



Planning & Zoning Department

City of Kuna
P.O. Box 13
Kuna, Idaho 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
www.kunacity.id.gov

Agency Notification

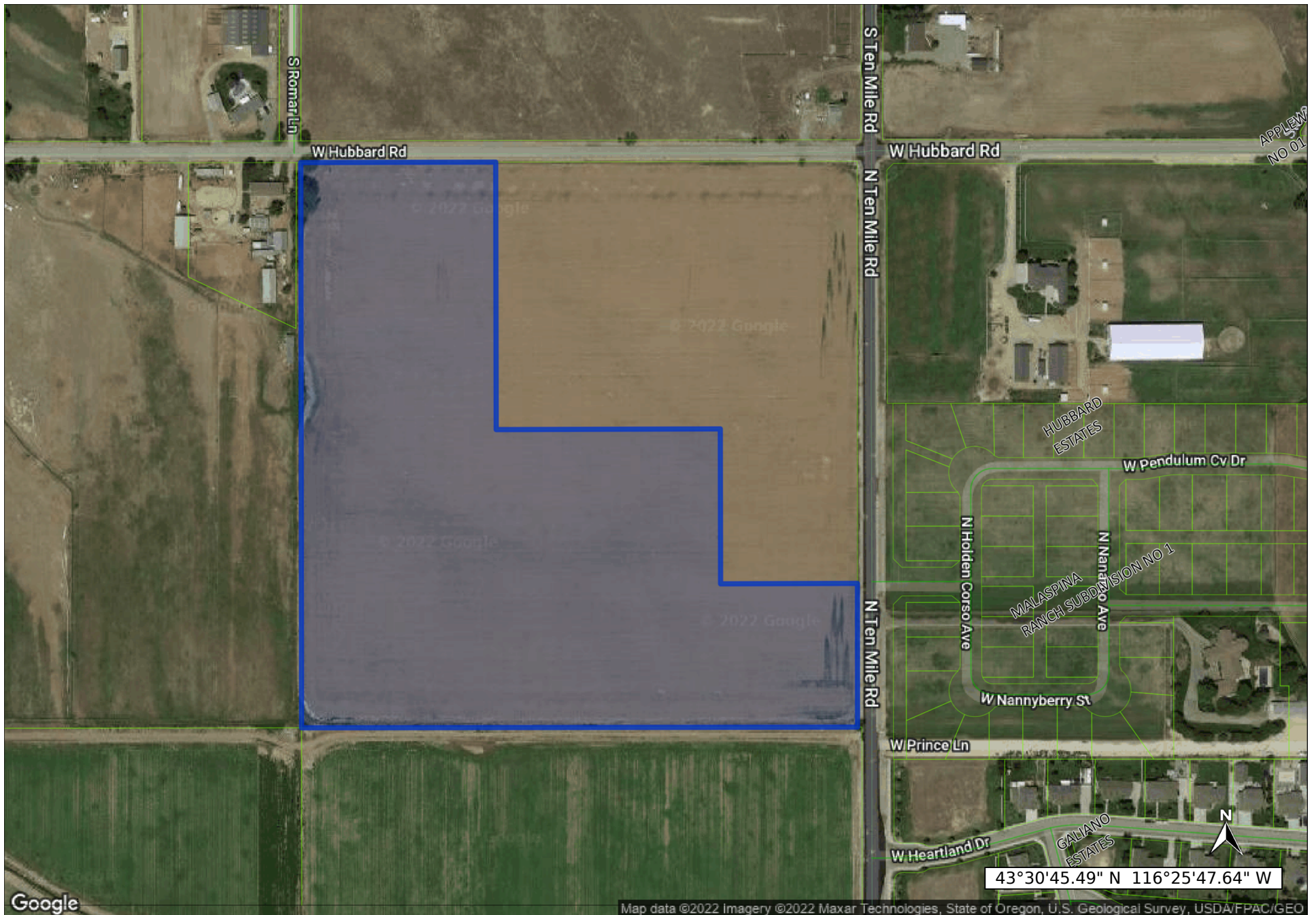
August 5, 2022

Notice is hereby given by the City of Kuna that the following action(s) are under consideration:

