

OFFICIALS

Joe Stear, Mayor
Briana Buban-Vonder Haar, Council President
Richard Cardoza, Council Member
Warren Christensen, Council Member
Greg McPherson, Council Member



CITY OF KUNA

Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho 83634

City Council Meeting MINUTES

Wednesday, January 2, 2019

Note: The regular City Council Meeting is moved to Wednesday due to the holiday occurring on the first Tuesday of this January, the regular meeting date for Council.

6:00 P.M. REGULAR CITY COUNCIL

1. Call to Order and Roll Call

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
Council President Briana Buban-Vonder Haar
Council Member Richard Cardoza
Council Member Warren Christensen
Council Member Greg McPherson

CITY STAFF PRESENT:

Bob Bachman, Public Works Director
Jared Empey, City Treasurer
Chris Engels, City Clerk
Wendy Howell, Planning & Zoning Director
Bobby Withrow, Parks Director
Paul Stevens, City Engineer
Troy Behunin, Planner III
Jace Hellman, Planner II

2. Invocation: Justin Sturgeon, New Beginnings Church

3. Pledge of Allegiance: Mayor Stear

4. Consent Agenda: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS (Timestamp 00:01:27)

All items listed under the Consent Agenda are considered to be routine and are acted on with one motion by the City Council. There will be no separate discussion on these items unless the Mayor, Council Member, 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 City Council.

A. City Council Meeting Minutes:

I. Regular City Council Minutes, December 18, 2018

B. Accounts Payable Dated December 27, 2018 in the Amount of \$888,542.00

C. Resolutions

I. Consideration to approve Resolution No. R01-2019

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE "LIMITED SERVICES AGREEMENT" WITH MILLER'S EXCAVATING, LLC FOR CITY OF KUNA PUBLIC WORKS DEPARTMENT PRESSURIZED IRRIGATION IMPROVEMENTS INCLUDING THE EXPENDITURE OF \$32,298 FROM CONTINGENCY FUND FOR SERVICES OUTLINED IN SAID "LIMITED SERVICES AGREEMENT"; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

Council President Buban-Vonder Haar moved approve the consent agenda. Seconded by Council Member McPherson. Approved by the following roll call vote: Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson

Voting No: None

Absent: None

Motion carried 4-0.

5. Community Reports or Requests:

None

6. Public Hearings: (6:00 p.m. or as soon thereafter as matters may be heard.)

A. Public Hearing and Consideration to approve 18-03-ZC (Rezone) for Career Technical Education (CTE) High School – Troy Behunin, Planner III ACTION ITEM

(Timestamp 00:02:20)

Wayne Thowless, LKV Architects, requests rezone approval for an approximately 60-acre parcel, from AG (Agriculture) to P (Public), in order to place a new (approx.) 260,000 square foot (SF) Career Technical Education (CTE) High School for Kuna School District No. 3 (KSD). Applicant proposes to phase the project and begin with 500-600 students and a 72,000 SF building on the north portion of the property, and ultimately, expand the building and other site improvements and the student count (up to 1,600) as the need arises. This site is located at the northeast corner (NEC) of Linder and Columbia Roads.

Wayne Thowless with LKV Architects, 2400 E Riverwalk Drive, Boise, Idaho 83706, presented the application with the rezone request and stood for questions.

Planner III Troy Behunin followed up from the applicant that they have complied with city and agency requests. Staff was very supportive of the Comprehensive Map Plan Change. In order to accomplish this every single zone required a special use permit and they got that. The Ag Zone did not allow for a school so they had to choose a zone. Staff agreed with the zoning and found it was complimentary to the goal. It would be an answer to the increase of students in Kuna. He stood for questions.

Mayor Stear opened the public hearing.

Support: None

Against: None

Neutral: None

Rebuttal: None

Council President Buban-Vonder Haar moved to close the public hearing. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar stated Planning & Zoning forwarded a recommendation of approval, no one was signed up to testify one way or the other, it was consistent with the comprehensive plan, and she knew it was a school they had been planning for a long time. Not necessarily the location but the facility itself. It appeared to comport with everything. It complied with City Code and the comp plan as noted.

Council President Buban-Vonder Haar moved to direct staff to prepare Findings of Fact, Conclusions of Law and Order of Decision for approval by the Council on the next Council Meeting Consent Agenda. Seconded by Council Member McPherson. Motion carried 4-0.

- B.** Public Hearing and Consideration to approve 18-03-AN (Annexation), 18-01-CPM (Comp Map Change), 18-04-ZC (rezone), 18-02-PUD (Planned Unit Develop), 18-04-S (Preliminary Plat) and DA (Development Agreement) for Falcon Crest Subdivision – Troy Behunin, Planner III ACTION ITEM
(Timestamp 00:10:55)

Mark Tate, with M3 Companies (Owner), requests approval to Annex approximately 990 acres into Kuna City limits, change the Comprehensive Plan Map (CPM) from Agriculture to Mixed-Use for approximately 163 acres, for a Planned Unit Development (PUD) for approx. 1,028 acres (net), to rezone approx. 20 acres and

subdivide approx. 132 acres into 409 residential lots, 51 common lots, four common driveway lots, two well lots and private roads. This site is located at the NEC of Cloverdale and Kuna Roads, Kuna, Idaho.

Mayor Stear noted there were some irregularities regarding this case and a lot of emails that went around. He stated even though the City had informed the public in communications to not communicate directly with the Mayor or City Council on this matter, he had received communications regarding the pending Applications which were the subject of this hearing which he had forwarded to the Planning & Zoning Staff which they would submit in addition to their staff report to be part of the record of these proceedings.

For purposes of transparency and fairness for this hearing, Mayor Stear asked the City Attorney to prepare a Disclosure Statement Format for the Council Members and Mayor to go through at the beginning of this hearing.

For purposes of the record, Mayor Stear introduced the Disclosure Statement Format into the record, which was being provided to each Council Member for their disclosures on the record and would recognize the Council one at a time then himself to each, following the Disclosure Statement Format, make their disclosures on the record. If either the Applicant or an affected property wished to make a challenge to the ability of any Council Member or the Mayor to preside over this Hearing, based upon bias or conflict of interest the challenge must be stated now. If a Challenge was made by the Applicant or an affected property owner: they must identify on the record who is making the challenge, and state the basis for their challenge. If there was a challenge, he would then recognize the challenged Council Member or himself, as the case may be, for their response to either recuse themselves or affirm their ability to be fair and impartial. If there is challenge based upon a conflict of interest the Council Member or Mayor should request an opinion of the City Attorney.

Mayor Stear confirmed City Clerk Chris Engels had a copy of the disclosure statement prepared by the City Attorney and confirmed each council member had a copy as well.

Ms. Engels replied she did.

Mayor Stear stated he and the council members would need to acknowledge the applications' sites, personal investigation conducted regarding applications, communications received regarding applications, letters received and read or received and not read, emails received and read or received and not read, social media received and read or received and not read, personal conversations face to face or via phone, personal or immediate family member's legal interest in real property which was the subject of the applications or within the affected area of the applications, personal or immediate family member's legal or business interest with any of the applicants. He asked to start with Council Member McPherson.

Council Member McPherson stated he received approximately 13 emails. He had read the first 2 or 3 and figured out what was going on. All emails were forwarded to City staff to make sure they were aware of them. He did not have any personal interest in any properties or such out there so he could make a fair and impartial judgement based on what little he knew about the project so far.

Council President Buban-Vonder Haar also received a number of emails. She did not count how many. She assumed they were all the same emails Council Member McPherson received. She too had read the first 1 or 2 until she realized what was going on. Based on the email preview her phone showed her, she knew the majority were about a request to postpone a decision or public hearing to allow additional time for preparation for people who lived near the subject property. She did not delete any but believing that everyone was receiving the same ones she assumed staff already had them. She could forward or print them if needed for the record but she had not yet done that. She had no other interests and received no other communications or conversations. In respect of the information she had acknowledged, she remained fair and impartial and her deliberations and determinations would be based only upon the evidence produced at that hearing. Any knowledge of the applications sites would only be used for her understanding of the evidence presented at the hearing and any communications she acknowledged would not be considered by her unless they were also presented at that hearing.

Mayor Stear stated he received emails from 18 different people; a couple of which he responded to because he hated to ignore people. He tried to keep it from becoming an ex parte conversation by not giving answers of substance. All of them were forward to the City Clerk and Planning & Zoning Director. There was nothing he saw in there or said that would make him biased in making a decision in this action.

Council Member Christensen stated like the other Council Members he received emails. He did not count them either. He did not read the emails being fully aware of the potential it carried with it. With the subject line in tact it was made aware most of the emails were about a delay. In respect of that information he received, he remained fair and impartial in his deliberations and his determinations would be based solely upon what they heard that night. Any knowledge of the site would imbue from the evidence presented at the hearing that night.

Council Member Cardoza also received numerous emails. He looked at the intent, the wording, and did not open any of the emails knowing that they would have to be presented for public testimony that night. He did not have any immediate family with legal interest. The closet he could say was he had been out there playing golf on numerous occasions on the golf course. In respect of the information he acknowledged, he felt he could still provide a fair and impartial statement to the legality of that night.

Mayor Stear asked City Attorney Bill Gigray if that satisfied this.

Mr. Gigray stated he had been advised by Planning & Zoning staff they had received some emails and they had some emails that had been forwarded by Mayor Stear as stated. Planner III Troy Behunin would be adding those emails as an adjunct to his staff report that he would introduce as an exhibit and would have all of the emails on them so they would become part of the record and people would understand what they were. He advised Council, if they received emails, they consider agreeing to continue the hearing to a time certain so those emails that had been received, rather than taking the time to read them all, could be reviewed by anyone that would want to so they could be prepared to address any new evidence that might come to light from those emails at the continued hearing so this was fully vetted out. Council could forward whatever emails they received to the Planning & Zoning Director or Mr. Behunin as they directed, so it would be very clear exactly what all communications were out there. He felt this was a way this could be handled that would afford everybody an opportunity to see what that was and address things if they were relevant to these proceedings.

Mayor Stear explained whenever they got into land use issues those were treated differently than the making of laws and that type of thing where they could have communication with decision makers but when it came to land use items and that type of thing, the intent of that ex parte was that one person did not have an advantage over another person based on one sided conversation. People that were opposed to a project also would not like Council to have discussions with the developer so they could have an unfair advantage over the neighbors. That was why they had to go through this thing. They weren't supposed to get those emails but when they did, they had to report them in the honor of disclosure so it didn't look like they were hiding anything because that was certainly not the intent of Council. They could get in big trouble for that and obviously they didn't like that to happen.

Mayor Stear asked if there was a sign-up sheet and if there was anyone who wished to testify that did not get a chance to sign up.

Mark Tate with M3 Companies, 533 E River Street, Boise, Idaho 83702, gave some background on their company presented the applications and request. In regards to a condition of approval from Planning & Zoning that they include the irrigation text from the City Engineer's letter as appropriate, there was some discussion at Planning & Zoning about some kind of form language where typically the pressure irrigation rights or irrigation rights were dedicated over to the City. He wanted to change that to "if applicable" or "if the development were to tie into City Pressure Irrigation then those irrigation rights would go to the City". That was supposed to be captured from Planning & Zoning but he wanted to make sure that it was clarified that was the intent. He felt staff would agree that was the intent but it was not as clear as he had hoped. He reviewed the background on the irrigation at the project site and stood for questions.

Council Member Cardoza asked if any of the trails would be open to the public or if they would be private.

Mr. Tate responded all of the trails would be open to the public.

Planner III Troy Behunin thanked Mr. Tate for his accurate presentation of the applications and reviewed the staff report. He passed out and read the list of noticing procedures followed for the development and reviewed what noticing procedures were actually required. He stated for the record, staff did have a copy of Kuna City Code 5-1A-3 concerning the requirements for publishing, posting, and letters if Council wanted to see it. He pointed out City Code was stricter than State Code when it came to noticing requirements. He reviewed the application and noted Mr. Tate stated it was 1,025 acres and the legal description showed 1,028 acres but some of that was within the dedicated right-of-way which was why there might be a discrepancy there and they did have a legal description for all the parcels that were being annexed in. He stood for questions.

Council Member Cardoza asked what page the DA was on.

Mayor Stear replied it started on page 286 of the overall packet.

Mr. Behunin stated, as Mr. Gigray announced earlier, he did have a small packet to deliver to Council as well as something that was delivered to staff that night. The first was a letter from Cindy Giesen which would be Exhibit G7 and the second was the packet of email communications that went through to the Mayor and to staff and would be Exhibit G8. He passed the items out and concluded his presentation.

Public Works Director Bob Bachman explained to Mayor and Council, to help them and the public with further information, they had invited Ed Squires with Hydro Logic to do a small presentation on how they determine locations where wells would be. Mr. Squires had over 22 years' history working with the City of Kuna and Kuna's water system, wells, and water rights. He thought it would help Council and the people in the audience to hear him out and hear where City staff got their information.

Ed Squires, Hydro Logic Incorporated, 102 S 17th Street, Boise, Idaho 83702, shared he had the great pleasure of working for the City of Kuna for a very long time on wells and all things related to their water supply. He had been charged by the City over quite a few administrations in implementing what he called Kuna's Ground Water Master Plan though it had never been formally recognized as that. In all those years he had never been called to testify before the Mayor and Council. He stated, based on his experience around the United States and particularly Idaho, the City of Kuna had done an impressive job of studying and evaluating its future source of ground water supply. He could safely say it was far and above what was normally seen in municipalities throughout the Western United States. He gave an overview of what that was and the next part of that plan which was setting wells in Falcon Crest.

The basic principle of the Ground Water Master Plan was the best way to develop and understand the ground water basin was to do it as it was developed. What really provided the basis of understanding the ground water and aquifer were the wells that they drill. The well facilities enabled them to test the sustainability and productivity of the aquifers. For a very small amount of extra effort each well project could be its own research project. He reviewed well projects done in Kuna and what they learned from each. That was the plan that would continue with Falcon Crest, to start with an exploratory test well that would become a monitoring well. Supply wells and domestic wells were not very good monitoring wells for a host of reasons. The wells the City had been building were long term designated monitoring wells for perpetuity.

In terms of Falcon Crest, the City system had not extended out there yet but Cloverdale Turf Farm and the golf course were also clients of his for a number of years and his firm redeveloped several of those wells and reconstructed some of those wells because, as Mr. Tate said, they were quite old. The City didn't have any monitoring like he just described out there but he could say, as a part of working on those wells for the Borbonus family and Cloverdale Turf Farm, they had measured, pump tested and reported on those wells and they had not seen any water level declines out there. If you compared the water levels from the drillers reports when the wells were drilled it was quite surprising the water levels even after all the years and decades of agricultural pumpage and golf course irrigation pumpage the water levels each year still returned back to levels they were at back then. The last time they measured was in 2011. They hadn't measured since then because they were difficult wells to measure. He showed some slides reviewing what had been discussed throughout his presentation and stood for questions.

Mayor Stear thanked Mr. Squires for his presentation. He felt it was important to exemplify that. Kuna's water supply was and would always be a major concern for the City because everyone needed good water. That was why the city went above and beyond to make sure Kuna's wells were good. They had also made some strides in making sure their wells were extra secure by using double liners and plastic so there weren't corrosives with the steel and that type of thing. They spent a lot of time and effort on their wells and would continue to do so.

Mr. Squires added that the City was at the cutting edge of new details with well construction; maybe 15 years ahead of most municipalities. A really valuable point he missed was that with the monitoring he had been describing, you often read in the news about catastrophes happening all of the sudden like the Eastern Snake River Plain or California, you could never wake up and have the aquifer be in decline. You could see these things coming. They were always very slow. As long as you monitor you will never be surprised.

Mayor Stear noted the last 3 people who signed up to testify signed up under support. He clarified with them that they meant to sign up under opposition.

Mayor Stear opened the public hearing.
(Timestamp 01:24:35)

Support: None

Against:

Bill Terry lived at 6169 Reining Horse Drive, Kuna, Idaho 83634, which was about 700 feet from the project site so he was not included in the mailings even though he asked about it. He heard a lot of good stuff about the water which he was going to talk about but he would talk about 2 other things. They said this was a good time to bring up things that should be moved. He recommended moving a power line that went north to south on Cloverdale because he thought there was not enough room for traffic on Cloverdale. There were also 2 bridges, 1 at the New York Canal going north on Cloverdale and 1 going west on Kuna Road, that would need to be bigger because as someone who traveled all the time and, even though he felt this was being billed as not high density and not duplexes and only old retired people, like he was going to be, and they don't drive, he would take exception to that because he made more trips a day with his grandkids and to the gym than his wife who worked full time. They needed to take that into account. He would also say, with the exception of Council Member Cardoza who golfs at Falcon Crest, the people coming south to turn east into there, stop the whole Cloverdale Road. They were unable to use the lane provided there because it was too narrow so when he was coming home, he had to stop to let the golfers in. He recommended they move all the power poles 30 to 40 feet to the east because there was nothing there now. He liked it better when it was a sod farm out there. He had been living there for 24 years and it was better then but it is what is. His last suggestion was the corner of Cloverdale and Kuna Road where he saw something like a Walmart or Chevron going in, something with a lot of bright lights in that commercial section, there was a huge power pole there also. He did not know how they were going to get around that. His backyard faced that way and the thought of having 24 hours of a Chevron and light pollution out there was not what he signed up for but that was his position. He stood for questions.

