



**PLANNING & ZONING COMMISSION
MINUTES**

**Tuesday, June 23, 2020
6:00 PM**

*Under authority of the Governor's partial Open Meeting Law Suspension Proclamation dated March 13, 2020, and due to social distancing protocol, the **Council Chambers Audience Occupancy Capacity was 15. Social Distancing was required.***

Public testimony was received on the cases listed under Public Hearings within this Agenda via email, letter or virtual attendance.

1. CALL TO ORDER AND ROLL CALL: 6:13 PM

COMMISSIONERS:

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

CITY STAFF PRESENT:

Wendy Howell, Planning and Zoning Director
Troy Behunin, Senior Planner
Doug Hanson, Planner I
Jace Hellman, Planner II
Jessica Reid, Planning & Zoning Staff

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

A. Planning and Zoning Commission Meeting Minutes

I. June 9, 2020

B. Findings of Fact and Conclusions of Law

- I. Case No 19-09-S (Preliminary Plat) & 19-33-DR (Design Review) Corbin's Cove Subdivision
2. Case No. 20-02-SUP (Special Use Permit) Brauneisen In Home Daycare
3. Case No. 20-06-DR (Design Review) & 20-04-SN (Sign) Malaspina Ranch Monument Sign
4. Case No. 20-01-OA (Ordinance Amendment) Sign Ordinance

Commissioner Cathy Gealy moved to approve the Consent Agenda. Seconded by Commissioner Dana Hennis. Approved by the following roll call vote:

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

Voting No: None

Absent: 1

Motion carried: 4-0-1

3. BUSINESS ITEMS:

A. Case No. 20-09-DR (Design Review) Francis Dental Office – ACTION ITEM

Doug 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. The applicant Jessica Petty requests Design Review approval for an approximately 2, 940 square-foot dental office located within Redhawk Square on the southwest corner of Deer Flat Road and School

Avenue, 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. **C/Gealy:** I have no questions. **C/Young:** Any questions for staff? **C/Hennis:** No. **C/Young:** Ok, we will have the applicant please come forward; is the applicant here? **DH:** She is attending on Zoom. **C/Young:** Ok, please state your name and address for the record. **Jessica Petty:** Hi, my name is Jessica Petty, my address is 2882 S. Honeycomb Way. I was the architect on this project; it's a 3,000 square-foot dental office for Dr. Francis and his existing practice. It's a single level building made of stone and stucco; we sloped the roofs at two different angles to give it a more modern feel and around the entryway, we wrapped it in stone and we have a flat metal awning above the door for protection as well as bring down the scale and identify the entrance. It's on the corner of the development and will be surrounded by landscaping and parking that the developer has already laid out for us, we just fit the building to the pad. There is a trash enclosure that is provided by the developer, it will be screened in across the way. We have tried to make all four sides of the building aesthetically pleasing since you will see it from all points of view being on a corner lot. **C/Young:** Are there any questions for the applicant at this time? **C/Hennis:** No, I don't. **C/Young:** Ok, that brings up our discussion then. I will start with the landscape; it seems appropriate for the pad and site. There is not much space on the pad but the landscape buffers are there. For me, as far as the building itself, I think it works well with adjacent neighborhoods. The different angles on the roof offer the variations that we like. **D/Hennis:** Yes, I think it's laid out well and everything has come together; I think the architecture is nice. I don't have any qualms with it at all. **C/Gealy:** I have nothing further. **C/Young:** I will stand for a motion if there are no other comments or questions.

Commissioner Cathy Gealy moved to approve Case No. 20-09-DR (Design Review) for Francis Dental Office. Seconded by Commissioner Dana Hennis. Motion carried 4-0-1.

4. PUBLIC HEARING:

A. Case No. 19-13-AN (Annexation) Black Rock Marketplace – ACTION ITEM

C/Young: (Question directed towards staff as they were resolving some technical difficulties) Are we good to go on the second case? **Jessica Reid:** As staff has requested for it to be tabled, we can move on. **C/Young:** Ok, I just wanted to be sure that everyone had their packets. Staff has requested that this item be tabled to a date certain due to posting error; is there a date that staff has in mind for this? **Troy Behunin:** For the record, Troy Behunin, Senior Planner, 751 W 4th Street, Kuna, Idaho. Staff will follow the lead the Commission decides to go in and would remind the Commission that in July we have three public hearings for subdivisions on the first meeting of July, then we have three public hearings and other items for the second meeting in July. Those are just the public hearings; we have other design reviews and other items that will need to be discussed; the size of the public hearings in July are substantial. With that being said, staff will entertain July 14, 2020 or July 28, 2020 for a date for this case, however, staff recommends that you look at August. **C/Young:** August 11th? **TB:** August 11th is more open.

Commissioner Dana Hennis moved to table 19-13-AN (Annexation) for Black Rock Marketplace to August 11, 2020. Seconded by Commissioner John Laraway. Motion carried 4-0-1.

B. Case No. 19-08-ZC (Rezone), 19-10-S (Preliminary Plat), 19-06-SUP (Special Use Permit) & 20-03-DR (Design Review) – Monarch Landing Sub - ACTION ITEM

