on use of rentable or usable space or of any amenity of the Project, damages arising from any adverse impact on marketing of space, and sums paid in settlement of claims, reasonable attorneys' fees, consultant fees, expert fees and costs) which arise as a result of such contamination, unless caused the gross negligence or willful misconduct of the other Owners, and/or Occupants. This indemnification includes, without limitation, costs incurred in connection with any investigation of site conditions or any cleanup, remediation, removal, or restoration work required by any federal, state, or local governmental agency or political subdivision because of Hazardous Substances present in the soil or ground water on or under the Project. Without limiting the foregoing, if the presence of any Hazardous Substance within the Project or any part thereof caused, suffered or permitted by an Owner directly results in any contamination of the Project or any part thereof, such Owner shall promptly take all actions as are necessary at its sole expense to return the Project or such part thereof to the condition existing prior to the introduction of any such Hazardous Substance to the Project; provided, that the written approval of such actions shall first be obtained from the affected Owners, all Mortgagees and Declarant (if Declarant then owns any interest in the Project).

Section 3.02 General Use Restrictions and Prohibited Uses. Each Lot shall be used for lawful retail or commercial purposes in conformance with the restrictions set forth herein and all restrictions imposed by all applicable Laws and no use or operation shall be made, conducted or palliated on or with respect to all or any portion of a Lot which is illegal. In addition to the foregoing, throughout the term of this Declaration, no portion of the Project shall be used, directly or indirectly, for purposes of:

(i) an adult book store, adult theatre, adult amusement facility, any facility selling or displaying pornographic materials (provided; however the incidental sale of such materials by a regional or national retailer (by way of example, without limitation, a book store, video store, drug store or electronics store) in accordance with such retailer's standard business operations and applicable governmental requirements and regulations shall be permitted);

(ii) auction house or flea market;

(iii) commercial laundry or dry cleaning plant (provided; however, a pick up and drop off dry cleaning business shall be permitted);

(iv) mobile home or trailer court;

(v) mortuary;

(vi) labor camp; junkyard, stock yard or use involving animal raising (provided, however, a national pet supply or pet store shall be permitted);

(vii) any automobile body and fender repair shop operation, or any retail automotive repair shop, including auto part stores, tire stores, and car audio stores with incidental service bays for the installation of products sold from such stores;

(viii) any use which constitutes a public or private nuisance;

(ix) any use which produces any noxious odor which may be smelled outside any Building other than such odors as are typically incidental to first class retail operations;

(x) any use which produces any excessive quantity of litter, dust, dirt or ash;

(xi) any use involving unusual fire, explosive or other damaging or dangerous hazards (including the storage, display or sale of explosives or fireworks);

(xii) any operation for drilling for and/or removal of subsurface substances; or

(xiii) any operation involving dumping, disposal, incineration or reduction of garbage or refuse, other than in enclosed receptacles intended for such purposes.

Section 3.03 Omitted Nuisances and Noxious or Offensive Activities. No Owner or Occupant of any portion of the Project shall create a nuisance to all or any part of the Project or the surrounding properties. No rubbish or debris of any kind shall be placed or permitted to

accumulate upon any Lot (except trash awaiting regular removal and temporarily placed in approved trash receptacles) and no odors, vibrations or noises shall be permitted to arise therefrom so as to render any Lot or portion thereof unsanitary, unsightly, offensive or detrimental to any Lot in the vicinity thereof or to the Owners or Occupants thereof.

Section 3.04 Underground Utilities, Pipes, etc. All pipes, conduits, cables, lines and other equipment for water, gas, sewage, drainage, steam, electricity, or any other energy or service, shall be installed and maintained underground in accordance with and subject to applicable Laws.

Section 3.05 Signs. The location, size, design and construction of all Owner and Occupant signs shall be established and maintained in accordance with plans and specifications approved by the Consenting Owner pursuant to Article V below and consistent with the Signage Criteria, subject to applicable county and municipal codes.

Section 3.06 Fumes, Gases, Odors, etc. No fumes, odors, gases, vapors, acids or other substances shall be permitted to escape or be discharged or released into the atmosphere which are determined to be detrimental to the health, safety or welfare of Persons within the Project or surrounding properties, or which are harmful to property or vegetation. Without limiting the generality of any other provision hereof, all uses within the Project shall comply with all Laws, including without limitation all applicable county or municipal air pollution control standards.

Section 3.07 Maintenance of Lots. Subject to Section 7.01 below, the Owner of every Lot shall maintain the Building Area of its Lot (including without limitation all Structures thereon) in a safe, clean, neat and sanitary condition and in all respects in compliance with all Laws, including without limitation governmental zoning, health, fire and police requirements. Such maintenance shall, if applicable, include, without limitation the foregoing:

(i) Operating, maintaining, keeping in good condition and repair and replacing, as necessary, all lighting facilities attached to the Building on the Lot (and paying all electricity costs related thereto), as shall be reasonably required for the safe and attractive condition of the Lot;

(ii) Maintaining in good condition and repair and consistent with standards of a first- class retail and commercial center, and replacing, as necessary, all Structures located in the Building Area of the Lot, including without limitation, walls, roofs, HVAC systems, covered walkways, overhangs and patio areas;

(iii) Routinely painting (not less than once every ten (10) years) the exterior of all Structures located on the Lot in a color approved by the Consenting Owner;

(iv) Maintaining all Structures located on the Building Area of the Lot in compliance with applicable Laws, including without limitation all Accessibility Laws; and

(v) Maintaining, repairing and replacing, as necessary, all mechanical systems associated with the domestic water facilities which serve the Owner's Lot;

(vi) maintaining, repairing and replacing, as necessary, all exterior trash receptacles and trash enclosures (if any) applicable to the Building located on such Owner's Lot;

(vii) Watering all landscape areas located on the Lot in only the amount sufficient to sustain plant life; and

(viii) Maintaining in effect at all times, a contract with a third-party for the maintenance and off-site monitoring of the fire-safety systems, facilities and components on each Lot in compliance with the provisions of Section 3.16.

(ix) In the event that any portion of the Project and/or Building is damaged by an Owner, its agents, licensees, Occupants, servants, partners or employees, such Owner shall, at their cost to the extent the same is not covered by insurance, expeditiously repair and restore the damaged portion of the Project to a safe, clean, neat, and structurally sound condition.

Section 3.08 Construction Clean-Up. During construction or alteration of any Structure on any Lot, the Owner thereof shall keep the construction site free of accumulations of rubbish and scrap materials to the fullest extent practical. Construction materials, trailers and similar items employed in connection with such construction shall be kept within the property lines of the Lot and in a neat and orderly manner, and shall be removed promptly upon completion of construction. All construction activities shall be conducted in a manner so as not to unreasonably interfere with the business activities of any Owner or Occupant of a Lot.

Section 3.09 Animals. No livestock, poultry or other animals shall be kept on any Lot without the written consent of the Declarant or the Association.

Section 3.10 Dirt, Dust, and Waste Discharge. No use will be permitted which emits dust, sweepings, dirt or cinders into the atmosphere, or discharges liquid, solid wastes or other harmful matter into any runoff, irrigation or other water in violation of any Laws, or regulations of any public body having jurisdiction over the Project. No waste or any substance or materials of any kind shall be discharged into any public or private sewer serving the Project, or any part thereof, in violation of any Laws, or regulations of any public body having jurisdiction over the Project.

Section 3.11 Drainage. There shall be no interference with the established drainage pattern of the Project, without the prior written consent of the Association. Drainage patterns and easements will be designed so that no change in the locations of the building structures as shown on Exhibit B attached hereto will be required.

Section 3.12 Laws. All Owners and Occupants shall, at all times, comply with all Laws, including without limitation the covenants, conditions, obligations and restrictions contained in this Declaration.

Section 3.13 Enclosed Operations; Exterior Storage. Except for loading, unloading, parking, all operations and business activities on a Lot shall be carried on within fully enclosed buildings, and no other outside operations shall be permitted, except in accordance with the guidelines

adopted by the Consenting Owner. No equipment, machinery, products, materials, debris, or similar matters shall be placed, stored, or kept outside of any building in the Project, except in strict compliance with all Laws and with the approval of the Declarant and/or the Owners and in such event, the Owner shall store all such equipment, machinery, products, materials, debris, and similar matters in a neat, clean and attractive manner.

Section 3.14 Leafleting. No distribution, advertising, leafleting, broadcasting, posting or other dissemination of any handbills, streamers, circulars, flyers or other promotional or advertising materials whatsoever shall be permitted at any time in the Project.

Section 3.15 Off-street Parking. No parking shall be permitted on the landscape area, any street, lawn, median strip, public walkway, swales, berm or other unpaved area or at any place other than on paved and designated parking spaces.

Section 3.16 No Further Subdivision. No Lot may be divided into two or more parcels, nor may the property lines of any Lot be altered, whether by lot line adjustment, subdivision map, record of survey, parcel map or otherwise, without the prior written approval of (i) the Owners and, (ii) for so long as Declarant owns any interest in the Project, of Declarant.

Section 3.17 Fire-Safety Systems. Each Owner shall be responsible for the maintenance, repair and replacement, as necessary, of the sprinklers, alarms, smoke detectors and other fire-safety systems, facilities and components existing from time to time on, and/or servicing, its Lot and the Structures thereon. Furthermore, each Owner shall be required to separately secure the services of a third-party for the maintenance and off-site monitoring of all such fire-safety systems, facilities and components on, and/or servicing, each Lot.

ARTICLE IV
PARKING

Section 4.01 Non-Exclusive Parking. All parking in the Project shall be reciprocal and for the non-exclusive use by all Owners of the Project and their Occupants and respective guests, employees, customers, agents and invitees. The Owners, Occupants, guests, employees, customers, agents and invitees of each Lot shall be entitled to use a reasonable number of the non-exclusive parking spaces in the Project, but in no event shall such use by the Owners, Occupants, guests, employees, customers, agents and invitees of a single Lot exceed the number of parking spaces that would otherwise be allocated to such Lot under applicable parking code.

Section 4.02 Additional Parking Restrictions. There shall be no parking of any kind allowed on any drive aisle, landscape area, lawn, median strip, walkway, any unpaved area or any other place other than on paved and designated parking space within the Project. No vehicle shall be parked in any parking areas of the Project for more than twelve (12) consecutive hours without the prior written consent of the Consenting Owner.

Section 4.03 Parking Enforcement. Any vehicles parked in the parking areas in violation of these terms may be towed away at the direction of the Consenting Owner (and/or the Lot Owner if such vehicle is parked in such Owner's Reserved Parking area), without imposing any liability on the Consenting Owner and/or the Lot Owner for such action, including without limitation, for any consequential damages, loss of property or loss of the use of the vehicle or

other property. Additionally, the Consenting Owner shall have the right to charge a fee not to exceed One Hundred Dollars ($100.00) per over-parked vehicle per day, to any Owner whose Occupants, guests, employees, agents, customers or invitees are over-parking in violation of the terms of this Article IV.

ARTICLE V
ARCHITECTURAL CONTROL

Section 5.01 Architectural Review. No construction activities shall commence on a Lot, nor shall any Structure be erected, placed, moved onto or permitted to remain on any Lot, nor shall any existing Structure upon any Lot be altered in any way which materially changes the exterior appearance thereof, unless plans and specifications (including without limitation a description of any proposed use) thereof shall have been submitted to and approved in writing by the Consenting Owner. Such submittals shall be in such form, and shall contained such information, as may be reasonably required by the Consenting Owner.

Section 5.02 The Consenting Owner shall have the right, without obligation to disapprove or request modifications of any plans and specifications submitted hereunder because of any of the following:

(i) failure to comply with any provision of this Declaration or any Law;

(ii) failure to include information in such plans and specifications as may have been reasonably requested by the Consenting Owner;

(iii) incompatibility of any proposed Structure or use with existing Structures or uses upon other Lots or other properties in the vicinity;

(iv) objection to the location of any proposed Structure upon any Lot or with reference to other Lots in the vicinity;

(v) objection to the grading plan for any Lot;

(vi) objection to the color scheme, finish, proportions, style of architecture, height, bulk or appropriateness of any Structure;

(vii) objection to the design or location of Building Areas for any Lot; or

(viii) any other matter which, in the reasonable judgment of the Consenting Owner, would render the proposed Structure or Structures or use inharmonious with the general plan of improvement of the Project or with Structures located upon other Lots.

In any case where the Consenting Owner shall disapprove any plans and specifications submitted hereunder, or shall approve the same only as modified or upon specified conditions, such disapproval or qualified approval shall be accompanied by a statement of the grounds upon which such action was based. In any such case the Consenting Owner shall, if requested, make reasonable efforts to assist and advise the applicant in order that an acceptable proposal can be prepared and submitted, or re-submitted, for approval.

of the arbitration. **THE DECISION OF THE ARBITRATOR SHALL BE FINAL AND BINDING.**

(iv) **Waiver of Jury Trial. DECLARANT, THE CONSENTING OWNER, AND, BY ACCEPTANCE OF A DEED TO A LOT, EACH OWNER, AND, BY ACCEPTANCE OF POSSESSION OF ALL OR PART OF THE LOT OR STRUCTURE, EACH OCCUPANT, FOR ITSELF AND ALL PERSONS CLAIMING BY, THROUGH OR UNDER SUCH OWNER OR OCCUPANT, SHALL CONCLUSIVELY BE DEEMED TO HAVE AGREED TO HAVE ANY DISPUTE DECIDED BY NEUTRAL ARBITRATION IN ACCORDANCE WITH THIS ARBITRATION AGREEMENT, AND SUCH PARTIES ARE GIVING UP ANY RIGHTS EACH MIGHT POSSESS TO HAVE THE DISPUTE LITIGATED IN A COURT OR JURY TRIAL, AND ARE GIVING UP THEIR RESPECTIVE JUDICIAL RIGHTS TO DISCOVERY AND APPEAL. IF THE DECLARANT, THE CONSENTING OWNER, ANY OWNER OR ANY OCCUPANT REFUSES TO SUBMIT TO ARBITRATION SUCH PARTY MAY BE COMPELLED TO ARBITRATE. THE PARTIES' AGREEMENT TO THIS ARBITRATION PROVISION IS VOLUNTARY.**

(v) **Confidentiality.** Declarant, the Consenting Owner, each Owner and each Occupant, whether or not a party to an arbitration under this Section 14.02, and each arbitrator, is expressly prohibited from disclosing the existence, content or results of any arbitration hereunder without the prior written consent of all parties to such arbitration.

ARTICLE XV
GENERAL

Section 15.01 Interpretation. The provisions of this Declaration shall be liberally construed together, to effectuate the purpose of creating a uniform plan for the development and operation of the Project. All provisions shall be construed so as to be in conformance with, and shall be governed by, Idaho law.

Section 15.02 Severability. The determination by any court that any provision of this Declaration is unlawful, void or unenforceable shall not affect the validity of any other provision hereof; and no such determination that any provision hereof is inapplicable or unenforceable as to any particular Lot or Lots shall affect the applicability or enforceability of that provision or any other provision hereof to any other Lot or Lots.

Section 15.03 Waiver of Reversionary Right. This Declaration shall not be construed as conditions, or creating a possibility of reverter, and no provision hereof shall be deemed to vest in the Declarant or any other Person any reversionary interest with respect to any Lot. Any such reversionary right is hereby expressly waived.

Section 15.04 Effect of Headings. The headings of the Articles and Sections herein are for convenience only and shall not affect the meanings or interpretation of the contents thereof.

Section 15.05 Conflict with Applicable Laws. This Declaration shall not be taken as permitting any action or thing prohibited by the applicable zoning laws, or any other laws, codes,

ordinances or regulations of any governmental authority, or by specific restrictions imposed by any deed. In the event of any conflict, the most restrictive provision of same shall be taken to govern and control.

Section 15.06 Remedies Cumulative. Each remedy provided in this Declaration is cumulative and not exclusive.

Section 15.07 Attorneys Fees. In the event of any action to interpret or enforce the terms and provisions of this Declaration, the prevailing party or parties shall be entitled to its costs and reasonable attorneys fees from the non-prevailing party or parties including those on appeal.

Section 15.08 Governing Law. This Declaration shall be governed and construed in accordance with the law of the State of Idaho, without giving effect to any choice or conflict of law provision or rule (whether of the State or any other jurisdiction) that would cause the application of laws of any jurisdiction other than those of the State.

Section 15.09 Submission to Jurisdiction. The parties hereby agree that any suit, action, or proceeding seeking to enforce any provision of, or based on any matter arising out of or in connection with, this Declaration or the transactions contemplated hereby, whether in contract, tort, or otherwise, shall be brought in a court of competent jurisdiction in Ada County Idaho, and that any cause of action arising out of this Declaration shall be deemed to have arisen from a transaction of business in the State. Each of the parties hereby irrevocably consents to the jurisdiction of such courts (and of the appropriate appellate courts therefrom) in any such suit, action, or proceeding and irrevocably waives, to the fullest extent permitted by Applicable Law, any objection that it may now or hereafter have to the laying of the venue of any such suit, action, or proceeding in any such court or that any such suit, action, or proceeding that is brought in any such court has been brought in an inconvenient forum. Service of process, summons, notice, or other document by registered mail to the address set forth in Section 15.10 shall be effective service of process for any suit, action, or other proceeding brought in any such court.

Section 15.10 Notices. Unless specifically stated otherwise in this Declaration, all notices, waivers, and demands required or permitted hereunder shall be in writing and delivered to the addresses set forth below, by one of the following methods: (a) hand delivery, whereby delivery is deemed to have occurred at the time of delivery; (b) a nationally recognized overnight courier company, whereby delivery is deemed to have occurred the business day following deposit with the courier; (c) registered United States mail, signature required and postage-prepaid, whereby delivery is deemed to have occurred on the third business day following deposit with the United States Postal Service; or (d) electronic transmission (facsimile or email) if the transmission is completed no later than 5:00 p.m. Pacific Time on a business day and the original also is sent via overnight courier or United States Mail, whereby delivery is deemed to have occurred at the end of the business day on which electronic transmission is completed.

If to Declarant: CRMM LLC
Attn: Margo Chemysheva
8942 Spanish Ridge Ave.
Las Vegas, NV 89145

With a copy to:	Sylvester & Polednak, Ltd. Attn: Jordan A. Doctors, Esq. 1731 Village Center Cir. Las Vegas, NV 89134 jordan@sylvesterpolednak.com
If to any other Owner or Occupant:	To such address as such Owner or Occupant shall designate in writing to the Consenting Owner, or to the Owners' or Occupant's address in the Project, if no other address is designated.
If to the Consenting Owner:	To the address of the current principal office of the Consenting Owner.

Any party may change its address for purposes of this Section 15.10 by giving written notice as provided in this Section 15.10. All notices and demands delivered by a party's attorney on a party's behalf shall be deemed to have been delivered by said party. Notices shall be valid only if served in the manner provided in this Section 15.10.

Section 15.11 Declarant's Right to Deed Additional Property to the Project. Notwithstanding anything to the contrary contained herein, Declarant shall have the absolute right, at any time prior to or after the transfer of all of its interest in the Project to the Owners, and without the need for any approval or acceptance by the Consenting Owner or the Owners, or any other party, to deed to the Project, any real property then owned by Declarant or its affiliates, which real property is adjacent to or within the Project and which exclusively services the Project. In such event such real property shall constitute part of the Common Area and shall be maintained by the Consenting Owner, at the expense of the Owners, in accordance with the terms of this Declaration.

Section 15.12 Non-Discrimination. Each Owner by acceptance of a deed to a Lot, and each Owner and Occupant by accepting possession to all or any portion of a Lot, promises and agrees that there will be no discrimination against, or segregation of, any person or group of persons on the basis of race, color, sex, creed, national origin or ancestry in the leasing, subleasing, transferring, occupancy, tenure or use of the Project or any portion thereof.

Section 15.13 Approvals. No approval by the Declarant or the Consenting Owner under the provisions hereof shall be effective unless in writing, unless otherwise expressly provided herein.

Section 15.14 Third-Party Beneficiary; Successors and Assigns.

(i) **Third-Party Beneficiary.** This Declaration is an agreement solely for the benefit of the Owners (and their permitted successors and/or assigns). No other Person shall have any rights hereunder nor shall any other Person be entitled to rely on the terms, covenants, and provisions contained herein. The provisions of this Section 15.14 shall survive the termination of this Declaration or dissolution of the Declarant.

(ii) **Successors and Assigns.** This Declaration and all its covenants, terms, and provisions shall be binding on and inure to the benefit of each Party and its successors and assigns.

Section 15.15 Further Assurances. Each Owner agrees to do such things, perform such acts, and make, execute, acknowledge, and deliver such documents as may be reasonably necessary and customary to carry out the intent and purposes of this Declaration, so long as any of the foregoing do not materially increase any Owner's obligations hereunder or materially decrease any Owner's rights hereunder.

Section 15.16 Days; Performance on a Saturday, Sunday, or Holiday. Whenever the term "day" is used in this Declaration, it shall refer to a calendar day unless otherwise specified. Should this Declaration require an act to be performed or a notice to be given on a day other than a business day, the act shall be performed or notice given on the following business day.

IN WITNESS WHEREOF, Declarant has executed this Declaration the day and year first above written:

DECLARANT
CRMM, LLC
a Nevada limited liability company

By:_____
Name:_____
Its:_____

STATE OF NEVADA

COUNTY OF CLARK

On this _____ of _____, 2022, before me, _____, Notary Public, personally appeared _____ as _____ of CRMM, LLC, who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the written instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

_____ (SEAL)
Notary Public Signature

Troy Behunin

From: Troy Behunin
Sent: Thursday, August 18, 2022 5:33 PM
To: 'Ada County Highway District'; 'Adam Ingram'; Bobby Withrow; 'Boise Project Board of Control'; 'Boise-Kuna Irri. Dist.'; 'Brent Moore (Ada County)'; Catherine Feistner; 'Central District Health Department '; 'Chief Fratusco'; 'Dennis Chan (Dennis.chan@usps.gov)'; 'DEQ'; 'Eric Adolfson'; 'Erika Olvera'; 'Idaho Power Easements'; 'Idaho Power Easements 2'; 'Intermountain Gas'; 'ITD'; 'J&M Sanitation'; 'Leon Letson (Ada County)'; 'Marc Boyer (Kuna Postmaster)'; 'Nampa Meridian Irrigation District '; 'New York Irrigation'; 'Paris Dickerson'; Paul Stevens; 'Public Works'; 'Robbie Reno'; 'Sara Arjonas ITD D3'; 'Scott Arellano (KRFD) (scott@fccnwi.com)'; 'Stacey Yarrington (Ada County)'; 'TJ Lawrence (Interim KRFD Chief)'; Danielle Horras; COMPASS; Boise-Kuna Irri. Dist.
Cc: Doug Hanson
Subject: Paul Bunyan Plaza Official Request for Agency Comments

Categories: Agency Comments

To view the transmittal packet, please use the link provided in the attachment

Agency Transmittal – August 17, 2022

Notice is hereby given by the City of Kuna the following actions are under consideration**:**

CASE NUMBER(S):	22-13-S (Pre Plat) and 22-30-DR (Design Review), for the Paul Bunyan Plaza.
PROJECT DESCRIPTION	Applicant requests Preliminary Plat approval in order to subdivide approximately 16.26 ac. into 12 commercial lots. The site was previously Annexed and Zoned as C-2 (Area Commercial). The Applicant is proposing a landscape buffer along Meridian and Deer Flat Roads, within a 20-foot easement. Site is within Section 13 Township 2 North, Range 1 West, Accessor Parcel Number S1313449910.
SITE LOCATION(S)	The site is located at the NWC of Meridian Road and Deer Flat Road, Kuna, Idaho 83634.
REPRESENTATIVE	**Ben Thomas, Civil Innovations, PLLC** 1043 E Park Blvd. Ste. 101 Boise, ID 83712 208.884.8181 ben@civil-innovations.com
SCHEDULED HEARING DATE	Tuesday, **November 9, 2022,** at 6:00 PM, Kuna City Hall Council Chambers, 751 W 4th Street, Kuna, ID 83634
STAFF CONTACT	Troy Behunin Planner III TBehunin@kunaid.gov

PROJECT PACKET LINK	http://kunacity.id.gov/DocumentCenter/View/8147/Paul-Bunyan-Plaza-22-13-S-22-30-DR

CLICK (hold Ctrl), or *copy* & *paste* this link >>> http://kunacity.id.gov/DocumentCenter/View/8147/Paul-Bunyan-Plaza-22-13-S-22-30-DR

If you have question, please let us know.
Thank you,
Troy

Troy Behunin
Planner III
City of Kuna
751 W. 4th Street
Kuna, ID 83634
TBehunin@KunaId.Gov

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CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

Catherine Feistner, E.I.T.
Assistant Kuna City Engineer

Brady Barroso
Engineering Technician I

MEMORANDUM

To:	**Doug Hanson**	**- Planning and Zoning Director**
From:	**Brady Barroso**	**- Engineering Technician I**
	Catherine Feistner	**- Assistant City Engineer**
Date:	**31 October 2022**	
RE:	**Public Works Comments**	
	Paul Bunyan Plaza, 22-13-S (Preliminary Plat), 22-30-DR (Design Review)	

The Paul Bunyan Plaza, 22-06-S, 22-26-DR, preliminary plat and design review request dated 17 August 2022 has been reviewed. The applicant wishes to plat with a City of Kuna (City) C-2 (area commercial) zone. These comments apply to the application as they affect public works infrastructure. Review of civil design drawings is accomplished separately, when received.

This project is located within the Danskin lift station basin which currently does not have capacity to provide sewer service for Paul Bunyan Plaza. Sewer service for Paul Bunyan Plaza Phase 1 will be contingent on the successful completion of the 18" Danskin sewer force main project. Sewer capacity (equivalent dwelling units (EDU's)) that become available upon completion of the 18" Danskin force main will be distributed on a first come first serve basis. EDU's will be soft reserved once the civil construction drawings are received and issuance of the QLPE will hard reserve the EDU's needed for each phase. Public Works staff cannot support approval of this application until the 18" Danskin force main project is complete.

Comments may be expanded or refined in connection with the future land-use actions.

1) Inspection & Fees

a) An inspection fee will apply to inspect the final construction of water, sewer, and irrigation facilities associated with this development.
b) The developer shall retain a qualified responsible, Idaho registered professional engineer to provide sufficient inspection to certify to DEQ that the project was completed in accordance with approved plans and specifications and to provide accurate as-built drawings to the City.
c) All applicable utility inspection and utility flow modeling fees shall be paid by the developer in accordance with City of Kuna Resolution R57-2021. *Payment is due and payable prior to the pre-construction meeting.*

d) The Kuna Rural Fire District's fees can be found on their website. *Payment is due and payable prior to the preconstruction meeting.*

2) General

a) The applicant requests to plat approximately 16 acres.
b) Commercial Equivalent Dwelling Units (EDU's) will be determined at the time of building permit.
c) Areas for outside activities are incorporated into the project. Connection to the City of Kuna Pathways Master Plan presents a long-term goal that should be considered.
d) A construction drawing approval letter from the local irrigation district will be required if this project affects irrigation supply/delivery in any way.
e) Elevations shall be actual NAVD 88 datum elevations. A localized elevation system is not acceptable.
f) All positional information shall be from the most recent state plane coordinate system.
g) Provide engineering certification on all final engineering drawings.
h) The City of Kuna requires streetlights in all subdivisions. Streetlights are required along arterial roads bordering the subdivision, at the entrances of the subdivision, at intersections, and at every 250' interval. Streetlights should be coincident with Fire Hydrants whenever possible.
i) Fire suppression shall be available and approved by KRFD.
j) No building permits will be issued and no construction can begin without adequate fire protection.
k) Fiber conduit shall be designed and constructed on all mile and mid-mile roads or as otherwise noted.

3) Right-of-Way

a) Sufficient right-of-way for existing and future classified streets shall be provided pursuant to City & ACHD standards.
b) Approaches onto classified streets must comply with ACHD approach policies.
c) All street construction must meet or exceed City of Kuna and ACHD development standards.
d) All City mainlines crossing proposed lots or located on the backs or sides of lots shall have easements that allow the City of Kuna to access and maintain the utilities.
e) The KRFD Deputy Fire Marshal, or representative, must approve fire/public safety access to the subdivision.
f) Roads must continue to and through to the next road connection to promote connectivity throughout the City.

4) Sanitary Sewer Connection

a) The city is unable to service this development until capacity in the Danskin lift station is relieved by the operating 18" Danskin force main project.
b) EDU's will be soft reserved once the civil construction drawings are received and issuance of the QLPE will hard reserve the EDU's needed for each phase.
c) The applicant's property is not connected to City services. The closest possible connection to gravity sewer is located directly to the south of the proposed development in E Deer Flat Rd.
d) City code 5-16-3-B.2 states public sewer utilities shall be extended to each parcel when sewer is available within three hundred (300) feet of the parcels.

e) Existing sewage treatment facilities (septic tank and drain field) must be decommissioned in accordance with Idaho Department of Environmental Quality (DEQ) requirements. Documentation shall be provided to the City of Kuna.
f) Sewer must provide connectivity for surrounding developments.
g) No cleanouts are permitted at the end of runs in lieu of manholes per Kuna City Code 6-4-2-B.14.
h) All sewer infrastructure must meet or exceed City of Kuna requirements.
i) Sewer flow models will be required to verify and accommodate pipe sizes. The associated costs shall be paid by the developer.
j) Sewer connection fees apply to each lot containing a home or other facility.
k) This application shall conform to the sewer masterplan as applicable. The sewer master plan specifies minimum pipe sizes and supports the "to and through" utility policy.

5) Potable Water Connection

a) The applicant's property is not connected to City services. The closest possible connection to water is located directly to the south of the proposed development in E Deer Flat Rd.
b) The applicant shall design and construct 12-in. water line along N Meridian Rd.
c) The applicant may be required to bore across N Meridian Rd and the Kuna Canal.
d) Water flow models will be required to verify and accommodate adequate water supply and fire suppression. The associated costs shall be paid by the developer.
e) City code 5-16-3-B.2 states public water utilities shall be extended to each parcel when water is available within three hundred (300) feet of the parcels. It is expected the applicant will connect to City water services, in accordance with the City's "to and through" policy in Kuna City Code 6-4-2.
f) All existing wells shall be abandoned in accordance with Idaho Department of Water Resources (IDWR) requirements. Documentation shall be provided to the City of Kuna.
g) All water infrastructure must meet or exceed City of Kuna requirements.
h) Water connection fees apply to each lot containing a home or other facility.
i) Fire hydrants are required in a layout acceptable to the KRFD.

6) Pressurized Irrigation

a) The applicant's property is not connected to City services. The closest possible connection to pressurized irrigation is located on the west and the south of the proposed development.
b) The applicant shall design and construct 12-in. pressurized irrigation along N Meridian Rd and E Deer Flat Rd.
c) The applicant may be required to bore across N Meridian Rd and the Kuna Canal.
d) Relying on municipal drinking water for irrigation purposes is contrary to City Code 6-4-2-B.9.
e) All pressurized irrigation infrastructure shall meet or exceed City of Kuna standards.
f) Existing irrigation ditches (supply & drain) must be relocated as needed and as approved by the irrigation ditch company/users.
g) Pressurized irrigation flow model will be required to verify and accommodate adequate pressurized irrigation supply. All associated costs shall be paid by the developer.
h) Surface water rights shall be transferred to the City prior to the completion of the final plat.

7) Grading and Storm Drainage

a) Provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.

b) The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for design of private storm water disposal systems.

c) Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties. Slopes shall not be steeper than 3:1 on lots adjacent to a street or common lot and no steeper than 4:1 for lots with common rear lot lines.

d) Runoff from public right-of-way is regulated by ACHD. On site storm water retention shall be reviewed in conjunction with the City's Civil Engineering Construction Improvements Review. Provide a storm water disposal & treatment plan which accounts for increased on-site storm water runoff volumes. Provide detailed drawings of drainage & treatment facilities with supporting calculations for review and approval.

e) Sidewalks, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, shall be provided in connection with property development.

8) As-Built Drawings

a) As-built (record) 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.

b) *Correct and verified* a*s-built (record drawings) drawings will be required before occupancy or final plat approval is granted.*

9) Exhibits

a) No maps are included to support Public Works comments.

Mary May, President
Alexis Pickering, Vice-President
Jim D. Hansen, 2nd Vice President
Kent Goldthorpe, Commissioner
Dave McKinney, Commissioner

October 3rd, 2022

To: Bill Hicks
New Market Advisors
8942 Spanish Ridge Avenue
Las Vegas, NV 89145

Subject: KPP22-0016/ 22-13-S/ 22-30-DR
NWC Meridian Road and Deer Flat Road
Paul Bunyan Plaza

The applicant is requesting approval of a preliminary plat application to allow for the development of 12-commercial lots on 16.26 acres.

A. Traffic Findings for Consideration

1. **Traffic Impact Study**
   Kittelson & Associates, Inc. prepared a traffic impact study for the proposed Beltzarock Subdivision, which originally included this site. An executive summary of the findings **as presented by Kittelson and Associates, Inc.** can be found in Attachment 3. 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.

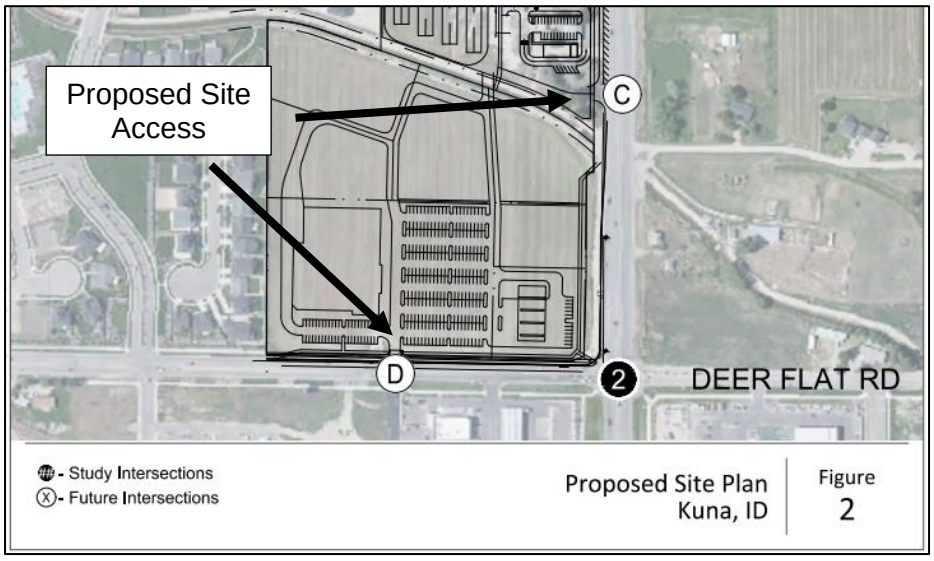
2. **Staff Comments/Recommendations:** Staff has reviewed the submitted traffic impact study (TIS) and generally agrees with the findings and recommendations. The following sections list the recommended improvements required by ACHD with this development based on the study and District policy.

   Deer Flat Road/ Meridian Road Intersection: The eastbound left turning movement for the Deer Flat Road/Meridian Road intersection is over capacity in both the AM and PM peak hours under existing traffic conditions. The TIS recommends the construction of an additional eastbound left-turn lane with 475-feet of storage at the Deer Flat Road/Meridian Road intersection to mitigate the existing traffic conditions.

   This intersection is programmed and funded as part of ACHD's CIP to be constructed with a dedicated right-turn lane, one thru-lane, and dual dedicated left-turn lanes, therefore no mitigation is required consistent with District Policy 7106.7.3. Additionally, adding an additional eastbound left-turn lane would not be feasible at this intersection, as it would require additional improvements and right-of-way dedication for the intersection.

   Staff recommends no mitigations be constructed with this development application for the Deer Flat Road/Meridian Road intersection.

Site Access D/ Ridley's Access /Deer Flat Road: The applicant has proposed to construct Site Access D on to Deer Flat Road located 618-feet west of Meridian Road and in alignment with the existing access to Ridley's on the south side of Deer Flat Road. District Policy 7205.4.4 indicates that trips on one access point must exceed 5,000 to warrant an additional access point on an arterial roadway. The TIS indicates that without Site Access D, daily trips on Site Access C would be in excess of 5,000, therefore not meeting District Policy 7205.4.4. Additionally, Site Access D is necessary to prevent cut-through traffic through the adjacent neighborhood to the west for vehicles exiting on the site on to Deer Flat Road.



Based on the information provided in the traffic impact study staff recommends approval of Site Access D, as it is needed to serve the site. The study recommends the construction of a dedicated right-turn lane at this driveway to serve the site, as there is already a center left turn lane in this location. Staff recommends this driveway be constructed as a temporary full-access driveway that would be restricted to right-in/right-out in the future as part of ACHD's future intersection widening project (Deer Flat/SH-69) or as traffic conditions warrant, as determined by ACHD.

B. Findings of Fact

1. SH-69/Meridian Road

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

2. Deer Flat Road

a. Existing Conditions: Deer Flat Road is improved with 3-travel lanes, vertical curb, gutter, and no sidewalk abutting the site. There is 102-feet of right-of-way for Deer Flat Road (52-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 Policy 7205.2.1 & 7205.5.2 states that the standard 3-lane street section shall be 46-feet (back-of-curb to back-of-curb) within 70 feet of right-of-way. This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

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.

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

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Deer Flat Road is designated in the MSM as a Residential Arterial with 5-lanes and on-street bike lanes, a 72-foot street section within 100-feet of right-of-way.

c. Applicant's Proposal: The applicant has proposed to construct an 8-foot wide detached sidewalk located 44-feet from the centerline of Deer Flat Road.

Staff Comments/Recommendations: The applicant should be required to dedicated additional right-of-way to total 56-feet from centerline for Deer Flat Road to allow for the future Deer Flat/SH-69 Meridian Road intersection widening consistent with the CIP. Compensation will be provided for this right-of-way.

Consistent with the findings and recommendations of the TIS, the applicant should be required to construct a dedicated westbound right-turn lane at Site Access D, located 618-feet west of Meridian Road.

The applicant's proposal to construct 8-foot wide detached concrete sidewalks on Deer Flat Road exceeds District policy, which requires 5-foot wide detached sidewalks on arterial roadways and should be approved as proposed. The sidewalk should be located a minimum of 49-feet from the centerline of Deer Flat Road at

east property line and taper to 43-feet at the site's east property line to tie into the existing sidewalk constructed as part of Winfield Springs located directly west of the site.

3. Driveways – Deer Flat Road

a. Existing Conditions: There are no existing driveways from the site on to Deer Flat Road.

b. Policy:

Access Points Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

Access Policy: District policy 7205.4.6 states that direct access to minor arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.

Driveway Location Policy: District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a single left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 660-feet from the intersection for a full-movement driveway.

District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a dual left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 710-feet from the intersection for a full-movement driveway.

Successive Driveways: District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 45 MPH to align or offset a minimum of 380-feet from any existing or proposed driveway.

Driveway Width Policy: District policy 7205.4.8 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

c. Applicant's Proposal: The applicant has proposed to construct a 30-foot wide curb-return type driveway from the site on to Deer Flat Road located 618-feet west of Meridian Road and in alignment with an existing driveway on the south side of Deer Flat Road.

Staff Comments/Recommendations: Staff recommends approval of this driveway based on the findings of traffic impact study. This driveway is approved as a temporary full-access driveway and will be restricted to right-in/right-out in the future as part of ACHD's intersection widening project (Deer Flat/SH-69) or as traffic conditions warrant, as determined by ACHD.

C. Site Specific Conditions of Approval

1. Dedicated additional right-of-way to total 56-feet from the centerline of Deer Flat Road, abutting the site. Compensation will be provided for this right-of-way.
2. Construct an 8-foot wide detached concrete sidewalk located 49-feet from the centerline of Deer Flat Road at east property line and taper to 43-feet from centerline at the site's west property line to tie into the existing sidewalk for Winfield Estates.
3. Construct a dedicated westbound right-turn lane on Deer Flat Road at the driveway located 618-feet west of Meridian Road.
4. Construct a 30-foot wide paved curb-return type driveway located 618-feet west of Meridian Road and in alignment with an existing driveway located on the south side of Deer Flat Road. This driveway is approved as temporary full-access and will be restricted to right-in/right-out only in the future.
5. A Traffic Impact Fee will be assessed by ACHD and will be due prior to issuance of a building permit. Please contact the ACHD Planner (see below) for information regarding impact fees.
6. Submit civil plans to ACHD Development Services for review and approval. The impact fee assessment will not be released until the civil plans are approved by ACHD.
7. Comply with the Standard Conditions of Approval as noted below.

D. Traffic Information

Trip Generation

The TIS was originally completed for this parcel and the parcel that is now Beltzarock Subdivision. This development, along with Beltzarock Subdivision, is estimated to generate 18,158 vehicle trips per day and 999 vehicle trips per hour in the PM peak hour, based on the traffic impact study.

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
**SH-69/Meridian Road	600-feet	Principal Arterial	1,265	N/A
Deer Flat Road	878-feet	Minor Arterial	707	Better than "E"

* Acceptable level of service for a three-lane minor arterial is "E" (720 VPH)

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

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

- The average daily traffic count for SH-69/Meridian Road south of Hubbard Road was 21,517 on 10/05/21.
- The average daily traffic count for Deer Flat Road west of SH-69/Meridian Road was 12,012 on 06/17/21.

E. Attachments

1. Vicinity Map
2. Site Plan
3. TIS Executive Summary
4. Standard Conditions of Approval
5. Appeal Guidelines

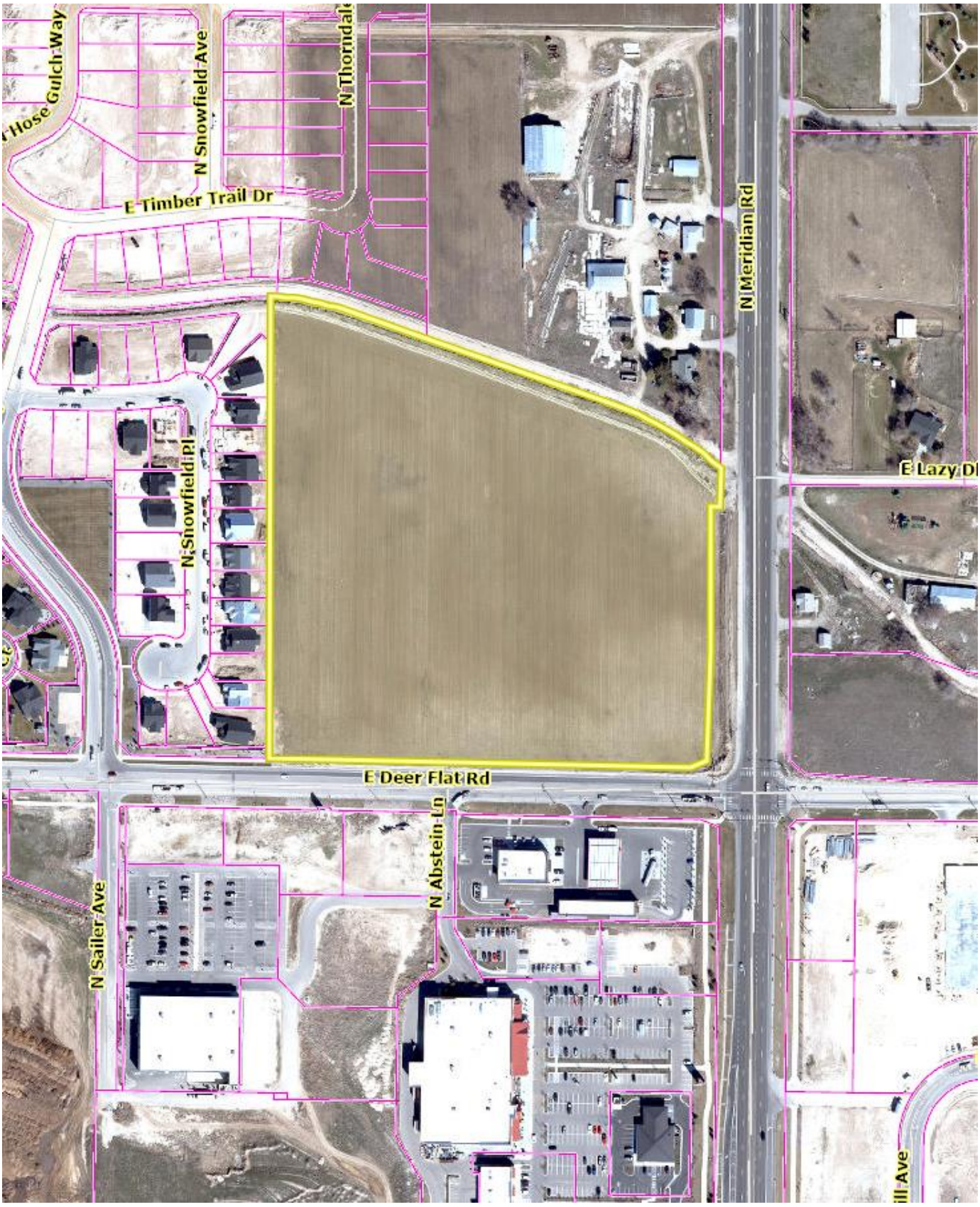
If you have any questions, please feel free to contact me at (208) 387-6132.

