

OFFICIALS

Joe Stear, Mayor
Chris Bruce, Council President
Greg McPherson, Council Member
Matt Biggs, Council Member
John Laraway, Council Member



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

City Council Meeting
MINUTES
Tuesday, February 06, 2024

6:00 P.M. REGULAR CITY COUNCIL

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

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

1. Call to Order and Roll Call

(Timestamp 00:00:23)

COUNCIL MEMBERS PRESENT:

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

CITY STAFF PRESENT:

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

Mayor Stear Alright. Welcome, everybody. We'll go ahead and get the meeting started. Nathan, would you call the roll, please?

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Here.

City Clerk Nathan Stanley Council Member Biggs.

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

Council Member Biggs Here.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Here.

City Clerk Nathan Stanley Council President Bruce.

Council President Bruce Here.

City Clerk Nathan Stanley Mayor Stear.

Mayor Stear Here.

2. Invocation

3. Pledge of Allegiance: Mayor Stear

(Timestamp 00:00:40)

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

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

Mayor Stear Thank you.

4. Consent Agenda: ACTION ITEMS

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

(Timestamp 00:01:00)

A. Regular City Council Meeting Minutes Dated January 16, 2024

B. Accounts Payable Dated February 1, 2024, in the amount of \$806,449.05

C. Findings of Fact & Conclusions of Law

1. Case No. 23-05-AN 5200 S Black Cat Road

2. Case Nos. 21-14-AN, 21-01-CPM, 21-10-S and 23-05-DA Hazelcrest Estates
Subdivision

3. Case Nos. 20-03-ZC and 20-06-S Ledgestone Plaza

D. Final Plats

1. Case No. 23-15-FP Ardell Estates Subdivision No. 6

2. Case No. 23-16-FP Ardell Estates Subdivision No. 7

3. Case No. 21-09-FPA (Final Plat Amendment No. 1) Falcon Crest No. 2

E. Resolutions

1. Resolution R07-2024

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO ACCEPTING THE AGREEMENT FOR TEMPORARY EASEMENT FROM ARROYO CAP-II, LLC.

Mayor Stear First item is the consent agenda. Anything you want pulled for comment?

Council Member Laraway I have nothing.

Council President Bruce I make a motion that we approve the consent agenda as published.

Council Member McPherson Second.

Mayor Stear Motion's made and seconded. Is there any further discussion? Nathan, would you poll the Council, please?

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Aye.

City Clerk Nathan Stanley Council Member Biggs.

Council Member Biggs Aye.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Aye.

City Clerk Nathan Stanley Council President Bruce.

Council President Bruce Aye.

Mayor Stear And that motion carries.

(Timestamp 00:01:18)

Motion to: Approve the Consent Agenda

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Roll Call Vote

4-0-0

5. Public Comment

(Timestamp 00:01:43)

Mayor Stear Next, we have special guest tonight. Senator Todd Lakey is with us, and if you would like, you may have the floor, Sir. We appreciate you coming to visit with us.

Senator Todd Lakey, Idaho District 23 Thank you, Mr. Mayor. Council Members, do I need to do anything to turn that on? How about that? Better?

Mayor Stear Green light's good.

Senator Todd Lakey, Idaho District 23 Green light's good. We all have different ways to get the green light to turn on. Mayor, Council Members, I appreciate the opportunity to talk to you tonight. I'd like to try to get out my district and particularly listen to my local elected officials. That's where I come from. We're about a month into the session and so we're just kind of about 1/3 of the way through. And I thought I'd just visit with you a little bit and see... let you know what I've been working on, but see if you had any things, you wanted me to be aware of and follow and get your thoughts on those. I do have to be in a couple places tonight, so I'll probably have to leave right after I get done, but. So, Mayor, Council Members, I... these are some of the things I've been working on for the last probably three years.

I've been working pretty closely with our law enforcement community on fentanyl and it, I'm sure you've heard of it, it's killing Idaho in exponentially increasing numbers we have mandatory minimum sentences for drug traffickers for heroin and cocaine and methamphetamine. And we don't have it for fentanyl. So, there's kind of a gap in our fence. We have drug dealers on tape saying I'm not going to do a deal in Idaho because I know you guys have harsh consequences for drug dealers. And right now, it's safer to deal in fentanyl than it is in meth, cocaine, or heroin. And so, we're looking to add that to the drug trafficking statute. Just a little bit about the drug. It's, depending on who you talk to, 100 times more lethal than heroin. 2 milligrams is a lethal dose, potentially to someone that doesn't have any immunity built up. And so, like I said, we're trying to add it to the mandatory minimum sentences to help put a gap and close that gap in the fence. We know it won't stop it. You have to attack that from supply and demand at various angles. But we've been working on that. We're hearing that actually in my committee tomorrow.

I'm working on an update to the Human Trafficking Code, as well. We are updating that to increase some of the penalties for those that buy the service, so to speak, of the human being that's being trafficked and then also include some property forfeiture provisions in that similar to drug dealers.

Also, I'm still working on area of Impact Bill that I talked to you about before where we're trying to find a balance between all the parties on impact area establishment and respect that impact area boundary when they abut cities that are next to each other. And we got it strongly out of the Senate last year and just ran into a roadblock with the Speaker on the House on the other side. And he's still there. We're working on him. I have, I think, good support Committee chairman. And others that are supportive of the bill. But, he kind of has one objection to a portion that I

think is one of the benefits primarily to the cities. We try to have benefits for the cities and counties and respecting that line. So, we'll see where that goes.

I am working on also an Article 5 resolution. So, our founding fathers gave us the ability as States to call a constitutional convention to propose amendments. To our federal constitution, you have to have 2/3 of the States to do that. And I was Idaho's delegate to a simulated convention in Virginia this summer. And it looks a lot like a legislative process, but the things we're concerned about are fiscal responsibility at the at the national level. We all know they're not balancing the budget; they're borrowing to pay interest on debt. I watched the calculator the other day. You can get on a website and actually has it and every 30 seconds it goes up by \$1,000,000. It just needs to be controlled and Congress hasn't shown the ability to do it. So, balanced budget, federal jurisdictional issues like federal lands, the Commerce Clause, navigable waters, all those things have gone way beyond what our founders intended. And also, we're looking at potential term limits at the federal level.

And then lastly, Mayor, I'm watching the Urban Renewal Bill, I haven't seen it yet, but I understand it's the some of the concepts that are in it. I know your staff is aware of it and watching it as well. From my perspective, I think we've made some changes in urban renewal the last 6-8 years that we're not building police stations and things with it anymore. It's focused on specific infrastructure. So, it seems like a valuable tool that's generally being used appropriately. So, I'm kind of in the camp of it's not really broken. Do we need to fix it? And so, I'm just suggesting you stay on top of it. I believe your staff is on top of it and we'll see where that goes. So those are some of the things I'm working on Mayor, Council Members. I'd be happy to hear any comments or questions that you may have.

Mayor Stear Questions for Senator Lakey?

Council President Bruce No, Sir. Thank you.

Mayor Stear I just appreciate, I don't know anybody that works harder for the State of Idaho and the people than you do. You always have an ear and You're always willing to listen and make changes when needed. As we all know, a lot of times, legislation has good intent, but then there's pieces in there that make it problematic and you're the one that really listens and helps to fix those things before legislation passes. And I just appreciate that about you and thank you for what you do.

Senator Todd Lakey, Idaho District 23 Thank you, Mayor, and thank you all for serving. I'm very fortunate to have Kuna in my district and I appreciate your service. So, thank you.

Council President Bruce Thank you. Thank you for the update.

Mayor Stear Thank you.

City Clerk Nathan Stanley Mayor.

Mayor Stear Yes?

City Clerk Nathan Stanley Can I request a quick recess? We're having problems with the YouTube channel and the video and audio.

Mayor Stear Sure.

City Clerk Nathan Stanley I just need to make a quick phone call.

Mayor Stear So, we'll take a quick recess while we get that fixed.

[Recess at 6:08PM]

[Change In Audio Recording]

[End Recess at 6:13PM]

Mayor Stear If you'll just state your name and address for the record, please.

Beverly Wolf Okay. Beverly Wolf, 3420 W Commemoration Ave. Thank you for letting me speak. I appreciate that you always allow me to and today it's on well, we're going to hear another developer tonight. So, population: the population of Kuna was about 6,500 back in 2000. Right now, it's over. It's so over 31, it's almost 32,000. So, you've grown almost four times in 24 years. So, my question is, have all your services grown four times in 24 years? I know the schools haven't. I think there's deficits in your, I know you try, you've got a new Police Department, that's wonderful. I know. You know, you need to expand your fire department. But the fact that some of the developers that come forward can ride the cusp between Kuna and Meridian and oh well, it's we can get Meridian to cover this, and Kuna will cover that and. I don't understand how that works. You know, I mean that doesn't support the people. The other part that people have lost in this 24 years is some of their tax incentives. Property taxes used to be gauged on 50% of the value of your home. Now the only tax credit basis you have is \$100,000. It used to track with half the value, so if you were a 200,000 and your house went to 400,000, you're only paying them two. Now, it's you're going to pay on three. So, I don't understand how that helps the homeowners who now have to pay taxes on everything they get levied against, for schools, for roads, for. And you'll, you know, thing the city needs. You have to raise taxes every year. You've done it every year, right? In 24 years, I'm guessing. I don't know how much I can go back and do the history on it, but at what point does it start to overburden taxpayers? At what point can you stop? Just stop a little while and reevaluate what don't we have? What do we still need? Where should the impact fees be going that the builders say they want to give? Oh, but they can only give here, they can only give there. Consider stopping, just for a little bit.

Council President Bruce Thank you, Miss Wolf.

Mayor Stear Okay, I didn't have anybody else signed up for public testimony. Was there anybody who wished to that didn't get a chance to sign in? Okay. Thank you.

Council President Bruce Mr. Mayor.

Mayor Stear Yes?

Council President Bruce They said they were having trouble hearing us. Is there a way to turn up the volume in the back or do we just need to speak louder?

City Clerk Nathan Stanley Speak into the mic more.

Council President Bruce Okay.

6. External Reports

7. Public Hearings:

Public Hearing Process: Items begin with the presentation of the project by staff for up to 15 minutes. The applicant is then allowed 10 minutes to present their project. Members of the public are allowed up to 3 minutes each, to address City Council with testimony restricted to the matter at hand. After all public testimony, the applicant is allowed 5 minutes for rebuttal.

City Council members may ask questions throughout the public hearing process.

Once the public hearing is closed, no further testimony or comments are heard.

City Council may move to continue the application to a future meeting or approve or deny the application.

(Timestamp 00:03:03)

- A. Case No. 23-03-AN (Annexation) for 5610 S Ten Mile Road. Applicant requests to annex 10 acres located at 5610 S Ten Mile Road (APN: S1235325410) into Kuna City Limits with a C-2 (Area Commercial) zone; Section 35, Township 2 North, Range 1 West. Jessica Hall, Associate Planner ACTION ITEM

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Mayor Stear Alright, that takes us to public hearings. First item is case 23-03-AN for 5610 S. Ten Mile, Jessica.

Associate Planner Jessica Hall Good evening, Mayor, and Council, for the record, Associate Planner Jessica Hall, 751 W 4th St. Kuna. Tonight, applicant request approval to annex 10 acres located at 5610 S. Ten Mile Rd. into Kuna city limits with the C-2 area commercial zone. On November 28th, the Commission provided approval of a Special Use Permit and Design Review for development of an interior exterior self-storage facility with associated parking lot and landscaping, as well as a recommendation of approval to Council to approve the annexation. The Comprehensive Plan, Future Land Use Map designates the site as well as the parcels to the north and south as mixed-use as Ten Mile Rd. is the city's secondary major entryway corridor and commercial corridor staff finds the requested zoning appropriate as it is along the Ten Mile frontage and will provide a transition to the medium density residential designations to the northeast, east and southeast, which would thus meet the intent of mixed-use. Staff notes that though ACHD did not require additional paving north of centerline as part of their development of the site, the applicant has volunteered to provide additional pavement totaling 28 feet wide from Ten Mile to the east ingress-egress point, or approximately 266 feet as well as additional traffic signage on west Ballard to assist in ensuring neighbors of the project and not overly affected by future users of the site. Staff would like to point out that tonight is for the category

'A' annexation only, but wanted to provide some history for you. Upon review, staff finds this request compliant with Kuna City Code Title 5, the Comprehensive Plan, Future Land Use Map, Idaho Code 50-222 and 67-65. With that, I can answer any questions you have.

Mayor Stear Okay, questions for Jessica?

Council Member Laraway Clarification, the whole 10 acres is going to be established for a storage unit?

Associate Planner Jessica Hall Yes, multiple types of storage, yes.

Council Member Laraway Will anybody be there living there?

Associate Planner Jessica Hall No, there will not.

Council Member Laraway So, there would not be a toilet hookup or, just water?

Associate Planner Jessica Hall It would be water in a restroom for the office.

Council Member Laraway Okay, thank you.

Mayor Stear Okay, anything further? Did we have an applicant?

Associate Planner Jessica Hall We do.

Mayor Stear If you would just state your name and address if the lights green there. If not, push the base and...