Cindy Giesen, 1363 S Ash Avenue, Kuna, Idaho 83634, read most of the testimony she submitted to Mr. Behunin that evening and was then handed out to Council as Exhibit G7. She stood for questions.

John Lawson, 1357 Cow Horse Drive, Kuna, Idaho 83634, lived in the Cow Horse Subdivision just west of this project. He took exception to the notification procedures. The Cloverdale Ridge Water Corporation sent a PRR in August of that year requesting information on this. They were informed by the attorney there was not sufficient information available at that time and they would have to resubmit it another time. The whole issue of May and all summer long and all that business was not correct. They were rebuffed on that August PRR. The second was probably the most obvious and probably what they received the most emails on. They received, on Christmas Eve, notification this public hearing was going to be held the day after

New Year's. A lot of them were gone or they had family. They didn't have time to get ready for this; to him it was a drop and go. He sent stuff in and got back Mr. Behunin was out of the office on Christmas break, good for him. He sent it to another guy and got 1 thing back even though he was on Christmas break so good for him. That didn't bode well for this whole process. They knew growth was coming but they wanted to be part of it, not be snuck up on and have a bomb dropped on them on Christmas Eve. He appreciated have Mr. Squires there. He felt Mr. Squires had a good understanding of water use. The only thing he would add to that was all the water use in that part of the County was affected by the New York Canal. A 10-foot drop in water at his house could mean he may be out of water. It may not be a significant drop on a big bore well but it may be a big drop in a lot of their home wells. Those were the things they were worried the most about. They would fully support monitoring of the ground water zone. There was a lot that went in to that. He felt there was a lot that needed to be studied before Council could decide on putting that kind of well in that area. He gave the example that at build out they were going to be pumping 2 million gallons of water a day, that was 1,500 gallons a minute 24/7/365. That was a lot of water and it may not be good water. It changes with use. The folks in the Desert View Subdivision had arsenic issues. There was a lot of stuff they needed to know. He went back to the most precious resource, water. He hoped to have a time to talk about this when they could prepare a little bit more.

Council President Buban-Vonder Haar asked him to repeat the 2 million figure he mentioned.

Mr. Lawson reiterated at build out it was projected they would be pumping about 2 million gallons a day. If you break that out into how many minutes there were in a day that's about 1,500 gallons a minute 24/7. The EPA said the average family used about 300 gallons of water a day. If they had more time, they could present some figures to look at. They would really like to work with Mr. Squires to kind of come up with some understanding of what this water was all about. It was way bigger than just putting a well in. He thanked Council for the opportunity.

Council Member McPherson asked if Mr. Lawson knew the depth of his well.

Mr. Lawson replied it was about 200 feet and it was affected by the New York Canal. It went up in the summer and down in the winter. The Cloverdale Ridge Water Corporation had 2 big wells that they pumped during the summer on an average of about 1,500 gallons per minute per well. There were 350 acres in that subdivision that got irrigated.

Quincy Holton, 6000 E Deer Flat Road, Kuna, Idaho 83634, was a little bit out of the 450 foot. This was the subdivisions with a little bigger land uses so even though he was only 2 houses from Cloverdale he did not get a notice and was not terribly prepared. He reiterated the water use concerns. He grew up in southern Idaho where there were issues with wells going dry because of irrigation. There was currently

irrigation happening there which happened only during the summer. Adding houses again was at 365 days a year and had to be taken into consideration. Also, the traffic going to Deer Flat from Cloverdale could be difficult. There was a hill coming from the north that made it difficult to see traffic as they exited onto Cloverdale. Increasing the amount of traffic by quite a bit presented Cloverdale as probably the only north-south passageway that subdivision would be able to use. Other avenues needed to be looked at as far as relieving that traffic pressure. He thanked Council.

Mayor Stear asked if the entrance to the golf course was near that hill.

Mr. Holton stated the entrance was further south than Deer Flat. He was between the entrance and the hill. It just made it difficult to see traffic coming up. There wasn't a lot of traffic in the mornings but half the time traffic was going south to north and if that increased by a whole lot that would make getting out kind of hairy.

Council Member Cardoza clarified the hill was north of the entrance.

Mr. Holton confirmed it was north of the golf course. It was by the substation and the canal.

Ford Falkner, 11459 Kuna Road, Kuna, Idaho 83634, stated the project was not in his back yard, it was in his front yard. He was concerned about the power poles as well. They seemed to be fairly permanent so he thought when the extra traffic caused Kuna Road to be widen there, they would have to take it from all the houses on the south side of the road. He thought they should have to take it from their side. He was also concerned about the water. They did have water problems in the Desert View area. There was alpha radiation and they had to drill a new well. It took quite a while to find a depth that was ok for house water. He was rather concerned that if they started pumping more water out of there, they would change that back to bad.

Mayor Stear asked Mr. Bachman if the City had spoken with anyone from Desert View Water Corporation. He heard a couple times now about arsenic issues and alpha radiation.

Mr. Bachman explained when Robbie Ford worked for the City he lived out in that subdivision and he talked with them quite often. Mr. Bachman believed he even tried to help them and made suggestions from a water operator stand point. They had talked to several residents of Desert View and their door was always open to talk to them and help out any way they could.

Mayor Stear was wondering if they could do that on a more regular basis to make sure they were giving any assistance they could. He wasn't sure what they could do to help though.

Mr. Bachman replied absolutely.

Mr. Falkner did not know how that would help once it killed the well again.

Mayor Stear answered that was why the open line of communication was important. Like they said before, they took the water very seriously. He knew Desert View had their own water supply and water tank so he thought it was important to communicate so they could be as helpful as possible and do whatever they could to assist.

Dallas Hulsey, 11985 S Cloverdale Road, Kuna, Idaho 83634, explained over the summer his well did go dry and he had to wait for about a month for a new well to drilled. That cost him about \$30,000. That 10-foot drop was pretty significant and not everyone had \$30,000 to throw at a new well. Living in a house without water kind of sucked. Traffic on Cloverdale Road increased drastically since he purchased in 2012. There were a lot of semis that transit north to south on Cloverdale. They could hear the air breaks coming down the hill all the time. With the increase in traffic, a light at the entrance to Falcon Crest would greatly help as well as no air break signs or reduced semi traffic. Semis moving at speed with any increase in traffic increased the chance of fatal accidents.

Mayor Stear asked if he noticed that increase when CS Beef Packers opened up.

Mr. Hulsey said absolutely.

Mayor Stear said they could probably bring that up.

Council Member Cardoza asked how deep Mr. Hulsey's well was.

Mr. Hulsey replied 200 feet and they had to drill down to 350 feet.

Bruce Collier, 9545 Kuna Road, Kuna, Idaho 83634, was concerned about water and sewer. He didn't know if there was a sewer system out there. No one was talking about sewage. Also, the 400 feet. Everyone was on acreage out there and 400 feet did not go very far. He was on 10 acres and Desert View was on acreage. One of his biggest concerns was the R-6 and the R-12 didn't fit. Where the subdivision was, was 5 or 6 miles away. Nobody could vote for Council. He said get in the game. He had an issue with that. The people it affected the most had no recourse. They couldn't vote them out or in. He did not like the R-6 and R-12. He knew growth was going to happen but did it have to happen in apartments. There were longhorns on that side of the road and again everything was acreage. If they did the subdivision in acres or half acres, he wouldn't have such a problem. He stood for questions.

Mayor Stear explained the sewer lines would be extended out there so they would be feeding into Kuna's plants. It was in the Development Agreement. One of the main reasons they had a big Development Agreement was because that would be a substantial expense to them.

Patricia Collier – Ms. Collier didn't want to testify.

Tyler Dibble, 1425 Cow Horse Drive, Kuna, Idaho 83634, was concerned about the water. It was nice to hear Mr. Squires' professional opinion. He was the acting president of the Cloverdale Ridge Water Corporation directly across the street. Water was a big concern to them as farmers and homeowners. He asked how long the 2 inch well point study would take; did it take over a year to decide where the water draw down was or did they wait until there was a problem before they decided they needed to fix something. Traffic was a huge concern. He referenced Bill Terry's concern regarding the bridges and power poles. He believed Idaho Power owned that right-of-way. He didn't think they would move those poles. They would take property from the people on Cloverdale. Only 1 entrance concerned people as far as safety issues and traffic. There was also the impact on schools. This was being sold as just a senior development right now but at full build out would impact everything including traffic, schools, and water. Their subdivision had to drill a new well 8 years ago. Their old well was put in in the 60s. Desert View was also having water pressure issues and stuff like that. He asked that there be more of a study on the water before this decision was made.

Mike Apostolou, 5783 E Barrel Horse Drive, Kuna, Idaho 83634, lived back quite a ways from Cloverdale so he did not receive notice. He was notified right before Christmas by some of the other homeowners in the subdivision. As stated before, it was an acreage subdivision. They were very dependent on 2 deep irrigation wells on their properties and they were all a conglomerate called the Cloverdale Ridge Water Corporation. It was a very good presentation on the water but what he heard was the way they find out the impact of the water was to drill the wells. What they would find out was what this subdivision would do to the surrounding ground water once it was in. What he wanted was a guarantee or something; somebody to tell him it wasn't going to impact their water adversely and they could guarantee that and he would be all for this. He didn't have any problem with a development like this. It looked like a very nice development. It was well thought out. The sewage problem was brought up. He noted Mayor Stear had said they would run the sewer line out there. He didn't know how far away the main was from there but it was quite a ways.

Mayor Stear replied about 4 or 5 miles.

Mr. Apostolou said that was a pretty significant cost the developer was undertaking to get this project through. That was good. He was glad a treatment plant wasn't going out there. They got enough odor from the kill plant and the rendering plant south of them when the wind blew. So, sewer wasn't an issue. Traffic was though, and he could see people on Cloverdale being concerned and a little fearful they would lose some of their property. Some of those houses were right on Cloverdale and couldn't afford to lose any more property or they would be driving right in their house. The last issue he had was he put in to split his lots. He had 14 ½ acres and he wanted to do a 6 ½ acre lot split. He went down to City Hall and they told him he couldn't do it; only 10-acre parcels were allowed in his zone. He was right next to 5-

acre parcels. He just wanted to make it 6 ½ and 6 ½. He was told he would need to have a pathway. Some way the development showed that he could have the R-6 or R-12 or whatever it was. He asked where the pathway was for this development that offered the opportunity to have an R-6 or R-12. He didn't see it on the map. He asked how he could get his lot split like they got this development to that stage. He would like to do that himself.

Mayor Stear said they would find the answer to that for him.

Mr. Apostolou replied if he got his lot split that didn't mean he would approve of the project. He reiterated the biggest concern everyone there had was water and he hadn't heard anyone definitively tell them their wells would not be adversely affected by this development.

Richard Boardman, 999 Cow Horse Drive, Kuna, Idaho 83634, followed up on what his neighbor, Mr. Apostolou, said in terms of not knowing about the water situation. When he presented to the Planning & Zoning Commission on November 27th, he and plenty of other people expressed concerns regarding this issue. They heard plenty about it this evening. When you look at the minutes from the Planning & Zoning Commission and what they instructed staff to do with respect to studying the water, it was obvious they wanted water studies, well impact studies, and ground water studies to be done before any development started. What got the commission over the hump for approval to recommend this to City Council was the clause in the Development Agreement that provided for if there was insufficient water in the 2 wells after some study that a water line would be brought out from the City's water system right now. He assumed that would be down Kuna Road. There was a clause in the Development Agreement that was posted on the P&Z's agenda at that time. He quoted what it said. "In the event the City does not secure the necessary water right and well permits to serve the project via new wells, prepare and submit to the City an offsite potable water plan that would connect the subject real property to the City's potable water system via the offsite potable water line." The Development Agreement that was in the packet that was available online, that he printed the day before and studied, mysteriously that provision disappeared. He stressed again that if you look at the minutes and the dialog between the developer, staff, and the P&Z Commission, that was essential to them recommending approval to Council. It was gone. He asked what happened. He was a little suspicious and wondered if somebody in the City said the City water system couldn't handle it and they wouldn't be able to service that many homes. The problem was they didn't have any empirical evidence in front of them about what impact this would have on the water table. Mr. Cook from Cloverdale submitted a little bit of what he would call anecdotal information to them in the letter that was in their packet. He wasn't questioning it. It might be right. He asked for some real studies, not just a dog and pony show about monitoring wells after they were made. That wouldn't do them any good as property owners.

Mayor Stear stated they would look into that. He saw it in the minutes but not the DA.

Barbara Allerton, 775 Cow Horse Drive, Kuna, Idaho 83634, shared a cow horse was a horse that worked cattle. She noted things were getting repetitive. She reiterated the concerns regarding water, traffic, and light pollution. She also did not receive a notification except that John Lawson kept their neighborhood well informed. She guessed she lived to far back to be informed and was out of the country for part of that time. She explained 3 weeks ago she had to start putting in a brand new well; \$25,000 later she had water. Her well was at 300 feet and her water level was at 190 feet. She asked, 5 years from now when this was all in, would she have any water and if she didn't, what recourse did she have. Her property would basically become worthless. That was her concern. She wanted some sort of assurance that either before this development started there was a study done that showed it would not dry up their wells or they had some sort of protection that they would not be without water and it was not just their domestic wells, it was their irrigation. If they couldn't irrigate their property it became pretty worthless too.

Rebecca Goodner, 12555 S Cloverdale Road, Kuna, Idaho 83634, said, like a lot of her neighbors already presented, her well went dry in 2016. Her original well was at 272 feet. She now had a well at 350 feet. It took her 6 months to get a well drilling company to come out to be able to pump that. She had stock that she had to hand carry water out to from her house. Her biggest concern was being guaranteed that she would not have drill another well; \$30,000 was hard to come by. She reiterated traffic concerns. It was incredible on south Cloverdale and Kuna Road. She lived out there since 1978 and it used to take her 20 minutes to get home. Now it took over an hour. After 5:30 or 6:00 it was at a standstill.

Rex Hiatt, 10699 S Cloverdale Road, Kuna, Idaho 83634, lived at the bottom of the alleged hill. He stated he wouldn't beat the drum on traffic and water and keep everyone there. He just added that he had to pull out on that road right then and they didn't have 2000 more vehicles rolling in and out. He had in laws in a retirement community that traveled more than he did going back and forth to town. It was a big concern and that road already couldn't handle certain traffic patterns. It was definitely something he would appreciate being looked at. As well as his well was an old one. He didn't know exactly how deep it was but he guessed it was right in that 200-foot range. He would like to postpone or alleviate the possibility of having to re-drill that anytime soon.

Mayor Stear asked if there was anyone else who wanted to testify that did not get a chance.

There was none.

Mayor Stear stated there was a lot of information to take in and digest. They also had information that was presented that night as well as the email list they needed to go through. He asked where Council was at with that and how they wanted to proceed.

Public Works Director Bob Bachman stated there was a plan b if they did not get the proper permits or approvals for the wells out there which would be to bring a water line down Kuna Road from their current system. They had plenty of capacity for it. The water line wasn't designed yet but that was the backup plan and he believed it was in section 5.2.1.2 of the DA. He just wanted to be clear that was still the plan and had not been removed.

Council President Buban-Vonder Haar asked Mr. Bachman about the process they would need to go through in order to determine whether it would be feasible for the development to proceed with wells versus plan b so they had a clear idea of what that entailed. She asked what circumstances would lead to them concluding there was insufficient water on site to service that site.

Mr. Bachman deferred to Ed Squires.

Ed Squires explained there were 2 major regulatory submittals that would have to be done; 1 for a Water Right Permit through the Department of Water Resources and the second was for a Municipal Drinking Water System Well Approval through the DEQ. Given the details of well construction that the City of Kuna embraced, which were far above the norm at DEQ, he did not envision any difficulty at all in getting a permit from the DEQ. He thought that permit could be acquired quickly.

Council President Buban-Vonder Haar asked if DEQ looked more at how the well would be constructed or whether there was sufficient water available to service the well.

Mr. Squires responded they looked more at the details of well construction, how the well protected the aquifer and public health, how the ground water pumping would be connected to surface water sources for health reasons, and at the pumping plant design and well house plumbing to make sure they were sanitary. The DEQ, other than the ability of the well to produce the desired amount of water for the public it would serve, really had no say in the sustainability of the aquifer. That was for the Department of Water Resources.

Council President Buban-Vonder Haar asked at what point they got involved.

Mr. Squires replied the Department of Water Resources was the first regulatory agency to get involved because the very first thing that had to happen was the Water Right had to be secured by the City to enable the drilling of the wells and produce the water from the aquifer. As Mr. Bachman already alluded to, the City already had ample Water Rights to serve this and a whole lot more but it still needed to make a filing for each new well it drilled to designate what was know as a point of

diversion, the actual location of the well. The City filed an application for transfer to add the points of diversion at Falcon Crest quite some time ago and that Water Right Transfer was protested by Suez Water Company in Boise. An administrative hearing and a preliminary hearing were held. There were a lot of meetings between the 2 parties and the protest was withdrawn. There were no impediments at that time to adding the points of diversion for Falcon Crest. Regulatorily he did not see any roadblocks to adding the wells and producing the water from either agency.

Mayor Stear asked, if they drilled a well and went to a different water table and went way deeper than what most everybody else was at, would it only draw from that water table or would it take from the water table that was above.

