

OFFICIALS
Joe Stear, Mayor
Greg McPherson, Council President
Chris Bruce, Council Member
Matt Biggs, 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
Wednesday, November 08, 2023

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 -Present
Council President Greg McPherson -Present
Council Member John Laraway -Present
Council Member Matt Biggs -Present
Council Member Chris Bruce -Present

CITY STAFF PRESENT:

Marc Bybee, City Attorney
Jared Empey, City Treasurer
Mike Fratusco, Kuna Police Chief
Doug Hanson, P & Z Director
Bobby Withrow, Parks Director
Morgan Treasure, Economic Development Director
Nancy Stauffer, Human Resource Director
Nathan Stanley, City Clerk
Troy Behunin, City Senior Planner

Mayor Stear Alright. Good evening, everybody. We'll go ahead and call this meeting to order. Nathan, would you take the roll please?

City Clerk, Nathan Stanley Council Member Bruce.

Council Member Bruce Here.

City Clerk, Nathan Stanley Council Member Biggs.

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.

Council Member Biggs Here.

City Clerk, Nathan Stanley Council Member Laraway.

Council Member Laraway Yes.

City Clerk, Nathan Stanley Council President McPherson.

Council President McPherson Here.

City Clerk, Nathan Stanley Mayor Stear.

Mayor Stear Here.

2. Invocation

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:22)

Mayor Stear And if you'll join me for the Pledge of Allegiance

Multiple Speakers I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands. One nation, under God, indivisible, with liberty and justice for all.

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 00:02:22)

A. Regular City Council Meeting Minutes Dated October 17, 2023, and October 27, 2023

B. Accounts Payable Dated November 2, 2023, in the amount of \$1,783,365.29

C. Final Plats

1. Case No. 23-10-FP Springhill Subdivision No. 4
2. Case No. 23-09-FP Ledgestone Subdivision No. 4

D. Findings of Facts

1. Case Nos. 23-01-CPF & 23-03-ZC Hagler Subdivision
2. Case Nos. 23-02-CPF & 23-04-ZC Serving Subdivision

E. Resolutions

1. Resolution R85-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE “*SCOPE OF WORK*” WITH J-U-B ENGINEERS FOR THE KUNA 4TH STREET IMPROVEMENTS FOR THE CITY OF KUNA; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

2. Resolution R86-2023

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE EASEMENT BY AND BETWEEN THE CITY OF KUNA (GRANTOR) AND THE IDAHO POWER COMPANY (GRANTEE) FOR THE PURPOSE OF UNDERGROUND FACILITES IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 2 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF KUNA, ADA COUNTY, IDAHO; BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" AND EXHIBIT "B".

3. Resolution R87-2023

A RESOLUTION OF THE CITY OF KUNA, IDAHO ADOPTING THE LONGEVITY AND STEP AND GRADE POLICY FOR THE PARKS AND RECREATION DEPARTMENT AS ATTACHED HERETO; AND DECLARING AN EFFECTIVE DATE.

4. Resolution R88-2023

A RESOLUTION OF THE CITY OF KUNA, IDAHO ADOPTING THE LONGEVITY AND STEP AND GRADE POLICY FOR THE PLANNING AND ZONING DEPARTMENT AS ATTACHED HERETO; AND DECLARING AN EFFECTIVE DATE.

5. Resolution R89-2023

A RESOLUTION OF THE CITY OF KUNA, IDAHO ADOPTING THE LONGEVITY AND STEP AND GRADE POLICY FOR THE CITY OF KUNA CLERKS OFFICE AS ATTACHED HERETO; AND DECLARING AN EFFECTIVE DATE.

Mayor Stear Next item is the consent agenda. Questions or comments or anything you want pulled for discussion?

Council President McPherson Nope. 'Kay, seeing none I'd move we approve the consent agenda as published.

Council Member Laraway Second.

Mayor Stear We have a motion and a second. Is there any further discussion? Nathan, would you take the roll please?

City Clerk, Nathan Stanley Council Member Bruce.

Council Member Bruce Aye.

City Clerk, Nathan Stanley Council Member Biggs.

Council Member Biggs Aye.

City Clerk, Nathan Stanley Council Member Laraway.

Council Member Laraway Yes.

City Clerk, Nathan Stanley Council President McPherson.

Council President McPherson Yes.

Mayor Stear And that motion carries.

(Timestamp 00:02:30)

Motion to: Approve Consent Agenda

Motion By: Council President McPherson

Seconded By: Council Member Laraway

Further Discussion: None

Members Voting Aye: Council Members, McPherson, Laraway, Biggs, Bruce

Members Voting Nay: None

Members Absent: None

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 00:02:55)*

- A. Consideration to approve Case Nos. 21-14-AN (Annexation), and 21-10-CPM (Comprehensive Plan Map Amendment), and 21-10-S (Preliminary Plat) – Hazelcrest Estates Sub. Applicant requests Annexation, Comprehensive Plan Map Amendment and Preliminary Plat approval for the NWC of Lake Hazel and Ten Mile Roads in Section 34, Township 3 North, Range 1 West (APN's: S1234449600 & S1234449550). – Troy Behunin, Senior Planner ACTION ITEM

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Mayor Stear That brings us to Public Hearings. Consideration to approve case numbers 21-14-AN annexation and 21-10-CPM Comprehensive Plan Map Amendment and 21-10-S Preliminary Plat Hazelcrest Estates Subdivision. Troy.

Council Member Laraway Take your Time.

[laughter and inaudible background conversation]

Kuna Senior Planner, Troy Behunin You had to call my name and...Good evening, Mister Mayor, and members of the Council. For the record Troy Behunin, Senior Planner, Kuna Planning and Zoning staff here at City Hall 751 W 4th Street. The application before this evening is a request for annexation for approximately 40.23 acres into the City; and to subdivide the same land into approximately 188 residential lots, 11 common lots, and 4 commercial lots, which total about 4.5 acres of commercial right on the corner. This site layout went through multiple revisions, due to Meridian Fire Department standards and ACHD standards and their initial comments and it was also changed at the Public Hearing with the commission. In your packet all of the major revisions have been presented and are listed as exhibits. The final update actually addresses several concerns from the neighbors that were brought forward during the public hearing as testimony. The applicant proposes approximately 8.19 acres, or more than 20% of the project as open space and the gross density is proposed to be approximately 4.6 dwelling units per acre. The applicant is proposing to bring the future land use map designated commercial forward as its first phase. Public Works does conditionally support the Hazelcrest subdivision, and it will be able to provide up to 30 connections for the project for the time being as listed in exhibit 2.84 of the Public Works comments. The Planning and Zoning Department agrees with Public Works recommendations and staff has reviewed the proposed annexation and preliminary plat for compliance with Kuna City Code and with Title 5 and Title 6 of Kuna City Code. Idaho State Statues 50-222 and 50-13 and 67-65-11 and also the Kuna comprehensive plan and also Kuna comprehensive plan map. And should the Council approve the application, staff recommends that the applicant be subject to the proposed recommended conditions as outlined in the staff's memo. The applicant is here tonight has a small presentation its in your packet its listed as exhibit 2.70 on the bottom of page 3 or maybe the top of page 4. And I will be here for any questions you might have.

Mayor Stear Alright, thank you, questions for Troy?

Council Member Laraway Troy.

Mayor Stear Go Ahead.

Council Member Laraway I just want clarification. I can wait to ask the applicant but what section is the R-12's in? I can find the legal descriptions, but I can't..., it doesn't really decipher which...

Kuna Senior Planner Troy Behunin It's in the center of the project.

Council Member Laraway The dark yellow?

Kuna Senior Planner Troy Behunin I believe so, yeah. I can't get my computer to turn on, sorry.

Council Member Laraway Okay.

Kuna Senior Planner Troy Oh for the record Troy Behunin.

Council Member Laraway Okay, thank you.

Mayor Stear *[laughter]* You have to charge that thing next time or what?

Kuna Senior Planner Troy Behunin It doesn't like me tonight, Mister Mayor, I don't know why.

Mayor Stear Right. Yeah, and if the applicant would like to step to the microphone and...

Jaden Schneider Good Evening, Jaden Schneider 3770 N Jackey Lane Boise Idaho I'm the applicant working on behalf of the developer Larry Jakobson, who is also here tonight. So, I'm excited to give the presentation for Hazelcrest Estates subdivision. As Troy said it's an annexation and preliminary plat proposal. So, the site in total is 40 acres, its currently zoned 'RUT' Rural Urban Transitional and it's in Ada County. The proposed zoning for this site is C-1 Commercial with R-4, R-6, and R-12 Residential. Just *kinda* want to draw your attention to the screen as we start; the area on the on the south highlighted that is the commercial phase that's that phase 1 that the developer Larry is excited about and wants to bring in. Has been working with the city and with members of the Business community to try to find something that fits well in this area. Couple of the things I wanted to mention as we get started is that is a West-Ada school district project, and they provided a letter of support for this project as well as Troy's comment in regard to Public Works and staffs comments about providing sewer capacity for this site. And then, ACHD has reviewed and approved this site in regard to the traffic and any sort of *[inaudible]* headed with that and then as Troy mentioned We have a recommendation from approval from P&Z. So, we worked really hard on this site to try to find something that meets all the needs of what the agencies have given us as well as something that works well with the community. And so, I am excited to kind of jump into that with you here.

[background conversation]

So, Gran Prado Subdivision to the North, Caspien Subdivision to the East, and Memory Ranch Subdivision to the South. We see this site as a missing link for the rest of this development. It adds contiguous development and not just the commercial and the residential as I'll talk on later. It adds pathways, it adds connections and is beneficial to the community in that regard. And then, in regard to the existing infrastructure for this site, a little bit to the south you will see the wastewater treatment plant, that's along south Ten Mile Road, that's about a half mile from site right now. There's existing sewer and water located at the site. The city doesn't need us to extend any sewer or water for this area and it's an opportunity for the city to capitalize on the existing infrastructure that it has while adding things like the sewer connection access fees which can be utilized to recuperate some of that investment that the city has already put in. One other thing that I want to talk about is Ten Mile Road and west Lake Hazel Road are designated in the ACHD master street map as primary arterials, that is a huge factor for this site. But one of the things I want to mention is that ACHD wants traffic to be flowing in this area; so, it's something that were trying to work with and something that were trying to utilize while fitting in well with the existing subdivisions surrounding the site.

