

OFFICIALS

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

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



Planning & Zoning Commission
REGULAR MEETING AGENDA
Tuesday, February 27, 2024, at 6:00 PM

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

1. CALL TO ORDER & ROLL CALL:

2. CONSENT AGENDA:

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

- A. Regular Commission Meeting Minutes Dated February 13, 2024
- B. Findings of Fact & Conclusions of Law
 - 1. Case Nos. 23-05-ZC, 23-06-S & 23-13-DR for Falcon Crest East Subdivision
 - 2. Case No. 23-07-SUP & 23-07-DR for Maverik
 - 3. 23-10-DR for Linrock 4-plex Apartments
 - 4. 23-15-DR for Kuna Apartments

Potential Motion:

- *Motion to Approve Consent agenda.*
- *Motion to Approve Consent agenda with amendments (i.e., correction to previous meeting minutes, etc.)*

3. PUBLIC HEARINGS:

5. BUSINESS ITEMS:

- A. Case No. 23-16-DR (Design Review) for First Choice Self Storage – Doug Hanson, P&Z Director

Applicant requests Design Review approval to construct an indoor climate controlled, and exterior self-storage facility on Lot 1, Block 1 of the Monarch Landing Subdivision, associated parking lot and landscaping. The project is located on the SWC of N Linder Road & W Hubbard Road intersection (APN: R8555340180); Section 14, Township 2 North, Range 1 West.

Potential Motions:

- *Motion to Approve/Conditionally Approve/Deny Case No. 23-16-DR with Conditions as outlined in the staff report (and additional Conditions imposed by Commission, if applicable).*

6. UPDATES & REPORTS: Non-Action Items

7. ADJOURNMENT:

OFFICIALS

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

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



Planning & Zoning Commission
REGULAR MEETING MINUTES
Tuesday, February 13, 2024, at 6:00 PM

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

1. CALL TO ORDER & ROLL CALL:

(Timestamp 00:00:17)

Vice Chairman Dana Hennis Okay, we'll go ahead and call to order the regular scheduled Planning and Zoning Commission meeting for Tuesday, February 13th, 2024, and we'll start with roll call.

Planning and Zoning Director Doug Hanson Vice Chairman Dana Hennis.

Vice Chairman Dana Hennis Present.

Planning and Zoning Director Doug Hanson Commissioner Brian Clark.

Commissioner Brian Clark Present.

Planning and Zoning Director Doug Hanson Commissioner Ginny Greger.

Commissioner Ginny Greger Present.

Planning and Zoning Director Doug Hanson Commissioner Jim Main.

Commissioner Jim Main Present.

COMMISSIONERS PRESENT

Vice Chairman Dana Hennis - Present
Commissioner Bryan Clark - Present
Commissioner Ginny Greger - Present
Commissioner Jim Main -Present

CITY STAFF PRESENT

Doug Hanson, Director of Planning and Zoning
Troy Behunin, Senior Planner
Jessica Hall, Associate Planner
Kelsey Briggs, City Attorney

2. NOMINATION & ELECTION OF COMMISSION CHAIRMAN & VICE CHAIRMAN

Commissioners shall make a nomination for each seat; nominations require a Second. The Commissioner nominated will then be confirmed via Motion. Separate Motion required for each position.

(Timestamp 00:00:41)

Potential Motions:

- *Motion to nominate (insert name) for Commission Chairman.*
- *Motion to nominate (insert name) for Commission Vice Chairman.*

Vice Chairman Dana Hennis First item up on the agenda is nomination and election of the Commission Chairman and Vice Chairman due to Mr. Young has retired from the Commission, so, Mr. Chairman.

Commissioner Jim Main Mr. Vice Chairman. I'd like to make a motion to nominate Dana Hennis as Chairman.

Commissioner Bryan Clark Seconded.

Vice Chairman Dana Hennis All in favor?

All Commissioners Aye.

(Timestamp 00:00:58)

Motion To: Nominate Dana Hennis as Chairman of the Planning and Zoning Commission

Motion By: Commissioner Jim Main

Motion Seconded By: Commissioner Bryan Clark

Further Discussion: None

Voting Aye: Commissioners Hennis, Clark, Main, Greger

Voting Nay: None

Absent: None

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Commissioner Jim Main Mr. Vice Chairman. I'd like to make a motion to nominate Bryan Clark as Vice Chairman.

Commissioner Ginny Greger I'll second that.

Chairman Dana Hennis All if favor?

All Commissioners Aye.

(Timestamp 00:01:08)

Motion To: Nominate Bryan Clark as Vice Chairman of the Planning and Zoning Commission

Motion By: Commissioner Jim Main

Motion Seconded By: Commissioner Ginny Greger

Further Discussion: None

Voting Aye: Commissioners Hennis, Clark, Main, Greger

Voting Nay: None

Absent: None

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Commissioner Ginny Greger Good job, Jim.

Vice Chairman Bryan Clark Thank you, Jim. Oh, you guys warned me. It's okay.

Chairman Dana Hennis I thought we warned you.

Vice Chairman Bryan Clark Yeah, you guys warned me.

Chairman Dana Hennis Last time we did it to Lee while he was absent.

[Laughter]

3. CONSENT AGENDA:

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

(Timestamp 00:01:40)

A. Regular Commission Meeting Minutes Dated January 23, 2024

B. Findings of Fact & Conclusions of Law

- 1.** Case Nos. 23-06-AN, 23-05-S & 23-14-DR for Bristle Creek Subdivision
- 2.** Case No. 23-08-AN for Lot 3, Block 3 Avalon Orchard Tracts Amended

Potential Motion:

- *Motion to Approve Consent agenda.*
- *Motion to Approve Consent agenda with amendments (i.e., correction to previous meeting minutes, etc.)*

Chairman Dana Hennis Okay, next up on the agenda is the consent agenda.

Commissioner Jim Main So, are you the chairman now? Is he the chairman now?

Chairman Dana Hennis Yes.

[Background Conversation]

00:01:51 **Commissioner Jim Main** Okay. So, Mr. Chairman, I move that we approve the consent agenda.

Vice Chairman Bryan Clark Seconded.

Chairman Dana Hennis All in favor?

All Commissioners Aye.

Chairman Dana Hennis Thank you.

(Timestamp 00:01:51)

Motion To: Approve The Consent Agenda

Motion By: Commissioner Jim Main

Motion Seconded By: Commissioner Bryan Clark

Further Discussion: None

Voting Aye: Commissioners Hennis, Clark, Main, Greger

Voting Nay: None

Absent: None

4-0-0

4. PUBLIC HEARINGS:

Public Hearing Process: Items begin with staff presentation of project for up to 15 minutes. The Applicant or their Representative is then allowed 10 minutes to make their presentation. Members of the public are then allowed 3 minutes each to address the Commission with testimony restricted to the matter at hand. After all public testimony, the Applicant/Representative is allowed 5 minutes for rebuttal.

(Timestamp 00:02:04)

- A. *Tabled from January 23, 2024, Case Nos. 23-05-ZC (Rezone), 23-06-S (Preliminary Plat) & 23-13-DR (Design Review) for Falcon Crest East Subdivision – Troy Behunin, Senior Planner*

Applicant requests rezone of approximately 47.20 acres from R-12 (High Density Residential) to the R-6 (Medium Density Residential) zone. Applicant also requests Preliminary Plat approval to subdivide subject site (APNs: S1422131510, S1422244700, S1422314975 & a portion of S1422417365, S1422110300, S1422427800, & S1422346600) into 655 lots (606 single-family, 36 common, 7 shared driveway, 3 private roads, 3 golf course). The site is located North of the W Kuna Road and S Conchos Avenue intersection; Section 22, Township 2 North, Range 1 East.

Potential Motions:

- *Motion to recommend Approval/Conditional Approval/Denial to City Council of Case Nos. 23-05-ZC & 23-06-S with Conditions as outlined in the staff report (and additional Conditions imposed by the Commission, if applicable).*
- *Motion to Approve/Conditionally Approve/Deny Case No. 23-13-DR with Conditions as outlined in staff report (and additional Conditions imposed by the Commission, if applicable).*

Chairman Dana Hennis Okay. And on to... Next order of business is Public Hearing, and this is case number actually tabled from 20... January 23rd, 2024. Case #23-05-ZC, 23-06-S and 23-13-DR for Falcon Crest east subdivision, Troy.

Senior Planner Troy Behunin Oh, good evening, Mr. Commissioner, and fellow Commissioners. For the record, Troy Behunin, Senior Planner, Kuna Planning and Zoning staff, 751 W. 4th St. Here in Kuna. The applications before you this evening are requesting a rezone for a part of the site and preliminary plat approval in order to subdivide the site into approximately... subdivide this site into 654 total lots, comprised of 605 single-family lots, 36 common lots, and 7 common driveway lots, 3 private roads and 3 golf lots. That is all over about 180 acres. The applicant proposes approximately 17.11 acres, or 11.8%, of the site as usable open space and they are proposing a gross density of 4.16 dwelling units per acre with a net density proposed at 6.25 dwelling units per acre. Public Works does conditionally support the Falcon Crest East Subdivision development with conditions of that limited support listed in the Engineers memo, which is included as an exhibit in your packet. The Planning and Zoning Department agrees with Public Works recommendations. The applicant does propose 7 driveways on common lots for clusters of 3 and 4 homes on each of those Driveways within this project. Staff does recommend that the applicant be conditioned to work with the City Engineer for proper easement widths for the project as a whole. And in particular, the clustered homes served by these private driveways. In the application for the design review for the common lots, staff would like to highlight, and that staff would like the notes on the tree planting notes to be corrected and submitted for staff approval. Right now, they currently state that the root ball and the basket will be cut down 1/4 of the way. Kuna City code is actually 1/2 way. And with the exception of those notes, the landscape plan that has been presented appears to follow Kuna City Code, and it's for the Commission to decide about the notes this evening. Staff has reviewed the proposed rezone for

conformance, and the preliminary plat for technical compliance with Kuna City Code and the design review for compliance with Title 5 and Title 6 of Kuna City Code. We have also compared it against the Kuna Comprehensive Plan and should the Commission recommend approval of the rezone and also the preliminary plat and approve the design review staff recommends the applicant be subject to the proposed recommended conditions as outlined in staff's report including the notes for the landscaping plans. Staff would just like to highlight that this is a smaller part of a planned unit development known as the Fountain Crest Greater area and that was annexed into the city and previously, previous too tonight and this is just a smaller part of it. The applicant is here tonight, and they do have a small presentation which is also in your packets. It's on page two and it's at the end of the exhibit list.

Chairman Dana Hennis Thank you. Does the Commission have any questions for Troy at this time?

Commissioner Jim Main No.

Vice Chairman Bryan Clark Not at this time.

Chairman Dana Hennis Thank you, and if the applicant would like to come up and just remember, go ahead and state your name and address for the record, thank you.

Travis Jeffers Yeah. Thank you. Good evening, Commissioners. For the record, Travis Jeffers. I work for M3 companies. We're the developer of this project. We're located at 1673 W. Shoreline Dr. Ste. 200, Boise, ID 83702. First, thanks to staff and Troy for giving a good summary of what we're here for this evening. I'll try to keep my recap of everything's already covered to a minimum and instead just give you guys a little bit more background on the project, quickly summarize that, as we'll show some updates and some things that we've been doing out there just to give you guys a picture of how this project is coming together. As Troy stated, we're here to request rezone preliminary plat design review from the Commission this evening for the Falcon Crest East preliminary plat. We need to.... Is there anything special I gotta do?

[Background Conversation]

Oh, scroll. Oh, that's fast. Okay, sorry, here's a look at the...kind of a colored rendering of the master plan. So, as you can see, it's a quite expansive project and just shy of 1000 acres. We've already brought through 4 preliminary Plats. This will mark the 5th and it's roughly the area that's clouded in red, which is included here this evening. So, it includes the remainder of the 55 and older community on the South side of the Collector Road and on the north, where there's a J that will be part of the Golf villages area that those are all the 606 lots that are going to be part of this plat a as a just a quick background, there is an existing development agreement with the city, it was established in 2019 for this project and it really lays the framework for what we have to do to make this project work and to bring forward plats to, to continue working on this project.

This is a different view of the master plan. This was what was included in the development agreement originally. Again, I sort of outlined the area that's included tonight. Originally, this area was thought to be about 640 units when we go and plot it and it ended up being more like 606. So, we came in under that. As Troy mentioned, there's 3 zones that are approved under the development agreement. There's an R-6 zone and R-12 and C-2. Tonight, we're just requesting R-6 and R-12 for this development. And on to a little bit more fun stuff. So, this is just kind of a project update portion of the presentation. So, if you've driven down Cloverdale any time in the last year, you might have seen this big valor sign pop up. That's the marketing name for the overall project. It looks a lot better in the spring and summertime when everything's in bloom, but it's quite the cool monument to enter the community.

Sorry, here's a kind of a somewhat recent view of the Revelry neighborhood, also known as Robin Hood. We built a new Par 3 golf course around this community of about 111 lots. Most of them are all backing up to a golf course. And that's opened back in May of '23. And if you don't have time for a four-hour golf round, you can do this in about an hour. It's a lot of fun. It's been very popular and it's kind of hard to tell, but they're back here. There is a new roundabout that was built, and I'll show you that here in a second in the rendering form, so this roundabout is part of the collector road Terrel which is the main entry into the community off of Cloverdale. This is a rendering view of the roundabout, and this was before we had landscape. It's fully landscaped now so; it looks pretty great.

Here's just some more views of the some of the work we've been doing from a golf perspective around the community. This is part of the part three cadet course. And just an update on the trilogy Valor Club, this is the 55 and older specific club site they've been going to town on this for the last year and they just they just opened their new fitness center, they've got a resort style pool that's overlooking the two ponds that we've built. They've got a spa and a year-round lap pool that's heated. And then this is their fitness center and they're getting started. They're just going vertical now on their restaurant and social club. So that's been fun to see. And this is specific just to the 55 and older area. We'll be doing a whole another club up where the existing pro-shop is in the very near future. Just another view. This is the kind of colored rendering of the preliminary plat that's before you this evening. So, there's three new golf holes that opened in October. Those are open and available, so a lot of these new lots that will be developed in the in the coming years will be directly on new golf course and then on the northern side. We're going to be doing a really, really nice pool and park area. There'll be a lot of open space, as Troy alluded to, with the golf and with just great parks throughout the community and trails and connectivity. Here's just a zoomed in view of that so you can see, I'll show you some renderings here shortly, but the pool park area we plan on starting that in 2025 and probably can be completing that in 2026. This will be the final gated entry into the 55 and older community on the northern side of the collector road. And here's some just some renderings from our landscape architect of what that pool and park could will look like. It's quite a unique shape and it's kind of a beach walk-in type pool. There'll be a restroom storage and a large, oversized park that will feature playground equipment for all ages. So, we're looking forward to doing that. There's another view of it. So, very modern, very complementary of what we what else we've done out there. We just finished the Revelry Robin Hood pool that will open this spring. And so, this will be another one in the community down the road.

This was the original presentation, so we got tabled, then we got some things corrected, so just ignore that 8.2 comment. I just wanted to address one thing with staff and that was the condition within the staff report that I'll just go ahead and read. So, we are all on the same page here one second. I just want to get some clarification on this so condition 8.5 B, the developer owner applicant shall be required to participate as determined by the City Engineer and the development of additional lift station capacity and water booster station as required by the City Engineer. It's our desire that we that condition is not part of the staff report we have a development agreement that outlines that very well. It's not included in the Engineer's memo as a condition and we're requesting that that that condition be removed, as it's clear in our development agreement what our responsibilities are. We've constructed a lift station and water reservoir, booster station to serve the development and all studies show there is sufficient capacity to provide this project along with future preliminary plats, and we'll bring forward. So, with that, I'll stand for any questions.

Chairman Dana Hennis Thank you. Is there any questions for the applicant at this time?

Commissioner Jim Main No questions.

Vice Chairman Bryan Clark No questions.

Chairman Dana Hennis Thank you. With that, I'll go ahead and open the public testimony at 6:15. And having only signed up on the sheet is Travis who just gave the presentation. So, is there anybody else here that has not got a chance to sign up on this application to testify? And seeing none, I will go ahead and close the public testimony at 6:16 and leaves us up for our deliberation.

Bryan Clark Okay, so I'm the Falcon Crest newbie here, so yeah,

Chairman Dana Hennis Ah, that's true, yes

Vice Chairman Bryan Clark Yeah, this is the first time it's come across my desk. But this has all been previously approved, and this is just a design review. So, from a landscaping standpoint and from a plat standpoint. Everything looks thought out, layouts all... good flow through the project. Good access.

Chairman Dana Hennis Yeah, so to clarify, this is a design review plus a pre plat and rezone mainly because they split this up into areas kind of almost like phasing the construction would be that they'd bring back the preliminary flats, as we go along. So, it's just kind of clarifying as they've developed this particular area, as he noted on there. So yes, we have the design review, but then we also are finalizing the pre plat and the and the rezone for this. So, for the R-6, R-12, basically it all still complies with what was presented in the master plan originally. And, you know, so far from what I've seen out there, they've delivered everything they've set out to, to date. It looks nice. They're doing well. The construction is going well. The materials and everything seemed to be high quality. And so, this presentation of this area, especially the little golf village which this whole 55 and over in the Golf Village stuff is not something we have in the valley, which is in a lot of other places, and I think it's a good addition for this project. I think it's well put together. I don't see anything that I have issues with.

Commissioner Jim Main no, I agree with that. It's been a long time in front of us; and so far, they've delivered on everything they've been asked to do and basically it's a good looking project.

Commissioner Ginny Greger I don't have anything to add. Agree.

Chairman Dana Hennis In that case, I would stand for a motion.

Commissioner Jim Main Mr. Chairman, I move to recommend approval of Case #23-05-ZC and 23-06-S with conditions as outlined in the staff report.

Commissioner Bryan Clark Seconded.

Chairman Dana Hennis I think we need a clarification on the extra notes,

Commissioner Bryan Clark Yeah, on the extra note on the request for condition.

Chairman Dana Hennis I don't know if you want to ask, I just thought of it, but ask staff a question at all about it or agree or disagree with it.

Commissioner Jim Main What does staff think of the addition of the extra note?

Senior Planner Troy Behunin Staff would just like to request that the same thing that we did with the Falcon Crest E, that they submit a new detail of the plantings that correctly describe, you know, that the root ball needs to be at the burlap and the wire basket need to come down to half, halfway.

Chairman Dana Hennis Okay. I think we were clarifying on the 8.2E.

Vice Chairman Bryan Clark 8.5E.

Senior Planner Troy Behunin Oh, I'm sorry. On the on the 8.5. 8.5E, So that's really just boilerplate language. Staff does understand why they've made this request now, I think, two or three times before. But the qualifying language is as required by the Engineer. The Engineer hasn't required it. You know, it's kind of a catch all.

Chairman Dana Hennis Do you feel it's sufficiently clarified in the development agreement to address?

Senior Planner Troy Behunin I know that the... I know that Paul Stevens, the City Engineer, had a conversation with the engineer for the project and made her aware, you know, that he doesn't require it. So, I'm you know we'll leave it up to the up to the Commission whether it remains or not but it is boilerplate language. It's just kind of a something, you know, just in case that there is something that does come up, but with this one that's like Travis from M3 did say there's a development agreement that states what their responsibilities are and that's not listed, and it's not required anywhere in in this application.

Chairman Dana Hennis Okay, thank you.

Commissioner Jim Main Okay, so let me let me try that again. I'll make a motion to recommend approval of Case #23-05-ZC and #23-06-S with conditions as outlined in the staff report as well of the deleting the requirement of condition 8.5, point E in the agreement.

Vice Chairman Bryan Clark Seconded. Or...

Chairman Dana Hennis And the landscape

Vice Chairman Bryan Clark And the landscape.

Chairman Dana Hennis Just to clarify, the landscape needs... the tree planting needs to.

