



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, April 16, 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 00:00:27)

COUNCIL MEMBERS PRESENT:

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

CITY STAFF PRESENT:

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

Mayor Stear All right. It is 6:00 and time for the regularly scheduled Council meeting. Nathan, would you take the roll please?

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Here.

City Clerk Nathan Stanley Council Member Biggs.

Council Member Biggs Here.

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.

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 00:00:45)

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 All right, 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 00:01:08)

A. Regular City Council Meeting Minutes Dated April 02, 2024

B. Accounts Payable Dated April 11, 2024, in the amount of \$1,177,025.87

C. Findings of Fact & Conclusions of Law

1. Case Nos. 22-12-ZC (Rezone) 22-05-CPF for the Vasiliy Subdivision
2. Case No. 23-01-OA (Ordinance Amendment) – Kuna City Code Title 5 & 6 Rewrite

D. Resolutions

1. Resolution R32-2024

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE "REAL PROPERTY AND EASEMENT DONATION AGREEMENT" WITH GORDON PROPERTIES, LLC, AN IDAHO LIMITED

LIABILITY CORPORATION. AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

2. Resolution R33-2024

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE “*PROFESSIONAL SERVICES AGREEMENT*” WITH KELLER ASSOCIATES, INC. FOR ON-CALL DEVELOPMENT REVIEW AND QUALIFIED LICENSED PROFESSIONAL ENGINEER SERVICES FOR THE CITY OF KUNA; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

3. Resolution R34-2024

A RESOLUTION AMENDING R84-2023 OF THE CITY COUNCIL OF KUNA, IDAHO, AUTHORIZING THIS FIRST AMENDMENT TO TRANSMISSION FACILITIES EASEMENT AGREEMENT BETWEEN THE CITY OF KUNA (OWNER) AND KUNA BESS LLC (COMPANY).

Mayor Stear The first item is a consent agenda. Questions or comments or a motion, anything you want pulled for discussion?

Council President Bruce Okay.

Mayor Stear All those options.

Council President Bruce We went over most of it. I make a motion we approve the consent agenda as published.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded, any further discussion? Nathan, would you poll the Council, please?

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Yes.

City Clerk Nathan Stanley Council Member Biggs.

Council Member Biggs Yes.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Yes.

City Clerk Nathan Stanley Council President Bruce.

Council President Bruce Yes.

Mayor Stear And that motion carries.

(Timestamp 00:01:24)

Motion To: Approve the Consent Agenda

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Roll Call Vote

4-0-0

5. Public Comment

(Timestamp 00:01:47)

Mayor Stear Public Comment, is there anybody in the audience who wishes to address the Council? I see we have Beverly Wolf, and if you would just state your name and address for the record, please.

Beverly Wolf Beverly Wolf, 3420 W Commemoration Ave. Meridian. I kind of had a general statement because of a lot of different things that are on the agenda tonight, but the basis is that words matter. It said that someday we are held accountable for every word we say. Some statements like 'I love you' or 'I hate you' or 'I'm going to sue you if I don't get what I want' are pretty clear. But then there's other subtle words like let's rename Title 5 and 20... and Title 6 "The Developer's Code," that kind of gets into a fuzzier area. I've been coming here for quite a while and I've sat through and I've heard a lot of things in these chambers and some examples of things I've heard here are "Don't worry, if there's too much opposition, I'll use big words" or "the School District should have known that the development was coming and gotten their bond passed" or how about this one "I guess the parents aren't feeling enough pain yet, that's why they didn't pass the bond"? Or when citizens stand up and say this area is unsafe "This road should be called dead cat, not black cat" or how about "we'll fix it later?"

I guess the problem is there's a lot of stuff that has to be done. Everybody works really hard. But everything goes so fast that nobody's paying attention to all the details, and there's a lot of details that I think possibly get mixed... missed and that maybe it's time to slow down and really maybe go back and look at some of it. These words meant a lot to me when I found them at the bottom of your Comprehensive Plan. "Nothing in the United States Constitution's 5th 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 that subsidized unwise development." And unwise development doesn't mean it wasn't planned well; that it didn't check all the boxes. But what's it doing to your citizens? People are hurting; people's cost of living are going up. I'll tell you about the details of that another time. Thank you for listening.

Council President Bruce Thank you, Ms. Wolf.

Mayor Stear Is there anyone else who wished to that didn't sign in? All right.

[Meeting Continues to Item 6. External Reports]

Part II

(Timestamp 01:14:01)

Richard Gerard I appreciate... *[inaudible]*.

Mayor Stear Well, I'm going to guess you prayed about it and that gives me no choice.

[Laughter]

Mayor Stear Yeah, just name and address. Thanks Sir. And then if you would just repeat that again out loud this time.

Richard Gerard This button there... Yeah. I'm Richard Gerard from Kuna Lutheran Church. Our address there is 128 E. Porter St. and what I'm here tonight for is to ask for some consideration. We've been...as you guys probably know... seen, we've been working on the church for the last... almost the last two years. We have... we're getting down to the end, but...the issue I bring to you tonight is that we haven't been able to get our sewer line even started. I actually think they may be getting started, but we've been trying since the first year to get Sun Rock to install the sewer line that they have given us the bid. They haven't done it. However, about 6-8 weeks ago they did come out and install a water line and hook up to the city water.

But... since there's no sewer... the water crews locked up the meter. We have no access to that water, and obviously we have no access to the sewer. However, we have the last two months received bills from the city for water and sewer. It just seems a little...little... out of reason. That we're paying for sewer that we haven't even got the sewer line hooked up to the city. So... that's my request is...money is tight for us and to pay another \$400.00 a month for... for services that we couldn't even possibly use. I mean, how would you guys feel about going to a house...or your house being told, well, we're going to start charging utilities, but we haven't put the sewer line to your house yet. So that's... that's my issue. I've tried to resolve that with the utility department. I get told that that's just the way it's set up and so... I guess I'm.... I'm at a point that my remedy is to see if there's any... any resolution that we can talk about with the City Council. And with that, I appreciate that consideration.

Council President Bruce Thank you.

Mayor Stear So just a question if... the sewer line that needs to go in, who is responsible for that?

Richard Gerard We're actually *puttin'* it in. Originally, we were...going to have to put in aseptic tank and then Public Works changed their mind and said we couldn't... we can access sewer to our Northeast corner, actually we have to go into the neighbor's property. There's a sewer line stubbed out there so we can connect to that. But the... Public Works decided... that the 8-inch line wouldn't be a city line as we first thought so we're install... we are installing that sewer line. And we got bid... actually we got bids last fall, but they weren't... didn't want to start *'till* after the first year.

Mayor Stear Okay.

Richard Gerard They're busy.

Mayor Stear So I thought...

Richard Gerard So here we are.

Mayor Stear I thought that's what I understood, but... I...so the only issue here is that you're being billed for water, sewer... and not able to use it?

Richard Gerard Exactly.

Mayor Stear Okay. All right. Alright, we'll see what we can do about that.

Richard Gerard Okay. Thank you very much. I appreciate your consideration and we look forward to...being opening our church here, we're... just as a quick comment.... We're the first Lutheran Church in Southern Ada County.

Mayor Stear Yes you are.

Council President Bruce What was your name, Sir?

Mayor Stear Alright. Thank you.

Council President Bruce What was your name?

Richard Gerard Richard Gerard.

Council President Bruce Thank you.

