

**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 4<sup>th</sup> Street, Kuna, ID 83634**



**Planning & Zoning Commission**  
**REGULAR MEETING AGENDA**  
**Tuesday, July 9, 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 June 25, 2024
- B. Decision and Reasoned Statement
  - 1. Case No. 24-01-SUP Giraffe Laugh Daycare
  - 2. Case Nos. 24-03-S, 24-02-SUP & 24-07 Valor West Amendment and Valor Classical Academy
  - 3. Case No. 24-02-DR Kuna Multi-Tenant Building

*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. 24-03-AN (Annexation) - Star Acre properties, LLC – Troy Behunin, Senior Planner

Applicant requests approval to Annex approx. 10 acres. into Kuna City Limits with a M-1 (Light Industrial/Manufacturing) zone. The subject site is near the intersection of S Curtis and W Barker Roads and is currently zoned RP (Rural Preservation) in Ada County; Section 8, Township 1 North, Range 2 East.

*Potential Motions:*

- *Motion to Recommend Approval/Conditional Approval/Denial of Case No. 24-03-AN with Conditions as outlined in the staff report (and additional Conditions imposed by Commission, if applicable).*

- B. Case No. 24-02-AN (Annexation) and 24-02-S (Preliminary Plat) – Powderhorn Subdivison – Troy Behunin, Senior Planner

Applicant requests Annexation of 41.48 acres into Kuna City Limits applying the R-6 zone to the property and also requests Preliminary Plat approval in order to subdivide the site into

160 single-family lots, and 9 common lots. This site is located in Section 11, Township 2 North, Range 1 West (APN; R1805140640). *Staff requests this be tabled to a date certain of July 23, 2024.*

**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 4<sup>th</sup> Street, Kuna, ID 83634**



**Planning & Zoning Commission**  
**REGULAR MEETING**  
**MINUTES**

**Tuesday, June 25, 2024, at 6:00 PM**

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

**1. CALL TO ORDER & ROLL CALL:**

*(Timestamp 00:00:10)*

**Chairman Dana Hennis** Okay, let's go ahead and bring to order the regular meeting for Planning and Zoning Commission on Tuesday, excuse me, June 25th, 2024, and first off 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** Commissioner Bryan Clark.

**Commissioner Bryan Clark** Present.

**Planning and Zoning Director Doug Hanson** Commissioner Ginny Greger.

**Commissioner Ginny Greger** Present.

**Planning and Zoning Director Doug Hanson** Commissioner Jim Main.

**Commissioner Jim Main** Present.

**Planning and Zoning Director Doug Hanson** Commissioner Bobby Rossadillo.

**Commissioner Bobby Rossadillo** Present.

**COMMISSIONERS PRESENT**

Chairman Dana Hennis - Present  
Vice Chairman Bryan Clark - Present  
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  
Morgan Treasure, Economic Development Director  
Maren Ericson, 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 00:00:36)*

### A. Regular Commission Meeting Minutes Dated June 11, 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 step on the agenda is the consent agenda.

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

**Vice Chairman Bryan Clark** Seconded.

**Chairman Dana Hennis** Thank you, all in favor?

**All Commissioners** Aye.

**Chairman Dana Hennis** Thank you.

*(Timestamp 00:00:39)*

**Motion To:** Approve the Consent Agenda

**Motion By:** Commissioner Jim Main

**Motion Seconded By:** Commissioner Bryan Clark

**Further Discussion:** None

**Voting Aye:** Commissioners Hennis, Clark, Main, Greger, Rossadillo

**Voting Nay:** None

**Absent:** None

**5-0-0**

## 3. PUBLIC HEARINGS:

## 4. BUSINESS ITEMS:

*(Timestamp 00:00:49)*

### A. Case No. 24-05-DR (Design Review) Dutch Bros – Doug Hanson, Planning & Zoning Director

Applicant requests Design Review approval for Dutch Bros located on lots 24, 25, and 26, Block 1 of the Merlin Cottages Subdivision near the NWC of N Sailer Ave and E Kuna Road; Section 24, Township 2 North, Range 1 West.

*Potential Motions:*

- *Motion to Approve/Conditionally Approve/Deny Case No. 24-05DR with Conditions as outlined in the staff report (and additional Conditions imposed by Commission, if applicable).*

**Chairman Dana Hennis** Next item up is public hearings and we don't have any agenda there. So we'll move on to the next agenda item, which is business items, case #24-05-DR Design Review for the Dutch Brothers, Doug.

**Planning and Zoning Director Doug Hanson** Good evening, Commissioners. For the record, Doug Hanson, Kuna Planning and Zoning, 751 W 4th St. Kuna. The applicant requests design review approval for 950 square foot Dutch Bros located on future lots 24, 25, and 26 Block 1 of the approved Merlin Cottages subdivision near the northwest corner of N Sailor Ave. and E Kuna Rd. Upon review staff finds the application to be in compliance with Kuna City Code, the Comprehensive Plan, and Idaho Code. Staff recommends the Commission approve case #24-05-DR, with the applicant being subject to the conditions as outlined in staff's report, as well as any additional conditions imposed by the Commission. With that, I will stand by for any questions.

**Chairman Dana Hennis** I think the only question I've got at this point, and I probably just now thought of it and I didn't look correctly, but did J&M sanitation review this and okay with it?

**Planning and Zoning Director Doug Hanson** For the record, Doug Hanson, Kuna Planning and Zoning Dana Henn...

*[Laughter]*

**Planning and Zoning Director Doug Hanson** J&M Sanitation did review this, they provided comments and there was a condition added to the conditions of approval... recommended conditions of approval that all J&M sanitation requirements are satisfied.

**Chairman Dana Hennis** It just looks like a tight corner, so I wanted to make sure, thank you. I have no further questions. Anybody else?

**Vice Chairman Bryan Clark** No.

**Commissioner Bobby Rosadillo** No.

**Chairman Dana Hennis** No? Okay. If the applicant would like to come up and say anything further?

*[Inaudible]*

**Chairman Dana Hennis** Yeah, just at the base of that microphone. Yeah, it turns green. Then if you'd state your name and address for the record.

**Chad Jones, ALC Architecture** There we go. Thank you. My name is Chad Jones. I'm with ALC Architecture, 1119 E State St. Ste. 120. Eagle, ID...

