

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, May 14, 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 April 23, 2024

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:

A. Case No. 24-01-SUP (Special Use Permit) Giraffe Laugh Daycare – Doug Hanson, Planning & Zoning Director

Applicant requests Special Use Permit approval to operate a childcare facility within the Boys & Girls Club located at 470 W Mendi Place inside the Boys & Girls Club; Section 23, Township 2 North, Range 1 West.

Potential Motions:

- *Motion to Approve/Conditionally Approve/Deny Case Nos. 24-01-SUP with Conditions as outlined in the staff report (and additional Conditions imposed by Commission, if applicable).*

4. BUSINESS ITEMS:

5. UPDATES & REPORTS:

6. ADJOURNMENT:

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 MINUTES
Tuesday, April 23, 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:

(Timestamp 00:00:32)

Chairman Dana Hennis Well, I guess we can go ahead and call to order the regular planning and zoning Commission meeting for Tuesday, April 23rd, 2024. We'll start with roll call.

Planning and Zoning Director Doug Hanson Chairman Dana Hennis

Chairman Dana Hennis 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.

Planning and Zoning Director Doug Hanson Commissioner Bobby Rosadillo.

Commissioner Bobby Rosadillo Present.

COMMISSIONERS PRESENT

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

CITY STAFF PRESENT

Doug Hanson, Planning and Zoning Director
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.
(Timestamp 00:00:57)

A. Regular Commission Meeting Minutes Dated April 9, 2024

Potential Motion:

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

Chairman Dana Hennis First up on the agenda is the consent agenda.

Commissioner Jim Main Mr. Chairman, I move that we approve the consent agenda.

Commissioner Bobby Rosadillo I'll second it.

Chairman Dana Hennis Thank you, all in favor?

All Commissioners Aye.

(Timestamp 00:01:01)

Motion To: Approve the Consent Agenda

Motion By: Commissioner Jim Main

Motion Seconded By: Commissioner Bobby Rossadillo

Further Discussion: None

Voting Aye: Commissioners Hennis, Main, Greger, Rossadillo

Voting Nay: None

Absent: None

4-0-0

3. PUBLIC HEARINGS:

(Timestamp 00:01:10)

Chairman Dana Hennis Thank you. And with that, we have no items under public hearings tonight.

4. BUSINESS ITEMS:

(Timestamp 00:01:12)

A. Recent Idaho Supreme Court decisions on land use applications and their impact on decision making by the Commission – Doug Hanson, P&Z Director *Non-Action Item*

Chairman Dana Hennis First item under business items is the recent Idaho Supreme Court decisions on land use applications and their impact on decision making by the Commission, Mr. Doug.

Planning and Zoning Director Doug Hanson Thank you, Commission, for the record, Doug Hanson, Kuna Planning and Zoning, 751 W 4th St. Kuna. The Idaho Supreme Court has recently decided on 2 land use matters, those being Renaissance vs. Twin Falls County and the Northwest Neighborhood Association vs. The City of Boise.

In the case of Renaissance vs. Twin Falls, the inclusion of a reasoned statement in the written decision resulted in the Idaho Supreme Court affirming the decision of Twin Falls County Planning and Zoning Commission, whereas the lack of a recent statement in the decision of the Boise City Council gave cause for the Idaho Supreme Court to revert... reverse the Boise City Council decision in the Northwest Neighborhood Association vs. City of Boise.

Considering the recent Idaho Supreme Court decisions above, you will see some changes coming forward to the format of staff reports and written decisions historically called FCO's. As you've come to know them, to ensure that the rendered land use recommendations and decisions by this Commission comply with the Local Land Use Planning Act and recent Idaho cases by including the reason statement. Further, the phrase 'Reasoned Statement' means more than just a name change for the decision documents you will review and approve. The two-sided cases explain what a reviewing court will consider to be an adequate 'Reasoned Statement,' with particular attention paid to the need of the Commission to make factual determinations where there are factual contests related to an application. In order to assist the Commission in developing an adequate reason statement. It is likely that staff will interject in Commission deliberations to identify factual disputes and encourage the Commission to make a decision on such matters. For example, ACHD may submit a written submission that identifies the traffic flows and patterns on roads adjacent to a project that suggests the roads are performing at safe standards and support the development. In the same case, you may receive public comment refuting this ACHD opinion of the report and public comment would constitute a factual dispute. Staff will endeavor to draw your attention to these types of factual disputes and encourage the Commission to make a decision on such disputes.

