

OFFICIALS

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



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

Planning & Zoning Commission Meeting
AGENDA

Tuesday September 27, 2022

6:00 PM REGULAR MEETING

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

1. CALL TO ORDER & ROLL CALL:

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

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

- 1. Regular Planning and Zoning Commission Meeting Minutes Dated September 13, 2022
- 2. Findings of Fact & Conclusions of Law
 - A. Case No. 22-36-DR (Design Review) Kuna Lutheran Church

3. RESOLUTIONS:

- A. Resolution No. PZC01-2022 – Morgan Treasure, Economic Development Director

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF KUNA, IDAHO, VALIDATING CONFORMITY OF THE URBAN RENEWAL PLAN FOR THE KUNA EAST URBAN RENEWAL PROJECT WITH THE CITY OF KUNA'S COMPREHENSIVE PLAN

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

- A. Comprehensive Plan Map Amendment – Doug Hanson, Planning & Zoning Director

The City of Kuna requests consideration from the Planning & Zoning Commission for an Amendment to the Comprehensive Plan Future Land Use Map (FLUM).

- B. Case No. 22-03-ZC (Rezone) 3003 N Ten Mile Road (Bodahl) – Troy Behunin, Planner II

David Crawford of Centurion Engineers, Inc., requests approval to Rezone approximately 24.17 acres currently zoned C-1 (Neighborhood Commercial) to an R-20 (High Density Residential) zone; the Applicant is not proposing any other land use applications at this time. The subject site is located within Section 15, Township 2 North, Range 1 West, Boise Meridian (APN: S1315110075).

C. Case Nos. 22-07-S (Preliminary Plat) & 22-16-DR (Design Review) for Newberry Place Subdivision – Troy Behunin, Planner III

Skyline Homes & Development, LLC, requests Preliminary Plat approval in order to subdivide approximately 18.64 acres into 123 total lots (98 residential & 25 common). Applicant proposes a Gross Density of 5.31 Dwelling Units Per Acre (DUA), & a Net Density of 7.29 DUA, with 10.63% of useable open space. The site is located at 7015 N Ten Mile Road, Meridian, ID (APN: S1303141900); Section 2, Township 2 North, Range 1 West.

5. BUSINESS ITEMS:

None

6. ADJOURNMENT:

OFFICIALS

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



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

**Planning & Zoning Commission Meeting
MINUTES**

Tuesday September 13, 2022

6:00 PM REGULAR MEETING

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

1. CALL TO ORDER & ROLL CALL:

(Timestamp 00:00:10)

COMMISSION MEMBERS PRESENT:

Chairman Lee Young – Absent
Vice Chairman Dana Hennis
Commissioner Tyson Garten
Commissioner Ginny Greger
Commissioner Jim Main

CITY STAFF PRESENT:

Andrea Nielsen, City Attorney
Morgan Treasure, Economic Development Director
Doug Hanson, Planning & Zoning Director

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

(Timestamp 00:00:26)

1. Regular Planning and Zoning Commission Meeting Minutes Dated August 23, 2022
2. Findings of Fact & Conclusions of Law
 - A. Case Nos. 21-16-AN (Annexation), 21-11-S (Preliminary Plat) & 21-36-DR (Design Review) Riverton Subdivision
 - B. Case Nos. 22-02-AN (Annexation) & 22-01-ZC (Rezone) Lamp District
 - C. Case Nos. 22-01-AN (Annexation), 22-01-PUD (Planned Unit Development), 22-01-S (Preliminary Plat), 22-10-SUP (Special Use Permit) and 21-36-DR (Design Review) Patagonia East, Ridge & Lakes Subdivisions

(Timestamp 00:00:29)

Motion To: Approve the Consent Agenda.

Motion By: Commissioner Garten

Motion Seconded: Commissioner Main

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 4-1-0

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

None

4. **BUSINESS ITEMS:**

(Timestamp 00:00:52)

A. Case No. 22-36-DR (Design Review) Kuna Lutheran Church – Jessica Reid, Planner II

(Timestamp 00:01:01)

Planning and Zoning Director Doug Hanson, standing in for Planner II Jessica Reid, presented an overview of the project.

(Timestamp 00:02:42)

Richard Girard of Kuna Lutheran Church, presented a posterboard of the proposed site and explained a few additional points regarding landscaping. Mr. Girard then stood for questions.

(Timestamp 00:04:10)

The Commission proceeded into deliberation.

(Timestamp 00:04:12)

Vice Chairman expressed no concerns with the proposal.

(Timestamp 00:04:26)

Commissioner Greger asked a clarifying question regarding sewer services for the project site. Mr. Girard answered that as there were no connections available at this time, a septic system was to be installed. He further explained Kuna Lutheran had already worked with the city and Central District Health Department and were in possession of the appropriate permits for installation; this septic system would serve the church until connections became available.

(Timestamp 00:05:20)

Vice Chairman Hennis asked Mr. Hanson if the city was in support of the septic system. Mr. Hanson confirmed and referred to the Public Works Memorandum reflecting support.

(Timestamp 00:06:10)

Commissioner Garten expressed no concerns and felt the project was a good fit and use.

(Timestamp 00:06:26)

Motion To: Approve Case No. 22-36-DR (Design Review) Kuna Lutheran Church, with the Conditions as outlined in staffs report.

Motion By: Commissioner Garten

Motion Seconded: Commissioner Main

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 4-1-0

5. ADJOURNMENT:

(Timestamp 00:07:01)

Motion To: Adjourn.

Motion By: Commissioner Garten

Motion Seconded: Commissioner Greger

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 4-1-0

Dana Hennis, Vice Chairman
Kuna Planning and Zoning Commission

ATTEST:

Doug Hanson, Planning and Zoning Director
Kuna Planning and Zoning Department

1.2 Public Meeting

1.2.1 The Planning and Zoning Commission heard this on August 23, 2022; these Findings have been requested to go before the Commission on September 27, 2022.

1.3 Testimony

1.3.1 Those who testified at the Commission’s August 23, 2022, meeting are as follows, to-wit:

1.3.1.1 City Staff:

Doug Hanson, Planning and Zoning Director, standing in for Jessica Reid, Planner II

1.3.1.2 For the Applicant:

Richard Girard, Kuna Lutheran Church Member

**II
DECISION**

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

**III
FINDINGS OF FACT**

3.1 Findings Regarding Notice

3.1.1 In accordance with Kuna City Code (KCC) 5-4-2: Design Review; all new projects, landscaping, and other various amenities are required to submit an application for review by the Planning and Zoning Commission. As a Public Meeting item, this action requires no formal public noticing.

3.2 Findings Regarding Design Review

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

3.2.2 Review by Staff and the Commission of the proposed Design Review confirms the proposed structures and their design appear appropriate for the subject site.

3.2.3 The Comprehensive Plan designates the future land use designation of the subject site Commercial; the subject site is designated C-1 (Neighborhood Commercial), thus meeting this requirement.

3.2.4 Upon review, staff finds the proposed project is an appropriate fit for the residents of the surrounding neighborhood and community as a whole.

3.2.5 The placement and orientation of the structure, including building façade and colors appear to offer a cohesive design with the surrounding area.

3.2.6 Sidewalks immediately adjacent to the structure and community sidewalks within the surrounding area provide safe pedestrian access.

3.3 Testimony of City Staff

3.3.1 Conclusions: Planner II Jessica Reid, in a staff report to the Planning and Zoning Commission dated August 23, 2022, confirmed that a review of the site and records on file at the City of Kuna has been completed with the following Conclusions:

3.3.1.1 Kuna Lutheran Church Inc. requests Design Review approval to set two pre-fabricated buildings, approximately 4,392 SF, for the sanctuary and an approximately 864 SF pre-fabricated building on location at TBD E Porter Street (S1324233800), as well as the associated parking lot and landscaping; Section 24, Township 2 North, Range 1 West.

3.3.1.2 The subject site will be accessed via a future curb-cut from E Porter Street in which the Applicant proposes to construct a 21-foot curb return type driveway, in alignment with Cleveland Avenue to the South, or 350-feet East of Linder Road. In Exhibit 2.19, ACHD states the proposed driveway meets their Policy requirements and should be approved as proposed. They also state the Applicant may be required to update any existing non-compliant pedestrian improvements abutting the site in order to meet current ADA requirements, otherwise, no additional right-of-way (ROW) dedication or street improvements are required.

3.3.1.3 On Page 2 of this same Exhibit, Section B, it states this development is estimated to generate 38 vehicle trips per day and 3 vehicle trips in the PM peak hour. Staff would note the proposed church will be a low intensity use with hours of operation occurring primarily two (2) days per week; Sunday as the primary, and one other weekday.

3.3.1.4 The subject site was Annexed into Kuna City Limits with a C-1 (Neighborhood Commercial) zone, on May 3, 2022. Kuna Lutheran Church purchased three (3) existing structures from Anchor Baptist Church located at 7870 N Meridian Road, for the development of their new site; the pre-fabricated buildings are currently on site set on blocks.

3.3.1.5 The proposed sanctuary will be constructed from two (2) prefabricated buildings, resulting in approximately 4,392 SF. One (1) building will be set in a north-to-west placement, with the second building being attached to the center of the east facing side of Building No. 1 in an east-to-west direction; once combined, the sanctuary will resemble a 'T' where it's bottom will be facing east. The sanctuary itself is proposed to seat 70.

3.3.1.6 The proposed East elevation of the sanctuary has horizontal siding and will have approximately two (2) windows and one (1) covered double man-door. The West elevation is proposed to have three (3) windows and one (1) covered man-door. The South elevation which faces E Porter Street, is proposed to have two (2) narrow windows and one (1) sliding door with possible wheelchair ramp. The North elevation proposed one (1) narrow window and two (2) standard windows. The overall structure is to have horizontal siding in white and trim and doors in Brown.

- 3.3.1.7 The proposed 864 SF pre-fabricated metal shop/storage building is to be placed approximately 35-feet from the West property line and 10-feet from the sanctuary building. The South elevation facing E Porter Street, has one (1) overhead door and one (1) double man-door while the North elevation has one (1) window and one (1) man-door; the East and West elevations are a 36-foot expanse. The overall structure has vertical metal panels in Off-White and trim in Brown. Staff notes metal buildings are required to have a hidden fastening system. Staff also suggests the Applicants provide a painted wainscot on both structures in order to ensure there is adequate variation to meet the design requirements listed in Kuna City Code (KCC) 5-4.
- 3.3.1.8 Proposed landscaping for the subject site provides turf, trees and shrubs. An approximately 26-foot-wide landscape planter is proposed between back of sidewalk and the parking lot, to the West of the site ingress/egress; it is to have turf and three (3) Somerset Red Maples and two (2) LED streetlights. On the East of the ingress/egress is a 28-foot by 32-foot landscape planter with turf, one (1) Somerset Red Maple and two (2) streetlights in its northwest corner. Additional plantings areas are proposed between the church building and the parking lot, which includes turf, multiple shrubs, pedestrian walkways, and flag pole. The remaining Eastern portion of the site will be a large green space with turf and various trees. At the pre-application meeting, staff requested additional trees be added within the green space to provide the required number of trees listed in KCC 5-17; the Applicant has agreed. On the West approximately 35-feet, the Applicant proposes gravel so as to provide a drivable service to access the shop/storage area.
- 3.3.1.9 The proposed parking lot provides 23 standard stalls and three (3) ADA accessible stalls. Per KCC 5-9, one (1) stall is required for every five (5) seats; staff finds the proposed parking stalls to be above and beyond the requirement. On the West end of the parking lot, the Applicant proposes a 12-foot by 24-foot concrete block trash enclosure with gates; this result of a requested change from J&M Sanitation (Exhibit 2.17).
- 3.3.1.10 In Exhibit 2.22, Public Works can support this explanation. The subject site will be connected to city water and pressurized irrigation, but will be on a private septic tank for sewer. Public Works shall review the civil construction drawings and septic approvals from Central District Health Department, prior to building permits.
- 3.3.1.11 Upon complete review, staff finds the application generally complies with Title 5 of Kuna City Code; Comprehensive Plan Future Land Use Map (FLUM); and Idaho Code. Staff would recommend the Planning and Zoning Commission Approve Case No. 22-36-DR, with the Applicant being subject to the recommended Conditions of Approval listed in Section 3.4 of this report.

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

- 3.4.1 The Applicant shall follow all requirements for sanitary sewer, potable water and pressurized irrigation connections, and all other requirements of the Kuna Public Works Department. Potable/drinking water shall not be used for irrigation purposes per Kuna City Code 6-4-2(B)(9).

- 3.4.2** The Applicant shall obtain written approval of the construction plans from the agencies noted below; the approval may be either on agency letterhead referring to the approved use, or may be written or stamped upon a copy of the approved plans. All site improvements are prohibited prior to approval of these agencies and the issuance of a building permit:
- 3.4.2.1** No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received approval of the Civil Plan.
 - 3.4.2.2** The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by the Kuna Rural Fire District is required.
 - 3.4.2.3** The city shall approve any modifications to the existing water, sewer or irrigation system.
 - 3.4.2.4** Approval from Ada County Highway District (impact fees), if any, shall be paid *prior to issuance of building permits*.
- 3.4.3** Developer/Owner/Applicant shall provide engineering certification on all final engineering drawings, as applicable.
- 3.4.4** Developer/Owner/Applicant shall submit civil plans and Central District Health District septic approvals to pwoffice@kunaid.gov for review and receive formal Civil plan approvals prior to construction or Building Permit application.
- 3.4.5** On-site stormwater retention shall be reviewed in conjunction with this Design Review and Applicant/Developer shall be required to provide a stormwater disposal and treatment plan which accounts for increased on-site storm water runoff volumes; detailed drawings of drainage and treatment facilities with supporting calculations for review and approval.
- 3.4.6** If applicable, Fire Suppression shall be shown on all plans and approved by the Kuna Rural Fire District (KRFD).
- 3.4.7** The Kuna Rural Fire District (KRFD), or KRFD representative, must approve fire access to the project before, during, and after construction.
- 3.4.8** Developer/Owner/Applicant shall verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties; slopes shall not be steeper than 3:1 on lots adjacent to a street or common lot, and no steeper than 4:1 for lots with common rear lot lines.
- 3.4.9** This development is subject to Architectural and Landscape compliance Design Review inspections prior to receiving a Certificate of Occupancy. Design Review inspection fees shall be paid prior to requesting staff inspection.
- 3.4.10** The Developer/Owner/Applicant, and any future assigns having an interest in the subject property, shall fully comply with all Conditions of development as approved by the Planning and Zoning Commission, or seek amending them through the Design Review process.

- 3.4.11** All required landscaping shall be permanently maintained in healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within three (3) days or as the planting season permits, as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
- 3.4.12** Landscaping shall not be placed within 10 feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities, and must honor all vision triangles.
- 3.4.13** As-built drawings are required at the conclusion of any public facility construction project and are the responsibility of the Applicants Engineer.
- 3.4.14** Developer/Owner/Applicant is hereby notified of Kuna's weed control policies and requirements (KCC 8-1-3). Weeds, grasses, vines or other growth which endanger property or are over 12-inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout the seasons.
- 3.4.15** Developer/Owner/Applicant is hereby notified of Kuna's working hours. Construction of any kind shall only be conducted between 7:00 AM to 11:00 PM; noises and other public nuisances/distractions outside of this time frame are subject to lawful penalties.
- 3.4.16** Developer/Owner/Applicant shall follow staff, City Engineer and other agency recommended requirements, as applicable.
- 3.4.17** Developer/Owner/Applicant shall comply with all local, state and federal laws.

IV

CONCLUSIONS OF LAW

RE: POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION

- 4.1** The 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 application as provided in Kuna City Code 1-14-3.
- 4.3** Kuna City Code 5-4-2 provides that:

This Chapter applies to all proposed development located within the Design Review Overlay District which shall include the entire City Limits, and any land Annexed into the city after the date of adoption hereof. Such development includes, but is not limited to, new commercial, industrial, institutional, office, multi-family residential projects, common areas, subdivision signage, proposed conversions, proposed changes in land use and/or building use, or exterior remodeling, exterior restoration, and enlargement or expansion of existing buildings, signs or sites, and requires the submittal of a Design Review application pursuant to this Chapter and fee as prescribed from time to time by 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 meeting, and being fully informed on the premises and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, DO HEREBY ORDER AND THIS DOES ORDER:

5.1 The Design Review application (22-36-DR) for Kuna Lutheran Church is hereby Approved.

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna at its regular meeting held the 27th day of September, 2022.

Lee Young, Chairman

**RESOLUTION NO. PZC01-2022
CITY OF KUNA**

**BY THE PLANNING AND
ZONING COMMISSION**

**A RESOLUTION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY
OF KUNA, IDAHO, VALIDATING CONFORMITY OF THE URBAN RENEWAL PLAN
FOR THE KUNA EAST URBAN RENEWAL PROJECT WITH THE CITY OF KUNA'S
COMPREHENSIVE PLAN**

WHEREAS, the Urban Renewal Agency of the City of Kuna (the "City"), Idaho, also known as Kuna Urban Renewal Agency (hereinafter "Agency"), the duly constituted and authorized urban renewal agency of the City, has submitted the proposed Urban Renewal Plan for the Kuna East Urban Renewal Project (the "Kuna East Plan") to the City; and

WHEREAS, the Mayor and the Kuna City Council referred the Kuna East Plan to the City Planning and Zoning Commission for review and recommendations concerning the conformity of said Kuna East Plan with the City's Comprehensive Plan, as amended (the "Comprehensive Plan"); and

WHEREAS, on September 27, 2022, the City Planning and Zoning Commission met to consider whether the Kuna East Plan conforms with the Comprehensive Plan as required by Idaho Code § 50-2008(b); and

WHEREAS, the City Planning and Zoning Commission has reviewed said Kuna East Plan in view of the Comprehensive Plan; and

WHEREAS, the City Planning and Zoning Commission has determined that the Kuna East Plan is in all respects in conformity with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION FOR THE CITY OF KUNA, IDAHO:

Section 1. That the Kuna East Plan, submitted by the Agency and referred to this Commission by the Mayor and City Council for review, is in all respects in conformity with the City's Comprehensive Plan.

Section 2. That **Exhibit A**, outlining the findings supporting the determination that the Kuna East Plan is in conformity with the City's Comprehensive Plan, is hereby adopted and incorporated as part of this Resolution.

Section 3. That the Chair of the Planning and Zoning Commission is hereby authorized and directed to provide the Mayor and Kuna City Council with a signed copy of this Resolution relating to said Kuna East Plan.

Section 4. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the Planning and Zoning Commission of the City of Kuna, Idaho, this 27th day of September 2022.

APPROVED: _____ Lee Young, Chair Planning and Zoning Commission	ATTEST: _____ Chris Engels, City Clerk
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4879-5260-0624, v. 1



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

MEMO

Date: September 27, 2022
From: Morgan Treasure, Economic Development Director, Kuna Urban Renewal Agency Administrator
To: Planning & Zoning Commission
RE: Kuna East Urban Renewal District Plan

Planning & Zoning Commissioners,

The City of Kuna originally established an Urban Renewal Agency (URA) on April 3, 2011. The City of Kuna explored the concept of establishing a district several times in the last twenty years, but did not formalize a District until 2020. In 2020, the City and the URA went through the formal process to create the Kuna West Urban Renewal District that focuses on the city core.

After a large annexation and significant interest in developing industrial projects in the Kuna Mora & Cole area of the city, the Urban Renewal Agency approved an eligibility study on January 5th and the Kuna City Council adopted the eligibility study on February 1st, 2022 for the creation of the East Kuna Urban Renewal District. The Urban Renewal Agency has now crafted and recommended approval of a district plan for consideration.

While the Urban Renewal District formation doesn't require any formal public outreach, the City has worked diligently to give the community time to give input to the planning process. We held a public workshops, given community presentations and reached out to dozens of land owners, developers and partner agencies for guidance and feedback throughout the process.

The plan in front of you tonight is for your review of how the plan conforms to the needs and desires of the Comprehensive Plan of the City. We have worked hard to take the community feedback we've received from the Comprehensive Planning process and the public outreach to create a plan that focuses on the infrastructure requirements for creating a dedicated industrial area for the City.

An Urban Renewal District is essentially a planning boundary that allows the City to focus dollars from new developments that take place within the District into infrastructure projects. There is no financial impact or restriction to property owners, and there are no taxes added to property owners for being a part of the district. Taxing entities will continue to receive the amount of property taxes they have budgeted, the Urban Renewal Agency would only collect increment of property taxes from new developments and increased values that take place. School districts are exempt from the collection of increment from their budget, agencies with impact fee authority are still allowed to collect those fees, and we have also coordinated closely with Ada County and ACHD on how to prioritize projects and partner together on initiatives. The

funds will be managed by the Urban Renewal agency and utilized for projects as outlined within the proposed plan in front of you tonight.

Staff is in favor of supporting the Urban Renewal Plan as presented as it meets the needs and many goals as outlined in the Comprehensive Plan, specifically:

- Goal Area 1: Kuna will be economically diverse and vibrant
 - o 1.A. Ensure land use in Kuna will support economic development
 - o 1.C Attract and encourage new and existing businesses
 - o 1.D Address and plan for economic expansion of the City and region
 - o ***Economic Development Comments:*** *This plan gives the URA the opportunity to assist interested landowners and developers with greenfield properties on development possibilities and infrastructure improvements to help attract larger scale industrial and manufacturing projects. Ultimately, we hope to see more shovel-ready properties that make Kuna a competitive option for projects looking to expand or locate in Idaho and the Western States region.*
- Goal Area 2: Kuna will be a healthy, safe community
 - o 2.E Ensure Kuna's clean air, water and soil through natural resource management and watershed protection
 - o ***Economic Development Comments:*** *The plan includes multiple water and wastewater infrastructure upgrades to most efficiently service the needs of industrial or manufacturing users who might want to locate in our community.*
- Goal Area 3: Kuna's land uses will support a desirable, distinctive and well-designed community
 - o 3.A. Ensure community design directs growth and implement sustainable land use patterns.
 - o 3.C Encourage development of commercial areas with good connectivity and character.
 - o 3.E Strategically locate and develop industrial areas.
 - o 3.G Respect and protect private property rights.
 - o ***Economic Development Comments:*** *The plan focuses specifically on the industrial zoned property in East Kuna. The plan integrates the future land use map that was part of the comprehensive plan, and includes several potential greenfield sites for industrial development. There is also the ability to support the redevelopment of some existing properties and infrastructure. No property owner will be forced to redevelop as part of the Urban Renewal District, and there is no addition of taxes or fees that will be assessed to landowners within the planning boundary. We will work to respect and protect private property rights while integrating projects.*
- Goal Area 4: Kuna will be a connected community through strong transportation and infrastructure systems
 - o 4.D Promote a connected street network that incorporates mid-mile collectors and crossings for improved neighborhood connectivity
 - o 4.F Ensure water, sewer, irrigation, street lighting, storm water and solid waste systems are capable of serving the current and future population.
 - o 4.G Maintain serviceability of communication systems including broadband internet, phone and cable
 - o 4.H Ensure National Interest Electric Transmission Corridors (NIETC), as well as power and gas transmission corridors are considered in land use planning decisions, and minimize the adverse impacts of transmission corridors in the community
 - o ***Economic Development Comments:*** *There are significant roadway and public infrastructure projects within the proposed plan. Given the utility requirements of most industrial and manufacturing users, special consideration was made to include current and future planning feedback from Idaho Power and Intermountain Gas. Many of these improvements are needed but lack a source of funding to take place in a reasonable timeline. By including these projects within the District plan, we hope to expedite the timing of when improvements could take place.*
- Goal Area 6: Kuna will govern collaboratively and effectively in the best interest of its citizens.
 - o 6.A. Involve citizens in decisions about Kuna's future.
 - o 6.B Maintain adequate organizational capacity to efficiently manage city government and implement this plan.
 - o 6.C Engage in regional collaboration to leverage city and partner agency resources on behalf of the community.
 - o 6.D Maintain sustainable and transparent financial operations and proactively manage city budgets and investments.

- **Economic Development Comments:** *The City of Kuna and the URA have worked hard to go above and beyond the requirements needed for public participation in the planning efforts. The City also has a webpage specifically focused on Urban Renewal so the community can keep informed on what's happening: <http://www.kunacity.id.gov/518/Kuna-Urban-Renewal-Agency>. All of the URA meetings are open to the public to attend. The URA reached out to regional city and partner agencies for feedback and involvement in the crafting of the plan, and every year, the URA will hold it's own budget hearing process.*

Any of the projects referenced in the District plan are conceptual in nature and would each need to go through individual approval processes. The District will be set to go no longer than 20 years, and the Urban Renewal Agency will work with coordinating agencies and committees to implement projects based on the proposed District plan (and in compliance with the City's comprehensive plan).

Thanks for your consideration.

Best Regards,

A handwritten signature in cursive script that reads "Morgan Treasure".

208-559-5926
Morgan Treasure
Economic Development Director
mtreasure@kunaid.gov

**URBAN RENEWAL PLAN FOR THE
KUNA EAST URBAN RENEWAL PROJECT**

**THE URBAN RENEWAL AGENCY
OF THE CITY OF KUNA, IDAHO**

Ordinance No. _____

Adopted _____

Effective _____

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100 INTRODUCTION

This is the Urban Renewal Plan (the “Plan”) for the Kuna East Urban Renewal Project (the “Project”) in the city of Kuna (the “City”), state of Idaho. Attachments 1 through 6 attached hereto (collectively, the “Plan Attachments”) are incorporated herein and shall be considered a part of this Plan.

The term “Project” is used herein to describe the overall activities defined in this Plan and conforms to the statutory definition of an urban renewal project. Reference is specifically made to Idaho Code §§ 50-2018(10) and 50-2903(13) for the various activities contemplated by the term “Project.” Such activities include both private and public development of property within the urban renewal area. The Kuna East Project Area is also referred to as the “Project Area” or the “Revenue Allocation Area.”

This Plan was prepared by the Board of Commissioners (the “Agency Board”) of the Urban Renewal Agency of the city of Kuna (the “Agency”), its consultants, and staff, and reviewed and recommended by the Agency pursuant to the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the “Law”), the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”), and all applicable local laws and ordinances.

Idaho Code § 50-2905 identifies what information the Plan must include with specificity as follows:

- (1) A statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality.
- (2) A statement listing the kind, number, and location of all proposed public works or improvements within the revenue allocation area.
- (3) An economic feasibility study.
- (4) A detailed list of estimated project costs.
- (5) A fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property on the revenue allocation area.
- (6) A description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred;
- (7) A termination date for the plan and the revenue allocation area as provided for in section 50-2903(20), Idaho Code. In determining the termination date, the plan shall recognize that the agency shall receive allocation of revenues in the calendar

year following the last year of the revenue allocation provision described in the urban renewal plan.

- (8) A description of the disposition or retention of any assets of the agency upon the termination date. Provided however, nothing herein shall prevent the agency from retaining assets or revenues generated from such assets as long as the agency shall have resources other than revenue allocation funds to operate and manage such assets.

This Plan includes the above information with specificity.

The proposed development and redevelopment of the Project Area as described in this Plan conforms to the City of Kuna 2019 Comprehensive Plan, *Envision Kuna* (the “Comprehensive Plan”), adopted by the Kuna City Council (the “City Council”) on July 16, 2019. The Agency intends to rely heavily on any applicable City zoning and design standards which may cover all or part of the Project Area.

This Plan is subject to the Plan modification limitations and reporting requirements set forth in Idaho Code § 50-2903A. Subject to limited exceptions as set forth in Idaho Code § 50-2903A, if this Plan is modified by City Council ordinance, then the base value for the year immediately following the year in which modification occurs shall include the current year’s equalized assessed value of the taxable property in the revenue allocation area, effectively eliminating the Agency’s revenue stream.

A modification shall not be deemed to occur when “[t]here is a plan amendment to make technical or ministerial changes to a plan that does not involve an increase in the use of revenues allocated to the agency.” Idaho Code § 50-2903A(1)(a)(i). Annual adjustments as more specifically set forth in the Agency’s annual budget will be required to account for more/less estimated revenue and project timing, including prioritization of projects. Any adjustments for these stated purposes are technical and ministerial and are not modifications under Idaho Code § 50-2903A.

Further, a modification shall not be deemed to occur when “[t]here is a plan amendment to support growth of an existing commercial or industrial project in an existing revenue allocation area, subject to the provisions of section 50-2905A, Idaho Code.” Idaho Code § 50-2903A(1)(a)(iv). The Project includes the development and/or redevelopment of commercial and industrial projects.

This Plan provides the Agency with powers, duties, and obligations to implement and further the program generally formulated in this Plan for the development, redevelopment, rehabilitation, and revitalization of the area within the boundaries of the Project Area. The Agency retains all powers allowed by the Law and Act. This Plan presents a process and a basic framework within which plan implementation, including contracts, agreements and ancillary documents will be presented and by which tools are provided to the Agency to fashion, develop, and proceed with plan implementation. The Plan has balanced the need for flexibility over the twenty (20)-year timeframe of the Plan to implement the improvements identified in Attachment

5, with the need for specificity as required by Idaho Code § 50-2905. The Plan narrative addresses the required elements of a plan set forth in Idaho Code § 50-2905(1), (5), (7) and (8). Attachment 5, together with the Plan narrative, meet the specificity requirement for the required plan elements set forth in Idaho Code § 50-2905(2)-(6), recognizing that actual Agency expenditures are prioritized each fiscal year during the required annual budgeting process.

Allowed projects are those activities which comply with the Law and the Act and meet the overall objectives of this Plan. The public-private relationship is crucial in the successful development and redevelopment of the Project Area. Typically, the public will fund enhanced public improvements like utilities, streets, and sidewalks which, in turn, create an attractive setting for adjacent private investment. In this case, pursuant to the City's zoning and Future Land Use Map, development within the Project Area will be focused on commercial and industrial development.

The purpose of the Law and Act will be attained through the implementation of the Plan. The master goals of this Plan are:

- a. To support the planning, design, and construction of public infrastructure and improvements to support commercial and industrial development opportunities;
- b. The installation and construction of public improvements, including new north-south and east-west local, collector and arterial streets; improvements to existing roadways, including but not limited to improvements to Kuna Mora Road, Cole Road and Curtis Road and intersection improvements within the Project Area, including the installation of traffic signals; installation of curbs, gutters and streetscapes, which for purposes of this Plan, the term "streetscapes" includes sidewalks, lighting, landscaping, benches, bike racks, wayfinding, public art and similar amenities between the curb and right of way line; installation and/or improvements to fiber optic facilities; improvements to public utilities including water and sewer improvements, including but not limited to a new lift station, force main and storage and capacity upgrades, and fire protection systems; natural gas distribution improvements; removal, burying, or relocation of overhead utilities; extension of electrical distribution lines and transformers; improvement of irrigation and drainage ditches and laterals; and improvement of storm drainage facilities;
- c. The replanning, redesign, and development of undeveloped or underdeveloped areas which are stagnant or improperly utilized because of limited traffic access, underserved utilities, large lot size and other site conditions;
- d. The strengthening of the economic base of the Project Area and the community by the installation of needed public improvements to stimulate new private development providing for economic growth through diverse, resilient, regionally supportive, enhanced employment opportunities.

- e. The provision of adequate land for open space, street rights-of-way and pedestrian rights-of-way, including pathways;
- f. The establishment of an internal street network as well as the reconstruction and improvement of street corridors to allow traffic flows to move through the Project Area along with the accompanying utility connections throughout the Project Area;
- g. The provision of public service utilities, which may be sited outside of the Project Area, but are necessary to the development of the Project Area, such as water system improvements, sewer system improvements, gas and electrical system improvements and improvements to storm drainage facilities;
- h. In conjunction with the City, the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Project Area, including commitment of funds for planning studies, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources;
- i. The strengthening of the tax base by encouraging private development, thus increasing the assessed valuation of properties within the Project Area as a whole and benefiting the various taxing districts in which the urban renewal area is located;
- j. The acquisition of real property to support development and/or redevelopment initiatives consistent with the Law and Act; and
- k. The funding of necessary public infrastructure to accommodate both public and private development.

101 General Procedures of the Agency

The Agency is a public body, corporate and politic, as defined and described under the Law and the Act. Under the law, the Agency is governed by the Idaho open meeting law; the Public Records Act; the Ethics in Government Act of 2015, Chapters 1, 2 and 4 of Title 74, Idaho Code; reporting requirements pursuant to Idaho Code §§ 67-450B, 67-1076, 50-2903A and 50-2913; and the competitive bidding requirements under Chapter 28, Title 67, Idaho Code, as well as other procurement or other public improvement delivery methods. The Agency is also governed by its bylaws as authorized by the Law and adopted by the Agency.

Subject to limited exceptions, the Agency shall conduct all meetings in open session and allow meaningful public input as mandated by the issue considered or by any statutory or regulatory provision.

The Agency may adopt separate policy statements. Any modification to any policy statement is a technical or ministerial adjustment and is not a modification to this Plan under Idaho Code § 50-2903A.

102 Provisions Necessary to Meet State and Local Requirements: Conformance with Idaho Code Sections 50-2008 and 50-2906

Idaho law requires that the City Council, by resolution, must determine a geographic area be a deteriorated area or a deteriorating area, or a combination thereof, and designate such area as appropriate for an urban renewal project prior to preparation of an urban renewal plan. A consultant was retained to study a proposed project area (the “Study Area”) and prepare an eligibility report. The Kuna Urban Renewal District Eligibility Study, Kuna East District, dated December 2021 (the “Report”), was submitted to the Agency. The Agency accepted the Report by Agency Resolution No. URA 03-2021 on January 5, 2022, and thereafter submitted the Report to the City Council for its consideration.

The Study Area was deemed by the City Council to be a deteriorating area and/or a deteriorated area and therefore eligible for an urban renewal project by adoption of Resolution No. R05-022 on February 1, 2022. With the adoption of Resolution No. R05-22, the City Council declared the Study Area described in the Report to be a deteriorated area and/or a deteriorating area as defined by Chapters 20 and 29, Title 50, Idaho Code, as amended, that such area is appropriate for an urban renewal project and directed the Agency to commence preparation of an urban renewal plan. The boundaries of the Project Area are slightly smaller than the Study Area to ensure the boundaries are within the City limits.

Under the Law and Act, Idaho Code Sections 50-2903(8)(f) and 50-2018(8) and (9), the definition of a deteriorating area shall not apply to any agricultural operation as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation except for an agricultural operation that has not been used for three (3) consecutive years.

In accordance with the Law and Act, the necessary agricultural operation consents were obtained from the owners of any agricultural operation within the Project Area for property that has been used as an agricultural operation within the last three (3) years. A copy of the agricultural operation consents are attached hereto as Attachment 6.

In addition to the discussions occurring at several Agency Board meetings in 2022, Agency staff met with property owners, taxing districts and other stakeholders regularly in an effort to provide an opportunity for all to weigh in on the scope of the Plan and Project Area. Property owners within the Study Area were advised of the planning efforts and there was a joint City Council, Planning and Zoning Commission and Agency Board workshop on August 2, 2022, to help address the scope of the Plan.

The Plan was prepared and submitted to the Agency for its review and approval. The Agency approved the Plan by the adoption of Agency Resolution No. 2022-03 on September 14, 2022, and submitted the Plan to the City Council with its recommendation for adoption.

In accordance with the Law, this Plan was submitted to the Planning and Zoning Commission of the City. After consideration of the Plan, the Commission reported to the City Council that this Plan is in conformity with the City's Comprehensive Plan.

Pursuant to the Law and Act, the City Council having published due notice thereof, a public hearing was held on this Plan. Notice of the hearing was duly published in the *Kuna Melba News*, a newspaper having general circulation in the City. The City Council adopted this Plan on _____, _____, by Ordinance No. _____.

103 History and Current Conditions of the Area

This Project Area includes an estimated 1,538.50 acres, 1,488 acres of which are undeveloped open land. The Project Area is generally located along Cole Road, between Curtis Road and South Five Mile Road. The Project Area extends just north of Kuna Mora Road and south of Barker Road to the Union Pacific Railroad. The Project Area is located entirely within the city of Kuna city limits.

The Project Area includes an area in transition from historical agricultural uses to a proposed mix of light and heavy industrial and commercial uses. Significant impediments to development include extensive infrastructure needs necessary to develop the Project Area consistent with the goals of the City's Comprehensive Plan; lack of an internal street network and limited connectivity to the broader community; and the existence of large, oversized lots that do not support development goals. The Report cites a number of deteriorating conditions, as outlined in the Law and the Act, existing within the Project Area, including the presence of a substantial number of deteriorated or deteriorating structures; predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness/obsolete platting; insanitary and unsafe conditions; and deterioration of site or other improvements. Current infrastructure within the Project Area is not of a nature to support the commercial and/or industrial uses identified in the Future Land Use Map and the City's Comprehensive Plan. As a result, development potential within the Project Area is currently restricted and would not occur in the foreseeable future without tools to support the City's planning goals. The majority of the Project Area lacks an internal street network to serve interior development creating connectivity issues. Further, existing parcel sizes appropriate for historic agricultural uses are not properly configured for the development patterns envisioned in the Future Land Use Map. Extension, improvements, and upgrades to water and sewer facilities are necessary in order to develop certain commercial and industrial projects. At this time, the Project Area lacks the public infrastructure necessary to properly serve the proposed uses and the economic development goals as contemplated by the City's Comprehensive Plan.

The Plan proposes installation and improvements to public infrastructure and other publicly owned assets throughout the Project Area, as more specifically set forth in Attachment 5, including but not limited to: planning, design, and construction of improvements to streets, streetscapes, and pedestrian/bike facilities, and/or the construction of new internal street networks, and other public facilities, including but not limited to the installation, expansion of, or improvements to, sewer and water facilities, fiber optic facilities, electric facilities, storm drainage facilities and other similar public infrastructure improvements as necessary creating the

framework for the development of commercial and industrial economic development projects consistent with the City's Comprehensive Plan. The City has seen several waves of accelerated residential growth. To balance this residential growth, this Plan supports the investment in public infrastructure to increase employment opportunities so that residents may work where they live.

A significant portion of the Project Area is underdeveloped and/or vacant and is not being used to its highest and best use due to the existence of significant impediments to development. The conditions outlined above have resulted in economic underdevelopment of the Project Area and have substantially impaired or arrested the sound growth of the City, constituted an economic and social liability and are a menace to the public health, safety, morals or welfare in its present condition and use.

The preparation and approval of an urban renewal plan, including a revenue allocation financing provision, gives the City additional resources to solve the public infrastructure and development impediment issues in this area. Revenue allocation financing should help to improve the situation. In effect, property taxes generated by new developments within the Project Area may be used by the Agency to finance a variety of needed public improvements and facilities. Finally, new commercial and industrial developments are anticipated to generate new jobs in the community that would, in turn, benefit area residents.

It is unlikely individual developers will take on the prohibitive costs of constructing the necessary infrastructure in the Project Area without the ability of revenue allocation to help offset at least some of these significant capital infrastructure costs. But for urban renewal and revenue allocation financing, the proposed public improvements to support revitalization and new industrial and commercial developments within the Project Area would not occur.

104 Purpose of Activities

Attachment 5 includes the public improvements lists identifying with specificity the proposed public improvements and projects contemplated in the Project Area, including the project type and location. The projects are prioritized with Priority A Projects identified as those that are most important to incent revitalization and new development. Additional unfunded projects are identified in the Priority B Projects list and the Priority C Projects list (collectively Priority A Projects, Priority B Projects and Priority C Projects may be referred to as the "Priority Projects Lists"). The description of activities, public improvements, and the estimated costs of those items are intended to create an outside limit of the Agency's activity. Due to the inherent difficulty in projecting future levy rates, future taxable value, and the future costs of construction, the Agency reserves the right to:

- a. change funding amounts from one Project to another.
- b. to re-prioritize the Priority Projects Lists described in this Plan and the Plan Attachments.

- c. Retain flexibility in funding the various activities in order to best meet the Plan and the needs of the Project Area.
- d. Retain flexibility in determining whether to use the Agency's funds or funds generated by other sources.
- e. Alter the location of proposed improvements set forth in Attachment 5 to support development when it occurs. The information included in Attachment 5 presents a realistic siting of improvements recognizing it is difficult to project with any certainty where the improvements will be sited until any future projects submit plans to the City for design review and permitting.

The Agency intends to discuss and negotiate with any owner or developer of the parcels within the Project Area seeking Agency assistance during the duration of the Plan and Project Area. During such negotiation, the Agency will determine the eligibility of the activities sought for Agency funding, the amount the Agency may fund by way of percentage or other criteria including the need for such assistance. The Agency will also take into account the amount of revenue allocation proceeds estimated to be generated from the developer's activities. The Agency also reserves the right to establish, by way of policy, its funding percentage or participation, which would apply to all developers and owners and may prioritize the projects as development occurs.

Throughout this Plan, there are references to Agency activities, Agency funding, and the development, and contribution of public improvements. Such references do not necessarily constitute a full, final, and formal commitment by the Agency but, rather, grant to the Agency the discretion to participate as stated subject to achieving the objectives of this Plan and provided such activity is deemed eligible under the Law and the Act. The activities listed in Attachment 5 will be determined or prioritized as the overall Project Area develops and through the annual budget setting process.

The activities listed in Attachment 5 are also prioritized by way of importance to the Agency and economic feasibility by the amounts funded, and by year of funding. As required by the Law and Act, the Agency will adopt more specific budgets annually. The projected timing of funding is primarily a function of the availability of market conditions and financial resources but is also strategic, considering the timing of private development partnership opportunities and the ability of certain strategic activities to stimulate development at given points in time within the planned 20-year period of the urban renewal district and revenue allocation area.

The Study (Attachment 5) has described a list of prioritized public improvements and other related activities in the list of projects with an estimated cost in 2022 dollars of approximately \$47,879,000.00. This amount does not take into account inflationary factors, such as increasing construction costs, which would increase that figure depending on when the owner, developer and/or Agency is able to develop, construct or initiate those activities. The Study has concluded the capacity of revenue allocation funds through the term of the Plan based on the assumed development projects and assessed value increases will likely generate an estimated \$58,075,814.00 in revenue allocation proceeds. The Study has further identified and described a

list of unfunded projects and public improvements in the Priority B Projects list and the Priority C Projects list in the total amount of \$70,126,000.00. The Agency reserves the discretion and flexibility to use revenue allocation proceeds in excess of the amounts predicted in the event higher increases in assessed values occur during the term of the Plan for the improvements and activities identified in the Priority Projects Lists. Additionally, the Agency reserves the discretion and flexibility to use other sources of funds unrelated to revenue allocation to assist in the funding of the improvements and activities identified in any of the Priority Projects Lists.

105 Open Land Criteria

This Plan contemplates limited Agency acquisition of property within the Project Area, in part, to support public information improvements related to the Agency's economic development goals. The Project Area is predominantly open land requiring the area meet the conditions set forth in Idaho Code § 50-2008(d). These conditions include defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, and faulty lot layout, all of which are included in one form or another in the definitions of deteriorated area or deteriorating area set forth in Idaho Code §§ 50-2018(8), (9) and 50-2903(8). The issues listed only in Idaho Code § 50-2008(d)(4)(2) (the open land section) include economic disuse, unsuitable topography, and "the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area."

Open land areas qualify for Agency acquisition and development for primarily nonresidential uses if acquisition is necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives if any of the deteriorating area conditions set forth in Idaho Code §§ 50-2018(8), (9) and 50-2903(8) apply. But such areas also qualify if any of the issues listed only in Idaho Code § 50-2008(d)(4)(2) apply. The presence of a substantial number of deteriorated or deteriorating structures; predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness/obsolete platting; insanitary and unsafe conditions; and deterioration of site or other improvements; lack of water and sewer facilities; large parcel size; a deficient street system; lack of fire protection facilities; and economic disuse, are all conditions which delay or impair development of the open land areas and satisfy the open land conditions as more fully supported by the Kuna Urban Renewal District Eligibility Study, Kuna East District, prepared by J-U-B Engineers, Inc., dated December 2021.

This Plan does anticipate Agency acquisition of property within the Project Area; however, the acquisition of specific parcels is unknown at this time. Should the Agency determine the need to acquire property as further set forth in Attachment 3, then the open land areas qualify for Agency acquisition and development.

200 DESCRIPTION OF PROJECT AREA

The boundaries of the Project Area and the Revenue Allocation Area are shown on the Boundary Map of Kuna East Urban Renewal Project Area and Revenue Allocation Area, attached hereto as Attachment 1 and incorporated herein by reference, and are described in the

Legal Description of Kuna East Urban Renewal Project Area and Revenue Allocation Area, attached hereto as Attachment 2 and incorporated herein by reference. For purposes of boundary descriptions and use of proceeds for payment of improvements, the boundary shall be deemed to extend to the outer boundary of rights-of-way or other natural boundary unless otherwise stated.

300 PROPOSED REDEVELOPMENT ACTIONS

301 General

The Agency proposes to eliminate and prevent the spread of deteriorating conditions and deterioration in the Project Area by employing a strategy to improve and develop public and private lands, to increase connectivity, and to grow the economy in the Project Area. Implementation of the strategy includes, but is not limited to the following actions:

- a. The engineering, design, installation, construction, and/or reconstruction of storm water management infrastructure to support compliance with federal, state, and local regulations for storm water discharge and to support private development;
- b. The provision for participation by property owners and developers within the Project Area to achieve the objectives of this Plan;
- c. The engineering, design, installation, construction, and/or reconstruction of streets and streetscapes, including but not limited to improvements to portions of Kuna Mora Road, Barker Road, Cole Road and Curtis Road, and related pedestrian facilities, curb and gutter, intersection improvements, and traffic signals;
- d. The engineering, design, installation and/or construction of new local, collector and arterial rights-of way including the establishment of internal street networks to support connectivity within the Project Area, as well as connectivity with the broader community, together with new north-south and east-west collectors;
- e. The engineering, design, installation, construction, and/or reconstruction of utilities (within and outside of the Project Area) including but not limited to improvements and upgrades to the water distribution system, including extension of the water distribution system, water capacity improvements, water storage upgrades, sewer system improvements and upgrades, including extension of the sewer collection system, sewer capacity improvements, additional land application, lift station and force main, and improvements, and upgrades to power, gas, fiber optics, communications and other such facilities. To the extent construction of utilities outside of the Project Area are identified, such improvements are directly related to the growth and development within the Project Area, but cannot be sited within the Project Area;
- f. Removal, burying, or relocation of overhead utilities; removal or relocation of underground utilities; extension of electrical distribution lines and transformers; improvement of irrigation and drainage ditches and laterals; undergrounding or

pipng of laterals; addition of fiber optic lines or other communication systems; public parking facilities, and other public improvements, including but not limited to, fire protection systems, roadways, curbs, gutters, and streetscapes, which for purposes of this Plan, the term streetscapes includes sidewalks, lighting, landscaping, benches, signage, way-finding, bike racks, public art, and similar amenities between the curb and right-of-way line; and other public improvements, including public open spaces that may be deemed appropriate by the Board;

- g. The acquisition of real property for public right-of-way improvements, public parks, pedestrian facilities, pathways, and trails and to encourage development opportunities consistent with the Plan, including but not limited to future disposition to qualified developers;
- h. The acquisition of real property for utility undergrounding and streetscape improvements to create development opportunities consistent with the Plan, including but not limited to future disposition to qualified developers and for qualified developments, including economic development;
- i. The disposition of real property through a competitive process in accordance with this Plan, Idaho law, including Idaho Code § 50-2011, and any disposition policies adopted by the Agency;
- j. The demolition or removal of certain buildings and/or improvements for public rights-of-way, pedestrian facilities, utility undergrounding and streetscape improvements to encourage and enhance transportation and mobility options, decrease underutilized parcels, to eliminate unhealthful, unsanitary, or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions;
- k. The management of any property acquired by and under the ownership and control of the Agency;
- l. The development or redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
- m. The provision of financial and other assistance to encourage and attract business enterprise including but not limited to start-ups and microbusinesses, mid-sized companies and large-scale corporations and industries;
- n. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
- o. The preparation and assembly of adequate sites for the development and construction of facilities for industrial and commercial use;

- p. In collaboration with property owners and other stakeholders, working with the City to amend zoning regulations (if necessary) and standards and guidelines as needed to support implementation of this Plan;
- q. In conjunction with the City, the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Project Area, including commitment of funds for planning studies, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources;
- r. To the extent allowed by law, lend or invest federal funds to facilitate development and/or redevelopment;
- s. The provision for relocation assistance to displaced Project Area occupants, as required by law, or within the discretion of the Agency Board for displaced businesses;
- t. Other related improvements to those set forth above as further set forth in Attachment 5.

In the accomplishment of these purposes and activities and in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers now or hereafter permitted by Law and Act.

302 Urban Renewal Plan Objectives

Urban renewal activity is necessary in the Project Area to combat problems of physical deterioration or deteriorating conditions. As set forth in greater detail in Section 103, the Project Area has a history of stagnant growth and development compared to other areas of the City based on deteriorated or deteriorating conditions that have arrested or impaired growth in the Project Area primarily attributed to: the presence of a substantial number of deteriorated or deteriorating structures; predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness/obsolete platting; insanitary and unsafe conditions; deterioration of site or other improvements and inadequate utility infrastructure needed for a larger commercial and industrial developments. The Plan for the Project Area is a proposal to work in partnership with public and private entities to improve, develop, and grow the economy within the Project Area by the implementation of a strategy and program set forth in Section 301 and in Attachment 5.

The provisions of this Plan are applicable to all public and private property in the Project Area. The provisions of the Plan shall be interpreted and applied as objectives and goals, recognizing the need for flexibility in interpretation and implementation, while at the same time not in any way abdicating the rights and privileges of the property owners which are vested in the present and future zoning classifications of the properties. All development under an owner participation agreement shall conform to those standards specified in Section 303.1 of this Plan.

It is recognized that the Ada County Highway District has exclusive jurisdiction over all public street rights-of-way within the Project Area, except for state highways. Nothing in this Plan shall be construed to alter the powers of the Ada County Highway District pursuant to Title 40, Idaho Code.

This Plan must be practical in order to succeed. Particular attention has been paid to how it can be implemented, given the changing nature of market conditions. Transforming the Project Area into a vital, thriving part of the community requires an assertive strategy. The following list represents the key elements of that effort:

- a. Initiate simultaneous projects designed to revitalize the Project Area. From street and utility improvements to significant new public or private development, the Agency plays a key role in creating the necessary momentum to get and keep things going.
- b. Support new commercial and industrial development opportunities and encourage development projects that support the goals of developing a vibrant commercial/industrial corridor.
- c. Support development that includes public open space amenities, including securing and improving certain public open space in critical areas.
- d. Initiate projects designed to support the increase of mixed density employment opportunities, and commercial and industrial projects, and to encourage transportation planning to support connectivity and efficient circulation of all transportation means.

Without direct public intervention, much of the Project Area could conceivably remain unchanged and in a deteriorated and/or deteriorating condition for the next twenty (20) years. The Plan creates the necessary flexible framework for the Project Area to support the City's economic development objectives while complying with the "specificity" requirement set forth in Idaho Code § 50-2905.

Land use in the Project Area may be modified to the extent that underutilized, underdeveloped, deteriorated, deteriorating and vacant land and land now devoted to uses inconsistent with the future land uses of the area will be converted to a commercial and industrial employment corridor. In implementing the activities described in this Plan, the Agency shall give due consideration to the provision of adequate open space, park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of residents in the general vicinity of the Project Area covered by the Plan, recognizing, however, the primary purpose of this Plan and Project Area is to support new private development providing for economic growth through diverse, resilient, regionally supportive, enhanced employment opportunities and to establish a thriving commercial and industrial area.

303 Participation Opportunities and Agreement

303.1 Participation Agreements

The Agency shall enter into various development participation agreements with any existing or future owner of property in the Project Area, in the event the property owner receives assistance from the Agency in the development and/or redevelopment of the property. The term “owner participation agreement” or “participation agreement” is intended to include all participation agreements with a property owner, including reimbursement agreements, grant agreements or other forms of participation agreements. In that event, the Agency may allow for an existing or future owner of property to remove the property and/or structure from future Agency acquisition subject to entering into an owner participation agreement. The Agency may also enter into owner participation agreements with other future owners and developers within the Project Area throughout the duration of this Plan in order to implement the infrastructure improvements set forth in this Plan.

Each structure and building in the Project Area to be rehabilitated or to be constructed as a condition of the owner participation agreement between the Agency and the owner pursuant to this Plan will be considered to be satisfactorily rehabilitated and constructed pursuant to the requirements of the Law and Act, and the Agency will so certify, if the rehabilitated or new structure meets the standards set forth in an executed owner participation agreement and complies with applicable provisions of this Plan, local codes and ordinances, the Idaho Code and meets the conditions described below:

- a. Any such property within the Project Area shall be required to conform to all applicable provisions, requirements, and regulations of this Plan. The owner participation agreement may require as a condition of financial participation by the Agency a commitment by the property owner to meet the greater objectives of the land use elements identified in the Comprehensive Plan, and applicable zoning ordinances, and other requirements deemed appropriate and necessary by the Agency. Upon completion of any rehabilitation each structure must be safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition that will continue throughout an estimated useful life for a minimum of twenty (20) years.
- b. Any owner shall give due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety and welfare of children and seniors residing in the general vicinity of the site covered by the Plan, recognizing the commercial and industrial uses contemplated in the Project Area.
- c. All such buildings or portions of buildings which are to remain within the Project Area shall be rehabilitated or constructed in conformity with all applicable codes and ordinances of the City.

- d. Any new construction shall also conform to all applicable provisions, requirements, and regulations of this Plan, as well as to all applicable codes and ordinances of the City.

All owner participation agreements will address development timing, justification and eligibility of project costs, and achievement of the objectives of the Plan. The Agency shall retain its discretion in the funding level of its participation. Obligations under owner participation agreements shall terminate no later than the termination date of this Plan, December 31, 2042. The Agency shall retain its discretion to negotiate an earlier date to accomplish all obligations under any owner participation agreement.

In all participation agreements, participants who retain real property shall be required to join in the recordation of such documents as may be necessary to make the provisions of this Plan applicable to their properties. Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

In the event a participant under a participation agreement fails or refuses to rehabilitate, develop, use, and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the Agency in accordance with Section 305.1 of this Plan and sold or leased for rehabilitation or development in accordance with this Plan.

Owner participation agreements may be used to implement the following objectives:

- a. Encouraging property owners to revitalize and/or remediate deteriorated areas or deteriorating areas of their parcels to accelerate development in the Project Area.
- b. Subject to the limitations of the Law and the Act, providing incentives to property owners to encourage utilization and expansion of existing permitted uses during the transition period to prevent a decline in the employment base and a proliferation of vacant and deteriorated parcels in the Project Area during the extended redevelopment of the Project Area.
- c. To accommodate improvements and expansions allowed by City regulations and generally consistent with this Plan for the Project Area.
- d. Subject to the limitations of the Law and Act, providing incentives to improve nonconforming properties so they implement the design guidelines contained in this Plan to the extent possible and to encourage an orderly transition from nonconforming to conforming uses through the term of the Plan.
- e. Provide for advance funding by the developer/owner participant of those certain public improvements related to or needed for the private development and related to the construction of certain public improvements. In that event, the Agency will agree as set out in the participation agreement to reimburse a portion of, or all of,

the costs of public improvements identified in the participation agreement from the revenue allocation generated by the private development. Though no specific advance funding by a developer/owner participant is shown in the cash analysis attachments, this Plan specifically allows for such an advance.

304 Cooperation with Public Bodies

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction, or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. All plans for development of property in the Project Area by a public body shall be subject to Agency approval, in the event the Agency is providing any financial assistance.

Subject to applicable authority, the Agency may impose on all public bodies the planning and design controls contained in this Plan to ensure that present uses and any future development by public bodies will conform to the requirements of this Plan; provided, however, the Ada County Highway District has exclusive jurisdiction over Ada County Highway District streets. The Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures, or other improvements of the Project Area as allowed by the Law and Act.

The Agency intends to cooperate to the extent allowable with the City and ACHD (or the Idaho Transportation Department), as the case may be, for the engineering, design, installation, construction, and/or reconstruction of public infrastructure improvements, including, but not limited to improvements to Kuna Mora Road, Barker Road, Curtis Road and Cole Road and related streetscapes and intersection improvements; the installation and construction of new local, collector and arterial streets, including new north-south and east-west collectors and related streetscapes and intersection improvements; other public infrastructure installation, expansion and/or upgrades to water, sewer, storm drainage, electrical, natural gas, telecommunication, or other similar systems and lines; improvements to streetscapes, curbs, gutters, sidewalks, walkways, public parking facilities and other improvements set forth in Section 301 and in Attachment 5. The Agency shall also cooperate with the City and ACHD (or the Idaho Transportation Department) on various relocation, screening, or undergrounding projects and the providing of fiber optic capability, and the funding of gas, electrical water, and sewer improvements. To the extent any public entity, including the City and/or ACHD, has funded certain improvements, the Agency may reimburse those entities for those expenses. The Agency also intends to cooperate and seek available assistance from state, federal and other sources for economic development.

In the event the Agency is participating in the public development by way of financial incentive or otherwise, the public body shall enter into a participation agreement with the Agency and then shall be bound by the Plan and other land use elements and shall conform to those standards specified in Section 303.1 of this Plan.

This Plan does not financially bind or obligate the City, Agency and/or any other public entity to any project or property acquisition; rather, for purposes of determining the economic feasibility of the Plan certain projects and expenditures have been estimated and included in the analysis. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in any owner participation agreement and in the annual budget adopted by the Agency Board.

305 Property Acquisition

305.1 Real Property

Only as specifically authorized herein, the Agency may acquire, through the voluntary measures described below, but is not required to acquire, any real property located in the Project Area where it is determined that the property is needed for construction of public improvements, required to eliminate or mitigate the deteriorated or deteriorating conditions, to facilitate economic development, including acquisition of real property intended for disposition to qualified developers through a competitive process, and as otherwise allowed by law. The acquisition shall be by any means authorized by law, including, but not limited to, the Law, the Act, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, but shall not include the right to invoke eminent domain authority except as authorized by Idaho law and provided herein. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee, including structures and fixtures upon the real property, without acquiring the land upon which those structures and fixtures are located.

The Agency intends to acquire any real property through voluntary or consensual gift, devise, exchange, or purchase. Such acquisition of property may be for the development of the public improvements identified in this Plan. Such properties may include properties owned by private parties or public entities. This Plan anticipates the Agency's use of its resources for property acquisition, for the construction of public improvements or to dispose of real property to a qualified developer to incent certain types of development as permitted by the Law and Act.

In the event the Agency identifies certain property which should be acquired to develop certain public improvements intended to be constructed under the provisions of this Plan, the Agency shall coordinate such property acquisition with any other public entity (e.g., without limitation, the City, the state of Idaho, or any of its authorized agencies), including the assistance of the Agency of funds to acquire said property through a voluntary acquisition or the public entity's invoking of its eminent domain authority as limited by Idaho Code Section 7-701A.

The Agency is authorized by this Plan to acquire the properties for the uses identified in Attachment 3 hereto, including but not limited to property to be acquired for the

extension or expansion of certain rights-of-way or to accommodate underground public facilities. The Agency is authorized by this Plan and Idaho Code §§ 50-2010 and 50-2018(12) to acquire the properties identified in Attachment 3 hereto for the purposes set forth in this Plan. The Agency has identified its intent to acquire and/or participate in the development of certain public improvements, including, but not limited to those defined in Section 301 of the Plan and in Attachment 5. Further, the Agency may acquire real property to facilitate commercial and/or industrial development by assembling and disposing of developable parcels. The Agency's property acquisition will result in remediating deteriorating conditions in the Project Area by facilitating the development of commercial and industrial uses. The public improvements are intended to be dedicated to the City and/or other appropriate public entity, as the case may be, upon completion. The Agency reserves the right to determine which properties identified, if any, should be acquired. The open land areas qualify for Agency acquisition as further set forth in Section 105 of this Plan.

It is in the public interest and may be necessary, in order to eliminate the conditions requiring redevelopment and in order to execute this Plan, for the power of eminent domain to be employed by the Agency, or by the City with the Agency acting in an advisory capacity,¹ to acquire real property in the Project Area for the public improvements identified in this Plan, which cannot be acquired by gift, devise, exchange, purchase, or any other lawful method.

Under the provisions of the Act, the urban renewal plan "shall be sufficiently complete to indicate such land acquisition, demolition, and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area." Idaho Code § 50-2018(12). The Agency has generally described those properties by use as set out in Attachment 3 for acquisition for the construction of public improvements. The Agency may also acquire property for the purpose of developing streetscape and public utilities. The Agency reserves the right to determine which properties, if any, should be acquired.

305.2 Personal Property

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means, for the purpose of developing the public improvements described in section 305.1.

306 Property Management

During the time real property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for development and/or redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

¹ House Bill 1044, adopted by the Idaho Legislature during the 2021 Legislative Session, limited the Agency's ability to exercise eminent domain.

307 Relocation of Persons (Including Individuals and Families), Business Concerns, and Others Displaced by the Project

If the Agency receives federal funds for real estate acquisition and relocation, the Agency shall comply with 24 C.F.R. Part 42, implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

The Agency reserves the right to extend benefits for relocation to those not otherwise entitled to relocation benefits as a matter of state law under the Act or the Law. The Agency may determine to use as a reference the relocation benefits and guidelines promulgated by the federal government, the state government, or local government, including the State Department of Transportation and the Ada County Highway District. The intent of this section is to allow the Agency sufficient flexibility to award relocation benefits on some rational basis, or by payment of some lump-sum per case basis. The Agency may also consider the analysis of replacement value for the compensation awarded to either owner occupants or businesses displaced by the Agency to achieve the objectives of this Plan. The Agency may adopt relocation guidelines which would define the extent of relocation assistance in non-federally assisted projects and which relocation assistance to the greatest extent feasible would be uniform. The Agency shall also coordinate with the various local, state, or federal agencies concerning relocation assistance as may be warranted.

In the event the Agency's activities result in displacement, the Agency shall comply with, at a minimum, the standards set forth in the Law. The Agency shall also comply with all applicable state laws concerning relocation benefits. The Agency shall also coordinate with the various local, state, or federal agencies concerning relocation assistance.

308 Demolition, Clearance, and Site Preparation

The Agency is authorized (but not required) to demolish and clear buildings, structures, and other improvements from any real property in the Project Area as necessary to carry out the purposes of this Plan.

Further, the Agency is authorized (but not required) to prepare, or cause to be prepared, as building sites any real property in the Project Area owned by the Agency including site preparation. In connection therewith, the Agency may cause, provide for, or undertake the installation or construction of streets, utilities, parks, pedestrian walkways, public parking facilities, drainage facilities, and other public improvements necessary to carry out this Plan.

309 Property Disposition and Development

309.1 Disposition by the Agency

For the purposes of this Plan, the Agency is authorized to sell, lease, lease/purchase, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property under the reuse provisions set forth in Idaho law, including Idaho Code § 50-2011 and pursuant to any disposition policies adopted by the

Agency. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding.

Real property acquired by the Agency may be conveyed by the Agency and, where beneficial to the Project Area, without charge to any public body as allowed by law. All real property acquired by the Agency in the Project Area shall be sold or leased to public or private persons or entities for development for the uses permitted in this Plan.

309.2 Disposition and Development Agreements

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of deteriorating conditions, all real property sold, leased, or conveyed by the Agency is subject to the provisions of this Plan.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to ensure that development is carried out pursuant to this Plan.

Leases, lease/purchases, deeds, contracts, agreements, and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provisions necessary to carry out this Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, shall be recorded in the office of the Recorder of Ada County, Idaho.

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, age, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, disability/handicap, tenure, or enjoyment of property in the Project Area. All property sold, leased, conveyed, or subject to a disposition and development agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as required by law.

As required by law or as determined in the Agency's discretion to be in the best interest of the Agency and the public, the following requirements and obligations shall be included in the disposition and development agreement.

That the developers, their successors, and assigns agree:

- a. That a detailed scope and schedule for the proposed development shall be submitted to and agreed upon by the Agency.
- b. That the purchase or lease of the land and/or subterranean rights and/or air rights is for the purpose of redevelopment and not for speculation.
- c. That the building of improvements will be commenced and completed as jointly scheduled and determined by the Agency and the developer(s).

- d. That the site and construction plans will be submitted to the Agency for review as to conformity with the provisions and purposes of this Plan and to support the planning, design and transportation goals set forth in the Comprehensive Plan.
- e. All new construction shall have a minimum estimated life of no less than twenty (20) years.
- f. That rehabilitation of any existing structure must assure that the structure is safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition which will continue throughout an estimated useful life for a minimum of twenty (20) years.
- g. That the Agency receives adequate assurance acceptable to the Agency to ensure performance under the contract for sale.
- h. All such buildings or portions of the buildings which are to remain within the Project Area shall be reconstructed in conformity with all applicable codes and ordinances of the City.
- i. All disposition and development documents shall be governed by the provisions of Section 409 of this Plan.
- j. All other requirements and obligations as may be set forth in any participation policy established and/or amended by the Agency.

The Agency also reserves the right to determine the extent of its participation based upon the achievements of the objectives of this Plan. Obligations under any disposition and development agreement and deed covenants, except for covenants which run with the land beyond the termination date of this Plan, shall terminate no later than December 31, 2042. The Agency shall retain its discretion to negotiate an earlier date to accomplish all obligations under any disposition and development agreement.

309.3 Development by the Agency

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop, or construct public improvements within the Project Area for itself or for any public body or entity, which public improvements are or would be of benefit to the Project Area. Specifically, the Agency may pay for, install, or construct the public improvements authorized under Idaho Code §§ 50-2007, 50-2018(10) and (13), and 50-2903(9), (13), and (14), and as otherwise identified in Attachment 5, attached hereto and incorporated herein by reference, and may acquire or pay for the land required, therefore.

Any public facility ultimately owned by the Agency shall be operated and managed in such a manner to preserve the public purpose nature of the facility. Any lease agreement with a

private entity or management contract agreement shall include all necessary provisions sufficient to protect the public interest and public purpose.

The Agency may enter into contracts, leases, and agreements with the City or other public body or private entity pursuant to this section, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code § 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under Idaho Code § 50-2908(2)(b) and Section 500 of this Plan or out of any other available funds.

310 Development Plans

All development plans (whether public or private) prepared, pursuant to an owner participation or disposition and development agreement, shall be submitted to the Agency Board for approval and architectural review. All development in the Project Area must conform to those standards specified in Section 409. Additionally, development must be consistent with all City ordinances, design overlays and be supportive of the goals set forth in the Plan.

311 [Reserved]

312 [Reserved]

313 Participation with Others

Under the Law, the Agency has the authority to lend or invest funds obtained from the federal government for the purposes of the Law if allowable under federal laws or regulations. The federal funds that may be available to the Agency are governed by regulations promulgated by the Department of Housing and Urban Development for the Community Development Block Grant Program (“CDBG”), the Economic Development Administration, the Small Business Administration, or other federal agencies. In order to enhance such grants, the Agency’s use of revenue allocation funds is critical.

Under those regulations the Agency may participate with the private sector in the development and financing of those private projects that will attain certain federal objectives.

The Agency may, therefore, use the federal funds for the provision of assistance to private for-profit business, including, but not limited to, grants, loans, loan guarantees, interest supplements, technical assistance, and other forms to support, for any other activity necessary or appropriate to carry out an economic development project.

As allowed by law, the Agency may also use funds from any other sources or participate with the private or public sector with regard to any programs administered by the Idaho Department of Commerce, or other State or federal agencies, for any purpose set forth under the Law or Act.

The Agency may enter into contracts, leases, and agreements with the City, or other public body or private entity, pursuant to this section, and the obligation of the Agency under

such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code § 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under Idaho Code § 50-2908(2)(b) and Section 500 of this Plan or out of any other available funds.

314 Conforming Owners

The Agency may, at the Agency’s sole and absolute discretion, determine that certain real property within the Project Area presently meets the requirements of this Plan, and the owner of such property will be permitted to remain as a conforming owner without a participation agreement with the Agency, provided such owner continues to operate, use, and maintain the real property within the requirements of this Plan.

315 Arts Funding

The Agency encourages public art and performing arts through joint ventures with private developers and in cooperation with the City. Whenever possible, any Agency arts funding will be used to leverage additional contributions from developers, other private sources, and public or quasi-public entities for purposes of including public art within the streetscape projects identified in this Plan.

400 USES PERMITTED IN THE PROJECT AREA

401 Designated Land Uses

The Agency intends to rely upon the overall land use designations and zoning classifications of the City, as may be amended, and as depicted on Attachment 4 and as set forth in the City’s Comprehensive Plan, including the future land use map and zoning classifications, as may be amended. For the most part, the Project Area includes commercial and industrial development. Provided, however, nothing herein within this Plan shall be deemed to be granting any particular right to zoning classification or use.

402 [Reserved]

403 Public Rights-of-Way

The Project Area contains existing maintained public rights-of-way included within the boundaries, as shown on several maps included within Attachment 5, including but not limited to portions of: Kuna Mora Road, Barker Road, Cole Road, and Curtis Road. Any new roadways, including new collectors and/or arterials to be engineered, designed, installed, and constructed in the Project Area, will be constructed in conjunction with any applicable policies and design standards of the City or Ada County Highway District (and State and Federal standards, as the case may be) regarding dedicated rights-of-way. Additional public streets, alleys, and easements may be created in the Project Area as needed for proper development, and other potential roadways generally shown in Attachment 5.

Additional improvements to existing streets, alleys and easements may be created, improved, or extended in the Project Area as needed for development. Existing dirt roadways, streets, easements, and irrigation or drainage laterals or ditches may be abandoned, closed, or modified as necessary for proper development of the Project Area, in accordance with any applicable policies and standards of the Idaho Transportation Department, the City or ACHD regarding changes to dedicated rights-of-way, and appropriate irrigation or drainage districts regarding changes to laterals or ditches.

Any development, maintenance, and future changes in the interior or exterior street layout shall be in accordance with the objectives of this Plan and the design standards of the City, ACHD, or the Idaho Department of Transportation as may be applicable; and shall be effectuated in the manner prescribed by State and local law; and shall be guided by the following criteria:

- a. A balancing of the needs of proposed and potential new developments for adequate vehicular access, vehicular parking, and delivery loading docks with the similar needs of any existing developments permitted to remain. Such balancing shall take into consideration the rights of existing owners and tenants under the rules for owner and tenant participation adopted by the Agency for the Project and any participation agreements executed thereunder;
- b. The requirements imposed by such factors as topography, traffic safety, and aesthetics; and
- c. The potential need to serve not only the Project Area and new or existing developments, but to also serve areas outside the Project Area by providing convenient and efficient vehicular access and movement.

The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way.

404 Interim Uses

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Project Area for interim uses that are not in conformity with the uses permitted in this Plan. However, any interim use must comply with applicable City Code or Ada County Code.

405 Development in the Project Area Subject to the Plan

All real property in the Project Area, under the provisions of either a disposition and development agreement or an owner participation agreement, is made subject to the controls and requirements of this Plan. No such real property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of this Plan, except in conformance with the provisions of this Plan.

406 Construction Shall Comply with Applicable Federal, State, and Local Laws and Ordinances and Agency Development Standards

All construction in the Project Area shall comply with all applicable state laws, the Kuna City Code, as may be amended from time to time, and any applicable City Council ordinances pending codification, including but not limited to, regulations concerning the type, size, density and height of buildings; open space, landscaping, light, air, and privacy; the undergrounding of utilities; limitation or prohibition of development that is incompatible with the surrounding area by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors; parcel subdivision; off-street loading and off-street parking requirements.

In addition to applicable codes, ordinances, or other requirements governing development in the Project Area, additional specific performance and development standards may be adopted by the Agency to control and direct redevelopment activities in the Project Area in the event of a disposition and development agreement or owner participation agreement.

407 [Reserved]

408 Nonconforming Uses

The Agency may permit an existing use to remain in an existing building and site usage in good condition, which use does not conform to the provisions of this Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Project Area. The owner of such a property must be willing to enter into an owner participation agreement and agree to the imposition of such reasonable restrictions as may be necessary to protect the development and use of the Project Area.

The Agency may authorize additions, alterations, repairs, or other improvements in the Project Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Project Area where, in the determination of the Agency, such improvements would be compatible with surrounding Project uses and development.

All nonconforming uses shall also comply with the City codes and ordinances.

409 Design Guidelines for Development under a Disposition and Development Agreement or Owner Participation Agreement

Within the limits, restrictions, and controls established in this Plan, the Agency is authorized to establish heights of buildings, density, land coverage, setback requirements, design criteria, traffic circulation, traffic access, and other development and design controls necessary for proper development of both private and public areas within the Project Area. Any development must also comply with the City's zoning ordinance regarding heights, setbacks, density, and other like standards.

In the case of property which is the subject of a disposition and development agreement or owner participation agreement with the Agency, no new improvement shall be constructed, and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated, except in accordance with this Plan. Under a disposition and development agreement or owner participation agreement, the design guidelines and land use elements of the Plan shall be achieved to the greatest extent feasible, though the Agency retains the authority to grant minor variations under this Plan and subject to a negotiated agreement between the Agency and the developer or property owner.

Under those agreements, the architectural, landscape, and site plans shall be submitted to the Agency and approved in writing by the Agency. In such agreements, the Agency may impose additional design controls. One of the objectives of this Plan is to create an attractive pedestrian environment in the Project Area. Therefore, such plans shall give consideration to good design and amenities to enhance the aesthetic quality of the Project Area. The Agency shall find that any approved plans do comply with this Plan. The Agency reserves the right to impose such design standards on an ad hoc basis through the approval process of the disposition and development agreement or owner participation agreement. Any change to such approved design must be consented to by the Agency and such consent may be conditioned upon reduction of Agency's financial participation towards the Project.

In the event the Agency adopts design standards or controls, those provisions will thereafter apply to each site or portion thereof in the Project Area. These additional design standards or controls will be implemented through the provisions of any disposition and development agreement or owner participation agreement. These controls are in addition to any standards and provisions of any applicable City building or zoning ordinances; provided, however, each and every development shall comply with all applicable City zoning and building ordinances.

500 METHODS OF FINANCING THE PROJECT

501 General Description of the Proposed Financing Method

The Agency is authorized to finance this Project with revenue allocation funds, financial assistance from the City (loans, grants, other financial assistance), state of Idaho, federal government or other public entities, interest income, developer advanced funds, donations, loans from private financial institutions (bonds, notes, line of credit), the lease or sale of Agency-owned property, public parking revenue, or any other available source, public or private, including assistance from any taxing district or any public entity.

The Agency is also authorized to obtain advances, lines of credit, borrow funds, and create indebtedness in carrying out this Plan. The Agency may also consider an inter-fund transfer from other urban renewal project areas. The principal and interest on such advances, funds, and indebtedness may be paid from any funds available to the Agency. The City, as it is able, may also supply additional assistance through City loans and grants for various public improvements and facilities. The City or any other public agency, as properly budgeted and

subject to any constitutional and/or statutory limitations, may expend money to assist the Agency in carrying out this Project.

As allowed by law and subject to restrictions as are imposed by law, the Agency is authorized to issue notes or bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the Project. Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

502 Revenue Allocation Financing Provisions

The Agency hereby adopts revenue allocation financing provisions as authorized by the Act, effective retroactively to January 1, 2022. These revenue allocation provisions shall apply to all taxing districts which are located in or overlap the Revenue Allocation Area shown and described on Attachments 1 and 2 to this Plan. The Agency shall take all actions necessary or convenient to implement these revenue allocation financing provisions. The Agency specifically finds that the equalized assessed valuation of property within the Revenue Allocation Area is likely to increase as a result of the initiation of the Project.

The Agency, acting by one or more resolutions adopted by its Board, is hereby authorized to apply all or any portion of the revenues allocated to the Agency pursuant to the Act to pay as costs are incurred (pay-as-you-go) or to pledge all or any portion of such revenues to the repayment of any moneys borrowed, indebtedness incurred, or notes or bonds issued by the Agency to finance or to refinance the Project Costs (as defined in Idaho Code § 50-2903(14)) of one or more urban renewal projects.

The Agency may consider a note or line of credit issued by a bank or lending institution premised upon revenue allocation funds generated by a substantial private development contemplated by the Study, as defined in Section 502.1, which would allow the Agency to more quickly fund the public improvements contemplated by this Plan. Likewise, a developer/owner advanced funding of certain eligible public infrastructure improvements to be reimbursed pursuant to an owner participation agreement could achieve the same purpose.

Upon enactment of a City Council ordinance finally adopting these revenue allocation financing provisions and defining the Revenue Allocation Area described herein as part of the Plan, there shall hereby be created a special fund of the Agency into which the County Treasurer shall deposit allocated revenues as provided in Idaho Code § 50-2908. The Agency shall use such funds solely in accordance with Idaho Code § 50-2909 and solely for the purpose of providing funds to pay the Project Costs, including any incidental costs, of such urban renewal projects as the Agency may determine by resolution or resolutions of its Board.

A statement listing proposed public improvements and facilities, a schedule of improvements, an economic feasibility study, estimated project costs, fiscal impact upon other taxing districts, and methods of financing project costs required by Idaho Code § 50-2905 is included in this Plan and in Attachment 5 to this Plan. This information necessarily incorporates estimates and projections based on the Agency's and consultants' present knowledge and expectations. The Agency is hereby authorized to adjust the presently anticipated urban renewal

projects and use of revenue allocation financing of the related Project Costs if the Board deems such adjustment necessary or convenient to effectuate the general objectives of the Plan in order to account for revenue inconsistencies, market adjustments, future priorities and unknown future costs. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in the annual budget.

The Agency may appropriate funds consisting of revenue allocation proceeds on an annual basis without the issuance of notes or bonds. The Agency may also obtain advances or loans from the City or Agency, or private entity and financial institutions in order to immediately commence construction of certain of the public improvements. Developer advanced funding of public improvements could also achieve the same purpose. The revenue allocation proceeds are hereby irrevocably pledged for the payment of the principal and interest on the advance of monies or making of loans or the incurring of any indebtedness such as bonds, notes, and other obligations (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part, including reimbursement to any owner/developer or public entity for the cost of eligible public improvements pursuant to a participation agreement.

Revenues will continue to be allocated to the Agency until termination of the revenue allocation area as set forth in Section 800. Attachment 5 incorporates estimates and projections based on the Agency's and its consultants' present knowledge and expectations concerning the length of time to complete the improvements and estimated future revenues. The activity may take longer depending on the significance and timeliness of development. Alternatively, the activity may be completed earlier if revenue allocation proceeds are greater, or the Agency obtains additional funds from another source.

The Agency is authorized to make such pledges as to specific advances, loans, and indebtedness as appropriate in carrying out the Project. The Agency reserves the right to either pay for Project Costs from available revenue (pay-as-you-go basis) or borrow funds by incurring debt through notes or other obligations.

Revenue allocation proceeds are deemed to be only a part of the proposed funding sources for the payment of public improvements and other project improvements. Additionally, project funding is proposed to be phased for the improvements, allowing various sources of funds to be accumulated for use.

502.1 Economic Feasibility Study

Attachment 5 constitutes the Economic Feasibility Study (the "Study"), prepared by Alivia Metts, with The Metts Group. The Study constitutes the financial analysis required by the Act and is based upon existing information from property owners, developers, the Agency, the City, and others.

502.2 Assumptions and Conditions/Economic Feasibility Statement

The information contained in Attachment 5 assumes certain completed and projected actions. All debt is projected to be repaid no later than the duration period of the Plan. The total amount of indebtedness (and all other loans or indebtedness), developer reimbursement and the amount of revenue generated by revenue allocation are dependent upon the extent and timing of private development. Should all of the development take place as projected, the project indebtedness could be extinguished earlier, dependent upon other legal obligations. Should private development take longer to materialize, or should the private development be substantially less than projected, then the amount of revenue generated will be substantially reduced and debt may continue for its full term.

The Plan and the Plan Attachments incorporate estimates and projections based on the Agency's and consultants' present knowledge and expectations. The Plan proposes certain public improvements as set forth in Attachment 5 and as prioritized in the Priority Projects Lists, which will facilitate commercial and industrial developments in the Revenue Allocation Area.

The assumptions set forth in the Study are based upon the best information available to the Agency and its consultants through public sources or discussions with property owners, developers, the City, and others. The information has been analyzed by the Agency and its consultants in order to provide an analysis that meets the requirements set forth under the Law and Act. At the point in time when the Agency may seek a loan from lenders or others, a more detailed and then-current financial pro forma will be presented to those lenders or underwriters for analysis to determine the borrowing capacity of the Agency. As set forth herein, the Agency reserves the right to fund the Project on a "pay-as-you-go" basis. The Agency Board will prioritize the activities set forth in this Plan and determine what funds are available and what activities can be funded. The Agency will establish those priorities through its mandated annual budgetary process.

The Priority Projects Lists, or activities within Attachment 5 are prioritized by way of importance to the Agency, with the Priority A Projects being identified as the most important, by feasibility based on estimated revenues to be received, amounts funded, and by timing of the proposed funding. The projected timing of funding is primarily a function of the availability of financial resources and market conditions but is also strategic, considering the timing of anticipated or projected private development partnership opportunities and the ability of certain strategic activities to stimulate development at a given point in time within the duration of the Plan and Project Area.

The assumptions concerning revenue allocation proceeds are based upon certain anticipated or projected new developments, assessed value increases, and assumed tax levy rates as more specifically set forth in Attachment 5. In projecting new construction, the Study considered parcels identified as expected to develop over the life of the Project Area, communications with potential developers and City staff, and historical market absorption rates for commercial and industrial improvements.

The types of new construction expected in the Project Area are commercial and industrial facilities. The Project Area has potential for a significant increase in commercial and industrial growth due to the location of the Project Area. However, without a method to construct the identified public improvements such as water and sewer improvements, street infrastructure, and pedestrian amenities, development is unlikely to occur in much of the Project Area.

The financial analysis set forth in Attachment 5 has taken into account and excluded levies that do not flow to the Agency consistent with Idaho Code § 50-2908.

It is understood that application of certain exemptions, including the homeowner's exemption and Idaho Code § 63-602K, which provides for personal property tax exemption to businesses may have the effect of reducing the increment value, which in turn reduces revenue.

502.3 Ten Percent Limitation

Under the Act, the base assessed valuation for all revenue allocation areas cannot exceed gross/net ten percent (10%) of the current assessed taxable value for the entire City. According to the Ada County Assessor, the current assessed taxable value for the City as of January 1, 2022, less homeowners' exemptions, is \$3,416,648,619.00. Therefore, the 10% limit is \$341,664,861.00.

The adjusted base assessment roll value of the existing Kuna West revenue allocation area as of January 1, 2022, is \$77,405,189.00.

The estimated base value for the proposed Project Area², less homeowners' exemptions, is \$6,215,000.00. The adjusted base value for the existing Kuna West revenue allocation area and the estimated base value for the proposed Project Area, less homeowners' exemptions, is \$83,620,189, which is less than 10% of the City's 2022³ taxable value.

502.4 Financial Limitation

The Study identifies several capital improvement projects. Use of any particular funding source for any particular purpose is not assured or identified. Use of the funding source shall be conditioned on any limitations set forth in the Law, the Act, or by contract. If revenue allocation funds are unavailable, then the Agency will need to use a different funding source for that improvement.

The amount of funds available to the Agency from revenue allocation financing is directly related to the assessed value of new improvements within the Revenue Allocation Area. Under the Act, the Agency is allowed the revenue allocation generated from inflationary increases and new development value. Increases have been assumed based upon the projected

² This Plan assumes any increase in value on the agricultural parcel will be allocated to the increment value.

³ Due to the timing of the assessment process and creation of this Plan, the 2022 values have been used to establish compliance with the 10% limitation. Using the 2022 values, the total adjusted base value of the existing revenue allocation areas combined with the value of this Project Area are an estimated 2.4% of the total taxable value of the City.

value of new development as that development occurs along with possible land reassessment based on a construction start. For purposes of determining feasibility, the Study reviews and analyzes two potential development scenarios over the duration of the Project Area, including a scenario where none of the projected development occurs, and a second scenario where 100% of the projected development occurs in the beginning of the Project Area's life and the potential future developments, which are less certain to occur, are projected using a 50% development scenario distributed across the remaining ten (10) years of the Project Area's life.

The Study, with the various estimates and projections, constitutes an economic feasibility study. Costs and revenues are analyzed, and the analysis shows the need for public capital funds during the project. Multiple financing sources including proposed revenue allocation notes, annual revenue allocations, developer contributions, city contributions, interfund loan, and other funds are shown. This Study identifies the kind, number, and location of all proposed public works or improvements, a detailed list of estimated project costs, a description of the methods of financing illustrating project costs, and the time when related costs or monetary obligations are to be incurred.⁴ Based on these funding sources, the conclusion is that the Project is feasible.

The Study has further identified and described a list of "unfunded" improvements in the total amount of \$70,126,000.00 as set forth in the Priority B Projects list and the Priority C Projects list. The Agency reserves the discretion and flexibility to use revenue allocation proceeds in excess of the amounts projected in the Study for the purpose of funding the additional identified projects and improvements. The projections in the Study are based on reasonable assumptions and existing market conditions. However, should the Project Area result in greater than anticipated revenues, the Agency specifically reserves the ability to fund the additional activities and projects identified in the Priority B Projects list and the Priority C Projects list. Further, the Agency reserves the discretion and flexibility to use other sources of funds unrelated to revenue allocation to assist in the funding of the improvements and activities identified, including but not limited to owner participation agreements and disposition and development agreements. The Agency may also re-prioritize projects in the Priority Projects Lists pursuant to market conditions, project timing, funding availability, etc., as more specifically detailed in the annual budget.

The proposed timing for the public improvements may have to be adjusted depending upon the availability of some of the funds and the Agency's ability to finance any portion of the Project. **Any adjustment to Project timing or funding is technical or ministerial in nature and shall not be considered a modification of the Plan pursuant to Idaho Code § 50-2903A.**

Attachment 5 lists those public improvements the Agency intends to construct or fund through the term of the Plan. The costs of improvements are estimates only as it is impossible to know with any certainty what the costs of improvements will be in future years. There is general recognition that construction costs fluctuate and are impacted by future unknowns, such as, the cost of materials and laborers. Final costs will be determined by way of construction contract public bidding or by an agreement between the developer/owner and Agency. The listing of public improvements does not commit the Agency, City, or other public entity, to any particular level of funding; rather, identification of the activity in the Plan allows the Agency to negotiate

⁴ See Idaho Code § 50-2905.

the terms of any reimbursement with the developer and/or the public entities. This Plan does not financially bind or obligate the Agency to any project or property acquisition; rather, for purposes of determining the economic feasibility of the Plan certain projects and expenditures have been estimated and included in the analysis. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in any participation agreement and in the annual budget adopted by the Agency Board. The proposed location and siting of the proposed public infrastructure and other improvement projects in the Project Area are generally shown in Attachment 5 recognizing that the specific location of the projects will depend on the type and timing of development. The change in the location of the improvements shown in Attachment 5 does not constitute a modification to the Plan.

The Agency reserves its discretion and flexibility in deciding which improvements are more critical for development or redevelopment, and the Agency intends to coordinate its public improvements with associated development by private developers/owners. Where applicable, the Agency also intends to coordinate its participation in the public improvements with the receipt of certain grants or loans which may require the Agency's participation in some combination with the grant and loan funding.

Generally, the Agency expects to develop those improvements identified in Attachment 5 first, in conjunction with private development within the Project Area generating the increment as identified in Attachment 5.

The Plan has shown that the equalized valuation of the Revenue Allocation Area as defined in the Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Plan.

502.5 [Reserved]

502.6 Participation with Local Improvement Districts and/or Business Improvement Districts

Under the Idaho Local Improvement District ("LID") Code, Chapter 17, Title 50, Idaho Code, the City has the authority to establish local improvement districts for various public facilities, including, but not limited to, streets, curbs, gutters, sidewalks, storm drains, landscaping, and other like facilities. To the extent allowed by the Law and the Act, the Agency reserves the authority, but not the obligation, to participate in the funding of local improvement district facilities. This participation may include either direct funding to reduce the overall cost of the LID or to participate as an assessed entity to finance the LID project. Similarly, to the extent allowed by the Law and the Act, the Agency reserves the authority, but not the obligation, to participate in the funding of the purposes specified under the Business Improvement Districts, Chapter 26, Title 50, Idaho Code.

502.7 Issuance of Debt and Debt Limitation

Any debt incurred by the Agency as allowed by the Law and Act shall be secured by revenue allocation funds as allowed by the Act. All such debt shall be repaid within the duration of this Plan, except as may be authorized by law.

502.8 Impact on Other Taxing Districts and Levy Rate

An estimate of the overall impact of the revenue allocation project on each taxing district is shown in the Study through the new development projections set forth in Attachment 5.

The assessed value for each property in a revenue allocation area consists of a base value and an increment value. The base value is the assessed value as of January 1 of the year in which a revenue allocation area is approved by a municipality, with periodic adjustments allowed by Idaho law. The increment value is the difference between the adjusted base assessed value and current assessed taxable value in any given year while the property is in a revenue allocation area. Under Idaho Code § 63-802, taxing entities are constrained in establishing levy rates by the amount each budget of each taxing district can increase on an annual basis. Taxing entities submit proposed budgets to the County Board of Commissioners, which budgets are required to comply with the limitations set forth in Idaho Code § 63-802. Therefore, the impact of revenue allocation on the taxing entities is more of a product of the imposition of Idaho Code § 63-802, than the effect of urban renewal.

The County Board of Commissioners calculates the levy rate required to produce the proposed budget amount for each taxing entity using the assessed values which are subject to each taxing entity's levy rate. Assessed values in urban renewal districts which are subject to revenue allocation (incremental values) are not included in this calculation. The combined levy rate for the taxing entities is applied to the incremental property values in a revenue allocation area to determine the amount of property tax revenue which is allocated to an urban renewal agency. The property taxes generated by the base values in the urban renewal districts and by properties outside revenue allocation areas are distributed to the other taxing entities. Properties in revenue allocation areas are subject to the same levy rate as they would be outside a revenue allocation area. The difference is how the revenue is distributed. If the overall levy rate is less than assumed, the Agency may receive fewer funds from revenue allocation.

In addition, without the Revenue Allocation Area and its ability to pay for public improvements and public facilities, fewer substantial improvements within the Revenue Allocation Area would be expected during the term of the Plan; hence, there would be lower increases in assessed valuation to be used by the other taxing entities.

One result of new construction occurring outside the revenue allocation area (Idaho Code §§ 63-802 and 63-301A) is the likely reduction of the levy rate as assessed values increase for property within each taxing entity's jurisdiction.⁵ From and after December 31, 2006, Idaho

⁵ House Bill 389 amended Idaho Code Sections 63-802 and 63-301A limiting the value placed on the new construction roll and available to a taxing district for a budget capacity increase. This could result in lower levy rates over time.

Code § 63-301A prohibits taxing entities from including, as part of the new construction roll, the increased value related to new construction within a revenue allocation area until the revenue allocation authority is terminated. Any new construction within the Project Area is not available for inclusion by the taxing entities to increase their budgets. Upon termination of the Project Area or deannexation of area from the Project Area, the taxing entities will be able to include a percentage⁶ of the increment value on the new construction roll for purposes of setting the following year’s budget and revenue from such value is not limited to the eight percent cap set forth in Idaho Code § 63-802.

As the 2022 certified levy rates are not determined until late September or October 2022, the 2021 certified levy rates have been used in the Study for purposes of the analysis.⁷ Those taxing districts and certified 2021 levy rates are as follows:⁸

<u>Taxing Districts</u>	<u>Levy Rates:</u>
Ada County	.001744946
Ada County Ambulance	.000099800
College of Western Idaho	.000104843
ACHD	.000597271
City of Kuna	.001754099
Kuna Cemetery	.000078568
Kuna Rural Fire	.000811490
Kuna School #3 – Tort only	.000031085
Kuna School Community Library	.000331138
Southwest Ada County Mosquito Abatement	.000017776
TOTAL⁹	.005571016

House Bill 587, as amended in the Senate, effective July 1, 2020, amends Idaho Code Section 50-2908 altering the allocation of revenue allocation funds to the Agency from the Ada County Highway District levy.¹⁰ This amendment will apply to this Project Area and provides: “[i]n the case of a revenue allocation area first formed or expanded to include the property on or after July 1, 2020, all taxes levied by any highway district, unless the local governing body that created the revenue allocation area has responsibility for the maintenance of roads or highways” will be allocated to the applicable highway district, which in this case is the Ada County Highway District.

⁶ Pursuant Idaho Code Sections 63-802 and 63-301A, 80% of the total eligible increment value is added to the new construction roll.

⁷ Due to the timing of the taxing districts’ budget and levy setting process, certification of the 2022 levy rates did not occur until this Plan had been prepared. In order to provide a basis to analyze the impact on the taxing entities, the 2021 levy rates are used. Use of the 2021 levy rates provides a more accurate base than estimating the 2022 levy rates.

⁸ It is unclear how the personal property tax exemption set forth in Idaho Code § 63-602KK, and as amended by House Bill 389, effective January 1, 2022, may impact the levy rate.

⁹ Net of voter approved bonds and levies.

¹⁰ Senate Bill 1107, as amended in the Senate, effective July 1, 2021, made a corresponding amendment to Idaho Code Section 40-1415(3) to address the responsibility for funding certain urban renewal projects.

However, amended Idaho Code Section 50-2908 further provides the highway district and Agency may enter into an agreement for a different allocation. A copy of any agreement is required to be submitted to the Idaho State Tax Commission and to the Ada County Clerk by the Ada County Highway District as soon as practicable after the parties have entered into the agreement and by no later than September 1 of the year in which the agreement takes effect. The Plan includes significant transportation elements, and the Agency intends to work with the Ada County Highway District to enter into an agreement allowing the Agency to retain the revenues from the highway district levies.

The Study has made certain assumptions for purposes of determining the economic feasibility of the project. First, for purposes of the Study, it is assumed the levy rate will remain constant for the duration of the Project Area at a rate of .005571016. As the levy rate fluctuates annually and it is difficult to project the future levy rate with any accuracy, it is reasonable to use a static levy rate to support the revenue generation projection. Even if the levy rate should decrease over time, it is unlikely the revenue would decrease at the same rate, assuming there would be significant growth within the Project Area. Second, inflationary growth is projected at a conservative 3%/year, which is lower than increases occurring in recent years. Third, new development projections are based, in part, on communications with City staff, property owners and developers concerning current projected developments anticipated to occur in the first half of the duration of the Project Area. Pursuant to the Study, it is anticipated these developments will reach 100% buildout. Fourth, based on catalytic development potential, the Study reasonably assumes additional industrial development will follow. This assumption concerning future development is less certain, and therefore, a conservative 50% buildout development scenario was utilized, which value was distributed across the remaining ten years of the Project Area's life. Finally, if the overall levy rate is less than projected, or if expected development fails to occur as estimated, the Agency will likely receive fewer funds from revenue allocation.

Pursuant to Idaho Code § 50-2908, the Agency is not entitled to revenue allocation proceeds from certain levy increases which are allowed by either specific statutory authorization or approved by an election of the qualified electors of the particular taxing district. Therefore, for any levy election, the Agency will not receive revenue allocation funds which would have been generated by imposing that levy on the assessed valuation within the Project Area. The Study has taken this statute into account. This is also the reason there is limited impact to Kuna School District #3 (tort levy only).

503 Phasing and Other Fund Sources

The Agency anticipates funding only a portion of the entire cost of the public improvements shown on Attachment 5. Other sources of funds may include City, and other public entity partners, and developer participation. It is important to note this Plan does not financially bind or obligate the City, Agency and/or any other public entity to any project or property acquisition. The City and/or any other local government entity continues to be subject to statutory and constitutional budget and levy limitations. Agency and/or other public entity participation in any project shall be determined by the amount of revenue allocation funds generated and pursuant to the annual budgeting process.

504 Lease Revenue and Bonds

Under the Law (Idaho Code § 50-2012), the Agency is authorized to issue revenue bonds to finance certain public improvements identified in the Plan. Under that type of financing, the public entity would pay the Agency a lease payment annually which provides certain funds to the Agency to retire the bond debt. Another variation of this type of financing is sometimes referred to as conduit financing, which provides a mechanism where the Agency uses its bonding authority for the Project, with the end user making payments to the Agency to retire the bond debt. These sources of revenues are not related to revenue allocation funds and are not particularly noted in the Study, because of the “pass through” aspects of the financing. Under the Act, the economic feasibility study focuses on the revenue allocation aspects of the Agency’s financial model.

These financing models typically are for a longer period of time than the 20-year period set forth in the Act. However, these financing models do not involve revenue allocation funds, but rather funds from the end users which provide a funding source for the Agency to continue to own and operate the facility beyond the term of the Plan as allowed by Idaho Code § 50-2905(8) as those resources involve funds not related to revenue allocation funds.

505 Membership Dues and Support of Community Economic Development

The Act is premised upon economic development being a valid public purpose. To the extent allowed by the Law and the Act, the Agency reserves the authority to use revenue allocation funds to contract with non-profit and charitable organizations established for the purpose of supporting economic development and job creation. Additionally, the Agency reserves the authority to expend revenue allocation funds to join, participate and support non-profit organizations established to support Agency best practices and administration. The line item of Operating Expenses within the Study shall be deemed to include expenditures for the purposes described in this section as may be deemed appropriate during the annual budgetary process.

600 ACTIONS BY THE CITY AND OTHER PUBLIC ENTITIES

The City shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing deterioration. Actions by the City may include, but not be limited to, the following:

- a. Institution and completion of proceedings necessary for changes and improvements in private and publicly owned public utilities within or affecting the Project Area.
- b. Revision of zoning (if necessary) within the Project Area to permit the land uses and development authorized by this Plan.

- c. Imposition, wherever necessary, of appropriate controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.
- d. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency may develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of this Plan.
- e. Building Code enforcement.
- f. Performance of the above actions and of all other functions and services relating to public peace, health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
- g. Institution and completion of proceedings necessary for the establishment of a local improvement district under Chapter 17, Title 50, Idaho Code, or a business improvement district.
- h. The undertaking and completing of any other proceedings necessary to carry out the Project.
- i. Administration of Community Development Block Grant funds that may be made available for this Project.
- j. Appropriate agreements with the Agency for administration, supporting services, funding sources, and the like.
- k. Joint funding of certain public improvements, including but not limited to those identified in this Plan and Attachment 5 to the Plan.
- l. Use of public entity labor, services, and materials for construction of the public improvements identified in this Plan and in Attachment 5 to this Plan.
- m. Assist with coordinating and implementing the public improvements in the Project Area identified in the Study.

The foregoing actions, if taken by the City and/or the Ada County Highway District, do not constitute any commitment for financial outlays by the City or the Ada County Highway District.