Ben Semple Thank you, Mr. Mayor. Ben Semple with Rodney Evans and Partners, 1450 W. Bannock St. Boise, ID. I'm here representing the property owner and developer of this project. I appreciate the time tonight. I appreciate Jessica's report. We're in agreement with all the conditions of approval from planning and zoning, as well as the findings of fact and everything contained within the staff report. Tonight, I will clarify. There's an office there. There's an onsite manager of the facility. There is an existing septic system that we've talked with, public works that they're allowing to be used for that restroom facility. Sewer is well over 300 feet away from here when it comes by, there is a requirement that this would hook into that municipal sewer. We are extending a 12-inch water main down Ballard Lane from the intersection of Ballard and Ten Mile to the east property boundary of this project.

So, it will facilitate future extensions in the future and provide full Fire Protection and water service to this project, as well. Planning on fully landscaping this. It will be a kind of a mix of uses, some interior conditioned storage units, some exterior kind of roll up door like your traditional self-storage and then some outdoor storage. And we're going to do site obscured fencing adjacent to residential and then a lot of the buildings themselves actually act as a barrier to those residences. To the north and northeast of this are the most affected neighbors, we have multiple meetings with them as well as had some conversations during P&Z and afterwards where we committed to expanding the pavement. That road has been paved by ACHD with some kind of leftover recycled asphalt and it's going to degrading pretty fast, so. The developer didn't want to impact the residents on that. What was a private lane until I think about two years ago.

With traffic from this project degrading that roadway even further, so feel good about that. And we're also working with the neighbor directly to the north to make sure that we get some solid fencing installed on their property to help block the potential for headlights to intrude into their home and onto their property. So, with that, I'd stand for any additional questions that you may have.

Mayor Stear Okay, questions?

Council Member Biggs I have a question so just want to make sure because I was reading one of the requests from one of the neighbors so that this is everything you're addressing the lights on the horse pasture, the privacy fence panels that they that they had basically requested. So those have all been worked out with them.

Ben Semple Mr. Mayor, Council Member Biggs. Yeah, we've committed to that with them. The final details of what that looks like haven't been fully worked out. But yeah, I mean, between the fencing and landscaping and signage we feel very comfortable, and we'll continue that effort to work with them.

Council Member Biggs Thank you, sir.

Mayor Stear Okay, anything further? Alright, thank you.

Ben Semple Thank you.

Mayor Stear I only have one person to sign up in favor to not testify. Was there anybody who wished to testify in this matter that didn't get a chance to sign in? Okay. Alright, is there any additional information you'd like to give or we're good to go here? Okay. Question is rightfully before Council.

Council President Bruce Anybody else have any other questions before we close?

Council President Bruce I'll make a motion that we close the evidence presentation and move to deliberation.

Council Member Biggs Second.

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

All Council Members Aye.

Mayor Stear That motion carries.

(Timestamp 00:09:32)

Motion to: Close Evidence Presentation and Proceed to Deliberation

Motion By: Council President Bruce

Seconded By: Council Member Biggs

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Council President Bruce You can start anything.

Council Member Biggs C-2 designation commercial and it seems like they've addressed all the issues that the neighbors had. Seems like a pretty good deal.

Council Member Bruce Is there? I do have a question, back up. I just want to make sure that the stuff that they addressed with the neighbors is somehow in writing, so we don't miss some of that is that.

[Unintelligible Background Conversation]

Mayor Stear You can ask Jessica if you need to know about an agreement or something.

Council Member Bruce I just wanted to make sure there's something in writing with what the surrounding people that would be impacted that.

Associate Planner Jessica Hall So, it is recorded in the Minutes from the actual meeting as the original case was tabled to work out some additional ADHD information. So, we have it on the record. They've actively and those individuals were able to testify on record that yes, they have been in communication with the developer.

Council President Bruce Thank you.

Mayor Stear Okay, anything further?

Council Member Laraway Personally, I think it's a great idea. I mean, it's a commercial property. It's not going to take any EDU's. They're taking care of the water. It's going to be self-sustaining. I like it.

Council President Bruce You have anything?

Council Member McPherson You know at first, I was like, I'm not sure that's a good spot, but then you look at Meridian. There's storage units on Ten Mile just north of there by their sewer treatment plant. There's ones right off, Eagle Rd. major, you know, major roadways, it's a great place for it, you know.

Council President Bruce And we have the one down Ten Mile by Deer Flat.

Council Member McPherson Probably well served for that area, so.

Council President Bruce Okay, I make a motion that we approve Case #23-03-AN.

Council Member Biggs Second.

Mayor Stear Motion is made and seconded for approval. Is there any further discussion? All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? And that motion carries.

Council President Bruce Thank you, Jessica.

(Timestamp 00:11:56)

Motion to: Approve Case #23-03-AN

Motion By: Council President Bruce

Seconded By: Council Member Biggs

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

- B.** Case Nos. 22-07-ZC, 22-05-PUD, 22-05-S, and to grant an Appeal to Case Nos. 22-08-SUP and 22-34-DR, Gallica Heights Subdivision. Applicant requests PUD approval for approx. 132.26 acres and to Rezone the site from A to R-6, R-12 & C-1 zones. Applicant requests Preliminary Plat approval to subdivide the lands into 702 total lots (615 residential, 86 common & four (4) commercial). The applicant also Appeals the Commissions' decision on the Special Use Permit and Design Review for the common lots. The subject site is located at the SEC of Columbia and Black Cat Roads, in Section 10, Township 2 North, Range 1 West, (APN's S1310223100, S1310233700, and S1310233610). Troy Behunin, Senior Planner ACTION ITEM

(Timestamp 00:12:14)

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Mayor Stear Item B is Case #'s 22-07-ZC, 22-05-PUD and 22-05-S, and to grant an appeal, the Case # 22-08-SUP and 22-34-DR, Troy.

Senior Planner Troy Behunin I'll be right back.

Mayor Stear And Troy, we'll be right back.

Council Member McPherson And that's that.

Mayor Stear Well, this is a public hearing also. Is there anybody who wanted to testify in this matter that didn't get a chance to sign in?

[Unintelligible Background Conversation]

Mayor Stear Troy, before you begin, was going to let City Attorney go ahead and speak for a minute.

City Attorney Marc Bybee Marc Bybee, City Attorney. So, I just wanted to offer some comment before we got started here. I and Troy met with the applicant on this about procedurally how this will go because this is the applications tonight are a little unique in that three of them are before you for just a decision on the application where two of the applications are actually for an appeal and you're either reversing or affirming what the P&Z did. And that's because on specifically the special use permit and the design review, Planning and Zoning actually have decision making authority on those applications, and they made the decision to deny and so, that had those decisions have been appealed, whereas the other three applications are just before you, I believe those recommended denials, but they're before you as your decision. It's a recommendation to you from P&Z and so this will impact the Council's motions. Ultimately, when you make a motion, I'd recommend those two that are appeals being treated as a different motion because you're affirming or reversing, not approving or denying. It's a different action that you'd be taking. And so, keep that in mind if you need help when you get to that, I'm happy to offer that assistance and also to the extent you're concerned about how you can consider information, I think the information received can be considered for all applications. It's not like you need to treat the appeal ones differently for the facts that you consider, you can consider all the information you receive in regards to each application and appeal. That's before tonight.

Mayor Stear Okay.

Council Member Biggs I have a question, Marc. So, is there precedent for this event? This is the first time I've seen an appeal that has gone past Planning and Zoning. I'm concerned about Planning and Zoning. If you're just going to go to the City Council, then what's the Planning and Zoning there for? So, I'm just curious, essentially, if you know why wouldn't this be appealed back to them to work out with the Planning and Zoning Commission?

City Attorney Marc Bybee Again, Marc. Thank you, Councilman Biggs. Marc Bybee, City Attorney. So, you can't... It would be improper for something to would be appealed to the entity that made the decision. It's basically asking them to change their own minds, is kind of the issue. And so, when you have an appeal that goes to a different body, if you compare it to court, if the District Court in Idaho makes a decision. It's appealed to the Supreme Court. Some of those go to the Court of Appeals, but go to a different decision-making body and so, the way your code is structured, in particular on these two applications types. It's unique in that Special Use Permits can be decided by P&Z. Design Review can be decided by P&Z, but appellant rights exist to appeal to City Council. Your code prescribes it. So, this is the process. They're using as prescribed in code. It's not like something we made-up. I just think you may have not had a denial or recently. So, you haven't seen one of these come forward because it's an applicant's not

going to deny, or appeal an approval. So, you only get the denials that show up. And so, I don't think... P&Z must not have been denied one of these in the recent past is why it's new to you.

Council Member Biggs Thank you.

Mayor Stear Alright, Troy, you may have the floor, Sir.

Senior Planner Troy Behunin Thank you very much, Mr. Mayor. For the record. Good evening, by the way, members of the Council, Mr. Mayor. For the record, Troy Behunin Senior Planner 751 W. 4th St. here in Kuna, Planning and Zoning Department. The applications before you this evening and the appeal is from a request from the applicant for a Rezone, PUD, and Preliminary Plat approval, and an appeal to the Commissioners decision for the Special Use Permit and the Design Review. The applicant is seeking a rezone for approximately 132 acres that are already in the city limits using the R-6, R-12, and the C-1 zones for specific parts of the project. The applicant is also requesting planned unit development, which is also called PUD approval for the same project. The applicant is also requesting the... a preliminary plat in order to divide the same land into approximately 615 total residential units, not to exceed 615 units. Of that 615, 86 common lots, 1 commercial lot, and the rest will be residential lots. The applicant also seeks an appeal of the Commission's decision on the Special Use Permit and the Design Review from the Commission meeting, which was first held on August 22nd of last year. It was then continued until September 12th and then they rendered a decision in October. Public Works does state in their exhibit, which is 2.28, that they can support the Gallica Heights subdivision development with the conditions that are listed within the Engineer's memo. The Planning and Zoning department staff does agree with the conditions listed in his memo. There is a basic development agreement which is also attached to the staff memo. It is listed as exhibit 2.57. It does cover the development limits for zones, for densities and for other specific items. For the project as a whole. Staff has reviewed the proposed Rezone the preliminary... The planned unit development, the Preliminary Plat, the Special Use Permit and also the Design Review for compliance with Kuna City code, Idaho State statutes, and the Kuna Comprehensive Plan. And should the Council approve the applications and grant the appeal of the applicant for the Special Use Permit and the Design Review, Staff recommends to Council that the applicant be subject to the proposed recommended conditions as outlined in Staff memo. For the record, the meeting minutes, which are listed as exhibit 1.3 in Staff's memo, the link somehow had an issue and they were not visible. Staff found this out just yesterday. The minutes for the meeting have been available for the public to view on the City's website. However, the link in the staff report failed to convert over to staff's memo. Just wanted that out there for the record. The applicant is present tonight. They do have a presentation which will be on the big screen. It is also linked on page three of Staff's memo and that is Exhibit 2.54. I will be here for any questions that you do have and with that I'll stop talking.

[Laughter]

Mayor Stear You'll sit for question, right?

Senior Planner Troy Behunin I'll sit for questions.

Mayor Stear Any questions for Troy?

Council President Bruce Not at this time.

Mayor Stear Alright, thank you. Alright, if the applicant would like to state your name and address for the record, please.

Elizabeth Koeckeritz Thank you Mayor, City Council Members. My name is Elizabeth Koeckeritz. I am Land Use Council with Givens Pursley, 601 Bannock Boise, Idaho on behalf of the applicant. I'm here with members of the development team, including Tim Eck who is the... one of the owners of the property and David Crawford, who's been the engineer on this project.

I want to say, first of all, a huge thank you to the planning staff. This has been going on for several years. There has been so much discussion back and forth on mixed-use in this area because that's what the FLUM designates this area. What would be appropriate here? What wouldn't be appropriate here? How can we make this work? How can we work with the neighbors? How can we really get to a development that is going to really check all the different boxes? And I think, as I'm going to explain in a minute, and I think we finally have landed there. And just a little bit of background, the property was annexed into the city limits of Kuna about 15 years ago, possibly longer than that, but it was annexed and a big portion of it, about 40% of it, was annexed as part of the Local Improvement District, where then the lien was placed on the property to pay for the wastewater treatment facility.

As part of the whole annexation and the LID formation, it was intended and accepted, and at the time understood that the property would eventually come forward for development, and in this case, it's actually taken longer than was originally anticipated back in 2008, 2009 when all of this originally happened. So, just to cut to the punchline, we had the meeting before the Planning and Zoning Commission. There was some miscommunication between what the Commission was saying, what we thought we had heard on coming back with a proposed, some proposed changes to the plan. But because then, when we came forward, we were ready at our second meeting to present some of those changes. But, at that point in time they just went forward and recommended a straight-out denial.