Mr. Squires said what they found about the Kuna aquifers was they were very transmissive or permeable. It did not take a lot of draw down in the aquifer to cause the water to move towards the well. He used the analogy of the cone of depression you get when your bath tub drains to explain how wells draw water. What he tried to show, though probably not very effectively because it was complicated, in his slide was that even in the selfsame aquifer, the same depth, that Kuna was pumping out of for Well #11, just 100 feet away in the monitoring well, constructed for that very purpose, there was only about 10 feet of water level draw down 100 feet away. The shape of the cone of depression was at its steepest at the well and then it got shallower and shallower the further away from the well you got. The shapes of these cones of depressions could be definitively known and measured using standard aquifer testing practices. Those were the longer-term tests he was referring to. A gentleman earlier referred to a 48-hour test or a 2-week test was great but this was forever. He thought those were some good points. The residents were right to be concerned about their water but as a general matter most people didn't understand how ground water hydraulics worked. On that point, when a well was pumped for 2 weeks, the cone of depression grew the fastest in just a few minutes and after a few hours it didn't grow very fast after that because as it got bigger and bigger it had more water coming into so it didn't grow very much so the amount the cone of depression grew after 24 hours of pumping was minuscule compared to the amount it grew in the first 24 hours of pumping. What they tended to see was these cones of depression tended to stabilize after a certain amount of time and you couldn't really measure additional draw down in the aquifer.

Mayor Stear said when he thought about the cone of depression the bathtub gets empty. He thought that was where there was confusion. That was where they needed relief, that the bathtub wouldn't get empty.

Mr. Squires explained in the bath tub analogy the recharge was the tap. You don't want the withdrawal from the tub to exceed what was going into it. What they had seen over the years in the Kuna area was the aquifer was very robustly recharged. For example, the Falcon Crest irrigation well returning back to 255 feet every year since the 60s even though there had been decades of irrigation water removal then turning to golf course water removal in addition to all these other wells that had

come into play since that time. Another person expressed concern over the 2 million gallons a day 1,500 gallons a minute proposed. He did not know exactly what those numbers were for this development, whether that was a peak day or full on pumping. Assuming that was full on pumping he would say, even though those numbers may sound scary, that was a very small municipal supply well; certainly not a large municipal supply well. Most municipal supply wells that he worked on for valley cities had a target of 2,250 gallons per minute because those were the typical fire flows those wells needed to produce. They rarely produced at that year-round because there was a lot more use in the summer than there was in the winter. The water levels in the Kuna area tended to increase in the summer months and decline in the winter months because of the recharge situation. He pointed out they heard about wells going dry but he submitted that very few wells go dry. He had never known a well that went dry except maybe 1 out around Micron. It seemed like they went dry and it was a reasonable assumption if you own a well and you turn on the pump and hear air coming out but, what really happens is the well was not productive enough to allow the water to flow in that was being pumped out so it draws the water level down to the pump and breaks suction. If you stop pumping the water level may return right back up to where it was. It was just a well construction and efficiency issue usually. Wells, contrary to what everyone seemed to believe, in his opinion, needed to be worked on too. They could become plugged or encrusted or get iron bacteria. There were a lot of reasons wells became less productive and caused their own draw down. He explained how that related to why domestic wells weren't good monitoring wells.

Council President Buban-Vonder Haar asked if the cone of depressions' size was the same universally or if it depended on the aquifer it pulled from.

Mr. Squires replied it was very dependent on the nature of the aquifer and explained some of the different effects different aquifers could have on the cone of depression.

Council President Buban-Vonder Haar asked if any new wells drilled at Falcon Crest would pull from the same aquifer as the wells Kuna currently utilized.

Mr. Squires responded the Kuna area aquifers were very near the top edge of the basin which was where the ancient rivers ran in. That was why there was so much course material at the top of the basin and there wasn't much clay. They were very leaky aquifers which meant water could move vertically versus just horizontally. He reviewed information from a slide in his presentation. Since the Kuna aquifers were so permeable and so productive and because the cones of depression were so shallow there was not a lot of impotence for those pressures to move vertically and affect the overlying layers because it could draw the water so effectively side to side. You could characterize the Kuna aquifer system as an aquifer system but there were sub-aquifers within that, distinctive sand layers, and they were separated just even by their layering which made it harder for water to move vertically than horizontally.

Council President Buban-Vonder Haar was wondering, since they were drawing from the same water source, if they could extrapolate any information from the cones of depression in current Kuna wells that could be applied to the proposed Falcon Crest wells so they could provide some assurances or as close as they could get to assurances so the folks could have a clearer idea of what kind of draw down to expect.

Mr. Squires answered every well that was pumped induced a cone of depression. If wells were close enough to each other they would have interference effects. Based on what they knew from their other testing in the Kuna area they could say the aquifers were very productive, permeable, and were characterized by very low draw downs and the cones of depression were wide but very shallow. When the Falcon Crest monitoring well and subsequent supply well was installed and pumped for the test, they would know exactly what the shape of the cone was and that would be before the well was brought online and put into service. He suggested that if 10 feet of draw down in a well caused problems then that well had serious problems to begin with. It was not an unreasonable amount of interference effects to be realized. It was a lot about well construction and a lot of the well construction in the valley was poor. He discussed the amount of space most wells had for dry out and what the City of Kuna did in response to poor well construction.

Council Member Cardoza asked if a municipal well had to be dug deeper than a private well.

Mr. Squires replied they did not and used the Kuna #3 Butler well as an example. He also explained when there would be a depth requirement.

Council Member Cardoza clarified the Idaho Resources did not put an emphasis on depth to any of the City.

Mr. Squires replied not in Kuna but the Water Resources placed a regulatory limit of 200 feet in much of Boise. He explained why Boise had that restriction.

City Clerk Chris Engels asked Mr. Squire to state his name on the record.

Ed Squires, Hydro Logic Incorporated, 102 S 17th Street, Boise, Idaho 83702.

Mayor Stear thanked Mr. Squires. He asked how Council wanted to proceed.

Council was ready for the rebuttal.

Neutral: None

Rebuttal: None

Mr. Tate did not have a lot more to say about water but he reiterated the water backup plan and where the clause that someone testified was missing was located in DA, section 5.2.1.2. He read it into the record. "In the event the City does not secure the necessary water rights and well permits to serve the project via new wells, prepare and submit to the City an offsite potable water plan that would connect the subject real property to the City's potable water system via the offsite potable water line." He appreciated the comments about the Kuna aquifer. He learned a lot and even took some notes. He noted Mr. Squires did not say he knew what the effect would be on everybody's homes but he did characterize it as a productive aquifer that was well suited for municipal development.

Mr. Tate guaranteed there hadn't been another project that had come forward where they talked so specifically about wells even though the City had many wells around the city limits and there were many rural subdivisions throughout Kuna developed in the County prior to those wells. He hoped that was some sort of assurance to the Council that moving forward right then made a lot of sense. He reviewed some of the other testimony given and pointed out building permits for ACHD were around \$3,000 dollars per door and those impact fees went to pay for arterial roads such as Cloverdale. He reviewed ACHD's plan and highlighted plans for Cloverdale Road, including the improvements they were required to make. He also noted powerlines did get moved and that was certainly a possibility. In regards to the concern about 1 point of access, there were actually 2 points of access; the current golf course access and a gated access point across from Reining Horse.

Mr. Tate reviewed how long the project would take and that the traffic impacts would be gradual just like the road improvements that would continue to be built over time. He had no rebuttal to the comment about the inability to vote Council out. He explained, concerning the issues over density, the cap was 2.25 units per acre in this project and the reasons for the R-6 and R-12 density. He reviewed why the project was not actually dense and he hoped people understood it was a quality project. He noted a comment made at the Planning & Zoning meeting was this project didn't fit with the neighborhood because it was too nice. He took that as a complement because they were really going to do a nice, quality project if Council chose to move it forward which he requested they did. He stood for questions.

Council Member McPherson asked roughly how long it would take for construction of the sewer line to hook this up.

Mr. Tate replied they would be looking to start construction in spring and it would take approximately 4 – 6 months start to finish. They had started some preliminary designs on it. Sewer profiles reported a big portion of the way they found rock. They understood it was a 4-mile sewer line and a big commitment. They were paying for it upfront and the tax payers wouldn't have to pay for it. He added the project was not limited to the active adult community. It was a big part of it and what they were starting with but they planned to have non-age restricted as well.

City Attorney Bill Gigray clarified the Development Agreement that was last approved by him with city staff that was on the project and the attorney representing the Developer, JoAnn Butler, was dated December 21, 2018 and it had a provision in it that was not in any other version. It was section 14.1.7. He could provide his copy to the clerk if they needed to in order to establish what the last draft was that was approved by the city's staff and JoAnn Butler. He received an email from Ms. Butler saying she approved the draft. The provision was regarding a prevailing party in a litigation.

Council Member Cardoza confirmed the Development Agreement dated November 20, 2018 in his agenda was outdated.

Mr. Gigray explained why there was a new draft and some of the main points that were changed from the draft in Council's agenda.

Mr. Tate confirmed he had a copy of the final draft.

Council Member Cardoza stated the Council was to make a decision on a Development Agreement that was not current in their agenda.

Mr. Gigray said Council had the right to continue the hearing, if they wished, for a time certain which would need to be announced and that they receive the last draft. Then they could review it and continue the hearing for any questions from the developer and owner as well as affected property owners regarding the agreement as well as any issues associated with any of the emails produced at this meeting. They could limit it to those items and it would give them time to review them. He reiterated what issues the changes centered around.

Mr. Tate added the sections that were time consuming with staff, sewer, water, parks, open space, were done before Planning & Zoning and were in his opinion the meat of the Development Agreement. He was happy to read those paragraphs because they were 2 paragraphs that weren't different from Council's version. As far as development requirements, what Council had was the latest draft.

Mr. Gigray stated the staff and the developer were patient in this project. They all worked very hard to come up with a process and a form of a development agreement they believed would be in the interest of the City as they moved forward. If they ever got any other large developments, they had a format and process that they believed protected the interest of the public and the City as well as being fair to developers. They felt this particular project presented that opportunity to staff because it was so pervasive of all of the issues they dealt with through the type of services the City provided.

Council President Buban-Vonder Haar asked Public Works Director Bob Bachman if there was a reason they couldn't do the test drilling before this approval occurred.

Mr. Bachman explained the biggest issue with that would be spending tax payer dollars outside of city limits. The quarter quarter sections where the well was proposed to go were part of this approval. They couldn't spend City funds on a property not in the city to put a permanent facility in until it was annexed in.

Council President Buban-Vonder Haar asked if the test well became the final well.

Mr. Bachman replied if everything went right with the test well it would become the permanent well.

Council President Buban-Vonder Haar asked why drilling the test well wouldn't be the responsibility of the developer and why couldn't they drill a test well ahead of time to provide assurances that it would work out.

Mr. Bachman stated the City of Kuna had very high standards and would own that facility when it was done. They wanted it built to the City's standards. That was why the City maintained ownership of all the wells they did and always took the lead and responsibility of drilling them.

Council President Buban-Vonder Haar clarified the way the City wanted it done was more expensive than what a private individual might do.

Mr. Tate added there were private water systems out there and they end up be disparate water systems. Typically, cities didn't want to see developers going out and drilling wells because they would keep them. He explained what would happen if they had to drill the well before hand.

Council discussed how to proceed and decided to continue the public hearing for additional testimony regarding the emails submitted that evening and the last draft of the Development Agreement.

Council President Buban-Vonder Haar moved to continue the public hearing to the next Council Meeting on Tuesday, January 15, 2019 at which time they would accept testimony regarding the final draft of the Development Agreement and the additional emails entered into evidence that evening and at which time Council would also proceed to deliberation and make a decision on 18-03-AN (Annexation), 18-01-CPM (Comp Map Change), 18-04-ZC (rezone), 18-02-PUD (Planned Unit Develop), 18-04-S (Preliminary Plat) and DA (Development Agreement) for Falcon Crest Subdivision. Seconded by Council Member McPherson. Motion carried 4-0.

7. Business Items:

None

8. Ordinances:

A. Consideration to approve Ordinance No. 2019-01 ACTION ITEM
(Timestamp 03:04:11)

A MUNICIPAL ANNEXATION AND ZONING ORDINANCE OF THE CITY COUNCIL AND THE CITY OF KUNA, IDAHO;

- MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND
- ANNEXING CERTAIN REAL PROPERTIES, TO WIT: ADA COUNTY ASSESSOR'S PARCEL NOS. S1419223000 AND S1418346600 OWNED BY SELECT DEVELOPMENT & CONTRACTING LLC SITUATED WITHIN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, INTO THE CITY OF KUNA, IDAHO; AND
- RESPECTIVELY ESTABLISHING R-6 AND R-4 ZONING DISTRICT CLASSIFICATION OF SAID REAL PROPERTIES; AND
- AMENDING THE OFFICIAL ZONING MAP; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Council President Buban-Vonder Haar had a minor edit for page 2, paragraph 6; the words "of R-4" should be deleted. She noted it did say in the ordinance itself this was effecting decisions they made back in November and December.

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2019-01. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2019-01. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson

Voting No: None

Absent: None

Motion carried 4-0.

B. Consideration to approve Ordinance No. 2019-02 ACTION ITEM
(Timestamp 03:07:50)

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING ALL OF PARCEL S1324142215 OWNED BY LESLEY PROPERTIES LLC., AND REFERRED TO AS ENSIGN SUBDIVISION NO. 2, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT; THUS, CHANGING THE BOUNDARY OF THE KUNA MUNICIPAL

IRRIGATION DISTRICT; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2019-02. Seconded by Council Member McPherson. Motion carried 4-0.

Council President Buban-Vonder Haar moved approve Ordinance No. 2019-02. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson

Voting No: None

Absent: None

Motion carried 4-0.

9. Mayor/Council Announcements:

(Timestamp 03:09:26)

Mayor Stear stated it was a little bit odd that evening and thanked Council for their ability to get that figured out right away.

Council Member Cardoza thanked the City for the Christmas decorations at the park and up and down the streets. They put out a lot of effort that year.

Planning & Zoning Director Wendy Howell noted the new Comprehensive Plan was going out for public comment that week.

Mayor Stear added they were getting really close on that.

City Clerk Chris Engels mentioned Council Member Cardoza would be out for approximately the next 6 weeks.

City Attorney Bill Gigray stated Council Member Cardoza did have the opportunity to participate in the meetings via phone.

10. Executive Session:

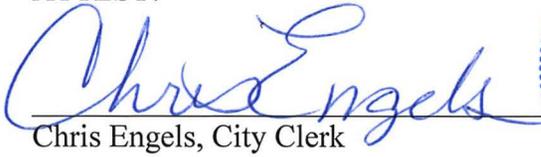
None

11. Adjournment: 9:12 P.M.



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



Minutes prepared by Ariana Welker, Deputy City Clerk
Date Approved: CCM 01.15.2019



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

January 2, 2019 – Council, Public Hearing

Case Name: Kuna CTE High School – Kuna School District

Case Type: Applicant requests rezone approval for an approximately 60 acre parcel, from AG (Agriculture) to P (Public), in order to place a new (approx.) 260,000 square foot (SF) Career Technical Education (CTE) High School for Kuna School District No. 3 (KSD). Applicant proposes to phase the project and begin with 500-600 students and a 72,000 SF building on the north portion of the property, and ultimately, expand the building, other site improvements and student count (up to 1,600) as the need arises. This site is located at the northeast corner (NEC) of Linder and Columbia Roads.

Case No's: **18-03-ZC (Rezone)**.

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

IN FAVOR	NEUTRAL	IN OPPOSITION
<p><i>(APPLICANT)</i></p> <p><input checked="" type="checkbox"/> Testify <input type="checkbox"/> Not Testify</p> <p><u>WAYNE THOWLESS</u> Print Name <u>2400 E. RIVERWALK DR.</u> Print Address <u>BOISE ID. 83706</u> City State, Zip</p>	<p><input type="checkbox"/> Testify <input type="checkbox"/> Not Testify</p> <p>_____ Print Name _____ Print Address _____ City State, Zip</p>	<p><input type="checkbox"/> Testify <input type="checkbox"/> Not Testify</p> <p>_____ Print Name _____ Print Address _____ City State, Zip</p>
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CITY OF KUNA

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SIGN-UP SHEET

January 2, 2019 – Council, Public Hearing

Case Name: Falcon Crest Master Planned Community: Request by Mark Tate, M3 Companies

Case Type: Applicant requests to Annex approximately 996 acres into Kuna City limits, Change the Comprehensive Plan Map (CPM) from Agriculture to Mixed-Use for approximately 163 acres, a Planned Unit Development (PUD) for approx. 1,028 acres, to rezone approx. 20 acres and subdivide approx. 132 acres into 409 residential lots, 51 common lots, four common driveway lots, two well lots and one private road. This site is located at the NEC of Cloverdale and Kuna Roads, Kuna, Idaho.

Case No's: 18-03-AN, 18-01-CPM, 18-04-S, 18-02-ZC, 18-02-PUD, D.A. – Annexation, Comp. Plan Map Change, Preliminary Plat, Rezone, Planned Unit Develop & Develop Agreement.