File Numbers & Case Name:	22-03-ZC (Rezone) – 3003 N Ten Mile Road, Bodahl Farm, LLC, Rezone.
Project Description	David Crawford with Centurion Engineers, Inc., requests approval to Rezone approx. 24.17 acres currently zoned C-1 (Neighborhood Commercial) TO R-20 , High Density Residential (HDR) zone. The applicant is not proposing any other land use applications at this time. The site is in Section 15, Township 2 North, Range 1 West, Boise Meridian, (Parcel number; S1315110075).
Site Location	The SWC of Ten Mile Rd., and Hubbard Rd., Kuna, ID 83634.
Representative	David Crawford Centurion Engineer, Inc. 2323 S Vista Ave., Ste 206, Boise, ID 83705 208.343.3381 dacrawford@centengr.com
Applicant	Kristen McNeill Givens Pursley, LLP 601 W Bannock St. Boise, ID, 83702 208.388.1260 kristenmcneill@givenspursley.com
Tentative Public Hearing Date	P & Z Commission: On Tuesday, September 13, 2022 (<i>Tentative</i>) 6:00 PM Council Chambers at Kuna City Hall, 751 W. 4 th Street, Kuna, ID 83634
Staff Contact	Troy Behunin, Planner III Kuna Planning and Zoning Department 208.922.5274 TBehunin@kunaid.gov
Enclosed is information to assist you with your consideration and response. All comments as to how this action may affect the service(s) your agency provides, is greatly appreciated. Please contact staff with any questions. If your agency needs different or additional information to review and provide comment's please notify our office and they will be sent to you. If your agency needs additional time for review, please let our office know as soon as possible. <i>No response within 15 business days will indicate you have no objection or comments for this project.</i>	

Bohdahl Farms, LLC

Rezone





Planning & Zoning Application Coversheet

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov



****Office Use Only****

File No.(s): 22-03-ZC _____

Project Name: 3003 N Ten Mile _____

Date Received: 04.13.2022 _____

Date Accepted as Complete: _____

Type of review requested (check all that apply):

<input type="checkbox"/> Annexation & Zoning	<input type="checkbox"/> Appeal
<input type="checkbox"/> Comp. Plan Map Amendment	<input type="checkbox"/> Combination Pre & Final Plat
<input type="checkbox"/> Design Review	<input type="checkbox"/> Development Agreement
<input type="checkbox"/> Final Planned Unit Development	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Lot Line Adjustment	<input type="checkbox"/> Lot Split
<input type="checkbox"/> Ordinance Amendment	<input type="checkbox"/> Planned Unit Development
<input type="checkbox"/> Preliminary Plat	<input checked="" type="checkbox"/> Rezone
<input type="checkbox"/> Special Use Permit	<input type="checkbox"/> Temporary Business
<input type="checkbox"/> Vacation	<input type="checkbox"/> Variance

Owner of Record

Name: Bodahl Farm, LLC

Address: 6152 W. Half Moon Lane Eagle ID 83616

Phone: _____ Email: _____

~~Applicant (Developer)~~ Information

Name: Givens Pursley LLP - Kristen McNeill

Address: 601 W Bannock St. Boise, ID 83702

Phone: 208-388-1276 Email: kristenmcneill@givenspursley.com
cc: eak@givenspursley.com

Engineer/Representative Information

Name: Centurion Engineers, Inc. - David Crawford

Address: 2323 S. Vista Ave, Suite 206 Boise, ID 83705

Phone: 208.343.3381 Email: dacrawford@centengr.com

Subject Property Information

Site Address: 3003 N Ten Mile Rd.

Nearest Major Cross Streets: N. Ten Mile Rd. & W Hubbard Rd.