So, as we *kinda* zoom in to the commercial core of this site. I'm sorry the picture didn't show up quite as well as I was hoping it would, but you'll see we have a high visibility corner with those primary Arterials. So, we're trying to use that to our advantage, to utilize this as that commercial area for everything. So, on the corner, that picture is a little bit grainy and hard to see in front of you, is basically what we'd envision that anchor tenant in this here. We'd see like a restaurant or a café, patio seating, something that really draws people and says "Oh, I want to come in and stop in this area." And then as we move further to the west, you'll see that we have this C-1 commercial, and this is just some architectural renderings that we have for the site. What we want to have is that street level of Commercial and we want to have that C-1 which is that neighborhood commercial. And just as a definition of that neighborhood commercial, it's businesses that serve the local population and support the daily needs of residents. And, as I mentioned, the developer has been chatting with local businesses. What we envision in this area is we're trying to get people like a UPS or a bakery a chip cookie, things like that, that fit the needs of residents here. For the existing residents and if approval an approval comes tonight for the residents of the Hazelcrest estates subdivision.

Now I do want to talk about the residential portion of it. As was brought up earlier, yes, a darker yellow orange color itself is the higher density residential. But I'd like to also chat about what we've been doing against the adjacent existing subdivisions, as well. So, for instance, if you look to the Northeast corner of the site where we have a proposed cul-de-sac, that's immediately adjacent to the Gran Prado subdivision. Gran Prado is designed and approved as an R-4 density and that's what we have right here. And that's just to have compatible development in this area. As we go further to the north and to the west, you'll see that we have some larger lots and these are also R-4 they're about 9000 square feet for these lots up here, and then generally R-4 this whole west side of the site is R-4. And we think that fits in well with what's proposed for the city's comprehensive map for the future land use planning. So, this farmer's field here to the west side of the site is medium density residential. So that fits that R-4 designation so that's what we're trying to push that area there. So, we have the higher density residential in the center and trying to fan that out, so we have compatibility with our neighboring subdivisions.

Now this is a slide that I'm excited about, because as I mentioned about the missing link, this is something that I really want to stress to Council. This is what we mean by this. There's existing pathway networks. There's existing amenities from all three subdivisions and by allowing this subdivision to move forward you'd be allowing for the pathway network we're proposing tonight to connect through dedicated open space, across the Mason Creek theater and not just to the commercial core, that we really like, but to other subdivisions as well. So, we think that this is not just an asset for the proposed subdivision here but an asset for existing subdivisions adjacently. Currently there is no walking or biking paths that could connect these three subdivisions surrounding the site. One thing that we want to point out and I would like to talk about is that, hey, in Gran Prado at there in the north is that you can get to the commercial subdivision without needing to cross over a road so its easy to walk through you could cross over the foot bridge you could stay on the highway, or I'm sorry you could stay on the ten mile road portion of it as well and you can get down to that commercial. The other thing that I want to say is that when I talk about the neighborhood commercial, I want to say that this is that this isn't just a stand alone neighborhood commercial the three subdivisions around this site that have been approved recently the maximum distance that someone would either need to walk or bike would be just about a mile from any of these subdivisions at there extremities. So yes, there's subdivisions and there's homes immediately adjacent that are here but even in future planning for that commercial the maximum distance that someone would need to either walk, bike, you could drive if you wanted to, it would be about a mile max. So were really excited and that's what I mean when I'm saying it's that length that comes in and fills in this space that's open and available to it. Now I know that traffic has been some comments that we've heard. We heard it at a neighborhood meeting, and we heard it at P&Z, and I just want to talk about the ACHD staff report and the traffic impact study that we had put together by JUB engineering. So, as I said, ACHD has reviewed and approved the proposed development. Currently the intersection as it stands is a 4-way stop is working at a level C and level C is defined as stable flow at or near free flow and that's just technical jargon for the levels of service. ACHD has their 5-year work plan to implement a roundabout at this intersection and so we've been working with ACHD in regard to implementing that single roundabout intersection by dedicating right-of-way to them and implementing our pathways to connect into them. They've been great to work with. They've sent us their 95% construction set. So, they've earmarked funds for their moving forward with it and that just takes it from that level C of at or near free flow to a full level A intersection defined as free flow at this intersection. So, I just want to touch on that in regard to the traffic and if there's any comments in regard to this intersection. ACHD has dedicated this and they're working towards making this an intersection that's just not even a problem for people. Open space, now the city really likes a lot of open space, and we think that we're giving it here. We're utilizing natural features. We want to keep that Mason Creek theater available. Again, there's a walking path along that north corner of the site where Gran Prado has their walking path here. There's that connectability and it comes down into that dedicated open space with that preserved trees that we have there's about 44 trees along ten-mile road that are at full maturity. They're really beautiful. They work well. And they have this area that we can propose and say, "hey we want to keep these natural features natural" and then not just open space in that area but as Troy mentioned earlier Kuna City Code requires 8.5% of the site to be minimum of open space. Larry is currently proposing 20% of the site as open space. So when I say that it has open space and has amenities I don't want to just say that it has just an amenity for Hazelcrest nobody else can use it that's where we want to tie in those pathways that's where we want to tie in the biking

that's where the commercial comes into play to say "hey, it's not just you have to walk through a corridor of homes to get to this commercial. There's a lovely path you can take as you get down in that area." And then for my last slide I just want to talk about just what we've heard from council, community and general. Commercial is hugely important. Larry has made it his goal to bring it in phase number 1 and to work on that to bring in commercial for the city and for the benefit of the residence and just generally for the city, as well. And then just the idea that the neighborhood commercial works well. Now I know I didn't talk too much on the actual residential portion of the site. I'd be more than happy to talk on it, as well, with question periods and kind of get into the nitty-gritty details of that. But I'd ask you to speak to Troy as well. He knows the comprehensive plan inside and out; he understands how this site works with subdivision with the layers of residential and commercial and how that's all put together and then lastly, we've been working heavily with the economic development director for the city of Kuna talking, okay what does the city need in regard to commercial how can we fill that need what can we do there. If there's any questions about that I don't know if Morgan is here; but either way, we've been working a lot with the City in that regard as well and we just feel like we put together a subdivision especially this commercial portion that has that high visibility that we're excited about and we think that isn't just an amenity for the immediate subdivision but for the neighbors, as well. And I'd be happy to stand for any questions.

Mayor Stear Okay, questions?

Council Member Laraway Yes. I guess I'm going to ask you an educational question first. Why have we recently seen an increase of developers come in and they always want to put these high-density housing in the properties?

Jaden Schneider Yeah, totally. Mister Mayor, basically what this site is zoned for in the comprehensive plan is mixed-use. Which means that, feel free to talk to Troy but this means that the city wants to see that fenestration of high density to lower density with commercial to add that. So that's exactly where we were coming in. So what we were trying to say here is we want to be able to meet what the city's dedicating in their future land use for that mixed use and in order to do that the density fans out and that's basically something that when we came for our pre-application meeting with the city, with Doug and with Troy, that was something that they said "alright if you're going to put commercial this is how we would like to see and this is what this will do" and that worked really well for the site. And it actually helped us to alleviate some of the concerns about the open space and say okay where can we put density that works well with the commercial and then where can we add open space so that it keeps the pathways natural.

Council Member Laraway I guess I'm a little confused. I don't remember. I don't see us requiring or requesting high density housing. I understand the commercial portion. Because that's the mixed use.

Jaden Schneider Sure, so, I guess, with definition of high-density housing this is an attached product. What we're proposing, the homes themselves would be about 3 bed 2.5 bath. I have some slides. If I could pull it up that you could see what that would look like. Would that help? I'll zoom down to it. So, it's 3 bed 2 bath 2 story town home attached product with the idea being that it allows for something that's contiguous to the commercial and steps out and it's that in between

buffer from that from that R-1, oh I'm sorry, from that R-4, R-6, R-12 zoning. What we're not proposing is we're not proposing that 3 story condo buildings or apartment buildings in this area because we want to be a good neighbor to the neighbors, and we want to provide them with something that works well with them. So, I guess, I understand where the question of high density comes from and I don't really want to say we're not proposing high density in here, but I think it's a natural progression from that commercial to that lower density R-4, and R-6.

Council Member Laraway Okay. Another question for you, the 22% open space you were talking about...

Jaden Schneider Yes.

Council Member Laraway Okay. Along Ten Mile, I'm assuming the pine trees right there are part of that open space, now once ACHD widens that road, how much do you lose?

Jaden Schneider So that already takes into account the ACHD right-of-way that's dedicated. So, we're already dedicating that away to ACHD and not including that.

Council Member Laraway Okay...

Jaden Schneider And sorry just to clarify. Only 20%, I know you said 22, which still to me is a big number, but yes 20.

Council Member Laraway Thank you very much.

Jaden Schneider Yeah, thank you, any other questions?

Council Member Biggs Yes, I...

Mayor Stear Go ahead.

Council Member Biggs I guess I'm going back to your last when you were talking about progression. Gran Prado R-4, Memory Ranch R-6.

Jaden Schneider Yes, correct.

Council Member Biggs and were *gunna* jam R-12 in the middle, it just seems a little strange to me. I guess going off of what Councilmen Laraway was saying, my second question is what's the timetable if all things are perfect that you envision going from breaking ground for the commercial to all the sections being done?