Sincerely,

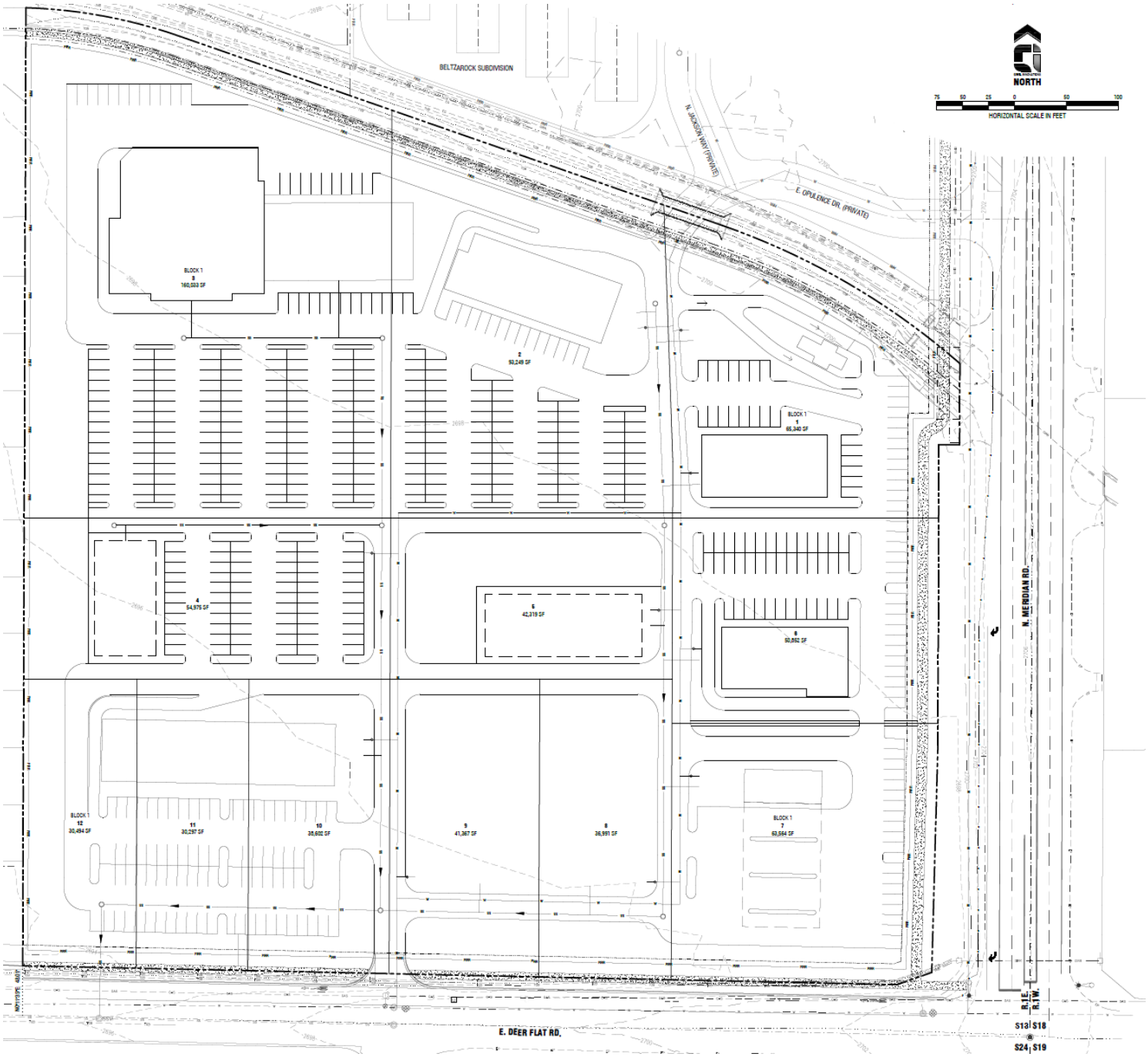
Kelly Bruner
Planner
Development Services

cc: City of Kuna (Troy Behunin, via email)

VICINITY MAP



SITE PLAN


BELTZAROCK SUBDIVISION
N. JACKSON WAY (PRIVATE)
E. OPULENCE DR. (PRIVATE)
NORTH
HORIZONTAL SCALE IN FEET
BLOCK 1
3
160,033 SF
2
90,049 SF
BLOCK 1
65,340 SF
4
54,975 SF
5
42,319 SF
6
60,862 SF
N. MERIDIAN RD.
BLOCK 1
12
30,494 SF
11
30,297 SF
10
35,602 SF
9
41,367 SF
8
36,991 SF
BLOCK 1
7
62,564 SF
R.1E.
R.1W.
S13
S18
S24
S19
E. DEER FLAT RD.

EXECUTIVE SUMMARY

Kittelson & Associates, Inc. (Kittelson) has prepared a Transportation Impact Study (TIS) for the proposed Blackrock Marketplace and Village, located on the west side of Meridian Road (SH 69) north of Deer Flat Road, in Kuna, Idaho. The proposed development site is bounded on the west by existing development (the Winfield Springs Subdivision), on the north by Ardell Road, on the south by Deer Flat Road, and on the east by Meridian Road. Figure 1 shows the site vicinity.

The purpose of this study is to evaluate the impact of the proposed development on the transportation system. Kittelson prepared this TIS based on conversations with SH69 North, LLC (property developer), Ada County Highway District (ACHD), Idaho Transportation Department (ITD) and Ada County Highway District (ACHD), Community Planning Association of Southwest Idaho (COMPASS), City of Kuna, and our familiarity with the area and with ACHD, City and ITD policies. *Appendix A includes the scope of work and coordination emails with ACHD, ITD and COMPASS and the COMPASS area of influence model run.*

The information presented in this report was developed based on conversations with the developer, a due diligence investigation, and coordination with the Idaho Transportation Department (ITD) and Ada County Highway District (ACHD).

FINDINGS

Existing Conditions

The existing conditions analysis findings are summarized below:

- The study evaluated four existing intersections during the AM and PM peak hours of a typical weekday.
- All study intersections were found to operate at acceptable operating standards during the existing weekday AM and PM peak hours with the exception of:
  - **Deer Flat Road / Meridian Road**: The eastbound left-turn movement was found to be over capacity during both the AM and PM peak hours:
    - Mitigation to acceptable operating standards requires adding a second eastbound left-turn lane creating dual eastbound left-turn lanes.
    - Field observations during the weekday AM peak hour revealed that there is a significant peak in eastbound traffic between approximately 7:20 and 7:40 AM that causes significant eastbound queuing on Deer Flat Road that appears to be partially due to traffic from the nearby high school to the west on Deer Flat Road.
    - This intersection is identified in the ACHD CIP for expansion and reconstruction in the 2031-2035 timeframe.

- The two existing unsignalized intersections that will be across from two of the proposed site driveways have movements that operate at LOS D which ACHD policy requires evaluation of signal warrants. These include:
    - **Site Access B (Future)/ Rodeo Lane / Meridian Road:** The westbound movement operates at LOS D with a V/C ratio of 0.03 during the weekday PM peak hour. The westbound volume was only 1 vehicle in the peak hour and therefore would not meet signal warrants. This intersection is also not planned for a signal by ITD in the draft concepts for the ITD SH-69 corridor plan.
    - **Site Access D (Future) / Ridleys Access / Deer Flat Road:** The northbound movement operates at LOS D with a V/C ratio of 0.68 during the weekday PM peak hour, which meets ACHD V/C thresholds of ≤1.00. Based on discussions with ACHD this intersection is planned to be converted to right-in, right-out (RIRO) and will not be considered for signalization. Therefore, traffic signal warrants were not evaluated. It should be noted that existing queues from Meridian Road currently extend to this intersection for brief periods under existing conditions, these events are not accounted for in the LOS procedures. Therefore, actual operations will be worse than reported during those periods.
- Intersection crash rates at the Ardell Road / Meridian Road intersection and Deer Flat Road / Meridian Road intersection did not indicate an abnormally high number of crashes. More detailed review of the crash characteristics identified the following:
    - **Deer Flat Road / Meridian Road:** A review of the crash data revealed a high percentage of the crashes were between eastbound left-turning traffic and westbound through traffic. This could indicate left-turn drivers may not be yielding to through traffic to the extent they should during the permissive left-turn signal phases.
- All ACHD study roadway segments are projected to operate at acceptable levels of service.

2030 Evaluation Findings

The evaluation included 2030 background and 2030 total traffic conditions. The 2030 findings are summarized below:

2030 Background Conditions

- Year 2030 background traffic volumes were forecasted using a 3.0 percent annual compounded growth rate to the existing traffic volumes for all roadways in the study area, except Ardell Road which a 2.0 percent annual compounded growth rate was applied to existing traffic volumes to account for regional growth in the site vicinity. Additionally,

forecasted trips from the Lee Hubble Development were added on Ardell Road based on the TIS for that development.

- The 2030 analysis evaluated two roadway network scenarios for Ardell Road:
  - **Scenario 1**: Ardell Road remains as in the existing conditions and does not extend across the canal to the west.
  - **Scenario 2:** Ardell Road is connected over the canal to the west by 2030 and provides access to Linder Road.
- The 2030 background traffic analysis (without inclusion of site-generated traffic) found that all study intersections are expected to operate at acceptable operating standards during the weekday AM and PM peak hours, with the exception of the following intersections:
  - **Ardell Road / Meridian Road:** Under Scenario 2 in the PM peak hour, the eastbound approach is over-capacity.
    - ITD has an ongoing corridor study looking at long-term improvements that proposes a Reduced Conflict U-Turn (RCUT) intersection at the Ardell Road / Meridian Road intersection. An RCUT or right-in/right-out/left-in (RIROLI) mitigate this intersection under 2030 background conditions.
    - Improvement of this intersection is projected to be needed in approximately 2025, when approximately 122 additional eastbound PM peak hour trips are added to Ardell Road.
  - **Deer Flat Road / Meridian Road**: In the AM peak hour, the overall intersection V/C exceeds 1.00. The eastbound left turn also exceeds 1.00 in the AM and PM peak hour and the northbound and westbound through movements exceed the ITD V/C ratio threshold of ≤0.90 during the AM peak hour.
    - Similar to existing conditions, mitigation requires adding a second eastbound left-turn lane. But without signal timing changes the eastbound left-turn and westbound through movements have V/C ratios that exceed the ITD threshold of ≤0.90. To mitigate to the ITD V/C threshold requires the following additional improvement:
      - A third eastbound left-turn lane.
  - **Site Access D / Ridley's Access / Deer Flat Road**: The northbound movement exceeds capacity in the PM peak hour.
    - Mitigation requires restricting the intersection to RIROLI.
      - This mitigation is projected to be needed in approximately 2029 with approximately 384 additional PM peak hour trips added to the intersection above existing traffic volume levels.

- Discussion with ACHD has indicated that in the long term, restriction of this intersection to RIRO is planned.

- All ACHD study roadway segments are projected to operate at acceptable levels of service with the exception of the following:
  - **Deer Flat Road (Site Frontage):** During the weekday AM peak hour, the single eastbound lane exceeds the ACHD segment threshold volume.
    - Mitigation requires adding a second eastbound through lane on Deer Flat Road.
    - This widening is projected to be needed in approximately 2024/2025 with approximately 70 additional eastbound trips on Deer Flat Road.
    - The ACHD CIP identifies widening of this section of Deer Flat Road in the 2031-2035 timeframe.

Trip Generation and Distribution

- The development is estimated to generate a total of approximately 18,158 daily trips, 778 weekday AM peak hour net new trips (440 inbound / 338 outbound) and 999 weekday PM peak hour net new trips (500 inbound / 499 outbound).
- The distribution pattern for site-generated trips was developed by reviewing the site plan and roadway system and evaluating a select zone analysis created by the COMPASS regional travel demand model.

2030 Total Traffic Conditions

- Year 2030 total traffic conditions found the same intersections not meeting ACHD and ITD requirements as under existing and 2030 background conditions which include the following:
  - **Ardell Road / Meridian Road**: Similar to 2030 background traffic conditions, the eastbound approach exceeds capacity during the weekday PM peak hour. With the site traffic, the intersection also exceeds capacity during the weekday AM peak hour under both Ardell Road scenarios.
    - Mitigation requires one of the following options:
      - **Option 1:** Signalized RCUT intersection
      - **Option 2:** Signalized RIROLI (similar to an RCUT operationally)
      - **Option 3:** Signalized full access with an eastbound left-turn lane.
    - Options 1 and 2 operate at acceptable levels of service and under capacity, but the V/C ratios for the eastbound right-turn and the southbound

through movements exceed the ITD policy of ≤0.90 during the weekday PM peak hour.

- Option 3 (full access signalized intersection) is the only option that meets ITD District 3 operational policy for LOS D and movement V/C ratios < 0.90.
- The eastbound movement at the intersection is also projected to exceed capacity during the shoulder peak hour.
- With development of the site, mitigation is projected to be needed in approximately 2023-2025 at which time approximately 27 percent (55,900 SF) and 21 percent (43,400 SF) of the development is estimated to be completed for Scenarios 1 and 2, respectively.
- Approximately 122 additional eastbound PM peak hour trips, above existing conditions, can be added to the intersection prior to reaching capacity.
- Site traffic accounts for approximately 18.8 and 19.8 percent of the total entering traffic during the AM and PM peak hours, respectively for Scenario 1 and 17.4 and 18.3 percent during the AM and PM peak hours, respectively for Scenario 2.

- **Deer Flat Road / Meridian Road:** Similar to 2030 background traffic conditions, the eastbound left turn and southbound right turn movements exceed capacity during the weekday AM and PM peak hours.
  - Mitigation requires adding a second eastbound left-turn lane (same as existing and background conditions) to meet ACHD policy of LOS E and V/C ratios for movements of ≤ 1.00.
  - Further mitigation would be needed to meet ITD policy of LOS D and V/C ratios for movements of ≤ 0.90. Mitigation to ITD policy would require the following:
    - A third eastbound left-turn lane.
    - A third northbound and southbound through lane.
  - The median U-turn (MUT) intersection configuration identified in the draft SH-69 corridor plan was found to result operations that are under capacity, but some movements are projected to exceed the ITD V/C policy of ≤0.90.
  - The eastbound left-turning movement is also projected to exceed capacity in the shoulder peak hours.
  - Site traffic accounts for approximately 13.5 percent of the total entering traffic during both the weekday AM and PM peak hours.
- **Site Access D / Ridley's Access / Deer Flat Road:** The northbound and southbound approaches at the intersection are projected to exceed capacity during both the

weekday AM and PM peak hours. Additionally, projected eastbound queues from the signal at Meridian Road were estimated to impact the ability to have a westbound left-turn lane into the Ridley's Access. The intersection could be mitigated with the following options:

- **Option 1 - Site Access D RIROLI (Ridley's RIRO):** This option operates acceptably but requires southbound left-turning traffic from the site to turn right and make a U-turn at a location to the west, such as Sailer Way, to go east on Deer Flat Road.
- **Option 2 - Site Access D RIRO (Ridley's RIRO):** This option operates acceptably but requires the same re-routing as Option 1, but also requires eastbound left-turns at Site Access D to make turns or left-turns at the Deer Flat Road / Meridian Road intersection to access the site. This option results in the most impact to operations at the Deer Flat Road / Meridian Road intersection. This option may require minor widening and signal modifications at the Deer Flat Road / Meridian Road intersection to accommodate eastbound U-turns.
- With development of the site, mitigation is projected to be needed in approximately 2022/2023 at when approximately 7 percent (14,500 SF) of the development is completed.
- Approximately 75 additional trips can be added to the intersection prior to reaching capacity with the north leg added to the intersection.
- Site traffic accounts for approximately 33.9 percent and 26.8 percent of the total entering traffic during the weekday AM and PM peak hours, respectively.

- All ACHD study roadway segments are projected to operate at acceptable levels of service with the exception of:
  - **Deer Flat Road (Site Frontage):** During the weekday AM peak hour, the single eastbound lane exceeds the ACHD segment threshold volume.
    - The segment meets the ACHD segment thresholds in the shoulder peak hour. Two potential alternative mitigations could include:
      - **Deer Flat Road Sidewalk or Pathway:** A sidewalk or pathway connection along the site frontage to connect to the signal at Meridian Road and the stubbed sidewalk on the west end of the site. This is anticipated to be required by the City but would improve connectivity to the signalized pedestrian crossing on Meridian Road.
      - **Kuna Canal Shared-Use Pathway:** A shared use pathway along the Kuna Canal would provide a convenient connection to the adjacent neighborhood and potentially serve longer trips once other sections are completed by residential subdivisions to the east.

- Mitigation requires adding a second eastbound through lane on Deer Flat Road.
- The ACHD CIP has widening of this section of Deer Flat Road identified for the 2031-2035 timeframe.
- This widening is projected to be needed in approximately 2024 with approximately 70 additional eastbound trips on Deer Flat Road.
- With development of the site, mitigation is projected to be needed in approximately 2024/2025 when approximately 28 percent (55,200 SF) of the development is completed.
- Site traffic accounts for approximately 6.6 percent of the eastbound segment volume during the critical weekday AM peak hour.

Site Access Evaluation

- The turn lane analysis using ACHD and ITD procedures resulted in turn lane warrants at the following external site access streets:
  - Site Access B / Meridian Road:
    - Southbound right-turn lane
    - Northbound left-turn lane (existing center-turn lane)
  - Site Access C / Meridian Road:
    - Southbound right-turn lane
    - Northbound left-turn lane (existing center-turn lane)
  - Site Access D / Ridley's Access / Deer Flat Road:
    - Westbound right-turn lane (RIRO or RIROLI)
    - Eastbound left-turn lane (if RIROLI)
- Impacts to the adjacent local streets where the two street stubs are proposed to be extended into the northern portion of the development are projected to be low and not result in significant cut-through traffic for the following reasons:
  - The two connections to the west at Fort Erie Street and Imlay Street are at the northern portion of the site and therefore are not convenient for a majority of site traffic that is associated with the commercial uses on the south portion of the site.
  - The northern portion of the site has less commercial development than the southern portion of the development.
  - Use of the neighborhood streets would result in significantly longer travel distances to get to both Ardell Road and Deer Flat Road than using the internal site roadways.

- Most of the traffic (approximately 80 percent) is projected to have origins and destinations to the north, south, and east and only approximately 20 percent of the site trips will have destinations to the west on Deer Flat Road and Ardell Road.

- The intersection sight distance review identified that intersection sight distance can be achieved at the site access intersections.
- Daily traffic volumes at the site access locations are projected to remain under 5,000 with the exception of the following:
  - **Site Access A:** Site access A is projected to have a daily volume of 5,010.
  - **Site Access D – RIRO or RIROLI:** Site access D is projected to have a daily volume of 6,680 as a RIROLI and 6,130 as a RIRO.
  - Due to the volumes on these driveways being relatively close to the ACHD 5,000 daily trip threshold, additional driveways were not determined to be needed.
- A review of the site access locations and spacings identified the following:
  - **Site Access A:** The location will meet ACHD access spacing for Ardell Road.
  - **Site Access B:** This driveway will be in place of deeded accesses for the site and will only allow RIROLI movements. This driveway will be approximately opposite Rodeo Lane. The spacing to the north and south exceed the ITD minimum spacing between driveways but is only 550 feet south of Ardell Road which is below the 660 feet required by ITD upstream of the public road intersection.
    - Moving the access south approximately 30 feet may be necessary to accommodate the minimum standard ITD right-turn lane design for 55 mph. Moving the driveway to be offset with Rodeo Lane should not be a significant issue due to the low traffic volumes on Rodeo Lane.

    There are minor driveways on the east side of Meridian Road that will be in the influence area of the RIROLI channelization for this driveway that may be restricted to RIRO depending on the design of the access.
  - **Site Access C:** This driveway will be in place of deeded accesses for the site and will only allow RIROLI movements. The spacing to the north and south exceed the ITD minimum spacing between driveways and spacing to Ardell Road and Deer Flat Road on the west side of Meridian Road. There are minor driveways on the east side of Meridian Road that will be in the influence area of the RIROLI channelization for this driveway that may be restricted to RIRO depending on the design of the access.
  - **Site Access D:** If designed as a RIRO driveway, this access will be aligned with the existing Ridley's driveway and not impact the access spacing of Deer Flat Road. If designed as a RIROLI driveway, this access may need to be shifted west to provide for the taper/gap for the dual left-turn lanes at the Deer Flat Road / Meridian Road.

If such offset is required, it will not create conflicts due to the restricted left-turn movements at both driveways. Additionally, the ACHD access spacing minimums will be met to Meridian Road (assuming the right-in, right-out classification is applied for the distance from Meridian Road) to the east and Sailer Way to the west.

RECOMMENDATIONS

Based on the analyses and findings summarized in this report, the following are the recommendations for the development.

Existing Traffic Condition Mitigations (Without the Proposed Development)

The following mitigations are recommended to accommodate the existing traffic volume and meet ACHD and ITD policies.

- **Deer Flat Road / Meridian Road:** Add a second eastbound left-turn lane to create dual eastbound left-turn lanes. In order to accommodate future traffic growth and the proposed development, a left-turn storage distance of 475 feet is recommended.

Year 2030 Background Traffic Conditions Mitigations (Without the Proposed Development)

The following mitigations are recommended to accommodate the year 2030 background traffic volume and meet ACHD and ITD policies.

2030 Background Traffic – Intersection Improvements

- **Ardell Road / Meridian Road:** Once Ardell Road is connected over the canal to the west (Scenario 2), one of the following mitigations are recommended:
  - **Option 1:** Install an RCUT intersection per the ITD draft corridor plan.
  - **Option 2:** Restrict to RIROLI by closing the eastbound left-turn movement.
  - Signalization could also be considered but is not consistent with the ITD draft corridor plan (see 2030 Total Traffic conditions)
  - Mitigation is estimated to be needed in approximately 2025 once approximately 122 additional eastbound trips are added in the weekday PM peak hour.
- **Deer Flat Road / Meridian Road**: Same improvement identified under existing conditions. It should be noted that two movements will exceed the ITD V/C threshold of 0.90 even with this mitigation and signal timing changes are required for those movements to meet ITD policy.

- **Site Access D / Ridleys Access / Deer Flat Road:** Restrict the existing access to RIRO. RIROLI could be considered if the length of the eastbound left-turn storage at the Deer Flat Road / Meridian Road intersection is not extended as recommended in the existing conditions recommendations and the left-turn lanes can be accommodated back-to-back.
    - This mitigation is projected to be needed in approximately 2029 with approximately 384 additional PM peak hour trips added to the intersection.
    - It should be noted that existing queues from Meridian Road currently extend to this intersection for brief periods under existing conditions which is not accounted for in the LOS procedures. Therefore, actual operations will be worse during those periods.

2030 Background Traffic - Roadway Segment Improvements

- **Deer Flat Road (Site Frontage):** Add an additional eastbound through lane to create two eastbound through lanes.
    - This widening is projected to be needed in approximately 2024 with approximately 70 additional eastbound trips on Deer Flat Road.

Year 2030 Total Traffic Conditions Mitigations (With the Proposed Development)

The following mitigations are recommended to accommodate the year 2030 total traffic volumes and meet ACHD and ITD policies:

2030 Total Traffic - Intersection Improvements

- **Ardell Road / Meridian Road:** Three mitigation options were identified.
    - **Option 1:** Signalized RCUT intersection
    - **Option 2:** Signalized RIROLI (similar to an RCUT operationally)
    - **Option 3:** Signalized full access with an eastbound left-turn lane.
    - Improvement of this intersection is projected to be needed in approximately 2023-2025 at which time approximately 27 percent (55,900 SF) and 21 percent (43,400 SF) of the development is estimated to be completed for Scenarios 1 and 2, respectively.
    - Site traffic accounts for approximately 18.8 and 19.8 percent of the total entering traffic during the AM and PM peak hours, respectively for Scenario 1 and 17.4 and 18.3 percent during the AM and PM peak hours, respectively for Scenario 2.
- **Deer Flat Road / Meridian Road:** Same improvement identified under existing and background 2030 conditions. Queue storage of approximately 475 ft is recommended for the eastbound dual left-turn lanes.

- Site traffic accounts for approximately 13.5 percent of the total entering traffic during both the weekday AM and PM peak hours.

- **Site Access D / Ridley's Access / Deer Flat Road:** Two improvement options were identified, of which Option 1 provides the best operations with respect to the Deer Flat Road / Meridian Road intersection:
  - **Option 1 – Site Access D RIROLI (Ridley's RIRO):** Design the access at RIROLI for the north leg of the intersection a RIRO for the Ridley's Access in order to accommodate the eastbound left-turn queuing from the Deer Flat Road / Meridian Road intersection.
    - Install a westbound right-turn lane
    - Install an eastbound left-turn lane
    - Minor movement of Site Access D west may be needed depending on the design of the eastbound dual left-turn lanes.
  - **Option 2 – Site Access D RIRO (Ridley's RIRO):** Design the intersection as a RIRO for both the north and south legs of the intersection. This option results in the most impact to operations at the Deer Flat Road / Meridian Road intersection.
    - Install a westbound right-turn lane.
    - Review the northwest corner of the Deer Flat Road / Meridian Road intersection to determine if eastbound U-turns can be accommodated and modify the corner design if necessary.
  - Improvement of this intersection is projected to be needed in approximately 2022/2023 when approximately 7 percent (14,500 SF) of the development is completed.
  - Site traffic accounts for approximately 33.9 percent and 26.8 percent of the total entering traffic during the weekday AM and PM peak hours, respectively.

2030 Total Traffic - Roadway Improvements

- **Deer Flat Road (Site Frontage):** Same as background 2030 (add an additional eastbound lane to accommodate AM traffic volumes).
  - With development of the site, mitigation is projected to be needed in approximately 2024/2025 at which time approximately 28 percent (55,200 SF) of the development is completed.
  - Site traffic accounts for approximately 6.6 percent of the eastbound segment volume during the critical weekday AM peak hour.
  - The segment meets the ACHD segment thresholds in the shoulder peak hour. Two potential alternative mitigations could include:

- **Deer Flat Road Sidewalk or Pathway:** A sidewalk or pathway connection along the site frontage to connect to the signal at Meridian Road and the stubbed sidewalk on the west end of the site. This is anticipated to be required by the City but would improve connectivity to the signalized pedestrian crossing on Meridian Road.
- **Kuna Canal Shared Use Pathway:** A shared use pathway along the Kuna Canal would provide a convenient connection to the adjacent neighborhood and potentially serve longer trips once other sections are completed by residential subdivisions to the west.

Site Driveways

- Install the site access driveways with the following configurations:
  - **Site Access A:** Single lane northbound and southbound.
  - **Site Access B:** Channelized RIROLI that may require relocation approximately 30 feet (or more) south to accommodate the ITD right-turn lane design. The following turn lanes are recommended:
    - Northbound left-turn lane with 100 feet of vehicle storage (existing two-way-left-turn (TWLTL) can be used).
    - Southbound right-turn lane per ITD design requirements.
    - Minor movement of the site driveway south may be needed to accommodate the southbound right-turn lane design.
  - **Site Access C:** Channelized RIROLI. The following turn lanes are recommended:
    - Northbound left-turn lane with 100 feet of vehicle storage (existing two-way-left-turn (TWLTL) can be used).
    - Southbound right-turn lane per ITD design requirements.
  - **Site Access D:** Channelized RIROLI or RIRO. The following turn lanes are recommended:
    - RIROLI (provides best operations at Deer Flat Road / Meridian Road):
      - Eastbound left-turn lane with 100 feet of vehicle storage (existing two-way-left-turn (TWLTL) can be used.
      - Westbound right-turn lane with 100 feet of vehicle storage per ACHD requirements.
      - Movement of Site Access D slightly west may be required based on the design of the eastbound dual-left-turn lanes taper/gap for the Deer Flat Road / Meridian Road intersection.

- RIRO:
    - Westbound right-turn lane with 100 feet of vehicle storage.

The following recommendations have been identified to ensure adequate safety and sight distance is provided at the site access points, internal intersections, and roadways:

- Verify adequate intersection sight distance is available during the final design of the access driveways and internal intersections.
- Review placement of fences, walls, monument signs, street trees, and other features that may impact intersection sight distance.
- Site accesses should match the existing grade of the roadways.
- Shrubbery, weeds, and landscaping near the internal intersections and site access points should be maintained or modified to ensure adequate sight distance.
- If future widening occurs along adjacent roadways, care should be taken to ensure adequate intersection sight distance is maintained.

Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.6, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

Request for Appeal of Staff Decision

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

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

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

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

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

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

DAVID REYNOLDS
CHAIRMAN OF THE BOARD

DONALD BARKSDALE
VICE CHAIRMAN OF THE BOARD

ROBERT D. CARTER
PROJECT MANAGER

THOMAS RITTHALER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

MARY SUE CHASE
ASSISTANT SECRETARY-TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

RECEIVED
AUG 24 2022
CITY OF KUNA

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

22 August 2022

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

RE: Paul Bunyan Plaza, CRMM, LLC — **22-13-S, 22-30-DR**
N. Meridian Rd and Deer Flat Rd, Kuna, ID
Boise-Kuna Irrigation District — BK-1231A
Kuna Canal 136+90
Sec. 13, T2N, R1W, BM.

Troy Behunin:

The United States' Kuna Canal 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 the **federal easement 38 feet northeasterly and 35 feet southwesterly** of the lateral's centerline. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

The Boise Project does not approve landscaping (other than grass or gravel) or pathways within its easements, as this will certainly increase our cost of maintenance. Easements must remain a flat drivable surface.

Fencing/pathways (as may be required) must be constructed just off the canal easement, to ensure public safety and prevent encroachments.

Please note the appropriate easements on all future preliminary/final plats.

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 Statues, Title 42-1209.

Project facilities and/or easements that parallel, and are within and/or intended to be within road right-of-ways due to any development of this property must be relocated outside of road right-of-ways. The easements of Boise Project facilities will remain the same unless agreed upon and/or approved with written permission from Boise Project Board of Control.

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

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.

Parking lots, curbing, light poles, signs, etc. and the placing of asphalt and/or cement over Project facility easements must be approved by Boise Project Board of Control prior to construction.

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

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

NO DISCHARGE into any live irrigation system is permitted.

Per Idaho Statutes, Title 42, local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement by the landowner, developer and contractors.

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

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 applicable, the irrigation system will have to be built to specific specifications as set by the District / Project.

Boise Project Board of Control must receive a written response from the Boise-Kuna Irrigation District as to who will own and operate the pressure irrigation system prior to review and approval of an irrigation plan by Boise Project Board of Control.

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 even during the construction phase.

Prior to any construction being done next to or within the easements listed previously the contractor and/or developer must contact our Division 2 watermaster at 208-342-5086.

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

Sincerely,

Thomas Ritthaler
Assistant Project Manager, BPBC

tbr/tr
cc: Clint McCormick Watermaster, Div; 2 BPBC
Alicia Flavel Secretary – Treasurer, BKID
File

CENTRAL DISTRICT HEALTH

Ada County Transmittal

Division of Community and Environmental Health

Return to:

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

Rezone/OTD # 22-30-DR

Conditional/Accessory Use # _____

Preliminary / Final / Short Plat 22-13-S

Development Name/Section Paul Bunyan Plaza

☐ 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. 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 _____

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

☒ 6. After written approvals 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

☒ 7. 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

☒ 8. Infiltration beds for storm water disposal are considered shallow injection wells. If they are not in the City of Boise or ACHD right-of-way, an application and fee per well, vicinity map and construction plans must be submitted to CDH.

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

☐ 10. An accessory use application, fee, detailed site plan and floor plans must be submitted to CDH for review.

☐ 11. Land development application, fee per lot, test holes and full engineering report is required.

☐ 12. CDH makes no guarantee a septic permit will be issued on the split off lot. A speculative site evaluation is recommended.

☐ 13. 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

☐ 14. _____

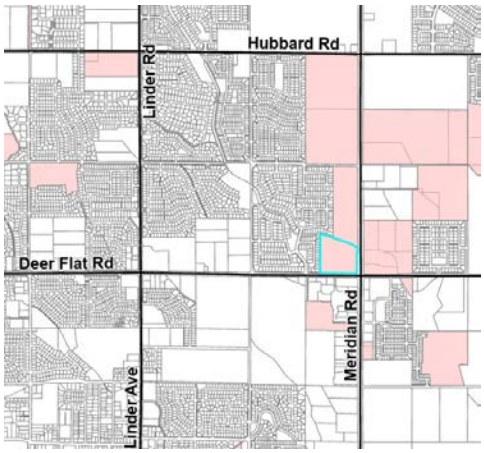
_____

_____

_____ Reviewed By: Rob Bank Date: 9/1/22

Communities in Motion 2050 Development Checklist

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this review as a tool for local governments to evaluate whether land developments are consistent with the goals of Communities in Motion 2050 (CIM 2050), the regional long-range transportation plan for Ada and Canyon Counties. This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2050 goals.



Development Name:	Paul Bunyan Plaza		
CIM Vision Category:	Existing Neighborhood	**New Jobs:**	±1180
CIM Corridor:	Deer Flat Road	**New Households:**	0

Safety

Level of Stress measures how safe and comfortable a bicyclist or pedestrian would feel on a corridor and considers multimodal infrastructure number of vehicle lanes and travel speeds.

Pedestrian level of stress	✗
Bicycle level of stress	✗

Economic Vitality

These tools evaluate whether the location of the proposal supports economic vitality by growing near existing public services.

Activity Center Access	✓
Farmland Preservation	✓
Net Fiscal Impact	✗
Within CIM Forecast	✓

Convenience

Residents who live or work less than 1/2 mile from critical services have more transportation choices, especially for vulnerable populations.

Nearest bus stop	✗
Nearest public school	✓
Nearest public park	✓

Quality of Life

Checked boxes indicate that additional information is attached.

Active Transportation	✓
Automobile Transportation	
Public Transportation	✓
Roadway Capacity	

✓ **Improves performance**

✓ **Does not improve or reduce performance**

✗ **Reduces performance**

Comments:
Ensure that pedestrians can safely move through the parking lot to businesses. Note the Kuna Express Route, tentatively planned for late 2025, is within 0.5 miles of the site. In the future, consider working with partners such as ACHD Commuteride to set aside parking for a small park and ride facility.

Communities in Motion 2050
2020 Change in Motion Report
Development Review Process

Web: www.compassidaho.org
Email: info@compassidaho.org

COMPASS
COMMUNITY PLANNING ASSOCIATION
of Southwest Idaho

Sent: 9/5/22

Parking Management

Credit: Global Designing Cities Initiative

Getting to the right balance of parking is important. Not enough parking means that parking spills into nearby areas, customers can't get to businesses, and safety is decreased due to illegal parking and increased traveling to find parking spaces. However, an oversupply of parking can result in less land for businesses and diminished efforts to promote other modes. Curb space is where people and vehicles intersect. Increasingly the curb has become a key place to balance needs between conflicting users. While safety is paramount, demand from different users, different days of the week, and different times of the day creates challenges and opportunities.

Several steps can be taken to make parking and curbside management work for communities:

- Arrange parking near destinations to limit the amount of circling for nearby parking spaces and create multiple smaller parking lots rather than large parking lots.
- ✓ Provide shared parking between multiple users or destinations that have different peak periods. For example, office buildings traditionally need day-time parking while restaurants need space later in the evening.
- Improve walking and cycling infrastructure to make them feasible alternatives to driving and parking.
- ✓ Add landscape islands and designated walking paths to enable the safe and comfortable paths to businesses.

Fiscal Impact Analysis Supplemental for the Development Review Checklist

The purpose of the fiscal impact analysis is to better estimate expected revenues and costs to local governments as a result of new development so that the public, stakeholders, and the decision- makers can better manage growth. Capital and operating expenditures are determined by various factors that determine service and infrastructure needs, including persons per household, student generation rates, lot sizes, street frontages, vehicle trip and trip adjustment factors, average trip lengths, construction values, income, discretionary spending, and employment densities.

The COMPASS Development Checklist considers the level of fiscal benefits, how many public agencies benefit or are burdened by additional growth, and how long the proposal will take to achieve a fiscal break-even point, if at all.

More information about the COMPASS Fiscal Impact Tool is available at: www.compassidaho.org/prodserv/fiscalimpact.htm

Overall Net Fiscal Impact
Net Fiscal Impact by Agency

✗ City	✗ County
✓ Highway District	✓ School District

Break Even: Doesn't Break Even

RECEIVED
AUG 29 2022
CITY OF KUNA

ORGANIZED 1904

Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH
FAX #208-463-0092

NAMPA, IDAHO 83651-4395
nmid.org

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

August 23, 2022

Troy Behunin, Senior Planner
City of Kuna
751 W. 4th Street
Kuna, ID 83634

RE: 22-13-S, 22-30-DR/ Paul Bunyan Plaza; N. Meridian Road

To Whom It May Concern:

Nampa & Meridian Irrigation District (NMID) has no comment on the above referenced application as it lies outside of our district boundaries. Please contact Thomas Ritthaler, Boise Project- Board of Control, at 208-344-1141 or 2465 Overland Road Room 202 Boise, ID 83705-3173.

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

Sincerely,

David T. Duvall
Asst. Water Superintendent
Nampa & Meridian Irrigation District
DTD/ eol

Cc:
Office/ file
T. Ritthaler, Board of Control

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

ADVERTISING PROOF

c/o ISj Payment Processing Center
PO Box 1570,
Pocatello,ID 83204
Ph. (208) 465-8129 **Fax:** (907) 452-5054

BILLING DATE:	ACCOUNT NO:
10/14/22	21880

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

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
293947	22-13-s - paul bunya	10/19/22	10/19/22	1	$37.38

11.09.2022 PnZ Meeting was canceled and re-noticed for 12.13.2022.

LEGAL NOTICE

Case No. 22-13-S (Preliminary Plat) for Paul Bunyan Plaza

NOTICE IS HEREBY GIVEN the P & Z Commission is scheduled to hold a public hearing on **Wednesday, November 9, 2022, at 6:00 PM**, (or as soon as can be heard); in City Hall Council Chambers, 751 W 4th Street, Kuna, ID, 83634, in connection with Paul Bunyan Plaza. Civil Innovations requests Preliminary Plat approval in order to subdivide a previously Annexed parcel, approximately 16.26 ac. in size, into 12 commercial lots. APN (S1313449910).

Please do not contact the Commission, City Council, or Mayor as this may jeopardize the public hearing process. The public is invited to provide written or oral testimony. If you require special accommodations, or would like additional information please contact P & Z Department prior to the meeting at (208) 922-5274.

Kuna P & Z Department

October 19, 2022 293947

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount

Discount: **$0.00**
Surcharge: **$0.00**
Credits: **$0.00**

Gross:**$37.38**
Paid Amount:**$0.00**

Amount Due:**$37.38**

We Appreciate Your Business!

AD# 293947

Suggestions for Testifying at Public Hearings:

Be Informed…
Review the proposal, Staff Report, applicable Ordinance(s), Comprehensive Plan & Idaho Code §67-65. All items pertaining to the application can be found online the Friday prior to the hearing at www.kunacity.id.gov >City Government >Agendas & Minutes.

Be on time…
Although the item you are interested in may not be first on the agenda, you never know when it will be heard; the governing body has authority to adjust the schedule according to its discretion, thus, anticipate attending from the beginning.

Speak to the Point…
The governing body appreciates pertinent, well organized, factual & concise comments. The Developer or their Representative is given 10 minutes to present their project; 3 minutes per individual is provided for public testimony; neighborhood groups are encouraged to select a community representative & the representative is provided 10 minutes (please inform staff). The Developer/Representative is given additional time for rebuttal.

If you do not wish to speak, write…
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KUNA
Planning & Zoning

PO BOX 13
Kuna, ID 83634

NEOPOST FIRST-CLASS MAIL
10/19/2022
US POSTAGE $000.00º
ZIP 83634
041M11460992

Proof of Legal Notice Mailer
TB - 10.19.22
JR 10.19.22

11.09.2022 PnZ Meeting was canceled
and re-noticed for 12.13.2022.

LEGAL NOTICE

Dear Property Owner: NOTICE IS HEREBY GIVEN the **Planning & Zoning Commission** is scheduled to hold a Public Hearing on ***Wednesday*, November 9, 2022, at 6:00 PM** (or as soon as can be heard), in City Hall Council Chambers, 751 W 4th Street, Kuna, ID, 83634, on the following case:

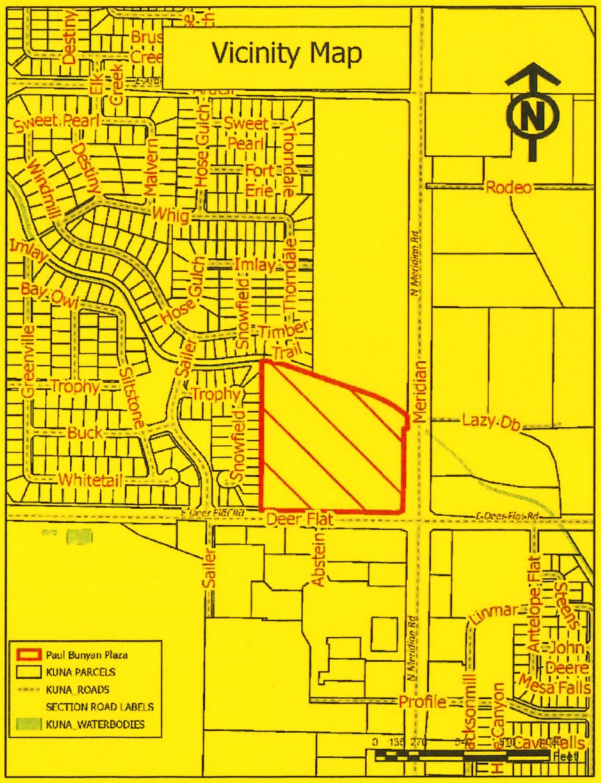
Case No. 22-13-S (Preliminary Plat)
Paul Bunyan Plaza.

Civil Innovations requests Preliminary Plat approval in order to subdivide a previously Annexed parcel, approximately 16.26 ac. in size, into 12 commercial lots. APN (S1313449910).

The public is invited to provide written or oral testimony; the City of Kuna is providing alternative ways for the community to submit comments at a Public Hearing if they do not wish to testify in person or will not be able to attend. Please contact the Kuna Planning & Zoning Department at 208.922.5274.

Written testimony received by close of business on **November 3, 2022,** will be included with the packet distributed to the governing body prior to the hearing.

MAILED 10.18.2022



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KUNA
Planning & Zoning

PO BOX 13
Kuna, ID 83634

ZIP 83634
041M11460992

11.09.2022 PnZ Meeting was canceled
and re-noticed for 12.13.2022.

BAUER SHELLY L
1948 N THORNDALE AVE
KUNA, ID 83634-0000

FRICKEY ROBIN
1890 N HOSE GULCH WAY
KUNA, ID 83634-0000

MOYLE JANET L TRUST 8/23/91
MOYLE JANET L TRUSTEE
1726 N SNOWFIELD PL
KUNA, ID 83634-0000

MILLER KELLY D
1248 E TROPHY ST
KUNA, ID 83634-0000

MAST STEPHANIE MICHELLE
1209 E TIMBER TRAIL DR
KUNA, ID 83634-0000

City of Kuna
PROOF OF PROPERTY POSTING

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

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

This notice shall confirm that the Public Hearing Notice for Paul Bunyan Plaza (**NAME OF SUBDIVISION OR ADDRESS**) was posted as required per Kuna City Ordinance 5-1A-8. Sign posted Thursday, October 27, 2022 (**DAY OF THE WEEK, MONTH, DATE AND YEAR**). *This form is required to be returned three (3) calendar days subsequent to posting and signs are to be removed from the site three (3) calendar days after the hearing.*

DATED *this* 27th *day of* October, 2022

11.09.2022 PnZ Meeting was canceled and re-noticed for 12.13.2022.

Signature,

Owner/Developer

STATE OF IDAHO)
): ss
County of Ada)

On this 27th *day of* October, 2022 *before me the undersigned, a Notary Public in and for said State, personally appeared before me (Owner, Developer).*

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

HOLLY WEIGEL NOTARY PUBLIC STATE OF IDAHO

Notary Public
Residing at Estate Dr. Boise ID.

Commission Expires 4/5/2027

11.09.2022 PnZ Meeting was canceled and re-noticed for 12.13.2022.

CITY OF KUNA
PUBLIC HEARING NOTICE

Before the Kuna Planning and Zoning Commission

THE CITY OF KUNA will hold a public hearing on November 9, 2022 at 6:00 PM, at Kuna City Hall

PURPOSE: Paul Bunyan Plaza - Preliminary Plat, consisting of 12 commercial lots on 16.26 Acres.

