

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, December 13, 2016**

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Commissioner Dana Hennis	X	Troy Behunin, Senior Planner	X
Commissioner Cathy Gealy	Absent	Trevor Kesner, Planner II	X
Commissioner Ron Herther	X	Nancy Stauffer, Planning Technician	
Commissioner Stephen Damron	X		

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Call to Order and Roll Call

Chairman Young called the meeting to order at **6:00 pm**.

1. CONSENT AGENDA

- a. Planning and Zoning Commission meeting minutes for November 22, 2016
- b. 16-04-ZC (Rezone) and 16-06-SUP (Special Use Permit) - Keith Clow; Special Use Permit and rezone request from Keith Clow to rezone approximately 8.74 acres in City limits from the current (A) agriculture zone to a C-2 (Area Business District) commercial zoning designation; and a special use permit to construct a future storage facility. The site has no assigned address and is located on the east side of N. Meridian Road, south of E. Meadowview Road and north of E. Kuna Road.
 - ***Findings of Fact and Conclusions of Law***

Commissioner Hennis motions to approve the consent agenda; Commissioner Herther Seconds, all aye and motion carried 3-0.

1. NEW BUSINESS

- a. 16-10-DR (Design Review) – Rikk Manzer: Requesting Design Review approval to place a 196-square foot accessory commercial building to house a new bail bonds office in the southwestern portion of the paved parking lot of the Kuna Lube-N-Go, located at 564 E. Avalon Street within the Zatica Subdivision No. 2 commercial subdivision.

Rikk Manzer: My name is Rikk Manzer, I'm at 1623 N. Two Point Ave. Kuna, ID. I'm looking at putting a 14X14 office, custom built office at the Lube N' Go location. It is for a bail bonds office, I'm not sure if you have seen the pictures of it or not. I'm looking at putting it in that parking lot and operate out of it. Simple as that.

Chairman Young: Are there any questions for the applicant at this time?

Commissioner Damron: Is it going to be a permanent or a moveable structure?

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Rikk Manzer: It is designed to look permanent, but it is moveable.

Commissioner Damron: Ok, so if necessary it can be removed.

Rikk Manzer: Absolutely.

Commissioner Herther: The only question I have, you are not going to hook up to water or sewer.

Rikk Manzer: No sir. The unit is too small for facilities. It is designed to not be in the building long enough to need them because we are constantly on the go. I designed it that way so that the agents would not sit there all day. We do have access to the Lube N' Go facilities, which are ADA compliant. I've got permission from the owner there to use those facilities if we need them. So they are available.

Commissioner Herther: So there are toilets in the Lube N' Go, but not in the structure?

Rikk Manzer: Correct, and there is no water of any kind, just power.

Chairman Young: We will have staff come forward.

Trevor Kesner: Commissioners, for the record Trevor Kesner, City Planner, 751 W 4th street. The application before you tonight is a public meeting for a design review for a new commercial structure. The structure is actually under 200 square feet, which according to building code you do not need a building permit to construct something that size. If you were on a private residence and you wanted a shed, if it was under 200 square feet and not attached to the house, you actually don't need a building permit. This is a little bit of a square peg in a round hole for planning staff. We have been working with the applicant for about 4 months assisting him in finding the appropriate location where he could set up shop and operate under the terms of city code, he finally decided on this location, came to an agreement with the owner of the property of Lube N' Go. He has stated that he will provide Planning and Zoning with a copy of an agreement with the Lube N' Go owner stating that he has the use of the bathroom facilities, they are ADA compliant, we don't know yet, but we will have an inspection to verify that they are. There is plenty of parking on site, there is an actual ADA parking spot right next to where the applicant wishes to locate this building. He will need an electrical permit to hook up to power. Planning and Zoning staff have put forth conditions that the applicant follow all code and essentially is what you have before you is what he is proposing. I will stand for any questions you have for staff.

Chairman Young: With the two businesses on that site, how are they on parking? Under parked, over parked, as far as stalls go?

Trevor Kesner: There is plenty of parking available for the Lube n' Go, and then, as far as what the applicant has proposed, he essentially has said he doesn't expect more than one person at the location at any given time, so, one spot for the business meets code.

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Commissioner Damron: I noticed on there the position of the building and where the structure sets. Is that building small enough that it won't block that ADA access, the handicap parking? Because it looks very close to that corner.

Trevor Kesner: It is very close. That is where the applicant has proposed he put the structure, and that is where the owner has agreed that it should go, but if it blocks the ADA parking spot they can certainly shift it to make sure that the ADA access is available.

Commissioner Damron: My concern was van accessibility on that side.

Trevor Kesner: Of note, the applicant will be required to construct a ramp to go into the building, so there is wheel chair accessibility into the building as well, he has agreed to do it.

Commissioner Herther: It looks like a nice little facility.

Chairman Young: Are there any questions or concerns? No? Ok, I will stand for a motion.

Commissioner Hennis: Mr. Chairman I move to approve 16-01-DR (Design Review) with conditions noted in the staff report. *Commissioner Herther Seconds, all aye and motion carried 3-0.*

1. PUBLIC HEARING

- a. 16-03-S (Subdivision), 16-06-AN (Annexation) and 16-13-DR (Design Review) – J.U.B. Engineers representing Coleman Homes, LLC: The proposed Winfield Springs Subdivision submitted Preliminary Plat has been revised per external agency recommendations. ***-Staff is requesting this item be tabled until transportation agencies have accepted the revised Preliminary Plat and Traffic Impact Study, made comments/recommendations on the revisions and provided the City of Kuna with an official report or memorandum for the proposed development.***

Commissioner Hennis: Mr. Chairman I recommend that we remove 16-03-S (Subdivision), 16-06-AN (Annexation) and 16-13-DR (Design Review) from the agenda. Herther seconds, all aye and motion carries.

