

**CITY OF KUNA  
PLANNING & ZONING COMMISSION**

**MEETING MINUTES  
Tuesday, September 10, 2019**

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	N/A	Sam Weiger, Planner I	X
Commissioner John Laraway	X	Doug Hanson, Planner I	X

**6:00 pm – COMMISSION MEETING**

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

**Call to Order and Roll Call**

**1. CONSENT AGENDA**

Meeting Minutes for August 27, 2019.

Findings of Fact and Conclusions of Law for 19-05-ZC (Rezzone), 19-03-S (Preliminary Plat) - Athleta Subdivision

Findings of Fact and Conclusions of Law for 19-04-ZC (Rezzone) – Kuna Rural Fire District

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

**2. NEW BUSINESS**

**19-24-DR (Design Review) & 19-10-SN (Sign)** - Capital Educators Federal Credit Union, requests approval of design review for a new approximately 2,805 square-foot CapEd bank with a 709 square-foot drive-thru structure, including landscaping, lighting and a parking lot, within Ashton Estates subdivision No. 1, Lot 1 Block 1, at 1550 North Meridian Road, Kuna, Idaho 83634. (APN# R0539760020).

**Sam Weiger:** Chairman, commissioners for the record Sam Weiger, Planner I for the City of Kuna 751 W 4<sup>th</sup> ST. Capital Educators Federal Credit Union requests approval of design review for a new approximately 2,805 square-foot CapEd bank with a 709 square-foot drive-thru structure, including landscaping, lighting and a parking lot, within Ashton Estates subdivision No. 1, Lot 1 Block 1, at 1550 North Meridian Road, Kuna, Idaho 83634. The applicant indicated after packet submittal that the parking spaces shared with Primary Health were part of a cross-access agreement from the previously approved Ashton Estates preliminary plat application. Therefore, staff would like to remove Condition No. 6 from the proposed conditions of approval. Staff has determined that this application complies with Title 5 of Kuna City Code; Idaho Code; and the Kuna Comprehensive Plan. Staff forwards a recommendation of approval for Case Nos. 19-24-DR & 19-10-SN to the Planning and Zoning Commission. I will now stand for any questions you may have. **Jeff Slichter:** Jeff Slichter, Slichter Urgan Architecture, 415 South 13<sup>th</sup> Street, Boise, ID 83702. The CapEd project is very similar to the one on Meridian Road and Overland. There are some minor modifications to this one. It's pretty much the same facility, but there is a little more glass on this one. This is pretty straight-forward, everything is in the packet you received. **C/Young:** I think the building looks good, the materials are appropriate and will work well with the surrounding buildings that are in there. **C/Gealy:** I have no concerns. **C/Hennis:** I like the one that's up on Meridian, it's a nice-looking facility, I was just looking to see where the monument sign was, and it's on the Deer Flat side.

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*Commissioner Hennis motions to approve Case No. 19-24-DR and 19-10-SN with the conditions as outlined in the staff report; With the exception of the recommendation from staff to remove Condition No. 6. Commissioner Laraway seconds, all aye and motion carried 3-0.*

**3. PUBLIC HEARING**

**19-03-S (Preliminary Plat) & 19-14-DR (Design Review)** – On behalf of Falcon Crest, LLC and M3 Companies, Scott Wonders with JUB Engineers requests preliminary plat approval to subdivide approximately 36.72 acres into 137 total lots with a gross density of 3.44 dwelling units per acre and a proposed net density of approximately 5.83 dwelling units per acre. The application also includes a Design Review application for the common lots. The subject site is located at 11102 S. Cloverdale Road, Kuna, ID, 83634 in Section 22, T 2 N, R 1 E (APN #'s S1422212410, S142212000 S1422233700).

**C/Young:** Staff requested that this get removed to a time certain. I don't know how far we should postpone this.  
**Troy Behunin:** Good evening Commissioners, Troy Behunin, Planner III, 751 W 4<sup>th</sup> Street, Kuna Planning and Zoning Department. At the applicant's request for Robinhood Subdivision. We have late development, and we don't know when the date certain will be. We are going to fully notify this subdivision and any changes at a future date. You do not need to choose a date.

*Commissioner Gealy motions to remove Case Nos. 19-03-S and 19-14-DR from the agenda; Commissioner Hennis seconds, all aye and motion carried 3-0.*

**19-08-AN (Annexation), 19-04-S (Preliminary Plat), 19-19-DR (Design Review)** – ACME, LLC requests to annex approximately 8.68 acres located west of Ten Mile Road and south of Hubbard Road with an R-8 (Medium Density Residential) zone; and to subdivide approximately 8.68 acres into 39 total lots, (33 buildable single-family lots, and six common lots). A Design Review application preceded this application. The subject site is located at 3001 West Ardell Road, Kuna, ID 83634, within Section 15, Township 2 North, Range 1 West; (APN# S1315325550).