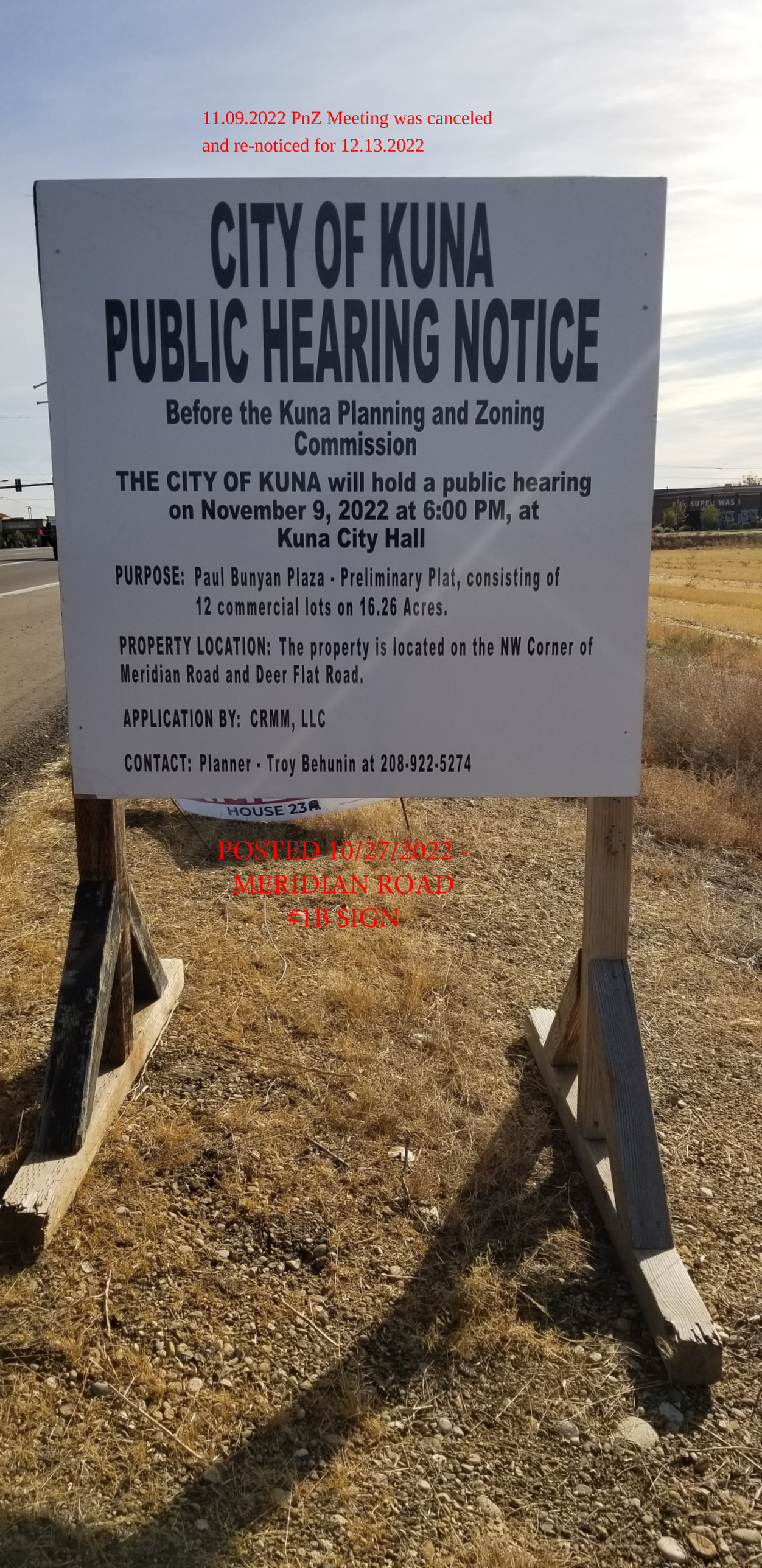
PROPERTY LOCATION: The property is located on the NW Corner of Meridian Road and Deer Flat Road.

APPLICATION BY: CRMM, LLC

CONTACT: Planner - Troy Behunin at 208-922-5274

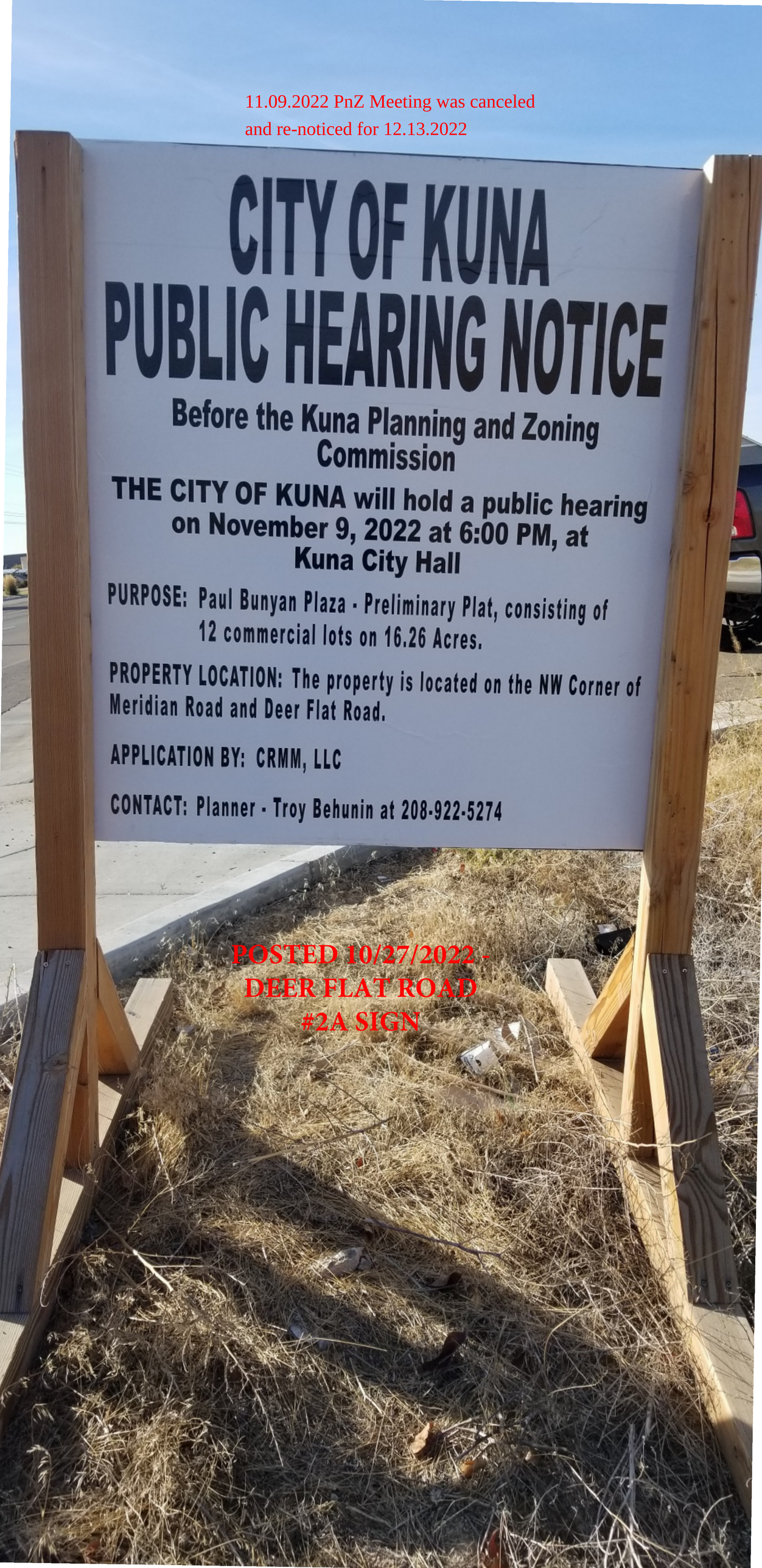
POSTED 10/27/2022
-MERIDIAN ROAD
SIGN #1A

11.09.2022 PnZ Meeting was canceled
and re-noticed for 12.13.2022



POSTED 10/27/2022 -
MERIDIAN ROAD
#1B SIGN

11.09.2022 PnZ Meeting was canceled
and re-noticed for 12.13.2022



POSTED 10/27/2022 -
DEER FLAT ROAD
#2A SIGN

11.09.2022 PnZ Meeting was canceled
and re-noticed for 12.13.2022

POSTED 10/27/2022 -
DEER FLAT RD
#2B SIGN

11.09.2022 PnZ Meeting was canceled and re-noticed for 12.13.2022

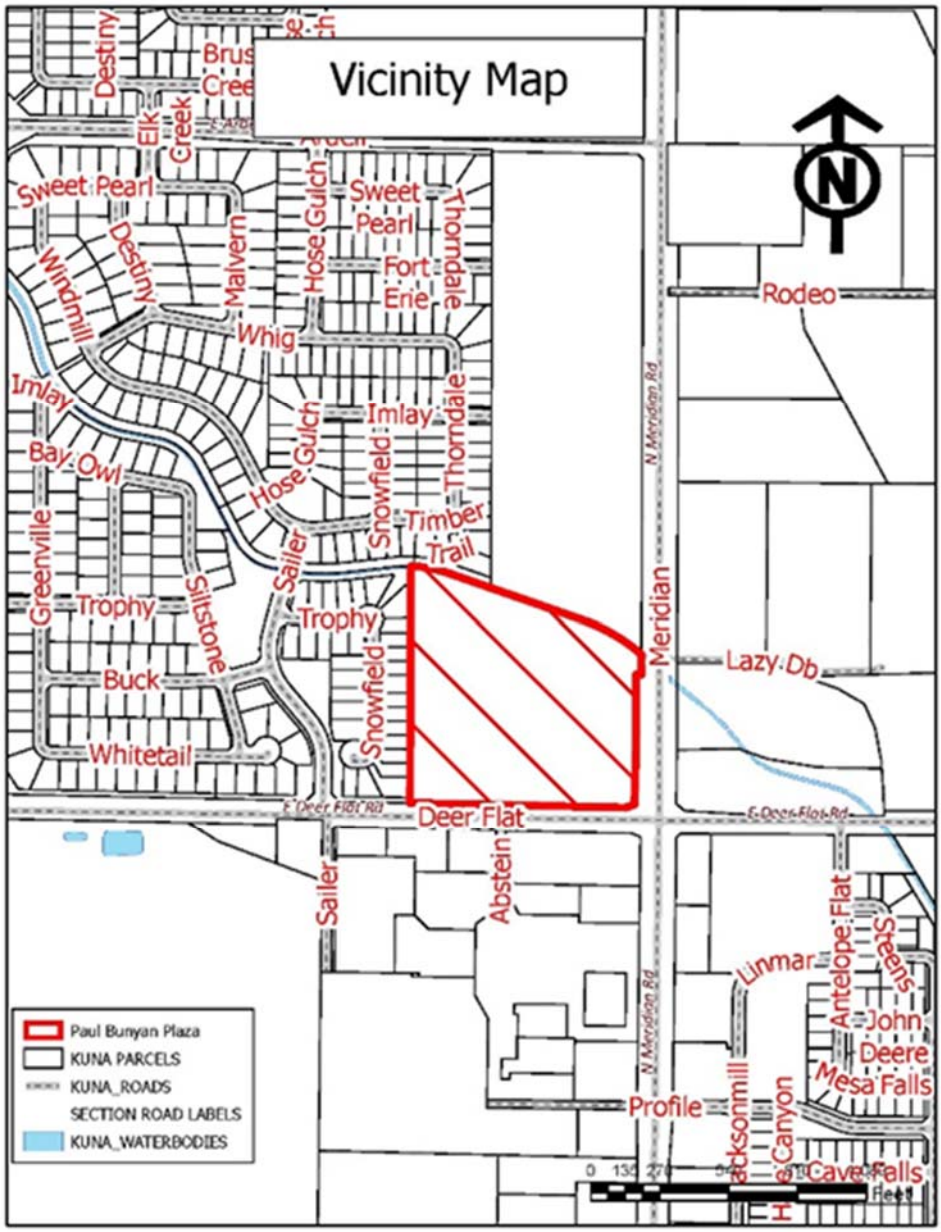
CITY OF KUNA
PO Box 13 - Kuna, ID 83634
Phone: 208.922.5274 - Fax: 208.922.5989

Case No. 22-13-S (Preliminary Plat) for Paul Bunyan Plaza

NOTICE IS HEREBY GIVEN the P & Z Commission is scheduled to hold a public hearing on ***WEDNESDAY*** (Elections)**, November 9, 2022, at 6:00 PM**, (or as soon as can be heard); in City Hall Council Chambers, 751 W 4th Street, Kuna, ID, 83634, in connection with Paul Bunyan Plaza. Civil Innovations requests Preliminary Plat approval in order to subdivide a previously Annexed parcel, approximately 16.26 ac. in size, into 12 commercial lots. APN (S1313449910).

Please do not contact the Commission, City Council, or Mayor as this may jeopardize the public hearing process. The public is invited to provide written or oral testimony. If you require special accommodations, or would like additional information please contact P & Z Department prior to the meeting at (208) 922-5274

Kuna Planning & Zoning Department



ADVERTISING PROOF

c/o ISj Payment Processing Center
PO Box 1570,
Pocatello,ID 83204
Ph. (208) 465-8129 **Fax:** (907) 452-5054

BILLING DATE:	ACCOUNT NO:
11/18/22	21880

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

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
306751	PH 12/13/2022 - PAUL	11/23/22	11/23/22	1	$37.38

LEGAL NOTICE

Case No. 22-13-S
(Pre Plat) for
Paul Bunyan Plaza

NOTICE IS HEREBY GIVEN the P&Z Commission is scheduled to hold a public hearing on **Tuesday, December 13, 2022, at 6:00 PM**, (or as soon as can be heard); in City Hall Council Chambers, 751 W 4th Street, Kuna, ID, 83634, in connection with Paul Bunyan Plaza. Civil Innovations requests Pre Plat approval in order to subdivide approximately 16.26 ac., into 12 commercial lots. (APN; S1313449910).

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Kuna P&Z Department

November 23, 2022
306751

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount

Discount: **$0.00**
Surcharge: **$0.00**
Credits: **$0.00**

Gross:**$37.38**
Paid Amount:**$0.00**

Amount Due:**$37.38**

We Appreciate Your Business!

AD# 306751

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KUNA
Planning & Zoning
PO BOX 13
Kuna, ID 83634

NEOPOST FIRST-CLASS MAIL
11/22/2022
US POSTAGE $000.00⁰

ZIP 83634
041M11460992

Proof of Legal Mailer
PAUL BUNYAN
12.13.22
P&Z
TB.

DH 11/23/22

KUNA
Planning & Zoning

Proof of Property Posting

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

This form shall confirm that the Public Hearing Notice for 22-13-S + 22-30 DR Paul Bunyan Plaza was posted, as required per Kuna City Code 5-1A-8, on November 22, 2022. This form and associated photos shall be returned to the Planning & Zoning department no later than seven (7) days prior to the Public Hearing.

Signs shall be removed from the site within three (3) days after the Public Hearing.

DATED this 22nd day of November, 2022.

Signature: [signature]

State of Idaho)
) ss
County of Ada)

On this 22nd day of November, 2022, before me, the Undersigned, a Notary Public in and for said State, personally appeared before me (Owner/Developer).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written. Subscribed and sworn to before me the day and year first above written.

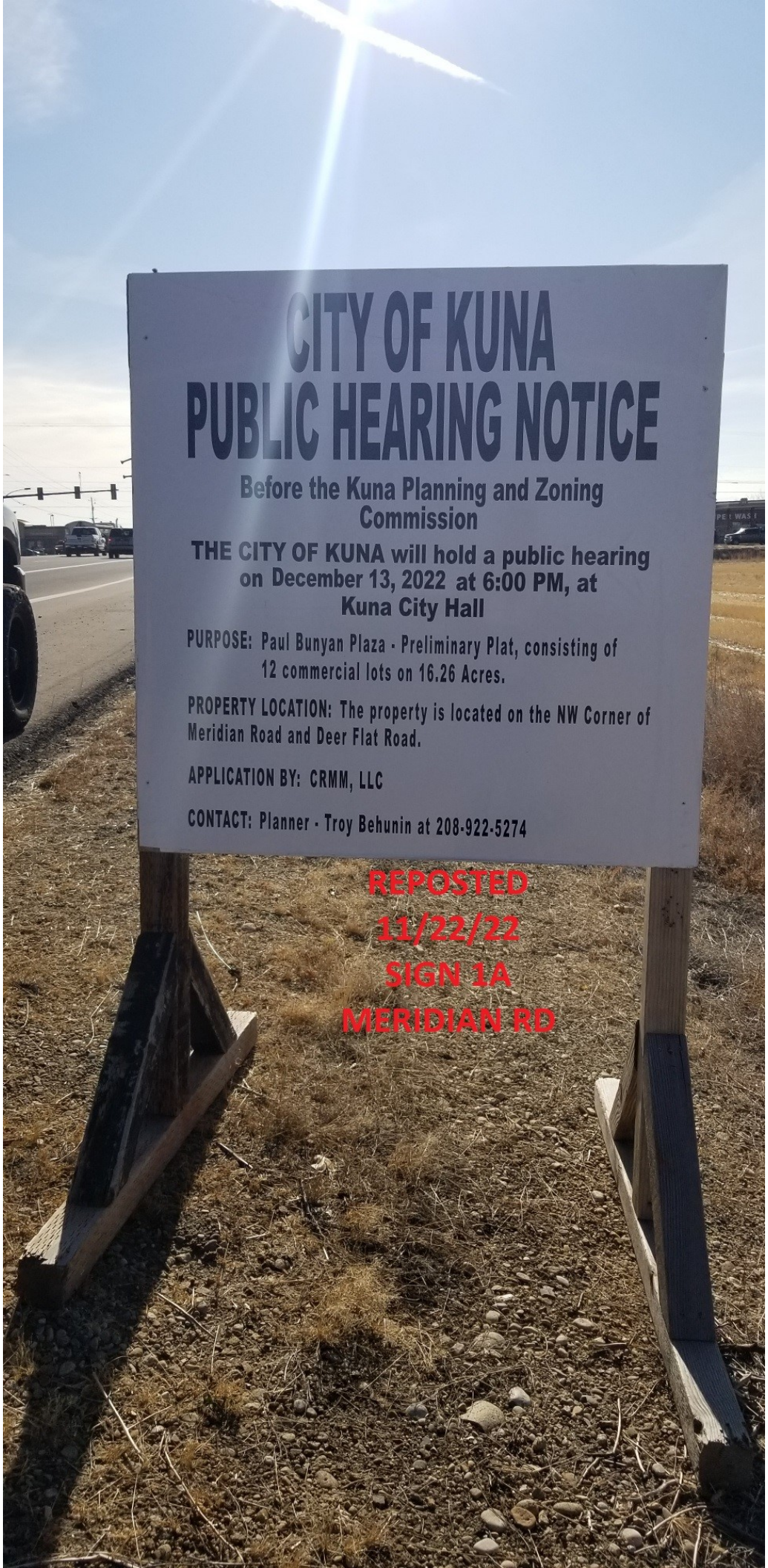
Holly Weigel

Residing at: Estate Drive
Boise ID 83709

My Commission expires: 4/5/2027

HOLLY WEIGEL NOTARY PUBLIC STATE OF IDAHO

[signature]
Signature


CITY OF KUNA
PUBLIC HEARING NOTICE
Before the Kuna Planning and Zoning Commission
THE CITY OF KUNA will hold a public hearing on December 13, 2022 at 6:00 PM, at Kuna City Hall
PURPOSE: Paul Bunyan Plaza - Preliminary Plat, consisting of 12 commercial lots on 16.26 Acres.
PROPERTY LOCATION: The property is located on the NW Corner of Meridian Road and Deer Flat Road.
APPLICATION BY: CRMM, LLC
CONTACT: Planner - Troy Behunin at 208-922-5274
REPOSTED
11/22/22
SIGN 1A
MERIDIAN RD

CITY OF KUNA
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REPOSTED
11/22/22
SIGN 1B
MERIDIAN RD

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APPLICATION BY: CRMM, LLC
CONTACT: Planner - Troy Behunin at 208-922-5274
REPOSTED
11/22/22
SIGN 2A
DEERFLAT RD

CITY OF KUNA
PUBLIC HEARING NOTICE
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REPOSTED
11/22/22
SIGN 2B
DEER FLAT RD

CITY OF KUNA
PO Box 13 - Kuna, ID 83634
Phone: 208.922.5274 - Fax: 208.922.5989

Case No. 22-13-S (Pre Plat) for
Paul Bunyan Plaza

NOTICE IS HEREBY GIVEN the P&Z Commission is scheduled to hold a public hearing on **Tuesday, December 13, 2022, at 6:00 PM**, (or as soon as can be heard); in City Hall Council Chambers, 751 W 4th Street, Kuna, ID, 83634, in connection with Paul Bunyan Plaza. Civil Innovations requests Pre Plat approval in order to subdivide approximately 16.26 ac., into 12 commercial lots. (APN; S1313449910).

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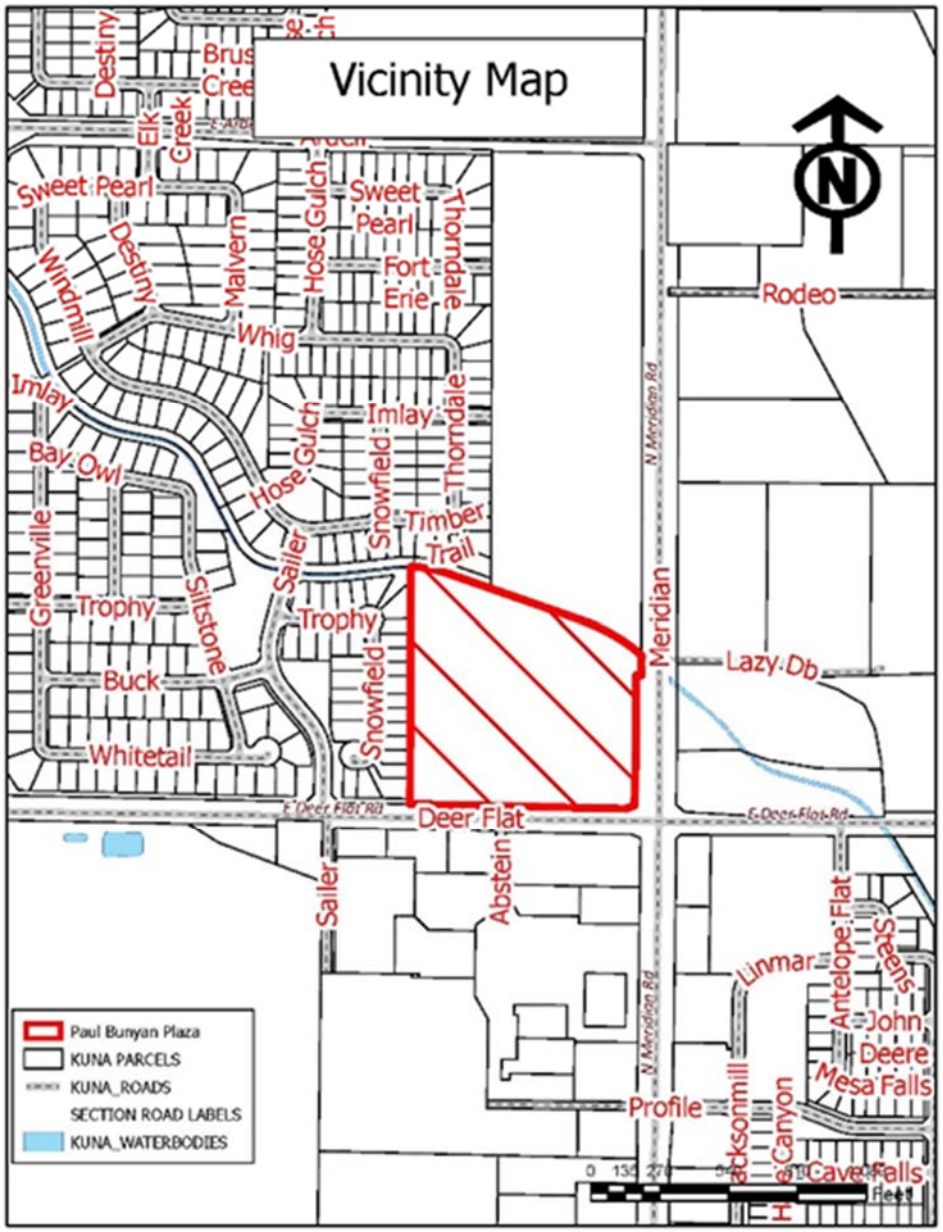
Kuna P&Z Department



BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATIONS OF	)	**Case No. 22-04-CPF (COMBO PLAT)**
	)	
NEW BEGINNINGS HOUSING, LLC	)	
	)	
	)	
For Combination Preliminary & Final Plat for 150 and 200 N Sailer Ave.	)	**STAFF REPORT FOR COMBINATION PLAT APPLICATION.**

TABLE OF CONTENTS

1. Exhibit List
2. Process and Noticing
3. Applicants Request
4. General Project Facts
5. Transportation and Connectivity
6. Staff Analysis
7. Proposed Findings of Fact & Conclusions of Law
8. Proposed Comprehensive Plan Analysis
9. Proposed Commission's Recommendation

I
EXHIBIT LIST

The exhibits of the above-referenced matter consist of the following, to-wit:

1.1 Exhibits:

	DESCRIPTION OF EVIDENCE	*Withdrawn*	*Refused*	*Admitted*
1.2	Staff Memo			X
2.1	P&Z Application Coversheet			X
2.2	Combo Plat Application			X
2.3	Narrative			X

2.4	Aerial Map			X
2.5	Vicinity Map			X
2.6	Deed – 150 N Sailer			X
2.7	Deed – 200 N Sailer			X
2.8	Affidavit of Legal Interest			X
2.9	Preliminary Plat			X
2.10	Final Plat			X
2.11	Merlin Pointe No. 1 Landscape Plan – Approved 11.19.2013			X
2.12	Common Area Maintenance Agreement			X
2.13	Commitment to Property Posting			X
2.14	Neighborhood Meeting Certification			X
2.15	Subdivision Name Reservation			X
2.16	Agency Transmittal			X
2.17	Updated Agency Transmittal			X
2.18	KMN Publication Proof P&Z			X
2.19	Ada County Highway District – Vineyards Senior Housing			X
2.20	Idaho Transportation Department – Merlin Cottages Subdivision			X
2.21	Kuna Rural Fire District – Vineyards Senior Housing			X
2.22	City Engineer's Memo – Vineyards Senior Housing			X
2.23	Ada County Highway District			X
2.24	Idaho Transportation Department			X
2.25	Central District Health Department			X
2.26	City Engineer's Memo			X
2.27	300-ft Property Owners Notice			X
2.28	Proof of Property Posting			X

II
PROCESS AND NOTICING

2.1 In accordance with Kuna City Code (KCC), Title 1, Chapter 14, Section 3, Combination Preliminary and Final Plats are designated as Public Hearings, with the Planning and Zoning Commission as a recommending body and 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.

2.1.2 Notifications

2.1.2.1	Neighborhood Meeting:	August 23, 2022 (4 attendees)
2.1.2.2	Agency Comments Request:	November 15 & 18, 2022
2.1.2.3	Kuna Melba News Newspaper:	November 23, 2022
2.1.2.4	300 FT Property Owners Notice:	November 23, 2022
2.1.2.5	Site Posted:	December 3, 2022

III
APPLICANTS REQUEST

3.1 On behalf of New Beginnings Housing, LLC, Steve Arnold of A Team Land Consultants requests Combo Plat approval to combine Lots 4 and 5, Block 5 of the Merlin Pointe Subdivision No. 1, in order to resolve an easement issue and provide one (1) parcel on which to build the previously approved Vineyards Senior Housing [Case No. 22-07-DR (Design Review), approved June 14, 2022]. The subject sites are located at 150 and 200 N Sailer Avenue (APNs: R5672431260, R56722431280); Section 24, Township 2 North, Range 1 West.

IV
GENERAL PROJECT FACTS

4.1 Site History

4.1.1 The subject sites are currently zoned C-1 (Neighborhood Commercial) and will remain as such. Historically the sites have remained undeveloped since approval of the Merlin Pointe Subdivision.

4.2 Surrounding Land Uses

North	C-1	Neighborhood Commercial – Kuna City
South	C-1	Neighborhood Commercial – Kuna City
East	C-1	Neighborhood Commercial – Kuna City
West	C-1	Neighborhood Commercial – Kuna City

4.3 Parcel Number, Owner, Size and Zoning

4.3.1 R5672431260 (150 N Sailer Ave)

4.3.1.1 New Beginnings Housing, LLC
4.3.1.2 0.941 acres
4.3.1.3 C-1 (Neighborhood Commercial)

4.3.2 R5672431280 (200 N Sailer Ave)

4.3.2.1 New Beginnings Housing, LLC
4.3.2.2 0.865 acres
4.3.2.3 C-1 (Neighborhood Commercial)

4.4 Services

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

4.5 Existing Structures, Vegetation, and Natural Features

4.5.1 The sites are void of structures and are covered with general weeds. The site has an estimated average slope of 1.5 – 1.9% According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be 20 – 40-inches.

4.6 Environmental Issues

4.6.1 Staff is not aware of any environmental issues, health or safety conflicts beyond the subject sites being within the Nitrate Priority Area designation.

4.7 Comprehensive Plan Future Land Use Map

4.7.1 The Future Land Use Map (FLUM) is intended to serve as a *guide* for the decision-making body for the city. The FLUM indicates land use designations generally speaking, it is not the actual zone. The Future Land Use Map identifies the subject sites as Commercial and the two parcels are zoned as such; no Rezone has been requested.

4.8 Agency Responses

Agency	Exhibit No.
Ada County Highway District – Vineyards Senior Housing	2.19
Idaho Transportation Department – Merlin Cottages Subdivision	2.20
Kuna Rural Fire District – Vineyards Senior Housing	2.21
City Engineer's Memo – Vineyards Senior Housing	2.22
Ada County Highway District	2.23
Idaho Transportation Department	2.24
Central District Health Department	2.25
City Engineer's Memo	2.26

V
TRANSPORTATION AND CONNECTIVITY

5.1 The subject site currently takes ingress/egress from N Sailer Avenue, approximately 300-feet north of the Kuna Road and N Sailer intersection; this ingress/egress is part of an access easement which provides connectivity to the future Merlin Pointe Subdivision No. 2.

In the Design Review application for Vineyards Senior Housing, the Ada County Highway District (ACHD) provided recommendations and Conditions for the development of site access (Exhibit 2.19). ACHD also stated Sailer is improved with two travels lanes with 40-feet of pavement, and vertical curb, gutter, and 5-foot attached sidewalk, all within 60-feet of right-of way, thus meeting ACHD policy and Kuna City Code (KCC). The proposed project will generate 120 vehicle trips per day, with 9 vehicle trips occurring during the peak PM hour. In Exhibit 2.23, ACHD states they had no new comments to make regarding this request as it had already been reviewed and approved as part of the Vineyards at Merlin Pointe application (Case No. 22-07-DR).

In Exhibit 2.24, the Idaho Transportation Department (ITD) states there are no new comments for this request as previous comments made on the neighboring Merlin Cottages Subdivision encompassed this area; ITD provided comments regarding a future Right Turn Lane Warrant application which is dependent upon traffic counts at full build out of Merlin Point Subdivision No. 1 (Exhibit 2.20).

VI
STAFF ANALYSIS

6.1 The Applicant held a Neighborhood Meeting on August 23, 2022; there were four (4) attendees. Mailings and Minutes for this Neighborhood Meeting have been provided as a part of this application.

The Applicant requests Combo Plat approval to combine Lots 4 and 5, Block 5 of the Merlin Pointe Subdivision No. 1, in order to resolve an easement issue and provide one (1) parcel on which to build the previously approved Vineyards Senior Housing [Case No. 22-07-DR (Design Review), approved June 14, 2022].

The Comprehensive Plan Future Land Use Map (FLUM) designates the subject sites as Commercial and both parcels are currently zone C-1 (Neighborhood Commercial).

In Exhibit 2.21, Kuna Rural Fire District (KRFD) provided support for the approval of the Vineyards Senior Housing Design Review application, noting the structure shall comply with the 2018 Commercial Building and Fire Codes.

Per the City Engineer's Memo (Exhibit 2.22) regarding the Vineyards Senior Housing application, support was provided on the Condition the public utility easement was Vacated; if approved, this Combo Plat application fulfills that Condition. In updated comments provided by the City Engineer in Exhibit 2.26, Public Works supports this Combo Plat request.

Upon review, staff finds the Combo Plat application to be in compliance with Title 5 and Title 6 of Kuna City Code; Idaho Statutes § 50-222 and § 67-6511; and Kuna Comprehensive Plan. Staff would recommend the Planning and Zoning Commission recommends Approval of Case No. 22-04-CPF to City Council, with the Applicant being subject to the Conditions of Approval listed in section "IX" 9 of this report.

6.2 Applicable Standards

6.2.1 City of Kuna Zoning Ordinance, Title 5

6.2.2 City of Kuna Subdivision Ordinance Title 6

6.2.3 City of Kuna Comprehensive Plan

6.2.4 Idaho Code Title 50, Chapter 2 – General Provisions

6.2.5 Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act

VII
PROPOSED FINDINGS OF FACT

Based upon the record contained in Case No. 22-04-CPF, including the Comprehensive Plan, Kuna City Code, Staff's Memorandum, the exhibits, and testimony during the Public Hearing, the Kuna Planning and Zoning Commission hereby recommends *Approval/Conditional Approval/Denial* of Case No. 22-04-CPF to City Council, a request from New Beginnings Housing, LLC, to combine Lots 4 and 5, Block 5 of the Merlin Pointe Subdivision No. 1, in order to resolve an easement issue and provide one (1) parcel on which to build the previously approved Vineyards Senior Housing.

If the Planning and Zoning Commission wishes to Approve, Conditionally Approve, Deny or modify specific parts of the Findings of Fact and Conclusions of Law as detailed below, those changes must be specified.

7.1 Based on the evidence contained in Case No. 22-04-CPF, this proposal *does/does not* generally comply with Kuna City Code (KCC) Title 5 and 6.

Staff Finding: *The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to comply with KCC Title 5 and 6.*

7.2 The public notice requirements *have/have not* been met and the Neighborhood Meeting *was/was not* conducted within the guidelines of applicable Idaho Code and City Ordinances.

Staff Finding: *The Applicant held a Neighborhood Meeting on August 23, 2022; there were four (4) in attendance. A legal notice was published in the Kuna Melba Newspaper and Neighbor Notices were mailed to property owners within 300-FT of the proposed project site on November 23, 2022. The Applicant posted a sign on the property on December 3, 2022.*

7.3 Based on the evidence contained in Case No. 22-04-CPF, the Combo Plat *does/does not* generally meet technical compliance per KCC Title 6.

Staff Finding: *Review by Staff of the proposed Combination Plat confirms all technical requirements listed in KCC 6-2-3 were provided.*

7.4 Based on the evidence contained in Case No. 22-04-CPF, this proposal does/does not generally comply with the Comprehensive Plan.

Staff Finding: *The Comp Plan has listed numerous goals for providing an economically diverse community, while the FLUM provides a guideline for new development and re-development. The FLUM designates the subject sites as Commercial and the sites are currently zoned C-1 (Neighborhood Commercial), thus being in compliance with the FLUM and Comprehensive Plan.*

7.5 The availability of existing and proposed public services and infrastructure *can/cannot* accommodate the proposed development.

Staff Finding: *ACHD and ITD have provided comments on what ingress/egress and roadway improvements will be required. The City Engineer provided Conditional support of the Vineyards Senior Housing project in Exhibit 2.22, and if this Combo Plat request is approved, that Condition will be met.*

7.6 The Applicant and/or Owner of the property have the right to request a written regulatory taking analysis.

Staff Finding: *Pursuant to Idaho Code § 67-8003, the owner of private property that is subject of such action may submit a written request for a regulatory taking analysis with the City Clerk. Not more that twenty-eight (28) days after the final decision concerning the matter at issue, the City shall prepare a written taking analysis concerning the action if requested.*

VIII
PROPOSED COMPREHENSIVE PLAN ANALYSIS

The Kuna Planning and Zoning Commission may *accept/reject* the Comprehensive Plan components, and shall determine if the proposed Annexation request for the site *is/is not* consistent with the following Comprehensive Plan components:

8.1 Goal Area 1: Kuna will be Economically Diverse and Vibrant.

- Goal 1.A.: Ensure land use in Kuna will support economic development.
    - Objective 1.A.2.: Create commercial nodes and corridors that support development or economic opportunities that do not compete with downtown revitalization efforts.
        - Policy 1.A.2.c: Focus on development of commercial uses that will not compete with downtown Kuna's businesses and character.

Goal Area 3: Kuna's land uses will support a desirable, distinctive and well-designed community.

- Goal 3.A.: Ensure community design directs growth and implement sustainable land use patterns.
  - Objective 3.D.1.: Encourage development in priority areas.
    - Policy 3.A.2.b. Encourage infill development to maximize the use of developable land, minimize infrastructure costs and preserve agricultural and open spaces
- Goal 3.G.: Respect and protect private property rights.
  - Objective 3.G.1.: Ensure land use policies, restrictions, and fees do not violate private property rights.
    - Policy 3.G.1.b: Encourage preservation and development of housing that meets demand for household sizes, lifestyles and settings.
    - Policy 3.G.1.c: Ensure land use actions, decisions and regulations do not prevent a private property owner from taking advantage of a fundamental property right. Ensure city actions do not impose a substantial and significant limitation on the use of the property.

IX
PROPOSED COMMISSIONS ORDER OF DECISION

Note: This motion is for the recommendation of Approval, Conditional Approval or Denial of the Combo Plat to City Council. However, if the Planning and Zoning Commission wishes to approve or deny specific parts of this request as detailed in the report, those changes must be specified.

Based on the facts outlined in staff's report and the public testimony as presented at the hearing, the Kuna Planning and Zoning Commission recommends *Approval/Conditional Approval/Denial* of Case No. 22-04-CPF to City Council, a request from New Beginnings Housing, LLC, to combine Lots 4 and 5, Block 5 of the Merlin Pointe Subdivision No. 1, in order to resolve an easement issue and provide one (1) parcel on which to build the previously approved Vineyards Senior Housing, subject to the following Conditions of Approval:

9.1 The Developer/Owner/Applicant 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:

9.1.1 The City Engineer shall approve the sewer connections.

9.1.2 The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.

9.1.3 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".

9.1.4 The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District are required.

9.1.5 The Kuna Municipal Irrigation System (KMIS) and Boise Project Board of Control shall approve any modifications to the existing irrigation system.

9.1.6 Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permit(s).

9.1.7 All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.

9.2 Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see KCC 6-4-2.

9.3 Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.

9.4 When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation System of the City (KMIS).

9.5 It is the responsibility of the Developer or his Engineer to coordinate and design for the stricter requirement between agencies and the City of Kuna standards for the entire development

9.6 The Developer/Owner/Applicant, and/or any future assigns having an interest in the subject property, shall fully comply with all Conditions of development as approved by the City Council, or seek amending them through Public Hearing processes.

9.7 Developer/Owner/Applicant shall follow staff, City Engineers and other agency recommended requirements as applicable.

9.8 Developer/Owner/Applicant shall comply with all local, state and federal laws.

DATED: this 13th day of December, 2022.

Planning & Zoning Application Coversheet

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

****Office Use Only****

File No.(s): 22-04-CPF

Project Name: Single Lot Subdivision- Vineyards Housing

Date Received: 10.07.2022; Remaining Item 11.07.2022

Date Accepted as Complete: 11.15.2022

Type of review requested (check all that apply):

	Annexation & Zoning		Appeal
	Comp. Plan Map Amendment	X	Combination Pre & Final Plat
	Design Review		Development Agreement
	Final Planned Unit Development		Final Plat
	Lot Line Adjustment		Lot Split
	Ordinance Amendment		Planned Unit Development
	Preliminary Plat		Rezone
	Special Use Permit		Temporary Business
	Vacation		Variance

Owner of Record

Name: New Beginnings Housing LLC

Address: 623 Kimball Avenue, Suite C, Caldwell Idaho 83605

Phone: 208-454-2576 Email: greg@nbhousing.com

Applicant (Developer) Information

Name: A Team Land Consultants, Steve Arnold

Address: 1785 Whisper Cove Avenue, Boise ID 83709

Phone: 208-871-7020 Email: steve@ateamboise.com

Engineer/Representative Information

Name: A Team Land Consultants, Steve Arnold

Address: 1785 Whisper Cove Avenue, Boise ID 83709

Phone: 208-871-7020 Email: steve@ateamboise.com

Subject Property Information

Site Address: 150 and 200 N. Sailer Avenue, Kuna Idaho

Nearest Major Cross Streets: Avalon and Sailer Avenue

Parcel No.(s): R5672431260 and R56722431280

Section, Township, Range: 24, 2N, 1W BM

Property Size: 1.80 acres

Current Land Use: Vacant Proposed Land Use: Retirement Home

Current Zoning: C-1 Proposed Zoning: C-1

Project Description

Project Name: Single Lot Subdivision

General Description of Project: We are combining Lots 4, and 5, Block 5, Merlin Pointe Subdivision No 1. for the purpose of eliminating the lot line and easment so that one building may be placed of the lot for a 37 unit senior housing community.

Type of proposed use (check all that apply and provide specific density/zoning):
☐ Residential: R-2 R-4 R-6 R-8 R-12 R-20 ☒ Commercial: C-1 C-2 C-3 ☐ CBD
☐ Office ☐ Industrial: M-1 M-2 ☐ Other: _____

Type(s) of amenities provided with development: Amenities to include a community room, library, fitness room, common laundry, community gardens, horsesshoe pits, walking paths seather areas, covered parking, and interior storage spaces.

Residential Project Summary (If Applicable)

Are there existing buildings? YES NO

If YES, please describe: _____

_____

Will any existing buildings remain? YES NO

No. of Residential Units: _____ No. of Building Lots: _____

No. of Common Lots: _____ No. of Other Lots: _____

Type of dwelling(s) proposed (check all that apply):
☐ Single-Family ☐ Townhomes ☐ Duplexes ☐ Multi-Family
☐ Other: _____

Minimum square footage of structure(s): _____

Gross Density (Dwelling Units ÷ Total Acreage): _____

Net Density (Dwelling Units ÷ Total Acreage not including Roads): _____

Percentage of Open Space provided: _____ Acreage of Open Space: _____

Type of Open Space provided (i.e. public, common, landscaping): _____

_____

_____

Non-Residential Project Summary (If Applicable)

Number of building lots: 1 Other lots: N/A

Gross floor area square footage: 43, 415 Existing (if applicable): N/A

Building height: 30.5' Hours of Operation: Per City Code

Total No. of Employees: 2 Max No. of Employees at one time: 2

No. of and ages of students: N/A Seating capacity: N/A

Proposed Parking

ADA accessible spaces: 6 Dimensions: Per Code

Regular parking spaces: 44 Dimensions: 9' x 17'

Width of driveway aisle: 26-feet

Proposed lighting: Hooded downward lighting per code requirements

Is lighting "Dark Sky" compliant? (YES) NO

Proposed landscaping (i.e. berms, buffers, entrances, parking areas, etc.):

Grass along the public roadways, and internal to the site for the residents. There with also be community community gardens, and active exercise areas for the residents.

_____

_____

Applicant Signature: Steve Arnold Date: 10/7/2022

By signing, you are confirming you have provided all required items listed on this application.

Upon completion of this form, please email to pzapplications@kunaid.gov. A link will be provided to you for application attachments to be uploaded to the cloud.

Combination Preliminary Plat & Final Plat Application

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

Combo 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.

****Office Use Only****

Case No(s).: 22-04-CPF

Project Name: Single Lot Subdivision - Vineyards Senior Housing

Date of Pre-Application Meeting: ~~Valid for three (3) months, unless otherwise determined by Staff~~

Date Received: 10.07.2022; Remaining item 11.07.2022

Date Accepted as Complete: 11.15.2022

Application shall contain one (1) copy of the following (digital copies preferred):

- Complete Planning & Zoning Application Coversheet
- Complete Preliminary Plat Application
- Detailed narrative or justification for the application, describing the project, design elements, serviceability, amenities, and how the project complies with the requirements found within Kuna City Code.
- Vicinity Map 8.5" x 11": Drawn to scale of 1" = 300' (or similar), showing the location of subject property. Map shall contain a shaded area showing the annexation property; surrounding street names; and name(s) of surrounding subdivisions.
- Legal Description of Preliminary Plat Area: Include metes & bounds description to the section line of all adjacent roadways; stamped & signed by a registered professional Land Surveyor; calculated closure sheet; and a map showing the boundaries of the legal description.
- Recorded Warranty Deed for property.
- Affidavit of Legal Interest if the individual submitting this application is not the legal property owner. (*One Affidavit required for each party involved. Originals must be submitted to the Planning & Zoning Department.)*
- Neighborhood Meeting Certification.
- Commitment of Property Posting form signed by the applicant/agent.
- A letter or email from the Ada County Engineer showing the subdivision name reservation. (*A name change needs to be submitted and approved by the Planning & Zoning Director & Ada County Engineer*.)
- Plat Plans (24" x 36"): Drawn to a scale of 1" = 100' (or similar), showing
    - Topography at 2' intervals
    - Land uses (location, layout, types & dimensions) of Residential, Commercial & Industrial
    - Street right-of-way (ROW) including dimensions of ROW dedication for all roadways, street sections, improvements, etc.
    - Easements/common space such as utility easements, parks, community spaces, etc.
    - Layout & dimensions of lots
    - Improvements drawing showing water, sewer, drainage, electricity, irrigation, telephone, gas, proposed street lighting, proposed street names, fire hydrant placement, storm water disposal, underground utilities, and sidewalks.