601 Maintenance of Public Improvements

The Agency has not identified any commitment or obligation for long-term maintenance of the public improvements identified. The Agency will need to address this issue with the appropriate entity, public or private, who has benefited from or is involved in the ongoing preservation of the public improvement. The Agency expects to dedicate public improvements to the City or the Ada County Highway District, as the case may be.

700 ENFORCEMENT

The administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency and/or the City.

800 DURATION OF THIS PLAN, TERMINATION, AND ASSET REVIEW

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan, shall be effective for twenty (20) years from the effective date of the Plan subject to modifications and/or extensions set forth in Idaho Code § 50-2904. The revenue allocation authority will expire on December 31, 2042, except for any revenue allocation proceeds received in calendar year 2043, as contemplated by Idaho Code § 50-2905(7). The Agency may use proceeds in 2043 to complete the projects set forth herein. As stated in the Plan, any owner participation agreement or disposition and development agreement obligations will cease as of December 31, 2042.

Idaho Code § 50-2903(5) provides the Agency shall adopt a resolution of intent to terminate the revenue allocation area by September 1. In order to provide sufficient notice of termination to the affected taxing districts to allow them to benefit from the increased budget capacity, the Agency will use its best efforts to provide notice of its intent to terminate this Plan and its revenue allocation authority by May 1, 2043, or if the Agency determines an earlier termination date, then by May 1 of the early termination year:

- a. When the Revenue Allocation Area plan budget estimates that all financial obligations have been provided for, the principal of and interest on such moneys, indebtedness, and bonds have been paid in full or when deposits in the special fund or funds created under this chapter are sufficient to pay such principal and interest as they come due, and to fund reserves, if any, or any other obligations of the Agency funded through revenue allocation proceeds shall be satisfied and the Agency has determined no additional project costs need be funded through revenue allocation financing, the allocation of revenues under Idaho Code § 50-2908 shall thereupon cease; any moneys in such fund or funds in excess of the amount necessary to pay such principal and interest shall be distributed to the affected taxing districts in which the Revenue Allocation Area is located in the same manner and proportion as the most recent distribution to the affected taxing districts of the taxes on the taxable property located within the Revenue

Allocation Area; and the powers granted to the urban renewal agency under Idaho Code § 50-2909 shall thereupon terminate.

- b. In determining the termination date, the Plan shall recognize that the Agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the Plan.
- c. For the fiscal year that immediately predates the termination date, the Agency shall adopt and publish a budget specifically for the projected revenues and expenses of the Plan and make a determination as to whether the Revenue Allocation Area can be terminated before January 1 of the termination year pursuant to the terms of Idaho Code § 50-2909(4). In the event that the Agency determines that current tax year revenues are sufficient to cover all estimated expenses for the current year and all future years, by May 1, but in any event, no later than September 1, the Agency shall adopt a resolution advising and notifying the local governing body, the county auditor, and the State Tax Commission, recommending the adoption of an ordinance for termination of the Revenue Allocation Area by December 31 of the current year, and declaring a surplus to be distributed as described in Idaho Code § 50-2909 should a surplus be determined to exist. The Agency shall cause the ordinance to be filed with the office of the county recorder and the Idaho State Tax Commission as provided in Idaho Code § 63-215.

Upon termination of the revenue allocation authority of the Plan to the extent the Agency owns or possesses any assets, subject to the following paragraph, the Agency intends to dispose of any remaining assets by granting or conveying or dedicating such assets to the City, unless based on the nature of the asset, disposition to another public entity is more appropriate.

As allowed by Idaho Code § 50-2905(8), the Agency may retain assets or revenues generated from such assets as long as the Agency shall have resources other than revenue allocation funds to operate and manage such assets. Similarly, facilities which provide a lease income stream to the Agency for full retirement of the facility debt will allow the Agency to meet debt services obligations and provide for the continued operation and management of the facility. For those assets which do not provide such resources or revenues, the Agency will likely convey such assets to the City or the Ada County Highway District, depending on the nature of the asset.

900 PROCEDURE FOR AMENDMENT OR MODIFICATION

To the extent there are any outstanding loans or obligations, this Plan shall not be modified pursuant to the provisions set forth in Idaho Code § 50-2903A. Modification of this Plan results in a reset of the base value for the year immediately following the year in which the modification occurred to include the current year's equalized assessed value of the taxable property in the revenue allocation area, effectively eliminating the Agency's revenue stream as more fully set forth in Idaho Code § 50-2903A subject to certain limited exceptions contained therein, including the exception to allow an amendment to support growth of an existing

commercial or industrial project. I.C. § 50-2903A(1)(a)(iv). As more specifically identified above, the Agency's projections are based on estimated values, estimated levy rates, estimated future development, and estimated costs of future construction/improvements. Annual adjustments, as more specifically set forth in the Agency's annual budget, will be required to account for more/less estimated revenue and prioritization of projects. Any adjustments for these stated purposes are technical and ministerial and are not deemed a modification under Idaho Code § 50-2903A(1)(a)(i).

1000 SEVERABILITY

If any one or more of the provisions contained in this Plan to be performed on the part of the Agency shall be declared by any court of competent jurisdiction to be contrary to law, then such provision or provisions shall be null and void and shall be deemed separable from the remaining provisions in this Plan and shall in no way affect the validity of the other provisions of this Plan.

1100 ANNUAL REPORT AND OTHER REPORTING REQUIREMENTS

Under the Law, and pursuant to Idaho Code §§ 67-1076 and 50-2006(5)(c), the Agency is required to file with the City and the State Controller's Office, on or before March 31 of each year, a report of the Agency's activities for the preceding calendar year, which report shall include the financial data and audit reports required under Idaho Code §§ 67-1075 and 67-1076 . This annual report shall be considered at a public meeting to report these findings and take comments from the public.

Additionally, the Agency must comply with certain other reporting requirements as set forth in Idaho Code § 67-1076, the local government registry portal, , Idaho Code § 50-2913, the tax commission plan repository, and Idaho Code § 50-2903A, the tax commission's plan modification annual attestation. Failure to report the information requested under any of these statutes results in significant penalties, including loss of increment revenue, and the imposition of other compliance measures by the Ada County Board of County Commissioners.

1200 APPENDICES, ATTACHMENTS, EXHIBITS, TABLES

All attachments and tables referenced in this Plan are attached and incorporated herein by their reference. All other documents referenced in this Plan but not attached are incorporated by their reference as if set forth fully.

Attachment 1

Boundary Map of Kuna East Urban Renewal Project Area and Revenue Allocation Area



J-U-B ENGINEERS, INC.



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

J-U-B FAMILY OF COMPANIES

Exhibit "A"
Kuna East Urban Renewal District (URD)
Legal Description

Project No. 10-22-016 September 19, 2022

A tract of land situate in portions of Sections 6, 7, and 18 of Township 1 North, Range 2 East, Section 1 of Township 1 North, Range 1 East, and Section 31 of Township 2 North, Range 2 East, Boise Meridian, City of Kuna, County of Ada, State of Idaho, and being more particularly described as follows:

Commencing at the northwest corner of said Section 1; thence from said Point of Commencement, South 89°47'51" East, coincident with the north line of said Section 1 a distance of 2,661.50 feet to the north quarter corner of said Section 1, said corner being the **Point of Beginning** of this description;

thence from said **Point of Beginning**, South 89°48'58" East, continuing coincident with the north line of said Section 1, a distance of 2,661.46 feet to the northeast corner of said Section 1; thence leaving said north line, coincident with the west line of said Section 31 the following two (2) consecutive courses and distances:

1. North 00°06'10" East, a distance of 2,656.49 feet to the west quarter corner of said Section 31, and
2. North 00°05'30" East, a distance of 1,320.06 feet to the northwest corner of Government Lot 2 of said Section 31;

thence leaving said west line, the following six (6) consecutive courses and distances:

1. South 89°28'06" East, coincident with the north line of said Government Lot 2, a distance of 1,397.85 feet to the northeast corner of said Government Lot 2,
2. South 00°14'00" West, coincident with the east line of said Government Lot 2, a distance of 1,323.60 feet to the southeast corner of said Government Lot 2,
3. South 89°21'12" East, a distance of 1,306.49 feet to the center quarter corner of said Section 31,
4. South 00°02'39" West, a distance of 1,326.22 feet to the center-south sixteenth corner of said Section 31,
5. South 89°09'59" East, a distance of 1,318.72 feet to the southeast sixteenth corner of said Section 31, and
6. South 00°14'40" East, a distance of 1,329.95 feet to the east sixteenth corner on the south line of said Section 31;

thence South 89°00'46" East, coincident with the south line of said Section 31, a distance of 925.42 feet to the northeasterly corner of the tract of land described in the Special Warranty Deed recorded as Instrument No. 2021-178270, Official Records of Ada County, as said tract is shown on the Record of Survey No. 11796, Ada County Records; thence coincident with the northeasterly lines of said tract the following two (2) consecutive courses and distances:

1. South 00°05'21" West, a distance of 545.00 feet, and
2. South 89°00'46" East, a distance of 400.00 feet to a point on the east line of the aforesaid Section 6;

thence coincident with said east line, the following two (2) consecutive courses and distances:

1. South 00°05'21" West, a distance of 2,107.72 feet to the east quarter corner of said Section 6, and
2. South 00°04'01" West, a distance of 1,866.41 feet to an angle point in the easterly line of the tract of land described as Parcel 4 in the Special Warranty Deed recorded as Instrument No. 2022-013972, Official Records of Ada County, as said tract is shown on the Record of Survey No. 10795, Ada County Records;

thence coincident with the southeasterly lines of said tract the following two (2) consecutive courses and distances:

1. North 89°19'01" West, a distance of 330.00 feet, and
2. South 00°04'01" West, a distance of 792.05 feet to a point on the south line of said Section 6;

thence South 89°19'01" East, coincident with said south line, a distance of 330.05 feet to the southeast corner of said Section 6; thence leaving said south line, coincident with the east line of the aforesaid Section 7, the following two (2) consecutive courses and distances:

1. South 00°15'02" East, a distance of 2,674.00 feet to the east quarter corner of said Section 7, and
2. South 00°16'00" East, a distance of 2,632.33 feet to the southeast corner of said Section 7;

thence leaving said east line, South 00°50'11" West, coincident with the east line of the aforesaid Section 18, a distance of 364.70 feet to the intersection of said east line with the northerly right-of-way line of the Union Pacific Railroad as said right-of-way is shown on the Record of Survey No. 12419, Ada County Records; thence leaving said east line, North 68°27'55" West, coincident with said right-of-way line, a distance of 5,752.78 feet to the intersection of said right-of-way with the west line of the aforesaid Section 7; thence North 00°01'57" West, coincident with said west line, a distance of 3,622.89 feet to the northwest

corner of said Section 7; thence leaving said west line, South 89°19'01" East, coincident with the north line of said Section 7, a distance of 2,693.27 feet to the north quarter corner of said Section 7, said corner being hereinafter referred to as Point "A"; thence continuing South 89°19'01" East, coincident with said north line, a distance of 50.00 feet to an angle point in the northerly line of the tract of land described as Parcel 7 in the Warranty Deed recorded as Instrument No. 2021-171629, Official Records of Ada County, as said tract is shown on the Record of Survey No. 12419, Ada County Records; thence coincident with the northerly line of said tract, the following four (4) consecutive courses and distances:

1. South 00°07'52" East, a distance of 280.04 feet,
2. South 44°59'42" East, a distance of 575.09 feet,
3. South 89°18'09" East, a distance of 352.75 feet, and
4. North 00°07'54" West, a distance of 681.98 feet to a point on the north line of said Section 7;

thence South 89°19'01" East, coincident with said north line, a distance of 164.85 feet to the southwest corner of the tract of land described as Parcel 4 in the Special Warranty Deed recorded as Instrument No. 2022-013972, Official Records of Ada County, as said tract is shown on the Record of Survey No. 10795, Ada County Records, said corner being hereinafter referred to as Point "B"; thence leaving the north line of said Section 7, coincident with the westerly lines of said tract, the following three (3) consecutive courses and distances:

1. North 00°01'30" East, a distance of 495.06 feet,
2. South 89°19'01" East, a distance of 147.50 feet, and
3. North 00°01'30" East, a distance of 2,163.89 feet to a point on the north line of the southeast quarter of the aforesaid Section 6;

thence North 89°17'58" West, coincident with said north line, a distance of 1,122.83 feet to the center quarter corner of said Section 6; thence coincident with the north line of the southwest quarter of said Section 6, the following two (2) consecutive courses and distances:

1. North 89°17'57" West, a distance of 1,318.37 feet to the northeast corner of Government Lot 6 of said Section 6, and
2. North 89°17'21" West, a distance of 1,380.32 feet to the west quarter corner of said Section 6;

thence South 00°08'05" East, coincident with the west line of said Section 6, a distance of 2,365.37 feet to the northeast corner of the tract of land described as Parcel 4 in the Corrected Bargain and Sale Deed recorded as Instrument No. 2016-028450, Official Records of Ada County; thence coincident with the respective northerly and westerly lines of said tract, the following two (2) consecutive courses and distances:

1. South 89°54'25" West, a distance of 295.00 feet to the northwesterly corner thereof, and

2. South 00°07'21" East, a distance of 295.00 feet to a point on the south line of the aforesaid Section 1;

thence South 89°54'25" West, coincident with said south line, a distance of 1,029.33 feet to the east sixteenth corner on the south line of said Section 1; thence leaving said south line, North 00°12'01" West, coincident with the west line of the southeast quarter of the southeast quarter of said Section 1, a distance of 1,330.75 feet to the southeast sixteenth corner of said Section 1; thence South 89°55'56" West, coincident with the south line of the northwest quarter of the southeast quarter of said Section 1, a distance of 1,325.80 feet to the center-south sixteenth corner of said Section 1; thence South 89°58'42" West, coincident with the south line of the northeast quarter of the southwest quarter of said Section 1, a distance of 1,325.13 feet to the southwest sixteenth corner of said Section 1; thence North 00°14'32" West, coincident with the west line of northeast quarter of the southwest quarter of said Section 1, a distance of 1,330.83 feet to the center-west sixteenth corner of said Section 1; thence North 00°24'16" West, coincident with the west line of the southeast quarter of the northwest quarter of said Section 1, a distance of 1,328.34 feet to the southwest corner of Government Lot 3 of said Section 1; thence coincident with the respective south and east lines of said Government Lot 3, the following two (2) consecutive courses and distances:

1. North 89°55'56" East, a distance of 1,327.55 feet to the southeast corner of said Government Lot 3, and
2. North 00°16'15" West, a distance of 1,341.75 feet to the **Point of Beginning**.

EXCEPTING THEREFROM, a tract of land situate in the northwest quarter of the aforesaid Section 7, being more particularly described as follows:

Commencing at the aforesaid Point "A", thence South 00°07'37" East, coincident with the east line of the northwest quarter of said Section 7, a distance of 1,333.41 feet to the center-north sixteenth corner of said Section 7, said corner being the **Point of Beginning**, of this Exception;

thence from said **Point of Beginning**, South 00°07'49" East, coincident with the east line of the northwest quarter of said Section 7, a distance of 1,333.35 feet to the center quarter corner of said Section 7; thence North 89°09'47" West, coincident with the south line of the northwest quarter of said Section 7, a distance of 1,321.51 feet to the southeast corner of Government Lot 2 of said Section 7; thence North 00°06'58" West, coincident with the east line of said Government Lot 2, a distance of 1,331.59 feet to the northeast corner of said Government Lot 2; thence South 89°14'20" East, coincident with the north line of the southeast quarter of the northwest quarter of said Section 7, a distance of 1,321.15 feet to the **Point of Beginning**.

FURTHER EXCEPTING THEREFROM, a tract of land situate in the southeast quarter of the aforesaid Section 6, being more particularly described as follows:

Commencing at the aforesaid Point "B", thence South 89°19'01" East, coincident with the south line of said Section 6, a distance of 200.00 feet to the **Point of Beginning** of this Exception;

thence from said **Point of Beginning**, continuing South 89°19'01" East, coincident with said south line, a distance of 295.00 feet; thence leaving said south line, the following three (3) consecutive courses and distances:

1. North 00°01'30" East, a distance of 295.05 feet,
2. North 89°19'01" West, a distance of 295.00 feet, and
3. South 00°01'30" West, a distance of 295.05 feet to the **Point of Beginning**.

The above-described tract of land contains a net area of 1,538.50 acres of land, more or less.

The above-described tract of land is shown on Exhibit "B" attached hereto and made a part hereof.

End of Description.

J-U-B ENGINEERS, Inc.

This description was prepared by me or under my supervision. If any portion of this description is modified or removed (including, but not limited to, the graphic portion shown on Exhibit "B") without the written consent of Timothy Harrigan, PLS, all professional liability associated with this document is hereby declared null and void.


Timothy Harrigan, PLS 17665

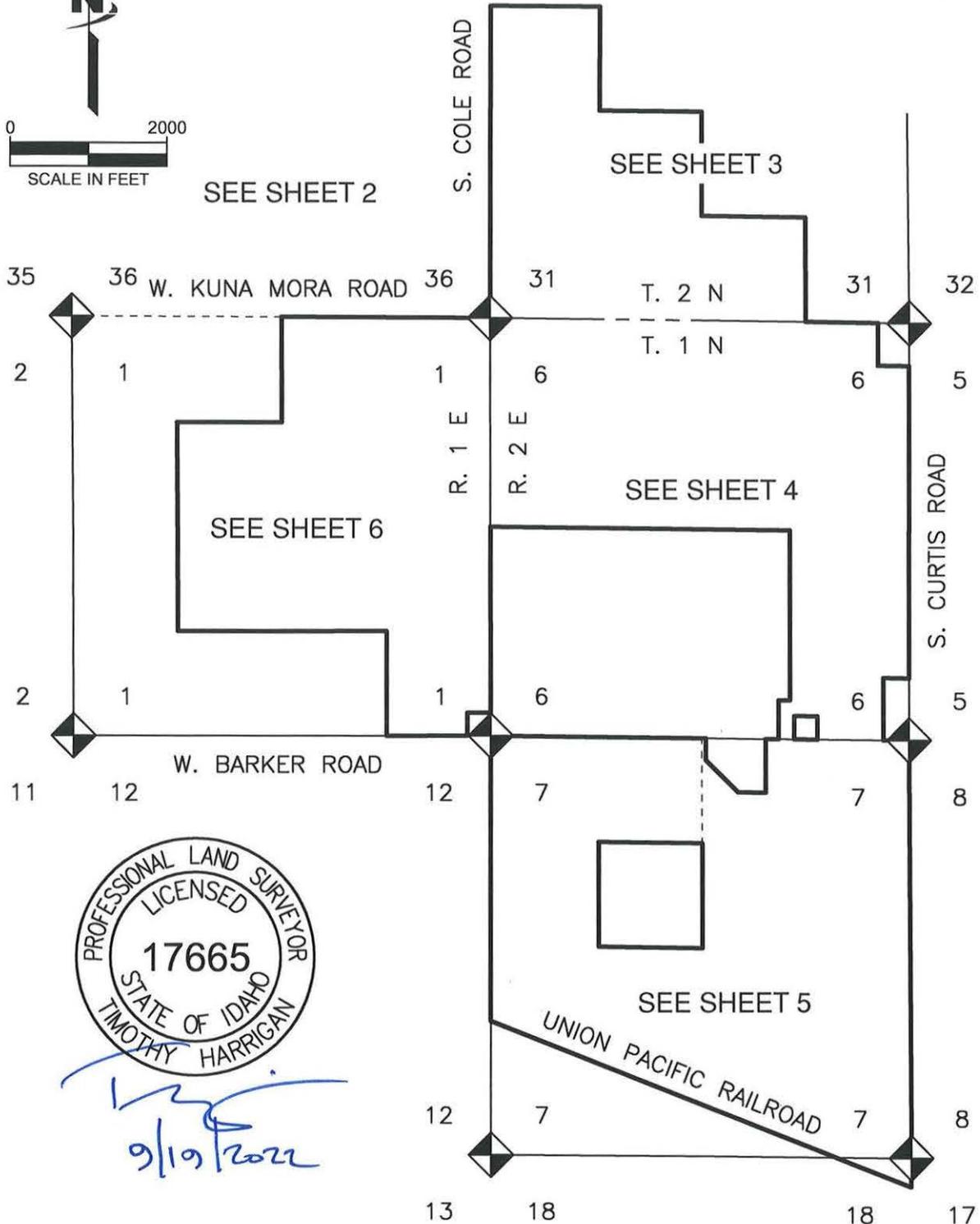


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SEE SHEET 7
FOR LEGEND AND
LINE TABLES



Timothy Harrigan
9/19/2022

EXHIBIT "B"

CITY OF KUNA

EAST - URBAN RENEWAL DISTRICT LEGAL DESCRIPTION

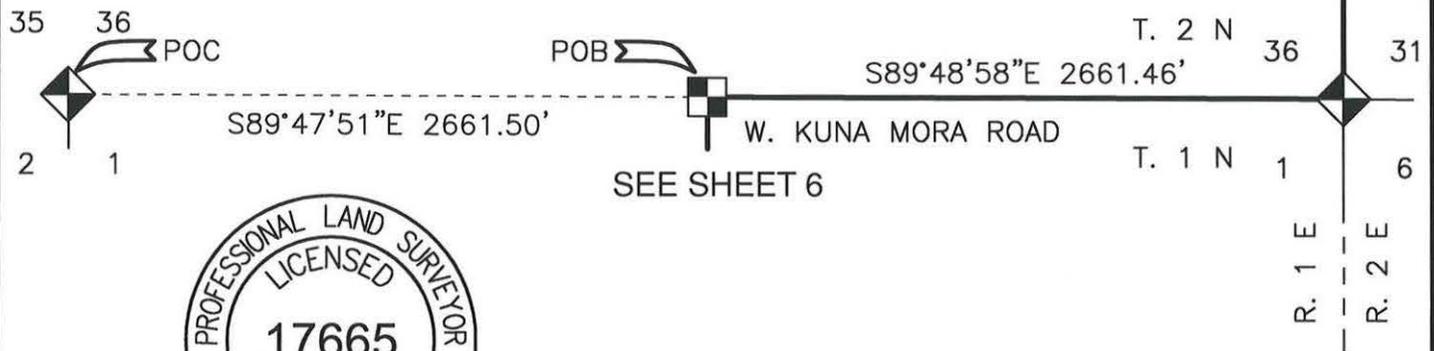
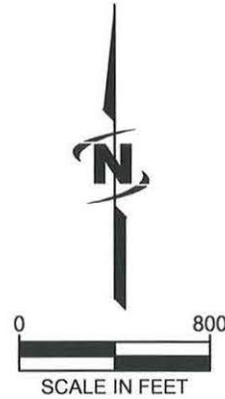
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1 OF 7



PRJ NO: 10-22-016

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FOR LEGEND AND
LINE TABLES



Timothy Harrigan
9/19/2022

EXHIBIT "B"

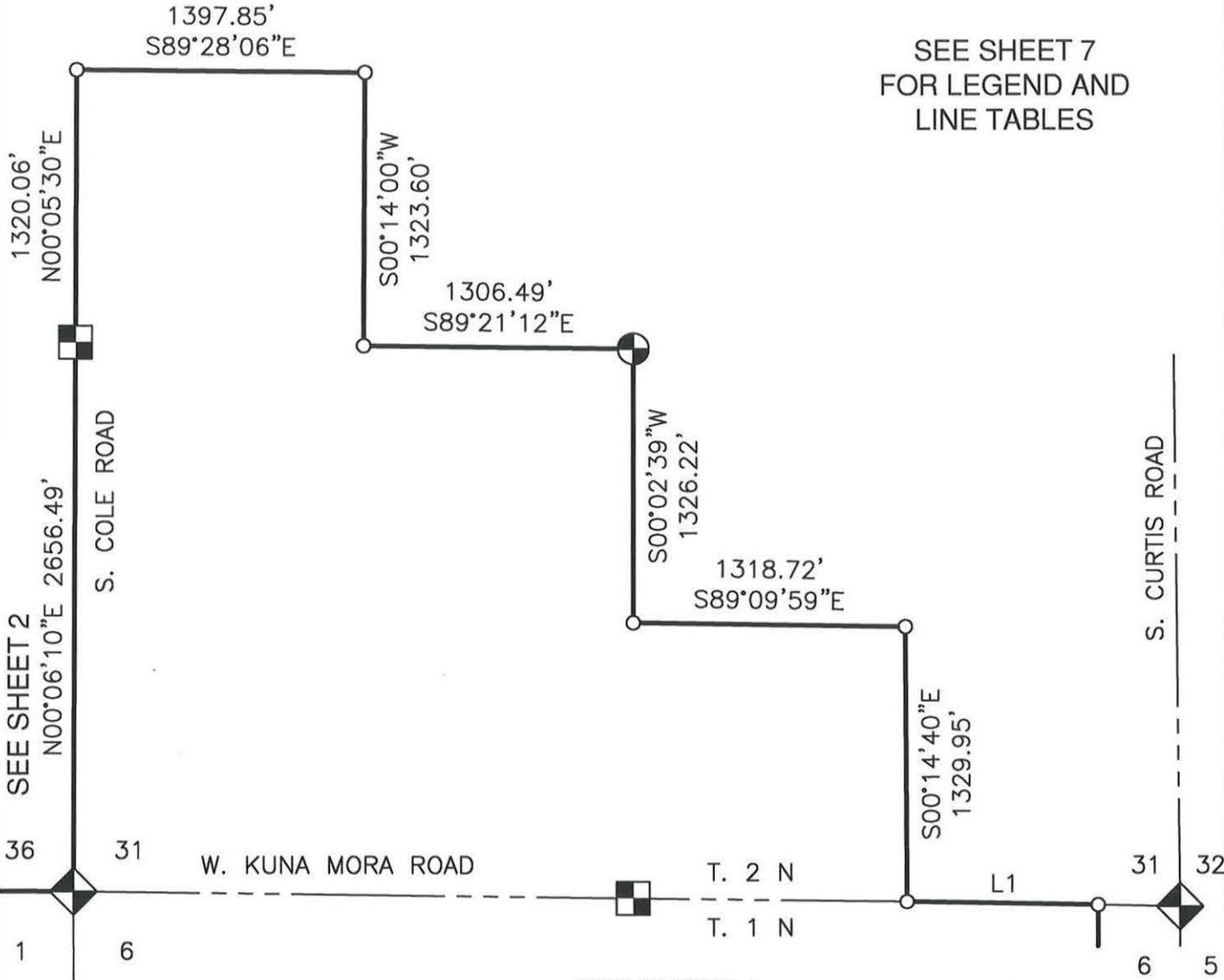
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SEE SHEET 7
FOR LEGEND AND
LINE TABLES



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9/19/2022



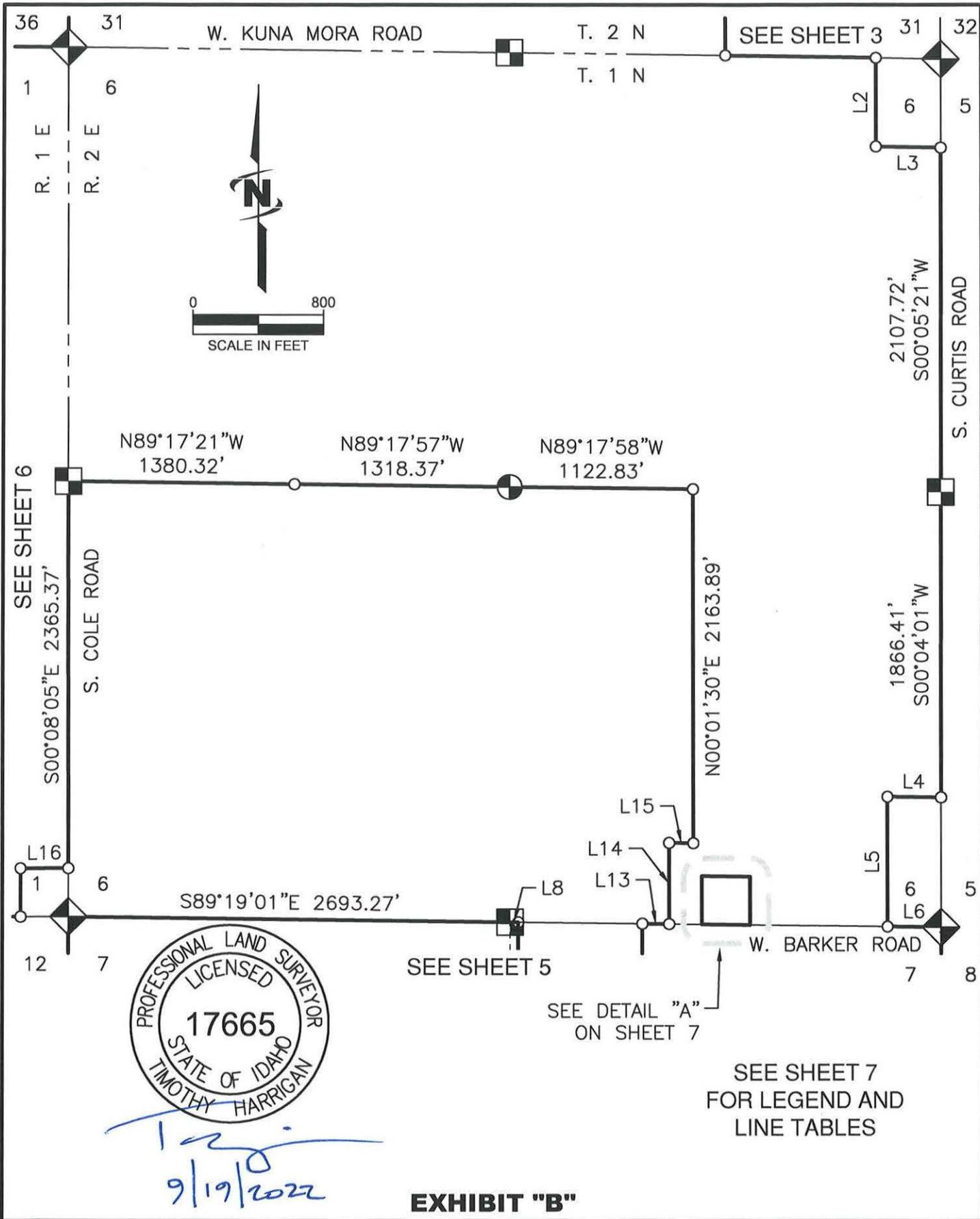
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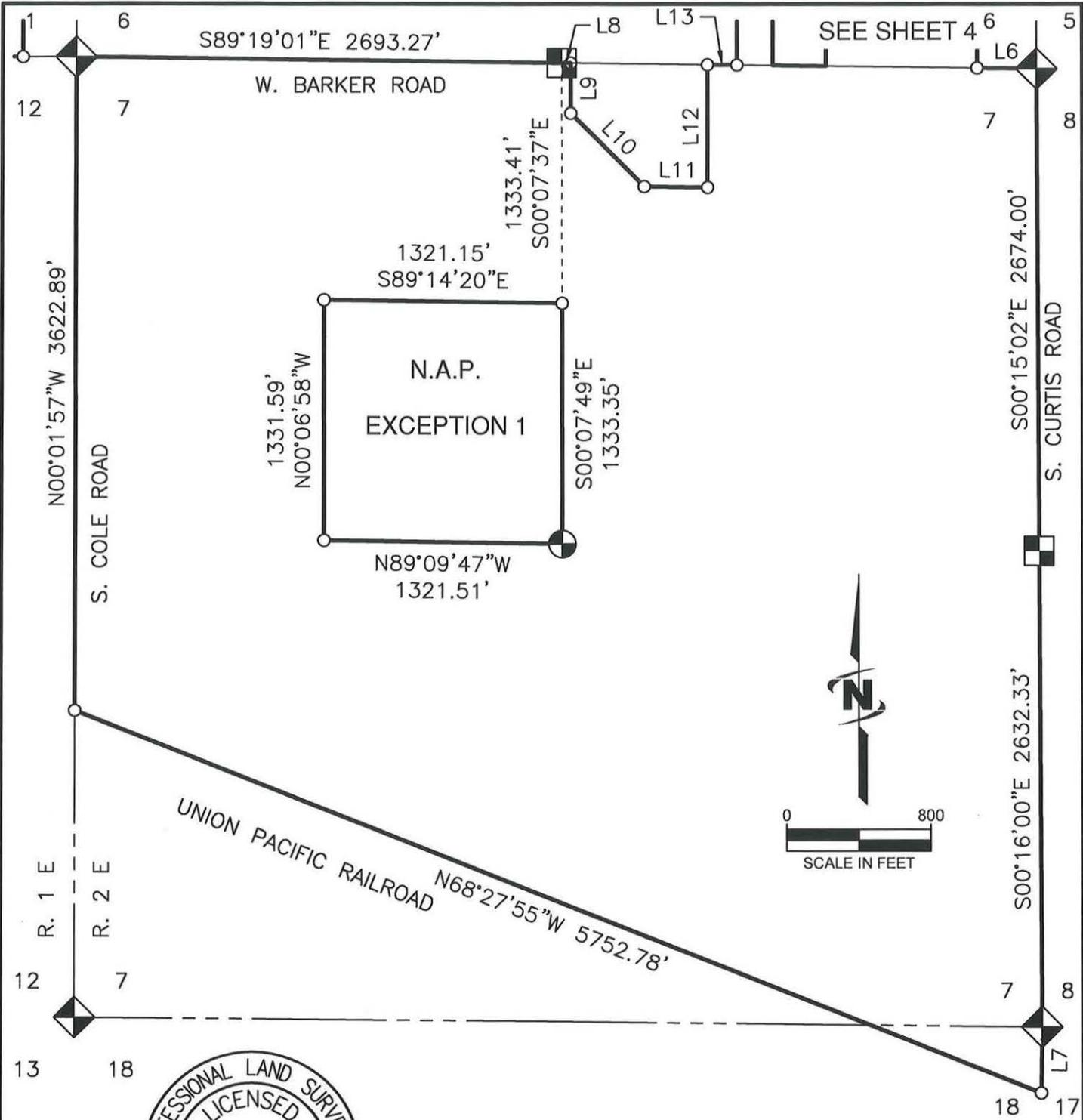
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SEE SHEET 7
 FOR LEGEND AND
 LINE TABLES

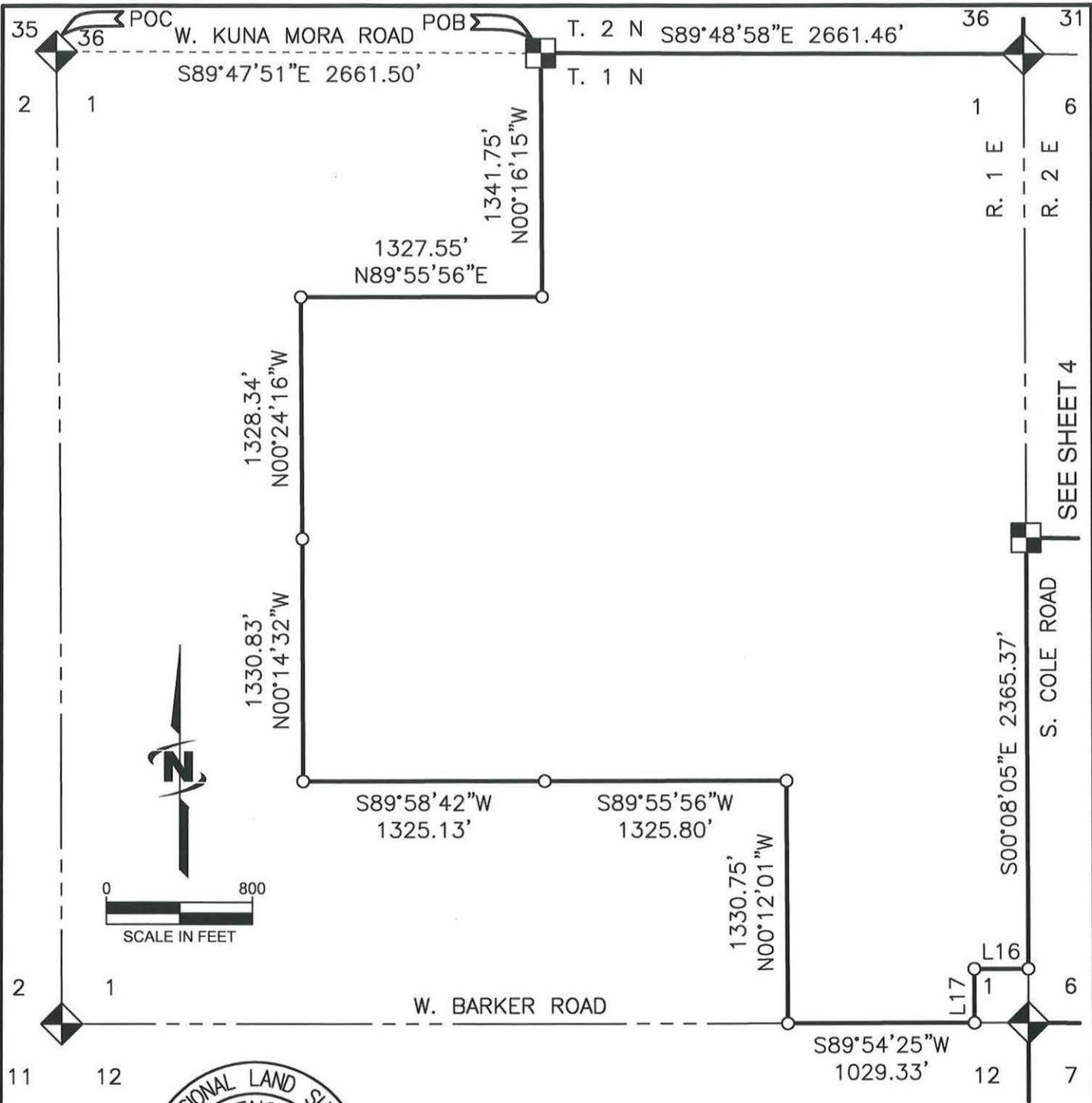
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 5 OF 7



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LINE TABLES

EXHIBIT "B"

CITY OF KUNA

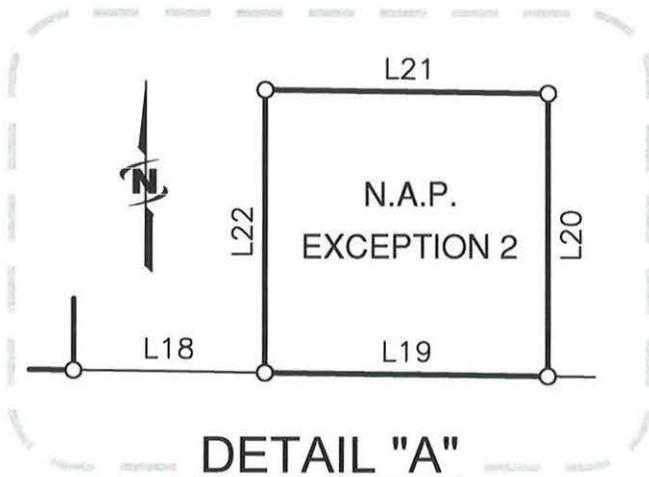
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 T2N, R2E, BOISE MERIDIAN, CITY OF KUNA, COUNTY OF ADA, STATE OF IDAHO

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LEGEND

- — — — — SECTION LINE
- - - - - TIE LINE
- URD BOUNDARY LINES
-  — SECTION CORNER
-  — QUARTER CORNER
-  — CENTER QUARTER CORNER
- — DIMENSION POINT
- POC — POINT OF COMMENCEMENT
- POB — POINT OF BEGINNING
- N.A.P. — NOT A PART

LINE TABLE		
NO.	BEARING	DIST.
L1	S89°00'46"E	925.42'
L2	S00°05'21"W	545.00'
L3	S89°00'46"E	400.00'
L4	N89°19'01"W	330.00'
L5	S00°04'01"W	792.05'
L6	S89°19'01"E	330.05'
L7	S00°50'11"W	364.70'
L8	S89°19'01"E	50.00'
L9	S00°07'52"E	280.04'
L10	S44°59'42"E	575.09'
L11	S89°18'09"E	352.75'
L12	N00°07'54"W	681.98'
L13	S89°19'01"E	164.85'
L14	N00°01'30"E	495.06'
L15	S89°19'01"E	147.50'
L16	S89°54'25"W	295.00'
L17	S00°07'21"E	295.00'
L18	S89°19'01"E	200.00'
L19	S89°19'01"E	295.00'
L20	N00°01'30"E	295.05'
L21	N89°19'01"W	295.00'
L22	S00°01'30"W	295.05'



SCALE: 1"=200'



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9/19/2022

EXHIBIT "B"

CITY OF KUNA

EAST - URBAN RENEWAL DISTRICT LEGAL DESCRIPTION

PORTIONS OF SECTIONS 6, 7, AND 18, T1N, R2E, SECT. 1, T1N, R1E, & SECT. 31, T2N, R2E, BOISE MERIDIAN, CITY OF KUNA, COUNTY OF ADA, STATE OF IDAHO

SHEET

7 OF 7

thence from said **Point of Beginning**, continuing South 89°19'01" East, coincident with said south line, a distance of 295.00 feet; thence leaving said south line, the following three (3) consecutive courses and distances:

1. North 00°01'30" East, a distance of 295.05 feet,
2. North 89°19'01" West, a distance of 295.00 feet, and
3. South 00°01'30" West, a distance of 295.05 feet to the **Point of Beginning**.

The above-described tract of land contains a net area of 1,538.50 acres of land, more or less.

The above-described tract of land is shown on Exhibit "B" attached hereto and made a part hereof.

End of Description.

J-U-B ENGINEERS, Inc.

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PRELIMINARY

Timothy Harrigan, PLS 17665



Date

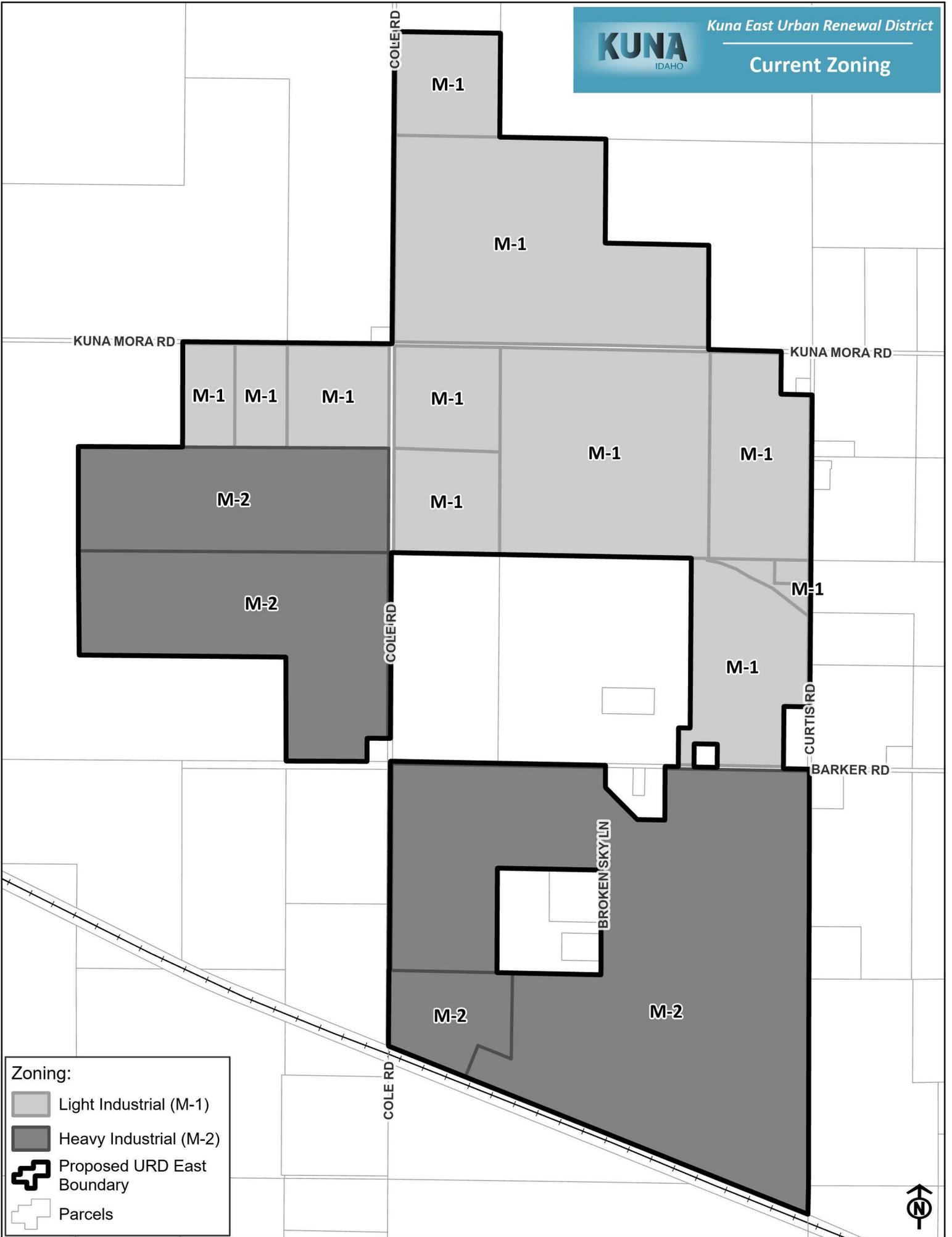
Attachment 3

Private Properties Which May Be Acquired by the Agency

1. The Agency has not identified any particular parcel for the construction of public improvements or for private redevelopment. Properties which may be subject to acquisition include parcels to:
 - a) assemble with adjacent parcels to facilitate redevelopment;
 - b) assemble with adjacent rights-of-way to improve configuration and enlarge parcels for redevelopment;
 - c) reconfigure sites for development and possible extension of streets or pathways;
 - d) assemble for future transfer to qualified developers to facilitate the development of commercial and industrial areas; or
 - e) assemble for the construction of certain public improvements, including but not limited to streets, streetscapes, water and sewer improvements, natural gas facility improvements, electrical facility improvements, fiber optic improvements, pedestrian/bike paths and trails, and other public facilities.
2. The Agency reserves the right to acquire any additional right-of-way or access routes near or around existing or planned rights-of-way.
3. The Agency reserves the right to acquire property needed to provide adequately sized sites for high priority projects for the development of public improvements (the exact location of which has not been determined).
4. Other parcels may be acquired for the purpose of facilitating catalyst or demonstration projects, constructing public parking, constructing new streets or pathways, enhancing public spaces, or to implement other elements of the urban renewal plan strategy and/or any master plan for the Project Area.

Attachment 4

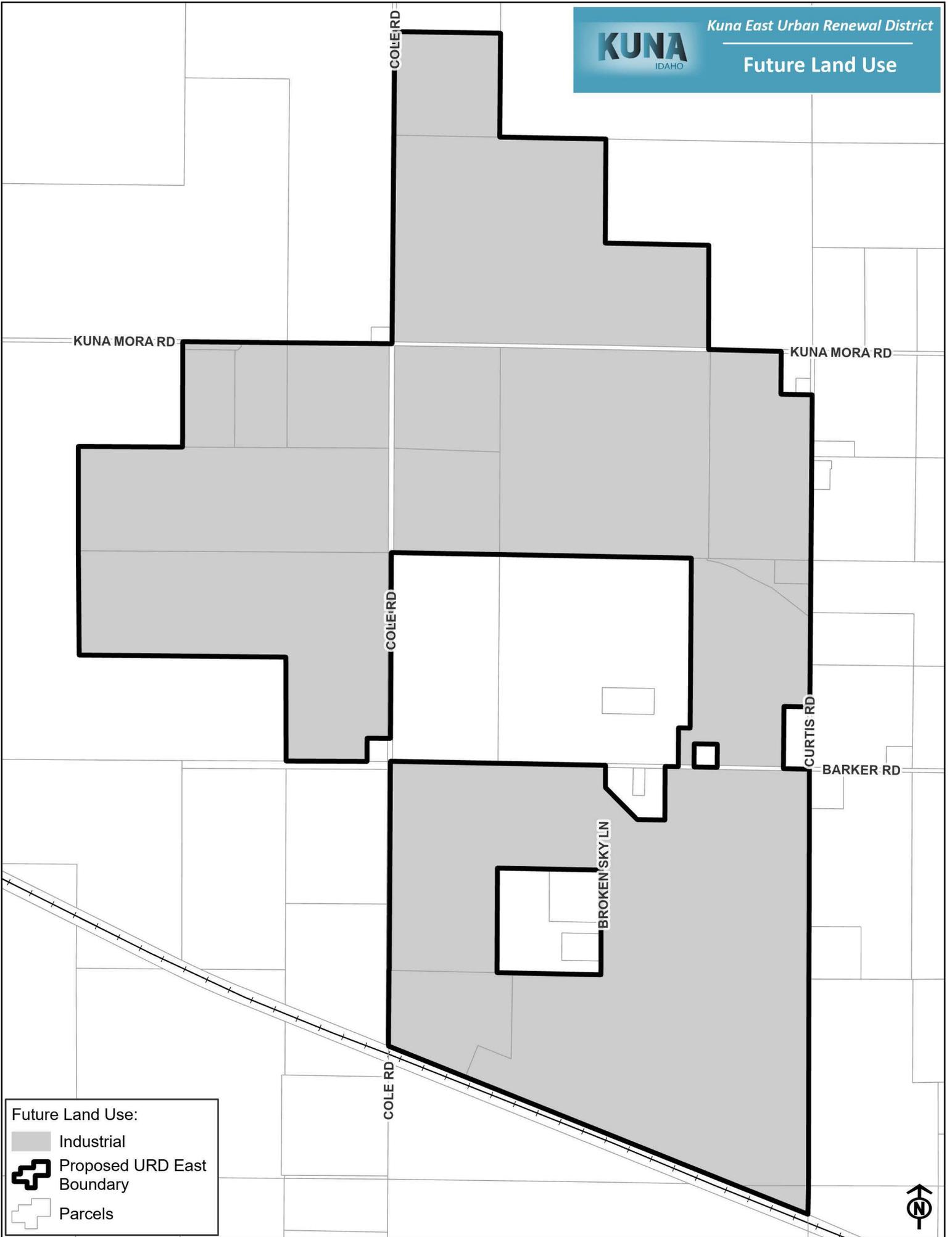
Map Depicting Expected Land Uses and Current Zoning Map
of the Project Area



Zoning:

- Light Industrial (M-1)
- Heavy Industrial (M-2)
- Proposed URD East Boundary
- Parcels





Future Land Use:

-  Industrial
-  Proposed URD East Boundary
-  Parcels



Attachment 5

Economic Feasibility Study

KUNA

IDAHO

Kuna East Urban Renewal District Economic Feasibility Study



August 2022

Prepared by:  TheMettsGroup

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Social and Economic Conditions	4
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Projected Tax Increment Revenue.....	10
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Introduction

Urban renewal and revenue allocation financing are one of the most significant tools available to Idaho communities for attracting and retaining businesses, generating economic development, promoting job creation and encouraging development of deteriorating and underutilized areas.

The State of Idaho provides limited options for cities and counties to use in financing costly public infrastructure and other needed public improvements necessary to attract and retain businesses. Revenue allocation financing allows communities to make a site “ready” for development, including extending water, sewer, streets and other significant capital public infrastructure improvements that reduce the cost to businesses of relocating or expanding. Revenue allocation financing also allows Idaho cities and counties to compete with other areas in attracting industry and business to Idaho.

This Economic Feasibility Study (the “Study”) reviews the financial feasibility of the proposed Urban Renewal Plan for the Kuna East Urban Renewal Project (the “Plan”) and the corresponding Kuna East revenue allocation area (the “Kuna East District” or “Project Area”). The Project Area includes approximately 1,530 acres within the City of Kuna, Idaho (the “City”). According to the 2020 Decennial Census, 24,011 people reside in the City of Kuna—roughly 8,800 more people than a decade ago (4.7% annual growth rate). The latter part of the decade has seen faster growth.

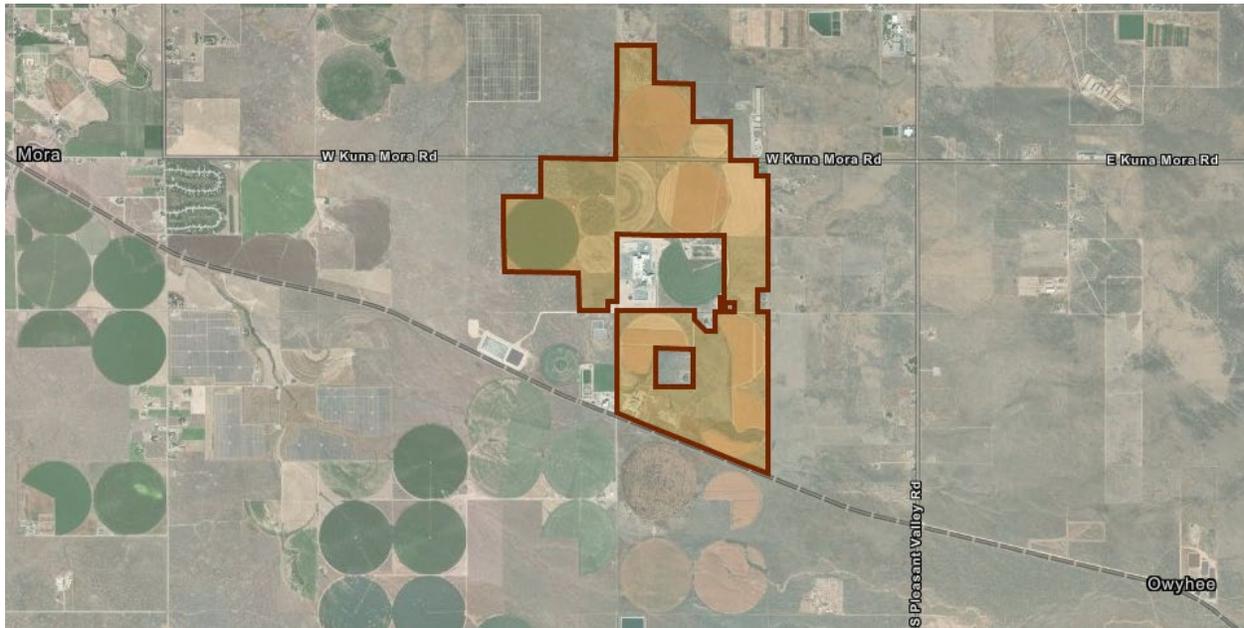
This Study constitutes an economic feasibility study as required by Idaho Code § 50-2905 and lays the groundwork to assess the feasibility of the proposed Project Area from an economic perspective, including an analysis of whether the proposed new developments are sufficient to cover the anticipated costs of the public infrastructure costs. The public benefits resulting from this partnered development include:

- Job creation from implementing the Plan as well as potential for “spinoff” developments both within and outside of the Kuna East District boundaries
- Underutilized property or land can be developed to a productive use
- Infrastructure upgrades enhance capacity for surrounding area and community at large
- Improvements to local transportation systems benefit the community at large
- Increasing local tax base may mean property owners enjoy lower levy rates in the future
- Successful projects generate increased sales and income taxes for the State

Boundary

The Kuna East District is generally located along Cole Road, between Curtis Road and S. Five Mile Road. The Project Area extends just north of Kuna Mora Road and south of Barker Road to the Union Pacific Railroad. This boundary, as shown in Figure 1, was developed jointly by City of Kuna staff, Kuna Urban Renewal Agency, and J-U-B Engineers, Inc.

Figure 1. Kuna East Urban Renewal District Boundary

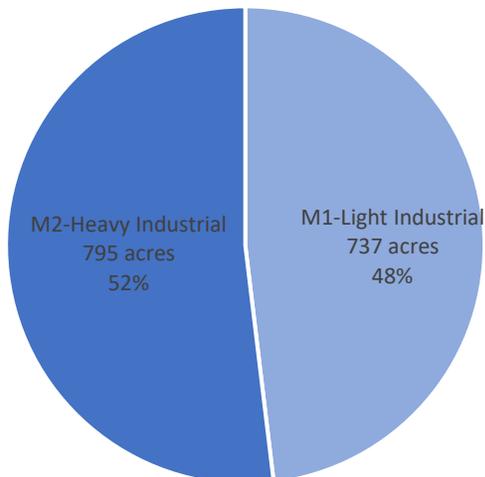


Existing Conditions

Zoning

The Kuna East District contains approximately 1,530 acres with land uses that are zoned, or have recently been rezoned, for industrial purposes. The Kuna East District is comprised of large industrial establishments, open space currently and previously used for agricultural purposes, and a few residences. The Project Area contains some agricultural properties that are vacant and have previously been farmed (within the last three years) that have the potential to be developed, with block sizes and lots/parcels and blocks exceeding 75,000 square feet in size. Table 1 provides a breakdown of the current zoning within the proposed district. The Kuna East District is predominantly open land as there are 1,488 acres of open space present within the Kuna East District, or 96% of the District is open land.

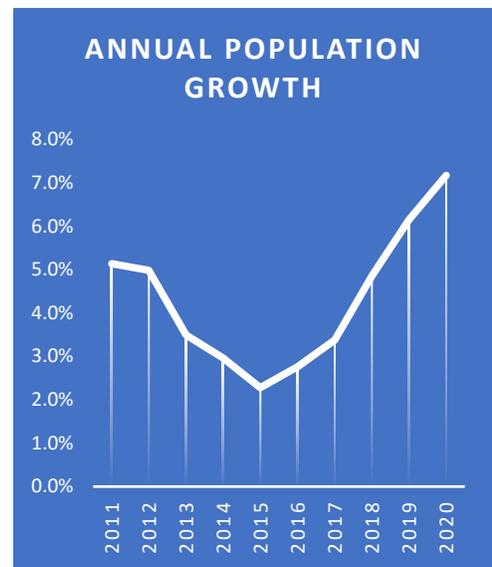
Table 1. Breakdown of Current Zoning within Kuna East Urban Renewal District



Social and Economic Conditions



Regional Overview	Kuna
Historical Population Change (2015 - 2020)	27%
Total Industry Jobs (2015)	4,087
Total Industry Jobs (2020)	4,601
Total Industry Jobs Change %	13%
Current Average Earnings	\$52,059
GRP	\$495,595,422
Labor Force (Jul 2019)	255,774
Participation Rate (Jul 2019)	66.1%
Median Household Income (2018)	\$64,456
Building Permits Change (2013-2018)	267%



Source: U.S. Census

Financial Analysis

Taxable Value of Property in Area

The estimated total assessed value of all properties in the proposed Kuna East District boundary is \$6,215,000 (assessment year 2022)—which includes any homeowners exemptions. This is roughly 0.18% of the current assessed taxable value for the City as of January 1, 2022, in the amount of \$3,416,648,619. The combined base assessment rolls for the proposed Kuna East District and the West Kuna District do not exceed 10% of the 2022 assessed taxable value for the City.

Table 2. Total Estimated Assessed Value, 2022

Kuna East Urban Renewal District	\$6,215,000
West Kuna Urban Renewal District	\$77,405,189
City of Kuna Total Assessed Valuation	\$3,416,648,619
Share of URDs of Total City:	2.4%

Note: includes home exemptions, but not operating property
Source: Ada County

Future Development

Proposed improvement projects contained within this Study adhere to the City's future land use and zoning plans as set forth in *Envision Kuna*, City of Kuna 2019 Comprehensive Plan, as well as other City planning documents.



Information contained in this section was obtained from J-U-B Engineers, Inc. in coordination with City officials and staff. Based on information received, there is development interest in the proposed Kuna East District, and the Study anticipates a significant development within the Project Area north of Kuna Mora Road could occur within the first several years of the Kuna East District. An additional industrial project may occur to the west and south of Kuna Mora Road. All future development scenarios comply with the City of Kuna 2019 Comprehensive Plan. The map below illustrates the proposed location of future public infrastructure improvements recognizing actual siting of improvements is likely to change based upon future development, which improvements will provide opportunities to spur future development and redevelopment in the District. But for urban renewal, development of this desired industrial area would likely continue to lag due to the significant public infrastructure needs.

Development of these parcels were accounted for in the model and are grounded on current planned developments and potential for development based on the current interest. For purposes of this analysis, 100% of the planned projects are assumed at the beginning of the District's life (2022-2028). The potential for future developments are less certain; therefore, the remaining parcels were projected using a 50% development scenario and distributed across the remaining 10 years of the District's life (2034 to the end of District's life in 2042, however, increment is collected through 2043).

Projected valuations were determined based on similar developments within the region and infrastructure cost estimates were provided by J-U-B Engineers, Inc. The timing of future development is based on existing public infrastructure and how it benefits adjacent areas. It is reasonable to project that as the Kuna East District matures, other parcels are likely to develop within this well-defined industrial area. The further out the project is made, the less certainty exists, and therefore, the model assumes a 50% buildout for these projects. Thus, we provide a no-build scenario and a development scenario to

provide the Kuna Urban Renewal Agency with the conservative and most comprehensive picture of what to expect from a tax increment revenue perspective.

Public Improvement Projects

Public infrastructure and improvement projects anticipated within the Kuna East District boundary are outlined in the tables below, for a total estimated cost of roughly \$118 million in 2022 dollars (see Table 3). Due to revenue projections as more fully set forth below, all identified projects may not be funded. The projects were prioritized by City staff based, in part, on currently identified capital infrastructure projects, estimates based on infrastructure needs to build out an industrial area, and long-range projects identified by the Ada County Highway District. Conversations with property owners within the Kuna East District, stakeholders, taxing district representatives and public officials also occurred. This Study is premised upon the economic feasibility of the Priority A Projects (total estimated cost of \$47.9 million). The unfunded projects are set forth in the list of Priority B Projects and the Priority C Projects. Public infrastructure and improvement projects prioritized as a high priority within the proposed Kuna East District are detailed in Table 4.

If development occurs more quickly than projected and/or other funding sources become available through either grants or partnerships with the City and/or the Ada County Highway District on project funding, then the Agency may reprioritize projects as listed in A, B and C below. Additionally, the Agency may be able to undertake additional projects through developer advanced funding of projects. Please note that some of these estimates will change as projects move forward and are more defined. The estimated project costs do not account for inflation.

Table 3. Estimated Project Costs by Priority Level

Priority Level (Public/Private)	Total
Total Public	\$118,005,000
Priority A	\$47,879,000
Priority B	\$61,179,000
Priority C	\$8,947,000
Total Private	\$94,511,000
Total Infrastructure Improvements	\$212,516,000

Source: J-U-B Engineers, Inc., City of Kuna, author's calculations

Table 4. Potential Public Infrastructure and Improvement Projects, Priority A projects

Project #	Project Name	Priority A
W3B	Future 2 MG Storage Tanks (2)	\$5,066,000
W4B	Future Booster Station Capacity Upgrades	\$775,000
S8	Future Lift Station and Force Main ⁹	\$8,432,000
R1	Kuna Mora Rd (Future Expressway)	\$10,497,000
R5	N-S Minor Collector	\$3,910,000
R6	Cole Rd (Local)	\$8,817,000
R7	Curtis Rd (Local)	\$9,552,000
G1	Natural Gas Distribution Improvements	\$830,000
Total Infrastructure Costs for Priority A		\$47,879,000

Source: J-U-B Engineers, Inc., City of Kuna, author's calculations

Table 5. Potential Public Infrastructure and Improvement Projects, Priority B and C projects

Project	Project Name	Priority B
R2	E-W Minor Collector	\$3,958,000
R3	Barker Rd (Minor Collector)	\$4,545,000
R4	E-W Major Collector	\$935,000
S1B	Future WWTP Capacity Upgrades ⁶	\$44,156,000
S5	Additional Land Application as needed ⁷	\$7,585,000
Total Infrastructure Costs for Priority B		\$61,179,000

Project	Project Name	Priority C
W10	6,000 gpm Future Production Capacity (Location TBD)	\$8,947,000
Total Infrastructure Costs for Priority C		\$8,947,000

Note: If grants or other leveraging funding sources become available, or a development occurs sooner than anticipated, priority B or C projects may be completed earlier or projects may be re-prioritized.

Source: J-U-B Engineers, City of Kuna, author's calculations

Projected Assessed Values

The projected property assessed values within the Kuna East District are grounded on current projected developments and potential for future development based on the current interest. For purposes of this report analysis, 100% of the projects under discussion are assumed at the beginning of the District's life (if established in 2022) and the potential future developments are less certain; therefore, the remaining parcels were projected using a 50% development scenario and distributed across the remaining 10 years of the District's lift (end of District life is 2042, however, increment is collected through 2043). Table 6 provides a summary of this development scenario. All numbers from herein reflect this development scenario.

The projected assessed values were based on similar developments in the County and their current assessed values based on average assessed values per square feet. The growth percentages shown reflect very conservative assumptions and account for historical average annual inflationary adjustments of 3% (smoothing out of recent high inflationary years).

The following buildout scenarios provide a conservative, yet holistic approach.

The Kuna East District's termination date is December 31, 2042; however, the Agency will continue to receive revenue allocation proceeds from assessment year 2042 in 2043. Therefore, the projected property assessed values at end of district life are stated for the year 2043.

Projected Property Assessed Value at End of District Life

\$6.2M

BASE

\$11.6M

NO DEVELOPMENT

\$918.1M

END OF DISTRICT LIFE

Table 6. Projected Assessed Value Growth

Year	No Development		Development Scenario	
	Projected Assessed Value	Inflation	Projected Assessed Value	Percent Growth
2022	\$6,215,000	3.0%	\$6,215,000	---
2023	\$6,401,450	3.0%	\$38,086,305	512.8%
2024	\$6,593,494	3.0%	\$176,344,553	363.0%
2025	\$6,791,298	3.0%	\$181,634,890	3.0%
2026	\$6,995,037	3.0%	\$264,432,312	45.6%
2027	\$7,204,888	3.0%	\$272,365,281	3.0%
2028	\$7,421,035	3.0%	\$417,651,898	53.3%
2029	\$7,643,666	3.0%	\$430,181,455	3.0%
2030	\$7,872,976	3.0%	\$443,086,899	3.0%
2031	\$8,109,165	3.0%	\$456,379,506	3.0%
2032	\$8,352,440	3.0%	\$470,070,891	3.0%
2033	\$8,603,014	3.0%	\$484,173,018	3.0%
2034	\$8,861,104	3.0%	\$522,025,991	7.8%
2035	\$9,126,937	3.0%	\$561,014,554	7.5%
2036	\$9,400,745	3.0%	\$601,172,774	7.2%
2037	\$9,682,767	3.0%	\$642,535,740	6.9%
2038	\$9,973,251	3.0%	\$685,139,596	6.6%
2039	\$10,272,448	3.0%	\$729,021,567	6.4%
2040	\$10,580,621	3.0%	\$774,219,997	6.2%
2041	\$10,898,040	3.0%	\$820,774,380	6.0%
2042	\$11,224,981	3.0%	\$868,725,395	5.8%
2043	\$11,561,731	3.0%	\$918,114,940	5.7%

Projected Tax Increment Revenue

The projected revenue allocation proceeds also referred to as Tax Increment Revenues (TIF) from the assessed value growth broken out in the no-build and development scenarios are shown in Table 7 and Table 8. By the end of the District’s life, it is estimated that there is potential to generate roughly \$5.1 million in that fiscal year from tax increment in the defined development scenario and roughly \$30,000 if no development would occur at all. Cumulatively, if fully developed as defined, the proposed district is estimated to generate approximately \$58.1 million in tax increment revenue and \$292,000 with no development.

Figure 4. Projected Tax Increment Revenue at end of Kuna East Urban Renewal District life

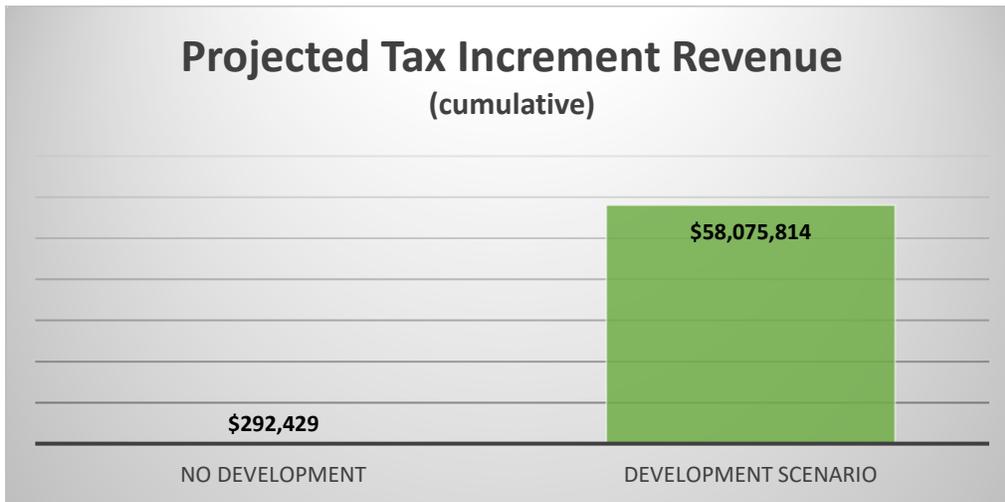


Table 7. Tax Increment Revenue Projection: No Development Scenario

No Development						
Year	Projected Assessed Value	Base	Increment Value	Levy Rate	Tax Increment Yield (annual)	TIF (cumulative)
2022	\$6,215,000	\$6,215,000	---	0.005571016	---	---
2023	\$6,401,450	\$6,215,000	---	0.005571016	---	---
2024	\$6,593,494	\$6,215,000	\$378,494	0.005571016	\$2,109	\$2,109
2025	\$6,791,298	\$6,215,000	\$576,298	0.005571016	\$3,211	\$5,319
2026	\$6,995,037	\$6,215,000	\$780,037	0.005571016	\$4,346	\$7,556
2027	\$7,204,888	\$6,215,000	\$989,888	0.005571016	\$5,515	\$13,071
2028	\$7,421,035	\$6,215,000	\$1,206,035	0.005571016	\$6,719	\$19,790
2029	\$7,643,666	\$6,215,000	\$1,428,666	0.005571016	\$7,959	\$27,749
2030	\$7,872,976	\$6,215,000	\$1,657,976	0.005571016	\$9,237	\$36,985
2031	\$8,109,165	\$6,215,000	\$1,894,165	0.005571016	\$10,552	\$47,538
2032	\$8,352,440	\$6,215,000	\$2,137,440	0.005571016	\$11,908	\$59,446
2033	\$8,603,014	\$6,215,000	\$2,388,014	0.005571016	\$13,304	\$72,749
2034	\$8,861,104	\$6,215,000	\$2,646,104	0.005571016	\$14,741	\$87,491
2035	\$9,126,937	\$6,215,000	\$2,911,937	0.005571016	\$16,222	\$103,713
2036	\$9,400,745	\$6,215,000	\$3,185,745	0.005571016	\$17,748	\$121,461
2037	\$9,682,767	\$6,215,000	\$3,467,767	0.005571016	\$19,319	\$140,780
2038	\$9,973,251	\$6,215,000	\$3,758,251	0.005571016	\$20,937	\$161,717
2039	\$10,272,448	\$6,215,000	\$4,057,448	0.005571016	\$22,604	\$184,321
2040	\$10,580,621	\$6,215,000	\$4,365,621	0.005571016	\$24,321	\$208,642
2041	\$10,898,040	\$6,215,000	\$4,683,040	0.005571016	\$26,089	\$234,732
2042	\$11,224,981	\$6,215,000	\$5,009,981	0.005571016	\$27,911	\$262,642
2043	\$11,561,731	\$6,215,000	\$5,346,731	0.005571016	\$29,787	\$292,429

*adjusted for inflation (3%)

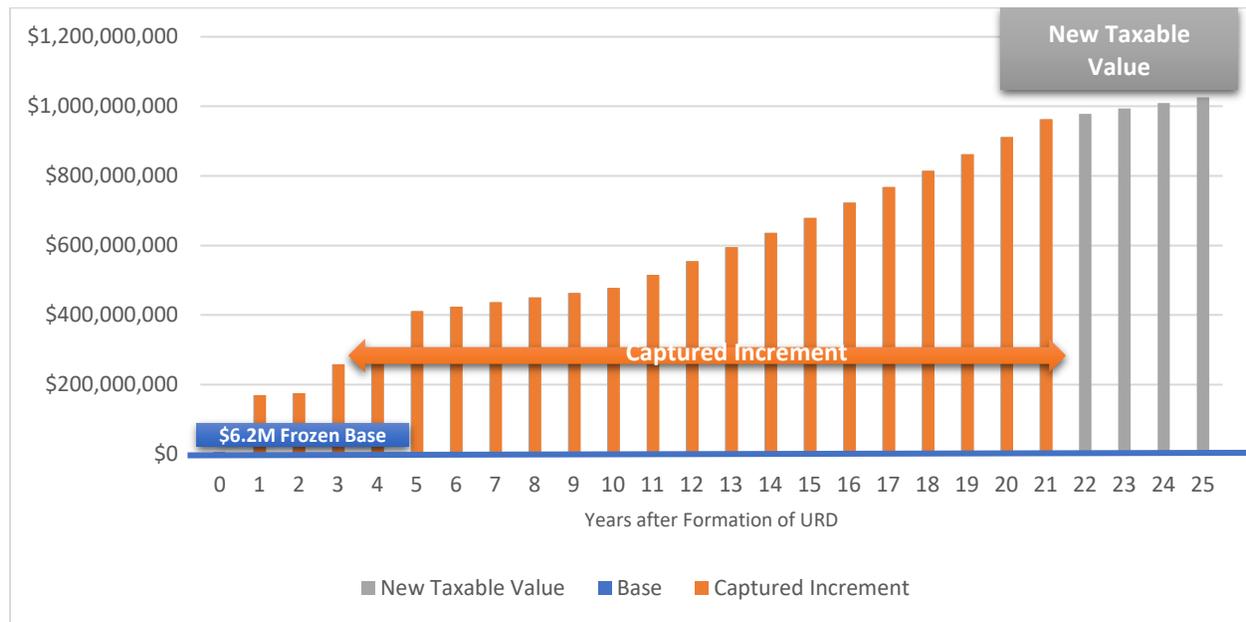
Table 8. Tax Increment Revenue Projection: Development Scenario

Development Scenario						
Year	Projected Assessed Value	Base	Increment Value	Levy Rate	Tax Increment Yield (annual)	TIF (cumulative)
2022	\$6,215,000	\$6,215,000	---	0.005571016	---	---
2023	\$38,086,305	\$6,215,000	---	0.005571016	---	---
2024	\$176,344,553	\$6,215,000	\$170,129,553	0.005571016	\$947,794	\$947,794
2025	\$181,634,890	\$6,215,000	\$175,419,890	0.005571016	\$977,267	\$1,925,061
2026	\$264,432,312	\$6,215,000	\$258,217,312	0.005571016	\$1,438,533	\$2,415,800
2027	\$272,365,281	\$6,215,000	\$266,150,281	0.005571016	\$1,482,727	\$3,898,527
2028	\$417,651,898	\$6,215,000	\$411,436,898	0.005571016	\$2,292,122	\$6,190,649
2029	\$430,181,455	\$6,215,000	\$423,966,455	0.005571016	\$2,361,924	\$8,552,573
2030	\$443,086,899	\$6,215,000	\$436,871,899	0.005571016	\$2,433,820	\$10,986,393
2031	\$456,379,506	\$6,215,000	\$450,164,506	0.005571016	\$2,507,874	\$13,494,267
2032	\$470,070,891	\$6,215,000	\$463,855,891	0.005571016	\$2,584,149	\$16,078,415
2033	\$484,173,018	\$6,215,000	\$477,958,018	0.005571016	\$2,662,712	\$18,741,127
2034	\$522,025,991	\$6,215,000	\$515,810,991	0.005571016	\$2,873,591	\$21,614,718
2035	\$561,014,554	\$6,215,000	\$554,799,554	0.005571016	\$3,090,797	\$24,705,516
2036	\$601,172,774	\$6,215,000	\$594,957,774	0.005571016	\$3,314,519	\$28,020,035
2037	\$642,535,740	\$6,215,000	\$636,320,740	0.005571016	\$3,544,953	\$31,564,988
2038	\$685,139,596	\$6,215,000	\$678,924,596	0.005571016	\$3,782,300	\$35,347,288
2039	\$729,021,567	\$6,215,000	\$722,806,567	0.005571016	\$4,026,767	\$39,374,055
2040	\$774,219,997	\$6,215,000	\$768,004,997	0.005571016	\$4,278,568	\$43,652,623
2041	\$820,774,380	\$6,215,000	\$814,559,380	0.005571016	\$4,537,923	\$48,190,546
2042	\$868,725,395	\$6,215,000	\$862,510,395	0.005571016	\$4,805,059	\$52,995,605
2043	\$918,114,940	\$6,215,000	\$911,899,940	0.005571016	\$5,080,209	\$58,075,814

*includes planned and projected development and is adjusted for inflation (3%)

Figure 5 summarizes the increment revenue throughout the life of the Kuna East District under the development scenario and the new taxable valuable into perpetuity. For purposes of this report analysis, 100% of the projects under discussion are assumed at the beginning of the District’s life (if established in 2022) and the potential future developments are less certain; therefore, the remaining parcels were projected using a 50% development scenario and distributed across the remaining 10 years of the District’s life (end of District life is 2042, however, increment is collected through 2043).

Figure 5. Captured Increment throughout life of Kuna East Urban Renewal District (under Development Scenario)



Taxing Districts

The assessed value of the properties in an urban renewal district at the time the district is put in place is called the **base** value. The **increment** value is the amount that the assessed value increases above the base after the urban renewal district is put in place. In general, and subject to Idaho Code 50-2908, an agency receives an allocation of revenue from property tax dollars generated from incremental value.

Taxing districts have the ability to collect their full budget requests. Under Idaho Code § 63-802, taxing entities are limited in their ability to increase the property tax portion of their budgets, which as assessed values rise could result in a likely reduction of the levy rate over time.

In addition, without the Revenue Allocation Area and its ability to pay for public improvements and public facilities, fewer substantial improvements within the Kuna East District would be expected during the term of the Plan; hence, there would be lower increases in assessed valuation to be used by the other taxing entities.

A result of new construction occurring outside the revenue allocation area (Idaho Code §§ 63-802 and 63-301A) is the likely reduction of the levy rate as assessed values increase for property within each taxing entity’s jurisdiction. Urban renewal does not impact budgets of taxing districts.

The Study has made certain assumptions concerning the levy rate. It is difficult to project with any accuracy the levy rate over time so for purposes of this Study have used a constant levy rate. More than likely, this rate will be lower in future years as development occurs. If the overall levy rate is less than projected, or the assessed values do not increase as expected, or expected development fails to occur as estimated, the Agency shall receive fewer funds from revenue allocation.

Pursuant to Idaho Code § 50-2908, the Agency is not entitled to revenue allocation proceeds from certain levy increases (e.g. from voter approved levies and bonds) which are allowed by either specific statutory authorization or approved by an election of the qualified electors of the particular taxing district. Therefore, for any levy election, the Agency will not receive revenue allocation funds which would have been generated by imposing that levy on the assessed valuation within the Project Area. The Study has taken this statute into account.

Dedicating efforts to maintaining a healthy economy is one variable in a viable city. These efforts will produce induced economic benefits in terms of jobs, sales, and expected overall increase in population.

Jobs

Job creation is one of the core outcomes of urban renewal. As a result of business growth within an urban renewal district, the spill-over effects from job creation and the wealth it generates is injected throughout the region.

The potential future development of this District is used to estimate the number of jobs and resulting multiplier effects. The economic activity related to these jobs is a result of the millions of dollars of goods and services purchased from local vendors and the wages and benefits paid to local workers. The initial outlay of funds circulates to the business owners and employees that supply the materials, goods and services needed for business. These contractors, businesses, and employees continue the economic ripple effect by purchasing goods and services.

This job impact analysis breaks down the job impacts by use, using the most conservative estimates. Initial jobs were estimated using industry standards—floor-to-area ratios based on building sites and average number of employees per square foot by industry.

The extent to which the initial expenditures multiply is estimated using economic models that depict the relationships between industries and firms and their employees. These models are built upon expenditure patterns that are reported to the U.S. Bureau of Labor Statistics, the U.S. Census Bureau and the Bureau of Economic Analysis. Data is regionalized so that it reflects and incorporates local conditions such as average wages, expenditure patterns and resource availability and costs.

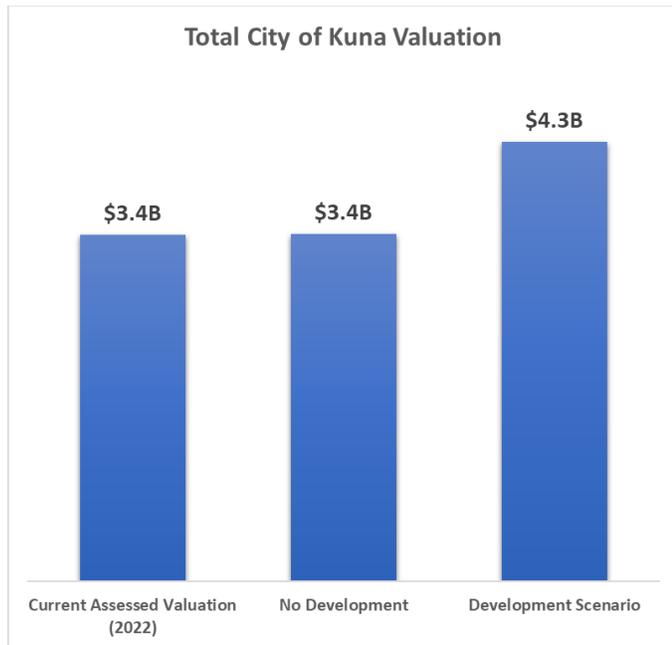
The multipliers used in this analysis were generated by an economic modeling tool produced by IMPLAN and were cross-referenced with U.S. Bureau of Economic Analysis' RIMS II multipliers.

Table 9. Total Job Impacts

Total JOB IMPACTS		
Direct	Indirect + Induced	Total
1,792	140	1,932

Conclusion

Given the proposed infrastructure project and improvement list focusing on Priority A Projects, planned and potential development estimates and data to project tax increment revenue, the proposed Kuna East Urban Renewal District is economically feasible. The unfunded projects identified in Priority B Projects and Priority C Projects could be undertaken should revenue allocation proceeds exceed projections, or other funding sources become available. The Kuna East District has the potential to add roughly \$918 million to property tax assessments following termination of the district, into perpetuity. If no development would occur, an additional \$11.6 million to the current assessed valuation could be expected.



Increment revenue projected to accrue is upwards of \$58.1 million if fully developed as analyzed and \$292,000 in a no development scenario.

The anticipated industrial growth stimulated by the creation of this Kuna East District, will lead to job creation. For planning purposes, the District has the potential to create roughly 1,800 direct jobs if developed as analyzed under the Development Scenario. The additional 1,800 jobs would create another 140 jobs in other sectors across the community and region. Such impacts which will create an increase of flow of earnings to circulate around the community by, ultimately, increasing tax revenues and the overall tax base—bettering the community as a whole.

Cumulative Estimated Tax Increment Revenue Generated by End of District Life	
No Development	Development Scenario
\$292,429	\$58,075,814

Appendix: Cash Flow

Cash Flow Analysis Kuna East Urban Renewal District Based on 100% Development of Planned Projects and 50% Development of Projected (Priority A Infrastructure Projects)

Planning Year	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Year	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043
Beginning Balance	\$ -	\$ -	\$ -	\$ 847,794	\$ 895,061	\$ 2,233,594	\$ 2,841,322	\$ 5,033,443	\$ 2,229,367	\$ 4,563,188	\$ 2,562,561	\$ 638,210	\$ 3,200,922	\$ 1,758,513	\$ 533,310	\$ 3,747,829	\$ 3,693,782	\$ 3,877,082	\$ 4,304,849	\$ 4,573,417	\$ 4,235,341	\$ 4,164,400
Source of Funds																						
Revenue Allocation	---	---	947,794	977,267	1,438,533	1,482,727	2,292,122	2,361,924	2,433,820	2,507,874	2,584,149	2,662,712	2,873,591	3,090,797	3,314,519	3,544,953	3,782,300	4,026,767	4,278,568	4,537,923	4,805,059	5,080,209
City Contribution	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
Other Revenue	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
Total Funds Available	\$ -	\$ -	\$ 947,794	\$ 1,825,061	\$ 2,333,594	\$ 3,716,322	\$ 5,133,443	\$ 7,395,367	\$ 4,663,188	\$ 7,071,061	\$ 5,146,710	\$ 3,300,922	\$ 6,074,513	\$ 4,849,310	\$ 3,847,829	\$ 7,292,782	\$ 7,476,082	\$ 7,903,849	\$ 8,583,417	\$ 9,111,341	\$ 9,040,400	\$ 9,244,609
Use of Funds																						
Infrastructure Expenditures																						
Total Infrastructure Expenditures¹	\$ -	\$ -	\$ -	\$ 830,000	\$ -	\$ 775,000	\$ -	\$ 5,066,000	\$ -	\$ 4,408,500	\$ 4,408,500	\$ -	\$ 4,216,000	\$ 4,216,000	\$ -	\$ 3,499,000	\$ 3,499,000	\$ 3,499,000	\$ 3,499,000	\$ 3,910,000	\$ 4,776,000	\$ -
Water Improvements						575,000		5,066,000		4,408,500			4,216,000	4,216,000								
Sewer Improvements																						
Road Improvements																						
Electrical Improvements																						
Gas Improvements				583,000																		
Fiber/broadband Improvements																						
Other Public Infrastructure Improvements																						
Net available for Operating Expenses & Debt Service	\$ -	\$ -	\$ 947,794	\$ 995,061	\$ 2,333,594	\$ 2,941,322	\$ 5,133,443	\$ 2,329,367	\$ 4,663,188	\$ 2,662,561	\$ 738,210	\$ 3,300,922	\$ 1,858,513	\$ 633,310	\$ 3,847,829	\$ 3,793,782	\$ 3,977,082	\$ 4,404,849	\$ 4,673,417	\$ 4,335,341	\$ 4,264,400	\$ 9,244,609
Operating Expenses																						
Agency Operating Expenses ²	0	0	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
Total Operating Expenses	\$ -	\$ -	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
Net Available after Investments & Operating Expenses	\$ -	\$ -	\$ 847,794	\$ 895,061	\$ 2,233,594	\$ 2,841,322	\$ 5,033,443	\$ 2,229,367	\$ 4,563,188	\$ 2,562,561	\$ 638,210	\$ 3,200,922	\$ 1,758,513	\$ 533,310	\$ 3,747,829	\$ 3,693,782	\$ 3,877,082	\$ 4,304,849	\$ 4,573,417	\$ 4,235,341	\$ 4,164,400	\$ 9,144,609
Reimbursement Agreements																						
Available for reimbursement (to public entities, property owners or developers pursuant to a participation agreement)	\$ -	\$ -	\$ 847,794	\$ 895,061	\$ 2,233,594	\$ 2,841,322	\$ 5,033,443	\$ 2,229,367	\$ 4,563,188	\$ 2,562,561	\$ 638,210	\$ 3,200,922	\$ 1,758,513	\$ 533,310	\$ 3,747,829	\$ 3,693,782	\$ 3,877,082	\$ 4,304,849	\$ 4,573,417	\$ 4,235,341	\$ 4,164,400	\$ 9,144,609
OPA Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Use of Funds	\$ -	\$ -	\$ 100,000	\$ 930,000	\$ 100,000	\$ 875,000	\$ 100,000	\$ 5,166,000	\$ 100,000	\$ 4,508,500	\$ 4,508,500	\$ 100,000	\$ 4,316,000	\$ 4,316,000	\$ 100,000	\$ 3,599,000	\$ 3,599,000	\$ 3,599,000	\$ 4,010,000	\$ 4,876,000	\$ 4,676,000	\$ 100,000
Ending Balance	\$ -	\$ -	\$ 847,794	\$ 895,061	\$ 2,233,594	\$ 2,841,322	\$ 5,033,443	\$ 2,229,367	\$ 4,563,188	\$ 2,562,561	\$ 638,210	\$ 3,200,922	\$ 1,758,513	\$ 533,310	\$ 3,747,829	\$ 3,693,782	\$ 3,877,082	\$ 4,304,849	\$ 4,573,417	\$ 4,235,341	\$ 4,164,400	\$ 9,144,609

¹Agency operations are estimated at 15% per year. ²Use of funds are infrastructure projects prioritized by the City. Priority A projects were used in this analysis, however, Priority B and C projects may be re-prioritized at any point by the Agency and City.
³Project costs may include property acquisition

Attachment 6

Agricultural Operation Consents

[Exhibits B and C Were Originally Attached to Each Consent; To Avoid Duplication and to Reduce Document Size Exhibits B and C Are Attached One Time to the Last Consent]

AGRICULTURAL OPERATION CONSENT FORM

COMES NOW **David Wali**, authorized representative of GC Kuna Land L.C., an Utah LLC (“GC Kuna Land”), and states that [GC Kuna Land] owns that certain property generally described as Parcel Identification Number **S2007111102** in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the “Property”), and hereby certifies:

(1) that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated December 2021, entitled the Kuna Urban Renewal District Eligibility Report, Kuna East District, prepared by J-U-B Engineers, Inc. and as attached hereto as Exhibit C.

Further, David Wali, authorized representative of GC Kuna Land an Utah LLC, hereby provides his consent and approval that the subject Property, or a portion of such Property, may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 20th day of September, 2022.

GC Kuna Land L.C.


Name: David Wali
Title: owner Kuna

STATE OF IDAHO)
) ss:
County of Ada)

On this 20th day of September, 2022, before me, a Notary Public for the state of Idaho, personally appeared Dave Wali, known or identified to me to be the representative of the owner that executed the instrument or the person who executed the instrument on behalf of said owner and acknowledged to me that such owner executed the same.



Notary Public

My Commission Expires on 08/14/2024



EXHIBIT A

PARCEL NUMBER

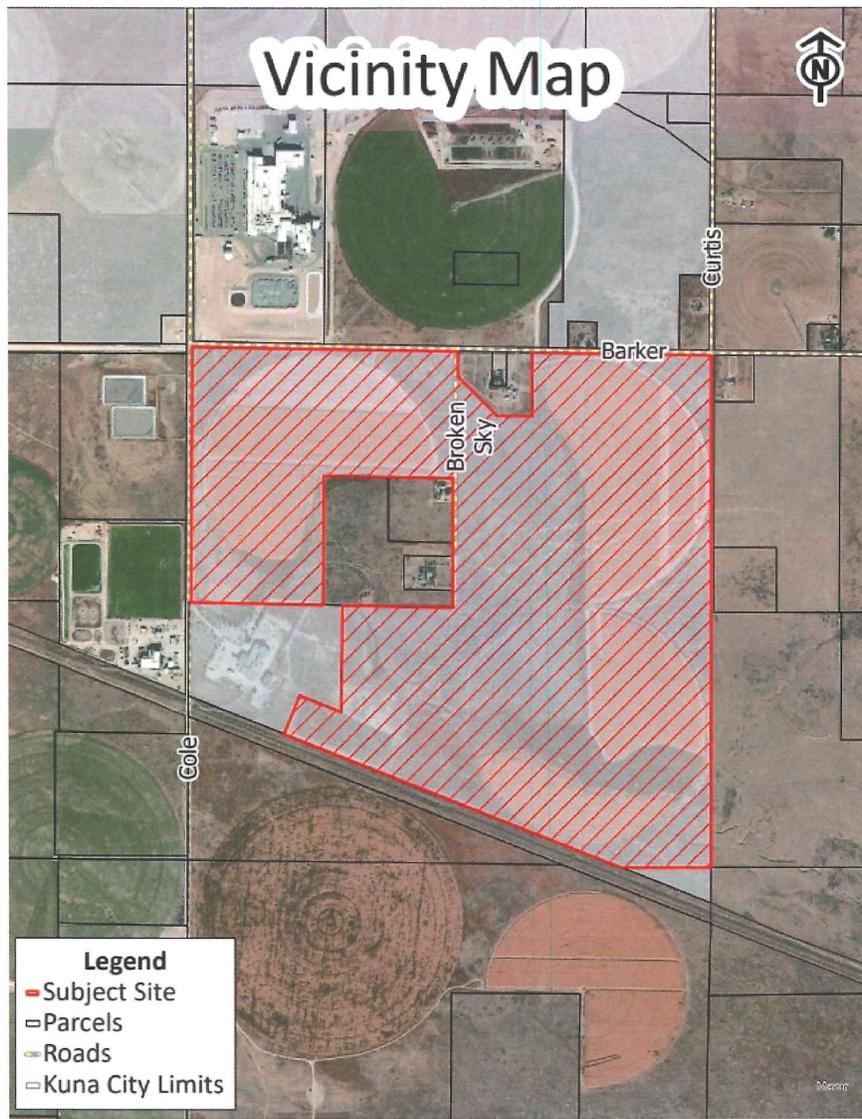
S2007111102

ADDRESS

S COLE RD KUNA, ID 83634-0000

DESCRIPTION

PAR #1100 N'LY SEC 7 1N 2E LYING N'LY OF UP RR R/W NE COR SEC18 1N 2E



AGRICULTURAL OPERATION CONSENT FORM

COMES NOW **Stephanos Collias**, authorized representative of Holton Equidebt, LLC, an Idaho limited liability company ("Holton Equidebt"), and states that of Holton Equidebt owns that certain property generally described as Parcel Identification Number S2101110050 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1) that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated December 2021, entitled the Kuna Urban Renewal District Eligibility Report, Kuna East District, prepared by J-U-B Engineers, Inc. and as attached hereto as Exhibit C.

Further, Stephanos Collias, authorized representative of Holton Equidebt, an Idaho limited liability company, hereby provides his consent and approval that the subject Property, or a portion of such Property, may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 3rd day of August, 2022.

Holton Equidebt, LLC

Name: STEPHANOS J. COLLIAS

Title: Managing Member

EXHIBIT A

PARCEL NUMBER

S2101110050

ADDRESS

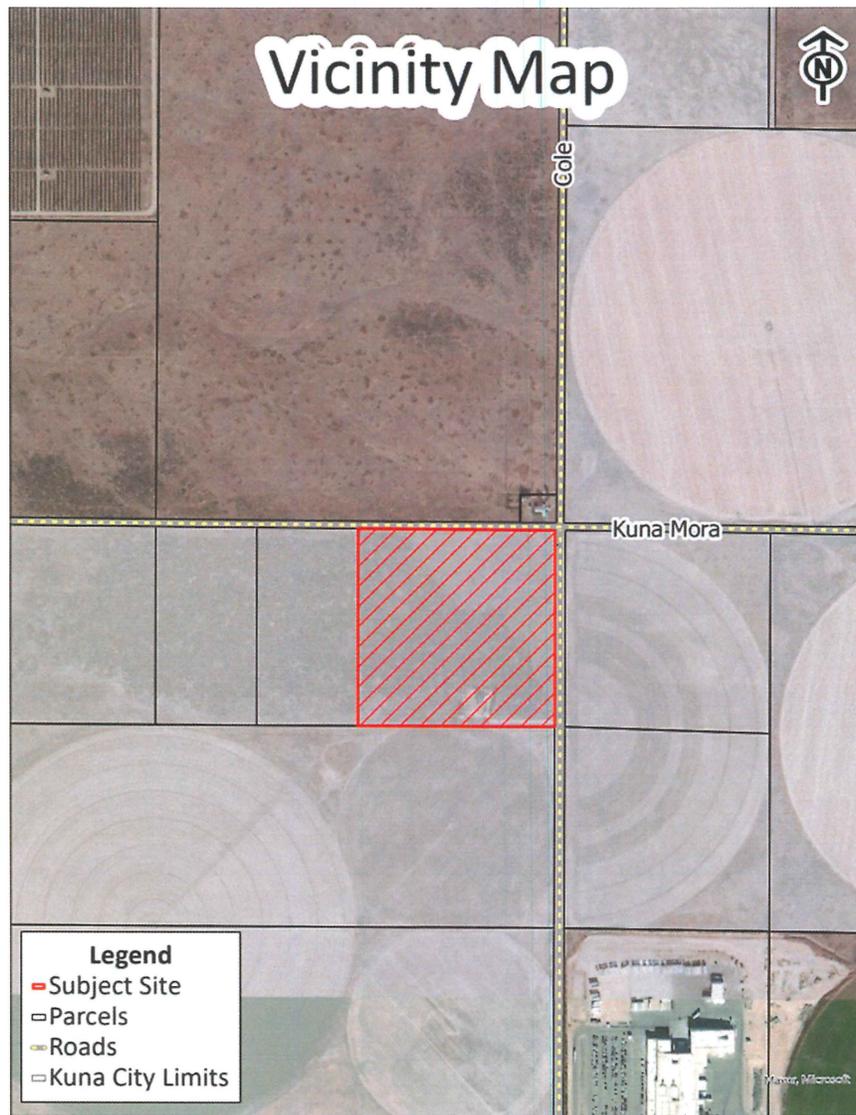
16005 S COLE RD KUNA , ID 83634

DESCRIPTION

PAR #0050 OF GOVT LOT 01

SEC 1 1N 1E

#111000-S



AGRICULTURAL OPERATION CONSENT FORM

COMES NOW **Stephanos J Collias**, and states that he owns that certain property generally described as Parcel Identification Number **S2101120620** in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1) that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated December 2021, entitled the Kuna Urban Renewal District Eligibility Report, Kuna East District, prepared by J-U-B Engineers, Inc. and as attached hereto as Exhibit C.

Further, **Stephanos J Collias**, hereby provides his consent and approval that the subject Property, or a portion of such Property, may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 3rd day of August, 2022.

