

OFFICIALS

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

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



Planning & Zoning Commission
REGULAR MEETING AGENDA
Tuesday, March 26, 2024, at 6:00 PM

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

1. CALL TO ORDER & ROLL CALL:

2. CONSENT AGENDA:

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

- A. Regular Commission Meeting Minutes Dated February 27, 2024
- B. Findings of Fact & Conclusions of Law
 - I. Case Nos. 23-16-DR for First Choice Self Storage

Potential Motion:

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

3. PUBLIC HEARINGS:

Consideration to Amend the Agenda:

Add Business Item 5.A Case No. 23-04-AN (Annexation), 23-04-S (Preliminary Plat) & 23-17-DR (Design Review) for Aermotor Cove to Public Hearings Item 3.A

5. BUSINESS ITEMS:

- A. Case No. 23-04-AN (Annexation), 23-04-S (Preliminary Plat) & 23-17-DR (Design Review) for Aermotor Cove – Troy Behunin, Senior Planner

Applicant requests to annex 4.83 acres into Kuna City Limits with an R-6 (Medium Density Residential) zone, and to subdivide the site into 12 lots (9 buildable, 3 common) with the existing home & outbuildings remaining as an outparcel. The subject site is located at 855 W Hubbard Road (APN: S1313212400); Section 13, Township 2 North, Range 1 West.

Potential Motions:

- *Motion to recommend Approval/Conditional Approval/Denial of Case Nos. 23-04-AN & 23-04-S with Conditions as outlined in the staff report (and additional Conditions imposed by Commission, if applicable).*
- *Motion to Approve/Conditionally Approve/Deny Case No. 23-16-DR with Conditions as outlined in the staff report (and additional Conditions imposed by Commission, if applicable).*

6. UPDATES & REPORTS: Non-Action Items

7. ADJOURNMENT:

OFFICIALS

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

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



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

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

I. CALL TO ORDER & ROLL CALL:

Chairman Dana Hennis We'll go ahead and open the regularly scheduled Planning and Zoning Commission Meeting for Tuesday, February 27th, 2024, and we'll start with roll call.

Planning and Zoning Director Doug Hanson Chairman Dana Hennis.

Chairman Dana Hennis Here. Present.

Planning and Zoning Director Doug Hanson Vice Chairman Bryan Clark...Commissioner Ginny Greger.

Commissioner Ginny Greger Present.

Planning and Zoning Director Doug Hanson Commissioner Jim Main.

Commissioner Jim Main Present.

COMMISSIONERS PRESENT

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

CITY STAFF PRESENT

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

2. CONSENT AGENDA:

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

A. Regular Commission Meeting Minutes Dated February 13, 2024

B. Findings of Fact & Conclusions of Law

- 1.** Case Nos. 23-05-ZC, 23-06-S & 23-13-DR for Falcon Crest East Subdivision
- 2.** Case No. 23-07-SUP &23-07-DR for Maverik
- 3.** 23-10-DR for Linrock 4-plex Apartments
- 4.** 23-15-DR for Kuna Apartments

Potential Motion:

- *Motion to Approve Consent agenda.*

- *Motion to Approve Consent agenda with amendments (i.e., correction to previous meeting minutes, etc.)*
(Timestamp 00:01:32)

Chairman Dana Hennis Thank you, so first up is our consent agenda.

Commissioner Ginny Greger I move to approve the consent agenda.

Commissioner Jim Main Second.

Chairman Dana Hennis All in favor?

All Commissioners Aye.

Chairman Dana Hennis Thank you.

(Timestamp 00:01:35)

Motion To: Approve the Consent Agenda

Motion By: Commissioner Ginny Greger

Motion Seconded By: Commissioner Jim Main

Further Discussion: None

Voting Aye: Commissioners Hennis, Clark, Main, Greger

Voting Nay: None

Absent: Commissioner Bryan Clark

3-0-1

3. PUBLIC HEARINGS:

5. BUSINESS ITEMS:

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

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

Potential Motions:

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

(Timestamp 00:01:43)

Chairman Dana Hennis So, no public hearings tonight, listed on the agenda so we'll move to Business Items, and that's Case # 23-16-DR Design Review for First Choice Self Storage, Doug.

Planning and Zoning Director Doug Hanson Good evening, Commissioners, for the record Doug Hanson, Kuna Planning and Zoning, 751 W 4th St, Kuna. The applicant this evening requests design review approval to construct an indoor climate controlled and exterior self-storage facility on lot 1 block 1 of the Monarch Landing subdivision associated parking lot and landscaping. The site comprised of 7 storage buildings, 1 conditioned storage building, and 1 office building the exterior building materials proposed are supposed to offer dark bronze prefinished metal fascia, clear adonized metal wall finish, 3-foot prefinished insulated metal panels with dark bronze finish, prefinished metal horizontal siding, prefinished metal trim and

flashing prefinished vertical metal finished siding, and clear anodized aluminum with insulated glass for the office store front. Per KCC 5-9-3 one standard stall is required for every 400 square foot of floor area for the office. Upon staff review the site plan, 1 ADA and 6 standard stall for the 860 square foot area is in compliance with City Code. Required landscaping along Linder and Hubbard roads were approved with the monarch landing preliminary plat application and will be installed as a requirement of the recordation of the final plat. Internal landscaping is proposed through a mixture of trees, shrubs, and grasses. The site will utilize 8-foot wrought iron security fence. Upon review, Staff finds the application to be in general compliance with Kuna City Code Title 5, The Comprehensive Plan future land use map, and Idaho Code. Staff recommends that if the Commission approves Case # 23-16-DR, the applicant be subject to the conditions of approval as listed in staff's report. With that, I will stand by for any questions.