Commissioner Jim Main And that's basically it and new detail of the planning.

Planning and Zoning Director Doug Hanson Chairman, for the record, Doug Hanson, Kuna Planning and Zoning. That condition can be tailored specifically to the design review because that will be particularly just for the landscape plan.

Chairman Dana Hennis Okay.

Commissioner Jim Main Okay. So, do I need to restate that? Okay.

Chairman Dana Hennis Do I have a second?

Vice Chairman Bryan Clark Seconded.

Chairman Dana Hennis Thank you, all in favor?

All Commissioners Aye.

Commissioner Jim Main Okay.

(Timestamp 00:20:42)

Motion To: Recommend Approval of Case #23-05-ZC and #23-06-S With Conditions as Outlined in the Staff Report, Removing Requirement of Condition 8.5 E

Motion By: Commissioner Jim Main

Motion Seconded By: Commissioner Bryan Clark

Further Discussion: None

Voting Aye: Commissioners Hennis, Clark, Main, Greger

Voting Nay: None

Absent: None

4-0-0

Chairman Dana Hennis So, that one we just provide work with the city to provide a new detail to cover the correct planting procedure for the trees.

the correct planting procedure for the trees.

Commissioner Jim Main Correct, correct. So, Mr. Chairman, I move to approve Case #23-13-DR with conditions as outlined in staff report. As well as the applicant working with the city to confirm the appropriate detail for the tree plant.

Vice Chairman Bryan Clark Seconded.

Chairman Dana Hennis Thank you, all in favor?

All Commissioners Aye.

Chairman Dana Hennis Thank you.

(Timestamp 00:22:08)

Motion To: Approve Case #23-13-DR with conditions as outlined in staff report.

Motion By: Commissioner Jim Main

Motion Seconded By: Commissioner Bryan Clark

Further Discussion: None

Voting Aye: Commissioners Hennis, Clark, Main, Greger

Voting Nay: None

Absent: None

4-0-0

B. Case Nos. 23-07-SUP (Special Use Permit) & 23-07-DR (Design Review) for Maverik – Jessica Hall, Associate Planner

Applicant requests Design Review approval to construct a 4,425 SF c-store with associated fuel island, parking lot & landscaping, as well as Special Use Permit approval for fuel sales (6 double-sided pumps). The site is located at 80 N Sailer Avenue (APN: R5672431240); Section 24, Township 2 North, Range 1 West.

(Timestamp 00:22:37)

Potential Motions:

- *Motion to Approve/Conditionally Approve/Deny Case Nos. 23-07-SUP & 23-07-DR with Conditions as outlined in the staff report (and additional Conditions imposed by Commission, if applicable).*

Chairman Dana Hennis Next up on the agenda is Case #23-07-SUP and 23-07-DR design review for Maverick, Jessica.

Associate Planner Jessica Hall Good evening, Chairman and Commissioners. For the record, Jessica Hall, 751 W 4th St. in Kuna. The applicant requests design review approval to construct the 4425 square foot convenience store with associated fuel island, RV dump, parking lot, and landscaping. As well as the special use permit approval for fuel sales at the subject site, located at 80 N. Sailor Ave. within the Merlin Point Subdivision. The proposed C store is to match the familiar Maverick colors, materials, and branding throughout the valley and provides appropriate drive aisle widths, ample parking, and good traffic circulation throughout the overall site. A large landscape buffer and sidewalk is already present along Highway 69 as it was installed with Merlin Point Subdivision. The applicant will provide additional 10 foot of landscape on the south, along with additional landscaping on the subject site boundaries. The Ada County Highway District has determined no additional right of way is required. However, the Idaho Transportation Department is requiring a traffic impact study when the project generates 100 or more new peak hour trips, per day. In review of the project, concerns were expressed regarding the potential for increased side impact accidents. Traffic turning left onto Highway 69 from N. Sailor. However, staff note that the city's proposed traffic light at Kay and Avalon, which has been approved by ACHD and ITD and is at 95% design completion, may assist in metering, metering the overall traffic in this area. Public Works staff has provided support of this proposed project and notes civil plans will be reviewed and an official EDU count will be made at time of building permit submission. Upon review, staff finds the special use permit and design review request to be compliant with the requirements listed in Kuna City Code Title 5 and Idaho Code 67-65. I will answer any questions you may have.

Chairman Dana Hennis I have one quick question.

Associate Planner Jessica Hall Yes, sir.

Chairman Dana Hennis So the you know, Police Department reviewed that, and they are not in support of this application because of that traffic issue. Was that clarified with them if they were aware of the signal?

Associate Planner Jessica Hall They are aware of the signal that will be installed, yes.

Chairman Dana Hennis Okay, was there any opinion on that?

Associate Planner Jessica Hall No additional opinion was provided by Chief Fratusco. I did share the concerns he expressed with Idaho Transportation Department and that TIS for the 100 or more peak hour trips will kind of collect that along with the requirements already set forth for the Merlin Point Subdivision, as a whole. So, there will be items that are triggered improvement wise as that traffic happens when these are these different projects at that site itself, not just this one, are constructed.

Chairman Dana Hennis Okay, thank you. Any other questions for Jessica?

Commissioner Jim Main No, not at this time.

Chairman Dana Hennis Okay, is the applicant present and...if you'd like to.

Richard Pickett Hello, my name is Richard Pickett with Maverick. Our offices are located at 185 S. State St. in Salt Lake City, UT. I just want to thank the Commissioners for coming out tonight, taking volunteering your time and fulfilling your civic duties. We really appreciate it, especially with us as Maverick and developing within the entire State of Idaho and fairly few other states, as we're currently going. Really appreciate Jessica for taking the time and doing a thorough report and going over the

requirements and how we meet those requirements. We agree with everything in the staff report and are willing to accept those if you have any questions, I'm here.

Chairman Dana Hennis Just want to clarify, you're okay with the traffic impact study that they're requiring?

Richard Pickett Yes, we have been working with the overall site developer with his traffic study and his approvals. We're also going in tandem with our traffic study. We've already got Ada County approval from the Ada County Highway District. We're still working with ITD. We are thankful that Jessica mentioned about the traffic signal because our traffic report didn't our traffic study this time didn't have that in there. So, it will help immensely in meeting the requirements for that left turn. Left turn is something that for us that Maverick is very important. So, we want to assure it's safe and that's something that we won't lose in the future. So, we're going to make every effort to make sure that that left turn movement is protected.

Chairman Dana Hennis Perfect, thank you. Any other questions?

Richard Pickett Thank you.

Chairman Dana Hennis Okay, with that, I'll open up the public testimony at 6:27. I don't have anybody that is currently signed up on the list. Is there anybody that came in afterwards that didn't get a chance to sign the list that would like to testify? Okay, and seeing none, I'll go ahead and close the public testimony at 6:27 again and that brings up our deliberation. I think the design of the site looks really good. I've always liked the Maverick stations. They've been very nice, and they've been kept well, good service. The only thing I worry about is just coming out of that Sailor Ave. But I think Jessica makes a good point with the signal. But, and I'm, you know, I'm driving in here tonight. It wasn't too terrible. It was further up the street than I remembered.

Vice Chairman Bryan Clark So now I guess the question I have regarding Sailor that's an existing intersection. Is it currently of it's currently available for left and for left in traffic.

Chairman Dana Hennis Yes, there's just really nothing up the road at that point except a few houses that connect on that.

Vice Chairman Bryan Clark But there is a my understanding is there's an... Okay, so the concern is that we're going to create more traffic to that intersection. We think that... So, the Police Chief has... Police Chief's concern is that going to be a bit of a magnet?

Chairman Dana Hennis No.

Vice Chairman Bryan Clark And it's going to create left Inns and left outs potentially.

Chairman Dana Hennis No. We've had citizen concerns on this project in the earlier phases, especially on the driveway to the south or to the west of this. That trying to make a turn out on to Meridian Rd. at certain times of the day across traffic, meaning your left turn out from there and going eastbound is difficult. And so that's just been the concern and I think that's what the Chief has kind of reiterated.

Vice Chairman Bryan Clark I mean, my Friday mornings, I'll head over to Kay and even making the left turn westbound from Kay right now, which is obviously the proposed streetlight. But I mean that whole thing that whole area is just fun because that's where people like to pick up speed. So, I absolutely...The Police Chief has a point. That's the thing I mean. The traffic study is going to end up dictating that and that's going to be conversation between staff, City Engineer, and the developer at the end of the day, that doesn't miss how much does that impact our design review?

Chairman Dana Hennis It doesn't, other than the this the SUP more than anything, it's just do we feel this is providing any issues for the traffic that other citizens have already come forward on. I personally think as we develop with that signal and then the talks that we've... I should say the rumblings that we've heard in the past as this area develops, that ITD is taken on the opinion that we might want to drop the... That the speed limit will drop as more traffic increases, which I think would help.

Vice Chairman Bryan Clark Well, that corner already starts dropping to 35 as you're running the bend and drops.

Chairman Dana Hennis Yeah, there's been talk about moving that back around the other side of the bend into... because people come around, they're pretty good and that's what I think the people that live on Sailor and a lot of this in the phase one is where we had that conversation, especially like I said in the other portion of that lot. But I think we're getting to the point where other safety measures are being put into place so I feel comfortable with it, and I like what they've done.

Associate Planner Jessica Hall My apologies for the record, Jessica Hall 751 W 4th St. Kuna, just as a clarification, the special use permit is for the fuel sales only, and then the separate design review for the site design and layout.

Vice Chairman Bryan Clark Okay.

Chairman Dana Hennis Yeah.

Vice Chairman Bryan Clark So, I guess as far as the design review is concerned, I mean, I'm happy as far as the sales permit, you know. We're selling a little bit of fuel over there anyway, so that that doesn't bother me, so I guess the site location would be the only thing that.

Chairman Dana Hennis Right.

Vice Chairman Bryan Clark But that, like I said, that's my only concern and I think we've kind of mitigated some of that in my opinion.

Commissioner Jim Main Well, I'll give my two cents in too, since I live on sailor. That's an ITD issue as far as how that road is handled. The biggest problem with Sailor is when people are leaving Kuna, K St. is where you start accelerating, so by the time you hit Sailor, you're already 55 miles an hour and K St. is also where you start decelerating when you're coming into town. So that's sailor intersection. Right now, people are typically traveling 50 miles an hour through that. Personally, I think at some point that's going to need to be a right-in, right-out. And there's going to be, I think there's going to be some issues there with some traffic accidents and fairly serious ones, serious ones, especially when there's a Maverick there and there's going to be more traffic turning into that. But again, that's kind of out of our hands. I would like to see the Police actually enforce the speed limits in that area. So, that's my two cents on Sailor. But as far as far as the SUP and the design review, I think the design it's a... it looks like a very nice setup there.

Vice Chairman Bryan Clark Most important, with the whole site is the fact that they're... I mean, it's limited... I think it's limited access on 69 anyway, but. So, having the access both to the north and then onto Sealer itself, the parking lot layout makes sense.

Commissioner Jim Main Right, so with that, Excuse me, I'll make a motion to approve Case #23-O7-SUP and 23-O7-DR with conditions as outlined in the staff report.

Commissioner Ginny Greger I'll second that.

Chairman Dana Hennis Thank you, all in favor.

All Commissioners Aye.

Chairman Dana Hennis Thank you. Motion passes.

(Timestamp 00:33:41)

Motion To: Approve Case #23-O7-SUP and #23-O7-DR With Conditions as Outlined in the Staff Report.

Motion By: Commissioner Jim Main

Motion Seconded By: Commissioner Ginny Greger

Further Discussion: None

Voting Aye: Commissioners Hennis, Clark, Main, Greger

Voting Nay: None

Absent: None

4-0-0

5. BUSINESS ITEMS:

- A. Case No. 23-10-DR (Design Review) for Linrock 4-plex Apartments – Jessica Hall, Associate Planner

Applicant requests Design Review approval for a 104 unit apartment complex (26 structures @ 4 units each); associated parking lot with covered/uncovered parking stalls and four (4) EV charging stations; and associated landscaping. The subject site is located on the East side of S Linder Road approx. a quarter mile North of the S Linder Road & W Lake Hazel intersection (S1236315400, S1236335800); Section 36, Township 3 North, Range 1 West.

(Timestamp 00:34:11)

Potential Motions:

- *Motion to Approve/Conditionally Approve/Deny Case No. 23-10-DR with Conditions as outlined in the staff report (and additional Conditions imposed by Commission, if applicable).*

Chairman Dana Hennis Next item, up on the agenda is under business items. It's Case #23-10-DR design review for Lynn Rock Fourplex apartments.

Associate Planner Jessica Hall You guys going to be sick of me by the end of tonight. Hello again Chairman and Commissioners for the record, Jessica Hall, 751 W 4th St. Kuna. The applicant request design review approval for a 104-unit apartment complex, associated parking lot with covered and uncovered stalls, as well as four EV charging stations, located on the east side of Linder Rd.

Approximately 1/4 mile north of the West Lake Hazel intersection. This multifamily complex was approved as part of the Linn Rock Subdivision application on April 6th of 2021. The overall Linn Rock site is designated as mixed-use on the future land use map and meets the intent by containing the R-6 medium density residential, R-12 high density residential, and C-1 neighborhood commercial zones. The complex contains 26 structures with four units each arranged around the perimeter of a central green space along S. Linder Rd. behind the required 30-foot landscape buffer on the South along a large green space of playground and walking paths, and on the east along S. Danbury Ave. Each structure proposes 2 facade options, offering earth tones with terracotta accent and utilizes a variety of materials with the

alternating facade materials. The presence of the balconies and patios, and varied roof lines. The structures provide aesthetic relief while maintaining A cohesive look overall.

In accordance with Kuna City Code 5-93(A)(2). A grand total of 312 parking stalls are required, with eight of those being ADA accessible as the project proposes 318 stalls, it is well within compliance. Landscaping for the project was approved as part of the Lynn Rock subdivision and received additional review by staff February 16th of 2023. Public Works staff has provided support for the project and its civil plan shall be reviewed prior to submission for building permit. Upon review staff finds this proposed design review to be in substantial compliance with Kuna City Code Title 5 and Idaho Code 67-65. The applicant representative, Miss Jane Suggs is present tonight and staff is also available to answer any questions you may have.

Chairman Dana Hennis Thank you. Is there any questions for Jessica?

Commissioner Jim Main Not at this time.

Chairman Dana Hennis For business item, we don't have applicant presentations. We do?

Associate Planner Jessica Hall They can, if they would like to.

Chairman Dana Hennis Miss Suggs, would you like to add any additional information?

Jane Suggs Good evening, Commissioners. Jane Suggs. I do not have anything really to add other than Jessica did a really good job of doing the summary and just respectfully request your approval of the DR for the apartments that are much needed in Kuna Thank you and answer any questions if you have any.

Chairman Dana Hennis Is there any questions? We're good. Thank you.

Jane Suggs Thank you.

Chairman Dana Hennis I like the looks of these. I think the varied roof lines everything do a nice job of giving something that that looks as much not like an apartment as you can. It's got some different textures different colors. Then again, I'm an engineer.

Commissioner Jim Main I know.

Vice Chairman Bryan Clark Now, I personally I actually really like the gray tone, rock tone, stone look, and I also like the amount of green space, big fan.

Commissioner Jim Main So, the landscaping has already been approved?

Associate Planner Jessica Hall For the record, Jessica Hall 751 W 4th St. Kuna. Commissioner Main. Yes, it was approved as part of the subdivision itself. This is just the design review, primarily for the parking and for the structures themselves.

Commissioner Jim Main Okay, yeah, I agree with Bryan. I like the site. I like the landscaping, but it's not an issue here as far as the buildings go, I have no issue with them. I think the colors will work fine. And you know, basically they're a two-story fourplex, so.

Chairman Dana Hennis Thank you.

Vice Chairman Bryan Clark More importantly, I think the overall site flow works really well. I'm trying to poke holes in the traffic flow from a, you know, fire standpoint. I mean, three points of access and yeah, I can't complain about that so, I'm trying.

Chairman Dana Hennis And I think there's a good amount of parking here, like some we've seen before. So, I like the layout, as well.

Commissioner Jim Main Hey, Mr. Chairman, excuse me, I move to approve case #23-10-DR with conditions as outlined in the staff report.

Commissioner Bryan Clark Seconded.

Chairman Dana Hennis Thank you, all in favor?

All Commissioners Aye.

Chairman Dana Hennis Thank you.

(Timestamp 00:40:03)

Motion To: Approve Case #23-10-DR with conditions as outlined in staff report.

Motion By: Commissioner Jim Main

Motion Seconded By: Commissioner Bryan Clark

Further Discussion: None

Voting Aye: Commissioners Hennis, Clark, Main, Greger

Voting Nay: None

Absent: None

4-0-0

B. Case No. 23-15-DR (Design Review) for Kuna Apartments – Jessica Hall, Associate Planner

Applicant Design Review approval to construct a 192 unit multi-family apartment complex, associated open spaces, and parking areas at the West terminus of E Profile Lane (APN: S1324110095); Section 24, Township 2 North, Range 1 West.

(Timestamp 00:40:27)

Potential Motions:

- *Motion to Approve/Conditionally Approve/Deny Case No. 23-15-DR with Conditions as outlined in the staff report (and additional Conditions imposed by Commission, if applicable).*

Chairman Dana Hennis Okay, next item up on the agenda is Case #23-15-DR Design review for Kuna Apartments.

Associate Planner Jessica Hall Last time for the record, Jessica Hall, 751 W 4th St. Kuna. The applicant tonight requests design review approval for a 192-unit multifamily complex, associated clubhouse, open spaces and parking areas at the west terminus of East Profile Lane next to the Ridley's Shopping center. Kind of southwest corner of that overall strip mall. The subject site is Lot 1 block, one of the Kuna apartment subdivision approved by Council January 3rd, 2023, and is designated as high density residential on the future land use map and meets this designation with its R-20 zone, the multifamily structures are situated mostly on the perimeter of the site, while two structures and the clubhouse are situated at the center. There are four floor plans available within each 3-story structure: 1 bed, 1 bath; 2 bed, 1 bath; or 3 bed, 2 bath, with said units ranging from 736 square feet to 1227 square feet. Each structure's facade proposes brick veneer, various siding and stucco, earth tone colors, and the glazing accent color, which offers cohesive design adding in the patios, balconies, locations of openings, changes in facade, and variety and roof lines. It also provides pleasing aesthetic. An 8-foot planner strip, 5-foot sidewalk and 20-foot landscape buffer runs along the length of North Sailor Ave. on the West boundary, as

well as plantings and 5-foot sidewalks around each structure. Open spaces for the complex are provided by the proposed clubhouse, with pool and swim deck and two open sod areas. Per Kuna City Code 593, A 2. Three standard stalls are required per unit, resulting in a grand total of 576 stalls. Based on staff stall count in the site plan. This project provides 12 ADA accessible stalls, 10 of which are covered, and 564 standard stalls, 183 which are covered. North sailor is to be extended from its current terminus next to Bi-Mart to the Southern property line of the project. The section will be constructed as half of a 40-foot Street section plus 12 feet of pavement ending in a hammerhead tight turn around for EMS, though this project is within the Danskin Sewer Basin, Public Works has provided support of this application as the applicant is in possession of 186 prepaid EDU's with the remaining EDU's for the project being distributed on the first come first come, goodness gracious, first serve first come basis. The applicant will also be upsizing approximately 1800 feet of gravity sewer line. Upon review staff finds this design review request to be compliant with Kuna City Code Title 5 and Idaho Code 67-65. The applicant is present this evening and has prepared visual presentation and staff is available to answer questions if you have any.

Chairman Dana Hennis Thank you, any questions for staff at this time? If the applicant would like to come forward.