- b. 15-05-S (Subdivision) and 15-08-DR (Design Review) – A request from Viper Investments, LLC for preliminary plat approval and design review for a new residential subdivision (Silvertrail Addition Subdivision). Applicant proposes 421 single family homes and 56 common lots (approximately 8.68 ac.) on 130.55 acres already zoned R-6 in Kuna City.

David Crawford: Chairman, commissioners, my name is David Crawford at 5507 West Franklin Rd. I am with B&A Engineers and I am here representing the applicant who is here tonight, for Silvertrail subdivision. This is 477 lot subdivision that consists of approximately 131 acres of land, zoned R-6 that exists south and east of the existing Danskin Community, and it also exists east of the Kuna school on Mason Creek. This project is designed in accordance with the Kuna City Code, for the standards set forth therein for an R-6 zone designation of which these lots are generally larger

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than is what is allowed by an R-6 zoning designation. It follows a consistent development pattern that has been established by the applicant that has seen some success in marketing and lot sales in the area, so he seeks to continue that. The applicant, with the development of course, will be multi phase development, approximately 40 units a year, and over the 477 lots, we anticipate there is 14-15 years to build out. It's a large site, there are several arterial roads that run through the project, Mason Creek street is proposed to be extended from its west connection at the boundary to its east connection at the southeast corner of the development. There is also an arterial road, School street, which is proposed to continue in a north-south direction of the project all the way out to Columbia road. We have designed that in accordance with the Kuna City standards to keep the landscape buffers there and no access is directly afforded to the lots on those roadways. We will continue the Kuna City sewer, each lot will be connected, pressurized irrigation and the domestic water system as well. So, we look forward to continuing this type of development in the area that we have seen so much success with, and we hope to bring this project forward to successful completion. And with that I will stand for any questions you may have.

Commissioner Hennis: In the request statement, you had 521 buildable lots and 56 common lots. How or where are they designated, I could not find anything submitted that showed where your common areas are, where you are planning to provide for open space and common space.

David Crawford: For all intents and purposes, the landscape buffers that are adjoining the roadways constitute all the open space in the development, so generally the common lots that will be landscaped along the corridors or there arterial roadways on School, Mason Creek street, and then of course, adjacent to what we call the end cap lots in the development, there are small common lots that exist on many of these areas, for example, right here and here are all common lots along the edges here and along the roadways throughout the development.

Commissioner Hennis: How much acreage does that constitute?

David Crawford: We have about 12.5 acres of open space.

Chairman Young: The open space lot on the bottom left corner, with the landscape plan, it's just a little bit grainy, is that just a landscaped area? Is there any park type equipment anywhere in the project?

David Crawford: We haven't proposed any park type equipment in those landscape lots.

Chairman Young: Is your design started...I guess I'm wondering why the only real open space for 400 plus families is all the way pigeon holed down in that little corner closest to the school which has more open space.

David Crawford: One thing that we found over the years of developing in Kuna is that small micro parks that exist, were troublesome for the city and within the development for the HOA's to maintain those private parks. So, we were excited to hear the City of Kuna has now got a parks and

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recreation assessment fee, for lack of a better term. Those funds and open space may be provided through the community in that regard, rather than small micro lots in the developments.

Chairman Young: I guess it still begs the question, why is the only open space for the subdivision pigeon holed, you know, as the crow flies, the farthest lot on the northeast corner, down to that open lot, as the crow flies, not as the kids are on their bikes, working their way down to the open space, it's $\frac{3}{4}$ of a mile. I guess, I'm just not sure why it is all the way down there.

David Crawford: Well, frankly, it's due to the configuration of the land and the way the roads were designed to cut through there, so the open space lot that is provided down at the southwesterly corner is because it's a difficult area to place homes in and it was a good place to do that. Same thing down here along the southerly boundary.

Commissioner Hennis: In other words, the left overs. Unfortunately, what we are trying to get at is a lot of these subdivisions that are being provided within our community are trying to adapt some open spaces for kids to play throughout the subdivision, and this being one of the larger ones that we have had lately, we have very little being provided for the families and the general people living in that, which does create, at least in my opinion, a better living environment to where kids can go, people can gather, you are not just driveway to driveway. That's kind of what we are looking at is, we have had a lot of subdivisions that have provided a lot more open space and trails to get from one spot to the other. Right now, outside of the sidewalk, you have along the road, kids only have one way to get from one end to the other and that's by the roadways, gets a little treacherous, especially with the traffic studies that were provided saying how much is actually going in here.

David Crawford: Chairman, Commissioners, if I might address that a little more. This development is zoned R-6 and there is no part of Kuna code that requires open space for the development when we have this type of development, but what we are excited about is that there is the ability now with bringing development in the community collect those impact fees for these park areas so that they can be effectively maintained and not fall into disrepair or relying on, in the past there have been a lot of those small micro parks that were provided for the community that they didn't want them and so they neglected them through the HOA's, so that is part of this undertaking and the reason why we are so excited about the impact fee ordinance that has recently come through the City of Kuna.

Chairman Young: Are there any monument signs proposed at this point at any of the main entrances?

David Crawford: I'm sure there will be a monument sign placed at the boundary of the subdivision. We have not particularly placed one at this point.

Chairman Young: Are there any other questions for the applicant at this time?

Commissioner Damron: Looking at your plan, you'll start phase one and phase two. The plan for, looking at the increase in traffic, is your plan to complete phase two to put in the traffic light, or is

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it to get to the 84th house and then start to put it in? Or are you guys planning on putting in a turn about?

David Crawford: Ada County Highway District has spelled out those criterion, when those things are... I think there is a criteria for somewhere around 80-84 lots. There is another widening program that goes along Columbia, 261 lots. When we plat, when we move forward with the development of that, those numbers will trigger those off sight improvements.

