

**OFFICIALS**

Lee Young, Chairman  
Dana Hennis, Vice Chairman  
Bryan Clark, Commissioner  
Ginny Greger, Commissioner  
Jim Main, Commissioner

**CITY OF KUNA**  
**City Hall Council Chambers**  
**751 W 4<sup>th</sup> Street, Kuna, ID 83634**



**Planning & Zoning Commission**  
**REGULAR MEETING AGENDA**  
**Tuesday October 24, 2023, at 6:00 PM**

*For questions, please call Planning and Zoning at (208) 922-5274.*  
*ALL AGENDA ITEMS ARE ACTION ITEMS UNLESS OTHERWISE NOTED.*

**1. CALL TO ORDER & ROLL CALL:**

**2. CONSENT AGENDA:**

*All items listed are routine and acted on with one (1) Motion by the Commission; there will be no separate discussion unless the Chairman, Commissioner, or Staff requests it be removed. Removed items will be placed under Business unless otherwise instructed.*

- 1. Regular Commission Meeting Minutes Dated October 10, 2023
- 2. Findings of Fact & Conclusions of Law
  - A. Case No. 23-07-AN for Cottonwood Crossing
  - B. Case No. 23-12-DR for NAPA Auto Parts

**3. PUBLIC HEARINGS:**

None

**5. BUSINESS ITEMS:**

None

**6. UPDATES & REPORTS: Non-Action Items**

None

**7. ADJOURNMENT:**

**OFFICIALS**

Lee Young, Chairman  
Dana Hennis, Vice Chairman  
Bryan Clark, Commissioner  
Ginny Greger, Commissioner  
Jim Main, Commissioner

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***1. CALL TO ORDER & ROLL CALL:***

*(Timestamp 00:02:54)*

**Kuna Senior Planner Troy Behunin** Commission, we are streaming and recording and we're ready to go whenever you are.

**Chairman Lee Young** Okay, then we'll bring to order the regular planning and summing Commission meeting for Tuesday, October 10th, 2023, and we'll start with roll call.

**Kuna Senior Planner Troy Behunin** Commissioner Lee Young.

**Chairman Lee Young** Present.

**Kuna Senior Planner Troy Behunin** Commissioner Dana Hennis.

**Vice Chair Dana Hennis** Present.

**Kuna Senior Planner Troy Behunin** Commissioner Jim Maine.

**Commissioner Jim Maine** Present.

**Kuna Senior Planner Troy Behunin** Commissioner Ginny Greger... Commissioner Bryan Clark.

**Commissioner Bryan Clark** Present.

**Kuna Senior Planner Troy Behunin** Thank you.

**Commissioners Present:**

Lee Young, Chairman -Present  
Dana Hennis, Vice Chairman -Present  
Bryan Clark, Commissioner -Present  
Ginny Greger, Commissioner -Absent  
Jim Main, Commissioner -Present

**City Staff Present:**

Troy Behunin, Senior Planner  
Doug Hanson, Director of Planning and Zoning  
Morgan Treasure, Director of Economic Development

***2. CONSENT AGENDA:***

*All items listed are routine and acted on with one (1) Motion by the Commission; there will be no separate discussion unless the Chairman, Commissioner, or Staff requests it be removed. Removed items will be placed under Business unless otherwise instructed.*

*(Timestamp 00:03:04)*

**Chairman Lee Young** And first item up is our consent agenda.

**Vice Chairman Dana Hennis** Mr. Chairman, I move, we approve the consent agenda.

**Commissioner Jim Main** Second.

**Chairman Lee Young** All in favor?

**All Commissioners** Aye.

**Chairman Lee Young** Motion carries

1. Regular Commission Meeting Minutes Dated September 12, 2023  
(September 26, 2023, meeting was cancelled, no minutes)
2. Findings of Fact & Conclusions of Law
  - A. Case Nos. 22-07-ZC, 22-05-PUD, 22-15-S, 22-08-SUP & 22-34-DR Gallica Heights Subdivision
  - B. Case Nos. 23-02-CPF & 23-04-ZC Serving Subdivision
  - C. Case Nos. 23-01-CPM, 23-01-ZC & 23-02-S Arrow Pointe Plaza

(Timestamp 00:03:24)

**Motion To:** Approve the Consent Agenda.

**Motion By:** Vice Chairman Dana Hennis

**Motion Seconded:** Commissioner Jim Main

**Further Discussion:** None

**Voting Aye:** Commissioners Young, Main, Clark, Hennis

**Voting No:** None

**Absent:** Commissioner Ginny Greger

**Motion Passed** 4-0-1

### 3. PUBLIC HEARINGS:

- A. Case Nos. 23-07-AN (Annexation) for Cottonwood Crossing – Doug Hanson, Director

Applicant requests to Annex approximately 82.20 acres with an A (Agriculture) and C-2 (Area Commercial) zones at the northwest corner of Ten Mile and Columbia Roads (APNs: R4313530211, R4313530231); Section 3, Township 2 North, Range 1 West.

(Timestamp 00:16:38)

**Chairman Lee Young** ...And so, first up under public hearings we have Case No. 23-07-AN (Annexation) for Cottonwood Crossing and, Mr. Hanson.

**Kuna Planning and Zoning Director Doug Hanson** Good evening, Commissioners. For the record, Doug Hanson, Kuna Planning and Zoning, 751 W 4th St. The application before you this evening, request to annex approximately 82.20 acres with A (Agriculture) and C-2 (Area Commercial) zones at the northwest corner of Ten Mile and Columbia Roads. The east parcel fronting Ten Mile Rd. is proposed to be approximately 27.52 acres with a C-2 zone. The West parcel will total approximately 54.19 acres with an agriculture zone. The proposed agriculture zone lands will be donated for a University of Idaho endowment. The University of Idaho will take possession of the property upon the settlement of the Guido Estate, and they must maintain ownership of the property for at least 100 years. Tonight's request is for annexation only. The applicant is not proposing development of the site at this time in the future with any development proposals, the applicant will be subject to all development requirements, including the dimensional standards as they appear in Kuna City code. Staff has reviewed the proposed annexation for compliance with Kuna City code, Idaho Statute §50-222 and the Kuna Comprehensive Plan. And, should the Commission recommend approval of the annexation, staff recommends the Applicant be subject to the proposed recommended Conditions of approval as outlined in staff report. I will stand by for any questions.

**Chairman Lee Young** Are there any questions for Doug, at this time?

**Vice Chairman Dana Hennis** No, not at this time.

**Chairman Lee Young** Okay. Then one of the Applicants. Please come forward, state your name and address for the record please.

