

**CITY OF KUNA
PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, April 10, 2018**

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	X	Jace Hellman, Planner II	X
Commissioner Stephen Damron	Absent		
Commissioner John Laraway	X		

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

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

Call to Order and Roll Call

1. CONSENT AGENDA

- a. Meeting Minutes for March 13, 2018.
- b. **Findings of Fact and Conclusions of Law** for 17-08-ZC (Rezone) & 17-12-S (Pre-Plat); Redhawk Square.

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

2. PUBLIC HEARING

- a. **18-01-ZC (Rezone)**; Applicant, Katie Miller, with Bailey Engineers, on behalf of Thistle Farm, and Vanderkooy Farm, LLC's (Owner), requests approval for a rezone of approximately 73.50 acres of four lots within Chisum Valley Subdivision No. 1 and 2, from Agriculture (Ag.) TO an R-6 (Medium Density Residential) MDR zone, following the Comprehensive Plan. This site is located at the NWC Linder and Columbia Roads. APN Nos; R1393850100, R1693860010, R1693860290, R1693860280.

Katie Miller: Bailey Engineering, 4242 N Brookside Lane, Boise Idaho. Our application before you tonight is for a rezone, we are not quite ready for our preliminary plat, so we wanted to move forward with what we have. The site is located on South Linder Road, north of Columbia and south of Lake Hazel at the mid mile collector, the site was annexed into the city in 2006 as a part of the LID, the site contains four parcels totaling 73.17 acres. The current zoning on this is agricultural, we are proposing a medium density residential zone, with R-6 designation this evening. Before you is the Comprehensive map, which was adopted by council in 2008, which you can see 36 acres of our site is marked medium density residential, and allows 4 to 8 units per acre, at a max capacity of eight units per acre that is a capacity of about 295 lots. The east side is zone mixed use, which is 2 to 20 units per acre, which is 727 lots at max capacity. The preliminary plat, that is still conceptual, that we are proposing has approximately 310 units on it, with approximately 4.25 units per acre, so with the R-6 designation we are requesting, we are in line, and possibly even low, but well within the comp plan at an R-6 designation. Again, this was approved by the city of Kuna, and the City Council in 2008, and reflects the goals of the City leaders and its citizens. I wanted to point out the current zoning map and the comprehensive plan map, you can see the Whisper Meadows site, but you can look at the brown areas on the current zoning map, those are areas that have been currently rezoned, and annexed into the city for this medium density residential, you can see that it follows in line with what the comp plan is looking for. The City of Kuna, has continued to