- Pressurized Irrigation Plan
- Plat Plans (8.5” x 11”): Drawn to a scale of 1” = 100’ (or similar)
- Phasing Plan
- Approved final engineering construction drawings for streets, water, sewer, sidewalks, pressure irrigation & other public improvements.
- Statement of Conformance with the following: Preliminary Plat meets all requirements or conditions; and Preliminary Plat meets acceptable engineering practices and local standards.
- Landscape Plan for subdivision entrances, buffers, common areas, etc.
- Homeowners Maintenance Agreement for the care of landscaped common areas, & any proposed restrictive covenants and/or deed restrictions, and Homeowners Association documents.

This application shall not be considered complete (nor will a Public Hearing be scheduled) 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, and any additional items via a Letter of Completeness.

Information to Note:
The date of application acceptance shall be the date the applicant submits the final required information to the Planning & Zoning Department, including the application fee *(KCC 5-1A-2C).*

Complete applications shall be reviewed within sixty (60) days of date of acceptance *(KCC 5-1A-5A).*

Applicant Signature: _____ Date: 10/7/2022

By signing, you are confirming you have provided all required items listed on this application.

A TEAM
Land Development & Real Estate Services

October 7, 2022

Mr. Doug Hanson
Planning and Zoning Administrator
City of Kuna
751 W. 4th Street
Kuna, Idaho 83634

Dear Doug:

Subject: Single Lot Subdivision

On behalf of New Beginnings Housing LLC, A Team Land Consultants presents to the City of Kuna, a Preliminary/Final Plat application. The subject property is located at 150 and 200 N. Sailer Avenue. The property contains 1.8 total acres.

The applicant is proposing to combine Lots 4 and 5, Block 5, Merlin Pointe Subdivision No. 1. The purpose to combine the lots is to allow a building to cross the lot lines and vacate the existing utility easement. No new City utilities are being constructed with the exception of service lines being extended to the proposed building.

Civil plans have been submitted for the building and the DR application, in addition of a landscape plan, therefore we are not submitting those items with this application.

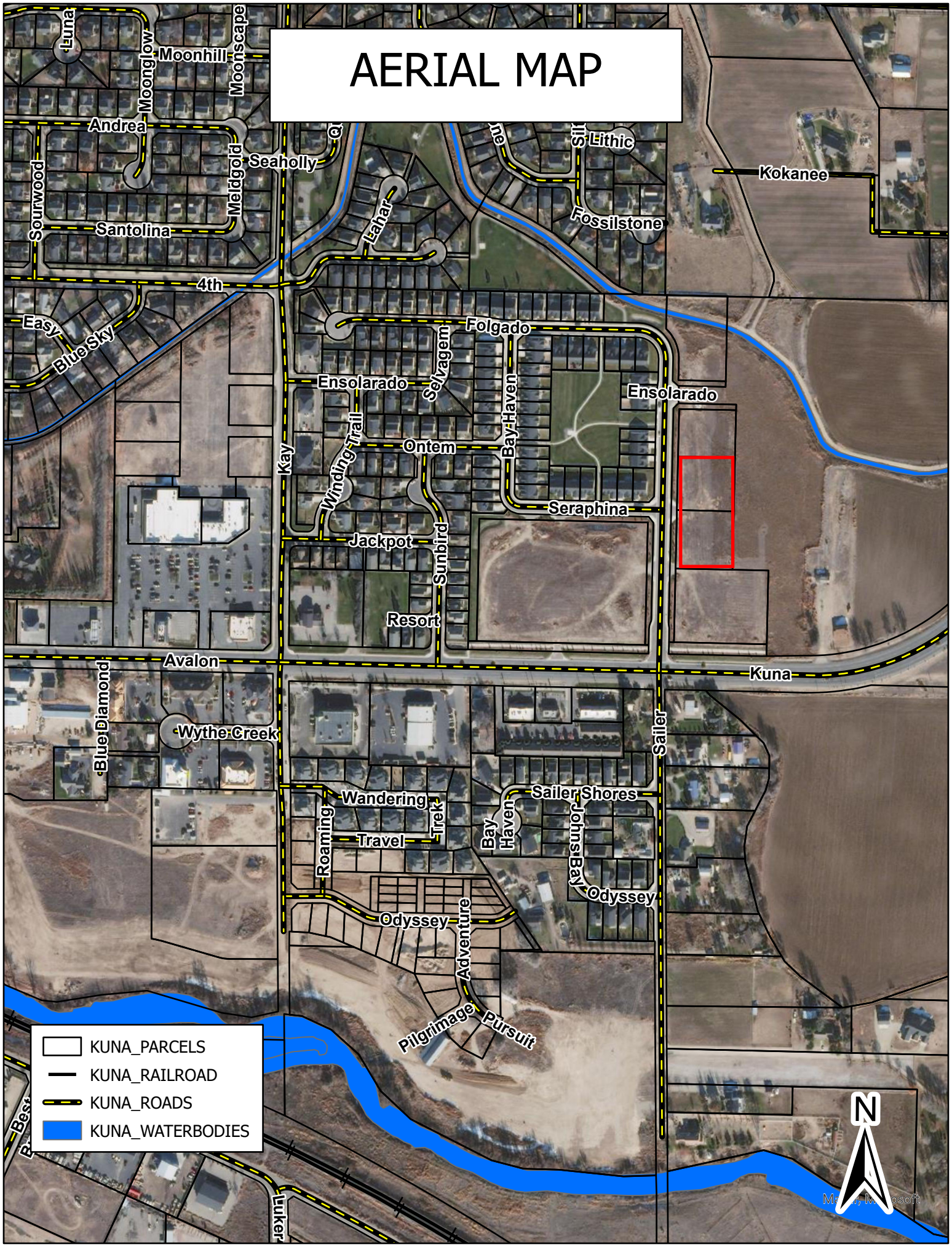
It is anticipated that the applications are in compliance with all applicable plans and codes adopted by the City. Please notify us as early as possible if you should need additional clarification or information regarding this application.

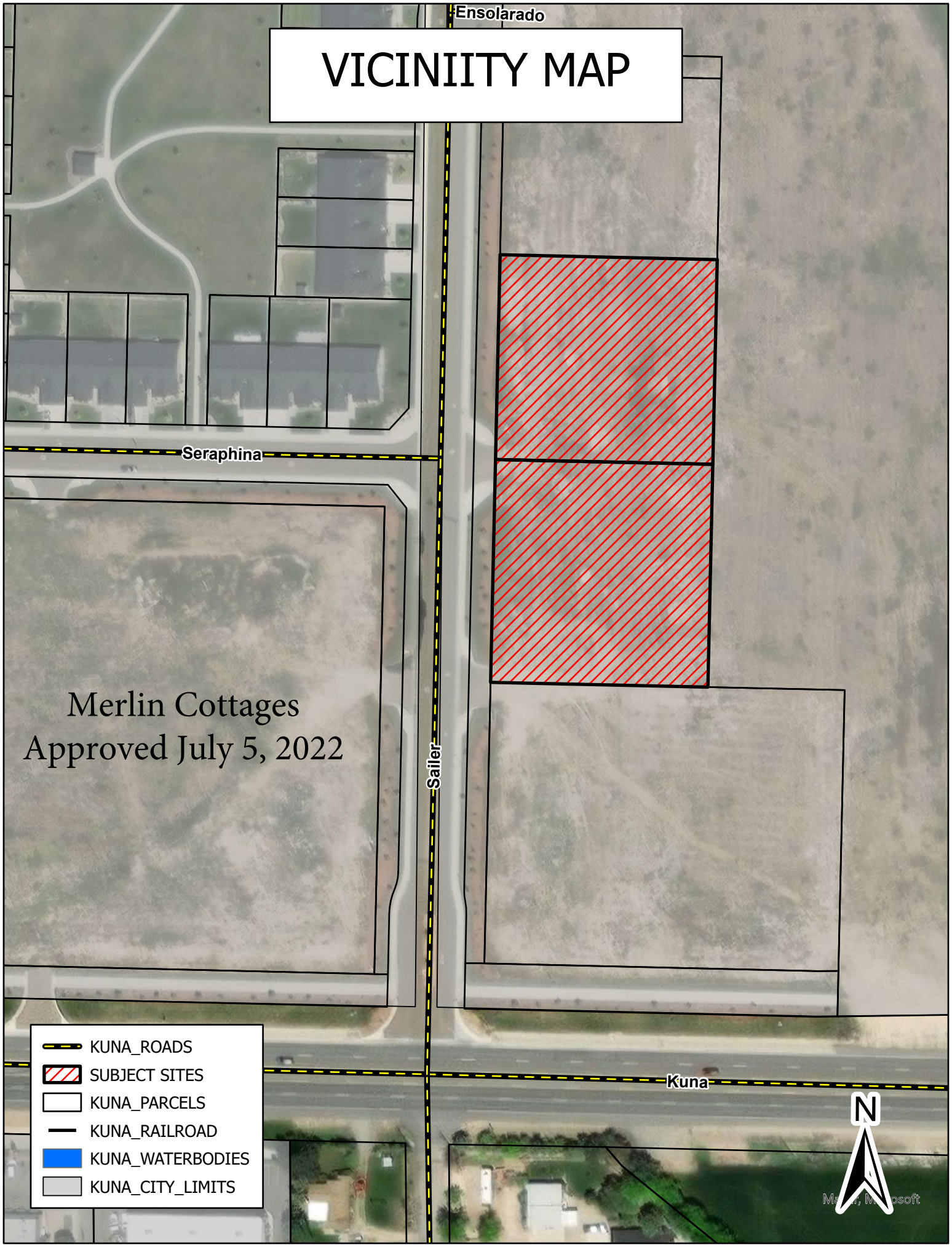
Sincerely,
A Team Land Consultants

Steve Arnold
Project & Real Estate Manager

Cc: Greg Urrutia
Kathy Venrick

Land Use Planning & Design/ Project Management/ Real Estate
1785 Whisper Cove Avenue, Boise Idaho 83709. Ph. (208) 871-7020 Fx. (208) 321-0525
E-mail: steve@ateamboise.com


AERIAL MAP
Luna
Moonglow
Moonhill
Moonscape
Andrea
Meldgold
Seaholly
Sourwood
Santolina
Lahar
Lithic
Fossilstone
Kokanee
4th
Easy
Blue Sky
Folgado
Selvagem
Ensolarado
Bay Haven
Ensolarado
Kay
Winding Trail
Ontem
Seraphina
Jackpot
Sunbird
Resort
Avalon
Kuna
Blue Diamond
Wythe Creek
Sailer
Wandering
Trek
Sailer Shores
Roaming
Travel
Bay Haven
Johns Bay
Odyssey
Odyssey
Adventure
Pilgrimage
Pursuit
KUNA_PARCELS
KUNA_RAILROAD
KUNA_ROADS
KUNA_WATERBODIES
N


VICINIITY MAP
Ensolarado
Seraphina
Sailer
Kuna
Merlin Cottages
Approved July 5, 2022
KUNA_ROADS
SUBJECT SITES
KUNA_PARCELS
KUNA_RAILROAD
KUNA_WATERBODIES
KUNA_CITY_LIMITS
N

ADA COUNTY RECORDER Phil McGrane
BOISE IDAHO Pgs=3 ANGIE STEELE
TITLEONE BOISE

2022-041538
04/28/2022 09:03 AM
$15.00

TitleOne
a title & escrow co.

Order Number: 21419579

Warranty Deed

For Value Received,

Merlin Pointe, LLC, an Idaho limited liability company, the Grantor, does hereby grant, bargain sell and convey unto, **New Beginnings Housing, LLC, an Idaho limited liability company**, whose current address is **623 S. Kimball Avenue, Suite C, Caldwell, ID 83605,** the Grantee, the following described premises, in **Ada County, Idaho,** To Wit:

See Exhibit A, attached hereto and incorporated herein.

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

Remainder of this page intentionally left blank.

Dated: 4.26.2022

Merlin Pointe, LLC, an Idaho limited liability company

By: Black Creek Limited Partnership, an Idaho limited partnership, its Sole Member

By: Thomas T. Nicholson
Thomas T. Nicholson, General Partner

STATE OF IDAHO,)
) ss.
County of Ada ____.)

On this 26 day of April, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Thomas T. Nicholson, known or identified to me to be a General Partner of Black Creek Limited Partnership, the limited partnership that is the Sole Member of Merlin Pointe, LLC, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

LINDA BOOTS
14855
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 05/31/2025

Linda Boots
NOTARY PUBLIC FOR IDAHO
My Commission Expires: 5/31/25

EXHIBIT A

LEGAL DESCRIPTION OF THE PREMISES

Lots 4 and 5 in Block 5 of Merlin Pointe Subdivision No. 1, according to the official plat thereof, filed in Book 115 of Plats at Page(s) 17375 through 17378, official records of Ada County, Idaho.

ADA COUNTY RECORDER Phil McGrane
BOISE IDAHO Pgs=3 ANGIE STEELE
TITLEONE BOISE

2022-041538
04/28/2022 09:03 AM
$15.00

TitleOne
a title & escrow co.

Order Number: 21419579

Warranty Deed

For Value Received,

Merlin Pointe, LLC, an Idaho limited liability company, the Grantor, does hereby grant, bargain sell and convey unto, **New Beginnings Housing, LLC, an Idaho limited liability company**, whose current address is **623 S. Kimball Avenue, Suite C, Caldwell, ID 83605,** the Grantee, the following described premises, in **Ada County, Idaho,** To Wit:

See Exhibit A, attached hereto and incorporated herein.

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

Remainder of this page intentionally left blank.

Dated: 4.26.2022

Merlin Pointe, LLC, an Idaho limited liability company

By: Black Creek Limited Partnership, an Idaho limited partnership, its Sole Member

By: Thomas T. Nicholson
Thomas T. Nicholson, General Partner

STATE OF IDAHO,)
) ss.
County of Ada ____.)

On this 26 day of April, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Thomas T. Nicholson, known or identified to me to be a General Partner of Black Creek Limited Partnership, the limited partnership that is the Sole Member of Merlin Pointe, LLC, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

LINDA BOOTS
14855
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 05/31/2025

Linda Boots
NOTARY PUBLIC FOR IDAHO
My Commission Expires: 5/31/25

EXHIBIT A

LEGAL DESCRIPTION OF THE PREMISES

Lots 4 and 5 in Block 5 of Merlin Pointe Subdivision No. 1, according to the official plat thereof, filed in Book 115 of Plats at Page(s) 17375 through 17378, official records of Ada County, Idaho.

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

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

City of Kuna
AFFIDAVIT OF LEGAL INTEREST

State of Idaho)
) ss
County of Canyon)

I, New Beginings Housing LLC , 623 S. Kimball Ave., Ste C
Name **Address**

Caldwell ID 83605 ,
City **State** **Zip Code**

being first duly sworn upon oath, depose and say:

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

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

Permission to A Team Land Consultants 1785 Whisper Cove Ave. Boise ID 83709
Name Address
to submit the accompanying application pertaining to that property.

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

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

Dated this 9th day of September, 2022

Signature

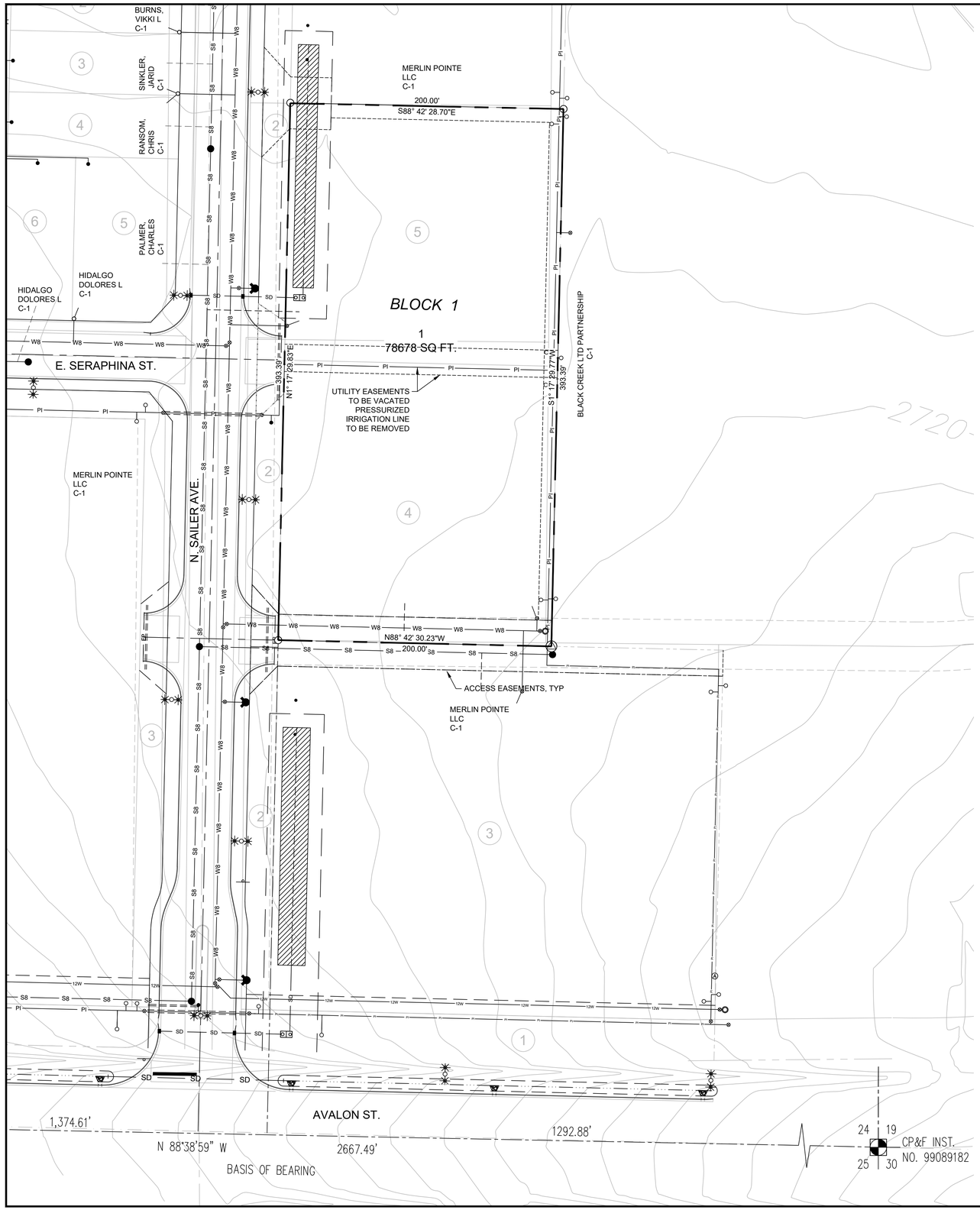
Subscribed and sworn to before me the day and year first above written.

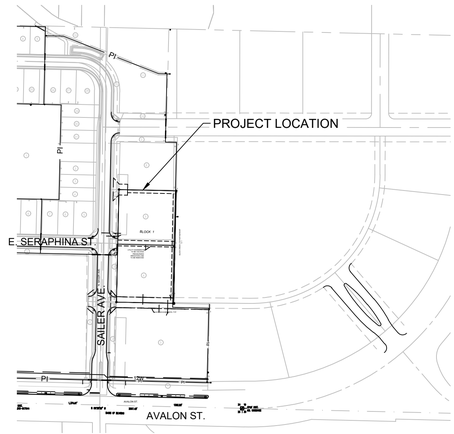
Notary Public for Idaho Nampa

Residing at: Nampa, ID

My commission expires: 10/13/24

DANIELLE BADKE
COMMISSION NUMBER
NOTARY
PUBLIC
20181188
STATE OF IDAHO





VICINITY MAP
SCALE: 1:250

PRELIMINARY DEVELOPMENT FEATURES

PARCEL NO's:	R5672431260 R5672431280	SITE DETAILS:	
		COMMERCIAL:	1.81 AC
ADDRESSES:	150 N. SAILER AVE 200 N. SAILER AVE KUNA , ID 83634	SETBACKS:	
ZONING C-1		FRONT: SIDE: REAR:	15' 0' 5'
PROPERTY SIZE:	1.81 AC		
TOTAL LOTS: COMMON LOTS: COMMERCIAL:	1 0 1	SITE AMENITIES:	
		LANDSCAPE BUFFERS	
DENSITY UNITS:	1.81 PER AC		

NOTES:

1. THERE IS EXISTING KUNA CITY WATER AND SEWER SERVICE.
2. MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE C-1 ZONING DISTRICT.
3. THERE IS AN EXISTING PI THAT WILL BE UTILIZED BY THE DEVELOPMENT. THE DEVELOPER PROPOSES TO ABANDON THE PI AND UTILITY EASEMENT IN THE CENTER OF THE SITE. THE LOT IN THIS SUBDIVISION WILL BE SUBJECT BY ASSESSMENTS OF THE KUNA IRRIGATION DISTRICT.
4. STORM DRAINAGE SHALL BE RETAINED ON SITE THROUGH SURFACE AND SUBSURFACE FACILITIES AS APPROVED BY ACHD AND THE CITY OF KUNA.
5. ACCESS TO SAILER AVE. WILL BE PROVIDED BY A SHARED DRIVEWAY AT THE SOUTH BOUNDARY AND ANOTHER NEW SHARED DRIVEWAY AT THE NORTH PROPERTY LINE. THE EXISTING CURB RETURN IN THE MIDDLE OF THE SITE WILL BE REMOVED AND REPLACED WITH CURB, GUTTER AND SIDEWALK.

LEGEND

- SITE BOUNDARY LINE
- SECTION LINE
- EXIST CENTER LINE
- EXIST IRRIGATION LINE
- EDGE OF GRAVEL
- EXISIT OVERHEAD POWER
- TOP OF SLOPE
- EDGE OF WATER
- EXIST SANITARY SEWER
- EXIST WATER LINE
- EXIST STORM DRAIN
- EXIST FENCE
- CENTERLINE DITCH/FLOW LINE
- TOP OF BANK
- EXIST EDGE OF PAVEMENT
- MAJOR CONTOUR LINE
- MINOR CONTOUR LINE
- PROPOSED LOT LINE
- PROPOSED ROW LINE
- PROPOSED CENTER LINE
- PROPOSED SEWER LINE
- PROPOSED WATER LINE
- PROPOSED PRESSURIZED IRRIG LINE
- IRRIGATION EASEMENT LINE

- FND ½" IRON PIN (AS NOTED)
- FND ⅝"x24" IRON PIN (AS NOTED)
- FND BRASS CAP (AS NOTED)
- FND ALUMINUM CAP (AS NOTED)
- CALCULATED POINT
- EXIST POWER POLE
- EXIST GUY ANCHOR
- EXIST GAS METER
- EXIST GAS RISER
- EXIST GAS VALVE
- EXIST TELEPHONE RISER
- EXIST COMM MANHOLE
- EXIST SAN SEWER MANHOLE
- EXIST WATER VALVE
- EXIST IRRIGATION BOX
- EXIST STORM DRAIN MANHOLE
- EXIST SIGN
- EXIST FIRE HYDRANT
- EXIST GUARDRAIL
- EXIST CONIF TREE
- EXIST DECID TREE
- EXIST CATCH BASIN

N
W E
S
0 40' 80'
SCALE: 1" = 40'

OWNER
NEW BEGINNINGS HOUSING, LLC.
1812 MADISON AVE.
NAMPA, ID 83637

SURVEYOR
ACKERMAN ESTVOLD
7661 W. RIVERSIDE DR.
GARDEN CITY, ID 83714

PLANNER / CONTACT
STEVE ARNOLD
A-TEAM LAND CONSULTANTS
1785 WHISPER COVE AVE.
BOISE, ID 83709
208-871-7020

DEVELOPER
NEW BEGINNINGS HOUSING, LLC.
1812 MADISON AVE.
NAMPA, ID 83637

SINGLE LOT SUBDIVISION
PRELIMINARY PLAT MAP

SECTION 24, T.2N., R.1W., B.M.
CITY OF KUNA, ADA COUNTY, IDAHO

A-TEAM Land Consultants

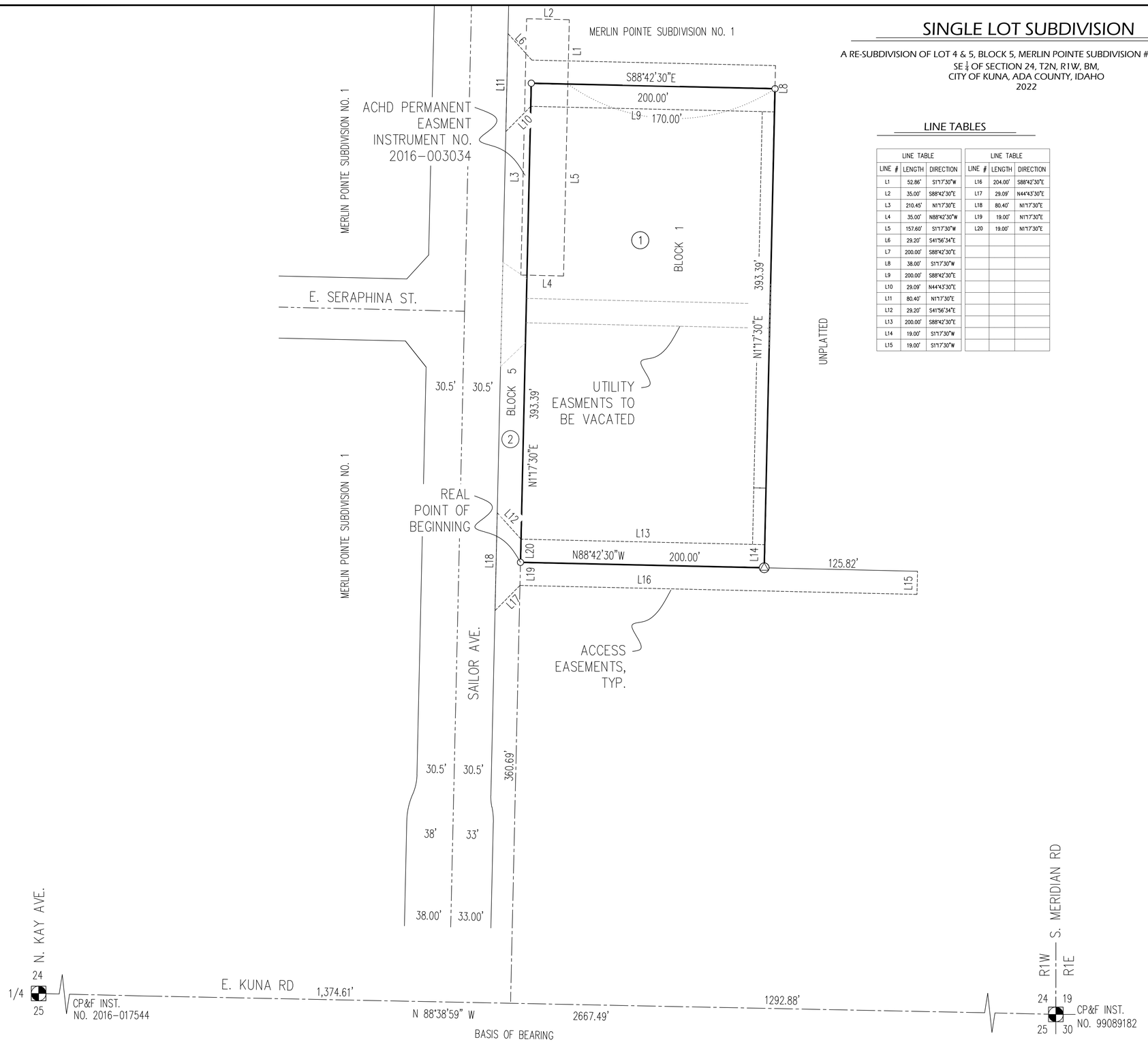
SHEET 1 OF 1
DRAWN BY: CJ SHERLOCK
DATE: November 7, 2022
FILE: SLS_PREPLAT.dwg

Final Plat

BOOK ____ , PAGE _____

SINGLE LOT SUBDIVISION

A RE-SUBDIVISION OF LOT 4 & 5, BLOCK 5, MERLIN POINTE SUBDIVISION #1, LOCATED AT SE ¼ OF SECTION 24, T2N, R1W, BM, CITY OF KUNA, ADA COUNTY, IDAHO
2022



LINE TABLES

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	52.86'	S1°17'30"W
L2	35.00'	S88°42'30"E
L3	210.45'	N1°17'30"E
L4	35.00'	N88°42'30"W
L5	157.60'	S1°17'30"W
L6	29.20'	S41°56'34"E
L7	200.00'	S88°42'30"E
L8	38.00'	S1°17'30"W
L9	200.00'	S88°42'30"E
L10	29.09'	N44°43'30"E
L11	80.40'	N1°17'30"E
L12	29.20'	S41°56'34"E
L13	200.00'	S88°42'30"E
L14	19.00'	S1°17'30"W
L15	19.00'	S1°17'30"W

LINE TABLE		
LINE #	LENGTH	DIRECTION
L16	204.00'	S88°42'30"E
L17	29.09'	N44°43'30"E
L18	80.40'	N1°17'30"E
L19	19.00'	N1°17'30"E
L20	19.00'	N1°17'30"E

NOTES

1- LOT 1, BLOCK 1 ARE HEREBY DESIGNATED AS HAVING A TEN (10) FOOT PERMANENT EASEMENT ON LOT LINES CONTIGUOUS WITH THE SUBDIVISION BOUNDARY LINE FOR PUBLIC UTILITIES, PRESSURE IRRIGATION, AND LOT DRAINAGE, UNLESS OTHERWISE SHOWN. ALL OTHER EASEMENTS ARE AS SHOWN.

2- MINIMUM BUILDING SETBACKS AND DIMENSIONAL STANDARDS SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF KUNA.

3- ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RESUBDIVISION AND MAY REQUIRE AMENDMENT OF THE DEVELOPMENT AGREEMENT.

4- IRRIGATION WATER HAS BEEN PROVIDED BY BOISE KUNA IRRIGATION DISTRICT IN COMPLIANCE WITH IDAHO CODE SECTION 31-3805(1)(b). LOTS WITHIN THE SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS AND INDIVIDUAL LOTS WILL REMAIN SUBJECT TO ASSESSMENTS FROM THE APPLICABLE IRRIGATION ENTITIES TO BE PAID THROUGH FEES ASSESSED TO EACH BUILDABLE LOT.

5- LOT 1, BLOCK 1 A PORTION OF SAID LOT, ARE SERVIENT TO AND CONTAIN THE ACHD STORM WATER DRAINAGE SYSTEM. THESE LOTS ARE ENCUMBERED BY THAT CERTAIN FIRST AMENDED MASTER PERPETUAL STORM WATER DRAINAGE EASEMENT RECORDED ON NOVEMBER 10, 2015 AS INSTRUMENT NO. 2015-103256, OFFICIAL RECORDS OF ADA COUNTY, AND INCORPORATED HEREIN BY THIS REFERENCE AS IF SET FORTH IN FULL (THE "MASTER EASEMENT"). THE MASTER EASEMENT AND THE STORM WATER DRAINAGE SYSTEM ARE DEDICATED TO ACHD PURSUANT TO SECTION 40-2302 IDAHO CODE. THE MASTER EASEMENT IS FOR THE OPERATION AND MAINTENANCE OF THE STORM WATER DRAINAGE SYSTEM.

6- THIS DEVELOPMENT RECOGNIZES IDAHO CODE SECTION 22-4503, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."

7- THIS SUBDIVISION IS SUBJECT TO THE TERMS OF ACHD LICENSE AGREEMENT INSTRUMENT NO. 2016-003034

8- LOT 1 BLOCK 1 ARE SUBJECT TO A CROSS ACCESS SHARED EASEMENT AS SHOWN. THE RIGHTS, RESTRICTIONS, AND RESPONSIBILITIES FOR SAID EASEMENT SHALL BE DEFINED IN THE CC&R DOCUMENTS FOR THIS SUBDIVISION.

9- A PORTION OF N. SAILER AVE. WAS PREVIOUSLY DEDICATED AS RIGHT-OF-WAY AS SHOWN ON THE AMENDED PLAT OF AVALON ORCHARD TRACTS, AS SHOWN IN BOOK 6 OF PLATS ON PAGE 254, RECORDS OF ADA COUNTY, IDAHO.

10- LOT 1 BLOCK 1 ARE SUBJECT TO SEWER AND WATER MAIN EASEMENTS AS SHOWN FOR THE CITY OF KUNA.

11- MAINTENANCE OF ANY IRRIGATION, DRAINAGE PIPE OR DITCH CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ASSUMED BY AN IRRIGATION/DRAINAGE DISTRICT.

LEGEND

- REPLACED 1/2" PIN WITH 5/8" REBAR CAPPED LS 18350
- FOUND 5/8" IRON PIN WITH LS 11118
- FOUND ALUMINUM CAP MONUMENT
- CENTERLINE LINE
- SECTION LINE
- BOUNDARY LINE
- PROPERTY LINE
- SURVEY TIE LINE
- EASEMENT LINE AS NOTED
- PUBLIC UTILITIES, PRESSURE IRRIGATION, AND LOT DRAINAGE EASEMENT - SEE NOTE 2.
- ACHD EASEMENT - SEE NOTE 7
- CROSS ACCESS EASEMENT - SEE NOTE 10
- CROSS ACCESS, CITY OF KUNA SEWER AND WATER MAIN, PUBLIC UTILITES, PRESSURE IRRIGATION, AND LOT DRAINAGE EASEMENT - SEE NOTES 2, 10, AND 12.

ANTONIO M. CONTI
ACKERMAN ESTVOLD
7661 W. Riverside Dr.
Garden City, ID 83714
antonio.conti@acherman-estvold.com

PROFESSIONAL LAND SURVEYOR LICENSED 18350 STATE OF IDAHO ANTONIO M. CONTI

PLS 18350

DRAFT

N
W
E
S

Scale:
Scale: 1" = 40'

SINGLE LOT SUBDIVISION

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS: THAT WE, THE UNDERSIGNED, ARE THE OWNERS OF THE REAL PROPERTY DESCRIBED BELOW IN ADA COUNTY, IDAHO, AND THAT WE INTEND TO INCLUDE THE FOLLOWING DESCRIBED PROPERTY IN THIS SINGLE LOT SUBDIVISION;

A RE SUBDIVISION OF LOTS 4 & 5, BLOCK 5, OF MERLIN POINTE SUBDIVISION NO. 1, AS SHOWN IN BOOK 115 OF PLATS ON PAGE 17375, RECORDS OF ADA COUNTY, IDAHO, AND A PORTION OF THE SE ¼ OF SECTION 24 OF TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF KUNA, ADA COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THENCE N 1° 17' 30" E A DISTANCE OF 393.39 FEET;

THENCE S 88° 42' 30" E A DISTANCE OF 200.00 FEET;

THENCE S 1° 17' 30" W A DISTANCE OF 393.39 FEET;

THENCE N 88° 42' 30" W A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 1.81 ACRES.

THE LOT IN THIS SUBDIVISION WILL BE ELIGIBLE TO RECEIVE WATER SERVICE FROM THE CITY OF KUNA. THE CITY OF KUNA HAS AGREED IN WRITING TO SERVE ALL THE LOTS IN THIS SUBDIVISION.

PUBLIC UTILITY, IRRIGATION AND DRAINAGE EASEMENTS ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT OF ACCESS TO, AND USE OF, THESE EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES, DRAINAGE AND FOR ANY OTHER USES AS MAY BE DESIGNATED HEREON AND NO PERMANENT STRUCTURES OTHER THAN FOR SAID USES ARE TO BE ERECTED WITHIN THE LIMITS OF SAID EASEMENTS.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HAND THIS ____ DAY OF _____ , 20___.

NEW BEGINNINGS HOUSING, LLC

_____

BY GREG URRITIA, MANAGING MEMBER

ACKNOWLEDGMENT

STATE OF IDAHO }
COUNTY OF ADA } S.S.

ON THIS ____ DAY OF _____, 20___, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE PERSONALLY APPEARED GREG URRITIA, KNOWN TO ME TO BE A MANAGING MEMEBER OF NEW BEGINNINGS HOUSING, LLC., AN IDAHO LIMITED PARTNERSHIP, THE PERSON WHO EXECUTED THE FOREGOING "CERTIFICATE OF OWNERS" AND ACKNOWLEDGED TO ME THAT SAID LIMITED PARTNERSHIP EXECUTED THE SAME.

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

MY COMMISSION EXPIRES _____

RESIDING AT _____

_____

NOTARY PUBLIC FOR THE STATE OF IDAHO

CERTIFICATE OF SURVEYOR

I, ANTONIO M. CONTI, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM THE FIELD NOTES OF A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

ANTONIO M. CONTI
IDAHO NO. 18350

SINGLE LOT SUBDIVISION

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13, HAVE BEEN SATISFIED ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER OR HIS AGENT LISTING THE CONDITIONS OF APPROVAL. SANITARY RESTRICTIONS MAY BE RE-IMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

_____
DISTRICT HEALTH DEPARTMENT, EHS DATE

APPROVAL OF CITY COUNCIL

I, THE UNDERSIGNED, CITY CLERK IN AND FOR THE CITY OF KUNA, ADA COUNTY ,IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE ____ DAY OF _____ , 20___, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

_____
KUNA CITY CLERK

APPROVAL OF THE CITY ENGINEER

I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY OF KUNA, ADA COUNTY, IDAHO, HEREBY APPROVE THIS PLAT.

_____
CITY ENGINEER

APPROVAL OF ADA COUNTY HIGHWAY DISTRICT

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE ____ DAY OF _____ , 20___.

ADA COUNTY HIGHWAY DISTRICT

_____
BY: _____, PRESIDENT
TRUSTEE OF EXISTING PUBLIC RIGHT-OF-WAY

ACKNOWLEDGMENT

STATE OF IDAHO }
COUNTY OF ADA } S.S.

ON THIS ____ DAY OF _____ , 20___, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PRESIDENT OF THE ADA COUNTY HIGHWAY DISTRICT, THE PERSON WHO EXECUTED THE INSTRUMENT OF SAID DISTRICT AND ACKNOWLEDGED TO ME THAT ADA COUNTY HIGHWAY DISTRICT EXECUTED THE SAME.

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

MY COMMISSION EXPIRES _____

RESIDING AT _____

_____
NOTARY PUBLIC FOR THE STATE OF IDAHO

CERTIFICATE OF THE COUNTY SURVEYOR

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

_____
ADA COUNTY SURVEYOR

CERTIFICATE OF THE COUNTY TREASURER

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

DATE: _____ _____
COUNTY TREASURER

CERTIFICATE OF COUNTY RECORDER

STATE OF IDAHO }
COUNTY OF ADA } S.S. INSTRUMENT NO. _____

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF LAND SOLUTIONS, P.C., AT ____ MINUTES PAST ___ O'CLOCK __ .M. ON THIS ____ DAY OF _____ , 20___, IN BOOK ____ OF PLATS AT PAGES _____.