**Troy Behunin:** Good evening again, Commissioners, Troy Behunin, Planner III. Tonight, this is a continued meeting, because the Commission had a few questions of the applicant and the connection to Ardell Road. We sent the applicant back to ACHD to find some things out. Basically, they felt that it addressed everything that was needed. However, the one thing that was a disadvantage was that we didn't get staff report until the day of the hearing. Hopefully, you've had a chance now to read the ACHD staff report. I know that you weren't here, Commissioner Hennis. I'm not sure if you reviewed all of the minutes from the past meeting. Staff would like to clarify some questions. Hopefully, we can answer some of the concerns that you have. If you look up on the screen, the purple represents the Arroyo Vista project. That is the project that is touching the north line of Indian Creek at Crimson Point Subdivision. The purple polygon is the Arroyo Vista, and when that moves forward, it will actually have connection to Ardell Road where Ardell currently ends. There are no plans by ACHD or the City to extend Ardell from where it is right now. Slide No. 2 shows how it will be connected. I can pass this exhibit to you folks. The connection for Arroyo Vista will actually take place offsite from Arroyo Vista. The south line of Arroyo Vista is actually the north line of Indian Creek. They touch in the center line of Ardell Road. Because there was a decision made that Ardell would not be extended any further than what it is right now, the applicant for Arroyo Vista, which is DB Development or Arroyo Vista Farm, LLC, They actually worked with ACHD to guarantee that there would be connection to Ardell and in the very south corner of Arroyo Vista, you can see that there is a connection. They've already worked that out with the adjacent property owner. The lots on both of these subdivisions actually will touch what would have been the center line to Ardell Road. It was deemed not necessary to have Ardell continuing further, because it's not a good idea to have a mid-mile collector road go directly into the subdivision where there would be houses. If that were to happen, it would just cause a lot of potential safety hazards that keep these folks straight that shouldn't be. If you look at the exhibits that I passed out to you, it does show that this subdivision will actually have two viable

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traffic patterns to get to Ardell. Studies show that multiple accesses to the same place actually improve safety and reduce the vehicle miles and also provide a better scenario for pedestrians. It's better situation all around, as explained in the ACHD staff report. Staff supports this, and I've also had a discussion with the developer for Arroyo Vista. The timeline was unknown at the previous hearing late in August. I have talked with the owner of the development company, and he has confirmed that Arroyo Vista will begin actual construction as early as January of this next year. They're actually going to be ahead of this project, because this project still has yet to go to City Council. Then they have a construction document plan, then they have to do construction. They've got several months of paperwork before they even begin construction. When Arroyo Vista begins construction, it will begin at Ardell Road and stretch to Hubbard Road. That connection to Indian Creek and the connection to Ardell will take place in its first phase. I know that there was a lot of concern from the commission and also the public about vehicle trips passing by houses on Navy Street. However, that will be a very short-lived scenario. **C/Laraway:** I guess my confusion, and I know this isn't your thing, but this is my concern. In your statement, they want to continue it for safety reasons. By safety reasons, a car can go down to the end, go off and into the creek. Or, a car goes into a fence and a house. **Troy Behunin:** There will have to be some treatments, of course. **C/Laraway:** This is a question that I was going to ask the applicant. Is there anything planned at the end of Ardell to stop a vehicle? **Troy Behunin:** I do not have that answer, but ACHD will certainly have their requirements that they will have to fulfill. This intersection, the way that the road is now, Rubine Lane, that will essentially become a "T" intersection. It will be equal to many other "T" intersections in this subdivision and in the City. I believe that they'll probably handle it similarly. **C/Hennis:** I am trying to clarify since I missed the last meeting. Does Ardell currently go into the parcel separation? **Troy Behunin:** Not quite, actually. **C/Hennis:** Currently, with the last plot that we had at the upper division of Arroyo Vista. They're making that Ardell street jog up into their subdivision, correct? **Troy Behunin:** Correct, because there's no way to provide the proper access for either of the subdivisions with Rubine the way that is, because the separation distance, between the intersections and interchanges is 660 feet. There's no way that they could provide the proper access. They couldn't provide access for this project within 660 feet, because 660 feet from that intersection is a long way. **C/Hennis:** I understand what they're trying to accomplish, it's just a strange way to do it. **Troy Behunin:** There will not be an ACHD letter or presentation about that. If you have any questions about the maps I passed out, let me know. **C/Gealy:** The zoning on this property to the north at this point is R-4, correct? **Troy Behunin:** Yes, that is true. That has been the case since 2008. **C/Young:** Hopefully, some of what was shown here will be happening to the north there. **C/Gealy:** We were concerned with connectivity, because we couldn't quite visualize what was happening to the north. I will admit as well, I became confused and didn't realize until later that the east-west road within the proposed subdivision is named Ardell. I didn't realize we were talking about Ardell, we were talking about two different roads. I apologize for my contribution to the confusion. **C/Young:** I understand the connectivity to the north and what's there. **C/Laraway:** I'm concerned an R-8 with an R-4 going to the north, south and east. **C/Young:** Typically, you want to put a denser subdivision closer to the arterial roads and then work larger lots towards the back in the end, and it just puts an R-8 in the middle of R-4 zones. You'd essentially have eight lots on the cul-de-sac. I know that they meet the requirements of both R-4 and R-6 for lot widths the way they're shown here. You will have all the people to the south who have been trying to flood everything over onto Navy, they will try to come up through this subdivision. If you have additional cars parked on the street that typically wouldn't be there, they're just putting so much down here. I think it just creates a potential safety hazard. In the Comprehensive Plan, there's parts of some of the City goals. The City does have influence on the built environment, and that includes buildings, roadways, neighborhoods, and the design of those ties into the safety. That end of the subdivision to me does not seem safe. **Troy Behunin:** Staff wants to remind you that the proposal does fit within the Future Land Use Map. R-8, although it is at the top of medium density, fits. **C/Young:** It does not, in the map, in terms of medium density, my concern is cramming everything into one. It's what they have in the one that is a safety issue. R-8 with R-4 everywhere is a concern. Safety is my biggest issue on that side of subdivision. I think the way that side of the subdivision is designed, it causes a safety concern. You can apply that several of the other items listed in the code analysis, and for me it just comes down to safety. I'd like to see additional parking inside the cul-de-sac, but I don't see how you can possibly do that with this layout. My biggest concern is the surrounding subdivision. I know it meets our medium density