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invest in infrastructure in order to support this growth by providing new regional lift stations, new irrigation pump stations, investing in new future expansion sites. you can see to the east of use the new high school site, which is scheduled to be done next year. you can see on the southwest corner, that is 52 acres of Kuna School Districts potential expansion of the school district. What we are proposing and requesting is in line with what the council and residents were proposing back in 2008. There is a lot of opposition here tonight from the neighbors, and one thing I want to keep in front of everybody, is that tonight we are talking about a rezone, and nothing else, and what we are putting in front of you is a request that is in full compliance with your future land planning and designation that you saw back in 2008. We want to keep in mind, looking at development and concerns from neighbors. We all know development, and some community members do not, we have checks and balances in place moving forward with Preliminary plats in order to make sure we are in compliance with your plans, not only yours but other agencies to ensure safety, and building communities that are sustainable and in line with what you are asking for. So, moving forward we look at that at the preliminary plat stage. If and when that is approved, we still need to go through construction drawings. Grading and Drainage plans are engineered, everything is looked at, but tonight we are just requesting a rezone to an R-6 designation, and I will stand for any questions. **C/Young:** Any questions for the applicant? **C/Hennis:** Just for clarification, how many dwelling units did you estimate? **Katie Miller:** 4.25. **C/Hennis:** Thanks! **C/Young:** Okay, we will have Troy come on up. **Troy Behunin:** Good Evening Commissioners, for the record, Troy Behunin, Planner III, 751 W. 4th Street, Kuna. I just wanted to let you know for the record that I am handing a letter from Jeff Heinrichsen. This wasn't turned in in time, so I am handing it to you tonight. The applications before you tonight are case No's 18-01-ZC is presented for your vote to recommend approval, conditional approval or denial to Council. The application materials have been assembled for your packets for your reading pleasure. All of the noticing procedures have been followed to hold the public hearing tonight; the site was posted, a public notice was in the KMN, and announcement flyers were mailed to land owners within 400', which is actually 100' further than required. Although the total application does include a Pre-Plat, we are here tonight to discuss the Rezone application only. As you know, we only forward applications along that have a final ACHD report. As the final report is not ready, we can only move the rezone portion forward. The applicant seeks approval for a Rezone that consists of approximately 73.50 acres, in Kuna City limits, in fact, the involved lands are lots within the Chisum Valley subdivision 1 and 2. This request matches the Comp Plan map, designation of Medium Density Residential on the west half and Mixed-Use General on the east half. This project is located at the NWC of Linder and Columbia Roads. This project has significant frontage on Linder Road. These lots were in the LID, and the obligations for EDU payment were satisfied in amounts set forth by the LID and City Council. With future development, the applicant will be required to extend all public utilities to the site. Since this request follows the comp plan, the comp plan map, and goals of the City, staff forwards a recommendation of approval to the Commission. Staff has worked with the applicant to get it before you tonight, and they have submitted everything staff has asked for. Staff finds this application to be complimentary to the comp plan goals and the comp plan map. I stand for questions. **C/Young:** Are there any questions for staff at this time? **C/Gealy:** None, at this time. **C/Young:** Okay, at this time we will go ahead and open up the public hearing at 6:15 and I will just note for everybody, there is a three minute time limit for each, and it is even more important when there are several people here so everyone gets their chance to have their say, so be mindful when the time off to wrap up so everybody has their chance, and when that is up the applicant will have a chance to speak again. So, with that in mind we will go ahead and I have first listed to testify, Gregory Hiatt please come forward and state your name and address for the record. **Gregory Hiatt:** 2300 W Cogburn, I just wanted my voice to be heard, and I am not opposed to development, the question is how dense does it have to be? If the preliminary drawings are for a smaller number of units, I would look at a lower development or a rezone to meet that, right now we are looking at 4.25, but we could be looking at as much as eight? I would look at a zone that is more in lines with what they are planning, as opposed to what they might changed to later, that is one thing that may

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be considered. I heard a couple of times that it is in compliance with the city. I would say it is in compliance with the city officials, or the city elected people. They may have agreed, but not the citizens, because we are hear. Being tax payers for Kuna, I would say that the city as a whole may not be in compliance or agree with this. My property is right on the corner of Chisum and Cogburn, they may be using this a thorough way for the traffic for the new subdivision that would impact my house, because there would be a lot more traffic. There will be development, how much development does their need to be and how dense does it have to be.

