



**KUNA PLANNING & ZONING COMMISSION
MINUTES**

Tuesday, January 14, 2020

Open to the Public

1. CALL TO ORDER AND ROLL CALL

COMMISSIONERS:

Chairman Lee Young
Vice Chairman Dana Hennis
Commissioner Cathy Gealy
Commissioner Stephen Damron
Commissioner John Laraway

CITY STAFF PRESENT:

Doug Hanson, Planner I
Jace Hellman, Planner II
Jessica Reid, Customer Service Specialist
Marc Bybee, Assistant City Attorney
Troy Behunin, Senior Planner
Wendy Howell, Planning and Zoning Director

2. CONSENT AGENDA: *All Listed Consent Agenda Items are Action Items*

A. Planning and Zoning Commission Meeting Minutes

1. Regular Planning and Zoning Commission Minutes, November 26, 2019

B. Findings of Fact and Conclusions of Law

1. Consideration to approve Case No. 19-28-DR (Design Review) for Ashton Estates Commercial Shell

Commissioner Cathy Gealy moved to approve the consent agenda. Seconded by Commissioner David Hennis. Approved by the following roll call vote:

Voting Aye: Chairman Lee Young, Commissioner Dana Hennis, Commissioner Cathy Gealy, Commissioner Stephen Damron and Commissioner John Laraway.

Voting No: None

Absent: 0

Motion carried: 5-0-0

3. PUBLIC HEARING:

A. Case No. 19-03-AN (Annexation), 19-02-S (Preliminary Plat) & 19-09-DR (Design Review) Chotika Subdivision – *Continued from October 22, 2019* **ACTION ITEM**

Chairman Young: Next up under Public Hearing we have 19-03-AN, 19-02-S, 19-09-DR Design Review for...I still don't know...I'm sorry I never say that correctly...subdivision. So, let's have staff come on up.

Jace Hellman: Alright, uh, good evening Chairman and Commissioners, for the record, Jace Hellman, Kuna Planning and Zoning Staff, 751 W 4th Street, Kuna, Idaho, 83634. Uh, the application for this evening is a continuation from September 24, 2019. Uh, the applicant is requesting to annex approximately 7.67 acres into Kuna City

Limits with an R-6 Medium Density Residential zoning classification, uh, and then subdivide that 7.67 acres into 31 buildable lots and 5 common lots at a net density of 5.09. Uh, the previous net density on their last proposal was 5.8. Additionally, the applicant has submitted a Design Review Application for the projects landscaping and open space. Uh, the applicant's new proposal indicates a 5.9% will be used as useable open space, that's not including buffers, uh, at the previously proposed 3.5%. Uh, following staffs review, staffs determined the Annexation, Preliminary Plat and Design request are within compliance and do meet the requirements of Idaho State Code, Kuna City Code and the Kuna Comprehensive Plan. Um, as a reminder the Annexation and the Preliminary Plat are before you as a recommendation to City Council and the Design Review is seeking your decision this evening. Um, if the Commission would approve the Design Review and recommend approval of the Annexation and Pre Plat, staff would recommend that the applicant be subject to the conditions of approval listed in section I of your staff report as well as any other additional conditions, um, this decision making body decides to impose. Uh one last note, in your packet, and I do apologize as it is a large packet, um, there is a request from the Outpost Subdivision HOA to consolidate their time into one (1) ten (10) minute testimony; uh, there is a letter with names and signatures of those represented included for you as well. And I will stand for any questions you may have.

Chairman Young: Are there any questions for staff?

Commissioner Stephen Damron: Not at this time.

Commissioner John Laraway: Not at this time.

Commissioner Cathy Gealy: I have no questions at this time.

Commissioner Dana Hennis: No.

Chairman Young: Ok. Then we'll have the applicant please come forward and please state your name and address for the record.

Crystal McDaniel: Good evening, I'm Crystal McDaniel and I'm with Accurate Surveying and Mapping and I'm the planner on the project. I'm do...can we get a...bring up the Plat so that I can kind of reference it? (Microphone was moved closer to speaker) Do I need to start over?

Commissioner Hennis: Uh, at least state your name and address for the record.

Crystal McDaniel: Ok, yes. This is Crystal McDaniel with Accurate Surveying and Mapping and our address is...wow, I didn't expect to give the address. Let me look that up. (Long pause while applicant tried to find address) I'm going to have to get back to you on that address, we are in Boise, Idaho though. I believe it is 1602 Hay Street.

Commissioner Gealy: Subject to check. (Laughter)

Crystal McDaniel: Yes, subject to check. And suite 306. Yup, ok, I will just bear without it. Thank you for your patience, it is 1602 W. Hay Street, Suite 306. Ok, as you can see, we have made some changes uh based on uh what we had before. We took um the comments from the previous hearing. Uh we now have useable common space as a walkway; on the Plat it is not as clear to see but there is a pathway that runs most of uh across the subdivision and links into uh Recess Way and there is landscaping as well as benches. And it is more centrally located than the previous usable space. There are fewer flag lots and as Jace mentioned we do have fewer buildable lots as well as uh we have been in discussion with the Russell's and um trying to figure out what we can do to make things easier for them as the subdivision goes in. And I'll stand for any questions.

Chairman Young: Questions for the applicant at this time?

Commissioner Gealy: I have no questions at this time.

Commissioner Hennis: No not yet, thank you.

Chairman Young: Ok, we'll go ahead and open up the public testimony at 6:08 and um as staff had mentioned um the subdivision does have a representative here that is going to come up and speak. So please uh come forward and state your name and address and as staff mentioned you have an expanded ten (10) minutes to um give us.

Bryce Baker: Thank you Mr. Chairman, Commissioners. My name is Bryce Baker, 975 W. Recess Way, in Kuna, Idaho, 83634. During the last public meeting regarding the proposed Chotika Subdivision you heard testimony from the Outpost Homeowners Association which is one of the neighborhoods impacted by this development. That testimony expressed concerns by existing homeowners and neighbors as to the proposed lot sizes and density of the Chotika Subdivision. Safety concerns were also expressed about the increase in traffic; a decision by this body at that meeting was to ask the developer to reconfigure their proposal to be consistent with an R-4 density which is more appropriate and typical of the existing subdivisions to which Chotika immediately adjoins. This newest submission does improve lot sizes of a few of the lots on the south side of W. Recess Way but leaves most of the lots on the north and east sides still much smaller than what would allow for homes to be built consistent in size and character with the existing homes. The revised Plat does not reflect the character or in fact this council's direction to redesign and resubmit to an R-4 density. The Envision Kuna City of Kuna Comprehensive Plan published July 19, 2019, in Section 3.A.2.C states as a matter of policy, quote "Develop flexible design standards to encourage infill that preserves valued characteristics of surrounding area and promotes compatible uses", close quote. One of the valued characteristics of this south area of town is the less dense and more rural location and feel surrounding the Chotika subdivision on 3 sides or partially 3 sides, are acreages currently cultivated and utilized for raising hay and livestock; it is these characteristics specifically that