Parcel No.(s): S1315110051

Section, Township, Range: S15, T2N, R1W

Property Size: 38.98

Current Land Use: Agriculture Proposed Land Use: N/A

Current Zoning: C-1 Proposed Zoning: R-20

Project Description

Project Name: Bodahl Farm rezone

General Description of Project: Rezoning C-1 to R-20

Type of proposed use (check all that apply and provide specific density/zoning):

- Residential: R-2 R-4 R-6 R-8 R-12 R-20 Commercial: C-1 C-2 C-3 CBD
 Office Industrial: M-1 M-2 Other: _____

Type(s) of amenities provided with development: _____

Residential Project Summary (If Applicable)

Are there existing buildings? YES NO

If YES, please describe: _____

Will any existing buildings remain? YES NO

No. of Residential Units: _____ No. of Building Lots: _____

No. of Common Lots: _____ No. of Other Lots: _____

Type of dwelling(s) proposed (check all that apply):

- Single-Family Townhomes Duplexes Multi-Family
 Other: _____

Minimum square footage of structure(s): _____

Gross Density (Dwelling Units ÷ Total Acreage): _____

Net Density (Dwelling Units ÷ Total Acreage not including Roads): _____

Rezone Application

PO Box 13 | 751 W 4th Street | Kuna, ID 83634
(208) 922-5274 | www.KunaCity.ID.gov



Rezoning requires Public Hearings with both the Planning & Zoning Commission and City Council. Public Hearing signs will be required to be posted by the applicant for both meetings. Sign posting regulations are available.

Office Use Only	
Case No(s):	<u>22-03-ZC</u>
Project Name:	<u>3003 N Ten Mile</u>
Date of Pre-Application Meeting:	<u>Valid for three (3) months, unless otherwise determined by Staff</u>
Date Received:	<u>04.13.2022</u>
Date Accepted as Complete:	<u>6.9.2022</u>

Application shall contain one (1) copy of the following (digital documents preferred):

- Complete Planning & Zoning Application Coversheet.
- Complete Rezone Application.
- Detailed narrative or justification for the application, describing the reasons for the proposed Rezone.
- Vicinity Map 8.5” x 11” : Drawn to scale of 1” = 300’ (or similar), showing the location of subject property. Map shall contain a shaded area showing the annexation property; surrounding street names; and name(s) of surrounding subdivisions.
- Legal Description of Area: Include metes & bounds description to the section line of all adjacent roadways; stamped & signed by a registered professional Land Surveyor; calculated closure sheet; and a map showing the boundaries of the legal description.
- Development Agreement & complete Development Agreement Application (*if applicable*).
- Recorded Warranty Deed for property.
- Affidavit of Legal Interest if the individual submitting this application is not the legal property owner. (*One Affidavit required for each party involved. Originals must be submitted to the Planning & Zoning Department.*)
- Neighborhood Meeting Certification.
- Commitment of Property Posting form signed by the Applicant/Agent.

This application shall not be considered complete (nor will a Public Hearing be scheduled) until Staff has received all required information. Once the application is deemed complete, Staff will notify the Applicant of the scheduled hearing date, fees due, and any additional items via a Letter of Completeness.

Information to Note:

The date of application acceptance shall be the date the applicant submits the final required information to the Planning & Zoning Department, including the application fee (KCC 5-1A-2C).

Complete applications shall be reviewed within sixty (60) days of date of acceptance (KCC 5-1A-5A).

Applicant Signature: _____ Date: _____

By signing, you are confirming you have provided all required items listed on this application.

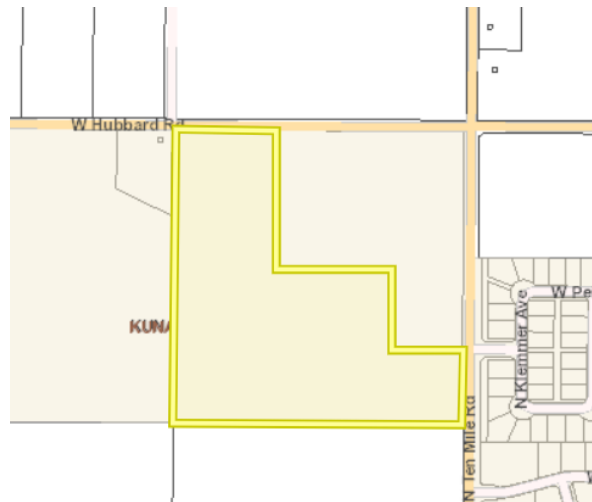
April 13, 2022

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

RE: Bodahl Farms, LLC Property Rezone Application

Dear Mayor, City Councilmembers, Planning and Zoning Commissioners and Planning Staff,

Bodahl Farms, LLC, an Idaho limited liability company (“**Owner**”) is pleased to present this application to rezone the property outlined in yellow in the map below which is located on the southwest corner of Ten Mile Road and Hubbard Road, commonly known as Ada County parcel number S1315110075 (the “**Property**”).