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requirements, but I think I also have to be a little philosophical about this. This doesn't fit or flow with the subdivisions around there, it doesn't seem like the right way to go. There should be some point to where R-8 shouldn't be thrown next to R-4. **C/Hennis:** I kind of echo the concern about property and potential citizens living here, with the way it's oriented on both the cul-de-sac and with eight lots and flag poles. Then the other flagpole out off of the semi-cul-de-sac will add a lot of parking and static traffic for people trying to access both through there and around there. It's got traffic concern issues, not so much the amount of traffic, it's just the flow. It's not safe. If you try to put kids in any of this stuff, there's going to be cars on the street, kids running out, many issues. **C/Young:** Throw in some campers in the summer, too. **C/Hennis:** Yes, because that's what we see in the subdivision there. **C/Gealy:** We did have a neighbor that was concerned, because of where her backyard is, that there would be people traveling through that cul-de-sac through that flagpole or shared driveway into her backyard. It looks like were introducing the same potential. **C/Young:** There's fencing that uses our driveways, they're not public streets. **C/Hennis:** The project itself is also a design review. I don't see how they will situate all of those lots. Part of this is design review. **C/Young:** In terms of design review, I think it's great to have all that open space that they're providing on both sides of the creek. **C/Gealy:** There's no pedestrian footbridge. **C/Young:** Not there, but it's great that they could have access to a pathway. **Troy Behunin:** Staff just wanted to point out the discussion we had last time, that there will be that pathway along the east side where all the homes are. There's a bridge that's currently in place not too far from this. The goal for the City is to improve our lot and then at some point. The west side of Indian Creek will be accessible to everyone. The open space that's being proposed will be available to everyone who wants to use it. It will become a City park. I will be an addition to an existing City property that will be developed into a park relatively soon. Staff does view their contribution for the open space to be a valid contribution. **C/Young:** My bigger concerns aren't with the design review. Either we recommend denial or they rework one end of the subdivision or another. How that changes, changes the way landscaping and open space is. All that open space is a part of the City. **C/Gealy:** At our last hearing, reviewing the minutes, I'm pretty sure I expressed the concerns that I had. I'm pretty sure I expressed three concerns. One is that the density of this small subdivision is different than surrounding subdivisions. There are many times that there are compelling reasons to increase the density. Perhaps on a collector, perhaps near a City center, perhaps on a busy corner or intersection. I don't see why there are compelling reasons to increase the density of this particular subdivision. We have approved many higher-density subdivisions. I feel like this one has no compelling reason to have here. I am concerned about the connectivity and I appreciate staff and the applicant's work to explain the connectivity issues. Now, I think it's resolved. I'm also concerned that this disregards the Master Pathways Plan. We talked about that at the last hearing. The applicant has expressed an unwillingness to mitigate some of the concerns with respect to connectivity to pathways and bicycle trips. I can see that there is a small pathway from this subdivision to Indian Creek. There's a small pathway to the north and the northern one. I'm just not sure those pathways are sufficient enough to achieve the goals of the Master Pathways Plan and Comprehensive Plan. I understand those suggestions, but I think if we disregard the suggestions from the Comprehensive Plan, we wasted our time developing a Comprehensive Plan. The fourth item was that the school district did ask for the applicant to work with them to provide a school bus stop. I don't know if the applicant was willing to do that. **Troy Behunin:** Staff did have discussions with the school district, Jim Obert specifically about this. They will not have a touch to the mid-mile collector in terms of connectivity for a bus. Then we enter an arena, where we're asking an applicant to build something on property that they don't own. They want these shelters, because do to some weather-related issues they've had recently, the school district bus system is no longer going into subdivisions. They get cleared and plowed when necessary. The difficulty with this subdivision is that there's not an easy solution. There's no turnaround for a bus on Rubine. The school district did convey to me verbally that they would consider something at the next intersection to the west. However, we're still talking about a different property owner. While there are a lot of things we're willing to do to help children, we also have to be respectful of property owners. You do have an opportunity to request or recommend or require that the applicant work with the property owner to put in a shelter for all children at a school-approved location. It will be very hard to meet essential nexus by requiring that they do that on somebody else's property. **C/Hennis:** Regarding the cul-de-sac on the east side, what's this line coming in here? **C/Young:** That's a public access. A 20-foot temporary emergency access. **C/Gealy:**

