

OFFICIALS

Lee Young, Chairman
Dana Hennis, Vice Chairman
Stephen Damron, Commissioner
Cathy Gealy, Commissioner
Tyson Garten, Commissioner



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

Planning & Zoning Commission Meeting
AGENDA
Tuesday May 11, 2021

6:00 PM REGULAR MEETING

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

1. CALL TO ORDER & ROLL CALL:

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

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

A. Regular Planning and Zoning Commission Meeting Minutes Dated April 27, 2021

B. Findings of Fact and Conclusions of Law

- 1.** Case No. 21-02-AN (Annexation) Markovetz – Jessica Reid, Planning Services Specialist **ACTION ITEM**
- 2.** 21-04-DR (Design Review) Pet Care Clinic of Kuna – Jessica Reid, Planning Services Specialist **ACTION ITEM**
- 3.** Case No. 21-01-AN (Annexation) Coffelt – Doug Hanson, Planner II **ACTION ITEM**

3. PUBLIC HEARINGS: (6:00 PM or as soon thereafter as matters may be heard.)

Due to current health precautions associated with the coronavirus, the city of Kuna is providing alternative ways for the community to submit comments at public hearings. To learn more about the process for written or oral testimony, please contact the Planning and Zoning Department at (208) 922-5274.

A. *Continued from April 27, 2021* Case Nos. 20-07-AN (Annexation), 20-16-S (Preliminary Plat) and 20-25-DR (Design Review) Arrowwood Heights Subdivision Findings of Fact and Conclusions of Law – Doug Hanson, Planner II **ACTION ITEM**

Closed Public Hearing: Commission deliberation of Findings of Fact and Conclusions of Law.

Potential Motions:

Consideration to either:

Option 1: Approval of Recommended Findings of Fact and Conclusions of Law for Case Nos. 20-07-AN (Annexation), 20-16-S (Preliminary Plat), and 20-25-DR (Design Review) for Arrowwood Heights Subdivision.

Option 2: Denial of Recommended Findings of Fact and Conclusions of Law for Case Nos. 20-07-AN (Annexation), 20-16-S (Preliminary Plat), and 20-25-DR (Design Review) for Arrowwood Heights Subdivision.

B. Case No. 21-01-OA (Ordinance Amendment) Required Public Improvements Standards: An Ordinance of the City Council of Kuna, Idaho, Repealing and Amending Kuna City Code (KCC) – Jace Hellman, Planning and Zoning Director **ACTION ITEM**

- REPEALING SECTION 2 OF CHAPTER 4 OF TITLE 6 KUNA CITY CODE; AND
- AMENDING CHAPTER 4 OF TITLE 6 KUNA CITY CODE BY THE ADDITION OF A NEW SECTION 2 PROVIDING SUBDIVISION PUBLIC IMPROVEMENTS STANDARDS INCLUDING DEFINITIONS, STANDARDS FOR ACCESS, BIKE LANES, CURB AND GUTTER, FENCING, FIBER OPTIC CONDUIT, FINAL LOT GRADE, IRRIGATION SYSTEMS, IRRIGATION DITCHES, LANDSCAPE, OPEN SPACE AND PARK AREAS, PARKING LOTS, SANITARY SEWER, SCHOOL BUS STAGING AREA, SIDEWALK, STORMWATER DRAINAGE, STREETS AND ALLEYS, STREET LIGHTING, SURVEY MONUMENTS, TRAFFIC CALMING, UTILITIES AND WATER SUPPLY SYSTEM; AND
- PROVIDING A SEVERABILITY CLAUSE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Potential Motions:

Consideration to either:

Option 1: Recommend Approval to City Council of Case No. 21-01-OA (Ordinance Amendment)

Option 2: Continue Public Hearing to a Date Certain

4. BUSINESS ITEMS:

5. ADJOURNMENT:

OFFICIALS

Lee Young, Chairman
Dana Hennis, Vice Chairman
Stephen Damron, Commissioner
Cathy Gealy, Commissioner
Tyson Garten, Commissioner



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

Planning & Zoning Commission Meeting
MINUTES
Tuesday April 27, 2021

6:00 PM REGULAR MEETING

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

1. CALL TO ORDER & ROLL CALL:

(Timestamp 00:00:16)

COMMISSION MEMBERS PRESENT:

Chairman Lee Young – In Person
Vice Chairman Dana Hennis – In Person
Commissioner Stephen Damron – In Person
Commissioner Cathy Gealy – In Person
Commissioner Tyson Garten – In Person

CITY STAFF PRESENT:

Catherine Feistner, Assistant City Engineer – In Person
Bill Gigray, City Attorney – Via Zoom
Doug Hanson, Planner II – In Person
Lisa Holland, Economic Development Director – Via Zoom
Jessica Reid, Planning Services Specialist – In Person

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

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

A. Regular Planning and Zoning Commission Meeting Minutes Dated April 13, 2021

B. Findings of Fact and Conclusions of Law

I. Case No. 21-01-CPF (Combination Preliminary and Final Plat) for Willa Fields Subdivision – Doug Hanson, Planner II **ACTION ITEM**

(Timestamp 00:00:47)

Motion To: Approve the Consent Agenda

Motion By: Commissioner Gealy

Motion Seconded: Commissioner Hennis

Further Discussion: None

Voting No: None

Absent: 0

Motion Passed: 5-0-0

3. PUBLIC HEARINGS: (6:00 PM or as soon thereafter as matters may be heard.)

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(Timestamp 00:01:00)

- A. Tabled from April 13, 2021 Case Nos. 20-07-AN (Annexation), 20-16-S (Preliminary Plat) & 20-25-DR (Design Review) Arrowwood Heights Subdivision – Troy Behunin, Senior Planner

ACTION ITEM

Wendy Shrief of JUB Engineers on behalf of Hayden Homes, requests to Annex approximately 53.16 acres into Kuna City Limits with an R-6 (Medium Density Residential), R-8 (Medium/High Density Residential) and C-1 (Neighborhood Commercial) Zoning Districts. In addition, Applicant requests to subdivide approximately 41.3 acres into 177 Single-Family Residential lots (approx. 33.71 acres R-6, approx. 7.59 acres R-8), 26 Common Lots, and 4 shared driveways; the approximately 9.79 acres of Commercial will remain as an out parcel to be developed in the future. The project proposes a Net Density of 7.93 DUA (Dwelling Units per Acre) & 4.29 Gross DUA, with 16% open space. The subject site is located at 7445 S Ten Mile Road, Kuna, ID 83634, within Section 3, Township 2 North, Range 1 West (APN: S1303417354).

(Timestamp 00:01:31)

Planner II Doug Hanson presented an overview of the project, he also read into the record an Addendum to Public Works comments, provided by Catherine Feistner, Assistant City Engineer.

(Timestamp 00:03:48)

Wendy Shrief, Planner with JUB Engineers, 2760 W Excursion, Suite 400, Meridian, Idaho, 83642. Ms. Shrief presented her overview of the project and provided a PowerPoint presentation. Ms. Shrief pointed out a street was added to the West as well as shortened a street per request from Ada County Highway District (ACHD). In addition, Ms. Shrief explained the subdivision was redesigned with the open space on the southwest of the project as to provide a buffer between Arrowwood Heights and the neighboring County Subdivision, Iron Horse; these changes were made after comments were provided by the neighbors at the Neighborhood Meeting. Ms. Shrief addressed two (2) issues she wanted to evaluate with the Public Works Department and stated they would work with Public Works Staff regarding them.

(Timestamp 00:15:21)

Commissioner Gealy asked a clarifying question, Ms. Shrief answered.

(Timestamp 00:17:17)

Vice Chairman Hennis asked questions regarding comments provided by the Kuna Rural Fire District (KRFD), Ms. Shrief responded.

(Timestamp 00:18:10)

Assistant City Engineer Catherine Feistner provided explanation and stated Public Works would work with the Applicant in order to assure there was adequate pressure for fire suppression.

(Timestamp 00:19:03)

Chairman Young asked Ms. Feistner a follow up question. Ms. Feistner responded and confirmed that fire suppression pressure would be addressed and any issues would be resolved prior to approval of Construction Drawings, if the Case was approved.

(Timestamp 00:20:22)

Chairman Young opened the Public Hearing.

Support:

Tim Mowka, Hayden Homes, 1406 W Main Street, Meridian, ID, 83642 - Testify

Robbie Reno, Kuna Joint School District No. 3, 711 E Porter, Kuna, ID, 83634 – Testify

Neutral:

None

Against:

Michael McShane, 7982 S Old Farm Lane, Meridian, ID, 83642 – Testify

Pattie Garofalo, 7624 S Old Farm Lane, Meridian, ID, 83642 – Testify

Steve Meyerpeter, 7963 S Old Farm Lane, Meridian, ID, 83642 – Testify

Jerri Meyerpeter, 7693 S Old Farm Lane, Meridian, ID, 83642 – Not Testify

Chris Brown, 7670 S Old Farm Lane, Meridian, ID, 83642 – Testify

Marilyn Brown, 7670 S Old Farm lane, Meridian, ID, 83642 – Not Testify

(Timestamp 00:20:48)

Tim Mowka, Hayden Homes, 1406 W Main Street, Meridian, Idaho, 83642 testified about the two (2) Neighborhood Meetings they had held, the Traffic Impact Study (TIS) they had performed, and requests from Public Works.

(Timestamp 00:23:44)

Commissioner Gealy asked staff if the PowerPoint presentation would be included in the record. Planning Services Specialist Jessica Reid confirmed the PowerPoint presentation slides were available as PDF files and would be attachments to the meeting Minutes.

(Timestamp 00:24:12)

Robbie Reno, Kuna Joint School District No. 3 (KSD), 711 E Porter Road, Kuna, Idaho, 83634 testified regarding the projected number of students the development would add to KSD and the capacities of each affected school. Mr. Reno also requested a proper bus stop would be provided with adequate lighting and sidewalks.

(Timestamp 00:27:00)

Michael McShane, 7982 S Old Farm Lane, Meridian, Idaho, 83642 testified he was the Homeowners Association (HOA) President and expressed he felt the developer did not provide adequate communication. Mr. McShane stated he did not like the proposed street that went toward the canal (Moonie Avenue) and why the road was now on the revised Preliminary Plat. He stated he appreciated the concessions the Developer had made with the open space, then

addressed the Commercial zoning and if apartments would be permitted there. (Mr. McShane was facing Mr. Mokwa during this part of his testimony and Mr. Mokwa shook his head no). In addition, Mr. McShane addressed his concerns with construction dust and property values. In conclusion, Mr. McShane commented the Iron Horse Subdivision sewer system was private.

(Timestamp 00:30:35)

Vice Chairman Hennis clarified with Mr. McShane the street he was concerned about.

(Timestamp 00:31:07)

Pattie Garofalo, 7624 S Old Farm Lane, Meridian, Idaho, 83642 testified regarding her concerns. Mrs. Garofalo presented three (3) conditions for consideration: a request for a transitional buffer of Low to Medium Density (R-2 to R-4) between Iron Horse Subdivision and the proposed development, in order to maintain the character of the area; a request for a View Easement limiting home construction to single story; and a request for Dark Sky standards to be enforced within the proposed project in order to minimize light pollution.

(Timestamp 00:33:25)

Ms. Feistner addressed the Sewer Sleeve (SS) requested by Public Works and notified the Iron Horse Subdivision residents the SS would not be for immediate hook-up but for future potential development and potential future needs of the Iron Horse Subdivision to connect to City Services should their private septic and/or water system fail.

(Timestamp 00:34:34)

Steve Meyerpeter, 7963 S Old Farm Lane, Meridian, Idaho, 83642 testified he appreciated the shift in the open space to be adjacent to Iron Horse Subdivision. Next, he testified to his concerns of the increased demand on the Fire, Police, and Schools. Mr. Meyerpeter asked if the City would institute Impact Fees to builders in order to supplement the needs of these agencies. He also added there were six (6) Subdivisions within the area containing one (1) acre home sites with custom homes, he stated it was unfair to develop a higher density Subdivision right next to these existing Subdivisions.

(Timestamp 00:37:10)

Ms. Reid addressed the Commission and those attending in order to explain the City did in fact already charge for Fire, Police and Park Impact Fees, however, the City was not able to dictate how those funds were used; she provided an example of the Kuna Rural Fire District (KRFD), stating it was a completely different operating entity with their own governing Board who made those decisions. Ms. Reid also explained affected agencies were provided the opportunity to comment on projects as they came forward. In addition, the State of Idaho did not allow Impact Fees to be collected for Schools; Ms. Reid also stated multiple Cities were working on trying to get that changed but as of yet, had not been able to do so.

(Timestamp 00:38:20)

Chris Brown, 7670 S Old Farm Lane, Meridian, Idaho, 83642 testified he was aware that the area was developing but was concerned for the quality of life. Mr. Brown stated putting starter homes next to One (1) Million Dollar homes it would affect their homes values. Mr. Brown stated quality of life, crime, dust and traffic would all affect the residents of Iron Horse Subdivision. Mr. Brown went on to state that the building of Subdivisions increases crime and Iron Horse Subdivision will no longer be a safe neighborhood. In addition, Mr. Brown asked what was in it for Kuna? He went on to state a neighbor had been approached about a potential Phase 2 of the

proposed project and believed there was the potential for 1,000 to 2,000 homes. Mr. Brown stated that taxes would rest on the shoulders of the nicer houses within the district and expounded on the duration of time he has lived in the area. He provided the opinion that persons living within the Subdivision would not come to Kuna for their needs or utilize the businesses in town. Mr. Brown concluded with a request for bigger lots, nicer homes and insisted a fence taller than six (6) feet to keep people in the Subdivision away from Iron Horse Subdivision; they did not want to see them and they did not want to see them.

(Timestamp 00:45:07)

Chairman Young confirmed if there were any others present who wished to testify but had not signed-up; there were none.

(Timestamp 00:45:34)

Mr. Mokwa rebutted specific points of the testimony provided. Mr. Mokwa addressed Mr. McShane's comments and said that he was informed if he had received notice for the first meeting, he would receive notice for the following meetings. He explained the construction dust would be maintained as per the dust control plan to be developed, the site would be inspected regularly, and there would be a sign on site with contact information in case any issues arose. In addition, he addressed the statement the proposed density did not match neighboring Iron Horse Subdivision, and went on to explain that was it was not within Kuna City Limits and was in fact an Ada County Subdivision; the proposed Subdivision was designed to City standards, not the County's. Mr. Mokwa addressed concerns regarding quality of life and suspected loss in property value; he stated he had never experienced that and properties would be hard-pressed to lose value in the current market. Lastly, Mr. Mokwa responded to the comment that the proposed Subdivision would increase crime and stated he found it hard to agree as the proposed homes would be within the \$400,000 dollar range; he said he was not building ghettos and took offense to the comment.

(Timestamp 00:48:18)

Ms. Shrief rebutted by saying the proposed Subdivision met the requirements of the Comprehensive Plan and the Mixed-Use zoning. She reiterated her previous point that concessions were made in the open space design because they understood the neighbors had a very different type of development. She also supported Mr. Mokwa's comment the homes were not starter type homes and would be in the \$400,000+ range. Ms. Shrief said they would work with KSD on a bus stop; had worked with the neighbors, having two Neighborhood Meetings which was above the requirement.