Chairman Dana Hennis Thank you, any questions from the Commission?

Commissioner Jim Main No questions.

Commissioner Ginny Greger No questions.

Chairman Dana Hennis Thank you, and does the applicant wish to add anything or present? If you would just state your name and address for the record and just press the base 'til it turns green.

Greg Toolson Good evening, Greg Toolson, JDT Architecture, 1135 12th Ave Rd in Nampa, representing the owner. I've read the staff report and basically this is a new storage facility that's on approximately 5 acres in the new Monarch subdivision. It does not have any direct right-of-way frontages and we've created a fortress with the building set back 15 feet from the property line with landscape buffers to set... to soften the facility. We've provided landscape, like I said, all the way around, except on the east side it's open to future possible storage and that's where we have our wrought iron fencing. The project is comprised of a small office building in the neighborhood of 900 square feet with attached conditioned storage. I believe that's in the neighborhood of 10,000 square feet and the remaining facility is unconditioned storage units for the public, obviously. We've created a building that is of quality materials with some aesthetic pleasing design and relief with different heights in the roof and the walls and the parapets, and so we feel that it's going to be a nice amenity to the city and with that I'll stand for any questions.

Chairman Dana Hennis Thank you, any questions for the applicant?

Commissioner Jim Main No.

Chairman Dana Hennis Well, thank you very much.

Greg Toolson Thank you.

Chairman Dana Hennis With that, it will take it to our discussion.

Commissioner Jim Main So did I understand, the landscaping's been previously approved?

Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning. Yes, all required landscaping as a part of the preliminary plat was approved, recommended approval by the Commission in June of 2020 and approved by the City Council

in...let me get that specific date for you, nope, approved by the Planning and Zoning Commission in June of 2020.

Commissioner Jim Main Thank you.

Planning and Zoning Director Doug Hanson Yep.

Commissioner Jim Main Well, I think it's a really nice-looking building, actually.

Chairman Dana Hennis Yeah, I agree with you. I do...like he said, it's got good relief, good color combinations, just not one large blank face, so I appreciate that.

Commissioner Jim Main Yeah, I really can't find anything to critique on this.

Chairman Dana Hennis No, I think it's a nice-looking project; with that I would stand for a motion, unless somebody's got anything else?

Commissioner Ginny Greger Nope, I move to approve Case #23-16-DR with conditions as outlined in the staff report.

Commissioner Jim Main Second.

Chairman Dana Hennis All in favor?

All Commissioners Aye.

Chairman Dana Hennis Thank you.

(Timestamp 00:07:25)

Motion To: Approve Case #23-16-DR with Conditions

Motion By: Commissioner Ginny Greger

Motion Seconded By: Commissioner Jim Main

Further Discussion: None

Voting Aye: Commissioners Hennis, Clark, Main, Greger

Voting Nay: None

Absent: Commissioner Bryan Clark

3-0-1

6. UPDATES & REPORTS: Non-Action Items

(Timestamp 00:07:45)

Chairman Dana Hennis With that I don't see any other Business items, is there any other reports from Staff?

[No Staff Reports]

7. ADJOURNMENT:

(Timestamp 00:07:50)

Commissioner Ginny Greger I move we adjourn.

Commissioner Jim Main Second.

Chairman Dana Hennis All in favor?

All Commissioners Aye.

(Timestamp 00:07:50)

Motion To: Adjourn

Motion By: Commissioner Ginny Greger

Motion Seconded By: Commissioner Jim Main

Further Discussion: None

Voting Aye: Commissioners Hennis, Clark, Main, Greger

Voting Nay: None

Absent: Commissioner Bryan Clark

3-0-1

Dana Hennis, Chairman

ATTEST:

Doug Hanson, Director

Minutes prepared by Garrett Michaelson, Deputy City Clerk.

2.16 AGENCY TRANSMITTAL			X
2.17 DEPARTMENT OF ENVIRONMENTAL QUALITY			X
2.18 IDAHO TRANSPORTATION DEPARTMENT			X
2.19 ADA COUNTY HIGHWAY DISTRICT			X
2.20 BOISE PROJECT BOARD OF CONTROL			X
2.21 PUBLIC WORKS			X

1.2 Public Meeting: The Commission heard this on February 27, 2024. The FCO’s have been requested to go before the Commission on March 26, 2024.

1.3 Witness Testimony: Those who testified at the Commission’s February 27, 2024, meeting are as follows, to-wit:

A. City Staff:
Doug Hanson, Planning & Zoning Director

B. Appearing for the Applicant:
Greg Toolson, JDT Architecture, 1135 12th Avenue Road, Nampa, ID 83686

II DECISION

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

III FINDINGS OF FACT

3.1 Findings Regarding Notice: [Kuna City Code \(KCC\) 1-14-3](#) states that Design Reviews are considered a public meeting with the Commission as the decision-making body; no public noticing is required. An Agency Transmittal was emailed to all known and affected agencies January 16, 2024.

3.2 Findings Regarding Design Review

A. Was a complete Design Review application submitted and does the application contain all necessary requirements listed in [KCC Title 5-10](#)?

1. The Applicant has submitted all required materials, and upon review, the application was considered complete by staff January 16, 2024.