In regards to the above example, you will be deciding whether you are persuaded by the ACHD opinion on road performance and safety or public testimony on the same subject and ultimately deciding whether the road can support the growth. So, that's the summation of how things are going to be moving forward. I just wanted you to be clued in on the changes that are coming down the pipe. So with that, I will stand by for any questions.

Chairman Dana Hennis Is there any questions?

Commissioner Bobby Rosadillo Not at this time.

Commissioner Jim Main No questions.

Planning and Zoning Director Doug Hanson And for the record, Doug Hanson, Kuna Planning and Zoning. And if you have additional time to, sort of, comb through these cases more in depth,

I highly recommend doing so. Pretty brief agenda item this evening, but it'll be super important moving forward.

Chairman Dana Hennis Right. A couple of things I'd like to say, too. This is kind of what we've talked about in the past. You know, I've been on the Commission quite a while where we had the lawyer, it kind of go through with us, something like this a while back before most pretty much all of you, so.

[Laughter]

Chairman Dana Hennis So there, and that's something that we fought with, not fought with, but that's one of the things that we tried to understand is when you do a denial or you push something to where you want to kick it to the City Council but we're not for recommendation. The one thing that is kind of... we really strive for is a reason, and that's the thing that legally we have to abide by. We can't, unfortunately... city... or citizen opinion and some of the what they, you know, their testimony, what they bring forth, what the items that they're bringing up.

We need to translate into something that's more of a legal standard. So much like Doug just said is, you know, we'll have input from the citizens that are saying "there's a lot of traffic here. It's obnoxious, you know, between certain hours" and yet ACHD rights report says "No, it works fine" but those that factual dispute, as he's calling it, is what gives us the ability to either get more information, to table it until we get resolution, to investigate it further, or just plain deny something that we may not feel is right.

Along with the one that we saw in the past, we denied one because it didn't have the services nearby to support the type of project that it had. But it would... and we gave it more specific reasons. I just don't want to, you know, talk about that particular one. But we based it on those particular problems that we saw, that were factual. So that one was one that we were legally, kind of, abiding by or whatever you want to call it. You know we had legal grounds and we stated those legal grounds, whatever it came back, you know, and it was appealed. Then not only is the appeal easier to understand why you know what we were looking at when we denied it, but it also gives us the legal reason behind it and a couple of things that I read on these cases, you know, one specifically stated some of those reasons like I'm talking about the other one really didn't it just kind of that didn't it's not good for the area. Well unfortunately that's not a... legally bound, and if somebody really wants to pursue a project, they can appeal it. They can take it to the courts and everything else.

So as we make our decisions for both recommendation as well as denial, but more specifically the denial aspect of it, as long as we have reasons and they go on record, they're in our decision making, that's what we need to establish and kind of put on the record. And that's really what I think came out of those two as I saw it. So a lot of the time we may feel that it's not right, but we need to know because we've been up here doing it long enough. And you'll get there. Yeah, yeah, that we translate that into the legal. "Hey, it isn't right for the services over here" or "we have too much traffic over here, we need to investigate that stuff further." So, that's what we just need to do is be more specific and get it on record.

Commissioner Bobby Rosadillo Well and you've had the conversation. I mean, we've kind of had the conversations like when I came on. You know, and Doug and Morgan, you guys have had the conversations with me too about, you know, kind of the legal side of things. You know, to me it seems like, you know, our job when we have the public hearings, you know, is to be able to bridge those concerns and be able to, you know, take that, and put it into like a legal matter. Like, okay, well, these concerns and it doesn't meet this or it does meet this need, you know, and then to be able to, you know, situated where we protect you know, the city, the citizens, You know from legal or from, you know, just inappropriate projects, so.