**Kuna Senior Planner Troy Behunin** Elizabeth, just make sure that you turn that green.

*[inaudible background]*

**Kuna Senior Planner Troy Behunin** The red light to green. There you go.

**Elizabeth Koeckeritz** Good evening, Planning and Zoning Commissioners. My name is Elizabeth Koeckeritz. I'm with Givens Pursley, 601 Bannock, Boise, Idaho. With me tonight are the property owners, Joe and Kathy Guido, as well as David Crawford our Engineer on this project. We want to thank Doug Hanson and the rest of the development team staff as well as Morgan and really everyone in the City of Kuna for their assistance with this project. We think that with their project...with their input we this is a really solid plan that we're coming back with where we're requesting the annexation of this property; making sure that we meet the concerns of the community that were raised at the last hearings, while ensuring that we also are meeting sort of the City of Kuna's goals, the Comprehensive Plan, what they're looking forward in the future.

You may remember that the Guido's were here before you last Spring and at that time they also presented an annexation and zoning application; but that plan included some high residential housing component. You recommended approval; but, at that point in time the City Council was a little nervous about the whole thing and so they ultimately denied the project. So here we are. We've reworked it. We've talked through different things, and we are now coming back with a very similar project, just, without that High Density Residential included within it. In fact, there is no residential included within this and I'll show you in a moment any future residential will require to come back before you for a zoning change. *Well, oh, I remember. This is switching on me.*

So, the site as it was just mentioned is approximately 82.2 acres and we're on the northwest corner of Ten Mile and Columbia Roads. It's currently used for agricultural purposes, for farming, and the Guido's intend to continue farming the 52 acres of it that will remain Agriculture until their death. They're also proposing a boundary adjustment with this that will carve off the property on the hard corner. The property that is zoned that's proposed to be zoned and remain zoned agriculture is part of University of Idaho endowment property that will pass to them. Upon the Guido's death, which they're saying is not going to be for at least 20 to 30 years and then it will remain with the University of Idaho for another 100 years. And importantly, anything that the University of Idaho wants to do on this property, other than use this for agricultural purposes, they will also have to come back before you for a rezone in the future.

The intent is for them to leave some sort of legacy that can really serve the residents of Kuna, now and in the future, moving forward. The property is designated 'mixed-use' on the land use... on the Future Land Use Map. It is, which shows, that they recommend at least two (2) uses. That's what we're proposing here. If you look at the map, this is entirely consistent with the property directly to the East, which I know is the Durrant's property, which they currently have no plans to develop. But it is mixed-use the property directly to the South is also mixed-use and the property on the hard corner to the south-east is commercial. So, the city's intent is that this eventually will develop with commercial uses on this corner; and that will especially happen as Ten Mile with that intersection punch through coming. It's just such an easy straight shot down I-84 and it just gives people a second opportunity and option for getting into the City of Kuna.

The zoning, it's currently zoned Ag (Agriculture). We are requesting the two (2) zones, we've talked about. You can see there are already commercial zones coming to this area. The hard corner directly to the east is zone C-1 and *kitty-corner* is C-2.

One of the questions, oh, and it's really hard to see on this, is 'what is allowed in the C2 zone?' and 'what's allowed in the AG zone?', especially because City Council was really concerned with the future residential development here. These zoning designations simply do not allow residential housing. You probably can't tell very well looking at it from where you are, but in the A1, in the AG zone, the only thing that is allowed is 1 is of one single-family residence.

And in the C2 zone you can see there are 0 marks there. Residential use is simply not allowed and this chart does list out multi-family townhomes. Single-family includes all of them and it's just not allowed, which hopefully will alleviate some of the concerns moving forward. One of the challenges with this property is that there currently also is no sewer service available to the property and so we are proposing a development agreement where we do not enter where there is no development until sewer service is available to the property. The Guidos are also amenable to including within it, and there have not been many discussions on this yet, some uses that maybe are less desirable on the C2 that are still allowed in the C2 zone, like an archery range.

There's some things that they certainly are willing to also include in a DA (Development Agreement) that they would not be interested in, including in having on their property at this time. They're really looking for just the hard corner commercial sort of what you think of as a commercial property there. One question that comes up regularly is we know the roads in this area are busy and they are just getting busier. This road, Ten Mile, is designated a 5-lane collector... 5-lane principal arterial in the future. It is also part of the cities entrance overlay roads and Columbia is also *designated [word unclear]* an Arterial. Within the next, you know, five (5) to 10 years or so, both these roads are going to be widened and ultimately Ten Mile is going to be a 5-lane road with a center turn lane.

There has been some concern from neighbors and people around that it's getting more and more difficult to turn into the properties along this stretch of road, that it's hard to get in and out. However, the truth is the development is what pays for these road improvements and by doing this there will, sooner, be that third... It'll start out by just getting widened to the three (3) lanes; two (2) one (1) lane in each direction, with the center turn lane, and just having that center turn lane alone is going to allow traffic through here to flow much more smoothly, much more rapidly, and actually should help alleviate some of those concerns I'm getting, in and out of some of the businesses in this area.

As I mentioned, one of the most exciting things about this is that there... it's going to the University of Idaho endowment lands, hopefully not for some time. But once they have it, it will be... they will hold it for 100 years. Any uses... one of the questions is, is well, 'what are they going to do with it?' And, education has been changing so rapidly and so much recently, especially in the last few years, that it's really being provided with very few structures around it. So, that the university can look at what's best, what are their needs in the future. However, one of the discussions has been the Guido's currently farm that they've got lots of fruit trees on the property is that they would love to have some sort of 'Ag' based extension campus there. However, that is going to be left a little bit more open so that the University can really meet the needs of the students in the future. This does meet... I've got several pages of this. This meets a lot of the future, the Comprehensive Plan goals. This is very appropriately located commercial. It's on that hard corner. It's designated mixed-use. It's on a Major Arterial as people come off the Interstate as they're coming into Kuna. It also really helps with a lot of the education, like there isn't something like this here in Kuna yet. And so, it's pretty exciting that there can be something coming in the future; where there can be some sort of higher education campus here.

There's just more Comprehensive Plan economic goals: supporting the economic development, but also still having that Ag base is something that I think this project is a really nice mix; lots of economic goals, they're all in your packet as well. And so, with that, we are requesting a recommendation of approval to the City Council. We believe this project really meets the city's economic goals, the city's educational goals. It really does provide a unique opportunity in the future, knowing that nothing can be developed, at this point in time. It's also a win for the city because they're going to start receiving the property taxes from this property without actually providing, really, much in the way of services yet. And the Guido's are amenable to a Development Agreement to address any concerns you may have. And with that, I will stand for questions.