Chairman Young: Thank you. We will have Troy come up.

Troy Behunin: Troye Behunin, Planner III, Planning and Zoning Kuna Idaho. We appreciate the efforts by the applicant and for their presentation about their project. We also appreciate the fact that there are a number of people from the public here tonight. Staff is prepared to give a compliancy report because that is what this subdivision is. This subdivision is already in the Kuna city limits, it's already been zoned R-6, which means medium density residential. The range per medium density residential is 4-8 and this is squarely in the middle. The comprehensive plan calls for this area as medium density residential, so it complies with the zoning requirements and it also complies with the comprehensive plan map suggestion. As this body knows, the comprehensive plan map is the guide, it is not zoning, but it is a guide. The applicant has proposed 421 buildable lots, which means that at full build out, if everything was realized, and if it was built as proposed, the gross density for this project would be 3.65 dwelling units per acre. And the reason why the city of Kuna goes with the gross density is because there are a number of required improvements that they are required to give. One of those is a very large one, which is the public right of way, which is access for all of those homes. It also adds to the overall collector inventory that the city does have by way of School Ave which is basically through the center of the sight and it's nearly ½ mile long. That's a collector road. It will also provide an east/west collector road as it connects to Mason Creek street which does touch Ten Mile road and runs just south of the elementary school on the south side of the project. Now, it does not actually get improved all the to Ten Mile or to Linder, but it does fill in the majority of the center of the sight, and it does connect to one street that does touch Ten Mile. One thing that staff would like to point out is that this application actually is a little bit dated. It was originally submitted in the fall of 2015, and much like Winfield Springs, which was tabled by this body earlier tonight, when staff prepared the staff report and packet for this body to review last November and December, it was actually requested to be tabled because the traffic impact study, that is required by ACHD and by the City of Kuna, was not quite ready. At the public hearing that was scheduled, posted, notified and mailed out to property owners within 300 feet, it was requested that it be tabled indefinitely until that type TIS actually get reviewed and approved by ACHD, which was approved this last October. This property also was part of the overall Applewood and Danskin master plan area which did start back in the early 2000's. There was also a development agreement that encumbered this entire area, and throughout the years some of the parcels have developed and others have not and they have sat idle. In 2012 the development agreement which was unsigned by the applicant because a many number of reasons, although it was recorded, was released by the city because of the inability to enforce the miniscule development agreement requirements, I believe there were 7 of them. Hopefully you have had a chance to review the packet and prepare any comments or questions

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you have for the applicant and for staff tonight. It was mentioned earlier about the park impact fee that has recently been adopted by Kuna City Council, and each building permit that comes through our doors is assessed this fee. I believe current dollars today is \$938.00 per building permit, so this development would generate nearly \$400,000.00 in park impact fees alone. That fee is here to stay, it is brand new, it's not going away, it will likely increase as inflation increases. The applicant has followed everything that we have asked them to do. They held the neighborhood meeting, they posted the site. Letters have been sent to land owners and also to those owners that have come in requesting that their names be added to that list who live outside that 300 foot radius and a couple of emails have also been sent out as well. It was advertised in the newspaper and at the local places here in Kuna and this application does comply in all technical aspects with the R-6 zoning and the zoning code of the City of Kuna. The Design Review aspect, which is not a public hearing, but is also part of this application, the applicant submitted a landscape plan for School Ave, Columbia and also for the extension for Mason Creek street, as well as a number of other open spaces throughout the project and staff found that in all aspects the landscape does comply with Kuna City Code, and that staff had two recommendations for the landscape plan listed in the conditions of approval. I will stand for any questions you may have.

Commissioner Damron: Looking at the map, Danskin Subdivision next to it and there is one, looks like it is northwest of it. It appears both of them on the areal map have green areas within them. Do you know if we required them to have park settings?

Troy Behunin: I can tell you this, if you are talking about the northwest development, that would be Chisum Valley, That's actually a subdivision in the county. They have two common lots. There is a frontage along Columbia road. All three of them are all county subs as well. I am unfamiliar with any internal open spaces within the Danskin Ridge subdivision.

Commissioner Damron: Is there any City owned property within the reaches of the proposed subdivision here?

Troy Behunin: No there is not.

Chairman Young: With the impact fees that are charged when the city uses those, do they use them for a combination purchasing land for parks, or is it just maintaining what we currently have? How is that used?

Troy Behunin: I believe that it does include for improvements and acquisition. Wendy, the Planning and Zoning Director can probably expand on that.

Trevor Kesner: Trevor Kesner, Planner II. The park impact fees that are collected with residential only building permits, are used to maintain the current levels of service that the Kuna City Parks have for each citizen. It might be a certain acreage of parkland per 1000 residents. As the city continues to grow and we need new parks to come on line to maintain that level of service, that is what those funds are used for. They are also used for existing parks, if existing parks have a pretty low level of service, those funds can be used to add additional amenities or improve the parks to

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bring that level of service up, but park impact fees that are collected on new residential building permits cannot be used to increase the current level of service. So, to answer your question, yes, the fees collected can be used to construct and purchase and build new park facilities, however, the new facilities would only be used to maintain that current level of service.

Chairman Young: Are there any other questions for staff at this time? Ok, then that comes time to open public testimony, I'll open that at 6:35. First we have listed, in favor, Tim Eck. Is there anything you would like to say? State your name for the record.