Stephanos J Collias


Name: STEPHANOS J. COLLIAS
Title: _____

EXHIBIT A

PARCEL NUMBER

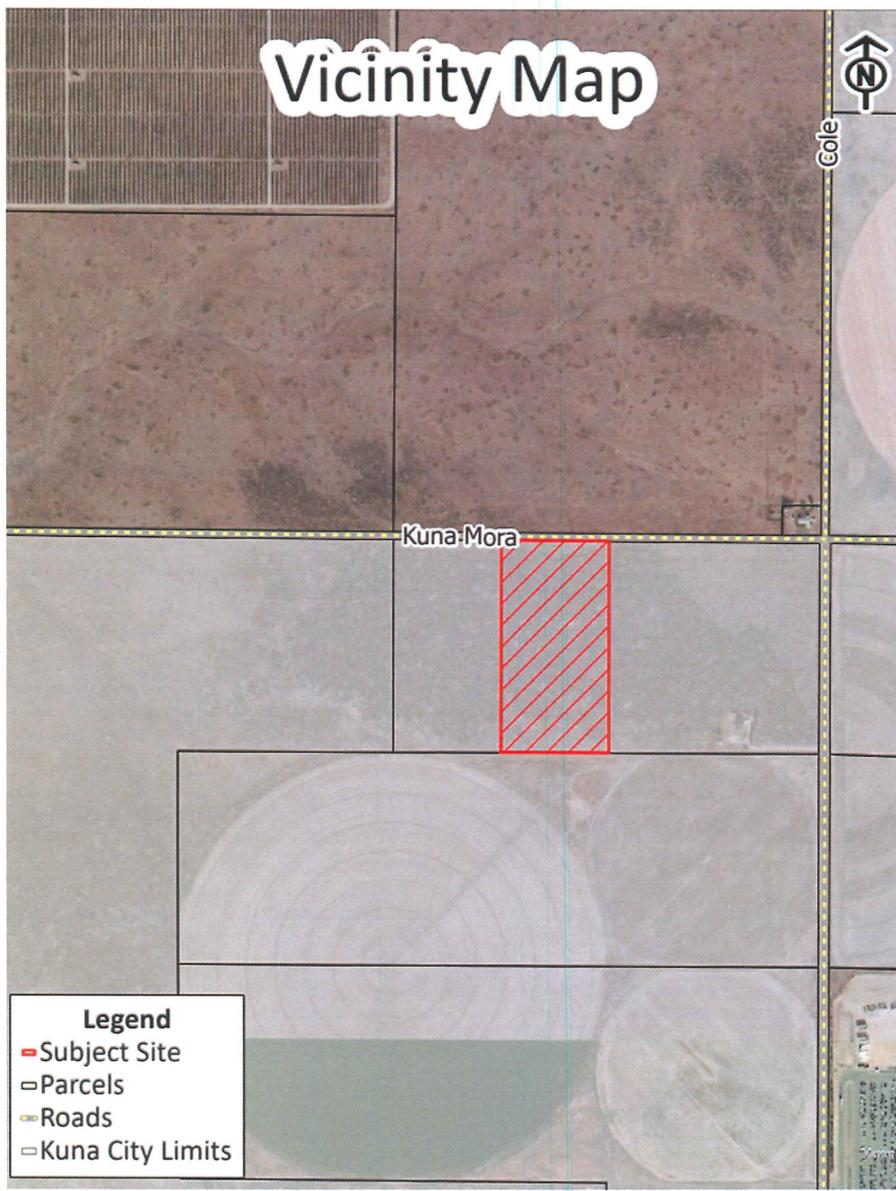
S2101120620

ADDRESS

W KUNA MORA RD KUNA, ID 83634-0000

DESCRIPTION

PAR #0620 POR GOV LOT 2 SEC 1 1N 1E PARCEL B ROS 12692



AGRICULTURAL OPERATION CONSENT FORM

COMES NOW **Stephanos Collias**, authorized representative of Collias Cattle Company, LLC, an Idaho limited liability company (“Collias Cattle Company”), and states that of Collias Cattle Company owns that certain property generally described as Parcel Identification Number **S2101310000** in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the “Property”), and hereby certifies:

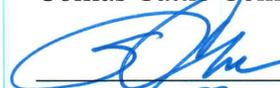
(1) that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated December 2021, entitled the Kuna Urban Renewal District Eligibility Report, Kuna East District, prepared by J-U-B Engineers, Inc. and as attached hereto as Exhibit C.

Further, Stephanos Collias, authorized representative of Collias Cattle Company, an Idaho Idaho limited liability company, hereby provides his consent and approval that the subject Property, or a portion of such Property, may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 3rd day of August, 2022.

Collias Cattle Company, LLC



Name: STEPHANOS J. COLLIAS
Title: MEMBER

EXHIBIT A

PARCEL NUMBER

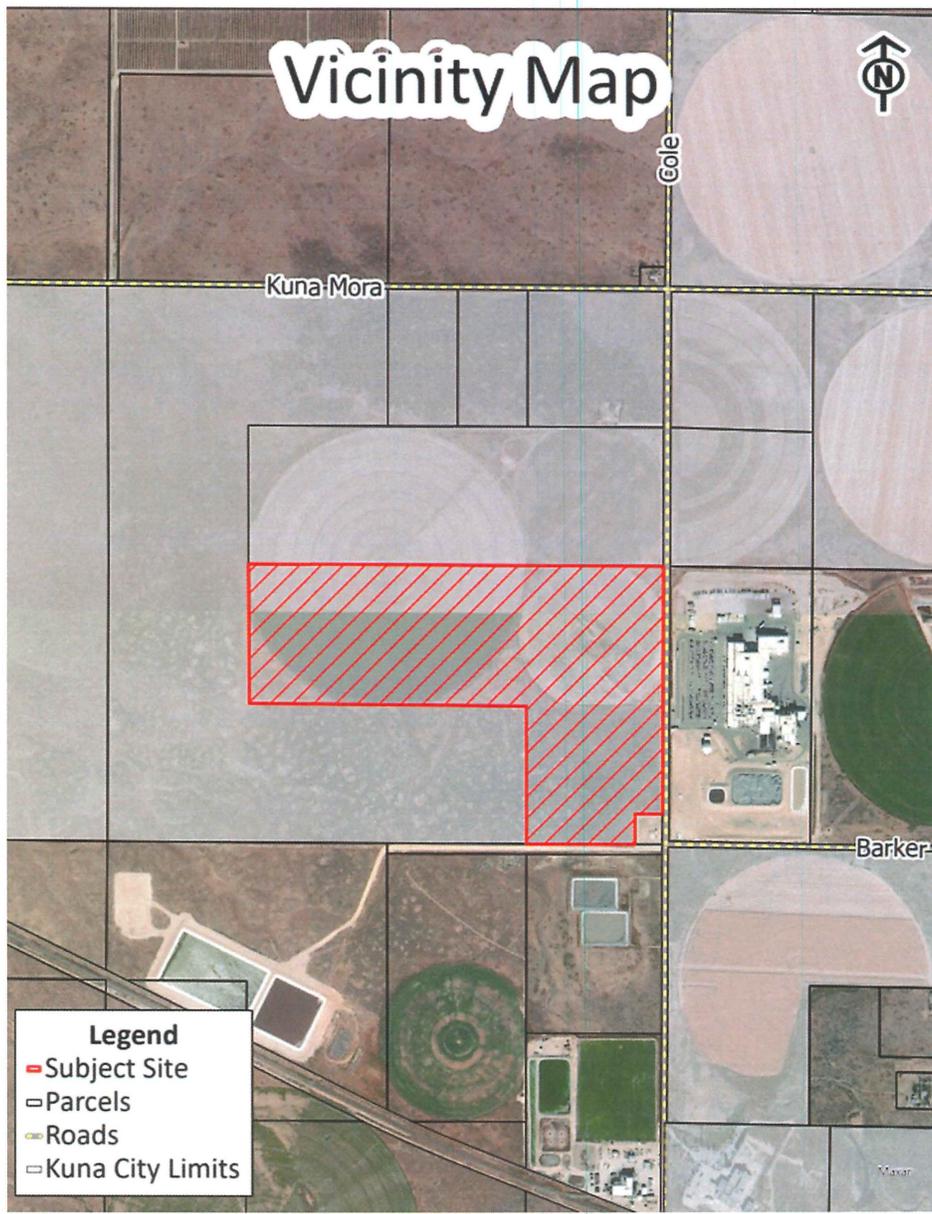
S2101310000

ADDRESS

S COLE RD KUNA, ID 83634-0000

DESCRIPTION

NE4SW4 N2SE4 SE4SE4 EXC SE 2A SEC 1 1N 1E



AGRICULTURAL OPERATION CONSENT FORM

COMES NOW James Gatzolis, authorized representative of Narragansett Properties LLC, and states Narragansett Properties LLC owns that certain property generally described as Parcel Identification Number **S2101130000** in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1) that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated December 2021, entitled the Kuna Urban Renewal District Eligibility Report, Kuna East District, prepared by J-U-B Engineers, Inc. and as attached hereto as Exhibit C.

Further, James Gatzolis, authorized representative of Narragansett Properties LLC hereby provides his consent and approval that the subject Property, or a portion of such Property, may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 02nd day of September, 2022.

Narragansett Properties LLC


Name: JAMES J GATZOLIS
Title: Manager

STATE OF Illinois)
County of Cook) ss:

~~Illinois~~ On this 22nd day of September, 2022, before me, a Notary Public for the state of ~~Illinois~~, personally appeared JAMES J. SATOLIS, known or identified to me to be the Manager of the Narragansett Properties LLC that executed the instrument or the person who executed the instrument on behalf of said Narragansett Properties LLC and acknowledged to me that such manager executed the same.



Notary Public
My Commission Expires on July 14, 2024

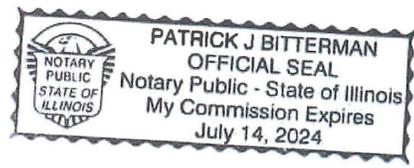


EXHIBIT A

PARCEL NUMBER

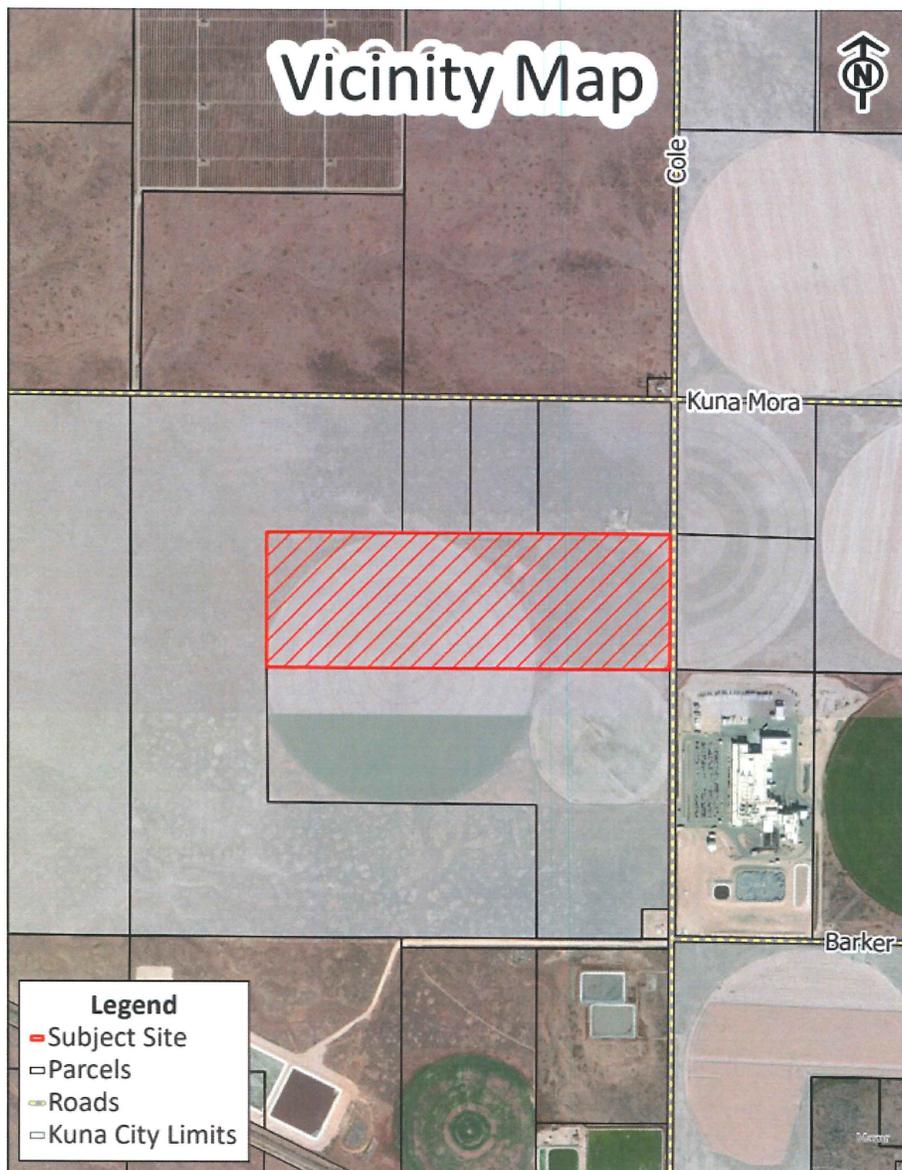
S2101130000

ADDRESS

S COLE RD KUNA, ID 83634-0000

DESCRIPTION

S2NE4 SE4NW4 SEC 1 1N 1E #7706240





AGRICULTURAL OPERATION CONSENT FORM

COMES NOW Brisbie LLC, an Idaho limited liability company (“Brisbie”), and states that Brisbie owns and has recently acquired those certain parcels of real property generally described as Parcel Identification Numbers S1531233600, S1531300000, S2006121115, and S2006121150 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the “Property”), and hereby certifies:

(1) To Brisbie’s knowledge, the Property has been used, within the last three (3) years, as an agricultural operation; and

(2) Brisbie has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated December 2021, entitled the Kuna Urban Renewal District Eligibility Report, Kuna East District, prepared by J-U-B Engineers, Inc. and as attached hereto as Exhibit C.

Further, Brisbie hereby provides its consent and approval that the subject Property, or a portion of such Property, may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 18th day of April, 2022.

BRISBIE LLC, a Delaware limited liability company

A handwritten signature in black ink that reads "Paul Clements".

Name: PAUL CLEMENTS

Title: AUTHORIZED REPRESENTATIVE



STATE OF Idaho)
) ss:
County of Ada)

On this 18th day of April, 2022, before me, a Notary Public for the state of Idaho, personally appeared Paul Clements, known or identified to me to be the Authorized Rep of the Bushie LLC that executed the instrument or the person who executed the instrument on behalf of said Bushie LLC and acknowledged to me that such Paul Clements executed the same.

CHRIS ENGELS
COMMISSION #56917
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 10/15/2022

Chris Engels
Notary Public
My Commission Expires on 10/15/2022



EXHIBIT A

PARCEL NUMBERS AND LEGAL DESCRIPTIONS

The Land referred to herein below is situated in the County of Ada, State of ID, and is described as follows:

PARCEL 1:

Ada County parcel no. S1531233600
(NNA S Cole Rd)

LOT 2, SECTION 31, TOWNSHIP 2 NORTH, RANGE 2 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO.

PARCEL 2:

Ada County parcel no. S1531300000
(6990 W Kuna Mora Rd)

LOTS 3 AND 4 AND THE EAST HALF OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, ALL IN SECTION 31, TOWNSHIP 2 NORTH, RANGE 2 EAST OF THE BOISE MERIDIAN, IN ADA COUNTY, STATE OF IDAHO.

PARCEL 3:

Ada County parcel no. S2006121115
(6601 W Kuna Mora Rd)

BASIS OF BEARINGS FOR THIS DESCRIPTION IS NORTH 0°08'05" WEST BETWEEN THE 5/8" REBAR ILLEGIBLE CAP MARKING THE SOUTHWEST CORNER OF SECTION 6, AND THE ALUMINUM CAP MARKING THE WEST QUARTER CORNER OF SECTION 6, BOTH IN TOWNSHIP 1 NORTH, RANGE 2 EAST, BOISE MERIDIAN

PARCEL B RECORD OF SURVEY 10795 RECORDED JANUARY 30, 2017, AS INSTRUMENT NO. 2017009059, BEING A PORTION OF GOVERNMENT LOT 1, GOVERNMENT LOT 2 AND 3, SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:



COMMENCING AT AN ALUMINUM CAP MARKING THE NORTHEAST CORNER OF SECTION 6; THENCE

SOUTH 0°05'21" WEST, COINCIDENT WITH THE EAST LINE OF SAID SECTION 6, A DISTANCE OF 545.00 FEET TO A 5/6" REBAR WHICH IS THE POINT OF BEGINNING; THENCE CONTINUING

SOUTH 0°05'21" WEST, COINCIDENT WITH THE EAST LINE OF SAID SECTION 6, A DISTANCE OF 2107.72 FEET TO THE EAST QUARTER OF SAID SECTION 6; THENCE

NORTH 89°17'57" WEST, COINCIDENT WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6, A DISTANCE OF 2645.64 FEET TO A 5/8" REBAR MARKING THE C1/4 CORNER OF SAID SECTION 6; THENCE

NORTH 89°17'57" WEST, COINCIDENT WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 1318.37 FEET TO A 5/8" REBAR MARKING THE CW1/16 CORNER; THENCE

NORTH 0°09'14" WEST, COINCIDENT WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND THE WEST LINE OF GOVERNMENT LOT 3, A DISTANCE OF 2663.23 FEET TO A 5/6" REBAR MARKING THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 3; THENCE

SOUTH 89°25'26" EAST, COINCIDENT WITH THE NORTH LINE OF SAID GOVERNMENT LOT 3, A DISTANCE OF 1324.71 FEET TO A 1/2" REBAR MARKING THE NORTH QUARTER CORNER OF SAID SECTION 6; THENCE

SOUTH 89°00'46" EAST, COINCIDENT WITH THE NORTH LINE OF GOVERNMENT LOT 2 AND 1, A DISTANCE OF 2250.75 FEET TO A 5/8" REBAR; THENCE

SOUTH 0°05'21" WEST PARALLEL WITH THE SAID EAST LINE OF SECTION 6, A DISTANCE OF 545.00 FEET TO A 5/8" REBAR; THENCE

SOUTH 89°00'46" EAST, PARALLEL WITH SAID NORTH LINE OF GOVERNMENT LOT 1, A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING:

PARCEL B OF ROS 11735, RECORDED AS INSTRUMENT NO. 2019015763, BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 6 FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 6 BEARS SOUTH 89°00'46" EAST, 2,650.75 FEET;

THENCE ALONG THE NORTH BOUNDARY LINE OF SAID SECTION 6



SOUTH 89°00'46" EAST, 1,348.00 FEET TO THE REAL POINT OF BEGINNING. THENCE CONTINUING ALONG SAID NORTH BOUNDARY LINE

SOUTH 89°00'46" EAST, 902.76 FEET; THENCE LEAVING SAID NORTH BOUNDARY LINE

SOUTH 00°05'21" WEST, 545.00 FEET; THENCE

SOUTH 89°00'46" EAST, 400.00 FEET TO A POINT ON THE EAST BOUNDARY LINE OF SAID SECTION 6; THENCE ALONG SAID EAST BOUNDARY LINE

SOUTH 00°05'21" WEST, 2,107.72 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 6; THENCE THE EAST-WEST CENTERLINE OF SAID SECTION 6

NORTH 89°17'57" WEST, 1,302.66 FEET; THENCE LEAVING SAID EAST-WEST CENTERLINE

NORTH 00°05'21" EAST, 2,659.23 FEET TO THE REAL POINT OF BEGINNING.

PARCEL 4:

Ada County parcel no. S2006121150
(NNA W Kuna Mora Rd)

PARCEL B OF ROS 11735, RECORDED AS INSTRUMENT NO. 2019015763, BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST, OF THE BOISE MERIDIAN, ADA COUNTY, IDAHO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 6 FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 6 BEARS SOUTH 89°00'46" EAST, 2,650.75 FEET;

THENCE ALONG THE NORTH BOUNDARY LINE OF SAID SECTION 6 SOUTH 89°00'46" EAST, 1,348.00 FEET TO THE REAL POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH BOUNDARY LINE SOUTH 89°00'46" EAST, 902.76 FEET;

THENCE LEAVING SAID NORTH BOUNDARY LINE SOUTH 00°05'21" WEST, 545.00 FEET;

THENCE SOUTH 89°00'46" EAST, 400.00 FEET TO A POINT ON THE EAST BOUNDARY LINE OF SAID SECTION 6;

INB2595691



THENCE ALONG SAID EAST BOUNDARY LINE SOUTH 00°05'21" WEST, 2,107.72 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 6;

THENCE ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 6 NORTH 89°17'57" WEST, 1,302.66 FEET;

THENCE LEAVING SAID EAST-WEST CENTERLINE NORTH 00°05'21" EAST, 2,659.23 FEET TO THE REAL POINT OF BEGINNING.



EXHIBIT B

EXCERPTS OF STATUTES

IDAHO CODE §§ 50-2018(8) AND (9)

(8) "Deteriorated area" shall mean an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare. Provided however, this definition shall not apply to any agricultural operation, as defined in section [22-4502\(2\)](#), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section [63-1701\(4\)](#), Idaho Code, absent the consent of the forest landowner, as defined in section [63-1701\(5\)](#), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

(9) "Deteriorating area" shall mean an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use; provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section [50-2008\(d\)](#), Idaho Code, shall apply; and provided further, that any disaster area referred to in section [50-2008\(g\)](#), Idaho Code, shall constitute a deteriorating area. Provided however, this definition shall not apply to any agricultural operation, as defined in section [22-4502\(2\)](#), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section [63-1701\(4\)](#), Idaho Code, absent the consent of the forest landowner, as defined in section [63-1701\(5\)](#), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.



IDAHO CODE § 50-2008

50-2008. PREPARATION AND APPROVAL OF PLAN FOR URBAN RENEWAL PROJECT. (a) An urban renewal project for an urban renewal area shall not be planned or initiated unless the local governing body has, by resolution, determined such area to be a deteriorated area or a deteriorating area or a combination thereof and designated such area as appropriate for an urban renewal project.

(b) An urban renewal agency may itself prepare or cause to be prepared an urban renewal plan, or any person or agency, public or private, may submit such a plan to an urban renewal agency. Prior to its approval of an urban renewal project, the local governing body shall submit such plan to the planning commission of the municipality, if any, for review and recommendations as to its conformity with the general plan for the development of the municipality as a whole. The planning commission shall submit its written recommendations with respect to the proposed urban renewal plan to the local governing body within sixty (60) days after receipt of the plan for review. Upon receipt of the recommendations of the planning commission, or if no recommendations are received within said sixty (60) days, then without such recommendations, the local governing body may proceed with the hearing on the proposed urban renewal project prescribed by subsection (c) hereof.

(c) The local governing body shall hold a public hearing on an urban renewal project, after public notice thereof by publication in a newspaper having a general circulation in the area of operation of the municipality. The notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the plan, and shall outline the general scope of the urban renewal project under consideration.

(d) Following such hearing, the local governing body may approve an urban renewal project and the plan therefor if it finds that (1) a feasible method exists for the location of families who will be displaced from the urban renewal area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan conforms to the general plan of the municipality as a whole; (3) the urban renewal plan gives due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety and welfare of children residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise: Provided, that if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for residential uses, the local governing body shall determine that a shortage of housing of sound standards and design which is decent, safe and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality, or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and



development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in this act, because of defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area.

(e) An urban renewal plan may be modified at any time: Provided that if modified after the lease or sale by the urban renewal agency of real property in the urban renewal project area, such modification may be conditioned upon such approval of the owner, lessee or successor in interest as the urban renewal agency may deem advisable and in any event shall be subject to such rights at law or in equity as a lessee or purchaser, or his successor or successors in interest, may be entitled to assert.

(f) Upon the approval by the local governing body of an urban renewal plan or of any modification thereof, such plan or modification shall be deemed to be in full force and effect for the respective urban renewal area, and the urban renewal agency may then cause such plan or modification to be carried out in accordance with its terms.

(g) Notwithstanding any other provisions of this act, where the local governing body certifies that an area is in need of redevelopment or rehabilitation as a result of a flood, fire, hurricane, earthquake, storm, or other catastrophe respecting which the governor of the state has certified the need for disaster assistance under 42 U.S.C. section 5121, or other federal law, the local governing body may approve an urban renewal plan and an urban renewal project with respect to such area without regard to the provisions of subsection (d) of this section and the provisions of this section requiring a general plan for the municipality and a public hearing on the urban renewal project.

(h) Any urban renewal plan containing a revenue allocation financing provision shall include the information set forth in section [50-2905](#), Idaho Code.

**IDAHO CODE §50-2903(8)**

(8) "Deteriorated area" means:

(a) Any area, including a slum area, in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.

(b) Any area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, results in economic underdevelopment of the area, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use.

(c) Any area which is predominately open and which because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. The provisions of section [50-2008](#)(d), Idaho Code, shall apply to open areas.

(d) Any area which the local governing body certifies is in need of redevelopment or rehabilitation as a result of a flood, storm, earthquake, or other natural disaster or catastrophe respecting which the governor of the state has certified the need for disaster assistance under any federal law.

(e) Any area which by reason of its proximity to the border of an adjacent state is competitively disadvantaged in its ability to attract private investment, business or commercial development which would promote the purposes of this chapter.

(f) "Deteriorated area" does not mean not developed beyond agricultural, or any agricultural operation as defined in section [22-4502](#)(1), Idaho Code, or any forest land as defined in section [63-1701](#)(4), Idaho Code, unless the owner of the agricultural operation or the forest landowner of the forest land gives written consent to be included in the deteriorated area, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

INB2595691



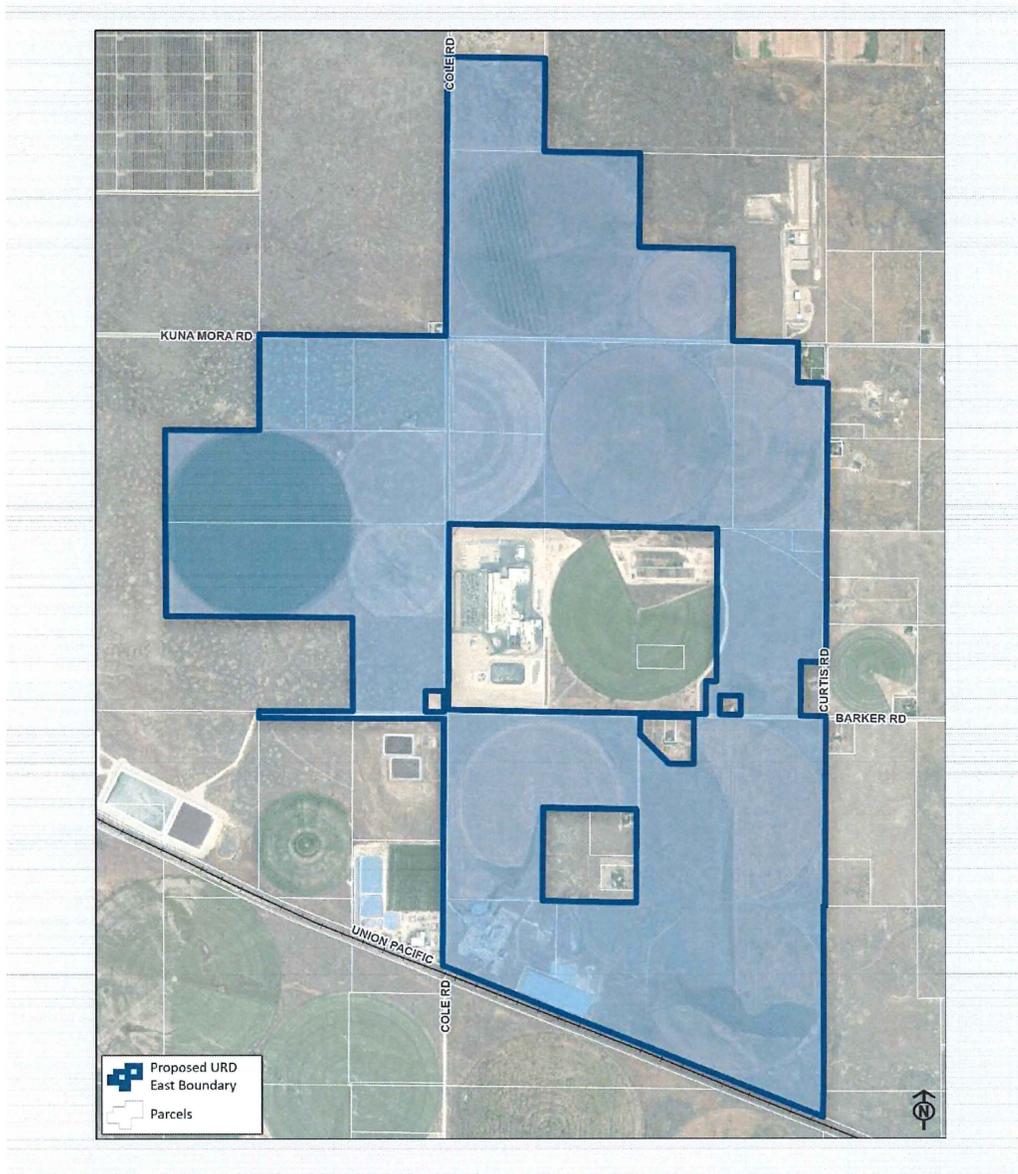
EXHIBIT C
ELIGIBILITY REPORT

4888-2866-9450, v. 1



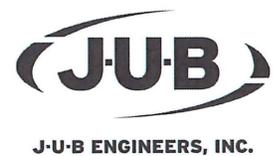
Kuna Urban Renewal District Eligibility Study

KUNA EAST DISTRICT



This document was prepared for the City of Kuna by J-U-B Engineers, Inc.

DECEMBER 2021





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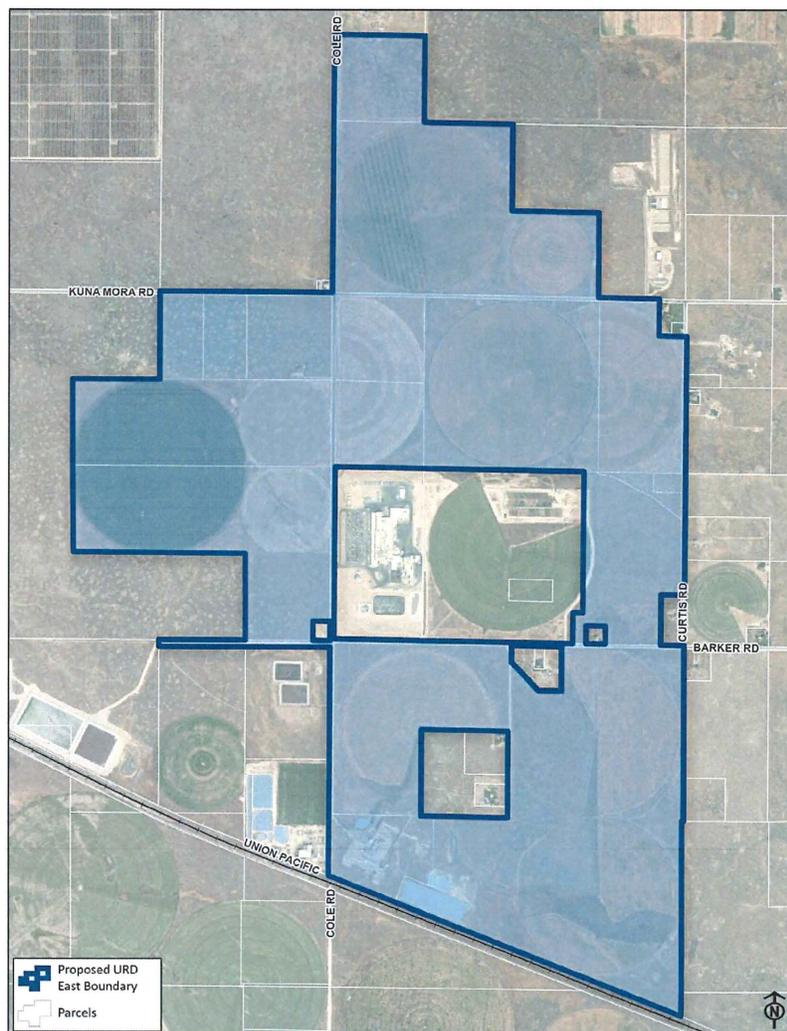
Executive Summary

This Kuna Urban Renewal District Eligibility Study for the proposed Kuna East District (the “Report”) provides the technical support for a policy decision by the City of Kuna Urban Renewal Agency, Mayor and City Council to create a new urban renewal district located northeast of the downtown core of the City of Kuna (the “City”). Properties within the urban renewal Study Area (the “Study Area”) represent predominantly undeveloped, open land in an area transitioning from agricultural uses to commercial and industrial uses. This Report provides the basis to declare the Study Area as a deteriorating area, as set forth in Idaho Code Sections 50-2018(9) and 50-2903(8)(b).

Location

The Study Area is generally located along Cole Road, between Curtis Road and S Five Mile Road. The Study area extends just north of Kuna Mora Road and south of Barker Road to the Union Pacific Railroad as seen in **Figure 1**. All parcels are located within the City of Kuna city limits.

Figure 1 - Proposed Kuna East District





Characteristics

The Study Area contains approximately 1,528 acres with land uses that are zoned, or have recently been rezoned, for industrial purposes. The Study Area is comprised of large industrial establishments, open space currently and previously used for agricultural purposes, and a few residences. The Study Area contains some agricultural properties that are vacant and have previously been farmed (within the last three years) that may have the potential to be developed, with block sizes and lots/parcels and blocks exceeding 75,000 square feet in size. These agricultural properties will require owner consent forms pursuant to Idaho Code Section 50-2018(9) and 50-2903(8)(f). Both the industrial corridors extending south along Cole Road exhibit some deteriorating building facades and aging public infrastructure. Furthermore, the vast majority of the Study Area lacks curb, gutter, sidewalks, stormwater facilities and lighting.

Conclusion

The Study Area is found to be eligible under the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code as it conforms to the definition of a “deteriorating area” specifically outlined in the Present Conditions section of this report. **Figure 2** illustrates the types of existing conditions that that qualify the Study Area for an urban renewal plan/project as set forth in Idaho Code Sections 50-2018(9) and 50-2903(8)(b).

Figure 2 – Intersection of Kuna Mora Road and Cole Road



Figure 2 displays the deterioration of the pavement which qualified under eligibility criteria 5, deterioration of site or other improvements (as discussed in more detail below).



City of Kuna Urban Renewal Agency

The proposed urban renewal district will be the second urban renewal district established within the City of Kuna. The first urban renewal district within the City, Kuna West District was adopted by the City Council pursuant to Ordinance No. 2020-32 on November 17, 2020.

In the winter of 2021, the City engaged the services of J-U-B ENGINEERS, Inc. (J-U-B) to analyze the Study Area for a proposed Kuna East District and prepare an eligibility report to determine if it meets the criteria for consideration as an urban renewal district.

Purpose of Report

This Report serves as “Step 1” in creating an urban renewal district. Following adoption of the findings in this Report by resolution of the City Council, an urban renewal plan will need to be prepared pursuant to Idaho Code Section 50-2905 and 50-2008, in part, to identify specific projects and improvements to be made within the proposed district.

This Report focuses on a Study Area of approximately 1,528 acres of large industrial establishments, open space previously used for agricultural purposes, and sparse residences. The Study Area examined in this report is generally described as extending along Cole Road, between the Union Pacific Railroad and just north of Kuna Mora Road. (Refer to **Figure 1**).

The purpose of this report is to determine if the Study Area meets the criteria outlined in Idaho statutes, Idaho Code Sections 50-2018(9) and 50-2903(8)(b), defining a “deteriorating area.” (**Appendix A** presents Idaho Urban Renewal Statutes).

Background

The City’s population has grown 33 percent from 2010 to 2018 according to U.S. Census data (*American Community Survey*). Although there have been commercial and industrial building permits issued within the City in recent years, the number of permits for dwelling units quadrupled in two years, climbing from 365 in 2014 to 1,854 in 2016. This increase in residential building permits has remained constant since the 2016 boom. To balance this residential growth, the City Council is investing in the possible creation of a proposed urban renewal district to increase employment opportunities, foster

STEPS TO CREATE AN URBAN RENEWAL DISTRICT

- 1.** Develop Eligibility Study to determine if an area meets the eligibility requirements set forth in the definitions of a deteriorated area and/or a deteriorating area in the Law and Act.
- 2.** Approval of a resolution by the City Council to authorize the Agency to prepare an urban renewal plan for the area.
- 3.** Prepare an urban renewal plan and recommend its approval to the City Council.
- 4.** Refer the urban renewal plan to the Planning and Zoning Commission and schedule a public hearing before the City Council to review the plan.
- 5.** Adoption of an ordinance by City Council after conducting public hearing approving the urban renewal plan.



public/private partnerships, and to increase the tax base within a major portion of the City's industrially zoned land.

Present Conditions in the Study Area

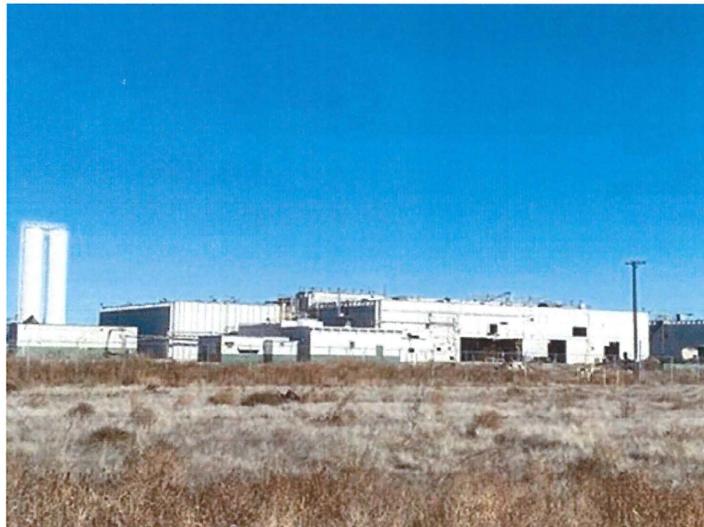
Methodology

Conditions were evaluated in the Study Area through site visits conducted by City staff and J-U-B analysts, contacts with various City officials, and a review of public infrastructure inventory maps and assessor property information.

Deteriorating Area Characteristics

Under Idaho law, an area must meet the definition of a deteriorated area or a deteriorating area in order to be eligible for inclusion in an urban renewal area. For the purpose of this report, the analysis was focused on whether the proposed area meets the requirements of I.C. 50-2018(9) and 50-2903(8)(b) for a deteriorating area, which is attached as **Appendix A**. In order to qualify as a deteriorating area, the proposed district must meet at least one of the nine conditions listed. The industrial property shown in **Figure 3** is one of a substantial number of deteriorating structures within the study area that qualifies for eligibility Criteria 1, *presence of a substantial number of deteriorated or deteriorating structures*.

Figure 3 – Present Conditions





The nine (9) eligibility criteria include:

1. The presence of a substantial number of deteriorated or deteriorating structures.

Deteriorated or deteriorating structures are those that are so run down that they would qualify to be demolished, allowing the land to be repurposed for other uses. Newer structures and those that have been substantially rehabilitated within the last five to ten years are not considered deteriorating. This criterion was evaluated in January 2021 by completing a windshield survey, an informal survey comprised of driving around the community, recording observations of the Study Area and noting the absence or presence of the following conditions:

- Broken or missing brick
- Chimney damage
- Fascia damage
- Holes in siding
- Damaged or missing shingles
- Cracked or damaged windows

While most of the area is open space and agricultural property, there were a couple deteriorating structures present within the Study Area. A total of 15 parcels were included in the windshield survey. Of those, five structures were present within the Study Area and two structures showed some sign of deterioration, meeting at least one or more deterioration factors. Based on field evidence, deteriorating structures are found to be meaningfully present, and reasonably distributed, throughout the Study Area. Two deteriorated structures were identified in the area, as shown on **Figure 4. This criterion is met.**

2. Predominance of defective or inadequate street layout.

This criteria involves the overall condition of the existing street layout, the appropriateness of the layout, and overall connectivity of streets within the Study Area. The proposed district includes Kuna Mora Road, a major truck route from I-84 into the City of Kuna. The Union Pacific Railroad also bisects the southern border of the proposed district. North-south vehicle access through the Study Area is strictly limited to Cole Road.

The Study Area is not currently suitable for bicycle and pedestrian activity as most of the area lacks sidewalk or paved roadway shoulders entirely. Sparse sidewalk exists in front of the CS Beef Packing Plant. Additionally, some large lots (5 acres and greater) remain along this corridor and so internal or secondary street systems do not exist. The current street network is inadequate to support future contemplated development. See **Figure 5** where inadequate street infrastructure is depicted with purple lines. **This criterion is met.**

3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness; obsolete platting.

Faulty lot layout was analyzed by determining areas with approximately 80 acres or 3,484,800 square feet as the threshold for large lots and blocks. This threshold



was established based on 2,000-foot x 1,400-foot blocks. Oversized lots and blocks are located throughout the Study Area. These large lots and blocks also present issues with accessibility for varying development and usefulness. Converting an existing larger lot to smaller commercial/industrial lots would require the development of additional street infrastructure to accommodate site circulation. While there is a wide range of lot sizes within the Study Area, the median lot size within the Study Area is 40 acres. The large lots are displayed in **Figure 6. This criterion is met.**

4. Insanitary or unsafe conditions.

Typical insanitary conditions include excessive amounts of junk, trash, and weeds in violation of the City's Health and Safety code. Unsafe conditions are those where crime is an issue and/or where people generally feel unsafe due to lack of illumination, sidewalks, activity, etc. Most of these conditions are found along larger open space lots and/or vacant buildings. Additionally, water systems improvements will need to be expanded to provide adequate fire protection to support development of the uses set forth in the Comprehensive Plan. **This criterion is met.**

5. Deterioration of site or other improvements.

Site improvements include illumination, pavement, sidewalks, parking, fencing, or landscaping. Much of the existing street infrastructure within the Study Area is considered deteriorating as signs of rutting and cracking are exhibited along the roadways, except in limited areas where new development has just been completed. Many of the older developed properties have deteriorating site improvements such as fragmented and/or decaying fencing.

Most deteriorating site improvements are located within the existing right-of-way with a lack of illumination, storm drainage systems, curbs, gutters. Sidewalks are lacking on most streets within the Study Area, other than on the east side of Cole Road in front of the CS Beef Packing Plant, where the frontage of the business contains sidewalk. As a whole, sidewalk connectivity throughout the Study Area was lacking as identified on **Figure 7. This criterion is met.**

6. Diversity of ownership.

As the Study Area consists primarily of large, oversized lots with few individual owners, there is limited diversity of ownership throughout the area. **This criterion is not met.**

7. Tax and special assessment delinquency exceeding the fair value of the land.

There are currently no reliable resources to review these conditions. These conditions are unknown.



8. Defective and unusual conditions of title.

There are currently no reliable resources to review these conditions. These conditions are unknown.

9. The existence of conditions which endanger life or property by fire and other causes.

Flood hazards and inadequate fire protection facilities to accommodate development are contributing factors of this criteria. While flooding is not a concern in the Study Area, there is a concern regarding availability of infrastructure to provide adequate fire protection. The parcels located in the Study Area are comprised of large lots and blocks with limited water mains and hydrants. Additional water mains and fire hydrants would be necessary to serve new development. The lack of adequate infrastructure within the Study Area significantly inhibits the development envisioned by the City's Comprehensive Plan. **This criterion is met.**

Summary

The Study Area meets the criteria for declaring the area deteriorating based on deteriorated structures, deterioration of the site, defective street layout, faulty lot layout, unsafe conditions, and inadequate fire facilities.



FIGURE 4 - DETERIORATING CONDITIONS

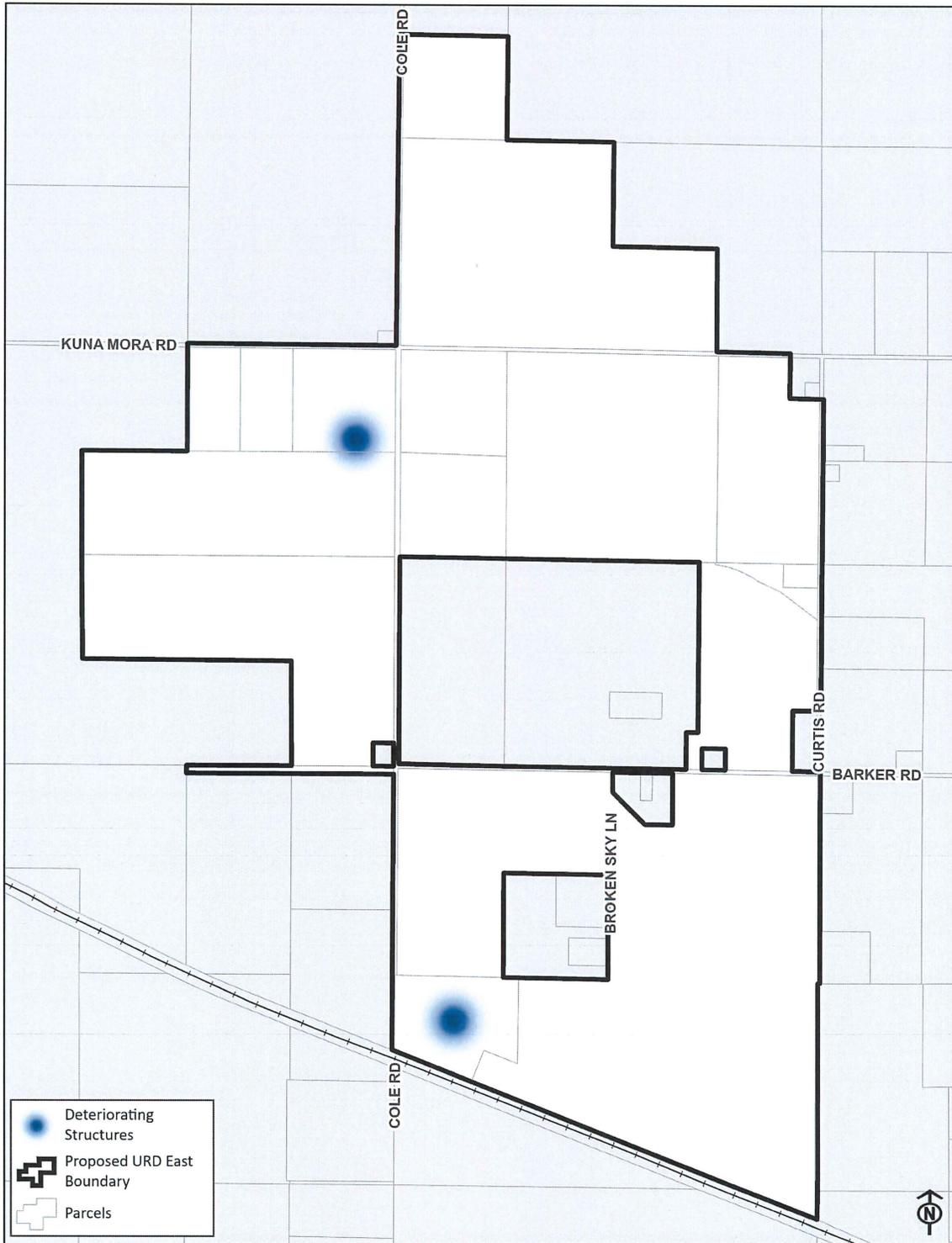




FIGURE 5 – INSUFFICIENT INFRASTRUCTURE

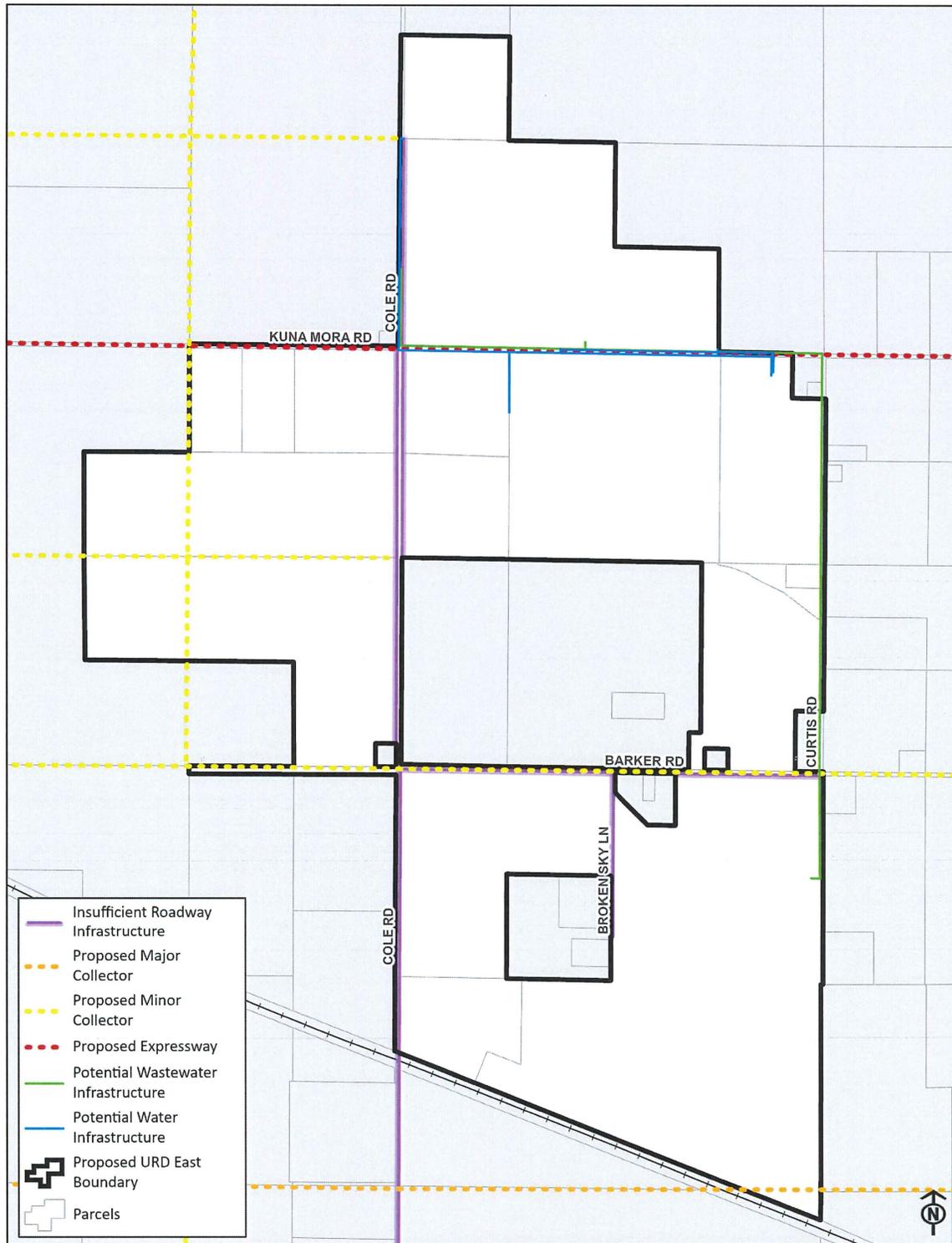




FIGURE 6 - LOT SIZE

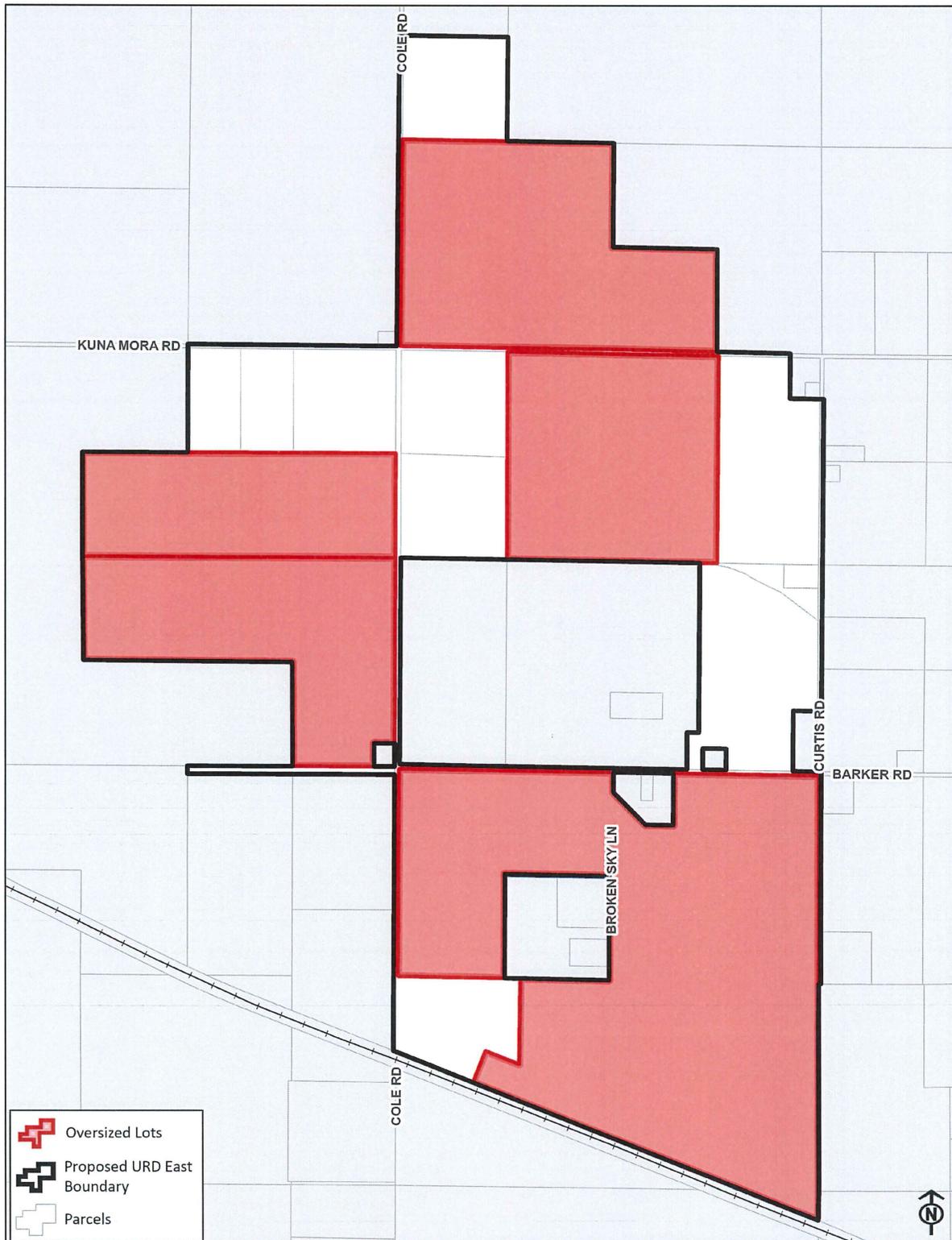
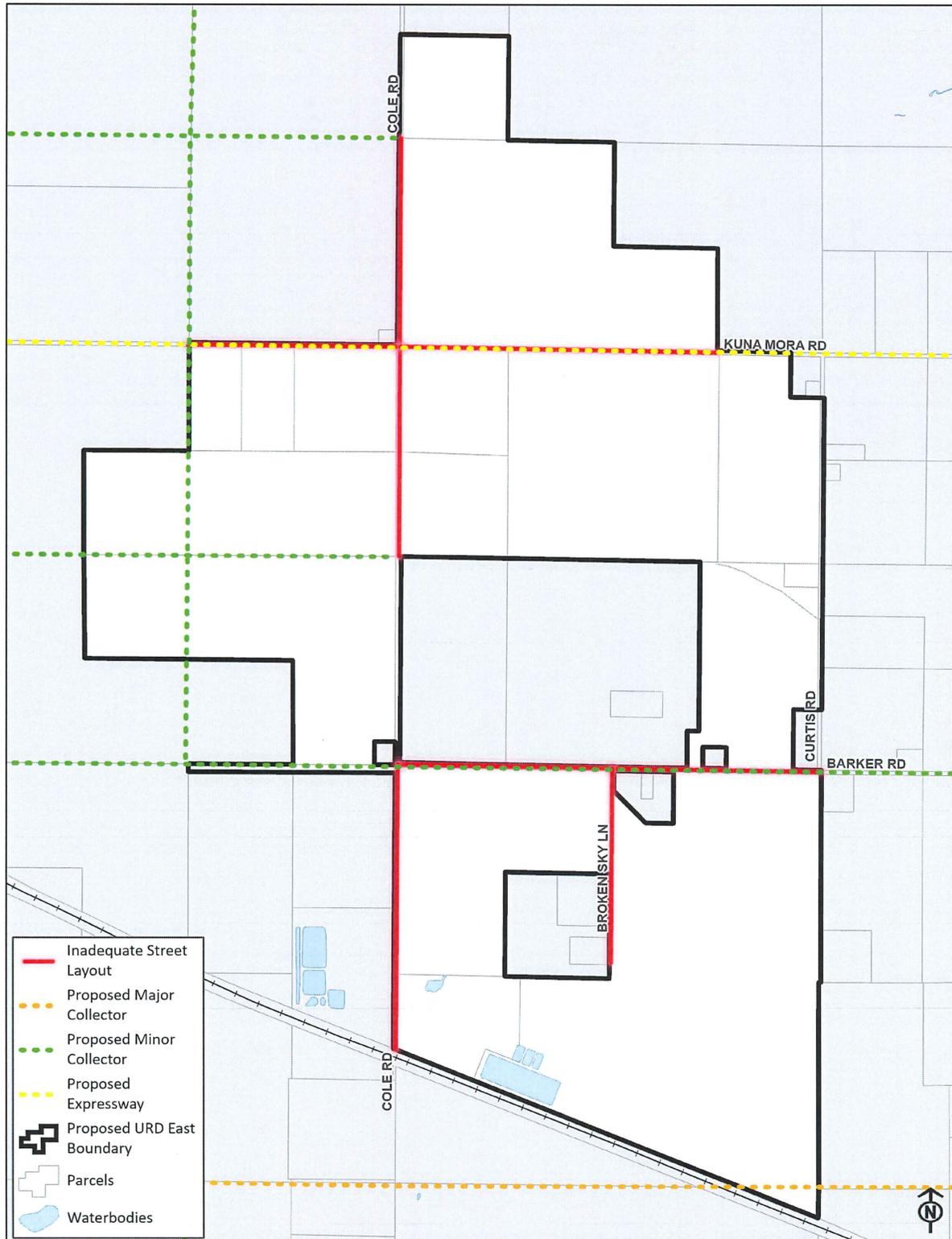




FIGURE 7 – INADEQUATE STREET LAYOUT





Open Land Requirements for Urban Renewal Districts

The eligibility of areas which are predominantly open land, i.e., used for agriculture or forestry, are governed by Idaho Code Section 50-2903(8)(c). This statute addresses the factors for finding agricultural or open lands deteriorated:

“Any area which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. The provisions of section 50-2008(d), Idaho Code shall apply to open areas.”

The Study Area is predominantly open land as there are 1,488 acres of open space present within the Study Area. Approximately 96% of the property within the Study Area is open land because the Study Area is comprised of 1,528 total acres. As shown on **Figure 9, Agricultural Lands Map**, the Study Area does contain open land and farmed agricultural lands; therefore, owner consent forms pursuant to Idaho Code Section 50-2018(9) and 50-2903(8)(f) will be necessary for any properties to be included in the Urban Renewal District that have either been used for agricultural purposes or stored livestock within the last three years. Many of the eligibility criteria set forth in Idaho Code Section 50-2903(8)(c) for predominantly open land areas mirror or are the same as those criteria set forth in Idaho Code Sections 50-2018(9) and 50-2903(8)(b). “Diversity of ownership” is the same, while “obsolete platting” appears to be equivalent to “faulty lot layout in relation to size, adequacy, accessibility, or usefulness.” “Deterioration of structures or improvements” is the same or similar to “a substantial number of deteriorated or deteriorating structures” and “deterioration of site or other improvements.” There is also an additional qualification that the provisions of Idaho Code Section 50-2008(d) shall apply to open areas. Idaho Code Section 50-2008(d)(4) primarily addresses the urban renewal plan approval process and sets forth certain conditions and findings for agency acquisition of open land. In sum, there is one set of findings if the area of open land is to be acquired and developed for residential uses and a separate set of findings if the land is to be acquired and developed for nonresidential uses.

The conclusion of this discussion concerning open land areas is that an area qualifies if any of the eligibility conditions set forth in Idaho Code Sections 50-2018(9) and 50-2903(8)(b) apply. Alternatively, the area under consideration qualifies if any of the conditions listed only in Idaho Code Section 50-2008(d)(4)(2) apply. The parcel size, the lack of water and sewer facilities; a nonexistent access and internal street system; an inadequate storm drain system; and lack of fire protection, are all conditions which delay development of the Study Area.

Based on the above analysis, obsolete platting/faulty lot layout and economic underdevelopment are conditions found in the Study Area, and therefore, the open land condition is satisfied. The open lands contain obsolete platting which have resulted in economic underdevelopment of the area due to the high cost of installing public infrastructure for large parcels to foster development opportunities consistent with the



Kuna Comprehensive Plan. Furthermore, the large parcel size is conducive primarily to industrial/large commercial development causing the required public infrastructure improvements to be more costly, creating a significant impediment to development.



FIGURE 8 – ZONING MAP

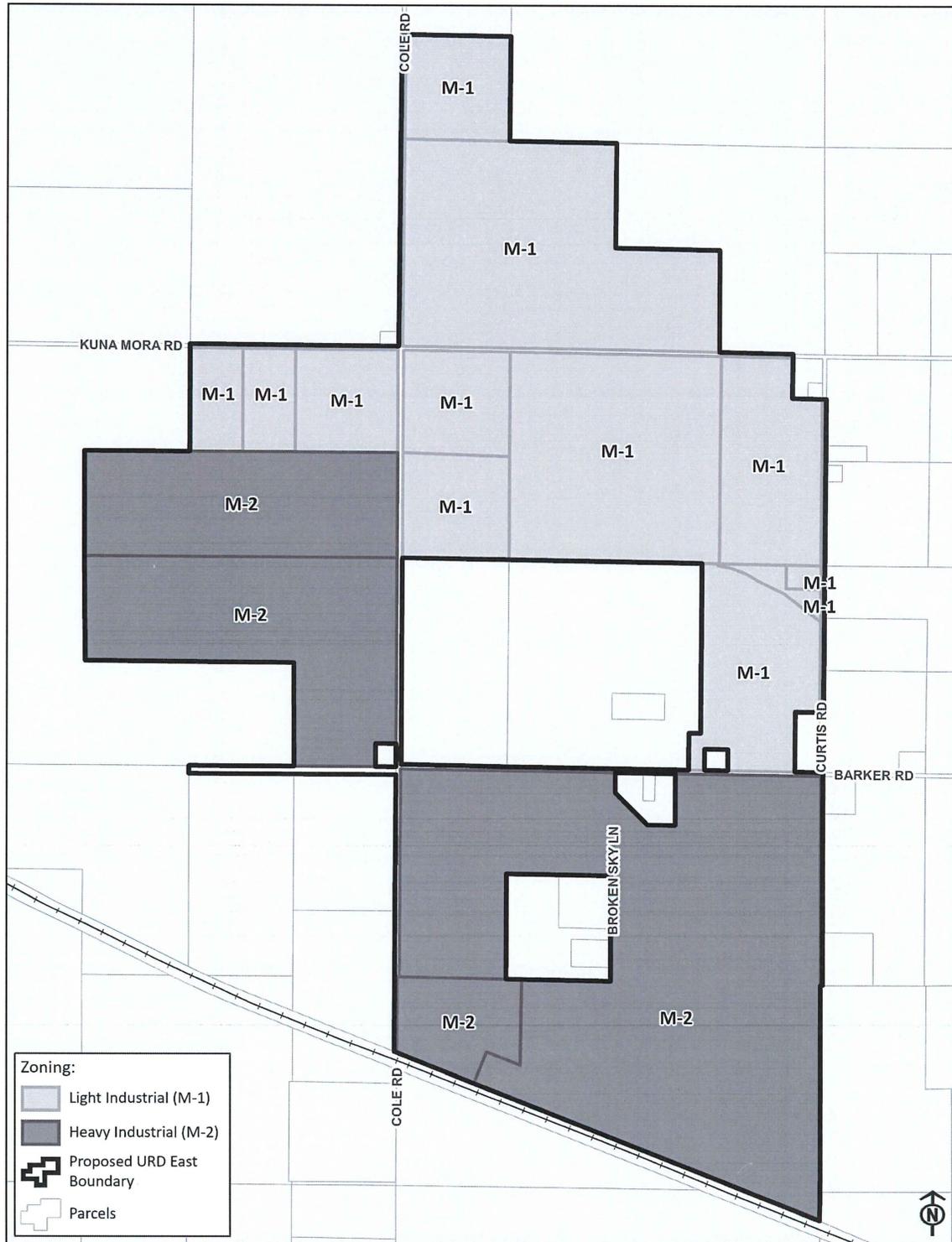
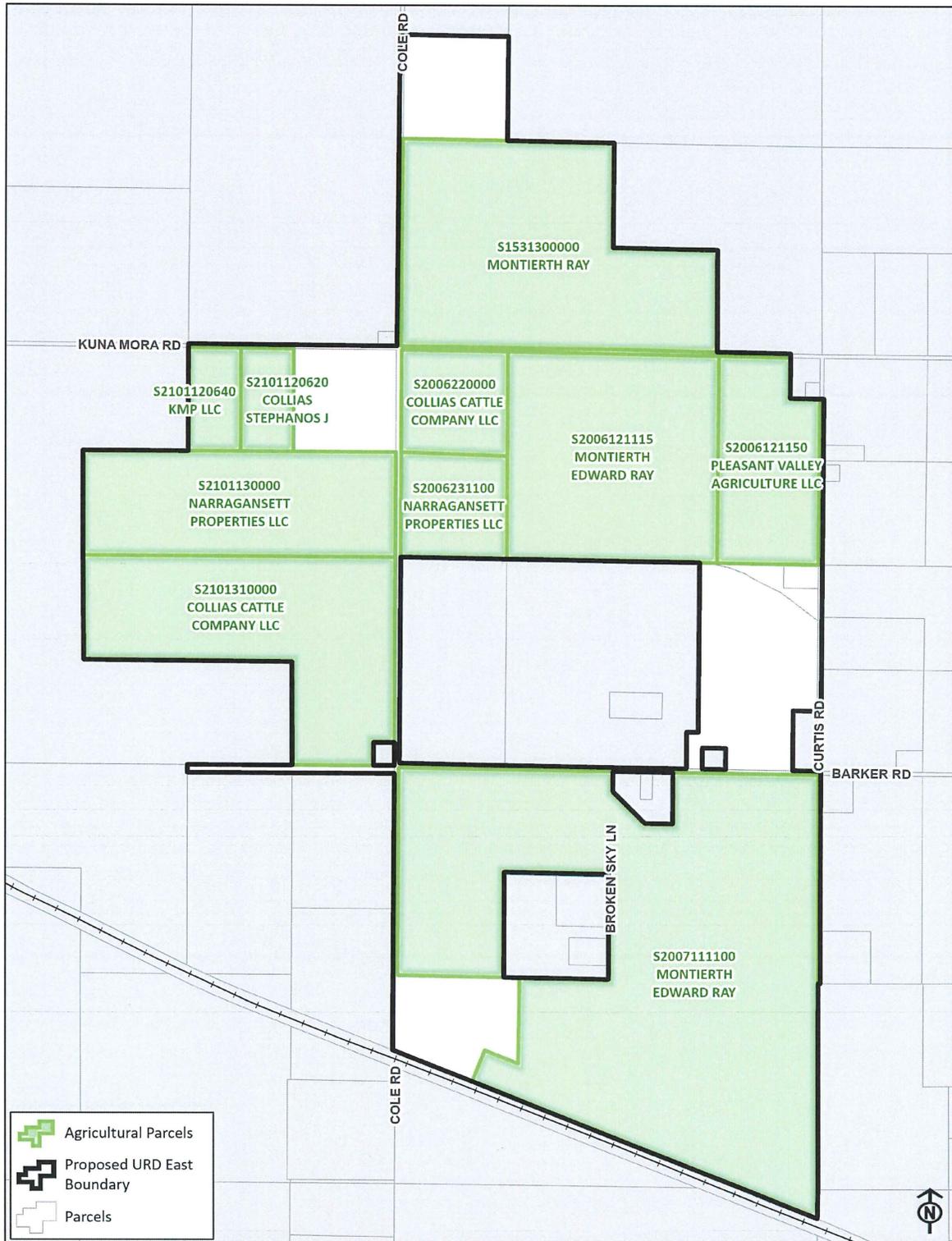




FIGURE 9 – AGRICULTURAL LANDS





Ten Percent Limitation on Assessed Valuation within the Revenue Allocation Area (RAA)

Under Idaho Code Section 50-2903(15), the base assessment roll is not to exceed, at any time ten percent of the current assessed valuation of all taxable property within the municipality.

“Revenue allocation area” means that portion of an urban renewal area where the equalized assessed valuation (as shown by the taxable property assessment rolls) of which the local governing body has determined, on and as a part of the urban renewal plan, is likely to increase as a result of the initiation of an urban renewal project ... The base assessment roll or rolls of revenue allocation area or areas shall not exceed at any time ten percent (10%) of the current assessed valuation of all taxable property within the municipality.

The 2021 City of Kuna taxable value is \$2,307,788,607¹ while the taxable value of the Study Area is \$1,662,900, which equates to approximately 0.070% of the current valuation of all taxable property within the City. The valuation includes homeowners’ exemptions and exemptions for agricultural properties as shown in **Figure 9**. The properties included in the Study Area also include operating property. The value of properties within the Study Area that are currently claiming an agricultural exemption is \$936,900. The change in the ten percent valuation would be minor if and when the agricultural exemptions rolled off. The Kuna West Urban Renewal District was adopted in November 2020 and equates for approximately 8.18% of the current assessed valuation of all taxable property within the City. The combined valuation for both the Kuna West Urban Renewal District and the proposed Kuna East District accounts for 8.25%. While property values are expected to increase in 2022, they are not expected to increase to an extent that it will exceed the 10% limitation.

Appropriateness of the Area for an Urban Renewal Project

The present conditions in the Study Area have resulted in the economic underdevelopment of the area or has substantially impaired or arrested the sound growth of the municipality and constituted an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use because of the deteriorating structures/ deterioration of site, inadequate street layout, obsolete platting/faulty lot layout, unsafe conditions and the existence of conditions which endanger life or property due to inadequate fire facilities. This report provides evidence that the Study Area is a deteriorating area

¹ Taxable values were collected from the Ada County Assessor’s office on November 4, 2021.



because of the presence of various conditions related to lot size, lack of public infrastructure, hazards, and public safety. New development will be discouraged from occurring until new supporting infrastructure is planned or installed as there is currently a lack of public infrastructure in place surrounding open space and other developable areas.

The second part of the City Council's determination is the policy decision of whether or not the area is appropriate for an Urban Renewal District. Preparation and approval of an Urban Renewal Plan for the Kuna East District would give the City additional resources to solve the public infrastructure problems in the Study Area and to encourage new development. Increased property taxes generated by new developments within the area could be used to finance a variety of needed public improvements. Furthermore, with formation of an Urban Renewal District, opportunities for meaningful public/private partnerships will be enhanced. Successful joint projects should stimulate other new private development. Finally, some of the new commercial/industrial developments may also generate new jobs in the community that would, in turn, benefit City residents.

Conclusion

As indicated in the **Present Conditions in the Study Area** section, the area meets the eligibility criteria for an urban renewal district. **Table 1 – Eligibility Criteria Findings** summarizes characteristics found in the Study Area. The City of Kuna has experienced several waves of accelerated growth and public infrastructure has struggled to keep up.

While the Study Area includes predominantly agricultural lands and "open areas" as defined by Idaho Code, further evaluation of the Study Area could include outreach to affected property owners and appropriate documentation of their consent for their property to be included in the District. The 2021 taxable value of the Study Area, combined with the base value of the existing Kuna West District, does not exceed ten percent of the current assessed valuation of all taxable property within the municipality; therefore, the Study Area is eligible for an Urban Renewal District.



Table 1 – Eligibility Criteria Findings

Condition No.	Idaho Code Section	Eligibility Criteria	Characteristics Supporting Finding	Criteria Met
1	50-2008(d) 50-2018(9) 50-2903(8)(b), (c)	Substantial number of deteriorating or deteriorated structures	Older deteriorating structures displayed within the District	Yes
2	50-2018(9) 50-2903(8)(b)	Defective street layout or inadequate street layout	No curbs, pedestrian facilities, or illumination. Lack of street and bicycle/pedestrian connectivity	Yes
3	50-2018(9) 50-2903(8)(b) 50-2903(8)(c)	Faulty lot layout or obsolete platting	A majority of the lots and blocks exceed 75,000 square foot in size	Yes
4	50-2018(9) 50-2903(8)(b)	Insanitary or unsafe conditions	Lack of illumination, sidewalks and activity	Yes
5	50-2008(d) 50-2018(9) 50-2903(8)(b), (c)	Deterioration of site	Inadequate street infrastructure, lack of illumination, storm drainage systems, sidewalks, curbs, gutters, and designated street parking	Yes
6	50-2008(d) 50-2018(9) 50-2903(8)(b), (c)	Diversity of ownership	There is not a diversity of ownership in the Study Area	No
7	50-2008(d) 50-2018(9) 50-2903(8)(b)	Tax Delinquency	These conditions are unknown	No
8	50-2008(d) 50-2903(8)(b)	Defective and unusual conditions of title	These conditions are unknown	No
9	50-2018(9) 50-2903(8)(a), (b)	Endanger life or property	Lack of water facilities for increased fire flow needs to accommodate development;	Yes
	50-2903(15)	10% Limit	The taxable value of the Study Area combined with the base value of the existing Kuna West District is below the 10% limit	Yes



Appendices

Appendix A – Idaho Urban Renewal Statutes

Appendix B – Photo Exhibit



Appendix A

Idaho Urban Renewal Statutes



TITLE 50
MUNICIPAL CORPORATIONS

CHAPTER 20
URBAN RENEWAL LAW
Relevant Sections

50-2008. (d) Following such hearing, the local governing body may approve an urban renewal project and the plan therefor if it finds that (1) a feasible method exists for the location of families who will be displaced from the urban renewal area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan conforms to the general plan of the municipality as a whole; (3) the urban renewal plan gives due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety and welfare of children residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise: Provided, that if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for residential uses, the local governing body shall determine that a shortage of housing of sound standards and design which is decent, safe and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality, or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in this act, because of defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area.



50-2018. DEFINITIONS. The following terms wherever used or referred to in this chapter, shall have the following meanings, unless a different meaning is clearly indicated by the context:

(8) "Deteriorated area" shall mean an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare. Provided however, this definition shall not apply to any agricultural operation, as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section 63-1701(4), Idaho Code, absent the consent of the forest landowner, as defined in section 63-1701(5), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

(9) "Deteriorating area" shall mean an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use; provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply; and provided further, that any disaster area referred to in section 50-2008(g), Idaho Code, shall constitute a deteriorating area. Provided however, this definition shall not apply to any agricultural operation, as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section 63-1701(4), Idaho Code, absent the consent of the forest landowner, as defined in section 63-1701(5), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.



50-2903. DEFINITIONS. The following terms used in this chapter shall have the following meanings, unless the context otherwise requires:

(8) "Deteriorated area" means:

(a) Any area, including a slum area, in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.

(b) Any area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, results in economic underdevelopment of the area, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use.

(c) Any area which is predominately open and which because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. The provisions of section 50-2008(d), Idaho Code, shall apply to open areas.

(d) Any area which the local governing body certifies is in need of redevelopment or rehabilitation as a result of a flood, storm, earthquake, or other natural disaster or catastrophe respecting which the governor of the state has certified the need for disaster assistance under any federal law.

(e) Any area which by reason of its proximity to the border of an adjacent state is competitively disadvantaged in its ability to attract private investment, business or commercial development which would promote the purposes of this chapter.

(f) "Deteriorated area" does not mean not developed beyond agricultural, or any agricultural operation as defined in section 22-4502(1), Idaho Code, or any forest land as defined in section 63-1701(4), Idaho Code, unless the owner of the agricultural operation or the forest landowner of the forest land gives written consent to be included in the deteriorated area, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

(15) "Revenue allocation area" means that portion of an urban renewal area or competitively disadvantaged border community area where the equalized assessed valuation (as shown by the taxable property assessment rolls) of which the local governing body has determined, on and as a part of an urban renewal plan, is likely to increase as a result of the initiation of an urban renewal project or competitively disadvantaged border community area. The base assessment roll or rolls

INB2595691



of revenue allocation area or areas shall not exceed at any time ten percent (10%) of the current assessed valuation of all taxable property within the municipality.



Appendix B

Photo Exhibit

Appendix B – Photo Exhibit
Kuna East Urban Renewal District Eligibility Study



Photo 1. Rutting and cracking along Kuna Mora Road



Photo 2. Lack of infrastructure within an oversized parcel

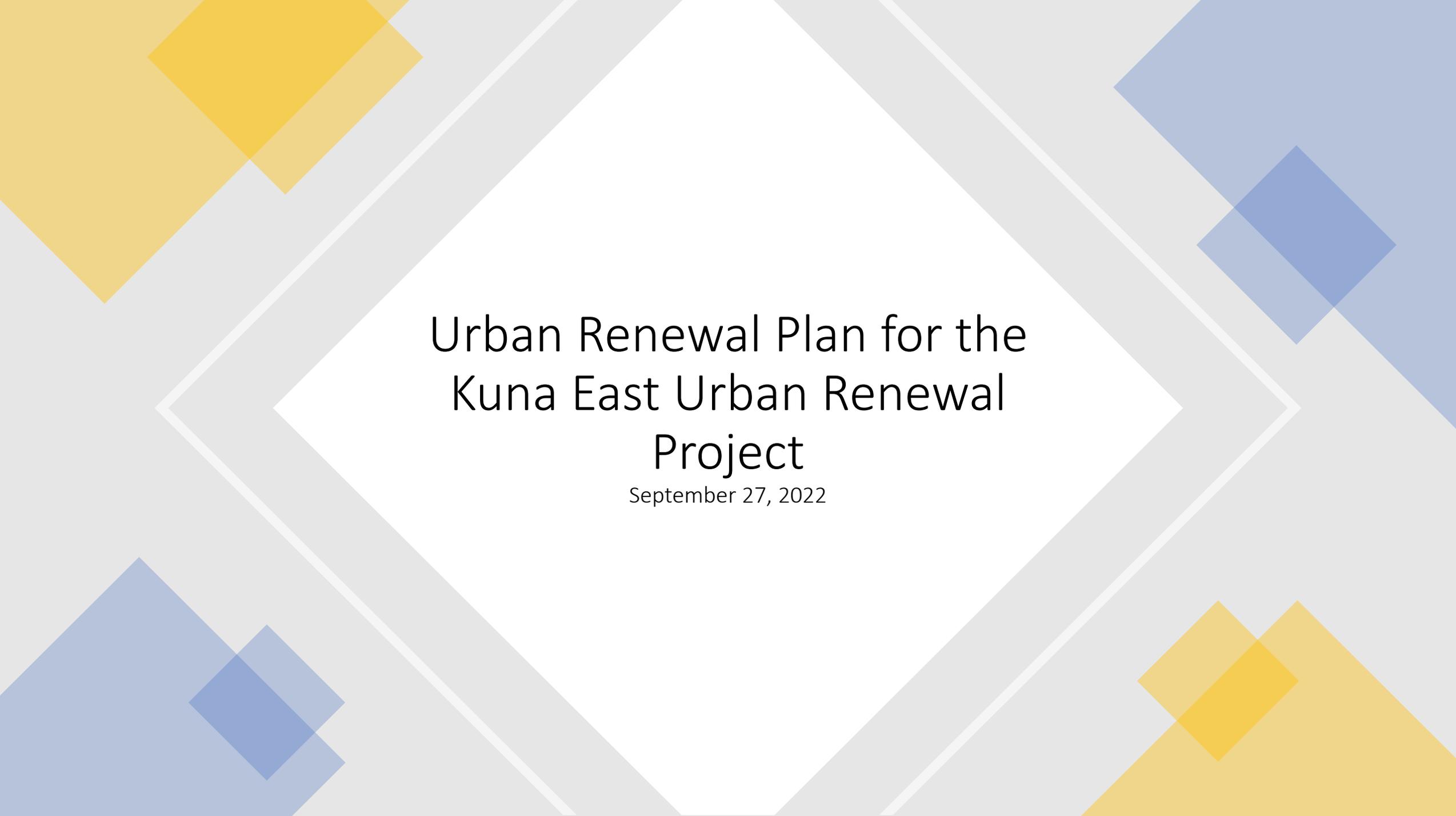
Appendix B – Photo Exhibit
Kuna East Urban Renewal District Eligibility Study



Photo 3. Deteriorating structure within the Kuna East District



Photo 4. Lack of infrastructure within an oversized parcel



Urban Renewal Plan for the Kuna East Urban Renewal Project

September 27, 2022

Plan Elements

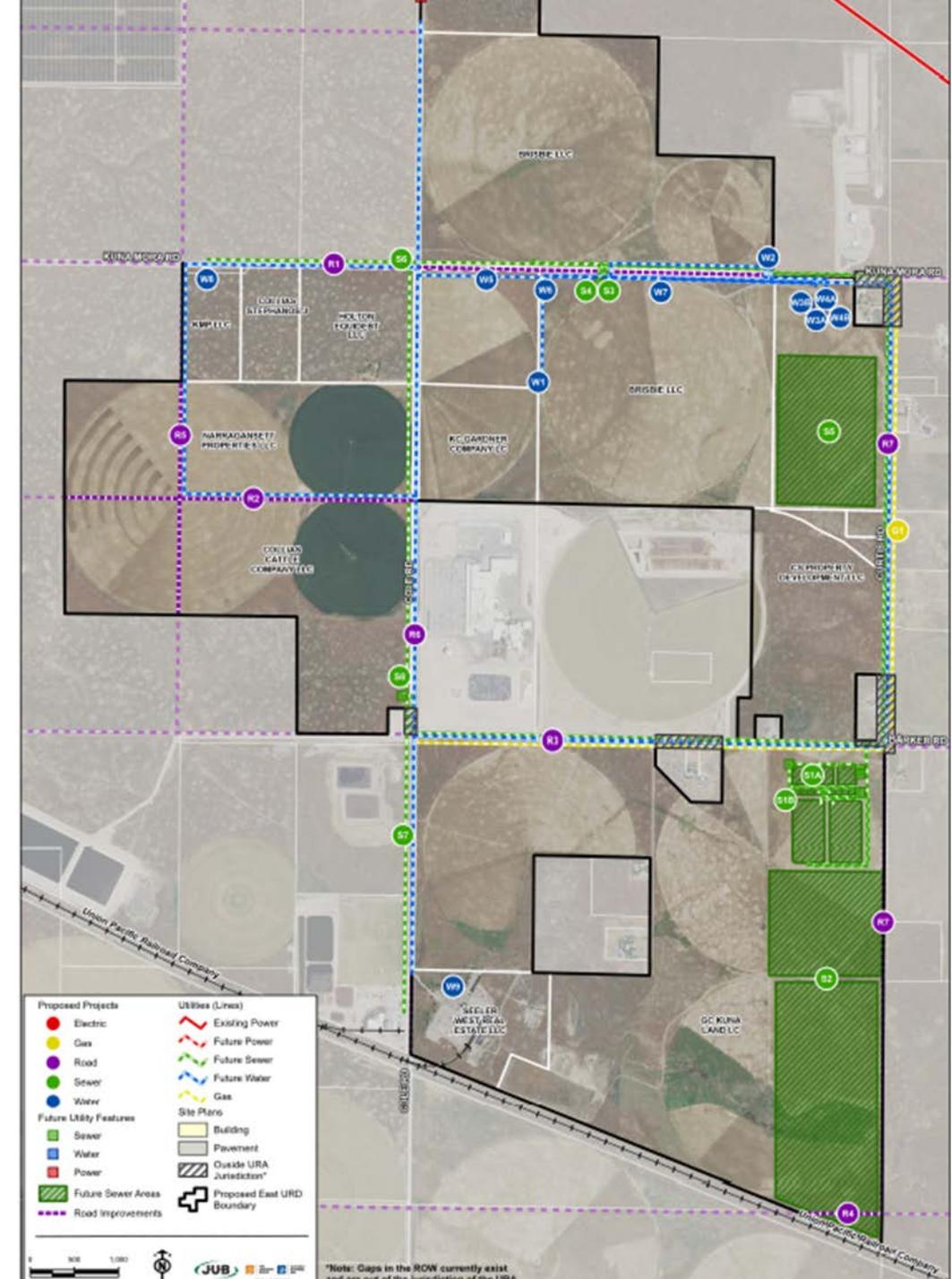
Idaho Code § 50-2905 identifies what information the Plan must include with specificity as follows:

- (1) A statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality;
 - Section 502.3
- (2) A statement listing the kind, number, and location of all proposed public works or improvements within the revenue allocation area;
 - Section 301 and Attachment 5
- (3) An economic feasibility study;
 - Attachment 5
- (4) A detailed list of estimated project costs;
 - Attachment 5
- (5) A fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property on the revenue allocation area;
 - Section 502.8 and Attachment 5
- (6) A description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred;
 - Sections 303, 304, 309, 501, 502, 504 and Attachment 5
- (7) A termination date for the plan and the revenue allocation area as provided for in section 50-2903(20), Idaho Code. In determining the termination date, the plan shall recognize that the agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the urban renewal plan; and
 - Section 800
- (8) A description of the disposition or retention of any assets of the agency upon the termination date. Provided however, nothing herein shall prevent the agency from retaining assets or revenues generated from such assets as long as the agency shall have resources other than revenue allocation funds to operate and manage such assets.
 - Section 800

Project #	Project Name	Priority A
W3B	Future 2 MG Storage Tanks (2)	\$5,066,000
W4B	Future Booster Station Capacity Upgrades	\$775,000
S8	Future Lift Station and Force Main ⁹	\$8,432,000
R1	Kuna Mora Rd (Future Expressway)	\$10,497,000
R5	N-S Minor Collector	\$3,910,000
R6	Cole Rd (Local)	\$8,817,000
R7	Curtis Rd (Local)	\$9,552,000
G1	Natural Gas Distribution Improvements	\$830,000
Total Infrastructure Costs for Priority A		\$47,879,000

Project	Project Name	Priority B
R2	E-W Minor Collector	\$3,958,000
R3	Barker Rd (Minor Collector)	\$4,545,000
R4	E-W Major Collector	\$935,000
S1B	Future WWTP Capacity Upgrades ⁶	\$44,156,000
S5	Additional Land Application as needed ⁷	\$7,585,000
Total Infrastructure Costs for Priority B		\$61,179,000

Project	Project Name	Priority C
W10	6,000 gpm Future Production Capacity (Location TBD)	\$8,947,000
Total Infrastructure Costs for Priority C		\$8,947,000



Development Scenario

Year	Projected Assessed Value	Base	Increment Value	Levy Rate	Tax Increment Yield (annual)	TIF (cumulative)
2022	\$6,215,000	\$6,215,000	---	0.005571016	---	---
2023	\$38,086,305	\$6,215,000	---	0.005571016	---	---
2024	\$176,344,553	\$6,215,000	\$170,129,553	0.005571016	\$947,794	\$947,794
2025	\$181,634,890	\$6,215,000	\$175,419,890	0.005571016	\$977,267	\$1,925,061
2026	\$264,432,312	\$6,215,000	\$258,217,312	0.005571016	\$1,438,533	\$2,415,800
2027	\$272,365,281	\$6,215,000	\$266,150,281	0.005571016	\$1,482,727	\$3,898,527
2028	\$417,651,898	\$6,215,000	\$411,436,898	0.005571016	\$2,292,122	\$6,190,649
2029	\$430,181,455	\$6,215,000	\$423,966,455	0.005571016	\$2,361,924	\$8,552,573
2030	\$443,086,899	\$6,215,000	\$436,871,899	0.005571016	\$2,433,820	\$10,986,393
2031	\$456,379,506	\$6,215,000	\$450,164,506	0.005571016	\$2,507,874	\$13,494,267
2032	\$470,070,891	\$6,215,000	\$463,855,891	0.005571016	\$2,584,149	\$16,078,415
2033	\$484,173,018	\$6,215,000	\$477,958,018	0.005571016	\$2,662,712	\$18,741,127
2034	\$522,025,991	\$6,215,000	\$515,810,991	0.005571016	\$2,873,591	\$21,614,718
2035	\$561,014,554	\$6,215,000	\$554,799,554	0.005571016	\$3,090,797	\$24,705,516
2036	\$601,172,774	\$6,215,000	\$594,957,774	0.005571016	\$3,314,519	\$28,020,035
2037	\$642,535,740	\$6,215,000	\$636,320,740	0.005571016	\$3,544,953	\$31,564,988
2038	\$685,139,596	\$6,215,000	\$678,924,596	0.005571016	\$3,782,300	\$35,347,288
2039	\$729,021,567	\$6,215,000	\$722,806,567	0.005571016	\$4,026,767	\$39,374,055
2040	\$774,219,997	\$6,215,000	\$768,004,997	0.005571016	\$4,278,568	\$43,652,623
2041	\$820,774,380	\$6,215,000	\$814,559,380	0.005571016	\$4,537,923	\$48,190,546
2042	\$868,725,395	\$6,215,000	\$862,510,395	0.005571016	\$4,805,059	\$52,995,605
2043	\$918,114,940	\$6,215,000	\$911,899,940	0.005571016	\$5,080,209	\$58,075,814



Post-July 1, 2016, Plan and RAA

- Limitations on Amendments to the Plan – I.C. 50-2903A
 - Base reset
 - Exceptions
- 

Plan Approval Process

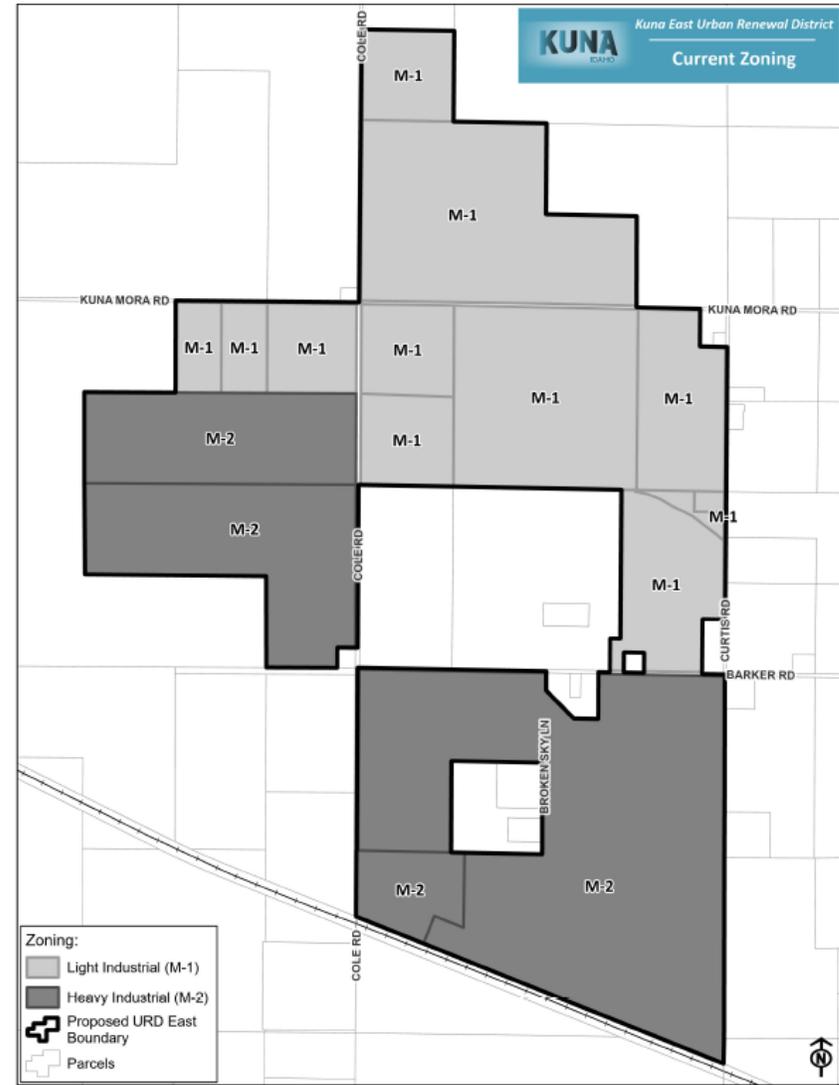
- January 5, 2022– Agency Board adopted Resolution No. URA03-2021 accepting the Kuna Urban Renewal District Eligibility Study, Kuna East District prepared by J-U-B Engineers, Inc. (the “Report”) and forwards to the City Council for consideration
- February 1, 2022– City Council adopts R05-2022, adopting the Report and directs Agency to commence preparation of a plan
- Stakeholder and Public Outreach
- August 2, 2022 - Joint City Council, P&Z and Agency Board Workshop
- August 3, 2022 – Agency Board reviewed the proposed project list
- September 14, 2022 – Agency Board considers adoption of Resolution No. URA 03-2022 approving the Urban Renewal Plan for the Kuna East Urban Renewal Project recommending approval of the Plan and directing transmittal of the Plan to Mayor and City Clerk to take the necessary action to process the Plan

Additional Plan Requirements

- 10% valuation limitation:
 - Kuna East RAA estimated base value as of January 1, 2022: \$6,215,000.00
 - Kuna West RAA adjusted base value as of January 1, 2022: \$77,405,189.00
 - Taxable value of the City as of January 1, 2022: \$3,416,648,619.00
 - Combined base is approximately 2.4% of the total taxable value of the City
- Ag Consents
- ACHD-Kuna URA Agreement
 - Idaho Code § 50-2908

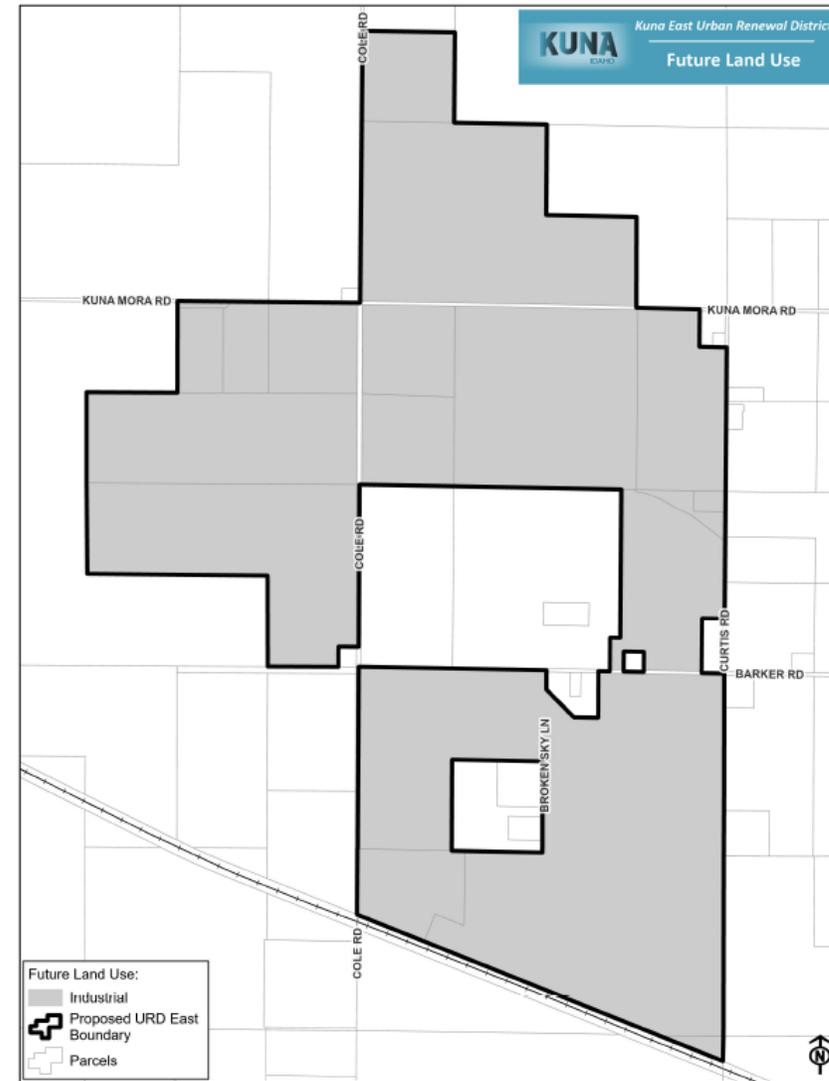
Current Zoning

- Light Industrial (M-1)
- Heavy Industrial (M-2)



Future Land Use

- Industrial



Next Steps

- *September 27, 2022 (alt. date-October 11, 2022) – City Planning and Zoning Commission meeting to find the proposed Plan conforms to the City’s Comprehensive Plan (Resolution No. PZC__-2022)*
- *September 29, 2022 – Notice of public hearing to be published in the Kuna Melba News and the Plan to be submitted to the affected taxing districts and separately to ACHD*
- *October 13, 2022 – Second notice of public hearing to be published in the Kuna Melba News*
- *November 1, 2022 – City Council public hearing, consider public comment, and City Council Ordinance approving the Plan*
- Thereafter: publication of the ordinance summary; recordation of ordinance and separately recorded map/legal; transmittal of documents to County officials, STC and affected taxing districts. Deadline to complete tasks 12/31/2022

Action

- Suggested Motion: Move to approve Resolution No. PZC finding the Urban Renewal Plan for the Kuna East Urban Renewal Project in conformity with the City's comprehensive Plan.

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

IN THE MATTER OF THE APPLICATION OF) **2022 Comprehensive Plan Amendment,**
) **Future Land Use Map**
)
)
THE CITY OF KUNA)
) **STAFF REPORT FOR THE**
) **COMPREHENSIVE PLAN**
For a Comprehensive Plan Amendment.) **AMENDMANT APPLICATION.**

TABLE OF CONTENTS

1. Exhibit List
2. Process and Noticing
3. Project Request
4. Agency Responses
5. Staff Analysis
6. Proposed Findings of Fact and Conclusions of Law
7. Commission’s Recommendation

**I
EXHIBIT LIST**

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

1.1 Exhibits:

<i>DESCRIPTION OF EVIDENCE</i>		Withdrawn	Refused	Admitted
1.11	Staff Report			X
1.2	P&Z Commission FCO’s 04.26.2022			X
1.3	P&Z Commission Meeting Minutes 03.22.2022			X
1.4	P&Z Commission Meeting Minutes 04.12.2022			X
1.5	P&Z Commission Sign-in Sheet			X
1.6	Staff Memo			X
1.7	CC FCO’s ACI			X

1.8	CC Minutes 06.07.2022			X
1.9	CC Sign-in-Sheet			X
1.10	CC Minutes 08.02.2022			X
2.18	Proposed Comprehensive Plan Map			X
2.4	Agency Transmittal			X
2.5	Ada County Development Services			X
2.18	Economic Development			X
2.7	Open House Notification 12.08.2021			X
2.8	Open House Attendance Sheet			X
2.9	Open House Comment Card Responses			X
2.10	Timothy Eck Comment Letter			X
2.11	Toll Brothers Comment Letter			X
2.12	Vander Stelt Dairy Comment Letter			X
2.13	Kellie King Comment Letter			X
2.14	Ralph Mellin Letter			X
2.6	P&Z Commission Kuna Melba News			X
2.15	City Council Kuna Melba News			X
2.16	City Council Kuna Melba News			X
2.17	P&Z Commission Kuna Melba News			X

**II
PROCESS AND NOTICING**

2.1 Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states 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.