**Chairman Lee Young** Are there any questions for the applicant at this time?

**Commissioner Bryan Clark** No questions.

**Vice Chairman Dana Hennis** I can't think of anything. Thank you.

**Chairman Lee Young** Right. Thank you. Then go ahead and open up the public testimony at 6:13. And, this is the last time everybody that comes up will have 3 minutes to offer your thoughts on and concerns and if we go through the list after *gonna* have a chance to come back and help address some of those concerns and with that being said. Let's see... David Crawford? You were still in there, but you weren't marked whether you wanted to testify or not.

*[inaudible background]*

**Chairman Lee Young** Okay, alright then. First, I have listed, in a petition, or opposition Beverly Wolf. And please just state your name and address for the record, please.

**Beverly Wolf** Yeah, Beverly Wolfe, 3420 W Commemoration. So, I think I'll go more to the Neutral because some of my questions were answered about the designation of commercial to 'Ag', which that's an awesome donation to the school. My concern with the C-2, with the intensity of that type of development; but if you're really not going to build until there's sewer there. I guess there's going to be a delay. The traffic, however, is continuing to be an issue. Because, according to the ACHD reports, on Ten Mile and Columbia isn't supposed to... isn't designated to be considered for development until 2025. My concern with the...Forever lotting of taxes from commercial is the incentives and the tax credits they get as of 217 commercial developer up until 2017, commercial developers were needing to invest \$3 million to be in the designation to get the tax incentives. Now they only have to invest a half million.

They get tax credits on investments. They get real property tax credits. They get full or partial property tax exemptions for up to five (5) years. So, I just want to know how does that help the schools? Maybe somebody can give me some numbers at some point on what commercial taxes have actually gone to help the schools. I mean, I'm not against what these people are trying to do. There's a lot of awesomeness here, but I still have the issues with all the commercial, with all the mixed-use. Every place that there's 'Ag' that you want to put commercials, so you should put one (1) in the one (1) next to it 'oh well, we can flip that now'. I mean, I've sat here and listened.

You know. 'Oh, yes, we can flip that because that one's this' So just wondering, they want to protect some agriculture. I think that's awesome. I want to protect agriculture, but the way things are being done so quickly and sparingly here, here, and here. Well, "Okay, well, we did it over here and we did over here so now we can do it in the middle." When are you going to look at the bigger plan? When are you going to look at what you've already approved? When are you going to look at the impact that it's got on the taxpayers and the people that actually live here?

This isn't a case where it's an out of country developer and that's nice. But those are coming or they're already here, and those people don't support our taxes. Those people don't stay here and live with the consequences of what we do. Most developers make an investment in infrastructure, but it's only in the adjacent part of their parcel. So, if the road needs to be widened, next block over, guess who foots that bill? We do. You guys have to impose levies and taxes and increase our taxes. So, I'm just asking when are you going to look at what you've already done and this bigger picture working? It's been several years now. Thank you.

**Chairman Lee Young** Thank you very much. And next I have listed and marked to testify David Coleman?

**David Coleman** Thank you, but I'll pass. *[unclear]*

**Chairman Lee Young** Alright. That is all that I had listed that were marked at testify. Is there anybody here that wanted to testify that did not sign in?

**Chairman Lee Young** Okay, seeing none. If the applicant would come forward, if there's anything she had to in response to anything that's been said today.

**Elizabeth Koeckeritz** No. We'll just stand for any questions.

**Chairman Lee Young** All right. Thank you.

**Vice Chair Dana Hennis** Thank you.

**Chairman Lee Young** All right then. With that, I'll close the public testimony at 6:18 and that *kinda* brings up our discussion on the application.

**Vice Chairman Dana Hennis** Well, I'll start out, I guess. You know, I do remember the previous concerns of the previous projects and to me this looks like they've really taken into account with the adjacent neighbors really had the issues with of the high density and I appreciate that. I really appreciate what they're presenting for the City of Kuna for future. You know what they're trying to do, and by going to a C-2 which doesn't allow for residential, it just provides for Commercial Services at that area. Which we need interspersed throughout the city, you know, to kind of reflect what the previous speaker said is, you know, some of these things we do want. Jumbled through the city so that we don't have to drive into town to get groceries when we don't need to, we've got smaller stores that we don't have to go clear across town and same with services and dentists and medical buildings and stuff. So, I see the use of what they're trying to do, and I think this is an appropriate area for it. It's going to be a major area, it's going to provide those services without doing the high density, which was the main concern that we all had. So, I appreciate what they've done. You know, I really do so.

**Commissioner Jim Main** I'll have to agree with Dana here. I think that with what's going on Ten Mile Rd. coming from the Interstate South, it's probably important to disperse some commercial over there to keep people from having to go East several miles to hit Meridian Road to do what they need to do for shopping. I think it's inevitable that Ten Mile's is going to be a 5 lane all the way into Kuna, in our lifetime. So, I...and I think that the fact that we've gone done away with the High Density Residential is beneficial in that area.

**Chairman Lee Young** I don't think I have anything bad than what you two have already said. I like what they've...now it's been modified.

**Commissioner Bryan Clark** I don't have much to say, like Dana said, this is a good location for the commercial. Just by way of proximity, I'm not sure how I feel about it being across the street from Big D. But... You know. If I could put a moratorium on 'Ag' going forward I would, but, reality being what it is.

**Vice Chairman Dana Hennis** This is as close as we get on a lot of it.

**Commissioner Bryan Clark** Correct.

**Vice Chairman Dana Hennis** What they're giving to the U of I so.

**Commissioner Bryan Clark** Yeah. So as far as that's concerned, I mean, I love, I love that use and it's a good location for the commercial, so. I don't have any questions, I don't think.

**Chairman Lee Young** Okay. I guess I there any other questions or concerns?

**Commissioner Hennis** In that case, Mr. Chairman, I move, we recommend approval of 23-07-AN (Annexation) for Cottonwood Crossing with the Conditions as outlined in the staff report.

**Commissioner Clark** Seconded.

**Chairman Lee Young** All in favor?

**All Commissioners** Aye.

**Chairman Lee Young** Alright. Motion carries.

*(Timestamp 00:25:37)*

**Motion To:** Approve Case No. 23-07-AN with Conditions.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Clark

**Further Discussion:** None

**Voting Aye:** Commissioners Young, Main, Clark, Hennis

**Voting No:** None

**Absent:** Commissioner Ginny Greger

**Motion Passed:** 4-0-1

## **5. BUSINESS ITEMS:**

### **A. Case No. 23-12-DR (Design Review) for NAPA Auto Parts – Jessica Hall, Associate Planner**

Applicant requests Design Review approval to construct an approximately 6,144 SF auto parts store, associated parking lot, and landscaping, located on future Lot 4, Block 1 of the Asheville Acres Subdivision (APN: R0539771365); Section 19, Township 2 North, Range 1 East.