attracted most of the homeowners in the area to invest where they did. Goal 3G in the Comprehensive Plan sites the need to ensure that local land use policies do not adversely impact property values and balancing the needs of the community with the private interest of individuals as homeowners in the immediately adjacent subdivision. We are concerned that allowing the construction of homes uh on the uh east side of Cassandra Place, there are 8 consecutive lots um that take up slightly more than one acre of land uh totaling about 44,000 square feet, that's in Block 4, and that immediately abuts home lots that are between 11,000 and 13,000 square feet in size. We believe that will detrimentally affect the desirability of the existing homes and negatively impact the existing home values. These lots are too small and too dense for anything but starter homes or townhouse style homes. I have included in your packets some exhibits to provide some context and scale in pairing the proposed lots in Chotika to the existing neighborhood subdivisions and would draw your attention to Exhibit E3 in your packet to view them. Also, as a point of reference, the room in which we are now occupying is about um just over 2,000 square feet; some of these lots are proposed at just over 5,000 square feet which is a little more than twice the size of the very room we are seated in. Additionally, the cul-de-sac proposed as Cassandra Place shows as having seven lots surrounding and facing the cul-de-sac. During my survey of nearby and comparable subdivisions on the south side of Kuna, I couldn't find any other which features a cul-de-sac with seven lots on it; four and five is typical with six being the maximum. Nowhere could I find seven; this again reflects too high of density of this area. I have also included in Exhibit E3 to illustrate this comparison. The Comprehensive Plan also includes public comment and feedback gathered during its development in multiple sections including the Public Input Summary table on page 179 under the section titled "Land Use", the public specifically requested the city to mix up the types of residential home and lots built, not as many starter homes and to quote, "utilize larger lots for new residential development", close quote. This sentiment is repeated on page 182 in the Land Use section and again on page 192 in the Phase 2 Outreach Summary of Themes where it states quote, "it was also continually stated that Kuna residents would like larger lots and larger homes and to not just be viewed as a community made up of starter homes and new home developments have been too dense and lack stylistic diversity leaving neighborhoods without a sense of neighborhood character", close quote. This is also consistent with objective 2.H.1 ensuring that quote, "Kuna is designed and built for individuals to age-in-place". The residents of the Outpost Subdivision have for the most part lived there since it was built in 2004 and 2005; many have raised their families there and some are now empty nesters, some have purchased these homes to retire in. These homes have features like room in the back yard for swing sets or gardens. Some have built workshops in which to pursue hobbies, others have small orchards or raise backyard chickens. Most have room to park recreational vehicles onsite; most of the lots in the Chotika Subdivision as currently proposed are not large enough for any of those features or amenities and will not afford a growing family enough room or flexibility to age-in-place. We believe that Chotika will be one more Kuna starter home neighborhood if allowed to proceed as presently configured. Expanding somewhat on the concerns about traffic and safety, I would like to add that in the ACHD Review submitted in your packet as Exhibit C7, section B titled "Traffic

Findings for Consideration”, ACHD points out that this development is estimated to generate 312 additional vehicle trips per day and 33 additional vehicle trips per hour in the PM peak hours. It also notes that School Avenue which is classified as a Collector as N/A, not applicable, under the PM traffic hour traffic count as well the hour level of service indicated that there is no data available to submit for your consideration. There is currently no plan that I know of on the books for the development of Sunbeam between Ash and School streets thereby guaranteeing that for the foreseeable future 100% of the traffic generated by this new subdivision will exit to either Ash Street which is potentially problematic because it is narrow, poorly lit and lacks curb, gutter and sidewalk for much of its length and terminates at Kuna Road which has poor visibility to the west and traffic during peak hours with more traffic coming as more developments to the west of town are completed. S. Ash was the subject of a September 4, 2019 Kuna Melba News article in which it was reported that in two recent studies by the Ada County Highway District that half of the drivers using that road drive over the speed limit; one of those studies lists the hourly use on South Ash to be 67 cars per hour or just over one per minute. The study reported that 68% of cars traveling S. Ash traveled over the speed limit and 28% were 10 miles an hour or more over the speed limit. So Ash Street doesn’t seem like the best place to add another 312 vehicle trips per day to me but the other option for traffic exiting the subdivision will be through the Brandywine or Outpost subdivisions adjacent to the north and east of Chotika in order to access S. School Avenue. Those 312 additional vehicle trips per day are going to go somewhere and sending them through existing subdivisions as their most convenient or practical route to access the larger and more capable School Street is a potential safety hazard to existing homeowners with children in these neighborhoods as well as detrimentally impacting what the Comprehensive Plan terms as a valued characteristic of these subdivisions, which is low traffic. As stated in our previous testimony several months ago we welcome new neighbors and growth to Kuna, we do not oppose Mr. Veasey’s development in principle but diversity of home options in Kuna doesn’t necessarily mean we need all new developments to be apartments and smaller homes. Larger lots allow for larger residences and are more likely to be attractive to other demographics we would like to have consider Kuna as home. Business owners and professional people with growing families, retirees and empty nesters who want a garden or a place to park their RV or build a shop, people who want to put down roots and stay for 20 years or more; these are the anchors of good strong and vibrant communities and this is what made Kuna one of the best places to live in the Treasure Valley. And with continued oversight and good planning by community minded people like yourselves it will be far into the future. The Kuna residents that I am representing this evening are asking this commission to: 1. Deny or restrict further infill development in the area between S. School Avenue and S. Ash Street until Sunbeam can be completed between Ash and School in order to safely route the additional traffic where it should be and not through the Outpost and Brandywine Subdivisions or until Ash can be improved to make it safer to handle the traffic as a primary route. 2. In order to approve Chotika specifically, require the redesign of the layout to be more in line with immediately adjoining neighborhoods to preserve the valued characteristics of those subdivisions by making the lots larger and reducing the density thereby preserving the rural feel of the area allowing for larger

homes for growing families to age-in-place and reduce the traffic impact on the area. Thank you.

Chairman Young: Ok, thank you very much. Ask if there is anybody that was not listed on this letter or outside this subdivision that did not sign in who would like to testify? Ok, seeing none then we'll go ahead and have the applicant come forward and uh respond to uh some of their comments.

Jace Hellman: We have someone raising their hand to comment over there.

Chairman Young: Oh

Woman from Audience: You said that did not sign in then you said and who wants to testify...inaudible...so are you just saying people in this subdivision who did not sign in?

Chairman Young: Uh, if he was representing you then you're ok, I was thinking if there was someone outside the subdivision or who had not signed in. So, so your...

Woman from Audience: Outside of the subdivision.

Chairman Young: Ok, then, then you would like to testify? Ok um Jace, could you have her sign?

Jace Hellman: Yeah uh, I believe she has already signed on the list.

Chairman Young: Ok, please. Oh, are you Cindy Giesen then? Alright then just state your name and address for the record.

Cindy Giesen: Oh, um my name is Cindy Giesen. I live at 1363 S. Ash, I'm about 2 ½ acres south of, I mean, I'm south of this project on 2 ½ acres. I want it in the record that I am opposed to this plan specifically because it was requested by the neighborhood that we see another plan with R-4 zoning and for all the reasons that was just discussed; there is only one little partial property that is R-6 at this time and everything to the west and the south is either R-4 or acres. Ok, so it is surrounded by families and rural life and um what they proposed is only two less homes and that is not gonna alleviate all the traffic problems that we have brought up. And I mentioned in my earlier mail or my letter to the first hearing, that um our S Ash narrows as it goes north towards Avalon so just because they make their portion wider doesn't mean it's going to solve our problems. Also, I didn't mention that as you try to get onto Avalon there's a hill to the west and it's very difficult to see oncoming traffic so its quite a hazard going onto Avalon. So that is pretty much gonna leave all the homeowners going through the neighborhood streets which just isn't fair, fair to them which he already discussed. Um also, when you start allowing this higher density you, it is always seems to be used for justification for the next lot and the next lot and the next lot. And I'm presently R-4 on 2 ½ acres and have no desire to, to develop on it

until this stuff comes closer to me. Right now I'm having to deal with Desert Hawk which is on Ten Mile and you look out and uh, you know, its just getting closer and closer so I just ask that you right here is a good place to draw a line on this property and say R-4 and no more going south on School or Ash because we don't have the road capacity or anything. And because there are large lots next to it, it makes sense to stop it you know; and um and in one additional point I would like to make is in my earlier I discussed um lighting and uh fencing. And I just want to remind the Board that um that they're using brighter lights now like in Desert Hawk; if you look out to the streetlights around there that here they are the yellow color which is really kinda easy on our rural environment but once they put in those brighter lights it just it just ruins the whole atmosphere and the light that we moved here for. So, I just, there's no lighting information on in the docket, it always refers to when they start building but it's not workin' out you know. For a year I had to look at bright lights from Desert Hawk with no housing and I had to look at a white vinyl fence that looks like a drag strip or a runway to me because of the way the lights reflect off of it. So also, I would like to ask the planning department to consider lighting uh vinyl that doesn't reflect as much light as this white stuff does. So anyway, I thank you for your time and consideration.