[Meeting Continues to Item 11. Mayor/Council Announcements]

6. External Reports

(Timestamp 00:04:30)

A. Denim Day Proclamation. Mayor Stear.

Mayor Stear Let's see, we have the Denim Day proclamation.

Whereas the United States government has declared April as sexual Assault Awareness Month, and the WCA has declared April 2020, excuse me, April 24th, 2024 as Denim Day.

And whereas both events are intended to draw attention to the fact that sexual assault remains a serious issue in our society.

Whereas harmful attitudes about sexual assault allow these crimes to persist and allow survivors to be re victimized. And whereas sexual Assault Awareness month and Denim Day were also instituted to call attention to the misconceptions and misinformation. About rape and sexual assault and the problem that many in society remain disturbingly uninformed with respect to issues of assault.

And whereas every 68 seconds, someone in America is sexually assaulted and approximately 1 in 4 women are raped during their lifetime.

And whereas the proper education on the matter there is compelling evidence that we can be successful in reducing incidents of this alarming and this psychologically damaging crime.

Whereas the city of Kuna is an important partner in the efforts of the WCA to educate about the true impact of rape and sexual assault. Now therefore, I Joe Stear, Mayor of the City of Kuna, do hereby proclaim April 2020, did it again, April 24th, 2024 in the City of Kuna as Denim Day.

And did we have anybody in the audience? Okay. Thank you.

B. Day of Prayer Proclamation. Mayor Stear.
(Timestamp 00:06:27)

Mayor Stear This next one is the Day of Prayer proclamation.

Whereas throughout history, America has faced trials and triumphs and Americans have responded in prayer, seeking courage and comfort. Inspiration and joy filled celebration. Faith compels us to seek and cling to the light in times of darkness and spread light to those in need.

Whereas from the first gatherings of our founding fathers, elected officials have prayed and entreated, those who serve and represent to join them in prayer, including the authors of our Declaration of Independence, wrote that they, the Representatives of the United States of America in General Congress assembled appealing the Supreme judge of the world.

And whereas a national day of Prayer has not only been a part of our heritage since the day it was declared the first Centennial Congress in 1775, but it is a public law established in the United States Congress in 1952, approved by a joint resolution and amended by Congress and President Reagan, with public law 100-307 in 1988. Affirming that it is essential for us as a nation to pray and directs the President of the United States to set aside a proclamation the first Thursday of May, annually, as a National Day of prayer.

Whereas every first Thursday of May on the National Day of Prayer, we not only express our faith and exercise our freedom and prayer but unite our hearts and voices in personal prayer and public gatherings throughout our cities, across America with fervent Prayer, repentance, love, and humble intercession for our neighbor and nation.

And whereas in our city and across America, the observance of National Day of Prayer will be held on Thursday, May 2nd, with the theme “Lift up the world, Light up the world” based on the verses in Samuel 22:29-31.

Now, therefore, I Joe Stear, Mayor of the City of Kuna, Idaho do hereby proclaim May 2nd, 2024 throughout the City of Kuna, as the National Day of Prayer. All right. Thank you.

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 00:09:16)

- A.** Case Nos. 23-06-AN (Annexation), and 23-05-S (Preliminary Plat) – Applicant requests Annexation and Preliminary Plat approval near the NEC of Ten Mile Rd. and Hubbard Road in Section 11, Township 2 North, Range 1 West. Troy Behunin, Senior Planner
ACTION ITEM

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

Mayor Stear That takes us to item 7A, case #23-06-AN Annexation and 23-05-S preliminary plat, Troy.

Senior Planner Troy Behunin Good evening, Mr. Mayor, and Members of the Council. For the record, Troy Behunin, Planning and zoning staff, 751 W 4th St. here in Kuna. The application that is before you this evening request annexation of approximately 12.49 acres and applying the R-6 and the R-12 zones. The applicant requests preliminary plat approval in order to divide the 12.49 acres into 73 total residential units, 21 single family lots and 1 multifamily lot and 4 common lots. Public works in exhibit 2.20 states that they can support the Bristol Creek Subdivision development with the conditions that are listed in the Engineer’s memo. Planning and Zoning department staff does agree with the conditions listed in his memo. Staff has reviewed the proposed annexation and the preliminary plat application and find that it is in compliance with Kuna City Code, Idaho State Statute 50-222 and 67-65, The Kuna Comprehensive Plan and should the Council approve the applications this evening, staff recommends that the applicant be subject to the proposed recommended conditions that are outlined in staff’s memo. The applicant is present tonight and they do have a presentation and I will be here if you have any questions for staff.

Mayor Stear Okay, any questions for Troy?

Council President Bruce Not at this time.

Mayor Stear Okay, yeah. If the applicant would like to come forward and present.

Katie Miller, Bailey Engineering *This is not my mine, but I'd be happy to present it... There we go.* All right, good evening, Council Members. Matt, Mr. Mayor. Katie Miller, Bailey Engineering, 1119 E State St. Eagle, ID 83616. Thank you, Troy. The application before you tonight is for an annexation zone and a preliminary plat. The site location is on the northeast corner of Ten Mile and Hubble... Hubbard Rd. for a total of 12 1/2 acres. So the picture of your future land use map showing our site right here, which is designated as Mixed-Use to the north of us is medium density to the east mixed-use and I believe this has been annexed and zoned to commercial, R-20, and R6 and then this parcel on the south remains in the County as rural residential, currently.

As Troy mentioned for tonight, we are requesting a zoning designation of R-6 around our perimeter to match up with the neighbors and then a one lot of multifamily, internally, with an R-12 zoning designation. The project before you does meet your comprehensive plans and goals, for that. And then, here's the preliminary plat. There's 21 single family residential lots again on the perimeter of the site matching. We tried to match existing homes on the other side of the State lateral. Internally you have 13 fourplex units for a total of 52 units on that. Pathways and connectivity; we have a 10-foot pathway which is part of your master pathway plan which will eventually lead out and go to Ten Mile once this parcel here develops. That's along Ten Mile Rd Pathways throughout attached sidewalks. We've added this pathway here, per the School District, for a future bus station down here Required open space on This site is 7 1/2%. We are offering 15.7% and that is not including any of the buffers.

Oh, I want to go back up here for amenities. Up here is a dog park, a fenced dog park along the lateral. Here we have a open space for kids to play in. Over here, there is a covered picnic shelter as well as a playground. Accesses to the site; one will be off of Hubbard Rd. The other one to the north will be a connection to an existing subdivision crossing over the State lateral.

Utilities for the site are available in 10 mile and Hubbard. And then obviously, you know the sewer issue of limiting 40 EDUs per phase on a first come, first serve basis. Due to that, we'll have a phasing plan.

[Timer beeps in the background]

Wow. Oh, that was quick. Any anyhow, phase one would be on this Northside with 38 units, so we'll have that and then not exceeding that 40 EDU's. And then if the sewer capacity is available, we proceed with phase two.

Some of the elevations. We'll have both single, two-story; three car and two car garage product in this development. *Quickly go through that.* Again, we agree with the conditions of approval. I wanted to touch; we don't have renderings of the fourplex units in here right now because we're looking at redesigning some of those. Also, we have to come back before you with the design review application for those fourplexes. So, you will see them and have an opportunity to look at that in the future. And I will stand for any questions.

Mayor Stear Okay, questions for the applicant?

Council President Bruce Not at this time, no.

Katie Miller, Bailey Engineering Thank you.