We've looked at the project some more. They've gone back through, they've looked at some numbers and with just losing a few lots, that does not change the overall traffic flow. It doesn't change, really. It really doesn't have any significant impact on the development, how the cars are, the impact on the schools. That sort of thing. But we can reach an R-8 zoning designate... net density for the townhome areas. So, I'm just going to cut through all of this because I know our time is really short here. Right here. So, in this area, which is the one of the big areas that was primarily at discussion in front of the Planning and Zoning Commission, the area in purple, we can have all of those with only with just rearranging a few lots, making those lots bigger. Those lots in purple are now all R-6 dimensioned lots. The neighbors across the street came out in force and I'm sure they're here again today and said, "We don't want R-12 here; this doesn't work for us; we want bigger lots along here" and so the developers been able to make these all much bigger lots and then interior are still some townhome lots. And those also when you look at the overall area that has been proposed, previously as R-12 and still meets it meets the R-12 zoning

designation, but it also the net density over the entire area now meets 8 units per acre exactly, net.

And so, with a waiver, one of the issues with the R-12 is that townhome lots, it's hard to make them work based on their lot size, because the lot has to be big enough that you really can't make the lots touch. So, it really makes it hard to do 0 lot line. And so, with a waiver of dimensional standards here, this can all be designated an R-8, and that sort of waiver comes through the Public Works Director, I believe is in your code. But in any event, I just wanted to cut through everything and explain that the development team really took Planning and Zoning Commission's comments to heart, really listened to the neighborhood, and really made a big effort to make all of these lots bigger. So, the majority of this development is R-6 sized lots with this portion of townhomes in the middle.

So, now backing up to the regularly scheduled presentation. The most used recent Future Land Use Map was adopted by the city in 2022. That was... occurred after this project had already applied and the FLUM that was in effect at the time of the application submittal is all... designates the entire property Mixed-Use. In 2022 that became an area of Mixed-Use along on the hard corner and along Black Cat and then Medium Density Residential. In either development scenario, under either FLUM, this development meets those requirements. A Mixed-Use land designation requires at least two product types. We provide three that fit exactly within the parameters of a Mixed-Use residential community. We have a mix of commercial, attached single family residential on the town home lots, and detached single family residential on the remainder of the site that meets that R-6 dimensional requirements.

This development, there's a lot of words on here, but this development was envisioned to closely track 'Envision Kuna,' the Kuna comprehensive plan. It meets a variety of goals. I'll just call out a couple. It proposes a mixture of housing types, that I just mentioned, and there is an absolute need in Kuna for diverse housing types. It... one of the objectives encourages development of housing for all citizens and encourages development of housing that meets demand for all economic segments and so in looking at the Comp Plan and the mixed-use land designation, the development really focused on meeting this and that's where these townhomes come from, is that there needs to be in this area that is designated Mixed-Use. There needs to be multiple types of housing developments, multiple types of uses going on here.

The developers also, there's going to be a pathway along the Ridenbaugh Canal that will allow the residents of this to directly access the commercial area, but then also get down and be able to, as it this whole area continues to develop, be able to eventually reach downtown Kuna and I'll talk about the roads here in just a minute.

Another reason why this is an important development and why the townhome component, the attached single family dwelling component is important is that recently Kuna, Morgan can speak to this more, has lost out on some jobs because it's just there hasn't been housing the more affordable housing, the smaller size housing within that close location, close to Kuna. Again, there are multiple subdivisions all surrounding this that have been have had Preliminary Plat approved that are currently under construction that are in all phases of development. Importantly

the Sabino's Rocky Ridge to the south has almost identical densities and in fact the density of what is now the Gallica R-8, Sabino's used a waiver provision to go over the max density and we are actually coming in right at 8 units per acre there. So, it actually is in many respects less dense than what Sabino's Rocky Ridge is.

So, the proposed zoning is right here. There's the commercial on the hard corner. The reason for this location of the commercial is to make sure that... is this canal goes along here and it forms this natural buffer. And so, it's approximately 6 acres, 6.3 acres. And there's going to be 4 commercial lots on here. As we've discussed, this area about 23.5 acres, it nets out with the proposal to 8 units per net acre and then over here we have what's continued to be proposed as the R-6 area at the top these are much larger lots. They come in at approximately 4.25, 4.28 per net acre and part of that was important because there's homes here. There's three homes here on this in holding on a private lane and it was to make sure the largest lots are the ones that abut this in holding and then down here is just your more traditional R-6 neighborhood. Okay. So yeah, so the blue area, it includes both of the homes as we discussed and one of the things is the R-8 zoning that your code specifically says that it is intended for areas adjacent to light commercial areas and that is what this is, this is C-1, which is your neighborhood commercial zoning. And so, it really is an appropriate use here, where residents all along here will be able to walk along the path to access this.

And the last thing I want to mention is it's actually just back up here. Just one thing with the schools is there has been some recent school discussions and you can see here this large green open space here. It's approximately 4 acres and Mr. Eck Tom Eck has been in touch with Danielle, and I believe she'll be speaking tonight. The school is proposing some new agricultural learning labs and receiving property that they can use for purposes other than just necessarily a great big school site. The School District does not need a school site in this location. Mr. Eck has donated to in the past. He has two more pending that he intends to donate in the future. But here the School District and Mr. Eck we're really looking for a way to get along together to figure out a way to help support the School District here and we are now, and this just came very recently, yesterday, we are going to be proposing that there is a property line boundary here and that this area right along Columbia Rd. The school would like to obtain that to use it for learning lab purposes and other educational purposes. And what they have been talking about is really an emphasis on agriculture because there is the concern that Kuna is losing some of its agricultural roots. And so, this is just one way that the school can have this property and continue to do some of that ag learning on it and with that I would just, in closing, I would request approval of the zoning PUD and the subdivision applications and reversal of the Planning and Zoning decision related to design review and the SUP application. On the appeal the SUP no one it's in your code that you have to file an SUP application with the PUD, but it doesn't necessarily make, as we've discussed, necessarily, it's not entirely clear why, but with the planning and Zoning Commission's recommendation of denial of the PUD, they also then denied the Special Use Permit and as far as the design review goes, with the recommendation of denial, then they were also saying this really just goes to what your open space areas are that that would also be denied. But we believe that this, I mean, the FLUM designates the property Mixed-Use and Medium

Density Residential depending which version you look at and that is exactly what we are proposing here. And for those reasons we are requesting approval.

Mayor Stear Alright, thank you.

Elizabeth Koeckeritz I'll stand for questions.

Mayor Stear Questions for the applicant?

Council Member Biggs I have one, Sir.

Mayor Stear Yeah.

Council Member Biggs Nate can you go to page 175, real quick? I just want to make sure I understand the map right. So, are these sidewalks?

Elizabeth Koeckeritz Those are the roads to access them. They're private roads through there to access the back of the townhomes. And so, then the townhomes have that grassy area in front of the homes.

Council Member Biggs So, where is the parking?

Elizabeth Koeckeritz They all have a parking pad and a 2-car garage.

Council Member Biggs They all have a 2-car garage?

Elizabeth Koeckeritz Yep, they look like this. That doesn't show the garages. I don't know if I have the garages on here.

Kuna Planning and Zoning Director Doug Hanson Page. For the record, Doug Hanson Kuna Planning and Zoning. Page 188 of the overall packet shows the front and rear of the townhome product.

Elizabeth Koeckeritz There you go.

Council Member Biggs And that's a two-way street then in between? Okay, it just didn't look very right on the map. Thank you.

Mayor Stear Okay, further questions?

Council Member Laraway For the developer, those roads would be private, correct?

Elizabeth Koeckeritz I believe those roads were private. Yes, those roads are private.

Council Member Laraway So ACHD won't service any of that?

Elizabeth Koeckeritz No.

Council Member Laraway Okay.

Elizabeth Koeckeritz There is the HOA CCR's in the packet, somewhere, that addresses that.

Mayor Stear Okay.

Council President Bruce I have a question.

Mayor Stear Yeah, go ahead.

Council President Bruce So, with it being R-8, you won't need the zoning of R-12?

Elizabeth Koeckeritz We, in order to, so this is where, in order to, this is where there's all this is why it took so long to figure out. In order to hit the R-8 zoning, we have the density of the R-8 zoning, but the lot sizes for the townhomes the minimum lot size in the R-8 zoning is 3300 square feet, and most of our lot sizes, in order to have them connect, are all at around 2500 feet, 2500 square feet. And so, your code contains a provision where we can ask the Planning Director and Public Works to waive dimensional requirements, in which case we can have this all as an R-8 in a or, I mean and obviously you guys get to trump your Planning and Zoning Director, if you want to, which we'd ask you to do. We can make this all R-8 and we're happy to have all of this in a Development Agreement so that it's very clear and spelled out what's happening in each of these areas.

Council Member Laraway One more question.

Mayor Stear Yes, go ahead.

Council Member Laraway Troy, if I remember right, leaving my memory span sometimes. The last time this property was before us, it was for annexation, correct? Because...

Senior Planner Tory Behunin For the record, Troy Behunin. Commissioner... uh Commissioner? Sorry, going back to going back to then, Council Member Laraway the last time that an application for this property would have been probably in 2005-6 which would have been for annexation at the LID. This is the first time that development has been proposed in this form on this property.

Council Member Laraway I'm confused and forgive me if I go sideways here, but the last time I thought this property was before us, all the apartment complexes were on, around Ten Mile.

Senior Planner Troy Behunin You're thinking of another project, Council Member. I'm sorry. This this this application is the first time that development has ever been proposed on this property.

Mayor Stear And that's where a lot of those annexations came from was the formation of the LID.

Council President Bruce District, yeah.

Mayor Stear Wastewater treatment plant.

Council Member Biggs Ma'am, going back to the parking question again, I'm sorry, on the two ways in between them at the townhomes, is there enough room for guest parking as well as keeping the regular street traffic?

Mayor Stear Street parking?

Elizabeth Koeckeritz I would ant...at this... I believe that they are more properly sized for parking because there is a pad there. So, there's two in the garage and two on the parking pad. I think you probably could get a car; you could probably have parking on one side of the streets. Do we have a parking exhibit? Oh.

[Unintelligible Background Conversation]

Elizabeth Koeckeritz Here's a...

Council Member Biggs I know mine is when you have one on either side, it can get tight sometimes too.

Elizabeth Koeckeritz And Mayor, Council Member Biggs, here's a parking exhibit that shows the setbacks where you can see the road and then the parking apron, the building. Then they have the ability, and they likely will all then have sort of small front fenced-in areas so each homeowner can have their own private space that's really been looks on to the pathways between the developments, the green space ahead of them.

Council Member Biggs Okay, thank you.

Mayor Stear Okay, anything further?

Council President Bruce That's all I have for the moment.

Mayor Stear Okay.

Council Member Laraway I have some questions for Paul, Director of Public Works, if you will.

City Clerk Nathan Stanley Council Member Laraway, can you speak into the mic, please?

Council Member Laraway I just caught myself.

City Clerk Nathan Stanley Thank you.

Council Member Laraway We've had a meeting lately involving the sewage hookups and sewage allotments and everything involved with the sewer department. Is this really something we can sustain on our system? I mean, at our meeting, we talked about lack of personnel, lack of qualified people to run the equipment and I hate to put this on you for you going "Yeah, it's okay" when we have some catching up to do to make our system healthier. Are we adding to the problem?

Public Works Director and City Engineer Paul Stevens Paul Stevens, I remember my name this time, Mayor. Public Works Director and City Engineer. That's a pretty big question, John. There will be more density, more work, and it was going to take more resources to take care of this. Presumably as the city grows, we add people in proportion to that and so I don't see why it would be a problem in the long haul. In the short haul, it might be a little bit. We'd have some adjustments to do.

Council Member Laraway Because when you and I had this conversation. I voiced my opinion about if we don't have the qualified people and we don't have the equipment running like it's supposed to. You barely have enough to maintain what we have. Now we're adding another 600 and something homes on top of the other 6000 that are waiting. I'm concerned that we're going to be overburdening you and I don't want to put you in that position.

Mayor Stear We have been successful in new hires, as of recent.

Council Member Laraway With CDL's? Because that's what we were missing.

Public Works Director and City Engineer Paul Stevens We got one CDL, for sure, maybe two. That's something that we're going...

Council Member Laraway Maybe two?

Public Works Director and City Engineer Paul Stevens I can't remember what exactly their qualifications were and so I think we can staff up as we go. Clearly this is going to take some time for them to build and it's going to take even longer for them to fill up. I agree that it's going to put an additional burden on everything, it always does. So, that kind of put's it back on you guys. I think we can adjust to match it, but it will take some time to do that, obviously.

Council Member Laraway Okay, thank you.

Council President Bruce I have a question.

Mayor Stear Okay.

Council President Bruce For Mr. Paul. The letter that's in the packet said that, "Public Works can support approval of this application, contingent on the QLPE, but will not be able to issue a will serve letter until a regional lift station is constructed." Do we have any idea, any plan for that, or?

Public Works Director and City Engineer Paul Stevens Absolutely. They... Mr. Eck will have to build a regional lift station that's part of the sewer master plan to go up towards Black Cat in that general vicinity. And it's being planned for probably longer than I've been here, at least. So, that's part of our long-range plan is have a lift station out there that will be a regional lift station and then push back to the plant. There probably will also be some significant force main that he'll have to build.

Council President Bruce And that's all in the development agreement?

Public Works Director and City Engineer Paul Stevens I don't believe there's a development agreement yet, is there? It's in process.

Council President Bruce No, I'm asking you that's why is it in the development agreement?