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Can I ask staff for a point of clarification? In the agenda, it says a design review application preceded this application. Is there a design review application that preceded this application? **Troy Behunin:** Staff would like to apologize. This actually belonged with the Athleta Subdivision that went last meeting. The design review application is with this application. **Wendy Howell:** If you recommend denial, then the reasons for denial need to be stated as well as any actions they can take to get approval. **C/Young:** I'm looking at Goal 2 of the Comprehensive Plan as far as the built environment. **Wendy Howell:** When you site the Comprehensive Plan, make sure you state which chapter it's in please. **C/Young:** Goal 2, Healthy and Safe Community paragraph 2 states the City of Kuna has influence has Kuna's built environment, which includes buildings, roadways, parks, neighborhoods and activity centers. The design of this environment will have a direct effect on health, wellness and safety of the City's residents. **C/Young:** The question or comment regarding whether or not the project appears to avoid detriment to the present and potential surrounding uses, health, safety and welfare of the community. This takes into account the physical features of the site, which to me is the layout of the site. **Troy Behunin:** Staff would like to know if the commission would entertain the possibility of a discussion with an applicant to discuss some of the options. **C/Young:** I'm open to the discussion. This might alleviate concerns about parking within the subdivision. Is that something the applicant is willing to discuss at this point. **Josh Beach:** Josh Beach, Konger Group. It sounds like there are several items we need to discuss as well. We can start there. Let's start with parking. The 50-foot road section, this is the same road section they do all over the county. You can actually drive two cars on either side of the road. ACHD designs that and actually, Kuna's road section is actually higher than the rest of the county. There is enough space to park vehicles on the roads. We also meet the requirements of what Kuna requires on the driveway, as well as the garage. I'm aware that folks put other things in their garage, but there are still two parking spaces at least on every parcel that are shown on our subdivision plat. I don't know where we would put additional parking. **C/Young:** I know there are other areas, cul-de-sacs that have been changed to create additional parking stalls in the center of the cul-de-sac. These are things that would ultimately affect parcels the way that it's laid out now. **Josh Beach:** Absolutely, reducing the number of blocks would lead to less cars, but I don't know if that would lead to more parking. The road layout would stay the same. You're not allowed to have parking stalls in the center of a cul-de-sac. **C/Young:** I don't have a specific layout in mind, but an ability to add additional parking spaces for the lots that are on the extended driveways. That is my first concern. **C/Hennis:** I think what we're concerned about is, typically you go into a subdivision, and it has a cul-de-sac and everyone kind of parks cars along the cul-de-sac. It gets to be congested anyways with the normal four lots on there. Now, we've got eight lots on the cul-de-sac. It's just not going to lend to an easier parking situation. We're looking to alleviate that, because right now, all we've got is a parcel and a lot map. We don't know where you're going to position the structures on that lot to see if there's adequate parking in a driveway. A lot of subdivisions are pulling these given a short driveway or more backyard, which would just increase our issue here. If they're going to be pushed into the back, and you've got larger driveway, that's a different aspect. We have no knowledge of that right now. **Josh Beach:** Your setback standards are pretty set with City Code, you can't really push the structure up. We'll meet whatever code requires as far as driveways go. We're not trying to get away from any of the parking that we have to do. We will say though, that those common driveways that you see, there's no parking allowed on those. They're actual driveways on the parcels. It's a driveway, but it's not something you can park in the lot. **C/Hennis:** Right, well that doesn't help. Anyone that would now access that lot would now be on the cul-de-sac instead of on the flag lot. **C/Laraway:** You said each resident will have enough for two vehicles? **Josh Beach:** Two in the driveway, and two in the garage. There are four parking spaces for each home. **Josh Beach:** I park my car in a garage every night. **C/Laraway:** There's a lot of people that don't. **Josh Beach:** I understand there are people that put other things in their garage. We're trying to accommodate. **C/Laraway:** If it's predictable, it's preventable. We know you're going to have on street parking. RVs are going to be parked there. **Josh Beach:** We'll have CCRs that won't allow RVs to be parked there. **C/Laraway:** For how long? **Josh Beach:** We can't be more or less restrictive than City Code. Whatever the minimum code is, it could be a day, 24 hours. You can't park your RVs on the street. They need to be hidden. On these size lots, you're not going to get people who will want to put an RV on their property, because there's less space for that. That's not the idea behind this subdivision. There are lots that you can do that with. **C/Laraway:** They're going to have to put their RV someplace else, which is fine. That's their business. But when