2.1.1 Notifications

- 2.1.1.1** Open House: December 8, 2021 (47 Attendees)
- 2.1.1.2** Agency Comments Request: February 14, 2022
- 2.1.1.3** Kuna Melba News Newspaper: August 31, 2022 and September 7, 2022

**III
APPLICANTS REQUEST**

3.1 The City of Kuna requests consideration from the Planning and Zoning Commission for an Amendment to the Comprehensive Plan Future Land Use Map (FLUM).

**IV
AGENCY RESPONSES**

4.1 Agency Responses

Agency	Exhibit No.
Ada County Development Services	2.5
Economic Development	2.18

**V
STAFF ANALYSIS**

5.1 The City of Kuna held an Open House in the City of Kuna Council Chambers on December 8, 2021, from 4:00 p.m. to 6:00 p.m., there were 47 attendees. The meeting sign-up-sheet and comments have been provided as a part of this application.

The City of Kuna requests consideration from Planning and Zoning Commission for an Amendment to the Comprehensive Plan FLUM.

The Future Land Use Map (FLUM) is intended to carry out the goals of the Comprehensive Plan by designating land uses that will enhance the city by shaping and managing both the built and undeveloped environment, preserving existing land uses and implementing a strong community design that will meet the demands of the citizens, public infrastructure and services.

Land Use Designation	2019	2022
Agriculture	7,762	16,592
Low Density Residential	10,757	5,947
Medium Density Residential	6,104	9,074
High Density Residential	187	437
Mixed-Use	11,592	2,958
Commercial	1,239	1,047
Public	11,018	8,957
Industrial	5,026	5,907

The proposed FLUM previously reviewed by this decision-making body has been updated to reflect the greater of industrial designated property per **Exhibit 2.18** from the City of Kuna Economic Development Director. The FLUM now proposes a total of approximately 5,907 acres of Industrial designated property, an increase of 2,048 acres from the previous proposal.

The City of Kuna's FLUM, approved in July 2019, will be updated to meet the aforementioned goals. Changes include: a significant increase in lands designated as Agriculture, to preserve open spaces and rural the character outside of the city's core; providing Commercial frontages along the main entry corridors to the city; and adapting future land uses to ensure unnecessary hardship will not be placed on public infrastructure.

5.2 Applicable Standards

6.2.1 City of Kuna Zoning Ordinance Title 5.

6.2.2 City of Kuna Comprehensive Plan.

6.2.3 Idaho Code, Title 67, Chapter 65 – the Local Land Use Planning Act.

VI PROPOSED FINDINGS OF FACT

Based upon the record contained in the Comprehensive Plan Amendment (Maps) Application, Kuna City Code, Idaho Code, the Comprehensive Plan Staff’s Memorandums, including the exhibits, and the testimony during the Public Hearing, the Kuna Planning and Zoning Commission hereby recommends *Approval/Conditional Approval/Denial* the Findings of Fact and Conclusions of Law for a request from The City of Kuna for an amendment to the Comprehensive Plan FLUM.

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

6.1 The public notice requirements have been met and the open house was conducted within the guidelines of applicable Idaho Code and City Ordinances.

Staff Finding: An open house was held on December 8, 2021, there were 47 attendees. Legal notices were published in the Kuna Melba News on August 31, 2022 and September 7, 2022.

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

Staff Finding: Applicable agencies were notified and asked to provide comment on February 14, 2022.

VII COMMISSION’S RECCOMENDATION

Note: These Motions are for the recommended Approval, Conditional Approval or Denial of the Comprehensive Plan Amendment (Maps) application to the City Council. However, if the Planning and Zoning Commission wishes to Approve, Deny or modify 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 the Comprehensive Plan Amendment (FLUM) Application.

DATED this 27th day of September 2022.

2.8	Open House Attendance Sheet			X
2.9	Open House Comment Card Responses			X
2.10	Timothy Eck Comment Letter			X
2.11	Toll Brothers Comment Letter			X
2.12	Vander Stelt Dairy Comment Letter			X
2.13	Kellie King Comment Letter			X

1.2 Hearings

1.2.1 The Planning and Zoning Commission heard this on March 22, 2022, it was tabled to April 12, 2022. The FCO’s have been requested to go to the Planning and Zoning Commission on April 26, 2022.

1.3 Witness Testimony

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

1.3.1.1 City Staff:
Doug Hanson, Planner II

1.3.2.2 Appearing in Favor:
None

1.3.2.3 Appearing Neutral:
Henry VanderStelt, 2800 W Kuna Mora Road, Kuna, ID 83634 – Testified
David Bohecker, 4840 N Lakemont Place, Garden City, ID 83714 - Testified
Adam Capell, 3103 W Sheryl Drive, Meridian, ID 83642 – Testified

1.3.2.4 Appearing Against:
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 City Code and Idaho Statutes.

3.1.2 Notice Provided

3.1.2.1 Notice was published for the March 22, 2022 hearing on the Comprehensive Plan Amendment (Maps) and Area of City Impact Boundary Adjustment 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>	February 23, 2022 March 2, 2022

3.1.2.2 Notice for the March 22, 2022 hearing was posted on the City Website.

3.2 Findings

3.2.1 An Open House was held on December 8, 2021, there were 47 attendees. Legal notices were published in the *Kuna Melba News* on February 23, 2022 and March 2, 2022.

3.2.2 Applicable agencies were notified and asked to provide comment on February 14, 2022.

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 March 22, 2022 confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:

3.3.1.1 The City of Kuna held an Open House in the City of Kuna Council Chambers on December 8, 2021, from 4:00 p.m. to 6:00 p.m., there were 47 in person attendees. The meeting sign-up-sheet and comments have been provided as a part of this application.

3.3.1.2 The City of Kuna requests consideration from the Planning and Zoning Commission for an Amendment to the Comprehensive Plan Maps, and a reduction of Area of City Impact (ACI) Boundary and to forward a recommendation to City Council.

- 3.3.1.3** The Future Land Use Map (FLUM) is intended to carry out the goals of the Comprehensive Plan by designating land uses that will enhance the city by shaping and managing both the built and undeveloped environment, preserving existing land uses and implementing a strong community design that will meet the demands of the citizens, public infrastructure and services.
- 3.3.1.4** The City of Kuna's FLUM, approved in July 2019, will be updated to meet the aforementioned goals. Changes include: a significant increase in lands designated Agriculture, to preserve open spaces and rural character outside of the city's core; providing Commercial frontages along the main entry corridors to the city; and adapting future land uses to ensure unnecessary hardship will not be placed on public infrastructure.
- 3.3.1.5** The City of Kuna ACI reduction will remove a portion of land totaling approximately 762 acres. All Comprehensive Plan Maps are included in this application to reflect the proposed ACI reduction.

3.3.2 Staff Recommendation: As a result of the review, City Planner II, Doug Hanson, recommended if the Planning and Zoning Commission recommends approval of the Comprehensive Plan Amendment (Maps) and Area of City Impact Boundary Reduction.

3.4 Other Testimony

- 3.4.1** 3/22/2022 Public Hearing – Henry VanderStelt, 2800 W Kuna Mora Road, Kuna, ID 83634, testified on behalf of Vander Stelt Dairy, & provided history on the property. He also explained his family’s concern that if their property’s future land use designation was changed, it would limit its ability to be sold & requested an R-4 Medium Density Residential future land use designation.
- 3.4.2** 3/22/2022 Public Hearing – David Boecker, 4840 N Lakemont Place, Garden City, ID 83714, testified on behalf of his client Mrs. King, regarding the proposal which would change her property’s future land use designation from Low Density Residential to Agriculture. Mr. Boecker stated the land was prime Agriculture ground due to the bedrock depth & was better suited to residential development. He stated a Map change was not supposed to downgrade individual properties.
- 3.4.3** 3/22/2022 Public Hearing – Adam Capell, 3103 W Sheryl Drive, Meridian, ID 83642, Adam Capell of Toll Brothers testified that changes to the Future Land Use Map would limit their ability to proceed with projects they had been working on. Mr. Capell specifically requested the property for their future project Astor Grove, be designated as Medium Density Residential & also requested the property on Meadow View Road be designated as Mixed Use.

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 COMPREHENSIVE PLAN AMENDMENT (MAPS) AND
AREA OF CITY IMPACT BOUNDARY ADJUSTMENT

- 5.1 The City of Kuna has authority to amend the Comprehensive Plan pursuant to I.C. §67-6509.

VI
ORDER OF RECOMMENDING APPROVAL OF APPLICATION

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 to City Council of the Comprehensive Plan Amendment (Maps) and Area of City Impact Boundary Adjustment application.

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna at its regular meeting held on the 26th day of April 2022.

Lee Young, Chairman
Kuna Planning and Zoning Commission

OFFICIALS

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



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

Planning & Zoning Commission Meeting
MINUTES
Tuesday March 22, 2022

6:00 PM REGULAR MEETING

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

1. CALL TO ORDER & ROLL CALL:

(Timestamp 00:00:28)

COMMISSION MEMBERS PRESENT:

Chairman Lee Young – In Person
Vice Chairman Dana Hennis – In Person
Commissioner Stephen Damron – Absent
Commissioner Tyson Garten – In Person
Vacant

CITY STAFF PRESENT:

Bill Perkins, City Attorney – In Person
Doug Hanson, Planning & Zoning Director – In Person
Jessica Reid, Planner I – In Person

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

(Timestamp 00:00:45)

1. Regular Planning & Zoning Commission Meeting Minutes Dated March 8, 2022
2. Findings of Fact & Conclusions of Law
None

(Timestamp 00:00:47)

Motion To: Approve Consent Agenda.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 3-1-0

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

(Timestamp 00:01:05)

- A. *Tabled from March 8, 2022* Case Nos. 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat), 20-05-SUP (Special Use Permit) & 20-22-DR (Design Review) for Merlin Cottages Subdivision – Doug Hanson, Planning & Zoning Director

(Timestamp 00:01:43)

Motion To: Table Case Nos. 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat), 20-05-SUP (Special Use Permit) & 20-22-DR (Design Review) for Merlin Cottages Subdivision to a date uncertain.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 3-1-0

(Timestamp 00:02:27)

B. Tabled from March 8, 2022 Case Nos. 21-02-CPM (Comprehensive Plan Map Amendment), 21-08-AN (Annexation), 21-06-S (Preliminary Plat) & 21-18-DR (Design Review) for Rising Sun West Subdivision – Troy Behunin, Planner III

(Timestamp 00:03:02)

C. Motion To: Table Case Nos. 21-02-CPM (Comprehensive Plan Map Amendment), 21-08-AN (Annexation), 21-06-S (Preliminary Plat) & 21-18-DR (Design Review) for Rising Sun West Subdivision to a date certain of April 26, 2022.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 3-1-0

(Timestamp 00:03:36)

D. Tabled from March 8, 2022 Case Nos. 21-17-AN (Annexation) & 21-06-CPF (Combination Preliminary & Final Plat) for Skylar Ranch Subdivision – Doug Hanson, Planning & Zoning Director

(Timestamp 00:03:58)

Director Doug Hanson presented an overview of the project.

(Timestamp 00:05:40)

Angie Prayer of Mason & Associates presented an overview of the project.

(Timestamp 00:12:08)

Chairman Young opened the Public Hearing.

Support:

1. Angie Cuellar – Applicant, Mason & Associates, 924 3rd Street South, Nampa, Idaho, 83651

Neutral:

None

Against:

None

(Timestamp 00:12:32)

As there were no persons who had signed in to testify, Chairman Young closed the Public Hearing & the Commission proceeded into deliberation.

(Timestamp 00:12:56)

Commissioner Hennis felt the future proposed development would have a good transition between the densities & felt the project was appropriate for the area.

(Timestamp 00:13:40)

Commissioner Garten agreed & felt that it fit the Comprehensive Plan.

(Timestamp 00:14:08)

Chairman Young agreed with fellow Commissioners.

(Timestamp 00:14:40)

Motion To: Recommend Approval to City Council of Case Nos. 21-17-AN (Annexation) & 21-06-CPF (Combination Preliminary & Final Plat) for Skylar Ranch Subdivision, with the Conditions as outlined in the Staff Report.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 3-1-0

(Timestamp 00:15:15)

E. Case No. 21-19-AN (Annexation) & 21-07-SUP (Special Use Permit) for Kuna Lutheran Church – Doug Hanson, Planning & Zoning Director

(Timestamp 00:15:30)

Director Doug Hanson presented an overview of the requested Annexation.

(Timestamp 00:17:04)

Applicant Representative Richard Girard reiterated the request to Annex the property & construct a new church in the future.

(Timestamp 00:18:49)

Pastor Tom Hausch provided a brief history of Kuna Lutheran Church.

(Timestamp 00:20:35)

Chairman Young opened the Public Hearing.

Support:

1. Richard Girard – Applicant, 675 N Ramey Creek Avenue, Star, Idaho, 83669
2. Tom Hausch – Pastor, 398 N Sierra Bay View, Eagle, Idaho, 83616

Neutral:

None

Against:

None

(Timestamp 00:20:58)

Seeing none, Chairman Young closed the Public Hearing & the Commission proceeded into deliberation.

(Timestamp 00:21:14)

The Commissioners believed the parcel was an appropriate location for a church & had no issues with the Annexation request.

(Timestamp 00:21:10)

Motion To: Recommend Approval to City Council of Case No. 21-19-AN (Annexation) Kuna Lutheran Church, with the Conditions as outlined in the Staff Report.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 3-1-0

(Timestamp 00:22:44)

F. Case No. 21-13-AN (Annexation) & 21-09-S (Preliminary Plat) for Lee Country Subdivision – Troy Behunin, Senior Planner

(Timestamp 00:23:16)

Motion To: Table Case Nos. 21-13-AN (Annexation) & 21-09-S (Preliminary Plat) for Lee Country Subdivision to a date uncertain.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 3-1-0

(Timestamp 00:20:50)

G. Comprehensive Plan Amendment (Maps) & Area of City Impact (ACI) Boundary Reduction – Dough Hanson, Planning & Zoning Director

(Timestamp 00:23:55)

Director Doug Hanson presented an overview of the request, as well as provided specifics on why the request was being made.

(Timestamp 00:25:34)

Chairman Young Opened the Public Hearing.

Support:

None

Neutral:

1. Henry Vander Stelt, 2800 W Kuna Mora Road, Kuna, Idaho, 83634 – Testify
2. David Boehecker – Mark Bottles Real Estate, 4840 N Lakemont Place, Garden City, Idaho, 83714 – Testify
3. Adam Capell – Toll Brothers, 3103 W Sheryl Drive, Meridian, Idaho, 83642 – Testify

Against:

None

(Timestamp 00:26:23)

Mr. Vander Stelt testified on behalf of Vander Stelt Dairy, & provided history on the property. He also explained his family's concern that if their property's future land use designation was changed, it would limit its ability to be sold & requested an R-4 Medium Density Residential future land use designation.

(Timestamp 00:28:51)

Chairman Young asked a clarifying question on the location of Mr. Vander Stelt's property.

(Timestamp 00:29:15)

Planner I Jessica Reid directed the Commission to page 155 so they could identify the property Mr. Vander Stelt was referencing.

(Timestamp 00:30:04)

David Boehecker of Mark Bottles Real Estate testified on behalf of his client Mrs. King, regarding the proposal which would change her property's future land use designation from Low Density Residential to Agriculture. Mr. Boehecker stated the land was prime Agriculture ground due to the bedrock depth & was better suited to residential development. He stated a Map change was not supposed to downgrade individual properties.

(Timestamp 31:58)

Adam Capell of Toll Brothers testified that changes to the Future Land Use Map would limit their ability to proceed with projects they had been working on. Mr. Capell specifically requested the property for their future project Astor Grove, be designated as Medium Density Residential & also requested the property on Meadow View Road be designated as Mixed Use.

(Timestamp 00:35:23)

As there were no others signed in to testify, Chairman Young closed the Public Hearing & the Commission proceeded into deliberation.

(Timestamp 00:35:49)

Chairman Young felt the map modification was needed as some of the previous designations in certain areas stretched the bounds of the intent of the growth. He asked staff if he was correct that when considering the proposed changes, they were looking at areas in general & not parcel specific.

(Timestamp 00:36:45)

Mr. Hanson confirmed that was correct. He further explained that parcel lines in the proposal were removed as it better fit the intent of Idaho Code regarding Comprehensive Plans & the map

was used as a guide on how the city would like to see Kuna grow; Mr. Hanson explained the land use designations were not a set zone.

(Timestamp 00:37:23)

Chairman Young asked that as projects came forward, Applicants were able to submit a Comprehensive Plan Map Amendment request.

(Timestamp 00:37:38)

Mr. Hanson confirmed the Chairmans comment & also explained that if an application was submitted which did not exactly fit the map but it was smart growth, & aligned with the city's Comprehensive Plan goals moving forward, it may not need the Comprehensive Plan Map Amendment; he then gave an example.

(Timestamp 00:38:20)

Vice Chairman Hennis asked how that would apply to the properties referred to in public comment letters, where they wanted to change from a Mixed Use to Medium Density Residential as that was quite a bit different use.

(Timestamp 00:38:34)

Mr. Hanson stated staff would review the subject site, consider the feasibility of the development plan & how the proposed use factored in; he then referenced a development on S Swan Falls which was designated Mixed Use but due to the limited frontage on S Swan Falls, the Applicant proposed a Medium Density Residential use instead, which was supported by the decision makers of the city.

(Timestamp 00:39:20)

Chairman Young addressed Mr. Vander Stelt's comments & explained that the proposed designation of Low Density appeared appropriate then reiterated the map was just a guide, not the final verdict on the zone; he was in agreement with the proposed changes.

(Timestamp 00:40:36)

Vice Chairman Hennis agreed & stated the larger concerns are when projects are wanting to go from Commercial to Residential or Mixed Use to only Residential. He referenced the public comment letters & expressed he was concerned with the requested changes.

(Timestamp 00:41:50)

Chairman Young expressed it was difficult to address specific parcels with how the map was proposed.

Vice Chairman Hennis agreed.

Chairman Young referenced the Commercial Corridor on Meridian Road & how keeping density (Residential) closer to the core of the city, then working out from there was a better way to address growth. He did not have issues with how the map was presented but also understood the comments which were presented; he didn't feel as though projects that were already working through the process with the city would now be denied (based on the proposed changes).

(Timestamp 00:43:38)

Vice Chairman Hennis agreed. He then asked Mr. Hanson if projects already in the works would be affected by the proposed changes.

(Timestamp 00:44:12)

Mr. Hanson explained that applications for the projects referred to by Mr. Capell had not been formally submitted, however, until the proposed changes had been adopted by City Council, submittals would continue to abide by the existing Future Land Use Map.

(Timestamp 00:45:23)

Vice Chairman Hennis stated he was not necessarily against the requested modifications but was not sure how the Commission would modify parcels (as map is not parcel specific).

(Timestamp 00:45:49)

Chairman Young asked Mr. Hanson if he was correct in his thinking that the city works closely with Applicants on projects that were already in the works.

(Timestamp 00:46:10)

Mr. Hanson confirmed that was correct.

(Timestamp 00:46:40)

Chairman Young asked the Commission if they would be comfortable making a decision that evening based on the information at hand or if they would like additional time to consider.

(Timestamp 00:47:05)

Vice Chairman Hennis wished to further review & reflect on the information presented; he wanted to make sure the changes requested made sense. He expounded on the effects it could have on projects & properties.

(Timestamp 00:48:44)

Chairman Young understood as the proposed map was not parcel specific when the previous map was.

(Timestamp 00:49:30)

Commissioner Garten expressed he was in agreement with a map change but was unsure how to address the requests made.

(Timestamp 00:49:40)

Vice Chairman Hennis suggested the matter be tabled in order to consider it further.

Chairman Hennis agreed.

(Timestamp 00:49:58)

Motion To: Table the Comprehensive Plan Amendment (Maps) & Area of City Impact (ACI) Boundary Reduction to April 12, 2022.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 3-1-0

(Timestamp 00:50:32)

Mr. Hanson asked the Commission if they wished to receive additional testimony at the meeting on April 12, 2022 or to keep the Public Hearing closed.

(Timestamp 00:50:44)

Chairman Young felt that additional testimony was unnecessary to receive additional testimony due to comments received from the open house, public comment letters & testimony provided; the Commission just needed additional time to consider the information.

4. BUSINESS ITEMS:

(Timestamp 00:52:12)

A. *Tabled from March 8, 2022* Case No. 22-04-DR (Design Review) for Project Peregrine – Doug Hanson, Planning & Zoning Director

(Timestamp 00:52:27)

Director Doug Hanson presented an overview of the Design Review request.

(Timestamp 00:54:20)

Planner I Jessica Reid notified the Commission the Applicant was attending via Zoom.

(Timestamp 00:54:52)

Susan Devine of Parametrix thanked staff for the overview & stated they were excited to work with the city & other applicable agencies as the project moved forward; she then stood for questions.

(Timestamp 00:55:54)

Chairman Hennis asked the Commission if there were any questions; there were not. The Commission then proceeded into deliberation.

(Timestamp 00:56:06)

Vice Chairman Hennis felt the request was straightforward & the site was well laid out; based on his professional experience, he felt the design was a step-up from other data center projects he had seen.

(Timestamp 00:56:34)

Chairman Young agreed. He felt the landscaping was appropriate & the proposed structures worked well with being in an Industrial/Manufacturing zone. The Chairman had no concerns with the proposal.

(Timestamp 00:57:24)

Commissioner Garten agreed; the landscaping & design was appropriate.

(Timestamp 00:58:00)

Motion To: Approve Case No. 22-04-DR (Design Review) for Project Peregrine with the Conditions as outlined in the staff report.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 3-1-0

(Timestamp 00:58:31)

B. Case No. 21-34-DR (Design Review) for Changed Life Church – Jessica Reid, Planner I

(Timestamp 00:58:49)

Planner I Jessica Reid informed the Commission of a correction in the Case name as it should have read “Changed Life *Church*”.

(Timestamp 00:59:17)

Motion To: Table Case No. 21-34-DR (Design Review) for Changed Life Church to a date certain of April 12, 2022.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 3-1-0

(Timestamp 00:59:38)

C. Case No. 22-01-DR (Design Review) for Arby’s – Jessica Reid, Planner I

(Timestamp 00:59:46)

Planner I Jessica Reid presented an overview of the project & stood for questions; there were no questions.

(Timestamp 01:01:22)

Applicant Steve Krekus touched on highlights of the project, provided some company history & stated they looked forward to providing more jobs within the community.

(Timestamp 01:02:20)

Vice Chairman Hennis asked Mr. Krekus if he had read the staff report & had any concerns; Mr. Krekus had no concerns.

(Timestamp 01:02:36)

Vice Chairman Hennis felt the design had good aesthetics & it was in an appropriate location.

(Timestamp 01:02:54)

Commissioner Garten agreed & felt that it fit the surrounding area.

(Timestamp 01:03:08)

Chairman Young had no concerns with the request as presented.

(Timestamp 01:03:36)

Commissioner Garten referenced the previously approved Commercial Tire project just west of the proposed Arby’s.

Vice Chairman Hennis confirmed the location & stated he believed that there would be no issues with access or residual effects by surrounding businesses.

(Timestamp 01:04:06)

Motion To: Approve Case No. 22-01-DR (Design Review) for Arby's with the Conditions as outlined in the staff report.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 3-1-0

5. ADJOURNMENT:

(Timestamp 01:04:50)

Chairman Young asked if there were any items or updates staff wished to discuss; there were not.

(Timestamp 01:05:08)

Motion To: Adjourn.

Motion By: Vice Chairman Hennis

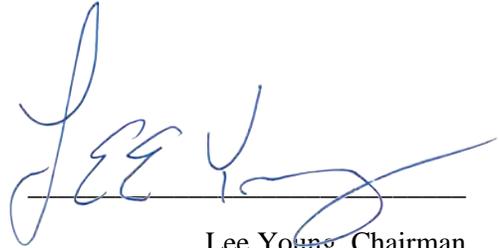
Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 1

Motion Passed: 3-1-0



Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:



Doug Hanson, Planning and Zoning Director
Kuna Planning and Zoning Department

OFFICIALS

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



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

Planning & Zoning Commission Meeting
MINUTES
Tuesday April 12, 2022

6:00 PM REGULAR MEETING

Meeting Audio Recording failed; staff notes used.

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

I. CALL TO ORDER & ROLL CALL:

COMMISSION MEMBERS PRESENT:

Chairman Lee Young – In Person
Vice Chairman Dana Hennis – In Person
Commissioner Tyson Garten – In Person
Commissioner Ginny Greger – In Person
Commissioner Jim Main – In Person

CITY STAFF PRESENT:

Bill Perkins, City Attorney – In Person
Morgan Treasure, Economic Development Director
Troy Behunin, Planner III – In Person
Jessica Reid, Planner I – In Person

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

- 1. Regular Planning and Zoning Commission Meeting Minutes Dated March 22, 2022
- 2. Findings of Fact & Conclusions of Law
 - A. Case No. 22-01-DR (Design Review) Arby's
 - B. Case No. 22-04-DR (Design Review) Project Peregrine
 - C. Case Nos. 21-17-AN (Annexation) & 21-06-CPF (Combination Plat) Skylar Ranch Subdivision
 - D. Case Nos. 21-19-AN (Annexation) & 21-07-SUP (Special Use Permit) Kuna Lutheran Church

Motion To: Move item 2.D Findings of Fact & Conclusions of Lay for Case Nos. 21-19-AN (Annexation) & 21-07-SUP (Special Use Permit) for Kuna Lutheran Church to Business Items in order to ratify the Motion made on March 22, 2022.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 0

Motion Passed: 5-0-0

Motion To: Approve the remaining Consent Agenda items.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 0

Motion Passed: 5-0-0

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

- A. Tabled from March 22, 2022 Comprehensive Plan Amendment (Maps) & Area of City Impact (ACI) Boundary Reduction – Doug Hanson, Planning & Zoning Director*

As the Public Hearing was closed on March 22, 2022, the Commission proceeded into their deliberation.

Vice Chairman Hennis expressed he understood the requests made at the previous meeting to change certain areas but felt that as the Future Land Use Map serves as a guide, Kuna City Code had a variety of tools available for development, and that there was the ability to apply for a Comprehensive Plan Map Amendment, there were enough options available.

Chairman Young agreed.

There were no additional concerns presented by the Commission.

Motion To: Recommend Approval to City Council of the Comprehensive Plan Amendment (Maps) & Area of City Impact (ACI) Boundary Reduction as presented.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 0

Motion Passed: 5-0-0

- B. Case Nos. 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat), 20-05-SUP (Special Use Permit), 22-01-V (Variance) & 20-22-DR (Design Review) for Merlin Cottages Subdivision – Doug Hanson, Planning & Zoning Director*

Planner I Jessica Reid, presenting on behalf of Planning & Zoning Director Doug Hanson, presented an overview of the project. She also touched on reason for the Variance application, as well as touched briefly on comments made by ACHD (Ada County Highway District) & ITD (Idaho Transportation Department). Ms. Reid then stood for questions.

Applicant Steve Arnold provided a quick overview of the project for the new Commissioners. Mr. Arnold then touched on the future right turn lane to N Sailer from westbound Hwy 69/Avalon, confirming that the development would comply with ITD's request to take new traffic counts at the completion of Phase 1 of the project. He then discussed the Variance application requirement for reduced side yard setbacks.

Chairman Young opened the Public Hearing.

Support:

1. Leslye Langla, 217 N Sailer Ave, Kuna, Idaho, 83634 – Testified
2. Chris Ransom, 217 N Sailer Ave, Kuna, Idaho, 83634 - Testified
3. Charlotte Busbee, 364 N bay Haven Ave, Kuna, Idaho, 83634 – Not Testify

Neutral:

1. Jim Kowalski, 1110 E Folgado Street, Kuna, Idaho, 83634 – Not Testify
2. Lonna Kowalski, 1110 E Folgado Street, Kuna, Idaho, 83634 – Not Testify

Against:

1. Robbie Reno, Kuna School District, 711 E Porter Street, Kuna, Idaho, 83634 - Testify
2. Joanne Tofslie, 233 N Sailer Ave, Kuna, Idaho, 83634 – Not Testify
3. Roger Tofslie, 233 N Sailer Ave, Kuna, Idaho, 83634 – Not Testify

Leslye Langla expressed her support of the project then made general comments on development, Emergency Services & Fire Impact Fees.

Chris Ransom expressed his support of the project.

Robbie Reno, on behalf of Kuna School District (KSD), stated they were against the development as there were not safe walking routes for students who would attend Hubbard (Elementary). He also expressed the Applicant & KSD had not discussed a possible partnership since January 2021.

Chairman Young invited Mr. Arnold to provide his rebuttal.

Mr. Arnold confirmed there had been no conversations with KSD then expressed that he did not feel KSD requesting Impact Fees was legal. He believed the future turn lane would meet the requested amount of “Impact Fees” as the cost for its installation would be near the same price. He ended by explaining that he believed other concerns such as traffic had been adequately addressed.

Chairman Young closed the Public Hearing & the Commission proceeded into deliberation.

Commissioner Main asked a series of general questions spurred by the Public Comments that were part of the meeting packet. He asked if the proposed townhomes would be rentals; Mr. Arnold stated they were not intended to be. Mr. Arnold further explained that there had been consideration to model the Covenants, Conditions & Restrictions (CC&R’s) for this project after the CC&R’s for Merlin Pointe Subdivision No. 1, in which there was a condition that the unit could not be rented for at least two (2) years. Commissioner Main then asked what the plan was for visitor parking; Mr. Arnold explained that the townhomes were designed with garages & there was additional street parking for visitors. Commissioner Main questioned if the green space that was in the middle of Merlin Pointe Subdivision No. 1, was to be used by all. Mr. Arnold answered that as all Phases of the overall development of Merlin Pointe would pay Homeowners Association (HOA) dues for maintenance, all would be able to use it. Commissioner Main asked if it was possible to have an additional amenity as it seemed like not much was present besides a gazebo; Commissioner Greger agreed then asked if there were benches proposed within the pathways. Mr. Arnold stated there would be dog waste stations and benches were an option. Mr. Arnold stated a gazebo could be traded for a tot lot (playground).

Motion To: Recommend Approval to City Council of Case Nos. 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat) & 22-01-V (Variance) with the Conditions as outlined in the staff report, and with the additional Conditions the Applicant add a tot lot & benches to the open space, and the Applicant work with Kuna Joint School District No. 3 on a solution to their concerns prior to the City Council Public Hearing.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 0

Motion Passed: 5-0-0

Motion To: Approve Case Nos. 20-05-SUP (Special Use Permit), & 20-22-DR (Design Review) with the Conditions as outlined in the staff report, and with the additional Conditions the Applicant add a tot lot & benches to the open space, and the Applicant work with Kuna Joint School District No. 3 on a solution to their concerns prior to the City Council Public Hearing.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 0

Motion Passed: 5-0-0

4. BUSINESS ITEMS:

- A. Tabled from March 22, 2022 Case No. 21-34-DR (Design Review) for Changed Life Church – Jessica Reid, Planner I*

Motion To: Table Case No. 21-34-DR (Design Review) for Changed Life Church to a date certain of April 26, 2022.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 0

Motion Passed: 5-0-0

- B. Case No. 22-03-DR (Design Review) for Del Taco – Jessica Reid, Planner I*

Planner I Jessica Reid presented an overview of the project and stood for questions.

Steven Andrews of erstad Architects, presented a brief overview of the project and the proposed building design.

The Commission touched on the design elements of the structure, discussing the textures and colors, as well as commenting on the landscaping. The Commissioners were in agreement that the proposed project was appropriate for the site.

Motion To: Approve Case No. 22-03-DR (Design Review) for Del Taco with the Conditions as outlined in the staff report.

Motion By: Commissioner Garten

Motion Seconded: Vice Chairman Hennis

Further Discussion: None

Voting No: None

Absent: 0

Motion Passed: 5-0-0

- C. Case No. 22-06-DR (Design Review) for Falcon Crest Pressurized Irrigation Pump House – Jessica Reid, Planner I

Planner I Jessica Reid presented an overview of the proposed building design and landscaping then stood for questions.

As the Applicant was not present, the Commission moved into deliberation.

The Commission believed the application was a straight-forward request and the proposal met the applicable required design elements.

Motion To: Approve Case No. 22-06-DR (Design Review) for Falcon Crest Pressurized Irrigation Pump House with the Conditions as outlined in the staff report.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

Absent: 0

Motion Passed: 5-0-0

5. **ADJOURNMENT:**

Motion To: Adjourn

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Garten

Further Discussion: None

Voting No: None

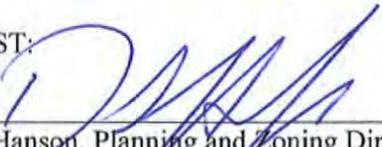
Absent: 0

Motion Passed: 5-0-0



Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:



Doug Hanson, Planning and Zoning Director
Kuna Planning and Zoning Department

2.1	Proposed Comprehensive Plan Maps			X
2.2	Proposed Area of City Impact Map			X
2.3	Proposed Area of City Impact Legal Description			X
2.4	Agency Transmittal			X
2.5	Ada County Development Services			X
2.6	Planning & Zoning Commission Kuna Melba News			X
2.7	Open House Notification 12.08.2021			X
2.8	Open House Attendance Sheet			X
2.9	Open House Comment Card Responses			X
2.10	Timothy Eck Comment Letter			X
2.11	Toll Brothers Comment Letter			X
2.12	Vander Stelt Dairy Comment Letter			X
2.13	Kellie King Comment Letter			X
2.14	Ralph Mellin Letter			X
2.15	City Council Kuna Melba News			X

**II
PROCESS AND NOTICING**

2.1 Kuna City Code (KCC), Title 1, Chapter 14, Section 3, states 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.

2.1.1 Notifications

- 2.1.1.1** Open House: December 8, 2021 (47 Attendees)
- 2.1.1.2** Agency Comments Request: February 14, 2022
- 2.1.1.3** Kuna Melba News Newspaper: May 11, 2022 and May 18, 2022

**III
APPLICANTS REQUEST**

3.1 The City of Kuna requests consideration from the City Council for an Amendment to the Comprehensive Plan Maps, and a reduction of Area of City Impact (ACI) Boundary.

**IV
AGENCY RESPONSES**

4.1 Agency Responses

Agency	Exhibit No.
Ada County Development Services	2.5

V
STAFF ANALYSIS

- 5.1** The City of Kuna held an Open House in the City of Kuna Council Chambers on December 8, 2021, from 4:00 p.m. to 6:00 p.m., there were 47 in person attendees. The meeting sign-up-sheet and comments have been provided as a part of this application.

The City of Kuna requests consideration from the Planning and Zoning Commission for an Amendment to the Comprehensive Plan Maps, and a reduction of Area of City Impact (ACI) Boundary and to forward a recommendation to City Council.

The Future Land Use Map (FLUM) is intended to carry out the goals of the Comprehensive Plan by designating land uses that will enhance the city by shaping and managing both the built and undeveloped environment, preserving existing land uses and implementing a strong community design that will meet the demands of the citizens, public infrastructure and services.

The City of Kuna's FLUM, approved in July 2019, will be updated to meet the aforementioned goals. Changes include: a significant increase in lands designated Agriculture, to preserve open spaces and rural character outside of the city's core; providing Commercial frontages along the main entry corridors to the city; and adapting future land uses to ensure unnecessary hardship will not be placed on public infrastructure.

The City of Kuna ACI reduction will remove a portion of land totaling approximately 762 acres. All Comprehensive Plan Maps are included in this application to reflect the proposed ACI reduction.

5.2 Applicable Standards

6.2.1 City of Kuna Zoning Ordinance Title 5.

6.2.2 City of Kuna Comprehensive Plan.

6.2.3 Idaho Code, Title 67, Chapter 65 – the Local Land Use Planning Act.

VI
PROPOSED FINDINGS OF FACT

Based upon the record contained in the Comprehensive Plan Amendment (Maps) and ACI Boundary Reduction Application, Kuna City Code, Idaho Code, the Comprehensive Plan Staff's Memorandums, including the exhibits, and the testimony during the Public Hearing, the Kuna City Council hereby approves/conditionally approves/denies the Findings of Fact and Conclusions of Law for a request from The City of Kuna for an amendment to the Comprehensive Plan Maps and Area of City Impact Boundary Reduction.

If the City Council wishes to Approve, Deny or modify specific parts of the Findings of Fact and Conclusions of Law as detailed below, those changes must be specified.

- 6.1** The public notice requirements have been met and the open house was conducted within the guidelines of applicable Idaho Code and City Ordinances.

Staff Finding: An open house was held on December 8, 2021, there were 47 attendees. Legal notices were published in the Kuna Melba News on May 11, 2022 and May 18, 2022.

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

Staff Finding: Applicable agencies were notified and asked to provide comment on February 14, 2022.

VII COMMISSION'S RECCOMENDATION

Based on the facts outlined in staff's report and public testimony as presented, the Planning and Zoning Commission of Kuna, recommended approval of the Comprehensive Plan Amendment (Maps) and ACI Boundary Reduction Application.

VIII COUNCIL'S PROPOSED ORDER OF DECISION

Note: These Motions are for the Approval, Conditional Approval or Denial of the Comprehensive Plan Amendment (Maps) and ACI Boundary Reduction applications to the City Council. However, if the City Council 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 City Council of Kuna, Idaho, hereby (approves/conditionally approves/denies) of the Comprehensive Plan Amendment (Maps) and ACI Boundary Reduction Application.

DATED this 7th day of June 2022.

**BEFORE THE CITY COUNCIL
OF THE CITY OF KUNA**

IN THE MATTER OF THE APPLICATION OF) **2022 Area of City Impact Boundary**
) **Adjustment**
THE CITY OF KUNA)
)
For a Area of City Impact Boundary) **FINDINGS OF FACT,**
Adjustment.) **CONCLUSIONS OF LAW, AND**
ORDER OF APPROVAL.

THESE MATTERS came before the City Council for public hearing on June 7, 2022 and for the receipt and consideration by the City Council of these Findings of Fact, Conclusions of Law and Order of Decision for the above referenced Application. The City Council 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>		<i>Withdrawn</i>	<i>Refused</i>	<i>Admitted</i>
1.6	Staff Memo			X
1.2	P&Z Commission FCO's			X
1.3	P&Z Commission Meeting Minutes 03.22.2022			X
1.4	P&Z Commission Meeting Minutes 04.12.2022			X
1.5	P&Z Commission Sign-in Sheet			X
2.1	Proposed Comprehensive Plan Maps			X
2.2	Proposed Area of City Impact Map			X
2.3	Proposed Area of City Impact Legal Description			X
2.4	Agency Transmittal			X
2.5	Ada County Development Services			X
2.6	Planning & Zoning Commission Kuna Melba News			X

2.7	Open House Notification 12.08.2021			X
2.8	Open House Attendance Sheet			X
2.9	Open House Comment Card Responses			X
2.10	Timothy Eck Comment Letter			X
2.11	Toll Brothers Comment Letter			X
2.12	Vander Stelt Dairy Comment Letter			X
2.13	Kellie King Comment Letter			X
2.14	Ralph Mellin Letter			X
2.15	City Council Kuna Melba News			X

1.2 Hearings

1.2.1 The City Council heard this on June 7, 2022. The FCO’s have been requested to go to the City Council on June 21, 2022.

1.3 Witness Testimony

1.3.1 Those who testified at the City Council’s June 7, 2022 hearing are as follows, to-wit:

1.3.1.1 City Staff:
Doug Hanson, Planner and Zoning Director

1.3.2.2 Appearing in Favor:
None

1.3.2.3 Appearing Neutral:
None

1.3.2.4 Appearing Against:
None

**II
DECISION**

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

**III
FINDINGS OF FACT**

3.1 Findings Regarding Notice

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

3.1.2 Notice Provided

3.1.2.1 Notice was published for the June 7, 2022 hearing on the Area of City Impact Boundary Adjustment in the *Kuna Melba News*, the official City of Kuna newspaper, which has general circulation within the boundaries of the City and in Ada and Canyon County.

<i>Newspaper</i>	<i>Date Published</i>
<i>Kuna Melba News</i>	May 11, 2022 May 18, 2022

3.1.2.2 Notice for the June 7, 2022 hearing was posted on the City Website.

3.2 Findings

3.2.1 An Open House was held on December 8, 2021, there were 47 attendees. Legal notices were published in the *Kuna Melba News* on February 23, 2022 and March 2, 2022.

3.2.2 Applicable agencies were notified and asked to provide comment on February 14, 2022.

3.3 Testimony of the City Planner

3.3.1 Conclusions: The Planning and Zoning Director, in a staff report to the City Council dated June 7, 2022 confirmed that a review of the site and records on file at the City of Kuna has been completed with the following conclusions:

3.3.1.1 The City of Kuna held an Open House in the City of Kuna Council Chambers on December 8, 2021, from 4:00 p.m. to 6:00 p.m., there were 47 in person attendees. The meeting sign-up-sheet and comments have been provided as a part of this application.

3.3.1.2 The City of Kuna requests consideration from the Planning and Zoning Commission for an Amendment to the Comprehensive Plan Maps, and a reduction of Area of City Impact (ACI) Boundary and to forward a recommendation to City Council.

3.3.1.3 The Future Land Use Map (FLUM) is intended to carry out the goals of the Comprehensive Plan by designating land uses that will enhance the city by shaping and managing both the built and undeveloped environment, preserving existing land uses and implementing a strong community design that will meet the demands of the citizens, public infrastructure and services.

3.3.1.4 The City of Kuna's FLUM, approved in July 2019, will be updated to meet the aforementioned goals. Changes include: a significant increase in lands designated Agriculture, to preserve open spaces and rural character outside of the city's core; providing Commercial frontages along the main entry corridors to the city; and adapting future land uses to ensure unnecessary hardship will not be placed on public infrastructure.

3.3.1.5 The City of Kuna ACI reduction will remove a portion of land totaling approximately 762 acres. All Comprehensive Plan Maps are included in this application to reflect the proposed ACI reduction.

3.3.2 Staff Recommendation: As a result of the review, Planning and Zoning Director Doug Hanson, recommended the City Council Approve the Area of City Impact Boundary Adjustment.

3.4 Other Testimony

3.4.1 None

IV

CONCLUSIONS OF LAW

RE: POWERS AND DUTIES OF THE CITY COUNCIL

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 City Council to hear this matter as provided in Idaho Code §67-65 and Kuna City Code 1-14-3.

V

CONCLUSIONS OF LAW

RE: APPLICATION FOR ARE OF CITY IMPACT BOUNDARY ADJUSTMENT

5.1 The City of Kuna has authority to amend the Comprehensive Plan pursuant to I.C. §67-6509.

VI
ORDER OF APPROVAL OF APPLICATION

The Kuna City Council, 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 Approve the Area of City Impact Boundary Adjustment.

BY ACTION OF THE CITY COUNCIL of the City of Kuna at its regular meeting held on the 21st day of June 2022.



Joe Stear, Mayor

OFFICIALS
Joe Stear, Mayor
Greg McPherson, Council President
Chris Bruce, Council Member
Warren Christensen, Council Member
John Laraway, Council Member



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

City Council Meeting
MINUTES
Tuesday, June 7, 2022

6:00 P.M. REGULAR CITY COUNCIL

For questions, please call the Kuna City Clerk's Office at (208) 387-7726.

ALL ITEMS ON THE KUNA CITY COUNCIL AGENDA ARE CONSIDERED ACTION ITEMS UNLESS OTHERWISE INSTRUCTED BY THE CITY COUNCIL.

1. Call to Order and Roll Call

(Timestamp 00:00:04)

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
Council President McPherson
Council Member Chris Bruce
Council Member Warren Christensen
Council Member John Laraway

CITY STAFF PRESENT:

Marc Bybee, City Attorney
Chris Engels, City Clerk
Jared Empey, City Treasurer
Mike Fratusco, Kuna Police Chief
Doug Hanson, P & Z Director
Morgan Treasure, Economic Development Director
Nancy Stauffer, HR Director

2. Invocation

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:23)

4. Consent Agenda: ACTION ITEMS

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

(Timestamp 00:00:44)

A. Regular City Council Meeting Minutes Dated May 17, 2022

NOTICE: Copies of all agenda materials are available for public review in the Office of the City Clerk. Persons who have questions concerning any agenda item may call the City Clerk's Office at (208) 387-7726. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 387-7726 at least forty-eight (48) hours prior to the meeting to allow the City to make reasonable arrangements to ensure accessibility to this meeting.

B. Accounts Payable Dated June 2, 2022, in the amount of \$923,267.67

C. Findings of Fact Conclusions of Law

1. Case No. 21-04-S (Preliminary Plat) for Falcon Crest Golf Villages Subdivision

D. Final Plats

1. Case No. 22-03-FP (Final Plat) Robinhood Subdivision No. 1

<http://kunacity.id.gov/DocumentCenter/View/7996/22-03-FP-Robinhood-No1-Staff-Packet-PDF>

2. Case No. 22-04-FP (Final Plat) Robinhood Subdivision No. 2

<http://kunacity.id.gov/DocumentCenter/View/7997/22-04-FP-Robinhood-No2-Staff-Packet-PDF>

E. Resolutions

1. Resolution R30-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE “*KUNA-VEOLIA WATER SERVICE AREA AGREEMENT*” WITH VEOLIA WATER IDAHO, INC; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

2. Resolution R31-2022

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE DEED OF PUBLIC UTILITIES EASEMENT FROM FALCON CREST HOLDINGS, LLC.

3. Resolution R32-2022

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE DEED OF PUBLIC UTILITIES EASEMENT FROM FALCON CREST CLUB PARTNERS, LLC.

4. Resolution R33-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY CHALLENGER DEVELOPMENT INC., FOR MALASPINA SUBDIVISION NO. 2 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING, FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

5. Resolution R34-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY DB DEVELOPMENT, LLC, FOR CASPIAN SUBDIVISION NO. 1 FOR UNCOMPLETED WORK INCLUDING LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

6. Resolution R35-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY DB DEVELOPMENT, LLC, FOR CASPIAN SUBDIVISION NO. 1 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING PURSUANT TO THE TERMS OF THIS RESOLUTION.

7. Resolution R36-2022

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE DEED OF PUBLIC UTILITIES EASEMENT FROM M3 ID FALCON CREST LLC.

8. Resolution R37-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID VALOR GOLF VILLAS, LLC, FOR ROBINHOOD SUBDIVISION NO. 1 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING, FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

9. Resolution R38-2022

- Removed from the Agenda

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID FALCON CREST, LLC, FOR ROBINHOOD SUBDIVISION NO. 2 FOR UNCOMPLETED WORK INCLUDING STREET LIGHTING, FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

10. Resolution R39-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID FALCON CREST, LLC, FOR FALCON CREST SUBDIVISION NO. 4 FOR UNCOMPLETED WORK STREETLIGHTING PURSUANT TO THE TERMS OF THIS RESOLUTION.

11. Resolution R40-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID FALCON CREST, LLC, FOR FALCON CREST SUBDIVISION NO. 4 FOR UNCOMPLETED WORK LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

12. Resolution R41-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID FALCON CREST, LLC, FOR FALCON CREST SUBDIVISION NO. 1 FOR UNCOMPLETED WORK INCLUDING FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

13. Resolution R42-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID FALCON CREST, LLC, FOR FALCON CREST SUBDIVISION NO. 2 FOR UNCOMPLETED WORK INCLUDING FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

14. Resolution R43-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING A PERFORMANCE BOND BY M3 ID RISING SUN, LLC, FOR RISING SUN ESTATES SUBDIVISION NO. 1 FOR UNCOMPLETED WORK INCLUDING FENCING AND LANDSCAPING PURSUANT TO THE TERMS OF THIS RESOLUTION.

Motion To: Approve the Consent Agenda with item 4E9 removed

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Approved by the Following Roll Call Vote:

Voting Aye: Council Members Bruce, Christensen, Laraway, McPherson

Voting No: None

Absent: None

Motion Passed: 4-0-0

5. External Reports:

6. Public Hearings:

Public Hearing Process: Items begin with the presentation of the project by staff for up to 15 minutes. The applicant is then allowed 10 minutes to present their project. Members of the public are allowed up to 3 minutes each, to address City Council with testimony restricted to the matter at hand. After all public testimony, the applicant is allowed 5 minutes for rebuttal.

City Council members may ask questions throughout the public hearing process.

Once the public hearing is closed, no further testimony or comments are heard.

City Council may move to continue the application to a future meeting or approve or deny the application.

(Timestamp 00:02:37)

- A. 2022 Comprehensive Plan Amendment (Maps) & Area of City Impact (ACI) Boundary Adjustment** – The City of Kuna requests consideration from the City Council for an Amendment to the Comprehensive Plan Maps, and reduction of the Area of City Impact (ACI) Boundary. Doug Hansen, Planning and Zoning Director ACTION ITEM

<http://kunacity.id.gov/DocumentCenter/View/7998/2022-Comprehensive-Plan-Amendment-Maps-and-Area-of-City-Impact-ACI-Boundary-Adjustment-Packet-PDF>

Planning and Zoning Director Doug Hansen provided a review of the details and stood for questions.

Council Member Laraway asked about the reasoning of mixed use.

Mr. Hansen explained.

Council Member Christensen asked why a 40-acre lot was not feasible for a commercial designation.

Morgan Treasure and Doug Hansen respond.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Motion To: Close the evidence presentation and proceed to deliberation

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve 2022 Comprehensive Plan Amendment (Maps) & Area of City Impact (ACI) Boundary Adjustment.

Motion By: Council President McPherson

Motion Seconded: None – Motion died.

Voting No: None

Absent: None

Motion Passed: 0-0-0

Christensen moved to deny Comp Plan and approve Area of City Impact

Laraway second

Withdrawn

Motion To: to deny comp plan and revisit new solutions

Motion By: Council Member Christensen

Motion Seconded: Council Member Laraway

Voting No: Council President McPherson

Absent: None

Motion Passed: 3-1-0

Motion To: to approve area of city impact boundary adjustment

Motion By: Council Member Christensen
Motion Seconded: Council President McPherson
Voting No: None
Absent: None
Motion Passed: 4-0-0

B. Case Nos. 21-17-AN (Annexation), 21-06-CPF (Combination Preliminary & Final Plat) & 21-06-DA (Development Agreement) Skylar Ranch Subdivision – Skylar Ranch LLC, requests approval for Annexation of 9.97 acres into Kuna City Limits with R-4 and R-6 (Medium Density Residential) zoning district classifications, and to subdivide the 9.97 acres into three (3) lots. The application is accompanied by a Development Agreement. The subject site is located at 1113 W Oak Tree Drive, Kuna ID 83634 (APN: S1314244739). Doug Hansen, P&Z Director ACTION ITEM
(Timestamp 00:56:47)

<http://kunacity.id.gov/DocumentCenter/View/7999/Skylar-Ranch-Subdivision-Staff-Packet-PDF>

Planning and Zoning Director Doug Hansen provided a review of the details and stood for questions.

Council Member Christensen asked about the timeline for the new 18" sewer line to help with compacity.

Doug Hansen responded.

The applicant Angie with Mason and Associates representing Skylar Ranch LLC reviewed the application.

Mayor Stear asked what the point of this process was if they were just going to sell the property.

Applicant responded.

Janice Hatfield, concerned what will go into the property and would like to see the two houses sold as they are and are okay with the property being sold as presented.

David Reinhart, Kuna School District reviewed comments from the district.

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Motion To: Close the evidence presentation and proceed to deliberation

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Case Nos. 21-17-AN (Annexation), 21-06-CPF (Combination Preliminary & Final Plat) & 21-06-DA (Development Agreement) Skylar Ranch Subdivision

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting No: Bruce

Absent: None

Motion Passed: 3-1-0

7. Business Items:

(Timestamp 01:36:40)

- A. Consideration to approve contingency request for up to \$20,000 for History Building Mold Clean-up. Bobby Withrow, Parks & Facilities Director ACTION ITEM

Chris Engels, City Clerk stood in for Bobby Withrow and explained the need for the contingency request and stood for questions.

Motion To: Approve contingency request for History Building

Motion By: Council President McPherson

Motion Seconded: Council Member Bruce

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

8. Ordinances:

(Timestamp 01:31:03)

- A. Consideration to approve Ordinance 2022-17 ACTION ITEM

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

- MAKING CERTAIN FINDINGS; and
- ENLARGING THE BOUNDARIES OF THE KUNA MUNICIPAL IRRIGATION SYSTEM BY THE INCLUSION OF ADA COUNTY ASSESSOR'S DB DEVELOPMENT LLC.; AND
- DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; and
- DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE AS PROVIDED BY LAW; and
- DIRECTING THE CITY ENGINEER TO PROVIDE NOTICE OF THIS ORDINANCE TO THE NAMP~MERIDIAN IRRIGATION DISTRICT, THE OWNERS AND UPDATE THE IRRIGATION SYSTEM MAP; and
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve Ordinance

Motion To: Waive three readings of Ordinance 2022-17

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Further Discussion: None

Absent: None

Motion Passed: 4-0-0

Motion To: Approve Ordinance 2022-17

Motion By: Council President McPherson

Motion Seconded: Council Member Christensen

Approved by the Following Roll Call Vote:

Voting Aye: Council Members, Bruce, Christensen, Laraway and McPherson

Voting No: None

Absent: None

Motion Passed: 4-0-0

9. Executive Session:

(Timestamp 01:32:45)

- A. Executive Session under Idaho Code: 74-206 (c) To acquire an interest in real property not owned by a public agency;

Motion To: Enter into executive session under Idaho Code: 74-206 (c)

Motion By: Council President McPherson

Seconded By: Council Member Christensen

Approved by the Following Roll Call Vote:

Voting Aye: Council Members, Bruce, Christensen, Laraway and Mcpherson

Voting No: None

Motion Passed: 4-0-0

7:33

8:02 pm

McPherson to return from exec session, second Christensen

No decision made

10. Mayor/Council Announcements:

Joint meeting with Council and Urban Renewal Agency...stand alone or pre-council

Impact fees will be coming before council next month.

11. Adjournment: 8:04 P.M.



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk

SENIOR DEPUTY CLERK

*Minutes prepared by Nathan Stanley, Deputy City Clerk
Date Approved: CCM 06.21.2022*





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

June 7, 2022 – City Council Public Hearing

Case Name: Comprehensive Plan Amendment (Maps) and ACI Boundary Reduction

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>
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IN FAVOR

NEUTRAL

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Testify **Not Testify**

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City State, Zip

OFFICIALS
Joe Stear, Mayor
Greg McPherson, Council President
Chris Bruce, Council Member
Vacant Position, Council Member
John Laraway, Council Member



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

City Council Meeting
MINUTES
Tuesday, August 2, 2022

6:00 P.M. REGULAR CITY COUNCIL

For questions, please call the Kuna City Clerk's Office at (208) 387-7726.

ALL ITEMS ON THE KUNA CITY COUNCIL AGENDA ARE CONSIDERED ACTION ITEMS UNLESS OTHERWISE INSTRUCTED BY THE CITY COUNCIL.

1. Call to Order and Roll Call

(Timestamp 00:00:06)

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
Council President McPherson
Council Member Chris Bruce
Council Member Vacant
Council Member John Laraway

CITY STAFF PRESENT:

Marc Bybee, City Attorney
Chris Engels, City Clerk
Jared Empey, City Treasurer
Mike Fratusco, Kuna Police Chief
Doug Hanson, P & Z Director
Nancy Stauffer, HR Director
Bobby Withrow, Parks Director
Paul Stevens, City Engineer

2. Invocation

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:21)

4. Consent Agenda: ACTION ITEMS

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

(Timestamp 00:00:38)

A. Regular City Council Meeting Minutes Dated July 19, 2022

NOTICE: Copies of all agenda materials are available for public review in the Office of the City Clerk. Persons who have questions concerning any agenda item may call the City Clerk's Office at (208) 387-7726. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 387-7726 at least forty-eight (48) hours prior to the meeting to allow the City to make reasonable arrangements to ensure accessibility to this meeting.

B. Accounts Payable Dated July 28, 2022, in the amount of \$525,797.91

C. Final Plats

1. 22-05-FP (Final Plat) Madrone Heights No. 2

2. 22-06-FP (Final Plat) Falcon Crest No. 4

D. Resolutions

1. Resolution R48-2022

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT WITH THE ADA COUNTY PROSECUTING ATTORNEY TO PROVIDE PROSECUTORIAL SERVICES FOR CITY MISDEMEANORS FOR THE FISCAL YEAR 2022-2023.

Motion To: Approve the Consent Agenda

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Further Discussion: None

Approved by the Following Roll Call Vote:

Voting Aye: Council Members Bruce, Laraway, McPherson

Voting No: None

Absent: None

Motion Passed: 3-0-0

5. External Reports:

(Timestamp 00:01:13)

A. East Kuna Urban Renewal District Planning Update – JUB Engineers.

Lisa Bachman, JUB Engineers, reviewed the Kuna Urban Renewal District Planning Update and stood for questions.

Council Member Laraway asked if the Kuna School District loses any money in this plan.

Megan, Elam and Burke, responded.

Marc Bybee, City Attorney, also responded.

Danielle Horras, Kuna School District, responded to the question as well. Also, asked what money will flow to the school from this plan like the fire district and other entities will be receiving.

Lisa Bachman, JUB Engineers continued the review of the plan.

Tim Clark, JUB Engineers, reviewed the slideshow and the boundaries of the plan.

6. Public Hearings:

Public Hearing Process: Items begin with the presentation of the project by staff for up to 15 minutes. The applicant is then allowed 10 minutes to present their project. Members of the public are allowed up to 3 minutes each, to address City Council with testimony restricted to the matter at hand. After all public testimony, the applicant is allowed 5 minutes for rebuttal.

City Council members may ask questions throughout the public hearing process.

Once the public hearing is closed, no further testimony or comments are heard.

City Council may move to continue the application to a future meeting or approve or deny the application.

(Timestamp 00:29:28)

- A. *Tabled from July 5, 2022.*** Case Nos. 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat), 22-01-V (Variance) & 20-01-DA (Development Agreement) for Merlin Cottages Subdivision – Doug Hansen, Planning & Zoning Director
ACTION ITEM

A Team Boise, requests Planned Unit Development approval for an approximately 7.04-acres with C-1 (Neighborhood Commercial) & R-12 (High Density Residential) zones. In addition, Applicant requests Preliminary Plat approval to subdivide the parcel into 66 total lots (54 single family, 6 common & 6 commercial); a Variance is requested to reduce side property line setbacks. The subject site is located at 115 N Sailer Avenue, Kuna, ID, 83634, within Section 24, Township 2 North, Range 1 West; (APNs: R5672430020, R5672430040, R5672430060)

Note: The Public Hearing was closed on July 5, 2022; no new testimony will be received without hearing being reopened

<https://www.kunacity.id.gov/DocumentCenter/View/8111/Merlin-Cottages-CC-Packet-08022022-PDF>

Doug Hansen, Planning and Zoning Director had no updates at this time for the project presented. Did mention that the public hearing was closed at the July 5, 2022 meeting.

Reopen Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Motion To: Approve Case Nos. 20-01-PUD (Planned Unit Development), 20-06-ZC (Rezone), 20-08-S (Preliminary Plat), 22-01-V (Variance) & 20-01-DA (Development Agreement) for Merlin Cottages Subdivision with staff conditions

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting Aye:

Voting No: Bruce

Absent: None

Motion Passed: 2-1-0

- B. 2022 Comprehensive Plan Amendment (Maps) – The City of Kuna requests consideration from the City Council for an Amendment to the Comprehensive Plan Maps. *Staff requests that this public hearing item be remanded back to the Planning and Zoning Commission in order to review proposed adjustments to the industrial land use designations in east Kuna.* Doug Hanson, Planning and Zoning Director ACTION ITEM
(Timestamp 00:34:39)

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Motion To: Remand

Motion By: Council President McPherson

Motion Seconded: Council Member Laraway

Voting Aye: Council Members Bruce, Laraway and Council President McPherson

Voting No: None

Absent: None

Motion Passed: 3-0-0

8. Business Items:

(Timestamp 00:36:02)

- A.1. Consideration to approve general fund contingency request for \$140,000 for Kay and Avalon traffic signal. Chris Engels, City Clerk ACTION ITEM

Chris Engels, City Clerk reviewed and clarified the request and stood for questions.

Motion To: Approve \$140,000 from general fund contingency request.

Motion By: Council President McPherson

Motion Seconded: Council Member Bruce

Voting No: None

Absent: None

Motion Passed: 3-0-0

- A.2. Consideration to approve Resolution R49-2022. Chris Engels, City Clerk ACTION ITEM

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO AUTHORIZING THE MAYOR TO SIGN; AND AUTHORIZING THE MAYOR TO EXECUTE THE CHANGES TO THE SCOPE OF WORK, SCHEDULE, AND ENGINEERING FEE; AVALON AND KAY TRAFFIC SIGNAL WARRANT STUDY AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

Motion To: Approve Resolution R49-2022

Motion By: Council President McPherson

Motion Seconded: Council Member Bruce

Voting No: None
Absent: None
Motion Passed: 3-0-0

9. Ordinances:

10. Executive Session:

10. Mayor/Council Announcements:

(Timestamp 00:39:19)

Nancy Stauffer, Human Resources announced that City of Kuna Staff member Clint DeYoung has reached his 25-year anniversary working for the city.

Kuna Days August 5th and 6th.

Chief Fratusco, Kuna Police Department announced the electrical vehicles that were acquired by using grants administered by Chris Engels, City Clerk through Together Treasure Valley.

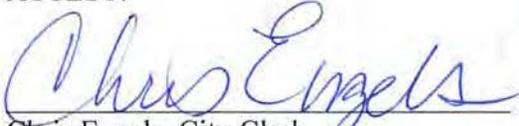
Chris Engels announced the Challenge Coins that were created by Christopher Smith.

11. Adjournment: 6:45 P.M.



Joe E. Stear, Mayor

ATTEST:


Chris Engels, City Clerk



*Minutes prepared by Nathan Stanley, Deputy City Clerk
Date Approved: CCM 08.16.2022*

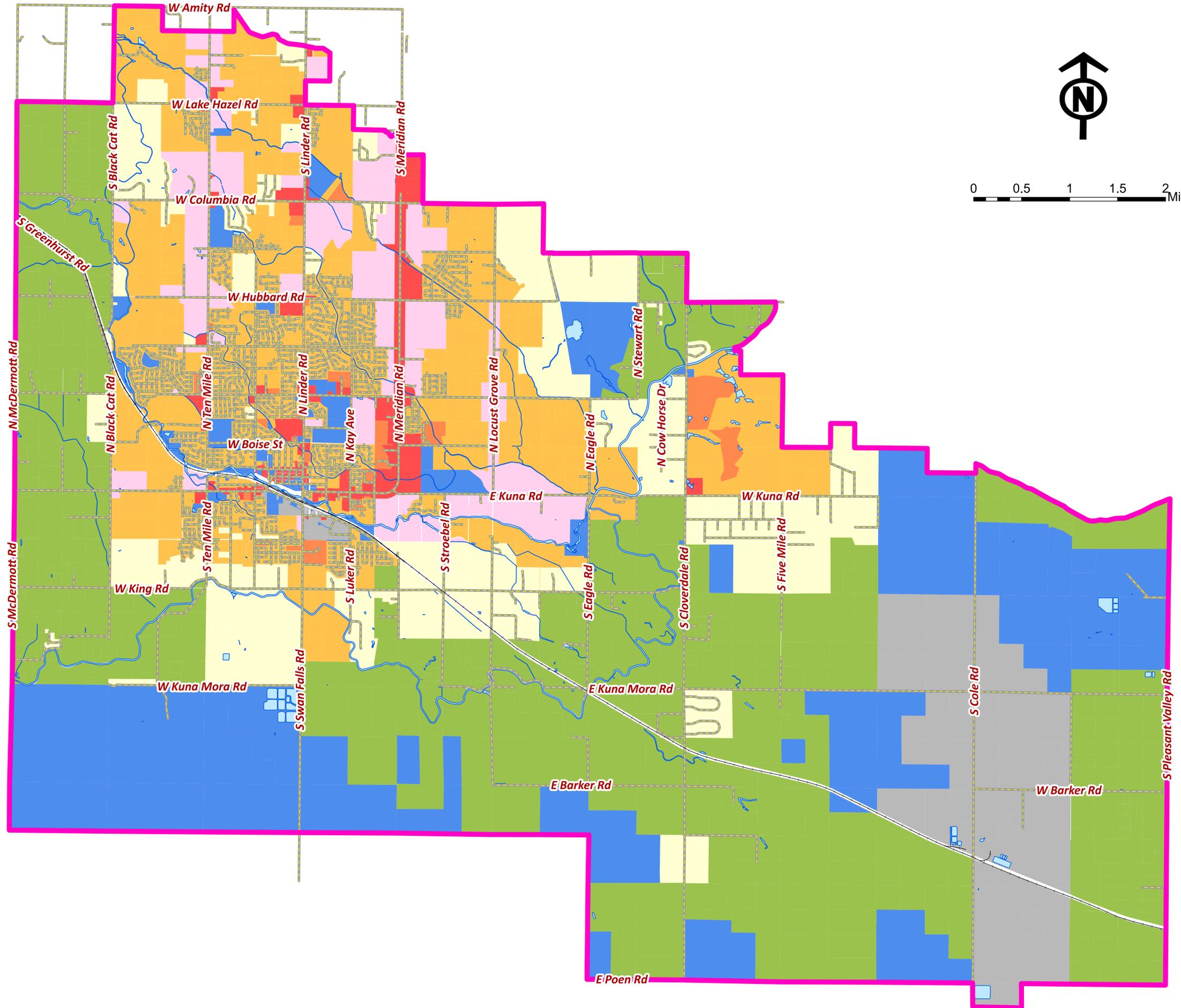


CITY OF KUNA
Future Land Use

**FIRST
PROPOSAL**

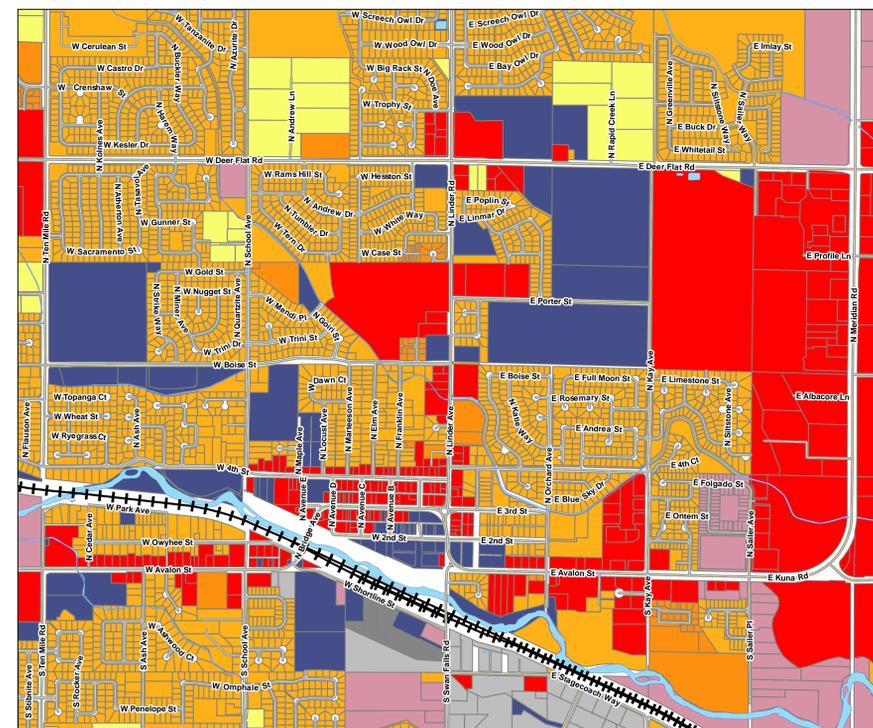
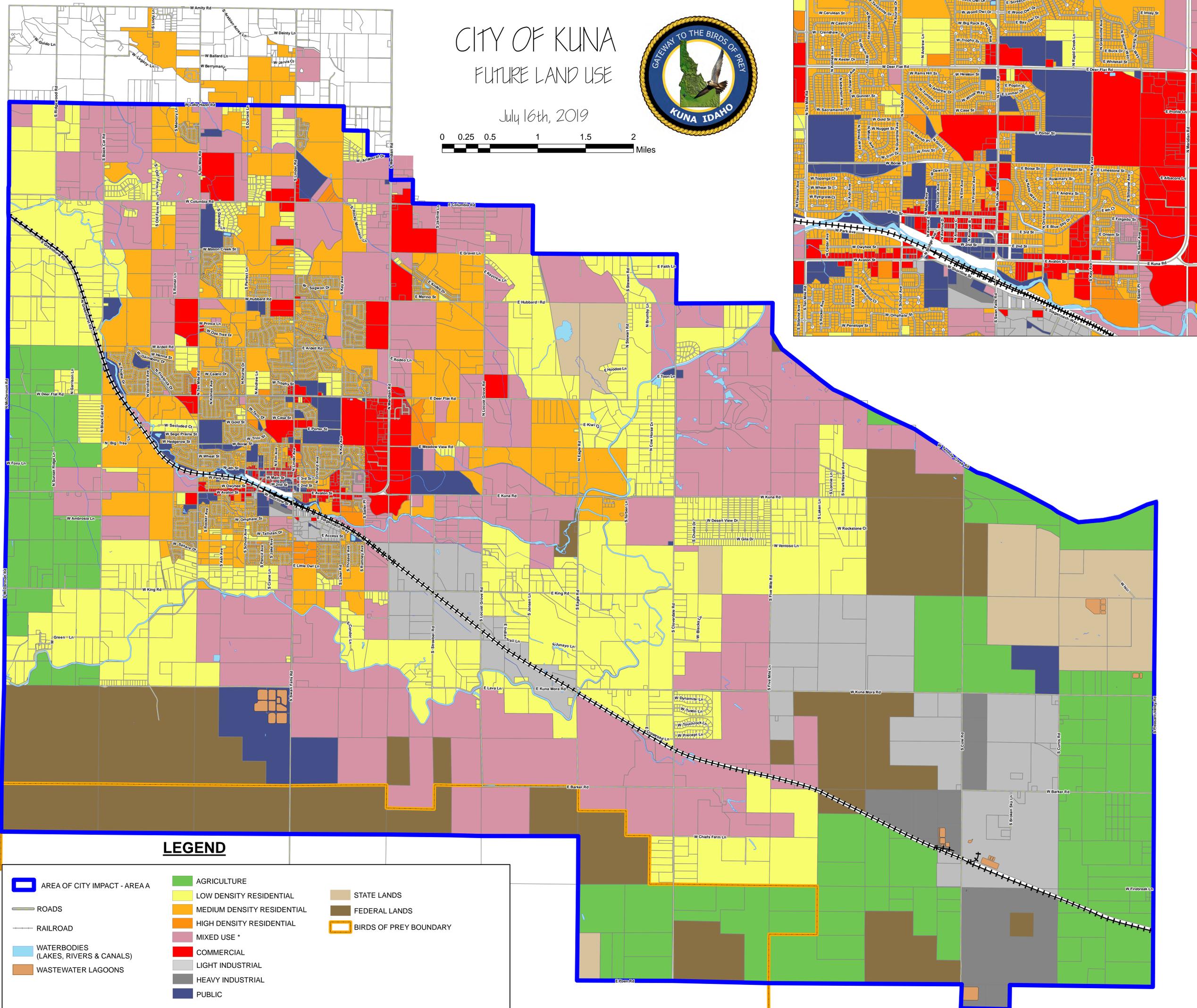


- Legend**
- Area of City Impact
 - Union Pacific Railroad
 - Roads
 - ▭ Waterway
- Future Land Use Designations
- Agriculture
 - Low Density Residential
 - Medium Density Residential
 - High Density Residential
 - Commercial
 - Mixed-Use
 - Industrial
 - Public



CITY OF KUNA FUTURE LAND USE

July 16th, 2019



LEGEND

- | | | |
|--------------------------------------|----------------------------|------------------------|
| AREA OF CITY IMPACT - AREA A | AGRICULTURE | STATE LANDS |
| ROADS | LOW DENSITY RESIDENTIAL | FEDERAL LANDS |
| RAILROAD | 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.

Doug Hanson

From: Doug Hanson
Sent: Monday, February 14, 2022 4:59 PM
To: 'Ada County Engineer'; 'Ada County Highway District'; 'Adam Ingram'; 'Beky Rone (Kuna USPS Addressing)'; Bobby Withrow; 'Boise Project Board of Control'; 'Brady Barroso'; 'Brent Moore (Ada County)'; 'Cable One TV'; Catherine Feistner; 'Central District Health Department'; 'Chief Fratusco'; 'COMPASS'; 'David Reinhart'; 'DEQ'; 'Eric Adolfson'; 'Idaho Power Easements'; 'Idaho Power Easements 2'; 'Intermountain Gas'; 'ITD'; 'J&M Sanitation'; Jace Hellman; 'Krystal Hinkle'; 'Leon Letson (Ada County)'; 'Marc Boyer (Kuna Postmaster)'; 'Megan Leatherman'; 'Mike Borzick'; 'Nampa Meridian Irrigation District'; 'New York Irrigation'; 'Paris Dickerson'; Paul Stevens; 'Robbie Reno'; 'Sarah Arjona ITD'; 'Scott Arellano (KRFD)'; 'Stacey Yarrington (Ada County)'; 'TJ Lawrence (Interim KRFD Chief)'; 'Marci Horner (Meridian School District)'; 'Joe Bongiorno'; 'ross@whitneyfiredistrict.org'
Subject: City of Kuna Comprehensive Plan Map Amendment and ACI Boundary Reduction Request for Comment
Attachments: City of Kuna Comp Plan Map Amendment and ACI Boundary Reduction Agency Transmittal Packet.pdf

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

Case Name:	City of Kuna Comprehensive Plan Map Amendment and Area of City Impact (ACI) Boundary Reduction
Project Description	The City of Kuna is proposing to amend its Comprehensive Plan Future Land Use Map, approved in July of 2019. Proposed changes include: a significant increase in lands designated Agriculture, to preserve open spaces and rural character outside of the City's core; provide Commercial frontages along the main entryway corridors; and adapting future land uses to ensure unnecessary hardship will not be placed on public infrastructure. Additionally, the City of Kuna is proposing a reduction to its ACI Boundary.
Site Location	See attached maps and legal description
Applicant	City of Kuna – Planning and Zoning Department
Tentative Public Hearing Date	Tuesday, March 22, 2022 6:00 pm Kuna City Hall is located at 751 W. 4 th Street, Kuna, ID 83634
Staff Contact	Doug Hanson dhanson@kunaid.gov Phone: 208.287.1771 Fax: 208.922.5989

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. *No response within 15 business days will indicate you have no objection or comments for this project.*

Best,

Doug Hanson

Planner II

City of Kuna

751 W 4th St

Kuna, ID 83634

dhanson@kunaid.gov

208.287.1771





ADA COUNTY DEVELOPMENT SERVICES

200 W. FRONT STREET, BOISE, IDAHO 83702-7300
<https://adacounty.id.gov/developmentservices>

PHONE (208) 287-7900
FAX (208) 287-7909

BUILDING • COMMUNITY PLANNING • ENGINEERING & SURVEYING • PERMITTING

March 4, 2022

Doug Hanson
Kuna City Planning Department
PO Box 13
Kuna, ID 83634

RE: City of Kuna Comprehensive Plan Future Land Use Map Amendment and Area of City Impact Boundary Reduction

Doug,

The City of Kuna has requested feedback regarding the proposed Comprehensive Plan Future Land Use Map Amendment and a reduction of its northeastern Area of City Impact Boundary. Ada County supports the reduction of the proposed Area of City Impact boundary, as this is the boundary that the City of Kuna has identified it can provide public infrastructure to serve.

Ada County is also supportive of the proposed changes to the City of Kuna's Future Land Use Map. As you are aware, Ada County has not adopted Kuna's most recent Comprehensive Plan (2019) and is currently utilizing the Ada County Land Use Map for Kuna's Area of City Impact 'B'. The proposed significant increase in lands designated as Agriculture are more in-line with Ada County's Future Land Use Map. The designation of Commercial uses along the main entry corridors is also supported by Ada County, as the higher traffic trips generated through commercial uses typically minimizes additional traffic through lesser classified streets in denser residential areas. Ada County looks forward to working with city staff in the renegotiation and adoption of Kuna's Comprehensive Plan.

Thank you for this opportunity to provide feedback.

Sincerely,

Stacey Yarrington

Stacey Yarrington
Community & Regional Planner
Ada County Development Services



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

MEMO

Date: September 14, 2022
From: Morgan Treasure, Economic Development Director
To: Kuna Planning and Zoning Commission
RE: Comprehensive Plan Amendment

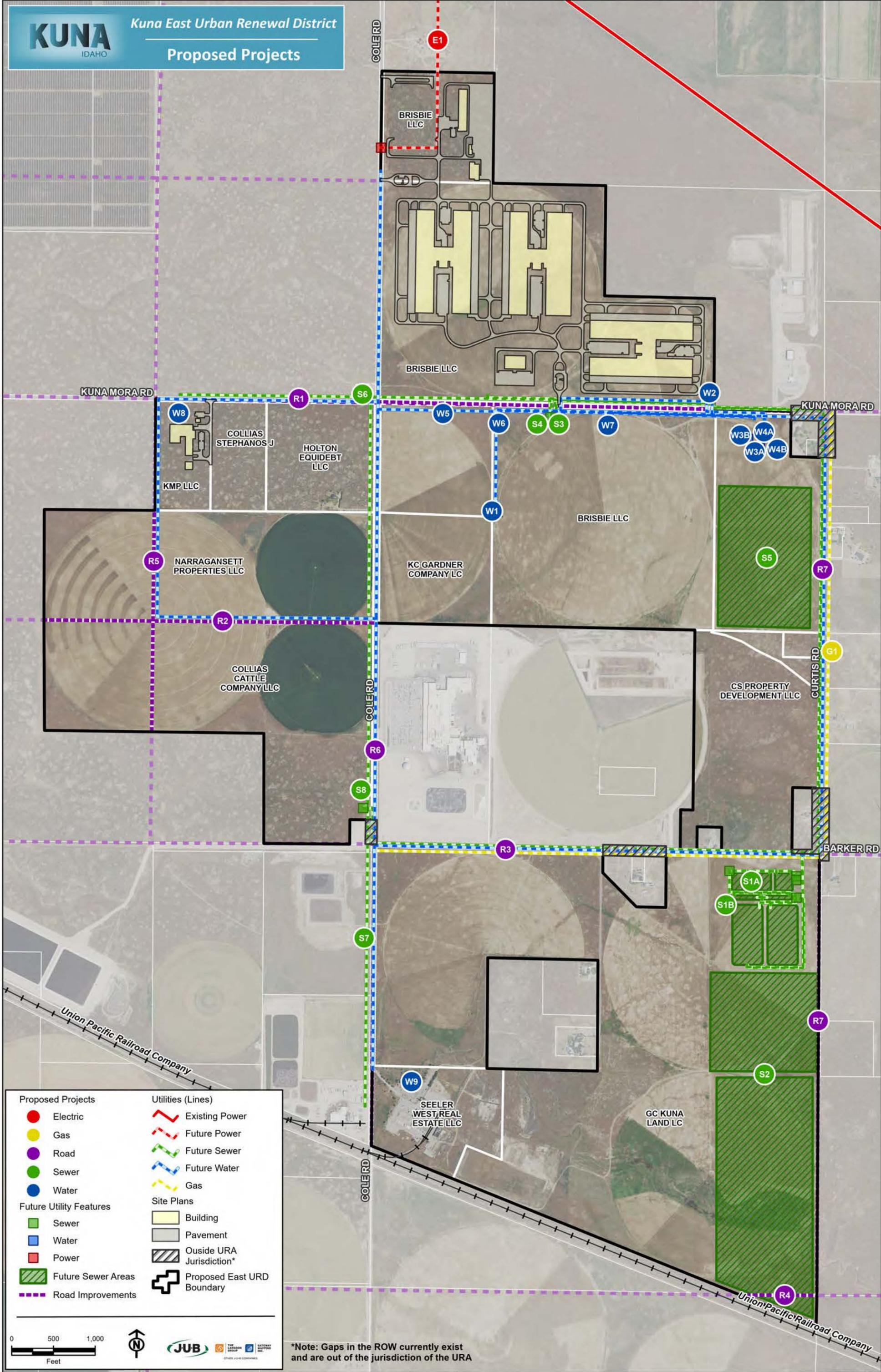
Planning and Zoning Commissioners,

Before you are proposed changes to the City of Kuna Comprehensive Plan Map that expands the industrial designation to better reflect the current development pattern and the future expansion of industrial and manufacturing uses in the south eastern region of the area of city impact.

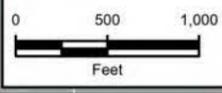
Since the annexation of the ~1500 acres in the East Kuna industrial area last year and the announcement of the Meta and Trimjoist facilities in that area, the City has seen increased interest in expanding the area to bring in more acreage for industrial users. The proposed adjustments to the Future Land Use Map would facilitate these requests and allow the City of Kuna to be more competitive when competing for business attraction projects, allowing for more options for both heavy and light industrial users. Based on the current design, which calls for the water and waste-water facilities to be centralized on the west side of Curtis, between Kuna Mora Road and the Union Pacific rail line (see Proposed Project Map from the East Kuna Urban Renewal District planning process), connecting to infrastructure along the north-south corridor of Curtis Road seems feasible and expanding the industrial designation to south and the east will allow for the City to maximize the potential of the infrastructure that is already being constructed.

Thank you for your consideration,

Morgan Treasure
Economic Development Director
mtreasure@kunaid.gov
208-559-5926



Proposed Projects		Utilities (Lines)	
●	Electric		Existing Power
●	Gas		Future Power
●	Road		Future Sewer
●	Sewer		Future Water
●	Water		Gas
Future Utility Features		Site Plans	
	Sewer		Building
	Water		Pavement
	Power		Outside URA Jurisdiction*
	Future Sewer Areas		Proposed East URD Boundary
	Road Improvements		



*Note: Gaps in the ROW currently exist and are out of the jurisdiction of the URA

YOU'RE INVITED TO AN OPEN HOUSE

**December 8, 2021 at 4:00 to 6:00 PM in City Hall
Council Chambers located at 751 W 4th Street**



The Future Land Use Map (FLUM) is intended to carry out the goals of the Comprehensive Plan by designating land uses that will enhance the city by shaping and managing both the built and undeveloped environment, preserving existing land uses and implementing a strong community design that will meet the demands of the citizens, public infrastructure and services.

The City of Kuna's FLUM, approved in July 2019, will be updated to meet the aforementioned goals. Changes include: a significant increase in lands designated Agriculture, to preserve open spaces and rural character outside of the city's core; providing Commercial frontages along the main entry corridors to the city; and adapting future land uses to ensure unnecessary hardship will not be placed on public infrastructure.

Visit the Planning & Zoning Public Outreach page at www.kunacity.id.gov to view the proposed changes!

December 8, 2021 Open House Sign-in-Sheet

Comment Sheet No.	Name
1	Larry Arave
2	Kari Arave
3	Alice Lichlyter
4	Rachel Lindstrom
5	Greg Lindstrom
6	Billy Edwards
7	Martha Drake
8	Jason Miller
9	Alex Coronado
10	Helsea Odan (?)
11	Don Kolodziejczak
12	John Laraway
13	Chris Bruce
14	Stacy Yarrington (ACHD)
15	George & Sharon Pollick
16	Bill & Sandy Dry
17	Rick Pleskan (sp?)
18	Joe Hibbard

19	Deb Wiscombe
20	Ken Wiscombe
21	Mike Williams-Black
22	Lyle Dennison-Swisse
23	Kyle Prewett
24	Dennis & Tracy Vander Stelt
25	Karen & Jack Culver
26	Bob & Marsha Hood
27	Marie & Mark O'Leary
28	Tom Ogle
29	Susan Wasserman
30	Bruce Wasserman
31	Carol Deutsche
32	Richard Deutsche
33	Steve & Pat Hessing
34	Robbie Reno
35	Liisa Itkonen
36	David Gronbeck, KG Global
37	Penelope Constantakies
38	Brandon Young
39	Heidi Black

40	Rikma Weaver
41	Robin Douglas
42	Tucker Johnson
43	Patty Hamm
44	Cathy Cabor (?)
45	Teresa Halderson
46	Merlene Henry
47	Dave Yorgason
48	Cindy Giesen - Via Email
49	Gary Pruitt - Via Email
50	Sherry Huber - In Person on Following Day
51	Becky J Miller - Via Email
52	Henry Vander Stelt - Via Phone



LIKES

Billy

A. _____

Why? _____

Bubble on Lugarno
North wrong color

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

Billy Edwards - Select Development

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

DISLIKES

A. _____

Why? _____

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____



LIKES

A. Future open space / green belt plans Meridian Rd / Kuna Rd

Why? Excited to hear about the ~~new~~ concepts being proposed
by the developer for additional ~~to~~ riverfront trails and
parks

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

Jason Miller

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

DISLIKES

A. _____

Why? _____

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____



LIKES

12B

A. LINDER & HUBBARD

Why? I DON'T BELIEVE WE SHOULD MAKE THIS
30 ACRES ALL MIXED USE, IT INVITES
THE WRONG TYPE OF GROWTH, I.E. TOWNHOUSE
APARTMENT.

B. GOOD STAFF PRESENTATION.

Why? EXPLAINED MANY CONCEPTS OF PLANNING
PROCESS. GOOD INTERACTION. KUDO'S
TO STAFF

12C

C. TOO MUCH ATOMIC MIXED USE

Why? I BELIEVE WE SHOULD NOT AUTOMATICALLY
CREATE MIXED USE. MAKE IT WHAT COUNTY
HAS IT, THEN CHANGE IT DURING DEDICATION

D. _____

Why? _____

E. _____

Why? _____

John Laraway

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

DISLIKES

A. _____

Why? _____

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____



LIKES

A. _____

Why? _____

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

Mike Williams-Black

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

DISLIKES

A. Changed from mixed use to medium density

Why? We purchased the property because it was mixed use. We intended to build apartments or possibly a storage facility. property is less than 1 mile from the largest commercial center in Kuna.

B. No irrigation water available

Why? _____

c. Should be industrial or light industrial

Why? No ditch water, All ag land would have to have wells to irrigate with groundwater

D. Too much medium density.

Why? There was too much mixed use but now I think you are over correcting. Should be a balance on all main roads

E. _____

Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____



LIKES

A. _____

Why? _____

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

Lyle Dennison-Swisse - Toll Brothers

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

DISLIKES

A. ASTER GROUP

Why? SEE ATTACHED LETTER

B. WANNER-BUCKNER MU

Why? SEE ATTACHED LETTER

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

Toll Brothers

AMERICA'S LUXURY HOME BUILDER®

RE: Kuna Future Land Use Map Amendments

Dear Mayor, City Council, Planning & Zoning Commission and Planning Staff:

Toll Brothers provides this comment letter as part of the City's request for input on the draft amendment to the Kuna Future Land Use Map ("FLUM").

We would like to thank the City of Kuna for soliciting comment and working with the development community and public on the FLUM update. Toll Brothers has enjoyed working with the City on our successful residential project in Kuna including, Sterling Ranch and Timbermist. The City has also been a great partner on our recently approved Paloma projects, which are moving forward as planned. We look forward to continuing to work collaboratively with Kuna on future development projects.

Toll Brothers is actively planning several projects in Kuna; two low density residential projects, Aster Grove and Denali North, and one mixed use project. We plan to file development applications for these projects in the near future. As detailed below, we request two revisions to the draft FLUM to support two of our upcoming Kuna projects.

22A 1. Aster Grove.

Aster Grove is planned as a residential community with a density near 3 units per acre located on 37 acres at 610 West Columbia Road (Parcel No. S1301438810). The current FLUM and the draft FLUM both designate the property as Mixed Use. **Toll Brothers requests the City designate the property as Medium-Density Residential ("MDR") on the updated FLUM.** A MDR designation is more appropriate because:

- This land is more suited for MDR with the new Swan Falls High School and the Springhill Subdivision just to the west. MDR development will be the most compatible with the surroundings and will provide desirable homes near the school.
- The MDR designation will allow Toll Brothers to go forward with Aster Grove and extend the Mason Creek sewer trunk line and provide the City with a regional well site. Both are needed City infrastructure projects.
- The property is adjacent to land designated MDR and High Density Residential, which makes MDR a more appropriate fit for this Property.
- The location of the Aster Grove property cannot support a mixed use development concept because it has limited frontage on Columbia Road and the bulk of the property is set away from Columbia. Also, there is already a significant amount of land designated as Mixed Use and Commercial in the corridor to provide a mix of uses in the immediate area.

22B 2. Wanner-Buckner Mixed-Use Project

The Wagner-Buckner project is a mixed use project located on 35 acres at 700 N. Meridian Road (Parcel No. S1419325400). Toll Brothers has plans to develop this site as a mixed-use community with approximately 10 acres of commercial fronting on Meridian Road and the remainder of the property as a medium-density residential community. The current FLUM and the draft FLUM both designate the property as Commercial. **We request this parcel be designated as Mixed-Use (“MU”) on the updated FLUM.** The MU designation is more appropriate because:

- It will allow for commercial development on the property’s busy Meridian Road frontage and a residential neighborhood immediately to the east to support commercial development.
- The MU designation also supports Objectives 3.2.A and Goal 4.A of Envision Kuna by creating a distinctive mixed use entryway corridor into the City.
- The residential neighborhood component of the project will abut a planned City park to the west, which will provide an appealing transition between the commercial development on Meridian Road and the new City park (*see* Envision Kuna p. 40).
- The MU designation and the resulting mixed-use development will be compatible with the Ashton Estates project to the north and provide continuity on the Meridian Road corridor.

Thank you for your consideration of these comments. On the following page is a summary map of the revisions to the draft FLUM Toll Brothers is requesting. Please do not hesitate to reach out if you have any questions.

Sincerely,



Ryan Hammons,
Senior Vice President



LIKES

A. 24A ~

Why? For THE Forseeable Future THAT SHOULD work
Fine. Maybe Later R4 would be better

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

Dennis & Tracy Vander Stelt

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

DISLIKES

A. _____

Why? _____

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____



LIKES

A. more Agriculture

Why? like it RURAL

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

Steve & Pat Hessing

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

DISLIKES

A. too much traffic especially

Why? Lindee & Avalon

B. Need less high density &

Why? medium density

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____



LIKES

A. _____

Why? _____

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

Heidi Black

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

DISLIKES

A. Changes our property from mixed use to medium density
Why? We purchased the property thinking it would be zoned mixed use in the future. I believe changing it from mixed use to medium density will devalue our property.

B. _____
Why? _____

c. Show the zoning ~~At~~ Agriculture
Why? I think it should be zoned Industrial because its not good farm ground.

D. _____
Why? _____

E. _____
Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____



LIKES

A. _____

Why? _____

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

Rikma Weaver

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

DISLIKES

A. Traffic & Pedestrian use

Why? Unsafe Intersection - Cavalon & Kay

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____



LIKES

A. Reduction of mixed use OVERALL

Why? MORE AG & LOW DENSITY keeps
our traditional feel of Kuna

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

Robin Douglas

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

DISLIKES

A. Loss of light industrial zoning

Why? Along the tracks is perfect for small manuf. factoring, assembly and small warehousing. Also, around Kingst Stobel is still close to town, helps our commercial businesses as well.

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____



LIKES

A. Expanding Greenbelt

Why? _____

B. Access at Strobel

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

Patty Hamm

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

DISLIKES

A. _____

Why? _____

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____



LIKES

A. Save that land near water

Why? _____

B. No signal - High Traffic "Keep that land"

Why? Land still there should be purchased

by City turned into Nature Park

on water before lost FOREVER

Extend Green Belt - Plus Nature PK

C. Deers are gone - Geese gone

Quail gone

Why? _____

D. _____

Why? _____

E. _____

Why? _____

Cathy Cabor (?)

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

DISLIKES

A. Emergency connection Stop Development

Why? Until Bridge is built

B. No Traffic Light, many issues there, Boy that

Why? Remaining Land and turn to Nature Park

Green belt is to be but Park Building there "Boy"

You can't get it back when its Built

The rest of the way -

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____



LIKES

A. _____

Why? _____

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

Teresa Halderson

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

DISLIKES

A. Commercial designation on 3 of 4 corners

Why? Increase traffic at already congested intersection

Very concerned about high intensity commercial near houses

on 1 acre lots. Intersection needs a round-about

B. _____

Why? Move commercial zoning to Meridian (Hwy 69)

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____



LIKES

A. less commercial - allow mixed use

Why? to transition to commercial on
Meridian Rd

B. Remove from area of impact

Why?

C. residential up to 3 du/A

Why? makes sense. Could ~~also~~ allow higher
density along railroad

D. better use of corridor + not only parcel

Why? specific

E. Same as "D" - better use of corridor

Why?

Dave Yorgason

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

DISLIKES

A. _____

Why? _____

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

From: [Cindy Giesen](#)
To: [Jessica Reid](#)
Subject: Re: Proposed Comp Plan FLUM Amendment Feedback
Date: Tuesday, December 14, 2021 6:55:54 PM
Attachments: [image001.png](#)

From Cindy Giesen 1363 South Ash Avenue, Kuna Idaho
cmthewiz@yahoo.com 12/14/21

COMMENT CARD #48 (But sorry, I'm not able to break it down into a few lines on the comment card format before the deadline – and will be on the roadtrip again. This does include my Likes and Dislikes and Whys though)....

The following are my inputs and requests concerning the proposed 2021 FLUM updates to the Kuna City Comprehensive Plan (2019). If you are time limited in reading, my major inputs concerning the FLUM are numbered (1.- 4.). The lettered (a. b. etc.) comments below each input are why I believe this observation may be helpful or justified. Thank you for the opportunity to contribute ideas to Kuna's future planning.

1. I appreciate that much of the mixed-use zoning is being removed and restored back to Agricultural use. This will allow our infrastructure and services to catch up with current growth.

a. Why? I feel the mixed-use code has been abused, with applicants seeking higher residential densities, while dangling promises of some parcels for commercial development, jobs hopes, subdivision recreation facilities and useful open spaces. Sadly, these promises rarely comes to fruition or is frequently renegotiated after the home sections are built.

b. We (south of the tracks) all realize until a railroad overpass and better emergency services are provided, growth in the south should be slowed down. This change helps.

2. Much of the land south of W. King Road and west of Locus Grove is, appropriately, now zoned Low Density and AG zones. This is a good transition to BLM, Melba and Birds of Prey boundaries. The proposed densities will provides a nice transition from the higher land uses on the north side of W. King. HOWEVER, around 100 acres on the east side of Swan Falls Road and south of W King is being identified as Medium Density on the FLUM. I request that you allow only the Medium Density of R-4 or fewer homes on these parcels. Since one family owns most of this land, I think I understand why it wasn't coded Low density like the surrounding smaller parcels.

a. As defined in code, Medium Density can be 6-3 homes, but most subdivision applicants request the maximum 'Medium

Density" of R-6, which I feel is not appropriate south of King Road. I suspect that the applicants would have less opposition if the land owners/planners/developers requested R-4 or less in this area.

b. The 100 acre section of 'Medium Density' land has at least three large dairy farms and cattle feed lots nearby. Because I live close to this land, I know for a fact that the area can be unpleasant to our senses. The dairy farms have frequent unbearable smells and have recently acquired highly intense outside lights (not 'dark sky', as our codes require) to increase milk production and to speed up cow reproduction and growth. People who have a little extra land (R-4 or less) tend to add farm animals or gardens and can better contend with these negative dairy and agricultural farm issues.

3. I'm told you will be updating the Land Use Tables for each zone. PLEASE, pay extra attention to the Agriculture 'special uses' permitted and to the Industrial uses (M1,M2 area). As you know, potential land uses have greatly expanded in our digital, manufacturing and chemical age. PLEASE, also update our Kuna Zoning Codes to handle the impact of these uses unfamiliar uses in our area. Kuna has set aside limited land resources in the east for Industrial uses. We need projects that are compatible, safe, provide jobs and ones that provide the city, and local district, tax and income benefits. Please avoid uses that give away our potential City and local tax income.

a. For an example of why new land uses concern many residents, I am aware that a special use that was permitted in 2015 for a solar farm on agricultural land. This was surrounded by farms, housing and unincorporated Ada county citizens. There was much controversy and it seems that even six years later, their concerns about this type of utility/energy use, has not been addressed. The issues the community had with this application can be found archived on the Kuna website identified as: "Council Packet 09.29.2015 Appeal Hearing – Solar Farm" . They could have been resolved by not rushing the project, by finding solutions and by having relative and up to date zoning codes. We suspect more chemical and energy producing uses are coming to the south (M1,M2, 1000+ acres?). Even now, if you search in Kuna Codes for 'manufacturing' you will mostly find it refers to mobile homes and farming/animal uses. We need M1 and M2 related code sections that make it easier to determine how our land and people will be protected from issues the businesses might create (environment, water, living creatures etc.)

b. For my 'solar farm' example, the considerations noted in

this North Carolina article URL, best describes the question and issues I feel should be addressed in more specific, Industrial land use codes, well before accepting an application for that type of project (jobs,taxes,environment,health,cleanup..).
<https://craven.ces.ncsu.edu/considerations-for-transferring-agricultural-land-to-solar-panel-energy-production/>

4. People have been attracted to Kuna because of its semi-rural, smaller town, country feel. If we continue to approve maximum Medium and High Density housing (5 or more homes per acre) from Hubbard to Lake Hazel, and from Linder to Black Cat/Canyon County, we will lose that identity. In the process, will disenfranchise the existing unincorporated Ada County residents and Kuna will merge into one giant bedroom community, connected to the dense housing Meridian has allowed south of the 184. Much of the region I noted is still Agriculture and/or very low density housing. The land west of Ten Mile to beyond the Canyon County line (to Nampa) is mostly low density and agriculture. PLEASE, consider lower, transitional densities in this region of our Kuna impact zone (4 or less homes) to distinguish Kuna from the other cities nearby. Provide a minimal, but adequate (more?) commercial area to serve that mostly residential region.

a. The lower transitional zoning will provide more opportunities for small farms, higher end large lot homes and small agricultural opportunities. It appears Nampa's FLUM transitions to low density uses towards the east, will be compatible with this approach.

b. This will provide more types of housing types and lifestyle opportunities, which is part of Kuna's comprehensive plan. I suspect we have plenty of R-6 and higher density residential developments.

c. This area could provide a medium to small neighborhood commercial area for the NW Kuna and SW Meridian families. It will reduce trip-ends to resources in nearby cities and it will result in more taxes dollars for Kuna, more regional jobs, less traffic and a unique well planned city, but may require a few more commercial zones, ideally on Ten Mile.