Mark Hampton Good evening, Mark Hampton, 11716 S 7th East in Draper, Utah. Thank you, Commission, for seeing us. This is been a little while coming, I can't remember who was here when we went through the zone change, but this has been a fun project for us. I hope that you've seen that. I don't know what slides you have. We have 8 buildings. They're all similar and the unit count, Jessica did a great job of explaining that. We do have this clubhouse that has a fitness center, has the bathrooms for the pool and the and the doggy park grass areas around that in the middle of the complex we have 3 stalls per unit, no matter, doesn't matter what size the units are and one covered stall for every unit on the campus. We like, let's see you've seen the unit mix. I hope you've seen that. Do you have this in your package? You've seen all this? Oh, well you don't need me to explain it then. Our finishes, our standard what you've seen, we try to get a good base of brick veneer on the bottom to give it a foundation and then some combination of stucco and the siding above that it's pitched roof. It's a garden style walk up. We really like the clubhouse, the way it laid out with the fitness and the bathrooms, etcetera. This is going to be leased for can be used by the community for birthdays or other gatherings that whatever they would like. Is there any questions that you might have? We really like the location, we like the fact that it's mixed-use around us with the retail and I think our complementary architecture adds to the community. Oh, I might, I might add, we're pleased with. I hope you got a copy of the traffic study? okay. So yeah, no mitigation actually we were quite pleased to find that the residential use that is anticipated by the traffic study is less than the commercial use as it enters as it exits onto the roads. And so that might be a bonus. Any questions I can answer?

Chairman Dana Hennis Thank you. I do have two quick questions. So, you will... I didn't notice it on the landscape plan and I might have missed it, but there is sufficient fencing around the pool area for security?

Mark Hampton Oh yeah, by code we have... You can only let me see if I can get to that. You can only access. I can't blow it up. But yeah, the... I don't know. It shows though. You're right by code we have to have this completely surrounded by a fence so the kids can't climb in and the only access is going to be through the clubhouse, it'll be a fob entry as we do our communities. So, when you're, you guys, you have to have a fob to get in.

Chairman Dana Hennis Thank you. Now also on the elevation you presented was just basically one elevation. Are all the buildings going to be the same color scheme or is it going to vary a little, as well?

Mark Hampton We would like to vary a little, but most of the time what we do is we'll label these ABC and then your unit count was like A1, A2 and they'll be big letters over the over the walkway entry ways. To identify them, we'd like to have a little variation in color.

Chairman Dana Hennis Yeah, I think I'd like to see that. So definitely.

Mark Hampton Yeah, yeah. We don't want them all the same.

Chairman Dana Hennis Yeah. I mean, even the colors, but in just different areas or something.

Mark Hampton Exactly, exactly.

Mark Hampton We like this color palette. I think the community accepts it well as the renter community. So, we just blend it a little bit different.

Chairman Dana Hennis Okay, thank you. Any other questions?

Commissioner Jim Main No, not yet.

Vice Chairman Bryan Clark Not yet.

Mark Hampton Okay, I'll stand by.

Chairman Dana Hennis With that, leaves it to us for our deliberations. Like I said, I think the overall layout is pretty good. We've looked at the master plan on this and this is really just design review of the buildings in the in the, in the parking, the clubhouse and such. And I think that's well, especially if they vary the colors a little bit.

Commissioner Jim Main Yeah, you know, looking at this. We've got 192 units in there. And to me, it doesn't look like and we probably do. It doesn't look like we have enough green space in here. You know, I look for, I look for a play area or a large space like in our last... The last applicant we had, where you know you got 192 units, you got a lot of kids. And they're basically in a confined space, you know they're behind Ridley's and they're behind Bi-Mart. So, does this meet code as far as green space goes?

Associate Planner Jessica Hall Commissioner Main, for the record, Jessica Reed, sorry, that was my previous name, Jessica Hall. Still getting used to that 1751 W 4th St. Kuna. It does meet green space requirements. In addition, there is a public park owned by the city across in the Ashton Estates Subdivision, and the high school is right down the road as well as an elementary school. There is not a tot lot indicated. However, it's not a requirement for a green space. In regards to the previous application that overall green space was for the subdivision as a whole, including the residential and multifamily use. So, it served both. So, it was much larger. This is just approximately, I believe it's about 10 acres of multifamily units. So, it would be up to you guys to decide what you would like to do with that.

Commissioner Jim Main Thank you. Yeah, personally, I'd like to see an area with a little bit larger space. This is kind of dispersed throughout the entire project and they're relatively small. I mean, even the dog park adjacent to the clubhouse or the pool. Just, the areas just look too small for me. Going back to my architectural days on lead projects. Lead would blow this out of the water, just because of the lack of green space. It's a basically created a huge heat island there. We've got tons of asphalt and tons of buildings. So, first thing I'd like to see something with a little more volume in a green space in one location.

Vice Chairman Bryan Clark Yeah, I agree. That was one of the first things that my eyes cued on, not picking on the developer too much, but you know. Green landscape rendering would be helpful, just. I

very much have the engineering mind, so looking at the landscape plans, okay, I get it. But, the gray site plan doesn't really help. Because it. My, the thing that I was queuing in on the West side of the project, we have the very, very, very large parking area and so, what was the minimum requirement for the parking spaces with the 192 units? I could do the math, but.

Associate Planner Jessica Hall It is a requirement of a grand total, 576 stalls.

Vice Chairman Bryan Clark That's the requirement.

Associate Planner Jessica Hall Required.

Vice Chairman Bryan Clark Okay, and that's what's provided.

Associate Planner Jessica Hall Correct.

Vice Chairman Bryan Clark Okay. And that's, okay so, that's kind of where we're at. It's to get more green they either have to consolidate or lose a building.

Chairman Dana Hennis I'm not sure we can do that in design review that's already been situated with the building, so unless we can shift it around where it is as it is, and if we're at the limit of the spaces.

Vice Chairman Bryan Clark So, I guess the greater question, this is part of a larger development, yes?

Associate Planner Jessica Hall It's completely separate from the surrounding developments. It's its own combination plat subdivision with rezone. A small portion was cut off to the south of the east profile terminus for a commercial lot to keep that transition with the rest of the commercial that is frontage along Meridian Rd. But this would fade back into this high density and then the FLUM designates behind that. If that property were to annex is a mixed-use, and then South of that is an R-6 medium density residential.

Chairman Dana Hennis I mean, yeah, it does it conforms to the open space. We've got a lot of green. You just can't tell on here. It's a lot of white. Not a lot of amenities other than the clubhouse and pool.

Vice Chairman Bryan Clark Yeah. And in the landscape areas that are provided, there are a lot of trees, which is nice, but that precludes a lot of outdoor activity. You know, there's no running, skipping and playing with trees in the middle. I mean, you know, giant parking lot makes a good football field and like we said, high schools right there, right.

Commissioner Jim Main Yeah, it's kind of right there.

Chairman Dana Hennis So, it appears that you know this area directly South, kind of the triangulated area directly South of the clubhouse is kind of open. What if We just see if they would provide like an opener, open more open area with like a small tot lot or something there to help kind of give them a place to go? I mean, there's not a lot of trees or anything there and now, it's kind of green anyways.

Commissioner Jim Main Yeah, I think if they could create a playground area out of one of these bases, maybe in the Northeast corner up a little north of building F there's a fairly large space up there.

Chairman Dana Hennis Would the applicant come on up so we can ask a question of you? Thank you. If you go ahead and state your name and address for the record again.

Mark Hampton Mark Hampton 11716 S 7th East paper. Utah. Yeah, I understand your concern and I think Shailendra over here trying to green up the white space so you can see the how green, how green it is. But north of F is a nice little area that we can fence and then kind of West southwest of G? I think we, the applicant, is very willing to create at least two lots that are fenced access for children to play. I would

also mention that I mean along sailor with the setbacks. There's a large there's large green spaces there that we could also kind of capture for some players, for the children as well.

Chairman Dana Hennis Okay. Maybe move the trees. I think there are some trees in the inboard. Maybe move them towards the edge a bit.

Mark Hampton Perfect. Exactly. Create more green space or usable green space.

Chairman Dana Hennis Wonderful. Thank you. We appreciate that... the help.

Mark Hampton Oh, it makes sense. Yeah. I'm sorry that we missed that.

Chairman Dana Hennis No worries. Thank you, that seem amenable to you?

Vice Chairman Bryan Clark I think it does for me. It kind of gives a couple of good areas

Chairman Dana Hennis Yeah. No, I think those spots are reasonable.

Chairman Dana Hennis With that, then I would stand for a motion.

Associate Planner Jessica Hall Mr. Chairman, for the record, Jessica Hall, 751 W 4th St. Kuna. I would just like to. I guess point out the on the West property boundary. Those grass areas are the landscape buffer next to a roadway. So, if there's a potential to shift, maybe some of the plantings of the shrubs, perennials, and things like that to create more open sod space in some areas definitely would be supportive of that. You know, maybe trading out some of the plantings between buildings for sod to allow for some more open congregation space between those buildings. But we just have a concern on that W boundary specifically with that major roadway.

Chairman Dana Hennis Correct. Yes. Thank you.

Commissioner Main And what's that concern again?

Associate Planner Jessica Hall That that is the required landscape buffer next to North Sailor Rd. which will be a major entry point to this.

Commissioner Jim Main We want to leave that alone

Associate Planner Jessica Hall I would, I would suggest the staff that we would maybe shift some plantings around to provide that additional sod open space.

Commissioner Jim Main Okay, thank you.

Chairman Dana Hennis So are we in a position where we're comfortable pushing that forward without seeing that again. I think these are all reasonable.

Vice Chairman Bryan Clark I think I would be.

Commissioner Jim Main Yeah.

Chairman Dana Hennis Yeah, I think I would be because I will work with the staff to clarify, so.

Commissioner Jim Main Okay so, Mr. Chairman, I move that we approve Case #23-15-DR with conditions as outlined in the staff report. And additionally in the area along N Sailor Ave. adjust planting in that area to create more open green space without... While maintaining the integrity of the buffer along

Sailor. Additionally, in the northeast corner of the site create more green space with the fenced area to the north of building F to include a play area for children and I think that would probably do it.

Commissioner Ginny Greger I'll second that.

Chairman Dana Hennis Thank you, all in favor?

All Commissioners Aye.

Chairman Dana Hennis Thank you, and thank you to the applicant for working with us on that. Thank you.

(Timestamp 00:59:07)

Motion To: Approve Case #23-15-DR with conditions as outlined in staff report.

Motion By: Commissioner Jim Main

Motion Seconded By: Commissioner Ginny Greger

Further Discussion: None

Voting Aye: Commissioners Hennis, Clark, Main, Greger

Voting Nay: None

Absent: None

4-0-0

6. UPDATES & REPORTS: Non-Action Items

(Timestamp 01:00:18)

Chairman Dana Hennis With that, I see no other items on the on the agenda, is there any reports or anything from the staff?

Planning and Zoning Director Doug Hanson Nope, not at this time.

Chairman Dana Hennis Thank you.

7. ADJOURNMENT:

(Timestamp 01:00:28)

Commissioner Ginny Greger I move that we adjourn.

Commissioner Jim Main Second.

Chairman Dana Hennis All in favor?

All Commissioners Aye.

Chairman Dana Hennis Thank you.

(Timestamp 01:00:28)

Motion To: Adjourn

Motion By: Commissioner Ginny Greger

Motion Seconded By: Commissioner Jim Main

Further Discussion: None

Voting Aye: Commissioners Hennis, Clark, Main, Greger

Voting Nay: None

Absent: None

4-0-0

Dana Hennis, Chairman

ATTEST:

Doug Hanson, Director

Minutes prepared by Garrett Michaelson, Deputy City Clerk.



CITY OF KUNA

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SIGN-UP SHEET

February 13, 2024 – P & Z Commission, Public Hearing

---- Continued from January 23, 2024 ----

Case Name: **Falcon Crest EAST Sub Request:**

Case Type: Rezone, Pre-Plat & Design Review Request.

Case Nos.: **23-05-ZC (Rezone), 23-06-S (Pre Plat), and 23-13-DR (Design Review).**

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

| IN FAVOR | | NEUTRAL | | IN OPPOSITION | |
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| <u>TRAVIS JEFFERS</u> | | _____ | | _____ | |
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| <u>1073 W. SHORELINE DR</u> | | _____ | | _____ | |
| Print Address | | Print Address | | Print Address | |
| <u>BOISE</u> | <u>ID</u> | <u>83702</u> | _____ | _____ | _____ |
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City State, Zip



CITY OF KUNA

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

Planning & Zoning Commission Public Hearing Sign-In Sheet
 February 13, 2024

Case No.: 23-07-SUP (Special Use Permit)

Case Name: Maverik Fuel Sales

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

| IN FAVOR | NEUTRAL | IN OPPOSITION |
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| <input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify | <input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify | <input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify |
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| Name | Name | Name |
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| City, State, ZIP | City, State, ZIP | City, State, ZIP |

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

IN THE MATTER OF THE APPLICATION OF) [FALCON CREST EAST 23-06-S, 23-05-ZC,](#)
) [23-13-DR](#)
)
FALCON CREST, LLC AND)
M3 COMPANIES, LLC) **FINDINGS OF FACT, CONCLUSIONS**
) **OF LAW AND ORDER OF DECISION**
For a Subdivision request at 10600 W Kuna) **FOR REZONE, PRELIMINARY PLAT**
Road.) **& DESIGN REVIEW APPLICATIONS.**

THESE MATTERS came before the Commission for public hearing on January 23, 2024, and was tabled until February 13, 2024, for the receipt and consideration by the Commission of these Findings of Fact, Conclusions of Law, and Order of Decision for the above referenced application. The Commission does now hereby make and set forth the Record of Proceedings, and these Findings of Fact, Conclusions of Law, and Order of Decisions.

**I
EXHIBIT LIST**

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

1.1 Exhibits:

| <i>DESCRIPTION OF EVIDENCE</i> | Withdrawn | Refused | Admitted |
|---|-----------|---------|----------|
| <u>1.5 PZ STAFF REPORT 1.23.24.pdf</u> | | | X |
| <u>2.1 P&Z APPLICATION COVERSHEET.pdf</u> | | | X |
| <u>2.2 REZONE APPLICATION.pdf</u> | | | X |
| <u>2.3 DESIGN REVIEW APPLICATION.pdf</u> | | | X |
| <u>2.4 PRELIMINARY PLAT APPLICATION.pdf</u> | | | X |
| <u>2.5 NARRATIVE.pdf</u> | | | X |
| <u>2.6 VICINITY MAP.pdf</u> | | | X |
| <u>2.7 AFFIDAVIT OF LEGAL INTEREST - FALCON CREST CLUB PARTNERS.pdf</u> | | | X |
| <u>2.8 AFFIDAVIT OF LEGAL INTEREST - M3 ID FALCON CREST LLC.pdf</u> | | | X |
| <u>2.9 AFFIDAVIT OF LEGAL INTEREST - M3 ID FALCON CREST WEST.pdf</u> | | | X |
| <u>2.10 AFFIDAVIT OF LEGAL INTEREST - M3 ID VALLOR GOLF VILLAS.pdf</u> | | | X |
| <u>2.11 DEED - M3 ID VALOR GOLF VILLAS, LLC.pdf</u> | | | X |
| <u>2.12 DEED - M3 ID VALOR GOLF VILLAS, LLC.pdf</u> | | | X |
| <u>2.13 DEED - M3 ID VALOR GOLF VILLAS LLC.pdf</u> | | | X |
| <u>2.14 DEED - M3 ID VALOR GOLF VILLAS, LLC.pdf</u> | | | X |

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|---|--|--|---|
| 2.15 ILLUSTRATED SITE PLAN.pdf | | | X |
| 2.16 PRELIMINARY PLAT.pdf | | | X |
| 2.17 LANDSCAPE PLAN reduced.pdf | | | X |
| 2.18 SUBDIVISION NAME RESERVATION.pdf | | | X |
| 2.19 CC&R'S.pdf | | | X |
| 2.20 M3 ID VALOR GOLF VILLAS PROOF OF ENTITY.pdf | | | X |
| 2.21 LEGAL DESCRIPTION - REZONE AREA.pdf | | | X |
| 2.22 LEGAL DESCRIPTION - SUBDIVISION BOUNDARY.pdf | | | X |
| 2.23 NEIGHBORHOOD MEETING CERTIFICATION.pdf | | | X |
| 2.24 REQUEST FOR AGENCY COMMENTS.pdf | | | X |
| 2.25 CITY ENGINEERS MEMO.pdf | | | X |
| 2.26 ADA COUNTY HIGHWAY DIST.pdf | | | X |
| 2.40 ADA COUNTY HIGHWAY DIST. UPDATED.pdf | | | X |
| 2.27 ADA COUNTY DEVELOPMENT SERVICES.pdf | | | X |
| 2.28 DEPARTMENT OF ENVIRONMENTAL QUALITY.pdf | | | X |
| 2.29 BOISE KUNA IRRIGATION DIST.pdf | | | X |
| 2.30 IDAHO TRANSPORTATION DEPT.pdf | | | X |
| 2.31 CENTRAL DISTRICT HEALTH DEPT.pdf | | | X |
| 2.32 COMPASS.pdf | | | X |
| 2.35 PROOF OF LEGAL NOTICE MAILER.pdf | | | X |
| 2.36 MKP PROOF OF PUBLISHING.pdf | | | X |
| 2.37 PROOF OF SIGN POSTING.pdf | | | X |
| 2.38 PROOF OF WEBSITE POSTING.pdf | | | X |
| 2.39 APPLICANT PRESENTATION AT P&Z.pdf | | | X |

1.2 Hearings: The Commission heard this on January 23, 2024 and was tabled until February 13, 2024. The FCO's have been requested to go before the Commission on February 27, 2024.

1.3 Witness Testimony: Those who testified at the Commissions' February 13, 2024, hearing are as follows, to-wit:

- A. City Staff:
Troy Behunin, Senior Planner
- B. Appearing for the Applicant:
Travis Jeffers, M3 Companies, LLC, 1673 Shoreline Dr. Ste. 200 Boise, ID 83702 – Testified
- C. Appearing in Favor:
None
- D. Appearing Neutral:
None
- E. Appearing in Opposition:
None

II DECISION

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

III FINDINGS OF FACT

3.1 Findings Regarding Notice

- A. Notice was published for the January 23, 2024, hearing for the Rezone, Preliminary Plat and Design Review near the NEC of Cloverdale and Kuna Roads, in the Meridian Kuna Press, the official City of Kuna newspaper, which has general circulation within the boundaries of the city, Ada and Canyon County, on December 29, 2023. Notice was also published on the City of Kuna website January 16, 2024.
- B. Notice for the January 23, 2024, hearing containing the legal description of the property proposed to be Rezoned and Subdivided was mailed to all know and affected property owners within 300-ft of the boundaries of the area described in the application on December 22, 2023.
- C. Notice for the January 23, 2024, hearing was posted on a sign in accordance with [Kuna City Code \(KCC\) 5-1A-8](#) on January 12, 2024. A Proof of Property Posting form was provided to staff on January 12, 2024.

3.2 Findings Regarding Rezone, Preliminary Plat and Design Review.

- A. Based on the evidence presented does the application generally comply with Kuna City Code (KCC)?
 - 1. The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with the design requirements, public improvement requirements, objectives and considerations listed in Kuna City Code Title 5 and Title 6, if the sewer infrastructure improvements recommended by the Public Works Department are completed. sewer infrastructure improvements recommended by the Public Works Department are completed.
- B. Based on the evidence presented, does the application generally comply with the Comprehensive Plan?
 - 1. The Comp Plan designates the property as Medium Density and High Density Residential, the existing zoning districts are R-6 and R-12.
 - 2. The development includes additional housing types and sizes promotes variety for all income levels and promotes desirable and well-designed neighborhoods.
 - 3. Adding roads, sidewalks, pathways, and pedestrian corridors together with connections to existing stubs to adjacent project streets promotes connectivity and access for all residents.
- C. Can the availability of existing and proposed public services accommodate the proposed development?