Troy Behunin: Good evening Commissioners, for the record, Troy Behunin, Senior Planner, 751 W 4th Street, Kuna, Idaho. The case numbers as you have read, 19-08-ZC for Rezone, 19-10-S for Preliminary Plat, 19-06-SUP for Special Use Permit and 20-03-DR for Design Review for the subdivision. This project is known as the Monarch Landing Subdivision and this project does involve one lot of the Tukila Meadows Subdivision; the site is known legally as Lot 1 Block 1 of the Tukila Meadows Subdivision. This application requests approval of the following applications; a Rezone, a Preliminary Plat, a Special Use Permit, and a Design Review. The applicant requests a Rezone for approximately 17.3 acres on the southwest corner of Hubbard Road and Linder Road here in Kuna, and the Rezone request involves this 17.3 acres which is currently zones Agriculture, to a C-3 Service Commercial Zone. The applicant wishes to place a number of commercial uses on these lands and a Special Use Permit is required for the placement of a self-storage unit; this leaves 12 acres and change for other commercial businesses. The applicant is also proposing a Preliminary Plat with 15 total lots; 10 lots will be buildable and the 5 lots for common spaces. The applicant is requesting a SUP so that he can put the self-storage facility and the Design Review is just for the common lots. Kuna's Comprehensive Plan, or the Comp Plan, encourages a variety of commercial uses throughout the city of Kuna; the city attempts to balance all of the commercial types within the city for the daily needs of its citizens and visitors. The applicant does propose to move the agriculture zone to the C-3 zone for the entire property and currently this site is designated as a commercial use on the Future Land Use Map, also known as the FLU Map, for the city of Kuna. This proposal is in concert with the FLU Map and all of the goals of the city in the Comprehensive Plan. The proposed Preliminary Plat appears to follow Kuna City Code, or the KCC. There are several items that staff would like to highlight about the access for the site; Ada County Highway District (ACHD) has made several recommendations for this site. ACHD does recommend to the Commission that there is a Right-In-Right-Out (RIRO) for the access on Linder Road, this means that patrons that are exiting the site from Linder Road would have to turn right and would not be allowed to turn left. They're reporting that both of the Linder Road accesses be at least temporary full accesses, the one on the east side of the site closer to the Linder Road and Hubbard Road intersection would be a temporary full access until traffic warrants or until they put in the round-about; then it would be reduced to a RIRO. Staff does support a full access for the proposed western Hubbard Road as long as that western access lines up with the access across Hubbard Road to the north, which is about 675 feet west of the intersection. With Commissions approval, staff would support a RIRO for the most eastern Hubbard Road access and also a RIRO for the Linder Road access. Staff would like to highlight that curb; gutter and an 8-foot sidewalk is required for all classified roads in the city of Kuna and that barrow ditches are not allowed; Hubbard Road and Linder Road are both mile roads and classified as major arterials. There is an ACHD policy against vertical curb on either of those roadways; as ACHD specifically does not allow for a vertical curb, staff would recommend that the applicant be conditioned to obtain the license agreement to provide sod and a watering source in the barrow ditch as allowed. The applicant should also provide for draining of water because those barrow ditches are made to collect water from the road surface. It is the goal of the city to have completed projects along the roadway, especially along arterial roads; dirt and gravel are not considered complete roadway sections. Staff has prepared the applicant that prior to submittal, to expect to be required to fully improve the frontage for the Hubbard Road section to the existing sidewalk section to the west as it is an arterial road. If this subdivision application is approved, Monarch Landing will create a small remnant property because the homestead that is on there will

create a 1.7-acre piece that will not be included inside the subdivision; that property will likely not be developed for a really long time. Due that, there would be a gap in roadway improvements and also in the sidewalk, the commercial businesses on the corner would then attract pedestrians; there would be about a 325 foot of sidewalk. Staff recommends that it be completed on the entire frontage of the property. The C-3 zone and the residential uses are competing uses so it does not matter if it is R-4, R-2, R-6, R-12 or R-20, it doesn't matter, any commercial zone that is adjacent to a residential zone is a competing zone; this requires a landscape strip between them. The Design Review application for this did not include a landscape strip between the western side of the property and where staff believes the storage units will be placed. What staff is requesting is that there be a minimum 15-foot-wide, landscaped, organic buffer between the homes on the west side of the property and where the proposed storage units are going; this does not include a roadway. The property to the south is also designated as commercial, so it would not need a landscape buffer as it is considered a complimentary zone. Staff (unintelligible) that could be handled at a future date and that staff does recommend that the buffer between the two competing uses on the west side which will be handled in the Design Review for the storage units. Other than these things, staff notes that the landscape plan seems to be within substantial conformance; there are a few things that staff did recommend in the Staff Report and those are listed in the Conditions of Approval. With that, I will stand for any questions. **C/Young:** Are there any questions for Troy at this time? **C/Laraway:** I have a question. You mentioned earlier that the adjacent property would not be developed for a long time; are you talking six months, within five years? **TB:** Are we talking about the project for tonight or the small remnant piece? **C/Laraway:** The project tonight. **Troy:** The applicant intends to develop this site as quickly as he can, at least with the storage units, which would be off of Linder Road several hundred feet; he will be moving on with that as fast as he can. **C/Laraway:** I also read in the report, the maps don't show it, but the ingress/egress of off Linder to the east will be that entrance for this south. **TB:** ACHD would require and the city would require, that it would line up with anything that is across the street. Staff would recommend that they follow ACHD's policy for lining up with adjacent driveways and things like that. **C/Laraway:** I don't think there's anything across the street besides Chapparossa Subdivision. **TB:** Chapparossa is there, I don't know if there is anything else there but I know ACHD supported a RIRO there. I don't recall from the report how far south it has to be but I do know that they do have a standard and it does have to reach that standard; again, ACHD would have that requirement for you. **C/Laraway:** Second question, you were talking about Hubbard Road to the North and that the two entrances have to line up. One of them looks like it lines up with a driveway across the street, does the other one line up with the cell tower road? **TB:** It has to line up with the access points that exist there now, I don't know what the use is but when you look at their map you can see that there are two existing access points on the north side. That is where ACHD and staff are talking about, typically development follows existing driveways; the reason why is because we don't know what is going to happen on the north side forever and we don't want the storage units and this project to be misaligned by 30 or 40 feet, that would just create traffic conflict. We don't want that conflict and ACHD doesn't want that conflict with things that are existing there now. **C/Laraway:** Ok, thank you. **C/Young:** Are there any other questions? **C/Gealy:** I do have a question; what you're talking about is having access that lines up with access across Hubbard or Across Linder. **TB:** Correct. **C/Gealy:** There are two comments in the ACHD report that I don't recall seeing before, where they say, "Special note to City of Kuna: Staff recommends the city require cross access between all lots within the development and the existing home site.", the second one is similar; "The city require cross access between this site and the property directly south of the site." **TB:** That is correct, that is actually a Kuna