Thank you again and PLEASE help 'Keep Kuna Our Town' and a little bit country.

Cindy Giesen

On Thursday, December 9, 2021, 08:27:33 AM MST, Jessica Reid <jreid@kunaid.gov> wrote:

Good Morning Cindy,

I have attached the information we discussed regarding our proposed Future Land Use Map (FLUM) amendments. In the attachment is a Facts Sheet, a Comment Sheet & the current FLUM. I know you had stated you were planning on making comments directly on images of the map & that's totally fine, the Comment Sheet is more of a formality as it is numbered and correlates with my comment tracking record & I wanted to make sure you were assigned a number.

In regards to the map, the original FLUM was adopted in July 2019 with the Envision Kuna Comp Plan; the map within the attached packet was amended March 2020 – the only change is the March 2020 map reflects an adjustment to the City of Kuna ACI (Area of City Impact) which was negotiated with the City of Meridian & encompasses the properties north of Amity Road which were Annexed into City Limits. If you would like to compare the March 2020 map to the July 2019 map, please use this link <http://www.kunacity.id.gov/ImageRepository/Document?documentID=4405>.

I believe you already know how to reach the proposed FLUM map on the Planning & Zoning Public Outreach page, but for convenience, here is the direct link <https://www.arcgis.com/home/webmap/viewer.html?webmap=6032b1bf2aec42fa8a69269a3280e4b2&extent=-116.5492,43.4078,-116.1276,43.569>. I can also provide a PDF of this map if you would like, just let me know.

If you have any questions, please feel free to let me know. I will be reviewing the comments received the remainder of this week, as well as next week, so if you could have your comments back to me by Friday December 17th that would be great.

Our department & the City of Kuna appreciate your feedback!

Sincerely,

Jessica Reid

Planning Services Specialist

751 W 4th Street • Kuna, ID 83634

jreid@kunaid.gov • Ph: (208) 387-7731





What is a Comprehensive Plan & why do we have one?

- Idaho Code §67-6508(i) of the Local Land Use Planning Act (LLUPA), requires cities to adopt and utilize a Comprehensive Plan for land use development within its jurisdiction.
- The Envision Kuna Comprehensive Plan is the official policy document that guides future development within Kuna City Limits, the Area of City Impact (ACI) and our planning area for a period of 20 years.
- It is used as the primary tool to ensure future decision-making reflects and implements the community's vision for Kuna.
- Comprehensive Plan updates have occurred in 1993, 1997, 2000, 2003, 2008, 2015 and 2019; Appendices may be updated as necessary.

What is a Future Land Use Map (FLUM)?

- The FLUM is used to carry out the goals of the Comprehensive Plan by designating land uses that shape and manage both the built and undeveloped environment, preserves existing Agriculture lands, and implements a strong community design.
- The current FLUM was adopted with the Envision Kuna Comprehensive Plan in July 2019 and amended in March of 2020 to include the northern Area of City Impact expansion.

What changes are being proposed on the FLUM?

- Significant increase in lands designated as Agriculture in order to preserve open spaces and the rural character outside of the city's core.
- Commercial/Mixed Use frontages along main entry corridors.
- Adapting future land uses to ensure unnecessary hardship is not placed on public infrastructure.

If adopted, the proposed changes to the FLUM will increase/decrease as follows:

FLUM Designation	2020*	2022*	Difference
Agriculture	7,762.10	19,303.50	+ 11,541.40
Commercial	1,239.60	736.00	- 503.30
Industrial	5,026.30	3,819.40	- 1,207.30
High Density Residential	187.80	329.60	+ 141.80
Medium Density Residential	6,104.00	8,436.20	+ 2,332.20
Low Density Residential	10,757.60	6,271.20	- 4,576.10
Mixed-Use	12,359.40	2,957.30	- 9,402.10
Public	11,018.70	10,485.80	- 532.90

*Total in acres.

If/when changes to a Comprehensive Plan are adopted, the Maps to be amended are: Future Land Use Map, Downtown Overlay Map, Entryway Corridor Overlay, Street Circulation, Parks and Recreation, Pathways Master Plan, Bedrock Depth, Cemetery District, Fire District, Hydrologic Groups, Irrigation Districts, Library District, Location Map, Natural Hazards, Points of Interest, Slope Averages, School Districts, Existing Service Area(s) – Irrigation; Potable Water; and Sewer.



LIKES

A. _____

Why? _____

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

DISLIKES

A. _____

Why? _____

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

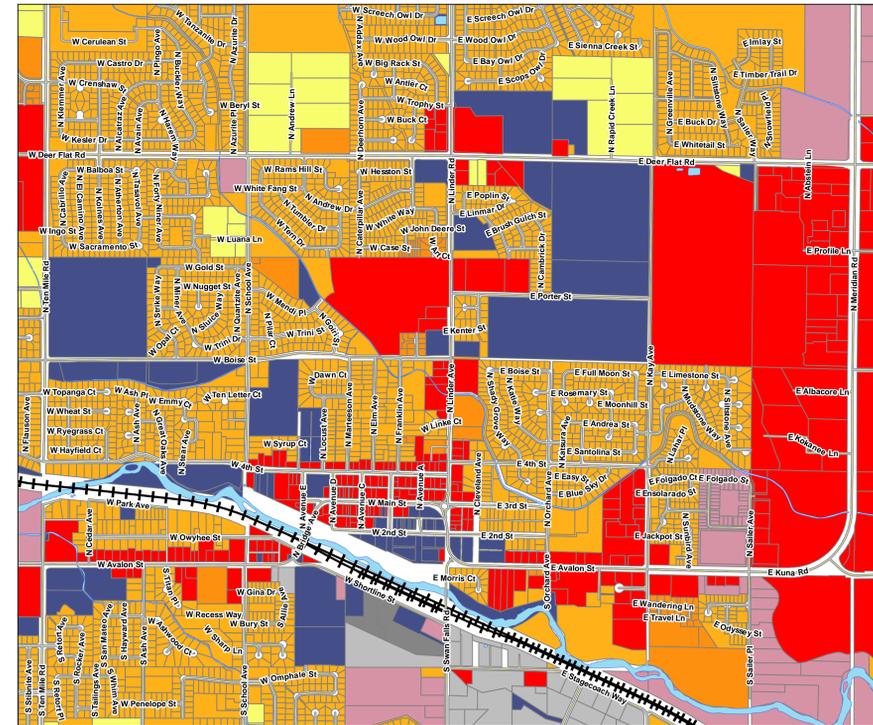
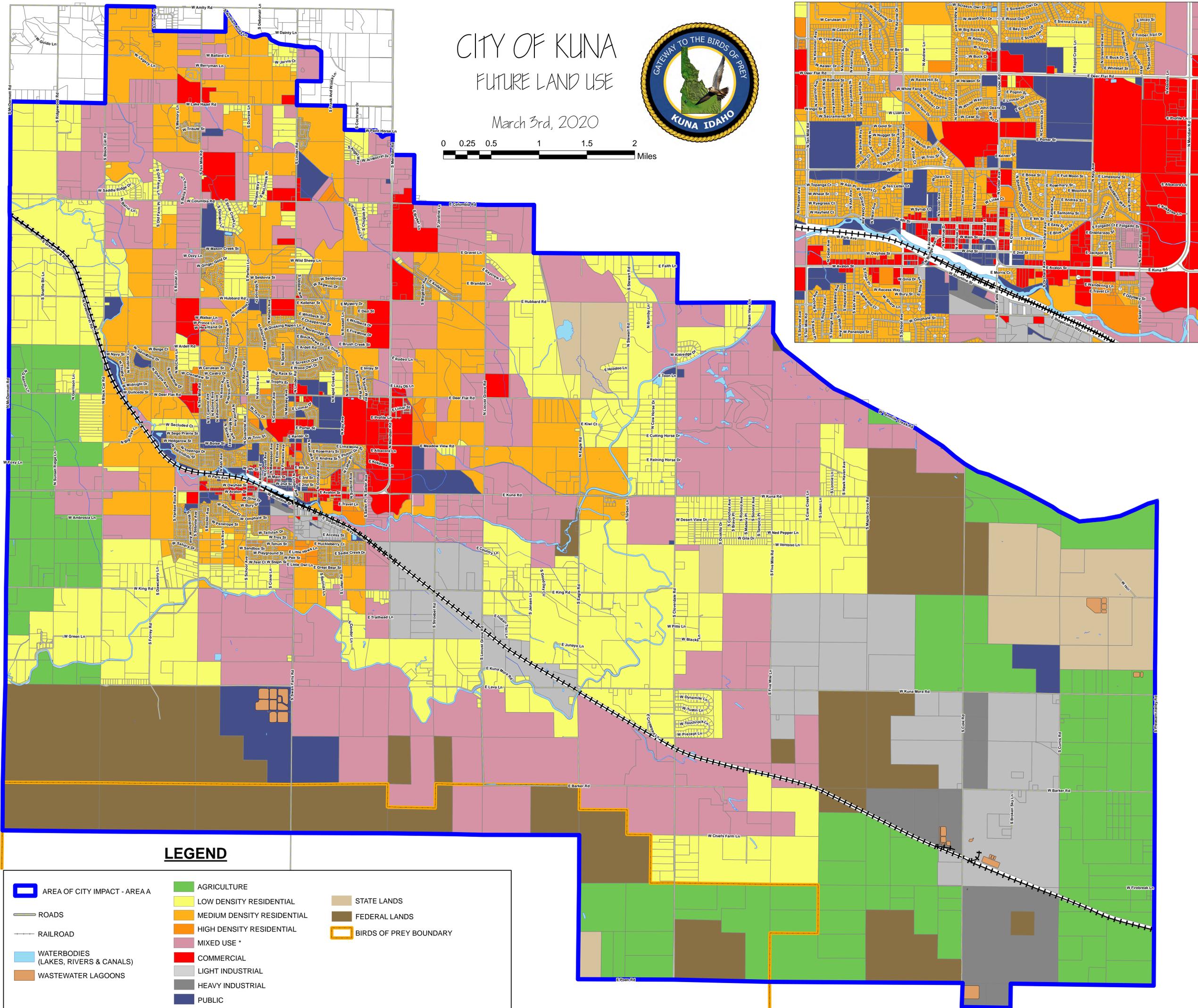
Why? _____

J. _____

Why? _____

CITY OF KUNA FUTURE LAND USE

March 3rd, 2020



LEGEND

- | | | |
|--------------------------------------|----------------------------|------------------------|
| AREA OF CITY IMPACT - AREA A | AGRICULTURE | STATE LANDS |
| ROADS | LOW DENSITY RESIDENTIAL | FEDERAL LANDS |
| RAILROAD | 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.



DIS LIKES

A. NEC of N Locust Grove & E Deer Flat

Why? Requesting property be considered mixed use Commercial & Housing (Please low density to medium density) corner is the only full 40AC East of Knust Shore. Commercial would accommodate all the housing on the E. side of R.G. and some from West side R.G. Deer Flat will also

B. one day be continued to Cloverdale (ACTD already has some of the R/W). If you have any questions, please feel free to contact me at:

Sherry Huber - Sherryhuber1@gmail.com
208-888-4247

C. Please notify me when changes will come before Commission & Council.

Thank you

D. Also, it is my understand that our property at 2601 E Hubbard Rd (next to Hubbard Res) dog designation remains unchanged. If this is incorrect, please let me know.

E. _____
Why? _____

Sherry Huber

(missing more things to add Commercial)

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

DISLIKES

A. _____

Why? _____

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____



Dis LIKES

A. Vander Stelt Property
Why? Requests R-4 MDR to match ~~zone~~
property to East (Thornton).

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

Henry Vander Stelt

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

100 PAGES
100 PAGES
100 PAGES

DISLIKES

A. _____

Why? _____

B. _____

Why? _____

C. _____

Why? _____

D. _____

Why? _____

E. _____

Why? _____

F. _____

Why? _____

G. _____

Why? _____

H. _____

Why? _____

I. _____

Why? _____

J. _____

Why? _____

January 25, 2022

Dear Mayor, City Council Members, Planning and Zoning Commission and Planning Staff,

I provide this letter in response to the City's request for comment on the proposed changes to the Future Land Use Map (the "Proposed FLUM").

As you are aware, I have a long-standing relationship with the City of Kuna and, among other projects, have developed numerous neighborhoods in the City. I have also dedicated property for Association parks, schools, and pathways, and have built significant oversized infrastructure for the benefit of the City including multiple sewer lift stations, pressure irrigation lagoons and booster stations. I currently have several new projects pending that include additional school sites, a fire station/first responder site, qualifying open space and park sites, which I look forward to developing to our mutual satisfaction.

As set forth below, I am asking for revisions to the Proposed FLUM for two pending projects. I also write in support of changes to the Proposed FLUM for two other pending projects. I previously provided a letter requesting that portions of the Proposed FLUM for the DesertHawk West development be amended.

1. Gallica Heights.

Gallica Heights is a mixed-use community with proposed detached single-family homes, attached townhomes, and a commercial element. It located on the south-east corner of Columbia Road and Black Cat. The current FLUM designates the property as Mixed Use (MU). It is designated as MU and Medium Density Residential (MDR) on the Proposed FLUM. **We request that all property west of the Ridenbaugh canal be designated MU. We support the MDR designation on the remainder of the Property.** MU is more appropriate west of the canal because:

- It will allow for commercial development on the property's busy Columbia Road/Black Cat corner, with adjacent higher density townhomes.
- The Ridenbaugh canal bisects the property, creating two distinct parcels and land use areas.

- The MU designation supports *Envision Kuna* Objectives 3.C.2 and 3.D.1 by creating a neighborhood-serving commercial center surrounded by a variety of housing options.

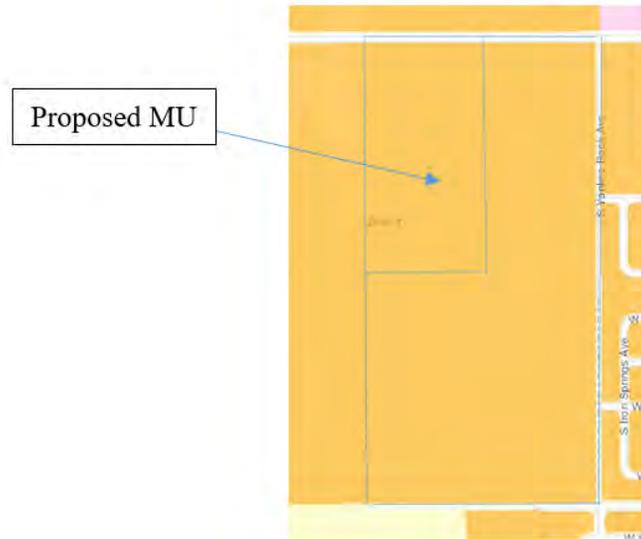


2. Madrone Village.

Madrone Village is located south of Kuna Road and just west of Ten Mile. It is currently designed MDR on the FLUM and remains MDR on the Proposed FLUM. The western boundary of this property will become a new mid-mile collector, Beadily Avenue. Fronting Kuna Road, we have set aside land to be donated to the City for a Fire Station, and land to be donated to the City as a City park/soccer field. We also propose a small commercial development on the north-west corner, with townhomes directly to the south. Due to these intended uses, **we request that the north-west quadrant of this property be designated MU.** The MU designation is appropriate because:

- Commercial development along Kuna Road helps preserve Kuna Road as a Commuter Entryway Corridor, in furtherance of *Envision Kuna* Objective 4.A.1.

- A mixture of detached and attached homes will be located in this quadrant, furthering the *Envision Kuna* Objectives 3.C.2 and 3.D.1 of creating a neighborhood mixed-use area with a variety of housing-types and a commercial component.



3. Bodahl Farms and Stiner.

The Bodahl Farms and Stiner developments are directly adjacent to each other. Bodahl is on the corner of Ten Mile and Hubbard, and Stiner is directly to the west. The Bodahl parcel is currently designated Commercial on the FLUM. It is designated MU on the Proposed FLUM. **We support this change to MU.**

Stiner is currently designated on MU on the FLUM. The Proposed FLUM designates this parcel MU and MDR. **We support this change to MU and MDR.**



Thank you for your consideration of these requests. I look forward to continuing to work with you as Kuna grows and develops.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Timothy W Eck', with a stylized, cursive script.

Timothy W Eck

January 25, 2022

Dear Mayor, City Council Members, Planning and Zoning Commission and Planning Staff,

I am providing this letter as the Member/Manager of several legal entities that own parcels of land within the City of Kuna and the Kuna Area of Impact. I write this letter in response to the City's request for comment on the proposed changes to the Future Land Use Map ("FLUM").

As you are aware, I have a long-standing relationship with the City of Kuna and, among other projects, have developed the Crimson Point, Arbor Ridge, Deserthawk, Silver Trail, Springhill, Gran Prado, Caspian, Cazador, Madrone Heights neighborhoods. I have also dedicated property for Association parks, school, pathways, lift stations and pressure irrigation lagoons, and have built significant oversized infrastructure for the benefit of the City including multiple sewer lift stations, pressure irrigation lagoons and booster stations. I currently have several new projects pending that include additional school sites, a fire station/first responder site, qualifying open space and park sites, which I look forward to developing to our mutual satisfaction.

I write specifically to request a FLUM amendment for the proposed Deserthawk West subdivision. The Deserthawk West subdivision is approximately 28.48 acres of agriculture ground identified as parcel numbers R7321000850 (the "**West Parcel**") and R7321000916 (the "**East Parcel**") (collectively, the "**Property**"). The West Parcel is currently zoned RUT within Ada County, is in the Kuna Area of Impact, and is designated Low-Density Residential ("LDR") on the FLUM. The East Parcel is currently zoned R-6 within Kuna and is designated Medium-Density ("MDR") residential on the FLUM. ***I request that you designate the West Parcel as MDR on the updated FLUM*** for the reasons set forth below.

Property location:



Proposed FLUM:



MDR is a more appropriate designation for the West Parcel because an MDR designation matches the designation of the East Parcel, that of the sister developments, Deserthawk Subdivision Nos. 1 and 2 (further to the east), and the undeveloped property to the north. This change permits the West Parcel to seamlessly integrate into the East Parcel and the existing Deserthawk Subdivisions, which were conceptualized as one larger development. Stub streets were incorporated into the Deserthawk Subdivision Nos. 1 and 2 to provide future connections to the Property and open space overlaps between the Property and the existing Deserthawk subdivisions.

Given the high demand for housing in the Treasure Valley at this time, this proposed FLUM amendment will alleviate some of this demand by allowing a Medium-Density neighborhood in this desirable area in Kuna.

Thank you for your consideration of these comments.

Sincerely,

Timothy W Eck

Toll Brothers

AMERICA'S LUXURY HOME BUILDER®

RE: Kuna Future Land Use Map Amendments

Dear Mayor, City Council, Planning & Zoning Commission and Planning Staff:

Toll Brothers provides this comment letter as part of the City's request for input on the draft amendment to the Kuna Future Land Use Map ("FLUM").

We would like to thank the City of Kuna for soliciting comment and working with the development community and public on the FLUM update. Toll Brothers has enjoyed working with the City on our successful residential project in Kuna including, Sterling Ranch and Timbermist. The City has also been a great partner on our recently approved Paloma projects, which are moving forward as planned. We look forward to continuing to work collaboratively with Kuna on future development projects.

Toll Brothers is actively planning several projects in Kuna; two low density residential projects, Aster Grove and Denali North, and one mixed use project. We plan to file development applications for these projects in the near future. As detailed below, we request two revisions to the draft FLUM to support two of our upcoming Kuna projects.

1. Aster Grove.

Aster Grove is planned as a residential community with a density near 3 units per acre located on 37 acres at 610 West Columbia Road (Parcel No. S1301438810). The current FLUM and the draft FLUM both designate the property as Mixed Use. **Toll Brothers requests the City designate the property as Medium-Density Residential ("MDR") on the updated FLUM.** A MDR designation is more appropriate because:

- This land is more suited for MDR with the new Swan Falls High School and the Springhill Subdivision just to the west. MDR development will be the most compatible with the surroundings and will provide desirable homes near the school.
- The MDR designation will allow Toll Brothers to go forward with Aster Grove and extend the Mason Creek sewer trunk line and provide the City with a regional well site. Both are needed City infrastructure projects.
- The property is adjacent to land designated MDR and High Density Residential, which makes MDR a more appropriate fit for this Property.
- The location of the Aster Grove property cannot support a mixed use development concept because it has limited frontage on Columbia Road and the bulk of the property is set away from Columbia. Also, there is already a significant amount of land designated as Mixed Use and Commercial in the corridor to provide a mix of uses in the immediate area.

2. Wanner-Buckner Mixed-Use Project

The Wagner-Buckner project is a mixed use project located on 35 acres at 700 N. Meridian Road (Parcel No. S1419325400). Toll Brothers has plans to develop this site as a mixed-use community with approximately 10 acres of commercial fronting on Meridian Road and the remainder of the property as a medium-density residential community. The current FLUM and the draft FLUM both designate the property as Commercial. **We request this parcel be designated as Mixed-Use (“MU”) on the updated FLUM.** The MU designation is more appropriate because:

- It will allow for commercial development on the property’s busy Meridian Road frontage and a residential neighborhood immediately to the east to support commercial development.
- The MU designation also supports Objectives 3.2.A and Goal 4.A of Envision Kuna by creating a distinctive mixed use entryway corridor into the City.
- The residential neighborhood component of the project will abut a planned City park to the west, which will provide an appealing transition between the commercial development on Meridian Road and the new City park (*see* Envision Kuna p. 40).
- The MU designation and the resulting mixed-use development will be compatible with the Ashton Estates project to the north and provide continuity on the Meridian Road corridor.

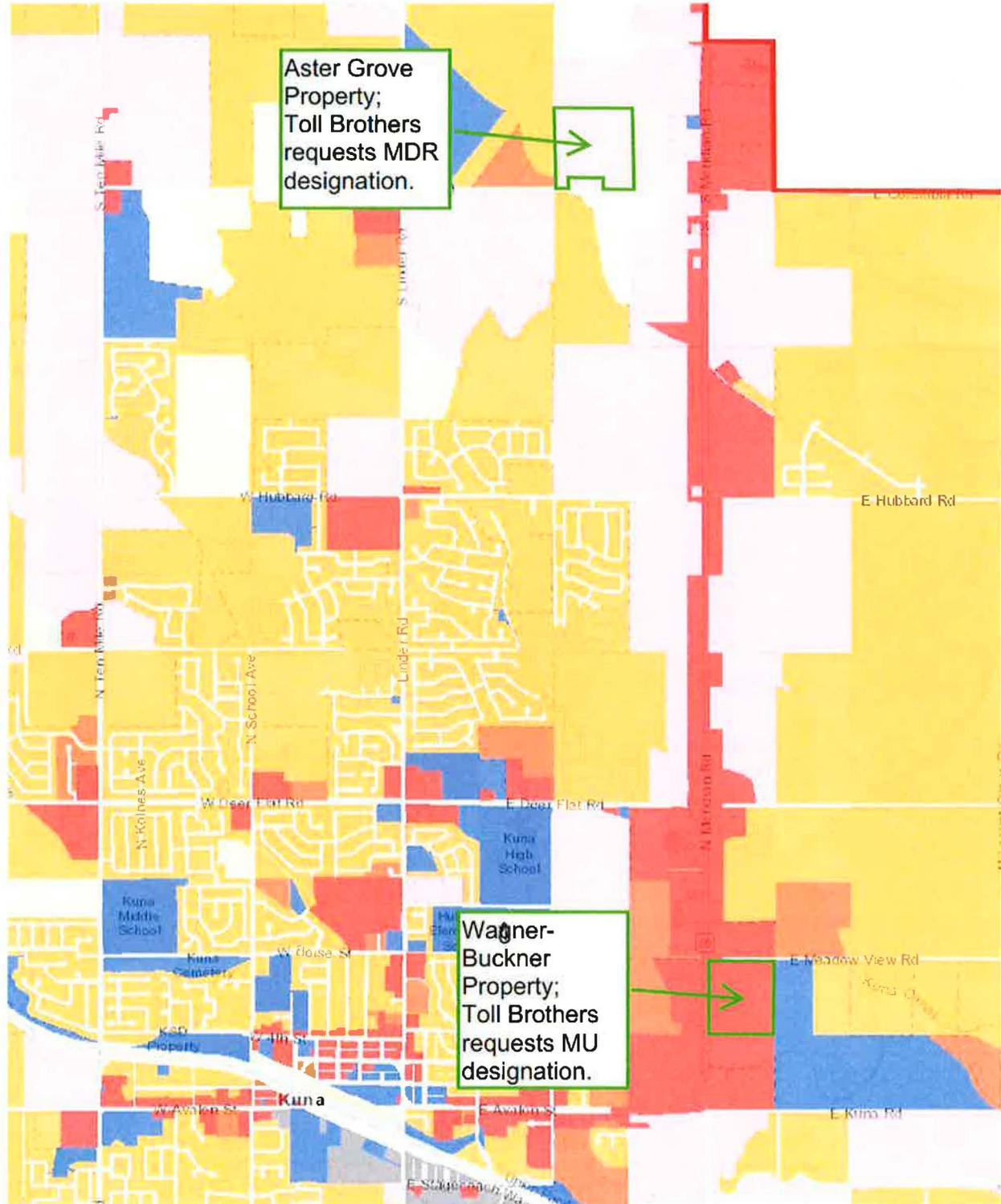
Thank you for your consideration of these comments. On the following page is a summary map of the revisions to the draft FLUM Toll Brothers is requesting. Please do not hesitate to reach out if you have any questions.

Sincerely,



Ryan Hammons,
Senior Vice President

Toll Brothers' Requested Revisions to the Draft FLUM



received
3.15.22

Vander Stelt Dairy
2777 Swan Falls Rd
Kuna , Idaho 83634

Kuna Planning & Zoning
751 W Street
Kuna , Idaho 83634

March 11, 2022

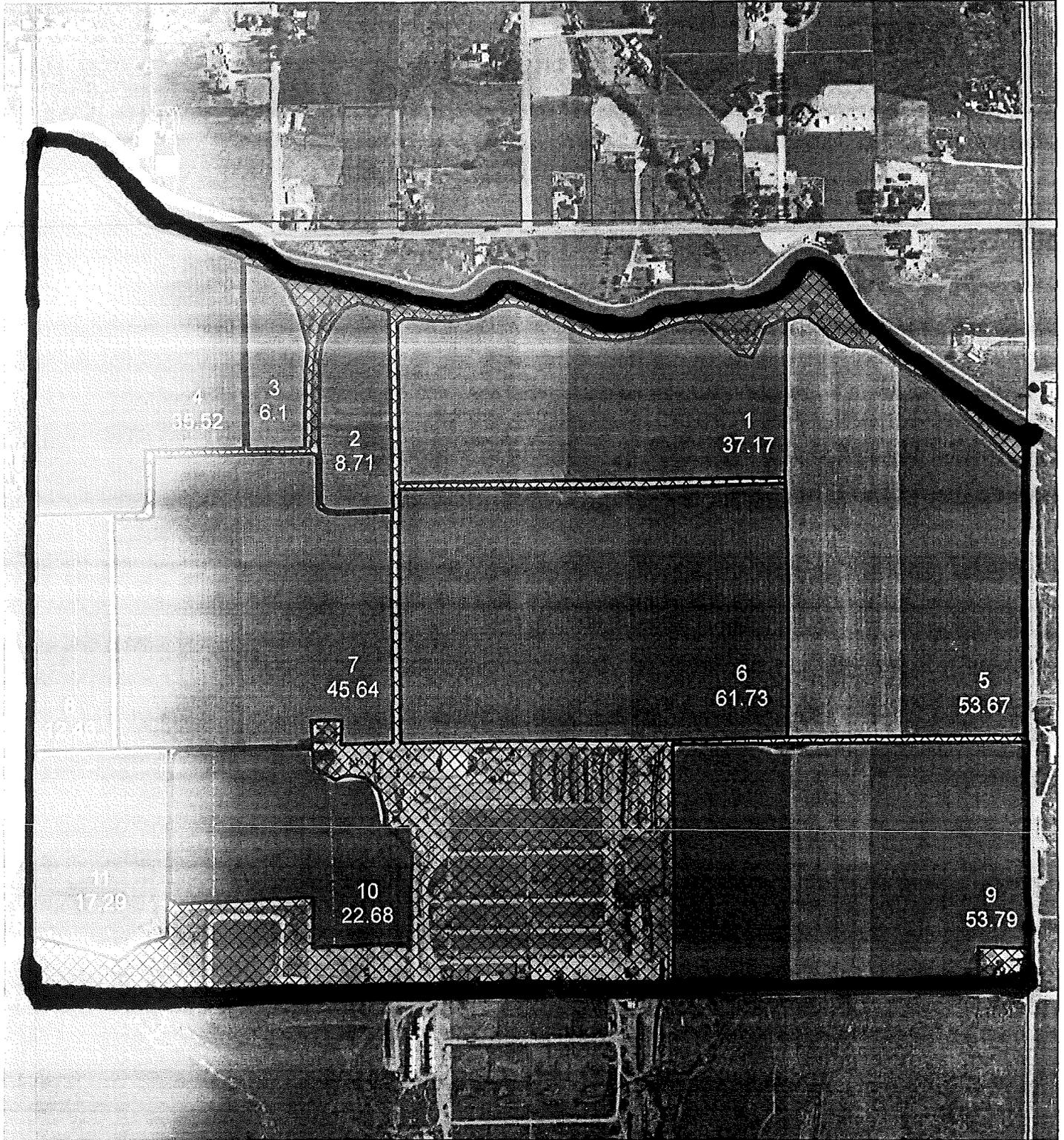
To the Planning Commission:

Vander Stelt dairy after reviewing the proposed Comprehensive Plan Future Land Use Map (FLUM) update being presented to Planning & Zoning March 22, 2022 for approval , would with this letter humbly request the Kuna Planning Commission consider changing the proposed zoning designation of our property on approximately 440 acres of the 570 total , from Low Density Residential to Medium Density Residential.

History:

Vander Stelt Dairy has operated at its present location 2777 Swan Falls Rd , one and a half miles south of Kuna since 1978. Vander Stelt Dairy is a general partnership consisting of two partners Dennis and Henry Vander Stelt. The property is made up of 570 continuous acres and is bordered in between Kuna Mora Canal to the North, Kuna Mora Road to the South and Swan Falls Road to the east. The property contains a Dairy and 355 acres of irrigated farm ground.

At the request of the City of Kuna in June of 2006 all 570 acres were incorporated into the city to facilitate a land bridge by which means the city sewer lagoons could be brought into the city as well. At the time of this agreement their was a mutual understanding and assumption (although not written) that eventually when the Dairy had run its course their would be given consideration of improved zoning to improve salability of said property .



United States Department of Agriculture
Farm Service Agency

October 20, 2011

Farm: 4014
Tract: 1502

Ada County, ID

1:8,532



Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.



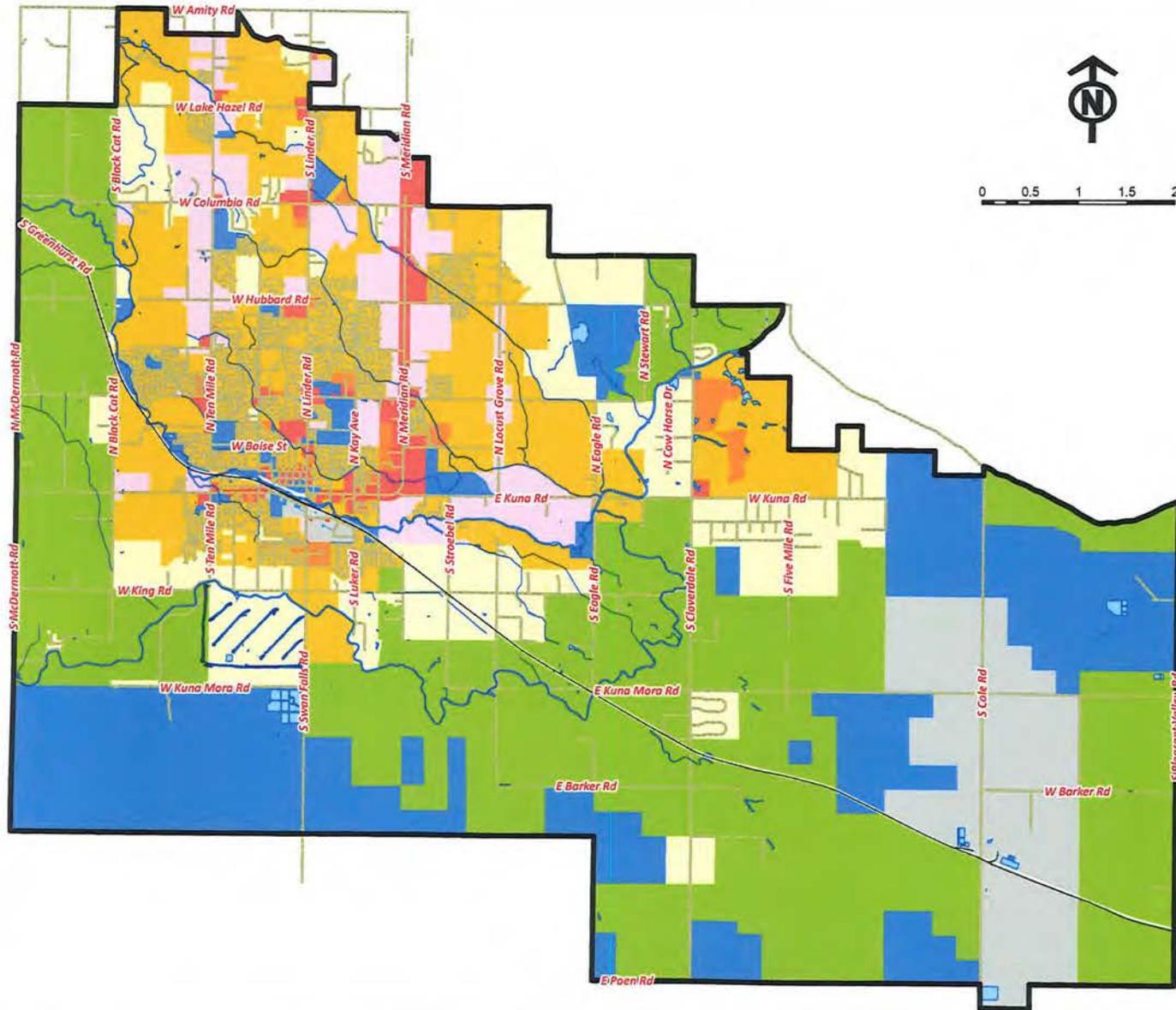


CITY OF KUNA

Future Land Use



0 0.5 1 1.5 2 Miles



- Legend**
- ▨ Proposed ACI
 - Union Pacific Railroad
 - Waterway
 - Roads
 - Future Land Use Designations
 - Proposed Future Land Use Designations
 - Agriculture
 - Commercial
 - Industrial
 - High Density Residential
 - Low Density Residential
 - Medium Density Residential
 - Mixed-Use
 - Public

received
3.17.22

March 16, 2022

Kellie King
2665 W King Rd
Kuna, ID 83634

City of Kuna
751 W 4th St
Kuna, ID 83634

RE: Proposed Future Land Use Map revision

Dear Planning and Zoning Commissioners:

This is in regard to the proposed change in the Future Land Use Map.

I am the owner of 65 acres at 2665 W King Road. The property is on the south side of King Road. It is my understanding that the proposed Future Land Use Map would change the intended future use of my land from Low-Density to Agricultural.

This is not prime agricultural ground. Depth of bedrock is shallow 20"-40" (see attached). The soil survey of Ada County Area reported "Depth to rock and the hazard of erosion are the major limitations to agricultural" in this specific area.

This will request that the future designation for my property remain Low-Density. My husband and I purchased the property in 1999. It was our primary asset and our home until he suddenly passed away recently. (It is still my residence.) Now I am following up on the plan he initiated to sell our property of twenty-three years.

The Low-Density designation is a crucial part of our timing as we saw development come closer to our home.

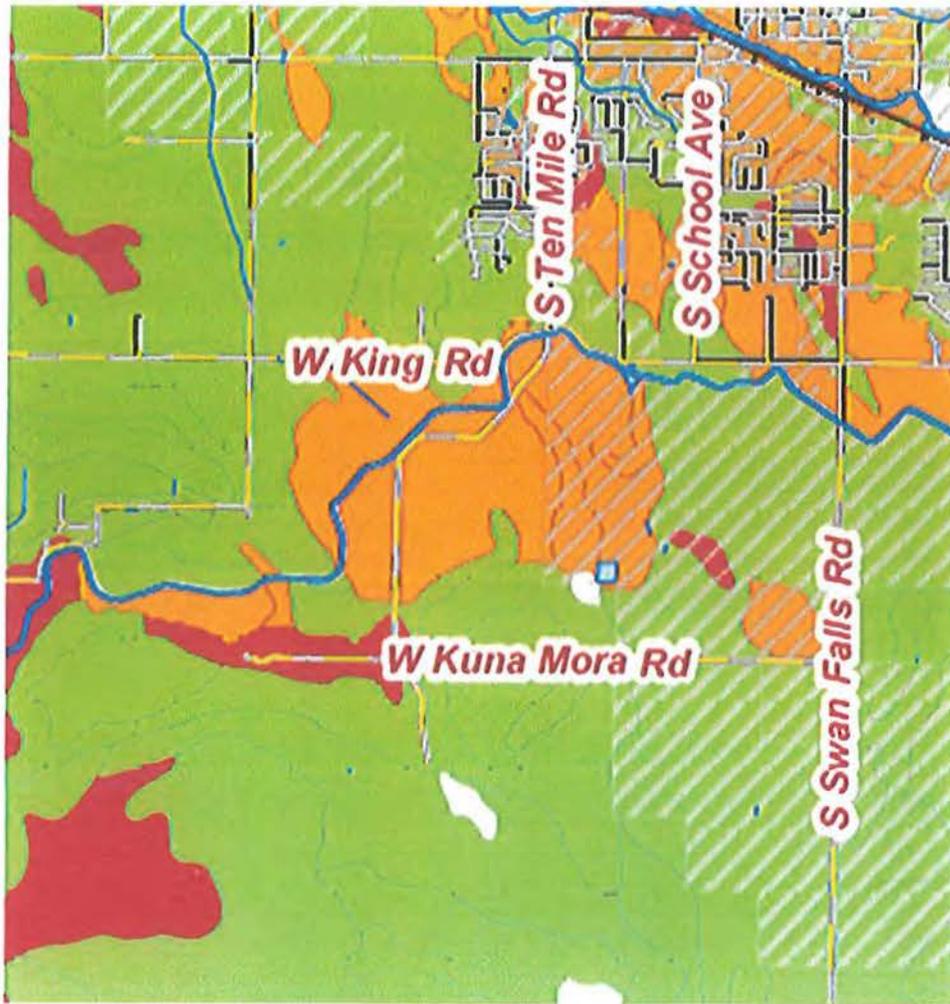
- Presently my property is just two parcels away from annexation.
- Properties directly across King Road from me are not having the designation changed from Low-Density to Agricultural.

To change the designation now will impact a serious financial loss to me.

I respectfully ask that the Low-Density designation not be changed.

Sincerely,

Kellie King



received
1 JUNE 22

Mellin Properties Limited Partnership
10100 W Franklin Road
Boise, ID 83709
June 1, 2022

City of Kuna Mayor Joe Stear and City Council
751 W 4th Steet
Kuna, ID 83634

RE: Proposed Land Use Plan

Dear Mayor Joe Stear and City Council Members:

This letter/proposed action is in regards to my 33 acres off the northwest corner of Boise St and Linder Rd showing up in brown on the enclosed aerial photo and within one-third mile north of downtown Kuna. This letter augments my recent letter of March 30, 2022, also enclosed.

This property was brought into the city in 2008 through my request as a preliminary action for the donation of three acres for a Boys and Girls Club site as noted in the lower left corner of the also enclosed concept plan's property's layout shown from the city's recorded Development Agreement. That agreement somewhat in exchange for the donation designated the zoning for the majority of the property as **Central Business District**.

It is noted, that the property's proposed Future Land Use has been changed to Commercial in the current Future Land Use Map. That action took place without my knowledge and severely restricts my land use as originally proposed for one is restricted from living in a commercial zone, but may live above the first floor in a Central Business District.

Currently, I am quite interested in getting this property developed; however, I find that all potential buyers are very much uninterested in the property if it's use has to be all Commercial. As my previous letter suggests, the property is in a very good location for High Density Residential because of being within 0.6 miles of each school grade level, adjacent to a small park, and adjacent to a Boys and Girls Club site. All this will make a for a very good walkable community area for many people, a goal suggested in Envision Kuna.

In summary, with the above in mind to help this property soon transition, (1.) I request that this property's Proposed Future Land Use be allowed to be shown as a mix of High Density Residential and Central Business District similar to that shown on page 2 of the enclosed March 30 letter. This alternative is what the buyers want. (2.) If it is preferred that the entire property be shown as a single designation, then it is requested that it all be designated as High Density Residential, which can have commercial uses (closer to Linder Road) through a Planned Unit Development. (3.) Otherwise again I ask for it all to be designated as Central Business District as it generally was through my exercised agreement to donate land in 2008.

Therefore, I ask that the tract not be designated as Commercial in order to reestablish the interest of the well-financed buyers that could build a great project near downtown when the sewer trunk line issue is solved.

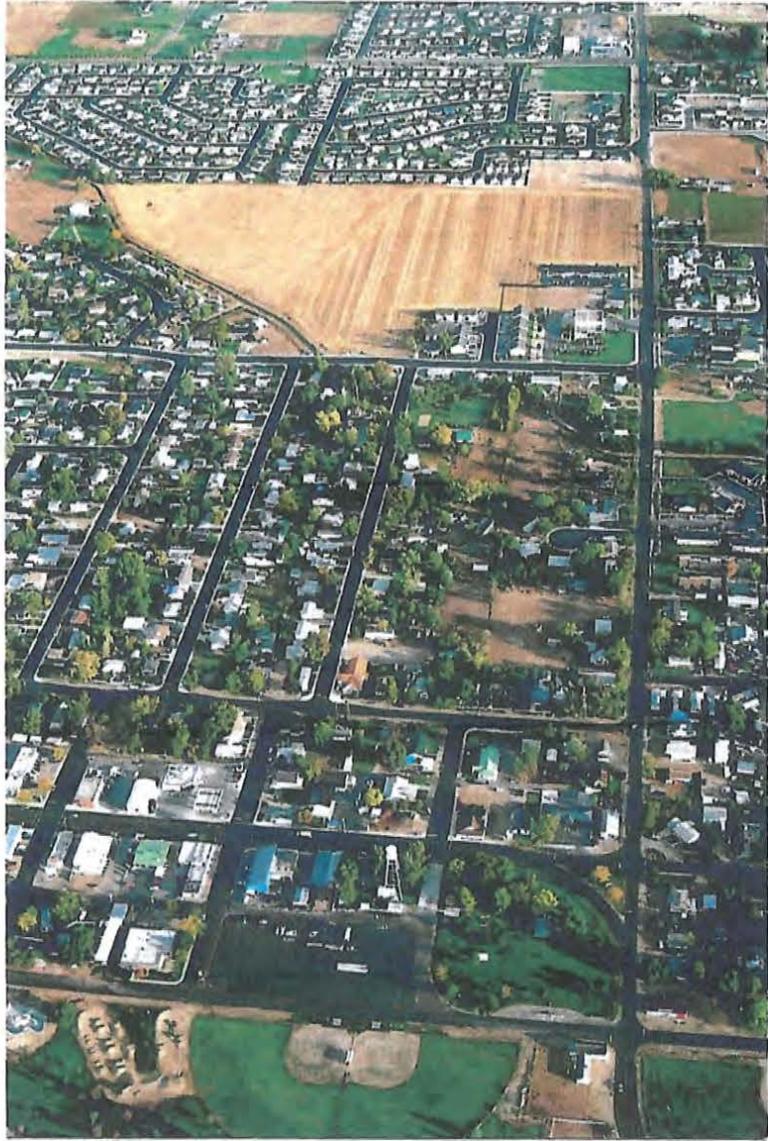
If more time would be beneficial for a decision, perhaps it would be best to delay a final action to a subsequent City Council meeting.

Sincerely,

A handwritten signature in black ink that reads "Ralph Mellin". The signature is written in a cursive style with a large initial "R" and a long, sweeping underline.

Ralph Mellin, General Partner
Mellin Properties Limited Partnership

Enclosures: Aerial photo
March 30, 2022, letter
Development agreement concept plan exhibit



← Deer 71st Rd

← Main St

Linder Rd →

Mellin Properties Limited Partnership
10100 W Franklin
Boise, ID 83709

received
1 JUNE '22

March 30, 2022

TO: Doug Hanson, Planning & Zoning Director
751 W 4th Street
Kuna, ID 83634
dhanson@kunaid.gov

RE: Proposed Future Land Use Map

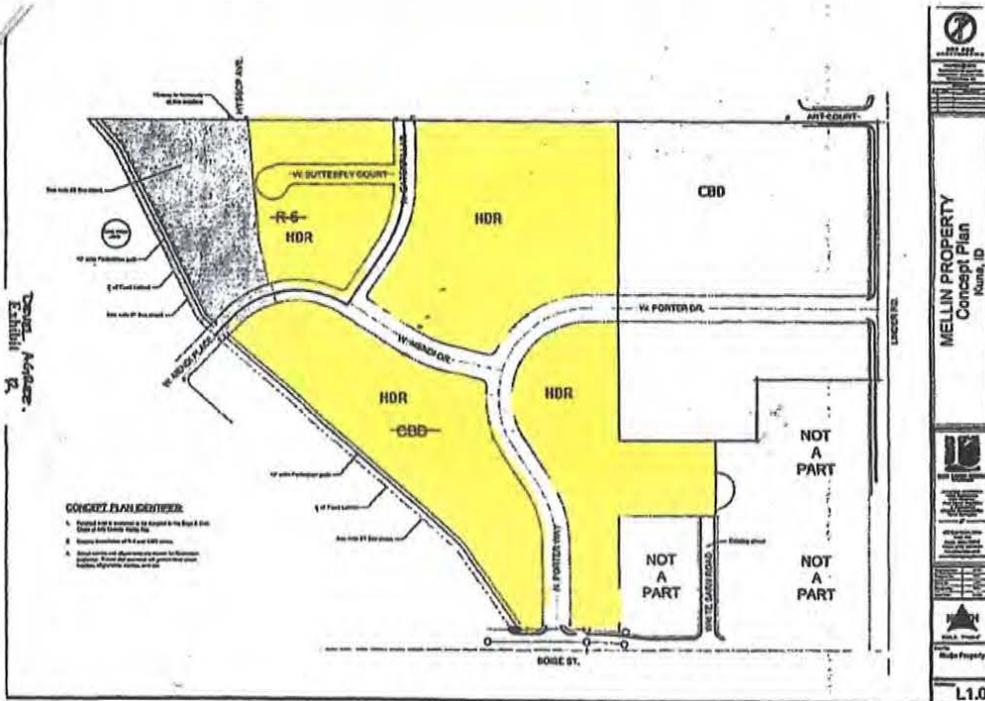
Dear Mayor, City Council Members, Planning and Zoning Commission and Planning Staff:

I provide this letter in response to the City's request for comment on the proposed changes to the Future Land Use Map ("Proposed FLUM").

I raised my family in Kuna, have been involved in Kuna for decades, and am excited to be part of this rapidly developing community. I own a large parcel of property directly north of downtown Kuna. I previously donated a portion of the property to benefit the Boys and Girls Club, and now intend to develop much-needed housing and commercial uses in this area. I look forward to partnering with the City as my development plans for this in-fill parcel move forward. Accordingly, I write today to ask that you revise the Proposed FLUM to allow for my planned development.

1. Location and Zoning

The parcel I intend to develop is located near the intersection of N. Linder and W. Boise Street. The current FLUM designates the property as Commercial, and it is designated Commercial on the Proposed FLUM as well. **We request that all property highlighted in yellow on the map below (from Exhibit B of the Amended Development Agreement, recorded as Instrument #110026862), adjacent to the Boys and Girls Club parcel, be designated high density residential. We support the CBD designation on the remainder of the Property.**



High Density Residential (“HDR”) is more appropriate in the area highlighted because:

- It will provide a housing buffer between the nearby medium density subdivision and the commercial district;
- It will allow for more needed housing directly adjacent to commercial uses;
- It will provide for a walkable development overall, with commercial businesses adjacent to a natural consumer base;
- It is adjacent to the site of a future centrally located Boys and Girls Club structure with land now owned by the Kuna Youth Recreation Association;
- The HDR designation supports *Envision Kuna* Objective 1.A.1 by supporting housing and suitable density in and around downtown Kuna as part of a revitalization strategy; and
- The HDR designation supports *Envision Kuna* Objectives 3.C.2 and 3.D.1 by creating a neighborhood-serving commercial center surrounded by a variety of housing options.

To be clear, and to address a common misconception, an HDR designation would not necessitate or even lead to the development of tall multi-family buildings. HDR is simply the necessary designation to provide for more units per acre, which could be accomplished in a number of ways, including with a higher density mix of smaller homes or townhomes. HDR also allows for planned unit developments and corresponding mixed use.

For these reasons, I ask that a portion of my property be designated as HDR to allow for the development of higher density residential adjacent to a medium density zone, while the rest of the property remains Commercial. Thank you for your consideration of this request. I look forward to continuing to work with you as Kuna grows and develops.

Sincerely,

Ralph Mellin

Ralph Mellin
Mellin Properties, LP

PRELIMINARY



NOT FOR CONSTRUCTION

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Drawing not to be reproduced without written permission from The Land Group, Inc.

NO.	DATE	DESCRIPTION

MELLIN PROPERTY
Concept Plan
 Kuna, ID



THE LAND GROUP

- Landscape Architecture
- Civil Engineering
- Site Planning
- Civil Design/Integration
- Site Engineering
- Drafting/Construction
- Land Surveying

402 East Shore Drive,
 Suite 100
 Eagle, Idaho 83616
 Phone (208) 838-4041
 Fax (208) 838-4445
 www.thelandgroup.com

Project Number:	0747
Designed By:	PLM
Drawn By:	LMA
Checked By:	PLM
Issue Date:	7.4.06

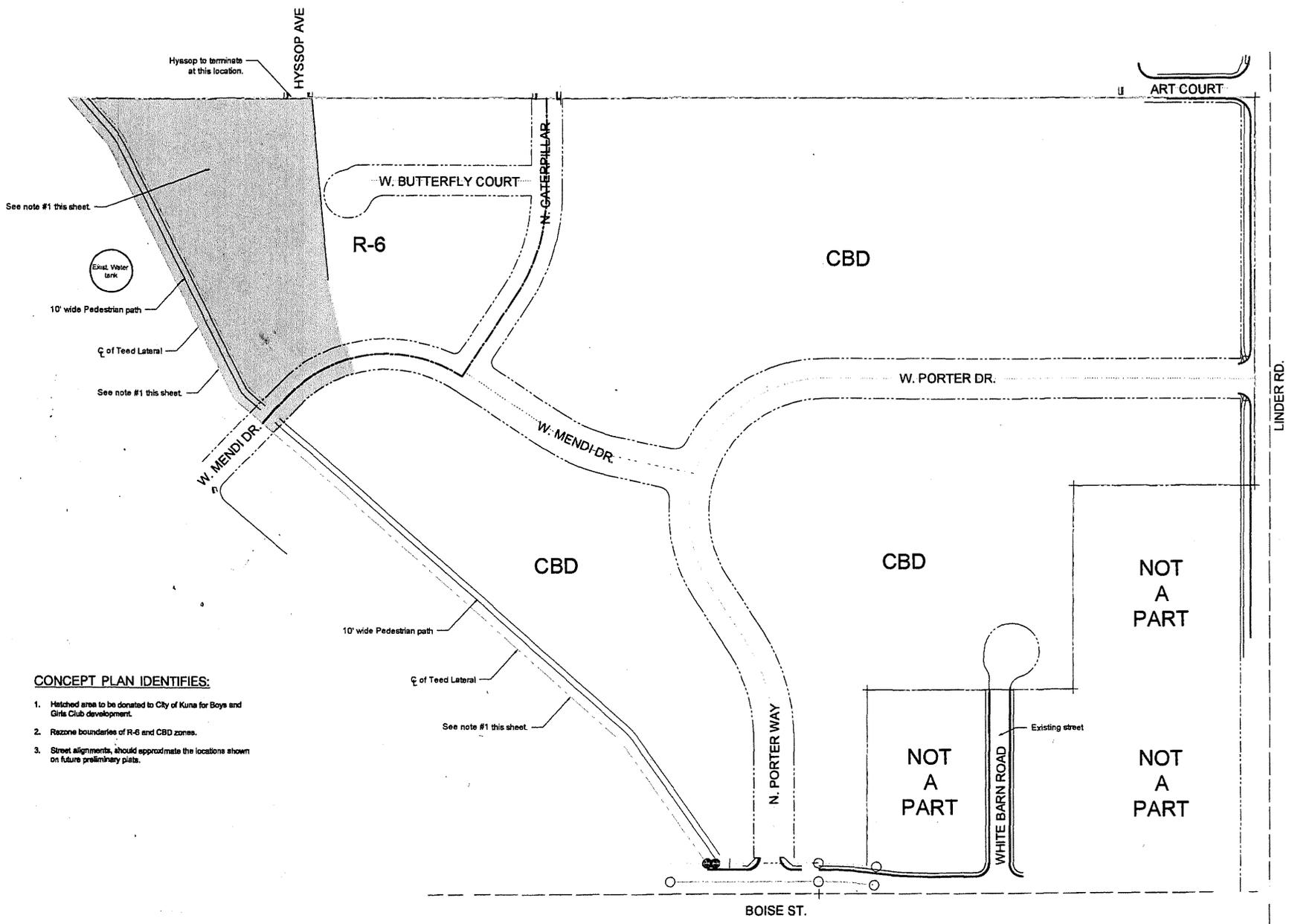


SCALE: 1"=60'-0"

Mellin Property

Sheet Number

L1.0



- CONCEPT PLAN IDENTIFIES:**
1. Hatched area to be donated to City of Kuna for Boys and Girls Club development.
 2. Rezone boundaries of R-6 and CBD zones.
 3. Street alignments, should approximate the locations shown on future preliminary plats.



ADVERTISING PROOF

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

BILLING DATE:	ACCOUNT NO:
02/19/22	21880

LEGAL NOTICE

City of Kuna Comprehensive Plan Amendment & Area of City Impact (ACI) Boundary Reduction

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission will hold a public hearing **Tuesday, March 22, 2022, at 6:00 PM**, or as soon as can be heard; in connection with a request from the City of Kuna to amend its Comprehensive Plan (maps), approved in July of 2019 and to reduce the City's ACI boundary.

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; the City of Kuna is providing alternative ways for the community to submit comments at Public Hearings if they do not wish to testify in person at the hearing, please contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

Kuna Planning & Zoning
 Department

February 23, 2022
 March 2, 2022 205649

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

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
205649	BOUNDARY REDUCTION	02/23/22	03/02/22	2	\$73.48

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount:	\$0.00	Gross:	\$73.48
Surcharge:	\$0.00	Paid Amount:	\$0.00
Credits:	\$0.00		

Amount Due: \$73.48

We Appreciate Your Business!



ADVERTISING PROOF

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

BILLING DATE:	ACCOUNT NO:
05/09/22	21880

LEGAL NOTICE

City of Kuna Comprehensive Plan Amendment & Area of City Impact (ACI) Boundary Reduction

NOTICE IS HEREBY GIVEN the City Council will hold a public hearing Tuesday, June 7, 2022, at 6:00 PM, or as soon as can be heard; in connection with a request from the City of Kuna to amend its Comprehensive Plan (maps), approved in July of 2019 and to reduce the City's ACI boundary.

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; the City of Kuna is providing alternative ways for the community to submit comments at Public Hearings if they do not wish to testify in person at the hearing, please contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

Kuna Planning & Zoning Department

May 11, 18, 2022 234915

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

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
234915	ACI BOUNDARY REDUCTI	05/11/22	05/18/22	2	\$70.72

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount:	\$0.00	Gross:	\$70.72
Surcharge:	\$0.00	Paid Amount:	\$0.00
Credits:	\$0.00		

Amount Due: \$70.72

We Appreciate Your Business!



ADVERTISING PROOF

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

BILLING DATE:	ACCOUNT NO:
06/23/22	21880

LEGAL NOTICE

City of Kuna Comprehensive Plan Map Amendment

NOTICE IS HEREBY GIVEN the City Council will hold a public hearing **Tuesday, August 2, 2022, at 6:00 PM**, or as soon as can be heard; in connection with a request from the City of Kuna to amend its Comprehensive Plan Future Land Use Map, approved in July of 2019.

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; the City of Kuna is providing alternative ways for the community to submit comments at Public Hearings if they do not wish to testify in person at the hearing, please contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

Kuna Planning & Zoning
 Department

July 6, 13, 2022 252147

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

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
252147	PH 8/2/2022	07/06/22	07/13/22	2	\$67.96

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount:	\$0.00	Gross:	\$67.96
Surcharge:	\$0.00	Paid Amount:	\$0.00
Credits:	\$0.00		

Amount Due: \$67.96

We Appreciate Your Business!



ADVERTISING PROOF

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

BILLING DATE:	ACCOUNT NO:
08/26/22	21880

LEGAL NOTICE

City of Kuna Comprehensive Plan Map Amendment

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission will hold a public hearing Tuesday, September 27, 2022, at 6:00 PM, or as soon as can be heard; in connection with a request from the City of Kuna to amend its Comprehensive Plan (maps), approved in July of 2019.

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; the City of Kuna is providing alternative ways for the community to submit comments at Public Hearings if they do not wish to testify in person at the hearing, please contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

Kuna Planning & Zoning
 Department

August 31, 2022 276786
 September 7, 2022

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

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
276786	PH 9/27/2022 MAP AME	08/31/22	09/07/22	2	\$69.34

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount:	\$0.00	Gross:	\$69.34
Surcharge:	\$0.00	Paid Amount:	\$0.00
Credits:	\$0.00		

Amount Due: \$69.34

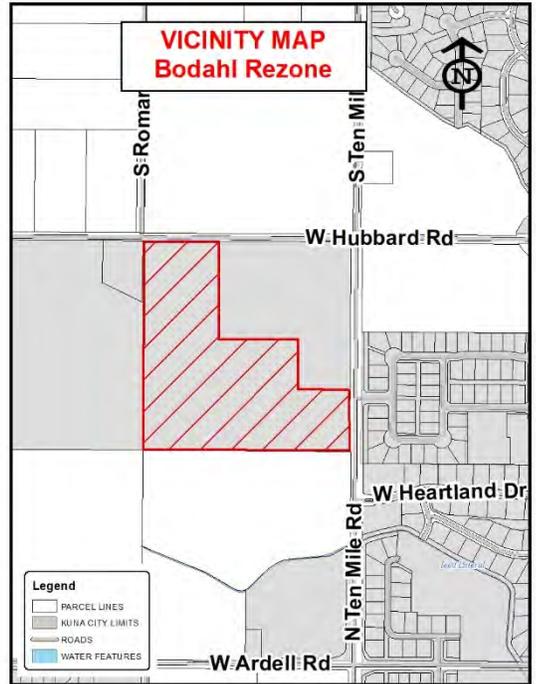
We Appreciate Your Business!

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

IN THE MATTER OF THE APPLICATIONS OF) **Case No. 22-03-ZC (Rezone)**
)
BODAHL FARM, LLC)
) **STAFF REPORT FOR BODAHL**
) **FARM, LLC REZONE**
For a Rezone for 3003 N Ten Mile Road.) **APPLICATION.**

TABLE OF CONTENTS

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



**I
EXHIBIT LIST**

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

1.1 Exhibits:

<i>DESCRIPTION OF EVIDENCE</i>		Withdrawn	Refused	Admitted
1.1	Staff Memo			X
2.1	Application Coversheet			X
2.2	Rezone Application			X

2.3	Project Narrative			X
2.4	Vicinity Map			X
2.5	Legal Description R-20			X
2.6	Deeds – Parcel A			X
2.7	Deeds – Parcel B			X
2.8	Affidavit of Legal Interest			X
2.9	Neighborhood Meeting Certification			X
2.10	Commitment to Property Posting			X
2.11	Agency Transmittal Letter			X
2.12	City Engineer Comments			X
2.13	ACHD Comments			X
2.14	Ada County Comments			X
2.15	BPBC Comments			X
2.16	COMPASS Comments			X
2.17	ITD Comments			X
2.18	KRFD Comments			X
2.19	KSD Comments			X
2.20	Nampa Meridian Irrigation District			X
2.21	KMN Tear Sheet Proof of Public			X
2.22	300 Mailer Notice Proof of Mailer			X
2.23	Proof of Posting the Site			X
2.24	Website Posting			X

**II
PROCESS AND NOTICING**

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

2.1.1 Notifications

- 2.1.1.1 Neighborhood Meeting: February 17, 2022 (3 Attendees)
- 2.1.1.2 Agency Comments Request: August 5, 2022
- 2.1.1.3 300 FT Property Owners Notice: September 8, 2022
- 2.1.1.4 Kuna Melba News Newspaper: August 31, 2022
- 2.1.1.5 Site Posted: August 24, 2022

**III
APPLICANTS REQUEST**

3.1 David Crawford with Centurion Engineers, Inc., requests approval to Rezone approximately (approx.) 24.17 acres currently zoned C-1 (Neighborhood Commercial) TO R-20 (High Density Residential) zone. The applicant is not proposing any other land use applications at this time. The site is in Section 15, Township 2 North, Range 1 West, Boise Meridian, (Parcel number; S1315110075).

**IV
GENERAL PROJECT FACTS**

4.1 Site History

4.1.1 The property was Annexed into Kuna City limits in June, 2019, and zoned as C-1 (Neighborhood Commercial). The subject parcel has historically been used as agricultural fields and farmed.

4.2 Surrounding Land Uses

North	RUT	Rural Urban Transition – Ada County
South	RR	Rural Residential – Ada County
East	RR	Rural Residential – Ada County
	R-4	Neighborhood Commercial – Kuna City
West	R-6	Medium Density Residential – Kuna City

4.3 Parcel Number, Owner, Parcel Size, Current Zoning

4.3.1 S1315110075 (N Ten Mile Road)

4.3.1.1 Bodhal Farm, LLC

4.3.1.2 Approximately 24.17 acres

4.3.1.3 C-1 (Neighborhood Commercial)

4.4 Services

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

4.5 Existing Structures, Vegetation, and Natural Features

4.5.1 There are no existing structures on the subject property and historically have been used as Agricultural fields. The site has an estimated average slope of 2.0% to 2.9%. According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be between 20 and 40 inches.

4.6 Environmental Issues

4.6.1 Beyond the property being located within the Nitrate Priority Area, staff is not aware of any other environmental issues, health or safety conflicts.

4.7 Comprehensive Plan Future Land Use Map

4.7.1 The Future Land Use Map (FLUM) is intended to serve as a *guide* for the decision-making body for the city. The FLUM indicates land use designations generally speaking, it is not the actual zone. The Future Land Use Map identifies the approximately 24.17 acre site as Mixed-Uses.

4.8 Recreation and Pathways Map

4.8.1 The Recreation and Pathways Master Plan Map does not indicate a future pathway/trail or bike route through or along the subject site.

4.9 Agency Responses

Agency	Exhibit No.
City Engineer	2.12
Ada County Highway District	2.13
Ada County Development Services	2.14
Boise Project Board of Control	2.15
COMPASS	2.16
ID Transportation Department	2.17
Kuna Rural Fire District	2.18
Kuna School District No. 3	2.19
Nampa Meridian Irrigation District	2.20

V

TRANSPORTATION AND CONNECTIVITY

5.1 The Ada County Highway District (ACHD) reviewed the submitted application and determined that there are no improvements required to adjacent streets at this time, however, improvements and a TIS may be required with future land development applications.

The Idaho Transportation Department (ITD) confirmed this project is not adjacent to the State Highway System and does not object to this application. Future Development of this parcel will require submittal of trip generations to ITD and may require a TIS.

VI

STAFF ANALYSIS

6.1 The Applicant held a Neighborhood Meeting with neighboring land owners within 300 ft of the proposed project area on March 12, 2021, there were three (3) attendees. The meeting minutes have been included as a part of this application.

David Crawford with Centurion Engineers, Inc., requests approval to Rezone approx. 24.17 acres currently zoned C-1 (Neighborhood Commercial) TO R-20, High Density Residential (HDR) zone for development in the future. This rezone will complement the C-1 (Neighborhood Commercial) to the east, by adding the mixed-use component the FLUM calls for.

According to the City Engineer's Memo (Exhibit 2.12), Public Works states the Arroyo Lift Station is designed to accommodate this property with the anticipated (developer projected) demand of approximately 145 equivalent dwelling units (EDU's). Changing the zoning from C-1 to R-20 would require approximately 483 EDU's, increasing the demand by approximately 338 EDU's. Public Works cannot support approval of this application since the applicant is requesting more EDU's than the allotted amount for this property. Additional information regarding sewer for this property can be found in paragraph 4a.

This request is limited to the Rezone of the property at this time, no development is associated with this application. Should the Applicant develop the property in the future they will be required to return for the appropriate approvals from the Planning and Zoning Commission and City Council. This project fulfills the mixed-use element for this parcel as shown on the FLUM.

Staff has determined the Applicant's Rezone request is in compliance with Kuna City Code, Title Five; Idaho Statute § 67-65 and the goals and policies set in Kuna's Comprehensive Plan. Staff recommends that if the Commission recommends approval of the Rezone to the City Council, that the applicant be subject to the Conditions of Approval listed in section "IX" of this report, as well as any additional Conditions designated by the Planning and Zoning Commission.

6.2 Applicable Standards

6.2.1 City of Kuna Zoning Ordinance Title 5.

6.2.2 City of Kuna Comprehensive Plan.

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

VII PROPOSED FINDINGS OF FACT

Based upon the record contained in Case No. 22-03-ZC (Rezone) including the Comprehensive Plan, Kuna City Code, Staff's Report, including the exhibits, and the testimony during the Public Hearing, the Kuna Planning and Zoning Commission hereby recommends (*approval/conditional approval/denial*) of the Findings of Fact and Conclusions of Law for Case No. 22-03-ZC a request by David Crawford with Centurion Engineers, Inc., to Rezone approx. 24.17 acres currently zoned C-1 (Neighborhood Commercial) TO R-20, (High Density Residential) zone. The site is in Section 15, Township 2 North, Range 1 West, Boise Meridian, (Parcel number; S1315110075).

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

7.1 Based on the evidence contained in Case No. 22-03-ZC, this proposal *does/does not* generally comply with the City Code.

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

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

Staff Finding: The Applicant held a Neighborhood Meeting on February 17, 2021, there were three (3) attendees. Neighborhood Notices were mailed out to residents within 300-FT of the proposed project site on September 8, 2022, and a legal notice was published in the Kuna Melba Newspaper on August 31, 2022. The Applicant posted a sign on the property on August 24, 2022.

- 7.3 Based on the evidence contained in Case Nos. 22-03-ZC, this proposal **does/does not** generally comply with the Comprehensive Plan.

Staff Finding: The Comprehensive Plan designates the future land use designation of the proposed subject site as Mixed-uses. The Applicant is requesting a R-20 (High Density Residential) zoning district classification as a compliment to the C-1 (Neighborhood Commercial) to the east.

- 7.4 All private landowners *have/have not* consented to the Rezone.

Staff Finding: The property owners have consented to the Rezone.

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

Staff Finding: Per submitted comments from Per City Engineer's comments (Exhibit 2.12) Public Works states changing the zoning from C-1 to R-20 would require approximately 483 EDU's, increasing the demand by approximately 338 EDU's. Public Works cannot support approval of this application since the applicant is requesting more EDU's than the allotted amount for this property.

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

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

VIII PROPOSED COMPREHENSIVE PLAN ANALYSIS

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

- 8.1 Goal Area 1: Kuna will be Economically Diverse and Vibrant.
- Goal 1.A.: Ensure land use in Kuna will support economic development.
 - Objective 1.A.2.: Create commercial nodes and corridors that support development or economic opportunities that do not compete with downtown revitalization efforts.
 - Policy 1.A.2.a: Designate commercial land use nodes and corridors at strategic locations such as Meridian Road/Highway 69 and *Ten Miler Road*.
 - Policy 1.A.2.c: Focus on development of commercial uses that will not compete with downtown Kuna's businesses and character.

8.2 Goal Area 3: Kuna’s Land uses will support a desirable, distinctive and well-designed community.

- Goal 3.A.: Ensure community design directs growth and implements sustainable land use patterns
 - Objective 3.A.1.: Use the Future Land Use Map and land use regulations to direct development, encourage complementary and compatible land uses, and achieve good community design.
- Goal 3.G.: Respect and protect private property rights.
 - Objective 3.G.1.: Ensure land use policies, restrictions, and fees do not violate private property rights.
 - Policy 3.G.1.b: Ensure City land use actions, decision, and regulations will not cause an unconstitutional regulatory taking of private property; and do not effectively eliminate all economic value of the subject property.
 - Policy 3.G.1.c: Ensure land use actions, decisions and regulations do not prevent a private property owner from taking advantage of a fundamental property right. Ensure city actions do not impose a substantial and significant limitation on the use of the property.

**IX
COMMISSION’S RECCOMENDATION**

*Note: These Motions are for recommendation of **Approval, Conditional Approval or Denial** of the Rezone application 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 the Findings of Fact and Conclusions of Law for Case No. 22-03-ZC, a request by David Crawford with Centurion Engineers, Inc., to Rezone approx. 24.17 acres currently zoned C-1 (Neighborhood Commercial) TO R-20, High Density Residential (HDR) zone. The site is in Section 15, Township 2 North, Range 1 West, Boise Meridian, (Parcel number; S1315110075).

- 9.1** 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:
- 9.1.1** The City Engineer shall approve the sewer connections.
 - 9.1.2** The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - 9.1.3** Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, “Catalog for Best Management Practices for Idaho Cities and Counties”.
 - 9.1.4** The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District are required.

- 9.1.5** The Kuna Municipal Irrigation System (KMIS) and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
- 9.1.6** Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permit(s).
- 9.1.7** All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
- 9.2** Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see KCC 6-4-2.
- 9.3** Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
- 9.4** When required, submit a petition to the City (as necessary, confirmed with the City Engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the KMIS of the City.
- 9.5** The Developer/Owner/Applicant, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through public hearing processes.
- 9.6** The Developer/Owner/Applicant shall follow staff, City engineers and other agency recommended requirements as applicable.
- 9.7** The Developer/Owner/Applicant shall comply with all local, state and federal laws.
- 9.8** The Developer/Owner/Applicant shall obtain a City of Kuna Business License prior to receiving a Certificate of Occupancy.
- 9.9** The Developer/Owner/Applicant is hereby notified of Kuna's weed control policies and requirements (KCC 8-1-3). Weeds, grasses, vines or other growth which endanger property or are over twelve (12) inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout all seasons.
- 9.10** The Developer/Owner/Applicant /Contractors are all hereby notified of Kuna's working hours. Construction of any kind shall only be conducted within the hours specified in KCC. Noises and other public nuisances/distractions outside of this time frame are subject to lawful penalties.

DATED this ____ day of October, 2022.



Planning & Zoning Application Coversheet

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



****Office Use Only****

File No.(s): 22-03-ZC

Project Name: 3003 N Ten Mile

Date Received: 04.13.2022

Date Accepted as Complete: _____

Type of review requested (check all that apply):

<input type="checkbox"/>	Annexation & Zoning	<input type="checkbox"/>	Appeal
<input type="checkbox"/>	Comp. Plan Map Amendment	<input type="checkbox"/>	Combination Pre & Final Plat
<input type="checkbox"/>	Design Review	<input type="checkbox"/>	Development Agreement
<input type="checkbox"/>	Final Planned Unit Development	<input type="checkbox"/>	Final Plat
<input type="checkbox"/>	Lot Line Adjustment	<input type="checkbox"/>	Lot Split
<input type="checkbox"/>	Ordinance Amendment	<input type="checkbox"/>	Planned Unit Development
<input type="checkbox"/>	Preliminary Plat	<input checked="" type="checkbox"/>	Rezone
<input type="checkbox"/>	Special Use Permit	<input type="checkbox"/>	Temporary Business
<input type="checkbox"/>	Vacation	<input type="checkbox"/>	Variance

Owner of Record

Name: Bodahl Farm, LLC

Address: 6152 W. Half Moon Lane Eagle ID 83616

Phone: _____ Email: _____

Applicant (Developer) Information

Name: Givens Pursley LLP - Kristen McNeill

Address: 601 W Bannock St. Boise, ID 83702

Phone: 208-388-1276 Email: kristenmcneill@givenspursley.com
cc: eak@givenspursley.com

Engineer/Representative Information

Name: Centurion Engineers, Inc. - David Crawford

Address: 2323 S. Vista Ave, Suite 206 Boise, ID 83705

Phone: 208.343.3381 Email: dacrawford@centengr.com

Subject Property Information

Site Address: 3003 N Ten Mile Rd.

Nearest Major Cross Streets: N. Ten Mile Rd. & W Hubbard Rd.

Parcel No.(s): S1315110051

Section, Township, Range: S15, T2N, R1W

Property Size: 38.98

Current Land Use: Agriculture Proposed Land Use: N/A

Current Zoning: C-1 Proposed Zoning: R-20

Project Description

Project Name: Bodahl Farm rezone

General Description of Project: Rezoning C-1 to R-20

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

Residential: R-2 R-4 R-6 R-8 R-12 R-20 Commercial: C-1 C-2 C-3 CBD

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

Type(s) of amenities provided with development: _____

Residential Project Summary (If Applicable)

Are there existing buildings? YES NO

If YES, please describe: _____

Will any existing buildings remain? YES NO

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

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

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

Single-Family Townhomes Duplexes Multi-Family

Other: _____

Minimum square footage of structure(s): _____

Gross Density (Dwelling Units ÷ Total Acreage): _____

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

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

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

Non-Residential Project Summary (If Applicable)

Number of building lots: _____ Other lots: _____

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

Building height: _____ Hours of Operation: _____

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

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

Proposed Parking

ADA accessible spaces: _____ Dimensions: _____

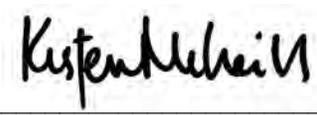
Regular parking spaces: _____ Dimensions: _____

Width of driveway aisle: _____

Proposed lighting: _____

Is lighting "Dark Sky" compliant? YES NO

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

Applicant Signature:  _____ Date: 4/12/2022

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

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



Rezoning requires Public Hearings with both the Planning & Zoning Commission and City Council. Public Hearing signs will be required to be posted by the applicant for both meetings. Sign posting regulations are available.

****Office Use Only****

Case No(s): 22-03-ZC

Project Name: 3003 N Ten Mile

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

Date Received: 04.13.2022

Date Accepted as Complete: 6.9.2022

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

- Complete Planning & Zoning Application Coversheet.
- Complete Rezone Application.
- Detailed narrative or justification for the application, describing the reasons for the proposed Rezone.
- Vicinity Map 8.5” x 11”: Drawn to scale of 1” = 300’ (or similar), showing the location of subject property. Map shall contain a shaded area showing the annexation property; surrounding street names; and name(s) of surrounding subdivisions.
- Legal Description of Area: Include metes & bounds description to the section line of all adjacent roadways; stamped & signed by a registered professional Land Surveyor; calculated closure sheet; and a map showing the boundaries of the legal description.
- Development Agreement & complete Development Agreement Application (*if applicable*).
- Recorded Warranty Deed for property.
- Affidavit of Legal Interest if the individual submitting this application is not the legal property owner. (*One Affidavit required for each party involved. Originals must be submitted to the Planning & Zoning Department.*)
- Neighborhood Meeting Certification.
- Commitment of Property Posting form signed by the Applicant/Agent.

This application shall not be considered complete (nor will a Public Hearing be scheduled) until Staff has received all required information. Once the application is deemed complete, Staff will notify the Applicant of the scheduled hearing date, fees due, and any additional items via a Letter of Completeness.

Information to Note:

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

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

Applicant Signature: _____ Date: _____

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

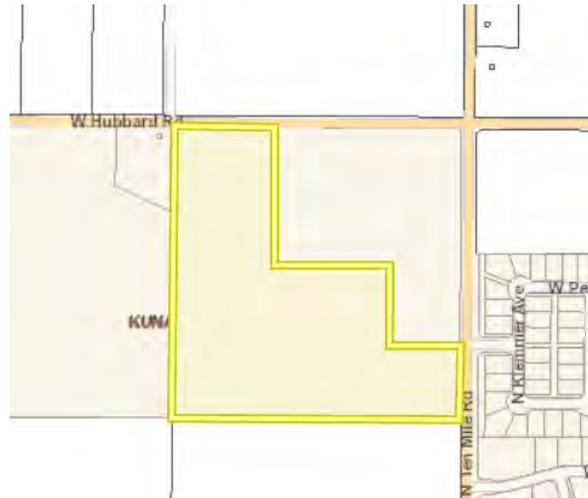
April 13, 2022

City of Kuna
Planning and Zoning Department
751 West 4th Street
Kuna, Idaho 83634

RE: Bodahl Farms, LLC Property Rezone Application

Dear Mayor, City Councilmembers, Planning and Zoning Commissioners and Planning Staff,

Bodahl Farms, LLC, an Idaho limited liability company (“**Owner**”) is pleased to present this application to rezone the property outlined in yellow in the map below which is located on the southwest corner of Ten Mile Road and Hubbard Road, commonly known as Ada County parcel number S1315110075 (the “**Property**”).



The Property is approximately +/- 24.168 acres, currently zoned C-1 (neighborhood commercial district), and designated Mixed Use (MU) on Kuna’s Future Land Use Map (“**FLUM**”). We respectfully request that the Property be rezoned to R-20, high density multifamily residential.

This proposed amendment to R-20 meets the goals of *Envision Kuna*, the City’s Comprehensive Plan, is compatible with the surrounding area, and meets the requirements of the zone. Utilities are also available to serve the property.

History

The Property was originally part of a larger 40 acre parcel. Last fall, a smaller +/- 14.469 acre parcel on the corner of Ten Mile Road and Hubbard was carved from the Property. This smaller, corner parcel will retain its current C-1 zoning and is under contract to be sold to an end user that requires the C-1 zone.

R-20 Zone Requirements

As described in Kuna City Code, the purpose of the R-20 district is to define a maximum residential density limit per acre based on factors such as traffic generation, availability of city services and land use compatibility. Accordingly, the district is established to serve higher density, multi-storied residential development, not to exceed twenty (20) dwelling units per net acre. District requirements include direct access to arterial or collector roadways and connection to public sewer and water. This zone is intended to accommodate multi-storied, multifamily dwellings and group living arrangements.

The Property fronts Hubbard Road, which ACHD classifies as a residential arterial, and Ten Mile Road, which is classified as a commercial arterial. Water service is available to the Property. Sewer service is available via the Arroyo Vista lift station, which is currently under construction and has been designed with capacity intended to serve the Property.

Compatibility with Surrounding Area

R-20 zoning is compatible with surrounding uses. As shown on the current FLUM and the proposed FLUM, the areas surrounding the Property are anticipated to largely develop as commercial and mixed use, with some medium density residential directly to the west.

Current FLUM



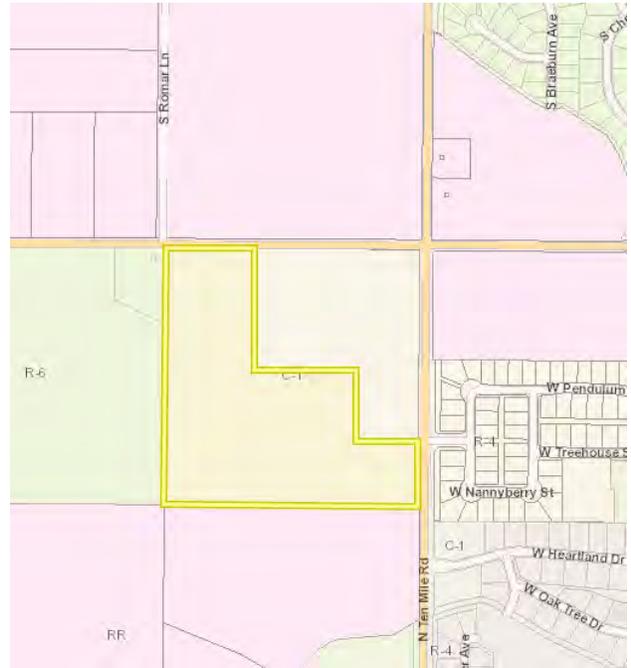
Property: Commercial
North: Medium Density Residential (MDR)
East: Commercial and MDR
South: Commercial
West: MDR

Proposed FLUM



Property: Mixed Use (MU)
North: MU
East: MU and MDR
South: MU
West: MDR

The zoning of the land surrounding the Property is also compatible with R-20 in this developing area of Kuna. The property to the north, across Hubbard, is zoned Rural Residential in the County; directly to the east is zoned C-1 and across Ten Mile is R-4; to the south is zoned rural residential in the County; and to the west is zoned R-6 in the City. As discussed above, this area is contemplated to develop primarily as mixed-use and commercial.



High density residential R-20 zoning is appropriate for the Property because:

- It will provide a housing buffer between the medium density R-6 subdivision to the west and the commercial district to the east;
- It will allow for much needed housing directly adjacent to commercial uses;
- It will provide for a walkable development overall, with commercial businesses adjacent to a natural consumer base;
- It provides for a nice mixed-use community in a location designated as “mixed use” on the proposed FLUM.

Comprehensive Plan

A rezone to R-20 supports *Envision Kuna* Objective 3.D.1, which encourages the development of housing options for all citizens. Specifically, as set forth in Policy 3.D.1.c, R-20 zoning supports housing that meets demand for all economic segments, including rental and owner-occupied options for households earning less than 120 percent of area medium income.

By providing a buffer between commercial uses and less intensive residential uses, R-20 zoning promotes Policy 3.C.1.c., “Support commercial centers with high- and medium-density residential and mixed-use designations in surrounding areas, while providing transitions and buffers between commercial and residential development.” R-20 zoning also concentrates a mixed-use area along Ten Mile, a main entryway corridor, as provided in Policy 3.A.1.b.

As contemplated in Policy 3.D.2.b., R-20 zoning provides for a walkable development, with commercial businesses adjacent to a consumer base which allows residents to play, shop, eat and interact with neighbors without leaving their neighborhood.

Conclusion

Because a rezone of the Property to R-20 is supported by *Envision Kuna*, the Future Land Use Map, and the Kuna City Code, and is compatible with surrounding uses, we request approval of the application to rezone the Property to R-20, high density residential.

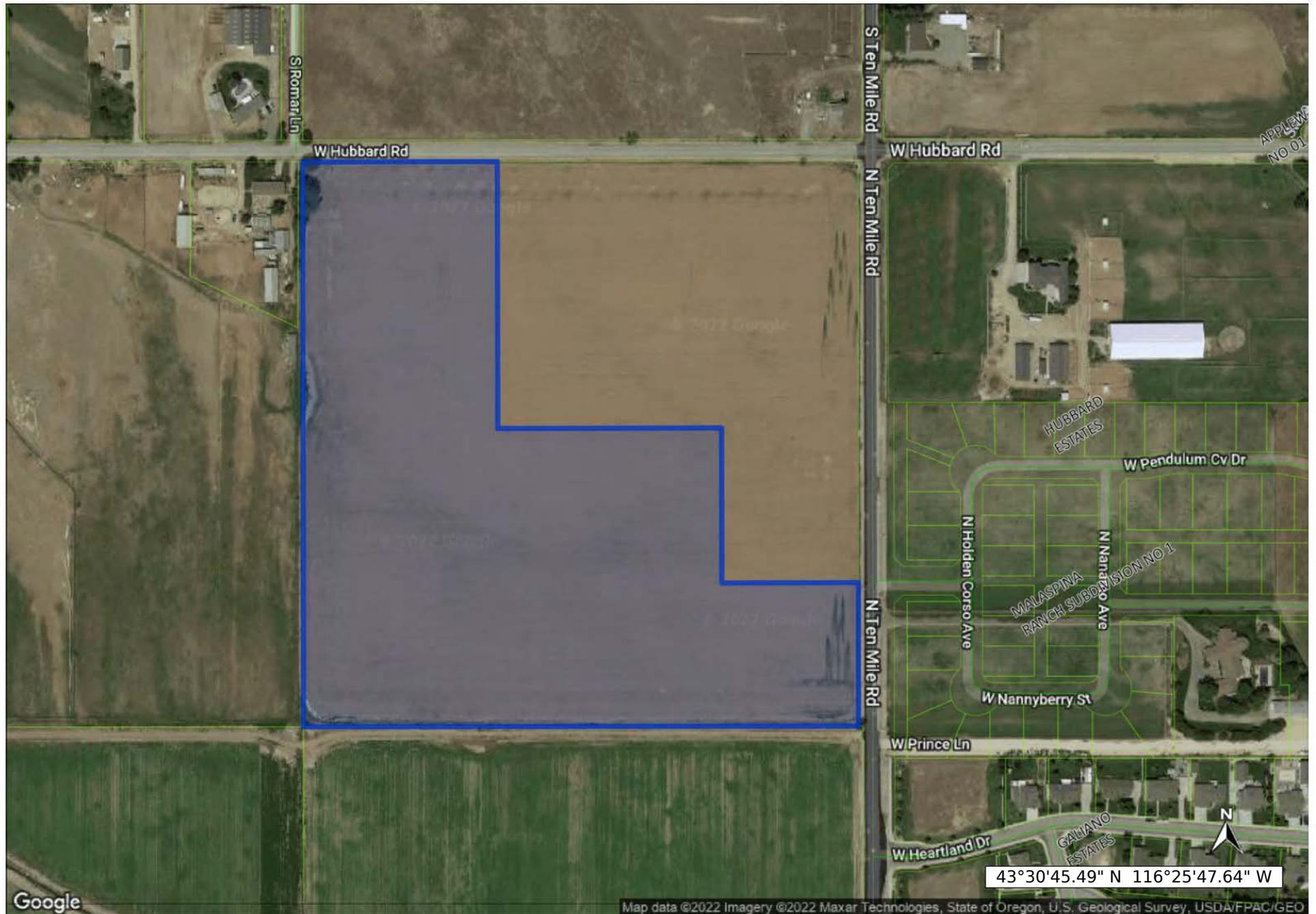
Thank you for time in considering this application. Please do not hesitate to contact us regarding any questions you may have.

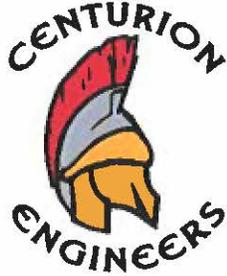
Sincerely,

/s/ Tim Eck

Bohdahl Farms, LLC

Rezone





CENTURION | B&A ENGINEERS, INC.
Consulting Engineers, Land Surveyors, Planners
5505 West Franklin Road Boise, ID 83705
Telephone 208.343.3381 | www.centengr.com



Rezone Description for Bodahl Farm, LLC

February 22, 2022

A portion of the northeast quarter of the northeast quarter Section 15, Township 2 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho, being more particularly described as follows:

Commencing at the northeast corner of said Section 15, which is the centerline intersection of West Hubbard Road and North Ten Mile Road; thence S89°55'47"W, 871.48 feet along the northerly boundary of the northeast quarter of the northeast quarter of said Section 15 and along the centerline of West Hubbard Road to the **Point of Beginning**:

Thence S00°00'25"W, 641.62 feet;

Thence N89°55'47"E, 519.98 feet;

Thence S00°00'25"W, 358.05 feet;

Thence N89°55'47"E, 351.50 feet to the centerline of North Ten Mile Road and to the easterly boundary of said Section 15;

Thence S00°00'25"W, 332.25 feet along said centerline of North Ten Mile Road and the easterly boundary of the northeast quarter of the northeast quarter of said Section 15 to the southeast corner of the northeast quarter of the northeast quarter of said Section 15;

Thence N89°59'15"W, 1,323.81 feet along the southerly boundary of the northeast quarter of the northeast quarter of said Section 15 to the southwest corner of the northeast quarter of the northeast quarter of said Section 15;

Thence N00°01'07"E, 1,330.01 feet along the westerly boundary of the northeast quarter of the northeast quarter said Section 15 to the northwest corner of the northeast quarter of the northeast quarter of said Section 15 and to the centerline of West Hubbard Road;

Thence N89°55'47"E, 452.06 feet along the northerly boundary of the northeast quarter of the northeast quarter of said Section 15 and the centerline of West Hubbard Road to the **Point of Beginning**.

Comprising 24.72 acres, more or less.

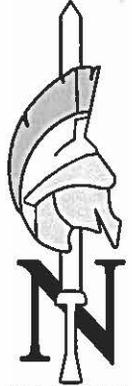
Subject to all existing easements and rights-of-way of record or apparent.



Bodahl Farm, LLC

Rezone Description Sketch

SITUATE IN THE NORTHEAST QUARTER OF THE
NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 2
NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF
KUNA, ADA COUNTY, IDAHO.

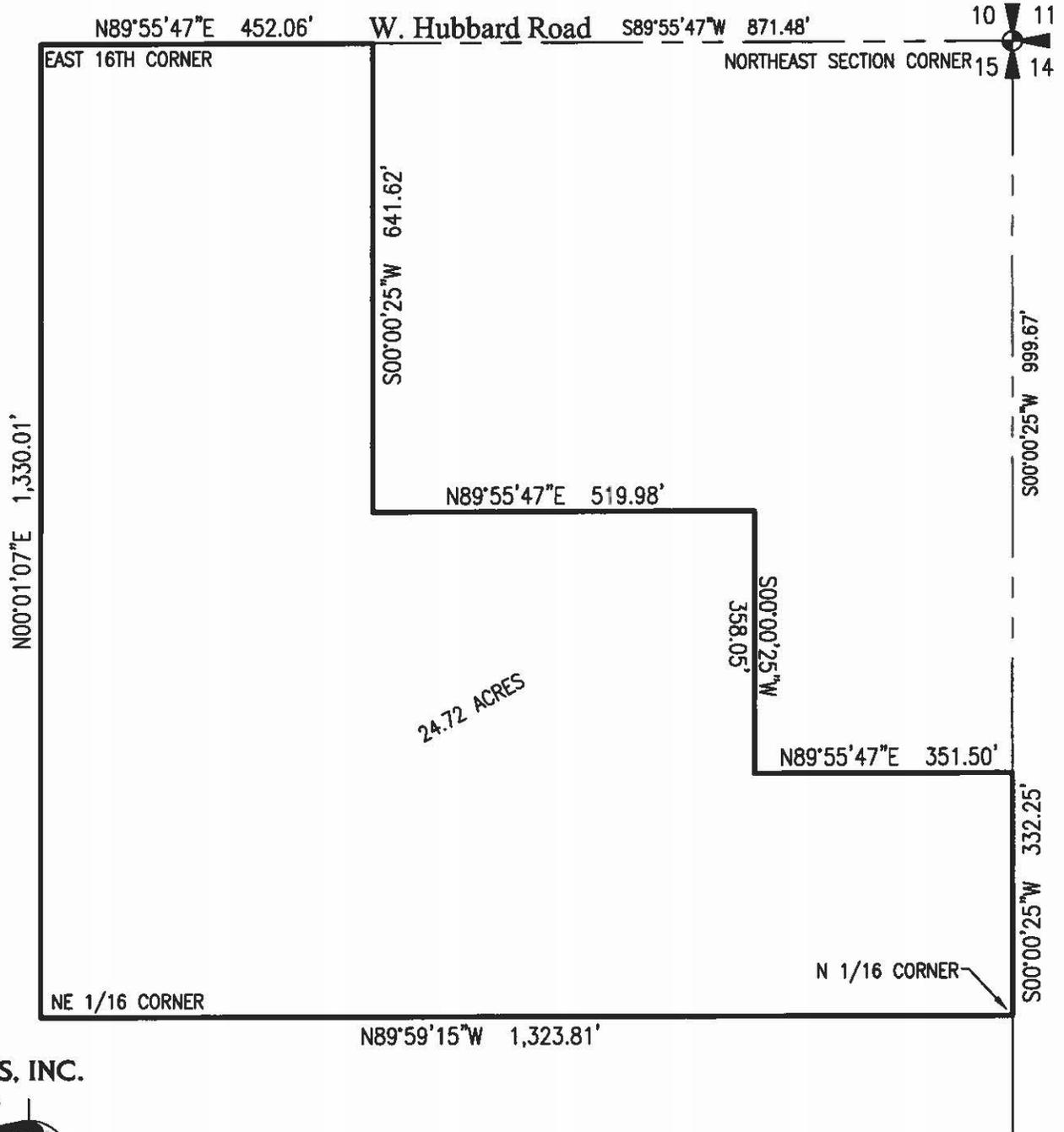


Not to Scale



CENTURION | B&A ENGINEERS, INC.

Consulting Engineers, Land Surveyors, Planners
5505 W Franklin Road | Boise, ID 83705
208.343.3381 | www.centengr.com



QUITCLAIM DEED

**THIS INSTRUMENT FILED FOR RECORD
BY FIDELITY NATIONAL TITLE AS AN
ACCOMMODATION ONLY. IT HAS NOT
BEEN EXAMINED AS TO ITS EXECUTION
OR AS TO ITS AFFECT UPON THE TITLE.**

FOR VALUE RECEIVED

Bodahl Farm LLC, an Idaho limited liability company

do(es) hereby convey, release and forever quitclaim unto: Bodahl Farm LLC, an Idaho limited liability company

whose current address is: 6152 W. Half Moon Ln., Eagle, ID 83616 (the "Grantee"), the following described premises, to-wit:

See Attached Legal Description Parcel A

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Date: 3-11-22

Bodahl Farm LLC, an Idaho limited liability company

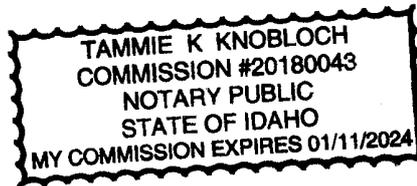
By: [Signature]
Timothy W. Eck, Manager

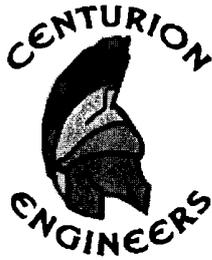
STATE OF Idaho
COUNTY OF Blaine -ss.

On this 11 day of March, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Timothy W. Eck known or identified to me to be the person whose name is subscribed to the within instrument, as the Manager of Bodahl Farm LLC, an Idaho limited liability company and acknowledged to me that he executed the same as such Manager.

Signature: [Signature]
Name: _____
Residing at: Star 10
My Commission Expires: 1-11-24

(SEAL)





CENTURION | B&A ENGINEERS, INC.
 Consulting Engineers, Land Surveyors, Planners
 5505 West Franklin Road Boise, ID 83705
 Telephone 208.343.3381 | www.centengr.com



**Legal Description
 Record of Survey for Bodahl Farm, LLC**

Parcel A

December 3, 2021

A portion of the northeast quarter of the northeast quarter Section 15, Township 2 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho, being more particularly described as follows:

Commencing at the northeast corner of said Section 15, which is the centerline intersection of West Hubbard Road and North Ten Mile Road; thence S89°55'47"W, 871.48 feet along the northerly boundary of the northeast quarter of the northeast quarter of said Section 15 and along the centerline of West Hubbard Road to the **Point of Beginning**:

Thence S00°00'25"W, 641.62 feet;

Thence N89°55'47"E, 519.98 feet;

Thence S00°00'25"W, 358.05 feet;

Thence N89°55'47"E, 317.50 feet to the westerly right-of-way of North Ten Mile Road;

Thence S00°00'25"W, 332.20 feet along said westerly right-of-way of North Ten Mile Road along a line 34-feet easterly of and parallel with the easterly boundary of the northeast quarter of the northeast quarter of said Section 15 to the southerly boundary of the northeast quarter of the northeast quarter of said Section 15.

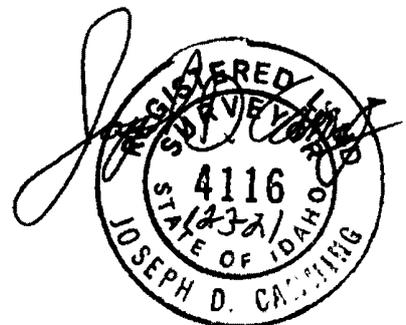
Thence N89°59'15"W, 1,289.81 feet along the southerly boundary of the northeast quarter of the northeast quarter of said Section 15 to the southwest corner of the northeast quarter of the northeast quarter of said Section 15;

Thence N00°01'07"E, 1,330.01 feet along the westerly boundary of the northeast quarter of the northeast quarter said Section 15 to the northwest corner of the northeast quarter of the northeast quarter of said Section 15 and to the centerline of West Hubbard Road;

Thence N89°55'47"E, 452.06 feet along the northerly boundary of the northeast quarter of the northeast quarter of said Section 15 and the centerline of West Hubbard Road to the **Point of Beginning**.

Comprising 24.46 acres, more or less.

Subject to all existing easements and rights-of-way of record or apparent.



THIS INSTRUMENT FILED FOR RECORD
BY FIDELITY NATIONAL TITLE AS AN
ACCOMMODATION ONLY. IT HAS NOT
BEEN EXAMINED AS TO ITS EXECUTION
OR AS TO ITS AFFECT UPON THE TITLE.

QUITCLAIM DEED

FOR VALUE RECEIVED

Bodahl Farm LLC, an Idaho limited liability company

do(es) hereby convey, release and forever quitclaim unto: Bodahl Farm LLC, an Idaho limited liability company

whose current address is: 6152 W. Half Moon Ln., Eagle, ID 83616 (the "Grantee"), the following described premises, to-wit:

See Attached Legal Description Parcel B

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Date: 3-11-22

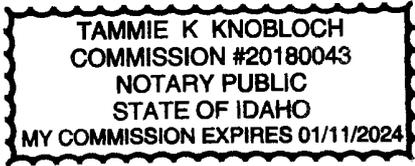
Bodahl Farm LLC, an Idaho limited liability company

By: [Signature]
Timothy W. Eck, Manager

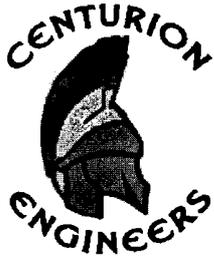
STATE OF Idaho
COUNTY OF [Signature] -ss.

On this 11 day of March, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Timothy W. Eck known or identified to me to be the person whose name is subscribed to the within instrument, as the Manager of Bodahl Farm LLC, an Idaho limited liability company and acknowledged to me that he executed the same as such Manager.