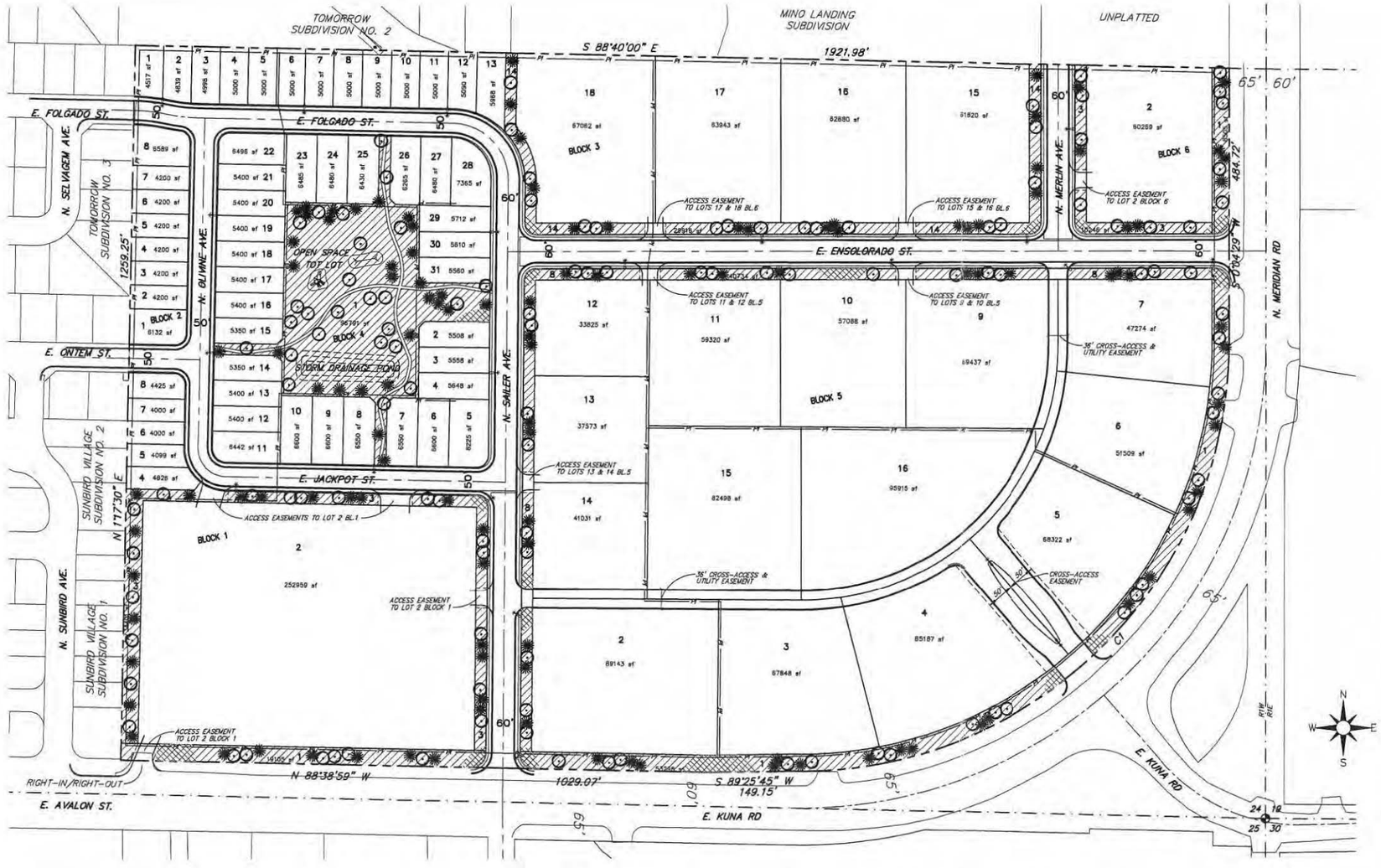
_____ _____
DEPUTY EX-OFFICIO RECORDER

FEE: _____

ANTONIO M. CONTI
ACKERMAN ESTVOLD
7661 W. Riverside Dr.
Garden City, ID 83714
antonio.conti@acherman-estvold.com

PROFESSIONAL LAND SURVEYOR LICENSED 18350 STATE OF IDAHO ANTONIO M. CONTI

PLS 18350

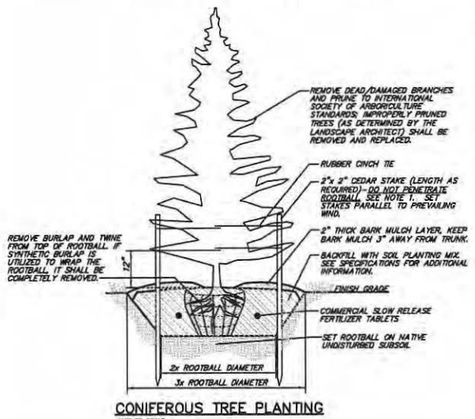


PLANT SCHEDULE

KEY	BOTANICAL NAME	COMMON NAME	SIZE
DECIDUOUS SHADE TREES			
AG	*Acer ginnala 'Flame' Multi-stem*	Flame Maple	2" CAL. B&B
AR	*Acer rubrum 'Red Sunset'*	Red Sunset Maple	2" CAL. B&B
AT	*Acer truncatum x Acer platanoides*	Norwegian Sunset Maple	2" CAL. B&B
BN	*Betula nigra 'Heritage'*	Heritage River Birch	2" CAL. B&B
CB	*Carpinus betulus 'Fastigiata'*	Pyramidal European Hornbeam	2" CAL. B&B
FA	*Fraxinus americana 'Junghans'*	Autumn Purple Ash	2" CAL. B&B
FP	*Fraxinus pennsylvanica 'Urbanite'*	Urbanite Ash	2" CAL. B&B
FR	*Fraxinus pennsylvanica 'Patmore'*	Patmore Ash	2" CAL. B&B
GT	*Gleditsia triacanthos inermis 'Skyline'*	Skyline Honeylocust	2" CAL. B&B
LS	*Liriodendron tulipifera*	Tulip Tree	2" CAL. B&B
LT	*Liquidambar styraciflua*	Sweetgum	2" CAL. B&B
ORNAMENTAL FLOWERING TREES			
CC	*Cercis canadensis*	Eastern Redbud	2" CAL. B&B
MR	*Malus 'Royalty'*	Royalty Crabapple	2" CAL. B&B
MS	*Malus 'Sorbtis Snow'*	Sorbtis Snow Crabapple	2" CAL. B&B
PC	*Pyrus calleryana 'Chanticleer'*	Chanticleer Pear	2" CAL. B&B
PS	*Prunus serrulata 'Royal Burgundy'*	Royal Burgundy Cherry	2" CAL. B&B
CONIFEROUS TREES			
PN	*Pinus nigra*	Austrian Pine	6'-7' B&B
PI	*Picea abies*	Norway Spruce	6'-7' B&B
SHRUBS/PERENNIALS/ORNAMENTAL GRASSES			
BT	*Berberis thunbergii atropurpurea 'Crimson Pygmy'*	Crimson Pygmy Barberry	#2
CA	*Calamagrostis x acutiflia 'Karl Foerster'*	Foerster's Feather Reed Grass	#1
CI	*Cornus alba 'Bailhalo'*	Ivory Halo Dogwood	#5
CS	*Cornus sericea 'Kelseyi'*	Kelsey Dogwood	#3
FS	*Fagus sylvatica 'Purpurea Pendula'*	Weeping Purple Beech	4' HT. B&B
GS	*Geranium sanguineum*	Bloody Cranesbill	#1
HB	*Heuchera 'Beauty of Color'*	Beauty of Color Coral Bells	#1
HC	*Helictotrichon sempervirens 'Sapphirsvalet'*	Sapphire Fountain Blue Oat Grass	#1
HO	*Hemerocallis 'Stella de Oro'*	Stella de Oro Daylily	#1
HO	*Hosta x 'Patriot'*	Patriot Plantain Lily	#1
MR	*Mahonia repens*	Creeping Mahonia	#2
PA	*Pennisetum alopecuroides 'Hamelin'*	Dwart Fountain Grass	#1
PM	*Pinus mugo pumilio*	Dwart Mugo Pine	#5
RH	*Rosa x 'Noaleed'*	Yellow Flower Carpet Groundcover Rose	#2
RP	*Rhododendron x 'P.J.M.'*	P.J.M. Rhododendron	#5
SB	*Spirea bumalda 'Goldflame'*	Goldflame Spirea	#1
SI	*Iris sibirica 'Caesar's Brother'*	Caesar's Brother Siberian Iris	#1
SN	*Sambucus nigra 'Gerda'*	Black Beauty Elderberry	#5
TC	*Taxus x media 'Densiformis'*	Dense Spreading Yew	#5
WF	*Weigela florida 'Variegata Nana'*	Variegated Weigela	#3

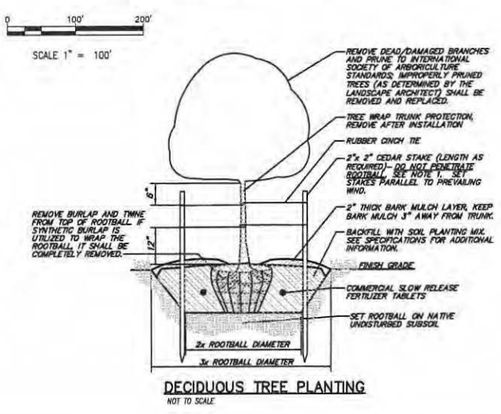
LANDSCAPE & IRRIGATION NOTES:

1. Contractor shall report to landscape architect all conditions which impair and/or prevent the proper execution of this work, prior to beginning work.
2. Coordinate work schedule and observations with landscape architect prior to construction start-up.
3. New conifer and deciduous tree planting, see detail B and C/A1.0. Contractor shall stake all trees deemed necessary, i.e..... from being blown over, planted with loose root ball, etc. Contractor's option.
4. New shrub planting. See detail A/A1.0.
5. All plant material shall conform to the American Nurseryman Standards for type and size shown. Plants will be rejected if not in a sound and healthy condition.
6. All planting beds shall be covered with a minimum of 3" of small (1" minus) bark chips. Submit for approval.
7. All plant material shall be guaranteed for a period of one year beginning at the date of acceptance by Owner. Replace all plant material found dead or not in a healthy condition immediately with the same size and species at no cost to the Owner.
8. Finish grades to be smooth and even gradients with positive drainage in accordance with site grading plan.
9. In all planter bed and lawn areas, the top 6 inches of topsoil will be amended at a ratio of 3 cubic yards of organic matter per 1000 square feet. Roto-till organic matter a minimum of 6 inches into topsoil.
10. Fertilize all trees and shrubs with "Agriform" planting tablets. Quantity per manufacturer's recommendations.
11. All planting beds shall have a minimum of 18" of topsoil. Lawn areas shall have a minimum of 12" topsoil. Spread, compact and fine grade topsoil to a smooth and uniform grade 1" below surface of walks and curbs in planting bed areas, 1 1/2" at sod lawn areas, and 1" at seed lawn areas.
12. Reuse existing surface topsoil stockpiled on the site. Verify suitability of surface soil to produce topsoil meeting requirements and amend when necessary. Topsoil shall be a loose, friable, sandy loam, clean and free of toxic materials, noxious weeds, weed seeds, rocks, grass or other foreign material and a ph of 5.5 to 7.0. If on-site topsoil does not meet these minimum standards, contractors are responsible to either: a) provide approved imported topsoil, or b.) improve on-site topsoil with methods approved by landscape architect. Supplement withimported topsoil when quantities are insufficient. Clean topsoil of roots, plants, sods, stones, clay lumps and other extraneous materials harmful to plant growth.
    If imported topsoil from off-site sources is required, provide new topsoil that is fertile, friable, natural loam, surface soil, reasonably free of subsoil, clay lumps, brush, weeds and other litter, and free of roots, stumps, stones larger than 2 inches in any dimension, and other extraneous or toxic matter harmful to plant growth.
    a. Obtain topsoil from local sources or from areas having similar soil characteristics to that found at project site. Obtain topsoil only from naturally, well-drained sites where topsoil occurs in a depth of not less than 4 inches.
    b. Representative samples shall be tested for acidity, fertility and general texture by a recognized commercial or government agency and copies of the testing agency's findings and recommendations shall be furnished to the Architects representative by the contractor. No topsoil shall be delivered in a frozen or muddy condition. Acidity/alkalinity range – Ph. 5.5 to 7.6.
13. Immediately clean up any topsoil or other debris on the site created from landscape operations and dispose of properly off site.
14. All landscaped areas shall have an automatic underground sprinkler system which insures complete coverage and properly zoned for required water uses. Each hydrozone is to be irrigated with separate individual stations.
15. Planter beds and lawn areas are to have separate hydro-zones.
16. Pop-up sprinkler heads shall have a minimum riser height of 4 inches at lawn areas and 18" at planter beds.
17. Planter beds are to have drip irrigation systems or pop-up spray systems. Annuals, perennials ground covers or shrub massings shall have a pop-up spray system.
18. Electronic water distribution/ timing controllers are to be provided. Minimum controller requirements are as follows:
    - Precise individual station timing
    - Run time capabilities for extremes in precipitation rates
    - At least one program for each hydrozone
    - Sufficient multiple cycles to avoid water run-off
    - Power failure backup for all programed individual valved watering stations will be designed and installed to provide water to respective hydro-zones.



CONIFEROUS TREE PLANTING
NOT TO SCALE

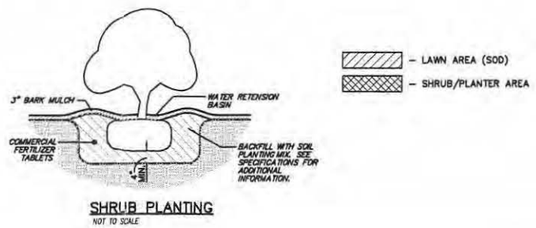
SCALE 1" = 100'



DECIDUOUS TREE PLANTING
NOT TO SCALE

TREE PLANTING NOTES

1. THE STAKING OF TREES IS TO BE THE CONTRACTOR'S OPTION; HOWEVER, THE CONTRACTOR IS RESPONSIBLE TO INSURE THAT ALL TREES ARE PLANTED STRAIGHT AND THAT THEY REMAIN STRAIGHT FOR A MINIMUM OF 1 YEAR. ALL STAKING SHALL BE REMOVED AT THE END OF THE ONE YEAR WARRANTY PERIOD.
2. REMOVAL OF BURLAP AND TWINE FROM TOP OF ROOTBALL MAY BE POSTPONED FOR 90 DAYS AT CONTRACTOR'S OPTION.
3. IN THE EVENT OF A QUESTION OR LACK OF CLARITY ON THE DRAWINGS, THE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT BEFORE PROCEEDING.
4. LANDSCAPE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT AND OWNER PRIOR TO INSTALLATION OF PLANT MATERIAL.
5. WRAP RUBBER CINCH TIES AROUND THE TREE TRUNKS AND STAKES USING EITHER THE STANDARD OR FIGURE EIGHT TYING METHOD. SECURE THE TIES TO THE STAKES WITH GALVANIZED NAILS TO PREVENT SLIPPAGE.
6. DEEP SOAK TREE TWICE WITHIN THE FIRST 24 HOURS.
7. IN THE EVENT HARDPAN SOILS PREVENT TREE PLANTING AS DETAILED, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY.



SHRUB PLANTING
NOT TO SCALE

DEVELOPER / OWNER
TFI LP
P.O. BOX 690
MERIDIAN, ID 83680

LANDSCAPE DESIGNER
POWER ENTERPRISES
16131 FRANKLIN BLVD.
NAMPA, ID 83687
(208) 461-4670

PLANNER / CONTACT
STEVE ARNOLD
A-TEAM LAND CONSULTANTS
1785 WHISPER COVE AVE.
BOISE, ID 83709
208-871-7020

MERLIN SUBDIVISION

PRELIMINARY LANDSCAPE PLAN
SECTION 24, T.2N., R.1W., B.M.
CITY OF KUNA, ADA COUNTY, IDAHO

A-Team Land Consultants
Committed to You!

SHEET 1 OF 1

DRAWN BY:
DATE: 02/26/13
FILE: MERLIN LND.DWG

APPROVED
KUNA PLANNING & ZONING DEPT.
OFFICIAL
Tony Bellue
DATE 4-19-13

drainage and is first approved in writing by the Architectural Control Committee and Ada County Highway District. For the purposes hereof, "established" drainage is defined as the system of drainage, whether natural or otherwise, which exists at the time the overall grading of any portion of the Properties is completed by Declarant, or that drainage which is shown on any plans approved by the Architectural Control Committee and/or Ada County Highway District, which may include drainage from the Common Area over any Lot in the Properties.

ARTICLE VII. MAINTENANCE RESPONSIBILITY

Section 1. Association Responsibility: The Association shall provide maintenance to and be responsible for the Common Areas and all improvements located thereon, and all Ada County Highway District storm water drainage facilities located on any Lot subject to this Declaration. In addition, the Association shall maintain any common structures, monuments and signage on any Lot which is subject to this Declaration. In the event the need for maintenance or repair is caused through the willful or negligent act of an Owner or his invitees, the costs of such maintenance or repairs shall be added to and become part of the assessment to which such Owner's Lot is subject.

Section 2. Owner Responsibility: Each Owner shall be responsible for maintaining and keeping in good order and repair all buildings, parking lots, drive aisles, landscaping, sidewalks and drainage facilities associated with his buildings, and all other improvements located on such Owner's Lot except those which are specifically identified herein to be maintained by the Association. Each Owner or occupant shall remove, at his own expense, any rubbish or trash of any character which may accumulate on its Lot and shall, prior to the construction of improvements thereon, be responsible to cut or otherwise control the weeds and other noxious plants on his Lots so as to avoid any unsightly condition or hazard or nuisance to other Lots. If an Owner fails to perform his maintenance responsibilities as set forth herein, the Association shall, upon fifteen (15) days prior written notice to the Owner, have the right to correct such condition, and to enter upon the Owner's Lot for the purpose of doing so, and seek reimbursement for the cost thereof in accordance with the provisions of Article IV, Section 3, Paragraph D, above.

ARTICLE VIII. PROPERTY USE RESTRICTIONS

The following restrictions shall be applicable to the Properties and shall be for the benefit of and limitations upon all present and future Owners of said Properties, or of any interest therein:

Section 1. Lot Use: No Lot shall be used except for such uses as are permitted pursuant to the ordinances of the City of Kuna and have been approved by the Architectural Control Committee as provided hereinbelow. All Lots and Improvements constructed thereon

COMMITMENT TO PROPERTY POSTING

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

Per Kuna City Code (KCC) 5-1A-8, the Applicant, for all applications requiring a Public Hearing, shall post the subject property *not less than ten (10) days prior to the hearing*. The Applicant shall post a copy of the Public Hearing notice on the property under consideration; all posting must be in substantial compliance.

The Applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the Planning and Zoning Department *no later than seven (7) days* prior to the Public Hearing, attesting to where and when the sign(s) were posted. Unless such certificate is received by the required date, the hearing will be continued to the next available date, as scheduling permits.

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

Print Name: A Team Land Consultants, Steve Arnold

Signature: _____ Date: 10/7/2022

Neighborhood Meeting Certification

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

You **must** conduct a Neighborhood Meeting **prior** to submission of an application for Annexation; Rezone; Special Use Permit; Subdivision; and Variance. Please see Kuna City Code 5-1A-2 for more information or contact the Planning & Zoning Department at (208) 922-5274.

The Neighborhood Meeting Certification packet includes the following:

- Neighborhood Meeting Certification – This acts as quick reference information regarding your project.
- Sign-in Sheet – This provides written record of who attended your Neighborhood Meeting.
- Neighborhood Meeting Minutes – Provides space in which to record the items discussed and any concerns attendees may have.

A Neighborhood Meeting cannot take place more than two (2) months prior to acceptance of the application and an application will not be accepted before the meeting is conducted. You are required to mail written notification of your meeting, allowing at least fourteen (14) days before your meeting for property owners to plan to attend. **Contacting and/or meeting individually with property owners will not fulfill Neighborhood Meeting requirements.** You may request a 300' property owners mailing list by completing the Neighborhood Meeting Mailing List Request form located under Forms & Applications on the City of Kuna website.

Neighborhood Meetings must be held on either a weekend between 10:00 Am & 7:00 PM, or a weekday between 6:00 PM & 8:00 PM. The meeting **cannot** be conducted on holidays, holiday weekends, or the day before/after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- Subject property;
- Nearest available public meeting place (i.e. Libraries, Community Centers, etc.); or
- An office space within a one (1) mile radius of the subject property.

Once you have held your Neighborhood Meeting, please complete this certification form and include with your application along with the Sign-in Sheet, Neighborhood Meeting Minutes & a copy of the notification mailed to attendees.

Description of proposed project: 37 unit senior housing community located at 150 N. Sailer Avenue

Date of Meeting: 8/23/22 Time: 6:00

Meeting Location: 150 N. Sailer Avenue

Site Information

Location: Section 24SE Township 2N Range 1W Total Acres 1.80

Subdivision Name: Merlin Pointe Subdivision No. 1 Lot 4/5 Block 5

Address: 150 and 200 N. Sailer Avenue, Kuna, ID

Parcel No(s).: R5672431260 and R5672431280

Include ALL addresses and parcel numbers for your application.

Current Property Owner

Name: New Beginnings Housing, LLC

Address: 623 S. Kimball Avenue, Suite C, Caldwell, ID 83605

Contact Person

Name: Greg Urrutia

Business Name (if applicable): New Beginnings Housing, LLC

Address: 623 S. Kimball Avenue, Suite C, Caldwell, ID 83605

Phone: 208-454-2576 Email: greg@nbhousing.com

Applicant

Name: Greg Urrutia/New Beginnings Housing, LLC

Address: 623 S. Kimball Avenue, Suite C, Caldwell, ID 83605

Phone: 208-454-2576 Email: greg@nbhousing.com

I, Gregory A. Urrutia *, certify that a Neighborhood Meeting was conducted at the time and location noted on this form in accordance with Kuna City Code 5-1A-2.*

Applicant Signature: Date: 8/23/22

SIGN-IN SHEET

Project Name: Vineyard at Merlin Pointe

	Name	Address	Phone
1	Leslie Langla	217 N. Sailer Ave., Kuna	480-878-9737
2	Chris Ransom	217 N. Sailer Ave., Kuna	480-878-9737
3	Cathy Venrick	623 S. Kimball Ave, St A	208-455-9661
4	Greg Urrutia	623 S. Kimball Ave, St C	208-454-2576
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NEIGHBORHOOD MEETING MINUTES

Meeting Date: 8/23/22 Number of Attendees: 4

Location: 150 N. Sailer Avenue

Project Description: 37 unit senior housing community

Attendee Comments or Concerns: Attendees were all in support of the proposed community. They indicated there is a need for senior housing in Kuna, especially if affordable to seniors on fixed incomes.

They approved of the location of the structure at the southwest corner of the property and plan to have parking in the rear of the property.

We discussed the need to combined the 2 lots into a single lot, eliminating the lot line between them and vacating the public easement. There were no concerns with this.

I, Gregory A. Urrutia *, hereby certify the above information and the information provided within these forms is true, complete and correct to the best of my knowledge.*

Applicant Signature: Date: 8/23/22

New Beginnings Housing, LLC
an affordable housing provider

August 9, 2022

BLACK CREEK LTD PARTNERSHIP
PO BOX 690
MERIDIAN, ID 83680-0690

Re: Vineyard at Merlin Pointe Neighbor Meeting
150 & 200 N. Sailer Avenue, Kuna

Dear Property Owner:

As we discussed in our initial Neighbor Meeting on March 17, 2022, New Beginnings Housing, LLC is constructing the Vineyard at Merlin Pointe Senior Community on property located on N. Sailer Avenue in Kuna. The Community will include 37 units of housing for individuals aged 62 and older, community spaces and offices.

The City of Kuna has informed us that we will need to complete an updated plat to vacate a utility easement that currently exists in the middle of the property. We have scheduled a Neighbor Meeting to provide information regarding this updated plat requirement and to discuss any concerns that you may have. We would like to solicit your input and answer questions that you might have regarding the plat. Specific meeting information is as follows:

Meeting Location:	150 N. Sailer Avenue Kuna, Idaho 83634
Meeting Date:	Tuesday, August 23, 2022
Meeting Time:	6:00 pm

If you have any questions, please don't hesitate to contact me directly. We look forward to discussing this with you at the meeting.

Sincerely,

Gregory A. Urrutia
Manager
greg@nbhousing.com

New Beginnings Housing, LLC
an affordable housing provider

August 9, 2022

VIKKI L BURNS
249 N SAILER AVE
KUNA, ID 83634

Re: Vineyard at Merlin Pointe Neighbor Meeting
150 & 200 N. Sailer Avenue, Kuna

Dear Property Owner:

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Sincerely,

Gregory A. Urrutia
Manager
greg@nbhousing.com

New Beginnings Housing, LLC
an affordable housing provider

August 9, 2022

GERHART FAMILY TRUST 8/10/2004
1144 E SERAPHINA ST
KUNA, ID 83634

Re: Vineyard at Merlin Pointe Neighbor Meeting
150 & 200 N. Sailer Avenue, Kuna

Dear Property Owner:

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Sincerely,

Gregory A. Urrutia
Manager
greg@nbhousing.com

New Beginnings Housing, LLC
an affordable housing provider

August 9, 2022

DOLORES L HIDALGO
1158 E SERAPHINA ST
KUNA, ID 83634

Re: Vineyard at Merlin Pointe Neighbor Meeting
150 & 200 N. Sailer Avenue, Kuna

Dear Property Owner:

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Sincerely,

Gregory A. Urrutia
Manager
greg@nbhousing.com

New Beginnings Housing, LLC
an affordable housing provider

August 9, 2022

PARKER JAMES AND SHELLY ANN KAMPS
297 N SAILER AVE
KUNA, ID 83634

Re: Vineyard at Merlin Pointe Neighbor Meeting
150 & 200 N. Sailer Avenue, Kuna

Dear Property Owner:

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Sincerely,

Gregory A. Urrutia
Manager
greg@nbhousing.com

New Beginnings Housing, LLC
an affordable housing provider

August 9, 2022

MERLIN POINTE LLC
PO BOX 690
MERIDIAN, ID 83680-0690

Re: Vineyard at Merlin Pointe Neighbor Meeting
150 & 200 N. Sailer Avenue, Kuna

Dear Property Owner:

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Sincerely,

Gregory A. Urrutia
Manager
greg@nbhousing.com

New Beginnings Housing, LLC
an affordable housing provider

August 9, 2022

CHARLES R AND BONNIE PALMER
1172 E SERAPHINA ST
KUNA, ID 83634

Re: Vineyard at Merlin Pointe Neighbor Meeting
150 & 200 N. Sailer Avenue, Kuna

Dear Property Owner:

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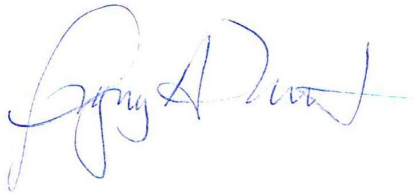

Gregory A. Urrutia
Manager
greg@nbhousing.com

New Beginnings Housing, LLC
an affordable housing provider

August 9, 2022

CHRIS RANSOM AND LESLYE D LANGLA
217 N SAILER AVE
KUNA, ID 83634

Re: Vineyard at Merlin Pointe Neighbor Meeting
150 & 200 N. Sailer Avenue, Kuna

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Sincerely,

Gregory A. Urrutia
Manager
greg@nbhousing.com

New Beginnings Housing, LLC
an affordable housing provider

August 9, 2022

CAMELLIA G RIEGEL
313 N SAILER AVE
KUNA, ID 83634

Re: Vineyard at Merlin Pointe Neighbor Meeting
150 & 200 N. Sailer Avenue, Kuna

Dear Property Owner:

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Sincerely,

Gregory A. Urrutia
Manager
greg@nbhousing.com

New Beginnings Housing, LLC
an affordable housing provider

August 9, 2022

DALE AND DEBANN RIPPY
1116 E SERAPHINA ST
KUNA, ID 83634

Re: Vineyard at Merlin Pointe Neighbor Meeting
150 & 200 N. Sailer Avenue, Kuna

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Sincerely,

Gregory A. Urrutia
Manager
greg@nbhousing.com

New Beginnings Housing, LLC
an affordable housing provider

August 9, 2022

JARID AND STACI SINKLER
35540 COUNTY ROAD 25
EATON, CO 80615

Re: Vineyard at Merlin Pointe Neighbor Meeting
150 & 200 N. Sailer Avenue, Kuna

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Sincerely,

Gregory A. Urrutia
Manager
greg@nbhousing.com

New Beginnings Housing, LLC
an affordable housing provider

August 9, 2022

JACQUELINE SMITHLEY
281 N SAILER AVE
KUNA, ID 83634

Re: Vineyard at Merlin Pointe Neighbor Meeting
150 & 200 N. Sailer Avenue, Kuna

Dear Property Owner:

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Sincerely,

Gregory A. Urrutia
Manager
greg@nbhousing.com

RE: Single Lot Subdivision Name Reservation - Message (HTML)

File | Message | Help | Tell me what you want to do

Ignore | Junk | Delete | Archive | Reply | Reply All | Forward | Meeting | More | Move | Rules | Send to OneNote | Actions | Mark Unread | Categorize | Follow Up | Translate | Read Aloud | Zoom

Delete | Respond | Move | Tags | Editing | Immersive | Zoom

Thu 9/8/2022 7:30 AM

Sub Name Mail <subnamemail@adacounty.id.gov>

RE: Single Lot Subdivision Name Reservation

To steve@ateamboise.com

Cc Antonio Conti

September 8, 2022

Antonio Conti, Ackerman-Estvold
Steve Arnold, A-Team Land Consultants

RE: Subdivision Name Reservation: **SINGLE LOT SUBDIVISION**

At your request, I will reserve the name **Single Lot 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, the jurisdiction or the conditions of approval have not been met, in which case the name can be re-used by someone else.

Sincerely,

Glen Smallwood
Surveying Technician
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7926 *office*
(208) 287-7909 *fax*

From:	Jessica Reid
To:	ACHD - Mindy Wallace; Ada County Engineer; Ada County Highway District; Adam Ingram; Bobby Withrow; Boise Kuna Irrigation District; Boise Project Board of Control; Brent Moore (Ada County); Cable One TV; Catherine Feistner; CDHD (lbadigian@cdhd.idaho.gov); Chief Fratusco; COMPASS; Danielle - KSD Planner; DEQ; Eric Adolfson; Idaho Power Easements; Idaho Power Easements 2; Intermountain Gas; ITD; ITD Planning Manager; J&M Sanitation; Jake Lorentz; KRFD Fire Code (scott@fccnwi.com); Krystal Hinkle; Leon Letson (Ada County); Marc Boyer (Kuna Postmaster); Megan Leatherman; Meridian Fire (Chief Bongiorno); Nampa Meridian Irrigation District ; New York Irrigation; Olvera - NMID; Paris Dickerson; Planning Manager (Ada County Development Services); PWoffice; Robie Reno; Stacy Yarrington (Ada County); TJ Lawrence (Interim KRFD Chief); USPS
Cc:	Doug Hanson
Subject:	22-04-CPF Single Lot Subdivision Agency Transmittal
Date:	Tuesday, November 15, 2022 6:06:14 PM
Attachments:	22-04-CPF Single Lot Subdivision Agency Transmittal.pdf image001.png

---

Good Afternoon,

Please see the attached agency transmittal & link for the application packet. Please feel free to contact me with any questions you may have.

Sincerely,

Jessica Reid

Associate Planner
751 W 4th Street • Kuna, ID 83634
jreid@kunaid.gov • Ph: (208) 387-7731

KUNA
Planning & Zoning

From:	Jessica Reid
To:	ACHD - Mindy Wallace; Ada County Engineer; Ada County Highway District; Adam Ingram; Bobby Withrow; Boise Kuna Irrigation District; Boise Project Board of Control; Brent Moore (Ada County); Cable One TV; Catherine Feistner; CDHD (lbadigian@cdhd.idaho.gov); Chief Fratusco; COMPASS; Danielle - KSD Planner; DEQ; Eric Adolfson; Idaho Power Easements; Idaho Power Easements 2; Intermountain Gas; ITD; ITD - Niki; ITD Planning Manager; J&M Sanitation; Jake Lorentz; KRFD Fire Code (scott@fccnwi.com); Krystal Hinkle; Leon Letson (Ada County); Marc Boyer (Kuna Postmaster); Megan Leatherman; Meridian Fire (Chief Bongiorno); Nampa Meridian Irrigation District ; New York Irrigation; Olvera - NMID; Paris Dickerson; Planning Manager (Ada County Development Services); PWoffice; Robie Reno; Stacy Yarrington (Ada County); TJ Lawrence (Interim KRFD Chief); USPS
Subject:	UPDATED HEARING DATE: 22-04-CPF Single Lot Subdivision Agency Transmittal
Date:	Friday, November 18, 2022 11:30:36 AM
Attachments:	22-04-CPF Single Lot Subdivision Agency Transmittal.pdf image001.png

Good Morning,

The meeting date for the attached project has been ***accelerated*** to December 13, 2022.

Please let me know if you have any questions.

Sincerely,

Jessica Reid

Associate Planner
751 W 4th Street • Kuna, ID 83634
jreid@kunaid.gov • Ph: (208) 387-7731

KUNA
Planning & Zoning

From: Jessica Reid
Sent: Tuesday, November 15, 2022 6:06 PM
To: ACHD - Mindy Wallace <mwallace@achdidaho.org>; Ada County Engineer <agilman@adaweb.net>; Ada County Highway District <planningreview@achdidaho.org>; Adam Ingram <adam.ingram@cableone.biz>; Bobby Withrow <bwithrow@kunaid.gov>; Boise Kuna Irrigation District <aflavel.bkirrdist@gmail.com>; Boise Project Board of Control <TRitthaler@boiseproject.org>; Brent Moore (Ada County) <bmoore@adacounty.id.gov>; Cable One TV <cheryl.goettsche@cableone.biz>; Catherine Feistner <cfeistner@kunaid.gov>; CDHD (lbadigian@cdhd.idaho.gov) <lbadigian@cdhd.idaho.gov>; Chief Fratusco <mfratusco@adacounty.id.gov>; COMPASS <lklopfenstein@compassidaho.org>; Danielle - KSD Planner <drhorras@kunaschools.org>; DEQ <BRO.Admin@deq.idaho.gov>; Eric Adolfson <eadolfson@compassidaho.org>; Idaho Power Easements <easements@idahopower.com>; Idaho Power Easements 2 <kfunke@idahopower.com>; Intermountain Gas <bryce.ostler@intgas.com>; ITD <D3Development.Services@itd.idaho.gov>; ITD Planning Manager <vincent.trimboli@itd.idaho.gov>; J&M Sanitation <Chad.Gordon@jmsanitation.com>; Jake Lorentz <jlorentz@kunaid.gov>; KRFD Fire Code (scott@fccnwi.com) <scott@fccnwi.com>; Krystal Hinkle <khinkle@kunafire.com>; Leon Letson (Ada County) <lletson@adacounty.id.gov>; Marc Boyer (Kuna

Postmaster) <marc.c.boyer@usps.gov>; Megan Leatherman <mleatherman@adaweb.net>; Meridian Fire (Chief Bongiorno) <jbongiorno@meridiancity.org>; Nampa Meridian Irrigation District <nmid@nmid.org>; New York Irrigation <terri@nyid.org>; Olvera - NMID <eolvera@nmid.org>; Paris Dickerson <PDickerson@idahopower.com>; Planning Manager (Ada County Development Services) <jboal@adaweb.net>; PWoffice <PWoffice@kunaid.gov>; Robie Reno <rreno@kunaschools.org>; Stacy Yarrington (Ada County) <syarrington@adacounty.id.gov>; TJ Lawrence (Interim KRFD Chief) <tlawrence@kunafire.com>; USPS <camille.r.burt@usps.gov>
Cc: Doug Hanson <dhanson@kunaid.gov>
Subject: 22-04-CPF Single Lot Subdivision Agency Transmittal

Good Afternoon,

Please see the attached agency transmittal & link for the application packet. Please feel free to contact me with any questions you may have.

Sincerely,

Jessica Reid
Associate Planner
751 W 4th Street • Kuna, ID 83634
jreid@kunaid.gov • Ph: (208) 387-7731
KUNA
Planning & Zoning

ADVERTISING PROOF

c/o ISj Payment Processing Center
PO Box 1570,
Pocatello,ID 83204
Ph. (208) 465-8129 **Fax:** (907) 452-5054

BILLING DATE:	ACCOUNT NO:
11/18/22	21880

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

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
306691	PH 12/13/2022 - SING	11/23/22	11/23/22	1	$42.56

LEGAL NOTICE

Case No. 22-04-CPF
(Combo Pre & Final Plat)
Single Lot Subdivision

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission will hold a public hearing **Tuesday, December 13, 2022, at 6:00 PM** (or as soon as can be heard), at Kuna City Hall Council Chambers, 751 W 4th Street, Kuna, ID 83634, in connection with Single Lot Subdivision. Applicant requests Combo Plat approval to combine Lots 4 & 5, Block 5, of Merlin Pointe Subdivision No. 1 in order to resolve an easement issue and provide one (1) parcel on which to build the previously approved Vineyards Senior Housing. The subject sites are located at 150 & 200 N Sailer Ave (APNs: R5672431260, R56722431280); Section 24, Township 2 North, Range 1 West.

Please do not contact the Commission, Council or Mayor as is considered ex parte. If you have questions or if you require special accommodations, please contact the Planning & Zoning at (208) 922-5274.

Kuna Planning & Zoning Department

November 23, 2022
306691

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount

Discount:	**$0.00**
Surcharge:	**$0.00**
Credits:	**$0.00**

Gross:**$42.56**
Paid Amount:**$0.00**

Amount Due:**$42.56**

We Appreciate Your Business!

AD# 306691

Mary May, President
Alexis Pickering, Vice-President
Jim D. Hansen, 2nd Vice President
Kent Goldthorpe, Commissioner
Dave McKinney, Commissioner

May 18th, 2022

To: Greg Urrutia
New Beginnings Housing, LLC
623 S Kimball Avenue, Suite C
Caldwell, ID 83605

Subject: KUNA22-0009/ 22-07-DR
150 N Sailer Avenue
Vineyards at Merlin Pointe

The applicant is requesting design review for a senior housing development with 37-units on 1.8 acres.

A. Findings of Fact

1. Sailer Avenue

a. Existing Conditions: Sailer Avenue is improved with 2-travel lanes, 40-feet of pavement, and vertical curb, gutter, and 5-foot wide attached concrete sidewalks abutting the site. There is 60-feet of right-of-way for Sailer Avenue (30-feet from centerline).

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 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy: Unless otherwise approved by Kuna or Star, 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 wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

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

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for

the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

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

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

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

c. Applicant's Proposal: The applicant has not proposed any improvements to Sailer Avenue abutting the site.

d. Staff Comments/Recommendations: Sailer Avenue abutting the site is fully improved, therefore no additional street improvements or right-of-way dedication is required with this application.

Consistent with the District's Minor Improvements Policy, the applicant should be required to replace any broken or deteriorated segments of curb, gutter, or sidewalk on Sailer Avenue abutting the site.

2. Driveways – Sailer Avenue

a. Existing Conditions: There are 2 existing driveways from the site on to Sailer Avenue:

- A 35-foot wide paved curb-return type shared access driveway located at the site's south property line.
- A 35-foot wide paved curb-return type driveway located 205-feet north of the site's south property line and in alignment with Seraphina Street.

b. Policy:

Driveway Location Policy: District policy 7207.4.1 requires driveways near intersections to be located a minimum of 75-feet (measured centerline-to-centerline) from the nearest local street intersection, and 150-feet from the nearest collector or arterial street intersection.

Successive Driveways: District Policy 7207.4.1 states that successive driveways away from an intersection shall have no minimum spacing requirements for access points along a local street, but the District does encourage shared access points where appropriate.

Driveway Width Policy: District policy 7207.4.3 states that where vertical curbs are required, residential driveways shall be restricted to a maximum width of 20-feet and may be constructed as curb-cut type driveways.

c. Applicant's Proposal: The applicant has proposed to close the existing driveway located 205-feet north of the site's south property line with vertical curb, gutter, and 5-foot wide attached concrete sidewalk and construct a 26-foot wide curb-return type driveway located 370-feet north of the site's south property line.

The applicant has also proposed to continue utilizing the existing shared access driveway located at the site's south property line.

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

B. Site Specific Conditions of Approval

1. Replace any broken or deteriorated segments of curb, gutter, or sidewalk on Sailer Avenue abutting the site consistent with the District's Minor Improvements policy.
2. Close the existing driveway located 205-feet north of the site's south property line with vertical curb, gutter, and 5-foot wide attached concrete sidewalk, as proposed.
3. Construct a 26-foot wide curb-return type driveway on to Sailer Avenue located 370-feet north of the site's south property line.
4. A Traffic Impact Fee will be assessed by ACHD and will be due prior to issuance of a building permit. Please contact the ACHD Planner (see below) for information regarding impact fees.
5. Submit civil plans to ACHD Development Services for review and approval. The impact fee assessment will not be released until the civil plans are approved by ACHD.
6. Comply with the Standard Conditions of Approval as noted below.

C. Traffic Information

Trip Generation

This development is estimated to generate 120 vehicle trips per day and 9 vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 11th edition.

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

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Sailer Avenue	393-feet	Local	N/A	N/A

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

- There are no traffic counts for Sailer Avenue.

D. Attachments

1. Vicinity Map
2. Site Plan
3. Standard Conditions of Approval
4. Appeal Guidelines

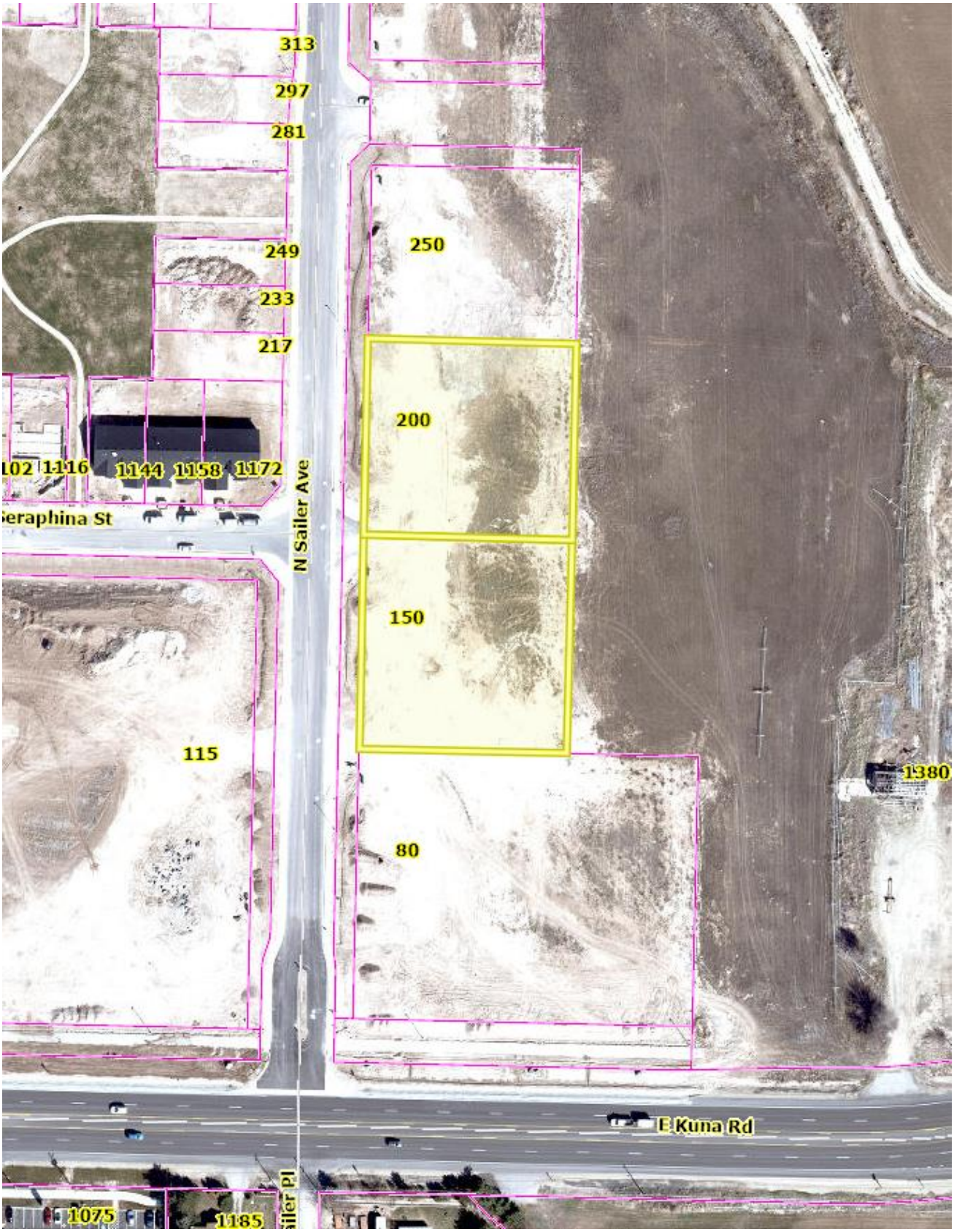
If you have any questions, please feel free to contact me at (208) 387-6132.

Sincerely,

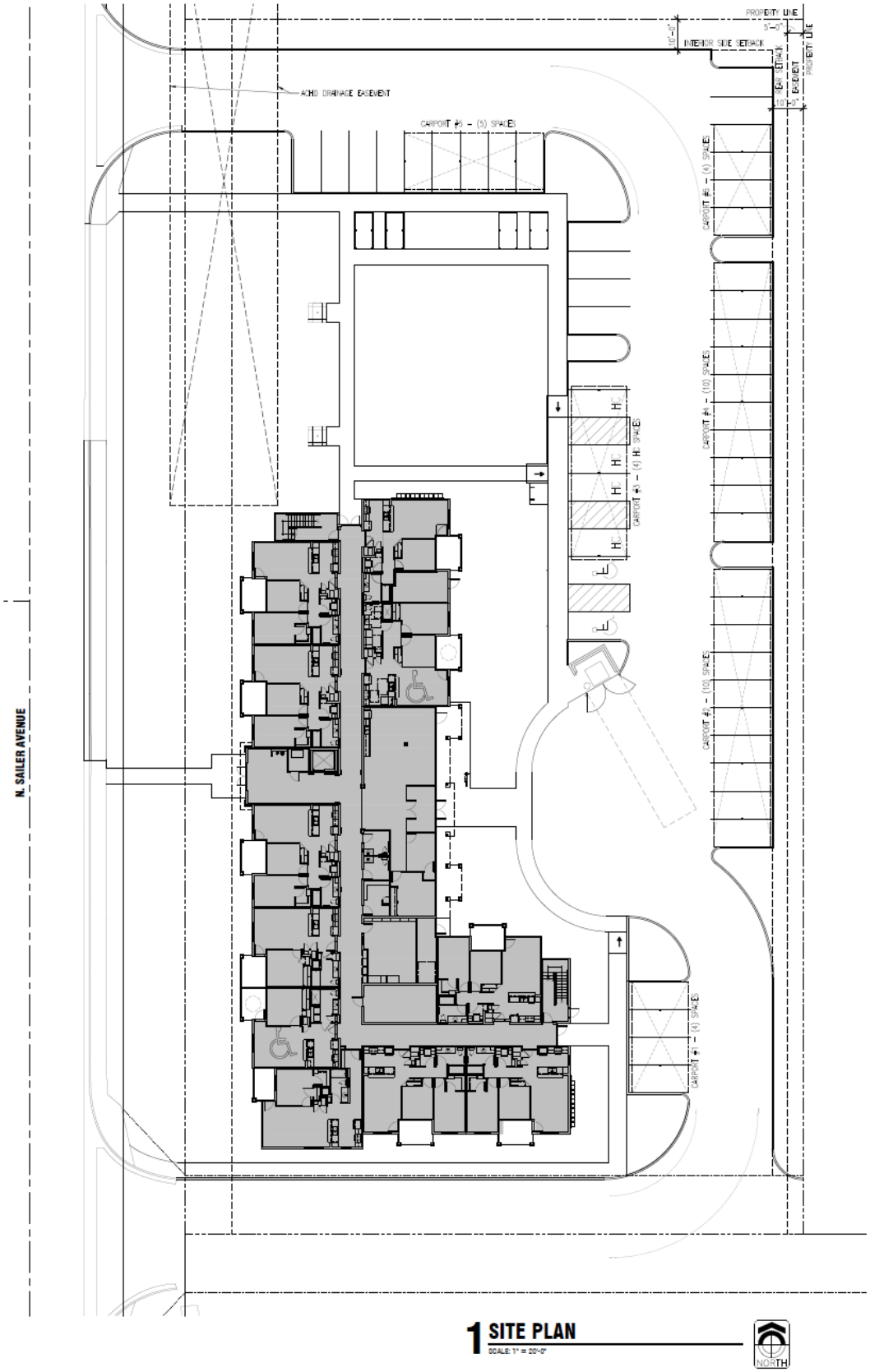
Kelly Bruner
Planner
Development Services

cc: City of Kuna (Jessica Reid, via email)

VICINITY MAP



SITE PLAN


PROPERTY LINE
INTERIOR SIDE SETBACK
REAR SETBACK
EASEMENT
PROPERTY LINE
ACHD DRAINAGE EASEMENT
CARPORT #5 - (5) SPACES
CARPORT #4 - (4) SPACES
CARPORT #3 - (10) SPACES
CARPORT #2 - (4) HC SPACES
CARPORT #1 - (10) SPACES
CARPORT #1 - (4) SPACES
HC
L
N. SAILER AVENUE
1 SITE PLAN
SCALE: 1" = 20'-0"
NORTH

Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.6, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

Request for Appeal of Staff Decision

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

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

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

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

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

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

Your Safety • Your Mobility
Your Economic Opportunity

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

February 3, 2022

Doug Hanson
City Planner
751 W 4th Street
P.O. Box 13
Kuna, Idaho 83634

VIA EMAIL

Development Application	**20-01-PUD, 20-08-S, 20-06-ZC, 20-05-SUP**
Project Name	**MERLIN COTTAGES**
Project Location	115 North Sailer Avenue, north of SH-69 milepost 101.
Project Description	Planned Unit Development approval for an approximately 5.83 acre parcel, with C-1 (Neighborhood Commercial) and R-12 (High Density Residential) zoning districts. Applicants requests pre-plat approval in order to subdivide the approximate 5.83 acres into 66 lots; 6 common lots, 54 cottages, and 6 commercial lots.
Applicant	Steve Arnold

The Idaho Transportation Department (ITD) reviewed the referenced planned unit development, preliminary plat, rezone, and special use permit applications and has the following comments:

1. This project abuts the State Highway system.

2. ITD had previously reviewed a Traffic Impact Study for Phase 1 of Merlin Pointe Subdivision. The proposed development (Merlin Cottages) changes the trip generation numbers however the mitigation required for Phase 1 of Merlin Pointe, which Merlin Cottages is a part, remains unchanged. Below is a table comparing the previously studied uses and the new proposed uses.