Public Works Director and City Engineer Paul Stevens I haven't seen the development agreement.

Mayor Stear Marc.

City Attorney Marc Bybee Marc Bybee, City Attorney. That... those subjects are not covered in the current development agreement, I can say that I've reviewed and it wasn't in there, so if it needed to be, certainly we could be something we could address in the development agreement, but typically these types of things with infrastructure, they can be conditions of approval. I'm looking at Troy, I suspect they are because if they don't build this infrastructure, then there is not capacity to serve and so typically infrastructure improvements of this type are conditions of approval on like the plat application and I suspect that's where they are. I'm looking at you Troy, you can tell me if I got it right, but that's what I would and we're at anticipate they're located.

Mayor Stear And they can't get building permits without sewer connection.

Council President Bruce I get it.

Mayor Stear So they have to build that. It's not like we don't need to really make them do anything. They just don't get it without.

Council President Bruce Right, I think my problem is, is we continue it approve stuff and then it's stuck at issuing permits, right? So, they come in, tear up some of the ground and then they can't get permits for sewer, and you have these patches all over the community that are... have been started but not completed and you know, so that that's my question. That's why I was asking. So, I know they got to build it.

Mayor Stear They can't build their subdivision without it, so that forces them to have to do that. Because we don't do those projects for them.

Elizabeth Koeckeritz Mayor Stear, Council Member Bruce, the regional lift station was contingent. It's on the Sabino's Rocky Ridge property is my understanding there is a smaller lift station on this property, but this development is contingent on that lift station being complete. Also, the development agreement actually does incorporate them all. The entire findings of fact, conclusions of law and all the exhibits are attached as exhibit C to the development agreement, and so all of these requirements as you work through them that the staff report the Public Works report does ultimately get included through that, through the exhibit C.

Council President Bruce Thank you.

Mayor Stear Okay, anything further?

Council Member Laraway I guess a question for... I guess the Kuna School District isn't here. But, what... this 4 acres for agricultural schools? Oh hi, Danielle. I didn't see you there. We've come across these situations to where the developer donates X, but it really doesn't solve our school problem for land capacity, if you will, I realized you said the school was not necessary, according to the School District. So, what is that agricultural area? Is it just going to be a field? Is it going to be maintained by you, or?

Elizabeth Koeckeritz Mayor, Council Member Laraway it's anticipated that it would be a 2-acre parcel that will be used for some sort of agricultural purposes. I will let the School District... I was not involved in the discussions. That will be used for agricultural and educational related purposes. The 2 acres that are up on to Columbia, but I know that she can speak about that more.

Mayor Stear So, why don't you let me open the public hearing and people can testify, and then you can ask as they come up.

Council Member Laraway Okay, that works. I'm okay with that.

Mayor Stear Alright, thank you. Alright, this is a public hearing. First, I have signed up to testify, Jim Grove. If you would just state your name and address for the record. Oh, I'm sorry. What? Is it Diane?

Dana Grow Jim and Dana Grow.

Mayor Stear See, I knew I'd get it wrong if I tried, so, alright. Yes, you may have the floor.

Dayna Grow Hi, my name is Dayna Grow. I live at 7946 S. Saddlebag Way, Nampa, 83687. And if you can look on page 169 of the developer's packet. Our subdivision is Saddlebag... Saddle Ridge estates. We're 26 houses on one plus acres, per lot. We also have 26 common area acres and if you could see around Gallica Heights, all the low density one acre lot homes. It's... they're completely surrounded and with this proposal, it's like they're just dropping in 700 homes in this small area and one of our concerns is that it doesn't... It's not... It doesn't match or mirror the neighbors, and we understand that there is a need for Townhomes. But it shouldn't be out 5, 10 miles from city center. It should be closer to the city center, where people can get services. Not next to dairies and, you know, corn fields. So, what we would like to see is that the development mirror, what is already existing there, maybe acre lots or maybe half acres? And then as it goes down into the more high or medium density, then it increases. But to have townhomes on Black Cat, I think it's just it's missing the mark. And I think that's what P&Z had seen was that the density was just too high, and it just looks, doesn't... it just...there's no continuity with the neighboring lots and the commercial aspect of it, I just... we just, talking with my neighbors. You know, we don't need commercial businesses out there, that's one of the reasons we chose our home is to be out in the country and have that space. And I know that with my people that I know that are in real estate, there is a high demand for larger lots and I just wish some of these developers would consider that and bring in larger lots, larger homes, communities that look like they were planned instead of just, You have a nice big lot, and then there's the next door. Neighbors there's six houses on an acre. It's just I just think they need to be more mindful. Excuse me. That's all I have to say.

Mayor Stear Okay, thank you.

Council President Bruce Thank you.

Mayor Stear Renee Stewart. If you would just state your name and address for the record, please.

Renee Stewart Okay, Renee Stewart, 8475 S Black Cat in Nampa. And I guess my first thought is You can put lipstick on the pig and it's still a pig. We're talking about a shell game here. 12 those townhouses are R-12, and now the developer is saying, "Oh well, we can finagle and make it look like eight." Well, it's still townhouses that don't belong in the country. Some of the things that were addressed at the planning and zoning meeting, we thought at the end of the meeting

was going to be reviewed by the developer and maybe make some changes. Well, the changes I see like cutting out that little weed patch for the school district, all it does is it limits the amount of green space that the subdivision is going to have. It also is going to take away from this park setting that they had proposed before that had a swimming pool and activity center, what's that paddle ball courts those aren't even mentioned anymore, and if you look at the FLUM plan up there. There's no commercial. It's all medium density. 615 is just too many people on that area. The townhouses, I agree, are not compatible with the surrounding areas that originally are zoned agriculture and low density. So, I don't see any need to change that personally. A lower density project probably would get approved by the by the neighbors. I mean 615 lots people. That's 10% of the population of Kuna in 2020. That is a lot of people that could be in there. Traffic: ADH predicts 8142 additional vehicle trips daily with 676 per hour during peak time. ADH addresses some of the problems this is going to cause by doing roundabouts and lights, but they're talking 25 to 40 to 2025 through 2040. There's poor visibility if you drive Black Cat in Columbia, where you're talking about having the access points like Shayla and the one on Black Cat, there's just enough of a dip in the road; you cannot see cars coming, and they drive fast on those roads. And the Shayla they talked about this middle road that is supposed to solve all problems. It's not going to solve the problems because it's going to empty out on Columbia. So, it's just having a nice road making a problem. Last time in our P&Z meeting, the School District representative said they could not support the subdivision because they can't accommodate the influx of students. School boards, or bonds are failing. Patrons can't afford more taxes. You're going to tax people out of their homes. And quality of life. We moved to the area many years ago. Because we wanted to live in an agricultural setting. Why should a developer maximize profit by squeezing in houses? And I mean squeezing in houses into subdivision so they can have short term rentals, Vibo, and AR and Airbnb's and other rentals that profit people not from our area, from out of state and other areas. Shouldn't our quality-of-life matter too? Thank you for your time.

Council President Bruce Thank You.

Mayor Stear Thank you. Beverly Wolf.

Beverly Wolf Beverly Wolf, 3420 W Commemoration Ave. Meridian. P&Z said no for a reason. A lot of people showed up. One of the conversations and things that have been she mentioned about Black Cat being a not safe road is apparently, it's got a second nickname called Dead Cat. And that it's very unsafe not only for the farmers who are still moving equipment there, but for anybody who's currently there. So, let's add 7000 more homes. We're sitting here on their presentation. Are you actually giving the schools /\$3270 per house? And \$25 million to build a school. But when's that going to show up at the other end when we already have the traffic? No place to put the kids in school. I guess we can sit them in the field in the summer. But that's not really going to accomplish the problem that isn't getting addressed, you know, I mean, it's like the big elephant in the room. How much more can you do with what you don't have? I mean, if you want to build here someday, great, make it farmland until the city catches up, the city isn't ready for this. The taxpayers aren't ready. And, oh, by the way, how many times are you going to raise their HOA fees in a year? I moved into a community that was sold an HOA fee at 450, in

less than 12 months, it went up to 550. This year, it's 700. Our streets didn't get plowed, our people were stuck or on their own. So, what am I getting for the extra money and how far can the HOA's raise our fees without the city stepping in going "Hey, that's a little too high." "Hey, we can't get the tax dollars out of them for schools because they can't afford it." I mean, between HOA fees, tax school bonds, you know, you're going to be competing with anybody who's trying to get to retirement age. They're not going to be able to pay. What they can afford at the other end because they're going to be still saddled, say they get to pay off their mortgage, they're still going to be saddled with HOA fees and bonds because these bonds say 10 years, but they've got at least 35 on them when you collect the interest. Nobody talks about that. Let's just pay it off with some of the overhead. Let's slide. It's more that sales tax money over that used to pay for the schools and doesn't anymore. So, I'll read this one more time, maybe somebody will hear it. "Nothing in the United States Constitution's Fifth Amendment requires a government entity to promote the maximum development of a site at the expense of the public purse or to the detriment of the public interest. Taxpayers need not subsidize unwise development."

Council President Bruce Thank you, Miss Wolf.

Mayor Stear Alright, thank you. Danielle Horras.

Danielle Horras Good evening, Mayor, Council Members. Danielle Horras, Kuna School District Director of Strategic Partnerships, 711 E Porter. Well, I want to start by saying Beverly's right. Our population and our students, they're outpacing our buildings. They're outpacing our classrooms and our teachers. She's right. The big picture is we need to be able to effectively communicate to everyone in Kuna that we need to pass a bond to build more schools, and we need to do it fast. We need to figure that out. So, I want to put that on the shelf. A year and a half ago, our Kuna School Board created a policy which allows me to be here today, and this policy request is request fair partnership from developers. And feel free anybody here to go back to that or talk to me I'm happy to share with you the conversations around that. They were hearing from moms and dads and grandmas and grandpas, and everyone in the community that they want their kids to have great schools that they believe in that. But they didn't want to be the only ones paying for the cost of growth. What you're hearing from folks is exactly what we heard. That's just not fair. So, this new policy that was created allows me to work directly with developers to ask for donations voluntary mitigation, so that we can reduce the amount of the bond requests of Kuna residents, not to replace it to reduce it.

So just think if we get the land donated for a school site, that means we only have to bond for the cost of the structure of the school, which does provide a significant cost difference to our taxpayers. So, I want to tell you, the developer for Gallica Heights, is Mr. Eck as you've heard. He's actually the only developer that we can think of, and the only one that I've known, who voluntarily donated land to Kuna School District, even before our policy. Mr. Eck has...He's demonstrated this idea that good schools sell good houses and he's worked with us even before we were out there talking to folks. He's the one that in some ways inspired this, that if it's possible, why aren't we doing it for each one of the developers?

So, we do really hope for partnership like the one we have with Mr. Eck, and we hope other developers follow his lead and we hope that folks understand that it isn't that it's actually everybody's job to make sure that every student in Kuna has a place to learn. It's all of our jobs. They're not here, we're representing them, and we're building a Kuna for them. So, we're hoping that by asking for donations from developers, it will demonstrate to our patrons in Kuna that we're only asking for what we need, and that this will pass the much-needed bond the next time it goes around. So, we did get the majority of Kuna residents to agree it was over 50%, but Idaho has a super majority, so we failed to meet that threshold last time.

So, I stand for any questions about the land lab. I do want to let you know that this site, you know, we have a plan for how our schools will grow and where to place them that makes the most sense and this one didn't make sense for a land site. But Mr. Eck has donated 4 in the past. So, when we go to bond 4 sites have already been given by Mr. Eck. So, thank you for your time.

Mayor Stear Hey, did you want to ask a question?

Council Member Laraway Yeah, if you could explain what the agricultural sites going to be, is it going to be buildings or just fields?

Danielle Horras It is such a new idea. It literally came out last week. That's why when you heard Mr. Eck's representative talk about it, it's a concept right now. What we're realizing is that we have an award-winning Future Farmers of America Program, we have a lot of students who want to raise livestock. We have a lot of students who want to understand and study soil. And with our diminishing farmlands, we're losing out on spaces for students to do that and we want to be able to provide locations for all kids for that type of learning. And this site would be a good one for that. So as far as what it looks like, oh man, I haven't even talked about it to our Superintendent. I haven't brought it in front of our board. I need to talk to the faculty who overseas it, but it'll be a land lab. That's what we know at this point.

Council Member Laraway Thank you.

Danielle Horras Thank you, is that all the question?

Council Member Biggs Danielle.

Danielle Horras Yes?

Council Member Biggs What's the effect of capacity if the bond is not passed with this? The total amount of students of 600 and or 700 units about said about a thousand students.

Danielle Horras We're, you hear me? Come up here every time and you hear me tell the sad stories. I'm staring at the data right now. This development is Crimson Point. The capacity of Crimson Point is 506 students. Today we have 434 little ones sitting in that school. So, we are at 86% capacity and that's not counting the other developments that have been approved, right? So, we need a new school. This also funnels into Kuna Middle School, which is at 91% capacity. We have 810 for capacity, we have 739 and our High Schools are hurting. We're at 103% capacity for our high schools. So, I am standing up here telling you we need to build new schools and we

need partnership from all of us so that we can do that, and we need to do it quick for our kids.
Thank You.