(Timestamp 00:50:50)

Mr. Mokwa returned to the podium to rebut a testimony he had missed regarding compatibility. He had reviewed the aerial photo of the proposed project and the surrounding area and explained the proposed Subdivision was on the opposite side of the canal and the separation between it and the Iron Horse Subdivision was 58 feet; if the 28-foot setback on the lots within Iron Horse were added, it was even greater. Next, he stated they had already agreed to double fence along the canal, there would be chain link along the canal road, then the homes would have six (6) foot vinyl fencing.

(Timestamp 00:52:00)

Chairman Young clarified the stub street (Moonie Avenue) on the southern property line of the proposed project was a requirement from ACHD. Mr. Mokwa confirmed the statement and further explained the street was not on the Preliminary Plat shown at the time of the Neighborhood Meetings; the street was a Condition from ACHD during project review. In conclusion, Mr. Mokwa contested the comment they had reached out to neighbors in order to acquire additional properties for development of 2,000 lots; the information was in no way accurate.

(Timestamp 00:52:53)

Vice Chairman Hennis clarified the street (Moonie Avenue) was required as part of ACHD's interconnectivity Policy and a crossing over the canal would be required for the street to be useable; it was to be developed in case of future development(s). Mr. Mokwa explained they would stub the street and put forward monies in a Road Trust with ACHD for potential development of the crossing in the future. Chairman Young asked if fencing would be placed across the end of the stub street, Mr. Mokwa provided the pertinent information.

(Timestamp 00:54:40)

Chairman Young closed the Public Hearing and the Commission proceeded into deliberation. The Commissioners recognized the concession made for placement of the open space; the need for the developer to review the pressure for fire suppression with Public Works; and the proposed density. The Commission did not feel they could Condition only one (1) story homes could be built but did discuss a lower density along the portion of the project that bordered the neighboring Subdivision.

Commissioner Damron discussed the aspect of development within the City and development within the County. He stated the surrounding areas were also designated to become Mixed-Use and how that could be balanced with the neighboring developments. Commissioner Hennis agreed and expressed concern of future development of the Mixed-Use designated parcels surrounding Iron Horse Subdivision; they did not want to set a negative precedence.

Chairman Young discussed potential ways to provide for potential requested changes in density in the Commission's recommendation to City Council.

Commissioner Gealy expressed the Mixed-Use designation was meant as a mix between Commercial and Residential aspects, not specifically a mix between R-6 and R-8 densities, and the location was good for Commercial along N Ten Mile Road. She also pointed out her preference to see open space centralized within developments but understood and appreciated why it was proposed to be on the southwest of the project, just north of S Old Farm Lane. She then asked Ms. Feistner clarifying questions in order to make correct Motions.

Commissioner Garten expressed his concern of the proposed Subdivision abutting the existing Iron Horse Subdivision but also pointed out the concession made with the open space to mitigate the impact. He explained there was a housing crisis but being smart about growth was important; he understood both sides. In addition, he acknowledged the proposal met the Comprehensive Plan and Kuna design standards.

(Timestamp 01:12:00)

The Commission discussed the verbiage to be used on the Conditions of Approval they wanted to add. Bill Gigray, City Attorney interjected to provide examples of potential Motions to encompass those Conditions. The Commission deliberated the proposed project and their potential Motions further.

Motion To: Recommend Approval of Case Nos. 20-07-AN (Annexation) and 20-16-S (Preliminary Plat) for Arrowwood Heights Subdivision with the Conditions as outlined in the Staff Report and the additional Conditions the Applicant work with Public Works to review the feasibility of looping the main water system, confirm easements are in place, and the feasibility of the Sewer connection regarding depths, etc.; the Applicant work with the City Engineer to confirm the correct pressure for fire suppression is available via modeling upon presentation of Construction Drawings; the Applicant work with Kuna Joint School District No. 3 to provide adequate bus stops; and for the Applicant to enter into a Development Agreement with the City in order to provide larger R-4 (Medium Density Residential) lots along the southern end of the project to provide better transition.

Motion By: Commissioner Hennis

Motion Seconded: Commissioner Damron

Further Discussion: Chairman Young deferred to City Attorney Bill Gigray for confirmation the Motion encompassed the Commissions intent as well as land use law. Mr. Gigray recommended the Commission address each Case individually and continue the Public Hearing only for the purpose for the Commission to consider the Findings of Fact as to ensure the wording is correct and encompasses the Commissions intent.

Voting No: None

Absent: 0

Motion Passed: 5-0-0

Motion To: Approve Case No. 20-25-DR (Design Review) for Arrowwood Heights Subdivision with the Conditions as outlined in the Staff Report and the additional Condition the Applicant work with Kuna Joint School District No.3 to provide adequate bus stops.

Motion By: Commissioner Hennis

Motion Seconded: Commissioner Gealy

Further Discussion: None

Voting No: None

Absent: 0

Motion Passed: 5-0-0

(Timestamp 01:30:06)

Mr. Gigray requested Chairman Young clarify for staff if the Commission wished to review the Findings of Fact as a Consent agenda item or as a separate item on the agenda for the next meeting and provided procedure on how to do so.

Motion To: Present the Findings of Fact for Arrowwood Heights Subdivision on the next Planning and Zoning Commission meeting agenda as a separate item from the Consent agenda.

Motion By: Commissioner Hennis

Motion Seconded: Commissioner Damron

Further Discussion: None

Voting No: None

Absent: 0

Motion Passed: 5-0-0

(Timestamp 01:31:52)

B. Case No. 21-01-AN (Annexation) for Coffelt – Doug Hanson, Planner II **ACTION ITEM**

Addison Coffelt requests approval to annex approximately 4.00 acres into Kuna City limits with an R-2 (Low Density Residential) zoning district classification. The subject site is located at 8800 S Linder Road, Meridian, ID 83642, within Section 12, Township 2 North, Range 1 West (APN: S1312325400).

(Timestamp 01:32:05)

Planner II Doug Hanson presented an overview of the project.

(Timestamp 01:33:07)

Commissioner Gealy asked if there was future potential for a pathway to be developed along the canal. Mr. Hanson informed the Commission if a pathway for that area was on the Master Plan, it would be addressed upon development, if there was any.

(Timestamp 01:36:08)

Addison Coffelt, 8800 S Linder Road, Meridian, Idaho, 83642, reiterated points of the project and her desire to reserve the rural nature of her property. Commissioner Gealy addressed the future potential of a pathway and asked if Mrs. Coffelt was aware of it. Mrs. Coffelt confirmed if a pathway was within their property and it was something they were able to do, then yes, they were willing.

(Timestamp 01:37:20)

Commissioner Young opened the Public Hearing.

Support:

None

Neutral:

None

Against:

None

(Timestamp 01:37:40)

Commissioner Young closed the Public Hearing and the Commission proceeded into deliberation. The Commission did not express any concerns with the request.

(Timestamp 01:38:22)

Motion To: Recommend Approval of Case No. 21-01-AN (Annexation) for Coffelt with the Conditions as outlined in the Staff Report.

Motion By: Commissioner Gealy

Motion Seconded: Commissioner Damron

Further Discussion: None

Voting No: None

Absent: 0

Motion Passed: 5-0-0

4. BUSINESS ITEMS:

(Timestamp 01:38:44)

- A. Case No. 21-04-DR (Design Review) for Pet Care Clinic of Kuna – Jessica Reid, Planning Services Specialist **ACTION ITEM**

Applicant Brady Hickcox of TerWisscha Construction, Inc., on behalf of his client Dr. Roberta Konzek, requests Design Review approval for the proposed construction of a new one-story, 3,600 SF veterinary office, associated landscaping with an alternative compliance request, and parking lot. The current facility will remain open for business during construction and then will transition into the new facility, at which time the old facility will be demolished and the parking lot finished. In addition, the Applicant notes a 1.5” waterline will be required to service the new facility. The proposed project is located at 366 E Avalon Street (APN: R0615001165), 2N1W24.

(Timestamp 01:39:01)

Commissioner Gealy addressed the room and stated she was a customer of the Pet Care Clinic of Kuna but had no financial or fiduciary interests in the clinic and believed she could review the Case based on the facts and information provided, without bias. The rest of the Commission expressed the same. Chairman Hennis deferred to City Attorney Bill Gigray for clarification on if recusing themselves was required.

(Timestamp 01:40:01)

Mr. Gigray stated he had no concerns and requested the Commissioners state on the record they would not be biased and judge the matter based on information provided in the record and City Ordinances governing it; he also confirmed there was no ethical issue at hand.

(Timestamp 01:40:32)

The Commissioners, in turn, stated they were able to be impartial and judge the Case on the information provided in the record.

(Timestamp 01:40:54)

Planning Services Specialist Jessica Reid presented an overview of the project.

(Timestamp 01:41:58)

Brady Hickcox of Terwisscha Construction, 1550 Willmar Avenue Southeast, Willmar, Minnesota, 56201 pointed out highlights of the project and it was necessary for the local business to expand its operations. Mr. Hickcox also reviewed the alternative landscaping requirement request.

(Timestamp 01:43:26)

The Commission proceeded into deliberation.

(Timestamp 01:45:00)

Motion To: Approve Case No. 21-04-DR (Design Review) for Pet Care Clinic of Kuna with the Conditions as outlined in the Staff Report, and Approved the Alternative Compliance Request for landscaping.

Motion By: Commissioner Hennis

Motion Seconded: Commissioner Gealy
Further Discussion: None
Voting No: None
Absent: 0
Motion Passed: 5-0-0

5. ADJOURNMENT:

(Timestamp 01:45:37)

Motion To: Adjourn
Motion By: Commissioner Hennis
Motion Seconded: Commissioner Damron
Further Discussion: None
Voting No: None
Absent: 0
Motion Passed: 5-0-0

Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:

Jace Hellman, Planning and Zoning Director
Kuna Planning and Zoning Department



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

April 27, 2021 – Planning and Zoning Commission Public Hearing

Case Name: Arrowwood Heights

Case No: 20-16-S (Preliminary Plat), 20-07-AN (Annexation) & 20-25-DR (Design Review)

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

IN FAVOR

NEUTRAL

IN OPPOSITION

Testify **Not Testify**

Robbie Reno
Print Name
111 E Porter
Print Address
Kuna ID 83634
City State, Zip

Testify **Not Testify**

TIM MOKWA
Print Name
1006 W. Main St
Print Address
Meridian ID 83642
City State, Zip

Testify **Not Testify**

Michael McShane
Print Name
~~7982 S Old Farm Lane~~
Print Address
~~Meridian ID 83642~~
City State, Zip

Testify **Not Testify**

PATTI GAROFALO
Print Name
7624 S. Old
Print Address
City State, Zip

Testify **Not Testify**

Print Name

Print Address

City State, Zip

Testify **Not Testify**

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Testify **Not Testify**

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City State, Zip

Testify **Not Testify**

Print Name

Print Address

City State, Zip

Testify **Not Testify**

Michael McShane
Print Name
7982 S Old Farm Lane
Print Address
Meridian, ID 83642
City State, Zip

Testify **Not Testify**

PATTI GAROFALO
Print Name
7624 S. Old Farm LN
Print Address
Meridian ID 83642
City State, Zip

Testify **Not Testify**

Steve Meyerpeter
Print Name
7963 S. Old Farm LN
Print Address
Meridian ID 83642
City State, Zip

Testify **Not Testify**

JERRI MEYERPETER
Print Name
7693 S. Old Farm Ln
Print Address
Meridian ID 83642
City State, Zip

IN FAVOR

NEUTRAL

IN OPPOSITION

Testify Not Testify

Print Name

Print Address

City State, Zip

Testify Not Testify

Print Name

Print Address

City State, Zip

Testify Not Testify

Chris Brown
Print Name

7670 S. Old Farm Ln
Print Address

Meridian, ID 83642
City State, Zip

Testify Not Testify

Print Name

Print Address

City State, Zip

Testify Not Testify

Print Name

Print Address

City State, Zip

Testify Not Testify

Marilyn L. Brown
Print Name

7670 S. Old Farm Ln
Print Address

Meridian, ID 83642
City State, Zip

Testify Not Testify

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Arrowood Heights Subdivision Planning and Zoning Commission

April 27, 2021

Give as you go

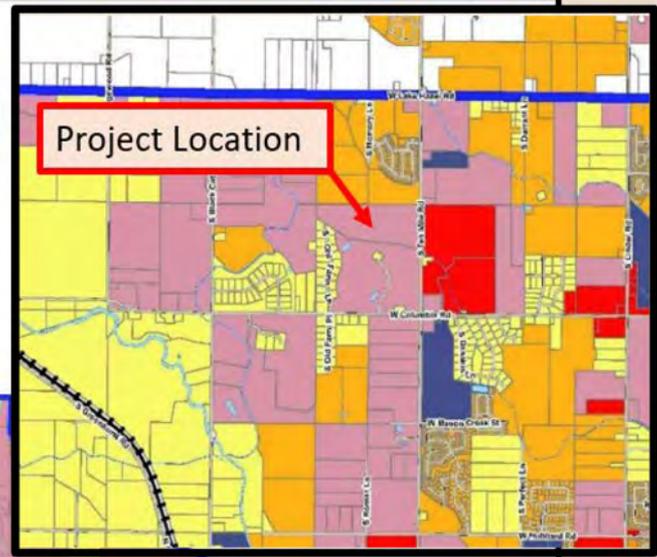
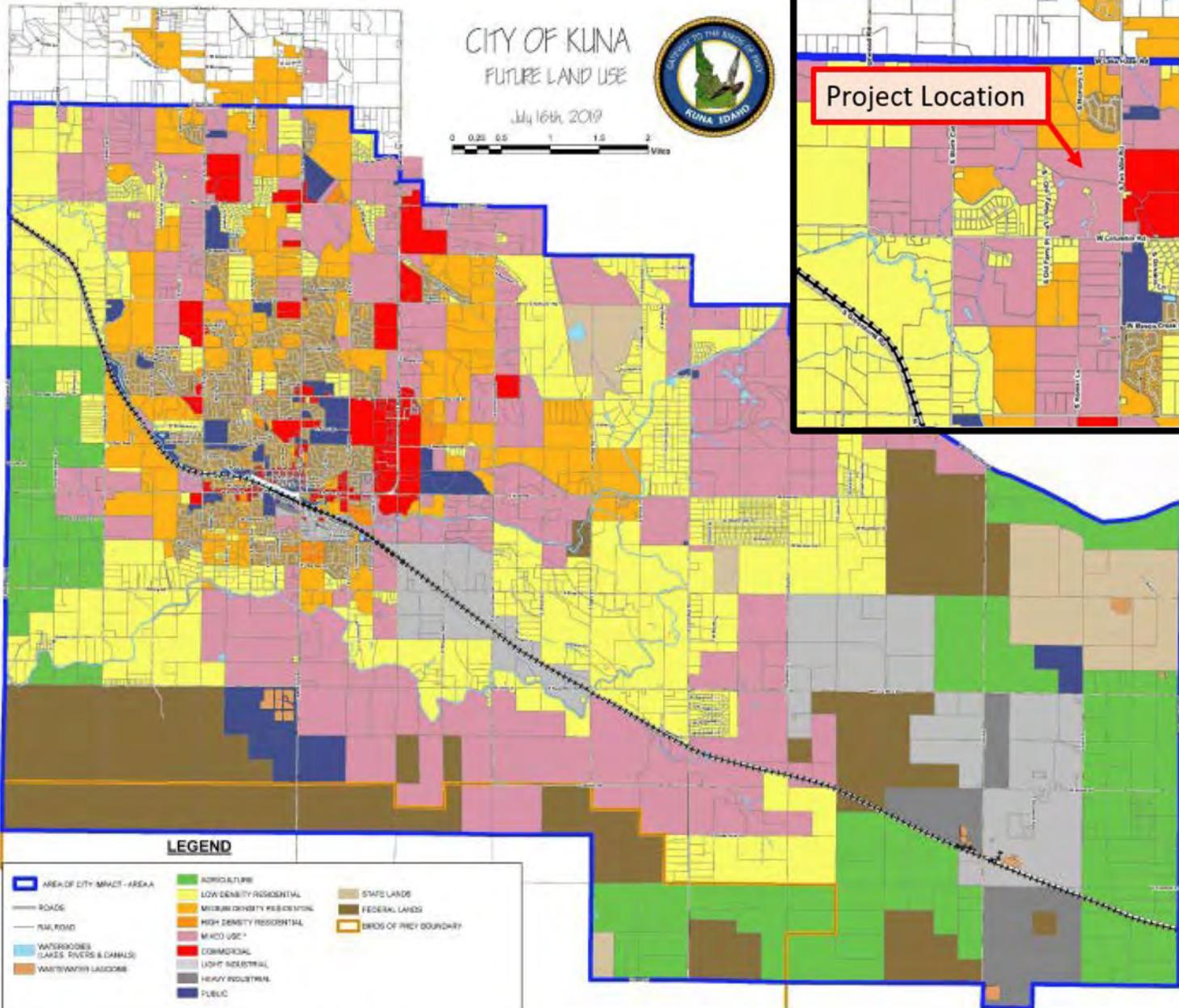
Vicinity Map