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

	Previous leasable area sq ft/units	AM/PM Peak Trips generated (entering, exiting)	Proposed leasable area sq ft/ units	AM/PM Peak Trips generated (entering, exiting)
Retail (ITE) 820	50,600	48 (30,18)/ 193 (93,100)	8,865	8 (5,3)/ 34 (16,18)
Single Family Detached Housing (ITE 210)	0	0	54	40 (10,30)/ 53 (33,20)
Total		48 (30,18)/ 193 (93,100)		48 (15,33)/ 87 (50,37)

3. Per ITD's TIS Acceptance letter dated October 16, 2018, at full buildout of Phase 1, developer will collect traffic counts at the Sailer Place approach and submit a right turn lane warrant to ITD. Should the warrant identify the need for a right turn lane, applicant will need to design and construct the needed mitigation to ITD standards (see attached).

4. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State Highway.

5. The Idaho Administrative Procedure Act (IDAPA) 39.03.60 governs advertising along the State Highway system. The applicant may contact Justin Pond, Program Manager for ITD's Headquarters Right-of-Way Section at (208) 334-8832 for more information.

6. Provided the applicant provide a right turn lane warrant once Phase 1 is complete and build a westbound right turn lane at North Sailer Avenue, if warranted, ITD does not object to the proposed application as presented.

If you have any questions, you may contact me at (208) 334-8338.

Sincerely,

Sarah Arjona
Development Services Coordinator
Sarah.Arjona@itd.idaho.gov

KUNA RURAL FIRE DISTRICT
EST. 1951

150 W BOISE ST
PO Box 607
Kuna, ID 83634
PHONE: (208) 922-1144
FAX: (208) 922-1982

Date: 12/22/2021
From: Kuna Rural Fire District

Regarding: Agency Comments Design Review
Vineyards at Merlin Point 22-07-DR
150 & 200 N Sailer Avenue, Kuna, ID 83634

Agency Comments:

The Fire District can support approval for the design review application for a proposed 37 unit, 3-story Senior Independent Living housing project with community garden, horseshoe pits, walking paths, seating areas & covered parking. This structure will be required to comply with the 2018 Commercial Building and 2018 Fire Code, as adopted. A separate and more detailed report will be provided under the subsequent commercial building permit plan review process. Available Fire flow information can be obtained from the City of Kuna Public Works department and shall be included as part of the complete building permit application submittal.

Regards,

Kuna Rural Fire District
Plan Review and Inspection
scott@fccnwi.com
Kuna, ID 83634
1.208.922.1144

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

Catherine Feistner, E.I.T.
Assistant Kuna City Engineer

Brady Barroso
Engineering Technician I

DESIGN REVIEW MEMORANDUM

To:	**Doug Hanson**	**- Planning and Zoning Director**
From:	**Brady Barroso**	**- Engineering Technician I**
	Catherine Feistner	**- Assistant City Engineer**
Date:	**9 June 2022**	
RE:	**Public Works Comments**	
	Vineyards at Merlin Pointe – 22-07-DR (Design Review)	

The Vineyards at Merlin Pointe property, 22-07-DR, design review request dated 26 April 2022 has been reviewed. These comments apply to the application as they affect public works infrastructure. Review of civil construction drawings is accomplished separately, when received by PWoffice@kunaid.gov.

Public Works staff must review the civil site plan prior to applying for a building permit. Public Works approval is contingent on the successful vacation of a public utility easement.

Comments may be expanded or refined in connection with the future land-use actions.

1) Inspection & Fees

a) Public Works utility connection and inspection fees will need to be paid. Additional costs may be incurred at the time of the building permit dependent on a fixture count analysis.
b) The developer shall retain a qualified responsible, Idaho registered professional engineer to provide sufficient inspection to certify to DEQ that the project was completed in accordance with approved plans and specifications and to provide accurate as-built drawings to the City.
c) The Kuna Rural Fire District's fees can be found on their website. *Payment is due and payable prior to certificate of occupancy.*

2) General

a) Provide civil construction drawings to the Public Works Department (PWoffice@kunaid.gov) prior to applying for a building permit.
b) Sufficient fire access is required per Kuna Rural Fire District (KRFD).
c) Provide engineering certification on all final engineering drawings as applicable.
d) City's building official must review and approve all building plans.
e) Fire suppression must be shown and approved by Kuna Rural Fire District (KRFD). Additional fire flow and/or a sprinkler connection may be required to provide adequate fire suppression.

3) Right-of-Way

a) The Design Review does not affect existing Right-of-Way.

4) Sanitary Sewer Connection

a) This project will be connected to City services. Public Works plan review team will coordinate sewer redlines during the civil construction drawing review process, when received by PWoffice.
b) All sewer infrastructure must meet or exceed City of Kuna requirements.
c) Sewer connection fees apply to each lot containing a facility.

5) Potable Water Connection

a) This project will be connected to City services. Public Works plan review team will coordinate water redlines during the civil construction drawing review process, when received by PWoffice.
b) The KRFD Deputy Fire Marshal, or KRFD representative, must approve fire access to the project before, during, and after construction.
c) Fire suppression shall be approved by KRFD.
d) All water infrastructure must meet or exceed City of Kuna requirements.
e) Water connection fees apply to each lot containing a facility.

6) Pressurized Irrigation

a) This project will be connected to City services. Public Works plan review team will coordinate pressurized irrigation redlines during the civil construction drawing review process, when received by PWoffice.
b) Relying on drinking water for irrigation purposes is contrary to City Code 6-4-2-B.9.
c) All pressurized irrigation infrastructure must meet or exceed City of Kuna requirements.
d) Pressurized irrigation connection fees apply to each lot containing a facility.

7) Grading and Storm Drainage

a) Provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.
b) The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for design of private storm water disposal systems.
c) Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties. Slopes shall not be steeper than 3:1 on lots adjacent to a street or common lot and no steeper than 4:1 for lots with common rear lot lines.
d) Runoff from public right-of-way is regulated by ACHD. On site storm water retention shall be reviewed in conjunction with the City's Civil Engineering Construction Improvements Review. *Provide a storm water disposal & treatment plan which accounts for increased on-site storm water runoff volumes. Provide detailed drawings of drainage & treatment facilities with supporting calculations for review and approval.*
e) Sidewalks, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, shall be provided in connection with property development.

8) As-Built Drawings

a) As-built (record) 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.

b) *Correct and verified* a*s-built (record drawings) drawings will be required before occupancy or final plat approval is granted.*

9) Exhibits

a) No maps are included to support Public Works comments.

Mary May, President
Alexis Pickering, Vice-President
Jim D. Hansen, 2nd Vice President
Kent Goldthorpe, Commissioner
Dave McKinney, Commissioner

November 22, 2022

To: Steve Arnold
A Team Land Consultants
1785 Whisper Cove Avenue
Boise, ID 83709

Subject: KPP22-0019/ 22-04-CPF
150 and 200 N Sailer Avenue
Vineyards Housing

This is a staff level approval of a preliminary plat for Vineyards Housing. On May 18th, 2022, the Ada County Highway District reviewed and approved this site as part of KUNA22-0008/ 22-07-DR, Vineyards at Merlin Pointe. The District had site specific requirements related to that application.

The applicant will be required to pay all applicable platting and review fees prior to final approval.

If you have any questions, please contact me at (208)-387-6329.

Sincerely,

Carbella Loise Medina
Planning Review Intern
Development Services

cc: City of Kuna – Jessica Reid
New Beginnings Housing LLC

Request for Appeal of Staff Decision

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

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

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

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

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

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

From:	Niki Benyakhlef
To:	Jessica Reid
Subject:	RE: UPDATED HEARING DATE: 22-04-CPF Single Lot Subdivision Agency Transmittal
Date:	Wednesday, November 23, 2022 9:13:58 AM
Attachments:	image003.png

Hello Jessica –

Based on ITD's previous comments made on the Merlin Cottages Phase of Merlin Pointe Subdivision, ITD has no additional comments at this time.

Thank you!

Niki Benyakhlef
Development Services Coordinator

District 3 Development Services
O: 208.334.8337
C: 208.296.9750
Email: niki.benyakhlef@itd.idaho.gov
Website: itd.idaho.gov

From: Jessica Reid <jreid@kunaid.gov>
Sent: Monday, November 21, 2022 11:35 AM
To: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Subject: RE: UPDATED HEARING DATE: 22-04-CPF Single Lot Subdivision Agency Transmittal

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good Morning Niki,

There were no official ITD comments on The Vineyards Senior Housing application which spurred this Single Lot Sub application (due to an easement vacation & lot line change), just on the Merlin Pointe Subdivision. Recently, a Planned Unit Development called Merlin Cottages was approved & did received ITD comments (attached). Per those comments, an additional TIS would be required at full buildout of that first Phase. Those comments stated that upon Phase 1 buildout, updated traffic counts would need to be collected & a right turn lane warrant would need to be submitted. I have attached ITD's comments for the Merlin Cottages development for reference.

Hopefully that makes some sort of sense lol. Please feel free to let me know if you have any additional questions or comments

Sincerely,

Jessica Reid
Associate Planner
751 W 4th Street • Kuna, ID 83634
jreid@kunaid.gov • Ph: (208) 387-7731
KUNA
Planning & Zoning

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Monday, November 21, 2022 11:04 AM
To: Jessica Reid <jreid@kunaid.gov>
Subject: RE: UPDATED HEARING DATE: 22-04-CPF Single Lot Subdivision Agency Transmittal

Hello Jessica –

Has there been any studies or research done on how the impact to SH-69 changed with the proposed 37 unit senior housing community being added?

Thanks!

Niki Benyakhlef
Development Services Coordinator

District 3 Development Services
O: 208.334.8337
C: 208.296.9750
Email: niki.benyakhlef@itd.idaho.gov
Website: itd.idaho.gov

From: Jessica Reid <jreid@kunaid.gov>
Sent: Friday, November 18, 2022 11:31 AM
To: ACHD - Mindy Wallace <mwallace@achdidaho.org>; Ada County Engineer <agilman@adaweb.net>; Ada County Highway District <planningreview@achdidaho.org>; Adam Ingram <adam.ingram@cableone.biz>; Bobby Withrow <bwithrow@kunaid.gov>; Boise Kuna Irrigation District <aflavel.bkirrdist@gmail.com>; Boise Project Board of Control <TRitthaler@boiseproject.org>; Brent Moore (Ada County) <bmoore@adacounty.id.gov>; Cable One TV <cheryl.goettsche@cableone.biz>; Catherine Feistner <cfeistner@kunaid.gov>; CDHD (lbadigian@cdhd.idaho.gov) <lbadigian@cdhd.idaho.gov>; Chief Fratusco <mfratusco@adacounty.id.gov>; COMPASS <lklopfenstein@compassidaho.org>; Danielle - KSD Planner <drhorras@kunaschools.org>; DEQ <BRO.Admin@deq.idaho.gov>; Eric Adolfson <eadolfson@compassidaho.org>; Idaho Power Easements <easements@idahopower.com>; Idaho Power Easements 2 <kfunke@idahopower.com>; Intermountain Gas <bryce.ostler@intgas.com>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef

<Niki.Benyakhlef@itd.idaho.gov>; Vincent Trimboli <Vincent.Trimboli@itd.idaho.gov>; J&M Sanitation <Chad.Gordon@jmsanitation.com>; Jake Lorentz <jlorentz@kunaid.gov>; Scott FCCNWI <scott@fccnwi.com>; Krystal Hinkle <khinkle@kunafire.com>; Leon Letson (Ada County) <lletson@adacounty.id.gov>; Marc Boyer (Kuna Postmaster) <marc.c.boyer@usps.gov>; Megan Leatherman <mleatherman@adaweb.net>; Meridian Fire (Chief Bongiorno) <jbongiorno@meridiancity.org>; Nampa Meridian Irrigation District <nmid@nmid.org>; New York Irrigation <terri@nyid.org>; Olvera - NMID <eolvera@nmid.org>; Paris Dickerson <PDickerson@idahopower.com>; Planning Manager (Ada County Development Services) <jboal@adaweb.net>; PWoffice <PWoffice@kunaid.gov>; Robie Reno <rreno@kunaschools.org>; Stacy Yarrington (Ada County) <syarrington@adacounty.id.gov>; TLawrence Kuna Fire <tlawrence@kunafire.com>; USPS <camille.r.burt@usps.gov>
Subject: UPDATED HEARING DATE: 22-04-CPF Single Lot Subdivision Agency Transmittal

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good Morning,

The meeting date for the attached project has been ***accelerated*** to December 13, 2022.

Please let me know if you have any questions.

Sincerely,

Jessica Reid
Associate Planner
751 W 4th Street • Kuna, ID 83634
jreid@kunaid.gov • Ph: (208) 387-7731
KUNA
Planning & Zoning

From: Jessica Reid
Sent: Tuesday, November 15, 2022 6:06 PM
To: ACHD - Mindy Wallace <mwallace@achdidaho.org>; Ada County Engineer <agilman@adaweb.net>; Ada County Highway District <planningreview@achdidaho.org>; Adam Ingram <adam.ingram@cableone.biz>; Bobby Withrow <bwithrow@kunaid.gov>; Boise Kuna Irrigation District <aflavel.bkirrdist@gmail.com>; Boise Project Board of Control <TRitthaler@boiseproject.org>; Brent Moore (Ada County) <bmoore@adacounty.id.gov>; Cable One TV <cheryl.goettsche@cableone.biz>; Catherine Feistner <cfeistner@kunaid.gov>; CDHD (lbadigian@cdhd.idaho.gov) <lbadigian@cdhd.idaho.gov>; Chief Fratusco <mfratusco@adacounty.id.gov>; COMPASS <lklopfenstein@compassidaho.org>; Danielle - KSD

Planner <drhorras@kunaschools.org>; DEQ <BRO.Admin@deq.idaho.gov>; Eric Adolfson <eadolfson@compassidaho.org>; Idaho Power Easements <easements@idahopower.com>; Idaho Power Easements 2 <kfunke@idahopower.com>; Intermountain Gas <bryce.ostler@intgas.com>; ITD <D3Development.Services@itd.idaho.gov>; ITD Planning Manager <vincent.trimboli@itd.idaho.gov>; J&M Sanitation <Chad.Gordon@jmsanitation.com>; Jake Lorentz <jlorentz@kunaid.gov>; KRFD Fire Code (scott@fccnwi.com) <scott@fccnwi.com>; Krystal Hinkle <khinkle@kunafire.com>; Leon Letson (Ada County) <lletson@adacounty.id.gov>; Marc Boyer (Kuna Postmaster) <marc.c.boyer@usps.gov>; Megan Leatherman <mleatherman@adaweb.net>; Meridian Fire (Chief Bongiorno) <jbongiorno@meridiancity.org>; Nampa Meridian Irrigation District <nmid@nmid.org>; New York Irrigation <terri@nyid.org>; Olvera - NMID <eolvera@nmid.org>; Paris Dickerson <PDickerson@idahopower.com>; Planning Manager (Ada County Development Services) <jboal@adaweb.net>; PWoffice <PWoffice@kunaid.gov>; Robie Reno <rreno@kunaschools.org>; Stacy Yarrington (Ada County) <syarrington@adacounty.id.gov>; TJ Lawrence (Interim KRFD Chief) <tlawrence@kunafire.com>; USPS <camille.r.burt@usps.gov>
Cc: Doug Hanson <dhanson@kunaid.gov>
Subject: 22-04-CPF Single Lot Subdivision Agency Transmittal

Good Afternoon,

Please see the attached agency transmittal & link for the application packet. Please feel free to contact me with any questions you may have.

Sincerely,

Jessica Reid

Associate Planner
751 W 4th Street • Kuna, ID 83634
jreid@kunaid.gov • Ph: (208) 387-7731

KUNA
Planning & Zoning

CONFIDENTIALITY NOTICE: The contents of this email message and any attachments are intended solely for the addressee(s) and may contain Personal Information from a DMV file which is legally protected from disclosure under both state and Federal law. Be advised that Personal Information may only be disclosed to third parties under the provisions of Idaho Code section 49-203. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately delete this message and any attachments, and alert the sender.

CENTRAL DISTRICT HEALTH

Ada County Transmittal

Division of Community and Environmental Health

Return to:

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

Rezone/OTD # _____

Conditional/Accessory Use # _____

Preliminary / Final / Short Plat 22-04-CPF

Development Name/Section City of Kuna

☐ 1. We have No Objections to this Proposal.

☐ 2. We recommend Denial of this Proposal.

☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.

☐ 4. 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 _____

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

☒ 6. After written approvals 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

☒ 7. 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

☒ 8. Infiltration beds for storm water disposal are considered shallow injection wells. If they are not in the City of Boise or ACHD right-of-way, an application and fee per well, vicinity map and construction plans must be submitted to CDH.

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

☐ 10. An accessory use application, fee, detailed site plan and floor plans must be submitted to CDH for review.

☐ 11. Land development application, fee per lot, test holes and full engineering report is required.

☐ 12. CDH makes no guarantee a septic permit will be issued on the split off lot. A speculative site evaluation is recommended.

☐ 13. 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

☐ 14. _____

_____

_____

_____ Reviewed By: Rob Bauer Date: 12/2/22

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

Catherine Feistner, E.I.T.
Assistant Kuna City Engineer

Brady Barroso
Engineering Technician I

MEMORANDUM

To: **Doug Hanson** **- Planning and Zoning Director**

From: **Brady Barroso** **- Engineering Technician I**

Catherine Feistner **- Assistant City Engineer**

Date: **5 December 2022**

RE: **Public Works Comments**

Single Lot Subdivision, 22-04-CPF (Combination Preliminary and Final Plat)

The Single Lot Subdivision, 22-04-CPF, combination preliminary and final plat request dated 15 November 2022 has been reviewed. The applicant wishes to combine 2 parcels zoned C-1 (Neighborhood Commercial) into one lot. These comments apply to the application as they affect public works infrastructure. Review of civil design drawings is accomplished separately, when received.

Public Works staff can support approval of this application.

Comments may be expanded or refined in connection with the future land-use actions.

1) Inspection & Fees

a) An inspection fee will apply to inspect the final construction of water, sewer, and irrigation facilities associated with this development.
b) The developer shall retain a qualified responsible, Idaho registered professional engineer to provide sufficient inspection to certify to DEQ that the project was completed in accordance with approved plans and specifications and to provide accurate as-built drawings to the City.
c) The Kuna Rural Fire District's fees can be found on their website. *Payment is due and payable prior to the preconstruction meeting.*

2) General

a) The resultant projected population for this subdivision will be determined at the time of building permit.
b) Elevations shall be actual NAVD 88 datum elevations. A localized elevation system is not acceptable.
c) All positional information shall be from the most recent state plane coordinate system.
d) Provide engineering certification on all final engineering drawings.

e) The City of Kuna requires streetlights in all subdivisions. Streetlights are required along arterial roads bordering the subdivision, at the entrances of the subdivision, at intersections, and at every 250' interval. Streetlights should be coincident with Fire Hydrants whenever possible.
f) Fire suppression shall be available and approved by KRFD.
g) No building permits will be issued and no construction can begin without adequate fire protection.

3) Right-of-Way

a) Approaches onto classified streets must comply with ACHD approach policies.
b) All street construction must meet or exceed City of Kuna and ACHD development standards.
c) All City mainlines crossing proposed lots or located on the backs or sides of lots shall have easements that allow the City of Kuna to access and maintain the utilities.
d) The KRFD Deputy Fire Marshal, or the representative, must approve fire access to the subdivision.

4) Sanitary Sewer Connection

a) This project will be connected to City services. Public Works plan review team will coordinate sewer redlines during the civil construction drawing review process.
b) All sewer infrastructure must meet or exceed City of Kuna requirements.
c) Sewer connection fees apply to each lot containing a facility.

5) Potable Water Connection

a) This project will be connected to City services. Public Works plan review team will coordinate water redlines during the civil construction drawing review process.
b) The KRFD Deputy Fire Marshall, or KRFD representative, must approve fire access to the project before, during, and after construction.
c) Fire suppression shall be approved by KRFD.
d) All water infrastructure must meet or exceed City of Kuna requirements.
e) Water connection fees apply to each lot containing a facility.

6) Pressurized Irrigation

a) The applicant's property is not connected to City services. The applicant has been coordinating the pressurized irrigation layout with City staff.
b) Relying on drinking water for irrigation purposes is contrary to City Code 6-4-2-B.9.
c) All Pressurized irrigation infrastructure must meet or exceed City of Kuna requirements.
d) Pressurized irrigation connection fees apply to each lot containing a facility.

7) Grading and Storm Drainage

a) Provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.
b) The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for design of private storm water disposal systems.
c) Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties. Slopes shall not be steeper than 3:1 on lots

adjacent to a street or common lot and no steeper than 4:1 for lots with common rear lot lines.

d) Runoff from public right-of-way is regulated by ACHD. On site storm water retention shall be reviewed in conjunction with the City's Civil Engineering Construction Improvements Review. Provide a storm water disposal & treatment plan which accounts for increased on-site storm water runoff volumes. Provide detailed drawings of drainage & treatment facilities with supporting calculations for review and approval.

e) Sidewalks, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, shall be provided in connection with property development.

8) As-Built Drawings

a) As-built (record) 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.

b) *Correct and verified* a*s-built (record drawings) drawings will be required before occupancy or final plat approval is granted.*

9) Exhibits

a) No maps are included to support Public Works comments.

Suggestions for Testifying at Public Hearings:

Be Informed…
Review the proposal, Staff Report, applicable Ordinance(s), Comprehensive Plan & Idaho Code §67-65. All items pertaining to the application can be found online the Friday prior to the hearing at www.kunacity.id.gov >City Government >Agendas & Minutes.

Be on time…
Although the item you are interested in may not be first on the agenda, you never know when it will be heard; the governing body has authority to adjust the schedule according to its discretion, thus, anticipate attending from the beginning.

Speak to the Point…
The governing body appreciates pertinent, well organized, factual & concise comments. The Developer or their Representative is given 10 minutes to present their project; 3 minutes per individual is provided for public testimony; neighborhood groups are encouraged to select a community representative & the representative is provided 10 minutes (please inform staff). The Developer/Representative is given additional time for rebuttal.

If you do not wish to speak, write…
Written testimony received by close of business the Wednesday before the hearing will be included in the meeting packet; late submissions will be provided to the governing body at time of hearing. As a reminder, it is unreasonable to submit extensive written comments/info at the hearing and expect it to be reviewed prior to a decision.

KUNA
Planning & Zoning
PO BOX 13
Kuna, ID 83634

FIRST-CLASS MAIL
11/23/2022
US POSTAGE $000.00º
ZIP 83634
041M11460992

City of Kuna

DH 11.23.22

LEGAL NOTICE

Dear Property Owner: NOTICE IS HEREBY GIVEN the **P&Z Commission** is scheduled to hold a Public Hearing on **December 13, 2022 at 6:00 PM** (or as soon as can be heard), in City Hall Council Chambers, 751 W 4th Street, Kuna, ID, 83634, on the following case:

Case No. 22-04-CPF (Combo Plat) for Single Lot Subdivision

Applicant requests Combo Plat approval to combine Lots 4 & 5, Block 5, of Merlin Pointe Subdivision No. 1 in order to resolve an easement issue and provide one (1) parcel on which to build the previously approved Vineyards Senior Housing. The subject sites are located at 150 & 200 N Sailer Ave (APNs: R5672431260, R56722431280); Section 24, township 2 North, Range 1 West.

Please do not contact the Commission, Council or Mayor as this is considered ex parte. If you have questions or require special accommodations, please contact Planning & Zoning at (208) 922-5274 *before* the meeting.

Written testimony received by close of business on **December 7, 2022** will be included with the meeting packet prior to the hearing.

MAILED 11.23.2022

KUNA
Planning & Zoning

Proof of Property Posting

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

This form shall confirm that the Public Hearing Notice for 22-04-CPF Single Lot Subdivision was posted, as required per Kuna City Code 5-1A-8, on 12/03/2022 Date. This form and associated photos shall be returned to the Planning & Zoning department no later than seven (7) days prior to the Public Hearing.

Signs shall be removed from the site within three (3) days after the Public Hearing.

DATED this 3rd day of December, 2022.

Signature: _____

State of Idaho)
) ss
County of Ada)

On this 3rd day of December, 2022, before me, the Undersigned, a Notary Public in and for said State, personally appeared before me Gregory A. Urrutia (Owner/Developer).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written. Subscribed and sworn to before me the day and year first above written.

Danielle Badke
Residing at: Nampa ID
City State ZIP

My Commission expires: 6/13/24

Danielle Badke
Signature

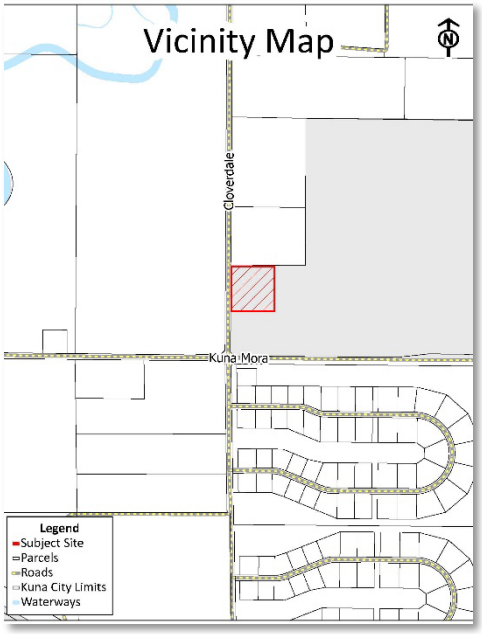
DANIELLE BADKE
COMMISSION NUMBER
NOTARY
PUBLIC
20181188
STATE OF IDAHO

BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATION OF **IDAHO POWER COMPANY** *For a Design Review for 15450 S Cloverdale Road.*	))))))	**Case No. 22-41-DR (DESIGN REVIEW)** **STAFF REPORT FOR DESIGN REVIEW APPLICATION**

TABLE OF CONTENTS

1. Exhibit List
2. Process and Noticing
3. Applicants Request
4. General Project Facts
5. Transportation and Connectivity
6. Staff Analysis
7. Proposed Findings of Fact and Conclusions of Law
8. Commission's Proposed Decision



I
EXHIBIT LIST

The exhibits of the above-referenced matter consist of the following, to-wit:

1.1 Exhibits:

	DESCRIPTION OF EVIDENCE	*Withdrawn*	*Refused*	*Admitted*
1.1	Staff Report			X
2.1	P&Z Application Coversheet			X
2.2	Design Review Application			X
2.3	Narrative			X
2.4	Vicinity Map			X

2.5	Aerial Map			X
2.6	Warranty Deed			X
2.7	Landscape Plan			X
2.8	Fence Plan			X
2.9	Landscape Rendering			X
2.10	Civil Plans			X
2.11	Agency Transmittal			X
2.12	Public Works			X

II
PROCESS AND NOTICING

2.1 In accordance with Kuna City Code (KCC) 5-4-2: Design Review; all new projects, landscaping, and other various amenities are required to submit an application for review by the Planning and Zoning Commission. As a Public Meeting item, this action requires no formal public noticing.

2.2 Notifications

2.2.1 Agency Notifications: October 25, 2022

2.2.2 Agenda: December 13, 2022

III
APPLICANTS REQUEST

3.1 Idaho Power Company requests Design Review approval to for the Hawk Substation site design, fence and landscaping. The subject site is located at 15450 S Cloverdale Road, Kuna ID, 83634 (APN: S1434336150) within Section 34, Township 2 North, Range 1 East.

IV
GENERAL PROJECT FACTS

4.1 Site History

4.1.1 The subject site has historically served as farmland. A Special Use Permit approval was granted by the Planning and Zoning Commission on September 27, 2022 in order to operate a power substation.

4.2 Surrounding Land Uses

North	RR	Rural Residential – Ada County
South	RR	Rural Residential – Ada County
East	A	Agriculture – Kuna City
West	RR	Rural Residential – Ada County

4.3 Parcel Number, Owner, Size and Zoning

4.3.1 S1434336150
4.3.1.1 Idaho Power Company
4.3.1.2 3.11 acres
4.3.1.3 A (Agriculture)

4.4 Services

Sanitary Sewer – Private System
Potable Water – Private System
Fire Protection – Kuna Rural Fire District
Police Protection – Kuna Police (Ada County Sheriff's Office)
Sanitation Services – J&M Sanitation

4.5 Existing Structures, Vegetation, and Natural Features

4.5.1 The subject site contains no structures. The site has an estimated average slope of 0% to 2%, and according to the USDA Soil Survey for Ada County, bedrock depth is estimated to be greater than 60 inches.

4.6 Environmental Issues

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

4.7 Comprehensive Plan Future Land Use Map

4.7.1 The Future Land Use Map (FLUM) is intended to serve as a guide for the decision-making body of the city and indicates land use designations generally speaking. The FLUM identifies the approximately 3.11-acre site as Mixed Use.

4.8 Agency Responses

Agency	Exhibit No.
Public Works	2.12

V
TRANSPORTATION AND CONNECTIVITY

5.1 The Applicant is not proposing any improvements to Cloverdale Road abutting the site. The City will require the Applicant to dedicate additional right-of-way to total 50 feet from centerline of Cloverdale Road.

The Ada County Highway District (ACHD) reviewed the subject site as a part of Case No. 22-09-SUP (Special Use Permit)/ KUNA22-0019. ACHD determined that the Applicant's proposal does not meet Ada County Highway Districts' successive driveways policy which requires driveways located on minor arterials, with a speed limit of 50 mph, to align or offset a minimum of 425-feet; however, due to the driveways serving an electrical substation with minimal traffic volumes, ACHD recommends the driveways be approved as proposed. The City agrees with this recommendation.

Per Case No. 22-09-SUP, Idaho Transportation Department (ITD) does not anticipate any significant traffic impact to the State Highway system from this development and has no objections to the proposed development.

VI
STAFF ANALYSIS

6.1 Idaho Power Company requests Design Review approval to for the 3.11-acre substation site design, fence and landscaping.

The subject site is not located within the City's irrigation surface area; the landscaping on site is proposed to use native drought resistant plantings. Some adapted species, such as select tree plantings will be incorporated into the overall design. KCC 5-17-12 permits water conservative landscaping design. Staff has determined the proposed landscaping is in compliance with the landscaping requirements of KCC and should be approved as proposed.

Due to the nature of the area, the Applicant has proposed to defer the development of sidewalk along the site's frontage. Staff would support this deferment and recommend the condition that the Applicant install sidewalk at such point in time that sidewalk is available for connection from adjacent parcels.

72-inch chain-link fence with site obscuring slats will be utilized with 12-inches of barb wire added to the top of the fence for additional security. The fencing complies with KCC 5-5-5 and should be approved as proposed.

Per Exhibit 2.12, Public Works staff can support approval for this design review. The Applicant does not propose construction or connection of any public works infrastructure.

Upon complete review, staff finds the application generally complies with Title 5 of Kuna City Code; Comprehensive Plan Future Land Use Map (FLUM); and Idaho Code. Staff would recommend the Planning and Zoning Commission Approve Case No. 22-41-DR, with the Applicant being subject to the recommended Conditions of Approval listed in Section VIII (8) of this report.

6.2 Applicable Standards

6.2.1 City of Kuna Zoning Ordinance, Title 5
6.2.2 City of Kuna Comprehensive Plan FLUM
6.2.3 Idaho Code, Title 67, Chapter 65 – Local Land Use Planning Act

VII
PROPOSED FINDINGS OF FACT

Based upon the record contained in Case No. 22-41-DR (Design Review), including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, exhibits and discussion at the public meeting; the Kuna Planning and Zoning Commission hereby ***Approves/Conditionally Approves/Denies*** these Findings of Fact and Conclusions of Law, and Conditions of Approval.

If the Planning and Zoning Commission wishes to Approve, Deny or modify specific parts of the Findings of Fact and Conclusions of Law as detailed below, those changes must be specified.

7.1 The contents of the proposed Design Review application *does/does not* contain all of the necessary requirements as listed in KCC 5-4-9: Design Review Application Required.

Staff Finding: *The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with the design requirements listed in Kuna City Code Title 5.*

7.2 Based on the evidence contained in Case No. 22-41-DR, this proposal *does/does not* generally comply with the Comprehensive Plan.

Staff Finding: *The current zone for the subject site is A (Agriculture), the Comprehensive Plan Future Land Use Map designates the subject site as Mixed-Use. The Hawk Substation would connect to the existing electrical grid and provide increased capacity and reliability to existing and new customers in east Kuna increasing the viability for new land uses.*

7.3 The overall proposed project *is/is not* appropriate for the proposed site selection.

Staff Finding: *Upon review, staff finds the proposed project is an appropriate fit for the proposed location.*

7.5 The orientation of the structures and the site design *does/does not* minimize the impact on adjacent properties.

Staff Finding: *The placement and orientation of the structures, proposed landscaping and fencing appear to offer a cohesive design and provides adequate screening between the subject sites and neighboring properties.*

7.7 The availability of existing and proposed public services and infrastructure *can/cannot* accommodate the proposed development.

Staff Finding: *Based on comments provided by ACHD and ITD as a part of Case No. 22-09-SUP (Special Use Permit)/ KUNA22-0019, the existing infrastructure can support the proposed development; the Public Works Department in Exhibit 2.12 states the applicant does not propose construction or connection of any public works infrastructure.*

VIII
COMMISSIONS ORDER OF DECISION

Note: The motion is for the Approval, Conditional Approval, or Denial of the Design Review application. However, if the Planning and Zoning Commission wishes to Approve/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, Case File, and discussion at the public meeting, the Planning and Zoning Commission of Kuna, Idaho (acting as Design Review Committee), hereby *Approves/Conditionally Approves/Denies* Case No. 22-41-DR (Design Review), subject to the following Conditions of Approval:

8.1 The Applicant shall follow all requirements for sanitary sewer, potable water and pressurized irrigation connections, and all other requirements of the Kuna Public Works Department. Potable/drinking water shall not be used for irrigation purposes per Kuna City Code 6-4-2(B)(9).

8.2 The Applicant shall obtain written approval of the construction plans from the agencies noted below; the approval may be either on agency letterhead referring to the approved use, or may be written or stamped upon a copy of the approved plans. All site improvements are prohibited prior to approval of these agencies and the issuance of a building permit:

8.2.1 No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received approval of the Civil Plan.

8.2.2 The Kuna Rural Fire District shall approve fire flow requirements and/or building plans.

Installation of fire protection facilities as required by the Kuna Rural Fire District is required.

8.2.3 The city shall approve any modifications to the existing water, sewer or irrigation system.

8.2.4 Approval from Ada County Highway District (impact fees), if any, shall be paid *prior to issuance* of building permits.

8.3 Developer/Owner/Applicant shall provide engineering certification on all final engineering drawings, as applicable.

8.4 Developer/Owner/Applicant shall submit civil plans to pwoffice@kunaid.gov for review, and receive formal Civil plan approvals, *prior* to construction or Building Permit application.

8.5 On-site stormwater retention shall be reviewed in conjunction with this Design Review and Applicant/Developer shall be required to provide a stormwater disposal and treatment plan which accounts for increased on-site storm water runoff volumes; detailed drawings of drainage and treatment facilities with supporting calculations for review and approval.

8.6 If applicable, Fire Suppression shall be shown on all plans and approved by the Kuna Rural Fire District (KRFD).

8.7 The Kuna Rural Fire District (KRFD), or KRFD representative, must approve fire access to the project before, during, and after construction.

8.8 Developer/Owner/Applicant shall verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties; slopes shall not be steeper than 3:1 on lots adjacent to a street or common lot, and no steeper than 4:1 for lots with common rear lot lines.

8.9 This development is subject to Landscape compliance Design Review inspections *prior* to receiving a Certificate of Occupancy. (Landscape inspection fee paid October 25, 2022)

8.10 The Developer/Owner/Applicant, and any future assigns having an interest in the subject property, shall fully comply with all Conditions of development as approved by the Planning and Zoning Commission, or seek amending them through the Design Review process.

8.11 All required landscaping shall be permanently maintained in healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within three (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.

8.12 Landscaping shall not be placed within 10 feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities, and must honor all vision triangles. All rope, twine, burlap and wire cages shall be removed half way down the rootball.

8.13 As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the Applicants Engineer.

8.14 Developer/Owner/Applicant is hereby notified of Kuna's weed control policies and requirements (KCC 8-1-3). Weeds, grasses, vines or other growth which endanger property or are over 12-inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or

destroyed throughout the seasons.

8.15 Developer/Owner/Applicant is hereby notified of Kuna's working hours. Construction of any kind shall only be conducted between 7:00 AM to 11:00 PM; noises and other public nuisances/distractions outside of this time frame are subject to lawful penalties.

8.16 Developer/Owner/Applicant shall follow staff, City Engineer and other agency recommended requirements, as applicable.

8.17 Developer/Owner/Applicant shall install sidewalk at such point in time that sidewalk is available for connection from adjacent parcels.

DATED this 13th day of December, 2022.

Planning & Zoning Application Coversheet

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

****Office Use Only****

File No.(s): 22-41-DR

Project Name: Hawk Substation

Date Received: 10-12-2022

Date Accepted as Complete: 10-25-2022

Type of review requested (check all that apply):

	Annexation & Zoning		Appeal
	Comp. Plan Map Amendment		Combination Pre & Final Plat
X	Design Review		Development Agreement
	Final Planned Unit Development		Final Plat
	Lot Line Adjustment		Lot Split
	Ordinance Amendment		Planned Unit Development
	Preliminary Plat		Rezone
	Special Use Permit		Temporary Business
	Vacation		Variance

Owner of Record

Name: Idaho Power Company

Address: PO BOX 70, Boise, ID 83707

Phone: 208-388-2402 Email: jmaffuccio@idahopower.com

Applicant (Developer) Information

Name: Idaho Power Company, attn: Jeff Maffuccio

Address: PO BOX 70, Boise, Idaho 8370

Phone: 208-388-2402 Email: jeffmaffuccio@idahopower.com

Engineer/Representative Information

Name: HDR, Attn: Makary Hutson

Address: 412 E. Parkcenter Blvd, Suite 100, Boise, ID 83706

Phone: 208-387-7000, m. 509-981-7542 Email: makary.hutson@hdrinc.com

Subject Property Information

Site Address: 15450 South Cloverdale Road, Kuna, Idaho 83634

Nearest Major Cross Streets: South Cloverdale Road and East Kuna Mora Road

Parcel No.(s): S1434336150

Section, Township, Range: { ² мкп {ŜŎűλ2ƴ оп Σ ¢2ǿƴãKλLJ н b2ℕűKΣ wl·yƎŜ м 9l·ăűΣ . 2λăŜ aŜℕλŘλl·ƴ

Property Size: 3.11 acres

Current Land Use: ! ƎℕλŎdzfűdzℕl·f Proposed Land Use: tdzōfλŎ {ŜℕØλŎŜ Cl·Ŏλfλűȅȅ

Current Zoning: ! ƎℕλŎdzfűdzℕl·f ! ƎℕλŎdzfűdzℕl·f Proposed Zoning: ! ƎℕλŎdzfűdzℕl·f

Project Description

Project Name: LŘl·K2 t2ǿŜℕ ll·ǿ l {dzōăűl·űλ2ƴ

General Description of Project: A new substation to serve customers in east Kuna and surrounding Ada County area.

Type of proposed use (check all that apply and provide specific density/zoning):

☐ Residential: R-2 R-4 R-6 R-8 R-12 R-20 ☐ Commercial: C-1 C-2 C-3 ☐ CBD
☐ Office ☐ Industrial: M-1 M-2 ⊡ Other: tdzōfλŎ {ŜℕØλŎŜ Cl·Ŏλfλűȅȅ

Type(s) of amenities provided with development:

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Residential Project Summary (If Applicable) - *Not Applicable*

Are there existing buildings? YES NOX

If YES, please describe:

_ Will any existing buildings remain? YES NO

No. of Residential Units: _____ No. of Building Lots:

_____ No. of Common Lots: _____ No. of Other Lots:

☐ Single-Family ☐ Townhomes ☐ Duplexes ☐ Multi-Family
☐ Other: _____ Type of dwelling(s) proposed (check all that apply):

Minimum square footage of structure(s): _____

Gross Density (Dwelling Units ÷ Total Acreage): _____

Net Density (Dwelling Units ÷ Total Acreage not including Roads): _____

Percentage of Open Space provided: _____ Acreage of Open Space: _____

Type of Open Space provided (i.e. public, common, landscaping): _____

_____

_____

Non-Residential Project Summary (If Applicable)

Number of building lots: no building lots Other lots: Public Service Facility and existing Ag

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

Building height: _____ Hours of Operation: _____

Total No. of Employees: _____ Max No. of Employees at one time: _____

No. of and ages of students: _____ Seating capacity: _____

Proposed Parking - no parking

ADA accessible spaces: _____ Dimensions: _____

Regular parking spaces: _____ Dimensions: _____

Width of driveway aisle: _____

Proposed lighting: downward facing security lighting, triggered by motion detection, may be considered.

Is lighting "Dark Sky" compliant? YES NO

Proposed landscaping (i.e. berms, buffers, entrances, parking areas, etc.):

Site-obscuring fencing inlieu of landscaping at request of original owner, and to keep water usage by Idaho Power as low as possible. Per the Hawk Substation site plan, gate entrances and parking within the station fence will be for operational needs only.

Applicant Signature: _____ Date: 10/12/2022

By signing, you're confirming you have provided all required items listed on this application.

Upon completion of this form, please email to pzapplications@kunaid.gov. A link will be provided to you for application attachments to be uploaded to the cloud.

DESIGN REVIEW APPLICATION

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov

****Office Use Only****

Case No(s).: 22-41-DR

Project Name: Hawk Substation

Date of Pre-Application Meeting: Valid for three (3) months, unless otherwise determined by Staff

Date Received: 10-12-2022

Date Accepted as Complete: 10-25-2022

The City of Kuna has adopted a Design Review Overlay District whose purpose is to make Kuna a pleasant and comfortable place to live and work. This Design Review process is based on standards and guidelines found in Kuna City Code 5-4. The Design Overlay District includes all of Kuna City Limits.

Design Review includes, but is not limited to:

- Commercial
- Institutional
- Multifamily Residential
- Proposed Conversions
- Exterior Remodel//Restoration
- Industrial
- Office
- Common Areas/Landscaping
- Proposed Changes in Land and/or building use
- Enlargement or Expansion of existing buildings or sites

Application shall contain one (1) copy of the following (digital documents preferred):

- Complete Planning & Zoning Application Coversheet
- Complete Design Review Application *(It is the Applicant's responsibility to use the most current application.)*
- Detailed narrative or justification for the application, describing the project, design elements and how the project complies with Design Review standards.
- Vicinity Map: 8.5" x 11" at 1" = 300' scale (or similar). Label the location of the property and adjacent streets.
- Aerial Map: 8.5" x 11" color photo depicting proposed site, street names, and surrounding area within 500'.
- Recorded Warranty Deed
- Affidavit of Legal Interest if the individual submitting the application is not the property owner. (*One Affidavit required for each party involved. Originals must be submitted to the Planning & Zoning Department.)*
- Elevations for each structure & color rendering with material sample(s) specifically noting where each color and material is to be located on the structure. *(PDF or photo of materials acceptable).*
- Site, Lighting, Landscape & Drainage Plans
- Construction Drawings/Civil Plans

Detailed Site Plan Requirements

- Name of plan preparer with contact information
- Name of project and date
- North arrow
- Property Lines
- Existing structures – Identify those which are relocated or removed
- On-site and adjoining streets, alleys, private drives and rights-of-way
- Drainage location and method of on-site retention/detention
- Location of public restrooms, if applicable
- Existing and/or proposed utility services; any above ground utility structures and provide their location
- Location and width of easements, canals and drainage ditches
- Location and dimensions of off-street parking
- Location and size of any loading areas, docks, ramps and vehicle storage or service areas
- Location of trash storage areas and exterior mechanical equipment; provide proposed method of screening
- Sign locations *(A separate Sign Application must be submitted; this is a Staff level review.)*
- On-site transportation circulation plan for motor vehicles, pedestrians and bicycles
- Locations and uses of ***all*** Open Spaces (*if applicable*)
- Location, types and sizes of sound and visual buffers *(all buffers must be located outside the public rights-of-way.)*
- Parking layout including spaces, driveways, curbs, cuts, circulation patterns, pedestrian walks and vision triangles
- Location and designation of subdivision lines *(if applicable)*, property lines, and rights-of-way
- Location of walls and fences; provide their height and material of construction
- Roofline and foundation plan of building and location onsite

Landscape Plan

The Landscape Plan need to be drawn by the Project Architect, Professional Landscape Architect, Landscape Designer, or qualified Nurseryman for developments possessing more than twelve thousand (12,000) square feet of private land. The Landscape Plan must be colored and drawn to a scale no smaller than 1" = 30', unless otherwise approved. The Planning & Zoning Director may require the preparation of a landscape plan for smaller developments by one of the noted individuals, if the lot(s) have unique attributes. (*See Kuna City Code 5-17 Landscaping Requirements*)

- Name of plan preparer with contact information
- Name of project and date
- North arrow
- Boundaries, property lines and dimensions
- Location and design of areas to be landscaped
- Location and labels for all proposed plants
- Existing vegetation identified by species & sizes, and if they are proposed to be relocated or removed (*Retention of existing trees required, see Kuna City Code 5-17-4*)
- Plant lists or schedules with the botanical common name, quantity, and spacing as well as the size of all proposed landscape materials at time of planting
- Location of automatic, underground irrigation systems (*See Kuna City Code 5-17-11*)
- Clearly identify pressurized irrigation lines and underground water storage
- Location, description, materials, and cross-sections of special features, including berming, retaining walls, hedges, fencings, fountains, street/pathway furniture, etc.

