

**CITY OF KUNA  
PLANNING & ZONING COMMISSION**

**MEETING MINUTES  
Tuesday, April 24, 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	X		
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 April 10, 2018.
- b. **Findings of Fact and Conclusions of Law** for 18-01-ZC; Rezone of approximately 73.50 acres of four lots within Chisum Valley Subdivision No. 1 and 2.

*Commissioner Hennis Motions to approve the consent agenda; Commissioner Laraway Seconds, all aye and motion carried 4-0.*

**2. NEW BUSINESS**

- a. **18-10-DR (Design Review)** – Indian Creek Sports; The applicant, Troy Todd with Indian Creek Sports, seeks Design Review approval from the Planning and Zoning Commission (acting as Design Review Committee) for a new 5,000 square foot showroom, shop, boat lot and an accessory recreational vehicle storage area, accompanying landscaping, lighting and parking lot along South Meridian Road. The approximately 5.49-acre site is located at 8797 South Meridian Road, Kuna, Idaho 83634 (APN# S1312142304).  
  - **Staff request the item be tabled to the next Planning and Zoning Commission Meeting on May 8, 2018.**

Commissioner Gealy Motions to table Case No. 18-10-DR to the next regularly scheduled Planning and Zoning Commission meeting on May 8, 2018; Commissioner Hennis Seconds, all aye and motion carried 4-0.

- b. **18-11-DR (Design Review)** – Accessory Building; 18-11-DR: Applicant requests approval from the Planning and Zoning Commission for a project consisting of a single new 6,000 Square Foot (SF) building, to be built next to the existing building on the lot. The purpose is to provide spaces for start-up business that require between 1,500 and 6,000 SF.

**Mike Smith:** 3521 E King Road. I have recently purchased the old Best Bath building and I moved my office in there and rented different little spaces to some start up businesses, we have three or four companies in there right now. When Best Bath built the place, they put in a ton of infrastructure. They put in all the fire hydrants sewer, water and storm drains for a huge complex, what I would like to start doing is adding some smaller buildings that are approximately 6,000 square feet. This is the first phase of that, those will be space for rent and my vision is to maybe pull in some these people that are operating maybe a body shop out of their home

**CITY OF KUNA  
PLANNING & ZONING COMMISSION**

---

**MEETING MINUTES  
Tuesday, April 24, 2018**

in a subdivision. I think some of those people throughout Kuna have outgrown their garage space. We advertise very minimally, and we already have the first building full times about four of people looking for that type industrial space. I think after we get the first one done and we fill it up, we will shoot for a second and third one and move on down the line. They are premade pre-engineered steel structural buildings, the same as what is already there, and once we are done it will pretty much a business park. **C/Young:** Okay, any questions for the applicant at this time? **C/Gealy:** No questions at this time. **Troy Behunin:** Good evening Commissioners, for the record Troy Behunin, senior planner, 751 W 4<sup>th</sup> St. So, the application as Mike Smith just describe 18-11-DR is for a 6,000 square foot new building to house possibly some new start up company's. Staff would just like to follow up with just a few things, the Best Bath approvals for that lot, they were actually a lot greater than what is actually on site now. The building is roughly only a quarter of what it was designed to be. In an effort to bring some newer smaller businesses, he wants to provide a space to do that, so those who are enterprising individuals can come to Kuna. As he said, he did purchase the lot and building and that was developed in a time when many of you were not in place so some of the standards that were followed for the landscaping and things like that, but because this lot within a subdivision staff is willing to work with the applicant as he adds additional buildings to the complex that additional parking will be added and some of the landscaping up front will be upgraded. Right now, the buffer up front doesn't necessarily meet City Code, and we are willing to work with him. I believe everyone has their packet, staff included the building sections, it looks like a framed building that looks like a 6000 square foot garage area that can be improved any where from 1500 feet to 6000 feet for an adventurer that wants to do something there, and then they would be responsible for the tenant improvement, with that staff would stand for any questions that you may have. **C/Damron:** Troy do we know if these, internally, are going to built as needed or are they going to built and then rented out. **Troy Behunin:** I understand when this is first built this is going to be a large shell, and then as tenants come on, they can rent anywhere from 1500 all the way up to 6000, and then that space can be improved by them, and I don't believe this is a rent to own situation, it is just a rent situation. **C/Gealy:** The property is zoned M1, what safeguards do we have to ensure the tenants fall within the M1 designation. **Troy Behunin:** So, there is actually a couple of safeguards that we do have, one we have Mike, and I suspect he will remind them in you want to rent the space, you have to improve it, which will send them to us for a building permit, that is one. The second is they have to get a business license, so there are two opportunities for staff to review it and make sure that it is allowed or special use allowed, and then we can let them know, or Mike know thumbs up or thumbs down or if a special use permit is involved. **C/Young:** Any other questions for Troy? Okay, thanks. For me, I think it fits with what is there and I think it is a great location. **C/Hennis:** I think it provides for what our City is lacking right now which is small industrial and business areas. **C/Young:** I think aesthetically, it fits with everything and landscape wise it fits with the City. **Troy Behunin:** Staff would just like to make sure the applicant is okay with progressive type improvements, with the parking lot, and landscaping, as it goes on, it will not be all at once, but a proportional share. **Mike Smith:** Yes, we would like to make a nice business park with paved parking and roads in between. We would like to be a nice good-looking place.