Jaden Schneider Sure, so I guess I would go back to the comprehensive plan and in regard to what that would look like, I have a note and I'll bring it up at the end and speak a little bit more to it, but the idea being that will you have those R-4 on that and that extends at the far end, we have that natural buffer between that R-6 that we're stepping up to in Gran Prado or adjacent there and then on the south we have that commercial side so what we're trying to do is trying to

meet what we believe from the city is asking for in regard to what mixed use stands for. In that being a mixer of home types that meets the needs of the community and so what we're proposing there is, hey, this is something that meets the needs of first-time home buyers, meets the needs of people that want a little bit smaller of a home or want something more upscale but that meets the demographic that fits into that, while mixing the other demographics. It also us to provide maximum or maximize the space as best we can while still utilizing a variety of housing types that might be something more beneficial for somebody of my age or a first-time home buyer. And then I'm sorry there was another question?

Council Member Biggs The timetable.

Jaden Schneider And, yeah. Basically, how it works is, my understanding is, Troy can correct me if I am wrong, but you have two years from an approval stage from City Council in order to get your final plat recorded and done so basically how we would have to do it is we would go back to the drawing board and get out engineering drawings completed. Submitted to Paul and ACHD get those reviewed and approved and get those broken ground. So, we would see that for the commercial phase being as a 2024 project depending on how fast we can get all that stuff done. I would expect that final plat to be coming in end of 2024 or 2025 to try to do it. We're obviously trying to push that commercial as quickly as we can but there are things that come along when we talk about getting an ACHD approval. No slight to ACHD, they're just slammed. They have a lot of stuff going on. So, if we can do the commercial faster, we want to do that commercial faster and if we can make it a summer 2024 then that would be great. For the residential portion, they're blocked out into phases of 40 because of the EDU's that are available to them. So that kind of limits the speed at which you can go in regard to how fast you can actually build the residence out. So, 40 at a time if it's a 2-year timetable. I'd actually mentioned this to Troy and asked him if we could get concurrent plats, how does that work? And it basically is if I understand this correctly is that the city likes to see the individual phases take their EDU's and then move forward in that paced development so we had envisioned this originally before there was questions of sewer capacity as a, I think it was, a 6 year project or a 7 year project in order to go out which would involve trying to get that commercial in as soon as possible and then pacing ourselves for the residential portion. So, I would see it as a 5, 6, 7-year project to be able to get to the final expenditure but the idea being trying to bring the commercial and try to bring as much of that commercial in as the city's accepting, that as the EDU's will allow us to.

Council Member Biggs So kind of a, I'm not going to say a loaded question, but the reason why I'm asking is because I understand what ACHD says about the intersection. I'm thinking more of Ten Mile. The Ten Mile improvements that are supposed to happen. Is that is going to be the second big corridor into Kuna...

Jaden Schneider Yeah.

Council Member Biggs And their timetable along with something like this so and I understand what they also said about the traffic at that intersection being the Class-C. But I drive there all the time on my way home during rush hour. That can be a little bit of a tight one and I just would like to see that Ten Mile expansion done, hopefully, in congruence with this so that's all I had for now.

Jaden Schneider Okay.

Council Member Laraway Another question if I may?

Mayor Stear Yes, go ahead.

Council Member Laraway Yeah, you mentioned this transition from high density to R-6 to R-4, you only have 7 R-4's.

Jaden Schneider So, the R-4 that's proposed right now would be this area up here in this corner, and then it splits at this Y, a triangular lot, That split right where my mouse is right there that splits from R-6 to R-4 So this whole subdivision portion up to the Northwest is R-4 and then this whole block on the West side is R-4, as well.

Council Member Laraway Okay, thank you.

Jaden Schneider yeah, so I believe I haven't counted them up right now real quick but there's a lot more than just 6 just adjacent to that existing.

Council Member Laraway I was looking at the northeast Corner, you're missing lot 7, but I know that's silly.

Jaden Schneider It's technically defined as that small little sliver in that far right how it goes with the county is if you have it split off from a right-of-way it needs to be its own special lot. So that would technically be a landscape lot owned and maintained by the HOA. So, yeah. But you're right I looked at that today and I thought 'ah, where is lot 7?' and I remembered oh its tucked in in this corner it's a bit harder to see when you're not looking at just the specific time, but yeah, you're right there isn't a lot 7 shown on the lots themselves.

Council Member Laraway Thank you.

Mayor Stear Okay, anything further?

Council Member Bruce Not at this moment.

Jaden Schneider Oka, thank you.

Council Member Biggs Thank You

Mayor Stear Alright this is a public hearing is there anybody who wishes to testify that didn't get a chance to sign in? Okay. *[inaudible discussion]* Adrienne Goff? Yeah, if you want to go ahead and state your name and address for the record, please.

Adrienne Goff Hi Adrienne Goff 295 E. 3rd in Kuna and I'm speaking in favor of the subdivision. I think that that is the perfect location for commercial. Living in the area for several

years now to travel anywhere its 20 to 40 minutes so having something that would just be right down the street would just be... would be great to have. A little restaurant or some place to go get nails done or hair or something like that. Right now, I go all the way to Star, so. It would be nice to have something that's a little closer in that regard. So, I'm in favor of it. I think that the growth is needed. I think that with the town homes because I also am...dabble in real estate. I think that it would bring a cost-effective housing solution. Town homes, as an agent, are something that are very much needed, like my older son is 24 and there is no way he could afford anything 4, 5, 6 hundred thousand, so something in the 300,000-dollar range would be absolutely ideal for first-time home buyers. So that is why I am in favor of this.

Mayor Stear Alright.

Council Member Bruce Thank you.

Mayor Stear Thank you very much. *[inaudible conversation]* Robbie Reno.

Robbie Reno Robbie Reno. Kuna School District. 711 E Porter St. Kuna, Idaho. Just wanted to make sure it was known that this is not in the Kuna School District. He mentioned it but they signed up not knowing they'd present that. So, it's just close but not quite. Thank you.

Council Member Bruce Thank you, Robbie.

Mayor Stear Thank you, Robbie. Alright thank you. You make a great court runner.

Council Member Biggs I try.

[Laughter]

Mayor Stear Cindy Giesen, did you wish to testify?

[Inaudible]

Mayor Stear What did she want to do?

Council Member Bruce She wanted to go further down the list so she didn't duplicate anyone that someone lives near there may say.

Mayor Stear Okay. You bet. Beverly Wolf.

Beverly Wolf Beverly Wolf. 3420 W Commemoration Ave. I live in Memory Ranch, that's the part of the picture you didn't show. If you could pull up the roundabout, I'd love to show you where I get to lose the sidewalk, the buffer. I get to be right across from the commercial. Yeah, stop there. See because that white line right there I believe is the sidewalk right behind my house and when you guys did the neighborhood meetings you said you did one on 9/17/2021, wasn't here yet. 9/28/2022 wasn't here yet. Moved in April 2022. So, I wasn't the only one on that strip that bought at the end of that phase. So, what's our notification? Where are we within the 300

feet? The one thing that I thought was interesting is in your design review and in the packets of the city it talks about the retention of trees. It's fascinating to me that you picked the section where the trees are kind of toothpicks. The most substantial trees, which at this moment, I get to view are a lot older than that. In your city retention policy, it says that they must replace them with existing equivalent trees. *[Inaudible]* There's a habitat there although that got disregarded. I've lived there for two years now, and some red tail hawks live there. And they stick they've been nesting there. They're there all the time. Birds of Prey, oh well, I guess we'll be the City of Sewer. I don't know, it's frustrating because your packet says you've got this great acreage a lot of its water how much of it the water? And isn't that irrigation district that isn't there's to control? I thought that's how we got our irrigation water. When I looked at staff's report twice back in June, July and again today on the staff report it says 'no, major wildlife habitats' okay they don't want to acknowledge the trees they don't want to acknowledge the birds. That's too bad. But the part that gets me is Item C. In today's packet page 10 of 14 that says "A landscape buffer comprised of sod, trees and other plantings will be provided along west Columbia Road. I asked about this in Planning and Zoning, why are they putting in landscaping a mile away? I just want to know; I don't get it. You know, the traffic is crazy now. You want to put the commercial in? Alright I'm screwed. But what do I get to look at? The front end or the gutter end? Do I get to look at the trash receptacles? And there's not a lot of setback for it. Welcome to Traffic.

Mayor Stear *Kay*. Thank you. Brett Kent, did you wish to testify?

Brett Kent Good evening, Council Members. My name is Brett Kent. First Place Reality. I'm here representing, my client Danny McDaniel and I'm in favor of the project. I've met, you know, the developer and his agents and engineer and call them friends. Dan owns that corner there 6485 Ten Mile and we've had 5 buyers come and go over ACHD not approving right in right out access to a convenience store and we've also had 4 other buyers not get this far in the process but proposed developments on that southwest corner. So, I mean, I guess for the sake of my client being able to sell his property we need the sewer units as well. So, as Larry, as we get that sewer line developed, that roundabout in, I'm sure over this process we're going to have a condemnation and eminent domain process for my client. But there's benefit there for my client and I just wanted to share that with the Council Members. Thank you.

Mayor Stear Okay, thank you. Patrick Raimes.

Patrick Raimes Patrick Raimes 805 E. Jackpot Street, Kuna. I'm testifying here in support of the proposed retail development located on the northwest corner of Ten Mile and Lake Hazel Road. I built my home at 805 E. Jackpot in 1999; right across the street from Paul's Market, which is today, Albertson's. How convenient back then to walk just 500 feet across the street from my front door to do my shopping for basic needs instead of going all the way to Meridian. There wasn't a lot of resources back then. Kuna's comp plan supports a mixed-use development on the subject property. This is smart planning in my opinion. It gives developers opportunity to design build projects that really serve the people of the community. Hazelcrest is proposing around 6 acres of retail give or take. This would be a diverse mix of mom-and-pop shops, local restaurants, mixed in with some national retail. Just think if you lived in Memory Ranch. You could pick up your favorite order of curry chicken from the Thai restaurant, just 500 yards away from your home versus driving down to Deer Flat and Meridian Road that's 5 miles away, or

getting your nails done or hair from “Cindy”, a new business owner, that just opened up her first store in Kuna. How about meeting a friend at the local coffee house. You might not have met him in your neighborhood but you’re *gunna* meet him here. Hazelcrest retail is good for the residents of Kuna. I encourage you to open up more opportunities for mixed-use. Developments like Hazelcrest are pretty important for the future. Thank you.