The Property is approximately +/- 24.168 acres, currently zoned C-1 (neighborhood commercial district), and designated Mixed Use (MU) on Kuna’s Future Land Use Map (“**FLUM**”). We respectfully request that the Property be rezoned to R-20, high density multifamily residential.

This proposed amendment to R-20 meets the goals of *Envision Kuna*, the City’s Comprehensive Plan, is compatible with the surrounding area, and meets the requirements of the zone. Utilities are also available to serve the property.

History

The Property was originally part of a larger 40 acre parcel. Last fall, a smaller +/- 14.469 acre parcel on the corner of Ten Mile Road and Hubbard was carved from the Property. This smaller, corner parcel will retain its current C-1 zoning and is under contract to be sold to an end user that requires the C-1 zone.

R-20 Zone Requirements

As described in Kuna City Code, the purpose of the R-20 district is to define a maximum residential density limit per acre based on factors such as traffic generation, availability of city services and land use compatibility. Accordingly, the district is established to serve higher density, multi-storied residential development, not to exceed twenty (20) dwelling units per net acre. District requirements include direct access to arterial or collector roadways and connection to public sewer and water. This zone is intended to accommodate multi-storied, multifamily dwellings and group living arrangements.

The Property fronts Hubbard Road, which ACHD classifies as a residential arterial, and Ten Mile Road, which is classified as a commercial arterial. Water service is available to the Property. Sewer service is available via the Arroyo Vista lift station, which is currently under construction and has been designed with capacity intended to serve the Property.

Compatibility with Surrounding Area

R-20 zoning is compatible with surrounding uses. As shown on the current FLUM and the proposed FLUM, the areas surrounding the Property are anticipated to largely develop as commercial and mixed use, with some medium density residential directly to the west.

Current FLUM



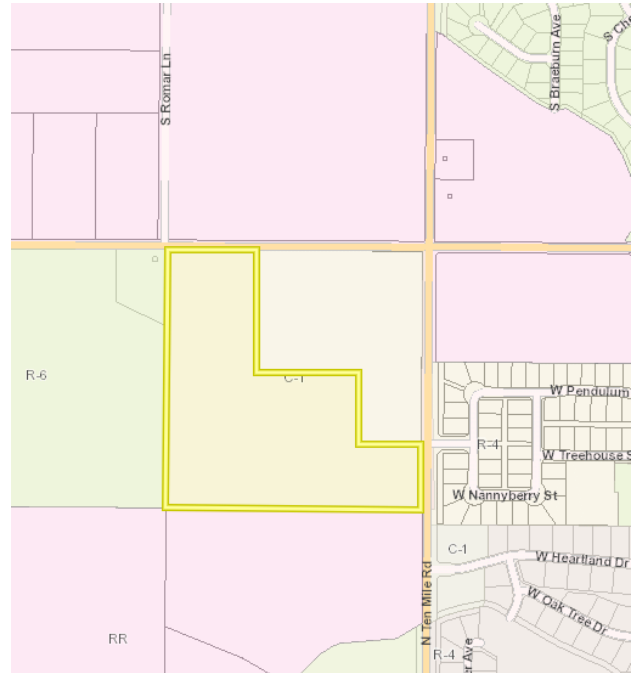
Property: Commercial
North: Medium Density Residential (MDR)
East: Commercial and MDR
South: Commercial
West: MDR

Proposed FLUM



Property: Mixed Use (MU)
North: MU
East: MU and MDR
South: MU
West: MDR

The zoning of the land surrounding the Property is also compatible with R-20 in this developing area of Kuna. The property to the north, across Hubbard, is zoned Rural Residential in the County; directly to the east is zoned C-1 and across Ten Mile is R-4; to the south is zoned rural residential in the County; and to the west is zoned R-6 in the City. As discussed above, this area is contemplated to develop primarily as mixed-use and commercial.