1. ACHD can support the development with all Site-Specific Conditions of approval being satisfied.
 2. ITD requires no mitigation improvements to serve the development.
 3. Sewer is available to serve this application contingent that the approximately 990 acres of the Falcon Crest Subdivision will not exceed 2,322 residential lots per the development agreement.
 4. Potable water connection is available for the subject site.
 5. Pressurized irrigation connection is available for the subject site.
- D.** Does the public have the financial capability to provide supporting services to the proposed development?
1. Through development of the project and beyond, connection fees, impact fees (Fire, Police, Park and Ada County Highway District), and property taxes will be collected.
- E.** Does the proposed project consider the health and safety of the public and the surrounding area's environment?
1. Connection to City services, as well as other public improvements such as streetlights, fire hydrants, sidewalks, etc. will be implemented as a part of this project.
 2. No major wildlife habitats will be impacted by the proposed development.
- F.** Does the site landscaping meet the intent of the landscape Ordinance?
1. A six- foot (6') vinyl fence is proposed around the perimeter of the subdivision where permitted.
 2. Residential lots will be required to provide see-through fencing adjacent to all common lots and shall follow all requirements listed in [KCC 5-17](#).
 3. A Landscape buffer comprised of sod, trees and other plantings will be provided along E Kuna Road and E Tiercel Drive.
 4. 11.80% qualified open space is proposed, exceeding the 12.50% minimum.
 5. Internal pathways are provided for pedestrian connectivity within the development.
- G.** Does the proposed application constitute orderly development?
1. The proposed subject site is located within Kuna City Limits and is within the Approved Planned Unit Development (PUD) known as Falcon Crest.
 2. This subdivision is a smaller piece of overall Falcon Crest PUD.
 3. Connection to existing stub streets are provided for connection and provided for future development.

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

Pursuant to [Idaho Code 67-8003](#), the Owner of private property that is subject of such action may submit a written request for a regulatory taking analysis with the City Clerk, not more that twenty-eight (28) days after the final decision concerning the matter at issue. The City shall prepare a written taking analysis concerning the action if requested.

IV CONDITIONS

Based upon the record contained in Case Nos. 23-05-ZC, 23-06-S and 23-13-DR, including the Comprehensive Plan, Kuna City Code, Staff’s analysis, including the exhibits, and the testimony during the Public Hearing the Commission hereby recommends *Approval* of the Rezone and Pre-Plat, and *Approves* the Design Review subject to the following Conditions of Approval:

4.1 Staff Recommended Conditions

- A.** Applicant and their engineer shall insure there is a sufficient Right-Of-Way (ROW) and a minimum 20 foot landscape buffer between the ROW and buildable lots with an eight (8) foot detached sidewalk along E Kuna and E Tiercel Roads.
- B.** Applicant shall resubmit the Pre-Plat to Staff reflecting any approved changes prior to Final Plat submittal.

4.2 Transportation

- A.** Buffers, curb, gutter and sidewalk (attached and detached) shall be installed in accordance with KCC 5-17-14 and 6-4-2.
- B.** Developer/Owner/Applicant shall work with ACHD and the City of Kuna to complete all required traffic improvements to the surrounding roadways and intersections as detailed in the ACHD staff report.
- C.** Developer/Owner/Applicant shall install a sign at the terminus of every proposed stub street stating; “these roads will continue in the future”. Developer/Owner/Applicant shall obtain proper language from Ada County Highway District.

4.3 Site Layout, Dimensional Standards and Parking

- A.** Developer/Owner/Applicant shall measure all front building setbacks from back of sidewalk on all internal local roads.
- B.** Applicant shall ensure the proper easement widths on all lots in accordance with [KCC 6-3-8](#).
- C.** It is the responsibility of the Developer to ensure any anticipated buildings fit any given buildable lot in accordance with [KCC 5-3-3](#).

4.4 Landscape, Open Space and Fencing

- A.** Fencing within and around the site shall comply with [KCC 5-5-5](#) (unless specifically approved otherwise and permitted).
- B.** All required landscaping shall be permanently maintained in a healthy growing condition. The property Owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting in public Rights-of-Way shall be with approval from ACHD.
- C.** Landscaping shall not be placed within ten (10) feet of any meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles.
- D.** The Landscape Plan (After resubmittal) and Preliminary Plat (After resubmittal) will be considered binding site plans as amended and/or approved.
- E.** All signage within/for the project shall comply with Kuna City Code, and shall be approved through the applicable sign approval process listed in [KCC 5-10](#).
- F.** If any revisions are made, the Applicant shall provide the Planning and Zoning Staff with a revised copy of the Preliminary Plat. Any revisions of the plat are subject to Administrative Determination to rule if the revision is substantial.
- G.** Develop/Owner/Applicant is hereby notified that this project is subject to Design Review inspection fees. Required inspections (post construction), are to verify building and landscaping compliance prior to requesting signature on the final plat.

4.5 Public Works

- A.** Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see [KCC 6-4-2](#).
- B.** Compliance with [I.C. §31-3805](#) is required. Delivery of water shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
- C.** When required, submit a petition to the City (as necessary, confirmed with the City Engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation System of the City (KMIS).
- D.** Connection to City Services (Sewer, Water, Pressurized Irrigation) is required as necessary. The Applicant shall conform to all corresponding City of Kuna Master Plans.
- E.** The Developer/Owner/Applicant shall be required to participate, as determined by the City Engineer, in the development of additional Lift Station capacity, and or Water Booster Station as required by the City Engineer.
- F.** The Developer/Owner/Applicant shall not submit an application for Final Plat until the City's Public Works Director issues a Will-Serve Letter stating the City's appurtenance

has capacity to service the proposed development with domestic water, and accept the wastewater discharged from the proposed development.

- G.** In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a Final Plat, the Applicant shall have good cause and be eligible to receive, pursuant to [KCC 6-2-3-J](#), a Time Extension to file a Final Plat up to and until a Will-Serve Letter has been issued.
- H.** Developer/Owner/Applicant shall work with staff in order to provide final locations of streetlights as required by Kuna City Code. Streetlights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.
- I.** Equivalent Dwelling Units (EDU's) will be issued on a Phase-by-Phase basis (per Final Plat).

4.6 General

- A.** The Developer/Owner/Applicant shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - 1.** The City Engineer shall approve all sewer connections.
 - 2.** The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received an approved drainage plan.
 - 3.** Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties".
 - 4.** The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by the Fire District are required.
 - 5.** The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
 - 6.** Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permit(s).
 - 7.** All public Rights-Of-Way shall be dedicated and constructed to the standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
- B.** The Developer/Owner/Applicant, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through Public Hearing processes.
- C.** Developer/Owner/Applicant/Contractors are hereby notified of Kuna's working hours. Construction of any kind shall only be conducted within the hours specified in [KCC 10-](#)

[6-3](#). Noises and other public nuisances/distractions outside of this time frame are subject to lawful penalties.

- D. Developer/Owner/Applicant is hereby notified of Kuna’s weed control policies and requirements [KCC 8-1-3](#). Weeds, grasses, vines or other growth which endanger property or are over twelve (12) inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout all seasons.
- E. Developer/Owner/Applicant and all successors shall comply with all Local, State and Federal Laws.

V

CONCLUSIONS OF LAW

RE: POWERS AND DUTIES OF THE PLANNING & ZONING COMMISSION

- 5.1 City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to [Idaho Code §50-1](#).
- 5.2 The power of the City of Kuna lies in the Commission to hear this matter as provided in [Idaho Code §67-65](#), and [Kuna City Code 1-14-3](#).

VI

CONCLUSIONS OF LAW

RE: APPLICATION FOR REZONE

- 6.1 The City of Kuna has authority to Rezone lands within its boundaries pursuant to [I.C. §67-6511](#).
- 6.2 [Kuna City Code 1-14-3](#), states that Rezones are designated as Public Hearings, with the Planning and Zoning Commission as a recommending body and City Council as the decision-making body.
- 6.3 The Rezone, proposed with this Application in Case No. 23-05-ZC, would comply with the Comprehensive Plan.

VII

CONCLUSIONS OF LAW

RE: APPLICATION FOR PRELIMINARY PLAT

- 7.1 The City of Kuna has authority to approve Preliminary Plats within its boundaries pursuant to [I.C. §50-13 & 67-65](#)
- 7.2 In Kuna City Code, Title 1, Chapter 14, Section 3, states that Preliminary Plats are designated as Public Hearings, with the Planning and Zoning Commission as a recommending body and the City Council as the decision-making body.
- 7.3 Subdivision regulations as defined in Kuna City Code Title 6 are authorized by [I.C. § 50-13 & 67-65](#) and Article 12, section 2.

VIII
CONCLUSIONS OF LAW
RE: APPLICATION FOR DESIGN REVIEW

- 8.1** The Commission has the decision-making authority over all Legislative Design Review applications as provided in [KCC 1-14-3](#).
- 8.2** [Kuna City Code 5-4-2](#) provides that:

“This chapter applies to all proposed development located within the Design Review Overlay District which shall include the entire City Limits, and any land annexed into the city after the date of adoption hereof. Such development includes, but is not limited to, new commercial, industrial, institutional, office, multi-family residential projects, common areas, subdivision signage, proposed conversions, proposed changes in land use and/or building use, or exterior remodeling, exterior restoration, and enlargement or expansion of existing buildings, signs or sites, and requires the submittal of a Design Review application pursuant to this Chapter and fee as prescribed from time to time by the City Council.”

IX
ORDER OF RECOMMENDED APPROVAL FOR APPLICATIONS FOR
REZONE AND PRELIMINARY PLAT

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

- 9.1** That the Rezone Application (Case No. 23-05-ZC) is recommended *Approval*.
- 9.2** That the Preliminary Plat Application (Case No. 23-06-S) is recommended *Approval*.

X
ORDER OF APPROVAL FOR APPLICATION FOR DESIGN REVIEW

- 10.1** That the Design Review Application (23-13-DR) is hereby *Approved*.

BY ACTION OF THE PLANNING & ZONING COMMISSION of the City of Kuna at its regular meeting held on the 27th of February 2024.

Planning & Zoning Chairman

BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATIONS OF) [Case Nos. 23-07-SUP & 23-07-DR](#)
)
MAVERIK, INC.) **FINDINGS OF FACT, CONCLUSIONS OF**
) **LAW, & ORDER OF DECISION FOR**
For Special Use Permit and Design Review of) **SPECIAL USE PERMIT AND DESIGN**
convenience store with fuel sales.) **REVIEW APPLICATIONS.**

THIS MATTER came before the Commission for public hearing on February 13, 2024, for receipt and consideration by the Commission of these Findings of Fact, Conclusions of Law, and Order of Decision for the above referenced applications. The Commission does now hereby make and sets forth the Record of Proceedings, and these Findings of Fact, Conclusions of Law, and Order of Decision.

**I
EXHIBIT LIST**

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

1.1 Exhibits:

| <i>DESCRIPTION OF EVIDENCE</i> | Withdrawn | Refused | Admitted |
|--|-----------|---------|----------|
| 1.4 FCO'S | | | X |
| <u>1.2 PZ SIGN IN SHEET.pdf</u> | | | X |
| <u>1.3 COMMISSION MINUTES 02.13.2024.pdf</u> | | | X |
| <u>1.1 STAFF REPORT.pdf</u> | | | X |
| <u>2.1 P&Z APPLICATION COVERSHEET.pdf</u> | | | X |
| <u>2.2 SPECIAL USE PERMIT APPLICATION.pdf</u> | | | X |
| <u>2.3 DESIGN REVIEW APPLICATION.pdf</u> | | | X |
| <u>2.4 VICINITY MAP.pdf</u> | | | X |
| <u>2.5 AERIAL MAP.pdf</u> | | | X |
| <u>2.6 NARRATIVE.pdf</u> | | | X |
| <u>2.7 WARRANTY DEED.pdf</u> | | | X |
| <u>2.8 AFFIDAVITS OF LEGAL INTEREST.pdf</u> | | | X |
| <u>2.9 NEIGHBORHOOD MEETING CERTIFICATION.pdf</u> | | | X |
| <u>2.10 AERIAL SITE RENDERING.pdf</u> | | | X |
| <u>2.11 SITE PLAN.pdf</u> | | | X |
| <u>2.12 FLOOR PLAN, ROOF PLAN & ELEVATIONS.pdf</u> | | | X |
| <u>2.13 LIGHTING PLAN & CUTSHEETS.pdf</u> | | | X |
| <u>2.14 LANDSCAPE PLAN.pdf</u> | | | X |
| <u>2.15 GRADING, DRAINAGE & UTILITIES.pdf</u> | | | X |
| <u>2.16 COMMITMENT TO PROPERTY POSTING.pdf</u> | | | X |
| <u>2.17 AGENCY TRANSMITTAL.pdf</u> | | | X |

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|--|--|--|---|
| 2.18 KUNA POLICE DEPARTMENT.pdf | | | X |
| 2.19 IDAHO TRANSPORTATION DEPARTMENT.pdf | | | X |
| 2.20 KUNA RURAL FIRE DISTRICT.pdf | | | X |
| 2.21 DEPARTMENT OF ENVIRONMENTAL QUALITY.pdf | | | X |
| 2.22 J&M SANITATION 1.pdf | | | X |
| 2.23 J&M SANITATION 2.pdf | | | X |
| 2.24 CENTRAL DISTRICT HEALTH DEPARTMENT.pdf | | | X |
| 2.25 ADA COUNTY HIGHWAY DISTRICT.pdf | | | X |
| 2.30 PUBLIC WORKS.pdf | | | X |
| 2.26 WEBSITE NOTICE.pdf | | | X |
| 2.27 300 FT PROPERTY OWNERS NOTICE.pdf | | | X |
| 2.28 IDAHO PRESS PUBLICATION PROOF.pdf | | | X |
| 2.29 PROOF OF PROPERTY POSTING.pdf | | | X |

1.2 Hearings: The Commission heard this on February 13, 2024. The FCO’s have been requested to go before the Commission February 27, 2024.

1.3 Witness Testimony: Those who testified at the Commission’s February 13, 2024, hearing are as follows, to-wit:

- A. City Staff:**
Jessica Hall, Associate Planner
- B. Appearing for the Applicant:**
Rich Piggot, 185 South State Street, Salt Lake City, UT, 84111 – Testified
- C. Appearing in Favor:**
None
- D. Appearing Neutral:**
None
- E. Appearing in Opposition:**
None

II DECISION

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

III FINDINGS OF FACT

3.1 Findings Regarding Notice

- A. Notice Required:** In accordance with Kuna City Code (KCC), Special Use Permits are designated as public hearings and Design Reviews are designated as public meetings, both with the Commission

as the decision-making body. The Special Use Permit was given proper public notice and followed the requirements set forth in [KCC 1-14-3](#), and [Idaho Code §67-65](#).

1. The Applicant held a Neighborhood Meeting September 26, 2023; there were three (3) attendees.
2. An Agency Transmittal was dispersed to all known and affected agencies December 1, 2023.
3. Notice was posted to the city website and notices were mailed to all known and affected property owners within 300 FT of the project site January 17, 2024.
4. Notice was published in the Idaho Press January 24, 2024.
5. The Applicant posted a sign on the property with project description and meeting information, and a Proof of Property Posting form was provided to staff February 1, 2024.

3.2 Findings Regarding Special Use Permit & Annexation

A. The surrounding land uses are as follows:

| Direction | Current Zone | Future Land Use Map | Development | Current Jurisdiction |
|-----------|----------------------------------|---------------------|--|----------------------|
| North | C-1 (Neighborhood Commercial) | Commercial | Merlin Pointe Subdivision No. 1 & future Vineyards at Merlin Pointe senior housing | Kuna |
| South | RUT (Rural Urban Transition) | Commercial | Large lot single family homes | Ada |
| | R-4 (Medium Density Residential) | Mixed Use | Large lot single family home | Kuna |
| East | C-1 (Neighborhood Commercial) | Commercial | Merlin Pointe Subdivision No. 2 | Kuna |
| West | C-1 (Neighborhood Commercial) | Commercial | Future Merlin Cottages townhomes & commercial | Kuna |

- B. The subject site is currently zoned C-1 (Neighborhood Commercial) within the Merlin Pointe Subdivision (Case Nos. 13-01-AN, 13-01-S, 13-01-ZC), approved by Council November 6, 2013, and has historically served as an undeveloped parcel.
- C. The proposed subject site contain is undeveloped and is generally flat. According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be 20 – 40-inches.
- D. The Comprehensive Plan Future Land Use Map ([FLUM](#)) designates the subject site as Commercial; the site is currently zoned accordingly and there are no proposed zone changes.
- E. Staff are not aware of any environmental issues, health, or safety conflicts beyond the site being within the Nitrate Priority Area. Idaho Department of Environmental Quality (DEQ) has provided recommendations for surface and groundwater protection practices and requirements for development of the site.
- F. Do the Design Review and Special Use Permit applications contain all necessary requirements listed in [KCC 5-4](#) and [KCC 5-6](#)?
 1. The Applicant has submitted all required materials, and upon review, the application was considered complete by staff December 1, 2023. (+)
- G. Was a Neighborhood Meeting conducted and were public noticing requirements met in accordance with Idaho Code and city Ordinances?

1. The Applicant held a Neighborhood Meeting September 26, 2023; there were three (3) attendees. (+)
 2. Notice was posted on the city website and notice was sent to all known and affected property owners within 300 FT of the subject site on January 17, 2024. Notice was also published in the Meridian-Kuna Press on January 24, 2024. (+)
 3. The Applicant posted a sign onsite containing the public hearing information February 1, 2024. (+)
- H.** Does the proposal comply with the Comprehensive Plan Future Land Use Map (FLUM)?
1. The FLUM designates the subject site as Commercial, and the site is currently zoned C-1 (Neighborhood Commercial). (+)
 2. The subject site lies within the Merlin Pointe Subdivision and is adjacent to multiple other commercially zoned parcels on the West, North, and East. (+)
- I.** Does the design, mass, proportion, and materials of the proposed structures comply with [KCC 5-4](#) and is the site appropriate for the proposed project?
1. Based on staff review, the proposed materials, and finishes, building location and orientation on site, and overall design of the site is appropriate for the subject site and surrounding uses. (+)
- J.** Can the availability of existing and proposed public services and infrastructure accommodate the proposed development?
1. Per ACHD, no additional improvements are required on N Sailer Avenue; therefore, the existing road is able to serve the subject site. (+)
 2. Per ITD review, no current improvements are required; however, if the project generates more than 100 vehicle trips per day, a Traffic Impact Study will be required. (+)
 3. Per Public Works, they can support approval of the Applicants request. (+)
- K.** Does the Owner/Applicant of the property have the right to request a written regulatory taking analysis?
1. Pursuant to [Idaho Code §67-8003](#), the owner of private property that is subject of such action may submit a written request for a regulatory taking analysis with the City Clerk. Not more that twenty-eight (28) days after the final decision concerning the matter at issue, the City shall prepare a written taking analysis concerning the action if requested. (+)

IV CONDITIONS

Based on the facts outlined in staff's report, documentation contained in the case file, and testimony received at the public hearing, the Commission hereby Approves Case Nos. 23-07-SUP and 23-07-DR, subject to the following Conditions:

4.1 Staff Recommended Conditions: None

4.2 Transportation

A. Developer/Owner/Applicant shall submit a Traffic Impact Study to ITD once the project generates

100 or more vehicle trips per day and shall adhere to any and all mitigations and/or requirements as determined by ITD.

4.3 J&M Sanitation

- A.** Developer/Owner/Applicant shall install cane bolts on gates of trash enclosure and drill associated holes.

4.4 Public Works

- A.** Developer/Owner/Applicant shall receive approval of civil site plans and provide as-built drawings to staff prior to submission of building permits.