Chairman Young: Ok then, thank you. Can we have the applicant come back up?

Crystal McDaniel: Um, first I would like to address that the starter home concept that I, I think that uh is not accurate to describe the subdivision as a starter home subdivision. The lots are smaller of course than compared to Outpost but the, I think the idea of a starter home is something that is, something that is cheaply designed, and the expectation is for the property to be sold in quick succession. And I think that's kind of a dated idea about people wanting the larger lots to maintain. I think that there are probably people who want large lots but there are also a lot of people who want the smaller lots who don't want the property as a bunch of work that they have to do. And the concept that people outgrow these properties I think is dated and a lot of people are opting for smaller family's and they're just not going into a place with the idea or aspiration of staying there for just a few years until they move on to bigger and better properties. The, the houses are actually pretty well designed and unfortunately I didn't get the document to you in time or to Jace in time, but the houses will be based on the same details as in the Sailing Hawks Subdivision which is in Star, which you probably don't have a point of reference for but um. Looking at some of the details of these houses you know, they're not, they're not these low end houses that I think is the idea that gets conjured when you say that they are starter homes; they are nice floor coverings, nice cabinetry, um what else....the counters are quartz or granite. So, I do have the details here and I can get copies for you if you'd like to take a look to see what the houses will include. Now as far as the traffic, can't really control how fast people are driving, I mean that seems like an issue that needs to be addressed and, and is a safety issue for sure if people are driving to fast on Ash right now even without the subdivision. Um, and there are growing pains, that's just what's going on in Idaho in general; that you know, it's a tough situation but do you stop with the development or

you know, what do you do first? And I don't have an answer to that unfortunately. And, I think that was about it. Any questions for me?

Chairman Young: Ok, any questions for the applicant at this time?

Commissioner Damron: Not at this time.

Chairman Young: Alright, thank you. And, close the public testimony at 6:27 which brings up our discussion on the proposed project.

Commissioner Damron: I know that in prior subdivisions that we looked at, I'm personally really big on continuity of the subdivision matching the other one. Um, we've had this issue on a few of them as far as having larger lots and then throwing smaller lots in there. I tend to agree that if we, if we can make subdivisions flow together, they feel more together and at home you know with each other. Uh I agree with the residents that if we could make it to where it looks close to the same or the same size lots uh would reduce the traffic. The traffic is going to end up being a problem no matter what we do once that builds out um and that's an ACHD issue that we can't, we can look at the traffic studies coming out of it but you know, what are we going to do at the north end of Ash Street when they're trying to get out. If you've ever tried to drive down there when schools out, buses are running, people are picking their kids up around that area, it is tough to get through; then in morning traffic um it's very difficult to come through there. I don't know if we can, if there's anything we can do about that right now uh but I think that if we look at the subdivision in a way to maybe match or flow it uh larger lots in the base towards the other ones then if they want to shrink the lots as they go out it might be a better option.

Chairman Young: Have any thoughts or?

Commissioner Laraway: You know back in 2004 when I serve out here, Ash was one of the biggest traffic problem we had; they were always speeding and we couldn't do a thing about it, so this problem is historic, it's not being created now. Um the widening of the road or the road condition unfortunately that's out of ACHD, we don't control that. Um I...mumbling...I don't know what to say about extra RV parking, that seems like a luxury item. I understand the consistency but you know that if that is something the developer wants to put in that's up to them but if, I don't know if I would make that a requirement just so it would fit in with the next neighborhood; that's a little extreme on my part. Uh we, we've, as a committee we have been pretty stern with the uh with the zoning requirements R-8, R-12; we've been pretty good about that. Now we have before us an R-6 which we've normally been ok with, I have a hard time going the other way. The quality of the homes that's, that's gonna be up to the developer and the building inspectors and that's private industry; I don't know if we should control that. You know, I think my position here is that if the come before us and they have the appropriate zoning and their I's are dotted and their T's are crossed and it meets our code, unless there's an extreme diversion from the neighborhoods around it I don't have a problem with it. It's not probably not going to

be the most popular answer but Kuna's growing, this R-6 is gonna be throughout the annexations that we're putting in. Yeah true, Ash is... School, Ash... they're in that area where it's been developed on and off for you know, years. I don't know if this is a sore spot. That's just my opinion.

Commissioner Gealy: Um I appreciate that you went back and took another look and redesigned the subdivision, we... I do appreciate you're doing that. Uh we were not happy with the design or with the density; I had hoped for R-4 um I think 5 is better, 5 is better. Um I appreciate that the flag lots are gone, I don't think there's the one cul-de-sac but there's not any more of those flag lots and I appreciate that as well. Um and I appreciate the increase in the open space and the distribution of the open space to be more, I feel, accessible to more of the people. I, of course I would like more, I would like more open space and I would like less density. Um again, I repeat myself, I'm concerned about transitions among neighborhoods, in between subdivisions and I'm concerned about amenities for the people that are living there so I would like to see. Stunted speech... actually our Envision Kuna open space recommendation is one acre of open space per 80 residents so I would expect that in a lot, in a subdivision of 30 lots, we would probably have 80 residents and it would be nice to have an acre of open space readily available to those. This looks like we have half an acre which is not as much as I would like but more than others so um, I appreciate the efforts that you made and I'm willing to accept what you have presented here tonight. I think you have taken great steps to address the concerns of the neighbors and the commission and I thank you for that.

Commissioner Hennis: You know, I tend to agree with what you said that you know, although we would, we would have liked to have more. You know, there was some compromise here, I would have liked to maybe seen another lot or two converted from a 5,000 up to a little bit larger but again, I mean. I'm in the industry enough that I recognize that we have enough real estate buyers out there that are looking for good quality homes on not that big of lots even though I am one of those that prefers land; I, I'm aware that there is a lot of people that don't at this point. I'm more concerned about the quality of the homes going in; I think that if there's quality homes going in, I believe it will help the residence of the adjoining subdivisions keep their property values up and such. Um we can't really value that right now because we don't have any information on it but that's what I would hope to expect from them. You know I; I like what they've done with the landscape in here and they've come back with what we've talked about but... so I do appreciate the effort, thank you.

Chairman Young: Myself I do appreciate the, the latest rendition much more than the original. It does meet the zoning requirements for the area as far as medium density and what the Comp Plan looked at as far as zoning density's and those medium density is a range, you know, it's not this is an R-4 and this is an R-6 and this is an R-2. There's always that range in medium and low and higher density areas to allow for that mix of houses um so I... I don't take issue beyond you know, maybe wanting a little bit larger lots here and there. I think they've, they've, they fall within the code

and where we're at, so I don't take any, I don't take issue with that. Is there any other thoughts or input that anybody wants to have?