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they want to bring it to their house and load it up, they're usually there two to three days. We will follow the CCRs. **Wendy Howell:** City Code allows for RVs or trailers on a roadway for 72 hours. **Josh Beach:** HOAs tend to be stricter about those things. I'm looking for more direction as to the density a little bit. I know you're concerned about the dense nature of the subdivision. **C/Gealy:** It is small, it is tucked back in the corner. You can see though, that along the southern border, everyone will have at least two neighbors to the north. I don't see any that have three. Every single lot has two neighbors to the north. I don't see a compelling reason for that. **Josh Beach:** There's potential that we could work on that. We could lose maybe one or two plots to make it a little bit wider so that we transition a little bit better for that south boundary. It sounds like there's other concerns as well beyond that. **C/Gealy:** Better transitions would certainly be welcome. I also think that you've heard the concerns of the commission regarding flagpole lots, shared driveways. I think you could be create or find a different way to gain access to those corner pieces. **Josh Beach:** That's the pretty standard width. **C/Gealy:** It's standard, but I think there's other solutions. I'd like to see a wider pathway to the creek, because I think we're not providing pathway from Ardell to the creek. I'd like to see a wider pathway to the greenbelt, so that bicycles and pedestrians could easily pass through Ardell, up through Thistle and out to the greenbelt. My concern is that's also the way the City will need to be accessing the greenbelt. **Josh Beach:** There's going to be a pedestrian easement through there, did you have a specific width you were looking for greater than the City Code? **C/Gealy:** I am very interested in transitional lots, because of the scale of the one that was handed to us today, and what we have. I don't know what the transitions are between this subdivision and the one to the north. I can't count those, so I'd be very interested in that. **Josh Beach:** Any others? **C/Gealy:** Do you want to know what I would suggest for that cul-de-sac? Make those four lots triangles. **Josh Beach:** The problem is that the house would need to have a certain frontage requirement. If you get all that extra square footage from that shared driveway, those lots could be a little bit deeper. **C/Young:** Are you suggesting they lose one of the lots? **C/Gealy:** Instead of four lots, have three and adjust yours. **Josh Beach:** I'm not saying we couldn't do that. There is a fair amount of thought and trial and error that go into these. We looked at code, we met with staff and we probably should have gone with R-6. That doesn't change much other than the minimum lot size. **C/Gealy:** I think you said it has something to do with the design standards. For R-6 and R-8, you could've gone either way and still have the same configuration. **Josh Beach:** We're at 3.8 gross density, which falls right within the range of medium. Granted, you don't have to like the subdivision like this, and you don't have to recommend approval either, but there are certain things we did look at and we could look at in changing this or future projects. Some of this is trial and error in understanding what the City of Kuna does and does not like. We do our due diligence up front to meet with staff to go back and forth to understand what they would and would not recommend approval of and we go from there. We also meet with the highway district to make sure that what we're proposing meets what their standards are. There was a lot of discussion about safety. You folks have been out here for a while, so you understand design and things like that. We rely heavily on the highway district to let us know what is and is not ok. They also tell us how many vehicle trips will pass through the subdivision based on the surrounding neighborhoods, the future connection out to Ardell. They didn't have a concern. I'm just trying to understand so what we can, either with this or a future project, what we can propose to meet the standards of staff as well as what Planning and Zoning Commission and City Council will approve. **C/Hennis:** The one thing that ACHD doesn't look at too much, because they look at traffic flow, traffic trips, the number of cars going through an area, but they don't look at parked cars. They don't look at the usage of these cul-de-sacs. They don't look at the amount of cars that would be overflowed from the parcels onto the lot for general usage like you see in normal cul-de-sacs. To go from four to eight on this cul-de-sac, so they automatically got twice as many people involved, kids, cars, so we're concerned about congestion. **Josh Beach:** Do you have a certain number of parking spaces that you would like to see in a subdivision with this many lots. I can come back with a drawing that shows you where the driveway is going to be. There's more to it than just that, so I don't want to get to a point where I'm putting all this effort in. **C/Young:** Based on the number of cars per household, saying hey I'm putting two here and two here. **Josh Beach:** It was just a concern, so I'm wondering what to do. **C/Young:** It really worked out well to meet code. To meet the Comprehensive Plan and safety, that is another thing. I think you've done an excellent job of maximizing the number of lots. **Josh Beach:** That's not the goal, to cram everything on there and get a denial. **C/Young:** You've done a great job of maximizing the homes

