

## 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**  
**Tuesday, February 5, 2019**

**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 - Absent  
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

Mayor Stear noted Council Member Cardoza was having trouble with his knee surgery and was absent again. He hoped he could get healed up soon.

### **2. Invocation:** Russell George, Changed Life Church

### **3. Pledge of Allegiance:** Mayor Stear

### **4. Consent Agenda:** ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS (Timestamp 00:01:43)

*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.*

NOTICE: Copies of all agenda materials are available for public review in the Office of the City Clerk. Persons who have questions concerning any agenda item may call the City Clerk's Office at 922-5546. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 922-5546 at least forty-eight (48) hours prior to the meeting to allow the City to make reasonable arrangements to ensure accessibility to this meeting.

**A. City Council Meeting Minutes:**

**I. Regular City Council Minutes, January 15, 2019**

**B. Accounts Payable Dated January 31, 2019 in the Amount of \$615,511.04**

**C. Resolutions**

**1. Consideration to approve Resolution No. R03-2019**

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE DEED OF PUBLIC IRRIGATION EASEMENT AND GRANT AND COVEYANCE OF MUNICIPAL IRRIGATION SYSTEM UTILITY PIPELINES FROM SDN LLC.

**2. Consideration to approve Resolution No. R04-2019**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY BLACK CREEK LP, FOR THE MERLIN POINTE SUBDIVISION NO. 1 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING, STREET LIGHTS AND PRESSURE IRRIGATION BORING PURSUANT TO THE TERMS OF THIS RESOLUTION.

**3. Consideration to approve Resolution No. R05-2019**

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY RRC CONTRACTORS INC, FOR THE ENSIGN SUBDIVISION NO. 2 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

**4. Consideration to approve Resolution No. R06-2019**

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE DEED OF PUBLIC UTILITIES EASEMENT, GRANT AND CONVEYANCE OF UTILITY PIPELINES USE AGREEMENT, ASSIGNMENT OF PUBLIC UTILITY RIGHTS TO CONSENT TO USE AGREEMENT FROM TOLL ID I LLC.

**5. Consideration to approve Resolution No. R07-2019**

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE DEED OF PUBLIC UTILITY EASEMENT FROM JOSEPH JOHN KOUDELKA, III AND JUDY KOUDELKA BLACKETT.

**D. Finds of Fact and Conclusions of Law**

1. Consideration to approve Findings of Fact and Conclusions of Law for Case No. 18-05-S (Preliminary Plat) for Lete Commercial Subdivision.
2. Consideration to approve Findings of Fact and Conclusions of Law for Case No. 18-02-S (Preliminary Plat) for Madrone Heights
3. Consideration to approve Findings of Fact and Conclusions of Law for Case No's 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
4. Consideration to approve Findings of Fact and Conclusions of Law for 18-03-ZC (Rezone) for Kuna School District New CTE High School

Council Member McPherson noted on page 4, number 5 of 4D1, it should read Fire District instead of Kuna Municipal Irrigation District for fire protection.

**Council President Buban-Vonder Haar moved to approve the consent agenda with the correction to 4D1. Seconded by Council Member McPherson. Approved by the following roll call vote:**

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

**Voting No: None**

**Absent: Council Member Cardoza**

**Motion carried 3-0-1.**

**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 First Reading of Ordinance No. 2019-04 – Wendy Howell, Planning & Zoning Director ACTION ITEM**  
*(Timestamp 00:02:58)*

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS; AND
- AMENDING SUBSECTION 2 OF SECTION 6 OF CHAPTER 1 OF TITLE 5 KUNA CITY CODE BY THE ADDITION OF THE FOLLOWING: “DATA PROCESSING FACILITY”, “OFFICE (HOME OCCUPATION),” “REPAIR SERVICE,” RESEARCH AND DEVELOPMENT BUSINESS,” AND “RESEARCH AND DEVELOPMENT FACILITY” TO “MEANINGS OF TERMS OR WORDS”; AND

- AMENDING SECTION 2, CHAPTER 3, TITLE 5 OF THE KUNA CITY CODE, REGARDING THE DEFINITION BOOK TITLED, “A PLANNERS DICTIONARY” UTILIZED FOR LAND USE DEFINITIONS; THE OFFICIAL SCHEDULE OF ZONING DISTRICT REGULATIONS AND THE “LAND USE TABLE” THEREIN; AND AMENDING DESIGNATIONS OF THE ZONING DISTRICT PERMITTED LAND USES AND DESIGNATIONS OF LAND USES WITHIN ZONING DISTRICTS THAT REQUIRE A SPECIAL USE PERMIT; AND MAKING TECHNICAL AMENDMENTS TO THE “LAND USE TABLE FOOTNOTES”; AND
- ADDING CHAPTER 5, TITLE 5 OF THE KUNA CITY CODE, BY ADDING A NEW SECTION 7 BY RECODIFYING SECTION 5-5-6 TO SECTION 5-5-7 WITHOUT ANY AMENDMENT TO THE PROVISIONS THEREIN; AND
- AMENDING CHAPTER 5, TITLE 5 BY THE ADDITION THERETO OF A NEW SECTION 6 PROVIDING FOR ZONING REGULATIONS FOR SOLID WASTE ENCLOSURES AND LOCATIONS; AND
- AMENDING SECTION 3, CHAPTER 9, TITLE 5 TITLED “PARKING SPACE REQUIREMENTS” MAKING TECHNICAL AMENDMENTS TO THE PARKING SPACE REQUIREMENTS FOR APARTMENTS AND MULTI-FAMILY DWELLINGS DEVELOPMENTS;
- AMENDING SECTION 12 OF CHAPTER 17, TITLE 5 TITLED “BUFFER AREAS; COMMON LOTS” PROVIDING FOR DESIGN REQUIREMENTS AND ADDING DESIGN REQUIREMENTS FOR APARTMENTS AND MULTI-FAMILY DEVELOPMENTS;
- PROVIDING A SEVERABILITTY CLAUSE
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Planning & Zoning Director Wendy Howell did not have anything specific to report on this item but she would stand for questions.

Council President Buban-Vonder Haar took a moment to inform any who were in the audience for Arbor Ridge Villas that it was not happening that night.

Mayor Stear read the ordinance summary and explained these changes would remove multi-family from the commercial zoning designation and required it to have the R zoning that fit, whether that would be R-8 or R-12 or whatever was appropriate, and changed up some of the designations on what dumpster enclosures looked like for J&M Sanitation. Mr. Gordon was available for questions about dumpster enclosures.

Mayor Stear opened the public hearing.

Mayor Stear added this addressed a situation Council had been discussing for quite a while, getting the multi-family out of the C-1 designation and making it not so easy as a permitted use, and allowing for more discussion on what went on with those.

Support: None

Against: None

Neutral: None

Rebuttal: None

**Council President Buban-Vonder Haar moved to close the evidence presentation and proceed to deliberation. Seconded by Council Member McPherson. Motion carried 3-0-1. Council Member Cardoza was absent.**

Council President Buban-Vonder Haar asked Council's feelings regarding fast tracking or slow tracking this item.

Council did not see a need to slow track it.

**Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2019-04. Seconded by Council Member McPherson. Motion carried 3-0-1. Council Member Cardoza was absent.**

Council President Buban-Vonder Haar asked for clarification on how the approval motion should be worded. There was a proposed motion in the packet that was very long.

City Attorney Bill Gigray explained they could just approve the ordinance and did not have to read that whole proposed motion.