High density residential R-20 zoning is appropriate for the Property because:

- It will provide a housing buffer between the medium density R-6 subdivision to the west and the commercial district to the east;
- It will allow for much needed housing directly adjacent to commercial uses;
- It will provide for a walkable development overall, with commercial businesses adjacent to a natural consumer base;
- It provides for a nice mixed-use community in a location designated as “mixed use” on the proposed FLUM.

Comprehensive Plan

A rezone to R-20 supports *Envision Kuna* Objective 3.D.1, which encourages the development of housing options for all citizens. Specifically, as set forth in Policy 3.D.1.c, R-20 zoning supports housing that meets demand for all economic segments, including rental and owner-occupied options for households earning less than 120 percent of area medium income.

By providing a buffer between commercial uses and less intensive residential uses, R-20 zoning promotes Policy 3.C.1.c., “Support commercial centers with high- and medium-density residential and mixed-use designations in surrounding areas, while providing transitions and buffers between commercial and residential development.” R-20 zoning also concentrates a mixed-use area along Ten Mile, a main entryway corridor, as provided in Policy 3.A.1.b.

As contemplated in Policy 3.D.2.b., R-20 zoning provides for a walkable development, with commercial businesses adjacent to a consumer base which allows residents to play, shop, eat and interact with neighbors without leaving their neighborhood.

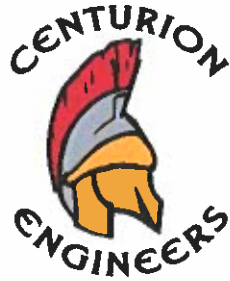
Conclusion

Because a rezone of the Property to R-20 is supported by *Envision Kuna*, the Future Land Use Map, and the Kuna City Code, and is compatible with surrounding uses, we request approval of the application to rezone the Property to R-20, high density residential.

Thank you for time in considering this application. Please do not hesitate to contact us regarding any questions you may have.

Sincerely,

/s/ Tim Eck



CENTURION | B&A ENGINEERS, INC.
 Consulting Engineers, Land Surveyors, Planners
 5505 West Franklin Road Boise, ID 83705
 Telephone 208.343.3381 | www.centengr.com



**Rezone Description
 for Bodahl Farm, LLC**

February 22, 2022

A portion of the northeast quarter of the northeast quarter Section 15, Township 2 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho, being more particularly described as follows:

Commencing at the northeast corner of said Section 15, which is the centerline intersection of West Hubbard Road and North Ten Mile Road; thence S89°55'47"W, 871.48 feet along the northerly boundary of the northeast quarter of the northeast quarter of said Section 15 and along the centerline of West Hubbard Road to the **Point of Beginning**:

Thence S00°00'25"W, 641.62 feet;

Thence N89°55'47"E, 519.98 feet;

Thence S00°00'25"W, 358.05 feet;

Thence N89°55'47"E, 351.50 feet to the centerline of North Ten Mile Road and to the easterly boundary of said Section 15;

Thence S00°00'25"W, 332.25 feet along said centerline of North Ten Mile Road and the easterly boundary of the northeast quarter of the northeast quarter of said Section 15 to the southeast corner of the northeast quarter of the northeast quarter of said Section 15;

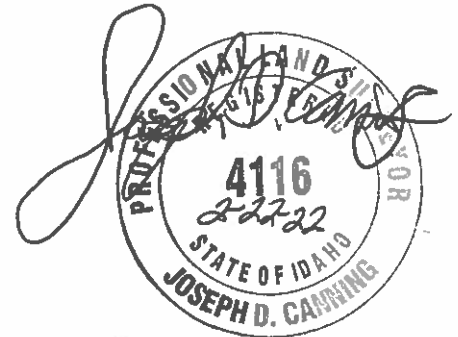
Thence N89°59'15"W, 1,323.81 feet along the southerly boundary of the northeast quarter of the northeast quarter of said Section 15 to the southwest corner of the northeast quarter of the northeast quarter of said Section 15;

Thence N00°01'07"E, 1,330.01 feet along the westerly boundary of the northeast quarter of the northeast quarter said Section 15 to the northwest corner of the northeast quarter of the northeast quarter of said Section 15 and to the centerline of West Hubbard Road;

Thence N89°55'47"E, 452.06 feet along the northerly boundary of the northeast quarter of the northeast quarter of said Section 15 and the centerline of West Hubbard Road to the **Point of Beginning**.