Give as you go

CITY OF KUNA FUTURE LAND USE

July 16th, 2019



LEGEND

- | | | |
|--------------------------------------|----------------------------|------------------------|
| AREA OF CITY MAPS - AREA | AGRICULTURE | STATE LANDS |
| ROADS | LOW DENSITY RESIDENTIAL | FEDERAL LANDS |
| RAIL ROAD | MEDIUM DENSITY RESIDENTIAL | BIRDS OF PREY BOUNDARY |
| WATERBODIES (LAKES, RIVERS & CANALS) | HIGH DENSITY RESIDENTIAL | |
| WASTEWATER LAGOONS | MIXED USE* | |
| | COMMERCIAL | |
| | LIGHT INDUSTRIAL | |
| | HEAVY INDUSTRIAL | |
| | PUBLIC | |

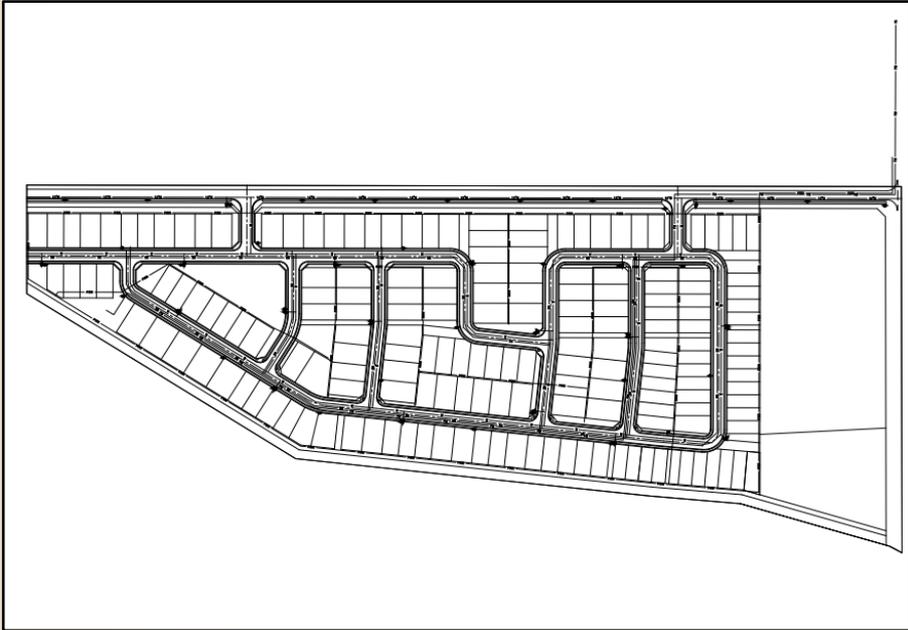
*SEE COMPREHENSIVE PLAN TEXT FOR MORE DETAIL.

Land Use Summary

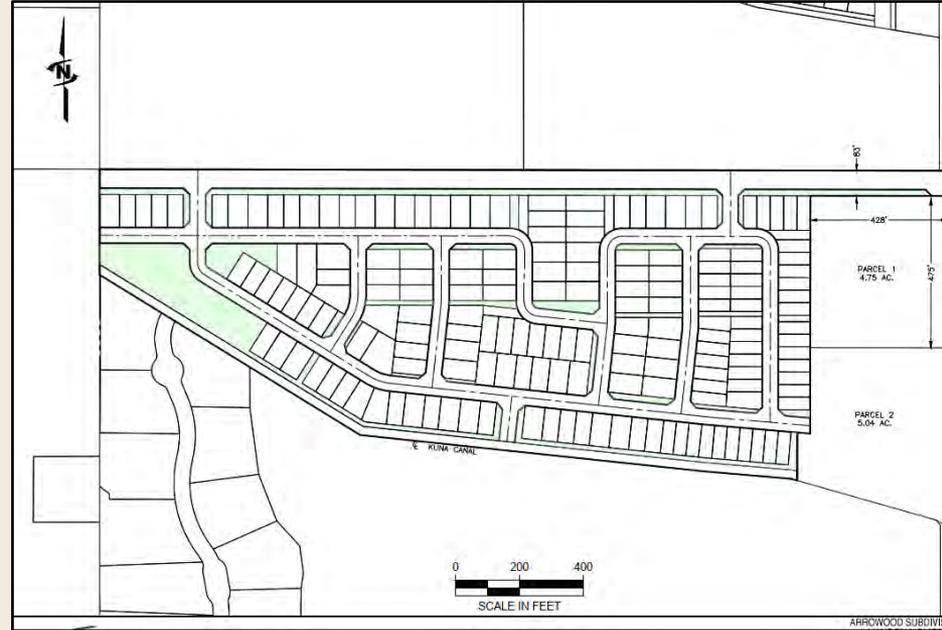
Total Area:	51.09 AC.
Total Lots:	207 Lots
Residential Lots:	177 Lots
Common Area Lots:	26 Lots
Shared Driveways:	4
Gross Density:	3.46 DU / AC
Net Density:	5.24 DU / AC
Total Common Area:	6.78 AC.
Usable Common Area:	4.54 AC.
Average Lot Size:	5,488 S.F.
Smallest Lot:	4,000 S.F
Existing Zone:	RUT
Proposed Zone:	R-6 & R-8

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Before Neighborhood Meeting



After Neighborhood Meeting



Give as you go



J-U-B ENGINEERS, INC.

October 30, 2020

City of Kuna
763 W. Avalon
Kuna, ID 83634

J-U-B COMPANIES



THE LANGDON GROUP



GATEWAY MAPPING INC.

RE: ARROWWOOD HEIGHTS SUBDIVISION- PRELIMINARY PLAT, AND ANNEXATION AND ZONING APPLICATIONS

To Whom It May Concern:

On behalf of our client, Hayden Homes, please accept this request for a preliminary plat and annexation and zoning for Arrowwood Heights Subdivision; the proposed development is located on the west side of Ten Mile Road in Kuna, Idaho. The property is located immediately to the south of Memory Ranch Subdivision. The proposed development includes a total of 177 residential lots on 41.3 acres with a density of 4.29 dwelling units per acre. The property is currently located in Ada County and R-6 and R-8 zoning is requested for the property's zoning designation. C-1 zoning is being requested for a 9.79 acre property that is located adjacent to Ten Mile; the commercial property will be annexed into the City of Kuna for future development but the property is not included in the preliminary plat. The Comprehensive Plan designation for the property is Mixed-Use.

Preliminary Plat

The design of the project is intended to provide an upscale single-family residential subdivision for Kuna residents. The 41.30 acre property will be divided into 177 residential lots, 26 common lots, and 4 shared driveway lots. Three phases are proposed for the subdivision. The property is currently zoned RUT and located in Ada County. The average lot size in the subdivision is 5,508 square feet in size. The southern side of the proposed subdivision borders an existing County subdivision with 1 acre lots; R-6 zoning and a large common area is proposed for the area bordering the County subdivision. 16% of the subdivision property will be dedicated to open space; 12% of the subdivision will be dedicated to usable open space including a regional pathway and park areas.

There are adequate public services available to this area to serve the subdivision; The development will be served with public sewer and water provided by the City of Kuna. Fire protection will be available through the Kuna Fire Department. Storm water will be retained on site and designed by a civil engineer in accordance with City of Kuna requirements.

Access to the development will be off of Ten Mile Road; the proposed subdivision will also be connected to a Collector street which will be constructed on the northern side of the proposed

subdivision. Internal access to residential lots will be provided through public streets; standard street sections with 50' of right-of-way and 36' of pavement are proposed.

Neighborhood Meeting and Revised layout

Our client, Hayden Homes, held two Neighborhood Meetings to discuss the proposed layout with neighbors of the proposed Arrowwood Heights Subdivision. At the first Neighborhood Meeting, held of September 24th, neighbors expressed concerns about proposed homes that would have bordered an existing County subdivision located to the south of Arrowwood Heights. Following the meeting, Hayden Homes revamped their layout to move an open space area to the southern edge of the subdivision; several lots were also dropped from the plat to accommodate the layout change. A second Neighborhood Meeting was held on October 21st to show neighbors the proposed layout changes. The response of the neighbors to the layout changes and revised open space location was overwhelmingly positive.

Proposed Amenities

A multi-use regional pathway will be constructed on the northern side of the Kuna Canal. Several micropath connections are proposed within the subdivision to create pedestrian connections within the subdivision and to improve access to open space areas and the regional pathway. 16% of the proposed subdivision will be dedicated to open space, park areas and a basketball court are planned for open space areas.

Annexation and Zoning

Our client is requesting R-6 and R-8 zoning designations for the proposed annexation of Arrowwood Heights Subdivision, C-1 Zoning is proposed for the area bordering Ten Mile. R-8 zoning will be located adjacent to the future commercial area on Ten Mile and R-6 zoning is proposed for the western portion of the subdivision. The two varying densities are being proposed to allow for a transition between the future commercial development and the proposed residential subdivision. The proposed residential and commercial zoning designations are compatible with the City of Kuna's Mixed Use Comprehensive Plan designation for the area.

The development has been designed in accordance with the City of Kuna's Code and Comprehensive Plan. Please contact me at 376-7330 if you have any questions regarding this application.

Sincerely,
J-U-B ENGINEERS, Inc.

Wendy Shrief, AICP



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Give as you go



Give as you go



Give as you go



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

April 27, 2021 – Planning and Zoning Commission Public Hearing

Case Name: Coffelt

Case No: 21-01-AN (Annexation)

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

IN FAVOR		NEUTRAL		IN OPPOSITION	
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>
_____ Print Name		_____ Print Name		_____ Print Name	
_____ Print Address		_____ Print Address		_____ Print Address	
_____ City	_____ State, Zip	_____ City	_____ State, Zip	_____ City	_____ State, Zip
<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>
_____ Print Name		_____ Print Name		_____ Print Name	
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<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>
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<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>	<input type="checkbox"/> <u>Testify</u>	<input type="checkbox"/> <u>Not Testify</u>
_____ Print Name		_____ Print Name		_____ Print Name	
_____ Print Address		_____ Print Address		_____ Print Address	
_____ City	_____ State, Zip	_____ City	_____ State, Zip	_____ City	_____ State, Zip

9	Neighborhood Meeting Certification			X
10	Commitment to Property Posting			X
11	Agency Transmittal – 03.02.2021			X
12	Boise Project Board of Control – 03.02.2021			X
13	Public Works, Assistant City Engineer – 03.15.2021			X
14	Nampa & Meridian Irrigation District			X
15	COMPASS – 03.19.2021			X
16	Ada County Highway District Staff Report – 03.22.2021			X
17	Legal Notice Mailer – Mailed 03.24.2021			X
18	Certificate of Mailing – 03.24.2021			X
19	Affidavit of Publication – Kuna Melba News			X
20	Proof of Property Posting – 03.30.2021			X

1.2 Hearings

1.2.1 Planning and Zoning Commission heard this on April 13, 2021. The FCO’s have been requested to go to the Commission May 11, 2021.

1.3 Witness Testimony

1.3.1 Those who testified at the Commissions April 13, 2021 meeting are as follows, to-wit:

1.3.1.1 City Staff:
Jessica Reid, Planning Services Specialist

1.3.1.2 Appearing for the Applicant:
Michelle Carroll, City of Trees Real Estate

1.3.1.3 Appearing in Favor:
None

1.3.1.4 Appearing Neutral:
Cherany Rainwater Krueger, Community Representative

1.3.1.5 Appearing in Opposition:
None

**II
DECISION**

WHEREUPON THE PLANNING AND ZONING COMMISSION being duly informed upon the premises and having reviewed the record, evidence, and testimony received and being

fully advised in the premises, DO HEREBY MAKE THE FOLLOWING RECOMMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

**III
FINDINGS OF FACT**

3.1 Findings Regarding Notice

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

3.1.2 Notice Provided

3.1.2.1 Notice was published for the April 13, 2021 Public Hearing on the Annexation for the Markovetz properties in the Kuna Melba News Newspaper, the official City of Kuna newspaper, which has general circulation within the boundaries of the City, Ada County, and Canyon County.

<i>Newspaper</i>	<i>Date(s) Published</i>
<i>Kuna Melba News</i>	March 24, 2021

3.1.2.2 Notice for the April 13, 2021 Public Hearing containing the description of the property proposed to be Annexed was mailed March 14, 2021 to all known affected property owners within three-hundred (300) feet of the boundaries of the area described in the application.

3.1.2.3 Notice for the April 13, 2021 Public Hearing was posted on a sign in accordance with Kuna City Code 5-1A-8 on March 30, 2021. A Proof of Property Posting was provided to staff on March 30, 2021.

3.1.2.4 Notice for the April 13, 2021 Public Hearing was posted in conspicuous places within City Hall on the foyer’s bulletin boards and City website.