Commissioner Hennis: Unfortunately, we don't have any control over Sunbeam helping in the traffic situation until the other developments or the other landowners develop anything there, there's just nothing that can be done. And unfortunately, ACHD is the first to admit that they don't improve streets until the needs there instead of the opposite to provide for future growth; they just can't keep up. So, fortunately or unfortunately...

Chairman Young: Sir! (Quiets conversation in the audience) Thank you.

Commissioner Hennis: Fortunately or unfortunately, sometimes subdivisions require them to go in and as the people come in, then the improvements get done but...

Chairman Young: To follow up on your point, you can look at uh what's happening with Ardell. We've had a lot of subdivisions to the north that go in and that's always been the fear you know, what about here, what about there? Now Ardell is almost completely filled in from Ten Mile to Meridian Road so.

Commissioner Damron: And I know we've addressed this with ACHD multiple occasions on building out, mitigating the problem before it starts and we get the same answer; we can't, we won't do anything until that problem exists. So um, I think you're right, unfortunately we cannot do anything about that.

Chairman Young: Anything else I can? I guess I could stand for a motion.

Commissioner Gealy: Um, is the...this is a question for staff, is the landscaping that shows the pathways and benches included in our packet?

Jace Hellman: Commissioner Gealy, for the record Jace Hellman, Kuna Planning and Zoning staff, uh the pa...it is in the packet. The landscaping plan, it should be a couple of slides behind the preliminary plat.

Commissioner Laraway: It's on page 60 Cathy.

Commissioner Hennis: No, that's just the Preliminary Plat.

Commissioner Gealy: I had a little technical difficulty so I'm sharing today. I reviewed everything at home.

Chairman Young: I'm getting up there, I was on the last page now I'm scrolling. I look like my grandson going on this thing now.

Commissioner Hennis: Oh, there it is, page 74.

Commissioner Gealy: Then another question for staff, I'm sorry, you did, you had made a comment that the common space need... surface needed to be designated as grass?

Jace Hellman: Commissioner Gealy, uh, there was a in the previous rendition of the staff report there was a comment um about the useable area being turf or sod um but in the updated landscape plan they took that and then added that added that on to the landscape plan so it is identified that it will be sod on the landscape plan.

Commissioner Gealy: So, we don't need to include a condition?

Jace Hellman: Correct.

Commissioner Gealy: Thank you. (Long pause) Then there's no additional conditions.

Chairman Young: Not to my knowledge. (Inaudible mumbling) Any other comments?

Commissioner Hennis: No, I'm just kinda trying to look through some of the exhibits. (Inaudible)

Commissioner Gealy: We can't hear what you're saying.

Commissioner Hennis: Oh, sorry. Sorry, we're just trying to see...

Commissioner Damron: To see the traffic flow around it, what are alternate traffic routes coming out of there off Ash going to King Road, down to School or down Swan Falls if necessary. Then we discussed the roundabout that's on Recess Way that's already there that exists, what that would do to the traffic so...

Chairman Young: I could stand for a motion if there's no other discussion. (Inaudible, pages turning)

Commissioner Laraway: Conditions have the Dark Sky policy in it right, to be consistent with city lighting?

Commissioner Damron: Yeah, they do.

Commissioner Dana Hennis moved to approve 19-03-AN (Annexation) and 19-02-S (Preliminary Plat) with the conditions as outlined in the staff report. Seconded by Commissioner John Laraway. Motion carried 4-1-0. Commissioner Stephen Damron voting nay.

Commissioner Dana Hennis moved to approve 19-09-DR (Design Review) with the conditions as outlined in the staff report. Seconded by Commissioner Cathy Gealy. Motion carried 4-1-0.

B. Case No. 19-05-SUP (Special Use Permit) 1195 West Castro Drive **ACTION
ITEM**

Chairman Young: Next up we have 19-05-SUP (Special Use Permit) at uh 1195 West Castro.

Dough Hanson: Good evening Mr. Chairman, members of the Commission, for the record Doug Hanson, Kuna Planning and Zoning staff, 751 W. 4th Street, Kuna, Idaho, 83634. Patricia Johnson seeks Special Use Permit approval for a home massage therapy business that will be conducted in an accessory structure located at 1195 West Castro Drive, Kuna, Idaho, 83634. Staff has determined that this application complies with Title 5 of Kuna City Code and Idaho Code; with that I will stand for any questions you may have. Thank you.

Chairman Young: Ok, is there in questions for...

Commissioner Gealy: I have no questions at this time.

Commissioner Damron: Has this um, we got any information on agreements with the HOA on this?

Doug Hanson: So as far as this goes, we don't work with CCNR's; CCNR's are their own separate set of rules, we just go based off of what City Code allows and this is allowable in City Code.

Chairman Young: Ok. (Inaudible) Then we'll have the applicant please come forward and state your name and address for the record and tell us...

Patricia Johnson: Patricia Johnson, 1195 West Castro Drive in Kuna, Idaho. Um, good evening, as a licensed massage therapist through the state of Idaho I am applying for a Special Use Permit to practice my trade in the studio that is located on my property. I have been a massage therapist for 11 years; I am very passionate about what I do; for this reason, I wanted to be able to offer a more affordable option for massage therapy. And the way to accomplish that was um obviously having, not having to pay for the rent. Um also, I have laid out my reasons why this would not be disruptive to my neighbors in the Neighborhood Meeting letter that I sent out; I have specific days and times of operation, also I will only accept clients who set up appointments via um phone, text or email. I do not have my address listed on my business card to avoid any kind of walk in clientele, um my clients will be able to park in my driveway as well. Massage therapy is by nature a quiet practice, I specialize in deep tissue and focus on overall muscle health and range of motion improvements. In addition to the benefits I have listed I also have an insurance plan through a reputable

massage therapy carrier whose purpose is for covering massage therapy, massage therapists and clients. Um, thank you for taking time in consideration of my request. And I do just want to address the comment you made if I can?

Commissioner Damron: Mhm.

Patricia Johnson: I did speak with Shirley um who is the HOA person before we even went into anything else because that was advised to me that I should do that; and um she said that they have no reason to object.

Commissioner Damron: Ok, good. Thank you.

Patricia Johnson: thank you very much.

Chairman Young: Ok, I do have one question. Where, where in the house does the, the massage practice take place?

Patricia Johnson: Um so it is actually on the side of my house in an 8 x 10 shed that I have obviously made nice into studio but I mean, a massage table doesn't take up much space so it works and I... (laughs)... It's really nice, it doesn't... (laughter)... it's going to sound, I don't know. But I have extension cords that I can run & that's how I power it so its just essentially a shed so.

Chairman Young: Ok, are there any other questions for the applicant at this time? (Unanimous no in answer). Thank you. Alright, then open up the public testimony at 6:50. I have uh just one person uh listed to testify and David Bernardi, did I say that correctly? Come forward and state your name and address for the record please.

David Bernardi: My name is David Bernardi, I reside at 1383 West Crenshaw Street, Kuna, Idaho and am the president of Palomar HOA. And as per article 713 in the CCNR's it says, "No portion of the common area or any lot or any structure thereon shall be used in conduct of any trade or business or professional activities". That's all I got. This is a legal, binding contract by the way.