Mayor Stear All right, thank you, and this is a public hearing. I didn't have everybody's sign up to testify. Is there anyone who wishes to? I'll just write your name.

Danielle Horras, Kuna School District Good evening, Mr. Mayor, Council Members. Danielle Horras, Kuna School District, 711 E Porter. I just want to share that this district, the school district that we are in, is full. I'm going to share with you the numbers that are specific to this development. I'm showing that this is an Indian Creek and that school has 308 kids, or sorry, the capacity for Indian Creek is 308. We already have 300. And that's with all the other ones that we've already approved. So, we are at 97% capacity right now with more coming in. KMS is at 91% capacity and we're really hurting at KHS and Swan Falls. We're at 103% capacity for that school. So I just want to share that that's the current state of the numbers that exist and it looks like this would be a great subdivision for families. I see the multifamily housing, the affordable housing, while I support that, there just simply isn't capacity to support the kids that would be generated from them, so thank you.

Council Member Biggs Thank you.

Council President Bruce Thank you.

Mayor Stear And I looked at the wrong sheet, Beverly Wolf.

Beverly Wolf Beverly Wolf, 3420 W Commemoration Ave. in Meridian. And I'm going to echo the school issue because it just keeps getting bigger and bigger. You'll squeeze 73 families, we're assuming more than one person, on 12 1/2 acres. So I was curious, is the open space, the driveways and the parking and the sidewalks? I mean, I saw little green patches, but it didn't see too much around the fourplexes. And the schools are part of the costs that are going to increase and the need for the schools which were already past that, but everything else goes up. Insurance goes up because of the density. Homeowner's Insurance has gone up. Auto insurance has gone up. I'm assuming crime goes up a little bit. When do we stop and look? When do you stop all of it and figure it out? I don't know. I'm just asking. Please consider it. Rule of law. Fear of lawsuit. Those are all great, but no offense, even our city attorney and one of the things that we were reviewing a few weeks ago said he doesn't actually read the documents behind the developments, because that's not his job. It's your job. It's our job to look at and protest. We've gotten lots of protests in last year about the density and the areas and the traffic and we keep getting these great reports on what ACHD and Idaho... the other district. How did they cumulatively add the traffic? I mean, is anybody really putting it in as a component? Because it seems like they keep looking at these things independently, like, "well, we're going to ignore that 700 homes that are going in over there and we're just going to look at the 100 over here." I'm not the only one feeling the traffic pain. Right, Matt?

Mayor Stear Okay, thank you. That was all I had signed up. Was there anybody else who wishes to testify? Okay. I don't know your name, so I'll let you sign in.

Robert Miller Hi, my name is Robbie Miller. My address is 1553 N Alcatraz Ave. in Kuna, Idaho. So, I'm just going to kind of... it's my first time here; so bear with me here. I'm just going to basically come along with these people. It's just I don't see how the growth that we're bringing into this area while is good for the taxpayers and good for bringing in revenue like she said, our schools are at capacity. We are feeling it. My kids go to the schools, they feel it. It's not only the area, how many how many kids are in the classes? It's they're not getting the attention that they need in some cases because there's just so many students in the classes and my son's kind of struggling in one class because of that reason. Okay, and so I don't have a whole lot to say on another then I'm just going to mirror with what these people are saying is that I just don't see how we can bring in all of this growth and not have a plan in place for the schools, especially even EMS, I think needs some help too. I think there are other projects that we should focus on to help with the growth we already have. I saw something interesting that came through from the school they're talking about maybe trying to say, "hey, we can't bring any more development till the school situation is fixed." I agree with that. So with that being said, I appreciate your guys' time. Thank you.

Council President Bruce Thank you.

Mayor Stear Thank you.

Mayor Stear *You want to? Okay. I'll get your name.*

Cindy Geason Hi, Cindy Geason, 1363 S Ash Ave. Once again, you're looking at development that comes into Ten Mile Rd. and it's heavily impacted. I've seen the recent funding and... that the legislator came up with for ACHD and it doesn't appear that it's going to happen over there is all they have down for Kuna is, Kay, and Avalon. So, it's going to be years before we make that road big enough. And I think Matt knows and I experienced the 15-minute drive from getting off of the highway to just getting to Columbia, because of the impact of the traffic. It goes from 2 lanes to 1 and it's just crazy. I don't think anything should be built on Hwy. 10 until you got, I mean Ten Mile until you guys get a commitment and additionally, I'm concerned about the townhouses. I've looked at that spot and I'm just curious how the neighbor that's on Ten Mile feels about having these tall townhouses next to her. Also curious about the people across the street that have this beautiful Ranch, you know, and so I just reconsider the townhouses as well, so, please catch up and then add things.

Mayor Stear All right. Thank you. All right. Anyone else?

Senior Planner Troy Behunin Mr. Mayor.

Mayor Stear Yes?

Senior Planner Troy Behunin For the record, Troy Behunin, I just want to clarify one small thing and I believe what Ms. Katie Miller was indicating about the design review is that generally speaking a design review application comes back to the city. Generally speaking, the City Council doesn't actually hear the design review for any given project unless there's an appeal that goes to the to the Commission. I just wanted to make that distinction. You will not see the design review for any project unless there is an appeal.

Council President Bruce Thank you.

Mayor Stear So, we don't get to pick the color of the house?

Senior Planner Troy Behunin I'm sorry. That's the way it goes.

[Laughter]

Mayor Stear That's a responsibility I don't want, so thank you.

Mayor Stear Thank you, Troy. All right then, rebuttal?

Katie Miller, Bailey Engineering Katie Miller, 1119 E State St. Eagle, ID 83616. *What do I click on Troy? There we go.* I want to thank everybody for their comments. It's something that is not foreign to us, school districts being absolutely critical and heavily impacted. We agree with that and we are very sympathetic to that. That being said, the developer has been working very closely. I've been working with closely with Robbie Reno. I haven't met Danielle yet, but it's nice to put a face with the name. On land donations, so far, there have been two land donations. Currently, Kuna is looking for another site for an elementary school, of which we are forwarding concepts of how it fits on the 12-acre piece. So, there's been conversations about the somewhat impact fees, of the \$2500 per house, basically, that's essentially to pay for the taxes beforehand instead of in arrears. So for this particular site that would come out to \$171,000. The question and the hard part that comes to us is, how is that going to solve the school problem today versus donating land? So if you took general ag land with nothing else on it and it was a donation to the school district, that would be at bare minimum \$50,000. So that's \$800,000 right there for a piece of land that we fit a school site on, of Kuna's preference.

The particular site we're looking at is on the city boundary and has actually annexed into the city, has city services, everything else, so that value of the land is at least \$100,000. So, you're looking at \$1.2 million. In addition to working with the school districts on that, we're also working very closely on how do we help market, work with the school district to get a bond. The bond approved, passed, marketed. We worked with Valley View very, very closely. Developers and civil engineering firms collectively because Valley View had two bonds that failed until last May. They got one that passed. We put a serious marketing campaign together to make this happen. We are willing and want to do that to help the Kuna School district; because that that is what we need to build the infrastructure. We can donate land, but if you don't have the money to go vertical, like, it doesn't do anybody any good. So we're motivated. We're help helping wherever we can. But I think the biggest solution to it is to have a bond get passed to do that, because collecting \$2500 per lot, which is something that's been asked, is not going to solve that problem. It's not the long-term solution to the problem that exists today. So, just know we're very empathetic with that. I just kind of wanted to touch... I apologize, Danielle. I had looking at your boundary maps the other day, Silver Trail as elementary school, but nonetheless, everybody's pretty impacted. We agree with that.