*(Timestamp 00:25:50)*

**Chairman Lee Young** Then the next item up under business items is case number 23-12-DR design review for Napa Auto parts. And I think is that going to be Troy or Doug?

**Kuna Planning and Zoning Director Doug Hanson** Good evening, Commissioners. For the record, Doug Hanson standing in for Jessica for Kuna Planning and Zoning, 751 W 4th St. Kuna, Idaho. The applicant requests design review approval to construct an approximately 6,144 square foot auto parts store, associated parking lot, and landscaping located on future Lot 4 Block 1 of the Asheville Acres Subdivision. The 6,144 square foot main floor is proposed to have retail space on the West 1/3 of the ground floor, with the remaining 2/3 providing for parts storage, an office, 2 restrooms, utility room, and at-grade loading dock. An approximately 2,816 square foot upper mezzanine will be provided for additional parts storage as well as the mechanical units per KCC 593C9 1 parking stall is required for every 300 square feet or 21 total stalls with one of said stalls being ADA accessible.

The proposed project provides 24 standard stalls and one (1) ADA accessible stall, thus meeting the requirement. An approximately 40-foot landscape buffer as measured from back of existing sidewalk along Meridian Road is proposed on the West. A 10-foot landscape buffer is proposed on the South and an approximately 10-foot landscape buffer is proposed on the East. Landscaping for the subject site is proposed to maintain existing Meridian Road frontage landscaping as well as sod, deciduous and evergreen trees, shrubs, grasses, and perennials.

Upon review, staff finds the application appears to be in general compliance with Kuna City Code Title 5, the Comprehensive Plan, Future Land Use Map, and Idaho Code. Staff recommends that if the Commission approves Case No. 23-12-DR, that the Applicant be subject to the Conditions of approval as listed in the staff report. With that, I will stand by for any questions.

**Chairman Lee Young** I guess I only have one thing at this time. Has J&M had a chance to review this and are they okay with the location of the trash enclosure and approach?

**Kuna Planning and Zoning Director Doug Hanson** For the record, Doug Hanson, Kuna Planning and Zoning. It does not look as though J&M has provided comments on this application.

**Chairman Lee Young** Okay. Are there any other questions for Doug, at this time?

**Commissioner Bryan Clark** The only question I have, do we know if this will be an actual move for the existing Napa Auto Parts down in downtown?

**Kuna Economic Development Director Morgan Treasure** Commissioner Clark. Oh, for the record, Morgan Treasurer, Kuna Economic Development. Commissioner Clark, the city is not in the position to make any comment on pending real estate transactions, at this time.

**Chairman Lee Young** Okay.

**Chairman Lee Young** Any other questions for staff at this time?

**Multiple Speakers** No. Nope.

**Chairman Lee Young** Okay. Then the Applicants here would like to come forward and please state your name and address for the record please.

*[inaudible background]*

**Cassie Coate** My name is Cassie Coate. I'm with ALC Collaborative Architecture. Our address is 1119 E State Street, Suite 120, Eagle, Idaho. Today I'm here with Jeff Likes, principal architect of ALC Architecture, and Ben Millick, owner's representative. This just to answer that question earlier, this will be a move for the existing Napa Auto Parts. So, this project is located at 1035 N Jacksonville Ave. It has a mercantile occupancy. It's in Ashton Estates Sub(division) No. 2. The zone is C-1, and the site is half an acre. As you can see, the site plan we are meeting the required number of parking spaces. As well as, like, grading and drainage, triangle requirements, and the setback requirements. Here's the Landscape Plan. The exterior of the building will be composed of gray split face split score, CMU Gray smooth face, CMU Gray 22-gauge vertical metal siding, storefront glazing, and Blue 22-gauge vertical metal parapet as well. The main floor is composed of a sales area parts department, an Office, two (2) ADA restrooms, and a utility room. There will be a storage mezzanine with all mechanical unit screening and additional storage located above the parts area. And then in...for the exterior of the building, you'll see that we have the required overhangs, display windows, architectural details. The required roof requirements with overhangs and parapets. And then here we have our 20%, 25% glazing on the two facades we have repeating architectural elements. Do you have any questions?

**Chairman Lee Young** I guess I do. Looking at the elevations I see, you know the varying CMU types. Has there been any thought into giving any nod to any other material other than Gray CMU around the entire building?

*[inaudible response]*

**Chairman Lee Young** Okay. Alright. Any other questions for the Applicant at this time?

**Vice Chair Dana Hennis** No, actually I was trying to figure out where the mechanical equipment was, and She answered that on the mezzanine so. Now, I have nothing further at this point.

**Chairman Lee Young** Any questions, at this time?

**Commissioner Jim Main** On the parking lot lighting, I assume that the lighting complies with the Kuna Dark Skies code?

**Cassie Coate** Yes.

**Commissioner Jim Main** And back to Lee's question. They do have vertical metal siding on there it looks like. I wonder if maybe they could add some color to that?

**Multiple Speakers** yeah...yeah

**Vice Chair Dana Hennis** Little color difference or something?

**Commissioner Jim Main** Yeah, maybe even if they went with a darker Gray. There's something to break it up.

**Chairman Lee Young** Is that a question for the Applicant or I guess before we start our discussion?

**Chairman Lee Young** If not at this point, then all right. Thank you very much.

**Vice Chair Dana Hennis** Thank you.

**Chairman Lee Young** Okay. Then that'll bring us around to our *(deliberation)*.

**Vice Chair Dana Hennis** And I was a little concerned with the back. The back is all one solid face, whereas the other two (2), like the frontage road face and the entry face are a little bit more, you know, have the relief there and the texture, but not so much in the color. I think that can be easily done, but what do we do with the back and the Northside facing...East side facing the...the... was it Jacksonmill Road and the Subdivision to the rear. Do we carry something over there?

**Chairman Lee Young** Yeah, I think especially on the East elevation, where it's just, it is there's if a pipe(?) we can come up with a pilaster or break that up somehow just a little bit more, it just seems...

**Commissioner Bryan Clark** Yeah, I feel like my biggest concern is just the vertical metal siding. I mean, it's an interesting look it. I hate to say it. But it almost looks tacked on. Because you get the CMU going through and then siding. So, I mean, there's a look of existing brick with the siding expansion. That's a concern for me, I'd almost rather see a more uniform CMU look with some pilaster, a little bit architectural relief.

**Cassie Coate** We're open to changing materials. This is just what the client wanted.

**Chairman Lee Young** Okay. And along those lines, any other vertical relief for walls? I mean, I see the varying Grayness, but, any kind of pop out or pilasters or something like that? Has that been discussed at all?