Comprising 24.72 acres, more or less.

Subject to all existing easements and rights-of-way of record or apparent.

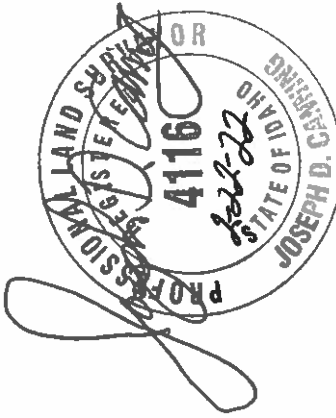


Bodahl Farm, LLC Rezone Description Sketch

SITUATE IN THE NORTHEAST QUARTER OF THE
NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 2
NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF
KUNA, ADA COUNTY, IDAHO.

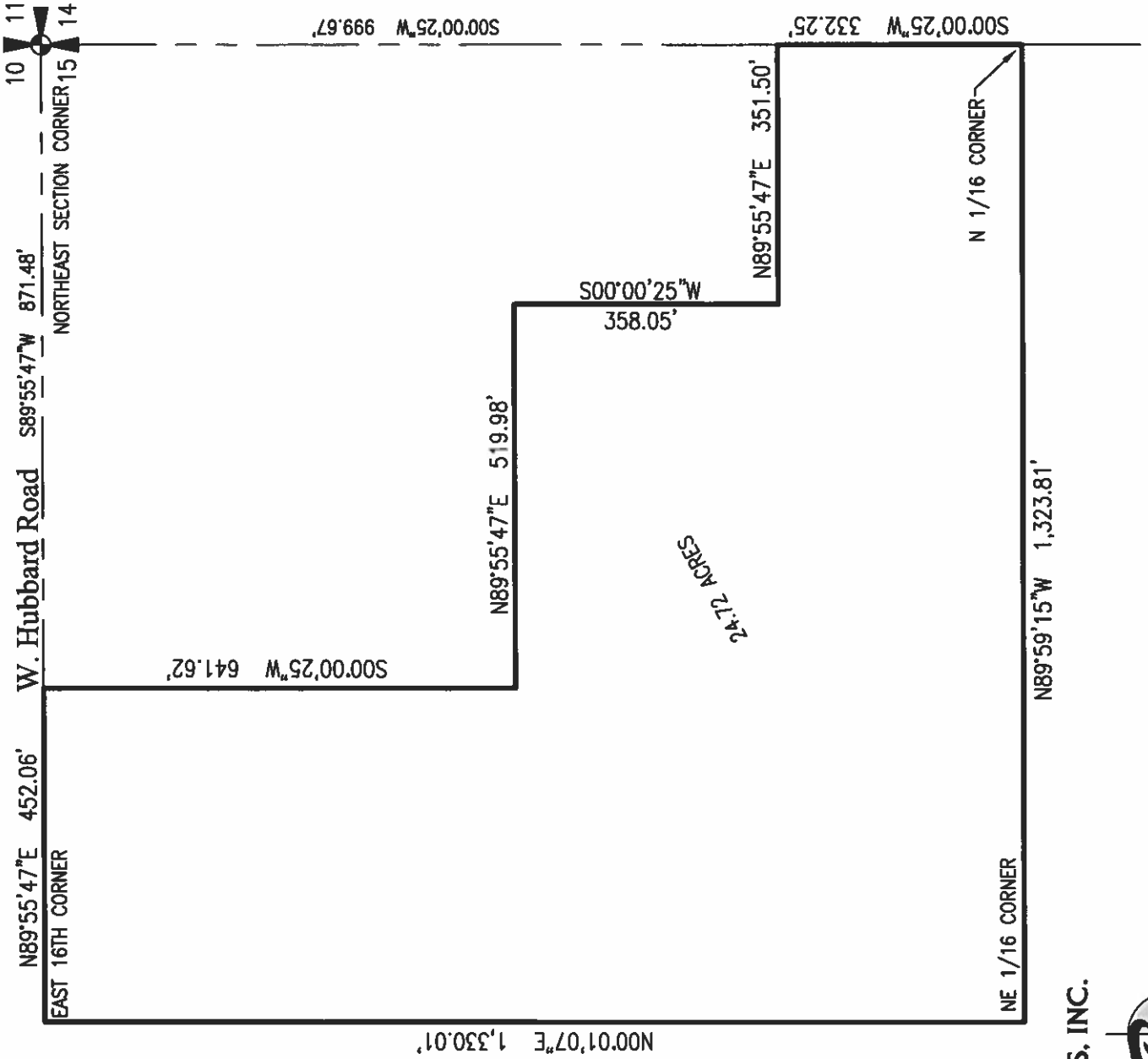


Not to Scale



CENTURION | B&A ENGINEERS, INC.

Consulting Engineers, Land Surveyors, Planners
5505 W Franklin Road | Boise, ID 83705
208.343.3381 | www.centengr.com



24.72 ACRES

QUITCLAIM DEED

THIS INSTRUMENT FILED FOR RECORD BY FIDELITY NATIONAL TITLE AS AN ACCOMMODATION ONLY. IT HAS NOT BEEN EXAMINED AS TO ITS EXECUTION OR AS TO ITS AFFECT UPON THE TITLE.

FOR VALUE RECEIVED

Bodahl Farm LLC, an Idaho limited liability company

do(es) hereby convey, release and forever quitclaim unto: Bodahl Farm LLC, an Idaho limited liability company

whose current address is: 6152 W. Half Moon Ln., Eagle, ID 83616 (the "Grantee"), the following described premises, to-wit:

See Attached Legal Description Parcel A

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Date: 3-11-22

Bodahl Farm LLC, an Idaho limited liability company

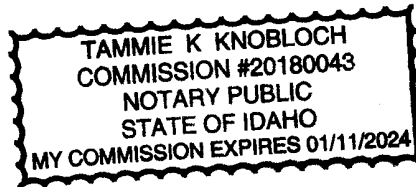
By: [Signature]
Timothy W. Eck, Manager

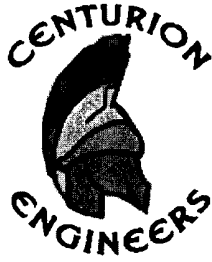
STATE OF Idaho
COUNTY OF [Signature] -ss.