Chairman Young: Ok, thank you. Ok, that's all I had listed to testify, is there anybody else that's here who is not listed that would like to testify? Seeing non, um, is there anything the applicant would like to add to what Mr. Bernardi had to say?

Patricia Johnson: Um yes, I am slightly confused. When I sent out my neighborhood meeting list um why no one came if there were questions, but I called.... I'm sorry. I am just really confused because I called the place I pay my HOA fee to, Century Management, and they directed me to Shirley who was supposed to be in charge of the HOA and she said that there was no.... that there was nothing standing in the way so I'm really... I guess I'm just confused, I'm sorry. So... I will have to give her a call.... (inaudible). I have no idea what's happening. Thank you.

Chairman Young: Ok, thank you. Um ok, then with that I'm going to.... yeah, um.... (David Bernardi attempts to return to the podium to speak). Typically, once you testify, we don't open that back up just procedurally, but I do have a specific question if you can come forward. Just one specific question. (Inaudible) you cannot respond but I do have a question for you. (David Bernardi returns to podium). You said your CCNR's said no common area can be used for....

Commissioner Gealy: Can you read what your read...read what you read again.

David Bernardi: It said, "No portion of any common or any lot or structure thereon shall be used for the conduct of any trade or business..." We originally didn't have it.... I just want to comment on....

Chairman Young: I know but that's why we just have those specific times and you finished it.

David Bernardi: Ok.

Chairman Young: I thank you for responding to my question. Ok, so I close the public testimony at 6:54 which brings up our discussion and again as staff mentioned earlier, as a city we, we don't enforce CCNR's; it's a civil code its not a City Code so we can't enforce CCNR's. That's between the HOA and their members. Um, you know so, I'll address that right off um. As far as, to me, it's a very small business. It's not uncommon for people to have in home businesses and business licenses, that happens all over this city um whether it's a in home daycare, a salon....

Commissioner Damron: Mhm.

Commissioner Laraway: Well a lot of people work from home under computers.

Chairman Young: Yeah, and we do have a lot of people that have clients that's why they go through this process so we can restrict traffic flow and all of that and see if it's something that would be applicable to a neighborhood situation. At least for me, this is one of those cases that I think that kind of jives with the intent of the Special Use and those types of businesses. I don't know what other thoughts and opinions....

Commissioner Damron: Well she...one client at a time and she said they would be able to park in the driveway; I don't even think you'll notice that she's doing a business there so....I think it's probably our best case scenario in a home business.

Commissioner Hennis: I agree, I mean this happens constantly, especially as things get more remote. I mean, it all tends to qualify in there, I'm just....with the listing of properties an homeowners nearby I don't know why he wasn't listed in that grouping and why there was another person that she was directed towards. She made the effort.

Doug Hanson: Staff would add the recommendation that the applicant get a building and electrical permit for the shed.

Commissioner Gealy: Thank you. At the risk of overstepping, um, I feel like this kind of a home business is allowed under Special Use Permit and City Code. There is a specific question as to whether the CCNR's and this subdivision allow it but it's not the purview of the city or this commission to enforce the CCNR's. We are held.... we are held responsible for the City Code and the City Code allows this and I think that we would be remiss to deny it because of the CCNR. So.... (outburst from crowd, gentleman leaves chambers).

Commissioner Laraway: Well I guess my question was would it be appropriate to table it until they work it out with the HOA?

Chairman Young: Say that again. (Commissioner Laraway repeats himself) Well I think that since we don't enforce them, those, the HOA regulations which, yeah we can condition that the shed meet electrical code and those types of things....that's just a life safety type of deal so the inspectors would have to come out and look at that and deem that useable and safe to the public. I think that at least to me, the conditioning that they uh the applicant go through the building department as far as the appropriate permits then.... any other thoughts or?

Commissioner Hennis: No.... it's what I thought. I mean, they'll have to work out that matter as to the CCNR's by themselves.

Chairman Young: Ok. Then I stand for a motion.

Commissioner Dana Hennis moved to approve 19-05-SUP (Special Use Permit) with the conditions as outlined in the staff report and with the additional condition the applicant works with staff to get the appropriate electrical and building permit needed for the accessory building. Seconded by Commissioner Stephen Damron. Motion carried 5-0-0.

C. Case No. 19-10-AN (Annexation), 19-06-DA (Development Agreement) & 19-23-DR (Design Review) – Spring Rock Subdivision **ACTION ITEM**

Chairman Young: Then, give me one second to pull up this PDF here. (Laughter). Then the next item up is 19-01.... I'm sorry....19-10-AN, 19-06-DA (Development Agreement) and 19-23-DR (Design Review) for the Spring Rock Subdivision. So please have Troy come on up.

Troy Behunin: Good evening Commissioners, uh, for the record Troy Behunin uh Kuna Planning and zoning staff, 751 W. 4th Street um Senior Planner for the Kuna Planning and Zoning Department. The packet of information I passed out to you just momentarily....erm....just a few moments ago um reflects some of the late developments in this project that were submitted after the packets were assembled and

delivered to you folks and put online. Um but in an effort to make sure that everybody's voice gets heard, staff did make the copies of those citizen letters, a couple of agency requests....er....agency comments and also a map bearing a very late change to the site plan that was negotiated um and I'll get to that in just a few minutes. So, uh, good evening Commissioners, as I said for the record, Troy Behunin, Kuna Planning and Zoning Department; this project does involve a number of parcels, hat list of parcels is actually listed in your packet and in the application that is up for your consideration tonight. Those parcels at this moment are in Ada County jurisdiction and are seeking Annexation and Preliminary Plat and Planned Unit Development and a Development Agreement and a Design Review approval from.... a recommendation from this body from you to the City Council. Now the Design Review component will be an element that you folks will make a decision on and here is where it will end unless there is an appeal to the City Council. The application is a request for approval of the foll...the applications that I have already talked about and that you have listed Commissioner Lee Young. Uh, the applicant has requested to Annex approximately 761 acres or more specifically, you can look at the application, approximately 761.44, into the City of Kuna with a variety of zones throughout the project. Those proposed zones include R-6 Medium Density Residential, R-12 High Density Residential, R-20 High Density Residential, C-1 Neighborhood Commercial and single.... I'm sorry, and uh C-2 Area Commercial zones. This will be a if prop.... if approved, this proposal will be a master planned, multi phased project that is proposing up to 2,274 dwelling units; now that is not single-family homes only. Of that 2,274, 1,886 will be single family detached and approximately 388 multifamily um.... not approximately, sorry.... that is what they are proposing is 388. The applicant is requesting also a Preliminary Plat approval in order to subdivide approximately the first 477 acres of the 761 into 757 single family and 136 multi family lots, 34 common lots, 7 commercial lots, a school.....actually 2 school lots and 2 public facility lots. The remaining lands which the makeup is about 284 acres, will be developed in the future with separate applications for the Preliminary Plat and also the Design Review; and if there is any need for a Rezone or if there is any need for a Special User Permit, those would follow at a later date as well. The site touches more than one mile of current Kuna City Limits on the west and also the uh northwest corner of the project um which is a significant touch to Kuna City Limits; that is a touch to the Falcon Ridge....Falcon Crest Subdivision which was annexed by this city earlier this year....I'm sorry....boy, I'm really on a roll.

Commissioner Gealy: Last year.