City Code as well to provide stub streets. **C/Gealy:** Alright, but that's not something that we would need to include in the conditions of approval? **TB:** You certainly could mention that, staff would be happy to add that to the conditions but that is also a current city code that this project would be subject to. **C/Gealy:** Thank you. **C/Laraway:** Do we have any idea from ACHD about the roundabout? **TB:** They didn't mention it in their report and I don't recall having a date set. **C/Hennis:** If I remember right, it's on their five-year plan or something like that. **C/Laraway:** Ok, thank you. **C/Gealy:** I have a question; with respect to the existing home, which in places it says the existing home is not a part of this, but at the same time the existing home sits on there and is being rezoned. Right? It has to be commercial? **TB:** Correct. **C/Gealy:** I guess it's not clear to me that we can actually condition the curb, gutter and sidewalk, but because it is part of the rezone, that can be included in the curb, gutter, sidewalk condition. Is that correct? **TB:** That would be correct. Not only that, the impact is felt for the entire property even though it is not a part; the not a part refers to the fact it is not a part of the subdivision, the subdivision is excluding that. The subdivision for this development actually creates this small remnant piece and staff believes that we would have the ability to condition that because it is part of the overall impact, rezone and overall project. **C/Gealy:** Thank you. **C/Laraway:** On the plat, according to this, there is a bump out; is that a road widening area? Are they intending on doing a widening? **TB:** Perhaps that's a question for the applicant, I have not had any discussions with the land owner. **D/Hennis:** It looks like it's part of the existing driveway, for them to turn in. (*Commission members review map to point it out to others*). **C/Young:** We will ask the applicant; anything else for Troy? **C/Gealy:** Not at this time. **C/Young:** Ok, will the applicant please come forward, state your name and address for the record. **William Mason:** I am William Mason with Mason and Associates, our address is 924 3rd Street South, Suite B in Nampa. Staff has done a good job of explaining what we're trying to do here, this is a portion of ground that complies with your Future Land Use Map with it being designated for potential commercial project and that's what our client made the application for. The main purpose for asking for this at this point in time is to do a Special Use Permit for a self-storage unit to the west side of the property; the remainder of the lots that are in this plat are going to be commercial lots that are developable for possibly a gas station, a strip mall or a smaller office. I know there were some questions and I will try to remember what they were but if I don't answer, please ask again. In ACHD's April 2, 2020 report, I'm not sure if you have that in front of you, they do talk about the driveway accesses. Along Hubbard they asked us to match the rights-of-ways on the north side of the road; there was some discussion I had with someone the fact that one of those accesses was never actually going to develop *unintelligible*. If we could have a little leeway with ACHD to make sure that we put those where we actually benefit the public; they may not know that was actually a cell tower access. The report I was actually referencing, they asked us to move the access that's on Linder all the way to our southeast corner; that will give them the ability, at least currently, allow a temporary full access to the property and then as they develop the roundabout or as traffic increases, they will move that back to a right-in-right-out. The issue is the same with the east most access on Hubbard, they currently are ok with a temporary full access with the knowledge in the future that will become a right-in-right-out. The ACHD plan that, when I talked to them, that roundabout is not on their five-year plan, it's close; it could move up depending on traffic but it isn't currently available for any timeframe. *Unintelligible*. I'm sure I missed questions; I think you had a question that I don't remember the answer to Commissioner. **C/Gealy:** One was regarding cross access and one was regarding putting sidewalk in front of the residence. **WM:** Cross access means the access I was referring to on Linder on the very southeast corner, they would like that to be shared access with the property to the south, that would allow them to come off of Linder and then be right up

against our property so they could access with easement rights to get to their property; cross access is going to happen between our lots because we don't have any free access to the nine lots. **C/Gealy:** Is there currently a driveway for the residence? **WM:** There is currently a driveway for the residence. **C/Gealy:** And your plan is to close that one? **WM:** Our plan is to leave that one the way it is; I know that Troy wants improvements like sidewalk in front of it but our plan is not to close that access, we will take access for our subdivision off of the two Hubbard accesses permitted by ACHD. **C/Gealy:** The access for the single remaining residence will be the existing driveway. **WM:** Correct, because of the orientation of the house and how they would have to run parallel to Hubbard' I'm not exactly sure that they could meet all of their requirements to get into their garage if we start changing that access to go east-west instead of north-south. **C/Laraway:** There is a question I had about the what looks like a turnout in front of the residence; are they widening the road? **WM:** Unfortunately, I do not have the full-size drawing in front of me (*TB brings the full-size drawing to the applicant*). **WM:** If you're talking about the area that jogs out towards the house and then comes back again, that's their existing driveway; that's actually the topographic survey. **C/Laraway:** So that does not indicate road widening? **WM:** No. **C/Laraway:** Thank you. One more question, you talked about your ingress/egress on Linder and Hubbard; you talked about right-in-right-out. How long are you talking about before making a RIRO? **WM:** ACHD will determine that, if they say tomorrow that needs to be a RIRO, then we won't have full access. **C/Hennis:** That's what the traffic pattern dictates per ACHD requirements, that is when we go to RIRO? **WM:** That's correct, and because we are not actually concentrating on that side of the project first, it's possible that by the time we get to the Design Review and the road improvements in that location ACHD we will go to a RIRO instead of full access. **C/Young:** On the site plan there is nothing that indicates a fence, is it the intent that anything on the west boundary of the property and around the existing residence or residences on the south boundary, will have fencing? Will that have screen separation between commercial and residential uses? **WM:** City code mandates that, along the south side by the storage will be a CMU (concrete masonry unit/wall) and it will be offset from the west boundary so that we can have that organic landscaping; the CMU wall will be the backside of the storage and in front of the residence against Hubbard. Along the southside of the remainder of the parcel because it's commercial to commercial, I'm not sure that we would do a CMU wall there because there could be potential for cross access and future commercial development could blend in with ours. **C/Young:** On the south boundary somewhere closer to the east side of the property, are there residential parcels there? **WM:** No. **C/Young:** So, it's commercial on the entire south boundary? **WM:** Correct, as I understand. **C/Young:** Are there any other questions for the applicant at this time? No? Ok, then at this time, 6:49 PM, I will open up the public testimony; just a reminder that if you signed up to testify you get a three-minute timeframe to tell us what you want to tell us. From there we will move to the next person and after that, the applicant will have a chance to come back up and address the points made. With that being said, on the sign in sheet, I don't see anyone signed in; is there anyone here physically that has not signed in that would like to comment on this application? Seeing none, I do have two people listed that are online here on Zoom that wanted to testify. **Jessica Reid:** Michael and Doris Bailey have not attended via Zoom; Troy will read their submittal into the record but, we do have Zachery Wesley who is joining us. **C/Young:** Ok then, Mr. Wesley, please state your name and address for the record and say what you would like to say. **Zachery Wesley:** Thank you Commissioners, I hope you can hear me, it is difficult on Zoom to hear everybody and pick everybody up in the room; I know there are things that I've missed in listening today. My name is Zachery Wesley, I live at 2767 N Kelsan Avenue which is within 300-feet of the property, I am in the Arbor Ridge Subdivision so I would look