**Chairman Dana Hennis** Thank you.

**Chad Jones, ALC Architecture** I don't know if I can add any more than what Doug has said. I'll stand for questions.

**Chairman Dana Hennis** Thank you. Is there any questions for the applicant?

**Commissioner Jim Main** I just have one question out of curiosity. Why is it located in that specific location and what are they trying to achieve from traffic lows?

**Chad Jones, ALC Architecture** Well, that's a great question. It fits well with the mixed-use development that was planned in there and as a drive through restaurant, you always want the corner exposure for traffic coming in and out to help control that, and I don't know if there's any other real answer to that other than that.

**Commissioner Jim Main** Yes, I was just wondering, because the way it's situated, it's picking traffic up coming into Kuna.

**Chad Jones, ALC Architecture** Which is perfect.

**Commissioner Jim Main** Which is perfect, I guess, because there's a lot of traffic coming to Kuna. So, I just assumed it would be on the other side of the road going out of Kuna.

**Chad Jones, ALC Architecture** It would be difficult to go to make that left turn coming in from the north, and I think they're trying to capture that as well as the Community that's being developed on the north side of Eagle Rd. I mean, Kuna Rd. as it's coming in because it's really developing that way and I think that's part of it.

**Commissioner Jim Main** Okay, thank you.

**Chairman Dana Hennis** Thank you.

**Commissioner Ginny Greger** I guess I have a question for Doug.

**Chairman Dana Hennis** Okay.

**Commissioner Ginny Greger** Is... the Maverick is going in, to the east of this, correct?

**Planning and Zoning Director Doug Hanson** For the record, Doug Hanson, Kuna Planning and Zoning. That's correct. That will be on the northeast corner of Sailor and Kuna Rd.

**Commissioner Ginny Greger** So, I'm sure like Dana, it was probably in the ACHD... Does that change anything? Wasn't there, like, is there a magic number for when it's going to be right only and not... no left?

**Planning and Zoning Director Doug Hanson** So, for the record, Doug Hanson, Kuna Planning and Zoning, so the Merlin Cottages subdivision, was a planned unit development at... that was originally a lot of the Merlin Point Subdivision. When Merlin Point was initially approved, ITD stated in their conditions of approval that once phase one of Merlin Point is built out, they'll have to redo their TIS to determine turn lanes right-ins, right-outs, things of that nature.

**Commissioner Ginny Greger** Okay.

**Chairman Dana Hennis** Thank you. Okay, so with that, I think that just brings up our deliberation. You know, I think architecturally it looks good. It's one of their normal prototypes, but it's not flat faced. It's got pretty good texture, you know. I always like the little Dutch Brothers unit. So, I think on that corner

like Jim said it's kind of a little tough, but I think we're going to get more and more people coming in and so I just they're going to have a hard time getting it in the morning going out, but I think that's kind of the whole intention is to get the other crowd that's come in the other direction.

**Vice Chairman Bryan Clark** But access to that neighborhood. I want to take a look at that.

**Chairman Dana Hennis** I mean, overall, I think the landscaping plan that looks really good. I think it's a, you know, nicely laid out site. It's got good, you know, mixture of the trees, the shrubs. I think it's been nicely laid out. So, I have no opposition.

**Commissioner Bobby Rosadillo** Yeah, I don't see anything with the way out or structure. I mean trying to visualize traffic going through here. I mean it's like every other Dutch Brothers, where it seems like they move people in and out, you know, quickly, although, you know, so as far as the design review goes I don't see anything that sticks out to me, you know, it would be nice if there was a traffic light at Sailor and Kuna first, but, you know, neither here nor there, since just design review.

**Commissioner Bryan Clark** Just a note on that. This will in all likelihood impact. What is this fulgato going on to sailor? In all likelihood, we're going to see people coming down off K St. to get in from the north side and or to avoid trying to make that left because we'll see impact on eastbound-northbound traffic on Meridian Rd. I'm kind of surprised the Police Chief didn't show up today.

**Commissioner Ginny Greger** I really like the two lanes because and I was worried when I first looked at it, that is going to want traffic backed out on Kuna Road, so the way its setting and the two lanes, and I know they move through people pretty fast. But I also know that several of them have backups at different times and different locations. So, I like that. I like the looks of that and I'm just surprised they're not out on Meridian Rd. so...

**Chairman Dana Hennis** Yeah, and I there's enough room still on that, kind of that, area that they're not backed up even as they come out of there, it still dumps into the rest of that that area to back up, either.

**Commissioner Ginny Greger** Yeah, they're not.

**Vice Chairman Bryan Clark** The other nice thing to consider here is the fact that there's another Dutch on northbound Meridian, 4 miles off the road, so a lot of people who are used to going that one probably aren't going to be shifting direction. So, honestly, I mean I like the location. It's going to be a pain in the butt of that corner regardless of the Maverick, so.

**Chairman Dana Hennis** Yeah, I mean, but I think it....

**Vice Chairman Bryan Clark** We need a streetlight, but we have to justify the streetlight.

**Commissioner Ginny Greger** Yeah, we have to get one at the other corner first.

**Commissioner Jim Main** Yeah. And I think we also need to reduce the speed limit there. Because when they hit that point, they're... when they're going out of town, they're accelerating. So they're hitting 50, 60 miles an hour when they hit Sailor and when they're coming in, they don't start decelerating until they get to K St. so. It's kind of a nasty corner out there.

**Chairman Dana Hennis** Yeah. And I think that's what, you know, we've often been told, you know, this stuff doesn't get changed until there's enough stuff added. So, I think this will help. Because when they do the next TIS for that Merlin Point area, then that'll all be included as well.

**Planning and Zoning Director Doug Hanson** Chairman, if I might just interject. For the record, Doug Hanson, Kuna Planning and Zoning. This will not alleviate all of the issues, but there is a planned signalization for Kay and Avalon. It's completely designed and we anticipate construction to hopefully begin before the end of the summer.

**Commissioner Ginny Greger** Yay!

**Chairman Dana Hennis** Okay, good.

**Vice Chairman Bryan Clark** Yeah, that one that we knew about, right?

**Chairman Dana Hennis** Yeah. I think that will help a lot. With that, I would stand for a motion.

**Vice Chairman Bryan Clark** Mr. Chairman, I move that we approve case #24-05-DR with conditions as outlined in the staff report.