4.5 General

- A.** The Developer/Owner/Applicant shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - 1.** The City Engineer shall approve the sewer connections.
 - 2.** The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 - 3.** Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties."
 - 4.** The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District are required.
 - 5.** The Kuna Municipal Irrigation System (KMIS) and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
 - 6.** Approval from Ada County Highway District (ACHD) shall be obtained, and Impact Fees must be paid prior to issuance of any building permit(s).
 - 7.** All public rights-of-way shall be dedicated and constructed to the standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
- B.** Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see KCC 6-4-2.
- C.** Compliance with Idaho Code, Section §31-3805 pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
- D.** When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation System of the City (KMIS).

- E. It is the responsibility of the Developer or his Engineer to coordinate and design for the stricter requirement between agencies and the City of Kuna standards for the entire development.
- F. The Developer/Owner/Applicant, and/or any future assigns having an interest in the subject property, shall fully comply with all Conditions of development as approved by the Commission, or seek amending them through Public Hearing processes.
- G. Owner/Developer/Applicant shall follow staff, City Engineers and other agency recommended requirements as applicable.
- H. Owner/Developer/Applicant shall comply with all local, state, and federal laws.

V

**CONCLUSIONS OF LAW
RE: POWES AND DUTIES OF THE COMMISSION**

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

VI

**CONCLUSIONS OF LAW
RE: APPLICATION FOR SPECIAL USE PERMIT**

- 6.1 [Kuna City Code 5-6](#) provides that:

It is recognized than an increasing number of new kinds of uses are appearing daily, and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size, method of operation, circulation, and public facilities that each specific use must be considered daily.

The Commission shall hold a public hearing on each Special Use Permit application as specified in the Official Schedule of District Regulations. The Commission may approve, conditionally approve, or deny a Special Use Permit under the Conditions as herein specified and considering such additional safeguards as will uphold the intent of this Title.

- 6.2 [Kuna City Code 1-14-3](#) states that Special Use Permits are designated as public hearings with the Commission as the decision-making body.

VII

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

- 7.1 [Kuna City Code 5-4-2](#) provides that:

This Chapter applies to all proposed development located within the Design Review Overlay District which shall include the entire City Limits, and any land annexed into the city after the date of adoption hereof. Such development includes, but is not limited to, new commercial, industrial, office, multi-family residential projects, common areas, subdivision signage, proposed conversions, proposed changes in land use and/or building use, exterior remodeling, exterior restoration, and enlargement or expansion of existing buildings, signs or sites and requires the submittal of a Design Review

application pursuant to this Chapter and fees as prescribed from time to time by City Council.

- 7.2 [Kuna City Code 1-14-3](#) states that Design Review are designated as a public meeting with the Commission as the decision-making body.

VIII
ORDER OF APPROVAL OF SPECIAL USE PERMIT
AND DESIGN REVIEW APPLICATIONS

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

8.1 The Special Use Permit application (Case No. 23-07-SUP) is *Approved*.

8.2 The Design Review application (Case No. 23-07-DR) is *Approved*.

BY ACTION OF THE COMMISSION of the City of Kuna at its regular meeting held the 27th day of February 2024.

Dana Hennis, Chairman

BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATION OF) [Case No. 23-10-DR](#)
)
TRILOGY DEVELOPMENT, INC.)
) **FINDINGS OF FACT, CONCLUSIONS OF LAW,**
For Design Review of the Linrock Subdivision) **AND ORDER OF DECISION FOR DESIGN**
4-plex apartments.) **REVIEW APPLICATION.**

THESE MATTERS came before the Commission for review an approval or denial on February 13, 2024, for receipt and consideration of these Findings of Fact, Conclusions of Law, and Order of Decision for the above referenced application. The Commission does now hereby set forth this Record of Proceedings of these Findings of Fact, Conclusions of Law, and Order of Decision.

**I
EXHIBIT LIST**

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

1.1 Exhibits:

| <i>DESCRIPTION OF EVIDENCE</i> | Withdrawn | Refused | Admitted |
|--|-----------|---------|----------|
| 1.4 FCO'S | | | X |
| 1.2 COMMISSION MINUTES 02.13.2024.pdf | | | X |
| 1.1 STAFF REPORT.pdf | | | X |
| 2.1 P&Z APPLICATION COVERSHEET.pdf | | | X |
| 2.2 APARTMENT DESIGN REVIEW APPLICATION.pdf | | | X |
| 2.3 NARRATIVE.pdf | | | X |
| 2.4 AERIAL MAP.pdf | | | X |
| 2.5 VICINITY MAP.pdf | | | X |
| 2.6 WARRANTY DEED.pdf | | | X |
| 2.7 AFFIDAVIT OF LEGAL INTEREST.pdf | | | X |
| 2.8 SITE PLAN.pdf | | | X |
| 2.9 PRELIMINARY PLAT ZONING LAYOUT.pdf | | | X |
| 2.10 ELEVATIONS & RENDERINGS.pdf | | | X |
| 2.11 FLOOR & ROOF PLANS.pdf | | | X |
| 2.12 LIGHTING PLAN, PHOTOMETRICS & CUTSHEETS.pdf | | | X |
| 2.13 LINROCK LANDSCAPE PLAN – APPROVED 02.16.2023.pdf | | | X |
| 2.14 APPLICANT CONFIRMATION FINAL PLAT APPLICATION FORTHCOMING.pdf | | | X |
| 2.15 LINROCK SUBDIVISION UPDATED PHASING PLAN.pdf | | | X |
| 2.16 AGENCY TRANSMITTAL.pdf | | | X |
| 2.18 BOISE PROJECT BOARD OF CONTROL.pdf | | | X |
| 2.19 ADA COUNTY HIGHWAY DISTRICT.pdf | | | X |
| 2.20 DEPARTMENT OF ENVIRONMENTAL QUALITY.pdf | | | X |
| 2.20 CENTRAL DISTRICT HEALTH DEPARTMENT.pdf | | | X |
| 2.21A IDAHO TRANSPORTATION DEPARTMENT.pdf | | | X |
| 2.21B IDAHO TRANSPORTATION DEPARTMENT.pdf | | | X |

| | | | |
|---|--|--|---|
| 2.22 J&M SANITATION.pdf | | | X |
| 2.23 MERIDIAN FIRE DEPARTMENT.pdf | | | X |
| 2.24 PUBLIC WORKS.pdf | | | X |

1.2 Public Meeting: The Commission heard this on February 13, 2024. The FCO’s have been requested to go before the Commission on February 27, 2024.

1.3 Witness Testimony: Those who testified at the Commission’s February 13, 2024, meeting are as follows, to-wit:

- A. City Staff:
Jessica Hall, Associate Planner
- B. Appearing for the Applicant:
Jane Suggs, Suggs Community Solutions, LLC, 200 Louisa Street, Boise, ID, 83712

II DECISION

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

III FINDINGS OF FACT

3.1 Findings Regarding Notice: [Kuna City Code \(KCC\) 1-14-3](#) states that Design Reviews are considered a public meeting with the Commission as the decision-making body; no public noticing is required. An Agency Transmittal was emailed to all known and affected agencies January 3, 2024.

3.2 Findings Regarding Design Review

A. Surrounding Land Uses

| Direction | Current Zone | Future Land Use Map | Development | Current Jurisdiction |
|-----------|---------------------------------|---|--|----------------------|
| North | C-1 (Neighborhood Commercial) | Mixed Use | Future portion of Linrock Subdivision | Kuna |
| South | R-12 (High Density Residential) | Mixed Use | Future portion of Linrock Subdivision | Kuna |
| East | RUT (Rural Urban Transition) | Meridian FLUM: Medium Density Residential | Agriculture with single family home | Ada County |
| West | R-2 (Low Density Residential) | Medium Density Residential | Patriot Ridge Estates: large lot single family homes | Kuna |
| | RUT (Rural Urban Transition) | Low Density Residential | Patriot Ridge Estates: large lot single family homes | Ada County |

B. The subject site is future Phase No. 2 of the Linrock Subdivision (Case Nos. 20-04-AN, 20-05-ZC, 20-09-S, 20-19-DR) approved by Council April 6, 2021. A Final Plat application has not yet been

received; however, construction plans for Phases 1 and 2 are currently under review and applications shall be forthcoming. The subject site had historically served as an agricultural fields with single family home.

- C. The subject site is covered in general vegetation and is generally flat. According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be 20 – 40 inches.
- D. The Comprehensive Plan Future Land Use Map ([FLUM](#)) designates the subject site as Mixed Use; Linrock subdivision contains the R-6 (Medium Density Residential), R-12 (High Density Residential), and C-1 (Neighborhood Commercial) zones, thus meeting the intent of the Mixed Use designation.
- E. Staff are not aware of any environmental issues, health, or safety conflicts. The Idaho Department of Environmental Quality (DEQ) has provided recommendations for surface and groundwater protection practices and requirements for development of the site.
- F. Was a complete Design Review application submitted and does the application contain all necessary requirements listed in [KCC Title 5-10](#)?
 - 1. The Applicant has submitted all required materials, and upon review, the application was considered complete by staff January 3, 2024. (+)
- G. Does this proposal comply with the Comprehensive Plan Future Land Use Map (FLUM)?
 - 1. The subject site is designated as Mixed Use on the Comprehensive Plan Future Land Use Map and the approved Medium Density Residential, High Density Residential, and Commercial zones meets the intent of the Mixed Use designation. (+)
- H. Does the proposed structures, design, mass, proportions, exterior materials, and relationship of openings comply with [KCC 5-4](#) and is the site appropriate for the proposed site selection?
 - 1. Based on staff review, the proposed materials and finishes, the structure locations, orientations on site, and overall design of the site is appropriate for the surrounding uses. (+)
 - 2. The proposed varied material textures and colors, the patio/balconies for each unit, the various changes in façade, and the variety in the roofline are compliant with the intent of [KCC 5-4](#). (+)
- I. Does the availability of existing and proposed public services and infrastructure accommodate the proposed development of the subject site?
 - 1. Public Works is in support of this application; with offsite improvements constructed by the Applicant and each Phase of the overall subdivision being reviewed at time of Final Plat, the existing infrastructure can support this project. (+)
 - 2. With the dedication of additional right-of-way, pavement widening, and construction of a southbound dedicated left turn lane on Linder Road, construction/extension of Jarvis Drive as a Collector road, construction of various internal local roads, and the proportionate share contribution to ITD for future Meridian Road/Hwy 69 improvements, existing and future roadways can support this project. (+)
 - 3. Based on ITD review, the Applicant shall be responsible for a substantial proportionate share contribution for future improvements of Meridian Road/Hwy 69 due to increased congestion contributed to Hwy 69. With funds from this project and others, ITD will be able to make improvements to Hwy 69 when, as the authority for the State Highway System, sees appropriate. (+)

IV CONDITIONS

4.1 Staff Recommended Conditions

- A. Final Plat applications for Linrock No. 1 and 2 shall be submitted to staff, approved by City Council, recorded with Ada County, and have addresses assigned prior to submission of building permits.
- B. Developer/Owner/Applicant shall increase trash enclosure width to 18 FT and have updated trash enclosure details reviewed and approved by J&M Sanitation prior to their construction.
- C. Per [KCC 5-4-13](#), approval of this Design Review application is valid for twelve (12) months, unless prior to the expiration date (12 months from signature of FCO's), construction/development is commenced and diligently pursued. Developer/Owner/Applicant may request Design Review approval extension from the Director.
- D. All signage within/for the project shall comply with [KCC 5-10](#), and shall be approved through Sign Review application.

4.2 Transportation

- A. Developer/Owner/Applicant shall comply with the ACHD site specific and standard Conditions of Approval as described in [Exhibit 2.19](#).
- B. Developer/Owner/Applicant shall pay the \$48,534.00 proportionate share contribution to ITD prior to approval of forthcoming Final Plat applications for Linrock Subdivision.

4.3 Site Layout, Dimensional Standards and Parking: None

4.4 Landscape and Fencing

- A. The approved Landscape Plan dated February 16, 2023, is a binding site plan.
- B. All required landscaping shall be permanently maintained in a healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits, as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
- C. Landscaping shall not be placed within 10 FT of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles.

4.5 Public Works

- A. Civil site plans shall be approved, and as-built drawings received, prior to submission of building permits.

4.6 General

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

1. The City Engineer shall approve the sewer connections.
 2. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 3. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties."
 4. The applicable fire authority shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by the applicable fire authority are required.
 5. The Kuna Municipal Irrigation System (KMIS) and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
 6. Approval from Ada County Highway District (ACHD) shall be obtained, and Impact Fees must be paid prior to issuance of any building permit(s).
 7. All public rights-of-way shall be dedicated and constructed to the standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
- B.** Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see [KCC 6-4-2](#).
- C.** Compliance with [Idaho Code §31-3805](#) pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
- D.** When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation System of the City (KMIS).
- E.** It is the responsibility of the Developer or his Engineer to coordinate and design for the stricter requirement between agencies and the City of Kuna standards for the entire development.
- F.** The Developer/Owner/Applicant, and/or any future assigns having an interest in the subject property, shall fully comply with all Conditions of development as approved by the Commission, or seek amending them through Public Hearing processes.
- G.** Developer/Owner/Applicant shall submit to Planning and Zoning staff a formal request for an alternative surface within the RV storage facility which complies with Kuna City Code 5-9-2(D), prior to progressing to a City Council hearing date, as gravel surfaces are not permitted.
- H.** Owner/Developer/Applicant shall follow staff, City Engineers and other agency recommended requirements as applicable.
- I.** Owner/Developer/Applicant shall comply with all local, state, and federal laws.

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

- 5.1 The City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing, and functioning pursuant to [Idaho Code §50-1](#).
- 5.2 The Commission has decision-making authority over all legislative Design Review applications as provided in [Kuna City Code 1-14-3](#).

VI
CONCLUSIONS OF LAW
RE: APPLICATION FOR DESIGN REVIEW

- 6.1 [Kuna City Code 5-4-2](#) provides that:

This Chapter applies to all proposed development located within the Design Review Overlay District which shall include the entire City Limits, and any land annexed into the city after the date of adoption hereof. Such development includes, but is not limited to, new commercial, industrial, office, multi-family residential projects, common areas, subdivision signage, proposed conversions, proposed changes in land use and/or building use, or exterior remodeling, exterior restoration, and enlargement or expansion of existing buildings, signs or sites and requires the submittal of Design Review application pursuant to this Chapter and fees as prescribed from time to time by City Council.

VII
ORDER OF APPROVAL FOR DESIGN REVIEW

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

- 7.1 The Design Review application for Linrock 4plex Apartments (Case No. 23-10-DR) is *Approved*.

BY ACTION OF THE COMMISSION of the City of Kuna at its regular meeting held on the 27th day of February 2024.

Dana Hennis, Chairman

BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATION OF) **Case No. 23-15-DR**
)
CJM LIMITED LIABILITY LIMITED)
PARTNERSHIP) **FINDINGS OF FACT, CONCLUSIONS OF LAW,**
) **AND ORDER OF DECISION FOR DESIGN**
For Design Review of Kuna Apartments.) **REVIEW APPLICATION.**

THESE MATTERS came before the Commission for review and approval or denial on February 13, 2024, for receipt and consideration of these Findings of Fact, Conclusions of Law, and Order of Decision for the above referenced application. The Commission does now hereby set forth this Record of Proceedings of these Findings of Fact, Conclusions of Law, and Order of Decision.

**I
EXHIBIT LIST**

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

1.1 Exhibits:

| <i>DESCRIPTION OF EVIDENCE</i> | Withdrawn | Refused | Admitted |
|---|-----------|---------|----------|
| 1.3 FCO'S COMMISSION | | | X |
| 1.3 COMMISSION MINUTES 02.13.2024.pdf | | | X |
| 1.1 STAFF REPORT.pdf | | | X |
| 2.1 P&Z APPLICATION COVERSHEET.pdf | | | X |
| 2.2 APARTMENT DESIGN REVIEW APPLICATION.pdf | | | X |
| 2.3 NARRATIVE.pdf | | | X |
| 2.4 VICINITY MAP.pdf | | | X |
| 2.5 DEEDS.pdf | | | X |
| 2.6 AFFIDAVIT OF LEGAL INTEREST.pdf | | | X |
| 2.7 SITE PLAN.pdf | | | X |
| 2.8 FLOOR PLAN.pdf | | | X |
| 2.9 APARTMENT BUILDING ELEVATIONS.pdf | | | X |
| 2.10 CLUBHOUSE SITE PLAN & ELEVATIONS CONCEPT.pdf | | | X |
| 2.11 PHOTOMETRIC PLAN.pdf | | | X |
| 2.12 LANDSCAPE PLAN.pdf | | | X |
| 2.13 CURB, GUTTER & SIDEWALK DETAILS.pdf | | | X |
| 2.14 GRADING PLAN.pdf | | | X |
| 2.15 UTILITY PLAN.pdf | | | X |
| 2.17 TRAFFIC IMPACT STUDY.pdf | | | X |
| 2.19 TRASH ENCLOSURE DETAILS.pdf | | | X |
| 2.18 AGENCY TRANSMITTAL.pdf | | | X |
| 2.16 ACHD SITE SPECIFIC CONDITIONS OF APPROVAL FOR PRELIMINARY PLAT.pdf | | | X |
| 2.20 CENTRAL DISTRICT HEALTH DEPARTMENT.pdf | | | X |
| 2.21 IDAHO TRANSPORTATION DEPARTMENT PRELIMINARY COMMENTS.pdf | | | X |
| 2.29 IDAHO TRANSPORTATION DEPARTMENT.pdf | | | X |

| | | | |
|--|--|--|---|
| 2.22 KUNA RURAL FIRE DISTRICT.pdf | | | X |
| 2.23 DEPARTMENT OF ENVIRONMENTAL QUALITY.pdf | | | X |
| 2.24 ADA COUNTY HIGHWAY DISTRICT.pdf | | | X |
| 2.25 BOISE PROJECT BOARD OF CONTROL.pdf | | | X |
| 2.26 BOISE-KUNA IRRIGATION DISTRICT.pdf | | | X |
| 2.27 J&M SANITATION.pdf | | | X |
| 2.28 PUBLIC WORKS.pdf | | | X |
| 1.2 APPLICANT PRESENTATION.pdf | | | X |

1.2 Public Meeting: The Commission heard this on February 13, 2024. The FCO’s have been requested to go before the Commission on February 27, 2024.

1.3 Witness Testimony: Those who testified at the Commission’s February 13, 2024, meeting are as follows, to-wit:

- A. City Staff:
Jessica Hall, Associate Planner
- B. Appearing for the Applicant:
Mark Hampton, Rimrock Construction, 11716 S 700 E, Draper, UT, 84020

II DECISION

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

III FINDINGS OF FACT

3.1 Findings Regarding Notice: [Kuna City Code \(KCC\) 1-14-3](#) states that Design Reviews are considered a public meeting with the Commission as the decision-making body; no public noticing is required. An Agency Transmittal was emailed to all known and affected agencies October 31, 2023.