- Sign locations (a separate sign application must be submitted)
- Locations of open spaces (*if applicable*)
- Parking areas
- Location and designations of all sidewalks
- Engineered Grading and Drainage Plans: A generalized drainage plan showing direction drainage with proposed on-site retention. Upon submission of building/construction plans for an approved Design Review application, a detailed site grading and drainage plan prepared by a registered professional engineer (PE), shall be submitted to the City for review and approval by the City Engineer.

Building Elevations

- Detailed elevation plans, in color, of each side of any proposed building(s) or addition(s). Label associated elevations with North, South, East, West
- Color renderings of all proposed building materials and indication where each material and color application are to be located, in PDF or JPEG format.
- Screening of mechanical equipment
- Provide a cross-section of the building showing any rooftop mechanical units and their roof placement
- Detailed trash enclosure elevation plans showing the materials to be used in construction

Lighting Plan

- Exterior lighting, including detailed cut sheets and photometric plan *(pedestrian, vehicle, security, decoration, etc.)*
- Types and wattage of all light fixtures. *(NOTE: Lighting fixtures shall comply with "Dark Sky" policies.)*
- Placement of all light fixtures shown on elevations and landscaping plans

Owner Information

Name: Idaho Power Company

Address: PO Box 70, Boise, ID 83707

Phone: 208-388-2402 Email: _____

Applicant Information

Name: Idaho Power Company, Attn: Jeff Maffuccio

Address: PO Box 70, Boise, ID 83707

Phone: 208-388-2402 Email: jmaffuccio@idahopower.com

Engineer/Representative

Name: HDR, Attn: Makary Hutson

Address: 412 E. Parkcenter Blvd, Suite 100, Boise, ID 83706

Phone: 208-387-7000 Email: makary.hutson@hdrinc.com

Property Information

Address: 15450 S. Cloverdale Rd

Parcel No(s).: S1434336150

Closest Major Cross Streets: South Cloverdale Road and East Kuna Mora Road

Please check the box that reflects the intent of the application:
☐ Building Design Review ☐ Design Review Modification
☐ Staff Level Application ■ Subdivision/Common Area Landscape

1. Briefly explain the nature of the request: Idaho Power is requesting a design review of the planned, new Hawk Substation. The site design includes a landscape plan and fencing plan.

2. Dimension of property: 3.11 acres, 397' x 341'

3. Current land use(s): Agricultural

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

   North: Agricultural South: Agricultural

   East: Agricultural West: Agricultural

5. Is the project intended to be phased? If so, what is the phasing time period?

   No, the project would not be phased.

6. Number and use(s) of all structures: 2-3 bays of standard electric yard equipment

7. Building Height: Not applicable, No buildings

8. Number of Stories: Not applicable
   (The height and width relationship of new structures shall be compatible and consistent with the architectural character of the area and proposed use. Height and area standards can be found in Kuna City Code 5-5-3.)

9. What is the percentage of building space on the lot when compared to the total lot area:

   Not applicable

Exterior Building Materials and Colors

	Material	Color
Roof:		
Walls: (include percentage of wall coverage of each material)	Not Applicable	
% of Wood Application:		
% EIFS: (Exterior Insulation Finish System)		
% Masonry:		
% Face Block:		
% Stucco:		
Other:		
Windows/Doors:		
Soffits and Fascia:		
Trim, etc.:		

Mechanical Units

Please identify mechanical unit(s) size and placement: Electrical yard equipment only

Proposed screening method? Not applicable

Trash Enclosures

Please identify trash enclosure location, size, and construction materials: Not applicable

Irrigation Ditches/Canals

Are there any irrigation ditches/canals on or adjacent to the property? YES (NO)

If Yes, what is the name of the irrigation/drainage provider? N/A

What is the proposed method of on-site drainage retention/detention?

Fencing

Is there any existing fencing that will remain? ☐ ☑

If Yes, what is the fencing material, size and location? It is a new site, no existing fence.

See attached Hawk Station Fence plan.

What is the fencing material for all new fencing? 6' galvanized chain link fence with tan privacy slats.

The City has regulations for fences, walls, and hedges (see Kuna City Code 5-5-5). A fence permit must but be acquired prior to installation of any fencing; a permit cannot be acquired until Design Review application Approval/Conditional Approval/Denial.

Building Coverage

% of site devoted to building coverage?	0.7%	
% of site devoted to landscaping? (Include landscaped rights-of-way)	52.7%	Square Footage: 63,673 sq ft
% of site that is hard surface? (paving, driveways, walkways)	46.6%	Square Footage: 56,262 sq ft
% of site devoted to other uses:	N/A	Describe:

Landscaping

Please provide dimensions of landscaped areas within public rights-of-way: 13' x 340' (4,420 sq ft) of grass exists within the existing ROW. After the access drives are constructed, the grass landscape in the public ROW will be reduced to 3,240 sq ft total.

Are there any existing trees of 4" or greater in caliper on the property? YES (NO)
If Yes, what type, size and general location? (*Please indicate location on site plan. NOTE: It is the city's goal to preserve such trees.)*

Dock Loading Facilities

Will there be any dock loading facilities? YES (NO) *(If Yes, please continue; if No, please skip this section.)*

No. of dock loading facilities and their location: _____

What is the proposed method of screening? _____

Pedestrian Amenities

Are there any proposed pedestrian amenities? (i.e. bike racks, trash receptacles, drinking fountains, benches, etc.) YES (NO)

If Yes, please indicate type, number of each type: _____

Parking

Total number of parking spaces? N/A Dimensions? _____

Total number of ADA accessible spaces? _____ Dimensions? _____

Total number of compact spaces (8' x 17')? _____

Miscellaneous

Will you be proposing setbacks different than those found in KCC 5-3-3? YES (NO)

If YES, please provide setbacks below, in feet:
Front: _____ Rear: _____ Side: _____ Side: _____

Is any portion of the property subject to flooding conditions? YES (NO)

The Ada County Highway District (ACHD) may also conduct a public meeting regarding this application. If you have questions about the meeting date, the traffic that this development may generate or the impact of that traffic on streets in the area, please contact ACHD at (208) 387-6170. In order to expedite your request, please have ready the file number indicated.

Applicant Signature: Jeffrey Maffuccio Digitally signed by Jeffrey Maffuccio Date: 2022.10.12 08:09:12 -06'00' Date: 10/12/2022

Additional Information

Please indicate/explain/provide any additional information deemed relevant to this application:

_____

_____

_____

_____

_____

_____

Application Narrative

Design Review: Hawk Substation Project

Idaho Power is pleased to file this narrative for a Design Review (DR) intended to complete the request to construct, maintain, and operate an electrical substation in Kuna. The Substation is located at 15450 South Cloverdale Road, just north of Kuna-Mora Road. The proposed use is in accordance with the objectives and goals found the Kuna City Code. Beyond the graveled station yard, Idaho Power has applied the Design Review standards found in Kuna City Code 6-3 and the Landscaping Requirements in Kuna City Code 5-17.

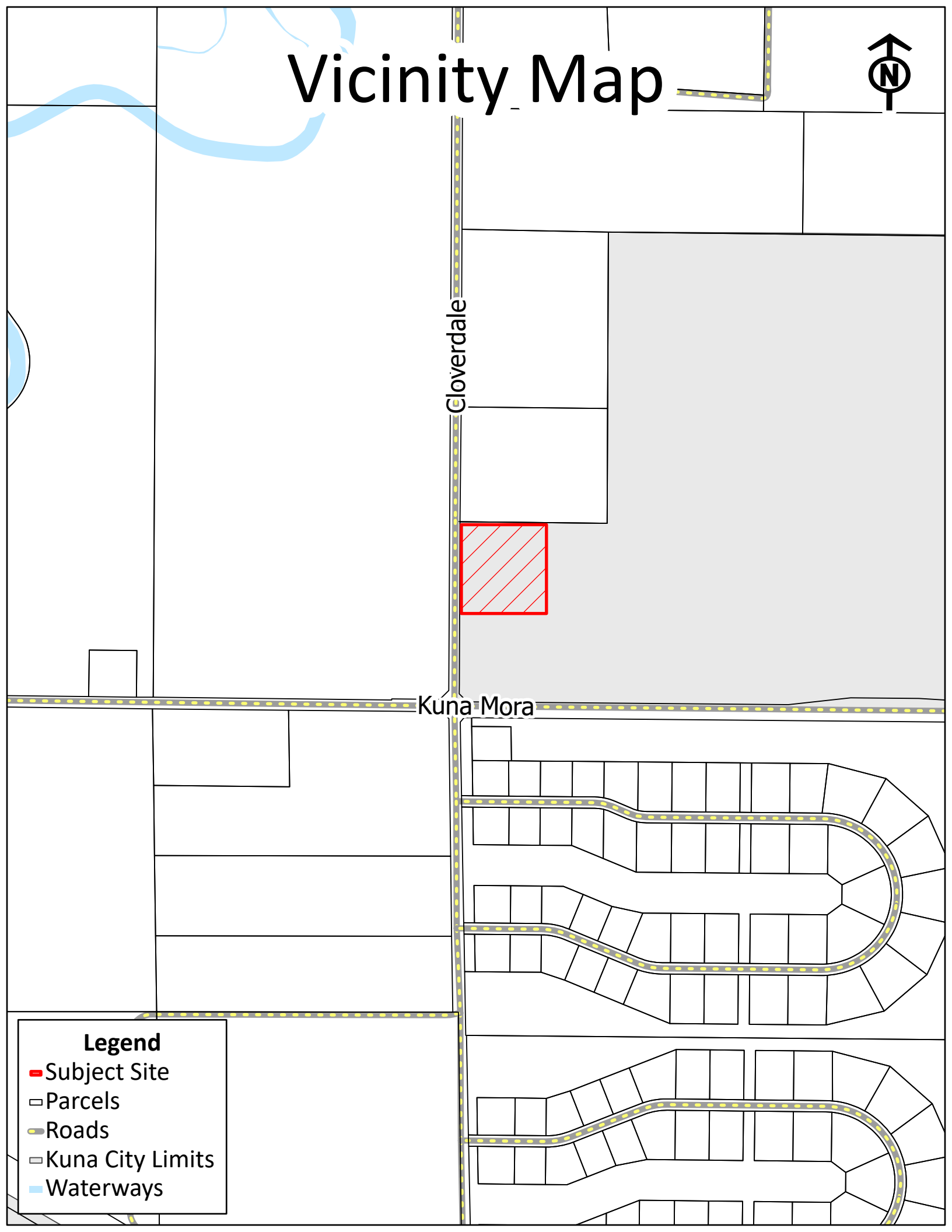
Applicable standards for this site include dedication of additional right-of-way along South Cloverdale Road, which allow for future sidewalk expansion. With these setbacks, the station still has room for an approximately 4-foot-tall perimeter berm that consists of weed barriers and covered with 5-inch washed rock. The station fence will be a 6-foot-tall site-obscuring slatted chain link panels, with slats in a "tan" color.

Idaho Power has chosen to use native, or drought-tolerant, plant species due to the property being outside Kuna's irrigation service area and within the region's high desert climate. These plants include the following:

- 19 Rocky Mountain Maples along the road frontage
- 227 Bluebunch Wheatgrass along the perimeter berm
- 6 (six) Big Sagebrush along the road frontage
- 6 (six) Silver Sagebrush along the road frontage

Along with the attachments found in this application, Idaho Power has produced the rendering below of a similar sized substation with the previously mentioned site-obscuring measures of fencing and landscaping.

P.O. Box 70 (83707)
1221 W. Idaho St.
Boise, ID 83702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Subject Site
Parcels
Roads
Kuna City Limits
Waterways

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ADA COUNTY RECORDER Phil McGrane
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ALLIANCE TITLE - BOISE PRODUCTION CENTER

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09/01/2022 02:49 PM
$15.00

AFTER RECORDING MAIL TO:

Idaho Power Company
Corporate Real Estate
Plaza II
P.O. Box 70
Boise, ID 83707

AT-597648

Space above for Recorder's use, only.

WARRANTY DEED

For Value Received, **Layne Thornton and Lori Thornton, husband and wife**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Idaho Power Company, an Idaho corporation**, hereinafter referred to as Grantee, whose current address is 1221 W. Idaho St., Boise, Idaho, 83702, the following described premises, situated in **Ada** County, **Idaho**, to-wit:

LEGAL DESCRIPTION: Real property in the County of Ada, State of Idaho, described in **Exhibit A**, attached hereto and made a part hereof:

TO HAVE AND TO HOLD said premises, with all appurtenances thereto, including without limitation all water rights, unto said Grantee, and to the Grantee's heirs and assigns, forever. Grantor does hereby covenant to and with Grantee that Grantor is the owner in fee simple of said premises, that said premises are free from all encumbrances except current year's taxes, levies and assessments, and those exceptions to title insurance listed on **Exhibit B** attached hereto and made a part hereof, and that Grantor will warrant and defend the same from all claims whatsoever.

[Signatures appear on next page.]

GRANTOR:

Layne Thornton

Lori Thornton

STATE OF Idaho)
SS.
COUNTY OF Ada)

On this 14th day of ~~August~~ September, **2022**, before me, a Notary Public in and for said State, personally appeared **Layne Thornton and Lori Thornton**, known or identified to me to be one of the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said partnership name.

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

REANA GARCIA
COMMISSION #30929
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for the State of Idaho
Residing at: _____, ____
My Commission Expires: _____

Residing in Meridian, Idaho
My Commission expires: 11-5-2022

List of Exhibits:

Exhibit A – Description of the Property

Exhibit B – Exceptions to Title

Exhibit A to Warranty Deed

Description of the Property

Parcel B

A parcel of land situated in a portion of the Southwest One Quarter of Section 34, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Southwest Corner of said Section 34, thence following the westerly line of said Section 34, North 0°19'24" East a distance of 428.00 feet to the POINT OF BEGINNING.

Thence following said westerly line, North 0°19'24" East a distance of 340.87 feet;
Thence leaving said westerly line, South 89°23'28" East a distance of 397.09 feet;
Thence South 0°19'24" West a distance of 340.87 feet;
Thence North 89°23'28" West a distance of 397.09 feet to the POINT OF BEGINNING.

Exhibit B to Warranty Deed

Exceptions to Title

WESTCOR
LAND TITLE INSURANCE COMPANY

SCHEDULE B - SECTION II
EXCEPTIONS

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
2. Rights or claims of parties in possession not shown by the public records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
4. Easements, or claims of easements, not shown by the public records.
5. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights or easements appurtenant to water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the public records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
8. Taxes, including any assessments collected therewith, for the year 2022 which are a lien not yet due and payable.
9. Special assessments, if any, for the City of Kuna.
10. Levies and assessments of the Boise Kuna Irrigation District, and the rights, powers and easements of said district as by law provided.
11. Right of way for ditches, tunnels, telephone and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.
12. Intentionally deleted.
13. Right, title and interest of the public in and to those portions of the Land lying within roads or highways.
14. Right-of-way for North Indian Creek and the rights of access thereto for maintenance of said creek.

15. Reservations and exceptions in the United States Patent, and in the act authorizing the issuance thereof.
    Recorded: October 26, 1927.
    Book: 6 at Page: 347.
    Official Records: Ada County.

16. Intentionally deleted.

17. Intentionally deleted.

18. An easement for the purpose shown below and rights incidental thereto as set forth in document:
    Granted To: Idaho Power Company
    Purpose: Public Utilities
    Recorded: April 24, 1974
    Instrument No.: 882836

19. Easements reservations and dedications, as shown on record of survey.
    Recorded: January 30, 2004
    Instrument No.: 104011306

20. Easements reservations and dedications, as shown on record of survey.
    Recorded: February 2, 2007
    Instrument No.: 107015987

21. Terms, provisions, covenants, conditions, definitions, options, obligations and restrictions, contained in a document
    Purpose: Development Agreement
    Recorded: July 24, 2008
    Instrument No.: 108084427

22. Easements reservations and dedications, as shown on record of survey.
    Recorded: August 22, 2008
    Instrument No.: 108095734

23. Intentionally deleted.

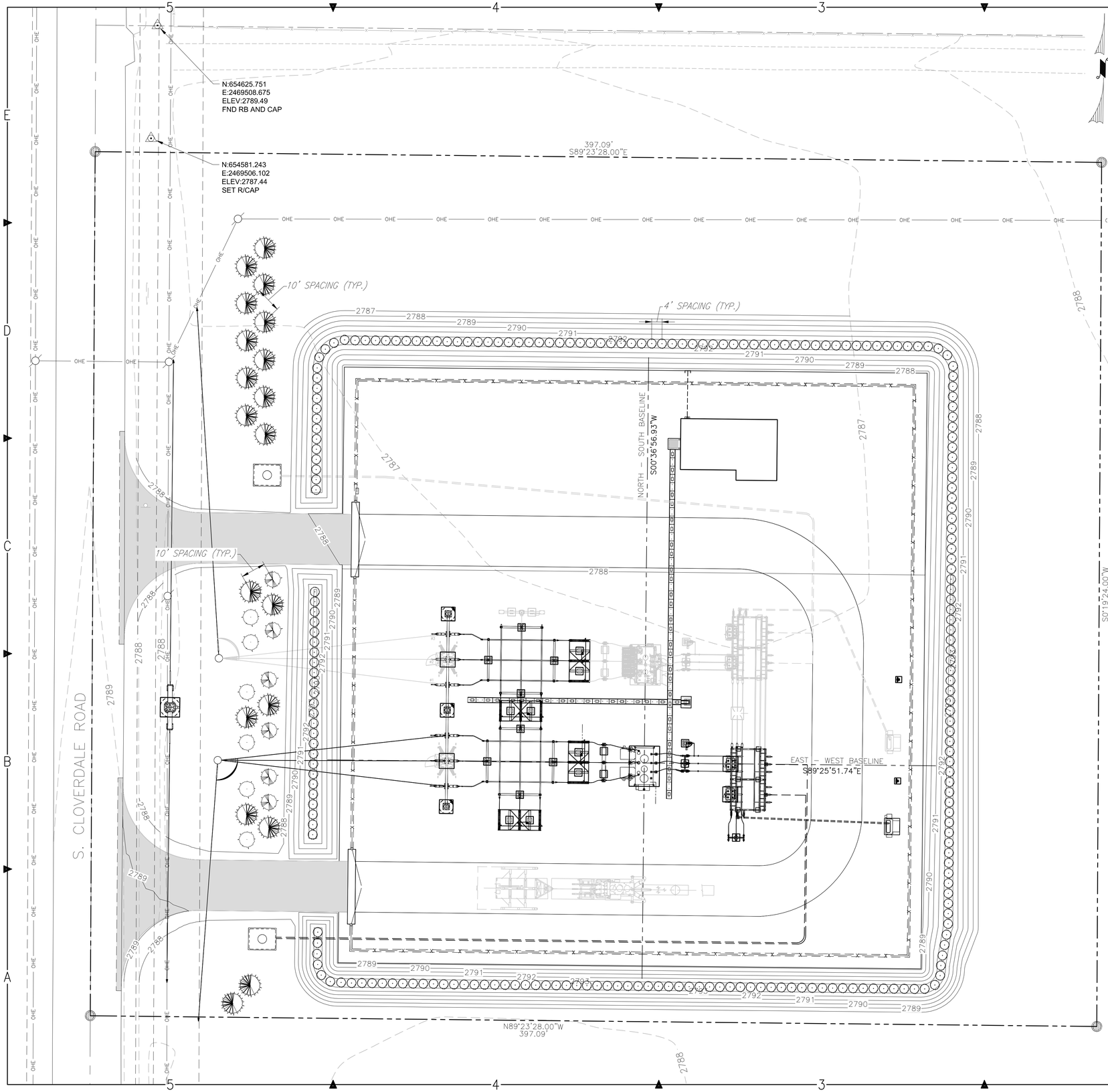
24. Unrecorded leaseholds, if any, and the rights of vendors and holders of security interest in personal property of tenants to remove said personal property at the expiration of the term.

25. Any Loss or Claim arising out of an Illegal Subdivision of the Land.

26. Rights, interests, or claims which may exist or arise by reason of the following fact(s) shown on a survey plat entitled Idaho Power Company U.S Survey
    Dated: August 8, 2022
    Prepared by: Idaho Power Company
    Recorded: August 11, 2022
    Instrument No.: 2022-071007
    Fact(s): Lot Split

27. Rights, interests or claims which may exist or arise by reason of the following fact(s) shown on a survey plat entitled ALTA/NSPS Land Title Survey for Idaho Power
    Dated: August 25, 2022
    Prepared by: Parametrix
    Job No.: 317-2264-014
    Fact(s): The fact that an underground power line runs along the Northerly boundary of the land to serve a well / pump house located Easterly of the Land

END OF SCHEDULE B



PLANTING SCHEDULE

SYMBOL	SPECIES	QUAN	SIZE	MATURE HEIGHT
	ROCKY MOUNTAIN MAPLE ACER GLABRUM	19	2" CAL	5' – 6.5'
	BLUEBUNCH WHEATGRASS PSEUDOROEGNERIA SPICATA	227	2 GALLON	1' – 2.5'
	BID SAGEBRUSH ARTEMISIA TRIDENTATA	6	2 GALLON	2' – 4'
	SILVER SAGEBRUSH ARTEMISIA CANA	6	2 GALLON	1.5' – 3.5'

NOTE: ALL LANDSCAPE BERMS TO BE COVERED WITH WEED BARRIER
ALL LANDSCAPE BERMS TO BE COVERED WITH 5" WASHED ROCK

GENERAL NOTES

A. IMMEDIATELY AFTER AWARD OF CONTRACT, NOTIFY THE ARCHITECT OF AVAILABILITY OF SPECIFIED PLAN MATERIAL FROM COMMERCIAL NURSERIES. IF A SPECIFIED PLANT IS NOT AVAILABLE, THE ARCHITECT WILL PROVIDE ALTERNATIVE PLANT MATERIAL SELECTIONS. SUCH CHANGES SHALL NOT ALTER THE ORIGINAL BID PRICE UNLESS A CREDIT IS DUE TO THE OWNER.

B. VERIFY LOCATIONS OF ALL EXISTING UNDERGROUND UTILITY SYSTEMS PRIOR TO BEGINNING ANY PHASE OF CONSTRUCTION THAT MAY CAUSE DAMAGE TO SUCH SYSTEMS. REPAIR / REPLACE DAMAGED UTILITIES TO THE SATISFACTION OF THE OWNER OR GOVERNING AGENCY, AND AT NO ADDITIONAL COST TO THE OWNER OR INCREASE IN BID AMOUNT.

C. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR PREPARING ALL PLANTED AREAS, ALL DELETERIOUS MATERIAL SUCH AS ROCK, TRASH, CONSTRUCTION DEBRIS, AGGREGATE BASE MATERIAL, ASPHALT, ETC.., SHALL BE REMOVED PRIOR TO ANY FILL OPERATIONS. RIP SUB GRADE AS PER SPECIFICATIONS, FILL ALL PLANTING AREAS WITH CLEAN EARTHEN FILL, AS PER SPECIFICATIONS. SOIL SHALL BE FREE OF HEAVY, STIFF CLAY AND ANY DELETERIOUS MATERIAL OVER ONE INCH IN SIZE, THE TOP REQUIRED IN THE SPECIFICATIONS. CLEAN TOPSOIL STRIPPED FROM SITE MAY BE UTILIZED FOR PLANTER OR TOPSOIL FILL IF PRIOR APPROVAL HAS BEEN OBTAINED FROM THE ARCHITECT.

D. EXCAVATED PLANT PITS SHALL HAVE POSITIVE DRAINAGE. PLANT PITS (WHEN FULLY FLOODED WITH WATER) SHALL DRAIN WITHIN 1 HOUR OF FILLING. ENSURE THAT ALL PLANT PITS HAVE POSITIVE DRAINAGE.

E. PROVIDE REQUIRED SOIL EROSION CONTROL MEASURES THROUGHOUT THE DURATION OF THE CONTRACT PERIOD. SHOULD THERE BE EXISTING SOIL EROSION CONDITIONS THAT REQUIRE MITIGATION, NOTIFY THE ARCHITECT IMMEDIATELY.

F. ALL PLANTING BEDS SHALL BE TREATED WITH A PRE–EMERGENT HERBICIDE. PRE–EMERGENT HERBICIDE SHALL BE APPLIED PER MANUFACTURER'S RECOMMENDATIONS AND SHALL OCCUR AFTER TOPSOIL PLACEMENT AND PRIOR TO INSTALLATION OF PLANT MATERIALS AND MULCH.

G. CONTRACTOR IS RESPONSIBLE TO VERIFY ALL QUANTITIES PROVIDED ON ALL PLANS. IF QUANTITIES LISTED DO NOT CORRELATE WITH WHAT IS SHOWN ON THE PLAN, THE QUANTITIES SHOWN ON THE PLAN SHALL GOVERN. THIS INCLUDES BUT IS NOT LIMITED TO TREE, SHRUB, ROCK, TOPSOIL, MULCH, SEED OR SOD, EDGING, AND DRIP LINE QUANTITIES.

H. LANDSCAPE BERMS ON ALL SIDES OF STATION TO HAVE 1 FT WIDE EARTHEN PLANTING BERMS. TOP OF BERMS TO VARY IN HEIGHT.

REVISION

1	10–05–2022 NEW STATION LAYOUT. PROJ ID. HAWK220001 W.O. 27599612

REFERENCE DRAWINGS

21D–77184–1	SURVEY PLOT PLAN
21D–77184–2	SITE PLAN OVERALL VIEW
21D–77184–3	SITE PLAN
21D–77184–4	GRADING PLAN
21D–77184–5	GRADING SECTIONS
21D–77184–6	DETAILS

HAWK STATION LANDSCAPE PLAN

LANDSCAPE DRAWING

IDAHO POWER COMPANY BOISE, IDAHO

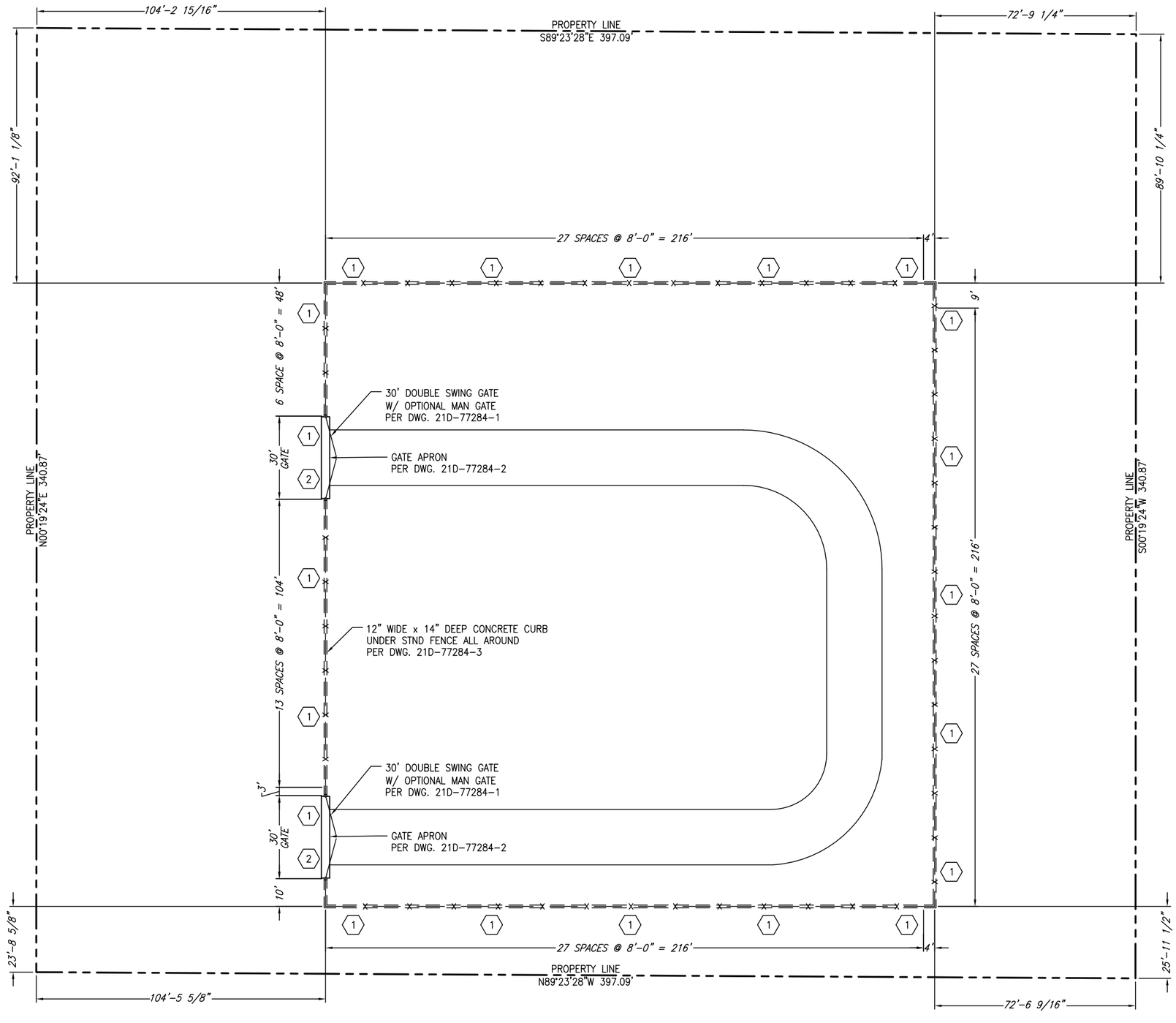
SCALE: 1"=20'–0" DATE: 10/05/2022

DS. HDR
DR. HDR
CH. HDR

21 D- 77184–7

SHT.

VAULT NO. 21D–77184–7



QUANTITIES:

84" FABRIC W/ BARBED WIRE (includes gate fabric)	830 LF
CORNER POSTS	4 EA
GATE POSTS	4 EA
LINE POSTS	99 EA
30FT. DOUBLE SWING GATE (WITH OPTIONAL MAN GATE)	2 EA
CONCRETE APRON	2 EA
CONCRETE CURB	34 C.Y.
3/4" MINUS CLEAN FRACTURED GRAVEL (under fence curb)	26 C.Y.
(1) WARNING HAZARDOUS VOLTAGE SIGN (CID# 49593)	20 EA
(2) STATION NAME SIGN "HAWK STATION"	2 EA

(1) (2) SIGNS PROVIDED BY IPCo

NOTES:

1. FENCE, CURBING, AND FENCE GROUNDING SHALL BE INSTALLED PER IPC SPECIFICATIONS.
2. REFER TO TO FENCE GROUNDING DETAIL DRAWING.
3. WARNING/STATION IDENTIFICATION SIGNS SHALL BE MOUNTED WITH TOP OF SIGN AT 5'-0" ABOVE FINISH GRADE.
4. WARNING/STATION IDENTIFICATION SIGNS SHALL BE FURNISHED BY OWNER AND INSTALLED BY CONTRACTOR.
5. PRIVACY SLATS ARE REQUIRED.
6. (2) 30' GATES W/ OPTIONAL MAN GATE.

LEGEND:

(1) WARNING HAZARDOUS VOLTAGE SIGN

(2) STATION NAME SIGN

REVISION		
–	05-11-2022	TJW/SPN/HDR
NEW DRAWING CREATED FOR NEW STATION PROJ ID. HAWK220001 W.O. #27599612		

REFERENCE DRAWINGS	
21D-76605-1	YARD PLAN
21D-76605-3	GROUNDING PLAN
21D-76605-4	CABLE & CONDUIT PLAN
21D-76605-5	FOUNDATION PLAN
21D-77284-1	30' DOUBLE SWING GATE DETAIL
21D-77284-2	GATE APRON DETAIL
21D-77284-3	FENCE DETAILS

HAWK STATION

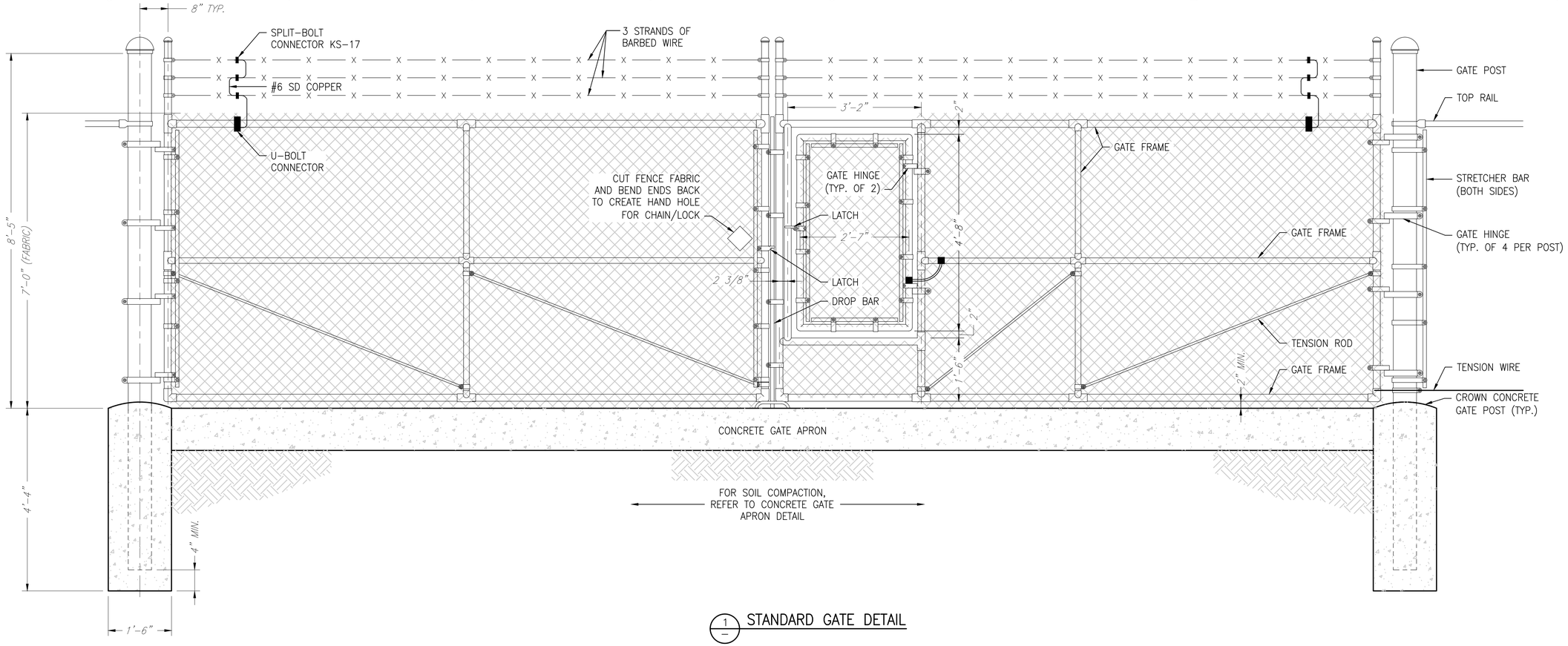
FENCE PLAN

IDAHO POWER COMPANY BOISE, IDAHO

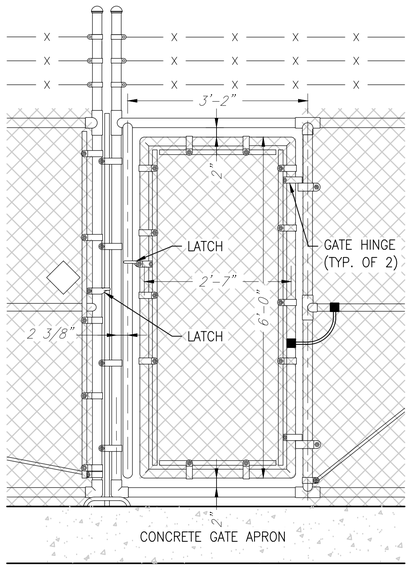
SCALE: 1" = 20'-0" DATE: 05-11-2022

REV.	DS. SPN	DR. HDR	CH. –	APPROVED –	21D-76605	SHT. 2	62

VAULT NO. 21D-76605-2



1 STANDARD GATE DETAIL



2 OPTIONAL MAN GATE

REVISION

–	06-13-2022	NEW DRAWING COPIED FROM STATION STANDARD DRAWING 21D-73030-1. FOR NEW HAWK STATION PROJ ID. HAWK220001 W.O. #27599612 TJW/SPN/HDR

REFFERENCE DRAWINGS

21D-77284-2	CONCRETE GATE APRON
21D-77284-3	FENCE DETAILS
21D-76605-2	FENCE PLAN

HAWK STATION 30' DOUBLE-SWING GATE FENCE DETAIL

IDAHO POWER COMPANY BOISE, IDAHO

SCALE: 3/4" = 1'-0" DATE: 06-13-2022

DS. SPN	APPROVED	21D-77284	
DR. HDR	–		
REV. CH. –		SHT. 1	73

VAULT NO. 21D-77284-1

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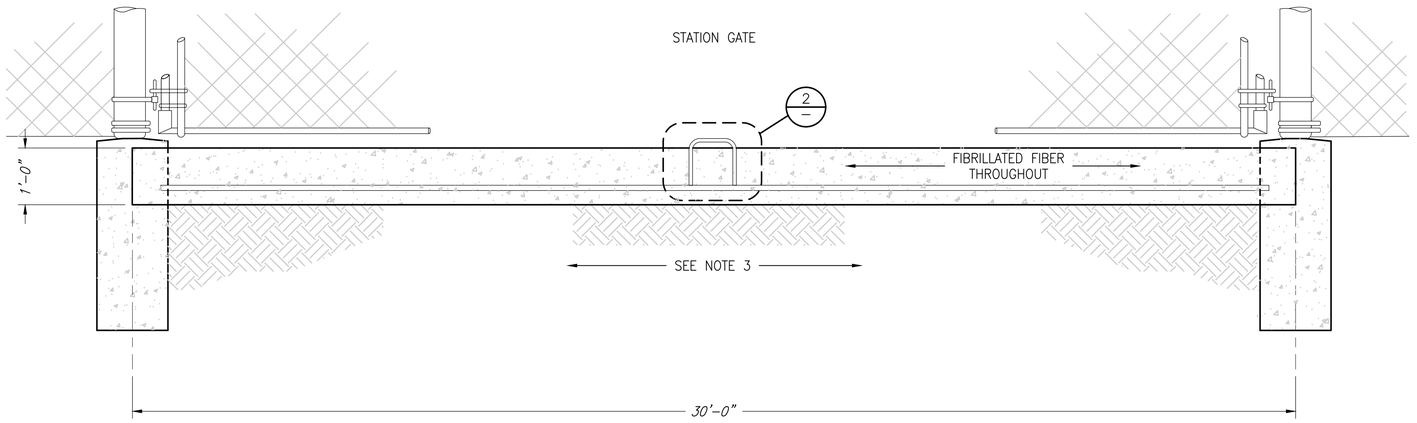
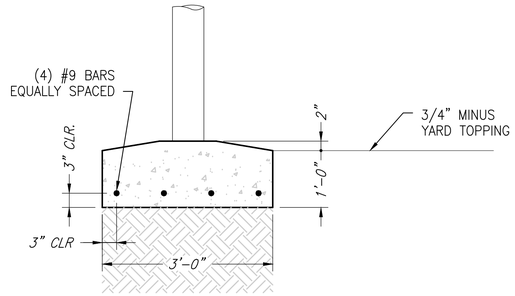
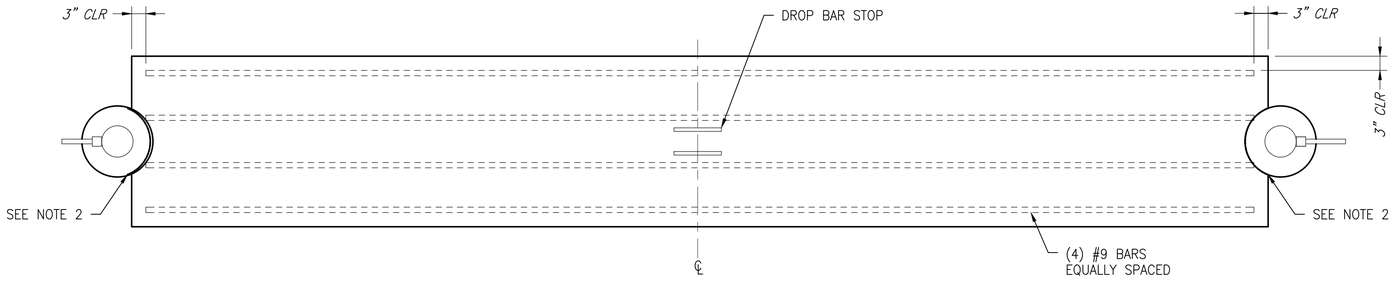


ELEVATION



ENDVIEW

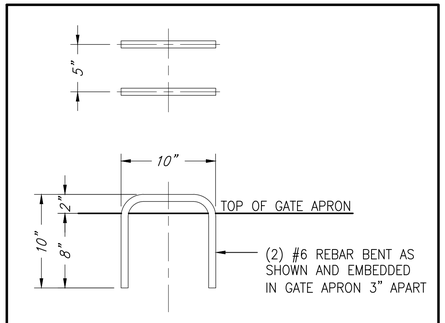


PLAN VIEW

GENERAL NOTES:

1. ALL CONCRETE TO MEET IDAHO POWER SPECIFICATION 95–125.
2. CONCRETE WILL BE FORMED & POURED PAST THE INSIDE FACE OF GATE POST FOUNDATIONS AS SHOWN. A 1/4" EXPANSION JOINT MUST BE PROVIDED.
3. COMPACT 18" MIN. STRUCTURAL FILL TO 95% OF MAX. PROCTOR (MODIFIED) DRY DENSITY. SEE IPCO SPECIFICATIONS 95–116 & 95–125.