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

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_____		_____		✓ <u>6169 RUNNING HORSE DR</u>	
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_____		_____		✓ <u>Cindy Giesen</u>	
Print Name		Print Name		Print Name	
_____		_____		<u>1363 S. Ash Ave</u>	
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Print Name		Print Name		Print Name	
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6000 E. Deer Flat Rd
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Kuna ID 83634
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Jay Dobbel
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477 Cow Horse Dr
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Kuna ID 83634
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Ford Falkner
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DALLAS HULSEY
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11985 S. Cloverdale Rd
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KUNA ID 83634
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Bruce Collier
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9545 Kuna Road
Print Address

KUNA ID 83634
City State, Zip

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Tyler Dibble
1425 COW Horse Dr

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MIKE APOSTOLON
5783 E. BARRE HORSE DR

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KUNA ID 83634

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Tina Apostolon
5783 E. BARRE HORSE DR

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Print Name
RICHARD BOARDMAN
999 COW HORSE DR

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KUNA ID 83634

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Barbara Alberton

Print Name

775 Cow Horse Dr

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Kuna ID 83634

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Rebecca Good

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12555 S Cloverdale

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Kuna ID 83634

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Ker Hill

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10699 S Cloverdale

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Introductory statement by Mayor: Even though the City has informed the public in our communications to not communicate directly with the Mayor or City Council on this matter, I have received communications regarding the pending Applications which are the subject of this hearing which I have forwarded to the Planning and Zoning Staff which they will submit in addition to their staff report to be part of the record of these proceedings.

- For purposes of transparency and fairness for this hearing, I have asked the City Attorney to prepare a Disclosure Statement Format for the Council Members and Mayor to go through at the beginning of this hearing.
- For purposes of the record, I will introduce the Disclosure Statement Format into the record, which is being provided to each Council Member for their disclosures on the record will recognize the Council one at a time then myself to each, following the Disclosure Statement Format, make their disclosures on the record.

Following the Disclosures the Mayor Announces: If either the Applicant or an affected property wish to make a challenge [to the ability of any Council Member or the Mayor to preside over this Hearing, based upon bias or conflict of interest] the challenge must be stated now.

If a Challenge is made by the Applicant or an affected property owner: they must identify on the record who is making the challenge, and state the basis for their challenge.

If a Challenge is stated:

- Mayor then recognizes the challenged Council Member or Mayor, as the case may be, for their response to either recuse themselves or affirm their ability to be fair and impartial.
- If there is challenge based upon a conflict of interest the Council Member or Mayor should request an opinion of the City Attorney.

Hearing then continues with the Staff Report.

**CITY COUNCIL MEMBER AND MAYOR DISCLOSURE STATEMENTS
QUASI-JUDICIAL PLANNING AND ZONING HEARING**

Council Member and Mayor Disclosures at the beginning of the hearing:

- Knowledge of the Applications' sites
- Personal investigation conducted regarding Applications
- Communications received regarding Applications:
 - ✓ *Letters*: received and read *or* received and not read /forwarded or not to staff
 - ✓ *E-mail*: received and read *or* received and not read/forwarded or not to staff
 - ✓ *Social Media*: received and read *or* received and not read/forwarded or not to staff
 - ✓ *Personal conversations*: face-to-face *or* via phone
- Personal or immediate family member's legal interest in real property which is the subject of the Applications or within the affected area of the Applications.
- Personal or immediate family member's legal or business interests with any of the Applicants

Council Member and Mayor will, after the above disclosures, make one of the following statements:

- **Fair and Impartial Statement:** Irrespective of the information I have acknowledged, regarding these Applications, I remain fair and impartial and my deliberations and determinations will be based only upon the evidence produced at this hearing.
 - ✓ That any knowledge of the Application's sites will only be used for my understand of the evidence presented at the hearing; and
 - ✓ That any communications I have acknowledge will not be considered by me, unless those communications are presented at the hearing.
- **Recusal Statement Based Upon Information Received:** Based upon the information I have acknowledged regarding these Applications, I cannot at this time say that I will be able to limit my deliberations and determinations to the evidence produced at this hearing. Therefore, I recuse myself from any discussion and from taking part in any action in this matter and I will step down from my council seat for all agenda items involving this matter.
- **Recusal Statement Based Upon Potential Conflict of Interest:** Based upon the interests I have acknowledged regarding these Applications, due to a potential for a conflict of interest, I therefore recuse myself from any discussion and from taking part in any action in this matter and I will step down from my council seat for all agenda items involving this matter.



CITY OF KUNA

PLANNING & ZONING DEPARTMENT

751 West 4th Street
P.O. Box 13
Kuna, ID 83634
Phone: 208-922-5274
Fax: 208-922-5989
www.kunacity.id.gov

January 2, 2019

Noticing Procedure Followed:

In **spring of 2018** - Prior to submittal the applicant was told this application would take longer than normal to process and get before the Commission – Normal is 7-10 weeks.

May 9, 2018 – Neighborhood meeting held at the golf course – 46 home owners ppl attended.

May 30, 2018 – Application submitted for staff review.

July 13, 2018 – Application sent out for Agency Review and Comment.

September 12, AND 19, 2018 – Published in the Official Paper of Kuna, the KMN. Two times. Only one is required.

September 29, 2018 – Site posted with three signs for Oct. 9th Commission hearing.

October 1, 2018 – Letters sent out to land owners within 450 feet, exceeding 300' minimum.

October 9, 2018 – At the Commission meeting, the application was tabled until Oct. 23, 2018. Four sheets were in lobby to gather addresses for those interested in receiving letters who live outside the 450'.

October 18, 2018 – Courtesy letters sent out to land owners within 450 feet, notifying them the hearing will not take place on Oct. 23 2018, but will be heard Nov 27, 2018.

November 27, 2018 – At the Commission meeting the Public was informed that this was a recommendation to Council and would be sent to Council for a final decision.

December 12 AND 19, 2018 - Published in the Official Paper of Kuna, the KMN. Two times. Only one is required.

December 18, 2018 - Site Posted with three signs for 1.2.2019 Council hearing.

December 21, 2018 - Letters sent out to land owners within 450 feet, exceeding 300' minimum, including all who requested to be added to the mailing list.

December 24, 2018 – Email sent to citizens who wanted notice even though they live outside the required notice boundary.

Troy Behunin
Planner III
Kuna Planning and Zoning Department

Cc: Wendy Howell, Director of Planning Services

Greetings Mayor and Council Members,

1/2/19

In general, I am not opposed to this Falcon Crest Development of 1028 acre of mixed uses, since... 1) it is not directly in my back yard and 2) because I feel that the development will add value to Kuna, if it is carefully and wisely planned.

However, **I am opposed to the many Kuna Code 'Exceptions' that the applicant is requesting in Exhibit F** (packet p336). They request 'exceptions' in the use of Residential land; reductions in property setbacks; modifications to urban development standards; changes in sign regulations, road widths, landscaping and lighting - just to name a few areas. To me, an exception in one area, leads to a justification for another developer in the future, and the protections provided by our zones and codes, to the citizens of Kuna, are lost.

A great deal of thought and effort went into our existing codes, so **I request that you carefully evaluate each item in Exhibit F.** Possibly our zoning or codes should be formally changed, rather than allowing these 'exceptions'. Exceptions to zoning and codes are far too important to just gloss over and approve as a package. The community is often angered and impacted by the unexpected 'surprises' that come with these exceptions.

In particular, and as an example, I would like to address T: Street Lighting on page 346, of the hearing packet. The applicant is requesting that you increase the maximum distance between street lights from 250 ft to 400 ft.

The further you separate lights, if public safety is considered, the taller the poles must be, the light distribution becomes wider, the illuminating device is larger and intensity is brighter. This is contrary to the 'dark skies' reference also mentioned in that same code. This exception will likely result in reduced public safety or, greater light trespassing and pollution for the city, surrounding homes and neighborhoods. More light pollution harms our region, the people, the wildlife and our dark skies.

Attention to developing a updated, official, Street lighting code for all, would better provide a well planned 'dark sky' lighting strategy and consistency. When lighting, different areas, with different purposes, require different solutions and for this code, only maximum distance is clearly addressed.

Our code books do not clearly defined what the basic generic 'dark sky' lighting practices and requirements are, so little attention seems to be given to the applications and plats that Kuna receives. As our code books stand, I feel the term 'dark sky' is left open to broad interpretation.

Exhibit
G7

Therefore, I not only opposed to Exhibit F. **but I request that a great deal of attention is given to 'dark sky' light and lighting, concerning all applications associated with this annexation and development of the 1028 acres involved.**

Applicants can only plan well, if the City of Kuna codes are explicit. Therefore, in this single example of lighting, **I recommend that the city leaders create a general 'Kuna Dark Sky Ordinance'**, which can be referred to in our code books, while updating and adding light related codes.

Effective dark sky efforts have been incorporated in many cities, so there are excellent resources to help reduce light pollution and solidify our dark sky efforts. I am not an expert in this area, but I'm willing to help.

Please consider my requests tonight, along with a letter I am submitting, dated 12/30/18, which includes links and more details concerning a Kuna Dark Sky Ordinance and how the ordinance can be applied to this development.

I thank you for your time and consideration concerning these requests.

Sincerely,

Cindy Giesen 1363 S. Ash Ave, Kuna ID 83634 contact: cmthewiz@yahoo.com

Dear Mayor Stear, Kuna City Council Members and P&Z Commission Members, 12/30/18

In regards to your upcoming Public Hearings, on Jan.2, 2019 concerning the agenda item B

As the City of Kuna annexes properties and considers more development near and in the city limits, I am concerned with light pollution and request that we protect our 'Dark-Skies' to the best of our ability. I am aware that Kuna does consider dark skies in some light/lighting related codes, but I cannot find one general chapter or ordinance in the code books that specifically explain or addresses the need for Dark Skies or Dark Sky codes and which consolidates dark sky requirements for most zones and developments. Prior to approving more annexing and rezone, I feel that we need to address this, before we wash out the dark skies with bad lighting.

Presently, at the Kuna City Council meeting on January 2, 2019 you will be considering the annexing, zoning and development of 1023 acres of potential mixed use. This will be a huge impact to our region and together, with public and developer's input, we can make this impact mostly positive. I hope you will consider my comments concerning this one area of impact - dark skies, and consider what we can do in our city planning efforts to better protect the sky. Starting now.

MY REQUESTS

I request that KUNA city leaders and managers...

- 1) consider, help create and adopt an official 'KUNA DARK SKY ORDINANCE' (KDSO), and
- 2) that these annexation, rezoning, planned unit develop, preliminary plat and development agreement noted in Public Hearing Item B. of the January 2, 2019 KCC Agenda, include a 'contingency', 'condition' or 'requirement' for approval as follows... *(a Revision 1 suggested wording, yours would be more professional)*

Approval is contingent on adherence to the upcoming creation of the "KUNA DARK SKY ORDINANCE" (KDSO) and on satisfying all existing, added and revised City, Planning, Zoning, and Building codes related to dark sky, lighting and light. If there are dark sky concerns and solutions that support the KDSO, but have not been formally incorporated into the department code books, it is recommended that the applicant and approving department consider adopting that dark sky effort and to submit a code recommendation to further support the KDSO. Lighting with Dark Sky protection details will be considered at each stage of the applicant's development and building process. Lighting plans for buildings, home exteriors, streets, trails, sidewalks, parking, recreation, parks, green space and other infrastructure required for this application, shall be clearly defined in readable documentation during each step of the development and building process, and shall be made available at least a week in advance of public hearings.

- 3) that all future applications presented to the City of Kuna have the above, or a similar contingency or requirement statement, until the 'KUNA DARK SKY ORDINANCE' is in place and while associated codes are being updated, added and revised to support it.

As a result of the creation of a 'KUNA DARK SKY ORDINANCE', over time more specific details would be added to the city codes, zoning codes and building codes to support the ordinance. If we work together, especially with this huge rezone and development, they can help us define codes that will work for all parties. The resulting code details and revisions will assist our decision makers, as well as future

developers and builders. Our dark skies will be preserved and our citizens will be safer and happier. Our improved light codes should have a minimal financial impact on developers, while making their development safer, more beautiful, considerate and better planned. I predict with this effort, Kuna will be known as an attractive, 'dark sky', caring community, which will attract positive attention and growth. Because of it, light pollution will be avoided and reduced, while still providing fairly dark skies for the enjoyment of our people, our environment, the wildlife and the protected regions around us (Birds of Prey National Conservation, Snake River areas etc..).

Although I am not an expert in this dark sky area, I do like to research and will help to the best of my ability. To start with, here is an example of Ketchum's excellent Dark Sky Ordinance (updated 2017) which I believe is a great starting point for Kuna. (Document included with my letter, but accessible at this link...) www.ketchumidaho.org/documentcenter/view/3327 go to Title 17 Chapter 17.132 Dark Skies starting page 166, of the linked PDF

At the end of my letter, I've included it a few more links to helpful RESOURCES and code examples (ADA county) concerning lighting and dark skies. As well, as a link to how one huge community of mixed uses, like the one coming to us, that seemed to be nicely planned in unincorporated ADA County (Hidden Springs).

The following OBSERVATIONS are what drives me to focus on this Dark Sky issue for Kuna . Personally, I do not want to repeat my past mistake of sitting on the sideline, while the dark skies in the region I lived were being flooded by light with every street, house, business or recreational area that was approved.

OBSERVATIONS : MY KUNA CITY OBSERVATIONS TO DATE

I have investigated Kuna city codes, building codes, planning and development documents, and many public hearing outcomes. I see there is an effort to protect our skies by using a few key words, sometimes a small bulleted section and sentences in the Kuna related ordinances and codes, but many are, in my opinion, minimal, vague and easily missed as they are scattered throughout the various departments (planning, building, city) code sections. A general Dark Sky / Lighting Chapter that includes the KDSO might remedy this.

My research found (and know I didn't research every meeting or development just a sample) ...

- a)** applicants say they are/will be adhering to lighting codes because they will use LED lighting (which mostly refers to economy) or a specific 'box' light, but there are many choices for different purposes.
- b)** The applicants often state that they will abide by a specific city code light section 6-4-2:N, which incorrectly addresses Pathways, not Lighting (which is section 6-4-2:T). So how could they abide?
- c)** The development plans rarely have lighting details in place before they come to public hearings, which is a requirement. As plans are presented for committee approval, the lack of lighting is missed or becomes a quick conditional mention that lighting should be address in the future. Is there followup?
- d)** Residents in subdivisions complain of not having enough sidewalk lighting, so they put in their own exceedingly bright solutions, whereas this lighting can be better addressed during the development stage, with underground wiring, motion sensors, smart units and lower profiles.
- e)** As you go around the city you can find several violations of the Sign lighting requirement codes and our commercial areas are being flooded with unnecessary, bright and flashing neon lights. Stop it.
- f)** Lighting (if provided) in the recreational common areas of subdivisions, on school fields and in public areas do not seem to be well addressed concerning dark sky efforts.

Because of these issues, because of our rapid growth , huge city meeting packets every week and what must be an overwhelming city work load, I feel there is great cause for concern. I believe that the best solution for protection against light pollution is to create a 'KUNA DARK SKY ORDINANCE'. This will give us a foundation for code improvements and enforcement, as we development our communities and protect our safety, lifestyle, sky, land, water, and wild life. We can't control what has happened, but we can prevent what might occur, if we plan well and take action now, as we grow.

Please consider my requests and if you find reasons not to, please postpone your applicant approvals until you can agree on steps to protect our dark sky and to avoid the detrimental damage that will occur if we do not increase our efforts.

Thank you for your consideration and time,

Cindy Giesen 1363 S. Ash Avenue Kuna, ID cmthewiz@yahoo.com

RESOURCES: OTHER HELPFUL RESOURCES AND EXAMPLES CONCERNING LIGHT and DARK SKIES

* **Unincorporated ADA County Zoning Title 8 has some good lighting and planning verbiage** (but once we annex, I don't how if any of this is/can be applied to the city)...

Chapter 4: REGULATIONS APPLYING TO ALL DISTRICTS 8-4H-2 ARTICAL H: LIGHTING STANDARDS
http://sterlingcodifiers.com/codebook/index.php?book_id=447&chapter_id=19319

And for lighting, as well as overall planning ideas, for the 1023 mixed use acres Kuna is now considering, this ADA County Article A seems to be a great planning example/resource....

Chapter 21: PLANNED COMMUNITY SUBAREA DEVELOPMENT REGULATIONS
ARTICLE A: HIDDEN SPRINGS PLANNED COMMUNITY ZONING ORDINANCE
http://sterlingcodifiers.com/codebook/index.php?book_id=447&chapter_id=19353

Ketchum's excellent Dark Sky Ordinance (updated 2017) which I believe is a great starting point for Kuna. www.ketchumidaho.org/documentcenter/view/3327

* **The most respected and well known resource for helping our skies ..**

The International Dark-Sky Association at www.darksky.org is a great resource. They have actually recognize Idahoan Stephen Pauley for a formula he developed on light pole height in 1999. And our cities Hailey and Ketchum, ID are recognized for their Dark-Sky city planning efforts.



CITY OF KUNA
PLANNING & ZONING DEPARTMENT

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P.O. Box 13
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www.kunacity.id.gov

January 2, 2019

RE: Citizen Letters:

The following packet of emails and letters are communications the Planning and Zoning Department have either received, or have been forwarded from December 2, 2018 through January 2, 2019.

There are a total of 50 pages in the attachment, including this sheet.

Respectfully,

Troy Behunin
Planner III
Kuna Planning and Zoning Department

Cc: Wendy Howell, Director of Planning Services

Statement Concerning the Annexation of the Planned Unit Development of the Falcon Crest Subdivision, Kuna Idaho
November 27, 2018

My name is John Lawson, I am a resident and land owner in Ada County in an area within less than a quarter mile from the SW boundary of the planned subdivision. I am also a board member of the Cloverdale Ridge Water Corporation an independent irrigation district that provides irrigation water to my small farm.