3.2 Findings Regarding Design Review

A. Surrounding Land Uses

| Direction | Current Zone | Future Land Use Map | Development | Current Jurisdiction |
|-----------|----------------------------------|--------------------------|---|----------------------|
| North | C-1 (Neighborhood Commercial) | Commercial | BiMart, undeveloped commercial lots | Kuna |
| South | R-6 (Medium Density Residential) | High Density Residential | Undeveloped parcel | Kuna |
| East | C-1 (Neighborhood Commercial) | Commercial | Ridley’s Family Center No. 1, undeveloped commercial lots | Kuna |
| West | RUT (Rural Urban Transition) | Mixed Use | Robinson Dairy – Disbanded | Ada County |

- B.** The subject site is future Lot 1, Block 1 of the Kuna Apartments Subdivision (Case Nos. 22-02-S, 22-03-ZC, 22-01-CPM, 22-28-DR) approved by Council January 3, 2023; a Final Plat application has not yet been received. The subject site has historically served as undeveloped land.
- C.** The proposed subject site is covered in grass-like vegetation and is generally flat. According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be greater than 60 inches.
- D.** The Comprehensive Plan Future Land Use Map ([FLUM](#)) designates the subject site as High Density; upon recordation of the Final Plat and Rezone Ordinances, the site will be zoned R-20 (High Density Residential).
- E.** Staff are not aware of any environmental issues, health, or safety conflicts beyond the site being within the Nitrate Priority Area. Idaho Department of Environmental Quality (DEQ) has provided recommendations for surface and groundwater protection practices and requirements for development of the site.
- F.** Was a complete Design Review application submitted and does the application contain all necessary requirements listed in [KCC Title 5-10](#)?
1. The Applicant has submitted all required materials, and upon review, the application was considered complete by staff October 31, 2023. (+)
- G.** Does this proposal comply with the Comprehensive Plan Future Land Use Map (FLUM)?
1. The subject site is designated as Commercial and the FLUM; however, the Kuna Apartments Preliminary Plat, Rezone, and Comprehensive Plan Map Amendment (Case Nos. 22-02-S, 22-03-ZC & 22-01-CPM) was approved January 3, 2023. Two (2) parcels resulted from this approval; Kuna Apartments with an R-20 zone, and a commercial lot with a C-1 zone. (+)
- H.** Does the proposed structure, design, mass, proportions, exterior materials, and relationship of openings comply with [KCC 5-4](#) and is the site appropriate for the proposed site selection?
1. Based on staff review, the proposed materials and finishes, the building's location and orientation on site, and overall design of the site is appropriate for the surrounding uses. (+)
 2. Changes in material textures and colors, the patio/balconies for each unit, the various changes in façade, and the variety in the roofline are compliant with the intent of [KCC 5-4](#). (+)
- I.** Does the availability of existing and proposed public services and infrastructure accommodate the proposed development of the subject site?
1. The Applicant is in possession of 186 prepaid EDU's of the estimated 193 EDU's needed for the project; Applicant will also be upsizing approximately 1,800 FT of gravity sewer line at their expense, to a diameter determined by sewer modeling. (+)
 2. As the project is adjacent to an existing commercial subdivision, and the Developer will be extending an existing roadway, the existing surface streets can support the proposed development. (+)
 3. Based on ITD review, no mitigations, improvements, or additional right-of-way dedication is required. (+)

VI CONDITIONS

4.1 Staff Recommended Conditions

- A. Developer/Owner/Applicant shall submit trash enclosure details to staff for review and approval prior to submission of building permit application(s).
- B. The Final Plat for Kuna Apartments Subdivision shall be submitted and approved by City Council and the Final Plat mylar shall be signed by all required agencies and city departments prior to submission of building permit application(s).
- C. Per [KCC 5-4-13](#), approval of this Design Review application is valid for twelve (12) months, unless prior to the expiration date (12 months from signature of FCO's), construction/development is commenced and diligently pursued. Developer/Owner/Applicant may request Design Review approval extension from the Director.

4.2 Transportation

Developer/Owner/Applicant shall abide by ACHD Conditions of approval as listed in Exhibits [2.16](#) and [2.24](#), unless otherwise reviewed and approved by ACHD and city staff.

- A. If required per civil plans, Developer/Owner/Applicant shall acquire an access permit from ITD prior to performing any work within the right-of-way.

4.3 Site Layout, Dimensional Standards and Parking: None

4.4 Landscape and Fencing

- A. Developer/Owner/Applicant shall submit pool area fencing details for review and approval prior to release of building permits.
- B. Developer/Owner/Applicant shall work with staff on placement of a tot lot play structure and additional open space.

4.5 Public Works

- A. Developer/Owner/Applicant shall upsize approximately 1,800 FT of gravity sewer line to a diameter determined by sewer modeling.
- B. As-built (record drawings) shall be provided to Public Works at the conclusion of all public facility construction project and are the responsibility of the Developers Engineer.
- C. Verified as-built (record drawings) are required prior to the Certificate of Occupancy being granted.

4.6 General

- A. The Developer/Owner/Applicant shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - 1. The City Engineer shall approve the sewer connections.

2. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 3. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, “Catalog for Best Management Practices for Idaho Cities and Counties.”
 4. The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District are required.
 5. The Kuna Municipal Irrigation System (KMIS) and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
 6. Approval from Ada County Highway District (ACHD) shall be obtained, and Impact Fees must be paid prior to issuance of any building permit(s).
 7. All public rights-of-way shall be dedicated and constructed to the standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
- B.** Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see [KCC 6-4-2](#).
- C.** Compliance with [Idaho Code §31-3805](#) pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
- D.** When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation System of the City (KMIS).
- E.** It is the responsibility of the Developer or his Engineer to coordinate and design for the stricter requirement between agencies and the City of Kuna standards for the entire development.
- F.** The Developer/Owner/Applicant, and/or any future assigns having an interest in the subject property, shall fully comply with all Conditions of development as approved by the Commission, or seek amending them through Public Hearing processes.
- G.** Owner/Developer/Applicant shall follow staff, City Engineers and other agency recommended requirements as applicable.
- H.** Owner/Developer/Applicant shall comply with all local, state, and federal laws.

V

CONCLUSIONS OF LAW

RE: POWERS AND DUTIES OF THE COMMISSION

- 5.1 The City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing, and functioning pursuant to [Idaho Code §50-1](#).
- 5.2 The Commission has decision-making authority over all legislative Design Review applications as provided in [Kuna City Code 1-14-3](#).

VI
CONCLUSIONS OF LAW
RE: APPLICATION FOR DESIGN REVIEW

6.1 [Kuna City Code 5-4-2](#) provides that:

This Chapter applies to all proposed development located within the Design Review Overlay District which shall include the entire City Limits, and any land annexed into the city after the date of adoption hereof. Such development includes, but is not limited to, new commercial, industrial, office, multi-family residential projects, common areas, subdivision signage, proposed conversions, proposed changes in land use and/or building use, or exterior remodeling, exterior restoration, and enlargement or expansion of existing buildings, signs or sites and requires the submittal of Design Review application pursuant to this Chapter and fees as prescribed from time to time by City Council.

VII
ORDER OF APPROVAL FOR DESIGN REVIEW

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

a. The Design Review application for Kuna Apartments (Case No. 23-15-DR) is *Approved*.

BY ACTION OF THE COMMISSION of the City of Kuna at its regular meeting held on the 27th day of February 2024.

Dana Hennis, Chairman

BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATION OF) **Case No. 23-16-DR**
)
LETE FAMILY TRUST, LLC)
)
 For the southeast corner of Linder and Hubbard) **STAFF REPORT FOR DESIGN REVIEW**
 Roads.) **APPLICATION.**

TABLE OF CONTENTS

1. Exhibit List
2. Project Summary
3. Applicants Request
4. Process & Noticing
5. General Project Facts
6. Staff Analysis
7. Proposed Findings of Fact
8. Commission’s Proposed Order of Decision



**I
EXHIBIT LIST**

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

1.1 Exhibits:

| <i>DESCRIPTION OF EVIDENCE</i> | Withdrawn | Refused | Admitted |
|---------------------------------|-----------|---------|----------|
| 1.1 STAFF REPORT | | | X |
| 2.1 P&Z APPLICATION COVERSHEET | | | X |
| 2.2 DESIGN REVIEW APPLICATION | | | X |
| 2.3 VICINITY MAP | | | X |
| 2.4 AERIAL MAP | | | X |
| 2.5 NARRATIVE | | | X |
| 2.6 PROPERTY OWNER INFO | | | X |
| 2.7 AFFIDAVIT OF LEGAL INTEREST | | | X |

| | | | |
|---|--|--|---|
| 2.8 SUP FCO'S COMMISSION – APPROVED 07.14.2020 | | | X |
| 2.9 MONARCH LANDING PRE-PLAT TIME EXTENSION STAFF REPORT 12.06.2022 | | | X |
| 2.10 SITE PLAN | | | X |
| 2.11 ELEVATIONS | | | X |
| 2.12 FLOOR PLAN | | | X |
| 2.13 MATERIALS & COLORS | | | X |
| 2.14 PHOTOMETRICS & LIGHTING CUTSHEETS | | | X |
| 2.15 LANDSCAPE PLAN | | | X |
| 2.16 AGENCY TRANSMITTAL | | | X |
| 2.17 DEPARTMENT OF ENVIRONMENTAL QUALITY | | | X |
| 2.18 IDAHO TRANSPORTATION DEPARTMENT | | | X |
| 2.19 ADA COUNTY HIGHWAY DISTRICT | | | X |
| 2.20 BOISE PROJECT BOARD OF CONTROL | | | X |
| 2.21 PUBLIC WORKS | | | X |

Application Exhibits: [23-16-DR FIRST CHOICE SELF-STORAGE](#)

II PROJECT SUMMARY

2.1 Subject Site & General Project Details

| Description | Details |
|-----------------------------|--------------------------|
| Acreage | 4.93 |
| Existing Land Use(s) | C-3 (Service Commercial) |
| Future Land Use Designation | Commercial |
| Proposed Land Use(s) | Commercial, Storage |
| Lots (No. & Type) | 1 Commercial |

2.2 Surrounding Land Uses

| Direction | Current Zone | Future Land Use Map | Development | Current Jurisdiction |
|-----------|----------------------------------|----------------------------|-------------------------------|----------------------|
| North | RR (Rural Residential) | Mixed Use | Large lot single family homes | Ada County |
| South | A (Agriculture) | Commercial | Large lot single family home | Kuna |
| East | C-1 (Neighborhood Commercial) | High Density Residential | Kelleher Apartments | Kuna |
| | R-4 (Medium Density Residential) | Medium Density Residential | Kelleher Subdivision (Park) | Kuna |
| West | R-4 (Medium Density Residential) | Medium Density Residential | Arbor Ridge Subdivision | Kuna |

**III
APPLICANTS REQUEST**

- 3.1** Applicant requests Design Review approval to construct an indoor climate controlled, and exterior self-storage facility on Lot 1, Block 1 of the Monarch Landing Subdivision, associated parking lot and landscaping. The project is located on the SWC of N Linder Road & W Hubbard Road intersection (APN: R8555340180); Section 14, Township 2 North, Range 1 West.

**IV
PROCESS AND NOTICING**

- 4.1** Kuna City Code ([KCC](#)) [1-14-3](#) states that Design Reviews are considered a public meeting with the Commission as the decision-making body; no formal noticing is required. An Agency Transmittal was emailed January 16, 2024.

**V
GENERAL PROJECT FACTS**

5.1 Site History and Features

- A.** The subject site is future Lot 1, Block 1 of the Monarch Landing Subdivision No. 1; a Final Plat application was received on February 15, 2024. The subject site has historically served as undeveloped land.
- B.** Monarch Landing, Case Nos. 19-10-S (Preliminary Plat), 19-08-ZC (Rezone), 19-06-SUP (Special Use Permit) & 20-03-DR (Design Review) was heard by this Commission on June 23, 2023, at which time the Commission recommended approval of the S and ZC, and approved the SUP and DR. The Council approved the S and ZC on November 17, 2020.
- C.** The proposed subject site is covered in grass-like vegetation and is generally flat. According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be 20 to 40 inches and greater than 60 inches.
- D.** The Comprehensive Plan Future Land Use Map ([FLUM](#)) designates the subject site as Commercial.
- E.** Staff are not aware of any environmental issues, health, or safety conflicts beyond the site being within the Nitrate Priority Area. Idaho Department of Environmental Quality (DEQ) has provided recommendations for surface and groundwater protection practices and requirements for development of the site.

**VI
STAFF ANALYSIS**

6.1 Ada County Highway District (ACHD)

- A.** Per [Exhibit 2.19](#) the Ada County Highway District (ACHD) reviewed the submitted application for the application referenced above and has determined that there are no improvements required to the adjacent street(s).

6.2 Idaho Transportation Department (ITD)

- A. Per [Exhibit 2.18](#) ITD has no comments or concerns at this time.

6.3 Dimensional Standards & Site Layout

- A. The site will be comprised of seven (7) storage buildings, one (1) conditioned storage building, and one (1) office building.
- B. The subject sites C-3 (Service Commercial) zone requires a 1,300 SF minimum lot size, allows 100% lot coverage, and requires no setbacks per [KCC 5-3-3](#). As the site is approximately 4.93 acres in size, the site complies with KCC.
- C. The photometric and lighting cutsheets [Exhibit 2.14](#), appear to provide adequate lighting to the parking lot, office and storage area. Street lighting placed at a maximum spacing of 250 FT along Linder and Hubbard Roads will be installed as a requirement of the recordation of the final plat.

6.3 Pathways & Trails Master Plan

- A. There are no future pathways or trails indicated within the site.

6.4 Elevations

- A. As provided in [Exhibit 2.13](#) the exterior building materials propose to offer; dark bronze prefinished metal fascia, clear adonized metal wall finish, 3 FT prefinished insulated metal panels with dark bronze finish, prefinished metal horizontal siding, pre-finished metals trim and flashing, pre-finished vertical metal siding, and clear anodized aluminum with insulated glass for the office storefront.

6.5 Parking

- A. Per [KCC 5-9-3](#), one (1) standard stall is required for every 400 SF of floor area for the office. Upon staff review of the provided site plan, one (1) ADA stall and six (6) standard stalls for the 868 SF office area.
- B. Upon review, staff finds the proposed parking to be compliant with [KCC 5-9](#).

6.6 Landscaping

- A. Required landscaping along Linder and Hubbard Roads were approved with the Monarch Landing Preliminary Plat application and will be installed as a requirement of the recordation of the final plat.
- B. Internal landscaping is proposed through a mixture of trees, shrubs and grasses.

6.7 Fencing

- A. The site will utilize 8 FT wrought iron security fence. All fencing shall comply with [KCC 5-5-5](#).

6.8 J&M Sanitation

- A. Large trash enclosures will not be provided on site.
- B. A trash receptacle will be used for the office.

C. Applicant is required to submit trash enclosure details to staff for review and approval.

6.9 Kuna Rural Fire District (KRFD)

A. KRFD has provided their support for this application with general conditions; final approval will be subject to satisfactory plan reviews.

6.10 Boise Project Board of Control (BPBC)

A. No BPBC facilities have been identified within the project boundaries.

6.12 Public Works

A. Public Works staff has provided support for this project.

B. Sewer, Water and Pressurized Irrigation serviceability were reviewed at time of preliminary application approval and QLPE must be issued prior to any construction.

6.13 Comprehensive Plan

A. Goal Area 1: Kuna will be Economically Diverse and Vibrant.

1. Goal 1.A.: Ensure Land Use in Kuna will support economic development.

- Objective 1.A.2.: Create commercial nodes and corridors that support development of economic opportunities that do not compete with downtown revitalization efforts.
 - Policy 1.A.2.a.: Designate commercial land use nodes and corridors at strategic locations such as Meridian Road/Hwy 69 and Ten Mile Road.
 - Policy 1.A.2.c.: Focus on development of commercial uses that will not compete with downtown Kuna's businesses and character.

2. Goal 1.C.: Attract and Encourage new and existing businesses.

- Objective 1.C.2.: Create an environment that is friendly to business creation, expansion, and relocation.

B. Goal Area 3: Kuna's land uses will support a desirable, distinctive, and well-designed community.

1. Goal 3.A.: Ensure community design directs growth and implements sustainable land use patterns.

- Objective 3.A.1.: Use the Future Land Use Map and land use regulations to direct development, encourage complementary and compatible land uses, and achieve good community design.
 - - Policy 3.A.1.b.: Concentrate commercial and mixed-use areas along main entryway corridors, and reserve areas for low-density residential development, open space, industrial and agricultural uses at Kuna's outer areas and along the rail line.
 - Policy 3.A.1.d.: Use design standards such as facades, streetscaping, building orientation, setbacks, buffers, and parking requirements to encourage pedestrian-friendly environments and improve connectivity.

2. Goal 3.C.: Encourage development of commercial areas with good connectivity and character.

- Objective 3.C.1.: Create well-planned regional commercial centers that provide employment and services
 - Policy 3.C.1.a.: Concentrate regional commercial centers in proximity to entryway corridors for good visibility and access. Whenever possible, ensure access to commercial centers is from mid-mile collectors to prevent added congestion on entryway corridors.
3. Goal 3.G.: Respect and protect private property rights.
- Objective 3.G.1.: Ensure land use policies, restrictions, and fees do not violate private property rights
 - Policy 3.G.1.b.: Ensure city land use actions, decisions, and regulations do not prevent a private property owner from taking advantage of a fundamental property right. Ensure city actions do not impose a substantial and significant limitation on the use of the property.

6.14 Conclusion: Upon review, staff finds this Design Review request to be compliant with the [KCC 5-4](#), [5-5](#), [5-9](#), and [5-17](#), and [Idaho Code §67-65](#).

VII PROPOSED FINDINGS OF FACT

Based upon the record contained in Case No. 23-16-DR, including the Comprehensive Plan, Kuna City Code, Staff’s Memorandum, the exhibits, and testimony during the meeting, the Commission hereby Approves/Conditionally Approves/Denies Case No. 23-16-DR.

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

- 7.1** Was a complete Design Review application submitted and does the application contain all necessary requirements listed in [KCC Title 5-10](#)?
- A.** The Applicant has submitted all required materials, and upon review, the application was considered complete by staff January 16, 2024.
- 7.2** Does this proposal comply with the Comprehensive Plan Future Land Use Map (FLUM)?
- A.** The subject site is designated as Commercial and zoned C-3 (Service Commercial) in accordance with the FLUM.
- 7.3** Does the proposed structure, design, mass, proportions, exterior materials, and relationship of openings comply with [KCC 5-4](#) and is the site appropriate for the proposed site selection?
- A.** Based on staff review, the proposed materials and finishes, the building’s location and orientation on site, and overall design of the site is appropriate for the surrounding uses.
- B.** Changes in material textures and colors, the various changes in façade are compliant with the intent of [KCC 5-4](#).
- 7.4** Does the availability of existing and proposed public services and infrastructure accommodate the proposed development of the subject site?
- A.** Public Works has issued a QLPE and “Will Serve” for the Monarch Landing Subdivision No. 1.

- B. The developer will be improving the frontage along Linder and Hubbard Roads as required by ACHD and the City prior to recordation of the final plat.
- C. Based on ITD review, no mitigations, improvements, or additional right-of-way dedication is required.

VIII COMMISSION'S PROPOSED ORDER OF DECISION

Based on the facts outlined in staff's report, documentation contained in the case file, and testimony received at the public meeting, the Commission *Approves/Conditionally Approves/Denies* Case No. 23-16-DR, subject to the following Conditions of Approval:

8.1 Staff Recommended Conditions

- A. Per [KCC 5-4-13](#), approval of this Design Review application is valid for twelve (12) months, unless prior to the expiration date (12 months from signature of FCO's), construction/development is commenced and diligently pursued. Developer/Owner/Applicant may request Design Review approval extension from the Director.

8.2 Transportation

- A. Developer/Owner/Applicant shall abide by ACHD Conditions of approval as listed in [Exhibit 2.19](#), unless otherwise reviewed and approved by ACHD and city staff.

8.3 Site Layout, Dimensional Standards and Parking: None

8.4 Landscape and Fencing: None

8.5 Public Works

- A. Verified as-built (record drawings) are required prior to the Certificate of Occupancy being granted.

8.6 General

- A. The Developer/Owner/Applicant shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 1. The City Engineer shall approve the sewer connections.
 2. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the applicant has received approval of the drainage plan.
 3. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties."
 4. The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by Kuna Rural Fire District are required.
 5. The Kuna Municipal Irrigation System (KMIS) and Boise Project Board of Control shall approve any modifications to the existing irrigation system.