C/Young: Thank you. **Wendy Howell:** To clarify for the record, the City's elected officials have not yet seen this case yet, and I would also like to enter exhibit C4, the letter that was given to you earlier by Troy. **C/Young:** Next I have listed is Jenna Vonderehe. **Jenna Vonderehe:** I live at 7601 S Chisum Place. So, as a neighborhood obviously we have a lot of people here in opposition. We moved out to Kuna and that area for that little slice of dream. I am not opposed to growth, I am opposed to using our neighborhood as a through street. Growth is inevitable, but as far as using a country street which serves a neighborhood with about 25 homes in it, and you want to bring in an average of 4.25 up to eight, that many cars and home using our street going up to Columbia, it is already a mess for us in the morning with the small amount of homes that we have. I am not opposed to growth, I am opposed to using our neighborhood as a through street, when there is Lake Hazel and Linder to exit from. With that I just want to state something, there was an article written in the Idaho Statesman about growing pains in Kuna and the small town and rural feel that was attracting more people. People who live in Kuna, were called by the echoes of rural life and feel of small town America. That is what is drawing people to Kuna, but every time we approve 4 to 8 units per acre we are losing what the Idaho Statesman quoted, Kuna is the kind of place where you can buy eggs fresh from the farm, and most of the community turns out for events and festivals. It still has outlying farms and agricultural type of people who have lived in Kuna for 18 years and have returned. Kuna is still keeping true to its roots. So, my question for you, is this keep true to Kuna roots. Find that balance between growing and keeping true to its roots. So, that is all I have to say right now. **C/Young:** Thank you, next I have listed to testify is Josh Riccardi. **Josh Riccardi:** 7752 S McIntock Place in Chisum Valley. We mailed in our opposition letter did you guys receive that? What we are feeling is that when this style of development becomes attached to our community, it is going to destroy what we have. When our community was built about 12 years ago, I think we have some of the original homeowners still there, the view was to establish that style one acre, on and half type subdivision throughout, from there that is thrown out the window, and I know growth is growth, but that is going to destroy the small community have out there. The influx of traffic rolling through, and going outside the comprehensive plan, the rural feel that is going to be gone. With the high school going on Linder, yeah on the north corner, where do high school kids go, they cut through subdivisions. Right now, we have zero infrastructure, we have no sidewalks, there isn't even a speed limit through there. Nothing is there, it is all Ada County. So, when they developed this subdivision that is what happened they just left it be, and now we are attaching a large subdivision to ours, it is going to destroy ours, and I feel for a lot of the young kids, I have young kids and the rest of the community members do, that will be a big impact on us. The other thing is our irrigation runs along the outside of our property lines. We have our maps from Jeff, he is our water master he has all the maps and will show you where it is at. It is on the outside of the property line. So, how do I fix that. How do we access that? Everything else from that is in our statement that we submitted to you. It will compromise the value of the homes as well. **C/Young:** Okay, next I have listed is Alana Eyolfson. **Alana Eyolfson:** 7790 S McIntock Place in Chisum Valley, and I just wanted to reiterate what some of my neighbors have already said, and I am very concerned about the rural feel of our community, we moved their three years ago because we wanted to come back to that environment, were we have a home on a bigger piece of property with neighbors that have that country feel to it. We have invested a significant amount of money into our home because our intention is to live there a really long time. We want to retire there, and do our hobbies there, and enjoy our grandchildren at some point with our big yard. We feel that is compromised, and we concerned about the economic impact that may have, even though intend tot

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live there for a long time, and we all know things happen in life and we don't want that to be affected if we do have to sell. More important it is impact on the community. We have a very close-knit community in Chisum Valley, we moved there and we loved the idea that the kids can be out there playing in the streets. Our neighbor came out trick or treating on their horse. We love the idea that our kids and pets can be in the neighborhood, and not impacted by a lot of excess traffic moving throughout the neighborhood. People who live there know where all of the kids live and the pets are. If you open that up to another 300 people then they will not be cognoscente of who lives where, children and pets, and there are a lot of safety issues. If Kuna is wanting to have that small-town feel, that does impact that. Even though growth is inevitable we want to make sure there are checks and balances to have that accounted for. **C/Young:** Okay, thank you. Next, I have listed is Virginia Jeppesen. **Virginia Jeppesen:** 7901 S Chisum Way. Like many of my other neighbors have stated we are not opposed to development, we understand it is going to happen, but we are concerned with the amount of development that was proposed. So, one of my suggestions and one of my thoughts and not trying to be fully against it is if they want to come in, they want to attached to our development, they want to use our main road that is great, but honor what we have existing. Continue with what is there, continue with the R-1 and give people an opportunity to have what we have, to own a little piece of property and have some of that country feel. As others have said, I have small children to, so I can worry about the safety of all of that traffic, so I live on Chisum and that could potentially be a main thorough fair and concerns for all of that traffic coming in and out of that road, and safety for my kids. I worry about those homes, smaller homes, and smaller pieces of property, I don't know what they are predicting for the price of those homes, if they are consistent with what we currently have, and if those will bring down the value of our homes. I worry about the cost to us, because we don't currently have sidewalks and what that will do to us, we are all currently on well and septic, and when those city utilities are brought through what will that do to us. I would just say development will happen, we all know it is coming, we know it is good, and we know growth is good, but if they are going to attach to our subdivision I would love for them to be zoned R-1 thank you. **C/Young:** Okay, next we have Jared Allen. **Jared Allen:** 7980 S Chisum Way. So, when I look at this, in the building industry, the tract builders continue to put out a lot of homes, which is good, we need that right now. We have a lot of people needing homes, and homes need to be on the market. But, at the same time those tract homes are typically starter homes, and we are bumping into an established subdivision that has acreage on it. There are thousands of homes plotted and planned for the next few years and so most of these tract home builders put a one-year warranty on the house, prices are high, wages are not, which makes up keep on the come all the more difficult, that is a typical sign that you are going to start lowering values, and you will start getting a different people coming into the area. Look at how Eagle is established, we want to start getting some higher income in here as well as some starter homes. I think this is a good opportunity in the area that we are in to establish some bigger lots, and a nicer area, to bring some higher income into the area as well and help the business owners grow and create new businesses. **C/Young:** Next I have Shannon Lucky. **Shannon Lucky:** 7714 S McClintock. Some of my concerns deals with the traffic, like they said we don't have sidewalks in our subdivision so the children are in the streets and we have borrow pits, so if they need to get off the road they can't just walk into someone's yard they have to go into the borrow pit which usually is filled with rocks. With the high school going in, there will be a lot of congestion at the intersection. So, if the road where to come through our subdivision, I can see people cutting our subdivision because our speed limit will be 25, and the schools will be 20. I agree that growth will happen, I just don't think connecting to our subdivision is the right thing to do, with our small density lots. **C/Young:** lastly, I have listed is Rick Willis. **Rick Willis:** 2345 Cogburn St. I have some general comments I would like to make. I grew up in the 50s and 60s and that was a big time of protest in our country. Not only did we have the war, but there was a lot of people who were protesting urban sprawl and the lack of open space, so in 1962 there was a protest song, some of you may have heard it, most of you probably not, but it mocked suburban tract houses as cookie cutter little boxes. I want to give you the lyrics of just the first verse, I won't go through