Mayor Stear Thank you, anything further? Alright. Thank you very much. Andrew bills. Thank you, Sir. If you just state your name and address for the record, please.

Andrew Bills Mr. Mayor, Andrew bills, I live at 4277 W Balaji Lane. I am the last house in that little block that's being completely surrounded. It was purchased and built by my in-laws, and we built... We bought it from them about five years ago. I'm a fifth-generation Idahoan 4th, 5th. Our plan was to be there. My wife and I renovate, remodel, raise our kids in it, live in it. For a very long period of time this has been discouraging those plans. My biggest points and issues are from a broad scale of Kuna. As mentioned back in November in your own City Council, you got 6000 outstanding units to be built on. With, say, a rough of two occupants per unit, that's which is conservative in my opinion, that's 30% of your current population. That's out there to be built on right now. That feels aggressive to say the least. From a personal side, I strongly challenge you to table this for tonight and for a day or two between 7:00 and 7:30 in the morning. Come park in our lane and try to turn left out onto Columbia. Because it is already difficult because of the amount of people coming east from Nampa, which is exploding out on south Nampa right now. So, people are not going to the freeway on Garrity, they are taking Greenhurst to Columbia to Ten Mile to get to the freeway and it is a steady stream of people coming across Black Cat and coming from south on Black Cat on to Colombia. So, it's a constant stream of cars because they're either turning right onto Colombia from Black Cat or they're coming across from across. Black Cat from Colombia. So, trying to get my daughter to school has become a challenge, and that's what's already out there. And so, where we're going to be at you add 600 homes surrounding us. It's going to become even exponentially more problematic on a 2-way lane, that's 50 miles an hour.

The other piece of this is as much as she says that they like to work with the neighbors. We've waited for three years. We had one community meeting out there. I have tried to contact because there's a slice of our property that is in the field right now. Try to contact to see Hey, can we maybe work something out because I don't want to have to absorb all that farm ground and landscape all that, can't get anybody to respond. Hasn't been communications with us as far as future hookups. It's 424 yards from Columbia to my house. In order to do any kind of city hookup, if we end up getting annexed in the future, that's a tremendous cost for water and sewer for us to pull in so even some hookups for us in the future, use for us to be able to maybe sell the place in the future. That's my time.

Mayor Stear Thank you, Sir. And that is all I have signed up that wished to testify. Is there anybody else who wishes to?

[Unintelligible Background Conversation]

Cindy Gieson Good evening, Mayor, and Council Members. My name is Cindy Gieson. I'm at 1363 S Ash Ave. in Kuna, ID. And I was hoping I wouldn't have to talk tonight. So, but I just see some problems, especially addressing our children in the schools in this area. When I look in the packet, if you look at the links, you'll see that you got responses from West-Ada School and

they're from another development and they're from February 2022. So, I think we need to address that. The second thing is you heard Danielle speak saying that we really, if you listened, she said we did this agriculture or it's not really good for us, but the developer built gave us four more, so I'm tired of decisions about our schools being made on how much our Kuna School District can take from the developers with and totally ignore the needs of the neighbors and the whole development that's going around it. We've got to stop asking the wrong people first of all, because I'm sure this isn't West-Ada, okay.

So please don't be buffaloed. The COMPASS report shows that there's no benefit to this. If you look at it, you'll see a lot of round red spots with X's in it. They spoke about the traffic; we've denied many things on Ten Mile, or any made conditions because of the issue and you guys don't know when ACHD is going to increase that road. This isn't too far from there, and they'll find a way over. So, I think we need to take care of what's going on right now. You need to put a freeze on the whole Ten Mile and re-look at, you know, look over everything that's going on there with the schools, the traffic, get an answer from them, the sewer no more and no more eminent domains across somebody's property. There's a well on this property. I don't know how that's going to affect us either. So, there's so many questions and I think in the development agreement they have it's what was said of basic PUD. So that doesn't address anything that I could see that's any different than a normal one. And none of the issues and I think they were only given 3,30 EUDs or whatever you call units of capacity. So here we go again. You know, you have another property right next to it and six acres of commercial property? Give me a break. How much can you put on that? You know. So anyway, same problem, tiny different location and please you guys stop and figure this out. Thank you.

Mayor Stear Okay, thank you Tammy Huff. Sorry Sir, if I ignored you, I didn't mean to.

Tammie Hough Tammie Hough, 8397 S Old Farm Place, Meridian. So, a couple things as a mom with the schools. I, we drive our kids out of district to get to smaller classrooms. So, that is that is a big issue, and it really has to be addressed some way and I don't know how to address it because it's a lot of money that you're asking, you know, to magically appear in these schools to magically appear. But I can tell you I also help the food bank and the need is continuing to increase and increase and increase for people who are needing that service, which tells you, your community doesn't have the money to help with the need for the schools, so adding more to the problem is not going to fix anything and your kids are your future of this town. So, we really have to...we really have to figure that out. So, as far as traffic, I almost got mowed over by a semi-truck I was turning off of Columbia into my home and if you drive down Columbia you see this huge long stretch. I don't... I'm not good with feet and all that kind of stuff. But if you see this big, huge, long stretch of tire marks on the road, that was almost my rear end because he didn't stop. I had to. Thankfully, I was paying attention. I had to keep on trucking and pulled off so he could go on and keep, you know, not paying attention to what he was doing. But traffic it is it's hard to get around. And then as far as earlier when the guy was talking about changes and talking to the Community and changes made to the plan, if I remember right from the P&Z meeting, they didn't even want R-6. So, the fact that they've come back, and we move things around R-12 to, you know, townhomes and other places, that is not even what P&Z wanted they

didn't even want it. The neighborhood doesn't want townhomes, so I disagree with what she said there. And I agree with other people's comments about, you know, we really need to stop and assess with what we've already approved. How is that going to affect where we are at now? Because I think if we don't know what we've already agreed to, how is the water is going to affect, how are we going to fix the schools? How are we going to do traffic? We don't know. We can't foresee the future. We just... we're just adding to the problem I think by not kind of looking back and going Okay, I think we just need to slow down for a little bit, so. That's all.

Mayor Stear Alright. Thank you very much, Jerry Frederick.

Jerry Frederick I don't like talking in front of these things. Y'all can blame me for all this problem because Tim caught me at a weak moment. I should have kept the land, a bit easier. But that being the case I can appreciate what he's trying to do. Obviously, when I was living there originally, it was...figured that maybe one house per acre. Okay, I can live with two. But now I could even live with four but living with 12, it's going to kill us on that road. In fact, killing us on that road is gonna somebody's gonna get killed below the bridge on Indian Creek Bridge there because like the gal that was talking before, that's extremely dangerous. And those people don't know anything about slowing down. They'll come through there 90 mile an hour. I don't know what provisions they're making to redo that road either to make it a 3-lane, 4-lane, whatever it takes, but something's got to be done to give room for people to go ahead and idea if they want to, but there's no room for me to get out of my driveway. But, back to the number of houses in there. Obviously, I would prefer to have it down into the R-4 range. Obviously, it's not going to make any difference what I say because I'm just one person. Well, there's a few more that would like to have it down there also, but. I would like to have you consider making some differences there and figure out how you're going to deal with that road on Black Cat, going to be the same problem like Colombia. Like Andrew was saying there before, you can hardly get out of the roads now when you throw that many people in there, it's going to be a there just to even get through there. So, I don't know where ACHD is involved in your designs and all that kind of stuff, but that should be taken into consideration. From a personal point, I am concerned about the Greenbelt that they're talking about. Is that on the road right by the canal or is it below the road that the irrigation people use? Next one. On the Northside of the canal. Well, the well, the canal runs about south and north.

[Unintelligible Background Conversation]

Wherever that Greenbelt is, is that going to be fenced between the properties and the canal and the green belt going there or is the Greenbelt Going to be on the on this case on the West side.

Mayor Stear That that's going to get hard if you're going to have conversations back and forth. So, if you'll just speak to us, I'd appreciate that.

Jerry Frederick Okay, so anyway that concerned me as we're and how that green belt is going to go down through that line because eventually going to run into my property and I can see 160,000 people coming down that canal. So, I'd like to get that somehow addressed.

Mayor Stear Alright. Well, thank you for taking the blame for all of this.

[Laughter]

Mayor Stear Sam Johnson.

Sam Johnston Sam Johnston, 392 N. Black Cat Rd. When they have this before Planning and Zoning. They were doing Season Creek prior to that, and the mention was they were going to have a big park down here for Season Creek to be able to walk kids down the railroad tracks across the Render Creek to this big park that's absolutely not there now. And I mean, I've been... The whole thing has changed to where this doesn't look...I thought they were going to revamp this, and it doesn't look like much got revamped. It's... and then to put what was going to be a park, now is a school out on Columbia Rd. which will probably be a four lane road and I don't see any pathways for kids to get to this school from all these houses that are so close, and I agree with Jerry that I would like to see an R-2 setting here. I mean, we have other subdivisions in our neighborhoods that are selling bigger houses. I mean, they're selling. I don't understand why we're doing this little patch up kit, and I heard a little bit of rumor about that. I was late, so I didn't miss anything. But I'm one of the farmers that was on the LID and got hooked on it, and Tim bailed us out, sort of. I mean, to take the LID's out of our deal and use them somewhere. It was... the LID was set up for 3 parcels per acre. That's what that was for. And maybe another would you buy another EDU to make it 4 per acre. But I don't see 6 and 8 or 12 in that process. So, I don't know. I think we just. Let's make it a better community by making bigger places, bigger house. And by the way that'll help the school deal too, because it'll have less kids going to those schools without all these little starter homes with all these kids. And I know I got more time, but I'm done. Thank you.

Mayor Stear Mark.

Mark Fedor Mayor, Council. My name is Mark Fedor. I live with 8305 S. Old Farm Place.

City Clerk Nathan Stanley Sir, can you talk into the mic, please? Thank you.

Mark Fedor Sure. Some of the concerns I have again is traffic, right? We've got 6-7 hundred houses, maybe with two or three cars per unit, maybe more and then you look at the infrastructure, I know we talked about donations and different things too, but who bears the brunt of the infrastructure when that needs to be changed? Is it the homeowner? Is it the developer? I don't know, that's why I'm asking. And is that right to put that burden on the homeowner to pay for the infrastructure that the developer created? It just doesn't seem fair to me. So, that's my thought; and also, the townhouses in that area are out of place. They don't fit with the neighboring neighborhoods or the developments here that are there now. Thanks for hearing me.

Council President Bruce Thank you.

Mayor Stear Okay, thank you. Alright, now I think that's all I have. Was anybody else there that I missed? Alright, chance for rebuttal.

Elizabeth Koeckeritz How long do I have?

Nathan Stanley Sorry, you have 5 minutes.

Mayor Stear Could you speak into the mic please, Nathan? Sorry, had to get it.

Elizabeth Koeckeritz Elizabeth Koeckeritz still with Givens Pursley, 601 Bannock. Just to start, so for some clarification, there's not... there's no intention of 700 lots on this property that's never been proposed. What the developer is proposing today with the reduction is 610, in total. In looking at this, there's now been a lot of questions about traffic. All development brings traffic to the area and here the developer. The traffic improvements are really paid for by the developer. In addition to doing all of these tracking improvements that I'm just going to touch on, the developer also will pay all of ACHD's traffic impact fees as well as impact fees to the City of Kuna. So, there is a large expense coming out to be able to do this sort of development. Starting at the top actually just...it's hard to see the whole thing up. So, our development is down here with the yellow star. Starting at the top, at the corner of Black Cat and Victory Rd. Mr. Eck will be installing a three-by-three traffic signal at this location on or before the plat, the final plat, that includes the 101st residential lot. ACHD then has within their capital improvement plan two, these two roundabouts, planned at Black Cat and Amity and Black Cat and Lake Hazel. At the next corner, as we come down the road here at Black Cat and Columbia, Mr. Eck will be installing a three-by-three signal at the 364th. The plat that it contains, the 364th lot. At Ten Mile and Columbia, the improvements that ACHD is going to require are currently unknown, but Mr. Eck has to submit an updated traffic study when he gets to the 245th lot. Also, at the corner of Linder and Columbia, he will be installing a right-hand turn lane and then upon request from ITD me paying some sort of proportionate share out here as you hit the high right. ITD has not yet requested anything. All of these improvements, all involve significant expense and road widening. In addition, all of the frontages along Black Cat and Columbia, he's also going to be dedicating an additional 39 feet of right of way and widening those roads. So, they ultimately will be 3-lane roads. There is talk, ACHD's Master Street map plan has Columbia currently as a 3-lane road. There has been talk about increasing that to a 5-lane road, but for right now all they can request and all they do request is the 3-lane road that's currently on their approved master street map. So those are those improvements. In addition, the new north-south collector, Sheila is shown on the ACHD master street map. This will go all the way through with the other developments that have been approved. This really will help alleviate some traffic because it will then extend all the way from Columbia to Deer Flat Rd. It will keep cars off the arterial as the two developments to the south develop, and they're both under construction right now. The new east-west connector N. Wing Over way, which is on the southern boundary of the property is also shown on the ACHD street map when this road gets punched through to Black Cat Drive, eventually there will be a direct route to Silver Trails Elementary. Black Cat and Colombia are being widened, including the curb, gutter, and sidewalk. *There'll* be turn lanes on Columbia to Shayla and turn lanes on Columbia into the commercial portion of the development. In addition...Oh in addition. It has reviewed the site distance requirements where the new roads are proposed to intersect Black Cat and Columbia and has found them all satisfactory. They all meet within ACHD policy that they go out there, they measure how far you can see, and you can see in each direction. I believe it was over 1000 feet and you don't need that much.