3.2 Findings Regarding Annexation

3.2.1 The land for the proposed Annexation is comprised of five (5) parcels totalling approximately 33.02 acres. The parcels include the following:

Property Owner	Parcel Size	Current Zone	Parcel No.
Donald & Carol Markovetz	1.47 Acres	RR – Rural Residential	R5462680010
Donoald & Carol Markovetz	0.152 Acres	RR – Rural Residential	R5462680020
Donald & Carol Markovetz	1.13 Acres	RR – Rural Residential	R5462680070
Donald & Carol Markovetz	29.395 Acres	RR – Rural Residential	R5462680100
Donald & Carol Markovetz	0.872 Acres	RR – Rural Residential	R5462680110

- 3.2.2 None of the landowners of the parcels at issue opposed the Annexation.
- 3.2.3 The parcels are currently in unincorporated Ada County and have a Zoning District Classification of Rural Residential. The Comprehensive Plan Future Land Use Map identifies the subject parcels as Medium Density Residential.
- 3.2.4 The existing land uses and Zoning District Classifications for lands surrounding the subject parcels are as follows:

NORTH	RR	Rural Residential – Ada County
SOUTH	RR	Rural Residential – Ada County
EAST	A	Agriculture – City of Kuna
WEST	RR	Rural Residential – Ada County

- 3.2.5 The proposed project sites contain one (1) single-family residence (R5462680110) and on-site vegetation is consistent with that of agriculture pasture-type fields.

3.3 Testimony of the Planning Services Specialist

- 3.3.1 **Conclusions:** The Planning Services Specialist, in a Staff Report to the Planning and Zoning Commission dated April 13, 2021, confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:

- 3.3.1.1 The Applicant held a Neighborhood Meeting with neighboring landowners within three-hundred (300) feet of the proposed project area on November 7, 2020; there were nine (9) attendees. Neighborhood Meeting Minutes have been provided as part of this application.
- 3.3.1.2 Staff has determined the properties are eligible for Annexation into Kuna City Limits as they are contiguous with Kuna City Limits situated to the east of the subject sites, and the property owners are consenting to Annexation.
- 3.3.1.3 The existing residence is accessed via an existing driveway from S Terben Lane.
- 3.3.1.4 The Applicant is proposing to Annex approximately 33.02 acres into Kuna City Limits with an R-8 (Medium/High Density Residential) zone which is consistent with the Medium Density land use designation on the Future Land Use Map (FLUM).
- 3.3.1.5 The application is limited to the Annexation request into Kuna City Limits; however, a development application will be forthcoming in the future.
- 3.3.1.6 The Boise Project Board of Control (BPBC) provided comments the subject sites will not be permitted to connect to the Kuna Municipal Irrigation System (KMIS) unless legal surface irrigation water rights are obtained from the New York Irrigation District. In addition, BPBC

comments note high ground water spreading is against Idaho State Statutes.

- 3.3.1.7** BPBC asserts the federal easement of thirty-five (35) feet east of the waters edge and twenty (20) feet west out and parallel to the canals lower toe as the area is required for the operation and maintenance of the canal; no landscaping besides grass or gravel is permitted and any/all fencing or pathways must be constructed just off of the easement. The easement shall maintain unhindered access and surfaces must remain flat and drivable.
- 3.3.1.8** The Community Planning Association of Southwest Idaho (COMPASS) provides a “G” or “PG” rating as acceptable Levels of Stress for pedestrian and bicyclist facilities which support all ages and comfort levels; currently, the Kuna Road Corridor has been rated “R” and is not an acceptable Level of Stress. In addition, ValleyConnect 2.0 has no plans for bus services in this location. COMPASS encourages future development to provide improved pedestrian and bicycle circulation pathways, stub streets, and a pathway along the New York Canal to provide future connectivity. Staff notes COMPASS has reported the location of the subject sites is within an area that is predominately farmland and nearby services such as Fire, Police, schools, parks, grocery stores, etcetera, are a distance greater than 3.5 miles away; as well as indicating the growth in the area, including the additional developments in the vicinity, have exceeded their growth forecast for that area.
- 3.3.1.9** Ada County Highway District (ACHD) identifies Kuna Road as a Level 3 facility within their Roadways to Bikeways Master Plan, which implements an improved bicycle network as to provide alternate means of viable transportation; they have also identified Level 1 facilities within the site. Currently, ACHD rates the condition of area roadways as “E” being an acceptable level of service for a two-lane minor arterial; per the ACHD staff report dated March 22, 2021, the area roadways have been rated better than “D”, with an Average Daily Traffic Count (VDT) of 1,020 per their most recent traffic counts (performed April 13, 2016). ACHD notes that Kuna Road is improved with two (2) travel lanes and one (1) turn lane.
- 3.3.1.10** There is no curb, gutter, or sidewalk abutting the site; these types on improvements would be required upon submission of a development application. The improvements will be required to be made in accordance with Kuna City Code (KCC) standards and ACHD policy.
- 3.3.1.11** ACHD provided a staff report based on the current proposed annexation and possible future development of the subject sites; within this report, substantial street improvements would be required upon development. These improvements could include: a Traffic Impact Study (TIS) if there are 100 or more single-family homes proposed for development, if development would generate 100 or more new PM peak hour trips; widening Kuna Road to seventeen (17) feet from centerline on each side; constructing a five (5) foot detached concrete sidewalk and three (3) foot gravel shoulder on both sides of Kuna Road; additional street frontage improvements; and dedication of

additional right-of-way if turn lanes become required based on development numbers.

- 3.3.1.12** ACHD staff also notes the Applicant would be required to construct a new north/south collector roadway at the site's east property line as half of a two-lane collector roadway, and continuing north of Kuna Road until a bridge crossing would be required over the New York Canal.
- 3.3.1.13** Per ACHD, Applicant shall be subject to all district policies and any additional requirements shall be met and constructed to ACHD and KCC standards.
- 3.3.1.14** Staff has determined the Applicant's Annexation request is in compliance with Kuna City Code, Title Five; Idaho Statutes §50-222 and §67-65; and the goals and policies set in Kuna's Comprehensive Plan. Staff recommends if the Commission recommends approval to the City Council, that the Applicant be subject to the Conditions of Approval listed in section "J" of this report, as well as any additional conditions designated by the Planning and Zoning Commission.

3.4 Staff Recommendations: As a result of the review, Planning Services Specialist Jessica Reid, recommended that if the Planning and Zoning Commission recommends approval of Case No. 21-02-AN (Annexation), the Applicant be subject to the following Conditions of Approval:

- 3.4.1** 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:
 - 3.4.1.1** The City Engineer shall approve all Water and/or Sewer hookups.
 - 3.4.1.2** The City Engineer shall approve all Civil Plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received approval of the drainage plan.
 - 3.4.1.3** Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties".
 - 3.4.1.4** The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District are required.
 - 3.4.1.5** The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
 - 3.4.1.6** Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees *paid prior to issuance* of any building permit(s).

- 3.4.1.7** All public rights-of-way shall be dedicated and constructed to standards of the City and ACHD. No public street construction may commence without the approval and permit from ACHD.
- 3.4.2** Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see Kuna City Code 6-4-2.
- 3.4.3** Compliance with Idaho Code §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
- 3.4.4** When required, submit a petition to the City (as necessary, confirmed with the City Engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to Annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Irrigation System (KMIS) of the City.
- 3.4.5** The Landowner/Applicant/Developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through the Public Hearing processes.
- 3.4.6** Developer/Owner/Applicant shall follow staff, City Engineer, and other agency requirements as applicable.
- 3.4.7** Developer/Owner/Applicant shall comply with all local, state, and federal laws.

3.5 Other Testimony

- 3.5.1** 04/13/2021 Public Hearing – Michelle Carroll, City of Trees Real Estate, had no other comments on the project besides reiterating the request was only for an Annexation and a development application would be forthcoming in the future.
- 3.5.2** 04/13/2021 Public Hearing – Cheramy Rainwater Krueger testified as the Community Representative for the residents of the existing Markovetz Subdivision (Ada County). She expressed concern regarding the existing Subdivisions septic system and Sewer Access Easement, and wanted to ensure it would continue to stand.
- 3.5.3** 04/13/2021 Michelle Carroll – (Rebuttal) Michelle indicated she was aware of the easement and it would not be affected during the Annexation process. Ms. Carroll indicated potential solutions for the existing homeowners were being considered and would be addressed during development.

3.5.4 04/13/2021 Public Hearing – Jace Hellman, Planning and Zoning Director explained an easement is recorded with a property and since the easement was used by existing homeowners in an Ada County Subdivision, the Developer would be required to provide an alternative. Mr. Hellman also explained if the existing Subdivision Annexed into the City of Kuna and the septic system failed, conversation regarding connecting to City Services would be had; since they were remaining in Ada County, an avenue to continue the use of their septic system had to be provided.

3.5.5 04/13/2021 Michelle Carroll – In response to a direct question from the Planning and Zoning Commission regarding density, Michelle stated all planning for their upcoming development application had been designed around an R-6 (Medium Density Residential) zoning designation.

IV

CONCLUSIONS OF LAW

RE: POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION

- 4.1 City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50, Idaho Code.
- 4.2 The power of the City of Kuna lies in the Planning and Zoning Commission to hear this matter as provided in Idaho Code §50-13 and §67-65, and Kuna City Code 1-14-3.
- 4.3 The Kuna Planning and Zoning Commission has the exclusive general supervisory authority over recommendation of all Annexation approvals and certification under the jurisdiction as provided in Idaho Code §50-1308.

V

CONCLUSIONS OF LAW

RE: APPLICATION FOR ANNEXATION

- 5.1 The City of Kuna has authority to Annex lands into its boundaries pursuant to Idaho Code §50-222.
- 5.2 Idaho Code §50-222(1) provides that:

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

(emphasis added).

- 5.3 The proposed Annexation is a Category A Annexation as described in Idaho Code §50-222(3)(a), because all private Landowners of the parcels at issue have consented to the proposed Annexation.
- 5.4 The Annexation, proposed by the Annexation Application in Case No. 21-02-AN, would not constitute an orderly development and does not meet Idaho Code §50-222(1).

VI

ORDER OF RECOMMENDING DENIAL OF APPLICATION FOR ANNEXATION

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

- 6.1 Case No. 21-02-AN (Annexation) for the Markovetz properties is recommended denial to the City Council based on the application failing to meet orderly development and Idaho Code §50-222(1).

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna at its regular meeting held on the 13th day of April, 2021.

Lee Young, Chairman

**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE
CITY OF KUNA**

IN THE MATTER OF THE APPLICATIONS) **Case No. 21-04-DR (Design Review)**
 OF)
)
Brady Hickcox) **FINDINGS OF FACT,**
) **CONCLUSIONS OF LAW, AND**
 For Design Review for the *Pet Care*) **ORDER OF APPROVAL OF**
Clinic of Kuna.) **DESIGN REVIEW APPLICATION.**

THESE MATTERS came before the Planning and Zoning Commission for review and approval or denial on April 27, 2021. It was heard April 27, 2021 for receipt and consideration by the Planning and Zoning Commission of these Findings of Fact, Conclusions of Law and Order of Decision for the above referenced Application. The Planning and Zoning Commission does now hereby make and set forth the Record of Proceedings, and these Findings of Fact, Conclusions of Law, and Order of Decision.

**I
RECORD OF PROCEEDINGS**

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

1.1 Exhibits:

<i>DESCRIPTION OF EVIDENCE</i>		Withdrawn	Refused	Admitted
1	Staff Report			X
2	P&Z Application Coversheet			X
3	Design Review Application			X
4	Warranty Deed			X
5	Affidavit of Legal Interest			X
6	Letter of Intent			X
7	Aerial Photo			X
8	Site Plan			X
9	Building Elevations			X
10	Materials Board			X

11	Lighting Plan			X
12	Lighting Cut Sheets			X
13	Alternative Landscape Compliance Request			X
14	Landscape Plan			X
15	Agency Transmittal			X
16	Assistant City Engineer, Catherine Feistner Comments			X
17	Ada County Highway District Staff Report			X

1.2 Public Meeting

1.2.1 Planning and Zoning Commission heard this on April 27, 2021. The FCO’s have been requested to go to the Commission May 11, 2021.

1.3 Testimony

1.3.1 Those who testified at the Commissions April 27, 2021 meeting are as follows, to-wit:

1.3.1.1 City Staff:
Jessica Reid, Planning Services Specialist

1.3.1.2 Appearing for the Applicant:
Brady Hickcox, Terwisscha Construction inc.

**II
DECISION**

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

**III
FINDINGS OF FACT**

3.1 Findings Regarding Design Review

3.1.1 The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with the design requirements listed in Kuna City Code Title 5.

3.1.2 Review by staff and the Commission of the proposed Design Review confirms all applicable requirements listed in Kuna City Code Title 5, Chapter 4, Section 9 were provided.

- 3.1.3 Staff finds the proposed facility is an appropriate fit for the property's zoning designation.
- 3.1.4 The proposed public parking lot will be accessed via an ingress/egress from E Avalon Street and contains sixteen (16) standard stalls and two (2) ADA accessible stalls. Staff notes the Applicant shall follow stall and aisle design standards listed in Title 5, Chapter 9 of Kuna City Code.
- 3.1.5 The Applicant has requested an alternative compliance method for landscaping as to the limitations caused by right-of-way requirements along the frontage of the site. This alternative compliance has been proposed to provide additional plantings of trees, shrubs, perennials and grasses throughout the site as well as installing a sidewalk that matches the adjacent property to the east. The proposed landscaping alternative compliance request appears to be in conformance with Kuna City Code, and minimizes the impact on adjacent uses.
- 3.1.6 Wall mounted cylinder, disk, and pendant LED lights will provide lighting for the area surrounding the building.
- 3.1.7 Staff has reviewed the application and finds that the proposed building, parking lot & landscaping generally appears to conform to Kuna City Code Title 5, Chapter 4, Design Review Overlay District, as well as conforms to the Kuna architectural guidelines and parking standards.

3.2 Testimony of City Staff

- 3.2.1 **Conclusions:** The Planning Services Specialist, in a staff report to the Planning and Zoning Commission dated April 27, 2021, confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:
 - 3.2.1.1 This application is a request for approval of Design Review for a proposed single-story clinic that will be approximately 3,600 Square Feet and will be situated immediately behind the current clinic location. The existing clinic will be demolished upon completion of the new construction.
 - 3.2.1.2 The proposed elevation materials consist of vertical board and batten or horizontal lap and shake siding in Smoky White; fascia, soffits and trim in White; variegated New England Southern LedgeStone accents for the southern elevation; and asphalt shingle roofing in Autumn Blend.
 - 3.2.1.3 Wall mounted cylinder, disk, and pendant LED lights will provide lighting for the area surrounding the building.
 - 3.2.1.4 The proposed landscaping surrounding the building will consist of lawn, one (1) inch black and tan rock mulch, and various plantings of trees, shrubs, grasses and perennials.