Council Member Bruce Thank you.

Mayor Stear Thank you. Ramundo Pena.

Ramundo Pena Hello, my name is Ramundo Pena. I live at 1378 N. Forty Niner, here in Kuna. I’m a recent arrival to the city of Kuna. I moved in about 11 months ago. And I had lived here in Kuna approximately 9 years for about 9 months. And one of the things that I’ve noticed over the period of time from when I left, went into Star and then into Boise, and then back here into Kuna is how rapidly Kuna has grown and how I was kind of impressed by how the housing developments the commercial residential buildings all seem to go hand in hand with each other. Which to me is a good reflection on the City Council and the people that are doing the planning. I got ahold of the plans for this development, and I was looking at it and it’s just a few miles down the road from where I’m living at, and I think that it is...I speak out in favor of it because it is right there in between here and going to Meridian. Part of the frustration that I’ve had is that there’s not as many commercial properties available on things that you need. I like the fact that this is going to be a development that is going to encourage people to open up small businesses. My girlfriend who lives here has to go all the way into Boise to get her hair done to get her nails done. I like the fact that this is going to have restaurants; some place to be able to just say I live in Kuna I want to spend my money in Kuna. I want to be around my neighbors in Kuna. That’s why we moved back here. So, I would definitely speak in favor of this. I also like the fact that residential development. I know you spoke a little bit about the high density, but for people in my age group or young, those town houses are really great. I don’t have to worry about mowing the lawn. I’m getting lazier in my old age, and the house that I’m in right now, it’s like the neighbors are turning around and saying, “Mr. Pena would you like us to mow your lawn, would you like us to shovel your sidewalk?”. Last winter was the first winter I was here and the first snow that we had. I looked out while having my morning coffee and said I better go out and shovel the sidewalk. Got dressed went outside and it was done, I was talking to my neighbor, and He said, “I told my son, I said go out and do the driveway, do the sidewalks, and do the old man’s as well.” It’s the first time that I joined the club of the old men. And then I realized that was me. I like the neighbors here in Kuna. Thank You and I hope you approve this.

Multiple Council Members Thank you.

Mayor Stear Cindy Giesen.

Cindy Giesen Hello, my name is Cindy Giesen, and my address is 1363 S. Ash Avenue and I’d just like to speak on this. I’ve spent the last couple of... I was here when they were first trying to develop this and they were just putting heavy density next to Old Ranch Road, no consideration for those neighbors. I don’t know if they’re here tonight; maybe not ‘*cuZ* I think one of them is the owner of the property now. But so, we fought that one there. The big question was the

schools, you say you're in West-Ada and at that time there's no capacity, there's no transportation. So, I don't...you know I read through the whole thing, but I feel like there's still nothing. So, and I mean I love that you're thinking of a little bit of commercial over there, but it shouldn't be at...having to put this high of density. R-4, R-6 would be just fine. So, I'm opposed to the High Density there and, you know, after going through just minor code changes, I'm just fed up. The developer spoke very well and talked straightly about his commercial, very little about the rest of the property. But we all know that, that commercial does not get developed right away. Those houses go in their first, you know, unless I see that He's already made arrangements to somebody in and start doing it, then why start developing out there to where you aren't even *gunna* have... You're *gunna* have more property and few places to eat. So, I request that you deny this Hazelcrest annexation, and I brought some papers in here that show all the pending projects out in that area. And it seems that the city likes to put its tentacles out to make one more connection to land so they can bring more in, so there will be more coming if this gets approved. There's no sewage over there, I suspect you're doing Eminent Domain to get a pipe out there. Once we get a pipe out there All I'm *gunna* need to take care of our people, that are already in Kuna is *gunna* get moved, just like Falcon Crest where you made a 3-million-dollar deal to pay them back, you know, and our money gets transferred over there. This happened out in the industrial area. Our money that's supposed to be here for the residence that live here and pay those taxes is also getting moved around. I just want you to start taking care of the land you have and prove to us that you can manage it well and start...and then move out. Quit grabbing land, bottom line. If you want it, this is your own maps. They show the blue spots show all the development that they're considering. Okay and they're all big things like this and they all get exceptions to our codes. So anyway, please consider what you're going to do there by making one more tentacle connection out to the middle of nowhere with no infrastructure or support right now. Thank you.

Mayor Stear Okay. Thank you. Dennis Durrant.

Dennis Durrant Dennis Durrant. I reside at 8352 S Old Farm place. Meridian Idaho. Marci and I actually own the property just to the Northwest of this. We connect on the Northwest corner. And, we are in favor of the application, we've had opportunities to meet with Larry and his team and we talked about some of the density, and we've always had density concerns and we like how He's chosen to do this, in that He's buffered around our property with the R-4. If we we're ever to develop in our area we would probably go to an R-2 and we like how he's buffered that, we think that that's been really appropriate, and we think that he's been thoughtful in his consideration of the neighbors and how he's approached it. We do like the commercial aspect of it. We think that it's much needed in that area. Marci votes for a dry-cleaner. *[Laughter from background]* We think that would be a great opportunity. The other thing that I would like to shed a little bit of light on. The open space, we think, is really a nice feature. The pine trees that are along Ten Mile, I had the privilege to actually help plant those many years ago and we think that turning that into open space and a community amenity is a wonderful opportunity. We would like to see that pathway connect all the way through the Northwest down Mason Creek and we own the property to do that. So, if it's connected here, we would love to be able to connect in the future to provide more open space for the city and walkways and pathways for people to ride bikes and things like that. There was a concern that was voiced earlier today on some of the existing trees that I think they were referred to as the elm trees maybe, right by the

household that's currently there. I think there's a challenge with those trees, they've about reached their age limit. They are diseased and we did cut one down about 3 years ago and there's been several fall on the house as far as branches. So those trees, while they are wonderful, they are diseased and have reached the end of their life, and I know there is plans to put additional trees and landscaping in to supplement what goes away. So, we're grateful for this development. We think it will be a blessing to our community. I would like to add that we do have a contract to build a convenience store at the corner of Ten Mile and Amity, at the Southeast corner. Legacy Fuel and Farm station there. So, if we think that services aren't coming, they are coming and traffic is going to happen regardless of what we want, so I would say, let's take advantage and get some commercial for our tax base here in Kuna. Thank you.

Multiple Speakers Thank You. Thank You Dennis.

Mayor Stear Alright that's all I had signed up that wished to testify. Was there...you wanted to change yours's to testify? Okay. *[inaudible background conversation]* No I'll just change your mark.

Cristin Sandu Mister Mayor, Council, my name is Cristin Sandu for the record. 3070 N Saratoga way. I've *kinda* just been sitting in the back and just listening to the testimonies in favor and against this subdivision. I personally stand against this subdivision and many other subdivisions because we all know that our city is at capacity. Our infrastructure can't handle any more traffic. Our schools are at capacity, and our sewer are at capacity. But what I really want to shed to light is that everyone who spoke in favor of this particular subdivision had some form of personal gain. No one really focused on the community. The gentleman that wants to sell the property, that's personal gain. I heard someone mentioning hair salons, well we all know that people don't go to hair salons because it's located in Kuna. They have an individual who does their hair, and they like them and they're going to continue going to Star and Boise and other parts of the valley. But I just I really just wanted you guys to essentially see that this is just another profit driven subdivision, and people who were testifying in favor of it had a form of profit driven approach towards it. That's why they were in favor of it. And so, I, on behalf of the community, think a lot of people who are not here tonight are against this subdivision. And we simply can't support any more subdivisions, period. Until we get our city in order. We build our infrastructure, we figure our schools, and we need to start caring about our community. We really do. Thank you.

Mayor Stear *'kay* Thank you. Did I see another hand go up? Could I get you to sign your name unless you already signed up.

[inaudible background conversation]

Renei Raymes Thank You. My name is Renei Raymes with Commercial Broker Connect. I am in the brokerage, and I work with a lot of retailers, and I have a handful of clients that I'm working with currently who have indicated interest in this position, or this location. And I do have a Mexican Restaurant, Nail Salon, and Chiropractor that does want to expand into west Kuna in addition to I have some Big Box interest in this location in addition to national tenants. So, I'm trying to place them in Kuna. There's not a whole lot of resources, and I do know that

the water treatment plant has allocated EDUs for this retail project and I'm in favor of it. Thank you.

Mayor Stear *kay.*

Council Member Bruce Thank you.

Mayor Stear Thank you. Anyone else? Alright, very good. Would the applicant like to step back up?