**Council President Buban-Vonder Haar moved to approve Ordinance No. 2019-04. Seconded by Council Member McPherson. Approved by the following roll call vote:**

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

**Voting No: None**

**Absent: Council Member Cardoza**

**Motion carried 3-0-1.**

**Council President Buban-Vonder Haar moved to approve summary publication of Ordinance No. 2019-04. Seconded by Council Member McPherson. Motion carried 3-0-1. Council Member Cardoza was absent.**

**B. Public Hearing and consideration to approve 18-01-S (Preliminary Plat) for Whisper Meadows Subdivision – Troy Behunin, Planner III ACTION ITEM  
(Timestamp 00:11:58)**

Jeff Bower, representing the applicant, requests approval to subdivide approximately 73.50 acres into 310 buildable lots, 38 common lots. The subject site is located *near* the northwest corner of Linder and Columbia Roads, Meridian, Idaho, ID 83642, within Section 2, Township 2 North, Range 1 West, B.M. (APN#'s R1393850100, R1693860010, R1693860290 and R1693860280).

Jeff Bower, representing the applicant, presented a printed version of a Power Point presentation and revised landscape plans to Council and gave a brief overview of the project. They agreed with the staff report and their comp plan analysis. He stood for questions.

Brett Korporaal, an Engineering Associate with Kittleson & Associates at 101 S Capitol Boulevard, Suite 301, Boise, Idaho 83702, reviewed the transportation study and how it addressed community concerns and stood for questions.

Slides were in paper form, not in Power Point electronic format. Copies were distributed to Mayor and Council by the applicant's representative.

Mayor Stear opened the public hearing.

Planner III Troy Behunin shared Planning & Zoning Director Wendy Howell was handed 2 letters just before the meeting began. The letter from Josh Ricciardi was already in the packet along with another from him. The letter from Dru Wright was not in the packet so Mr. Behunin passed it out to Council. He reviewed the staff report and stood for questions.

Mayor Stear read the letter from Dru Wright in to the record which stated his concerns regarding the density of the project and inconsistencies with city code and the comprehensive plan.

Support: None

Neutral:

Richard Durrant, 7592 S Ten Mile Road, Meridian, Idaho 83642, signed up neutral because he liked to maintain a working relationship with Mr. Eck. They had some discussions but had not come up with any answers so Mr. Durrant wanted to make sure these points were on the record in case there were issues down the road. He was wearing 2 hats. He had some things that went with the David-Richard Durrant Trust, which was the property, and the Big D Ranch, which had been farming the property for the last 18 years. The first issue was the drainage of waste water. They had an irrigation ditch along Columbia and the wastewater runoff from Danskin along the

south side of Columbia ran into that water and went down into a pipeline along the back lots of Chisum Valley Subdivision so there was a 12" pipe coming down the backside of that subdivision. Historically, before he put his pivot irrigation system in, that went into a drain ditch that went to the waste water recovery ponds on the north west portion of this proposed development. He wanted to document that, when he put his pivot in, they moved that waste ditch over so it was out of the way of that pivot and he wouldn't have to run another set of tires through the open ditch that was historically there.

Mr. Durrant also shared his concern, as was previously brought up, that Chisum was getting half acre lots along their border and he was getting 15 lots along his border. That was 15 new neighbors for him to contend with. He stated, nothing against the members of Chisum, but from pivot motors running, water switching, keeping people up at night, blocking their view of Bogus, and all kinds of issues he had had to deal with neighbors, he had a lot of concerns. He asked if Chisum was getting granted special treatment for their lot sizes, why was nothing offered to him for bigger lot sizes. He had 1 lot getting 15 neighbors and each lot there was only getting 2 neighbors. He asked if that meant, if he wanted to develop in the future, he could have an R-30 development next to those guys and they wouldn't complain.

Mr. Durrant also noted a lot had been said about ACHD and them approving the plat and the proposed Durrant Lane, School Street that might go through in the future. When they got down to that subdivision, they were only giving up 15-20% of their property for their proposed development and if that was ever done in the future, he would be giving up 80% of his property for any future road right-of-way. Nothing seemed fair with that.

Mayor Stear noted Mr. Durrant's time was up and asked him to wrap it up.

Mr. Durrant stated the main thing was the waste water recovery pond on the end of their property which was not fenced and nothing had been proposed from the developer to provide any safeguards from drownings or other issues. The other thing from Big D Ranch was on the pivots. There were 3 lots to the north of this proposed subdivision that previously provided water through there. When he put the pivot in, he assured those land owners they would be receiving their irrigation water if the pivot ever left their property.

Mayor Stear thanked Mr. Durrant.

Against:

Shannon Luckie, 7714 S McLintock Place, Meridian, Idaho 83642, thanked Council for hearing the testimony. She lived in Chisum Valley and her biggest concern was the safety of that subdivision hooking into their roads. They were an R-1 rural subdivision and did not have any sidewalks. In fact, the roadways did not butt up against their properties as far as grass or curbing. They had barrow pits for drainage

of water which were filled with decorative rocks or river rock. Their kids did not have places to ride bikes or go up and down to the school bus except in the road. Having 309 homes with access to that road was a major concern of theirs. She thought in 1994 ACHD probably did not foresee a development of that size going in behind there and accessing those roads. Even the developer himself tried to get a waiver. She thought he could probably foresee the safety issues there but it was denied by ACHD. She got the impression they were more reactive than proactive. She had lived in that subdivision for 20 years and the intersections of Columbia and Ten Mile and Columbia and Linder were not made 4-way stops until there were fatalities there. She asked that Council consider that and be proactive and understand their safety concerns. She stood for questions.

Stephanie Kennedy, 7638 S McLintock Place, Meridian, Idaho 83642, stated after 7 years of looking for her dream home she finally found it in Chisum Valley Subdivision. She was told at that time and shown a plat that depicted acreage directly behind their subdivision with 30 homes per section, a 60-home total, of similar home size and acreage to theirs. The very reason they bought their homes would be negated if they allowed Whisper Meadows' 310 homes to be built. According to Mr. Eck's plan McLintock Place was not to be a thoroughfare but ACHD had ruled that it would be a main artery for the proposed subdivision. With this new mandate she requested a new impact study, both environmental and traffic, be conducted and reviewed because they firmly disagreed with the number of cars and traffic, they suggested 310 homes would add to their neighborhoods.

Ms. Kennedy explained McLintock and Chisum Way roads had no shoulders for cars to pull off of the road. They had deep stream like drainage ditches on both sides of the road. Again, no place for cars or people to get off of the road. They had no sidewalks so a pleasurable walk with their animals or a safe place for their many children to ride their bikes or simply walk to friends' homes would now be out of the question. In fact, with all of the additional cars using their subdivision it would even make backing out of their driveways difficult. Columbia Road was 50 mph. There were no egress lanes to slow and transition into and out of their subdivision. She envisioned many accidents as they attempted to pull into and out of their subdivision as cars travelled so fast on Columbia Road.

Ms. Kennedy also noted the addition of the new high school along with the new subdivisions already under construction would slow and greatly diminish the response time, when emergencies occurred, of the police and fire departments. Yet another facet of why they chose to live out there would be compromised. They were not opposed to growth but they were opposed to 310 homes, the increase of traffic, and the loss of the very reasons they chose Chisum Valley as their forever homes. They kindly asked, for the safety of their residents, that they reject Whisper Meadows and all of the detrimental changes it's 310 homes would bring to Kuna and the Meridian area.

Mayor Stear asked who showed her the plat showing only 30 homes and where it came from.

Ms. Kennedy replied they still had a copy of it. When she bought her home it clearly showed Chisum Valley, Linder Farms, and the segments for 30 homes. It showed their road would go through their cul-de-sacs that were now dead ends. There were only 60 homes total proposed for back there as opposed to 310 now.

Jenna Von Der Ehe, 7601 S Chisum Place, Meridian, Idaho 83642, asked if there was a way to see the slides shown to Council so she could have a fair shot of a rebuttal or disagreement with them.