Concern: There are over 50 homes and farms within a half mile of the proposed site. All the homes have independent wells and the irrigation district provides water through two wells. These wells pump enough water to supply over 250 acres of irrigated pastureland during a period of seven months of the year. We as homeowners and shareholders in this irrigation district would like to address:

- 1) There has not a comprehensive environmental analysis to determine the impacts from the planned subdivision.
- 2) There are 50+ household drinking water wells that may be affected by this planned expansion.
- 3) The Cloverdale Ridge subdivision landowners have water rights that are senior to those of the Falcon Crest Subdivision or Golf Course; however, we as landowners do not feel that our water rights have been appropriately evaluated by the Idaho Department of Water Resources.
- 4) There is not an apparent evaluation of the impact of this proposed subdivision on regional groundwater quality or quantity. Especially if the quality of the groundwater is impacted by a changing water table level or the introduction of contaminants to the groundwater that are so common to concentrated impact areas (sewage, hazardous materials spills, salts and minerals from a changing water table).
- 5) We feel that a complete study of the wells in our subdivision is necessary to predict changing levels of water, especially if we consider diminishing water levels anticipated from climate change. While it is clear that we have senior rights we understand that once a well has dried up it will be an expensive litigation to resolve water replacement strategies. This type of a study will be part and parcel to a complete environmental analysis of the proposed impacts.
- 6) The residents have also expressed that we are quite concerned about changes in the water quality in our wells and the wells for the Cloverdale Ridge Water Corporation.
- 7) The Cloverdale Ridge Water Corporation has 2 large bore wells that have a replacement value of nearly \$200,000 provided adequate water could be developed. We in the subdivision are very concerned that the City of Kuna has not taken the appropriate steps to assure the irrigation corporation that the volume of water needed to maintain the 250+ acres of irrigated land will be maintained in perpetuity for our land in which we have senior water rights.
- 8) The Water Corporation has a well that is about 700 ft deep and within 400 ft from the proposed subdivision. We have experience that the well is on the edge of a geothermal zone which means the water is warm (over 70 degrees F) and is heavily impacted by salts such as variable pH, sulfates and sulfides, sodium and bicarbonates such that the water must be treated extensively to be suited for drinking. It is clear that a well to provide water to a large subdivision will require a deep well with a lot of production. We know that the City of Kuna has not investigated these issues in the planning of this subdivision.

It for these reasons and more that I must insist that the City of Kuna perform a responsible water quality and quality analysis along with an environmental impact assessment of this planned subdivision. Barring these studies and an objective analysis of the data I can only vehemently oppose this poorly thought out plan.

John Lawson
1357 Cow Horse Drive
Kuna, Idaho 83634

Exh. C.5

Submitted at Commission

From: [Anna Barrington](#)
To: [Troy Behunin](#)
Subject: Falcon Crest Subdivision
Date: Sunday, December 23, 2018 3:31:12 PM

I have several concerns about the Councils wait and see or wait till later then we'll act. I live in the Cloverdale estates across from Falcon Crest.

1. **Water** – without water none of us will survive so why does the Council take this resource for granted? Building the homes that have been proposed and after all the other smaller developments have been completed how much water will be left in the aquifers? I don't think you or the other Council members or the Mayor know the answer to this. To keep throwing up homes and hoping we have enough water is certainly NOT the way to go nor are you looking out for Kuna's current residents. I want to know what studies have been done on the current water situation and then what is the future water situation after each phase of Falcon Crest is completed. You must know there will be a limit to the available water, but will you stop before you exhaust it? Do you have a fund set up for all the farms, ranches and homes with private wells to either cover digging a deeper well for each or for bringing in public water into each of these properties? When I purchased my just under 5 acres with home, pastures and barn for my horses I did so with the understanding I had a well to supply my water at little to no cost and there would be plenty for at least my lifetime. Now I don't even know if there will be enough water for the next ten years. Do you have a water study and/or will there be one before any more homes are approved for construction?
2. **Roads and Traffic** – From what I've read we're taking a wait and see, then we'll widen and deal with the traffic. I wonder do you drive our roads currently? Do you wait in line on Meridian road trying to get on the freeway at rush hour or off the freeway at rush hour? Currently the Cloverdale bridge over 84 is being built but not addressing this issue so what you are doing is saying we have no control over that and more importantly we'll keep adding to the problem instead of addressing the issue. It is my understanding that Cloverdale road from Kuna road to the freeway can't be widened to completely to address the current overload of traffic not to mention the huge amount of traffic Falcon Crest will create. While Kuna road appears will be able to be widened but when and it only leads to one road Meridian Road which is already becoming a problem as stated above.
3. **Infrastructure – Police, Fire and schools.** Where on earth will you come up with enough of these NEEDED resources to cover what is coming? We don't have fire hydrants in most of Kuna that's a huge burden on the fire department. We are short on schools and currently there appears to be at least one that has huge problems. Personally I'm sick to death hearing about school issues that everyone swears the next levy will solve only to hear the following year we need another levy. How about we try something new, solve our current issues and prepare for the future BEFORE we build any more homes that surely will require the resources that we don't have enough of already.

I realize Kuna is looking for money when they approve these projects, but the builders need to contribute more to the community then just slapping up homes and leaving the community to clean up the mess. In other states builders are required to solve some of these issues before and during the construction period why don't we adopt that plan? Next you'll be telling me all the property

taxes will cover what we need, but if you look at Meridian you'll see property taxes did not cover enough resources like Fire, Police and Schools.

Let's make Kuna the example rather than going with the flow. Let's look out for Kuna and its CURRENT residents and make this an even great community.

Anna Barrington
Cloverdale Estates
(208)608-4534

Troy Behunin

From: Mayor Stear
Sent: Friday, December 28, 2018 3:29 PM
To: Chris Engels
Subject: FW: Falcon Crest Subdivision Meeting

#3

Joe Stear Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546



From: Anna Barrington [mailto:5barringtons@gmail.com]
Sent: Friday, December 28, 2018 2:00 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject: Falcon Crest Subdivision Meeting

Dear Mayor Stear,

I am a neighbor to the planned Falcon Crest Subdivision and I must object to the meeting notification timing presented by the Planning and Zoning Department of the City of Kuna. Please allow us time to prepare for this meeting, after the holidays so that we can enjoy this time with family and friends. I would request that you hear the information for the subdivision until February 2019 so I can better understand the impacts to my home and life from this subdivision.

Sincerely,

Anna Barrington
Resident of Cloverdale Ridge Estates
(208) 608-4534

Troy Behunin

From: Mayor Stear
Sent: Friday, December 28, 2018 3:29 PM
To: Chris Engels
Subject: FW: Meeting for Falcon Crest subdivision

#2

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546



From: bill terry [mailto:bterry51@cableone.net]
Sent: Friday, December 28, 2018 2:19 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Cc: Briana Buban-Vonder Haar <bbuban@kunaid.gov>; Richard Cardoza <rcardoza@kunaid.gov>; Greg McPherson <gmcpherson@kunaid.gov>; Warren Christensen <wchristensen@kunaid.gov>; bill terry <bterry51@cableone.net>
Subject: Meeting for Falcon Crest subdivision

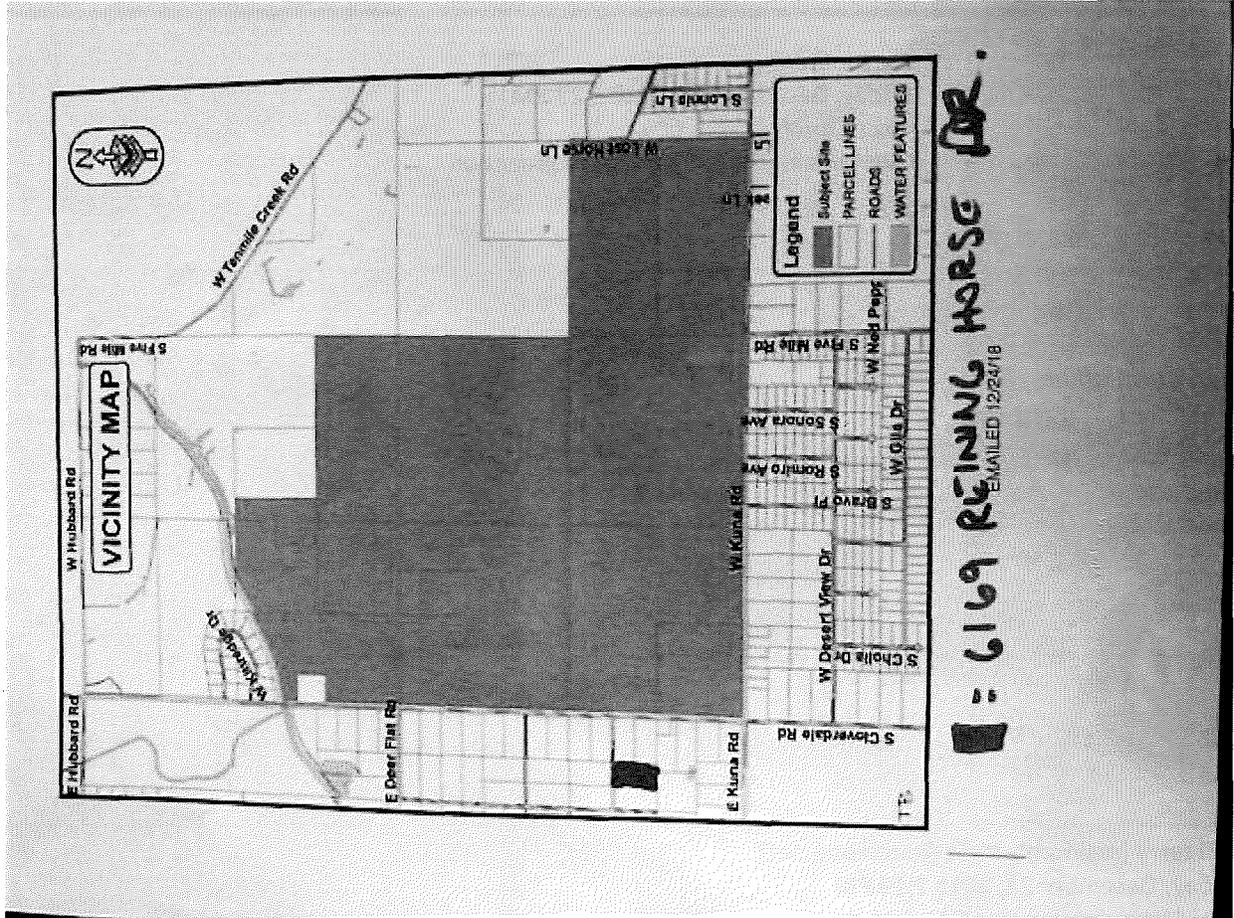
Dear Mayor Stear, and Council Members;

I am a neighbor to the planned Falcon Crest Subdivision and I must object to the meeting notification timing presented by the Planning and Zoning Department of the City of Kuna. Please allow us time to prepare for this meeting, after the holidays so that we can enjoy this time with family and friends. I would request that you hear the information for the subdivision until February 5th 2019 so I can better understand the impacts to my home and life from this subdivision. the Kuna City planner said they only mail to residents so may feet from Cloverdale, since our subdivision is all 5 acres I didn't qualify???

you can see the enclosed Map my location as second house from Cloverdale, yet I am not on the mailing list. This growth will have a huge impact on me because more traffic, my street looks selected to continue thru. I have lived there for 24 years and the falcon crest folks already can't turn correctly into the main golf entrance without stopping all southbound traffic. My water well is already 300 feet deep and I am concerned about it running dry. I also see my rural lifestyle loosing the darkness as light pollution from residential and commercial growth.

Sincerely,
Bill Terry
6169 Reining horse dr
Kuna, Idaho 83634

Resident of Cloverdale Ridge
Estates



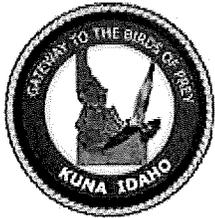
Troy Behunin

From: Mayor Stear
Sent: Friday, December 28, 2018 3:30 PM
To: Chris Engels
Subject: FW:

#6

Joe Stear Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546



From: Richard Vick [mailto:teddytuggy49@gmail.com]
Sent: Friday, December 28, 2018 12:26 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject:

Hello Mr. Mayor,

I am a resident of Cloverdale Ridge subdivision, and live directly across Cloverdale from the Falcon Crest proposed subdivision. I am also on the board of the Cloverdale Ridge Water Corporation. I am appalled that your city planner has manipulated the hearing process so that we are not involved, even though we stand to be very much harmed by this proposal. At the first hearing those of us who testified were ket to a strict 3 minutes, while the agent of the contracting firm was allowed to go on and on, and your planner went on as long as he liked in favor of this project. Now we got notice a few days ago that the hearing before the full council will be on the second of January, not giving our residents , and water customers any time to prepare for this meeting. We have our corporate attorney looking in to these ploys .

We are not simply upset that this huge proposal will destroy the rural atmosphere of our community, but that it will put us, our livestock, and our property values in jeopardy . To this date no studies of our water table have been done. The contractor wants to sink another large volume well to begin the first part of construction, and our wells are already on the decline. OUr personal well has only got 13 feet of water now. Our irrigation wells , owned by the water corporation , will be in danger if there is any drop in water level.

Also there has been no impact study of what such a huge development would do to the traffic on Cloverdale Road.

I would strongly suggest this meeting be postponed until February 5, so that we may build our case to present to the city Council.

Let me say finally as taxpayers in the Kuna impact zone we have been treated shamefully. I would suggest you investigate the interest your planner seems to have in pushing this proposal, and in cutting those who will be impacted most out of the equation.

Thank you Mr. Mayor for your consideration.
Richard S. Vick
11457 S. Cloverdale Rd
Kuna, ID. 83634

Phone 208-608-8777

Troy Behunin

From: Wendy Howell
Sent: Saturday, December 29, 2018 1:23 PM
To: Troy Behunin
Subject: Fw: Falcon Crest

Sent from my Verizon LG Smartphone

----- Original message-----

From: Mayor Stear
Date: Sat, Dec 29, 2018 12:47 PM
To: Wendy Howell;Chris Engels;
Cc:
Subject:Fwd: Falcon Crest

Sent from my iPhone

Begin forwarded message:

Resent-From: <MayorStear@kunaid.gov>
From: Dave JOHNSON <ddjohn551@aim.com>
Date: December 29, 2018 at 12:39:53 PM MST
To: MayorStear@kunaid.gov
Subject: Falcon Crest

Dear Mr. Mayor

Please consider changing the hearing for the Falcon Crest project to a later date beyond January. My primary concern is water supply . Thank you for your consideration.

Dave Johnson

Sent from my iPhone

Troy Behunin

From: Elise Daniel <poppydaniel@gmail.com>
Sent: Tuesday, December 18, 2018 6:38 AM
To: Troy Behunin
Subject: Falcon Crest Development

Dear Mr. Behunin,

I understand that as city planner you have quite a bit of power over the decision involving the large new subdivision that is planned around the Falcon Crest Golf Course. I live at 10781 S Cloverdale Rd, Kuna, ID 83634 just across from the golf course. As a matter of fact, I pick up misfired golf balls from my field on a weekly basis.

I am writing to you to encourage you to fully consider the impact that this subdivision will have on the ground water that supports my home and the homes all around me. We all depend on our wells to supply water to our homes. We also depend on large wells to irrigate our fields and pastures. If you allow the new subdivision to dig deep wells to try to support a large number of homes (800 or 1200??) it will undoubtedly put our water supply at great risk.

This is a grave concern for myself and for all of my neighbors. As you must know, access to water is a huge issue in this part of the world. By risking our access to water you adversely affect our lives, the value of our properties, and the ability to live in the area supporting our families and livestock.

I also have grave concerns about the traffic that this development will create. As it stands, traffic has dramatically worsened in the nearly 14 years that I have lived here. There is no way for Cloverdale Road to absorb the amount of traffic that this subdivision will add.

I beg of you to fully research and consider what this development will do to this side of Kuna. While I understand that the money this will bring to the town is enticing, I believe that the strength to turn it down will ultimately make Kuna a stronger and better town.

Thank you for your consideration and best wishes for a Happy Holiday Season to you and your family.

Best Always,

Elise Ann Daniel

Please leave me a 5-star review on [Google](#) and [Facebook](#)! If you appreciate the service that I provide please share my name and contact information with your friends and family!

Elise Ann Daniel, AFC ®

MFCS - Family Financial Planning
Daniel Insurance, LLC
200 N. 4th Street
Suite 101B
Boise, Idaho 83702

www.elisedaniel.com

poppydaniel@gmail.com
tel: (208)590-2606
fax:(208)297-7890

The best compliments that I receive are your referrals!

Know that I take the security of your information very seriously. Please do not email me your personal information. Fax or a secure email are the safest ways to transfer personal information.

Troy Behunin

To: Elise Daniel
Subject: Dear Mayor

From: Elise Daniel [mailto:poppydaniel@gmail.com]
Sent: Tuesday, December 18, 2018 7:25 AM
To: Mayor Stear <mayorstear@kunaid.gov>
Cc: Troy Behunin <tbehunin@kunaid.gov>; Wendy Howell <whowell@kunaid.gov>
Subject: Re: Dear Mayor

Thank you for your response. Have a wonderful Holiday Season with your family and friends.