B. Does this proposal comply with the Comprehensive Plan Future Land Use Map (FLUM)?

1. The subject site is designated as Commercial and zoned C-3 (Service Commercial) in accordance with the FLUM.
- C. Does the proposed structure, design, mass, proportions, exterior materials, and relationship of openings comply with [KCC 5-4](#) and is the site appropriate for the proposed site selection?
 1. Based on staff review, the proposed materials and finishes, the building’s location and orientation on site, and overall design of the site is appropriate for the surrounding uses.
 2. Changes in material textures and colors, the various changes in façade are compliant with the intent of [KCC 5-4](#).
- D. Does the availability of existing and proposed public services and infrastructure accommodate the proposed development of the subject site?
 1. Public Works has issued a QLPE and “Will Serve” for the Monarch Landing Subdivision No. 1.
 2. The developer will be improving the frontage along Linder and Hubbard Roads as required by ACHD and the City prior to recordation of the final plat.
 3. Based on ITD review, no mitigations, improvements, or additional right-of-way dedication is required.

IV CONDITIONS

4.1 Staff Recommended Conditions

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

4.2 Transportation

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

4.3 Site Layout, Dimensional Standards and Parking: None

4.4 Landscape and Fencing: None

4.5 Public Works

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

4.6 General

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

the Kuna Municipal Pressure Irrigation System of the City (KMIS).

- E.** It is the responsibility of the Developer or his Engineer to coordinate and design for the stricter requirement between agencies and the City of Kuna standards for the entire development.
- F.** The Developer/Owner/Applicant, and/or any future assigns having an interest in the subject property, shall fully comply with all Conditions of development as approved by the Commission, or seek amending them through Public Hearing processes.
- G.** Developer/Owner/Applicant shall submit to Planning and Zoning staff a formal request for an alternative surface within the RV storage facility which complies with Kuna City Code 5-9-2(D), prior to progressing to a City Council hearing date, as gravel surfaces are not permitted.
- H.** Owner/Developer/Applicant shall follow staff, City Engineers and other agency recommended requirements as applicable.
- I.** Owner/Developer/Applicant shall comply with all local, state, and federal laws.

V

CONCLUSIONS OF LAW RE: POWERS AND DUTIES OF THE COMMISSION

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

VI

CONCLUSIONS OF LAW RE: APPLICATION FOR DESIGN REVIEW

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

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

VII

ORDER OF APPROVAL FOR DESIGN REVIEW

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

7.1 The Design Review application for First Choice Self Storage (Case No. 23-16-DR) is *Approved*.

BY ACTION OF THE COMMISSION of the City of Kuna at its regular meeting held on the 26th day of March 2024.

Dana Hennis, Chairman

CASE NOS. 23-04-AN, 23-04-S & 23-17-DR

AERMOTOR COVE SUBDIVISION

Planner: Troy Behunin, TBehuninn@kunaid.gov, 208-922.5274

**ALL APPLICATION MATERIALS: 23-04-AN,
23-04-S & 23-17-DR: for the AERMOTOR
COVE SUBDIVISION**

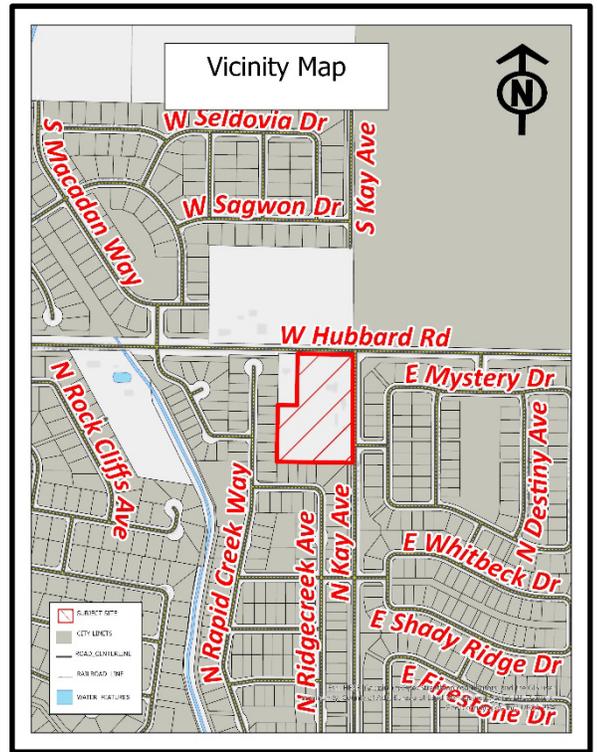
If you require assistance accessing the application materials through the link provided above, or would like to review the application materials in person at City Hall please contact the assigned planner.

BEFORE THE COMMISSION OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATIONS OF) **Case Nos. 23-04-AN (Annexation), 23-04-S**
) **(Preliminary Plat) & 23-17-DR (Design**
RICK MORINO) **Review).**
)
For Property at 855 W Hubbard Road.) **STAFF REPORT FOR AERMOTOR**
) **COVE SUBDIVISION.**

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2. Applicants Request
3. Process and Noticing
4. General Project Facts
5. Staff Analysis
6. Proposed Findings of Fact
7. Proposed Commissions' Recommendation



**I
PROJECT SUMMARY**

1.1 Subject Site & General Project Details

Description	Details
Acreage	4.83 Ac.
Existing Land Use(s)	Residential & Ag.
Future Land Use Designation	Mixed- Use

Proposed Land Use(s)	R-6
Lots (No. and Type)	9 Single Family Lots.
Number of Residential Units	73
Number of Other Lots	3 Common Lots
Number of Phases	1
Gross Density (Dwelling Units per Acre)	3.36 DUA

1.2 Surrounding Land Uses

Direction	Current Zone	Jurisdiction	Future Land Use Map Designation	Development
North	R-6	Kuna City	Mixed Use	Single-family Residence, Fields
South	RR	Kuna City and Ada County	Medium Density Resid.	Greyhawk Subdivision
East	R-6	Kuna City	Medium Density Resid.	Greyhawk Subdivision
West	RR	Kuna City	Medium Density Resid.	Single-family residence, Greyhawk Subdivision

**II
APPLICANTS REQUEST**

2.1 Applicant requests approval for Annexation of approx. 4.83 acres and to zone the property R-6; and requests Preliminary Plat approval in order to subdivide the site into 9 single-family lots and three (3) common lots. The Applicant also requests Design Review for the Common Lots for the Subdivision. The site is located at the southwest corner of Kay Avenue and Hubbard Road (APN; S1313212400).