directly into this property they are asking to develop. My big concern from what I've heard today and what I have read in the materials provided, what was spoken to most and brought to my attention by what a planner said, he said it was residential and commercial uses are competing in this area and they will always be competing. I do think that there is a compatibility issue with what they are requesting and the residential use in the area. I think everyone is familiar with this area, Chapparossa, Arbor Ridge; it's surrounded by residential; I think this parcel is on the Future Land Use Map as commercial, it's appropriate to be commercial but I think the question is, is it appropriately mitigated with the residential uses? I don't think what they have prepared and presented today has taken the residential uses into consideration enough. Particularly, I would like to talk about the mini-storage which is going to basically be in residential backyards; it's going to be behind a residential home now, it's going to be behind residential backyards in the Arbor Ridge Subdivision. The package and the materials we've seen hasn't really addressed that; there's no conditions for the hours of operation which I think would be appropriate. Some of these mini-storage units are 24-hour, seven days a week; that's inappropriate to have in somebody's backyard. There is lighting issues with these mini-storage places, they have to be well lit because people are in and out a lot without a lot of supervision so, those lights are going to interfere with our residential uses. We are also concerned about what is going to be stored there, what is the traffic going to be like, what kind of noise are we going to have from this mini-storage unit that's right against these residential properties. I think in particular because this is such a large lot, it's 17 acres, there is room on this parcel to mitigate the residential uses. The mini-storage does not have to be right up adjacent to the residential uses, there could be a considerable buffer there; and I would also note that I think the neighboring property owners, which is also to the south that have a property that could be commercial, they indicated in their letter that they intended to develop as residential. I do think there needs to be a buffer, a significant one, all the way around this parcel and I do think that we need to have these things now for us to comment on before this is approved; it needs to be conditions of their approval. They mentioned getting this stuff done in Design Review, I think we would like to see it up front; those people with backyards, me, that has to look into this property, we would like to see some assurances or some planning in advance to know what this is going to look like; I think that would ease my concerns. Thank you. **C/Young:** Alright, then Troy, will you like to go ahead and read that public testimony into the record for the Bailey's? **TB:** Yes. For the record, this is Troy Behunin, I will be reading into the record a submitted email from Michael and Doris Bailey, 2766 N Kelsan Avenue, Kuna, Idaho; this is concerning the Monarch Landing Subdivision: We understand the Phase 1 proposal is to build a self-storage facility. Our home is located directly adjacent to the Phase 1 property. This property abuts our backyard which is where our living area, kitchen, dining room and master bedroom are located. We have reservations about a self-storage facility located so closely to our residence. We are concerned about the lighting that would be put in at a self-storage facility and how that might impact our ability to enjoy our own backyard and also sleep at night. Glaring lights would be very intrusive. We are concerned about the hours of operation of such a facility and the potential for noise pollution which would impact our ability to enjoy our backyard and could impact our ability to gain restful sleep. We are concerned for our safety because there is a potential for customers of the facility to access our backyard and residence since there is only a five-foot fence separating the property. We are concerned that our enjoyment of the surroundings will be greatly diminished because all we will have a view of from our backyard is a building (about which we have no information on its appearance.). Also, if the building proposed is a one-story or two-story or higher? This greatly impacts the natural light we receive in our windows and our view. If there is adequate landscaping to mitigate the loss of our "view" such as it is, that