Chairman Dana Hennis And that's part of the problem that, you know, we hear the citizens' concerns. Sometimes we can do something with them, sometimes we can't, you know, land use and what you're able to do with your own private land in Idaho is very specific. We can't really... I mean, we have to have good reason to stop anything. Because as the property owner you got the right to do what you want with the most reasoning and so it's exactly that we're trying to take the input, translate it with what we know to get the project either where it should be or somewhere else where it should be. So, but no, I'm. I'm glad you brought that up. So it's something that we've been talking about. These are two specific incidents. I know the ones that we've talked about the past were a lot worse for the cities involved and they were out of Phoenix. I think there was two out of Phoenix and one out of Minnesota or something. And they had quite the financial repercussions against them, too. So, it's something we need to be concerned about. Any other questions for Doug?

Commissioner Jim Main No.

5. UPDATES & REPORTS:

(Timestamp 00:09:51)

Chairman Dana Hennis Is there any other items from staff for tonight?

Planning and Zoning Director Doug Hanson For the record, Doug Hanson, Kuna Planning and Zoning. That is it for the evening.

Chairman Dana Hennis Quick one.

6. ADJOURNMENT:

(Timestamp 00:10:01)

Commissioner Ginny Greger I'll make a motion we adjourn.

Commissioner Jim Main I'll second that.

Chairman Dana Hennis Thank you, all in favor?

All Commissioners Aye.

Chairman Dana Hennis Thanks for coming. It was a short one.

(Timestamp 00:10:01)

Motion To: Adjourn

Motion By: Commissioner Ginny Greger

Motion Seconded By: Commissioner Jim Main

Further Discussion: None

Voting Aye: Commissioners Hennis, Main, Greger, Rossadillo

Voting Nay: None

Absent: None

4-0-0

Dana Hennis, Chairman

ATTEST:

Doug Hanson, Director

Minutes prepared by Garrett Michaelson, Deputy City Clerk.

CASE NOS. 24-01-SUP (SPECIAL USE PERMIT)

GIRAFFE LAUGH DAYCARE

Planner: Doug Hanson

dhanson@kunaid.gov

208-287-1771

ALL APPLICATION MATERIALS: [24-01-SUP GIRAFFE LAUGH DAYCARE](#)

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.



CITY OF KUNA:
P&Z COMMISSION
STAFF REPORT

City of Kuna P&Z Commission Staff Report

Entitlements Requested:	Subdivision	Rezone	Annexation	Special Use	Planned Unit Development	Design Review	Other
Title:	Giraffe Laugh Daycare		Application Number:		24-01-SUP		
Date:	5/14/2024		Staff Contact:		Doug Hanson		
Owner(s)/Applicant:	BOYS & GIRLS CLUBS OF ADA COUNTY ID INC		Applicant Contact:		lori@giraffelaugh.org		
Representative:	Katrina Klum, Erstad Architects		Representative Contact:		kklum@erstadarchitects.com		

Purpose
Applicant requests Special Use Permit approval to operate a childcare facility within the Boys & Girls Club located at 470 W Mendi Place; Section 23, Township 2 North, Range 1 West.

Statement of Fact	
Parcel Number(s):	S1323131150
Future Land Use Map Designation:	Medium Density Residential
Existing Land Use:	Commercial
Current Zoning:	CBD
Proposed Zoning:	Same
Development Area:	3.25 Acres
Adjacent Zoning Districts:	North: R-6 (Medium Residential); East: CBD (Commercial); South: R-6 (Medium Residential), CBD (Commercial); West: P (Public)
Adjacent Street(s) Existing & Proposed:	North: W Tern Dr (Existing), N Hyssop Ave (Existing); East: N/A; South: W Mendi Place (Existing); West: N/A
Internal Street(s) Existing & Proposed:	W Mendi Place (Proposed), N Hyssop Ave (Proposed for emergency access only)
Adjacent Bike/Pedestrian Facilities:	Future Pathway Identified
Adjacent Parks:	Butler Park
Land Dedication Requirements:	N/A

Comprehensive Plan and Future Land Use Map Analysis
The Comprehensive Plan identifies the subject property as Medium Density Residential, the existing district is CBD (Central Business District). The zoning and land use for the subject site was approved as part of Case Nos. 11-01-CPMA (Comp Plan Map Amendment), 11-04-ZC (Rezone), 11-04-DA (Development Agreement) and 11-03-LLA (Lot Line Adjustment).