*Commissioner Gealy motions to approve case no. 18-11-DR with the conditions as stated in the staff report; Commissioner Hennis Seconds, all aye and motion carried 4-0.*

**3. PUBLIC HEARING**

- a. **18-07-SUP (Special Use Permit)** – A Touch of Home Daycare; Applicant, Arisa McRoberts, seeks Special Use Permit approval in order to operate a childcare center (childcare for 13 plus children, ages 0-12) in an existing residential structure. The site is located at 302 E. Avalon St., Kuna, ID 83634.

**CITY OF KUNA  
PLANNING & ZONING COMMISSION**

---

**MEETING MINUTES  
Tuesday, April 24, 2018**

**Arisa McRoberts:** 1205 N Black Cat, I have had a daycare in Kuna for 21 years, and I would like to expand to a small center to keep up with Kuna's Growth. I have a CDA in child development, the building is a little house over on Avalon between the pet clinic and the church. The owner Ralph Mellin has been very good to work with, as far as doing things we need to do to get it ready. We have the health inspection set for May 7<sup>th</sup> and the fire inspection set for May 2<sup>nd</sup>. **C/Hennis:** So, you are renting that house? **Arisa McRoberts:** Yes, I will be leasing it in one-year increments. **C/Young:** Have you read the staff report and the conditions inside. **Arisa McRoberts:** Yes, I have, Ralph has been working with ACHD for the driveway, and the rest of it is pretty cut and dry. **C/Young:** In the application I see two different parking layouts. **Arisa McRoberts:** Oh, I think that was two different ideas that would both meet the requirements, I think that is what Ralph has been talking to ACHD about. **C/Hennis:** Do you currently operate out of your house? **Arisa McRoberts:** Yes. **C/Hennis:** So, you are just trying to find a bigger space. Are you going to put a sign up? **Arisa McRoberts:** With everything else going on, I haven't really thought about the sign. **C/Hennis:** Yeah, just work with the City, and they will let you know what the regulations are. **C/Gealy:** About the parking, will you have six parking spaces? **Arisa McRoberts:** Yes, we plan to put six in. **C/Laraway:** Typically, people are going to pull in, but I am wondering how they are going to be able to back out. **C/Hennis:** I think we have looked in the past at this site before and I remembered right they came up the driveway and kind of turned in toward the house and had some 90 degrees along the house and then you can almost back out and pull out, but that is an option too. **Jace Hellman:** Maybe we could just condition that the applicant work with staff with regards to parking. Another note, Gravel is not permitted in the City of Kuna, so we could add another condition that the applicant work with the City Engineer to find an approved durable dust free surface. **C/Young:** Are there any other questions for the applicant at this time? **C/Gealy:** None at this time. **Jace Hellman:** Chairman, commissioners for the record my name is Jace Hellman, Planner II for the City of Kuna 751 W 4th ST. The application before you this evening is seeking special use permit approval in order to operate a childcare center within an R-6 zone located at 302 E Avalon St. The classification of Childcare center allows the applicant to provide childcare for more 13 children at any one time, on a regularly scheduled basis. The applicant will be required to KCC, which states childcare facilities require a minimum of forty (40) square feet of usable indoor door space per child and eighty (80) square feet of usable outdoor space per child. Due to the nature of this application being a childcare facility, Idaho State code title 39, chapter 11: basic daycare license, is an applicable standard, and the applicant shall adhere to its standards. Current access to the site exists along the subject sites frontage on east Avalon via an existing u-shaped or pull through driveway which will serve as the primary location for child drop off and pick up and parking. The current driveway is gravel, Kuna City Code 5-9-2-D requires all parking lots, driveways, aisles and other circulation areas shall be improved with a city engineer approved material to provide a durable dust-free surface. Due to the change of use, and in accordance with ACHD policy and Kuna City Code, Staff would suggest to the commission that the applicant be conditioned to work with the City engineer to in order to improve the current driveway with a durable and dust free surface. All plans will be required to be submitted to Central District Health, Kuna Fire District and the building department for review and inspection. The applicant will permit with the city to make any recommended modifications. Property owners within 300 feet of the property were notified, a notice was printed in the Kuna Melba news and the subject property was posted with a sign. Staff has determined that this application complies with chapter 3, title 5 of Kuna City Code for childcare centers and zoning regulations, the goals and objectives of the Kuna Comprehensive plan and Idaho State Code. Staff would forward a recommendation of approval. I will now stand for any questions. **C/Damron:** Is there a way we can work with the church and possible build an entry way, maybe they can drop some kids off over there and walk them over? **Jace Hellman:** I believe you would run into private property issue, and we would be having a whole other issue as far as getting another property involved. **C/Gealy:** I have a question about the fencing, the diagram we have shows an existing vinyl fence, and a proposed gate, is the entire playground going to be fenced in? **Jace Hellman:** It will all be fenced in, and I believe there are some gaps in the fence that will