would lessen the impact. We are also concerned about the increased traffic along Hubbard Road, which is already becoming more and more busy as more and more homes are built, and there is only one lane going in each direction. People utilizing the storage facility will block traffic while attempting to turn into and out of the facility, a turn lane would mitigate this issue. And finally, there currently are many, many storage facilities in the surrounding area and we simply don't feel it's necessary to build another one in the middle of residential homes. I hope there will be opportunity to comment before the actual facility itself is built. Thank you for allowing us to comment. **C/Young:** Thank you. Will the applicant please come up; state your name for the record please. **William Mason:** William Mason with Mason and Associates. The main thing I heard was the neighbors are concerned about the impacts to their residential housing; we will be back with Design Review for the actual self-storage building before we can get that final permit to build. Right now, we are looking at rezone and a preliminary plat for the development itself, which in the Future Land Use Map designates it a commercial area, so, we are not asking for something that is not something that the city has anticipated, actually, it's encouraged in this area. The 25-foot buffer along our west boundary that is organic landscaping would be part of that buffering from residential housing; we're also meeting aesthetics on the building; it's not just going to be a CMU wall that's flat *unintelligible*. We will also use sky lighting so the lighting will be down and not be out into people's yards, as well as the rest of the *unintelligible* as they are developed, that lighting will be placed as an *unintelligible* on the commercial buildings and stuff. **C/Young:** As far as lighting within the five acres of proposed storage facility, within the facility we don't necessarily particularly propose streetlamps; there are more wall packs within the facility itself, they're not high lamp posts. **WM:** Correct, that is typically what is done. It alleviates the extra light poles that people have to negotiate alongside the facility itself so, wall mounted inside; and the other thing that I guess there was a question about security and that someone could jump over the fence into their yard. Obviously, we have this site secured for himself so individuals cannot just jump back and forth from property to property. **C/Young:** What's the height of the proposed wall separating commercial and residential? **WM:** I can't answer that right now because I don't have a building package, I know that it's not going to be a two-story building along the boundaries. **C/Young:** Are these units similar to your other facility on Deer Flat? **WM:** Yes. **C/Young:** With that building, do you know what height of those units are along the perimeter? **WM:** Just a second, *unintelligible*. **C/Young:** So, the height of those units up there at ten feet are shallower than the typical peak of a residential roof? **WM:** Correct. I would encourage the neighbors to, I know it's further away from the road than being in their yards but, go out and look at the Kuna Kaves Storage off of Deer Flat and Ten Mile and see the textures of the building; it will give a good feel for as we move forward. **C/Young:** And what are your proposed hours of operation? **WM:** Again, that's not something that I am actually privy to, I don't think that it's.... (Owner Inaki Lete answers but is *unintelligible*). I am going to have my client Inaki Lete come and comment on the operation of the facility. **C/Young:** Ok, please state your name and address for the record, thank you. **Inaki Lete:** My name is Inaki Lete, 117 N Kings Road, Nampa, Idaho. I do own Kuna Kaves Storage, and right now we are going into our second phase there. Someone had mentioned that we have too many storage units; we have more homes that *unintelligible*. What was the other question? **C/Hennis:** Regarding hours of operation. **IL:** Right now, our office hours are 9:30 AM to 6:00 PM Tuesday through Friday, Saturday from Noon to 3:00 PM. Our gate hours are 6:00 AM till 10:00 PM; now that is limited to people *unintelligible*. Mostly, in the summertime, there are a little bit later hours but it's minor; people like to go camping and fishing and they like to bring their RV back at night. **C/Hennis:** Ok, thank you. **IL:** Anything else? **C/Young:** On your other facilities, can you put a limit on hazardous storage types that you

don't allow in your facility? **IL:** Yeah, we don't want hazardous stuff. What people put in; we can't see that but Kuna Kaves has hi-tech cameras; it's a big operation. We work with the Kuna Police Department, and they have confidence *unintelligible*. I know sometimes people don't want it in their backyard, but when you do storage you do want it in people's backyards; I think that areas growing and I think it will be useful in that area. **C/Young:** Is there anything else that the owner had? **IL:** No. **C/Young:** Is there any other questions for the applicant at this time? Ok, then with that I will close the Public Testimony at 7:07 PM; which then brings up our discussion. Does anybody want to go first? **C/Gealy:** I think it's a good location for commercial. Looking at the copies of the plan, I feel that really that this needs to have transitions between the residential and the commercial uses. On the landscape buffer, was that 20 or 25 feet? **TB:** For the record, Troy Behunin. That's a good question, staff recommends 15. **C/Gealy:** The applicant said 25, he will install a 25-foot landscape buffer along the western boundary. **TB:** (To applicant) Did you mention 25 foot? **WM:** T thought that's what you had mentioned. We'll do what staff recommends. **TB:** There you have it. **C/Gealy:** And then, in addition to the landscape buffer, is there also a concrete block wall before the building or is the wall the building? **TB:** Because it is a subdivision, there should be a wall or a fence on the property line; it would go property line, landscape buffer and then building or it this commission can decide to have the wall where the building is. **C/Gealy:** We have the landscape buffer next to the neighbors and then the wall? Or does the wall have to be on the property line? **TB:** Subdivision requirements states it needs to be on the property line but in order to mitigate things, they are going to have that particular wall on the west side, or a fence. **C/Gealy:** It might make for a nicer transition for the residents along there having 15, 20 or 25 feet of landscape buffer. **TB:** Well, the landscape will be there anyway, it will just be on the other side of the fence. **C/Gealy:** And this is a concrete block wall? **C/Hennis:** Ya, it doesn't seem to provide a transition or buffer at that point if it's within the block wall, it seems kind of self-defeating. **C/Young:** Well, keep in mind that with city code for the separation between commercial and residential, with a block wall in place on a property line, we're talking about shifting it, but the code says with the block wall that the separation from the property line to a building is 20 feet. Does that sound correct, if it's without that it's 40 feet? **TB:** That is correct, and staff would also remind the Commission and those listening that there is already a subdivision wall around Arbor Ridge. **C/Laraway:** We're talking about the building, this part we're talking about, there's not an application for that so, we don't know what the building is going to go east-west or north-south. **TB:** Correct. **C/Hennis:** No, that's the one he said they are in the midst of platting right now but they don't have anything yet. **C/Laraway:** Right. **C/Hennis:** They'll have to come back with that. **C/Young:** I think the intent of our discussion of what staff has brought was ensuring that there is that buffer beyond what will come in on that preliminary plat so that it's a part of the overall development, not just here's the preliminary plat and now we're going to look at it. **C/Laraway:** Yeah, but we're talking about lawn, we're talking about trees, we're talking about landscaping and then a building; I can't quite envision what the building is going to be. **TB:** If it wasn't clear in the staff report, the recommendation from staff was that we have that discussion tonight, that there be an organic landscape strip but, it will be determined what kind and how wide at time of design review for the building. We're not talking about the building tonight; we're only talking about placing five acres of a special use permit for self-storage in the future. **C/Laraway:** Copy. **TB:** If the commission would like to discuss the *unintelligible* that's fine; if you would like to decide that tonight, that's fine, we just want to make sure that staff went on record that there needs to be a buffer between the storage units and the existing residences. **C/Laraway:** Ok, then the only thing I guess I have a question on is the RIRO; there doesn't seem to be an endgame for that, this RIRO might not be put in place for ten years. That's up to ACHD, that's the problem I have