On this 11 day of March, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Timothy W. Eck known or identified to me to be the person whose name is subscribed to the within instrument, as the Manager of Bodahl Farm LLC, an Idaho limited liability company and acknowledged to me that he executed the same as such Manager.

Signature: [Signature]
Name: _____
Residing at: Star 10
My Commission Expires: 1-11-24

(SEAL)





CENTURION | B&A ENGINEERS, INC.
Consulting Engineers, Land Surveyors, Planners
5505 West Franklin Road Boise, ID 83705
Telephone 208.343.3381 | www.centengr.com



**Legal Description
Record of Survey for Bodahl Farm, LLC**

Parcel A

December 3, 2021

A portion of the northeast quarter of the northeast quarter Section 15, Township 2 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho, being more particularly described as follows:

Commencing at the northeast corner of said Section 15, which is the centerline intersection of West Hubbard Road and North Ten Mile Road; thence S89°55'47"W, 871.48 feet along the northerly boundary of the northeast quarter of the northeast quarter of said Section 15 and along the centerline of West Hubbard Road to the **Point of Beginning**:

Thence S00°00'25"W, 641.62 feet;

Thence N89°55'47"E, 519.98 feet;

Thence S00°00'25"W, 358.05 feet;

Thence N89°55'47"E, 317.50 feet to the westerly right-of-way of North Ten Mile Road;

Thence S00°00'25"W, 332.20 feet along said westerly right-of-way of North Ten Mile Road along a line 34-feet easterly of and parallel with the easterly boundary of the northeast quarter of the northeast quarter of said Section 15 to the southerly boundary of the northeast quarter of the northeast quarter of said Section 15.