Blessings,
Elise

***"Almost everything will work again if you unplug it for a few minutes, including you."
- Anne Lamott***

Please leave me a 5-star review on [Google](#) and [Facebook](#)! If you appreciate the service that I provide please share my name and contact information with your friends and family!

Elise Ann Daniel, AFC ®
Daniel Insurance, LLC

On Tue, Dec 18, 2018 at 7:02 AM Mayor Stear <mayorstear@kunaid.gov> wrote:

Elise; Discussions such as this before a public hearing are considered exparte'. That said I will have to include it into the record for the hearing. (Troy would you please see that it is?) The city is strictly regulated on any wells that are drilled or accessed. If there is not adequate water table they can not be used. We will certainly refer to the traffic experts at ACHD on that area. As far as the revenue for the city we are in good shape and I would not base any decision on that. Property rights are the main issue with things like this. Thank You and I would assume that you will be at the public hearing for this. I am not sure of the date but you can call into P&Z for that. Have a blessed Christmas!

Sent from my iPhone

On Dec 18, 2018, at 6:45 AM, Elise Daniel <poppydaniel@gmail.com> wrote:

Dear Joe,
I voted for you as Mayor because I believed that you would look after the best interests of the town of Kuna and it's residents. I live at 10781 S Cloverdale Rd, Kuna, ID 83634 just across from the golf course. As a matter of fact, I pick up misfired golf balls from my field on a weekly basis.

I am writing to you to encourage you to fully consider the impact that the proposed subdivision at Falcon Crest will have on the ground water that supports my home and the homes all around me. We all depend on our wells to supply water to our homes. We also depend on large wells to irrigate our fields and pastures. If you allow the new subdivision to dig deep wells to try to support a large number of homes (800 or 1200??) it will

undoubtedly put our water supply at great risk. IF you do approve this subdivision, which I pray you do not, you must plan to provide city water to the subdivision to protect our ground water.

Damage to our ground water is a grave concern for myself and for all of my neighbors. As you must know, access to water is a huge issue in this part of the world. By risking our access to water you adversely affect our lives, the value of our properties, and the ability to live in the area supporting our families and livestock.

I also have real concerns about the traffic that this development will create. As it stands, traffic has dramatically worsened in the nearly 14 years that I have lived here. There is no way for Cloverdale Road to absorb the amount of traffic that this subdivision will add.

I beg of you to fully research and consider what this development will do to this side of Kuna. While I understand that the money this will bring to the town is enticing, I believe that the strength to turn it down will ultimately make Kuna a stronger and better town.

Thank you for your consideration and best wishes for a Happy Holiday Season to you and your family.

Best Always,
Elise Ann Daniel

"Almost everything will work again if you unplug it for a few minutes, including you."

- Anne Lamott

Please leave me a 5-star review on [Google](#) and [Facebook](#)! If you appreciate the service that I provide please share my name and contact information with your friends and family!

Elise Ann Daniel, AFC ®
MFCS - Family Financial Planning
Daniel Insurance, LLC
200 N. 4th Street
Suite 101B
Boise, Idaho 83702
www.elisedaniel.com
poppydaniel@gmail.com
tel: (208)590-2606
fax:(208)297-7890

The best compliments that I receive are your referrals!

Know that I take the security of your information very seriously. Please do not email me your personal information. Fax or a secure email are the safest ways to transfer personal information.

October 25 2018

City of Kuna
Planning and Zoning

To whom it may concern:

I'm writing about the proposed Falcon Crest Subdivision. I am extremely concerned about the proposal that the City of Kuna Planning and Zoning is considering. The impact it will have on our peaceful ambience in our community will be extreme.

If the City of Kuna looks at this development logically the answer to the added subdivision would be NO for the following reasons:

- The biggest concerns being traffic and our water table.
- What will happen with our private wells and our irrigation?
- Where are you planning on getting water for all those homes and yards?
- What are the specifics for the septic of each of those homes?
- Where will the traffic outlets be and what is the specific plan for that?
- And what specifically will be annexed by Kuna City?

I would appreciate a **specific** response to my concerns, including pros and cons of this proposed subdivision and why I and others should support it.

Sincerely,

Helyn Haase

Helyn Haase
6144 East Deer Flat Rd.
Kuna Idaho

208-631-9979
haashw@gmail.com

received
10.24.18

Troy Behunin

From: Wendy Howell
Sent: Friday, December 28, 2018 2:01 PM
To: Troy Behunin
Subject: FW: Falcon Crest Subdivision Planning Meeting

From: Chris Engels <cengels@kunaid.gov>
Sent: Friday, December 28, 2018 12:23 PM
To: Wendy Howell <whowell@kunaid.gov>
Cc: Ariana Welker <awelker@kunaid.gov>
Subject: FW: Falcon Crest Subdivision Planning Meeting

Wendy,
Packet is already done. We'll make sure to have a copy available and it can be read into the record.

Thanks
Chris

From: Greg McPherson <gmcpherson6835@gmail.com>
Sent: Friday, December 28, 2018 12:07 PM
To: Chris Engels <cengels@kunaid.gov>
Subject: Fwd: Falcon Crest Subdivision Planning Meeting

----- Forwarded message -----

From: BJ H <b.j.henningfeld@gmail.com>
Date: Fri, Dec 28, 2018 at 12:06 PM
Subject: Falcon Crest Subdivision Planning Meeting
To: <bbuban@kunaid.gov>, <rcardoza@kunaid.gov>, <gmcpherson@kunaid.gov>, <wchristensen@kunaid.gov>

Dear Kuna City Council Members,

My bride, two sons, and I live right across from the planned Falcon Crest Subdivision and we must object to the meeting notification timing presented by the Planning and Zoning Department of the City of Kuna. Please allow us time to prepare for this meeting. It is a busy time after the holidays from travel and spending time with family and friends. We would request that you hear the information for the subdivision until February 2019 so we can better understand the impacts to our home and life from this subdivision.

Sincerely,

The Henningfeld Family
(208) 570-3507
11893 S Cloverdale Rd Kuna

Put
in file



BUSINESS

What Kuna commission decided after neighbors objected to 2,000-home golf development

BY BRANDON RASMUSSEN
brasmussen@idahostatesman.com

November 28, 2018 07:54 AM
Updated 6 hours 47 minutes ago

About 45 people watched and murmured among themselves as six Kuna residents stepped up to the podium to oppose a golf-course development of over 2,000 homes near their property over the next two decades.

“While growth is expected, it must be controlled,” said David Imhoff, a Kuna resident who lives just off Cloverdale Road near the proposed development. “Don’t add [our community] to the list of extinct species in Kuna. Being a good neighbor is everything this community stands for.”

Kuna’s Planning and Zoning Commission passed several motions Tuesday night to advance the development of the Falcon Crest subdivision, attached to the Falcon Crest Golf Course at 11102 S. Cloverdale Road. The development would cover 1,025 acres immediately north of Kuna Road and east of File Mile Road.

The development would include lots for single families, homes targeted at people ages 55 or older, and golf villages. It would include almost 19 acres for commercial use. The proposal also includes a city park.

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Now, the development — represented on Tuesday by Mark Tate of M3 Companies, a housing developer in Idaho and Arizona — must move on to seek approval from the Kuna City Council.

The commission’s decision came after hours of debate following an unbroken string of residents opposed to the project. Most of them were primarily concerned with potential water supply problems they said could affect the surrounding area if the development were to draw its water by creating wells, as is laid out in the project’s development plan.



The Falcon Crest Golf Club is the main attraction for the proposed Falcon Crest Subdivision north of Kuna Road and east of Cloverdale Road.

Darin Oswald - Darin Oswald/Idaho Statesman

“All we hear is that the city of Kuna is going to dig two new wells. What is that going to do to the water table?” said Richard Boardman, who lives just west of Cloverdale Road. “What’s going to happen to our wells — are they going to dry up in five years? Where will the developer be at that time?”

Other themes among opponents included concerns about traffic as well as the general character of the place. Some said the gated-community-style neighborhoods wouldn’t fit in with the rural cultural of the surrounding area.

The comments, especially those about water levels, sparked a series of questions and debates among members of the commission and city staffers, in which it was suggested that a study be done to assess the water levels.

“All of the information we have been given through our process ... is that there should be adequate water,” Bachman said. “The permits are only approved if DEQ [the Idaho Department of Environmental Quality] says the well is viable and doesn’t affect the area... If DEQ says we’re unable to serve the next project, there is no next project.”

Bachman said the city will use test wells to determine whether the development would affect the local well water supply, though that process cannot begin until the land is annexed into the city limits. Annexation requires City Council approval.

The proposed land and golf course are owned by Terry Cook and Hansgeorge Borbonus, who also own Cloverdale Nursery at 2528 N Cloverdale Road in Kuna. A development was conceived to adjoin the golf course since before the course opened 17 years ago.

With two persons per household, the development would boost the population of the city of 19,700 by more than 20 percent. Completing the development could take 20 years, depending on market conditions.

READ NEXT



This development may bring more than 2,000 homes to Kuna

READ NEXT



Cities ask newcomers to pay for growth — but that could raise home prices for everyone

READ NEXT

Troy Behunin

From: Jeff Caldwell <jmccaldwell519@gmail.com>
Sent: Friday, December 28, 2018 1:14 PM
To: Mayor Stear
Cc: Troy Behunin; Briana Buban-Vonder Haar; Richard Cardoza; Warren Christensen; Greg McPherson
Subject: Falcon Crest Golf Course City of Kuna Annexation Plan

December 28th, 2018

Troy Behunin,

Troy my name is Jeff Caldwell and my residence is 1581 Cow Horse Dr, Kuna ID which is in the Cloverdale Ridge Estates on the west side of Cloverdale Rd across from Falcon Crest Golf Course. This email is regarding your notice dated December 24, 2018. I list it below:

From: Troy Behunin <tbehunin@kunaid.gov>
Subject: Falcon Crest public notice flyer
Date: December 24, 2018 at 10:00:31 AM MST

Good afternoon,

Please review the attached PDF of the flyer sent out to notify land owners of the upcoming public hearing for the Falcon Crest annexation, rezone, PUD, CPM change, and pre plat.

Please let me know if you have questions, and please let me know you receive this email. The letter is also at the bottom of this email.

Thanks so much.

Merry Christmas to you and yours.

Troy

Troy Behunin
Planner III
City of Kuna
751 W. 4th Street
Kuna, ID 83634
TBehunin@Kunald.Gov

It is my opinion that the lack of notice and timing of this hearing is a major inconvenience by giving a notice of your hearing date on January 2 the day before Christmas. A grand total of 1 week, and what looks like an obvious attempt to catch residence off guard during 2 major holidays. We all have work and family commitments especially during major holidays and your decision to pick such a short period of time and now is just not ethical or right. A proposed development of this magnitude and the lack of notice and time frame as well as during holidays is unconscionable. I am requesting that the full hearing be postponed due to lack of appropriate notice (1 week) and that we as property owners in the Cloverdale Ridge Estates have not be allowed enough time to prepare for the full City Council hearing!

On top of this, what impact will this development require and it's impact on the surrounding wells both residential and commercial(Cloverdale Ridge Water Corporation wells). We have approximately 250 acres for agricultural land that can be affected by this development's water needs let alone are personal wells. What studies have been done regarding this issue to develop this subdivision at Falcon Crest? I understand there is plans to drill a large bore well to accommodate this development Where does the city stand if the Falcon Crest well impacts not only our residential wells, but our commercial well which has water rights? Will the city pay for any impacts to our wells do too reduced water static levels in our wells?

I would like to see your traffic study and the impact of the 1300 plus homes for this development which will impact Cloverdale Rd? Current Idaho Power's easement and placement of power poles limits one side of the road for expansion and personal property on the other side does as well, unless there are plans for condemnation of those homes property rights to make an expansion. I would appreciate the opportunity to see the documentation, however this short notice doesn't allow it.

What is the impact on school requirements, police, for present and future years. Are these costs absorbed by existing residence or is the development paying for this? How does the city know that this development company has the financial means to cover these costs and liabilities? We as current residents of Kuna should absorb these impacts now or in the future, especially our water resources.

In short there are too many questions, and what seems to be not enough studies or documentation to put forth this meeting or this development on January 2nd. I again request that this meeting be postponed and or stopped until there is a fully evaluated and documented proposal be provided before any development proceeds

Sincerely,

Jeff Caldwell
1581 Cow Horse Dr
Kuna ID 83634 .

From: [John Lawson](#)
To: [Troy Behunin](#)
Cc: [Briana Buban-Vonder Haar](#); [Richard Cardoza](#); [Warren Christensen](#); [Greg McPherson](#)
Subject: Falcon Crest public notice flyer - public comment
Date: Wednesday, December 26, 2018 9:53:14 PM

Mr. Behunin,

First and foremost I must object to the City of Kuna presenting the Falcon Crest Subdivision proposal at the first City Council meeting directly after the holidays. This notice allows citizens barely a week to prepare for the meeting and certainly appears to be an attempt by Planning and Zoning to diminish public input on this very controversial proposal. As a citizen of Ada County and a board member of the Cloverdale Ridge Water Corporation (which is a irrigation district of 40-50 year old multiple acre farms and home directly adjacent to this very extensive proposed subdivision); I am outraged that the City of Kuna would try to sneak this meeting through during the holidays. Consequently, Mr. Behunin, for the City to be upfront and open, I really must request that your department postpone the meeting until later in January or early February. I'm not sure how the City can plan to affect citizens of Ada County that have been a part of the Kuna community for multiple decades, without ample time to understand the full extent of impacts from this massive expansion. The City of Kuna plan for the Falcon Crest area has a potentially monumental affect on SW Ada County. As you know, the City of Kuna Engineer's office has not done any impact analysis on our area of Ada County, including and potentially and most importantly, our ground water resources. Citizen input during the Planning and Zoning meeting in November 2018, made it abundantly clear that the City has no idea of the proposed impact on ground water in the Falcon Crest area. The City has proposed to conduct a groundwater evaluation study in the area, coordinated with the State DEQ and IDWR. Before this study is complete, there is no way that the City of Kuna can plan this expansion before all the impacts have been analyzed. It was also quite clear that the traffic study does not fully address traffic impacts into the future, especially provided the limits of expansion of Cloverdale given Idaho Power's right of way on the east and the homeowners land boundaries adjacent to Cloverdale Road on the west. While you may decide to defer this to ACHD, we all know that ACHD is only a reactionary county agency, ill equipped to address excess impacts to areas that have no alternatives. In short, if this subdivision is allowed to proceed there will be extensive traffic issues into the future, with no method of alleviating the problems the subdivision has created. I am not clear as to how this can be considered as good planning.

Sir, if this plan is good enough to hear on January 2, 2019, it is clearly good enough to hear in February 2019. The City of Kuna has not done any critical impact analysis that will allow us to fully comprehend the extent of this development. Respectfully Mr. Behunin, please allow us to review this in total and don't try to push this through when people are away on holidays or are completing year end business transactions.

Lastly, I would like a to obtain a full copy of the traffic study performed for this planned subdivision. I would also like to see the water resources evaluation and the evaluation of the impacts to the City School system from the massive expansion. I will pay for a copy of the traffic study, if necessary. I am also willing to come to your office to obtain a copy or you can email a copy to me at this email address. However, I must request a copy BEFORE the scheduled meeting so that I can have adequate time to review it and provide information to other impacted citizens to understand how our life may change with this huge proposed development. Please contact me at this email or my phone number below to organize a time or method to obtain the traffic study.

Thank you

John Lawson
1357 Cow Horse Drive
Kuna, Idaho 83634
jmlcattle@gmail.com
208-651-4741

CC: Kuna City Council - Mayor Stear
Cloverdale Ridge Water Corp Board of Directors

On Dec 24, 2018, at 10:03 AM, Troy Behunin <tbehunin@kunaid.gov> wrote:

Good Morning,

Please review the attached PDF of the flyer sent out to notify land owners of the upcoming public hearing for the Falcon Crest annexation, rezone, PUD, CPM change, and pre plat.

Please let me know if you have questions, and please let me know you receive this email. The letter is also at the bottom of this email.

Thanks so much.

Merry Christmas to you and yours.

Troy

Troy Behunin
Planner III
City of Kuna
751 W. 4th Street
Kuna, ID 83634
TBehunin@KunaId.Gov

CONFIDENTIALITY NOTICE

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CITY OF KUNA

PLANNING & ZONING DEPARTMENT

PO Box 13 • 751 W. 4th St • Kuna, Idaho • 83634

Phone (208) 922-5274 • Fax: (208) 922-5989

www.kunacity.id.gov

<image009.jpg>

Dear Property Owner:

NOTICE IS HEREBY GIVEN: That the City of Kuna, **City Council** is scheduled to hold a public hearing on **January 2, 2019**, beginning at 6:00 pm concerning the following case(s):

An **Annexation, Preliminary Plat Comprehensive Plan Map Change, Rezone, Pre Annex-Development Agreement, and Planned Unit Development** request by JUB Engineers, to annex approximately 990 acres into Kuna City limits with a variety of zones throughout the project, including, R-6 (Medium Density Resident), C-2 (Commercial), and R-12 (High Density Resident) zones. This application proposes to change the Comp Plan Map for a portion of these lands from "Agricultural" use to "Mixed Use". This is a proposed multi-phased

Master-Planned Development. Applicant requests Preliminary Plat approval in order to subdivide approximately 132 acres into 409 single family lots, 58 common lots, and one commercial lot (total of 468 lots). The un-platted lands (approximately 858 ac.) will be developed in the future using the public hearing process. The project site is in Sections 15, 22, & 23 T2N, R1E, on the hard northeast corner of Cloverdale and Kuna Roads. Contact the P & Z Dept. for the parcel numbers involved with this application.