**III
PROCESS AND NOTICING**

3.1 Kuna City Code (KCC), [1-14-3](#) states Annexation and Preliminary Plats are designated as Public Hearings with the Commission as a recommending body and Council as the decision-making body, while Design Review application are designated as Public Meetings with the Commission as the decision-making body. These land use applications were given public notice following Idaho Code [\(I.C.\) § 67-65](#).

- A. Neighborhood Meeting: June 20, 2023 (9 Attendees)
- B. Pre-Application Meeting: August 10, 2023
- C. Agency Comments Request: January 18, 2024
- D. 300 FT Legal Mailer Notice: February 21, 2024
- E. Meridian Kuna Press: March 1, 2024
- F. Site Posted: March 3, 20

IV GENERAL PROJECT FACTS

4.1 Site Features

- A. The subject site is located in unincorporated Ada County and touches Kuna City limits on the east, south, west sides and is currently zoned Rural Residential and has historically been used for a single-family residence and Agriculture purposes.
- B. The proposed project site currently has vegetation consistent with that of Agriculture fields. The site has an estimated average slope of 1.0 – 1.4%. According to the USDA Soil Survey for Ada County, bedrock depth is estimated to be greater than 60 inches.
- C. Staff is not aware of any environmental issues, health or safety conflicts, beyond being within the Nitrate Priority Area Boundary. Idaho Department of Environmental Quality (DEQ) provides recommendations for surface and groundwater protection practices and requirements for development of the site.

IV STAFF ANALYSIS

5.1 Ada County Highway District

- A. See the Ada County Highway District Reports by [CLICKING HERE](#).
- B. Applicant shall follow all standards and requirements in accordance with [KCC 5-17-13](#) and [6-4-2-B.3](#). Sidewalks along Collector roadways shall be eight (8) foot wide detached with 4 - 8 foot wide irrigated planter strip, and concrete vertical curb and gutter.
- C. ACHD staff recommends this project provide a private street for the nine (9) residents in this subdivision, in Section C. 1. of the [ACHD report](#).

5.2 Idaho Transportation

- A. ITD did not submit comments.

5.3 COMPASS

- A. COMPASS did not submit comments.

5.4 Pathways and Trails Master Plan

- A. The Pathways Master Plan Map does not indicate a future Trail or Bike route adjacent to the site.

5.5 Site Layout and Dimensional Standards

- A. The Applicant proposes public local streets within the project. However, the applicant would like to explore private streets.
- B. Staff notes the proposed preliminary plat appears to be in compliance with [KCC 5-3-3](#).
- C. Staff notes the developer is responsible for ensuring all housing products fit on all proposed home lots.

5.6 Parking

- A. The Applicant has provided at least two (2) off street parking spots for each single-family residence in accordance with [KCC 5-9](#).

5.7 Open Space

- A. The Applicant proposes .23 acres of open space which is 10.21% of the site. [KCC 5-17-12](#) requires that a minimum 7.00% of the developments gross land area shall be used for open space purposes and excluding required residential buffers. All proposed landscaping, buffers and common space shall comply with [KCC 5-17](#).
- B. If this project is approved, at the time of civil plan development, landscaping cannot be placed within ten (10) feet of any meter pits, pressurized irrigation valves, or ACHD underground facilities in accordance with [KCC 6-4-2-B.11](#). In the event that locations of landscaping elements are within the locations listed above, those trees must be moved to an alternate location, and an updated landscape plan *must* be provided to staff prior to scheduling a landscape inspection. Any elements that must be moved to another spot within the site may not simply be removed.

5.8 Fencing

- A. The Applicant shall install fencing in compliance with [KCC 5-5-5](#).

5.9 Public Works

- A. According to [Exhibit 2.22](#), this project is located within the Danskin lift station basin which currently has limited capacity to provide sewer service for Aermotor Cove Subdivision. Sewer capacity (equivalent dwelling units (EDU's)) will be distributed on a first come first serve basis in accordance with resolution R90-2022. Public Works staff can support approval of this application. The Planning and Zoning staff agrees with Public Works assessment.
- B. The Applicant shall be required to work with staff to install streetlights a maximum spacing of 250-feet.; the final location of streetlights will be approved at the time of construction document review. Staff notes that these streetlights must be designed and installed according to "Dark Sky" standards and are required to be LED lights. All street light installation shall comply with [KCC 6-4-2](#).

5.10 Comprehensive Plan

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

1. Goal 3.D.: Encourage development of housing options and strong neighborhoods.
 - Objective 3.D.1.: Encourage development of housing options for all citizens.
 - Policy 3.D.1.a: Encourage preservation and development of housing that meets demand for household sizes, lifestyles and settings.
 - Objective 3.D.2.: Create strong neighborhoods through preservation, new development, connectivity and programming.
 - Policy 3.D.2.d: Work to ensure all neighborhoods in Kuna benefit from good connectivity through sidewalk, pathway and trail, on-street and transit infrastructure.
2. Goal 3.G.: Respect and protect private property rights.
 - Objective 3.G.1.: Ensure land use policies, restrictions, and fees do not violate private property rights.
 - Policy 3.G.1.b: Encourage preservation and development of housing that meets demand for household sizes, lifestyles and settings.
 - Policy 3.G.1.c: Ensure land use actions, decisions and regulations do not prevent a private property Owner from taking advantage of a fundamental property right. Ensure city actions do not impose a substantial and significant limitation on the use of the property.