Jaden Scheneider Again, good evening, Jaden Scheneider the applicant. I just want to thank everyone for coming out and standing up here and talking about the project and voicing their comments and approval and even if you're against it thank you for that. I just wanted to talk to a few things first off. Beverly Wolf had made some comments in regard to the trees. There are trees that are adjacent to that existing home, so City Code requires that if there are trees, they need to be mitigated and replaced with new trees and we're totally in favor of complying with that and keeping trees where they are existing where we can. What we can do in regard to the Red Hawks, I can't speak to that in particular, if there is something that City Council would like us to do in order to speak to the Birds of Prey Foundation and ask question and say, "Hey what can we do?" We're more than happy to make that a condition of try to talk to Birds of Prey and try to help them out if there is something specific in regard to that. I just want to talk again the Sewer Capacity and the school; this is a West- Ada School district that Public Works has said that they have capacity specifically for the commercial. There was a question in regard to if the commercial is really coming or if it's residential. It's not specifically in the report but I have an email from City Staff saying that your 30 EDUs are for phase 1, for this commercial. So, that is what the developer's planning on and that's what the plan to move forward would be so putting in that commercial in phase 1. I just want to go back to the staff report that Troy put a lot of time into and a few specific items that I wanted to touch on here just to close out. In regard to business, the comprehensive plan goal one for Kuna it was that goal one is ensure land use in Kuna will support economic development. Goal 1 C is attract and encourage new and existing businesses. I think that we're doing that. That's the goal with bringing this in right away and that's something that we can do. I appreciate all the people that stood up here and said I like the commercial if they're supportive of it, I appreciate it. In regard to the housing and we talked about mixed-use and talked about higher density goal number 3 of the comprehensive plan that Troy put together, goal 3 D says encourage development of housing options and strong neighborhoods, encourage development of housing options for all citizens, encourage preservation and development of housing that meets demand for household size lifestyles and settings. And that goes back to, I can't remember where I have it written down here, Mr. Pena's comment in regard to I had made a comment in regard to people my generation and I've looked silly now because I've looked over him and people of his nature that would be supportive of that higher density right there. And then lastly, I just wanted to talk about the walking and biking and again back to the pathway that we were talking about here in this site in this picture specifically so for goal number 4 of the Kuna's comprehensive plan Kuna will be a connected community through strong transportation and infrastructure systems. Goal 4B increase sidewalk coverage and connectivity and invest in pedestrian facilities to increase walkability and 4B point 2 coordinate with developers to connect and/or enhance pedestrian facilities including on and off

system pathways, foot bridges across canals, et cetera. So, I just want to speak to that and say that in regard to the comprehensive plan I think that we've hit a lot of boxes and we've checked or checked a lot of boxes and hit a lot of targets with this site plan. Yes, there's commercial, yes there's residential. I think we fit the business side of this, the home side of this, the connect-ability side of this as well. And again, I just ask you don't take it from me talk to City staff, ask Troy the same question ask him "Hey does High density if we're going to call it does that work here?" "Is this what we want to see?" "Do we want to see commercial?" "Do we want to see residential?" "Do we want to see this type?" I obviously I'm in favor of it and I've been involved on this project but please don't just take it from me, talk to the economic development director, talk to Troy, talk to the people from Council or from staff as well and ask them if they have support of it because I really feel like we've come up with a great plan and I think that we're backed up with the comprehensive plan and just thank you to everyone who came out thank you for your time.

Council Member Bruce Thank you.

Mayor Stear Thank you, any further questions for the applicant?

Council Member Bruce No.

Mayor Stear Okay, thank you, sir. Alright.

Council Member Bruce I was just going to close it out.

Mayor Stear the question is rightly before Council. Yes, go ahead.

Council Member Bruce I move we close evidence presentation and move to deliberation.

Council President McPherson I'll second that.

Mayor Stear Okay, Motion is made and seconded, all those in favor say aye.

All Council Members Aye

Mayor Stear Any opposed? Motion carries.

(Timestamp 00:57:48)

Motion to

Motion By

Motion Seconded

Further Discussion

Voting Aye

Voting Nay

Not Present

4-0-0

Council President McPherson Well I'll start off I guess no one's speaking up here so, I don't know it's a catch 22. It's nicely laid out, it's got a good connectivity, but it is in a high traffic area. I'm concerned with the roundabout and the way that corner is and everything, but I mean I see good and a little bit of bad with it both. I see Councilman Laraway's concern with the higher density right off the back of the commercials, but that's kind of what we've been doing but I like where they've buffered against the existing R-4 and you know didn't even have a fight about it just the way they designed it to buffer to the neighbors that...you know to their same density and built within. It's kind of different for that area but I do like how they kept the old trees; I see Ms. Wolf's point with the old trees there, but I do think they've...Those things have been there as long as I can remember. They're probably nearing end of life, like Mr. Durrant said, and can be replaced. I don't know how we look into the birds of prey issue if there truly is one there, but something to look at for sure.

Council Member Biggs That's something I would like to know as well too 'cuz birds of prey is...That's what Kuna's logo is. But I agree I think this is written, or this is designed pretty well for all intents and purposes with it. Even with the R-12. I did want to say Ten Mile widening improvements, that's my biggest, that's one of my biggest concerns at the moment. Because I don't want to jam something in there with the road the way it is now. But, when we compare this to the project that we had last time, it's the opposite. This is actually the way we wanted it because the other one was commercial sometime in the future, may, may not, we don't know. It wouldn't be developed by them, I guess. This one is doing on the front end which I really like. But I do want to talk about Sewer and Water because, just things I've read online and things I hear, I just want to make sure the sewer capacity issues that we've talked about a few times or alluded to a few times, we are okay with that. I also want to mention that the West-Ada letters, I've read both of the letters and maybe I read it differently, I don't know if it's actually a screaming endorsement because it's telling you there's mitigation steps that all seem like something that would have to be done. That might be on the pain of the people who live there and the City of Kuna for that matter. Transporting students to an alternative school because of the capacity numbers are...they're up there, just like they are for Kuna School District, and we don't have anyone here from West-Ada unfortunately to explain this but the mitigation stuff that they have doesn't exactly tell me that they can handle this no problem. So, those are my big things, sewer, schools, and then Ten Mile. And the birds, forgot the birds.

Mayor Stear Don't forget the birds. Well, I actually think that's a good idea, because we've heard that a couple of times where there's birds nesting, so I think it might be good to make contact with those folk and get their guidance and direction on that type of thing.

Council Member Bruce I think the project, they've laid it out well especially with the commercial going first. That's something that we've looked at as a city is needing the commercial. Also, with it close to Meridian's area of impact, if we do turn it down, they're close enough to where they could go to Meridian and get it approved. It would still... you don't think it would?

Council Member Laraway They got that topographical hill to go over.

Council Member Bruce to pump it up?

Council Member Laraway To pay for the sewage.

Council Member Bruce Obviously sewer is definitely a concern, but if they say we have to trust our city staff, that they can service it, the high density is in the middle of the complex. We do want commercial on that corridor; it takes the traffic from out of downtown.

Kuna Planning and Zoning Director, Doug Hanson Could I just speak to that real quick. For the record Doug Hanson, Kuna Planning and Zoning. If it is a concern of the Council staff could put together a development agreement with the applicant, firmly establishing that commercial will be the first thing that's platting, platted, and ensuring that those 30 EDU's that are available are used for the commercial.

Council Member Laraway Thank you.

Council Member Bruce What are your thoughts, John, with the High Density?

Council Member Laraway Okay, here's my wisdom, as little as it is. The high density only becomes a problem for me, because ACHD has a hard time following through on their timelines. Emergencies make them move their money someplace else and these projects don't get done. Not your fault, not our fault. But I have to look at the big picture. The...I like the Commercial aspect, but here's the problem I have with...I'm going to call it a mixed-use problem. We have a taxing system that we say 90% residential 10% commercial, but when the development's come in they throw all these high density and housing developments in here and we're back to the same number. We don't ever increase the commercial because we're adding so much residential. So that's kind of a negative for me. Again, I love the commercial aspect of it. I love the R-4. I like the way you've transitioned. I'm just not a big fan of ...here's...I'm not going to look at this subdivision. I have to look at the totality of where our sewer system is. Do we ever catch up? Because we're always donning out 30, 20 we don't ever seem to catch up. And, at some point in time we're going to have to say "no." That's just the reality of how we're growing and until we have some other issues settled on the sewage situation, we have property that's prime development, we can't get sewer to it. So, when that goes through where's our attention going to be? I feel bad for the bird, but I think the bird's going to lose a lot of its habitat by being able to feed itself with all the residential there. The bird will move on. The other roundabout has me concerned. Thank you for the development agreement on the commercial first because if you throw all that high density housing in our traffic is going to be a disaster. I'm 50/50.

Council Member Bruce I have... Mister Mayor may I ask Doug a question?

Mayor Stear Yes.

Council Member Bruce When we look at these projects and we take on the commercial and the residential obviously they want enough residential to support that commercial. Do you show them how many developments have already been approved around there that could feed into that commercial rather than just building the commercial or the residential that could feed into those businesses rather than saying hey we have to build our own residential to support this little bit of

commercial we put in? Do they look at it like that instead of saying “hey well we need 150 houses to support all this commercial.” Do you say, “well we have 300 or 1000 that are being built around it that would support that commercial.”

Kuna Planning and Zoning Director Doug Hanson for the record, Doug Hanson, Kuna Planning and Zoning. So, generally those numbers are looked at private developers and commercial users who are interested in coming into an area. They won't come to an area unless there's a certain number of rooftops. They have tools to look at all those types of demographics. That's something that we can't easily do because we don't know the commercial users that would be coming to this area. Commercial users generally aren't interested in investing in an area unless it's entitled for a commercial use so that's not something we can really predict. We can look at the fact that this is on the north-northwest corner of two principal arterial roads which generally you want commercial near heavily trafficked as far as traffic goes for accessibility and things like that but yeah it would be difficult to predict some of those things.

Council Member Bruce Because I know we see that all the time. We see the commercial, strip of commercial but we have to have all the rooftops to support that when we have, you know, enough to support it two times over around it.

Council Member Laraway May I ask Doug a question?

Mayor Stear Yes.

Council Member Laraway Doug, what is the reality that this commercial, and I'm only looking at this as my poor business minded, this is a prime spot for commercial. It's a major transit area from Ten Mile, it's going to be increased, they're going to eventually throw in a roundabout. Highway traffic is it conceivable that some of this property actually loses its identity and more commercial can be put in? I know that's up to the applicant but, is it feasible?

Kuna Planning and Zoning Director Doug Hanson For the record, Kuna Planning and Zoning, as you stated Mr. Laraway, it is the private property of the applicant. We can make recommendations or bring up things like that but ultimately, they get to decide what they want to request from the Council but yes, it could be feasible to add more commercial on the corner of two principal arterial roads.

Council Member Laraway So if the applicant finds this is an ideal piece of property and he could add more commercial. All he has to do is come, we just change the plat.

Kuna Planning and Zoning Director Doug Hanson Yeah, so, for the record Doug Hanson, Kuna Planning and Zoning. They would have to come back through the public hearing process in order to rezone to get more commercial. But yes, it would be possible.