The Comprehensive Plan identifies the goal to provide support to Kuna's schools and pre-K education opportunities to meet population demands (Goal 5.A). The proposed childcare center will provide framework for varying pre-K educational opportunities to be developed for Kuna citizens (Objective 5.A.2.).

Staff Analysis

The applicant submits a request for Special Use Permit approval to operate the Giraffe Laugh Childcare Center. Giraffe Laugh will be located within the approved 27,000 square foot Boys & Girls Club facility [Case No. 23-04-DR (Design Review)] that is currently under construction.

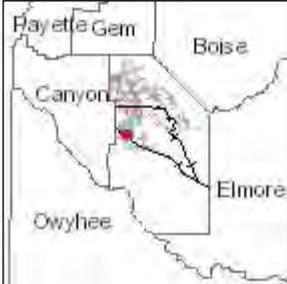
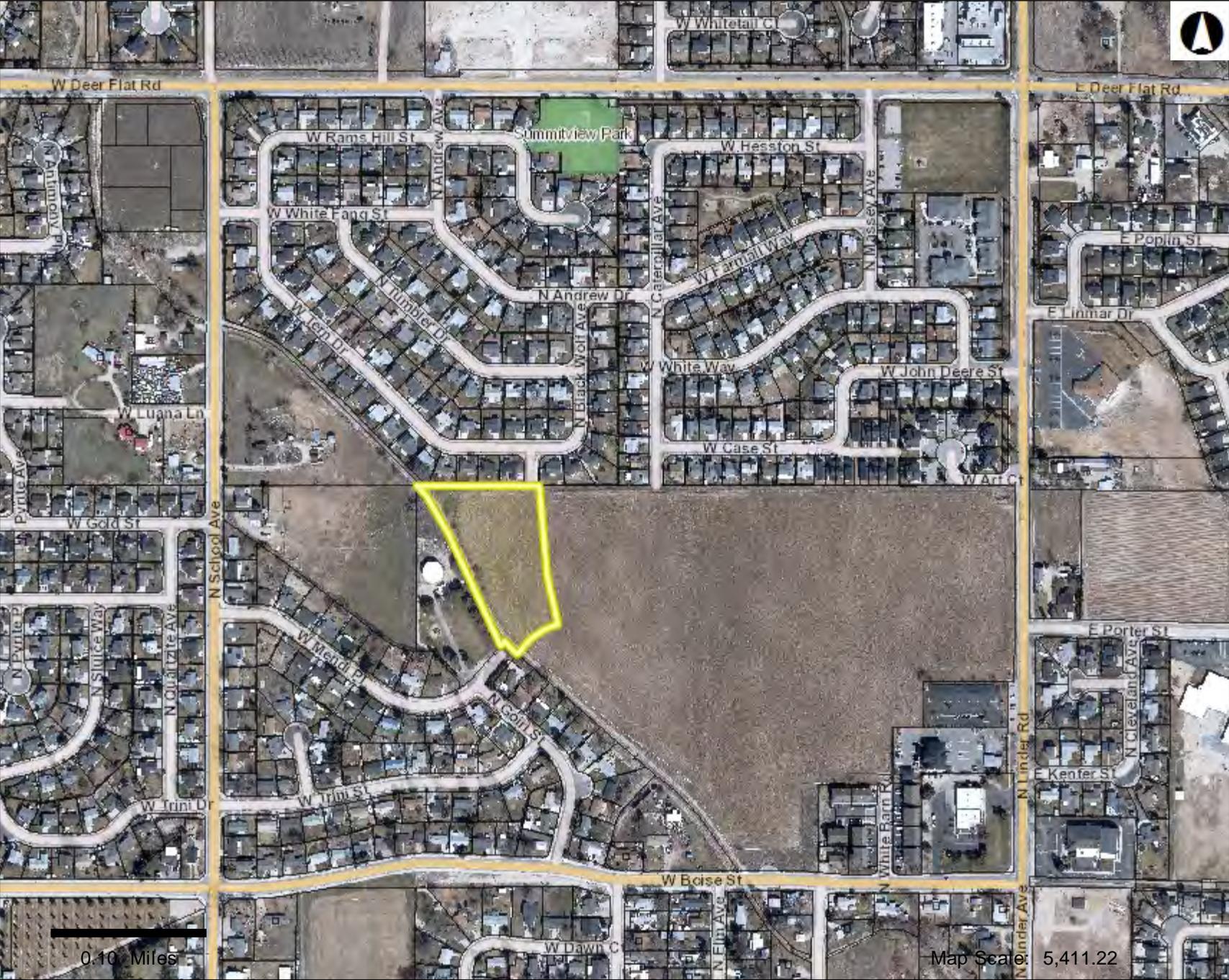
Giraffe Laugh will provide full year, full time, and part time infant, toddler, and preschool childcare. It will operate Monday through Friday from 7:00 am to 6:00 pm. There will be five classrooms for children ages 0-1, 1-2, 2-3, 3-4 and 4-5.