Keeping construction schedules in mind because I think that's a really hard thing to conceptualize we think, okay, if we approve this tonight, then tomorrow we're going to have 73 homes magically in the air. So for phase one, which I said was 38 units. Basically, best case

scenario, if tonight it was approved, right? You'd start construction about April of 2025. Building permits pulled at the end of 2026, occupancy late 2026. And then I calculated I used the most current report for the student generation reports and weighted average to what our community impact would be to the school district and that be a total of 36 students. So, with phase one at the end of 2027, that would be 18 students. Phase two, starting construction in 2027, building permits pulled in 2028, Occupancy mid-2029 and another eighteen student impact to the school district in late 2029. So, it's not something that's happening tomorrow and I know there are multiple developments that have been approved. But we do have time to work. Robbie had talked about adjusting school boundaries to make sure we have capacity, things like that. So I guess my point to saying this, we acknowledge the problem we're working diligently to help find a solution to the problem and like to just kind of keep that in perspective

As far as the traffic, I'm just going to, I'm not a traffic engineer and I'm not going to pretend to be one, but Ten Mile Rd. and Hubbard Rd. right now, are operating better than the level E and this is an acceptable service for a 2-lane minor arterial; that's from ACHD staff report. And then the roundabout at Ten Mile and Hubbard is scheduled to go in 2026. With that, I'll stand for any questions.

Mayor Stear Questions for the applicant? Yes, go ahead.

Council Member Laraway Go ahead, question for you on your, I guess I'm going to call it property line, I noticed that there's a large section along Ten Mile, that it's not touched and it's going to be RR.

Katie Miller, Bailey Engineering Correct. They sold...

Council Member Laraway Is that part of this Bitter Creek?

Katie Miller, Bailey Engineering It is not, no. They did not want to annex into the city. They were the people that sold us the property.

Council Member Laraway Okay, the reason I'm asking is If you look at your layout. You only have... Well, technically you have one way in, unless you're talking about to the north.

Katie Miller, Bailey Engineering Correct.

Council Member Laraway And with all these townhouses. All of them being, what? 12.

Katie Miller, Bailey Engineering Yeah, 13 in total, correct.

Council Member Laraway Okay, that's good, I guess. But it still it still brings to the point that The traffic situation on Hubbard and Ten Mile, they might classify it as such, but come around 4:00 to 6:00 there's fifty cars at that intersection trying to get to that stop sign. I understand that they that the roundabout is supposed to be a miracle and fix these things, but it doesn't always. I know this because if you go north on Ten Mile, you cannot get on there in the afternoon because all the traffic coming off the amity has priority in the circle. Second thing on my concern is you are correct that donating X amount to the school district is not fixing the problem. It's a lot of little band aids. So I'll give you that. But part of the part of the problem we're having or I'm

having and I would speak personally is the developers come in and we want to do these projects and right now we're looking at 90% taxation of residential, 10% on commercial. This this plot does not change that equation at all. Actually, it makes it worse. That's why I was asking about the potential of that other piece of land because that's prime commercial and eventually they will want to annex in because that's what happens. So, technically that's off the table because it does not belong to you. So, those are my concerns.

Nobody has ever been able to answer me this. I don't know why it is that developers want to throw R-12. It makes no sense to me. You got R-6. Things look great and then they try to cram as many people as they can in what's left. We're not Boise. We're not LA. We're just we're, you know, we're small community. And I saw some statistics that were put on by the Boise State University that 77% of the people in Ada County, 77%, are tired of the growth and the traffic came next. I'm not quite sure where this falls. I know mixed-use is a...it's a guideline. Enough of my speech. Thank you.

Katie Miller, Bailey Engineering No, thank you. And if I may respond?

Council Member Laraway Yes, ma'am.

Katie Miller, Bailey Engineering No, I understand. Yes, your comprehensive plan does call for a mixed-use designation which asked for multiple uses within that. That's what we have here. I also want to just come back when we talk about cramming things in, in the R-6 designation. Our density is below the six units per acre for the entire site. If it was all single family residential, you'd still be allowed six per the acre. So we're on the medium to low end of the designation for your comprehensive plan.

Council President Bruce Thank you.

Council Member Laraway Thank you.

Council Member Biggs Ms. Miller, I just have a question. Thank you for coming out. I would, I'm curious on the fourplexes, where are people supposed to park? Because there was no... I didn't see the design thing, so I'm kind of looking at this map and trying to figure out where people are going to park.

Katie Miller, Bailey Engineering Yeah, I don't know if I have it. Let me see if I have a better one in here. We do have parking. So, you guys were over by 6 parking stalls. You guys require two per unit plus one per visitor. So three per unit; and we're a little over that. But this on both sides is all parking and then parking on both sides of this. Some will be covered and some will be uncovered. So there is adequate parking for the residents and their guests. Additionally, for the single family residential, you'll have two, possibly three, in the garages and then two in the driveway for off-street parking there.

Council Member Biggs Yeah, I definitely don't dispute the single family. It was. It's the fourplex where I'm still looking at them. I'm still trying to figure this out; because they look pretty dense to me.

Katie Miller, Bailey Engineering Yeah, there is adequate parking for them and Troy has seen our preliminary plat which probably shows it more clearly.

Council Member Biggs Okay. Thank you.

Katie Miller, Bailey Engineering Mhm.

Mayor Stear Further questions for the applicant?

Council President Bruce No, Sir.

Mayor Stear Thank you very much.

Katie Miller, Bailey Engineering Thank you.

Council President Bruce You guys have any questions for Troy, or?

Council Member McPherson I don't know.

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

Council Member Laraway Second.

Council Member Biggs Second.

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

All Council Members Aye.

Mayor Stear Any opposed?

(Timestamp 00:35:55)

Motion To: Close Evidence Presentation and Move to Deliberation

Motion By: Council President Bruce

Seconded By: Council Member Laraway

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Council President Bruce You want to start?

Council Member Biggs Just... I like working on problems after we get a solution. Rather than working on or bringing something now than work and then hope you know, having hopes later that the solution will be fixed for the capacity issues at the school which are not going to go away.

Council President Bruce I think if you look at the capacity of the school, also the density around that area you have R-20 on the other side that's going to add to those two-lane roads plus the traffic coming off that end going through the neighborhood. I think we have a lot of homes that we've already approved. And even if they were to pass a bond tomorrow, they're still years out before they put the school in. I just think we should address that. Also, she did make a good point with the money from ADHD. What is going to be allocated down here for those roads and a timeline? I'd like to see that as well.

Council Member Laraway I kind of look at this map and we have mixed-use to the northwest corner mixed-use to the northeast corner mixed-use to the southeast corner. And I know it's a mixed-use on the southwest corner. This is just the first of other complicated things we're going to have if we keep using these mixed uses to bring in this type of development, these intersections are going to just get bad. I don't know about the ranch to the southeast that's been there pretty long time, but I know the land to the West on both sides of Hubbard Rd. Has already been considered for development, I'm not sure where we're at with that, but I know there's a Jackson store they're supposed to come in, keep catty-corner from that. I just think this is a lot of mixed-use for this one little intersection. I know ACHD says, you know, we're going to take care of it. But ACHD has a lot on their plate and I don't know if I'm comfortable enough to put everything I have on their word. You we can't control that. ACHD controls their own priorities. That's all I got.