Council Member Laraway Why would they have to rezone if it's mixed use?

Kuna Planning and Zoning Director Doug Hanson Because while mixed use is the future land use map designation, there are still separate zones that need to be established. So, what you will see up here, you will see an R-4 Zone, an R-6 Zone, an R-12 Zone and a C-1 Zone. They'll still be separate zones.

Council Member Laraway I see your point. Thank you.

Mayor Stear Okay. Paul, would you like to speak, well maybe you don't like to but, would you speak to the... what's needed to increase the sewer for a project like this? Knowing where it's at, what's going to have to happen for them to get more sewer capacity.

Kuna City Engineer and Public Work's Director Paul Stevens Okay, Mayor and Council, Paul the City Engineer slash Public Work's director 741 W 4th. I think I got it right this time, maybe. We have 30 EDU's that are available in Memory Ranch lift station at the moment that we can give to these guys so they can get started. To improve that, we are actively pursuing the Mason Creek Trunk line which will bring sewer around from there which would then relieve and take offline actually two or three lift stations and take that sewage out of Memory Ranch lift station. Once that sewage is out of Memory Ranch lift station, it would have sufficient capacity to take care of these guys, the rest of the way.

Mayor Stear Thank you.

Kuna City Engineer and Public Work's Director Paul Stevens And just so we know, we are actively working on train two at the treatment plant to increase capacity there also.

Mayor Stear Very good.

Council Member Biggs So, I guess that doesn't really... That's a great explanation, but the whole Mason Creek issue that we still are back to the drawing board on right now, gives me pause, that we could go and jump right into this without that being rectified.

Mayor Stear Well, but they're. I mean they're not going to be able to build any buildings until they have capacity, so, you can't get a building permit if there is no capacity available. So, they're at a stock point until that actually happens.

Council Member Biggs So we are saying we don't have capacity right now then.

Council President McPherson No, we have 30 for them now. 30 upfront.

Council Member Bruce So they can only the front commercial.

Council President McPherson The front commercial and then...

Council Member Laraway Troy, how many commercial units are there, right now?

Kuna Senior Planner Troy Behunin For the record, Troy Behunin, are you talking about this specific project or the city as a whole?

Council Member Laraway No, this specific project.

Kuna Senior Planner Troy Behunin They are proposing 4 commercial lots and they're proposing about 4 ½, 5 acres of commercial. Commercial is not counted on a units.

Council Member Laraway Well, I counted like 30.

Kuna Senior Planner Troy Behunin It's not calculated on a units.

Council Member Laraway Okay, so we don't know how big the units are going to be.

Kuna Senior Planner Troy Behunin We know how much the proposed commercial is going to be. They are allowed up to, if this gets approved, they are allowed up to 4 commercial lots. How they divide that up, whether it's two on each one of those lots or if it's 3 on each one of those lots is going to be determined based on the approval and the needs.

Council Member Laraway So we don't know how many EDU's you're going to need. We're giving them 30, we don't know how many they're going to need.

Kuna Senior Planner Troy Behunin They are proposed to be given up to 30.

Council Member Laraway Correct.

Kuna Senior Planner Troy Behunin So it then becomes prudent of the developer to be aware and to keep track of, as the city will keep track of the 30 EDUs. They are only allowed 30 so if they gobble it up with two users then just for example, we have Ashton Estates which is the southeast corner of Meridian Road and Deer Flat, okay they have about 14 or 16 acres of commercial there and they have approximately 30 to 35 EDUs They have a dentist they have several restaurants, they have a major big box. So, it's three times the size in commercial area as this, and they only have about 35 units, or 35 EDUs for the 12, 13, 14 acres that they have. So, it's really not a matter of my goodness they only have 30. It's the have to match how...

Council Member Bruce How they can allocate it.

Kuna Senior Planner Troy Behunin How they can allocate it. A lot of that is going to be driven by the size. If this were much bigger, if this were 20 acres of commercial, then maybe that's a concern.

Council Member Laraway Okay. Thank you.

Kuna Senior Planner Troy Behunin You bet.

Mayor Stear Okay. Further?

Council Member Biggs There's, I guess...I'm not comfortable on the school part. I'd like to understand as well as Paul does, but I don't, and then the habitat issue for the birds of prey. And I'm still...the traffic...I'd love to have a traffic projection of Ten Mile, but I don't think there is one that exists. They've just been talking about it for years of widening Ten Mile. I'm kind of wondering...I don't really...I'm not wanting to deny this, but I kind of want to make sure these little parts are...we're all satisfied.

City Attorney Marc Bybee That was me City Attorney Marc Bybee, so procedurally speaking, Councilman Biggs if you're not sure on the decision, I'd say, you know tabling it or continuing it for potential future public hearing when I hear things like "well I want to hear from West-Ada" know there's a comment letter if we want them here we can introduce them or invite them, I mean, for an additional meeting and get more particular comment. Whether they show up or not, we can't control that, we can just invite them and say look this was something missing we want them back, so.

Council Member Biggs I understand. I was just saying the letter, I interpreted it differently than what I heard that they support it. I don't read that as a support letter.

City Attorney Marc Bybee Okay, and that's why I'm saying if you want to get them here we can...Certainly, I'd say that's not a denial issue it's a invite them here and if they come, if they come if they don't we might just be at another hearing without any more clarity on the issue, kind of being the point, and then a few things I wanted to touch on just from a legal perspective. I'm going to do my best to avoid getting into policy on this but I heard a discussion about two topics and it's kind of High density housing and sometimes in these settings we talk... drift into discussions of do we want these kind of housing types, almost just like as a blanket type thing and I'm wary of that just from Federal law perspectives that it could be viewed as discriminatory if we avoid certain types of housing, particularly high density that can be viewed as a...like a discriminatory housing practiced by a city and so it's something it's like I get it, you know, some people don't like that but at the same time there's an expectation that we're going to need to provide diverse use of how or diverse housing types and federal law and also your comp plan speaks to it and so those are some things we should keep in mind and then Council Member Laraway you mentioned the mixed use problem and I get a little worried sometimes that I think we try and solve comp planning problems or maybe even code problems at an application level and applicant are...when they're entitled to the code that existed the comp plan that existed at the time they submitted their application and so if we see problems and were like gosh is this how we really want mixed use to be used, it's how our code is structured right now and that's what they've applied under right and so we need to keep in mind they've applied under the standards as they are today and if we see an application like this motivates change then okay it motivates change moving forward but we can't, you know, have our code away or have our comp plan away that essentially invites certain application types and certain use types and then when they get in here and say well you know you followed our Comp plan, you followed our code but we're not going to do it anyways because we want to change those now so it's kind of a...there's an issue in viewing it that way. So if there's a mixed use problem, that mixed use problem isn't solved at a per application level, it's solved at a, you know, code and ordinance update level a comp plan update level, a long term planning level and so there's...Those can be goals but it's where are we at and what are we looking at right now and we need to be cognizant of we're

looking at an application, we're not looking at rewriting our code right now. We're not looking at rewriting our Comp Plan. And, if this application is teaching s, we may...might need to change, okay, it motivates the change, but they applied with the plan the comp plan and ordinance as it is today.

Council Member Laraway Thank you.

Council Member Bruce So, kind of what I'm looking at as a whole is West-Ada didn't give a thumbs up or a thumbs down, right? They said, "Hey we're going to have to mitigate some of this issues which is normally what the schools say." Sewer says yes, we can do it. Our comp plan says yes, we can do it. We've let them file the application under those laws like he's saying. I mean I don't see like other development where there's a glaring "no" right, where we have one thing or two things, we can put our hand on and say this is definitely something we need to look at. What I'm seeing now is we've seen green lights through most of this, that's how I look at this. And, we do have to be respectful of the private property rights of the owner as well, and we are going to discuss this future land use map, later down our agenda. We're working on a task force, and it seems like that's something that we have an issue with, right, is the high density and honestly with using to the mixed-use, I wasn't thinking that it was going to be used like it has been, when we change that and I assume you guys feel the same way, right? Maybe that's something we need to look at.

Council Member Biggs No, this one is definitely not how I was expecting it.

Council Member Bruce When we switched it to mixed use from all the commercial.

Council Member Biggs Going back to Doug, we're talking about the conditions before. Is there a legal standing on that? Marc, I think you alluded to well we can draw it up, but as far as the commercial going first.

Kuna Planning and Zoning Director Doug Hanson Yep, so as far as the commercial going first, if the commission or I'm sorry if the council would like, I would recommend that we keep the Public Hearing closed but table this to a date certain so that staff could craft the development agreement and bring it back before you and then move forward from there.

Council Member Biggs I like that idea.

Council Member Laraway I'm good, plus we can get clarification on this.

Council Member Biggs Well. The other thing with the school is it's the neighboring school, this isn't Kuna School District who's sitting right here.

Council Member Bruce Right.

Council Member Biggs And, I don't know how you all read it, did you interpret it. The same way because I definitely...

Council Member Bruce It's questionable.

Council Member Biggs Yeah so it would be nice to get something else that says, oh yeah, go right ahead, but I see things that mitigation steps they're talking about are pretty significant to take care of this especially the middle school, so.

Mayor Stear Well I think what we are used to seeing from Kuna School District is they say we cannot support this, and, in this case, they just give you a list of what's there and what they have to do to mitigate it. So, I mean if you want, they can reach out to West-Ada again and find out if they want to give you a definite, we can serve this, or we can't serve this.

Council Member Biggs I would like, yeah, more, yeah, more like a solid answer but otherwise.