**Commissioner Jim Main** Second.

**Chairman Dana Hennis** All in favor?

**All Commissioners** Aye.

**Chairman Dana Hennis** Thank you. Motion passes, thank you.

*(Timestamp 00:09:58)*

**Motion To:** Approve Case #24-05-DR with Conditions

**Motion By:** Commissioner Bryan Clark

**Motion Seconded By:** Commissioner Jim Main

**Further Discussion:** None

**Voting Aye:** Commissioners Hennis, Clark, Main, Greger, Rossadillo

**Voting Nay:** None

**Absent:** None

**5-0-0**

**B. Case No. 24-06-DR (Design Review) Grocery Outlet – Doug Hanson, Planning & Zoning Director**

Applicant requests Design Review approval for Grocery Outlet located near the NWC of N Meridian Road and E Deer Flat Road (APN: S1313449910); Section 13, Township 2 North, Range 1 West.

*(Timestamp 00:10:18)*

*Potential Motions:*

- *Motion to Approve/Conditionally Approve/Deny Case No. 24-02-DR with Conditions as outlined in the staff report (and additional Conditions imposed by Commission, if applicable).*

**Chairman Dana Hennis** So, next item up is case 24-06-DR design review for Grocery Outlet, Doug.

**Planning and Zoning Director Doug Hanson** Commissioners, for the record, Doug Hanson, Kuna Planning and Zoning, 751 W 4th St. Kuna. The applicant is submitting a request to construct an approximately 16,000 square foot grocery store on 1.96 acres located within the approved Paul Bunyan Commercial Subdivision at the northwest corner of N Meridian Rd. and E Deer Flat Rd. Upon review, staff finds the application to be in compliance with Kuna City Code, The Comprehensive Plan, and Idaho Code. Staff recommends the Commission approve case #24-06-DR, with the applicant being subject to the conditions as listed in Staff's report, as well as any additional conditions imposed by the Commission. With that, I will stand by for any questions.

**Commissioner Ginny Greger** Eventually, as the rest of that area develops, will there be a connection like to the other...whatever develops in that?

**Planning and Zoning Director Doug Hanson** For the record, Doug Hanson, Kuna Planning and Zoning, so there is the access that is shown on this site plan onto E Deer Flat Rd. There will also be a connection across the canal that will take access from State Hwy. 69.

**Commissioner Ginny Greger** *M'Kay*.

**Chairman Dana Hennis** They're building that bridge, right now, I believe. Any other questions for staff at this time?

**Commissioner Jim Main** No.

**Chairman Dana Hennis** Okay, thank you. Would the applicant like to add anything?

**Chad Jones, ALC Architecture** Chad Jones, ALC Architecture, 1119 E State St. Ste. 120 Eagle, ID. This is a 16,000 square foot Grocery Outlet store, not any different than the grocery outlets that you see around the valley. The only difference being the one side that's facing Deer Flat, we've increased the articulation and architectural interest.

**Chairman Dana Hennis** Oh, good.

**Chad Jones, ALC Architecture** To give a little bit more, a little bit better view to the public and to the development of what would normally be seen on the side of one of those stores. With that being said, there is a fairly large landscape buffer is to go along with the drive aisle on that. This would be the West side separating the residential development, heavily landscaped along there as well as on Deer Flat, to provide that buffer coming in. With that, I will stand for any questions.

**Chairman Dana Hennis** So, is there any revised elevation at that on the South elevation then to kind of better have us visualize that, because that was one of my concerns?

**Chad Jones, ALC Architecture** Right, the elevation that we have and I have it, if you don't have it on there, Doug, I do have a.

**Planning and Zoning Director Doug Hanson** For the record, Doug Hanson Kuna Planning and Zoning. The elevations are on page 49 of the packet.

**Chairman Dana Hennis** Right. But that shows just a big blank surface.

**Commissioner Bobby Rosadillo** So if you go to the next page down. I think they have... On Page 50, Doug.

**Chad Jones, ALC Architecture** Yeah. We've added additional pilasters and banding.

Chairman Dana Hennis Oh, okay. So that one. That's south, okay.

**Vice Chairman Bryan Clark** And that'll be a... Store signage as well? The big blank white spot.

**Chad Jones, ALC Architecture** That's correct; construction note one.

**Chairman Dana Hennis** Okay. Thank you for that clarification that makes a big difference for me. Any other questions for the applicant?

**Commissioner Jim Main** Yes. So, when the development was approved, there was a condition that the roadway would align with the roadway across the street. And I just wanted to verify, since there's... we don't reference the roadway across the street into the *Ridley's*, I just wanted to make sure that we are in alignment with that roadway.

**Planning and Zoning Director Doug Hanson** For the record, Doug Hanson, Kuna Planning and Zoning. The access that you currently see on the screen was the access point as approved by the Ada County Highway District. So while not directly aligned with Abstein to the South, it's slightly offset, but this is where it was chosen to be placed by ACHD.

**Commissioner Bobby Rosadillo** Looking at the lighting diagram, is this going to be did you take into consideration for the neighbors that are going to be just to the West side? You know the lighting effects.

**Chad Jones, ALC Architecture** Yes, we did. Yeah, we.

**Chairman Dana Hennis** Anything else for the applicant?

**Commissioner Jim Main** Yes. Rooftop HVAC equipment. I assume we have some and are we screening that?

**Chad Jones, ALC Architecture** Completely screened.

**Commissioner Jim Main** So, it will be screened from view.

**Chad Jones, ALC Architecture** That's correct. They'll be behind the parapet walls and they'll be completely screened.

**Commissioner Jim Main** Okay. Thank you.

**Chairman Dana Hennis** Perfect. Thank you. With that, that brings us to our deliberation. I think the one big thing that I had. I mean, I'm the front was at the east elevation in the north elevation. I liked it's always been done well. I was a little concerned with that one facing Deer Flat. So seeing the revised elevation is pointed out. I do agree that gives us good relief on that. The backside there is pretty well shielded. So not too concerning on the West elevation. But I think it overall looks like it's a good solution there and does have a good landscape buffer. I think that's laid out well with the trees and the islands, excuse me, throughout the parking lot. So, anyone have concerns? Thoughts?

**Commissioner Jim Main** No, I don't have any concerns. I think it, you know, the fact that they've modified the South side of the building, I like that. You know, grocery outlets look like grocery outlets, and they're not... They're not too bad of a looking facility, so.