City Clerk Chris Engels replied there were extra copies if she would like one.

Ms. Von Der Ehe responded that would be great. She asked if the 20-foot landscape buffer around the perimeter he spoke of was a full 20-foot buffer around the whole perimeter including north of Chisum and north of McLintock or was he only speaking of a 20-foot perimeter on Linder Road; was it a true 20-foot perimeter around the whole subdivision of 310 lots. He also spoke of grading and easements that would be great and he would provide them with what they had planned. She asked why that was provided then, before a final plat approval. The last City Council Meeting or 2 before this, ACHD came out with a study that 292 cars would be going through their subdivision at a peak neighborhood potentially and a gentleman that day said it would be 190s. She stated it seemed, depending on who they hired, they would get different numbers but that was pretty substantial for their small subdivision. She didn't think 24 years ago they could have envisioned who sat on City Council, who approved plats, the number of the influx of the number of houses. She believed the extension was for like houses to be connected to Chisum and McLintock, not 309 lots.

Ms. Von Der Ehe also believed Whisper Meadows subdivision would have a Meridian address. She asked if it would be included in the impact fees for Kuna and if Mr. Eck would be required to contribute impact fees to EMS or the Sheriff's Department, or would they be excluded. She knew they were low on impact fees and with the amount of growth she wanted to make sure if this were approved, which she hoped it wouldn't be, the impact fees would be put towards Kuna. ACHD did approve for McLintock and Chisum Valley to be connected to Whisper meadows. As a business owner she had learned that many times when she would implement a policy or procedure it was only when it was actually used that she would realize that it was better on paper. She was not trying to negate traffic engineers.

Mayor Stear explained impact fees applied to anything built in the city. They were charged at the time of permit. The development was in the city limits.

Virginia Jeppeson, 7901 S Chisum Way, Meridian, Idaho 83642, stated she knew growth was coming and they couldn't stop it. She was not opposed to growth and

she didn't think her neighbors were either. She was just opposed to the density of the Whisper Meadows Subdivision that was being proposed. She respectfully requested that they did not approve this pre-plat application.

Ms. Jeppeson explained, as an active resident that enjoyed being outdoors walking, biking, and jogging and as the mother of 2 boys who enjoyed doing the same, she had major safety concerns with the amount of traffic that the Whisper Meadows Subdivision would bring through their subdivision. As it was stated earlier, the Chisum Valley Subdivision did not have sidewalks so when they rode their bikes, walked or jogged, they did so in the streets. With the 310 homes proposed she did not feel it would be safe to do so any further.

Ms. Jeppeson noted she previously recommended at the other City Council Meetings in which she testified that this be a subdivision of lower density. Kuna was a rural community and the majority of those that moved to Kuna did so for that small-town feeling. In the Kuna Comprehensive Plan on page 13 it stated a goal expressed by many people was the preservation of large lots and regular cluster development in appropriate balance with a complement of other types of residential development. She did not believe that the density of the Whisper Meadows Subdivision was in keeping with this portion of the comprehensive plan.

Ms. Jeppeson stated at the last City Council Meeting they attended a similar subdivision application was actually denied due to safety concerns of residents and City Council. It was also discussed earlier that the roads were always meant to connect to another subdivision. While that was true, just like Ms. Kennedy stated, those roads connecting were never intended to be to 310 homes. It was intended to be to the second phase of Chisum Valley which would have been an additional 30 homes also at R-1. She requested again that they not approve the pre-plat application with the current density and the connectivity of those roads into their current Chisum Valley. She thanked Council for their time.

Rebuttal:

Brett Korporaal, 101 S Capitol Boulevard, Suite 301, Boise, Idaho 83702, wanted to provide a little clarity on items related to transportation. Side generated trips were calculated using the trip generation manual and the TIS stated there were 292 P.M. peak hour trips for the build out of the whole subdivision. Of that 242, 5% or approximately 14 P.M. peak hour trips, were expected to use Chisum Way and the Chisum-Columbia intersection. The 150 trips he referred to was daily trips estimated along Chisum Way. With the addition of access at McLintock, the applicant heard neighbors' concerns and had taken steps to mitigate potential traffic affects. Internal streets and site circulation were designed to reduce speeds and cut through traffic by shortening block lanes, providing roadway deflections including valley gutters which served not only for drainage but also for traffic calming. He also designed the site without roadway connections through the sites so cut through traffic was not expected. In regards to safety on Columbia Road and the new high school going in

on the northeast quadrant of the Columbia-Linder intersection, they had been conditioned to build a traffic signal. This would help folks particularly with taking an east bound left turn to the high school or up Linder to Whisper Meadows or south bound left leaving to the east on Linder to Columbia to provide a protected space for these vehicles and providing a safer means of transportation around the site.

Tim Eck, the applicant, 6152 W Half Moon Lane, Eagle, Idaho 83616, had several points. He stated they could read bits and pieces out of the mission plan behind the comp plan but the comp plan was the result of the comp plan and they were fully compliant with the comp plan and the comp plan map with their density. In fact, if they would have pushed the limits to the maximum of what was allowed out there they would have done 1,152 units not 310.

Mr. Eck noted they were in the city of Kuna even though they had a Meridian mailing address and would pay all Kuna fees. They were consistent with the comp plan and the zoning. The order of decision by the City Council said the applicant would ensure actual density would not exceed 4.25 units per acre. That was always a gross acreage calculation and it was discussed in detail. It would be 4.25 gross with a limitation of 2 units per acre contiguous to Chisum Valley. Council Member Cardoza had even talked briefly about the fact that they would be a little denser than 4.25 in some areas but they would be 4.25 on the overall site with 2 an acre contiguous so they would be a little tighter than 4.25 in some small pods but the gross density total per acre would be 4.25 and they even spoke specifically to the number of lots at 310.

Mr. Eck stated Chisum Valley was a non-farm development done 20 something years ago. There might have been some conceptual ideas about what would go out there but there was never a plat submitted and he didn't know if that was before the comp plan was adopted or not. The landscape buffers would be on 3 sides. It would be on all of the minor major arterial streets.

Mr. Eck said they were worried about the inability for their kids to ride bikes. The development would provide a lot of pathways and sidewalks; miles of bicycle access and bicycle pathways for their kids. The ACHD policy manual local street design back when they were built required a 30-foot pavement section and a 50-foot right-of-way. Today if you were building a 1 to 5-acre lot subdivision the pavement section would still be 30-feet. There were no sidewalks required. In that 30 feet, that allowed for 4 feet of hard structure improvements along the side of the road for non-motorized travel. There was 4 feet of asphalt on each side of their street beyond the travel lanes for pedestrian and bicycle traffic. When they were built that was the traditional road section as well as in a 1 – 5-acre lot subdivision today. If they were building that subdivision today and this project was already there, they would be building the same road section they have. It would not change and it was not inferior; it was standard road for their development.

Mr. Eck explained their development would be fully fenced as required by City Code. They had a 6-foot vinyl fence around the entire subdivision so kids would have to go through the barricade at the end of the stub streets to get on the adjacent farm land. The location of Durrant Lane was where it was required to be put. They couldn't move it any further over because they would have to take acreage out of backyards in Chisum Valley. Unfortunately, when Chisum Valley was developed they failed to preserve right-of-way from the section line for Durrant Lane to be built at mid-mile so 100% of it contiguous to those houses had to be west of the section line onto Mr. Durrant's property. Once it got past Chisum Valley it swept east and onto their property exactly as they were instructed to lay it out by the highway district and in cooperation with the City.