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on the lots. To me it comes down to safety in this existing layout, and you have eight lots going up there into the subdivision. 85 percent of them that go through the cul-de-sacs and drive down the street in summer time, all those additional RVs that are out there will be an issue. Four 20-ft RVs out there, driveway to driveway, trying to put those on the street. You have additional traffic going out north. The safety issue is all of that crammed into one spot. **Troy Behunin:** With all due respect, the ACHD report does handle and address all of the safety concerns. ACHD does look at vehicle trips per day, they have their own standards. In terms of parking on the street, the number of people that put items in their garage. Those have already been addressed. There are two parking stalls on the property in addition to the double car garage. They've already reviewed this, they've already run their traffic models. They do take into account the cars that are parking on the street. For an item of clarification, while the gross density is 3.8 units per acre. The net density, that's roads and buffers taken out is only 5.61 acres. **Josh Beach:** I can sit down if needed, I just wanted to make sure what the concerns were. **C/Hennis:** The only way you could mitigate our concerns is maybe adding two or four parking spots, where those parcels meet off the shared driveway. Maybe something in the middle could bring those extra spots off the cul-de-sac. **Josh Beach:** I'm not sure what you mean. Do you mean in line with where the driveway would be for each of the parcels to make it extra wide, so we can put another car in there? **C/Hennis:** Either way. Even at the very end, or right where the two last lots on the north side, where those two lots meet at the property line. Maybe just put one parking spot on each side there so you have two that just take that amount of the property line above or below. Now, you have four spots that are now taken off of the cul-de-sac that would've been added by those four extra lots. Somehow figure something like that to where there's a couple of spots that visitors can park there. Right now, for the guys to come in on those end lots, they have no place to park but inside that cul-de-sac. Unless they know the people well enough, they say oh yeah, come to the driveway. The last two lots to the very east. The visitor coming into that, which may not be family that's used to coming there. Where are they going to park? Maybe some off-street spots between the lots, where the visitor can pull in. **C/Young:** I think that adding parking to end of those driveways may be helpful to that. **C/Gealy:** We would make recommendations and modifications that are more appealing to us, and then with the recommendation to City Council with these modifications City Council would review these. The applicant can decide to make them or not. **C/Young:** If we have a recommendation of denial, we have to cite in code why we are doing so for City Council. **C/Gealy:** The applicant could modify these things before City Council, but not necessarily come back before us. **Wendy Howell:** As long as it's not a significant change. If they significantly change it, then they have to come back here. **C/Hennis:** We can also do the same with a recommendation of approval based on adding more of a transitional lot layout. They're looking to suggest finding a solution to parking, to add a couple off-street parking for the lots. We can do the same thing, but approve with modifications as conditions. **C/Hennis:** Those are the first two pieces, the annexation and preliminary plat, are recommendations. The design review, we need to look at that piece. We really haven't addressed that besides common area. We need to look at housing too. **Wendy Howell:** You could table it, and the applicant decide whether or not he can address your concerns. **C/Hennis:** If ultimately, we're up against ACHD's report that says our concerns are not their concerns. How we want to send that up is up to us. Ultimately, City Council approves this. We can either recommend denial and they cut it. Or we recommend approval with the conditions we think need to be done. **C/Hennis:** With respect to the code and what we feel is going on here, it's maximized within the letter of the code. Trying to site what we want to see out of the Comprehensive Plan, using the map and everything else is a suggestion. We've got to be careful about what we want to see the City become. We can find a common spot here, if he pulls a couple of lots out of that bottom side to reach that transition. Add something on the end of the cul-de-sac to mitigate some of the on-street parking. That pretty much addresses our concerns. The houses look nice. In hearing all of things presented by both the applicant and staff, if we make these suggestions to what we want to do, it should be fine. **C/Gealy:** I appreciate the open space that's on both sides of Indian Creek. **C/Hennis:** This isn't an R-8, it's an "R-3.6". **C/Gealy:** It's because of all the open space, that the density is so low. It's not because of the lot sizes. On page 119 is Indian Creek at Crimson Point Subdivision Pathways Master Plan. There's a pathway along the creek, there's a pathway through the entire subdivision, and a bicycle path across the top of the subdivision. This is in the Comprehensive Plan, the Pathways Master Plan. I'd like consideration for that as well. Not because I want to pick on this subdivision, but because that's the way the Master Plan is. Instead