The hearing will be held **at 6:00 PM in the Council Chambers at City Hall located at 751 W. 4th Street, Kuna, Idaho.**

You are invited to provide oral or written comments at the hearing. Written testimony will be presented to the governing body at time of the hearing. Please note, oral comments made during the public hearing will be restricted to three (3) minutes per person. Mail written comments to PO Box 13, Kuna, ID 83634 or drop them off at City Hall, 751 West 4th Street, Kuna, ID.

If you have questions or need special assistance, please contact the Planning and Zoning Department at (208) 922-5274.

In all correspondence concerning this case, please refer to the case name:
18-03-AN (Annex), 18-01-CPM (Comp. Plan *MAP* Change), 18-02-ZC (Rezone), 18-01-PUD (Planned Unit Develop), 18-04-S (Pre Plat) and a Development Agreement: For the Falcon Crest Subdivision.

<image010.jpg>

EMAILED 12/24/18

<image005.png>

<image012.png>

<image005.png>

Suggestions For Testifying at the Public Hearing:

Be informed . . .

Review the proposal, the staff report, applicable provisions of the ordinance and comprehensive plan.

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, and concise comments. Redundant testimony is prohibited and **each individual is given three (3) minutes to comment.** Long stories, abstract complaints, or generalities may not be the best use of time. Neighborhood groups are encouraged to organize testimony and have one (1) person speak on behalf of the group -- "opposition representative," like the applicant's representative, receives 10 minutes to make comments. Applicant has five (5) minutes to rebut or discuss issues raised by any opposition.

If you don't wish to speak, write . . .

At most hearings, previously submitted written testimony may be reviewed by the governing body before the meeting. It is unreasonable to submit extensive written comments or information at the hearing and expect them to be reviewed prior to a decision. All documents or written comments should be submitted to the City of Kuna at least one (1) week **prior** to the hearing.

<image014.png>

<image005.png>

<450' Mailer Flyerf for CC 01.02.19.pdf>

From: [John Lawson](#)
To: [Briana Buban-Vonder Haar](#); [Mayor Stear](#)
Cc: [Richard Cardoza](#); [Warren Christensen](#); [Greg McPherson](#); [Troy Behunin](#)
Subject: Comments on the Falcon Crest Proposal P&Z officer out of the office???
Date: Wednesday, December 26, 2018 10:31:30 PM

Dear Mayor Stear and Kuna City Council,
Tonight I sent a full set of comments on the Falcon Crest Proposal that is proposed to be heard on January 2, 2019. We (the public) received the date for the next meeting just 2 days ago, however, per his email response, your P&Z director who is asking for these comments is conveniently out of the office until January 2, 2019, the day of the meeting. Mr Mayor and Council Members, if this is true, I must object to Mr. Behunin's behavior. He as clearly eliminated any public trust we could have in the system by asking for a meeting during the holidays and then to not be available to receive public comments until the day of the meeting? I hope you can reinstall some integrity into this process and delay this meeting until the City can appropriately receive public comments.

Thank you,
John Lawson
1357 Cow Horse Drive
Kuna, Idaho 83634
jmlcattle@gmail.com
208-651-4741

Troy Behunin

From: John Lawson <jmlcattle@gmail.com>
Sent: Monday, December 31, 2018 12:19 PM
To: Mayor Stear
Cc: Briana Buban-Vonder Haar; Richard Cardoza; Warren Christensen; Greg McPherson; Troy Behunin; Tyler Dibble; Liane Kerting-Vick
Subject: Falcon Crest hearing

Hello Mayor Stear,

I appreciate your reply and understand your concern for ex-parte' comments. On behalf of many of the residents that live adjacent to the planned Falcon Crest subdivision, there have been and will be many of us that will request that the Council table the Falcon Crest hearing due to an untimely meeting notification provided both through the mail and via email during the holidays. Can you please inform me as to when and how we can make the formal request to table the hearing? Ideally, we would like to make the request before the Council meeting or possibly before Council initiates the hearing for the subdivision. We will request a month extension to the Council meeting on February 5, 2019.

Respectfully,

John Lawson
1357 Cow Horse Drive
Kuna, Idaho 83634
jmlcattle@gmail.com
208-651-4741

On Dec 28, 2018, at 1:44 PM, Mayor Stear <mayorstear@kunaid.gov> wrote:

Mr. Lawson I have not ignored anything. I was trying to avoid conversations that would be considered ex-parte'. Notice has been given for the meeting and it will be a public hearing. You and yours are welcome to ask council table the hearing for a date certain.

Thanks

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546
<image001.jpg>

From: John Lawson [<mailto:jmlcattle@gmail.com>]
Sent: Friday, December 28, 2018 11:32 AM
To: Mayor Stear <mayorstear@kunaid.gov>
Cc: Briana Buban-Vonder Haar <bbuban@kunaid.gov>; Richard Cardoza <rcardoza@kunaid.gov>;

Warren Christensen <wchristensen@kunaid.gov>; Greg McPherson <gmcpherson@kunaid.gov>; Troy Behunin <tbehunin@kunaid.gov>; Mary Jepsen <jepsenm@cableone.net>; Tyler Dibble <tyler@tadibble.com>

Subject: Re: Comments on the Falcon Crest Proposal P&Z

Dear Mr. Mayor,

Thank you for your reply. However, I believe that you have ignored the most obvious issue associated with the public notice of the Falcon Crest subdivision being heard by the City Council on January 2, 2019. That is that we (the public and adjacent landowners) did not find out about the meeting until Christmas eve or Christmas day (both holidays) which allows us precious little time to prepare for this very important meeting. This meeting has been scheduled directly after the holidays when people have holiday travel plans, or families in town or are working diligently to complete year end business. As announced this timing allows about 4 days that are not weekends or holidays to respond to the meeting schedule. Kuna is a family oriented community so we all deserve to enjoy the holidays (just as your employees have done) so to hold this meeting directly after the holidays is borderline unethical. As I said before sir, if this meeting is so critical to our region that it must be heard on January 2, it can easily be postponed for a month to allow other important input from those of us most affected by this massive planned development. Please Mr. Mayor and City Council, I have spoke to many of my neighbors and they all agreed that you should postpone this meeting to make it fair for those of us most affected. We need time to discuss this with our neighbors and with other state and possibly federal agencies (who are also out on holiday beak) so we can understand the extent of the potential impacts to our lives. Thank you for taking my/our requests seriously and allowing us time to make this a fair hearing.

Sincerely,

John Lawson
jmlcattle@gmail.com
208-651-4741

On Dec 27, 2018, at 6:51 AM, Mayor Stear <mayorstear@kunaid.gov> wrote:

Mr. Lawson good morning. Public comments are asked for ahead of time in order to allow for the City Clerks office to include them in the packet. Whether or not Mr. Behunin is in, it will need to be added. Thank you for getting that in and we will be sure to include it.

Sent from my iPhone

On Dec 26, 2018, at 10:31 PM, John Lawson <jmlcattle@gmail.com> wrote:

Dear Mayor Stear and Kuna City Council,
Tonight I sent a full set of comments on the Falcon Crest Proposal that is proposed to be heard on January 2, 2019. We (the public) received the date for the next meeting just 2 days ago, however, per his email response, your P&Z director who is asking for these comments is conveniently out of the office until January 2, 2019,

the day of the meeting. Mr Mayor and Council Members, if this is true, I must object to Mr. Behunin's behavior. He as clearly eliminated any public trust we could have in the system by asking for a meeting during the holidays and then to not be available to receive public comments until the day of the meeting? I hope you can reinstall some integrity into this process and delay this meeting until the City can appropriately receive public comments.

Thank you,
John Lawson
1357 Cow Horse Drive
Kuna, Idaho 83634
jmlcattle@gmail.com
208-651-4741

Troy Behunin

From: Mayor Stear
Sent: Wednesday, December 26, 2018 10:19 AM
To: Matt Taplin
Cc: Troy Behunin; Wendy Howell; Jace Hellman
Subject: RE: Highly Concerned about proposed development at Falcon Crest golf course

Matt Good Morning.

As this is up for public hearing, it is considered ex-parte' communications for myself or council to discuss ahead of time. I would urge you to attend the public hearing for this project if you are able. If you are not, you can send in a written statement to be in the packet on the project.

I will say that our hands are somewhat tied when it comes to property owners rights. When people testify at these public hearings, it might not go the way that they want it to but council is listening and we have made some changes to make projects better. I will also say that this rapid growth across the Treasure Valley is quite concerning to me on a personal level and is effecting every city in our reign.

I will be sending this to the planning and zoning department to add to the record so that we are not in violation of law.

Thank You so much!

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

-----Original Message-----

From: Matt Taplin [mailto:taplin@rocketmail.com]
Sent: Monday, December 24, 2018 3:22 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject: Highly Concerned about proposed development at Falcon Crest golf course

Dear Mayor Stear,

As our mayor and longtime Kuna resident, we know that you are fully versed on the proposed changes to the Falcon Crest area and the annexation of over 1000 acres of land for development. The City of Kuna has annexed more land that it has ever annexed before with little to no evaluation of environmental impacts or impacts to adjacent landowners. Our house was built in 1985 by my father in law and has been owned by my wife and I for 12 years and has always been in the family. We are concerned that this development will adversely affect our ability live in our homes without a large economic, environmental and social impact to us as individuals (land values, water well impacts, increased traffic, even more crowded schools and crime). Please Mayor Stear, we urge you to stop this process and allow the City of Kuna and us as residents to fully evaluate this proposal before it is fully approved.

Sincerely,
Matthew Taplin

Troy Behunin

From: Wendy Howell
Sent: Friday, December 28, 2018 2:01 PM
To: Troy Behunin
Subject: FW: Postponement of meeting

-----Original Message-----

From: Mayor Stear <mayorstear@kunaid.gov>
Sent: Friday, December 28, 2018 1:38 PM
To: Wendy Howell <whowell@kunaid.gov>
Subject: FW: Postponement of meeting

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

-----Original Message-----

From: Matt Taplin [mailto:taplin@rocketmail.com]
Sent: Friday, December 28, 2018 1:18 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject: Postponement of meeting

Dear Mayor Stear,

I am a neighbor to the planned Falcon Crest Subdivision and I must object to the meeting notification timing presented by the Planning and Zoning Department of the City of Kuna. Please allow us time to prepare for this meeting, after the holidays so that we can enjoy this time with family and friends. I would request that you hear the information for the subdivision until February 2019 so I can better understand the impacts to my home and life from this subdivision.

Sincerely,

Matthew Taplin
Resident of Cloverdale Ridge Estates

Sent from my iPhone

11/13/18
City Hall
PO Box 13
Kuna, ID 83634
Regarding: Annexation of land for Falcon Crest development

RECEIVED
NOV 16 2018
CITY OF KUNA

At this time the Falcon Crest proposed sub division should not be annexed into the City of Kuna. According to the attached City of Kuna - City limits map the proposed area on the corner of Cloverdale Rd & Kuna Rd do not meet the requirement of the Planning and Zoning Commission Case number 15-01-AN page 3 paragraph F "stating that the parcel must touch existing City Limits". The enclosed map was printed on 11/13/18 from the Kuna Idaho Planning & Zoning Map website.

There is a new article from KTVB date July 7 2017 that 8 housing developments are currently underway. How many of those are completed? Kuna currently doesn't have the infrastructure to support more people moving in? I hear from neighbors the schools are crowded. Do we have enough police and fire equipment and staff to support the current developments let alone Falcon Crest?

How will first responders be increased and who is paying for that increase in staff and equipment? How much financial responsibility will Falcon Crest take on?

Will Falcon Crest develop and staff the small fire station currently not in use on the corner of Kuna Rd & Five Mile Rd?

Cloverdale road is already congested with commuter traffic heading back into Meridian and Boise. Falcon Crest original proposal was to build a total of 1200 homes between single family & apartments. The existing roads of Cloverdale Rd and Kuna Rd can't support another 1200-2200 cars (1-2 cars per family) coming into the subdivision. Which roads will the Falcon Crest Development exit onto, Kuna Rd or Cloverdale? Will there be turn lanes and traffic lights? Who is paying for the road improvements?

Is Kuna Rd going to be extended over Federal and State land to extend Kuna Rd to Cole Rd to help with road congestion?

Are existing houses around the proposed annexation going to be annexed into the City limits?

My husband and I moved to Kuna because it's a small town with a lot of charm. We wanted to be out of the city and not have houses and neighbors stacked on top of us. From my house I can look west at the beautiful sunset and enjoy the peace and quiet. On Falcon Crest's original proposal they want to build a section of apartment buildings. If allowed to build apartment buildings I will no longer get my view of the setting sun on the horizon. I consider the proposed site a rural community and apartments have no business being out there obstructing the sky line. The original proposal from Falcon Crest was to put six single family homes per acre, People move out into this area for larger parcels and more space.

I urge the Planning & Zoning Commission to slow down on housing developments. Develop the cities infrastructure (roads, schools, restaurant that are not fast-food) and finish the housing developments that currently have approval before moving forward with Falcon Crest or any other proposed development.

Thank you

Natalie Henderson
Natalie Henderson



CITY OF KUNA
PLANNING & ZONING DEPARTMENT
PO Box 13 • 751 W. 4th St • Kuna, Idaho • 83634
Phone (208) 922-5274 • Fax: (208) 922-5989
www.kunacity.id.gov

COURTESY NOTICE

Dear Property Owner:

NOTICE IS HEREBY GIVEN: That the City of Kuna **Planning & Zoning Commission** was scheduled to hold a public hearing on October 23 2018. However, staff is requesting that this be tabled (delayed) again, until November 27, 2018, beginning at 6:00 pm concerning the following case(s):

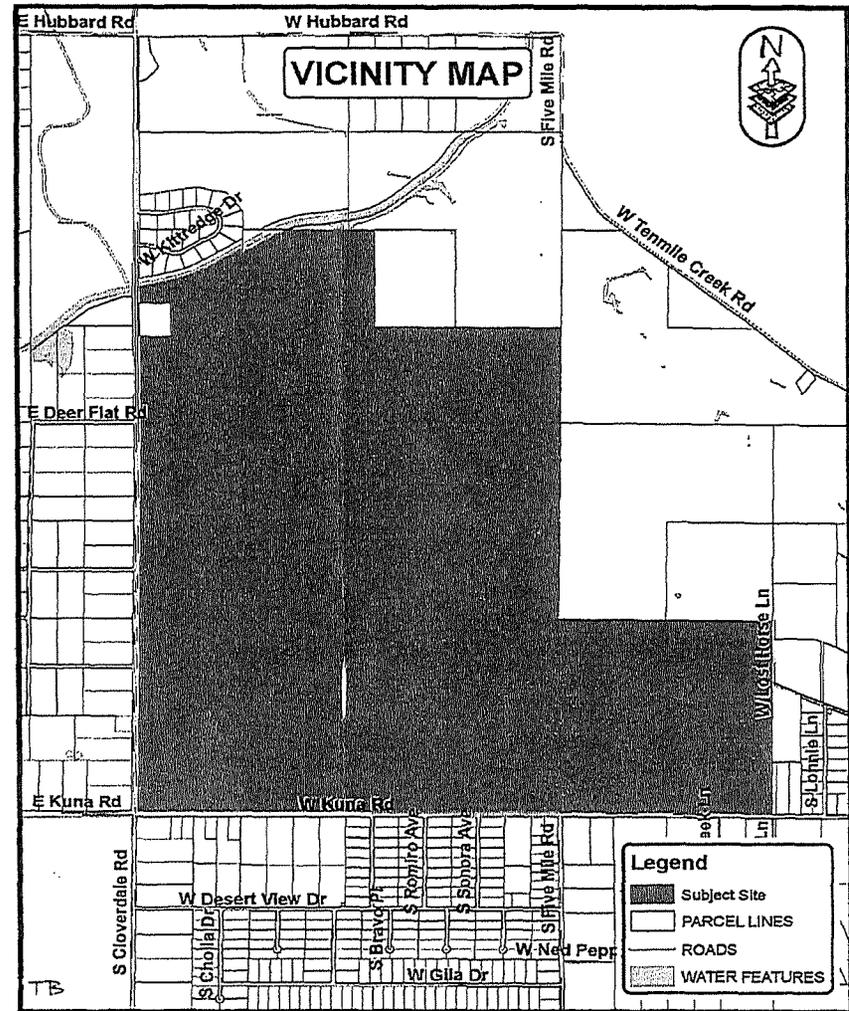
An **Annexation, Preliminary Plat Comprehensive Plan Map Change, Rezone, Pre Annex-Development Agreement, and Planned Unit Development** request by Scott Wonders with JUB Engineers, to annex approximately 990 acres into Kuna City limits with a variety of zones throughout the project, including, R-6 (Medium Density Resident), C-2 (Commercial), and R-12 (High Density Resident) zones. This application proposes to change the Comp Plan Map for a portion of these lands from "Agricultural" use to "Mixed Use". This is a proposed multi-phased Master-Planned Development. Applicant requests Preliminary Plat approval in order to subdivide approximately 132 acres into 409 single family lots, 58 common lots, and one commercial lot (total of 468 lots). The un-platted lands (approximately 858 ac.) will be developed in the future using the public hearing process. The project site is in Sections 15, 22, & 23 T2N, R1E, on the hard northeast corner of Cloverdale and Kuna Roads. Contact the P&Z Dept. for the parcel numbers involved with this application.