**Cassie Coate** Were, again...

**Chairman Lee Young** They're just hitting the prototype out-of-the-box for the owner at this point.

**Cassie Coate** This is, yeah, this is what the owner wanted. But we're open to any Conditions of approval.

**Chairman Lee Young** Well, I think that and as I look at it, overall, I think the site layout is good just our start with those kind of circle back, but, I think as long as we can get J&M's buy off on the trash enclosure for me, I think the site layout and landscaping is all appropriate. Just kind of maybe just, if we could just get a little bit of work on a couple of the elevations. I understand that some of the prototypical items that come from...in in projects for sure and it's a tough balance to get some of that separated and keep branding in that. I think for me, if we, if maybe...if we could maybe ask for some, a little bit of relief in the form of maybe pilasters on the East elevation and maybe the South elevations, just kind of break those up a little bit. I think that you know one of those pilasters, a different material. Just to something to give a little more color to the those. Is that, I guess yeah, I guess I'll ask you as the Applicant. The question is that something that you'd be open to?

*[Inaudible]*

**Chairman Lee Young** There you go. Sorry, thanks.

**Jeff Likes** It's high tech. Jeff Likes, 1119 E State Street, Eagle, Idaho. So, on your reference to all the questions on vertical side. I mean. You know, saying a little different, we have no problem. Maybe changing out that lighter Gray vertical metal to a darker Gray, that will help that pop a little more and then adding some sort of wainscot across the bottom of a different CMU as well to help break it up, horizontally as well. That will help your East elevation there.

**Chairman Lee Young** I think...

**Vice Chair Dana Hennis** Yeah, I kind of I agree that wouldn't be bad if even if they split the split face like wainscotting down there. I think that would be or not kind of a different level than the front, I'm not the Architect, I'm an Engineer, I'm not the one to be doing this, but I like the textural difference.

**Commissioner Bryan Clark** Yeah, I like straight lines.

*[Laughter]*

**Chairman Lee Young** Okay. Thank you.

**Jeff Likes** Thank You.

**Vice Chair Dana Hennis** Well, I mean, how do we qualify this?

**Chairman Lee Young** I think that. I think that would help me if they did have to add up. A different relief, whether it's split face for the wing, the wainscot, especially on those two pretty much blank elevations. As far as those go and the color change some of that vertical siding to it to get the visual relief at least. What are your thoughts, Jim?

**Commissioner Jim Main** Yeah, I agree with that. I think where the CMU meets the metal vertically, we need to put a small pilaster there. Maybe a CMU split face CMU that pops out four (4) inches or so, just to break up those two (2) elevations on the West and on the North sides.

**Commissioner Bryan Clark** Well, honestly, the wainscotting, I think's a huge...

**Chairman Lee Young** I agree.

**Commissioner Bryan Clark** Break that up.

**Vice Chair Dana Hennis** I agree. I like the site in general and the way it's laid out, I think it's effective. I think overall, it's good. And I think I like the fact that it's still, the same company moving over, not trying to, you know, bring some competition. So, I appreciate that give them a new spot.

**Chairman Lee Young** Yeah, I think with those items, I think, I think I feel pretty good about that.

**Commissioner Bryan Clark** So in that case, Mr. Chairman, I move, we approve 23-12-DR (Design Review) for Napa Auto Parts with the Conditions as outlined in the staff report with the additional Conditions of the applicant to provide a little relief on the South elevation as discussed with possibly a textural difference in the wainscoting and a vertical pile pilaster element where the CMU meets the vertical metal siding on the West and North face and the color, a little darkening of the color of the metal siding as discussed.

**Chairman Lee Young** Seconded. All in favor?

**All Commissioners** Aye.

**Chairman Lee Young** The Motion carries.

*(Timestamp 00:42:43)*

**Motion To:** Approve 23-12-DR with Conditions.

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Clark

**Further Discussion:** None

**Voting Aye:** Commissioners Young, Main, Clark, Hennis

**Voting No:** None

**Absent:** Commissioner Ginny Greger

**Motion Passed** 4-0-1

## **6. UPDATES & REPORTS: Non-Action Items**

*None*

## **7. ADJOURNMENT:**

**Chairman Lee Young** With that, I do not see anything else on the agenda. Anything from staff, or? Okay.

**Commissioner Bryan Clark** Give me the wording again. I'll do it next time.

**Vice Chair Dana Hennis** Mr. Chairman, I move we Adjourn.

**Bryan Clark** Seconded.

**Chairman Lee Young** All in favor?

**All Commissioner** Aye.

**Chairman Lee Young** We are adjourned.

*Adjournment 6:41 PM*

*(Timestamp 00:44:17)*

**Motion To:** Adjourn

**Motion By:** Vice Chairman Hennis

**Motion Seconded:** Commissioner Clark

**Voting Aye:** Commissioners, Young, Main, Clark, Hennis

**Voting No:** None

**Absent:** Commissioner Ginny Greger

**Motion Passed:** 4-0-1

---

Lee Young, Chairman

ATTEST:

---

Doug Hanson, Director

*Minutes prepared by Garrett Michaelson, Kuna City Clerk's Office.*



# CITY OF KUNA

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

Planning & Zoning Commission Public Hearing Sign-In Sheet  
 October 10, 2023

**Case No.: 23-07-AN (Annexation)**

**Case Name: Cottonwood Crossing**

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

IN FAVOR	NEUTRAL	IN OPPOSITION
<input type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify Name: <u>JOE GUIDO</u> Address: <u>7744 BELLA TERRA</u> <u>MERIDIAN ID</u> City, State, ZIP: _____	<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify Name: _____ Address: _____ City, State, ZIP: _____	<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify Name: <u>BEVERLY WOLF</u> Address: <u>3420 W. Conant</u> <u>Meridian</u> City, State, ZIP: _____
<input type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify Name: <u>BATHY GUIDO</u> Address: <u>7744 BELLA TERRA</u> <u>MERIDIAN ID</u> City, State, ZIP: _____	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify Name: _____ Address: _____ City, State, ZIP: _____	<input type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify Name: <u>Beverly Coleman</u> Address: <u>7578 S Old Farm Ln</u> <u>Meridian, ID 83642</u> City, State, ZIP: _____
<input checked="" type="checkbox"/> Testify <input type="checkbox"/> NOT Testify Name: <u>David Crawford</u> Address: <u>601 Hancock</u> <u>Merise 83702</u> City, State, ZIP: _____	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify Name: _____ Address: _____ City, State, ZIP: _____	<input checked="" type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify Name: <u>David Coleman</u> Address: <u>7578 S Old Farm Ln</u> <u>Meridian, ID 83642</u> City, State, ZIP: _____
<input type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify Name: <u>David Crawford</u> Address: <u>2323 S. Vista Ave #206</u> <u>Boise, ID. 83705</u> City, State, ZIP: _____	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify Name: _____ Address: _____ City, State, ZIP: _____	<input type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify Name: <u>Christ. na + Robert Kampaczyk</u> Address: <u>7624 S Old Farm Ln</u> <u>Meridian ID</u> <u>83642</u> City, State, ZIP: _____