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the entire song, but, Little boxes on the hillside, Little boxes made of ticky tacky, Little boxes on the hillside, Little boxes all the same. There's a green one and a pink one and a blue one and a yellow one, and they're all made out of ticky tacky and they all look just the same. The definition of tick tack, is shotty, unimaginably designed, flimsy and dull. Folks, Kuna has a lot of ticky tack, and I am sad to say whenever you hear about development in the valley, and they mention Kuna, almost always, the next word is cheap. That is a sad legacy for Kuna. This afternoon about four o'clock, I drove through one of these ticky tack neighborhoods between Ten Mile and Deer Flat. I counted eight portable basketball stands on the lawns and on the sidewalks in that subdivision, I counted a whole bunch more that were cemented into the driveways. I previously noted on Ten Mile and Deer Flat there was one little spot that may be a quarter of acre that has a swing set, and one of those cheap green slides. Kuna Doesn't need cheap, they need a better reputation. **C.Young:** that is all I have listed, is there anybody here that has not signed in, but would like to testify. **Dru Wright:** 7828 S McLintock Place. I like what Virginia Jepson said, we have spoken, but what she said about maintaining the consistency of our subdivision punching through the two roads coming through is absolutely inline with my way of thinking. When you look at the plat of that block you can see that there are already lots that are significant in size, but our lots are actually small in comparison to those that are out there. These are people that live on the perimeter of the block. The block comprising of Linder, Ten Mile, Lake Hazel and Columbia. The gal that spoke first talked about their plan with what they are doing in Planning and Zoning in Kuna, that may be true for what is south of Columbia, but what is north of Columbia is absolutely not consistent. I will go one step further than Ms. Jepson, and not only have them be consistent zoning wise with us but let the CC&Rs be consistent with ours. It allows large animals on the lots, horses cows, chicken, goats and sheep. If you put that in an area that would maintain the consistency of what is already there you are going attract people like fly's to the subdivision, it is going to be an immediate attraction to people in the area, and if there is any other doubt that acre, acre and a half lots wouldn't draw the people, I think you should try it, and I bet you it will sell out. To let you know there is a demand for that type of home, when a home goes for sale in the Chisum Valley Subdivision in sells almost immediately. People want to have that country appeal. But the 4.25 homes per acre is totally inconsistent with our subdivision. Thank you. **C/Young:** Next we have Glen Purnell. **Glen Purnell:** 7863 S Chisum Way. We purchased the home less than two years ago, and between the purchasing of the home and several remodeling we have put in several hundreds of thousands of dollars into that location. The main draw is the open space and rural feel. We have noticed there are some opportunities for improving the school system and maintain the larger homes and a large investment of families in the area will help with that help give a base to the community. Our concerns are similar to others would be the increase traffic, specifically we are on Chisum so that would increase our traffic there, but with that being said if the traffic was limited to this proposed subdivision with one acre lots, consistent with ours, then we would be okay with that. One other issue we have with the new subdivision proposed is they will bring in City services, which is another reason why we chose to move to where we did is because it is off of the grid, and we are not interested in hooking up. So, those are our main concerns, and we have others in the neighborhood with the sidewalks, and it is fine the way it is, but if the traffic increased it would be difficult to feel safe in that environment, and we would be likely to make a change and have better accommodations there to whatever degree we can. **C/Young:** Thank you, I will ask one last time, including yourself is there anyone else that would like to sign in to testify. **Randy Colson:** I live at 2344 W Cogburn in the Chisum Valley Subdivision. I am not going to talk about the roads or anything else we all know where that is at. When I look at what is happening here, the soul of Kuna has already been compromised with the new high school. So, my feeling here with the City Kuna moving this forward is, we want it there, the growth needs to come, but we would like to see it a little bit less density, down to three or two homes per acre. That would still justify the Country lifestyle, I just don't see sustainability with how fast the area is growing out there. The soul of the City, I see a major compromise coming that just concerns me, I would like to see it drop to a two or three home per acre when they go ahead and plat this. **Lori Allen:** 7980 S Chisum