Council President Bruce Greg?

Council Member McPherson Well, it's kind of a catch-22 because that area has been kind of a weed patch for a long time and we try to, you know, fill the hole in the doughnut every now and then and this would fix that. The flip side of the coin is you're right, the schools are crowded and you know the road. I mean, I travel up Ten Mile sometimes early in the morning and it's bad, but I mean there's a lot worse roads, so it's kind of, You know, I'm kind of torn one way or the other on this one. It's.

Council Member Laraway Yeah, I live on Hubbard. I use Ten Mile quite a bit and it's a heavily used Rd. ever since they've added the freeway exit at that end of the to the north.

Council Member McPherson Right, and it doesn't help that there's so many other major roads shut down, you know, Black Cat north of the freeway, Locust Grove, torn up right now. Star roads torn up farther northwest. So it all funnels more onto the ones that are open Ten Mile under. Well lenders actually close to now that I think about it. So it doesn't help you know and then then they'll go to put a roundabout in there in '26. Sure. That will just make Linder and Martin Rd. worse for a while, and it's like they just shuffle it back and forth and back and forth and...

Council Member Laraway This is going to go down your alley because I know. Being that that area off over there is still agriculture, there's a lot of farming equipment that still uses 10 mile to get North and South.

Council Member McPherson Correct.

Council Member Laraway That makes things worse.

Council President Bruce And we have to look at everything that's going to come online about the same time. As those the projects across the street from there. The ones down at Columbia. So, even if they are still years out to requesting occupancy, we will still have the all the ones coming out at the same time.

Mayor Stear Okay.

Council President Bruce Anyone have a motion?

Council Member Laraway Well, I'll do it. I make a motion that we decline Case #23-06-annexation AN and 20...

Mayor Stear Just the annexation.

Council Member Laraway Just the annexation, okay.

Council President Bruce I'll second it.

Mayor Stear Motion is made and seconded to deny 23-06-AN annexation. Is there any further discussion? All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? And that motion passes.

(Timestamp 00:41:20)

Motion To: Decline Case #23-06-AN

Motion By: Council President Laraway

Seconded By: Council Member Bruce

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

- B.** Case Nos. 23-05-ZC (Rezone) and 23-06-S (Preliminary Plat) for Falcon Crest EAST Subdivision. Applicant requests Rezone and Preliminary Plat approval near the NEC of Kuna and Cloverdale Roads in Section 22, Township 2 North, Range 1 East. Troy Behunin, Senior Planner. ACTION ITEM

Open Public Hearing

Receive evidence

Consideration to close evidence presentation and proceed to deliberation

(Timestamp 00:42:01)

Mayor Stear That takes us to 7B. Case # 23-05-ZC and 23-06-S preliminary plat for Falcon Crest E Subdivision, Troy.

Senior Planner Troy Behunin Good evening. Good evening again, Mr. Mayor and Members of the Council for the record, Troy Behunin, Kuna Planning and Zoning staff. 751 W 4th St. here in Kuna. The application before you, right now, is a request for a rezone for part of the site and a preliminary plat approval in order to subdivide the property into one hundred... I'm sorry the you subdivide the approximate 180 acres into approximately 654 total units comprised of 605 single family homes, 36 common lots and 7 common driveways, 3 private roads and also 3 golf lots. The applicant is proposing 17.11 acres, or 11.8%, of the project is open space with the gross density proposed at 4.16 dwelling units per acre, while the density... the net density is proposed at 6.25 dwelling units per acre. Public works conditionally supports the Falcon Crest E Subdivision development with conditions that are of that support that are listed in the Engineer's memo. The Planning and Zoning Department agrees with the Public Works recommendations. The applicant is proposing 7 private driveways on the common lots on common lots for clusters of 3 and 4 lots each within the project. Staff has recommended that the applicant be conditioned to work with the city engineer to provide proper easement widths as a whole for the project and in particular the clustered homes that are served by these private driveways.

Staff has reviewed the proposed rezone for conformance, and the preliminary plat for technical compliance and compared it with the recorded development agreement for the Falcon Crest greater project, also with Title 5 and Title 6, and Kuna City Code, and the Kuna Comprehensive Plan and should the Council approve the rezone and the preliminary plat, staff recommends that the applicant be subject to recommend staff recommends that the applicant be conditioned to comply with the conditions outlined in the staff memo. The applicant is present tonight and he does have a small presentation and I will be here for any questions that you might have.

Mayor Stear Okay, any questions for Troy?

Council Member Biggs None yet.

Council Member McPherson Thank you, Troy.

Mark Tate, M3 Companies Good evening, Mayor, and Council. Mark Tate with the M3 Companies, 1673 Shoreline, Dr. Ste. 200, Boise, ID 83702 for the record. Thank you all for having us tonight. I won't spend a ton of time going through the history because I know I've done that a number of times with all of you. We're making great progress in the project. We're very excited about how things are turning out, out there. The master plan right here, just to kind of recap what it what's in front of you guys' tonight is this Area D and Area J, which is outlined with the red bubble there all the kind of yellowish area here is all the 55 and older trilogy at Baller Community. This is the club associated with that community. These areas were previously approved in another preliminary plat called the Valor Golf Villages. We hadn't included parcel J yet. We weren't exactly sure on what kind of product we wanted to put into that neighborhood, but we've settled on a single-family product in there. All of G,H,I,&J, which is the Golf villages, is all gated. That was actually at ACHD's request. ACHD, and the City also approved private streets for the 55 and older area, as well. So this this would be the last preliminary plat for the 55

and older area and the last preliminary plat for parcel J. We have, now, four actually other approved preliminary plats, Falcon Crest, Falcon Crest South and now Falcon Crest East will finish up the 55 and older area. This area, Robin Hood subdivision, is it nearly built out now at this point, along with the cadet golf course that was built in here. That's the executive course.

Homes are now being built in parcels G & H those are under construction now and then. The first phase of this larger lot area in here is under development right now. Valor west was approved as a preliminary plat that will come back actually in front of you to discuss it, modification to that preliminary plat that I think you guys are aware of as well. That application is not in front of you quite yet, but we're working on that. A little, just a little bit of history with the development agreement, the project was approved for 2,322 homes as a maximum number of dwellings. We do have flexibility inside of the development agreement to move some of that density around. This preliminary plat has 606 single family lots the rough parcels that encompass this in our original density map total about 640 so we're slightly below what was predicted in these areas and you'll see actually to dovetail on your R-12 versus R-6 conversation, this does include a rezone from R-12 to R-6, so he said you don't see that very often, so I'd to point out, I guess every once in a while you might see that. So we are going to stick with a single-family product, at one point we thought about going a little bit denser in the 55 and older, and we've elected to go with the R-6 standards in that area. Hence the slightly lower lot numbers. It doesn't mean that the 2,322 number is going to change, it just means it can kind of shift around a little bit within the project.