**CITY OF KUNA  
PLANNING & ZONING COMMISSION**

---

**MEETING MINUTES  
Tuesday, April 24, 2018**

be required to be fixed prior to the business license being issued. **C/Gealy:** So, we don't have to include it as a condition? **Jace Hellman:** It is included in the staff report as a blanket condition that the applicant shall keep the fence in safe condition, but it is an Idaho State requirement that the play area be fully fenced, so that will have to be adhered to before the operation begins. **C/Young:** Then that opens up the public hearing at 6:29, I don't see anybody signed in to testify, if there is anyone who would like to testify who hasn't gotten the chance to sign in? **Chad Queen:** 368 E Avalon, Kuna Idaho. I have some concerns with this application, primarily the parking and the traffic and what that is going to do on a two-lane road. As we know Ada County owns the property 16 feet off of the property line so that is not useable for parking area, therefore the small gravel turn around isn't the proper surface, and I don't see anyway they can get six parking spots and that would be ten feet by twenty feet with a 22 foot aisle and there is just not enough real-estate for that, so I am confident the neighboring properties would bare the front of that traffic and I don't want my businesses that rent from me to have to deal with that. The City Plan is for that to be Central Business District and that was the City plan for a long time, and I am concerned that if we issue a conditional use permit in R-6 without any development agreements, no sidewalks, no street improvements, that we are going to end up with a long term tenant, in an old house, that has no capital improvements, that improve the value and the look of the street, and as an owner of a property that has done those improvements, I don't think we should grant a conditional use permit. If we have a question about that we can look next door to me at the veterinary clinic that has been there for twenty years now with no sidewalk and no capital improvements and a very unsafe walking path, it gets a lot of traffic, I know we have all been there when and watch cars come around, I cant imagine what will happen when cars start stacking on that road to drop people off. I do know in front of my property there would be hazard and danger there, so I urge you to not issue a conditional use permit and require the owner to go through the proper zoning techniques, the proper process, do a development agreement, build something that fits the City's plan and rezone that to CBD as it is the City's plan. If we talk about the zoning codes in chapter three, this conditional use permit is subject to design review and requires adequate parking, which physically the real-estate isn't there to do that, unless they park behind the building, and if we go into chapter four of the city plan it speaks directly to establishing parking in developing areas on main avenues behind buildings, and that was planned for aesthetics, and for street front through the middle of Kuna, and match the existing part and the new CBD east of the Mormon Church to match the old town area. If you issue a conditional use permit, we are then allowing somebody to become grandfathered and never, in the foreseeable future meet that design criteria. I think it would be a horrible mistake for the development of Kuna, and the increasing aesthetics of the main avenue through town to establish a business that can be grandfathered in and not meet those design requirements. **C/Young:** Okay, is there anything the applicant would like to say in rebuttal to that? **Ralph Mellin:** We will get legal parking for six spaces, whatever it takes, we will do it. **Arisa McRoberts:** I did just want to say most the parents come at different times to pick up and drop off. I don't think there is more than three at a time, so I think the six parking spaces would be more than adequate, even if we doubled in size, it doesn't mean six parking spaces wouldn't be enough. **C/Young:** With that we will close the public testimony at 6:35, which would bring up our discussion. **C/Hennis:** One thing I will say with respect to the gentleman's point with regards to having CBD have front facing businesses and rear parking, that is what Meridian tried to do with their Downtown corridor along mains street, and they chased so many businesses out, because they would effectively force businesses to demo the building and start over again, which drove many businesses out, so I don't think that is an effective method here. **Jace Hellman:** Staff would just comment that the future land use map shows this specific parcel as R-6 there is no CBD designation for this parcel. **C/Hennis:** I know parking is an issue and traffic is an issue, as I have been a patron of the vet clinic next door and it is rather trying to get in and out of there, but I agree with the applicant this is not going to be one where traffic is stacking up like a school, and I think as long as they can work with the parking in there, I think it is an adequate use. **C/Young:** I think for me the parking was the biggest issue and as long as they can work with staff to come up with