with the traffic and I don't see anything here that's really eliminating that; like the gentleman was talking about, the traffic on Hubbard is getting worse and there is nothing in play here other than words that say you can't do a RIRO. **C/Young:** Are you referring to all three entrances or just the one on the eastern part of Hubbard? **C/Laraway:** I really don't have a problem with the one to the east, if they are going to move it all the way to the south, that seems to be enough clearance even if they put the roundabout in down the road; that's going to give that clearance for people to maneuver in and out of that. The furthest one the north to the east, that is really close to where that roundabout is and it looks like they even come in from the west. **C/Hennis:** Also remember that what's on the current site plan right here where they are proposing that exit needs to move. **C/Laraway:** Correct, well, the one on the east. **C/Hennis:** Yes. **C/Laraway:** But then you've got the one to the south. **C/Hennis:** No, on the one leading on the Hubbard side, there are two; there's one at the existing residence and there's one over, this one has to move over to the west more to alignment. So, it will give it more space between there and the proposed traffic circle. **C/Laraway:** Ok, I see. I don't think we realize the traffic that is going to be coming in and out of this place. **C/Hennis:** No but is it going to be any worse than if this were developed as a little residential subdivision? **C/Young:** I think you look at the traffic counts for different types of commercial, I think ACHD has traffic counts at 1.5 an hour versus 25 or more for other commercial uses. On this first phase, development is the lightest traffic usage for the proposed area then as other things go in, the traffic would certainly go up; I think that is ACHD's point. **C/Laraway:** The traffic I'm talking about is also going to be pulling trailers. **C/Hennis:** Oh, you're talking for the storage units. **C/Laraway:** Yes. If we're going to have a RIRO, eventually, I think you are going to have to try to move those trucks and trailers and RV's, if they have that storage; I don't know if it's going to be compartment type storage with RV parking? We don't know yet. **C/Young:** I'd imagine that it is a combination of both based on the existing facility. **C/Gealy:** As I understand, they're talking about RIRO on Hubbard access closest to what will become a rotary, and talking about the RIRO on Linder, but they are talking about full access unless the entrance on Hubbard Road. Isn't that correct? **C/Laraway:** Full access until ACHD requires the RIRO. **TB:** ACHD recommends that the western access that's proposed, be full access period; it's more than sufficient distance away from the intersection, the only entrances that would be RIRO is the one on Linder Road and the one closest to the intersection on Hubbard. The closest of is supposed to be a temporary full until traffic warrants that it be reduced from a full to a RIRO only. Although I have not seen a site plan for the storage units, the entrance into the units would be utilizing the permanent full access on the west side; that's what the storage units propose, the five acres is not anywhere close to where the east Hubbard access is, it doesn't even come close. **C/Hennis:** I'm confused then, I thought the Hubbard western full access was where the residence is. **TB:** It's in addition. **C/Laraway:** That's the other road I was talking about. **C/Gealy:** I think we are all talking about the same thing. **TB:** The residence access will remain. **C/Hennis:** Both have these have to combine to this one then, because that is what ACHD is saying, this has to align here. The right hand one goes away and they want it moved over, that's why I'm confused. **C/Laraway:** The one in front of the residence does line up with curb across the street. **C/Young:** There are still two entrances off of Hubbard into the overall development. **C/Hennis:** Ok, that's where I'm confused. That makes more sense. I think for the most part what they are proposing here is pretty decent, that's not a huge storage unit on only five acres and if they are going to put some outdoor storage, that is going to limit the amount of buildings, the amount of people that are in there; that's relatively quiet usage, it could be a lot worse having noise, noise of operation and such. With the landscape strip, the dark-sky's; I think that mitigates a lot of the concerns we've heard from the letter as well as Zach on the public testimony. And we'll know more on the

design review once it comes about, we'll have input there prior, if they are intending only one story much like Kuna Kaves, it's a nice looking and nicely kept area. **C/Laraway:** For a development like this to have three entrances, I'm ok with; I was just worried about the RIRO and how long that is going to play in without being labeled. **C/Young:** Are you wanting to have a RIRO on that easterly most on Hubbard? **C/Laraway:** As long as that other entrance is going to be moved to the south on Linder, I think that gives it enough room to get to that intersection; usually it backs up four or five cars. **C/Young:** As far as the other pieces of the development go, I feel like, as Commissioner Gealy Said, the developments location is consistent with the Comprehensive Plan. The landscaping is appropriate for the overall commercial subdivision, it will appropriate along Hubbard and Linder and as far as landscaping on the first phase, I feel comfortable mandating a buffer on that western side tonight then seeing once the additional landscaping is done. It still has to meet city code with densities, and coverages. **C/Laraway:** The landscaping from the commercial storage units will come in later under a design review? Ok. **C/Hennis:** One thing that I'm still confused with, was it our understanding that the applicant was willing to take the curb and gutter all the way across as staff recommends? Or, were they not wanting to do that? **C/Laraway:** Are you talking about in front of the house? On Kelsan? **C/Hennis:** Yes, in front of the residence. **C/Young:** That may be a question to directly ask staff about but I agree with staff that we need to extend that across there and when we do, we're not going to run a sidewalk with straight curb across; they would still have access. **C/Hennis:** They still have to provide for the current access; ok. In the one letter that we had in the packet from the owners of the parcel to the south, were desiring a block wall between the commercial use on the south but I had heard a couple of things talking about that being commercial to the south and that they didn't need the transition with that particular block yet it's zoned Agriculture; we don't have a rezone on that right now. I'm a little confused why they were requesting the block if they were going to rezone it to commercial. **TB:** For the record, Troy Behunin. There is a difference between the zoning in place and a Comp Plan Map designation; both of these parcels, the one you are mentioning to the south and the subject parcel, both of them are zoned Agriculture. Agriculture is the current zoning but, the FLU map designates that in the event it is developed in the future, the city would like to see and what city council approved, we would like to see commercial on those two properties. We have not received any kind of request or anything from the property owner to the south of that, for any type of development; the only thing we received was the letter that was in your packet. **C/Hennis:** And so, the city code currently right now, being commercial going in and agriculture to the south, that needs to be a CMU block wall. **TB:** Potentially, there could be commercial there if it redevelops. If they never redevelop and they want to live there for the rest of their life, and their grandkids or anyone else they sell it to; if it never develops then it never becomes a commercial use. However, the subdivision regulations, that's the preliminary plat, it requires at a minimum a vinyl fence; code does not necessarily require a CMU wall. **C/Hennis:** Ok. **C/Young:** It would just be on that south boundary. **TB:** The other item you were mentioning was the transition; no transition is needed because it's a complimentary use. **C/Hennis:** Right, but I remembered hearing the applicant talking about not putting a block wall down there, just on the other side. **TB:** Just on the other side, yes, on the western side. **C/Hennis:** Ok, where it abuts the residential. **TB:** Correct. **C/Hennis:** Ok. Now, if they went and rezoned agriculture to residential though, that would have to become a block wall; it's just not in the Comp Plan. **TB:** You can condition it to be a block wall but it does not have to be; the subdivision regulation does not require a concrete masonry wall. **C/Hennis:** Ok, I'm just trying to gather all of the implications. **TB:** I believe that the CMU wall that Mr. Mason mentioned earlier; I believe that is what they would like to do and that would be an acceptable boundary fence. **C/Hennis:** Ok, maybe Applicant, if I can ask you that; what is