Mr. Eck added, in regards to health, safety, access; they had 30 houses on a single point of ingress and egress. If that point was blocked, this was why this connectivity was required, and first responders couldn't be in there and they had no fire service and no life safety service in their subdivision, by 1 accident blocking their entrance. That was why, when their plat was developed, they were required to build the stub streets for the connection and why this development was required to connect to it. They tried, as a convenience and to be a good neighbor, to get a variance but it was rejected by ACHD for safety reasons. They felt the lack of connection was a greater safety concern than having the connection. Mr. Eck did some quick math and came up with 1 car every 18 minutes. He stood for questions.

Mayor Stear was confused about the 150 trips per day when there were 310 buildable lots.

Mr. Korporaal explained that was 5% of the daily trips for the subdivision. Generally, a P.M. peak hour was about 10% of your daily trip value so 14 P.M. peak hour trips was 150 daily trips using Chisum.

Mr. Eck added they analyzed the flow of where all this traffic was going and the majority of it was not heading in the southwest direction. They talked about how diverse the project was and how cut up it was. He gave an example of how that would help reduce traffic that would even be interested in going there. He also reviewed a storm drainage feature, a swale, they would be putting in and how it was just as effective as a speed bump for speed mitigation.

Council President Buban-Vonder Haar verified the swale was on the last page of the PDF they handed out.

Jeff Bower pointed out a mitigation factor in Phase 6, their final phase, that would help alleviate traffic. They would build all of their infrastructure and connections before connecting so people would have already developed their traffic patterns and the lights would be in.

Mr. Eck clarified they were saving all of their connections to Chisum Valley for their final phase.

Mayor Stear felt there was more direction out of that subdivision and that it didn't seem necessary to connect to Chisum Valley.

Council President Buban-Vonder Haar counted 7.

Mr. Eck explained some of those connections were for when future development occurred and the highway district controlled the roads. These were their requirements and he reiterated they did not grant the requested variance for safety reasons.

Mayor Stear replied there was not any place he could see that would be blocked.

Mr. Eck was referring to Chisum Valley being blocked not anything in this subdivision.

City Attorney Bill Gigray stated, if the connection issue was a concern, they could ask the ACHD representative that was present as to what their position was because by statute highway districts had to approve plats as well.

David Corcoran from ACHD, 3775 N Adams Street, Garden City, Idaho 83714, read and explained their Continuation of Streets policy. He noted the commission ultimately made the decision to deny the waiver based on the policy and based on emergency access and things of that nature.

Mayor Stear was curious why this subdivision had been in existence so long with only 1 entrance if that was ACHD's policy. It made no sense that they would allow this subdivision to occur with 1 entrance.

Mr. Corcoran responded it didn't go to the entrance to this subdivision but to the broad policy regarding a stub street.

Council Member Christensen was concerned that it sounded like the reasoning behind denying the request not to connect was the emergency access but that just went back to the Chisum Valley entrance that the Mayor referenced. When they used something that had been there for 20 years as the reasoning it made their heads spin a little bit.

Mr. Corcoran didn't have a great response for that but could go back and do a bit more research on how the decision was made and why but it was ultimately a vote by their commission.

Mr. Gigray stated he wasn't sure if ACHD would have a Findings of Fact and Conclusions of Law that would explain why they made that decision but he thought they might and it might be available.

Council President Buban-Vonder Haar asked if there was anything about the developer's request for variance and ACHD's response in the traffic study or if it would be contained elsewhere. There were 396 pages of packet and she was trying to figure out if it was somewhere in the packet where she could easily get to it.

Mr. Korporaal replied it was in ACHD's staff report which he believed started on page 32 of 369 and read the section.

Mayor Stear wanted to speak with Mr. Goldthorpe about some of that. He appreciated the concerns and although it sounded like it wasn't a lot of traffic it seemed to him it would be a lot of traffic with that many homes. He certainly understood that concern especially where there were no sidewalks with a pedestrian connection. He understood the roads were extra wide for that but with no separation between pedestrian and vehicle traffic he was concerned. He also referred to Stephanie Kennedy's concern regarding the lack of slow down lanes on Columbia Road. Those were things that would not necessarily be up to the developer to take care of but they would want to be sure to get it in their 5-year plan.

Council President Buban-Vonder Haar noted that situation was also elsewhere in the city and they would want to be sure they were being consistent.

Mayor Stear said it was hard for him to make sense of how that was platted out so many years ago. He was hearing that it was shown at some point that there would be a maximum of 60 homes and he didn't know where that came from but that would actually make more sense than what they were looking at right then. Mostly he was talking out loud to himself.

Brian Luckie, 7714 S McLintock Place, Meridian, Idaho 83642, decided to testify. He noted an important point when looking at the traffic. He thought that when the 310 homes went in, they would see the roadways with striped lines so they would be able to define right and left traffic. It was mentioned that Chisum Valley had a 4-foot easement but that was the first time he had ever heard that. In their subdivision they had an asphalt road with no striping and no designation of lanes. They had curves and it was really common for people going 25 MPH or faster to have a hard time differentiating that. As for the 4-foot easement that was implicated as being residential walkway or bike pathway, there was no segregation there either. It came down to the safety of traffic coming through there. Also, to state that there would be a possible 292 vehicles leaving or exiting that subdivision in a 24-hour period and they would only get 5% of that was not realistic at all. He thought they could assume at least 3 - 5 cars per household, so 310 households times 3 would be about 900 vehicles possibly coming in and out of that subdivision. He thought they had 3 access points and 5% was pretty low. It was a straight shot through Chisum so that

straight shot was always a speed limit breaker. They had no barriers for speed control. They had been battling speed within the confines of their subdivision since he had been there which was 20 years. He was the president of the board for the subdivision and they had approached that subject many times. There was a huge safety concern.

Mr. Eck rebutted that the road section that was built there and the road section built today was the same. They had 50 feet of right-of-way and 30 feet of paving. The through traffic lanes were 11 feet which left 4 feet on each side of the traffic lanes for an attached asphalt sidewalk or pedestrian and bicycle traffic. The pavement section was the same as their roads today with the width at 30 feet. They only extended Chisum Way into their subdivision at the depth of 1 lot and then it hit a T intersection. McLintock did run through further than that but it would have a storm drain swale to slow traffic. They could not make Chisum any shorter. The agency that controlled the roads was requiring both connections. He reviewed how they came to the numbers indicated for the amount of traffic coming out of Chisum Valley and what they were doing to help mitigate traffic concerns. He stood for questions.

Laurie Allen, 7980 S Chisum Way, Meridian, Idaho 83642, stated there seemed to be some confusion and thought maybe a decision should be postponed. She asked that they postpone and that Mayor Stear reach out to ACHD to get the answers they were asking for since they didn't really cover the reasoning.

Council Member McPherson asked about the retention pond on a current map that Richard Durrant spoke about. He wanted to know if it was going away. On the Landscape Plan and Open Space Map it looked like it was blipped in there but it also showed houses there.

Mr. Eck replied Mr. Durrant had a retention pond on his property. There were 2 ponds down there. The retention pond on their property was a reclamation pond used when the property was flood irrigated and the drain water would go in that pond and pump back up on to the field. It had not been used since the pivot went in. Mr. Durrant had a waste water collection pond on his property that they were concerned about. Their development, as required, was fully fenced with a 6-foot fence around the entire boundary with barricades on the end of the stub street where the roundabout would go in the future. They would have to road trust their appropriate share of building a roundabout. Their pond would be filled in and utilized.

Council President Buban-Vonder Haar asked Council how they wanted to proceed.

Mayor Stear wanted to talk with ACHD some more and get a better look at the traffic overview. He wanted their comments on the traffic lights, the roundabout, the connections, and those kinds of things. He wanted to take a little more time and thought some opinion and conversation from ACHD would be helpful even though it was in the packet.