**Commissioner Bobby Rosadillo** I see nothing that stands out to me.

**Vice Chairman Bryan Clark** Is there going to be any sound mitigation on the West side that back alley? It looks like it will be both serviced by trash and delivery services on the West edge. I'm not seeing anything.

**Chairman Dana Hennis** Well, it's fairly large landscape buffer there with trees. They should have a fence along the property.

**Vice Chairman Bryan Clark** There's an existing.... I believe there's an existing block wall. I was just looking at that on my way in. But I believe it's only a six-foot block. Oh no, it's vinyl.

**Chairman Dana Hennis** So that's all that we had requested in the actual original approval for that,

**Vice Chairman Bryan Clark** Okay.

**Chairman Dana Hennis** I don't know if there's much more that we could really...that would help.

**Planning and Zoning Director Doug Hanson** Chairman, For the record, Doug Hanson, Kuna Planning and Zoning. So currently Kuna City Code, would only require an offset of the actual Grocery Outlet building to be 15 feet to match the rear residential setback of the neighboring subdivision. So by providing that 75 feet, it far exceeds that requirement.

**Chairman Dana Hennis** Alright.

**Vice Chairman Bryan Clark** That's where...

**Chairman Dana Hennis** Yeah, it is quite a ways.

**Vice Chairman Bryan Clark** Yeah.

**Commissioner Ginny Greger** I remember when we approved this original and the neighbors were those people were concerned about the lighting and the noise because originally wasn't it thought that this would be a storage facility? And have talked about it. So I think this is I would my question is I wonder how they feel about it? I personally if I lived there would think this was better than...

**Chairman Dana Hennis** Yeah. Okay well, with that, I stand for a motion or any other questions.

**Commissioner Bobby Rosadillo** I don't have any questions. I'll make a motion to approve case #24-06-DR with conditions as highlighted by the city staff.

**Commissioner Ginny Greger** I'll second that.

**Chairman Dana Hennis** All in favor?

**All Commissioners** Aye.

**Chairman Dana Hennis** Say any abstains? Any nays? Okay. Just want to make sure. Thank you, motion approved.

*(Timestamp 00:19:34)*

**Motion To:** Approve Case #24-06-DR With Conditions

**Motion By:** Commissioner Bobby Rosadillo

**Motion Seconded By:** Commissioner Ginny Greger

**Further Discussion:** None

**Voting Aye:** Commissioners Hennis, Clark, Main, Greger, Rossadillo

**Voting Nay:** None

**Absent:** None

**5-0-0**

## **5. UPDATES & REPORTS:**

*(Timestamp 00:20:01)*

**Chairman Dana Hennis** With that, I don't see anything further on the agenda. Is there anything from staff or reports or updates?

**Planning and Zoning Director Doug Hanson** There is not.

**Chairman Dana Hennis** Okay, thank you.

## **6. ADJOURNMENT:**

*(Timestamp 00:20:10)*

**Commissioner Ginny Greger** I'll make a motion to Adjourn.

**Vice Chairman Bryan Clark** Seconded.

**Chairman Dana Hennis** Thank you, all in favor?

**All Commissioners** Aye.

**Chairman Dana Hennis** Thank you.

*(Timestamp 00:00:39)*

**Motion To:** Adjourn

**Motion By:** Commissioner Ginny Greger

**Motion Seconded By:** Commissioner Bryan Clark

**Further Discussion:** None

**Voting Aye:** Commissioners Hennis, Clark, Main, Greger, Rossadillo

**Voting Nay:** None

**Absent:** None

**5-0-0**

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Dana Hennis, Chairman

ATTEST:

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Doug Hanson, Director

*Minutes prepared by Garrett Michaelson, Deputy City Clerk.*

**BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF KUNA, ADA COUNTY IDAHO**

IN THE MATTER OF THE APPLICATION OF ) **Case No. 24-01-SUP**  
 )  
**GIRAFFE LAUGH DAYCARE** )  
 )  
 )  
*Related to the development of real property* ) **DECISION AND REASONED**  
*located at 470 W Mendi Place, Kuna, ID 83643.* ) **STATEMENT.**

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**SECTION 1  
INTRODUCTION AND PROCEDURAL BACKGROUND**

THESE MATTERS came before the Planning & Zoning Commission for public hearing on May 14, 2024 where the Commission voted to approve case No. 24-01-SUP. Thereafter, this Decision and Reasoned Statement was prepared and presented to the Commission on July 9, 2024, for formal adoption of the Commission’s decision.

**SECTION 2  
DECISION**

The Commission, having considered the record and listened to the arguments and presentations at the hearing, DOES HEREBY ORDER AND DECIDE:

The Special Use Permit Application (24-01-SUP) is hereby *Approved*.

**SECTION 3  
RECORD OF EXHIBITS AND WITNESSES**

**I. List of Exhibits.**

	<i>Withdra wn</i>	<i>Refused</i>	<i>Admitted</i>
COMMISSION STAFF REPORT 05.14.2024			X
P&Z APPLICATION COVERSHEET			X
SPECIAL USE PERMIT APPLICATION			X
NARRATIVE			X
RENDERINGS			X

VICINITY MAP			X
FLOOR PLAN			X
EMERGENCY PLAN			X
WARRANTY DEED			X
COMMITMENT TO PROPERTY POSTING			X
NEIGHBORHOOD MEETING CERTIFICATION			X
NEIGHBORHOOD MEETING SIGN IN SHEET			X
SICK CHILD POLICY			X
CPR & FIRST AID CERTIFICATION			X
AGENCY TRANSMITTAL			X
BOISE PROJECT BOARD OF CONTROL			X
CENTRAL DISTRICT HEALTH DEPT.			X
DEPARTMENT OF ENVIRONMENTAL QUALITY			X
IDAHO TRANSPORTATION DEPARTMENT			X
KUNA RURAL FIRE DISTRICT			X
PROOF OF MAILER COMMISSION 3.13.2024			X
LEGAL NOTICE COMMISSION 3.20.2024			X
PROOF OF MAILER COMMISSION 4.17.2024			X
LEGAL NOTICE COMMISSION 4.24.2024			X
AFFIDAVIT OF PUBLICATION COMMISSION 4.24.2024			X
PROOF OF PROPERTY POSTING COMMISSION 5.02.2024			X
B&G CLUB LETTER OF SUPPORT			
PUBLIC COMMENT BRENDA BLITMAN			