Recommended Conditions of Approval

1. As requested by the Applicant, the Group Childcare facility shall be permitted to be open Monday through Friday from 7:00 am to 6:00 pm.
2. Applicant shall abide by the appropriate child to staff ratio according to Idaho Code §39-1109(4)(a).
3. Applicant shall abide by the Occupant Load provided by the Kuna Rural Fire District; final occupancy approval is contingent on passing the Fire & Life Safety Inspection.
4. Signs, banners, flags, or other means to attract attention onsite are allowed, with a permit, in accordance with KCC 5-10-4. A sign permit must be obtained prior to installing any new or modifying any existing signage.
5. Fire District, Building Inspector and Central District Health Department inspections are required for final sign off; Applicant shall provide the Kuna Planning and Zoning Department with copies of said inspections prior to applying for a Kuna City Business License.
6. In the event the uses or the building located on this parcel are enlarged, expanded upon or altered in anyway, the owner/applicant, and any future assigns having interest in the subject property, shall seek an amendment to the approvals of this Special Use Permit through the Planning and Zoning Department.
7. This Special Use Permit is valid only if the Conditions of Approval are adhered to continuously. In the event the conditions are not continuously followed, the Special Use Permit approval may be revoked.
8. The Applicant shall acquire a Kuna Commercial Business License through the Kuna City Clerk's Office once all Conditions of the Special Use Permit are met and shall maintain said license through the renewal process during the entirety the business is in operation.
9. The special use permit is not transferable from one parcel to another.
10. Applicant shall follow all staff and agency recommendations.
11. Applicant shall comply with Kuna City ode.
12. Applicant shall comply with all local, state, and federal laws.
13. Applicant shall provide the City with a copy of the Childcare License from the State of Idaho Health and Welfare Department within 30 days after approval and signing of the City's Findings of Fact, Conclusions of Law for the Special Use Permit.
14. Applicant shall provide a copy of all subsequent license renewals, Central District Health Department inspections and Fire inspections to Kuna's Planning and Zoning Department for the Childcare Facility.

Ada County Assessor

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION OR LEGAL PURPOSES.



Legend

- + Railroad
- Roads (4,000 - 8,000 s)
 - <all other values>
 - Interstate
 - Ramp
 - Principal Arterial
 - Collector
 - Minor Arterial
 - Local
 - Parks
 - Alley
 - Driveway
- Parks
- Water
- Condos
- Parcels

0.10 Miles

Map Scale: 5,411.22

1/16/2023

FRED BUTLER
CHAIRMAN OF THE BOARD

RICHARD MURGOITIO
VICE CHAIRMAN OF THE BOARD

ROBERT D. CARTER
PROJECT MANAGER

THOMAS RITTHALER
ASSISTANT PROJECT MANAGER

APRYL GARDNER
SECRETARY-TREASURER

MARY SUE CHASE
ASSISTANT SECRETARY-
TREASURER

BOISE PROJECT BOARD OF CONTROL

(FORMERLY BOISE U.S. RECLAMATION PROJECT)