- 3.2.1.5** A proposed concrete walkway will provide pedestrian access from the parking area to the facility entrance. In addition, planting areas are proposed between the walkway and facility, extending fully along the building frontage.
- 3.2.1.6** As the ACHD right-of-way limits the ability to provide the usual landscape buffer and sidewalk along the roadway required for this parcels zoning designation, the applicant has proposed an alternative method of compliance. The applicant proposes to match the existing five (5) foot sidewalk on the parcel to the east, starting at forty-one (41) feet from centerline of E Avalon. In addition, applicant proposes a two (2) – three (3) foot planting buffer strip between said sidewalk and the facility’s parking area; this planting strip will consist of perennials and bushes. In an effort to further provide alternative compliance for landscaping, the applicant proposes an additional large planting area on the southwest corner of the building which includes three (3) flowering pear trees; additional trees on the northeast corner consisting of one (1) flowering pear and two (2) evergreens; and finally, a planting area on the northwest corner of the site consisting of one (1) flowering pear, one (1) evergreen, perennials, and shrubs.
- 3.2.1.7** The proposed parking area will furnish sixteen (16) standard stalls and two (2) ADA accessible stalls. During construction of the new facility, the existing facility will remain in operation, as such, the applicant has proposed the parking lot to be completed in two (2) phases, with the second phase providing for completion of the parking area upon demolition of the old facility. One (1) light pole has been proposed within the buffer planting strip, on the west side of the ingress/egress. This light pole will be an LED downlight, & the apparatus itself will be black in color.
- 3.2.1.8** Additional Kuna Rural Fire Department inspections may be required if applicable, and fees must be paid prior to the pre-construction meeting.
- 3.2.1.9** Additional sewer and water connection fee will be charged based on the difference between the existing connection and the proposed connection and suggests the applicant verify sewer pipe size and material quality to address any aging issues while they are in the process of construction.
- 3.2.1.10** Staff has reviewed the application and finds that the proposed building, parking lot & requested alternative compliance for landscaping, generally appears to conform to Kuna City Code Title 5; Kuna Comprehensive Plan; the Future Land Use Map; and Idaho Code. Staff recommends that if the Planning and Zoning Commission approves Case No. 21-04-DR (Design Review), the applicant be subject to the Conditions of Approval.

- 3.2.2 Staff Recommendations:** As a result of the review, Planning Services Specialist, Jessica Reid, recommended approval of the application with the following conditions:
- 3.2.2.1** The Applicant shall follow all requirements for sanitary sewer, potable water, irrigation system connections, and all other requirements of the Kuna Public Works Department.
 - 3.2.2.2** The applicant shall obtain written approval of the construction plans from applicable agencies. The approval may be either on agency letterhead referring to the approved use or, may be written or stamped upon a copy of the approved plans. All site improvements are prohibited prior to approval of these agencies and the issuance of a building permit:
 - 3.2.2.2.1** No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the Civil Plan.
 - 3.2.2.2.2** The Kuna Fire District shall approve fire flow requirements and /or building plans. Installation of fire protection facilities as required by Kuna Fire District is required.
 - 3.2.2.2.3** The Kuna Municipal Irrigation System shall approve any modifications to the existing irrigation system.
 - 3.2.2.2.4** Approval from Ada County Highway District/Impact Fees, if any, shall be paid *prior to issuance* of building permits.
 - 3.2.2.3** Applicant shall dedicate an additional seven (7) feet of right-of-way (ROW) as to equal the required forty-eight (48) feet of ROW per Ada County Highway District requirements.
 - 3.2.2.4** The subject site driveway shall be constructed at least thirty-two (32) feet west of the east property line, and be a 25-foot-wide curb return type. All other access points are prohibited and this shall be noted on the Final Plat.
 - 3.2.2.5** Applicant shall construct a five (5) foot wide sidewalk located a minimum of forty-two (42) feet from centerline of E Avalon Street.
 - 3.2.2.6** Applicant shall pay the Traffic Impact Fee assessed by the Ada County Highway District *prior* to issuance of building permits; fee will be assessed upon ACHD approval of Civil Plans.
 - 3.2.2.7** The Applicant shall obtain separate electrical and plumbing permits *prior* to construction.
 - 3.2.2.8** The City Engineer shall review and approve all Civil Plans and sewer hook-ups.

- 3.2.2.9 This development is subject to Architectural and Landscape Compliance Design Review Inspections *prior* to receiving a Certificate of Occupancy. Design Review Inspections fees shall be paid *prior* to requesting staff inspection.
- 3.2.2.10 The Landowner/Applicant/Developer, and any future assigns having interest in the subject property, shall fully comply with all conditions of development as approved by the Planning and Zoning Commission, or seek amending them through the Design Review process.
- 3.2.2.11 Applicant shall follow staff, City Engineer and other agency recommended requirements, as applicable.
- 3.2.2.12 Applicant shall comply with all local, state and federal laws.

**IV
CONCLUSIONS OF LAW**

- 4.1 City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50, Idaho Code.
- 4.2 The Kuna Planning and Zoning Commission has the decision-making authority over all Legislative Design Review applications as provided in Kuna City Code §1-14-3.
- 4.3 Kuna City Code Title 5, Chapter 4, Section 2 provides that:

This chapter applies to all proposed development located within the design review overlay district which shall include the entire city limits, and any land annexed into the city after the date of adoption hereof. Such development includes, but is not limited to, new commercial, industrial, institutional, office, multifamily residential projects, common areas, subdivision signage, proposed conversions, proposed changes in land use and/or building use, or exterior remodeling, exterior restoration, and enlargement or expansion of existing buildings, signs or sites, and requires the submittal of a design review application pursuant to this chapter and fee as prescribed from time to time by the city council.

**V
ORDER OF APPROVAL OF APPLICATION FOR DESIGN REVIEW**

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

- 5.1 Case No. 21-04-DR (Design Review) for Pet Care Clinic of Kuna.

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna at its regular meeting held on the 11th day of May 2021.

Lee Young, Chairman

6	Deed			X
7	Affidavit of Legal Interest			X
8	Neighborhood Meeting Certification			X
9	Commitment to Property Posting			X
10	Annexation Description			X
11	Agency Transmittal			X
12	Boise Project Board of Control			X
13	Kuna Police Department			X
14	Nampa & Meridian Irrigation District			X
15	Ada County Highway District			X
16	City Engineer			X
17	P&Z Kuna Melba News			X
18	P&Z Mailer			X
19	P&Z Proof of Property Posting			X

1.2 Hearings

1.2.1 Planning and Zoning Commission heard this on April 27, 2021. The FCO's have been requested to go to the Planning and Zoning Commission on May 11, 2021.

1.3 Witness Testimony

1.3.1 Those who testified at the Planning and Zoning Commission's April 27, 2021 hearing are as follows, to-wit:

1.3.1.1 City Staff:
Doug Hanson, Planner II

1.3.1.2 Appearing for the Applicant:
Addison Coffelt, 8800 S Linder Road, Meridian, Idaho, 83642

II DECISION

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

**III
FINDINGS OF FACT**

3.1 Findings Regarding Notice

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

3.1.2 Notice Provided

3.1.2.1 Notice was published for the April 27, 2021 hearing on the annexation for Addison Coffelt in the *Kuna Melba News*, the official City of Kuna newspaper, which has general circulation within the boundaries of the City and in Ada County and Canyon County.

<i>Newspaper</i>	<i>Date Published</i>
<i>Kuna Melba News</i>	April 7, 2021

3.1.2.2 Notice for the April 27, 2021 hearing containing the legal description of the property proposed to be annexed was mailed on April 7, 2021 to all known and affected property owners within three hundred (300) feet of the boundaries of the area described in the application.

3.1.2.3 Notice for the April 27, 2021 hearing was posted in conspicuous places within City Hall on the Foyer Bulletin Boards and City Website.

3.2 Findings Regarding Annexation

3.2.1 The land for proposed Annexation is comprised of one (1) parcel totaling approximately 4.00 acres. The parcel is as follows:

Property Owner	Parcel Size:	Current Zone	Parcel Number
Matthew and Addison Coffelt	4.00	RR (Ada County)	S1312325400

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

3.2.3 The existing land uses and zoning designations for lands surrounding the subject parcel is as follows:

North	RR A	Rural Residential – Ada County Agriculture – Kuna City
South	RR	Rural Residential – Ada County
East	A	Agriculture – Kuna City
West	RR	Rural Residential – Ada County

- 3.2.4 The proposed project site has no structures. On-site vegetation is consistent with that of agricultural fields.
- 3.2.5 The parcels have an estimated slope average of 1% to 1.4%. According to the USDA Soil Survey for Ada County, bedrock depth for the site is estimated to be greater than 60 inches.

3.3 Testimony of the City Planner

3.3.1 Conclusions: The City Planner, in a staff report to the Planning and Zoning Commission dated April 27, 2021 confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:

- 3.3.1.1 The applicant held a neighborhood meeting with neighboring land owners within 300 ft of the proposed project area on January 20, 2021, there were two (2) attendees. The meeting minutes have been included as a part of this application.
- 3.3.1.2 Staff has determined that the property is eligible for Annexation into Kuna City limits. The property owner is consenting to the Annexation and the property is contiguous with Kuna City limits situated to the north of the subject site.
- 3.3.1.3 The applicant is proposing to annex approximately 4.00 acres into Kuna City Limits with an R-2 zoning district classification, in accordance with the low-density residential land use designation on the Future Land Use Map (FLUM).
- 3.3.1.4 This request is limited to the annexation of the land into Kuna City Limits, with no development associated with the application.
- 3.3.1.5 Staff has determined the applicant's annexation request is in compliance with Kuna City Code (KCC), Title Five; Idaho Statutes §50-222 and §67-65 and the goals and policies set in Kuna's Comprehensive Plan. Staff recommends that if the Commission recommends approval to the City Council, that the applicant be subject to the conditions of approval listed in the staff report, as well as any additional conditions designated by the Planning and Zoning Commission.

3.3.2 Staff Recommendations: As a result of the review, City Planner II, Doug Hanson, recommended that if the Planning and Zoning Commission recommends approval of Case No. 21-01-AN (Annexation), the applicant be subject to the following conditions of approval:

- 3.3.2.1 Upon development the applicant and/or owner shall obtain written approval on letterhead or may be written/stamped on the approved plans

of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:

- 3.3.2.1.1** The City Engineer shall approve the sewer connections.
- 3.3.2.1.2** The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
- 3.3.2.1.3** Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, “Catalog for Best Management Practices for Idaho Cities and Counties”.
- 3.3.2.1.4** The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District are required.
- 3.3.2.1.5** The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
- 3.3.2.1.6** Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid *prior to issuance* of any building permit(s).
- 3.3.2.1.7** All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
- 3.3.2.2** Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see KCC 6-4-2.
- 3.3.2.3** Compliance with Idaho Code §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
- 3.3.2.4** When required, submit a petition to the City (as necessary, confirmed with the City Engineer) consenting to the pooling of irrigation surface

water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Irrigation System (KMIS) of the City.

- 3.3.2.5 The landowner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through the public hearing process.
- 3.3.2.6 Developer/owner/applicant shall follow staff, City Engineers and other agency requirements as applicable.
- 3.3.2.7 Developer/owner/applicant shall comply with all local, state and federal laws.

3.4 Other Testimony

- 3.4.1 4/27/2021 Public Hearing – Addison Coffelt, 8800 S Linder Road, Meridian, Idaho, 83642, reiterated points of the project and her desire to reserve the rural nature of her property. Commissioner Gealy addressed the future potential of a pathway and asked if Mrs. Coffelt was aware of it. Mrs. Coffelt confirmed if a pathway was within their property and it was something they were able to do, then yes, they were willing.

IV

CONCLUSIONS OF LAW

RE: POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION

- 4.1 City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50, Idaho Code.
- 4.2 The power of the City of Kuna lies in the Planning and Zoning Commission to hear this matter as provided in Idaho Code §50-222 and Kuna City Code 1-14-3.

V

CONCLUSIONS OF LAW

RE: APPLICATION FOR ANNEXATION

- 5.1 The City of Kuna has authority to annex lands into its boundaries pursuant to I.C. §50-222.
- 5.2 I.C. §50-222(1) provides that:

[C]ities of the state should be able to annex lands which are reasonably necessary to assure the orderly development of Idaho's cities in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, *to enable the orderly development of private*

lands which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocated the costs of public services in management of development on the urban fringe.

(emphasis added).

- 5.3** The proposed Annexation is a Category A Annexation as described in I.C. §50-222(3)(a), because the private landowner of the parcel at issue has consented to the proposed Annexation.
- 5.4** The Annexation, proposed by the Annexation Application in Case No. 21-01-AN, would constitute an orderly development and would not contribute to urban sprawl of the City.

VI

ORDER OF RECOMMENDING APPROVAL OF APPLICATION FOR ANNEXATION

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

- 6.1** Recommend approval of the Annexation application (Case No. 21-01-AN).

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna at its regular meeting held on the 11th day of May 2021.

Lee Young, Chairman
Kuna Planning and Zoning Commission

6	Deed			X
7	Neighborhood Meeting Certification			X
8	Subdivision Name Reservation			X
9	Common Area Maintenance Agreement			X
10	TIS Executive Summary			X
11	Annexation Legal Description			X
12	C-1 Legal Description			X
13	R-8 Legal Description			X
14	R-6 Legal Description			X
15	Legal Description Exhibit			X
16	Preliminary Plat			X
17	Phase Plan			X
18	Landscape Plan			X
19	Agency Notification			X
20	City Engineer Annexation and Preliminary Plat Memo			X
21	Ada County Highway District			X
22	Boise Project Board of Control			X
23	Central District Health			X
24	COMPASS			X
25	Department of Environmental Quality			X
26	Economic Development Director			X
27	Kuna Rural Fire District			X
28	P&Z Kuna Melba News			X
29	P&Z Mailer			X
30	P&Z Proof of Property Posting			X
31	Joe Guido Public Testimony 3.31.2021			X
32	City Engineer Annexation and Preliminary Plat Memo Addenda			X

1.2 Hearings

1.2.1 Planning and Zoning Commission heard this on April 27, 2021, the FCO's have been requested to go to the Planning and Zoning Commission on May 11, 2021.

1.3 Witness Testimony

1.3.1 Those who testified at the Commission's April 27, 2021 hearing are as follows, to-wit:

1.3.1.1 City Staff:
Doug Hanson, Planner II

1.3.1.2 Appearing for the Applicant:

Wendy Shrief, JUB Engineers, 2760 W Excursion, Suite 400, Meridian, Idaho, 83642

1.3.1.3 Appearing in favor:
Tim Mokwa, Hayden Homes, 1406 W Main Street, Meridian, ID, 83642 - Testified
Robbie Reno, Kuna Joint School District No. 3, 711 E Porter, Kuna, ID, 83634 - Testified

1.3.1.4 Appearing neutral:
None

1.3.1.5 Appearing in opposition:
Michael McShane, 7982 S Old Farm Lane, Meridian, ID, 83642 – Testified
Pattie Garofalo, 7624 S Old Farm Lane, Meridian, ID, 83642 – Testified
Steve Meyerpeter, 7963 S Old Farm Lane, Meridian, ID, 83642 – Testified
Jerri Meyerpeter, 7693 S Old Farm Lane, Meridian, ID, 83642 – Did not testify
Chris Brown, 7670 S Old Farm Lane, Meridian, ID, 83642 – Testified
Marilyn Brown, 7670 S Old Farm lane, Meridian, ID, 83642 – Did not testify

II DECISION

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

III FINDINGS OF FACT

3.1 Findings Regarding Notice

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

3.1.2 Notice Provided

3.1.2.1 Notice was published for the April 27, 2021 hearing on the Annexation and Preliminary Plat for Arrowwood Heights Subdivision was published in the *Kuna Melba News*, the official City of Kuna newspaper, which has general circulation within the boundaries of the City, Ada County and Canyon County.