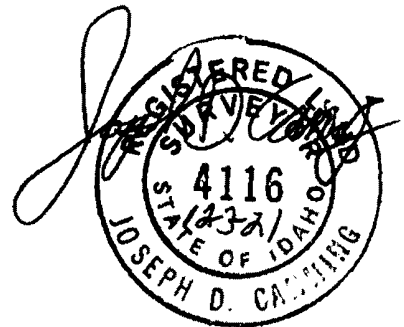
Thence N89°59'15"W, 1,289.81 feet along the southerly boundary of the northeast quarter of the northeast quarter of said Section 15 to the southwest corner of the northeast quarter of the northeast quarter of said Section 15;

Thence N00°01'07"E, 1,330.01 feet along the westerly boundary of the northeast quarter of the northeast quarter said Section 15 to the northwest corner of the northeast quarter of the northeast quarter of said Section 15 and to the centerline of West Hubbard Road;

Thence N89°55'47"E, 452.06 feet along the northerly boundary of the northeast quarter of the northeast quarter of said Section 15 and the centerline of West Hubbard Road to the **Point of Beginning**.

Comprising 24.46 acres, more or less.

Subject to all existing easements and rights-of-way of record or apparent.



THIS INSTRUMENT FILED FOR RECORD
BY FIDELITY NATIONAL TITLE AS AN
ACCOMMODATION ONLY. IT HAS NOT
BEEN EXAMINED AS TO ITS EXECUTION
OR AS TO ITS AFFECT UPON THE TITLE.

QUITCLAIM DEED

FOR VALUE RECEIVED

Bodahl Farm LLC, an Idaho limited liability company

do(es) hereby convey, release and forever quitclaim unto: Bodahl Farm LLC, an Idaho limited liability company

whose current address is: 6152 W. Half Moon Ln., Eagle, ID 83616 (the "Grantee"), the following described premises, to-wit:

See Attached Legal Description Parcel B

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Date: 3-11-22

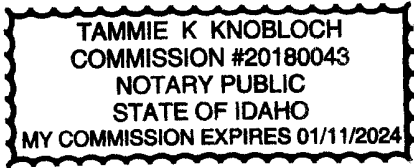
Bodahl Farm LLC, an Idaho limited liability company

By: [Signature]
Timothy W. Eck, Manager

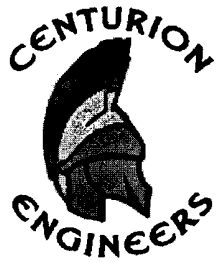
STATE OF Idaho
COUNTY OF [Signature] -ss.

On this 11 day of March, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Timothy W. Eck known or identified to me to be the person whose name is subscribed to the within instrument, as the Manager of Bodahl Farm LLC, an Idaho limited liability company and acknowledged to me that he executed the same as such Manager.

Signature: [Signature]
Name: _____
Residing at: State ID
My Commission Expires: 1-11-24



(SEAL)



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**Legal Description
Record of Survey for Bodahl Farm, LLC**

Parcel B

December 3, 2021

A portion of the northeast quarter of the northeast quarter of Section 15, Township 2 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho, being more particularly described as follows:

Commencing at the northeast corner of said Section 15, which is the centerline intersection of West Hubbard Road and North Ten Mile Road; thence S89°55'47"W, 34.00 feet along the northerly boundary of the northeast quarter of the northeast quarter of said Section 15 and along the centerline of West Hubbard Road to the **Point of Beginning**:

Thence S00°00'25"W, 999.67 feet along said westerly right-of-way of North Ten Mile Road along a line 34-feet easterly of and parallel with the easterly boundary of the northeast quarter of the northeast quarter of said Section 15

Thence S89°55'47"W, 317.50 feet;

Thence N00°00'25"E, 358.05 feet;

Thence S89°55'47"W, 519.98 feet;

Thence N00°00'25"E, 641.62 feet to the northerly boundary of the northeast quarter of the northeast quarter of said Section 15 and to the centerline of West Hubbard Road;

Thence N89°55'47"E, 837.48 feet along the northerly boundary of the northeast quarter of the northeast quarter of said Section 15 and along the centerline of West Hubbard Road to the **Point of Beginning**.

Comprising 14.95 acres, more or less.

Subject to all existing easements and rights-of-way of record or apparent.