IN FAVOR	NEUTRAL	IN OPPOSITION
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify
<del>Christie Kampczyk</del> Name	Name	Tammie Hough Name
<del>Robert Kampczyk</del> Address	Address	8397 S Old Farm Pl Address
<del>7624 S Old</del> City, State, ZIP	City, State, ZIP	Meridian ID 83642 City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
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Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP

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

IN THE MATTER OF THE APPLICATION OF ) **Case Nos. 23-07-AN**  
 )  
**Cottonwood Crossing Farms, LLC.** )  
 )  
 ) **FINDINGS OF FACT, CONCLUSIONS OF**  
*For the Northwest corner of Ten Mile and* ) **LAW & ORDER OF RECOMMENDATION**  
*Columbia Roads.* ) **FOR ANNEXATION APPLICATION.**

---

THESE MATTERS came before the Commission for public hearing on October 10, 2023, for the receipt and consideration by the Commission of these Findings of Fact, Conclusions of Law, and Order of Decision for the above referenced application. The Council does now hereby make and set forth the Record of Proceedings, and these Findings of Fact, Conclusions of Law, and Recommended Order of Decision.

**I  
EXHIBIT LIST**

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

**1.1 Exhibits:**

<i>DESCRIPTION OF EVIDENCE</i>	Withdrawn	Refused	Admitted
<a href="#">1.1 STAFF REPORT.pdf</a>			X
<a href="#">2.1 P&amp;Z APPLICATION COVERSHEET.pdf</a>			X
<a href="#">2.2 ANNEXATION APPLICATION.pdf</a>			X
<a href="#">2.3 LOT LINE ADJUSTMENT APPLICATION.pdf</a>			X
<a href="#">2.4 DEVELOPMENT AGREEMENT APPLICATION.pdf</a>			X
<a href="#">2.5 NARRATIVE.pdf</a>			X
<a href="#">2.6 AG ZONE LEGAL DESCRIPTION.pdf</a>			X
<a href="#">2.7 C-2 LEGAL DESCRIPTION.pdf</a>			X
<a href="#">2.8 VICINITY MAP.pdf</a>			X
<a href="#">2.9 QUITCLAIM DEED.PDF</a>			X
<a href="#">2.10 WARRANTY DEED.PDF</a>			X
<a href="#">2.11 AFFIDAVIT OF LEGAL INTEREST.pdf</a>			X
<a href="#">2.13 NEIGHBORHOOD MEETING CERTIFICATION.pdf</a>			X
<a href="#">2.14 COMMITMENT TO PROPERTY POSTING.pdf</a>			X
<a href="#">2.15 PROPOSED LOT LINE ADJUSTMENT SKETCH.pdf</a>			X
<a href="#">2.16 CONCEPT PLAN.pdf</a>			X
<a href="#">2.17 AGENCY TRANSMITTAL.pdf</a>			X
<a href="#">2.18 ITD.pdf</a>			X
<a href="#">2.19 BOISE PROJECT BOARD OF CONTROL.pdf</a>			X
<a href="#">2.20 DEQ.pdf</a>			X
<a href="#">2.21 ACHD.pdf</a>			X
<a href="#">2.28 PUBLIC WORKS.pdf</a>			X

<a href="#">2.24 CDHD.pdf</a>			X
<a href="#">2.25 COMPASS.pdf</a>			X
<a href="#">2.22 KUNA MELBA NEWS P&amp;Z.pdf</a>			X
<a href="#">2.23 P&amp;Z MAILER.pdf</a>			X
<a href="#">2.26 WEBSITE POSTING P&amp;Z.pdf</a>			X
<a href="#">2.27 PROOF OF POSTING P&amp;Z.pdf</a>			X

**\*Exhibit 2.12 not assigned\***

- 1.2 Hearings:** The Commission heard this October 10, 2023. The FCO’s have been requested to go before the Commission October 24, 2023.
- 1.3 Witness Testimony:** Those who testified at the Commission’s October 10, 2023, hearing area as follows, to-wit:
- A.** City Staff:  
Doug Hanson, Planning & Zoning Director
  - B.** Appearing for the Applicant:  
Elizabeth Koeckeritz, 601 W Bannock Street, Boise, ID, 83702 – Testified
  - C.** Appearing in Favor:  
Joe Guido, 7744 Bella Terra Lane, Meridian, ID, 83642 – Did not testify  
Kathy Guido, 7744 Bella Terra Lane, Meridian, ID, 83642 – Did not testify  
David Crawford, 2323 S Vista Avenue #206, Boise, ID, 83705 – Did not testify
  - D.** Appearing Neutral:  
Beverly Wolf, 3420 W Commemoration Avenue, Meridian, ID, 83642 - Testified
  - E.** Appearing in Opposition:  
Beverly Coleman – 7578 S Old Farm Place, Meridian, ID, 83642  
David Coleman – 7578 S Old Farm Place, Meridian, ID, 83642  
Christina & Robert Kampczyk, 7624 S Old Farm Place, Meridian, ID, 83642  
Tammie Hough, 8397 S Old Farm Place, Meridian, ID, 83642

## II DECISION

WHEREUPON THE 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 RECOMMENDED ORDER OF DECISION, to-wit:

## III FINDINGS OF FACT

### 3.1 Findings Regarding Notice

- A. Notice Required:** Notice was provided in accordance with Kuna City Code [\(KCC\) 1-14-3](#) and [Idaho Code §67-65](#).
  1. The Applicant held a Neighborhood Meeting August 24, 2023; there were five (5) attendees.
  2. Notice for the October 10, 2023, hearing was published on the city website September 29, 2023, and published in the Kuna Melba News on September 20, 2023.

3. Notices containing a description and location of the project were mailed to all know and affected property owners within 300 FT of the subject sites on September 20, 2023.
4. The Applicant posted a sign on the property September 29, 2023, and a Proof of Property Posting was provided to staff October 2, 2023.