6. Approval from Ada County Highway District (ACHD) shall be obtained, and Impact Fees must be paid prior to issuance of any building permit(s).
 7. All public rights-of-way shall be dedicated and constructed to the standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
- B. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see [KCC 6-4-2](#).
 - C. Compliance with [Idaho Code §31-3805](#) pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
 - D. When required, submit a petition to the City (as necessary, confirmed with the City engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation System of the City (KMIS).
 - E. It is the responsibility of the Developer or his Engineer to coordinate and design for the stricter requirement between agencies and the City of Kuna standards for the entire development.
 - F. The Developer/Owner/Applicant, and/or any future assigns having an interest in the subject property, shall fully comply with all Conditions of development as approved by the Commission, or seek amending them through Public Hearing processes.
 - G. Developer/Owner/Applicant shall submit to Planning and Zoning staff a formal request for an alternative surface within the RV storage facility which complies with Kuna City Code 5-9-2(D), prior to progressing to a City Council hearing date, as gravel surfaces are not permitted.
 - H. Owner/Developer/Applicant shall follow staff, City Engineers and other agency recommended requirements as applicable.
 - I. Owner/Developer/Applicant shall comply with all local, state, and federal laws.

DATED this 27th day of February 2024.

VICINITY MAP

S LINDER RD

W HUBBARD RD

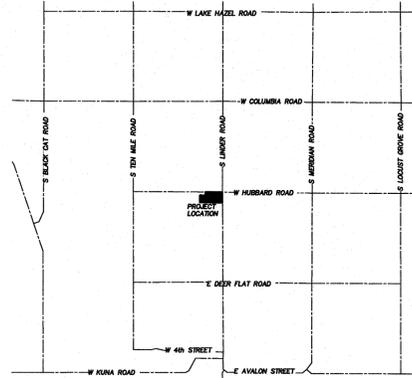
N LINDER RD

-  SUBJECT SITE
-  PARCELS
-  CITY LIMITS
-  SECTION ROADS

PRELIMINARY PLAT FOR MONARCH LANDING

TUKILA MEADOW SUBDIVISION LOT 1 BLOCK 1
OF THE NE 1/4 NE 1/4, SECTION 14, T. 2 N., R. 1 W., B.M.,
KUNA, ADA COUNTY, IDAHO
2019

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VICINITY MAP
Scale: 1"=5000'

| Line # | Length | Direction |
|--------|--------|-------------|
| L1 | 21.30 | S44°41'48"E |

OWNER/ DEVELOPER

INAKI LETE
117 N. KINGS ROAD
NAMPA, ID, 83687
(208)465-6141

ENGINEER/SURVEYOR

MASON & ASSOCIATES, INC.
924 3rd ST. SOUTH
NAMPA, ID 83651
(208) 454-0256

PROJECT NARRATIVE

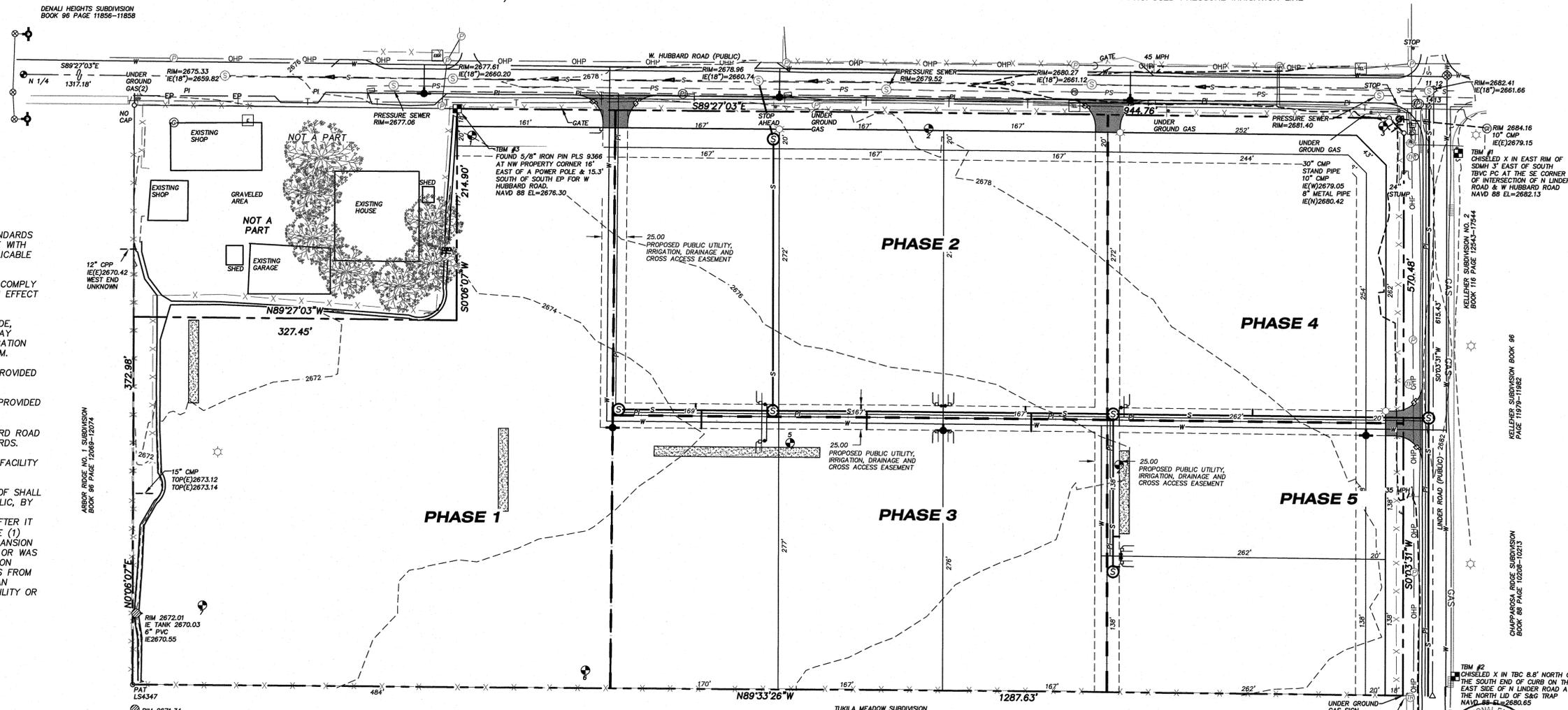
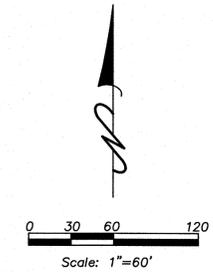
1. NO. OF LOTS : 17
COMMERCIAL LOTS : 10
COMMON LOTS : 7
2. AREA: 15.81 ACRES.
3. CURRENTLY ZONED: AG
REQUESTING ZONE C3 (COMMERCIAL)
4. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE CITY OF KUNA STANDARDS FOR THE APPLICABLE ZONE.
5. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT TO THE TIME OF THE RE-SUBDIVISION.
6. THE OWNER SHALL COMPLY WITH IDAHO CODE, SECTION 31-3805 OR ITS PROVISIONS THAT MAY APPLY TO IRRIGATION RIGHTS. PRESSURE IRRIGATION PROVIDED BY CITY OF KUNA MUNICIPAL SYSTEM.
7. DEVELOPMENT POTABLE WATER SHALL BE PROVIDED BY CITY OF KUNA.
8. DEVELOPMENT SANITARY SEWER SHALL BE PROVIDED BY CITY OF KUNA.
9. 20' LANDSCAPING STRIPS ALONG W. HUBBARD ROAD AND LINDER ROAD SHALL MEET ACHD STANDARDS.
10. AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF NOT A NUISANCE EXCEPTION. NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR. WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF.

COMMON LOT AREA

- LOT 2 BLOCK 1 3,232 SQ FT
- LOT 3 BLOCK 1 3,332 SQ FT
- LOT 4 BLOCK 1 3,330 SQ FT
- LOT 5 BLOCK 1 3,330 SQ FT
- LOT 6 BLOCK 1 10,799 SQ FT
- LOT 16 BLOCK 1 2,754 SQ FT
- LOT 17 BLOCK 1 2,758 SQ FT

LEGEND

| | | |
|--|--|---|
| <ul style="list-style-type: none"> ⊕ BENCHMARK △ CALCULATED POINT ○ FOUND BRASS CAP MONUMENT ○ FOUND ALUMINUM CAP MONUMENT ○ FOUND 1/2 INCH DIA. IRON PIN ○ EXISTING TELEPHONE MANHOLE ○ EXISTING SEWER MANHOLE ○ TRANSFORMER ○ EXISTING POWER POLE ○ EXISTING FIRE HYDRANT ○ EXISTING CATCH BASIN ○ SIGN ○ EXISTING LIGHT POLE ○ EXISTING WATER VALVE ○ EXISTING MAILBOX ○ GAS VALVE/METER ○ ELECTRIC METER ○ PRESSURE IRRIGATION VALVE ○ TEST PIT | <ul style="list-style-type: none"> ⊕ ELECTRIC BOX ⊕ GUY ANCHOR ⊕ TELEPHONE BOX ⊕ PRESSURE SEWER VALVE ⊕ GI MANHOLE ⊕ SD MANHOLE GRATED LID ⊕ PROPOSED SEEPAGE BED ⊕ PROPOSED WATER SERVICE ⊕ PROPOSED SANITARY SEWER MANHOLE ⊕ PROPOSED PRESSURE IRRIGATION SERVICE ⊕ PROPOSED FIRE HYDRANT | <ul style="list-style-type: none"> --- PHASE LINE --- PROPERTY BOUNDARY LINE --- SECTION LINE --- LOT LINE --- EASEMENTS --- FENCE LINE --- EG EDGE OF GRAVEL --- EP EDGE OF PAVEMENT --- S EXISTING SEWER --- PS EXISTING PRESSURE SEWER --- T Under ground telephone --- PIPE --- OHP EXISTING OVERHEAD POWER LINE --- TB EXISTING TOP OF BANK --- PI EXISTING PRESSURE IRRIGATION --- S PROPOSED SEWER LINE --- W PROPOSED WATER MAIN --- PI PROPOSED PRESSURE IRRIGATION LINE |
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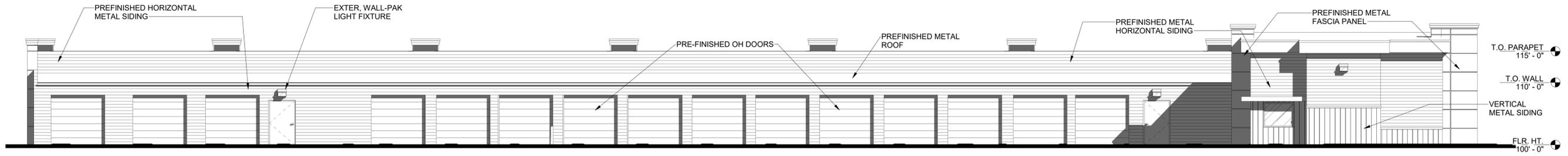
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| APPROVED BY: _____ | | |

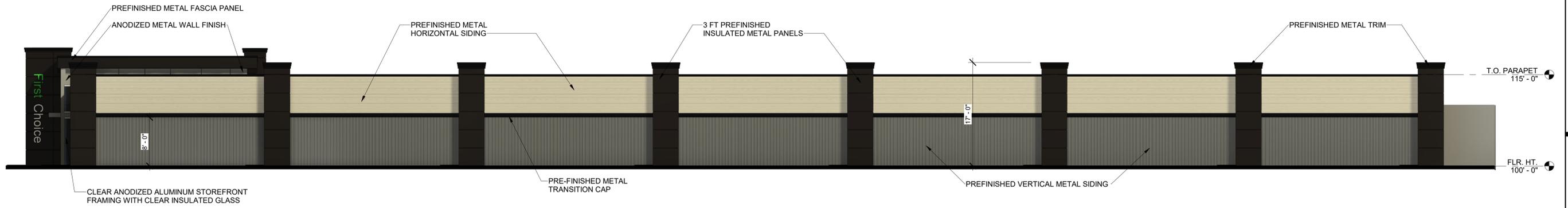
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|---|--|
| Professional Engineers, Land Surveyors & Planners Mason & Associates 924 3rd St. South, Nampa, ID 83651 (208) 454-0256 Fax (208) 454-0257 | CLIENT: INAKI LETE 117 N. KINGS ROAD NAMPA, ID, 83687 (208)465-6141 |
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| JOB NO. JY0419 DWG NO. JY0419PP SCALE: Vert. 1"=60' Horiz. 1"=60' FIELD BOOK NO. | DRAWING TITLE: MONARCH LANDING PRELIMINARY PLAT SHEET NO. 1 OF 1 SHEETS |
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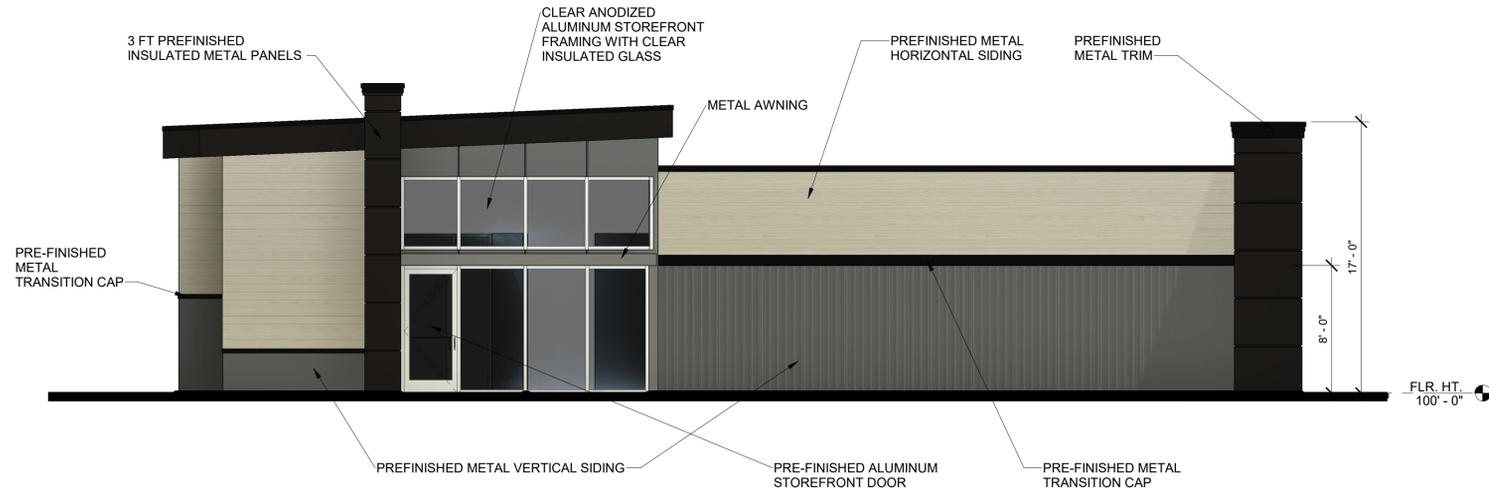
December 9, 2019



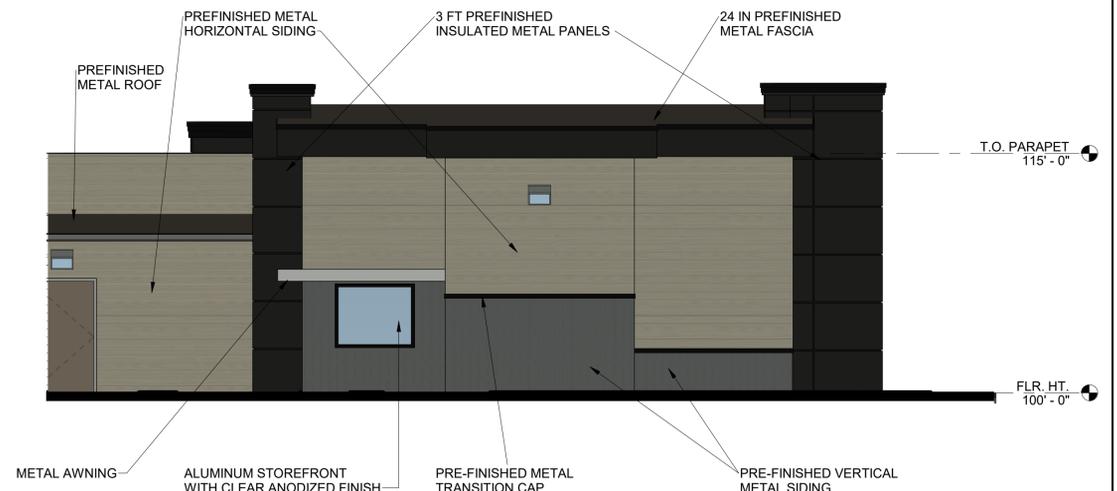
1 SOUTH ELEVATION DR
1/8" = 1'-0"



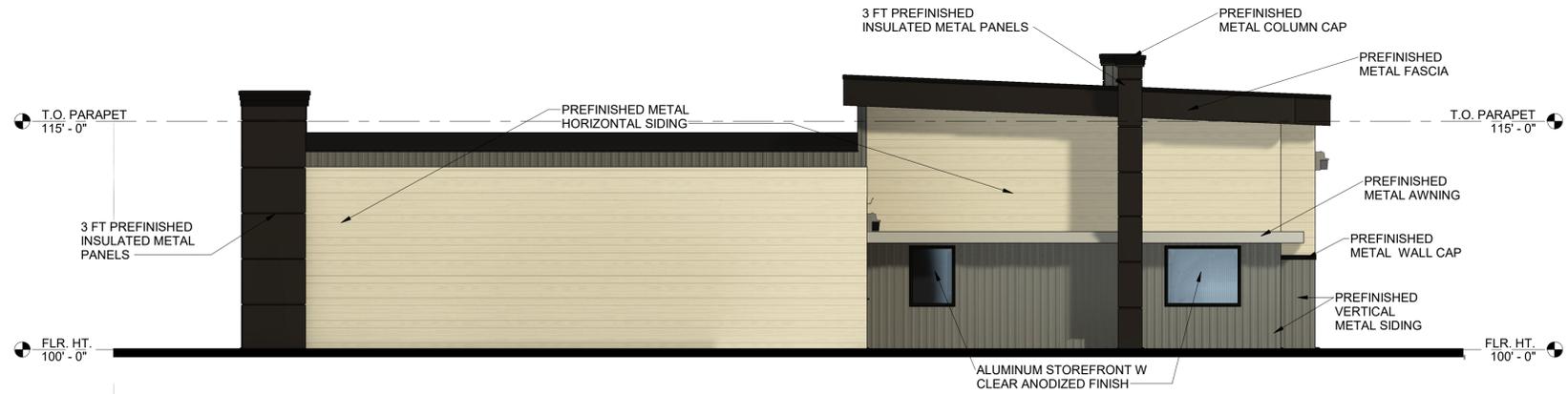
2 NORTH ELEVATION DR
1/8" = 1'-0"



3 EAST ELEVATION DR
3/16" = 1'-0"

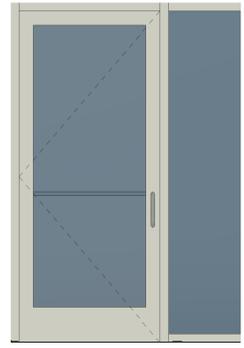


4 SOUTH ELEVATION AT OFFICE DR
3/16" = 1'-0"

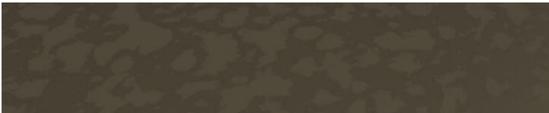


5 WEST ELEVATION DR
3/16" = 1'-0"

| | |
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| REVISIONS: | |
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|  | |
| 1135 12th avenue road, nampa, idaho 83886 phone: (208) 463-9295 · fax: (208) 463-9299 email: jgt@jgt-architecture.com | |
|  | |
| STAMP | |
| STORAGE FACILITY FOR FIRST CHOICE WEST HUBBARD ROAD - KUNA | |
| DRAWN BY: DDP | DATE: 12/7/23 |
| CHECKED: JGT | JOB NO.: 2124 |
| EXTERIOR ELEVATIONS | |
| DR-3.0 SHEET 5 OF 5 | |