<i>Newspaper</i>	<i>Dates Published</i>
<i>Kuna Melba News</i>	March 24, 2021

3.1.2.2 Notice for the April 27, 2021 hearing containing the description of the property proposed to be developed was mailed on the March 24, 2021 to all known and

affected property owners within three hundred (300) feet of the boundaries of the area described in the application.

3.1.2.3 Notice for the April 27, 2021 hearing was posted on a sign in accordance with Kuna City Code 5-1A-8 on March 30, 2021. A Proof of Property Posting was provided to staff on March 30, 2021.

3.1.2.4 Notice for the April 27, 2021 hearing was posted in conspicuous places within City Hall on the Foyer’s Bulletin Boards and City Website.

3.2 Findings Regarding Annexation

3.2.1 The land for proposed Annexation is comprised of one (1) parcel totaling approximately 53.13 acres. The parcel includes the following:

Property Owner	Parcel Size:	Current Zone	Parcel Number
Patterson Family Enterprises	53.13 acres	RR – Rural Residential	S1303417354

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

3.2.3 The Parcel is currently in unincorporated Ada County and has a zoning district classification of Rural Residential. The Comprehensive Plan Future Land Use Map (FLUM) identifies the subject parcels as Mixed Use.

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

North	R-8	Medium Density Residential – Kuna City
	R-6	Medium Density Residential – Kuna City
South	RR	Rural Residential – Ada County
East	RR	Rural Residential – Ada County
West	RR	Rural Residential – Ada County

3.3 Findings Regarding Preliminary Plat Application

3.3.1 All technical requirements listed in Kuna City Code (KCC 6-2-3) were provided on the Preliminary Plat.

3.3.2 The proposal is for a multi-phased Subdivision that would include 203 lots (177 buildable lots, 26 common lots).

3.3.3 The applicant requests R-6 (Medium Density Residential), R-8 (Medium Density Residential) and C-1 (Neighborhood Commercial) zoning districts.

3.3.4 Arrowwood Heights Subdivision sewage is within the Memory Ranch Lift Station Sewage Basin which requires pump upgrades. The developer may be requested to participate with lift station and/or force main improvements in order to serve the development. Sewer Flow models will be required to verify pipe sizes and will be paid by developer.

3.4 Testimony of the City Planner

3.4.1 Conclusions: The City Planner, in a staff report to the Planning and Zoning Commission dated April 27, 2021, confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:

- 3.4.1.1** On September 21, 2020 staff held a pre-application meeting with the applicant, representatives from Planning and Zoning, Public Works, Parks and Recreation, Ada County Highway District (ACHD), Kuna School District, Kuna Rural Fire District and the Kuna Police Department were all invited to attend. The applicant held two neighborhood meetings, one on September 24, 2020, and again on October 21, 2020. There were 16 residents who attended the first meeting and nine (9) who attended the second meeting. Meeting minutes have been provided as a part of this packet.
- 3.4.1.2** The applicant proposes to annex approximately 53.13 -acres into the City of Kuna using three zones; approximately (approx.) 33.71 acres as R-6 Medium Density Residential (MDR), 7.59 acres as R-8 MDR, and 9.79 acres as C-1 Neighborhood Commercial. The lands are currently in Ada County, zoned RR (Rural Residential) and are adjacent to Kuna City Limits. The overall gross density of the project is proposed at 4.29 dwelling units per acre (DUA).
- 3.4.1.3** 6.86 acres, or 16% of the project, is proposed to be open space, including all end caps, buffers, parks, and pathways. A total of 4.54 acres or, 11% of the project, is considered useable open space as defined by KCC 5-1-6-2. Included in the useable open space is a park area with shelter, playground and tennis court. Pathways are provided throughout the subdivision to provide pedestrian connectivity. KCC 5-17 requires developments with a range of 151-200 homes/dwelling units to devote 8.50% of the development area to useable open space; staff views the proposed open space for Arrowwood Heights to be in compliance with KCC. Applicant is proposing five-foot wide sidewalks on Armidale Road (Mid-Mile Collector), KCC requires sidewalks on collectors to be a minimum of eight (8) feet.
- 3.4.1.4** Arrowwood Heights Subdivision sewage is within the Memory Ranch Lift Station Sewage Basin which requires pump upgrades. The developer may be requested to participate with lift station and/or force main improvements in order to serve the development. Sewer Flow models will be required to verify pipe sizes and will be paid by the developer.
- 3.4.1.5** The installation of streetlights is a required public improvement listed under Kuna City Code 6-4-2. The applicant will be required to ensure street lights are at a maximum spacing not exceeding 250 ft. The final location of street lights will be approved at the time of construction document review. Staff notes all streetlights must be designed and installed according to “Dark Sky” standards.
- 3.4.1.6** A design review application for common area landscaping and open space was included as a part of the overall application. The application includes several internal pathways, staff will require the applicant comply with KCC 5-5-5-F and install “see-through” fence in the appropriate locations. Staff finds the

proposed landscaping, buffers and common space to be in compliance with Kuna City Code. Additionally, staff notes that if this project is approved, at the time of civil plan development, landscaping cannot be placed within ten (10) feet of any meter pits, pressurized irrigation valves, and/or ACHD underground facilities. In the event that locations of landscape elements are within the locations listed above, the landscaping in that area must be moved to an alternate location, and an updated landscape plan must be provided to staff prior to scheduling a final landscape inspection. The developer, owner and/or applicant is hereby notified that this project is subject to design review inspection fees. Required inspections (post construction), are to verify landscaping compliance prior to signature on the Final Plat.

3.4.1.7 Kuna's Comprehensive Plan (Comp Plan) encourages a variety of housing types for all income levels, open space and pathways numerous times throughout the document. Pertinent sections of the Comp Plan that address the above listed items are included in the staff report. Staff has reviewed the proposed Annexation for qualification, the Preliminary Plat for technical compliance and for Design Review compliance with KCC, and finds the three applications are in compliance Kuna City, Title 5 and Title 6 of the Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan. The applicant will be required to work with Kuna's staff, Ada County Highway District (ACHD), the Kuna Rural Fire District (KRFD) and any other applicable agencies to ensure conformance to each agency's requirements. Staff recommends that if the Planning and Zoning Commission recommends approval of Case No's 20-07-AN (Annexation) and 20-16-S (Preliminary Plat) and approves Case No. 20-25-DR (Design Review), the applicant be subject to the Conditions of Approval listed in the staff report, as well as any additional conditions requested by the Planning and Zoning Commission and Council as applicable.

3.4.2 Staff Recommendations: As a result of the review, Planner III, Troy Behunin, recommended that if the Planning and Zoning Commission recommends approval of Case Nos. 20-07-AN (Annexation) and 20-16-S (Preliminary Plat), and approves Case No. 20-25-DR (Design Review), the applicant be subject to the following Conditions of Approval, including four additional conditions:

3.4.2.1 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:

3.4.2.1.1 The City Engineer shall approve the sewer hook-ups.

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

3.4.2.1.3 Central District Health Department recommends the plan be designed and constructed in conformance with standards

contained in, “Catalog for Best Management Practices for Idaho Cities and Counties”.

- 3.4.2.1.4** The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Fire District are required.
- 3.4.2.1.5** The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
- 3.4.2.1.6** Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid *prior to issuance* of any building permit(s).
- 3.4.2.1.7** All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
- 3.4.2.2** Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see KCC 6-4-2.
- 3.4.2.3** Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
- 3.4.2.4** When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Irrigation System of the City (KMIS).
- 3.4.2.5** Connection to City Services (Sewer, Water, Pressurized Irrigation) is required. The applicant shall conform to all corresponding Master Plans.
- 3.4.2.6** Developer/owner/applicant shall be required to coordinate participation with the City Engineer in the development of additional lift station pump capacity.
- 3.4.2.7** Curb, gutter and sidewalk (attached and detached) shall be installed in accordance with Kuna City Code Title 5 Chapter 17 and Title 6 Chapter 4.
- 3.4.2.8** Applicant shall work with staff in order to provide final locations of street lights as required by Kuna City Code.
- 3.4.2.9** Street lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.

- 3.4.2.10** Fencing within and around the site shall comply with Kuna City Code (Unless specifically approved otherwise and permitted).
- 3.4.2.11** All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
- 3.4.2.12** Landscaping shall not be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles.
- 3.4.2.13** The applicant shall install sod wherever the landscape plan identifies “Lawn” and provide staff an updated landscaping plan accommodating the requested change.
- 3.4.2.14** All signage within/for the project shall comply with Kuna City Code, and shall be approved through the applicable sign approval process listed in KCC 5-10.
- 3.4.2.15** If any revisions are made, the applicant shall provide the Planning and Zoning Staff with a revised copy of the Preliminary Plat.
- 3.4.2.16** Any revisions of the Plat are subject to administrative determination to rule if the revision is substantial.
- 3.4.2.17** The landowner/applicant/developer, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through Public Hearing processes.
- 3.4.2.18** Developer/owner/applicant shall follow staff, City Engineer and other agency recommended requirements as applicable.
- 3.5.2.19** Developer is conditioned to follow ACHD’s site specific conditions of approval, unless the City of Kuna’s standards are stricter.
- 3.4.2.20** Developer/owner/applicant shall comply with all local, state and federal laws.
- 3.4.2.21** Developer/owner/applicant shall not request Final Plat approval until the City’s Public Works Director issues the Will-Serve Letter to the applicant that states the City’s Memory Ranch Basin Lift Station or some other City appurtenance has capacity to accept the wastewater discharged from the proposed subdivision.
- 3.4.2.22** In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a Final Plat, the Applicant shall have good cause and be eligible to receive, pursuant to KCC 6-2-3 (J), a time extension to file a Final Plat up to and until a Will-Serve Letter has been issued.

- 3.4.2.23** Developer/owner/applicant work with Public Works to review the feasibility of looping the main water system, confirm easements are in place, and the feasibility of the sewer connection regarding depths.
- 3.4.2.24** Developer/owner/applicant work with the City Engineer to confirm the correct pressure for fire suppression is available via modeling upon presentation of Construction Drawings
- 3.4.2.25** Developer/owner/applicant work with Kuna Joint School District No. 3 to provide adequate bus stops
- 3.4.2.26** Applicant shall enter into a Development Agreement with the City in order to provide larger R-4 (Medium Density Residential) lots along the southern end of the project to provide better transition.

3.5 Other Testimony

- 3.5.1** 4/27/2021 Public Hearing – Wendy Shrief, JUB Engineers, 2760 W Excursion, Suite 400, Meridian, Idaho, 83642 presented her overview of the project and provided a PowerPoint presentation. Ms. Shrief pointed out a street was added to the West as well as shortened a street per request from Ada County Highway District (ACHD). In addition, Ms. Shrief explained the subdivision was redesigned with the open space on the southwest of the project as to provide a buffer between Arrowwood Heights and the neighboring County Subdivision, Iron Horse; these changes were made after comments were provided by the neighbors at the Neighborhood Meeting. Ms. Shrief addressed two (2) issues she wanted to evaluate with the Public Works Department and stated they would work with Public Works Staff regarding them.
- 3.5.2** 4/27/2021 Public Hearing – Tim Mokwa, Hayden Homes, 1406 W Main Street, Meridian, Idaho, 83642 testified about the two (2) Neighborhood Meetings they had held, the Traffic Impact Study (TIS) they had performed, and requests from Public Works.
- 3.5.3** 4/27/2021 Public Hearing – Robbie Reno, Kuna Joint School District No. 3 (KSD), 711 E Porter Road, Kuna, Idaho, 83634 testified regarding the projected number of students the development would add to KSD and the capacities of each affected school. Mr. Reno also requested a proper bus stop would be provided with adequate lighting and sidewalks.
- 3.5.4** 4/27/2021 Public Hearing – Michael McShane, 7982 S Old Farm Lane, Meridian, Idaho, 83642 testified he was the Homeowners Association (HOA) President and expressed he felt the developer did not provide adequate communication. Mr. McShane stated he did not like the proposed street that went toward the canal (Moonie Avenue) and why the road was now on the revised Preliminary Plat. He stated he appreciated the concessions the Developer had made with the open space, then addressed the Commercial zoning and if apartments would be permitted there. (Mr. McShane was facing Mr. Mokwa during this part of his testimony and Mr. Mokwa shook his head no). In addition, Mr. McShane addressed his concerns with construction dust and property values. In conclusion, Mr. McShane commented the Iron Horse Subdivision sewer system was private.
- 3.5.5** 4/27/2021 Public Hearing – Pattie Garofalo, 7624 S Old Farm Lane, Meridian, Idaho, 83642 testified regarding her concerns. Mrs. Garofalo presented three (3) conditions for

consideration: a request for a transitional buffer of Low to Medium Density (R-2 to R-4) between Iron Horse Subdivision and the proposed development, in order to maintain the character of the area; a request for a View Easement limiting home construction to single story; and a request for Dark Sky standards to be enforced within the proposed project in order to minimize light pollution.

- 3.5.6** 4/27/2021 Public Hearing – Steve Meyerpeter, 7963 S Old Farm Lane, Meridian, Idaho, 83642 testified he appreciated the shift in the open space to be adjacent to Iron Horse Subdivision. Next, he testified to his concerns of the increased demand on the Fire, Police, and Schools. Mr. Meyerpeter asked if the City would institute Impact Fees to builders in order to supplement the needs of these agencies. He also added there were six (6) Subdivisions within the area containing one (1) acre home sites with custom homes, he stated it was unfair to develop a higher density Subdivision right next to these existing Subdivisions.
- 3.5.7** 4/27/2021 Public Hearing – Chris Brown, 7670 S Old Farm Lane, Meridian, Idaho, 83642 testified he was aware that the area was developing but was concerned for the quality of life. Mr. Brown stated putting starter homes next to One (1) Million Dollar homes it would affect their homes values. Mr. Brown stated quality of life, crime, dust and traffic would all affect the residents of Iron Horse Subdivision. Mr. Brown went on to state that the building of Subdivisions increases crime and Iron Horse Subdivision will no longer be a safe neighborhood. In addition, Mr. Brown asked what was in it for Kuna? He went on to state a neighbor had been approached about a potential Phase 2 of the proposed project and believed there was the potential for 1,000 to 2,000 homes. Mr. Brown stated that taxes would rest on the shoulders of the nicer houses within the district and expounded on the duration of time he has lived in the area. He provided the opinion that persons living within the Subdivision would not come to Kuna for their needs or utilize the businesses in town. Mr. Brown concluded with a request for bigger lots, nicer homes and insisted a fence taller than six (6) feet to keep people in the Subdivision away from Iron Horse Subdivision; they did not want to see them and they did not want to see them.
- 3.5.8** 4/27/2021 Public Hearing –Tim Mokwa, Hayden Homes, 1406 W Main Street, Meridian, Idaho, 83642 rebutted specific points of the testimony provided. Mr. Mokwa addressed Mr. McShane’s comments and said that he was informed if he had received notice for the first meeting, he would receive notice for the following meetings. He explained the construction dust would be maintained as per the dust control plan to be developed, the site would be inspected regularly, and there would be a sign on site with contact information in case any issues arose. In addition, he addressed the statement the proposed density did not match neighboring Iron Horse Subdivision, and went on to explain that was it was not within Kuna City Limits and was in fact an Ada County Subdivision; the proposed Subdivision was designed to City standards, not the County’s. Mr. Mokwa addressed concerns regarding quality of life and suspected loss in property value; he stated he had never experienced that and properties would be hard-pressed to lose value in the current market. Lastly, Mr. Mokwa responded to the comment that the proposed Subdivision would increase crime and stated he found it hard to agree as the proposed homes would be within the \$400,000 dollar range; he said he was not building ghettos and took offense to the comment.
- 3.5.9** 4/27/2021 Public Hearing – Wendy Shrief, JUB Engineers, 2760 W Excursion, Suite 400, Meridian, Idaho,83642 rebutted by saying the proposed Subdivision met the requirements of the Comprehensive Plan and the Mixed-Use zoning. She reiterated her previous point

that concessions were made in the open space design because they understood the neighbors had a very different type of development. She also supported Mr. Mokwa's comment the homes were not starter type homes and would be in the \$400,000+ range. Ms. Shrief said they would work with KSD on a bus stop; had worked with the neighbors, having two Neighborhood Meetings which was above the requirement.