Tim Eck: Tim Eck, 6152 W Half Moon Lane Eagle, ID. We have worked extensively with the city on this park impact fee. We have seen over the years the degradation of the pocket parks, to the extent that in the recession HOA's would religiously refuse to pay their irrigation bill. They wanted the city to for-close on their park and take it over. They don't pay their irrigation bill, the parks going to die. The city doesn't want to shut the water off and have all these dead pocket parks, but the only thing they can do is for-close on these parks, and then they have to maintain them. This is some history behind this whole park impact fee. I think the park impact fee is, I think large regional parks are going to have a lot better use than these pocket parks have become bathrooms for dogs as we have seen in many cases, so we have been in favor of the park Impact fee since its inception. It does cost us a lot of money. On this subdivision we will spend almost \$400,000.00. I would rather spend that money to get parks that are functional and maintained and usable by the community than waste it on little pocket parks that the HOA's don't want to maintain, they don't want to pay the irrigation bill, fall in disrepair and just become eyesores. We do try to put a lot of open space in our lots along the street frontages to maintain a really appealing street scape. Our end caps the corner lots, we tend not to have corner lots in our subdivisions, we'll do a common lot on the end where it is HOA maintained. That strip is landscaped, planted, maintained according to the plans that are submitted to you and it's not someone's side yard behind their fence that they have let fall into disrepair. One thing that was mentioned when the Danskin master plan was being produced there were seven conditions of that approval and by the time the development agreement was determined to be innaffective and was released, all seven of the applicant conditions had been met, which included annexing, a 10 acre school site, which was given for the Silvertrail elementary and other things. The original applicant through we acquired the property, we didn't get out of any of the conditions of approval from the greater Danskin application that was done in 2000. If there are any questions that you have, I would be glad to answer.

Chairman Young: Thank you very much. Seeing none listed neutral. I have listed to testify in opposition, first is James Kidd.

James Kidd: My name is James Kidd, I live at 8625 S. Danskin Lane. I have lived here my whole life, my kids will be four generation Kuna people, so I have been here and I want what is best for Kuna. I am one of many, I don't just represent our subdivision, I represent a lot of people in our community and there is a lot of people very, very concerned with the vision that we have here as planners. We have basically in the last 10 years produced nothing but track housing and high density track housing at that. You look at that and you fast forward 20 years and we got inner city Caldwell. I'm really concerned where we're at, where we're going, I think we are looking straight

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down and looking at seeing how many sewer fees we can hook up to get ourselves out of that financial burden and we are not looking on the big picture. There is, when somebody wants to build a nice custom spec home and find a place to put, and I have many friends and people who have practices that want to do that, they can't do it because we as Kuna have provided no opportunity for them to do so. They are moving to Star, Eagle, Middleton, they are moving anywhere but Kuna because we as planners have not done our jobs of providing a mixed bag of people here. As far as this type of housing structure, sit on a school board trying to figure out, hey, what are we going to do, how are we going to build more schools, what are we going to do with all these people coming in, it's created a huge burden on our schools, and we're are in the middle of trying to hold the weight of that up too. That is another burden that this type of growth that we've embodied I guess, along with the stress on the infrastructure as well. There is no diversity in what we are doing, it's very concerning to everybody here. You look at this plan, and I'll be honest with you, you guys know as well as I do, that's a joke as far as parks, open areas, we're talking what you can't use right in front. Are kids going to go out and play right next to the roadway, no. You talk about what Danskin Ridge has, Danskin Ridge has a probably 7-10 acre park right in the middle of it, and where are these kids going to come? Probably over to our park. We maintain that just fine, we have no problem through this down sight, we maintain it and it is a great community, and why is that the case? Because we have diverse housing, we have the ability to maintain it. We have people that can maintain that thing and this doesn't provide that type of opportunity. As a whole, as planners, I would hope that you guys would help us make Kuna be a place that people want to come live. They come here because they choose to, not as a default because they can't afford to live anywhere else. That's what we are constructing right now with building more and more of these. When you look at Danskin, we've got maybe 40 houses, we probably got a 10-acre park in there. You've got 400 houses and no park, or that little nub in the corner, that's not going to do anything. And then you but up to the point that, Mr. Eck, you did a great job of doing Danskin Ridge, the first 2 phases of it, it's one acre lots, you got 5,300 foot homes on one acre lots and we're going to butt it right up to this high-density housing. No one's going to want to build a nice subdivision here if Kuna is going to suck the property values down like that. Maybe an alternative would be to put the buffer the park area behind the Danskin Ridge sub and make a park that some of the kids in that other subdivision can utilize. I'm not opposed to growth, I love growth, that's what makes this whole thing go round, but we need to take a different approach of how we're doing that. We need to take a different approach of making this a lot more diverse, and making it a destination. Kuna is great, there are some great things here, but we don't want to be a default community, and I think that's what we are (?) with approving this just the way it is without modifying it. Thanks.

Chairman Young: Next we have listed Dave Collie.

David Collie: My name is David Collie, I live at 8624 Danskin Lane. Unlike James, I am fairly newer to the area, but that was part of the draw to come out to Kuna was the opportunity for the diversity that Mr. Kidd talked about. To be able to be out in a unique area, to build a community that has that uniqueness. As I look at that plan I think that one thing that really jumps out, and I think it was obvious before, is the lack of space for recreational activities, even a park. Something to have for the kids and adults to be able to have a wind down period after a stressfull day at work.