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Way. So, taxes. We have acre lots all paying 26 – 2900 dollars in taxes and we send maybe what 2 to 3 kids per home to schools that are already over populated, we are already short on the schools, so we are already in a bind to get more tax money and create new schools. This subdivision is going to send in a lot of more children, because it is going to be younger people buying with elementary aged school kids, I think it is going to put a bigger burden on the City, and all of the tax payers in the area to create more schooling to accommodate all of these cookie cutter homes that you are bringing in. If you do the R-2, but just keeping with people like us who are paying the higher taxes because of what we have chosen as our homesteads, I think our voices might be heard and you might continue with that path instead of Corey Barton Homes. I don't think Kuna needs more any more cookie cutter homes. **C/Young:** Okay, thank you. Then we will have the applicant come forward. **Tim Eck:** Good Evening Chairman and Commissioners, my name is Tim Eck, and I am the applicant, I live at 6152 W Half-moon Lane in Eagle Our application before you this evening is for rezoning. We are not quite ready with our preliminary plat so we are proceeding only with the rezoning application. The west half of the property is in the comp plan with 36.776 acres Medium Density Residential which anticipates and allows residential densities from 4 – 8 units per acre. R4, R6 & R8 are the allowed zones in medium density residential. Our potential density of on this half if the site is 295 lots at R8. The East half is 36.382 acres mixed use general. Mixed use general has a foot note that states "mixed use general expected residential densities can range from 2 to 20 units per acre". Our potential density on this half of the site is 727 lots at 20 lots per acre. Following the comp plan land use designations on these properties we could be submitting a preliminary plat application for 1,022 lots. Asking for a R6 zone is well within the limits of the comp plan. On the medium density half of the site we are exactly in the middle of the allowed densities. On the Mixed use, half of the site we are at 30% of the allowed density. This places us well below the allowed density. Currently, we are only planning 310 residential lots placing us at 30.33% of the comp plan allowed density. The property was annexed as part of the 2006 LID, 06-14-AN. The property was enrolled into the wastewater LID and assessed accordingly. The present comp plan and its land use designations have been effective since at least 2008. The comp plan clearly identified this area and this property for the use expected and allowed by the comp plan map. Kuna identified the growth demand in this area and strategically located the state of the art Kuna North Wastewater Treatment Facility ¼ mile from our NW corner. There is a regional wastewater lift station built immediately adjacent to our NE corner specifically oversized as required by Kuna to service this property with these densities. There is a Kuna Pressure Irrigation pump station immediately east of the property sized to supply this property. All utilities required to develop this property exists across our Linder Rd frontage or at our north east corner. The Kuna School District recognized the existing growth patterns and the growth expected by the comp plan and strategically purchased acreage and are currently designing a new high school contiguous to our east boundary. We have a very attractive plat layout with 7.95% open space. We have a large open space planned to accommodate 2 sizes of regulation soccer fields. We have 13 common lots throughout the plat that will include improved pathways to allow pedestrian and bicycle connectivity throughout the development and provide easy access to the soccer fields. **C/Young:** That is all for the preliminary plat though, that we can't see at this time? **Tim Eck:** Okay, I will go onto their stub streets then. Chisum valley has 2 stub streets to the north that terminate at our south boundary. ACHD policy and Kuna code require providing and connecting to existing stub streets to promote safety and traffic circulation. It is not my desire, it is the policy of ACHD and the City of Kuna that require connection and then the subsequent connection there too. As an accommodation to Chisum Valley we are proposing connection to only the west stub street and to provide a common lot connecting to the east stub for pedestrian and bicycle connectivity. We selected the west stub street connection as recommended by our Traffic Engineer to be the connection that would receive the least use from our site. We will be constructing our proportionate share of 2 mid-mile collectors that will provide for needed traffic flow, in addition to Linder Road improvements. We are directly centered between 6 other residential developments with similar density providing a mixture of lot sizes complying with Kuna's vision for diverse housing. We are within ½ mile of the