**II. Public Hearing Witnesses.**

- a. Those who testified at the Commission hearing on May 14, 2024, hearing are as follows, to-wit:

1. City Staff:  
Doug Hanson, Planning & Zoning Director
2. Appearing for the Applicant:  
Lori Fascilla - 932 E Riversong St. Eagle, ID 83616
3. Appearing for the Favor:  
Robbie Reno, Kuna School District - 711 E Porter St. Kuna, ID 83634  
Tim Gordon - 2598 W Kuna Rd. Kuna, ID 83634  
Brenda Blitman - 8460 S Locust Grove Rd. Meridian, ID 83642
4. Appearing Neutral:  
None
5. Appearing in Opposition:  
Robert Checketts - 565 Mendi Place, Kuna, ID 83634  
Barbara Checketts - 565 Mendi Place, Kuna, ID 83634

## **SECTION 4 REASONED STATEMENT**

### **I. Relevant Criteria and Standards Considered**

- a. Relevant City Ordinance Provisions.
  1. Kuna City Code (KCC) Title 5 Development Regulations, Chapter 6 Special Uses
- b. Relevant Statutory Provisions.
  1. I.C. Title 39 Health and Safety, Chapter 11 Basic Daycare License

### **II. Factual Findings**

- a. General Factual Findings.
  1. Parcel Number: S1323131150
  2. Future Land Use Map Designation: Medium Density Residential
  3. Existing Land Use: Commercial
  4. Current Zoning: CBD
  5. Proposed Zoning: Same
  6. Development Area: 3.25 Acres

7. Procedural Findings:

Neighborhood Meeting	Held on December 2, 2023. Nine (9) Attendees were present.
Pre-Application Meeting	Held on August 8, 2023.
Agency Comments Request	March 4, 2024
300 FT Legal Mailer Notice	Sent on April 17, 2024
Idaho Press Newspaper Published Hearing Notice	Published on April 24, 2024
Site Posting	Posted on May 3, 2024
Planning & Zoning Commission Public Hearing	Held on May 14, 2024.

b. Relevant Contested Facts.

1. Robert Checketts contested that this did not follow KCC 5-6-3 specifically items C, D, E, G, and H.
2. Barbara Checketts raised concerns of additional traffic from the club in addition to noncompliance with KCC 5-6-3.

c. Commissions Factual Findings on Relevant Contested Facts.

1. The Commission decided the ACHD traffic study acceptance from the original land use application [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)] accounted for the additional traffic of the project.
2. The Commission found the daycare facility to be suitably located with the approved Boys and Girls Club Facility. The approval of the daycare as a use would not change the character of the surrounding area.

**III. Rationale for the Decision Based Upon Facts and Relevant Criteria and Standards Considered.**

It is the rationale of the Commission that special use permit request of the subject real property as proposed in the application will not adversely impact the surrounding area. The TIS accepted by ACHD as from the original land use application was sufficient to account for additional traffic generation as a result of the project, the Commission recognized that additional access would come as a result of future development. The daycare specifically would not result in any exterior modifications to the approved Boys and Girls Club facility currently undergoing construction.

**IV. 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 Code.
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.

**SECTION 5**  
**REQUIRED NOTICES TO APPLICANT AND AFFECTED PARTIES**

I.C. 6735(2)(b) Any applicant or affected person seeking judicial review of compliance with the provisions of this section must first seek reconsideration of the final decision within fourteen (14) days. Such written request must identify specific deficiencies in the decision for which reconsideration is sought. Upon reconsideration, the decision may be affirmed, reversed or modified after compliance with applicable procedural standards. A written decision shall be provided to the applicant or affected person within sixty (60) days of receipt of the request for reconsideration or the request is deemed denied. A decision shall not be deemed final for purposes of judicial review unless the process required in this subsection has been followed. The twenty-eight (28) day time frame for seeking judicial review is tolled until the date of the written decision regarding reconsideration or the expiration of the sixty (60) day reconsideration period, whichever occurs first.

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P&Z Commission Chairman,  
Dana Hennis



SPECIAL USE PERMIT APPLICATION			X
NARRATIVE			X
VICINITY MAP SUBDIVISION			X
VICINITY MAP SCHOOL SITE			X
AFFIDAVITS OF LEGAL INTEREST			X
WARRANTY AND QUITCLAIM DEEDS			X
KUNA RURAL FIRE DISTRICT GRANT DEED AND ACCEPTANCE			X
NEIGHBORHOOD MTG CERTIFICATION			X
COMMITMENT TO PROPERTY POSTING			X
CCR'S			X
SUBDIVISION NAME APPROVAL			X
VALOR WEST REVISED AREA BOUNDARY DESCRIPTION			X
VALOR WEST SCHOOL SITE DESCRIPTION			X
VALOR WEST AMENDED PRE-PLAT			X
SITE PLAN			X
VALOR WEST AMENDED LANDSCAPE PLAN			X
AGENCY TRANSMITTAL			X
ACHD			X
COMPASS			X
DEQ			X
ITD			X
COMMISSION MAILER			X
IDAHO PRESS LEGAL NOTICE			X
COMMISSION PROOF OF PROPERTY POSTING			X

**II. Public Hearing Witnesses.**

**Witness Testimony:** Those who testified at the Commission June 11, 2024, hearing are as follows, to-wit:

- a. City Staff:  
Doug Hanson, Planning & Zoning Director
- b. Appearing for the Applicant:  
Mark Tate, 1673 Shoreline Drive, Ste 200, Boise, ID 83702
- c. Appearing in Favor:  
Robbie Reno, 711 E Porter, Kuna, ID 83634
- d. Appearing Neutral:  
Beverly Wolf, 3420 W Commemoration, Meridian, ID 83642
- e. Appearing in Opposition:  
None

**SECTION 4  
REASONED STATEMENT**

**I. Relevant Criteria and Standards Considered**

- a. Relevant City Ordinance Provisions.
  - 1. Kuna City Code 1-14-3
  - 2. Title 5 Kuna City Code, Zoning Regulations
  - 3. Title 6 Kuna City Code Subdivision Regulations
- b. Relevant Statutory Provisions.
  - 1. Chapter 13 of Title 50, Idaho Code.
  - 2. I.C. § 67-6511A.
  - 3. I.C. § 67-6512
  - 4. I.C. § 67-6513
  - 5. Chapter 65 of Title 67, Idaho Code
- c. Pertinent Constitutional Provisions