Signature: [Signature]
Name: _____
Residing at: State ID
My Commission Expires: 1-11-24



(SEAL)



CENTURION | B&A ENGINEERS, INC.
Consulting Engineers, Land Surveyors, Planners
5505 West Franklin Road Boise, ID 83705
Telephone 208.343.3381 | www.centengr.com



**Legal Description
Record of Survey for Bodahl Farm, LLC**

Parcel B

December 3, 2021

A portion of the northeast quarter of the northeast quarter of Section 15, Township 2 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho, being more particularly described as follows:

Commencing at the northeast corner of said Section 15, which is the centerline intersection of West Hubbard Road and North Ten Mile Road; thence S89°55'47"W, 34.00 feet along the northerly boundary of the northeast quarter of the northeast quarter of said Section 15 and along the centerline of West Hubbard Road to the **Point of Beginning**:

Thence S00°00'25"W, 999.67 feet along said along said westerly right-of-way of North Ten Mile Road along a line 34-feet easterly of and parallel with the easterly boundary of the northeast quarter of the northeast quarter of said Section 15

Thence S89°55'47"W, 317.50 feet;

Thence N00°00'25"E, 358.05 feet;

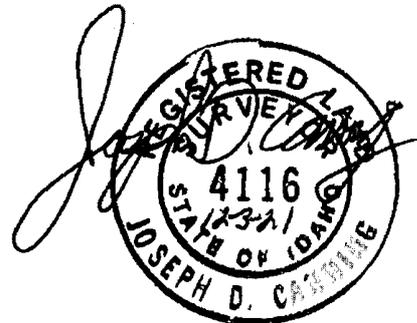
Thence S89°55'47"W, 519.98 feet;

Thence N00°00'25"E, 641.62 feet to the northerly boundary of the northeast quarter of the northeast quarter of said Section 15 and to the centerline of West Hubbard Road;

Thence N89°55'47"E, 837.48 feet along the northerly boundary of the northeast quarter of the northeast quarter of said Section 15 and along the centerline of West Hubbard Road to the **Point of Beginning**.

Comprising 14.95 acres, more or less.

Subject to all existing easements and rights-of-way of record or apparent.





Neighborhood Meeting Certification

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



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

The Neighborhood Meeting Certification packet includes the following:

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

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

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

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

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

Description of proposed project: _____

Date of Meeting: _____ Time: _____

Meeting Location: _____

Site Information

Location: Section _____ Township _____ Range _____ Total Acres _____

Subdivision Name: _____ Lot _____ Block _____

Address: _____

Parcel No(s): _____

Include ALL addresses and parcel numbers for your application.

Current Property Owner

Name: _____

Address: _____

Contact Person

Name: _____

Business Name (if applicable): _____

Address: _____

Phone: _____ Email: _____

Applicant

Name: _____

Address: _____

Phone: _____ Email: _____

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

Applicant Signature:  _____ Date: 2/17/2022

SIGN-IN SHEET

Project Name: Bodahl Farm

	Name	Address	Phone
1	Brett Johnston	3720 W Hubbard	208-340-7756
2	Vicki L. Johnston	3720 W Hubbard Rd	208-863-9314
3	Tammy Harman	3620 W Hubbard Rd	970-218-7548
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NEIGHBORHOOD MEETING MINUTES

Meeting Date: _____ Number of Attendees: _____

Location: _____

Project Description: _____

Attendee Comments or Concerns: _____

I, _____, hereby certify the above information and the information provided within these forms is true, complete and correct to the best of my knowledge.

Applicant Signature:  _____ Date: _____



CENTURION | B&A ENGINEERS, INC.

Consulting Engineers, Land Surveyors, Planners
2323 S. Vista Avenue, #206 Boise, ID 83705
Telephone 208.343.3381 | www.centengr.com



3 February, 2022

Dear Neighbor:

Kuna City Code requires that a neighborhood meeting be held to discuss any re-zone request. The purpose of this letter is to invite you to a brief presentation about a re-zone request that is anticipated for a parcel of land located near the southwest corner of Hubbard and Ten Mile Road.

The property address is generally 3003 North Ten Mile Road Kuna, Idaho. The property is currently zoned Commercial C-1. We are proposing to rezone the property to Residential R-20.

Please find attached a vicinity map of the rezone area that is the subject of the meeting.

The meeting will be held on Thursday February 17th 2022 at 6:00 pm at the following address:

Kuna City Library, located at: 457 N. Locust Ave, Kuna, ID 83634.

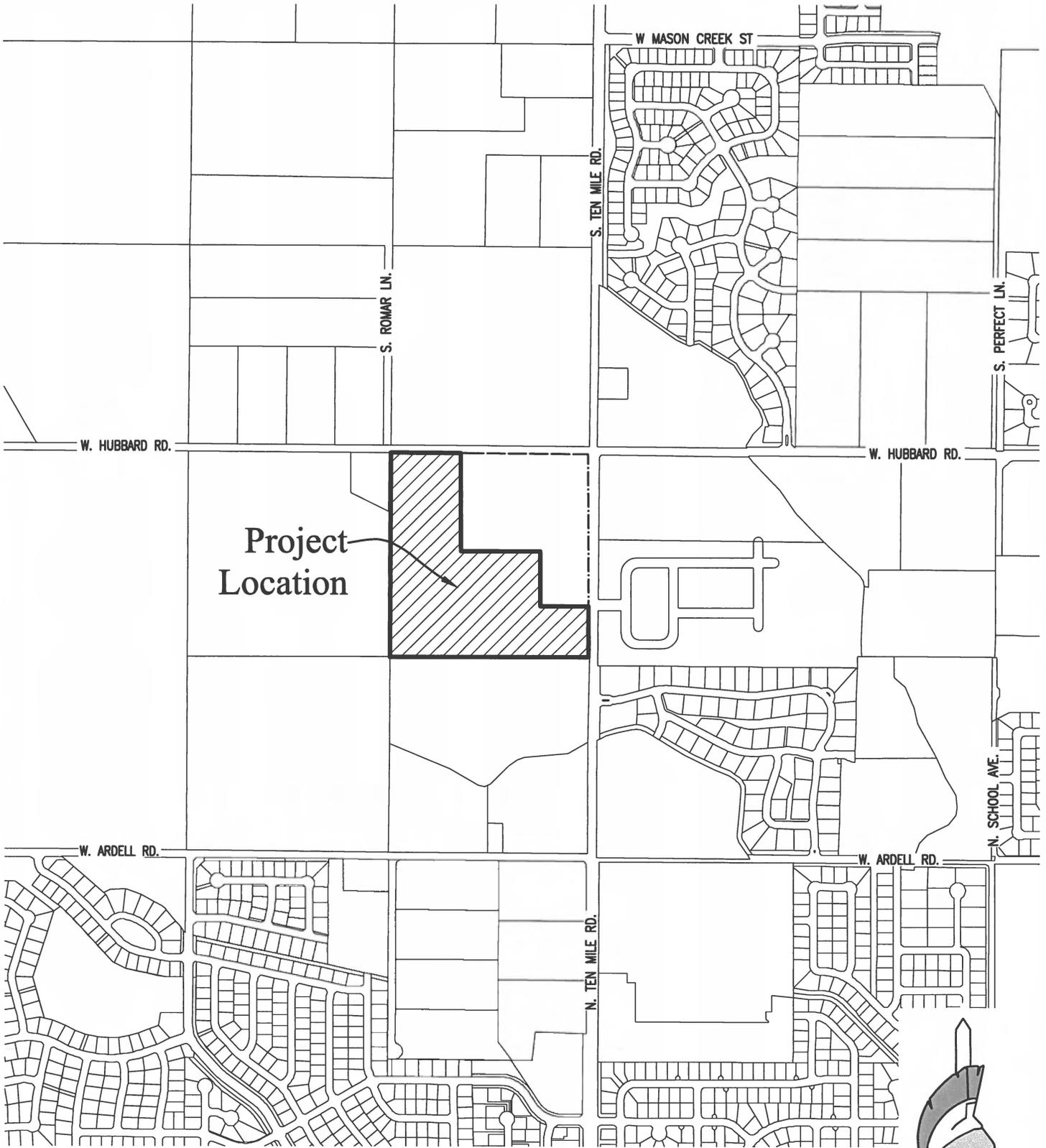
Prior to the meeting should you have any questions or concerns please contact me. Should you not be able to attend the meeting and wish to share your comments with us in writing, please remit them to the following address or via electronic mail to the below e-mail address:

David Crawford
Centurion Engineers, Inc.
2323 S. Vista #206.
Boise, Idaho 83705
E-mail: dacrawford@centengr.com

Sincerely,

David Crawford
Project Manager
B&A Engineers, Inc.

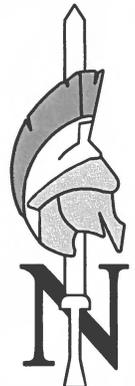
Bodahl Farm, LLC Vicinity Map



Project
Location



CENTURION | B&A ENGINEERS, INC.
Consulting Engineers, Land Surveyors, Planners
5505 W Franklin Road | Boise, ID 83705
208.343.3381 | www.centengr.com



NOT TO SCALE



COMMITMENT TO PROPERTY POSTING

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



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

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

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

Print Name: _____

Signature: _____ Date: _____



Planning & Zoning Department

City of Kuna
P.O. Box 13
Kuna, Idaho 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
www.kunacity.id.gov

Agency Notification

August 5, 2022

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

File Numbers & Case Name:	22-03-ZC (Rezone) – 3003 N Ten Mile Road, <i>Bodahl Farm, LLC, Rezone.</i>
Project Description	David Crawford with Centurion Engineers, Inc., requests approval to Rezone approx. 24.17 acres currently zoned <i>C-1</i> (Neighborhood Commercial) TO <i>R-20</i> , High Density Residential (HDR) zone. The applicant is not proposing any other land use applications at this time. The site is in Section 15, Township 2 North, Range 1 West, Boise Meridian, (Parcel number; S1315110075).
Site Location	The SWC of Ten Mile Rd., and Hubbard Rd., Kuna, ID 83634.
Representative	David Crawford Centurion Engineer, Inc. 2323 S Vista Ave., Ste 206, Boise, ID 83705 208.343.3381 dacrawford@centengr.com
Applicant	Kristen McNeill Givens Pursley, LLP 601 W Bannock St. Boise, ID, 83702 208.388.1260 kristenmcneill@givenspursley.com
Tentative Public Hearing Date	P & Z Commission: On Tuesday, September 13, 2022 (<i>Tentative</i>) 6:00 PM Council Chambers at Kuna City Hall, 751 W. 4 th Street, Kuna, ID 83634
Staff Contact	Troy Behunin, Planner III Kuna Planning and Zoning Department 208.922.5274 TBehunin@kunaid.gov
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 comment's 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>	



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

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

Brady Barroso
Engineering Technician I

MEMORANDUM

To: Doug Hanson - Planning and Zoning Director
From: Brady Barroso - Engineering Technician I
Catherine Feistner - Assistant City Engineer
Date: 19 September 2022
RE: Public Works Comments
3003 N Ten Mile Road, 22-03-ZC (Rezone)

The 3003 N Ten Mile Road property, 22-03-ZC, rezone request dated 5 August 2022 has been reviewed. The applicant wishes to rezone from a City of Kuna C-1 (neighborhood commercial) to a City of Kuna R-20 (high density residential) zone. These comments apply to the application as they affect public works infrastructure. Review of civil design drawings is accomplished separately, when received.

Arroyo Lift Station is designed to accommodate this property with the anticipated (developer projected) demand of approximately 145 equivalent dwelling units (EDUs). Changing the zoning from C-1 to R-20 would require approximately 483 EDUs, increasing the demand by approximately 338 EDUs. Public Works cannot support approval of this application since the applicant is requesting more EDUs than the allotted amount for this property. Additional information regarding sewer for this property can be found in paragraph 4a.

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

1) Inspection & Fees

- a) An inspection fee will apply to inspect the final construction of water, sewer, and irrigation facilities associated with this development.
- b) The developer shall retain a qualified responsible, Idaho registered professional engineer to provide sufficient inspection to certify to DEQ that the project was completed in accordance with approved plans and specifications and to provide accurate as-built drawings to the City.
- c) All applicable utility inspection and utility flow modeling fees shall be paid by the developer in accordance with City of Kuna Resolution R57-2021. *Payment is due and payable prior to the pre-construction meeting.*
- d) The Kuna Rural Fire District's fees can be found on their website. *Payment is due and payable prior to the preconstruction meeting.*

2) General

- a) The applicant requests to rezone approximately 24 acres.
- b) Equivalent Dwelling Units (EDUs) are reckoned at approximately 3.18 people per household. The resultant projected population for this subdivision is approximately 1,537.
- c) Areas for outside activities are incorporated into the project. Connection to the City of Kuna Pathways Master Plan presents a long-term goal that should be considered.
- d) A construction drawing approval letter from the local irrigation district will be required if this project affects irrigation supply/delivery in any way.
- e) Elevations shall be actual NAVD 88 datum elevations. A localized elevation system is not acceptable.
- f) All positional information shall be from the most recent state plane coordinate system.
- g) Provide engineering certification on all final engineering drawings.
- h) The City of Kuna requires streetlights in all subdivisions. Streetlights are required along arterial roads bordering the subdivision, at the entrances of the subdivision, at intersections, and at every 250' interval. Streetlights should be coincident with Fire Hydrants whenever possible.
- i) Fire suppression shall be available and approved by KRFD.
- j) No building permits will be issued and no construction can begin without KRFD approved fire protection.
- k) Fiber conduit shall be designed and constructed on all mile and mid-mile roads or as otherwise noted.

3) Right-of-Way

- a) Sufficient right-of-way for existing and future classified streets shall be provided pursuant to City & ACHD standards.
- b) Approaches onto classified streets must comply with ACHD approach policies.
- c) All street construction must meet or exceed City of Kuna and ACHD development standards.
- d) All City mainlines crossing proposed lots or located on the backs or sides of lots shall have easements that allow the City of Kuna to access and maintain the utilities.
- e) The KRFD Deputy Fire Marshal, or representative, must approve fire/public safety access to the subdivision.
- f) Roads must continue to and through to the next road connection to promote connectivity throughout the City.

4) Sanitary Sewer Connection

- a) The applicant's property is not connected to City services. This property is anticipated to gravity sewer to the temporary and privately owned and operated Arroyo Lift Station. As stated in the preapproved preliminary engineering report, Arroyo Lift Station is designed for this property to be zoned R-6. Zoning this property R-20 will result in approximately 483 EDUs compared to the anticipated 145 EDUs, increasing demand by approximately 338 EDUs.
- b) City code 5-16-3-B.2 states public sewer utilities shall be extended to each parcel when sewer is available within three hundred (300) feet of the parcels.
- c) Existing sewage treatment facilities (septic tank and drain field) must be decommissioned in accordance with Idaho Department of Environmental Quality (DEQ) requirements. Documentation shall be provided to the City of Kuna.

- d) Sewer must provide connectivity for surrounding developments.
- e) No cleanouts are permitted at the end of runs in lieu of manholes per Kuna City Code 6-4-2-B.14.
- f) All sewer infrastructure must meet or exceed City of Kuna requirements.
- g) Sewer flow models will be required to verify and accommodate pipe sizes. The associated costs shall be paid by the developer.
- h) Sewer connection fees apply to each lot containing a home or other facility.
- i) This application shall conform to the sewer masterplan as applicable. The sewer master plan specifies minimum pipe sizes and supports the “to and through” utility policy.

5) Potable Water Connection

- a) The applicant’s property is not connected to City services. The closest possible connection to water is located to the east of the property in S Ten Mile Rd.
- b) The applicant shall design and construct 12-in. water line in E Hubbard Rd.
- c) Water flow models will be required to verify and accommodate adequate water supply and fire suppression. The associated costs shall be paid by the developer.
- d) City code 5-16-3-B.2 states public water utilities shall be extended to each parcel when water is available within three hundred (300) feet of the parcels. It is expected the applicant will connect and extend City water services, in accordance with the City’s “to and through” policy in Kuna City Code 6-4-2.
- e) All existing wells shall be abandoned in accordance with Idaho Department of Water Resources (IDWR) requirements. Documentation shall be provided to the City of Kuna.
- f) All water infrastructure must meet or exceed City of Kuna requirements.
- g) Water connection fees apply to each lot containing a home or other facility.
- h) Fire hydrants are required in a layout acceptable to the KRFD.

6) Pressurized Irrigation

- a) The applicant’s property is not connected to City services. The closest possible connection to pressurized irrigation is located to the east of the property in S Ten Mile Rd.
- b) The applicant shall design and construct 12-in. PI along E Hubbard Rd.
- c) It is expected the applicant will connect and extend City pressurized irrigation services, in accordance with the City’s “to and through” policy in Kuna City Code 6-4-2.
- d) Relying on municipal drinking water for irrigation purposes is contrary to City Code 6-4-2-B.9.
- e) All pressurized irrigation infrastructure shall meet or exceed City of Kuna standards.
- f) Existing irrigation ditches (supply & drain) must be relocated as needed and as approved by the irrigation ditch company/users.
- g) Pressurized irrigation flow model will be required to verify and accommodate adequate pressurized irrigation supply. All associated costs shall be paid by the developer.
- h) Surface water rights shall be transferred to the City prior to the completion of the final plat.

7) Grading and Storm Drainage

- a) Provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.
- b) The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for design of private storm water disposal systems.

- c) Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties. Slopes shall not be steeper than 3:1 on lots adjacent to a street or common lot and no steeper than 4:1 for lots with common rear lot lines.
- d) Runoff from public right-of-way is regulated by ACHD. On site storm water retention shall be reviewed in conjunction with the City's Civil Engineering Construction Improvements Review. Provide a storm water disposal & treatment plan which accounts for increased on-site storm water runoff volumes. Provide detailed drawings of drainage & treatment facilities with supporting calculations for review and approval.
- e) Sidewalks, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, shall be provided in connection with property development.

8) As-Built Drawings

- a) As-built (record) drawings are required at the conclusion of any public facility construction project and are the responsibility of the developer's engineer. The city may help track changes but will not be responsible for the finished product.
- b) *Correct and verified as-built (record drawings) drawings will be required before occupancy or final plat approval is granted.*

9) Exhibits

- a) No maps are included to support Public Works comments.



Project/File: **Bodahl Farm, LLC/KUNA22-0018/22-03-ZC**
 This is a request for a rezone of 24-acres from C-1 to R-20 zoning district.

Lead Agency: City of Kuna

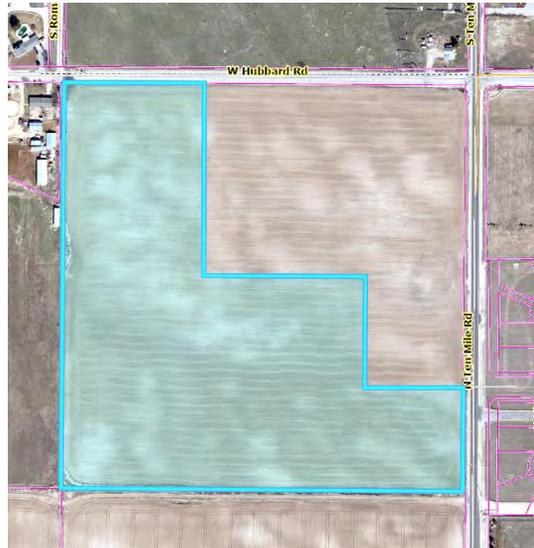
Site address: 3003 N Ten Mile Road

Staff Approval: 08/17/2022

Applicant: Kristen McNeill
 Givens Pursley, LLP
 601 W Bannock Street
 Boise, ID 83702

Representative: David Crawford
 Centurion Engineer, Inc.
 2323 S Vista Ave
 Suite 206
 Boise, ID 83705

Staff Contact: Margaret Szeles
 Phone: 387-6294
 E-mail: mszeles@achdidaho.org



A. Findings of Fact

1. **Description of Application:** The applicant is requesting approval of a rezone application for 24-acres from the C-1 (Neighborhood Commercial) to the R-20 (High Density Residential) zoning district. The applicant's proposal is consistent with the City of Kuna's future land use map which designates this area as mixed use.

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

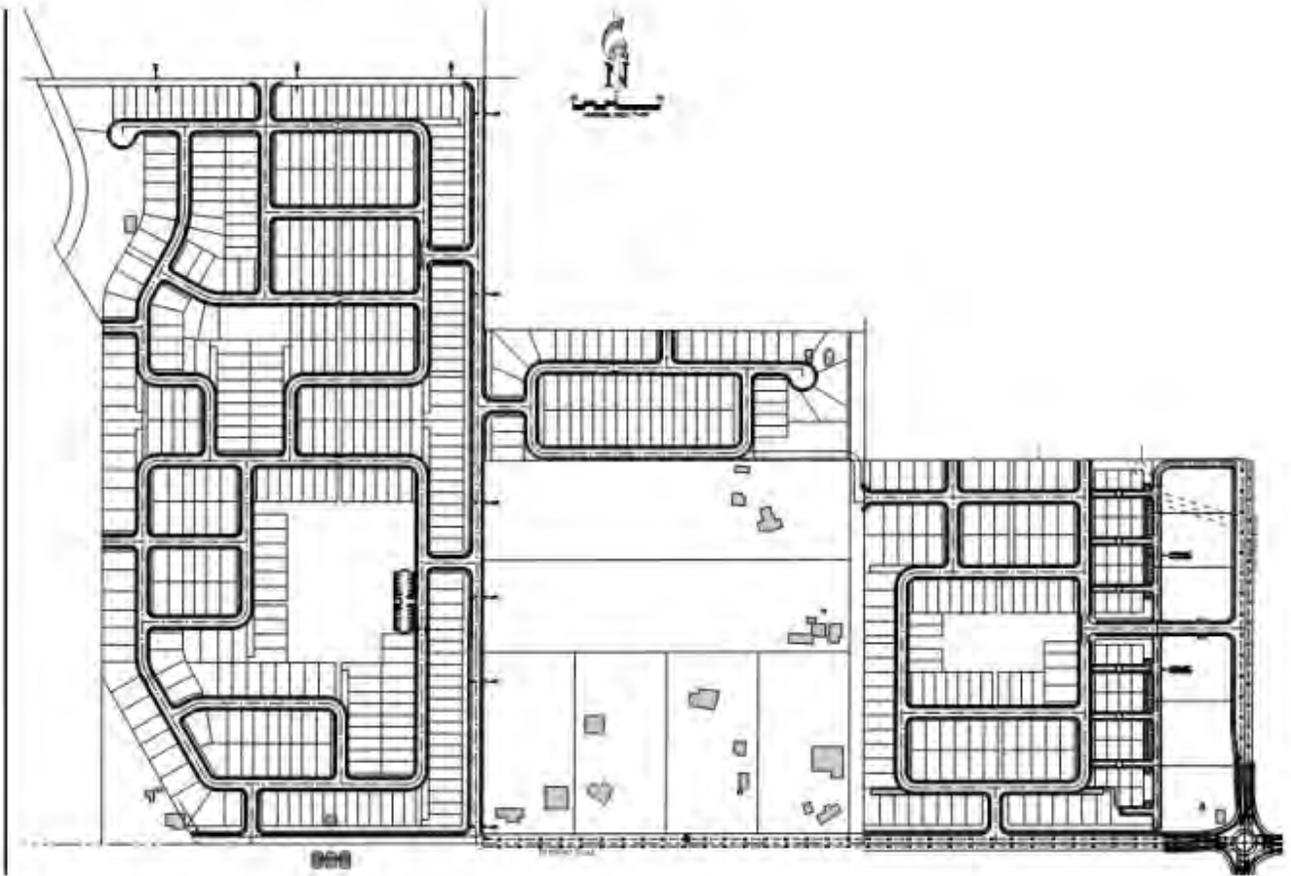
Direction	Land Use	Zoning
North	Rural Residential	RR (Ada County)
South	Rural Residential	RR (Ada County)
East	Neighborhood Commercial	C-1
West	Residential	R-6

3. **Site History:** ACHD has not previously reviewed this site for a development application.

4. **Adjacent Development:** The following developments are pending or underway in the vicinity of the site:

- Sabino's Rocky Ridge Subdivision, 619 single family lots, 76 common lots, and 2 commercial lots were approved directly north of the site on 03/16/2022.

- Ewing Meadows, 310-lot residential development on 81-acres was approved west of the site on 10/19/2021.



5. **Transit:** Transit services are not available to serve this site.
6. **Pathway Crossings:** United States Access Board R304.5.1.2 Shared Use Paths. In shared use paths, the width of curb ramps runs and blended transitions shall be equal to the width of the shared use path.

AASHTO's Guidelines for the Development of Bicycle Facilities 5.3.5 Other Intersection Treatments: The opening of a shared use path at the roadway should be at least the same width as the shared use path itself. If a curb ramp is provided, the ramp should be the full width of the path, not including any flared sides if utilized. . . . Detectable warnings should be placed across the full width of the ramp.

FHWA's "Designing Sidewalks and Trails for Access" (1999) reflected common ADA-related concepts: Chapter 6, Page 16-6: The width of the ramp should be at least as wide as the average width of the trail to improve safety for users who will be traveling at various speeds. In addition, the overall width of the trail should be increased, so the curb ramp can be slightly offset to the side. The increased width reduces conflict at the intersection by providing more space for users at the bottom of the ramp.

7. **New Center Lane Miles:** The proposed development includes 0 centerline miles of new public road.

8. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time. The impact fee assessment will not be released until the civil plans are approved by ACHD.
9. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
 - Ten Mile Road is listed in the IFYWP and CIP to be widened to 5-lanes from Deer Flat Road to Hubbard Road with design in 2026 and construction in the future.
 - The intersection of Ten Mile Road and Hubbard Road is listed in the IFYWP and CIP to be constructed as a single-lane roundabout with design in 2024, right-of-way in 2026, and construction in the future.
 - The intersection of Ten Mile Road and Deer Flat Road is listed in the IFWP and CIP to be constructed as a single-lane expandable roundabout with design in 2022, right-of-way in 2023, and construction in 2026.
10. **Roadways to Bikeways Master Plan:** ACHD’s Roadways to Bikeways Master Plan (BMP) was adopted by the ACHD Commission in May of 2009 and was update in 2018. The plan seeks to implement the Planned Bicycle Network to support bicycling as a viable transportation option for Ada County residents with a wide range of ages and abilities, maintain bicycle routes in a state of good repair in order to ensure they are consistently available for use, promote awareness of existing bicycle routes and features and support encouragement programs and to facilitate coordination and cooperation among local jurisdictions in implementing the Roadways to Bikeways Plan recommendations.

The BMP identifies Ten Mile Road as a Level 3 facility and Hubbard Road as a Level 2 facility that will be constructed as part of a future ACHD project.

B. Traffic Findings for Consideration

1. **Trip Generation:** The proposed rezone isn’t estimated to generate any additional trips. If the development is proposed to generate more than 100 peak hour trips, the applicant will be required to submit a traffic impact study for ACHD’s review and approval prior to the submittal of a development application to the City of Kuna. If applicable, please contact staff to start the traffic impact study scoping process.
2. **Condition of Area Roadways**
Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Ten Mile Road	336-feet	Minor Arterial	298	Better than “E”
Hubbard Road	458-feet	Minor Arterial	124	Better than “E”

- * Acceptable level of service for a two-lane minor arterial is “E” (575 VPH).
- * Acceptable level of service for a three-lane minor arterial is “E” (720 VPH).
- * Acceptable level of service for a five-lane minor arterial is “E” (1,540 VPH).

3. **Average Daily Traffic Count (VDT)**
Average daily traffic counts are based on ACHD’s most current traffic counts.

- The average daily traffic count for Ten Mile Road north of Hubbard Road was 6,403 on 05/20/2021.
- The average daily traffic count for Hubbard Road east of Ten Mile Road was 2,506 on 01/19/2021.

C. Findings for Consideration

This application is for annexation and rezone only. Listed below are some findings for consideration that the District may identify when it reviews a future development application. The District may add additional findings for consideration when it reviews a specific redevelopment application.

1. Ten Mile Road

a. Existing Conditions: Ten Mile Road is improved with 2-travel lanes and 8-foot wide detached concrete sidewalk on the east side of Ten Mile Road, and no curb, gutter or sidewalk abutting the site. There is 84-feet of right-of-way for Ten Mile Road (34-feet from centerline).

b. Policy:

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

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

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

Street Section and Right-of Way Width Policy: District Policy 7205.2.1 & 7205.5.2 states that the standard 3-lane street section shall be 46-feet (back-of-curb to back-of-curb) within 70 feet of right-of-way. This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

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

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

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

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

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

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

Roadways Outside City's Area of Impact: District Policy 7205.2 states that if a proposed development abuts a paved road outside a City's area of impact, the District may consider waiving the requirement to construct sidewalk along the arterial roadway. If this waiver is granted, other requirements may be established to accommodate pedestrians and non-motorized travel.

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

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Ten Mile Road is designated in the MSM as a Transitional/Commercial Arterial with 5-lanes within 100-feet of right-of-way.

- c. **Staff Comments/Recommendations:** As part of a future development application, consistent with the MSM, the applicant would be required to dedicate additional right-of-way to total 50-feet from the centerline of Ten Mile Road abutting the site. This additional right-of-way dedication is impact fee eligible for compensation.

As part of a development application, the applicant could be required to improve Ten Mile Road with 17-feet of pavement from the centerline, a 3-foot wide gravel shoulder, a borrow ditch, and a minimum 5-foot wide detached (7-foot wide attached) concrete sidewalk abutting the site located 43-feet from the centerline of Ten Mile Road.

The applicant could be required to provide a permanent right-of-way easement for any sidewalk placed outside of the dedicated right-of-way to 2-feet behind back of sidewalk.

2. Hubbard Road

- a. **Existing Conditions:** Hubbard Road is improved with 2-travel lanes, 24 to 27-feet of pavement and no curb, gutter or sidewalk abutting the site. There is 50-feet of right-of-way for Hubbard Road (18-feet from centerline).

- b. **Policy:**

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

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

Street Section and Right-of Way Width Policy: District Policy 7205.2.1 & 7205.5.2 states that the standard 3-lane street section shall be 46-feet (back-of-curb to back-of-curb) within 70 feet of right-of-way. This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

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

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

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

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

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

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

Roadways Outside City's Area of Impact: District Policy 7205.2 states that if a proposed development abuts a paved road outside a City's area of impact, the District may consider waiving the requirement to construct sidewalk along the arterial roadway. If this waiver is granted, other requirements may be established to accommodate pedestrians and non-motorized travel.

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

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Hubbard Road is designated in the MSM as a Residential Arterial with 3-lanes and on-street bike lanes, a 46-foot street section within 78-feet of right-of-way.

- c. **Staff Comments/Recommendations:** As part of a future development application, consistent with the MSM, the applicant could be required to dedicate additional right-of-way to total 39-feet from the centerline of Hubbard Road abutting the site. This segment of Hubbard Road is not listed in ACHD's IFYWP or CIP and is not eligible for compensation for any additional right-of-way.

As part of a development application, the applicant could be required to improve Hubbard Road with 17-feet of pavement from the centerline, a 3-foot wide gravel shoulder, a borrow ditch, and a minimum 5-foot wide detached (7-foot wide attached) concrete sidewalk abutting the site located 43-feet from the centerline of Hubbard Road.

The applicant could be required to provide a permanent right-of-way easement for any sidewalk placed outside of the dedicated right-of-way to 2-feet behind back of sidewalk.

3. Internal Local Streets

- a. **Policy:**

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

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

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

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

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

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

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

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

Half Street Policy: District Policy 7207.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate

centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

Cul-de-sac Streets Policy: District policy 7207.5.8 requires cul-de-sacs to be constructed to provide a minimum turning radius of 50-feet; in rural areas or for temporary cul-de-sacs the emergency service providers may require a greater radius. Landscape and parking islands may be constructed in turnarounds if a minimum 29-foot street section is constructed around the island. The pavement width shall be sufficient to allow the turning around of a standard AASHTO SU design vehicle without backing. The developer shall provide written approval from the appropriate fire department for this design element.

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

Landscape Medians Policy: District policy 7207.5.16 states that landscape medians are permissible where adequate pavement width is provided on each side of the median to accommodate the travel lanes and where the following is provided:

- The median is platted as right-of-way owned by ACHD.
- The width of an island near an intersection is 12-foot maximum for a minimum distance of 150-feet. Beyond the 150-feet, the island may increase to a maximum width of 30-feet.
- At an intersection that is signalized or is to be signalized in the future, the median width shall be reduced to accommodate the necessary turn lane storage and tapers.
- The Developer or Homeowners Association shall apply for a license agreement if landscaping is to be placed within these medians.
- The license agreement shall contain the District's requirements of the developer including, but not limited to, a "hold harmless" clause; requirements for maintenance by the developer; liability insurance requirements; and restrictions.

Vertical curbs are required around the perimeter of any raised median. Gutters shall slope away from the curb to prevent ponding.

- b. **Applicant's Proposal:** The applicant is not proposing any internal local roadways as part of this application.
- c. **Staff Comments/Recommendations:** As part of a future development application, the applicant should be required to construct all internal local roadways as 36-foot street sections with curb, gutter, and a minimum 5-foot wide concrete sidewalk within 50-feet of right-of-way.

4. Roadway Offsets

a. Policy:

Local Street Intersection Spacing on Principal Arterials: District policy 7205.4.3 states that new local streets should not typically intersect arterials. Local streets should typically intersect collectors. If it is necessary, as determined by ACHD, for a local street to intersect an arterial, the minimum allowable offset shall be 1,320-feet as measured from all other existing roadways as identified in Table 1b (7205.4.7).

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

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

District policy 7205.4.2 states that the optimum spacing for new signalized collector roadways intersecting principal arterials is one half-mile.

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

District policy 7206.4.5, states that the preferred spacing for a new local street intersecting a collector roadway to align or offset a minimum of 330-feet from any other street (measured centerline to centerline).

Local Offset Policy: District policy 7207.4.2, requires local roadways to align or provide a minimum offset of 125-feet from any other street (measured centerline to centerline).

District policy 7208.4.2, requires commercial roadways intersecting other local streets (residential, industrial or commercial) to provide a minimum offset of 125-feet from any other roadway or intersection (measured centerline to centerline).

District policy 7209.4.2, requires industrial roadways intersecting other local streets (residential, industrial or commercial) to provide a minimum offset of 125-feet from any other roadway or intersection (measured centerline to centerline).

- b. **Applicant's Proposal:** The applicant is not proposing any roadway offsets as part of this development application.
- c. **Staff Comments/Recommendations:** The future development application will be subject to the above policies.

5. Stub Streets

a. Policy:

Stub Street Policy: District policy 7207.2.4.3 states that stub streets will be required to provide circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7207.2.4, except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign shall be installed at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

In addition, stub streets must meet the following conditions:

- A stub street shall be designed to slope towards the nearest street intersection within the proposed development and drain surface water towards that intersection; unless an alternative storm drain system is approved by the District.
- The District may require appropriate covenants guaranteeing that the stub street will remain free of obstructions.

Temporary Dead End Streets Policy: District policy 7207.2.4.4 requires that the design and construction for cul-de-sac streets shall apply to temporary dead end streets. The temporary cul-de-sac shall be paved and shall be the dimensional requirements of a standard cul-de-sac. The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends onto a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

- b. **Staff Comments/Recommendations:** There are no existing stub streets to the site. The future development application will be subject to the above policies.

6. Driveways

6.1 Ten Mile Road

a. Policy:

Access Points Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

Access Policy: District policy 7205.4.6 states that direct access to minor arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.

Driveway Location Policy: District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a single left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 660-feet from the intersection for a full-movement driveway.

District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a dual left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 710-feet from the intersection for a full-movement driveway.

Successive Driveways: District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 45 MPH to align or offset a minimum of 380-feet from any existing or proposed driveway.

Driveway Width Policy: District policy 7205.4.8 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7205.4.8, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7205.4.8.

Cross Access Easements/Shared Access Policy: District Policy 7202.4.1 states that cross access utilizes a single vehicular connection that serves two or more adjoining lots or parcels so that the driver does not need to re-enter the public street system.

b. Staff Comments/Recommendations: As part of a future development application, the applicant should be required to construct any future driveways per District policy.

6.2 Hubbard Road

a. Policy:

Access Points Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

Access Policy: District policy 7205.4.6 states that direct access to minor arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.

Driveway Location Policy: District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a single left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 660-feet from the intersection for a full-movement driveway.

District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a dual left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 710-feet from the intersection for a full-movement driveway.

Successive Driveways: District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 25 MPH to align or offset a minimum of 330-feet from any existing or proposed driveway.

Driveway Width Policy: District policy 7205.4.8 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7205.4.8, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7205.4.8.

Cross Access Easements/Shared Access Policy: District Policy 7202.4.1 states that cross access utilizes a single vehicular connection that serves two or more adjoining lots or parcels so that the driver does not need to re-enter the public street system.

- b. **Staff Comments/Recommendations:** As part of a future development application, the applicant should be required to construct any future driveways per District policy.

7. Private Roads

- a. **Private Road Policy:** District policy 7212.1 states that the lead land use agencies in Ada County establish the requirements for private streets. The District retains authority and will review the proposed intersection of a private and public street for compliance with District intersection policies and standards. The private road should have the following requirements:
- Designed to discourage through traffic between two public streets,
 - Graded to drain away from the public street intersection, and
 - If a private road is gated, the gate or keypad (if applicable) shall be located a minimum of 50-feet from the near edge of the intersection and a turnaround shall be provided.
- b. **Staff Comments/Recommendations:** As part of future development application, the applicant should be required to construct any future private road per District policy. If the City of Kuna approves the private road, the applicant shall be required to pave the private roadway a minimum of 20 to 24-feet wide and at least 30-feet into the site beyond the edge of pavement of all public streets and install pavement tapers with 15-foot curb radii abutting the existing roadway edge. If

private roads are not approved by the City of Kuna, the applicant will be required to revise and resubmit the preliminary plat to provide public standard local streets in these locations.

Street name and stop signs are required for the private road. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.

ACHD does not make any assurances that the private road, which is a part of this application, will be accepted as a public road if such a request is made in the future. Substantial redesign and reconstruction costs may be necessary in order to qualify this road for public ownership and maintenance.

The following requirements must be met if the applicant wishes to dedicate the roadway to ACHD:

- Dedicate a minimum of 50-feet of right-of-way for the road.
- Construct the roadway to the minimum ACHD requirements.
- Construct a stub street to the surrounding parcels.

8. Tree Planters

Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

9. Landscaping

Landscaping Policy: A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

10. Other Access

Ten Mile Road and Hubbard Road are classified as minor arterials roadways. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways and should be noted on the final plat.

D. Site Specific Conditions of Approval

This application is for a rezone and annexation only. The District may add additional findings for consideration when it reviews a specific development application. Site Specific Conditions will be established at that time.

E. Standard Conditions of Approval

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

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

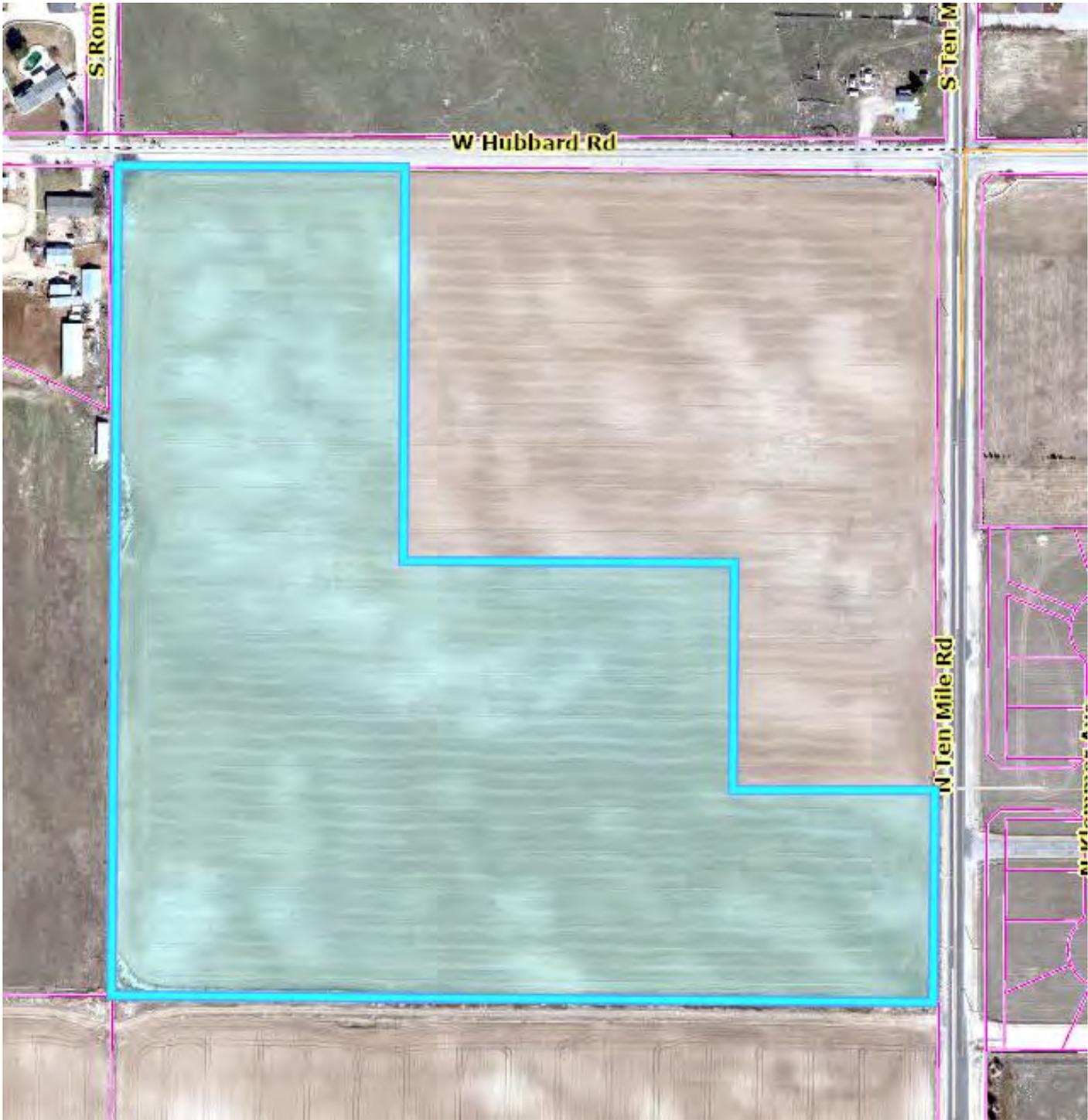
F. Conclusions of Law

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

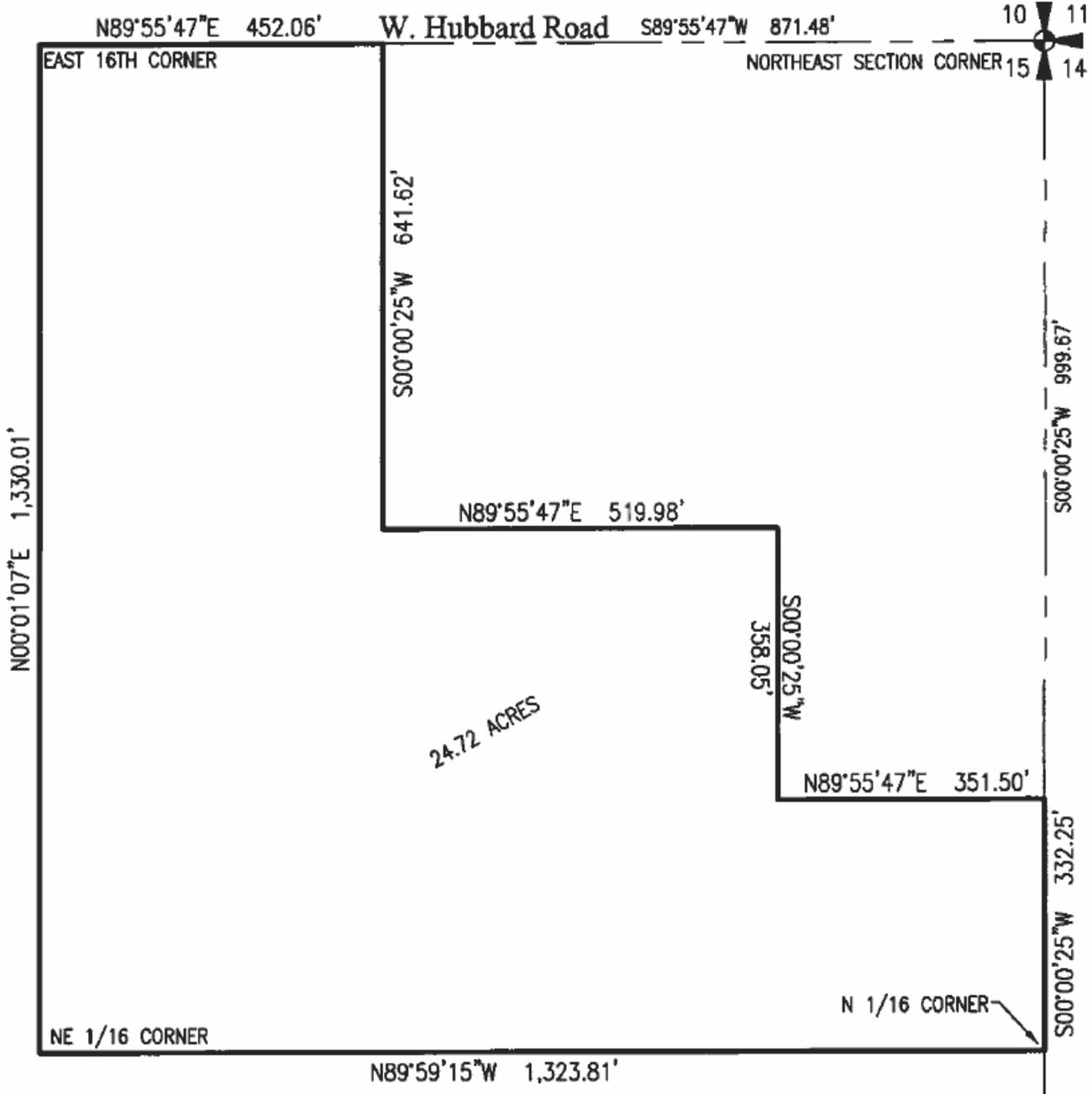
G. Attachments

1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
5. Appeal Guidelines

VICINITY MAP



SITE PLAN



Ada County Utility Coordinating Council

Developer/Local Improvement District Right of Way Improvements Guideline Request

Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.

- 1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.
- 2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.
- 3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.
- 4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

Notification to the Ada County UCC can be sent to: 50 S. Cole Rd. Boise 83707, or Visit iducc.com for e-mail notification information.

Development Process Checklist

Items Completed to Date:

- Submit a development application to a City or to Ada County
- The City or the County will transmit the development application to ACHD
- The ACHD **Planning Review Section** will receive the development application to review
- The **Planning Review Section** will do one of the following:
 - Send a “**No Review**” letter to the applicant stating that there are no site specific conditions of approval at this time.
 - Write a **Staff Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.
 - Write a **Commission Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

Items to be completed by Applicant:

- For **ALL** development applications, including those receiving a “**No Review**” letter:
 - The applicant should submit one set of engineered plans directly to ACHD for review by the **Development Review Section** for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
 - The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.
- Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

DID YOU REMEMBER:

Construction (Non-Subdivisions)

Driveway or Property Approach(s)

- Submit a “Driveway Approach Request” form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.

Working in the ACHD Right-of-Way

- Four business days prior to starting work have a bonded contractor submit a “Temporary Highway Use Permit Application” to ACHD Construction – Permits along with:
 - a) Traffic Control Plan
 - b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50’ or you are placing >600 sf of concrete or asphalt.

Construction (Subdivisions)

Sediment & Erosion Submittal

- At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.

Idaho Power Company

- Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.

- Final Approval from Development Services is required** prior to scheduling a Pre-Con.

Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
 - a. **Filing Fee:** The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
 - b. **Initiation:** An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
 - c. **Time to Reply:** The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
 - d. **Notice of Hearing:** Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
 - e. **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.

Request for Reconsideration of Commission Action

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

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

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

- b. The request must be in writing and delivered to the Secretary of the Highway District no later than 11:00 a.m. 2 days prior to the Commission's next scheduled regular meeting following the meeting at which the action to be reconsidered was taken. Upon receipt of the request, the Secretary shall cause the same to be placed on the agenda for that next scheduled regular Commission meeting.
- c. The request for reconsideration must be supported by written documentation setting forth new facts and information not presented at the earlier meeting, or a changed situation that has developed since the taking of the earlier vote, or information establishing an error of fact or law in the earlier action. The request may also be supported by oral testimony at the meeting.
- d. If a motion to reconsider passes, the effect is the original matter is in the exact position it occupied the moment before it was voted on originally. It will normally be returned to ACHD staff for further review. The Commission may set the date of the meeting at which the matter is to be returned. The Commission shall only take action on the original matter at a meeting where the agenda notice so provides.
- e. At the meeting where the original matter is again on the agenda for Commission action, interested persons and ACHD staff may present such written and oral testimony as the President of the Commission determines to be appropriate, and the Commission may take any action the majority of the Commission deems advisable.
- f. If a motion to reconsider passes, the applicant may be charged a reasonable fee, to cover administrative costs, as established by the Commission.

Troy Behunin

From: Stacey Yarrington <syarrington@adacounty.id.gov>
Sent: Friday, August 5, 2022 1:21 PM
To: Troy Behunin
Subject: RE: Bodhal Farm Rezone Request for Official Comments

Categories: Agency Comments

Hi Troy,
Ada County does not have any comments on this application.
Thanks and have a great weekend!



Stacey Yarrington
Community & Regional Planner
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7944 office
(208) 287-7909 fax

From: Troy Behunin <tbehunin@kuna.id.gov>
Sent: Friday, August 5, 2022 12:15 PM
To: Ada County Highway District <planningreview@achdidaho.org>; Adam Ingram <Adam.Ingram@sparklight.biz>; Bobby Withrow <bwithrow@kuna.id.gov>; Boise Project Board of Control <TRittthaler@boiseproject.org>; Brent Moore <bmoore@adacounty.id.gov>; Central District Health Department <lbadigian@cdhd.idaho.gov>; Mike Fratusco <mfratusco@adacounty.id.gov>; COMPASS <cmiller@compassidaho.org>; Dennis Chan (Dennis.chan@usps.gov) <Dennis.chan@usps.gov>; Eric Adolfson <eadolfson@compassidaho.org>; Erika Olvera <eolvera@nmid.org>; Idaho Power Easements <easements@idahopower.com>; Idaho Power Easements 2 <kfunke@idahopower.com>; Intermountain Gas <bryce.ostler@intgas.com>; ITD <D3Development.Services@itd.idaho.gov>; J&M Sanitation <Chad.Gordon@jmsanitation.com>; Krystal Hinkle <khinkle@kunafire.com>; Leon Letson <lletson@adacounty.id.gov>; Marc Boyer (Kuna Postmaster) <marc.c.boyer@usps.gov>; Nampa Meridian Irrigation District <nmid@nmid.org>; New York Irrigation <terri@nyid.org>; Paris Dickerson <PDickerson@idahopower.com>; Paul Stevens <PStevens@kuna.id.gov>; PWorkoffice <PWorkoffice@kuna.id.gov>; Robbie Reno <rreno@kunaschools.org>; Sara Arjonas ITD D3 <Sarah.Arjona@itd.idaho.gov>; Scott FCCNWI <scott@fccnwi.com>; Stacey Yarrington <syarrington@adacounty.id.gov>; TJ Lawrence <tlawrence@kunafire.com>; Danielle Horras <drhorras@kunaschools.org>
Subject: [EXTERNAL] Bodhal Farm Rezone Request for Official Comments

CAUTION: This email originated from outside Ada County email servers. Do not click on links or open attachments unless you recognize the sender and know the content is safe. Verify the sender by mouse-hovering over their display name in order to see the sender's full email address and confirm it is not suspicious. If you are unsure an email is safe, please report the email by using the 'Phish Alert' button in Outlook.

Greetings Everyone,

Please review the attached PDF/packet. This is an official request for comments for a Rezone of 24+/- acres in Kuna from C-1 TO R-20, for the **Bodhal Farm, LLC, land**. Please review the packet of information and return relevant official comments about the services your organization provides in relation to this request. It is tentatively scheduled to go to Commission on September 13, 2022, at 6 Pm.

If you need additional time or information about the request, please let someone in our office know ASAP.

Thanks,

Troy

Troy Behunin

Planner III

City of Kuna

751 W. 4th Street

Kuna, ID 83634

TBehunin@Kunald.Gov



CONFIDENTIALITY NOTICE

This e-mail and any attachments may contain confidential or privileged information. If you are not the intended recipient, you are not authorized to use or distribute any information included in this e-mail or its attachments. If you receive this e-mail in error, please delete it from your system and contact the sender.

DAVID REYNOLDS
CHAIRMAN OF THE BOARD

DONALD BARKSDALE
VICE CHAIRMAN OF THE BOARD

ROBERT D. CARTER
PROJECT MANAGER

THOMAS RITTHALER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

MARY SUE CHASE
ASSISTANT SECRETARY-
TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2485 OVERLAND ROAD
BOISE, IDAHO 83705-3155

RECEIVED
AUG 10 2022
CITY OF KUNA

OPERATING AGENCY FOR 167,000
ACRES FOR THE FOLLOWING
IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT
BOISE-KUNA DISTRICT
WILDER DISTRICT
NEW YORK DISTRICT
BIG BEND DISTRICT

TEL: (208) 344-1141
FAX: (208) 344-1437

08 August 2022

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

RE: Bodahl Farm, LLC
3003 N Ten Mile Rd. Kuna
Boise-Kuna Irrigation District
Teed Lateral 234+50
Sec. 15, T2N, R1W, BM.

20-03-ZC

BK-284

Troy Behunin, Senior Planner:

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

The Boise Project Board of Control is contracted to operate and maintain this canal. We assert the federal easement 25 feet south and 25 feet north of the canal's centerline. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

The Boise Project does not approve landscaping (other than grass or gravel) within its easements, as this will certainly increase our cost of maintenance. Easement must remain a flat drivable surface.

Fencing and pathways (as may be required) must be constructed just off the canal easement, to ensure public safety and prevent encroachments.

Parking lots, curbing, light poles, signs, etc. and the placing of asphalt and/or cement over Project facility easements must be approved by Boise Project Board of Control prior to construction.

Project facilities and/or easements that parallel, and are within and/or intended to be within road right-of-ways due to any development of this property must be relocated outside of road right-of-ways. The easements of Boise Project facilities will remain the same unless agreed upon and/or approved with written permission from Boise Project Board of Control.

The construction of any roadway crossings must be conducted only during the non-irrigation season when the canal is dewatered. In any case no work shall take place within the easement before the proper crossing agreements have been secured through the Bureau of Reclamation and the Boise Project Board of Control.

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

Crossing agreements must be secured and signed by all parties prior to March 1st of each year. A time schedule for the construction to be done during the non-irrigation season must be approved by Boise Project prior to any activity within Project easements. No construction will be allowed within the easement boundaries of the Boise Project Board of Control facilities after March 15th of each year. However, on a case by case basis, overhead utilities and utilities boring underneath a Project facility may be allowed after March 15th if reviewed and approved by the Boise Project.

The piping and relocation of any Lateral, Canal and/or Drain must be reviewed and approved by the Project and is (to include all appurtenant boxes and/or structures) and must be warranted by the landowner for a period of (5) five-years. The Warrantee Agreement must be secured prior to ANY disturbance of that facility.

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

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

NO DISCHARGE into any live irrigation system is permitted.

Per Idaho Statutes, Title 42, local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement by the landowner, developer and contractors.

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

Whereas this property lies within the Boise-Kuna Irrigation District it is important that representatives of this development contact the BKID office as soon as possible to discuss a pressure system prior to any costly design work. If applicable, the irrigation system will have to be built to specific specifications as set by the District / Project.

Boise Project Board of Control must receive a written response from the Boise-Kuna Irrigation District as to who will own and operate the pressure irrigation system prior to review and approval of an irrigation plan by Boise Project Board of Control.

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

Future preliminary and final plats must call out the Project easements and the plats must also note, which lots have surface irrigation water rights and which lots do not.

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

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

Sincerely,



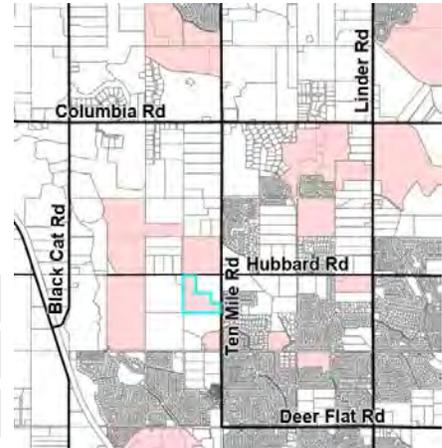
Thomas Ritthaler
Assistant Project Manager, BPBC

tbr/tr

cc: Clint McCormick Watermaster, Div; 2 BPBC
Lauren Boehlke Secretary – Treasurer, BKID
File

Communities in Motion 2050 Development Checklist

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this review as a tool for local governments to evaluate whether land developments are consistent with the goals of Communities in Motion 2050 (CIM 2050), the regional long-range transportation plan for Ada and Canyon Counties. This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2050 goals.



Development Name: Bodahl Farm Rezone
CIM Vision Category: Existing Neighborhood **New Jobs:** 0
CIM Corridor: Ten Mile Road **New Households:** ±330



Safety

Level of Stress measures how safe and comfortable a bicyclist or pedestrian would feel on a corridor and considers multimodal infrastructure number of vehicle lanes and travel speeds.

- Pedestrian level of stress
- Bicycle level of stress



Economic Vitality

These tools evaluate whether the location of the proposal supports economic vitality by growing near existing public services.

- Activity Center Access
- Farmland Preservation
- Net Fiscal Impact
- Within CIM Forecast



Convenience

Residents who live or work less than 1/2 mile from critical services have more transportation choices, especially for vulnerable populations.

- Nearest bus stop
- Nearest public school
- Nearest public park



Quality of Life

Checked boxes indicate that additional information is attached.

- Active Transportation
- Automobile Transportation
- Public Transportation
- Roadway Capacity



Improves performance



Does not improve or reduce performance



Reduces performance

Comments:

The Ada County Highway District's 2020 [Capital Improvement Plan](#) shows that Ten Mile Road from Deer Flat Road to Hubbard Road is a transitional-commercial arterial, planned to be reconstructed/widened to 3 lanes in 2031-2035 (CIP #1260).

Communities in Motion 2050
[2020 Change in Motion Report](#)
[Development Review Process](#)

Web: www.compassidaho.org
 Email: info@compassidaho.org



Fiscal Impact Analysis Supplemental for the Development Review Checklist

The purpose of the fiscal impact analysis is to better estimate expected revenues and costs to local governments as a result of new development so that the public, stakeholders, and the decision-makers can better manage growth. Capital and operating expenditures are determined by various factors that determine service and infrastructure needs, including persons per household, student generation rates, lot sizes, street frontages, vehicle trip and trip adjustment factors, average trip lengths, construction values, income, discretionary spending, and employment densities.

The COMPASS Development Checklist considers the level of fiscal benefits, how many public agencies benefit or are burdened by additional growth, and how long the proposal will take to achieve a fiscal break-even point, if at all.

More information about the COMPASS Fiscal Impact Tool is available at:

www.compassidaho.org/prodserv/fiscalimpact.htm

Overall Net Fiscal Impact Net Fiscal Impact by Agency



City



County



Highway District



School District

Break Even: 1 year



**Your Safety • Your Mobility
Your Economic Opportunity**

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

August 5, 2022

Troy Behuin
City Planner
751 W 4th Street
P.O. Box 13
Kuna, Idaho 83634

VIA EMAIL

Development Application	22-03-ZC
Project Name	BODAHL FARM
Project Location	SW Corner of Ten Mile Road and Hubbard Road, west of SH-69 milepost 4.00
Project Description	Rezone of ~24.17 acres to R-20 (High Density Residential zone)
Applicant	David Crawford, Centurion Engineers
Representing	Kristen McNeill

The Idaho Transportation Department (ITD) reviewed the referenced rezone application and has the following comments:

1. This project does not abut the State Highway system.
 2. Future development of this parcel will require submittal of trip generations to ITD, and may require a Traffic Impact Study (TIS).
 3. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State Highway.
 4. The Idaho Administrative Procedure Act (IDAPA) 39.03.60 governs advertising along the State Highway system. The applicant may contact Justin Pond, Program Manager for ITD's Headquarters Right-of-Way Section at (208) 334-8832 for more information.
 5. ITD does not object to the rezone as presented in the application. Please note that future development will require the submittal of traffic analysis to determine mitigation, if any, is necessary.
-



**Your Safety • Your Mobility
Your Economic Opportunity**

IDAHO TRANSPORTATION DEPARTMENT

P.O. Box 8028 • Boise, ID 83707-2028

(208) 334-8300 • itd.idaho.gov

If you have any questions, you may contact me at (208) 334-8338.

Sincerely,

A handwritten signature in blue ink that reads 'Sarah Arjona'.

Sarah Arjona
Development Services Coordinator
Sarah.Arjona@itd.idaho.gov



Troy Behunin

From: Scott Arellano <scott@fccnwi.com>
Sent: Friday, August 12, 2022 2:28 PM
To: Troy Behunin
Cc: TLawrence Kuna Fire; Kuna Fire Office
Subject: Re: Bodhal Farm Rezone Request for Official Comments

Hi Troy. No comments from the Fire District at this time.

Scott Arellano, CFM
Kuna Rural Fire District
935 Linder Road #15
Kuna, ID 83634
208.922.1144
office@kunafire.com

On Fri, Aug 5, 2022 at 12:15 PM Troy Behunin <tbehunin@kunaid.gov> wrote:

Greetings Everyone,

Please review the attached PDF/packet. This is an official request for comments for a Rezone of 24+/- acres in Kuna from C-1 TO R-20, for the **Bodhal Farm, LLC, land**. Please review the packet of information and return relevant official comments about the services your organization provides in relation to this request. It is tentatively scheduled to go to Commission on September 13, 2022, at 6 Pm.

If you need additional time or information about the request, please let someone in our office know ASAP.

Thanks,
Troy

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

TBehunin@Kunald.Gov



CONFIDENTIALITY NOTICE

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Kuna School District

Inspiring each student to become a lifelong learner and a contributing, responsible citizen.



August 15 ,2022

RE: Bodhal Farms

Dear Honorable Members of Planning and Zoning,

Kuna School District has reviewed the application of Bodhal Farms and provides the following comments for your consideration. Kuna School District has experienced approximately unprecedented growth and we know we share the vision that every child deserves to have room to learn in Kuna.

At this time, we cannot support the student growth anticipated from Bodhal Farms.

In order to reduce our reliance on bonds, and to promote reasonable growth within our district, we are open and willing to continually engage in voluntary partnership conversations with area developers.

Regards,

Robbie Reno & Danielle Horras

School District Planners

Cc: Board of Trustees

Superintendent Wendy Johnson

Kuna School District Webpage

RECEIVED

AUG 15 2022

CITY OF KUNA

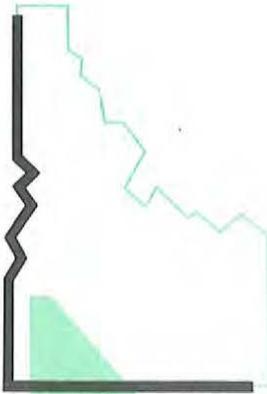
ORGANIZED 1984

Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH
FAX #208-463-0092

NAMPA, IDAHO 83651-4395
nmid.org

OFFICE: Nampa 208-466-7861
SHOP: Nampa 208-466-0663



August 9, 2022

Troy Behunin, Senior Planner
City of Kuna
751 W. 4th Street
Kuna, ID 83634

RE: 22-03-ZC/ Bodahl Farm, LLC; 3003 N. Ten Mile Rd.

To Whom It May Concern:

Nampa & Meridian Irrigation District (NMID) has no comment on the above referenced application as it lies outside of our district boundaries. Please contact Thomas Ritthaler, Boise Project- Board of Control, at 208-344-1141 or 2465 Overland Road Room 202 Boise, ID 83705-3173.

All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site NMID must review drainage plans. Developers must comply with Idaho Code 31-3805.

Sincerely,

David T. Duvall
Asst. Water Superintendent
Nampa & Meridian Irrigation District
DTD/ eol

Cc:

Office/ file
T. Ritthaler, Board of Control



APPROXIMATE IRRIGABLE ACRES
RIVER FLOW RIGHTS - 23,000
BOISE PROJECT RIGHTS - 40,000



ADVERTISING PROOF

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

BILLING DATE:	ACCOUNT NO:
08/26/22	21880

LEGAL NOTICE

**Case No. 22-03-ZC
 (Rezone) – 3003 N Ten
 Mile Road, Bodahl Farm,
 LLC, Rezone.**

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

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission is scheduled to hold a public hearing on **Tuesday, September 27, 2022, at 6:00 PM**, (or as soon as can be heard); in City Hall Council Chambers, 751 W 4th Street, Kuna, ID, 83634, in connection with Bodahl Farms, LLC, Rezone. David Crawford with Centurion Engineers, Inc., requests approval to Rezone approx. 24.17 acres currently zoned C-1 (Neighborhood Commercial) TO R-20, High Density Residential (HDR) zone. Applicant is not proposing any other land use applications at this time. The address is 3003 N Ten Mile Road and is in Section 15, Township 2 North, Range 1 West, Boise Meridian, (Parcel number; S1315110075).

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
276808	22-03-ZC - BODAHL FA	08/31/22	08/31/22	1	\$52.92

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; the City of Kuna is providing alternative ways for the community to submit comments at Public Hearings if they do not wish to testify in person at the hearing, please contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

Kuna Planning & Zoning
 Department

August 31, 2022 276808

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
------	--------	-----------	---------------	-------	--------

Discount:	\$0.00	Gross:	\$52.92
Surcharge:	\$0.00	Paid Amount:	\$0.00
Credits:	\$0.00		

Amount Due: \$52.92

We Appreciate Your Business!

Suggestions for Testifying at Public Hearings:

Be Informed...

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

Be on time...

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

Speak to the Point...

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

If you do not wish to speak, write...

Written testimony received by close of business the Wednesday before the hearing will be included in the meeting packet; late submissions will be provided to the governing body at time of hearing. As a reminder, it is unreasonable to submit extensive written comments/info at



PO BOX 13
Kuna, ID 83634



JR 9.8.22
TB 9.8.22

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PO BOX 13
Kuna, ID 83634



JR 9.8.22
TB 9.8.22

INTEREX USA INC
6854 W WRIGHT ST
BOISE, ID 83709-0000

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PO BOX 13
Kuna, ID 83634



KUNA WALNUT CREEK LLC
921 S ORCHARD ST STE G
BOISE, ID 83705-0000

MALASPINA RANCH SUB HOA INC
PO BOX 968
MERIDIAN, ID 83680-0000

LIZAMA KEVIN
LIZAMA WENDY M
1507 W NANNYBERRY ST
KUNA, ID 83634-0000

MCCLUSKEY BELINDA DENISE
MCCLUSKEY CLEO WAYNE
2871 N KLEMMER AVE
KUNA, ID 83634-0000

8/24/22, 5:53 PM

CITY OF KUNA PUBLIC HEARING NOTICE

Kuna Planning and Zoning Commission

THE CITY OF KUNA will hold a Public Hearing on September 27, 2022
at 6:00 Pm the Kuna City Hall - 751 W. 4th St. Kuna, Id 83634

PURPOSE: Re-zone of 24.17 Acres of Land from C-1 (Commercial)
to R-20 (High Density Residential)

LOCATION: 3003 N. Ten Mile Rd. Kuna, ID.

APPLICATION BY: Bodahl Farms LLC

CONTACT: Troy Behunin, (208) 922-5274 Fax (208) 922-5989
E-mail Tbehunin@kunalD.gov, with any questions

8/24/22, 5:53 PM

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8/24/22, 5:46 PM

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E-mail Tbehunin@kunalD.gov, with any questions

CITY OF KUNA
PO Box 13 - Kuna, ID 83634
Phone: 208.922.5274 - Fax: 208.922.5989

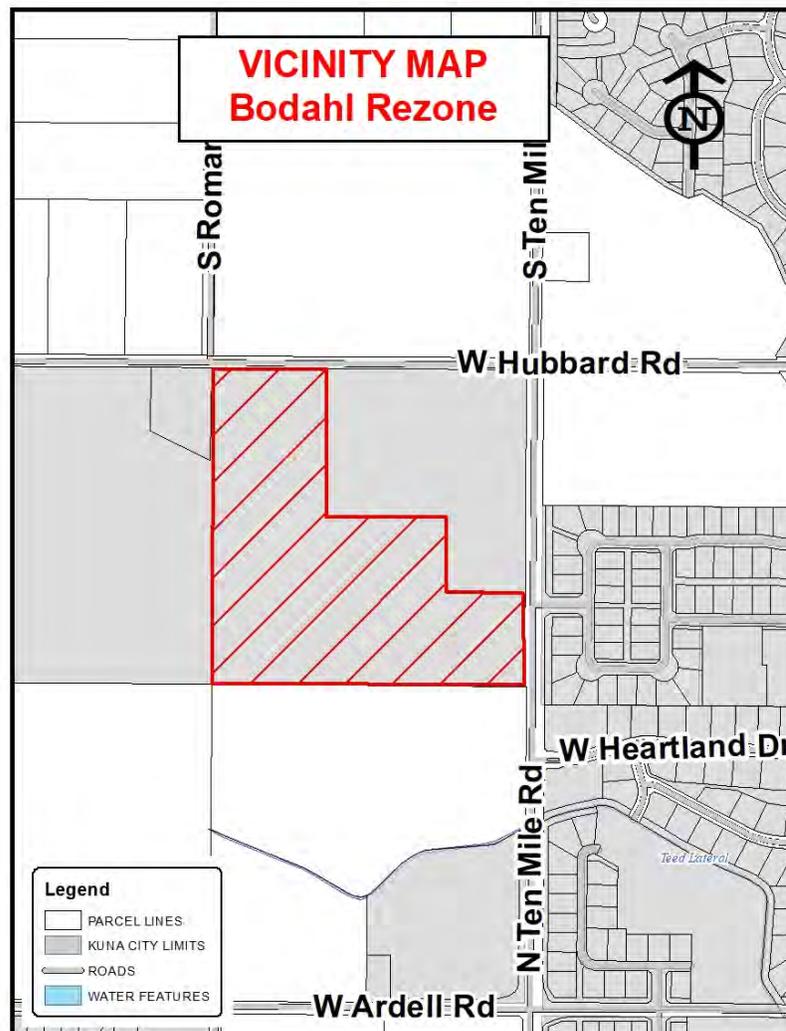
Case No. 22-03-ZC (Rezone) – 3003 N Ten Mile Road, Bodahl Farm, Rezone.

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission is scheduled to hold a public hearing on **Tuesday, September 27, 2022, at 6:00 PM**, (or as soon as can be heard); in City Hall Council Chambers, 751 W 4th Street, Kuna, ID, 83634, in connection with a request from David Crawford with Centurion Engineers, Inc., on behalf of Bodahl Farms, LLC, for approval to Rezone approx. 24.17 acres currently zoned C-1 (Neighborhood Commercial) TO R-20, High Density Residential (HDR) zone. Applicant is not proposing any other land use applications at this time. Site address is 3003 N Ten Mile Road and is in Section 15, Township 2 North, Range 1 West, Boise Meridian, (Parcel number; S1315110075).

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; the City of Kuna is providing alternative ways for the community to submit comments at Public Hearings if they do not wish to testify in person at the hearing, please contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

Kuna Planning & Zoning Department

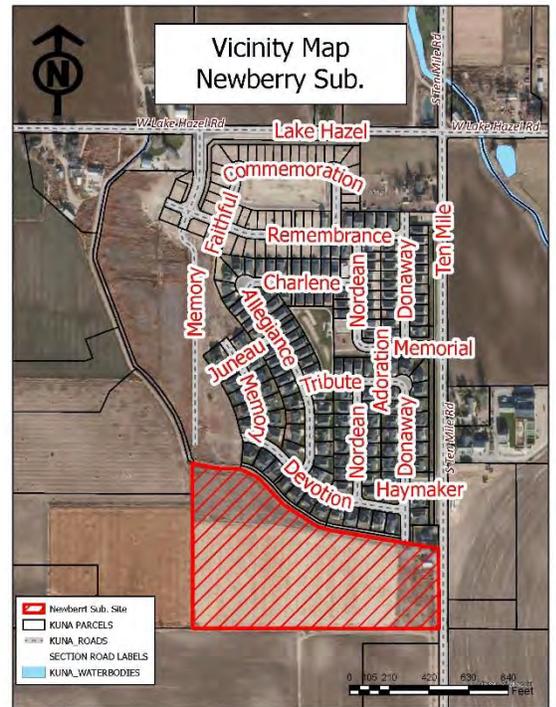


**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF KUNA**

IN THE MATTER OF THE APPLICATIONS OF) **Case Nos. 22-07-S (Preliminary Plat) and**
) **22-16-DR (Design Review).**
SKYLINE HOMES AND DEVELOPMENT,)
LLC)
)
)
For a Preliminary Plat and Design) **STAFF REPORT FOR A**
Review Request for Newberry Place) **SUBDIVISION and DESIGN**
Subdivision.) **REVIEW APPLICATION.**

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**I
EXHIBIT LIST**

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

1.1 Exhibits:

<i>DESCRIPTION OF EVIDENCE</i>		Withdrawn	Refused	Admitted
1.1	Staff Report			X
2.1	P&Z Application Coversheet Revised			X

2.2	Preliminary Plat Application Revised			X
2.3	Design Review Application			X
2.4	Narrative Revised			X
2.5	Vicinity Map			X
2.6	Legal Description			X
2.7	Affidavit of Legal Interest			X
2.8	Warranty Deed			X
2.9	Commitment to Property Posting			X
2.10	Neighborhood Meeting Certification			X
2.11	Subdivision Name Reservation			X
2.12	Preliminary Plat (STAMPED 4.7.22)			X
2.13	Landscape Plans			X
2.14	CC&R's Maintenance of Common Areas			X
2.15	Engineering and Utilities Plan			X
2.16	Street Sections and Round-about			X
2.17	Agency Transmittal Letter			X
2.18	City Engineer's Memo			X
2.19	ACHD – Ada County Highway District			X
2.20	Boise Project Board of Control			X
2.21	COMPASS			X
2.22	Kuna Police Department			X
2.23	Nampa Meridian Irrigation District			X
2.24	PnZ Commission Kuna Melba News Proof			X
2.25	PnZ Commission 300' Mailer			X
2.26	PnZ Commission Proof of Property Posting			X
2.27	PnZ Commission Website Notice			X
2.28	Neighborhood Petition			X
2.29	Smith, Brian & Tracie Letter			X

II PROCESS AND NOTICING

2.1 Kuna City Code (KCC), Title 1, Chapter 14, Section 3 states that Design Reviews are designated as Public Meetings with the Planning and Zoning Commission (acting as Design Review Commission), as the decision-making body, while Preliminary Plats are designated as Public Hearings, with the Planning and Zoning Commission as a recommending body and City Council as the decision-making body. These land use applications were given proper public notice and followed the requirements set forth in Idaho Code, Chapter 65, Local Land Use Planning Act (LLUPA).

2.1.1 Notifications

- 2.1.1.1 Neighborhood Meeting: March 22, 2022 (15 Attendees)
- 2.1.1.2 Agency Comments Request: June 28, 2022
- 2.1.1.3 300 FT Legal Mailer Notice: September 8, 2022
- 2.1.1.4 Kuna Melba News Newspaper: August 31, 2022
- 2.1.1.5 Site Posted: September 14, 2022

**III
APPLICANTS REQUEST**

3.1 Skyline Homes and Development, LLC, requests Preliminary Plat approval in order to subdivide approximately (approx.) 18.64 acres into 123 total lots (98 residential and 25 common lots). Applicant proposes a gross density of 5.31 DUA, and a net density of 7.29 DUA with 10.63 % of useable open space. The site is located at 7015 N Ten Mile Road, Meridian, ID in Section 2, T 2 N, R 1 W, (APN S1303141900).

**IV
GENERAL PROJECT FACTS**

4.1 Site History

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

4.2 Surrounding Land Uses

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

4.3 Parcel Number, Owner, Parcel Size and Current Zoning

- 4.3.1** S1303142000
 - 4.3.1.1** Skyline Homes and Development, LLC
 - 4.3.1.2** Approximately 18.64 acres
 - 4.3.1.3** R-8 (Medium/High Density Residential)

4.4 Services

- Sanitary Sewer – City of Kuna
- Potable Water – City of Kuna
- Pressurized Irrigation – City of Kuna

Fire Protection – Kuna Rural Fire District
 Police Protection – Kuna Police (Ada County Sheriff’s Office)
 Sanitation Services – J & M Sanitation

4.5 Existing Structures, Vegetation, and Natural Features

4.5.1 The proposed project site currently has an agricultural out-building and vegetation consistent with that of an agricultural field and crop fields. The site has an estimated average slope of 2.0% to 2.9%. According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be between 20 inches and 40 inches.

4.6 Environmental Issues

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

4.7 Comprehensive Plan Future Land Use Map

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

4.8 Recreation and Pathways Map

4.8.1 The Pathways Master Plan Map does not indicate a future trail or pathway within the site. However, it does indicate a future Bike route along future Butterfly (a Mid Mile) Street. Internal pathways throughout the proposed subdivision provide pedestrian and biking connectivity and lead to greenspaces/parks. A pathway on the north side of the Harris Canal is in place with access from Donaway Avenue,

4.9 Agency Responses

Agency	Exhibit No.
City Engineer’s Memo	2.19
ACHD – Ada County Highway District	2.20
COMPASS	2.21
KPD	2.22
Nampa Meridian Irrigation District	2.23
Kuna School District No. 3	2.24
	2.25

**V
 TRANSPORTATION AND CONNECTIVITY**

5.1 According to the ACHD report (*Exhibit 2.20*) Ten Mile Road is listed in the Integrated five-year work plan (IFYWP) to be widened to 5-lanes from Columbia Road to Lake Hazel Road. The Design and construction years have not been set.

Lake Hazel Road Bridge # 2120 is scheduled in the IFYWP to be replaced. The bridge is set to be designed in 2022, and constructed in a future year.

The intersection of Lake Hazel and Ten Mile Roads is listed in the IFYWP to be widened to 3-lanes on the south and west legs, 4 -lanes on the north and east legs, and signalized.

The Roadways to Bikeways Master Plan (BMP) for ACHD identifies Ten Mile Road as a Level 3 facility that will be constructed as part of a future ACHD project. The BMP also identifies a level 1 facility on the new collector roadway within the site. The applicant will be required to construct the new collector consistent with the MSM and the Roadways to Bikeways Master plan.

ACHD recommends the Applicant be conditioned to dedicate additional Right-of-Way (ROW) at the Ten Mile Road and Butterfly Street intersection in accordance with the ACHD requirements.

ACHD recommends the applicant be conditioned to locate the sidewalk a minimum of 42 feet from centerline of Ten Mile Road abutting the site.

ACHD staff has concerns about the length of the straight alignment for Butterfly Street. If there is sufficient space on Butterfly, the applicant should be required to construct landscape island as traffic calming measures.

A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.

Staff recommends the proposed point of access to Butterfly Street be moved to proposed block 1, lot 28, on the south side for better connectivity for the residents and provide better traffic flow for EMS and daily services. Staff also recommends a minimum six foot wide (6') paved pathway be provided through lot 8, block 4, lot 5, block 2, lots 10-12, block 3, lot 30, block 1 for continuous pedestrian and non-motorized traffic through the common lots and the project.

Staff notes the provided street sections indicate sidewalks along classified roads (Arterials) are proposed a minimum of eight (8) feet wide. Staff notes the Ten Mile Road sidewalk is proposed within the public Rights-Of-Way (ROW), and the Butterfly Sidewalk is proposed outside the ROW. Staff recommends both remain detached and to be located within the ROW. Butterfly Street is proposed with a swale between sidewalk and back of curb (BoC). This does not meet Kuna's standard and staff recommends an at-grade landscape strip between edge of sidewalk and BoC, without a swale to follow the pattern of all other recent and new collector roads in Kuna.

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

VI STAFF ANALYSIS

- 6.1** A Pre-Application Meeting was held between the Applicant and the City February 2, 2022. The Applicant held a Neighborhood Meeting with residents within 300-ft of the proposed project area

on March 22 2022, there were 15 attendees. Neighborhood Meeting Minutes, as well as mailed materials have been provided as a part of this application.

Skyline Homes and Development, LLC, the Applicant, requests approval to subdivide approx. 18.64 acres into 123 total lots (98 single family, 25 common, including three [3] shared driveways on common lots.

The overall gross density of the project is proposed to be 5.31 Dwelling Units per Acre (DUA), overall net density is proposed to be 7.29 DUA.

The Applicant proposes 1.98 acres, or 10.63% of the total project as open space. Staff views the proposal to be compliant with 5-17-12-D. However, staff notes that several of the common lots appear to be reserved for road runoff retention. Staff highlights the only parts of a retention pond that may count towards useable open space are areas that are two (2) feet above the bottom of the basin, on a case-by-case basis as determined by the City Engineer; according to KCC, 5-17-12-D**.

According to Exhibit 2.19, Public Works staff conditionally supports the Newberry Place Subdivision development with conditions of that support listed in the Engineers Memo. That support is also contingent on the applicant designing, constructing and maintaining private ownership and private operation of the proposed sewer lift station. Planning and Zoning staff recommends the Applicant be required to follow Public Works conditions of approval as listed in their memo, and as amended as needed.

The Applicant proposes three (3) shared driveways across common lots for a cluster of three (3) lots within the project, Staff recommends the Applicant be conditioned to work with the City Engineer for proper easement widths for the project as a whole, and in particular the clustered homes near the shared driveways. Staff highlights if this project is approved, it is the responsibility of the Developer to ensure any anticipated buildings fit all buildable lots.

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

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

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

Staff has reviewed the proposed Preliminary Plat for technical compliance with KCC, and the Design Review for compliance with Title 5 and Title 6 of Kuna City Code; Idaho Statute § 67-6511; and the Kuna Comprehensive Plan. The Applicant will be required to work with Kuna's staff, ACHD, the Kuna Rural Fire District and any other applicable agencies to ensure conformance to each agency's requirements where the stricter rule shall be followed. If the Planning and Zoning Commission recommends Approval of Case No. 22-07-S, and Approves Case No. 22-16-DR the Applicant shall be subject to the Conditions of Approval listed in section "IX" (9) of this report, and any additional conditions recommended by the Planning and Zoning Commission. Should the applicant meets the requirements of the City Engineer and other City requirements, staff would recommend approval for this proposal.

6.2 Applicable Standards

- 6.2.1 City of Kuna Zoning Ordinance, Title 5.
- 6.2.2 City of Kuna Subdivision Ordinance Title 6.
- 6.2.3 City of Kuna Comprehensive Plan FLUM.
- 6.2.4 Idaho Code, Title 67, Chapter 65- the Local Land Use Planning Act.

VII PROPOSED FINDINGS OF FACT

Based upon the record contained in Case Nos. 22-07-S, and 22-16-DR, including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the Public Hearing, the Kuna Planning and Zoning Commission hereby (*recommends Approval/Conditional Approval/Denial*) of Case No. 22-07-S and (*Approves/Conditionally Approves/Denies*) Case No. 22-16-DR, a request from Skyline Homes and Development, LLC for Preliminary Plat approval to subdivide approx. 18.64 acres into 123 total lots (98 single-family lots, 25 common lots, including three (3) shared driveways on common lots).

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

- 7.1 Based on the evidence contained in Case Nos. 22-07-S and 22-16-DR this proposal *does/does not* generally comply with the City Code.

Staff Finding: The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with the design requirements, public improvement requirements, objectives and considerations listed in Kuna City Code Title 5 and Title 6. Exhibit 2.19-Public Works supports The Newberry Place Sub. Proposal, contingent on the applicant designing, constructing and maintaining private ownership and private operation of the proposed sewer lift station.

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

Staff Finding: Applicant held a Neighborhood Meeting March 22, 2022; 15 residents attended. Neighborhood Notices were mailed out to residents within 300-feet of the proposed project site on September 8, 2022, and a legal notice was published in the Kuna Melba Newspaper on August 31, 2022. The Applicant posted a sign on the property on September 14, 2022.

- 7.3 Based on the evidence on file for Case Nos. 22-07-S and 22-16-DR, this proposal **does/does not** generally comply with the Comprehensive Plan.

Staff Finding: The Comp Plan has listed numerous goals for providing a variety of housing densities and types to accommodate various lifestyles, ages and economic groups in Kuna, as well as the installation of pathways and open space. The existing zone district is R-8, and the Comp Plan Map designates the property as Medium Density Residential

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

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

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

Staff Finding: According to Exhibit 2.19, Public Works staff supports the Proposed subdivision contingent on the applicant designing, constructing and maintaining private ownership and private operation of the proposed sewer lift station. According to Exhibit 2.20 in the ACHD report, connections to stub streets, required improvements to roadways and dedication of Rights-of-Way for future improvements are listed and required as conditions of approval.

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

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

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

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

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

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

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

Staff Finding: *A six-foot vinyl fence is proposed around the perimeter of the subdivision where permitted, unless otherwise approved.*

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

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

VIII PROPOSED COMPREHENSIVE PLAN ANALYSIS

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

- 8.2 Goal Area 2: Kuna will be a healthy, safe community.
- Goal 2.A.: Maintain and expand parks and public gathering spaces.
 - Objective 2.A.2.: Maintain and expand the pathway and trail network with a focus on building connectivity to key activity and population centers that serve all areas of Kuna.
 - Policy 2.A.2.a: Ensure the trails and pathways system promotes bike and pedestrian connectivity to key activity centers such as schools, parks, retail centers and downtown.
 - Policy 2.A.2.d: Work with private developers and land Owners to direct expansion of the trails and pathways system throughout Kuna.
 - Goal 2.B.: Maintain and expand parks and public gathering spaces.
 - Objective 2.B.1.: Maintain and expand the parks system.
 - Policy 2.B.1.b: Continue to require neighborhood park development through the subdivision development process.
- 8.3 Goal Area 3: Kuna’s land uses will support a desirable, distinctive and well-designed community.
- Goal 3.D.: Encourage development of housing options and strong neighborhoods.
 - Objective 3.D.1.: Encourage development of housing options for all citizens.
 - Policy 3.D.1.a: Encourage preservation and development of housing that meets demand for household sizes, lifestyles and settings.
 - Objective 3.D.2.: Create strong neighborhoods through preservation, new development, connectivity and programming.

- Policy 3.D.2.d: Work to ensure all neighborhoods in Kuna benefit from good connectivity through sidewalk, pathway and trail, on-street and transit infrastructure.
- Goal 3.G.: Respect and protect private property rights.
 - Objective 3.G.1.: Ensure land use policies, restrictions, and fees do not violate private property rights.
 - Policy 3.G.1.b: Encourage preservation and development of housing that meets demand for household sizes, lifestyles and settings.
 - Policy 3.G.1.c: Ensure land use actions, decisions and regulations do not prevent a private property Owner from taking advantage of a fundamental property right. Ensure city actions do not impose a substantial and significant limitation on the use of the property.

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

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

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

- Objective 4.C.1.: Maintain/enhance existing pathways/trails/on-street bicycle facilities.
 - Policy 4.C.1.a: Expand the bicycle network as identified in the Kuna Pathways Master Plan and ACHD Roadways to Bikeways Plans through land use developments and capital improvement projects.
 - Policy 4.C.1.e: Coordinate with developers to connect to and/or enhance bicycle facility connections, including pathways, non-motorized canal crossings, road bridges and wayfinding signage.
- Objective 4.C.2.: Ensure expansion of pathways, trails and on-street bicycle routes.
 - Policy 4.C.2.b: Promote the installation of off-system bicycle pathways to create neighborhood connections and reduce non-motorized transportation route lengths.

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

- Objective 4.D.2.: Ensure the continued expansion/development of a classified roads system throughout the community.
 - Policy 4.D.2.a: Extend and expand Mid-Mile Roads as growth occurs.
 - Policy 4.D.2.b: Preserve adequate Rights-Of-Way along all classified roads or other approved alternative locations to align roads.

IX COMMISSION'S RECCOMENDATION

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

Based upon the record contained in Case Nos. 22-07-S, and 22-16-DR, including the Comprehensive Plan, Kuna City Code, Staff's Memorandums, including the exhibits, and the testimony during the Public Hearing, the Planning and Zoning Commission hereby recommends **Approval / Conditional Approval / Denial** of Case No. 22-07-S, and (**Approves / Conditionally Approves / Denies**) Case No. 22-16-DR, a request from Skyline Homes and Development, LLC, for Preliminary Plat approval to subdivide approx. 18.64 acres into 123 total lots (98 single-family lots, 25 common lots, including three (3) shared driveways on common lots).

- 9.1** The Developer/Owner/Applicant shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
- 9.1.1** The City Engineer shall approve all sewer connections.
 - 9.1.2** The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received approval of the drainage plan.
 - 9.1.3** Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties".
 - 9.1.4** The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District are required.
 - 9.1.5** The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
 - 9.1.6** Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permit(s).
 - 9.1.7** All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
- 9.2** Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see KCC 6-4-2.

- 9.3 Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
- 9.4 Connection to City Services (Sewer and Domestic Water) is required; the Applicant shall conform to all corresponding City of Kuna Master Plans.
- 9.5 The Developer/Owner/Applicant shall be required to participate, as determined by the City Engineer, in the development of additional Lift Station capacity, and or Water Booster Station.
- 9.6 The Developer/Owner/Applicant shall not submit an application for Final Plat until the City's Public Works Director issues a Will-Serve Letter stating that the City's appurtenance has capacity to service the proposed development with domestic water, and accept the wastewater discharged from the proposed development.
- 9.7 In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a Final Plat, the Applicant shall have good cause and may be eligible to receive, pursuant to KCC § 6-2-3 (J), a Time Extension to file a Final Plat up to and until a Will-Serve Letter has been issued.
- 9.8 Landscape buffers, curb, gutter and sidewalk (attached and detached) shall be installed in accordance with Kuna City Code Title 5 Chapter 17 and Title 6 Chapter 4.
- 9.9 Developer/Owner/Applicant shall work with Ada County Highway District and the City of Kuna to complete all required traffic mitigation improvements to the surrounding roadways and intersections as detailed in the Ada County Highway District staff report.
- 9.10 It is the responsibility of the Developer or their engineer to coordinate *and* design for the stricter requirement between agencies and the City of Kuna standards for the entire development.
- 9.11 Developer/Owner/Applicant shall work with staff in order to provide final locations of street lights as required by Kuna City Code. Street lights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.
- 9.12 Fencing within and around the site shall comply with Kuna City Code (unless specifically approved otherwise and permitted).
- 9.13 All required landscaping shall be permanently maintained in a healthy growing condition. The property Owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting in public Rights-of-Way shall be with approval from ACHD.
- 9.14 Landscaping shall not be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles.
- 9.15 All signage within/for the project shall comply with Kuna City Code, and shall be approved through the applicable sign approval process listed in KCC 5-10.
- 9.16 If any revisions are made, the Applicant shall provide the Planning and Zoning Staff with a revised copy of the Preliminary Plat.
- 9.17 Any revisions of the plat are subject to Administrative Determination to rule if the revision is substantial.

- 9.18 The Developer/Owner/Applicant, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through Public Hearing processes.
- 9.19 Developer/Owner/Applicant shall measure all front building setbacks from back of sidewalk on all internal local roads.
- 9.20 Applicant shall work with the City Engineer for proper easement widths for the project as a whole, and in particular the clustered home products with private driveway and private road as proposed.
- 9.21 Developer shall ensure any anticipated residential buildings fit any given buildable lot.
- 9.22 In the event curb and gutter along Classified Roads is prohibited, the Developer shall enter a license agreement with ACHD in order to place an irrigation source and sod within the Rights-Of-Way between the edge of sidewalk and the bottom of the swale for weed control.
- 9.23 Developer/Owner/Applicant/Contractors are hereby notified of Kuna's working hours. Construction of any kind shall only be conducted within the hours specified in KCC. Noises and other public nuisances/distractions outside of this time frame are subject to lawful penalties.
- 9.24 Developer/Owner/Applicant is hereby notified of Kuna's weed control policies and requirements (KCC 8-1-3). Weeds, grasses, vines or other growth which endanger property or are over twelve (12) inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout all seasons.
- 9.25 Develop/Owner/Applicant is hereby notified that this project is subject to Design Review inspection fees. Required inspections (post construction), are to verify landscaping compliance prior to requesting signature on the Final Plat.
- 9.26 The Landscape Plan (dated 4.14.22) and Preliminary Plat (dated 4.7.22) will be considered binding site plans as amended and/or approved.
- 9.27 Developer/Owner/Applicant shall move access to Butterfly Street to proposed block 1, lot 28.
- 9.28 Developer/Owner/Applicant shall provide a minimum six foot wide (6') paved pathway through lot 8, block 4, lot 5, block 2, lots 10-12, block 3, lot 30, block 1 for the residents.
- 9.29 Downstream and upstream water users' rights shall not be impeded. At their expense, Developers/Owners/Applicants, are all responsible to maintain and honor all historic flows, rights, and access.
- 9.30 Developer/Owner/Applicant shall follow staff, the City Engineer's, and other agency recommended requirements as applicable.
- 9.31 Developer/Owner/Applicant and all successors shall comply with all Local, State and Federal Laws.

DATED this _____, day of October, 2022.



Planning & Zoning Application Coversheet

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



****Office Use Only****

File No.(s): 22-07-S, 22-16-DR

Project Name: Newberry Place

Date Received: 04.15.2022

Date Accepted as Complete: _____

Type of review requested (check all that apply):

	Annexation & Zoning		Appeal
	Comp. Plan Map Amendment		Combination Pre & Final Plat
<input checked="" type="checkbox"/>	Design Review - Landscape		Development Agreement
	Final Planned Unit Development		Final Plat
	Lot Line Adjustment		Lot Split
	Ordinance Amendment		Planned Unit Development
<input checked="" type="checkbox"/>	Preliminary Plat		Rezone
	Special Use Permit		Temporary Business
	Vacation		Variance

Owner of Record

Name: Skyline Homes & Development, LLC

Address: 2501 E. State Ave. STE 110, Meridian, ID 83642

Phone: (833) 464 - 2667 Email: _____

Applicant (Developer) Information

Name: Skyline Homes & Development, LLC

Address: 2501 E. State Ave. STE 110, Meridian, ID 83642

Phone: (833) 464 - 2667 Email: _____

Engineer/Representative Information

Name: Matrix Engineering INC.

Address: 1020 W. Main St. Suite 100 J, Boise, ID 83702

Phone: (208) 860 - 3120 Email: etroybutler@yahoo.com

Subject Property Information

Site Address: 7015 S Ten Mile Rd., Meridian, ID 83642

Nearest Major Cross Streets: S Ten Mile Rd & W Lake Hazel Rd

Parcel No.(s): S1303141900

Section, Township, Range: SEC 2 2N 1W

Property Size: 18.64 acres

Current Land Use: RES./AG. Proposed Land Use: Residential

Current Zoning: R-8 Proposed Zoning: R-8

Project Description

Project Name: Newberry Place Subdivision

General Description of Project: 98 residential lots, 25 HOA/common lots
single family town home subdivision

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

Residential: R-2 R-4 R-6 R-8 R-12 R-20 Commercial: C-1 C-2 C-3 CBD

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

Type(s) of amenities provided with development: Club house, pool, open space

Residential Project Summary (If Applicable)

Are there existing buildings? YES NO

If YES, please describe: Barn

Will any existing buildings remain? YES NO

No. of Residential Units: 98 No. of Building Lots: 98

No. of Common Lots: 25 No. of Other Lots: _____

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

Single-Family Townhomes Duplexes Multi-Family

Other: _____

Minimum square footage of structure(s): 3750 SQ. FT.

Gross Density (Dwelling Units ÷ Total Acreage): 5.31 unit/acre

Net Density (Dwelling Units ÷ Total Acreage not including Roads): 7.29 unit/acre

Percentage of Open Space provided: 10.63% Acreage of Open Space: 1.983 acres

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

Non-Residential Project Summary (If Applicable)

Number of building lots: _____ Other lots: _____

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

Building height: _____ Hours of Operation: _____

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

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

Proposed Parking

ADA accessible spaces: _____ Dimensions: _____

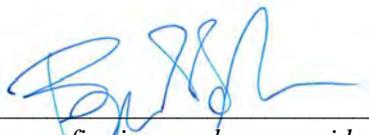
Regular parking spaces: _____ Dimensions: _____

Width of driveway aisle: _____

Proposed lighting: _____

Is lighting "Dark Sky" compliant? YES NO

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

Applicant Signature:  Date: 4/15/22

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

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



Preliminary Plat Application



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

Preliminary Plats require public hearings with both the Planning & Zoning Commission and City Council. Public Hearing signs will be required to be posted by the applicant for both meetings. Sign posting regulations are available online.

****Office Use Only****

Case No(s): 22-07-S, 22-16-DR

Project Name: Newberry Place

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

Date Received: 04.15.2022

Date Accepted as Complete: _____

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

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

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

IF THE PRELIMINARY PLAT INCLUDES 100 LOTS OR MORE,

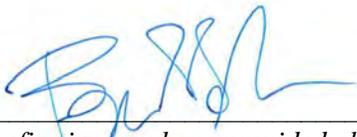
A TRAFFIC IMPACT STUDY IS REQUIRED.

This application shall not be considered complete (nor will a Public Hearing be scheduled) until Staff has received all required information. Once the application is deemed complete, Staff will notify the Applicant of the scheduled hearing date, fees due, and any additional items via a Letter of Completeness.

Information to Note:

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

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

Applicant Signature:  Date: 4/15/22
By signing, you are confirming you have provided all required items listed on this application.

DESIGN REVIEW APPLICATION

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



****Office Use Only****

Case No(s).: 22-16-DR- and 22-07-S

Project Name: _____

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

Date Received: _____

Date Accepted as Complete: _____

The City of Kuna has adopted a Design Review Overlay District whose purpose is to make Kuna a pleasant and comfortable place to live and work. This Design Review process is based on standards and guidelines found in Kuna City Code 5-4. The Design Overlay District includes all of Kuna City Limits.