- 3.5.10** 4/27/2021 Public Hearing – Tim Mokwa, Hayden Homes, 1406 W Main Street, Meridian, Idaho, 83642 returned to the podium to rebut a testimony he had missed regarding compatibility. He had reviewed the aerial photo of the proposed project and the surrounding area and explained the proposed Subdivision was on the opposite side of the canal and the separation between it and the Iron Horse Subdivision was 58 feet; if the 28-foot setback on the lots within Iron Horse were added, it was even greater. Next, he stated they had already agreed to double fence along the canal, there would be chain link along the canal road, then the homes would have six (6) foot vinyl fencing.

IV

CONCLUSIONS OF LAW

RE: POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION

- 4.1** City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to Chapter 1, Title 50, Idaho Code.
- 4.2** The power of the City of Kuna lies in the Planning and Zoning Commission to hear this matter as provided in Idaho Code §50-13 & §67-65, and Kuna City Code §1-14-3.
- 4.3** The Kuna Planning and Zoning Commission has the exclusive general supervisory authority over recommendation of all Plat approvals and certification under their jurisdiction as provided in Idaho Code §50-1308.

V

CONCLUSIONS OF LAW

RE: APPLICATION FOR ANNEXATION

- 5.1** The City of Kuna has authority to Rezone lands within its boundaries pursuant to I.C. §67-6511.
- 5.2** I.C. § 50-222(1) provides that:
- [C]ities of the state should be able to annex lands which are reasonably necessary to assure the orderly development of Idaho's cities in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, *to enable the orderly development of private lands* which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocated the costs of public services in management of development on the urban fringe. (emphasis added).
- 5.3** The proposed Annexation is a Category A Annexation as described in I.C. § 50-222(3)(a), because all private landowners of the parcels at issue have consented to the proposed Annexation.
- 5.4** The Annexation, proposed by the Annexation Application in Case No. 20-07-AN, would constitute an orderly development and would not contribute to urban sprawl of the City.

VI
CONCLUSIONS OF LAW
RE: APPLICATION FOR PRELIMINARY PLAT

- 6.1 The City of Kuna has authority to approve Preliminary Plats within its boundaries pursuant to I.C. §50-13 & §67-65.
- 6.2 Kuna City Code, Title 1, Chapter 14, Section 3, states that Preliminary Plats are designated as public hearings, with the Planning and Zoning Commission as a recommending body and City Council as the decision-making body.
- 6.3 Subdivision regulations as defined in Kuna City Code Title 6 are authorized by I.C. §50-13 & §67-65 and Article 12, section 2.

VII
ORDER OF RECCOMENDING APPROVAL OF APPLICATIONS FOR
ANNEXATION AND PRELIMINARY PLAT

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

- 7.1 That the Annexation application (Case No. 20-07-AN) is recommended approval.
- 7.2 That the Preliminary Plat application (Case No. 20-16-S) is recommended approval.

VIII
ORDER OF APPROVAL OF APPLICATION FOR DESIGN REVIEW

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

- 8.1 Design Review application (Case No. 20-16-DR).

BY ACTION OF THE PLANNING AND ZONING COMISSION of the City of Kuna at its regular meeting held on the 11th day of May, 2021.

Lee Young, Chairman



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



Case Name: Ordinance No. 2021-07
Case No.(s): 21-01-OA (Ordinance Amendment)

EXHIBITS		Pg No.
1	Staff Report	2
2	Proposed Ordinance Amendment (Ord No. 2021-07)	4
3	Request for Agency Comment	12
4	Kuna Melba News Legal Publication proof	14



City of Kuna
Planning and Zoning Commission
Staff Report

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

To: Planning and Zoning Commission

Case Numbers: 21-01-OA – Repealing and Amending 6-4-2
Subdivision Improvement Standards (Ordinance No. 2021 -07)

Planner: Jace Hellman, Planning and Zoning Director

Hearing Date: May 11, 2020

Applicant: City of Kuna, Planning and Zoning
751 W. 4th St
Kuna, ID 83634
208.922.5274
jhellman@kunaid.gov

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| A. Course of Proceedings | E. Applicable Standards |
| B. Project Request | F. Proposed Findings of Fact |
| C. Agency Responses | G. Commission’s Recommendation |
| D. Staff Analysis | |

A. Process and Noticing:

1. Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states ordinance amendments are designated as a public hearing with the Planning and Zoning Commission as the recommending body and City Council as the decision-making body. This request was given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Land Use Planning Act and Kuna City Code, Title 5.

a. Notifications

- | | |
|---------------------------|----------------|
| i. Agency Comment Request | April 15, 2021 |
| ii. Kuna Melba Newspaper | April 21, 2021 |
| iii. Kuna Melba Newspaper | April 28, 2021 |

B. Project Request:

Consideration from the Planning and Zoning Commission of an Ordinance for the City of Kuna, Idaho, Repealing Section 2 of Chapter 4 of Title 6 Kuna City Code; and amending Chapter 4 of Title 6 Kuna City Code by the addition of a new Section 2 providing subdivision public improvement standards including definitions, standards for access, bike lanes, curb and gutter, fencing, fiber optic conduit, final lot grade, irrigation systems, irrigation ditches, landscape, open space and park areas, parking lots, sanitary sewer, school bus staging areas, sidewalks, stormwater drainage, streets and alleys, street lighting, survey monuments, traffic calming, utilities and water supply system; and providing a severability clause; and directing the City Clerk; and providing an effective date.

C. Agency Responses:

Request for agency comments was sent on April 15, 2021. Meridian Fire and the Kuna Rural Fire District provided technical corrections regarding Idaho Fire Code that have been incorporated into this proposed Ordinance Amendment.

D. Staff Analysis:

Ordinance 2019-44, which amended several sections of code referring to useable open space and fencing, was adopted on January 21, 2020. However, due to the way the language with the ordinance was written, the required improvement standards listed in Section 2 of Chapter 4 of Title 6 were unintentionally reduced Section 2 of Chapter 4 of Title 6 from Subsection’s “A” through “X” to “A” through “I”. In an effort to correct this error and get required

improvements that were up to current standards reincorporated into Kuna City Code, Planning and Zoning Staff has been working Public Works, Parks and Recreation, the Kuna Rural Fire District and Meridian Fire Department to modify, add and make technical corrections to the proposed improvement standards required for all subdivisions.

Due to the number of corrections, additions and modifications that occurred throughout this process, the proposed ordinance amendment seeks to repeal the current Section 2 of Chapter 4 of Title 6 within Kuna City Code, and provide a new Section 2 of Chapter 4 of Title 6. Within this proposed ordinance amendment, Staff has provided for new definitions and standards for access, bike lanes, curb and gutter, fencing, fiber optic conduit, final lot grade, landscaping, open spaces and park spaces, parking lots, sewer, school bus staging areas, sidewalks, streets and alleys, street lighting, survey monuments, traffic calming and utilities.

E. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5.
2. City of Kuna Comprehensive Plan.
3. Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

F. Proposed Findings of Fact

1. The public notice requirements have been met and the neighborhood meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances.

Staff Finding: In lieu of a mailed notice, two notices of the time, place of the hearing and summary of the proposal was published in the Kuna Melba News. The legal notices were published on April 21, 2021 and April 28, 2021.

2. In accordance with KCC 5-1A-3 applicable agencies were notified and asked to provide comment.

Staff Finding: Applicable agencies were notified on and asked to provide comment on April 15, 2021. Staff received comments from the Meridian Fire Department and Kuna Rural Fire District regarding technical corrections to language pertaining to Idaho Fire Code.

G. Commission's Recommendation:

Note: These motions are for the recommendation of approval, conditional approval or denial of the Ordinance Amendment to the City Council. However, if the planning and Zoning Commission wishes to approve or deny specific parts of these requests as detailed in the report, those changes must be specified.

Based on the facts outlined in staff's report and public testimony as presented, the Planning and Zoning Commission of Kuna, Idaho, hereby recommends (*approval/conditional approval/denial*) of Case No. 21-01-OA (*Ordinance Amendment*), a request to repeal Section 2 of Chapter 4 of Title 6 Kuna City Code; and amend Chapter 4 of Title 6 Kuna City Code by the addition of a new Section 2.

DATED this 11th day of May, 2020.

**ORDINANCE NO. 2021-07
CITY OF KUNA**

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

- **REPEALING SECTION 2 OF CHAPTER 4 OF TITLE 6 KUNA CITY CODE;
AND**
- **AMENDING CHAPTER 4 OF TITLE 6 KUNA CITY CODE BY THE
ADDITION OF A NEW SECTION 2 PROVIDING SUBDIVISION PUBLIC
IMPROVEMENTS STANDARDS INCLUDING DEFINITIONS,
STANDARDS FOR ACCESS, BIKE LANES, CURB AND GUTTER,
FENCING, FIBER OPTIC CONDUIT, FINAL LOT GRADE, IRRIGATION
SYSTEMS, IRRIGATION DITCHES, LANDSCAPE, OPEN SPACE AND
PARK AREAS, PARKING LOTS, SANITARY SEWER, SCHOOL BUS
STAGING AREA, SIDEWALK, STORMWATER DRAINAGE, STREETS
AND ALLEYS, STREET LIGHTING, SURVEY MONUMENTS, TRAFFIC
CALMING, UTILITIES AND WATER SUPPLY SYSTEM; AND**
- **PROVIDING A SEVERABILITY CLAUSE; AND**
- **DIRECTING THE CITY CLERK; AND**
- **PROVIDING AN EFFECTIVE DATE.**

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Kuna, Ada County, Idaho:

Section 1: That Section 2 of Title 6 Kuna City Code be and the same is hereby repealed.

Section 2: That Chapter 4 of Title 6 Kuna City Code be and the same is hereby amended by the addition thereto of a new Section 2 to read as follows:

6-4-2: - REQUIRED PUBLIC IMPROVEMENTS STANDARDS:

A. Definitions: For purpose of this chapter, certain terms or words used herein shall be interpreted as follows:

1. For purposes of this Chapter, the terms or words, as defined in Kuna City Code section 5-1-6-2, are herein adopted and included by reference in this section; and any definitions not found herein this section, the city staff shall use and rely upon the latest *A Planners Dictionary*, edited by Michael Davidson and Fay Dolnick, American Planning Association and Planning Advisory Service, for interpretation purposes.

2. ACHD: Ada County Highway District
3. Fire District: Kuna Rural Fire District or Meridian Rural Fire Protection District depending upon the location of the subdivision.
4. IDAPA: Idaho Administrative Code
5. ISPWC: Idaho Standards for Public Works Construction
6. ITD: Idaho Transportation Department
7. School District: Joint School District No. 2 Ada and Canyon Counties State of Idaho [know as West Ada School District] and Joint School District No. 3 Ada and Canyon Counties State of Idaho [known as the Kuna School District] depending upon the location of the subdivision.

B. Every subdivider as part of the final subdivision platting process shall be required to install the following public and other improvements in accordance with the conditions and specifications of this chapter:

1. *Access:* Subdivisions, and subdivision phases containing greater than 30 single-family dwelling units shall provide at minimum two public access points for ingress and egress, unless every residence constructed has fire sprinklers installed. The two access points shall be separated by no less than ½ of the diagonal measurement of the full development as set forth in International Fire Code. Subdivisions containing greater than 100 multi-family dwelling units shall provide at minimum two public access points for ingress and egress at the locations requested by the Fire District and approved by ACHD. Multi-family projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with the International Fire Code.
2. *Bike Lanes:* Bike lanes shall be installed in accordance with the City's Pathways Master Plan. Sidewalks shall not substitute for bike lanes, rather the bike lane shall be included as a feature of the street section or located in an ACHD Right-of-Way. Bike lane specifications shall be according to city and ACHD standards.
3. *Curb and gutter:* Vertical curb and gutter shall be constructed on functionally classified collector and arterial streets. The street's functionality shall be determined based on the city's adopted functionally classified roadmap. Other street classifications may feature rolled or vertical curbs, and supporting stormwater devices.

- a. The use of drainage swales for stormwater conveyance in lieu of curb and gutter is prohibited unless otherwise determined by the Public Works Director, City Engineer or designee.
 - b. Curb cuts for access, including driveways, constructed according to the City, ITD and ACHD's current access management standards. Placement, alignment, width and apron features shall be designed and constructed according to standards established by the authority with jurisdiction over the subject roadway. All curb returns shall be constructed with a minimum twenty-eight (28) foot curb return radius, or as determined by the Fire District).
4. *Fencing*: Fencing shall be installed according to Kuna City Code sections 5-4-6 and 5-5-5. With the exception of commercial or industrial subdivisions, and public open space, subdivisions shall feature permanent fencing along its outer perimeter behind all required landscape buffers. Chain-link fencing is not permitted in residential subdivisions, except for school and City facilities. The City and School District may rely upon a powder coated or galvanized chain-link fencing for security related purposes.
5. *Fiber Optic Conduit*: The Developer is required to place one (1) - four (4) inch conduit with three (3) – 1-1/4 inch innerduct along all mile and mid-mile section roads. Said innerduct shall be placed with the proper amount of handholes, as determined by the City Engineer or their Designee, at road and canal crossings. Innerduct shall consist of (1) Orange, one (1) Blue and one (1) Green in accordance with the current City Fiber Optic Detail. Conduit shall be turned over to the City at time of final platting or otherwise approved by the Public Works Director, City Engineer or designee.
6. *Final Lot Grade*: The final grade of any lots within a subdivision shall not exceed a 1:4 ratio in the rear of a lot or 1:3 on the sides of lots. Any lot with a slope exceeding six (6) feet in height shall include a retaining wall with drainage designed by an Idaho registered Professional Engineer.
7. *Fire hydrants*: Fire hydrants shall be installed in accordance with the current City Fire Hydrant Detail, Fire District Standards, IDAPA 58.01.08 and ISPWC Section 1102.3.1.B.6. Fire hydrants shall have a minimum clearance of ten (10) feet on either side and three (3) feet to the front and rear. Fire hydrants shall not be connected to water mains smaller than six (6) inches in diameter, and fire hydrants shall not be installed unless sufficient fire flow is provided. Unless otherwise determined by the Fire District, fire hydrants shall have a Storz Large Diameter Hose (LDH) Connection in place of the 4 ½ inch outlet. The Storz connection may be integrated into the hydrant or an approved adapter may be used on the 4 ½ inch outlet. Fire hydrants shall have the Storz outlet face the main street or parking lot drive aisle and shall not have any vertical obstructions to outlets within ten (10) feet. Fire hydrant locations shall be approved by the

Public Works Department and the Fire District. Locations shall be shown on all of the final approved construction drawings and record drawings.