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of saying that it can be moved somewhere else, but you didn't put it somewhere else. **C/Young:** For what's going into the north, where's that? **C/Gealy:** I'd like to see a little more space in there. A lighter pathway for pedestrians, bicycles and other parcels on this master plan. What I would like to include in considerations are the transitional lots, some recognition of the Comprehensive Plan Pathways Master Plan. Is there space for bicycles and pedestrians? The bicycle path and pedestrian path is what I'm getting right now. **C/Hennis:** Mr. Applicant, what is the pathway width on that left side? **Josh Beach:** Josh Beach, Konger Group. I think it's about 15 feet. I think the spacing of that common lot, the asphalt portion is five feet. That's what code asked us for. Granted, I think we discussed in the last hearing that we spoke with staff about the master plan, but it did not come up in the pre-application meeting. It did not provide a pathway from Ardell to Indian Creek. We have a sidewalk going through the subdivision to provide access. We've got probably between that and a little wider. That's a recommendation. I asked Commissioner Hennis at the last meeting if they would consider extending that bicycle pathway all the around the subdivision. **C/Hennis:** Although I would agree with you about the pathway, I see how it could be a challenge. **Josh Beach:** Typically, with a pathway, you're required to put some specific landscaping that's on there. **C/Hennis:** You could almost put something on the eastern lot. It's a little lighter, it's about 10 feet over. You could almost bring it over from Ardell, where it is currently down the face on the back side of the neighbor's parking. **C/Gealy:** There is going to be a temporary access through there, right here. **C/Hennis:** You could even bring it down, see this eastern parcel. You could come down here and bring it in through there, so how much wider this lot is compared to the other ones in your drive. If they're willing to increase the pathway, that's something. **C/Hennis:** Did you ever get a dimension on that? **Josh Beach:** There is five foot of asphalt. **C/Hennis:** If they could bump that a little bit and go the paved way. That way, people with bicycles and strollers can pass by. **Josh Beach:** Lot 7 is 58 feet, if we can lose a couple of feet on that. **C/Hennis:** Sometimes we get some vague direction up here, because we don't have a solution. Here, we're trying to get a designated solution to at least give you direction. **C/Hennis:** Do you have any concerns with the DR portion of this, otherwise? **C/Young:** It's so small, it's hard to landscape. All of the landscaping is on the west side of the lot. You have Exhibit C with home designs and landscaping. **C/Hennis:** I just want to make sure, because we have a motion. The pathway would be part of that.

*Commissioner Hennis motions to recommend approval of Case Nos. 19-08-AN and 19-04-S with the conditions as outlined in the staff report; With the additional condition that the applicant works with City to present an alternative to some off street parking at the cul-de-sacs to provide additional on-street parking; An additional condition for a wider pathway on the western side between lots two and four, common lot no. 3, preferably with an eight-foot paved pathway to provide for two directions of movement. An additional condition, as suggested by the applicant, on the southern side, lots 2-14 in block 2, to look to remove a lot or two to provide a better transitional area between that and the Crimson Point Subdivision to the south; And an additional condition to go to an R-6, medium density residential zone, as offered by the applicant. Commissioner Laraway seconds, all aye and motion carried 3-0. Commissioner Hennis motions to approve Case No. 19-19-DR with the conditions as stated in the staff report; With an additional condition for block 1, common lot 3, to provide a wider pathway, preferably an eight-foot paved area for access. Commissioner Gealy seconds, all aye and motion carried 3-0.*

**19-09-AN (Annexation)** - The City of Kuna requests to annex two contiguous parcels owned by the Bureau of Land Management into Kuna City Limits with Public (P) zoning districts. The subject sites are located near the southwest corner of West Kuna Mora Road and South Cole Road. (APNs S2101212400 & S2102110000).