So, those are that addresses some of the traffic issues. Going back, they will keep, they intend on. We've got amenities down here. Keeping the even with the overall property that that is going to

be donated to the school is for... is this total area is 4 acres, but 2 acres are going to be given to the school. They will still be able to keep the pool the activities. With the pickleball courts, the overall net density of the entire development is 5.83 net dwelling units per acre. So, the entire thing overall is medium density residential.

Finally, the townhomes are buffered from the neighbors with the R-6 to the side and one of the things that's been mentioned now a couple times, I would first ask, you talked to Morgan about the need for housing and the economic development that it brings that economic development is what really helps shift the property tax burden. A lot of it goes on to the commercial that can come in when there's housing to support it. And then finally...

City Clerk Nathan Stanley Ma'am, that's your time. If you can make your closing statements.

Elizabeth Koeckeritz The bonds are incredibly important. It is how the school districts in Idaho are funded. If you look at the school districts own website, in order to collect enough voluntary mitigation from a developed from the development community, you would need almost the same number of houses as there are current students in all of the Kuna School District. It's just not a feasible way to ultimately have it. It really does have to come. A bond has to be passed. This is how schools have been funded in the State of Idaho for time immemorial. This is just how it's done. For those reasons, we do request approval and with these application as we've amended it. I stand for questions.

Mayor Stear Alright, thank you. Alright, Council. Questions for...?

Council Member Laraway I do have one for Troy. On the school's 4 acres, how are they going to get there?

Council Member Bruce Microphone.

Council Member Laraway I'm sorry. On the school's 4 acres, got you Nate, how are they going to access that off the private road or they going to have to go through the subdivision to that roundabout?

Senior Planner Troy Behunin That's an excellent question. For the record, Troy Behunin, and Council Member Laraway, if you will, just...If we can pull this up on screen just a little bit more. You'll see that there's a lot of the mid-block green spaces, so there is plenty of ways for children, parents, or anybody else who wants to go from the South part of the project, which is 1/2 mile. Without going on Black Hat or on Shayla, you can do it internally and a large portion of that is in green space and that is shown on this exhibit right here. So, there are plenty of ways for people to get there on foot, by scooter, by bike.

Council Member Laraway I'm more concerned about the students that will be driving over there to get to it, to do the agriculture.

Senior Planner Troy Behunin They can use the roads.

Council Member Laraway The Columbia Road?

Senior Planner Troy Behunin The internal roads.

Council Member Laraway Well, that's what I'm saying, that they have to go through the subdivision to get to it. Well, I'm looking at this and it looks like it's you said it's a private road to that house.

Elizabeth Koeckeritz Mayor Stear, Council Member Laraway, if I may. The only private roads are the ones that go between the centers of the townhomes. The rest of these are all public ACHD roads. Valley View Lane going into the three in holding that is also a private road. How we would anticipate individuals getting here is that this is going to be a much smaller site is that they would just come in. Let's go find I've got a...Here we go. They would just come in and go to the site. There's sufficient parking there, it appears, for what the school would be needing. But these are all recent discussions and so that's something we would continue to work with them on. But there is space there as it's shown now for parking. So, people would just come in on Shayla, turn in and just go right there. They think that that would be sufficient.

Council Member Laraway I'm not a fan of that, but I understand. Question #2, that 4 acres, does that encompass the required open space for the subdivision?

Senior Planner Troy Behunin Is that a question for staff?

Council Member Laraway Yes.

Senior Planner Troy Behunin Yeah? Okay, I just want to make sure. Again, this is Troy Behunin. It states in code that school sites and school uses can be considered 100% open space because they are public spaces, so long as there's a donation and it sounds like that it is a donation, not a sale.

Council Member Laraway Okay, alright. Thank you.

Kuna Planning and Zoning Director Doug Hanson Excuse me, for the record, Doug Hanson Kuna Planning and Zoning. I just want to make one point of clarification. Right now, the only thing if this application were to be moving forward, we are looking at is that there would be 2 acres for that school use. As the applicant stated, this is relatively new, there will need to be another special use permit application and another design review application, at minimum, to address the site requirements that will be necessary for that to develop for whatever use it is. But that's something that will be worked out down the line. It's not before you this evening.

Council Member Laraway Is that decision yours?

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning, that would be up to the Planning and Zoning Commission. They would have to review those applications and depending on the type of use, it may also warrant a change of zone to pace... depending on the intensity of the uses. If it is used for agricultural things like that. But like I said, that's all still in flux that will need to be determined in the future. Right now, we're just looking at the fact that it would be 2 acres for school uses at this point in time, but future applications will be required.

Council Member Laraway Okay, I thought I heard it was 4 acres.

Elizabeth Koeckeritz Mayor, Council Member Laraway, the entire green space area is 4 acres, but we're proposing putting a line across here and so then there's two acres here, and then this two acres will include the amenities, including the pool, pickleball courts, community area, and then this will be for the school.

Council Member Laraway Alright, thank you.

Mayor Stear Okay.

Kuna Planning and Zoning Director Doug Hanson If I could throw for the record, Doug Hanson Kuna Planning and Zoning, and Troy can correct me if I'm wrong, but so the last time I looked at this preliminary plat, the change to the R-8 net density is relatively new. I don't know if that is something that has been reviewed by staff or is that or if that's a relatively new development. I personally haven't looked at anything that discussed dropping that zoning, what we looked at was it would be just over R-8 net density with R-12 dimensional standards and that was the original intent of the R-12 zone. And that's why that wasn't included as a part of the Development Agreement should any tweaks or changes need to be made to that, then we would need to continue this to a later date to assess those changes and if there's other lot lines that are going to be added to this development as a result of a school district site, that's other things that need to be taken into consideration. So, we make sure that this plat has been reviewed by both by the City Council and if it's something you deem major Planning and Zoning may need to look at it as well.

Council Member Biggs Yeah, I'm having a, I guess, Doug, I'm looking at the at the way it is now, it's going to need some significant because unless they're expecting people to park in the cul-de-sac, School kids, for one. And then also for the pool, the amenities and stuff like Crimson Point has a park, a little parking lot is a parking lot, but I'd assume something similar, some sort of similar design.

Kuna Planning and Zoning Director Doug Hanson And something like that, for instance, with Crimson Point, the Crimson Point Pool House actually had its own design review application where they designed the buildings, the pool, the landscaping, and a parking lot. So, that's something that would be addressed as well.

Council Member Biggs Thank you.

Council President Bruce I have a question.

Mayor Stear Yes.

Council President Bruce For the applicant, can you speak to slide 182? 181 to 182 because...

Elizabeth Koeckeritz Which are those?

Council President Bruce The voluntary mitigation fund and the...

Elizabeth Koeckeritz And those were some slides we're requested to submit our Staff report some time before we fully have. We're requested to submit this before we proceed. The staff report and so those slides do predate discussions with the school. However, they do go generally

to the infeasibility of the collection of the \$3200 per unit that, that actually isn't going to get a school district. It's not. It's just not going to get a school built. And that is taken from the school district's own website. From an, from a presentation on the school districts website.

Council President Bruce So that was the original stance not to partner. And then that was changed throughout the process, or?

Elizabeth Koeckeritz The original stance was we've been working back and forth significantly throughout this and the first stance was that this mitigation fee it just doesn't generally work, and it secondarily is that unlike impact fees and other fees like, there just aren't the same boxes around the funds and so it's not necessarily clear when it's being said that the money would be used for improving capacity that it's not actually going to be used for deferred maintenance and other school district issues. And so that's what those slides do go to. However, those are the ones like we, Mr. Eck and Danielle Horras and Miss Horras are in constant... are in communication a lot.

Council President Bruce I appreciate it. Thank you.

Mayor Stear Okay.

Council President Bruce Do you have any more questions, Mr. Greg?

Council Member McPherson I do not.

Council President Bruce Alright. Thank you. I make a motion that we close the evidence presentation and move to deliberation.

Council Member Laraway Second.

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

All Council Members Aye.

Mayor Stear Is there anyone opposed? Motion carries.

(Timestamp 01:40:01)

Motion to: Close Evidence Presentation and Proceed to Deliberation

Motion By: Council President Bruce

Seconded By: Council Member Laraway

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Mayor Stear And the question is directly before Council. Mayor Nelson used to say that all the time to say it, so I like it.

Council President Bruce Someone want to start. You want me to start?

Council Member Laraway Go for it.

Council Member Biggs Go right ahead.

Council President Bruce So, I have a couple of concerns with, obviously, the project. First, just the density around the area. Secondly, Black Cat, I know that we always have this discussion over Ten Mile, the traffic. The amount of people on it. What's ACHD's plan now we've moved to one more street over? Which, we still haven't come up with a good plan for Ten Mile of what we're going to do with all the development that we've approved there. And I know that that they have partnered with the School District, but that's still they're going to need a school. Right, I get that. But we're continuing to add on top of it, so maybe they need one school now as we continue to approve things that are going to need two or they're going to need three, right? So, it's more money they're going to have to ask to pass the bond which your... our taxpayers are already taxed out. The other thing is that I believe in strong private property rights, but where do his rights end and then the community's right not to be taxed out of their homes begin, right? Where's the line? I think for me on the location, the density, where the schools are at, what the community feels, it's a 'no' for me.

Council Member Biggs Mr. President, the other things I guess I want to talk a little more about Black Cat as I was reading the Capital Improvements Plan by ACHD, and I can appreciate all of the improvements that Mr. Eck is going to be completing. But a lot of these improvements aren't until some are set, some are at the earliest seven years from now, and the rest are at the earliest 12 years from now. Sometime between 2036 and 2040. That'll possibly alleviate some of the traffic issues. I drive Black Cat every day and I can definitely sympathize with the way some people feel about that intersection and that road in general. But I also agree with you about the density that R-12 right up against Black Cat, a 50 mile-per-hour road. If people are driving the speed limit, it makes me a little nervous.

I wanted to mention also that farming equipment regularly goes up and down Columbia and Black Cat at the point where they're usually 15 miles-an-hour on top of regular traffic, that could be an issue. And like Doug was mentioning earlier about, I would probably be hesitant. On, I guess on approving this without, I'd like to see this. I guess read is the actual design of what the school area in the amenities area is, because I think I'm on the same wavelength, as you Councilman Laraway about driving through neighborhoods for high school kids, possibly going to this ironically agricultural area when we're taking away all the agricultural land, it seems like throughout the city. So that's my piece.

[Laughter]

Mayor Stear I thought it was funny too.

Council Member Laraway Yeah, may I add my two cents. Mine was the density problem and that's so much density out and about that's away from Kuna. I don't. I could understand why ACHD is looking at that in 2000 and... 12 years from now, it's... No offense against ACHD, they do their best, and they're strapped with probably 5 cities that they have to please. But I don't believe ACHD can service this development. And I'm not going to use the word safely. I don't think they could provide a service. That this development is going to require to transfer people in and out of that area. What's the word I'm looking for?

Council Member McPherson Efficiently?

Council Member Laraway Prudently. I'm going to... that's the best wording.

Mayor Stear "Prudently" that a good word.

Council Member Laraway Anywhere. And the acreage they have set away from the School District, I would hate to be the Chief of Police and have all these traffic complaints from the students going through that subdivision to get to their agricultural area. That's just my two cents. I'm looking at the Future Land Use Map and we seem to use that word quite a bit, but it's not a Bible you should just see the current one that's low-density housing, medium-density housing, there's no R-12's in there. What we're trying to say. The developers trying to say "whoa, wait a minute, in 2019, this is when we planned that project. Now we're trying to do a zoning change." So, I don't know if you can have it both ways. And I'm still pretty... I'm trying not to put our sewage department in a stressful situation. I do not believe that we, and I understand the mayor saying, "well, we can't approve development until we have the site, the sewage available."

How about if we just don't approve it 'cause we don't have it now? We're stockpiling all these permits that you're going to be required to fill because you said you could. But I think that's stretching your department out. I do not believe the Sewage Department can service this big of a development, along with everything else that they have, with the employees that you have. I'm sticking up for you. You don't say a word. You'd get fired. Anyway. Just trying to protect you because you have the responsibility to service the other 27,000 people in this town and we just put keep putting more on you. That's my concern. I don't think ACHD could service you. The development, I don't think. In reality, I don't believe we should be putting this on your plate at the Sewage Department. I don't think the idea about running students that are late for class through a residential area. And I'll stick with those three. Thank you.

Mayor Stear Well, one issue we have always with ACHD, they do, do a good job. But they could get their impact fees at time of building permit. And so, it's always that the subdivision built out and then the roads way too busy and then we fix it and that's it's unfortunate that's just the way the system works, but you're absolutely right.