2465 OVERLAND ROAD
BOISE, IDAHO 83705-3155

RECEIVED

MAR 07 2024

UNA

OPERATING AGENCY FOR 167,000
ACRES FOR THE FOLLOWING
IRRIGATION DISTRICTS

NAMPA-MERIDIAN DISTRICT
BOISE-KUNA DISTRICT
WILDER DISTRICT
NEW YORK DISTRICT
BIG BEND DISTRICT

TEL: (208) 344-1141
FAX: (208) 344-1437

05 March 2024

City of Kuna
P.O. Box 13
Kuna, Idaho 83634

RE: Giraffe Laugh Daycare (*Kuna Youth Recreation Association*)
470 W Mendi Place, Kuna **24-01-SUP**
Boise-Kuna Irrigation District **BK-368 C**
Teed Lateral 163+90
Sec. 23, T2N, R1W, BM.

Doug Hanson:

The United States' Teed Lateral lies within the boundary of the above-mentioned location. The easement for this canal is held in the name of the United States through the Bureau of Reclamation under the authority of the Act of August 30, 1890. (26 Stat. 391; 43 U.S.C. 945)

The Boise Project Board of Control is contracted to operate and maintain this canal. We assert the federal easement 25 feet west and southwest and 25 feet east and northeast of the canal's centerline. Whereas this area is for the operation and maintenance of our facility, no activity should hinder our ability to do so.

The Boise Project does not approve of landscaping (other than gravel) within its easements and the easement must remain a flat drivable surface as to not hinder our maintenance. No variances will be granted.

Fencing, gates and pathways, if required, must be constructed just off the canal easement, to ensure public safety and prevent encroachments. No variances will be granted.

Parking lots, curbing, light poles, signs, etc. and the placing of asphalt and/or cement over Project facility easements must be approved by Boise Project Board of Control prior to construction.

Project facilities and/or easements that parallel, and are within and/or intended to be within road right-of-way due to any development of this property must be relocated outside of road right-of-ways.

The construction of any roadway crossings must be conducted only during the non-irrigation season when the canal is dewatered. In any case no work shall take place within the easement before the proper crossing agreements have been secured through the Bureau of Reclamation and the Boise Project Board of Control.

Utilities planning to cross any project facility must do so in accordance with the master policies now held between the Bureau of Reclamation and most of the utilities. In any case, no work shall take place within the easement before proper crossing agreements have been secured through both the Bureau of Reclamation and the Boise Project Board of Control.

Crossing agreements must be secured and signed by all parties prior to March 1st of each year. A time schedule for the construction to be done during the non-irrigation season must be approved by Boise Project prior to any activity within Project easements. No construction will be allowed within the easement boundaries of the Boise Project Board of Control facilities after March 15th of each year. However, on a case-by-case basis, overhead utilities and utilities boring underneath a Project facility may be allowed after March 15th if reviewed and approved by the Boise Project.

The piping and relocation of any Lateral, Canal and/or Drain must be reviewed and approved by the Project and is (to include all appurtenant boxes and/or structures) and must be warranted by the landowner for a period of (5) five-years. The Warrantee Agreement must be secured prior to ANY disturbance of that facility.

Boise Project Board of Control must approve any requests and/or relocation of delivery points prior to construction.

Storm Drainage and/or Street Runoff must be retained on site.

NO DISCHARGE into any live irrigation system is permitted.

Per Idaho Statutes, Title 42, local irrigation/drainage ditches that cross this property, in order to serve neighboring properties, must remain unobstructed and protected by an appropriate easement by the landowner, developer and contractors.

This development is subject to Idaho Code 31-3805, in accordance, this office is requesting a copy of the irrigation and drainage plans.

Wording on the preliminary and final recorded plat needs to state that any proposed and/or future usage of the Boise Project Board of Control facilities are subject to Idaho Statutes, Title 42-1209.

Future preliminary and final plats must call out the Project easements and the plats must also note, which lots have surface irrigation water rights and which lots do not.