8. *Flag lot(s) and Private Driveway(s)*: A flag lots shall utilize a private driveway that connects with a public street for access. For multiple lots within a flag lot configuration, a private common (or shared) driveway shall be relied upon to access and shall only serve a maximum of three (3) lots. All private driveways shall not extend more than one hundred fifty (150) feet from the public street right-of-way. All private driveways shall have a minimum frontage of thirty (30) feet along roadways and be constructed with a minimum twenty (20) foot wide curb cut and shall be paved the entire width and length. The area for private driveways shall be exclusive of each lot's minimum square footage. An agreement for common driveway care and maintenance shall be recorded with each lot utilizing the private driveway for access.

- a. When required by the Fire District, all common driveways shall be signed, "No Parking Fire Lane" per appendix D of the 2018 International Fire Code. No other signs shall be approved.

9. *Irrigation System*: The Municipal Pressurized Irrigation System, including pumps and ponds, shall be constructed in accordance to the City's adopted Master Plan, unless otherwise approved by the Public Works Director, City Engineer or Designee. The extension and relocation of irrigation systems provided by the City shall be at the subdivider's expense. The Public Works Director, City Engineer or Designee shall determine the required percentage of surface or ground irrigation water rights needed to connect to the Municipal Pressurized Irrigation System. The developer shall bring the irrigation system to and through the proposed subdivision to facilitate connection to surrounding users. Potable water shall not be used for irrigation purposes unless approved by the Public Works Director, City Engineer or designee.

- a. In the event that there are not adequate surface or ground irrigation water rights, connection to the Municipal Pressurized Irrigation System shall not be permissible, and the developer shall be required to design and construct a private pressurized irrigation system. Private pressurized irrigation systems shall be constructed in accordance with the City's adopted Master Plan, subject to City Engineer, or designee approval.

10. *Irrigation Ditches*: The subdivision's irrigation ditches and laterals shall be tiled with the exception of major canals and natural waterways unless otherwise approved by the Public Works Director or City Engineer, in consultation with the irrigation water purveyor. Irrigation conveyances shall be placed in a public easement. Major canals and natural waterways located within or adjacent to the development boundaries that are not tiled shall be appropriately fenced. Improvements involving the irrigation distribution system shall have the affected irrigation water provider's approval.

11. *Landscape, Open Space and Park areas:* The subdivision's landscape, open space and park areas shall be designed and constructed according to the approved landscape plan, subject to the provisions of Chapters 4 and 17 of Title 5 Kuna City Code. For residential subdivisions, a minimum of one (1), two (2) inch caliper, tree shall be planted by the subdivider on each lot within the subdivision. No tree shall be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities. Landscaping within the public right-of-way requires a license agreement with the ACHD and/or ITD. All landscape, open space and park areas shall be serviced by pressurized irrigation. The subdivider shall add provisions to the subdivisions CC&R's identifying who will be responsible for the care and maintenance of the landscape, open space and private park areas.
12. *Parking Lots:* The placement, layout and construction of off-street parking facility(s) shall be in accordance with Kuna City Code Sections 5-9-1 through 5-9-5.
13. *Pathways:* Required pathways shall conform to the City's Pathways Master Plan. All pathways shall be designed and constructed in accordance with Kuna City Code 5-17-14 and 7-3A-8, or as otherwise approved by the Parks and Recreation Director, or their designee.
14. *Sanitary Sewer:* Subdivisions are required to connect to the City's sanitary sewer system. The extension and relocation of sanitary sewer provided by the City shall be at the subdivider's expense. Sanitary sewer systems shall be designed and constructed in accordance with the specifications of the City's adopted Sewer Master Plan and conform to ACHD's adopted utility corridor plan, unless otherwise approved by the City Engineer. IC §50-1326 requires all sewer plans be submitted to DEQ for approval and that no building or structure shall be constructed until sanitary restrictions have been removed. The City Engineer, or their designee, shall serve as the State of Idaho QLPE for purposes of reviewing the City's sanitary sewer plan submittals. The developer shall bring sanitary sewer systems to and through the proposed subdivision to facilitate connection to the surrounding users. No cleanouts shall be permitted within Kuna city limits.
15. *School Bus Staging Area:* The subdivider shall coordinate with the Kuna School District and City Staff to provide areas where children will assemble for transporting to school via school buses. The sites shall be centrally located, highly visible, well-lit and relatively accessible to bus drivers with minimal transportation interference. The sites are subject to design review. The sites shall be landscaped and the homeowner association CC&Rs should identify who will maintain them.
16. *Sidewalk:* Sidewalks shall be constructed in accordance with Kuna City Code Section 5-17-13.
17. *Stormwater Drainage:* The subdivider shall install the subdivision's stormwater system according to the City Engineer's stormwater management standards.

Subdivisions utilizing off-street parking facilities shall have all storm drainage plans and supporting calculations reviewed and approved by the Public Works Director, City Engineer or designee.

18. *Streets and Alleys*: All streets and alleys shall be constructed in accordance with the standards and specifications adopted by the City, ACHD, ITD and the Fire District. Street functionality shall be determined according to the City's adopted Street Circulation Map. The street Right-of-Way widths shall be in accordance to the street typologies identified in Kuna City Code Section 6-3-4. Required landscape buffers based on roadway classification shall comply with Kuna City Code Section 5-17-13. Subdivisions incorporating private streets shall comply with Kuna City Code Section 5-18-1.

- a. *Naming and Street Traffic Signs*: Subdivision names and street names shall stay consistent throughout the procedures for preliminary plat, design process, and final plat unless approval has been received by all approving agencies. Subdivision traffic signage shall be constructed and installed at appropriate street locations in accordance with ACHD and City standards. Proposed street names shall be submitted to the Ada County Street Naming Committee for their review and approval.

19. *Street Lighting*: Ornamental street lights (non-standard lights) shall not be maintained or energized by City of Kuna. Street lights shall comply with the City's current Street Light Details. Street lights shall be installed within the subdivision at intersections, cul-de-sacs and other types of turn around, pedestrian shelters, bus stops and within close proximity, but no closer than ten (10) feet on the side and three (3) feet in the front and rear of fire hydrants. The subdivider shall place lighting facilities at a maximum spacing of two hundred fifty (250) feet and proportionately dispersed throughout the interior and exterior of the subdivision.

- a. The City of Kuna shall not own or maintain street lights within gated communities. All street lights in a gated community shall be owned, maintained and powered by the subdivision's homeowner's association.

20. *Survey Monuments*: Monuments shall be set in accordance with I.C. §50-1303. Monuments that are disturbed or destroyed during construction of the subdivision shall be reset in accordance with the standards of I.C. §50-1303.

21. *Traffic Calming*: All traffic calming shall be approved by the City of Kuna, the Fire District and ACHD.

22. *Utilities*: The subdivision's public or private utilities shall be placed underground unless otherwise approved by the Public Works Director, City Engineer or designee. The extension and relocation of power, telephone, communication,

television and similar utilities provided by the City or other utility purveyor shall be at the subdivider's expense. Utilities shall be designed, constructed and placed with capacity to service adjoining lands.

23. *Water supply system:* Subdivisions are required to connect to the City's municipal water supply system. Each subdivision's public water supply system shall be constructed as an extension of the City's public system and shall be brought to and through the proposed subdivision to facilitate connection to surrounding users. The extension and relocation of the water supply system provided by the City shall be at the subdivider's expense. The water supply system shall be designed and constructed in accordance to the City's adopted Master Plan and water supply system details, unless otherwise approved by the City Engineer. Potable water service lines for buildable lots shall be capable of supplying sufficient volume and pressure for domestic use. Fire flow shall be capable of supplying sufficient volume and pressure in accordance to National Fire Protection Association (NFPA) and International Fire Code (IFC), as determined by the Fire District. The water rights appurtenant to a tract of land, subject to subdivision, shall be dedicated to the City in sufficient water quantities to offset the subdivision's potential water demands as determined by the Public Works Director, City Engineer or designee. The subdivision's water rights shall not be sold, abandoned, or transferred outside the City or its Area of City Impact. All dwelling units shall be individually metered, unless otherwise approved by the City Engineer. IC §50-1326 requires all water plans to be submitted to the DEQ for approval and that no building or structure shall be constructed until sanitary restrictions have been removed. The City Engineer, or their designee, shall serve as the Idaho State's qualified licensed professional engineer [QLPE] for purposes of reviewing the City's water plan submittals.

Section 3: Severability Provision

- 3.1 This ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

Section 4: Directing the City Clerk

- 4.1 The City Clerk is directed to file this Ordinance in the official records of the City and to provide a conformed copy to the Planning and Zoning Director.

Section 5: Effective Date

- 5.1 This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law and at the discretion of the City Clerk and In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

ADOPTED this ____ day of _____, 2021.

CITY OF KUNA

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

Jace Hellman

From: Jace Hellman
Sent: Thursday, April 15, 2021 10:07 AM
To: Ada County Engineer; Ada County Highway District; Adam Ingram; Beky Rone (Kuna USPS Addressing); Bobby Withrow; Boise Project Board of Control; Brent Moore (Ada County); Cable One TV; Catherine Feistner; Central District Health Department; Charlie Butterfield (Meridian Rural Fire District); Chief Fratusco; COMPASS; David Reinhart; DEQ; Eric Adolfson; Idaho Power Easements 2; Intermountain Gas; ITD; J&M Sanitation; Jace Hellman; Joe Bongiorno (Meridian Deputy Fire Marshall); Judy Gerhart; Julie Stanley (Regional Address Management); Krystal Hinkle; Lisa Holland; Marc Boyer (Kuna Postmaster); Marci Horner (West Ada School District); Megan Leatherman; Nampa Meridian Irrigation District ; New York Irrigation; Paris Dickerson; Paul Stevens; Phil Roberts; Planning Manager (Ada County Development Services); Reggie Edwards; Robie Reno
Subject: Request for Agency Comment - 21-01-OA - Subdivision Public Improvement Standards (6-4-2)
Attachments: 6-4-2 Draft 4.11.21 CLEAN .pdf

Agency Transmittal

April 15, 2021

Notice is hereby given by the City of Kuna that the following action(s) are under consideration:

File Number & Case Name:	21-01-OA (Ordinance Amendment) – Subdivision Public Improvement Standards
Project Description	<p>AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:</p> <ul style="list-style-type: none">• REPEALING SECTION 2 OF CHAPTER 4 OF TITLE 6 KUNA CITY CODE; AND• AMENDING CHAPTER 4 OF TITLE 6 KUNA CITY CODE BY THE ADDITION OF A NEW SECTION 2 PROVIDING SUBDIVISION PUBLIC IMPROVEMENTS STANDARDS INCLUDING DEFINITIONS, STANDARDS FOR ACCESS, BIKE LANES, CURB AND GUTTER, FENCING, FIBER OPTIC CONDUIT, FINAL LOT GRADE, IRRIGATION SYSTEMS, IRRIGATION DITCHES, LANDSCAPE, OPEN SPACE AND PARK AREAS, PARKING LOTS, SANITARY SEWER, SCHOOL BUS STAGING AREA, SIDEWALK, STORMWATER DRAINAGE, STREETS AND ALLEYS, STREET LIGHTING, SURVEY MONUMENTS, TRAFFIC CALMING, UTILITIES AND WATER SUPPLY SYSTEM; AND• PROVIDING A SEVERABILITY CLAUSE; AND• DIRECTING THE CITY CLERK; AND• PROVIDING AN EFFECTIVE DATE.

Applicant	Jace Hellman – City of Kuna Planning and Zoning Department 751 W 4 th St Kuna, ID 83634 208-922-5274 jhellman@kunaid.gov
Tentative Public Hearing Date	Tuesday, May 11, 2021 6:00 pm Kuna City Hall is located at 751 W. 4 th Street, Kuna, ID 83634
Staff Contact	Jace Hellman, Planning and Zoning Director jhellman@kunaid.gov Phone: 208.922.5274 Fax: 208.922.5989
<p>Enclosed is information to assist you with your consideration and response. All comments as to how this action may affect the service(s) your agency provides, is greatly appreciated. Please contact staff with any questions. If your agency needs different or additional information to review and provide comments please notify our office and they will be sent to you. If your agency needs additional time for review, please let our office know as soon as possible. <i>No response within 15 business days will indicate you have no objection or comments for this project.</i></p>	

Best,

Jace Hellman

Planning & Zoning Director
 751 W 4th St
 Kuna, ID 83634
 Office: 208.922.5274
 Cell: 208.204.4752
 Email: jhellman@kunaid.gov





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

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91031	21-01-OA	04/21/21	04/28/21	2	\$172.76

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Date	Method	Card Type	Last 4 Digits	Check	Amount
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Amount Due: \$172.76

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LEGAL NOTICE

**Case No. 21-01-OA: Repealing and Amending
Title 6, Chapter 4, Section 2 of Kuna City Code;
Ordinance Amendment.**

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission will hold a Public Hearing May 11, 2021, at 6:00 PM, or as soon as can be heard; in connection with an Ordinance Amendment request for Title 6 Subdivision Regulations, Chapter 4 Improvement Standards, Section 2 Required Public Improvements. The Public Hearing is for the purpose of gaining community input on the following:

- REPEALING SECTION 2 OF CHAPTER 4 OF TITLE 6 KUNA CITY CODE; AND
- AMENDING CHAPTER 4 OF TITLE 6 KUNA CITY CODE BY THE ADDITION OF A NEW SECTION 2 PROVIDING SUBDIVISION PUBLIC IMPROVEMENT STANDARDS INCLUDING DEFINITIONS, STANDARDS FOR ACCESS, BIKE LANES, CURB AND GUTTER, FENCING, FIBER OPTIC CONDUIT, FINAL LOT GRADE, IRRIGATION SYSTEMS, IRRIGATION DITCHES, LANDSCAPE, OPEN SPACE AND PARK AREAS, PARKING LOTS, SANITARY SEWER, SCHOOL BUS STAGING AREA, SIDEWALK, STORMWATER DRAINAGE, STREETS AND ALLEYS, STREET LIGHTING, SURVEY MONUMENTS, TRAFFIC CALMING, UTILITIES AND WATER SUPPLY SYSTEM; AND
- PROVIDING A SEVERABILITY CLAUSE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Please do not contact the Commission or Council including the Mayor as this may jeopardize the public hearing process as it is considered ex parte. If you require special accommodations, please contact Kuna Planning & Zoning Department prior to the meeting at (208) 922-5274.

The public is invited to provide written or oral testimony. Due to current health precautions associated with the Coronavirus, the City of Kuna is providing alternative ways for the community to submit comments at Public Hearings, please contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

Kuna Planning & Zoning Department

April 21, 28, 2021

91031