your south boundary intention for a fence? Maybe this will just solve it. **WM:** For the record, William Mason, Mason and Associates. What our intention was in the self-storage area, there would be a CMU wall and then the remainder, we would probably do a vinyl fence to separate between the two. The CMU wall is not something, necessarily, that is planned for that along that south boundary. **C/Hennis:** Ok. **C/Young:** So, your intent is to encapsulate phase one with the CMU for security for the storage facility and then, the south boundary of the remaining commercial parcels, a vinyl fence from the edge of phase one out to Linder? **WM:** That is correct. **C/Hennis:** Perfect, thank you. **C/Young:** Any other unanswered questions? **C/Hennis:** Our only additional conditions would be the landscape buffer to the west; to work with ACHD to align the roads? **C/Gealy:** There isn't need for an additional landscape because it's included in condition sixteen. **C/Hennis:** Ok. **C/Gealy:** It conditions fifteen feet of landscape buffer on the western boundary during the design review. **C/Hennis:** Is the curb and gutter all the way across there as well? I thought it was. **C/Gealy:** Yes, curb, gutter and sidewalk are specified as eight-foot sidewalks; that's condition six, as detailed in Kuna City Code. I saw a sketch or schematic of the property showing the property to the south and it looks like there's an existing residence there; I'm assuming they are the people who wrote the letter, and it appears to be pretty close to Linder Road. I'm wondering if there is some kind of a mitigation were there was a CMU wall and weed control. I think we could do something closer to their house but maybe not across the whole southern boundary. **C/Young:** When I was looking briefly it seemed like CMU was a requirement between the residential and the commercial but, now I am second guessing myself. **C/Gealy:** On the southern boundary there are still six or seven parcels that are not in the zone and adding commercial isn't compatible uses, except that someone is living there. **C/Young:** Do we know if that's the residence your referring.... **C/Gealy:** No, I don't know that. **C/Laraway:** Would you rather it *unintelligible* on Linder? **C/Young:** The letter that is being referred to, the address on that was 2965 N Linder Road. **TB:** For the record, Troy Behunin. If you read in the middle of the Clark letter from Vicki and James Clark, their second paragraph states, "My wife and I own Lot 2 Block 1 in the Tukila Meadows Sub. Our north boundary is the south boundary of the proposed rezone". **C/Gealy:** That's what I was talking about. **C/Young:** Ok, there is a residential property on the south boundary. **C/Gealy:** Can staff help me locate the vicinity map that shows the property itself? **C/Hennis:** Page 146 is the one I found. **C/Gealy:** Thank you. The one in the ACHD report? **C/Hennis:** Yes, that's the one that I found that shows that. **C/Gealy:** So, again, I'm wondering if we might think about a CMU wall there by the residences *unintelligible*. **C/Young:** Or may we, in your condition, we could indicate that any residential parcel abutting any of the new proposed commercial have that CMU wall then it would incorporate anything to the west or to the east. **TB:** Mr. Young, Commissioners, if you recall during the applicant's presentation, Mr. Mason indicated that the first phase will be the storage units; they have no one signed on for any of the other parcels that would be involved in a preliminary plat for the rest of the subdivision. Therefore, there is an unknown timeline of when those parcels will be developed. However, tonight you do not have the building design review for the storage units, that still has to come to you because, in the City of Kuna, all commercial development has to go through design review; so, that will come to you when it's ready. Additionally, any commercial business that is north of this house you are discussing, will also have to come through for design review at a future date, which is unknown. Right now, the rezone and this preliminary plat, are going to have just as much impact tomorrow and the next day as it does today; it's going to be completely unnoticed, but any building that does get built near that home will have a design review. Perhaps that is the only way to address any other mitigation matter. **C/Gealy:** Thank you, I agree. **C/Young:** Thank you. **C/Gealy:** I think the only additional condition is if we wanted to add

conditions for cross access but, *unintelligible*. **TB:** That is true but, if you feel that it needs an *unintelligible*. Staff makes many recommendations based on City Code throughout the staff report, some are actually included in ones that staff does find more important.

C/Hennis: So, it sounds like we don't necessarily need to condition that if it's already....

C/Young: It's already mandated.

Commissioner Dana Hennis moved to approve 19-08-ZC (Rezone) and 19-10-S (Preliminary Plat) for Monarch Landing Subdivision with conditions as outlined in the staff report. Seconded by Commissioner Cathy Gealy. Motion carried 4-0-1.

Commissioner Dana Hennis moved to approve 19-06-SUP (Special Use Permit) and 20-03-DR (Design Review) for Monarch Landing Subdivision with conditions as outlined in the staff report. Seconded by Commissioner John Laraway. Motion carried 4-0-1.