Whereas this development is in its preliminary stages, Boise Project Board of Control reserves the right to require changes when our easements and/or facilities are affected by unknown factors even during the construction phase.

If you have any further questions or comments regarding this matter, please do not hesitate to contact me at (208) 344-1141.

Sincerely,



Thomas Ritthaler
Assistant Project Manager, BPBC

tbr/tr

cc: Kevin Reeves
Alicia Flavel
File

Watermaster, Div; 2 BPBC
Secretary – Treasurer, BKID



Ada County Transmittal
Division of Community and Environmental Health

Return to:

- ACZ
- Boise
- Eagle
- Garden City
- Meridian
- Kuna
- Star

Rezone/OTD # _____

Conditional/Accessory Use # _____

Preliminary / Final / Short Plat 24-01-54P Giraffe Laugh Daycare

Development Name/Section City of Kuna CDH File # _____

- 1. We have No Objections to this Proposal.
- 2. We recommend Denial of this Proposal.
- 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- 4. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
 - high seasonal ground water
 - waste flow characteristics
 - bedrock from original grade
 - other _____
- 5. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- 6. After written approvals from appropriate entities are submitted, we can approve this proposal for:
 - central sewage
 - community sewage system
 - interim sewage
 - central water
 - individual sewage
 - individual water
 - community water well
- 7. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - central sewage
 - community sewage system
 - sewage dry lines
 - central water
 - community water
- 8. Infiltration beds for storm water disposal are considered shallow injection wells. If they are not in the City of Boise or ACHD right-of-way, an application and fee per well, vicinity map and construction plans must be submitted to CDH.
- 9. If restroom or plumbing facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 10. An accessory use application, fee, detailed site plan and floor plans must be submitted to CDH for review.
- 11. Land development application, fee per lot, test holes and full engineering report is required.
- 12. CDH makes no guarantee a septic permit will be issued on the split off lot. A speculative site evaluation is recommended.
- 13. We will require plans be submitted for a plan review for any:
 - food establishment
 - swimming pools or spas
 - beverage establishment
 - grocery store
 - child care center
- 14. _____

Reviewed By: Rowena J. Date: 3/5/24



March 7, 2024

Doug Hanson, Planning and Zoning Director
City of Kuna
751 W 4th St
Kuna, ID 83634
dhanson@kunaid.gov

Subject: 24-01-SUP / Giraffe Laugh Daycare

Dear Mr. Hanson:

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

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

1. AIR QUALITY

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

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

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

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

2. WASTEWATER AND RECYCLED WATER

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

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

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

3. DRINKING WATER

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

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

4. SURFACE WATER

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

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

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

6. ADDITIONAL NOTES

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

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

Sincerely,



Aaron Scheff
Regional Administrator

c:

2021AEK

Doug Hanson

From: Kendra Conder <Kendra.Conder@itd.idaho.gov>
Sent: Monday, March 11, 2024 8:57 AM
To: Doug Hanson
Subject: RE: 24-01-SUP - Giraffe Laugh Daycare City of Kuna Request for Comment

Good Morning Doug,

In reviewing the application for Project: 24-01-SUP GIRAFFE LAUGH DAYCARE, we anticipate minimal impact to our state highway system. ITD does not have any comments at this time.

Thank you!

Kendra Conder

District 3 | Development Services Coordinator

Idaho Transportation Department

Office: 208-334-8377



From: Doug Hanson <dhanson@kunaid.gov>
Sent: Monday, March 4, 2024 10:10 AM
To: Ada County Engineer <agilman@adaweb.net>; Ada County Highway District <planningreview@achdidaho.org>; Adam Ingram <adam.ingram@cableone.biz>; Bobby Withrow <bwithrow@kunaid.gov>; Boise Kuna Irrigation District <aflavel.bkirrdist@gmail.com>; Boise Project Board of Control <tritthaler@boiseproject.org>; Boise Project Board of Control 2 <gashley@boiseproject.org>; Brady Barroso <bbarroso@kunaid.gov>; Brent Moore (Ada County) <bmoore@adacounty.id.gov>; Cable One TV <cheryl.goettsche@cableone.biz>; Camille Burt (USPS) <camille.r.burt@usps.gov>; Catherine Feistner <cfeistner@kunaid.gov>; Central District Health Department <lbadigian@cdhd.idaho.gov>; Chief Fratusco <mfratusco@adacounty.id.gov>; COMPASS <gis@compassidaho.org>; Danielle Horras <drhorras@kunaschools.org>; David Reinhardt <reinhardt.david@westada.org>; DEQ <BRO.Admin@deq.idaho.gov>; Eric Adolfson <eadolfson@compassidaho.org>; Erika Olvera (NMID)