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Silver Trail Elementary school that sits on a 52 acres parcel clearly intended for school growth. It is abundantly obvious that this is exactly the growth expected in this location. If anything, we should consider significantly higher density. As an additional accommodation we have placed large buffer lots along our south boundary contiguous with Chisum Valley ranging from 12,564 sq ft to 20,430 sq ft making our density along our south boundary. Kuna Code and Planning and Zoning at the direction of Kuna Public Works discourages plats that consist of excessive lot sizes. Sewer mains require certain volume to scour the pipes. Insufficient flow that would exist as a result of too few lots will not scour the pipes resulting in excessive maintenance. You can't do a half acre lot subdivision in Kuna any more, you won't get it through public works. Large lot subdivisions as would be required in the event of a land use designation of low density residential primarily exist with septic tanks or sequencing batch reactor type private waste water treatment facilities that require land application sites. Neither of these options would ever be considered when you are within ¼ mile of the wastewater treatment plant and have sewer connection available within a couple hundred feet of your boundary. All of our product is quite architecturally attractive. The comp plan map clearly has a large amount of low density residential and we are not in it. When the comp plan map was studied, developed, and put together, they decided where low density, medium density needed to be and where the commercial needed to be, we are where in the medium density needs to be, and the mixed use general comp plan designation is. We are doing everything possible to make it as difficult as possible to come from the school site to their stub street. But, we can see that another day. We have done everything possible to mitigate the traffic in and out of their subdivision, but I don't control the decision to connect or not connect, so I would stand for questions. **C/Gealy:** One of the neighbors expressed concerns of the irrigation, that is outside of their property and it is on your property? Is that correct? **Tim Eck:** If they have irrigation running through our property, they will have to address it through easements, or if it piped irrigation they should already have an easement, if it is not piped irrigation and it is open ditch, then there is most likely not an easement, but if it is piped irrigation and it is outside the property boundary without an easement, it probably shouldn't be there. But, we won't go ahead and cut their irrigation off. We will have to figure out a relocation, or an easement across the backs of the lots, which exists, Kuna requires a 10-foot utility easement across the back of every lot for their pressurized irrigation, if they pressurized irrigation is that same 10-foot easement, then there is an easement that will cover it. **C/Gealy:** Did staff have something they would like to contribute? **Wendy Howell:** I would like to remind the Commission that this is for a rezone only. **C/Gealy:** I guess part of question as I think staff mentions that these lots were originally apart of the Chisum Valley subdivision, at the time the location of irrigation was as relevant when it was all the same subdivision. **Tim Eck:** If it is public or communal facility through a private lot it needs to be in an easement. We put easements in all of our development, so if they have a public or communal pipeline that runs across a private lot it should be in an easement. **C/Gealy:** Thank you. **Jeff Bauer:** I am at 601 W Bannock in Boise, Idaho, and I am the legal counsel for the developer. I will be brief because I think we have covered most everything here. To reiterate staff's point and Mr. Eck's point, we are here on a very narrow issue, and that issue is a rezone. Specifically, we are here to rezone 73 acres from ag land to residential. We are not asking you tonight to approve any subdivisions or streets, or any plats. Specifically, we are asking you recommend approval of this zoning amendment to City Council to the council for final decision. Pursuant to City Code section 5-13-4 a rezone, is warranted where it complies with the comp plan. So, to reiterate here this sole issue is whether the zoning we are requesting complies with the comp plan. We have been over and over tonight, we have mixed use which allows up to twenty units per acre and medium density which allows up to 8 units per acre, we are well with in that. So, the rezone complies with Comp Plan map, and it also complies with the Comp Plan goals. Staff did a great job in your packet going through all of the goal and objective in the comp plan and the rezone will achieve. I just want to touch one that was missed and that was in chapter 4 of the comp plan which addresses schools. Two goals of the City is to have schools serve as a neighborhood focal point and provide safe and convenient travel to schools. The rezone in this case putting slightly higher density,