Council Member McPherson agreed and thought it was grossly ignorant the order in which stuff happened. Mr. Eck didn't want traffic into the subdivision and ACHD said to bad you have to do it anyway. Now Council was saying they didn't like it either and they had to go backwards. It delayed Mr. Eck for doing the right steps and processes but it also impacted a neighborhood. He was not going to predict the percentage of traffic going through there but he did not see that any volume was designed to go through what was currently there. He wanted more information as well.

Council Member Christensen agreed. It would be nice to know the reasoning behind things since they were all questioning it.

Council President Buban-Vonder Haar asked if they only wanted to receive testimony on traffic.

Mayor Stear stated he wanted testimony on pedestrian and vehicle traffic. He also appreciated Richard Durrant's thoughts on more units abutting the farm property. He could see where trouble could come from that. It seemed there were several things they still needed to be talked about so he thought maybe they should just leave it open unless Council felt otherwise.

Council Member Christensen agreed.

Mayor Stear stated they would just need a motion to continue.

City Clerk Chris Engels wanted to clarify if they were leaving the public hearing open for expert testimony pertaining to the items they listed or if they were leaving it open to all testimony regarding those matters.

Mayor Stear thought there were several questions so his preference was all testimony but it was up to Council.

Council President Buban-Vonder Haar asked if the next meeting would be sufficient.

Mayor Stear replied it should be.

Council President Buban-Vonder Haar asked if those that testified that night were permitted to testify again.

Mr. Gigray explained it depended on what Council decided they wanted to hear if they continued the public hearing. If they were going to keep it open to all issues it was his opinion that they should allow anybody to testify about any particular new information that was provided. It made more sense that, if they kept it open, they request a presentation of evidence on certain subjects first so it could define what people talked about. If they wanted to talk about any issue associated with the approval of this preliminary plat that was allowable for their determination under

city ordinance, they could do that as well. They could set those parameters but they needed to articulate how they wanted to proceed. It would make a difference on how it was on the agenda and what kind of testimony they would entertain at the next meeting. If they wanted specific information from ACHD they would need to make that request so they would be prepared to present it.

Mayor Stear noted they had a meeting with Kent Goldthorpe the following morning. He figured he could make that request to him and he could assign the appropriate staff members and possibly Mr. Corcoran could weigh in on that also.

Mr. Gigray stated if there was going to be a request of ACHD he recommended it be done during this meeting and not in any conversations outside of the meeting unless they directed staff to do it in order to avoid ex-parte.

Mayor Stear would ask Mr. Goldthorpe to get an overview of their recommendations on the traffic, connections, and requested mitigations such as the lights, roundabouts, required connections, and traffic as far as pedestrian and vehicular. He asked if that was specific enough.

Mr. Gigray clarified it was those considerations in regards to the impact on the subdivision that was subject to approval and the neighboring subdivision as well. He thought that would be good.

Mayor Stear agreed and stated they would need to motion to continue the hearing and keep the testimony for next time for new information.

Jeff Bower stated the applicant wanted to give 1 more rebuttal. They submitted the application in August of 2018. It was on the hearing for November. They got approval from ACHD in September. They were requesting a conditional approval. He appreciated Council Member McPherson's characterization. They had no dog in this fight. They did not care if the road went through or not. If it kept their neighbor's happy, they preferred not to have it go through. They did already have a hearing where Mr. Goldthorpe voted to deny it. He recommended for that night that they approve with the condition that the applicant seek another waiver of policy and if it was approved, they would submit an amended preliminary plat for approval. They just didn't know how long this would potentially drag out if they were waiting for ACHD to make another decision. He added staff at ACHD was supportive of the waiver. The vote was 3 to 2. They were very close and Mr. Goldthorpe could be the swing vote. There was no public testimony so they could educate the public as to when the hearing would be. He thought that would be huge and that it was doable but they wanted to move forward with project. They had been under review for about 6 months at that point.

Mayor Stear said his situation was they would do all this and rely on the experts and what they approved and disapproved but they had done so many of these that he

needed to know what they were approving and why. He was less apt to just rely on that expert testimony all of the time from the highway district.

Mr. Bower replied they understood if Council needed more time and they respected that but they thought their condition would allow them to move forward and at the same time allow the waiver to exist and be a possibility. They went forth in good faith to get that for the neighbors' benefit. That was their request.

Council President Buban-Vonder Haar thought that was a reasonable request if that was the only concern.

Council Member Christensen thought it was not strictly reliant on the 1 road being closed down but more just needing some justification on why ACHD was requiring a connection. There were more questions than that including questions relating to where they got the car traffic numbers. He reviewed the questions brought up by Mayor Stear. If they needed to conditionally approve that was fine. He wasn't going to convince anyone otherwise so he would stop his discussion there.

Mr. Gigray stated if Council was to consider the applicant's request for conditional approval, he recommended they ask the ACHD representative to clarify for the record what they need to be doing and he guessed they would need a variance from the highway district. Then they would need to state the condition so it met the standard they would have to meet without mixing and matching terminology.

Mayor Stear stated he was right and that was why he did not know how they could conditionally approve when they did not know exactly what information they would be adding to that.

Council President Buban-Vonder Haar thought they would be conditionally approving with the notation that they continue to pursue, make a second request, to ACHD with Council's and the neighborhood's support to reconsider the denial of the variance request and their pursuit of reconsideration wouldn't hold up Council's approval until that whole process played out since that wouldn't happen until Phase 6.

Mr. Gigray stated it depended on if this was an application for a preliminary plat of all 6 phases because ACHD would have to approve it. If it was only the first phase and did not include the connection then the application for the variance would not apply until then. He wasn't sure if this was all 6 phases or not. If they requested the variance and it was denied but the condition was only that they apply then the subdivision preliminary plat approval would stand.

Council President Buban-Vonder Haar said that was what she understood. She asked what Council thought. She understood the concerns, was sympathetic to them, and fully supported going back to ACHD and asking them to reconsider. However, she also thought it was a little unfair to hold them basically hostage due to a decision an

entity outside their control had made. She was fine with the conditional approval or pushing to the next meeting to hear more from ACHD and potentially making a conditional approval then.

Mayor Stear wasn't sure what they would hear from ACHD and how that would play out so he was not completely comfortable with a conditional approval. His preference was to wait until the next meeting for any approval.

Council Member McPherson also leaned that way.

Council President Buban-Vonder Haar clarified, since staff could talk with ACHD but Council could not, that the specific information they were hoping to get was an overview of the recommendations on the traffic and connections to Chisum subdivision plus information on the other traffic mitigations they required for the site.

**Council Member McPherson moved to continue the public hearing to the February 19, 2019 City Council Meeting to receive further information as it relates to the overview of pedestrian and vehicle traffic with testimony from ACHD, additional testimony from staff, and general testimony. Seconded by Council Member Christensen. Motion carried 3-0-1. Council Member Cardoza was absent.**

## **7. Business Items:**

- A. Quarterly Budget Report – Jared Empey, City Treasurer**  
(Timestamp 01:45:58)

City Treasurer Jared Empey reviewed the budget to date as shown in the report in Council's Packet. The main thing he wanted to draw to their attention to was the revenue looked really good and expenses were being controlled. He noted how the Sewer Capital Improvements Fund was affected by different projects' status and stood for questions. He added that the City's cash position was also really good.

Council thanked Mr. Empey.

- B. Consideration to approve Resolution No. R08-2019 – Nancy Stauffer, Human Resources Director ACTION ITEM**  
(Timestamp 01:49:47)

**A RESOLUTION OF THE CITY OF KUNA, IDAHO AMENDING THE STEP AND GRADE POLICY FOR THE CITY CLERK'S OFFICE, UTILITY BILLING AND PLANNING AND ZONING AND LONGEVITY FOR THE CITY OF KUNA, IDAHO AS ATTACHED HERETO; AMENDING R44-2014; AND DECLARING THE EFFECTIVE DATE.**

Mayor Stear explained how the HR position came about and that Nancy Stauffer was very well versed in HR and it had been very helpful to have her in that position.