Doug Hanson

From: Scott Arellano <scott@fccnw.com>
Sent: Tuesday, March 5, 2024 8:49 AM
To: Doug Hanson
Subject: Re: 24-01-SUP - Giraffe Laugh Daycare City of Kuna Request for Comment

No additional comment from the Kuna Fire District.

Scott Arellano, CFM
Kuna Rural Fire District
Plan Review & Inspection
1.208.629.8636 (Plan Review Office)
1.208.922.1144 (Fire Admin)

On Mon, Mar 4, 2024 at 10:10 AM Doug Hanson <dhanson@kunaid.gov> wrote:

Agency Transmittal – March 4, 2023

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

CASE NUMBER:	24-01-SUP GIRAFFE LAUGH DAYCARE
PROJECT DESCRIPTION	Applicant requests Special Use Permit approval to operate a child care facility within the Boys & Girls Club located at 470 W Mendi Place inside the Boys & Girls Club; Section 23, Township 2 North, Range 1 West.
APPLICANT	Giraffe Laugh Inc. – Lori Fascilla lori@giraffelaugh.org
REPRESENTATIVE	Erstad Architects – Katrina Klum kklum@erstadarchitects.com
SCHEDULED HEARING DATE	Tuesday, April 9, 2024 , at 6:00 P.M.

STAFF CONTACT		Doug Hanson 208.287.1771 dhanson@kunaid.gov
<ul style="list-style-type: none"> • We have enclosed information to assist you with your consideration and response; we would appreciate any information as to how this action would affect the service(s) your agency provides. <i>If your agency requires additional information, or if contact information for your agency needs updated, please notify our office.</i> • <i>No response within 15 business days will indicate you have no objection or comments regarding this project.</i> • The hearing is scheduled to begin at 6:00 p.m. or as soon as it may be heard. Kuna City Hall is located at 751 W. 4th Street, Kuna, ID 83634. Please contact staff with questions. 		

Best,

DOUG HANSON
 PLANNING AND ZONING DIRECTOR
 CITY OF KUNA
 751 W 4th St
 KUNA, ID 83634
 208.287.1771





Initial Point Real Estate

February 16, 2024

398 W. Main Street

Kuna, ID 83634

208-922-9819

To Whom it May Concern:

I have been asked to give my professional opinion on the impact of the new Boys and Girls Club building and associated daycare facilities in Kuna as it relates to real estate values of the surrounding neighborhoods. In my experience, real estate located adjacent to, or near, similar sites throughout the Treasure Valley does not experience a reduction in value or marketability. On the contrary, when determining how to market such a property I would certainly promote the proximity to the club just as I would a park or school or a potentially attractive recreational location. Because of this, I do not believe the construction of a new Boys and Girls Club in Kuna will result in any reduction of real estate values of the surrounding neighborhoods.

Thank you,

A handwritten signature in blue ink, appearing to read "Jeff Miller", is written over the typed name.

Jeff Miller

Owner - Initial Point Real Estate

From: [Brenda Blitman](#)
To: [PZApplications](#)
Subject: Giraffe Laugh
Date: Tuesday, April 2, 2024 10:50:52 AM

Hi P&Z commissioners

This is a letter of support for the childcare facility proposed by Giraffe Laugh.

Kuna has a shortage of quality childcare. This facility will be an amazing addition to Kuna's family-focused resources.

Thank you
Brenda Blitman
8460 s Locust Grove Rd, Meridian, ID 83642