CLEAR ANODIZED ALUMINUM STOREFRONT WITH INSULATED GLASS



DARK BRONZE PREFINISHED METAL FASCIA



CLEAR ANODIZED METAL WALL FINISH



3 FT PREFINISHED INSULATED METAL PANELS WITH DARK BRONZE FINISH



PREFINISHED METAL HORIZONTAL SIDING

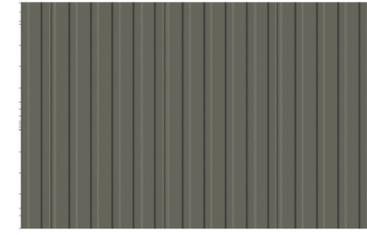
VICINITY MAP



AERIAL MAP



PREFINISHED METALS, TRIM AND FLASHING



PREFINISHED VERTICAL METAL SIDING

REVISIONS:

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jgt architecture
 1135 12th avenue road, nampa, idaho 83886
 phone: (208) 463-9295 . fax: (208) 463-9299
 email: jgt@jgt-architecture.com



STAMP

STORAGE FACILITY
 FOR
 FIRST CHOICE
 WEST HUBBARD ROAD - KUNA

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| DRAWN BY: | DATE: |
| DDP | 12/7/23 |
| CHECKED: | JOB NO.: |
| JGT | 2124 |

COVER SHEET/COLOR BOARD

DR-0.0
 SHEET
 1 OF 5

| REVISIONS: | |
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jgt architecture
 1135 12th avenue road, nampa, idaho 83886
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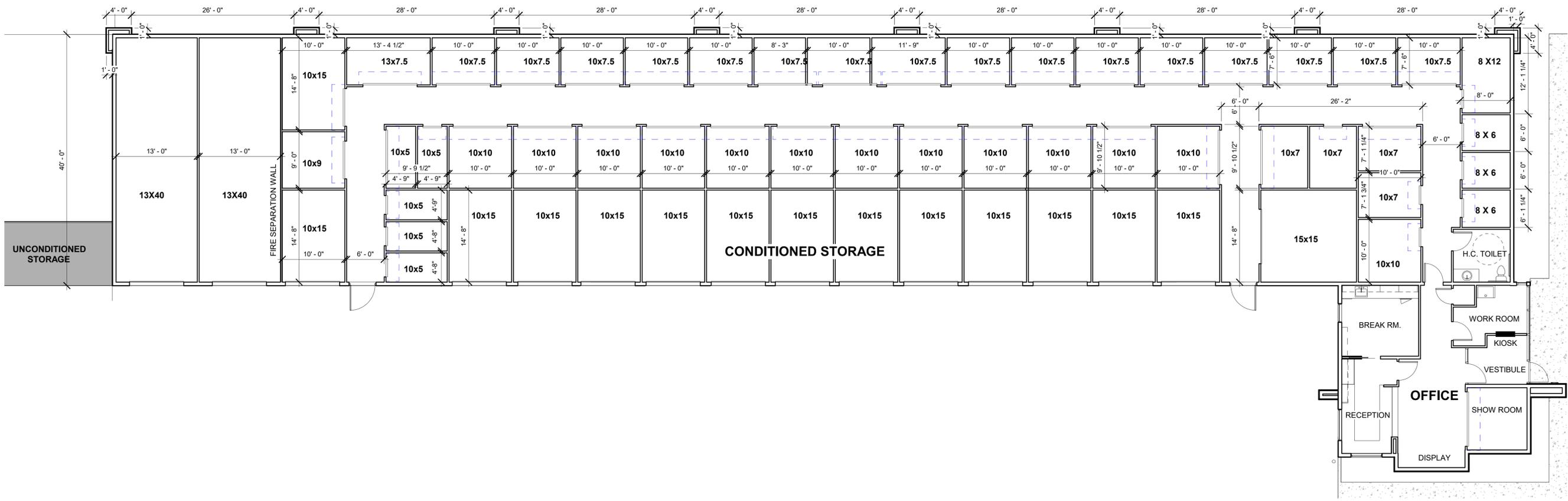
STAMP

**STORAGE FACILITY
 FOR
 FIRST CHOICE
 WEST HUBBARD ROAD - KUNA**

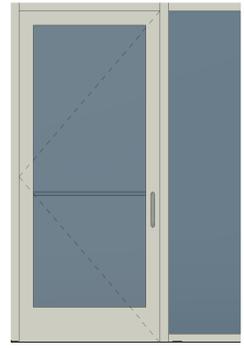
DRAWN BY: DDP
 CHECKED: JGT
 DATE: 12/7/23
 JOB NO.: 2124

FLOOR PLAN

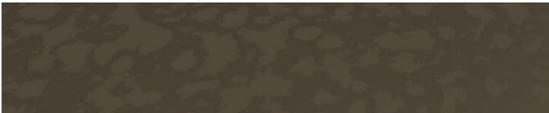
DR-2.0
 SHEET
 4 OF 5



1 FLOOR PLAN DR
 1/8" = 1'-0"



CLEAR ANODIZED ALUMINUM STOREFRONT WITH INSULATED GLASS



DARK BRONZE PREFINISHED METAL FASCIA



CLEAR ANODIZED METAL WALL FINISH



3 FT PREFINISHED INSULATED METAL PANELS WITH DARK BRONZE FINISH



PREFINISHED METAL HORIZONTAL SIDING

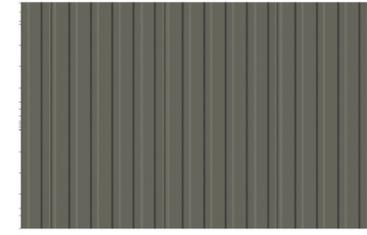
VICINITY MAP



AERIAL MAP



PREFINISHED METALS, TRIM AND FLASHING



PREFINISHED VERTICAL METAL SIDING

REVISIONS:

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jgt architecture
 1135 12th avenue road, nampa, idaho 83886
 phone: (208) 463-9295 . fax: (208) 463-9299
 email: jgt@jgt-architecture.com



STAMP

STORAGE FACILITY
 FOR
 FIRST CHOICE
 WEST HUBBARD ROAD - KUNA

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| DRAWN BY: | DATE: |
| DDP | 12/7/23 |
| CHECKED: | JOB NO.: |
| JGT | 2124 |

COVER SHEET/COLOR BOARD

DR-0.0
 SHEET
 1 OF 5



January 17, 2024

Jessica Hall, Associate Planner
Kuna Planning & Zoning
751 W 4th St
Kuna, ID 83634
jreid@kunaid.gov

Subject: 23-16-DR / FIRST CHOICE SELF-STORAGE

Dear Ms. Hall:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: <https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.

- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Construction General Permit from DEQ may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
 - For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
 - If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
 - The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at:
<https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
 - The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.
- For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Rebecca Blankenau, Waste & Remediation Manager, at (208) 373-0550.

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,



Aaron Scheff
Regional Administrator

c:

2021AEK

From: [Niki Benyakhlef](#)
To: [Jessica Reid](#)
Subject: RE: 23-16-DR First Choice Self-Storage Agency Transmittal
Date: Thursday, January 25, 2024 12:05:29 PM
Attachments: [image003.png](#)

Hello Jessica –

After careful review of the transmittal submitted to ITD on January 16, 2024, regarding 23-16-DR First Choice Self-Storage, the Department has no comments or concerns to make at this time. This application is proposing a storage facility one mile west of SH-69. Storage facilities do not generate the traffic necessary to request a review of a TIS. Also, this particular location provides multiple collector roads to help distribute traffic in order not to cause a concerning impact to SH-69.

Thank you,



Niki Benyakhlef
Development Services Coordinator

District 3 Development Services
O: 208.334.8337 | C: 208.296.9750
Email: niki.benyakhlef@itd.idaho.gov
Website: itd.idaho.gov

From: Jessica Reid <jhall@kunaid.gov>
Sent: Tuesday, January 16, 2024 9:48 AM
To: ACHD <planningreview@achdidaho.org>; ACHD - Mindy Wallace <mwallace@achdidaho.org>; Ada County <bmoore@adacounty.id.gov>; Ada County (mleatherman@adaweb.net) <mleatherman@adaweb.net>; Ada County Engineer <agilman@adaweb.net>; Adam Ingram <adam.ingram@cableone.biz>; Boise Kuna Irrigation District <aflavel.bkirrdist@gmail.com>; Boise Project Board of Control <TRitthaler@boiseproject.org>; CableOne T.V. <cheryl.goettsche@cableone.biz>; CDHD (lbadigian@cdhd.idaho.gov) <lbadigian@cdhd.idaho.gov>; Chief Fratusco <mfratusco@adacounty.id.gov>; COMPASS - Olivia <ovielstichmckinnon@compassidaho.org>; Danielle - KSD Planner <drhorras@kunaschools.org>; Dennis Chan (USPS) <dennis.chan@usps.gov>; DEQ <BRO.Admin@deq.idaho.gov>; gashley@boiseproject.org; gis@compassidaho.org; Idaho Power (PDickerson@idahopower.com) <PDickerson@idahopower.com>; Intermountain Gas <bryce.ostler@intgas.com>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Vincent Trimboli <Vincent.Trimboli@itd.idaho.gov>; J&M Sanitation <Chad.Gordon@jmsanitation.com>; Kaci Bader (kbader@achdidaho.org) <kbader@achdidaho.org>; Leon Letson (Ada County) <lletson@adacounty.id.gov>; Marc Boyer (marc.c.boyer@usps.gov) <marc.c.boyer@usps.gov>; Meridian Fire (Chief Bongiorno) <jbongiorno@meridiantcity.org>; Nampa - Meridian Irrigation District <nmid@nmid.org>; New York Irrigation District <terri@nyid.org>; Power - Easements (easements@idahopower.com) <easements@idahopower.com>; Power - Easements

(kfunke@idahopower.com) <kfunke@idahopower.com>; Saran Becker <Saran.Becker@itd.idaho.gov>; Scott Arellano (scott@fccnw.com) <scott@fccnw.com>; Stacy Yarrington (Ada County) <syarrington@adacounty.id.gov>; TLawrence Kuna Fire <tlawrence@kunafire.com>; USPS <camille.r.burt@usps.gov>; Brady Barroso <bbarroso@kunaid.gov>

Cc: Doug Hanson <dhanson@kunaid.gov>

Subject: 23-16-DR First Choice Self-Storage Agency Transmittal

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Agency Transmittal – January 16, 2024

Notice is hereby given by the City of Kuna the following actions are under consideration:

| | |
|-------------------------------|--|
| FILE NUMBER: | 23-16-DR FIRST CHOICE SELF-STORAGE |
| PROJECT DESCRIPTION | Applicant request Design Review approval to construct an indoor climate controlled, and exterior self-storage facility on Lot 1, Block 1 of the Monarch Landing Subdivision, associated parking lot and landscaping. The project is located on the SWC of N Linder Road & W Hubbard Road intersection (APN: R8555340180); Section 14, Township 2 North, Range 1 West. |
| SITE LOCATION | SWC of N Linder Road & W Hubbard Road intersection |
| REPRESENTATIVE | Greg Toolson, JGT Architecture gtoolson@jgt-architecture.com |
| SCHEDULED HEARING DATE | Tuesday, February 27, 2024 6:00 PM, City Hall Council Chambers 751 W 4 th Street, Kuna, ID 83634 |
| STAFF CONTACT | Jessica Hall 208.387.7731 jreid@kunaid.gov |
| | <ul style="list-style-type: none">• Information has been provided in the link to assist in your review and response on how this project would affect the service(s) your agency provides.• If additional information is required, or if contact information for your information needs updated, please notify our office.• No response within 15 – 20 days indicates to us your agency has no comments and/or no objection regarding this project. |

Sincerely,

Jessica Hall

Associate Planner

751 W 4th Street • Kuna, ID 83634

jreid@kunaid.gov • Ph: (208) 387-7731





Alexis Pickering, President
Miranda Gold, Vice-President
Jim Hansen, Commissioner
Kent Goldthorpe, Commissioner
Dave McKinney, Commissioner

January 24, 2024

To: Inaki Lete
117 N. Kings Road
Nampa, Idaho 83687

Representative: JGT Architecture
Greg Toolson
1135 12th Avenue Road
Nampa, Idaho 83686

Subject: KUNA24-0001/ 23-16-DR
W Hubbard Road (Parcel # R8555340180)
(SWC of the N. Linder Road & W. Hubbard Road intersection)
First Choice Self-Storage – Design Review

The Ada County Highway District (ACHD) has reviewed the submitted application for the application referenced above and has determined that there are no improvements required to the adjacent street(s).

The applicant shall be required to:

1. Pay a traffic impact fee. If applicable, a traffic impact fee may be assessed by ACHD and will be due prior to the issuance of a building permit by the lead agency. This is a separate review process, and it is the applicant's responsibility to submit plans directly to ACHD.
2. Comply with all ACHD Policies and ACHD Standard Conditions of Approval for any improvements or work in the right-of-way.
3. Obtain a permit for any work in the right-of-way prior to the construction, repair, or installation of any roadway improvements (curb, gutter, sidewalk, pavement widening, driveways, culverts, etc.).

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Traffic Information

This development is estimated to generate 10 additional vehicle trips per day; and Less Than 10 vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 11th edition.

Condition of Area Roadways:

Traffic Count is based on Vehicles per hour (VPH)

| Roadway | Frontage | Functional Classification | PM Peak Hour Traffic Count | PM Peak Hour Level of Service |
|--------------|----------|---------------------------|----------------------------|-------------------------------|
| Hubbard Road | 955-feet | Minor Arterial | 332 | |
| Linder Road | 600-feet | Minor Arterial | 395 | |

* Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).

* Acceptable level of service for a five-lane minor arterial is "E" (1,540 VPH).

Average Daily Traffic Count (VDT):

Average daily traffic counts are based on ACHD's most current traffic counts.

- The average daily traffic count for Hubbard Road west of Linder Road was 5,772 on January 26, 2023.
- The average daily traffic count for Linder Road north of Deer flat Road was 7,182 on December 13, 2023.

If you have any questions, please feel free to contact me at rhamilton@achdidaho.org or (208) 387-6171.

Sincerely,



Renata Ball-Hamilton
Planner
Development Services

cc: City of Kuna (Jessica Hall), Via Email

connecting you to more

Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.6, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter, and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property, which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.



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

Brady Barroso, E.I.T
Staff Engineer I

Catherine Feistner, P.E.
Assistant City Engineer

MEMORANDUM

To: Doug Hanson - Planning and Zoning Director
From: Brady Barroso - Staff Engineer I
Catherine Feistner - Assistant City Engineer
Date: 20 February 2024
RE: Public Works Comments
First Choice Self Storage, 23-16-DR (Design Review)

The First Choice Self Storage property, 23-16-DR, design review request dated 16 January 2024 has been reviewed. These comments apply to the application as they affect public works infrastructure. Review of civil design drawings is accomplished separately, when received by PWork@kunaid.gov.

Public Works can support the approval of this application.

Comments may be expanded or refined in connection with the future land-use actions.

1) Inspection & Fees

- a) An inspection fee will apply to inspect the final construction of water, sewer, and irrigation facilities associated with this development.
- b) The developer shall retain a qualified responsible, Idaho registered professional engineer to provide sufficient inspection to certify to DEQ that the project was completed in accordance with approved plans and specifications and to provide accurate as-built drawings to the City.
- c) All applicable utility inspection and utility flow modeling fees shall be paid by the developer in accordance with City of Kuna Resolution R74-2023. *Payment is due and payable prior to the pre-construction meeting.*
- d) The Kuna Rural Fire District's current hydrant flow testing and plat base fees are found on their website. *Payment is due and payable prior to the pre-construction meeting.*

2) General

- a) Commercial EDU's are based on a fixture count analysis at the time of building permit.
- b) At least two access points are required in Phase I per Kuna Rural Fire District (KRFD) or no more than thirty (30) certificates of occupancy will be issued.
- c) Areas for outside activities are incorporated into the project. Connection to the City of Kuna pathways presents a long-term goal that should be considered.

- d) A plan approval letter will be required if this project affects any local irrigation districts.
- e) Elevations shall be actual NAVD 88 datum elevations. A localized elevation system is not acceptable.
- f) All positional information shall be from the most recent state plane coordinate system.
- g) Provide engineering certification on all final engineering drawings.
- h) The City of Kuna requires streetlights in all subdivisions. Streetlights are required along arterial roads bordering the subdivision, at the entrances of the subdivision, at intersections, and at every 250' interval. Streetlights should be coincident with Fire Hydrants whenever possible.
- i) Fire suppression shall be available and approved by KRFD.
- j) No building permits will be issued and no construction can begin without adequate fire protection.
- k) Fiber conduit shall be designed and constructed on all mile and mid-mile roads or as otherwise noted.

3) Right-of-Way

- a) Approaches onto classified streets must comply with ACHD approach policies.
- b) All street construction must meet or exceed City of Kuna and ACHD development standards.
- c) All City mainlines crossing proposed lots or located on the backs or sides of lots shall have easements that allow the City of Kuna to access and maintain the utilities.
- d) The KRFD Deputy Fire Marshal, or the representative, must approve fire access to the subdivision.
- e) Roads must continue to and through to the next road connection to promote connectivity throughout the City.

4) Sanitary Sewer Connection

- a) The applicant's property has a sewer stub for connection to City services on the east side of the property.
- b) Sewer must provide connectivity for surrounding developments.
- c) No cleanouts are permitted at the end of runs in lieu of manholes per Kuna City Code 6-4-2-B.14.
- d) All sewer infrastructure must meet or exceed City of Kuna requirements.
- e) Sewer connection fees apply to each lot containing a home or other facility.
- f) This application shall conform to the sewer masterplan as applicable. The sewer master plan specifies minimum pipe sizes and supports the "to and through" utility policy.

5) Potable Water Connection

- a) The applicant's property has a vacant water service for connection to City services on the east side of the property.
- b) All water infrastructure must meet or exceed City of Kuna requirements.
- c) Water connection fees apply to each lot containing a home or other facility.
- d) Fire hydrants are required in a layout acceptable to the KRFD.

6) Pressurized Irrigation

- a) The applicant's property is not connected to City services. It is unclear how the property plans to irrigate landscaped areas.
- b) Relying on drinking water for irrigation purposes is contrary to City Code 6-4-2-B.9.
- c) All pressurized irrigation infrastructure shall meet or exceed City of Kuna standards, in accordance with the City's "to and through" policy in Kuna City Code 6-4-2.
- d) Surface water rights shall be transferred to the City prior to the completion of the final plat.

7) Grading and Storm Drainage

- a) Provide a grading and drainage plan which supports and maintains all upstream drainage rights and all downstream irrigation delivery rights as they presently exist for this property.
- b) The City of Kuna relies on the ACHD Stormwater Policy Manual to establish the requirements for design of private storm water disposal systems.
- c) Verify that existing and proposed elevations match at property boundaries such that a slope burden is not imposed on adjacent properties. Slopes shall not be steeper than 3:1 on lots adjacent to a street or common lot and no steeper than 4:1 for lots with common rear lot lines.
- d) Runoff from public right-of-way is regulated by ACHD. On site storm water retention shall be reviewed in conjunction with the City's Civil Engineering Construction Improvements Review. Provide a storm water disposal & treatment plan which accounts for increased on-site storm water runoff volumes. Provide detailed drawings of drainage & treatment facilities with supporting calculations for review and approval.
- e) Sidewalks, curb and gutter, street widening and any related storm drainage facilities, consistent with city code and policies, shall be provided in connection with property development.

8) As-Built Drawings

- a) As-built (record) drawings are required at the conclusion of any public facility construction project and are the responsibility of the developer's engineer. The city may help track changes but will not be responsible for the finished product.
- b) *Correct and verified as-built (record drawings) drawings will be required before occupancy or final plat approval is granted.*