The hearing will be held at **6:00 PM in the Council Chambers at City Hall located at 751 W. 4th Street, Kuna, Idaho.**

You are invited to provide oral or written comments at the hearing. Written testimony will be presented to the governing body at time of the hearing. Please note, oral comments made during the public hearing will be restricted to three (3) minutes per person. Mail written comments to PO Box 13, Kuna, ID 83634 or drop them off at City Hall, 751 West 4th Street, Kuna, ID.

If you have questions or need special assistance, please contact the Planning and Zoning Department at (208) 922-5274.

In all correspondence concerning this case, please refer to the case name: 18-03-AN (Annex), 18-01-CPM (Comp. Plan MAP Change), 18-02-ZC (Rezone), 18-01-PUD (Planned Unit Develop), 18-04-S (Pre Plat) and a Pre Annex/Development Agreement: Falcon Crest Subdivision.

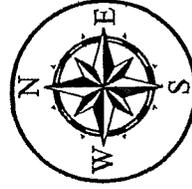


MAILED 10/18/18



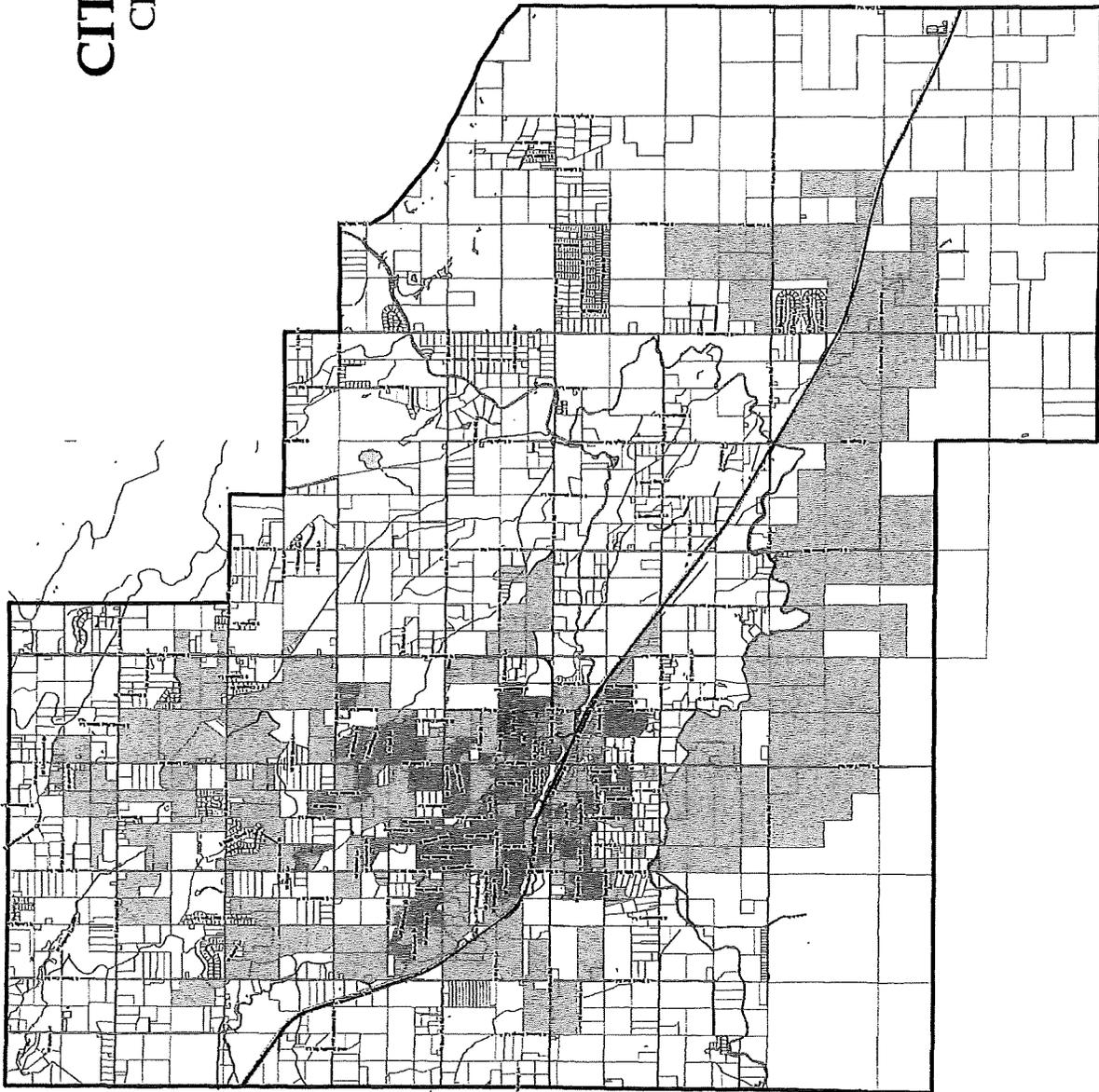
CITY OF KUNA

CITY LIMITS MAP



LEGEND

-  CITY LIMITS
-  ROADS
-  RAILROAD
-  WATERBODIES



Troy Behunin

From: Rebecca Goodner <rgoodner@cableone.net>
Sent: Tuesday, December 18, 2018 8:52 AM
To: Troy Behunin
Subject: Falcon Crest perposed 1000 new homes/water rights

Mr. Behunin,

My name is Rebecca Goodner, I live across the street from the purposed Falcon Crest home project. I am extremely concerned about this project and how it will not only impact the traffic on Cloverdale Rd.

but the WATER they will need to feed the purpose 1000 homes.

City Council needs to consider our water use in their plans, we need a full and objective evaluation of the impact on our wells. Many years ago the Idaho Dept of Water Resources over appropriated water for our area and that could cause us issues in the future. Our Water Corporation has Senior water rights but the City may use politics to take our water rights out of the equation.

I am asking you to please keep this in mind when voting on this, and please keep us informed moving forward.

Respectfully,

Rebecca L Goodner

12555 S. Cloverdale RD.
Kuna, Idaho 83634

Troy Behunin

From: Casey Hiatt <rchvandal@gmail.com>
Sent: Thursday, December 20, 2018 11:55 AM
To: Troy Behunin
Subject: Falcon Crest Development

Mr Behunin,

I own a home and acreage on Cloverdale road across from Falcon Ridge golf course. As I am sure you are aware, a large bore well is being proposed for potentially 1000's of new homes for the Falcon Ridge Project. The surrounding homes and land owners have already lost wells over the past few years. I am very concerned that the proper studies of this new mega wells impact on existing wells and the water tables are being overlooked by the developer, and or the governing body responsible for approving such a development.

If the proposed mega-well is drilled, by the time it is realized it was a mistake it will be too late, and more wells could undoubtedly dry up. Many of the water rights potentially affected date back to the 1960's and 70's, and in an era of water being such a valued commodity I think it is evident how important it is to protect what already exists ahead of what might be. Land that once had a value because it was irrigated becomes burnt and dry, making it next to worthless.

I am an Idaho native, knowing that growth is a great thing for this community, as long as the existing population and their basic needs and lives are not ignored to make room for progress.

I respectfully request that before our community swallows this pill, that a more recent and accurate assessment of the water table is done, as well as a traffic impact analysis. This will certainly provide the information needed to make all impacted sleep at night. The additional several thousand cars down this two lane road could prove to be a nasty and dangerous venture to pull out on if a plan is not implemented.

So that I may continue to keep myself abreast of any new information available, I would like to enter my request to please be kept up to date on all communications and meetings that arise regarding this project. I assume a list of emails are kept for such communications.

Thank you for your help Troy,
Rex Hiatt

Troy Behunin

From: Mayor Stear
Sent: Friday, December 28, 2018 3:29 PM
To: Chris Engels
Subject: FW: Falcon Crest subdivision postponement

#1

Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546



From: Casey Hiatt [mailto:rchvandal@gmail.com]
Sent: Friday, December 28, 2018 2:50 PM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject: Falcon Crest subdivision postponement

Mayor Stear,

I am a resident across Cloverdale from the Falcon Crest golf course and proposed subdivision. I am writing to please request a postponement of the January 2 meeting as the short lead time has put me out of town on that date. It seems as though there is a true lack of concern for the issues brought up by the neighboring property owners and feels as though this thing is being pushed through no matter what the case may be.

The major concerns are the demand a huge megawell will put on the water table, and the traffic pattern changes neither which are being addressed by a proactive process. Please Mayor, help the governing powers see that the existing community and their well being is as important as growth and make an otherwise sour experience more palatable. I would hate to lose a whole handful of wells because a recent analysis of the water demand was not done by the developer and this city. Growth is inevitable but doesn't have to be uncomfortable.

Thank you for your help,
Rex Hiatt

Troy Behunin

From: Scott Erickson <swerickson7@gmail.com>
Sent: Thursday, December 20, 2018 1:14 PM
To: Troy Behunin
Subject: evaluating proposed development cloverdale and kuna road

Mr. Behunin,

Please add me to your distribution list regarding current and future information related to the proposed development of the land around Falcon Crest golf course. I am a home owner directly west of the proposed development and have some concerns about traffic implications, water rights, and other considerations such as schools, police and fire,

thank you,

Scott Erickson
6350 Reining Horse Dr
Kuna, ID
83634
208-949-9722
swerickson7@gmail.com

Scott Erickson
6350 Reining Horse Drive
Kuna, ID 83634

12/30/2018

Kuna Planning and Zoning Commission, Kuna City Council, and Mayor Stear

Reference: Case 18-03-AN, 18-01-CPM, 18-02-ZC, 18-01-PUD, 18-04-S and a Development Agreement: For the Falcon Crest Subdivision

Dear Kuna Planning and Zoning Commission, Kuna City Council, and Mayor Stear:

Please consider the following points regarding the proposed annexation of approximately 990 acres on the northeast corner of Cloverdale and Kuna Roads. As a property owner fronting Cloverdale directly across from the proposed annexation, I am strongly advocating for reasonable, carefully planned steps such that any development in this area provides continued quality of life, and safeguards our finite resources, especially fresh air and water.

- What plans are in place to build the infrastructure necessary to support and sustain 400+ homes, literally thousands of new residents in this area?
 - Specifically, what is the timing plan/forecast for widening Cloverdale?
 - Sewer system plan?
 - Surface water run-off plan? Significant water drains from East to West into Cloverdale Ridge Estates. Assurances or plans to understand and manage the impact to surface water quality or volume?
 - Police/Fire/School plan?
 - Environmental impact of large bore well? Who has studied this and what data suggests the impact to the ground water table? I have a private well and am concerned that my well could literally dry up
- As development of some sort is expected, please consider the long-term value of these items:
 - Gather data, and make decisions based on that data—how many cars per road, houses per well, people/acre, etc.
 - Build only low density subdivisions. R-12, for example, would provide immediate and lasting problems that simply cannot be reversed
 - Avoid large private lawns that would require water; instead, plan small to zero-scape style yards (Arizona desert style vs. traditional Meridian, Idaho)
 - Include shared public green space in an effort to be significantly less wasteful and foster a greater sense of community over dense subdivision “feel”
 - Think about and plan for the wildlife in this area. I feel that the true value in living in the country is critically lost without natural habitat—Idaho native plants and grasses are awesome, and take no costly maintenance. How hard would it be to build natural-scapes into the plan?

Sincerely,



Scott Erickson

received
12.31.2018



Scott Erickson
6360 Reining Horse Dr.
Kuna, ID 83634

Kuna Planning & Zoning
Reference: 18-03-AM
FALCON CREST Subdivision

Troy Behunin

From: Personal Gmail <sphaase1@gmail.com>
Sent: Wednesday, December 26, 2018 7:33 PM
To: Troy Behunin
Subject: Meeting Jan 2 2019–Falcon Crest Development / Cloverdale

First, send me copies of All notices—your last email was confusing—either I have been added or I have not to the list of Kuna citizens.

It is unbelievable that a public hearing of this magnitude affecting 50 families was not scheduled and all of those concerned notified 30 days not 5 days of the meeting.

Please explain what the meeting on 1-2-2019 is scheduled for and if it is a vote to approve the development at Falcon Crest Golf course I do not believe you have given sufficient notice nor do I believe the date you selected was appropriate or legal—

Regards

Steven Haase

Troy Behunin

From: Personal Gmail <sphaase1@gmail.com>
Sent: Wednesday, December 19, 2018 5:12 PM
To: Troy Behunin
Subject: Cloverdale/ Falcon crest development

I would like to request information and added to the list of people that you will notify when there is new information and when there are public meetings.

It appears the city council has already favored the proposal by the developer but as I am sure know those of us that live near by are or can be affected by the councils decisions. Please add me to the list of concerned land owners.

My name is Steven Haase and I live at 6144 E. Deer Flat rd. I have water rights to irrigate my 5 acres and I have a domestic well.

Thank you.

Regards

Steven Haase

Troy Behunin

From: Troy Behunin
Sent: Wednesday, January 02, 2019 12:48 PM
To: 'Terri Hisel'
Subject: Falcon Crest Development

Terri,
I will make sure the Council receives a copy of your letter.
Thank you,
Troy

From: Terri Hisel [mailto:tlhisel@gmail.com]
Sent: Tuesday, January 01, 2019 12:54 PM
To: Troy Behunin <tbehunin@kunaaid.gov>
Subject: Falcon Crest Development

Dear Sirs and the honorable Mayor of Kuna:

I am a property owner in Cloverdale Ridge Subdivision just West of Falcon Crest Golf Course. I would like to express concerns regarding the proposed development surrounding the golf course and it's potential negative impact on surrounding neighborhoods and our water source. Proper water studies have not been completed to determine the impact on our current water sources and the meetings held have not been favorable to property owners. All property owner's deserve complete understanding of how this development will affect our homes and property's.

Please reschedule this meeting so that proper studies can be done and more folks can attend to receive this very important information. It important to us as land and home owners and this meeting is being held at a very inopportune time due to the holidays. Many of us are out of town and there was very little notice regarding this meeting!

When golf course representatives presented a development many years ago, it was based on large rural lots and only a few homes around the course. This new proposed development will have a huge impact on our water, traffic and the country lifestyle we have all worked very hard to maintain. While we understand our city is growing, a development of this magnitude deserves a great deal more research and consideration than we feel it has received.

Please consider moving this meeting to early February to allow for more home owner's to attend and proper time for more research to be done.

Sincerely,
Terri Hisel
Treasurer, Cloverdale Ridge Water Corporation

Troy Behunin

From: Tyler Dibble <tyler@tadibble.com>
Sent: Monday, December 31, 2018 1:35 PM
To: Mayor Stear
Cc: Warren Christensen; Briana Buban-Vonder Haar; Richard Cardoza; Greg McPherson; Troy Behunin
Subject: Falcon Crest Hearing

Dear Mayor Stear,

I am the acting President of the Cloverdale Ridge Water Corporation that provides irrigation water services to the Cloverdale Ridge Estates Subdivision as well as other properties that neighbor the subdivision. The short notice that was given to the public especially the properties that neighbor the proposed Falcon Crest Subdivision for this hearing is totally insane, especially since it was sent out via email on Christmas Eve and or received in the mail on Friday or Saturday of last week. During the holidays, many people were out of town or businesses were not open. It sure makes the City of Kuna appear to be trying to push something through when few people would notice especially since there are huge issues at hand for this subdivision if it were to go through at this point.

I am asking as the acting president of the Cloverdale Water Corporation that this hearing for the Falcon Crest subdivision be postponed until the February 5th 2019 hearing. It is important that our corporation and aligning neighbors have adequate time to put together files and concerns that need to be brought to the Council's attention before a decision is made on this development.

I would also like to stress that no studies have been done for the short and long term impact to ground water for this area, school overcrowding impacts, and municipal impacts to the surrounding properties. It is my opinion as a representative of our corporation and our neighbors that it's very imperative for the people elected to public offices do their due diligence before making a decision of this size, and not just rely on the developer to present all the positive options. None of these studies have been done to date and after being present at the Planning and Zoning council meeting I can see that there are no experts on the City staff that can address these impacts objectively.

Sincerely,
Tyler Dibble

Troy Behunin

From: Mayor Stear
Sent: Friday, December 28, 2018 3:30 PM
To: Chris Engels
Subject: FW: Falcon Crest Subdivision

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Joe Stear
Mayor of Kuna Idaho

751 W. 4th St.
PO Box 13
Kuna Idaho 83634
www.KunaCity.id.gov
(208) 922.5546

-----Original Message-----

From: BJ H [<mailto:b.j.henningfeld@gmail.com>]
Sent: Friday, December 28, 2018 11:57 AM
To: Mayor Stear <mayorstear@kunaid.gov>
Subject: Falcon Crest Subdivision

Dear Mayor Stear,

I live right across to the planned Falcon Crest Subdivision and I must object to the meeting notification timing presented by the Planning and Zoning Department of the City of Kuna. Please allow us time to prepare for this meeting, after the holidays so that we can enjoy this time with family and friends. I would request that you hear the information for the subdivision until February 2019 so I can better understand the impacts to my home and life from this subdivision.

Sincerely,

B.J. Henningfeld
(208) 570-3507
11893 S Cloverdale Rd