**II. Factual Findings**

- a. General Factual Findings.
  - 1. Statement of Fact

<b>Parcel Number(s):</b>	S1422417400, S1422417600, S1422417210, S1423325400, S1422449852
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<b>Future Land Use Map Designation:</b>	Medium Density Residential
<b>Existing Land Use:</b>	Medium Density Residential
<b>Current Zoning:</b>	R-6
<b>Proposed Zoning:</b>	Same
<b>Development Area:</b>	49.60 Acres Total (7.93 Acres School Site)
<b>Adjacent Zoning Districts:</b>	<b>North:</b> R-6 (Medium Residential), RR (Rural Residential); <b>East:</b> R-6 (Medium Density Residential); <b>South:</b> RR (Rural Residential); <b>West:</b> R-6 (Medium Density Residential)
<b>Adjacent Street(s) Existing &amp; Proposed:</b>	<b>North:</b> W Tiercel Drive (Proposed); <b>East:</b> S Five Mile Road (Proposed); <b>South:</b> W Kuna Road (Existing); <b>West:</b> Honor Avenue (Proposed)
<b>Internal Street(s) Existing &amp; Proposed:</b>	W Wellness Street (Proposed), W Bravery Street (Proposed), W Bravery Court (Proposed), W Fearless Street (Proposed), W Boldness Court (Proposed), S Honor Avenue, S Mercy Avenue (Proposed), S Mercy Place (Proposed), S Broken Wheel Ave (Proposed)
<b>Adjacent Bike/Pedestrian Facilities:</b>	W Tiercel Drive (Future Bike/Ped Facility Identified)
<b>Adjacent Parks:</b>	Lot 26, Block 5, Proposed for future City Park
<b>Land Dedication Requirements:</b>	N/A

2. Procedural Findings:

<b>Neighborhood Meeting</b>	Held on March 25, 2024. 5 Attendees were present.
<b>Pre-Application Meeting</b>	Held on February 9, 2024.
<b>Agency Comments Request</b>	April 22, 2024
<b>300 FT Legal Mailer Notice</b>	Sent on May 15, 2024
<b>Idaho Press Newspaper Published Hearing Notice</b>	Published on May 22, 2024
<b>Site Posting</b>	Posted on May 30, 2024
<b>Planning and Zoning Public Hearing</b>	Held on June 11, 2024
<b>Planning and Zoning Commission Written Recommendation and Decision Entered</b>	Entered on July 9, 2024

b. Relevant Contested Facts.

1. Beverly Wolf questioned how the proposed charter school would help student capacity in the Kuna School District as the subdivision is located within the West Ada School District boundary.
2. The Commission and Beverly Wolf questioned the traffic impact of the school site would have on the development.

c. Commissions Factual Findings on Relevant Contested Fact.

1. The Commission found that while the development is located within the West Ada School District boundary, as a charter school anyone who lives within the school's service area may attend. This service area includes areas of the Kuna School District.
2. A project Traffic Impact Study (TIS) was accepted by ACHD which outlines obligations by the applicant to proceed. Additional meetings were held with the Applicant, ACHD and the City to discuss the best suited location for the proposed school site. ACHD will require a School Site Checklist/TIS that must be accepted prior to the acceptance of a Design Review application for the school site.

### **III. Rationale for the Decision Based Upon Facts and Relevant Criteria and Standards Considered.**

It is the rationale of the Commission that amended preliminary plat and school site are in compliance with Kuna City Code, the Comprehensive Plan, and approved Development Agreement for the Falcon Crest Master Planned Community. While the school site is located within the West Ada School District boundary, it is a charter school, therefore students who live within the Kuna School District will have the ability to attend. This will aid in reducing school capacity issues. The proposed plat amendment drops the overall number of buildable lots. ACHD's acceptance of the original preliminary plat's TIS in combination with the future School Site Checklist/TIS will address the traffic impact of the school site on the surrounding residential development.

### **IV. Conditions of Approval.**

1. Applicant and their engineer shall insure there is a sufficient Right-Of-Way (ROW) and a minimum 20 foot landscape buffer between the ROW and buildable lots with an eight (8) foot detached sidewalk along Kuna Rd., Five-Mile and Harrier Roads.
2. Applicant shall resubmit the Pre-Plat to Staff reflecting any approved changes prior to Final Plat submittal.
3. Buffers, curb, gutter and sidewalk (attached and detached) shall be installed in accordance with KCC 5-17-14 and 6-4-2.
4. Developer/Owner/Applicant shall work with ACHD and the City of Kuna to complete all required traffic improvements to the surrounding roadways and intersections as detailed in the ACHD staff report.
5. Developer/Owner/Applicant shall install a sign at the terminus of every proposed stub street stating; "these roads will continue in the future". Developer/Owner/Applicant shall obtain proper language from Ada County Highway District.
6. Developer/Owner/Applicant shall measure all front building setbacks from back of sidewalk on all internal local roads.
7. Applicant shall ensure the proper easement widths on all lots in accordance with KCC 6-

3-8.

8. It is the responsibility of the Developer to ensure any anticipated buildings fit any given buildable lot in accordance with KCC 5-3-3.
9. Fencing within and around the site shall comply with KCC 5-5-5 (unless specifically approved otherwise and permitted).
10. All required landscaping shall be permanently maintained in a healthy growing condition. The property Owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting in public Rights-of-Way shall be with approval from ACHD.
11. Landscaping shall not be placed within ten (10) feet of any meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles.
12. The Landscape Plan and Preliminary Plat will be considered binding site plans as amended and/or approved.
13. All signage within/for the project shall comply with Kuna City Code, and shall be approved through the applicable sign approval process listed in KCC 5-10.
14. If any revisions are made, the Applicant shall provide the Planning and Zoning Staff with a revised copy of the Preliminary Plat. Any revisions of the plat are subject to Administrative Determination to rule if the revision is substantial.
15. Develop/Owner/Applicant is hereby notified that this project is subject to Design Review inspection fees. Required inspections (post construction), are to verify building and landscaping compliance prior to requesting signature on the final plat.
16. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see KCC 6-4-2.
17. Compliance with I.C. §31-3805 is required. Delivery of water shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
18. Connection to City Services (Sewer, Water, Pressurized Irrigation) is required as necessary. The Applicant shall conform to all corresponding City of Kuna Master Plans.
19. In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a Final Plat, the Applicant shall have good cause and be eligible to receive, pursuant to KCC 6-2-3-J., a Time Extension to file a Final Plat up to and until a Will-Serve Letter

has been issued.