Design Review includes, but is not limited to:

- Commercial
- Institutional
- Multifamily Residential
- Proposed Conversions
- Exterior Remodel//Restoration
- Industrial
- Office
- Common Areas/Landscaping
- Proposed Changes in Land and/or building use
- Enlargement or Expansion of existing buildings or sites

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

- Complete Planning & Zoning Application Coversheet
- Complete Design Review Application (*It is the Applicant's responsibility to use the most current application.*)
- Detailed narrative or justification for the application, describing the project, design elements and how the project complies with Design Review standards.
- Vicinity Map: 8.5" x 11" at 1" = 300' scale (or similar). Label the location of the property and adjacent streets.
- Aerial Map: 8.5" x 11" color photo depicting proposed site, street names, and surrounding area within 500'.
- Recorded Warranty Deed
- Affidavit of Legal Interest if the individual submitting the application is not the property owner. (*One Affidavit required for each party involved. Originals must be submitted to the Planning & Zoning Department.*)
- Elevations for each structure & color rendering with material sample(s) specifically noting where each color and material is to be located on the structure. (*PDF or photo of materials acceptable.*)
- Site, Lighting, Landscape & Drainage Plans
- Construction Drawings/Civil Plans

Detailed Site Plan Requirements

- Name of plan preparer with contact information
- Name of project and date
- North arrow
- Property Lines
- Existing structures – Identify those which are relocated or removed
- On-site and adjoining streets, alleys, private drives and rights-of-way
- Drainage location and method of on-site retention/detention
- Location of public restrooms, if applicable
- Existing and/or proposed utility services; any above ground utility structures and provide their location
- Location and width of easements, canals and drainage ditches
- Location and dimensions of off-street parking
- Location and size of any loading areas, docks, ramps and vehicle storage or service areas
- Location of trash storage areas and exterior mechanical equipment; provide proposed method of screening
- Sign locations (*A separate Sign Application must be submitted; this is a Staff level review.*)
- On-site transportation circulation plan for motor vehicles, pedestrians and bicycles
- Locations and uses of all Open Spaces (*if applicable*)
- Location, types and sizes of sound and visual buffers (*all buffers must be located outside the public rights-of-way.*)
- Parking layout including spaces, driveways, curbs, cuts, circulation patterns, pedestrian walks and vision triangles
- Location and designation of subdivision lines (*if applicable*), property lines, and rights-of-way
- Location of walls and fences; provide their height and material of construction
- Roofline and foundation plan of building and location onsite

Landscape Plan

The Landscape Plan need to be drawn by the Project Architect, Professional Landscape Architect, Landscape Designer, or qualified Nurseryman for developments possessing more than twelve thousand (12,000) square feet of private land. The Landscape Plan must be colored and drawn to a scale no smaller than 1" = 30', unless otherwise approved. The Planning & Zoning Director may require the preparation of a landscape plan for smaller developments by one of the noted individuals, if the lot(s) have unique attributes. (*See Kuna City Code 5-17 Landscaping Requirements*)

- Name of plan preparer with contact information
- Name of project and date
- North arrow
- Boundaries, property lines and dimensions
- Location and design of areas to be landscaped
- Location and labels for all proposed plants
- Existing vegetation identified by species & sizes, and if they are proposed to be relocated or removed (*Retention of existing trees required, see Kuna City Code 5-17-4*)
- Plant lists or schedules with the botanical common name, quantity, and spacing as well as the size of all proposed landscape materials at time of planting
- Location of automatic, underground irrigation systems (*See Kuna City Code 5-17-11*)
- Clearly identify pressurized irrigation lines and underground water storage
- Location, description, materials, and cross-sections of special features, including berming, retaining walls, hedges, fencings, fountains, street/pathway furniture, etc.

- Sign locations (a separate sign application must be submitted)
- Locations of open spaces (*if applicable*)
- Parking areas
- Location and designations of all sidewalks
- Engineered Grading and Drainage Plans: A generalized drainage plan showing direction drainage with proposed on-site retention. Upon submission of building/construction plans for an approved Design Review application, a detailed site grading and drainage plan prepared by a registered professional engineer (PE), shall be submitted to the City for review and approval by the City Engineer.

Building Elevations

- Detailed elevation plans, in color, of each side of any proposed building(s) or addition(s). Label associated elevations with North, South, East, West
- Color renderings of all proposed building materials and indication where each material and color application are to be located, in PDF or JPEG format.
- Screening of mechanical equipment
- Provide a cross-section of the building showing any rooftop mechanical units and their roof placement
- Detailed trash enclosure elevation plans showing the materials to be used in construction

Lighting Plan

- Exterior lighting, including detailed cut sheets and photometric plan (*pedestrian, vehicle, security, decoration, etc.*)
- Types and wattage of all light fixtures. (*NOTE: Lighting fixtures shall comply with “Dark Sky” policies.*)
- Placement of all light fixtures shown on elevations and landscaping plans

Owner Information

Name: Skyline Homes & Development
 Address: 2501 E. State Ave. STE 110, Meridian, ID 83642
 Phone: (833) 464-2667 Email: _____

Applicant Information

Name: Skyline Homes & Development
 Address: 2501 E. State Ave. STE 110, Meridian, ID 83642
 Phone: (833) 464-2667 Email: _____

Engineer/Representative

Name: Matrix Engineering INC.
 Address: 1020 W. Main St. Suite 100 J, Boise, ID 83702
 Phone: (208) 860-3120 Email: etroybutler@yahoo.com

Property Information

Address: 7015 S. Ten Mile Rd., Kuna, ID 83642

Parcel No(s): S1303142000

Closest Major Cross Streets: S. Ten Mile Rd. & W. Lake Hazel Rd.

Please check the box that reflects the intent of the application:

- Building Design Review Design Review Modification
- Staff Level Application Subdivision/Common Area Landscape

1. Briefly explain the nature of the request: Landscaped common area for the Newberry Place Subdivision project. Common area landscape consists of lawn, trees, and shrubs, as required by code.

2. Dimension of property: 18.64 acres (approx. 1300x600)

3. Current land use(s): agriculture

4. What are the land uses of the adjoining properties?

North: single-family residential South: agriculture
 East: agriculture West: agriculture

5. Is the project intended to be phased? If so, what is the phasing time period?

No

6. Number and use(s) of all structures: 98 single-family townhomes

7. Building Height: _____

8. Number of Stories: _____

(The height and width relationship of new structures shall be compatible and consistent with the architectural character of the area and proposed use. Height and area standards can be found in Kuna City Code 5-5-3.)

9. What is the percentage of building space on the lot when compared to the total lot area:

Exterior Building Materials and Colors

	Material	Color
Roof:		
Walls: (include percentage of wall coverage of each material)		
% of Wood Application:		
% EIFS: (Exterior Insulation Finish System)		
% Masonry:		
% Face Block:		
% Stucco:		
Other:		
Windows/Doors:		
Soffits and Fascia:		
Trim, etc.:		

Mechanical Units

Please identify mechanical unit(s) size and placement: _____

Proposed screening method? _____

Trash Enclosures

Please identify trash enclosure location, size, and construction materials: _____

Irrigation Ditches/Canals

Are there any irrigation ditches/canals on or adjacent to the property? YES NO

If Yes, what is the name of the irrigation/drainage provider? Harris Canal

What is the proposed method of on-site drainage retention/detention? surface swales

Fencing

Is there any existing fencing that will remain?

If Yes, what is the fencing material, size and location? _____

What is the fencing material for all new fencing? _____

The City has regulations for fences, walls, and hedges (see Kuna City Code 5-5-5). A fence permit must be acquired prior to installation of any fencing; a permit cannot be acquired until Design Review application Approval/Conditional Approval/Denial.

Building Coverage

% of site devoted to building coverage?		
% of site devoted to landscaping? (Include landscaped rights-of-way)		Square Footage:
% of site that is hard surface? (paving, driveways, walkways)		Square Footage:
% of site devoted to other uses:		Describe:

Landscaping

Please provide dimensions of landscaped areas within public rights-of-way: _____

Are there any existing trees of 4" or greater in caliper on the property? YES **NO**

If Yes, what type, size and general location? *(Please indicate location on site plan. NOTE: It is the city's goal to preserve such trees.)*

Dock Loading Facilities

Will there be any dock loading facilities? YES **NO** *(If Yes, please continue; if No, please skip this section.)*

No. of dock loading facilities and their location: _____

What is the proposed method of screening? _____

Pedestrian Amenities

Are there any proposed pedestrian amenities? (i.e. bike racks, trash receptacles, drinking fountains, benches, etc.) **YES** NO

If Yes, please indicate type, number of each type: _____ play equipment, bike racks, trash receptacles, benches, etc.

will be located at the community pool/clubhouse area. Designs for that space are on-going.

Parking

Total number of parking spaces? _____ Dimensions? _____

Total number of ADA accessible spaces? _____ Dimensions? _____

Total number of compact spaces (8' x 17')? _____

Miscellaneous

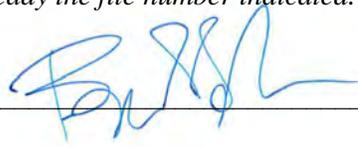
Will you be proposing setbacks different than those found in KCC 5-3-3? YES NO

If YES, please provide setbacks below, in feet:

Front: _____ Rear: _____ Side: _____ Side: _____

Is any portion of the property subject to flooding conditions? YES NO

The Ada County Highway District (ACHD) may also conduct a public meeting regarding this application. If you have questions about the meeting date, the traffic that this development may generate or the impact of that traffic on streets in the area, please contact ACHD at (208) 387-6170. In order to expedite your request, please have ready the file number indicated.

Applicant Signature:  _____ Date: 4/15/22 _____

Additional Information

Please indicate/explain/provide any additional information deemed relevant to this application:

Rodney Evans + Partners, PLLC
1450 W. Bannock St.
Boise, Idaho 83702
p: 208-514-3300
www.reandpartners.com



Landscape Architecture + Urban Planning + Land Use and Site Planning + Entitlements + Project Management

April 14, 2021

Planning and Zoning
City of Kuna
751 W. 4th St.
Kuna, Idaho 83634

Re: Newberry Place Subdivision – 7015 S. Ten Mile Rd., Kuna, ID 83634 – Narrative

To Whom it May Concern,

The application before you is for a Preliminary Plat for the subdivision of the parcel located at 7015 S. Ten Mile Rd., Kuna, ID 83634. The project consists of one hundred and twenty-three (123) lots to be created for the construction of ninety-eight (98) single-family townhome lots, twenty-five (25) common lots, as well as associated roadway, site, and landscape improvements. A portion of the property along S. Ten Mile Rd. will be dedicated as public right-of-way for future ACHD improvements to that road frontage.

The current zoning of the parcel is R-8. The surrounding properties are zoned: R-8/R-6 to the North, RR to the South, R-6 to the West, and RR/A to the East. The subject property is approximately 18.64 acres. With the proposal of 98 units, the overall density of the proposed project is 5.31 units per acre, which is compatible with other residential developments in the area and with the land use designation. With the surrounding residential, this proposed development is cohesive with the comprehensive plan, land use, and zoning designations of the City of Kuna planning area.

The creation of the ninety-eight (98) buildable lots will require a minimum lot area of 3750 sf and overall lot area average of 3960 sf. All proposed buildable lots will meet the R-8 zone requirements for minimum street frontage, and all interior and exterior setbacks for all lots within the development will also be per the R-8 zone requirements. The twenty-five (25) common lots created with the subdivision will contain landscaped open space and storm swales, gravity and pressure irrigation facilities, a proposed sewer lift station, and the private streets, as shown on the project Preliminary Plat.

Amenities are required to be provided. These amenities will consist of landscaping within the common area open spaces, pathway and a pool and associated pool house.

This proposed project requires upgrades to the public infrastructure to service the development, including public roadway improvements off of S. Ten Mile Rd., extension of S. Donaway Ave. from the existing Memory Ranch Subdivision to the North, development of public streets within the subdivision, as well as on-site and off-site utility mainline extensions. The private streets section is per ACHD standards, and 5' attached sidewalks on both sides of the private streets. These sidewalks will allow for safe pedestrian circulation within the subdivision, and for pedestrian connectivity to surrounding residential development. A 12" and 8" water main will be extended from the southeast to and through the development in order to provide potable water service to the project. An 8" sewer main will be extended into the site from the existing sewer main in S. Ten Mile Rd. in order to provide sewer service to all future homes. In addition, a new sewer lift station is proposed. Extensive gravity and pressure irrigation upgrades will be completed to ensure continued and uninterrupted irrigation water delivery to all users, as well as for the development of a pressurized irrigation system as required by code. Pedestrian connections and future road stubs will be provided to adjacent parcels to allow for future access to neighboring subdivisions.

The single-family townhomes proposed with the project will be designed to be cohesive with the surrounding area. Architectural style will be drawn from contemporary-style homes. Townhomes are 2 story structures with a loft. All lofts face inward of the development to lessen visual impact from neighboring view.

We believe that this proposed development will create high-quality housing options. The project meets multiple goals of the comprehensive plan and Kuna City Code.

Please contact me directly with any questions regarding the project at 208-514-3300 or ben@reandpartners.com

Sincerely,
Rodney Evans + Partners, PLLC

A handwritten signature in black ink, appearing to read 'B Semple', with a long horizontal flourish extending to the right.

Ben Semple, PLA
Partner, Senior Landscape Architect



PROJECT
LOCATION

W Lake Hazel Rd

W Lake Hazel Rd

S Ten Mile Rd

15

W Belle Terra Ln

S Belle Terra Ln

W Columbia Rd

W Columbia Rd

S Ten Mile Rd

S Belle Terra Ln



Vicinity Map Newberry Sub.

W Lake Hazel Rd

Lake Hazel

S Ten Mile Rd

W Lake Hazel Rd

Commemoration

Faithful

Remembrance

Memory

Charlene

Nordean

Donaway

Ten Mile

Allegiance

Juneau

Tribute

Adoration

Memorial

Memory

Nordean

Donaway

S Ten Mile Rd

Devotion

Haymaker

 Newberry Sub. Site

 KUNA PARCELS

 KUNA_ROADS

SECTION ROAD LABELS

 KUNA_WATERBODIES





Client: Jeff Washburn
Date: January 29, 2019
Rev.: November 4, 2019
Job No.: 6518

PARCEL PROPERTY DESCRIPTION

A parcel of land being a portion of the SE 1/4 NE 1/4 of Section 3, Township 2 North, Range 1 West, Boise Meridian, Ada County Idaho, more particularly described as follows:

BEGINNING at a found 3 1/4 inch diameter brass disk stamped "PLS 12087, 2018" marking the SE corner of said SE 1/4 NE 1/4, (East 1/4 corner), said corner bears N. 00° 06' 02" W., a distance of 2663.30 feet from a found 3 1/4 inch diameter brass disk stamped "PLS 12087, 2018" marking the SE corner of said section 3;

Thence along the easterly boundary of said SE 1/4 NE 1/4, N. 00° 07' 51" W., a distance of 419.12 feet to a set 5/8 inch diameter iron pin with cap stamped "CLS PLS 7732" being on the prolongation of the centerline of the Harris Canal;

Thence along said prolongation and centerline of said Harris Canal the following courses and distances:

Thence N. 80° 27' 11" W., a distance of 163.33 feet to a point on the centerline of the Harris Canal, said point bears S. 00° 08' 47" E., a distance of 15.00 feet from a found 5/8 inch diameter iron pin witness corner stamped "PLS 7729";

Thence continuing along the centerline of said Harris Canal, N. 80° 27' 11" W., a distance of 437.68 feet, (formerly N. 80° 45' W., a distance of 485.0 feet), to a point;

Thence N. 73° 47' 08" W., a distance of 76.98 feet to a point;

Thence N. 57° 10' 17" W., a distance of 210.65 feet, (formerly N. 56° 45' W., a distance of 222.0 feet), to a point;

Thence N. 43° 27' 32" W., a distance of 197.20 feet, (formerly N. 44° 06' W., a distance of 256.8 feet), to a point;

Thence N. 64° 17' 55" W., a distance of 105.91 feet to a point;

Thence N. 87° 54' 40" W., a distance of 131.41 feet, (formerly N. 84° 26' W., a distance of 314.0 feet), to a point;

COMPASS LAND SURVEYING, PLLC

Jeff Washburn-6518\Survey\Descriptions\Parcel 2 Rev.doc

Page 2 of 2

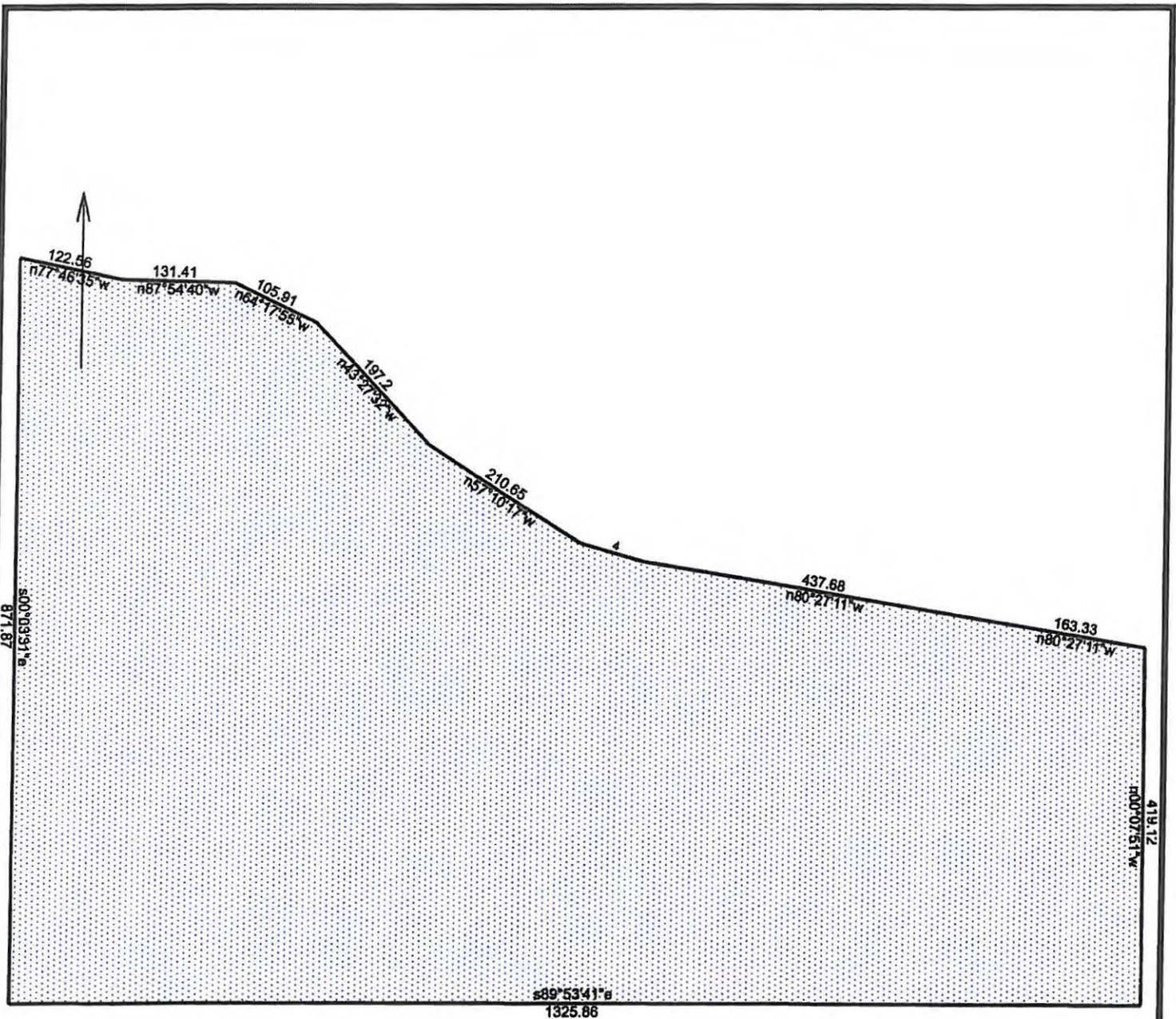
Thence N. 77° 46' 35" W., a distance of 122.56 feet to a point on the westerly boundary of said SE 1/4 NE 1/4, said point bears S. 00° 03' 31" E., a distance of 6.11 feet from a found 5/8 inch diameter iron pin witness corner;

Thence leaving the centerline of said Harris Canal and along the westerly boundary of said SE 1/4 NE 1/4, S. 00° 03' 31" E., a distance of 871.87 feet, (formerly S. 00° 06' W., a distance of 880.8 feet), to a found 5/8 inch diameter iron pin marking the SW corner of said SE 1/4 NE 1/4, (Center east 1/16 corner);

Thence along the southerly boundary of said SE 1/4 NE 1/4, S. 89° 53' 41" E., a distance of 1325.86 feet, (formerly S. 89° 52' E., a distance of 1324.0 feet), to the POINT OF BEGINNING.

This parcel contains 18.64 acres more or less.





JN6518 Parcel 2 Revised

11/4/2019

Scale: 1 inch= 171 feet

File:

Tract 1: 18.6430 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=4063 ft.

- 01 n00.0751w 419.12
- 02 n80.2711w 163.33
- 03 n80.2711w 437.68
- 04 n73.4708w 76.98
- 05 n57.1017w 210.65
- 06 n43.2732w 197.2
- 07 n64.1755w 105.91
- 08 n87.5440w 131.41
- 09 n77.4635w 122.56

- 10 s00.0331e 871.87
- 11 s89.5341e 1325.86



Order Number: 19352498

Warranty Deed

For value received,

David Washburn and Kelly Washburn, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Skyline Homes and Development, LLC, an Idaho member-managed limited liability company

whose current address is 3516 Black Butte Ct., Nampa, ID 83687

the grantee, the following described premises, in Ada County, Idaho, to wit:

A parcel of land being a portion of the Southeast quarter of the Northeast quarter of Section 3, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at a found 3¼ inch diameter brass disk stamped "PLS 12087, 2018" marking the Southeast corner of said Southeast quarter of the Northeast quarter, (East quarter corner), said corner bears North 00°06'02" West, a distance of 2663.30 feet from a found 3¼ inch diameter brass disk stamped "PLS 12087, 2018" marking the Southeast corner of said Section 3; thence along the Easterly boundary of said Southeast quarter of the Northeast quarter

North 00°07'51" West a distance of 419.12 feet to a set 5/8 inch diameter iron pin with cap stamped "CLS PLS 7732" being on the prolongation of the centerline of the Harris Canal; thence along said prolongation and centerline of said Harris Canal the following courses and distances: thence

North 80°27'11" West, a distance of 163.33 feet to a point on the centerline of the Harris Canal, said point bears South 00°08'47" East, a distance of 15.00 feet from a found 5/8 inch diameter iron pin witness corner stamped "PLS 7729"; thence continuing along the centerline of said Harris Canal

North 80°27'11" West, a distance of 437.68 feet (formerly North 80°45' West, a distance of 485.0 feet) to a point;
thence
North 73°47'08" West, a distance of 76.98 feet to a point; thence
North 57°10'17" West, a distance of 210.65 feet (formerly North 56°45' West, a distance of 222.0 feet) to a point;
thence
North 43°27'32" West, a distance of 197.20 feet (formerly North 44°06' West, a distance of 256.8 feet) to a point;
thence
North 64°17'55" West, a distance of 105.91 feet to a point; thence
North 87°54'40" West, a distance of 131.41 feet (formerly North 84°26' West, a distance of 314.0 feet) to a point;
thence
North 77°46'35" West, a distance of 122.56 feet to a point on the Westerly boundary of said Southeast quarter of the
Northeast quarter, said point bears South 00°03'31" East, a distance of 6.11 feet from a found 5/8 inch diameter iron
pin witness corner; thence leaving the centerline of said Harris Canal and along the Westerly boundary of said
Southeast quarter of the Northeast quarter
South 00°03'31" East, a distance of 871.87 feet (formerly South 00°06' West, a distance of 880.8 feet) to a found 5/8
inch diameter iron pin marking the Southwest corner of said Southeast quarter of the Northeast quarter, (Center east
1/16 corner); thence along the Southerly boundary of said Southeast quarter of the Northeast quarter
South 89°53'41" East, a distance of 1325.86 feet (formerly South 89°52' East a distance of 1324.0 feet) to the POINT
OF BEGINNING.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever.
And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of
said premises; that they are free from all encumbrances except those to which this conveyance is expressly made
subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements,
right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations,
general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not
due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the
context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Dated: January 7, 2020

David Washburn
David Washburn

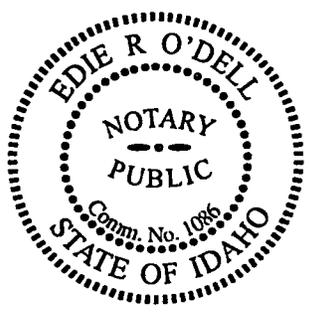
Kelly Washburn
Kelly Washburn

State of Idaho, County of ~~Ada~~ ^{Canyon} ss.

On this 7th day of January in the year of 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared David Washburn and Kelly Washburn, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Edie R. O'Dell

Notary Public
Residing In: Residing in Nampa, Idaho
My Commission Expires: My Commission Expires 4/17/2021
(seal)





COMMITMENT TO PROPERTY POSTING

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

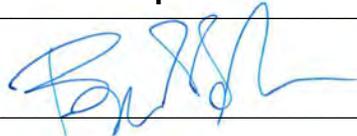


Per Kuna City Code (KCC) 5-1A-8, the Applicant, for all applications requiring a Public Hearing, shall post the subject property *not less than ten (10) days prior to the hearing*. The Applicant shall post a copy of the Public Hearing notice on the property under consideration; all posting must be in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

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

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

Print Name: Ben Semple

Signature: 

Date: 4/14/22



Neighborhood Meeting Certification

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



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

The Neighborhood Meeting Certification packet includes the following:

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

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

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

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

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

Description of proposed project: 98 residential lots, 25 HOA/common lots
Single family town home subdivision

Date of Meeting: 3/22/222 Time: 6pm

Meeting Location: Existing barn in NE corner of site

Site Information

Location: Section 3 Township 2N Range 1W Total Acres 19.41

Subdivision Name: Newberry Place Lot Block

Address: 7015 S Ten Mile Rd., Meridian, ID 83642

Parcel No(s): S1303141900

Include ALL addresses and parcel numbers for your application.

Current Property Owner

Name: Skyline Homes & Development, LLC

Address: 2501 E State Ave. STE 110, Meridian, ID 83642

Contact Person

Name: Elwin Butler

Business Name (if applicable): Matrix Engineering

Address: 1020 W. Main St., Boise, ID 83702

Phone: (208) 860 - 3120 Email: etroybutler@yahoo.com

Applicant

Name: Ben Semple

Address: 1450 W Bannock St., Boise, ID 83702

Phone: (208) 514 - 3300 Email: ben@reandpartners.com

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

Applicant Signature:  Date: 4/14/22

SIGN-IN SHEET

Project Name: Newberry Place Subdivision

3/22/22

	Name	Address	Phone
1	Ben Sample & Josh Rennaker (Res)	1450 W. Bannock, Boise	(208) 514-3300
2	Elvira Butler	Matrix Engineering	(208) 739-8668
3	Elygo Castillo	3441 W Devotion Dr	(208) 724-8104
4	Richard Durrant	17592 South Ten mile	208 941-3241
5	Rebecca Torres	7015 S Ten Mile	818 524 8284
6	Jean Monson	3273 Devotion Dr.	208-250-1025
7	Clark Monson		
8	Rodger Bryan	6988 S. Donaway Ave	(775) 304-2387
9	Dawn + Shawn Harmon	6908 S. Donaway Ave	208-573-7465
10	Danielle Casillo B.	3441 W. Devotion Dr.	(208)-901-1527
11	Alexis Castillo	3441 W. Devotion Dr.	(208) 911-0111
12	Diana Castillo	" "	(650) 440-8575
13	Tony McKinney	6981 S Donaway	559-719-9384
14	Tracie Smith	3465 Devotion	208 891 0521
15	Adriana Van Dyke	3345 Devotion D	360-910-7887
16		randykehiko@gmail.com	market9193@gmail.com
17	Tracie Smith 4 Kids @ gmail.com		
18			
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Clark 9863@gmail.com
 Dawn Harmon 7694@gmail.com

NEIGHBORHOOD MEETING MINUTES

Meeting Date: 3/22 Number of Attendees: 17

Location: ON-SITE, BARN ON TEN MILE ROAD

Project Description: NEWBERRY PLACE SUBDIVISION

Attendee Comments or Concerns:

- ADJACENT PROPERTY IRRIGATION DITCH
- VIEWS FROM ADJACENT PROPERTIES
- PRESSURE IRRIGATION SEPARATE SYSTEM OR PART OF CITY
- VIEWS FROM NEW TOWNHOMES INTO EXISTING MEMORY RANCH SUB.
- CONSTRUCTION TIMING
- IS ACHD GOING TO WIDEN 10 MILE, DEDICATION PROVIDED
- TRAFFIC THROUGHOUT EXISTING MEMORY RANCH
- HEIGHT OF PROPOSED TOWNHOMES
- STYLE OF ADJACENT FENCING
- NOTIFIED OF PUBLIC HEARING
- WILL NEW SUB. AFFECT PRIVATE WATER WELL

I, _____, hereby certify the above information and the information provided within these forms is true, complete and correct to the best of my knowledge.

Applicant Signature: _____ Date: _____

Glen Smallwood

From: Sub Name Mail
To: dunger@mat-eng.com
Cc: kalbright@forsgren.com
Subject: RE: Newberry Place Subdivision Name Reservation

July 21, 2021

Kerry Albright, Forsgren Associates
Doug Unger, Matrix Engineering

RE: Subdivision Name Reservation: **NEWBERRY PLACE SUBDIVISION**

At your request, I will reserve the name **Newberry Place Subdivision** for your project. I can honor this reservation only as long as your project is in the approval process. Final approval can only take place when the final plat is recorded.

This reservation is available for the project as long as it is in the approval process unless the project is terminated by the client, the jurisdiction or the conditions of approval have not been met, in which case the name can be re-used by someone else.

Sincerely,



Glen Smallwood
Surveying Technician
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7926 office
(208) 287-7909 fax

From: dunger@mat-eng.com <dunger@mat-eng.com>
Sent: Wednesday, July 21, 2021 8:43 AM
To: Sub Name Mail <subnamemail@adacounty.id.gov>
Subject: RE: [EXTERNAL] RE: Newberry Place Subdivision (formerly referenced as Skyline View Subdivision)

Thanks for the clarification Glen. Kerry's email address follows:

Kerry Albright kalbright@forsgren.com

Please let me know if you need any additional information.
Regards,
Doug Unger

The logo for Matrix Engineering, Inc. features the word "MATRIX" in large, bold, brown letters with a green tree graphic behind it. To the right, "ENGINEERING, INC." is written in green. Below this, the tagline "(mă'triks') the point from which something originates or develops" is written in a smaller font. At the bottom, the address "1020 W. Main St., Ste. 100J, Boise, ID 83702" and "Doug Unger, P.E." are listed.
MATRIX ENGINEERING, INC.
(mă'triks') the point from which something originates or develops
1020 W. Main St., Ste. 100J, Boise, ID 83702
Doug Unger, P.E.

(c) 208.860.3127
Email: dunger@mat-eng.com

From: Sub Name Mail <subnamemail@adacounty.id.gov>
Sent: Wednesday, July 21, 2021 8:06 AM
To: dunger@mat-eng.com
Subject: RE: [EXTERNAL] RE: Newberry Place Subdivision (formerly referenced as Skyline View Subdivision)

Thanks Doug, but his current email address is what I really needed.



Glen Smallwood
Surveying Technician
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7926 office
(208) 287-7909 fax

From: dunger@mat-eng.com <dunger@mat-eng.com>
Sent: Tuesday, July 20, 2021 1:52 PM
To: Sub Name Mail <subnamemail@adacounty.id.gov>
Subject: [EXTERNAL] RE: Newberry Place Subdivision (formerly referenced as Skyline View Subdivision)

Glen,
The additional information follows:

Kerry Albright, PLS
Forsgren Associates
917 South Lusk, Suite #300
Boise, ID 83706
208.342.3144

Thanks.
Doug Unger

The logo for Matrix Engineering, Inc. features the word "MATRIX" in large, bold, brown letters with a green tree graphic behind it. To the right, "ENGINEERING, INC." is written in smaller green letters. Below this, the tagline "(mä'triks') the point from which something originates or develops" is written in a smaller font. The address "1020 W. Main St., Ste. 100J, Boise, ID 83702" and contact information "Doug Unger, P.E. (c) 208.860.3127 Email: dunger@mat-eng.com" are listed below the logo.

1020 W. Main St., Ste. 100J, Boise, ID 83702
Doug Unger, P.E.
(c) 208.860.3127
Email: dunger@mat-eng.com

From: Sub Name Mail <subnamemail@adacounty.id.gov>
Sent: Tuesday, July 20, 2021 12:46 PM
To: dunger@mat-eng.com
Subject: RE: [EXTERNAL] FW: Skyline View Subdivision Name Request

Doug;
I don't have any current information for Kerry Albright.
Please send me his contact so I can include him in the reservation communications.



Glen Smallwood
Surveying Technician
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7926 office
(208) 287-7909 fax

From: dunger@mat-eng.com <dunger@mat-eng.com>
Sent: Monday, July 19, 2021 3:45 PM
To: Sub Name Mail <subnamemail@adacounty.id.gov>
Subject: RE: [EXTERNAL] FW: Skyline View Subdivision Name Request

Thanks Glen,
We will take the name as “**Newberry Place Subdivision**”
Kerry Albright, PLS – Forsgren Associates will be the surveyor of record.
We are currently refining the P-Plat and I will forward a copy to you thereafter, with PLS data.
Thanks again.
Doug Unger



From: Sub Name Mail <subnamemail@adacounty.id.gov>
Sent: Monday, July 19, 2021 3:10 PM
To: dunger@mat-eng.com
Subject: RE: [EXTERNAL] FW: Skyline View Subdivision Name Request

Doug;

Newberry Place is the only approvable name in the list.

The following information is also required prior to reserving a name;

- The name of the Professional Land Surveyor and firm that will be in responsible charge of the plat



Glen Smallwood
Surveying Technician
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7926 office
(208) 287-7909 fax

From: dunger@mat-eng.com <dunger@mat-eng.com>
Sent: Monday, July 19, 2021 12:01 PM
To: Sub Name Mail <subnamemail@adacounty.id.gov>
Cc: 'Dale Newberry' <dnewberry@cableone.net>; hmhconstructioncorp@gmail.com; 'elwin butler' <etroybutler@yahoo.com>; 'Ben Semple' <ben@reandpartners.com>
Subject: [EXTERNAL] FW: Skyline View Subdivision Name Request

CAUTION: This email originated from outside Ada County email servers. Do not click on links or open attachments unless you recognize the sender and know the content is safe. Verify the sender by mouse-hovering over their display name in order to see the sender's full email address and confirm it is not suspicious. If you are unsure an email is safe, please report the email by using the 'Phish Alert' button in Outlook.

Good morning Glen,

We are in the process of preparing/submitting the P-Plat Application for a planned 124 unit townhome project in Kuna on Ada Co. **Parcel S1303142000** (along Ten Mile Road and adjacent to Memory Ranch Sob. No. 1.

Please validate if one of the following names can be reserved for this purpose.

- Skyline View Subdivision
- Skyline View Estates
- Skyline Heights Subdivision
- Newberry Place Subdivision
- DJ Estates Subdivision

The names/contact information for the Owners/Developers follows:

Skyline Homes & Development, LLC
Dale Newberry
John Odom
3516 N. Black Butte Court
Nampa, ID 83687
Phone: 208.440.6751

Please provide confirmation of the available subdivision names + please contact me if you have any questions and/or require additional substantiation. Thank you.

Regards,
Doug Unger

**MATRIX** ENGINEERING, INC.
(mă'triks') the point from which something originates or develops
1020 W. Main St., Ste. 100J, Boise, ID 83702
Doug Unger, P.E.
(c) 208.860.3127
Email: dunger@mat-eng.com

DATE: 4/7/2022 2:23:18 PM
PLOT DATE: 4/7/2022 2:23:17 PM

FIRE DISTRICT:
KUNA FIRE DISTRICT
150 W. BOISE STREET
KUNA, ID 83634
(208) 922-1144

SEWER & WATER
CITY OF KUNA
6950 S. TEN MILE RD.
MERIDIAN, ID 83634
WATER (208) 287-1725
SEWER (208) 287-1729

PRESSURE IRRIGATION
CITY OF KUNA
6950 S. TEN MILE RD.
MERIDIAN, ID 83634
(208) 287-1725

ROADWAYS
ADA COUNTY HIGHWAY DISTRICT
3775 ADAMS STREET
GARDEN CITY, ID 83714
(208) 387-6100

POWER:
IDAHO POWER
1221 W. IDAHO ST.
BOISE, ID, 83702
(208) 388-2323

SCHOOL DISTRICT
KUNA SCHOOL DISTRICT
711 E. PORTER STREET
KUNA, ID 83634
(208) 922-1000

DEVELOPER
SKYLINE HOMES & DEVELOPMENT, LLC
3516 N. BLACK BUTTE CT.
NAMP, ID 83683
(208) 880-6437

CIVIL ENGINEER
MATRIX ENGINEERING, INC.
ALASKA BUILDING
1020 WEST MAIN ST.
SUITE 100J
BOISE, ID, 83702
(208) 860-3127

LAND SURVEYOR
FORSGREN ASSOCIATES INC.
917 S. LUSK ST. SUITE 300
BOISE, ID 83706
(208) 342-3144

PRELIMINARY PLAT SHOWING

NEWBERRY PLACE SUBDIVISION

LOCATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 3,
T. 2 N., R. 1 W., BOISE MERIDIAN,
CITY OF KUNA, ADA COUNTY, IDAHO
2022



80 40 0 80 160
SCALE: 1" = 80'

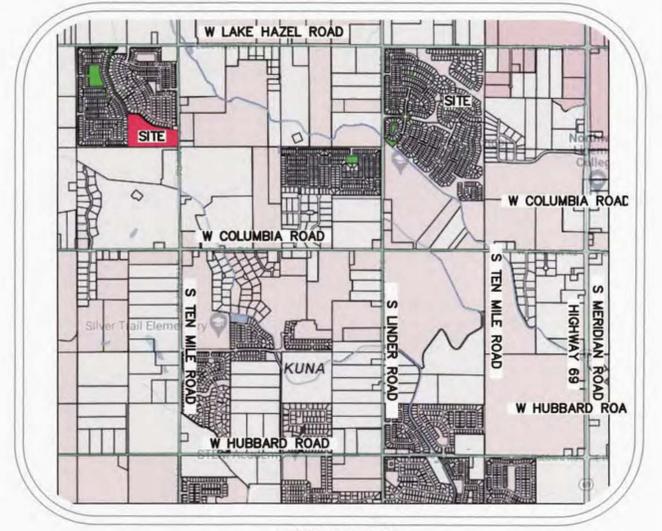
PRELIMINARY PLAT DATA

ZONING	R-8
COMPREHENSIVE PLAN DESIGNATION	RESIDENTIAL
AREA CALCULATIONS:	
RESIDENTIAL LOT AREA	9.000 ACRES
HOA/Common Area	2.591 ACRES
PUBLIC ROW/OPEN SPACE	5.070 ACRES
TOTAL AREA OF SITE	18.644 ACRES
SINGLE FAMILY RESIDENTIAL LOTS	98
HOA/Common LOTS	25
MINIMUM LOT AREA	3750 SQ. FT.
AVERAGE LOT AREA	3960 SQ. FT.
PERCENTAGE OF QUALIFIED OPEN SPACE	10.63%
GROSS DENSITY	5.31 UNIT/ACRE
NET DENSITY	7.29 UNIT/ACRE

LEGEND

- Boundary Line
- Boundary Line
- - - Section Line
- - - Lot Line
- - - Zero (0) Set Back Lot Line
- - - Easement Line
- Centerline
- Existing Building To Be Removed
- Proposed Club House Building
- Existing Overhead Power
- Existing Water Line
- Existing Sanitary Sewer
- Index Contour Line, Interval=5'
- Intermediate Contour Line, Interval=1'
- Found Brass Cap (As Noted)
- Found 5/8" Iron Pin (As Noted)
- Found 1/2" Iron Pin (As Noted)
- Power Pole
- Sanitary Sewer Manhole
- Water Valve
- Deciduous Tree

W. LAKE HAZEL RD.
T.2N., R.1W. 34, 35
P.2N., R.1W. 31, 2
ACHD. PLS 12087
CP&F INST. NO.



VICINITY MAP
NTS

GENERAL NOTES

- PER IDAHO CODE, SECTION 31-3805(1)(b), ALL LOTS WITHIN THIS SUBDIVISION SHALL RECEIVE IRRIGATION WATER FROM NAMP & MERIDIAN IRRIGATION DISTRICT. ALL LOTS WITHIN THIS SUBDIVISION WILL BE ENTITLED TO IRRIGATION RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS FROM THE CITY OF KUNA VIA NAMP & MERIDIAN IRRIGATION DISTRICT.
- LOT LINES COMMON TO A PUBLIC RIGHT OF WAY SHALL HAVE A PERMANENT TEN (10) FOOT WIDE PUBLIC UTILITY, CITY OF KUNA PRESSURE IRRIGATION AND LOT DRAINAGE EASEMENT.
- REAR LOT LINES SHALL HAVE A PERMANENT TEN (10) FOOT WIDE PUBLIC UTILITY, CITY OF KUNA PRESSURE IRRIGATION AND LOT DRAINAGE EASEMENT.
- ALL INTERIOR LOT LINES THAT ARE NOT ZERO (0) SETBACK LOT LINES (SEE LEGEND), SHALL HAVE A FIVE (5) FOOT WIDE PERMANENT PUBLIC UTILITY, CITY OF KUNA PRESSURE IRRIGATION AND LOT DRAINAGE EASEMENT ON EACH SIDE OF THE INTERIOR LOT LINE. ZERO (0) SETBACK LOT LINES (SEE LEGEND) HAVE NO SET BACKS OR EASEMENTS ADJACENT TO THEM.
- SITE STORM WATER RUNOFF SHALL BE RETAINED ON SITE. SEE NOTE 11. THE FOLLOWING LOTS INCLUDED BIORETENTION SWALES PER ACHD BMP 30 AND WILL BE MAINTAINED BY THE NEWBERRY PLACE HOA. LOTS 17, 30, AND 37, BLOCK 1, LOTS 1 AND 2, BLOCK 2, AND LOTS 2 AND 26, BLOCK 3.
- PUBLIC UTILITIES OWNED AND MAINTAINED BY THE CITY OF KUNA INCLUDE DOMESTIC WATER, SANITARY SEWER AND PRESSURE IRRIGATION. OTHER PUBLIC UTILITIES INCLUDE ELECTRIC POWER, NATURAL GAS, TELEPHONE, AND CABLE.
- THE HARRIS CANAL HAS A 20-FOOT WIDE EASEMENT FROM CENTERLINE OF THE CANAL. LOT 1, BLOCK 1 AND LOT 47, BLOCK 3 INCLUDES THIS EASEMENT AND WILL BE MAINTAINED BY THE NEWBERRY PLACE HOA.
- LOT 47, BLOCK 3, INCLUDES A 5-FOOT WIDE EASEMENT TO BE OWNED AND MAINTAINED BY THE NEWBERRY PLACE HOA, FOR USE ALONG THE HARRIS CANAL AND FOR IRRIGATION PIPE.
- LOT 10, BLOCK 3 IS HEREBY RESERVED FOR THE NEWBERRY PLACE HOMEOWNERS ASSOCIATION. THIS IS A BUILDABLE LOT FOR A MAINTENANCE AND OPERATIONS BUILDING, IF REQUIRED, OTHERWISE, WILL BE LANDSCAPED AND MAINTAINED BY THE HOA AS OPEN SPACE.
- LOT 5, BLOCK 2 IS A LOT TO BE USED FOR A SANITARY SEWER LIFT STATION AND WILL BE OWNED AND MAINTAINED BY THE NEWBERRY PLACE HOA.
- LOT 7, BLOCK 1, LOTS 11 AND 32 BLOCK 3 INCLUDE DRIVEWAY ACCESS AND UTILITY EASEMENTS.
- BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY OF KUNA AT THE TIME OF OBTAINING THE BUILDING PERMIT.
- ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN AFFECT AT THE TIME OF THE RE-SUBDIVISION.
- THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES, "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITION IN OR ABOUT THE SURROUNDING NON-AGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION FACILITY, OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED IN PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
- COMMON LOTS INCLUDE LOTS 1, 4, 7, 17, 30 & 37, BLOCK 1, LOTS 1, 2, 5, & 12, BLOCK 2, LOTS 1, 2, 10, 11, 12, 19, 26, 32, 39, 45, 46, & 47, BLOCK 3 & LOTS 1, 8, & 15, BLOCK 4 ARE NON-BUILDABLE LOTS, EXCEPT AS MENTIONED IN NOTES 9 & 10, TO BE OWNED AND MAINTAINED BY THE NEWBERRY PLACE HOMEOWNERS ASSOCIATION.
- LOT 12, 19, & 45, BLOCK 3 & LOT 8, BLOCK 4 ARE CONSIDERED QUALIFIED OPEN SPACE AND WILL BE MAINTAINED BY NEWBERRY PLACE HOMEOWNERS ASSOCIATION AS STATED IN NOTE 15.
- ALL ROADS IN THIS SUBDIVISION WILL BE PUBLIC ROADS.
- CONTOUR VERTICAL DATUM IS NAVD 88, DERIVED FROM AN OPUS SOLUTION.

CERTIFICATE OF SURVEYOR

I, KERRY R. ALBRIGHT, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

KERRY R. ALBRIGHT
12720
STATE OF IDAHO
LICENSE NO. 12720

PRELIMINARY PLAT OF NEWBERRY PLACE SUBDIVISION

LOCATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 3, T. 2 N., R. 1 W., BOISE MERIDIAN, CITY OF KUNA, ADA COUNTY, IDAHO

FORSGREN
Associates, Inc.
917 SOUTH LUSK STREET, SUITE 300, BOISE, ID 83706
PH: 208.342.3144 FAX: 208.348.0819

DATE: APRIL, 2022
SCALE: 1" = 80'
DR: AL
CK: KRA
SHEET: 1 OF 2

PREPARATION DATE: 4/7/2022 2:23:18 PM

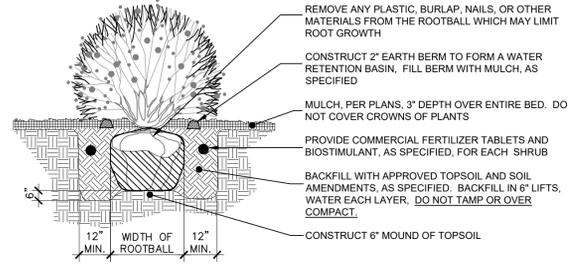
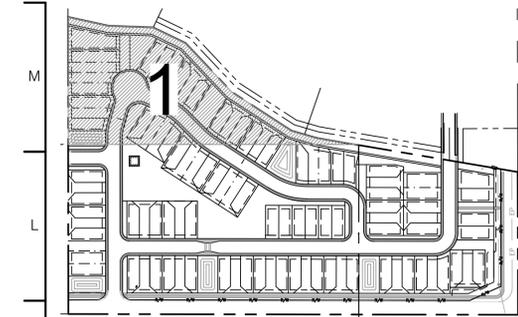


CE 1/16 CORNER
SECTION 3
5/8" CAP

NOT A PART
UNPLATTED

1/4 CORNER
ACHD. PLS 12087
CP&F INST. NO.
2019-004529

P:\22116 - Newberry Place\CAD\Survey\Drawings\22116 NEWBERRY PRELIM PLAT 4-6-22 Update.dwg, 4/7/2022 2:27 PM KALBRIGHT



- NOTES:**
- SHRUB SHALL BEAR SAME RELATIONSHIP TO GRADE AS IT DID IN NURSERY.
 - WATER SHRUB TWICE WITHIN FIRST 24 HOURS.
 - THIN BRANCHES AND FOLIAGE BY 1/2.
 - DO NOT CUT LEADERS TO RETAIN NATURAL SHRUB SHAPE.
 - FOR CONTAINER GROWN PLANTS THAT ARE ROOTBOUND, SPLIT THE ROOTBALL WITH 3 EQUAL SPACED VERTICAL CUTS.

1 SHRUB PLANTING NOT TO SCALE

LANDSCAPE REQUIREMENTS

CITY OF KUNA, IDAHO CODE - TITLE 5, CHAPTERS 5 AND 17 AND TITLE 6.

TOTAL LANDSCAPE AREA: 177,818 S.F. (21.9% OF SITE)

MINIMUM PLANT SIZES SHALL BE USED:
 SHADE TREES: 2 INCH CALIPER
 ORNAMENTAL TREES: 2 INCH CALIPER
 EVERGREEN TREES: 6 FOOT HEIGHT
 WOODY SHRUBS: 2 GALLON POT

ALL LANDSCAPE BUFFERS SHALL BE PLANTED WITH TREES AND SHRUBS, LAWN, OR OTHER VEGETATIVE GROUNDCOVER, WITH THE FOLLOWING PER 100 LINEAR FEET: 2 SHADE TREES, 3 EVERGREEN, AND 12 SHRUBS. SHADE TREES MAY BE SUBBED WITH 2 ORNAMENTAL, NOT MORE THAN 50% OF SHADE ARE SUBBED. 60% OF PLANT MATERIAL SHALL BE EVERGREEN.

LANDSCAPE BUFFERS:
 1156 L.F. OF ROAD FRONTAGE - SOUTH (W. BUTTERFLY ST.)
 REQUIRED SHADE: 23
 REQUIRED EVERGREEN: 35
 REQUIRED SHRUBS: 139
 PROVIDED SHADE: 23
 PROVIDED EVERGREEN: 35
 PROVIDED SHRUBS: 141

344 L.F. OF ROAD FRONTAGE - EAST (S. TEN MILE RD.)
 REQUIRED SHADE: 8
 REQUIRED EVERGREEN: 10
 REQUIRED SHRUBS: 41
 PROVIDED SHADE: 8
 PROVIDED EVERGREEN: 12
 PROVIDED SHRUBS: 42

COMMON LOTS:
 LAWN AND MINIMUM 1 SHADE TREE PER 800 S.F., HALF OF SHADE TREES MAY BE SUBBED ON A 2:1 BASIS WITH ORNAMENTAL/EVERGREEN TREES.

A MINIMUM OF (1) 2" CALIPER TREE SHALL BE PLANTED ON EACH LOT WITHIN THE SUB.

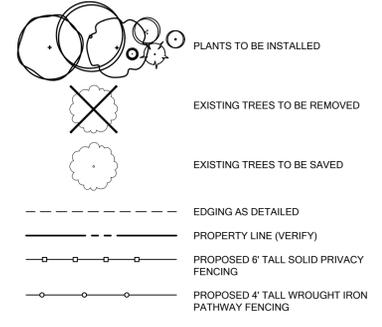
TOTAL NUMBER OF TREE SPECIES REQUIRED: 5
 TOTAL NUMBER OF TREE SPECIES PROPOSED: 17

ALL LANDSCAPED AREAS SHALL BE PROVIDED WITH AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM.

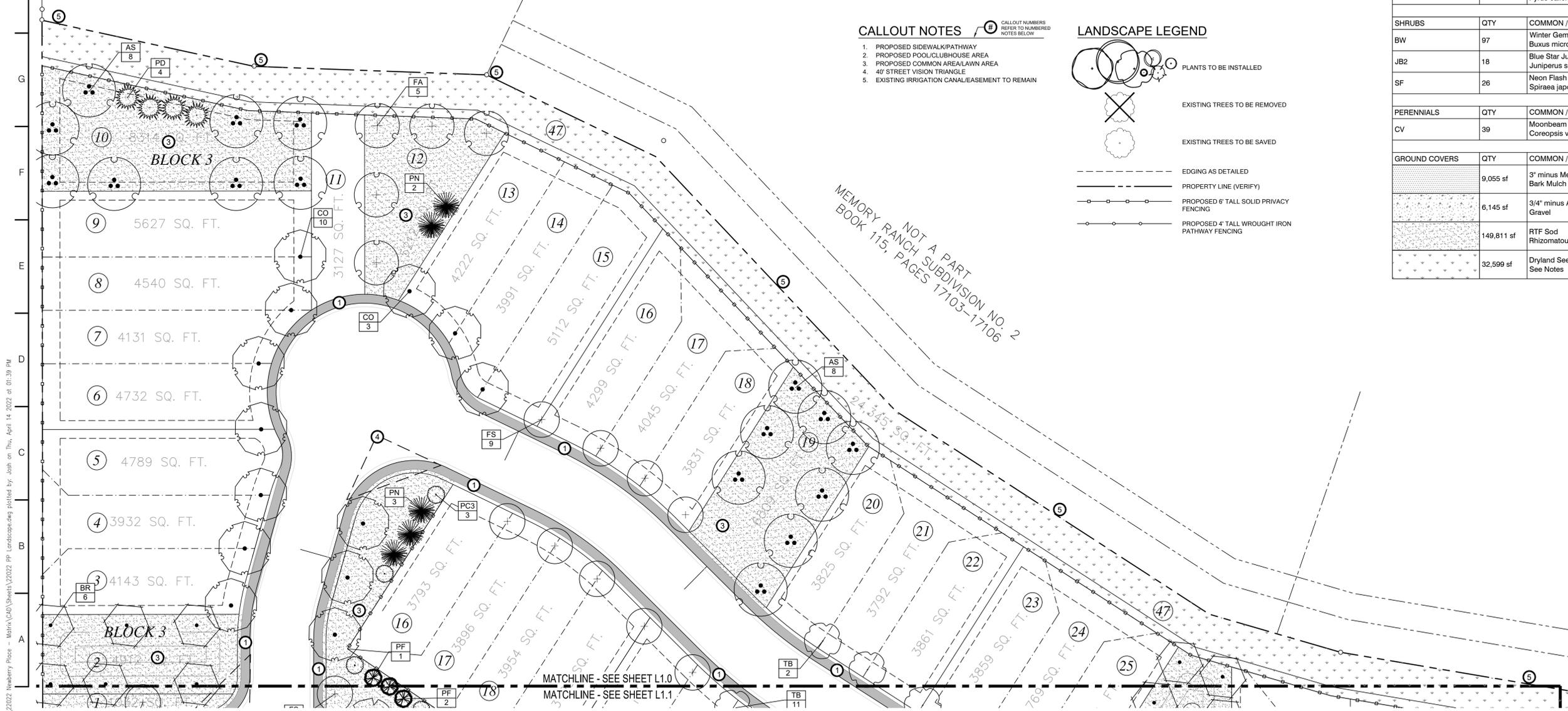
CALLOUT NOTES

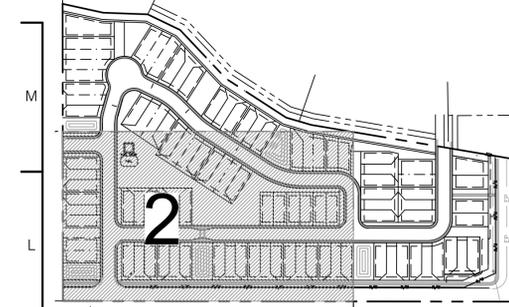
- PROPOSED SIDEWALK/PATHWAY
- PROPOSED POOL/CLUBHOUSE AREA
- PROPOSED COMMON AREA/LAWN AREA
- 40' STREET VISION TRIANGLE
- EXISTING IRRIGATION CANAL/EASEMENT TO REMAIN

LANDSCAPE LEGEND



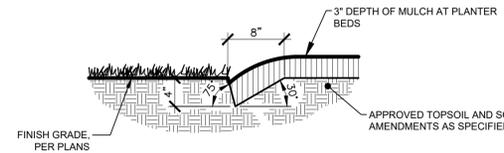
PLANT SCHEDULE					
COMMON / BOTANICAL NAME	QTY	SIZE	NOTES	CLASS	
CONIFEROUS TREES					
JS Skyrocket Juniper Juniperus scopulorum 'Skyrocket'	19	6' Ht.	20' H x 3' W		
PC6 Columnar Norway Spruce Picea abies 'Cupressina'	28	6' Ht.	25' H x 6' W		
PD Black Hills Spruce Picea glauca 'Densata'	23	6' Ht.	45' H x 20' W		
PF Vanderwolf's Pyramid Pine Pinus flexilis 'Vanderwolf's Pyramid'	22	6' Ht.	40' H x 20' W		
PN Austrian Pine Pinus nigra	13	6' Ht.	55' H x 30' W		
DECIDUOUS TREES					
AS Sienna Glen Maple Acer x freemantii 'Sienna'	16	2" Cal. B&B	50' H x 35' W	Class II	
BR River Birch Betula nigra	35	2" Cal. B&B	40' H x 35' W	Class II	
CO Common Hackberry Celtis occidentalis	33	2" Cal. B&B	45' H x 35' W	Class II	
FA Cimmarron Ash Fraxinus pennsylvanica 'Cimmzam' TM	7	2" Cal. B&B	50' H x 30' W	Class II	
FS Summit Green Ash Fraxinus pennsylvanica 'Summit'	83	2" Cal. B&B	45' H x 25' W	Class II	
GI Skyline Honeylocust Gleditsia triacanthos 'Skycole'	10	2" Cal. B&B	45' H x 35' W	Class II	
LW Worplesdon Sweetgum Liquidambar styraciflua 'Worplesdon'	15	2" Cal. B&B	40' H x 25' W	Class II	
LT Tulip Tree Liriodendron tulipifera	6	2" Cal. B&B	60' H x 30' W	Class II	
QM Bur Oak Quercus macrocarpa	8	2" Cal. B&B	55' H x 45' W	Class II	
TB Boulevard American Linden Tilia americana 'Boulevard'	24	2" Cal. B&B	50' H x 25' W	Class II	
FLOWERING TREES					
CC Eastern Redbud Cercis canadensis	7	2" Cal. B&B	25' H x 30' W	Class I	
PC3 Chanticleer Pear Pyrus calleryana 'Glen's Form' TM	17	2" Cal. B&B	40' H x 15' W	Class II	
SHRUBS					
BW Winter Gem Boxwood Buxus microphylla japonica 'Winter Gem'	97	5 gal.	5' H x 5' W		
JB2 Blue Star Juniper Juniperus squamata 'Blue Star'	18	2 gal.	2' H x 4' W		
SF Neon Flash Spiraea Spiraea japonica 'Neon Flash'	26	2 gal.	3' H x 3' W		
PERENNIALS					
CV Moonbeam Threadleaf Coreopsis Coreopsis verticillata 'Moonbeam'	39	1 gal.	1.5' H x 2' W		
GROUND COVERS					
9,055 sf 3" minus Medium Bark Mulch Bark Mulch					
6,145 sf 3/4" minus Angular Stone Gravel					
149,811 sf RTF Sod Rhizomatous Tall Fescue					
32,599 sf Dryland Seed Mix See Notes					



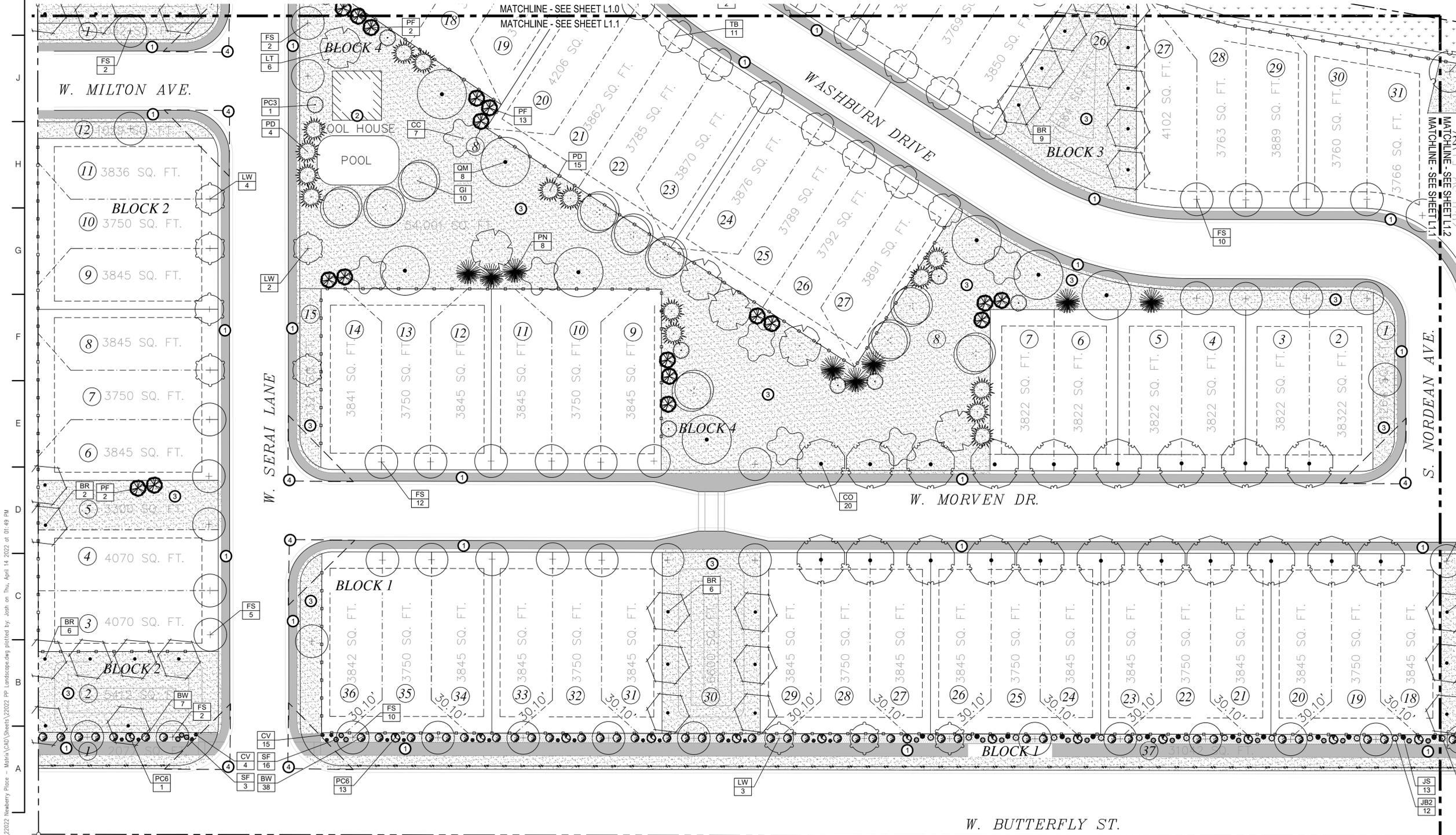
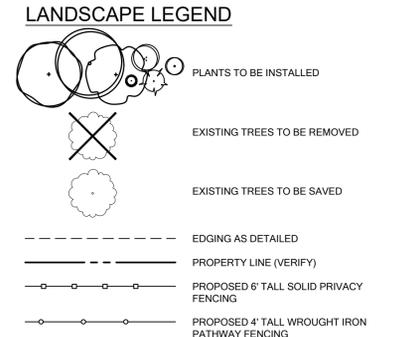


IRRIGATION NOTES:

- ALL LANDSCAPED AREAS SHALL HAVE AN AUTOMATIC UNDERGROUND SPRINKLER SYSTEM WHICH INSURES COMPLETE COVERAGE AND PROPERLY ZONED FOR REQUIRED WATER USES. EACH HYDROZONE IS TO BE IRRIGATED WITH SEPARATE INDIVIDUAL STATIONS.
- PLANTER BEDS AND LAWN AREAS ARE TO HAVE SEPARATE HYDRO-ZONES.
- POP-UP SPRINKLER HEADS SHALL HAVE A MINIMUM RISER HEIGHT OF 4 INCHES AT LAWN AREAS.
- PLANTER BEDS ARE TO HAVE DRIP IRRIGATION SYSTEM OR POP-UP SPRAY SYSTEM.
- ELECTRONIC WATER DISTRIBUTION/TIMING CONTROLLERS ARE TO BE PROVIDED. MINIMUM CONTROLLER REQUIREMENTS ARE AS FOLLOWS:
 - PRECISE INDIVIDUAL STATION TIMING
 - RUN TIME CAPABILITIES FOR EXTREMES IN PRECIPITATION RATES
 - AT LEAST ONE PROGRAM FOR EACH HYDROZONE
 - SUFFICIENT MULTIPLE CYCLES TO AVOID WATER RUN-OFF
 - POWER FAILURE BACKUP FOR ALL PROGRAMMED INDIVIDUAL VALVED WATERING STATIONS
- INDIVIDUAL VALVED WATERING STATIONS WILL BE DESIGNED AND INSTALLED TO PROVIDE WATER TO RESPECTIVE HYDRO-ZONES.
- THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE 100% HEAD TO HEAD COVERAGE WITH TRIANGULAR SPACING.
- SPRINKLER HEADS SHALL BE ADJUSTED TO REDUCE OVERSPRAY ONTO IMPERVIOUS SURFACES (BUILDINGS, SIDEWALKS, DRIVEWAYS, AND ASPHALT AREAS).



- CALLOUT NOTES**
- PROPOSED SIDEWALK/PATHWAY
 - PROPOSED POOL/CLUBHOUSE AREA
 - PROPOSED COMMON AREA/LAWN AREA
 - 40' STREET VISION TRIANGLE



NO.	REVISION/ISSUE	DATE

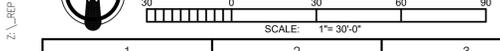


NEWBERRY PLACE SUBDIVISION
S. TEN MILE RD.
KUNA, IDAHO
SUBDIVISION

PRE-PLAT LANDSCAPE PLAN - AREA 2

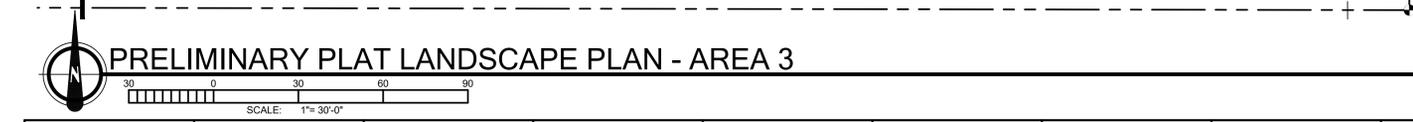
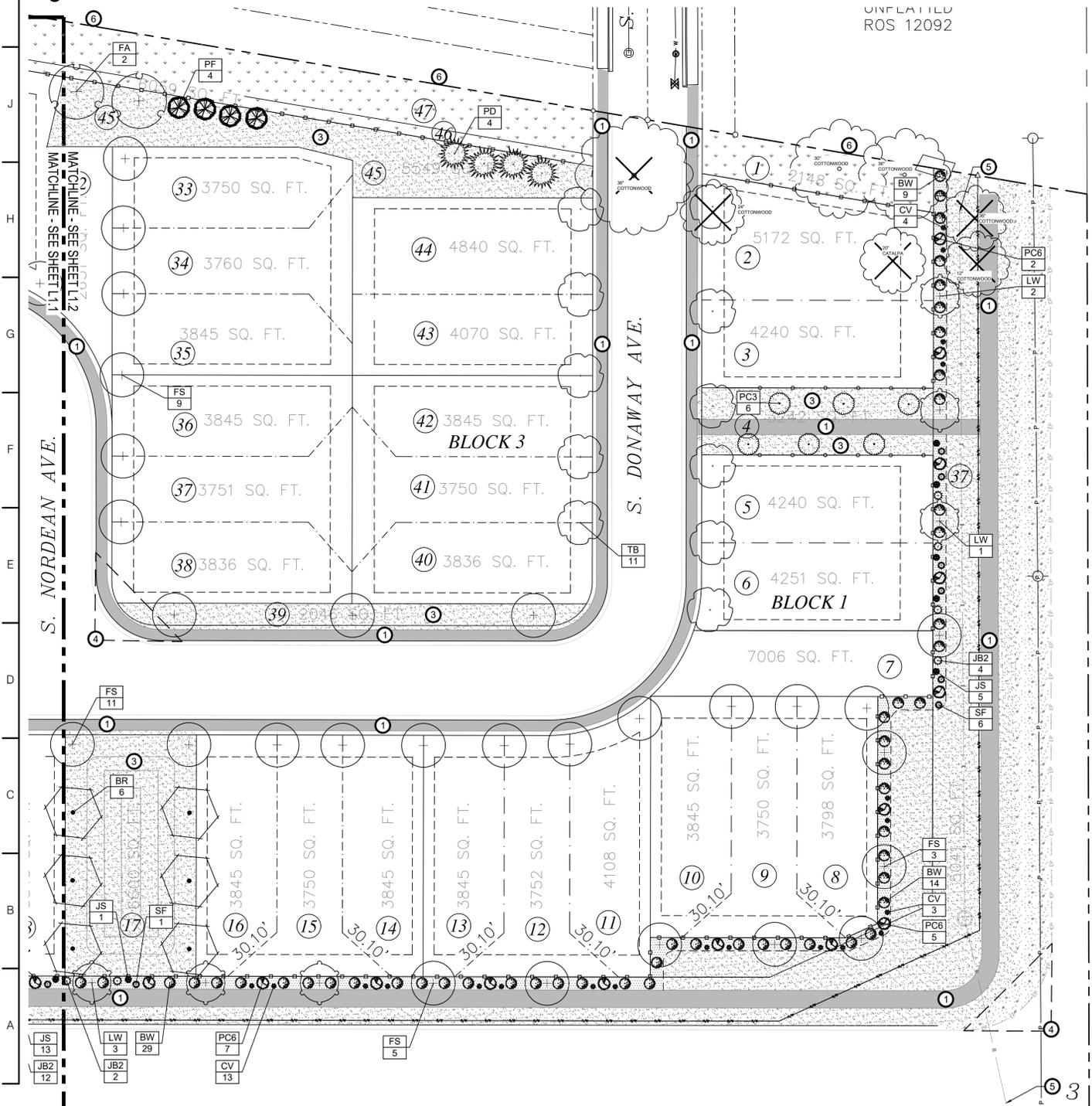
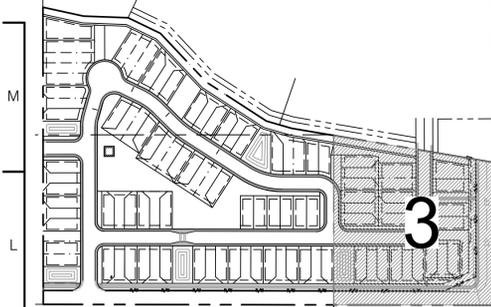
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DATE	04/14/22		
DRAWN BY	JR	CHECKED BY	JR

PRELIMINARY PLAT LANDSCAPE PLAN - AREA 2



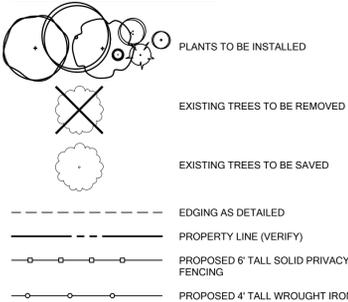
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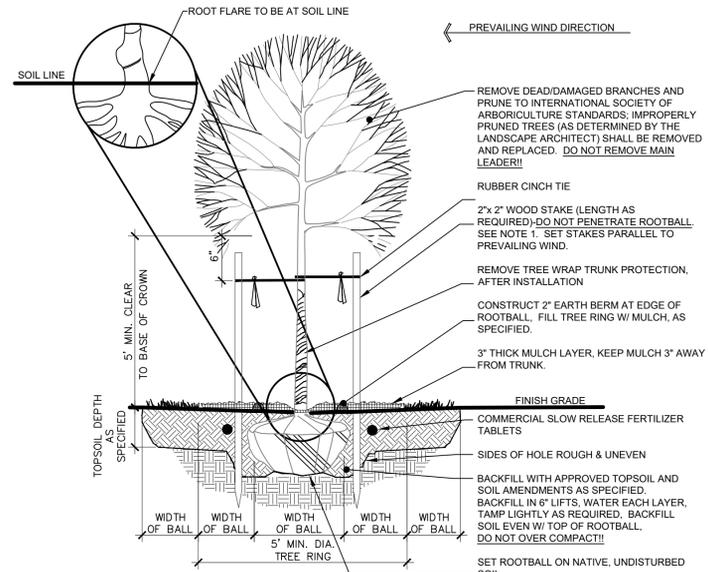
PRELIMINARY PLAT LANDSCAPE PLAN - AREA 3

LANDSCAPE LEGEND



CALLOUT NOTES

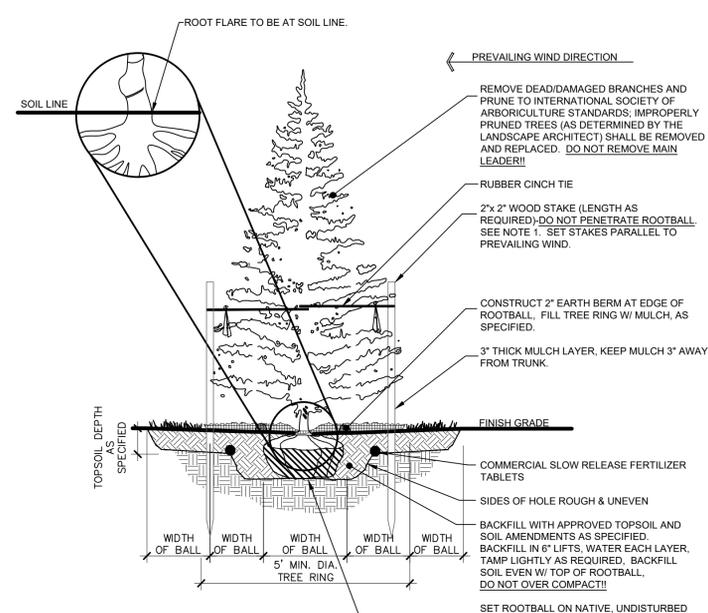
- PROPOSED SIDEWALK/PATHWAY
- PROPOSED POOL/CLUBHOUSE AREA
- PROPOSED COMMON AREA/LAWN AREA
- 40' STREET VISION TRIANGLE
- PROPOSED GRAVITY IRRIGATION PIPE
- EXISTING IRRIGATION CANAL/EASEMENT TO REMAIN



NOTES:

- REMOVE BURLAP, TWINE, AND WIRE BASKET FROM TOP 1/2 OF ROOTBALL. REMOVE ALL NAILS, TIES, AND PLASTIC FROM ROOTBALL. IF SYNTHETIC BURLAP IS UTILIZED TO WRAP THE ROOTBALL, IT SHALL BE COMPLETELY REMOVED. ONLY BIODEGRADABLE BURLAP SHALL BE LEFT ON THE BOTTOM OF THE ROOTBALL.
- THE STAKING OF TREES IS TO BE THE CONTRACTOR'S OPTION; HOWEVER, THE CONTRACTOR IS RESPONSIBLE TO ENSURE THAT ALL TREES ARE PLANTED STRAIGHT AND THAT THEY REMAIN STRAIGHT FOR LENGTH OF WARRANTY PERIOD OR 1 YEAR AFTER SUBSTANTIAL COMPLETION WHICHEVER IS GREATER. ALL STAKING SHALL BE REMOVED AT THE END OF THE WARRANTY PERIOD.
- IN THE EVENT OF A QUESTION OR LACK OF CLARITY ON THE DRAWINGS, THE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT BEFORE PROCEEDING.
- LANDSCAPE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT AND OWNER PRIOR TO INSTALLATION OF PLANT MATERIAL.
- WRAP RUBBER CINCH TIES AROUND THE TREE TRUNKS AND STAKES USING EITHER THE STANDARD OR FIGURE EIGHT TYING METHOD. SECURE THE TIES TO THE STAKES WITH GALVANIZED NAILS TO PREVENT SLIPPAGE.
- WATER TREE TWICE WITHIN THE FIRST 24 HOURS.
- IN THE EVENT HARDPAN SOILS PREVENT TREE PLANTING AS DETAILED, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY. FOR TREES LOCATED WITHIN ROADSIDE PLANTERS LESS THAN 8'-0" IN WIDTH, PROVIDE TREE ROOT BARRIER (DEEPROOF #24-2 OR APPROVED EQUAL). LOCATE ROOT BARRIER AT BACK OF CURB AND EDGE OF SIDEWALK. ALL TREE INSTALLATIONS SHALL CONFORM TO ALL AGENCY APPROVAL REQUIREMENTS. CONTRACTOR SHALL VERIFY PRIOR TO ANY INSTALLATIONS.

1 DECIDUOUS TREE PLANTING NOT TO SCALE



NOTES:

- REMOVE BURLAP, TWINE, AND WIRE BASKET FROM TOP 1/2 OF ROOTBALL. REMOVE ALL NAILS, TIES, AND PLASTIC FROM ROOTBALL. IF SYNTHETIC BURLAP IS UTILIZED TO WRAP THE ROOTBALL, IT SHALL BE COMPLETELY REMOVED. ONLY BIODEGRADABLE BURLAP SHALL BE LEFT ON THE BOTTOM OF THE ROOTBALL.
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- IN THE EVENT OF A QUESTION OR LACK OF CLARITY ON THE DRAWINGS, THE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT BEFORE PROCEEDING.
- LANDSCAPE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT AND OWNER PRIOR TO INSTALLATION OF PLANT MATERIAL.
- WRAP RUBBER CINCH TIES AROUND THE TREE TRUNKS AND STAKES USING EITHER THE STANDARD OR FIGURE EIGHT TYING METHOD. SECURE THE TIES TO THE STAKES WITH GALVANIZED NAILS TO PREVENT SLIPPAGE.
- WATER TREE TWICE WITHIN THE FIRST 24 HOURS.
- IN THE EVENT HARDPAN SOILS PREVENT TREE PLANTING AS DETAILED, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY.

2 CONIFEROUS TREE PLANTING NOT TO SCALE

PLANT SCHEDULE					
CONIFEROUS TREES	QTY	COMMON / BOTANICAL NAME	SIZE	NOTES	CLASS
JS	19	Skyrocket Juniper Juniperus scopulorum 'Skyrocket'	6' Ht.	20' H x 3' W	
PC6	28	Columnar Norway Spruce Picea abies 'Cupressina'	6' Ht.	25' H x 6' W	
PD	23	Black Hills Spruce Picea glauca 'Densata'	6' Ht.	45' H x 20' W	
PF	22	Vanderwolf's Pyramid Pine Pinus flexilis 'Vanderwolf's Pyramid'	6' Ht.	40' H x 20' W	
PN	13	Austrian Pine Pinus nigra	6' Ht.	55' H x 30' W	

DECIDUOUS TREES					
COMMON / BOTANICAL NAME	QTY	COMMON / BOTANICAL NAME	SIZE	NOTES	CLASS
Sienna Glen Maple Acer x freemanii 'Sienna'	16	AS	2" Cal. B&B	50' H x 35' W	Class II
River Birch Betula nigra	35	BR	2" Cal. B&B	40' H x 35' W	Class II
Common Hackberry Celtis occidentalis	33	CO	2" Cal. B&B	45' H x 35' W	Class II
Cimmaron Ash Fraxinus pennsylvanica 'Cimmaron' TM	7	FA	2" Cal. B&B	50' H x 30' W	Class II
Summit Green Ash Fraxinus pennsylvanica 'Summit'	83	FS	2" Cal. B&B	45' H x 25' W	Class II
Skyline Honeylocust Gleditsia triacanthos 'Skycole'	10	GI	2" Cal. B&B	45' H x 35' W	Class II
Worplesdon Sweetgum Liquidambar styraciflua 'Worplesdon'	15	LW	2" Cal. B&B	40' H x 25' W	Class II
Tulip Tree Liriodendron tulipifera	6	LT	2" Cal. B&B	60' H x 30' W	Class II
Bur Oak Quercus macrocarpa	8	QM	2" Cal. B&B	55' H x 45' W	Class II
Boulevard American Linden Tilia americana 'Boulevard'	24	TB	2" Cal. B&B	50' H x 25' W	Class II

FLOWERING TREES					
COMMON / BOTANICAL NAME	QTY	COMMON / BOTANICAL NAME	SIZE	NOTES	CLASS
Eastern Redbud Cercis canadensis	7	CC	2" Cal. B&B	25' H x 30' W	Class I
Chanticleer Pear Pyrus calleryana 'Glen's Form' TM	17	PC3	2" Cal. B&B	40' H x 15' W	Class II

SHRUBS					
COMMON / BOTANICAL NAME	QTY	COMMON / BOTANICAL NAME	SIZE	NOTES	CLASS
Winter Gem Boxwood Buxus microphylla japonica 'Winter Gem'	97	BW	5 gal.	5' H x 5' W	
Blue Star Juniper Juniperus squamata 'Blue Star'	18	JB2	2 gal.	2' H x 4' W	
Neon Flash Spirea Spiraea japonica 'Neon Flash'	26	SF	2 gal.	3' H x 3' W	

PERENNIALS					
COMMON / BOTANICAL NAME	QTY	COMMON / BOTANICAL NAME	SIZE	NOTES	CLASS
Moonbeam Threadleaf Coreopsis Coreopsis verticillata 'Moonbeam'	39	CV	1 gal.	1.5' H x 2' W	

GROUND COVERS					
COMMON / BOTANICAL NAME	QTY	COMMON / BOTANICAL NAME	SIZE	NOTES	CLASS
3" minus Medium Bark Mulch	9,055 sf				
3/4" minus Angular Stone Gravel	6,145 sf				
RTF Sod Rhizomatous Tall Fescue	149,811 sf				
Dryland Seed Mix See Notes	32,599 sf				



NEWBERRY PLACE SUBDIVISION
S. TEN MILE RD.
KUNA, IDAHO
SUBDIVISION

PRE-PLAT LANDSCAPE PLAN - AREA 3	
PROJECT: 22022	SHEET: L1.2
DATE: 04/14/22	
DRAWN BY: JR	CHECKED BY: JR

PRELIMINARY PLAT - NOT FOR CONSTRUCTION

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NEWBERRY PLACE SUBDIVISION
DECLARATION OF MAINTENANCE COVENANT

THIS DECLARATION OF MAINTENANCE COVENANT (the “Declaration”) is executed by NEWBERRY PLACE HOMEOWNER’S ASSOCIATION (“Declarant”) and recorded against that certain real property owned by Declarant set forth on EXHIBIT A, attached hereto, and incorporated herein by reference (the “Property”).

Declarant hereby declares that, for so long as the Property continues to be used as a single-family residential development, it shall be held, leased, occupied, used, and improved subject to the following covenants and conditions, all of which are for the purpose of uniformly enhancing and protecting the value, attractiveness, and desirability of the Property.

1. Declarant shall cause to be maintained all of the Improvements in a reasonable manner. Said Improvements include but are not limited to the landscaping, private road, and pressure irrigation system. No Improvement shall be permitted to fall into disrepair, and each Improvement shall at all times be kept in good condition and repair.
2. Declarant shall cause to be maintained all of the landscaping improvements installed by Declarant and constructed throughout the Property and any greenscape areas located on the Property in a reasonable manner, including but not limited to repairing and replacing, when necessary, automatic sprinkler systems and water lines, and replacing of shrubs, trees, and other landscaping when necessary.
3. Declarant shall cause any erosion control and other similar features, including but not limited to, retaining walls and other similar features, on the Property to be maintained in a reasonable manner and in compliance with all applicable laws and regulations.
4. Declarant shall cause any Declarant installed area drains, or storm water systems (not including any such systems owned by the legal responsibility or parties other than the Declarant but located on the Property) to be maintained in a reasonable manner and in compliance with all applicable laws and regulations.
5. Declarant shall cause all fences installed by it on the Property to be maintained, repaired, and replaced, when necessary, in a commercially reasonable manner.
6. Declarant may employ or contract with any professional management company or service provider deemed appropriate by it to perform any or all of the covenants and conditions set forth in this Declaration or to otherwise assist in the maintenance and management of the Property.
7. Declarant may grant any and all easements, whether permanent or temporary, exclusive or non-exclusive, in its sole and absolute discretion in order to perform any or all of the covenants or conditions set forth hereunder or to otherwise manage the Property in a commercially reasonable manner.
8. Declarant may institute and impose any rules, regulations or policies not prohibited by law on any occupants of the Property in order to accomplish the goals of this Declaration or otherwise manage the Property in commercially reasonable manner deemed appropriate by Declarant.
9. Nothing in this Declaration shall be deemed to be a gift or dedication of the Property, or any portion thereof, to the public, or for any public use.

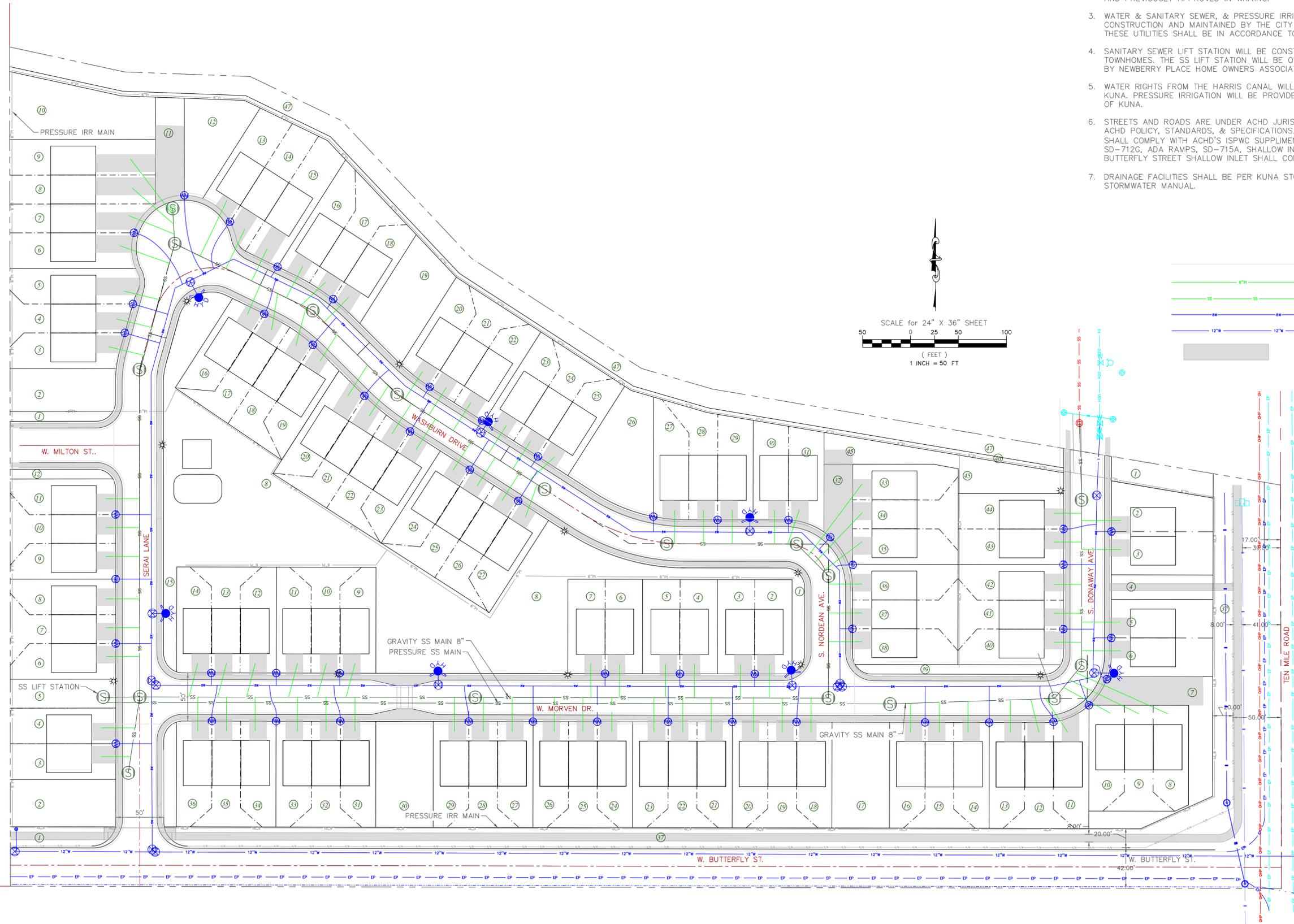
10. Every person who occupies or acquires any right to use any portion of this Property does and shall be conclusively deemed to consent to this Declaration and the covenants, conditions and provisions set forth herein.
11. Amendment of this Declaration may be undertaken by Declarant or its successors in interest to the Property so long as such amendment does not violate any legally binding provisions of any recorded Development Agreement, or any state or local ordinance or law.
12. Declarant makes no representations or warranties to any third party of any kind, express or implied, with respect to the Property, its physical condition, its fitness for any intended use or purpose, its compliance with any laws or regulations except as is specifically set forth and stated in this Declaration.
13. This Declaration will run with the land and be binding upon and inure to the benefit of the Declarant and any and all successors in interest of Declaration to the ownership of the Property.
14. In the event that Declaration or any successor in interest is composed of more than one person or organization, the obligations of said Declarant shall be joint and several.
15. This Declaration and any amendment or modification shall be recorded in the land records of Ada County Idaho.

PRELIMINARY PLAT FOR NEWBERRY PLACE SUBDIVISION ENGINEERING CONCEPT, UTILITIES

LOCATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 3,
TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN
CITY OF KUNA, ADA COUNTY, IDAHO, 2022

GENERAL NOTES

1. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN APPROXIMATE LOCATIONS. COMPLIANCE WITH IDAHO CODE, CHAPTER 22, TITLE 55 REGARDING UNDERGROUND FACILITIES DAMAGE PREVENTION WILL BE REQUIRED. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR SHALL CONTACT DIGLINE AT [HTTP://WWW.DIGLINE.COM/REQUEST-A-LOCATE](http://www.digline.com/request-a-locate) OR CALL (811) 48 HOURS PRIOR TO DIGGING.
2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION (I.S.P.W.C.), THE CITY OF KUNA SPECIFICATIONS AND/OR ACHD POLICY & STANDARDS. NO EXCEPTIONS TO POLICY, STANDARDS OR SPECIFICATION WILL BE ALLOWED UNLESS SPECIFICALLY AND PREVIOUSLY APPROVED IN WRITING.
3. WATER & SANITARY SEWER, & PRESSURE IRRIGATION WILL BE ACCEPTED AFTER CONSTRUCTION AND MAINTAINED BY THE CITY OF KUNA. CONSTRUCTION OF THESE UTILITIES SHALL BE IN ACCORDANCE TO THE APPROVED PLANS.
4. SANITARY SEWER LIFT STATION WILL BE CONSTRUCTED TO ACCOMODATE 80 TOWNHOMES. THE SS LIFT STATION WILL BE OWNED, OPERATED AND MAINTAINED BY NEWBERRY PLACE HOME OWNERS ASSOCIATION.
5. WATER RIGHTS FROM THE HARRIS CANAL WILL BE TRANSFERRED TO THE CITY OF KUNA. PRESSURE IRRIGATION WILL BE PROVIDED AND MAINTAINED BY THE CITY OF KUNA.
6. STREETS AND ROADS ARE UNDER ACHD JURISDICTION AND SHALL COMPLY TO ACHD POLICY, STANDARDS, & SPECIFICATIONS. INTERNAL STREETS & ADA RAMPS SHALL COMPLY WITH ACHD'S ISPCW SUPPLEMENTAL STANDARD DRAWINGS: SD-712G, ADA RAMPS, SD-715A, SHALLOW INLETS, & SD-708, VALLEY GUTTER. BUTTERFLY STREET SHALLOW INLET SHALL COMPLY WITH SD-715.
7. DRAINAGE FACILITIES SHALL BE PER KUNA STORMWATER POLICY AND ACHD'S STORMWATER MANUAL.



DATE	NO.	REVISION	APP'D

PREPARED FOR:
SKYLINE HOMES & DEVELOPMENT, LLC
 2501 E. STATE AVE. STE 110
 MERIDIAN, ID 83642
 (833) 464-2667

ENGINEERING CONCEPT, UTILITIES
NEWBERRY PLACE
 KUNA, ADA COUNTY, IDAHO

DATE
04/07/2022
 SHEET
C01

PRELIMINARY PLAT FOR NEWBERRY PLACE SUBDIVISION ENGINEERING CONCEPT-BUTTERFLY STREET TEN MILE ROAD TYPICAL SECTION BUTTERFLY ROAD TYPICAL SECTION & HARRIS CANAL GAVITY RCP RE-LOCATION SOUTH OF 7015 S. TEN MILE RD.