### **3.2 Findings Regarding Annexation**

- A. Does the Annexation application contain the necessary requirements listed in [Title 5](#) and [Title 6](#) of Kuna City Code?
  1. The Applicants have submitted a complete application and following staff review of technical compliance, the applications are compliant with KCC Title 5 and Title 6. (+)
- B. Does this proposal comply with the Comprehensive Plan Future Land Use Map (FLUM), and is the site selection appropriate for the proposed project?
  1. The FLUM is intended to serve as a guide for future development and designates the subject site as Mixed Use and surrounding areas as Commercial, Mixed Use and Low Density Residential. The Applicant has requested A (Agriculture) and C-2 (Area Commercial) zones. (+)
- C. Was the Neighborhood Meeting conducted in and were the public noticing requirements met in accordance with city Ordinances and Idaho Code?
  1. The Applicant held a Neighborhood Meeting August 24, 2023, with 5 in attendance. An agency transmittal was sent to affected agencies August 30, 2023, a public notice was posted to the city website September 29, 2023, and a legal notice was published in the Kuna Melba News on September 20, 2023. Finally, a notice was mailed to all known and affected property owners within 300-foot radius of the subject site on September, 2023. The Applicant posted a sign on the property September 29, 2023. (+)
- D. Does the availability of existing and proposed public services and infrastructure accommodate the proposed development?
  1. This project is not requesting to connect to city sewer, water, or irrigation services at this time. (+)
  2. ACHD ACHD has determined no roadway improvements are required as part of this application. (+)
  3. ITD has determined no roadway improvements are required as part of this application. (+)
  4. No new residential units are proposed with this application. (+)
- E. Does the proposed application constitute orderly development?
  1. The subject site has a contiguous touch to Kuna City Limits on the south, east and west. (+)
  2. Commercial zoning is proposed along Ten Mile Road, classified as a principal arterial on the City of Street Circulation Map. (+)

- F. The Applicant and/or Owner of the property have the right to request a written regulatory taking analysis.
1. 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.

#### **IV CONDITIONS**

Based upon the record contained in Case Nos. 23-02-CPF & 23-04-ZC, including the Comprehensive Plan, staff's report, the exhibits and testimony during the public hearing, the Commission recommends Approval to Council, subject to the following Conditions:

- 4.1 Staff Recommended Conditions:** None
- 4.2 Site Layout & Dimensional Standards:** None
- 4.3 Pathways & Trails Master Plan:** None
- 4.4 Open Space:** N/A
- 4.5 Landscaping:** N/A
- 4.6 Fencing:** N/A
- 4.7 Ada County Highway District:** None
- 4.8 Boise Project Board of Control**
- A. No landscaping other than gravel is permitted within the BPBC's easements.
- 4.9 Public Works (At time of future development)**
- A. 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](#).
- B. Compliance with [I.C. §31-3805](#) is required. Delivery of water shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
- C. When required, submit a petition to the City (as necessary, confirmed with the City Engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation System of the City (KMIS).
- D. Connection to City Services (Sewer, Water, Pressurized Irrigation) is required. The Applicant shall conform to all corresponding City of Kuna Master Plans.
- E. Future Equivalent Dwelling Units (EDU's) will be issued on a Phase-by-Phase basis (per Final Plat).
- 4.10 General**
- A. 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:

1. The City Engineer shall approve the sewer connections.
  2. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
  3. 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."
  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.
  5. The Kuna Municipal Irrigation System (KMIS) and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
  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).
  7. All public rights-of-way shall be dedicated and constructed to the 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.
- B.** 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.
- C.** 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.
- D.** When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation System of the City (KMIS).
- E.** It is the responsibility of the Developer or his Engineer to coordinate and design for the stricter requirement between agencies and the City of Kuna standards for the entire development
- F.** The Developer/Owner/Applicant, and/or any future assigns having an interest in the subject property, shall fully comply with all Conditions of development as approved by the City Council, or seek amending them through Public Hearing processes.
- G.** Developer/Owner/Applicant shall follow staff, City Engineers and other agency recommended requirements as applicable.
- H.** Developer/Owner/Applicant shall comply with all local, state, and federal laws.

**V**  
**CONCLUSIONS OF LAW**  
**RE: POWERS AND DUTIES OF THE COMMISSION**

- 5.1 City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to [Idaho Code §50-1](#).
- 5.2 The power of the City of Kuna lies in the Commission to hear this matter as provided in Idaho Code [§50-222](#) and [KCC 1-14-3](#).

**VI**  
**CONCLUSIONS OF LAW**  
**RE: APPLICATION FOR ANNEXATION**

- 6.1 The City of Kuna has authority to approve Annexation contiguous to Kuna City Limits pursuant to Idaho Code [§50-222](#).
- 6.2 [KCC 1-14-3](#) states that Annexations are designated as Public Hearings, with the Commission as a recommending body and the Council as the decision-making body.
- 6.3 The proposed Annexation proposed in Case No. 23-07-AN complies with the Comprehensive Plan.

**VII**  
**ORDER OF RECOMMENDING APPROVAL OF APPLICATION FOR**  
**ANNEXATION**

- 7.1 The Annexation (Case No. 23-07-AN) is *recommended Approval*.

**BY ACTION OF THE COMMISSION** of the City of Kuna at its regular meeting held October 24<sup>th</sup>, 2023.

---

Lee Young, Chairman

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

IN THE MATTER OF THE APPLICATION OF ) **Case No. 23-12-DR**  
 )  
**ROCKY MOUNTAIN COMPANIES** )  
 )  
*For Design Review of Napa Auto Parts* ) **FINDINGS OF FACT, CONCLUSIONS OF**  
*located on future Lot 4, Block 1 of Ashville* ) **LAW AND ORDER OF DECISION**  
*Acres Subdivision.* ) **FOR DESIGN REVIEW APPLICATIONS.**

---

THESE MATTERS came before the Commission for review and approval or denial on October 10, 2023, for receipt and consideration of these Findings of Fact, Conclusions of Law, and Order of Decision for the above referenced application. The Commission does now hereby set forth this Record of Proceedings of these Findings of Fact, Conclusions of Law, and Order of Decision.