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We do have that 7 to 10 acre park in the Danskin Ridge which is nice. I know there is not supposed to be any type of access into Danskin Ridge, but I think you know as well as we do that there is going to be kids, families, whatever, tromping through our back yards, front yards, to get to that park, which they need to have a place to do that and they are going to find a place. The park doesn't have to be specifically maintained in grass, there are plenty of options but I don't see any plans for even some options going forward to do that even if things were to change, very concerning. Another portion that was concerning, and maybe it was just logistical, but there is a big sign posted at the end of our subdivision that gave the time and date for this meeting and it was posted erroneously. I don't know where the blame lies, makes me a little suspicious that this is starting this way already, what's in line going forward? A little bit frustrating on that end. Looking at the traffic, I look at the amount of people. You figure 3-4 conservatively per home, up to 1600 people in a smaller, medium density area, that's roughly 1/10th of the population of Kuna in this little area. I don't think that's the draw that we're trying to get people to come out to do this. So, along with the traffic, I know Ada County Highway District is looking at the numbers and specifically that subdivision, but we've got everything from south on going back to get on Ten Mile, most likely that's going to just really increase. I know growth is inevitable, I'm all for growth, I just think it needs to be planned, maybe better constructed, I know it was zoned and I appreciate it being zoned R-6, it could have been R-8, and I appreciate that at the very least, but I think as a global, in the future vision, I think we can do a better job and being able to create better growth. Thank you.

Chairman Young: Next we have Grant Francis.

Grant Francis: Grant Francis, 8310 South Slide Creek Lane. I just want to echo everything that has been said, but also the point that I wanted to bring up is that when we bought our lot in Danskin subdivision, the lots behind us were all, it was planned and plotted for acre lots right behind us. The road from Buffalo Creek was going to continue up and connect into Danskin, those were all acre lots. There was a development then, and as the economy turned, and as things have turned, it has been changed and the thing that concerns me is when we first bought that lot we had one home behind our house, now we will have three. My concern with that is the value of my home goes down, just based upon the simple fact of that. The other thing that concerns me is that somebody didn't do their due diligence to find out that there was a park in Danskin and how that's maintained. How that's maintained is through homeowners association fees and being paid. The problem with all of these little subdivisions that we have in Kuna is that the homeowners, they start to become rentals, they stop paying their homeowners association fees, therefore they don't have the money to pay the dues and we are creating the same pattern, over and over. So why don't they maintain them? Because they don't have the funds, because the people can't afford to pay their homeowners association fees and so we keep perpetuating the problem over and over. What we are trying to suggest is that this be looked at and reanalyzed from a standpoint of density and home size to accommodate what is already existing there and to take a look and say, you know what, maybe we ought to be good neighbors and work together in association with what's existing and where we can go to move forward rather than just slamming that many homes in such a small area. The parks can be maintained if people are willing to develop in the right manner. I would invite all of you to go through our park. It is a very beautiful park, it has trees, it has pathways, it has swing sets, it has playground equipment and your person here didn't even know

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that there was a park there, and to me that's not even doing your due diligence in what is there and what is not. It will be become a source for us, we have a pool in our backyard, the kids will come from that subdivision, through our backyard, right into the park, and that makes a major concern for me, for my liability standpoint and from my yard being destroyed, etc, etc. I could just go on and on. I just hope that we will reconsider where we are going. I'm invested in this community, I have a business in this community, and I just hope we will reconsider where we will go with our development. Thank you.

Chairman Young: Planning and Zoning received a letter today that I will go ahead and read into the record at this time, as part of the public testimony.

Re: Public Hearing, David Crawford and Tim Eck 130.55 Zoned R-6; "Silvertrail Addition" To Whom It May Concern:

My name is Gabriel Haws. I have been a resident of the Treasure Valley for more than (30) years and a resident of Kuna for the past twelve (12) years. I have enjoyed our time in Kuna. However, I have seen that Kuna continues to grow in numbers-population-without much foresight or vision as to what Kuna could look like in five (5), ten (10) or fifteen (15) years. It is hard to see a little town with so much agricultural, social, and economic potential languish so far behind other local cities. It is to that point that I will address my concerns.

First, I don't believe that we need any more dense housing in Kuna. There are already several subdivisions that are zoned R-6 currently being installed. Most of Kuna is already higher density housing. I would like to see the housing in the proposed area match the surrounding subdivisions, one to *1/2* acre parcels. Building a city on high density housing creates many problems is an attempt to stuff a turkey through its beak--- it just doesn't work very well. One of those problems is it doesn't create a tax base upon which to build schools and to educate the higher number of students at a more proficient level. I am concerned about Kuna's level of education in comparison to other SA schools and I am concerned with substantial increase in students whatever quality of education we currently have will go down.

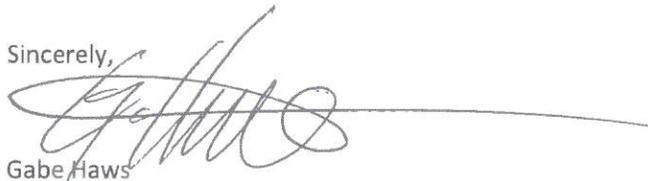
I am also concerned that the City continues to allow high density housing but there is no accommodation for public parks and open spaces that are actually useable. I believe that requiring the lots in the proposed area to be 1 acre or *1/2* acre will bring people to Kuna who are able to afford increased property taxes and allow for greater open space and sense of community. We need more parks and recreational programs for the children and families that move into the area. For example, over the past twelve (12) years, the City of Kuna has grown substantially, but continues to allow Cory Barton and other developers to put in high density housing.

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Consequently, we don't have additional city parks, additional baseball fields, 1 additional open space, or additional infrastructure. Allowing more high density housing is not going to relieve this substantial problem. I am concerned what high density housing will look like in the next ten (10) years. I work with law enforcement and Kuna's BMX park and is known all over the valley as a drug lure. Kuna's older high density housing is turning in rental capital of the treasure valley, which increases transiency and has been proven to lead to more criminal behavior. In 15 years, the proposed high density area will not be a neighborhood that people will want to raise their kids. Every healthy community has a smattering of different types of housing. It allows for growth and opportunity for everyone. Unfortunately, Kuna seems to have subsisted, and seems to be willing to subsist, almost entirely on high density housing. Exclusive subsistence leads to extinction. It is not the people that move into the high density housing that is the problem, it is the stress on the community's economic resources that is the problem, which is precisely why the City of Kuna should deny the proposed request as is and require that only Y_i or 1 acre lots. Isn't time that Kuna pulled itself up by the bootstraps and makes itself better instead of taking the first developer that comes along with the promise of great things. We have gone down that road too many times, and we know what it brings in terms of growth, community and prosperity-it will only put money in the pocket of the developers and realtors that use Kuna as a cash cow. I would like to see the City take a different, more positive turn, and look for something different and something with vision. I would encourage the City to think of itself as one of the top cities in the state and require nothing but the best, instead of adopting the "you are Kuna you know" mind set.