Troy Behunin: This time last year.... we're already in 2020. Um because the owners have consented to the annexation of their properties and because there is a significant touch to current City Limits this is a request for a Category A Annexation into the City Limits. Approximately 33.67 acres will be zoned from Rural Residential to R-12 High Density. Approximately 18.89 would be changed from Rural Residential to R-20 High Density. Um and approximately 12.21 from Rural Residential to C-1 Neighborhood Commercial and approximately 35.87 acres would be zoned from Rural Preservation to Area Commercial and the rest....the rest of the property would be....would make up the R-6 designation which is the bulk of the property. Kuna's Comprehensive Plan does

encourage a variety of housing types for all income levels, not just for any specific target; the city does attempt to balance the housing types within the city. This project does bring a variety of uses to the area utilizing the Planned Unit Development or the PUD method which is a separate toolbox that developers are entitled to use if they meet certain criteria. The applicant is proposing different zones for Commercial, different zones for Medium and High-Density Residential uses and that includes Multi Family and Single Family...uh 2 school sites, commercial lots, public service lots, open spaces including several city parks they are proposing. Um multiple private parks with a considerable pathway network, um just in the first Preliminary Plat that I mentioned earlier, they are proposing 85 full acres of open space just in this first Preliminary Plat; that represents about 17.8% open space just in the first Preliminary Plat. Overall speaking, the applicant believes that they are nearing the 16.5 or 16.25 percent open space overall for these 761 acres. So, this proposal does meet the criteria for a Planned Unit Development or a PUD. A Development Agreement also follows this application and it is intended to guide the entire project of this master planned community from start to finish. The Development Agreement for you tonight is the product of negotiations between staff, the applicant and legal counsel with the city. Um because of the PUD tool box that they have chose to implement, the applicant is also proposing modification to some of the standards of City Code including some of the um zoning codes; those are listed in a side-by-side comparison a...I believe Exhibit E contained within the Development Agreement and it is intended to be a comparison. So, on the left side in black will be how current City Code is, on the right there is um red underlined changes for their proposals um. Now they are not changing code for the entire city, they are only changing or modifying certain aspects of the Code for their specific development just like Falcon Crest did last year with their Planned Unit Development proposal um which was approved by City Council. Um staff will rely on the Commission to reach a decision on those requests of modifications, those are listed inside the staff analysis of the staff report. And there um there's just four questions that staff had um, they're very minor, but we will rely on the Commission to deliberate and maybe ask questions about the need for those changes but we'll rely on the Commission for that decision or at least the recommendation to City Council. The applicant has also proposed a um Preliminary Plat which does appear to follow Kuna City standards except for the modifications that they've requested um but staff would like to highlight that curb, gutter, sidewalk are required on all Kuna roads including arterials and um collector roads. The reason for that is because there's a finished product and it provides a better um development feel and not only that, but it also takes care of the water run-off which is a major concern. Um barrow ditches are not allowed except in the event that ACHD does not specifically allow for vertical curb um and then it would be up to ACHD to specifically identify a particular roadway that does not require that and is not listed in, I believe, their 5 year work plan. If that is the case, then we will support um barrow ditches along roadways but only along um classified roads which are the collector and the arterials. In the event that barrow ditches are required by ACHD or that they are specifically listed, then Kuna planning staff would recommend that the applicant be conditioned to work with ACHD to obtain what's called a License Agreement to put grass um where it will be allowed by ACHD and a water resource to, to, to water the landscaping. And we're only asking for grass not trees and shrubs and the reason for that is that it just looks more finished

and it also prevents weeds from penetrating you know the uh...and...and overtaking these barrow ditches. And like I said, it provides for a more complete product. The Design Review packet is a review of everything that is common spaces and landscaping, the trees, the shrubs, the buffers, the open spaces. And staff does find that it does generally comply with Kuna City Code; there are a couple of notes that we did recommend uh be conditioned on the applicant in the staff analysis and those have been listed in the back of the report in the staff recommended conditions of approval. Um, a late development on Friday of last week, on January the 10th.... boy now I'm really going back...on January 10th um the applicant did meet with Kuna School District. I am very pleased to announce that they are not proposing a single school site, they are now proposing 2 school sites, one for each school district. And um the Kuna School District representatives are here tonight, um they have verbally given me their uh their not that they're in agreement with it and this is just a proposal for that area; it might shift, it might move a little bit but the size and substance is in that pack that I gave to you before the presentation tonight. You will notice that there was not a final Ada County Highway District staff report for the Preliminary Plat, that's because it wasn't made available to staff um at the time of this meeting or at the time of assemblage of the packets. Um staff is unaware of when that will be coming forward, have no idea, we do know that this body does like to have the final comments from commenting agencies, I do not have that for you tonight. So, you will have to decide what you would like to do with that. Um I realize that was five pounds of information in a four pound bag but I will sit, stand or otherwise be here for questions that you might have.

Chairman Young: Ok. Are there any questions for Troy at this time?

Commissioner Damron: Ada County didn't mention when that might be, when that final draft might come through?

Troy Behunin: No idea.

Commissioner Damron: Ok.

Troy Behunin: The answer is no.

Chairman Young: Alright, I'll have the uh applicant please come forward and uh state your name and address for the record please.

Chris Findlay: My name is uh Chris Findlay, um I live at 1211 Happy Drive, Boise, Idaho, 83706; I am with Ten Mile Creek LLC. Uh first of all we just want to uh thank the staff and everybody that we have been able to work with at the City of Kuna, we are excited about this uh project, we think we're bringing you an extremely high quality subdivision um that probably hasn't been seen here. Um we think we have even probably a nice one than Falcon Crest. Um it has um, just a ton of amenities. We believe in Kuna, we love Kuna, um our, we're all native um from Idaho um, I'm born and raised in Boise. Um Dave Yorgensen family has developed and actually has family that lives in Kuna. Um and uh Pat Dunslager and myself have worked in Kuna since 1995, we started with

some of the very early subdivisions; Palomar Heights, uh Discovery Creek, um and Prospector so we've sold a lot of home here, we're both realtors. Um uh we really, really, really like what we have coming on here. Um. First of all, we agree with all the staff report, we agree with ACHD's staff report um; any of the comments, any of the requirements we're happy to do in the subdivision. This is a large subdivision um and uh we've worked really, really, really, really, really close with staff on this and I really want to make a point on that because this isn't just because.... we didn't do this. The Plat you see today is um is designed by some very specific areas, there's some um...you have the New York Canal, um we have Idaho Power powerlines, we have the Williams Pipeline that goes a mile and a half through this site. Um so, a lot of the juggling has been made to see here. Um the other big point that I want to make to you is that this Plat was kinda almost approved last year when the new Comp Plan came in because we're working within your Comp Plan and this goes...this is an MU zone under the Comp Plan and so what you see here is all allowed within the Comp Plan. And so, whether you approve us tonight or anybody else ever comes in here with all the natural features that put the constraints to it, you'd probably see the exact same Plat over and over and over again. Um the one thing about the Kuna School District, we want to make a point for, we believe in education, we believe that they came and asked us what they asked us for we thought was legitimate. Uh, we took out um over uh 57 lots to um put that.... make that apply for them. That's not a small amount of money that we lost there um. I think you want to look at um the Williams Pipeline is a really a cool deal, we're using that as an amenity now; um it's gonna be a giant bike path uh that goes all the way through the whole site. Um as far as, you know, what ACHD wants.... I want to let you know what happened. We got caught in the political squeeze um with you guys um, the Master Plan has been approved by ACHD they just haven't approved the Preliminary Plat; that's going to happen on January 22nd. Um, they voted 4 to 1 for the um traffic study, we agree with staff at ACHD on it, we have no qualms with it. We thought that they were gonna do it before your hearing and so we apologize to that, um unfortunately um, Commissioner Hansen thinks that they want to know that this thing is get....go through and so that's why they didn't approve....that's why the postponed this until the 22nd um was because they didn't know if you guys would annex us or not. The other big thing about traffic you're probably gonna hear tonight and how bad it is and everything, with us on top of what Falcon Crest is already doing, we are going to solve a lot of problems. We already agreed to with ACHD to take Ten Mile Creek all the way to Pleasant Valley to ACHD's road standards on that....um....that may be the only one that would have a barrow pit on it and part of that has to do with just the drain of the run clear. So, we're probably going to rebuild Ten Mile Creek and then um we will also um uh take...make Hubbard Road to three lanes going out all the way out to Cloverdale. Um can you.... (directs audience's attention to display on the monitors). So, as you can see here um.... and then Five Mile um is aligned with Falcon Crest; that's how come.... that's why that Five Mile goes the way it does, the other reason is there's a road there. Um along the foothills there, there will be bike paths and everything. The other thing too is along um the golf course there in area B uh on the west side, there's a complete pathway that goes along so they will interconnect with all of um Falcon Crest's golf course. So, this whole area will be interconnected between the two um, um projects, so it adds nice flow to it and everything. Uh, the pond up in the corner there is a fishing pond um Bobby from