Council President Bruce Well, good news. There's 7000 permits to issue before we get to that one.

Council Member Laraway Well, it's not only that, but. And like I said, ACHD does the best they can with what they have, but they put these priority projects... We're going to do this in 2027. Something else comes up and they have every right to go "We're going to drop you down

to priority #4 because we have to move it over here to fix this problem.” They can back out of this agreement. On this I don't want to call it agreement. They can back out of this idea that we're going to take care of the subdivision roads within the next seven years.

Mayor Stear Priorities are always dependent on funding; so, right they can rotate.

Council Member Laraway Correct.

Mayor Stear Priority number 9 might make it up first.

Council Member Laraway Thank you.

Council Member McPherson Mr. Mayor, if I can.

Mayor Stear Yeah.

Council Member McPherson Okay, I'm not going to sing the same song at a different dance here because it's all sewage.

Council Member Laraway But, you do dance well.

Council Member McPherson It's traffic. Not really two left feet, maybe three. You know, the school's overcrowding. I would like and I don't like the townhomes in the middle of it jockeying the thing around to make it, you know, a net of eight overall it's just too much for that area, in my opinion. I'd like to see the development agreement first with the total workout of the school project in there. I've had talks with people that are more in the know on this Ag building that they want to do. I'm not sure how the neighbors and a couple of these areas are going to feel because what it is, is kids that live in the city that don't have anywhere for a 4-H Heffer or, you know, chickens or goats. Now they're going to have a little mini barnyard right here in their backyard, and they probably don't realize that. So, then we're going to be facing another problem down the road. What's the? I'm not super up to date on the city code for allotment of farm animals in the city and types of farm animals, but potentially from what I understand of them wanting to do this ag research building, it would far exceed what's allowable in our code. Because it's ag and it's under 5 acres or 10 acres or whatever that I think some more research needs to be done before that can proceed. Which could be done through a development agreement and our wonderful staff, because they're so good at that and we hear this later. That's my take on it, because there there's a lot to that aspect in that ag research building that they want to do that. Inside the city core, well, it's not core, but city limits, as this would be especially right up next to a neighborhood. Things might go afoul, and I don't mean just the manure, but you know chickens get out, goats get out. Somebody steer goes running down the road, eats somebody's rose bushes. I know they're not going to be happy. And who's going to get that call besides PD? To me, we just need to look at a lot more things on this before we would approve anything here that that's my two cents.

Council President Bruce Do you have a motion?

Council Member McPherson I didn't think of one, but I can start. Do you have one?

Council President Bruce It sounds like you want to.

Council Member Laraway I know what's coming here.

City Attorney Marc Bybee Marc Bybee, City Attorney, just going to try and provide a little procedural guidance because I'm hearing what Doug said, it sounded like If and, I think what we heard from the applicant too, there's things changing on the plat that the plat needs to be finalized. If you're going there out of approval the plat would need to be finalized. You need to have actual plat you know preliminary plat you're approving in the packet which I from what I've heard today I have doubts that it is. That the one that would be approved if approval is to happen. And so, if and also with what Greg, sorry, Council Member McPherson just said, it's another thing that if those things would be put in the DA if it would be modified, that would be another thing that would need to happen at another hearing. So, I mean, hearing things, whether it's approval or working on that. Reasons that this might need to be continued for that, and if denial, if those like if it's going to be a motion for denial. I think that motion could be made tonight because I don't, unless you are going to be persuaded, you know, if you accept, expect. Things that would change in the plot or things that Greg could discuss, these changes that might be made would persuade you away from a motion for denial and not be a reason not to make that tonight. And so, I just think. Are we looking for more from this applicant? Do we want to see these changes for, you know, before we make any kind of motion possibly continue if there's no reason to continue and it's going to be denial, and I think that motion would be tonight. I don't think... And I guess the short way to say this, I don't think there's a room right now for an approval motion tonight without addressing at least the things that Doug raised.

Mayor Stear Okay, thank you.

Council President Bruce And then how would you need that? If...which case number, would you need addressed first if we did approve it and move to have them updated or if we tabled it or if we denied it, which ones would you need?

City Attorney Marc Bybee If your...that was a compound question. I'll do my best here.

Council President Bruce *Gotta* earn your money.

City Attorney Marc Bybee If you're continuing this, I just think you continue all applications like that. It's just a simple motion. If you're going to start making approval and denial motions the way, you need to structure that so that the 2022-07-ZC which I believe is the zone, rezone, would be part of it or sorry, so, 2022-07-ZC, 2022-05-PUD and 2022-05-S I believe those could be all part of the same motion for approval or denial. Whereas the SUP, so that would be 2022-08-SUP and 2022-34-DR, those would be the ones that are the appeal ones that would need to be a motion to affirm or reverse the P&Z Commission and to clarify, the P&Z Commission denied, so a motion to affirm would be affirming a denial would be to maintain the denial, whereas reverse would be essentially granting an approval because you would be reversing the denial. Did that answer the question or...

Council President Bruce Yes.

City Attorney Marc Bybee Okay. Question or questions? Okay, thank you.

Council President Bruce Anything else, gentlemen?

Council Member McPherson Nothing from me, I've said my piece.

Council Member Laraway What'd you say?

Council Member McPherson *Huh?*

Mayor Stear I think everybody's done.

Council Member Bruce Okay. Did you want to see it updated? Did you want?

Council Member Biggs I mean ultimately, the R-12 is our is one of our big sticking points, I think on this one, but I can't wave a magic wand.

Council President Bruce I think we might be too far apart anyway from 12 to...

Council Member Laraway I'm not sure a continuation is going to my issues.

Council President Bruce I make a motion that we affirm a denial of case #22-08-SUP and 22-34-DR.

Mayor Stear Affirm or deny?

Council President Bruce Affirm a denial.

Mayor Stear Oh, affirm a denial.

Council Member Laraway Affirm and deny?

Council President Bruce Affirm a denial.

City Attorney Marc Bybee That's a good motion. He's saying, "affirm the denial." not in... I'm not...

Mayor Stear Affirm the decision of...

City Attorney Marc Bybee I said, "good motion," I'm not validating the content of the motion, just that He structured it right. So yes, affirm the denial makes sense.

Council Member Laraway I'll second.

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

All Council Members Aye.

Mayor Stear Any opposed? That motion carries.

(Timestamp 01:56:42)

Motion to: Affirm the Denial of Case #22-08-SUP and 22-34-DR.

Motion By: Council President Bruce

Seconded By: Council Member Biggs

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Council President Bruce And I make a motion that we deny Case # 22-07-ZC and 22-05-PUD and 22-05-S.

Council Member Laraway Second.

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

All Council Members Aye.

Mayor Stear Any opposed? And that motion carries.

(Timestamp 01:57:46)

Motion to: Deny Case # 22-07-ZC and 22-05-PUD and 22-05-S

Motion By: Council President Bruce

Seconded By: Council Member Laraway

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

8. Business Items:

(Timestamp 01:58:11)

- A. Consideration to approve Contingency Request for \$25,000 for an annual subscription for Placer.ai demographic and mapping software. Morgan Treasure, Economic Development Director ACTION ITEM

Mayor Stear Alright, Business Items. Consideration to approve contingency request for \$25,000...

City Attorney Marc Bybee I'm going to step up for staff. I think a bathroom break might be necessary.

[Recess at 8:12 PM]
[End Recess at 8:19PM]

Mayor Stear Alright. We'll go ahead and call this meeting back to order. Next item is consideration to approve a contingency request, Morgan Treasure.

Economic Development Director Morgan Treasure Good evening, Mayor, and Council. For the record, Morgan Treasure, Economic Development Director, City of Kuna. In the memo before you for this contingency request for \$25,000 for software called Placer.ai; it's for an annual subscription that's citywide. So, everyone in the city will have access to it and be able to generate reports. What the software does is utilizing anonymized scrubbed cell phone data allows us to collect much more accurate information on both the demographic information and the travel patterns of people that are traveling past any area or specific point and address in the City of Kuna. One of the challenges we run into when we're doing demographic information is because of our city limits, we've talked a lot about the LID tonight, that mass annexation with the LID and the way it shaped our city limits is so unique that a lot of times when I'm doing demographic polls, either for companies looking to locate in Kuna or for community projects, grant writing, that kind of thing, I'm not getting accurate information. It's pulling the legal residents of Kuna, not necessarily the people that utilize the services of the City of Kuna or people that would say they live in Kuna. So, with this software and the way we're able to utilize the technology, I'm able to get much more accurate data. So, especially considering a couple of the big projects we have coming up, particularly the Future Land Use Map Advisory Committee, that you guys have asked us to put together and go through. This seemed like the most cost efficient and the best way to allow staff to have direct access to this data, rather than going to outside consultants and paying to get information generated. Instead, we can just have this and use it in-house for anything that we need it for. There's 2 sample reports attached that show the city limits data and our area of impact data and just kind of a broad overview of what the software can do as far as vehicle trips, routes, they show where people are coming from or where they are going to. And then drilling in, we can get in on stuff as specific as, you know, ages, income levels and that kind of stuff through that aggregate and anonymized data. So, I'm happy to stand for any other questions. I would just ask that you approve the request for \$25,000 for this annual subscription. Oh, one more thing, going forward we would just include this in the economic development budget. We were just... got this cost proposal and sought to find this tool after the budgeting cycle. So, this would just become part of our normal city expenses moving forward.

Mayor Stear Okay, questions for Morgan?

Council President Bruce I have a question. You go ahead are we signing a contract, an annual contract with them or are we just is it just one year as we go or are we signing a three-year agreement, or?

Economic Development Director Morgan Treasure It's a year-by-year subscription model. So, if we use it for a year and decide, never mind this didn't do, we wouldn't have to re up for

additional years. I don't anticipate that being the case due to the robustness of the tool, but we aren't making any future obligations with this agreement.

Council President Bruce I think it's pretty nice to have. I mean just being able to track the people that come here.

Council Member McPherson And it's the 25 grand annually?

Economic Development Director Morgan Treasure Yes.

Council Member McPherson Okay.

Council President Bruce And that's citywide, so everyone can use it?

Council Member Biggs So I have a question, did you compare this, Morgan, with some of the other options? I'm a software guy, so like Maptitude the two was one of the biggest ones that I saw that's like 700 bucks a year compared, and it does everything supposed to. It claims it does everything that that Placer.AI does.

Economic Development Director Morgan Treasure So in the comparison, the difference with Placer really has to do with their customer service side. So, with Placer at a municipal subscription level at this. The price package and the package we put together; we get unlimited special report generation. It comes with a library of reports we can pull, but we can do individualized reporting and it we also have a 24-day turnaround on any custom geofencing. So, a way that we could see that. I could see that being utilized moving forward would be like on specific land use applications, we could geofence a... or a school zone or something like that, and with the other products, especially at their municipal contract level, you don't get that kind of individualization and a lot of those lower subscription rates do not have the unlimited report generation. You're limited, you know, at yeah, they're different, but you know, either like 10 a month or 25 a month or something like that, and where we're going for a citywide subscription, I think we need to be able to have, you know, depending on who's using it for what being able to pull whatever we need from it without having...running down our tokens is important.

Council Member Biggs So how was this accomplished in years gone by then? That's... because 25,000 that's a lot of money every year.

Economic Development Director Morgan Treasure In previous years, for the kind of things that we would be using it for, a lot of that would come through work that we would pay in our consulting. So, when we have our all the reports that come through those contracts. That come from like JB or some of our other public engagement. A lot of this reporting is wrapped up in that. So, we would be bringing a lot of that work back in-house.

Council Member Biggs So, you would foresee some of those other expenses going away then?

Economic Development Director Morgan Treasure Yes, part of as staff has grown, we have more people on staff that are comfortable with GIS and mapping. So, we don't... won't have the need to go out for consulting on that as much. We can do a lot of that prep work in house. Doug and I were even talking about, like, looking into the next few years, being able to do most of our

comprehensive plan update which will be required to do here shortly in-house and studying instead of having to go out for contract for that. And Jared help me out, what was the number we paid last time?

City Treasurer Jared Empey Jared Empey, City Treasurer. It was 200,000.

Economic Development Director Morgan Treasure Yeah, so that that's the kind of cost comparison on consulting rather of us having tools in-house versus farming it out.

Council Member Biggs And will this replace your GIS, the tool you currently use, Doug?

Kuna Planning and Zoning Director Doug Hanson For the record, Doug Hanson Kuna Planning and Zoning. This won't replace our GIS. This will have demographic information that we could never utilize or that doesn't exist with current RGIS, that's the software that we use and currently with one GIS manager and one GIS technician coming aboard for the first time on February 20th, we wouldn't really have the capability to employ some of these things with just our GIS department at this time.

Council Member Biggs Thanks.

Mayor Stear Okay, anything further?

Council President Bruce You have anything? Thank you, Morgan. I'm looking for the.

Council President Bruce You have anything? Thank you, Morgan. I'm looking for the...I'll make a motion that we approve the contingency request of 25,000 for the annual subscription of Placer.ai.

Council Member Biggs Second.

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

All Council Members Aye.

Mayor Stear Any opposed? And that motion carried.