C. No. 20-01-SUP (Special Use Permit) 3040 W. Pear Apple In-Home Daycare – ACTION ITEM

Doug 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. The applicant, Aimerine Uwineza, seeks Special Use Permit approval to operate an in-home daycare located at 3040 W Pear Apple Street, Kuna, Idaho, 83634. There will be two employees, Mrs. Uwineza and her husband; hours of operation will be from 8 AM to 5 PM, Monday through Friday. Staff finds the square footage of the proposed site meets the requirements for an in-home daycare of 6 or fewer children. 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. **C/Gealy:** I have no questions. **C/Hennis:** No. **C/Young:** Ok, I will ask the applicant to please come forward if there is anything that you would like to add to what staff said. **Aimerine Uwineza:** Hello, my name is Aimerine Uwineza, thank you for reviewing my application for an in-home daycare. I am excited to own my own business and to bring income to my family and to provide a very important service to families in Kuna who are looking for childcare. I appreciate your time and consideration. **C/Young:** Thank you. Are there any questions for the applicant? **C/Hennis:** Thank you. **C/Gealy:** Thank you. **C/Young:** With that we will open up the public testimony at 7:43 PM. I have signed up to testify Erin McCandless, please state your name and address for the record please. **Erin McCandless:** Hi, my name is Erin McCandless, my address is 3138 S Gekler Lane in Boise. I work for IdahoSTARS and the Idaho Association for the Education of Young Children (Idaho AEYC), we provide oversight for childcare providers in the state of Idaho; we provided professional development opportunities and we oversee childcare subsidies. I am here in support of these folks and their in-home daycare and I'm happy to answer any questions you might have. **C/Young:** Any questions? **C/Hennis:** No. **C/Gealy:** I have no questions. **C/Young:** Ok, I'm not seeing anybody else listed; is there anybody not on this list that would like to testify? **Jessica Reid:** There is not. **C/Young:** With that I will close the public testimony at 7:44 PM, that brings us to our discussion. **C/Gealy:** It was nice to get a letter from the neighbors in support, thank you for that. **C/Young:** I agree. Looking at the application, it is consistent with others of the same type we've looked at in the past. Noting all the licensing that is required and the inspections and

the standard conditions from staff that are part of the staff report, it all seems pretty straight forward to me. Any other questions? **C/Gealy:** No. **C/Hennis:** I agree with you, everything seems to line up pretty well.

Commissioner Cathy Gealy moved to approve 20-01-SUP (Special Use Permit) for an in-home daycare at 3040 W Pear Apple with conditions as outlined in the staff report. Seconded by Commissioner Dana Hennis. Motion carried 4-0-1.

D. Northern Boundary Area of City Impact Expansion – ACTION ITEM

Jace Hellman: Good evening chairman and commissioners, for the record, Jace Hellman, Kuna Planning and Zoning Staff, 751 W 4th St, Kuna, ID 83634. The application before you this evening is a request from the City of Kuna for the planning and zoning commission to review the expansion of Kuna's Area of City Impact most northern boundary along Lake Hazel Road and additional areas adjacent to Highway 69 and W Aristocrat Drive as depicted in your packet. This proposal comes after several conversations with the City of Meridian regarding a mutual impact area boundary for the northern portions of the City of Kuna and southern portions of Meridian. Additionally, several parcels within the proposed boundary expansion are already within Kuna City Limits. Meridian's Future Land Use, which was approved with their newly adopted comprehensive plan on December 17, 2019 reflects this agreed upon boundary. Staff would like to note that the City has no intention force annexing any parcels within this proposed boundary. If this proposal is approved, parcels that are currently within Ada County in the proposed boundary will remain in Ada County as long as the property owner chooses to do so. This proposal is simply to incorporate parcels already within City Limits to the North that are outside the current City's Area of City Impact, and to provide an agreed upon impact area boundary with the City of Meridian. As a reminder to the Commission, Staff is seeking a recommendation to take to City Council, and with that I will stand for any questions you may have. Thank you. **C/Young:** Do you have any questions? **D/Hennis:** No, my main question would have been if the City of Meridian agreed with it and that was answered; that area has always been contentious. **C/Young:** Yes, it's nice to know we now have an agreed upon border. **C/Laraway:** The property that is on the eastern side of Meridian Road and Columbia, is that the Lineman's College? **C/Hennis:** I believe that's a part of it; you said Meridian Road and Columbia? **C/Laraway:** Yes, the north side of Columbia; one parcel is ten acres another. . . . **JH:** That would be correct, that is the Lineman's College there. **C/Laraway:** Ok, thank you. **C/Young:** Are there any other questions for staff at this point? **C/Hennis:** No. **C/Young:** Ok, then I'll go ahead and open up the public testimony at 7:48 PM. I do not see anyone signed up, is there anyone on Zoom? **Jessica Reid:** No there is not. **C/Young:** Seeing none, I will close the public hearing at 7:49 PM; that brings us back to our discussion. Just to reiterate, staff has indicated it is just an Area of City Impact, not an annexation, no requirement, folks are not forced into anything, this is just a boundary line where Meridian and Kuna have decided are our impact areas. **JH:** Mr. Chairman, another question we commonly get, is my address going to change to Kuna; that is all decided by the Post Office so that will not change. **C/Laraway:** Is this growth that we have all because of the topographical of the land where Meridian doesn't want to deal with that land for sewer purposes? **JH:** I would say this location is in regards to where our utilities and services are at versus theirs at this moment. **C/Hennis:** This is where three or four of the subdivisions have gone in and were hooked up to our sewer and it has helped the situation. I know that since I have been on the Commission, we've always had

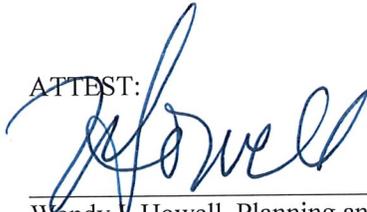
that contentious line of that is our area, no it's our area, so it's nice to have it agreed upon now. **C/Young:** Are there any other questions? **C/Hennis:** No.

Commissioner Dana Hennis moved to recommend approval to City Council for the Northern Boundary Area of City Impact Expansion. Seconded by Commissioner John Laraway. Motion carried 4-0-1.

5. ADJOURNMENT: 7:52 PM

Commissioner Dana Hennis moved to adjourn. Seconded by Commissioner John Laraway. Motion carried 4-0-1.

ATTEST:



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


Lee Young, Chairman
Kuna Planning and Zoning Commission