Sincerely,


Gabe Haws

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Chairman Young: That is all I have listed that is signed up. Is there any one here that would like to testify that is not signed up? Please come forward and state your name for the record.

Ann Potter: My name is Ann Potter I live at 8957 S Perfect Lane, which is at the corner of the entrance to that subdivision at the end of Perfect lane now, but is planning to be School lane. The amount of traffic that is going to be in front of my residence and my other neighbors, with 400-470 houses, there is only 2 ways in and out of that subdivision, that's going to be really dangerous in terms of fire safety, ambulance and with that number of houses, can the Kuna current sewage treatment facility handle that? I have a couple personal concerns. I have livestock on a 10 acre property, am I going to have another plastic fence between my fence and the subdivision? The original plat, can I use a map, the original plat that was proposed in the early 2000's, the slope of this land goes this way. This is my property right here. There were retention ponds built right here in the original plan, guess it was Mr. Jewitt's land, that developer.

Chairman Young: Step back to the microphone please.

Ann Potter: The other concern I have along that property line. My pressurized irrigation comes in at the corner where that subdivision, where the road is going to cross the canal I assume, and right now my pressurized irrigation drains into the edge of that current farm field. It's my understanding, via the board of control, that they cannot take that drainage away from me and I'm sure that subdivision comes right up to my property line. So, my pressurized irrigation is right here, and right now there is a farm field right here and my pressurized irrigation drains into here into this field along the property line. It is my understanding that...(inaudible) So that is my concern, what's going to happen to my irrigation drainage? Is the developer going to take care of that? If in fact this many houses do go in, and I would like to echo the sentiments of the other people testifying here that that's just too many houses right smack in the middle of all these other neighborhoods. Right now, if you look on the sex offender registry, we have enough people registered right around us that you can go on line and see how many sex offenders live in Kuna, it's on line. At least 20 right in our area within a couple blocks. That's going to add more. It's so dense. We are the wild life (inaudible) We have coyotes in these fields, we have birds of Prey, where are the open spaces to keep some of that here, because all of that's going to go away. That's what brought a lot of people to Kuna.

Chairman Young: We will go ahead and, I'm not sure who would like to speak to the concerns.

Tim Eck: Try and address some of the concerns, as far as the irrigation drainage, all of that is taken into the design considerations, we are not allowed to take away the drains, the engineers will work through that. We will not get approval of any construction drawings without all of those issues being addressed. The highway district is very thorough on that. The drainage that seems to be of a concern is also a highway district design, the entire sight has to have drainage to, we're seeing more seepage beds than settlement ponds, so it's all underground. So you don't see them because they are seepage beds underground instead of surface retention ponds. We have to remember that Danskin Ridge was a county non-farm plat application, which meant 20% density on 25% coverage with 75% restricted agriculture use for 15 years, or until municipal services are provided. Once all of this property was annexed into the City of Kuna, the City of Kuna becomes the land use controller, no longer the county. The greater Danskin master plan had a diversity, it had a blend, in all that great big piece of land, there is

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a bunch of one acre, 1 ¼ acre properties out there. We are getting to the higher density which was part of the original plan. In addition, we are at 3 ½ units per acre. We could be at 6 according to our zoning, but we chose not to go that dense and have a 3.65 units per acre, so we are maintaining a density lower than allowed, in addition we talk about the capacity of the sewer plant, we got one of the most state of the art sewer facilities in the state of Idaho, 28 million dollars spent on the property. It was funded by properties that were assessed, LID assessment at \$3233.75 per EDU. Every lot on that plat paid for one of those connections, that's what funded it. We were assessed 3 sewer connections per acre. We are just barely getting that density and all of those connections were paid for. So we have done a lot to take care of that problem for the City of Kuna and it was through no small effort by this developer, this owner and many other properties that he owned, that retired 1/3 of the LID debt and got the bank to agree to negotiate with the city and settle the LID litigation. We take a lot of pride in that because we did a lot of work, we spent a lot of money to make the City whole. I think our plan, we have no connection into Danskin Ridge. That was voiced early on and we have actually been successful to this point in keeping the highway district on board without requiring a connection. Our plat boundary has to be fully fenced with 6 foot fence. So, yes, there will be a fence between our property and the farm property. We have to put it there. We'll have a 6 foot fence around the entire boundary of the subdivision which includes the separation between us and Danskin Ridge. School street, it stops right there until someone on the other side of the property line decides develop, so there will be no extension or continuation of School street across the other parcels until basically they sell for development and it's being developed. School street stops at Mason Creek. If the Commission has any questions, I'll be glad to answer them.

Chairman Young: Does anyone have any questions for Mr. Eck at this time? (all No) Is there anything that you would like to add? (No) With that we will close the public testimony at 7:04 and that leads us to our discussion.

Commissioner Damron: When is completion of total product supposed to have been completed?

Commissioner Hennis: 14 years

Troy Behunin: It is anticipated at 13 years.

Chairman Young: To kind of help with some of the concerns out here as far as irrigation and sewer and all of that, I have noticed in the City Engineers letter that the facilities that we have are capable of absorbing this development and being extended out there and irrigation as well.