***Analysis:** The development of additional housing types and sizes complies with the City Goals of diverse and adequate housing options for residents.*

B. Goal Area 4: Kuna will be a connected community through strong transportation and infrastructure systems.

1. Goal 4.B.: Increase sidewalk coverage and connectivity and invest in pedestrian facilities to increase walkability.
 - Objective 4.B.2.: Maintain/expand sidewalks/pedestrian facilities within the community.
 - Policy 4.B.2.b: Install detached sidewalks and/or protected pedestrian routes/facilities along high trafficked roads as development occurs.
 - Policy 4.B.2.c: Promote the installation of off-system pedestrian pathways to create neighborhood connections and reduce the length of non-motorized transportation routes.
 - Policy 4.B.2.g: Coordinate with developers to connect and/or enhance pedestrian facilities, including on and off-system pathways, footbridges (across canals, etc.), road bridges, sidewalks, pedestrian crossings and wayfinding signage.
2. Goal 4.D.: Promote a connected street network that incorporates mid-mile collectors and crossings for improved neighborhood connectivity.
 - Objective 4.D.2.: Ensure the continued expansion/development of a classified roads system throughout the community.
 - Policy 4.D.2.a: Extend and expand Mid-Mile Roads as growth occurs.
 - Policy 4.D.2.b: Preserve adequate Rights-Of-Way along all classified roads or other approved alternative locations to align roads.

***Analysis:** Adding roads, sidewalks, pathways, and pedestrian corridors together with stubs to adjacent properties promotes future connections by other developments offers multiple ways for connectivity and access for all residents.*

5.11 Conclusion:

Upon review, staff finds the request for Annexation, Preliminary Plat and Design Review to be in compliance with [KCC Title 5](#) and [Title 6; \(I.C.\) § 67-65, § 50-222, §50-13](#) and the Kuna Comprehensive Plan; and if the Commission recommends approval for Case Nos. 23-064-AN and 23-04-S and approves 23-17-DR, the Applicant shall be subject to the Conditions of Approval listed in Sections “XIII” (8) of this Report.

VI PROPOSED FINDINGS OF FACT

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

- 6.1** Have the public notice requirements been met and was the Neighborhood Meeting conducted within the guidelines of applicable Idaho Code and City Ordinances?
- A.** The Applicant held a Neighborhood Meeting June 20, 2023, nine (9) attended the meeting in accordance with I.C. and KCC.
 - B.** Legal Mailer Notices were mailed out to residents within 300-feet of the proposed project site on February 21, 2024, and a legal notice was published in the Meridian Kuna Press on March 1, 2024, in accordance with I.C. and KCC.
 - C.** The Applicant posted a sign on the property on March 3, 2024.
- 6.2** Based on the evidence presented does the application generally comply with Kuna City Code (KCC)?
- A.** The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with the design requirements AND public improvement requirements, objectives and considerations listed in Kuna City Code Title 5 and Title 6, if the sewer infrastructure improvements recommended by the Public Works Department are completed.
- 6.3** Based on the evidence presented, does the application generally comply with the Comprehensive Plan?
- A.** The Comprehensive Plan designates the property as Medium Density Residential (MDR), and the applicant proposes R-6 (MDR).
 - B.** The development includes additional housing types and sizes which promotes variety for all income levels and promotes desirable and well-designed neighborhoods.
 - C.** Widening roads, adding sidewalks, promotes future connections by other developments and offers connectivity and access for all residents.

- 6.4** Can the availability of existing and proposed public services accommodate the proposed development?
- A.** ACHD can support the development with all Site-Specific Conditions of approval being satisfied.
 - B.** ITD requires no mitigation improvements to serve the development.
 - C.** Sewer has become available with the completion of the Danskin Sewer Force Main.
 - D.** Potable water connection is available for the subject site.
 - E.** Pressurized irrigation connection is available for the subject site.
 - F.** Kuna School District did not provide written comments.
- 6.5** Does the public have the financial capability to provide supporting services to the proposed development?
- A.** Through development of the project and beyond, connection fees, impact fees (Fire, Police, Park and Ada County Highway District), and property taxes will be collected.
- 6.6** Does the proposed project consider health and safety of the public and the surrounding area's environment?
- A.** Connection to City services, as well as other public improvements such as streetlights, fire hydrants, sidewalks, etc. will be implemented as a part of this project.
 - B.** No major wildlife habitats will be impacted by the proposed development.
There are no designated wildlife habitats within or adjacent to the proposed project.
- 6.7** Does the site landscaping meet the intent of the landscape Ordinance?
- A.** A six- foot (6') vinyl fence is proposed around the perimeter of the subdivision where permitted.
 - B.** Residential lots will be required to provide see-through fencing adjacent to all common lots and shall follow all requirements listed in [KCC 5-17](#).
 - C.** A Landscape buffer comprised of sod, trees and other plantings will be provided along N Kay Avenue Road.
 - D.** Applicant proposes .23 acres (10.21%) qualified open space exceeding the 7.00% minimum.
 - E.** Internal sidewalks and stub streets are provided for connectivity within the development.
- 6.8** Does the proposed application constitute orderly development?

- A. The proposed subject site is located adjacent to the Kuna City Limits and touches the city limits on the east, south and west sides.
 - B. Subdivisions are under active construction to the south, and southeast of the subject site.
- 6.9 The Applicant and/or Owner of the property have the right to request a written regulatory taking analysis.
- A. Pursuant to [Idaho Code 67-8003](#), the Owner of private property that is subject of such action may submit a written request for a regulatory taking analysis with the City Clerk, not more that twenty-eight (28) days after the final decision concerning the matter at issue. The City shall prepare a written taking analysis concerning the action if requested.