Human Resources Director Nancy Stauffer explained the changes to the Step and Grade and longevity and stood for questions.

Mayor Stear added this would give more leeway in hiring.

**Council President Buban-Vonder Haar moved to approve Resolution No. R08-2019. Seconded by Council Member McPherson. Motion carried 3-0-1. Council Member Cardoza was absent.**

- C. Request for time extension for Granite Excavation on Orchard Lift Station Project – Bob Bachman, Public Works Director **ACTION ITEM**  
(Timestamp 01:54:14)

Public Works Bob Bachman explained Granite Excavation's need for a time extension and stood for questions.

Mayor Stear noted they were still under budget.

Mr. Bachman stated even with the change orders they should come in close to \$100,000 give or take a little bit.

**Council President Buban-Vonder Haar moved to approve a new substantial completion date of March 1, 2019 and a final completion date of March 8, 2019 for Granite Excavation's work on the Orchard Lift Station. Seconded by Council Member McPherson. Motion carried 3-0-1. Council Member Cardoza was absent.**

- D. Consideration to approve the expenditure of contingency funds in the amount of \$9,750 for the purchase of an inspection camera for the Sewer Department Staff – Bob Bachman, Public Works Director **ACTION ITEM**  
(Timestamp 1:56:31)

Public Works Director Bob Bachman presented the request and explained the benefits of having an inspection camera. He stood for questions.

Council President Buban-Vonder Haar asked if this was coming from the General Contingency Fund or the Sewer Contingency Fund.

Mr. Bachman replied the Sewer Contingency Fund.

Council Member Christensen asked if they got multiple quotes or if they had worked with MetroQuip before and just stuck with them.

Mr. Bachman explained they called around and were confident they were getting the best price.

**Council President Buban-Vonder Haar moved to approve the expenditure of \$9,750 from the Sewer Contingency Fund for the purchase of an inspection camera. Seconded by Council Member McPherson. Motion carried 3-0-1. Council Member Cardoza was absent.**

- E.* Review the proposed Area of City Impact Boundary between the City of Kuna and Meridian – Wendy Howell, Planning & Zoning Director  
(Timestamp 01:59:05)

Economic Development Director Lisa Holland reviewed, on behalf of Planning & Zoning Director Wendy Howell, the discussions between Kuna City Staff and Meridian City Staff on the Area of Impact and the map that was proposed and in the packet. She stood for questions.

Mayor Stear added this had been discussed for a while and it was decided to let staff use their expertise to see who could best service what. Out of all of the discussion on it this was the best they had seen yet and he was very pleased with staff's hard work. They just wanted Council to see what it looked like.

## **8. Ordinances:**

- A.* Consideration to approve Ordinance No. 2019-03 ACTION ITEM  
(Timestamp 02:01:06)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS; and
- ENLARGING THE BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM BY THE INCLUSION OF ADA COUNTY ASSESSOR'S PARCEL NOS. R0615254601 AND A PORTION OF S1324449005 [MERLIN POINT SUBDIVISION NO. 1]; AND
- DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; and
- DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE AS PROVIDED BY LAW; and
- DIRECTING THE CITY ENGINEER TO PROVIDE NOTICE OF THIS ORDINANCE TO THE BOISE-KUNA IRRIGATION DISTRICT, THE OWNERS AND UPDATE THE IRRIGATION SYSTEM MAP; and
- PROVIDING AN EFFECTIVE DATE.

*Consideration to waive three readings  
Consideration to approve ordinance*

**Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2019-03. Seconded by Council Member McPherson. Motion carried 3-0-1. Council Member Cardoza was absent.**

**Council President Buban-Vonder Haar moved to approve Ordinance No. 2019-03. Seconded by Council Member McPherson. Approved by the following roll call vote:**

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

**Voting No: None**

**Absent: Council Member Cardoza**

**Motion carried 3-0-1.**

**9. Mayor/Council Announcements:**

*(Timestamp 02:02:59)*

Mayor Stear mentioned again that Council Member Cardoza was still having trouble. They hoped all would go well and he could come back soon.

**10. Executive Session:**

*None*

**11. Adjournment: 8:03 P.M.**



Joe L. Stear, Mayor

ATTEST:

  
Chris Engels, City Clerk

*Minutes prepared by Ariana Welker, Deputy City Clerk  
Date Approved: CCM 02.19.2019*



# CITY OF KUNA

PO Box 13 • Kuna, Idaho • 83634 • Phone (208) 922-5274  
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## SIGN-UP SHEET

Case Name: 18-06-OA  
Case Type: Zoning Ordinance Revision

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

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CITY OF KUNA

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SIGN-UP SHEET

February 05, 2019 – City Council, Public Hearing

Case Name: Preliminary Plat, Whisper Meadows; Request by Bailey Engineers.

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

Case No.: 18-01-S (Prelim Plat) - A Pre Plat to Subdivide Approx. 73.50 acres.

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

Table with 3 columns: IN FAVOR, NEUTRAL, IN OPPOSITION. Each column has rows for Testify/Not Testify checkboxes and fields for Name, Address, City, State, Zip. Includes handwritten entries for Richard Durrant, Shannon Luckie, Bryan Luckie, Kelley Stevenson, and Stephanie Kennedy.

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# Whisper Meadows

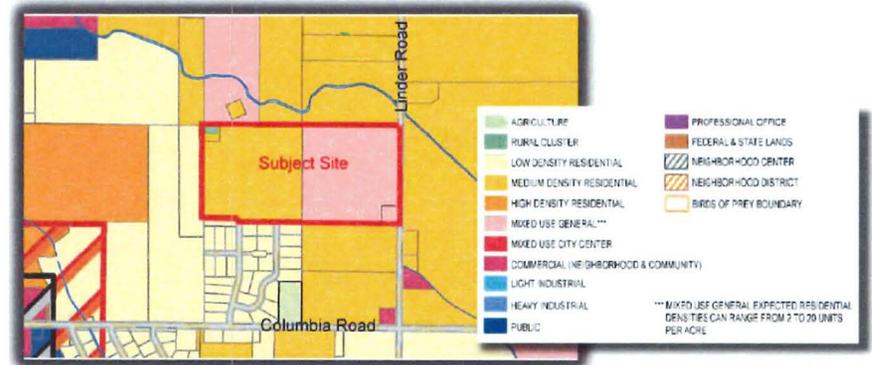
Kuna City Council

February 5, 2018

# The Property



- Linder between Columbia and Lake Hazel
- 73.5 acres
- Annexed in 2006



# 2018 Rezone

**O. Order of Decision by the City Council:**

**18-01-ZC (Rezone):** Based on the facts outlined in staff's report and the public testimony during the public hearing by the City Council of Kuna, Idaho, the Council hereby approves Case No. 18-01-ZC, a rezone request by Katie Miller (Bailey Engineers) on behalf of Thistle Farm, LLC and Vanderkooy Farm, LLC, with the following conditions of approval *at time of development in the future*:

- Applicant shall follow the conditions stated in the staff report and related agency reports.
- Applicant shall insure that actual density does not exceed 4.25 D.U.A., and provide a max 2 D.U.G.A. along border of existing homes in Chisum Valley Subdivision.