**Sam Weiger:** Chairman, Commissioners, for the record, Sam Weiger, Kuna Planning and Zoning Staff 751 W. 4<sup>th</sup> St. The application before you this evening is for an annexation approval near the southwest corner of West Kuna Mora Road and South Cole Road. The City of Kuna requests to annex two sites, approximately 600 acres, into Kuna City limits with a Public zoning district. Staff has determined the annexation complies with the goals and policies for Kuna City, Title 5 of the Kuna City Code; Idaho Code; the Comprehensive Plan and the Future Land Use Map; and forwards a recommendation for a recommendation of approval for Case No. 19-09-AN (Annexation) subject to

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the conditions of approval. I will now stand for any questions. **C/Laraway:** If this is all BLM land and this is going to be annexed, what about discharging weapons. Farmers, ranchers, hunting, will these be cut off. Commissioner Laraway, I did include an item in the staff report that did address your question. It is in the staff analysis. Page 3 of the staff report. According to Kuna City Code, 10-5-2, it shall be unlawful to discharge a firearm within City limits. Staff has determined that cattle ranchers discharging firearms to defend their property are exempt from this section of code. **C/Laraway:** But that's the property owner. That's a lot of acreage to just shut off. **Sam Weiger:** Based on what I read, it needs to be for some kind of defense. **Wendy Howell:** Everything will stay status quo for the BLM land. The only thing this is doing is providing a pathway to where the industrial park is anticipated to go. **C/Gealy:** Commissioner Laraway has a good point, it is unlawful to discharge firearms within City limits. **Wendy Howell:** If it's annexed, it will be in City limits. I'm looking at the code now. **Sam Weiger:** Both of these parcels will be in the City limits with a public zone district. **C/Gealy:** I do remember the ranchers defending their property against coyotes. This isn't a rancher's house, this is BLM ground for people. They target shoot or hunt. **C/Hennis:** That would be in direct conflict with what the City Code is. **Wendy Howell:** Code says, "It shall be unlawful to discharge a firearm within City limits from a dwelling or vehicle or within any platted or developed subdivision, or in any manner likely to cause damage to the property of another." Thus, this will not be developed land. It will be BLM land. Nor will it be a subdivision. **C/Gealy:** It sounds like we'll be ok. **C/Young:** That opens up the public testimony at 7:37. I don't see anybody signed up to testify, is there anybody here that would like to testify on this application that has not signed in. Seeing none, I will close the public testimony at 7:38. That brings up our discussion. **C/Gealy:** I have no concerns. **C/Young:** It will continue to operate as BLM land.

*Commissioner Hennis motions to recommend approval of Case No. 19-09-AN with the conditions as outlined in the staff report; Commissioner Gealy seconds, all aye and motion carried 3-0.*

**19-02-ZC (Rezone)** – Sergey Stadnitsky (owner), is requesting to rezone approximately 5.00 acres from an "A" (Agriculture) to "C-2" (Area Commercial) zoning district classification. The subject site is located at 252 N Meridian Road, Kuna, ID 83634 (APN: S141933450).

**Doug Hanson:** Good Evening, Mr. Chairman, members of the commission, for the record, Doug Hanson, Kuna Planning and Zoning staff 751 W 4<sup>th</sup> St, Kuna, ID 83634. The application before the evening is for the rezone for a property located 252 N Meridian Rd from its current classification of Agriculture to Area Commercial. The applicants proposed zoning is compliant with the Comprehensive Plan and the Future land use map, and staff has determined this rezone is compliant with Kuna City Code. With that, I will stand for any questions you may have, thank you! **Yuri Mukah:** Chairman, Members of the Commission, I am Yuri, representing the applicant Sergey Stadnitsky, who couldn't make it for health reasons. We'd like to request the rezoning for approximately five acres to commercial, C-2. We worked with the Economic Development for this area. We are just trying to stay ahead of the curve. Development is moving really quick. **C/Young:** We'll open the public testimony at 7:40. I will close the public testimony at 7:41. This brings up our discussion. All I saw was ITD's request that they finalize the paperwork for the entryway. I just wanted to see if that was part of staff's recommendations or not. **Wendy Howell:** On the ITD response, the applicant has submitted the permit that they are wanting, and as soon as they process it, then they will reissue a letter stating that their concerns.

*Commissioner Hennis motions to recommend approval of Case No. 19-02-ZC with the conditions as outlined in the staff report; Commissioner Laraway seconds, all aye and motion carried 3-0.*

#### 4. COMMISSION REPORTS

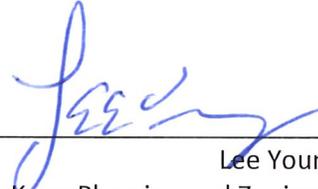
#### 5. ADJOURNMENT

*Commissioner Hennis motions to adjourn; Commissioner Gealy Seconds, all aye and motion carried 3-0.*

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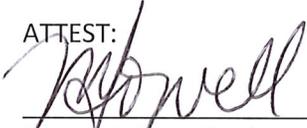
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Lee Young, Chairman  
Kuna Planning and Zoning Commission

ATTEST:



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