City Attorney Marc Bybee Council, this is Marc Bybee, City Attorney. If this with this School District question out there, I know Doug said Table it you know, not have a possibility of reopening the public hearing. If there's a possibility that we're in contacting the District inviting more public comment, I think the possibility of continued with the reopening of the hearing because if we get additional comment that's new facts into the record but I would say if we get those new facts into the record, additional public testimony if it happens should be limited to the new facts it's not a rehash every issue we just did. It's limited to okay we got new information how's that changed the approach here. But I'm looking back like two, three years in time. You were here I think some of the Council was here and, but you know we did this with ACHD where we have a like "what the heck like this information is missing try to get them out here. We did that and I what are we did it maybe six times and they finally showed up at one then we haven't seen them again since and so it's one of those things we can do it, we can request it and maybe the other public agency does something and steps up and shows up but there is no guarantee they do and so if it's something that the Council say's it's worth it let's see what happens I think you can do that but if they introduce new information it could open the public hearing again for more information in response to that subject, so, but I'm just offering the other part as far as our experience from ACHD was pretty hard to get them out here, so.

Council Member Biggs And well also unfamiliar with dealing with West-Ada it happens very rarely. So, in that situation, it just seems kind of weird to just dump in something and say, "Here you go here's your student's." You know?

Council Member Bruce And I think too we, you know, discussed sewer capacity a lot, maybe a workshop might be necessary to have us all have a whole overview of what we're actually looking at, capacity wise, so we don't go back and forth or 30 here or 40 here then we know moving forward where it sits, just a thought.

Council Member Biggs I like that. I would like to learn.

Council Member Bruce What are you thinking Mr. Laraway?

Council Member Laraway I'm good.

Council President McPherson So a timeline on a date certain for tabling this to.

Council Member Bruce Is that what we...

Council Member Biggs I would be in favor of that.

City Attorney Mark Bybee City Attorney Mark Bybee just please be very particular, are we tabling or continuing? Tabling would be no possibility of reopening Public Hearing, Continuing has the possibility of reopening the hearing, that's the distinction I think you need to make.

Council Member Bruce Okay and then we do the continuing only to hear the information we request information we request?

Council Member Biggs New information.

City Attorney Marc Bybee Yes, correct.

Council Member Biggs Regarding the School or the commercial

City Attorney Marc Bybee And you had talked about the birds of prey thing. I honestly don't know where that's going to go if that's going to be something you want more information on and I'm sitting here trying to figure, like, I don't have it off the cuff. I don't know how that fits in the land use context unless it's actually like a protected habitat area versus a bird happens to live there and I don't want to sound insensitive but there is kind of a distinction from the land use concept and land use planning and law that I have to think about so.

Council Member Biggs Is there a precedent for that, Doug? To reach out to like the peregrine foundation?

Unknown Speaker from background I live there, there's no hawks. I live there.

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning staff. We've never made contact with anybody for this reason outside of a designated wildlife area.

Mayor Stear So, I still think it's a valuable thing to do so I think maybe we'll make that contact and see if we can't get somebody to...

Council Member Biggs I drive by there every day, so I'll just take a look.

Council Member Bruce Well it's good to have a name in the book too if we need future questions.

Mayor Stear Well we do have contacts.

City Attorney Marc Bybee City Attorney Marc Bybee, I just heard something that caused me concern. Council when you're up there you're to decide the case...like a application on the facts that are put before you in the hearing you're not supposed to go and do independent side investigation and fact investigation. So, Council Member Biggs I hear that and it kind of you know well gets my attorney sense tingling a little bit like we shouldn't you know be going doing our own investigation. Searching the internet on this and it's and it's reviewing the information that's presented to you in this hearing because otherwise it presents a situation it's an unfairness situation where the applicant or you know that's pursuing against this is almost fighting against air because they don't know what facts are even being considered. We need to know what facts are actually before the council for deliberation when you start going and adding things or considering things beyond the record what's here, that's problematic from a legal sense.

Council Member Bruce You said you were driving to work?

Council Member Biggs Yes.

Council Member Bruce You wanted to go a different route? Marc, is that what you're saying?

Council Member Biggs Don't look up.

Council President McPherson No, but he said specifically drive to it. It's different.

Council Member Biggs Well, the other part was about, I can't look on the internet to see like the migratory routes of birds and stuff that might.

Council Member Bruce I didn't hear that part.

City Attorney Marc Bybee If you do that, you're going to need to introduce it into the factual record honestly. That's my advice to you as an attorney, yes.

Council Member Laraway This is my two cents. Let's table it to give West-Ada a chance to answer if they don't answer it, we take it as information, and we'll move on.

Multiple Council Members Continue it.

Council President McPherson To a date certain, what timeline do we want, two weeks?

Council Member Bruce Next meeting.

Council Member Biggs Next meeting would be fine.

Council Member Bruce Yeah.

Council Member Biggs Is that enough time for P&Z to do the agreement?

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning staff. We would recommend late December, early January to allow adequate time to craft the development agreement.

Council Member Biggs December the...

Mayor Stear The 19th.

Council President McPherson January the 2nd?

Council Member Bruce Okay, John?

Council Member Laraway If we have to wait that long, then we have to wait that long.

Mayor Stear Okay.

Council Member Laraway But, it's the development agreement that we are waiting for, not West-Ada.

Mayor Stear Yes.

Council Member Biggs Right, we could get that answer tomorrow from West-Ada, but...

Mayor Stear Okay we're ready for a motion for that.

Council President McPherson Yes, Mayor I would move we continue to a date certain of January 2, 2024, items 21-14-AN and 21-10-S to allow times for P&Z to craft a development agreement and potentially obtain more information from the West-Ada School District.

Council Member Bruce I'll second it.

Mayor Stear Motion is made, and seconded, any further discussion? All those in favor say aye.

All Council Members Aye.

Mayor Stear Any opposed? And that motion carries.

(Timestamp 01:28:49)

Motion For: Continuance to a date certain January 2, 2024.

Motion By: Council President McPherson

Motion Seconded By: Council Member Bruce

Further Discussion: None

Voting Aye: Council Members, McPherson, Laraway, Biggs, Bruce

Voting Nay: None

Absent: None

4-0-0

7. Business Items:

(Timestamp 01:30:09)

- A. Proposal to establish the City of Kuna Future Land Use Map Advisory Committee.
Doug Hanson, P&Z Director ACTION ITEM

Mayor Stear Alright, very good and that takes us to our very next item which is proposal to establish the City of Kuna Future Land Use map advisory committee. Doug Hanson.

Kuna Planning and Zoning Director Doug Hanson Good evening, Mayor, and Council Members, for the record, Kuna Planning and Zoning staff 751 W 4th St. On page 235 of the packet, you will find a proposal to establish a Kuna Future Land Use Map Advisory Committee, should the Council approve the proposal this evening, the City of Kuna advisory Committee application form will be made available to the Public and interviews will be conducted, subsequently a resolution will be prepared for the council to establish the City of Kuna future land use map advisory committee and appoint members. I will stand by for any questions.

Mayor Stear Okay, questions for Doug?

Council President McPherson Not yet.

Council Member Biggs No.

Council Member Bruce So you're gonna set it all up.

Kuna Planning and Zoning Director Doug Hanson Yeah, for the record Doug Hansen Kuna Planning and Zoning. The proposal on page 235 lays out how everything would be set up. Including the number of meetings, the times the meetings will be held, how the members would be appointed, the member selection process, potential agencies that can come for educational presentations to the group and the goals of the future land use map advisory committee.

Council Member Biggs So the KSD yeah that'd be like they could come but they are not mandatory so they would be a member on the future land use map advisory committee.

Council Member Biggs I think this is something that'd be great for the city to have their voice heard.

Council Member Bruce well and I think we did this process sometimes before, right? Where...when did our comprehensive plan our Future Land Use Map

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning, that was just public outreach, the 2019 Envision Kuna Comprehensive plan was done with the City through, we contracted JUB Engineers to help us with that. There was a large Public Outreach effort, but we never set up an advisory committee or anything like that.

Council Member Bruce I'd mentioned this to Doug, I just think it'd be you know, where we're out now maybe have a 10,000-foot view of what we want our city to look like and what the participants here want it to look like. That way we just have more input from them is my thought.

Council Member Biggs Yeah some like... more fidelity or specificity on things like we've been talking about for the last hour, like the mixed use. So, a lot of pink, on that. So, we could get a lot more input on that.

Council Member Bruce And I think that just having more input in general from the community is always good.

Council member Biggs Definitely.

Mayor Stear Well that's why a committee is good.

Multiple Council Members Yeah.

Council Member Bruce And it hits all the agency partners as well.

Mayor Stear And so, just want to approve that...make a motion to approve to move forward with that process.

Council Member Biggs And then Doug about how, once its approved, we have to get a resolution and then how long until we can start advertising?

Kuna Planning and Zoning Director Doug Hanson So for the record Doug Hanson, Kuna Planning and Zoning, so the order of events would be you would prove the proposal tonight, we would craft that form for people to apply to the positions. The City Council Member that would serve on this committee would sit in on interviews with the Planning and Zoning director and Economic Development Director to select the membership and then we would bring forward a resolution creating the advisory committee and appointing members in one resolution.

Council Member Biggs Okay.

Council Member Bruce Everybody good? I make a motion that we approve the City of Kuna land use map advisory committee proposal.

Council Member Biggs Second.

Mayor Stear Motion is made and seconded, any further discussion? All in favor say aye.

All Council Members Aye.

Council Member Bruce Thank you, Doug.

Mayor Stear Any opposed? And that motion carries.

(Timestamp 01:33:53)

Motion To: Approve advisory committee.