1. The applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:

- Property is zoned R-6
- Conditions of approval
  - Overall Density: 4.25 DUs
  - Transition Density: 2.0 DUs per gross acre



# Landscape Plan and Open Space





# Connection of Local Streets



- McIntock and Chisum public streets dedicated to ACHD
- ACHD denied a waiver of policy
- Safety Concerns with dead end street
- ACHD Staff Report recited the benefits of connectivity

# Connection of Local Streets



GLENN J. RHODES, President  
SHERRY R. HUBER, Vice President  
JAMES E. BRUCE, Secretary

## INTER-DEPARTMENT CORRESPONDENCE

DUKE/DSTECH  
12-14-94

TO: ACHD Commission

DATE: December 12, 1994

FROM: Development Services

SUBJECT: PRELIMINARY PLAT - Duke's Country Estates Linder/Columbia  
94-66-PDR/NF  
(Developer - Collen Kesler, 3331 Grey Street, Nyssa,  
OR 97913)  
(Engineer/Surveyor - Briggs Engineering, Van Elg, 1111  
S.Orchard, Suite 600, Boise, ID 83705)

### FACTS & FINDINGS:

1. Duke's Country Estates is a 38-lot, 160-acre non-farm residential subdivision located at the northwest corner of South Linder Road and West Columbia Road. The proposed subdivision has 32 buildable lots, three farm lots, one park lot and one lot intended to be a youth baseball facility. There are 10,800-feet of new public roads being platted with this subdivision.

PRELIMINARY PLAT - Duke's Country Estates Linder & Columbia  
December 12, 1994  
Page 2

L.F. OF FRONTAGE ON West Columbia Road- 2,600  
MOST RECENT TRAFFIC COUNTS - Date 5/3/94 Volume 1,425  
(W. Columbia Road e/o S. Linder Road)  
FUNCTIONAL CLASSIFICATION MAP DESIGNATION - Local  
ADA COUNTY RIDGE-TO-RIVERS PATHWAY PLAN - No pathway shown  
EXISTING RIGHT-OF-WAY - 50-feet  
REQUIRED RIGHT-OF-WAY - 80-feet (40-feet from centerline)  
West Columbia Road is improved with 24-feet of paving and no sidewalk.

IMPACT FEE BENEFIT ZONE - West Ada  
IMPACT FEE ASSESSMENT DISTRICT - Near Rural

3. Access for the 32 buildable lots is proposed from a public road off of Columbia Road. The design is proposed to be of a divided entry type with a raised landscaped median as a separate lot owned and maintained by the homeowners association.

The proposed baseball facility would also be taking access off of Columbia Road with an offset of at least 850-feet from the internal road, Cogburn Way. At this time this facility is conceptual only and the review of the detailed plans for will be required.

4. A proposed access point and road easement along the east boundary of the subdivision is intended to be a agricultural only access for Lot OS1.
5. Design of cul-de-sac streets provides for street extension in the future.
6. An existing home (Lot 32), a future dwelling (Lot 31), and two 40-acre farm lots are proposed to take access off of Linder Road.

# Connection of Local Streets

## SITE SPECIFIC REQUIREMENTS:

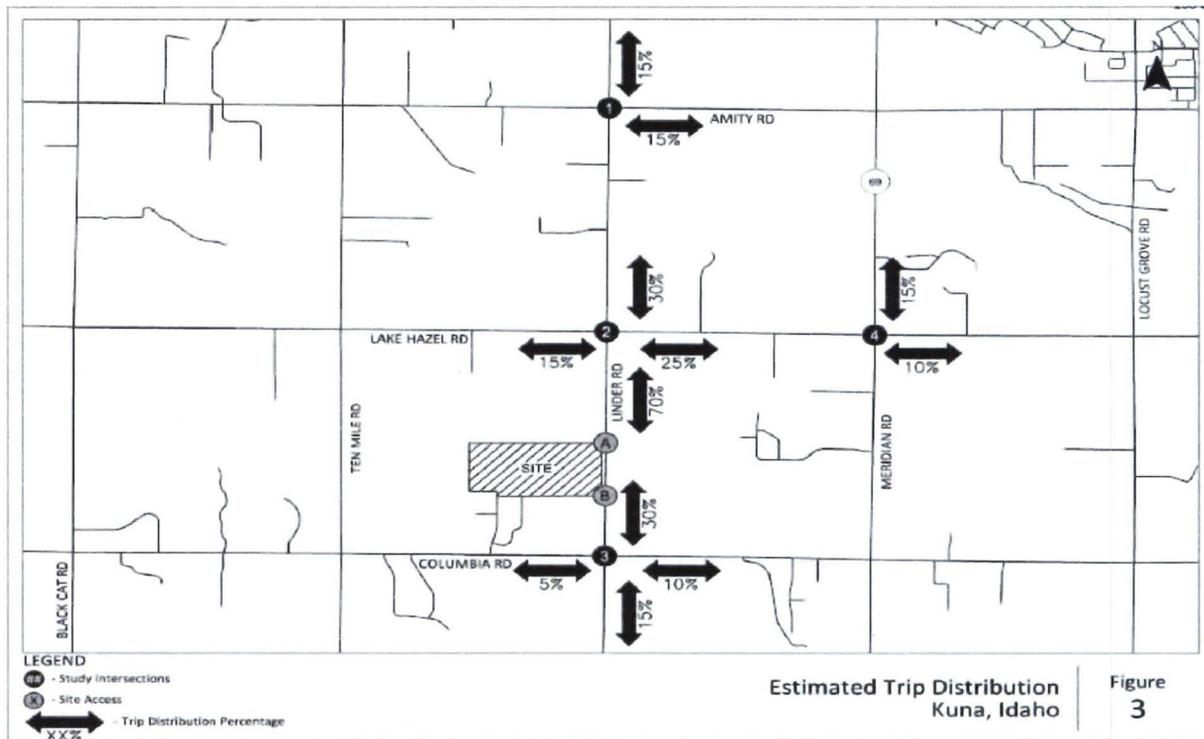
1. Dedicate 40-feet of right-of-way from the centerline of Columbia Road abutting parcel (10 additional feet). The owner will be compensated for this additional right-of-way from available impact fee revenues in this benefit zone.
2. Dedicate 40-feet of right-of-way from the centerline of Linder Road abutting parcel (10 additional feet). The owner will be compensated for this additional right-of-way from available impact fee revenues in this benefit zone.
3. Provide a 45-foot diameter temporary turn around easement at the end of McClintock Street.
4. Provide 3-feet of additional paving and a 3-foot gravel shoulder along West Columbia Road and Linder Road abutting parcel.
5. The raised landscaped median entrance at Cogburn Way shall have a minimum 20-foot face to face street section for the inbound lane and a minimum 24-foot face to face street section for the outbound lane.

This median shall be a separate lot, owned and maintained by a homeowners association.

6. Direct lot access to Columbia Road is restricted for Lot 8, Block 40, and Lots 1 and 2, Block 41. Access to Lot 5, Block 40, is restricted to a single residential access unless otherwise approved by the District.
7. Note on the plat that the access easement on the east boundary of the subdivision will be limited to agricultural access only.
8. Internal streets shall be constructed with 30-feet of paving.
9. Chisholm Way shall be signed for no parking from the mid-point of lot #4 to the north boundary of lot #6 to prohibit parking in front of the micro path connecting the subdivision to the baseball facility.

- 30 foot street is still the ACHD standard for 1 acre subdivisions.