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one next to the future high school, and two, very close to the existing elementary helps to achieve that goal as well. I would add to the Commission that comp plan map compliance, where the city has previously made the determination that the highest and best use for this specific land is that designation, is the most important type of comp plan compliance and we have that here. Lastly another issue with comp plan compliance, because it is the only issue, chapter 13 of the comp plan, community design, a specific goal and objective stated by the city is for neighborhood connectivity, specifically with non-motorized transit. Converting this area from ag to residential will help to fulfill that goal. **C/Young:** With that I will close the public testimony portion of the hearing at 7:05 and that leaves our conversation as the Commission. **C/Hennis:** If our big item here is the rezone, we are trying to not address the preliminary plat, that is a negative in that respect because we are looking at this completely as whether or not this is a way we want to design our City's future. Although the legal counsel has talked about the comp plan compliance, there is no set rule to that, it is purely an advisory document, and in fact we are reevaluating it as a city right now. So, although we try to set it up as a way we want to design the future, and obviously things have changed from 2008, and whether this still accomplishes our goals remains to be seen. We have had a lot of R-6 subdivisions come before us in the last two to three years. We are trying to strive for adversity in our growth and our subdivisions. So, I do have concerns with this being an R-6, especially going right next to an R-1. **C/Young:** I think we need to look at R-4s and I don't know if sticking to an R-1 and R-2 is appropriate either especially giving school locations. I agree that the comp plan was set for a vision for the city in the past, we now have a high school going in there and a elementary school going in there, and we have all of the utilities heading that direction over the last eight to ten years planning for that growth, I think the biggest thing that I wrestle with on this one is looking at what ACHD has to say about going through this neighborhood. I understand the neighbors' fears. What I don't know and maybe it is question for staff, I know as a City, as we put subdivisions in and in order to plan for additional growth we put stub streets to continue that growth so it is cohesive, but there are exceptions to that at times, and I wonder if there was a way to work with ACHD in this specific case. We have put R-6 on the boundary of R-2 but I don't know if we have actually had one where had a stub street that we either did not use, or where ran one directly through with that kind of density, is there a way between the City and ACHD that can be looked at? **Wendy Howell:** it will be looked at in depth during the preliminary plat, ACHD ultimately has the call even though it is in our ordinance as well. We can talk to them about it, but it is ACHD's call because they are the transportation agency. **C/Hennis:** Especially if these streets have no pedestrian facility attached to it, it isn't appropriate for traffic to flow through it. If ACHD and our City Code mandates sidewalks and pedestrian travel, we can't get it to go through there. **C/Young:** I was just thinking if we could work with ACHD on this specific case and say this isn't one that would apply to the template, but as far as other parts of it, I think the intent that the applicant has stated of putting less density, larger lots nearest R-1s would be appealing to everybody., My biggest hang-up is the stub street. **C/Laraway:** We are just bound by zoning talk, the design of it and all of that is beyond of what we can talk about in this case. It is really hard, without to understand the traffic thing. The other thing is this, is our comp plan, we built, we designed it, that is what we are here for. I think the developer has the talent and the resource and the ability to look further into Kuna and develop some R-4s. he has built a lot of subdivisions in this area and has brought a lot of growth the area. I understand the mixed zoning could become a problem because you could end up with apartment complexes there with up to twenty units per acre, it is a catch 22 for us, but I will say it fits our comp plan. **C/Hennis:** Staff did you have something? **Troy Behunin:** Commissioner Laraway actually moved on from it, but I just wanted to remind the commission that this is a county subdivision it was built at a different time to different standards, that is why there are no curbs and gutter and sidewalks, and one thing to remember these are public roads, and City Code does require stub streets to be provided. It is important to remember those are public roads, but not private roads. **C/Gealy:** When the preliminary plat comes forward there will be another public hearing? **Troy Behunin:** Correct. **C/Gealy:** I think there is some confusion, because much of the information we have been provided is in excess