**I  
EXHIBIT LIST**

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

**1.1 Exhibits:**

<i>DESCRIPTION OF EVIDENCE</i>	Withdrawn	Refused	Admitted
<a href="#">1.1 STAFF REPORT.pdf</a>			X
<a href="#">2.1 P&amp;Z APPLICATION COVERSHEET.pdf</a>			X
<a href="#">2.2 DESIGN REVIEW APPLICATION.pdf</a>			X
<a href="#">2.3 NARRATIVE.pdf</a>			X
<a href="#">2.4 AERIAL MAP.pdf</a>			X
<a href="#">2.5 VICINITY MAP.pdf</a>			X
<a href="#">2.6 WARRANTY DEED - PRE ASHVILLE ACRES.pdf</a>			X
<a href="#">2.7 AFFIDAVIT OF LEGAL INTEREST.pdf</a>			X
<a href="#">2.8 SITE PLAN.pdf</a>			X
<a href="#">2.9 PRELIMINARY GRADING &amp; DRAINAGE PLAN.pdf</a>			X
<a href="#">2.10 FLOOR PLANS.pdf</a>			X
<a href="#">2.11 ROOF PLAN.pdf</a>			X
<a href="#">2.12 ELEVATIONS.pdf</a>			X
<a href="#">2.13 PHOTOMETRIC PLAN &amp; LIGHTING CUTSHEETS.pdf</a>			X
<a href="#">2.14 LANDSCAPE PLAN.pdf</a>			X
<a href="#">2.15 ASHVILLE ACRES FINAL PLAT - Approved 04.18.2023.pdf</a>			X
<a href="#">2.16 AGENCY TRANSMITTAL.pdf</a>			X
<a href="#">2.17 KUNA RURAL FIRE DISTRICT.pdf</a>			X
<a href="#">2.18 IDAHO TRANSPORTATION DEPARTMENT.pdf</a>			X
<a href="#">2.19 ADA COUNTY HIGHWAY DISTRICT.pdf</a>			X
<a href="#">2.20 CITY ENGINEER'S MEMO.pdf</a>			X
<a href="#">2.21 APPLICANT PRESENTATION.pdf</a>			X

- 1.2 Public Meeting:** The Commission heard this on October 10, 2023. The FCO's have been requested to go before the Commission on October 24, 2023.
- 1.3 Witness Testimony:** Those who testified at the Commission's October 10, 2023, meeting are as follows, to-wit:
- A. City Staff:**  
Doug Hanson, Director, standing in for Jessica Hall, Associate Planner
  - B. Appearing for the Applicant**  
Cassie Coate, ALC Architecture  
Jeff Likes, ALC Architecture

## II DECISION

WHEREUPON THE COMMISSION, being duly informed upon the premises and having reviewed the record, evidence, and testimony received, and being gully 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:** Kuna City Code ([KCC](#)) [1-14-3](#) states that Design Reviews are considered a public meeting with the Commission as the decision-making body; no formal noticing is required. An Agency Transmittal was emailed September 12, 2023.
- 3.2 Findings Regarding Design Review**
- A.** Was a complete Design Review application submitted and does the application contain all necessary requirements listed in [KCC Title 5-10](#)?
    - 1.** The Applicant has submitted all required materials, and upon review, the application was considered complete by staff September 12, 2023. (+)
  - B.** Does this proposal comply with the Comprehensive Plan Future Land Use Map (FLUM)?
    - 1.** This proposed project is located within an almost entirely developed commercial area of the Ashton Estates/Ashville Acres plat, with frontage along Meridian Road/Hwy 69, thus meeting the FLUM's commercial designation. (+)
  - C.** Does the proposed structure, design, mass, proportions, exterior materials, and relationship of openings comply with [KCC 5-4](#) and is the site appropriate for the proposed site selection?
    - 1.** Based on staff review, the proposed materials and finishes, the building's location and orientation on site, and overall design of the site is appropriate for the surrounding uses. (+)
  - D.** Does the availability of existing and proposed public services and infrastructure accommodate the proposed development of the subject site?
    - 1.** Per the City Engineer's Memo, city services can accommodate development, and as the project is within a developed subdivision, roadway and sidewalks are existing; overall, public services and infrastructure can support proposed development of the site. (+)

## IV CONDITIONS

**4.1 Staff Recommended Conditions:** None

**4.2 Transportation**

- A. No additional access to Meridian Road/Hwy 69 is permitted from the subject site.
- B. Developer/Owner/Applicant shall follow all standard ACHD Conditions of approval.

**4.3 Site Layout, Dimensional Standards and Parking:** None

**4.4 Landscape and Fencing:** None

**4.5 Public Works**

- A. Connection fees have already been paid; however, Developer/Owner/Applicant may incur additional costs at time of building permit dependent on fixture cost analysis.
- B. As-built (record drawings) shall be provided to Public Works at the conclusion of all public facility construction project and are the responsibility of the Developers Engineer.
- C. Verified as-built (record drawings) are required prior to the Certificate of Occupancy being granted.

**4.6 General**

- A. 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:
  - 1. The City Engineer shall approve the sewer connections.
  - 2. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
  - 3. 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."
  - 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.
  - 5. The Kuna Municipal Irrigation System (KMIS) and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
  - 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).
  - 7. All public rights-of-way shall be dedicated and constructed to the 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.
- B. 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.

- C. Compliance with Idaho Code [§31-3805](#) pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
- D. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation System of the City (KMIS).
- E. It is the responsibility of the Developer or his Engineer to coordinate and design for the stricter requirement between agencies and the City of Kuna standards for the entire development.
- F. The Developer/Owner/Applicant, and/or any future assigns having an interest in the subject property, shall fully comply with all Conditions of development as approved by the Commission, or seek amending them through Public Hearing processes.
- G. Developer/Owner/Applicant shall submit to Planning and Zoning staff a formal request for an alternative surface within the RV storage facility which complies with Kuna City Code 5-9-2(D), prior to progressing to a City Council hearing date, as gravel surfaces are not permitted.
- H. Owner/Developer/Applicant shall follow staff, City Engineers and other agency recommended requirements as applicable.
- I. Owner/Developer/Applicant shall comply with all local, state, and federal laws.

**4.7 Commission’s Additional Conditions**

- A. Developer/Owner/Applicant shall provide visual relief on the South elevation via texture in wainscotting; vertical pile plaster element on CMU where it meets the vertical metal siding on the North and West; and darkening color on metal siding.

**V  
CONCLUSIONS OF LAW  
RE: POWERS AND DUTIES OF THE COMMISSION**

- 5.1 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 [Idaho Code §50-1](#).
- 5.2 The Commission has decision-making authority over all legislative Design Review applications as provided in [Kuna City Code 1-14-3](#).

**VI  
CONCLUSIONS OF LAW  
RE: APPLICATION FOR DESIGN REVIEW**

- 6.1 [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, 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 Design Review application pursuant to this Chapter and fees as prescribed from time to time by City Council.

**VII**  
**ORDER OF APPROVAL FOR DESIGN REVIEW**

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

**7.1** The Design Review application for NAPA Auto Parts (Case No. 23-12-DR) is Approved.

**BY ACTON OF THE COMMISSION** of the City of Kuna at its regular meeting held the 24<sup>th</sup> day of October 2023.

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Lee Young, Chairman