20. Developer/Owner/Applicant shall work with staff in order to provide final locations of streetlights as required by Kuna City Code. Streetlights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.
21. The Developer/Owner/Applicant shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
  - a. The City Engineer shall approve all sewer connections.
  - b. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received an approved drainage plan.
  - c. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties".
  - d. The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by the Fire District are required.
  - e. The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
  - f. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permit(s).
  - g. All public Rights-Of-Way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
22. The Developer/Owner/Applicant, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through Public Hearing processes.
23. Developer/Owner/Applicant/Contractors are hereby notified of Kuna's working hours. Construction of any kind shall only be conducted within the hours specified in KCC 10-6-3. Noises and other public nuisances/distractions outside of this time frame are subject to lawful penalties.
24. Developer/Owner/Applicant is hereby notified of Kuna's weed control policies and

requirements KCC 8-1-3. Weeds, grasses, vines or other growth which endanger property or are over twelve (12) inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout all seasons.

25. Developer/Owner/Applicant and all successors shall comply with all Local, State and Federal Laws.

**SECTION 5**  
**REQUIRED NOTICES TO APPLICANT AND AFFECTED PARTIES**

I.C. 6735(2)(b) Any applicant or affected person seeking judicial review of compliance with the provisions of this section must first seek reconsideration of the final decision within fourteen (14) days. Such written request must identify specific deficiencies in the decision for which reconsideration is sought. Upon reconsideration, the decision may be affirmed, reversed or modified after compliance with applicable procedural standards. A written decision shall be provided to the applicant or affected person within sixty (60) days of receipt of the request for reconsideration or the request is deemed denied. A decision shall not be deemed final for purposes of judicial review unless the process required in this subsection has been followed. The twenty-eight (28) day time frame for seeking judicial review is tolled until the date of the written decision regarding reconsideration or the expiration of the sixty (60) day reconsideration period, whichever occurs first.

**BY ACTION OF THE PLANNING & ZONING COMMISSION** of the City of Kuna at its regular meeting held on the 9<sup>th</sup> day of July 2024.

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Dana Hennis, Chairman

**BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF KUNA, ADA COUNTY IDAHO**

IN THE MATTER OF THE APPLICATION OF ) **Case No. 24-02-DR**  
 )  
**3 BIT INVESTMENTS, LLC** )  
 )  
*Related to the development of real property* )  
*located at 1025 N Meridian Road, Kuna, ID* ) **DECISION AND REASONED**  
*83634.* ) **STATEMENT.**

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**SECTION 1  
INTRODUCTION AND PROCEDURAL BACKGROUND**

THESE MATTERS came before the Planning & Zoning Commission on June 11, 2024 where the Commission voted to approve case No. 24-02-DR. Thereafter, this Decision was prepared and presented to the Commission on July 9, 2024, for formal adoption of the Commission’s decision.

**SECTION 2  
DECISION**

The Commission, having considered the record and listened to the arguments and presentations at the hearing, DOES HEREBY ORDER AND DECIDE:

The Design Review Application (24-02-DR) is hereby *Approved*.

**SECTION 3  
RECORD OF EXHIBITS AND TESTIMONY**

**I. List of Exhibits.**

	<i>Withdra wn</i>	<i>Refused</i>	<i>Admitted</i>
24-02-DR KUNA MULTI-TENANT BUILDING STAFF REPORT			X
APPLICATION COVERSHEET			X
DESIGN REVIEW APPLICATION			X
NARRATIVE			X
VICINITY MAP			X
AERIAL MAP			X

AFFIDAVIT-KUNA			X
WARRANTY DEED			X
EXTERIOR COLORS			X
EXTERIOR ELEVATIONS			X
SITE PLAN			X
FLOOR PLAN			X
LANDSCAPE PLAN			X
LIGHTING PLAN			X
AGENCY TRANSMITTAL			X
ACHD			X
BOISE PROJECT BOARD OF CONTROL			X
DEQ			X
J&M SANITATION			X
KRFD			X

**II. Testimony.**

a. Those who testified at the Commission meeting on June 11, 2024, are as follows, to-wit:

1. City Staff:  
Doug Hanson, Planning & Zoning Director
2. Appearing for the Applicant:  
Greg Toolson – 1135 12<sup>th</sup> Avenue South, Nampa, ID 83651

**SECTION 4  
REASONED STATEMENT**

**I. Relevant Criteria and Standards Considered**

a. Relevant City Ordinance Provisions.

1. Kuna City Code (KCC) Title 5 Development Regulations, Chapter 8, Part 9 Design Review

**II. Factual Findings**

a. General Factual Findings.

1. Statement of Fact

Parcel Number(s):	R2404340200
Future Land Use Map Designation:	Commercial
Existing Land Use:	Commercial
Current Zoning:	C-3
Proposed Zoning:	Same
Development Area:	1.6
Adjacent Zoning Districts:	North: C-1 (Neighborhood Commercial), R-20 (High Density Residential); East: C-1 (Neighborhood Commercial); South: C-1 (Neighborhood Commercial); West: R-6 (Medium Density Residential)
Adjacent Street(s) Existing & Proposed:	North: E Profile Ln (Existing); East: N Meridian Road (Existing); South: N/A; West: N/A
Internal Street(s) Existing & Proposed:	Internal drive aisles for connectivity within ENSIGN SUB
Adjacent Bike/Pedestrian Facilities:	None
Adjacent Parks:	None
Land Dedication Requirements:	N/A

2. Procedural Findings:

Pre-Application Meeting	Held on August 8, 2023.
Agency Comments Request	March 4, 2024
Planning & Zoning Commission Public Meeting	Held on June 11, 2024.

**III. Conditions of Approval**

1. The Developer/Owner/Applicant shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
  - a. The City Engineer shall approve all sewer connections.
  - b. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received an approved drainage plan.