Just a quick project update, got to get away from these renderings, but that sign is up. The Landscaping's in we're going to be doing a bunch of sidewalk and frontage improvements along this. I think we just got our permit to do that recently. This area now has houses on probably 75% of the lots. In this area, this is that Cadet short course that I talked about. The roundabout that was built in the project. Short course. This is the club, the trilogy at Valor. This is the Athletic Club that is now open. Pickleball is open and you can see this was the foundation. This was this winter, obviously. This building is totally framed in. And I believe the grand opening is scheduled for this summer, and that's the dining and social club in that area. So really excited to see a dining option, I believe out of at the beginning that dining option will be open to the general public as well. So we're pretty excited to have that out there, which is not, there's not a lot of dining options right now for folks in Eastern Kuna. This is another shot of the social club there. And this is the overall plan for Falcon Crest East as I mentioned, all of this area, which is the vast majority of the lots, is 55 and older. Age restricted. This area in the Gulf villages is not age restricted. We are seeing a demographic in that area that mirrors an age restricted community just given the price point, the golf orientation, that sort of thing. We'll include another community swimming pool community park located in that area. Those open space numbers that Troy provided that was that was also net of the golf course. If you had had the golf course into those open space numbers, it's quite a bit higher than that as you can imagine. And I believe that's all I have for you I'll stand for any questions.

Mayor Stear All right. Hey, Mark, if you would roll back up to page 190, the Falcon Crest entitlement, some of the. I've lost my bearings there and I'm I don't remember where the Saint Jude's house that you guys built.

Mark Tate, M3 Companies Yeah, great question. Yep. So in in golf village a. That was. That's in the revelry neighborhood, so we did. The St. Jude Dream home. Last year we raised \$2,000,000 for Cancer Research, which was just incredible. It's been the most popular dream home that they've done in a decade and I think that. That speaks to the excitement about the project in general, as well as an incredible cause. So yeah, we did. Did the Saint Jude Dream home right? Right there.

Mayor Stear Okay. All right. Thank you. Yeah.

Mark Tate, M3 Companies Anything else for me?

Mayor Stear Any further questions for Mr. Tate?

Council Member McPherson No.

Mayor Stear All right. Thank you. And I didn't have anybody signed up to testify in this matter, as everybody wishes to? Okay.

Beverly Wolf Since I believe we have... First, Beverly Wolf, 3420 W Commemoration Ave. I believe we're sitting here with. Two large developers in the room, so I have a challenge for them instead of marketing to the taxpayers, why don't you go lobby to our government and get our sales tax money back, directed back to our schools, the money that was taken away, I believe it's seven years ago, and has cost the school district multiple hundreds of millions of dollars, if not billions.

Mayor Stear All right, Cindy.

Cindy Geason I'm a neutral. Cindy Gibson. 1363 S Ash Ave. I just had a question. Last time we looked at Falcon Crest, they emphasize 55 and older and in my opinion, I know a lot of people that are that age, and they have their children and grandchildren, and we had a question about schools and their answer, you know, because they were developing a lot right in the little park area that's going to be public park, I guess. And then they were talking about their community pool, which they admitted was going to be just for the community, not the public, but also they said they really didn't have any answer for the schools issue and the children going to school in that area. Because it was on the border of West Data and Kuna School District. So I'm just wishing somebody could get to the bottom of that because it seems that big a place might need some resources of for the kids when they're waiting for the bus and all those other considerations that we should have for our kids, like a seat in the classroom. So just asking about that. Thank you.

Mayor Stear Thank you. Anybody else?

Mayor Stear All right, Mr. Tate, do you want to address the school site?

Mark Tate, M3 Companies Gosh, I think that's awesome feedback and what a great opportunity to. Talk about what? What we've got planned out there. We too think it would be incredible to have a school out in this site. That's why we are donating the land to have a K through 12 school at this project located right in this area here. So that is going to be subject to a conditional use permit or especially. I guess in in Kuna. We've made a public announcement that we're working with the Treasure Valley Classical Academy Public School, which is just an awesome, awesome opportunity, and if everything goes right, that school is going to be open in 2026. Very excited about that. So we agree with you. And so that's why we're doing something about that.

Council President Bruce I think they presented about that last...

Council Member McPherson Yeah, recently.

Council Member Biggs It was a couple of months ago. So, the charter school, the side, is it West in the West Ada boundary?

Mark Tate, M3 Companies It's in the West Ada boundary. It's interesting. The site is bifurcated along this section. Line is the boundary between Kuna School District and West Ada. So it will be on the West data side of that section line right on the boundary with Kuna School District, which also makes putting us school site in the project difficult because you know you're sort of splitting the people and with the Charter we don't have that problem which is great opportunity there.

Mayor Stear Yeah, it was good that they were including Kuna and West Ada and kids.

Mark Tate, M3 Companies Absolutely. At no charge.

Mayor Stear Okay, further questions for Mr. Tate?

[Pause]

Mark Tate, M3 Companies Alright, Thank you.

Mayor Stear Thank you. Alright.

Council Member Biggs Troy, and I'm not sure if that's because this is a rezone, but I didn't see a letter from West Ada in the SharePoint. A Letter of...any kind of endorsement.

Senior Planner Troy Behunin For the record, this is Troy Behunin. That's because this is not in West Ada School district.

Mayor Stear This part isn't the school that.

Senior Planner Troy Behunin That this project is not in the West State of School District. It's near the boundary, but it's not in...Yeah.

Council Member Laraway So here.

Council Member Biggs I misunderstood that it was. Yeah.

Council Member Laraway If I'm hearing what you're saying. What percentage of this map that we're looking at right now is in Kuna School District?

Senior Planner Troy Behunin For the record, Troy Behunin, and everything you see on the screen right now is in the Kuna School District. Sorry in in the. Sorry the what is it the? The. The 11, yeah, yeah. Everything that you see on that screen is in... It's the K section K and. So the school district boundary runs along this property boundary and then cuts through this 160 acres of this 160 acres is in West Ada School District along with this whole area to the north.

Council Member Laraway So 97%.

Mark Tate, M3 Companies And, but yeah, the preliminary plat in front of you is in Kuna School district. That school site that I was describing, which would be located right here, falls within the West Ada School district boundary, that's part of the confusion, I think. So all of D is 55 and older there will be no kids, but they're still going to pay property taxes to Kuna School District and then parcel J is not 55 and older and that's roughly 25% of the units, I think.

Council Member Laraway And the only school that we have approved or planned right now is actually going to be in West Ada physically.

Mark Tate, M3 Companies It will be in West ADA, but since it's a public charter, students from either district would be able to attend it. So any anybody within the project, any kids within the project could attend it.

Council Member Laraway Thank you.

Council President Bruce Any other questions?

Council Member McPherson I have none.

Mayor Stear I don't know would it be... Do you guys want to explain options, or? Doug or Marc? Whereas it is already an approved project and we're just looking at rezones and I think we'd be good to clarify that.

Doug Hanson For the record, Doug Hanson Kuna Planning and Zoning. Just to be clear. Also, I want to ensure that everything that goes into decision making tonight is just within that red boundary that we're currently seeing on our screen. This preliminary plat. The Charter school while it's great that needs to be cast aside. That's not something we're... we should be deciding upon anything tonight based upon that. So, that's number one. Number two, this preliminary plat is in compliance with the approved Development Agreement from 2019. So, at this point, we're really just technically reviewing this application. It meets all of the... all of the... the zoning requirements that were approved as part of the DA.

Council Member Laraway Thank you.

Council President Bruce Anyone have any more questions? I make a motion that we close... close the evidence presentation and move to deliberation.

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? Right. That motion carries.

(Timestamp 01:00:56)

Motion To: Close Evidence Presentation and Move to Deliberation

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

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[Long pause]

Mayor Stear Well, basically you look at what the product is and...

Council President Bruce Yeah, they've been working out there for a while, so...

Council Member McPherson And it's nice if you haven't drove through there, do, man it's incredible.