# Trips on Local Streets



- 5% of total traffic will use Chisum or McLintock
- 150 trips per day
- 14 in the PM peak
- Trips will be split between Chisum and McIntock



# Traffic Mitigation







### PLANT PALETTE

SYM	COMMON NAME	BOTANICAL NAME
<b>EVERGREEN TREES</b>		
CB	AUSTRIAN PINE	PINUS NIGRA
	COLORADO BLUE SPRUCE	PICEA PUNGENS 'BLAUCA'
	MOONGLOW JUNIPER	JUNIPERUS SCOPULORUM 'MOONGLOW'
	NORMAN SPRUCE	PICEA ABIES
VP	VANDERHOLTS PINE	PINUS FLEXILIS 'VANDERHOLTS'
WH	KEEPING WHITE PINE	PICEA GLAUCA 'PENDULA'
<b>STREET TREES (CLASS III/III)</b>		
AP	AUTUMN PURPLE ASH	FRAXINUS AMERICANA 'AUTUMN PURPLE'
	SKYLINE HONEYLOCUST	GLEDITSIA TRIACANTHOS INERMIS 'SKYCOLE'
	LITTLELEAF LINDEN	TILIA CORDATA
	LONDON PLANETREE	PLATANUS x ACERIFOLIA
RO	RED OAK	QUERCUS RUBRA
	AMERICAN SWEETGUM	LIGUSTRUM STRYACIFLUA
TT	TULIP TREE	LIRIODENDRON TULIPIFERA
<b>ORNAMENTAL TREES (CLASS I)</b>		
AM	AMUR MAPLE	ACER GINNALA 'FLAME'
	CHANT GLEER FEAR	PYRUS CALLERYANA 'GLENS FORM'
GR	GOLDEN RAINDROPS CRABAPPLE	MALUS x 'SCHMIDTOUTLEAF'
RR	ROYAL RAINDROPS CRABAPPLE	MALUS x 'JFS-KNE'
	SPRINGSNOW CRABAPPLE	MALUS 'SPRINGSNOW'
<b>SHRUBS/ORNAMENTAL GRASSES/PERENNIALS</b>		
BE	BLACK EYED SUSAN	RUDBECKIA FULGIDA 'GOLDSTRUM'
	BLUE RUG JUNIPER	JUNIPERUS HORIZONTALIS 'WILTON'
	CREeping MAHONIA	MAHONIA REPENS
	RED FLOWER CARPET ROSE	ROSA 'FLOWER CARPET- NOARE'
DF	DWARF FOUNTAIN GRASS	FENNICETUM ALOPECUROIDES 'HAMELN'
	DARTS GOLD NINEBARK	PHYSCARPUS OULIFOLIUS 'DARTS GOLD'
	STELLA D'ORO DAYLILY	HEMEROCALLIS 'STELLA D'ORO'
	EMERALD N' GOLD EUCONYMUS	EUCONYMUS FORTUNEI 'EMERALD N' GOLD'
	ENDLESS SUMMER HYDRANGEA	HYDRANGEA ARBORESCENS 'PIHM-I'
	FINE LINE BUCKTHORN	RHAMNUS FRAGULA 'RON WILLIAMS'
	GOLDFLAME SPIREA	SPIRAEA x BUMBALDA 'GOLDFLAME'
	GRO-LOW SUMAC	RHUS AROMATICA 'GRO-LOW'
	IVORY HALO DOGWOOD	CORNUS ALBA 'BAILHALO'
	KARL FOERSTER REED GRASS	CALAMAGROSTIS ARUNDINACEA 'K.F.'
	LITTLE DEVIL NINEBARK	PHYSCARPUS OULIFOLIUS 'DONNA MAY'
	HIDCOTE BLUE ENGLISH LAVENDER	LAVANDULA ANGUSTIFOLIA 'HIDCOTE BLUE'
	OTTO LUYKEN LAUREL	PRUNUS LAUROCERASUS 'OTTO LUYKEN'
	FJM RHODODENDRON	RHODODENDRON 'FJM'
	MAIDEN GRASS	MISCANTHUS SINENSIS 'GRACILLIMUS'
SN	SUMMERWINE NINEBARK	PHYSCARPUS OULIFOLIA 'SEWARD'
		LAWN
		6' VINYL FENCE ALONG PERIMETER PROPERTY LINES (TYP)
		4' VINYL FENCE ADJACENT TO CONNECTION PATHWAYS AND COMMON AREAS (TYP)

### LANDSCAPE CALCULATIONS

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

LOCATION	BUFFER WIDTH	LENGTH	REQUIRED	PROVIDED
S. LINDER ROAD	20'	110' / 100' = 1.1	16 TREES	23 TREES (14 SHADE TREES + 12 ORNAMENTAL TREES)
W. BUTTERFLY ST.	25'	2450' / 100' = 24.5	44 TREES	60.5 TREES (41 SHADE TREES + 39 ORNAMENTAL TREES)
S. DURANT LN. (FUTURE)	20'	1030' / 100' = 10.3	21 TREES	21 TREES (14 SHADE TREES + 14 ORNAMENTAL TREES)
			31 EVERGREENS	31 EVERGREENS
			124 SHRUBS	130 SHRUBS

NUMBER OF TREES PROVIDED ON BUFFERS: 272  
 NUMBER OF TREES PROVIDED ON COMMON LOTS: 166  
 TOTAL NUMBER OF TREES: 438

THERE ARE NO EXISTING TREES ON SITE.

### NOTES

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

### DEVELOPMENT DATA

TOTAL AREA	73.17 ACRES
TOTAL LOTS	348
BUILDABLE LOTS	309
COMMON LOTS	39
DENSITY DU/ACRE	4.22
TOTAL OPEN SPACE	5.56 ACRES (7.59%)
STREET BUFFERS	2.07 ACRES (2.82%)
OPEN SPACE WITH PATHWAYS	2.39 ACRES (3.27%)
END CAPS	1.00 ACRES (1.37%)
EXISTING ZONING	A
PROPOSED ZONING	R6

# WHISPER MEADOWS SUBDIVISION

KUNA, ID

PRELIMINARY PLAT LANDSCAPE PLAN

OWNER  
 VANDERKOOY FARM, LLC  
 6152 W. HALF MOON LANE  
 EAGLE, IDAHO 83616

FEBRUARY 5, 2019

SCALE 1" = 120'



JENSENBELTS ASSOCIATES  
 Site Planning / Landscape Architects  
 1000 Tyndal Lane, Ste 100 Boise, ID 83709  
 Ph: 208 949-7976, Fax: 208 949-7978

This is Dru Wright. I cannot be there tonight. I was going to bring up the fact that city council voted previously that:

"the **Actual** density of the subdivision **would not exceed 4.25** homes per acre **AND** a density of 2 homes per gross acre along the border with the existing subdivision". The AND here indicates this was two separate decisions. That wording means that no lot in the subdivision should be smaller than 10000 square feet. Mr. Eck has some lots listed at less than 6000 square feet. This is inconsistent with the intent of the actual 4.25 homes per acre decision for that area that does not include the acreage along the border of the existing subdivision.

It is also inconsistent with the Kuna City Ordinance 6.1.3 which in part provides for "harmonious development of an area to be consistent with the existing homes and streets".

The Kuna Comprehensive Plan also calls for larger lots. Specifically, the Plan says on page 10: "Agriculture is important to Kuna's heritage, and there is interest in preserving large tracks of working agriculture land within the city for clustered, large-lot rural residential development. City officials and staff should not discourage clustered, large-lot rural residential developments if that land strategy can be integrated in such a fashion and the services can be provided to developments in an efficient and cost effective manner".

Page 13 also states: "A goal expressed by many people was the preservation of large lots and regular cluster development in appropriate balance with other types of residential development."

This area, with the many large lots already-existing here, requires that Mr. Eck's development be in keeping with the decision of City Council previously, with existing Kuna City Ordinances and with the Kuna Comprehensive Plan. No lot in the subdivision should be under 10000 square feet per the 4.25 per acre decision. The 4.25 per acre decision was separate from the 2 homes per gross acre density decision. As a result, the 4.25 homes per acres is not a gross measurement for the sub-division as a whole.

Thank you for your consideration and time.

Dru Wright

7828 South McClintock  
(Chisum Valley Subdivision)