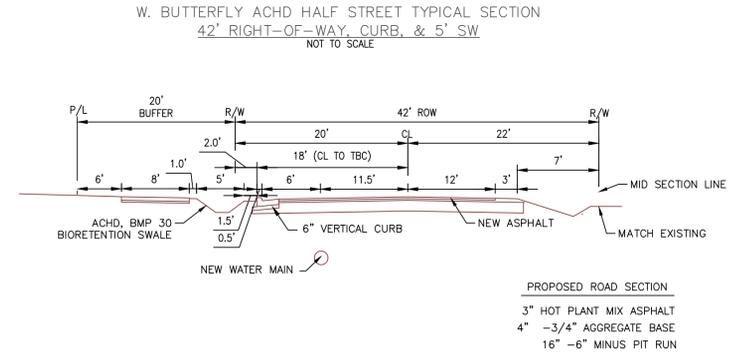
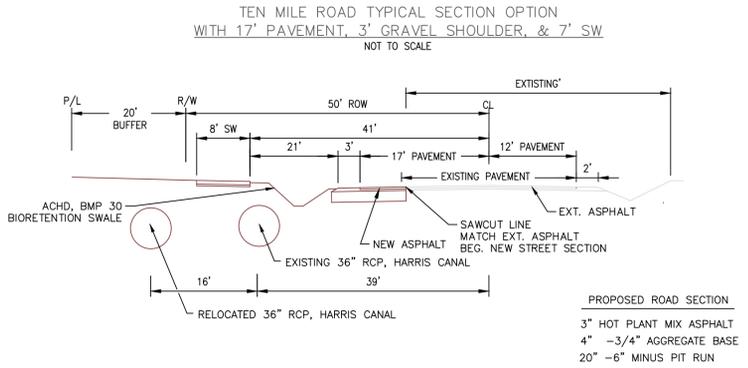
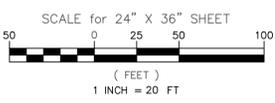
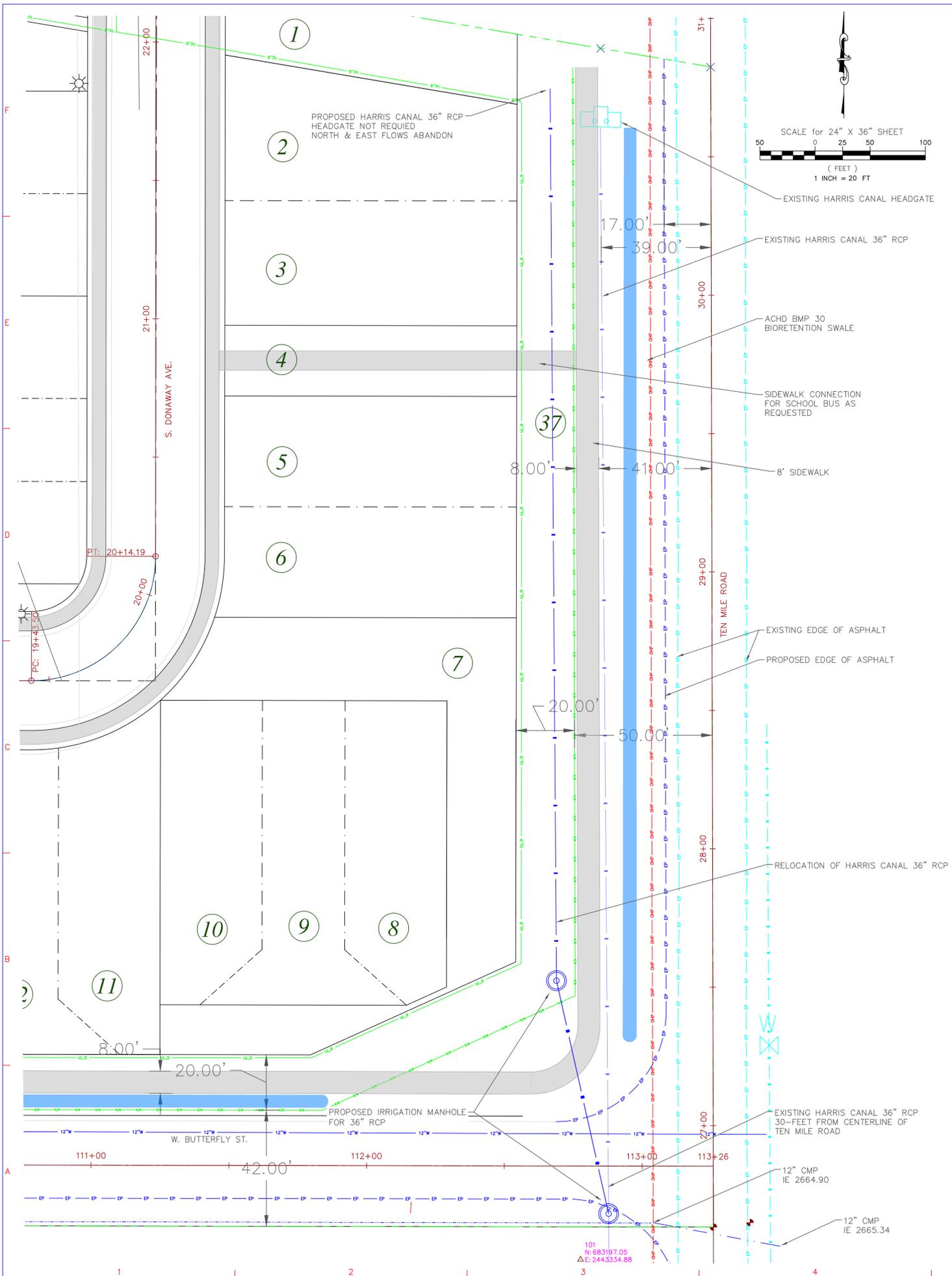
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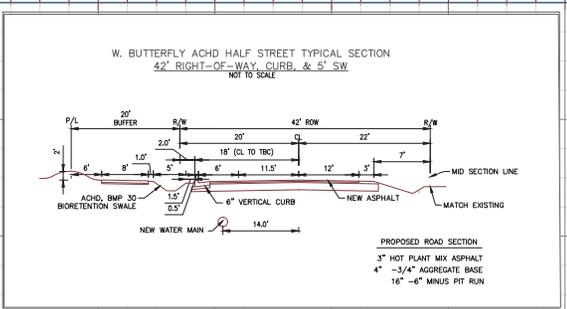
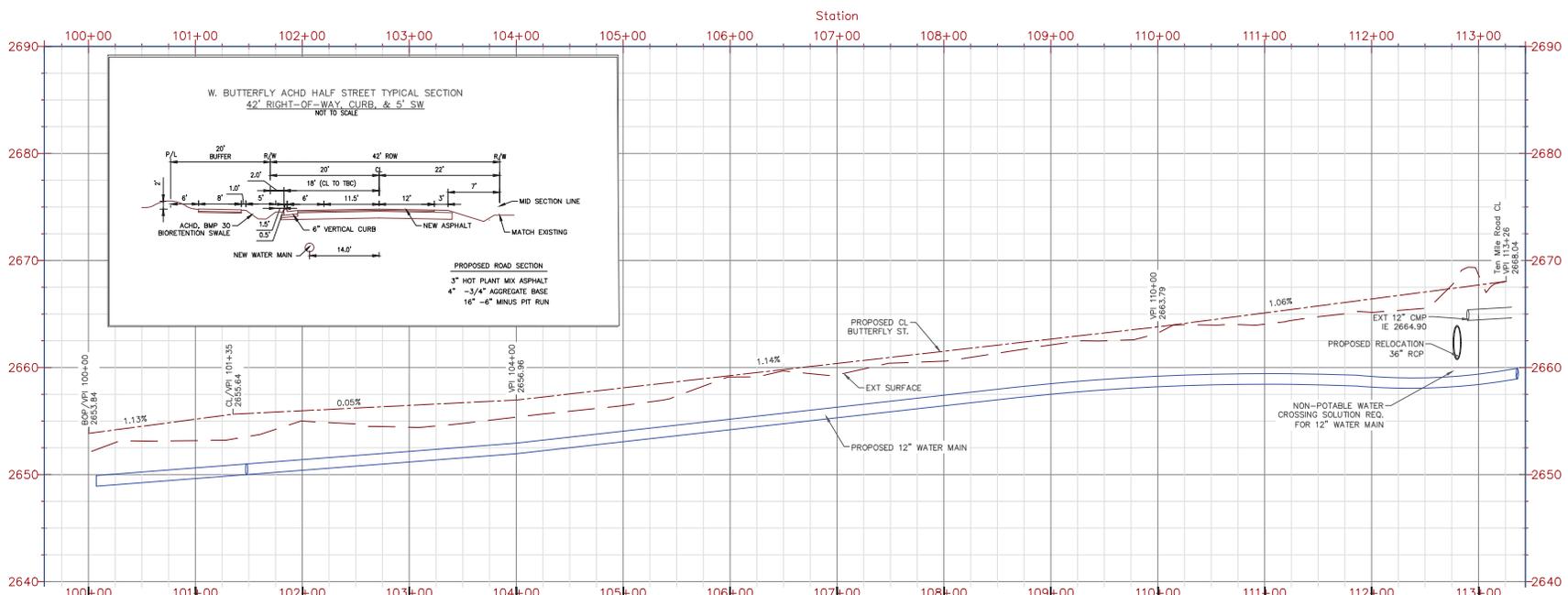
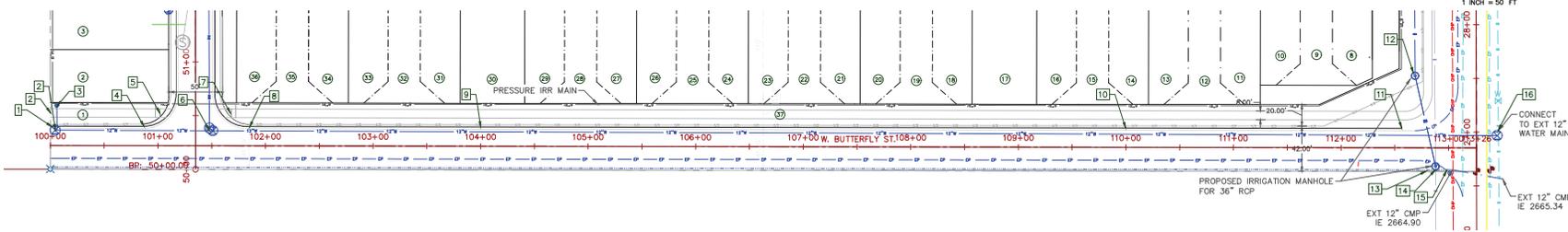
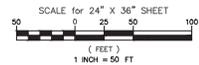
PREPARED FOR:
SKYLINE HOMES & DEVELOPMENT, LLC
2501 E. STATE AVE. STE 110
MERIDIAN, ID 83642
(833) 464-2667

ENGINEERING CONCEPT
NEWBERRY PLACE
KUNA, ADA COUNTY, IDAHO

DATE
04/04/22
SHEET
C04



CONSTRUCTION PLANS NEWBERRY PLACE SUBDIVISION BUTTERFLY STREET PLAN AND PROFILE VIEWS



- KEY NOTES:**
1. 100+00, BEG TAPER, TBVC 18.00' RT. 2653.90
 2. 100+00, BEG 8" WIDE SW, 2653.90 CURBSIDE SIDEWALK
 3. 100+05, END 12" WATER MAIN, 14.00' RT., 12" VALVE WITH BLIND FLANGE, MAXFLG
 4. 100+06, WATERMAIN BLOW OFF ASSEMBLY, 37.41' RT.
 5. 100+90, TBVC PC, 18.00' RT. 2655.10
 6. ADA RAMP PER DETAIL 1, CS00
 7. 101+45.00, 12X8X12 TEE, 12" VALVE, 8" VALVE, 14.00' RT.
 8. ADA RAMP PER DETAIL 1, CS00
 9. 101+50.00, TBVC PT, 18.00' RT. 2655.92
 10. 104+00, TBVC, 18.00' RT. 2657.02
 11. 110+00, TBVC, 18.00' RT. 2663.85
 12. 112+60.00, END CURB WITH TAPER, 18.00' RT. 2666.61
 13. 112+68.83, 72" GI MH, 36.00' RT. IE IN, IE OUT, RIM
 14. 112+80.19, GI CULVERT IE OUT, 20.55' LT
 15. 112+87.91, 72" GI MH,
 16. 113+04.34, GI CULVERT, 20.55' LT. IE IN 2664.90
 17. 113+46.50, 12" WET TAP, 12" TEE, 12" VALVE, 11.34' LT.
 18. 143 LF 12" WATER MAIN PVC C900 DR18 PIPE STA. 100+05 TO 101+45
 19. 1198 LF 12" WATER MAIN PVC C900 DR18 PIPE STA. 101.45 TO 113+46
 20. 1255 LF 6" VERTICAL CURB, STA. 100+00 TO 112+60, INCLUDES CURB RADII
 21. 1260 LF 10' WIDE DETACHED SW, STA. 100+00 TO 100+90 & 101+50 TO 112+65

MABRIX ENGINEERING, INC.
 625 S. Broadway Englewood, CO 80150
 Kuna, W. Main St. Suite 100, K. • 208.866.5127
 Email: info@mabrixeng.com

PROFESSIONAL ENGINEER
 TRAVIS T. BUTLER
 No. 10955
 State of Idaho
 Exp. 06/29/2025

DATE:	REVISION:	APP'D BY:	CHECK BY:	DRAWN BY:	DUPLICATE:

PREPARED FOR:
SKYLINE HOMES & DEVELOPMENT, LLC
 2501 E. STATE AVE, STE 110
 MERIDIAN, ID 83642
 (833) 464-2667

**BUTTERFLY STREET
 NEWBERRY PLACE
 KUNA, ADA COUNTY, IDAHO**

DATE: 06/28/2022
 SHEET: C401



Planning & Zoning Department

City of Kuna
P.O. Box 13
Kuna, Idaho 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
www.kunacity.id.gov

Agency Notification

June 21, 2022

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

File Number(s) & Case Name:	22-07-S (Pre-Plat) Newberry Place Subdivision.
Project Description	Applicant requests Preliminary Plat approval in order to subdivide approx. 18.64 acres in the City of Kuna, into 123 total lots. Applicant proposes a gross density at 5.31 DUA, and a proposed net density at approximately 7.29 DUA with 10.63 %, or 1.98 acres of common space. The current zoning for this parcel is R-8 (HDR). The site is located at 7015 N Ten Mile Road, Meridian, ID in Section 2, T 2 N, R 1 W, (APN S1303141900).
Site Location	Approximately 2,200 Feet South of Lake Hazel on the west side of Ten Mile Road, Meridian, Idaho 83642.
Applicant	Skyline Homes & Development 2501 E State Ave. Ste. 110 Meridian, ID. 83642 208.464.2667 etroybutler@yahoo.com
Representative	Matrix Engineering, INC. Elwin Butler 1020 W Main Street, Ste. 100 J Boise, ID 83702 208.860.3120 etroybutler@yahoo.com
Tentative Public Hearing Date	P and Z Commission: On Tuesday, September 27, 2022 (<i>Tentative</i>) At 6:00 PM Council Chambers at Kuna City Hall, 751 W. 4 th Street, Kuna, ID 83634
Staff Contact	Troy Behunin, Senior Planner Kuna Planning and Zoning Department 208.922.5274 TBehunin@kunaid.gov

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 comment's 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. *No response within 15 business days will indicate you have no objection or comments for this project.*



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

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

Brady Barroso
Engineering Technician I

MEMORANDUM

To: Doug Hanson - Planning and Zoning Director
From: Brady Barroso - Engineering Technician I
Catherine Feistner - Assistant City Engineer
Date: 19 September 2022
RE: Public Works Comments
Newberry Place Subdivision, 22-07-S (Preliminary Plat)

The Newberry Place Subdivision, 22-07-S, preliminary plat request dated 21 June 2022 has been reviewed. The applicant wishes to plat with a City of Kuna (City) R-8 (high density residential) zone. These comments apply to the application as they affect public works infrastructure. Review of civil design drawings is accomplished separately, when received.

The applicant is proposing a new sewer lift station to service this property which shall be privately owned and operated. Public Works can support approval of this application given the applicant understands the lift station shall be privately owned and operated.

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

1) Inspection & Fees

- a) An inspection fee will apply to inspect the final construction of water, sewer, and irrigation facilities associated with this development.
- b) The developer shall retain a qualified responsible, Idaho registered professional engineer to provide sufficient inspection to certify to DEQ that the project was completed in accordance with approved plans and specifications and to provide accurate as-built drawings to the City.
- c) All applicable utility inspection and utility flow modeling fees shall be paid by the developer in accordance with City of Kuna Resolution R57-2021. *Payment is due and payable prior to the pre-construction meeting.*
- d) The Kuna Rural Fire District's fees can be found on their website. *Payment is due and payable prior to the preconstruction meeting.*

2) General

- a) The applicant requests to plat approximately 19 acres.
- b) Equivalent Dwelling Units (EDU's) are reckoned at approximately 3.18 people per household. The resultant projected population for this subdivision is approximately 312.
- c) Areas for outside activities are incorporated into the project. Connection to the City of Kuna Pathways Master Plan presents a long-term goal that should be considered.
- d) A construction drawing approval letter from the local irrigation district will be required if this project affects irrigation supply/delivery in any way.
- e) Elevations shall be actual NAVD 88 datum elevations. A localized elevation system is not acceptable.
- f) All positional information shall be from the most recent state plane coordinate system.
- g) Provide engineering certification on all final engineering drawings.
- h) The City of Kuna requires streetlights in all subdivisions. Streetlights are required along arterial roads bordering the subdivision, at the entrances of the subdivision, at intersections, and at every 250' interval. Streetlights should be coincident with Fire Hydrants whenever possible.
- i) Fire suppression shall be available and approved by KRFD.
- j) No building permits will be issued and no construction can begin without adequate fire protection.
- k) Fiber conduit shall be designed and constructed on all mile and mid-mile roads or as otherwise noted.

3) Right-of-Way

- a) Sufficient right-of-way for existing and future classified streets shall be provided pursuant to City & ACHD standards.
- b) Approaches onto classified streets must comply with ACHD approach policies.
- c) All street construction must meet or exceed City of Kuna and ACHD development standards.
- d) All City mainlines crossing proposed lots or located on the backs or sides of lots shall have easements that allow the City of Kuna to access and maintain the utilities.
- e) The KRFD Deputy Fire Marshal, or representative, must approve fire/public safety access to the subdivision.
- f) Roads must continue to and through to the next road connection to promote connectivity throughout the City.

4) Sanitary Sewer Connection

- a) The applicant is proposing a new sewer lift station that will service this property. The applicants proposed lift station will need to be privately owned and operated.
- b) The applicant's property is not connected to City services. The closest possible connection to gravity sewer is located at the northeast corner of the property in S Donaway Ave.
- c) City code 5-16-3-B.2 states public sewer utilities shall be extended to each parcel when sewer is available within three hundred (300) feet of the parcels.
- d) Existing sewage treatment facilities (septic tank and drain field) must be decommissioned in accordance with Idaho Department of Environmental Quality (DEQ) requirements. Documentation shall be provided to the City of Kuna.
- e) Sewer must provide connectivity for surrounding developments.

- f) No cleanouts are permitted at the end of runs in lieu of manholes per Kuna City Code 6-4-2-B.14.
- g) All sewer infrastructure must meet or exceed City of Kuna requirements.
- h) Sewer flow models will be required to verify and accommodate pipe sizes. The associated costs shall be paid by the developer.
- i) Sewer connection fees apply to each lot containing a home or other facility.
- j) This application shall conform to the sewer masterplan as applicable. The sewer master plan specifies minimum pipe sizes and supports the “to and through” utility policy.

5) Potable Water Connection

- a) The applicant’s property is not connected to City services. The closest possible connection to water is located at the northeast corner of the property in S Donaway Ave and to the east in S Ten Mile Rd.
- b) The applicant shall design and construct 12-in. water line in W Butterfly St.
- c) Water flow models will be required to verify and accommodate adequate water supply and fire suppression. The associated costs shall be paid by the developer.
- d) City code 5-16-3-B.2 states public water utilities shall be extended to each parcel when water is available within three hundred (300) feet of the parcels. It is expected the applicant will connect to City water services, in accordance with the City’s “to and through” policy in Kuna City Code 6-4-2.
- e) All existing wells shall be abandoned in accordance with Idaho Department of Water Resources (IDWR) requirements. Documentation shall be provided to the City of Kuna.
- f) All water infrastructure must meet or exceed City of Kuna requirements.
- g) Water connection fees apply to each lot containing a home or other facility.
- h) Fire hydrants are required in a layout acceptable to the KRFD.

6) Pressurized Irrigation

- a) The applicant’s property is not connected to City services. The closest possible connection to pressurized irrigation is located to the east in S Ten Mile Rd. The applicant may be required to connect pressurized irrigation to the Memory Ranch Subdivision.
- b) The applicant shall design and construct 12-in. PI along W Butterfly St.
- c) Relying on municipal drinking water for irrigation purposes is contrary to City Code 6-4-2-B.9.
- d) All pressurized irrigation infrastructure shall meet or exceed City of Kuna standards.
- e) Existing irrigation ditches (supply & drain) must be relocated as needed and as approved by the irrigation ditch company/users.
- f) Pressurized irrigation flow model will be required to verify and accommodate adequate pressurized irrigation supply. All associated costs shall be paid by the developer.
- g) Surface water rights shall be transferred to the City prior to the completion of the final plat.

7) Grading and Storm Drainage

- a) Provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.
- b) The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for design of private storm water disposal systems.

- c) Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties. Slopes shall not be steeper than 3:1 on lots adjacent to a street or common lot and no steeper than 4:1 for lots with common rear lot lines.
- d) Runoff from public right-of-way is regulated by ACHD. On site storm water retention shall be reviewed in conjunction with the City's Civil Engineering Construction Improvements Review. Provide a storm water disposal & treatment plan which accounts for increased on-site storm water runoff volumes. Provide detailed drawings of drainage & treatment facilities with supporting calculations for review and approval.
- e) Sidewalks, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, shall be provided in connection with property development.

8) As-Built Drawings

- a) As-built (record) drawings are required at the conclusion of any public facility construction project and are the responsibility of the developer's engineer. The city may help track changes but will not be responsible for the finished product.
- b) *Correct and verified as-built (record drawings) drawings will be required before occupancy or final plat approval is granted.*

9) Exhibits

- a) No maps are included to support Public Works comments.



Project/File: **Newberry Place Subdivision/ KPP22-0013/ 22-07-S**
 This is a preliminary plat application to allow for the development of 123 lots on 18.64 acres.

Lead Agency: City of Kuna

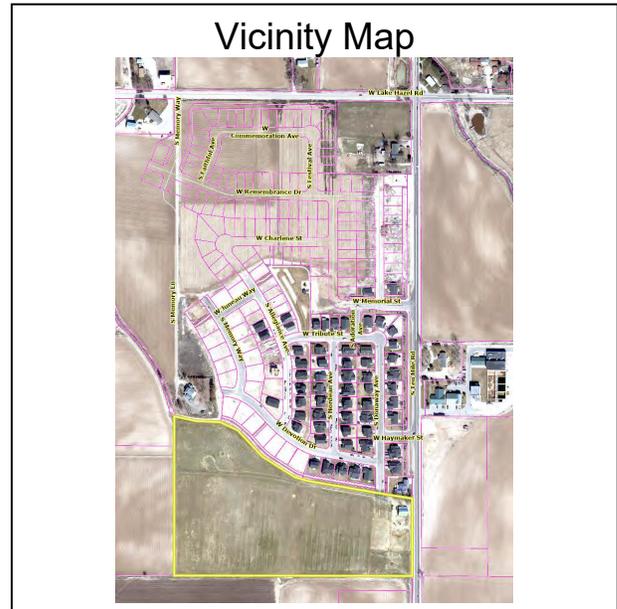
Site Address: S Ten Mile Road

Staff Approval: July 21st, 2022

Applicant: Skyline Homes & Development
 2501 E State Avenue, Ste. 110
 Meridian, ID 83642

Representative: Elwin Butler
 Matrix Engineering, INC.
 1020 W Main Street, Suite 100 J
 Boise, ID 83702

Staff Contact: Kelly Bruner
 Phone: 387-6132
 E-mail: kbruner@achdidaho.org



A. Findings of Fact

- Description of Application:** This is a preliminary plat application to allow for the development of 97 single-family townhomes lots and 25 common lots on 18.64 acres.

The applicant's proposal is consistent with the City of Kuna's comprehensive plan, which designates this area as Medium Density Residential.

- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Medium Density Residential	R-6: Medium Density Residential (City of Kuna)
South	Mixed Use	RR: Rural Residential (Ada County)
East	Mixed Use	RR: Rural Residential (Ada County)
West	Medium Density Residential	R-6: Medium Density Residential (City of Kuna)

- Site History:** ACHD previously reviewed this site as KUNA19-0006 in May 2019. The requirements of this staff report are consistent with those of the prior action.
- Adjacent Development:** The following developments are pending or underway in the vicinity of the site:
 - Memory Ranch (East), a residential development for 281 lots on 67 acres north of the site was approved by ACHD on September 16, 2020

5. **Transit:** Transit services are not available to serve this site.
6. **New Center Lane Miles:** The proposed development includes 0.27 centerline miles of new public road.
7. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time. The impact fee assessment will not be released until the civil plans are approved by ACHD.
8. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
 - Ten Mile Road is listed in the IFYWP to be widened to 5-lanes from Columbia Road to Lake Hazel Road. The design and construction years have not been set.
 - Lake Hazel Road Bridge #2120 is scheduled in the IFYWP to be replaced. The bridge is set to be designed in 2022 and constructed in a future year.
 - The intersection of Lake Hazel Road and Ten Mile Road is listed in the IFYWP to be widened to 3-lanes on the south and west legs, 4-lanes on the north and east legs, and signalized. The intersection is set to be designed in 2022 and constructed in a future year.
9. **Roadways to Bikeways Master Plan:** ACHD’s Roadways to Bikeways Master Plan (BMP) was adopted by the ACHD Commission in May of 2009 and was update in 2018. The plan seeks to implement the Planned Bicycle Network to support bicycling as a viable transportation option for Ada County residents with a wide range of ages and abilities, maintain bicycle routes in a state of good repair in order to ensure they are consistently available for use, promote awareness of existing bicycle routes and features and support encouragement programs and to facilitate coordination and cooperation among local jurisdictions in implementing the Roadways to Bikeways Plan recommendations.

The BMP identifies Ten Mile Road as Level 3 facility that will be constructed as part of a future ACHD project. The BMP also identifies a level 1 facility on the new collector roadway within the site. The applicant will construct the new collector consistent with the MSM and the Roadways to Bikeways Master plan.

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 925 vehicle trips per day and 93 vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 11th edition.
2. **Condition of Area Roadways**
Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Lake Hazel Road	0-feet	Principal Arterial	196	Better than “E”
Ten Mile Road	423-feet	Minor Arterial	403	Better than “E”

* Acceptable level of service for a two-lane principal arterial is “E” (690 VPH).

* Acceptable level of service for a two-lane minor arterial is “E” (575 VPH).

3. **Average Daily Traffic Count (VDT)**
Average daily traffic counts are based on ACHD’s most current traffic counts.

- The average daily traffic count for Lake Hazel Road east of Ten Mile Road was 2,076 on 01/19/21.
- The average daily traffic count for Ten Mile Road south of Lake Hazel Road was 7,748 on 08/26/21.

C. Findings for Consideration

1. Ten Mile Road/Butterfly Street Roundabout

a. Policy:

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, roundabout requirements, and specific roadway features required through development. A new roundabout was identified on the MSM. The new multi-lane roundabout is planned at the Ten Mile Road/Butterfly Street intersection.

- #### **b. Staff Comments/Recommendations:**
- To accommodate the future construction of the multi-lane roundabout the applicant should be required dedicate additional right-of-way at the Ten Mile Road/Butterfly Street intersection in accordance with the template in Attachment 3. Compensation will not be provided for this right-of-way dedication, as this improvement is not listed in ACHD’s CIP or IFYWP.

2. Ten Mile Road

- #### **a. Existing Conditions:**
- Ten Mile Road is improved with 2-travel lanes, 25-feet of pavement, and no curb, gutter or sidewalk abutting the site. There is 50-feet of right-of-way for Ten Mile Road (24-feet from centerline).

b. Policy:

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

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

Street Section and Right-of Way Width Policy: District Policy 7205.2.1 & 7205.5.2 states that the standard 3-lane street section shall be 46-feet (back-of-curb to back-of-curb) within 70 feet of right-of-way. This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

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

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

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

Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and

protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-foot wide.

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

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

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

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Ten Mile Road is designated in the MSM as a Transitional/Commercial Arterial with 5-lanes and on-street bike lanes, a 72-foot street section within 100-feet of right-of-way.

- c. **Applicant Proposal:** The applicant has proposed to improve Ten Mile Road with pavement widening to total 17-feet from centerline, a 3-foot wide gravel shoulder, borrow ditch, and an 8-foot wide sidewalk.

The applicant has also proposed to dedicate additional right-of-way for Ten Mile Road to total 50-feet from centerline.

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

The applicant should be required to locate the sidewalk a minimum of 42-feet from the centerline of Ten Mile Road abutting the site. If the sidewalk is located outside of the dedicated right-of-way, a permanent right-of-way easement should be provided.

3. Butterfly Street

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

- b. **Policy:**

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

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

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

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

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

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

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

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

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. A new collector roadway was identified on the MSM with the street typology of Residential Collector. The new collector roadway should be located at the mid-mile between Lake Hazel Road and Columbia Road and continue through the property stubbing to the west. The Residential Collector typology as depicted in the Livable Street Design Guide recommends a 2-lane roadway with bike lanes, a 36-foot street section within 54-feet of right-of-way.

- c. **Applicant Proposal:** The applicant has proposed to construct Butterfly Street as ½ of a 36-foot wide collector street section with vertical curb, gutter, and an 8-foot wide detached concrete sidewalk on the north side of the roadway plus an additional 12-feet of pavement beyond centerline, a 3-foot wide gravel shoulder, and a borrow ditch sized to accommodate roadway storm runoff on the south side of the roadway.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved as proposed. If the detached sidewalk is located outside of the dedicated right-of-way, a permanent right-of-way easement should be provided.

4. Internal Local Roads

- a. **Existing Conditions:** There are no existing roadways within the site. There is one existing stub street, Donaway Avenue, which stubs to site's north property line.
- b. **Policy:**

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

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street – Street Section and Right-of-way Policy: For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

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

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

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

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

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

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

- c. **Applicant's Proposal:** The applicant has proposed to extend Donaway Avenue into the site and construct all internal local roads as 36-foot local street sections with curb, gutter, and 5-foot wide attached concrete sidewalks within 50-feet of right-of-way.

The applicant has proposed to construct a knuckle with a 50-foot turning radius at the intersection of Serai Lane and Washburn Drive.

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

5. Roadway Offsets

- a. **Existing Conditions:** There are no existing roadways within the site.
- b. **Policy:**
 - Collector Offset Policy:** District policy 7205.4.2 states that the optimum spacing for new signalized collector roadways intersecting minor arterials is one half-mile.
 - Local Offset Policy:** District policy 7207.4.2, requires local roadways to align or provide a minimum offset of 125-feet from any other street (measured centerline to centerline).
- c. **Applicant's Proposal:** The applicant has proposed to construct a new collector roadway, Butterfly Street, to intersect Ten Mile Road located approximately 2,625 feet south of Lake Hazel Road.

The applicant has proposed to construct a new local road, Serai Lane, to intersect Butterfly Street located approximately 1,190 west of Ten Mile Road.

All internal local roads are proposed to offset a minimum of 125-feet.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved as proposed.

6. Stub Streets

- a. **Existing Conditions:** There are no existing stub streets within the site.
- b. **Policy:**
 - Stub Street Policy:** District policy 7207.2.4.3 states that stub streets will be required to provide circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7207.2.4.3, except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign shall be installed at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

In addition, stub streets must meet the following conditions:

 - A stub street shall be designed to slope towards the nearest street intersection within the proposed development and drain surface water towards that intersection; unless an alternative storm drain system is approved by the District.
 - The District may require appropriate covenants guaranteeing that the stub street will remain free of obstructions.
- c. **Applicant Proposal:** The applicant has proposed to construct 2 stub streets:
 - A stub street to the west, located at the site's south property line.
 - A stub street to the west, located 455-feet north of the site's south property line.

All proposed stub streets are less than 150-feet in length.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved as proposed.

7. Driveways

7.1 Ten Mile Road

- a. **Existing Conditions:** There are two existing unimproved driveways from the site on to Ten Mile Road located 42-feet and 158-feet south of the site's north property line.
- b. **Policy:**
 - Access Points Policy:** District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section

and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

- c. **Applicant's Proposal:** The applicant has proposed to close the existing driveways with 3-foot side gravel shoulder, borrow ditches, and 8-foot wide concrete sidewalk.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved as proposed.

8. Traffic Calming

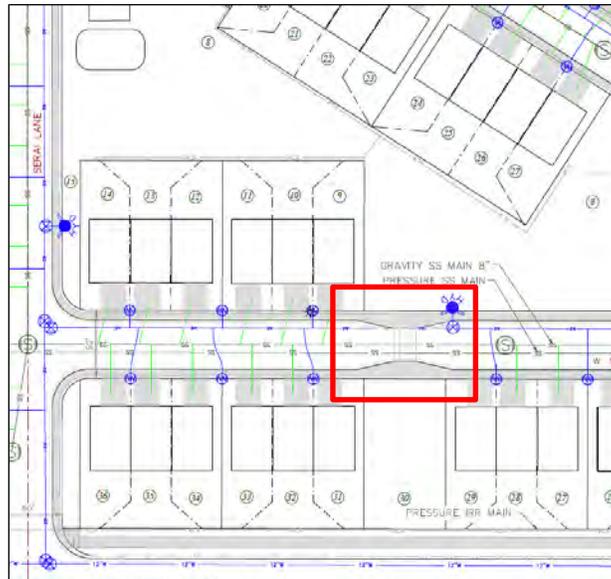
- a. **Speed Control and Traffic Calming Policy (Collectors):** District policy 7206.3.8 states that collector streets should be designed to discourage speeds above 35 MPH and in a residential area, collector streets should be designed to discourage speeds above 30 MPH. The design of collector street systems should discourage excessive speeds by using passive design elements. If the design or layout of a development is anticipated to necessitate future traffic calming implementation by the District, then the District will require changes to the layout and/or the addition of passive design elements such as horizontal curves, bulb-outs, chokers, etc. The District will also consider texture changes to the roadway surface (i.e. stamped concrete) as a passive design element. These alternative methods may require a maintenance and/or license agreement.

Speed Control and Traffic Calming Policy: District policy 7207.3.7 states that the design of local street systems should discourage excessive speeds by using passive design elements. If the design or layout of a development is anticipated to necessitate future traffic calming implementation by the District, then the District will require changes to the layout and/or the addition of passive design elements such as horizontal curves, bulb-outs, chokers, etc. The District will also consider texture changes to the roadway surface (i.e. stamped concrete) as a passive design element. These alternative methods may require maintenance and/or license agreement.

Landscape Medians Policy: District policy 7207.5.16 states that landscape medians are permissible where adequate pavement width is provided on each side of the median to accommodate the travel lanes and where the following is provided:

- The median is platted as right-of-way owned by ACHD.
 - The width of an island near an intersection is 12-feet maximum for a minimum distance of 150-feet. Beyond the 150-feet, the island may increase to a maximum width of 30-feet.
 - At an intersection that is signalized or is to be signalized in the future, the median width shall be reduced to accommodate the necessary turn lane storage and tapers.
 - The Developer or Homeowners Association shall apply for a license agreement if landscaping is to be placed within these medians.
 - The license agreement shall contain the District's requirements of the developer including, but not limited to, a "hold harmless" clause; requirements for maintenance by the developer; liability insurance requirements; and restrictions.
 - Vertical curbs are required around the perimeter of any raised median. Gutters shall slope away from the curb to prevent ponding.
- b. **Applicant's Proposal:** The applicant has proposed to construct a bulb-out on Morven Drive located approximately 275-feet east of Serai Lane with 24-feet of pavement from face of curb to face of curb at the bulb-out.

- c. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved as proposed. The applicant should be required to coordinate with District Development Review for the design of the bulb-out. The applicant should be required to construct an additional bulb-out on Morven Drive and should coordinate the location and design with District Development Review for the design of the bulb-out.



Staff has concerns about the length of the straight alignment for Butterfly Street. If there is sufficient space on Butterfly Street, the applicant should be required to construct landscape islands. The applicant should submit an exhibit with the construction plan submittal to ACHD for Butterfly Street showing if there is adequate lane width and space to construct landscape islands as traffic calming measures. If there is adequate space, install landscaped islands as traffic calming measures and coordinate the location with District Development Review Staff. The landscape islands shall be platted as right-of-way owned by ACHD. The Homeowner's Association or developer shall enter into a license agreement for maintenance for any landscaping proposed within the islands. Vertical curbs are required around the perimeter of any raised median.

If there is not sufficient space for landscape islands, the applicant should coordinate with the property owners to the south to dedicate additional right-of-way to allow for the construction of landscape islands or submit a road trust deposit to ACHD to allow for the future traffic calming on Butterfly Street. Staff anticipates that the traffic calming would be constructed when the property south of the site develops and completes the roadway. The amount of the road trust deposit will be determined as part of the plan review process.

9. Tree Planters

Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

10. Landscaping

Landscaping Policy: A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop

signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

11. Other Access

Ten Mile Road is classified as a minor arterial roadway, and Butterfly Street is classified as a collector roadway. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways and should be noted on the final plat.

D. Site Specific Conditions of Approval

1. Dedicate right-of-way to accommodate the construction of a multi-lane roundabout at the Ten Mile Road/Butterfly Street intersection consistent with Attachment 3. Compensation will not be provided for this right-of-way dedication.
2. Widen the pavement on Ten Mile Road to 17-feet from centerline with a 3-foot wide gravel shoulder, borrow ditch, and 8-foot wide concrete sidewalk abutting the site, as proposed. The sidewalk should be located a minimum of 42-feet from the centerline of Ten Mile Road abutting the site. Provide a permanent right-of-way easement for detached sidewalk located outside of the dedicated right-of-way.
3. Construct Butterfly Street as ½ of 36-foot wide collector street section with vertical curb, gutter and an 8-foot wide detached concrete sidewalk on the north side of the roadway plus an additional 12-feet of pavement beyond centerline, a 3-foot wide gravel shoulder, and a borrow ditch sized to accommodate roadway storm runoff on the south side of the roadway, as proposed.
4. Extend Donaway Avenue into the site, as proposed.
5. Construct all internal local roads as 36-foot local street sections with curb, gutter, and 5-foot wide attached concrete sidewalk, as proposed.
6. Construct a knuckle with a 50-foot turning radius at the intersection of Serai Lane and Washburn Drive, as proposed.
7. Construct a new collector roadway, Butterfly Street, to intersect Ten Mile Road approximately 2,625-feet south of Lake Hazel Road, as proposed.
8. Construct a new local road, Serai Lane, to intersect Butterfly Street 1,190 west of Ten Mile Road.
9. Construct a stub street to the west located at the site's south property line, as proposed.
10. Construct a stub street to the west located 455-feet north of the site's south property line, as proposed.
11. Install a sign at the terminus of all stub streets stating, "THIS ROAD WIL BE EXTENDED IN THE FUTURE."
12. Close the existing driveways on to Ten Mile Road with 3-foot wide gravel shoulder, borrow ditches, and 8-foot wide concrete sidewalks, as proposed.
13. Construct a bulb-out on Morven Drive located 275-feet east of Serai Lane with 24-feet of pavement measured from front of curb to front of curb at the bulb-out, as proposed.
14. Construct an additional bulb-out on Morven Drive with 24-feet of pavement measured from front of curb to front of curb.
15. Submit an exhibit with the construction plans for Butterfly Street showing if there is adequate lane width and space for landscape islands as traffic calming measures. If there is adequate space, coordinate the location of the landscape islands with District Development Review Staff. The landscape islands shall be platted as right-of-way owned by ACHD. The Homeowner's Association

or developer shall enter into a license agreement for maintenance for any landscaping proposed within the islands.

16. If there is not sufficient space for landscape islands on Butterfly Street, coordinate with the property owners to the south to dedicate additional right-of-way to allow for the construction of landscape islands, or submit a road trust deposit to ACHD to allow for the future construction traffic calming on Butterfly Street. The exact amount of the road trust deposit will be determined at the time of plan review.
17. Direct lot access to Ten Mile Road and Butterfly Street is prohibited other than the success specifically approved with this site and should be noted on the final plat.
18. Submit civil plans to ACHD Development Services for review and approval. The impact fee assessment will not be released until the civil plans are approved by ACHD.
19. Payment of impact fees is due prior to issuance of a building permit.
20. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISWPC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized

representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.

12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

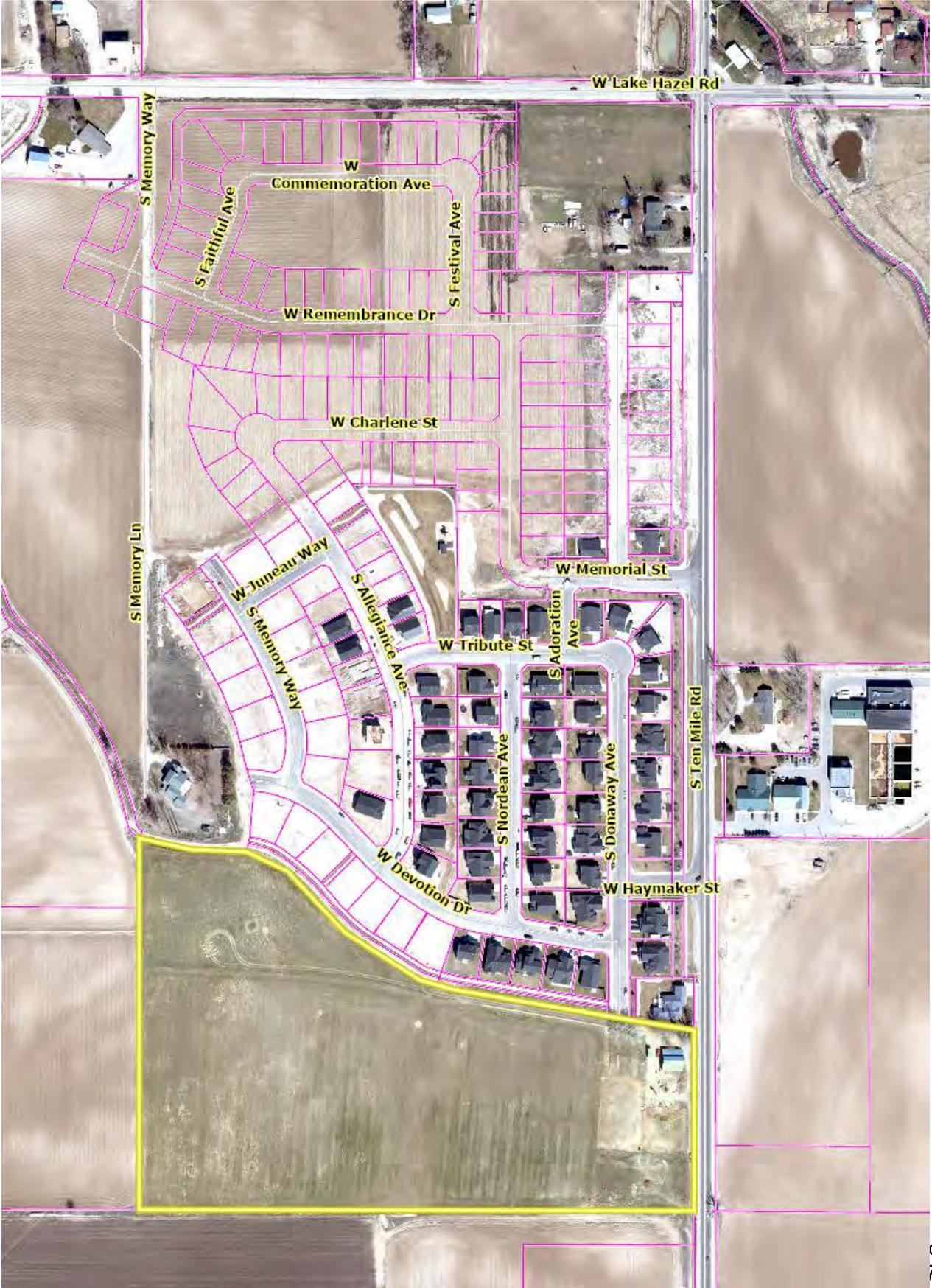
F. Conclusions of Law

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

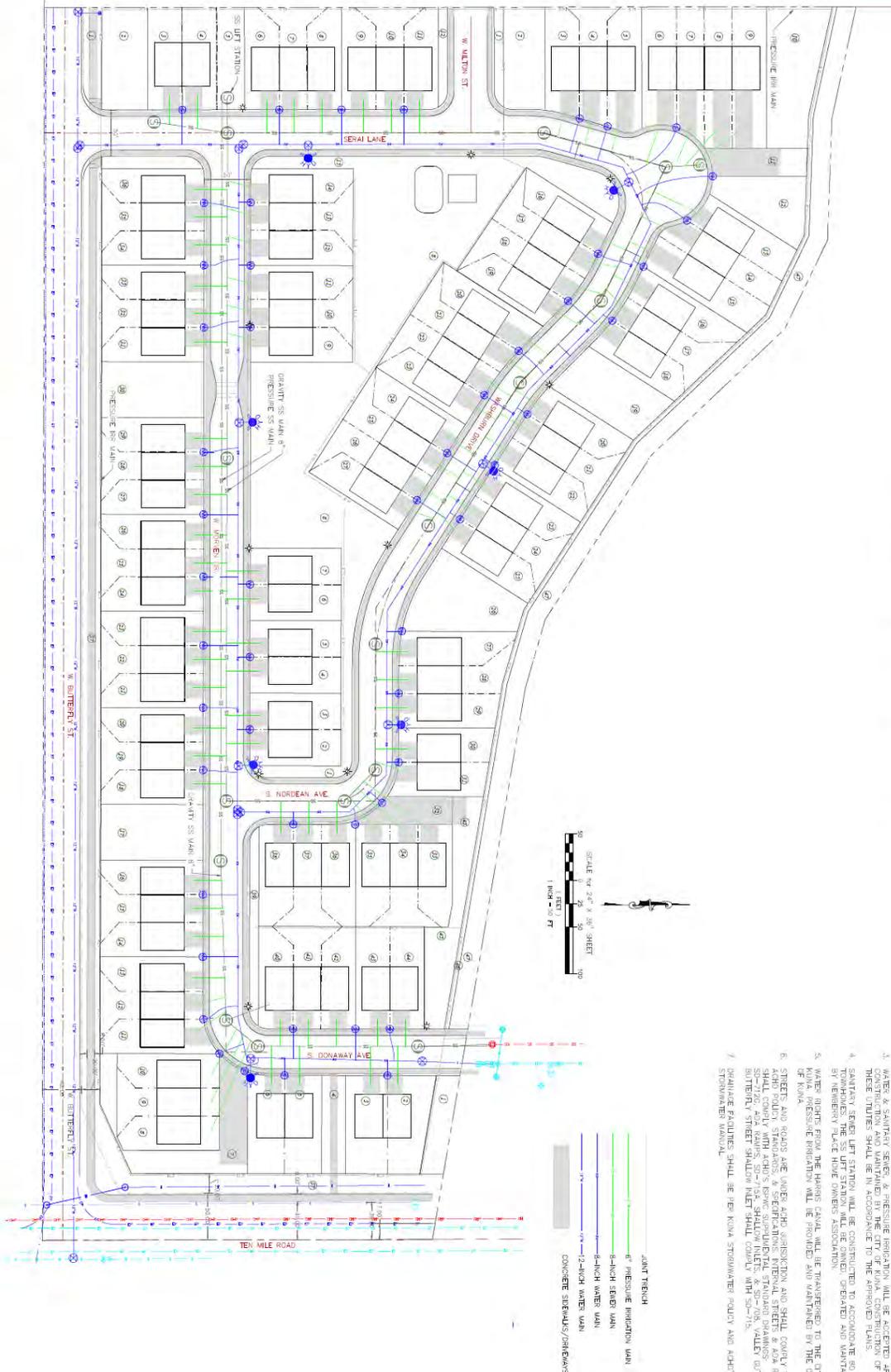
G. Attachments

1. Vicinity Map
2. Site Plan
3. Multi-Lane Roundabout Template
4. COMPASS Development Checklist
5. Utility Coordinating Council
6. Development Process Checklist
7. Appeal Guidelines

VICINITY MAP



SITE PLAN

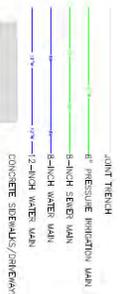


PRELIMINARY PLAT FOR NEWBERRY PLACE SUBDIVISION ENGINEERING CONCEPT, UTILITIES

LOCATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 3,
TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN
CITY OF KUNA, ADA COUNTY, IDAHO, 2022

GENERAL NOTES

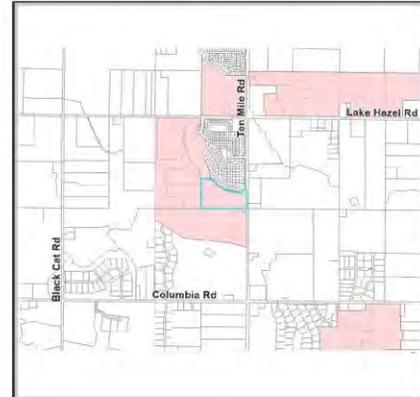
1. THE LOCATION OF EXISTING UTILITIES IS NOT SHOWN IN THIS CONCEPT. THE LOCATION OF EXISTING UTILITIES IS TO BE DETERMINED BY THE ENGINEER. THE ENGINEER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF KUNA AND ADA COUNTY. THE ENGINEER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF KUNA AND ADA COUNTY.
2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE KUNA SPECIFICATIONS AND/OR ADA COUNTY SPECIFICATIONS. NO EXEMPTIONS TO THESE UTILITY SHALL BE IN ACCORDANCE TO THE APPROVED PLANS.
3. WATER & SANITARY SEWER & PRESSURE IRRIGATION WILL BE ACCEPTED AFTER REVIEW AND APPROVAL BY THE CITY OF KUNA AND ADA COUNTY.
4. SANITARY SEWER LIFT STATION WILL BE PROVIDED TO ACCOMMODATE ALL TOWNSHIPS. THE SS LIFT STATION WILL BE OWNED, OPERATED AND MAINTAINED BY MEMBERS PLACE HOME OWNERS ASSOCIATION.
5. WATER RIGHTS FROM THE HARRIS CANAL WILL BE TRANSFERRED TO THE CITY OF KUNA AND ADA COUNTY.
6. STREETS AND STAIRS ARE WATER AND WASTEWATER AND SHALL CONFORM TO THE KUNA SPECIFICATIONS AND/OR ADA COUNTY SPECIFICATIONS. ALL STREETS SHALL CONFORM WITH ADA'S ISOMETRIC STANDARD DRAWINGS. ALL STREETS SHALL BE 12-FOOT WIDE WITH 5% GRADE. ALL STREETS SHALL BE 12-FOOT WIDE WITH 5% GRADE.
7. SURFACE FINISHES SHALL BE PER KUNA STORMWATER POLICY AND ADA'S STORMWATER MANUAL.



COMPASS DEVELOPMENT CHECKLIST

Communities in Motion 2050 Development Review

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this review as a tool for local governments to evaluate whether land developments are consistent with the goals of *Communities in Motion 2050* (CIM 2050), the regional long-range transportation plan for Ada and Canyon Counties. This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2050 goals.



Development Name: Newberry Park

CIM Vision Category: Future Neighborhood

New Jobs: 0

CIM Corridor: None

New Households: 98



Safety

Level of Stress measures how safe and comfortable a bicyclist or pedestrian would feel on a corridor and considers multimodal infrastructure number of vehicle lanes, and travel speeds.

- Pedestrian level of stress
- Bicycle level of stress



Economic Vitality

These tools evaluate whether the location of the proposal supports economic vitality by growing near existing public services.

- Activity Center Access
- Farmland Preservation
- Net Fiscal Impact
- Within CIM Forecast



Convenience

Residents who live or work less than 1/2 mile from critical services have more transportation choices, especially for vulnerable populations.

- Nearest bus stop
- Nearest public school
- Nearest public park



Quality of Life

Checked boxes indicate that additional information is attached.

- Active Transportation
- Automobile Transportation
- Public Transportation
- Roadway Capacity



Improves performance



Does not improve or reduce performance



Reduces performance

Comments:

The City of Kuna is considering fixed route transportation along Ten Mile Road. Work with Valley Regional Transit to locate and design bus pads.

Communities in Motion 2050
[2020 Change in Motion Report](#)
[Development Review Process](#)

Web: www.compassidaho.org
 Email: info@compassidaho.org



Public Transportation Infrastructure

Providing safe and comfortable transit stops and appropriate amenities can make public transportation a more convenient and competitive option, reduce the overall cost of housing + transportation, and expand the potential customer base for businesses.

While stop location and spacing will depend on the circumstances of the route, there are some general guidelines to improve the user experience:

Locate bus stop amenities in areas that are expected to generate the most ridership, such as near employment centers, residential areas, retail centers, education centers, or major medical facilities.

Provide sidewalks and/or bike paths designed to meet the needs of all users (including elderly, children, and individuals with disabilities) to connect development to transit stops.

Provide bicycle parking that includes covered bike racks at transit stops; ensure it does not conflict with vehicular or pedestrian travel.

✓ Provide shelters, benches, trash receptacles, lighting, and landscaping to enhance the overall comfort and attractiveness of transit; ensure amenities do not block pathways, sidewalks, or bike lanes.

✓ Include doors with 32 inches of clear passage space, and at least one zero-step entrance and accessible bathroom on the main floor to support those with limited mobility.

Join the Valley Regional Transit group pass program:

<https://www.valleyregionaltransit.org/group-pass-programs>

✓ Use Valley Regional Transit's [Bus Stop Location and Transit Amenities Development Guidelines](#) for siting new bus stops and reviewing current and future bus stops.

Fiscal Impact Analysis Supplemental for the Development Review Checklist

The purpose of the fiscal impact analysis is to better estimate expected revenues and costs to local governments as a result of new development so that the public, stakeholders, and the decision-makers can better manage growth. Capital and operating expenditures are determined by various factors that determine service and infrastructure needs, including persons per household, student generation rates, lot sizes, street frontages, vehicle trip and trip adjustment factors, average trip lengths, construction values, income, discretionary spending, and employment densities.

The COMPASS Development Checklist considers the level of fiscal benefits, how many public agencies benefit or are burdened by additional growth, and how long the proposal will take to achieve a fiscal break-even point, if at all. More information about the COMPASS Fiscal Impact Tool is available at: www.compassidaho.org/prod/serv/fiscalimpact.htm.

Overall Net Fiscal Impact

Net Fiscal Impact, by Agency

City 

County 

Highway District 

School District 

Break Even: 1 year

Ada County Utility Coordinating Council

Developer/Local Improvement District Right of Way Improvements Guideline Request

Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.

- 1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.
- 2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.
- 3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.
- 4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

Notification to the Ada County UCC can be sent to: 50 S. Cole Rd. Boise 83707, or Visit iducc.com for e-mail notification information.

Development Process Checklist

Items Completed to Date:

- Submit a development application to a City or to Ada County
- The City or the County will transmit the development application to ACHD
- The ACHD **Planning Review Section** will receive the development application to review
- The **Planning Review Section** will do one of the following:
 - Send a “**No Review**” letter to the applicant stating that there are no site specific conditions of approval at this time.
 - Write a **Staff Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.
 - Write a **Commission Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

Items to be completed by Applicant:

- For **ALL** development applications, including those receiving a “**No Review**” letter:
 - The applicant should submit one set of engineered plans directly to ACHD for review by the **Development Review Section** for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
 - The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.
- Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

DID YOU REMEMBER:

Construction (Non-Subdivisions)

Driveway or Property Approach(s)

- Submit a “Driveway Approach Request” form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.

Working in the ACHD Right-of-Way

- Four business days prior to starting work have a bonded contractor submit a “Temporary Highway Use Permit Application” to ACHD Construction – Permits along with:
 - a) Traffic Control Plan
 - b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50’ or you are placing >600 sf of concrete or asphalt.

Construction (Subdivisions)

Sediment & Erosion Submittal

- At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.

Idaho Power Company

- Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.

- Final Approval from Development Services is required** prior to scheduling a Pre-Con.

Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
 - a. **Filing Fee:** The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
 - b. **Initiation:** An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
 - c. **Time to Reply:** The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
 - d. **Notice of Hearing:** Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
 - e. **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.

Request for Reconsideration of Commission Action

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

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

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

- b. The request must be in writing and delivered to the Secretary of the Highway District no later than 11:00 a.m. 2 days prior to the Commission's next scheduled regular meeting following the meeting at which the action to be reconsidered was taken. Upon receipt of the request, the Secretary shall cause the same to be placed on the agenda for that next scheduled regular Commission meeting.
- c. The request for reconsideration must be supported by written documentation setting forth new facts and information not presented at the earlier meeting, or a changed situation that has developed since the taking of the earlier vote, or information establishing an error of fact or law in the earlier action. The request may also be supported by oral testimony at the meeting.
- d. If a motion to reconsider passes, the effect is the original matter is in the exact position it occupied the moment before it was voted on originally. It will normally be returned to ACHD staff for further review. The Commission may set the date of the meeting at which the matter is to be returned. The Commission shall only take action on the original matter at a meeting where the agenda notice so provides.
- e. At the meeting where the original matter is again on the agenda for Commission action, interested persons and ACHD staff may present such written and oral testimony as the President of the Commission determines to be appropriate, and the Commission may take any action the majority of the Commission deems advisable.
- f. If a motion to reconsider passes, the applicant may be charged a reasonable fee, to cover administrative costs, as established by the Commission.

RECEIVED

JUL 08 2022

DAVID REYNOLDS
CHAIRMAN OF THE BOARD

DONALD BARKSDALE
VICE CHAIRMAN OF THE BOARD

ROBERT D. CARTER
PROJECT MANAGER

THOMAS RITTHALER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

MARY SUE CHASE
ASSISTANT SECRETARY-
TREASURER

CITY OF KUNA

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2485 OVERLAND ROAD
BOISE, IDAHO 83705-3155

OPERATING AGENCY FOR 167,000
ACRES FOR THE FOLLOWING
IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT
BOISE-KUNA DISTRICT
WILDER DISTRICT
NEW YORK DISTRICT
BIG BEND DISTRICT

TEL: (208) 344-1141
FAX: (208) 344-1437

06 July 2022

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

RE: Newberry Place Sub.
South Ten Mile Rd. Kuna 83634
Nampa-Meridian Irrigation District
Harris Lateral 16+10
Sec. 2, T2N, R1W, BM.

22-07-S
NM-1599J

Troy Behunin, Senior Planner:

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

The Boise Project Board of Control is contracted to operate and maintain this Lateral. We assert the federal easement 30 feet in both directions of the lateral's centerline. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

The Boise Project does not approve landscaping (other than grass or gravel) within its easements, as this will certainly increase our cost of maintenance. All easements must remain a flat drivable surface.

Fencing/pathways (as may be required) must be constructed just off the canal easement, to ensure public safety and prevent encroachments.

Parking lots, curbing, light poles, signs, etc. and the placing of asphalt and/or cement over Project facility easements must be approved by Boise Project Board of Control prior to construction.

Project facilities and/or easements that parallel, and are within and/or intended to be within road right-of-ways due to any development of this property must be relocated outside of road right-of-ways. The easements of Boise Project facilities will remain the same unless agreed upon and/or approved with written permission from Boise Project Board of Control.

The construction of any roadway crossings must be conducted only during the non-irrigation season when the canal is dewatered. In any case no work shall take place within the easement before the proper crossing agreements have been secured through the Bureau of Reclamation and the Boise Project Board of Control.

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

Crossing agreements must be secured and signed by all parties prior to March 1st of each year. A time schedule for the construction to be done during the non-irrigation season must be approved by Boise Project prior to any activity within Project easements. No construction will be allowed within the easement boundaries of the Boise Project Board of Control facilities after March 15th of each year. However, on a case by case basis, overhead utilities and utilities boring underneath a Project facility may be allowed after March 15th if reviewed and approved by the Boise Project.

The piping and relocation of any Lateral, Canal and/or Drain must be reviewed and approved by the Project and is (to include all appurtenant boxes and/or structures) and must be warranted by the landowner for a period of (5) five-years. The Warrantee Agreement must be secured prior to ANY disturbance of that facility.

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

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

NO DISCHARGE into any live irrigation system is permitted.

Per Idaho Statutes, Title 42, local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement by the landowner, developer and contractors.

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

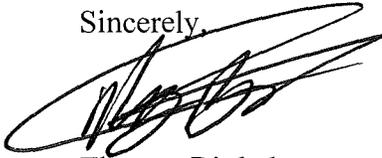
Wording on the preliminary and final recorded plat needs to state that any proposed and/or future usage of the Boise Project Board of Control facilities are subject to Idaho Statues, Title 42-1209.

We request a copy of the recorded final plat and/or record of survey (to include instrument, book and page numbers) be sent to the Boise Project Board of Control so we may track this project to closure.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Ritthaler', written over a large, loopy flourish.

Thomas Ritthaler
Assistant Project Manager, BPBC

tbr/tr

cc: Clint McCormick Watermaster, Div.; 2 BPBC
Greg Curtis Water Superintendent NMID
File

Communities in Motion 2050 Development Review

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this review as a tool for local governments to evaluate whether land developments are consistent with the goals of *Communities in Motion 2050* (CIM 2050), the regional long-range transportation plan for Ada and Canyon Counties. This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2050 goals.

Development Name:

CIM Vision Category:

New Jobs:

CIM Corridor:

New Households:



Safety

Level of Stress measures how safe and comfortable a bicyclist or pedestrian would feel on a corridor and considers multimodal infrastructure number of vehicle lanes, and travel speeds.

- Pedestrian level of stress
- Bicycle level of stress



Economic Vitality

These tools evaluate whether the location of the proposal supports economic vitality by growing near existing public services.

- Activity Center Access
- Farmland Preservation
- Net Fiscal Impact
- Within CIM Forecast



Convenience

Residents who live or work less than 1/2 mile from critical services have more transportation choices, especially for vulnerable populations.

- Nearest bus stop
- Nearest public school
- Nearest public park



Quality of Life

Checked boxes indicate that additional information is attached.

- Active Transportation**
- Automobile Transportation**
- Public Transportation**
- Roadway Capacity**



Improves performance



Does not improve or reduce performance



Reduces performance

Comments:

Communities in Motion 2050
[2020 Change in Motion Report](#)
[Development Review Process](#)

Web: www.compassidaho.org
 Email: info@compassidaho.org



Public Transportation Infrastructure

Providing safe and comfortable transit stops and appropriate amenities can make public transportation a more convenient and competitive option, reduce the overall cost of housing + transportation, and expand the potential customer base for businesses.

While stop location and spacing will depend on the circumstances of the route, there are some general guidelines to improve the user experience:

Locate bus stop amenities in areas that are expected to generate the most ridership, such as near employment centers, residential areas, retail centers, education centers, or major medical facilities.

Provide sidewalks and/or bike paths designed to meet the needs of all users (including elderly, children, and individuals with disabilities) to connect development to transit stops.

Provide bicycle parking that includes covered bike racks at transit stops; ensure it does not conflict with vehicular or pedestrian travel.

✓ Provide shelters, benches, trash receptacles, lighting, and landscaping to enhance the overall comfort and attractiveness of transit; ensure amenities do not block pathways, sidewalks, or bike lanes.

✓ Include doors with 32 inches of clear passage space, and at least one zero-step entrance and accessible bathroom on the main floor to support those with limited mobility.

Join the Valley Regional Transit group pass program:

<https://www.valleyregionaltransit.org/group-pass-programs>

✓ Use Valley Regional Transit's [Bus Stop Location and Transit Amenities Development Guidelines](#) for siting new bus stops and reviewing current and future bus stops.

Fiscal Impact Analysis Supplemental for the Development Review Checklist

The purpose of the fiscal impact analysis is to better estimate expected revenues and costs to local governments as a result of new development so that the public, stakeholders, and the decision-makers can better manage growth. Capital and operating expenditures are determined by various factors that determine service and infrastructure needs, including persons per household, student generation rates, lot sizes, street frontages, vehicle trip and trip adjustment factors, average trip lengths, construction values, income, discretionary spending, and employment densities.

The COMPASS Development Checklist considers the level of fiscal benefits, how many public agencies benefit or are burdened by additional growth, and how long the proposal will take to achieve a fiscal break-even point, if at all. More information about the COMPASS Fiscal Impact Tool is available at: www.compassidaho.org/prodserv/fiscalimpact.htm.

Overall Net Fiscal Impact

Net Fiscal Impact, by Agency

City

County

Highway District

School District

Break Even:

Troy Behunin

From: Mike Fratusco <mfratusco@adacounty.id.gov>
Sent: Tuesday, June 28, 2022 6:10 PM
To: Troy Behunin
Subject: Re: Request for Official Comments - Newberry Place... 7015 S Ten Mile Rd.

Categories: Agency Comments

I have no concerns with the subdivision.

Chief Mike Fratusco
Kuna City Police
(208) 573-7460

From: Troy Behunin <tbehunin@kunaid.gov>
Sent: Tuesday, June 28, 2022 5:45 PM
To: Ada County Highway District <planningreview@achdidaho.org>; Adam Ingram <Adam.Ingram@sparklight.biz>; Bobby Withrow <bwithrow@kunaid.gov>; Boise Project Board of Control <TRitthaler@boiseproject.org>; Brent Moore <bmoore@adacounty.id.gov>; Central District Health Department <lbadigian@cdhd.idaho.gov>; Mike Fratusco <mfratusco@adacounty.id.gov>; COMPASS <cmiller@compassidaho.org>; Dennis Chan (Dennis.chan@usps.gov) <Dennis.chan@usps.gov>; Eric Adolfson <eadolfson@compassidaho.org>; Idaho Power Easements <easements@idahopower.com>; Idaho Power Easements 2 <kfunke@idahopower.com>; Intermountain Gas <bryce.ostler@intgas.com>; ITD <D3Development.Services@itd.idaho.gov>; J&M Sanitation <Chad.Gordon@jmsanitation.com>; Krystal Hinkle <khinkle@kunafire.com>; Leon Letson <lletson@adacounty.id.gov>; Marc Boyer (Kuna Postmaster) <marc.c.boyer@usps.gov>; Nampa Meridian Irrigation District <nmid@nmid.org>; New York Irrigation <terri@nyid.org>; Paris Dickerson <PDickerson@idahopower.com>; Paul Stevens <PStevens@kunaid.gov>; PWorkoffice <PWorkoffice@kunaid.gov>; Robbie Reno <rreno@kunaschools.org>; Sara Arjonas ITD D3 <Sarah.Arjona@itd.idaho.gov>; Scott FCCNWI <scott@fccnwi.com>; Stacey Yarrington <syarrington@adacounty.id.gov>; Catherine Feistner <cfeistner@kunaid.gov>; TJ Lawrence <tlawrence@kunafire.com>; Brady Barroso <bbarroso@kunaid.gov>
Subject: [EXTERNAL] Request for Official Comments - Newberry Place... 7015 S Ten Mile Rd.

CAUTION: This email originated from outside Ada County email servers. Do not click on links or open attachments unless you recognize the sender and know the content is safe. Verify the sender by mouse-hovering over their display name in order to see the sender's full email address and confirm it is not suspicious. If you are unsure an email is safe, please report the email by using the 'Phish Alert' button in Outlook.

Evening Greetings Everyone,

Please review the attached PDF for the [Newberry Place Subdivision](#) being proposed in the City of Kuna, and return official comments about this project and how it might affect the services your organization provides to our office by the requested date. If you *need more time* for your review, or need more information or anything to assist you, please feel free to email me.

Thank you in advance for your continued help and your official comments.

Troy

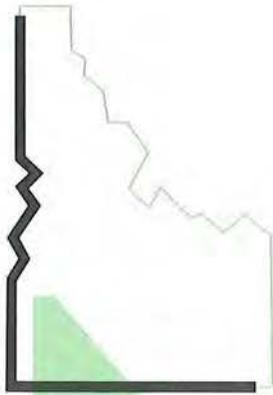
Troy Behunin
Planner III

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



CONFIDENTIALITY NOTICE

This e-mail and any attachments may contain confidential or privileged information. If you are not the intended recipient, you are not authorized to use or distribute any information included in this e-mail or its attachments. If you receive this e-mail in error, please delete it from your system and contact the sender.



RECEIVED

JUL 18 2022

CITY OF KUNA

ORGANIZED 1904

Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH
FAX #208-463-0092

NAMPA, IDAHO 83651-4395
nmid.org

OFFICE: Nampa 208-466-7861
SHOP: Nampa 208-466-0663

July 13, 2022

Troy Behunin, Senior Planner
City of Kuna
751 W. 4th Street
Kuna, ID 83634

RE: 22-07-S/ Newberry Place Subdivision; 7015 N. Ten Mile Rd.

To Whom It May Concern:

Nampa & Meridian Irrigation District (NMID) has no comment on the above referenced application as it lies outside of our district boundaries. Please contact Thomas Ritthaler, Boise Project- Board of Control, at 208-344-1141 or 2465 Overland Road Room 202 Boise, ID 83705-3173.

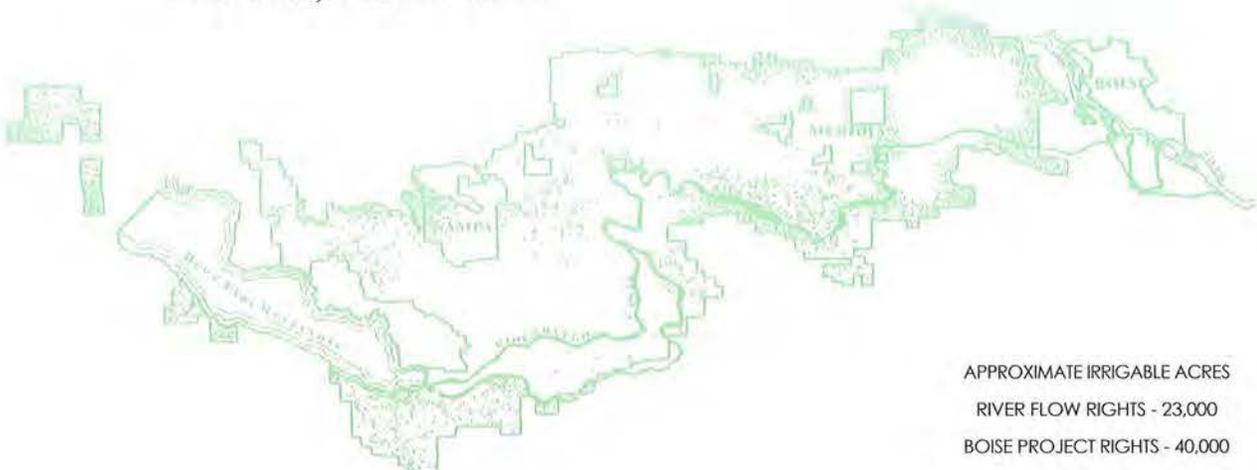
All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site NMID must review drainage plans. Developers must comply with Idaho Code 31-3805.

Sincerely,

David T. Duvall
Asst. Water Superintendent
Nampa & Meridian Irrigation District
DTD/ eol

Cc:

Office/ file
T. Ritthaler, Board of Control



APPROXIMATE IRRIGABLE ACRES

RIVER FLOW RIGHTS - 23,000

BOISE PROJECT RIGHTS - 40,000



ADVERTISING PROOF

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

BILLING DATE:	ACCOUNT NO:
08/29/22	21880

LEGAL NOTICE

**Case Nos. 22-07-S
 (Prelim Plat) & 22-16-DR
 (Design Review)
 Newberry Subdivision.**

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

NOTICE IS HEREBY GIVEN the Planning & Zoning Commission is scheduled to hold a public hearing on **Tuesday, September 27, 2022, at 6:00 PM**, (or as soon as can be heard); in City Hall Council Chambers, 751 W 4th Street, Kuna, ID, 83634, in connection with Newberry Subdivision. Skyline Homes & Development requests Preliminary Plat approval in order to subdivide approx. 18.64 acres in the City of Kuna, into 123 total lots. Applicant proposes a gross density at 5.31 DUA, and a net density at approx. 7.29 DUA with 10.63 % of common space. The site is located at 7015 N Ten Mile Road, Meridian, ID in Section 2, T 2 N, R 1 W, (APN S1303141900).

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
277324	22-07-S & 22-16-DR	08/31/22	08/31/22	1	\$51.44

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; the City of Kuna is providing alternative ways for the community to submit comments at Public Hearings if they do not wish to testify in person at the hearing, please contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

Kuna Planning & Zoning
 Department

August 31, 2022 277324

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount:	\$0.00	Gross:	\$51.44
Surcharge:	\$0.00	Paid Amount:	\$0.00
Credits:	\$0.00		

Amount Due: \$51.44

We Appreciate Your Business!

Suggestions for Testifying at Public Hearings:

Be Informed...

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

Be on time...

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

Speak to the Point...

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

If you do not wish to speak, write...

Written testimony received by close of business the Wednesday before the hearing will be included in the meeting packet; late submissions will be provided to the governing body at time of hearing. As a reminder, it is unreasonable to submit extensive written comments/info at



PO BOX 13
Kuna, ID 83634



JR 9.8.22
TB 9.8.22

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PO BOX 13
Kuna, ID 83634



JR 9.8.22
TB 9.8.22

INTEREX USA INC
6854 W WRIGHT ST
BOISE, ID 83709-0000

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If you do not wish to speak, write...

Written testimony received by close of business the



PO BOX 13
Kuna, ID 83634



SMITH BRIAN D
SMITH TRACIE L
3465 W DEVOTION DR
MERIDIAN, ID 83642-0000

GRIFFIN MARY E
GRIFFIN JAMES R
6863 S MEMORY WAY
MERIDIAN, ID 83642-0000

MEMORY RANCH SUB HOA INC
3140 W BELLTOWER DR
MERIDIAN, ID 83646-4882

MONSON FAMILY TRUST
MONSON CLARK IVAR TRUSTEE
3273 W DEVOTION DR
MERIDIAN, ID 83642-0000

Proof of Property Posting

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



This form shall confirm that the Public Hearing Notice for 22-07-S and 22-12-DR
Newberry Place Subdivision was posted, as required per Kuna City Code
5-1A-8, on September 14, 2022. This form and associated photos shall be returned
to the Planning & Zoning department no later than seven (7) days prior to the Public Hearing.

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

DATED this 15th day of September, 2022.

Signature: [Handwritten Signature]
Owner/Developer

State of Idaho)
) ss
County of Ada)

On this 15th day of September, 2022, before me, the
Undersigned, a Notary Public in and for said State, personally appeared before me Benjamin Semple
(Owner/Developer).

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

Kristin Caudill
Residing at: 1450 W Bannock St.
Boise ID ZIP 83702
My Commission expires: 06-30-2027

KRISTIN CAUDILL
Notary Public, State of Idaho
Commission Number 33817
My Commission Expires 06-30-2027

Kristin Caudill
Signature



CITY OF KANNA PUBLIC HEARING NOTICE

PROJECT NO. 2024-001

PROJECT NAME: [illegible]

PROJECT LOCATION: [illegible]

HEARING DATE: [illegible]

HEARING TIME: [illegible]

HEARING LOCATION: [illegible]

FOR MORE INFORMATION, CONTACT: [illegible]

FOR A LIST OF PROJECTS, VISIT: [illegible]

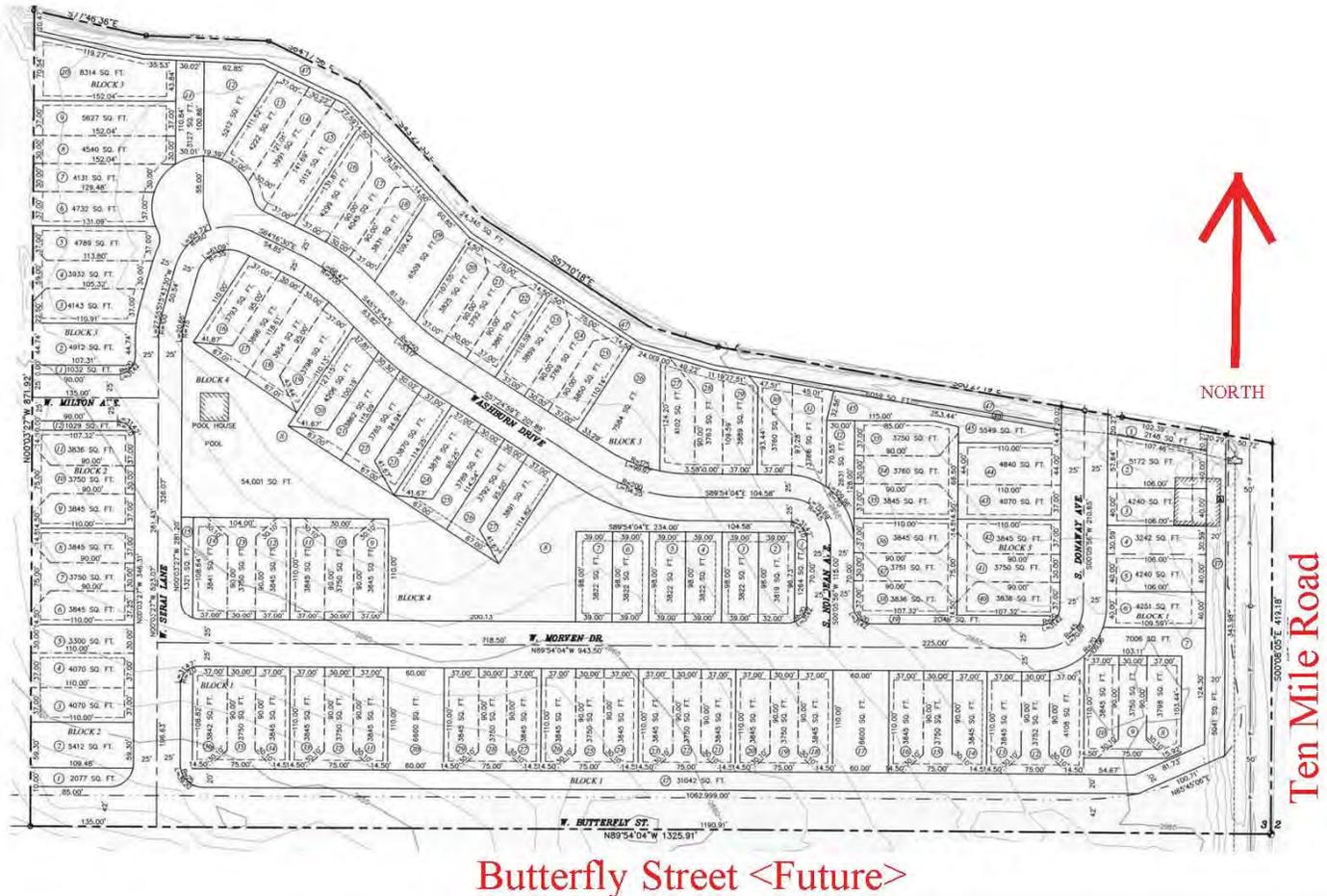
Case No. 22-07-S (Prelim Plat) Newberry Subdivision.

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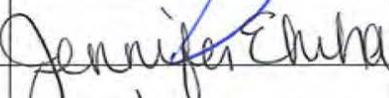
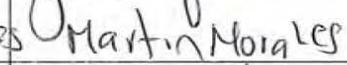
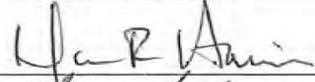
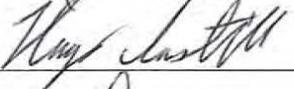
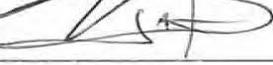
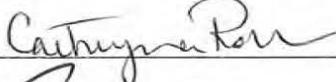
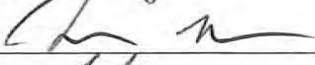
Please do not contact the Commission or Council including the Mayor as this may jeopardize the public hearing process as it is considered ex parte. If you require special accommodations, please contact Kuna Planning & Zoning Department prior to the meeting at (208) 922-5274.

The public is invited to provide written or oral testimony; the City of Kuna is providing alternative ways for the community to submit comments at Public Hearings if they do not wish to testify in person at the hearing, please contact the Kuna Planning & Zoning Department at (208) 922-5274 for more information.

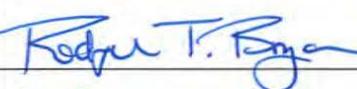
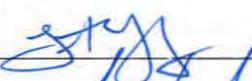
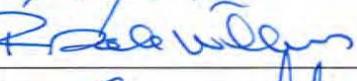
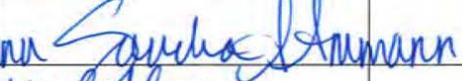
Kuna Planning & Zoning Department



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Printed Name	Signature	Address	Comment	Date
A. Van Dyke		3345 W. Devotion Dr.		9/18
J. Ehrhardt		3369 W Devotion Dr		9/18
Martin Morales		3387 W Devotion Dr		9/18
DAN HARRIS		3423 W. DEVOTION DR		9/18
Hugo Castillo		3441 W Devotion Dr		9/18
Carla Luekanga		3443 W. Devotion DR		9/18
Zach Luekanga		11		9/18
Jeremy Atiao		3053 w. Devotion		9/18
Cathrynna Robinson		6841 S. Memory Way		9/18
BRIAN MATHE		6797 S. MEMORY WAY		9/18
James Sanchez		6738 memory wy.		9-18

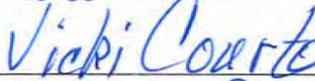
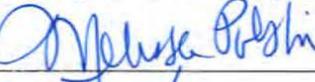
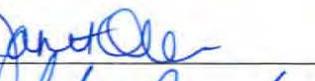
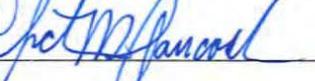
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Printed Name	Signature	Address	Comment	Date
Rodger Bryan		6980 S. Donaway Ave	Opposed to one entrance for all construction and final traffic	9/18/22
ANTHONY McONNEY		6981 S. DONAWAY AVE		9/18/22
Michelle Bingman		6933 S. Donaway Ave		9/18/22
Justin Young		6932. S. Donaway Ave		9/18/22
GREG CAMPBELL		6884 S DONAWAY AVE		9/18/22
Robert Dale Williams		6837 S Donaway Ave		9-18-22
Tim + Sandra Ammann		6836 S. Donaway Ave		9-18-22
Cam & Kayla Lau		6812 S donaway Ave		9/18/22
Mike & Kati Porcavo		3272 W. Tribute St		9/18/22
Chandler & Amanda Selby		6813 S. Donaway Ave.		9/18/2022

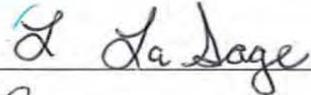
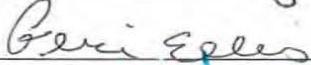
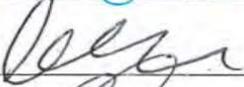
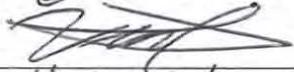
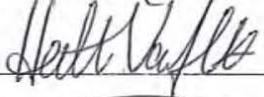
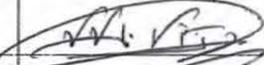
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Printed Name	Signature	Address	Comment	Date
Wesley Ake		6953 S. NORDMAN AVE		9/19/22
SCOTT BARRON		6881 S NORDMAN AVE		9/19/22
SHAWN SUGIMOTO		6858 S. NORDMAN AVE		9/19/22
MELVIN NIENHUIS		6678 S ALLEGIANCE AVE		9/19/22
Emely Hernandez		6737 S Allegiance Ave		9/19/22
Abby Baumgartner		6755 S Allegiance Ave		9/19/22
Josh Hopkins		6808 S. Allegiance Ave		9/19/22
Traavis Smith		6790 S Allegiance Ave		9/20/22
Brooke Rangel		6807 S. Allegiance Ave		9/20/22
Inga birce Purase		6855 S Allegiance		9/20/22
Ben Steele		6890 S. Allegiance		9/20/2022

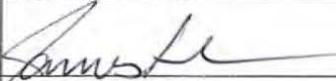
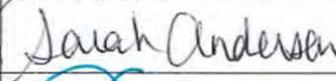
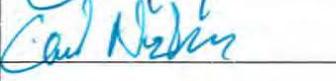
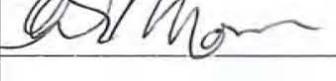
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Printed Name	Signature	Address	Comment	Date
Michael Trahanway		6682 S Donaway ave		09-18-22
Ariel M. [unclear]		6618 S Donaway ave		9/18/22
Vicki Courtis		6586 S. Donaway		9/18/22
MELISSA POLSKI		3474 W REMEMBRANCE DR		9-18-22
Harmon		6908 S. Donaway Ave		9-19-22
Janet Owens		6866 S. Donaway Ave		9-19-22
Jordan Hancock		6909 S. Donaway Ave		9/19/22
Monica Anderson		6885 S. Donaway Ave		9/20/22

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Printed Name	Signature	Address	Comment	Date
Leon LaSage		6929 S. Nordean Ave		9/19/2022
Ceri Eelen		6809 S NORDEAN AVE		9/19/2022
Susan Brubb		6905 S Nordean Ave		9/19/2022
Alain Lemesse		6810 S. NORDEAN AVE		9/19/2022
Elizabeth Chavez		3330 W Tribute St		
Valerie Parkes		3358 W Charlene St		9/19/22
HEATHER VANFLEET		3453 W CHARLENE ST		9/19/22
VVS-VIJAY		3502 W CHARLENE ST		9/19/22
KC Wheeler		6679 S Allegiance		9/19/22
Zach Grappa		6977 S Nordean Ave		9/19/22
Penny Code		6954 S Nordean Ave		9/19/22

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Printed Name	Signature	Address	Comment	Date
James Andersen		6906 S. Nordean Ave		9/19/22
Sarah Andersen		6906 S. Nordean Ave		9/19/22
Reyanna Gorman		6908 S. Allegiance Ave		9/20/22
Brynne Amadondo		6909 S. Allegiance Ave		9/20/22
Clare Nielson		6945 S. Allegiance Ave		9/20/2022
Nathalie Nielson		6945 S. Allegiance Ave.		9/20/2022
Clark Monsen		3532 W. Comm. Center		9/20/22

September 21, 2022

Mr. Doug Hanson
City of Kuna Planning and Zoning Director
751 W. 4th Street
Kuna, Idaho 83634

RE: Planning and Zoning Case No. 22-07-S (Preliminary Plat) Newberry Subdivision

Dear Mr. Hanson:

We live at 3465 W. Devotion Drive, immediately north of the proposed Newberry Subdivision development and we are writing to formally oppose the preliminary plat being considered by the Planning and Zoning Commission.

We understand that residential and commercial development are an important part of the growth of the City of Kuna and we are not opposed to the development of housing for this parcel. However, we are adamantly opposed to the layout of the preliminary plat, particularly as it pertains to impacts to our home and others within Memory Ranch Subdivision.

It is our understanding that the applicant is primarily proposing triplex multifamily housing along the northern boundary of this development. According to the Skyline Homes LLC website, the triplex structures will be 90' in length by approximately 32.5' in height. Based on our understanding of the plat, two of these structures will be placed side by side with minimal horizontal setback from each other, thus creating in essence 6,000 square feet of vertical "wall" immediately adjacent to the existing Memory Ranch subdivision. A copy of the plans and elevations of these structures is attached to this letter for reference.

In addition, the Newberry Subdivision site is roughly 2'-3' higher vertically than Memory Ranch and the majority of homes along the south side of Memory Ranch are single story houses. As such, these proposed multi family units will tower over and negatively impact the property values of our home and that of our neighbors.

As an alternative, attached to this letter is a sketch with a proposed modification to the northern portion of this preliminary plat. This revised layout provides additional landscaping buffer to Memory Ranch including a functional 1.7 acre neighborhood park, while maintaining the same number of units. A copy of this sketch is attached.

The R-8 zone is intended among other things to provide a 'transition' from lower density residential housing to light commercial land use parcels. While the preliminary plat appears to meet the minimum dimensional and density requirements of an R-8 designation, it does not in our opinion provide an appropriate transition that considers the context of adjacent neighbors.

We are asking the P&Z Commission to table this application and request the developer to reconsider the layout of lots adjacent to the Memory Ranch Development. We do not contend that our proposed alternative is the only solution, but it does confirm that other layouts are possible that can meet the developer's financial goals while also better accommodating existing lower density housing immediately adjacent to the development.

Thank you for your consideration of this request.

Sincerely,

Brian and Tracie Smith
3465 West Devotion Drive
Kuna, Idaho 83642

Attachments:

Townhomes Plans from Skyline Homes (Elevations, Main Floor Plan, Overall Plan, Second Floor Plan, Third Floor Plan)

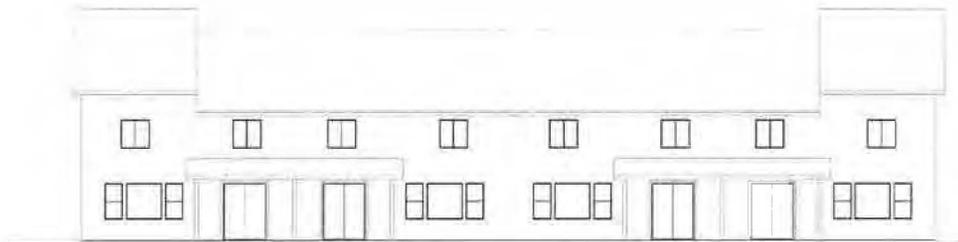
Alternative Preliminary Plan Sketch



1 FRONT ELEVATION - 4 PLEX
1/8" = 1'-0"



1 SIDE ELEVATION/SECTIONS
1/8" = 1'-0"



2 REAR ELEVATION - 4 PLEX
1/8" = 1'-0"



IRON OAK
HOMES

BRAXTON HANSEN
208 501 9125

**CONSTRUCTION
DOCUMENTS**

TOWNHOMES
ADDRESS CITY,
STATE ZIP

DRAWN BY: MEGAN
CHECKED BY: ONEL

REV: DATE:

PERMIT NO

SHEET TITLE:

ELEVATIONS

PROJECT NO 2112

A1.0

DATE: FEBRUARY 2021



IRON OAK
HOMES

BRAXTON HANSEN
208 501 9125

CONSTRUCTION
DOCUMENTS

TOWNHOMES
ADDRESS CITY,
STATE ZIP

DRAWN BY: MEGAN
CHECKED BY: O'NEIL

REV: DATE:

PERMIT NO

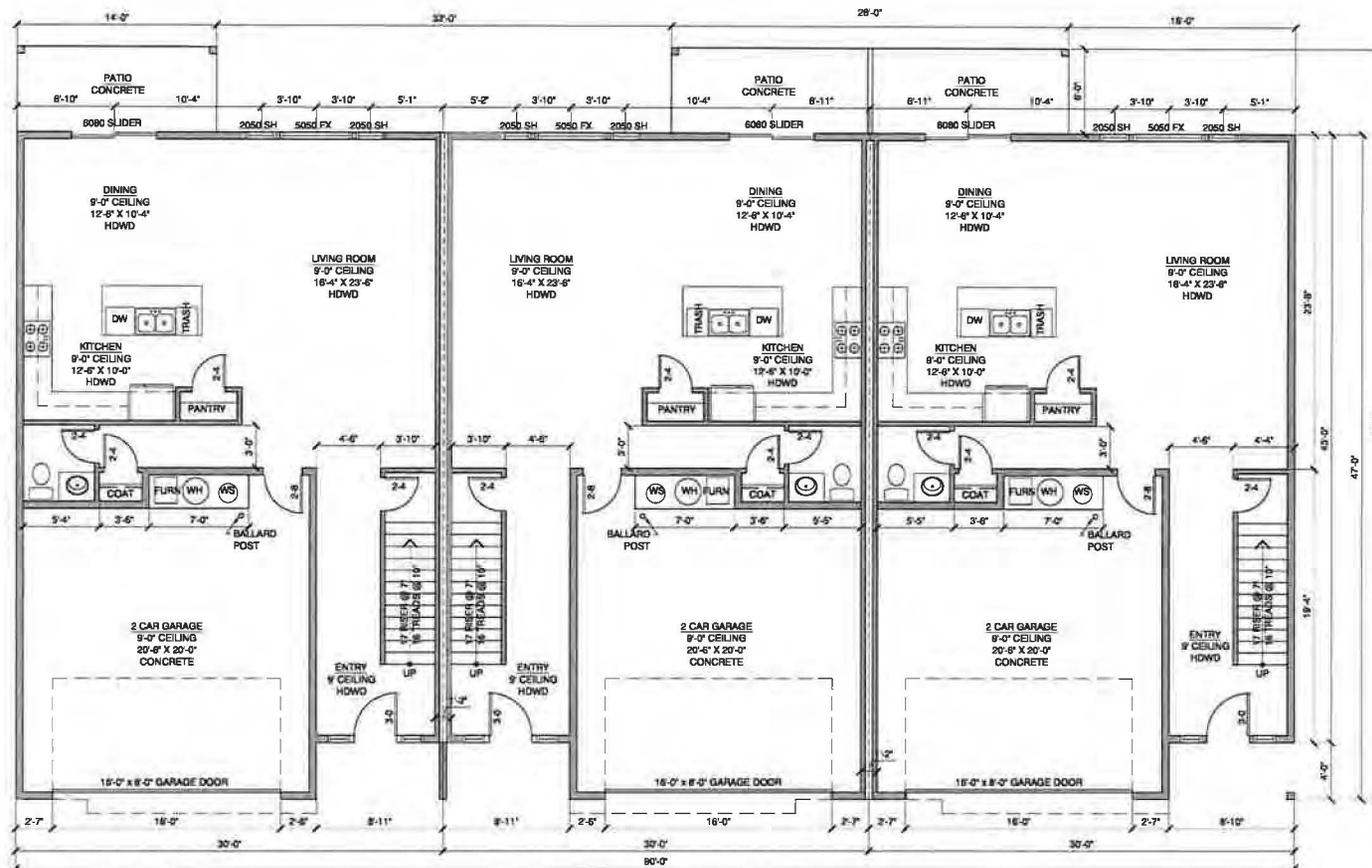
SHEET TITLE:

MAIN FLOOR PLAN

PROJECT NO. 2112

A3.0

DATE: FEBRUARY 2021



1 MAIN FLOOR PLAN - 3 PLEX
1/4"=1'-0"





IRON OAK
HOMES

BRAXTON HANSEN
208.501.9125

CONSTRUCTION
DOCUMENTS

TOWNHOMES
ADDRESS CITY,
STATE ZIP

DRAWN BY: MEGAN
CHECKED BY: ONEIL

REV: DATE:

PERMIT NO.

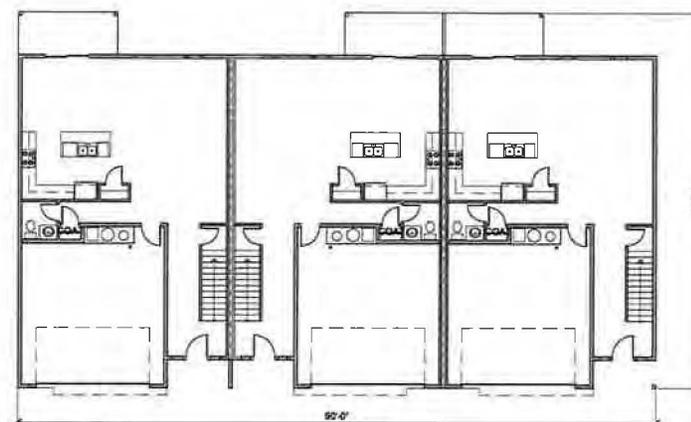
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OVERALL PLAN

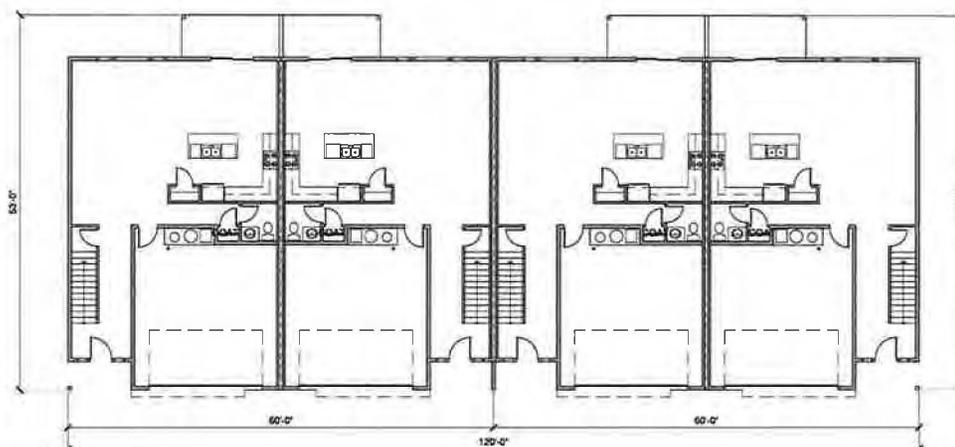
PROJECT NO. 2112

A3.01

DATE: FEBRUARY 2021



1 3 PLEX
1/8"=1'-0"



2 4 PLEX
1/8"=1'-0"





IRON OAK
HOMES

BRAXTON HANSEN
208 501 9125

**CONSTRUCTION
DOCUMENTS**

TOWNHOMES
ADDRESS CITY,
STATE ZIP

DRAWN BY: MEGAN
CHECKED BY: ONEL

REV: DATE:

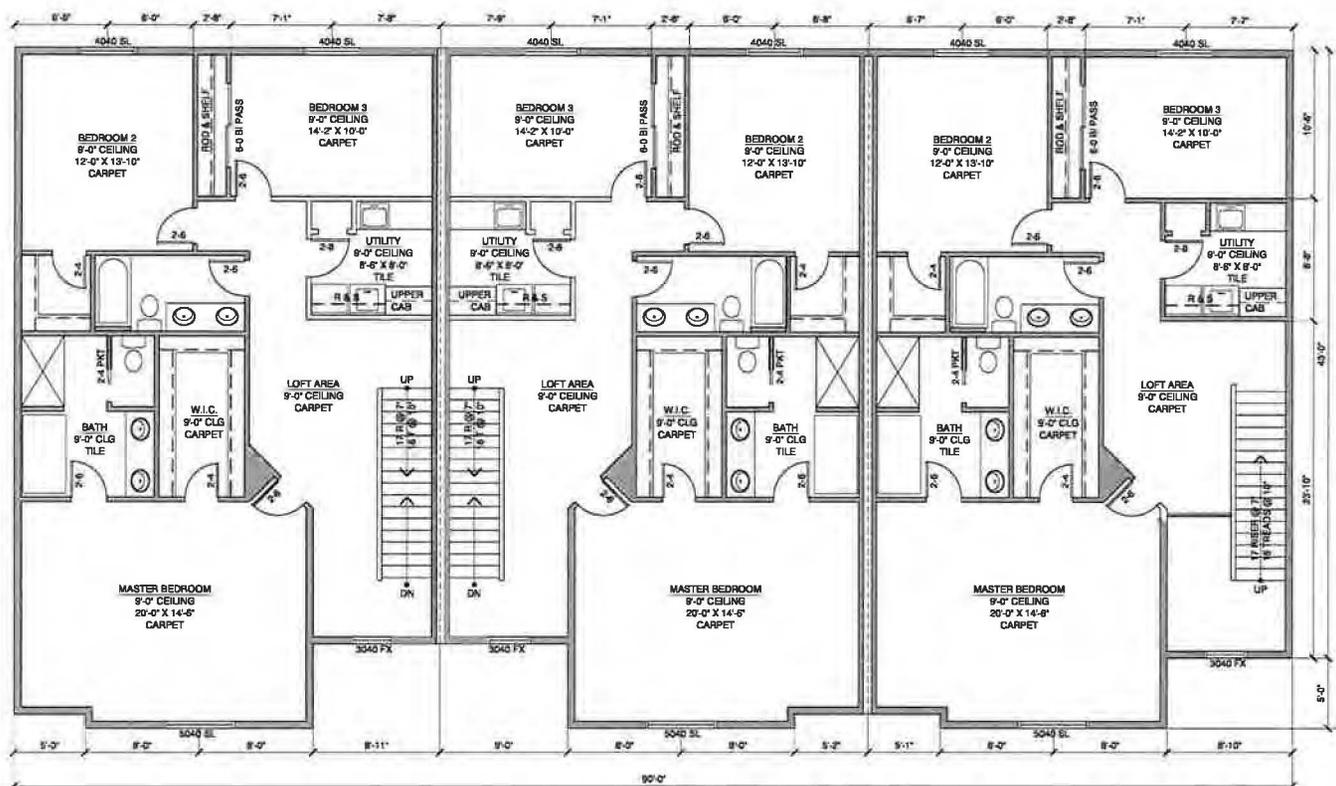
PERMIT NO.

SHEET TITLE:
**SECOND FLOOR
PLAN**

PROJECT NO. 2112

A3.1

DATE: FEBRUARY 2021



1 UPPER FLOOR PLAN - 3 PLEX
1/8"=1'-0"





IRON OAK
HOMES

BRAXTON HANSEN
208 501.9125

**CONSTRUCTION
DOCUMENTS**

**TOWNHOMES
ADDRESS CITY,
STATE ZIP**

DRAWN BY: MEGAN
CHECKED BY: O'NEIL

REV: DATE:

PERMIT NO

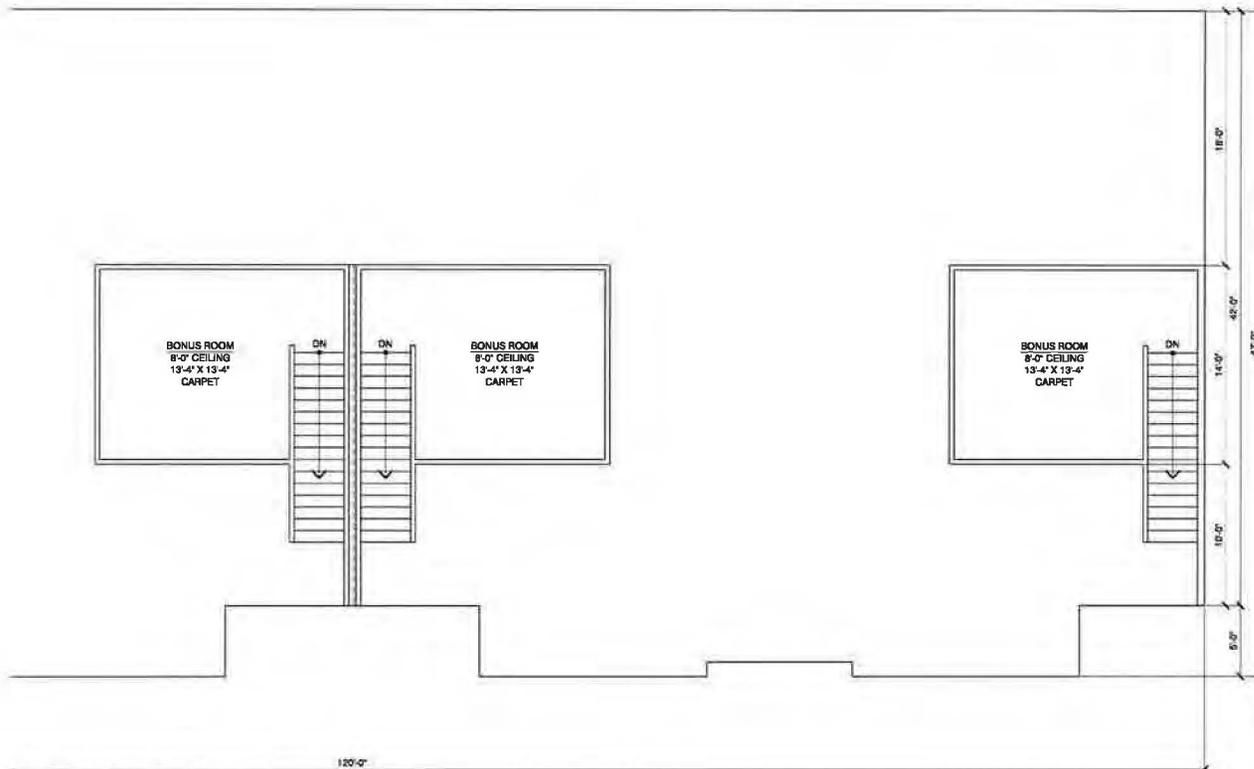
SHEET TITLE:

THIRD FLOOR PLAN

PROJECT NO. 2113

A3.2

DATE: FEBRUARY 2021



1 THIRD FLOOR PLAN
1/4" = 1'-0"



POTENTIAL ALTERNATE PLAN
NEVERLY PLACE SUBDIVISION

98 TOTAL UNITS