Commissioner Hennis: And it's not so much... as Troy brought up, this is a compliance issue, not a zoning issue. We cannot determine the zoning in this area, it has already been determined. However, with that being said, I do feel there is a big benefit in providing open space, at least a central open space for kids to gather. I think there is a big benefit, I don't think, I believe as Mr. Eck had said, the little pocket parks aren't necessarily as effective, but a nice central park to the subdivision does have a lot of benefits, and we have seen that throughout the city. I am concerned with not having any open space in the subdivision.

Chairman Young: I agree. I do want to say, the landscape that is provided and shown here, it appears to be in good shape, I think they did a good job as far as what they have done along the main boulevards

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and it does appear to comply with all the city requirements there and, you are right, we don't have the ability to change the density of what is here, it is already zoned R-6, this body at this point can't change that zoning here. I do like the density is a little bit lower, as a developer has stated, when it comes down to 3.6 per acre vs. 6 or more, I have noticed even in the other subdivisions going in, there is a mix of lot sizes. There are mixes of sizes of homes and in those weekly and monthly reports that we get, the prices they are getting for those. People are making an investment.

Commissioner Hennis: But the question is, in a subdivision such as this, is it attractive to bring those type of people into something so geographically dense, maybe not acreage wise, but not having any park, any place for kids to ride bikes off the street, things like that, I mean, a lot of the subdivisions now are priding themselves on providing trails, providing greenbelts, providing areas for people to walk, take their dogs, take their kids, you know, that aren't along the streets.

Chairman Young: I agree, I think that something centralized, not necessarily have to have a ton of equipment or anything, but open spaces where you can actually be used and not have to walk, if you got a child and he's walking a block to a park, parents are going to feel a lot better than having to walk $\frac{3}{4}$ of a mile down to the closest open space or area to play.

Commissioner Damron: That was my question to staff, if we had any property in that area that belongs to the city that we could turn into a park and as that continues to build out there, we're either going to have to look at that or make the developments provide that for each individual one in order for those kids to ...you know...

Chairman Young: One other little piece that may be missing, but it is always an item of discussion is pathways. We've tried with subdivisions coming from down below Hubbard to try and create some sort of a pathway for the city for people to create a greenbelt system so that things from the north to the south down to the creek and what we are trying to do with the greenbelt down there can be all inner connected, to the best that we can do, I know that you can't make a super greenbelt and drive golf carts down to the park...it would be nice.

Commissioner Damron: Travel corridors for families to ride bikes and walk, places to go without having to drive to the park to get on one.

Commissioner Hennis: Well, even in the staff report there is a section talking about that, that had a master plan on sheet 3 or 10 that wanders along the existing canal.

Chairman Young: That's consistent with what we have done with everything from the big corner as you come in all the way through there are pathways that we have tried to do. I don't know what that answer necessarily is, whether it's... (discussion on what page they are on)

Commissioner Hennis: I feel that something has to be added on there. I'm not sure exactly what the answer is.

Commissioner Damron: I think it was designed to link those. Everybody to mid-town from each of those subdivisions we are putting in, there's no link.

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Chairman Young: Definitely something we are trying to do. As far as the best way to address, whether it be open space, or a pathway, or a ... I'm not sure, I think there is a definite need for one or both or some sort of a combination.

Commissioner Hennis: I thought we had ordinances that addressed this. A certain percentage?

Chairman Young: I think it just goes towards open space and all that. It's calculated.

Commissioner Damron: They didn't designate that it had to be a park or like a greenbelt along that road.

Commissioner Hennis: What's our percentage we are supposed to hit, because everything that we have done in the past has always had a lot more open space.

Chairman Young: We can ask Troy what the actual number is, or look it up in the code.

Commissioner Hennis: Troy, is there provisions that specifies requirements of open space?

Troy Behunin: Not for straight subdivisions, no there's not.

Chairman Young: That's just listed in PUD's and the like?

Troy Behunin: PUD's, mixed use developments...

Commissioner Hennis: Here it says in the agenda the 56 common lots only construe 8.68 acres. The applicant had told me it was 12.5, that's a big difference.

Troy Behunin: The applicant has just shared some information with me, would the P&Z Commission consider reopening up the public hearing to hear their proposal? A Proposed change?

(All yes)

Chairman Young: At this point I will re open the public hearing at 7:17.

David Crawford: David Crawford, B&A Engineers, 5505 W Franklin rd. I have been conversing with the applicant who has indicated his willingness to provide for some central open space located about in the center of the development. It looks like right in that area right there to remove those four lots and make that an open space and provide some connectivity throughout the subdivision which we could coordinate with staff.

Chairman Young: Thank you.

Commissioner Hennis: That makes me feel a lot better about at least providing some open spaces and connectivity. I think we can specify that in our conditions.

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Dave Mendiola: Dave Mendiola, 8194 S. Buffalo Creek Lane. I really just wanted to address the section of school street connecting up towards Columbia there at the northern part of the plans. It looks like to me in this proposal that the landscaping is on the east side exclusively, whereas the west side, the part that butts up to Danskin Ridge has a very small strip of land with no proposed landscaping. I guess my question for the developer is, is that intentionally that the landscaping is only on the one side, the side butting up against Danskin Ridge and the larger farm property is just going to be a strip of grass and the curb and then the 6 foot fence, of course my concern is my property is one of those las two, right now I have a 4 foot pvc farm fence, which is kind of the norm in the area. Looking at a lot of traffic coming in and out of there. I'm just kind of curious what the plan is for sectioning off that, making it less accessible for people coming in.

Chairman Young: Is there anybody else that would like to add anything while we are still open?