- c. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, “Catalog for Best Management Practices for Idaho Cities and Counties”.
  - d. The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by the Fire District are required.
  - e. The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
  - f. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permit(s).
  - g. All public Rights-Of-Way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
2. The Developer/Owner/Applicant, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the Commission, or seek amending them through appropriate application processes as outlined in KCC.
  3. Developer/Owner/Applicant shall follow staff, City Engineer and other agency recommended requirements, as applicable.
  4. This development shall be completed per the approved site plan and landscape plan, or as otherwise determined by staff.
  5. All required landscaping shall be permanently maintained in healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within three (3) days or as the planting season permits, as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
  6. Landscaping shall not be placed within 10 feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities, and must honor all vision triangles.
  7. This development is subject to Architectural and Landscape compliance Design Review inspections prior to receiving a Certificate of Occupancy. Design Review inspection fees shall be paid prior to requesting staff inspection.
  8. Developer/Owner/Applicant/Contractors are hereby notified of Kuna’s working hours. Construction of any kind shall only be conducted within the hours specified in KCC 10-6-3. Noises and other public nuisances/distractions outside of this time frame are subject to lawful penalties.

9. Developer/Owner/Applicant is hereby notified of Kuna's weed control policies and requirements KCC 8-1-3. Weeds, grasses, vines or other growth which endanger property or are over twelve (12) inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout all seasons.
10. Developer/Owner/Applicant and all successors shall comply with all Local, State and Federal Laws.
11. Developer/Owner/Applicant shall comply with Kuna City Code and Idaho State code.
12. Developer/Owner/Applicant shall comply with J&M Sanitation requirements for the trash enclosure.
13. The drive through and bypass lane shall total twenty feet in width for its entirety.

**SECTION 5**  
**REQUIRED NOTICES TO APPLICANT AND AFFECTED PARTIES**

An applicant or affected party may appeal any final decision on any final decision on a DR committee decision to the Council. The applicant or affected party shall file a written notice of appeal stating specifically the decision(s) to be reviewed by the DR committee or Council and the grounds for the appeal with the Director before 5:00 p.m. of the tenth calendar day, or the next business day following the tenth calendar day should the tenth day fall on a weekend or holiday, after the final decision or determination has been made and provided in writing to the applicant.

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P&Z Commission Chairman,  
Dana Hennis

**CASE NO. 24-03-AN**

**STAR ACRES PROPERTIES, LLC,  
ANNEXATION**

Planner: Troy Behunin, [TBehunin@kunaid.gov](mailto:TBehunin@kunaid.gov), 208-922.5274

**ALL APPLICATION MATERIALS: [24-03-AN](#),  
[STAR ACRES PROPERTIES, LLC, ANNEX.](#)**

**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 Commission Staff Report

Entitlements Requested:	Subdivision	Rezone	Annexation	Special Use	Planned Unit Development	Design Review	Other
<b>Title:</b>	Star Acre Properties, LLC Annex		<b>Application Number:</b>	24-03-AN			
<b>Date:</b>	7/9/2024		<b>Staff Contact:</b>	Troy Behunin			
<b>Owner(s)/Applicant:</b>	Brian Frost - Owner		<b>Applicant Contact:</b>	Brian.sunriver@gmail.com			
<b>Representative:</b>	Billy Edwards		<b>Representative Contact:</b>	Wedwards9177@msn.com			

**Purpose**  
 Applicant requests approval to Annex approx. 10 acres. into Kuna City Limits with a M-1 (Light Industrial/Manufacturing) zone. The subject site is near the intersection of S Curtis and W Barker Roads and is currently zoned RP (Rural Preservation) in Ada County; Section 8, Township 1 North, Range 2 East.

Statement of Fact	
<b>Parcel Number(s):</b>	S2008223000
<b>Future Land Use Map Designation:</b>	Light Industrial
<b>Existing Land Use:</b>	Agriculture
<b>Current Zoning:</b>	Rural Preservation – Ada County
<b>Proposed Zoning:</b>	M-1 (Light Industrial)
<b>Development Area:</b>	10.00 Acres
<b>Adjacent Zoning Districts:</b>	<b>North:</b> M-1 (Light Industrial); <b>East:</b> M-1 (Light Industrial); <b>South:</b> RP; Rural Preservation); <b>West:</b> M-2 (Heavy Industrial).
<b>Adjacent Street(s) Existing &amp; Proposed:</b>	<b>North:</b> None; <b>East:</b> None; <b>South:</b> None; <b>West:</b> None
<b>Internal Street(s) Existing &amp; Proposed:</b>	None
<b>Adjacent Bike/Pedestrian Facilities:</b>	None
<b>Adjacent Parks:</b>	None
<b>Land Dedication Requirements:</b>	N/A

**Comprehensive Plan and Future Land Use Map Analysis**  
 If approved, this project will add additional industrial acres directly adjacent to the previous annexation applications known as 21-11-AN and 22-08-AN and touches City limits on three sides.

This proposal meets the goals of the City by adding additional industrial lands within the approved East Urban Renewal District and the Industrial Overlay District boundaries of the City of Kuna, and would provide zoning consistency for the area, as well as consistent land uses with adjacent lands.

The Comprehensive Plan and Future Land Use Map (FLUM) identifies the subject property as Industrial. The existing zone is an Ada County Zone; RP (Rural Preservation). The proposed zoning and land use for the subject site agrees with the FLUM.

The Comprehensive Plan identifies Kuna will be economically diverse, vibrant and will ensure infrastructure and public facilities are in place so that parcels identified for commercial or industrial may obtain entitlements to progress closer to development.

The Comprehensive Plan encourages Kuna to support economic development and create an environment friendly to business creation, expansion and relocation.

The Comprehensive Plan identifies respecting and protecting private property rights ensuring land use policies and regulations do not violate those rights.

### Staff Analysis

The applicant requests Annexation into City limits with the M-1 zone and is not proposing development at this time.

The applicant intends to submit an application for development in the future and staff recommends the owner be conditioned to submit the appropriate applications at that time.

### Recommended Conditions of Approval

1. Developer/Owner/Applicant shall submit the appropriate applications preceding any future development.
2. Developer/Owner/Applicant shall follow the East Kuna Industrial Overlay District standards as applicable.
3. Developer/Owner/Applicant shall follow the Kuna Comprehensive Plan and FLUM.
4. Developer/Owner/Applicant shall follow Idaho Code §50-222 and Kuna City Code Title 5.
5. Developer/Owner/Applicant and all successors shall comply with all Local, State and Federal Laws.

**DATED** this 9<sup>th</sup> day of July 2024.