um the Parks wanted a fishing pond there. We were just going to use it as an irrigation pond, he liked it to where it was useable, um we do....so it will vary a little in size due to the Board of Controls and their restrictions but it should be about a 5 to 7 acre pond um that will be about 28 feet deep; so it's gonna be a really nice amenity with walkways around it and everything. The Board of Control's does not want us on the New York Canal, just wanted to let you know that, so, we can't control that. Um and then the park, the big park, is over 37 acres and all the amenities that you see there um are all at the request of Parks here and we agreed to those and we're gonna put those in. Uh, there will be curb, gutter, sidewalk and um everything going through on Five Mile. Um the...we've done all that with...we're working with them um (inaudible). The commercial and the neighborhood part uh part of it is for small restaurants and they are all placed along the park so they will be, you know, coffee shops and those kinds of things. Um for like um you know, so everybody is going to say well where are we going to go for grocery shopping; you guys have approved um a 20 acre section up on the corner of Cloverdale and Kuna Road for, with Falcon Crest, for large commercial so we don't perceive that as, you know, we don't need to compete with them and they don't need to compete with us. So, the first phase of it, we wanted to do a large phase, our offsites are expensive but we also want you guys to know exactly what you're getting. This is probably about a 5-year project just to get the first phase of the subdivision. Um, there are lots of different kinds of lots there, there's 75, 65 and 50 foot wide lots; those are all varied within there, they're all 110 feet deep. Um each of the A and B areas will have uh clubhouse.... not clubhouse but uh swimming pool cabanas with amenities also inside of them so they're really nice. The up.... actually, the upper um B area lots around the rim are gorgeous um, you know, view lots of the foothills and everything. Lots of pathways um, the one thing that's really cool, like I said, is the Williams creek.... William Pipeline is gonna be um bike paths and everything that (inaudible). This is the roundabout, and this is what I was really trying to get to you. So um, ACHD real.... I mean.... right now, we have um gravel trucks and everything rolling around and bicycles all trying to ride on Ten Mile Creek so that's going to get resolved. And this is actually how they are going to bring Ten Mile Creek into that um and Five Mile all combined; so, this will be the um the new um roundabout that we'll put in in the first phase. So, we're gonna have a great amenity coming in, really nice subdivision, easy for traffic flow and we've worked with staff on that to make that all happen; both with this staff here and with ACHD. Just you know, pictures of what kind of.... you know kind of why we were doing it and what we were looking for. This is extremely family oriented obviously with two grade school sites, I think that's probably a pretty good deal. And once again, we've worked with everybody and we've waited for the new Comp Plan to be done um and we've worked with ACHD staff, we're in compliance and we approve of all this...the staff report that's gonna go in front of the um January 22nd meeting will, we've already (inaudible) all of the stuff they wanted us to do. We've also in our traffic study, we looked at 14 intersections all the way over to Highway 69 so it's not like we didn't look at this traffic study. This is a long project; the other thing that we've agreed to with staff here is at the um end of 361 homes that are built we'll redo our traffic study and um submit a brand-new traffic study. So, the full 757 lots isn't going to get done.... there's gonna be another traffic study and we also think that a majority of the traffic will head down Ten Mile Creek because Five Mile won't go all the way to Kuna Road.

Chairman Young: Ok, thank you.

Chris Findlay: Any questions?

Commissioner Damron: I just have one, um, you said that you agree with the ACHD staff report; do you have a final that we didn't receive?

Chris Findlay: No, we don't have that yet and the reason for that is because their commission wanted us....for you guys to decide something instead of doing it, which is normal, and bringing....having them decide and then us bring something.

Commissioner Damron: So, you agree with the draft and not the final?

Chris Findlay: Yes, excuse me.

Commissioner Damron: Ok, I wanted to clarify that.

Chris Findlay: Yes, we agree with their current draft and the master plan is approved; and there shouldn't be much changes to that.

Commissioner Laraway: I just have some clarification; you're talking about rebuilding Hubbard Road three lanes and taking out the bridge at Five Mile?

Chris Findlay: No, it's....it all stays. That's actually wide enough within to....

Commissioner Laraway: Ok. Is that pond gonna be year-round?

Chris Findlay: Yes. And it can be....and it's filled with our irrigation water that we have that's ours.

Commissioner Laraway: Um, and just.... I'm lookin' at this map, where Five Mile comes off of Hubbard, the existing Ten Mile Creek Road that's there now is gonna be gone and extend off of the Five Mile down into.....

Chris Findlay: Ya, they don't want that that curve. It will remain there for a little bit but eventually it will come into the roundabout and then it will go back up Five Mile. ACHD likes straight lines.

Commissioner Laraway: That's all I have.

Chairman Young: Ok, is there any other questions for the applicant at this time.

Commissioner Gealy: I don't have any questions at this time.

Chairman Young: Ok. Um, before we open the public testimony I kinda...looking at the uh plethora of letters and their agency comments that came in after the packets have gone out and also just the fact that we have no final ACHD Pre Plat report...myself, to be fair not to just the people that would testify tonight but to give the commission time to digest all this and wait for ACHD to do what they're supposed to do and provide us a report; I wouldn't...I would entertain an idea to table this until a time certain which would probably be our next hearing, the 28th of January. Thoughts there are for that to be able to digest?

Commissioner Damron: I don't think they've ever (yeah's from commission). I don't think we've ever had it to where we've sent one through without that (referencing the ACHD staff report) that's always been a requirement we've had that we have all the knowledge and all the reports that are required by staff so we know everything that's going on.

Commissioner Hennis: Well especially with something as pertinent as that, I mean, that's one of big contentions on this whole thing is...is information from ACHD with regards to traffic, budgeting, how they gonna accomplish all this. I mean, trying to get through the traffic study which is extremely thorough and about 400 pages takes a little bit of time so. Um no, I think only to be fair to everybody as well as ourselves to make sure we can get through this information, I tend to agree.

Commissioner Gealy: I...I actually.... I.... people that know me won't be surprised when I say I actually have a lot of questions. Um but I also wonder if we want to hear from people who have come here tonight to speak at a Public Hearing about this, um...

Commissioner Damron: Well one of the issues we look on its Cathy is if we do open a Public Hearing, if there are changes, we can't open it the Public Hearing again.