Bill James: Bill James 7849 S old Farm Ln. We own property on 2465 W Columbia rd which adjoins the property right by where School street will exit. It seems like we are jumping on the opportunity to have more common space when in our discussion we kind of leaned towards the idea that pathways are ... Pathways would be better.

David Crawford: Just thought I would address about the School Street. We have limited property where that School street corridor goes up Columbia road. The landscape buffers are adjacent the whole entire length up until it necks down to that, we only have a total of 50 feet in there so that gets us just the road section so the buffer streets can be continued in the future when the properties are developed over there, but there is simply not enough room, we don't have...to put in that so in order to maintain the flow of traffic through there we were required to maintain the street right of way over the street buffers because we just don't own the land on either side of that finger that goes out at the northwest connection to Columbia. And to address Mr. James comment real quick, we are providing some pedestrian connectivity throughout the development that we are going to coordinate with staff to the common open space, part of the staff report does indicate the green corridors in the area, primarily following natural drainage ways, creeks which is the creek the runs through the development that Mason Creek crosses beginning at the southeast portion of the development at the southerly boundary all the way , kind of at a 45degree angle through there, so that's also going to be an open common space lot there that pedestrians can use. With that I will stop.

Chairman Young: With that I'll close the public testimony at 7:24. I think the addition of mobility through pathway will be a great addition. I think what they are proposing and to work out with staff would be great.

Commissioner Hennis: They are complying with landscape buffer's, everything seems to be in compliance like we're looking at, so

Commissioner Damron: One of the concerns I had looking at it was the, was supposed to be a 13 year project. Columbia is not proposed until 2031 and 2035 for any further development. As traffic exits out there I thing, I don't know how to address those traffic issues as they come. 470+/- homes is going to really increase on that 2 lane road and the light.

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Chairman Young: Didn't the traffic, or ACHD's report is certain numbers get built...

Commissioner Damron: Yes, as it goes through the phases, at the 84th house they have to put that light in and then they have to put some other traffic controls.

Chairman Young: As other phases continue.

Commissioner Damron: The concern was, upon completion, we are still not at the traffic capabilities with that many houses exiting at the exit on Columbia. The traffic pattern is going to be a mess. We have one light now at Ten Mile and then we have the other light at Columbia. Our traffic pattern is going to be extremely rigorous to say the least. There is no turn lanes there, no anything to try to mitigate that. That was one of my concerns.

Commissioner Hennis: From what I understand with the ACHD report, is most of these projections is to when they are going to address their traffic concerns is based on what is presently there and what is known presently to be expanding, this might not have been in their wheel house at the time when they did the report, and typically our experience with ACHD is as these developments increase, they do reevaluate some of their priorities through there. That would be something that obviously might be able to have some influence on, but in the past they have had very little just because ACHD kind of governs it.

Commissioner Damron: As a city we can see it starts to become an issue before it becomes a problem.

Commissioner Hennis: That is kind of what we have talked about in the past in developments like these is, it's a little out of the cities control, but ACHD does monitor these things. Plus, with their traffic study in there it was kind of specific what they wanted done during certain time periods as this thing builds out and I think that will force them to reevaluate some of their traffic concerns along there. I know it said in there that they did not have the capacity to expand and to widen Columbia at this point due to lack of property and easement. That would be something that they will be addressing down the road.

Chairman Young: I will stand for a motion if there are no other discussion.

Commissioner Hennis: I recommend for approval to City Council 15-05-S the subdivision for Silvertrail subdivision with the provisions as outlined in the staff report and as we spoke here tonight regarding the 4 centralized lots being converted to open or park type space, continuing working with the city for connectivity through the subdivision as well as the parks and rec kind of designed pathways for the green belt. *Herther Seconds, all aye and motion carried 3-0.*

Commissioner Hennis: Secondly, I move to approve 15-08-DR the design review for Silvertrail subdivision, also with the provisions provided in the staff report and also to work with the city regarding the 4 centralized lots for open space and other pathway connectivity through the subdivision. Herther Seconds, all aye and motion carried 3-0.

Chairman Young: The next item up on the agenda is 16-04-ZOA Zoning Ordinance Amendment.

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Wendy Howell: Wendy Howell, Planning and Zoning Director. This a pretty straight forward amendment to the ordinance. Part of the amendment was to change the residential local streets right of way width from 51 feet to 50 feet, which is consistent with what...51 matches what ACHD has in their design review packet of different types of streets and that was how it originally became 51, but it's not consistent with the plats were getting in office. In order to make that consistent, we are requesting that change, also we added part E to improve the safety of the public. Limiting access point along collector and arterial streets.

Chairman Young: I will open the public hearing at 7:33 and I will close it at 7:34 seeing that no one signed up to testify. That brings up our discussion.

No concerns (All)

Chairman Young: I will stand for a motion.

Commissioner Damron: I recommend 16-04-ZOA to amend title 6 chapter3 section 4 part A of the Kuna City Code entitled Right of Way of Street Widths, to change the width from 51 to 50 feet and a new part E to provide standards for access to collector and arterial streets providing for serviceability clause and providing an effective date. *Herther Seconds, all aye and motion carried 3-0.*

Chairman Young: That leaves one thing left on our agenda. See if staff had any reports.

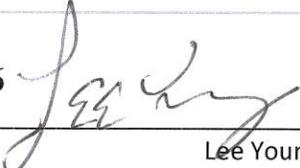
Wendy Howell: Just real quick, the Council is getting together, I believe gift certificates for the planning and zoning commission, so if you could let me know if you wanting me to mail it, or if you want to pick it up and I will tell you as soon as they are ready.

2. ADJOURNMENT:

Commissioner Hennis motions to adjourn at 7:40 pm; Commissioner Herther Seconds, all aye and motion carried 3-0.

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Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:



Wendy I. Howell, Planning and Zoning Director
Kuna Planning and Zoning Department