VII PROPOSED COMMISSION’S RECCOMENDATION

*Note: These proposed motions are for recommendations of **Approval, Conditional Approval or Denial** of the Annexation, and Preliminary Plat to Council and for **Approval, Conditional Approval or Denial** of the Design Review Application. However, if the Commission wishes to Approve or Deny specific parts of these requests as detailed in the Memo, those changes must be specified.*

Based upon the record contained in Case Nos. 23-04-AN, 23-04-S and 23-17-DR including the Comprehensive Plan, Kuna City Code, Staff’s analysis, including the exhibits, and the testimony during the Public Hearing the Commission hereby recommends **Approval / Conditional Approval / Denial** for the Annexation and Preliminary Plat, and hereby **Approves/Conditionally Approves/Denies** the Design Review, subject to the following Conditions of Approval:

7.1 Transportation

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

7.2 Site Layout, Dimensional Standards and Parking

- A. Developer/Owner/Applicant shall measure all front building setbacks from back of sidewalk on all internal local roads.

- B. Applicant shall ensure the proper easement widths on all lots in accordance with [KCC 6-3-8](#).
- C. It is the responsibility of the Developer to ensure any anticipated buildings fit any given buildable lot in accordance with [KCC 5-3-3](#).

7.3 Landscape, Open Space and Fencing

- A. Fencing within and around the site shall comply with [KCC 5-5-5](#) (unless specifically approved otherwise and permitted).
- B. All required landscaping shall be permanently maintained in a healthy growing condition. The property Owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting in public Rights-of-Way shall be with approval from ACHD.
- C. Landscaping shall not be placed within ten (10) feet of any meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles.
- D. The Landscape Plan and Preliminary Plat [(LSP) dated November 2023 and (PP) 7.6.23] will be considered binding site plans as amended and/or approved.
- E. All signage within/for the project shall comply with Kuna City Code, and shall be approved through the applicable sign approval process listed in [KCC 5-10](#).
- F. If any revisions are made, the Applicant shall provide the Planning and Zoning Staff with a revised copy of the Preliminary Plat. Any revisions of the Plat are subject to Administrative Determination to rule if the revision is substantial.
- G. Develop/Owner/Applicant is hereby notified that this project is subject to Design Review inspection fees. Required inspections (post construction), are to verify building and landscaping compliance prior to requesting signature on the final plat.

7.4 Public Works

- A. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see [KCC 6-4-2](#).
- B. Compliance with [I.C. §31-3805](#) is required. Delivery of water shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
- C. When required, submit a petition to the City (as necessary, confirmed with the City Engineer) consenting to the pooling of irrigation surface water rights for delivery purposes

and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation System of the City (KMIS).

- D.** Connection to City Services (Sewer, Water, Pressurized Irrigation) is required. The Applicant shall conform to all corresponding City of Kuna Master Plans.
- E.** The Developer/Owner/Applicant shall be required to participate, as determined by the City Engineer, in the development of additional Lift Station capacity, and or a Water Booster Station as necessary.
- F.** The Developer/Owner/Applicant shall not submit an application for Final Plat until the City's Public Works Director issues a Will-Serve Letter stating the City's appurtenance has capacity to service the proposed development with domestic water, and accept the wastewater discharged from the proposed development.
- G.** In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a Final Plat, the Applicant shall have good cause and be eligible to receive, pursuant to [KCC 6-2-3-J](#), a Time Extension to file a Final Plat up to and until a Will-Serve Letter has been issued.
- H.** Developer/Owner/Applicant shall work with staff in order to provide final locations of streetlights as required by Kuna City Code. Streetlights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.
- I.** In accordance with R90-2022, once the Danskin Sewer Force Main is completed, 40 Equivalent Dwelling Units (EDU's) may be issued on a Phase-by-Phase basis.

7.5 General

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

5. The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
 6. Approval from Ada County Highway District (ACHD) shall be obtained, and Impact Fees must be paid prior to issuance of any building permit(s). Please consult staff if there are questions about the process.
 7. All public rights-of-way shall be dedicated and constructed to the standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
- B.** The Developer/Owner/Applicant, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through Public Hearing processes.
- C.** Developer/Owner/Applicant/Contractors are hereby notified of Kuna's working hours. Construction of any kind shall only be conducted within hours specified in [KCC 10-6-3](#). Noises and other public nuisances/distractions outside of this time frame are subject to lawful penalties.
- D.** Developer/Owner/Applicant is hereby notified of Kuna's weed control policies and requirements [KCC 8-1-3](#). Weeds, grasses, vines or other growth which endanger property or are over twelve (12) inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout all seasons.
- E.** Applicant is conditioned to work with the City Engineer for proper easement widths for the project as a whole.
- F.** Developer/Owner/Applicant and all successors shall comply with all Local, State and Federal Laws.

DATED this 26th day of March 2024.



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BLAINE A. WOMER
CIVIL ENGINEERING

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RICH MORINO PARCEL
FIGURE 1
VICINITY MAP



August 10, 2023
Project No.: 4823002

City of Kuna Planning and Zoning Department
751 West 4th Street
Kuna, ID 83634

**RE: Aermotor Cove Subdivision – Ada County, ID
Application for Annexation and Preliminary Plat**

On behalf of Rick Morino, we are pleased to submit the attached applications for the development of the Aermotor Cove Subdivision (Project), located southwest of the intersection of Kay Avenue and Hubbard Road in Ada County, ID. More specifically, this Project is within the NE1/4 corner of the NW1/4 corner of Section 13, Township 2 North, Range 1 West, Boise Meridian. The purpose of this letter is to provide supplemental information for the Project to assist in the review process of this application.