1 — CONCRETE GATE APRON DETAIL
SCALE: 3/4"= 1'-0"



2 — DROP BAR STOP DETAIL
SCALE: 1 1/2"= 1'-0"

REVISION

–	06–13–2022

NEW DRAWING COPIED FROM STATION STANDARD DRAWING 21D–73030–2.FOR NEW HAWK STATION
PROJ ID. HAWK220001
W.O. #27599612

TJW/SPN/HDR

REFERENCE DRAWINGS

21D–77284–1	30' DOUBLE–SWING GATE DETAIL
21D–77284–3	FENCE DETAILS
21D–76605–2	FENCE PLAN

HAWK STATION

CONCRETE GATE APRON FENCE DETAIL

IDAHO POWER COMPANY BOISE, IDAHO

SCALE: AS NOTED DATE: 06–13–2022

	DS. SPN	APPROVED	21D–77284
–	DR. HDR	–	SHT. 2 / 73
REV.	CH. –		

VAULT NO. 21D–77284–2

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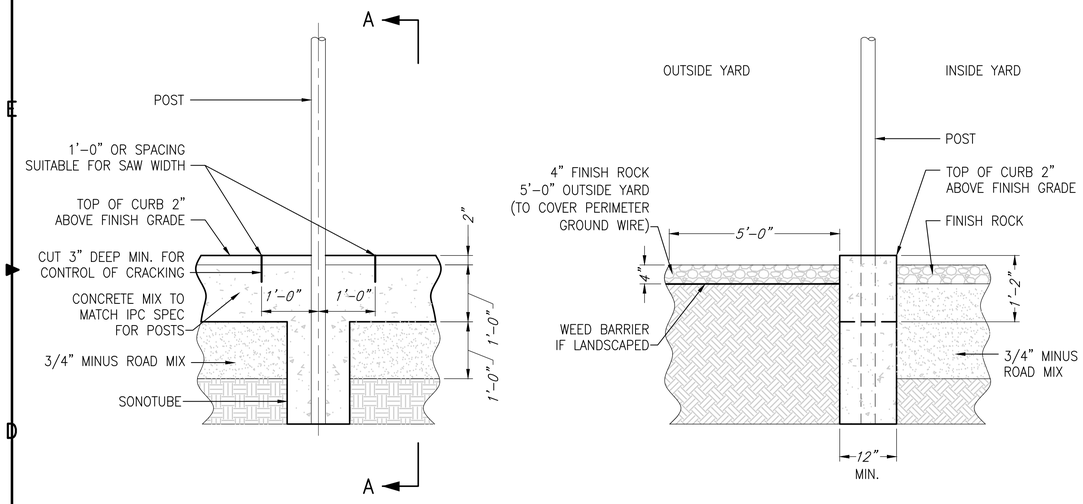
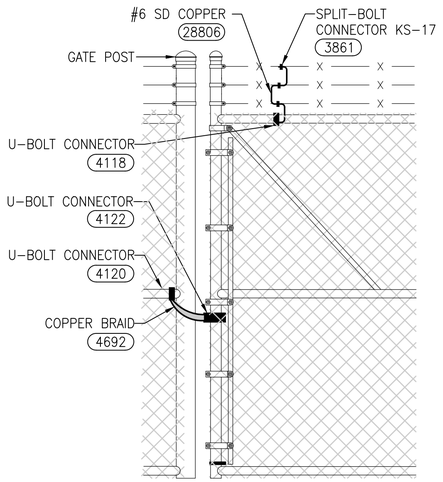


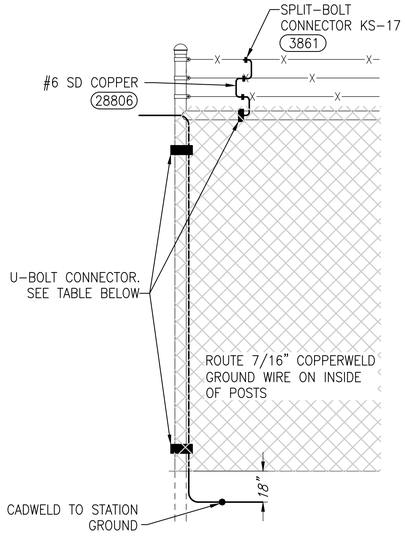
CONCRETE CURBING

SECTION A–A

1 — CONCRETE FENCE CURBING DETAIL
SCALE: 3/4"=1'-0"



2 — GATE GROUNDING DETAIL
NTS



CONNECTOR DESCRIPTION	BURNDY CAT. NO.	CID NO.
GAR 1626	TOP RAIL	4118
GAR 1826	LINE POST	4120
GAR 1926	CORNER POST	4121
GAR 2126	3–1/2"GATE POST	4122
GAR 3906	6" GATE POST	43515

3 — FENCE GROUNDING DETAIL
NTS

REVISION

–	06–13–2022

NEW DRAWING COPIED FROM STATION STANDARD DRAWING 21D–73030–3. FOR NEW HAWK STATION
PROJ ID. HAWK220001
W.O. #27599612

TJW/SPN/HDR

REFERENCE DRAWINGS

21D–77284–1	30' DOUBLE–SWING GATE DETAIL
21D–77284–2	CONCRETE GATE APRON
21D–76605–2	FENCE PLAN

HAWK STATION

FENCE DETAILS

IDAHO POWER COMPANY BOISE, IDAHO

SCALE: AS NOTED DATE: 06–13–2022

DS. SPN | APPROVED | 21D–77284

REV. – | DR. HDR | CH. – | SHT. 3 | 73

VAULT NO. 21D–77284–3

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N:654625.751
E:2469508.675
ELEV:2789.49
FND RB AND CAP

EXISTING
GRAVEL
DRIVE

397.09'
S89°23'28.00"E

N:654581.243
E:2469506.102
ELEV:2787.44
SET R/CAP

ADA COUNTY, IDAHO
SECTION 34, T2N R1E, B.M.

25' IDAHO POWER CO.
POWER LINE EASEMENT
INST. NO. 882836

EXISTING MPH SIGN
TO BE RELOCATED

EXISTING
POWER POLE
(TYP)

S. CLOVERDALE ROAD

2787
2788
2789

S0°19'24.00"W
340.87'

N89°23'28.00"W
397.09'

ENG

GENERAL NOTES:

1. CONTOURS REPRESENT EXISTING GRADE ELEVATIONS AT ONE FOOT INTERVALS.
2. CONTRACTOR SHALL ESTABLISH CONTROL BASED ON EXISTING CONTROL POINTS.
3. CONTROL POINTS ARE STAKED REBAR OR 60D PENNY NAILS AS SHOWN ON DRAWING.
4. CONTRACTOR RESPONSIBLE FOR VERIFYING ALL EXISTING UTILITY LOCATIONS VIA ONE CALL OF
5. ELEVATIONS SHOWN ARE BASED ON VERTICAL DATUM: NAVD '88 IDAHO.
6. BEARINGS SHOWN HEREON ARE BASED ON HORIZONTAL DATUM: IDAHO STATE PLANE COORDINATE SYSTEM NAD '83– WEST ZONE, U.S. SURVEY FOOT.

LEGEND:

- CONTOUR–EXISTING–MINOR (2024)
- CONTOUR–EXISTING–MAJOR (2025)
- EDGE OF ASPHALT ROAD–EXISTING
- IRRIGATION EASEMENT LINE
- PROPERTY LINE
- ROW LINE
- SECTION QUARTER LINE
- SECTION LINE
- ACCESS EASEMENT
- SUBSTATION CHAINLINK FENCE
- BASE LINE
- EDGE OF PAD
- PROPERTY CORNER
- CONTROL POINT
- EXISTING CULVERT
- SECTION MARKER (NW / SE)
- FLOW DIRECTION

REVISION

–	05–20–2022
	NEW STATION LAYOUT. PROJ ID. HAWK220001 W.O. 27599612

REFERENCE DRAWINGS

21D–76605–1	YARD PLAN
21D–77184–2	SITE PLAN OVERALL VIEW
21D–77184–3	SITE PLAN
21D–77184–4	GRADING PLAN

HAWK STATION
SURVEY PLOT PLAN

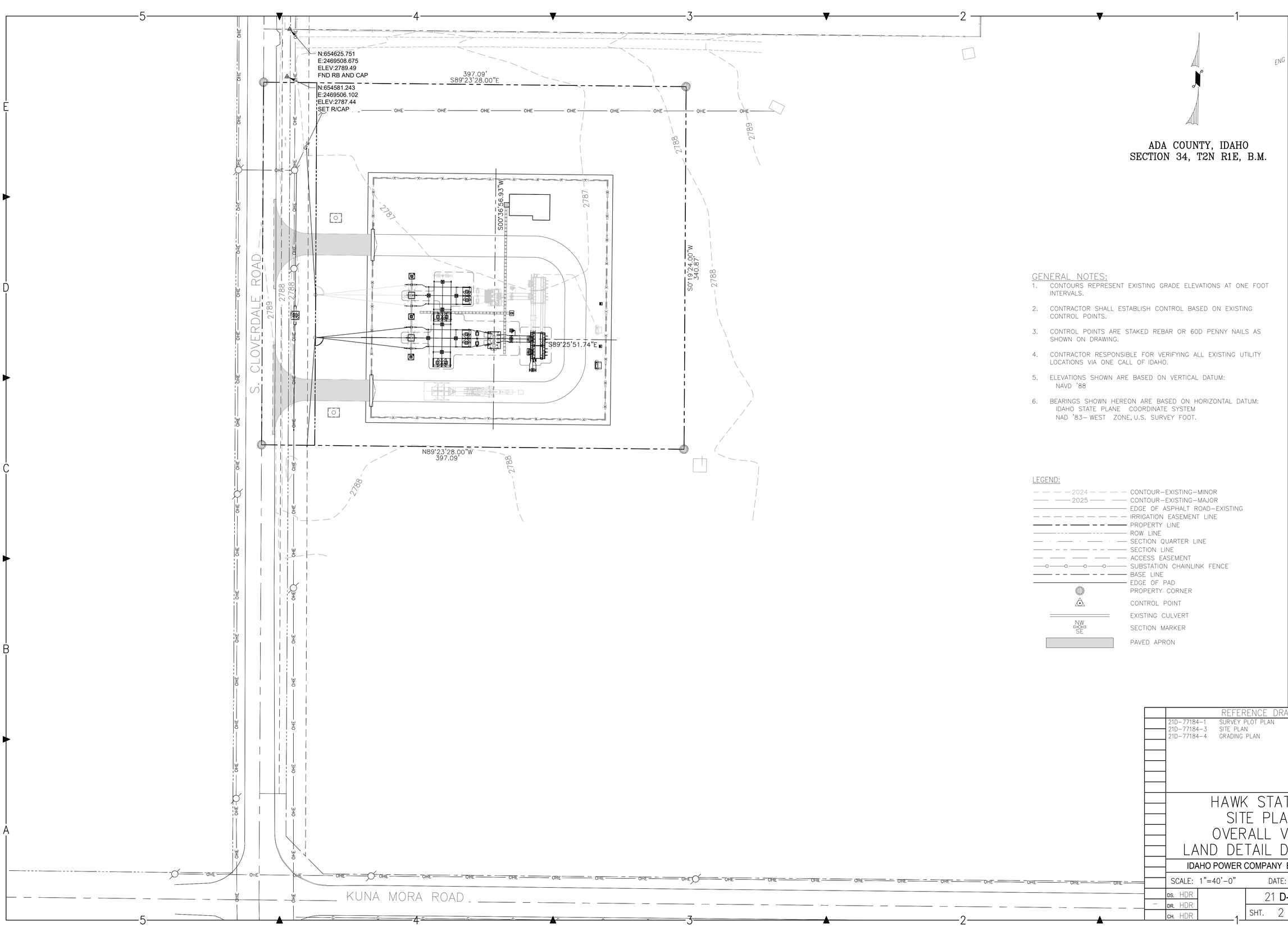
LAND DETAIL DRAWING

IDAHO POWER COMPANY BOISE, IDAHO

SCALE: 1"=20'–0" DATE: 07/08/2022

	DS. HDR	APPROVED	21 D- 77184
–	DR. HDR		SHT. 1 91
REV.	CH. HDR		

VAULT NO. 21D–77184–1



ADA COUNTY, IDAHO
SECTION 34, T2N R1E, B.M.

GENERAL NOTES:

1. CONTOURS REPRESENT EXISTING GRADE ELEVATIONS AT ONE FOOT INTERVALS.
2. CONTRACTOR SHALL ESTABLISH CONTROL BASED ON EXISTING CONTROL POINTS.
3. CONTROL POINTS ARE STAKED REBAR OR 60D PENNY NAILS AS SHOWN ON DRAWING.
4. CONTRACTOR RESPONSIBLE FOR VERIFYING ALL EXISTING UTILITY LOCATIONS VIA ONE CALL OF IDAHO.
5. ELEVATIONS SHOWN ARE BASED ON VERTICAL DATUM: NAVD '88
6. BEARINGS SHOWN HEREON ARE BASED ON HORIZONTAL DATUM: IDAHO STATE PLANE COORDINATE SYSTEM NAD '83– WEST ZONE, U.S. SURVEY FOOT.

LEGEND:

- 2024 CONTOUR–EXISTING–MINOR
- 2025 CONTOUR–EXISTING–MAJOR
- EDGE OF ASPHALT ROAD–EXISTING
- IRRIGATION EASEMENT LINE
- PROPERTY LINE
- ROW LINE
- SECTION QUARTER LINE
- SECTION LINE
- ACCESS EASEMENT
- SUBSTATION CHAINLINK FENCE
- BASE LINE
- EDGE OF PAD
- PROPERTY CORNER
- CONTROL POINT
- EXISTING CULVERT
- NW / SE SECTION MARKER
- PAVED APRON

REVISION
05–20–2022
NEW STATION LAYOUT. PROJ ID. HAWK220001 W.O. 27599612

REFERENCE DRAWINGS

21D–77184–1	SURVEY PLOT PLAN
21D–77184–3	SITE PLAN
21D–77184–4	GRADING PLAN

HAWK STATION
SITE PLAN
OVERALL VIEW
LAND DETAIL DRAWING

IDAHO POWER COMPANY BOISE, IDAHO

SCALE: 1"=40'–0" DATE: 07/08/2022

DS. HDR
DR. HDR
CH. HDR

21 D- 77184

SHT. 2 91

VAULT NO. 21D–77184–2

N:654625.751
E:2469508.675
ELEV:2789.49
FND RB AND CAP

EXISTING GRAVEL DRIVE

397.09'
S89°23'28.00"E

N:654581.243
E:2469506.102
ELEV:2787.44
SET R/CAP

ADA COUNTY, IDAHO
SECTION 34, T2N R1E, B.M.

50.00'
EXISTING ROW

103.79'

220.00'

73.30'

88.85'

2788

2789

25' IDAHO POWER CO.
POWER LINE EASEMENT
INST. NO. 882836

SAWCUT LINE
SEE NOTE 7.
(TYP)

EXISTING MPH SIGN
TO BE RELOCATED

30.00'

R30.00'

20.00'

2787

NORTH – SOUTH BASELINE
S00°36'56.93"W

EXISTING
POWER POLE
(TYP)

S. CLOVERDALE ROAD

50.00'
FUTURE ROW
DEDICATION

EAST – WEST BASELINE
S89°25'51.74"E

225.00'

S01°19'24.00"W
340.87'

PAVED APRON
(TYP.)

67.69'

102.67'

5.00'

69.42'

27.01'

N89°23'28.00"W
397.09'

GENERAL NOTES:

1. CONTOURS REPRESENT EXISTING GRADE ELEVATIONS AT ONE FOOT INTERVALS.
2. CONTRACTOR SHALL ESTABLISH CONTROL BASED ON EXISTING CONTROL POINTS.
3. CONTROL POINTS ARE STAKED REBAR OR 60D PENNY NAILS AS SHOWN ON DRAWING.
4. CONTRACTOR RESPONSIBLE FOR VERIFYING ALL EXISTING UTILITY LOCATIONS VIA ONE CALL OF IDAHO.
5. ELEVATIONS SHOWN ARE BASED ON VERTICAL DATUM: NAVD '88 IDAHO.
6. BEARINGS SHOWN HEREON ARE BASED ON HORIZONTAL DATUM: IDAHO STATE PLANE COORDINATE SYSTEM NAD '83– WEST ZONE, U.S. SURVEY FOOT.
7. USE 2' (MIN) SAWCUT INTO COVERDALE ROAD FOR ACCESS ROAD ASPHALT. REFER TO ISPWC DETAILS SD–301, SD–303, AND SD–806.

LEGEND:

- 2024 CONTOUR–EXISTING–MINOR
- 2025 CONTOUR–EXISTING–MAJOR
- EDGE OF ASPHALT ROAD–EXISTING
- IRRIGATION EASEMENT LINE
- PROPERTY LINE
- ROW LINE
- SECTION QUARTER LINE
- SECTION LINE
- ACCESS EASEMENT
- SUBSTATION CHAINLINK FENCE
- BASE LINE
- EDGE OF PAD
- PROPERTY CORNER
- CONTROL POINT
- EXISTING CULVERT
- NW / SE SECTION MARKER
- PAVED APRON

REVISION

05–20–2022	NEW STATION LAYOUT. PROJ ID. HAWK220001 W.O. 27599612

REFERENCE DRAWINGS

21D–77184–1	SURVEY PLOT PLAN
21D–77184–2	SITE PLAN OVERALL VIEW
21D–77184–4	GRADING PLAN

HAWK STATION
SITE PLAN

LAND DETAIL DRAWING

IDAHO POWER COMPANY BOISE, IDAHO

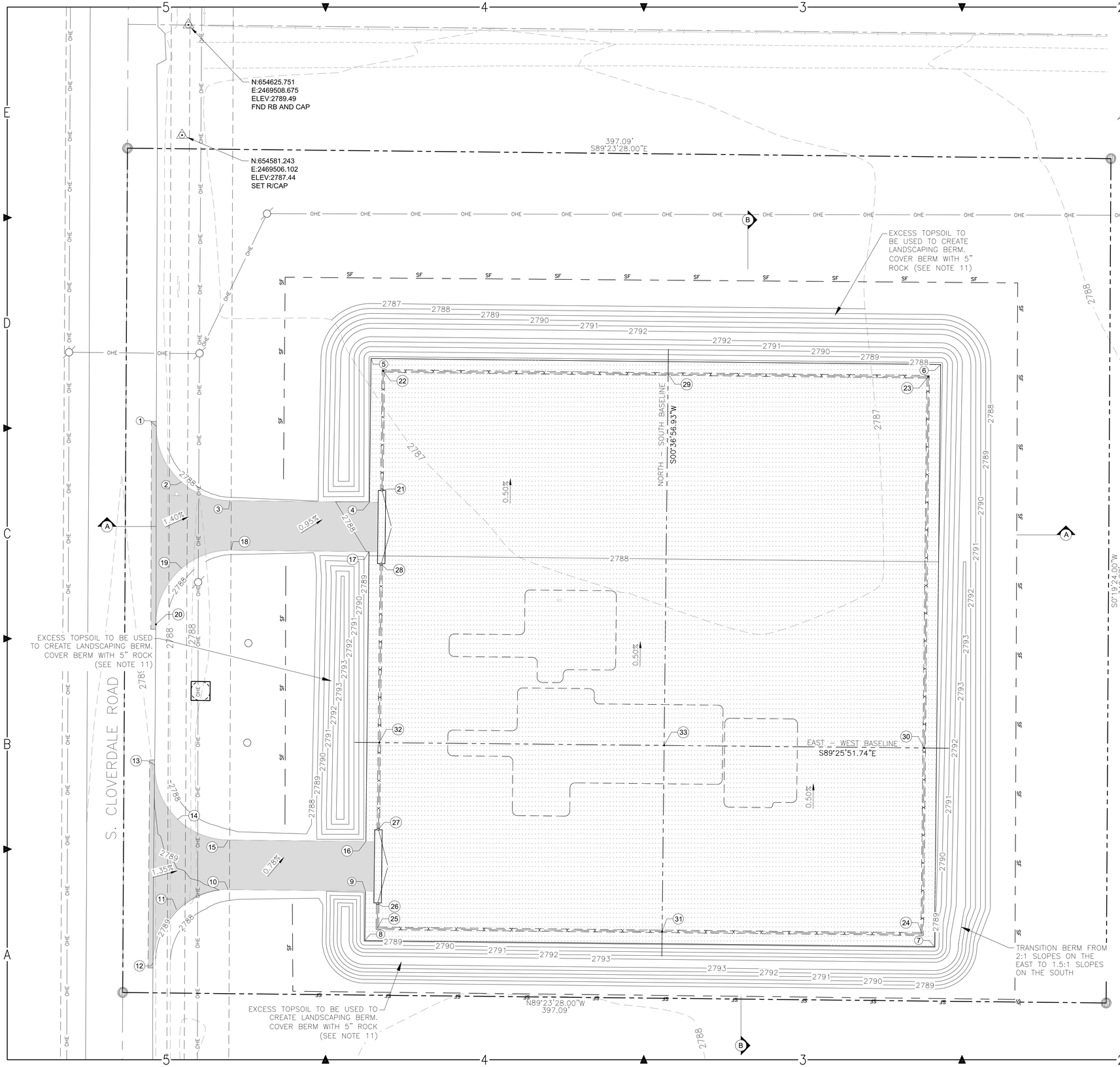
SCALE: 1"=20'–0" DATE: 07/08/2022

DS. HDR
DR. HDR
CH. HDR

21 D- 77184

SHT. 3 91

VAULT NO. 21D–77184–3



GENERAL NOTES:

1. CONTOURS REPRESENT ROUGH AND EXISTING GRADE ELEVATIONS AT ONE FOOT INTERVALS.
2. ROUGH GRADE CONTOURS REPRESENT TOP AGGREGATE BASE MATERIAL INSIDE SUBSTATION PAD/ACCESS ROAD PRIOR TO CRUSHED ROCK INSTALLATION. ALL ROUGH GRADE CONTOURS OUTSIDE OF SUBSTATION PAD/ACCESS ROAD REPRESENT CUT AND NATIVE/IMPORTED FILL SLOPES PRIOR TO TOPSOIL DISPERSION.
3. AFTER REMOVAL OF UNSUITABLE MATERIAL, THE EXPOSED SUBGRADE SHOULD BE COMPACTED IN ACCORDANCE WITH IPC SPECIFICATION 95-116.
4. ALL NATIVE FILL SHALL CONSIST OF NATIVE SOILS EXCLUDING ORGANIC CLAYS, PEAT, TOPSOIL AND OTHER DELETERIOUS MATERIAL.
5. ALL STRUCTURAL FILL MUST BE PLACED IN ACCORDANCE WITH IPC SPECIFICATION 95-116. ANY IMPORTED STRUCTURAL FILL MUST BE MOISTURE-CONDITIONED TO NEAR OPTIMUM MOISTURE CONTENT AND PLACED IN MAXIMUM 8-INCH-THICK, LOOSE LIFTS. IF SMALLER OR LIGHTER COMPACTION EQUIPMENT IS USED, THE LIFT THICKNESS SHOULD BE REDUCED TO MEET THE COMPACTION REQUIREMENTS.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR LEGALLY DISPOSING ALL EXCESS MATERIAL OFF SITE INCLUDING TOP SOIL.
7. CONTRACTOR SHALL ESTABLISH CONTROL BASED ON PROVIDED CONTROL POINTS. SEE SURVEY PLOT PLAN FOR DATUM AND CONTROL.
8. CONTRACTOR RESPONSIBLE FOR VERIFYING ALL EXISTING UTILITY LOCATIONS VIA ONE CALL OF IDAHO.
9. CONTRACTOR RESPONSIBLE FOR CONTACTING TESTING AGENCY 7 DAYS PRIOR TO COMPACTION TESTING OF NATIVE FILL AND AGGREGATE BASE MATERIAL. RESULTS MUST BE SENT TO ENGINEER.
10. ALL GRADING (CUT/FILL) AND CULVERT INSTALLATION SHALL BE STABILIZED WITHIN 24 HRS OF COMPLETION.
11. EXCESS TOPSOIL TO BE USED TO CREATE AN EARTHEN LANDSCAPING BERM ALONG ALL SIDES OF THE SUBSTATION PAD. LANDSCAPING BERM TO BE APPROXIMATELY 5' TALL BY 1' WIDE WITH SIDE SLOPES NO GREATER THAN 1' VERTICAL TO 1.5' HORIZONTAL. COVER BERMS WITH 5" DIAMETER ROCKS.
12. ALL RE-USED TOPSOIL SHALL BE FREE OF TRASH.
13. TOPSOIL DEPTHS ARE ESTIMATED BASED ON A NEARBY SITE AND ARE TO BE VERIFIED WITH A FUTURE GEOTECHNICAL REPORT.

LEGEND:

- 2024 CONTOUR-EXISTING-MINOR
- 2025 CONTOUR-EXISTING-MAJOR
- 2024 CONTOUR-NEW-MINOR
- 2025 CONTOUR-NEW-MAJOR
- EDGE OF ASPHALT ROAD-EXISTING
- OHE EXISTING OVERHEAD ELECTRICAL LINE
- PROPERTY LINE
- ROW LINE
- SECTION LINE
- SUBSTATION CHAINLINK FENCE
- EDGE OF PAD
- SF SILT FENCE
- POWER POLE
- GUY WIRE
- PROPERTY CORNER
- CONTROL POINT
- NEW CULVERT W/ FES
- EXISTING SIGN
- NW NE SW SE SECTION CORNER
- MULCH & SEED
- CRUSHED ROCK LIMITS
- PAVED APRON

*ESTIMATE OF QUANTITIES

RAW CUT:	0 CY
RAW FILL:	3,200 CY
BALANCE:	3,200 CY (FILL)
AGGREGATE BASE MATERIAL:	2,200 CY
CRUSHED ROCK SURFACING MATERIAL:	665 CY
TOPSOIL STRIPPING:	2,750 CY (12" THICK)
SEED AND MULCH:	11,000 SF
SILT FENCE:	1,100 LF

* QUANTITIES ARE ASSUMED COMPACTED AND IN PLACE. TOPSOIL DEPTHS ARE ESTIMATED BASED ON A NEARBY SITE AND ARE TO BE VERIFIED WITH A FUTURE GEOTECHNICAL REPORT.

REVISION

	10-03-2022
ENG	NEW STATION LAYOUT. PROJ ID. HAWK220001 W.O. 27599612

REFERENCE DRAWINGS

21D-77184-1	SURVEY PLOT PLAN
21D-77184-2	SITE PLAN OVERALL VIEW
21D-77184-3	SITE PLAN
21D-77184-5	GRADING SECTIONS
21D-77184-6	DETAILS

HAWK STATION GRADING PLAN

LAND DETAIL DRAWING

IDAHO POWER COMPANY BOISE, IDAHO

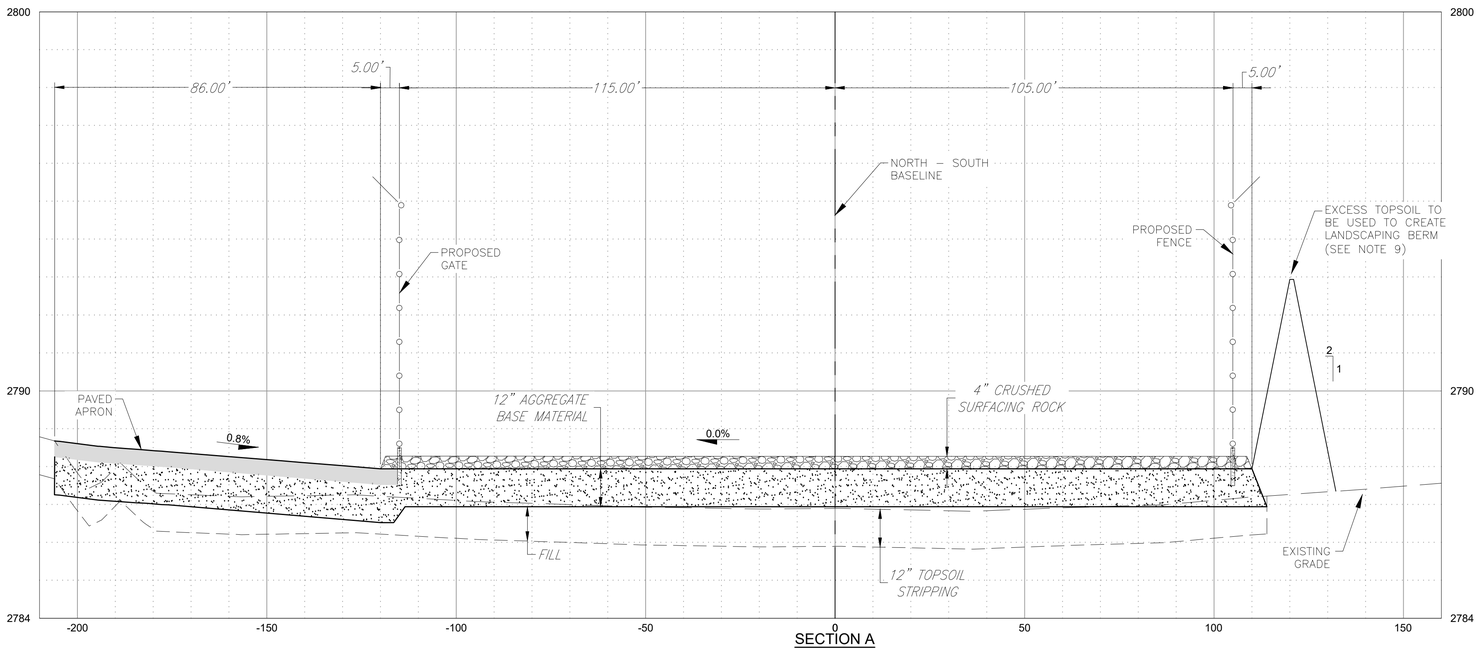
SCALE: 1"=20'-0" DATE: 10/03/2022

DS. HDR
DR. HDR
CH. HDR

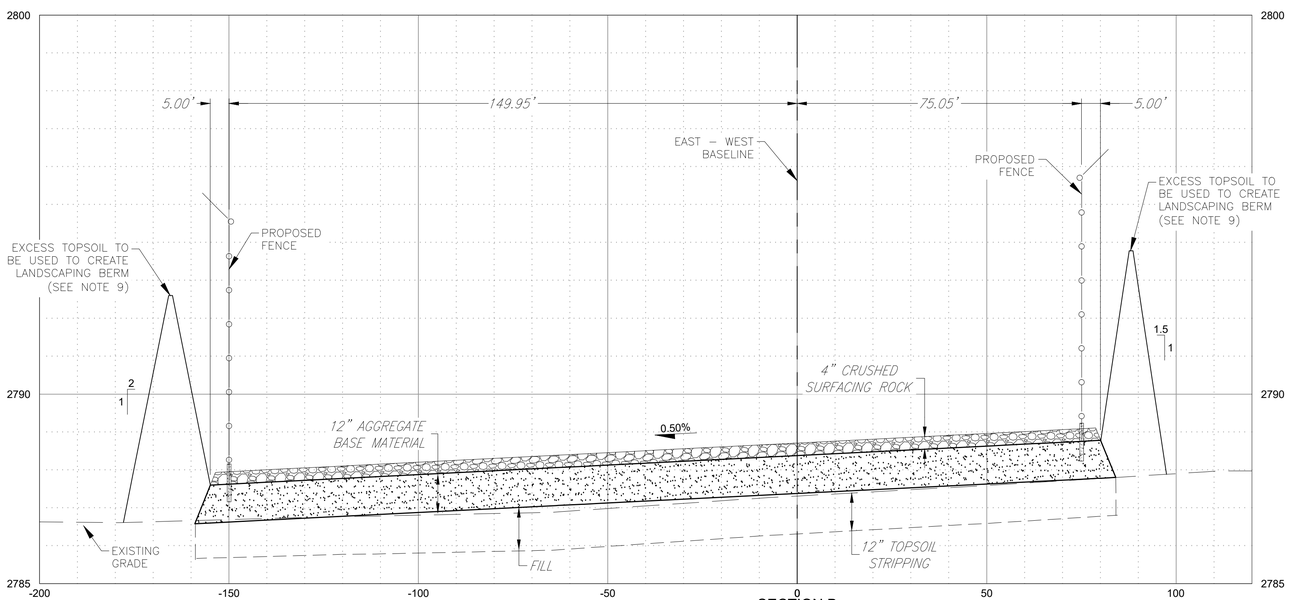
21 D- 77184

SHT. 4 91

VAULT NO. 21D-77184-4



SECTION A
H SCALE: 1"=20.00'
V SCALE: 1"=2.00'



SECTION B
H SCALE: 1"=20.00'
V SCALE: 1"=2.00'

POINT TABLE				
POINT NUMBER	NORTHING	EASTING	ROUGH ELEVATION	DESCRIPTION
1	654463.722	2469495.700	2788.59	MATCH EXISTING
2	654441.240	2469505.785	2788.45	EDGE OF PAD
3	654433.678	2469525.381	2788.36	EDGE OF PAD
4	654433.049	2469581.768	2787.89	EDGE OF PAD
5	654491.076	2469582.384	2787.60	EDGE OF PAD
6	654488.631	2469812.371	2786.60	EDGE OF PAD
7	654253.644	2469809.874	2787.78	EDGE OF PAD
8	654256.089	2469579.887	2787.78	EDGE OF PAD
9	654276.088	2469580.100	2788.68	EDGE OF PAD
10	654276.677	2469524.679	2788.94	EDGE OF PAD
11	654268.580	2469503.857	2789.03	EDGE OF PAD
12	654247.034	2469494.360	2789.17	MATCH EXISTING
13	654326.931	2469495.037	2788.97	MATCH EXISTING
14	654305.026	2469504.270	2788.95	EDGE OF PAD
15	654296.679	2469524.713	2788.91	EDGE OF PAD
16	654296.082	2469580.312	2788.58	EDGE OF PAD
17	654413.080	2469581.556	2787.99	EDGE OF PAD
18	654413.671	2469525.883	2788.46	EDGE OF PAD
19	654406.313	2469505.877	2788.65	EDGE OF PAD
20	654383.743	2469495.560	2788.78	MATCH EXISTING
21	654438.028	2469586.822	2786.86	GATE
22	654486.025	2469587.332	2786.62	FENCE CORNER
23	654483.685	2469807.320	2786.63	FENCE CORNER
24	654258.700	2469804.929	2787.75	FENCE CORNER
25	654261.038	2469584.941	2787.75	FENCE CORNER
26	654271.037	2469585.048	2787.70	GATE
27	654301.036	2469585.367	2787.55	GATE
28	654408.030	2469586.504	2787.02	GATE
29	654484.803	2469702.334	N/A	*NORTH BASELINE – 150'
30	654333.833	2469805.727	N/A	*EAST BASELINE – 105'
31	654259.808	2469699.915	N/A	*SOUTH BASELINE – 75'
32	654336.017	2469585.738	N/A	*WEST BASELINE – 115'
33	654334.889	2469700.722	N/A	BASELINE INTERSECT

*DISTANCE FROM BASELINE INTERSECTION

GENERAL NOTES:

1. PROFILES DISPLAY A VERTICAL EXAGGERATION OF 10:1.
2. TOP OF ROUGH GRADE ELEVATION REPRESENTS THE PROPOSED CONTOURS AS SHOWN IN GRADING PLAN DRAWING. SEE REFERENCE DRAWINGS.
3. ROUGH GRADE INCLUDES THE TOP AGGREGATE BASE MATERIAL, AND ALL NATIVE OR IMPORTED MATERIAL OUTSIDE OF THE SUBSTATION PAD.
4. AFTER REMOVAL OF UNSUITABLE MATERIAL, THE EXPOSED SUBGRADE SHOULD BE COMPACTED IN ACCORDANCE WITH IPC SPECIFICATION 95–116.
5. ALL NATIVE FILL SHALL CONSIST OF NATIVE SOILS EXCLUDING ORGANIC CLAYS, PEAT, TOPSOIL AND OTHER DELETERIOUS MATERIAL.
6. ALL STRUCTURAL FILL MUST BE PLACED IN ACCORDANCE WITH IPC SPECIFICATION 95–116. ANY IMPORTED STRUCTURAL FILL MUST BE MOISTURE–CONDITIONED TO NEAR OPTIMUM MOISTURE CONTENT AND PLACED IN MAXIMUM 8–INCH–THICK, LOOSE LIFTS. IF SMALLER OR LIGHTER COMPACTION EQUIPMENT IS USED, THE LIFT THICKNESS SHOULD BE REDUCED TO MEET THE COMPACTION REQUIREMENTS.
7. CONTRACTOR SHALL BE RESPONSIBLE FOR SCHEDULING ROUTINE TESTING OF COMPACTION FOR NATIVE, IMPORTED FILL AND AGGREGATE BASE MATERIAL BY AN INDEPENDENT TESTING AGENCY DESIGNATED BY THE OWNER/ENGINEER. CONTRACTOR SHALL PROVIDE A 7 DAY NOTICE FOR TESTING SCHEDULING.
8. AFTER SUB–GRADE IS SATISFACTORILY ESTABLISHED AND COMPACTED, STOCKPILED TOPSOIL SHALL BE EVENLY SPREAD OVER ALL DISTURBED AREAS OUTSIDE THE AREA TO BE GRAVELED, TO ESTABLISH A SUITABLE SEED BED FOR PLANTING GRASS.
9. EXCESS TOPSOIL TO BE USED TO CREATE AN EARTHEN LANDSCAPING BERM ALONG THE ALL SIDES OF THE SUBSTATION PAD. LANDSCAPING BERM IS TO BE APPROXIMATELY 5' TALL BY 1' WIDE WITH SIDE SLOPES NO GREATER THAN 1' VERTICAL TO 1.5' HORIZONTAL. COVER BERMS WITH 8"–10" DIAMETER ROCKS.

REVISION

	05–20–2022
ENG	NEW STATION LAYOUT. PROJ ID. HAWK220001 W.O. 27599612

REFERENCE DRAWINGS

21D–77184–4 GRADING PLAN

HAWK STATION GRADING SECTIONS

LAND DETAIL DRAWING

IDAHO POWER COMPANY BOISE, IDAHO

SCALE: AS SHOWN DATE: 07/08/2022

DS. HDR
DR. HDR
CH. HDR

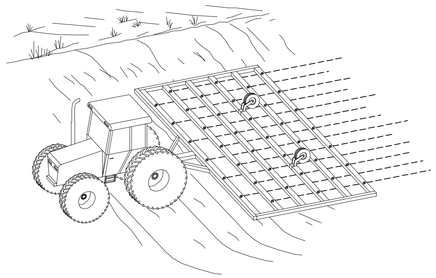
21 D- 77184

SHT. 5 91

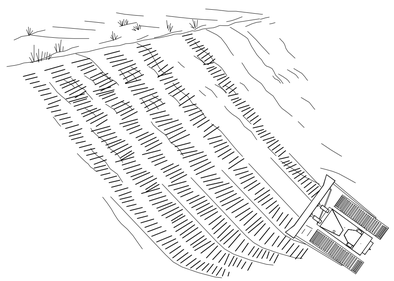
VAULT NO. 21D–77184–5

SLOPE ROUGHENING IS A VERY ROUGH SOIL SURFACE ON SLOPES RESULTING FROM CONSTRUCTION ACTIVITIES OR THE SYSTEMATIC ROUGHENING USING HEAVY EQUIPMENT TO CREATE RIDGES OR FURROWS PERPENDICULAR TO THE SLOPE. THE RIDGES OR FURROWS ARE TO BE EQUAL TO OR GREATER THAN 2" IN HEIGHT AND NO FURTHER THAN TWICE THE HEIGHT OF THE RIDGE OR FURROW APART. SLOPE ROUGHENING IS A GOOD FIRST LINE OF DEFENSE TO CONTROL EROSION AND SEDIMENT RUNOFF. DEGREE OF SLOPE ROUGHENING IS DEPENDENT ON THE GRADES AND PROXIMITY TO WATER RESOURCES.

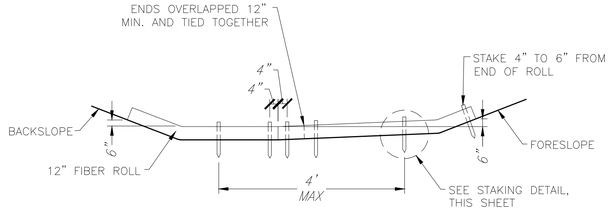
ALL SLOPES STEEPER THAN 3:1 AND GREATER THAN 5 VERTICAL FEET REQUIRE SLOPE ROUGHENING, EXCLUDING ROCK SLOPES THAT CANNOT BE EXCAVATED BY RIPPING. ROUGHEN DISTURBED SLOPES OR LEAVE IN A ROUGHENED CONDITION. APPROPRIATE SUPPLEMENTS INCLUDE SOIL STABILIZATION BMP's SUCH AS TEMPORARY SEEDING OR EROSION SEEDING. WHEN FILL SLOPES ARE WITHIN 50 FT OR SURFACE WATER, EARTH DIKES/DRAINAGE SWALES & LINED DITCHES AND/OR A SEDIMENT CONTROL BMP ARE REQUIRED.



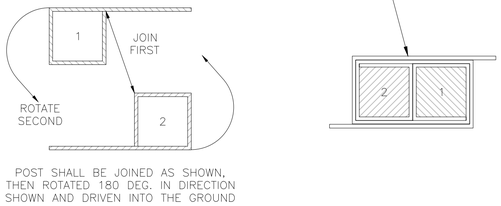
ROUGHEN SLOPES WITH HEAVY EQUIPMENT OR LEAVE IN ROUGHENED CONDITION



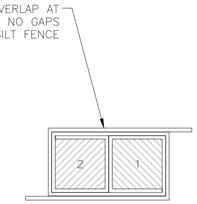
SLOPE ROUGHENING DETAIL
N.T.S



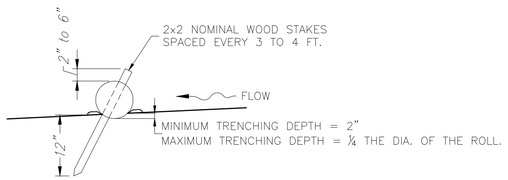
12" FIBER ROLL DITCH BOTTOM DETAIL
N.T.S.



POST SHALL BE JOINED AS SHOWN, THEN ROTATED 180 DEG. IN DIRECTION SHOWN AND DRIVEN INTO THE GROUND



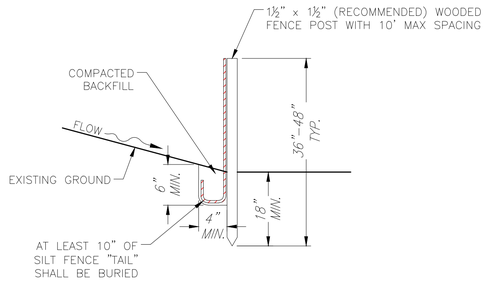
SILT FENCE JOINT DETAIL
N.T.S.



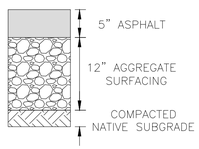
NOTE:

1. RUNOFF MUST NOT BE ALLOWED TO RUN UNDER OR AROUND ROLL.

12" FIBER ROLL STAKING DETAIL
N.T.S.



SILT FENCE DETAIL
N.T.S.



PAVED APRON SURFACING
N.T.S.

REVISION
05-20-2022
NEW STATION LAYOUT. PROJ ID. HAWK220001 W.O. 27599612

ENG

REFERENCE DRAWINGS

21D-77184-4 GRADING PLAN

HAWK STATION DETAILS

LAND DETAIL DRAWING

IDAHO POWER COMPANY BOISE, IDAHO

SCALE: AS SHOWN DATE: 07/08/2022

DS. HDR
DR. HDR
CH. HDR

21 D- 77184

SHT. 6 91

VAULT NO. 21D-77184-6

Doug Hanson

From: Doug Hanson
Sent: Tuesday, October 25, 2022 10:20 AM
To: PWoffice; Catherine Feistner; Brady Barroso; Scott Arellano (KRFD); TJ Lawrence (Interim KRFD Chief); Chief Fratusco KPD
Cc: Paul Stevens
Subject: 22-41-DR (Design Review) City of Kuna Request for Comment
Attachments: 22-41-DR (Design Review) Agency Transmittal Packet.pdf

Agency Transmittal – October 25, 2022

Notice is hereby given by the City of Kuna the following actions are under consideration**:**

FILE NUMBER:	22-41-DR (Design Review) Hawk Substation
PROJECT DESCRIPTION	Idaho Power request Design Review approval for the site design, fence, and landscaping for the Hawk Substation (APN: S1434336150).
SITE LOCATION	15450 S Cloverdale Road Kuna, ID 83634
REPRESENTATIVE	Jeff Maffuccio, Idaho Power 208-388-2402 jmaffucio@idahopower.com
SCHEDULED HEARING DATE	Wednesday, **November 9, 2022** at 6:00 PM, Kuna City Hall Council Chambers, 751 W 4th Street, Kuna, ID 83634
STAFF CONTACT	Doug Hanson 208.287.1771 dhanson@kunaid.gov
The hearing is scheduled to begin at 6:00 p.m. or as soon as it may be heard. Kuna City Hall is located at 751 W. 4th Street, Kuna, ID 83634. If your agency needs different plans or paper copies to review, notify our office know and we will send them. Please notify our office who future packets should be sent to, including their email address. If your agency needs additional time for review, please let our office know ASAP.	

Best,

Doug Hanson
Planning and Zoning Director
City of Kuna
751 W 4th St
Kuna, ID 83634
dhanson@kunaid.gov
208.287.1771

CITY OF KUNA
P.O. BOX 13
KUNA, ID 83634
www.kunacity.id.gov

Catherine Feistner, E.I.T.
Assistant Kuna City Engineer

Brady Barroso
Engineering Technician I

MEMORANDUM

To:	**Doug Hanson**	**- Planning and Zoning Director**
From:	**Brady Barroso**	**- Engineering Technician I**
	Catherine Feistner	**- Assistant City Engineer**
Date:	**31 October 2022**	
RE:	**Public Works Comments**	
	Idaho Power Hawk Substation – 22-41-DR (Design Review)	

The Idaho Power Hawk Substation property, 22-41-DR, design review request dated 25 October 2022 has been reviewed. These comments apply to the application as they affect public works infrastructure. Review of civil design drawings is accomplished separately, when received by PWoffice@kunaid.gov.

Public Works staff can support approval for this design review. The applicant does not propose construction or connection of any public works infrastructure.

Comments may be expanded or refined in connection with the future land-use actions.