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for what we would need for a rezone, the conditions in the staff report address things far beyond the rezone. We are fortunate the developer is here and has heard the concerns of the people, and I am certain and confident that developer will take into consideration the concerns that people have voiced today. **Troy Behunin:** The conditions in the report are more of a place marker, something to remind the developer that this is coming forward. **C/Hennis:** The citizens have done a pretty good job keeping their comments to the fact that they don't agree with an R-6. **C/Young:** I think a majority of that has to deal with that connection. I don't think there would be as much concern if there wasn't that connection point. But whatever develops there will be the same concerns. The density of the development is only 4.25. **C/Gealy:** Very close to R-4. **C/Young:** Very close as an overall. And as the developer indicated the largest lots will help accommodate the existing subdivision. I think as a commission we need to keep looking at large lots, and in this case the density that has been discussed, and the true location of this directly across of the high school, zoning wise this is appropriate. **Jeff Bauer:** The conversation has obviously focused on the overall density, but we would be willing to add a condition of approval to your recommendation to the Council of R-6, but no greater density on the entire parcel than 4.25. **C/Gealy:** Well that is better than R-6. **C/Hennis:** We appreciate the offer. **Troy Behunin:** It would also be completely appropriate to recommend one connection, at the time of preliminary that, but once we start talking about alignments then we stop talking about a rezone. **C/Young:** Could we recommend no connection to the City Council? **Troy Behunin:** You are free to recommend whatever you would like. **C/Laraway:** Would it be feasible to condition that the applicant start with R-6 at one end and create bigger and bigger lots as you move towards the Chisum Valley Subdivision. **C/Young:** That was what the intention was from my understanding, but the attorney just said they would go no greater than 4.25 units per acre across the whole parcel. Is there anything else to add to the discussion? **C/Gealy:** What if we were to add a R-4 subdivision. **C/Young:** I think that that would have to be something the applicant offers, I think if we recommend R-4, we would have to deny the application. **C/Hennis:** This is primarily, do we agree with an R-6 or not. We can condition some of these things, do we think this to high of density. **C/Gealy:** I think R-6 is too high of density, I think no greater than 4.25 in more appealing. **C/Hennis:** Yes, because it could up to eight on one lot, and twenty of the other. **C/Young:** If there are not any other thoughts I would stand for a motion, I think 4.25 is a lot better than what it could be. Based on the Comp Plan, and where we have been driving for the last decade, I think with the schools and where they are, I don't know if what is being proposed is inappropriate.

Commissioner Hennis motions to recommend approval for case no. 18-01-ZC to City Council with the conditions as stated in the staff report, and additional conditions that the applicant shall be limited to a maximum of 4.25 acre dwelling units per acre across the entire parcel, and the applicant shall bypass the second street connectivity and work with ACHD and the City in order to possibly eliminate both street connections; Commissioner Laraway Seconds, all aye and motion carried 3-0.

3. COMMISSION REPORTS

a. Comprehensive Plan Update; Envision Kuna Public Workshop No. 2 – May 3, 2018

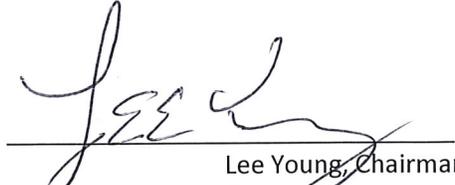
Wendy Howell: The May 3rd Comprehensive Plan Workshop, will be changing, they are hoping the school will be open for May 10th. But, we will let you know as soon as we know.

4. ADJOURNMENT

Commissioner Gealy motions to adjourn; Commissioner Hennis 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