Overview

Our applications include: 1) Annexation of 5.00-acre site from Ada County into the City of Kuna with a requested zoning of R-6; 2) Preliminary Plat for a new residential subdivision consisting of 9 single family lots.

Existing Use of the Property

The property currently has an existing home and farming activity associated buildings. A select few of these structures are scheduled to be protected and remain as development occurs. The parcel has historically been used for pastures and agriculture. The land generally slopes from the west to the east of the property.

Comprehensive Plan, Zoning and Surrounding Land Uses

The Aermotor Cove community totals 5.00 acres. Roughly 2.68 acres is scheduled to be preliminarily platted at this time. The City of Kuna's Future Land Use Map designates the area as Medium Density Residential. The current zoning of the property is Rural Residential (RR, County). The surrounding land uses within the immediate area are as follows: North,

East, South, West – Medium Density Residential. The surrounding property zones within the immediate area are as follows: North, East, South, West – Residential (R-6). The development of the Project is consistent with other approved projects and the comprehensive plan.

Property Annexation

The Project is proposed to be annexed from Ada County into the City of Kuna. This annexation follows the trend and desire to encourage growth within the city impact area. The annexation will provide the city with an additional source to collect taxes for improving existing infrastructure and constructing new and exciting city projects. This development will create additional open space for the residents to enjoy. This project in particular closes a gap in city utilities, resulting in better water pressures for residents and a more complete system overall.

Residential Lots and Density

The Project provides lots ranging in size from 5,175 square feet (sf) to 13,704 sf, with an average residential lot size of 8,255 sf. The proposed net density of the project is 3.36 dwelling units per acre $[(9)/2.68=3.36 \text{ du/acre}]$. The development has varying lot widths and depths to accommodate different house plans and residential lifestyles. The Project is intended to be developed as one phase.

Open Space and Amenities

The open spaces for this Project exceed the city's code requirements. The city code for a single-family residential development of this size requires 7.0% open space, or 0.19± acres. We are currently providing 17.2% of total open space, or 0.46± acres.

A landscape buffer along Kay Avenue is proposed in accordance with city code requirements. This area reserves space for a large amount of landscaping to buffer traffic noise and sight lines into the neighborhood. This provides a beautiful common area for residents as well as neighbors. Quality landscaping will be provided throughout the community.

A common lot on the southeast side of the project will provide a large area of open space. All common lots will be owned and maintained by the HOA.

Streets and Utilities

The Project has been designed in compliance with the ACHD and City of Kuna standards. Frontage roads will be built out as required by ACHD and the City of Kuna.

Potable water, sewer and pressurized irrigation are all readily available to the property and will be served by the City of Kuna. All utilities within the proposed development comply with the adopted master plans of the City of Kuna.

Irrigation water is provided to the Project from the west and generally flows to the northeast via ditches and pipes. These waterways will be piped to allow for the development of the site and all downstream users will be unaffected by these construction activities once completed.

Power lines along Kay Avenue will provide electrical power to all proposed lots. Special modifications outside of normal development are not anticipated at this time.

All storm water generated onsite will be handled and remained onsite. The current preliminary design shows seepage beds. This preliminary design may be altered in the future based on additional information acquired during the final design process.

As the project progresses, we will work with the public utilities and associated agencies to ensure that adequate services are provided.

Neighborhood Meeting

The neighborhood meeting for this Project was held onsite at 6:00 pm on Tuesday, June 20, 2023. Attendees of the meeting received a copy of the most current lot layout at the time and an invitation to contact the project manager at any time with questions or concerns. The names of attendees are listed on the neighborhood meeting attendance sheet.

Traffic Impact Study

A Traffic Impact Study was not required for this Project.

Landscape Plan

A landscape plan has been provided with this application. This plan has been designed per Title 5, Chapter 17 of the City of Kuna code.

Waivers and Requests

No waivers or requests are proposed for this Project.

There are no development-related items the owner is required to complete beyond those detailed in the city code, policies, or construction standards that we are aware of at this time. No restrictive covenants or deed restrictions are being proposed at this time.

Summary

We believe the residents of this proposed development will enjoy a quiet neighborhood, with the benefit of excellent access and proximity to the surrounding commercial uses and entertainment activities.