Council President Bruce Matt, do you have anything?

Council Member Biggs No

Council President Bruce John?

Council Member Laraway *[Shakes head no]*

Council President Bruce I'll make a motion that we approve case number 23-05-ZC and 23-06-S.

Council Member McPherson 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? And the motion carries.

(Timestamp 01:01:49)

Motion To: Approve Case # 23-05-ZC and 23-06-S

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None
Approved Via: Voice Vote
4-0-0

8. Business Items:

(Timestamp 01:02:15)

- A. Gallica Heights Request for Reconsideration. Doug Hanson, P&Z Director ACTION ITEM

Mayor Stear Item 8A Gallica Heights request for reconsideration. Doug Hanson.

Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning, you have a memo from staff in your packets going over the request for reconsideration for the Gallica Heights subdivision. Rather than rehashing the entire thing, I will just read Section 5, which is the staff recommendations which it is Staff's opinion that some degree of reconsideration of the decision is warranted. Most notably, the decision does not presently include any discussion of the actions the applicant could take to obtain approval of the applications in the future. Staff feels the applicant has correctly identified that this discussion needs to be included into the decision. It's Staff's opinion this single subject of reconsideration could be adequately addressed through additional Council deliberations. In the event Council desires to reconsider other portions of the decision, the applicant has... the applicant has identified staff recommends the matter be reopened for public hearing and remanded back to the Planning and Zoning Commission, and with that I will stand by for any questions.

Mayor Stear Okay, questions for Doug?

[Long Pause]

Mayor Stear It seems to me the cleanest way is to send this to...

Council Member Laraway Send it back.

Mayor Stear ...Planning and Zoning.

Council Member Laraway For transparency purposes, I agree.

Mayor Stear So basically vote to approve the request and remand it back to Planning and Zoning.

Council President Bruce Anybody else have anything else?

Council Member McPherson No.

Council President Bruce I'll make a motion that we approve the request for reconsideration and send it back to Planning and Zoning.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded. Any further discussion? Marc?

(Timestamp 01:03:56)

Motion To: Approve Request for Reconsideration and Remand the Case to Planning and Zoning Commission

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

Members Voting Aye: None

Members Voting Nay: None

Members Absent: None

Approved Via: None

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City Attorney Marc Bybee Yes, I'm just going to need to clarify. Um, because.... in the memo too from staff, it talks about no specific procedures are set forth in State Code or City Code for how the application will be processed on reconsideration. So... um, I think just a point of clarification in the motion that if ...that will be sent back to Planning and Zoning for additional public hearing. Um, because... otherwise it's... what is it... how... in what form is it going back and what will Planning and Zoning do with it? Does that make sense?

Mayor Stear Yes.

City Attorney Marc Bybee And so just some clarity on that it's being set back... sent back in that manner would be appreciated and because I'll have to write... meet with Doug, we'll have to write a...your decision on this reconsideration, we want to be clear when we write that... how it's going back.

Council President Bruce So I'll make a motion that we send the request for reconsideration for Gallica Heights back to P&Z for public hearing.

Mayor Stear That work?

Council Member Laraway Second.

Mayor Stear All right, motion and a second. So that will be a substitute motion. Any further discussion? All those in favor of the substitute motion signify by saying 'aye.'

All Council Members Aye.

Mayor Stear Is there anyone opposed? That motion carries making the original motion null and void.

(Timestamp 01:04:57)

Motion To: Approve Request for Reconsideration and Remand the Case to Planning and Zoning Commission for Public Hearing

Motion By: Council President Bruce

Seconded By: Council Member Laraway

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

B. Consideration to approve using OMNIA Partners, who is an association that offers its goods and services as a result of the competitive solicitation process to purchase playground equipment. Bobby Withrow, Parks and Facilities Director ACTION ITEM
(Timestamp 01:05:35)

Mayor Stear Item B, consideration to approve using Omnia Partners, who is an association that offers goods and services of... result of competitive... solicitation process to purchase playground equipment, Bobby Withrow.

Parks, Fleet, and Facilities Director Bobby Withrow Mayor, Council for the record, Bobby Withrow 371 W Shoreline Kuna, Idaho. Through State Code we are able to participate in cooperative purchasing. We have done this... with vehicles and some other things in the past, and in order to do it, we need your approval to use such partners as Omnia.

And they basically go through and solicit the goods and services and then brings us back the best price possible. Um, by doing this we somehow seem to get a discount. So that also helps us in the long run. Other government entities use them all the time. Like the Fire District... Sometimes they piggy-back off each other for fire trucks. So, it's pretty much all I'm asking. I stand for questions.

Mayor Stear Okay.

Council Member Laraway Question, Bobby, this is for future purchases?

Parks, Fleet, and Facilities Director Bobby Withrow Uh, this uh... Councilman Laraway, this is for purchase of playground equipment, um... as soon as you ...I get approval, we'll order it right away and get it in at Patagonia Park.

Council Member Okay.

Parks, Fleet, and Facilities Director Bobby Withrow Also known as Fitzroy.

Council President Bruce And is this only to use them one time?

Parks, Fleet, and Facilities Director Bobby Withrow Um, I believe we can use them in the future...because we are approving them. But if we do, I'll probably bring it in front of you again, just so everything's on the up and up.

Mayor Stear It does add them to our list as a...preferred vendor.

Council President Bruce Approved vendor.

[Long Pause]

Council President Bruce Anything... Matt?

Council President Bruce I make a motion that we approve using Omnia Partners... How would you like this stated Marc?

City Attorney Marc Bybee I'd say that Omnia Partners be added as an approved... cooperative. purchasing association that the city may utilize, something along those lines. Because what you're doing is ultimately adding them to a list of approved cooperative purchasing associations. So...I'd like to add that if anybody has any questions about what those are and why they're utilized, I'd be happy to do my best to answer them, or answer that.

Council President Bruce Make a motion that we approve Omnia Partners to be added as a... as an approved cooperative association.

Council Member McPherson Second.

City Attorney Marc Bybee Cooperative Purchasing Association

Council President Bruce Cooperative Purchasing Association.

Council Member McPherson Second stands.

Mayor Stear All right. Still second. Okay, we have a motion and second, any further discussion? All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? That motion carries.

(Timestamp 01:07:55)

Motion To: Approve Omnia Partner as an Approved Cooperative Purchasing Association

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Voice Vote

4-0-0

Richard Gerard Council, I'm Richard Gerard with Kuna Lutheran Church. I missed the...*[Inaudible]*

Mayor Stear Okay, I'll give you a moment at the very end if you don't mind.

Richard Gerard Yes, thank you very much.

Mayor Stear You bet.

Council President Bruce I have a quick question...

Mayor Stear Yes.

Council President Bruce ...for Bobby since we were talking about Parks. How how's it coming over there at Patagonia?

[Laughter]

Parks, Fleet and Facilities Director Bobby Withrow Councilman Bruce, um it's, it's coming along pretty good and we're...we're well beyond the point of ordering the playground and getting everything else done. We gave them concrete samples today, so we are in the next probably week or so, they'll be doing concrete and asphalt.

Council President Bruce Thank you. Sorry I miss...

Mayor Stear No, you're fine...