(Timestamp 02:14:34)

Motion to: Approve Contingency Funds Request of \$25,000 for Placer.ai

Motion By: Council President Bruce

Seconded By: Council Member Biggs

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

B. Kuna High Centennial proclamation. Mayor Stear.

Mayor Stear Next, we have the Kuna High Centennial Proclamation. This is the Kuna High School's 100th graduating class coming up this year.

Council Member Biggs Congratulations, Mayor.

[Laughter]

Mayor Stear I'm gonna feel old because mine was actually the 53rd Class and we're hitting 100 now.

Council Member Bruce Oh wow. That's awesome, the second part anyway.

Mayor Stear Alright. Honoring Kuna High School on its Centennial, whereas Kuna High School has been an integral part of our community since its establishment on February 8th, 1924, dedicated to providing quality education and fostering the growth of countless students over the past century.

And whereas Kuna High School has consistently demonstrated excellence in academic achievement, extracurricular activities, and community engagement, shaping generations of leaders, scholars, and responsible citizens.

And whereas Kuna High School is celebrating a momentous milestone as it reaches its 100th year of serving secondary student and prepares to celebrate its 100th graduating class, symbolizing a century of commitment to education, character development and community service.

And whereas the dedication in Kuna High School educators, staff, and administrators has played a crucial role in nurturing the talents, aspirations and potential of each student contributing to the overall success of the institute.

And whereas the accomplishments of Kuna High School graduates have brought pride to our community, making positive impacts in various fields such as academia, business, arts, sciences, and community service.

Now, therefore, I Joe Stear, mayor of the city of Kuna, Idaho do hereby recognize and honor Kuna High School on its century long legacy of excellence and the 100th graduating class, the city of Kuna extends its heartfelt congratulations and encourages all City of Kuna Citizens to join in the celebration and to reflect on the school's significant contributions to the growth and prosperity of our community.

Mayor Stear That's very cool.

Council President Bruce That's awesome. 100 years

Council Member Laraway 100 years.

Council Member Biggs They're selling really neat plaques, too. It was made from the old gym bleachers from the old Kuna High School. My son, my son's one of the 100th class. And they're selling them over at, you know, high for \$20, I think, it's all engraved and everything.

Council President Bruce Oh, nice.

Council Member Laraway Well, I guess the reunion will be small.

[Laughter]

Mayor Stear And we did. We just lost my mother-in-law, here, last November. She was 102. And she graduated with Kuna High School class of 1939. So, there was someone older than me.

[Laughter]

Council Member Biggs That one is it 4th St. Is that where the school over there then?

Mayor Stear Yeah, right by the 4th St. gym, yes.

Council Member Biggs Wow.

C. Kuna Kindness proclamation. Mayor Stear.

Mayor Stear Next, we have the Mayor Stear's Kuna Kindness Challenge Week.

Whereas the City of Kuna recognizes the value of simple acts of kindness that are performed without prompting or reason, and how these acts can have a positive impact in Kuna.

And whereas the City of Kuna and Mayor Stear seek to cultivate a thoughtful, compassionate, and caring community by setting an example of understanding and acceptance for all through genuine acts of kindness.

And whereas Mayor Stear's Kuna Kindness Challenge is one week where acts of kindness can be performed by any person in the City of Kuna, regardless of age, origin, education, gender, beliefs, lifestyle, or abilities for the good of those around.

Whereas this week is intended to encourage all of us to practice acts of kindness in our homes and schools and business and communities.

Now, therefore, I Joe Stear, Mayor of the city of Kuna, do hereby proclaim February 11th through 17th, 2024 as Kuna Kindness Week and encourage all parents, students, community members, residents and visitors of Kuna, Idaho to show and practice kindness in the spirit of compassion and goodwill, because kindness matters in Kuna and beyond.

Mayor Stear And that's very true here. You know, we saw a lot of that here as the... when the snow flew, neighbors helping neighbors and friends helping friends and people just stepping up and really helping out. And, you know, people ask for help whether they're hungry or need clothing or whatever the case may be, and you always see a bunch of people that step up and

help with that. So, it's really an honor to live in the city of Kuna and to have that many kind people here. So, I appreciate everyone for that.

9. Ordinances:

(Timestamp 02:20:25)

A. Consideration to approve Ordinance No. 2024-01 ACTION ITEM

A MUNICIPAL ANNEXATION AND ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND
- ANNEXING CERTAIN REAL PROPERTY, TO-WIT: 5200 S BLACK CAT ROAD OWNED BY JOHN STEUART REVOCABLE TRUST, WITHIN UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, INTO THE CITY OF KUNA, IDAHO; AND
- ESTABLISHING THE ZONING CLASSIFICATIONS OF SAID REAL PROPERTY; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve Ordinance

Mayor Stear Ordinances. Consideration to approve Ordinance #2024-01. A municipal annexation and zoning ordinance of the City Council in the city of Kuna, making certain findings and declaration of authority and annexing certain real property; to Wit, 5200 S Black Cat Rd. Owned by John Stewart Revocable Trust within unincorporated area of Ada County and contiguous to the corporate limits of the City of Kuna, into the city of Kuna, Idaho, and establishing the zoning classifications of several property and directing the City Engineer and City Clerk, and providing an effective date.

Council President Bruce I make a motion that we waive 3 readings of Ordinance #2024-01.

Council Member McPherson Second.

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

All Council Members Aye.

Mayor Stear Any opposed? Motions carries.

(Timestamp 02:21:08)

Motion to: Waive 3 Readings of Ordinance #2024-01

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Council President Bruce I make a motion that we approve ordinance #2024-01.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded to approve ordinance 2024-01. Any further discussion? Nathan, would you poll the Council?

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Yes.

City Clerk Nathan Stanley Council Member Biggs.

Council Member Biggs Aye.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Aye.

City Clerk Nathan Stanley Council President Bruce.

Council President Bruce Aye.

Mayor Stear And that motion carries, and that is the first ordinance of 2024.

(Timestamp 02:21:25)

Motion to: Approve Ordinance #2024-01

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Roll Call Vote

4-0-0

10. Executive Session:

(Timestamp 02:22:00)

- A. Executive Session under Idaho Code: 74-206 (1)(c)(d)(f) (c) To acquire an interest in real property not owned by a public agency; (d) To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement;

Mayor Stear That is all we have on the agenda, except for an executive session, so we'll need a motion to adjourn to that and then. We'll do that, we won't make any decisions in there. And basically, when we come back out, all I'll do is report that we have received information, and no action was taken. So, if any of you want to stay, you can otherwise whatever you would like, so.

Council President Bruce I make a motion...

Mayor Stear But I appreciate you all coming tonight. Thank you. It's nice to have people in the audience. Long time we went without that.

[Unintelligible Background Conversation]

Council Member McPherson No, comments are good.

Council President Bruce I make a motion that we adjourn to executive session under Idaho Code 74-206.

Council Member Laraway Second.

City Attorney Marc Bybee Oh, hang on.

Mayor Stear 1 C, D, F.

City Attorney Marc Bybee You need to identify those...I *[Unintelligible]*

Mayor Stear Are we going to need Legal, Morgan, Jared, Doug, and Paul?

City Attorney Marc Bybee He has to identify the subsections.

Council Member McPherson He's got to say the codes too, (1) (C), (D), (F).

Mayor Stear Okay.

Council President Bruce I make a motion that we adjourn to executive session under Idaho Code 74-206(1) (C), (D), and (F).

Mayor Stear Okay, do we have a second?

Council Member McPherson Second.

Mayor Stear Motion's made and second, all those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? Motion carries.

(Timestamp 02:22:43)

Motion to: Enter Executive Session Under Idaho Code 74-206(1) (C), (D), and (F)

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Roll Call Vote

4-0-0

Information Received; No Action Taken

Executive Session Adjourned 9:16 PM

11. Mayor/Council Announcements:

12. Adjournment:

Regular Meeting Adjourned 9:17 PM



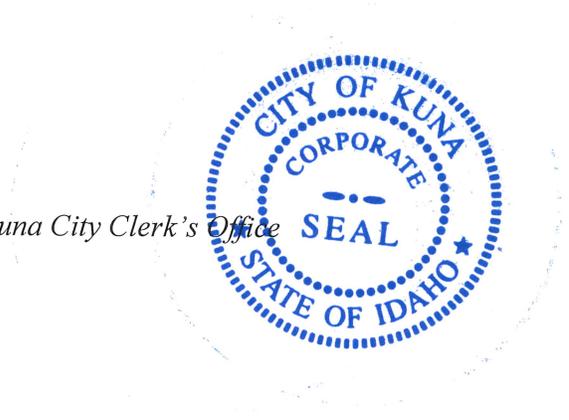
Joe L. Stear, Mayor

ATTEST:



Nathan Stanley, City Clerk

Minutes prepared by Garrett Michaelson, Kuna City Clerk's Office
Date Approved: CCM 02.20.2024





CITY OF KUNA
 751 W. 4th Street • Kuna, Idaho • 83634 • Phone (208) 922-5274
 Fax: (208) 922-5989 • www.Kunacity.Id.gov

SIGN-UP SHEET

February 6th, 2024 – City Council Public Comment

The City of Kuna welcomes Public Questions and/or Comments during the Public Comment Session, as noted in the agenda. In accordance with Idaho State Code, Public Comments may NOT include specific land use issues or cases. All comments regarding specific land use issues or cases MUST be heard in their associated Public Hearing(s). Idaho State Code also requires all comments and/or complaints regarding City personnel to be heard in Executive Session.

In all instances The Mayor and City Council may determine if your comments are appropriate for the Open Comment Session, particularly if your comments are covered by Idaho Code § 74-206(1), and may notify you accordingly. If you are recognized to speak you may "have the floor" for up to three (3) minutes, unless a separate time duration is determined by The Mayor and/or City Council.

Public Comment Sign Up

Todd Lakey
 Print Name
12905 Vanzi Ct
 Print Address
Nampa ID 83651
 City State, Zip

Seaufel/legislative Report
 Topic

BEVERLY WOLF
 Print Name
3420 W. Comm.
 Print Address
Meridian ID
 City State, Zip

Population Growth
 Topic

 Print Name

 Print Address

 City State, Zip

 Topic

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 City State, Zip

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 Print Name

 Print Address

 City State, Zip

 Topic



City Council Public Hearing Sign-in Sheet February 6, 2024

Case No(s): 23-03-AN (Annexation)

Case Name: 5610 S Ten Mile

IN FAVOR	NEUTRAL	OPPOSITION
<input type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify Name: <u>Nathan Orchard</u> Address: <u>3720 W. Leblanc Way</u> City, State, Zip: <u>Meridian, ID 83646</u>	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify Name: _____ Address: _____ City, State, Zip: _____	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify Name: _____ Address: _____ City, State, Zip: _____
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CITY OF KUNA

751 W. 4th Street • Kuna, Idaho • 83634 • Phone (208) 922-5274
Fax: (208) 922-5989 • www.Kunacity.Id.gov

SIGN-UP SHEET

February 6, 2024 – Council, Public Hearing & Appeal.

Case Name: 4425 W Columbia Rd. – Gallica Heights Sub

Case Type: Rezone, Planned Unit Development, Preliminary Plat, Development Agreement and Appeal of Commissions decision on the Special Use Permit & Design Review Request.

Case Nos.: 22-07-ZC, 22-05-PUD, 22-15-S, 23-04-DA, & Appeal of 22-08-SUP & 22-34-DR,

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

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

Jim & Dwayne Crow
7946 S Saddle Bag
Nampa ID 83687

Renee Stewart
8475 S. Blackcat
Nampa ID 83687

BEVERLY WOLF
3420 W. Comm Ave
Meridian ID

Veronica Peterson
Kuna WA 986
83634

IN FAVOR

NEUTRAL

IN OPPOSITION

Testify Not Testify

DAVIEUE HORRAS

Print Name
TUNE PORTER

Print Address
KUNA ID

City State, Zip

Testify Not Testify

Print Name

Print Address

City State, Zip

Testify Not Testify

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Print Name

Print Address

City State, Zip

Testify Not Testify

Sam Johnston

Print Name

Print Address
392 N Black Cat Rd

Print Address

City State, Zip
Kuna 83634

Testify Not Testify

Terry Stewart

Print Name

Print Address
8475 S Black Cat

Print Address

City State, Zip
Wagon ID 83687

Testify Not Testify

Andrew Bills

Print Name

Print Address
4277 W Baliwi Lane

Print Address

City State, Zip
Wagon ID 83687

Testify Not Testify

Tammie Hough

Print Name

Print Address
8397 Sold Farm Pl

Print Address

City State, Zip
Meridian ID 83642

Testify Not Testify

Cindy Giegen

Print Name

Print Address
1303 S Ash

Print Address

City State, Zip
Kuna ID

Testify Not Testify

Jerry Frederic

Print Name

Print Address
8968 S Black Cat

Print Address

City State, Zip
Wagon ID 83687

MARK FGDoe

Print Name

Print Address
8305 S Old Farm

Print Address

City State, Zip
Meridian 83642

Becky Miller

Print Name

Print Address
1708 N. Rydotee Kuna

Handwritten notes and arrows pointing to specific entries, including "MARK FGDoe" and "Becky Miller".