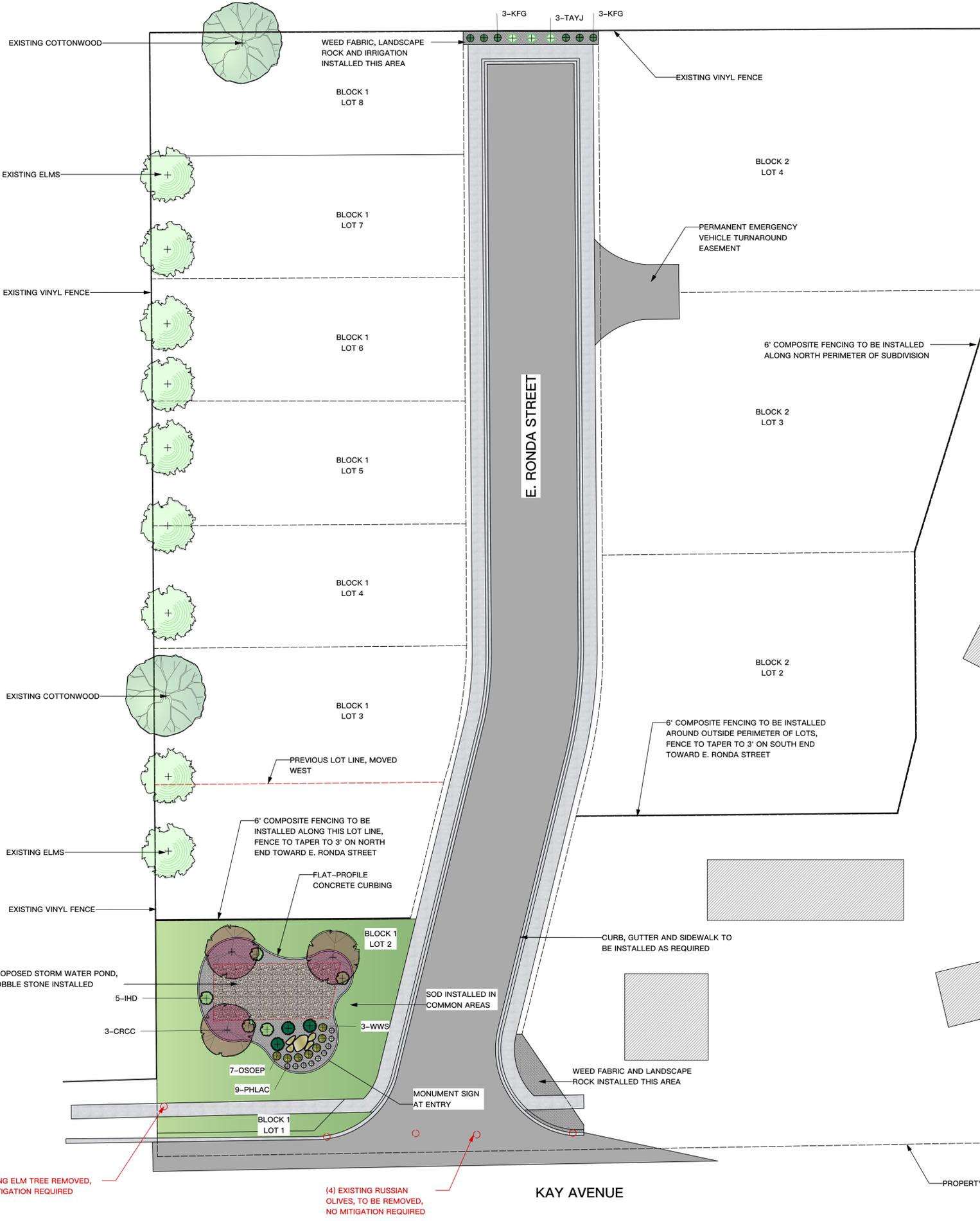
We are pleased to submit our application that will provide a desirable product at this special location in Kuna. We look forward to working with you, your staff and Kuna's decision

makers through the approval process. Please do not hesitate to contact us if you have questions about our proposed development or the applications.

BLAINE A. WOMER CIVIL ENGINEERING

By: 

Andrew Newell, Project Manager

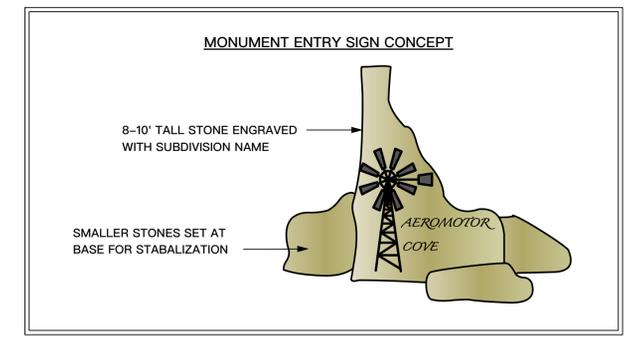


PLANT LIST

ID	Quantity	Plantlist Name	Category	Botanical Name	Scheduled Size
CRCC	3	Clump Canadian Red Chokecherry	Category	Prunus virginiana	2-3' cal.
IHD	5	'Ivory Halo' Redtwig Dogwood	Shrubs	Cornus alba 'Baillhalo'	5 gal.
KFG	6	'Karl Forrester' Reed Grass	Om. Grasses-Bamboos	Calamagrostis x acutiflora	1 gal.
OSOEP	7	'Oso Easy Paprika' Rose	Shrubs	Rosa hybrid	3-5 gal.
PHLAC	9	'Phenomenal' Lavender	Perennials	Lavendula x intermedia	1 gal.
TAYJ	3	'Taylor' Juniper	Conifers	Juniperus virginiana	6-8' tall
WWS	3	Weeping White Spruce	Conifers	Picea alba 'pendula'	10-12' tall

NOTES

- FULL AUTOMATIC SPRINKLER SYSTEM TO BE INSTALLED IN ALL LANDSCAPED AREAS.
- WEED FABRIC AND PERMA-BARK TO BE INSTALLED IN ALL PLANTING AREAS, AS DRAWN 1,222 SQ. FT. OF AREA TO BE INSTALLED AS SUCH.
- SOD TO BE INSTALLED IN LAWN AREAS, AS DRAWN 4,363 SQ. FT. OF SOD REQUIRED.
- 914 SQ. FT. OF COBBLESTONE TO BE INSTALLED IN STORM WATER RETENTION POND.
- FLAT-PROFILE CONCRETE CURBING TO BE INSTALLED AROUND ALL PLANTING AREAS, 175 LINEAR FEET REQUIRED.
- ALL PLANTINGS TO BE INSTALLED IN ACCORDANCE WITH NURSERY STANDARDS.



EXISTING ELM TREE REMOVED, NO MITIGATION REQUIRED

(4) EXISTING RUSSIAN OLIVES, TO BE REMOVED, NO MITIGATION REQUIRED