9. Ordinances:

(Timestamp 01:10:10)

A. Consideration to approve Ordinance 2024-06 ACTION ITEM
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS; AND
- REPEALING AND REPLACING TITLE 5 OF KUNA CITY CODE;
AND
- REPEALING TITLE 6 OF KUNA CITY CODE; AND
- PROVIDING A SEVERABILITY CLAUSE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

<https://kunacity.id.gov/DocumentCenter/View/8951/2024-06-Repealing-and-Replacing-Title-5-and-Repealing-Title-6-of-Kuna-City-Code-PDF>

*Consideration to waive three readings
Consideration to approve Ordinance
Consideration to approve Summary Publication*

Mayor Stear All right, that takes us to item 9A. A consideration to approve Ordinance 2024-06, an Ordinance of the City Council, the City of Kuna, making certain findings, and repealing and replacing Title 5 of the Kuna City Code, and repealing Title 6 of Kuna City Code, and providing a Severability Clause, and directing the City Clerk in providing for an effective date. One thing of note on this, I saw that there was a Middleton City Council member that presented to the Kuna School District about no more building when there's no more room in schools... This.... change that we've made here actually addresses that. In 5-8-103 and also in 5-8-104. It gives you the ability to deny on projects based on... an inability of... an inability to be served by the school districts. So, same as if we couldn't provide water or sewers...

Council President Bruce Yeah.

Mayor Stear ... You would have that same power but this... this ordinance change does actually address that, So, we're actually ahead of the game of... Just trying to do there... Anyway.

[Long Pause]

Council President Bruce What would you guys like to do?

Council Member Laraway Considered to waive the three readings.

Council President Bruce I make a motion that we waive three readings of Ordinance 2024-06.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded to waive the three readings. All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? That motion carries.

(Timestamp 01:11:55)

Motion To: Waive Three (3) Readings of Ordinance 2024-06

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

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 2024-06.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded. Any further discussion?

Mayor Stear Nathan, would you poll the Council?

City Clerk Nathan Stanley Mayor, do you want to do the... oh, never mind.

City Clerk Nathan Stanley Council Member McPherson.

Council Member McPherson Yes.

City Clerk Nathan Stanley Council Member Biggs.

Council Member Biggs Yes.

City Clerk Nathan Stanley Council Member Laraway.

Council Member Laraway Yes.

City Clerk Nathan Stanley Council President Bruce.

Council President Bruce Aye.

Mayor Stear And that motion carries.

(Timestamp 01:12:08)

Motion To: Approve Ordinance 2024-06

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

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

Members Voting Nay: None

Members Absent: None

Approved Via: Roll Call Vote

4-0-0

Council President Bruce I make a motion that we approve this Summary Publication of Ordinance 2024-06.

Council Member McPherson Second.

Mayor Stear Motion is made and seconded. All those in favor say 'aye.'

All Council Members Aye.

Mayor Stear Any opposed? And that motion carries.

Council President Bruce Is that what you're going to ask? Okay.

(Timestamp 01:12:42)

Motion To: Approve The Summary Publication of Ordinance 2024-06

Motion By: Council President Bruce

Seconded By: Council Member McPherson

Further Discussion: None

Members Voting Aye: Council Members, Bruce, Biggs, McPherson, Laraway
Members Voting Nay: None
Members Absent: None
Approved Via: Voice Vote
4-0-0

Mayor Stear All right, if Council does not object, we will back up to the Public Comment portion and allow this gentleman to speak... if you would, let me have you sign in. I've got to get the right sheet.

[Meeting continues to Item 5. Public Comment Part II]

10. Executive Session:

11. Mayor/Council Announcements:

(Timestamp 01:18:45)

Mayor Stear All right, very good. That's all we had on the agenda. Is there anybody who... had any announcements or remarks?

Council President Bruce I just want to say Zamzow's Park looked great. Thanks for sharing the... got baseball people all over Kuna ready to use it.

Mayor Stear That is awesome.

Council President Bruce Yeah, they're... I'm getting... I get at least a call a week about it, so I'm going to give them your number.

[Inaudible]

Council President Bruce Let him call Bobby.

Mayor Stear A call... a call a week...

Council President Bruce Just from different...

Mayor Stear ...saying that they don't like it?

Council President Bruce Different baseball people...

Mayor Stear Oh.

Council President Bruce ...asking when it's going to open. When they... When can they use it.

Mayor Stear Soon as... soon as the irrigation is on.

Council President Bruce Yeah.

[Laughter]

12. Adjournment:

(Timestamp 01:19:24)

Mayor Stear Okay, anybody else?

Council Member McPherson We're good.

Council Member Biggs Thank you, Sir.

Mayor Stear All right. Well then with that meeting is adjourned. Thank you.

Council President Bruce Thank you.

Council Member McPherson Thanks.



Joe L. Stear, Mayor

ATTEST:



Nathan Stanley, City Clerk

Minutes prepared by Garrett Michaelson, Deputy City Clerk and Cortnee Manning, Office of the City Clerk

Date Approved: CCM 05.07.2024





CITY OF KUNA
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SIGN-UP SHEET

April 16th, 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

JANET WOLF
Print Name
3425 W. Comm.
Print Address
Meridian
City State, Zip

Print Name

Print Address

City State, Zip

Print Name

Print Address

City State, Zip

Topic

Topic

Topic

RICHARD GIRARD
Print Name
1286 PORTER ST
Print Address
KUNA ID
City State, Zip

Print Name

Print Address

City State, Zip

Print Name

Print Address

City State, Zip

Topic

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Print Name

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SIGN-UP SHEET
 April 16, 2024 – Council, Public Hearing

Case Name: **Bristle Creek Subdivision Request:**
 Case Type: Annexation and Prelim-Plat Request.

Case Nos.: 23-06-AN (Annexation) and 23-05-S (Pre Plat).

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

IN FAVOR		NEUTRAL		IN OPPOSITION	
<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input checked="" type="checkbox"/> Testify	<input type="checkbox"/> Not Testify
Print Name		Print Name		Doreen Wolf	
Print Address		Print Address		3420 W. Comm	
City	State, Zip	City	State, Zip	City	State, Zip
Mendocino ID					
<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input checked="" type="checkbox"/> Testify	<input type="checkbox"/> Not Testify
Print Name		Print Name		Danielle Heras	
Print Address		Print Address		Kuna School	
City	State, Zip	City	State, Zip	City	State, Zip
<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input checked="" type="checkbox"/> Testify	<input type="checkbox"/> Not Testify
Print Name		Print Name		ROBERT MILLER	
Print Address		Print Address		1553 N ALCATRAZ AVE	
City	State, Zip	City	State, Zip	City	State, Zip
KUNA				ID 83634	
<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input type="checkbox"/> Testify	<input type="checkbox"/> Not Testify	<input checked="" type="checkbox"/> Testify	<input type="checkbox"/> Not Testify
Print Name		Print Name		Cindy Geason	
Print Address		Print Address			
City	State, Zip	City	State, Zip	City	State, Zi



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SIGN-UP SHEET
April 16, 2024 – Council Public Hearing

Case Name: **Falcon Crest EAST Sub Request:**
 Case Type: Rezone, Pre-Plat & Design Review Request.

Case Nos.: 23-05-ZC (Rezone) and 23-06-S (Prelim. Plat).

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

IN FAVOR		NEUTRAL		IN OPPOSITION	
<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>
_____ Print Name		_____ Print Name		_____ Print Name	
_____ Print Address		_____ Print Address		_____ Beverly Wolf 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 Address		_____ Print Address		_____ Print Address	
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_____ City	_____ State, Zip	_____ City	_____ State, Zip	_____ City	_____ State, Zi