Motion By: Council Member Bruce

Motion Seconded By:

Further Discussion: None

Voting Aye: Council Members, McPherson, Laraway, Biggs, Bruce

Voting Nay: None

Absent: None

4-0-0

B. Idaho Veterans and Spouses Small Business Week Proclamation. Mayor Stear.

Mayor Stear Next, we have Idaho Veterans and spouses Small Business Week Proclamation. The State of Idaho proclamation Idaho veteran and spouse small business week proclamation, whereas nearly 1 out of 10 small businesses across the United States is Veteran owned, from Mainstreet store fronts to virtual high-tech startups, that advance America veteran-owned small businesses are a pillar of our economy and contribute to the foundation of our nation. And whereas Veteran and spouse small businesses owners are resilient, disciplined, and mission oriented thanks to their military service and committed to serving our Country and communities and whereas when we resolve ourselves to strengthen our communities we must empower and support the giants that veteran and spouse entrepreneurs are in our economy and whereas Idaho Veteran and Spouse Small business week highlights the programs and services available to veteran and spouse entrepreneurs through so any resource partners at the local, state, and federal level and whereas the City of Kuna supports and joins in this national effort to help America's veterans and spouse owned small businesses start grow and recover their business after a disaster and help our communities thrive. Now therefore I Joe Stear, mayor of the City of Kuna do hereby proclaim November 6th through November 11th, 2023, as Idaho veteran and spouse small business week. And did we have somebody in the audience that was coming for this proclamation? I don't see them, okay. Alright.

C. Discussion on complaints received by staff regarding recent amendments to the Solid Waste Ordinance and related Franchise Agreement with J&M Sanitation. Marc Bybee, City Attorney. DISCUSSION ITEM

City Attorney Marc Bybee Marc Bybee, City Attorney. The point in having this on there, keep in mind it's not an action item, it's just discussion if the Council wishes to have discussion. I want, before we proceeded to make the amendments to the franchise agreement and City Code, which I think largely we're clarifying amendments. There was some concern that we might get some you know blowback from others that are in this market of providing these hallway services or rollway bin services. City staff I'm aware of two complaints that have come in, that are just concerned about how the ordinance works. I'd say it was the nature of one, the other one was more just the legality of it and whether City can do this. I would say, my position as City

Attorney is yes, the city can, can have solid waste franchises. They can be exclusive solid waste franchise agreements. It is in statute that they can be exclusive and I think the concern from these people is that it's extending beyond just your normal rollway bins that are curbside morning pickup type thing that you kind of think of your residential bin versus a large rollway bin that would...might be for construction debris or remodel or whatever it is you know one of these larger things and so I know that this was anticipated that we could get complaints, I'm just bringing it to your attention. If any discussion wants to be had, discussion can be had but it's mainly to let you know that this has come up and I'm passing it on.

Council Member Bruce I mentioned something like that when we spoke about it, we brought it up, so I mean they handle all our solid waste anyway. What do you propose we should...

City Attorney Marc Bybee I'm not proposing any action, if you're wishing us to revisit the ordinance that would be something I need direction on you from. It was something like I said when we reviewed this, the City Attorney before that the existing franchise agreement and ordinance may have already done this, and there was a lot of back and forth between about us and J&M whether it really did or did not and so moving forward it's about clarifying what it actually did and whether these other bins were included and I feel like we've clarified that and now others I think, feel that may have been a change that isn't permissible. I do think that if it is to the extent it's a change I think it's permissible and it's...we went through having open, you know, public hearings on the ordinance we didn't receive comment, now receiving them after if you wanted to revisit it we'd have to kind of go back through the possibility of reopening or reamending the ordinance and I don't know if that's where you want to go, but I'm making you aware we're getting complaints.

Council Member Bruce Are they stating like, that we created a monopoly for them?

City Attorney Marc Bybee Along those lines, yes, that's one of the complaints. The other one was just more like "am I reading the ordinance, right? And I want to make sure I follow it."

Council Member Bruce Now is this someone who did service the community prior?

City Attorney Marc Bybee I don't know if they did prior, but there I'd say it looks like they're a competitor to J&M. That's what it strikes me as.

Council Member Biggs That makes sense.

City Attorney Marc Bybee But I can't say, I have no idea if they were actually in the market before. I think, I'm assuming they were otherwise I don't know why they be interested in Kuna, if they weren't before.

Council Member Biggs It's hard to say, open back up if we don't know specifics, about the details, unfortunately.

Council Member Bruce Or if it's somebody who saw it and said "Hey, I actually want to do that now."

Council Member Biggs Right. If it's total bidding... want to open up the bidding, you know, thing that's up, that's different. But, Marc said that we, we have the standing to be exclusive.

Council Member Bruce Do we want... can we set a threshold if we get so many that we could, do we ...could we have this discussion again or do...

City Attorney Marc Bybee What I'm hearing right now is if you'd want I could you know forward I could actually put as an agenda item so you could read the actual complaints that they could be a packet and you could see the substance of what they were and whether that warrant any action but its right now I think this is something that could be managed at the staff level I felt the need to bring it to you though because I felt that was our discussion before when I raised that this could be a problem that you wanted to be apprised of it if it became a concern

Council President McPherson I think we leave it as a staff level you know take care of it we have a good service going a local you know Mom and Pop shop that's done a lot for the community they're at every function supporting something you know they take dumpsters into the desert leave so boy scouts or whoever can go clean it up a lot of these other big corporate things and whatever they don't do that yeah, it's like Ridley's they sponsor a ton of stuff, how many little kid leagues you know t-ball shirts you see with Walmart on the back, they don't do that. Mom and Pop little shops like J&M do that? I say we leave it alone, that's just my two cents.

Council Member Bruce I ag... I feel the same way. I think we had adequate time for public input, I agree I think if it becomes a bigger problem we can discuss it, but yeah, we can revisit it then. Thank you, Marc, for the update.

D. Notification to City Council on the receiving of a reconsideration letter for Lee Country Subdivision. DISCUSSION ITEM

Mayor Stear All right. Item D Notification to City Council on the receiving of a reconsideration letter for Lee Country Subdivision and again this is a discussion item, there really is no given right for reconsideration projects that made determination.

City Attorney Marc Bybee Yeah, Marc Bybee, City Attorney again so just another one to bring to your attention how we've handled this in other situations where we've got reconsideration requests on applications that's not something that like reconsideration is not an option, we've let you know about them and if you wanted to, you know, push us to take action then we could put it on for an action item later. But my explanation to you is that the denial of Lee Country was a denial of the annexation component I've reviewed the decision it denies the annexation it ren...which rendered the preliminary plat moot and so no decision was rendered and so I've gone through this and they're ultimately asking for reconsideration of the annexation decision which is not something that's subject either under state code or city code to reconsideration, so if you wanted to consider this we'd have to kind of make up a process for it because one doesn't exist right now. Otherwise, again, this is something we're prepared...we've dealt with at the staff level before and I think we'd deal with at staff level here again, but I wanted to make you aware

of it because it came in and the applicant was wanting to make it to Council and so I don't...I try not to play keep away from the Council, and so that's why it's before you...

Council Member Bruce Thank you.

Council President McPherson Well, again, I think we had adequate reason and thanks for...

Council Member Bruce I was content with that decision.

Council President McPherson Yes, me as well.

Council Member Biggs I still am after reading this even more.

Council President McPherson Again, thank you Marc.

Mayor Stear Alright, very good.

8. Ordinances:

9. Executive Session:

(Timestamp 01:43:23)

- A. Enter into Executive Session under Idaho Code 74-206(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student.

Mayor Stear That leads us to our last item on the agenda, which is an executive session, and no action will be taken, so folks can hang around, if you want for the end, but basically, we'll just come out and say information received and no action taken and that will be the end of the meeting so you can hang if you want but

Council President McPherson And, I'm sure most of you want but thanks again, Youth Council for coming. Hope we didn't bore you completely to death. Chad, thanks.

Information Received, No Action Taken

10. Mayor/Council Announcements:

11. Adjournment:



CITY OF KUNA

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SIGN-UP SHEET- CONTINUED HEARING

Wednesday, November 8, 2023 – City Council, Public Hearing

Case Name: 3430 W Lake Hazel Road – Hazelcrest Estates Sub.

Case Type: Annexation, Comp Plan Map Amendment and Preliminary Plat.

Case Nos.: 21-14-AN (Annexation), 21-01-CPM (Comp Plan Map Amendment), and 21-10-S (Preliminary Plat).

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

IN FAVOR NEUTRAL IN OPPOSITION

[] Testify [x] Not Testify

Larry Jacobson
Print Name

Print Address

City State, Zip

[x] Testify [] Not Testify

Adrienne Goff
Print Name

245 E. 3rd St.
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Kuna ID 83634
City State, Zip

[] Testify [x] Not Testify

Jenna Nuffall
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3000 W. Lake Hazel Rd.
Print Address

Mendon, ID 83632
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[] Testify [x] Not Testify

Bill Thoma
Print Name

11061 W Wagon Pass St
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[] Testify [x] Not Testify

DAN Mc DANIEL SR
Print Name

Print Address

City State, Zip

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Robbie Reno
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Print Name

805 Sackpot
Print Address

Kama ID 83
City State, Zip

Testify Not Testify

Print Name

Print Address

City State, Zip

Testify Not Testify

Print Name

Print Address

City State, Zip

Testify Not Testify

Raymundo Pena
Print Name

1378 N. Forty Mass Av
Print Address

Kama ID 83634
City State, Zip

Testify Not Testify

Print Name

Print Address

City State, Zip

Testify Not Testify

Print Name

Print Address

City State, Zip

Testify Not Testify

DENNIS DURANT
Print Name

8352 S. OLD FARM
Print Address

Meridian ID
City State, Zip

Testify Not Testify

Print Name

Print Address

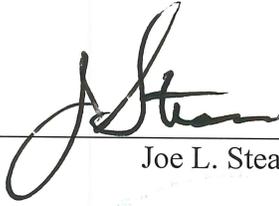
City State, Zip

Testify Not Testify

Print Name

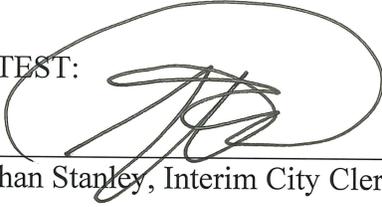
Print Address

City State, Zip



Joe L. Stear, Mayor

ATTEST:



Nathan Stanley, Interim City Clerk

*Minutes prepared by Garrett Michaelson, Kuna City Clerk's Office
Date Approved: CCM 11.21.2023*