Commissioner Hennis: Or we do it twice.

Commissioner Damron: Or we do it twice. I think it would be better for us once we get all the information and the public has it, then have the Public Hearing.

Commissioner Hennis: Because it would have to be, I think re-noticed and extended, etc.

Wendy Howell: Just for a little clarification, um you can reopen Public Hearing. However, if there is additional information, those people that testify today may want to re-testify on that information and they would be allowed to do that.

Commissioner Damron: Can you only open it specifically for the new information once you've had your Public Hearing? That they can only testify on the new information that's there?

Wendy Howell: Yes, you can.

Chairman Young: It's a very difficult process....

Wendy Howell: But it is hard to...

Commissioner Gealy: It's hard to regulate.

Commissioner Damron: Yeah.

Wendy Howell: Yeah.

Commissioner Gealy: Because I think it will be a inconvenience for people to come back, who want to speak, although we'll be here in the way. Yes?

Marc Bybee: On this subject of possibly continuing by tabling the hearing, Mr. Gigray (City of Kuna Attorney) did want to make sure that I commented on this. In the event that somebody is here that can't make it for the date certain that you set for the continued hearing, it's his recommendation that that person who can't make it the next hearing, be allowed to comment today even if they may have the intent to comment later but they be allowed to comment today if they can't come back.

Chairman Young: Ok.

Commissioner Gealy: Good point.

Commissioner Hennis: Good point, thank you.

Chairman Young: Um looking at the sign in sheet um, I don't see that there's you know....is there anybody here who cannot come back on the 28th or that is signed up to testify? (Response from audience) Ok, then I will go ahead and open up the public testimony then here at 7:34. Um we'll go ahead and run through this and then we'll reopen the testimony on the 28th.... if we choose to table.

Wendy Howell: For clarification.... for clarification, are you taking testimony from all the people that signed up or are you taking testimony from those who can't make the next meeting.

Chairman Young: From those that can't make the next meeting.

Wendy Howell: Ok, thank you.

Chairman Young: Sorry. So um, sir please come.... come forward and state your name for the record.

Gene Ralston: Thank you, my name is Gene Ralston, 8701 S Five Mile and thank you for the opportunity to bend the rules a bit. I don't know if I'll be here on the 28th because we search for drowning victims all over the Unites States and Canada; we have two

searches pending at this time so we're like an ambulance service perhaps, we never know one day to the next where we'll be or what's going on so. This is the first opportunity that I've had to say anything at all about this because we've been extremely busy the last couple of years. I live one half mile north of the proposed area to be developed; I bought 40 acres in 1971 to build a home on it in 1974. Over the last 49 years there have been at least four major, high density subdivisions proposed on 100 to more than 700 acres of land very similar to this, all surrounding us. Every single one of them went bankrupt before a shovel full of dirt was ever turned; I don't know if that has anything to do with this or not but I'm just giving you a little bit of history perhaps. Dare I say developing this area into high density housing so far from city services is the epidemic of patchwork urban sprawl; I'm sure you realize that, you're seeing it all over the county but certainly there has to be other areas closer to city services where you don't have to build 10 or 15 miles of pressurized sewer line to service that area. There are 13 homes in the general area right now that not even the Post Office will deliver mail to, every single one has to travel from half to three miles to a community row of mailboxes to pick up their mail. The Post Office will have to hire or at least have two additional routes to service this area even if they can agree to do that. I understand this development will necessitate the Post Office having to at least add to the routes.... I mentioned that. In addition, Ada County Sheriff's Office will have to add at least two, perhaps four, new officer for law enforcement assistance. For the last 20 or more years the Fox Ridge Subdivision just $\frac{3}{4}$ of a mile north of this development has been the highest crime rate area subdivision in the county; that's documentable. Until Charter Pointe Subdivision was built right next door to them to the east, now it is the highest crime rate area. I know that none of this is under your purview but certainly I would think that you have a moral obligation to consider these kinds of things in approving in such a large, huge development such as this. Yes, the development will be required to pay impact fees however, impact fees can only be used for, as you know, capitol expenditures. What good will a new Sheriff substation or a new fire house be if the county or the city cannot fund personnel to house those. Kuna Fire District as you know has had at least two bond elections for new equipment and personnel in capitol improvements turned down by voters. When the New York Canal was constructed in 1909 it cut off the natural drainage of Ten Mile Creek, now the creek ends in a mud puddle in several areas around the canal in which they proposed to build a pond. That pond will be a stagnant mudhole because there is no exit of water to keep it fresh.

Chairman Young: Ok, thank you. Your time has...

Gene Ralston: Thank you for (inaudible).

Chairman Young: (Inaudible) Is there anybody that signed up that is not able to meet...at the next 28th (comment from audience) Are you able to be here on the 28th? Ok, let's have her...this...

Joyce Green: Um, my name is Joyce Green, I live at 11710 W. Hubbard Road. Um, my husband is currently a farmer and we countlessly have to call law enforcement because we have people going over 100 miles per hour down that road. Um with farm equipment

going in and out it has been a hazardous situation. When I come home at night, for me to come down Ten Mile Creek into my own house it takes me anywhere from 10 to 15 minutes before I am able to turn into my driveway from all the traffic. So, I'm not so much concerned about the subdivision going in as much as I am concerned about the traffic that we already have out there. Uh, it is unheard of how many cars, it's like a freeway; so I would really like you guys to consider that when you look at this....uh the traffic condition and what they have proposed for the future. For me, we have been told that it will be 5 lanes going out there you know, and he mentioned 3 tonight. So, I haven't seen any plans, none of us that live out there have seen any plan. So I would like for us to know about that more, you know, so the residents that live out there on Hubbard Road can get more information about it because it is gonna come into our land that we have out there. But my main concern is also for the school districts that is going out there right now, the buses have to go into my Mother-in-Laws residence down the street to get off the main road for the safety of the kids because the road is so fast and so much traffic it's not safe for the kids to get off the bus. So that the other thing to consider too. So that's pretty much all I had.

Chairman Young: Thank you.

Commissioner Hennis: Thank you.

Chairman Young: Ok. Um. Anybody? I don't know what anybody thinks about the.... trying to digest this.

Commissioner Hennis: I think she points out a perfect example of why we need more information from ACHD as to what the recommendations and thoughts are because there is a lot of traffic along that road. Now granted the reconfiguration will help slow some of those guys down but it's still going to add...just add to their issues and these issues at that so I would like to see what ACHD does so....

Commissioner Laraway: That's gonna be a double edge sword too because most of that traffic is going out to the Pen so it's gonna be going into that subdivision.

Commissioner Damron: And just to let everyone know, this is the amount of information we have to go through (shows audience 808 page packet) ok so it's not a little bit.

Commissioner Dana Hennis moved to table 19-10-AN (Annexation, 19-06-DA and 19-23-DR to the January 28, 2020 meeting. Seconded by Commissioner Stephen Damron. Motion carried 5-0-0.

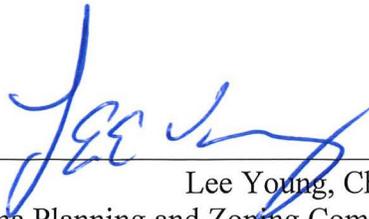
4. ADJOURNMENT: 7:45 PM

Commissioner Stephen Damron moved to adjourn. Seconded by Commissioner Dana Hennis. Motion carried 5-0-0.

ATTEST:



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


Lee Young, Chairman
Kuna Planning and Zoning Commission