**CITY OF KUNA  
PLANNING & ZONING COMMISSION**

---

**MEETING MINUTES  
Tuesday, April 24, 2018**

something that meets code and I don't know if that means losing a little bit of grass north of the ADA ramp to accommodate that, but if the applicant can work with staff to make sure the required parking does meet code, I think we are alright because it will have to be paved. That will work well for the handicap stall as well, because you can't have that on gravel either. **C/Hennis:** But I think it is a service that is needed. **C/Young:** It is not uncommon for older houses in a downtown for businesses to go into those. Any other thoughts? **C/Gealy:** Just a thought I don't think we can deny a special use because there may be some future plan use for a parcel, when there is an existing structure, and an applicant proposing a business. It would seem to me that we would be hold a property owner hostage. **Jace Hellman:** Just to answer your question a little more Commissioner Gealy, a special use permit within an R-6 zone for a daycare center is completely allowable, so the highest and best use in this case would be anything allowed in an R-6 zone.

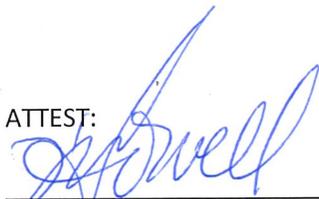
*Commissioner Hennis Motions to approve case no. 18-07-SUP, A Touch of Home Daycare, with the conditions as stated in the staff report, and with the additional condition that the applicant work with the City to maintain the parking requirements per Kuna City Code prior to operation; Commissioner Damron Seconds, all aye and motion carried 4-0.*

**4. COMMISSION REPORTS**

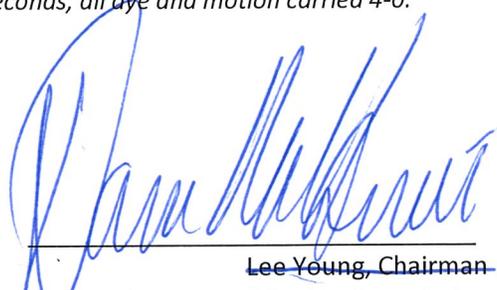
**5. ADJOURNMENT**

*Commissioner Gealy motions to adjourn; Commissioner Hennis Seconds, all aye and motion carried 4-0.*

ATTEST:



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



Lee Young, Chairman  
Kuna Planning and Zoning Commission

DANA HENNIS,  
VICE CHAIRMAN